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PROCEEDINGS AND DEBATES OF THE 88th CONGRESS, FIRST SESSION

SENATE

FRIDAY, SEPTEMBER 13, 1963

The Senate met in executive session at 11 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God over all, blessed forevermore: Amid the seething strife which mars the earth and still builds its walls of separation, we are grateful for any flicker of light which sends its ray down the future's broadening way.

Whatever be the vexatious problem we are called to face in this volcanic day, we thank Thee for this white altar of prayer, reared at the gates of the morning which speaks to us ever of our final reliance on the supreme spiritual forces which alone abide, and on which our salvation in the end depends.

Before the toil of a new day opens, as busy hours await, we bring to Thee the meditations of our hearts; may they be acceptable in Thy sight. May our compassion help to heal the open sores of the world as we serve the present age, our calling to fulfill.

In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, as in legislative session, the reading of the Journal of the proceedings of Thursday, September 12, 1963, was dispensed with.

ORDER FOR TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that after consideration of the nominations, which I shall call up shortly, there be a morning hour, as in legislative session, and that statements in that connection be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOMINATIONS

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of the nominations on the Executive Calendar.

The motion was agreed to.

The PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

INTERNATIONAL ATOMIC ENERGY AGENCY

The Chief Clerk proceeded to read sundry nominations in the International Atomic Energy Agency.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

UNITED NATIONS

The Chief Clerk proceeded to read sundry nominations in the United Nations.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of all these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

The PRESIDENT pro tempore. Under the order previously entered, morning business is now in order, as in legislative session.

MEMORIAL

The PRESIDENT pro tempore laid before the Senate a telegram in the nature of a memorial, signed by Dr. Felix M. Goizueta Diaz, of Philadelphia, Pa., relating to the nuclear test ban treaty, which was ordered to lie on the table.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. PASTORE, from the Committee on Commerce, without amendment:

S. 1005. A bill to amend paragraph (2) (G) of subsection 309(c) of the Communications Act of 1934, as amended, by granting the Federal Communications Commission additional authority to grant special temporary authorizations for 60 days for certain nonbroadcast operations (Rept. No. 498); and

S. 1193. A bill to amend section 309(e) of the Communications Act of 1934, as amended, to require that petitions for intervention be filed not more than 30 days after publication of the hearing issues in the Federal Register (Rept. No. 499).

By Mr. BARTLETT, from the Committee on Commerce, with amendments:

S. 1988. A bill to prohibit fishing in the territorial waters of the United States and in certain other areas by persons other than nationals or inhabitants of the United States (Rept. No. 500).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BEALL:

S. 2145. A bill for the relief of Rolando Ayson Najera; to the Committee on the Judiciary.

By Mr. TALMADGE (for himself, and Mr. McCARTHY):

S. 2146. A bill to insure certain minimum prices to dairy farmers for milk sold to Federal installations located in States in which minimum prices for milk are established pursuant to State authority and not pursuant to a Federal milk marketing order; to the Committee on Agriculture and Forestry.

CONCURRENT RESOLUTION

PRINTING OF ADDITIONAL COPIES OF REVISED COMMITTEE PRINT ENTITLED "FEDERAL DISASTER RELIEF MANUAL"

Mr. HUMPHREY submitted the following concurrent resolution (S. Con. Res. 59); which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on Government Operations twenty-five thousand additional copies of the revised edition of the committee print entitled "Federal Disaster Relief Manual", which was issued by that committee on August 30, 1963.

RESOLUTION

PRINTING OF ADDITIONAL COPIES OF REVISED COMMITTEE PRINT ENTITLED "FEDERAL DISASTER RELIEF MANUAL"

Mr. HUMPHREY submitted the following resolution (S. Res. 198); which was referred to the Committee on Rules and Administration:

Resolved, That there be printed for the use of the Senate Committee on Government Operations four thousand additional copies of the revised edition of the committee print entitled "Federal Disaster Relief Manual", which was issued by that committee on August 30, 1963.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO AGRICULTURE DEPARTMENT APPROPRIATION BILL

Mr. HOLLAND submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes, the following amendment; namely, on page 31, after line 13, insert the following:

"RURAL HOUSING LOANS

"For rural housing loans, $25,000,000, to be made available in addition to and in the same manner and under the terms and conditions applicable to funds provided under Section 511 of the Housing Act of 1949, as amended."

Mr. HOLLAND also submitted an amendment, intended to be proposed by him, to House bill 6754, making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of the amendment referred to, see the foregoing notice.)

NOTICE OF HEARINGS ON CERTAIN CONVENTIONS AND PROTOCOLS BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, I wish to announce that the Committee on Foreign Relations will meet in public session on Tuesday, September 17, 1963, at 10 a.m. in room S-116 in the Capitol to receive testimony on the following conventions and protocols:

First. Consular conventions: (a) Convention with Korea signed at Seoul on January 8, 1963—Executive B, 88-1; and (b) convention with Japan signed at Tokyo on March 22, 1963—Executive I, 88-1.

Second. Protocol dated at Rome, September 15, 1962, to amend the Convention on International Civil Aviation done at Chicago on December 7, 1944—Executive D, 88-1.

Third. Extradition treaties: (a) Convention with Sweden, together with a related protocol, signed at Washington October 24, 1961—Executive E, 87-2; (b) convention with Israel, signed at Washington December 10, 1962—Executive E, 88-1; and (c) protocol signed at Rio de Janeiro on June 18, 1962, to amend Extradition Treaty with Brazil dated January 13, 1961—Executive F, 87-1.

ANNOUNCEMENT OF SHOWING OF "AFRICA TODAY"

Mr. ELLENDER. Mr. President, on September 23 and 24 I hope to show "Africa Today," which is a series of motion pictures I took while I was in Africa last year. The showings will take place at 2 p.m. and 7:30 p.m. on each day.

I invite all Senators, all those who serve on the office staffs of Senators, those who serve the Senate, and anyone else who may be interested, to attend.

The pictures will be shown in the New Senate Office Building auditorium. I assure everyone that the pictures are quite objective, and I believe will be interesting.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. BARTLETT:

Statement by him on dog-team delivery of the mail in Alaska.

THE CITIZEN AND HIS PUBLIC RESPONSIBILITIES

Mr. CLARK. Mr. President, earlier this week the distinguished Senator from West Virginia [Mr. RANDOLPH] delivered a provocative address entitled "The Citizen and His Public Responsibilities." The address was delivered at a luncheon meeting of the Federal Editors Association, at the Presidential Arms Hotel, in Washington, D.C., on September 12. His excellent address points out a number of the important problems which today confront the citizen in his public responsibilities, as a result of the frighteningly complex problems which face our country—problems which are far more difficult, far more intricate, and which call for a far speedier solution than was the case in the days of our grandfathers and our great-grandfathers.

I commend this address to all Senators, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE CITIZEN AND HIS PUBLIC RESPONSIBILITIES

(Speech by Senator JENNINGS RANDOLPH, Democrat, of West Virginia, at luncheon-meeting of Federal Editors Association, Washington, D.C., September 12, 1963)

It is a genuine pleasure to have this opportunity to discuss "The Citizen and his Public Responsibilities". I know I am addressing a distinguished body of practitioners of the art of public information.

* * * * *

We must define the problem, because the role of the citizen in a dynamic society must change with the altering structure of society. I offer nothing new on the subject, but merely to establish a context within which to approach the problem.

For this purpose I believe we can agree that the role of the American citizen was first most clearly expressed in the writings of Thomas Jefferson. Here was developed the view of the American citizen as the independent freeholder. He was jealous of his own integrity and independence, informed on matters of public concern, and capable of exercising reasoned judgment in the light of this information. The underlying assumption of this view was that man acts of his own free will, guided by the light of innate reason, and that all citizens are potentially capable of exercising reason.

During the 18th century and for the first half of the 19th century, this typical American citizen found himself in a society which was predominantly rural and agrarian. And with the continual advancement of the frontier there existed in general a harmony between the public interest and the interests of the individual citizen. We need not cavil at the truth of this picture in every instance. This, I believe, is in general a fair sketch of the surrounding conditions and the basic assumptions of the historic image of the American citizen. This is the image that governs much of the political thought and rhetoric of today. But what of the change from the conditions that gave birth to this image?

Beginning with the great immigration waves of the 1840's and continuing with the industrialization of the North after the Civil War, American civilization underwent a major reconstruction. The conditions of life changed from the rural and agrarian society to an increasingly urban and industrial one. We have not yet accommodated ourselves to this change. We have not yet fashioned the new symbols and techniques with which to organize political life; we have not yet clarified the assumptions on which must be based the new citizenship role called for by this change.

Much of the confusion in political thinking today, even perhaps much of the so-called apathy of the voter, stems from this failure. This is the failure to establish symbols and attitudes relevant to contemporary circumstances.

Let me refer to past campaign experiences in West Virginia: after speaking to literally thousands of audiences, the one characteristic that most impressed, and most troubled me, was the almost complete lack of people under 30. Wherever I went—whether in mining areas, in the farming areas, or in the industrial areas—I experienced the same situation—audiences composed largely of the middle aged and elderly. In part, of course, this was due to the fact that the predominant campaign issues in West Virginia were economic ones—unemployment, recession, and inflation. And these are, of course, felt more keenly by older people and those with families.

But I believe there is another and perhaps deeper reason. During the primary campaign in 1958 I met an alert and lively gentleman by the name of Charles L. Watkins, in Shinnston, W. Va. Mr. Watkins, a semi-invalid, who is more than 97 years young, informed me that in 76 years he had never missed voting in an election, and that he would make this one as well even if he had to take an ambulance to the polling place. Mr. Watkins is only the most dramatic example I encountered, but there were others.

What I am suggesting is that these citizens formed their commitments to political participation at a time when the political process was meaningful to them. They have since maintained the habit and the identification.

Somehow we have failed with our young people. We have failed to communicate to them the significance of the vote—the meaning of the franchise of freedom. Now, I am not afraid of the misuse of the ballot; a poor or unwise vote can be corrected the next time at the polls. But I do fear the nonuse of the ballot—the withdrawal and isolation of the individual from the political processes, and especially as it is exhibited among our younger folk.

The failure is a failure for which many of us bear a measure of responsibility—the politicians and public officials who too often avoid the direct issue rather than address the challenging problems that confront us. Then, too, there is the segment of the press and communications industry which often emphasizes the sensationalism of charges and countercharges rather than the meaningful interpretation of events, and the many teachers and intellectuals who hold the notion that politics should be shunned.

All of these have been instruments in our default, the default to communicate to the individual citizen the drama and truth of the most important political experiment in history and his role in it.

This failure is characteristically dealt with in terms of the lack of interest of the voter. I would suggest, however, that the problem is not primarily one of apathy, but of confusion. And to define the problem as one of confusion rather than apathy is to prescribe a radically different cure. On the one hand, we attempt to launch a crusade to the roll of drums and the blare of trumpets; on the other hand we attempt to dispel the confusion in the mind of the individual and thereby enable him to identify his own interests with the policies and principles set forth by the respective parties and candidates.

It is therefore essentially a problem in communication. I have indicated what is considered to be one of the chief sources of this problem—that we are continuing to try to communicate in terms of a world that no longer exists and on assumptions about human behavior that we know are no longer valid.

I would go further and submit the opinion that another, though related, source of this confusion emerges from the increasing mechanization and specialization of modern life. Although the individual citizen today is caught up in a vast web of associations—legal, commercial, social and personal—he too often finds no general community of values which he can share. He seeks a consensus with which he can achieve harmony and direction and purpose in his contact with public affairs.

Participation in political life first requires this identification with and sharing of some community of values. But it is this very relationship which is being eroded and chipped away by the growing complexity and specialization of modern life.

Too many of those who have the full rights and privileges of first-class citizenship have withdrawn from their responsibilities in the face of the growing complexity of government and the increasing distance between the individual citizen and the decisionmaking process.

The extent of this withdrawal and the confusion attending it are perhaps best illustrated in the scientific community. I say "best illustrated" because, of all persons and professions in our national community, one would have the right to expect that the scientist would be the most clearsighted in his conception of his role as citizen in a democracy. This inference would seem a justifiable one because the scientific community as a whole—with its commitment to free inquiry, and the spirit of cooperative inquiry which animates the scientific community—most nearly approaches the values of the ideal democracy. Thus, one might expect that the scientist would be among the first to acknowledge his responsibilities as a citizen in the effort to extend the values and ideals of the scientific spirit throughout the larger national community.

Yet, what do we find? Even among the leaders of scientific opinion there is still debated the question of whether scientists should be "on top or on tap." The reference is to whether or not scientists should be the decisionmakers on public policy matters or resource persons on whom the political decisionmakers will draw for technical knowledge. Yet one sees very little reference to the responsibility of the scientist, as scientist—one who is presumably skilled in systematic methods of inquiry—to function as a citizen rather than as a member of an elite. This reference to the scientist is not for the purpose of making a scapegoat of any particular profession, but merely to emphasize that even among those whose professional role is most deeply involved with the welfare of our democracy there appears to be some confusion regarding the responsibilities of the citizen.

While speaking before such a group as this, where the application of the knowledge of information dissemination techniques is clearly understood, permit me to digress to touch on a matter of urgency and personal concern.

In America today it appears that the public mind, and the official mind as well, are captivated by the glamorous challenge of space exploration and the mysteries of subatomic physics. In no way seeking to minimize the importance of such endeavors, I would point out that there remains the overwhelming need to maintain a balance in scientific inquiry—to keep the whole body of technological and scientific advancement in a state of equilibrium.

Michele de Montaigne, the 16th-century French philosopher, recognized the problem when he criticized the scholastic philosophers with the comment—which I paraphrase—that "It is easier to teach our children about the eighth sphere than to give them a knowledge of their own."

Are we not perhaps a bit preoccupied with the race to put a man on the moon? Are other problems of technology so all encompassing that they outweigh the need to resolve the paradoxes of man's inhumanity to man? Is it not equally important to reach solutions of present-day shortcomings as it is to reach out to other strata of the cosmos? It would seem that our failure to solve these everyday problems indicates a lag in ability and comprehension right here on earth.

Imbalance exists not only in the minds of the masses, but at governmental levels as well; witness the established policies which regulate Federal subsidies of scientific inquiry.

Recent figures released by the National Science Foundation indicate that Federal spending for basic research in the areas of the physical and life sciences is more than 20 times as great as the amount utilized for the psychological and social sciences. Projected estimates for 1963 show that approximately $1,415 million will be spent for basic research in the physical and life sciences. In contrast, a comparatively small amount, $60 million, will be expended to support basic research programs in the social and psychological sciences. In light of the pressing sociological and human relations problems which face mankind in a rapidly changing world, such a disparity of financial effort certainly is deserving of the closest scrutiny.

Without being critical of our space effort, it is not unfair to state that the venture is primarily one aimed at increased national prestige. It is also valid to ask whether the United States will gain as much in international respect from a successful moon voyage as would be ours through eradication of some of the more pressing human problems of the age.

Appropriate recognition would come if we met with realistic action the problems of slum clearance and low health standards, the question of second-class citizenship, the tragedy of juvenile delinquency, and the climbing crime rate.

I temper our serious discussion with a lighthearted but significant observation by Albert Einstein. Mr. Einstein was asked how he explained the fact that outstanding progress could be achieved in the intricate and unfathomed world of physics, and yet there appeared to be little progress in politics. He replied simply: "Physics is easier."

The once relatively simple functions of government to which the individual could easily relate have necessarily grown and expanded into a bewildering and complex variety of activities. In the process the individual, whose own integrity as a person is under constant assault, becomes increasingly detached and isolated from the political forces that govern his own affairs.

It would seem, therefore, that we must develop mediating institutions that can bridge the gap—restoring both a sense of wholeness to the individual and a means of enabling him once again to participate in public affairs.

Those of you in the role of Federal editors and public information specialists have a vital role and a real responsibility in this area of concern.

I am not one to whom the term "special interests" necessarily has evil connotations. The American Federal system is based on the constant reconciliation of conflicting interest groups. As Arthur Fisher Bentley pointed out 50 years ago in his "The Process of Government":

"Logrolling is * * * in fact, the most characteristic legislative process. When one condemns it 'in principle' it is only by contrasting it with some assumed pure public spirit which is supposed to guide legislators, or which ought to guide them, and which enables them to pass judgment in Jovian calm on that which is best 'for the whole people.' Since there is nothing which is best literally for the whole people, group arrays being what they are, the test is useless, even if one could actually find legislative judgments which are not reducible to interest-group activities.

"And when we have reduced the legislative process to the play of group interests, then logrolling, or give and take, appears as the very nature of the process. It is compromise, not in the abstract moral form, which philosophers can sagely discuss, but in the practical form with which every legislator who gets results through government is acquainted. It is trading. It is the adjustment of interests."

I suggest that this is at the heart of the American process, and it is precisely this element of compromise that gives our political institutions their flexibility and durability cast.

I believe there is truth in the assertion that the more concrete experience that members of the business community have in practical politics the less likely they are to be critical of those who devote useful careers to the public service.

We recognize the fact of bigness in American life, big government, big labor and big business. But with this, we must find the means and the techniques to prevent the individual man and woman from being lost in the shuffle. I have suggested some tentative lines that we might explore. All of us professionally concerned with government, whether in public office, in public information gathering or dissemination, or in the scientific community, must guard always against the danger of converting the means of government into their own ends. The only proper end of a democratic form of government is always and ultimately the safeguard and enhancement of the values of the free citizens.

THE POPULATION PROBLEM

Mr. CLARK. Mr. President, I ask unanimous consent that an editorial entitled "The Crowded Future" which was published in the Washington Post of September 12, be printed in the RECORD. The editorial deals in trenchant style with the world population program, on which I have had occasion to address the Senate on a number of occasions recently.

I also ask unanimous consent that a rather disturbing editorial, entitled "Probing Heredity's Secrets," published in the New York Times of September 12, be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Washington Post, Sept. 12, 1963]

The Crowded Future

Technology suggests that there is perhaps no absolute limit to the number of people who can inhabit this planet. But economics warns us that the rate of increase is decisive. If population expands faster than the means of paying for its technology, then every premise of a stable national and international life is threatened.

Because birth control is not only a public question but also an intensely private question, a matter not merely of policy but of moral and religious doctrine as well, Americans in public life have traditionally considered it dangerous even to discuss. The climate is now changing, rapidly and for the better. The Reverend John A. O'Brien, research professor of theology at the University of Notre Dame, has performed a particular service with his recent essay pointing out the wide area of agreement among Roman Catholic, Protestant, and Jewish views of a parent's obligation in regard to his children. "This means," he writes, "more than food, clothing, and shelter: It means the ability to provide a suitable education and thus open to the child the cultural heritage of the race."

The concept of responsible parenthood, Father O'Brien believes, is the key to effective action in limiting population growth rates. "That key embodies two elements," he concludes, "crucial to making it work: prudent regulation of births and clear consciousness concerning the responsibility they entail—which is but another name for family planning."

The population of the world, now about 3 billion, has doubled since the beginning of the century. It will double again by the end of the century, according to an estimate published by the National Academy of Sciences earlier this year. "The time has come for vigorous and coordinated action to alert mankind to the need for a reduced rate of population growth and to develop multilateral and bilateral programs to assist nations which desire to reduce their fertility," the American Assembly declared last May. To this Senator Clark has added: "The time has come to speak out in the Congress of the United States on the controversial subject of population control."

Through this rising discussion the country seems to be moving toward the consensus necessary to enable it to profit from the research in reproductivity now underway in medical laboratories throughout the world. The time has come none too soon.

[From the New York Times, Sept. 12, 1963]

Probing Heredity's Secrets

The 11th International Congress of Genetics, just concluded at The Hague, was probably the most closely watched scientific meeting of recent years. Behind the worldwide interest lay a belief that geneticists are on the threshold of a historic breakthrough in their efforts to probe the secrets of heredity. The prospect is that in the next few years humanity will understand—and be able to control at least in part—the fabulously intricate mechanism through which each species of living organism transmits its essential properties to the next generation. At the basis of this expectation is the almost incredibly rapid progress of the past decade in uncovering the structure and function of that most fundamental of substances, deoxyribonucleic acid (DNA), whose molecules contain the blueprints governing the architecture of life in its myriad manifestations.

When and if this genetic breakthrough occurs, it promises to pose problems man has never faced before—problems more difficult in some ways than the gigantic ones posed by the mastery of nuclear energy and the beginnings of space flight. Ultimately we may be able to fashion living species to order, to "manufacture" living organisms with specific properties just as we now produce machines or instruments. It is no longer fantastic to contemplate the time when the stuff of heredity may be manipulated to produce babies with predetermined traits and features. Is mankind ready for such powers? The moral, economic and political implications of these possibilities are staggering, yet they have as yet received little organized public consideration. The danger exists that the scientists will make at least some of these God-like powers available to us in the next few years, well before society—on present evidence—is likely to be even remotely prepared for the ethical and other dilemmas with which we shall be faced.

Mr. CLARK. The editorial published in the New York Times refers to the 11th International Congress of Genetics, just concluded at The Hague, and recites that in their efforts to probe the secrets of heredity, these geneticists are about to achieve a historic breakthrough.

The editorial notes that if this breakthrough should occur, it will pose problems which man has never before faced—problems more difficult than the gigantic one posed by mastery of nuclear energy and the beginnings of space flight. The editorial suggests that—

> We may be able to fashion living species to order, to "manufacture" living organisms with specific properties.

Mr. President, I call this editorial to the attention of Senators. I believe it has frightening aspects in connection with the ability of the social sciences, and, indeed, the democratic way of life which we revere, to keep up with the advances of science.

I am sure all of us will follow with great interest this development, and hope we can provide the governmental machinery which will preserve our freedoms, the privacy of the individual, and our American way of life against this new breakthrough in science.

STATEMENT OF POLICY OF AIR FORCE ASSOCIATION

Mr. GOLDWATER. Mr. President, it should be a matter of grave concern to supporters of the proposed limited test ban treaty, when a military technical association of the stature of the Air Force Association, flatly and without equivocation, states opposition to the treaty.

It should be a matter of immediate study as well. The association, in its careful statement, took into consideration the major assurances we have heard in regard to the treaty—and still they oppose it. Press reports of the association's position are unable to do justice to its thoughtful and thorough documentation.

Therefore, I ask unanimous consent to introduce the complete text into the Record and I urge all Members to consider it.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Air Force Association 1963 Statement of Policy as Submitted by the Board of Directors, September 11, 1963

The views of the Air Force Association, as set forth in this 1963 statement of policy, are offered as the collective judgment of a large body of men and women who represent a broad cross section of the American people. In the degree that we constitute an organization, it is by reason of our experience, interest, knowledge, and concern in, of, and about national security. Here we believe our views can make a substantial contribution to the national policy dialog. We present these views herewith:

The Communist system, whether dominated by Moscow or divided between Moscow and Peiping, continues to stand as the primary threat to the peace of the world and the freedom of mankind. We find no evidence that the Communist goal of world domination has changed.

It is now more important than ever before to emphasize this reality. The search for peace is taking new and perilous turnings. Our strength has thus far deterred a nuclear war. Yet, a paralyzing fear of such a war is leading to a preoccupation with dismantling the very strategic tools that have served us—and mankind on both sides of the Iron Curtain—so well thus far. There is abroad an atmosphere of relief, relaxation, and false security ominously reminiscent of events that led to the Yalta accommodation with one totalitarian power and the Munich accommodation with another. Once again, hope may outweigh reason.

Today the nuclear test ban treaty is hailed as a first step toward the relaxation of world tensions and eventual world peace. The desire for peace is one we share. Remembering as we do the false accommodations of the past, we must ask. "Does the test ban treaty truly advance the cause of peace?"

In cold truth the balance between the debits and credits attaching to this accommodation has not yet been satisfactorily struck. Within the Government, the majority of the senior officials who support the treaty acknowledge that technical and military risks are being knowingly incurred. There is, in fact, among the weapon experts who are privy to the technical intelligence a clear disagreement as to whether the nuclear advantage still remains with us or has passed, or is passing, to the Soviet Union.

We note the testimony of the Chairman of the Joint Chiefs of Staff to the effect that Soviet cheating is to be expected.

We note the Government's promises to maintain constant readiness to resume tests, in event of a Soviet violation in those environments prohibited by the treaty.

We note the Government's promises to make the most of the opportunities afforded by underground testing.

We note that promised safeguards are not now in being. This circumstance is a cause for grave concern among those familiar with all the technical considerations.

We note that responsible nuclear authorities consider it possible that certain atmospheric tests conducted by the Russians may have already provided them information on missile vulnerability which we do not have. The United States had programed such tests but these would be forbidden under the treaty. Thus, even if the Soviets do not cheat, and even if the promised safeguards are fully exploited, the Russians may already possess the information necessary to neutralize our missile force.

Finally, we note the statement of the one Senate committee which examined all the classified data—the Senate Preparedness Investigating Subcommittee—which reported: "We are compelled to conclude that serious—perhaps even formidable—military and technical disadvantages to the United States will follow from the ratification of the treaty. At the very least it will prevent the United States from providing our military forces with the highest quality of weapons of which our science and technology is capable."

It is argued, nonetheless, that the technical considerations are necessarily subordinate to the political ones. The treaty's "thrust," we are told, is political. Yet, beyond the vague expectation that the United States will now be able somehow to transact business with the Soviet Union on easier terms, the political advantages that have overpowered the technical disadvantages have not been made clear.

The Soviet political system remains closed. We and our allies still are confronted by a militarily powerful state where policy and the means of action remain locked in secrecy. This is what has bred tension. So long as the real sources of danger remain unapproached and unopened, where are the political advantages? In the past 3 years, communism has been on the move as never before. The Berlin wall has been built, the assault on South Vietnam has intensified, Chinese Communist forces have moved into India, and Soviet forces have moved into Cuba.

We are not impressed by the contention that the schism in the Communist camp will necessarily lead to a lessening of peril to the free world. The Soviet military intervention in Cuba, as well as the Red Chinese thrust against India, came well after the breach between Moscow and Peiping had developed. The fact that we face not one but two centers of Soviet power has only complicated, without solving, the central problems besetting the free world. In any event, we are not now persuaded that it is to the long-range interest of this Nation to make easier the lot of the senior partner of the Communist conspiracy. Logic, in our judgment, argues for maintaining the technological and economic pressures from which the Soviet system under Khrushchev is trying to escape, and for which the system appears to have no effective counter.

In the long run, and we owe it to our descendants to think in the long run, the drive of totalitarian communism, whether in its Russian or Red Chinese manifestations—or even in other forms in Latin America, Asia, or Africa—will end only when the Communist leadership becomes convinced that its aims are demonstrably unworkable and unwanted.

Until recently the keystone of the defense of the free world has been the clear superiority in nuclear striking power of the United States and its allies. Now the pursuit of nuclear superiority is being replaced by the pursuit of a nuclear stalemate. Manned strategic systems, both offensive and defensive, are being abandoned. Under present programs, within a relatively few years our strategic nuclear force will consist entirely of missiles, either buried underground or moving about in the depths of the sea. The stated official hope is that the Soviet Union will similarly recast its own strategic nuclear forces. The opposing missile forces presumably will cancel out each other, like opposing factors in equation. The decisive element in such a balance of power, if achieved, then would revert to traditional air, sea, and ground forces—armed with conventional weapons.

We believe that adherence to a policy of nuclear stalemate is an open invitation to Soviet aggression on terms which the free world cannot meet and is not prepared to meet.

Such aggression could take one of two paths, or both paths could be pursued simultaneously. The first path would be for the Soviets to endorse the theory of stalemate while working clandestinely to upset it. The closer the balance, the easier it can be upset. Technology remains dynamic. Strategy must be responsive to its dynamism. Nor can it be politically frozen at a wishfully convenient level. A breakthrough in only one of several technological areas could upset a stalemate decisively. The potentially decisive areas are many—nuclear weapon technology, military space systems, antisubmarine warfare techniques, antimissile defense systems. A significant Communist breakthrough in only one of these areas could put the free world at the mercy of a Soviet ultimatum.

The Air Force Association believes that a stalemate strategy is illusory on both political and technological grounds. We believe that strong measures must be taken to insure that our strategic superiority, in the meaningful area of nuclear striking forces, is preserved.

Should, however, the Soviets accept nuclear stalemate in fact, then another path to world domination opens up to them. Exploitation of technological advantage has been the free world's greatest military asset to date. It is an asset that would be surrendered should a nuclear stalemate be accepted. For hand in hand with the theory of nuclear stalemate goes political pressure for nuclear disengagement across the board, tactical as well as strategic. This pressure stems from a belief in the inevitability of the expansion of nuclear warfare. The "nuclear escalation" theory holds that use of even small tactical nuclear weapons will invite automatic reprisal in kind and on a larger scale, forcing the tempo of the war up the "nuclear escalator" toward an all-out exchange. Fear of the expansion of nuclear war is so great among those who hold this view that complete elimination of nuclear weapons from the battlefield is deemed preferable.

Should the theory of strategic nuclear stalemate be accepted, should the West's tactical advantage in nuclear weapons be nullified by fear of an expanding nuclear war and by politically inspired nuclear disengagement, then the prospective battlefield might be left to air, sea, and ground forces armed with conventional weapons. The Communists also would retain the option of introducing tactical nuclear weapons to gain a quick decision by surprise. Our allies in Western Europe are quite aware of these factors and are reluctant to supply conventional forces in meaningful quantities, a reluctance bolstered by the certain knowledge that a conventional war would be fought in their homelands. The United States has begun to expand its own conventional capability but has not yet admitted, at least publicly, the immense numbers of men and huge sums of money that will be required to support conventional forces of almost World War II size over an indefinite number of years. If we commit the folly of degrading our tactical nuclear capability, the Communists will have every incentive to improve their own. The Communists then could present us with a choice between capitulation and certain defeat by tactical nuclear weapons.

The Air Force Association believes that strategic nuclear stalemate, coupled with tactical nuclear disengagement, would dangerously compromise the technological and strategic advantage now held by the free world. Further, the association believes the initiative in world affairs would pass to the Soviets under such an alinement of forces. And, most unpleasant of all, this country would face the prospect of conscripting its young men for military duty on a scale comparable to World War II.

The consequences of these notions of technological freeze, strategic nuclear stalemate, tactical nuclear disengagement and, finally, a worldwide confrontation with conventional arms, can already be seen. Manned offensive strategic systems are likely to be phased out completely. No follow-on manned systems, either offensive or defensive, are currently being programed. Complete strategic dependence is passing to a missile force of uncertain and untried reliability, with no strong provision made to exercise the force to determine its effectiveness or readiness. The percentage of the military budget devoted to strategic systems is dropping in both the relative and the absolute sense. Tactical nuclear weapons are beginning to be evacuated from Europe. The number of options available to our strategists and national policymakers is shrinking when it should be expanding. Strategic rigidity is replacing true flexibility. In trying to avoid a choice between holocaust or humiliation the Nation is in danger of passing to a strategic posture in which any choice at all may well be eliminated.

It is said that these changes in our strategy are dictated by the dangers inherent in onrushing military technology and that the admitted risks involved in attempting to freeze technology are preferred to those involved in an ever-quickening arms race. The implication is that unless nuclear competition is dramatically halted, the two world colossi are on a collision course headed for inevitable disaster.

We of the Air Force Association submit that this is both an overstatement and an oversimplification. We submit that there are less dangerous alternatives which can lead to an eventual termination of the arms competition on terms that are acceptable to our national standards of justice and honor. Against this background we present our firmly held beliefs and convictions:

THE THREAT HAS NOT CHANGED

1. The nature and the extent of the Communist threat must first be acknowledged and treated for what it is. The goal is ultimate world domination. The essential threat is Communist military power. That power has been, and no doubt will continue to be, exercised in guile and secrecy.

MILITARY POWER—THE ONLY SAFE ANSWER

2. The only safe and realistic deterrent to the Communist threat is superior military power and the demonstrated willingness to employ it in defense of the free world.

STRATEGIC NUCLEAR SUPERIORITY ESSENTIAL

3. The threat to our survival as a nation and leader of the free world is most critical at the high-intensity end of the spectrum of conflict, that involving exchange of multimegaton warheads between the major combatants, including our allies. The threat diminishes in immediate danger, although not necessarily in terms of likelihood, as one goes across the conflict spectrum toward low-intensity, counterinsurgency type operations. It is important not to confuse the likelihood of a given type of military confrontation with the extent of the threat it imposes. Conventional operations may be more likely than a thermonuclear exchange but they are also much less damaging. A meaningful conventional capability can only supplement nuclear superiority. It cannot substitute for it.

TECHNOLOGICAL ADVANCE

4. Technological advance cannot be wished away or stopped at a point that may appear to be convenient or desirable. Technology will work for any master who has the wit and the will to exploit it. This country must employ technology with imagination and daring in a search both for new means of defense and, equally important, new ways of preventing war.

SPACE

5. One area of military technological potential in which this Nation obviously is making less than a maximum effort is military space. As we noted last year, space provides a new pivot for military capability. We must exploit military space to extend and preserve our deterrent strength, to control and inhibit those who would use their power aggressively to dominate life on earth. All of our national space efforts, including purely scientific exploratory programs, must be measured first against this yardstick. The national interest must be the prime purpose of every national program.

STRATEGIC OPTIONS

6. This Nation must avoid sterile strategic doctrine that strives for a stalemate that would be as difficult for us to maintain as it would be easy for the enemy to upset. Hence, we of the Air Force Association reiterate our firm belief in the need for a mixture of forces and weapons tailored to the job to be done. While the new strategy purports to widen our strategic options, it has in fact limited these options by phasing out manned strategic systems. Only such a mix, of manned and unmanned systems, airborne and spaceborne, offensive and defensive, can give our planners the number of options, the variety of choice, they need to match wits as well as weapons with a determined enemy. Specifically, we call for development and production of advanced bomber and interceptor systems in order to avoid a dangerous overreliance on missile systems.

ARMS COMPETITION

7. We of the Air Force Association hold that this Nation need feel neither a sense of guilt nor of apology in engaging in an arms competition that it did not seek, a competition that was thrust upon it by those who seek to dominate all men. We submit that this Nation and its allies have a solemn obligation to prevail in this competition.

TEST BAN

8. Holding these beliefs, we of the Air Force Association are particularly troubled both by the substance of the proposed test ban treaty and the manner in which it has been thrust upon the Congress, our military leadership, and upon the American people. Much of the basic information pertinent to a prudent decision remains in contention.

We are keenly aware of the military risks which are inherent in this treaty. The political gains which are supposed to outweigh these risks are not so clear. Whenever a nation limits its freedom of technical initiative in any important field, its security is endangered.

It is our conviction, therefore, that even if the promised safeguards should materialize, ratification of the proposed test ban treaty would entail unacceptable risks to the security of this Nation and of the free world.

CONSIDERATION OF CERTAIN LEGISLATIVE CALENDAR MEASURES

Mr. MANSFIELD. Mr. President, with the approval of the distinguished minority leader, I should like to have the Senate consider at this time, as in legislative session, a few calendar measures to which there is no objection. They have been reported by the Committee on Rules and Administration; and I ask unanimous consent that they now be considered, as in legislative session, starting with Calendar No. 464, and ending with Calendar No. 471.

The PRESIDENT pro tempore. Without objection, these calendar measures will now be considered, as in legislative session.

ADDITIONAL FUNDS FOR COMMITTEE ON LABOR AND PUBLIC WELFARE

The resolution (S. Res. 182) providing additional funds for the Committee on Labor and Public Welfare was considered and agreed to, as follows:

Resolved, That the Committee on Labor and Public Welfare is hereby authorized to expend from the contingent fund of the Senate, during the Eighty-eighth Congress, $15,000 in addition to the amount, and for the same purpose, specified in section 134(a) of the Legislative Reorganization Act approved August 2, 1946.

PRINTING OF ADDITIONAL COPIES OF NUCLEAR TEST BAN TREATY FOR COMMITTEE ON FOREIGN RELATIONS

The concurrent resolution (S. Con. Res. 58) to print additional copies of the hearings on the nuclear test ban treaty for the Committee on Foreign Relations was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That five thousand additional copies of the hearings on Executive M, Eighty-eighth Congress, first session, "Nuclear Test Ban Treaty", be printed for the use of the Committee on Foreign Relations.

PRINTING AS SENATE DOCUMENT AND ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "THE AMBASSADOR AND THE PROBLEM OF COORDINATION"

The resolution (S. Res. 190) authorizing the printing as a Senate document and additional copies of the committee print entitled "The Ambassador and the Problem of Coordination" was considered and agreed to, as follows:

Resolved, That there be printed as a Senate document the committee print of the Committee on Government Operations, of the Eighty-eighth Congress entitled "The Ambassador and the Problem of Coordination" (a study submitted by the Subcommittee on National Security Staffing and Operations); and that there be printed six thousand additional copies of such document for the use of that committee.

PRINTING ADDITIONAL COPIES OF HEARINGS ENTITLED "CASTRO NETWORK IN THE UNITED STATES"

The resolution (S. Res. 193) to print additional copies of certain hearings entitled "Castro Network in the United States" was considered and agreed to, as follows:

Resolved, That there be printed, for the use of the Committee on the Judiciary, five thousand copies of part 6 of hearings by the Subcommittee on Internal Security on the "Castro Network in the United States".

PRINTING AS HOUSE DOCUMENT AND ADDITIONAL COPIES OF STUDY ENTITLED "THE FEDERAL GOVERNMENT AND EDUCATION"

The concurrent resolution (H. Con. Res. 203) authorizing the printing as a House document and additional copies of the study entitled "The Federal Government and Education" was considered and agreed to.

PRINTING AS HOUSE DOCUMENT SELECTED EXCERPTS RELATING TO 1963-64 NATIONAL COLLEGE DEBATE TOPIC COMPILED BY LEGISLATIVE REFERENCE SERVICE OF LIBRARY OF CONGRESS

The concurrent resolution (H. Con. Res. 212) authorizing the printing of selected excerpts relating to the 1963-64 national college debate topic compiled by the Legislative Reference Service of the Library of Congress, as a House document, and for other purposes, was considered and agreed to.

MILDRED F. STEGALL

The resolution (S. Res. 194) to pay a gratuity to Mildred F. Stegall was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mildred F. Stegall, widow of Glynn D. Stegall, an employee of the Senate at the time of his death, a sum equal to one year's compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

UNA M. HUSKEY SHARP JACKSON, LOUISE HUSKEY McNEER, AND TILLMAN B. HUSKEY, JR.

The resolution (S. Res. 195) to pay a gratuity to Una M. Huskey Sharp Jackson, Louise Huskey McNeer, and Tillman B. Huskey, Jr., was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent funds of the Senate, to Una M. Huskey Sharp Jackson and Louise Huskey McNeer, daughters, and Tillman B. Huskey, Jr., son of Tillman B. Huskey, an employee of the Senate at the time of his death, a sum to each equal to four months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

The PRESIDENT pro tempore. Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MINING CENTENNIAL SPEECH

Mr. BENNETT. Mr. President, when someone says that the year 1963 is a centennial year, we almost automatically think of some event connected with the Civil War, which was occupying the full attention of the Nation a century ago. I wish to call the attention of the Senate to other events of which 1963 is the centennial—events that have had great impact on Utah and the Nation.

The year 1963 has been declared by Utah's Gov. George D. Clyde as the centennial year of mining in the State of Utah. It was just 100 years ago, on September 17, 1863, that George P. Ogilvie located the first claim—the Jordan—in what was then the Utah Territory. Ogilvie, logging timber in the Oquirrh Mountains for Archibald Gardner's lumber mill, discovered lead-silver ore in Bingham Canyon, Utah. He took a sample to Col.—later Gen.—Patrick E. Connor, stationed at Fort Douglas, Utah, as the commander of the California volunteers. After determining the high silver-lead content of the ore, Connor joined with Ogilvie, Gardner, and others in locating the claim.

Many of Connor's men had been prospectors in California, and after the formation of this first claim group, prospecting intensified. Some mining activity in the territory had gone on prior to this time, of course, but it was connected with the efforts of the pioneers to develop a self-sufficient, home industry economy. The year 1863 marked the beginning of mining operations that represented the risk of private capital in operations based on individual ownership, investment, and profit.

Economic conditions of the time were not favorable enough to prevent failure of the first operations. Costs were prohibitively high—particularly freight costs. This made equipment expensive and markets seem very distant. General Connor built the first smelting furnace in Utah in 1864, at Stockton, and eight other furnaces were built the same year, but there was no immediate result from these efforts except to prove that the ore was easy to treat. Companies organized with high hopes overspent and went bankrupt. Near the end of 1866, activity on the new discoveries came to a full stop.

But in 1869 the railroad came to Utah, with its promise of lower rates and solution for the transportation problem. Mining interest reached booming proportions. By 1871, there were 147 mines, 20 smelters, and 5 mills active in Utah. In 1872, Utah produced 11,785 tons of lead—45 percent of the total U.S. production for the year. Ironically, such copper deposits were found were largely neglected because they were low grade and not as easily smelted as the lead ores. The average copper content of the ore at Bingham Canyon, now the site of the world's largest open pit copper mine, is seventy-five one-hundredths of 1 percent. In normal underground operations, this simply cannot be mined economically.

But the operation at Bingham Canyon, now directed by the Kennecott Copper Corp., is no ordinary operation. Instead of tunnelling to the ore body, the miners blast and steam shovel their way to it, digging an ever wider, ever deeper open pit, removing the overburden of waste material in order to get to the ore. Where once there was a mountain, there now exists a pit so large that the Empire State Building, television tower and all, would only reach three-fourths of the way up the mine's west rim. The magnitude of the mine suggests the magnitude of the task facing the early mining men who took the great gamble to start this enterprise.

Two young mining engineers, Daniel C. Jackling and Robert C. Gemmell, examined the property at the request of Capt. Joseph R. DeLamar, a pioneer in Utah mining. Captain DeLamar had been interested in the property by Col. Enos A. Wall, who had seen the possibilities of the copper deposits and started acquiring claims as early as 1877. The report filed by Jackling and Gemmell was one of the most significant ever written about a potential mining property, although it was ridiculed by many of the successful mining men of the era. One such expert pointed out that the ore content was less than that which was being dumped as waste material at the copper mills at Butte, Mont. Captain DeLamar went along with this current of feeling, and dropped out of the venture, but the others pressed on. Finally, on the strength of the report and after inspection of the property several men were persuaded to provide the initial financing for the enterprise and the Utah Copper Co. was organized under the laws of Colorado on June 4, 1903. The first copper ore was milled in August 1903.

The first operations were confined to underground mining, contrary to the Jackling report that opencut mining would be more advantageous. But it progressed, both in the underground operations and in the opencut activities. In 1914, all underground mining was discontinued, and the entire property was converted to opencut methods. Research provided ways of recovering more and more of the copper, and the operation grew larger and stronger.

During the Second World War, with copper in such great demand, the mine pushed on to set world records for production, records that have never been equaled. The Nation as a whole was benefited in a very vital way by the vision of the first mining men who so tenaciously stood by their vision and worked to make this industry a reality.

However, famous as the copper success story in Utah is, it is by no means the only success story. Coal was first noted in the now famous Carbon and Emery County coal fields in 1853, but shipments were not made from these fields until the railroad to the area was completed in 1878. The Carbon-Emery field became the major Utah producer, with over 1 million tons produced for the first time in 1900. Gilsonite, even today mined only in Utah, was discovered in the east central portions of the State in 1884.

Utah produced all the sulfur mined in the United States in 1887—3,000 tons. Lime, gypsum, and phosphate were also discovered and produced for commercial use.

Other elements, whose use was limited in the mining days of the 1860's but which hold such promise for us in these days, have been found in Utah since those first prospectors went out looking for lead, silver, and gold 100 years ago. Potash, oil and gas, uranium, beryllium, and many others have come to light, showing that Utah and the Nation can look forward to the next 100 years with as much hope as the last 100 years have brought to us in this type of enterprise.

Abraham Lincoln, who guided the Nation's destiny 100 years ago, once said, "Utah will yet become the treasure house of the Nation." In the century just passed, Utah has done much to fulfill that prophecy, which will still be valid for many more years to come.

MONTANAN SWEEPS RIFLE CHAMPIONSHIPS

Mr. MANSFIELD. Mr. President, it is with great pride that I announce that a fellow Montanan, the first in the history of the national rifle and pistol championships, has won both prone and position small-bore rifle championships. Lones W. Wigger, Jr., of Carter, Mont., has made a clean sweep of the small bore rifle championships at Camp Perry, Ohio.

Lones Wigger is a first lieutenant in the Army Reserve now on active duty where they have assigned him as marksmanship instructor at Fort Benning, Ga. Wigger has many trophies to his credit and has been active in competitive shooting since he was a boy.

Mr. President, I offer Lones Wigger my heartiest congratulations and ask that a news story appearing in the August 25, 1963, edition of the Great Falls Tribune be printed at the conclusion of my remarks in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CARTER MAN IS FIRST DUAL TITILIST

CARTER.—When Lones W. Wigger, Jr., returns to the Wigger ranch near here late this month, he'll be well laden with trophies awarded him during his recent sweep of the small-bore rifle championships at Camp Perry, Ohio.

Wigger is the first man in the history of the national rifle and pistol championships to win both prone and position small-bore rifle championships.

Wigger, a first lieutenant in the Army Reserve, will come home for a brief stay before returning to active Army duty this fall. Before completing a recent tour of active duty, he was stationed at Fort Benning, Ga., as a marksmanship instructor naturally.

Winning in rifle meets is nothing new to Wigger, but this was his big win in the nationals. He has been competing in the Camp Perry meets since 1956, but third was the highest he had finished until his double sweep this year.

Wigger, whose father also is a top shooter, began competitive shooting as a boy in 1949. He is the holder of three National Rifle Association records and was on the U.S. team which won the small-bore championship in the pan-American games in Brazil last winter.

PLIGHT OF THE ALASKA SALMON INDUSTRY

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Alaska [Mr. GRUENING], I ask unanimous consent to have printed in the RECORD at this point a resolution of the Ketchikan, Alaska, Chamber of Commerce, dealing with the situation of the Alaska salmon industry.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of the Ketchikan, Alaska, Chamber of Commerce

Whereas the welfare of the Alaska salmon industry is of prime importance to the economy of Ketchikan; and

Whereas the welfare of this industry would be seriously endangered if the abstention policy formulated by the United States, Canada, and Japan 10 years ago is rescinded; and

Whereas the abstention principle is based on the Truman proclamation establishing that any nation that has subjected one of its own coastal fisheries to investigation and regulation for the purpose of conserving the fishery and is making as full use of it as should be made, has an exclusive right to that fishery as far offshore as it extends; and

Whereas American salmon fishermen, the industry and Government have abided by the terms of both the Truman proclamation and the subsequent abstention principle; and

Whereas both United States and Canadian fishermen are prohibited from net fishing for salmon beyond the 3-mile limit on the high seas in the interest of conservation and proper management of the salmon fisheries: Therefore be it

Resolved, That the Ketchikan Chamber of Commerce urges representatives of the United States, Canada, and Japan to renew the abstention principle at their meeting in Tokyo on September 16, 1963.

APPOINTMENT OF MERWIN COAD, FORMER IOWA REPRESENTATIVE, AS A $75 A DAY CONSULTANT

Mr. MILLER. Mr. President, in the Des Moines Register for September 11 appears an article by the distinguished reporter for the Des Moines Register, Mr. Clark Mollenhoff, entitled "Coad Given Federal Job at $75 a Day." The article relates to information that a former Democratic Representative from Iowa has been retained on the payroll for the Agency for International Development as a consultant at $75 a day.

The article is self-explanatory, but I should like to make the following comment:

On June 21, 1962, the House of Representatives, by a vote of 215 to 205, voted to recommit the feed grain control bill to the Committee on Agriculture of the House. That was a very close vote.

Noses were being counted very carefully. The feed grain control bill was one which would have placed exceptional and, I would say, almost heretofore unknown controls in the hands of the Secretary of Agriculture. The bill was recommitted for the purpose of directing the committee to remove those controls. We all know that subsequently the committee did vote out a bill from which controls had been removed, and continued the so-called emergency feed grains program for another 2 years.

Following that vote I made an analysis of the rollcall record and ascertained that the two Democratic Representatives from the State of Iowa had split their votes. Representative Neal Smith from the Fifth District voted for recommittal. On the basis of my best information, the temperament of the Iowa farmers was very heavily against the bill. It appeared clear to me that inasmuch as Representative Smith would be seeking reelection in Iowa, his vote was very much in accord with the wishes of the Iowa farmers.

Representative Coad, due to certain difficulties which are outlined in the article to which I have referred, had already revealed that he would not be a candidate for reelection. He voted against recommittal. I stated at that time that the reason for the split in the votes was that Representative Smith wanted to be reelected in Iowa and Representative Coad wanted a job on the New Frontier when his term expired.

Finally, the payoff has occurred.

Mr. President, I ask unanimous consent that the article to which I have referred be printed at this point in the Record.

There being no objecion, the article was ordered to be printed in the Record, as follows:

Coad Given Federal Job at $75 a Day—Finds Sanctuary in AID Agency

(By Clark Mollenhoff)

Washington, D.C.—The Kennedy administration has hired Merwin Coad, the former Iowa Congressman, as a $75-a-day consultant for the foreign aid program.

Coad is the second former Iowa Democratic Congressman to find a sanctuary in the Agency for International Development (AID), which handles the administration of the multibillion-dollar foreign aid program.

The other former Congressman is Leonard Wolf, who was defeated in 1960 after he came under heavy critcism for nepotism. Wolf had his wife on the congressional payroll at more than $13,000 a year.

SINCE JULY 30

The AID division of the State Department confirmed that Coad has been on the payroll at $75 a day since July 30. He serves as a consultant on voluntary agencies in the Office of Material Services.

A spokesman for the AID agency stated that Coad was hired to develop more effective programs for the coordination of the operations of international relief agencies that cooperate with the foreign aid agency.

His work will involve the 53 agencies that engage in international relief. These include such agencies as CARE, the Young Women's Christian Association, the Young Men's Christian Association, and many church organizations.

A spokesman for the foreign-aid agency said Coad was probably selected because of his background in church work. He was a minister for the Church of Christ from 1949 to 1957 when he was elected to Congress from Boone, Iowa, to represent the old Sixth Congressional District.

Coad decided not to run for Congress on June 9, 1961, the day that Mrs. Dolores Coad, his first wife, filed suit for divorce in Boone. Mrs. Dolores Coad, mother of three small children, was unaware that Coad had already obtained a quickie divorce in Alabama several months earlier.

WEEKS LATER

It was nearly 2 weeks after his wife filed the divorce petition that Coad admitted he had already obtained an Alabama divorce and already married the curvaceous blonde former bathing beauty, Mrs. Carol Peters, who had been working as Coad's secretary.

Mrs. Peters had only recently divorced Ed Peters, who was then serving as Coad's administrative assistant.

Coad declared that his first wife's request for $1,200 a month in child support and alimony was entirely unrealistic, and he pointed out that his Alabama decree gave her $300 a month.

He also admitted at that time that he was in heavy debt as a result of losses on grain speculation, and because of heavy losses suffered while gambling at the Washington Army and Navy Club.

Coad said he had never used any inside information from his post on the House Agriculture Committee in connection with his grain speculation.

CHECK BOUNCES

However, he admitted that he had written a bad $4,000 check on his account with the House Sergeant at Arms in trying to cover some gambling debts.

Coad was regarded as through in Iowa politics as a result of the tangled marital affairs and his financial troubles. A redistricting of Iowa left him in the same district with Representative Neal Smith, another Democrat, and Coad received too little encouragement to make another effort in politics, even though he occasionally tried to stir interest.

Coad took a defiant attitude relative to his congressional payroll, and raised his new wife's salary of about $5,000 to more than $12,500 a year although there were long periods of time when she never came near the office.

Coad's congressional salary was $22,500 a year, giving them combined income of more than $35,000.

There were loud complaints about Coad's use of the public payroll, and his refusal to discuss his wife's duties. Church groups condemned him, most Democratic politicians from Iowa shunned him, and it appeared the Kennedy administration gave him a cold shoulder when he made several efforts to use his political friends in Washington to get a high-level job.

OFF PAYOLL

The former Congressman went off the congressional payroll in January, and shortly after that his wife joined the payroll of a new Democratic Congressman from California. Mrs. Carol Coad had some personality clash with the wife of the California Democrat and she was dropped from that secretarial job.

Coad has billed himself as a management consultant, but has been reported to have had no steady work since January.

His present job on the foreign aid staff is reported to be a temporary job, for 90 days. However, these so-called temporary jobs are often stretched out for several years.

Representative Neal Smith did not recommend Coad for the post, and did not know that he had been hired until late Tuesday. An AID spokesman said he did not know who had hired Coad, or whether the job had been cleared at the White House.

SMITH STATEMENT

Smith said: "I made no recommendation for Coad and was unaware he was in a Government position until today."

Smith said he did not believe the Iowa Democratic organization had recommended appointment of Coad, but that several months ago officials of the State Democratic organization had notified the administration they would have no objections if the administration saw fit to appoint Coad to some job.

HIGH SCHOOL AND COLLEGE INSTRUCTION REGARDING COMMUNISM

Mr. GOLDWATER. Mr. President, this week the Associated Press in Arizona carried a story describing a course in the principles of communism being taught at

Flagstaff, Ariz., High School. As one who has advocated this type of high school and college instruction to better inform our young people about the evils of communism, I am proud that my State has taken the lead in this field. Especially noteworthy is the comment of one of the students who completed this course:

> Before I took this course I was against communism just because it was communism. Now I can say I am against communism because of this, that or the other. Now I have reason backing me up.

Mr. President, I ask unanimous consent that this story, written by William Hoyt of the Arizona Daily Sun, be printed in the Record at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

News Story From the Arizona Daily Sun

(By William Hoyt)

Flagstaff.—Quietly, without fanfare or dispute, Flagstaff High School has completed an experiment in the teaching of the principles of communism.

So successful was the experiment, that the course will be a regular part of the curriculum this fall.

Authorized last year by the school board, the course lasts 18 weeks (one semester) and bears the noncontroversial title: "Comparative Governments." It is the only full semester course in Arizona dealing exhaustively with communism; perhaps one of the few in the Nation. Its content is one that has ripped other school boards, and even communities, in half.

In Flagstaff, it has been a different story. Once the board decided such a course should be provided, the job of putting it together was handed to social studies teachers, Jack Wallace and Richard Kuhn.

Their first job was to write to other points within and without the State. The replies gave them little help.

"We got answers back from everywhere," Wallace said, "but none of them had an 18-week course. Most of them had unit studies on the subject that were strictly incidental to the main topic of the whole course."

So the two men developed their own course.

The guinea pigs were 60 juniors and seniors. Without exception, they completed the course with nothing but praise and constructive criticism.

Wallace, 31, a homegrown boy who received his bachelor's degree from Arizona State College at Flagstaff in 1956 and a master's from the same school, was assigned to teach the course.

As the instructor, Wallace was the man on the spot. He has survived without ulcers, nervousness, or loss of friends.

Said Wallace: "We have found so far that the community seems to have accepted it completely. We've had no criticisms at all."

Supported by the school board and Supt. Sturgeon Cromer, Wallace insisted that students be exposed to all material touching on the politically sensitive subject.

"We present them all the facts we can," Wallace explained, "and let them take it from there. We feel that if they make a thorough study of democratic forms of government along with totalitarian forms, such as fascism and communism, the students will be able to discern for themselves the virtues of the former and the faults of the latter."

Communism, of course, is not the only system explained. The course begins with "Great Britain, Mother of Parliamentary Government," swings into France, the democratic socialism of the Scandinavian countries and on through such others as fascism, political history from Sparta to Cuba and "the Foundation of Democracy."

Six weeks are devoted to communism, and 1 week to the philosophies of right and left extremists.

Wallace said the course's biggest problem is keeping up to date.

"The situation is never the same," he said, "even within communism itself which claims it never wavers from its basic tenets and principles."

Wallace uses three books in the course: "Two Ways of Life," by William Ebenstein, and "Facts on Communism," volume 1 of the Communist ideology, U.S. House Document 336, and the first three chapters of "Contemporary Governments in a C.E.–DNB World," by Samuel Steinberg.

The rest is up to Wallace. The students think he has done the job well. After grades had been given this year, he passed out questionnaires seeking ways to improve the presentation.

Unanimously, the high-schoolers approved it, although some felt it should be expanded beyond one semester.

Among the student comments: "I think it is too short; I feel that it is so essential to each of us as U.S. citizens that it should be required."

"Before I took this course I was against communism just because it was communism. Now I can say I am against communism because of this, that, or the other. Now I have reason backing me up."

HAWAII REACTION TO CIVIL RIGHTS MARCH

Mr. FONG. Mr. President, anyone present at the civil rights march on August 28 could not fail to be deeply moved by that stirring demonstration of our fellow Americans.

Two hundred thousand of these citizens—at least a third of them of white and oriental ancestry—demonstrated their determination to "redress old grievances and help solve an American crisis."

Public response to this demonstration in Hawaii has been overwhelmingly favorable. Two of Hawaii's newspapers echo these sentiments in their ringing editorial praises of the event.

Tremendously impressive in its quiet dignity and orderliness, it is living testimony that, as the Honolulu Advertiser pointed out, "our democracy, though imperfect, still endures."

It affirms the slow but sure progress we are making to extend equality under law to all our citizens regardless of race, color, creed, or national origin, and indeed reaffirms that the petitioners shall one day overcome—"that old grievances shall be redressed and that this American crisis will in time be resolved."

Mr. President, I ask unanimous consent that the editorials "They Shall Overcome," from the Honolulu Advertiser printed on August 29, 1963, and "Aftermath of the March," printed in the Honolulu Star-Bulletin of August 30, 1963, be printed in the Record at this point.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Honolulu (Hawaii) Advertiser, Aug. 29, 1963]

They Shall Overcome

In the United States many citizens, because of their color, are denied the right to vote, to attend schools of their choice. They are denied equality in public places and in job opportunity.

This clear refusal to honor her own first principles has tarnished the image of America abroad and has in recent months boiled up into the Nation's most crucial, most pressing domestic problem.

Yesterday, a great mass of demonstrators, both black and white, estimated at from 100,000 to 200,000, marched in Washington, as they said, "to redress old grievances and to help resolve an American crisis."

If discrimination causes America to fall in the esteem of others and puts a blot on the national conscience, yesterday's civil rights march nevertheless testifies that our democracy, although imperfect, still endures.

The demonstration was well organized and well conducted, an almost incredible performance in view of the many thousands attending and the highly emotional content of their cause. There were a few arrests in isolated cases of disorderly conduct—which could have happened almost any day in any city.

The violence which some feared did not erupt, and the very orderliness underscored that this was an appeal to right and reason, not as some claimed, an effort to intimidate Congress.

The goal of the demonstration was quick passage of President Kennedy's civil rights bill. Whether that goal is reached awaits events, but there is no question this was one of the most impressive public appeals in the Nation's history. It was, as the leaders said, a living petition.

There are not many cities, many nations, where such a demonstration would have been permitted, where it would have had the sanction of authorities all the way up to the Chief Executive.

Contrast it, for example, with the demonstrations in South Vietnam where Buddhists have protested their Government's repressive actions toward them—only to be met with gunfire, mass arrests and the sacking of their pagodas.

Unsurprisingly, the Communists sought to capitalize on the demonstration in advance, to embarrass the United States in its civil rights crisis. Red China sent a cable to the National Association for the Advancement of Colored People, offering support and denouncing the Kennedy administration's "ruthless persecution of Negroes."

No thanks, replied Executive Secretary Roy Wilkins, of the NAACP. First, he reminded the Communist Chinese that the demonstration was in support of the President's civil rights program.

Then he dropped this blockbuster:

"We await the opportunity to send our felicitations to Chinese citizens gathered in a huge demonstration in your nation's capital to protest living conditions under your Government and welcomed there by your heads of state."

This single demonstration will not solve America's civil rights problem, and, as we said, it's unclear what its immediate effect will be.

But the peaceful manner in which it was staged, its forceful testimony to the protesters' unshaken faith in American democracy—underscored by Mr. Wilkins' reply to the Red Chinese—reaffirm that they shall indeed eventually overcome, that old grievances will be redressed and that this American crisis will in time be resolved.

[From the Honolulu Star-Bulletin, Aug. 30, 1963]

Aftermath of the March

Will the Negro march on Washington have any tangible effect, for or against the cause of civil rights?

You can get a wide variety of answers to that question, and none of them benefits from anything more than supposition and guesswork.

The fact of the matter is that no one really knows just how much the march will accomplish.

Of one thing we may be sure. It did not hurt the cause of the Negro. Most likely it helped, but only in an indirect way, for there is no evidence that any of the Congressmen who are announced as in opposition to the pending civil rights bill, or portions of it, have changed their minds as a result of the march.

The plus benefits, if any, are to be found in the more intangible areas of "image" and "public relations."

If there was anything that impressed the American people it was the discipline, the dignity and the orderliness of the demonstration. It was highly charged emotionally, to be sure, and some of the speakers were carried away. But the conduct of the demonstrators was above reproach. They knew how much was at stake, and they responded to the appeals of their leaders to set an example of dignity and decorum that would impress all who saw it.

We may have gained also in our international "image" as a result of this demonstration. It is, of course, in obvious contrast to what has been happening in South Vietnam. And few will fail to take note of the implicit fact that such a demonstration could not have taken place in Red Square at Moscow or outside Mao's headquarters in Peiping.

We have, as a nation, exposed our weaknesses as well as our strengths to world view, and in doing so, have established beyond question our reputation as a sincere and honest reporter of the truth—for the Voice of America did not hesitate to proclaim to the world what was happening at the foot of the Lincoln Monument on August 28.

The Negro, himself, may have gained much from the success of his demonstration. If it has taught him anything, it has taught him that his just cause is more effectively presented when it is done with the dignity it deserves and without resort to violence of language or action which can do nothing but degrade the petitioner.

CENTENNIAL OF INTERNATIONAL RED CROSS

Mr. SALTONSTALL. Mr. President, this past week on September 1 the International Red Cross, of which the American National Red Cross is one of 99 member societies, celebrated the 100th anniversary of its founding in Geneva. It is with particular pride that I call attention to this occasion, for Miss Clara Barton, the founder of the American Red Cross, was born and brought up in Oxford, Mass.

Miss Barton began her humanitarian Red Cross work by aiding men of Massachusetts regiments during the Civil War, and since that time the American National Red Cross, through its 81 chapters, has faithfully and effectively served the people of Massachusetts and the Nation. Throughout the years it has contributed substantially to the health, safety, welfare, and well-being of countless American soldiers and civilians.

The International Red Cross, since its founding in 1863, has grown from a small group to a globe-spanning movement in which 99 nations participate. In the past 100 years the Red Cross Societies of the world have made a tremendous contribution to humanity, and there is every indication that in the next 100 years the organization will become an ever stronger force for good in our world. I am proud to salute the American National Red Cross and the International Red Cross on this occasion.

GROUP HOSPITALIZATION FOR THE ELDERLY

Mr. JOHNSTON. Mr. President, yesterday the Senate passed the bill to give assistance to the students attending medical and dental schools of our Nation. I voted for this bill because I feel there is a tremendous need for more physicians, dentists, and other professional people in the medical field.

Equally as strongly through the years I have felt there is a tremendous need and a great demand for a program of group hospital insurance for our elderly people. This issue of hospital insurance for the aged as a part of our social security program is not a dead issue and I hope the Congress will give as much impetus and attention to passage of legislation providing this hospitalization insurance for our aged as it has done to provide financial assistance for the training of the doctors and other people who will be rendering this care.

Mr. President, in this connection, I would like to praise the group of doctors who have organized themselves and who are known as the Physicians' Committee for Health Care for the Aged Through Social Security. This committee includes some of the prominent physicians and members of the American Medical Association. I realize the American Medical Association as an official organization takes the position of opposing medical care for the aged under social security. However, it should be brought to the attention of the Senate that the position of AMA's officials does not represent the feeling of all physicians.

In view of all this, I wish to bring to the attention of the Senate an outstanding editorial entitled "More Physicians Back Bill To Pay Aged Through Social Security," which appeared in the Anderson Independent of Anderson, S.C., September 3, dealing with this subject. I commend it to the reading of all the Senate and ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MORE PHYSICIANS BACK BILL TO PAY AGED THROUGH SOCIAL SECURITY

It's about time to punch a hole through the propaganda that all physicians and members of the American Medical Association, like sheep, have joined to block the plan to protect old people against destitution due to prolonged illness and hospitalization.

There is a Physicians Committee for Health Care for the Aged Through Social Security which includes some of the most prominent physicians and members of the American Medical Association. They are backing the bill.

With congressional hearings scheduled this month on the social security hospital insurance bill, sponsored by Senator CLINTON ANDERSON, of New Mexico, and Representative CECIL KING, of California, this committee has put together facts of vital importance to Anderson area and all other Americans.

First fact is that the present Kerr-Mills Act offers no assistance at all to the aged sick unless they take equivalent of a pauper's oath.

No assistance is available until all an old person's savings and resources are exhausted.

Kerr-Mills authorizes Federal matching funds to States for health care of the aged who must prove need.

Says the committee: "In nearly 3 years of operation, the Kerr-Mills Act has clearly failed to meet the needs of any but a very few of the very neediest aged." By spring of 1963, also, only half the States were operating programs under Kerr-Mills.

Hospitalization is the costliest part of old age medical care.

A single long illness can wipe out slender savings and force the aged either to seek public assistance or help from already overburdened children.

"Physicians know," we are told, "that because of this fear, many older people who need hospital care do not get it at all or get it too late." To quote further:

"Half of aged couples have total incomes of less than $2,600 annually.

"Half of aged persons living alone have incomes of less than $1,100 annually.

"About half of aged family units have liquid assets of less than $1,000; many have none.

"One in six of the aged is hospitalized each year.

"Nine out of ten older persons are hospitalized at least once after age 65.

"About half the aged have no hospital insurance. Available coverage is either woefully inadequate or costs more than the older person can afford to pay."

Therefore, "the most economical and practical answer to the problem of financing the health needs of the aged is a hospitalization program which involves virtually the entire population.

"It enables people to pay (through slight increase in social security) for their protection during the time they can best afford to contribute—while they are working." This approach eliminates the pauper tests because benefits are made available as a matter of earned right."

The patient would have free choice of his physician, and would not provide any direct services—only the means of paying for hospital care.

The pending legislation, as the physicians committee emphasizes, therefore "is clearly not socialized medicine" and knocks props out from under that charge by opponents.

We agree with the physicians committee that the legislation is "unquestionably in the national interest and it is urgent that Congress enact it promptly."

TRIBUTE TO DR. WIL LOU GRAY

Mr. JOHNSTON. Mr. President, just recently one of America's outstanding pioneers in education, Dr. Wil Lou Gray, celebrated her 80th birthday. Dr. Gray has spent her entire adult life promoting the education of people. She specialized in educating adults. As an editorial in the Anderson Independent of Friday, September 6, 1963, said, "she declared war upon illiteracy among adults and youngsters as well."

Mr. President, there are thousands of South Carolina citizens today who receive their inspiration to obtain an education from Dr. Gray, and there are thousands of South Carolinians who received personal as well as monetary assistance from Dr. Gray in the process of obtaining their education. She has been outspoken and outstanding in all of her endeavors and the people of South Carolina love her and consider her a truly great lady who has unselfishly served our State and Nation to the fullest.

In this connection, I ask unanimous consent that an editorial appearing in the Anderson Independent on September 6, 1963, entitled "South Carolina's Grand Young Lady" be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SOUTH CAROLINA'S GRAND YOUNG LADY

The Gray reunion was held at Laurens and Dr. Wil Lou Gray was elected president emeritus.

Dr. Gray, who has just reached her 80th birthday, was naturally the subject of the day's speaker, Dr. James F. Miles of Clemson College.

With a pittance of funds as measured by today's appropriations but a wealth of energy and interest in the well-being of future generations, Dr. Gray founded South Carolina's Opportunity School in 1921.

She declared war upon illiteracy among adults and youngsters as well. How many thousands of successful South Carolina citizens and their descendants owe their status to Dr. Gray's idea is one of those things you can't nail down. She dealt with people and not statistics.

In his remarks, Dr. Miles referred to Dr. Gray as "South Carolina's most influential citizen" because during her long and devoted career she rescued thousands of persons from hopelessness and helped place them on the road to becoming useful citizens.

Although she is now 80 years of age, the Independent still admires her and regards her as "South Carolina's grand young lady."

THE LUMBER INDUSTRY—PROFITS AND PROGRESS

Mr. MORSE. Mr. President, I ask unanimous consent that there be included in the RECORD at the conclusion of my remarks a most interesting report by Dun & Bradstreet which represents an analysis of 75 representative lumber firms. This report shows that 1962 was the second most prosperous year since 1957 for the domestic lumber industry based upon an analysis of 75 representative firms by Dun & Bradstreet. These firms enjoyed a median profit from sales of 3.88 percent, just below the 1959 6-year high of 4 percent. Of significance is the fact that even more impressive were the favorable gains made by the upper and lower quartile medians of 1961. As I understand the analysis made by Dun & Bradstreet, the 75 firms were divided into quartiles for the purpose of analysis and there are 19 firms in each quartile.

Median profit ratios on both net worth, which were 8.27 percent, and working capital, which were 17.37 percent, showed a considerable margin over 1961. Dun & Bradstreet states that this improvement resulted from accelerated new housing construction, the diversification of product lines, tighter management controls, and profit retention. Dun & Bradstreet also finds that this industry is basically sound and the trend is toward improvement.

Last year lumber manufacturers increased their product by 3 percent over the 1961 level. These gains in profit were achieved despite the fact that consumption of lumber did not achieve the 1959 record level.

Failures among lumber manufacturers reached the lowest point since 1956.

These facts indicate to me that there has been a substantial improvement in the situation for lumber manufacturers. Certainly a substantial part of the credit belongs to the individual manufacturers of lumber themselves who have worked hard to improve their product and its marketing. In part the improved situation reflects actions which have been taken by the Government directly and indirectly. An example of direct action would be last year's Treasury Department decision to increase the depreciation allowances generally and specifically for the lumber industry.

There are some who contend that the inflow of Canadian lumber has been ruinous to the lumber industry. The increase in imports has also been a matter of concern. However, Dun & Bradstreet is not an agency of the Government or the arm of a trade association which could be regarded as trying to prove a point. It is an organization which performs a service to investors and to the business community generally, and I am pleased to observe its conclusion that lumber manufacturers enjoyed increased sales and good net profits in 1962 while maintaining a sound financial condition. I believe that this study has an important bearing on oft-repeated proposals that we should impose a quota on the importation of Canadian lumber. It would be my judgment that the lumber industry of the two nations can achieve greater prosperity on a mutually beneficial basis through genuine cooperative efforts, than by any other route. I think that this is a course which deserves greater attention.

Early this month, I was advised that Canadian and American lumber industry representatives met in Cottage Grove, Oreg., to formulate a joint program to increase the sale of lumber products. I was told that they reached agreement on expanding the total market for northern American wood products and that the Canadians were persuaded to quadruple their contribution to the United States national wood promotion program to a full share related to the benefits they receive. This is an encouraging step.

There will be another opportunity for further progress when the U.S. Government and the Canadian Government, with their industry advisers, sit down at a lumber meeting scheduled for December 2 and 3 of this year.

I am concerned with reports which have reached me that some of the leaders in the American lumber industry would like to see this meeting delayed until the spring of 1964. It is also my understanding that the Canadians seek no delay in meeting for they wish to develop an improved cooperation. The meeting has been delayed once already by the representatives of American lumber manufacturers, and in my judgment, it should be held as presently planned. However, should their be some valid reason why such a meeting would not prove useful and constructive, the American lumber manufacturers have the responsibility of forthrightly stating their reasons. The President has been urged by a group in the House of Representatives to hold an earlier meeting and against this background, I am unable to understand the basis for some of our domestic spokesmen seeking a delay.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

ANALYSIS OF 75 REPRESENTATIVE FIRMS DISCLOSES PROGRESS BY LUMBER MANUFACTURERS

Lumber manufacturers enjoyed increased sales and good net profits in 1962, while maintaining a sound financial condition, says a study just completed by the Industry Studies Division of Dun & Bradstreet, Inc.

While the study reports "mixed feelings from different geographical areas regarding increased profit squeezes," it also notes that the "lumber industry enjoyed its second most prosperous year since 1957. The median net profit ratio on sales of the 75 firms studied was 3.88 percent, just below the 1959 6-year high of 4 percent." And the report goes on to emphasize that "even more impressive were the favorable gains made by both the upper and lower quartile medians over those ratios achieved in 1961."

Median profit ratios on both net worth of 8.27 percent and working capital of 17.37 percent showed considerable improvement over 1961. This improvement was founded on increased sales from accelerated new housing construction, diversification of product lines resulting in higher profit margins on some items, and tighter management controls and profit retention.

Pointing out that the financial condition of the industry remained basically sound and some gains were posted, the study comments that "reinforcing this trend towards sounder positions were improvements of both net sales to tangible net worth and net sales to net working capital." The industry's debt position was improved, collections were more liquid, and failures hit their lowest point since 1956.

FINANCIAL REPORT ON MANUFACTURERS OF LUMBER

During 1962 lumber industry sales increased, financial conditions remained sound and net profits appeared good based on a compilation of the financial data of 75 lumber manufacturers examined by the Industry Studies Department of Dun & Bradstreet, Inc.

Production increased: Last year manufacturers produced 32.8 billion board feet. This was a 3-percent increase over the 1961 level of 31.8 billion board feet. Lumber consumption rose to 38.6 billion board feet in 1962 as Government and private interests spent $61.1 billion on commercial structures, factories, utilities, new homes, office buildings, and highways. While the consumption level was high, it did not surpass the 41.2 billion board feet registered in 1959, but it did show a $4 billion improvement over 1961.

Encouraging new construction expenditures were the availability of mortgage financing at favorable rates for new housing, population growth, necessity for replacement of substandard units, and as well the repair and alteration of older housing.

Net profit on sales improved: Despite mixed feelings from different geographical areas regarding increased profit squeezes, the lumber industry enjoyed its second most prosperous year since 1957. The concerns studied showed a median net profit ratio on sales of 3.88 percent just below the 1959 6-year high of 4 percent. Even more impressive were the favorable gains made by both the upper and lower quartile medians over those ratios achieved in 1961. This indicated that upper and lower quartile groups earned healthier profits in 1962 and that nearly all concerns shared in the progress.

Profit on worth and working capital gain: The median profit ratios on both net worth of 8.27 percent, and working capital of 17.37 percent, showed considerable improvement over 1961 and were above the 5-year average median ratios from 1957 to 1961. Both the upper and lower quartile groups showed sharp improvement over 1961 as their medians also increased. Causes for this improvement were increased sales from accelerated new housing construction, diversification of product lines resulting in higher profit margins on some items, tighter management controls, and profit retention.

Increased imports of low-priced softwoods from Canada forced lumber manufacturers to seek legislation last year to restrict this influx which was claimed to have had a devastating effect on market conditions.

14 significant ratios, 1962

Lumber	Current assets to current debt	Net profits on net sales	Net profits on tangible net worth	Net profits on net working capital	Net sales to tangible net worth	Net sales to net working capital	Collection period	Net sales to inventory	Fixed assets to tangible net worth	Current debt to tangible net worth	Total debt to tangible net worth	Inventory to net working capital	Current debt to inventory	Funded debts to net working capital
	Times	*Percent*	*Percent*	*Percent*	*Times*	*Times*	*Days*	*Times*	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
Upper quartile	6.27	9.01	10.80	34.93	3.31	5.63	22	6.9	22.6	8.9	24.5	42.6	39.5	13.8
Median	3.09	3.88	8.27	17.37	1.88	4.16	32	5.6	36.5	18.8	46.5	75.0	70.4	46.5
Lower quartile	1.84	2.07	4.55	8.79	.90	2.81	49	4.1	63.3	40.0	84.2	118.7	113.5	108.8

Financial condition sound: Compared to 1961, the 1962 median ratio of current assets to current debt of 3.09 times was an improvement. However, it did not surpass the 1957–61 5-year average of 3.29 times. Both upper and lower quartile groups showed a trend toward sounder conditions in 1962 as their median ratios increased over the 1961 medians.

Reinforcing this trend toward sounder positions were improvements of both net sales to tangible net worth and net sales to net working capital.

Debt position improved: The median ratio of current debt to tangible net worth decreased from 19.3 percent for 1961 to 18.8 percent for 1962. The upper and lower quartile groups showed improvement also, as their median ratios decreased. Though many lumber producers expanded mills and production facilities during 1962, such moves appeared to be conservative. This feeling, along with better management controls, diversified product development and some profit retention, resulted in healthier debt positions.

Funded debt position of the lumber industry has fluctuated widely during the past 6 years. A high ratio median point was reached in 1959, the big production year. In 1962 the median ratios decreased from those shown for the 1961 group, however, the lower quartile group showed a further tendency to extend itself on long terms as they showed a 108.8 percent median ratio which was quite heavy.

Inventory turnover mixed: The median ratio of net sales to inventory increased to 5.6 times during 1962. The turnover was 5.1 times in 1961 but the upper and lower quartile groups showed a higher rate than they displayed in 1962. Factors contributing to this were more competitive pricing, a higher consumption rate and better management controls. A further indicator of overall improvement in inventory turnover was the decrease of the median ratio of inventory to net working capital from the 90.8 percent maintained in 1961 to the 75 percent in 1962. While this median continues high it is in satisfactory balance.

Collections more liquid: Contrary to the trend of most all manufacturers, the median receivable period for the lumber industry became more liquid in 1962. Better management controls coupled with improved inventory turnovers of distributors added to this.

14 important median ratios, 1957–61

	Number of concerns	Current assets to current debt	Net profits on net sales	Net profits on tangible net worth	Net profits on net working capital	Net sales to tangible net worth	Net sales to net working capital	Collection period	Net sales to inventory	Fixed assets to tangible net worth	Current debt to tangible net worth	Total debt to tangible net worth	Inventory to net working capital	Current debt to inventory	Funded debts to net working capital
		Times	*Percent*	*Percent*	*Percent*	*Times*	*Times*	*Days*	*Times*	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
1957	72	3.63	3.54	5.32	9.56	1.66	2.72	32	5.5	31.1	17.3	49.5	77.8	55.5	38.8
1958	74	3.51	3.30	7.67	13.71	2.29	3.67	38	5.9	37.0	18.9	56.4	75.3	55.8	51.4
1959	74	3.04	4.00	8.87	15.85	1.72	3.14	36	5.2	44.7	20.6	59.7	75.8	70.0	62.8
1960	78	3.29	2.57	5.10	12.80	1.60	3.26	30	5.1	47.3	17.1	64.9	80.4	57.6	57.8
1961	66	2.89	2.51	4.47	10.46	1.64	3.59	35	5.1	42.9	22.4	57.3	90.8	65.6	43.9
5-year average	----------	3.27	3.18	6.29	12.48	1.78	3.48	34	5.4	40.6	19.3	57.6	80.0	60.9	50.9

Fixed assets: The median ration of fixed assets to net worth showed a decline from 42.9 percent in 1961 to 36.5 percent in 1962. This appears in line with the decreased total debt and funded debt positions. The lower quartile group showed an increase in its median ratio over 1961. Even though the ratio increased, a satisfactory balance was maintained.

Failures drop: During 1962, 163 lumber manufacturers failed with total liabilities amounting to $13,182,000. The number of failures was the lowest since 1956 when 162 failed with liabilities of $9,744,000. Since 1949 the number of failures has fluctuated but a generally high level has predominated.

Failures among lumber manufacturers, 1953–62

Year	Number	Liabilities
1953	94	$6,352,000
1954	103	6,525,000
1955	118	4,034,000
1956	162	9,744,000
1957	255	13,523,000
1958	255	16,644,000
1959	257	8,941,000
1960	237	23,582,000
1961	194	14,300,000
1962	163	13,182,000

This record includes those businesses that ceased operations following assignment or bankruptcy; ceased with loss to creditors after such actions as execution, foreclosure, or attachment; voluntarily withdrew leaving unpaid obligations; were involved in court actions such as receivership, reorganization or arrangement; or voluntarily compromised with creditors.

Progress in 1963: To date production, orders and shipments have trailed last year's rate. This situation has been augmented by a long lumber strike. During the latter part of 1962 a devastating windstorm downed about 11 billion board feet of timber in Oregon. That amount was equal to a year's normal cut. Though most of the downed timber was expected to be salvaged, the full effect on prices and sales is still to be determined.

The leaders: While important concerns in the lumber industry had improved sales in 1962, tighter competition recorded mixed profit pictures. The following results reflect sales for all lines of the more diversified concerns.

Ratio tables: In the ratio tables on page 2, each group of ratios carries three sets of figures. The top figure is the upper quartile, the center figure is the median and the bottom is the lower quartile.

Manufacturers of lumber, fiscal 1962

[In millions]

	Sales	Profits
Weyerhaeuser Co., Tacoma, Wash	543.1	39.0
Georgia-Pacific Corp., Portland, Oreg	324.9	19.1
United States Plywood Corp., New York City	301.8	12.0
Evans Products Co., Plymouth, Mich	117.3	.2
Potlatch Forests, Inc., Lewiston, Idaho	109.1	2.1
American Forest Products Corp., San Francisco, Calif	79.0	1.6
Hines (Edward) Lumber Co., Chicago, Ill	62.9	1.0
Greif Bros. Cooperage Corp., Cleveland, Ohio	44.1	1.7

Yearend financial statements were selected from a sampling of concerns whose tangible net worth, with few exceptions, exceeded $100,000. These financial statements are those which appear in the Dun & Bradstreet credit reports on these businesses.

The purpose of these interquartile ranges is to show the upper and lower limit area without reflecting the extremes either at the top or the bottom of this series. For example when the interquartile ranges and the median were computed for the ratio of current assets to current debt for the lumber industry, the sample consisted of 75 concerns. The upper quartile of 6.27 times indicated the relationship reflected by the concern which was 19th down from the ratio for the highest or top company. The median of 3.09 times was the ratio shown by the middle or 38th concern. The lower quartile of 1.84 times was determined by the 19th concern from the bottom, this being a quarter up from the 75th concern at the bottom.

CENTRAL INTELLIGENCE AGENCY

Mr. MORSE. Mr. President, for some time I have urged the appointment of a congressional watchdog committee over the CIA. In the Washington Post this morning appears an editorial entitled "The CIA Again." I ask that it be printed in the RECORD.

It speaks for itself. I reiterate my recommendation that the CIA should be brought under the check of a congressional watchdog committee.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 10, 1963]

THE CIA AGAIN

The United States has been understandably embarrassed by the disclosure that the CIA has been secretly aiding the South Vietnam special forces that conducted the raids on Buddhist pagodas. Yet this is, unfortunately, not the first time the Government has been made to look foolish by the misnamed Central Intelligence Agency. And the trouble is precisely that the CIA does not confine itself to gathering intelligence but has been given operational responsibility for tasks for which it has debatable competence.

One might have supposed that the Bay of Pigs debacle would have alerted the White House to the risks of allowing an intelligence agency to sit in judgment on its own operational missions. The temptation is strong to tailor intelligence to support preconceived opinion. Moreover, when the CIA invests its prestige in supporting a given course, there in an all-too-human tendency to seek vindication for a commitment of money and judgment.

This seems to lie behind the present muddle over CIA misadventures in Saigon. The Agency's mission chief in that country had established close and cordial relations with Ngo Dinh Nhu, President Diem's brother and sponsor of the special forces. Some $3 million a year was earmarked for helping the special forces. But reportedly the CIA had no advance warning that the forces would invade the pagodas and the initial intelligence reactions was confused—contributing to the confusion in Washington over what transpired that fateful day.

Nevertheless, the payments evidently continued in the face of Government policy to the contrary, and the administration has been reduced to a stutter in trying to explain what has happened. Ironically, notwithstanding the CIA subsidy, the pro-Diem press in Saigon has been bitterly attacking the American Agency for allegedly taking part in an attempted coup against the regime.

Let it be said that the CIA contains men of undoubted skill and patriotism. Let it also be said that much of the American problem in Saigon springs out of circumstances that not even the wisest of men could easily meet. But some self-inflicted wounds form part of the heartbreaking calamity. In the past, there has been a distressing tendency to subordinate political to military considerations and to avert the eyes from unpleasant realities. The CIA, while not alone in this failing, was unable to provide a detached intelligence corrective because its own agents were enmeshed in the operations of the regime.

There are many rueful lessons in the South Vietnamese tragedy, and not the least of them is that it makes sense in every respect to divorce intelligence from operations that belong in the military sphere. It would be heartening if the present embarrassment were turned to useful purpose by effecting a real reorganization of the CIA. The opportunity should have been grasped after the Cuban invasion; if nothing is done now, both the country and the Agency may be needlessly humiliated again.

ALLEGED FAVORITISM BY CIVIL AERONAUTICS BOARD

Mr. MORSE. Mr. President, a disturbing article appears in the Washington Post entitled "CAB Is Accused of Airline Favoritism." If this article is sound in its facts, I recommend an immediate Senate investigation of the policies and practices of the CAB.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 13, 1963]

CAB IS ACCUSED OF AIRLINE FAVORITISM

(By John P. MacKenzie)

The Justice Department accused the Civil Aeronautics Board yesterday of favoring one of the Nation's strongest airlines at the expense of the weakest carrier and the entire U.S. transportation system.

In a strongly worded petition filed with the CAB, the Department's antitrust attorneys asked for reconsideration, on broad policy grounds, of the 3-to-2 decision to strip Northeast Airlines of its Florida routes.

That decision, which has brought the ailing Boston-based carrier to the brink of bankruptcy, has been under massive attack by the entire New England congressional delegation, led by Senator EDWARD M. KENNEDY, Democrat, of Massachusetts, and by Senator LEVERETT SALTONSTALL, Republican, of Massachusetts.

Although the legislators have stressed the impact of the decision on regional employment, the Justice Department disavowed any interest in whether Northeast should get the routes. The petition said the choice of airline was "secondary" to the CAB's ruling that there was no need for a third carrier.

But the petition said the CAB showed "overanxious solicitude" for Eastern Air Lines, one of the "big four" trunk carriers, at the "sacrifice" of weak Northeast. Unless the decision is changed, the petition said, "eventually the only trunk carriers remaining will be the 'big four'."

The CAB decision left Eastern and National Airlines to operate the New York-Florida routes on grounds that traffic had failed to grow as expected. The petition said the opinion was "based upon the false premise of a static and frozen industry."

"The air transportation industry is still young and vigorous. The traffic potential is still almost untouched, with great numbers of Americans yet to enjoy their first flight," the petition said.

Sharply criticized in the petition was a CAB planning staff proposal for two strong carriers in each major market as a jet-age goal.

RUSSIAN VESSEL HALTED AFTER FISHING INTERFERENCE

Mr. BARTLETT. Mr. President, 2 days ago the Coast Guard stopped a Russian fishing vessel 50 miles south of Kodiak, Alaska. The vessel, the SRT-777 *Yak Knipovich*, had been observed 25 miles off the coast of Kodiak Island, where American crabbing operations were underway. The American Coast Guard captain aboard the *Storis* told the Russians that their vessel had interfered with crab-fishing operations on two occasions. The Coast Guard asked the Russians to take all possible precautions to avoid this type of interference. The Russian vessel acknowledged the message by stating in English, "We understand."

This occurred only 2 days after I called to the attention of the Senate the initial incident which occurred off Kodiak on September 8. At that time I pointed out that the Coast Guard from its Kodiak station had witnessed a Russian fishing vessel destroying U.S. crabbing gear. The Coast Guard at that time reported that the Russian trawlers were observed dragging in and around crab pot buoys. It is my understanding that they were within 30 yards from them. There is no question but that the Russians were disturbing the lawful fishing efforts of American fishermen taking Alaska king crab; there were piles of crabs on the decks of the Russian vessels. They continued to drag the area, ignoring crab pot buoys and the Coast Guard aircraft. The Coast Guard even reported that at one point the American vessel was so close that it could see the Russians shaking their fists and waving them out of the way.

When a similar incident occurred later year, I requested that the State Department secure from the Russians assurance that they would avoid such incidents in the future. The Soviet Government gave us these assurances. They have been violated.

I am pleased that our State Department has now sent to the Russians a formal note protesting this action off Kodiak, and I am pleased that the Coast Guard has taken the initiative to halt the Russian vessels and to warn them that further violations must be avoided. I hope this action by the Coast Guard will be a clear warning to the Russians that we will not tolerate their interference with the legitimate fishing operations of our fishermen. Within the past 2 weeks, these men have lost over $20,000 in equipment and gear, because of the Russian activities. I sincerely hope the Coast Guard will continue its work, and that American fishermen on the high seas will be protected.

HIGH STAKES IN LOW-COST DRUGS

Mrs. NEUBERGER. Mr. President, one of the great lessons taught us by our late colleague, Senator Kefauver, was that the fortunes of narrow, special interest groups will flourish and debase our society unless there are men of uncommon courage and insight to challenge them. This week two separate but related events served to illustrate the wisdom of his teaching.

The New York Herald Tribune has published the first of a series of articles by its talented research reporting team, headed by William Haddad, the former Associate Director of the Peace Corps. This first article effectively focused the spotlight of public opinion upon the details of the shocking conspiracy by drug manufacturers to prevent one of their number from furnishing low-cost drugs to the impoverished citizens of Colombia. Without the reporting of the Herald Tribune team, the history of these events might well have lain dormant in the sequestered testimony of the Foreign Relations Committee.

This represents the kind of effort that Senator Kefauver would most certainly have applauded.

As it turned out, Mr. President, the Herald Tribune article was an appropriate prelude to a demonstration that Senator Kefauver's burden has been taken up by devoted hands. The junior Senator from Michigan [Mr. Hart], the new chairman of the Antitrust and Monopoly Subcommittee, argued, in the words of Bernard Nossiter of the Post, "eloquently and persuasively," against delivering a death sentence to the drug investigation. Responding to Senator Hart's challenge, the subcommittee unanimously voted to conduct hearings on the campaign to eliminate the sale of low-cost drugs in Latin America. I congratulate Senator Hart and I think that the concerned citizens of this Nation can be confident that the selfish forces of economic self-interest will not escape the scrutiny and check of Congress while he is in the Senate.

Mr. President, I ask unanimous consent that a portion of the articles from the Herald Tribune be printed in the Record.

There being no objection, the portions of the articles referred to were ordered to be printed in the Record, as follows:

(By William Haddad and Martin J. Steadman)

McKesson & Robbins is the Nation's largest drug wholesaler. Last year it had drug sales of more than $460 million. And last year, at the request of the President of Colombia, it began marketing drugs there at prices as low as one-tenth the prevailing rates.

This program, according to the State Department, has brought drugs to those who could not pay for them before; for many, it has meant the difference between comfort and suffering; for some, the difference between life and death.

For McKesson, it has meant the wrath of an aroused drug industry and an argument that has extended across four continents and into Congress. The bare details are spelled out in secret testimony Congress may never release.

For everyone involved, the stakes are high; the price structure of drugs in underdeveloped nations, possibly in the United States itself.

So far, McKesson is losing.

"I can understand," Colombian President Lleras Camargo said, "why my people cannot have new cars, television sets, and other luxuries and can only eat meat at infrequent intervals, but I cannot understand why they should be deprived of lifesaving drugs because these are priced out of the reach of more than 80 percent of the Colombian people."

* * * * *

When McKesson agreed with him it bought a half interest in a Colombian firm and started cutting drug prices. Here's what followed:

Antibiotic pills costing consumers 29 cents each were cut to 3.6 cents a tablet.

Prednisolone, used in treatment of arthritis, was slashed from 19 cents a capsule to three for a dime.

Isoniazid, helpful in treatment of tuberculosis, was cut from $1.70 for 100 tablets to 80 cents.

Down the line, through 32 vital drugs, McKesson cut the old prices in Colombia. And the company says it is making an excellent profit.

What plagues U.S. drug manufacturers is the fear that similar reductions may be demanded in this country. In fact, one major firm is now quietly marketing drugs here at prices similar to those charged in Colombia, but the fear of retaliation by the drug industry has prevented the firm from publicizing it.

Earlier this year the late Senator Estes Kefauver, Democrat, of Tennessee, then chairman of the Senate Antitrust and Monopoly Subcommittee set out to investigate what he called the organized and collective efforts of a number of large American drug manufacturing companies to block such sale of low cost drugs.

"Evidence," he said, "has come to my attention which suggests that such organized and collective efforts may have been made not only with respect to the program in Colombia, but to prevent the adoption of similar programs in other South American countries."

* * * * *

Senator Kefauver tried to get the probe underway with issuance of subpenas for the books and records of seven major drug firms and the industry association. But three times the return date of the subpenas has been postponed. The return date is now September 18, but there is a move underway to kill the subpenas completely. That action will be voted upon today.

If and when Senator Hart gets an investigation going, these are some of the things he will be looking at:

A worldwide effort by drug manufacturers (including some in the United States) to deny patented drugs to McKesson for use in its low-cost drug program overseas.

An effort by Colombian drug firms to force McKesson out of their markets.

An effort by American manufacturers to frustrate the sale of low-cost drugs in Central America.

An effort (though unsuccessful) by drug manufacturers to enlist the support of the State Department to kill the low-cost drug program in Colombia.

These and other charges of pressure will be detailed by the Herald Tribune during the next several days.

Already on record before the Senate Foreign Relations Committee is the testimony of Herman C. Nolen, the former college professor who is now McKesson's board chairman. In the testimony, he spells out his fears and frustrations:

* * * * *

"It can be said fairly that the price of drugs is a burning social and political issue in Latin American countries.

"In Colombia—and hopefully elsewhere—McKesson has sought to meet this problem through the traditional American approach of free competitive enterprise in coownership arrangements with local firms."

Mr. Nolen then diagramed the low-cost price structure for the Senators, and told them that his company was able to maintain those price levels and still make "a reasonable profit."

He said the program was not affecting trade name drug sales, but that the drugs sold under generic names were reaching new markets in Colombia, mostly the poverty ridden peasant class.

* * * * *

Then he dropped his depth charge:

"Recently, however, reports came to our attention that members of the pharmaceutical industry in Colombia—who were offering their products under trade names—had started attempts to block or to slow the generic program in Colombia and to interfere with its extension elsewhere.

"At first, we were ready to discount much of this as healthy competition. More and more, however, we grew alarmed at the extent and severity of the concerted attack against the generic program."

Mr. Nolen then made these accusations:

* * * * *

Doctors were advised that is was impossible to produce quality pharmaceuticals at the prices being offered. These doctors received a sizable amount of literature attacking generic drugs. Some of this literature originated in the United States.

"Pressure on medical journals"—Colombian medical journals consistently refused McKesson advertising, while at the same time they carried "extensive and distorted articles and editorials critical of generic drugs."

"Refusal to sell activities"—the campaign against generics "has even involved the cutting off of supplies necessary for the continuing success of the generic program—that is, the refusal of certain pharmaceutical manufacturers to sell us raw materials useful for the generic program." Mr. Nolen made it clear that some of these firms are U.S. drug manufacturers and licensees.

"Interference with extension of the generic program"—There are reports from other South and Central American countries that strong efforts were being made to stop generic drug programs in those countries before they got started.

Serious charges by the respected head of one of the Nation's largest corporations.

Made, June 25, they are still being bounced back and forth between various Government agencies and congressional committees.

* * * * *

Industry argued that:

(1) The disclosure of the matters called for would gravely injure the U.S. pharmaceutical industry in its Latin American operations and would endanger all private foreign investment in the area; (2) industry was working toward solutions of its own problems; (3) the balance of payments would be hurt if oversea drug profits were cut, and (4) industry produced its records for the subcommittee, the information contained in them might be inimical to the foreign policy of the United States.

After the executive session, the Foreign Relations Committee advised Senator Kefauver that the investigation should be conducted either by the Department of Justice or State.

Yet State had already said it couldn't conduct the investigation, and Justice said it could only look into possible violations under existing antitrust laws leaving a wide area unexplored.

There the matter lies.

Unless Senator Hart is successful today, the investigation is "for all practical purposes" ended, the Herald Tribune was told.

This spokesman summed it up this way: "The State Department and AID say they don't have the resources to do an investigation. The Foreign Relations Committee has washed its hands of the matter. The Department of Justice is only interested in pieces of the testimony."

McKesson supporters told the Herald Tribune:

"This is exactly what was designed to happen."

(By William Haddad)

The Senate Anti Trust and Monopoly Subcommittee voted unanimously yesterday to conduct hearings on charges that drug manufacturers are exerting pressures to prevent the sale of low-cost drugs.

The subcommittee chairman, Senator PHILIP HART, Democrat, of Michigan, said the closed-door hearings will begin "as soon as possible."

* * * * *

In the interim, the subcommittee will hear from Herman C. Nolen, board chairman of McKesson & Robbins, who has charged that his company is the target of a concerted and malicious campaign to stop the sale of low-cost drugs in Latin America.

Also to be heard will be the drug manufacturers and the PMA. They deny the charges.

Along with the principals in the dispute, the subcommittee will hear from the Department of State and Justice and the Agency for International Development.

* * * * *

Senator HART said that "on the basis of these hearings, the committee would then be in a position to decide whether to go ahead with a full-scale inquiry, and whether public hearings should be held on the adequacy of existing law to deal with situations of this kind.

"These hearings will also influence the decision as to whether the existing subpenas should be modified," he said.

Senator KENNETH B. KEATING, Republican, of New York, a member of the seven-man subcommittee, said he joined in the unanimous action "as the fairest method of handling this investigation."

"I am sure the subcommittee will proceed promptly and diligently as outlined by Chairman HART," he said.

After the 90-minute meeting, Senator HART told reporters that some members of the subcommittee wanted to go ahead with the investigation, some wanted to call it off, and others wanted more information before deciding what to do.

He said the subcommittee now lacks information "to take a fish-or-cut-bait attitude."

Previously, over the bitter opposition of Senators HART and Kefauver, the subcommittee voted to turn "for counsel" to the Senate Foreign Relations Committee.

In what was widely interpreted as a defeat for Senator Kefauver, the Foreign Relations Committee conducted its own closed-door hearings and concluded that the investigation should be carried on by the Departments of State and Justice.

(By Martin J. Steadman)

In Venezuela recently, the drug manufacturers' association was advised to "fight the government" because that was easier than opposing the huge American wholesale drug company, McKesson & Robbins, and its low-priced line of generic drugs.

In Bogotá, Colombia, where the McKesson program has its base, the Minister of Health told the nation's Senate he had evidence that rival drug concerns were tampering with the low-priced drugs.

In Costa Rica, the pharmacists association and the largest drug distributor, which exclusively represents five major American firms, vowed to do "everything in our power to see that, through every Central American association, McKesson does not establish in Central America."

In Washington, D.C., a secret meeting was held between representatives of the Colombian drug industry and this Nation's 140-member Pharmaceutical Manufacturers Association. The South Americans urged "an appeal from government to government," and asked that the United States intervene to arrange that only certain drugs be sold generically in Colombia.

What was developing—and is now the subject of a Senate investigation—is a huge commercial war to stop the sale of low-cost lifesaving drugs, some at prices one-tenth the prevailing rates. The prices hinge on the difference between generic and trade names.

* * * * *

The struggle began when Colombia published a decree last year proclaiming a new generic drug program, and invited all major drug firms to participate. The only American concern to join the experiment was McKesson, which bought a 50-percent interest in a Colombian drug manufacturer, Droguerias Aliadas, Inc.

McKesson marketed 322 pain-killing, lifesaving drugs at dramatically low prices. An antibiotic used in treatment of respiratory infections and typhoid sold for 3.6 cents per capsule, compared with the trade name product that sold for 29 cents. An arthritic was able to buy a month's supply of prednisilone for $2 instead of the $16 it had cost before.

The drug industry in Colombia, which includes 15 American firms, fought back. Early this year, McKesson told Senator Estes Kefauver, chairman of the Senate Anti-Trust and Monopoly Subcommittee, that it was the victim of a "concerted and malicious campaign" to stop the generic program and prevent its spread to other sections of the world, including the United States.

* * * * *

Herman C. Nolen, McKesson chairman, went to Washington to outline his charges that the drug industry was ganging up on his firm, the Nation's largest wholesale drug house.

He testified in secret session before the Senate Foreign Relations Committee on June 25. Mr. Nolen said his company was meeting "'organized interference" which seriously endangered the Colombian generic program.

* * * * *

What is behind this violent struggle to prevent the sale of low-price generic drugs?

The late Senator Kefauver may have explained it when he wrote in a letter to the Pharmaceutical Manufacturers Association on July 24:

"Such information as we have now indicates that the main issue is simply the desire of some major American drug companies to continue to sell drugs in Latin America at these exorbitant markups, a willingness on the part of some other American companies to sell at more modest though still satisfactory markups, and certain alleged concerted efforts on the part of the former to prevent the latter from doing so."

The influential and respected Bogotá newspaper, El Tiempo, quoted Health Minister Patino on sales prices to the Colombian public. Dr. Patino cited as an example vitamin B_{12}, which costs 21 cents to produce and sells under trademark at $12 to $14.

When the generic program began, the price was slashed to $1.20. Dr. Patino said that the raw material prices charged by the manufacturer to other companies producing generically included the cost of research plus profit.

The Health Minister clearly implied that the trade-name manufacturers could also sell at the $1.20 figure and still cover their research and development costs, at the same time making a profit.

Dr. Patino was especially resentful, according to El Tiempo, of the failure of the drug manufacturers to bring down the cost to the consumer of B_{12}.

"There are cases such as that of vitamin B_{12}," he said, "which was quoted in 1961 at $1,600 per gram, and in 1963 at $125 * * * its price (to the distributor) dropped 92.1 percent, but the price of the drug to the public did not go down."

INTERIM REPORT BY PREPAREDNESS INVESTIGATING SUBCOMMITTEE

Mr. STENNIS. Mr. President, I have before me a copy of the interim report by the Preparedness Investigating Subcommittee on the treaty. I ask unanimous consent that the title page, the letter of transmittal, and pages 1 through 14 of the report be printed in the RECORD as in the morning hour.

There being no objection, the portion of the report referred to was ordered to be printed in the RECORD, as follows:

INVESTIGATION OF THE PREPAREDNESS PROGRAM: INTERIM REPORT BY PREPAREDNESS INVESTIGATING SUBCOMMITTEE OF THE COMMITTEE ON ARMED SERVICES, U.S. SENATE, ON THE MILITARY IMPLICATIONS OF THE PROPOSED LIMITED NUCLEAR TEST BAN TREATY

(Printed for the use of the Committee on Armed Services)

LETTER OF TRANSMITTAL

U.S. SENATE, COMMITTEE ON ARMED SERVICES, PREPAREDNESS INVESTIGATING SUBCOMMITTEE,
September 9, 1963.

Hon. RICHARD B. RUSSELL,
Chairman, Committee on Armed Services, U.S. Senate.

MY DEAR MR. CHAIRMAN: There is transmitted herewith an interim report by the Preparedness Investigating Subcommittee, appointed under Senate Resolution 75 of the 88th Congress, on the military implications of the proposed limited nuclear test ban treaty.

The interim report deals specifically with the military and technical advantages and disadvantages which flow or might flow from the agreement. The subcommittee reached its conclusions after hearing 24 witnesses over a period of 11 months. Among our witnesses were many of the most informed and knowledgeable people in the Nation upon the military and technical aspects of the proposed treaty.

The subcommittee report is signed by myself, as chairman, and by Senators STUART SYMINGTON, HENRY M. JACKSON, STROM THURMOND, MARGARET CHASE SMITH, and BARRY GOLDWATER. Senator SYMINGTON, however, has filed additional views which are also transmitted herewith.

Senator LEVERETT SALTONSTALL has declined to sign the report, and his dissenting view is likewise transmitted herewith.

Respectfully,

JOHN STENNIS,
Chairman,
Preparedness Investigating Subcommittee.

INTERIM REPORT ON THE MILITARY IMPLICATIONS OF THE PROPOSED LIMITED NUCLEAR TEST BAN TREATY

I. Introductory statement

Since September 1962, the Preparedness Investigating Subcommittee has engaged in a comprehensive and extensive inquiry into the military and technical implications and aspects of the various nuclear test ban proposals.

Although the inquiry was originally directed to the entire field of nuclear test ban proposals from the standpoint of their potential impact upon our military posture and preparedness, the negotiation and signing of the three-environmental nuclear test

ban agreement in Moscow caused the subcommittee to focus attention on the potential impact of that treaty upon the future of our Military Establishment and strategic forces.

This interim report is directed specifically to the partial test ban agreement. It deals with the military advantages and disadvantages to the United States which flow or might flow from the agreement. Political considerations, and matters involving foreign and international affairs, as such, are not within the scope of this report.

In considering the impact and effect of the proposed test ban it is important to remember that for nearly two decades this Nation has been confronted by an adversary who has openly and repeatedly proclaimed that his dominant goal is to destroy the nations of the non-Communist world. Only because we have maintained clear military superiority and the ability to inflict unacceptable damage upon him has the would-be aggressor been deterred. The basis of our deterrence is military superiority which, in turn, is based on our nuclear weapons programs and nuclear retaliatory forces.

It is vital to our survival that no step be taken which in any manner would impair the integrity and credibility of our deterrence or degrade the ability of our military forces to protect our security if we should be challenged militarily by a hostile nuclear power.

II. Background and scope of report

The chairman of the subcommittee, in opening the hearings on September 17, 1962, stated: "The Senate Committee on Armed Services has legislative responsibility for the common defense generally and for matters affecting the size, composition, and equipage of the Armed Forces. It has a direct and legitimate interest in any and all activities which affect or may affect the development and procurement of weapons and the size and quality of our fighting forces."

He also said: "Since weapons development and testing go hand in hand, we will inquire into the status of our nuclear test activities with respect both to weapons developments and weapons effects. Technical data now available on this question will be considered as well as information relating to our position in this field as compared with the progress of the Soviets."

In the months that have followed the subcommittee has made an exhaustive effort, on a scope and scale which is believed to be unprecedented as far as the Congress is concerned, to obtain complete and full information about the relationship of nuclear testing—in all environments—to the integrity of our deterrent forces and the ability of our retaliatory or second-strike forces to survive and respond to a nuclear attack. During the hearings thus far 2,800 pages of testimony were received from the 24 witnesses who are listed in alphabetical order in appendix A. Most of this testimony involved highly technical discussions relating to the needs and capabilites of our present and future nuclear weapon systems.

The overall objective of the subcommittee in this inquiry has been to develop as impartially, as objectively, and as fully as possible all available military and technical information bearing upon the subject matter so as to insure that the Senate would have available to it essentially the same body of military and technical evidence as is available to the executive branch of the Government in its formulation of nuclear test ban policies and in its weighing of their security implications. This objective has, we believe, been attained. The military, technical, and security problems associated with suspensions of nuclear testing have been identified, explored, and assessed. These problems will be discussed in this report with particular emphasis upon their relation to the treaty banning nuclear tests in the atmosphere, outer space, and underwater.

III. Summary of major findings

1. From the evidence we are compelled to conclude that serious—perhaps even formidable—military and technical disadvantages to the United States will flow from the ratification of the treaty. At the very least it will prevent the United States from providing our military forces with the highest quality of weapons of which our science and technology is capable.

2. Any military and technical advantages which we will derive from the treaty do not, in our judgment, counterbalance or outweigh the military and technical disadvantages. The Soviets will not be similarly inhibited in those areas of nuclear weaponry where we now deem them to be inferior.

3. Admittedly, however, other important factors—such as foreign policy, international affairs, and relations with other countries—are relevant in an overall assessment of the treaty. These are not within the scope of this report. When they are considered, as they must be, each individual must reach his own judgment about the wisdom and desirability of the treaty on the basis of personal philosophy, past experience, current knowledge, and relative weight which he assigns to the various factors involved.

IV. Comparison of U.S.-U.S.S.R. nuclear weapons programs

In this section we will endeavor from the testimony we have received to compare the nuclear warhead knowledge and state of the art of the United States with that of the Soviet Union. This includes, of course, the important field of nuclear weapons effects.

The criteria we will use are the number of tests conducted within important yield ranges and the yield-to-weight ratio (the explosive energy released per pound of bomb) achieved in the test programs. We will compare the situation prevailing in 1958 prior to the moratorium and that prevailing today.

A. Multimegaton Weapons Capabilities

In 1958, at the onset of the 34-month nuclear test moratorium, the United States had conducted slightly more tests above 1 megaton in yield than had the Soviet Union. Of these U.S. tests, one-fifth were in yield ranges above 10 megatons. No tests had been conducted by the Soviet Union in this high yield category. As a result of this experimental program, the United States held a clear superiority over the Soviet Union in the yeld it could achieve in a given thermonuclear weapon throughout the range of deliverable weights.

Following the abrogation of the moratorium by the Soviet Union, the test and performance records altered drastically. In 1961 and 1962 the Soviet Union conducted in yields above 10 megatons twice the number of tests which had been conducted by the United States in that yield range throughout the history of its nuclear test program. The total number of Soviet tests above 1 megaton was approximately four times that conducted by the United States in the same period (1961–62). In terms of yield-to-weight ratios, the Soviet Union, as a result of its aggressive test program and its concentration on very large yield weapons, has demonstrated clearly superior performance in all yield classes above approximately 15 megatons where the United States has had no testing experience since 1954. It is also worth noting that the scientific witnesses were unanimous in expressing uncertainty about the particular designs employed by the Soviets, to achieve the results observed in their very high yield experiments.

B. Low-Megaton and Submegaton Weapon Capabilities

Below a few thousand pounds in weight and a few megatons in yield, the evidence available to us indicates that the United States continues to hold a lead in weapon design and performance.

For a variety of reasons the United States has chosen to concentrate its development efforts on weapons yielding from a few megatons down to fractions of kilotons. Consequently, it probably continues to hold some advantage in design techniques over the Soviet Union in these areas and in the ability to maximize the yield which can be achieved at a given weight and size or, alternatively, to package a given yield in a device of minimum weight and size.

However, the rate of testing below 1 megaton indicates that the Soviet Union is attempting to challenge seriously the U.S. lead in the lower yield weapon categories. Prior to the 1958–61 moratorium the United States had conducted somewhat more than twice as many tests at yields below 1 megaton as had been detected in the Soviet Union. By the end of 1962 this ratio had dropped significantly. More important, the 1961–62 Soviet test series included more tests in this yield range than had been conducted in its entire program from 1949 through 1958. Even accounting for tests to assess the effects of explosions and tests to confirm the yield of stockpiled weapons, this constitutes impressive evidence that the Soviet Union has no intention of permitting U.S. superiority in weapon design and performance at yields below 1 megaton to go unchallenged. It is in this range of yields that the testing underground permitted by the treaty can be accomplished readily.

Furthermore, there is a serious question about the adequacy of our knowledge of the nuclear devices employed in the Soviet experiments in the lower yield range. Detection, identification, and analytical capabilities are degraded at the lower end of this yield spectrum, particularly in the low and subkiloton area. Consequently, our confidence in any conclusions concerning the Soviet state of the art in weapons yielding up to a few kilotons is correspondingly low. While we believe that U.S. superiority extends to these very low yield ranges, hard evidence on this point does not exist and, accordingly, we accept the judgment of our Atomic Energy Commission witnesses that while some intelligence exists on which to base an estimate of U.S.S.R. tactical nuclear capability, the dearth of information [does] not permit a comprehensive United States-U.S.S.R. comparison. [For] future developments a credible U.S.S.R. development capability can be made by assuming a capability similar to ours.

C. Weapons Effects Programs

Important as are programs associated with the acquisition of new or improved types of weapons, the advent of the missile age and the adoption of a second-strike or retaliatory strategic policy by the United States has elevated to a first priority tests to determine the effects of nuclear explosions on hardened missile sites and control centers, on reentry bodies in flight, and on radar, electronic, and communications systems. Of equal importance have become tests to determine what unique effects are produced by nuclear explosions in space, the atmosphere, and underwater so that the knowledge gained might be exploited for defensive purposes or our own weapon systems designed to resist them.

From the testimony before the subcommittee, it is clear that neither nation has conducted a weapons effects test program of sufficient size and complexity to resolve whatever doubts may exist about the adequacy of the design and the survivability of their nuclear weapon systems; nor has either tested sufficiently to fulfill the needs of their system designers and military planners.

However, the necessity and the motivation to conduct such experiments is clearly greater for the United States than for the Soviet Union. Since the early 1960's, the deterrent strategy of the United States has been based substantially on second-strike missile systems, that is, missile systems which can survive a massive first strike by a nuclear-armed enemy and still retain the ability to retaliate in such force as to destroy the attacker. By the mid-1970's this Nation's nuclear deterrent will probably reside primarily in land- and sea-based missile systems designed to achieve that degree of survivability. To date, only Polaris has been subjected to a full-scale system test, including the explosion of the nuclear warhead. Minuteman, Atlas, and Titan have never been so tested, nor have models of the base complexes of the hardened underground Minuteman and Titan systems been subjected to close-in high yield nuclear explosions to prove the adequacy of their design. While all of the military witnesses expressed reasonable confidence in the ability of these systems to fulfill their missions, it is clear that some unresolved questions exist and that the absence of adequate design and vulnerability data has necessitated radical overdesign, redundancy, and excessive development and construction costs. Only by atmospheric testing can needed answers be obtained to the important unresolved questions.

However, there is one area of weapons effects knowledge in which the Soviet Union probably holds a distinct lead. By virtue of its large, multimegaton weapon tests, it is prudent to assume that the Soviet Union has acquired a unique and potentially valuable body of data on high yield blast, shock, communications blackout, and radiation and electromagnetic phenomena which is not available to the United States. Furthermore, due to the absence of comparable experiments, the United States is not now in a position to evaluate realistically the military effectiveness of the Soviet 50 to 100 megaton terror weapons.

In the field of weapons effects experiments related to the design and development of an effective antiballistic missile (ABM) system the evidence, although less conclusive, indicates that the Soviet Union in 1961 and 1962 conducted a series of complex high altitude operations which, if properly instrumented, could have provided substantial and important data on various types of radar blackout and nuclear effects. These Soviet experiments were clearly dictated by an ABM development program.

The United States has conducted no experiments comparable in complexity to those Soviet operations and a disturbing number of the U.S. high-altitude-effects experiments which were conducted were compromised either by considerations unrelated to the technical objectives of the test program, by inadequate or faulty instrumentation, or by operational inadequacies. Based on the testimony we have received, there can be little doubt but that the quantity and quality of information available to the United States on high altitude nuclear effects is inadequate for the Nation's military needs.

V. U.S. needs for nuclear test

In assessing the merits of the treaty which is now before the Senate for ratification, it is important to understand the kinds and objectives of certain nuclear test programs which, in the opinion of the subcommittee and based on testimony received by it, would be desirable or necessary in any future U.S. nuclear test programs.

The following chart summarizes the subcommittee's conclusions and distinguishes between selected test objectives which can be realized through underground test programs and those which could only be achieved through atmospheric testing.

Test objectives	Can be done under treaty
Survivability and responsiveness of hardened site missile launch complexes to high yield nuclear explosions.	No.
Response of hardened underground structures to blast and cratering from high yield surface burst nuclear weapons.	No.
Response of hardened underground structures to ground motion.	Yes.
Determination of missile warhead and nose-cone vulnerability to nuclear explosions during atmospheric reentry.	No.
Reduction of missile warhead and nose-cone vulnerabilities to nuclear explosions.	Yes.
Study of atmospheric and high altitude radar blackout phenomena.	No.
Study of communications blackout phenomena from high yield nuclear explosions.	No.
Full-scale operational tests of ABM systems.	No.
Development of ABM warhead with maximum lethality and minimum blackout properties.	Partially.
Development of very high yield warheads, equal to or surpassing Soviet achievements.	No.
Determination of very high yield nuclear weapons effects.	No.
Determination of underwater nuclear weapon effects for improved antisubmarine warfare (ASW) systems.	No.
Development of weapons requiring less fissionable material than present designs.	Yes.
Development of pure fusion warheads	Yes.
Development of reduced fallout weapons	Yes.
Full-scale performance and reliability tests of Minuteman and Titan missile systems.	No.
Yield verification tests of stockpiled weapons up to approximately 1 megaton.	Yes.
Yield verification tests of stockpiled weapons above approximately 1 megaton.	No.
Troop and crew training tactical exercises using nuclear weapons.	No.

VI. Military implications of treaty

The primary objective of the hearings held by the subcommittee was to determine whether or not a suspension of, or limitation upon, nuclear testing would or could result in overall military and technical disadvantage for the United States. While the evidence leads us to the conclusion that the net result of the proposed treaty would be a military disadvantage, there was considerable divergence of opinion among the witnesses on the question of whether the disadvantage was acceptable from the standpoint of the Nation's security and whether the risks involved were acceptable on balance.

A. Military Disadvantages

The military disadvantages associated with the treaty which were discussed in testimony before the subcommittee were as follows:

1. The United States probably will be unable to duplicate Soviet achievements in very high yield weapon technology: Though U.S. weapons laboratories are capable of developing and stockpiling designs yielding greater than 50 megatons without further experimentation, their weight and size would be incompatible with any existing or programed missile delivery vehicle. It is well within the capabilities of U.S. weapons laboratories to equal and to surpass the Soviet achievements, but to do so would require a number of atmospheric nuclear tests.

2. The United States will be unable to acquire necessary data on the effects of very high yield atmospheric explosions: Without such knowledge it is unlikely that a realistic assessment can be made of the military value of such weapons, or that plans can be formulated to protect military weapons systems against their use. The data possessed by the United States on high yield weapons effects are inadequate to permit confident extrapolations to the higher yield categories.

3. The United States will be unable to acquire data on high altitude nuclear weapons effects: Such data are important to the design of anti-ballistic-missile system warheads and radars. Again, this is an area in which Soviet experiments may have provided them with greater knowledge than that now available to the United States. Throughout our hearings there was considerable dispute on this point. The treaty proponents accurately observed that the ABM warheads could be developed through underground testing and that development of acquisition and tracking radars was an electronics problem not directly dependent upon nuclear tests. It is clear, however, that the characteristics or specifications upon which such warhead design and development should be based are not sufficiently known and cannot be determined with confidence without additional high altitude effects tests.

As the Atomic Energy Commission observed: "While our knowledge of * * * blackout phenomena provides some limited guidance in the determination of [ABM] warhead criteria * * * an optimized design could only be chosen after continued atmospheric testing. Whether or not significant gains will result, can be argued."

And again: "The minimal [warhead] specifications * * * can be met within the framework of existing technology. [But, assuming that a minimal warhead will not be acceptable,] testing both underground and in the atmosphere would be required to complete the development."

4. The United States will be unable to determine with confidence the performance and reliability of any ABM system developed without benefit of atmospheric operational system tests: An ABM system will be required to function in the nuclear environment created both by its own defensive warhead explosions and those of the attacking enemy. Under such circumstances it is important to be as certain as possible that no element of the system possesses unknown vulnerabilities to nuclear effects. All electronics components of the ground arrays and missiles must function; the missiles must be capable of operating in the presence of nuclear, thermal, and blast effects; the warheads must be resistant to nuclear radiations. It is apparent that unless a system of such complexity is tested in its operational environment, there will be a low level of confidence in its ability to perform the mission for which it was designed and produced. Many unknowns will arise in the course of the ABM development program which can only be explored and satisfied through the medium of atmospheric and high altitude nuclear testing.

5. The United States will be unable to verify the ability of its hardened underground second-strike missile systems to survive close-in high-yield nuclear explosions: (See the discussion under the heading of "Weapons Effects Program" on pp. 4 to 5 of this report.)

6. The United States will be unable to verify the ability of its missile reentry bodies under defensive nuclear attack to survive and to penetrate to the target without the opportunity to test nose cone and warhead designs in a nuclear environment under dynamic reentry conditions.

7. The treaty will provide the Soviet Union an opportunity to equal U.S. accomplishments in submegaton weapon technology: there can be no doubt that a treaty limiting testing to an underground environment will tend to favor experimentation at the lower end of the yield spectrum. Economic factors will play a part since costs rise significantly with relatively modest increases in yield for underground tests. There are also testing

limitations arising from the type of strata, geological uncertainties, and engineering factors. Whether or not either the United States or the Soviet Union will choose to test underground at yields much greater than approximately 1 megaton is not known. In any case, it appears that the race for nuclear technological superiority will be confined to that area where the United States is believed to now hold a margin of superiority. The result, with time, will probably be the achievement of parity by the Soviet Union in this area without any equivalent opportunity for the United States to attain equality in very high yield weapon technology.

8. The treaty will deny to the United States a valuable source of information on Soviet nuclear weapons capabilities: The results acquired from the analysis of radioactive debris generated by nuclear explosions has long been a basic source of intelligence on Soviet nuclear weapons programs. By driving Soviet testing underground, this intelligence will be denied the United States with the result that with the passage of time knowledge of the Soviet state of the art in weapons undergoing tests will be seriously degraded. The effect of the treaty will be to reinforce the difficulties already imposed on the United States by Soviet secrecy.

B. Counterarguments

A clear majority of the witnesses agreed that the treaty would result in military and technical disadvantages when compared with the increases in performance confidence and in the quality of weapon systems which would be derived from unlimited atmospheric testing.

It was stated, however, that it is characteristic of the experimental sciences that enough data is never available to satisfy the scientific search for knowledge. The testimony was unanimous that, except in the field of very high yield weapons, the United States today holds a clear and commanding lead in nuclear weapon systems over any one or any combination of potential enemies.

This superiority was said to result from a larger and more diversified stockpile of nuclear weapons, by more numerous, varied, and sophisticated delivery systems, and by a greater capacity to produce nuclear materials, weapons, and delivery systems.

It was also asserted that a cessation of atmospheric nuclear testing would in no case prevent qualitative improvements being made in our weapons systems which would flow from a vigorous nonnuclear technology. Some witnesses noted that potential improvements in missile accuracy and reliability would continue to be exploited. Some noted that uncertainties in ABM radar performance when confronted with the various forms of blackout induced by nuclear explosions could be compensated by the deployment of greater numbers and wider dispersal of the radars.

Uncertainties concerning reentry vehicle warhead vulnerabilities could be reduced by a factor of 2 or 3, based on present knowledge and without further testing, by straightforward engineering improvements, it was said.

Some witnesses noted that so far as any uncertainties which might arise about the survivability of second-strike missile forces were concerned, these could be compensated by additional redundancy in missile systems, by greater numbers of missiles, and by greater dispersal. It was also noted that U.S. war plans tend to be conservative concerning the percentage of the second-strike force surviving a nuclear attack and in estimating the number of warheads capable of reaching enemy targets and so provide adequate margin for error.

In summary, it was the contention of witnesses who supported the treaty that it will tend to stabilize the advantages which the United States now maintains in military nuclear superiority over the Soviet Union. While recognizing that doubts concerning the quality of some of our weapons systems do exist, they maintained that these doubts can be compensated by "brute force" techniques by which quantity is substituted for quality at considerably greater cost to achieve approximately the same results in military system effectiveness.

It is interesting and sobering to note that, as we proclaim our nuclear superiority and our determination to maintain it, the Soviets do likewise. A dispatch from Moscow, dated August 30, 1963, quotes Red Star, the Soviet armed forces newspaper, as saying that Russia today possesses superiority in nuclear power "and has no intention of relinquishing it." Red Star also said that, while the United States intends to continue underground testing, the hopes of the Pentagon of attaining any "advantage in nuclear power by means of these explosions are illusory." And on September 3, 1963, Marshal Rodion Malinovsky, the Soviet Defense Minister, wrote in Komsomolskaya Pravda that the Soviet Union can "prove its complete military superiority over the United States."

VII. Proposed safeguards

The Joint Chiefs of Staff in testimony before the subcommittee identified a number of military disadvantages which, in their collective judgment, would flow from the treaty. However, their assessment of the desirability of the treaty was not based on military considerations alone. Their conclusions on the matter also reflected their judgment of the political and foreign policy advantages and disadvantages which would result from it. Their joint conclusion was that, on balance, the political and foreign policy advantages to be derived from the treaty outweighed the limitations which the treaty would impose on the Nation's weapon systems programs.

However, the Joint Chiefs qualified their support of the treaty by making their approval conditional on the effective implementation of four "safeguards" designed to reduce to a minimum the adverse effect the treaty would have on our weapon programs. On the basis of these "safeguards" Senator Jackson on August 14, 1963, offered a motion which was unanimously adopted by the subcommittee, and was subsequently approved by all members of the Senate Committee on Armed Services, requesting that the Joint Chiefs of Staff submit as soon as possible, and in any event prior to committee action on the treaty, a statement of the specific requirements to implement the "safeguards" proposed by the Joint Chiefs. Senator Jackson's motion, which sets forth the proposed safeguards in full, is attached as appendix B.

By a letter dated August 15, 1963, Senator Richard Russell, chairman of the Committee on Armed Services, transmitted the Jackson motion to the Secretary of Defense, and requested a statement in response to the motion.

Responses to the motion were received from the Joint Chiefs and the Office of the Secretary of Defense on August 24, 1963. These responses are attached as appendix C.

The subcommittee considers it to be vital that, if the treaty is ratified, the recommended "safeguards" be implemented fully and that detailed and specific programs to so implement them be presented by the executive branch.

The administration has expressed publicly its intent regarding the safeguards both in the responses to the motion by Senator Jackson and in other statements by the President, the Secretary of State, and the Secretary of Defense. Such statements are set forth in appendix D.

To permit the U.S. Senate to monitor the treaty safeguards it is necessary that the expressed good intentions be supplemented by definitive programs against which progress can be compared. At this time, we have not received details of testing, preparedness, and detection improvement programs which will permit the safeguards to be monitored in an effective manner. If the treaty is ratified it is the intention of the Preparedness Investigating Subcommittee to monitor the implementation of the safeguards and it would also be our hope that other committees of the Congress having jurisdiction in these areas would cooperate in this important program.

However, we wish to emphasize that even the most rigorous and conscientious implementation of the JCS safeguards will not alter, modify, or reduce the military and technical disadvantages listed herein which will result from this treaty. No safeguards can provide the benefits of testing where testing is not permitted, nor can they assure that this Nation will acquire the highest quality weapon systems of which it is capable when the means for achieving that objective are denied.

VIII. Detection and identification

A brief word should be said about the problem of detection and identification in connection with the proposed treaty. "Detection" means a determination that an event has occurred without implying that it has been identified as a nuclear explosion. "Identification" means that an event is not only detected but that it is identified as a nuclear detonation.

During the previous negotiations on test ban treaties, the major controversy in this field has centered around the ability to detect, identify, and fix the location of underground explosions. The proposed three-environment treaty, by permitting underground testing, considerably reduces the problems involved in detection and identification but does not eliminate them entirely.

The capabilities of our verification system cannot be discussed in detail in an unclassified document. However, notwithstanding anticipated and programed improvements in the system, it will still possess both detection and identification "thresholds" below which clandestine testing is possible with a low probability of detection.

The yields at which clandestine tests may be conducted and probably escape detection will vary with altitude and geographical location, and some uncertainty exists in this field. There is also some controversy as to whether significant military advantages can be obtained by clandestine testing in the prohibited environments.

It is not the purpose of this section to explore these problems in detail. It is our purpose here to point out that, under the limited treaty, problems of detection, identification, and verification still remain although they are of a lesser order of magnitude than would be true of a treaty banning underground testing.

IX. Concluding statement

From the extensive evidence presented to us, we have come to the conclusion that the proposed treaty banning nuclear testing in the atmosphere, underwater, and in space will affect adversely the future quality of this Nation's arms, and that it will result in serious, and perhaps formidable, military and technical disadvantages. These disadvantages, in our judgment, are not outweighed or counterbalanced by the claimed military advantages. At the same time, we are not convinced that comparable military disadvantages will accrue to the nuclear weapon programs of the U.S.S.R.

Looking at the matter from the military aspect and from the effect of the treaty upon our military preparedness and posture, we cannot escape being impressed with the testimony of Gen. Thomas S. Power, commander in chief of the Strategic Air Command, and Gen. Bernard A. Schriever, commander of the Air Force Systems Command, who addressed themselves to the problem exclusively from the military point of view. General Power, after stating that he did not think the treaty "is in the best interests of the United States," said: "I feel that we have military superiority now, and I feel very strongly that this has resulted in a world that has been free from nuclear warfare. I have a lower confidence factor that we can and will maintain that military superiority under the test ban treaty."

General Schriever told the subcommittee that there "are definite military disadvantages" to the treaty and that, as a military man, he felt he could protect the country better without the treaty than with it.

Of course, the endorsement of the treaty by Gen. Curtis E. LeMay, Chief of Staff of the Air Force, was considerably less than enthusiastic, and he testified that he probably would have recommended against the treaty had it still been in the proposal stage.

From the evidence we have learned that the Soviets have overtaken and surpassed us in the design of very high yield nuclear weapons; that they may possess knowledge of weapons effects and antiballistic missile programs superior to ours; and that under the terms of the treaty it is entirely possible that they will achieve parity with us in low yield weapon technology. These things are not grounds for complacency. We believe very strongly that Soviet secrecy and duplicity requires that this Nation possess a substantial margin of superiority in both the quality and the quantity of its implements of defense.

Although we have concluded that there will be a net military disadvantage to us if the treaty is ratified, we recognize the existence of other factors which, while not within the scope of this report, are pertinent to a final judgment on the treaty. Among these are matters related to international affairs, foreign policy, and relations with other countries. When these are taken into consideration the question becomes one of weighing relative risks, and our hearings provide ample evidence that the overall assessment of the relative merits and demerits of the treaty is a complex and difficult matter on which equally patriotic, informed, and dedicated persons may and do disagree. In the final analysis, then, each individual must reach his own judgment on the basis of personal philosophy, past experience, current knowledge, and the relative weight which he assigns to the various factors involved.

ADDITIONAL VIEWS OF SENATOR STUART SYMINGTON

Since 1955, when I was appointed a member of the Joint Subcommittee on Disarmament, I have followed closely the activity of our Government in arms control, disarmament, and nuclear test ban proposals; and specifically have studied carefully the three-environmental test ban treaty signed by our Government in Moscow on August 5, 1963.

To the best of my knowledge, the factual data contained in the report of the Preparedness Investigating Subcommittee is correct. But I believe the findings and conclusions are overly pessimistic as to the effect of the treaty on our national security.

As a member of both the Foreign Relations Committee and the Preparedness Investigating Subcommittee, I listened to and questioned many responsible witnesses—both in and out of Government. Most of these experts testified that our national security would be adequately protected under the terms of the treaty.

Much of this testimony was before the Foreign Relations Committee and, therefore, is not emphasized in this report.

Based on the record, I am worried about the treaty; but more worried about the possibility of an all-out nuclear exchange some day in the future—particularly if there is a proliferation of nuclear weapons among more countries. This treaty, a very small step, nevertheless could be the first step toward bringing nuclear weapons under some form of satisfactory control, which action should promote the possibilities of a just peace under law.

Therefore, I plan to vote for the treaty.

This does not deter me from signing the Preparedness Investigating Subcommittee report. The record made by the subcommittee is, to the best of my knowledge, the most complete record ever made on this vital subject by anybody on the military and technological implications of nuclear test ban treaties as they relate to our national security. It is a record which should be of inestimable future value to the Congress and the country.

DISSENTING VIEW OF SENATOR LEVERETT SALTONSTALL

As one Senator who attended the hearings conducted by both the Foreign Relations Committee and the Preparedness Investigating Subcomittee on the proposed nuclear test ban treaty, I find that I cannot, as a member of the Preparedness Subcommittee, concur with its report because I feel that its general tenor and its specific findings and conclusions are unduly pessimistic as to the effect of this treaty, if ratified, upon our national security. As a U.S. Senator, I intend to consent to the ratification of this nuclear test ban treaty.

I believe that the factual data contained in the report of the Preparedness Subcommittee is accurately stated. However, the nature of the conclusions drawn from this factual data are, in my opinion, overly adverse. It must be remembered that responsible Government officials such as the Secretary of Defense, the Joint Chiefs of Staff, leading scientists, and many others, some of whom appeared only before the Foreign Relations Committee, testified that our national security would be protected under the terms of the treaty even though some important atmospheric nuclear tests could no longer be conducted. This testimony is not sufficiently emphasized in the report, although I realize that some of it was not necessarily given in the hearings conducted by the Preparedness Subcommittee.

The Congress must insist upon an active, constructive, and energetic implementation of the four safeguards suggested by the Joint Chiefs of Staff so that our security will be maintained while the cause of peace and the lessening of tensions in the world are advanced.

HOW TO WASTE MONEY WITHOUT EVEN TRYING

Mr. MUNDT. Mr. President, an editorial in the Evening Star, Washington, D.C., on September 3, 1963, called attention to a most curious document, prepared at the expense of the taxpayers, under the direction of the Department of Health, Education, and Welfare. This Department of Health, Education, and Welfare book is 814 pages long. It is titled, "Programs, 1963: A Guide to Programed Instructional Materials Available to the Educator by September 1963."

This book is actually a bibliography. It contains a list of publications which it states may be of use to the Nation's educators during the upcoming school year. I think my discussion of it might well be made under the heading "How To Waste Money Without Even Trying."

Ordinarily one would assume that a list of materials which are available for the use of teachers in the classroom would be commendable. But the Evening Star said that one section of this bibliography actually is concerned with describing an "Official Girlwatcher's Manual" which is available for the use of our educators. I thought to myself—Surely, this must be a jest. Newspapermen, in the dull heat of a late summer afternoon are wont to amuse themselves and, they hope, the public with gentle barbs directed at the civil servant. It seemed unbelievable that even under the New Frontier's concept of "sophisticated budget management" the hard-earned money of America's taxpayers would be used for the assembling, publication, and distribution of such obvious nonsense.

But, being of a curious nature, I could not let this rest at that. I wanted to see for myself this library of strange and forgotten lore. I found my intellectual foray beset with obstacles cunningly laid by a shy and reticent Department of Health, Education, and Welfare. In short, they just did not seem to want to let me see a copy.

Perseverance had its rewards. I obtained a copy of this book, whose production was paid for by the taxpayers of the United States, and now, Mr. President, I would like to describe for you briefly its contents, its price tag, and its distribution. I must be frank and say I still am not able to describe its purpose.

It seems that this book, which has contract No. OE-3-16-012, is an 814-page compilation of Library of Congress index cards. By working a month or so at the Library a good secretary could come up with a similar list. Yet the Department of Health, Education, and Welfare admits to paying $21,850 to the Center for Programed Instruction, Inc., for this card catalog fascimile.

This material, prepared under authority of the National Defense Education Act, purports to assist educators in their selection of instructional materials. As a supporter of the NDEA, this perversion of its purposes and waste of its money appalls me.

Mr. President, let us see what we get for this $21,850. I think a random sampling of the book pretty well tells the story. It might well also have some bearing on the wisdom of involving the Federal Government in Federal-aid-to-education programs involving curricula, classroom activities or the payment, selection, and supervision of teachers and school administrators. When the Federal Government spends taxpayers' money to publicize certain books and articles, it automatically involves itself in the implication that such publications are desirable and authentic. By publicizing some and ignoring others it inferentially recommends the former and rejects the latter. When it goes as far afield as in the instant case it also indicates a complete lack of realism and a virtual disdain for the taxpayers' problems.

I should like to quote from page 506 of this document, specifically a sample page from "How To Follow the Stock Market." One question which the authors apparently feel is essential to modern education, goes like this:

> But before you contact a stockbroker, you should decide what type of stock buyer you

> are going to be and what kind of ---- you want to buy.

The answer is "stock."

Another question states:

> You could be one of two types of stock buyers: A speculator or an investor. Speculators speculate and investors ----.

The answer is, strangely enough, "invest."

Pages 122 and 123 are concerned with the salesman's call report. Question 18, on page 123 states:

> Let's see why and to whom call reports are important. First of all call reports are important to you. Do you agree?

The answer to this question, and again I quote, is:

> Any answer is OK.

That's all. Just any old answer is OK. It does not make any difference that the taxpayers of this country are paying $21,850 to produce the bibliography which contains material like this—because any old answer is OK.

Question 19, on page 123, also deals with the salesman's call report. This question reads:

> Maybe you said, "Like hell. I don't agree." Well, is money important to you?

The answer to this question, again prepared for the use of our Nation's teachers, and distributed by the U.S. Government is, and I quote:

> If you answer "No," you're sick, man, sick.

In all honesty, Mr. President, at this point I too was sick. I have seen many publications intelligently written and sensibly produced by the Federal Government over the years. But in recent months there is some legitimate cause to question the uses to which the Department of Health, Education, and Welfare puts its multibillion dollar appropriations. This bibliography is but the latest example of taxpayer financed frivolity.

Starting with page 132, the next 15 pages are devoted to fun and games, including "How To Watch a Football Game," "How To Score Bowling," coin collecting, roller skating, one course on chess and three on bridge. I am sure all of these games bring joy to the soul; but I must question the use of the public purse to finance this excursion into these forms of unalloyed happiness.

Mr. President, I will go one step further. I do not think the general welfare clause of the Constitution was designed to promote books on how to watch football.

Up to this point I was merely astounded, but when I noticed this bibliography devoted pages 521 and 522 to a description of an "Official Girlwatcher's Manual" I was disgusted. I shall quote these 2 pages in their entirety because, frankly, Mr. President, if I did not you would not believe what they contained.

> Page 521, Official Girlwatcher's Manual: Official Girlwatcher's Manual; Jac D. Meacham,, Graficroll Systems, Inc.; Joe Beagin, founder, International Society of Girlwatchers. Published by Graficroll Systems, Inc., 4215 Calavo Drive, La Mesa, Calif.
>
> Programed text, 200 frames, paperback, 110 pages, 5½ by 8 inches, $4.95.
>
> Table of contents.
>
> Constructed responses usually used; some branching; no multiple choice.
>
> Developmental (field test) population(s): Any member of International Society of Girlwatchers and other interested males.
>
> Prerequisites: 20/20 vision or corrected as required.
>
> Additional material required: glasses, binoculars, notebook.
>
> Average time: 2½ hours (estimate).
>
> Next revision: February 1963. (One sample page.)
>
> Page 522, Official Girlwatcher's Manual: Official Girlwatcher's Manual; Meacham, Beagin; Graficroll Systems; one sample page:

OFFICIAL GIRLWATCHER'S MANUAL

Directory of girls

17. The untouchables.	18. The girls that have a tendency to cry easily, or have chronic complaints, or appear to be nervous most of the time are the EMOTIONALS. The ---- are usually good for watching when stopped by the law for speeding.
18. Emotionals.	19. The UNMENTIONABLES are not in the watchable category because they are generally those girls out of the past and you do not mention them to your wife or current date. They are ---- only in visions or dreams.
19. Watched.	20. The NOCTURNALS are those beauties who are always falling asleep on a date or early in the evening. The ---- are very poor ones for drive-_ _ movies, but can be observed drowsing in their favorite park or on the beach.
20. Nocturnals in.	21. The SOCIABLES are not always drinking Pepsi, but are usually flitting about like a ---- fly in spring; at parties and ---- events. The sociables are very good to watch as they provide a variety of entertainment.
	57

Now, Mr. President, there are those in the executive branch who will maintain that this book serves a useful purpose in that it provides would-be users of teaching machines with a complete compilation of materials available along with their sources. If this material were not available anywhere else in the country, it might, indeed, be of real value.

The fact is—and I speak from the experience of serving as a former school superintendent—that any school official who has shown the slightest degree of interest in this type of education has promptly been swamped with salesmen of every description, each with his brochure, each with a fully detailed list, along with samples of his wares. Teachers, department heads, and administrators have never been at a loss to find textbooks and teaching aids. The problem, as any administrator will tell you, is sometimes how to avoid them. Each day's mail brings in a plethora of advertising material on all worthwhile books and publications.

This very flood of available information makes the publication of such a bibliography—at taxpayer expense—a more patently ridiculous operation.

Mr. President, this bibliography says that the authors and the Department of Health, Education, and Welfare will welcome comments on this book, along with suggestions as to how it might be improved.

My first comment is that the contract be declared invalid by the Comptroller General of the United States and that the $21,850 paid under this contract to the Center for Programed Instruction, Inc., whether as a political reward or for curious services rendered, be returned to the Treasury of the United States.

My second suggestion is that a thorough investigation be made within the Department of Health, Education, and Welfare to determine who authorized and who approved this nonsense. It might be interesting to my colleagues to see just how widespread this appalling waste has become. Unless we stop such unconscionable waste now we may expect it to continue and to expand. Surely there must be more appropriate methods of complying with the Presidential mandate to get America going again.

I ask that the editorial in the Washington Evening Star to which I alluded appear at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Sept. 3, 1963]

LIVE AND LEARN

The mail has brought to our desk a document (814 pages) which is sponsored by the Department of Health, Education, and Welfare, and which has to do with educational instruction.

One section, believe it or not, is concerned with an "Official Girlwatcher's Manual." Any males interested are told they will need as prerequisites "20/20 vision or corrected as required." Additional suggested material includes glasses or binoculars. Another section, concerned with social studies, states that there is only one continent larger than Africa and this is Asia. Then comes the question: "So, the enormous chunk of rock that is Africa is (a) the largest continent; (b) the second largest continent."

If Johnny can come up with the correct answer to this one, he is, we gather, home free. Not so the taxpayer. He will have to make up the difference between the cost of producing these massive volumes and the receipts derived by the Government Printing Office from selling them at $2.50 a copy. Fortunately, it isn't likely that this boondoggle will head to the best seller list.

"MARTIN DIES' STORY"

Mr. THURMOND. Mr. President, "Why did you sin by silence when you knew the truth?" These are the words of a great American in telling the world why he wrote the book, "Martin Dies' Story." This patriot was maligned, smeared, and persecuted because he dared to expose a conspiracy that today is threatening to bury us. If we had heeded his advice the world would be much nearer to the illusory peace we seek today at the expense of our security. The danger Martin Dies warned about has been amplified a hundred times over. I recommend that every American read this dynamic exposure. Mr. President, I ask unanimous consent that a review of the "Martin Dies' Story" by William R.

Ruggles as printed in the Dallas Morning News, be printed in the RECORD at this point.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

A BOOK FOR CONSERVATIVES: "MARTIN DIES' STORY"

(Reviewed by William R. Ruggles)

"We lost World War II. It was not the brave men who offered and gave their lives who lost it for us. It was the politicians. Politics betrayed the 1,076,245 casualties of World War II, and the 157,350 casualties of the Korean war. Now we are losing the miscalled cold war."

This striking paragraph opens "Martin Dies' Story." The man who headed the House Committee on Un-American Activities so introduces his grim account of what amounts to betrayal of the Nation by diverse factors: Political ambition; recklessness of method; misguided ignorance stimulated to falsehood and calumny; official stupidity and lax security; unwillingness to admit costly fault; a small group of dedicated Communist agents infiltrated into official position.

This is a terrifying story, a striking warning from a devoted American and Texan upon whose head and political fortunes have been opened the vials of wrath of the ignorant, the dupe, the traitor, and the well-meaning fool.

Here is the record of what the Dies committee did, what it tried to do and what it was prevented from doing. Recorded are the antecedents leading to the formation of the committee with Dies at its head in 1938 and the events of the next 8 years when it functioned through the most extraordinary storm of criticism, vituperation, and effort-blocking maneuver in our political history.

In a remarkable foreword, Dies, now 62, points out that he is writing the record not merely to inform posterity but to save it. "If our children do not learn of these incredible blunders, they are doomed to repeat them. I must speak out, lest I be asked on Judgment Day, 'Why did you sin by silence when you knew the truth?' "

Here he does speak out, and how. The Dies committee directed investigation on no single enemy target but on all. The Roosevelt administration tried to keep it off the Communists, but it went after Reds as well as the Nazis.

In logical result, it proved in the face of disbelieving official opposition the existence here of the Communist conspiracy.

Critics of the Dies committee then ignored, as they do now, the careful documentation of its facts. In the heart of this book, Martin Dies asks how many of those critics knew what they were talking about. The record is all there. The report of the hearings has been preserved in 10,387 pages in seven later volumes on the executive session.

Here is retold the tragic story of Dr. William A. Wirt. Remember the Gary, Ind., educator who, after a Washington dinner, reported that New Deal leftists planned deliberately "to overthrow the established social order"? He was pilloried and harried to an early death.

On the floor of Congress, a Representative charged that during World War I Wirt had been jailed for pro-German activities, a complete untruth. New York's O'Connor, who headed the committee that assailed Wirt, 6 years later expressed his own regret for his part, making a frank public apology.

Here is the little-known fact that the committee had completed before Pearl Harbor a report that included a map of Japan's strategic plan for the conquest of the Hawaiian Islands and the Far East. The State Department prohibited publication. The report was viewed by Army and Navy but still Pearl Harbor occurred.

Here are details of the investigations of Communist infiltration of American labor unions and again the storm of invective against the investigators.

Here are the stories of Earl Browder and Sam Carp, of the exposure of front after front for the Reds. Here is the tragic story of gullible and/or vindictive Americans, of the president's wife questioning the committee's action. And of the Truman administration pressing to conviction a charge against Parnell Thomas, a later chairman of the committee, for a very questionable practice but one for which other Congressmen who did it were not prosecuted. Chapter after chapter records accusing history.

Martin Dies has written a record, small in content but huge in stature. The final chapter summarizes how far we have lost the cold war. Read it and reassess your estimate of our national security.

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE NUCLEAR TEST BAN TREATY

The Senate, as in Committee of the Whole, resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

Mr. JACKSON obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Washington allow me to proceed for one-half minute?

Mr. JACKSON. Certainly.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point that excerpt from the transcript of President Kennedy's news conference on yesterday having to do with the question of amending the treaty.

In this particular excerpt the question asked by the reporter is answered precisely and in some detail by the President. The answer reaffirms the constitutional right that the Senate has, and has had, since the founding of this Republic, to advise and consent on any amendment to any treaty, and to do so on the basis of two-thirds of the Senators present and voting.

So what the President said in his press conference emphasizes what every one of the 100 Senators here knows, and that is that if there is an amendment to any treaty, that amendment will be referred to the Senate for its advice and consent and approval on the basis of a vote of two-thirds of the Senators present and voting.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

AMENDING THE TREATY

Question. "Mr. President, some opponents of the test ban treaty have expressed the fear that once the treaty has been ratified it might then be possible later by Executive action to amend the treaty so as to further limit the freedom of action of the United States. What is your reaction to these suggestions?"

Answer. "No; I can give a categorical assurance that the treaty, as you know, cannot be amended without the agreement of the three basic signatories. The treaty cannot be changed in any way by the three basic signatories, and the others, without the consent of the Senate. There would be, of course, any proposal to change the treaty would be submitted to the usual ratification procedure, followed by or prescribed by the Constitution.

"In addition, there would be no Executive action which would permit us to in any way limit or circumscribe the basic understandings of the treaty. Quite obviously, this is a commitment which is made by the Executive and by the Senate, operating under one of the most important provisions of the Constitution, and no President of the United States would seek to, even if he could—and I strongly doubt that he could, by stretching the law to the furthest—seek in any way to break the bond and the understanding which exists between the Senate and the Executive and, in a very deep sense, the American people, in this issue."

Mr. JACKSON. Mr. President, the limited nuclear test ban treaty we are considering has been described by some as a step toward peace and by others as a step toward war.

If it were plainly the former, the Senate would of course promptly and enthusiastically give its advice and consent to ratification. If it were plainly the latter, we would of course refuse to approve it. We have held extensive hearings and are now engaged in debate because the issue is not plain.

The fact of the matter is that although the treaty is indeed a step in some direction, we do not know, and moreover we cannot know, in what direction it leads. For the treaty does not determine the direction. What we do from now on, and what the rest of the world does from now on—these are the determining factors.

Even those who most seriously doubt the wisdom of this treaty have not argued that it seals our fate. And most of those who strongly support the treaty have taken pains to underline the risks inherent in it. The consequences hinge, at least in large part, on the wisdom of our future policies and the will and determination with which we pursue them.

Obviously, this is no routine agreement: it has major foreign and defense policy implications, and its provisions relate directly to the present and future credibility of the military deterrent which has been the free world's mainstay in stopping aggression and keeping the peace since World War II.

It has seemed clear to me from the outset that this treaty would not serve the interests of peace and security unless we entered upon its undertakings with a firm understanding of the lines of policy required of us in the new circumstances created by the treaty. We must understand what is required to protect and maintain the free world's ability to deter or survive a nuclear attack and to respond effectively against any aggressor. We must be ready to pursue the necessary policies without reservations of mind or heart.

It was for this reason, Mr. President, that on August 9, prior to Senate consideration of the treaty, I propounded on this floor a number of national security issues on which, in my judgment, frank and adequate assurances from responsible officials of the executive branch were needed before the Senate could prudently determine whether to give its advice and consent to ratification.

It is for this same reason that the Joint Chiefs of Staff attach great importance to what they call safeguards. In their testimony before the Preparedness Investigating Subcommittee of the Armed Services Committee, and before the Foreign Relations Committee, the Joint Chiefs defined certain safeguards which they believe can reduce the disadvantages and risk of the treaty. These safeguards include:

(a) The conduct of comprehensive, aggressive, and continuing underground nuclear test programs designed to add to our knowledge and improve our weapons in all areas of significance to our military posture for the future.

(b) The maintenance of modern nuclear laboratory facilities and programs in theoretical and exploratory nuclear technology which will attract, retain, and insure the continued application of our human scientific resources to these programs on which continued progress in nuclear technology depends.

(c) The maintenance of the facilities and resources necessary to institute promptly nuclear tests in the atmosphere should they be deemed essential to our national security or should the treaty or any of its terms be abrogated by the Soviet Union.

(d) The improvement of our capability, within feasible and practical limits, to monitor the terms of the treaty, to detect violations, and to maintain our knowledge of Sino-Soviet nuclear activity, capabilities, and achievements.

On August 14 the Preparedness Investigating Subcommittee unanimously adopted a motion which I made and which was subsequently unanimously adopted by the Armed Services Committee, a motion calling on the Joint Chiefs to supplement their testimony by providing to the Armed Services Committee a statement of the specific requirements to implement the necessary safeguards they had defined.

Senator RUSSELL forwarded this motion to the Secretary of Defense. The part of the response made public and included in the interim report of the Preparedness Investigating Subcommittee consists of two items: One, a letter from the Deputy Secretary of Defense setting forth in some detail both the assurances that the safeguards stated by the Joint Chiefs are recognized and accepted at the highest levels of the Government and also the standards that will be observed and a preliminary outline of the measures that will be taken to implement these safeguards; and, two, a letter from the Chairman of the Joint Chiefs enclosing a memorandum defining "Criteria To Insure Fulfillment of the Safeguards Proposed by the Joint Chiefs of Staff."

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. JACKSON. I am happy to yield.

Mr. SALTONSTALL. I say to the Senator from Washington that I thought his motion in the Preparedness Subcommittee, emphasizing the importance of these four safeguards, was a great contribution. It helped me very much in making up my mind to have these four points emphasized and to get the answers to them. I believe that the Senator made a real contribution to the whole situation.

Mr. JACKSON. I appreciate the kind comments of the distinguished Senator from Massachusetts. I hope and trust that the bill of particulars in connection with the safeguards will help protect in the future our military advantage, which has been the means by which we have kept the peace.

Mr. SALTONSTALL. It is extremely important, as I tried to emphasize in my remarks—and as I believe the Senator believes also—that Congress itself—not only the Senate but the House also—should be very sensitive to its responsibilities to see to it that these safeguards are lived up to.

Mr. JACKSON. The Senator is entirely correct. The future security of our country depends on our ability to protect the means by which we have kept the peace. This has been not nuclear parity with the Soviet Union or nuclear equality, but nuclear superiority in relation to the Soviet Union. This is the reason why the Preparedness Investigating Subcommittee unanimously asked for the bill of particulars in connection with the four safeguards laid down by the Joint Chiefs.

It should be emphasized that there has been no disagreement on the part of anyone in a responsible position in the executive branch about the importance of action to implement the safeguards. On the contrary, there has been endorsement of the position that the United States will take determined, willing, and vigorous action to honor the safeguards, and the Senate is entitled to assume that no reservations attach to this resolve.

This commitment should be recognized by every official of the executive branch having anything to do with the actions needed to fulfill these safeguards. It is equally something which should be recognized by Congress, for it may well be that Congress, contrary to the expectations of many people, will have to vote additional appropriations in order to translate the commitment into effective programs of action.

Secretary McNamara's testimony to the Foreign Relations Committee already indicates, for example, that in order to compensate for uncertainties which could only be removed or reduced by tests forbidden by the treaty, we may have to produce and deploy greater numbers of delivery systems and radars and to disperse them more widely than would have been necessary without a treaty. Thus the Secretary acknowledges that if we are going to design around uncertainties, we shall have to have additional military hardware. It is apparent that this may well mean among other things greater numbers of present delivery systems and new mobile systems to reduce vulnerability. All of this costs money. I believe it would be unwarranted to assume that under the new environment of the treaty our security requirements can be maintained by less expenditures for national defense, or even by the same level of expenditure.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. JACKSON. I am happy to yield.

Mr. MILLER. Is it the Senator's opinion that the same conclusion could be made with respect to the national defense expenditures of the Soviet Union?

Mr. JACKSON. I am not in a position so to indicate, because I am not fully aware of what they have available. I do not know that anyone has that information.

Mr. MILLER. The Senator indicated that we could well expect an increase in the national expense costs of the United States.

This being so, I wondered if the Senator had any opinion as to whether we might expect that the Soviet Union might also have to provide a greater outlay for its own national defense costs.

Mr. JACKSON. That would depend on the intentions of the Soviet Union. It is clear that their basic aim is to dominate the world. It is clear that the Soviet Union will do everything it can to overcome the present military superiority enjoyed by the United States. I should like to emphasize that, because the Soviets could attack with all of the advantages and benefits of surprise, they do not need to have military superiority; parity or equality would be sufficient for their purposes. Therefore, it is essential, in order to maintain peace and to prevent a nuclear catastrophe, that we maintain at all times nuclear superiority.

We must pay a price, because of uncertainties with respect to Communist power and the obvious advantages of secrecy which the Soviet Union possesses. We shall have to have more than we would normally require of the key items that go to make up military superiority.

Mr. MILLER. I thoroughly agree with the Senator's statement. It is well to bring that point out.

Has the Senator seen any evidence to indicate that the Soviets have any intentions of reducing rather than increasing their military power vis-a-vis the United States?

Mr. JACKSON. Not at all.

Mr. MILLER. If that is so, would it not be a reasonable assumption that if the United States has to increase its national defense budget in order to maintain its deterrent capabilities, the Soviets can be expected to increase their national defense budget in order to close the gap?

Mr. JACKSON. The Soviets know we will not make a surprise attack on them. The Soviets are now inferior vis-a-vis the United States in military power. They know they have not been attacked, even though we have had superiority. Therefore, they have an advantage over us in the amount of arms that they need to maintain and protect their interests. The amount of arms they maintain goes up and goes down. They have increased and decreased it from time to time. Their defense budget depends on meeting the long-range military objectives of the Soviet Union and their foreign policy objectives.

The Secretary of State concedes that there can be no ideological coexistence with the Soviet Union. Mr. Khrushchev intends to bury us. The Chinese intend to do the same. As I understand it, there is no argument about that. There may be a difference as to the means used by the Chinese and the Russians; but both nations seem to have in mind a funeral for the United States and the Western nations. Their leaders openly admit this.

Mr. MILLER. I thank the Senator from Washington.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. FULBRIGHT. There is some significance as to the difference in means that the Soviets may employ, is there not?

Mr. JACKSON. Yes; the argument between the Chinese and the Russians is over the means, not the end.

Mr. FULBRIGHT. Does not the Senator think it is rather significant to us which means is pursued by the Russians?

Mr. JACKSON. Yes. On the other hand, we must be prepared to deal with any and all means. I am confident that if the Russians should obtain parity or equality with the United States—I am talking about nuclear or thermonuclear parity or equality—they might risk a surprise attack on the United States. Therefore, the key point I wish to make is the importance of maintaining nuclear superiority, which is the means by which the United States has kept the peace.

Mr. FULBRIGHT. What I mean is that nuclear warfare is not the only means that could be pursued. There are those who believe that the remark about burying the United States means that the Soviets intend to outperform us in ways other than the waging of warfare. That is a possibility.

Mr. JACKSON. We all agree that the challenge is total, not merely military. It includes economic and political factors.

Mr. FULBRIGHT. That is not always clear from statements emanating from some quarters. Some persons believe it to mean only nuclear warfare.

Mr. JACKSON. I personally have never subscribed to that point of view. We are engaged in all-out competition with the Soviets. They will use whatever means they feel are best at the time in their long-range effort to achieve their objective of world supremacy. There is no doubt about that in my mind.

Mr. SYMINGTON. Mr. President, will the Senator from Washington yield?

Mr. JACKSON. I yield to the Senator from Missouri.

Mr. SYMINGTON. Following the questions asked by the Senator from Iowa—and I believe I understand what he was getting at—it is true, is it not, that underground testing will be considerably more expensive on any broad basis than atmospheric testing? As the Senator has pointed out in his able address, the United States intends to continue—and we have the assurance of the administration that underground testing will proceed. If the Soviets follow that line of action in order to maintain their position as against ours in this field, it will cost them more money to test in the future than in the past. Is not that correct?

Mr. JACKSON. There is no question that if the safeguards set forth by the Joint Chiefs of Staff are honestly and conscientiously implemented and I believe we have received adequate assurances that they will be—it will cost much more to test underground. If the testing is vigorous, as I expect it to be, otherwise we should get out from under the treaty, it will cost more money to conduct tests in accordance with the safeguards laid down by the Joint Chiefs of Staff.

Mr. FULBRIGHT. Mr. President, will the Senator further yield?

Mr. JACKSON. I yield.

Mr. FULBRIGHT. Suppose it were stated categorically that the Soviets knew the United States would not attack them. I agree that the United States—and I certainly hope and believe so—has no intention of doing so. Would it not be more reasonable to use the term, "prevailing over us," in the sense of not wasting their substance on added testing, but to demonstrate to the world that they could have a better educational system, could provide a better way of life for their people, and that they could create a society which satisfies more nobly the aspirations of the human race, rather than to build additional weapons? If they have that assurance, as the Senator believes they have, why should they not pursue such a policy, if they are reasonable people?

Mr. JACKSON. I am not in a position to read the state of mind of the leaders of the Soviet Union.

Mr. FULBRIGHT. The Senator said he had read it to the extent that he knew that the Soviets knew we would not attack them.

Mr. JACKSON. I can only point out that the Soviets have maintained a formidable force. I can only point out that they were able to beat us in a critical race of discovery—that is, the intercontinental ballistic missile.

That all leads me to believe that they are using their military power concurrent with all their other capabilities—political, economic, and sociological. Name it, and there they are.

I cannot say that merely because they are concentrating on other areas of competition, they will downgrade their area of military competition. The point that must be made, and made over and over again, is that it has been the very superiority of the United States in the nuclear and thermonuclear fields that has prevented a catastrophic thermonuclear war. Some people keep telling us that we now have enough such weapons piled up to blow the world apart. We have been in that position for a long time, since shortly after the Soviets obtained their atomic bomb in 1949 and their thermonuclear bomb in 1953. That condition has existed during all that period. The reason there has not been a catastrophic nuclear war is that the United States has had nuclear superiority. That is what has chiefly deterred the Soviets.

The Soviets have exercised great skill in using military power in association with their political objectives. One of the first moves they made in Western Europe, the taking over of Czechoslovakia, was in association with their ground forces. Other moves have been made elsewhere. To some extent, they used their achievement in obtaining the ballistic missile before we did to exert strong political pressure on other countries, effective pressure in some countries, ineffective in others. We have referred to this as ballistic missile blackmail.

So we cannot minimize the relationship of military power to the other objectives on which the Soviets are constantly working.

Mr. FULBRIGHT. I agree; but the Senator does not believe the treaty would in any way disarm the United States, or is intended to do so, does he?

Mr. JACKSON. It will not, provided we exercise our right under the treaty to withdraw when it becomes apparent that our security is threatened; and if we fully carry out the safeguards the President of the United States has said will be carried out.

Mr. FULBRIGHT. That will depend largely on the Congress, too, will it not?

Mr. JACKSON. One of the things I believe the Joint Chiefs are concerned about is the state of euphoria, to which I shall refer a little later.

It will depend upon the will of the American people. If they get the idea that, somehow, we have reached a point where peace "is breaking out all over," and that we can relax and let our guard down, we will be hurt, and will lose our superiority, because that attitude will then be reflected in the attitude of Congress. Therefore, it seems to me that the answer to the question of whether we maintain that superiority will depend upon our attitude—our will and firm determination to protect our deterrent, which has been the means by which we have enjoyed peace. That is my point.

Mr. SYMINGTON. Mr. President, will the Senator from Washington yield?

Mr. JACKSON. I am glad to yield.

Mr. SYMINGTON. I remember that when the former Chairman of the Joint Chiefs of Staff, General Twining, came back from Moscow, after the remark about "'burying us," had been made, he said that in his opinion they did not intend to "bury us" in military fashion. So I do not believe there has been any disagreement on that point. The primary effort would be to "bury us" in any way they could. It might very well be done economically.

Mr. JACKSON. But the end result would be the same.

Mr. SYMINGTON. That is correct.

Mr. FULBRIGHT. It would not really be quite the same, though, would it?

Mr. JACKSON. A few more people might be living—but living not as freemen but as slaves.

Mr. SYMINGTON. I should like to ask the Senator from Washington whether, based on the rise in the population and strength of the Red Chinese, he believes that the Soviets would be prone to let their nuclear force deteriorate, especially when they are so outnumbered in manpower by the Chinese.

Mr. JACKSON. As the Senator from Missouri is probably aware, the Russians are expanding their nuclear capability, rather than contracting it.

Mr. SYMINGTON. I should think it would continue, because of the fact that we know that in China things are now moving along these lines; whereas the Russians probably would not have any apprehension about an attack on their country by the United States. But the Russians might well have apprehension about the possibility that the Chinese Reds would go on the offensive against them, unless they had an adequate nuclear position and the capacity to deliver the weapons.

Mr. JACKSON. I believe there is no question about that.

Mr. MILLER. Mr. President, will the Senator from Washington yield?

Mr. JACKSON. I am glad to yield.

Mr. MILLER. The Senator from Missouri has just made the very point that I was trying to make earlier: That is, that we can reasonably expect that the Soviets will be spending more money, not less, on their military capability. Therefore, the argument that the motive behind the Soviets' final willingness to approve this treaty stems from the fact that Khrushchev is now subjected to heavy pressures from the Russian people, who want more economic well-being, does not measure up to that fact of military and financial life.

Mr. JACKSON. I should like to comment further, in response to the question the Senator from Iowa has just propounded to me. I thought he was asking me what I thought the Soviets would do in the future. I can only point out that currently they are expanding their nuclear effort, rather than contracting it.

Mr. MILLER. There is no evidence to indicate that they are cutting down their military capability vis-a-vis that of the United States, is there?

Mr. JACKSON. Certainly there is no evidence which would warrant the conclusion that they are reducing their strategic capability. They do cut back from time to time on their ground forces; but later they build them up again. They are expanding their submarine forces and other naval forces; certainly they are expanding their strategic long-range delivery systems; and their nuclear output. Those are facts which I believe we can fairly accurately rely upon.

Mr. MILLER. Is it the Senator's opinion that since they are supposedly behind us in tactical nuclear weapons development, but since they can, over a period of time—as testified to by some of the witnesses before the Preparedness Investigating Subcommittee—catch up by means of stepped-up underground testing programs—probably they will step up their underground testing program, in order to catch up to the United States in the tactical nuclear weapons area?

Mr. JACKSON. Since the end of World War II, their whole effort has been to obtain a balance in their favor, militarily speaking. This is so clear that I do not believe we need to emphasize it. They went all out for the atomic bomb. They went all out for the thermonuclear bomb, and they went all out for the delivery systems—long-range bombers; although they did not build a great many of them. But then they beat us in the vital race to discover the intercontinental ballistic missile. What they have done in space is, I believe, clear. They have a net advantage in that overall area.

Mr. AIKEN. Mr. President, will the Senator from Washington yield?

The **PRESIDING OFFICER** (Mr. EDMONDSON in the chair). Does the Senator from Washington yield to the Senator from Vermont?

Mr. JACKSON. I am glad to yield.

Mr. AIKEN. One factor which I believe may have influenced the Russians' recent change in position as regards the treaty is the fact that the requirements for their domestic economy—for their agriculture, their transportation, and their social life—are astronomical, compared with the requirements of the United States for the same purposes. The people of Russia will not go on forever without shoes; neither will they long be willing to pay $40 to $50 for a pair of shoes. They will not go on forever paying $1.75 a pound for chicken meat or for any other kind of meat. They will not go on forever paying $2 a dozen for eggs, on earnings of $100 a month, of which $20 is promptly taken out for rent. If such conditions continue, there is bound to be wholesale discontent within that country. If the Soviets have to choose between continuing military expenditures at their present level or facing the wrath of an aroused public, I am satisfied that they might use any excuse whatsoever to stabilize their military expenditures, in order to be able to meet the perhaps more dangerous demands of the Russian public, who cannot go on paying $200 for a coat that would sell for $50 or $60 in the United States—which is approximately the present ratio between the costs of living in these two countries. I believe that situation does have a bearing on their willingness to take a small step toward relieving the tensions between Russia and the West, particularly when tensions are rising in other quarters.

Mr. JACKSON. There is no doubt that Khrushchev has growing internal problems within his country.

The point I wish to make again, however, is that we must maintain our military superiority. Let us do nothing that would let the Russians overcome the superiority we now have. The peace has been kept because of the military superiority we have had in relation to the Soviet Union.

Mr. AIKEN. There is no question that they could hold their expenditures at their present level and still retain the power to inflict irreparable damage on the West—just as we could inflict on them.

Furthermore, I know that we cannot reduce our expenditures. Congress would not permit it, and the administration will not ask for it. In fact, the other day, Secretary McNamara told us that he was going to ask for more next year, regardless of the test ban treaty.

How long can we continue to increase our expenditures at the rate of $4 billion a year, as we have been doing? It may be that we shall have to find some point at which we should level off in our expenditures for military purposes.

I realize the fears on the part of some people who have feared that they might be out of work or out of income. I have no fear that there would be any such reduction in the military costs of the Government contracts of the United States. Such fears are groundless. From time to time we may divert to other purposes—such as space exploration, which is also of military importance—more funds than we are now expending for that purpose. But I believe that we must stabilize somewhere or at least slow the rate of increase if we can. It will cost a few hundred million dollars to provide the safeguards which will be required as an accessory to the approval of the treaty.

Mr. JACKSON. I do not know what the cost will be. The point is that we need to do whatever is required of us to maintain our military and nuclear superiority.

Mr. AIKEN. That is correct.

Mr. JACKSON. If stabilizing and leveling off will still give us the superiority that is essential to our security and our freedom, surely we wish to see those expenditures level off. But it is a relative matter.

Mr. AIKEN. I do not know what the cost of providing the necessary safeguards will be. I am merely making a rough guess that a few hundred million dollars more will be involved, and we shall have to provide that amount. Whether those safeguards are kept will depend on two things: First, whether the Congress provides the money for them; and second, whether the President applies them once the funds are provided.

Mr. JACKSON. Mr. President, I shall now return to my text.

The commitment to an effective safeguards program needs emphasis now, Mr. President, because voices are already being heard outside Government to the effect that the safeguards should not be implemented and are indeed inconsistent with the spirit of the treaty. For example, the well-known physicist, Dr. Leo Szilard, in a statement submitted to the Foreign Relations Committee, argues that if the United States were to proceed "with an extensive program of underground bomb testing, then, rather than furthering the cause of peace, the test ban agreement would be likely to do just the opposite."

Lest there be a misunderstanding inside or outside Government on this critical issue—a misunderstanding that might seriously interfere with the full execution of the safeguards program—the legislative history being written here should make it clear that the executive branch has given responsible assurances of effective action to carry out the safeguards and that the Senate, through its appropriate committees, will monitor the actions taken for this purpose. In this connection I wish to cite the following passage from the interim report of the Preparedness Investigating Subcommittee:

> If the treaty is ratified it is the intention of the Preparedness Investigating Subcommittee to monitor the implementation of the safeguards and it would also be our hope that other committees of the Congress having jurisdiction in these areas would cooperate in this important program.

At this time I wish to single out the distinguished chairman of the Preparedness Investigating Subcommittee, the Senator from Mississippi [Mr. STENNIS] who, for more than a year has been conducting hearings on the problems inherent in a nuclear test ban and arms control. Those hearings have been conducted in the usual way in which he conducts hearings—with great judicial restraint. The effort has been to get the facts, the truth, and the whole truth. In my judgment his service has been invaluable in helping to understand fully the importance of the American deterrent and our military superiority in maintaining the peace.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. JACKSON. I am happy to yield.

Mr. ROBERTSON. First, I join the distinguished Senator from Washington in the praise that he has just offered to the distinguished Senator from Mississippi [Mr. STENNIS], who is chairman of the Subcommittee on Investigating Preparedness, which conducted not days, but months, of hearings on this overall program.

Mr. JACKSON. For a whole year.

Mr. ROBERTSON. He has been outstanding in that field.

I also commend the Senator from Washington for bringing to our attention the development of atomic energy and atomic bombs and the whole military phase. Last week, before I had the advantage of the report of the committee, I issued a statement. Is it not true that the members of that committee have access to all the top secrets of our Defense Department?

Mr. JACKSON. I think that is a correct statement. We have had access to every bit of information that we have requested. I assume that we have had available to us all important information.

Mr. ROBERTSON. Is it not true that only a minority of the Members of the Senate enjoys the privilege of having access to all military secrets?

Mr. JACKSON. That is correct.

Mr. ROBERTSON. Is it not true that the committee heard testimony which it cannot make public and which will never be made available to the public?

Mr. JACKSON. That is correct.

Mr. ROBERTSON. Is it not true that every member of that committee agreed that the statements of fact, in the committee print—which was a preliminary report because the committee did not have time to get the evidence—were correct?

Mr. JACKSON. That is correct. Two Senators——

Mr. ROBERTSON. They disagreed as to conclusions.

Mr. JACKSON. There is no question about the findings of fact contained in the report. I believe inferences were drawn by two members of the committee that differed from the conclusions reached by others, but the differences were not of great significance as far as the overall report was concerned. One of the Senators, as you know, did not sign the report.

Mr. ROBERTSON. I commend the distinguished Senator from Washington warmly for the work he has done, not only in relation to the test ban treaty but, over a period of years, in the scientific field and in the military field. I know he is as anxious as anyone who is out in front waving the flag for peace to see a peace program which we could honestly and sincerely endorse, provided we are protected from duplicity and being doublecrossed, as we have been in the past—in other words, an agreement that would contain a provision for full and free access and inspection of any disarmament program. Is that correct?

Mr. JACKSON. That is correct.

Mr. ROBERTSON. The Senator is making a significant speech. I am happy to be privileged to hear him. When I heard him mention, our mutual friend the Senator from Mississippi [Mr. STENNIS], and select him for commendation, I interrupted in order that I might also commend the Senator from Washington, because he is an outstanding Senator in every respect. But especially we value his opinion in relation to the military aspects of the treaty. After all, since the treaty is a military treaty, we cannot ignore the military aspects of it. I happen to know, from all the testimony and also inside confidential advice, that not a single military expert has recommended the treaty to us from a military standpoint. Is that correct?

Mr. JACKSON. From a military standpoint, that is correct. There is no doubt that there are military disadvantages to the proposed treaty.

I thank my distinguished friend from Virginia. He is being very modest in his remarks by leaving himself out of consideration. For many years he served as a member of the Committee on Appropriations. He has served as chairman of the subcommittee for the Department of Defense appropriations, and has followed very closely all the defense features. I know that he has had access to sensitive information in connection with our national security and our defense effort.

Mr. President, I believe that the Senate has played a constructive role in this critical matter. The understanding that has been reached between the executive branch and the legislative branch will be helpful in the months ahead. It may be of even more importance when responsibility for national security passes to men who have not been engaged in the consideration of this treaty and its implications.

I have become persuaded in the course of studies of the national security process over the past few years by subcommittees of the Government Operations Committee that a key problem faced by every President is to make his views and intentions prevail throughout the vast organization he heads. His statements have to be interpreted in the course of policy execution, and even subordinates acting in good faith sometimes read their own views into their interpretations of the President's will. I hope and believe that the discussion of safeguards has helped to bring about the kind of understanding throughout the executive branch that is the key to effective action in harmony with the intentions of the President.

As we approach a decision, I believe that my colleagues may find helpful the opinion of a great American, the distinguished former Secretary of Defense, Robert A. Lovett. Since his retirement as Secretary of Defense, Mr. Lovett has continued to serve the Nation in a number of sensitive assignments and is eminently qualified to advise us and the country on the matter before us. In a letter addressed to the Senator from Arkansas, the chairman of the Foreign Relations Committee, in response to a request for his views, Mr. Lovett states the case for ratification in an admirably balanced way:

> On the basis of the testimony so far presented, particularly by the Secretary of State and the Secretary of Defense, there would seem to be positive assurances that this administration has, first, the necessary will and determination to continue our research and developmental laboratories at the level of activity necessary to permit us to retain any nuclear superiority we may currently have and to improve, if possible, our relative position in this field so that our deterrent capability is not lessened by deterioration of either effort or facilities; and, secondly, that our policy, after signing the treaty, will be to continue actively those tests permitted under it and to maintain as insurance a program for atmospheric tests in a status permitting prompt use in the event of abrogation or other emergent events.
>
> Under these conditions—which represent my understanding of definite assurances given by these officials—I believe that consent to ratification can properly be given.

Mr. President, this is also the conclusion I have reached. In light of the testimony that has been given and the understandings that have been reached with respect to the policy of the administration in safeguarding the national interest, and in light of considerations I shall state in a few moments, I believe that the Senate may prudently give its advice and consent to ratification.

I now wish, Mr. President, to indicate the other considerations that have led me to this conclusion. They emerge from the testimony presented to the Preparedness Investigating Subcommittee and to the Foreign Relations Committee and from my own long concern with national security affairs.

First. No responsible official has based his recommendations on the view that basic Soviet purposes have changed. Their purposes remain incompatible with ours. In response to a question of the Senator from Georgia [Mr. RUSSELL], Secretary of State Rusk said:

> Mr. Khrushchev has made it very clear that there is no such thing as ideological coexistence. His purposes remain to work toward a Communist world. And that is deeply obnoxious as an idea to us, and the practices which would be used to pursue that idea would be hostile to our own interests.

Second. No responsible official has disputed the view that in the future, as in the past, our national security will depend on, among other things, a favorable military position. In response to a question of mine addressed to Secretary Rusk, the following exchange took place:

> Secretary RUSK. Senator, I believe that the United States must maintain in its own security interests a very large overall nuclear superiority with respect to the Soviet Union. This involves primarily the capacity to demonstrate that regardless of who strikes first, the United States will be in a position effectively to destroy an aggressor.
>
> Senator JACKSON. I am glad to hear you say we should maintain not a balanced but a superior position in order to maintain peace. Is this essentially your view?
>
> Secretary RUSK. That is correct, sir.

Third. No responsible official has rested the case for the treaty on a belief that the Soviet Government can be trusted. The Senator from Alabama [Mr. SPARKMAN] raised this issue, which troubles many Senators as well as many citizens who have written to us about the treaty, and was assured by Secretary Rusk that the treaty did not rest upon the element of faith and trust. The Secretary added:

> We will know if there are significant violations of this treaty, we will be free to do whatever is necessary in our own security, and I would think that this is not a matter of trust.

Fourth. Secretary of Defense McNamara and the Joint Chiefs have testified that the balance of military power is in our favor at the present moment.

Fifth. With respect to the effects of the treaty on the future balance of military power, we enter, of course, a more controversial area. Although the views are not necessarily inconsistent, there are notable differences of emphasis. Secretary McNamara believes that there is nothing in the treaty which will shift the balance. The Joint Chiefs, according to testimony to the Foreign Relations Committee by General LeMay, examined the military and technical aspects of the treaty and came up with a net disadvantage in that field, but as General Taylor stated:

> The Joint Chiefs have reached the determination that while there are military disadvantages to the treaty, they are not so serious as to render it unacceptable.

General Power and General Schriever, however, attached greater importance to the military and technical disadvantages in their testimony to the Preparedness Investigating Subcommittee. And I think it is correct to say that scientists holding responsible posts recognize that the treaty definitely imposes limitations on research and development, though they differ greatly in their views about the desirability of the treaty.

From the evidence presented to the Senate I am compelled to conclude, as indicated in the interim report of the Preparedness Subcommittee, that the treaty involves serious—perhaps even formidable—military and technical disadvantages. It should also be added, in the words of that report, that:

> No safeguards can provide the benefits of testing where testing is not permitted, nor can they assure that this Nation will acquire the highest quality weapons systems of which it is capable when the means for achieving that objective are denied.

Mr. President, I have followed military, scientific, and technological developments with interest and care during my service in the House and in the Senate. I have great respect for the views of those men who, like General Power and General Schriever and like Dr. Foster and Dr. Teller, have serious doubts about the wisdom of this treaty or who actually oppose its ratification. But I am also convinced that these men, and the many others who work with them, are men of dedication, imagination, and ingenuity, and that they will employ these qualities to offset insofar as it is possible the undoubted military and technical disadvantages. It is indeed in large part because men of their talents will be devoting their energies to ways to overcome these disadvantages that I believe we can accept the risks we necessarily will run.

Sixth. The administration in effect recommends acceptance of certain military and technical disadvantages and their attendant risks in the hope that certain gains may be made in other fields. Upon examination, these hoped-for gains are either rather precise but insubstantial or they are quite difficult to specify but hopefully significant. Secretary Rusk testified as follows:

> This is a limited treaty. The President listed the things it does not do, and we must keep them in mind in judging its significance. At the same time, if—as seems likely—most of the nations of the world adhere to the treaty, and if they observe its obligations, this will in itself bring concrete gains.
>
> First, the United States and the Soviet Union already have enough nuclear power to inflict enormous destruction on each other. Still, the search for bigger, more destructive weapons goes on. Each generation of major weapons has been more expensive than the last. Each has involved an increasing burden, an increasing diversion of resources from the great unfinished business of mankind. Yet greater armament has not demonstratably brought greater security. The treaty, if observed, should slow this spiral, without damage to our relative strength.

I do not know, however, how to reconcile this alleged gain with Secretary McNamara's testimony, already cited, where the possible need for additional appropriations for greater numbers of delivery systems and radars and wider dispersal is brought out. It is my conclusion that it would be a mistake to count on any reduction of the armament burden as a result of this treaty. On the contrary, the evidence points to an increase in the burden.

Secretary Rusk's testimony continues:

> Second, the treaty will help contain the spread of nuclear weapons. We cannot guarantee it. Most of the countries with the capacity and the incentive to develop nuclear weapons over the next decade or so have already announced that they will accept the self-denying ordinance of the treaty. These countries do not include, by the way, mainland China or France.
>
> While this does not guarantee that they will never become nuclear powers, their renunciation of atmospheric testing will act as a deterrent by making it much more difficult and expensive for them to develop nuclear weapons.

Efforts to limit the spread of nuclear weapons deserve our serious attention. But I believe the role of the treaty in inhibiting proliferation has been generally overestimated. Most of the countries that have signed the test ban, or will sign it, do not have the capacity or desire to develop nuclear weapons. France, it should be noted, is already regarded by the administration as a nuclear power and is proceeding with an independent nuclear program. The major concern we have is with the development of nuclear capabilities by Communist China, which has rejected the treaty. I doubt that anyone wishes to argue that something called world opinion is likely to have an inhibiting effect on the determination of Peiping to become a nuclear power.

Secretary Rusk's testimony continues:

> Third, the treaty will reduce the radioactive pollution of the planet. The increased radioactivity from nuclear testing has thus far stayed within tolerable limits, in a statistical sense. But as the President said: "This is not a natural hazard, and it is not a statistical issue."
>
> Moreover, if testing were not restricted, more and more countries would conduct tests. Many of them would lack either the incentive or the means to minimize the fallout. We have a high obligation to safeguard life and health and the genetic integrity of the human race. Today no one can say for certain how much fallout is too much. But if this treaty is observed it will go a long way to assure that we do not transgress those limits.

There is little doubt, I believe, that this argument weighs heavily in the public mind. But unpopular though it may be to say so, there is also little doubt that the fears that have been aroused are out of all proportion to the hazards. Other things being equal, we should of course minimize fallout. But if other things are not equal, and they may not be, we may be compelled at some future date to accept the small hazards of fallout to protect ourselves against larger hazards to peace and security. Nevertheless, I believe that it is proper to conclude that the reduction of fallout is a positive advantage of the treaty.

Secretary Rusk comes next to his last and most important point:

> For 18 years we have held the Communist drive in check largely by the deterrent force of our massive military strength. We shall maintain that overwhelming strength until we are certain that freedom can be assured by other means.
>
> But throughout we have known that a lasting peace could not be founded upon armed might alone. It can be secured only by durable international institutions, and by a respect for law and its procedures.
>
> The problem has been to convince the Communist world that its interest also lay in that direction.

> The most important thing about the treaty is, therefore, what it may symbolize and what new paths it may open. That, no one can now foretell.

Almost at once, however, in response to a question of Senator RUSSELL's Secretary Rusk put this, his fourth and, in his eyes, his most important point, in perspective in these words:

> We have pressing issues with the Communist world in one form or another right around the globe, with almost a million men in uniform outside the continental limits of the United States because of these issues, in Laos, South Vietnam, Cuba, Berlin, and other places. There are other practices, some of them bilateral in character, which do cause friction. I do not anticipate, to come specifically to your question, sir, I do not anticipate that there is much chance or much wisdom in an attempted comprehensive negotiation. It would not be for Washington and Moscow to try to sit down in some way and resolve all of these problems or even try to resolve them because the interests of many, many nations are involved and, quite frankly, the total question is probably too big to take hold of all at once.
>
> And so despite the fact that there are some highly inflammable questions we still think we ought to keep open the possibility of finding particular points of agreement in the hope that if those can be achieved, it might reduce the fever somewhat and throw some different atmosphere and light on some of the more dangerous problems so we would be prepared to consider other questions.
>
> At the moment I cannot report that there is another question which is highly promising at this—as of today.

I repeat, Mr. President, that we are being asked to accept certain military and technological disadvantages in the hope of making certain small gains and of opening up new paths, though the Secretary cannot see, as of today, any issues which may be negotiable. The Secretary is to be commended for his frank statement. He has not encouraged great expectations.

But hope, Mr. President, is not to be dismissed as a basis for action, even the slender hope held out by Secretary Rusk. It is largely because we are deeply committed as a nation to do what we can to keep alive the hopes of men everywhere for a decent future—including, I trust, the peoples of Russia and China—that we shall ratify this treaty.

In doing so, what are the risks we run? Let me emphasize five among the many that might be mentioned.

First. There is the risk that we will relax and fall back into a state which the Senate has learned to call euphoria—which is, if I may play the same game, a state in which one believes that he has serendipity and is therefore likely to display velleity for vigorous action.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. DOUGLAS. I am really quite impressed with the language which the Senator from Washington uses in this paragraph. He has given currency to a word which is being widely used at present—euphoria. Now he has sprung upon the public these other two multisyllabic and relatively unknown words—"serendipity" and "velleity."

As I read these words I wondered at first where they came from. Then I remembered that they were probably launched upon the world by the English writer Horace Walpole, who was the founder or originator of the so-called Gothic novel, notably the Castle of Otranto. He lived on Strawberry Hill on the estate outside of London which he had inherited from his father, Sir Robert Walpole, who had been Prime Minister of England and probably the greatest corruptionist in the history of England. His father had accumulated a fortune which he passed on to Horace. Horace Walpole built himself, on Strawberry Hill, a Gothic castle similar to our Smithsonian Institute and originated a literary style as Gothic and as elaborate as the castle in which he lived. I do not know why the term "euphoria" is being given modern circulation. It may have been originated by the military. Is that true? I mean the modern usage of euphoria.

Mr. JACKSON. The current use of this word appears to originate with the military.

Mr. DOUGLAS. Apparently military men are becoming writing men. I would remark that Horace Walpole was not a fighting man, but a writing man; in fact, he was quite a sessile man—if I may also spring an archaic word—who considered movement of any kind to be distasteful.

Mr. JACKSON. I point out to my friend that there are now quite a number of Ph. D.'s in military uniform. This may account for some of the change.

Mr. DOUGLAS. It is fine to have a literary background, but we should not substitute writing for being ready to fight in defense of freedom. That is all I wish to say.

Mr. JACKSON. The Senator is entirely correct.

In this regard, our previous record as a Nation is not too reassuring. On occasions when we should have stayed awake, we went to sleep. Through halfhearted support and the pinching effect of the budget, critical programs have been degraded and vital policies stifled.

My good friend, the distinguished Senator from Minnesota, has said we need hopers, not doubters. I wonder whether he would accept a change of emphasis. We need men of hope and skepticism and action. Skepticism, not cynicism.

Our task, as I see it, is, while remaining skeptical, to act with hope and pursue those policies which may safeguard the opportunities to move the world along a path toward peace.

Second, there may be a serious misjudgment of the basis for the change in Soviet policy.

It is to be hoped that it is in fact our strength and not a major Soviet military-technological advance that has persuaded Moscow that this agreement is advantageous. But the pessimistic possibility cannot be dismissed. It could be, as some witnesses suggested, that the Soviet Union has learned something important that, in its judgment, we do not know but might learn were we free to continue testing in any and all environments. The Soviet Government may believe that what it has learned can be the basis, as its development work proceeds, for upsetting the military balance.

If we come to the conclusion at any time that this is the case, we must be prepared to exercise our right of withdrawal from the treaty.

Third, we run the risk of planned abrogation of the treaty by the Soviet Union. The safeguards program is designed among other things to enable us to take necessary measures promptly in the event of Soviet bad faith.

Fourth, it is generally conceded that the Communist Chinese are now engaged in a substantial nuclear weapons program and that in the very near future they will be testing in the atmosphere. The advent of this new unchecked nuclear power may well require us to withdraw from the agreement.

Fifth, it is altogether possible and indeed, in my opinion, probable that a group of nations, with Soviet encouragement, will seek to amend the treaty in the not distant future so as to ban underground tests without inspection or with wholly inadequate arrangements for inspection. In this connection I noted with interest the statement of former Ambassador Dean to the Foreign Relations Committee:

> We will undoubtedly be urged, in the spirit of amity and good will, to halt underground testing. But in my judgment without an adequate and effective treaty banning underground tests this would be a tragic mistake.

We may find ourselves under strong pressure in the months ahead to accept an amendment to the treaty banning underground tests without satisfactory inspection. We must be prepared to take our knocks, if necessary, and remain firm in our resolve that a ban on underground tests must be conditioned on fully satisfactory arrangements for inspection. I trust that the Department of State will be alert in this danger and will do what it can to forestall an effort to isolate the United States on this matter.

It is my belief that these and other risks that we will inevitably run under this agreement are tolerable: Provided, that it is firm national policy to keep alert and to protect the present and future credibility of our military deterrent; and provided, furthermore, that it is firm national policy to use the protections provided in the treaty when, as, and if needed to guard vital national interests, including the right of withdrawal and the right to exercise the veto by withholding our consent under article 2 to any attempt to change the treaty by amendment in a form imperiling our vital interests. These protections constitute our explicit rights under the agreement, they form a basic part of the document, we deliberately had them included, and we should be ready to exercise them if emergent events so require.

Mr. President, the essence of my view on this treaty, which has been referred to as a limited treaty, is that it is indeed limited. Actually it is not a treaty, but a loose commitment, a statement of present intentions of the parties not to engage in nuclear weapon test explosions in the atmosphere, in outer space or under water. This Nation's commitment will rest on the assumption that certain conditions are met—including the condition that the supreme interests of this Nation are not jeopardized. Should those interests be jeopardized we shall be released from our commitment.

In conclusion, Mr. President, the national security interests of this country are of course deeply involved in a number of other situations quite apart from this treaty.

For example, the development of NATO and the obvious efforts of France to reduce its importance; the question of economic and political relations between the European Common Market and other Western European countries, especially the United Kingdom; the strengthening of the international position of the dollar; the security of West Berlin; the removal of Soviet forces from Cuba, and the neutralization of Cuba as a base for Communist subversion and penetration in the Western Hemisphere; the question of American policy in southeast Asia, particularly Vietnam; and the question of appropriate American policy toward the developing nations of Asia, Africa, and Latin America.

This series of problems certainly gives us no excuse to relax.

If this debate helps the people of the United States really understand what they have to do to provide for the safety of the Nation and the preservation of their freedoms, then any time and attention given to this test ban agreement is well spent. The Senate will have done what it can to put the treaty in the proper perspective.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD various memorandums, including questions about a limited test ban treaty that I asked on the Senate floor on August 9; the motion that I made in the Preparedness committee, and letters on the safeguards we received from Deputy Secretary of Defense Gilpatric and General Taylor, including the criteria that General Taylor enclosed in his letter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

QUESTIONS ON THE LIMITED TEST BAN TREATY

(By Senator JACKSON, on Senate floor, August 9, 1963)

1. Can the United States afford a position of parity or equality with the Soviet Union in nuclear weapons technology and systems? Does the United States require for an effective deterrent a margin of safety and superiority in these matters in view of Soviet secrecy?

2. In what areas of strategic and defensive nuclear weapons systems do the Soviets know as much or more than we do? In what areas of nuclear weapons research and weapons effect must we progress in order to protect and maintain our deterrent?

3. Can we make the progress necessary to protect and maintain our deterrent by underground testing within the limitations of the proposed treaty?

For example: (a) What steps are possible within the terms of the treaty to determine and evaluate the military effectiveness of the very high yield Soviet thermonuclear weapons, and to devise means of defending free world civilian populations and retaliatory weapons systems against their use by the Soviet Union? (b) What steps are possible under the treaty to obtain information on the effects of Soviet nuclear weapons on our new deterrent military weapons systems, including the ability of our missile launch complexes to survive a Soviet first strike, the ability of our missile warheads to penetrate a Soviet nuclear defense, and the ability of our vital military communications, radar and other systems to survive and to function under Soviet nuclear attack? (c) Is an effective anti-ICBM system achievable? Can an effective anti-ICBM system be designed and deployed without atmospheric testing?

4. What assurances will we be given that all the experiments involving testing permissible under the treaty and required by our nuclear weapons research laboratories will go forward in a vigorous and sustained manner, and not be stifled by the qualified, halfhearted, stop-and-go support characteristic of the recent past?

5. What steps will be taken to deal with the possibility of a planned abrogation of the treaty by the Soviets—that is, the possible use of the treaty by Moscow to degrade our laboratory programs in nuclear research and our test organizations while secretly preparing to abrogate the treaty and carry out another massive atmospheric test series? What steps will be taken to give us an immediate standby capability for atmospheric testing?

6. What assurances will we be given that our weapons laboratories will have full and wholehearted support, so that the budgets of the laboratories will be adequate, the morale in the laboratories will remain high, and the best men will not drift away to more attractive positions?

7. What can and will be done to deal with the new difficulties in information-gathering which would reinforce the difficulties already imposed on the free world by the closed Soviet society? Will a special effort be made to obtain information on possible secret Soviet preparations for atmospheric testing?

8. What is the capability of our nuclear test detection systems for the atmosphere, high altitude, outer space, and underwater? What would be the effect of the proposed test ban treaty on our capacity to improve nuclear test detection systems? What steps will be taken to improve these systems within the limitations of the proposed treaty?

MOTION BY SENATOR JACKSON

(Adopted by the Preparedness Investigating Subcommittee on August 14, and by the Armed Services Committee on August 15.)

I move that the Joint Chiefs of Staff submit to the Senate Armed Services Committee as soon as possible and in any event prior to committee action on the test ban treaty, a statement of the specific requirements to implement the safeguards proposed by the Joint Chiefs for reducing the risks and disadvantages of the limited test ban treaty, which safeguards are set forth in the statement presented by the Chairman of the Joint Chiefs of Staff to this committee on August 14, 1963, as follows:

"11. Recognizing the foregoing disadvantages and risks, the Joint Chiefs of Staff believe that they can be reduced through certain safeguards. These safeguards include:

"(a) The conduct of comprehensive, aggressive, and continuing underground nuclear test programs designed to add to our knowledge and improve our weapons in all areas of significance to our military posture for the future.

"(b) The maintenance of modern nuclear laboratory facilities and programs in theoretical and exploratory nuclear technology which will attract, retain, and insure the continued application of our human scientific resources to these programs on which continued progress in nuclear technology depends.

"(c) The maintenance of the facilities and resources necessary to institute promptly nuclear tests in the atmosphere should they be deemed essential to our national security or should the treaty or any of its terms be abrogated by the Soviet Union.

"(d) The improvement of our capability, within feasible and practical limits, to monitor the terms of the treaty, to detect violations, and to maintain our knowledge of Sino-Soviet nuclear activity, capabilities, and achievements."

THE DEPUTY SECRETARY OF DEFENSE,
Washington, D.C., August 23, 1963.

Hon. RICHARD B. RUSSELL,
Chairman, Committee on Armed Services, U.S. Senate.

DEAR MR. CHAIRMAN: This letter responds to your letter of August 15 transmitting the motion adopted by the Preparedness Investigating Subcommittee on August 14 asking for information on the four safeguards that will be maintained by the administration in order to avoid injury to our national security in connection with the test ban treaty.

As the chairman of the subcommittee recognized in his colloquy with General Taylor on August 14 when the motion was under discussion, the matters referred to in the motion not only transcend the responsibilities of the Joint Chiefs of Staff but also transcend the responsibility of the Department of Defense. For that reason, this reply has been prepared after obtaining advice from the Joint Chiefs of Staff and after consultation with the Atomic Energy Commission, the Central Intelligence Agency, and the Arms Control and Disarmament Agency.

When the motion was under discussion in the August 14 hearing of the Preparedness Investigating Subcommittee, it was recognized that the response, dealing with the four subjects, would have to be primarily in terms of the criteria or standards which are guiding the executive branch. I am glad to bring together here in one document the extensive assurances which have been given on the four subjects by the President, and by the Secretary of Defense, and the Chairman of the Atomic Energy Commission. Furthermore, we have included here, or in a separate classified annex where appropriate, specific detail and explanation in an effort to be as fully responsive as time and circumstances permit.

Safeguard (a): "The conduct of comprehensive, aggressive, and continuing underground nuclear test programs designed to add to our knowledge and improve our weapons in all areas of significance to our military posture for the future."

On this subject, the President, in his message of August 8, 1963, transmitting the treaty to the Senate, said: "The United States has more experience in underground testing than any other nation; and we intend to use this capacity to maintain the adequacy of our arsenal. Our atomic laboratories will maintain an active development program, including underground testing, and we will be ready to resume testing in the atmosphere if necessary. Continued research on developing the peaceful uses of atomic energy will be possible through underground testing." Later in the same message, the President referred to "our determination to maintain our own arsenal through underground tests." In his press conference last Tuesday, the President described the program of the last 2 years and added: "[W]e are going to continue to carry on, as I've said, a vigorous series of tests."

Secretary McNamara and Dr. Seaborg, in their testimony before the Senate Foreign Relations Committee on August 13 and 14, reiterated these points and elaborated on them. General Taylor, in his testimony on August 15 before the same committee, testified that the President's position on this matter had been effectively communicated.

The underground test program will expand over that currently programed for fiscal year 1964. Details of the program are set forth in the separate, classified annex.

The Government will apply the following criteria, or standards, in the area of underground testing:

The underground test program will be comprehensive. Therefore, it will be revised to include as many as feasible of the objectives of the tests which we would otherwise do under conditions of unrestricted testing.

The underground test program will be vigorous. It will proceed at a pace that will exploit to the fullest the capabilities of existing AEC and DOD weapons laboratories. If these capabilities are proved to be inadequate to meet established requirements, they will be expanded.

The underground test program will be a continuing program designed to insure the highest practicable rate of progress in nuclear technology.

The standards established governing the type and magnitude of tests to be conducted will not be more restrictive than the spirit of the treaty limitations.

Safeguard (b): "The maintenance of modern nuclear laboratory facilities and program in theoretical and exploratory nuclear technology which will attract, retain, and insure the continued application of our human scientific resources to these programs on which continued progress in nuclear technology depends."

There are three major facilities in which programs in theoretical and experimental nuclear warhead design technology are currently conducted and seven major DOD laboratories engaged in nuclear weapons effects research. The AEC facilities operating under contract with the Atomic Energy Commission are:

Los Alamos Scientific Laboratory, Los Alamos, N. Mex.

Lawrence Radiation Laboratory, Livermore, Calif.

Sandia Laboratory, Albuquerque, N. Mex.

The major DOD laboratories are:

Air Force Cambridge Research Laboratory, Bedford, Mass.

Air Force Weapons Laboratory, Kirtland Air Force Base, N. Mex.

Armed Forces Radiobiological Research Institute, Bethesda, Md.

Ballistics Research Laboratory, Aberdeen, Md.

Naval Ordnance Laboratory, White Oak, Md.

Naval Radiological Defense Laboratory, San Francisco, Calif.

Nuclear Defense Laboratory, Edgewood, Md.

Efforts to "attract, retain, and insure the continued application of our human scientific resources" to the programs of these laboratories depend primarily on their authorized programs and their equipment and facilities.

The AEC laboratories have been conducting programs of research in chemistry, physics, metallurgy, computer technology, and biological sciences, in addition to their major efforts in the design and development of nuclear weapons. They are also conducting development and exploration in applied nuclear physics such as reactors, controlled thermonuclear reactions, peaceful uses of nuclear explosives, nuclear propelled rockets and the development of a nuclear ramjet.

The DOD laboratories have been conducting programs of basic research in the nuclear weapons effects areas which have military applications. In addition to making effects measurements during nuclear test series, research includes studies of airblast effects on ground equipment and aerospace systems, initial nuclear radiation measurements, shielding effects, protective structures, biomedical effects, underwater effects, electromagnetic effects, and integrated effects and phenomena.

To support all of these studies extensive simulation techniques and computer facilities are used.

These activities are expected to be more than sufficient to provide the necessary stimulus and challenge to attract and retain first-rate scientific talent.

The next most important requirement after the quality of the research program necessary to maintain laboratory vitality is the physical plant with which the scientists must work. A continuous program of upgrading equipment and facilities has been underway at these laboratories since their inception, and this program is planned to continue. The approximate capital investment at each of the laboratories at the end of fiscal year 1963 was: Los Alamos, $226 million; Lawrence Radiation Laboratory, Livermore, $118 million; and Sandia, $122 million. The approximate capital investment in support of the weapons effects program of the seven major DOD weapons effects laboratories is $153 million.

Some important facilities are now under construction at the laboratories or are awaiting fiscal year 1964 appropriations. If additional facilities should be needed at these installations in order to carry out the vigorous and imaginative testing program which we have discussed, funds for such facilities will be requested.

In addition to program and facilities development, the laboratories have aggressive personnel development activities including provision for in-service training, sabbatical leave, and outside educational opportunities at affiliated universities.

The President, Secretary McNamara, and Dr. Seaborg have all expressed the firm commitment of the administration to maintaining the quality and the vitality of our weapons laboratories.

The President in his press conference last Tuesday referred specifically to the safeguard "that we should keep our laboratories activated and vital." He said, "I've already met with Dr. Foster and Dr. Bradbury; we have talked with others. We are going to do that."

Our standards in this area will be as follows:

Adequate AEC and DOD budgets, modern facilities, and positive personnel policies will be maintained and augmented as necessary in order to attract and retain competent scientists in nuclear and related fields.

Broad and forward-looking research programs will be carried on which will attract and retain able and imaginative personnel capable of insuring the highest practicable rate of progress that can be attained in all avenues of potential value to our offensive and defensive posture.

Safeguard (c): "The maintenance of the facilities and resources necessary to institute promptly nuclear tests in the atmosphere should they be deemed essential to our national security or should the treaty or any of its terms be abrogated by the Soviet Union."

The following steps are illustrative of what has been done and what is being done in this important area:

Improvement of test support facilities, including preparation and maintenance of off-continent support bases and test sites, is now underway. Approximately $55 million is now committed by AEC and DOD for fiscal year 1963 and fiscal year 1964 for improvements to Johnston Island to provide a partial oversea test capability.

To provide an airborne nuclear test capability, suitable for most weapons proof and development tests, the following needs are being satisfied: Diagnostic aircraft (being accomplished by AEC and DOD); instrumented device or weapon drop aircraft (being accomplished by AEC and DOD); sampler and other support aircraft available from the Air Force on short notice (being accomplished by DOD); suitable operating bases on Johnston Island for surveillance, weather, sampler, and sampler return aircraft (joint AEC–DOD construction underway), and in the Hawaiian area.

For a high-altitude nuclear weapons effects test capability the following steps are being taken: An oversea base at Johnston Island with adequate area and suitable facilities to support the tests, such as rocket launch pads, assembly areas, etc. (joint AEC–DOD construction underway); instrumented ships and aircraft available on short notice from the Navy and Air Force.

Further, the AEC and DOD test organization—the Nevada operations office and the Defense Atomic Support Agency, including a nucleus joint task force—will be maintained at strength. This task force will be somewhat larger than the standby unit currently maintained.

It is planned that the regular continuing laboratory programs will include development of those devices which may at some time require atmospheric testing; that the laboratories will be encouraged to carry their ideas and studies to the point where final device construction can be achieved in a time comparable to the time necessary to implement an actual atmospheric test should such tests be authorized; and that development of instruments needed for support of an atmospheric test program will be continued by the laboratories.

The President has assured the Nation that a high state of readiness to test will be maintained. In his television address on July 26, he announced, "[S]ecret preparations for a sudden withdrawal are possible, and, thus, our own vigilance and strength must be maintained, as we remain ready to withdraw and to resume all forms of testing, if we must." And in his message transmitting the treaty to the Senate he stated, "[W]e will be ready to resume testing in the atmosphere if necessary." He amplified the point in his press conference last Tuesday, stating, "Already we have begun to prepare Johnston Island for that unhappy eventuality, if it should occur. * * * [W]e are dredging the harbor, we're building some piers; there are * * * two dredges already out there, so I can assure you that we are going ahead very rapidly in that area."

The position was supported by Secretary McNamara before the Senate Foreign Relations Committee on August 13. Dr. Seaborg's remarks on August 14 were to the same effect.

On being asked how long after a treaty violation it would take the United States to begin testing, the Secretary of Defense gave the following reaction times as the objectives to be attained: Proof tests within 2 months from the decision to test, development tests within 3 months from the decision to test, and effects tests within 6 months from the decision to test. He explained that such an effects-tests readiness posture—the most difficult one to maintain—could be achieved by about a year from now.

With regard to logistics and finances, Secretary McNamara emphasized that it was important to keep up and expand the facilities on Johnston Island. He reminded that "we can provide a standby capability by utilization of the approximately $200 million in funds that the Atomic Energy Commission and the Defense Department have requested for fiscal 1964 for test purposes, and by possible supplements to those funds for further standby facilities."

The programs are designed to meet the following criteria with respect to the maintenance of a readiness-to-test posture:

The readiness-to-test program will be established on a Government-wide basis in support of a plan common to all participating agencies. The required resources and facilities will be maintained in a state of readiness, or earmarked, so that plans can be implemented within the reaction times established.

Reaction times for resumption of testing in the prohibited environments will be established and maintained within the constraints of military requirements and reasonable costs. Reaction times will vary for the broad categories of testing. As an immediate objective, we should be able to conduct proof tests of weapons in stockpile in about 2 months; operational systems tests in about 2 to 3 months; weapons development tests in about 3 months; and weapons effects tests in about 6 months.

There will be provision for periodic updating of our test program plan and for checking our readiness to test.

Safeguard (d): "The improvement of our capability, within feasible and practical limits, to monitor the terms of the treaty, to detect violations, and to maintain our knowledge of Sino-Soviet nuclear activity, capabilities, and achievements."

The United States now has substantial capabilities to detect, identify, and to some extent diagnose nuclear tests. These capabilities exist in the resources of our conventional intelligence community and in the resources of the atomic energy detection system (AEDS).

The role played by the intelligence community was discussed with the Senate Foreign Relations Committee on August 16 and with the Senate Preparedness Investigating Subcommittee on May 22 by Mr. McCone, Director of Central Intelligence. The intelligence community, under the direction of the U.S. Intelligence Board has increased its activities and will continue to increase its activities to cope with the new conditions under the treaty.

Secretary McNamara, in his testimony before the Senate Foreign Relations Committee on August 13, stated that: "Our examination concluded that the Soviet Union could obtain no major results by testing in the atmosphere and deep space or underwater without incurring high risk of detection and identification." He pointed out that "the only advantages of illegal testing in the three prohibited environments would be either to develop weapons with yields in the multimegaton range (since designs for weapons with yields up to 10 megatons or more can be checked by lower yield tests underground) or to determine the weapons effects of explosions which cannot be carried out at all, or not so well, underground. There will probably be no cost advantage to illegal testing in the prohibited environments because keeping the tests secret will add to the expense and difficulty of the experiments." In answer to a question about the future, Secretary McNamara referred to augmentations of the detection and identification system which have already been approved and to further augmentations which are under consideration—expanding upon the statement of the President in his message of August 8 transmitting the treaty to the Senate: "There is further assurance against clandestine testing in our ability to develop and deploy additional means of detection * * *."

Dr. Seaborg, in his summary before the same committee on August 14, said that "systems to detect possible violation of the treaty will be maintained and continually improved."

The administration—as indicated in the detailed testimony of Defense and ACDA officials before the Senate Preparedness Investigating Subcommittee on May 9 and 15—has under consideration proposals by which our present AEDS resources can be augmented to enhance our capabilities. The proposals now being reviewed are summarized in the separate, classified annex.

The standards for the program and plans are these:

The current capability of the United States to detect and identify nuclear tests conducted by the Sino-Soviet bloc will be improved to a degree which is both feasible and remunerative. (Specific proposals for this purpose are currently under consideration.)

A vigorous research and development program will be pursued in order to improve equipments and techniques for nuclear test detection and identification.

Conventional intelligence sources will continue to complement the scientific intelligence techniques.

In conclusion, the following additional important factors must be borne in mind in connection with the concern about clandestine tests: First, the possibility of Soviet clandestine tests is lessened by the fact that they can test legally underground. Second, although there can be no guarantee that we will be able to identify all possible violations of the treaty, the Soviets cannot guarantee that we will not identify such violations. Put another way, the Soviets will never be sure of the threshold for successful evasion of our expanding and improving detection system. And, third, as the President stated in his message to the Senate of August 8, we are determined to maintain our own arsenal through underground testing and our readiness to resume atmospheric testing if the actions of others so require.

In summary, Mr. Chairman, I believe, and I trust you will agree, that the major decisions of policy have already been made and that executive action under these decisions is already going forward. I am assured—and I can assure you—that if further decisions and actions are needed, the President will take them.

Since the matters discussed above were also raised during the hearings before the Foreign Relations Committee on the test ban treaty, a copy of this letter is being furnished also to the chairman of that committee. In addition, since the contents of this letter are pertinent to an earlier inquiry from the Joint Committee on Atomic Energy, a copy is being furnished to the chairman of that committee as well.

Sincerely,

ROSWELL GILPATRIC.

THE JOINT CHIEFS OF STAFF,
Washington, D.C., August 23, 1963.

Hon. RICHARD B. RUSSELL,
Chairman, Committee on Armed Services, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: In response to the request of your committee transmitted to the Secretary of Defense on August 15, the Joint Chiefs of Staff have developed criteria for testing the adequacy of plans and programs in support of the treaty safeguards included in their statement on the limited test ban treaty made to the Preparedness Investigating Subcommittee. These criteria, attached hereto, are necessarily general in language since additional study will be required to determine specific standards and programs for underground testing, for the stimulation of nuclear laboratory activities, for the standby preparations for nuclear tests in the atmosphere, and for the improvement of our capability to detect clandestine testing.

The Joint Chiefs of Staff recommended the inclusion of this statement of criteria in the letter of the Deputy Secretary of Defense dated August 23, which has been transmitted to you in further response to the request of August 15 mentioned above. They consider that the actions described in Deputy Secretary Gilpatric's letter meet the requirements as presently foreseen for implementing the safeguards proposed by the Joint Chiefs of Staff to reduce the risks and disadvantages of the test ban treaty.

We appreciate this opportunity to amplify for your committee our views on this important issue.

Sincerely yours,

MAXWELL D. TAYLOR,
Chairman, Joint Chiefs of Staff.

CRITERIA TO INSURE FULFILLMENT OF THE SAFEGUARDS PROPOSED BY THE JOINT CHIEFS OF STAFF WITH REGARD TO THE LIMITED NUCLEAR TEST BAN TREATY

Listed below are the four safeguards and the recommended criteria which should be employed in subsequent examination of programs designed to insure that each of the safeguards is fulfilled.

A. "The conduct of comprehensive, aggressive, and continuing underground nuclear test programs designed to add to our knowledge and improve our weapons in all areas of significance to our military posture for the future."

1. CRITERIA

(a) The underground test program should be comprehensive. Therefore, it should be revised to include as many as feasible of the objectives of the tests which we would otherwise do under conditions of unrestricted testing.

(b) The underground test program should be vigorous. It should proceed at a pace that will exploit to the fullest the capabilities of existing AEC and DOD weapons laboratories. If these capabilities are proved to be inadequate to meet established requirements, they should be expanded.

(c) The underground test program should be a continuing program designed to insure the highest practicable rate of progress in nuclear technology.

(d) The standards established governing the type and magnitude of tests to be conducted should not be more restrictive than the spirit of the treaty limitations.

B. "The maintenance of modern nuclear laboratory facilities and programs in theoretical and exploratory nuclear technology which will attract, retain, and insure the continued application of our human scientific resources to these programs on which continued progress in nuclear technology depends."

1. CRITERIA

(a) Adequate AEC and DOD budgets, modern facilities, and positive personnel policies should be maintained and augmented as necessary in order to attract and retain competent scientists in nuclear and related fields.

(b) Broad and forward-looking research programs should be carried on which will attract and retain able and imaginative personnel capable of insuring the highest practicable rate of progress that can be attained in all avenues of potential value to our offensive and defensive posture.

C. "The maintenance of the facilities and resources necessary to institute promptly nuclear tests in the atmosphere should they be deemed essential to our national security or should the treaty or any of its terms be abrogated by the Soviet Union."

1. CRITERIA

(a) The readiness-to-test program should be established on a governmentwide basis in support of a plan common to all participating agencies. The required resources and facilities should be maintained in a state of readiness, or earmarked, so that plans can be implemented within the reaction times established.

(b) Reaction times for resumption of testing in the prohibited environments must be established and maintained within the constraints of military requirements and reasonable costs. Reaction times will vary for the broad categories of testing. As an immediate objective, we should be able to conduct proof tests of weapons in stockpile in about 2 months; operational systems tests in about 2 to 3 months; weapon developments tests in about 3 months; and weapon effects tests in about 6 months.

(c) There must be provision for periodic updating of our test program plan and for checking our readiness to test.

D. "The improvement of our capability, within feasible and practical limits, to monitor the terms of the treaty, to detect violations, and to maintain our knowledge of Sino-Soviet nuclear activity, capabilities, and achievements."

1. CRITERIA

(a) The current capability of the United States to detect and identify nuclear tests conducted by the Sino-Soviet bloc must be improved to the extent it is both feasible and remunerative. (Specific proposals for this purpose are currently under consideration.)

(b) A vigorous research and development program must be pursued in order to improve equipments and techniques for nuclear test detection and identification.

(c) Conventional intelligence sources must continue to complement the scientific intelligence techniques.

Mr. ROBERTSON. Mr. President, will the Senator from Washington yield?

Mr. JACKSON. I yield to the Senator from Virginia.

Mr. ROBERTSON. Again, I commend the distinguished Senator from Washington upon an able discussion of the pros and cons of a vital issue. I was happy that the former college professor, now the distinguished economist from Illinois [Mr. DOUGLAS], recognized the quotation from an English writer. Earlier in the debate, the distinguished minority leader [Mr. DIRKSEN] indicated that Benjamin Franklin had paraphrased a remark by Hamlet. At the Constitutional Convention, when the members were not making much headway in forming a more perfect union, Franklin said:

> In this situation of the Assembly, groping as it were in the dark to find political truth, and scarce able to distinguish it when presented to us, how has it happened, sir, that we have not hitherto once thought of applying to the Father of Lights to illuminate our understandings?

He continued:

> I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth—that God governs in the affairs of men.

I used to know something about Shakespeare, but I must have read a misquotation of Hamlet, for I have frequently said, "There is a destiny." But the Senator from Illinois [Mr. DIRKSEN] correctly quoted Hamlet as saying:

> There's a divinity that shapes our ends,
> Rough-hew them how we will.

I wish to ask the distinguished Senator from Washington a question. He has correctly outlined the military disadvantages, and has called upon the Secretary of State to do certain things. He has called upon the Department of Defense to carry out the reservations of the Chiefs of Staff, as voiced by General Taylor. Last but not least, he said that we can get from under the treaty if we find we have a noose around our neck.

I think there is a great popular demand for the treaty, on the assumption that it is a step toward peace. But if we ever try to get out from under it, once we are in it, there will be a more popular demand to remain with the noose around our neck.

Has the Senator ever read the poem by William Wordsworth, in which occurs the line:

> My heart leaps up when I behold
> A rainbow in the sky.

If the Senator has read that line, I ask him if his heart leaps up when he beholds this treaty? or will he vote for it with his fingers crossed?

Mr. JACKSON. My remarks on the floor of the Senate answer the Senator's question quite effectively. My heart is not leaping up. I hope it remains steady. I hope the American people will approach the whole problem sensibly and without emotion. Whether we keep the peace will depend in large measure on our will and determination to remain strong.

Many persons have said in the past that America would grow tired of carrying the burden of arms—and I am sure the Communists have been counting on this. But we have carried the burden longer than in any other period of our history. In many ways, I think we can be thankful to the Soviets, because they have a genius for keeping us alert. I want to make certain that we are not lulled into a state of euphoria.

Mr. DOUGLAS. Or serendipidity.

Mr. JACKSON. That is correct. That is why so much depends on our will as a people; and that will is reflected in our legislators.

More specifically, I think the burden the distinguished Senator from Mississippi [Mr. STENNIS] and his subcommittee will have to carry in monitoring this program will be stupendous. It can be done. It has been done in the field of atomic energy. I am confident it can be done in the overall military field; otherwise, I would not feel as I do.

This is a problem as to which honorable men can reach different conclusions. However, this is the basis of my remarks today.

I thank the Senator from Virginia for his literary contribution. Macbeth has something to say that is not so happy:

> Out, out, brief candle!
> Life's but a walking shadow, a poor player
> That struts and frets his hour upon the stage
> And then is heard no more: it is a tale
> Told by an idiot, full of sound and fury,
> Signifying nothing.

I hope we will not apply that passage.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. DOUGLAS. I congratulate the Senator from Washington for his fair statement and the extraordinary spirit in which he has approached the subject. He has made a well balanced analysis.

One is always uncertain how closely one should question another on these matters, because they may involve material that is highly classified, and should remain so. The Senator from Illinois does not have access to classified information, and has never sought it. If my questions trespass in the field of security, I hope the Senator from Washington will be very careful in his replies.

Mr. JACKSON. I hope the Senator will feel free to ask any question. I shall endeavor to abide by the rules of security; I assure him of that.

Mr. DOUGLAS. I have been concerned about the problem of the antimissile missile, or the antiballistic missile, as it is now called. Is it not true that if one nation possesses the antiballistic missile and another nation does not, any attack from the nation which does not have the antiballistic missile, but does have offensive weapons, can be successfully prevented, and that this will leave the nation which has both the antiballistic missile and the offensive weapons in complete possession of nuclear superiority? In other words, the possession of the defensive weapon permits the full use of the offensive weapon.

Mr. JACKSON. If, for example, the Soviet Union had developed an effective antiballistic missile which could destroy our incoming missiles, it could well have tipped the military balance in its favor. I hasten to point out that those in the Strategic Air Command and in the Air Force generally question whether an effective antiballistic missile can be developed. There is a sort of historic rule that the offense has the advantage over the defense. There are limitations to that rule. In recent months and years there have been indications that a program involving an antiballistic missile defense can be effective for a period of time. If we do not have information about how the Soviet system works, our ability to penetrate their air defenses could be in serious jeopardy.

Mr. DOUGLAS. I take it the Senator from Washington believes that the field of testing which remains open to us is underground testing, and that in it we can achieve substantially the same results as those we would achieve if we tested in the atmosphere.

Mr. JACKSON. I believe we can obtain enough information through underground testing and, by extrapolation, from information we already have, to develop an antiballistic missile system of some type. We should keep in mind, however, that there is a substantial difference of opinion in this regard. Men of great talent, such as Dr. Teller, feel that an effective system cannot be developed. Others feel that it can be done. Personally, I feel that we can do a great deal if we make a vigorous effort; and, second, if we likewise improve our own retaliatory capability in certain ways which will give it the ability to penetrate even through known or immediately contemplated antiballistic missile defense systems.

Mr. DOUGLAS. I take it the Senator from Washington also feels that since the testing will have to be done underground, it would be more expensive than if done in the atmosphere.

Mr. JACKSON. There is no question that it will cost us substantially more to test underground than to test in the atmosphere. It will be more difficult to obtain certain kinds of information from underground testing than from tests in the atmosphere.

Mr. DOUGLAS. I take it the reason for this is that there cannot be as much space in which to operate.

Mr. JACKSON. Yes, plus the fact that the whole problem of instrumentation, in order to get the proper recordings, is complicated; and it takes longer. Time is of the essence in many of the situations.

Mr. DOUGLAS. I thank the Senator from Washington. He has performed a very valuable public service, and has been extremely helpful to many of us.

Mr. JACKSON. I thank the Senator from Illinois for his very kind remarks. I am indebted to him for his questions.

Mr. STENNIS. Mr. President, will the Senator from Washington yield?

Mr. JACKSON. I am glad to yield.

Mr. STENNIS. I, too, wish to commend the Senator from Washington for his very fine speech. I have benefited from it, and I know that others have.

I wish especially to commend the Senator from Washington for the very fine service he rendered the Senate during the Preparedness Subcommittee's hearings—which now have lasted for a year—on the entire test ban problem, and, in particular, during the last 2 months in connection with the test ban treaty. His excellent knowledge and background, over a period of years, in the atomic energy field and in regard to all related matters—not only military matters generally, but also military weapons—make him a most valuable Member of the Senate. His contributions to Senate debate, either on the test ban treaty or on the day-to-day work of the Senate, are outstanding.

I know, too, of his deep concern about the treaty and about his vote on the question of Senate approval of it.

No one has made clearer the limitations, the hazards, and the gamble we are taking, than has the Senator from Washington. The points he has made—and they were included in the resolution he submitted during the hearings—with reference to the reservations the Joint Chiefs of Staff have—are vital in connection with the implementation of this means, if the treaty is adopted, and constitute a most important contribution. That resolution was unanimously adopted by the subcommittee, and then by the full committee, which addressed it to the Secretary of Defense in the form of a letter written by the chairman of the full committee.

Later I shall refer to the responses, which I regard as among the most substantial contributions which have been made. Others helped; but the Senator from Washington took the lead and furnished a fine background of information.

So I cannot thank him enough for the Senate. As one Member, I, too, wish to thank him most sincerely, and also from the point of view of my responsibilities as chairman of the subcommittee, for the very diligent, constant, and constructive efforts he has made throughout the hearings.

Mr. JACKSON. The Senator from Mississippi is very generous.

I wish to emphasize again, Mr. President, the fact that what we in the subcommittee have been able to do stems in a very definite way from the able manner in which the distinguished Senator from Mississippi has presided over the subcommittee's hearings. His diligence and his determination to get the facts are greatly admired by all of us who have worked with him for a number of years. I say most sincerely that long before the test ban treaty hearings got underway—and these hearings go back more than a year—he rendered the Senate most valuable service by means of the conscientious, objective, and impartial way in which he always proceeds, as chairman, to deal with the matters which are studied by the subcommittee.

Mr. President, this decision has been one of the most difficult of all that have faced me during my service in the Senate. Of course I respect and admire Senators who take a position either way on the treaty, for in dealing with a question as difficult as this it is not possible for one to say he is positively correct.

Mr. HUMPHREY. Mr. President, will the Senator from Washington yield?

Mr. JACKSON. I am glad to yield.

Mr. HUMPHREY. I wish to say to the distinguished Senator from Washington that his statement today will, I am sure, have a very decided and positive effect upon the thinking of many Members of Congress and upon the thinking of the public. His support of approval of the treaty, after outlining the many difficulties faced by one who must make this decision, is most helpful.

I wish to say that although some of us perhaps have been more outspoken in our advocacy of the treaty—as the Senator from Washington indicated was the situation in my case—we have had no less difficulty in arriving at our decision, nor have we been any the less concerned.

I believe the debate on the treaty has become one of the most important foreign policy and national security debates Congress has had in many a year. In fact, one of the beneficial aspects of the treaty is its generation of penetrating and thoughtful analysis and evaluation of our military posture, our relationships with the Soviet Union, and the totality of our foreign policy and our national-security policy, and the consequent ability of Members to examine each of the many factors of those policies and then to reassemble them and to make the final decision.

The outstanding address by the Senator from Washington impresses me with his careful consideration of the many different factors involved. After weighing them most carefully, he has fulfilled his responsibility as a Senator by reaching his decision on the basis of the many points of view that have been expressed in testimony and also on the basis of his own experience, for many years, as a member of the Armed Services Committee. He has recognized, and has told us of, the technical military problems and, as he described them, the disadvantages. Then he has made his decision in regard to the overall impact of the treaty and its effect upon our security and our position in the world.

I wish the Senator to know that I tried to do the same thing. I am not merely a hoper. One is not elected to the Senate by hoping. One is elected by working, advocating, and having a healthy skepticism.

I believe the Senator has put it well. I agree with his emphasis.

Mr. JACKSON. I am sure the Senator agrees with my comment. It was not intended to be anything other than as stated.

Mr. HUMPHREY. I would be remiss in my own sense of public duty if I did not say that I find that there is a need in public life as well as in private sectors for people who come to the decision to be strong advocates. Otherwise a balance is not reached.

The Senator from Washington performed a great service by his letter to the Secretary of Defense asking for certain information. His request ultimately resulted in certain assurances, first, from the Department of Defense, and subsequently in the letter from the President of the United States. I believe all of that information has given us a better understanding of the treaty, its implications, and what we know to be the requirements for making the treaty effective if we are to live under its terms.

I join the Senator in reminding our countrymen of the importance of eternal vigilance. We should ever be mindful that the strength of our Nation is the greatest hope for peace in the world. I feel that I can come with rather clean hands on that question because in all the years I have served in the Senate, when our friends on the Armed Services Committee or the Appropriations Committee have brought forth proposals or budgets for keeping the country strong and keeping its Military Establishment modern and effective, it has been my privilege to vote for such proposals and budgets.

I have never felt that freedom was cheap or that we could get it on the bargain counter. We must be prepared. I have never believed that we could have unilateral disarmament. I personally believe that national security requires a constant attention to the balance of military power, foreign policy or our diplomacy, and an intimate knowledge of the social and political forces at work in the world. I commend the Senator. I am confident that his message will be of great help in bringing about the two-thirds or more votes that are needed for ratification.

Mr. JACKSON. I thank my friend from Minnesota very much. I appreciate his thoughtful comments. I know of his long and continued interest in the problem and the close way in which he has followed it over the years. I thank him for his observations and comments.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. JACKSON. I am happy to yield to the Senator from South Carolina.

Mr. THURMOND. The Senator from Washington is one of the most knowledgeable and valuable members of the Committee on Armed Services and the

Preparedness Investigating Subcommittee. He has made an extremely interesting statement today. At times I wondered whether he was arguing for the treaty or against the treaty. To my way of thinking, his statements are rather strong against the treaty.

There are a few points that I think perhaps ought to be brought out to the American people. I should like to ask a few questions.

Mr. JACKSON. Certainly.

Mr. THURMOND. There is no question that the Soviets have a definite superiority in high-yield weapons, is there?

Mr. JACKSON. There is no question.

Mr. THURMOND. There is no question that the Soviets know more about the effects of high-yield weapons, is there?

Mr. JACKSON. I think that it is fair to assume that they probably know more. The difficulty in so much of this discussion, as the Senator knows, is that we must assume certain things to be true unless we have information to the contrary. The Soviets have tested high-yield weapons with greater destructiveness than anything we have. I think it is a fair inference that such tests included effects tests. Therefore I would answer in the affirmative.

Mr. THURMOND. I believe that the Soviets are further advanced in high-yield weapon technology. Is that true?

Mr. JACKSON. That is correct. I think it should be pointed out that by extrapolation we can produce a very high-yield weapon without tests. It would not be as good as one produced with tests, from the standpoint of reliability or deliverability; but, according to our best information, it can be done.

Mr. THURMOND. I believe that the Soviets are considerably ahead of the United States in antiballistic missiles.

Mr. JACKSON. Based on the information given us I believe they are definitely ahead from the standpoint of the extent to which they have deployed a system.

Whether they are ahead of us in the so-called research and development phase, that is, new techniques and so on, is a question I cannot answer.

Mr. THURMOND. Under the treaty, the Soviets could attain parity with the United States in tactical nuclear weaponry, with respect to which it is thought we are not ahead, could they not?

Mr. JACKSON. They could, if we failed to carry out the safeguards which call for vigorous underground testing. I think we could keep ahead in that area. We are ahead now; and while they will have the advantage of competing in that area, if we continue to prosecute with great vigor our underground testing program, I believe we can remain ahead.

Mr. THURMOND. I believe there are strong reasons to believe that the Soviets know more about radar blackout effects that are crucial to the development of antimissile missiles. Is that correct?

Mr. JACKSON. That is a question about which, as the Senator is aware, there is a dispute among the scientific and technical people. I have had information both ways. We have conducted approximately as many high altitude tests as the Soviets have conducted. We do have a great deal of data in that area. Whether it is as good as theirs I do not know.

Mr. THURMOND. It is true that the treaty would bar the testing of nuclear weapons to determine their performance under operational conditions.

Mr. JACKSON. The treaty would prohibit any nuclear testing in the three prohibited environments, and this would include operational testing.

Mr. THURMOND. In the development of an antimissile missile, would we not be greatly handicapped because the weapon ought to be tested in the environment in which it would ultimately be used to determine the success of it?

Mr. JACKSON. Naturally, it would be far more advantageous to be able to test the entire system, including the warhead. This means of course that we would not have the most effective antiballistic missile system. It could be a much better system if complete atmospheric tests could be conducted. As the Senator knows, the only fully operational tests with the nuclear warhead that we have conducted in the missile field have been those with the Polaris missile system.

Mr. THURMOND. In order definitely to determine the effects of a superbomb upon our missile sites, or our silos, would it not be necessary for tests to be conducted in order for us to gain the knowledge and technology that we would need to determine whether our sites would be able to withstand the electrical current that would accompany the big bombs?

Mr. JACKSON. It would certainly be helpful; and we could have greater assurance as to the survivability of our retaliatory striking force.

As I pointed out in my remarks, we shall have to add to our retaliatory delivery systems because of these uncertainties. The Senator from South Carolina is aware that we are in an area of classified information, and unfortunately we cannot go into the subject in great detail. As the Senator knows, we have already taken certain steps to protect our ballistic missile sites by reason of information we have gained from previous tests and previous knowledge.

Mr. THURMOND. We would never be able to determine definitely whether or not our missiles would be able to take off, and whether their guidance and control systems would be effective, unless we actually made those tests in the atmosphere, would we?

Mr. JACKSON. A part of this problem, however, can be solved by underground tests—a part of it, but not all of it.

Mr. THURMOND. I thank the distinguished Senator for his frankness in answering these questions. In closing I wish to read a very brief statement by Dr. Teller, made in January of this year, when he said:

> A test ban treaty with the Soviet Union would prevent vital improvements of our atomic explosives as well as foreclose the development of antimissile systems like the Nike-Zeus and the Nike-X. It would not keep the Russians from cheating. Such a treaty, in sum, would endanger our security and help the Soviet Union in its plan to conquer the world.

The Senator knows Dr. Teller, of course. I know the Senator has high respect for him. I am sure the Senator would give great weight to a statement made by Dr. Teller.

Mr. JACKSON. As the Senator knows, in the text of my remarks I referred to Dr. Teller, Dr. Foster, General Schriever, and General Power. I have great respect for all those gentlemen.

As Senators, we must look at all these problems and then come to a judgment. As I said earlier, I respect the judgment of my colleagues, no matter which way they finally decide to vote on the issue now before the Senate.

In the last analysis, whether this country maintains its superiority, which is the means by which we have kept the peace, will depend on our will and determination to do so.

Even if there were unrestricted nuclear testing, should we come to the conclusion that somehow we could cut back, we would then invite a thermonuclear war, because we would lose our military superiority.

Therefore, the overriding challenge the American people now face, and will face in the years to come, is, "Can we maintain a strong posture in a long-drawn-out conflict?"

The Chinese Communists and the Russian Communists question whether we can do it. We have been doing it for 17 years.

This is the area which causes me the greatest concern. It has in the past. It is my great concern now, and it will be in the years that lie ahead. I feel that those of us who serve on the Committee on Armed Services and on other committees have a great responsibility to see to it that we do not let our guard down. Most sensible Americans expect us to follow that course. This is what I shall continue to do. I shall do it now and in the future, as I have tried to do it in the past.

I appreciate the questions the Senator has asked. I know his deep concern. I share the same concern. We may come to different conclusions, but our concern exists, nevertheless.

Mr. THURMOND. The Senator remembers the statement made by General Power, I am sure, that it is far too dangerous to sign the treaty. General Power made a very strong and impassioned statement against ratification of the treaty. He is the man who has charge of our delivery systems—the missiles and the planes—who will be responsible for wreaking destruction upon the enemy if that time should ever come. I am sure the Senator was deeply impressed by the statement made by General Power.

Mr. JACKSON. I was deeply impressed by his statement. As the Senator knows, the Chairman and other members of the Joint Chiefs of Staff support the treaty. Five leading officers, including General Shoup, support it. They include General LeMay, who no doubt had different reservations about it from those of the other Chiefs. He served longer than any other commander as the head of the Strategic Air Command.

Mr. THURMOND. I am sure the Senator remembers the statement made by General Schriever, who commands our missile development, who said that he cannot do his job properly if the treaty is ratified.

Mr. JACKSON. I do not recall his exact statement, but if that is the way it appears in the record of testimony, I am sure it is correct. I have nothing but the greatest respect for General Schriever. I have had the privilege of working with him for more than 10 years. He is a dedicated and fine officer.

Mr. THURMOND. I have such a deep concern about the treaty that I felt this information should be brought out. Again I thank the distinguished Senator for his frankness in answering questions.

Mr. JACKSON. I thank the Senator from South Carolina.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JACKSON. I yield to my friend from Arkansas.

Mr. FULBRIGHT. I wish to associate myself with the remarks made by the distinguished majority whip [Mr. HUMPHREY]. I compliment the Senator. I know he has had long experience in this field, particularly in respect to armaments, since he has served on the Committee on Armed Services and on the Joint Committee on Atomic Energy.

I am gratified that after what no doubt has been much soul searching, judging from the Senator's remarks—as I also know from previous remarks—the Senator has arrived at what I believe to be a sound conclusion. I compliment the Senator upon his judgment.

I know there have been conflicting statements by many of the highest authorities. It finally comes down to a question of weighing in the balance the quality as well as the quantity of the testimony from different viewpoints. That is the decision which the Senator from Washington and all other Senators must make.

I am extremely pleased that the Senator from Washington has arrived at the decision to support the treaty. I congratulate him for what I consider to be his good judgment.

Mr. JACKSON. I thank my friend from Arkansas. Much will depend on how we as Americans conduct ourselves under the treaty in the years which lie ahead, and whether we shall be willing to exercise our rights under the treaty, which include the right to withdraw if the circumstances warrant it. We must act courageously. We must protect the superiority which we have maintained throughout the years in the nuclear and thermonuclear field.

Mr. FULBRIGHT. I am sure the Senator will agree that we would have to do so in any event, even if there were no treaty. We cannot now insure future actions. We must pursue the same policies, even in the absence of the treaty.

Mr. JACKSON. There is no question about that.

Mr. FULBRIGHT. The treaty does not prejudice that position.

Mr. JACKSON. But—and this is what the Joint Chiefs were concerned about—a feeling of euphoria can set in; and that is something we must guard against. It happened in a previous arms control period, in the 1920's, when we signed the Washington Naval Arms Agreement. We became a little careless. The signing of the London Naval Conference Agreement had a similar result.

I make the point because our past conduct is a matter of great concern, and it may be an indication of the dangers that lie ahead.

I believe the Senate has rendered a constructive service in developing the understanding with the executive branch of the Government concerning safeguards. If we live up to the assurances that have been given and take advantage of the safeguards in the treaty and withdraw from the agreement if necessary, I believe we can maintain the peace.

Mr. FULBRIGHT. I thank the Senator.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. MILLER. I compliment the Senator on his excellent speech. The Senator from Washington has achieved the reputation—and with good reason—of being one of the most informed and conscientious Members of the Senate so far as matters relating to the national security are concerned.

I point out one thing which the Senator from Washington brought out, which I think it is well to stress, and that is that the argument made in favor of the treaty, that it will tend to slow down the arms race is a faulty premise. On page 4 of his speech, the Senator from Washington quoted Dr. Leo Szilard to the effect that "With an extensive program of underground bomb testing, then, rather than furthering the cause of peace, the test ban agreement would be likely to do just the opposite."

While I recognize that that statement was quoted by the Senator from Washington as evidence of the danger that may lie ahead in the future from the efforts of some people who will try to persuade the Congress to go contrary to the safeguards proposed by the Joint Chiefs of Staff, nevertheless, to use as an argument for the treaty the contention that it would slow down the arms race is a faulty premise. In view of the statement by Dr. Szilard with regard to extensive underground tests, in my view, the tests are a sine qua non so far as ratification of the treaty is concerned. If such tests are carried out, they will mean a step up, rather than a step-down, in the arms race. This should pretty well lay at rest the argument that the treaty will slow down the arms race.

As I said Tuesday, I did not want to be persuaded to vote for the treaty on the basis of the argument that it would slow down the arms race. Every Member of the Senate is in favor of slowing down the arms race; but to proceed from that desire to a ratification of the treaty on the basis that it would slow down the arms race would be a very unfortunate basis on which to arrive at a decision.

The Senator from Washington has arrived at his decision after sharply repudiating this argument, which I know has been suggested by many as the basis for ratification of the treaty.

Mr. JACKSON. I thank the Senator. There is no doubt in my mind that we would have to increase our expenditures under the terms of the treaty.

I yield the floor.

Mr. STENNIS obtained the floor.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum, for the purpose of a brief rollcall, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. Mr. President, I ask unanimous consent, without losing the floor, that I may yield 2 minutes to the distinguished Senator from Texas [Mr. YARBOROUGH].

The PRESIDING OFFICER. Without objection, it is so ordered.

THE NUCLEAR TEST BAN TREATY IS A TINY LIGHT IN A VERY DARK WOODS; LET'S NOT BLOW IT OUT

Mr. YARBOROUGH. Mr. President, more than 90 nations of the world have now ratified the nuclear test ban treaty pending before the Senate. This large number, accepting it so soon, well illustrates the concern felt around the world at the consequences of the continued atmospheric testing of nuclear weapons at the rate of the past 2 years. This treaty is desirable as a way of at least slowing down the accumulation of radioactive fallout.

It appears to be the scientific opinion that any additional amount of radioactivity in the air we breathe or food we eat will have some genetic consequences, affecting those of the unborn generations. A line cannot be drawn at which it can be said there will be no adverse effects from fallout if the radioactivity stays below these limits. So it is in the interest of all the people of the world to pursue attempts to limit the amount of radioactivity that is placed in the air.

Of course, in the past we have properly felt that the dangers of fallout were far overshadowed by the consequences of nuclear war should our unreadiness provoke a nuclear attack. We have wisely tested when such testing was necessary to maintain a nuclear capability formidable enough to deter any enemy attack. There is no question that this policy in the long run will save more lives than will ever be affected by any conceivable amount of fallout. We have no apology to make for the testing which has produced our present nuclear arsenal; our armed readiness quite likely has saved the world.

But now we are at a position where we think it wise to stop testing and cease adding to fallout. Will this cessation prejudice our ability to deter aggression? Although there is some difference of opinion among military and scientific experts, the great weight of the testimony, presented to Congress from the Joint Chiefs of Staff and the leading nuclear weapons scientists, indicates that there will be no substantial prejudice to our military position as compared with the Soviets. I emphasize the word "substantial." There is no compelling evidence that continued testing will greatly aid our ability to deter aggression and defend ourselves. We must be prepared for both. Maybe some time in the future there will be such evidence that indicates we need to test—when that day comes we can resume testing.

From the pattern of recent history, we can conclude that it is far more likely that the next nuclear test by the signers of the treaty will be made by the Soviets, as a surprise, in hopes of catching us unaware. To those who say that thus the treaty is a Communist snare, I say "maybe so," and "so what?" This country will maintain vigilance and a readiness to resume testing if and when the treaty is violated. The best evidence is that the Soviets will not be able to jump ahead of us by such a violation of the treaty.

I do not think anyone in this administration, or this country, is being lulled into a belief that the Soviets have become good peaceful neighbors just because we ratify the treaty. We shall be prepared for the worst; we do not forget the missiles in Cuba less than a year ago. But when all the safeguards have been put in, as are in the treaty, and every possible allowance is made for all the duplicity of which the Communist mind is capable, we still find that it is to our interest, the world interest, and even the Soviet interest, to slow down the nuclear arms race.

This is a first limited step. It does not end the cold war; it is not in any sense disarmament. Cessation of contamination of the air and water will do some good; it cannot do us any great harm. There are those who would prefer to dissent or express legalistic reservations to every constructive proposal that has ever been made. It is more difficult to be an advocate, more desirable to keep oneself ready to be able to say "I told you so." In human affairs, however, someone must be the advocate and take the affirmative. I am proud to be among those who affirm the desirability of ratifying the nuclear weapons test ban treaty.

We must base our legislation on our hopes, rather than on our fears. We must have faith that mankind has the intelligence to march into a better future, and not, like a mass of lemmings, plunge over a cliff of no return, to a place of self-destruction.

The treaty is a very tiny light in a very dark woods; let us see if it will light our way through these woods before we blow it out.

PRIVILEGE OF THE FLOOR

Mr. **STENNIS**. Mr. President, the hearings before the Preparedness Subcommittee extended for almost 1 year. One member of our staff, Mr. Russell J. Fee, Jr., is particularly familiar with the hearings and the subject matter of nuclear test bans. I ask unanimous consent that he be permitted to be in the Chamber during my discussion. Various points may arise on which he should be available for quick reference.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **STENNIS**. The hearings of the Preparedness Subcommittee were originally on the general subject of test ban treaties, with particular reference to the impact they might have on our military preparedness, our military posture, and the security of our Nation and, for that matter, the Western World.

After the test ban treaty was proposed, the hearings focused on it. The chairman of the Armed Services Committee, the Senator from Georgia [Mr. RUSSELL], considered whether or not he would request the Senate to refer the treaty also to his committee. Consideration was given to holding joint hearings with the Foreign Relations Committee. The Senator from Georgia finally told me that, in view of the fact that our hearings were already in progress, and that our staff was familiar with the subject, he thought it well for us to continue the hearings, with special emphasis on this treaty. Therefore, the subcommittee proceeded in that manner, and concluded its hearings in time to make its report.

Mr. **LONG** of Louisiana. Mr. President, will the Senator yield?

Mr. **STENNIS**. I yield to the Senator from Louisiana.

Mr. **LONG** of Louisiana. I believe it was just as well that the subcommittee proceeded as it did. There were so many Members sitting with the Foreign Relations Committee that if a Senator wanted to explore a particular matter it was necessary to wait almost all day to ask a question, particularly if one was not sitting at the head of the table. In addition, it required so long to hear a witness that we could not have proceeded as rapidly as we did in the Senator's subcommittee, with a smaller number of witnesses.

Mr. **STENNIS**. Yes. No issue is being made about it. There never has been. I mentioned it only because the press had speculated as to how this procedure developed.

With all the testimony that has been taken, all Senators are faced with a difficult question, which is: Would the proposed test ban treaty leave us able to protect ourselves militarily? I have to conclude there is great doubt about it; I do not believe it would. For that reason alone I shall be compelled to oppose the treaty. I will outline the reasons in my speech.

Mr. **ROBERTSON**. Mr. President, will the Senator yield?

Mr. **STENNIS**. I yield.

Mr. **ROBERTSON**. I welcome this opportunity to express my heartfelt appreciation for the services the distinguished Senator from Mississippi has performed over a period of years. For nearly a year he has been studying the test ban treaty. I issued a statement last week saying that I did not know whether the test ban was a prelude to a period of peace or the entry into a game of Russian roulette. Some people may know what Russian roulette is, and some others may not. I do not claim to be an expert in the field, but as I understand, Russian roulette is a game which has come out of Russia. It is played to show one's sporting disposition. A player takes a six-shooter and puts a live shell in one chamber. Then he revolves the chamber until he does not know where the shell is. He then puts the six-shooter to his temple and pulls the trigger, and hopes that he will not hit the live shell. If he does, it is night under the hill and he blows his brains out.

The Senator had expressed some doubt about what kind of game we were getting into; and I said in my statement last week, knowing the popularity of the distinguished chairman of the Foreign Relations Committee, who is sponsoring the treaty, and the great popular support that committee has as a leader for peace in our time, that I wanted the assurance of our military experts that if I voted for the treaty we would not be hurt.

After all, this is a military problem. It is not a political matter, except collaterally. Of course, we do consider good opinion in world affairs. I shall make a speech next Monday. I have relied upon the findings of the subcommittee which the Senator from Mississippi headed, the Subcommittee on Investigations, to give us the military aspect of the treaty. I am relying on his report.

Certain men, free from restraint, like Admiral Burke, General Twining, and Admiral Radford, are openly against the treaty. The man who is responsible for SAC is against it. The man responsible for the development of our Air Force missiles is against the treaty. Not a single military expert recommended the treaty.

I will say on Monday that I side with my distinguished friend from Mississippi, and that it is clear to me that the military disadvantages outweigh the political advantages, with all due deference to those who do not agree with me, and without questioning in any way their sincerity. I will go along with the Senator from Mississippi and vote against the treaty. I commend him for his fine work.

Mr. **FULBRIGHT**. Mr. President, will the Senator yield?

Mr. **STENNIS**. I am glad to yield to the Senator from Arkansas.

Mr. **FULBRIGHT**. Inasmuch as the junior Senator from Virginia has made reference to the treaty as my treaty, I first wish to set the record straight. I did not negotiate or initiate the treaty; it is my duty as chairman of the Committee on Foreign Relations to present it to the Senate. I have studied it at length, and I am in favor of it. May I ask the chairman of the subcommittee who, in his judgment, is considered to be a military expert? Does he not consider the Joint Chiefs of Staff to be military experts? Does he not consider General LeMay to be a military expert?

Mr. STENNIS. Yes. I consider him to be a military expert, not a political expert.

Mr. FULBRIGHT. Does the Senator consider General Wheeler to be a military expert?

Mr. STENNIS. I consider him to be a military expert, but not a political expert.

Mr. FULBRIGHT. And General Shoup?

Mr. STENNIS. If the Senator will permit me to do so, I shall discuss this subject in my speech.

Mr. FULBRIGHT. In his colloquy and questions, the Senator from Virginia said that not a single military expert approved the treaty. My point is that I consider all the members of the Joint Chiefs of Staff to be military experts. I consider General Eisenhower to be a military expert. He used to be so considered. I still consider him one. I think the world considers him one. He endorses the treaty; and the others whom I have mentioned endorse it. To let stand the statement that not a single military expert endorses the treaty would be a gross misstatement of the fact. At the proper time, I shall refer to the Committee on Foreign Relations hearings and the particular statements of military men.

Mr. STENNIS. Mr. President, I wish to be courteous to the Senator from Virginia and to the Senator from Arkansas, but I wish to proceed with my speech.

Mr. ROBERTSON. Let me correct something I may have misstated. What I intended to say was that no military expert approved the treaty from a military standpoint.

The Senator has mentioned General LeMay. I asked General LeMay, at a hearing before our Subcommittee on Defense Appropriations, "Can you give me assurance that we will not be hurt?"

General LeMay said, "I cannot."

If that is an endorsement, the Senator can make the most of it.

Mr. FULBRIGHT. I do not think he could give such assurance even if there were no treaty.

Mr. ROBERTSON. Certainly not.

Mr. FULBRIGHT. He could not attempt to guarantee that the United States would not be hurt if there were no treaty and if there were a nuclear war.

Mr. STENNIS. Mr. President, I shall later yield most liberally to the Senator from Arkansas; but I request the privilege of proceeding with my speech now.

Mr. FULBRIGHT. I apologize. The Senator from Virginia initiated this discussion and made certain references to the chairman of the Committee on Foreign Relations which I thought should be clarified.

Mr. STENNIS. I thank the Senator. I shall yield to all Senators later, but I would like to proceed with my speech, if I may.

Let me say, in the beginning, that in considering my decision on the treaty, I was not overly concerned by the so-called political advantages that some persons think would accrue to the United States. I do not believe any would accrue. I am greatly concerned, however, about the military disadvantages that all military witnesses firmly believe would accrue to us. I am also concerned about the military advantages that it is believed would accrue to Russia as a result of the treaty.

With matters of such importance of concern to me, I came to the conclusion that the major effect of the treaty would be to cut off testing where we need testing most—in the atmosphere—and to give a green light to testing by Russia where Russia needs it most—underground. No one denies that.

We can become emotional about these things. But the point which I make, no one can deny. We must start from the hard facts of life; and that is what I am seeking to do in presenting my views.

Today the Senate is sitting in a special capacity in serious consideration of a nuclear test ban treaty. It is not a question of running around before the debate starts and asking every Senator how he will vote, or tallying up how many here and how many there will vote this way or that, or speculating in the press and elsewhere as to how many votes one side has and how many votes the other side has. No. The Senate is sitting in a semijudicial capacity, somewhat as a court of appeal.

In express terms, the Constitution provides that no treaty shall be binding on the American people until it is approved, not by a mere majority, but by a two-to-one majority of the membership of the Senate present and voting. That is one of the few senatorial powers that might be called a semiexecutive power, with which this special court of appeals, so called, is entrusted.

If I correctly remember The Federalist, grave consideration was given by the Constitutional Convention to granting this power not to the Senate, but to the Supreme Court. Also, consideration was given to vesting this power in the Congress as a whole and to require that a law be enacted. But these proposals were rejected. It was finally decided that that "court," the Senate, representing the several States, should pass on such questions as treaties. The Founding Fathers were not wholly satisfied with that. They required that in such instances the approval must be given by a 2-to-1 vote, instead of a mere majority. The American people have never been willing—and Congress has never recommended—that that constitutional provision be changed.

So we are not sitting here as nose counters or head counters, tallying the number for the treaty and the number against it. We miss the boat by letting ourselves get into such an atmosphere. It is not our sole purpose to determine the number of witnesses who testified one way and those who testified another way. We are not seriously concerned with the number of witnesses; our task is to weigh the substance of what they said, whether they are authorities on the particular subject, and consider their ability to deal with the facts.

Consider the case of a man who is tried for a misdemeanor which carries a fine of $10. The court will instruct the jury that they must not count the number of witnesses in balancing the testimony and determining its weight. Even in these cases, the jury is instructed to consider the knowledge of the witnesses, their authority in the field, their credibility, and then to weigh the testimony and reach a judgment as best they can.

The Senate is now debating a matter which has grave and possibly even ominous portents for the future of our great Nation. The treaty which has been submitted for ratification or rejection brings us, for better or for worse, to a momentous and significant crossroad in our history.

We all desire peace and a peaceful world—a world from which both war and the threat of war have been forever banished. But it must be a secure peace—not an illusion and a snare. We must be certain that we do not jeopardize our destiny by being trapped in a gigantic game of Russian roulette.

I fear that our overwhelming desire for peace makes it difficult for us to examine critically and objectively any proposal which seems to offer any hope, however illusory, to fulfill this desire. Yet, because it is easy to be mesmerized into believing that any document which bears the label of peace is in fact a real step toward peace, it is important that we explore it and its implications searchingly. At the outset, we must bear in mind that what is represented to us as a first step toward peace may very well be to the Russians just another maneuver in the cold war or—even worse—a considered step by them toward a hot war in which the cards will be stacked overwhelmingly in their favor.

Therefore, much as we all thirst for a just and lasting peace, it is important that we do not accept proposals urged in the name of peace at their face value and be satisfied with mere assurances that all will be well. The U.S. Senate must accept and be equal to all of the obligations and responsibilities which are inherent in the historic advise and consent clause, which provides that the President "shall have power, by and with the advice of the Senate, to make treaties, providing two-thirds of the Senators present concur."

It is sound, indeed, that this action was submitted as a treaty, and that no attempt was made to take this action by an Executive order. The proposal is brought before the Senate as a treaty, which is the only rightful way of bringing it before the country. I trust there will be no future talk, as there was a little more than a year ago, of dealing with the situation through an Executive order. I do not impute such a suggestion to the President. He has sent the treaty where it is supposed to go.

We must explore the facts fully and must exercise our independent judgment as to whether, on the basis of facts as we know them, the treaty is truly in our national interests. That is the only test. We must do this with full knowledge that the destinies of the almost 200 million people of this Nation may hang in the balance.

Mr. President, I have no sympathy with the argument to the effect, "We must go along with the treaty, now that 92 nations"—I believe that is the correct number—"have signed it."

Mr. President (Mr. SIMPSON in the chair), I do not mean to be unkind in referring to the other signers but I must ask what many of them gave up when they signed the treaty? I speak with all due deference to those nations and their representatives; but it is true that the ceremonies were conducted before newsreel cameras, television cameras, and newspaper photographers, and the newspapermen, and the columnists. That is part of the spirit. That started the ball rolling. I say we should get back to the facts.

We may have gone far; but if it be true that potential disaster lies ahead, the Senate still has within its power the exercise of independent judgment. If that judgment is that the treaty should be rejected, then Senators should unhesitatingly vote to reject it, regardless of how many nations, large or small, have affixed their signatures to it.

I think we must all agree, Mr. President, that in deciding whether this treaty is in the national interest and whether it protects adequately our security, safety and survival, we must rely solely on the facts and on the document itself. Few of us, I am sure, are willing to let any phase of our national welfare or security depend even for a moment, or even to the slightest degree, upon reliance on the good faith, honesty, sincerity of purpose, or trustworthiness of the Soviets. The cold, hard, and unpalatable facts of history teach us that the rulers of the Kremlin cannot be trusted, and that truth—to them—is anything which moves them nearer to their goal of world domination.

I need only remind the Senate that the Mr. Gromyko who negotiated and signed the treaty on behalf of the U.S.S.R. is the same Mr. Gromyko who, just short of 1 year ago, sat in the White House and blandly assured our President that Soviet missiles had not been, and would not be, introduced into Cuba. Even as he did so, photographs which had already been taken ultimately branded his assurance a monstrous and deliberate falsehood.

I do not know how many Senators were present last fall when the Cuban crisis arose, just after Congress had adjourned. I happened still to be in the city; and I remember, and shall always remember, that the same Gromyko who this year was the representative of his Government in initialing the treaty, then—a year ago—sat in the White House, and, when talking to the President of the United States, assured him that there were no Russian missiles in Cuba; that such rumors were just dreams; that no armaments of that sort were there. But, either then or shortly thereafter, the initial photographs of those missiles in Cuba were on the President's desk and were being examined by experts at the Pentagon; and a day or two later there was confirmation that the missiles were there. At the very time Gromyko was conferring with the President of the United States, the President's experts were studying those photographs, which then or shortly thereafter were on the President's desk. Today our Government is dealing with the same man.

The lure of peace, desirable though it is to all of us, can easily be a siren song leading to disaster unless there is clear proof that our supreme interests are completely and adequately protected by the proposed treaty.

I do not need to dwell upon the many instances of perfidy on the part of the Red rulers of Russia. I have just referred to the most recent and outstanding instance.

I am instinctively troubled, Mr. President, by the question of why the Russians desire this treaty. We proclaim that we have present nuclear superiority and that the treaty will stabilize this. But the Russians make precisely the same claim. Obviously, both of us cannot be right. Possibly we are right; but who among us is gullible enough to believe that the Soviets would willingly freeze themselves into a position of inferiority? If we are wrong, do we not court disaster by binding ourselves to this document?

Later, I shall say more about the question of nuclear and military superiority. At this point I wish to emphasize the fact that I am hard put to understand why the Communists have suddenly reversed their field, and now have agreed to a treaty which in the past they have rejected several times. We must beware of their new and smiling face, and must consider carefully what the treaty will or can do to our national security. We must not be too eager or too willing to walk in the direction in which they urge us.

I am not so naive as to suppose that those of us who vote against approval of the treaty will be immune to charges that we are warmongers.

I have already received that brand from the Chinese Communists, as a result of the report of the Preparedness Investigating Subcommittee on the Cuban military buildup. We will hear such charges, not only from the Soviets, but also from those of our own people who honestly, sincerely, and with the highest sense of patriotism judge our decision to be wrong.

I share with my fellow citizens a longing for peace with justice and integrity, but I am not convinced that the path of peace lies in the direction this treaty leads. I would have been convinced of it in 1958. I would have been convinced of it in 1961, before the Soviet Union abrogated the 3-year moratorium on nuclear weapon tests. I am not convinced of it now.

In 1958, our Nation held superiority, not only in the numbers of nuclear weapons and their delivery vehicles, but also in the knowledge of weapons design and weapons effects throughout the whole spectrum of nuclear technology. Today, the Soviet Union holds the lead in the design of the very-large-yield hydrogen weapons, and either has drawn even, or is about to do so, in other important areas of knowledge.

The Soviet Union conducted, in 1961 and 1962, the most comprehensive nuclear test program in human history. Now the United States is struggling with its conscience, struggling to deny the implications of the evidence which is before it, struggling to forget that it has been duped and deceived, and struggling to convince itself that it can undertake, in the name of peace and humanity, and without unacceptable risks, another agreement—with the Soviet Union—which will impose restraints on our vital weapons programs.

There is no uncertainty about what happened the last time we trusted Soviet motives in nuclear test matters. The evidence is clear that the Soviet Union never ceased to prepare for a resumption of nuclear tests. That is an important fact. During all of that moratorium the Soviet Union assessed its needs; it established its timetable; it prepared its test devices; it gathered its instrumentation; it organized its test personnel. And at the moment best calculated to achieve its purpose, it shattered the moratorium—ruthlessly, purposefully, and dramatically. My recollection is that the very day after they announced they would resume testing, they performed one of the highest degree of capability—thus showing preparation, not for days or for months, but for years.

The U.S. program, which for nearly 3 years had stagnated—frustrated both by its inability under the moratorium to conduct needed experiments and by orders which prohibited even the appearance of a state of readiness to resume testing—reeled under the demands suddenly placed upon it by our alarmed Government. Mr. President, the statements I am making now are not my opinions; they are statements of the facts, as testified to under oath by our leading scientists. Proving grounds and test organizations had been disbanded. Delivery vehicles and instruments were either unavailable or inadequate for the needs; nuclear test devices were either nonexistent or were incompatible with a program to test advanced weapon and weapon-effects concepts. Test objectives were both uncertain and uncoordinated.

When we resumed testing, we did not have the necessary means, vehicles, plans, or know-how. The U.S. test program staggered and faltered, and was unable, for almost a year, to mount even a modest series of meaningful atmospheric nuclear experiments. That was our situation in 1961.

And in the meantime the Soviets, using three separate test organizations, each with a different technical objective, conducted test programs simultaneously at three different proving grounds. It was an outstanding example of what a nation can do when its security interests are given overriding priorities.

By mid-1963, however, I believe the Soviet Union was faced with a dilemma. Secrecy, hypocrisy, and deceit had paid very handsome dividends for it in 1961 and 1962, but it was obvious that the U.S. weapons development program was beginning to recover its sense of mission and its momentum. It must have been clear that in 1964 and 1965 the areas of Soviet superiority in nuclear technology probably would be redressed. How could Soviet high-yield weapon superiority be maintained while at the same time providing a means for achieving parity, and possibly superiority, in the lower yield weapons classes where the United States still retained a significant performance lead?

The lower yield weapons can be tested underground. That is the area in which we are now ahead and they are behind.

A readymade solution was at hand. On September 3, 1961, Prime Minister Harold Macmillan and President Kennedy, confronted with the sudden Soviet violation of the 3-year moratorium and aware of its meaning to the security of the free world, had proposed to Chairman Khrushchev "that their three Governments agree, effective immediately, not to conduct nuclear tests which take place in the atmosphere and produce radioactive fallout." The United States and the United Kingdom, they said, were "prepared to rely upon existing means of detection, which they believe to be adequate, and are not suggesting additional controls."

The Russians would never agree to anything that involved inspection. Since 1945 in one form or another, we have urged the Russians to adopt the original Baruch proposal, which provided for adequate inspection. To this day they have turned down that proposal but have now, for some reason, accepted the concept we have before us. The concept was subsequently embodied in a draft treaty presented at Geneva on August 22, 1962, as an alternative to a treaty banning all nuclear testing, which contained provisions for verification and onsite inspection and had proven objectionable to the Soviet Union.

These overtures were then rejected by the Soviet Union, for obvious reasons. At that time the Soviets had not yet achieved superiority in very high-yield strategic weapons or acquired the data on weapons effects necessary for the design and perfection of antiballistic missile systems. This could come only from atmospheric tests conducted before our programs could regain their momentum. It was important that the time gained by secret preparations be used to full advantage. And it was.

Let us make no mistake about it. The giant advances which the Soviets have made in nuclear weapons and nuclear technology is directly attributable to the 1958-61 moratorium and their duplicitous abrogation of it.

The Russians are not smarter than we are. They do not have more resources than we have. They do not have more ingenuity. They took full advantage of the moratorium.

While we neither tested nor prepared for testing they made intensive preparations and, as a result were able to mount two comprehensive, complex and fullscale atmospheric test series. By comparison, our one series was hastily prepared and only partially successful. There is little doubt in my mind that, since 1958, we are at least 1½ atmospheric test series behind the Soviets. Is there any wonder then that they have been able to attain such remarkable technological achievements and to draw even with and surpass us in several important areas? Is there any reason to believe that they cannot utilize the cover of the pending treaty, if it should be ratified, to again prepare for atmospheric testing in secrecy, abrogate the treaty at their own convenience and leapfrog further ahead of us?

The distinguished Senator from Minnesota [Mr. HUMPHREY] correctly noted in his floor statement on September 10 that—

> It takes time to be able to interpret what such a test means, to develop into weaponry the information gained from such a test, to get the weapon into the arsenal and to phase it into military strategy.

Although the Senator from Minnesota places a different significance on it than I do, this point is well taken and lies at the heart of my concern. It will take the Soviet Union approximately 2 years to digest the large amount of information which they acquired from their superior atmospheric tests series in 1961 and 1962, to translate the data into stockpiled weapons and to determine their military requirements for additional tests. This process has already started.

Like the farm families of my youth, they have cut and stored their firewood in the summer and in the fall; and now, in the quiet of the winter, while the treaty is in effect, they are consuming it—by the use of the testing data which they acquired. They can improve their weapons and conceive and develop new ones.

I am very much concerned that the full impact of the Soviet test series has not yet been felt and that, 1, 2, or 3 years from now, after having gotten full benefit from the test data, they will be able to develop and produce even superior weapons, including perhaps an effective ABM system, and add them to their operational inventory.

It is said that at the signing of the treaty of Moscow those present saw tears come to the eyes of Khrushchev. I do not doubt it. They could well have been tears of happiness as the self-proclaimed leader of the Communist burial squad witnessed the victory of his deceit and planning for deceit.

Whether the balance of power today lies with us or the Soviets may be impossible to determine. I am convinced that, not merely on hope, but on facts, that it lies with us. But I do know that, since 1958, the very heavy balance of nuclear testing in the atmosphere rests with the Soviets.

We have been often told that it is a balance of power which maintains peace. Those who assert this misread their history. Peace is maintained—not by a balance of power—but by an imbalance of power in favor of those who support and defend the cause of peace against would-be aggressors. My distinguished friend, the chairman of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT], said in his eloquent speech in favor of ratification of the treaty on September 9:

> A continuing arms race, accompanied by mounting fears and tensions, has almost inevitably in the past led to war.

I must question the accuracy of that conclusion. I think the true lesson which one should learn from history that it is the loss of the arms race by the peacekeepers, and not the arms race itself, which has in the past led to war. This has been proven many times in the course of history and at least three times during this century that I can remember. The Kaiser unleashed his forces and provoked World War I only because of the weakness of the rest of Europe and his confidence in Germany's military superiority which he had. This pattern was repeated in 1939 when Hitler, encouraged by the fact that his adversaries were weak and militarily inferior, set out to conquer the world by force of arms. On the other side of the world, in 1941, the Japanese attacked us at Pearl Harbor only because of their assessment of our military inferiority. In both World War I and World War II we achieved victory only because we had time to mobilize our industrial might and our material and human resources and overcome the enemy's original superiority. There will be no opportunity for this in a future nuclear war. Therefore, it is important that we recognize the basic truth that even a power-mad dictator is compelled to stay his hand and keep a leash on his military might in the face of superior opposing forces.

Only a year ago, when the President of the United States very properly made his demand that the Russians remove their missiles from Cuba, there was a demonstration of strength. It was not merely his demand—not his words alone—which brought about results; it was the power and the might behind those words; it was our readiness to proceed. The President started forces in motion and moved them to Florida and other places within striking distance. The Communists were convinced that we had the power. They were convinced we had the will and the resolution to use it. That is when the tide changed and they went home—at least, part of them went home.

That is why it is so crucial and vital that we be certain beyond all doubt that, under the treaty, our military superiority and strategic advantages will not be significantly degraded. World peace and our own safety and survival are directly dependent upon the free world maintaining an imbalance of military power in its own favor.

We have a favorable balance, numerically. If one wishes to count weapons, unquestionably we have the greater power now. In spite of all that, it could be quickly lost, should the Russians develop vital and superior weapons which could negate or relegate to the past the effectiveness of this fine arsenal we have so carefully prepared.

If the balance should shift, and if the Soviets should attain real and demonstrable military superiority, we can be sure that they will not hesitate to strike, either actually or by putting a blackmail pistol to our head.

Even if they do not strike, if they attain a clear superiority we will be at their mercy. Thus, in my opinion, if the treaty would permit the U.S.S.R. to attain such superiority, it will prove to be nothing more or less than a pact of national suicide.

Let me make it clear, if I have not done so, that my decision to vote against the ratification of this treaty is not based alone on my concern that we have become the victims of another Soviet deception or have fallen prey to our own wishful thinking. My decision is based primarily on military considerations.

The military disadvantages which will result from this treaty and which are listed in the interim report of the Preparedness Investigating Subcommittee are factual and real. None of the most responsible witnesses who appeared before us disputed their existence. The disagreement arose from differing evaluations of their significance.

Mr. President, regardless of how any Senator may vote, the subcommittee's report and its statement of facts were agreed to by every single member of the subcommittee, except the Senator from Massachusetts. He issued a brief statement saying that he thought the facts were too pessimistically stated. So the report stands before the Senate with the slightest exception—not even contradiction, but only the slightest exception—as a unanimous report of the subcommittee on a factual basis.

I am proud to say that I believe that this Nation possesses a clear and commanding military superiority at this time. I affirm it and I applaud it. But I am concerned about the future. I am keenly aware that the decisions that made this superiority in nuclear weapons and delivery systems possible were made 5 to 10 years ago and were based on a depth and a breadth of knowledge so superior to that possessed by the Soviet Union as to discourage comparison.

I am also keenly aware that the decisions we are called upon to make today will have their effect 5 to 10 years from now and that today we do not possess an advantage in either the quantity or the quality of knowledge which will assure that these weapons we develop and produce at that distant date will possess a clear and commanding superiority over those of the enemy. I do not understand—I cannot comprehend—the argument that because we now lead we will continue to lead despite our failure to probe the secrets of nature to the same extent as has the Soviet Union.

Another argument in support of the treaty that concerns me involves the assumption that the possession of arms in and of itself is a cause of international tension. I believe that this accurately represents the position of the treaty proponents. Otherwise, how can it be contended that the reduction of either the quality or the quantity of arms will improve the international climate? And how would the argument that this treaty represents a first step in the reduction of tensions have any validity?

Yet not a single advocate of the treaty who came before the subcommittee would admit that the problems which confront this Nation in Laos, in Cuba, in Vietnam, or in Berlin arose from the arms race. All to whom the question was put affirmed that the causes of tension and mistrust had their origins in political and philosophical differences. How then, I ask Senators, can these tensions be relieved by actions or decisions unrelated to their cause?

I believe that political accommodations must precede any actions which affect the quality or the quantity of this Nation's arms. I believe that we have kept the peace in spite of political and philosophical differences simply by maintaining overwhelming military superiority. I believe that the 20 years from 1945 to 1965 will be known to history as the Pax Americana and that history will record that it ended only when well-meaning men injudiciously and illogically confused effect with cause and allowed military arms to degenerate in the face of the enemy.

I repeat: Military forces are the result of political tensions and not their cause. As a U.S. Senator I cannot, and I will not, acquiesce in the impairment of our military deterrent to war until the necessity to deter is removed. This is another reason why I will record my vote in opposition to this treaty.

The treaty proponents are understandably endeavoring to get maximum mileage out of the fact that the Joint Chiefs of Staff support or go along with the treaty.

I am proud that there is such value placed upon the men who occupy these responsible positions. However, I am bound to say that I think that "go along with" is the more accurate description of the position of the Joint Chiefs, because if they are supporters they are, in my opinion, the most lukewarm supporters which the treaty has.

I base this conclusion upon what those gentlemen have testified. I have had no private conversation with any of them about this matter, unless it pertained to when they could be available to testify or matters of that kind. They have given me no "inside information." I could not be honest with this body if I called them supporters of this treaty.

Let me say that I heard all members of the JCS testify at length in executive session and the only conclusion which I could reach was that their hearts are simply not with this treaty. I know they said all the right words—particularly on the subject of political considerations outweighing the admitted military disadvantages—but if I were a member of a jury passing on their position, my verdict would be that they as military men are really not for this treaty.

As military men they are not for this treaty. Why do I say that? It is because in their statements they had to shift gears from the military disadvantages to the political arena. All said, "However, when we weigh the political considerations of this matter—" and they did not mean party politics, of course, but world politics and considerations—"we must conclude, that the advantages would offset the military risks." That does not eliminate the fact that they all testified that certain risks were present.

Let us examine their testimony. General LeMay said, with characteristic frankness, that "as an original proposition, I would not support the treaty"—meaning that he had already run by the light. He said it was too late to form a real judgment on it and say "yes" or "no." He was already involved in political considerations. He could not say anything else.

At the very least, the testimony of the Joint Chiefs was far from comforting or assuring. I personally know these men. I make no attack upon them. They are high in honor, integrity, and ability. But I think the shoemaker did not stick to his last. They got out of their field.

They came before the Preparedness Investigating Subcommittee in the role of the highest military authorities in the land and with the express responsibility to assure that our military forces have the best and most efficient weapons obtainable and maintain the highest possible state of preparedness and readiness. They said: Yes, there are military disadvantages to this treaty. Yes, we are inferior to the Soviets in several important areas of nuclear development and knowledge. Yes, the treaty will prevent us from developing and procuring the highest possible quality of weapons. Yes, the continued underground testing which the treaty permits will afford the U.S.S.R. an opportunity to catch up and draw even in the field of low yield weapons where they are now inferior. Yes, there are a number of unresolved and important questions about the possible vulnerability of our weapons and weapons systems which cannot be resolved without atmospheric testing.

Up to this point they make a clear case against the ratification of the treaty from the professional military viewpoint which, after all, is their real field of competence. However, they then crossed the Potomac and set up shop in the State Department's sphere of operation. They told us, in words having a perhaps coincidental resemblance to those used by the President and the Secretary of State, that after having considered the political and foreign affairs implications of the treaty, they had concluded that, on balance, the admitted military disadvantages and risks are outweighed by the political advantages and, therefore, with the reservations they carefully spelled out, they would go along with the treaty.

That is a part of the picture. So far as I remember, among the statements of all the witnesses who testified in the hearings, the only statement which had been sanitized and cleared in advance was the statement of the Joint Chiefs supporting the treaty. We had trouble having small portions of other statements cleared for the public. I was called beforehand and told that the statement would be ready for release. I was asked when I would release that statement. It was desired to release immediately. I said, "What about Dr. Teller's statement? We have been trying to have that released." Several statements came in about the same time. But this was the only one that came in advance with a version that had been cleared for security reasons. The authorities wanted it released immediately. I wanted it released immediately, too. I was not holding back anything. I wanted to have the testimony released.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. Is the Senator familiar with the account in today's newspapers of the meeting of the Air Force Association, to the effect that General Power's speech before that body was cleared by the Pentagon before he made it, the inference being that there had perhaps been a considerable amount of change in the general tenor of his presentation from what it would have been?

Mr. STENNIS. I beg the Senator's pardon. I was checking on another matter.

Mr. LONG of Louisiana. Is the Senator familiar with the press accounts of today to the effect that General Power's speech before the Air Force Association had to be cleared with the Pentagon before he made it?

Mr. STENNIS. I am not familiar with that press statement. That is the general rule about security matters, however.

Mr. LONG of Louisiana. I do not care to embarrass the President or members of the Joint Chiefs of Staff. I am sure each is giving his view as God gives him the light to see. However, in the general field of the military advising us in connection with an executive decision, it has been my experience, after 15 years in this body, that once the executive makes a policy decision which presumably takes into account both military and political aspects, military officers, from the top down, are expected to support that decision. They are made to "walk the plank," so to speak, if they do not. It is the end of their career if they do not follow it. Generally speaking, if someone doubted the wisdom of a decision which had both military and political implications, the best that could be hoped for would be to obtain advice from some officer who was expected to be out of the service in perhaps a month or two, or someone who had already retired from his military responsibility, who did not bear the burden of doing what would be expected of him by his superior; namely, the Commander in Chief or the Department of Defense, and have him come to Congress to explain the other side of the question.

Serious support can be mustered for the theory that someone must lead the country in the executive branch; and when members of the Security Council and members of the Cabinet have discussed these matters and a decision has been made, members of the executive branch should support the decision agreed upon, which, generally speaking, is the decision of the Chief Executive. That being the case, I must say, as a Member of the Senate, which is a separate branch of this Government, that we should particularly keep that fact in mind when we are looking for advice given to us from the executive branch of the Government.

Mr. STENNIS. The Senator is raising a very timely point, and has expressed it in a fine way.

With respect to the Joint Chiefs and the other witnesses to whom I have referred, we reached the bottom of their thinking. The Joint Chiefs, it is clear, could approve the treaty only by going into the field of its political implications.

Mr. LONG of Louisiana. They did not approve the treaty from the military aspect.

Mr. STENNIS. They had clear-cut reservations.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield.

Mr. MORSE. The question of the Senator from Louisiana and the response of the Senator from Mississippi leave me in doubt as to what the position of the Senator from Mississippi is on this question. Is it the position of the Senator from Mississippi——

Mr. STENNIS. I did not read the new story referred to. I do not understand the implications that may be involved in the question. I would rather not be diverted from what I shall have to say about the treaty.

Mr. MORSE. I do not mean to do so, but I think the Record ought to be clarified. Is it the position of the Senator from Mississippi that members of the military department should be free to make any statements they wish to the American people?

Mr. STENNIS. No; that is not my position. There must be some clearance. That was very clearly set forth in the so-called "muzzling" hearings last year.

Mr. MORSE. The Senator from Mississippi was able to obtain from the military, in executive session, answers to the questions that he sought to ask them; was he not?

Mr. STENNIS. That is correct. In the hearings we got to the bottom of their testimony and obtained the facts.

To continue with my statement, I had not realized before, I confess, that it was the obligation of the Joint Chiefs to take into consideration pure political and foreign affairs considerations in making their decisions as to the military needs and requirements of the Nation. Perhaps I had an outmoded view of their responsibilities but, if so, I was in good company. Secretary of Defense McNamara, in a TV interview on February 17, 1961, voiced "a very simple and strongly held belief that it's inappropriate for any member of the Defense Department to speak on the subject of foreign policy. That's a field that should be reserved to the President, the Secretary of State and other officials in the State Department."

I am not criticizing the Secretary. I merely say that it depends on what the facts and circumstances are, and what the issue is with respect to whether it is desirable to have military men deal with the subject of political policy. This time they were directed to take a position on foreign policy; otherwise they would have disapproved the test ban treaty.

To prove that this was no casual or ill-considered view, the Secretary subsequently made it official by a directive which he issued on May 31, 1961. I do not know what caused the reversal in position since then unless it was the urgent need of the administration to get at least a semblance of support for the treaty from the Joint Chiefs.

In his speech on Monday, the distinguished Senator from Arkansas, the chairman of the Committee on Foreign Relations, suggested that the experience and knowledge of the justly renowned nuclear physicist, Dr. Teller, "have only very limited relevance to the complexities of international relations." If we are going to invoke the shoemaker-stick-to-your-last doctrine it is not amiss to suggest that it be applied across the board.

With reference to Dr. Teller, the renowned scientist, perhaps the Senator from Arkansas was correct when he said that his experience had only limited relevance to the field of international relations. However, Dr. Teller testified as a scientist, and he gave very valuable testimony. At one time he was in the minority in the scientific field. However, as a result of his perseverance and his ideas we developed the hydrogen bomb. He was not the sole originator of it, but he was a great driving force, when many said he was wrong.

I wonder what effect it would have had on the number of votes for and against this treaty if the Joint Chiefs had stayed entirely within the area of their professional competence and told us that, from a military standpoint, this treaty is unfavorable to the United States. The fact that the Chiefs did in fact say that, from a military viewpoint, the treaty is unfavorable to us, has been substantially obscured by the fact that they added the judgment that political considerations outweighed the military risks and disadvantages.

It is highly important that this point be fully and clearly understood by all Senators and by the people of the United States.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator from Arkansas.

Mr. FULBRIGHT. On the point of military and political questions, I do not believe there is a clear-cut distinction—certainly not with regard to the testimony and the considerations entering into the decisions made by the Joint Chiefs. This question arose in the executive session with the Joint Chiefs. I particularly invite the Senator's attention to a statement by General Wheeler on page 397 of the hearings, in the middle of the page. General LeMay had already spoken on the subject, but General Wheeler amplified the statement. I quote a portion of his testimony:

> General Wheeler. I certainly agree with General LeMay so far as he has gone [deleted]. I would go a step further in merely calling this political. It is politicomilitary.
>
> I think this matter of tensions is important. If a reduction in tensions can be achieved—although I would certainly argue whether weapons cause tensions or tensions cause weapons—perhaps we will have an opportunity to deal with some of the very sticky problems such as Berlin, Cuba, and others which plague us.
>
> The matter of proliferation has been put forward as being a military advantage. I would certainly say this: If we can restrict the proliferation of nuclear weapons, this is a military advantage as well as a political advantage.
>
> Now, I certainly do not have any idea, gentlemen, that the Chinese Communists or the French are going to be deterred in any degree in moving forward to become nuclear powers. However, I think Mr. Khrushchev is right when he points out that their capa-

bility is negligible, will be negligible for any foreseeable future that may affect us.

Certainly the smaller the nuclear club the better, particularly if you can keep these weapons out of the hands of more irresponsible and perhaps more adventurous nations. I would characterize these items as being military advantages as well as political advantages if they can be achieved, Senator.

That is only a part of a long discussion. It strikes me that in this field there is no clear-cut distinction; one consideration is purely military, and another is purely political. I believe General Wheeler expressed it a little better, although General LeMay and others mentioned the same point. They considered the question as military men. I believe that on the overall balance they have arrived at their conclusion.

What bothers me about the Senator's position is that, as he said in the beginning, he is relying on military experts. I am not on the Senator's committee, but I do not know of any greater military experts than the Joint Chiefs, who are responsible for our country's defense. To whom else are we to look? They come before us under oath and swear that they approve of the treaty. Does the Senator feel that he and his committee have greater judgment as to the military aspects of the treaty than do the Joint Chiefs?

Mr. STENNIS. No; not at all. However, probably my political judgment might be equal to theirs, but their military judgments are based on experience and knowledge. It is my opinion that their military judgment did not give the treaty full support; they had to resort to political judgment to support it.

Mr. FULBRIGHT. I cannot agree with the Senator. The Senator, having great political experience, has allowed his political judgment to overweigh the decision of the Joint Chiefs.

Mr. STENNIS. It could be. It might very well be that, in political matters, my judgment equals that of the Joint Chiefs. I have expressed my opinion.

Mr. FULBRIGHT. It is perfectly proper for him to do so.

Mr. STENNIS. I am not putting my judgment against the Senator's, but only against the Joint Chiefs' on political matters. I stated it as clearly as I could. I will develop what General LeMay said.

Mr. FULBRIGHT. General LeMay also appeared before our committee. I do not want it to appear that only the Senator's committee heard General LeMay. We heard him both in executive session and in public session. He made some very significant statements.

I am sure the Senator does not wish to say that these distinguished gentlemen are prepared to deceive the American people under oath.

Mr. STENNIS. The Senator from Arkansas does not wish to impugn the Joint Chiefs. He cannot find anything that I have said which impugns their motives or questions their veracity. To the contrary, he will find the reverse, with emphasis.

Mr. FULBRIGHT. I find it impossible to reconcile the Senator's position with that assumption.

Mr. STENNIS. The Senator has been absent from the Chamber a part of the time while I have been speaking. He might not know everything I have said. I made clear my high regard for the Joint Chiefs. The Senator from Mississippi is basing his remarks purely on his own judgment. Since the Senator has made inquiry, our records show that General LeMay said he had been directed to give consideration to political matters.

If the Senator wishes to pursue that subject, we will have our transcripts fully cleared on it, and it can be debated.

Mr. FULBRIGHT. I call the Senator's attention to what General LeMay said; it is printed on page 355 of the hearings before the Committee on Foreign Relations. He was asked a question by the Senator from California [Mr. Kuchel] and a similar question by the Senator from Georgia [Mr. Russell]. I remind the Senator that this is the statement of General LeMay:

NO BRAINWASHING

First of all, as to the brainwashing, I would resent very much any attempt to put pressure on me to come up with an answer either way on this treaty. I recognize that I have not only a responsibility to the President and the administration but that I have one to the Congress and to the people of the United States also.

So, I say again that there has been no pressure applied to me in this matter, and I have come up with the best possible answer that I could give, based on all of the knowledge that I have in the military profession in nuclear science, and with all of the input that I could get from everyone who could talk intelligently on this subject.

As to the decision itself, we all feel that there are possibly some political gains that might accrue to the country that would be very important if this test ban treaty were ratified. I think each of us in the Joint Chiefs attaches importance to these political gains. As to how great they might be or how much benefit might accrue from them, I am somewhat more pessimistic than the other Chiefs are in this regard.

Just following General LeMay's testimony, the testimony of General Wheeler appears. I do not wish to burden the Record, but I ask unanimous consent that the response by General Wheeler be placed at this point in the Record. It follows directly the testimony of General LeMay on page 355. General Wheeler reiterates what General LeMay said.

There being no objection, the statement was ordered to be printed in the Record, as follows:

INDEPENDENT DECISION ON TREATY

General Wheeler. Senator, my position as regards pressure is exactly that of General LeMay. I, too, would resent any pressure being put upon me.

Of course, every public official is subject to pressure. He has the pressure of his conscience, the pressure of his professional integrity, and the pressures of his duty to the President, the Congress and to the people of the United States. I arrived at this conclusion independently, and at the same time arrived at the same point as did my colleagues.

All of us have reservations in this area. I think the reservations are well spelled out in the paper which we presented to the Congress. In the purest sense of the term any agreement or treaty which limits the manner in which we develop our weapons systems represents a military disadvantage.

On the other hand, there can also be military advantages, and certainly there can be political advantages, to the overall good of the country. I think General LeMay is correct in saying that each of us probably assessed the various risks and the various advantages with a slightly different weight.

However, the net result you can read. We all agreed that in toto the treaty is acceptable.

Senator Kuchel. Even more than that, however, sir, is it fair to say that each member of the Joint Chiefs of Staff used the language of the Chairman, "Supports its ratification."

General Wheeler. That is correct, sir.

Mr. FULBRIGHT. Mr. President, I cannot in good conscience question the direct assertions of these gentlemen that they were free to exercise their judgment. Certainly General Power exercised his judgment; and, so far as I know, nothing has happened to him.

Mr. STENNIS. I merely said that in order to approve the treaty, the Joint Chiefs were driven into the field of political considerations in order to get a basis on which to stand so that they could defend the treaty. That is the substance of their testimony.

Mr. FULBRIGHT. General Wheeler pointed out that there is a distinction between the political and the military, but one that is always impossible to distinguish clearly. He calls it a politico-military situation, such as the effect of the relations between the Chinese Communists and Soviet Russia. I do not understand the meaning of the Senator from Mississippi's statement. It seems to leave the innuendo, at least, that the Joint Chiefs were directed to reach a favorable result. I do not believe that is so.

Mr. STENNIS. I am merely citing the testimony.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. Has the Senator ever known of any instance in which any member of the Joint Chiefs of Staff has, before a congressional committee, directly opposed a position taken by the Commander in Chief of the Army, Navy, and Air Force, who is the President of the United States?

Mr. STENNIS. I do not know. Those questions arise sometimes. Frankly, according to my observation, such men did not stay around very long if they disagreed with the administration on a substantial matter.

Mr. LONG of Louisiana. If a person who holds such a high office feels that his conscience requires him to differ with his Commander in Chief does that not tend to prejudice his future as a military officer, in that he is not likely to be found entirely necessary to hold high position which has both political and military implications, or to be selected, after retirement, to be a representative of the President before some international body? Is his position not impaired when he finds it necessary to take issue with his Commander?

Mr. STENNIS. It is true that they are military officers in high position; but at the same time they are a part of the administration. Regardless of the administration in power, the Joint Chiefs must give some consideration to policy matters. I do not criticize them for doing so. I said that, as a military matter, they did not approve the treaty.

Mr. FULBRIGHT. What about General Eisenhower?

Mr. STENNIS. The Senator from Washington has been waiting for me to yield to him. I have delayed while I yielded to the Senator from Louisiana.

Mr. JACKSON. I merely wished to make the observation, as one who has tried to follow the course of the treaty closely, as have other Senators, that the Joint Chiefs came to the conclusion that there was a net military disadvantage. General LeMay said to the Foreign Relations Committee, on page 358 of the hearings:

> We examined the military and the technical aspects and came up with a net disadvantage in that field.

General Taylor stated further, and I quote from page 275 of the hearings:

> The Joint Chiefs have reached the determination that while there are military disadvantages to the treaty, they are not so serious as to render it unacceptable.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. FULBRIGHT. When they say "net disadvantage," does that mean an absolute disadvantage, regardless of the effect upon the Russians? Does it not merely mean that they cannot do everything they would like to do, disregarding the net effect upon the Russians? Does it not mean a relative disadvantage? Of course we must assume, in order to argue the question, that the Russians will abide by the treaty. If the assumption is that the Russians will not abide by it, that they will immediately cheat on it, all these arguments are rather meaningless. But assuming that they abide by it, does the Senator consider that the Joint Chiefs' statement is based upon the assumption that in some way the harm, the disadvantages, to the military forces of the United States are greater than similar effects upon the Russians? I can easily understand how any military man might say, "Yes, the treaty will restrict us. It has disadvantages." That does not necessarily mean that if it restricts an antagonist in a similar way there is any net disadvantage to the country. Is that the point the Senator makes?

Mr. STENNIS. I am discussing the testimony given by the Joint Chiefs. When one enters into the political field, he can argue anything he wishes. It is necessary to take political considerations into view in reaching a decision when one is a part of the administration. That is not to their discredit or that of the President. It is a part of our system.

I say again that as military men, speaking from a military viewpoint, they did not aprove the treaty because of its hazards and disadvantages. They had to go into the political field in order to do so. That is what they said.

Mr. FULBRIGHT. I do not believe their testimony supports that conclusion.

Mr. STENNIS. I read from page 358 of the hearings of the Committee on Foreign Relations. The Senator from Iowa [Mr. HICKENLOOPER] was questioning General LeMay. I intended to develop something on this point later. The testimony was as follows:

POLITICAL FACTOR FOR SUPPORTING TREATY

> Senator HICKENLOOPER. I have no quarrel with that. The question I am concerned with, so far as the Joint Chiefs' attitude is concerned: Which would you say, if you had to say—and I shall not force you, of course—was the controlling consideration in the arrival at your conclusion to support the treaty? Was it the military security and advantage to this country that moved the Joint Chiefs or was it the political implications or arguments of a broad nature that had their effect?
>
> General LEMAY. I would say probably the key factor was political in this case. We examined the military and the technical aspects and came up with a net disadvantage in that field.
>
> Senator HICKENLOOPER. In the military?
>
> General LEMAY. In the military; yes, sir.
>
> Senator HICKENLOOPER. Yes.
>
> General LEMAY. Then we examine the political gains that were possible, and we came up with a net advantage there which we thought offset the disadvantages if we were able to reduce those disadvantages by the proper safeguards.

That fully sustains the argument the Senator from Mississippi has been making.

Mr. FULBRIGHT. I wish the Senator would read the next two lines.

Mr. STENNIS. I have not read them.

Mr. FULBRIGHT. They pertain to the same line of questioning. This problem is not so easily disposed of. Also, I believe this testimony should be read in connection with the executive testimony to which I referred earlier.

Mr. STENNIS. The Senator from Arkansas will have an opportunity to ask questions.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the remainder of the testimony on page 358 and extending through the first 3 lines on page 359 be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD as follows:

WEIGHING MILITARY AND POLITICAL ADVANTAGES

> Senator HICKENLOOPER. General, let me ask you this. I don't mean this question to have disrespectful connotation, but weren't you getting a little out of your field when you let the so-called political advantages, which are basically out of your professional and technical field, overweigh the disadvantages which are in your technical and professional field, and cause you to come up with an answer which, if left solely to the area of your major competence, would have been a disadvantageous discovery or a disadvantageous decision?
>
> General LEMAY. No, sir; I think I must disagree with you there. We have a broader duty, I think, to the country than just considering military questions. If we were commanders in the field, particularly at the lower echelons, certainly our duties would be almost solely in the military field. However, even our unified commanders, particularly those abroad, must enter into the political fields.
>
> Now, for instance, General Lemnitzer in Europe today must handle not only military problems but political problems, and they probably give him more headaches than all of his military problems.
>
> So, I think we are in the political field to some extent. I think that it plays a secondary role to our military responsibilities, but I think we must consider these political factors in the solution of our military problems, because they are important, and they do have a bearing on our solutions.
>
> Senator HICKENLOOPER. All right.

Mr. STENNIS. I have not had an opportunity to read that. In fact, the report was handed to me only a few minutes ago.

Mr. FULBRIGHT. I should like to read parts of it now, if I may.

Mr. STENNIS. Very well.

Mr. FULBRIGHT. First, I read the following:

> General LEMAY. No, sir; I think I must disagree with you there. We have a broader duty, I think, to the country than just considering military questions. If we were commanders in the field, particularly at the lower echelons, certainly our duties would be almost solely in the military field. However, even our unified commanders, particularly those abroad, must enter into the political fields.
>
> Now, for instance, General Lemnitzer in Europe today must handle not only military problems but political problems, and they probably give him more headaches than all of his military problems.
>
> So, I think we are in the political field to some extent. I think that it plays a secondary role to our military responsibilities, but I think we must consider these political factors in the solution of our military problems, because they are important, and they do have a bearing on our solutions.

I submit that that testimony does not indicate that someone held a gun at his head, and said to him, "You must consider the political problems involved."

Mr. STENNIS. Let me read the next two questions and answers:

> Senator HICKENLOOPER. All right.
>
> Well, then, General, let me ask you this to trim this down just a little bit in my own thinking: If the question had been submitted to you as a member of the Joint Chiefs of Staff as to your views of the desirability or lack of desirability from a security and nonpolitical standpoint to the United States, what do you think the answer of the Joint Chiefs would have been?
>
> General LEMAY. I am inclined to think that we would have weighed these political factors in addition to the military factors in this case but if you automatically cut off the political factors from the pure military question then there are net disadvantages from the military standpoint. And if you consider nothing else, why that is it.

That very clearly shows the substance of General LeMay's testimony on those points. Of course, we could read much more of it.

Mr. FULBRIGHT. Well, Mr. President——

Mr. STENNIS. Mr. President, I wish to be courteous to the Senator from Arkansas; but I have not previously spoken on the subject of the treaty, and I still have a considerable part of my speech to deliver. I hope the Senator from Arkansas will keep that point in mind. I shall not take much more time.

Mr. FULBRIGHT. Will the Senator from Mississippi permit me to read one more sentence on the same page?

Mr. STENNIS. All right.

Mr. FULBRIGHT. Just after the portion the Senator from Mississippi read, we find the following:

> General LEMAY. Well, I certainly disagree with you there.
>
> If you are going to land on a shore, with an amphibious operation, one of the things

> you want to know is how are you going to be received by the population. This is a political factor, and it will affect your operations.

This is an illustration of the fact that it is impossible to distinguish clearly between a military consideration and a political consideration. They are inextricably merged, in their judgment.

So I do not believe that the argument about military disadvantages is pertinent. I believe that we must judge the treaty on the basis of all the considerations involved.

Mr. STENNIS. Yes.

I wish to read one more question and answer at that point in the testimony:

> Senator HICKENLOOPER. I see. I suppose there are always some political facets to a thing of that kind. Well, I shan't pursue this any further, Mr. Chairman. I was merely trying to see if we could divide the military from the political interlocking that apparently was joined in the Joint Chiefs' final summarization.
>
> General LEMAY. I hope I was responsive to your question, Senator. But I believe that we must consider those political factors in all of our problems at the Joint Chiefs level, and I think we do generally. But to answer your question, if you only considered the military factors, just military alone which we did, there is a net disadvantage. But not so much of a disadvantage that we couldn't accept it for a possible gain in another field if our safeguards were applied.

So there is no question about the general's position on that point.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield briefly to the Senator from Louisiana.

Mr. LONG of Louisiana. The distinguished chairman of the Foreign Relations Committee made the point that in order to justify approval of the treaty, we must assume that the Russians will abide by it. Let me go a step further, and say that I believe the correct inference from that statement is also that in order to justify casting his vote in favor of approval of the treaty. A Senator must assume that the Russians will not cheat after the treaty goes into effect. But if we are to assume that the Russians are not going to lie, deceive, mislead, and cheat us in every way they can, to their advantage, and if, based on that assumption, we make three or four major decisions, we might as well surrender right now.

Mr. STENNIS. I thank the Senator.

Mr. MILLER. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield.

Mr. MILLER. I should like to echo what the Senator from Louisiana has just said. I hope perhaps the Senator from Arkansas will modify his statement, because I would suggest that if we must assume that the Soviets will abide by the treaty, before any Senator will be willing to vote in favor of approval of the treaty, no Senator would vote in favor of approving it.

The testimony of the most ardent proponents was given on the assumption that the Soviets will break the treaty whenever it serves their interests to do so. The Chairman of the Joint Chiefs of Staff said, not long ago, "We assume that they will cheat." So I believe we must be very careful about all this; and if we vote in favor of approval of the treaty, we should do so on the basis of those assumptions.

Mr. FULBRIGHT. Will the Senator from Mississippi yield?

The PRESIDING OFFICER (Mr. JORDAN of Idaho in the chair). Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. STENNIS. I yield—although I wish to continue with my speech.

Mr. FULBRIGHT. But I hate to have an erroneous statement placed in the RECORD without any reply.

Mr. STENNIS. Then, of course, I yield to the Senator from Arkansas.

Mr. FULBRIGHT. First, I should like to call attention, on page 274, to the Joint Chiefs statement, as follows:

> However, the dangers of detection and the cost and difficulty of testing in outer space would tend to impose severe restrictions upon such clandestine testing. Other clandestine tests in the atmosphere or underwater, depending upon their size, would involve a fairly high probability of detection by our conventional intelligence or our atomic energy detection system. Moreover, the Joint Chiefs of Staff consider the resulting progress which the Soviets might make clandestinely to be a relatively minor factor in relation to the overall present and probable balance of military strength if adequate safeguards are maintained.

He was saying that the nature of the treaty is such that it would not be profitable or in their interests for the Russians to cheat. That is exactly what I believe, because it would be idiotic for them to sign the treaty and then immediately begin to cheat, because by doing that they would only lose their standing, such as it is, with their own allies, not with us.

I said it is true that a Senator who assumes, as a basic assumption, that the Russians will not at all abide by the treaty, should vote against approval of it. Our assumption is that it is in the interests of both the United States and Russia, and that both nations will abide by it.

But if a Senator is convinced that the Russians will not abide by it at all for any appreciable length of time, he should vote against its approval.

Mr. STENNIS. I thank the Senator.

Mr. President, to continue with my speech, let me say it is noteworthy, I think, that in their appearances before the Preparedness Subcommittee, the Chiefs were repeatedly urged to give their assessment of the treaty from a military standpoint alone. Although pressed on this point, they declined to give such an evaluation, and declared that they were unable to so limit their thinking.

Senators have pointed out that later the Joint Chiefs returned, went back to the committee, and then said they had thought further about this matter; and then—in response to the questions asked by the Senator from Iowa [Mr. HICKENLOOPER]—they did attempt to make those distinctions.

I think that it would be informative and enlightening for the Members of the Senate to go to the office of the Preparedness Investigating Subcommittee and read the first joint position paper of the Joint Chiefs, which was prepared and submitted prior to the negotiation of the treaty, and compare it with their second joint position paper, submitted after the treaty was signed. Certainly their original testimony to our subcommittee was carefully prepared and carefully submitted.

General LeMay, I think, put the matter in its proper perspective. He told us:

> I think that if we were in a proposal stage that I would recommend against it. I think one of the factors that weighs heavily with me was the situation we find ourselves in in having signed it. I think that is important.

That is the testimony to which I previously referred.

Of course, this is one of the arguments most relied upon by supporters of the treaty. The President himself, in his television interview on September 9, referred to the unhappy consequences which would result "if the U.S. Senate rejected that treaty after the Government has committed itself to it."

The Senator from Georgia is present in the Chamber. I know that he indicated he would like me to yield to him. I am glad to yield to him at this time.

Mr. TALMADGE. Does the Senator draw from the statement of General LeMay that he would have been opposed to the treaty had he been asked about it in advance; and that subsequent to the signing of the treaty it would be too embarrassing for him to say that he was opposed to it?

Mr. STENNIS. The Senator is entirely correct. As originally proposed, he would not recommend it, but now it has gone beyond that point.

Mr. TALMADGE. In other words, General LeMay's military judgment dictated that he should recommend against the treaty, but after it was signed—and now I believe some 92 nations have also signed it—his political judgment outweighs his military judgment and he is now for it. Is that the conclusion of the Senator?

Mr. STENNIS. That is a fair inference. Substantially that is what he said.

Mr. TALMADGE. I thank the able Senator.

Mr. STENNIS. I thank the Senator from Georgia.

In the statement which I quoted the President made a basic and fundamental error. The Government has not committed itself to this treaty. The Senate is a coequal partner in the treatymaking process and the Government cannot be committed to any treaty unless two-thirds of the Senators present concur.

That is a quotation from the Constitution of the United States.

In addition, this position represents a strange and degrading view of the advise and consent clause and the role of the Senate in the treatymaking process.

That is one of the saddest things about this entire picture—the degrading view that has been taken of the advise-and-consent clause and the role of the Senate in making any treaty valid and binding upon our almost 200 million people.

It is our duty and responsibility to consent to a treaty only if we find, from our own appraisal of the facts, that it is truly in the best interests of the Nation. That is what our Founding Fathers intended. That is what they said; and we have never changed that rule. I believe that they were wise to put this restraint and check upon the executive branch of the Government. In passing upon treaties we represent the people of the United States and are, in a sense, their court of last resort. I—for one—will never accept the view that the Senate cannot or should not reject an unwise and ill-conceived treaty merely because the executive department has committed itself to it. We are a completely independent branch of the Government—not a rubberstamp. We must make an independent assessment of the treaty upon its merits and, if it is unwise, or if its consequences would affect adversely our national security, it is our solemn duty and obligation to reject it. It does the Senate an injustice to suggest that we should vote for a treaty, however ill conceived, merely because there are some who believe that we have gone too far to turn back. In passing upon treaties I hope the day will never come when any one of us gives any credence whatsoever to the theory that the executive department by unilateral action can take us past the point of no return.

But there seems to be some difference of opinion between the Joint Chiefs and the Members of this body on this point. General LeMay said that we are already committed, and he went into the political arena to prove it. But we are not committed under the Constitution.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. TALMADGE. Is it not true that during the past several decades the executive branch of the Government has been making what are called executive agreements, some of which have not even been sent to the Senate for ratification, that have been binding upon our Nation in several foreign areas and with foreign countries?

Mr. STENNIS. A great many such agreements have been made. Not too long ago in the Senate a proposed constitutional amendment limiting executive agreements failed by one vote.

Mr. TALMADGE. Was not the constitutional provision in relation to treaty requirements designed by our Founding Fathers to prevent executive agreements and executive abrogation of the constitutional authority?

Mr. STENNIS. The Senator is correct in his knowledge of constitutional law. I have a quotation which will sustain the point the Senator has made, in the form of a statement made by Rufus King on the floor of the Senate.

Mr. TALMADGE. Does the Senator recall that back in the early 1930's, the then President of the United States, President Roosevelt, exchanged letters with Litvinov, who was then Ambassador from Russia, and the exchange was subsequently considered to be an executive agreement, which had the force and effect of voiding and superseding certain provisions of the constitution of New York State, and was so upheld by our Supreme Court?

Mr. STENNIS. The Senator is correct. I remember the case. I have not looked into it lately, but that is an outstanding case.

Mr. TALMADGE. I recall reading that case several years ago. Any number of executive agreements which have been upheld by the Supreme Court of the United States have had the effect of annulling and voiding certain provisions of the constitutions of the States of the Union.

I commend the distinguished Senator from Mississippi for his vigorous upholding of the constitutional advice-and-consent clause of the Constitution of the United States. It was intended by our Founding Fathers that the vast treaty-making power not be vested in the hands of one man or his subordinates, but that it be shared with the elected officials of the Congress; namely, the Senate. I vigorously support that view.

Mr. STENNIS. I thank the Senator. As usual, he has sound thoughts on the constitutional question.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the majority leader.

Mr. MANSFIELD. Unfortunately I have not heard all of the Senator's speech, but so long as the subject of executive agreements has been brought up, since the time of George Washington the idea of an instrument known as an executive agreement, which was an agreement culminated between the chiefs of States without ratification by the Senate, has been attempted at various times in the history of our country. But I point out to the Senator that what we are considering now is not an executive agreement, but a treaty, which under the Constitution should be and has been referred, under the advise and consent clause of the Constitution, to the Senate for ratification by two-thirds of the Senators present and voting.

So far as the particular instrument before the Senate is concerned, this particular President has been aboveboard in his relations with the Senate and has even gone so far as to say, not once, but several times, as has his agent the Secretary of State, that if there is to be any tampering with the treaty through the use of amendments, such amendments, under the Constitution, will have to be sent to the Senate for its advice and consent, and for ratification by a two-thirds majority of Senators present and voting.

Mr. STENNIS. That is correct. The record is clear on that point. While the Senator from Montana was absent from his desk the Senator from Mississippi pointed out that the President should be commended. He has done exactly the right thing in proceeding by the route of the Constitution to bring the treaty to the Senate. The Senator from Mississippi further said that he heard some discussion a year ago about an executive agreement, but that was not attributed to the President of the United States or anyone close to him.

It was discussed only to a limited extent. The President has been consistent. He sent this treaty to the Senate.

It is his domestic Executive orders to which the Senator from Mississippi objects.

Mr. MANSFIELD. The citation by the distinguished Senator from Georgia was correctly stated. Such did hapen in the 1930's. But, so far as I know, nothing of that nature has happened within the past decade or so.

Mr. STENNIS. The Senator is correct.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Georgia.

Mr. TALMADGE. The Senator from Georgia made no such reference with respect to the present treaty.

Mr. MANSFIELD. I understand that. I was merely bringing out the fact.

Mr. TALMADGE. The Senator from Georgia was merely upholding the position taken by the distinguished Senator from Mississippi that no treaty could have any force or effect without ratification by two-thirds of the Members of the Senate of the United States.

The Senator from Georgia, also, was pointing out that there have been instances in our history when executive agreements have nullified State constitutions. Such agreements were never submitted to the Senate; and the Senator from Georgia was deploring that fact.

Mr. STENNIS. That is correct.

Mr. MANSFIELD. Mr. President, the Senator from Georgia is exactly correct, as he usually is. When I came into the Chamber I heard a reference to an executive agreement. Not knowing the connection, I wished to make doubly sure that so far as the instrument under consideration is concerned there was no such thought in mind.

I am delighted that both the Senator from Georgia and the Senator from Mississippi have indicated that the instrument now before the Senate is the kind of treaty which is subject to advice and consent and a two-thirds vote by Members of the Senate.

Mr. TALMADGE. There was no contention to the contrary.

Mr. STENNIS. I assure the Senator from Montana that this is one time when the Senator from Georgia and the Senator from Mississippi are not getting out of bounds according to the Senator's standards.

Mr. President, I resume my remarks.

The true role of the Senate in the making of treaties was defined by Rufus King on the floor of the Senate on January 12, 1818. Senator King had been a delegate from Massachusetts to the Constitutional Convention. He later was elected U.S. Senator from New York. This is what he said:

> In these concerns the Senate are the constitutional and the only responsible counselors of the President. And in this capacity the Senate may, and ought to, look into and watch over every branch of the foreign affairs of the Nation; they may, therefore, at any time call for full and exact information respecting the foreign affairs, and express their opinion and advice to the President respecting the same, when, and under whatever other circumstances, they may think such advice expedient.

* * * *

> To make a treaty includes all the proceedings by which it is made; and the advice

> and consent of the Senate being necessary in the making of treaties, must necessarily be so, touching the measures employed in making the same. The Constitution does not say that treaties shall be concluded, but that they shall be made, by and with the advice and consent of the Senate; none therefore can be made without such advice and consent; and the objections against the agency of the Senate in making treaties, or in advising the President to make the same, cannot be sustained, but by giving to the Constitution an interpretation different from its obvious and most salutary meaning.

I emphasize this not because anyone seeks to do otherwise with respect to the pending treaty, but because there has been an argument made many times. It was even repeated in a news conference, as I understand the report in the papers, when the President of the United States pointed out that we have gone so far we cannot turn back. A conclusion like that ignores, for the time being, the essential mandate of the Constitution of the United States that these matters can be concluded only in the Senate.

Furthermore, do any of us here really believe that the role of this Nation as leader and protector of the free world rests on such an unsubstantial foundation as the vagaries of so-called world opinion? The sources of our power and our wealth will not be altered by our rejection of this treaty. These are the bases for our claim to leadership. Do these statements imply that our historical role and our membership in the North Atlantic Treaty Organization, the Central Treaty Organization, the Southeast Asian Treaty Organization, the Organization of American States, our foreign aid and military aid programs, our defense of Korea and Berlin, and our support of the United Nations will be forgotten? Do such statements imply that our worldwide friendships and bilateral alliances will be shattered by the rejection of the treaty? I do not believe it at all.

World opinion is too inconstant to be made the basis for foreign policy. World opinion was not outraged when the Soviet Union shattered the 3-year moratorium on nuclear testing in September 1961. I challenge the contention that this Nation is such a feeble reed that it will bend under the temporary displeasure of other nations which are surrendering nothing by signing this treaty, and which, in the final analysis, have a direct interest in the maintenance by this Nation of a strong and vital deterrent to the aggressive tendencies of the Soviet Union.

Let me say a further word about the Joint Chiefs and their role in this matter. From the testimony which I heard beginning last September I am convinced that the Chiefs were not fully consulted about the military aspects and implications of the various nuclear test ban proposals. I am convinced that this is true with respect to the treaty now pending before us. Their role in this matter seems to have been consistently downgraded, and I am concerned about the thinking of those who would commit to us a treaty which has such a direct and momentous effect on our Military Establishment without full, exhaustive, and thorough consultation with our top military planners.

I say this again with all deference to all parties concerned, military and civilian. Even apart from the treaty, these words need to be said. Not in criticism of anyone, but these words should be said with reference to the necessity of our top military men being consulted in advance. As General LeMay said, the decision had already been made. The lights had already been run—to say whether they were green or red is only argumentative. So far as the executive department is concerned, the matter had been concluded when the military men got into it in a comprehensive way.

I know that there are those who have given assurance that the Chiefs were fully consulted, but let me cite the record. First, there is the fact that, for some strange reason, no high-ranking military officer accompanied the Harriman delegation to Moscow.

I asked Secretary Rusk in the open hearing before the Committee on Foreign Relations why one of the Joint Chiefs of Staff or some other military representative was not taken to Moscow. I received a very fine answer. He said it was not considered necessary. I do not know exactly how to interpret that. It could have been a short answer, although I am sure he did not mean to be curt. Giving it a literal interpretation, it was said that no military adviser was needed.

Next I cite a question and answer exchange from General LeMay's testimony on August 16:

> Senator GOLDWATER. Did Mr. McNamara visit with you prior to the departure of Mr. Harriman to Moscow?
>
> General LEMAY. No, sir.
>
> Senator GOLDWATER. On this treaty? Has he visited with you since on this treaty?
>
> General LEMAY. No, sir.

General LeMay also said Secretary McNamara "did not come down to a full meeting of the Joint Chiefs and discuss the treaty. He did not discuss it with me personally."

Adm. George W. Anderson, Jr., former Chief of Naval Operations, when he appeared before the subcommittee on August 23, was asked "did Secretary McNamara consult with you about this specific treaty?" He replied:

> To the best of my recollection, Secretary McNamara did not discuss this particular treaty with the Joint Chiefs of Staff while I was present prior to the first of August.

There was then the following question and answer:

> Mr. KENDALL. Then I take it that you are saying that there was no discussion by Secretary McNamara with you or the Joint Chiefs when you were present prior to Mr. Harriman going to Moscow and proposing this treaty.
>
> Admiral ANDERSON. On this particular treaty, that is correct.

The fact that the Joint Chiefs were not consulted and given the opportunity to present their views as to the military implications of the treaty prior to our commitment comes through loud and clear on the record before the subcommittee.

Let me now discuss rather briefly the military and technical aspects and implications of missile tests bans—a subject on which the Preparedness Subcommittee held hearing for 11 months. There is little doubt that the depth and range of these inquiries was greater than any conducted by any other committee of the Congress on this subject in a long while.

Before entering into a discussion of the military implications of the treaty, however, I would like to point out a fact that seems to have been generally overlooked. This fact is that exactly one-half—12 of the 24, to be precise—of the witnesses who appeared before the subcommittee are identified by backers of the treaty as being proponents of it. These were Adm. George Anderson, former Chief of Naval Operations; Dr. Norris E. Bradbury, Director of Los Alamos Laboratory; Dr. Harold Brown, Director of Defense Research and Engineering; William C. Foster, Director of the Arms Control and Disarmament Agency; Dr. Leland Haworth, then with the AEC; Gen. Curtis LeMay, Air Force Chief of Staff; Dr. Franklin Long, then ACDA's Director of Science and Technology; John McCone, Director of Central Intelligence; Adm. David McDonald, Chief of Naval Operations; Paul H. Nitze, Assistant Secretary of Defense for International Security Affairs; Gen. Maxwell Taylor, Chairman of the Joint Chiefs of Staff, and Gen. Earle G. Wheeler, Army Chief of Staff.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MANSFIELD. Going back over the several pages of the Senator's manuscript, it seems to me the impression may be gathered, on the basis of the testimony cited, that the Joint Chiefs of Staff were under some compulsion to accept this treaty. I wish to state for the record that is not so. I know the Senator from Mississippi has not stated that and does not intend that, but I am afraid the implication may get out that some sort of pressure was used.

I recall, for example, that the distinguished chairman of the Defense Committee asked the question directly of General LeMay and other members of the Joint Chiefs of Staff if there was any pressure exerted. The answer was "No."

I can well imagine anyone exerting any pressure on members of the Joint Chiefs of Staff of the caliber of General LeMay and his colleagues.

Then, during the course of the executive hearing, since which time the record has been cleared, the question was asked specifically by the Senator from Montana—now speaking—of each member of the Joint Chiefs of Staff if he was in favor of the ratification of this treaty, and the answers came back, yes, they were, provided the four safeguards—which the Senator knows about—were included.

To the best of my knowledge, every single Senator was then and is now in favor of these safeguards. To the best of my knowledge, there were no pressures used on the Joint Chiefs of Staff. To the best of my knowledge, each member of the Joint Chiefs, when asked, individually stated he was for the ratification of the treaty, provided the four safeguards were included.

In the statement made by the distinguished chairman of the Subcommittee on Preparedness, I point to the fact that he has stated that "exactly one-half—12 of the 24, to be precise—of the witnesses who appeared before the subcommittee are identified by backers of the treaty as being proponents of it."

Mr. STENNIS. Mr. President, may I interrupt the Senator from Montana?

Mr. MANSFIELD. Yes.

Mr. STENNIS. May I inquire why the Senator from Montana asked the Senator from Mississippi to yield? Does he have a question to propound?

Mr. MANSFIELD. I beg the Senator's pardon. As I said in the beginning, I was not disagreeing with what the Senator said, but I was concerned about what interpretation might be placed on it. I thought, for the purpose of the RECORD, it might be well to bring up this question.

Mr. STENNIS. Go ahead and finish your question, please.

Mr. MANSFIELD. No; that is enough.

Mr. MILLER. Mr. President, will the Senator yield on that point?

Mr. STENNIS. I yield.

Mr. MILLER. The Senator from Iowa has been sitting here during the Senator's very able speech. I thought perhaps I should make clear that my interpretation of what the Senator from Mississippi has been getting at is that, first, the Joint Chiefs of Staff were not coerced——

Mr. MANSFIELD. No; were not consulted.

Mr. STENNIS. That is second.

Mr. MILLER. Second, at least one member of the Joint Chiefs of Staff said had it not been negotiated and signed by many other countries, he probably would have been against the treaty.

As I deduce what the Senator from Mississippi is getting at, the so-called unilateral action or so-called world opinion being put forward as a consideration for the Joint Chiefs of Staff was not, in his opinion, a fair consideration for the Joint Chiefs of Staff to have to evaluate.

Mr. STENNIS. I thank the Senator from Iowa. I thank the Senator from Montana, too. The Senator from Iowa has summed up the situation.

Mr. FULBRIGHT. Mr. President, will the Senator yield to me in connection with the question of the Senator from Iowa?

Mr. STENNIS. I will always yield to the chairman of the Foreign Relations Committee.

Mr. FULBRIGHT. On page 394 of the Committee on Foreign Relations hearings—and this particular part was originally taken in executive session——

Mr. STENNIS. If the Senator from Arkansas will permit me, before he goes into that subject, I wish to be courteous to any Senator, but there is some consideration due to a Senator who has the floor. Will the Senator permit me to complete my remarks, which will not take very long?

Mr. FULBRIGHT. Certainly. The Senator has every right to complete his remarks without any interruption. It was only because the Senator from Iowa injected this thought and left it in the air that I thought——

Mr. STENNIS. I thought the Senator from Arkansas was about to discuss what General LeMay said.

Mr. FULBRIGHT. It had to do with the point which the Senator from Iowa raised.

Mr. STENNIS. I want to be courteous to the Senator from Arkansas, who is compelled to be absent from the Chamber part of the time, but I should like to complete this speech.

It was on the basis of all of the testimony which the subcommittee heard that we reached the conclusion that the treaty would result in the following military disadvantages:

First. The United States will not be able to match the performance already demonstrated by the Soviet Union in weapons yielding more than about 30 megatons. We are told that the United States has no requirement for such weapons. The statement is not fully accurate. The record will disclose that a military requirement for such a device has been expressly stated. It has not been granted, but its requirements have been stated.

Second. The United States, by being unable to test such very high yield weapons, will continue to be unable to realistically assess their military value. The reference here is to so-called big bombs.

Third. The United States will not be able to acquire the knowledge it needs on the performance of weapons at high altitude. Without such tests there will be unresolved uncertainties about both the warheads and radar performance of any anti-ballistic-missile system employing nuclear weapons.

Fourth. The United States will be unable to prove the performance and reliability of anti-ballistic-missile systems under conditions in which the defensive missiles, the radars and the warheads are exposed to nuclear explosions. Without the confidence that such testing alone will bring, I believe it is unlikely that any program as demanding of national resources as this may prove to be will ever reach operational status. Gen. Curtis LeMay told us:

> I think you probably can build one (an ABM system) that will work, but how well it is going to work, what degree of efficiency it is going to have is something else again * * *. The thing you will not know is how effective our radar and control and guidance system is going to be * * * under conditions of nuclear war. This we do not know * * * and I would prefer to test.

That is a military man speaking on a military subject. I am glad to yield to the Senator from Wyoming.

Mr. SIMPSON. We are all deeply concerned about this matter and gravely interested in it, of course. Because of the experience of the Senator from Mississippi, as chairman of the Subcommittee on Preparedness, I wish to ask him whether it is not correct to say that in the course of the testimony adduced before this committee it was revealed by the witnesses that the high-test yield of Russian bombs enabled them to procure advantages from the standpoint of the antiballistic missile missile.

Mr. STENNIS. Yes; they are related.

Mr. SIMPSON. Would it not be possible that by the very use of the high-test explosive they did procure some information with respect to the electromagnetic energy bomb, which would enable them to do away with our effort to retaliate on our so-called second strike?

Mr. STENNIS. Yes; that is a possibility. It is one of the grave questions involved. I shall mention the second-strike feature later in my remarks.

Mr. SIMPSON. If the electromagnetic energy bomb had such a potential, would it not be possible to neutralize, in their silos, the Atlas, Minuteman, and the other missiles?

Mr. STENNIS. That is certainly a possibility. I say "possibility" because it is not known.

Mr. SIMPSON. I come from a State where missile sites are located, and therefore I and my people are very much interested in this subject.

Mr. STENNIS. The Senator from Mississippi will mention that point next. I commend the Senator for his interest in the subject.

Fifth. The United States will not be able to verify the ability of its hardened underground missile systems to survive close-in high-yield nuclear explosions. This is where the Wyoming missile sites come into the picture. They have been tested as to their workability in calmness and peace and tranquillity, and they work that way. However, we do not know how they will work with a nuclear explosion somewhere near them. When I say "near" I do not mean a direct hit or nearby. I mean a near miss. They have not been tested under those conditions. The fact is not generally known. They have not been tested as to their survivability, even though they are hardened. They have not been tested as to their survivability in case of a high-yield nuclear explosion. I do not mean that they would not survive physically, but there is a question as to the effect of electromagnetic phenomena upon them.

Mr. SIMPSON. Recently the Senator from Wyoming, with the distinguished Senator from Virginia [Mr. ROBERTSON], made an inspection of the missile sites in Wyoming, Colorado, and Nebraska. What the Senator has just now stated was discovered with respect to the hardening process and also with respect to the fact that they had not been tested out.

Mr. STENNIS. We talk about hardening, and we are told that we believe they will withstand a concussion from a nearby explosion. However, they have not been tested in that respect. We do not know how they will react from the standpoint of their electrical system and what their response will be to nuclear effects should there be an explosion nearby.

Sixth. The United States will be unable to verify the ability of its reentry vehicles and warheads to penetrate to enemy targets under defensive nuclear attack.

That means that we would be unable to verify how our missile launchers would react under attack, and whether they would work; and we would not be able to verify the ability of the warheads at the other end to survive and reach the target in a nuclear environment. We have not made complete tests under those conditions. Testing has not been completed. These are some of the hazards that are involved in the reservations with which the Joint Chiefs labored, and which, in their judgment and in their recommendations, are to be cut off.

Seventh. The treaty will allow the Soviet Union to equal U.S. accomplishments in the design and performance of tactical weapons—that means smaller weapons—without any equivalent opportunity for the United States to draw even with the Soviet Union in very high-yield weapons.

This point is put in the technical language that I mentioned in the beginning. The treaty denies us testing in the atmosphere, where we are weakest. This is what should be done with regard to the missile launchers in Wyoming and elsewhere, when the missiles met air filled with effects of nuclear explosions. We would be cut off from testing in that area, in which the Soviets are strongest. They need testing with respect to weapons that can be tested underground.

Eighth. The treaty would deny a valuable source of intelligence to the United States on Soviet test programs gained from the analysis of radioactive debris. It will reinforce the difficulties already imposed by Soviet secrecy practices.

Furthermore, we were told by the Defense Atomic Support Agency, which is responsible for coordinating defense requirements for weapons effects tests and for conducting such tests that, under this treaty, it could not fulfill its mission or satisfy the needs of our military services. Similar statements were made by Gen. Bernard Schriever, commander of the Air Force Systems Command, and Gen. Thomas S. Power, Commander in Chief of the Strategic Air Command, which repeatedly emphasized the need for operational testing of SAC's weapons systems.

That is the operational testing that has been discussed. Not a single senior military officer claimed that the treaty would improve our military posture.

Reference was made by General Wheeler, and perhaps by others, to the possibility that there might be some benefit from stopping the Soviets from testing in the atmosphere and that this would accrue to our benefit. However, no one claims that the treaty would strengthen or improve our own military posture.

The military disadvantages which will flow from this treaty are clear, concise, and almost indisputable. The political and foreign policy advantages which are claimed for it are, in my view, nebulous, uncertain, and unconvincing.

Let me give the Senate the benefit of the views of Dr. John S. Foster, Jr., the very able director of the Livermore Laboratory of Lawrence Radiation Laboratory, upon the relationship of and necessity for continued atmospheric testing in several important areas, including the development of an ABM system and the determination of possible warhead, reentry vehicle, and missile launch site vulnerabilities. This directly bears on the military disadvantages of the treaty.

I cannot understand how Dr. Foster's testimony can be ignored. It is clear as crystal, positive, and definite. He may have been contradicted by some other scientists on various points. However, there is nothing clearer in all the testimony, I believe, than his testimony, and this is particularly within his field. In response to a query by the subcommittee, Dr. Foster said:

> The operation of an ABM system (United States or U.S.S.R.) is almost certain to involve more than one nuclear burst. The first question to ask in connection with any ABM system is whether it will work after a nuclear explosion occurs in the vicinity.

The Senator from Wyoming mentioned that point.

> Such a detonation could be the result of one of our own warheads intercepting an enemy warhead, or the detonation of an enemy warhead. The problem posed by our own detonations is one which must be solved if we field any ABM system. It involves the various blackout and other electromagnetic phenomena affecting the functioning of radar, as well as the hardness of our defensive missiles. A suitable preliminary test would be to attempt to shoot at one incoming target after a nuclear weapon simulating a previous defensive burst has been exploded. All of the questions having to do with such a test have not been resolved to date. It must be borne in mind that their resolution will not come from having a general picture of the physical phenomena involved, but from actually verifying that thousands of components work after being exposed to a nuclear explosion.

That is the test he would require.

> Since we have made no such tests, we do not know how closely we could space our defensive burst from either the radar or the missile vulnerability standpoint, and therefore we do not know what kind of an attack any ABM system we may propose could defend against.
>
> The inverse problem of penetrating an enemy system—

That is, the targets—

> i.e., of finding out the hardness of our own warheads and reentry vehicles, also requires atmospheric tests. The main destructive effect of a defensive burst probably comes from the combined effects of the neutrons it puts out and the blast pressure it causes. We do not know at present of a reliable way to test vulnerability to these combined effects underground.

We shall be limited to underground testing, and we do not know how to make those tests underground.

> While we will try and find one, experience shows that such simulation experiments measure at best only the weaknesses of the system tested which have already been identified, with no assurance that the main weakness has been found.
>
> A third area where atmospheric tests seem to me to be required is that of vulnerability of our bases and, possibly, of our missiles while in powered flights. Here again, the main reason for nuclear tests is not a clear-cut theoretical one, but stems from the fact that these bases, together with their missiles, are probably the most complex systems we have ever built, and that the effects of a nuclear burst on even simpler systems are not known in any detail or accuracy.

Those are not my words; they are the conclusions of Dr. Foster, the man in charge of our radiation laboratory at Livermore, Calif.

> There is assurance through exercises that the bases will function if they are not attacked. There is doubt concerning their vulnerability to an actual attack. This lack of knowledge cannot help influencing our policy in the future.

Those are serious words, indeed. How are we to get around them? How can we act with any confidence if we stop the very kind of testing which this man says is necessary to demonstrate what will happen, with detail and accuracy, at a time when our bombers have stopped coming off the line. Those in the inventory are being decreased in numbers every day, and we are more and more, with each setting sun, depending on missiles as a defense for ourselves and the Western World. Until we know more about their vulnerability and their reliability under the most adverse conditions, how can we deny ourselves the needed testing?

In assessing the relative military advantages and disadvantages of the treaty and in determining where superiority will ultimately come to rest in the field of nuclear weaponry and delivery systems, it is important that we bear in mind that our information is limited by the closed nature of the Soviet society and by our intelligence capabilities. Even John McCone, the able and respected Director of Central Intelligence, will concede that intelligence is far from being an exact science and that available evidence does not always answer fully the difficult questions which our policymakers must ask. In the absence of so-called hard intelligence, intelligence judgments must be substituted, and such judgments are not always correct. They are particularly uncertain when they relate to the future military capabilities and intentions of an unfriendly nation. These carefully worded qualifications emphasize that no matter how thorough are the processes of intelligence collection and evaluation, uncertainties can and do remain.

I do not have to remind the Senate of the failure last fall of the intelligence community to detect the introduction of strategic missiles into Cuba until photographs of nearly operational missile sites were obtained at the eleventh hour. Cuba is only a short 90 miles from our shores and it only recently became a police state. Think how much greater the margin for error is when we are operating against a state which has developed and perfected its security techniques for more than a hundred years.

The reference to our intelligence with regard to Cuba is not a reflection upon anyone. It merely points out the great difficulties and the terrifying uncertainties in which these men operate.

If our intelligence estimates of Soviet military capabilities and intentions are significantly in error, then, this treaty may impose far greater disadvantages and risks than we can now anticipate. In any event, in order to safeguard ourselves against possible intelligence errors and deficiencies, it is essential that we maintain a clear and safe margin of military superiority over the Soviets. We possess such a margin now. I believe that it may be impossible to maintain this margin in future years if this treaty is ratified.

Finally, Mr. President, I offer one last word of warning. We are told by the treaty advocates that the treaty is an "important first step." The fact that it is viewed as a "first step" troubles me greatly. I gravely fear that the next step may involve even more serious danger to our security.

The preamble of the treaty recites that the parties have "as their principal aim the speediest possible achievement of an agreement on general and complete disarmament" and also that they—the parties—seek "to achieve the discontinuance of all test explosions of nuclear weapons for all time."

I am compelled to raise the question of what our commitments will be if the treaty is ratified. What will the next step be? Will we be presented with a treaty banning tests in all environments accompanied by the argument that the Senate has already endorsed such a treaty in view of the preamble of the present treaty? Will a nonaggression pact follow? Are we, by endorsing this treaty, including its preamble, indicating in advance that we approve the concept of an agreement on complete general disarmament?

I do not suggest that such a treaty will be submitted. I do not suggest that anything has been done along this line that has not been made public. I am saying that possibly this will be the next step, and that we have not given proper consideration to the implications of the first step as it may have a bearing on the second step. Certainly there is more to the picture than merely the treaty itself.

Much as I fear the effect of this so-called first step I have even greater fears of what it may portend in the way of further compacts with the Soviets which may affect the quality or quantity of our Military Establishment even more drastically. It has already been suggested that there be a reciprocal burning of bombers and that we unilaterally cut back on the production of nuclear weapons to a substantial extent. Is this treaty a first step toward activities of this type? I do not say it is; I simply raise the point that very possibly this will be a part of the picture. We are not getting the proper concessions. We are not getting any kind of inspection agreements. We are not committing Russia in the fields in which she needs most to be committed. We have given her the advantage of testing underground. The treaty within itself does not make any real progress.

I doubt that we can appraise intelligently the desirability of this treaty as a first step unless we know what successive steps are contemplated. I must again wonder whether the ratification of this treaty will be interpreted, in view of its preamble, as expressing the sense of the Senate that it approves in principle of an agreement banning all nuclear testing without proper inspections, or that it approves in principle of a general and complete disarmament treaty.

People ask me, "What kind of treaty, then, would you agree to?"

It is not necessary to agree to a treaty with someone in whom we have no confidence. As I see it, in the beginning, the really fair and square treaty, the only kind that would be acceptable, would be a treaty to stop nuclear testing, with each nation verifying the other's actions by having reasonable and fully enforceable on-the-spot inspection.

The number of inspections that we, in our talks and negotiations, claimed were necessary was 30, then 20, then down to 15, and on down to 12. Then we said that seven would be sufficient and at least one of our civilian high defense officials has indicated that he thought five would be adequate.

Mr. President, as I have stated, I have grave and serious misgivings about the treaty. Upon the information which is available to me, I can only view it as a step toward degrading the security of the United States—not as a first step toward the peaceful world we all desire. I agree wholeheartedly with the conclusion of the report of the Preparedness Subcommittee that serious—perhaps even formidable—military and technical disadvantages to the United States will result if the treaty is ratified.

Those are not just my words. Those words are concurred in by every member of this seven-member subcommittee, except the Senator from Massachusetts [Mr. Saltonstall], who thought they were a little too pessimistic.

I repeat that I agree wholeheartedly with the conclusion of the report of the Preparedness Subcommittee that serious—perhaps even formidable—military and technical disadvantages to the United States will result if the treaty is ratified. In my judgment, these are not outweighed or counterbalanced by the somewhat doubtful political advantages which would result. I, for one, cannot find it in my heart in today's world to cast my vote in favor of approval of a treaty which admittedly will make it impossible for us to develop and produce the highest quality of weapons of which our science and technology are capable. Particularly is this true when all of the evidence available to me leads to the conclusion that the Soviets will be inhibited by the treaty primarily in the fields in which they already have superiority.

For all of these reasons, I will cast my vote against approval of the treaty.

Mr. President, I have concluded my speech.

Mr. LONG of Louisiana. Mr. President, will the Senator from Mississippi yield?

The PRESIDING OFFICER (Mr. Hart in the chair). Does the Senator from Mississippi yield to the Senator from Louisiana?

Mr. STENNIS. Since the Senator from Arkansas [Mr. Fulbright] has been waiting, I yield first to him. Then I will yield to the Senator from Louisiana. I had previously asked the Senator from Arkansas to wait.

Mr. FULBRIGHT. The Senator from Georgia [Mr. Russell] and other Senators have raised questions about executive agreements in connection with treaties. I have had prepared a memorandum on this subject; and if the Senator from Mississippi will agree, I should like to have it printed in the Record.

Mr. STENNIS. I am very glad to agree. I am sure the Senator from Arkansas understands my remarks about such executive agreements, and understands that no attack on him was being made.

Mr. FULBRIGHT. I merely wish to submit it for the information of the Senate. This has always been a rather troublesome subject, and still is; I thought the memorandum would be interesting to Senators.

Mr. TALMADGE. Certainly I have no objection.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Executive Agreements

During discussion of the nuclear test ban treaty there have been references to the possibility that the President by executive agreement may seek to amend the treaty.

The President has stated unequivocally that all amendments to this treaty will be submitted to the Senate for its advice and consent. Nevertheless it may be helpful to the Senate to refresh its recollection on the subject of executive agreements.

Broadly speaking, the terms "executive agreement" encompasses two types of agreements.

First are executive agreements authorized by act of Congress. In these instances, according to Charles Cheney Hyde, "the President has been deemed * * * to be the mere agent of the legislative department of the Government" (Hyde, vol. 2, p. 1406).

The second type of executive agreements encompasses those undertaken by the President on the basis of his own authority. Thus, to take simple cases, the President might agree to exchange Ambassadors with another country, convene a conference, or conduct joint military exercises with another country.

Yet in even these simple cases which do not involve a legislative mandate before the agreements are made, the Congress can negate them. It can refuse to confirm the Ambassador, or fail to appropriate funds for the conference or the joint military enterprise.

Obviously executive agreements of the type I am now discussing can be on more significant subjects and might even approach such significance as to require approval by the treaty process.

In these borderline cases, the President acts at his peril if he resolves doubtful cases against submitting them to the Senate for its advice and consent because of the punitive action which can be taken by the Congress, including impeachment.

Another quotation from Hyde is helpful on this point. He writes:

"The exact provisions of the Constitution concerning the making of treaties did more than prescribe the manner in which they were to be concluded. The declaration that the President 'shall have Power by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur' (art. II, sec. 2, par. 2) sustains the conclusion that it was not to be rendered abortive by recourse to a different procedure for the use of which no provision was made, and that there were to be found tests of improper evasion in the character of what was sought to be achieved despite the absence of a specific testual prohibition. Otherwise, the scheme for the cooperative action of the President and the Senate would have been a relatively valueless injunction, and the solitary constitutional guide for contracting would have been of slight worth."

There is no point in denying that a President has tremendous power. The President can suspend tests, as President Eisenhower did during the moratorium. He might have suspended tests on the basis of an Executive agreement with Mr. Khrushchev and, short of impeachment or some other type of punitive congressional action, he could have gotten away with such an agreement at least on a short-term basis.

But this is our constitutional system of checks and balances. We can conjure up all kinds of bogeymen, if we set out to do so.

Every Senator knows that the President can create situations which would put this country at war, despite the constitutional provision that Congress has power to declare war. It would do no good for the Senate to pass resolutions prohibiting the President from getting us into situations of war potential, without the consent of the Senate.

Indeed, without this treaty, the President would clearly have had the power to suspend tests underground, without the advice, and consent of the Senate. Now with the treaty he has committed himself not only to all other parties, but to the Senate in particular, to undertake no amendments without our consent.

What more can we ask?

Mr. FULBRIGHT. With regard to this question of consultation, I would not like to have the Record indicate that there was no consultation either with the Joint Chiefs of Staff or with Congress, and especially with the Subcommittee on Preparedness, of which the Senator from Mississippi is chairman. Last year, on several occasions, this matter was brought up before the Committee on Foreign Relations and its Disarmament Subcommittee, as well as before the Armed Services Subcommittee on Preparedness. Is it not a fact that in 1962, Mr. Foster came before the subcommittee and discussed this matter at some length?

Mr. STENNIS. Mr. Foster was our first witness at our hearings, which we started in September of 1962.

Mr. FULBRIGHT. And in August 1962, Ambassador Dean, I believe, who has been our negotiator, discussed this with the subcommittee, did he not?

Mr. STENNIS. I do not recall that he did.

Mr. FULBRIGHT. According to records supplied me he was there on August 2, 1962.

Mr. STENNIS. No. We did not start our hearings until September; and Ambassador Dean was never before our subcommittee.

Mr. FULBRIGHT. Then the information given to me must be wrong.

On September 17, apparently, the Preparedness Subcommittee again met with Mr. Foster, and on September 17, with Mr. Paul Nitze, Assistant Secretary of Defense.

Mr. STENNIS. I stated the list of witnesses who appeared before us in connection with our consideration of the treaty.

Mr. FULBRIGHT. My point is that the subcommittee was consulted at considerable length, on various occasions, about the general program of the test ban treaty. Is that not correct?

Mr. STENNIS. That is correct. We held the hearings; and we called Mr. Foster first. We have a complete record of all the testimony.

Mr. FULBRIGHT. I wish to state, for the Record, that prior to the initialing of this particular treaty—and the same is true as to proposals for other treaties—it was discussed by various administration witnesses with the Committee on Foreign Relations and also with the Senator's subcommittee. This particular treaty was discussed with the Committee on Foreign Relations prior to its being initialed. All its terms were explained and discussed with the full committee. There was a very full attendance; the treaty was then in its final form, for all practical purposes, except for perhaps a word or two which may have been changed during the conference in Moscow.

On page 22 of the report of the Committee on Foreign Relations, Senators will find a section with regard to "Consultation of Joint Chiefs of Staff." The normal procedure, as I understand, is that the Secretary of Defense usually consults with the Chairman of the Joint Chiefs; and it is the duty of the Chairman to take up these matters—not only this matter, but any matters of consequence—with the Joint Chiefs themselves. But I understand that they do not customarily consult with each individual member of the Joint Chiefs. Is that not the usual procedure?

Mr. STENNIS. I believe it depends on the circumstances and on the importance of the matter involved.

Mr. FULBRIGHT. Mr. President——

The PRESIDING OFFICER (Mr. Mansfield in the chair). Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. STENNIS. I am glad to yield.

Mr. FULBRIGHT. Let me read a brief part, because I do not wish to have the Record leave the impression that the administration is trying to put anything over on the military or on Congress without their being fully aware of it.

Mr. STENNIS. I have not made such a suggestion.

Mr. FULBRIGHT. But I believe it could easily be concluded—from portions of today's debate—that the Joint Chiefs were not consulted.

Mr. STENNIS. Yes, that some of the Chiefs were not fully consulted.

Mr. FULBRIGHT. If I may read—this statement is taken from the Committee on Foreign Relations report, which, in turn was given during the hearings. General Wheeler, Chief of Staff of the Army, offered this comment:

> The Chiefs have been * * * dealing with various types of test ban agreements for a couple or 3 years * * * . You will recall that General Taylor * * * testified that starting on about the 15th of June, he asked the Joint Staff, with the knowledge of the other members of the Joint Chiefs of Staff, to start to review a possible limited test ban proposal, although we had no specific wording to deal with.

By that, he meant, the precise wording of this particular treaty. Of course, the precise language of the treaty could not have been discussed then, because at that time it had not yet been drawn up, but they were considering the general test ban picture. Actually, for all practical purposes, this treaty—aside from its provisions regarding underground testing—is quite similar to the one they had already discussed.

I read further:

> This arose as a result of talks between a European political leader and Mr. Khrushchev.

The European political leader referred to there was Mr. Paul-Henri Spaak, who met with Khrushchev. That, I believe, was the first intimation that a treaty very similar to those previously offered, but not then acceptable to the Russians, might now be acceptable to them.

I read further:

> You will also recall on the 2d of July Mr. Khrushchev made a speech in East Berlin, at which time he laid down in rather general terms the type of treaty that would be acceptable to him. At that time, we stepped up the tempo of our activities. And then, of course, we were aware that the Harriman mission was going to Moscow. General Taylor, himself, participated in meetings of the committee principals on this subject. He did make us—

That means the Joint Chiefs of Staff—

> aware of the results of these deliberations. And during the course of the meetings with Under Secretary Harriman in Moscow, cables came back and the Chairman briefed us concerning their contents.
>
> I believe the Joint Chiefs of Staff position on past proposals was well known within the Government. And certainly we knew on a day-by-day basis the trend of the discussions in Moscow.
>
> Parenthetically, it should be noted that the Joint Chiefs of Staff sought the views of the commanders in chief of the nine unified commands on the treaty. Seven of these nine supported the treaty, one opposed it—

That was General Power—

> and one disqualified himself on grounds of insufficient knowledge.

I submit that that is a normal degree of consultation between the Executive and those in the highest positions in the military field.

Mr. STENNIS. May I ask the Senator who made the statement which he has read?

Mr. FULBRIGHT. General Wheeler.

Mr. STENNIS. Yes.

Mr. FULBRIGHT. During the Committee on Foreign Relations hearing. As the Senator well knows, General Wheeler is a member of the Joint Chiefs of Staff.

Mr. STENNIS. I know.

Mr. FULBRIGHT. The record should be clear that I do not believe there was any neglect of the military. As long ago as 1958–59 General Eisenhower made proposals of a somewhat similar import. First, I refer to the proposal for a ban on nuclear testing in the atmosphere of weapons up to 50 kilotons. They were all aware of the implications of such a ban at that time.

I have made no investigation, but I do not recall that the military objected strenuously to General Eisenhower's proposal. All during this period the main controversy was in relation to an inclusion of underground testing. That subject is left out of the treaty. Therefore, the objections to that kind of testing would not apply to the treaty.

Much has been said about General LeMay having intimated that, if he had been asked prior to the signing of the treaty what he would do, he would have been against it. I should like to read a very brief statement by General LeMay in response to a question of the Senator from California [Mr. Kuchel] in executive session. It is contained in the now printed record. It elaborates and clarifies a statement the general had made at the public hearing. He said that the statement ought to be put into the public record, and it is here. On page 394 of the hearings appears a paraphrase of General LeMay's statement that the Senator from California [Mr. KUCHEL] read, which I need not repeat. General LeMay's answer was as follows:

> I said I thought I would probably be against it. But I have spent a lot of midnight oil on this particular question, on the treaty, we had in our hands that we could look at, looking at the disadvantages, looking at the advantages, and trying to come up in my own mind with a recommendation that I would give to you people. I have spent a lot of time.

Incidentally, that does not indicate that he was not consulted but rather the opposite because he said he had burned much midnight oil studying the problem.

Continuing to read General LeMay's statement:

> I haven't spent as much time on any other subject that has ever come before the Joint Chiefs of Staff, and it has worried me a great deal as to whether I came up with the right answer or not.
>
> Now, with all of that time that I have spent trying to come up with a specific recommendation on a specific treaty—

He is talking about the treaty now before the Senate and not some other treaty—

> to be asked some hypothetical question of what I would do, I don't know exactly. I just say I think I would, but I am not sure.

Mr. STENNIS. What was the question to which General LeMay responded?

Mr. FULBRIGHT. The question was as to whether he would have approved the treaty had it not already been signed. That was the hypothetical question he was referring to which he had been asked at the public session.

I have read what General LeMay said in the executive session that same afternoon. It seems to me to be a clarification of his original statement. At the very least it does not warrant the clear-cut statement that General LeMay said he would not be for the treaty had it not already been signed. He said:

> I spent more time on it then any other subject before the Joint Chiefs, and after due consideration, I just say I think I would, but I am not sure.

Like a great many other people, he was troubled about the treaty. But he did not make the unqualified statement that he would not be for the treaty if it had not already been signed. His statement clearly indicates that he prayed over it at great length. There is no other subject on which he had spent so much time as he did on this.

With regard to the necessity of testing, I wish to comment that General Power in his testimony, referring to page 10 of his testimony before the Preparedness Subcommittee, said:

> We have not tested any of the operational warheads in our inventory. That includes all missiles and the bombs.
>
> Senator STENNIS. Let me interpose there. The test ban would not change our policy on that because we are not doing it anyway. What is your response to that?
>
> General POWER. I would urge they do it. I have repeatedly requested that they do it.

The only point I wish to make is that even without any ban the military has not been testing operational warheads. Why? Because someone in the military deems it to be unnecessary, I assume, even though General Powers has requested it.

Mr. STENNIS. I believe that is an erroneous conclusion.

Mr. FULBRIGHT. What does the language mean? The Senator asked the question. What does he think it means?

Mr. STENNIS. The Senator has made the statement that in his opinion someone in the military thought it was not necessary. I do not believe that that statement can be borne out by any testimony. The decision was made elsewhere.

Mr. FULBRIGHT. Will the Senator——

Mr. STENNIS. Let me finish, please. I am directing my remarks to the statement which the Senator from Arkansas made that we have not been testing anyway, and he assumed that those in the military had not asked for it. I believe the military has been asking for testing.

Mr. FULBRIGHT. I specifically said that General Powers said that he had requested it. But he is only one part of a vast organization.

Mr. STENNIS. The military people have been very anxious that the tests be made. Furthermore, the Senator from Mississippi thinks that the public has been led to believe that our missile sites and launching pads are far more secure and invulnerable than has been established by tests. They have been led to believe that our missiles, including their warheads, could penetrate to the target far more successfully than has been proven by tests. That point came out during the hearings. It is fully known now what we will be cut off from if this treaty is ratified.

Mr. FULBRIGHT. I should like to ask the Senator one or two further questions to determine whether I am correct in my understanding.

Mr. STENNIS. Certainly.

Mr. FULBRIGHT. I gather from the Senator's statement that he feels that the Russians have made great advances and that they are probably ahead of us as a nuclear power.

Mr. STENNIS. No; I said very positively that I thought that on the whole we were ahead. I made that statement two or three times. What I said along that line was that when the Russians broke the moratorium, they stored up a great storehouse of information or test results. I likened it to storing wood in the summer and fall for burning in the winter. The Russians already have a storehouse of knowledge and test results that we have not been able to equal in the scant testing that we have done. They can utilize that storehouse of knowledge and test data doubtless to their great advantage, whereas, since we were not testing on a similar scale, we do not have such results. This treaty will cut us off from testing in the atmosphere. Two or 3 years from now, due to the storing up of those testing results, they could emerge with very distinct advances ahead of us.

Mr. FULBRIGHT. May I read to the Senator from the committee report?

Mr. STENNIS. Yes.

Mr. FULBRIGHT. I refer to the report of the Committee on Foreign Relations, on page 16, in the testimony by Dr. Brown, whom the Senator knows is the head of Research and Development at the Pentagon.

> In this same context, Dr. Brown was asked to compare the number of atmospheric tests conducted by the United States with the number conducted by the Soviet Union. He replied that "we have had of the order of 200 atmospheric tests and the Soviets have had of the order of 180." He also stated that in the past 2 years, "we have had something over 130 atmospheric and underground [tests] as compared to something like 160 in the 13 years before that."
>
> The Soviet Union has, of course, done very little testing underground.

Mr. STENNIS. I should like to ask the Senator a question. What did Dr. Brown say about whether those were high yield tests which we made, or whether the tests which Russia made were high yield tests?

Mr. FULBRIGHT. If the Senator means, by "high yield," the 30-, 40- or 50-megaton weapons, we all know the Russians have had them and we have not. We did not have them by deliberate choice of our own people. Going back to 1954, the testimony shows that this question came up, as to whether we should proceed to develop a 50- or 100-megaton weapon. Our people thought it would be improvident and unwise to do so because it was not based on the military value, not worth putting the money into it. They felt it would be more worthwhile to develop smaller weapons which would have greater accuracy and reliability, particularly with regard to their delivery systems.

I read another point, found on page 15 of the report, which also quotes testimony by Dr. Brown:

> With respect to high-altitude tests carried out for the purpose of determining the effects of nuclear bursts on communications blackout, radar blockout, and nuclear weapons vulnerability, Soviet and United States experience appears to be comparable. Each side has had about the same number of tests, over yield ranges and altitude ranges which are comparable though not identical. Enough has been learned in the United States to verify the existence, nature, and rough dependence of blackout characteristics on yield and altitude, although important details still have not been explored. The same is probably true in the Soviet Union. Probably neither side understands the phenomena sufficiently well to permit theoretical extension with complete confidence to some other altitudes, yields, and types of devices; but we have, and presumably the Soviets also have, enough information to enable us to take steps to design around our uncertainties.

I do not wish to belabor that point. The point I was leading up to, by use of the quotations, is that if we accept the testimony of Dr. Brown for the moment, there is a rough comparability in this field. Granted, the Russians have tested a larger weapon. The point is that if the treaty is abided by and if, in effect, it decelerates the activity in testing—certainly it will decelerate it except for underground testing—I do not see how it could be such a great disadvantage to us if, as the Senator from Mississippi says, we are not behind and possibly are ahead as to the number of weapons, as well as in the quality of the smaller weapons. I do not quite see how there would be a disadvantage.

I understand that it is an absolute disadvantage that we cannot go forward to make bigger weapons, but if the treaty restricts the Russians as it does us in the same environment, I do not see how this would be a disadvantage. It seems to me that the restraint on the Russians would be comparable to the restraint upon us.

Mr. STENNIS. The error which is involved, in the belief of the Senator from Mississippi, which is based upon the testimony, is the clear fact that we are far behind in atmospheric testings because of the unusually productive activity of the Russians at the time of their breach of the moratorium. I refer to high-yield tests particularly.

I am no scientist, but as a kind of rough test, a 1-megaton explosion, or smaller, can be conducted underground.

Mr. FULBRIGHT. That would be a very big explosion, would it not?

Mr. STENNIS. Yes. However, as I say, tests up to that yield could be carried on underground. Any test greater than that would have to be conducted in the atmosphere.

The report sums it up in this way:

> The total number of Soviet tests above 1 megaton—

Which means those in the atmosphere—

> was approximately four times that conducted by the United States in the same period (1961–62). In terms of yield-to-weight ratios, the Soviet Union, as a result of its aggressive test program and its concentration on very large yield weapons, has demonstrated clearly superior performance in all yield classes above approximately 15 megatons where the United States has had no testing experience since 1954. It is also worth noting that the scientific witnesses were unanimous in expressing uncertainty about the particular designs employed by the Soviets, to achieve the results observed in their very high-yield experiments.

There is more involved in the high-yield test, the big bomb, than the size of the bomb. That is the basis for this "stored up knowledge," as I call it.

Mr. FULBRIGHT. If I may complete my thought, the Joint Chiefs of Staff testified that they "have not regarded as important the attainment of weapons in the 100-megaton range. They feel that the types and numbers of megaton-yield weapons available to us now or in the future could give us an adequate capability in the high-yield weapon range."

And the Chairman of the Joint Chiefs of Staff, in response to a direct question on this point, replied:

> I attach very little importance to this, frankly, Senator. The whole very high yield weapons field is one which has very little, if any, military significance.

(At this point, Mr. McINTYRE took the chair as Presiding Officer.)

Mr. STENNIS. Mr. President, the same question of atmospheric testing is involved in the anti-missile-missile endeavor, or in the development of an ABM system. Underground testing is limited to about 1 megaton and, to obtain complete data testing in the atmosphere at a higher yield will be required although not as much as 100 megatons.

It may be classified as to what Titan and the others involve, but they are far above 1 megaton.

Mr. FULBRIGHT. Yes. Those are more than 1 megaton.

I do not wish to delay this debate but there is a point that puzzles me. The Russians have much less in the way of resources than has the United States, and less than one-half our gross national product; and I presume the same is true with respect to income. The Russians must eat, at a minimum. Granted, they do not eat as well as we do, or dress as well as we do, or do a few other things as well as we do, but there are certain essentials which they must have. What puzzles me is, How can they have made such remarkable progress? Does the Senator think the Russian scientists are infinitely more capable, astute, and learned than our scientists?

Mr. STENNIS. I certainly do not, but we must remember that there is a very practical reason why the Russians have made such progress. It is because they have had very extensive atmospheric testing since 1961 and we have not had it on the same scale. We lived up to the moratorium, and they did not.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. The United States tested 2 weeks after the Russians broke the moratorium. We tested underground.

Mr. STENNIS. Our tests were very inadequate.

Mr. FULBRIGHT. Why was that?

Mr. STENNIS. Because we were not ready.

Mr. FULBRIGHT. Was it because our people were incompetent?

Mr. STENNIS. I did not say that. The Senator brought that point up.

Mr. FULBRIGHT. I am asking the Senator for his opinion.

Mr. STENNIS. I have tried to answer. It is because we were not ready.

Mr. FULBRIGHT. Why were we not ready?

Mr. STENNIS. We had been standing by, as I stated in my speech, according to the uncontradicted testimony, doing nothing. We were living up to the moratorium. We were waiting. We had faith. We had confidence. And we were caught.

Mr. FULBRIGHT. During the testimony we asked Dr. Kistiakowsky the question about maintenance of the laboratories during the moratorium. He testified that they were maintained. In fact, the number of personnel increased.

Mr. STENNIS. He was sharply contradicted by the other witness in that field.

May I yield to the Senator from Washington?

Mr. FULBRIGHT. The Senator may yield to any Senator he likes.

Mr. JACKSON. It is conceded by persons in the executive branch of Government that we were a victim of the planned abrogation by the Soviets during the period of the test moratorium. The best evidence we had, as I recall the testimony, is that for a period of at least 18 months prior to the Soviets' first detonation in September 1961, they had been preparing for the tests. We were not preparing for testing at a given time and place.

Mr. FULBRIGHT. May I ask, why were we not?

Mr. JACKSON. Some of us tried to get something done in this field, but no effort was made. I emphasize this because it explains why the Joint Chiefs make the point that there must be standby capability to resume tests, to avoid the very bad experience we had with Soviet-planned abrogation. This is one of the safeguards now insisted upon. Unfortunately, that kind of precautionary move had not been made under the moratorium. I think the testimony is quite clear on that point.

Mr. STENNIS. Very clear.

Mr. FULBRIGHT. Let me refer to the testimony before our committee by Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, who is a reputable scientist.

Mr. JACKSON. He is a Nobel Prize winner. He is very reputable.

Mr. FULBRIGHT. In response to a question—and I am referring to page 19 of the Committee on Foreign Relations report—Dr. Seaborg observed that "We didn't lose very many" scientists from the Commission's laboratories during the 3-year moratorium on testing. He added that the problem would be eased under the test ban treaty because of the continuance of underground testing.

Dr. York, a former Director of the Lawrence Radiation Laboratory, stated that laboratory personnel grew by 50 percent during a period that roughly coincided with the moratorium. He added that:

> Most of the new people added during the moratorium period went into research areas other than weapons development and testing * * * but these new people worked largely on programs which were scientifically related to the weapons program, and they were at the place where the knowledge was, where the equipment was, where the computer programs were, and they could be and, in fact, were rapidly converted to weapons scientists and engineers when that became necessary.

Dr. Bradbury, Director of the Los Alamos Scientific Laboratory, commented on the ability to resume atmosphere testing promptly. His testimony is similar to what I have already read. I shall not take the time to read it, but it appears on page 19 of the report.

Mr. STENNIS. May the Senator from Washington respond? He has something to say on that point.

Mr. FULBRIGHT. Yes.

Mr. JACKSON. I do not think the increase in the number of scientists in the laboratories can be related to a state of readiness. One of the mistakes made was that our test facilities in the Pacific were not ready. We took on-the-shelf items and proof tested those weapons. The ones we wanted to test were not ready for testing. The Soviets had the obvious advantage of planning precisely when to resume.

So the fact that we added scientists to our laboratories during that period does not relate to the fact that we were caught off guard when the Soviets broke the moratorium, and we were not prepared to resume testing. This is why the Joint Chiefs of Staff do not want it to happen again. That is a vital part of the safeguards requested.

Mr. STENNIS. Mr. President, I wish to yield now to the Senator from South Carolina [Mr. Thurmond], who has an urgent engagement to keep.

Mr. THURMOND. Mr. President, I take this opportunity to congratulate the distinguished Senator from Mississippi for the magnificent address he has delivered here today. I hope every Senator will take occasion to read the address. I have had the pleasure of serving on the Preparedness Investigating Subcommittee with the able Senator from Mississippi, and I know of the careful manner in which the hearings were held. I concur heartily in the statements made in his address today. They are accurate and factual, and are based on the testimony.

In his address the Senator referred to the preamble to the treaty, the first few lines of which read:

> Proclaiming as their principal aim the speediest possible achievement of an agreement on general and complete disarmament.

I believe Secretary Rusk, on March 11, 1963, and later President Kennedy, referred to this treaty as a first step, meaning a first step toward general and complete disarmament, as I understand it.

I invite attention to what Mr. Khrushchev had to say on January 16 of this year in East Germany on the subject of disarmament. These are his words:

> Disarmament primarily means dismantling the gigantic war machines of the highly developed countries. * * * General disarmament does not mean disarming the peoples fighting for national liberation. On the contrary, it would deprive the imperialists of the means to halt progress and crush the struggle for independence.

So it is clear that the Communists do not mean to disarm; they are attempting to deceive us into disarming.

I congratulate the Senator from Mississippi for referring to the preamble of the treaty, which I think is an index showing where we are going if the first step is taken.

Mr. STENNIS. I thank the Senator.

Mr. THURMOND. I invite attention also to article 36 of the Statute of the International Court of Justice. Article 36, which is in two paragraphs, reads as follows:

> 1. The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force.

Paragraph 2 reads:

> The states parties to the present statute may at any time declare that they recognize as compulsory ipso facto and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:
>
> (a) the interpretation of a treaty;
> (b) any question of international law.

I emphasize the words "interpretation of a treaty."

There is some question as to what the treaty may possibly mean. Questions have been raised about interpreting the treaty. For example, a question has been raised about nuclear explosions, and whether we could carry on tests for peaceful uses. The treaty is clear on that point. It would seem to prohibit it. Yet the construction that is being placed upon the treaty by important people, people in high places in our Government, indicates that we would not be barred from nuclear explosions for peaceful uses. But if the treaty should go to the International Court of Justice for interpretation, how would that court construe it? It seems to me we should have great fears as to what the International Court of Justice might say about the treaty if it should go there for interpretation.

The International Court of Justice has jurisdiction in the interpretation of a treaty. I commend the able and distinguished Senator from Mississippi for the address he has delivered.

Mr. STENNIS. I thank the Senator. I thank him for his contribution to the debate.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I had promised to yield first to the Senator from Vermont. I am delighted to yield to him now.

Mr. AIKEN. I commend the Senator from Mississippi for having the courage of his conviction.

Mr. STENNIS. I thank the Senator.

Mr. AIKEN. And for expressing them on the floor. I cannot say that I agree with his conclusions, however. Since it is assumed that the United States would be the gainer through the resumption of atmospheric testing, I wish to ask the Senator from Mississippi whether the Preparedness Subcommittee had Dr. Foster, the Director of the Livermore Laboratory, before it.

Mr. STENNIS. Yes; he was one of the witnesses who appeared before the subcommittee.

Mr. AIKEN. He was opposed to the treaty.

Mr. STENNIS. Yes; that is the substance of his position.

Mr. AIKEN. Very much opposed.

Mr. STENNIS. Yes.

Mr. AIKEN. Did not Dr. Foster advise the committee that if atmospheric testing were resumed, Russia would make gains faster than the United States?

Mr. STENNIS. I do not remember his expressly covering that point. Generally speaking, they might make gains immediately, but I do not believe that that situation would last.

Mr. AIKEN. That is a matter which bothered me somewhat. When Dr. Foster appeared before the Foreign Relations Committee I asked him three or four questions. Would the Senator from Mississippi object if I took about 1 minute to read a statement of Dr. Foster into the Record? I believe it is pertinent to this point.

Mr. STENNIS. Of course not. I am delighted to have the Senator do so.

Mr. AIKEN. This testimony is found at page 619 of the hearings, beginning at the middle of the page:

> Senator Aiken. I do not know of anyone who advocates nuclear war. However, if the United States were to engage in nuclear warfare, would it be more advantageous for us to engage in it immediately or would we be in a comparatively stronger position after 5 years of testing and the development of more potent weapons, both offense and defense?
>
> Dr. Foster. Well, Senator Aiken, that is a, both a tactical military question and a question of relative rates of development of the Soviet Union and the United States, as I understand it; is that correct?
>
> Senator Aiken. When do you think we would be in a stronger position to engage in nuclear warfare?
>
> Dr. Foster. Today or in the future?
>
> Senator Aiken. To engage in it immediately or after the conduct of tests for another 5 or 10 years, assuming that any enemy would also be conducting tests. Do you think we could outrace them?
>
> Dr. Foster. That, sir, is, I think, an issue that transcends the treaty. For 18 years the United States, aware and concerned for the potential and growth, actual growth, of armaments, particularly nuclear armaments, has developed in a restrained manner.
>
> We have every year tried our best to reach an agreement with the Soviets and to limit this constant increase in the development of arms.
>
> During that period of 18 years the Soviets have come from a position of relative hopelessness to one that was described by Dr. Bradbury as rough parity, and I do not want to argue whether they are ahead or behind.
>
> The interesting, discouraging to me, the discouraging point, is that currently from their recent atmospheric series and from our recent atmospheric series, I see a very high rate of progress in the Soviet Union compared to the United States. If this were to continue, and I will mark this, Mr. Chairman, as one of the advantages of the treaty, it would be to the detriment of the United States.
>
> We have chosen to limit our efforts; these have been unilateral.
>
> Senator Aiken. And they have been making progress in the nuclear field much faster than we have?
>
> Dr. Foster. Yes, sir.
>
> Senator Aiken. And there is no reason to believe that that rate would not continue?
>
> Dr. Foster. That is right.
>
> Senator Aiken. Then if we were to engage in nuclear war at all, there would not be much time to lose.
>
> Dr. Foster. That is correct.
>
> Senator Aiken. That is all.

He pointed out that as a result of the last series of tests the Soviets had made much greater progress than we had, and that if atmospheric testing were renewed, it was his opinion that the Soviets would continue to make more progress than we would, and he admitted that he was very much discouraged by the outlook. I can understand why he should be.

Dr. Libby expressed regret that we had not tested a 100-megaton bomb. I asked him and other witnesses where we would test a 100-megaton bomb, which would require a completely cleared space of not less than 500 miles in diameter, as I understand. Does the Senator from Mississippi know where the United States could test a bomb of that size? We know the Russians have the space, and they are in a better position to test high-megaton bombs than we are.

Mr. STENNIS. I could not answer the Senator's question specifically, as to whether we have a place now in view. The Senator from Mississippi has emphasized three things about atmospheric testing. The very high yield bomb may not be of extreme importance but testing in the atmosphere is necessary, I believe, for ABM development and for determining the vulnerability of our launch sites, warheads and re-entry vehicles. Those are the three things that I emphasized in my speech.

With respect to the big, big bomb, without atmospheric tests we are cut off from that, and we ought to have some experiments. I do not know whether we ought to build it.

I should like to say one word in response to the Senator's question. That part of Dr. Foster's testimony which the Senator has read is almost fatalism; it says we have already lost, because the Russians are far ahead of us. I believe a reading of all his testimony, including the portion the Senator has read, would show that he felt they would remain ahead of us unless we stepped up our own program of testing.

Mr. AIKEN. I believe Dr. Foster testified before the Foreign Relations Committee before he testified before the Senator's committee.

Mr. STENNIS. The reverse is true.

Mr. AIKEN. He is pessimistic as to the outlook, whether atmospheric testing is renewed or not.

Mr. STENNIS. If that interpretation is correct, he would want to get the treaty into effect instantly, to keep the Soviets from continuing to gain on us. I think the testimony is the other way.

Dr. Foster's fear is that we might let them continue to get ahead of us in atmospheric testing.

Mr. AIKEN. And that they would gain on us whether the testing were renewed or not. He is extremely pessimistic, if I interpret his testimony correctly.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. LONG of Louisiana. The point has been made that a great many of our missiles, including some of our so-called most modern weapons, have not been tested, and the point has been made that we are not going to test such weapons whether we enter into the test ban treaty or not. I should like to ask the Senator if it is his impression that we cannot rely upon any of our newly developed weapons until they have been actually tested, to make sure that they will work.

I have in mind the history of naval warfare during the Second World War. Our torpedoes would not sink any ships. They were no good. No torpedo that we fired would sink a Japanese ship. That was true of our magnetic fuzed torpedoes and our contact fuzed torpedoes. We had not tried them out on actual targets. The Japanese had tried out theirs, and they sank our whole Pacific Fleet, or every ship in the Pacific Fleet that they could find. Three of our biggest aircraft carriers were fortunate enough not to make their schedule, having been delayed by the storm, and therefore escaped the attack on Pearl Harbor. The storm had delayed them. Therefore, it was only an act of God that prevented their being sunk also.

The Japanese had weapons which they had tested. We had torpedoes that had not been tested. We had torpedoes that were no good, and would not sink anything.

If we have learned anything from that lesson, from the loss of our Pacific Fleet in World War II, should we not have learned that if we have an untested weapon, we do not know whether it will work?

Mr. STENNIS. It is not a weapon until it is tested, until we know what it will do under actual or simulated combat conditions.

Mr. LONG of Louisiana. The trouble with the contact fuzed torpedoes was quite simple. A little pin that was supposed to make contact was brittle, and would crack on contact. When the pin in the tip of the torpedo hit a ship, it would crack, rather than relay the shock to the firing mechanism.

The trouble with our magnetic fuse was that the torpedo would go deeper by about 10 feet than it had been planned to go, so it would not go off. A submarine would be sent hundreds of miles to sea to find out why the torpedo would not go off. The skipper would come back and say it was not necessary to have sent the submarine to sea to determine why the torpedoes would not go off. The answer could have been found in front of the submarine station.

Having that experience in mind, would it not be desirable for this Nation to continue to test its weapons, to make our survival certain?

Mr. STENNIS. Certainly. That is a point that has not yet been answered.

Mr. JACKSON. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. JACKSON. Before the debate is concluded today, I again wish, as I said earlier, to express my appreciation to the distinguished Senator from Mississippi for the important contribution he has made to the debate. It has been a troublesome, perplexing problem for all of us. The Senator's thoroughness and wonderful understanding of the problem of the weapons in this particular field and area have been of inestimable help to those of us who have been associated with him for more than a year in the special hearing that has been conducted on arms control and test ban matters.

Mr. STENNIS. I thank the Senator from Washington for his compliment. I appreciate his outstanding contributions in many ways during the conduct of the hearings, as well as in respect to the other matters that are involved.

Mr. SIMPSON. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. SIMPSON. I associate myself with the remarks of the Senator from Washington with respect to the contribution which the Senator from Mississippi has made to the debate on the defense of our country.

Did not Dr. Foster warn the Preparedness Investigating Subcommittee that it would be taking an incalculable risk with the security of this country if a treaty were approved prohibiting further testing in the atmosphere?

Mr. STENNIS. The Senator is correct. That was some of the strongest and most intelligent testimony we had, and from a highly informed man. I thank the Senator from Wyoming for his contribution to the debate.

I do not intend to retain the floor any longer than necessary. However, I wish to refer briefly to the questions with reference to what General LeMay said concerning his first impression of the treaty. I refer to page 373 of the hearings before the Committee on Foreign Relations on the nuclear test ban treaty. At the bottom of page 373, the Senator from South Carolina [Mr. THURMOND] made this inquiry of General LeMay:

> I believe your answer in the subcommittee, and I quote, was this: "I think that if we were in a proposal stage that I would not recommend—that I would recommend against it."
>
> That is correct, is it not?
>
> General LEMAY. I think I would. That is correct.

Not only did General LeMay testify befor the Preparedness Investigating Subcommittee that, as an original proposition, he would not approve the treaty; but when he testified before the Committee on Foreign Relations, the Senator from South Carolina recalled that previous testimony to General LeMay's attention.

He then reiterated what he had said by saying:

> That is correct.

Nothing could be clearer than the proof of that fact, and nothing could be clearer, either, to prove his doubt and concern about this entire matter. As a military matter, he would not approve it; nor as an original matter would he approve it. He reiterated that point in the Committee on Foreign Relations, as he did elsewhere.

We have been over that point many times, and other testimony before the Committee on Foreign Relations has been read by the Senator from Arkansas [Mr. FULBRIGHT].

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. MANSFIELD. To what date is the Senator referring?

Mr. STENNIS. The testimony I just related appears on page 373 of the hearings. I cannot readily give the date.

Mr. MANSFIELD. It was on the same day. However, I point out that later in the same day, in the afternoon—this is repetition, but it bears on the question—the same question was asked by the Senator from California [Mr. KUCHEL]:

> As I left the Senate a few minutes ago to come down here, on the ticker, General LeMay, there was a paragraph, which said that had this treaty been in the negotiation

> stage and you were asked your own opinion, you would have objected to it. You would have felt that it should not be entered into.
>
> Was that a correct quotation?

That was a reference to the testimony which the Senator from Mississippi just quoted.

> General LEMAY. I think I said that. Maybe I didn't qualify my statement now. I said I thought I would probably be against it. But I have spent a lot of midnight oil on this particular question, on the treaty we had in our hands that we could look at, looking at the disadvantages, looking at the advantages, and trying to come up in my own mind with a recommendation that I would give to you people. I have spent a lot of time.
>
> I haven't spent as much time on any other subject that has ever come before the Joint Chiefs of Staff, and it has worried me a great deal as to whether I came up with the right answer or not.
>
> Now, with all of that time that I have spent trying to come up with a specific recommendation on a specific treaty, then to be asked some hypothetical question of what I would do, I don't know exactly. I just say I think I would, but I am not sure.
>
> Senator KUCHEL. I wish maybe on the open record that type of answer might be put in because that is the sort of thing many people——
>
> General LEMAY. I have no objection to that answer going in the open record. We all like to have a second time, Senator. I wish I had said it then.

It was on that basis that the testimony was declassified. But the emphasis has been on the statement made earlier that day, not on the statement made in the afternoon.

I thank the Senator from Mississippi.

Mr. STENNIS. I thank the Senator from Montana. It is rather strange that the testimony that the Senator from Montana read was cleared, but General LeMay's first answer, which was brief and to the point, was kept classified and marked specifically as being a security matter.

Mr. MANSFIELD. No. The first statement was made in open session that morning before three committees—Foreign Relations, Armed Services, and the senatorial half of the Joint Atomic Energy Committee—and the answer I have just read came that afternoon in executive sesssion before the same committees. I was sitting next to the Senator from California when it was made. The first answer was given in open session that day before the three committees combined. What I have just read was testimony given in executive session. Therefore, it had to be given clearance, unlike the previous testimony.

Again, I thank the Senator from Mississippi.

Mr. STENNIS. The original statement made by General LeMay was not permitted to be cleared in our transcript. It was marked "classified" and was not allowed to be cleared. But we later learned that the statement had appeared in the press, so on my own responsibility I cleared the statement.

Mr. MANSFIELD. The Senator from Mississippi acted correctly; but he will understand that the statement was made in an open hearing of the three committees, whereas the other testimony was before the Senator's subcommittee, in executive session.

Mr. STENNIS. In one instance he said he would not approve the treaty; later he changed his testimony in part. I do not understand why one statement would be classified, and the other not.

Mr. MANSFIELD. I agree.

Mr. STENNIS. I am glad the Senator agrees. I thank him for his contribution to the debate.

On page 122 of the hearings before the Committee on Foreign Relations—and I shall cite from that page in a few minutes—a question was raised about why we had not been testing and conducting experiments. The question was raised by the Senator from Arkansas [Mr. FULBRIGHT] in connection with some questions he asked the Senator from Mississippi as to whether I thought we were inferior to the Russians.

At that time the Senator from Mississippi replied that our military had not been permitted to make such tests and were not prepared to make such tests when the Russians broke the moratorium. I refer now to the statement made by Secretary McNamara on page 122 of the hearings:

> I think we were reasonably prepared for the tests we conducted, but we weren't well prepared for the tests we didn't conduct. Those were the tests that were important. I think it is quite clear that during the period 1958 to 1961 this country had relaxed its preparations for atmospheric tests and suffered therefrom, and I think it is equally clear that we should not again fall into that trap.

That is the testimony of the Secretary of Defense. It clearly covers the point the Senator from Mississippi spoke about; that is, that we did not test because we were not ready to test. Not only did we lose time as a result of the moratorium; we lost time afterward in making the major tests that the Secretary of Defense said were most important of all, because we had been lax and were not ready. As a consequence, we suffered.

Earlier today I made the point that this very delay, for the 2 years or 3 years that the Russians may abide by this treaty if it is approved, would be a repetition. Of course, I believe we would do better in preparation this time. The fact that we are behind on tests of this kind is not due to our inability; it is due to the fact that we did not maintain a state of readiness.

The Senator from Arkansas asked why we did not do it. There is a very good reason why we did not. Under both the Eisenhower administration and the Kennedy administration, the Defense Department not only had, by direct order, a prohibition of testing, but also had a direct order prohibiting anything that even would give the appearance of preparation for testing. So, under Executive order, during two administrations, there was a complete blackout; those under the Department were not even permitted to appear to prepare for a resumption of tests in case the Soviets broke the moratorium.

As a consequence, we were caught short. The Soviets built up their arsenal, by means of their tests and the information they thus obtained, which they can utilize if and when the treaty goes into effect.

Furthermore, from my contacts with Secretary McNamara, I know he is deeply concerned lest we repeat that error, by not being ready to test. I believe all the hearings we have held have brought out that point, made it clear, and developed it in a proper way. This point explains why we lost all that time—not through inability, but because we refused to prepare.

Someone asked why the Preparedness Subcommittee did not call the Secretary of Defense to testify about the treaty. We did not call him—although I told him we would like to have him as a witness—because he wrote us a letter, which is in our records, in which he said he did not think he could make any useful contribution to our hearing.

Some have asked why we did not call General Shoup, the Commandant of the Marine Corps. Of course, he too, is a member of the Joint Chiefs of Staff. We did not call him as a witness because, in response to a telephone conversation I had with him, he sent to us a letter in which he said he did not consider this matter to be within the province of the Marine Corps or in the field of matters properly to be considered by him as a member of the Joint Chiefs of Staff. So he took himself out of the picture. I was willing to have him called as a witness. Later, of course, he was called before the other committee, and he testified there. Of course that was all right. I mention the matter now because I have not previously commented on the reason why we refrained from calling him.

Although I did not know how Admiral Burke would testify, I called him, and asked him whether he would come before our committee and testify. I did not have the privilege of being there the day when he testified; but I would not hesitate to call Admiral Burke at any time to testify on any subject with which he is familiar, because I believe his testimony is always of value; and I have never known a fairer, a franker, or a more courageous officer, or one with a more comprehensive understanding of military questions or more commonsense.

General Twining was called under the same circumstances and for the same reason.

I tried to call General White, former Chief of Staff. I know he is not "under the gun" now; he is not now charged with such responsibilities. Today he is a free agent. But he said he could not appear before us then, because he was going abroad. However, he pointed out that he had written a short article—for Newsweek magazine, I believe—in which he had stated that after weighing the matter and after full consideration, he had decided to go along with the treaty.

I am glad to announce that. It shows that I did not know how he would testify. I still wish, however, that he had appeared before our committee and had given us the benefit of his fine consideration of these matters.

We have been asked whether General LeMay was consulted. He testified that he was not consulted about the treaty; he said the discussion did not include him.

Later, a statement, filed by General Taylor, listed conferences on certain dates. We asked General LeMay to comment on that; and I read now from his letter of the 11th of September 1963 addressed to me:

> In my testimony before your committee, my comments were restricted to consultation and discussion which I as a member of the Joint Chiefs of Staff personally participated in with the Secretary of Defense on the specific treaty before the Senate. The insert for Record supplied by General Taylor broadens the scope considerably to include earlier draft treaty proposals, disarmament, and related matters discussed over an extended period of time. Thus, my testimony on the specific treaty proposal and General Taylor's insert for Record on the broad subject of treaty proposals, disarmament, and related matters are not directly comparable.
>
> I have reviewed my testimony before your subcommittee on August 16, 1963, and find it consistent with the facts as I know them.

In other words, he reiterates his statement on that point. There is no question about it. Of course neither of these gentlemen was falsifying in his testimony—even though there appeared to be a slight conflict.

Mr. President, I ask unanimous consent that the letter from Secretary McNamara which was sent to the subcommittee be printed in the Record. It is dated August 26; and in it he said he did not think he could make any useful contribution as a witness.

There being no objection, the letter was ordered to be printed in the Record, as follows:

> The Secretary of Defense,
> *Washington, August 26, 1963.*
>
> Hon. John Stennis,
> *Chairman, Preparedness Investigating Subcommittee, Committee on Armed Services, U.S. Senate, Washington, D.C.*
>
> Dear Mr. Chairman: Thank you for your letter of August 20, 1963, concerning the possibility of my appearance before the Senate Preparedness Investigating Subcommittee with respect to the nuclear test ban.
>
> While I am, of course, at the disposal of the subcommittee, I believe that my appearance would serve no useful purpose since my testimony would be substantially a repetition of that which I gave to the joint session of the Foreign Relations, Armed Services, and Atomic Energy Committees on August 13 when most of the members of your subcommittee were in attendance. If you feel it would be desirable, I would be perfectly willing for you to include in the record of your hearings the statement which I presented at the joint session.
>
> Sincerely,
>
> Robert S. McNamara.

Mr. HUMPHREY. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I am glad to yield.

Mr. HUMPHREY. I should like to clarify one point. I gather that the Senator from Mississippi is not stating that the Joint Chiefs of Staff failed to participate in the drawing up of the treaty or were denied consultation in reference to the drafting of the treaty?

Mr. STENNIS. Let me say to the Senator from Minnesota that during the debate we have gone over that point considerably—unfortunately, at times when he had to be out of the chamber. I do not know, of course, how much participation there was. General LeMay says he was not consulted at all. As for how much the others were consulted, of course we are controlled by their testimony. I will say that I do not believe there was full consultation as to this particular treaty. It might have been considered along with other consultations. None of them was taken to Moscow for the conference, of course; no steps of that sort were taken. I feel—on the basis of my consideration of the testimony—that they were left out too much—but not entirely.

Mr. HUMPHREY. I have been very concerned about that point; and a week ago today I had printed in the Record some testimony relating to this matter—colloquy between myself and General Taylor. It appears on pages 296, 297, and 298 of the hearings. I raised the question pointblank, following inquiry by the Senator from California [Mr. Kuchel]. I asked General Taylor this question:

> So that the record may be clear on this point, General, it was testified to here that there were no representatives of the Joint Chiefs in Moscow with Mr. Harriman, but there was a representative of the Defense Department. My question is, Were the instructions that Mr. Harriman received from the President of the United States and the Secretary of State based upon consultations and discussions that had been held with the Joint Chiefs as well as with other members of the administration?

General Taylor then responded:

> We discussed it in detail in the Joint Chiefs fo Staff, and I carried to the discussion table at the White House the views of the Joint Chiefs on that particular point.

Later the following occurred:

> CHIEFS AWARE OF DETAILS OF TREATY BEFORE INITIALING
>
> Senator Humphrey. Before the treaty was initiated were you aware of its details?
>
> General Taylor. Yes, sir; by the cables.
>
> Senator Humphrey. By cable?
>
> General Taylor. Yes.
>
> Senator Humphrey. Did you find the treaty as initialed on balance in the interests of the United States?
>
> General Taylor. Yes, sir.
>
> Senator Humphrey. Serving the interests of the United States?
>
> General Taylor. Yes, sir; in the terms of the statement which I read at the outset.

I point out that while intimate details may not have been discussed with each member of the Joint Chiefs of Staff every day, the Chairman of the Joint Chiefs was satisfied that he was kept constantly informed. In the colloquy, which is in the Record, he so stated. It need not be again printed at this point. The Joint Chiefs were informed. Decisions were made. Consultation was had. The President was fully informed of the views of the Chiefs. Furthermore, the Chiefs approved the treaty as it was initialed and presented to the Congress.

Mr. STENNIS. I know. I had many conversations with various members of the Joint Chiefs of Staff with respect to when they would testify, and so forth. They spent a long time preparing the joint statements. I will not go into any conversations. General LeMay's testimony is rather clear about his participation.

General LeMay's testimony has been emphasized by the Senator from Mississippi because of the general's long association with and great part in the creation of SAC. For a long time he was the head of SAC. He is now Chief of Staff of the Air Force. I also mentioned General Power. General Power is now Chief of SAC. His testimony is clear cut and positive. General Power has charge of all the missiles. He has command of the major portion of the strategic striking power that we have, including the bombers. He makes the war plan so far as those weapons are concerned. I cannot go into that subject, of course, but he is the direct fountainhead. He is the man upon whom we depend. That is why his testimony is so much more valuable than even the testimony of someone else of considerable rank, and who has stars on his shoulders.

Our committee was asked why we did not call the Chiefs of the other unified and specified commands. There is no one more important than the man who is the head of the strike command, but he is not directly concerned with strategic nuclear forces. Certainly unless the commander of the unified forces in the Pacific has some direct connection with the problem, he is not specially qualified in that field. We called General Power because he is the man most qualified to know what the problem is and what the limitations on our weapons are. He is the man most likely to know what he would be talking about in connection with this grave subject.

It seems to me that it is begging the question to say now that seven of the nine approved the treaty. Some of them have no specific responsibility in connection with the treaty.

I have said nothing about the dangers of radioactivity. In that connection I ask unanimous consent that a brief statement by Dr. Norris Bradbury, Director of Los Alamos Scientific Laboratory, be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

> Dr. Norris Bradbury, Director of Los Alamos Scientific Laboratory, who has been quoted as a scientific advocate of this treaty, stated before the Preparedness Investigating Subcommittee that fallout from atmospheric testing was not a factor in his decision to support the treaty. He said:
>
> "I do not believe, I have not believed, that anything we have done in the way of atmospheric testing, the fallout which inevitably over the world that results, has had the slightest consequence on human life or on successive human lives. In fact, I regret that fallout from atmospheric testing has been so played up rather recently in public statements. I think this is an exaggerated situation far beyond the actual needs of the situation. * * * I infer that some of the words which the President has used may arise to haunt us if we return to atmospheric testing, not because they are true, but because they have been said."
>
> This view of the so-called dangers of radioactivity is consistent with testimony we also received from Dr. John Foster, Dr. Edward Teller, and the Joint Chiefs of Staff.

Mr. STENNIS. I thank the President and the Senate for their indulgence. I yield the floor.

Mr. HUMPHREY subsequently said: Mr. President, I should like to have included in the RECORD, since it was referred to, the item of September 9, 1963, from Newsweek magazine entitled "The Test Ban Treaty: Atomic Chess," written by Gen. Thomas D. White.

I do this because the distinguished Senator from Mississippi [Mr. STENNIS] referred to the article.

General White stated:

> These are some of the risks. Yet I am persuaded, on balance, that the test ban treaty is worth the gamble—and gamble it is. It is a small beginning which could lead to vitally important agreements with the Communist world.

I ask unanimous consent that the entire article may be printed in the RECORD following the remarks by the Senator from Mississippi [Mr. STENNIS] because it will be more relevant to the discussion at that point.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Minnesota? The Chair hears none, and it is so ordered.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE TEST BAN TREATY: ATOMIC CHESS

(By Gen. Thomas D. White, U.S. Air Force, retired)

The positioning of military forces—often improperly from a strategic or tactical point of view—to serve purely political ends has occurred many times in history. In the atomic age it is a particularly dangerous gambit but it has its cold-war values. The United States did it nearly a year ago in the Cuban crisis—and it may have paid off despite some bitter grumblings by military commanders.

A classic example of military maldeployment to serve a vital political purpose is cited by Barbara W. Tuchman in "The Guns of August." On July 30, 1914, when World War I was about to break, the French Government ordered its armies to withdraw 10 kilometers along the entire frontier with Germany from Switzerland to Luxembourg. It was essential to France that Britain enter the war, and it was vital insurance to this end that the onus of first attack be squarely on German shoulders. "The act of withdrawal, done at the very portals of invasion, was a calculated military risk deliberately taken for its political effect," wrote Mrs. Tuchman.

Less than a year ago we moved large elements of the Atlantic Fleet, the tactical air force, and some of our continental air defenses out of their optimum general war positions in order to meet contingencies in the Caribbean. During the critical hours of intercepting Soviet ships at sea political officers in Washington ignored the chain of command to give detailed orders to individual ships and aircraft.

On the other hand our strategic forces, main threat to the U.S.S.R., deployed, presumably, in strict accord with plans for atomic war. Polaris submarines suddenly slipped out of their berths at Holy Loch in Scotland, aerial tankers moved to optimum refueling bases, and bomber crews went on increased alert.

The whole political purpose of these deployments was to signal Khrushchev the unmistakable evidence that the confrontation was deadly serious. Whatever else may eventually develop from Cuba, Mr. Khrushchev read our intentions clearly and the overt crisis ended; Soviet ships turned around in midocean and some kind of Soviet withdrawal from Cuba followed.

It seems to me that despite the grave risks and despite the anguish of responsible commanders the game was worthwhile. Yet there are lessons to be learned among which I suggest the following:

1. Integrity of command will always result in a safer and smoother operation. If in exceptional circumstances abnormal lines of communication are used or improper military deployments are directed by political authority it is essential that all hands in the chain of command be fully aware of the reasons. Under such circumstances commanders must be specifically relieved from all responsibility except for technical execution of the orders.

2. At the first sign of hot war, command must be returned to the fleet, field, and air commanders.

In the test ban treaty we now have a sweeping example of higher political purpose dictating limitations in an area of vital military importance. Some military men as well as scientists are convinced that the test ban gives the U.S.S.R. a significant technical advantage. More importantly, based on American history, they fear that the people of the country will let down their guard, our defenses will be allowed to deteriorate, and the United States would be slow to resume testing even if the U.S.S.R. violates the treaty. There are others who see the break with Mao Tse-tung and the test ban treaty linked in a colossal hoax, preliminary to confronting a sleeping Western World with Armageddon.

These are some of the risks. Yet I am persuaded, on balance, that the test ban treaty is worth the gamble—and gamble it is. It is a small beginning which could lead to vitally important agreements with the Communist world.

But we must remain forever on guard—as long as communism exists. We now have the "hot line" telephone between the President in Washington and Mr. Khrushchev in Moscow. Nonetheless, in atomic chess, as played in Cuba and now in process with the test ban treaty it seems to me that actions will always speak louder than words.

Mr. HART obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield so that I may make a unanimous-consent request?

Mr. HART. I yield.

ORDER FOR ADJOURNMENT UNTIL MONDAY, SEPTEMBER 16, 1963, AT 10 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today it adjourn to meet at 10 o'clock on Monday morning next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, for the information of Senators, it is the intention of the leadership to have the Senate continue to come in early and remain late. Senators can anticipate long sessions for the duration of next week during the consideration of the treaty until its details are fully considered and a final vote is reached on it. I serve notice to all Senators that the Senate will concentrate on the question of the disposition of the treaty, remain with it, come in early, stay late, until the treaty is acted upon, one way or the other.

Mr. HART. Mr. President, in a sense this debate was initiated by the distinguished majority leader, when he addressed the Senate on September 4. In the course of the majority leader's brief but eloquent statement, the case—in my judgment an unanswerable case—for this treaty was set forth in full outline. With all respect to my colleagues, I doubt whether any of us can find new arguments for ratification of the nuclear test ban treaty that have not been set forth in that speech.

That remarkable speech of last Wednesday put the case for the treaty in a way which answers a fundamental—if not always diplomatic—question which must be asked and answered before we can vote intelligently. That question, put bluntly, is: "What's in it for us?"

The majority leader answered that question to my total satisfaction. No one in this Chamber—no one in this country—no thinking person anywhere believes that this treaty will, in and of itself, forever, and irrevocably, prevent further nuclear testing even in the prohibited environments—in outer space, under water, or in the atmosphere. Yet it can help stop them. It can be a step toward the kind of world in which such tests are no longer an annual horror to which the human race is subjected by the unilateral decision of one or another of the nuclear powers. The treaty may stop such tests—the rejection of the treaty by this body will make the continuation of such tests a virtual certainty.

I submit, Mr. President, that when we set foot on Constitution Avenue after a hard day in this Chamber, we have only a probability of getting home alive through traffic. Traffic laws, enforced with rigorous severity, can only help prevent traffic accidents. I have never heard anyone suggest that we annul traffic laws because they do not guarantee against violations.

But what, I have asked, is in the treaty for us? It is to this question I would turn our thoughts. I want to cite just one of the benefits that will accrue directly to every Senator as an individual, and to every man, woman, and child in the United States. It is the cessation, for so long as this treaty is effective, of further pollution of the air we breathe and the food we eat by radioactive byproducts of each and every nuclear test—and particularly, though not uniquely high-yield thermonuclear tests.

I shall try to avoid technicalities, Mr. President, and I shall try, too, to avoid an overstatement of the fallout problem. There is no justification for ignoring the fact there is serious divergence among those scientists who are best informed on the fallout question. In the printed record of the hearings on the treaty, there occurs a good deal of testimony on the effects of radioactive fallout, and the importance of these effects to the Nation. The witnesses, predictably, comment on the fallout question differently, according to the views which they have of the broad political and strategic value, or danger, of the treaty itself.

Dr. Willard Libby, of the Atomic Energy Commission, and now a member of the chemistry department of UCLA, told the committee:

> I have been concerned about fallout from the beginning. But never so concerned about its effects that I thought this ought to swing in any major way the decisions about the armament of the Nation.

Dr. Edward Teller, who is perhaps the most articulate and respected scientific figure standing in opposition to the treaty, asserted before the committee that:

> We have increased the effects of natural radiation by 10 percent. The effects of natural radiation have never been proved to be harmful. The fallout question is really not close to the heart of the matter of this test ban treaty.

On the other hand, Dr. Glenn Seaborg, who is Chairman of the Atomic Energy Commission, stated in the hearings that the amount of fallout thus far released "has certainly led to some adverse health effect, and presumably some genetic effect."

To be wholly fair to Dr. Seaborg, let me say that in the same context, he stated that the fallout up to now—I emphasize those three words, "up to now"—"has not led to a serious situation."

Not all the qualified, scientific testimony which was presented to the committee took the line that the fallout question was unimportant.

Dr. Daniel Deykin, a physician, of Boston, Mass., speaking for the Physicians for Social Responsibility, testified at some length about the effects which existing fallout has had upon the health of our own people. I quote briefly from the testimony offered by Dr. Deykin:

> The level of radioactive strontium 90 content of teeth and bone is 10 times higher in children born in 1957 than in children born in 1951, and the level of strontium 90 fallout is expected to increase still further. Such an increase in radioactivity is particularly alarming in view of the evidence that the unborn child is much more sensitive to a given amount of radiation than the adult. A recent study suggests that the fallout from the combined tests of the U.S.S.R.-United States in 1961–62 will cause an increase of 10 percent in childhood cancer mortality.

I ask Senators to pay particular attention to those words:

> An increase of 10 percent in childhood cancer mortality.

Mr. President, those were the chilling words of Dr. Daniel Deykin, whose views on matters of health and genetics can be considered, from a point of view of the content of his professional training, to be at least as significant as the views on the same subject of a trained physicist.

Prof. Matthew Meselson, associate professor of biology at Harvard University, testified before the committee to the effect that fallout from tests already conducted will cause 50,000 children to be born with gross physical or mental defects. Muscular dystrophy, blindness, and dwarfism are among the disheartening catalog of defects mentioned by this witness.

There, Mr. President, is a sample of the scientific testimony presented to the Senators entrusted with the grave responsibility of making a recommendation to the Senate on the ratification of this treaty. Many people who are deeply committed to the treaty would like to be able to say that the scientific testimony is overwhelmingly in support of the contention that fallout has already killed many and will kill more.

Not all the testimony can thus be described, although much of it cautions us that this is so.

Senators who are strongly opposed to ratification may want to argue that the testimony justifies the claim that fallout is unimportant, but, as I indicated earlier, the testimony as to the relevance of the fallout problem seems to me to vary with the views of the witnesses as to the overall wisdom of the treaty. The question of fallout, most witnesses seem to indicate, should be taken in the larger context. It was suggested, during the hearings, that the fallout problem could be likened to the effects of water on the human body—that sustained immersion can result in drowning, while an occasional refreshing glass is necessary for life itself.

It is like arguing that because a little salt helps the stew, therefore a large quantity of salt will make the stew better. The analogy, while a refreshing one, is hardly valid. I have examined the hearings carefully, and over past years I have read a good deal of expert testimony on the fallout question. I have seen opinions as to the "statistical insignificance of the effects of nuclear debris."

But never once, Mr. President, have I heard the most ardent supporter of nuclear tests assert that "a little fallout is good for you." Never have I heard expert testimony to the effect that anybody's group had "20 percent fewer cavities with strontium 90," or that "you may feel left out of things if you are not just a little bit radioactive."

Fallout, Mr. President, is seen as a threatening monster, or as a small goblin, depending upon the viewer's precommitments. But no one has yet cloaked radioactive debris in the guise of a benefit to "hitherto unfallen-out-upon mankind."

If we return to the testimony, Mr. President, once again we see that the only difference of opinion among the witnesses is the degree and the immediacy of the danger presented by fallout.

Dr. Seaborg says:

> Certainly the less fallout we have the better it is for everybody.

At another point, Dr. Seaborg says:

> I think that all scientists would agree that further radiation should be avoided if at all possible. I would imagine that most of them * * * would not use the word "dangerous" * * * a great number of them would probably employ the word "harmful" having in mind that according to the best, according to an interpretation made of the sparse data by a number of expert biologists and geneticists there will be a certain number of cases where there will be adverse health effects of genetic effects.

In other words, Mr. President, the so-called "controversy" about fallout seems to be whether this man-made pollution of our air and our food is "dangerous" or "only harmful."

There would seem to be, if one carefully examines the hearings, general agreement that fallout is not a useful natural resource, but rather that it is a hazard, to be weighed against other hazards in arriving at a conclusion about this treaty.

Even Dr. Teller—the most outspoken foe of the treaty, and the most insistent adherent to the notion that fallout has not posed any serious health problems to date—when asked what he would recommend if we did not ratify the treaty, urged that we "unilaterally adopt a ban on the amount of radiation released into the atmosphere" by our own testing efforts.

What do those say who contend that the fallout problem is not a serious one? Basically, they seek to persuade us that the most careful measurements and extrapolations from observable data lead to the conclusion that somatic and genetic damage from nuclear tests thus far conducted—and I note with interest that almost every witness who dismissed the dangers of fallout, added that interesting qualification, "from tests thus far conducted"—is statistically insignificant.

Mr. President, 50,000 defective children may be "statistically insignificant" in the eyes of the historian of 100 years from this night. Two thousand or five thousand deaths from bone cancer may be "statistically insignificant" in the jargon of those whose profession leads them to devise words such as "overkill." But there is a fundamental inhumanity underlying each of those concepts which I refuse to accept as a rational basis for judgment.

I am sure that the idea of a "statistically insignificant" death is as coldly scientific as the idea of "overkill." But I submit that we can become so coldly objective as to lose touch, not only with sentiments and scruples that make us flinch from reality, but from the concepts and sensibilities that make us human. "Conscience doth make cowards of us all," says Hamlet. Conscience, Mr. President, should make men of us all. Conscience—sentimentality, if you will—leads most of us to reject the thought that a single child blinded by the deadly mist from a thermonuclear cloud is ever "insignificant." Conscience is the precise quality which differentiates us from the animal.

And so, Mr. President, I am led to the conclusion, from the same hard facts that appear in these hearings, that the "statistical insignificance" of which the weapons speak is wholly relevant to the question of the ratification of this treaty. It so happens that I reach a conclusion wholly opposite from theirs.

I fully agree with the rather homespun philosopher who reasoned that no rat poison is exactly the right amount of rat poison to have where children can get at it.

What are we really being asked to do in ratifying the treaty?

We are not asked to stop all nuclear weapon development or manufacture. We are not committing ourselves to dismantling our vast arsenal of thermonuclear weapons. We are not signing a warranty deed to eternal peace on earth, nor are we giving up a single strategic interest now in our grasp. This is a limited treaty. It binds us only so long as this country does not unilaterally decide that our supreme interests have been jeopardized by any events, to refrain from testing nuclear devices in the atmosphere, in outer space, and under water.

The President, the Secretary of State, Under Secretary Harriman who negotiated it, and all the responsible officials who bear the awesome burden of our national survival and security, have told us that this treaty will not bring the millenium. Its effects are limited. Its risks are even more limited. So let us examine the question of the danger of fallout, not in the absolute terms which can lead some to talk of it as "statistically insignificant," but in terms of the world we can grasp, and in terms of the minor changes in that world which this treaty will make.

The "statistical" insignificance, of which some opponents speak when they look at fallout dangers, exists in terms of worldwide incidence. Though most fallout thus far has made its way to earth in the Northern Hemisphere, the percentages of additional radiation in the air may not be past the controversial "danger point" for the entire Nation. But there are hotspots in these United States where the level of radioactivity has suddenly grown to the point of danger, no matter who defines it. In the State of Minnesota, and in the State of Utah, just such hotspots have appeared, from the coincidental and unpredictable actions of winds and rain collecting radioactive debris and depositing it in a given spot. Perhaps the neighboring States were spared some of their "statistical" share of the fallout they might otherwise have received because the winds and rain of 1962 fell on Minnesota and Utah. If we continue to test weapons, if the Russians continue to test weapons, if other nations decide to join in the nuclear race, perhaps with less sophisticated devices, this year's rains or next year's winds may capriciously present Nebraska or South Carolina or New York or Florida—yes, Michigan—with a sufficiently excessive share of the fallout harvest so that those States, too, may be raised out of "statistical insignificance" to reach the dubious designation of "hotspots."

Certainly, I may be accused of speculation. Certainly, I am speculating on what can happen. Those who talk about the effects of fallout on the next generation, in terms of the tests already conducted, and who say we should not ratify this treaty are also speculating. They are speculating that the effects of fallout in the past and in the present will somehow not be magnified in the future, even if we continue testing. They are speculating that, somehow, from increased atmospheric tests, we can derive some benefits which in some way might overcome the impact on, and even the loss of, our children.

I am speculating, Mr. President, on the assumption that no amount of fallout is good for us; that whatever the effects of tests already conducted may have been, the effects of more tests will be even greater; that eventually we reach the point where we must, indeed, decide whether the poisoning of our own atmosphere and our food reasonably can be justified. And I suggest, on the basis of those speculations, that we ratify this treaty, that we accept this limited hope, that we husband the small flame of this single candle of reason in a world dark with irrationality, before we have to make that hard choice.

Mr. President, in a setting such as this, when minds appear to have been made up on this question, I have heard occupants of the galleries ask, "Why do Senators continue to make speeches?" If we look into our own hearts and each one of us asks himself that question, I suspect it will be hard for each of us to explain why we do get up and make a speech. In all likelihood, it will not change a single mind.

We are all captives of history. I believe each of us has the wit to know that the flow of history surges, really without much influence from the voice or vote of any of us. But many of us have children, and I am sure that their verdicts of our performance will be measured more importantly on our voice and vote on this question than anything else that will be presented to us, no matter how many years it shall be given to us to sit here.

That is one reason why I desired, even at this late hour, and realizing it will not influence a soul, to speak into the Record for them, my hope for their future.

I am no scientist. I am no technician. In a way, I voice the viewpoint of most unscientific, most untechnical Americans, only a few of whom are permitted to speak into this Record.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. MANSFIELD. I commend the distinguished Senator for the remarks which he has just made. While it may be true that what he has said will not change a single vote, nevertheless what he has said will, I think, give additional hope to the upcoming generations in this country who need that kind of outlook from their elders and from those of us who are charged with responsibilities of government in this most difficult day and age.

Perhaps the likelihood is that no Senator's vote will be changed at this late hour, but I would hope that Senators who have decided to vote for this treaty, as I have, along with the Senator from Michigan, the Senator from Minnesota [Mr. Humphrey], and other Senators, will be heartened by what has been said. Certainly, we are all deeply and personally moved by the remarks from the heart which the Senator from Michigan has just delivered.

While some people may scoff at the effects, genetic, physical, and otherwise, of nuclear explosions, nevertheless, I believe they are a shadow overhanging the discussions of the treaty now before the Senate.

I wish to express my deep and personal appreciation to the distinguished Senator from Michigan for the remarks he has uttered on the floor of the Senate this afternoon. He has marked a subject too seldom mentioned in this great debate. He has, in his remarks, put the importance of man over the importance of megaton.

Mr. HART. I thank the Senator.

Mr. HUMPHREY. Mr. President, I am very happy to be present in the Senate at the particular hour when the able and gifted Senator from Michigan delivers his address on this all-important step in American foreign policy, wherein the President of the United States has asked the Senate to advise and consent to the treaty which has been negotiated between the United States, the Soviet Union, and the United Kingdom, to prohibit nuclear weapons testing in the environments of the atmosphere, outer space, and underwater.

The Senator from Michigan has directed his remarks toward a subject matter that has been of deep concern to the overwhelming majority of the American people; namely, the health, welfare, and safety of the American people, in a period when a new form of energy; namely, atomic energy, has been harnessed for destructive purposes.

The Senator speaks about something that Senators should know something about; namely, the concern that mothers and fathers have for their loved ones, a concern that a fellow citizen ought to have for his neighbor, his community, and his country. I have said during this debate that most of us have spent a great deal of our time on the scientific and military aspects of the treaty. I say again in all candor that the scientific and military aspects are extremely complex. Without in any way trying to judge my colleagues, and speaking only for myself, I have spent several years as chairman of a subcommittee in the field of arms control and disarmament, listening to the testimony of hundreds of so-called experts on the subject of a nuclear test ban treaty. Time and again I have heard the words of scientists, and the expert testimony of technicians and scientists. In recent weeks I listened to the testimony of the outstanding military officers of our Government, outstanding scientists, outstanding leaders of our civic life. Most Senators are not competent to judge the scientific, technological, and military aspects of the treaty.

We can have a point of view and an opinion, which we ought to have; but when it comes to discussing the complexity of a nuclear device or a warhead or the difference between fission and fusion, or the difference between an atomic bomb, a hydrogen bomb, and a neutron bomb, I am sure our knowledge is surface deep and that it does not approach professional competence.

When it comes to a subject matter which deals with what happens to the lives of people, at least we can express from our heart our concern. The Senator from Michigan as did the majority leader in his memorable address of about 10 days ago, has given us reason to reflect; and after this moment of meditation, to vote for the treaty.

I have continued to be concerned about radioactive fallout. As the Senator has so well stated, we do not know how much radioactive fallout the human body can absorb without damage, but we do know that it is not good for us. We do not know how much arsenic the human body can absorb, but we know that if enough is absorbed, a person will die. We do not know how much strain and tension a human body can take, either, but if there is enough strain and tension over a long enough period of time, a person will break down.

What the Senator from Michigan has said is that we need to have some assurances from this Government about the danger of radioactive fallout. We have been asking the generals and the President of the United States to give us assurances. We have said: "Give us assurances, Mr. President, that we shall be able to test weapons underground. Give us assurances, Mr. President, that we will keep our laboratories going. Give us assurances, Mr. President, that you will send a big enough budget to Congress to make sure that we can test in our laboratories. Give us assurances that there will be no great radioactive fallout."

Thank goodness, the President has done it. That is what is in this treaty.

What President Kennedy has done in this treaty by sending it to the Senate is to give assurances that it will be a benefit to other generations if the nations will abide by the treaty, and that man will not continue the danger of further radioactive fallout by reason of nuclear weapons testing. That is a very important assurance.

That is the kind of assurance that we ought to have. I have expressed concern over some of the provisions of the treaty. I have heard others express concern, today and on other days, about the risks that we take in ratifying the treaty.

Thank goodness the Senator from Michigan has told us about the risks we will take if we do not ratify the treaty. It is the risk of continued nuclear testing. Yesterday President Kennedy, at his news conference, told the entire world that if the treaty is rejected it will be the go-ahead signal, the green light, for continued testing by the present nuclear powers and by nations soon to become nuclear powers; there will be all-out testing. Let that specter be before us as we consider the risks.

The Senator from Michigan, in his humble, kindly, and thoughtful manner has again alerted the Nation to its moral responsibility.

Senators are elected not only for the purpose of reviewing the military posture and scientific achievements, but also to express, or at least indicate, some moral responsibility for this Nation. I thank God that there are men like the Senator from Michigan, and others, in the Senate who put at the top of the agenda the moral responsibility of elected public officials, and not merely the fact that we should produce a bigger bomb. Perhaps what we should produce is a bigger and better idea about the kind of world in which we ought to live.

If the President of the United States never does another thing in his term of office than to have responsibility for the successful negotiation of this treaty, I predict that he will go down in history as one of our great statesmen. Why? Because he has put people above power. He has put life above death. He has put hope above despair. The Senator from Michigan has only underscored what the leader of this country has offered to us—a great opportunity and a great responsibility. I salute the Senator and join him in his message, which he delivered so eloquently and magnificently and forcefully today.

Mr. HART. I appreciate the kind remarks of the Senator from Minnesota, whose active leadership in this field over the years has given hope to those who seek a world made to endure in peace the decency, and also the kind remarks of the majority leader. The Senator from Minnesota made the point that we should underline the fact that weapons are powerful bombs, and that reaching the moon is spectacular, but that ideas are the most powerful of all instruments. We are reminded time and again that the dinosaur was the most powerful thing in the world, but there are no more dinosaurs in the world. Ideas are what we should forge, and effective forging of ideas means survival and the assurance of the maintenance of freedom in our society. Weapons alone will not be the answer.

Mr. SIMPSON. Mr. President, if history teaches us nothing else, it teaches us, in the words of Santayana, that:

> Those who cannot remember the past are condemned to repeat it.

From what I perceive of the current debate, I would venture the guess that too much history has been forgotten. I would voice the fear that many of us will share the responsibility for reliving the history which shrieks so loudly now, "Beware of the nuclear test ban; you are negotiating with the tailors of your defeat."

I was privileged to sit through the open hearings held by the Foreign Relations and Armed Services Committee. I was impressed by the forthrightness of Secretary McNamara, the easy fluency of Secretary Rusk, and the grudging assent of the Joint Chiefs of Staff, but I was far more impressed with the articulate warning from nuclear scientist Dr. Teller—"father of the H-bomb"—who spoke with sincerity and conviction of the military loss inherent in this pact with the powers dedicated to our destruction.

The thread of commonality connecting the testimony of proponents and antagonists alike was the warning, sometimes subliminal but often patent, that despite the categorical promises of surveillance with vigor and instant preparedness, we are gambling our military superiority, casting aside the shield that protects the free world.

It has become popular conversation in recent days that a perpetual arms race has always been the real cause of wars.

That is a spurious argument without weight or substance.

I suggest that the abandonment of initiative, the sheathing of the sword, the false sense of security, and a preoccupation with material comforts have contributed far more to the triggering of wars than has any arms race.

I think Korea and World War II are excellent examples of the fallacy of the arms race and war theory.

It was no arms race that propelled Hitler over the Polish border in 1939. It was a clear indication that he would meet no effective resistance—that his political fences had been adequately built with the Soviet Union. Hitler felt assured of easy conquest as he loosed his war machine.

It was not the arms race that sent the Korean hordes over the 38th parallel in 1950 to inundate grossly inadequate American defenses. America was engaged in no arms race during the months which prefaced those two conflicts. We were instead basking in the euphoria of de facto disarmament, telling ourselves that the thing called peace is pretty nice, and maybe if we just do not look up and notice the war clouds on the horizon, a nice warm wind from Washington will dispel them.

The end of complacency came with a shattering swiftness in Europe and Asia, but not because the United States was engaged in an armaments race. The race came later, and we were sorely strained to rebuild our military might.

At the outset, Mr. President, let me say that I was much disturbed during a visit home to find Washington press reports that the Senate must not alter the test ban pact because it might force the treaty to be renegotiated. The thinking apparently is that Chairman Khrushchev, who has never been interested in assuring the readiness of American defenses, might not like our amendments. Therefore, the treaty would not survive additional negotiations.

I intend to devote a portion of these remarks to the discussion of several treaties the Senate has considered or amended and also to the often heard proposition that chaos will envelop America if the Senate "tampers with the will" of the Executive and alters the treaty. This debate, I feel, could benefit from Patrick Henry's "Lamp of Experience":

> I have but one lamp by which my feet are guided, and that is the lamp of experience. I know no way of judging the future but by the past.

I suggest that the pages of history are replete with excellent precedents of the Senate exercising its constitutional responsibilities for treaty amendment. Nowhere in these precedents have I perceived the intention of mollifying a dictator who has sworn to destroy us.

If the Senate does advise amendments to this treaty and if the document should by chance die in renegotiation, despite the apparent sincerity of Khrushchev, on whose shoulders would the responsibility descend? There are those in this Chamber who have stated that the Senate would be the executioner because Russia's master would not accede to Senate inspired treaty revisions. That premise, Mr. President, is specious on its face.

The Senate's decision on ratification must be predicated entirely and solely upon the effects the treaty will have on America's military and political posture. It cannot be based upon the supposition of what may happen to the document if we protect our interests as they relate to it.

The Senate's judgment must take into consideration only the United States—no other nation, no other political philosophy. There is necessarily inherent in such decisionmaking the possibility that the treaty will not emerge from debate with its language unscathed.

I sincerely hope the text can be altered, and I plan to direct my efforts to that end.

The oath we have taken as Senators ends at our shores. We are not constitutional internationalists. Our allegiance and our singular responsibility is to the United States. We have not been certified as arbiters of the so-called Sino-Soviet dispute. We have no authority to ascertain the "good and the bad" communisms on the theory that we should support—through this treaty—the brand of communism which may appear slightly less evil.

To the argument that the Senate would be remiss to tamper with an Executive judgement, I would like to quote a statement by the distinguished Senator from Massachusetts at the turn of the century, Henry Cabot Lodge.

There was at that time a great campaign of vilification in the British press regarding the Hay-Pauncefote Treaty. Senator Lodge noted that the British papers "seemed to have a general belief that the Senate amendments" to the treaty "were in some way a gross breach of faith, a view not susceptible of explanation but very soothing to those who held it." To this criticism the Senator replied:

> It has been the uniform practice of the Senate to amend treaties whenever it seemed their [sic] duty to do so * * * the Senate can only present its views to a foreign government by formulating them in the shape of amendments which the foreign government may reject or accept or meet with counterpropositions, but of which it has no more right to complain than it has to complain of the offer of any germane proposition at any other stage of the negotiation.

Those words uttered by a great statesman of his time could well be repeated to anyone who would question the right and responsibility of the U.S. Senate to alter the language of a treaty in any way it considered proper.

The Senate is a coequal partner in the matter of treaties—an especially salient point of this discussion. In the opinion of some Senators, the treaty contains errors, deficiencies, and anomalies that can only be corrected by the Senate. The right of this body to share in treatymaking at every stage has always been fully recognized both by the Senate and by the Chief Executive. The power of the Senate to amend or recommend ratification conditionally is, of course, included in the larger powers expressly granted by the Constitution to reject or confirm.

Since the administration is asking the Senate not for its advice but only for its unquestioning consent to a treaty on which the Senate has had no opportunity whatsoever to propound suggestions, it is quite fair to note that the administration would have been following many very well established precedents, one as far back as 1789, had it asked this body its sense on the treaty language before Mr. Harriman initialed it in Moscow.

As a point of precedent, I note the Senate in 1795 amended the Jay Treaty, ratifying it on the condition that the 12th article should be suspended. Senator Lodge writes that Washington "accepted their action without a word of comment as if it were a matter of course, and John Franklin, in his 'Life of Washington,' has treated the Senate's action on that memorable occasion in the same way."

That great American statesman, Thomas Jefferson, is reported to have told President Washington on March 11, 1792, that it was:

> Advisable whenever possible to consult the Senate before the opening of negotiations since its subsequent approbation was necessary to validate a treaty.

We also have a direct and unanimous declaration by the U.S. Supreme Court in Haver against Yaker. Mr. Justice Davis, delivering the opinion, said:

> In this country a treaty is something more than a contract, for the Federal Constitution declares it to be the law of the land. If so, before it can become a law, the Senate in whom rests the authority to ratify it must agree to it. But the Senate are (sic) not required to adopt or reject it as a whole, but may modify or amend it, as was done with the treaty under consideration.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. SIMPSON. I yield.

Mr. CURTIS. I congratulate the Senator from Wyoming. He has conducted research on matters of vital importance. He has correctly pointed out the function of the Senate in treatymaking.

Apparently it is presumed by some that the Executive makes a treaty, and then the Senate is asked to approve it, in the same way in which the Senate might confirm the appointment of an individual. But such is not at all the case. As the Senator from Wyoming has well stated, a treaty is the law of the land.

The Constitution vests in the Senate part of the treatymaking power. I call attention to the fact that the statements to which the Senator from Wyoming has referred are based upon section 2 of article II of the Constitution, which provides:

> He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senate present concur.

The point I wish to make is that the Senate is part of the treatymaking process; and, as such, the Senate exercises not only a constitutional duty, but also one which has been adhered to through the years.

It is difficult for me to understand why some persons have become so enamored with their own ideas and their own projections that they do not dare trust free government to operate, and have no faith in constitutional procedures.

If we believe in free government under law, certainly we must not be afraid to follow constitutional procedures.

Mr. SIMPSON. I am grateful to the Senator from Nebraska for his very pertinent observations. Let me say that I am cognizant of the section of the Constitution he cited, and I thank him for his contributions.

To avoid further burdensome statistics, let me at this point, Mr. President, mention three postwar instances in which the Senate, the Committee on Foreign Relations, or individual Senators were consulted or otherwise were involved in treaty discussions. I ask that there be printed in the RECORD, as insert No. 1, a memorandum on them; and, as insert No. 2, a memorandum which refers to earlier precedents for advice by the Senate in regard to treaties.

There being no objection, the memorandums were ordered to be printed in the RECORD, as follows:

No. 1

Following are three postwar examples of treaty negotiations in which the Senate, the Committee on Foreign Relations, or individual Senators were consulted or were otherwise involved:

1. UNITED NATIONS CHARTER

Preliminary executive-legislative planning for the charter began with conversations between State Department and congressional officials, then took form with the appointment in 1942 of an Advisory Committee on Postwar Foreign Policy, which included both executive and legislative personnel. The Fulbright and Connally resolutions of 1943 committed both Houses in principle to participation in an international security organization. The prospects for nonpartisan consideration were improved by a declaration by Senator Warren Austin, Senator Arthur Vandenberg, and other Republicans, and by the agreement of Secretary of State Hull with John Foster Dulles, as Dewey's delegate, to avoid the subject as a presidential campaign issue.

The final stage of legislative-executive relations regarding the charter was the establishment of direct congressional participation in the formulation and approval of the charter itself. Secretary of State Hull asked the Senate Committee on Foreign Relations in March 1944, to appoint a subgroup of four Democrats and four Republicans to confer with him concerning the charter. After its first meeting on April 25, 1944, this committee of eight met regularly and discussed at length all major aspects of the draft charter proposed by the State Department.

Although Secretary Hull did not urge any congressional leaders to attend the Dumbarton Oaks Conference, he told Senators Vandenberg and Connally and Speaker Rayburn that he would keep them informed of the progress of the conference and would let them know if any radical changes were made in the plan approved by the committee of eight.

Between the Dumbarton Oaks Conference and the San Francisco Conference there were further State Department meetings with the Senate committee of eight and also with leading Members of the House. Another important step was taken when Senators Connally and Vandenberg and Representatives Bloom and Eaton were appointed as delegates to the San Francisco Conference. Nonpartisan executive-legislative cooperation continued at the San Francisco Conference and afterward, until the charter was finally approved by the Senate on August 8, 1945, by a vote of 89 to 2.

2. NORTH ATLANTIC TREATY

Secretary of State Marshall and his Under Secretary, Mr. Lovett, on behalf of a Democratic President, began a series of informal talks with Senator Vandenberg, the Republican chairman of the Foreign Relations Committee, and Mr. Dulles, a Republican who many during that election year of 1948 considered would be the next Secretary of State. These and subsequent discussions produced the Vandenberg resolution, which was approved unanimously by the Committee on Foreign Relations and adopted by the Senate by a vote of 64 to 4. Thus the President was "advised of the sense of the Senate" that the United States should, among other things, associate itself with regional security arrangements for effective self-help and mutual aid, and should make clear its determination to exercise the right of individual or collective self-defense under article 51 of the United Nations Charter.

Under Secretary Lovett, who conducted complex negotiations with the European powers, discussed preliminary drafts with both Senators Vandenberg and Connally, so that when the latter assumed the chairmanship of the Foreign Relations Committee after the elections he was well informed about the negotiations.

Dean Acheson, who became Secretary of State in January 1949, continued the consultations on Capitol Hill. The important exchange of views between the State Department and the Committee on Foreign Relations at informal meetings led to many changes in the draft treaty. The most important of these applied to article 5, which embodied the key principle that an "armed attack" on one or more of the members of the North Atlantic area would be considered an attack on all. Apparently at the insistence of Senators Vandenberg and Connally, a phrase was introduced committing each signatory only to "take such action as it deems necessary * * * to restore and maintain the security of the North Atlantic area." Thus was forestalled any Senate objection to an "automatic" commitment to go to war, which would have been counter to the constitutional right of Congress to declare war.

The Senate consented to ratification on July 21, 1949, by an 82–13 vote.

3. FAR EAST SETTLEMENT

The following is an excerpt from Randall H. Nelson, "legislative participation in the treaty and agreement making process," Western political quarterly, volume 13, March 1960: 154–171. The treaties involved were the Japanese Peace Treaty and two Pacific security agreements—the Anzus Treaty and the Philippine Treaty. All three were approved by the Senate on March 20, 1952:

"More recently, the constant consultation and collaboration between Ambassador (later Secretary of State) John Foster Dulles and the members of the Senate Committee on Foreign Relations which marked the negotiation and conclusion of the Japanese Peace Treaty drew high praise from both the Senate and the Department of State. When Senator Connally, chairman of the Senate Committee on Foreign Relations, presented the treaty on the floor of the Senate, he remarked:

"'As chairman of the Foreign Relations Committee I want to congratulate the executive branch, and particularly the Honorable John Foster Dulles, for the effective way in which these treaties were negotiated. From the very beginning, Senator Dulles conferred with the Foreign Relations Committee and he kept in constant touch with us throughout the negotiations. Since the conclusion of the United Nations Charter, I believe that the Japanese Peace Treaty represents a high-water mark in the development of closer executive-legislative teamwork in the formulation of foreign policy. It is significant that eight Members of the Senate were named by the President to serve as members of the U.S. delegation to the San Francisco Peace conference.'

"The ranking minority member of the committee, Senator Alexander Wiley, Republican, of Wisconsin, also had praise for Mr. Dulles:

"'At the outset, Mr. President, I should like to commend the executive branch for the fine bipartisan and cooperative manner in which it negotiated the treaties. We all know that Ambassador Dulles, a former Republican Senator from New York, was the one principally responsible for negotiating the treaties. He did a grand job in keeping members of the Foreign Relations Committee constantly informed of his negotiations. He consulted with us time and time again to give us a general outline of what was going on. Ultimately the American delegates who signed the treaty, including a number of Members of Congress, were chosen on a completely bipartisan basis.'"

Mr. John M. Allison, Assistant Secretary of State for Far Eastern Affairs, in an address before the American Society of International Law, commented most favorably upon the cooperation between the executive branch and the Senate during the negotiations of the treaty. He said in part:

"The conclusion of these treaties was an effective demonstration of cooperation between the executive and legislative branches of the Government.

* * * * *

"From the time he was appointed by the President on September 8, 1950, as chief U.S. negotiator until just 1 year later on September 8, 1951, when the treaty was finally signed, Mr. Dulles and his associates in the Department of State made a deliberate effort to keep the members of the Foreign Relations Committee of the Senate informed of what they were doing and the way in which they were doing it. During this period there was a series of meetings between Ambassador Dulles and the members of the Consultative Subcommittee on Far Eastern Affairs of the Senate Foreign Relations Committee. At all important stages in the negotiations of the treaty, Ambassador Dulles consulted with the subcommittee and on several occasions with the whole committee on specific problems that arose Suggestions were received from members of the committee as to how many of these problems might be solved, and these suggestions played a real part in the determination of the final text of the treaty.

"Not only were members of the Foreign Relations Committee kept informed but Mr. Dulles made it a practice to discuss treaty matters with influential Members of the Senate who were not members of the Foreign Relations Committee but who would be called upon to pass final judgment on the treaties themselves. There were also several meetings with members of the Foreign Affairs Committee of the House of Representatives. While the House of course has no direct part in the ratification of treaties, nevertheless, it does have a part in passing implementing legislation by which treaties can be carried out, and it was therefore believed important that as many Members of Congress as possible should be kept fully informed. When the time came to send a delegation to San Francisco to sign the treaties, Members of both the Senate and the House of Representatives were included on the delegation. This procedure, providing continuous consultation with the Congress, was proved to be justified when the treaty came before the Senate. It was approved unanimously by the Foreign Relations Committee and was then overwhelmingly approved in the Senate itself by a vote of 65 to 11. It has been demonstrated that the people at the two ends of Pennsylvania Avenue can cooperate effectively when both are convinced what they are doing is for the true and lasting benefit of their country.

NO. 2. EARLY PRECEDENTS FOR ADVICE BY THE SENATE IN REGARD TO TREATIES

(From "Treaties: Their Making and Enforcement," by Samuel B. Crandall, second edition, ch. 6.)

In 1789 President Washington personally briefed the Senate on a proposed treaty with the southern Indians. History tells us that the Senate "seemed unwilling" to give its advice and consent without having first fully considered articles contained in a short paper read by the President regarding seven specific points of negotiation. It is further noted that the Senate maintained its right to exercise an independent judgment by voting in favor on a part only of the proposition submitted.

President Washington by special messages of August 4, 1790, August 11, 1790, January 18, 1792, and March 23, 1792, sought Senate advice as to the conclusion of treaties with Indian tribes. The advice was given in each case, and the treaties were carefully drafted to be in conformity with the wishes of the Senate.

In a communication to the Senate on February 9, 1790, concerning differences that had arisen between the United States and Great Britain, as to the Northeastern Territory, the President stated that he considered it advisable to postpone any negotiation on the subject until he had received the advice of the Senate as to the propositions to be offered on the part of the United States.

It is notable there that the Nation's Chief Executive in that vitally important negotiation with Great Britain on our northeastern territory would not act until he had received the advice of the Senate.

By message on May 8, 1792, the President inquired of the Senate whether it would approve a treaty if one were concluded with Algiers for payment of ransom and peace money.

President Jackson, on May 6, 1830, sought the advice of the Senate in advance of a treaty. President Polk on June 10, 1846, asked the Senate for its advice as to the conclusion of the proposed Oregon Treaty.

President Buchanan communicated with the Senate on February 21, 1861, again in regard to an Oregon Treaty. The Great Emancipator, Abraham Lincoln, was completely in concurrence with the principle of requesting the Senate's advance sense on treaty negotiation. He did so March 16, 1861, and again on December 17 of that year. At that time President Lincoln transferred to the Senate for its advice the draft of a convention with the American Minister in Mexico regarding the payment of claims urged by European powers.

There are also precedents for the submitting to the Senate of treaty drafts purely for advice and discussion, after which the language is put in a formal treaty for the consummation of negotiations. The treaty then returns to the Senate for the procedural advice and consent.

Mr. SIMPSON. Mr. President, although nations have balked at the treaty-amending powers of the Senate, no President has ever questioned the right or obligation of the Senate to amend a treaty. I hope the present administration will maintain that extremely ethical perspective throughout the test-ban treaty debate.

Mr. Buchanan, Secretary of War to President Polk, rendered, on February 26, 1846, an opinion that the Federal Constitution has made the Senate a coordinate branch of the treatymaking power. Without its advice and consent, no treaty can be concluded; and in Mr. Buchanan's words:

> This power could not be trusted to wiser or better hands.

Mr. President, I should like to address myself to two other aspects of this debate, both of which are germane to the question of amending the treaty. The distinguished Senator from Connecticut [Mr. DODD] has offered five statements of understanding to this treaty. I have read these statements, and I am sympathetic with their language. However, what we must consider here is that action taken to interpret or clarify the treaty must be of such a nature as to affect the contractual relationship. Without such effect, the action is of no consequence. It is my hope the Senator will offer his proposals as amendments.

As the debate has shown, only a de facto amendment or reservation will alter the international obligation of the United States to this treaty. It is this obligation, and that of the Soviet Union, which must be crystal clear before the pact is ratified.

At this juncture of the proceedings, Mr. President, I request unanimous consent to have printed in the Record an article entitled "Soviets May Have Ultimate ABM," which was published in the magazine Missiles and Rockets on September 16, 1963.

There being no objection, the article was ordered to be printed in the Record, as follows:

Soviets May Have Ultimate ABM—Electromagnetic Energy From High-Yield Blast Might Neutralize U.S. Missiles in Silos, Leaving Maginot Line Deterrent

The Soviet Union may be developing an antiballistic missile system capable of deactivating U.S. missiles in their silos with the electromagnetic energy from exploding high-yield Soviet nuclear weapons, Missiles and Rockets has learned.

This possibility, supported by U.S. intelligence gathering on the 1961–62 Soviet high-yield test series, is behind strong opposition by many high military officers and nuclear scientists to the test ban treaty.

The Soviet lead in antiballistic missile development has been acknowledged even by administration supporters in the test-ban debates. It is based on the long-range ability of strong electromagnetic pulses to cripple the electronics system of a missile so that it cannot be fired.

It could mean that the United States has invested billions of dollars in a "Maginot line" of Atlas, Titan, and Minuteman missiles that could be rendered useless by the new Soviet development.

POLARIS SAFE

Polaris missiles beneath the sea would be relatively immune, as would manned bombers on patrol far from U.S. shores.

This point was made by Dr. Edward Teller when he told the Senate: "By expanding and perfecting the Polaris missile system, we could ameliorate the situation."

U.S. knowledge of Soviet developments in this area has been given the highest national security classification and has been discussed only in closed sessions of Senate committees considering the treaty.

U.S. information comes from monitoring satellite, aircraft, and other intelligence sources.

Soviet achievement of such a capability could effectively neutralize the major portion of the U.S. deterrent force in its silos, this magazine is told.

This belief is based on the fact that U.S. military strategy relies on second-strike capability, which concedes the first strike to the Soviet Union and bases the U.S. deterrent on the ability to survive the initial attack and still retaliate.

NO SECOND STRIKE

Achievement by the Soviets of the capability of using their first strike offensive weapons simultaneously as defensive weapons that would destroy the electronics of U.S. silo-based missiles could wipe out the ability of the United States to retaliate.

This fear was expressed in depth by Gen. Thomas S. Power, commander of the Strategic Air Command, in his testimony before a closed session of the Senate Preparedness Investigating Subcommittee. The testimony was severely censored before release, with any reference to electromagnetic pulse (EMP) phenomenon deleted from the text.

The possible effect of the burst of electromagnetic energy from an exploding high-yield weapon on the electronic circuitry of a missile is described as similar to what happens when lightning strikes a radio. It is believed to be capable of fusing wires, burning out circuits, and causing other extensive damage that would leave the missile inert in its silo, incapable of being fired or easily repaired.

In an article on radiation effects, John Crittenden, consultant in this field for General Electric, stated last week: "The detonation of (nuclear) weapons produces radiation over the entire electromagnetic spectrum.

"The prompt gamma pulse will affect electronic devices sensitive to ionization, and the radiofrequency signal propagated carries enough energy to damage electronic circuits drastically."

Experiments have shown these electromagnetic effects are effective far beyond the normal heat and blast effects of an explosion. In space, a 1-megaton explosion can harm electronic systems over a radius of 110 miles or more, according to GE.

Extrapolation of this information to the effects of perhaps a 60-megaton Soviet weapon exploded in the atmosphere is difficult. This is one reason some U.S. military officers and scientists would like to see the United States undertake high-yield testing.

It is known that pulse radiation of Soviet high-yield nuclear tests in 1962 crippled the electronics of a U.S. satellite, possibly the one used to monitor those same electromagnetic effects.

HARDWARE AFFECTED

The destructive effects of electromagnetic pulse on electronic systems include deterioration of semiconductors, current leakages, displacement or breaking of printed circuits and swelling of potting compounds and insulation used in electronic hardware.

As an example of the range of the effect, it can be disclosed that one of the U.S. nuclear tests in Nevada popped circuit breakers on power lines more than 100 miles away in California. Nevada tests are restricted to yields of 20 kilotons or less.

A Russian warhead of, for example, 60 megatons, releases most of its energy in the form of velocity of particles. This leaves about 10 percent—5 percent conservatively—distributed across the electromagnetic spectrum from hard protons of the gamma type all the way down to the very soft radio waves. One scientist emphasized to Missiles and Rockets, "and 5 percent of 60 megatons is one helluva lot of energy."

In regard to electromagnetic effects of high-yield weapons, Dr. John S. Foster, Jr., director of the Lawrence Radiation Laboratory at Livermore, Calif., told the Senate Foreign Relations Committee August 21, "It is simply that the question of how hard anything is to electromagnetic phenomena, be it antiballistic missile defense or hardness of silos, has to do with matters that, in my opinion, are not sufficiently well understood to be able to say with full confidence that they will function as designed in a nuclear environment."

He warned the committee that it would be taking an incalculable risk with the security of the country if it approved a treaty prohibiting further testing in the atmosphere.

The U.S. military already is financing development of electronic equipment less sensitive to radiation than that now used in U.S. missiles, but its effectiveness against high-yield explosions will be questionable.

FILLING IN THE BLANKS

With EMP in mind, examination of General Power's testimony before the Senate subcommittee makes clear his concern with the phenomenon. (In the testimony quoted below, deletions made for security reasons have been replaced by the language which might have been used. This deletion and its replacement is indicated by being enclosed in brackets.)

Senator Strom Thurmond, Democrat, of South Carolina. "If we are going to secure the second strike, then we have to be sure that our missiles can make that strike. And if (the Soviets) have tested and found out certain weapons effects and have found out that a certain yield weapon or a certain strength weapon can destroy our missile sites or destroy the [electronics] system, and if we cannot test any more to catch up with the knowledge they have gained, then can we assure immunity of our second strike, of our second missile system?"

General Power. "I would say this would be a tremendous advantage to the Soviet Union and a tremendous disadvantage to us, again depending on what they have found out." (This was followed by a classified discussion of EMP.)

Senator Thurmond. "And if they render our missiles inoperational through the knowledge they have gained and through the power they will have with this strike * * * then if that situation should come to pass, we don't have the manned bombers to make it, then where would we be?"

General Power. "We would be in trouble if this [electromagnetic] weapons effects phenomenon actually was as you described it. The point is I think we must find out. We must determine whether or not these things are true."

The reference by Senator Thurmond to rendering missiles inoperational, in contrast to their destruction by blast or heat, may be considered a significant clue to the importance of EMP. Hardening and dispersal of U.S. missile sites had been based on calculation of heat and blast effects which would require almost a direct hit to destroy a missile in its silo. EMP, however, might be capable of incapacitating a great number of missiles at once.

TARGET PROGRAMING ERASED

The all-inertial guidance system of U.S. missiles such as Atlas F, Titan II and Minuteman are based on storing of target and guidance data on magnetic tapes or drums. In Minuteman silos, for example, a magnetic drum mounted on the silo wall contains information on more than one target, with selected target data fed to the missile before launch. A burst of electromagnetic energy might be capable of erasing such information, according to informed sources.

General Power told the subcommittee that if it is found that a high-yield nuclear weapon has such destructive electromagnetic effects, the United States would want to employ its own ICBM's to do double duty as antiballistic missile system.

"That would give you much greater capability automatically," he said. "So it is a two-edged sword."

The subcommittee in its report to the Senate, after listening to 21 military and scientific witnesses, declared:

"The Soviets have overtaken and surpassed us in design of very high-yield nuclear weapons. They may possess knowledge of weapons effects and antiballistic missile programs superior to ours."

RUSSIAN TEST AIMS

It noted that the character of the recent Soviet high-yield tests indicated they were centered upon antiballistic missile development. The report stated:

"It is prudent to assume that the Soviet Union has acquired a unique and potentially valuable body of data on high-yield blast shock, communications blackout and radiation and electromagnetic pulse phenomena which is not available to the United States."

> But concern over what lessons may have been learned from high-yield tests was not limited to EMP. A Hill spokesman said there may be other exotic effects.
>
> Senator ROBERT C. BYRD, Democrat, of West Virginia, a member of the Armed Services Committee, was preparing last week to make a speech on the Senate floor expressing his fear that the Russians, through their high-megaton explosions, have gained other technical advantages the United States may not possess.
>
> These, he felt, might enable them to create a communications blackout that could render U.S. missile sites, silos and electronic equipment useless. Senator BYRD also was expected to point out his suspicion of the fact that the Russians, after previously refusing to sign test ban treaties, have reversed themselves about a year after conclusion of their last series of tests, about the time it might have taken to analyze the data.

Mr. SIMPSON. I wish to read two paragraphs from the editorial comments with respect to the article:

> The article on page 14 of this issue probably is the most important published by this magazine since its founding. It brings out into the open the critical and highly classified problem which has been at the heart of the opposition to the nuclear test ban treaty by many nuclear scientists and high-ranking Air Force officers. The fact is that the Soviets may have found the answer to their antiballistic missile problem by attaining the ability to render U.S. missiles inoperational in their silos.
>
> The possibility is more than a threat to the effectiveness of U.S. missile forces. If true, it threatens to negate the whole deterrent posture of this Nation by making possible enemy deactivation of the heart of U.S. nuclear strength.
>
> * * * * *
>
> It now appears that the Soviet Union, as a result of its 1961–62 high-yield nuclear tests, may be developing an ABM system that can wipe out the electronic brains of U.S. missiles with extremely powerful electromagnetic pulses which would leave them inert and useless in their silos.

Mr. President, it is not enough to propound understandings or interpretations or any of the lesser measures. Statements of clarification and administration pontifications will carry scant weight when balanced in international judgments against the actual ambiguous language contained in this treaty—the language the Senate is asked to approve.

In this debate, I have heard it said that any Senate action which forces renegotiation would, in effect, force the involvement of 91 signatories. If my interpretation of treaty law and of the test ban treaty language is correct, there will be no treaty until all of the original parties, including the United States, have completed ratification.

There are two classes of signers of this treaty: the original signatories—who are the United States, Great Britain, and Russia—and the secondary signers. Unless and until the treaty is cleared by the Senate and is ratified by all of the principals, there will be no treaty to which the secondary signers can be a party. These other nations have simply signified their intention to join in a treaty if the principal parties create one through ratification.

The language on which we are asked to advise ratification is a mere projection for a treaty, not a treaty in any way whatsoever—a point that is made explicit in the proposal itself.

If the Senate should so choose, it could advise ratification with conditions and amendments, and could instruct the Chief Executive to delay fulfillment of the treaty's third article or third part until the provisions as to Senate advice had been met. By instructing the Chief Executive to hold ratification in abeyance until changes in the treaty had been renegotiated by the principal parties, the secondary parties would be precluded altogether from having any voice in these discussions. After new language had been worked out, the secondary parties could accede to it.

In short, Mr. President, there is no foundation for the argument that the Senate must involve nearly 100 nations in this treaty, in order to make amendments. That just is not so. The United States, Great Britain, and Russia have yet to create a treaty; and until such a time as they do, we are dealing only with the details of a proposal—a proposal which, in my opinion, does not adequately protect the interests of the United States militarily, politically, or in principle.

It must be remembered that since 1789, the U.S. Senate has been asked to consider 1,358 treaties. Of that number, 944 have cleared the Senate without amendments; 252 have cleared with amendments; 119 of the 944 received no final action; and 1,196 proposed treaties have been concluded. In short, Mr. President, an amendment does not necessarily plant the kiss of death on a treaty. But whether or not it be a kiss of death or a stimulus to debate is incidental to the prime factor of the treaty's effects on American interests.

Finally, Mr. President, there is the protagonist's argument of the great political setback, so-called, that would be suffered by the United States should this treaty stumble in its trip through the Senate.

Mr. President, I quote now from the Foreign Relations Committee memorandum which appeared on page 16531 of the RECORD, Senate debate of September 9. The memorandum states:

> If the Senate calls this treaty into question with a reservation or other qualification, it will invite the scorn of the civilized world; it will open the floodgates of Communist propaganda and give communism, a movement that has been largely emptied of its international force and appeal in recent years, renewed vigor.

I should like to quote also from an Associated Press article dated September 10, quoting Secretary of State Rusk. The Secretary prophesied that if the test ban treaty were not to be ratified, "the possibility of exercising any control over armaments would vanish. The possibility of settling dangerous political problems would be greatly reduced."

The article also paraphrased the Secretary that a U.S. turndown would cost America the confidence of many Nations, would poison the atmosphere with more nuclear tests, intensify the arms race, increase tension, and enhance prospects of war.

Mr. President, that is a rather foreboding prophecy. All these evils are to descend on our Nation because of the manner in which the Senate might elect to perform its constitutional duty. I suggest that predictions such as these are grossly intemperate and do harm to this debate's objectivity.

Consider, if you will, that the Soviet Union has maintained a virtually ceaseless initiative in the cold war since that day in 1945 when Winston Churchill announced the fall of an Iron Curtain "from Stettin in the Baltic to Trieste in the Adriatic." That the Soviets have perpetuated this initiative cannot be questioned. It was not appreciably hindered by the Hungarian blood bath in 1956 when Soviet tanks slaughtered women and children in the streets of Budapest. Photographic evidence of that Russian brutality dispatched throughout the world did nothing to shatter the military-political phalanx of Communist initiative.

The concrete and barbed wire wall dividing Berlin has not erased Soviet conquests. The infusion of missiles in Cuba—an act which ostensibly brought the world to the brink of a nuclear war—has not made communism less palatable to the cold war nations.

Are we then to subscribe to the ridiculous proposition that one act of the Senate—an act entirely compatible with its constitutional obligations, its duty under the law, and historical precedent—will cause irreparable damage to the image of America? The administration's pronouncements notwithstanding, I believe the answer is patent. Rejection of this treaty will not have any significant effect upon America's relationships with other countries.

To put this question in perspective, I realize that there will certainly be an amount of adverse reaction around the world if this accord is rejected or amended. There will also be adverse reaction from many quarters here at home if it is ratified. The adversities that may accrue to the United States, whatever its action, will be inconsequential compared to the scorn and the vituperation directed many times in recent years at the Soviet Union. Russia before and during Khrushchev's dictatorship has sponsored myriad travesties on morality, integrity, and the law in virtually every country on earth, but the Soviets have continously increased their might and stature.

Has the scorn of the civilized world irreparably damaged the Soviet Union? Hardly, for they stand today on the brink of the very type of agreement the President said they would never get from us again—an uninspected moratorium on nuclear testing.

View the contradictions.

We admit that our intelligence cannot provide hard evidence of Soviet military strength; yet we reach an optimistic comparison of strengths.

We admit that of 52 major agreements they have broken 50; yet we hasten to provide a 51st opportunity.

We admit they have not kept their pledge to remove their war machine from Cuba; yet some castigated a distinguished Senator of this body—a Senator with an unimpeachable military background who dares suggest that a withdrawal is required before we give Russia a treaty.

We admit they prepared for at least a year to violate the first nuclear moratorium; yet we rush pellmell now to recreate another identical situation.

We admit the Soviets tested their way into vital new fields of knowledge with their chicanery of 1961 and 1962; yet we seek to consummate a treaty that would bar us from that knowledge.

Russian-dominated Communists are killing American servicemen in the dirty little war in Vietnam; yet we negotiate a treaty and utter euphoric catch phrases alluding to some nebulous and imminent rapprochement.

We have the views of the Preparedness Subcommittee that the treaty contains significant military disadvantages; yet we tell ourselves that we will consider only the possible political advantages.

We admit we cannot trust the Russians; yet we foolishly placate ourselves with the panacea that trust is not a factor in this treaty.

Equally alarming, we have apparently subscribed to the theory that laboratories and scientists can be suspended indefinitely in limbo and still be ready to function at a moment's notice. The administration disavowed that thinking once—but has apparently subscribed to it again.

The Chief Executive, in his communication read by the minority leader, said:

> This Government will maintain strong weapons laboratories in a vigorous program of weapons development, in order to insure that the United States will continue to have in the future a strength fully adequate for an effective national defense. In particular, as the Secretary of Defense has made clear, we will mantain strategic forces fully insuring that this Nation will continue to be in a position to destroy any aggressor even after absorbing a first strike by a surprise attack.

This assurance can hardly be reconciled with the Chief Executive's statement in March 1962, that—

> In actual practice, particularly in a society of free choice, we cannot keep topflight scientists concentrating on the preparation of an experiment which may or may not take place on an uncertain date in the future. Nor can large technical laboratories be kept fully alert on a standby basis, waiting for some other nation to break an agreement. This is not merely difficult or inconvenient. We have explored this alternative and found it impossible of execution.

In a nutshell, our laboratories cannot be maintained on an endless alert for the moment of operation that may never come.

Mr. President, this treaty could possibly be the first step toward peace, but it could more likely be a first step toward piercing America's military shield that has protected the free world for nearly 20 years. The treaty does not guarantee the direction of this first step.

If this could mean a guaranteed peace or even a first step toward guaranteed peace, I would be for it.

I am reminded of a former slogan of an American industry, "The priceless ingredient of every product is the honor and integrity of its maker." Ladies and gentlemen of the Senate, this treaty does not have that priceless ingredient.

I am frank to say I am troubled, worried, and skeptical, along with millions of others of our countrymen. We will be tied by honorable intent, and the enemy who has promised to bury us will be free to violate the treaty because of no code of honor. They already excel in atmospheric atomic power, and with their slave labor, they will excel in other dimensions. America has learned that the best insurance against war is preparedness for it.

The treaty contains not one iota of the quid pro quo that constitutes the moral strength of any treaty. It does certainly include a give-and-take—the Soviets taking the advantages given by the United States.

The Air Force Association, opening its annual convention in Washington Wednesday, said the treaty would impose "unacceptable risks to the security of the Nation and the free world."

I am sure my colleagues are aware of the Air Force Secretary's reaction to the association's stand. Mr. Zuckert reneged in anger on an association-sponsored reception in his honor. As we seek the truth on this question, it is proper to ask whether the Secretary's mind is so closed that he cannot believe others act from as honorable a motive as he.

A story from the Washington Post contains additional comments on the association's stand. I ask unanimous consent that it may be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Wyoming? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. SIMPSON. Mr. President, we have seen the report of the Senate Preparedness Subcommittee. We are aware of its contents. We are aware that the questions raised by that pessimistic statement cannot be satisfied in the present language of the treaty.

We have heard expressed the fears of competent American scientists, and all of us here realize that the treaty is poorly drafted and replete with ambiguities. Senators who apparently plan to vote for ratification, nevertheless, have not hesitated to express their reservations. They hesitate to actually propose changes in the treaty's composition due to the unfounded fear and the continuous assertion that an amendment is a rejection. I have attempted in these remarks to dispel that false trepidation.

Americans are taught to believe in the power of positive thinking and the open mind, but as noble as is that philosophy, it cannot be the touchstone for treaty discourse. Nowhere in Senate debate is the jaundiced eye and the negative approach more important than in the matter of treaties. Unlike a criminal trial, a treaty must be assumed guilty until proven innocent. Protagonists are charged with the task of proving the treaty's worth to the United States. The burden is entirely upon the proponents. They must build their house on demonstrably sound logic and with unquestionable proof that this treaty—that any treaty under discussion, whether it be the banning of nuclear tests or the establishment of fishing agreements—will act in the interests of the United States and our constitutional form of government.

The advice of the Senate was not sought in advance of this proposed treaty. The negotiations were done in secret in the capital city of the Soviet Union. None of our nuclear or military experts participated. Communication with the Senate was withheld until the language was an accomplished fact. Now we are asked to give our carte blanche endorsement of the verbiage. This is something that we must not do. This treaty must be altered, and it is the responsibility of the Senate to see that it is.

There have been a number of suggestions, including those by the Senator from Louisiana [Mr. LONG] and the Senator from Arizona [Mr. GOLDWATER]. I may offer this week or next reservations in the hope of making the agreement more palatable. I may also join with the Senator from Arizona in his efforts to make the treaty contingent on Soviet troop withdrawal from Cuba. That would be one tangible indication of Soviet sincerity and at least one sign of the reciprocal accommodation that is now totally lacking in the proposed accord.

If the treaty cannot be altered to better respect the vital interests of the United States, I intend to vote against its ratification.

I pray to God that my colleagues will do likewise.

EXHIBIT 1

(By John G. Norris)

The Air Force Association, opening its annual convention here yesterday, strongly opposed ratification of the test ban treaty and sharply criticized the Kennedy administration defense policy.

A policy statement, prepared by the AFA board of directors and approved by the convention after limited discussion, said the limited nuclear test ban agreement would impose "unacceptable risks to the security of the Nation and of the free world."

Members said there was a considerable fight within the AFA board of directors over the association's taking a direct stand opposing the treaty at a closed meeting Tuesday night.

AMENDMENT DEFEATED

A move was made within the board of directors, an AFA spokesman said, to amend the policy statement so the association would merely warn that the test ban involves "grave" rather than "unacceptable" risks. It was defeated by a 3-to-1 vote, the spokesman said.

About one-third of the AFA's members are in the active Air Force. Most of the rest are retired and former USAF personnel and defense industry officials. Active Air Force officers and men cannot vote, but the association usually reflects Air Force views.

The AFA policy statement declared that "until recently" the "keystone" of U.S. defense policy had been maintaining a clear superiority of nuclear striking power.

STALEMATE FEARED

"Now the pursuit of nuclear superiority is being replaced by the pursuit of a nuclear stalemate," the AFA declared.

It said that manned aircraft systems are being abandoned in favor of underground and underwater missiles and that the "stated official hope is that the Soviet Union will similarly recast its own strategic forces."

Such opposing missile forces, the AFA said, nullify each other—unless Russia breaks the stalemate by secretly achieving a breakthrough in strategic nuclear weapons—and the world balance of power will revert to conventional military forces.

"Adherence to a policy of nuclear stalemate," the AFA policy statement went on, "is an open invitation to Soviet aggression on terms which the free world cannot meet and is not prepared to meet."

America's European allies, it was said, are reluctant to follow the U.S. lead in bolstering conventional forces for fear it would bring acceptance of the concept of nuclear stalemate and accompanying political pressure to drop tactical nuclear weapons for fear of escalation. They said, the AFA said, that such a conventional war with Russia would be fought in their homelands.

To support U.S. conventional forces capable of meeting those of Russia, it was asserted, would mean "immense numbers of men and huge sums of money" of almost World War II size over an indefinite number of years. "Most unpleasant of all," the AFA declared, this would require draft calls of wartime size.

In its across-the-board criticism of American military policy, the AFA called for a greater military space effort, and the development of advanced bombers and aircraft interceptors "to avoid a dangerous overreliance on missile systems."

DISLIKE SUBSTANCE, PRESENTATION

In explaining its stand against the test ban treaty, the Air Force Association said it was troubled both by its substance and "the manner in which it has been thrust upon the Congress, our military leadership, and upon the American people."

Military leaders, it said, are in disagreement about the technical and military risks involved in the treaty.

As for the political advantages which the administration has said outweigh any military risks, the AFA said, these apparently amount to no more than "the vague expectation that the United States will now be able somehow to transact business on easier terms."

"Whenever a nation limits its freedom of technical initiative in any important field, its security is endangered," the statement concluded. "It is our conviction, therefore, that even if the promised safeguards should materialize, ratification of the proposed test ban would entail unacceptable risks to the security of this Nation and the free world."

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. SIMPSON. I yield to the Senator from Nebraska.

Mr. CURTIS. Not in a long time have I heard a better prepared speech, which contained more sound reasoning. The Senator has added much to the enlightenment of the Senate and of the country in the speech which he has made on this treaty, and I commend him.

Mr. SIMPSON. I thank the Senator for his kind remarks.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. SIMPSON. I yield.

Mr. THURMOND. I commend the able and distinguished Senator from Wyoming for the masterly address he has made today against the nuclear test ban treaty. I hope every Senator will take occasion to read this address. It is a very penetrating statement, and should be helpful to any who have not made up their minds.

The Senator from Wyoming is a true patriot and a great American. He has made a fine impression among the Members of the Senate since he came to this body. I commend him for the outstanding address he has made today.

Mr. SIMPSON. I thank the Senator from South Carolina. He is overkind and overgenerous in his remarks, but I appreciate very much his flattery.

Mr. ELLENDER. Mr. President, the pending test ban treaty should be viewed against the background of the last 15 years of our foreign policy. If placed in its true perspective, the treaty must be framed, surrounded, and pointed up by the continuing chain of events we have come to know as the cold war.

It is generally agreed that the Berlin blockade in 1948 ushered in the era of the cold war, and so far our foreign policy planners have not been able to phase it out. We are all well aware of the drama staged in the air corridors between our bases in West Germany and West Berlin. There is no need to dwell on the heroism and frustration that marked those many weeks and months. In one form or another, American boys have been called upon to display that same brand of heroism, and have met with the same type of frustration in almost every year thereafter and in almost every part of the world.

But the Berlin blockade set another precedent aside from that of frustrated policy. The blockade, as well as the resulting airlift, was an American undertaking, executed and paid for almost entirely with American dollars. There was, of course, good reason for that in 1948 because what was left of free Europe lay in ruins. The Marshall plan had not yet begun to take effect. There was no one around to pay the bills and supply the men, planes and material except the United States. The military cost to us amounted to $229 million and we paid it ungrudgingly. We realized that what was good for West Germany and what was good for free Europe was also good for America.

This operation seems to have set a precedent. Indeed, it set two precedents which we were to follow almost religiously through the intervening years. When Stalin blockaded Berlin, we first conferred with our Allies—with France, Great Britain, and, I presume, with West Germany. When a plan of action had been agreed upon, that plan was put into effect and the bills were paid by Uncle Sam.

Since that Berlin blockade, which marked the beginning of the cold war, we have paid bills amounting to a grand total of $629 billion in the military defense of the free world, of which $31 billion was direct military assistance. This overall figure also includes the following military costs:

[In millions of dollars]

Berlin airlift, 1948	229
Korea	18,000
Lebanon, 1959	120
Taiwan, 1959	73
Berlin buildup, 1961–62	3,247
Callup of 2 National Guard divisions	419
Support of U.N. operations in the Congo through Dec. 31, 1962	54
Cuba, 1962–63	185

These figures represent the direct dollar cost of the military operations which the cold war, and the protection of the free world, and especially our European allies, forced upon us. Now, should we add the economic aid, as well as the gifts and sales of our surplus commodities, the total expenditure would be in excess of three-quarters of a trillion dollars, or over $750 billion.

In 1947, the British had pulled their forces out of Greece, leaving that country to stand alone before the onslaught of Communist guerrillas. In keeping with our policy, we stepped in alone to fill the void. The advent of the Truman doctrine in Greece was to mark the first of the nasty little brush fire wars that we have become involved in all over the world at considerable expense, and invariably alone. Indeed, if there is one feature which marks each of our involvements in the farflung trouble spots over the last decade and a half, it is the number of times we have found ourselves fighting alone in defense of the entire free world.

There are other times when our allies are more than willing to stand side by side with us, however, and I shall develop this point later as it relates to the test ban treaty and the benefits we seek to draw from it.

The next of the brush fires, or what some choose to call police actions was, of course, Korea. This conflict cost our country an estimated $18 billion, and thousands of American boys killed and wounded. There are some who call this war a U.N. action, but it was a U.N. operation more in name than in reality. Here again we put up by far the greatest portion—over 90 percent—of the men, money, and material involved on the side of the free world.

And what do we find in Korea today? Whom do we find standing beside the 2½ divisions of American boys we maintain there? There are the Korean divisions we have trained and supplied, of course. But I am informed that except for these, the so-called U.N. peacekeeping operation is staffed by less than 350 military men from other nations. To add insult to injury, we finance the logistical support of these troops, with the exception of two Britishers, two Australians, and two Canadians. In other words, just enough are kept on hand to allow it to be said that Korea is still a U.N. operation, rather than American, as it is in fact. Korea is still costing us over $500 million per year, aside from the cost of maintaining our own forces there.

And then, from Korea, we move to Taiwan, Formosa. Who is assisting to maintain this outpost? Who has helped to pay Chiang Kai-shek's bills from the beginning, and who is doing it today? The answer, of course, is that we have been and we are still. And we are there alone. Yet, obviously, Formosa is important to the free world. At least, we think it is, but to look at the contributions of our erstwhile allies one would never think so. To date, our expenditures in Formosa have amounted to $4.5 billion.

The current picture in Vietnam is much the same. Over 12,000 of our men are now serving, advising, and dying in that unfortunate corner of the world. The bill mounts up at the rate of a million dollars a day, we are told, and our costs to date are in excess of a half billion dollars. What price tag can be put on the lives of our American military men, numbering over 100, which have been lost in Vietnam, a place where we have no trade, commercial or historical ties, and where we should not have become involved in the first place?

The security of the free world depends upon the security of South Vietnam, so our planners say. There is, no doubt, some truth in this. But the so-called free world is composed of many other nations besides the United States. Where are they? The grandstand is filled with nations hoping against hope that we will win the struggle, but very content to sit clapping their hands.

Without mentioning the other countries of southeast Asia, where we have gone to a great deal of trouble and expense to create little armies in the hope of containing communism, but where we know full well that if trouble breaks out we will have to step into the fray ourselves, let us turn our attention to the situation in Western Europe.

In Europe we find 400,000 of our men stationed to maintain the status quo, as bars between Western Europe and the claws of the Russian bear. Our military bases dot the lanscape, and our dollars make up an important part of the European economy. Yet how much aid are we receiving here, where we are plugging the mouth of the cannon with our men and machines? Our friends are very happy to have us on their shores. They welcome us with open arms. "But please don't ask us to put up any of the cost; we cannot afford it," they say. So we bear the burden alone.

And actually why should they offer to assume a part of the expense, so long as we do not insist that they do so? Their present policy represents good business; as long as America is willing to pay and pay, as long as we do not insist that the picture be changed, Mr. President, you may rest assured that it will not be.

I have described one of the precedents set by our action during the Berlin blockade—the fact that when trouble breaks out anywhere in the world, it is we, and we alone, who step in and do what must be done. When brushfire wars start, we sometimes attempt to obtain assistance from our prosperous allies, but with little success. Almost without exception we find them saying, "That is your baby; go and take care of it. Don't worry, we'll be pulling for you. Good luck."

The Berlin precedent has remained unchanged, although the economies of our allied countries have grown strong and prosperous and they are well able to do their share. But I earlier mentioned another precedent which keeps company with the first. When it comes to dealing with Russia, our allies have taken the attitude in the past of "do nothing unless you consult us." This was also a precedent of the blockade and it has been respected with varying degrees of faith ever since. It was best and most recently illustrated when we found it necessary to go running to West Germany to assure Bonn that the treaty implied no recognition of East Berlin.

But the treaty itself represents to me a break with this precedent because we did not get the consent of France, of West Germany, or Italy before signing on the line. To me this is a healthy indication, and I hope it is carried forward in our future foreign policy. I have long felt that it was next to impossible to get the major powers of Western Europe to agree on anything of substance. And I have asked the question: "Why should we let this fact of life tie our hands so securely?" I have consistently advocated that as long as our shoulders are bearing the burden of the free world, we should deal directly with Russia in an attempt to ease the tensions and soften our burdens.

Thus far, I have attempted to place the treaty in the framework of the cold war. I have shown how the events of the past 15 years, and our attitude toward them, have drained our national substance and the lifeblood of our economy. The effect it has had on our balance of payments and our gold supply is well known. It can be safely said that the cold war has seriously weakened the American giant; at the same time, its effect has been to greatly strengthen our European Allies.

For the last decade and a half we have been trying to fight communism by preventing its spread, but with only small success. So long as we bear all the expenses, as is the case now, the ones to benefit will be our allies. While we have been protecting them militarily, they have been busily building up their economies until they are now in a position to hurt us in the markets of the world.

And while we protect them from the hated Communists, our allies are maintaining trade with Russia and her satellites in excess of $5 billion annually. We are told that they are vigorously trying to expand that trade, while we are acting as the guardians. To my mind, this is a strange set of affairs.

If the Senate should fail to ratify the test ban treaty, it appears to me we face two alternatives, and either will be destructive of our way of life. We may eventually drift or be forced into a nuclear war with Russia, or we will go broke attempting to maintain the status quo indefinitely. Does any intelligent person believe we can continue to pour out between $50 and $60 billion per year for any length of time without doing violence and much harm to our economy and our way of life? I for one do not.

I have stated that the treaty in itself does not offer too much hope. It is of major importance, however, in that it breaks the precedent of our having to obtain the consent of our allies before negotiating with Russia. It is also of importance because of what it may lead to in the future. It may lead to a first step that will result in a real thaw of the cold war. It may lead to the dispelling of the fear that presently exists between us and Russia.

It appears that there is a great deal of misunderstanding about the treaty among the public. I know this is true in my own Louisiana, and I suspect it is true throughout the Nation. To help clarify the matter, I would like to take a moment here to discuss the main points of the treaty, and comment on each of them. I must apologize for doing this, because many Senators who preceded me discussed the subject. I wish merely to repeat what may have been said, only for emphasis.

In article I the original signers—England, the United States, and Russia—agree to refrain from testing any nuclear device in the atmosphere, outer space, or underwater. The treaty also stipulates that the signers will refrain from underground testing if these experiments will cause the spread of radiation beyond the nation's borders.

The Senate has been repeatedly assured by our experts that atomic explosions which occur above the surface of the earth can be effectively detected and pinpointed by our scientists and that there is little danger such testing can take place without our knowledge.

Underground experiments, of course, are much more difficult to detect. Negotiations over suitable means to guard against and detect underground nuclear explosions have dragged on for years, beginning with the Eisenhower administration. While it is true that Russia may test nuclear devices underground if she chooses, it is also true that our country will be able to make continued use of our extensive and well-developed underground testing facilities. It is my hope and expectation that we will continue to use our underground facilities to develop more and more peaceful uses of atomic energy.

Article I of the treaty also contains another very important point, for here the signing nations agree to refrain from participating or aiding in any atomic testing which may be carried out by any other nations in the world.

I have long been disturbed that atomic capacity would spread throughout the world—into the political boiling pots of the Middle East, for example—and it would be only a matter of time before catastrophe overtook the world.

Article II provides that amendments to the treaty must be approved by a majority of the signing nations, but no amendment may be adopted without the approval and vote of England, Russia, and the United States. This gives us a safe veto power to protect our future interests.

As a final point, article IV of the treaty provides that any nation signing the treaty has the right to withdraw at any time, and requires only that notice of an intent to withdraw be given to other nations 3 months in advance.

In this regard, it should be pointed out that this provision will act to safeguard the interest of all concerned. But it is even more important to remember that should the treaty be broken by Russia, we could withdraw from it immediately, rather than 3 months hence.

The above summarizes what I believe to be the main points of the treaty document. I am receiving protest mail to the effect that, based on past experience, we cannot trust the Russians to honor treaties and agreements. There is much truth in this, but this treaty is not based on trust. It is simply an agreement to stop testing nuclear weapons in the atmosphere or underwater for the sake of our children and our children's children. If the terms of the treaty are broken, our scientists will know of it, and this fact has been stressed by a preponderance of the expert testimony before the committees of the Senate. And if the treaty is broken by Russia, it will no longer be binding upon the United States. Meanwhile, we have been assured that our guard will be kept strong, and preparations will be maintained to insure the immediate renewal of testing by us should there be a violation.

I sincerely believe that the document contains ample safeguards to adequately protect the interests of our country. If I did not so believe, I would do my utmost to defeat ratification.

Mr. President, this is not my first attempt to argue in support of the limited test ban treaty. For many years I have been supporting the idea of such a treaty, and the benefits which this country and the world may expect to gain from it. In a radio address which I delivered before the pending treaty was initiated in Moscow, I believe I was one of the first Senators to go on record in favor of it.

Indeed, I first took this position in 1956, after my return from an inspection tour of Russia on behalf of the Senate Appropriations Committee. During that tour I spent many days traveling within the boundaries of the U.S.S.R. After my return, I submitted a lengthy and documented report of our operations abroad, which contained several succinct recommendations as to what future course our policy should assume, especially in regard to Russia.

Although I did not mention a test ban treaty specifically in that 1956 report, I believe it is plain that I was looking toward the benefits which we may derive by dealing directly with Russia. At that time, and on other occasions, my efforts and recommendations were either ignored or roundly criticized. The record will show, however, that I have held this position consistently for many years.

The question has arisen, why did the Russian leadership, which refused so long to consider a test ban treaty in any way, shape, or form that they thought we might accept suddenly decide to sign the document under discussion? With all due respect, I believe a partial explanation can be found in my comments of 1956, 1957, and 1961 pertaining to Russia.

After pointing out that my experience in Russia had led me to believe that the Russian educational system offered the greatest hope for ultimate Russian freedom, and that education was causing the people to think more for themselves, I said it would soon prove more and more difficult for the Russian leaders to hold the people in line. I based this on the fact that educated Russians with whom I spoke were extremely inquisitive about our way of life. Even more important, they demonstrated a desire, if not a compelling urge, to go behind catchy Red slogans, and to do their own thinking.

I went on to express the belief that as the Russian population became more educated, they would become less prone to accept at face value the grossly distorted description of life in the United States which the propaganda system drones insistently and consistently into their ears.

The production of propaganda, of course, is an extremely sensitive and dangerous art. The propagandist can never be sure when the course of events may turn his words on him with the force of machinegun bullets. In 1956 and 1957, I predicted that this was likely to happen in Russia. I believe it is in fact what has happened. This is extremely important, for in my opinion, it does much to answer the question of why the sudden turnabout of the Russian leadership on the test ban treaty.

Take the increasing education of the Russian citizenry, add to it the intellectual curiosity which such education brings, and then pour into this mixture the output of a propaganda machine which is consistently and insistently preaching "peace, peace, peace." The mixture will begin to boil and bubble and spell trouble for any leader, no matter how strong and how well insulated from the popular will, who refuses to act realistically to avoid war.

I found this passage on page 12 of my 1956 report:

> As a matter of fact, the Russian leadership has done much to make any effort on its part to generate a warlike spirit extremely difficult. Throughout the countryside were posters bearing the legend: "Peace." The Russian radio repeated the message that Russia desires only peace. The Russian people have been conditioned to expect peace, and I feel it will be extremely difficult for Soviet leaders to plunge them into a major conflict without creating fearsome conditions within the U.S.S.R., conditions which could perhaps result in a violent reaction among the Russian people.

Similar passages, I might add, are found in each of my subsequent reports which deal with the U.S.S.R.

The fact that this treaty has come into being at all is evidence that the change I predicted is taking place. I believe the time is now ripe for the fuller implementation of the policies and recommendations I have been advocating for a number of years.

We must have a greatly expanded exchange program, and we must do everything possible to increase the person-to-person contact between the citizens of America and Russia. We must learn that we cannot fight communism by pretending it is not there; we cannot defeat it by vilification.

I do not fear that our American citizens will become contaminated by the evils of communism. I have more faith in our people and our way of life than that. I have seen more of Russia and the way the Russian people live under communism than perhaps any other Senator and all but a few American citizens. The more I see of it, the more I abhor it. At the same time, I realize that communism has given to the Russian people a far better way of life than any they have known in the past.

New ideas are working in the minds of the Russian people. Visitors to the West have seen our way of life, and have returned home to wonder why it is that they and their families cannot have more of the good things Americans and Europeans take for granted.

This wonderment is what we must encourage in the years to come. I have here a newspaper article from the Washington Post, dated September 10, 1963, telling how the newspapers in Russia are commenting more and more on the shoddiness of the consumer goods, and demanding that the quality and amounts of these goods be improved.

We have also had reports that much of the Russian production is being boycotted by the people, who are demanding more and better things. Who ever heard of such events taking place in the U.S.S.R. as little as 5 years ago?

Mr. President, I ask unanimous consent that the article be printed at the conclusion of my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 1.)

Mr. **ELLENDER**. Mr. President, as a final point, let me say once again that I hope the precedent set by this treaty—a precedent which allows us to deal directly with our most formidable enemy—will become a continuing part of our foreign policy. It cannot help but work to our benefit, and it is plain to me that we cannot spent the next 15 years as we have spent the last. Perhaps the treaty will prove to be an opening through which we can move to a better world.

I have no doubt that it will have the effect of dispelling much of the fear that has existed between us and the Russians over a long period. Let us not take steps that will instill more and deeper fears among the Russian people by refusing to ratify a document that we were instrumental in bringing into being. Since 91 or more nations have already affixed their signatures to the document, it would be calamitous for us not to ratify.

EXHIBIT 1

[From the Washington (D.C.) Post, Sept. 10, 1963]

LACK OF QUALITY IN GOODS CITED BY RED PRESS

(By James Hoge)

The Soviet press, docile on most matters of state, is proving a scrapper when it comes to criticizing the quality of domestic industrial and consumer goods.

Government officials here, responsible for keeping tabs on Soviet newspapers, have noticed a steady barrage of criticism aimed at all kinds of goods, from shoes to tractors.

When compiled, these accounts make the Soviet economy appear as one huge Rube Goldberg machine, turning out faulty products with maddening regularity.

Certainly the compilation will prove interesting reading for Western businessmen, tempted by the Soviet drive to increase its exports.

EXAMPLES CITED

And the stories give a partial answer to the Soviet bloc's inability to boost trade with developing countries. The bloc commands only 5 percent of the total foreign aid turnover of nonindustrial regions.

Consider for a moment these experiences related in the Communist press:

Of 5,000 pairs of shoes prepared in Hungary for export, 4,200 were found unusable.

In Bulgaria, consumer complaints about a lack of shoes were met with this explanation from the state-controlled industry:

"The hammer and sickle plant didnt supply its annual quota of 600,000 pairs, and we had to reject another 350,000 pairs because they weren't any good."

In Moscow, two types of cameras were put into production just as they were being retired in Czechoslovakia for being obsolete.

And in Rumania, a Bucharest newspaper reported the misfortune of a citizen named Ionu Baicu, who bought a camera with a shutter that jammed instead of clicking at the appropriate moment.

Two attempts to have it repaired produced no improvement. A month after returning it for the third time, Baicu was told by the store manager: "We can do nothing, there are several component parts missing from the mechanism of the camera."

"But I paid for it," Baicu protested. "What can I do with a camera like this? I can't use it for a salt shaker."

"You are too demanding," the store manager replied. "You should be content that you have a camera at all."

Potential tenants of new apartment buildings meant to ease Moscow's housing shortage better be good at climbing stairs. Elevators aren't very reliable, according to Vechernaya Moskva, one of the city's newspapers.

While investigating one new building, the paper found, "to goad the elevators into movement (and not always successfully), the tenants have to jump up and down and go through a complicated routine of other gymnastic exercises.

"For the tenants of another house, the eight-story No. 2B on Novovostankinskoye Street no amount of jumping produces any effect. Whether they jump or not, the lift remains immovable."

TROUBLE BEGINS AT HOME

But it is inside the Russian home that trouble really begins. Light bulbs are notoriously poor. One paper reported that it is common for bulbs to burn out immediately, explode, or go dead within 2 weeks.

A check of one light bulb plant found that 17½ percent of the finished goods was defective.

A Moscow firm turned out an electric iron that was red hot on one side and ice cold on the other.

A Kiev enterprise marketed a paint that wouldn't dry.

And a Minsk factory manufactured such defective TV sets that the picture tubes consistently broke before the sets ever left the plant.

Pravda reported that of five transistor radios tested, none avoided a quick breakdown. Once that has happened, Pravda added, one might as well discard the sets, because repair shops can't fix any of them, there being no spare parts.

The production of industrial equipment is apparently no better than consumer goods. There are innumerable accounts of tractors that fall apart, generators with missing parts and machine tools that are badly designed.

The general picture is one of an industrial complex that is rife with inefficiency, carelessness, and bad planning. In many sections of the economy, there are obvious deficiencies in the durability, performance, and design of goods and in the availability of spare parts.

Mr. HUMPHREY. Mr. President, I compliment the distinguished senior Senator from Louisiana on his address. I particularly commend him for his warning to the Senate and the Nation of what the effect of a failure to ratify the treaty might be in terms of future relationships between the United States and the Soviet Union.

It is well recognized in the Senate that the Senator from Louisiana has given much of his time and attention to a study of the Soviet Union, its economy, and its political structure, and that he has an understanding and knowledge of the political leaders in the Soviet Union.

I was pleased that the Senator reminded us once again that the Soviet Union, like other areas of the world, is subject to change, and that changes have taken place. He has reminded us of the impact of education. I well recall that part of his report in 1956–57.

It seems to me that his support of the treaty is highly significant, because the Senator from Louisiana is known as a practical, sound, and tough-minded political leader. He is not given to overemotionalism or to soft thinking. It is well known that on some occasions the Senator from Louisiana and I have disagreed; but it is also well known that on many occasions that we have agreed; and I am very much pleased that the Senate can listen to the observations of a Senator who has served on so many of our committees, and who surely cannot be accused of softness toward any form of totalitarianism. He has given very thorough and very thoughtful consideration and study to all the implications of the treaty.

I believe the statement of the Senator from Louisiana will be of great help in resolving the doubts some persons may have, and in encouraging others to take a forthright position on this highly important matter.

I wish to commend the Senator and to tell him that I regard it a privilege to have been in the Chamber at the time when he made his statement. I find myself in agreement with a great deal of what he has said.

Mr. ELLENDER. I thank the Senator.

Mr. HUMPHREY. Mr. President, a short time ago the Senator from Wyoming [Mr. SIMPSON] addressed the Senate. At that time I was unable to engage in colloquy with him; I had to leave the floor for a moment; and when I returned, he had completed his address.

After I returned to the Chamber, I told the Senator from Wyoming that I wished to make a comment or two on one or two portions of his address, and that my comments would be related to certain testimony which had been taken before certain Senate committees.

The Senator from Wyoming said:

> The advice of the Senate was not sought in advance of this proposed treaty. The negotiations were done in secret in the capital city of the Soviet Union. None of our nuclear or military experts participated. Communication with the Senate was withheld until the language was an accomplished fact.

Mr. President, I merely rise to state what I know to be the factual record.

First of all, the great general who is Chairman of the Joint Chiefs of Staff, Gen. Maxwell Taylor, has testified—and his statement has been placed in the RECORD several times—that all during the negotiations in Moscow, he, as Chairman of the Joint Chiefs of Staff, was kept fully informed as to the negotiations and as to the language of the treaty; that this information was made available, by cable, on a regular basis; and that he, in turn, discussed these matters with the chiefs of the other military services.

General Taylor, as Chairman of the Joint Chiefs of Staff, told us that he was in consultation with the President of the United States during the negotiation of the treaty, and prior to the Harriman mission. He told us that he had been consulted by the President with reference to the instructions that were to be given to Secretary Harriman when Secretary Harriman was first dispatched to Moscow to carry out, for this country, the negotiation of a nuclear test ban treaty.

Dr. Seaborg, Chairman of the Atomic Energy Commission, has repeatedly told Senators in the Joint Committee on Atomic Energy, in the Committee on Armed Services, and in the Committee on Foreign Relations—that he, as the responsible Chairman of the Atomic Energy Commission, was one of the principals in working with the President of the United States in the designing of the treaty and in the instructions to Mr. Harriman, the U.S. negotiator in Moscow.

In fact, the development of warheads and the development of our whole nuclear arsenal is, in the main, the responsibility of the Atomic Energy Commission, of which Dr. Seaborg is Chairman.

Dr. Harold Brown, the Director of Defense, Research, and Engineering, of the Department of Defense, also was consulted on the language of the treaty, the implications of the treaty, and the impact of the treaty upon the national security, before the treaty was ever negotiated, or before it was even sent to Moscow.

The Secretary of State and the Secretary of Defense were also consulted, as was Mr. Foster, the Director of the Arms Control and Disarmament Agency. In fact, any matter of this sort and of this importance is the subject of many consultations, many meetings, and much discussion among the President and his principal advisers—military, economic, and scientific—and, of course, among the members of his Cabinet.

I say this as chairman of the Subcommittee on Disarmament of the Senate Committee on Foreign Relations, because repeatedly the officers and officials to whom I have referred, or those who have occupied similar positions, have testified before that subcommittee, starting in 1956, and continuing in 1957, 1958, 1959, and up to the present time.

Mr. President, the treaty before us is similar to one of the proposals tabled at Geneva by the U.S. mission, on August 27, 1962. Two treaties were tabled there by our representatives. The first was a comprehensive treaty to ban all nuclear tests in all environments—underground, underwater, outer space, and in the atmosphere. It was a comprehensive treaty which would have prohibited all nuclear weapon explosions in all environments, provided there was atomic inspection, surveillance, and monitoring, including on-site inspection. As we know, that treaty was the subject of months of negotiation but to no avail.

The second proposal tabled at Geneva on August 27, 1962, was a treaty in the nature of the one we have before us now. We called it a limited nuclear test ban treaty; it was designed to prohibit tests in three environments—outer space, underwater, and in the atmosphere. It was the subject of months of consultation, prior to its presentation and tabling at Geneva. So let it be said that the scientific and military advisers of the Government have been consulted repeatedly.

Was the Senate consulted? Indeed it was.

In fact, I say it is not true that the Senate was not consulted prior to the signing of the treaty by the representative of the executive branch. I say that on numerous occasions in 1962, the Committee on Foreign Relations; its Subcommittee on Disarmament, of which I am privileged to be chairman; the Preparedness Subcommittee, of the Armed Services Committee; and, indeed, I may add, the Joint Committee on Atomic Energy, met with representatives of the executive branch to discuss the test ban treaty negotiations and the problems raised thereby.

For example, on July 25, 1962, the Disarmament Subcommittee met with William C. Foster, head of the Disarmament Agency, to discuss the four possible U.S. positions in the current disarmament conference. I have before me the testimony taken from July 25 through August 2, 1962; it is printed under the heading "Renewed Geneva Disarmament Negotiations—Hearings before a Subcommittee of the Committee on Foreign Relations, U.S. Senate, 87th Congress, 2d Session."

I am quite familiar with this document, inasmuch as I presided during every minute of the hearings. On page 4 of the printed hearings appears an item entitled "Four possible U.S. positions on the disarmament conference."

Position No. 1 is the April 1961 treaty, as modified.

Position No. 2 is the proposed treaty banning weapons tests in the atmosphere, outer space and underwater—a treaty similar to the one now before us.

Positions 3 and 4 related to variations of those two treaties.

Mr. President, on August 2, 1962, the committee met with Ambassador Arthur Dean, who was our chief negotiator at Geneva. He dealt with such questions as our ability to trust the Soviets in the context of a limited test ban treaty. That testimony is also in the same document to which I have referred.

I have a document before me entitled "Arms Control and Disarmament Hearings Before the Preparedness Subcommittee on September 17, 18, and 19."

On September 17, 1962, the Preparedness Subcommittee met with Mr. Foster, the Director of the Arms Control Agency, who presented drafts of the limited treaties offered in Geneva on August 27, 1962, which, it is admitted by every Senator, was the basis for the present treaty.

It is quite obvious that the executive branch consulted not only on the language of the treaty now before the Senate, but as the treaty was being developed stage by stage. Several draft treaties, as they were being developed, were amended, altered, and adjusted during the processes of the negotiations.

On September 17, 1962, Mr. Paul Nitze, Assistant Secretary of Defense, appeared and was questioned at length by the Preparedness Subcommittee on the limited nuclear test ban treaty of August 27, 1962, which is the body and substance of the treaty that is before the Senate.

The primary difference between that draft treaty of August 27, 1962, and the one before the Senate is that this treaty provides for an easier procedure for withdrawal from the obligations of the treaty, which procedure was asked for by the Joint Chiefs of Staff. That within itself indicates that the military officials were consulted on the language of the treaty.

The treaty before the Senate was changed from the August 27, 1962, draft at the insistence of the Joint Chiefs of Staff, who desires a more flexible withdrawal provision. The President of the United States, listening to the advice and counsel of his military advisers, made the change in the language of the so-called withdrawal article of the treaty.

The second provision that was changed after consultation with our scientists and military officials was the so-called plowshare program—the so-called testing for peaceful purposes. Why? Because there was a suspicion on our part that the Soviets might cheat under that provision. They likewise were suspicious that we might cheat and that nuclear explosions that were described as being for peaceful purposes might well be for military purposes. So the treaty eliminated that particular provision.

I point out that on September 12, 1962, Dr. Franklin Long, Assistant Director of the Bureau of Science and Technology of the Arms Control Agency, presented a statement on the technical difficulties of policing the limited test ban treaty without on-site inspection. He made that presentation before the Senate Committee on Foreign Relations. It was my privilege to preside at those hearings.

On August 11, 1962, Secretary Rusk appeared before the full Committee on Foreign Relations and was questioned at length by the Senator from Minnesota and others on the so-called draft treaty proposal for a limited test ban treaty.

Those are only a few examples of the consultations that have taken place between the appropriate committees of this body and the executive branch.

In the 88th Congress, on Monday, March 11, 1963, test ban negotiations and disarmament were the subject of hearings before the Committee on Foreign Relations. The chairman of the committee, the Senator from Arkansas [Mr. FULBRIGHT] called for the hearings. He turned the hearings over to the senior Senator from Minnesota, who is chairman of the Subcommittee on Disarmament, and we heard from Dean Rusk, the Secretary of State, and from Adrian S. Fisher, Deputy Director of the Arms Control Agency. We questioned those distinguished public servants at length on the proposals that our Government had tabled at the Geneva disarmament conference, namely, the comprehensive test ban treaty and the limited nuclear test ban treaty.

I believe that the argument of the Senator from Wyoming [Mr. SIMPSON]—namely, that the advice of the Senate was not sought in advance of the proposed treaty; that the negotiations were done in secret in the capital city of the Soviet Union and that none of our nuclear and military experts participated; and that communications with the Senate were withheld until the language was an accomplished fact—cannot stand the exposure of the testimony and the facts before the Senate and the appropriate committees of this body.

Finally, before the treaty was even initialed, the Secretary of State, Hon. Dean Rusk, apeared before the Senate Committee on Foreign Relations with the treaty language that had been discussed in Moscow. That was before Mr. Harriman had initialed the treaty. That was several weeks before the treaty was signed. The Secretary of State, in executive session, took up the language of the proposed treaty word by word, line by line, and explained to us what he thought it meant. He asked us for our advice and counsel.

As a result, changes were made in the treaty. One change that was made was that there would be no requirement for all of the instruments of ratification to be deposited in the three capitals of the principal countries. That is why we do not accept the East German document of ratification. That has been deposited in the Soviet Union, not here. The original language might have permitted that document to be deposited here. Senate committees asked that that language be changed; and asked for other changes. We were consulted.

Let the record be clear. Individual Senators with heavy responsibility in this body and in the Committee on Armed Services, the Joint Committee on Atomic Energy, and the Committee on Foreign Relations, were consulted daily by responsible officials of the executive branch.

Some were consulted and advised by the Secretary of State. Others were consulted and advised by Mr. William Foster, Director of the Arms Control Agency; by Mr. Adrian Fisher, Deputy Director, or by one of the Assistant Secretaries of State. We were kept constantly advised of what was going on in Moscow. Furthermore, there were items in the newspapers. Secret negotiations? While it is a fact, of course, that some of the private discussions were kept private, daily the American people were informed of the negotiations that were going on. The basic substance of the treaty was well known before the official language was revealed.

Finally, after Mr. Harriman had initialed the treaty in Moscow on behalf of the United States, we were again advised as to the text of the treaty.

So there have been no secret negotiations, no side deals, no lack of communication. The Senate was advised. Senators were kept informed. Military and scientific officials were consulted. The Joint Chiefs of Staff, our atomic scientists, and our military specialists were consulted.

I believe the record speaks for itself.

I know it is late. I am as tired as any other Senator. I do this tonight because so many doubts have been raised. It seems to me that when these doubts and uncertainties—some of them sheer "strawmen"—rear up, it is necessary to meet the doubts head on with the testimony, the facts, and the evidence.

If one has no facts and no evidence, the doubt gains validity. If a strawman is set up, and the facts and evidence are available, the strawman should be knocked down.

I do not want the Congressional Record of this debate to indicate that Senators were not consulted or kept informed. It is true that every Member of the Senate may not have been. But, under the law—under the Reorganization Act of 1946—we have placed the responsibility for surveillance over treaty negotiations, for hearings upon treaties, and for eliciting responses from witnesses relating to treaties on the Committee on Foreign Relations. That is the law, just as much as the income tax is the law.

The Senator from Arkansas [Mr. Fulbright], the distinguished chairman of the committee, has fulfilled his responsibilities with honor, efficiency, deliberation, and application to duty.

Moreover, time after time, the executive branch officials asked Senators to attend, and it was necessary to tell them we had other things to do; that we were holding hearings on mutual security, and that other matters were before us.

So in this instance the executive branch, possibly with the historical memories of what happened to the Versailles Treaty, went out of its way to keep us informed.

Mr. Harriman, after having initialed the treaty, came back, before Secretary Rusk went to Moscow with a Senate delegation, and talked with appropriate committees of the Congress as to what he had initialed. It was clearly understood from the testimony of Mr. Rusk and by the testimony of Mr. Harriman before the Committee on Foreign Relations that, even though Mr. Harriman had initialed the document, if we found in that document something which should not be in it, the initialing did not compel us to accept the document for the purposes of signing it. In other words, we could change the language or the meaning.

I attended the meetings diligently. I suppose I have been involved as deeply as any other Senator in the matter of the so-called nuclear test ban treaties. Many times I have written reports or attended conferences, and been at Geneva or at the United Nations as an adviser to our delegation.

I have presided over hearings on this subject when it was not possible to get two people to come to listen, because it was an unpopular subject and nobody wished to be bothered.

I can remember when I nearly gave up in despair, because it did not seem as if anybody wished to pay any attention to this subject matter.

With the cooperation of the executive branch, the constant diligence of the Chairman of the Committee on Foreign Relations, and the interest of a few Senators, we kept abreast of the negotiations. We kept the Senate informed.

My colleagues can look at the record. I fulfilled my responsibilities as Chairman of the Subcommittee on Disarmament by reporting regularly to this body as to our discussions, our hearings, and any conclusions we could reach. That did not get any headlines. I must say, in all candor, that not only was the public not interested, but also the press was not interested. In the minds of some, it was an exercise in futility.

But I had a duty to perform, and I fulfilled that duty.

Now we are at the point where the treaty is before the Senate. I want it crystal clear that the treaty has the overwhelming support in numbers of the top military officials of the country, of scientists, and of political leaders; and that it was the result of active consultation among military leaders, scientists, Cabinet officers, and Members of the Congress.

President John Kennedy did not serve upon us an edict. What he presented to the Soviets in Moscow this past summer was the product of two administrations and hundreds of sessions of negotiations by Americans in America. It was not secret. It was testified to before the committees of the Congress.

This is a treaty that we designed. It is not a Russian treaty. It is an American treaty. It is not a secret treaty. It is a treaty which is the product of many minds, after much consultation, with many advisers consulted. It is not a Democratic treaty. It is an American treaty.

Its negotiation was conducted first by Mr. Arthur Dean, a famous lawyer, confidant of the former President of the United States, General Eisenhower.

The negotiations were conducted further by Averell Harriman, an eminent American who has gained a position in American life of respect and admiration.

There is nothing to apologize for in the treaty. The only thing we need to be concerned about is, "Will mankind have the moral integrity to abide by it?"

GALLUP POLL DISCLOSES 89 PERCENT SUPPORT FOR YOUTH CONSERVATION CORPS

As in legislative session,

Mr. HUMPHREY. Mr. President while the Senate is debating the question of ratification of the nuclear test ban treaty, let us not forget the domestic problems that warrant the action of Congress. Surely one of the most urgent domestic matters is the continuing crisis of youth unemployment.

The Senate has passed the Youth Employment Act, S. 1, for the 88th Congress, and the legislation has been favorably reported by the House Committee on Education and Labor. As in the past several sessions, we are waiting for consideration of this bill in the House Rules Committee.

Often the argument is raised in opposition to Federal programs designed to meet urgent domestic needs that the American public really does not support such programs. I believe this argument is fallacious most of the time; it certainly is fallacious in terms of the Youth Employment Act.

The American Institute of Public Opinion, the research organization that compiles the Gallup poll, released the results of their latest survey, which discloses that 89 percent of the American public support the establishment of a Youth Conservation Corps. To quote from Dr. George Gallup's report of this survey:

> Few issues in polling history have received such overwhelming support of the American public as has the proposal for modern-day CCC camps—modeled after those established by the Roosevelt administration in the 1930's.

Let me emphasize what Dr. Gallup has said:

> Few issues in polling history have received such overwhelming support.

This is a most heartening report on the feelings of the American public. It sustains what the supporters of the Youth Conservation Corps have maintained for years.

It also confirms the results of an earlier Gallup poll on the popularity of the YCC. On April 19, 1962, I reported to the Senate that 79 percent of the American public supported this issue. Since that time, still another 10 percent have been added to the total for an overwhelming 89-percent vote of confidence.

There are few, if any, public issues before Congress that could command a comparable majority. It seems to me that this matter is beyond dispute: The American public want prompt passage of the Youth Employment Act. And they are eminently correct on this matter. While youth unemployment dipped slightly in August, the rate is still 14.1 percent, hardly a figure designed to bring comfort or reassurance. Furthermore, I have little doubt that the rate will soon be climbing back toward 20 percent unless remedial steps are taken at once.

Mr. President, I ask unanimous consent that the Gallup poll released over this past weekend relating to the Youth Conservation Corps may be printed in the Record. I also ask unanimous consent that the poll taken in 1962 demonstrating similar support be printed after the new survey.

There being no objection, the articles were ordered to be printed in the Record, as follows:

SEPTEMBER 1963

PUBLIC BACKS CCC-TYPE YOUTH CAMPS

(By George Gallup)

Princeton, N.J.—Few issues in polling history have received such overwhelming support of the American public as has the proposal for modern-day CCC camps—modeled after those established by the Roosevelt administration in the 1930's.

Nearly 9 out of 10 persons interviewed in a nationwide Gallup Poll say they think such camps—enabling young men to learn a trade and earn money by outdoor work—would be a good idea.

In the proposed Youth Conservation Corps, young men between the ages of 16 and 22 could earn money through participation in Federal conservation programs.

The "Home Town Corps," which would be open to both young men and women, would provide work experience and increase employability through work in State or local projects.

To get the public's views on the principle of the youth camps, Gallup Poll interviewers put the following question to a representative sample of 1,588 adults from coast to coast:

"It is proposed that the Federal Government set up youth camps—such as the CCC camps of the 1930's—for young men who want to learn a trade and earn a little money by outdoor work. Do you think this is a good idea or a poor idea?"

The vote nationwide:

	Percent
Good idea	89
Poor idea	6
No opinion	5

APRIL 1962

A GALLUP POLL—8 IN 10 FAVOR REVIVAL OF CCC YOUTH CAMPS

(By George Gallup)

PRINCETON, N.J.—As a way of dealing with the growing problem of out-of-school, out-of-work young men, the American public is highly in favor of reviving the concept of the CCC camps of the 1930's.

Supported by 8 out of 10 persons, such a proposal would set up youth conservation camps for men between the ages of 16 and 22 who want to learn a trade and earn a little money by working outdoors.

Such a concept is embodied in the youth training bills now before Congress, with differing Senate and House versions. The Senate bill calls for a maximum of 150,000 youths in the program by the year 1965; the House version would limit the number to 12,000 at any time over a 3-year period.

To see how the public feels about the general principle of modern-day CCC camps, Gallup poll reporters put this question to a cross section of adults:

"It is proposed that the Federal Government set up youth camps—such as the CCC camps of the 1930's—for young men 16 to 22 years who want to learn a trade and earn a little money by outdoor work. Do you think this is a good idea or a poor idea?"

The vote nationwide:

	Percent
Good idea	79
Poor idea	16
No opinion	5

Analysis shows that the youth camps win overwhelming support in all regions of the Nation—East, Midwest, South, and Far West.

Big majorities of older voters—who recall the CCC camps of the 1930's—as well as younger voters endorse the idea of youth camps.

Although the proposal has bipartisan support at the grassroots level, a modern-day CCC has more appeal to Democrats and Independents (83 and 80 percent approval respectively) than it does to rank-and-file Republicans (70-percent approval).

Although the public supports the basic principle of youth conservation camps, the question of whether youths who are out of school and out of work should be required to go to these camps provokes some controversy.

Authorities estimate that as many as 1 million young men each year find themselves out of school, out of work, and not accepted by the military service. Many youth experts contend that this situation—in addition to providing a "breeding ground" for juvenile delinquency—constitutes a great waste of the Nation's manpower.

Overall—when asked about requiring such young men to go to youth camps—more persons approve of the mandatory approach than disapprove of it.

Among Republicans interviewed, however, the prevailing sentiment is against requiring young men to go to the camps. Democrats and Independents support such an approach. Younger voters tend to vote against such a method of handling the youth camps; a majority of older voters are in favor of it.

During the 1930's, upward of 2 million men were at one time members of the Civilian Conservation Corps or its predecessor, the Emergency Conservation Work Agency.

Gallup poll files show that no New Deal measure was so consistently popular with the public as the CCC camps.

In July 1936—after the camps had been in operation for 3 years—83 percent of persons in a national survey were in favor of continuing the CCC.

In April 1938, another Gallup poll recorded nearly 8 out of 10 in favor of establishing the camps on a permanent basis.

AN ELOQUENT CONTRIBUTION IN BEHALF OF CIVIL RIGHTS

As in legislative session,

Mr. HUMPHREY. Mr. President, I have received a letter from John Maisel, a young American of Woodmere, N.Y. I wish every Senator could read this letter, which is handwritten.

Along with the letter came 30 cents. I have the nickel and quarter taped to a piece of paper. This is a handwritten letter by a young man who is a fine and good citizen.

Mr. President, the people of America and the world saw the spirit of democracy and brotherhood in the faces of those many thousands who came to Washington for the jobs and freedom. This is not the face of America which all too frequently is portrayed on the front pages of our newspapers and on TV.

If the march replaced the faces of fear and hate with faces of courage and love for only 1 day, then it accomplished a great deal. Of course, the march did accomplish much more than this.

Occasionally I fear we are beginning to believe what we read about ourselves on the front pages of the newspaper. As President Kennedy indicated at the press conference yesterday, the schools in 157 cities have been desegregated this year. While our attention has been focused on the disorders which have occurred in Alabama, we have failed to note that over 150 other cities have desegregated almost without incident. Here is the true America, the America determined that justice and freedom will become a reality.

This morning's mail brought a fresh reminder of the basic decency of the large majority of Americans on issues which cut so directly to the very fabric of our democratic system. A young man from Woodmere, Long Island, N.Y., John Maisel, has sent me his week's allowance of 30 cents to help in the cause of civil rights:

> DEAR SENATOR: I'm sending you my week's allowance so the money could help a Negro or donate to a Negro fund. I am sending this money to you because I know you'll do my request.

He signs the letter in his own handwriting as "Your friend." Mr. President, that is a wonderful thing—"Your friend, John Maisel."

From John's letter it appears that he still is in elementary school. To this Senator such a letter is a heartening indication that the cause of full civil rights for all Americans does enjoy the support of a vast majority of persons in this Nation. Both the old and the young—like John Maisel—know that transforming the promise of equal rights into reality takes personal commitment and sacrifice. From John's perspective, the contribution of a week's allowance represents such a sacrifice. I commend this young American for speaking out on the side of freedom and justice. Such action should not go unnoticed, for it demonstrates that America—as a Nation—is determined that the right shall ultimately prevail.

For John's information, I intend to forward this contribution to the NAACP legal defense fund. For many years this worthy organization has sought to secure full civil rights for Negroes where such rights have been denied. I am confident that John's allowance will be wisely invested in the cause of freedom. In fact, this 30 cents will be paying dividends for many years to come.

This letter and its contents have brightened my day considerably. Let us be thankful that the future of this great Nation eventually will rest in the hands of such young men as John Maisel.

ADJOURNMENT TO MONDAY NEXT AT 10 A.M.

Mr. HUMPHREY. Mr. President, in accordance with the previous order, I move that the Senate stand in adjournment until 10 o'clock a.m. on Monday next.

The motion was agreed to; and (at 7 o'clock and 32 minutes p.m.), under the previous order, the Senate adjourned, in executive session, until Monday, September 16, 1963, at 10 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate, September 13, 1963:

INTERNATIONAL ATOMIC ENERGY AGENCY

Frank K. Hefner, of Virginia, a Foreign Service officer of class 2, to be the deputy representative of the United States of America to the International Atomic Energy Agency.

Glenn T. Seaborg, of California, to be the representative of the United States of America to the seventh session of the General Conference of the International Atomic Energy Agency.

The following-named persons to the position indicated:

Henry DeWolf Smyth, of New Jersey, to be alternate representative of the United States of America to the seventh session of the General Conference of the International Atomic Energy Agency.

John Gorham Palfrey, of New York, to be alternate representative of the United States of America to the seventh session of the General Conference of the International Atomic Energy Agency.

James T. Ramey, of Illinois, to be alternate representative of the United States of America to the seventh session of the General Conference of the International Atomic Energy Agency.

Frank K. Hefner, of Virginia, to be alternate representative of the United States of America to the seventh session of the General Conference of the International Atomic Energy Agency.

UNITED NATIONS

The following-named persons to be representatives and alternate representatives of the United States of America to the 18th session of the General Assembly of the United Nations, to serve no longer than December 31, 1963:

To be representatives

Adlai E. Stevenson, of Illinois.

EDNA F. KELLY, U.S. Representative from the State of New York.

WILLIAM S. MAILLIARD, U.S. Representative from the State of California.

Francis T. P. Plimpton, of New York.

Charles W. Yost, of New York.

To be alternate representatives

Mercer Cook, Ambassador Extraordinary and Plenipotentiary of the United States to the Republic of Niger.

Charles C. Stelle, of Maryland.

Jonathan B. Bingham, of New York.

Sidney R. Yates, of Illinois.

Mrs. Jane Warner Dick, of Illinois.

EXTENSIONS OF REMARKS

Man and Dog: The Mail Goes Through

EXTENSION OF REMARKS
OF
HON. E. L. BARTLETT
OF ALASKA
IN THE SENATE OF THE UNITED STATES
Friday, September 13, 1963

Mr. BARTLETT. Mr. President, it is seldom that we pay tribute to the man who carries the mail. Yet, without his faithful and efficient service, our Nation, its society, and its economy would come to a complete and immediate halt.

Delivering the mails is a large, complex, and difficult task, today. In years past, it was all this, and more: it was dangerous and courageous.

The Post Office has provided regular delivery of the mails in my own State of Alaska since the appointment of a Mr. John H. Kinkead as Postmaster of Sitka, on July 23, 1867. Mr. Kinkead later served as the first Governor.

In the winter months, in the northern half of Alaska, the principal method of carrying the mail traditionally has been by dogsled. Only in recent years has the sled been replaced by the airplane. On June 13 of this year, Mr. President, a melancholy ceremony in Fairbanks marked the end of mail delivery by dogsled. Trucks and planes now carry the mails in Alaska.

This is not to say that dog teams are no longer an essential part of Alaskan life. In the dark of winter, they are still the most practical, and often the only available means of transport in the northern part of our State. Man and dog, working together, opened Alaska. Until recent times, dogsled trails linked most northern Alaskan communities.

When I was a boy and was growing up in Fairbanks, there were many dog teams in town. For over 6 months of the year the Yukon River was frozen, and sleds were the common means of travel.

The stories, the tales, and the legends about man and dog against the Alaska winter are a part of our heritage as Alaskans and Americans. They are truly as great and as important to the story of our country as are the cowboy and Indian stories of the lower 48 States.

The occasion of the end of dogsled mail delivery perhaps calls for the recounting of one or two of these stories. Let me first tell of Crag Hart, a great musher of the early nineteen hundreds.

CRAG MUSHES THROUGH

In early May of 1904, the icepack still lay over all of Norton Sound and the Bering Sea. The Yukon River was frozen, but the ice was breaking and heaving. This meant that breakup could come very soon.

Crag Hart had the contract to carry the mail on the Star Route from Ungalik to Nome. In the summer, he would carry it along the coastal trail; in the winter, he would carry it by dogsled straight out across Norton Sound, over the ice.

The trail across the ice was marked by red flags. Blizzards blew up quickly on the icepack; ice haze and fog were common; and the flags helped to keep the dogs on the trail. So long as the trail was broken through the snow and marked by flags across the ice, the dogs would keep on the path without direction from the driver. Without the flags it was easy to get lost and to head out to sea in the sunless winter.

Crag was warned on that day, as he began his trip to Nome, that breakup of the icepack was imminent. This could come in several ways: the ice could split, break apart and drift out to sea, carrying man and dogs; the ice could break apart in such large sections that it might be hours before a man would know that he was helplessly adrift at sea; another possibility was equally bad: the Yukon could blast open, pouring torrents of fresh water into Norton Sound under the sea ice and causing it to buckle up or explode into great chunks.

Crag had confidence in himself and his dogs, especially in his lead dog, the malamute, Brandy. Crag was fortunate Brandy was an excellent leader. He had the strength necessary in emergencies to turn the dog team when it was confronted suddenly by a crevasse or a break in the ice. The dog had the intelligence and good sense necessary to keep the team cheerful and hard working. A bad tempered lead dog or one easily diverted is an invitation to disaster when crossing a lonely stretch of ice at a temperature of 40 below.

Crag had confidence in his team and his luck that morning as he set out across the ice. Hour after hour the trip was uneventful although there was the smell of salt water in the air, noticed both by Brandy and by Hart. This was not a good sign. It meant the open sea was near.

As the hours went by, the mist began to darken. A blizzard blew up. The sled and dogs were blown obliquely by the wind across the ice, but they continued on toward Nome.

Suddenly overhead Crag could hear the cry of sea gulls—a very bad sign. The snow was heavier and blowing, all was white: land, sea, and sky. They were no longer able to find the flags. They were lost in the storm.

And then Crag could hear the bark of ugruks, the sea lions, who live only in open water. The dogs could hear it too and they began to whimper; only Brandy's confident example kept them going. Crag was at the point of camping for the night to await the end of the blizzard, hoping to find the trail in the morning. Brandy, however, did not stop. And this saved them all from the breakup which came in the early morning hours.

Without command Brandy turned the sled 180° and Crag, from the sled could not immediately see why. As the sled made the arc turn, through the mists he saw—the open sea. A few feet more and man and dogs would have fallen into the freezing water. Life would have lasted only a very few moments.

Brandy led the way, the only possible way to go, away from the open sea, back to the safety of the shore. They retraced their trail, the snow coming down more heavily. It was wet and turning into slush on the ice, making it harder for the sled to move. As they continued on, Crag noticed they were climbing. This meant they were riding over an ice ridge caused by water pressures under the ice, forcing the ice to split and buckle upward. When they got to the top of the rise, there would be a crevasse—which it might or might not be possible to straddle with the dogs and the sled.

As they came to the top of the crest, Brandy leapt the 3-foot crevasse. The team dogs, leaping in turn, scrambled across. The momentum pulled the sled across and at that point, Crag lost his grip.

He fell into the crevasse.

He was wedged 7 feet or so below the surface and between two great sheets of ice. At any moment it was possible the blocks would shift and crush him. His hands and feet could get no hold on the slick ice walls. He called for Brandy and his voice was lost in the wind. He called and called; and he lost consciousness in the cold.

He regained consciousness from a sudden blow of pain across his face. He opened his eyes to find Brandy hanging in front of him, desperately trying to grab in his teeth Crag's parka. In doing so he had slashed Crag's face. The lead dog, noticing the driver missing from the sled, had turned the sled around, returned to the crevasse and leaped into it, dragging with him all the other dogs on the team and wedging firmly the sled across the top of the ice break. Brandy had come back for his master.

Using the harness as a ladder, Crag Hart climbed out, pulling the dogs out after him. He righted the sled and Brandy led the dogs, the sled and Crag Hart safely to the shore.

The mail got through that day. It always did, one way or another.

CHESTER NOONGWOOK: THE LAST

Crag Hart was but one of many brave men who carried the mail by dogsled across Alaska for over 60 years. Dogsleds provided regularly scheduled service over literally thousands of miles of trails for many years. In the 1920's, fully 75 percent of all mail delivered in Alaska was still carried by dogsled. Sleds were used well into the 1950's and the last Star route to be served by dog sled was converted to air only this spring.

The last contract carrier to mush the mail across the ice and snow was Chester Noongwook, of Savoonga. Mr. Noongwook is 27 years of age. He has been carrying the mail since he was 20. His route on St. Lawrence Island was a weekly 100-mile round trip from Savoonga to Gambell and return. St. Lawrence Island lies less than 50 miles from Siberia, in the middle of the Bering Sea.

From May through November Mr. Noongwook used a skin boat, an umiak, to carry the mail across the open sea between the two towns. The rest of the year he used his sled, pulled by 8 or 10 dogs. In 1958 his huskies were named Spotty, Brownie, Lassy, Boy, Mil-ko-buk, Frisky, Whitey, Donkey, Blackie, and Camel. I know that this spring Spotty, Brownie, Mil-ko-buk and Donkey were still at work. I am unable to report on the others.

Mr. Noongwook is a resident of the Eskimo village of Savoonga. This is a village of frame houses, a church, a native store, and a Bureau of Indian Affairs school. The driver of the sled made a weekly trip to Gambell, at the tip of the island. The 50-mile trip out usually takes a day, I am told. This must be a long day as most drivers are usually content to make 19 to 25 miles a day. The return trip usually takes 2 days; the mail load is heavier—often up to the maximum 300-pound load.

I am told that in December of 1956, when Mr. Noongwook was but 20 years old, he hauled in over 5,000 pounds of parcel post for the Savoonga Mission. From time to time he has had to stop overnight on the trail because of howling storms or soft, slushy ice. These are the major dangers of the trip because, as Postmaster John Waghiyi, of Savoonga, reports, "No wolves on island."

Mr. Noongwook's devotion to duty in spite of snow or storms or black of night, has been acknowledged by both Postmasters General Arthur J. Summerfield and J. Edward Day.

Mr. Summerfield said it "symbolizes the spirit of dedication to duty in the face of adverse conditions". General Day, on June 13 of this year, authorized the awarding of a special citation to mark the Savoongan's "exceptional service in carrying the U.S. mail under difficult conditions—in the finest traditions of the American postal service."

The mail, once carried by skin boat and sled from Gambell to Savoonga, is carried now by airplane. Ceremonies were held in Fairbanks on the 13th of June so that Assistant Postmaster General Hartigan could personally present the Post Office award to Mr. Noongwook. It is ironic that the airplane carrying Mr. Noongwook was 4 hours late in arriving at Fairbanks. As a result, the ceremonies were postponed. The excuse for the delay was poor weather. Poor weather holds up airplanes; it very seldom holds up dogsleds.

The Savoonga mail contract was but a small thing compared to the dogsled carriers of the past. Depending upon the amount of mail to be carried, the sleds were pulled by as few as 6 or 8 dogs, as many as 19 or 25. Mr. Noongwook's sled could take no more than 300 pounds. Some sleds carried as many as 700 pounds. Often two such sleds would be coupled, one behind the other, to carry even greater loads.

At an exhibit at the Philadelphia Exposition in 1926, a sled was displayed which had traveled 20,000 miles in 6 years of service. At times the cost of transporting the mail by dogsled was $6.30 a ton for each mile traveled. In today's dollars, the cost would be even greater.

I have checked with the Post Office and I am informed that the average cost per ton of mail which is shipped by air within the lower 48 States is now 38 cents a mile. In the most remote areas of Alaska, air service costs do not exceed $2.50 per ton-mile.

There were many hundreds of miles of star route sled trails reaching from Canada all the way across Alaska to Nome, on the Bering Sea. Shelters were spaced along the trail at 25- or 30-mile intervals for protection at night and storage of food.

Once, in 1910, Mike Sullivan and his lead dog Sandy took a team of dogs 1,100 miles from Circle City to Nome without losing a dog. Dogs were fed largely on dried fish and tallow. A good sled dog has always been highly valued. In the 1920's they sold from $80 to $100 each. In 1925, when Leonard Seppala, the greatest musher of them all, lost his lead dog, Togo, the famous Alaska sweepstake winner, he said that he would not have taken $500 for the dog. It was estimated that the average dog can draw 40 pounds of mail 20 miles a day. Dogs are devoted to their master and follow faithfully the lead dog. These leaders are very carefully chosen, extensively trained, and heavily relied on.

The dogs serve 6 or 7 years before they are retired. They are usually loyal, hard working, and cheerful. There are, of course, exceptions. Every sled driver dreads the reports from time to time of the dog pack "framing up" on the driver or the lead dog. Some drivers carried a heavy chain with them at all times for protection in a frameup. Other drivers, such as Seppala, never used so much as a whip.

For many years the Olympics of the dogsled world were held annually in the spring at Nome. The all-Alaska sweepstake race was run from Nome across the Seward Peninsula to Candle City and return. A total of 408 miles, the rules allowed no change of driver or dogs during the race.

In the 1910 race, the famous musher, Iron-Man Johnson, finished first, with a winning time of 74 hours and 14 minutes, an average speed of 5.5 miles per hour. Johnson's lead dog was named Sandy, a dog who ended his life touring the lecture circuit with the musher, Black Luk, in the lower 48. It is interesting to note that the second-place winner, Fox Ramsey, took only 10 minutes to turn around at Candle City. The other drivers took a few hours' rest but Ramsey and his dogs pushed on. The strain began to tell early in the second half, however, and Ramsey fell behind at First Chance. He never regained his nice point lead.

The most famous drive of all took place in February of 1925. The city of Nome was gripped by an epidemic of diphtheria. The local supply of antitoxin serum was exhausted and the city wired for a new supply. The Bering Sea route was frozen and ships could not get in. There was only one airplane in operating condition in Alaska, and it was on the landing strip at Fairbanks. One man, a "mystery man," some thought he was a spy, claimed to be a highly trained pilot with the skill necessary to fly to Nome. Somehow, however, he never got around to actually taking off. The serum must be taken overland—and it was, by dogsled. Over 658 miles from Nenana to Nome, the drive was made in difficult country, the last half of the way through a blizzard, and the average speed at times reaching an amazing 9 to 10 miles per hour.

The news of the successful conclusion of this race cheered the world. Stories were carried in every major paper and on the Senate floor Senator Dill, of Washington, paid tribute to the drivers. I ask unanimous consent that the Senator's words may be made a part of the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CARRYING ANTITOXIN TO NOME BY RELAY TEAMS

Mr. President, this is a road bill which the Senate is now considering, and I think that without leaving the subject entirely I might discuss for a few moments certain events in that part of the United States which has no roads and to which the bill does not apply. In other words, I want to speak for a few minutes about the means of transportation used in faraway Alaska in the past few days. I want to speak of that classic, heroic dog-team relay that carried antitoxin for the suffering, dying people of the little city of Nome away out there on the coast of the Bering Sea.

It was a week ago last Monday that the news came that there were four deaths and 20 cases of diphtheria in Nome, and that the only antitoxin in the town had been there from 4 to 6 years and therefore was not worth anything in caring for those people. Then there arose the question of how the antitoxin that was needed could be gotten to Nome. Because of the icebound Bering Sea it is impossible to reach the harbor at this time of the year. It was first proposed that the antitoxin be carried by airplane. Nome is a thousand miles from Anchorage down on the southwestern coast of Alaska, from where the antitoxin was to be sent. But it was found that there were only three usable airplanes in Alaska, that they were in winter storage, and the aviators had gone to the States. There was one other airplane in Alaska, but the engine had not been in use for some time and it was believed to be very dangerous to undertake to use it without its being repaired. So it was finally decided that they might take 300,000 units of antitoxin from the railroad hospital at Anchorage and send it overland by dog teams. They could take it about half way by the railroad that runs from Anchorage to Fairbanks. They did not take it all of the distance to Fairbanks, but stopped at Dunbar, about 40 miles this side of Fairbanks. There it was met by one of the dog teams and in relays carried across the country.

RIGORS OF THE TRIP

We who live in a climate such as we have in the States cannot possibly realize what that trip meant. It is a trip of 650 miles, which, made regularly by the mail teams, takes from 25 to 30 days. By the use of relay teams they covered the distance in 5½ days. It is an accomplishment that will be talked about in Alaska not only through this winter, but for many years to come. The heroic deeds of those men and dogs have caught the imagination of the entire world and are worthy of a mighty pen and eloquent tongue, and will be celebrated in story and in song long after the participants are dead and gone.

I want to call particular attention to one or two things in connection with this method of transportation. The teams are made up ordinarily of 9 to 11 dogs. They travel from 6 to 7 miles an hour under ordinary conditions. When it was announced that they would take the antitoxin by relay teams, every noted dog driver in the entire country along the routes over the mountains and down the Yukon River to the seacoast, and then along the coast to Nome, volunteered his services, and the very best drivers and teams were chosen. They made some really remarkable records. I shall not attempt to trace the trip, nor to give the details; first, because I am not sufficiently familiar with them, and second, because it would take too much time; but it is interesting to know that between the relays, running from 30 to 40 miles each, there was only 10 to 15 minutes of delay, the driver of every team immediately taking charge of the antitoxin and driving on to the next station.

REMARKABLE RECORD

The Indian natives of the country volunteered their services to make possible the quick relays on the trip, because the people in that section of Alaska have again and again been stricken with this dread disease. So as the drivers and dogs went along on the trip, these Indians helped in every way they could. There are two or three speed records that are really worth mentioning. The relay from Ruby to Whiskey Creek, 28 miles, was made in 3½ hours. The most remarkable relay was from Nulato to Kaltag, where they made 36 miles in 3½ hours, which is a little better than 10 miles an hour. They made the entire distance from Tanana to Kaltag, 280 miles, in 37 hours, by these relay teams. These are truly remarkable records for this time of year.

I want to remind Senators of another thing. The newspapers mentioned the names of the great dog-team drivers who have won the relay races, Seppala, and particularly Kasson, but those records I have just mentioned were made by unknown Indian dog drivers with teams of mongrel dogs. Of course, the last part of the trip was more exciting and the traveling was the more fierce, because of the terrific gales that swept across the Bering Sea and the coast. But we should always remember that the rapid and successful carrying of this antitoxin to Nome was due as much to the unknown drivers and the unknown dogs fighting their way through the blizzards over the lonely, dead ice desert, each doing his part to make the final victory possible, and that they deserve equal credit with those whose names came through in the news dispatches.

THROUGH DARKNESS, COLD, AND GALES

When the teams which carried the antitoxin over the mountains and down the river to the Bering coast reached that point they struck the most difficult part of the trip. It was 30° below zero, the gales blew 40 miles an hour, and this is the time of the year in Alaska when the country is wrapped in darkness. Their daylight period is from 10 to 2 o'clock and is a period of misty light. They made the trip through the darkness, the drivers most of the time being unable to see anything at all and least of all the trail. They had to trust to the dogs, which seemed to have an almost supernatural power of finding their way along the trail. The trip of Seppala was something like 100 miles, much of it across the country where there is not a single habitation through all the distance. With his dog team of 20 or 21 dogs he made a wonderful record, the crossing of Norton Sound being the most spectacular and the most notable part of the trip. His dogs are the Siberian dogs, smaller than the ordinary malemute dogs used on the first part of the trip. They have the peculiar faculty of starting at an ordinary rate of speed and as they go along they get faster and faster until they attain a speed of 8 or 9 miles an hour. They are said in this case to have speeded up beyond anything known in the travel of Alaskan dog teams. They seem to have had a sort of supernatural knowledge that they must get through to the coast in the face of the storm which was driving against them.

TRIBUTE TO BALTO

When the relay reached Bluff it was taken by Kasson with his team of Siberian dogs. He was to have been relayed at a place called Safety. The storm, however, was terrible, and he did not stop at Safety, but went on through and made the trip of 55 miles. His description of the trip, as written in the newspaper, reads like a romance. I shall not attempt to give it all, but I wish to read just two or three statements from it. According to the United Press, he said:

"I left Bluff, 53 miles east of Nome, at 10 p.m. Sunday. The thermometer stood at 30 below, and a gale was blowing from the northwest. I couldn't see the trail. Many times I couldn't even see my dogs, so blinding was the gale. I gave Balto, my lead dog, his head and trusted to him. He never once faltered. It was Balto who led the way—the credit is his."

This black Siberian dog, through the darkness and storm, crossed this icy desert and kept the trail when no human being could possibly have found his way. I wish to read a commentary on this feat by one of the editors of the Hearst newspapers, because, while many editors have attempted to do justice to this trip, I think he has come nearest to doing so. Speaking of the journey, he said:

"Nothing finer has been done by heroism on any battlefield than this relay race across this wind-swept, ice-locked desert of the Arctic.

"If anything, this heroism of the distant North is better than that of battle, for there was no thrill in the doing of it, no wild intoxication, no mass delirium which makes the hazard seem a holiday.

"All alone these brave drivers and brave dogs accepted the challenge of the tempest and the plague—and won.

"Six hundred and fifty miles they struggled through the storm, blowing 70 miles an hour—650 miles with the thermometer 40° below zero.

"There was not even daylight to relieve the loneliness of it, for at this season that region is wrapped in night. Only between 10 in the morning and 2 in the afternoon a pale gray light filters through—a light so dim that the driver cannot see his leading dog.

"And after this, brief twilight, blackness comes—and with it all the desolation of a dead world.

"Such was the pitiless stage of this great drama of Alaska—this drama of man and dog—or dog and man—for in the fine democracy of nature all are equal if their worth be equal.

"The savage wind cut them, the stinging, flying ice numbed them, the cold cut clear to the bone. They were clad in ice—dogs and drivers—but they kept straight on toward Nome, for children were dying there for want of the medicine they bore—and every minute meant a life.

"They are a dauntless lot—these mushers and their dogs—who find their way where there is neither sign or star—and they are a gallant lot as well.

"For instance Seppala, four-time winner of the all-Alaska sweepstakes, first won the prize from Scotty Allan, till then the peerless driver of the northland, and then Seppala named his leading dog 'Scotty,' in honor of his vanquished rival.

"There are thoroughbreds up yonder in the long, bitter darkness.

"Consider another gallant fellow—

"When, half frozen, Gunnar Kasson, the driver of the final relay into Nome, was given coffee and half thawed out, his first words were words of praise for his leader 'Balto.' "

Then the editor quoted this statement from Kasson:

"I do not believe any dog other than my leader, Balto, could have brought the sled with the antitoxin through such a night of storm as we, my 13 dogs and myself, passed through last night.

"I could not see the trail or any markings myself, and it was only through Balto's leadership that we arrived when we did."

SHOULD NEVER BE NECESSARY AGAIN

Senators, I tell this story because I want it in the Record, and because I want to remind the Senate and the bureau that has charge of the Health Service that we should see to it that never again in the future will a great ice-locked northern port be left in the fall with no antitoxin except that which is from 4 to 6 years old.

The 300,000 units of antitoxin that were carried there are only sufficient for 20 or 30 people. It has been decided to send 1,200,000 more units of antitoxin and 200 Shick tests from Seattle. It is hoped to be able to send those by airplane, and probably in the future they will always be able to transport such necessary medical supplies by airplane.

The classic victory of these dogs and men will probably be the last of its kind, and it is certainly a fitting finish to the long history of brilliant achievement made by dog teams in the Far North.

Mr. BARTLETT. This was, in fact, far from the last Alaska race and far from a finish to the records made by heroic men and dogs of the Northland.

These records are still being made, by such heroic men as the postal carrier, Chester Noongwook.

Mr. President, I ask unanimous consent that a press release from the Post Office, dated June 13, 1963, describing the award to Mr. Noongwook may be made a part of the Record at this point.

There being no objection, the release was ordered to be printed in the Record, as follows:

The Post Office Department will mark officially the end of an era for the U.S. mails today (June 13, 1963) with a special citation for the last of the Alaskan dogsled carriers—replaced by an airplane—Postmaster General J. Edward Day reported Wednesday.

The last of the "star route" contract carriers—whose "mush on" cry for the U.S. mails followed the gold rush and played a major role in the development of the Nation's newer State—is Chester Noongwook of Savoonga. Noongwook is young for retirement—27—but his route on the remote St. Lawrence Island in the Bering Sea was a hand down from generations before.

Actually, the flying machine began replacing man and dogs in this last American sanctuary of "dog mail" tradition 120 miles off the Alaskan mainland earlier this year. However, nostalgically, postal oldtimers urged the Department to mark the historic passing officially of an era that will take its place in postal history along with the colonial post rider, the overland mail and the pony express.

Reports on Noongwook's performance over the weekly 100-mile round trip run indicated excellent success in protecting and delivering up-to-300-pound mail loads in the face of hazards ranging from subzero weather and snowstorms to soft trails. An award to Noongwook was found to be justified.

Assistant Postmaster General William J. Hartigan—in charge of transportation between 35,000 post offices ranging from New York to Eskimo villages such as Savoonga—was to be in Alaska this week surveying new transportation routes and officiating at a ground breaking for a new airport facility at Fairbanks.

To complete the picture, Wien Airlines, Noongwook's "rival" and the new star route contractor on St. Lawrence Island, agreed to fly Noongwook to Fairbanks so he can give a first-hand account of his last dog mail runs to the Assistant Postmaster General and receive the award at Fairbanks in a fitting manner in ceremonies set for 2 p.m. today—Alaska time, or 8 p.m. e.d.t.

Unfortunately, Spotty or Brownie or Milko-luk or Donkey—in fact, none of Noongwook's other huskies will be present. But Alaskan postal officials—quick to point out the State hasn't let its great traditions go to the dogs—have assembled a team just like Noongwook's own for the occasion.

The citation Hartigan will give Noongwook commends him for "exceptional service in carrying the U.S. mails, under difficult conditions—in the finest traditions of the American postal service."

Noongwook's report to Hartigan should provide some interesting facts on dogsled operations—facts almost lost in a system that handles neary 70 billion pieces of mail annually, including many millions sent on jet planes. However, some facts still exist in postal records on the now extinct mail by dog.

Noongwook normally used 10 or 12 husky dogs over the contract route from November through May. Although the dog team is scheduled to participate, symbolically, in the Thursday ceremony, Noongwook actually used a skin boat from June to October. The dog route followed the northern coastline of St. Lawrence Island, between Gambell and Savoonga. The skin boat route went directly over open sea between the two points. Noongwook's pay was about $40 a round trip.

The decline of the great dogsled routes, which operated in profusion during the closing decades of the last century and well into the 20's and even beyond in some areas, is due largely to the growth in air transportation in Alaska.

Some of the true stories of the postal dogsled carriers are of near epic proportions. It was commonplace for the "sledges" (as they were called) to carry 700 pounds of mail, and sometimes two sledges were coupled together with up to 25 dogs used.

A typical dogsled route was over the bleak and hazardous trail between Kotzebue and Barrow, 650 miles where temperatures 60 below zero were to be expected.

North of the Artic Circle the U.S. mails often were carried all year over ice by dogsled.

On one "sledge" route the carrier had to use 1,400 moccasins a year for his dogs' feet. The routes were so rough it was standard procedure to rebuild the sledge each year.

The Post Office Department reported in the 1920's that about 75 percent of the offices in the Alaska interior not served by railroad had to be served by man and his dogs.

Postal officials—long used to pointing to the dogsled in their speeches as a symbol of postal versatility—doggedly conceded there can never be a full-scale return for even one dog route.

However, significantly, even in this age of space vehicles, the versatility of man himself is not being put aside. The Department and the contractor are both keeping Noongwook and his dogs on in a "standby" basis so the U.S. mails will go through as always if, for any reason, the planes should fail.

Mr. BARTLETT. I also ask unanimous consent that two stories from the Nome Nugget, dated February 7 and 14, 1925, be made a part of the Record at this point. These stories describe the great dash to Nome.

There being no objection, the articles were ordered to be printed in the Record, as follows:

When young Ivanoff of Shatolik met Seppala, the former had hardly begun his relay, in fact he had run but a quarter of a mile and had been bothered by a number of dog fights. At the meeting it was a difficult thing to transfer the package as the dogs were getting a strong scent of reindeer and trying to fight, but it was accomplished and Seppala turned about and made the 42-mile return trip which he had already covered that day, only facing a wind which was blowing stronger all the time. The day's run of 82 miles was made at an average speed of 8.8 miles per hour which is exceptional for dogs on such a distance. That night he stayed at Isaac's Point and started out in the morning for Elim, the blizzard still at full strength, hitting the worst of it at Creek River where it was necessary to rub the dogs on account of the cold.

It was at Elim where Chas. Olson received the parcel from Seppala and started out on his relay which terminated at Bluff. On this run Mr. Olson was forced to stop and blanket his dogs, and froze his fingers, hands and cheeks considerably in accomplishing it. His dogs arrived at Bluff at 8 that evening frozen and stiff in spite of this precaution. It was on this relay that the blizzard had reached almost its height and on account of this, Gunnar Kaasen, who was the next in line, waited 2 hours to see if it would not modify somewhat.

The wind prevailed, however, and at 10 o'clock Kaasen started out deciding that longer delay might be disastrous. This was the decision that has won Kaasen worldwide publicity, made the name of Balto, his lead dog, common on the tongues of people throughout the Nation, and also brought flattering offers for the driver and dog to appear before the grinding cameraman in all parts of the film world.

Mr. Kaasen said that it was the toughest trip he ever made and he was unable to see the trail for miles, Balto keeping on the track and going for all the strength in that shabby-coated body of his. The part of the trail crossing Bonanza River was the scene of the worst of the blizzard and the wind had swept the snow from the slough ice and piled it on the trail in other spots, making difficult travel.

When he arrived at Safety, where he was to pass the parcel over to Ed Rohn, the roadhouse was dark, and figuring that it would take time for Rohn to bestir himself and prepare his outfit, and also that it would risk more dogs on account of the cold, he mushed on through and arrived in Nome at 5:30 in the morning, completing a trip of 53 miles in 7½ hours, under the most hellish conditions ever experienced on the trail.

Passing Solomon in the blizzard Kaasen could not make out the settlement and on account of this fact had not been advised that the Board wished to have the run held up until the wind subsided. It was on account of this order that Ed Rohn had retired, believing that his run would be made late the next day.

The driver awakened Dr. Welch from his sleep and delivered the serum which was frozen solid. The doctor placed the parcel where it would have an opportunity to thaw out gradually and by noon a portion of it was ready to use and in a short time it was being administered to the afflicted.

The trip in whole was the most remarkable in the history of Alaska and has caused more excitement than any race that has ever been run.

The deplorable incident of the whole run was the fact that on his homeward run, Togo, the famous sweepstakes leader, broke away on the scent of reindeer and has not been seen since, as did another veteran of his string. Mr. Seppala said that he wouldn't have taken $500 for Togo and is making efforts to recover him, though he fears he has been shot, or has sprung a trap.

[From the Nome Nugget, Feb. 14, 1925]

THE DOG MUSHERS TO GET MEDALS FOR RELAY RACE

After considerable effort on the part of the Nugget and with the cooperation of the U.S. Signal Corps men and Chas. Traeger of Unalakleet, we have obtained finally the names of all the drivers who participated in the Nenana-to-Nome antitoxin race. These are the men to whom Nome owes a world of gratitude and who excited the world with their daring and courage.

From previous telegraphic communications we have the following drivers as taking the serum from Nenana to Hot Springs which leaves an unaccounted gap between Hot Springs and Fish Lake which was probably covered by the latter driver. Information to the contrary has not been received. William Shannon started from Nenana running through to Tolovana, in 12 hours in bitter cold, being relieved by "Tolovana Jim" Kalland who is known to have mushed as far as Hot Springs and probably went on to Fish Lake.

From here on we have more definite information as follows:

Johnny Folger left Fish Lake, drove 26 miles to Tanana, time 2 hours 40 minutes, average about 9 miles per hour.

Niekoli left Tanana for Kollands, 34 miles, time 6 hours, average about 5½ miles per hour.

Dave Corning left Kollands for Nine Mile, 24 miles, time 3 hours, average 8 miles per hour.

Sam Joseph left Nine Mile for Kokrines, 30 miles, time 6 hours, average 5 miles per hour.

Harry Pitka left Kokrines for Ruby, 30 miles, time 3½ hours, average about 9 miles per hour.

Bill McCarthy left Ruby for Whiskey Creek, 28 miles, time 3½ hours, average 8 miles per hour.

Edgar Nollner left Whiskey Creek for Bishop Mountain, 36 miles, time 6 hours, average 6 miles per hour.

Charles Evans left Bishop Mountain for Nulato, 30 miles, time 5 hours, average 6 miles per hour.

Tommy Patsy left Nulato for Kaltag, 36 miles, time 3½ hours, average 10 miles per hour.

Jackscrew left Kaltag at 2 p.m., arrived at Old Woman at 9:15, 40 miles in 7 hours, 15 minutes, average little less than 6 miles an hour.

Victor Annannia left Old Woman 9:30 p.m., and arrived at Unalakleet at 3:30 a.m., distance 34 miles, in 6 hours, average a little less than 6 miles an hour.

Mires Connigan left Unalakleet at 4 a.m. arriving at Shaktolik at 1:35 p.m., distance 38 miles, time 9 hours 15 minutes, average over 4 miles per hour.

Henry Ivanoff left Shaktolik at 2 p.m., meeting Leonard Seppala a quarter of a mile outside of town.

Leonard Seppala left Shaktolik at 2 p.m. (after a drive of 42 miles) and returned another 42 miles without resting making 84 miles in one day, the last 42 mile lap being made in 5 hours 45 minutes, average over 7 miles per hour, in a blizzard, time a little under 7 hours, average 7½ miles per hour.

Charles Olson left Golovin for Bluff, distance 25 miles, time 5 hours, average 5 miles per hour, in a blizzard in which his dogs suffered and in which he also froze his hands.

Gunnar Kaasen left Bluff at 10 p.m., in the height of the storm for Nome, distance 53 miles, time 7½ hours, average 7 miles per hour.

Ed Rohn was at Safety expecting to make the final dash but Mr. Kaasen, on account of the early hour of the morning continued on to Nome with the serum.

SECOND RELAY WELL ON WAY

The second relay, which so far is ahead of the first relay schedule, is well underway, passing Unalakleet yesterday. From this end, Ed Rohn left last Wednesday for down the cost and if no more cases are found to make the situation more serious, he will bring the shipment of serum clear through from his point of meeting. Otherwise more teams will be sent and relays arranged again. Over 100,000 units of the first shipment are still left and no need for the relay on this end is anticipated.

Distances between Nome and Nenana

Station	Miles from Nome	Miles between
Safety	21	21
Solomon	33	12
Topkok	48	15
Bluff	53	5
Cheokuk	66	13
Golovin	78	12
Walla Walla	96	18
Elim	104	8
Moses	115	11
Isaacs Point	131	16
Bonanza	156	25
Shatolik	169	13
Foothills	181	12
Unalakleet	207	26
Whaleback	230	23
Old Woman	241	11
Ten Mile	249	8
Twenty Two Mile	264	15
Kaltag	281	17
Nulato	316	35
Koyukuk	334	18
Galena	359	25
Louden	372	13
Whiskey Creek	382	10
Ruby	410	28
McEndees	425	15
Kokrines	440	15
Big Albert	455	15
Birches	481	26
Kollands	497	16
Tanana	531	34
Fish Lake	557	26
Woodchopper	568	11
Hot Springs	585	17
Dugan Creek	596	11
Tolovana	616	20
Campbells	626	20
Old Minto	638	12
Nenana	658	20

Compiled by Charles D. Jones of the Alaska Road Commission.

[From the Nome Nugget, Feb. 7, 1925]

NOME MUSHERS FIGURE IN RACE AGAINST TIME

With the arrival of Gunnar Kaasen on Monday morning with the package containing 300,000 units of diphtheria antitoxin, a great strain was lift from the minds of many of the population of Nome.

The unprecedented dog relay from Nenana was a thriller from the time the first musher left Nenana until the serum arrived at its destination. At this time we have not available the movements and schedules of the drivers until the last few relays, although we have had some reports of a few incidents wherein drivers are said to have suffered frostbite and other tortures of the trail in their great effort for speed. We have, however, firsthand information on this end of the trail and we will begin with Leonard Seppala, the first musher, who made such connections that it was necessary for him to make the long mush of 82 miles in 1 day.

Mr. Seppala, starting from Nome, had orders to start slowly to condition his dogs for a great effort of speed on the return trip, the first plans being that one team would start from the railroad and another from Nome and meet in the vicinity of Ruby. This plan was sidetracked, however, after Mr. Seppala left here and 24-hour, day-and-night relays were decided upon, too late for communication to be sent to the Nome driver. It was on account of this that the serum met him at Shatolik after he had made a day and a half's run in 1 day.

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 16, 1963

The House met at 12 o'clock noon.

Rev. Sam H. Coker, First Methodist Church, Barnesville, Ga., offered the following prayer:

O God, we thank Thee for those who have gone before us and carved from a wilderness a land dedicated to freedom for all its citizens. Give us the courage to do for our time what they did for theirs. Save us from weak resignation. Grant us the insight to separate the nonessential and injurious from that which is necessary to undergird the strength of our Nation and preserve the liberty of all people called Americans.

Guard us lest we forsake the highest vision which Thou hast given to us in our moments of greatest spiritual power. Help us to fulfill our responsibility to Thee, to these United States, and to the world. Let patience guide as we seek freedom for all mankind.

We remember the prophet of old who asked: "What doth the Lord require of thee, but to do justly, to love mercy, and to walk humbly with thy God?" With Thy help we dedicate ourselves to justice, mercy, and humility.

We thank Thee for the life and service of our beloved colleague who served among us and whose spirit has entered the blessedness of Thy nearer presence.

Bless each person here and the people he represents. Let Thy wisdom be the guiding light in these days of tension as this body makes decisions, and grant that our Nation shall truly be "under God."

In the name of Christ we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, September 12, 1963, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On September 6, 1963:

H.R. 1135. An act to designate the dam being constructed and the reservoir to be formed on the Des Moines River, Iowa, as the Red Rock Dam and Lake Red Rock;

H.R. 5222. An act to provide for the withdrawal and reservation for the Department of the Navy of certain public lands of the United States at Chocolate Mountain Aerial Gunnery Range, Imperial County, Calif., for defense purposes;

H.R. 5883. An act to correct a land description in the act entitled "To provide for an exchange of lands between the United States and the Southern Ute Indian Tribe, and for other purposes";

H.R. 6710. An act to approve an order of the Secretary of the Interior canceling irrigation charges against non-Indian-owned lands under the Wind River Indian irrigation project, Wyoming, and for other purposes; and

H.R. 7500. An act to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations; and for other purposes.

On September 9, 1963:

H.R. 2671. An act authorizing construction of a bank protection project on the Guyandot River at Barboursville, W. Va.; and

H.R. 3887. An act to authorize the acceptance of donations of land in the State of North Carolina for the construction of an entrance road at Great Smoky Mountains National Park, and for other purposes; and

H.R. 4823. An act to modify the flood control project for Rend Lake, Ill.

On September 11, 1963:

H.R. 7594. An act to designate the McGee Bend Dam and Reservoir on the Angelina River, Tex., as the Sam Rayburn Dam and Reservoir.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill and concurrent resolutions of the House of the following titles:

H.R. 12. An act to increase the opportunities for training of physicians, dentists, and professional public health personnel, and for other purposes;

H. Con. Res. 203. Concurrent resolution authorizing the printing as a House document and additional copies of the study entitled "The Federal Government and Education"; and

H. Con. Res. 212. Concurrent resolution authorizing the printing of selected excerpts relating to the 1963–64 national college debate topic, compiled by the Legislative Reference Service of the Library of Congress, as a House document, and for other purposes.

The message also announced that the Senate had passed a bill and concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1952. An act to extend and broaden the authority to insure mortgages under sections 809 and 810 of the National Housing Act; and

S. Con. Res. 58. Concurrent resolution to print additional copies of the hearings on the nuclear test ban treaty for the Committee on Foreign Relations.

SPECIAL ORDERS FOR TODAY TRANSFERRED TO TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the special orders for today be transferred to tomorrow and that they be called prior to any special orders scheduled for tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

GENERAL LEAVE TO EXTEND IN THE RECORD

Mr. ALBERT. Mr. Speaker, without establishing a precedent, I ask unanimous consent that all Members may be permitted to insert their remarks in the Congressional Record today and include therewith extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

BUSINESS IN ORDER TODAY MAY BE IN ORDER TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that business in order under the rules today may be in order on tomorrow, September 17.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ANNUAL REPORT, FOREIGN ASSISTANCE PROGRAM FOR FISCAL YEAR 1962—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 146)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed with illustrations:

To the Congress of the United States:

Transmitted herewith is the annual report of the foreign assistance program of the United States for fiscal year 1962. The report was prepared under the direction of the Administrator of the Agency for International Development, with the cooperation and participation of the Department of State and the Department of Defense.

The period covered by this report was a time of careful examination and appraisal of our aid program. More than that, it was a year of progress and achievement. As a result of this scrutiny, new and more stringent criteria were designed to determine eligibility for U.S. assistance. A reassessment of our objectives resulted in establishing increasingly practical goals. Better operational procedures were developed and set in motion. In addition, a whole series of steps was taken within the Agency for International Development to unify and coordinate the administration of the program.

Congress has created the tools by which we seek to attain our foreign objectives and strengthen the security of the United States. Our assistance program is one of these tools, if not the principal one. The future of the free world, as well as the destiny of millions subject to tyranny and oppression, rests upon how well we use these tools. We shall continue to search for ways in which we may become more skillful artisans in the job of building a world of peace and freedom.

John F. Kennedy.

The White House, *September 16, 1963.*

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Sisk, for week ending September 20, 1963, on account of official business.

Mr. Hall, for Monday, September 16, 1963, on account of official business with Armed Services Committee in Fort Bragg, N.C.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 58. Concurrent resolution to print additional copies of the hearings on the nuclear test ban treaty for the Committee on Foreign Relations; to the Committee on House Administration.

THE LATE HONORABLE LEON HARRY GAVIN

The SPEAKER. The gentleman from Pennsylvania.

Mr. DAGUE. Mr. Speaker, it is with a very sad heart that I have to announce the death of our distinguished colleague, Leon Harry Gavin, late Representative of the 23d Congressional District of Pennsylvania.

Interment will be in Arlington Cemetery on Wednesday next at 10 o'clock.

Mr. Speaker, an opportunity will be given to those who desire to eulogize our late colleague on Thursday next following any other business that may be set for that day.

Mr. Speaker, there is a resolution at the desk and I ask for its immediate consideration.

The Clerk read the resolution (H. Res. 517) as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable Leon H. Gavin, a Representative from the State of Pennsylvania.

Resolved, That a committee of thirty-five Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER. The Chair appoints as members of the funeral committee the following Members on the part of the House: Mr. Albert, Mr. Halleck, Mr. Arends, Mr. Vinson, Mr. Hébert, Mr. Rivers of South Carolina, Mr. Philbin, Mr. Corbett, Mr. Fulton of Pennsylvania, Mr. Morgan, Mr. Norblad, Mr. Dague, Mr. Barrett, Mr. Green of Pennsylvania, Mr. Bates, Mr. Rhodes of Pennsylvania, Mr. Saylor, Mr. Byrne of Pennsylvania, Mr. Flood, Mr. Clark, Mr. Holland, Mr. Curtin, Mr. Dent, Mr. Nix, Mr. Milliken, Mr. Moorhead, Mr. Toll, Mr. Schneebeli, Mr. Whalley, Mr. Goodling of Pennsylvania, Mr. Schweiker, Mr. Kunkel, Mr. McDade, Mr. Weaver, Mr. Rooney of Pennsylvania.

The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

ADJOURNMENT

Accordingly (at 12 o'clock and 9 minutes p.m.), the House adjourned until tomorrow, Tuesday, September 17, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1199. A letter from the Secretary of the Treasury, transmitting a special report of the National Advisory Council on International Monetary and Financial Problems concerning a proposed increase in the resources of the International Development Association (H. Doc. No. 156); to the Committee on Banking and Currency and ordered to be printed.

1200. A letter from the Secretary of Defense, transmitting a draft of a proposed bill to amend title 37, United States Code, to prescribe the basic pay and allowances of an officer who is serving as Supreme Allied Commander, Europe; to the Committee on Armed Services.

1201. A letter from the Secretary of the Army, transmitting the semiannual report of the Department of the Army contracts for military construction awarded without formal advertisement covering the period January 1 through June 30, 1963, pursuant to Public Law 87-554; to the Committee on Armed Services.

1202. A letter from the Secretary of the Treasury, transmitting a draft of a proposed bill to amend the International Development Association Act to authorize the United States to participate in an increase in the in the resources of the International Development Association; to the Committee on Banking and Currency.

1203. A letter from the Comptroller General of the United States, transmitting a report on undue increases in maximum Federal contributions resulting from the method of financing off-site community facilities for low-rent housing projects, Public Housing Administration, Housing and Home Finance Agency; to the Committee on Government Operations.

1204. A letter from the Chairman, Federal Power Commission, relative to transmitting additional information relating to the bill H.R. 7117; to the Committee on Interstate and Foreign Commerce.

1205. A letter from the Chairman, Federal Communications Commission, transmitting a copy of the report on backlog of pending applications and hearing cases in the Federal Communications Commission as of July 31, 1963, pursuant to Public Law 554, 82d Congress; to the Committee on Interstate and Foreign Commerce.

1206. A letter from the Deputy Administrator, National Aeronautics and Space Administration, transmitting a report for the Committee on Science and Astronautics of the House of Representatives pursuant to section 3 of the National Aeronautics and Space Administration Authorization Act for the fiscal year 1963 (76 Stat. 383); to the Committee on Science and Astronautics.

1207. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order rescinding suspension of deportation in the case of Joe Quong, also known as Quong Joe, Cheung Hong Joe. Cheng Hong Chan, Sing Lee, and Sing Wing Chong, A-5635350, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to an order of September 10, 1963, the following report was filed September 13, 1963:

Mr. MILLS: Committee on Ways and Means. H.R. 8363. A bill to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes; without amendment (Rept. No. 749). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS:

H.R. 8445. A bill to authorize a 5-year program of grants for construction of veterinary medical education facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL:

H.R. 8446. A bill to provide legal assistance for indigent defendants in criminal cases in U.S. courts; to the Committee on the Judiciary.

By Mr. CAHILL:

H.R. 8447. A bill to permit the burial in national cemeteries of mothers and fathers of deceased servicemen or veterans who died leaving no spouse or minor child entitled to be buried in a national cemetery; to the Committee on Interior and Insular Affairs.

By Mr. FARBSTEIN:

H.R. 8448. A bill to establish the power of the individual States and the local subdivisions thereof to prevent construction of nuclear devices within their territorial limits; to the Joint Committee on Atomic Energy.

By Mr. KARSTEN:

H.R. 8449. A bill to amend the Internal Revenue Code of 1954 with respect to tax and withholding on the accounts of nonresident aliens to provide parity of treatment for interest on deposits with persons carrying on the banking business and interest or other earnings on savings accounts with domestic building and loan associations; to the Committee on Ways and Means.

By Mr. KING of California:

H.R. 8450. A bill to amend title I—Tariff Schedules of the United States, of the Tariff Act of 1930, as amended by the Tariff Classification Act of 1962 to correct inequities in the classification and duty provided for certain aluminum products, television picture tubes, and for other purposes; to the Committee on Ways and Means.

By Mr. McMILLAN:

H.R. 8451. A bill to amend the District of Columbia Sales Tax Act, as amended, relating to certain sales to common carriers or sleeping-car companies; to the Committee on the District of Columbia.

By Mr. MOORHEAD:

H.R. 8452. A bill to amend chapter 79 of title 10, United States Code, to provide that certain boards established thereunder shall give consideration to satisfactory evidence relating to good character and exemplary conduct in civilian life after discharge or dismissal in determining whether or not to correct certain discharges and dismissals, to authorize the award of an exemplary rehabilitation certificate, and for other purposes; to the Committee on Armed Services.

By Mr. BELL:

H.J. Res. 734. A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.J. Res. 735. Joint resolution to designate Columbus Day, the 12th day of October, in each year, a legal holiday; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. SCHWEIKER introduced a bill (H.R. 8453) for the relief of Kemal Dincer, M.D., which was referred to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

291. By the Speaker: Petition of Gibson Gayle, Jr., secretary, American Bar Association, Chicago, Ill., relative to approving in principle the enactment of Federal legislation expressing a congressional purpose to eliminate inequitable hardships upon local governments resulting from tax immunity of Federal property; to the Committee on Interior and Insular Affairs.

292. Also, petition of Thomas M. McNamara, city clerk, Cambridge, Mass., requesting amendment of the Constitution of the United States so as to allow the reading of sacred Scripture in public schools and the recitation of a fitting prayer; to the Committee on the Judiciary.

293. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting legislation which will cause the Treasury to promote the silver dollar coin all over the United States, and not just in one area; to the Committee on Banking and Currency.

294. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting legislation which would require an examination in the very American subject of Jeffersonian theory for appointment as an officer in the career service with the U.S. Foreign Service, Department of State; to the Committee on Foreign Affairs.

295. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting that a demand be made calling for the United Nations to make copies of the verbatim official records available to the public; to the Committee on Foreign Affairs.

296. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting passage of legislation abolishing the Central Intelligence Agency, and then creating the U.S. Commission on the Propagation of the Jeffersonian Faith; to the Committee on Government Operations.

297. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting that there be published a House document showing the name and address of every person and corporation receiving a Federal Government check during the past year of $10,000 or more, in any Federal subsidy program of any sort; to the Committee on House Administration.

298. Also, petition of Henry Stoner, Canyon Station, Wyo., relative to passing legislation requiring monthly public reports which also will be printed in the Congressional Record of all contributions to U.S. presidential aspirants and candidates and presidential campaigns; to the Committee on House Administration.

299. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting Congress to recommend to the U.S. Supreme Court the reading of "Apportionment of State Legislatures," a publication by the Advisory Commission on Intergovernmental Relations, and dealing with congressional reapportionment strictly upon population; to the Committee on the Judiciary.

300. Also, petition of Henry Stoner, Canyon Station, Wyo., relative to making for a basis of salary increases for Members the proper apportionment of the House so that within any given State the population of a congressional district shall not be more than 10 percent larger or 10 percent smaller than any other district in said State; to the Committee on Post Office and Civil Service.

301. Also, petition of Henry Stoner, Canyon Station, Wyo., relative to initiating legislation to provide for increased congressional control over all printing, public relations, and public communications activities in the executive branch and independent agencies under a committee to be known as the Joint Committee of Printing and Public Relations; to the Committee on Rules.

302. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting the House of Representatives to create as an official standing committee the Committee on the Middle Class, as the middle class is the very bulwark of true Americanism; to the Committee on Rules.

SENATE

MONDAY, SEPTEMBER 16, 1963

The Senate met in executive session at 10 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

God of all mankind, how great Thou art. How weak and wayward we are. Yet Thou art to us a quickening presence, a sustaining power, a refuge from the tumult and confusion of the world. We thank Thee for the gift of freedom which we have received from our fathers and for the hope of freedom which we cherish for the generations following. May the faith of our fathers sustain the dreams of our children.

In all our crucial decisions our Nation faces, make us our brothers' keepers in a compassion as wide as needy humanity. As we thus follow Thy mandate, through Thy mercy, defend us from all the deceits of enemies who have not Thee in all their thoughts for the solemn summons of this fateful week.

God be in our heart and in our understanding.

God be in our head and in our thinking.

God be in our eyes and in our looking.

God be in our mouth and in our speaking.

In the dear Redeemer's name, we pray. Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, as in legislative session, the reading of the Journal of the proceedings of Friday, September 13, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Ratchford, one of his secretaries.

REPORT ON FOREIGN ASSISTANCE PROGRAM—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 146)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the committee on Foreign Relations:

To to Congress of the United States:

Transmitted herewith is the Annual Report of the Foreign Assistance Program of the United States for fiscal year 1962. The report was prepared under the direction of the Administrator of the Agency for International Development, with the cooperation and participation of the Department of State and the Department of Defense.

The period covered by this report was a time of careful examination and appraisal of our aid program. More than that, it was a year of progress and achievement. As a result of this scrutiny, new and more stringent criteria were designed to determine eligibility for U.S. assistance. A reassessment of our objectives resulted in establishing increasingly practical goals. Better operational procedures were developed and set in motion. In addition, a whole series of steps was taken within the Agency for International Development to unify and coordinate the administration of the program.

Congress has created the tools by which we seek to attain our foreign objectives and strengthen the security of the United States. Our assistance program is one of these tools, if not the principal one. The future of the free world, as well as the destiny of millions subject to tyranny and oppression, rests upon how well we use these tools. We shall continue to search for ways in which we may become more skillful artisans in the job of building a world of peace and freedom.

John F. Kennedy.

The White House, *September 16, 1963.*

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Bernard T. Moynahan, Jr., of Kentucky, to be U.S. district judge for the eastern district of Kentucky, which was referred to the Committee on the Judiciary.

ORDER FOR TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a morning hour, as in legislative session, and that statements in that connection be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CALL OF LEGISLATIVE CALENDAR DISPENSED WITH

On request of Mr. Mansfield, and by unanimous consent, the call of the Legislative Calendar was dispensed with.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Employment and Manpower of the Labor and Public Welfare Committee be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER (Mr. Walters in the chair). Is there objection?

Mr. MILLER. Mr. President——

Mr. MANSFIELD. The request has been cleared.

Mr. MILLER. May I ask the distinguished majority leader a question on this request for unanimous consent?

Mr. MANSFIELD. Yes.

Mr. MILLER. Do I correctly understand that it is proposed that the Senate will meet early every day this week?

Mr. MANSFIELD. Yes.

Mr. MILLER. And that at the same time the committees generally will meet, too?

Mr. MANSFIELD. Now and again a committee may ask special permission to meet. If the request is cleared with the leadership, as has been done in the present case, and the leadership has approved it, the committee will be authorized to meet. If the Senator wishes to object, I shall be glad to withdraw the request.

Mr. MILLER. Mr. President, I have not interposed an objection. I merely asked a question of the majority leader. I shall not object. I think it is rather unfortunate that, at a time of debate on such an important matter as is now before the Senate, except in very extreme situations, committees should meet. Last Friday I was present in the Chamber when two very outstanding speeches were delivered, one by the Senator from Washington [Mr. Jackson] and the other by the Senator from Mississippi [Mr. Stennis]. It is most unfortunate that there were not present in the Chamber more than a handful of Senators to hear those speeches.

I hope that a strong effort will be made to curtail other activities, particularly since the Senate will be meeting early this week, so that Senators who have devoted a great amount of time to this very important subject may have the benefit of more than a handful of their colleagues to hear what is being said.

I shall not object at this time, but I take this opportunity to point out what I think is a very sad commentary on attendance in the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none; and it is so ordered.

ORDER FOR ADJOURNMENT UNTIL TOMORROW AT 10 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn to meet at 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McGOVERN:

S. 2147. A bill to provide exemption from Federal income taxes for quintuplets and parents of quintuplets, and to allow a deduction, for Federal income and estate tax purposes, for gifts to quintuplets; to the Committee on Finance.

(See remarks of Mr. McGovern when he introduced the above bill, which appear under a separate heading.

By Mr. STENNIS (for himself and Mr. Eastland):

S. 2148. A bill to amend section 1345, title 28, United States Code, to accord to defendants in actions by the United States for the condemnation of real property the right to a determination by a jury of the amount of just compensation, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Stennis when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

DEATH OF REPRESENTATIVE LEON H. GAVIN, OF PENNSYLVANIA

Mr. SCOTT (for himself and Mr. Clark) submitted a resolution (S. Res. 199) relative to the death of Representative Leon H. Gavin, of Pennsylvania, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Scott, which appears under a separate heading.)

FIRST SURVIVING QUINTUPLETS IN AMERICAN HISTORY BORN IN ABERDEEN, S. DAK.

Mr. McGOVERN. Mr. President, on Saturday morning the world learned the thrilling news that Mr. and Mrs. Andrew Fischer, of Aberdeen, S. Dak., had become the parents of quintuplets.

Thus far the babies and the mother are in satisfactory condition.

If the quintuplets survive—and I know the Senate and the entire Nation pray that they will—they will be the first quintuplets in the entire history of the United States to survive infancy.

Three previous instances of quintuple births have been recorded in the United States but none of the babies survived. Only two sets of quintuplets born in the Western Hemisphere have lived through infancy—the famous Dionnes of Canada born in 1934 and the Diligenti children in Argentina in 1943.

Mr. President, the people of South Dakota are understandably especially thrilled by this remarkable event in the life of our State. Congratulatory messages, fervent prayers for the well-being of the children and the mother, and numerous offers of assistance are flooding into Aberdeen from all parts of the State and Nation. President and Mrs. Kennedy were among the first to telegraph congratulations.

The successful birth and progress of the Fischer infants to date is a tribute to the attending physician, Dr. James Berbos, of Aberdeen, and to the skilled staff of St. Luke's Hospital.

The quintuplets, four girls and a boy, were baptized and confirmed by Catholic Bishop Lambert Hoch, of Sioux Falls, S. Dak.

Mr. Fischer is a longtime employee of the Nash-Finch Wholesale Grocery Co. He and his wife who live on a farm near Aberdeen are the parents of five other children: Danny, 7; Charlotte, 6; Julie, 5; Evelyn, 4; and Denise, 3.

Mr. President, I know that the generous people of Aberdeen and throughout the State of South Dakota will make certain that the Fischer family is provided with all necessary assistance. Needless to say, the South Dakota congressional delegation will be happy to provide any service or assistance we can render.

I am today introducing and send to the desk, for appropriate referral, special legislation to exempt the Andrew Fischer family from income and estate taxes until the quintuplets have reached the age of 21. The bill would also permit donors to claim a tax deduction on gifts to the family up to $3,000.

This legislation would exempt Mr. and Mrs. Fischer and the quintuplets from income taxes until the quintuplets, or any of the quintuplets who survive, are 21 years of age.

The bill would exempt donors to the quintuplets from estate taxes if they leave a bequest to the quintuplets.

It makes gifts up to $3,000 in value to the quintuplets exempt from income taxation one time.

Under existing law, gifts in excess of $3,000 are exempt for income tax purposes up to a lifetime total of $30,000, which means that gifts of $3,000 plus a share of the $30,000 lifetime exemption could be made to the family in a single gift.

Obviously the Fischer family will be faced with unusual medical, educational, and domestic expenses in the months and years ahead.

It can also be expected that leading national periodicals and other media will be offering substantial sums for special news articles and photos of the children. Many generous South Dakotans and others are already contributing assistance to the Fischer family.

If this income is not to be largely taken away in Federal taxes instead of invested for the needs of the children, it will be necessary to enact this special tax legislation.

Twenty years ago, the Canadian Government provided a broad range of benefits to assist the Dionne quintuplets. I feel sure that the American people will want to do no less.

I urge my colleagues to act quickly in support of this needed legislation.

Mr. President, I ask unanimous consent that articles appearing in the New York Times, the Washington Post, and the Washington Star relative to the Fischer quintuplets be printed at this point in the Record.

I also ask unanimous consent that the text of the bill be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and articles will be printed in the Record.

The bill (S. 2147) to provide exemption from Federal income taxes for quintuplets and parents of quintuplets, and to allow a deduction, for Federal income and estate tax purposes, for gifts to quintuplets, introduced by Mr. McGovern, was received, read twice by its title, and referred to the Committee on Finance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) any citizen of the United States who is a quintuplet is hereby exempt from all income taxes imposed by the United States, until the individual attains the age of 21 years.

(b) Any citizen of the United States who is the mother or father of quintuplets is hereby exempt from all income taxes imposed by the United States, until the quintuplets, or the survivor, attains the age of 21 years.

Sec. 2. (a) For purposes of the Federal income tax laws, there shall be allowed as a deduction, in computing the taxable income of any person, the amount of gifts, not exceeding $3,000 in the aggregate, made by such person to any citizen of the United States who is a quintuplet or is the mother or father of quintuplets.

(b) For purposes of the Federal estate tax laws, there shall be allowed as a deduction, in computing the taxable estate of any individual, the amount of gifts made by the decedent to any citizen of the United States who is a quintuplet or is the mother or father of quintuplets.

Sec. 3. The death of any quintuplet shall not affect the application of this Act to the surviving quintuplets or to their mother or father.

The articles presented by Mr. McGovern are as follows:

[From the Washington Post, Sept. 15, 1963]

QUINTS BORN IN SOUTH DAKOTA DOING WELL

(By Ray Serati)

Aberdeen, S. Dak., September 14.—The wife of a $76-a-week shipping clerk, already the mother of five children, gave birth today to quintuplets who may become the first ever to survive in the United States.

Twelve hours after their births the quintuplets, four girls and a boy, were pronounced "still in fine shape" by a spokesman for St. Luke's Hospital.

The premature children of Mr. and Mrs. Andrew Fischer were baptized in the Roman Catholic faith by the Most Rev. Lambert Hoch, bishop of the Sioux Falls diocese.

Bishop Hoch baptized the boy James Andrew and gave the same first name to all four girls—Mary. The parents said they would pick second names later.

James and the four Marys squirmed and kicked in their isolettes—individual incubators—as the bishop annointed them. "Andy" Fisher, 38, their tall crewcut father, stood beside them.

Mrs. Fischer, 30, lay exhausted in her private room 45 yards away from the nursery.

With every hour, the quints' chances of survival increased. There were seven other sets of quints born in the United States between 1776 and 1959, but all of them died.

Dr. James Berbos, the general practitioner who brought them into the world, said, "These are fine babies. As far as I know they're going to be all right."

The quints' birth stirred a feeling of pride and warmth through Aberdeen, a prairie cattle town of 23,000 near the North Dakota border, and in the Nation.

President and Mrs. Kennedy telegraphed congratulations. They said the quints' birth was "an event of great national pride," wished Mrs. Fischer "a speedy convalescence," and expressed hope for "the continued satisfactory progress of the infants."

Senator Karl Mundt, Republican of South Dakota, telegraphed "you have put Aberdeen on the world map."

One of the other Fischer children, 5-year-old Julie, said, "There are five of us kids and there are five of the new kids and that means one for each of us."

Danny, 7, shouted, "I wanted a brother and I got one."

It was a natural birth, without anesthetics and with only a whiff or two of oxygen to help the mother through. She saw her babies moments after they were born.

The first quint was a girl, arriving at 1:58 a.m. (CST). Then there was a second girl at 2:03, a third at 2:14, the boy at 2:39, and the fourth girl at 3:01.

The babies were 6 to 8 weeks premature and weighted less than 3½ pounds each. They were only 18 inches long.

Quintuplets are a 1-in-54-million phenomenon, but the Fischer babies were the second set born in the Western Hemisphere this month. On September 8, quintuplet boys were born to Mrs. Inez Maria Cuervo de Pireto, a 34-year-old grandmother, in Maracaibo, Venezuela.

The most famous quints in the world were born 1,000 miles northeast of Aberdeen, in Callendar, Ontario, on May 28, 1934. On that day, Mrs. Oliva Dionne gave birth to the Dionne quintuplets, Annette, Emilie, Cecile, Marie, and Yvonne. They were the first quintuplets ever to reach maturity, although Emilie died in 1954.

Also surviving are the 20-year-old Diligenti quints of Argentina.

Dr. Berbos said Mrs. Fischer would not try to nurse her babies because they are too small. Their first food will be a formula of glucose and water and they will be put on a straight formula later, he said.

The hospital telephone jangled with calls from proud townsfolk who wanted to offer congratulations. Merchants called in with offers of free layettes. At the 10-room Fischer home 2 miles outside town, calls poured in from Canada, Mexico, New York, and Chicago.

A neighbor, Eleanor Heintzman, bustled about taking care of the three oldest children, Julie, Danny, and Charlotte, 6. The two others, Evalyn, 4, and Denise, 3, were with their grandparents in Hecla, S. Dak.

"There hasn't been any history of twins in either side of the family," Mrs. Heintzman said. "But I guess they've made up for lost time with the quints."

[From the Washington Star, Sept. 15, 1963]

Quints, Born to Wife of Clerk, Doing Well—South Dakota Babies Are Baptized

Aberdeen, S. Dak., September 14.—Quintuplets were born today to Mrs. Andrew Fischer, 30, wife of an $80-a-week shipping clerk.

The babies—four girls and a boy—appeared normal and seemed to be doing well in their isolettes. These are individual chambers in which oxygen, temperature and humidity are rigidly controlled.

The quintuplets were baptized and confirmed this afternoon by Catholic Bishop Lambert Hoch who said they showed "lots of vitality" when he dabbed them with holy water.

ALL IN GOOD CONDITION

They appeared to remain in good condition well into the 72-hour period cited by doctors as the critical time of their lives.

They were born about 2 months prematurely.

If all survive, they apparently will be the first U.S. quints to live beyond infancy, although records of the American Medical Association are not clear on some old cases.

The lone boy was named James Andrew, the girls all named Mary. They'll receive second names later.

The babies were placed in isolettes after their births between 1:58 and 3:01 a.m.

ESTIMATES WEIGHTS

Dr. James Berbos, who delivered the babies, said he estimated their weights at 2½ to 3 pounds for the girls, about 4 pounds for the boy.

"The next few days are the most crucial," he told assembled newsmen. "They were born prematurely and their systems are premature. We are watching them closely."

Dr. Berbos said the boy—born fourth—was a breech delivery, that is, feet first, so there was concern for the fifth. "But she was the smallest and the last delivery was the easiest." No surgical assistance was needed, he said.

He said feeding of the babies is not planned until 24 to 48 hours after birth.

MESSAGES POUR IN

Messages, gifts and flowers poured into the northeastern South Dakota city from far reaches of the Nation.

Odds against birth of quintuplets are about 42 million to 1.

Birth of the South Dakota quintuplets followed by a week a similar birth in Venezuela. Only two sets of quintuplets born in the Western Hemisphere have survived infancy—the famed Dionnes of Canada in 1934 and the Diligenti children in Argentina in 1943.

Mr. Fischer and his wife have five other children, ages 3 to 7. The family lives on a small farm outside the city where they keep a couple of cows.

Sister M. Andre, director of nursing at St. Luke's Hospital, said one of the dangers to the quintuplets is hyaline membrane—a lung condition that sometimes develops in premature babies. This affliction led to the death of President Kennedy's second son several weeks ago.

Mrs. Fischer was brought to the hospital last Wednesday and was informed of the likelihood of quintuplets that night.

"About a half hour after the doctor told her, she started crying and cried all night," said the 38-year-old father.

As for himself, Mr. Fischer said, "I was shook."

Aberdeen, a city of some 23,000, was a-twitter with the news. Offers of assistance for the family were sent to the city's daily newspaper and radio stations. One contractor gave a check for $500.

Merchants volunteered clothing and a new washer and dryer. Relatives pitched in to milk the cows and tend the five other youngsters while Mr. Fischer sought sleep.

Mrs. Fischer was "tired and emotionally upset, but happy," said a hospital aid.

The first birth, a girl, came at 1:58 a.m. The boy was the fourth born; the fourth girl was born at 3:01 a.m.

Mr. Fischer said he had not known of any multiple births in his or his wife's families. His other children are Danny, 7; Charlotte, 6; Julie, 5; Evelyn, 4, and Denise, 3.

"I don't make the most money in the world and it does present some problems," Mr. Fischer said of the sudden expansion of his family, but that was before the offers of help started to pour in. He said he moved to the farm to keep cows and cut down on the milk bill for the youngsters.

Dr. Berbos said X-rays last Wednesday confirmed the presence of quintuplets. He alerted the hospital, which ordered in extra equipment.

DOWNED PLENTY OF COFFEE

Mr. Fischer said he seldom drinks coffee, but downed plenty of it and smoked two packs of cigarettes while waiting the births during early hours today.

"Keep a pot of coffee on the stove," he told hospital aids before heading home to give his other children the news.

Mrs. Fischer is a 5-foot-6 redhead. Both she and her husband grew up in this area.

The Fischers live in a rented nine-room farmhouse, a bit rundown, about a mile northwest of the city.

The other children—like almost everyone else—could hardly believe it when they heard the news. Then they thought things over and grinned.

[From the Washington Star, Sept. 15, 1963]

Quints' Weary Father Still Dazed by It All

Aberdeen, S. Dak., September 14.—Andrew Fischer, the 38-year-old father of quintuplets, had a weary answer today when asked his future plans:

"I'd like to go to bed."

Mr. Fischer said he had been up all night, the telephone was ringing constantly, and reporters were coming and going.

He had a dazed look.

He knows he has quintuplets, all right, but the ramifications hadn't begun to soak in.

The father of 5 children already obviously hadn't gotten used to suddenly becoming the father of 10.

Mr. Fischer's parents were proud, but also a little dazed.

Mrs. John Fischer, a small brown-eyed woman of 63, said:

"I just don't know what to say."

The elder Fischers knew Thursday night that quintuplets were imminent in the family.

Grandma Fischer got the word by telephone. She cried the news to her husband outside.

"What are you crying for?" he asked. "I'm happy about it."

The elder Mr. Fischer spent the night praying that everything would be all right for the expected infants and the rest of the family.

Danny, who is almost 8, was the only boy in the family until this morning. He didn't have much to say about the change.

When Mr. Fischer's children first heard the news they, like everyone else, couldn't believe it.

They just looked at each other and grinned.

Later, they decided it was going to be just fine—each would have a pet.

President and Mrs. Kennedy learned of the birth at Newport, R.I., and wired congratulations.

The message said:

"Please accept our best wishes and hearty congratulations on the occasion of the birth of your quintuplets. It is an event of great national pride. We wish Mrs. Fischer a speedy convalescence and we wish for the continued satisfactory progress of the infants. "President and Mrs. Kennedy."

An aid to Senator Karl Mundt, Republican, of South Dakota, offered his assistance. And Aberdeen Mayor J. Clifton Hurlbert proclaimed it "Mr. and Mrs. Andrew Fischer Day" in the city.

Senator Mundt also sent a congratulatory telegram to the parents, saying, "Heartiest congratulations on your amazingly happy event. You have put Aberdeen on the world map. Mrs. Mundt joins me in extending the best of good wishes for a happy future for your whole family."

[From the Washington Star, Sept. 15, 1963]

Venezuelans Congratulate the Fischers

Maracaibo, Venezuela.—The parents of Venezuela's quintuplets congratulated the Andrew Fischers of Aberdeen, S. Dak., yesterday on the births of theirs.

"Is that so?" said Efren Prieto when told the news. "We are happy. We congratulate them."

Mr. Prieto was with his wife, Ines, in her room at the university hospital where their five boys were born last Saturday.

[From the Washington Star, Sept. 15, 1963]

Annette Dionne Thrilled by Birth of U.S. Quints

Montreal, September 14.—Annette Allard roused her husband, Germain, from a late morning sleep today to tell him about the birth of quintuplets in Aberdeen, S. Dak.

"Isn't it thrilling?" she asked. Annette is one of the five Dionne quintuplets born May 28, 1934, in Callander, Ontario.

"She was really excited about it," Mr. Germain said later, telling about his wife's reaction to the South Dakota births.

"She said she would like to see them, and write them to wish them luck and extend her congratulations," he said. "I haven't spoken to the other Dionne quints, but I know they were all pretty excited about the Venezuela quints."

The other surviving Dionne quintuplets are Yvonne, a nun in Moncton, New Brunswick; Cecile, wife of Philippe Langlois, and Marie, Mrs. Florian Houle. The fifth quint, Emilie, died August 20, 1954.

[From the Washington Star, Sept. 15, 1963]

Quint Family Flooded by Town's Aid Offers

Aberdeen, S. Dak., September 14.—When a couple of your neighbors suddenly have a family of 10 kids under 8 years old, you stop in amazement for a moment—then pitch in to help out.

That's the way it was with Aberdeen residents today as they sparkled in the spotlight of worldwide attention with the birth of quintuplets to Mr. and Mrs. Andrew Fischer.

Aberdeen, which calls itself "The Hub City," has made the Andrew Fischers a community project.

Donations? You name it.

Three banks have kicked in savings accounts ranging from $10 to $100 each. A barbership promises free haircuts, grocery stores have lined up baby food by the case, a five-and-ten, $100 worth of toys.

FLOOD OF OFFERS

A trading stamp center tossed in 25,000 stamps, there's $250 worth of dry cleaning, color portraits, a free theater pass, and the telephone company says it will put in a free extension phone for a year.

The Fischers rent a four-bedroom farmhouse somewhat in need of repair—several offers promised paint and cash for a new house or remodeling of the old.

"The whole town is sparkling," one resident said. "Everyone is happy for them."

Rev. William Neurath, pastor of Sacred Heart Catholic Church, said he plans to allude to the quints' birth in tomorrow's sermon.

"It's a great event," he said.

Aberdeen is a clean little city of about 23,000, noted mostly as one of the pheasant-hunting capitals of South Dakota each fall. It's a distribution center for the area's livestock and farming business, and has a State college and a junior college.

QUADS BORN IN 1931

But it has never had quintuplets, although a set of quadruplets was born in the same hospital in 1931. All survived and are married with children of their own.

Mary Ann Fischer, object of the burst of attention for her five babies, has been a bowler of note in Aberdeen leagues and is an expert at vegetable preserving and other domestic duties.

She put up 100 quarts of dill pickles this fall, along with uncounted jars of fruits and vegetables.

She is a native of nearby Hecla, S. Dak. Andrew Fischer was born in Linton, N. Dak. They were married May 14, 1955, in Aberdeen.

Mr. Fischer has been employed by the Nash-Finch Co., a wholesale grocery firm, for the last 18 years.

[From the Washington Star, Sept. 15, 1963]

DISTRICT'S ONLY QUINTS SURVIVED FOR 8 HOURS

The only known set of quintuplets ever born in the District lived just a few hours, according to available and incomplete records.

That was on March 27 and 28, 1945, when Mrs. Ada H. Turner, then 36, gave birth to five tiny girls, each weighing from 1 to 1½ pounds, at Freedmen's Hospital. The infants were 2½ months premature.

The first was born at 10:40 p.m. to the wife of Harold Turner, a Bureau of Standards clerk, and all had been born within the next 17 minutes. All died, despite efforts of the hospital staff to save them, by 6 a.m. the next day.

Medically, quintuplets are a 41.5 million-to-1 shot and only five other sets are known to have been born in the United States since 1880. Quintuplet births occurred in Kentucky in 1896, 1914 and 1948, in Monticello, Ill., in 1880 and in Texas in 1959.

The birth of the thriving South Dakota quints to Mrs. Andrew Fischer was the second time it had happened in the Western Hemisphere within a week. Another set was born September 7 in Venezuela to Mrs. Inez Marie Cuervo de Prieto, 34, who, like Mrs. Fischer already had five children.

Only twice before in the Western Hemisphere have quintuplets survived infancy. The five Dionne sisters became world sensations and were declared natural resources of Canada when they were born in 1934. Four of them are still alive. The other surviving quints were born in Buenos Aires, Argentina, in 1943 to Mr. and Mrs. Franco Diligenti. Mr. Diligenti is a millionaire, whereas the Dionnes were as poor as the Venezuelan family.

Having the wealth to do so, Mr. Diligenti kept his brood pretty much out of sight and they grew up unaffected by the turmoil their birth created. The Dionnes more or less grew up in a goldfish bowl and it cannot be said that their exploitation brought them total happiness.

The Venezuelan Government has indicated it will help Mr. de Prieto with his suddenly expanded responsibilities.

[From the New York Times, Sept. 15, 1963]

QUINTUPLETS BORN IN SOUTH DAKOTA—30-YEAR-OLD MOTHER OF FIVE GIVES BIRTH TO FOUR GIRLS AND A BOY

ABERDEEN, S. DAK., September 14.—The 30-year-old wife of an Aberdeen shipping clerk gave birth to quintuplets today.

The doctor attending Mrs. Andrew Fischer said the first 72 hours of the infants' lives would be the most critical ones. However, he said the quintuplets—four girls and a boy—appeared healthy and normal.

Three previous instances of quintuple births have been reported in the United States, but none of the children survived infancy. Quintuplets occur about once in 42 million births.

The births here followed by a week the birth of quintuplet boys in Venezuela. Quadruplets were born to a woman in Jackson, Miss., a week ago and a report from Iran said quadruplets were born there today.

Only two sets of quintuplets born in the Western Hemisphere have survived infancy—the Dionnes of Canada, born in 1934, and the Diligenti children in Argentina, born in 1943.

Mr. and Mrs. Fischer have five other children, aged 3½ to 7. The family lives on a small farm outside the city where they keep a couple of cows.

The eldest son, Danny, on hearing of the birth, shouted:

"I wanted a brother and I got one."

In Newport, R.I., President Kennedy learned of the birth of the five children and sent a telegram of congratulations to the Fischers.

Sister M. Andre, director of nursing at St. Luke's Hospital, said one of the dangers to the quintuplets was hyaline membrane, a lung condition that sometimes develops in premature babies. This affliction led to the death of President Kennedy's second son some weeks ago.

The Fischer babies were about 2 months premature. Mrs. Fischer was brought to the hospital last Wednesday and was informed of the likelihood of quintuplets that night.

"About a half hour after the doctor told her, she started crying and cried all night," the 38-year-old father said.

As for himself, Mr. Fischer said, "I was shook."

Aberdeen, a city of some 23,000 in northeastern South Dakota, was excited by the news. Offers of assistance for the family poured into its daily newspaper and radio stations. One contractor sent in a check for $500.

Merchants volunteered clothing and a new washer and drier. Relatives pitched in to milk the cows and tend the other youngsters while Fischer tried to sleep.

Mrs. Fischer was described afterward by a hospital aid as "tired and emotionally upset, but happy."

BIRTH TOOK ABOUT AN HOUR

The first to be born, à girl, arrived at 1:58 a.m. The boy was the fourth born. The fourth girl was born at 3:01 o'clock.

The babies were immediately placed in isolettes, individual chambers that control oxygen, temperature, and humidity. They will not be weighed for a day or two and will probably not be fed until at least tomorrow, the usual procedure in premature births. The infants have not been named as yet.

Mr. Fischer said he had not known of any multiple births in his or his wife's families. Besides Danny, his other children are Charlotte, 6; Julie, 5; Evelyn, 4, and Denise, 3.

"I don't make the most money in the world and it does present some problems," Mr. Fischer said. Relatives said he earns less than $100 a week.

Mr. Fischer said he moved to the farm to keep cows and cut down on the family's milk bill.

Dr. James Berbos headed the medical team handling the deliveries. He said there had been some difficulty because the fourth of the five was a breech delivery.

Dr. Berbos said X-rays last Wednesday confirmed the presence of quintuplets. He alerted the hospital, which ordered extra equipment.

TURNS COFFEE DRINKER

Mr. Fischer said he seldom drank coffee. But he downed plenty of it and smoked two packs of cigarettes while awaiting the births at the hospital.

"Keep a pot of coffee on the stove," he told hospital aids before heading home to give his other children the news. The family lives in a rented, slightly rundown farmhouse about a mile northwest of here.

Mrs. Fischer, a 5-foot-6 redhead, and her husband grew up in this area.

Her babies were the first quintuplets born in the United States since five girls were born to Mrs. Cecilea Hannan in San Antonio, Tex., October 20, 1959. Four of the infants dies within 10 hours of birth, the last about 18 hours after birth.

Mrs. Hannan was 27 at the time. Her husband, Charles, was an Air Force lieutenant.

[From the New York Times, Sept. 15, 1963]

FISCHER MARRIED IN 1955

ABERDEEN, S. DAK., September 14.—Andrew Fischer, who has worked for the last 18 years for the Nash-Finch Co., a wholesale grocer here, was born in Linton, N. Dak., and grew up in Eagle Butte, S. Dak., about 180 miles west of here.

Mrs. Fischer, the former Mary Ann Brady, is the daughter of a farmer. She lived near Hecla, S. Dak.

They were married May 14, 1955.

Mr. Fischer said the youngsters would be baptized by a Roman Catholic priest without names. Later, when they are able to leave the hospital, he said, they will be baptized again at a church.

DETERMINATION BY JURY OF THE AMOUNT OF JUST COMPENSATION FOR LAND REQUIRED BY NASA

Mr. STENNIS. Mr. President, for myself and my colleague, the senior Senator from Mississippi [Mr. EASTLAND], I introduce, for appropriate reference, a bill to accord to defendants in actions by the Federal Government for the condemnation of real property for public use the right to a determination by a jury of the amount of just compensation.

Almost 2 years ago, the National Aeronautics and Space Administration announced that it would establish a rocket testing facility in south Mississippi, acquiring fee simple title to 13,200 acres in the actual test site area, and an easement in about 126,000 acres in the so-called buffer zone. Since the original announcement, NASA and the Corps of Engineers, its land acquisition agent, have determined that it will acquire outright title to a portion of the property in the buffer zone.

In the period of time since the original announcement, the property has been appraised, negotiations undertaken, and many settlements made. Congress has appropriated, of course, the money to buy the land or the interest therein to be acquired.

In a number of cases, however, there is an honest difference of opinion between the landowners and the Corps of Engineers as to the actual value of the property to be acquired. In such cases where the landowners and the Engineers fail to negotiate a settlement, a condemnation suit in Federal court is filed and a trial is held to determine the value of the land and the amount to be received by the landowner for the property taken.

Under the present law, covered by rule 71A(h) of the Federal Rules of Civil Procedure, the landowner may demand a trial by jury of the issue of just compensation:

> Unless the court in its discretion orders that, because of the character, location or quantity of the property to be condemned, or for other reasons in the interest of justice, the issue of compensation shall be determined by a commission of three persons appointed by it.

Mr. President, these people are the victims of circumstance. The Government is taking their land for a public purpose. They are not seeking to sell their property. Since the announcement of the Government facility, they have had to try to buy other property to replace that taken from them and have watched adjoining land increase in price. The value of property is the subject of honest differences of opinion, among landowners, real estate experts, and others. In such cases, it is only fair that those who are having to sell their property, against their will, should have a jury to determine the value and the issue of just compensation.

I am hopeful that, under the present law, the court will grant a jury trial in all cases where the landowner requests it. I believe this will be the case. But I strongly feel that a landowner in these circumstances is entitled to a jury trial as a matter of right. It is the fair way. It is just. It is the American way.

My bill will insure that every landowner whose property is taken by the United States under the power of eminent domain will be entitled to have a jury to decide the issue of just compensation, by filing a request for a jury trial. I think one whose property is taken against his will is entitled to a jury trial and the assurance it will give him.

I sincerely hope that the committee and the Senate, in their wisdom, will act upon this bill at an early date so that these landowners can be assured a jury trial should they request it.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 2148) to amend section 1345, title 28, United States Code, to accord to defendants in actions by the United States for the condemnation of real property the right to a determination by a jury of the amount of just compensation, and for other purposes, introduced by Mr. Stennis (for himself and Mr. Eastland), was received, read twice by its title, and referred to the Committee on the Judiciary.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT OF AGRICULTURE APPROPRIATION BILL

Mr. **LAUSCHE** submitted the following notice in writing:

> In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes, the following amendment, namely: viz: On page 38, between lines 5 and 6, insert a new section as follows:
>
> Sec. 608. (a) The second sentence of section 4 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 904), is amended by striking out "2 per centum per annum", and inserting in lieu thereof "3 per centum per annum".
>
> (b) The third sentence of section 5 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 905), is amended by striking out "2 per centum per annum" and inserting in lieu thereof, "3 per centum per annum".
>
> (c) The amendments made by this section shall be effective with respect to loans made on and after the date of enactment of this Act.

Mr. **LAUSCHE** also submitted an amendment, intended to be proposed by him, to House bill 6754, making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of the amendment referred to, see the foregoing notice.)

ENCOURAGING REPORTS FROM VIETNAM—ADDITIONAL COSPONSORS OF RESOLUTION

Mr. **CHURCH**. Mr. President, over the weekend we heard the first encouraging reports to come out of Vietnam in many weeks. The Diem government announced that martial law would be lifted in South Vietnam at noon today, and that the national assembly election, postponed from August 31, would be rescheduled for September 27. These are welcome and encouraging developments, as is the report that most of the Buddhist priests that were jailed have now been released.

Although we cannot jump to the conclusion that these measures will win back popular support for the Diem government in South Vietnam, we can hope that the regime will now continue to move in the direction indicated by these latest developments. If the Diem government is going to win the war against the Vietcong, it must regain the support of its people.

Last Thursday, on behalf of myself and 22 cosponsors, I submitted a resolution (S. Res. 196) providing that, unless the Government of South Vietnam abandoned policies of repression against its own people and made a determined and effective effort to regain their support, military and economic assistance to that Government should not be continued. I left the resolution on the table until this coming Thursday so that other Senators could join in cosponsorship. Since that time, the junior Senator from Oklahoma [Mr. Edmondson], the junior Senator from Montana [Mr. Metcalf], and the senior Senator from Indiana [Mr. Hartke], have expressed their desire to cosponsor the resolution. I ask unanimous consent that their names be added.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **CHURCH**. Mr. President, this brings to 26 the number of Senators who now sponsor the resolution.

Mr. President, I also ask unanimous consent to have printed in the Record an Associated Press dispatch published in yesterday's Sunday Star and an article written by Ted Sell, which appeared in this morning's Washington Post, which document these encouraging changes in South Vietnam.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington Sunday Star, Sept. 15, 1963]

DIEM WILL END MARTIAL LAW

Saigon, Vietnam, September 14.—Martial law which has prevailed in South Vietnam for 25 days will end at noon Monday and civilian agencies will resume all administrative functions, President Ngo Dinh Diem announced today.

Even while student unrest was reported expanding to the countryside, the President rescheduled for September 27 a National Assembly election that had been postponed from its original date, August 31.

Dropping of martial law would be one step toward a return to normalcy sought by the United States, a worried ally of President Diem's administration in a war against Communist guerrillas.

UNITED STATES WELCOMES NEWS

In Washington, the State Department welcomed the news and said such an action would be a step in the right direction.

"We have not yet received a report from our Embassy in Saigon," the State Department spokesman said in the U.S. Capital. "But if the lifting of martial law means that the Vietnamese Government is moving to undertake constructive measures to achieve adequate support to win the war and to insure a better future for the Vietnamese people it is a step in the right direction. We shall be watching developments in Vietnam closely."

[From the Washington Post, Sept. 16, 1963]

VIET TROOPS START LEAVING SAIGON, POLICE ALERT AS MARTIAL LAW ENDS

(By Ted Sell)

Saigon, September 15.—Vietnamese troops are slowly being withdrawn from key points in this troubled city as the end of 25 days of martial law approaches.

Several schools where major student demonstrations erupted recently remained under guard today but even Government units at these sites have been greatly reduced in size.

Rifle squads now patrol areas where a few days ago full companies were on guard.

Most of the Buddhist priests arrested last month in a series of raids on Pagodas have been released. Secret police are still believed to be searching for a few alleged ringleaders, however.

COPTERS AGAINST VIETCONG

No one seems to know for certain how many students remain in custody. One government spokesman said about 20 were being detained but student leaders said the figure was more like 2,000, perhaps as many as 2,500.

President Ngo Dinh Diem announced yesterday that martial law will end at noon Monday.

In the war against the Vietcong, Government troops launched a helicopter strike today but the results have not yet been disclosed.

A U.S. military spokesman said that despite Vietnam's internal troubles with the Buddhists and students, there has been no noticeable slackening in the war effort against the Communist guerrillas.

Most of the soldiers used to enforce martial law throughout the country came from units in reserve or from those that had just returned from fighting the Vietcong and were in rest camp.

Thus their redeployment to cities had no immediate effect on the war effort.

TROOPS REST AS SENTRIES

But one source close to the military said continued use of these troops could seriously hamper future operations. He said the soldiers were supposed to be resting but instead were being used as sentries.

Meanwhile, the Vietnamese Government launched an attack on Prince Norodom Sihanouk of neighboring Cambodia, charging him with assisting foes of the Diem regime.

A former paratroop colonel who led an unsuccessful attempt to unseat Diem in 1960 and an air force lieutenant who bombed Diem's palace in 1962 are believed to be in Cambodia.

The Government today openly accused Cambodia of hatching a plot to topple Diem.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. LEON H. GAVIN, late a Representative from the State of Pennsylvania, and transmitted the resolutions of the House thereon.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. NELSON:

News release No. 63–61, from his office, for Monday afternoon newspapers, September 16, 1963, dealing with the revitalization of the economy of northern Wisconsin, Michigan, and Minnesota.

THE BOMBINGS IN BIRMINGHAM, ALA.

Mr. JAVITS. Mr. President, I believe every Senator has read the tragic news from Birmingham this morning. What makes it even more tragic is the part of the report which I quote:

> None of the 50 bombings of Negro property here [i.e., Birmingham] since World War II have been solved.

The report also states that this is the 21st bombing in Birmingham in 8 years; and that 20 Negroes have been hurt in previous attacks.

Mr. President, today we are confronted with the tragic death of four Negro children in this most recent bombing, and the death of two others in its aftermath.

As those charged with governance, we must read as quickly as we can the lessons of such tragic events.

First, the delay in civil rights legislation clearly cannot be justified, if we can possibly avoid it. I repeat my urging that the Senate proceed as soon as the Commerce Committee reports the public accommodations section and not wait for the House bill, but allow the House bill to come in during the course of debate. This will accelerate, in my judgment, consideration of civil rights legislation on the floor of the Senate by not less than 4 weeks, and perhaps more—which is extremely important time, under the circumstances, because we must do everything we humanly can to give fair redress to the grievances which dictated the demonstrations and the meetings, against which, in turn, the bombings have been directed.

Second, I wish to identify myself with this eloquent statement of Dr. Martin Luther King:

> I am convinced that unless immediate steps are taken by the Federal Government to restore a sense of confidence in the protection of life, limb, and property, my pleas will fall on deaf ears and we shall see in Birmingham and Alabama the worst racial holocaust the Nation has ever seen.

In short, Rev. Martin Luther King is there to continue his policy of leadership in terms of nonviolence. He needs help, and I urge that help be given him.

I also wish to associate myself with the executive secretary of the National Association for the Advancement of Colored People, Mr. Roy Wilkins, who sent a telegram to the President stating:

> The shock, outrage and anger of American citizens of both races at this callous and deliberate mass murder will make anything less than a strongly reinforced civil rights bill a confession that the Federal Government is willing to occupy a spectator role in the life and death struggle a beleaguered minority is waging.

Third, Governor Wallace, of Alabama, cannot escape the responsibility for encouraging disrespect for law in Alabama, which in my opinion creates a climate which at least makes more possible events such as this one.

We know there are crackpots and assassins in all tense situations. But when the Governor disregards the law, his action creates a moral climate which is far more conducive to dreadful acts of this sort.

Finally, I dare hope that the aroused religious conscience and sense of fairplan of Alabamians themselves will help the Federal Government—and I am confident the Federal Government will do everything humanly possible under law—to bring the perpetrators of this bombing to justice more quickly than otherwise could be done, and will result in more condign punishment, when they are caught and tried in full accordance with law. I do not favor any lynch action; neither does anyone else who is in his right mind, for nothing could be more calculated to injure the country in such a time of racial tension.

The PRESIDING OFFICER. The time available in the morning hour to the Senator from New York has expired.

Mr. JAVITS. Mr. President, I ask for an additional 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Furthermore, Mr. President, in my opinion nothing would be more likely to vitiate the cause of sincere—though misguided—defenders of Southern traditions than the dastardly act which took place yesterday. So I have no doubt about our common determination to prevent further actions of that sort and to see to it that redress is obtained for those which have occurred.

Thus, I have tried to address my suggestions where they would do the most good—in areas where we can help. We cannot bring back to life the children who were killed; but we can do our utmost in making our contribution, as far as we can, to the prevention of future excesses of that kind.

Mr. KUCHEL. Mr. President, hate and evil were on the march yesterday in a bleak and unhappy American city. While some of our fellow citizens were worshiping their God, on a Sunday morning, barbarism and murder snuffed out the lives of six of them.

Presumably this is a country of law. Elected leaders in America have a responsibility to lead. When they are good leaders, follow the law, and act with courage, the people follow them. When they are bad leaders, when they flout the law, people are inclined to flout the law, too.

The shock and horror of the acts on Sunday in Birmingham, in all their incredible evil, excite in the American people a desire that punishment be swift and sure, relentless and remorseless, for the crime of violence was a national crime, a crime against all the American people.

All we can do in connection with this tragedy is to pray, to urge the American people to be law abiding, and to urge upon those charged with the responsibility of enforcing the law, to ferret out the criminals and punish them.

BOMBING IN BIRMINGHAM

Mr. MANSFIELD. Mr. President, the bombing of the Baptist church in Birmingham yesterday during services was both reprehensible and outrageous. There can be no excuse for an occurrence of that kind under any possible circumstances. I hope that those who are guilty are found and punished according to the deserts which they merit.

In my opinion, that outrageous action does not represent by any means the feelings of the great majority of the citizens of Birmingham, nor does it represent the feelings of the great majority of the people of the State of Alabama, nor does it represent the feelings of the people of the United States as a whole. That act is something which no one can condone. It is an act which has set back the difficult course on the road to better race relations. I am glad to know that not only is the Governor of Alabama, Mr. Wallace, responding to the request of the Birmingham city administration, but that the President of the United States and the Attorney General are likewise taking an active and intense interest.

That, of course, includes not only the dispatch of officials of the Department of Justice but also, in sufficient number, members of the FBI to probe into this matter to find the culprits who are guilty and to see that they get their just deserts.

Mr. JAVITS. Mr. President, will the majority leader yield to me briefly on the point he just made?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I point out to the majority leader the importance of civil rights legislation. The 1960 civil rights law dealing with the transportation of explosives across State lines gives the FBI jurisdiction in this very case. I point that out to the leader because I know he feels as I did as to the importance of our acting seasonably. I thank the Senator.

Mr. MANSFIELD. Contrary to reports which appear in the press from time to time about the lack of interest of the FBI in cases of the kind occurring in Birmingham, the Senator from Montana has no doubt whatsoever in his own mind that Mr. J. Edgar Hoover and those in his agency will do everything in their power to see that the culprits are found and punished.

Mr. JAVITS. I join the majority leader in that statement.

Mr. FULBRIGHT. Mr. President, I should like to associate myself with the remarks of the majority leader. This outrageous and disgraceful occurrence in Birmingham is certainly a great tragedy for the whole country as well as the people of Alabama and the South. Of course, I concur in what the majority leader has said.

FUTURE OF THE HISTORIC BATTLESHIP "MISSOURI"

Mr. SYMINGTON. Mr. President, a large number of Missourians, as well as others throughout the country, are concerned with the future of the historic battleship *Missouri*, on which the Japanese instrument of surrender was signed by General MacArthur and Admiral Nimitz in Tokyo Bay on September 2, 1945.

This ship, which has played such an important role in the history of our Nation, is now in the reserve fleet berth of the Puget Sound Naval Shipyard in Bremerton, Wash.

Many believe, however, that the *Mighty Mo* should be located where people would have a real opportunity to see it.

One of these is former President Harry S. Truman, who recently wrote concerning this matter. I share his views and hopes, and ask unanimous consent that two letters to that end be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

SEPTEMBER 4, 1963.

Mr. OREE C. WELLER,
15734 SE. 26,
Bellevue, Wash.

DEAR MR. WELLER: I appreciated most highly the copy of your letter to the editor of Seattle Post Intelligencer about the battleship *Missouri.*

I cannot understand the attitude of the people in charge with regard to the battleship. It is the most beautiful and the most famous battleship in the history of the world and I would like to see it stationed where people can get to it instead of having it in a "closet" up in Puget Sound where nobody can see it.

Sincerely yours,
HARRY S. TRUMAN.

BELLEVUE, WASH., *August 27, 1963.*

EDITOR,
The Seattle Post Intelligencer,
Seattle, Wash.

DEAR SIR: Harry Truman is right once again. The U.S.S. *Missouri* is truly in a closet in Bremerton.

This past weekend my wife and I were cruising with another couple on their boat and leisurely seeing the sights of Puget Sound. Among the sights we thought we could see was the battleship *Missouri*. Although I have lived here for a number of years I have never been over to Bremerton to see this national monument. The idea of cruising by seemed a good one and we headed down Sinclair Inlet. Approaching the long line of mothballed ships we observed a sign admonishing all to stay at least 150 feet away. Well that wasn't too bad. You just about have to be 150 feet away to get the *Missouri* in the proper perspective. As we passed the starboard quarter we took a couple of snapshots of the area of the ship where the World War II surrender documents were signed. As we were circling around the stern for one more quarterdeck shot we observed the spectre of a gray truck with a police type flashing light on the top roaring down an adjacent dock. Men emerged arms waving toward us. Another truck pulled up beside it. More people. These in uniform. Another convoy of bluejackets dashed down to a nearby moored landing craft which soon pulled out to accost us. Upon intercepting us and radioing the boat's registry number to shore they asked if we took any pictures. We replied that we had. Such pictures were "unauthorized" and the film must be destroyed perforce. Reluctantly we opened our cameras and removed the now tainted film. I, at the sailor's instruction, tossed my film cannister overboard. We told the patrol that we thought the *Missouri* was supposed to be a tourist attraction which the public could readily see. We were told this was not so and that we would have to vacate the area immediately, which we did.

Now, I appreciate national security and I admire the alacrity with which these young fellows responded to what appeared to them to be a breach of that security. But if taking pictures of the most photographed area of perhaps the Navy's most photographed ship is a breach of security, I fail to see it. The Navy may well say that the ship is moored in company with other ships and thus the sum total is classified. This only reinforces Truman's "closet" theory.

Let's face it. The *Missouri* is an attraction. It should be. Why don't they moor it so that people can see it. There is another large ship, the U.S.S. ————, (I'll omit the name to preserve the sensibilities of Navy security people) which is moored in stream and isolated from the remainder of the group. Why not trade places with the *Missouri*? Launches from the shipyard could carry shore visitors out to the ship and pleasure cruisers from the Seattle area could bring their waterborne visitors to see it. It would be a lot more accessible there to a lot more people than it is now. If we can't see it in our own backyard then let San Francisco (or St. Louis) have her.

Very truly yours,
OREE C. WELLER.

CONGRESSIONAL REORGANIZATION MUCH NEEDED, MUCH LOOKED FOR

Mr. BARTLETT. Mr. President, on Wednesday the Senate Rules Committee voted to report favorably Senate Concurrent Resolution 1. This concurrent resolution seeks to establish a Joint Committee on the Organization of the Congress, to study and recommend means of streamlining the procedures of both Houses. The action taken by the Rules Committee was forward-looking and responsible.

I congratulate the committee; and I announce that it is my intention to do all within my power to obtain congressional approval of the resolution. The pace of events, Mr. President, ever quickens. The executive and judicial branches of the Federal Government have already taken steps to improve the effectiveness and efficiency with which they handle their responsibilities. It is incumbent upon us in the legislative branch to do likewise. Decisions will not wait. If we do not make them, another branch will. It is our constitutional responsibility to participate fully in the Federal Government. We cannot do this to the greatest effect without improving our procedures.

Senators will remember that for many months I have been concerned with the deepening and expanding relationship between Congress and the sciences. Repeatedly I have pointed out that the two Houses do not now have available to them the scientific advice and experience they need if they are to evaluate in a responsible manner the scientific requests which come before them.

I have introduced proposed legislation to remedy this lack. I have proposed the creation of a Congressional Office of Science and Technology. I am pleased that 14 Senators—both Republicans and Democrats—have joined in cosponsorship of this completely nonpartisan proposal. In making this proposal, I have worked closely with two Members of the House, Representatives SIBAL and WIDNALL.

The Congressional Office of Science and Technology which we envision would provide an independent, responsible, and readily available means of obtaining scientific assistance for Congress. The proposal, we hope, is based on the real and the possible, rather than the ideal and the impossible. It is a simple proposal which takes into account the bicameral nature and the committee structure of Congress.

The Rules Committee, in providing such excellent leadership for the cause of congressional reorganization, took notice of congressional needs in the fields of science and technology. I am extremely pleased that this is so. I am happy that my efforts in this field were instrumental in bringing this problem to the attention of the committee. The committee, in reworking Senate Concurrent Resolution 1, added special language which makes clear that, as part of its responsibility, the Joint Committee on the Organization of Congress shall study "the furnishing of additional scientific and technological advice and assistance to Members and committees of the Congress."

The inadequacy of communications between science and Congress has been recognized on both sides—not only by the Congress, but also by science. Our efforts have received substantial approval from the scientific community. As an example of this, the current issue of Science magazine contains an excellent lead editorial in which the proposed Congressional Office of Science and Technology is discussed. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Congressional Frustration

There is a growing feeling among Congressmen that major procedural and organizational changes are necessary to restore Congress to a position of power comparable to that of the executive and judicial branches. Part of this unrest comes from congressional difficulties in understanding and dealing with research and development. Two weeks ago Science reported a Rules Committee proposal to appoint a select committee to investigate Federal research, a proposal that is likely to be interpreted as an attack on research support and management. This interpretation may accurately represent the attitudes of some supporters of the proposed investigation, but it is not the whole story. Several of the sponsors have long supported governmental scientific and educational activities; and the strongest opposition has come not from the friends of research and development but from the chairmen of committees whose power might be reduced by the reorganization that a special committee might propose. In short, the argument is not primarily over whether research and development support has been too generous or research and development funds mishandled, but rather over how Congress should be organized to carry out its responsibilities.

Dissatisfaction is also evident in Senator BARTLETT's proposal for a congressional office of science and technology that would serve Congress as the Office of Science and Technology serves the President and the executive branch. Earlier agitation for a Cabinet-level Department of Science, the use by some committees of ad hoc panels of scientific advisers, and the occasional search for a qualified scientist to serve on a committee staff are also evidence of dissatisfaction with the existing organization.

Immediate and sweeping action is altogether unlikely, but as frustration grows, so does the pressure for change. There is some opportunity for the appointment of scientists as members of committee staffs, but it will be difficult to recruit top-quality men; such an appointment is not an accepted part of a scientist's career, whereas a comparable appointment is a commonly accepted part of the career of a lawyer or political scientist. Some weeks ago a Science editorial proposed the appointment, perhaps by the National Academy of Sciences, of a rotating panel of devil's advocates who would give Congress independent advice on proposals received from the executive branch and its scientific consultants. Senator BARTLETT's bill would establish a permanent group of scientific advisers.

Perhaps gradually, but certainly not immediately, a change will come about, for Congress cannot continue to rely primarily upon the well-informed but rarely impartial advice of the executive agencies just because it is they who have technically qualified staff members and consultants. Senator BARTLETT stated the problem in this way: "It is disturbing but true that at the present time Congress does not understand science and it is also true that science does not understand Congress. Communication between the two must be improved. * * * Congress does not appreciate the importance of scientific decisions and as a result they are made, not in the halls of Congress but elsewhere, not by the elected representatives but by unknown administrative officials."

The fact that Congress is growing uneasy about its lack of scientific and technical competence poses two problems for scientists. One is of perhaps special concern to political scientists—to consider organizational changes that will help Congress to acquire a greater competence in dealing with scientific matters. The other and more general problem is for scientists to consider how they can best assist Congressmen and their staffs to learn more about science.

DEATH OF REPRESENTATIVE GAVIN, OF PENNSYLVANIA

Mr. METCALF. Mr. President, I was grieved to learn of the passing of a friend and colleague for whom I had great respect and admiration, Representative LEON H. GAVIN, of Pennsylvania.

I became acquainted with him during my first term in the House, 10 years ago. Although we sat on different sides of the aisle, we worked together closely on many conservation and resource matters.

I remember when Bernard deVoto, on behalf of the Izaak Walton League of America, the National Parks Association, National Wildlife Federation, Wilderness Society and Wildlife Management Institute, presented him with an award for distinguished service to conservation. That citation, presented on July 15, 1954, read as follows:

Since the 78th Congress, LEON H. GAVIN's continuing interest has been the promoting of better management of the vast treasures of natural resources held in public trust by the Federal Government and in assuring equal privileges for all who would benefit from these resources. During his long and active career in the House of Representatives of the United States, he has become known as a fearless champion of the national forest system. His trademarks are his firm convictions that, consistent with sound management policies, the privileges of all users of the national forests be recognized, and his unyielding stand in opposition to those who would obtain special privileges at the expense of others. He has been a forceful advocate of the appropriation by Congress of adequate funds with which to carry out the study and management of fish and game resources on these public lands. In recognition of his outstanding service and untiring efforts to secure the best management and wise use of the country's natural resources in the public interest, the undersigned national conservation organizations are privileged to present this national award and a bronze plaque to Representative LEON H. GAVIN, of Pennsylvania.

Mr. President, since shortly after coming to the Senate it has been my privilege to continue a close association with LEON GAVIN, as a fellow member of the Migratory Bird Conservation Commission. I found him always to be a forceful, friendly, and articulate champion of those who sought enhancement of our forests, streams, fish and wildlife, and a foe to be reckoned with by those who sought special privilege in the public domain.

On behalf of Mrs. Metcalf and myself, I extend deepest sympathy to Mrs. Gavin and their children.

DEATH OF FORMER SENATOR HATCH, OF NEW MEXICO

Mr. ANDERSON. Mr. President, it is my sad duty to inform the Senate of the death yesterday of former Senator Carl A. Hatch in Albuquerque. Carl Hatch had served in this body from 1933 to 1949. Thousands of people knew him as a fine public servant in both the legislative and judicial branches of our Government and as a warm and considerate man.

Carl Hatch was born at Kirwin, Kans., on November 27, 1889. He served as assistant attorney general of New Mexico in 1917 and 1918. He was then appointed collector of Internal Revenue for the district of New Mexico in 1919. He was later appointed district judge of the ninth judicial district of the State of New Mexico on January 1, 1923, and was elected to the same office in 1924 for a 6-year term. He resigned as district judge to reenter the practice of law on October 1, 1929. Carl Hatch was chairman of the Democratic State Central Committee in 1930. He was the presidential elector for New Mexico in 1932.

Senator Hatch was appointed to the U.S. Senate by Gov. A. W. Hockenhull on October 10, 1933, to fill a vacancy caused by the resignation of the Honorable Sam G. Bratton; and later was elected to fill out the unexpired term in November 1934. He was reelected Senator on November 3, 1936, and served until 1949.

Carl Hatch was best known nationally for his efforts in behalf of improving the character of partisan politics by regulating campaign contributions and political expenditures. The famous Hatch Acts were the result of his activities in this field. But he was also active in the interest of conservation, agriculture, and labor legislation.

After completing his second full term in the Senate, Senator Hatch did not seek reelection. President Truman appointed him a Federal district judge in New Mexico, and he was confirmed by the Senate on January 17, 1949. Carl Hatch brought distinction and diligence to the bench just as he brought them to his tenure in the Senate. He continued to serve as Federal judge until illness led him to retire earlier this year. Thus, Carl Hatch completed some 30 years of faithful and effective Federal service.

I ask unanimous consent that a story about Senator Hatch's passing which appeared in the New York Times be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Ex-Senator Carl Hatch Dies; an Advocate of Clean Politics—Democrat of New Mexico, 73, Served From 1933 to 1949—Two Acts Named After Him

ALBUQUERQUE, N. MEX., September 15.—Former Senator Carl A. Hatch died today in a hospital at the age of 73. A Democrat, he served from 1933 to 1949.

Mr. Hatch, who became a Federal district judge after leaving the Senate, retired from the bench about 5 months ago. He had been suffering from pulmonary emphysema, a chronic lung disease, and was hospitalized last week.

He is survived by his widow, the former Ruth Caviness; a son, Stewart; a daughter, Miss Marsha Leet, and nine grandchildren.

BILLS PASSED IN 1939 AND 1940

Senator Hatch was a champion of cleaner elections. He was the author of Hatch Acts of 1939 and 1940, which were intended to prevent what he termed "pernicious political activity."

He seized upon the public sentiment of the time to get the corrective bills passed. The first Hatch bill barred all but top-level Federal officials from political activity and prohibited, among other things, solicitation of funds from employees on public relief projects.

A year later the second Hatch bill was passed to extend the provisions of the first to State employees whose salaries are paid in part from Federal funds. An additional amendment limited the annual expenditure of the national committee of any party to $3 million and individual contributions to $5,000.

However, there has been little pretense that the provisions of the act have been strictly adhered to. Loopholes permit, for instance, the expenditure of much larger sums in national campaigns. After the 1960 presidential race, the Republicans reported that they had spent $10 million; the Democrats reported $9,800,000. Charges of evasion have been made after almost every election since the acts came into force.

Senator Hatch himself said in 1946 that his law was a failure and should be abandoned. He suggested in its place full publicity on campaign expenditures.

The Hatch Acts were amended in 1942 to assure school and college teachers the right to participate in politics. During World War II an amendment prohibiting electioneering through Government dissemination of political literature among the Armed Forces was passed.

BORN IN KANSAS

Carl Atwood Hatch was born in Kirwan, Kans., on November 27, 1889. He was a son of Kansas pioneers, Harley Atwood and Esther Shannon Ryan Hatch.

Shortly after the turn of the century, the Hatch family moved to Eldorado, Okla., a booming young railroad town. Carl Hatch first helped his father in his country store and, after finishing high school, went to work for the town newspaper, the weekly Courier. Later he and a friend bought the paper.

He then decided to study law. He went to Cumberland University at Lebanon, Tenn., and after graduation was admitted to the bar at the age of 23.

In 1916 Mr. Hatch moved to Clovis, N. Mex., to establish a law practice. A year later he became an assistant State attorney general. He served in that post until 1919.

In the following years he was collector of internal revenue, a State district judge, and chairman of the Democratic State committee until, on October 10, 1933, he was appointed to the Senate to succeed Sam G. Bratton, who had resigned.

Less than 4 weeks later he was elected to serve the rest of Senator Bratton's term. He was elected to a full term in 1936 and again in 1942.

Senator Hatch did not seek reelection in 1948, and President Harry S. Truman made him a district judge in New Mexico.

FARM-BLOC SUPPORTER

Mr. Hatch was the center of an influential group during his service in the Senate. Besides his efforts for cleaner politics, he supported the farm bloc and took a strong interest in labor legislation; among other things, he advocated compulsory arbitration in disputes in key industries.

He was also a defender of the U.S. reciprocal trade agreements, and, after World War II, was an outstanding spokesman for the legislation pertaining to the preservation of peace.

Because of his pleasant personality, Mr. Hatch was sometimes called "Smiling Carl." He was always careful not to question a fellow Senator's motives or hurt his feelings. When the Senate was not in session, he went to his ranch and grain farm near Clovis.

Mr. Hatch was a 32d degree Mason. He was also a member of the Knights Templar and a noble of the Order of the Mystic Shrine.

SEAGULL WISDOM

Mr. FULBRIGHT. Mr. President, the discussion in the Senate in the past weeks has been a realistic reminder that we human beings have a very difficult time getting along together on this earth. Controversies and strife are man's daily lot in life. Nearly every day some new crisis arises to threaten the tranquillity and serenity of our society.

Perhaps if we would look about we might learn from other inhabitants of this terrestrial sphere who have done a much better job than we have in learning to live at peace with one another.

I recently came across an article in June–July issue of National Wildlife magazine on the mores and mating habits of seagulls. My initial reaction to the article was that I had learned somewhat more about seagulls than I really cared to know, but on further reflection I realized that I was manifesting the rather stuffy and superior attitude which we humans all too often direct at our inarticulate fellow creatures.

The seagull in fact is a marvelous bird. Unlike many other species, it is entirely free of socialistic tendencies. It is in fact a capitalist bird, a rugged individualist with a highly developed regard for the sanctity of private property. Every family of seagulls has its own nesting land, about 7 feet square, and the family estate is absolutely inviolable. To invade one of these private preserves is the gravest of offenses, punishable by swift and stern retaliation.

In addition to his sound economic doctrine, the seagull is guided by rigorous standards of morality in his private life. Courting is conducted with dignity and ceremony and, once wed, the seagull is monogamous and devoted to family. Divorce is unknown and scandals of the sort which rock great empires in the world of men are considered by seagulls to be in unacceptably bad taste.

More impressive still is the high regard which seagull society holds for the principle of seniority. Every gullery has its venerated senior citizens, newcomers working their way up, and a few members whom everybody is allowed to pick on. Under the seniority system the young chick is required to keep his neck tucked in because a high head and a stretched neck is a status symbol among gulls. Nothing is more infuriating to an adult than the sight of a juvenile with his neck stuck out. This is the ultimate in presumption and the bumptious youngster who holds his head high is likely to be struck dead by an adult who sees him. Where, Mr. President, outside a gullery and the U.S. Senate, is the principle of seniority more faithfully observed?

The most ingenious and civilized of seagull folkways are the rules of chivalrous combat. A head held high is the most heinous of offenses, but so long as a gull holds his neck in, he is immune from attack, even if he invades the private property of another bird. The tucked-in head is a permanently available form of diplomatic immunity, sacred and inviolable. There is no real equivalent to it in human society except for certain rather limited forms of political asylum for heretics and dissenters. Surely with our superior mental endowment we humans ought to be able to devise a form of protection for our free thinkers and dissenters as safe and as convenient as the bulled-in neck.

When seagulls do actually fight, they seldom go beyond ceremonial expressions of hostility. When two enemies face each other, they are likely to stand puffing out their wings until one or the other commits the ultimate provocation of leaning over and pulling grass. So terrifying is this act that the fight usually ends at this point. Only the gravest of conflicts actually reaches the point of whacking and biting.

It takes little imagination to conceive of the benefits which would accrue to humanity if we were able to apply such civilized techniques to our own rivalries. Pulling grass hardly seems an appropriate expression of hostility for so elevated a creature as man, but certainly we should be able to devise suitable forms of ceremonial combat. Consider, for example, the Battle of Agincourt. It would have been almost as exciting and a great deal safer if the English had tipped their arrows with suction cups instead of sharp metal points.

Or consider the hydrogen bomb. Would it not be a fine thing if we could agree with the Russians to replace all our nuclear bombs with smoke bombs—huge smoke bombs which could set off immense unradioactive mushroom clouds and even make a tremendous noise but to do so without a lethal explosion? Surely it is not beyond the genius of modern science to invent such a weapon, one which would permit us the fun and excitement of nuclear war without getting killed.

But all this, I suppose, is idle nonsense, suitable enough for the mindless sea gull but hardly worthy of the most exalted of God's creatures.

And yet, perhaps ratification of the test ban treaty may be one small step toward learning how to keep our necks in.

Mr. McGOVERN. Mr. President, the distinguished chairman of the Committee on Foreign Relations has reminded us of the remarkable performance of the sea gull. I should like to invite attention to the fact that there is another bird which occasionally performs in a most remarkable fashion—the stork.

THE EDUCATION OF AMERICAN TEACHERS

Mr. McGOVERN. Mr. President, once again Dr. James B. Conant, the distinguished educator and former president of Harvard University, has challenged the educational world to achieve higher standards. After months of study, Mr. Conant has released a report "The Education of American Teachers," which calls for sweeping changes in the preparation, certification, and training of the Nation's teachers.

The highlights of Dr. Conant's study are reported in the Sunday New York Times of September 15, 1963, in an article by Times educational writer Fred M. Hechinger. The Times has also given us the text of 27 specific recommendations by Dr. Conant followed by excerpts from his concluding observations.

I ask unanimous consent that this valuable material be included at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, Sept. 15, 1963]

TEACHER TRAINING SCORED BY CONANT AS U.S. "SCANDAL"—SWEEPING REFORMS URGED IN CERTIFICATION SYSTEM AND UNIVERSITY PROGRAMS—ON-JOB TRAINING ASKED—NEW BOOK CALLS FOR 4-YEAR PROBATIONARY PERIOD AND BROAD LAYMEN'S ROLE

(By Fred M. Hechinger)

Dr. James Bryant Conant, in a sweeping critique of teacher training in America, has called for the abolition of the existing teacher certification system.

He has proposed measures that would make performance in the classroom the only criterion for licensing the Nation's public school teachers, and he has informed laymen to play a greater role in determining standards.

The proposals were contained in a 275-page book, "The Education of American Teachers," published yesterday.

RECOMMENDATION BY COLLEGE

At the heart of Dr. Conant's proposals is the demand that, for certification purposes, the State shall require only a bachelor's degree from a "legitimate college or university," evidence of successful and properly supervised student teaching, and the endorsement by a college or university vouching for the candidate's teacher preparation in "a designated field and grade level."

Teachers would gain certification with tenure after a 4-year probationary period consisting of on-the-job training directed by specially selected "cooperating teachers."

Anyone thus certified in one State would be considered qualified to teach anywhere in the United States.

STATE ACTION TAKEN

Although these proposals were believed certain to arouse violent controversy, it was learned that, even before publication of the book, New York State's Commissioner of Education had begun to move in the direction of some, but not all of the Conant recommendations.

Immediate reaction to the report ranged from unqualified enthusiasm by Dr. Sterling M. McMurrin, a former U.S. Commissioner of Education who has long criticized existing teaching standards, to a guarded warning by W. Earl Armstrong, director of the National Council for the Accreditation of Teacher Education, that the proposals may lead to low-quality academic programs.

Apparently anticipating the debate, Dr. Conant plans to make his personal services and efforts available to State education authorities interested in implementing his proposals, it was learned.

He will take the controversy to large professional audiences next February and hopes to meet with State education officials across the country in the fall of 1964.

AID TO STATES OFFERED

Dr. Conant is known to have expressed his willingness to guide and advise State education departments in preparing legislation that would make possible the implementation of his report.

A number of his recommendations would require legislative action either by State legislatures or by local school boards. Others would have to be dealt with by trustees and administrations of colleges and universities and by State education commissioners.

The 70-year-old scientist, educator, and diplomat, who was president of Harvard University for 20 years, covered 77 colleges, and universities in 22 States in his 2-year study. He worked with education officials in the capitals of the 16 most populous States in which two-thirds of all teachers in the Nation are educated. The study was financed by the Carnegie Corp.

The report called present State certification procedures bankrupt. It described as frightening the rigidity of many branches of the teacher training and licensing establishment.

SEES NATIONAL SCANDAL

It labeled "as a national scandal" the prevailing practice in most States, including New York, of permitting teachers certified in one subject field to teach practically anything else.

It "contemplates with horror" the fact that, as a result, 34 percent of all seventh and eighth grade mathematics classes in the country are taught by teachers who have had less than two college courses in the subject.

Dr. Conant also called the majority of local school boards scandalously remiss in not providing new teachers with the proper help and opportunities to become expert practitioners.

In sharp contrast to his earlier efforts to reform the high schools without upsetting the existing school pattern, Dr. Conant appeared to be so alarmed by the deficiencies of the teacher training scene that he offered as the basis for improvement the radical suggestion of a break with the status quo. In addition, he demanded that teacher training candidates be selected among the top third of high school graduation classes.

ALLEN HAILS PROPOSALS

Dr. James E. Allen, New York State, education commissioner, who had discussed the study with Dr. Conant before publication, said yesterday: "Once again Mr. Conant has designed a constructive program for the improvement of American education."

He added that he liked many of the recommendations. He considered plans to shift to the colleges responsibility for certification in general, sound, provided these institutions are ready to accept the wholehearted commitment outlined in the Conant plan.

He warned, however, that in his opinion many colleges are not yet ready or willing to do this.

Dr. Allen urged colleges and universities to make proposals for carrying out the Conant plan.

Adding full endorsement to the need to improve practice teaching, he said that the State's 1964–65 budget includes a request for funds to assist local school systems to establish an effective partnership with teacher training institutions, as proposed by Dr. Conant.

WILL DISCUSS IMPLICATIONS

Earlier this month, Dr. Conant said, he invited the heads of a number of colleges and universities in New York to confer with him during the remainder of the year to consider ways of improving the teacher training and certification picture. "In these conferences we shall discuss the implications of Mr. Conant's recommendations," he said.

Edgar Fuller, executive secretary of the Council of Chief State School Officers, who had only read the single recommendation concerning certification requirements, said the proposals might work fairly well for teachers who get all their training in one university but warned that it might be difficult to assure competence for those who have moved from State to State in their schooling.

He expressed serious concern over the idea of reciprocal recognition of certificates between States, considering the extent of the qualitative discrepancies between States and regions.

Until those discrepancies are eliminated, he warned, the proposals would result in "lower requirements" and would "put teaching on a lower level as a profession than it should be."

Dr. McMurrin, who has returned to the teaching of philosophy at the University of Utah, said, on the other hand, that "to adopt Mr. Conant's general principles would be a great step forward."

Dr. Armstrong, who had not yet read the full report, believed that leaving the responsibility to the colleges and universities might encourage them to be too loose and easy going in granting statements of certification.

MEANINGLESS SPECIFICATIONS

Dr. Conant argued that the present system under which State education departments list a certain number of courses in specific fields as certification requirements amounted to meaningless paper specifications.

He argued the substitution instead of pinpointed responsibility—by the college for the quality of the academic preparation, by the State education authorities for the quality of practice teaching, and by local school boards both for the selection of teachers and their continuing on-the-job training.

The book was sharply critical of courses in educational history, philosophy, and psychology unless they are taught by persons who have completed basic academic work in history, philosophy, and psychology.

Instead of leaving the teaching of education methods courses—often the center of controversy—to professors who have had little, if any, public school teaching experience, Dr. Conant urged the creation of the post of clinical professor of education.

These experts would be outstanding classroom teachers, who would supervise student teaching, preside over "methods" instruction and, in addition, continue their own teaching. They would, however, receive the full standing and pay of professors and would be employed jointly by the cooperating college or university and the public schools.

NEW TEACHER PLAN

Another new category of "cooperating teachers," also selected for outstanding performance in local schools, would train all newly licensed teachers on the job in regular public schools, during a 4-year probation period.

The newly appointed "junior teachers," according to the Conant plan, would work in teams. At the end of the probation period, they would be carefully appraised, with a conscientious weeding out of those unsuited for the career. At the point of full certification of "career teachers," with tenure, salary scales would jump steeply.

The creation of the new teacher categories, based largely on the pattern of medical education, would significantly change the teacher salary structure. A considerable number of teachers, without giving up the classroom for administration offices, could command salaries equivalent to those at universities.

At the same time, Dr. Conant called for a wiping out of all future salary increment benefits based on what he calls "odd lot" courses, taken in university extension courses in the afternoon and on Saturdays.

Referring to many of these offerings as "Mickey Mouse" courses, he compared teachers enrolled in them to "opium smokers who were praising the habit of which they had long since become the victims."

Salary stepups, he said, should be earned only through full-time study, financed in part by the local schools, or through summer courses, leading to master's and doctor's degrees designed specifically to improve the teachers' classroom effectiveness.

He admitted that since universities have been doing "a landoffice business" in such courses, his recommendations would be violently opposed. But he insisted that teacher training should not have the responsibility of keeping academic institutions operating in the black.

Dr. Conant's earlier reports, especially his book on "The American High School Today," published in 1959, have been given credit for significant improvements in the quality of American public education.

Much of this success has been attributed to his missionary zeal and his readiness to take his message to school systems across the country, to confer with professional and lay people, and to answer questions arising from local problems.

Although he is now in West Berlin as an adviser to the Ford Foundation, he will deliver two major addresses next February in Chicago, to take his proposals personally to the American Association of Colleges for Teacher Education and to the National Association of Secondary School Principals.

FIVE THOUSAND COPIES MAILED

About 5,000 specially printed paperbound copies of the book were mailed to leading educators all over the country last week, but a paperback edition for general distribution will not be printed until next year. By now all college presidents, deans of schools of education, and 131 school superintendents in major cities as well as important State education officials have received their free copy in envelopes labeled "Conant Report."

The 6 years of Dr. Conant's appraisals of American education have been underwritten by the Carnegie Corp. of New York, at a cost of about $950,000.

[From the New York (N.Y.) Times, Sept. 15, 1963]

Text of Dr. Conant's Recommendations for the Better Training of Teachers

1. Certification requirements: For certification purposes the State should require only (a) that candidate hold a baccalaureate degree from a legitimate college or university, (b) that he submit evidence of having successfully performed as a student teacher under the direction of college and public school personnel in whom the State department has confidence, and in a practice-teaching situation of which the State department approves, and (c) that he hold a specially endorsed teaching certificate from a college or university which, in issuing the official document, attests that the institution as a whole considers the person adequately prepared to teach in a designated field and grade level.

2. Collegiate or university responsibility: Each college or university should be permitted to develop in detail whatever program of teacher education it considers most desirable, subject only to two conditions: first, the president of the institution in behalf of the entire faculty involved—academic as well as professional—certifies that the candidate is adequately prepared to teach on a specific level or in specific fields, and second, the institution establishes in conjunction with a public school system a State-approved practice-teaching arrangement.

3. Cooperating teachers in practice teaching: Public school systems that enter contracts with a college or university for practice teaching should designate, as classroom teachers working with practice teaching, only those persons in whose competence as teachers, leaders, and evaluators they have the highest confidence, and should give such persons encouragement by reducing their work loads and raising their salaries.

4. State financial responsibility for practice teaching: The State should provide financial assistance to local boards to insure high quality practice teaching as part of the preparation of teachers enrolled in either private or public institutions.

5. Programs of practice teaching: The State should approve programs of practice teaching. It should, working cooperatively with the college and public school authorities, regulate the conditions under which practice teaching is done and the nature of the methods instruction that accompanies it. The State should require that the colleges and public school systems involved submit evidence concerning the competence of those appointed as cooperating teachers and clinical professors.

6. State information service: State departments of education should develop and make available to local school boards and colleges and universities data relevant to the preparation and employment of teachers. Such data may include information about the types of the teacher education programs of colleges or universities throughout the State and information concerning supply and demand of teachers at various grade levels and in various fields.

7. Assignment of teachers by local boards: The State education authorities should give top priority to the development of regulations insuring that a teacher will be assigned only to those teaching duties for which he is specifically prepared, and should enforce these regulations vigorously.

8. Composition of NCATE: The governing boards of the National Council for the Accreditation of Teacher Education and the regional associations should be significantly broadened to give greater power to (a) representatives of scholarly disciplines in addition to professional education, and to (b) informed representatives of the lay public.

9. Function of NCATE: NCATE and the regional associations should serve only as advisory bodies to teacher-preparing institutions and local school boards. They should, on the request of institutions, send in teams to study and make recommendations concerning the whole or any portion of a teacher education program. They should, on the request of local boards, evaluate employment policies. They should provide a forum in which issues concerning teacher education and employment are debated.

10. Certification reciprocity among States: Whenever a teacher has been certified by one State under the provisions of recommendations 1 and 2, his certificate should be accepted as valid in any other State.

11. Initial probationary period of employment: During the initial probationary period, local school boards should take specific steps to provide the new teacher with every possible help in the form of: (a) limited teaching responsibility; (b) aid in gathering instructional materials; (c) advice of experienced teachers whose own load is reduced so that they can work with the new teacher in his own classroom; (d) shifting to more experienced teachers those pupils who create problems beyond the ability of the novice to handle effectively; and (e) specialized instruction concerning the characteristics of the community, the neighborhood, and the students he is likely to encounter.

12. Loan policy for future teachers: Each State should develop a loan policy for future teachers aimed at recruiting into the profession the most able students; the requirements for admission to the teacher-training institutions within the State should be left to the institution, but the State should set a standard for the recipients in terms of scholastic aptitude; the amount of the loan should be sufficient to cover expenses, and the loan should be cancelled after 4 or 5 years of teaching in the public schools of the State.

13. The all-university approach to teacher training: If the institution is engaged in educating teachers, the lay board trustees should ask the faculty or faculties whether in fact there is a continuing and effective all-university (or interdepartmental) approach to the education of teachers; and if not, why not?

14. Requirements for collegiate or university teacher education programs: The board of trustees should ask the faculty to justify the present requirements for a bachelor's degree for future teachers with particular reference to the breadth of the requirements and to spell out what in fact are the total educational exposures (school and college) demanded now in the fields of (a) mathematics, (b) physical science, (c) biological science, (d) social science, (e) English literature, (f) English composition, (g) history, (h) philosophy.

15. Foreign-language preparation: If courses are required in a foreign language, evidence of the degree of mastery obtained by fulfilling the minimum requirement for a degree should be presented to the board of trustees.

16. The establishment of clinical professors. The professor from the college or university who is to supervise and assess the practice teaching should have had much practical experience. His status should be analogous to that of a clinical professor in certain medical schools.

17. Basic preparation of elementary teachers: (a) The program for teachers of kindergarten and grades 1, 2, and 3 should prepare them in the content and methodology of all subjects taught in these early school years. Depth in a single subject or cluster of subjects is not necessary.

(b) The program for teachers of grades 4, 5, and 6 should provide depth of content and methods of teaching in a specific subject or cluster or subjects normally taught in these grades with only an introduction to the remaining elementary school subjects.

18. Practice teaching for elementary teachers: All future elementary teachers should engage in practice teaching for a period of at least 8 weeks, spending a minimum of 3 hours a day in the classroom; the period must include at least 3 weeks of full responsibility for the classroom under the direction of a cooperating teacher and the supervision of a clinical professor.

19. Adequate staffing of small colleges training elementary teachers: Those responsible for financing and administering small colleges should consider whether they can afford to maintain an adequate staff for the preparation of elementary school teachers. Unless they are able to employ the equivalent of three or four professors devoting their time to elementary education, they should cease attempting to prepare teachers for the elementary schools.

20. Single-field diploma for secondary school teachers: An institution should award a teaching certificate for teachers in grades 7 to 12 in one field only.

21. Clinical professors in institutions educating secondary teachers: Every institution awarding a special teaching certificate for secondary school teachers should have on the staff a clinical professor for each field or combination of closely related fields.

22. Teaching diploma for art, music, and physical education teachers: An institution offering programs in art or music or physical education should be prepared to award a teaching diploma in each of these fields without grade designation; institutional programs should not attempt to develop competency in more than one field in 4 years.

23. Revision of salary schedule by local school boards: School boards should drastically revise their salary schedules. There

should be a large jump in salary when a teacher moves from the probationary status to tenure. Any salary increments based on advanced studies should not be tied to course credits earned (semester hours), but only to the earning of a master's degree, based normally on full-time residence or four summer sessions in which the program is directed toward the development of the competence of the teacher as a teacher. Such a salary increment should be made mandatory by State law.

24. Financial assistance to teachers for study in summer schools: School boards or the State should provide financial assistance so that teachers may attend summer school after enrolling in a graduate school for the purpose of completing a program of the type stated in recommendation 23.

25. Leaves of absence for further education of teachers: School boards should provide leave of absence with salary for a full-time semester residence at a university to enable teachers to study toward a master's program, provided this program is designed to increase the competence of the teacher; State funds should be available for this purpose.

26. Master's degree programs: The graduate schools of education or their equivalent (in universities organized without such separate degree-granting schools) should devise a program for increasing the competence of teachers as teachers with the following characteristics:

1. It should be open to any graduate of the same institution in the same field of endeavor (e.g., elementary education, secondary school social studies, etc.).

2. Courses should be allowed for credit toward the 30 semester hours whether or not the courses are of an elementary nature, provided they are clearly courses needed to increase the competence of the teacher.

3. No credit toward the degree should be given for extension courses or courses taken on campus while the teacher is engaged on a full-time teaching job.

4. Passing of a comprehensive examination should be required for the master's degree, as is now the case in some institutions.

5. The summer school sessions should be arranged so that four summer residences will complete the degree requirements, or two summers plus one full-time semester residence.

6. If the offering in the arts and sciences is not wide enough to provide meaningful work in the summer session (as it would not be in some State colleges), arrangements should be made for the transfer of credit from a university summer school with a good offering of courses in subject-matter fields.

7. For elementary teachers, the degree should be master of education in elementary education; for secondary teachers, master of education in English (or science, or social science or modern languages or mathematics).

27. In-service education of teachers: To insure that the teachers are up to date, particularly in a period of rapid change (as in mathematics and physics), a school board should contract with an educational institution to provide short-term seminars (often called workshops) during the school year so that all the teachers, without cost to them, may benefit from the instruction. Such seminars or workshops might also study the particular educational problems of a given school or school district. (No credit toward salary increases would be given.)

CONCLUSIONS

When one examines the courses in education, one finds almost as much confusion as exists in general education. Here the cynic might well say that the professors are jealous of their share of the student's time but are ill prepared to use it well.

Academic professors and professors of education are in complete agreement only on one point, that practice teaching, if well conducted, is important. Aside from practice teaching and the accompanying methods course, there is little agreement among professors of education on the nature of the corpus of knowledge they are expected to transmit to the future teacher.

In view of the great diversity of opinions and practices to be found in the leading institutions, I conclude that neither a State authority nor a voluntary accrediting agency is in a position to specify the amount of time to be devoted to either academic or educational courses. What is needed is, on the one hand, for the State to allow freedom for institutions to experiment, and on the other for the academic professors and professors of education in each institution to take joint responsibility for the reputation of their college or university in training teachers.

What I have been arguing for in essence is a competition to see which institution will quickly earn a high reputation for preparing well-trained teachers. Once free competition becomes possible in any State, there will be every reason for the academic professors and the professors of education in each college or university within that State to join hands to enhance the reputation of their particular institution. Before that day arrives, however, laymen will certainly have to enter into the fray in many States, and public opinion must be aroused.

Yet in any such endeavor the quarrel among educators must not be made more bitter; the goal is not victory for either side but mutual respect and complete cooperation. Thus while this volume is a call for action, it is also a call for reconciliation. Once the quarreling educators bury their hatchets, the layman may put his present worries aside. That united efforts to prepare better teachers would result in better schools requires no argumentation; that the Nation would be the beneficiary of such a revolution is a self-evident proposition.

DATA ON EDUCATION OF TEACHERS

The following table is included in the Conant report to illustrate that many teachers offer instruction in subjects in which they have had little college education. It estimates the percentage of classes across the country that are taught by teachers with various hours of credit for college preparation in a specific subject. Six hours of credits represent about a 1-year college course.

	Hours	9 to 17	18 to 29	30 or more
Biology	8	13	22	57
Mathematics 9–12	11	12	32	45
Chemistry	14	20	32	34
Mathematics 7–8	34	19	26	21
General science	31	21	20	28
Physics	23	43	20	14

DECLARATION OF INTERDEPENDENCE

Mr. SCOTT. Mr. President, I have been shown an interesting and thought-provoking article on a Declaration of Interdependence, written by Robert Rosamond, which should be of interest to the Senate. Mr. Rosamond is the author of the fine book, "Crusade for Peace; Eisenhower's Presidential Legacy."

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE DECLARATION OF INTERDEPENDENCE

(By Robert Rosamond)

Thirteen and one-half years ago on February 2, 1950, Senator Brien McMahon, then chairman of the Joint Committee on Atomic Energy, rose to the floor of this Senate and spoke prophetically:

"Building hydrogen bombs does not promise positive security for the United States; it promises only the negative result of averting for a few months or years well-nigh certain catastrophe.

"We are plunged into a truly terrible arms race.

"There are really, I suggest, no more than two broad policies from which to choose. One consists in resigning ourselves to a generation of waging the cold war—that is, striving endlessly to contain Russia's outward pressure, pouring out our substance to stay ahead in the weapons competition even after the Kremlin becomes armed with hydrogen bombs, and cherishing indefinitely the hope that Soviet tyranny will somehow see the evil of its ways and reform itself from within. Arrayed against the choice of such a policy is 5,000 years of recorded history, which teaches again and again that armaments races lead to war—under today's conditions—hydrogen war.

"The other broad policy which we may choose consists in moving heaven and earth to stop the atomic armaments race, to establish worldwide atomic peace, and to make possible atomic-created abundance among all men. In pursuing that policy, we would tap to the roots the resources of our ingenuity and imagination; we would regard no suggestion as too startling or unconventional for careful consideration; and we would be guided, disciplined and inspired by our code of ethics and democratic, peace-loving decencies.

"It is my intense conviction that our decision, born of necessity, to build the hydrogen bomb must be accompanied by the immediate initiation of a moral crusade for peace having far greater potential effect than any physical weapon.

"Mr. President, if we should fail in the business of working in a crusade for peace, we would deal a severe blow both to our moral position and to our fervent hopes for a secure future.

"We now spend about $15 billion annually for armaments. Why not offer to take two thirds of this sum, or $10 billion, and, instead of amassing sterile weapons, use it to foster peace throughout the world for a 5-year period?"

Suppose we apply Senator McMahon's principle to the present time. We now spend about $50 billion for defense. Suppose we offered two-thirds of this sum each year, $33⅓ billion, for world economic development. Over a 20-year period instead of 5 years. That would be a tremendous $666⅔ billion total in 20 years.

Senator McMahon gave us the main advantages of such a program in that memorable address:

"Such a global Marshall plan might combine with the marvelous power of peacetime atomic energy to generate universal material progress and a universal cooperative spirit. In exchange for our own contribution * * * which we would save from the military budget, we would ask, first, general acceptance of an effective program for international control of atomic energy, and second, an agreement by all countries, enforced through inspection, that two-thirds of their present spending upon armaments be devoted toward constructive ends.

* * * * *

"Such a proposal, if advanced by our Government, might vividly bring home to all the world's population—in a manner far more successful than we have so far used—the profundity of our desire for peace. It would accomplish this result even if it accomplished nothing else. Perhaps through atomic power for industry and agriculture we can transform the deserts of Africa, Asia, and the Americas into blooming crop-producing acres, and the arid hills of the world into gardens. It is almost impossible to overestimate what all-out concentration upon atomic energy for peace might accomplish in terms of remaking and improving the physical environment of mankind."

The years have not dimmed the impact of the late Senator McMahon's speech. It lives with us yet as a cogent, urgent reminder of our present worsening predicament. The Senator pioneered a new principle which we may now call "wage total peace." This vision of decisive action was approved by the Senate in 1953, in 1955 and again in Senate Concurrent Resolution 48 passed by voice vote, August 6, 1959.

Similarly on November 20, 1959, the United Nations General Assembly adopted unanimously in its resolution 1378 "the goal of general and complete disarmament * * * and to use resources thus released for the benefit of mankind."

The Western powers referred to this resolution as the basis for their program of disarmament. On June 27, 1960, Frederick Eaton, President Eisenhower's representative on the United Nation's 10-nation Committee for Disarmament presented the official U.S. proposal for "general and complete disarmament." With few changes President Kennedy adopted these proposals as his own in the new administration's program for "general and complete disarmament" given to the United Nations, September 25, 1961, when the President called the world to a "peace race." The Soviet Union has also accepted the "wage total peace" principle, although it does not yet agree upon the details of inspection controls.

Good Pope John XXIII's papal encyclical "Pacem in Terris" harbinger of peace on earth also included the "wage total peace" concept. Pope Paul VI as recently as June 24 promised to launch a crusade for peace based on his beloved predecessor's history-making document.

Thus mankind has both the method and the goal before it, "wage total peace." Yet we see the terrible situation facing us: literally that of our extinction, of the possible thermonuclear ruin of this Nation, indeed of civilization, within a few hours, or days, or weeks. Therefore, as on the day Senator McMahon opened up a new frontier of ideas for mankind, the all-important question remains—more urgently than then—How can we begin to actually "wage total peace"?

What we require for the complex but absolutely necessary task of "general and complete disarmament" is the universal acceptance of a set of principles and plans governing the process of "wage total peace."

For there is no alternative as President Eisenhower said in his 1958 state of the Union message: "The only answer to a regime that wages total cold war is to wage total peace."

We must indeed forge a new public philosophy; formulate new principles, new standards of personal, national, and international conduct for the atomic era. We need a fresh charter, a new guide for mankind. The United Nations Charter was adopted before the agonizing birth of this new age at Hiroshima; and before the post-World War II expansion of communism. Since the end of that conflict, Communists have tightened their iron grasp of Eastern Europe including their coup d'etat in Czechoslovakia, their sweeping conquest of mainland China, their complete subversion of Cuba, and the strengthening of their Communist Party organizations around the world so that now there are approximately 40 million party members opposing us in 100 nations and territories. Truly a global struggle. Let there be no doubt in anyone's mind: we have not yet adequate relationships for survival with each other, as nations, as peoples.

The great and small countries of the world must recognize their interdependence, how deeply we are involved with one another; as well as their independence, their right to stand alone if they believe it vital to their interests. Therefore, we need a charter of interdependence, a declaration of interdependence to bridge the chasm in ideas, in ideologies; to give the formula or procedure of how we bind up the wounds in the world body politic.

As long ago as December 1952, the then President-elect Eisenhower, in a letter, thought of the declaration of interdependence as "a significant and provocative proposal," as the focal instrument for the proclamation of world brotherhood.

Again last winter Dwight Eisenhower wrote:

"We should like to proclaim an international brotherhood of freemen and see this idea take fire around the world."

One year ago on July 4 in my own Philadelphia, the City of Brotherly Love, at the cradle of liberty, the President of this Nation spoke out across Independence Mall, "The United States will be ready for a declaration on interdependence."

We are ready for that new declaration. The confluence of events, the seriousness of our position, of indeed all mankind, our need of one another, our feeling that we are but at "the dawn of our destiny" as Eisenhower phrased it, impel us to principles and procedures and action that will lead the world toward peace. The ideas and inspiration generated by dedicated men and women can cross borders, penetrate minds, persuade. Pope John XXIII is a superb example, his "Pacem in Terris" being absorbed into the world conscience.

In addition to waging total peace, what are some of the essential new principles for living harmoniously in the atomic age that should be woven into this new declaration of interdependence? Strangely enough many of these formulations have been stated and stated well where everyone could observe and measure them.

Yet few of us recognized their relevance. Always the sublimely useful comes upon us gently, with humility and selflessness; waiting upon us, our response, our initiative.

Now I think it is time we bring these new treasures of the human spirit into a focus where all can see their clarity, their many faceted practicality; and the urgency of their adoption into the fabric of our lives.

I shall not hold you in suspense any longer. Over the 8 years of his Presidency and since his farewell address; in speech, in letters, in significant formal messages: Dwight Eisenhower gave us in simple eloquence, comparable to Abraham Lincoln's wisdom, the foundation of an atomic age society:

"So we voice our hope and our belief that we can help to heal this divided world * * * thus may the weight of fear and the weight of arms be taken from the burdened shoulders of mankind * * * when men and nations shall share a life that honors the dignity of each, the brotherhood of all.

* * * * * *

"The building of such a peace is a bold and solemn purpose. To proclaim it is easy. To serve it will be hard. And to attain it we must be aware of its full meaning—and ready to pay its full price."

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"We must face up to these problems for the only alternative is a world living on the edge of disaster.

* * * * *

"The atomic age has so greatly increased the destructive power of weapons that we sometimes visualize in a single and destructive surprise attack, almost a decisive act in the event of an outbreak of hostilities.

* * * * *

"No other aspiration dominates my own being so much as this: That the nations of East and West will find dependable, self-guaranteeing methods to reduce the vast and essentially wasteful expenditures for armaments, so that part of the savings may be used in a comprehensive and effective effort for world improvement.

* * * * *

"The sum of our international effort should be this: The waging of peace with as much resourcefulness, with as great a sense of dedication and urgency as we have ever mustered in defense of country in time of war.

* * * * *

"We are ready, in short, to dedicate our strength to serving the needs, rather than the fears, of the world.

* * * * *

"And the concept of the open society is the ultimate key to a system of arms control we all can trust. We must, then, seek with new vigor, new initiative, the path to a peace based on the effective control of armaments, of economic advancement, and on the freedom of all peoples to be ruled by governments of their choice. Only thus can we exercise the full capacity God has given us to enrich the lives of the individual human beings who are our ultimate concern, our responsibility * * * and our strength.

"The nature of today's weapons, the nature of modern communications and the widening circle of new nations make it plain that we must, in the end, be a world community of open societies.

* * * * *

"People everywhere must now achieve an allegiance to the wider, free-world community, and doing so they will thereby strengthen, make more meaningful—their devotion to family, to state, and nation.

* * * * *

"This is our home—yet this is not the whole of the world. For our world is where our full destiny lies—with men, of all peoples and all nations, who are or would be free. And for them—and so for us—this is no time of ease or rest.

* * * * *

"The greatest change of all is the development of an exacting interdependence between free nations that involves the oldest and the youngest nations, the largest and the smallest, the most prosperous and the least developed of nations.

"This interdependence calls for new thinking, new institutions, new vision.

* * * * *

"Everywhere knowledge and ideas * * * are routing centuries of ignorance and superstition * * * peoples now know that poverty and suppression are neither universal nor are they inevitable * * *. For if the growing power of freemen is wisely and skillfully applied toward the common aspirations of humanity, then a world of peace and plenty becomes a high probability * * *. Our own economy will soar to new heights.

* * * * *

"The world must learn to work together—or finally it will not work at all * * *. The task ahead is not for the fainthearted.

* * * * *

"We know—and all the world constantly reminds us—that the future well-being of humanity depends directly upon America's leadership * * *. I say emphatically that this leadership depends no less directly upon the faith, the courage, the love of freedom, and the capacity for sacrifice of every American citizen, and every American home, every American community.

* * * * *

"Our responsibility in the search for solutions is inescapable. And, since, in our country the basic social power is in the hands of all the people, each citizen bears directly a part of the responsibility for right action. Each of you here today must help make the fateful (world) decisions of the future.

* * * * *

"We cannot look to one man, no matter how great he could have been—a man with the wisdom of Solomon, the patience of a Lincoln, the military genius of a Napoleon, the philosophical insight of a Socrates. Even such a man could not carry on this crusade and this necessary work by himself.

* * * * *

"In the councils of Government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.

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"I like to believe that the people, in the long run, are going to do more to promote peace than our governments. I think people want peace so much that one of these days governments had better get out of their way and let them have it.

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"We need more individual diplomats from Main Street, from our farms, schools, laboratories—from every walk of life.

"PEOPLE TO PEOPLE IS WHAT WILL SAVE THE WORLD

"The world is astir today with newly awakened peoples. By the hundreds of millions, they march toward opportunity to work and grow and prosper, to demonstrate their self-reliance, to satisfy their aspirations of mind and spirit. Their advance must not and cannot be stopped.

"These hundreds of millions help make up the jury which must decide the case between the competing powers of the world.

"The system, or group of systems, which most effectively musters its strength in support of peace and demonstrates this ability to advance the well-being, the happiness of the individual, will win their verdict and their loyal friendship.

* * * * *

"But we must never agree to injustice for the weak, for the unfortunate, for the underprivileged, well knowing that if we accept destruction of the principle of justice for all, we cannot longer claim justice for ourselves as a matter of right.

* * * * *

"And opposed to them, the Communists, there is no single, global effort to promote knowledge and cooperation. To give the world the truth, the free nations rely largely on the volunteer efforts of individuals—efforts often weak because they are uncoordinated.

* * * * *

"Today, there is no more important knowledge for each of us to understand than the essential characteristics of this struggle (communism vs. democracy)."

President Eisenhower's reasoning leads us to new action. It is long past the time when we should have had a worldwide organization of consecrated men and women to contend successfully with the long established, heretofore expanding Communist world movement—in the framework of an emerging global two-party political system. Surely, this Senate, this Nation, understands the function of a responsible opposition, a responsible two-party, or diverse political exchange. For out of that vigorous dialog usually always comes a peaceful consensus.

We must become not only a united people here in America but united peoples everywhere in the world to change the course of communism to constructive ends. For there is this hope in unity as expressed by Eisenhower when President:

"There lies before the free nations a clear possibility of peaceful triumph. There is a noble strategy of victory—not a victory over any peoples, but victory for all peoples.

* * * * *

"We seek victory not over any nation or people—but over the ancient enemies of us all; victory over ignorance, poverty, disease and human degradation wherever they may be found.

* * * * *

"We must seek, by every peaceful means, to induce the Soviet bloc to correct existing injustices and genuinely to pursue peaceful purposes in its relations with other nations.

* * * * *

"What we must do is to widen every possible chink in the Iron Curtain and bring the family of Russia, or any other country behind that Iron Curtain, that is laboring to better the lot of their children—as humans do the world over—closer into our circle, to show how we do it, and then to sit down between us to say, 'Now, how do we improve the lot of both of us?'

* * * * *

"The world knows that an era ended with the death of Josef Stalin. * * * The Soviet system shaped by Stalin and his predecessors was born of one World War. It survived with stubborn and often amazing courage a Second World War. It has lived to threaten a third.

* * * * *

"Now a new leadership has assumed power in the Soviet Union. Its links to the past, however strong, cannot bind it completely. Its future is, in great part, its own to make. * * * This we do know: A world that begins to witness a rebirth of trust among nations can find its way to a peace that is neither partial nor punitive.

* * * * *

"We honor, no less in this divided world than in a less tormented time, the people of Russia. We do not dread, rather do we welcome, their progress in education and industry.

* * * * *

"We knew that every negotiation with the Communists would be fraught with traps and pitfalls, but we knew, too, that positive determined day-to-day toil would pay real dividends among the free nations. We sought a rebirth of trust among all nations—not a mere breathing space from imminent crisis.

* * * * *

"How can a few men thwart the will of hundreds of millions?

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"It is perfectly clear that he (Nikita Khrushchev) is the only man who has the opportunity, let us say, the authority really to negotiate.

* * * * *

"In this memorable task (a peace based on the control of armaments, on economic advancement and on the freedom of all peoples) there lies enough work and enough reward to satisfy the energies and ambitions of all leaders everywhere."

I would deduce from Mr. Eisenhower's conclusions that it is essential to consciously guide the Soviet leaders into the ways of peace—which simplifies our task over the short term. Persuade a few men. At the summit or wherever they may be found. It is absurd that one man or a few men hold all humanity in constant fear of war.

Toward a more permanent structure of peace it is only proper that the people of the world have their part in putting together this new declaration of interdependence. You can trust the people with our world policy for after all it is their destiny.

Let us tap the almost unlimited reservoir of the energies of the peoples of the earth including that unused leadership among us. I can think of no more competent person to preside over the drafting of these principles in the form of the declaration of interdependence than Dwight D. Eisenhower.

He is chairman of the board of trustees of the people-to-people organization which has its headquarters in Kansas City, Mo. It is now time to arrange a world people-to-people convention of recognized leaders and dedicated people to consider and to adopt the declaration of interdependence proclaiming the brotherhood of man. May the President and Congress of the United States lend their encouragement and participation.

I am convinced of the immediacy and urgency of this people-to-people convention beyond any doubts, objections, or reservations that have yet been offered.

Forty million members of the global Communist political organization compared to our practically nonexistent counter organization should be reason enough for us in addition to the unanswerable demand for survival.

New York City is an ideal location because the United Nations would probably make some of its facilities available to the convention. During the next 2 years of the New York World's Fair in 1964 and 1965, tens of millions of people could take advantage of the opportunity not only to learn what they can do for peace but also to join this crusade as members of people to people. Chairman Eisenhower's present request for people-to-people membership is a stirring call to action: "I invite you * * * in fact, I urge you to join me in the greatest effort ever undertaken to build a world in which people can live in freedom and security."

One of the ingrained advantages of this impending declaration is placing in proper perspective the priorities. For example: the passion for racial equality depends upon peace. Inevitably, the declaration of interdependence should—without coercion—establish human brotherhood as a national goal as well as the aim of the world; carrying us far closer to equal opportunity for all races and creeds.

Naturally, we should codify some of these aspirations into legislation. Nevertheless, the moral conscience and spirit of reconciliation will make a firmer basis for law: and better than that this new declaration will stimulate a more cordial understanding and appreciation of one another.

I hope, I believe, I pray, that the Senate, the Congress, this Nation, the world will welcome our declaration of peace. For though the Congress constitutional power to declare war is now largely in the hands of the President, due simply to the probability that there may be little or no time to consult the Congress in the event of enemy attack; this representative body still has the power to declare peace in cooperation with the administration.

Let them then say of this day, "peace was declared."

I urge the Senate and House to enact a joint resolution entitled: "Declaration of Peace."

THE SITUATION IN SOUTH VIETNAM AND AMERICAN POLICY IN SOUTHEAST ASIA

Mr. JACKSON. Mr. President, this country and the Government of this country are now engaged in a full-scale discussion of the situation in South Vietnam and of American policy in southeast Asia.

I ask unanimous consent to include in the RECORD at this point, as a contribution to this discussion, a statement by the Veterans of Foreign Wars supporting President Kennedy's argument for a strong U.S. policy against Communist aggression in South Vietnam.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT FROM THE VETERANS OF FOREIGN WARS OF THE UNITED STATES, SEPTEMBER 10, 1963, WASHINGTON, D.C.

Veterans of Foreign Wars Commander-in-Chief Joseph J. Lombardo, Brooklyn, N.Y., today notified President Kennedy of the VFW's full support for his policy to continue U.S. assistance to the South Vietnam Government in its war against Communist aggression.

Commander Lombardo, who traveled extensively in South Vietnam last May, told President Kennedy by telegram, that VFW support was based upon a resolution, unanimously adopted by the recent 1963 convention of the VFW in Seattle, Wash., urging the United States to take whatever steps are necessary to win in South Vietnam.

The text of Commander Lombardo's telegram to President Kennedy follows:

"Dear Mr. President: The Veterans of Foreign Wars of the United States congratulates you and pledges its full support for your decision to support the South Vietnam Government's efforts to defeat Communist aggression. During the recently completed national convention of the Veterans of Foreign Wars in Seattle, the thousands of delegates unanimously adopted a resolution urging whatever action is necessary, both economic and military, to defeat Communist aggression in South Vietnam. We thoroughly concur in your opinion that a reduction of aid to South Vietnam could weaken the anti-Communist government of that nation and bring about its collapse.

"On the basis of my personal observation of conditions in South Vietnam only a few months ago, I am of the firm opinion that U.S. policy there is basically sound and that the determined effort by the South Vietnamese, with U.S. advice and assistance, can defeat Red aggression against that country. Such a vital victory for the free world can be achieved if our Nation adheres to your policy of getting on with the main effort there which is the defense of freedom and the defeat of communism. The Veterans of Foreign Wars deplores the statements and efforts of those in this country who call for reduction of U.S. aid and partial or complete withdrawal of our effort from South Vietnam because of internal difficulties. Such reduction in aid as well as withdrawal would, as you indicated, set the stage for Red conquest of South Vietnam. This in turn, the VFW is convinced, would undermine free-world defense throughout the entire southeast Asian area.

"On behalf of the 1,300,000 oversea combat veterans of the Veterans of Foreign Wars, I pledge you our support of whatever action is necessary to win in South Vietnam.

"Respectfully yours,

"JOSEPH J. LOMBARDO,
"Commander-in-Chief, Veterans of Foreign Wars of the United States."

SPEECH BY SENATOR JAVITS ON CIVIL RIGHTS

Mr. PELL. Mr. President, yesterday I had the pleasure and privilege of hearing a really remarkably fine speech by our able colleague Senator JACOB K. JAVITS at the bicentennial celebration of my own Newport's beloved Touro Synagogue.

Senator JAVITS, who is both articulate in his thoughts concerning civil rights and a leading fighter in their cause, whose civil rights record I had long admired before joining this body and enjoying his friendship, emphasized the danger of silence. As he pointed out, most totalitarian movements, most injustices, result from silence on the part of the majority of normal law-abiding, conscience-filled citizens. And, it was this point that he emphasized in Touro Synagogue.

Accordingly, I ask unanimous consent that Senator JAVITS' speech may be inserted in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE FIGHT TO FREE OURSELVES

When this small synagogue was dedicated in Newport 200 years ago, liberty was the theme of our age. This temple was born and nurtured in a setting that was as inspirational as it was historic.

This site in the colony of Rhode Island—which Roger Williams founded as a citadel of religious liberty, opening its arms to the oppressed from, across the seas—is as symbolic of the heritage of our Nation as any piece of earth could be.

The letter to this congregation from George Washington, with the immortal words that the United States "gives to bigotry no sanction, to persecution no assistance"—words that were written before even the Bill of Rights in the Constitution was adopted—is as symbolic of the soul of our Nation as any document could be.

Thus, on this bicentennial celebration, we can look at this splendid temple with passion and with pride; and with the knowledge that in places such as this, the human spirit was first ennobled in the United States; and the American dream was first articulated.

We also cannot help but be reminded of a tableau 3 weeks ago at another shrine, in Washington, D.C., when liberty was again the theme. There, the spiritual leader of the current civil rights revolution cried to us that the American dream was too long forgotten by too many and too long denied to those so ardently reaching for its realization.

And so, the fight for liberty continues; the crusade for human dignity goes on; the struggle to bring meaning to the American promise is still far from won.

This is a struggle which we must face in the communities no less than in the Congress, in our synagogues and churches no less than in our business establishments and recreational facilities. And as Jews we have a special responsibility to set forth by example and in highly positive deeds the great religious and prophetic tradition to which we are the heirs.

The extent to which this crusade is the major unfinished business of our society was never more dramatized than by published polls this past week which declared that 50 percent of our Nation believes that integration is moving too fast.

Just think of it—if these polls really reflect deep convictions, it means that half of our Nation may not yet have freed itself of this sorrowful irrationality.

The synagogues and churches of our land will not be persuaded by such polls; and I hope politicians will not either. For I believe that while the 50 percent of those questioned may have said too fast, the consciences, when properly appealed to, of those same Americans will give a different answer.

This is the most powerful force in this current struggle—that the deeply held conscience of the white American is on the side of the Negro, whatever may appear to be his off-the-cuff emotions.

This is why every level of our society must be enlisted to bring about a moral awakening among the American people—to or to put it more bluntly, to stir the uneasy conscience of every white American so he may free himself of bias.

This fight to free ourselves is the great, unwritten struggle being waged today in the depths of each individual soul. It is a battle for survival of the American dream, and of the human spirit.

Our minds hear the message: When freedom is denied to one man, it is denied to all; for freedom is noble and indivisible. If we want to enjoy it, it must be extended to everyone; if we want to maintain it, we must fight for it.

These simple truths are enshrined in this synagogue, as they are enshrined in the hearts of every Jew. The accumulated experience of centuries of persecution have equipped the Jewish community—perhaps more than most—with the ability to understand that the security of one minority is no greater than the security of any other minority just as the denial of liberty to one American threatens the liberty of every American.

It is this identity of interest between the Negro minority and other minorities in the United States which gives this 1963 civil rights revolution strength and effectiveness. It is this identity of interest which should make possible joint and interdependent action to eliminate these injustices from American society.

We cannot allow ourselves to be barred from this struggle, as some misguided Negroes suggest, for an American struggle for the soul of our Nation is neither for whites only nor for Negroes only.

The rabbis and priests and ministers who joined the freedom marchers in Birmingham; in Gwynne Oaks, Md.; in Albany, Ga.; in Jackson, Miss.; and in the other towns and cities—they gave substance to this truth. The 200,000 men and women of all faiths and color who participated in the August 28 march on Washington—a demonstration which enriched our democracy as few events ever have—they recognized this, too.

But not everyone has to march or to picket or to demonstrate in order to make an effective contribution to this fight. But neither can anyone remain aloof—every American must speak his conscience and act its dictates on this racial crisis. Silence has been the greatest weapon for the demagogs. It has caused mankind's darkest hours—as no Jew of modern times can ever forget.

The problem is not confined to the South, as we all know. In the North and among all groups, there are problems of "silence," too—of an unwillingness to implement convictions, a reluctance to be the first to tread on unwalked paths.

A Negro leader once confessed to me, "In the South, we know our enemy; in the North, we don't always know—and that is sometimes more difficult."

This struggle is more than just the number of votes that are needed in the Congress to pass civil rights legislation; and that it is more than the dramatic confrontations between State and Federal power which we have seen in Mississippi and Alabama.

It is, above all, an enormous battle of conscience—which will not be resolved until each individual is willing to take inventory, to realize that the resolution cannot be put off for another day or for another generation; and that now is the time to commit our hearts as well as our minds.

I feel the stirrings of this battle of conscience.

I see it in the letter a woman wrote to the New York Times, telling of her search for a way to implement her convictions. She wrote that she went "rather impulsively, to the evening service at a local Negro church * * * I was welcomed * * * and I recommend such activities to friendly white Americans. Don't be afraid to go it alone at first. Others will follow. And if enough of us show our spirit in some such way, no longer can our Negro leaders feel that there has been no moral awakening or conversion among the American people."

I feel this stirring, too, in the mail coming into my office. Few people realize that even a Senator from New York—for 6 years until this year—had received more mail opposed to civil rights than mail favoring it. But this summer, that trend has sharply reversed. The "good people" are beginning to write, to speak out on what bothers their consciences and what they know is right.

I feel these stirrings, too, on the floor of the Senate. There have been days in my 15 years in Congress when to plead for civil rights was a lonely battle, irritating to the establishment; and the coldness of the reception would hang icily in the air. Today, there is warmth and great understanding that this battle has to be waged now for it relates to the very destiny of our Nation.

It is the stirring of conscience, too, on equal opportunity which is forcing businessmen to review their hiring and promotion practices; which is forcing labor unions to review their admission and apprenticeship policy; which is forcing others to examine their reasons for patronizing particular stores, hotels, or restaurants, or for deciding in what community they will live; and what schools they want their children to attend. It is this stirring of conscience which is awakening Americans to their personal opportunities to afford equal opportunity to our fellow Negro Americans in myriad ways not affected by laws.

The battle will be won when this conscience can be translated into action. If we can succeed in doing this now, our Nation will be nourished and enriched; our society will be fuller and stronger. And we will free ourselves at last.

The founders of the Touro Synagogue 200 years ago helped launch our Nation upon the noble principle of religious liberty and brotherly understanding. Today, as we honor their memories, let us take a solemn pledge to emulate their courage and their convictions by pushing toward a goal of equal opportunity for all Americans with our personal as well as public commitments clear and unequivocal.

To recapture their vision of America, we must speak out and act as plainly as did our forefathers here.

LOCAL SERVICE AVIATION

Mr. McINTYRE. Mr. President, I am most gratified by the nationwide favorable reaction to suggestions that Government should join with airplane manufacturers and airlines in an accelerated effort to develop a short-haul passenger aircraft. The chairman of the board of a southwestern airline writes that his company is presently serving small cities without subsidy or mail pay, and at a profit because he can offer frequent service with good load factors in small planes. He terms the short-haul airplane "the real key to success to airline service for more cities in the Nation, and not to just a select few."

Considerable interest has been expressed in the possibility of licensing American manufacturers to produce such planes as the Fairchild F–27, the Potz 840, and the Nord 262. The low-cost plane design committee of the Association of Local Transport Airlines and the National Association of State Aviation Officials are representative of the national groups that have become interested in the potential of such an airplane. I hope the development of such an aircraft, or several competing versions, will stimulate our lagging airframe industry. In its September 14 issue, the Economist notes the withdrawal of Douglas Aircraft from the supersonic airliner competition, and makes some sobering comments on the state of this industry in America. I ask unanimous consent that this article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Economist, Sept. 14, 1963]

DOUGLAS DECLINES

The Douglas Aircraft Co., dying limb by limb like a great oak, has told the Federal Aviation Agency that it will not be taking part in the design competition for a supersonic transport. The announcement cannot have surprised those who have watched Douglas' efforts to raise sufficient money to finance the development of such a relatively simple aircraft as the little jet DC–9. It has achieved this only by persuading its many subcontractors to carry the development costs of their own separate components and the company frankly admits in its letter to Mr. Halaby, the head of the FAA, that its resources will not stretch to supersonic design as well. But it is still a shock to see one of America's three great builders of civil aircraft bow itself out of the market. For 30 years Douglas aircraft have dominated civil flying. Now the company is holding on with a trickle of repeat orders for DC–8 jets while it hopes sufficient buyers will come in to justify going on with production of the DC–9. If they do not, Douglas could retire from the aircraft business altogether and become exclusively a builder of missiles. Its decision not to submit a supersonic bid, after a great deal of preliminary work and the construction of a fantastic fairyland of a new engineering office, means that it will in any case not build a big civil aircraft again in this generation.

Not that any of the big aircraft builders are exactly falling over themselves to take up Mr. Halaby's invitation to tender by next spring. The Lockheed Aircraft Corp. has been out of the civil market since the jets were introduced in the late 1950's, while the Boeing Co., although it has not made losses comparable to those that Douglas has suffered on DC–8 production, will still not recoup its investment in the fabulously successful 707 jet for another year or so, when the aircraft may be near the end of its production life. General Dynamics is still winded from the $400 million cropper that it came over its own medium jet airliner. North American Aviation, the only company actually to have built (or tried to build) a big mach 3 aircraft, the B–70 bomber now downgraded to experimental status, is in deep technical trouble that may lead it to scrap both B–70 wings and start again on a new design. The last thing that any of these companies want is to take part in a supersonic race to beat the Anglo-French Concorde at Mr. Halaby's bidding unless he is prepared to shoulder the whole of the cost, which he has said specifically that he will not do. There is a good deal of irritation inside the industry on the ground that Mr. Halaby' is attempting to force the pace before the industry is ready for it. Had any of these companies thought the Concorde was the right kind of supersonic aircraft to build, they would have said so long ago. But the alternative takes a bit of thinking out.

Mr. McINTYRE. Mr. President. I do not intend to criticize the decision to press forward with the development of a supersonic transport. The advance of technology often requires deep faith in the ability of manufacturers and users to avoid difficulties apparent at the beginning of the development process. But I do wish to observe that such difficulties do exist, and that our planning for an American entry into this field indicates the strength of our faith and the depth of our determination to overcome obstacles. As an indication of what these obstacles may be, I ask unanimous consent that an article from the Washington Post of September 15 be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IS THIS 1,400 M.P.H. AIRLINER REALLY NECESSARY?

(By B. K. O. Lundberg)

LONDON.—For the past few years there has been a controversy raging, essentially within the aviation community, whether or not to introduce civil supersonic transports—SST's.

Now that the British and French Governments have decided to build the mach 2.2 Concorde, and President Kennedy has proposed a supersonic transport development program, it might seem that there is no point in continuing the discussion. In my opinion, however, the launching of supersonic aviation would have such serious consequences—for civil aviation and for virtually the whole of mankind—that the discussion must not stop at this point.

SAFETY IN QUESTION

The prospective supersonic transport manufacturers have declared repeatedly that supersonic airlines will be at least as safe as the jets of today. The facts, however, suggest otherwise.

An aircraft designer can normally do a great deal to minimize foreseeable risks. When working on a new aircraft, past experience and laboratory tests help him to exercise this all-important foresight. But he can do nothing about risks that he fails to foresee.

The number of such risks increases rapidly with the number of radically new design features that are introduced. Supersonic transports cannot be built without introducing a host of radically new features simultaneously.

Furthermore, the supersonic transports will operate at exceptional altitudes where atmospheric conditions are still largely unknown. Hail and rain may be present in clouds up to at least 75,000 feet. Collision with hail at supersonic speed can undoubtedly be catastrophic; even flying through heavy rain might be serious.

Improvements in radar seem unlikely to solve these problems, so elaborate control from the ground will be essential. For instance, the aircraft will need very wide and deep flight corridors along the whole route. Weather conditions will often compel rerouting just before or during flight. There will also be unpredictable conditions; clear air turbulence and jet streams are not, so far, detectable by ground radar or weather satellites.

For the first time in the history of transport, therefore, passengers will be carried in a vehicle whose crew is virtually blind.

TEN YEARS OF TESTING

Another hazard facing the SST's is structural fatigue. Friction of the air on wings and fuselage will produce aerodynamic heating and hence thermal stresses, also possibly creep. These effects will be far more complex and difficult to predict than in the case of subsonic aircraft.

Laboratory tests will be much more extensive but will be of rather limited value. This is because when high temperatures are involved, the duration of exposure is significant.

To sum up, the SST safety level—contrary to the case of a new type of subsonic aircraft—can be assessed only by actual service experience.

The present overall safety level in scheduled aviation is about one fatal accident in 300,000 hours of flight. Thus no clear indication of whether or not the SST safety level is of the same order can be obtained until a multiple of 300,000 hours has been flown. For reasonable confidence, at least 1,500,000 hours—or 50 SST's entire service life of, say, 30,000 hours—will be required. In other words, the testing time will be over 10 years.

Therefore, assurances that SST's will be as safe as subsonic aircraft can be nothing but wishful thinking.

BILLION-MILE GOAL

The need for higher safety standards is becoming urgent. In scheduled commercial aviation, the deaths per passenger-mile are some 5 to 10 times higher than for commercial surface transportation. Deaths per travel-hour are 30 times higher. The situation for charter aviation is even worse.

The safety of civil aviation improved steadily until 1953, but has since remained virtually static. The result has been a steady increase in the annual total of passenger deaths in proportion to the growth of civil aviation. If present trends continue to the end of the century, there will be some 60,000 passenger deaths a year.

In "Speed and Safety in Civil Aviation," I have proposed a new long-term policy designed to achieve a radical improvement in the safety level. I have suggested a 1980 target of not more than one passenger death per 1 billion miles—i.e., one-tenth of the present rate.

The fundamental feature of the method—too technical to describe in detail here—is to divide up the various categories of aviation risk and allocate numerical safety standards to each based on a statistical probability analysis. This could, I think, be a useful tool for controlling and regulating safety standards with the help of airworthiness and flight operations regulations.

The continuous improvement of the safety level in this or any other way calls for immediate international planning. The next 5 to 10 years are critical. There can be no doubt that an all-out effort in the next decade to develop and introduce SST's will seriously hamper the prospects of improved safety.

Passenger safety is not the only serious hazard. There are two other grave problems: cosmic radiation and the sonic booms.

Two classes of radiation need to be taken into acount: background cosmic radiation, which is always present, and sporadic bursts of radiation from solar flares.

The latter can be intense, although below 55,000 feet most of it is absorbed by the atmosphere. It appears that passengers in an SST flying above 55,000 feet during the most severe solar flares might receive a dose of the same order as the maximum permitted for a radiation worker in the course of 3 months.

The proposed solution is that the SST's should dive below some 40,000 feet when instruments show a rise in radiation level and continue the flight at subsonic speed. The decision to dive would have to be made in a matter of minutes because the radiation dose builds up very quickly. But permission to leave the SST flight corridor will probably have to be obtained from Air Traffic Control. Thus even prompt action may not avoid exposure to an appreciable radiation dose.

An aircraft flying at supersonic speed produces a continuous shock wave which is heard on the ground as a sonic boom.

The boom strikes everywhere along a boom carpet varying from 25 to 100 miles wide according to the weight and height of the SST.

The effects of this manmade thunder range from annoyance to severe shocks for people taken unawares, as well as broken windows and other property damage.

If supersonic flying becomes widespread, the globe will be banded with boom carpets. It is a frightening prospect.

Advocates of SST's assure us that everything will be done to keep the boom intensities within tolerable limits by limiting supersonic flight to 35,000 feet and above. The tolerable limit is usually defined as an overpressure not more than 1.5 pounds per square foot. This will be produced by a mach 2.2 SST weighing 220,000 pounds and cruising at 60,000 feet.

One may well ask: Who has accepted this limit? Certainly not the victims—the general public; nor the International Air Transport Association; nor the International Civil Aviation Organization; nor, to the best of my knowledge, any government. And why should any nonmilitary boom disturbance be tolerated at all?

Then what should be the criterion? I suggest that the average boom intensity must be low enough not to wake up more than a small percentage of people sleeping in bedrooms with open windows where the background noise is low. Furthermore, the average boom intensity must not be appreciably higher in daytime.

Focusing effects of the atmosphere and maneuvers by the aircraft can frequently magnify the average bang two or three times. "Super bangs," perhaps 5 to 10 times more powerful than the average, will occur occasionally. Thus the average must be kept low enough for serious local magnifications not to occur too often.

The above conditions indicate that a higher average boom intensity than about 0.3 pound per square foot will probably not be acceptable. The only way to achieve this is to reduce the gross weight of the SST. But even if the average intensity were allowed to be as high as 0.5 pound per square foot, the aircraft would have to be so small that it could carry only a handful of passengers.

The suggestion that SST's should fly only over sparsely populated areas seems to me a ruthless proposition. If sonic booms are unbearable for people in cities, they are equally unbearable for people in the country.

Practical routes confined to sparsely populated areas would in any case be few, and scarcely economic. Even so-called sea routes cross many populated areas, and besides, there are limits to the boom disturbances that can be accepted by ships.

The SST's now being designed might not be permitted to fly at all outside the SST manufacturing countries.

PASSENGERS UNCONSULTED

Do passengers want to fly supersonically? It is remarkable that they have not been asked whether they wish to be shot rather than flown through the air.

The airlines did not demand supersonic aircraft. Indeed they have expressed great anxiety about the premature introduction of these machines.

Let us not be misled by the tentative orders that have been placed for Concordes. These are nothing but options to secure a place in the production line, and are the result mainly of the airlines' fear of falling behind their competitors.

The main pressure has come from large aircraft manufacturers on both sides of the Atlantic. But neither they nor the governments concerned have carried out any market research to discover what the passengers really want.

Aviation has brought about spectacular reductions in traveling time. It is natural to think of days and nights spent on trains and ships as lost time and the hours gained by flying as saving. Is this outlook valid when estimating the value of further increases in flight speed?

The few hours now spent in jet flights cannot be counted a complete loss to the passenger since the flight offers opportunities for relaxation and eating. The by now classical story of the man who, upon landing after a jet flight across Europe, refused to leave the aircraft until he had had time to finish his dinner is, I think, a most important lesson for the supersonic enthusiasts.

In contrast to flight time, ground time must be regarded as a 100-percent loss. The time spent in taxis and buses, waiting at terminals and airports, is thoroughly inconvenient. This is the field where improvements are really wanted.

Compare a subsonic and a supersonic flight of 1,500 miles, such as from London to Athens. Assuming the airport distance at each end to be 20 miles, the total ground time is almost 3 hours.

The flight time is 1½ hours shorter for the SST. Thus, while the SST is 150 percent faster, it will cut the total journey time by only 25 percent.

This might seem to be a real advantage, nevertheless, but other factors must be taken into account. To begin with, it seems inevitable that the SST will be substantially less comfortable than the subsonic jets for these reasons:

"Seat-belt time," when passengers have to keep their seat belts fastened, will be three or four times longer in the SST's. There will also be greater discomfort as a result of the high acceleration and deceleration and steep angles of climb and descent.

Jet passengers at present can expect to remain unbuckled for almost 3 hours of a 3¼-hour flight, ample time to serve and eat a meal. But SST passengers on a 1,500-mile flight must expect to be strapped in for all but some 45 minutes. This will leave little time for a meal, so passengers will have to eat after arrival. If time for a meal is added, practically all the SST's time advantage is dissipated.

Supersonic aircraft are likely to be noisier inside, mainly because of greater boundary layer sound of air rushing over the fuselage.

Space will be at a premium on these expensive aircraft, so passengers will sit closely packed.

SST passengers are likely to be subjected to a greater number of severe bumps because of the high speed at which turbulent regions will be encountered.

PREMIUM ON DISTANCE

For very long ranges—say, on routes of 2,000 miles or more—most passengers might prefer the SST provided that it offered equal fares, equally convenient arrival and departure times and equally accessible airports.

Let us consider the last point first. Many cities will have to build new airports when the existing ones become saturated. For noise reasons, the SST's will no doubt normally use the more distant airports.

The importance of reduced airport distance can be seen by comparing an SST using airports 20 miles from city centers and a jet operating only 5 to 10 miles from those centers. The gain in ground time would be more than an hour.

Next, fares. It is claimed that the "seat-mile" costs for SST's will be no higher than for present jets. Although this is open to doubts it is only part of the story.

To begin with, SST's sheer complexity, coupled with the effects of aerodynamic heating, will substantially increase maintenance times as well as costs.

Second, convenient scheduling of SST flights "around the clock," essential if the aircraft is to be used economically, will not be easy. Passengers may prefer SST's when their departure and arrival times do not encroach on the normal sleeping hours. But an Atlantic night flight on an SST will allow practically no time for sleep.

It seems unlikely that passengers will prefer SST night flights or very early or late SST flights to conveniently scheduled subsonic flights unless they can fly at an appreciably reduced fare. But the SST's will be helpless in a fares war.

RANGE FLEXIBILITY

A further great advantage of the subsonic aircraft is its superior "range flexibility." Whereas the SST will not be practical for ranges under 1,500 miles, long-range subsonic jets can fly economically over very short distances. On the many routes where there is too little traffic for profitable direct flights, they can thus make one or more intermediate stops.

Finally, some of the present subsonic jets fly nonstop over very long distances—up to 6,000 miles. This will be quite beyond the SST's, so that on routes such as London to Los Angeles, where their speed advantage would be indisputable, they will not be able to offer a direct service.

To sum up, the "standard seat-mile cost" of the SST will have to be well below that of the present jets to compensate for the lower annual utilization higher depreciation rates, higher maintenance costs and lower overall payloads.

On present knowledge, a sufficiently low seat-mile cost seems unattainable. It will certainly not be realized by current SST projects. Therefore, unless supersonic aviation is heavily subsidized, SST operators will lose money, either by charging "subsonic" fares which do not cover the seat-mile costs or by applying SST surcharges which will discourage potential passengers.

The long-term indirect consequences of supersonic flight are about as serious as its direct shortcomings. The enormous investment and effort needed to develop SST's will hamper the brilliant prospects now in sight to make aviation a really safe, cheap, and convenient means of mass transportation.

The governments concerned might, for instance, find it unwise to support energetically projects to reduce fares and airport distances which would effectively kill any chance of profitable SST operations. These governments will also be tempted to conceal an economic failure of SST's and to prop up supersonic aviation with special fare policies and trade agreements.

A SNOWBALL DANGER

Civil aviation has, indeed, come to a crossroads. It might seem that with the decision to build the Concorde, a point of no return has already been passed. This is not so, since not a single airline has signed a firm contract.

Nevertheless, there is a danger that one airline after another may feel compelled to secure a place in the Concorde production line—and later on become firmly committed. Thus, even if there were no landslide, there might be a snowball effect pushing us inextricably into the supersonic adventure.

What, then, should be done? For a start, the United Nations might be able to use its influence to prevent supersonic aviation being regarded as "inevitable" merely because development work has started on the Concorde. At the same time, several governments might announce that they will prohibit SST's from flying over their countries until the sonic-boom implications have been assessed and provided acceptable to the public.

Then the still uncommitted airlines might discover that they would be much better off if they waited to see whether SST's would be permitted to fly on the intended routes.

This would give them time to carry out really thorough studies of the passenger appeal and economics of these aircraft.

Mr. McINTYRE. Mr. President, commonsense dictates that we apply ourselves to providing for the local service needs of the future with a determination equal to clearing the obstacles from the path of the short-haul aircraft, just as we are apparently determined to do in the case of a supersonic transport. Last week, I introduced S. 2143, a local service aircraft development bill, which is now at the desk should other Senators desire to cosponsor. It is frankly a study bill, patterned after similar bills which have been introduced in the past. Consultation with agencies and private groups will establish the cost of this effort and the conditions under which it should go forward. Let me say at the outset, however, that the program should be modest, although urgent. It should make optimum use of existing facilities, agency competence, and aircraft design. It is in no sense an "attack" upon the supersonic transport concept. At this stage in the effort, the interest of other Senators would be a helpful indication that Congress is indeed interested in aircraft development for local service situations. Their cooperation in introducing this bill would speed action and promote discussion among all who share my interest in this subject. I ask unanimous consent that the text of the bill be printed at this point in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy of the Congress to promote, in the interest of safety, the national air transportation system, and the national defense, the development of improved local-service aircraft, especially adapted to and suitable for economical local-service operation, by providing for temporary Federal assistance in the development, testing, and modification of such aircraft.

Sec. 2. (a) The Administrator of the Federal Aviation Agency (hereafter in this Act referred to as the "Administrator") is authorized to carry out the purposes of this Act by—

(1) preparing broad operating and general utility characteristics and specifications for a type of local-service aircraft which he finds represents a potential advance over existing aircraft available for local-service operations;

(2) providing for the operation, by contract or otherwise, of aircraft developed pursuant to this Act under conditions simulating, to the extent practicable, the conditions under which local-service aircraft operate; and

(3) providing, by contract or otherwise, for the testing and modification of such aircraft which, in his opinion, best meet the operating and utility characteristics and specifications established by him in accordance with this section.

(b) In carrying out his functions under this section, the Administrator shall consult with interested Federal agencies, including the Department of Defense and the Civil Aeronautics Board, and with representatives of labor groups, of the aviation manufacturing industries, and of the air transport industry.

Sec. 3. (a) The Administrator is authorized, subject to the civil service laws and the Classification Act of 1949, as amended, but without regard to any provision of law limiting the number of personnel which may be employed by the Federal Aviation Agency, to employ and fix the compensation of such personnel as he may deem necessary to carry out his functions under this Act. To the extent practicable, and consistent with other duties and assignments, the personnel and facilities of existing Federal agencies shall be used in carrying out the responsibilities of the Administrator under this Act.

(b) In carrying out the provisions of section 2 of this Act, the Administrator may enter into contracts or other arrangements, or modifications thereof, with or without (1) legal considerations, (2) performance or other bonds, or (3) competitive bidding. In carrying out such contracts, arrangements, or modifications thereof, the Administrator may make advance, progress, and other payments without regard to the provisions of section 3648 of the Revised Statutes of the United States (31 U.S.C. 529).

Sec. 4. As used in this Act—

(1) the term "aircraft" shall include engines, airframes, propellers, rotors, instruments, accessories, and other equipment;

(2) the term "testing" means the operation of an aircraft incident to the procurement of a type certificate for such aircraft, and the operation of an aircraft, whether type certificated or not, in actual or simulated local-service operations for the purpose of determining the operating and utility characteristics of such aircraft; and

(3) the term "modifications" means any adjustment or change necessary and incident to carrying out the development and testing of local-service aircraft under this Act.

Sec. 5. The Administrator shall submit to the Congress on or before June 15 of each year, a report on the progress made in the accomplishment of the purposes of this Act, and the amounts of the expenditures made pursuant to this Act, together with recommendations as to such additional legislation as he may deem necessary.

Sec. 6. This Act shall terminate upon the expiration of the five-year period beginning on the date of its enactment.

KNOWLES DAM

Mr. METCALF. Mr. President, on August 19, comment was made in the other body—it appears on pages 15349–15353 of the Congressional Record—about Knowles Dam, which the Senate has twice approved. The statements made in the House regarding Knowles Dam are, in summary, 36 points, which I ask unanimous consent to have printed at this point in the Record.

There being no objection, the summary was ordered to be printed in the Record, as follows:

Summary of Statements in Congressional Record of August 19, 1963 (Pp. 15349–15353) on the Knowles Project

1. The project will take 20,000 acres of valuable Indian land and flood two and possibly three damsites owned by the Indians.

2. It is proposed in face of strong Indian opposition and violation of their treaty rights.

3. Indians state that treaty guarantees them the right to refuse giving their land to the Knowles project.

4. Treaty recognizes rights of Indians to development of the powersites, and Congress has on numerous occasions and by section 10(e) of Federal Power Act required approval of Indians before tribal lands may be used for power development.

5. Democratic Party promised no change in Federal-Indian treaty without consent of Indian tribes concerned.

6. Inconsistent position of Secretary of Interior as between its Bureau of Reclamation to build the dam and its Bureau of Indian Affairs which acts as trustee in the best interest of his wards, the Indians. They have indicated construction of Knowles not

in their best interests; that they wish to develop their own properties.

7. Secretary of Interior's position that, inasmuch as Indians want development it is up to Congress to determine which is best development, completely misses the point that Buffalo 2 and 4 would develop their properties, provide annual income, and would not flood 20,000 acres of their land.

8. Knowles would not provide greater benefits to Indians than would development of their own resources or renting their resources.

9. Assignment from Knowles of 1.1 billion kilowatts to Indians (equivalent to Buffalo 2 and 4 production) deducted from Knowles revenues would make B/C ratio 0.42 (50 year life, 2⅝ percent).

10. Project should not be recommended in light of strenuous opposition of Indians.

11. Project is of most questionable feasibility and should not be authorized.

12. This project is not multipurpose. Over 95 percent of benefits are power. Congress should not authorize purely power projects under the guise of multipurpose.

13. Project actually loses $12 million annually, equal to $700 million in 50 years, over $1 billion in 100 years. This is so because corps evaluates power benefits at 6 mills/kilowatt-hour and it will be sold at a net revenue of 1.29 mills/kilowatt-hour.

14. Standards should be set by Congress so that projects would not be feasible on a B/C ratio when they actually lose $700 million to $1 billion.

15. Taking of 20,000 acres of Indian land will have very serious effect on economy and development of Indians.

16. Cost of payment to Indians not considered in B/C ratio. Cost of acquisition of Indian lands is not considered. If cost considered, including cost of powersites which they could develop or lease, project would not be justified.

17. Indians are receiving $238,000 annually from Kerr Dam. Considering Indians here have two sites, payment would be far beyond the $30 million involved on Kinzua Dam.

18. Knowles would be highest cost per kilowatt-hour of any electricity in United States.

19. It is not for flood control, not for irrigation, purely for power.

20. Revenues from power sales will be $2,232,000; flood control benefits $447,000; recreation $58,000—total $2,733,000. That is the revenue. Costs are $13,739,000. Loss which taxpayers must pay is $11,002,000.

21. We are taking from the Indians 19,000 acres and their only chance for a livelihood.

22. Presentation of project has gone around proper committee of Congress and Secretary of Interior has passed his responsibility over to the Corps of Engineers.

23. We may also be violating the treaty with Canada whereby there can be no storage projects on this river without the consent of the Canadian Government.

24. Cost estimated at $272,964,000 (with interest/construction) but NP witness testified that railroad relocations understated by $32,970,000.

25. The project would flood 59,000 acres including 9,000 acres of irrigated lands.

26. It would cost from $1,066 to $1,195 per kilowatt installed capacity, making it most extravagant project in Columbia Basin.

27. Flood control objective can be met by Canadian Storage Treaty and by other projects in basin with higher B/C ratios so it is not needed for flood control.

28. Current B/C ratio unrealistic because (1) power benefits based on steam-electric plant cost rather than revenues; (2) because interest rate of 2⅝ percent way too low; (3) because no compensation included for Indians, and (4) because 100-year life not justified inasmuch as nuclear power will make the plant obsolete before then.

29. If 4-percent rate used and revenues project would produce, loss would be $10 to $11 million per year.

30. It would flood out Buffalo 2 and 4 which would result in savings to the Federal Government, taxes to Federal, State, and local governments and compensation to the Indians.

31. Buffalo Rapids would have 240,000 kilowatt capacity, almost the same as Knowles, and it would produce tax revenues of $2,772,000 annually.

32. Buffalo would cost $175 per kilowatt—Knowles 7 times this.

33. Because Knowles would operate at a loss, it would not provide any irrigation assistance anywhere.

34. It would destroy the Bison range.

35. It would flood out feeding grounds, nesting areas for pheasants, winter range for deer and elk, and destroy fine game fishing.

36. It would disrupt economy, peoples, buildings, etc.

Mr. METCALF. Mr. President, I asked the Corps of Engineers to comment on 33 of those points, excepting those numbered 5, 6, and 7, which involve the Democratic Party and the Secretary of Interior. I ask unanimous consent to have printed in the RECORD at this point the corps' excellent statement.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON THE KNOWLES PROJECT

The Knowles project was recommended by the Chief of Engineers in his review report on the Columbia River and tributaries in the interest of flood control, power generation, recreation, and other related water uses. With 3,080,000 acre-feet of usable storage for flood control, it was proposed as one of the key elements in the major water plan for control of lower Columbia River floods. Subsequent to the initial recommendation of the project by the division engineer, negotiations with Canada concerning the Columbia River Treaty had proceeded to the point that the potential contribution which Canadian storage including Libby, might make toward the flood control and power requirements of the U.S. portion of the Columbia Basin had to be assessed. The Knowles project along with all other projects previously recommended, was reevaluated in a system with Canadian storage, with their justification tested on the basis of meeting the flood control objectives, the power requirements, and the other water resources needs that would not be served by Canadian storage. Complete control of lower Columbia River floods will not be achieved by Canadian storage and additional projects will still be required in the United States. The Knowles project's flood control potential is less in a system with Canadian storage because the flood control requirements are less. However, as the only remaining storage above the confluence of the Snake River economically justifiable at this time and acceptable or feasible from the viewpoint of recreation and fish and wildlife interests, its 3,080,000 acre-feet of usable storage constitute a significant resource. Its development will not be solely in the interest of power. It will still be effective in contributing to complete control of lower Columbia River floods and will as well reduce flood damages sustained in the local basin area.

The Corps of Engineers' flood control objective is to control a flood of 1894 magnitude to 600,000 cubic feet per second at The Dalles. In addition to Canadian storage and Libby, an additional 7.6 million acre-feet properly located in the basin will be required to meet the objective. Of all the projects analyzed in connection with the flood control objective, Knowles is the only project remaining that is located above the Snake River in the Columbia River Basin in the United States that can be developed to provide the needed flood control regulation. Alternative plans considered included: (1) Paradise project which is not economically feasible when added after Canadian storage, (2) Smoky Range, dropped from consideration at the request of the Secretary of the Interior because of adverse effect on Glacier National Park, (3) Ninemile Prairie, located on the Blackfoot River, and Enaville, located on the Coeur d'Alene River were both found to be uneconomical when considered after Canadian storage.

In summarizing, there are no other projects having a higher benefit-to-cost ratio located above the Snake River that are feasible for early consideration. Moreover, the value of storage for other uses such as domestic and industrial water supply, water quality control and fish and wildlife and recreation in subsequent years can be expected to become much more important and will considerably enhance total project benefits over the useful life of the project.

The Knowles project, with its 3,080,000 acre-feet of storage and development of 234 feet of head, will in the system with Canadian storage add some 517,000 kilowatts of salable firm power (at 71-percent load factor) to the Northwest system resources. A block of power of this magnitude will be required to meet regional loads by 1972–73. Justification for supplying power by development of the Knowles project is based essentially on findings that the costs are less and will be less than costs of development of any available alternative sources of supply. In other words, the project is economically justified and constitutes a logical and supportable development for meeting regional power needs. This in no way is intended to imply that the production cost per kilowatt hour is as cheap as some previous projects built in the Northwest 20 to 30 years ago. We hardly expect to find any resource development or other productive values to be attained at those historical unit costs. What is shown by the justification analysis is that it is a good project for construction now, and is competitive costwise with alternative sources of power presently available. The Pacific Northwest has been fortunate, compared to some other sections of the country, in having vast hydroelectric power resource that could furnish low-cost energy. This is particularly true because of the dearth of cheap energy fuels in the region compared to other areas more amply endowed with such resources. The Northwest is fortunate still to have the hydroelectric power potential of the Knowles project, for the power produced at Knowles constitutes a cheaper source of energy than that now or in the future available in many other parts of the country.

The Columbia River power system today is 100-percent hydro but the time is approaching when all economical hydro will have been developed and thermal plants will be required to meet the continued load growth demands. Costs of alternative sources which will constitute the only remaining source of energy for the region are the yardstick used, the measure of benefits, to determine whether Knowles or any other hydro project now being considered for development is justified. This alternative cost value in the Pacific Northwest is approximately equivalent to non-Federal publicly financed steamplants. Development of this benefit value by the Federal Power Commission and its application as a feasibility test, that is, as a measure of benefits, is in accordance with the accepted and usual standards for evaluation of hydroelectric resource projects and is clearly set forth in Senate Document 97, 87th Congress.

Senate Document 97 standards also prescribe the policies and procedures for evaluating project costs, including the interest rate to be used, the treatment to be accorded taxes and other matters. The Knowles evaluation conforms to Senate Document 97 requirements in all aspects of the cost analysis including utilization of the interest rate as prescribed. It is a rate determined by the Bureau of the Budget and used by all agencies in analysis of water resource development projects.

We find numerous statements being made that the Knowles project will lose millions of dollars annually because revenues, measured by the present BPA system rate, are not equal to benefits and because the interest rate used in the project analysis is too low. This represents a completely erroneous and misleading view of the relationship of justification analysis and financial feasibility analysis.

In all power systems throughout the country, system rates reflect the average or composite of costs of all its energy-producing plants. The marketing of power from the Knowles project will be no different in this respect when it is added to the Columbia River power system. The Bonneville Power Administration which markets and distributes power from all Federal projects in the Columbia River system establishes a composite rate which reflects the varying production and transmission costs of all the components. The present Federal system comprises 12 operating hydroelectric projects. The unit cost of providing energy at the individual projects varies from about seven-tenths mills per kilowatt-hour at Grand Coulee which was built some 25 years ago up to about 5 mills per kilowatt-hour at Lookout Point in Oregon. For marketing and revenue purposes, however, the entire system must be treated as a unit. It would be prohibitively complex, inefficient, and expensive to tailor each customer's rate to reflect the cost of energy used on the assumption that it was generated at one particular project. The BPA wholesale rates are established on a system basis, so that the total power revenues will pay the total system expenses. The rate so established will understandably exceed the unit cost of production at a number of the projects in the system and will be lower than the cost at others. The power to be generated at Knowles and downstream therefrom will be absorbed into the BPA system and marketed at established system rates. The production expenses will be offset in their entirety by revenue credits equal to the costs. By law, the BPA rates must be set so that total system power revenues will repay all system power costs, including marketing, metering, transmission, etc.

The allegations therefore that the Knowles project will lose $12 million annually, $11 million annually or any other amount is without foundation. With a system rate established and adjusted as necessary from time to time to insure that total costs of all projects in the system are covered, no project loses any money annually. Computation of a loss can be imputed only on the assumption that Knowles power would be sold independently of the Columbia River power system but at that system's present rate. To the contrary, Knowles will be incorporated in the Columbia River system, its power output will be sold at the then prevailing system rates and it will receive whatever share of system revenues are required to fully pay off the project costs allocated to power over the repayment period established by Congress.

Once the reimbursement requirements of power have been discharged revenues assignable to the project will be available for irrigation assistance or such other use as the Congress of the United States deem fitting and proper. The standards used in evaluating Knowles project justification and its financial feasibility are the sound and approved policies and procedures applicable to all water resource development projects as set forth in Senate Document No. 97 and followed by all water resource development agencies.

Although the cost of power from Knowles, when considered after Canadian storage and Libby, will be higher than the other hydro projects recommended in the Columbia River review report, it is a fully justified and feasible project, both economically and financially, and supportable as a logical addition to the regional power resources at this time. Therefore we should not be misled by statements that this is a high cost project, compared to others, or the most extravagant project in the Columbia Basin, particularly when the figures cited to establish this misconception are based on a comparison of total project costs per kilowatt of installed capacity. For instance we have had statements made time and time again that Knowles power would cost from $1,066 to $1,195 per kilowatt of installed capacity or that it would cost seven times as much per kilowatt of installed capacity as the alternative Buffalo Rapids development.

Such analyses completely disregard the large expenditures included in the cost estimates for other uses such as flood control, recreation and storage for downstream power generation. The cost estimate for Knowles also provided for foundation and skeleton structures so that future power generating units which will double the plant capacity can be installed cheaply and readily. Such analyses also give no consideration to the power produced. For example, if Buffalo Rapids were in existence today it could produce only 1,297 million kilowatt-hours of net salable energy annually. On the other hand, if Knowles were in existence today it could produce 8,348 million kilowatt-hours annually, or nearly 6½ times as much salable energy to system resources. In the modified major water plan with Canadian storage, Knowles would produce 2,015 million kilowatt-hours of energy annually whereas Buffalo Rapids would produce only about one-half this amount.

We have frequently heard the statement, as a further argument against Knowles, that nuclear power will make the project obsolete before its useful life is expired. This of course is not an argument against Knowles alone, but against the development of any additional hydroprojects anywhere. Nuclear powerplants will not make hydroplants obsolete but will increase their value. The remaining economical hydrosites are being rapidly depleted as powerloads increase, and in a few years the only possible source of additional electric energy will be conventional steam or nuclear. Whether conventional steamplants or nuclear plants are developed, both will operate in the base of the load while hydro will be designated to carry the peaks. This is the most economical method to operate a large system. Good examples of the forthcoming role of hydroplants can be found in the East where the utilities are constructing pumped-storage hydroplants for peaking. Under no instances has it ever been expressed by experts in the electric utility field that nuclear energy will make hydroplants obsolete.

The construction of Knowles entails substantial relocations, principally railroads and highways. Disruption to the local economy and relocation of individuals and their homes and towns are not excessive compared to other projects of comparable size which have been developed throughout the country at great benefit to the Nation. The project will flood 59,000 acres of land, of which 9,000 acres are under irrigation. Approximately 1,300 people will be displaced and 527 buildings destroyed. Lands and buildings would be purchased and the project cost estimate includes these purchases appraised at fair market value as is customary in all projects of this type. Many of the persons displaced would relocate in the general area and they will be served by relocated railroads, highways and utilities comparable in serviceability and utility to the present facilities. New industrial and business development resulting from the project can be expected to have a favorable long-term effect, offsetting any initial adverse impact from lost taxes. Availability of water from the reservoir for additional irrigation, either through pumping or by gravity diversion from the pool, would offset lost income from cultivated and irrigated land flooded by the project. The Bureau of Reclamation has testified that there are 21,000 acres of land adjacent to the reservoir that could be reached by pumping and further has pointed out that pumping energy from the project also would be available for irrigation pumping at other more remote areas.

Extensive railroad relocations will be required by construction of the Knowles project. Estimated relocation costs were reanalyzed by the Corps of Engineers after portions of the proposed plans were questioned by the railroad and these further studies confirmed their earlier findings as to proposed relocation routes. When the project cost estimate was updated in 1961, increased allowances were made both for highway and railroad relocations. Railroad relocation costs included in the Corps of Engineers 1961 project cost estimate amount to $91,395,000 direct, and the total, direct and indirect, is $100,535,000. The Northern Pacific Railroad witness indicated railroad relocation requirements would be $116,056,000, although this amount, according to his testimony, included $8,801,000 more than actually considered necessary by the railroad company. This additional amount was included because the Corps of Engineers estimate for relocating the branch line exceeded that of the railroad company by that amount. It is apparent that the difference in estimates by the Engineers and the railway company is not of great magnitude, and certainly not approaching the cited figure of $32,970,000.

The Knowles project would not destroy the National Bison Range and the Fish and Wildlife Service has testified to this effect and I quote: "Although a part of the scenic and esthetic value of the National Bison Range would be destroyed, suitable replacement of lands and facilities is considered feasible." The project would inundate 1,990 acres of the range and make another 1,460 acres unusable through railroad relocation and fencing. Lands suitable for replacement adjoining the east side of the range are proposed for acquisition by the Service and the project cost estimate includes funds for acquisition of approximately 5,000 acres of replacement lands.

Other lands proposed for acquisition and provided for in the cost estimate will replace upland game range and nesting areas for waterfowl that will be inundated by the project. Corrective measures for protection of the fishery resource, consisting of chemical treatment of the river and tributaries above the damsite, developments to replace lost spawning areas, hatchery facilities and restocking of the reservoir are included as a part of the proposed project plan.

In presenting the plan for the Knowles project, the Corps of Engineers recognized the special consideration warranted the Confederated Salish and Kootenai Tribes of the Flathead Reservation by reason of inundation of two powersites on their reservation. Based on precedent in similar cases the Engineers suggested that the question of just compensation be determined by the Congress of the United States. The Knowles project was recommended because it was found to provide the most complete resource development justifiable and in this respect was superior to alternative run-of-river projects at the Buffalo 2 and 4 sites proposed for development by the Indians and by the Montana Power Co. It never was contemplated, however, that an equitable settlement would not be made to the Indians for their compensable rights.

We have a number of precedents where Indian lands required for water resource developments have included powersites comprising special and significant value to the Indians over and above the mere land values. In such cases the water resource development projects have included in the cost estimate payment for the fair market value of the lands but compensation for powersite values has always been a matter of negotiation, following project authorization, between Congress and the Indian tribes involved. Such compensation, moreover, has traditionally been a special cost not considered chargeable to the water resource project. This is consistent with and parallel to other programs and expenditures of the U.S. Government on behalf of the Indians which are incurred because of the special trustee-ward relationship between the U.S. Government and the Indians. Such expenditures are made to benefit or to protect and promote Indian welfare because our Government has recognized that we have a special obligation in this respect and such expenditures are nonreimbursable, justified by these obligations and benefits.

Most water resource development projects are recommended after evaluation and consideration of a number of alternatives, with selection of that project or projects which represents the optimum development of the resource. In many cases, the alternatives considered are in the same reach of the river as the selected project and are inundated by the selected project. No payments are made for inundation of these other sites and no charge is made against the project for values of alternative sites inundated. The fact that we do make payment to the Indians for their powersites is only because of their special rights and the special relationship between the Government and the Indians and in nowise indicates that such payments should be charged against the water resource project. Normally, the Federal Government, in the exercise of eminent domain, would institute condemnation proceedings in the local U.S. district court and the court would determine the amount due the Indians as "just compensation," as provided in the fifth amendemnt to the Constitution.

If the Federal Government's action progresses to the point that it constitutes an actual or constructive taking of Indian lands, the Indians could proceed against the Government in the U.S. Court of Claims. However, in this event, the measure of damages would be the same as under normal condemnation proceedings; i.e., "just compensation" as provided in the fifth amendment to the Constitution.

Also, as indicated in House Document No. 403, 87th Congress, 2d session, volume I, "Columbia River and Tributaries." Under the heading "Special Considerations" on page 178, there is a discussion of "equitable settlement" for powersites. If such a settlement can be negotiated, it would not be necessary for the Federal Government to institute condemnation proceedings or for the Indians to proceed in the Court of Claims.

It has been alleged that the Knowles project should not be built because of Indian opposition, because of violation of their treaty rights and because development of alternative powersites would provide greater benefits to the Indians. In this regard article VI of the Constitution provides three things which are the supreme law of the land:

1. "This Constitution, and
2. "the laws of the United States which shall be made in Pursuance thereof; and
3. "all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; * * *."

The Constitution does not provide for situations where there is conflict between two or all three of these elements. However, the Federal court has said "A treaty with the Indians cannot rise above the power of Congress to legislate" (161 F. Supp. 376) (Jan. 11, 1957). (This was a condemnation action brought by the Federal Government against the Seneca Nation of Indians in connection with the Allegheny (Kinzua) Dam and Reservoir project. The above is quoted from the opinion of the U.S. District Court for the Western District of New York, dated January 11, 1957. The Seneca Nation moved, in the U.S. Circuit Court of Appeals, to stay the district court's order of possession. The circuit court of appeals, without a written opinion, rejected the plea of the Seneca Nation.

As a corollary, the court also held in January 11, 1957, opinion referred to above that: "The Secretary of the Army has the power to take Indian lands for flood control purposes, provided Congress has authorized the project, and

"Congress had authorized construction of the project, not only with the presumed knowledge but with actual knowledge of history of the lands within the Indian Reservation and particularly as to the so-called Pickering Treaty of 1794, and the proclamation by Congress of such treaty with the Six Nations on January 21, 1795."

Another related action was an injunction proceeding in 1958 filed by the Seneca Nation to enjoin the Federal Government from constructing the Allegheny Reservoir project. The U.S. District Court for the District of Columbia held, in a decision rendered on March 24, 1958 (162 F. Supp. 580), that:

"The construction of the project is authorized by law.

"The action of the Government was lawful.

"The Seneca Nation was not entitled to an injunction or any other relief in the action.

"The complaint should be dismissed."

The Seneca Nation appealed to the U.S. Court of Appeals for the District of Columbia, which held, in a decision in November 1958 (262 F. 2d 27), that the Seneca Nation was not entitled to the injunction notwithstanding the proposed flooding would infringe Indian rights acquired by the treaty in 1794, where Congress showed by legislative history a clear and specific intention to authorize the taking of the Indian lands by eminent domain despite the treaty, as it was authorized to do. The U.S. Supreme Court in June of 1959 refused to grant a writ of certiorari (360 U.S. 909).

Congress has the responsibility not only of promoting and protecting the rights and welfare of the Indians, it has the responsibility in this particular instance of promoting the optimum resource development plan for the national benefit. In past cases this twofold responsibility has been discharged, not by endorsing a less than optimum development but by recommending the best project, in terms of regional and national goals, and in addition, making just and equitable settlement to the Indians for their special treaty entitlements. This can be done again in the case of Knowles and the benefits to the Indians, either in the form of assignment of annual power or rentals, or by income derivable from a negotiated lump sum payment, can be expected to be fully equivalent to the net benefits which they would derive from their own development of the alternative sites.

There has been a statement made to the effect that the Hellgate Treaty is the same type of treaty and should merit the same concern and treatment as is presently being given the test ban treaty. It is unalterably clear that there is a basic difference between the two treaties. The test ban treaty is with other sovereign nations, not subject to the provisions of the Constitution of the United States of America, laws of the Congress of the United States of America or action of the courts of the United States of America. The Hellgate Treaty is with the Flathead Tribe who are subject to the provisions of the Constitution, the laws, and the courts of the United States of America.

It has been suggested, as a further argument against Knowles, that construction of the project may be a violation of the treaty with Canada on the grounds that no storage projects can be built in the Clark Fork watershed without the consent of the Canadian Government. The treaty contains no such proviso. Perhaps the reference is with respect to the stipulation in the treaty which prohibits diversions except for consumptive uses (and other than those specifically provided for in the treaty) which might alter the flow of any water as it crosses the boundary within the Columbia River Basin. The treaty in no way limits or restricts the development of storage where no diversion is involved and Knowles, of course, involves no diversion.

Mr. METCALF. Mr. President, one of the witnesses before the House Public Works Committee this year was Archer S. Taylor of Missoula, Mont. He is a supporter of Knowles Dam. Some Senators are acquainted with his brother, Walter Taylor, who currently is engaged, under the auspices of the Philadelphia Yearly Meeting of the Society of Friends (Quakers), in working with the Senecas, in connection with Kinzua Dam. Both Archer and Walter Taylor are known as fair and knowledgeable supporters of Indian rights.

Archer Taylor has given me permission to have printed in the Record his testimony this year before the House Public Works Committee and a letter to his brother, Walter. Both documents deal with the Indian-rights aspect of the Knowles controversy.

Mr. President, I ask unanimous consent to have these two documents printed at this point in the Record. I commend them to those who desire a clearer understanding of the Indian-rights question in connection with Knowles Dam and the degree to which a well-intended organization, from which some Senators have heard, was misled by its reliance on data furnished by the Montana Power Co.

There being no objection, the statement and the letter were ordered to be printed in the Record, as follows:

Statement of Archer S. Taylor, Missoula, Mont., to Public Works Committee, House of Representatives, Washington, D.C., June 4, 1963

Mr. Chairman, my name is Archer S. Taylor, and I live at Missoula, Mont. I am a professional engineer, practicing as a consultant in the field of radio and television. I was one of the original organizers and the first secretary-treasurer of the Committee for Paradise Dam. My wife is today the treasurer of the committee. I am strongly committed in favor of the authorization and construction of the Knowles Dam, or if subsequent studies should indicate feasibility, the larger Paradise Dam.

However, I am not here today to present testimony on the merits of the project itself, but rather to discuss the matter of Indian rights involved in the Knowles project. My brother, Walter Taylor, is currently engaged, under the auspices of the Philadelphia Yearly Meeting of the Society of Friends (Quakers) in working with the Senecas in western New York in their adjustment to the Kinzua Dam. Some of you may have met him as he tried in vain to prevent the taking of Seneca lands by condemnation without consent. I am here today to support the rights of Indians with respect to our obligations under treaties made in the early years of our history.

There has been considerable testimony and editorial opinion expressed by various persons and groups opposing the authorization of Knowles Dam because of alleged violation of Indian treaty rights. I am not a lawyer, and cannot argue the legal question of whether the mere authorization would constitute violation in itself as contrasted with actually taking land without treaty negotiations.

However, I am ashamed, as an American citizen, of the cavalier treatment we newcomers to this continent have given the native population who inhabited this beautiful country long before our ancestors even knew it existed. And I am every bit as concerned as the Indian Rights Association or the Christian Century or the other church groups that further violations of our sacred promises be prevented.

But even so sacred an obligation as the treaty rights of the Indians must be supported and defended by truth, or at least man's best effort to arrive at the truth. The rights of Indians are not effectively nor worthily supported by arguments in opposition to the Knowles Dam which are demonstrably false, or based on misinformation, or partisan political propaganda of vested commercial interests. This is my deep concern; and it is with considerable discomfort to myself, and to all of my friends who have been active on the Committee for Paradise Dam, that we find ourselves in disagreement with the leaders of the Confederated Tribes of the Flathead Indians. It appears to us, and to some members of the tribes who are not represented in the tribal leadership, that the tribal leaders have been somehow lead by the utility company into an alliance which will once again demonstrate the perfidy of the white man in his commercial dealings with the Indian.

The arguments used by the Indian Rights Association and its supporters against the Knowles Dam are not arguments in defense of Indian treaty rights, but are the partisan, vested interest arguments of the Montana Power Co.

They say: "Actual cost of Knowles would exceed benefits" if the Indians are compensated for damsites. This argument claims a benefit-cost ratio of 1.08:1, but ignores the fact that the latest official figure on the benefit-cost ratio is 1.2:1 if constructed after Libby Dam, and 2.31:1 if constructed before Libby Dam. It is based on an appraisal figure for damsite value which far exceeds the revenues which the Indians might actually obtain for their power, if they themselves built the dams, since it is based on the cost of steam generation. The extent of these distortions has been thoroughly presented by Senator METCALF and by numerous witnesses in the various hearings concerning the water-use project, and I will not enlarge on them here.

I would submit that the Indian Rights Association is not itself qualified to make a judgment as to the correctness of the official figures presented on benefit-cost ratios. I would further submit, that whether or not the dam is economically sound has precisely nothing to do with Indian rights. The only proper question is whether or not the "authorization" in this bill constitutes in itself a violation of the treaty rights—not whether the project is sound.

They say: "The bison range would be destroyed, or severely damaged" by the flooding of Knowles Dam. The record shows, without contradiction, that only a small fraction of the bison range acreage would be flooded. The official position of those charged by law with administering the bison range is that adequate replacement for the lost acreage is available and will be obtained. There are technical arguments in which unofficial supporters of the bison range contend that the loss of headquarters pasture would be irreplaceable. This has been studied by the National Wildlife Service, and their testimony is otherwise.

In any event, the Indian Rights Association is not competent as experts on bison grazing, etc. Furthermore, the question as to what happens to the bison range is immaterial to the central question of Indian rights. As a matter of fact, the official resolution of the tribes opposing the Knowles Dam states that the bison range itself was built on Indian lands without the consent of the Indians. The only proper question is whether or not the authorization of Knowles Dam constitutes a violation of Indian rights, not whether or how much the bison range will be, or should be affected by the dam.

They claim that: "Knowles is not the best plan for full development." This argument is based on studies by private engineers. No matter what the controversy, of course, it will always be possible to find expert opinion to support both sides. Furthermore, when unofficial evidence is being considered as valid on one point, it must also be considered on other points. Thus, the Committee for Paradise Dam several years ago engaged a private engineer who testified that the railroad relocation costs of the Corps of Engineers were grossly overstated. Since railroad relocation is the largest part of the cost of the Knowles Dam, it is apparent that this private engineering study has as great a bearing on the benefit-cost ratio as the Indians' "private engineering" studies have on appraisal of full development. The official agency, charged by law with responsibility to the Congress and to the people of the United States with determining these matters appears to disagree with the Indians' engineers on this matter. In any event, the Indian Rights Association does not claim competence in the matter of conservation or full development of water resources, and relies merely on hearsay in making the claim that Knowles is not the best plan for full development. And again the question of full development is not relevant to the central question of whether or not the Indians' treaty rights are being violated by the mere passage of the authorization bill.

They say: "Knowles would hurt recreational areas." This argument is based on three points: (1) the drawdown and "mudflats"; (2) the injury to the bison range; and (3) a vague reference to the maintenance of wildlife habitat. The drawdown and mudflat argument is an emotional one, which suggests ignorance of the facts that maximum drawdown is a rare occurrence in multipurpose dams, that the full pool period will coincide with the summer-fall recreational period, and that most of the pool shoreline is steep sided with only the Moiese Valley area being subjected to significant mudflat formation. The implication is that the bison range may be of value to Indians for hunting or fishing, but it must be obvious that it is closed to such activities at all times. In order to control overgrazing, the herds are thinned each year by range personnel, but hunting is never permitted to Indians or others. It is further made clear by testimony in the several hearings on the Knowles Dam that the alternate proposal of the Indians for Ninemile Prairie and Smoky Range would have vastly more impact on wildlife conservation and on wildlife interests generally than would Knowles. The two small dams which the Indians say they want to build would produce two small lakes, little wider than the river channel itself, in almost treeless areas where access roads are almost nonexistent. It is difficult to see how this could offer recreational attraction superior to the wooded shoreline on the south side of the Knowles pool, along which U.S. Highway 10–A would be built, and which is also on the reservation.

In any event, the Indian Rights Association has made no study of recreation in the area, and does not claim any special competence in the field of recreational uses of lands. This question is also immaterial to the central question of whether the authorization of Knowles is a violation of Indian rights.

5. The questions as to the taking of Indian lands, valuable for grazing, for power, or for recreation, and the claim by the Indian Rights Association that the authorization of Knowles Dam would cripple the Indian economy in violation of President Kennedy's pledge to develop Indian resources, simply assume that the Knowles Dam would be built by condemnation without adequate compensation to the Indians and without their consent.

I am here today to do what I think the Indian Rights Association has failed to do. I fully support the authorization of the Knowles Dam. I think the Indians are wrong in their judgment that the passage of the authorization bill is tantamount to the confiscation of their lands and values without consent.

But, I think that all of us in the United States may well hang our heads in shame at the repeated instances of improper and unjust intrusion on Indian rights. I believe that once authorized to do so, the Bureau of Reclamation, the Bureau of Indian Affairs, and Senators MANSFIELD and METCALF, of our State of Montana, will sincerely undertake, as they have promised, to arrive at a mutually acceptable modification of the Indian treaty terms which will permit the Knowles Dam to be built. Obviously, such treaty amendments cannot be arrived at agreeably without including compensating payments in money, or in power, or other things of value for the power damsites on the tribal lands, nor without arrangements to replace or compensate for the loss of the grazing lands, nor without arrangements to relocate equitably those Indians who would be moved fom their present homes.

I think the Indians have some cause for distrust, and some cause for fearing that our promises to them may not always be honored. I realize that it is impractical to include such promises in the line item of an omnibus public works bill, but I would hope, and urge, that in the legislative history of this project it be made abundantly clear that the Knowles Dam will be built only after negotiating an agreement with the Indians, on terms which make it possible for them to realize the full benefit of the development of the power and water resource which is within their reservation.

Others who have, or will, testify in this hearing will have shown the distortions of fact, the misrepresentations, and the apparent abuse of the truth which have constituted the bulk of the argument by the private power utility and their agents (some unwitting) against the Knowles project. Neither these arguments, nor in fact the supporting arguments of the Committee for Knowles Dam, have any bearing on the question of a violation of Indian treaty rights.

It is my own opinion that the Knowles Dam actually constitutes the best guarantee the Indians have of receiving value for their power damsites. They know they have had to take the Montana Power Co. to court to compel payment of additional rent for the third generator installed at Kerr Dam on the reservation. Their attorney, Mr. Cragun, testified in the Senate hearings that "it is legally impossible for (the Indians) to get as good a deal from Montana Power Co. as they could get from building the dams themselves." What remains, then, is to determine, by negotiation, whether compensation can be given to the Indians equivalent to what they could get by building the dams themselves. This authorization bill will have to be passed before serious commitments on this matter can be made.

It is worth noting that in 1957 Senator Jim Murray of Montana together with then Congressman LEE METCALF sponsored a bill to provide for the construction of Paradise Dam which included a requirement that the Secretary of the Interior negotiate a contract with the Confederated Tribes providing for the payment of just compensation, on the basis that the owners of any property shall be at least as well off economically after the transaction as before. At that time, the tribal council supported the Montana Power Co's. proposal to build the small dams, and opposed the Paradise bill.

In any case, it would appear that the power resource which the Indians would have without the full development of Knowles might be insufficient to attract commercial users except Montana Power Co. It would indeed be ironic to find the Indians resisting both the Knowles development and the Montana Power Co. development, only to find themselves captive producers of power with only Montana Power Co. as a customer. Under the Knowles development, this would not happen, if the treaty negotiations are properly handled. Under Knowles, the Indians could be virtually guaranteed returns on their damsite values.

None of us can truly, in our hearts, criticize the Indians for not trusting our word, nor could we expect them to weaken their leverage for subsequent negotiation by making premature concessions. It is nevertheless disturbing, and disheartening, to me that their position as represented both by their tribal leaders and by private agencies such as Indian Rights Association has been to pick up blindly the vested interest arguments on the public merits or lack of merit of the project itself. They seem to have overlooked, or minimized, to a large extent that history has provided ample cause for them to fear that Congress and the administration may speak with "forked tongues" as have many Congresses and administrations in the past.

I have no doubt but that the Knowles Dam can be built without infringing on Indian rights. I have every confidence that an equitable agreement can be achieved by this Congress, with men like our Montana Representative ARNOLD OLSEN, Senator MANSFIELD and Senator METCALF working through and with the Kennedy administration, which has pledged itself to the protection of the Indian land base and to no changes in treaty relationships without the consent of the tribes concerned.

Thank you for this opportunity to be heard.

MISSOULA, MONT.,
April 29, 1963.

WALTER TAYLOR,
Salamanca, N.Y.

DEAR WALT: I saw Lawrence Lindley in Philadelphia Friday. It was a short visit but long enough for me to get pretty well to the meat of the problem, as I think he would agree. At that time, I had not yet received your letter of April 24, containing Harry Burks' correspondence.

Frankly, I am much relieved that Harry's attitude was as objective as it seemed to be in his letters. I am encouraged to think that had he lived, he would have taken what I would consider to be a more tenable position than the Indian Rights Association has taken, no matter how far he dug into the conflicting points of view. So much for your first point. Later in this letter I will outline what I mean by "tenable position." I do not mean, necessarily, one which either agrees with me, or even supports the present bill.

On your second point, I can fully agree that Indian internal politics are as complex as non-Indian politics—with right and wrong aspects to both the official and the unofficial position. It is not quite true, however, to charge that the Flathead-Kootenai organization is "nonreservation" Indians. I suspect that it may be weighted with such, but it does include a substantial participation of reservation Indians in opposition to the official governing body of the tribes. In this connection, I would merely like to point out that Lawrence Lindley leans heavily on unofficial testimony as to availability of replacement grazing lands, impact on the National Bison Range, impact on recreational values, etc., paying no attention at all to the official position of U.S. Government agencies which make contrary judgments. It appears to me to be inconsistent to contend that we must consider only the views of official tribal leaders on the one hand, but reject official views of U.S. agencies on the other.

On your third point: The Indian Rights Association has picked up the earlier corps figure of 1.08:1 for benefit/cost ratio, notwithstanding that the revised figure presented in the 1962 Senate hearings was 1.2/1. The revision was based on using a 100-year life rather than a 50-year life. I do not believe the Indian Rights Association claims or has competence to judge the merits of this situation. Furthermore, if we are going to take into account additional factors, such as the special negotiated compensation to the Indians, then we must also consider that the costs of railroad relocation, which were roughly half the total cost of the project, are probably significantly inflated. The corps never made any independent study of this, but merely accepted the figures presented by the railroad itself—and when you realize that the railroad has interlocking directorates with the Montana Power Co., you can appreciate that their figures may well be inflated. The Indians rely on independent engineering counsel to set a value on their power sites; the committee for Knowles Dam engaged an independent engineering firm several years ago to analyze the railroad relocation costs. If the findings of one are worthy of consideration, the findings of the other are equally worthy. The conclusion of such an analysis including both Indian compensation and true railroad costs would probably be a standoff: little or no change in benefit/cost ratios.

Two years ago, there were extensive hearings in the Senate at which a considerable effort was made by conservationists to get revision of the benefit/cost evaluation formulas to include such things as water pollution abatement and a number of other side benefits. If such revised formulas were to be used, the ratio at Knowles would be considerably enhanced. This is an area where you and I are in complete agreement: The formulas and methods used by the Corps of Engineers are most unrealistic. I am certain, though, this is, of course, not impartial evidence, that a revised analysis of costs and benefits would still show Knowles to be a most worthwhile project.

To show how elusive a matter benefit/cost ratios really are, consider the following. Another dam has been authorized, and appropriations made for it: The Libby Dam on the Kootenai River, which is also in the Columbia basin. The flooding from this dam would cross into Canada, and so requires treaty negotiations and agreements, just as the Knowles requires negotiations with the Indians. For several years, now, the Provincial Government of British Columbia has blocked ratification of the necessary treaty, and there is no clear indication as to whether the new Pearson government will expedite this or not. But if Knowles should be built before Libby, the benefit/cost of Knowles is much greater than the figures used earlier in my letter. Thus, Mr. Holum testified, page 312–13:

"In either event, annual benefits exceed annual costs. The resultant benefit-cost ratios become 1.68 if Knowles is first added, and 1.08 under the extremely conservative assumption that it might be last added. (First and last refer to before or after Canadian storage in Libby Dam.) The above figures are based on an assumed economic life of 50 years. Again, may I say this is a most conservative figure.

"If the economic life of 100 years is used, which is in accord with current criteria, the benefit-cost ratios would be increased substantially."

On page 121 in the hearing record, table 3, line J, and page 122, table 4, line L, Mr. Bloch, the engineer hired by the tribes to present testimony on the value of their damsites and on alternate proposals, has tables showing benefit/cost ratios.

With Canadian storage, he shows 1.20; without Canadian storage, 2.31. The references indicate these are the Corps of Engineer's figures in its June 1958 updated report, based on 100-year amortization. They do not include compensation for power damsites to the Indians. Without Canadian storage, if we add Mr. Bloch's own estimate of the value of the Indian's power, $4.65 million annually, we find that the benefit/cost ratio is still 1.57:1. On the 50-year basis without Canadian storage but after paying for Indian power, the ratio is 1.14:1.

Now, to get to the "nut" of our disagreement with the Indian Rights Association. I told Lawrence Lindley that I would agree wholeheartedly that if Knowles Dam were to be built without negotiating a settlement with the Flathead Indians, this would be a violation of Indian rights and their treaty. I most emphatically do not agree that the passage of the line item authorization of Knowles Dam in the omnibus public works bill is in itself any such violation. I specifically asked Lawrence Lindley if he would be willing to modify his statement along some such lines as: Unless compensation by negotiation with the tribes is provided, the taking of Indian lands for construction of Knowles Dam would be a violation of Indian rights. He would not consent to the qualification—contending that the mere authorization was in itself a violation.

The plain fact is that there is no legal way for the U.S. Government to undertake negotiations with the Indians, or anyone else for that matter—railroad, white man, or Indian—until congressional authorization has been made.

Several years ago, 1958, there was a Paradise bill (now modified to Knowles) written and introduced by Senator Murray of Montana which did spell out in general terms the requirement that negotiations be undertaken with the Indians. Mark this: the Indians—in particular Walter McDonald, then tribal council president—opposed this bill. If Lawrence Lindley's position is consistent, I would believe that he would have had to support the bill at that time—had it been called to his attention. At that time, the Indians favored construction of the two small dams by Montana Power Co. The bill was never reported out of committee—to nobody's surprise.

One further point which you have missed completely in your letter to me of April 24. As far as I can tell, and I am deeply involved in the proponent efforts for Knowles Dam, there is no proponent of Knowles, and no agency of Government which disagrees with the Indian Rights Association on two points:

(1) The taking of land for Knowles Dam must be by negotiation and not by condemnation.

(2) The Indians must be provided with compensation in the form of income or income producing assets replacing the potential value of their power sites.

Lawrence Lindley showed me a letter from the Department of Interior, Bureau of Reclamation, confirming this general approach, though admittedly cautious not to concede specifics prior to the proper opening of negotiations.

Senator Metcalf and Senator Mansfield, and before them Senator Murray, have stoutly insisted on these principles from the very beginning.

The leaders of the citizen's group supporting the Knowles proposal are, without exception, liberals (as Harry Burks found out) who by nature and inclination support these principles.

The Corps of Engineers in its call to hearing in 1958 in Missoula officially stated that the Indians' rights would have to be given full consideration.

There is considerable testimony in the 1962 hearing record in which Senator METCALF makes quite clear his position on this matter. This record becomes part of the "legislative history" of the Knowles bill, and is a very important legal protection against violation of this "intent" by subsequent actions.

Lawrence Lindley quotes Mr. Cragun as saying that the Indians had a change of heart between the 1958 hearings and the 1962 hearings. Whereas formerly they were merely looking for "the best deal for the Indians," they now (after mature consideration) totally oppose Knowles in favor of building the two run-of-river dams themselves. I would quote the following from the hearing record:

(Rather than copying the quotes, see pp. 3, 10, and 11 of Rae Logan's letter to the Christian Century.)

Lawrence Lindley contended to me that he felt that this testimony was somehow or other improperly adduced from Morigeau. But Morigeau said the same thing twice; Cragun confirmed the recognition of Indian rights by the senatorial sponsors of the Knowles authorization; and then there is this, from page 74 of the hearing record:

"Senator COOPER. How long have you been a member (of the tribal council)?

"Mr. McDONALD. I am starting my 21st year.

"Senator COOPER. You say that in this period in which this project has been under consideration, that the appropriate U.S. agency—what is it, the Bureau of Indian Affairs?——

"Senator METCALF. Yes.

"Senator COOPER (continuing) has not discussed with the council your interest in this land?

"Mr. McDONALD. Only to the extent that the possibility of Knowles and the Paradise Dam would be built, not to the extent of valuation.

"Senator METCALF. May I interject here.

"As I understand it, Federal agencies would not negotiate with anybody until a dam project is authorized and an appropriation were made, because there is no power to negotiate either with the Indians or with private individuals. However, may I also interject that in the 10 years that I have been in Congress, I have talked to Mr. McDonald and Mr. Morigeau; Senator MANSFIELD has talked to them. We have talked about Knowles and this project.

"We have assured them that if it were authorized, that their interests under the treaty would be protected.

"We have discussed various payments.

"Mr. McDonald testified at Missoula in the Corps of Engineers hearings as the chairman of the tribal council that he and his council did not care what dam was built. (NOTE.—I understand from Lindley's letter that it is Cragun's position that they have changed their stand on this in favor of building their own power dams.) All they wanted was the best deal for the Indians, and of course that is what the Senate of the United States wants too: to treat the Indians in the best way, so he is not being exactly accurate with the committee, when he says there have not been any negotiations. (NOTE.—Morigeau reaffirmed this position on p. 79 of the testimony.) There have been discussions and so forth with him, but there could be no formal negotiation, as I think Mr. Holum will testify tomorrow, until there is authority for the Federal Government to go in and develop this project, and that would have to be an authorization. I say that because over the 10 years I have been in Congress, I have been very much concerned with the interests of the Indians and the Indian people in my State, and I deeply resent this statement that we are trying to set aside treaties, and that any of the congressional delegation is not very much concerned with, and interested in, protecting and leaning over backward to protect the rights of the Indians, as we have done at Yellowtail Dam over in the other area. And Mr. McDonald knows that; he knows about those conversations; that is why I asked him to come forward and testify.

"Senator COOPER. I am sure of that. This is again a field in which I have no knowledge, and I am sure all of us agree with our chairman that he is concerned about this, as is Senator MANSFIELD and Members of the House. But I do assume, then, that in the hearings that were held, council representatives did appear at the Corps of Engineers hearings?

Senator METCALF. Yes, at every one of the hearings, as far as I recall, members appeared; Mr. McDonald appeared and testified.

He appeared at Missoula; is that not right Walt? (Walter McDonald.)

"Mr. McDONALD. Yes.

"Senator METCALF, I appreciate what you have said, that that was not quite accurate as to negotiations. It is true, Senator METCALF and I talked this over for many years, you might say, and he always did state that our treaty would be protected.

"But I was a little bit farfetched there perhaps in saying that, and I was thinking of negotiation in other terms and I appreciate that, Senator."

Later, Mr. Holum, Assistant Secretary for Water and Power Development, Department of Interior, testified (p. 311 of the record) in part as follows:

"Provision should be made to compensate adequately the Indian tribes for their flooded lands and all other interests that may be involved. It should be noted that the question of compensation respecting the property and rights of the Indians, and the special relationship of the United States to the Indian people, will require most careful consideration."

In conclusion, on this point then, it seems to me that Lawrence Lindley has a very weak, if not untenable, case when he contends that the authorization of Knowles Dam in itself constitutes a violation of Indian rights. The record is replete with assurances, promises, intentions to undertake negotiations with Indians when authorized to do so. There is no evidence to the contrary. There is precedent for this procedure right in Montana in the Yellowtail Dam. Agricultural value of the lands taken here was $47,000. Montana Senators sponsored legislation based on a negotiated agreement with Crows, for a $5 million payment. The bill passed. President Eisenhower vetoed it. After further negotiation with the Crows, Senator METCALF then sponsored a bill for $2.5 million, with an express provision authorizing the Crow Indians to sue the U.S. Government in Federal court for an additional $2.5 million. This bill passed, and was signed by Eisenhower, notwithstanding some contention that the Indians ought to be paid only land values. The Crows have filed suit for the balance, and the outcome is not yet determined.

Now, I want to move on to another area which disturbs me tremendously. In Lawrence Lindley's letter of January 2, 1963, to Harry, second page, he says: "I think you will find that there is considerable partisan politics mixed in with this Knowles Dam situation. This, to me, is unfortunate."

He is absolutely right. But what disturbs me is that the Indian Rights Association has not taken the trouble to separate out the partisan political arguments. It has picked up a most partisan and distorted set of arguments for opposing Knowles, which at best are only one side of some very complex matters—and I might add a very partisan side of the story. It has not supported or defended its basic contention that the mere authorization is a violation of rights. Here are specific examples:

1. The map used on the brochure you sent me is exactly the map used in what I consider to be a scurrilous brochure of the Montana Power Co., copy of which is enclosed.

Now, this would not be quite so serious, except that the map is a gross exaggeration of the size of the Knowles Lake. I am enclosing another quite partisan anti-Knowles brochure which shows the lake more nearly in its true size, though even this one is larger than the fact, simply because the problem of drawing the lake to true scale is a little difficult—it is hardly the width of a visible line in some places.

I don't know whether the map itself causes any crucial misunderstandings, but it certainly does make it look like much more of a flooding problem than it really is. And it puts Indian Rights Association squarely in a partisan camp—a corporate vested interest camp where it ought not to be.

2. Two or three times the Montana Power Co.'s brochure claims the national bison range would be destroyed. Indian Rights Association backs away slightly from this position and says that it would be "severely damaged." The facts are that not more than about 10 percent of the area of the range would be flooded, and the only part of this 10 percent that is of bison grazing value is the headquarters area and display pasture. An additional 7 percent or so may be made inaccessible to the bison by a new railroad line with no satisfactory way yet proposed to get the buffalo across the tracks. But even so, 83 percent of the acreage for grazing, wintering, etc., of bison, elk, deer, birds, etc., remains. Furthermore, the Corps proposal, and the Fish and Wildlife proposal, both contemplate adding acreage to the bison range—in fact they will add 4,500 acres to replace loss of 3,450 acres. There are some unanswered questions as to where a new headquarters might be located and where a new exhibition pasture might be found. The fact of the matter is that the present headquarters and pasture are most inaccessible to the touring public, and it would be my hope that they might be relocated closer to the highways.

The argument that the range would be destroyed is supported by a number of groups who oppose Knowles for other, and often partisan political reasons. The argument that the range can be accommodated comes from the official agencies responsible. If we are going to accept the arguments of unofficial groups on this matter, then we must also give credence to "splinter Indian groups" who favor Knowles and oppose their official leaders. In any case, Indian Rights Association is not competent to make a judgment on this.

3. On the grazing lands, I do not have an authoritative answer. I do know that evidence has been submitted that 35 Indians use these lands—this evidence is, I believe, from the Indians themselves in the hearing. I understand that replacement grazing lands are available, and will be offered in treaty negotiations. I believe that in the House

hearings held in June there will be testimony from the Reclamation Bureau as to the quality of the substitute lands compared with the inundated lands. It is very easy to say "There are no substitute lands available to the Indians," but it is much more difficult to prove this statement. I believe that the facts will subsequently show that there are substitute lands, so that the only true statements that can be made would have to relate to comparisons. Then, you will no doubt get into such esoteric problems as to how many acres of bottom land are equivalent to how many acres of higher land, etc., and whether compensation can be on the basis of providing for, or paying for, winter feed by other means than bottom land grazing. Again, Indian Rights Association is not competent to make a judgment on this technical agricultural matter.

4. The argument about "crippling Indian economy" is based on the initial assumption that the Knowles Dam will be built without providing the Indians income commensurate with that which they could derive from the two small dams. Since Lawrence Lindley and I could not agreeably rephrase the original premise, I suppose this argument flows naturally from what I initially objected to. It is nevertheless an insulting implication that we who favor Knowles Dam are unconcerned about the Indian economy.

5. I have already demonstrated that the benefit/cost ratio argument is at least very tricky. It simply is not true to categorically state that cost will exceed benefits if Indians are compensated. The statement that the ratio is 1.08:1 is a misrepresentation of the fact, and puts the Indian Rights Association directly into the partisan politics which Lawrence Lindley abhors.

6. For every private engineer who can be found to state that Knowles is not the best "full development" plan, there can be found other private engineers to disagree. The plain fact is that the Indian Rights Association is not competent to make this judgment. The private engineers are not responsible for making a recommendation based on having to support it and, what is more, do not have to actually produce results based on it.

Specifically, the alternate Indian proposal would provide only about three-fourths of the storage of Knowles. The Corps of Engineers has a goal for storage in order to protect the entire Columbia Basin against disastrous floods like the 1948 one which killed 30 to 40 people. This goal is not even satisfied by Knowles and Libby combined. Furthermore, the alternates proposed by the Indians would have many times as much impact on wildlife, and I have never heard anyone say otherwise. So, the Indians, in Lindley's brochure, complain about damage to the bison range, and loss of that game preserve, but turn around and propose as an alternate two dams which would much more seriously injure wildlife and game. One of the Indian alternate dams, Smoky Range, would seriously damage the recreational value of Glacier National Park—much more seriously than Knowles would damage the bison range, by anyone's testimony.

This, then, leaves the argument in this position: If the Indians can be agreeably compensated with income equivalent to the income they can reasonably anticipate from their own dams, which proposal should be considered? From the storage, recreational and wildlife points of view there is no argument: Knowles is superior on all counts, and there is no countertestimony. On power, the two proposals appear to be about equivalent, though there may be a more complex transmission problem, and possibly a more complex operational and control problem with the alternates than with Knowles.

So, even this point boils down again to the same basic argument: does the omnibus public works bill authorizing Knowles Dam preclude, or even jeopardize the adequate compensation of the Indians for their full value?

7. Another pet argument of the partisan political opponents of Knowles which IRA has picked up is the mud-flats. This is an emotional issue which stirs the imagination to all kinds of horrors. It is largely false, and based on ignorance of the area to be flooded, with which I am intimately familiar.

The facts are as follows. First, the 80 foot drawdown is the absolute limit of potential drawdown. Perhaps the pool would have been drawn down like that to prevent the 1948 flood, but in 15 years since (I have been here since 1947) there has not been a recurrence of this extreme situation. This 80-foot drawdown is not an every year occurrence—but rather a rare extreme situation, which I would suppose would not happen more than once in 25 years, though I do not have official estimates on the frequency of occurrence predicted on the basis of past experience. This is available, however. I do not know what the average drawdown will be, but suspect it will not exceed 10 to 20 feet.

Secondly, the Columbia River is different from most U.S. rivers in that flood crest occurs in June, with run-off starting in May or April. If the storage in the dam is to be useful, it will have to be holding its 3 million acre-feet of water during the flood crest on uncontrolled rivers. The point being, that by the time the recreation season starts actively, the pool will be filled and mudflats will be gone. Dropping the pool level will not take place until January or so, to a predicted level based on anticipated run-off determined by snow water studies which are made throughout the basin every winter. This is the practice on Flathead Lake with which we are all familiar in this area, and which has not damaged recreational property values.

Thirdly, the pool area, for the most part, is steep-sided, as a reference to the USGS topographic maps will show. The area on the east side of the pool between Moiese and the Buffalo Rapids No. 4 damsite, is a gently sloping, clay soil, and will indeed be mudflats whenever there is any drawdown. This is but a small portion of the pool area or the shoreline.

The south shore of the lake, from Ravalli to Knowles, is largely wooded, and steep sided. Except for a few areas, it will not be mudflat even at low water in the winter and early spring. It is on Indian reservation, and in my opinion constitutes the prime recreational area. This area has no recreational value of any significance now, so that what recreational value will exist will be created by the Knowles Reservoir, and will be on the Indian reservation. Now, I do not know how much of this land has already passed to non-Indians, or is out of tribal control. This is a matter of record, however, and some rerearch will produce the facts. But I know that much of it is still under tribal control.

There is almost no recreational value to the two Buffalo Rapids Dams proposed by the Indians. For one thing, there are no trees in the area at all. A lone cottonwood, perhaps here and there. The canyons are very steep sided, the lake will be little wider than the present stream. One has to actually see this to appreciate the truth of what I say. I simply do not see how there could be much recreational use made of these two small pools, other than perhaps boat fishing. But this will be merely pennies compared with the land value enhancement that comes from the realistic possibilities of summer cottages, homes, motels, etc., that will be available along the south shore of the Knowles pool. Furthermore, U.S. Highway 10–A will be built along the south shore of the pool providing ready access to the lake. If it is built—at least in part—far enough up from the lake to provide some privacy to summer homes, there will be some terrific land values created here by the lake. The pools the Indians would create would be in areas in which there are now no roads. We have tried to get in there to make an on-the-spot count of homes in the pool area, but could not. Roads can be built, but there is simply no attraction there in the hot summer to bring people so far off the beaten track.

Well, there is the whole ball of wax. I thought I could answer your letter with a two-pager—but I missed by a few hundred percent.

The Indian Rights Association is, of course, perfectly entitled to disagree with me, or Senator METCALF, or anyone else. I consider their statement that "the proposed Knowles Dam—would violate rights" to be a false statement unless it is qualified by an "if" or an "unless" clause. However, I suppose that they may properly quote the tribal council on this score. (Their pamphlet does not quote, however.)

But, when Indian Rights Association supports its thesis with partisan political arguments, which are demonstrably either false or misleading, or misrepresentative of the facts, without at the same time presenting the other side, then I am greatly hurt, disturbed, and a little sick at heart to think that Indian rights are not being defended on more logical and sound bases.

My alternate suggestion—which I only had a chance to hint at when I met with Lawrence Lindley—would be along these lines:

1. Put out a brochure with an honest map of the lake.

2. Make the statement which they seem to feel is necessary to make, that Knowles would violate Indian rights.

3. Support this statement with an acknowledgment that there have been numerous "promises, assurances, etc." of negotiation, but no concrete dollar or kilowatt-hour figures, no specifics on other matters. Then cite the sad and sordid record of the past—and I can only assume because I do not know that there is a record of taking Indian treaty land by condemnation and without adequate compensation. Cite the record of the U.S. Government to make us all ashamed of ourselves: the Indian irrigation project which was undertaken on Indian lands without Indian consent (Flathead); the national bison range itself was apparently established without Indian consent (yet now they oppose Knowles by referring to the severe damage or destruction of the bison range); the Homestead Act which opened reservation lands to white ownership; the establishment of wildlife refuges without Indian consent at Ninepipe and Kicking Horse.

But to try to support Indian rights by taking one side of a partisan political argument, after starting from at best a misleading premise, is to me unconscionable, and does Indian rights as represented by the association almost irreparable harm.

I think the Indians have put themselves in a bad spot by working so closely with Montana Power Co., when, as Mr. Cragun testified in the hearings, they cannot possibly get as good a deal from Montana Power Co. as from building their own dams. I think there is a very real possibility that if they are left to their own to develop the two low dams, they will find themselves prisoners of Montana Power Co. in the end. And as between friendly Senators and a friendly Kennedy administration, as compared with the unscrupulous Montana Power Co., I do not have much trouble choosing where the Indians' best interest lies.

But notwithstanding, I agree that the Indians themselves have a right to be wrong—just like the rest of us.

I do not agree that the Indian Rights Association has a right, or can even be condoned, in the kind of propagandizing political partisanship which is evidenced by the pamphlet against Knowles. Furthermore, I find I shall in the future hold as suspect other positions of the association because they have not acted responsibly in this case.

May I repeat—that I do not mean they have to agree with me to be responsible. I have suggested an approach which would oppose the Knowles Dam—even oppose the authorization bill which I want to see passed in the worst way. But oppose it on the real grounds of Indian rights—even go to the extent of documenting and dramatizing the reason for failure to trust and rely on the assurances of LEE METCALF, the Kennedy administration, the good will of the citizens' committee for Knowles Dam, and the cautious indications of official agencies.

What I object to is the effort to oppose Knowles on its merits—bison range, mud flats, benefit/cost ratio, "full development plains," etc. The Indian Rights Association is not qualified to make judgments on these matters, but is eminently qualified to state the case for Indian rights. All of its statements on the other issues are merely repeating partisan arguments about which they have no way of knowing the truth.

I hope the above gives you a clearer picture of this situation, and my concern about the Indian Rights Association's position. I really think you and I and Lawrence Lindley are not very far apart on our basic concern with Indian rights.

As I said when I saw you, I stayed out of the Kinzua matter because I did not understand it. I have participated in legal proceedings enough to have learned quite a bit about evidence, hearsay, opinion, expert opinion, etc. I have learned how much easier it is to make flat statements when you are not fully responsible for the project, and are not subject to cross-examination. I do not know what are the merits of Arthur Morgan's alternate for Kinzua—it may have been very good. If, however, it was like Mr. Bloch's alternate for Knowles, it would be but an incomplete and unsatisfactory answer. I simply have no knowledge, and did not want to inject myself into the case without adequate knowledge. As to Senator METCALF's lack of support for your case on Kinzua, I find that Senators are very sensitive to public works in their own State—they do not care to have projects in their State taken up by out-of-State Senators—either for or against—as they properly feel they have more knowledge and more at stake than out-of-State Senators would have. It would have been unwise, and probably unsuccessful from your point of view, had METCALF attempted to go over Senators JAVITS' and KEATING's heads on the matter. I have had some notion that there may have been some vested interest complications in the matter, so that it became much more complicated than merely a matter of Indian rights.

I am enclosing some materials, and sending copy of this letter to Lawrence Lindley. I do hope you will read carefully both my letter and Rae Logan's. I do not expect, nor ask, that you take a position—for much the same reasons that I did not take a position on Kinzua.

I do hope that you can understand and appreciate my position, my disappointment that such a respected organization as Indian Rights Association should handle this matter with such little understanding of the real issues involved, and the complexity of the many, many issues not directly involving Indian rights, and my hope and concern that Quakers, as represented by Ray Wilson, Ed Sanders, and AFSC, take a more sound position without becoming parties in the spreading of the Montana Power Co. false gospel.

As surely as I understand the operation of Montana Power Co., I know that they will do all in their power to take away, dissipate, or steal for themselves the damsite values which the Flathead Indians are so concerned about. It is my opinion, which you and Lawrence Lindley are of course at liberty to disagree with, because only time can prove it, that the Knowles Dam is the very best protection the Flatheads have for their powersite values. They will derive more from negotiated compensation than they can ever derive from Montana Power Co., and I have no confidence that they can beat Montana Power Co. by building the dams themselves. (After all Montana Power Co. beat the U.S. Government at Canyon Ferry—a public dam, but Montana Power Co. got the right in the Eisenhower administration (partnership, you know) to build the transmission lines. So the only customer the Federal power generators at Canyon Ferry can have are Montana Power Co.)

Next time I write, I will try to avoid this subject, and get to more personal matters.

Sincerely,

ARCHER TAYLOR.

Mr. METCALF. Mr. President, portions of points No. 6 and No. 7 in the summary which I have inserted in the RECORD allude to the desire of the tribes to develop their own properties. As I reported to the Senate last week, the Flathead Indians have retreated from their statements to both the Senate and House Public Works Committees, to the effect that they planned to finance and construct Buffalo Rapids No. 2 and No. 4. The official representative and former chairman of the tribe is now soliciting throughout the Northwest editorial endorsement, of an arrangement under which the Flathead Tribe would develop these dams in cooperation with the Montana Power Co., instead of on its own. Mr. President, I ask unanimous consent to have printed at this point in the RECORD my comments on the new position of the Flathead Indians, the August 30 memorandum to Northwest newspaper publishers from Walter W. McDonald and the August 25 editorial, in the Wyoming State Tribune, entitled "The United States Is Breaking a Treaty, Too."

There being no objection, the statement, memorandum, and editorial were ordered to be printed in the RECORD, as follows:

[From the CONGRESSIONAL RECORD, Sept. 12, 1963]

THE CAT IS OUT OF THE BAG

Mr. METCALF. Mr. President, I wish to bring to the attention of Members of both the Senate and House of Representatives a significant development concerning authorization of Knowles Dam.

The Knowles project, on the Flathead River in western Montana, was one of the projects added by the Senate to the omnibus bill, which has now been returned to the House of Representatives.

During the hearings on this project before the Senate Committee on Public Works last year, it became clear that there could be three possible developments. One possibility could be the Knowles storage project, which I favor. Another could be construction of two run-of-the-river dams, at Buffalo Rapids sites 2 and 4, by the Montana Power Co. The third possibility could be construction of the two run-of-the-river dams at the Buffalo Rapids sites by the Confederated Salish and Kootenai Tribes, which have applied to the Federal Power Commission for a preliminary permit, as has the Montana Power Co.

At the hearing, the desire of the tribes to construct the dams was emphasized by John Cragun, counsel for the tribes, in these words:

"It is legally impossible for (the tribes) to get as good a deal from Montana Power Co. as they could get from building the dams themselves. There would be a sharing of benefits with Montana Power Co. which would cut in half the exploitable value of those sites to the tribes. Those sites are so valuable in comparison with any other sites, probably, in the whole United States that the matter of the tribe's financing and building them presents no problem, and they could get the entire value from them, which they could not do if Montana Power Co. builds them. The tribes have definitely instructed me to oppose the Montana Power Co. application with every means at our hands. We have done considerable engineering work in preparation for that."

Mr. President, the Flathead tribes took a similar position at the hearings on Knowles conducted by the House Public Works Committee this year.

The prepared statement of Walter W. McDonald, official delegate and former chairman of the Flathead Tribal Council, refers to the tribes "own Development of the Buffalo Rapids sites."

The prepared statement of Counsel Cragun concludes that the tribes "wish to rely on their own applications before the Federal Power Commission for a preliminary permit to build their own damsites."

Additionally, Mr. Cragun placed in the hearing record a resolution of the Affiliated Tribes of Northwest Indians, adopted August 18, 1962, and signed by its president, the same Walter McDonald who appeared as a witness for tribal development of the sites. The resolution states that "the Confederated Salish and Kootenai Tribes intend to develop these damsites and have filed an application for preliminary permit on these sites with the Federal Power Commission."

Mr. President, I am aware that many of my colleagues, in both the Senate and House, have had the impression, as I have until now, that three developments were possible—the Federal Knowles Dam, construction of Buffalo Rapids 2 and 4 by the Montana Power Co., or construction of Buffalo Rapids 2 and 4 by the Confederated Flathead and Salish Tribes.

It now appears that the alternatives have been reduced to two, that a deal has been made between the Montana Power Co., and the Confederated Salish and Kootenai Tribes.

I have been privileged to receive a copy of the memorandum which is being distributed to editors in the Northwest by Mr. Walter McDonald. This memorandum is written in his capacity as president of the Northwest Affiliated Indian Tribes. It accompanies an editorial from the Wyoming State Tribune. The Tribune, discussing the run-of-the-river alternatives to Knowles, reveals that the Flathead Indians "plan this development in connection with the Montana Power Co."

Mr. McDonald, in sending this editorial to newspaper editors, asks them to "please reprint it, condense it, comment on it, or write one of your own."

Mr. President, the cat is out of the bag. The expensive cultivation of Flathead Indian officials by the Montana Power Co., has borne fruit. The tribe's and its counsel's strong statements to Congress about opposition to the Montana Power Co., that tribal "financing and building—the dams—presents no problem," are now meaningless.

And so, Mr. President, we now have but two alternatives, full development of the Federal Knowles project, or underdevelopment by the Montana Power Co., which charges exorbitant rates and ships its millions of dollars in annual overcharges to the out-of-State stockholders.

August 30, 1963.

Dear Northwest Newspaper Publisher: Would you please allow me 5 minutes?

I am an Indian. I have lived all my life in my native Pacific Northwest (I was born and raised in western Montana, where I operate a successful cattle ranch near St. Ignatius). At the present time I am president of the Northwest Affiliated Tribes and president of the Montana Intertribal Policy Board. I am a member and former president of the Flathead Tribal Council. We have just concluded a convention of the Affiliated Tribes here in Spokane, Wash.

In this era of talking about treaties and civil rights, we Indians are happy to find that people are waking up to something we have been shouting about for many years.

We believe:

Treaties are made to be kept. We expect our country to keep its end of the bargain, just as we expect other nations like Russia to respect treaties.

The Negroes are not the only people being deprived of their civil rights. We Indians have faced this problem for many years, too.

In both of these respects—treaties and civil rights—members of the Flathead Tribe (Confederated Salish and Kootenai Tribes) in western Montana are in danger of being shortchanged as a result of the proposed construction of Federal Knowles Dam. It would flood out much of our land (16,000 acres) including damsites in whose development we are vitally interested.

The enclosed editorial from the Wyoming State Journal of August 25, 1963, tells the story of the courageous stand by Representative Battin of Montana in describing our plight. Please take time to read this editorial. If you would, please reprint it, condense it, comment on it or write one of your own.

We Indians need your help in making known the threatened violation of our treaty and civil rights by Knowles Dam legislation now in Congress.

Won't you help us?

Very truly yours,

Walter W. McDonald.

[From the Wyoming State Tribune, Aug. 25, 1963]

The United States Is Breaking a Treaty, Too

"Mr. Speaker," said Montana's Representative James Franklin Battin in the U.S. House of Representatives this past Monday, "the Senate of the United States is currently engaged in hearings and debate over the recent test ban treaty entered into by the United States with Russia and other foreign powers.

"Much of the discussion over the usefulness of this treaty and its benefit to the United States has centered around the reliability of Russia to live up to its treaty commitments," observed Montana's Second District Republican Congressman.

"Performances of Russia in the past," he continued, "have certainly justified the wariness of the American people to accept the solemn promises of Russia when they are broken at will by the Soviet Government."

Mr. Battin reminded his listeners that the Constitution of the United States makes our treaty obligations the supreme law of the land.

Was Mr. Battin concerned with the test ban treaty?

Not in this specific instance; what he was getting around to saying is that while we are pondering the good intentions of the Soviets in carrying out the terms of a treaty negotiated with this country, the United States itself is in the process of violating one of its own solemn commitments—made over a century ago with the Flathead Indians.

It is doing so in proposing to build on their lands, reserved to them by treaty, and against their wishes, the so-called Knowles Dam project, a 95-percent public power undertaking of the U.S. Department of the Interior, which also has jurisdiction through its Bureau of Indian Affairs over the welfare of these very same Indians.

The treaty involved is the so-called Hellgate Treaty signed with the Flatheads on July 16, 1855; the treaty subsequently was ratified by the United States 4 years later and is in force and effect today. It reserved certain lands for the use and occupation of the Flathead Tribes.

"It is the same type of treaty and should merit the same concern and treatment as is presently being given the test ban treaty," said Mr. Battin, a 38-year-old Billings attorney who is serving his second term in Congress. "Yet the Senate of the United States, the same body which ratified the treaty with the Flathead Tribes, completely ignored that treaty and proposed the authorization of the Knowles Dam in Montana in face of the strong and emphatic opposition of the Flathead Tribes who charged that such action is a violation of their treaty rights."

The Indians, it turns out, possessing natural damsites within their reservation, wish to develop their own hydroelectric power projects that will be smaller in scope than Knowles, will not inundate some 20,000 acres of rich irrigated farming lands owned by the Flatheads, who wish to preserve their agricultural industry, and which will bring a profitable return from power revenues. They plan this development in connection with the Montana Power Co.

If the Government persists in its course, the Indians say, they plan to sue the United States for $116 million for violation of their treaty rights and usurpation of their lands.

This will make Knowles, already assailed by private power exponents as a costly, taxpayer-supported project that will not pay its way, an extremely expensive undertaking.

The public power exponents and Montana's two Democratic Senators apparently are not to be swayed, however. Nor is that great conservator, supposedly the greatest in that field since Theodore Roosevelt and Gifford Pinchot, the honorable Secretary of the Interior, Stewart L. Udall.

This matter places both Mr. Udall and the entire New Frontier in a curious position. While the Kennedy administration poses as the champion of civil rights in behalf of the Negro, it exhibits blatant disregard for those of these American Indians, the Flatheads, who apparently wish only to be left alone to devise their own industrial progress.

The Indians and Mr. Battin probably will be attacked by professional do-gooders as tools of the private power trust; they will be attacked, as in the Burns Creek argument, of shedding "crocodile tears" for the Indians (in former Idaho Congresswoman Gracie Pfost's Burns Creek testimony, it was the Wyoming coal miners).

But they cannot get around the fact that the Indians have a treaty with the United States, it is being flagrantly violated by an invasion of the Flatheads' rights and interests, and over their protests.

Mr. Battin can and should call attention again and again to this brazen breach of a solemn agreement.

Mr. METCALF. Finally, Mr. President, point No. 6 of the summary questioned the consistency of the Secretary of the Interior in the case of Knowles Dam. In this regard, I cannot improve upon the statement of the Secretary, in response to a question by Chairman Davis, of the House Public Works Subcommittee on Flood Control, during the hearings June 5, 1963. Secretary Udall said:

Knowles Dam, as I indicated in my prepared statement, is relatively speaking a high dam; it will be primarily a producer of hydroelectric power where my Department has marketing responsibilities for all hydroelectric power. You have in this area problems of irrigation, which are the problems of my Department. You have the Indian land problem, which is again my Department. You have the fish, wildlife, outdoor recreation. All these are responsibilities of my Department. These were reasons why, among others, this was felt that this was a logical project, even though both the corps and the Bureau have studied this project under assignment by Congress in the past over the years. It was felt that this was a logical decision, just as we felt for other reasons that it was logical that major construction work in the State of Alaska, whether it is high dams or low dams, should be done by the corps, which has a major construction responsibility in the construction organization in Alaska.

THE NUCLEAR TEST BAN TREATY

Mr. THURMOND. Mr. President, in previous issues of the Congressional Record I have had printed a number of news columns, editorials, and other materials expressing concern or criticism about the proposed Moscow test ban treaty. I have done this in an effort to present to the Members of the Congress, and particularly the Members of the Senate who are now considering this treaty in debate on the Senate floor, an indication of the widespread concern over the efforts to ratify this treaty.

I ask unanimous consent, Mr. President, to have printed in the Record at the conclusion of these remarks the following materials:

My weekly newsletter dated September 16, 1963, and entitled "Superiority or Surrender."

A broadcast editorial over Radio Station KGAF of Gainesville, Tex., dated September 10, 1963.

An article by Maj. Gen. Thomas A. Lant, U.S. Army, retired, entitled "Advise and Consent—A Test of Courage."

An editorial from the State, of Columbia, S.C., dated September 13, 1963, and entitled "A Farewell to Arms?"

A column by Mr. Fred McKinney from an Arizona newspaper.

An editorial from the Knoxville Journal, of Knoxville, Tenn., dated September 10, 1963, and entitled "We Trust the Reds."

A column by Mr. Bill Henry which appeared in the September 10, 1963, issue of the Los Angeles Times of Los Angeles, Calif., entitled "To Vote Without Full Knowledge."

Volume 7, No. 34, September 1, 1963, of NBC's Meet the Press.

A column by Mr. W. D. Workman which appeared in the State, of Columbia, S.C., on September 15, 1963, entitled "Security Endangered."

Statement by Dr. M. H. Johnson, a leading physicist, on the test ban treaty, entitled, "Dr. Johnson Discusses Issues."

There being no objection, the letters, editorial, and articles were ordered to be printed in the Record, as follows:

Superiority or Surrender

(By Hon. Strom Thurmond, U.S. Senator from South Carolina, reports to the people)

September 16, 1963.

Debate in the U.S. Senate over ratification of the Moscow test ban treaty is waxing hotter and is now boiling down to a basic question of whether political or military considerations are of more importance to our Nation. The Senate Foreign Relations Committee has endorsed the treaty in a report which is filled with rosy observations about Soviet intentions in proposing the treaty.

Following issuance of this report, the Senate Armed Services Committee's Preparedness Investigating Subcommittee, of which I am a member, also filed a report with the Senate. The report states that based on extensive evidence presented by military and scientific witnesses in closed door sessions, the subcommittee has concluded that "the proposed treaty will affect adversely the future quality of this Nation's arms, and that it will result in serious, and perhaps formidable, military and technical disadvantages."

The preparedness report lists eight principal disadvantages which would flow to the United States by ratification of the treaty. They are as follows:

(1) We probably will be unable to duplicate Soviet achievements in very high-yield weapon technology;

(2) We will be unable to acquire necessary data on the effects of very high yield atmospheric explosions;

(3) We will be unable to acquire data on high altitude nuclear weapons effects;

(4) We will be unable to determine with confidence the performance and reliability of an antiballistic missile system developed without benefit of atmospheric operational system tests;

(5) We will be unable to verify the ability of our hardened underground second-strike missile systems to survive closein, high-yield nuclear explosions;

(6) We will be unable to verify the ability of our missile reentry bodies under defensive nuclear attack to survive and to penetrate to the target without the opportunity to test nose cone and warhead designs in a nuclear environment under dynamic reentry conditions;

(7) The treaty will provide the Soviet Union an opportunity to equal U.S. accomplishments in submegaton weapon technology; and

(8) The treaty would diminish our capability to learn of Soviet advancements in technology.

What the Preparedness Subcommittee is particularly concerned with is preservation of U.S. nuclear superiority in the cold war. In fact, this superiority must be of an overwhelming nature, not only to our satisfaction but also in the judgment of the U.S.S.R., especially in view of the fact that our leaders have made it known to the world that we will accept the first blow in the nuclear exchange. All our plans are bottomed on the idea that we will be able to absorb the U.S.S.R.'s first strike capability, and then retaliate with enough power to destroy the enemy and win the war.

Since we have spotted the enemy the first strike, we must be absolutely certain that we can indeed absorb the first blow, and have left enough strategic nuclear weapons to win. The Soviets, therefore, don't need to test as much as we to ascertain weapons effects. In addition, they may have already learned enough to exploit our vulnerabilities so as to neutralize our second strike capabilities in underground ICBM's and in underwater Polaris missiles, to such an extent that they can win in a nuclear exchange or that they can demand U.S. surrender. There is deep concern that the Soviet superbomb either has, or shortly will have, the capability to neutralize many or most of our underground missiles, and that the already deployed Soviet antiballistic missile system may be able to stop U.S. retaliation by Polaris missiles.

For these reasons—and I can think of nothing more important than national security considerations—I am opposing this treaty, even though I realize that to refuse to ratify the treaty, since it was signed without the advice of the Senate, may cause some international repercussions. However, I share the view of Dr. Edward Teller when he warned that "if you reject the treaty this will be a small mistake. * * * If you ratify this treaty, I think you will have committed an enormously bigger mistake. * * * You will have given away the future safety of this country."

Sincerely,

STROM THURMOND.

RADIO STATION KGAF EDITORIAL, SEPTEMBER 10, 1963

The Senate is now debating whether to ratify the recent Moscow treaty—or the so-called test ban treaty. The investigations held concerning this treaty have exposed serious deficiencies and threats to the security of the United States if this treaty should be ratified in its present form. Close examination of the testimony given in the hearings has revealed that the treaty can be expected to materially help the Soviets to increase their military strength in relation to that of the United States, while preventing this country from making the necessary progress to simply hold our own in the current military relationship with the Russians. In fact, the most damaging testimony of all was that given by Secretary of Defense McNamara himself, who was testifying for the treaty. McNamara's testimony, however, reveals serious contradictions and unwarranted assumptions by the Defense Department and the administration concerning our national defenses in relation to the Communists.

Even beyond these considerations, however, is the more obvious facts of life concerning dealing with the Communists who have continuously proclaimed that deceit is the foundation of Communist policy. The hypocrisy of the Soviet position and the entire concept of the treaty of Moscow and the theories of disarmament are exposed in an amendment to the treaty offered by Senator BARRY GOLDWATER.

The Goldwater amendment says, "the effectiveness of the treaty will be deferred until the U.S.S.R. has removed all nuclear weapons, all weapons capable of carrying nuclear warheads, and all military, technical personnel from Cuba and until arrangements have been made for the international inspection within Cuba to determine and confirm such removal."

The treaty of Moscow—or test ban treaty—has been described by President Kennedy as the "first step toward peace."

GOLDWATER exposed the fantasy of this statement when he said, "This proposed test ban treaty cannot be a first step toward peace if it must stumble over Soviet missiles and troops in Cuba."

For over 17 years the Communists have followed an unrelenting course dedicated to the destruction of the United States. For this country to consider disarming or letting down our guard even slightly without some tangible evidence of change in the Soviet policy will be national suicide.

KGAF feels that if the treaty of Moscow is to be considered at all, it must have the Goldwater amendment as a basic protection of our survival. We urge that you wire or write your Senators today calling upon them to insist upon the addition of the Goldwater amendment to the test ban treaty.

The opinion expressed in this editorial is the view of KGAF Radio, not necessarily the view of any advertiser. KGAF Radio will provide equal time for opposing views upon request by a qualified spokesman.

ADVISE AND CONSENT—A TEST OF COURAGE

(By Thomas A. Lane, major general, U.S. Army, retired)

WASHINGTON.—The Senate of the United States is not called often to exercise its power to approve or reject treaties. Even more rarely is it called to pass upon an agreement negotiated without prior consultation with the Senate leadership. As the Democrats used to say to President Eisenhower, "if we are going to be in on the crash landings, we want to be in on the takeoffs."

In the test ban treaty, the Senators face a serious question of national security. Under compulsive pressures to make some headway in disarmament and serve domestic political considerations in the United States and Britain, our representatives have executed an agreement which is plainly advantageous to the Soviet Union.

The dangers of the treaty have been clearly marked by the Joint Chiefs of Staff. By accepting the judgment of the President that the political advantages outweigh the risks taken, the Joint Chiefs and others who are not responsible for political judgments have brought themselves to accept the treaty.

The Senators cannot so easily avoid responsibility. The Constitution requires their solemn judgment of the issue and this responsibility will not be served by mere acceptance of the Presidential judgment. They must weigh carefully the full impact of the treaty—military, political and spiritual. If they find it to be against the interest of the United States, they must have the courage to reject it.

Free peoples are in a race with the Communist powers for the dominion of the world. Unhappily, we run not so as to win the prize, but so as to withdraw from the race. To foster illusion in our peoples, we pretend that we can avoid the contest.

It began with President Eisenhower who, to appease a popular desire, suspended our testing program without adequate safeguards. We stopped running while the Soviet Union forged ahead.

President Kennedy continued the voluntary ban without making preparations for its violation by the Soviet Union. When the Soviets were ready, they tested; and the scope and magnitude of their tests amazed the world. The United States was caught flatfooted, unprepared.

The Soviet tests challenged us to a vigorous program to overcome the handicap which negligence and bad judgment had imposed on us. What was our response? We have striven not to overcome the handicap but to perpetuate it. We have had no program of testing to bring our knowledge of nuclear weapons abreast of Soviet knowledge. We have been fearful that aggressive testing would jeopardize our negotiations for a test ban, so we have conceded the Soviet superiority.

Since 1946, the United States has been urging atomic arms control under adequate inspection. Refusal of the Soviet Union to accept inspection, even when it was far behind in the race, reflects the Communist determination to prevail. Khrushchev is not withdrawing from the race.

The United States, in contrast, has frittered away its nuclear leadership in vain peace seeking which can only spur the Communist confidence in ultimate victory. If it now abandons the standards of positive inspection which are the only adequate safeguard of treaty compliance in a matter as vital as nuclear weapons development, it invites its own destruction.

The Moscow test ban treaty prohibits testing, without inspection, of small atmospheric blasts which we cannot detect and which are important to nuclear progress. Will the United States voluntarily impose this limitation on itself and trust the Soviet Union to do the same?

Our Senators are called to vote. Will they give the seal of their approval to a policy of granting concessions to communism, and thereby assure its continuance? Will they reject the treaty and call upon the Soviet Union to accept full inspection of nuclear activities? Will they attach protective clauses to the treaty to limit the ban to testing which can be positively identified without inspection at the testing site? Each Senator must decide for himself and for our country.

[From the Columbia (S.C.) State, Sept. 13, 1963]

A FAREWELL TO ARMS?

Do we want complete disarmament of the United States—under the supervision of some international agency?

The State finds no evidence of any such thinking on the part of South Carolinians or of other patriotic Americans. But complete disarmament and international control are the ultimate objectives of the nuclear test ban treaty now being considered in the Senate.

This is no speculative assertion on our part: It is spelled out in exact language in the preamble of the treaty itself. Somehow, in both the political and public debate over the treaty, little attention has been paid to that preamble, but those preliminary words embrace a threat to this Nation's defense which goes far beyond the particulars of the treaty itself.

The American people are being spoon fed with soothing sirup which plays up the supposed benefits to accrue from the treaty and plays down the hazards to national security. Prominent politicians in both parties are swallowing the same sirup that they are ladling out to the public.

Only a handful of courageous spokesmen, mostly Southerners, are challenging the bland promises and unsupported assurances that the treaty is in the national interest. But, little by little, the people are beginning to develop that genuine concern which should accompany any proposal which could even possibly jeopardize national security.

With this awakening on the public's part, there is a corresponding rush in Washington to hasten the vote on the treaty. The President himself is launching a crash program to gain early ratification by the Senate, before any groundswell of opposition from the folks back home can influence the outcome of the vote.

The Kennedy administration already has subscribed to the treaty. Now, only the U.S. Senate stands between the American Nation, along with Russia and Great Britain, party to an agreement embodying these ominous words:

"Proclaiming as their principal aim the speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armaments race and eliminate the testing of all kinds of weapons, including nuclear weapons."

The Federal Government already has virtually abolished the sovereignty of the individual American States. Are we now to surrender the sovereignty of the United States itself?

THE BREWERY GULCH PHILOSOPHER SAYS—

(By Fred McKinney)

The test ban treaty between Russia, Great Britain and this country won't become effective until the United States Senate ratifies it. President Kennedy urges its ratification as the "first step toward peace," but the Senate is giving the matter considerable study before making this important deal with our enemy in the cold war, one who has proved treacherous in the past. He has said that he would bury us, and probably some Senators believe that this treaty is a step in that direction along with other steps that may be expected to follow. In the meantime, many other members of the U.N., mostly the smaller ones, have signed.

None of them, as far as we know, have bombs and they couldn't do any testing even if they wanted to. This is a reminder of the story of the hunter and the bear. As the hunter was about to shoot, the bear said, "What is it you want?" The hunter said, "I want a fur coat." The bear said, "I am hungry, I want a full stomach. Let's talk it over, let's negotiate." The hunter laid down his rifle and after a while the bear got up and walked away. He had a full stomach and the hunter had his wish, he had a fur coat. Could this be a case of history repeating itself?

[From the Knoxville Journal, Sept. 10, 1963]

WE TRUST THE REDS

The conviction is almost universal in this country and in other free nations that for the past 40 years Communist world domination has been prevented by just one thing. That has been the military superiority of this country and the other nations, a majority of whose people are hostile to the police state as a form of government.

It is clear to many of us that the nuclear test ban treaty into which the Kennedy administration has all but maneuvered the country represents a first step toward abandonment of the theory defined above. As a substitute for superiority of military power, we are now encouraged to believe that between March and August of this year the Communists have experienced a complete change of viewpoint, that the tiger held at bay by the sight of a gun has now become a tame kitten anxious only to lap up milk from a dish.

History tells us that where Communists are concerned there is no such thing as maintaining a status quo. The late F.D.R. made concessions at Yalta that placed millions of unoffending people behind the Iron Curtain. He did so under the impression he could charm Joe Stalin into being good. Out of the fateful concessions made there, many of our current cold war troubles grew.

A few years later, at the urging of the late George Catlett Marshall, President Truman forced upon the Nationalist Chinese a coalition with the Chinese Communists. It was not long before the Reds owned the government and Chiang Kai-shek's forces had to flee to Formosa.

In the Korean war, American forces were under orders not to win. It was forbidden to attack the enemy beyond the Yalu River where were located the staging areas for enemy forces. At the end of an inconclusive truce, we are still, 10 years later, wrestling with the problem of keeping South Korea both non-Communist and free.

An arrangement made by the British with the Russians to safeguard the neutrality of Laos has collapsed by reason of Communist failure to keep commitments publicly made. We continue to wrestle not only with the troubles of Laos, but with increasing problems in South Vietnam.

Following what was made to appear to be a bold confrontation of Khrushchev on the issue of removing missiles from Cuba, we have subsequently acquiesced to the permanent occupation of that country 90 miles from our shores, and, indeed, have constituted the Castro regime as a protectorate.

We have listed a few outstanding examples of attempting to maintain a status quo position with the Communists and now it appears they are ready to try it again. We are abandoning the axiom that the only thing Communists recognize is force and are once more adopting, in this proposed treaty, the historically discredited theory that Communists are susceptible to reason and considerations of honor and conscience.

Furthermore, we are about to take this step in the face of a statement issued by the Senate Armed Services Preparedness Subcommittee which confirms the view that treaty ratification will make permanent our inferior position with respect to military power.

After hearing the testimony of 21 military and scientific witnesses, the majority of this committee reported as follows:

"The Soviets have overtaken and surpassed us in the design of very high yield nuclear weapons;

"That they may possess knowledge of weapons effects and antiballistic missile programs superior to ours;

"That under the terms of the treaty it is entirely possible that they will draw even with us in low yield weapons technology.

"These things are no ground for complacency. We believe very strongly that Soviet secrecy and duplicity require that this Nation possess a substantial margin of superiority in both the quality and the quantity of its implements of war."

[From the Los Angeles Times, Sept. 10, 1963]

TO VOTE WITHOUT FULL KNOWLEDGE

(By Bill Henry)

As we watch Members of the Senate of the United States grappling with their consciences this week as they prepare to vote on the test ban treaty, trying to disagree in some cases without being disagreeable, we're eying a strange situation. Here's a treaty which nobody is sure about, one regarding which even its most strenuous advocates can advance only the faintest of praise, yet one virtually certain to be passed by a large majority. It will be approved largely because it will certainly contribute to the peace of mind of a lot of people. Everyone hopes it may lead to a better world. But the existence of the free world is at stake also. Unfortunately, while everyone seems to have a strong opinion on the subject, these opinions are not based on sound fact or knowledge. The real truth about the test ban treaty is that everyone concerned, from President Kennedy down to the least informed of us private citizens, is really taking a chance. President Kennedy, who advocates it and regards it as a sort of peak of accomplishment, doesn't really know what it portends. He is neither a scientist capable of judging the real value of testing in the atmosphere, nor a military expert capable of measuring the treaty's possible consequences on our future ability to survive. It is quite true that the best scientific and military advice is available to him but the fact is that there is vital disagreement among both the scientists and the military. The only place where there is unanimity is in the perfectly human hope for peace, or at least for a lessening of tension. That's just about universal. Unfortunately it is a feeling based entirely on emotion. It is not based either on knowledge of facts or judgment of consequences.

THEY ALL HAVE RESERVATIONS

The truth of the matter is that you can't find anybody on our side whose judgment is worthy of consideration, who wholeheartedly regards the test ban treaty as a good thing. The best that even the President will say for it is that it is a "small first step in the right direction." He, and others who advocate its approval on this ground, say that this is their judgment. Actually, it is just their hope. The scientific side of this question is far too intricate for any layman to assess it sensibly. Furthermore, the scientific people themselves are sharply divided. It is all very well to say that Edward Teller's opinion against approval is offset by the opinions of other scientists who are for it. This may be true, but most of us remember that a lot of the finest of the scientists were convinced that Teller was wrong when he said that we could and should develop the H-bomb. They said it couldn't be done.

Teller was right. That's grounds for believing that he might be right this time, too.

PEACE OF MIND VERSUS SURVIVAL

The most disturbing factor in the argument is the uneasiness of the people whose lives and careers are devoted to our country's survival. Not a single defense expert has come out wholeheartedly in favor of the treaty. The best any of them has given is a yes—but. The most enthusiastic of them merely says that "the benefits outweigh the drawbacks." All base what approval they are willing to give on the fact that the treaty has "political advantages." A good share say they would have opposed it if it hadn't already been signed. General Power, on whom the actual nuclear defense of our country largely rests, is flatly opposed to it. The Senators already opposed to it are largely those closest to our national defense. So just remember that the men who are approaching this very vital decision are interested in, and responsible for, not only our peace of mind, but our national survival.

MEET THE PRESS—AMERICA'S PRESS CONFERENCE OF THE AIR, SUNDAY, SEPTEMBER 1, 1963

Produced by Lawrence E. Spivak.

Guest: Dr. Edward Teller.

Panel: John Finney, the New York Times; Peter Hackes, NBC News; and R. H. Shackford, Scripps-Howard Newspaper Alliance.

Moderator: Ned Brooks.

Mr. BROOKS. This is Ned Brooks, inviting you to Meet the Press. Last Thursday the Senate Foreign Relations Committee approved a test ban treaty overwhelmingly. It now goes to the Senate floor for debate and vote.

Our guest today on Meet the Press is the treaty's leading opponent, Dr. Edward Teller, one of the world's outstanding nuclear scientists, who has urged the treaty's defeat in public and secret testimony before the Senate committees.

Dr. Teller was the key man in the fight for and the development of the H-bomb. He is a physicist at the University of California.

We will have the first question from Lawrence E. Spivak, permanent member of the Meet the Press panel.

Mr. SPIVAK. Dr. Teller, you have been quoted as saying about the test ban treaty: "If it is ratified, you will be giving away the safety of this country, and you will have increased the dangers of war."

President Kennedy has decided that ratifying the treaty will not endanger our security. Do you think you and the President are reaching opposite conclusions from the same set of facts?

Dr. TELLER. I believe so. It seems obvious than an agreement should lead toward peace. Peace is the question of overriding importance. In that, I agree. But this treaty will, in my opinion, weaken the United States. Weakness will make it harder for us to preserve the peace. It is our strength that is preserving the peace in our dangerous world. It is because of my desire for peace, for the same reason for which the President and so many other excellent people are urging ratification of the treaty—it is strangely enough for this same reason, for peace, that I argue that this treaty must not be ratified.

Mr. SPIVAK. Dr. Teller, may I come back to my question? Do you have access to all the scientific and intelligence information available to the President, so that you can come to a conclusion from the same set of facts?

Dr. TELLER. No two people ever know the same facts. In the scientific field, in the military field, I have been worried about this question for almost a quarter of a century now. I have become very familiar with it, and I have learned that often I have to change my mind. In that field I think I have a little competence.

On the intelligence information, I do not know all the facts, and the President does, but I do know that in the intelligence field we have made in the past many mistakes.

Mr. SPIVAK. Dr. Teller, the thing that bothers a great many people, as I am sure you know, the heads of the Air Force, the Army, the Navy, the Marines, are united in their support of the limited test ban agreement, provided security safeguards are guaranteed, which the President says he is going to put into effect.

Are there any safeguards which would convince you that this treaty ought to be ratified?

Dr. TELLER. I think this treaty limits knowledge. This treaty limits our possibility to find out about defense against ballistic missiles. The man in charge of the ballistic missiles and also the man in charge of our main Air Force, General Schreiver, and General Power, have argued vigorously against the treaty. I think that the treaty as it stands does not have the proper safeguards.

Mr. SPIVAK. Dr. Teller, isn't it true that a great many distinguished scientists and a great many important military men all agree that there are some risks but that the risks are not so great that they ought not to take the risk?

Do you believe that the United States should take no risk at all, no matter how slight?

Dr. TELLER. I believe that we can take risks, but I also believe that as a scientist I must look at arguments. I must not look at people. I don't care who disagrees with me, but I do care what the reasons are of the disagreement.

Mr. SPIVAK. One more question, Dr. Teller. Are you more concerned that the Soviet Union might keep this treaty not to test in the atmosphere—or that they might not? I mean, which bothers you most?

Dr. TELLER. I don't know. I know that this treaty gives a great deal of flexibility to the Soviet Union. The Soviet Union may develop a missile defense, because of the knowledge they already have and because they may be cheating. And if they have a defense and we don't, this is just as though they had an attacking power and we didn't. Also, this treaty can be used to erect barriers between our allies and us. By keeping the treaty or by breaking the treaty at will the Soviet Union can put us at a very great disadvantage.

Mr. FINNEY. Dr. Teller, could you spell out for us precisely how this test ban treaty would weaken our national security?

Dr. TELLER. This treaty permits underground testing, and rightly so. By underground testing we can continue to develop and the Russians can continue to develop their attacking power. By underground testing, any other signatories can develop nuclear weapons, and therefore this treaty will not stop proliferation. What this treaty does is to ban atmospheric tests, and thereby it prevents the observation of the effects of nuclear weapons. These effects we need, and we need them desperately in order to find out how to defend ourselves against incoming missiles. Only by actual practice in the air can we find out how to make an antimissile missile. This treaty will not stop further big explosives—and I didn't care if it stopped that or not.

Mr. FINNEY. Doctor, let's turn to this anti-ICBM question upon which you pin so much of your case. Is it not true that at the present time we have a warhead for an antiballistic missile, in fact, a warhead which has been certified as reliable by the AEC?

Dr. TELLER. We have the warhead, and that is not what I am talking about. We may need another one, and we can't develop that warhead underground. I want to explain to you in a very few words what defense against missiles means. We have to count on 5 live missiles coming against us simultaneously, accompanied by 25 decoys. We must discriminate which are the hot warheads, and we must shoot down every one of them. When we shoot at the first, our shot will blind us. The second, then, or the third or the fifth may come through. This kind of most difficult exercise must be practiced if it is to be reliable. It is this practice that we cannot undertake.

Mr. SHACKFORD. Dr. Teller, during the Senate hearings many of your fellow scientists who disagree with you were asked why they thought you took such an opposite point of view. One of those was Dr. Kistiakowsky, who was President Eisenhower's scientific adviser, and he told the committee, "Dr. Teller has been extraordinarily single minded in his devotion to one project; namely bigger and better nuclear weapons and specifically the H-bomb, for 20 years."

Dr. Kistiakowsky went on to say that it was inevitable that in concentrating on one aspect of this problem you tended to ignore some of the other considerations. What is your answer to those who say that you base your views upon a narrow, technical point of view and fail to look at the entire picture?

Dr. TELLER. I try to look at the entire picture, but all of us place great emphasis on the things we know. Now, I would like to say this: I wish I could agree with my good friend George Kistiakowsky. I wish I could agree with him that I am single minded and consistent. I am neither. I do not base this case on the development of bigger weapons. In 1958, in 1959, I was in favor of an atmospheric ban because at that time I did not believe in missile defense. I thought it was too difficult.

Then, in 1961 and 1962, the Russians put up a terrific show of atmospheric explosions, and during 1961 they said they have the missile defense. This fact, together with many discussions on missile defense which followed, have convinced me that I must change my mind—that missile defense, while extremely difficult, might be possible. I am opposing this treaty, not because I am single minded, not because I want big explosives, but because I have learned that we must have defense and for defense we need explosions in the air.

Mr. SHACKFORD. Dr. Teller, I am sure you agree that there are also factors involved in a treaty of this sort other than nuclear technology—international affairs, diplomacy, overall military strategy. When you were asked at the Senate hearings about these factors, particularly the political considerations, you said that you thought the consequences of this treaty may weaken the alliance, the NATO Alliance, and in the end it might destroy the alliance.

What led you to this sort of a conclusion?

Dr. TELLER. The treaty says, "Each of the parties undertakes to refrain from causing, encouraging or in any way participating in the carrying out of any nuclear weapon test explosion or any other nuclear explosion."

We need cooperation with our allies in our common nuclear defense. I understand that even today our cooperation with Canada has suffered—our cooperation because of which one government in Canada has already fallen. I think that the language of this treaty will make it even harder for us to do what we have to do: Make out of the Western World a unit which is truly one in which each member knows that its fate is irrevocably tied to the fate of every other participant. And we must start with common defense, with common nuclear defense. The treaty makes this vital step more difficult.

Mr. HACKES. Dr. Teller, a great many people within the administration, Cabinet members and such, along with a number of prominent scientists, some of whom have been mentioned here, differ with you rather sharply.

What would you say are the motives of these men? Are they political? Have they been browbeaten by the administration?

Dr. TELLER. I am sure they have not been browbeaten. I have met many of my opponents. I have been always received with courtesy and with smiles. Maybe what we are facing here is a steamroller. But if it is a steamroller, it is something I have never seen before. It is a smiling steamroller, rolling along irresistibly in the wrong direction.

Mr. HACKES. Would you go so far as to accuse the administration of lying to the American people in this general area?

Dr. TELLER. Certainly not. The administration and everyone in the administration is doing what in his opinion is the best for the country. But the ardent desire for peace, the imagination, the hope, in my opinion the false hope, but nevertheless the hope that this might bring peace closer, it is this that has misled in the past and is misleading now many very excellent people.

Mr. HACKES. There was a time, Dr. Teller, I believe, when you favored a test ban treaty. You are obviously against this one.

Is there a treaty other than this one that you would urge the Senate to approve? If so, what would it include?

Dr. TELLER. There is one. In 1958, Dr. Libby, then Commissioner of the Atomic Energy Commission, and I made a suggestion, and I still maintain this suggestion. I suggested—we suggested, that we limit the release of radioactivity to such an amount that between us and the Russians and possibly other countries, there shall be no further increase of radioactivity—that we shall do no more than replace the amount of radioactivity that year by year is decaying in the atmosphere. This radioactivity is small, and if we observed this limitation then we could be sure about the future of the cleanness of the atmosphere. This I have favored, and this I do favor because within these limits we can carry out everything we need for our defense.

Mr. SPIVAK. Dr. Teller, you seem to place a great deal of emphasis on the fact that we will be unable, unless we test in the atmosphere, to develop an antimissile missile.

I would like to quote to you what the President said about that recently: "The problem," he said, "of developing a defense against a missile is beyond us and beyond the Soviets technically, and I think many who work in it feel that perhaps it can never be successfully accomplished."

Is there any reliable scientific evidence that it can be accomplished?

Dr. TELLER. I am puzzled. The Secretary of Defense said that even without testing in the atmosphere we can develop it. I am afraid that the truth may be in between these two statements. That it may be that without testing in the atmosphere we can develop a missile defense just as Secretary McNamara said, but without testing it we shall never be sure whether it will work, and not being sure, we then may not spend the billions of dollars needed to establish such defense.

Mr. SPIVAK. Dr. Teller, the treaty is almost certain to be ratified, judging by what the committee did the other day, and by the reports about it. Are there any additional safeguards that you think would help?

Dr. TELLER. There are important safeguards. This treaty explicitly says that we must not perform any nuclear explosion—and I read—"any nuclear test explosion or any other nuclear explosion."

I think it should be spelled out in a reservation, as President Eisenhower has suggested, that in case of aggression against any free nation we should promptly and without doubt be able to use nuclear explosives. There are other reservations, but this is the most important one.

Mr. FINNEY. Dr. Teller, you suggested that we can never be sure that an anti-ICBM would work until we actually tested it. Isn't it a fact, sir, that we have several weapons in our arsenal now, such as the Titan and the Atlas which have never really been tested with the firing of the missile and the explosion of the warhead?

Dr. TELLER. It is true, and there are many of my technical friends who are worried about that fact. But the problems of ICBM's attacking, anti-ICBM's defending, are of a complexity similar to the complexity of fencing. Would you in all seriousness say that to become a good fencer all you need is good eyesight, a good blade and rapid reactions? Do you not think that fencing should be actually practiced?

Mr. FINNEY. Does not the complexity of this problem, sir, involve the nonnuclear side of the problem, the discrimination, the electronics, the radio blackout and so on, rather than the warhead and its effects?

Dr. TELLER. It is true. It involves the nonnuclear side. It also involves the nuclear side, and it involves the interaction between these two, because when a nuclear blast has blinded your radars, your radars won't work, and you have to find out in what way your radars, your detection systems, your tracking systems will be influenced by this nuclear surrounding. This is what you have to find out and many other similar things.

Mr. SHACKFORD. Dr. Teller, earlier you mentioned that General Schreiver and General Power were especially opposed to this treaty, the men in charge of our ICBM's and the Strategic Air Force. But as I understand it, the Army is in charge and has the responsibility for building the anti-ICBM. Don't you find it unusual that the Army and the people who testified before the Senate Committee, representing the views of the Army, said that the laboratory people working on this did not feel that this treaty would inhibit the development of an anti-ICBM?

Dr. TELLER. I do.

Mr. SHACKFORD. The President at his press conference a few weeks ago said that he was afraid that nothing in the field of testing would satisfy you. He was speaking then particularly about the numbers of tests that should be conducted. Could you tell us what would satisfy you in the field of testing? If there were no treaty—if the treaty were defeated, how many tests, and how long these should go on?

Dr. TELLER. I don't want bigger explosives. I do want knowledge, knowledge that comes from testing, knowledge to be applied for our defense, knowledge to be applied for the peaceful use of nuclear exposives. In the way of increasing this badly needed knowledge, I think the more we have the better, and we can do it cleanly and without disturbing anybody in any serious sense. As far as knowledge is concerned, more and more will be needed.

Mr. HACKES. You have indicated, Dr. Teller, that you feel that the Russians are ahead of us in an antimissile weapon. Do you believe, as the Russians have claimed, that they have one now, and how extensive is their antimissile system?

Dr. TELLER. I do not know. I fear that they might have the knowledge by which to build one now, and I am almost sure that none of us really know whether they have it or not. This is what worries me.

Mr. SPIVAK. Dr. Teller, if you were a Senator listening to the conflicting testimony that has been advanced by distinguished scientists and military men, what would finally decide you to vote against or for the treaty?

Dr. TELLER. What would decide me to vote is my desire for peace and for the safety of the United States. What would decide me to vote is the possibility of opening up a real way to cooperate with our allies, to make the first step toward the lawful world government by the union of all free democracies. This is what this treaty inhibits, and that is why I would vote against it if I had a vote.

Mr. BROOKS. I am sorry to interrupt but I see that our time is up.

Thank you very much, Dr. Teller, for being with us.

[From the Columbia (S.C.) State, Sept. 15, 1963]

SECURITY ENDANGERED

(By W. D. Workman)

Self-preservation is a law of nations as well as a law of nature, and in this world of turmoil there can be no guarantee of self-preservation without military strength.

This sort of realization prompted the Senate Armed Services Committee a year ago to launch a thorough inquiry into the military implications of nuclear test bans. Today, the results of that study are at hand in the form of a printed report by the Preparedness Investigating Subcommittee—and those results give additional cause for concern over this Nation's subscribing to the pending nuclear test ban.

In designating the Preparedness Subcommittee, the chairman of the Armed Services Committee (Georgia's Senator RICHARD B. RUSSELL) named a group of Senators whose knowledge of and dedication to national security are well established. They are Senators JOHN STENNIS, of Mississippi, chairman; STUART SYMINGTON, of Missouri, HENRY M. JACKSON, of Washington, STROM THURMOND, of South Carolina, LEVERETT SALTONSTALL, of Massachusetts, MARGARET CHASE SMITH, of Maine, and BARRY GOLDWATER, of Arizona.

The Senators differed to some degree in their conclusions, and both SYMINGTON and SALTONSTALL indicated in the subcommittee's report their intention to vote for ratification of the present test ban treaty.

But these two, along with the rest of the subcommittee, accepted the validity and accuracy of the factual data acquired by the group in its extensive hearings. And it is that data which needs be brought to the attention not only of the Senate but of the American public.

LOSSES WE FACE

In summary, and without embodying such allied factors as foreign policy and international relations, the subcommittee made these pertinent statements:

"1. From the evidence, we are compelled to conclude that serious—perhaps even formidable—military and technical disadvantages to the United States will flow from the ratification of the treaty. At the very least it will prevent the United States from providing our military forces with the highest quality of weapons of which our science and technology is capable.

"2. Any military and technical advantages which we will derive from the treaty do not, in our judgment, counterbalance or outweigh the military and technical disadvantages. The Soviets will not be similarly inhibited in those areas of nuclear weaponry where we now deem them to be inferior."

Incidentally, the matter of arms superiority and inferiority is subject to grave question. The Senate Foreign Relations Committee, which has come up with a report favoring the test ban treaty, reports that "Soviet scientists presumably are confident that in many critical areas of nuclear weaponry they have achieved a rough technical parity with the United States."

Such a statement, far from being an argument in favor of the treaty, actually should argue against ratification. Senator STROM THURMOND, in a comprehensive September 11 speech opposing the treaty, made that point clear in voicing this conviction:

> If the Soviets think, rightly or wrongly, they have achieved parity with us in nuclear weapons, then they have less reason than before to be deterred by our own strike capability.

This is especially true since President Kennedy and other American spokesmen have repeatedly pledged that this country would never make a first strike. Since we have voluntarily yielded that terrific advantage to our enemies, they can concentrate on plans to neutralize our second strike capability with their first blow.

Here is an area in which their knowledge, gained through the testing of high yield, multimegaton bombs, already seems to be superior to ours.

THE SPECIFICS

The Preparedness Subcommittee, concerned over what seems to be a U.S. lag in the area of high yield experience, listed these eight disadvantages which are expected to stem from our involvement in a test ban treaty:

1. We will probably be unable to duplicate Soviet achievements in the technology of high yield weapons.
2. We cannot acquire needed data on the effects of high yield nuclear explosions in the atmosphere.
3. We would be unable to develop high altitude data required for the development of an antiballistic missile system.
4. We would find it impossible to predict the performance and reliability of our own antiballistic missile systems unless their guidance and control systems would be tested in the face of nuclear explosions.
5. We cannot verify the degree to which our second-strike missiles in their hardened underground sites would be operable in the face of high yield enemy strikes against our missile sites.
6. We would be unable to confidently determine proper design for our nose cones and warheads when the enemy opposes them with antimissile nuclear explosions.
7. The testing areas left open by the pending treaty would allow the Soviets to gain upon the United States in low yield knowledge while effectively preventing us from gaining on them in high yield areas.
8. By driving Soviet testing below surface (assuming Russian compliance) we would deprive ourselves of intelligence data which would be available to us from atmospheric Soviet tests.

WE RISK ALL

Proponents of the test ban treaty contend that political considerations carry advantages which more than offset the military disadvantages. But political gains cannot be weighed or predicted with the scientific accuracy which can be applied to military weaponry.

We know that the Soviets are our political opponents, with or without a test ban treaty. Our job is to maintain military superiority over them.

Ratification of the test ban treaty may make the task impossible.

TEST BAN TREATY: DR. JOHNSON DISCUSSES ISSUES

(EDITOR'S NOTE.—The News recently printed short discussions by several division members on the treaty for a limited ban on nuclear explosions. The subject is discussed at greater length in the following article, written by Dr. Montgomery H. Johnson, chief scientist, Research Laboratory, and one of the Nation's leading authorities on nuclear energy and theoretical physics.)

The treaty for a limited ban on nuclear explosions has been widely acclaimed as a first small step toward peace. It is really a step toward an honorable peace? Or is it a step toward submission to Soviet domination? The answer depends on what we gain or lose vis-a-vis the U.S.S.R.

The U.S.S.R. is a formidable antagonist. Starting long after us, her nuclear arms now excel ours in the 50-megaton class. She has never yielded an advantage except to a threat of force, most recently in Cuba. She has broken numerous treaties. Therefore, let us be sure we understand what the treaty means.

First of all, the treaty is not just a limited ban on nuclear testing. That is a misnomer. The treaty specifically prohibits nuclear explosions in the atmosphere, underwater, and in space for any purpose whatever. So long as the treaty binds us, we cannot use nuclear weapons to prevent aggression, to aid our allies in Europe, or to dig canals and harbors off the territorial United States. It is essential to know exactly the conditions under which we are bound by the treaty prohibitions. The conditions have not been made clear in public discussions.

Second, the U.S.S.R. can withdraw from the treaty with 90 day's notice and start atmospheric testing. The extensive series with which the U.S.S.R. broke the previous moratorium required 2 years' secret preparation. Thereby the U.S.S.R. gained 2 years' time in the development of nuclear weapons. We need to know the cost and feasibility of maintaining a 90-day readiness of an atmospheric test series in order to forestall more such gains.

Third, the U.S.S.R. could test clandestinely, a possibility open to the United States only under wartime conditions. Experts at Geneva agreed that a determined nation could secretly test a half megaton in space. Surveillance of atmospheric tests is not reliable below a certain yield and that limit may be raised by "clean" explosives. Can the U.S.S.R. develop a successful ballistic missile defense by clandestine testing? What potentialities in our ability to penetrate U.S.S.R. defenses are we denied by treaty prohibitions? What potentialities for our own defense and the protection of ICBM sites are we denied? The nuclear shield of the free world hinges on the answer to these questions.

Fourth, underground explosions are prohibited if radioactive debris falls outside national territory. Most ploughshare harbors and canals entail minor contamination of international waters and will be prohibited. Underground testing might be limited in a crippling way depending on a quantitative definition of "radioactive debris" nowhere stated. Of equal importance to treaty limitations is the support that will be given to the underground program. We learned in the last moratorium that the pace of nuclear weapon development is set by the pace of the experimental test program. Our ability under the treaty to maintain our nuclear arms relative to the U.S.S.R. depends on the vigor of the underground program.

These are important military and technical issues raised by the treaty. There are additional political issues, such as the effect of the treaty on the NATO alliance, that need discussion. When sober consideration has been given to these issues of national security, and only then, can we see if ratification of the treaty is a step toward an honorable peace or toward submission to U.S.S.R. domination.

THE STATE DEPARTMENT AND THE CONGRESS

Mr. McGOVERN. Mr. President, the Sunday New York Times magazine of yesterday, September 15, 1963, carries an important, thoughtfully written article by Mr. Fred Dutton entitled "The Cold War Between the Hill and Foggy Bottom."

The article centers on the problems and tensions which inevitably arise in the relations between the Congress and the State Department in the field of foreign policy.

Mr. Dutton is admirably qualified to discuss this vital sector of American public life. He is currently Assistant Secretary of State—a responsibility which he discharges with rare skill and intelligence. Mr. Dutton was previously a Special Assistant to President Kennedy—a position which gave him a keen understanding of the overall problems and responsibilities of the executive branch of our Government. Prior to his service in Washington, Fred Dutton established an enviable record as an adviser and assistant to Governor Brown of California.

It has been my privilege to observe Fred Dutton's service while we were both employed in the Executive Office of the President and since he has assumed his present important task in the State Department, I think he is a brilliant and highly able public official and a dedicated, ideally motivated citizen.

His article on the difficult problems of foreign policy as they relate to Congress and the State Department is well worth reading by the Members of Congress. I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COLD WAR BETWEEN THE HILL AND FOGGY BOTTOM

(By Frederick G. Dutton)

WASHINGTON.—Whatever the shifting outlook in the rest of the world, one area of chronic tension and even occasional guerrilla warfare is the 2-mile gap in Washington between the Hill and Foggy Bottom—between Congress and the State Department.

In the gamut of American Government probably no greater antagonism has been generated over the years than that between the legislative branch and the Nation's foreign policy apparatus. The wrangling could be dismissed as just more governmental infighting if it did not involve some of the most critical and complex issues facing this country.

The view from Capitol Hill is reflected in almost any daily issue of the CONGRESSIONAL RECORD. Thus, on one typical day this year: An Ohio Congressman called for "a thorough fumigation of the State Department"; a Mississippi Senator held forth on an investigation of present Cuban policies; a New Jersey Representative charged this country's role in the Congo was "a sorry mess"; a Wyoming Senator claimed he saw indications of a secret agreement with Khrushchev; and a California Representative claimed that during 5 years of negotiation the United States "has been steadily losing its nuclear shirt." Over a dozen others spoke out with counsel or criticism aimed at the State Department.

The view of the legislative branch among many foreign affairs specialists, on the other hand, was summed up years ago in Henry Adams' comment: "The Secretary of State exists only to recognize the existence of a world which Congress would rather ignore." Or, as a Secretary of State once wrote, "We are so handicapped by the Senate and House that there is nothing more to do but follow a policy of makeshifts and half measures."

With such sharply contrasting attitudes between the Hill and Foggy Bottom, it is little wonder that misunderstandings and even occasional conflicts break out. "The miracle of the day," Secretary Rusk has observed, "is that we have moved in concert as well as we have."

As with nations, much of the real cause of the trouble has long since been obscured by semantics and stereotypes injected into problems in which they are irrelevant and invoked mostly to vent frustrations. Thus congressional complaints about world affairs are often dismissed by foreign-policy experts—in the press as well as in Government—as "uninformed," "opportunist," and "special interest motivated." The State Department is recurrently assailed as "weak kneed," "the victim of a plot," "the dupe of foreigners," and with other more lurid charges as old as politics.

So far neither side has given much recognition to the possibility that the other may be only trying to meet its functional responsibility—Congress to represent the diverse views and interests that make up our national society; the State Department to see that the hard complex facts and alternatives of policy concerning the rest of the world are fully considered in the ultimate decisions of the Government.

Increasingly, the main business of Washington is to reconcile this country's domestic and international interests. Since the relationship between Congress and the State Department is intimately involved in that business, there is serious need to dispel the encumbering nonsense.

The difficulties between the legislative branch and foreign-policy apparatus stem primarily from the fact that they are sharply different creatures. The State Department is analytical, tentative and cumbersome as it digests vast detail from far sources and cautiously gropes for the real meaning of what is happening in the world. A friendly but exasperated Senator recently described State as "rational, maybe, iffy at best." Its recommendations often recognize that only part of a problem can be influenced, and decisions are sometimes deliberately left implicit.

Congress, regularly faced with reelection, is assertive, often glandular, in its approach to the world. If one views the untidy legislative process of interrogation and advocacy as an effort to reach a consensus rather than as executive decisionmaking and recognizes that Congress can really affect the President's hold on foreign affairs only if wide support is enlisted, then what sometimes seems erratic or even perverse behavior may actually contain a creativeness, vigor and incisiveness often undernourished in the foreign-policy apparatus.

In addition to the inherent differences, international developments since World War II—including farflung security demands and the growing interdependence of the world—have widened and complicated contacts between the two, making a tolerable accommodation between them vastly more difficult.

More directly, the legislative branch has been injected into broad and continuing international policies through its control of the purse strings. Global efforts since World War II have relied on larger and larger appropriations for economic assistance, for military support and even for the State Department itself.

The principal foreign-policy legislation before the current session of Congress, the foreign-aid bill, highlights the tugging and hauling going on between the executive and legislative branches over their respective influence—a struggle between the constitutional authority over foreign affairs and that over appropriations—where this country's relations with the rest of the globe are concerned.

On immediate life-and-death decisions, the Chief Executive unquestionably holds the initiative. In circumstances such as the Cuban crisis last October and the Korean action in 1950, the President can and did determine the Nation's course without having to consult with Congress in advance of his decision.

But in the longer-range programs through which the United States can most consistently influence rather than just react to world developments, the two branches of Government still seem too often to be wrestling for control. Recent comments by Malcolm Moos, Richard Neustadt, and others about "the shift of great decisions to the executive offices and out of the parliamentary chamber" really apply more to pushbutton than long-haul problems.

The extent to which legislators court positive influence is reflected not only in their recurring forays into the Cuban problem, but also in the influential role Congress has played in this country's China policy for the last decade and a half.

The limits of legislative and executive reach in this field are indicated in Senator Fulbright's comment that "Congress has neither the authority nor the means to conduct American foreign policy, but it has ample power to implement, modify or thwart executive proposals."

The increasing attention of the legislative branch to international affairs is reflected quantitatively in the growing volume of congressional correspondence with the State Department. Thus, the number of letters from Senators and Congressmen on policy questions (wholly apart from passport inquiries and similar matters) has risen from about 7,600 in 1958 to 11,200 in 1960, to 18,600 in 1962. The trend this year indicates the volume will reach at least 23,000.

Likewise, the range of congressional committees taking up matters involving the State Department has steadily expanded beyond the Senate Foreign Relations and House Foreign Affairs Committees. The number of formal appearances by the Secretary of State before congressional committees now ranges between 25 to 35 a year. Last year, hearings involving other State Department officials rose to an alltime high—over 220. The volume of informal briefings and other congressional contacts with foreign policy experts is also growing.

Potentially, the development that could most significantly affect relations between the Hill and Foggy Bottom is not direct governmental activities but the rapid internationalizing of American politics. Not only presidential but congressional campaigns are focusing more and more on events abroad and this country's part in them.

While individual Senators and Congressmen struggle in their own behalf for a few inches of press coverage or 30 seconds of TV or radio exposure, their constituents are constantly bombarded with what is happening in the world and, by implication, how Americans should be concerned about it. Where public attention thus leads, elected officials are usually not far behind.

At the poll-taking level, Gallup has reported for years that the overriding preoccupation of most voters is the international situation. In last year's congressional campaign, for example, even before the Cuban crisis, he found that 55 percent of those surveyed considered war, peace, and international tensions to be the issues of greatest concern.

Far behind were the 11 percent reported to be most disturbed by the high cost of living and taxes, the seven percent most deeply concerned by unemployment, and the six percent then most alarmed by racial problems.

In 1962, one of the country's most durable political figures, Senator Everett McKinley Dirksen, of Illinois, was reported by the press to have "opened his campaign for reelection last week with the loud pedal down on the theme that his role as Senate minority leader has armed him with a deep knowledge of foreign affairs. * * * He spoke of trips he had made to see foreign countries at first hand. He asserted that Laos was 'the corridor to control of all of the Far East,' and said that if Laos fell to the Communists, so in time would Japan, Taiwan, and the Philippines."

Although many in the Capitol still look at foreign policy as though it were an alien plague and contend that post offices and other Federal projects remain their districts' abiding interest, newspaper reports on President Kennedy's trip to South Dakota last summer to dedicate the Oahe Dam are worth noting. They observed that the biggest crowd response came not when he referred to what the project would do for the prairie country along the Missouri River, but when he referred to far larger Russian exploits and said he did not want to see the United States second to the Soviets in space, hydroelectric projects or anything else.

All these developments suggest that Members of Congress will concern themselves more and more with the international scene. In view of this, it is essential not only that any partisan differences over foreign policy be moderated, but that executive-legislative frictions be eased as well.

For better or worse and notwithstanding the recent suggestion by the chairman of the Senate Foreign Relations Committee that the President be given significantly enhanced authority over international affairs, no organic change is likely to come soon in the present separation and sharing of the principal governmental powers affecting foreign policy. The existing machinery is going to have to be made to work, however much it sometimes grates.

Thus, both sides need to face up to several hard facts.

First, many in the State Department must learn to accept that Congress has entered into the world as never before, and is there to stay. At the same time, many in Congress must recognize that explosive international problems cannot be handled with the sensationalism or certainty with which politics back home are sometimes treated. Neither can the Foreign Service be used as a favorite political punching bag without impairing its effectiveness.

In addition, substantially more and better contacts are needed between these two distinct, sometimes remote, groups if the underlying attitudes and semantics that breed much of the difficulty are to be straightened out.

In the last year a number of steps have been taken to narrow the gap between the two sides. The results thus far are mixed at best.

For Congressmen, weekly off-the-record briefings are now held by key State Department officials. (Usually only several dozen out of 435 Members have time, or are interested enough, to attend. Some who stay away claim they don't get the unequivocal answers they want.)

A substantially increased number of background papers and special studies of current problems are now sent regularly to congressional offices. ("A snow job," some members snort.) And special question-and-answer sessions have been organized for the administrative assistants to Senators and Congressmen. ("Pure propaganda," the Department's critics complain.)

Missionary work for Congress inside the State Department includes a number of innovations. Thus, three Members of the Senate discussed Congressional criticism of the Foreign Service with over 800 career officers in a closed-door session last summer. And a daily summary of foreign-policy comments in the Congressional Record is distributed throughout the department and to posts abroad.

The training of junior Foreign Service officers now includes a 2-week apprenticeship in a congressional office. And all career officers going to or returning from overseas are being urged not only to go and see their Congressmen but to go home and see the people there instead of just coming back to Washington while on leave in this country.

Far more is needed, however, than attention to underlying attitudes. The channels for substantive communication need to be improved so that the insistent critical faculty of Congress can be focused better, and the executive branch can have broader impact in making its case on the Hill. Senator HUBERT HUMPHREY's proposal that the Secretary of State should regularly be invited for a question period before the full membership of each House is not new. But it recognizes the major communications problem that must be solved.

Even with improvements, however, it has to be recognized that the difficulties between Congress and the State Department will never disappear completely. The basic differences between the two make a considerable amount of contention inevitable.

As is so often the case with foreign policy perhaps the best that can be asked is that the frictions be kept within reasonable limits—and that will have to be worked out day by day, problem by problem, in the way the world's troubles must be attended to.

Finally, the interplay between Congress and the foreign-policy apparatus cannot be looked at alone but must be considered as part of the far broader question that Walter Lippmann raised at the start of this year: "How can democratic government, which was conceived and established in a very different era from this one, be made fit for the crises and the tempo and the conflicts of the present age?"

This is not just a question of constitutional arrangement, but of the capacity of the American people to relate themselves perceptively and with discretion to the rest of the world.

The personal and immediate way that many in Congress look at this problem was summed up recently for a group of Foreign Service officers by one of the younger Members of the House: "The question is not will Congress be responsible on international issues—but can we be, and get away with it?"

The remark reflects in a very practical way that the relationship between Congress and the State Department is not just a matter of whether two key parts of Government are working together with reasonable effectiveness. In the final analysis, it is a question of how well the domestic and international attitudes and interests of American society are reconciled and brought to bear on the many tasks and opportunities that face us.

MEXICAN INDEPENDENCE DAY

Mr. HART. Mr. President, the 16th of September is traditionally celebrated by our Mexican brothers as Independence Day. Once again this year, joyful celebrations will commemorate the heroic struggle of the Mexican people for independence and mastery of their destiny. For 10 years, the Mexican people fought foreign domination armed with little more than their courage, fortitude, and determination. But their victory was worth it: freedom and independence.

Today Mexico is indeed free, independent—a democratic nation rapidly progressing to achieve economic justice for all her citizens, to make available education and opportunity to the most remote village and to achieve a modern technology amid her rich ancient culture.

We have in our country many thousands of citizens of Mexican background. Certainly we in Michigan are proud and strengthened by the presence of many substantial citizens whose heritage is Mexican. These industrious citizens have enriched American life with their language, music, and colorful customs. On the anniversary of Mexican independence, our American citizens of Mexican cultural heritage take pride in the achievements of their forefathers.

Mr. President, on this occasion, I am proud to extend my very good wishes to our Mexican friends south of the border and to join with all American citizens of Mexican background in celebrating this joyful day.

ADDRESS DELIVERED AT BIENNIAL CONVENTION, CENTRAL STATES REGION, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHICAGO, ILL.

Mr. MORSE. Mr. President, yesterday, September 15, 1963, I delivered an address before the biennial convention, Central States region of the International Brotherhood of Teamsters. In the main, I explained several bills that I have introduced in the Senate involving the bonding provisions of the Landrum-Griffith law and proposal for amending our Federal code of criminal procedure.

I ask unanimous consent that my speech be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR WAYNE MORSE, OF OREGON BIENNIAL CONVENTION, CENTRAL STATES REGION, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHICAGO, ILL., SEPTEMBER 15, 1963

In these brief remarks, I want to cover several legislative issues that are, or should be, of interest to all Americans concerned for the personal liberties of American citizens and concerned for fair and equitable treatment of labor organizations. Over the years, I have given a great deal of time and attention in the Senate to the protection of personal liberties. It is a striking fact that for all one hears these days about alleged encroachments of the Federal Government and about alleged loss of personal initiative, these complaints are mostly made on behalf of the rights of property. The same people who make them have little interest or concern for the rights of persons that so occupied our Founding Fathers that they devoted nine amendments to them in the Constitution, calling them the Bill of Rights.

On June 27 of this year, I did my best to call to public attention a failure on the part of Congress to protect some of these rights of person. Because one of the "horrible examples," I used of abuse of these rights concerned the president of the Teamsters, there were many who cried that these were "Hoffa bills."

Well, that kind of opposition does not impress nor deter me. As a matter of fact, the major source of my research on them came from an outstanding legal scholar at the University of Chicago, Prof. Philip B. Kurland of the University of Chicago Law School. Professor Kurland was at work in the field of legal procedure long before the cases involving Jimmy Hoffa came along. But had Mr. Hoffa never been born, the same issues and the same threat to the personal, procedural rights of American citizens who become involved in Federal criminal proceedings would still exist.

The first of the bills I introduced on June 27 provides that no prosecutor, no defendant, and no attorney or spokesman for a defendant shall publish information not already filed with the court that might affect the outcome of a pending criminal proceedings. To do so would, under my bill, subject such individual to action for contempt of court.

We all know how common is the practice of "trial by newspaper." We all know that crime news attempts to associate or identify at least one suspect with every major crime reported. Legal scholars for years have documented the cases where newspapers have assumed the guilt of a person and have communicated that assumption to their readers, only to have the jury or the judge acquit the accused when all the evidence comes in. We shall never know how many more people have been convicted, rather than acquitted, because of prejudices created by press statements that could not be overcome by evidence.

That is not the kind of trial the Constitution seeks to guarantee. That is not a trial by an impartial jury which the sixth amendment prescribes for Federal criminal prosecutions.

One police reporter for a leading Washington newspaper called my office and later wrote an article about this proposal claiming that it infringed upon freedom of the press. As I pointed out in my Senate speech, the courts have often held that freedom of the press prevents measures from being taken that would assure an impartial trial. But my bill does not even infringe on what is printed: it only limits when it may be printed. The reporter who objected to it was not satisfied by the fact that once a trial is over, anything could be written about it. It was his case that part of freedom of the press includes the right to file a story tonight, before a competitor files it the next morning.

In my opinion, that is not freedom of the press, and it has no right to precedence over the constitutional rights that are supposed to surround criminal proceedings. For prosecutors to send out and have published the kind of material the Justice Department has put out prior to the Hoffa trials, is not even an issue of freedom of the press. It is simply an effort to influence opinion before the case is brought to trial. Such practices do not belong in our judicial system.

The second bill I introduced was designed to carry out another pledge of the sixth amendment, namely, that the accused shall have a speedy trial. What is "speedy" may be a matter of opinion. But when many of our States have undertaken to specify and define "speedy trial" it seems to me that some standards for Federal prosecutions are possible, too.

This bill would provide that—

First. An indictment or complaint shall be dismissed, even where the statute of limitations has not run, if there has been unnecessary delay in making the presentment or filing the information;

Second. Where the Department of Justice files a dismissal of an indictment, except where the defendant consents, it shall serve as a bar to subsequent prosecution;

Third. Where more than one indictment is involved, the person shall be brought to trial on the indictments in the order in which they were returned. When a case goes to trial on an indictment, the court in which earlier indictments are pending against the same defendant shall dismiss the earlier indictments with the effect of a judgment of not guilty;

Fourth. The defendant shall be tried on an indictment no later than 9 months after the indictment was filed, except that the court may extend the time on a showing of good cause; and

Fifth. A defendant who has been found guilty shall be sentenced no later than 60 days after judgment.

It is alleged by counsel for the Teamsters that some of Mr. Hoffa's difficulties have been characterized by untold delays, of a harrassing nature. The Tampa case has been going on for an extended period, with the result that four witnesses and a codefendant in that case are now deceased.

This bill would effectuate the defendant's right under the sixth amendment to a speedy trial.

Prosecuting authorities of the United States have frequently abused the rights of a defendant to a speedy trial, although that right is purportedly guaranteed by the Constitution of the United States. The States have, by experience, demonstrated that this right, if it is to be meaningful, must be enforced by legislative as well as judicial action. The proposed legislation benefits from the examples set by the States in this area and is the more necessary because the Federal courts have been less diligent than those of the States in enforcing this right.

Mr. Justice Frankfurter's opinion in *Ward* v. *United States*, declared:

"Nothing has disturbed me more during my years on the Court than the timespan, in so many cases that come here, between the date of an indictment and the final appellate disposition of a conviction. Such untoward delays seem to me inimical to the fair and effective administration of the criminal law. * * * I do not mean to imply criticism of any person, judge or court for what is a good illustration of the general leaden-footedness of criminal prosecutions. The fault lies with the habit of acquiescence in what I deem to be a reprehensible system."

It was the scandalous delays of such a reprehensible system that the sixth amendment was intended to avoid, but in fact this provision of the Bill of Rights has never been adequately effectuated by the national courts or the National Legislature.

Despite the constitutional provisions, for a long period of our history there would appear to have been a conflict over the question of power in the Federal courts to use the only sanction that is meaningful to preclude abuse of the defendant's right to a speedy trial: dismissal of the charge. As the court said in the leading case of *Frankel* v. *Woodrough*, 7 F. 2d 796, 798 (C.A. 8th 1925):

"The constitutions of most of the States have provisions similar to the sixth amendment, and many of the States have statutory definitions of the time or number of court terms within which criminal accusations must be tried. Such statutes provide usually for the discharge of accused unless the trial is within the limits so defined. The United States has no such statutory provisions, and we think an accused would not be entitled to a discharge even though he were denied a speedy trial within the meaning of the Constitution. His right and only remedy would be to apply to the proper appellate court for a writ of mandamus to compel trial."

There were contrary indications of the existence of the power of discharge. For example, *Ex parte Altman*, 34 F. Supp. 106, 108 (S.D. Calif. 1940), the court said:

"It is not questioned that the court, in the exercise of its jurisdiction, has the inherent power to order a dismissal for failure to prosecute. * * * We can conceive the anarchy which would result if the power to terminate a criminal proceeding for want of prosecution did not exist. Defendants might have prosecutions hang over their heads, like the sword of Damocles, for years, without an effort being made to bring them to trial. And yet, if the prosecutor should refuse to try them, and the court acquiesce, they would be at his mercy. The constitutional guarantee of speedy trial * * * would be brought to nought, if, when the court set a cause for trial and the prosecutor was not prepared to proceed, the court were powerless to dismiss it for failure to proceed diligently."

The purpose of my bill is to set such time limits as are set in various State statutes, to make them applicable to Federal prosecutions; and further to provide that if the Federal prosecutors did not comply with such time limits, the cases would be automatically dismissed.

It is true that in 1944, the "Federal Rules of Criminal Procedure," rule 48, made explicit the power of the district court to dismiss for want of prosecution. And there have been a few instances where this discretion has been exercised in favor of the defendant. However, the discretionary power in the courts is obviously inadequate as a reading of the annotations to rule 48(d) readily make apparent. Two examples demonstrate the ineffectiveness of the rule. In *United States* v. *Van Allen*, 1961, dismissal was denied under the rule although the indictment was not filed until the very end of the period of limitations and then 6 years elapsed without the case being brought to trial.

In *Harlow* v. *United States*, 1962, the indictment was not filed until 4 years after the alleged criminal act occurred and 2 years later the case still had not been brought to trial. A Federal court dismissed the case where there was a delay of 8 years after the indictment was returned. But where the delay was only 7 years, all that the court was prepared to do was to set the case for immediate trial. Certainly the Federal courts have thus given a strange meaning to the constitutional requirement of a speedy trial.

Two other measures I have introduced in the 88th Congress will also be of interest to your membership, and to all labor organizations. They seek to revise the bonding provision of the infamous Landrum-Griffin Act of 1959. It will be remembered that the 1959 act requires an individual bond "for the faithful discharge of duties." In my speech against that bill in the fall of 1959, I said of the founding provision: "Individual bonding would not provide any greater protection to union funds. The same losses would be covered, if there were any losses. But we have an implication here of suspicion—that we must have some special safeguard with regard to a union officer, which is not required in the case of a bank president or a member of the board of directors of some corporation. They are privileged to use position schedule bonding. I do not know why we single out labor unions and say, 'You must have individual bonding.'"

Of course, the bonding required of union officers was also far more expensive. The bond previously used had been honesty bonds, providing protection against loss by reason of acts of fraud or dishonesty. Surety companies were required to develop a rate structure for the new bond without having experience to guide them. The rates were extremely high for the first year and have been reduced periodically since.

Just 14 months ago the Congress enacted the 1962 amendments to the Welfare and Pension Plans Disclosure Act which provided for the bonding of the administrators, officers, and employees of employee welfare benefit plans and of employee pension plans. The two laws overlap. A sizable number of the plans subject to bonding under Landrum-Griffin were covered by the newly enacted bonding provisions of the Welfare and Pension Plans Disclosure Act. However, by this time we had learned our lesson. The new bonding provisions in the 1962 bill required an honesty bond, providing protection against loss by reason of acts of fraud or dishonesty.

The 1962 law also provided that its provisions would supersede the Landrum-Griffin provisions to the extent that the two overlapped.

I think it is long past time to strike the remaining application of the 1959 bonding provision, and that is what one of my bills would do. It would make the Landrum-Griffin law conform to the 1962 Welfare and Pension Plans Disclosure Act, insofar as bonding requirements are concerned.

The second of my bonding amendments would remove the rigid and inflexible provision which enables the bonding companies to decide whether an officer or employee of a union may function. The language of the Landrum-Griffin Act means that arbitrary refusal of any bonding company to issue bonds would result in an absolute disqualification of all union officers or employees and would have the effect of paralyzing the union.

Again, the 1962 law was flexible in this respect. The Secretary of Labor was given authority to exempt any plan from the bonding requirement if he found that other bonding arrangements would provide adequate protection of the beneficiaries and participants. So I have proposed to amend Landrum-Griffin by adding this same language from the 1962 law.

Now all these measures are pending in Senate committees. The first two are in the Judiciary Committee, the second two in the Labor Committee. I do not expect that any action can be taken on them this year, because Congress has done so little that its whole normal yearly workload is still piled up ahead of it. In 19 years in the Senate, I have never known a session that has done so little as this one. And the big roadblock—civil rights—is still ahead of us. The Judiciary Committee in particular does little but drag out hearings on civil rights measures when enactment of a civil rights bill seems imminent.

But my bills will also be pending next year. If any action is to be taken on them, there will have to be a good deal of interest expressed among all of American labor. The legislation is there. Now it needs support and backing from all the unions it affects.

Finally, I want to comment on the most recent labor legislation on which Congress has acted, the railway arbitration law. As many of you know, I believe that the first plan proposed by President Kennedy to submit the work rules issue to the Interstate Commerce Committee was a sound one. It followed a procedure already in effect and long supported by the railroad brotherhoods, which is that where railroad mergers occur that affect jobs, the ICC shall determine the rearrangement of jobs. It does so subject to all the rules of procedure that govern all proceedings of the regulatory agencies.

Instead, and mistakenly, I think, the railroad brotherhoods flatly rejected the application of this established means of handling job security in the railroad industry. It rejected this means of settlement, just as it rejected voluntary arbitration as a means of settlement.

To me it is a shocking fact that what the railroad brotherhoods did give their stamp of approval to was pure and unadulterated compulsory arbitration. Their formal objections to the bill reported by the Senate Commerce Committee were mere window dressing. Before the bill was ever reported, the word was out that this was the solution that was acceptable to the unions. It was also understood that the brotherhoods were behind the McGee amendment to restrict the arbitration to the two major work rule issues.

Many of the same Members of Congress who opposed the ICC solution because the brotherhoods did not want to go before the ICC promptly accepted the compulsory arbitration approach, and they did so because the brotherhoods accepted it.

It is no exaggeration to say that not only was compulsory arbitration forced on railway employees by a union refusal to use voluntary arbitration, but it was accepted by the chiefs of the unions as preferable either to the proceedings of a regulatory agency or to voluntary arbitration by Justice Goldberg. So the crocodile tears shed by the chiefs of the brotherhoods over the fact that out-and-out compulsory arbitration was applied to their unions for the first time in the history of Congress should not mislead anyone. This result was their own doing.

It was concurred in, too, by much of organized labor. In my opinion, labor did a great disservice to itself, to its members, and to the future of collective bargaining by rejecting all alternative means of handling this particular dispute which would have involved voluntary action on their part. They invited Congress to impose compulsory arbitration upon labor. Let no one doubt that Congress will not need that kind of invitation next time. The press and the Nation knew a precedent when they saw it, and this settlement has already been entered on many books as the way to handle any future dispute that may so much as threaten any substantial portion of the economy.

I am as proud of my vote against this bill as I am of my votes against Taft-Hartley and Landrum-Griffin. This arbitration is unnecessary and unwise. Since it was preferred by labor to any other proposal, however, the country and the Congress know that labor's opposition to compulsory arbitration is not even skin deep and it will be even easier to use next time than it was this time.

NOTICE OF SHOWING OF FILM ENTITLED "TROUBLED WATERS"

Mr. McNAMARA. Mr. President, reports and studies issued by our Senate committees usually are replete with facts and figures, but they seldom get high marks for engrossing reading.

In an effort to present a major national problem, water pollution, to achieve maximum public attention, the Senate Public Works Committee has departed from the usual written report.

Instead, it has produced in cooperation with several interested Federal agencies a documentary motion picture. The film is entitled "Troubled Waters" and is narrated by Mr. Henry Fonda.

On behalf of the Public Works Committee, I would like to extend an invitation to all Senators and their staffs to attend the first public showing of this film.

It will be presented Friday, September 20, at 9:30 a.m. and 11 a.m., in the Senate auditorium, room G–308, in the New Senate Office Building.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KUCHEL. Is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

AUTHORIZATION FOR MEMBERS OF THE STAFF OF THE JOINT COMMITTEE ON ATOMIC ENERGY TO THE PRIVILEGES OF THE FLOOR

Mr. PASTORE. Mr. President, I ask unanimous consent that during the debate on the test ban treaty, Mr. James B. Graham and Mr. Jack Rosen, of the staff of the Joint Committee on Atomic Energy, be permitted the privileges of the floor, in addition to the regular staff quota.

THE NUCLEAR TEST BAN TREATY

The Senate, as in Committee of the Whole, resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapons tests in the atmosphere, in outer space, and underwater.

Mr. McGOVERN obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield to me so that I may suggest the absence of a quorum?

Mr. McGOVERN. I am glad to yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, there appears in this morning's Washington Post a very fine article by Mr. Louis Harris, a noted public opinion pollster. Mr. Harris reports that a recent survey of national sentiment toward the test ban treaty reveals that the treaty now receives the unqualified approval of approximately four out of five Americans.

To say the least, these figures are encouraging to those of us who favor ratification of the treaty and I, of course, commend the Harris survey to my colleagues. More startling than the vast support given to the treaty is the fact that the Harris survey reveals a marked shift of opinion during the past 2 months. During the period in which the Foreign Relations Committee held hearings on the treaty and issued its report and the treaty has been debated on the floor, the percentage of those polled favoring the treaty rose from a bare majority—52 percent—to the overwhelming 81 percent recorded in September.

I believe this shift in opinion is fair evidence of the independence of the American people and a tribute to the open and free society in which we live. It is also gratifying to those of us in the Senate who sometimes feel that the debate on the floor and the information produced by committee hearings go unnoticed by the public. I believe this poll indicates a deep public concern with the issues which it involves and I hope my colleagues will take time to examine its results.

I ask unanimous consent that the Harris survey be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HARRIS SURVEY: PUBLIC MORE THAN 4 TO 1 FOR TREATY, MANY SWITCHING TO IT SINCE JULY

(By Louis Harris)

If the American people had to vote in the Senate this week on ratification of the nuclear test ban agreement, they would vote better than 4 to 1 in approval, according to a special nationwide survey completed this past week. Public fears of the effect of fallout and radiation from continued testing and the cautious hope that the agreement marks a first step toward peace contribute heavily to people's views.

Actually, there have been some interesting shifts in public opinion on the test ban question since the negotiations were begun early in July. As the Senate has moved closer to a decision on the treaty, there has been a sharp increase in the number of people who now give unqualified support to the ban and a comparable fall off in the number who are outrightly opposed or still have reservations.

Here are the current feelings toward the treaty among Americans who expressed their opinion in a poll taken last week—compared with the outcome before negotiations began in July:

Attitudes toward test ban agreement

	Percent	
	September	July
Unqualified approval	81	52
Qualified approval	11	29
Opposed	8	19

Even if people giving only qualified approval are combined with those opposed, there are only 19 percent who could not go along with ratification of the agreement now before the U.S. Senate.

If the overall shift has been decidedly toward unqualified approval of the test ban agreement, then there are just as dramatic changes in the reasons that lie back of people's opinions. When asked why they feel the way they do, here is the lineup of the reasons given:

Reasons for favoring or opposing test ban agreement

	Percent	
	September	July
Unqualified approval	81	52
Cut fallout	21	12
Must end tests	18	18
End risk of atom war	15	12
Stop world suicide	13	6
Step to world peace	9	0
Halt cost of testing	5	4
Qualified approval	11	29
If Russia keeps word	8	12
Only with inspection	2	12
If on our terms	1	5
Opposed	8	19
Russia will break it	4	17
Hurts U.S. defense	4	2

In the 2 months of public discussion of the test ban, public awareness on the fallout issue has risen. In Lowell, Mass., for example, a 42-year-old machine tool operator put it this way: "Everyone should agree to this on account of the fallout. This is bad for your system. It can hurt your health." In Gary, Ind., a 27-year-old steel worker had this to say: "It should cut down on the danger to people's health."

A sizable segment of the public also sees the test ban as a first step on the road to peace. However, most agree with this elderly widow in Alhambra, Calif., in her caution, when she said: "I grant it doesn't really do much, but it's at least a step, a possible move for something better." Or as a 28-year-old St. Louis accountant put it: "It's a first step in the relaxation of the cold war, but I'm still terribly leery of the Communists."

Much of the opposition was summed up by a business executive in Rochester, N.Y.,

> who said: "It puts us at a military disadvantage. We've been hoodwinked by the Russians before. It cuts down our experimentation for an antimissile missile weapon." Or, in the words of a motel owner in Inverness, Fla.: "It hurts national defense. We'll keep our word. Russia will break its word."
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> In short, in the view of a large majority of the American people, the test-ban treaty is considered a first, cautious step worth taking, but few are ready to believe the millennium of peace is anywhere in sight.

Mr. McGOVERN. Mr. President, I support the nuclear test ban treaty without reservation of any kind. The weeks of committee hearings—the supporting statements of our top Government, scientific, military, and religious leaders—the specific endorsements by the President, the Secretary of State, the Secretary of Defense, the Joint Chiefs of Staff—all of these have only served to fortify my own longtime convictions as to the logic of the treaty.

The Senate and the Nation were further strengthened in their support for the test ban by the unusually eloquent statements of Senator MANSFIELD, our beloved majority leader, and Senator DIRKSEN, the respected minority leader, whose plea to the Senate was one of the most moving experiences I have ever witnessed. Senator FULBRIGHT, the wise and able chairman of the Senate Foreign Relations Committee, has likewise set forth what seems to me to be an irrefutable argument for approval of the treaty.

In his news conference of last Thursday, President Kennedy summarized the case for ratification in two or three sentences, as follows:

> This treaty will enable all of us who inhabit the earth, our children, and children's children, to breathe easier, free from the fear of nuclear test fallout. It will curb the spread of nuclear weapons to other countries, thereby holding out hope for a more peaceful and stable world.
>
> It will—

Said the President—

> slow down the nuclear arms race without impairing the adequacy of this Nation's arsenal or security, and it will offer a small but important foundation on which a world of law can be built.

RADIATION HAZARD OF NUCLEAR TESTING

I am for this ban on atmospheric testing first of all because I am worried by the danger to our children, and to generations yet unborn, of death-dealing radioactive fallout.

I referred a moment ago, in my introduction of a bill, to the birth of the quintuplets born to Mr. and Mrs. Fischer, in my home State. I think one of the greatest gifts I can offer as one of the elected representatives of this family is to work in every possible way for a world where these children, all the children of South Dakota, indeed, all the children of the earth, can breathe clean air and live free from the blight of hatred and war.

It is true that the experts are not in agreement as to the number of leukemia or cancer victims there may be if we do not cease polluting the air with test explosions. We do not yet know for certain how much genetic damage may be done to the brains, the bones, and the tissue of the children of the future if the nuclear test explosions continue. But we do know that uncontrolled testing with more and more nations joining in the nuclear race will doom thousands of innocent human beings to suffering and premature death.

Harvard's distinguished professor of biology, Matthew Meselson, told the Senate Foreign Relations Committee that "a reasonable estimate for the number of children with gross mental or physical defects who will be born in the world because of the genetic effects of fallout from tests conducted to date is about 50,000."

Recent Government surveys have reported radioactive concentrations in some localities two or three times greater than we had previously believed to exist.

The tragic fact is that we may not know for another generation or more the full effect of radiation damage already caused by nuclear explosions.

The Friday issue of the Washington Star carried an urgent half-page paid advertisement sponsored by the noted physician, Dr. Benjamin Spock, and 66 other medical doctors. Said Dr. Spock and his associates:

> We believe that as a result of the fallout from past tests, at best a small percentage of our children will develop cancer or leukemia in the future, and that some of our children's children will be born with physical deformities or mental deficiencies. If testing in the atmosphere continues, the risks will increase.

Some persons have contended that the radiation danger is a minor factor since it may affect only a small percentage of the world's children. But if one of those children, Mr. President, happened to be yours or mine, we would not think that was a minor matter. No one of us relishes the thought of living permanently with the fear that our families might be drinking contaminated milk or eating polluted food or breathing poisonous air.

But, Mr. President, you and I would have less cause to complain about radiation damage to one of our children as a result of nuclear testing than would a parent in Norway or Tunisia or the Philippines. For we have a voice and a vote in the determination of the nuclear policy of the world's mightest nuclear power—the first nation to develop and explode a nuclear device. Those millions of human beings around the world who are nervously watching the nuclear race must rest their chances of survival on what the giant powers decide to do. Like the rain, radioactive dust falls alike on the just and the unjust, the innocent and the guilty, the weak and the strong. Little wonder, then, that some 91 nations have quickly offered their signatures to the treaty now pending before the Senate.

In this morning's Washington Post, the distinguished columnist Mr. Roscoe Drummond reports the overwhelming support for the nuclear test ban treaty among the 59 national parliamentary groups attending the conference in Belgrade, our country being one of the countries represented at the conference. I should like to read one brief passage from this column:

> If there are any U.S. Senators wavering in their opposition to the nuclear test ban on the ground that it is a meaningless gesture, it is too bad that they are not in Belgrade sitting with the American congressional delegation at the 52d conference of the Interparliamentary Union * * *. To a man they are deeply convinced that the test ban treaty is welcome and worth while, a beginning toward a more peaceful world. They do not look upon the test ban as meaningless. They look upon it as a blessing.

One final phrase:

> It is evident to every Senator and Congressman attending this global gathering of parliamentarians that if the U.S. Senate turns its back on the test ban, world opinion will turn its back on the United States in agony and disappointment.

I ask unanimous consent that the full text of the article by Mr. Drummond be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McGOVERN. Mr. President, this one single factor—the radiation hazard—places a sobering responsibility on those who say that we will all be safer if the nations of the world continue to explode their nuclear warheads in the air.

Of course, those who oppose the treaty contend that we must risk radioactive fallout to avoid the military risk involved in the limited test ban.

I think this argument has been demolished by our best military and scientific authorities—to say nothing of the moral, political, and diplomatic issues involved.

We now have a clear-cut nuclear superiority over any other nation. We have enough warheads and delivery systems right now to obliterate civilization even if we never test another bomb or missile in the atmosphere. Far from adding to our nuclear superiority, continued testing by ourselves and other countries could clear the way for our rivals to narrow our present nuclear lead. This has been the past experience of nuclear testing over the years.

There are those who argue that we need to test in the atmosphere to develop a defensive antimissile missile. This argument falters at two points: First, it it highly unlikely that either we or the Russians can develop any really dependable defense against offensive missiles; second, the unsolved problems of the antimissile missile do not call for atmospheric testing but relate instead to technical problems such as guidance systems and the identification of incoming missiles, which have nothing to do with the testing of warheads.

The only dependable protection against enemy missiles is the enemy's knowledge that if he destroys our country, we can destroy his simultaneously. We are in a balance of terror today, and neither side has the slightest need to explode another test bomb to demonstrate its enormous killing power. The leaders of both the United States and Russia already know that a nuclear exchange of a few minutes' duration would incinerate most of the people in both nations. If that is not enough to deter a nuclear strike, then mankind is doomed no matter how many test bombs we explode or fail to explode.

But for those in doubt, we have the repeated assurance of our President and our military leaders that underground testing will be energetically pushed and that we will be prepared to resume atmospheric tests if that becomes necessary.

Indeed, Mr. President, the administration has been called upon to give so many assurances of our continued nuclear efforts after treaty ratification that a casual observer might assume that we are approving this treaty so that we can accelerate the arms race and beef up the warmaking facilities of our country.

There seems to be a side of our nature which leads us to require repeated assurances that we will continue to add to our capacity to annihilate the enemy more thoroughly than he annihilates us.

Some spokesmen have warned about the great danger of euphoria setting in if we cease exploding test bombs over the heads of the earth's inhabitants. Webster defines "euphoria" as "bodily comfort; a feeling of well-being."

Frankly, Mr. President, I think there is less danger to the world from this dread disease, "euphoria," with its symptoms of "bodily comfort" and "a feeling of well-being" than from polluting the air with radiation and accelerating the nuclear race.

As a former combat soldier I know the necessity of a strong and alert national defense.

But I also know that there is more to the defense of a nation than the size of its nuclear stockpile.

We need to balance off the alleged danger of becoming afflicted by "a feeling of well-being" against the dangers to our way of life from another 10, 20, or 50 years of mounting tension, anxiety, and fear. What does it do to a free society to live decade after decade under the shadow of a nuclear Armageddon. What does it do to our Nation to invest annually more than half of our entire national budget in building the weapons of death while neglecting the quality of our schools, our cities, and our lives?

I fully agree with the distinguished Senator from Louisiana [Mr. ELLENDER], who said on Friday:

> If the Senate should fail to ratify the test ban treaty, it appears to me we face two alternatives, and either will be destructive of our way of life. We may eventually drift or be forced into a nuclear war with Russia or we will go broke attempting to maintain the status quo indefinitely. Does any intelligent person believe we can continue to pour out between $50 and $60 billion for any length of time without doing violence and much harm to our economy and our way of life? I for one do not.

I agree with the Senator wholeheartedly.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. McGOVERN. I have only a brief statement. I wonder whether the Senator will withhold his questions until I have completed my statement; then I will be glad to yield to him.

Senator ELLENDER expressed the hope of a world that longs for peace when he said that the treaty could be a first step to thaw the cold war and help dispel the fear existing between Russia and the United States.

This brings me to one aspect of the treaty ratification which I think has not had sufficient consideration. I refer to the impact of this first step upon the Communist world.

THE TREATY AND THE SINO-SOVIET RIFT

All of us would readily agree that the hopes for world peace depend not only on the policy of the United States, but even more significantly on the course which the Communist world follows.

All our hopes for peace—and I believe the American people are united in that hope for peace—can be dashed into a nuclear holocaust no matter what we do if the Soviets and their allies should decide that they prefer that alternative to peaceful coexistence.

So we need to consider whether ratification of the test ban encourages the forces of peace or war in the Communist sectors of the globe.

During most of the 18 years since World War II, we have thought of the Communist nations as a monolithic structure solidly united under the leadership of Moscow. With the emergence of a Communist regime in Peking, we developed the phrase "Sino-Soviet bloc" to describe what we believed to be the common front of Russian and Chinese Communist power. We noted and partially exploited the divergence of Tito's Yugoslavia from Moscow leadership, but we saw this as a unique and uncertain exception to the monolithic nature of international communism.

In recent years, however, we have witnessed a fast-growing split in the Sino-Soviet bloc. Indeed, there is now clear evidence of a bitter power struggle between Moscow and Peiping for leadership of international communism.

"The New Cold War: Moscow Versus Peking" is the title of a newly published book by Edward Crankshaw, the London Observer's respected authority on Soviet affairs. Crankshaw and others see the first signs of the Russo-Chinese rift in the notable 20th Soviet Party Congress of February 1956 when Khrushchev launched the movement to downgrade Stalin. At the same Congress, Khrushchev announced that war with the capitalist societies is no longer considered inevitable in Communist dogma. The Chinese took issue with both of these developments.

For several years the Soviets and the Chinese tried to soften the public demonstration of their differences by indirect verbal attacks. When the Chinese wanted to attack the views of Moscow they did so by sharp criticism of Yugoslavia. The Russians would reply by a verbal blast at Albania.

There are numerous factors involved in the widening Sino-Soviet rift. Basically, however, the dispute centers around Khrushchev's policy of coexistence and some accommodation with the West. While Mr. Khrushchev has given growing evidence of his desire to avoid a military showdown, the Chinese have denounced this policy as a cowardly betrayal of Communist principle.

During 1959 Khrushchev seemed to be cultivating President Eisenhower and laying the groundwork through the spirit of Camp David for a high-level understanding. The subsequent summit conference in Paris in the spring of 1960 was, however, torpedoed by the ill-fated U-2 incident and Khrushchev's violent reaction to that event. It seems probable that the hard-liners in the Kremlin and the more militaristic advocates in Peiping made it politically necessary for Khrushchev to back off from the Paris conference when the U-2 incident erupted on the very eve of the conference.

Since that time, the Soviet leader has seemed to act alternatively belligerent and peaceful, but always he has backed away from the much more aggressive course demanded by Peiping.

The Moscow-Peiping battle broke into full public view following the Cuban missile crisis of last October. After gambling on the missile installations in Cuba which he thought would strengthen his hand for a showdown on Berlin, Khrushchev withdrew his missiles in the face of President Kennedy's stern ultimatum.

This withdrawal infuriated the Chinese who saw it as a surrender to the hated imperialists—the United States—which had previously been described by Peiping as a "paper tiger."

Khrushchev replied: "The paper tiger has nuclear teeth."

He warned the Chinese that to follow the unyielding militaristic course advocated by them would lead to a nuclear devastation that would cause survivors to envy the dead.

The Moscow-Peiping differences were further inflamed by the Chinese attack on the Indian border which coincided with the Cuban missile crisis. Moscow made no effort to hide its displeasure and in fact assisted the Indians rather than its Communist ally.

This summer the world has witnessed the public exchange of lengthy letters between the Communist parties of China and Russia which erase any doubt as to the fundamental ideological conflict between the two power blocs.

No one can read the article on the origins of the Sino-Soviet rift published by Peiping on September 6 without sensing the intensity of the struggle. The article traces the dispute to the 20th Congress of the Communist Party of the Soviet Union in 1956 and the Soviet peaceful coexistence policy which accompanied the downgrading of Stalin. The Peiping government takes strong exception to the Soviet warning about the necessity of avoiding a nuclear war.

In its letter to the Chinese on July 14 of this year—remember, this was on the eve of the nuclear test ban discussion—the Central Committee of the Soviet Communist Party wrote:

> The CPSU (Communist Party of the Soviet Union) Central Committee believes it a

> necessary duty to tell the party and the people with all frankness that in questions of war and peace the CCP (Chinese Communist Party) leadership is based on principle differences with us, with the world Communist movement. The essence of these differences lies in the diametrically opposite approach to such vital problems as the possibility of averting a world thermonuclear war, peaceful coexistence of states with different social systems, and interconnection between the struggle for peace and the development of the world revolutionary movement.

Two recent actions—to say nothing of the battle of words—of the Soviet Union point up their acute differences with Peiping. Under Secretary of State Averell Harriman has noted that it was the U.S.S.R. which proposed that the successful test ban treaty negotiations should begin in Moscow on July 15. Previously, July 5 had been fixed for the Moscow talks with the Chinese. The Soviet letter—in effect, an attack on the Chinese position, which I have just quoted—was sent on July 14 while talks with the Chinese Communists were in progress. Both the timing of these events and the substance of that letter are less than conciliatory toward the Chinese.

The Chinese Communists have denounced the proposed test ban as a "nuclear fraud," a "fake peace," an instrument of nuclear "monopoly," and a "capitulation to U.S. imperialism" which allows it to "gain military superiority." In the history of the Sino-Soviet dispute published by Peiping on September 6, the Chinese openly berated Moscow for scrapping its agreement to help Red China develop nuclear weapons. Peiping said that the agreement was broken "apparently as a gift" to be made to President Eisenhower "to curry favor with the U.S. imperialists" during the Khrushchev visit to the United States in September of 1959.

One could quote at length from the growing literature of dispute, down to the recent bitter exchange about incidents along the frontier between the U.S.S.R. and Communist China and the charge of Peiping that Mr. Khrushchev has joined President Kennedy, President Tito, and Prime Minister Nehru as a "vaudeville star" in a new holy alliance.

What I have said, however, is quite enough to remind the Senate that this dispute over the leadership of international communism between these two major Communist powers is a major reason for Soviet agreement to the treaty, a proposal which they had rejected in 1959 and, again, in 1961.

Some of our most able Soviet authorities, including Mr. Harriman, believe that Mr. Khrushchev urgently needs some tangible evidence that his doctrine of peaceful coexistence is a more practical policy than the militant Chinese line. The treaty is popular in Eastern Europe, as indicated by remarks of Mr. Roscoe Drummond, which I just read, where there is pressure for more independence of Soviet control. It has been widely acclaimed by the developing countries of the globe. It is plausible that Moscow desires the treaty to win greater voluntary approval among people both at home and abroad. Khrushchev doubtless feels that he can command greater influence by supporting the test ban as a symbol of peace than Mao Tse-tung can in the role of an unyielding warmonger.

Beyond this, it is quite probable that the Soviet leadership should mean in a literal sense what they say about avoiding nuclear war even as they say it for propaganda effect. Why should they not wish to avoid a nuclear war which could destroy most of their country? Why should it not be reasonable to suppose that in the avoidance of nuclear war, at least, we have some common ground with them; that they conceive of this treaty, as we do, as a step—admittedly a limited step—admittedly a step involving some risk—toward that end. Why should we in this country want to give Peiping ammunition to support its loud contention that "peaceful coexistence" as Moscow conceives it, is impossible in relationship to the West? Ever since 1959 we have told the world that we were prepared to stop test explosions in the atmosphere if the Soviets and other countries would agree.

Mr. President, can you not hear the ridicule and scorn that Mao Tse-tung would heap on the head of Khrushchev if we now reject our own proposal?

I believe that the rejection of the test ban treaty would play squarely into the hands of the Chinese militarists and might lead either to the repudiation of peaceful coexistence by Mr. Khrushchev or his replacement by a more militaristic Soviet leader. On the other hand, our acceptance of the treaty could very well have the effect of widening the split in the Communist world.

We know that the dispute between Russia and China does not mean that our troubles with Moscow are over. The tensions between our two competing social systems will remain. We know that the Soviet Union seeks to outdo us in at least the economic and ideological sense of the term, and we know there will be military pressure. But I do not fear peaceful competition with the Soviets. I have the faith to believe that our economy and our society and our democratic government are more than equal to that long-term struggle. I believe, too, that if we can avoid war, we shall continue to see modifications in Soviet society and foreign policy that will improve the chances for a world of law, rather than ruin.

As the late John Foster Dulles said 5 years ago:

> There is nothing inevitable about communism except that it, too, is bound to change. The forces that change it are already at work and discernible. Education that equips minds to find the ways to penetrate outer space also equips them to penetrate the fallacies of Marxism and its glittering slogans.

Merely in order to survive, the Russian leaders are constrained to recognize that they cannot force a Communist mold on the world. They do not agree with our ideology, and we do not agree with theirs; but they share our urgent desire for survival. Of that, we can be sure.

Mr. Khrushchev and his colleagues are realists who must reckon, not only with the nuclear power of the United States, but also with the concern of the Russian people in their legitimate interests; and one of those interests is survival. The ultimate hope of more peaceful relationships with Moscow and, indeed, the hope for a more humane regime in the Kremlin depend in large part on our ability to discern and to act upon the conditions on which the interests of America and Russia coincide.

As President Kennedy said in what I regard as his greatest speech—his speech of June 11, at American University:

> Among the many traits the peoples of our two countries have in common, none is stronger than our mutual abhorrence of war. Almost unique among the major world powers, we have never been at war with each other. And no nation in the history of battle ever suffered more than the Soviet Union in the Second World War. At least 20 million lost their lives.

The Soviet Union and the United States would be the centers of unspeakable horror in the event of another war. Likewise, these two great powers are carrying the chief burdens of the arms race, and have the most to gain from a relaxation of tensions.

Said the President:

> We are both caught up in a vicious and dangerous cycle with suspicion on one side breeding suspicion on the other, and new weapons begetting counterweapons. In short, both the United States and its allies and the Soviet Union and its allies have a mutually deep interest in a just and genuine peace and in halting the arms race. Agreements to this end are in the interests of the Soviet Union as well as ours—and even the most hostile nations can be relied upon to accept and keep those treaty obligations and only those treaty obligations, which are in their own interest.

Mr. President, the treaty before us is in our interest and is also in the interest of the Soviet Union and in the interest of the 91 nations that have signed it. The Chinese Communists and Fidel Castro do not think the treaty is in their interest; but, fortunately, neither of them is presently in a position to jeopardize its success.

I know that some Senators have honest doubts about the wisdom of this treaty. But I hope and pray that their doubts will not prevent an overwhelming vote of approval. No one can deny that if we were to reject this proposal, for whatever reason—a proposal which our leaders have been urging on the world for 5 years—that rejection would bring from Peiping and from Havana the loudest shouts of glee.

I know, too, that some Senators who have no specific objection to the treaty itself fear that it is dangerous and will lead to additional steps to disarmament that might threaten our Nation's security.

But, Mr. President, so long as we remain reasonably alert to danger, and maintain a reasonable level of defense, why is it not in our interest to take as many steps as we can to put the arms race into reverse? Just as each new round of weapons produces a counter round by our rivals, so we may find it possible to take certain cautious steps in arms reduction that will prompt reductions by the other side. Just as fear and hate beget fear and hate, so may hope and love, however cautious, beget hope and love.

Philip Wylie in his little book, "The Answer," tells of simultaneous nuclear test explosions by Russia and the United States which broke through the canopy of heaven and brought two angels fluttering down to earth. When the angels were examined by astonished men in both the Soviet Union and the United States, it was learned that they were carrying to earth a message which represented the distilled wisdom of all the universe. That message, written in every language of mankind, read simply: "Love one another."

I am familiar with the warning that those who place faith in such doctrines should take care to keep their powder dry. I agree in general with that precaution.

During World War II, we used to sing a song, "Praise the Lord, and pass the ammunition." I appreciate the need for ammunition. It has at various times in history overcome tyranny and brought down bullies. But let us not forget the other side of the equation—that our Nation has also come to greatness under a tradition of praising the Lord.

I see the banning of nuclear test explosions in God's heavens as an exercise in realism by earthbound men, and also as a hymn of praise to the Father of all mankind.

Exhibit 1

Test Ban Hopes—Legislators at Belgrade Favor Treaty

(By Roscoe Drummond)

Belgrade.—If there are any U.S. Senators wavering in their opposition to the nuclear test ban on the ground that it is a meaningless gesture, it is too bad they are not in Belgrade sitting with the American congressional delegation at the 52d Conference of the Inter-Parliamentary Union.

Here are more than 1,400 elected lawmakers representing 59 national parliaments from every continent. To a man they are deeply convinced that the test ban treaty is welcome and worthwhile, a beginning toward a more peaceful world. They do not look upon the test ban as meaningless. They look upon it as a blessing.

It is evident to every Senator and Congressman attending this global gathering of parliamentarians that if the U.S. Senate turns its back on the test ban, world opinion will turn its back on the United States in agony and disappointment.

The one overriding sentiment which unites these diverse delegates from Senegal and Sierre Leone, from Israel and Iceland, from Poland, Ceylon, Egypt, and Chile, is a passionate desire for a peaceful world.

Representative Katharine St. George, of New York, chairman of the American congressional delegation which includes leading Democrats and Republicans from both Houses, instantly caught the temper of the conference and became its spokesman in the first address of the general debate.

"As representatives of the peoples of the world," she said, "we know that the desire for peace is the longing and burning ambition of all and that we who are parliamentarians must do everything possible to express, proclaim, and fulfill this desire."

I am not suggesting that any Senator should vote for a treaty to please world opinion. I am reporting that the elected political leaders of 59 nations view the test ban as an instrument of hope and unanimously want to see it tried in good faith. The nation which refused to try it in good faith—or violated it—would plunge its prestige to the depths.

Naturally the Soviet-bloc delegates are busily trying to use this conference for political purposes which go beyond its jurisdiction. Their speeches have been bland but their tactic has come into the open.

The Soviet tactic is to use the tremendous appeal of the test ban to get the parliamentarians to endorse back-handedly a series of political and military agreements right out of the Moscow kit. The device is a superficially innocent resolution expressing satisfaction with the test ban.

In a plenary vote you couldn't beat back such a resolution if you tied Satan's tail to it. That is just about what the Soviets have done. They have imbedded in it a paragraph which has the conference endorsing a nonaggression pact between NATO and the Warsaw countries and to create denuclearized zones in unspecified parts of the world, including central Europe.

These are the kind of deals which Mr. Khrushchev wanted to tie to the test ban itself. We refused. Unless the resolution can be amended in committee the U.S. congressional delegation (including such Senators as Abraham Ribicoff of Connecticut, Edward Kennedy of Massachusetts, James Pearson of Kansas and such Representatives as Gerald Ford of Michigan, Ross Adair of Indiana, will either have to give qualifying speeches and vote for it or find itself in minority of two in voting against it along with the West Germans.

In this first international conference since the signing of the test ban, the mood of the bloc delegates, as evidenced by their speeches, is amiable. There are no denunciations and few criticisms. They are courting a detente, a relaxation, and all they want are a few agreements which will help Soviet purposes and not do the free world any good.

Mr. MILLER. Mr. President will the Senator from South Dakota yield?

Mr. McGOVERN. I yield.

Mr. MILLER. Mr. President, I should like to ask the distinguished Senator from South Dakota a question. Earlier in his speech, he referred to a statement by the Senator from Louisiana [Mr. Ellender] that if the Senate were to fail to approve the test ban treaty, it would appear that either of two things would happen: Either the United States might drift into a nuclear war with the Soviet Union, or increased national defense expenditures would bankrupt our country. I believe the Senator from South Dakota has adopted that viewpoint as his own.

Mr. McGOVERN. That is correct.

Mr. MILLER. I should like to ask him whether he believes that the increased cost of national defense and its impact on the economy is a greater prospect for the United States than it is for the Soviet Union.

Mr. McGOVERN. I believe not. I believe, as a matter of fact, that the cost of the arms burden for the people of the Soviet Union is as great a burden on them, if not a greater one, than it is on us. But the point I have been stressing today is that we have a mutual interest in trying to get the world on a course which will relieve both our countries from this very oppressive and enormous burden, a burden that is making it exceedingly difficult to do some of the other things in our societies that would make for a better and a happier world. I agree that the arms race is as detrimental to the Soviet Union as it is to us.

Mr. MILLER. I understand and appreciate that the point I wish to make is that this alternative need be no more of a problem for the United States than for the Soviet Union. In fact, I would be inclined to agree with the Senator from South Dakota that, if anything, it would be a greater problem for the Soviet Union than it would be for the United States.

Mr. McGOVERN. I believe the Senator from Iowa is correct.

Mr. MILLER. With respect to the statement about drifting into a nuclear war, I hope the Senator from South Dakota will agree that certainly in the present state of affairs, and insofar as the foreseeable future is concerned, in view of the assurances given by the President of the United States, this need be no more of a problem for us—and probably it would be less of a problem for us—than for the Soviet Union because—if I correctly understand the President's assurances—we intend to maintain our deterrent capability to such an extent that if the Soviet Union sees fit to drift into a nuclear war, it will be destroyed.

Mr. McGOVERN. I could not agree with the Senator more enthusiastically. Again he makes a point that I have been trying to stress today. In the event of a nuclear war, not only would most of our country be destroyed, but in the process the Soviet Union would be destroyed. Secretary McNamara has estimated that a nuclear exchange of something less than 60 minutes would leave 300 million people dead in Russia, the United States, and western Europe. It seems to me that point only reinforces the point that the Soviets have an interest in taking whatever steps they can to move the world away from that kind of catastrophe just as we have an interest.

Mr. MILLER. Precisely; I could not more thoroughly agree with what the Senator from South Dakota concludes, because I have come to the same conclusion.

But why would we be inevitably led to either of these two alternatives, which it appears the Soviet Union should shrink from even more than the United States, merely because this particular treaty might not be ratified? We are not bound to go along either of those two roads. It is my understanding that the President's commitment made in his American University commencement speech in June would still stand even if the treaty were not ratified. If I recall correctly, the President of the United States said, "We will not be the first to resume testing in the atmosphere."

Mr. McGOVERN. Correct.

Mr. MILLER. I assume that would continue to be our policy. I assume that it is a long standing policy of this administration, prior administrations, and other Congresses that if this particular treaty should not be ratified, we should continue to press for a comprehensive test ban treaty in Geneva.

Mr. McGOVERN. We have an announced policy at present of refraining from testing in the atmosphere so long as the Soviets and other countries refrain from such testing. But the treaty gives us an added bonus, in that we are seeking the signatures of countries all over the world. Already some 91 countries have added their signatures to the treaty. So we can avoid the proliferation of tests by powers not now members of the nuclear club. As the Senator points out, if the announced policy of banning a nuclear test is good judgment, why would it not be in our interest to formalize that policy in a treaty so that all the countries of the world could be brought under that agreement?

Mr. MILLER. The only reason would be, as set forth by some of the opponents to the ratification of the treaty, that this particular treaty would not be in the best interest of the United States. I am sure the Senator from South Dakota and I could sit down and draft a better treaty than the one before the Senate. It would be aimed at stopping nuclear testing in the atmosphere, but it would be a better treaty, and it would remove some of the objections of some of the opponents. The point I wish to make is that we should not drive ourselves into the position of pointing the finger at anyone who opposes the treaty and saying, "Because you oppose this treaty, you therefore will have this country follow either of these two roads—drifting into nuclear war or bankrupting the United States."

I cannot imagine anything more unfair than to do that. I suggest that most of those who oppose the treaty would be the first to reject those alternatives and would say, "No; my alternative is a comprehensive test ban treaty, rather than the single approach of taking those two avenues into destruction."

Mr. McGOVERN. If we could obtain a comprehensive test ban agreement at this time, I would support that. But the Senator knows that we have not been able to negotiate that kind of agreement with the Soviet Union; negotiations since the end of World War II have faltered and failed. This represents a first and limited step in that direction. I hold to the doctrine that half a loaf is better than nothing at all.

Mr. MILLER. The Senator from Iowa does not know that to be the case. Neither the Senator from South Dakota nor the most wild proponent of the treaty knows that the treaty is a "half a loaf," that it is a "bird in the hand," or that it is indeed a first step. We hope and pray that it may be, but we do not know. I do not believe we ought to lead anyone to think that anyone knows—aside from the leaders in the Kremlin—whether indeed this is a first step.

Mr. McGOVERN. There is an area of uncertainty in all our knowledge. We do not know that we will survive walking out of the Senate Chamber today. A bolt of lightning may strike us all dead. But the presumption is that a step of the kind proposed, in which the Soviet Union, the United States, and the other nuclear powers sit down around the table and agree on a limited test ban on the testing of nuclear weapons, may open the way—and probably will open the way—for more favorable relations between our competing societies.

Mr. MILLER. I suggest that it would be more of a presumption that if we walk out of the Chamber that we will not be struck by lightning than it would be that if we enter into the treaty we would have better relations with the Soviet Union. I share the hope and prayer of the Senator from South Dakota that such would happen. But I am not persuaded in respect to the strong probability that he suggests. There is, indeed, a possibility. But I am unimpressed by the suggestions that this is the first step. It may be; it could be a step the other way, too. In that connection I hope the Senator from South Dakota will recall that several of the proponents of the treaty who are knowledgeable on this subject, not the least of whom is the Senator from Rhode Island [Mr. PASTORE], Chairman of the Joint Atomic Energy Committee of the Congress, indicated that under the treaty we can expect our national defense cost to increase rather than to decrease. If that is so, I am not saying that the fact that it might be a mutual disadvantage is necessarily a reason to reject the treaty. If it will increase our cost, I can see where it would increase the costs of the Soviet Union. I do not believe that the proposal is one sided. I do not believe we ought to be led into voting for ratification of the treaty on the assumption that to do so would reduce our national defense costs. If anything, such action would increase them. The mere fact that we are reducing or eliminating testing in three environments—underwater, in outer space, and in the atmosphere—and limiting the testing to underground, does not mean that national defense costs will not increase. Underground testing is much more expensive. The amount of increased underground testing that we will have to engage in—which the President has told us we will do because he has given us the assurance that he will meet the safeguards of the Joint Chiefs of Staff—does not mean that such testing will not more than offset the reduced cost by eliminating testing in these other three environments. This, I think, might be considered a reason to vote against the treaty. Under the treaty there would be a stepup in our defense costs.

Mr. McGOVERN. I believe the Senator would agree, in all fairness, with my remarks this morning—and I think he heard most of what I had to say—that I did not base my support for the treaty on a dollars-and-cents consideration. I mentioned this in connection with the statement made by the Senator from Louisiana as one of the supporting considerations.

The major factors on which the case for the treaty rests, as developed by me today and also by many other Senators who have spoken, do not relate to the dollars-and-cents consideration.

While the Senator is probably correct that we cannot look for any immediate reduction in defense outlays as a result of the ratification of the treaty, and while there might be some temporary increase, if the step should be successful—if the treaty should be honored for a period of time by the signatories—no doubt the Senator will agree that this may open the way for further points which can be negotiated between our countries, which would hold out the prospect for some reduction in the arms race.

I do not expect that in fiscal year 1965 or 1966 as a direct result of ratification of the treaty there will be any major cut in our defense budget. There may be other reasons why we ought to take a look at the size of our military budget, but that would not depend on the ratification of or rejection of the treaty.

Mr. MILLER. I appreciate that statement by the Senator from South Dakota. I hope the Senator understands that with some of his arguments I would be the first to agree.

Mr. McGOVERN. I am aware of that.

Mr. MILLER. As the Senator knows, I have not yet made up my mind as to how I shall vote—although I shall make up my mind soon.

Mr. McGOVERN. I am aware of that. I hope the Senator will decide, after careful consideration, to give support to the treaty.

Mr. MILLER. I hope I can. I pray that I can.

I want the Senator from South Dakota to know that if I should decide to vote for ratification of the treaty, I shall not be persuaded to do so by the reason of the prospect of the two alternative results to which he referred, and to which the Senator from Louisiana referred, if the treaty should not be ratified. I am persuaded that those are cynical, completely erroneous conclusions. It is a non sequitur to say that if the treaty fails we shall drive ourselves into a nuclear war or drift into a nuclear war, or go broke because of our national defense costs.

Mr. McGOVERN. Is the Senator impressed by the major points I made in the speech, which were, first, the radiation danger from continued testing; and, second, the unfortunate impact which the rejection of the treaty might have on the Communist world?

We know that at present there is a struggle in progress among the leaders of international communism, as to whether they can work out some kind of peaceful accommodation with us or whether they should follow the course recommended by the more militaristic leaders in the Communist bloc and assume that there is no possibility of negotiating anything.

Does not the Senator agree that those are factors which need to be taken into consideration before he makes his decision?

Mr. MILLER. The Senator from Iowa would be the first to agree that those factors should be taken into account. As I pointed out during a colloquy last week, while I grant that there is a favorable factor with respect to at least the temporary alleviation of nuclear fallout, I believe this has been overworked, overemphasized, and overstressed, considering the best facts available to our Government. But there is an area of mutuality.

I recognize that the prospect of adverse world opinion because the treaty might not be ratified is a factor to be considered.

I regret that this is the situation in which we find ourselves. I regret that the treaty was negotiated in such a way that we are faced with that situation. I am sure that if the Senator from South Dakota and the Senator from Iowa had had an opportunity to negotiate the treaty we would have put into it a provision that not until the three signatories had signed and ratified the treaty would other nations be allowed to sign it, so that the U.S. Senate would not be faced with this dark cloud on the horizon to which the Senator from South Dakota has alluded. But it is there. We must deal with the facts as they exist. This is a factor.

I thank the Senator from South Dakota for his responses.

Mr. McGOVERN. I thank the Senator from Iowa.

Mr. FULBRIGHT and Mr. ROBERTSON addressed the Chair.

Mr. McGOVERN. The chairman of the committee has been on his feet for some time, so I will yield to him first.

Mr. FULBRIGHT. Mr. President, I have listened to the Senator's speech with a great deal of interest. The Senator has made a fine contribution to the debate. I thoroughly agree with what he had to say about fallout. This aspect has been neglected, partly because of a concentration on the military aspects of the treaty.

The Senator's analysis of reasons for the ratification of the treaty is absolutely sound, and I congratulate him for a well-prepared speech.

Mr. McGOVERN. I thank the Senator from Arkansas. I now yield to the Senator from Virginia.

Mr. ROBERTSON. Mr. President, I heard with interest the reference by the Senator from South Dakota to the statement made by the distinguished Senator from Louisiana, who said that in his opinion if the treaty were defeated we would face the alternative of drifting into a nuclear war or going bankrupt, or words to that effect, because of the increase in defense spending.

The comments by the distinguished Senator from Iowa left me in some doubt as to the real views of the principal speaker. The Senator from Iowa said that statement was cynical and erroneous and a non sequitur. For the benefit of members of the press who do not understand Latin, I will say that "non sequitur" is a Latin phrase. "Non" is the Latin word for "no" or "not," and "sequitur", as we know, comes from the word "sequence" which means following. So a "non sequitur" simply does not follow. I do not know now which way the Senator from South Dakota is following.

Does the Senator believe, as I inferred, that if the Senate ratifies the treaty we can cut defense spending? Or does the Senator repudiate that view?

Mr. McGOVERN. In answer to the Senator's question—and also going back to the statement by the Senator from Iowa—it would be highly unfortunate to leave the impression that the Senator from Louisiana, whose remarks we are quoting today, would be guilty of a cynical statement in explaining his support for the treaty. The Senator from Louisiana spoke in good faith in offering his views on the treaty, I am sure, as is true of the Senator from Virginia and of the Senator from Iowa.

I made it quite clear in answering the Senator from Iowa that I am not basing my support for the treaty on a dollar-and-cents consideration. I would vote for the treaty even if I thought it might bring about some temporary increase in our defense spending. I do not really believe that is going to be the impact of the treaty if we ratify it. Even if it should be, the achievement of the more fundamental goals which I mentioned at considerable length in the course of my speech would be worth the price of a temporary increase in our defense cost.

Mr. ROBERTSON. Does the distinguished Senator favor a reduction in defense spending?

Mr. McGOVERN. I do.

Mr. ROBERTSON. How much?

Mr. McGOVERN. I favor some reduction in defense spending, but I do not base that on the nuclear test ban treaty. I delivered a speech on the floor of the Senate on August 2, which was not dependent on the ratification of the treaty, in which I suggested that the time had come for us to take a look at the possibility of some reduction in our budget. I do not base that on the nuclear test ban treaty.

Mr. ROBERTSON. As I recall the figure, the distinguished Senator recommended a $5 billion cut.

Mr. McGOVERN. A $4 billion cut in the defense budget and a $1 billion cut in the AEC budget. That was somewhat less than recommended by former President Eisenhower, but it would be a beginning in what I believe is a rational direction.

I wish to make it clear to the Senator that this has nothing to do with the nuclear test ban treaty. I am quite prepared to recognize, as the Senator from Iowa pointed out, that the treaty may or may not open the way for a reduction in defense spending. It might even cause a temporary increase. And that consideration did come into the debate.

Mr. ROBERTSON. I am happy that the Senator has made it crystal clear that his present position in favor of the treaty has nothing to do with his previous position that we should cut defense spending.

Mr. McGOVERN. I give the Senator that assurance.

Mr. ROBERTSON. However, there are a good many people throughout the Nation who think, as the Senator thinks, that this is the first step toward peace. Is not that true?

Mr. McGOVERN. I think that is true.

Mr. ROBERTSON. And a good many people, knowing of the preamble to the treaty, thinking that total disarmament means total peace seem to have the view that, being a step toward peace and the objective being total disarmament, this means a cut in defense spending. But the Senator from South Dakota repudiates that view.

Mr. McGOVERN. I take the view that we cannot use the test ban as the sole excuse for a cut in defense spending, but I hope it will create the kind of world in which additional steps can be taken so it will be possible to make that kind of cut. But I do not think it is the justification for a cut in military spending.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. MANSFIELD. If I understand the Senator from South Dakota correctly, he says that even if the treaty is ratified, as I hope it will be, there will be an increase in defense spending, rather than a stabilization or a decrease.

Mr. McGOVERN. I think that is a possibility.

Mr. MANSFIELD. Second, in response to the statements made by the Senator from South Dakota, I believe there is a good deal of coincidence in the remarks he made earlier about the quintuplets born in his State, who came into the world under very precarious conditions, being premature and underweight—and so far they seem to be doing well—and the test ban treaty which the Senate is now considering. I would hope we would think a little more about those who are coming into this world and a little less about those of us who are getting along in years and have had our opportunity in life, and who have not made too much of a contribution—and I am speaking about myself in that respect. But the youngsters are entitled to some consideration. What we do here will determine to a certain extent what kind of world they will live in and what kind of life they will lead.

Mr. McGOVERN. Mr. President, I thank the distinguished majority leader for his helpful statement. He is right in assuming that the birth of the Fischer quintuplets in my State has given me a new emotional interest in the success of the nuclear test ban. I share the concern of the entire Nation with the health of these children.

As I said earlier today on the floor of the Senate, there is no greater gift that we can offer these children and all the children of mankind than to move the world away from war toward a time of peace.

This treaty now pending will also help insure that the air which our children breathe is free from deadly radioactive poisoning.

I agree with the majority leader that we must think more about future generations and less about our old hatreds and divisions of the past.

Mr. President, I yield the floor.

Mr. ROBERTSON. Mr. President, those familiar with my voting record will, of course, know that throughout my service in the Congress, I have consistently voted for economy. Consequently, I experienced some slight embarrassment when, because of the illness of our esteemed and beloved colleague, Senator Chavez, I was called upon in the middle of the summer of 1961 to serve as Chairman of the Subcommittee on Defense of the Senate Appropriations Committee and to present to the Senate in August of that year the biggest peacetime spending bill in the history of our Nation. In defense of that spending program, I stated that we were threatened by an implacable foe which denied God, repudiated the teachings of the Bible, and was restrained in its overweening ambition for world domination simply by our superiority in the field of nuclear warfare. I said, under those circumstances, we could not forgo the advantage of superior physical force nor put a price tag upon our survival.

I concluded the presentation of that unprecedented peacetime spending bill with these words:

> The enactment of the bill by the Senate will put Premier Khrushchev on notice that this Nation is determined to safeguard freedom in the world at whatever cost. Thrice within my own lifetime, despots have miscalculated the strength of that determination. Forty-four years ago another despot, in another place, misinterpreted the peaceful aspirations of the American people as a lack of determination to guard their liberties. That miscalculation finally led to our entry into World War I. On a grim day in April 1917, Woodrow Wilson, a great Virginian, came to these Chambers to place before the Congress and the world the American cause. He said:
>
> "We shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free. To such a task we can dedicate our lives and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured. God helping her, she can do no other."

Has anything occurred during the intervening 2 years to change the appraisal then made of the necessity for us to maintain physical superiority over the Soviet Union? The answer of all of our military experts is an emphatic "No." That must also be the answer of the civilian experts of the Defense Department, because the Secretary of Defense recommended to us increased military spending for fiscal 1963 and has just concluded testimony before our Senate Subcommittee on Defense of the Appropriations Committee in which he recommended still further increases in military spending for fiscal 1964. Consequently, we are now confronted in the Senate with a most anomalous situation—on the one hand, the ratification of a test ban treaty with the Soviet Union based upon the assumption that the leaders of the Politburo have experienced a change of heart and, on the other hand, the largest single peacetime appropriations bill in the history of our Nation based upon the assumption that there has been no change in the overall objective of communism to dominate the entire world, by force, if necessary.

Some apparently have forgotten the act of perfidy the Communists committed less than a year ago only 90 miles from our shore, when they installed atomic missiles in the once friendly island of Cuba and lied to us about it until confronted with indisputable facts. But that instance is still quite fresh in my mind because it became my duty as well as my pleasure to defend the wise and courageous actions of our Commander in Chief in ordering a blockade of Cuba, accompanied by a threat of invasion unless the Communists promptly removed from Cuba the atomic weapons which they had established there. The occasion was a meeting of the Interparliamentary Union—the oldest peace organization in the world—at Brasília, the capital of Brazil. The time was October 24, 1962. In the absence of Chairman Gore of the American group, as senior Vice Chairman, I was serving as Acting Chairman of our delegation at Brasília.

As soon as we learned of the blockade of Cuba, I gained the floor and said:

> I had hoped to talk today about some of the responsibilities and opportunities we have as legislators to strengthen representative political institutions. But the attention of all of us has been diverted by the gravest threat of nuclear war since the Communist invasion of the free Republic of Korea more than a decade ago.
>
> Now—as then—it is international communism, founded in deceit and backed by ruthless power, which is responsible.
>
> Two elements have been added, so that in the present crisis we are dealing with a threat of a new magnitude and a new dimension. Technology has rapidly given the world more awful weapons. And these weapons have now been introduced into a part of the world which had hitherto been spared their presence.
>
> This lends a new urgency to that topic of our agenda which deals with disarmament. Yet at the same time, it casts something of an aura of unreality over the millions of words which have been said on the subject. A large number of those words unfortunately have been untruthful and deceptive. The representatives of international communism have been talking peace and preparing for war.
>
> It is significant that there is no Cuban delegation among us today. There is no Cuban parliament. It will be recalled that when Mr. Castro was embattled in the Sierra Maestra, he promised his people free elections. But once he came to power, it was a different story. Elections, he said, were not necessary. The will of the Cuban people and the spirit of their revolution, he said at one of his mass meetings, could be amply expressed without elections, through public assemblies such as he was then addressing. In any event, he added, popular support of him and his revolution was such that there was really nothing to have an election about.
>
> Mr. Castro was well aware, of course, that a freely elected Congress would no doubt hinder his already well-advanced plans to deliver his long-suffering country into the hands of the international Communist movement.
>
> That delivery has long since been completed, and Mr. Castro has publicly boasted of it.
>
> So long as this was all, it was a tragedy for the Cuban people and a cause of concern to all free nations, especially in the Western Hemisphere, but it was not a threat to world peace.
>
> But international communism was not content with enslaving the Cuban people. No. It wanted also to use their island as a base for furthering its aggressive intentions against the remaining free nations of the Western Hemisphere, including the United States.
>
> While the spokesmen for international communism repeatedly proclaimed their purely defensive intentions, they were in fact hurriedly installing a capacity to deliver nuclear warheads to the north as far as Canada and to the south as far as Brazil. There is no doubt about this. My Government has incontrovertible proof. This is why the President of my country, as he himself explained so eloquently and forthrightly Monday night, has taken the measures of which we are all aware.
>
> Now, we hear it said, Mr. President, that what the Soviet Union is doing in Cuba is no different from what the United States is doing in Turkey and in other free countries on the periphery of the Soviet bloc. This is silly. Let me, at this point read the pertinent portions of a couple of paragraphs from the President's speech of Monday night:
>
> "For many years, both the Soviet Union and the United States have deployed strategic nuclear weapons with great care, never upsetting the precarious status quo which insured that these weapons not be used in the absence of some vital challenge. Our own strategic missiles have never been transferred to the territory of any other nation under a cloak of secrecy and deception—"
>
> Then, referring to the buildup in Cuba the President said:
>
> "But this secret, swift and extraordinary buildup of Communist missiles—in an area well-known to have a special and historical relationship to the United States and the nations of the Western Hemisphere, in violation of Soviet assurances, and in defiance of American and hemispheric policy—this sudden clandestine decision to station strategic weapons for the first time outside of Soviet soil—is a deliberately provocative and unjustified change in the status quo which cannot be accepted by this country, if our courage and our commitments are ever to be trusted again by either friend or foe."
>
> No, Mr. President, if a parallel exists at all, it is not between Cuba and Turkey but between Cuba and a member of the Warsaw Pact; for example, Poland, whose representative we heard earlier. If the Government of Poland were to undergo a change, and if Western nuclear missiles were to be installed on Polish territory, that would represent a change in the deployment of such weapons comparable to what has occurred in Cuba. It would, I think, be a provocative change, and it would obviously heighten world tensions.
>
> But this is a far cry from what the United States and its allies have done in Turkey, which was never an ally of the Soviet Union, but which on the contrary is an ally—and a stanch one—of the United States. Furthermore, when Western missiles were installed in Turkey, and also in Italy, it was publicly announced as a decision taken by the North Atlantic Treaty Organization.
>
> Mr. President, let us hear no more of these fatuous comparisons which do not compare but serve only to confuse.
>
> In conclusion, Mr. President, let me make these final points, briefly and clearly:
>
> First, the United States has no quarrel with the people of Cuba. It has, on the contrary, the deepest sympathy for the agonies through which they are passing, and it looks forward to the day when they will once again take their rightful place in the family of free nations.
>
> Second, the United States had no quarrel with the present Government of Cuba until it became clear beyond peradventure that this Government was betraying the promises of reform which bore it to power.
>
> Third, the United States intends not only to protect its own vital interests but also to honor its international commitments, one of which is the commitment of hemispheric defense contained in the Rio Treaty of 1947. Only yesterday, the action of the United States was approved by 19 nations of this hemisphere, including Brazil.
>
> Fourth and finally—and let there be no mistake about this—the people of the United States and their elected representatives are united on this question.

> There is no division among us, regardless of political party affiliation. Nor should there be any division among free nations.
>
> Peace is not divisible. With respect to the present crisis in Cuba, or wherever a new threat to world peace may subsequently be presented, it is our earnest hope that all freedom-loving nations will courageously stand together in defense of the fundamental principles of human rights.

After I had concluded that defense of a very wise and courageous policy of our Commander in Chief and distinguished President of the United States, what was the deceitful answer of the Soviet delegation? It was a bitter criticism both of me and our Nation. For example, Mr. Spiridonov of the U.S.S.R. said:

> Unfortunately, we have to state with deep concern that evil imperialist reactionary forces—

That is the United States—

> are trying, by atomic blackmail and provocations—

That is by us—

> to intimidate the nations and push them into the abyss of a thermonuclear war. Indeed, the leaders of the United States of America are threatening to take the initiative in a nuclear conflict to unleash a preventive war against peoples who have liquidated the system of exploitation in their countries and have chosen the way of life which is not to the liking of the ruling circles of the United States.

That viewpoint was echoed by Mr. Skoda of satellite Czechoslovakia, who said:

> Recently, and again at present, we have been hearing war cries which call for an immediate attack on free Cuba. In the name of the Czechoslovakian people, we resolutely condemn the imperialist policy of violence and censure against free Cuba. The aggressive groups in the imperialist states never stop playing with the fire of nuclear war. All peace-loving people of the world live everlastingly under the threat of nuclear war.

Mr. STENNIS. Mr. President, will the Senator yield briefly to me at that point?

Mr. ROBERTSON. I am happy to yield to my distinguished friend from Mississippi.

Mr. STENNIS. I commend the Senator from Virginia. In addition to the general address he is making on the treaty, he is to be highly commended for bringing to the attention of the Senate a detailed report with reference to the meeting in Brasilia to which he has referred. That meeting occurred almost a year ago during the Cuban crisis. That meeting in Brasilia was not fully reported in the American press for the very good reason that it was driven off the pages by the Cuban crisis itself. Once before this year I called attention to the remarkable work which the Senator from Virginia did at the meeting in Brasilia as the chairman of the congressional delegation. I understood he upheld himself brilliantly in debate, that the substance of what he said was pertinent and convincing, and that he was successful in conveying his message to the delegation.

I bring this to the attention of the country and the Senate again and commend the Senator for his outstanding work. My reports were obtained from the other members of the U.S. delegation who were with the Senator from Virginia and were pleased and impressed with his work. His work at Brasilia has a bearing upon this debate. Without further interrupting him, I shall permit him to conclude his remarks, but shall ask him to yield to me further following his presentation.

Mr. ROBERTSON. Mr. President, I deeply appreciate the commendatory words of the distinguished Senator from Mississippi. As I said only last Friday, I regard him as one of the leading military experts of the Senate. He has rendered outstanding service to our country by taking not merely 2 or 3 weeks of testimony, but a year of the testimony of military experts on the general subject of a treaty to ban atomic testing.

Everyone knows that we have always taken the position that we could not trust the Soviet Union. We are asked, "Why enter into a treaty unless we are going to get an advantage?" The Soviets ask, "Why keep a treaty if we can get an advantage by breaking it?"

We are asked to sign a treaty with a nation that denies God and repudiates all the moral restraints under which we operate. When we enter into a treaty, we intend to keep it. When the Soviets enter into a treaty, they look for advantages from breaking it. Make no mistake about what Khrushchev thought about this treaty. He boasted to his friend Tito that it was a victory for the Communists. Yet we have signed it, and it provides for no inspection.

I point out the duplicity, as I saw it, that occurred less than a year ago, only 90 miles from our shore. As I have said, we are now asked to believe that the Soviets have had a change of heart. I do not believe any such thing. If they have, why do they continue the inhumane wall between East Berlin and West Berlin? If they have had a change of heart, why do they not carry out the solemn promises for free elections in East Germany, Hungary, Poland, and the other satellite countries, including the promises that those nations would receive freedom at the end of World War II? No, the Soviets are just as much bent upon world domination today as they have ever been.

It has been said by those who have heard that I said I was opposed to the treaty for military reasons, "We wish you could forget your animosity toward the Kennedy administration and support the treaty."

So I replied, "Animosity? I was in Brazil defending the administration. I thought it was wonderful." I said, "There is no politics in our survival. There is no politics in what we try to do on the floor of the Senate for the peace of our Nation when threatened by an implacable enemy that is waiting and seeking to blow out our brains. God forbid that anyone would play politics under those circumstances."

Before I have concluded, I shall answer those who may say, "He is a warmonger. There are large military installations in his home State, and he is afraid that if we enter into a peace movement, we will have disarmament, and that will close up this, that, and the other industry."

I made a plea—I shall read it to the Senate—only last October, in Brazil, for disarmament, but disarmament based upon full and free inspection.

I happen to know John McCloy, of New York. That is one reason why I voted for the Eisenhower program to establish an agency for disarmament. I do not trust the Soviet Union. I do not believe we are going to get anywhere with such an agency. But I do trust John McCloy. He did wonderful work as Assistant Secretary of War in Charge of Manpower in World War II. I visited him when he was High Commissioner in Germany. I worked with him when he was Chairman of the International Bank for Reconstruction and Development. I conferred with him when he was chairman of the board of the Chase National Bank. He is an outstanding man, a great patriot.

I voted for the peace agency, although I did not have any confidence in it. Nevertheless, I thought, "Let us give it the benefit of the doubt." So I voted for it.

The day after John McCloy returned from Moscow, after spending 2 weeks urging Khrushchev to agree to something in behalf of peace, that he could bring back to encourage the American people, he told me in an interview at lunch, that lasted 2 hours, that Khrushchev said with respect to banning atomic weapons in Germany, "You know and I know that when war starts there with conventional weapons, if you are losing, you will use atomic weapons. If we are losing, we will use atomic weapons."

That settled the issue so far as defending Berlin or any other part of Europe with conventional weapons was concerned. Of course, in Europe the Soviets have us outnumbered in conventional forces by at least 4 to 1.

But this was the significant thing that Khrushchev told McCloy: "I will never agree to inspection. You would only come over and spy on what we were doing."

So I went to Brasilia, to attend the meeting of more than 60 nations. Our President blockaded Cuba, charging the Russians with skullduggery by placing missiles in Cuba capable, as he said, of shooting as far north as Canada and as far south as Brazil. What did we confront in the oldest peace organization in the world, at which some 60 nations were represented? A resolution by the Soviet delegate, bitterly condemning the United States for blockading Cuba and protecting our rights. What did I do? I defended the President's action. I was successful in having the British, Australian, and Canadian delegations change the resolution that condemned the United States to one which condemned any nation that threatened the peace of the world. This the Soviets did not want. But we succeeded in having that resolution adopted.

I shall quote again from statements by satellite nations in October of last year——

Mr. FULBRIGHT. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. Let me finish, please.

Mr. FULBRIGHT. Certainly. The Senator does not have to yield if he does not wish to do so.

Mr. ROBERTSON. I shall yield; but please do not interrupt me in the middle of a sentence.

I shall quote again from statements by satellite people, doublecrossing us in Brazil less than a year ago.

Now I am pleased to yield to the chairman of the Committee on Foreign Relations.

Mr. FULBRIGHT. The Senator has paid a high compliment to Mr. John J. McCloy, which left the impression that he has respect for Mr. McCloy's judgment. I call the Senator's attention to page 849 of the committee hearings, where a letter from Mr. McCloy appears. The last sentence of the letter reads:

> But assuming these safeguards, I would fear more for the ultimate security of the country if this treaty were rejected at this time than if it were ratified.
>
> Sincerely,
>
> JOHN J. McCLOY.

I take that to mean that Mr. McCloy favors the ratification of the treaty.

I took that to mean that Mr. McCloy approved ratification of the treaty. In view of the Senator's respect for him, I thought that might have some effect on his decision.

Mr. ROBERTSON. That is correct. I knew Mr. McCloy had written to Senator HILL recommending he vote for the treaty. So I wrote to Mr. McCloy, as follows: "Here is a summary of the military testimony that you did not know. In view of present reports to the effect that you favor this treaty, I should like you to consider some of these statements by the military experts, with which I am sure you are not familiar."

I have not received any answer to that letter.

With all due deference to the distinguished chairman of the Foreign Relations Committee, let me say I know he has definitely played down the testimony of the military experts.

Mr. FULBRIGHT. Does the Senator say I have, or that Mr. McCloy has?

Mr. ROBERTSON. The Senator from Arkansas has played it down. When he was in Moscow, to witness the signing of this treaty, Under Secretary of State Ball sent to Secretary of State Rusk a cablegram in which he urged the Senator from Arkansas to arrange to start the treaty hearings before his committee before the Senator from Mississippi [Mr. STENNIS] could start the hearings before his subcommittee and there could take testimony on the viewpoint of the military—so that the favorable opinion of the treaty by the Senator from Arkansas and his committee could be presented to the public before it had the adverse reports by the military experts. Is that true or not?

Mr. FULBRIGHT. First, I say that it is most unusual for a subcommittee of the Armed Services Committee to take up a treaty and hold hearings on it. I know of no precedent whatever in the history of the Senate, since I have been a Senator, for a subcommittee of another committee to presume to take up a treaty, in the first place. So I see no conflict whatever there. The law shows very clearly which Senate committee has jurisdiction of a treaty.

Second, we took the testimony of all the important and accredited officials of the military. As has been stated in the Senate many times, we heard from all the Joint Chiefs of Staff—the chairman and the other four members. They testified both in public and in private session; and, as the Senator from Virginia well knows, they endorsed the treaty. So how could I "play down" their testimony? The only thing I can do is interpret what it means.

As for the fact that some former military men were not brought in by us, we did not believe it appropriate or necessary—and neither do I—to take the testimony of former military men who now have no responsibility for the security of this country.

We had all the testimony of the important present leaders of the military who have responsibility regarding the national security; and I believe that was quite proper. So I do not believe it can properly be said that we "played down" the views of the military. In fact, we sought them.

In my speech I devoted to the views of the military much more time than one normally would in connection with a treaty which involves both the overall political security and the military security of this country, and perhaps of the whole world.

Mr. ROBERTSON. All I can say is that it is my personal opinion that the distinguished chairman of the Foreign Relations Committee played down the military testimony. I state that as my personal view—that it was played down; that that fact has not been denied; and that the State Department wanted it played down, and sent to Secretary Rusk, in Moscow, a cablegram directing him to tell the Senator from Arkansas to start his committee's hearings before the Senator from Mississippi [Mr. STENNIS] could start his subcommittee's hearings.

Mr. FULBRIGHT. I received no such cablegram.

Mr. ROBERTSON. Does the Senator deny it was sent?

Mr. FULBRIGHT. I do not know.

Mr. ROBERTSON. If the Senator denies that it was sent, I will call on the man who has it, to read it to the Senator.

Mr. FULBRIGHT. I do not know whether one was sent; but if one was sent, certainly it was sent for a valid reason, because—as I have said—a subcommittee of the Armed Services Committee had no business holding hearings on this treaty.

Mr. ROBERTSON. Very well. But I say the cablegram was sent.

Mr. FULBRIGHT. I do not care whether it was sent or was not sent; that is utterly irrelevant.

Mr. ROBERTSON. Then let me say that today I received from a lawyer a letter in which he asks whether it is the normal procedure for the chairman of the Foreign Relations Committee to announce his support of the treaty before he heard one word from anyone about it—while he was in Moscow.

Mr. FULBRIGHT. I will say that is a lie.

Mr. ROBERTSON. Then I will write him that the Senator says it is a lie.

Mr. FULBRIGHT. The Senator can tell him it is a lie. The record shows what happened. Before then, I had seen this treaty. It was brought before our committee before it was even initialed. The Senator from Virginia says he has received a letter in which it is said that I announced my approval of the treaty before I had seen it; but such a statement is nonsense.

Mr. ROBERTSON. I will write to him that that is what the Senator from Arkansas says.

Mr. FULBRIGHT. The record shows what I said. Such a statement is not true. Not only did I see it, but a majority of the members of the committee saw the treaty before it was initialed. We were consulted at considerable length about it.

Mr. ROBERTSON. I did not say the Senator from Arkansas did not see the treaty. The letter states that the Senator announced his support of it before he started the hearings. Is that true or not?

Mr. FULBRIGHT. That is true. This is a good treaty.

Mr. ROBERTSON. Then the one who wrote the letter did not lie, did he?

Mr. FULBRIGHT. But the statement to which the Senator referred was that I had approved the treaty before I had even seen it.

Mr. ROBERTSON. The statement was that the Senator from Arkansas announced his support of the treaty before he heard any testimony on it.

Mr. FULBRIGHT. Oh, no; I had heard a great deal about the treaty. I heard from the Secretary of State; and we read the treaty, and discussed it at length.

Mr. ROBERTSON. I am not referring to statements from the State Department; I mean the testimony of witnesses before the committee. The Senator from Arkansas announced himself as favoring the treaty before he opened the committee's hearings, did he not?

Mr. FULBRIGHT. That is quite correct. The object of the treaty is so clear and so simple. Similar treaties have been under consideration since 1958. Former President Eisenhower had made a proposal similar to this one. It has been referred to in the press, and has been commented upon by nearly everyone of any significance in the political field and in the military field. In fact, I believe any reasonable man would be able to see that this treaty should be ratified.

Mr. ROBERTSON. The Senator says it is "so simple". But I understand that it was prepared by the Russians.

Mr. FULBRIGHT. By the Russians?

Mr. ROBERTSON. They included the provision which would prevent the United States from making tests. Good lawyers have said that means we could not prepare to use nuclear missiles either in our defense or in the defense of our NATO allies. So if the treaty is "so simple," how can the State Department and the distinguished Senator from

Arkansas explain that interpretation away? He said that of course we could use such missiles in our defense. I agree we certainly could. If the Soviets started shooting at us, we would start shooting at them—in self-defense—with everything we have. But how about the position of our NATO allies? If the United States ratifies the treaty, what would prevent the Russians from saying to our allies, "The United States has signed the treaty, and thereby agrees it will not use nuclear weapons in your defense. Now we want recognition of our legal title to all the property we stole after World War II, when we promised to free the countries the Nazis had overrun, but—instead—sent our army there and took possession. If you do not agree, we will seize Berlin." Of course, that would be blackmail. And then the Soviets would say, "And now—by the treaty—you have promised not to use nuclear weapons in either your defense or their defense." Then we would say, "Oh, that part of the treaty does not mean what it says."

Let me ask the distinguished gentleman from Arkansas a question: When nations are in disagreement over the meaning of the words of a treaty, who passes judgment on the meaning?

Mr. FULBRIGHT. That is a matter of international law. But in this field of international law as the Senator from Virginia well knows, there is a very little law—only the law of the jungle. So each nation usually does interpret it to suit itself.

Mr. ROBERTSON. I regret I cannot agree with the distinguished Senator, who is a good lawyer. I have been definitely informed—and I believe my informant is right—that then the treaty will go to the International Court, for interpretation. We have endorsed the Court, although we did not go into the League of Nations.

Mr. FULBRIGHT. We endorsed the Court, but then withdrew from it almost immediately, by means of the Connally reservation. I do not recall any suit we ever had before the Court, because we reserve to ourselves the right to be the sole judge of whether the Court has jurisdiction. This is one of the famous "reservations" that are said to do no harm to a treaty.

Mr. ROBERTSON. I know about the Connally reservation; but the fact remains that if we join with Russia in approving a treaty which states plainly that the United States shall not use atomic weapons in defense of its NATO allies, if our State Department or the Congress or some other U.S. authority says the treaty does not mean that, and that we can do it, Russia can then say to the International Court, "Please interpret those words." Then the Court would undoubtedly interpret them as they are written, not as we would like to have them interpreted. Who wrote the treaty that gave us one-half of Berlin 120 miles away from our part of Germany with no access to that part? Would the Senator have drawn a deed for any farmer in Arkansas which would give the farmer no access road to his property?

Mr. FULBRIGHT. I do not know to what treaty the Senator refers.

Mr. ROBERTSON. The treaty under which zones of occupation in Germany were allocated. Who wrote the treaty which gave us no access to West Berlin, 120 miles from our zone? The Senator hesitates. I will answer. We were sucked in on that treaty.

Mr. FULBRIGHT. If my memory serves me correctly, no treaty was submitted to the Senate. That was an agreement by the military leaders who were responsible for our defense. It was participated in by those in command at the time. I am not sure that General Eisenhower had a part in that. I believe General Clay did. That was merely a military agreement. It was not a treaty that came to this body, if my memory serves me correctly. Perhaps the Senator knows better.

Mr. ROBERTSON. No. I did not mean to say "treaty." It was a binding agreement under which we were hooked. We agreed that we would take West Berlin, 120 miles away from our occupation zone, with no right to egress or ingress. The Senator knows that we had to fight our way through and spend millions of dollars on an airlift to support our troops in Berlin.

Mr. FULBRIGHT. Why does the Senator think we got hooked? Was it not the result of our own lack of foresight and wisdom in allowing that situation to develop? There was plenty of opportunity to have negotiated a treaty.

Mr. ROBERTSON. That is what I say. We are dealing with those who will take every advantage. They framed that treaty and hooked us. They will hook us again. I do not favor being hooked if I can help it.

I am going back to what I said last October in Brazil to some people that we are now going to trust.

Mr. Molnar, of satellite Hungary, said:

> It is entirely clear that small Cuba does not threaten and cannot threaten war to a giant like the United States of America. It is no less clear that the blockade ordered by the United States constitutes an act of war against small Cuba; international law does not recognize blockades other than as a measure of war taken in times of war against a belligerent party. There is not therefore and there cannot be any legal justification for this point. It is entirely clear that the United States of America has been led to take this step by a reactionary group that cannot bear (the fact) that the Cuban people should have emancipated themselves from the tutelage of American monopolies and should be moving toward socialism.

Mr. Zolkiewski, of satellite Poland, said:

> The fact is that it is the United States which has resorted to force. But a representative (Mr. ROBERTSON) of this country has deemed it expedient to formulate here charges against the Soviet Union. No sophisticated reasoning will disprove the fact that the United States, a big power, has made use of force against a small but independent country, whose people can finally feel free. All honest men can only answer that by demanding that all disputable questions between States be resolved by way of negotiations and not by brutal force.

Mr. Vanilichi, of satellite Rumania, said:

> As concerns the danger of international communism, of which Mr. ROBERTSON has talked to us, this danger exists only in the imagination of some persons. The Socialist countries have always conducted a policy of peace, because they are interested in maintaining the peace in order to build a better society and a better life for their people.

Those are direct quotations of what the Communists said about us when they were preparing in Cuba to blow our brains out. Suppose they had succeeded in establishing long-range missiles in Cuba and proceeded to blackmail both Latin America and ourselves. Would we fight? If so, what would become of the Capital City? A missile could reach it in 10 minutes from a base 90 miles from our shores. Fortunately, before the Russians could make the missiles operational, we discovered their presence.

That is the nation that we now say has had a change of heart. That is the nation about which we now say, "Let us trust it as the first step to peace."

There followed hours of similar denunciation of us before word reached the Soviet delegation and their satellites in remote Brasilia that their peerless leader had pulled the rug from under them by admitting to President Kennedy that he had lied about the installation of atomic missiles in Cuba. He promised promptly to withdraw them and all of the Russian forces which had been sent to Cuba and to give us the assurance of free inspection.

Mr. President, this happened, I repeat, less than a year ago. Yet now we are considering a nuclear test ban treaty with the Russians.

With all of these facts so fresh in my mind, and with knowledge of all of our top military secrets gained through handling the Defense budget for 2 successive years, I issued the following statement about that treaty for publication in the morning papers of September 8:

> We have signed a treaty with a Godless nation, which freed from the moral restraints of the Bible, has on many times demonstrated that to it a treaty is a mere scrap of paper to be violated whenever violation will promote the interests of the Soviet Union. The Soviet Union has repeatedly violated nonaggression pacts, it has exercised its veto in United Nations 102 times, vetoing every proposal in behalf of peace that we have ever made and its most recent act of perfidy was perpetrated only 90 miles from our shore in the little island of Cuba. There, in violation of international law and of our Monroe Doctrine, the Soviet Union installed high-powered missiles capable of our utter destruction and callously lied to us about what it was doing until confronted with positive proof of the fact.
>
> I was attending a meeting of the Interparliamentary Union, the oldest peace organization in the world in Brasilia, when President Kennedy issued the order to blockade Cuba. On the floor of that convention, I stoutly defended the President's action and for doing so was denounced by delegates from the Soviet Union and nearly all of its satellites who in addition to denouncing me also denounced our country in every term of vilification that could be used under the existing rules of parliamentary procedure. Then, their Premier pulled the rug from under them by openly admitting that he had lied to us about the missiles and would promptly withdraw them. He also agreed that he would withdraw all Russian troops from Cuba and give us full and free right of inspection as an evidence of his good faith. Again, he violated that agreement. He did not withdraw Russian troops from Cuba, and

all that we have concerning the withdrawal of the nuclear weapons is his word which to me is of no value whatever. I personally conferred with the admiral of the Navy who supervised withdrawal of the missiles. I asked that admiral if he had been permitted to board the Russian ships taking the missiles out to ascertain whether what was being carried aboard the Russian ship was a missile or a dummy. The admiral replied that he was refused permission to board any Russian ship and that all that could be observed on board the ship was a covered object which the Russians said was a missile. Mark you, not only were we denied the right of inspection but the Russians would not even remove the covering over the so-called missiles being taken out of Cuba to prove that they were not again deceiving us.

It will, of course, be recalled that in our eagerness to promote peace, we entered into an agreement with Russia to ban all testing. When the Russians flagrantly violated that agreement, testing in the air missiles with the explosive power of over 50 million tons of TNT, and, in my opinion, gaining definite superiority over us in the development of heavy and long-range missiles, President Kennedy said that if the Russians fooled us a second time, it would be our fault and that we must never again enter into any agreement with the Russians which did not include the right of inspection. You can, therefore, imagine my surprise when I learned that our Secretary of State had signed a treaty in Moscow, prepared, of course, by the Russians, just like the treaty prepared by the Russians at the end of World War II, which fixed zones of occupation in Europe and assigned to us, France, and Great Britain, one-half of the capital city of Berlin situated 120 miles from the section of West Germany that we were to occupy and with no right to us of access to West Berlin, which included no right of inspection and which clearly provides that we can't use atomic weapons either in our defense or in defense of our NATO allies. The latter provision, the State Department is now trying to explain away by saying that the words used in the treaty do not mean what they say.

Virginians who have read the statement I first issued will recall that I said that the only condition under which I would vote for a treaty without the right of inspection would be assurance by our military experts that we would not get hurt. All testimony has been closed and that assurance has not been given. In a recent hearing before the Subcommittee on Defense of the Senate Appropriations Committee, I asked General LeMay the pointed question: "Can you give us assurance that we will not be hurt by agreeing to the test ban treaty?" and he promptly replied: "I cannot." Not one of our military experts has endorsed the treaty as being to our advantage from a military standpoint. Some like Admiral Burke, General Twining, Admiral Radford, General Power and General Schriever, who is in charge of missile development, have openly denounced it. Others like General Taylor have said that we endorse it with reservations and while we do not think we will get any military advantage we think the political advantage outweighs the military disadvantage.

During his recent visit to Yugoslavia, Khrushchev was under no delusions as to who would benefit by the treaty. He proudly proclaimed it to his ally, Tito, as "our victory." And indeed it was.

I look to our military experts for military advice but not for political advice because that is a field in which I have majored all of my life and in which they have had no experience whatever. Who is it that says that the political advantages outweigh the military disadvantages? It is the State Department that said we have gained political advantages by distributing all over the world $102 billion in foreign aid. It is the State Department that said it is a political advantage to create 19 new nations in darkest Africa which have since been able, by voting with the Communist bloc, to take from the free nations of the world the control of the General Assembly of United Nations; it is the State Department that would relinquish our most valuable Air Force Base in the Azores in order to help a small group of African tribes take from Portugal an area that belongs to Portugal as fully as the area west of the Mississippi that we bought from Napoleon or in Alaska from a Russian czar.

So, when that State Department tells me that this test ban treaty is a step in the direction of peaceful co-existence, my answer is that if there be any peace in the program for us, it will be the peace of death.

The following Monday, the Preparedness Investigating Subcommittee of the Senate Committee on Armed Services, headed by the very able and distinguished junior Senator from Mississippi [Mr. STENNIS], made available to Members of the Senate what is called a committee print, which summarized the testimony of a large number of distinguished military experts and scientists of national reputation. That subcommittee is composed of six of the best informed Members of the Senate on military affairs.

Members of the Armed Services Committee have access to all military secrets—a privilege enjoyed by only a minority of the Senate. Consequently, the views of that committee on military matters are entitled to great consideration.

While two members of that subcommittee did not agree—and a third agreed on Friday he would vote for the treaty with misgivings—with the conclusion of the majority that the military disadvantages of the test ban treaty far outweighed the political advantages, all members were agreed that the factual statements in the committee report were correct.

Nothing could be more illustrative of the military implications involved in the treaty than the list published on page 6 of the subcommittee report concerning test objectives of our military and atomic energy scientists and indicating which of those objectives could be reached under the treaty and which could not. That list showed the following restrictions upon the proper development of our atomic weapons:

MILITARY IMPLICATIONS—NUCLEAR TEST BAN TREATY

TEST OBJECTIVES

> Survivability and responsiveness of hardened site missile launch complexes to high yield nuclear explosions. Can be done under treaty, no.
>
> Response of hardened underground structures to blast and cratering from high yield surface burst nuclear weapons. Can be done under treaty, no.
>
> Determination of missile warhead and nose cone vulnerability to nuclear explosions during atmospheric reentry. Can be done under treaty, no.
>
> Study of atmospheric and high altitude radar blackout phenomena. Can be done under treaty, no.
>
> Study of communications blackout phenomena from high-yield nuclear explosions, Can be done under treaty, no.
>
> Full-scale operational tests of ABM systems. Can be done under treaty, no.
>
> Development of very high yield warheads, equal to or surpassing Soviet achievements. Can be done under treaty, no.
>
> Determination of very high yield nuclear weapons effects. Can be done under treaty, no.
>
> Determination of underwater nuclear weapon effects for improved antisubmarine warfare (ASW) systems. Can be done under treaty, no.
>
> Full-scale performance and reliability tests of Minuteman and Titan missile systems. Can be done under treaty, no.
>
> Yield verification tests of stockpiled weapons above approximately 1 megaton. Can be done under treaty, no.
>
> Troop and crew training tactical exercises using nuclear weapons. Can be done under treaty, no.

It is no wonder, therefore, that not a single military expert has said that from a military standpoint, the test ban treaty will be an advantage to us. We know, of course, that there were no illusions on that subject by Khrushchev who recently boasted to his friend and Communist ally, Tito, that the treaty was a great victory for the Communist world.

So concerning the military aspects of the treaty, let us frankly face this issue: No military expert has endorsed the treaty from a purely military standpoint. Three of our very distinguished former Chiefs of Staff—free from political pressure—openly denounced it; namely, Admiral Radford, Admiral Burke, and General Twining.

During the past year, it has been my privilege to inspect two of the principal warning systems we have developed, at the cost of billions of dollars, across the northern portion of our hemisphere between us and Russia.

Both the distant early warning line and the ballistic missile early warning system are functioning at the highest possible level of efficiency, but neither of these warning systems can prevent a war.

Under the most optimistic conditions, all we can expect from these warning systems is about 15 minutes' advance notice that a nuclear war has started. Consequently, we find General Power, in charge of strategic bombers—which are being phased out but which up to this time have been the greatest single deterrent against the start of a nuclear war—urging the Senate not to tie its hands in the development of a more perfect missile system by signing the test ban treaty. And we find General Schriever, head of the missile development program of the Air Force, voicing similar objections.

After this senatorial group of military experts had heard weeks of testimony on missile development and the treaty, it said:

> From the evidence we are compelled to conclude that serious—perhaps even formidable—military and technical disadvantages to the United States will flow from the ratification of the treaty. At the very least it will prevent the United States from providing our military forces with the highest quality of weapons of which our science and technology is capable.
>
> Any military and technical advantages which we will derive from the treaty do not, in our judgment, counterbalance or outweigh the military and technical disadvantages. The Soviets will not be similarly inhibited in those areas of nuclear weaponry where we now deem them to be inferior.

Following the abrogation of the moratorium by the Soviet Union, the test and performance records altered drastically. In 1961 and 1962 the Soviet Union conducted in yields above 10 megatons twice the number of tests which had been conducted by the United States in that yield range throughout the history of its nuclear test program. The total number of Soviet tests above 1 megaton was approximately four times that conducted by the United States in the same period (1961-62). In terms of yield-to-weight ratios, the Soviet Union, as a result of its aggressive test program and its concentration on very large yield weapons, has demonstrated clearly superior performance in all yield classes above approximately 15 megatons where the United States has had no testing experience since 1954. It is also worth noting that the scientific witnesses were unanimous in expressing uncertainty about the particular designs employed by the Soviets, to achieve the results observed in their very high yield experiments.

Below a few thousand pounds in weight and a few megatons in yield the evidence available to us indicates that the United States continues to hold a lead in weapon design and performance.

For a variety of reasons the United States has chosen to concentrate its development efforts on weapons yielding from a few megatons down to fractions of kilotons. Consequently, it probably continues to hold some advantage in design techniques over the Soviet Union in these areas and in the ability to maximize the yield which can be achieved at a given weight and size or, alternatively, to package a given yield in a device of minimum weight and size.

However, the rate of testing below 1 megaton indicates that the Soviet Union is attempting to challenge seriously the U.S. lead in the lower yield weapon categories. Prior to the 1958-61 moratorium the United States had conducted somewhat more than twice as many tests at yields below 1 megaton as had been detected in the Soviet Union. By the end of 1962 this ratio had dropped significantly. More important, the 1961-62 Soviet test series included more tests in this yield range than had been conducted in its entire program from 1949 through 1958. Even accounting for tests to assess the effects of explosions and tests to confirm the yield of stockpiled weapons, this constitutes impressive evidence that the Soviet Union has no intention of permitting U.S. superiority in weapon design and performance at yields below 1 megaton to go unchallenged. It is in this range of yields that the testing underground permitted by the treaty can be accomplished readily.

In assessing the merits of the treaty which is now before the Senate for ratification, it is important to understand the kinds and objectives of certain nuclear test programs which, in the opinion of the subcommittee and based on testimony received by it, would be desirable or necessary in any future U.S. nuclear test programs.

The military disadvantages associated with the treaty which were discussed in testimony before the subcommittee were as follows:

1. The United States probably will be unable to duplicate Soviet achievements in very high yield weapon technology. Though U.S. weapons laboratories are capable of developing and stockpiling designs yielding greater than 50 megatons without further experimentation, their weight and size would be incompatible with any existing or programed missile delivery vehicle. It is well within the capabilities of U.S. weapons laboratories to equal and to surpass the Soviet achievements, but to do so would require a number of atmospheric nuclear tests.

2. The United States will be unable to acquire necessary data on the effects of very high yield atmospheric explosions. Without such knowledge it is unlikely that a realistic assessment can be made of the military value of such weapons, or that plans can be formulated to protect military weapons systems against their use. The data possessed by the United States on high yield weapons effects are inadequate to permit confident extrapolations to the higher yield categories.

3. The United States will be unable to acquire data on high altitude nuclear weapons effects. Such data are important to the design of antiballistic missile system warheads and radars. Again, this is an area in which Soviet experiments may have provided them with greater knowledge than that now available to the United States. Throughout our hearings there was considerable dispute on this point. The treaty proponents accurately observed that the ABM warheads could be developed through underground testing and that development of acquisition and tracking radars was an electronic problem not directly dependent upon nuclear tests. It is clear, however, that the characteristics or specifications upon which such warhead design and development should be based are not sufficiently known and cannot be determined with confidence without additional high altitude effects tests. As the Atomic Energy Commission observed:

"While our knowledge of * * * blackout phenomena provides some limited guidance in the determination of (ABM) warhead criteria * * * an optimized design could only be chosen after continued atmospheric testing. Whether or not significant gains will result, can be argued."

And again:

"The minimal (warhead) specifications * * * can be met within the framework of existing technology. (But, assuming that a minimum warhead will not be acceptable) testing both underground and in the atmosphere would be required to complete the development."

4. The United States will be unable to determine with confidence the performance and reliability of any ABM system developed without benefit of atmospheric operational system tests. An ABM system will be required to function in the nuclear environment created both by its own defensive warhead explosions and those of the attacking enemy. Under such circumstances it is important to be as certain as possible that no element of the system possesses unknown vulnerabilities to nuclear effects. All electronic components of the ground arrays and missiles must function, the missiles must be capable of operating in the presence of nuclear, thermal, and blast effects; the warheads must be resistant to nuclear radiations. It is apparent that unless a system of such complexity is tested in its operational environment, there will be a low level of confidence in its ability to perform the mission for which it was designed and produced. Many unknowns will arise in the course of the ABM development program which can only be explored and satisfied through the medium of atmospheric and high altitude nuclear testing.

5. The United States will be unable to verify the ability of its hardened underground second-strike missile systems to survive close-in high-yield nuclear explosions.

6. The United States will be unable to verify the ability of its missile reentry bodies under defensive nuclear attack to survive and to penetrate to the target without the opportunity to test nose cone and warhead designs in a nuclear environment under dynamic reentry conditions.

7. The treaty will provide the Soviet Union an opportunity to equal U.S. accomplishments in submegaton weapon technology. There can be no doubt that a treaty limiting testing to an underground environment will tend to favor experimentation at the lower end of the yield spectrum. Economic factors will play a part since costs rise significantly with relatively modest increases in yield for underground tests. There are also testing limitations arising from the type of strata, geological uncertainties, and engineering factors. Whether or not either the United States or the Soviet Union will choose to test underground at yields much greater than approximately 1 megaton is not known. In any case, it appears that the race for nuclear technological superiority will be confined to that area where the United States is believed to now hold a margin of superiority. The result, with time, will probably be the achievement of parity by the Soviet Union in this area without any equivalent opportunity for the United States to attain equality in very high yield weapon technology.

8. The treaty will deny to the United States a valuable source of information on Soviet nuclear weapons capabilities. The results acquired from the analysis of radioactive debris generated by nuclear explosions has long been a basic source of intelligence on Soviet nuclear weapons programs. By driving Soviet testing underground, this intelligence will be denied the United States with the result that with the passage of time knowledge of the Soviet state of the art in weapons undergoing tests will be seriously degraded. The effect of the treaty will be to reinforce the difficulties already imposed on the United States by Soviet secrecy.

Looking at the matter from the military aspect and from the effect of the treaty upon our military preparedness and posture, we cannot escape being impressed with the testimony of Gen. Thomas S. Power, Commander in chief of the Strategic Air Command, and Gen. Bernard A. Schriever, Commander of the Air Force Systems Command, who addressed themselves to the problem exclusively from the military point of view. General Power, after stating that he did not think the treaty "is in the best interests of the United States," said:

"I feel that we have military superiority now, and I feel very strongly that this has resulted in a world that has been free from nuclear warfare. I have a lower confidence factor that we can and will maintain that military superiority under the test ban treaty * * *."

General Schriever told the subcommittee that there "are definite military disadvantages" to the treaty and that, as a military man, he felt he could protect the country better without the treaty than with it.

An official organ named Tass of the Soviet Union called the able and patriotic Senators who made that report "a motley team of ill-famed enemies of the treaty."

Mr. President, I am happy and proud to associate myself with that "motley team" because without impugning the sincerity of any Senator who does not agree with our conclusions, I am definitely of the opinion that as a result of this treaty, which, apparently, will be ratified by the Senate, the Soviet Union will first gain equality with us in atomic weapons. Then, if it develops, before we do, a satisfactory and operational antimissile missile, we and the free nations of the world will then be confronted with terrifying blackmail. In my opinion, there can be no doubt but that our leadership of the free world depends upon our recognized ability to defend it from Russian aggression, and we stand to lose that ability by ratifying the test ban treaty.

In taking this stand, I undoubtedly shall be called a warmonger, who prefers the continuation of large military installations in his home State to a program of peace. In refutation of that charge, I can cite a statement that I made at the meeting of the Interparliamentary Union last October in Brasilia before there was any proposal of the pending test ban treaty. On October 30, last, in addressing the convention on the topic of "Methods and Prerequisites for General Disarmament: Measures for Less International Tension," I said:

> In an age characterized by strife and discord, when many feel that we are suspended between two worlds—the one dead, the other not yet capable of being born—the delegation of the United States of America points with pardonable pride to the record of our country in behalf of peace.
>
> We have participated in two world wars, both of which have been defensive wars for the preservation of personal freedom and a democratic way of life. In neither of those wars in which we were victorious, did we ask for the territory of any nation or for booty. On the contrary, at the end of World War II, we were so distressed over the misery and suffering that had resulted from that conflict that we promptly proceeded to aid in the rehabilitation, first of our allies, later of those who had fought against us, and still later, of needy nations elsewhere in the world. In that undertaking, we have expended more than $100 billion. Never before in recorded history has any nation ever poured out its wealth in such a prodigal manner for the cause of the future peace of the world.
>
> In addition to that program of rehabilitation on a worldwide basis, we have repeatedly, first, at the United Nations in New York, and later, at Geneva, Switzerland, made proposals for world peace which have been vetoed by the Soviet Union. Today, we stand on that record. Today, we still hope that a nuclear war that would destroy civilization as we have known it, can be avoided.

Mr. President, ever since the end of the last World War, as evidenced by our joining in sponsorship of the United Nations, we have been, and still are, ready to support a program of arms control based upon full and adequate measures of inspection. The objectives of such a program must be the maintenance of the security of all free nations and the preservation of their honor, dignity, and self-respect. Concessions inconsistent with these objectives will never be acceptable to us. On the contrary, we hope all free nations of the world will join with us in reaffirming the traditional attitude of our country expressed by Patrick Henry, of Virginia. Prior to the Declaration of Independence in 1776, he said:

> Is peace so sweet or life so dear as to be purchased at the price of chains and slavery? Forbid it, Almighty God.

The Soviet Union often has said, and still says, that it wants a program of world disarmament, but without any right of inspection, which, in my opinion, will mean unilateral disarmament. Should we find peace in unilateral disarmament, it will be, as I said in a statement of last week, "the peace of death."

Knowing what I do about the military issues involved, I would violate the dictates of my conscience if I voted for the pending treaty.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield to my distinguished friend from Mississippi.

Mr. STENNIS. I commend the Senator from Virginia for a very fine discussion, as well as a solid argument, with reference to the vital issues presented to the Senate on the question of whether or not it will advise and consent to the treaty. I believe his analysis is sound and is to the point.

I know something of the struggle the Senator from Virginia had in considering these facts and weighing the situation and determining what would be his final position with respect to the approval of the treaty. I know, too, of his genuine love for peace—not only love by word of mouth, but the love he has in his heart for peace and for mankind, as well as peace as we know it, in the sense of absence of war.

I commend him, too, for his fine knowledge of the military aspects of the question, gained partly through his services on the Appropriations Committee last year. The Senator from Virginia handled the largest peacetime appropriation bill in the history of this Nation. I know he had some struggles with it, because that bill represented the expenditure of funds for our worldwide, gigantic military program. He is among the foremost of those who would like to be able to reduce that program. I know if there were any basis whatsoever that he could see in the situation with reference to the treaty that he considered a sound basis, he would be prompted to follow it immediately, because of his interest in the physical soundness of the financial structure of this great Government. So his consideration of the facts is very impressive to me, as are his background of knowledge and his concern for the strength and welfare of the Nation.

In spite of the background that would favor adoption of the treaty, nevertheless, the hard facts of life drove him to the other conclusion.

The Senator made a fine presentation, in a judicial and calm manner. He has contributed greatly to the debate.

We can thank him again, too, for his contribution at Brasilia a little less than a year ago, during the critical time of the Cuban crisis, when we were so well and ably represented in the debate at that international forum.

Mr. ROBERTSON. I acknowledge with grateful appreciation the very fine tribute paid me, and only wish I were more worthy of it.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield to my friend the Senator from Wyoming.

Mr. SIMPSON. Does the Senator recollect the recent visit by the Senator from Virginia and me to the missile sites in certain States, including Nebraska and Wyoming?

Mr. ROBERTSON. I do. I did not mention the States, but I mentioned visiting the warning installations in the northern part of our hemisphere, which are designed to warn of the approach of bombers and missiles. Our most modern installation is the Minuteman, at Warren Air Force Base in Wyoming.

Mr. SIMPSON. Was the Senator advised of the necessity for testing in the environment of the air for the utilization of this important installation?

Mr. ROBERTSON. The trouble is that we have never tested those Minuteman installations. Everybody concerned would like to have the opportunity to see how they work. That is as much as I can say. I cannot go any deeper than that, because next thing I know, I shall be getting into classified military information.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield to the Senator from South Carolina.

Mr. THURMOND. I had read the ably prepared address of the Senator from Virginia before he delivered it today. It is an outstanding address. I hope every Member of the Senate will take occasion to read the penetrating remarks, which will throw great light on the subject. I commend the able and distinguished Senator from Virginia upon his magnificent address.

Mr. ROBERTSON. I appreciate that tribute, coming not only from an outstanding Senator, but from a major general of the Army, and commend him for what he has done on the Preparedness Subcommittee to give us the information I was able to use today in making up my mind as to whether I was for or against the treaty. I thank the Senator.

POSITIVE THOUGHTS ON THE TEST BAN TREATY

Mr. JAVITS. Mr. President, it is my turn to speak on the treaty. I consider it a great privilege to state in a definitive way my views on this subject. I am sure that it is expected that I shall support the treaty, and I will. I would not take the time of the Senate to labor the obvious, but I believe that in this debate, so far, there has been a great deal more consideration of the military and scientific aspects than there has been of the political and human side of this vital issue. Therefore, perhaps I can make a contribution to the thinking of the country if I develop my own views on the subject.

We have heard a great deal of discussion of what the treaty does not do but too little on what it does. In more recent days, the debate has been almost monopolized by discussion of such matters as safeguards, assurances, reassurances, conditions, reservations, understandings, and commitments.

The result has been to give many people—certainly many of my constituents who are writing letters to me—an impression that those who support the treaty had to be coaxed into it or do not have reasons they consider as hard and as realistic for supporting it as the reasons of those who oppose the treaty.

I do not believe this negative impression is valid. I do not believe we have to support this treaty because of what it does not do; or that we have to underplay what it can do. I think we who are for it must be prepared for judgments as sophisticated to justify for our Nation and the world, as those opposed are asking us to make.

So today, I intend to address myself to the nonmilitary aspects of this treaty—the political and human implications which, it seems to me, present the hard, overriding reasons for advising and consenting to this treaty.

I make one other general observation. In this discussion of assurances and commitments from the President on the treaty, I believe many have tended to forget or obscure the American attitude toward the Presidency, whether or not of one's own party. We have had assurances and reassurances from the President as to what he will do and what he will not do and yet we are still being asked to add conditions and reservations which, in effect, say, "Mr. President, we cannot rely on your commitments to hold as the policy of our Government."

Now, it is entirely understandable and proper, in view of the Kremlin's record of duplicity in Cuba and in other parts of the world, that we should be most wary in approaching an agreement with the Soviet Union. But I cannot understand those who would demonstrate the same lack of faith in the foreign policy commitments of the President of the United States.

In foreign policy, this is exactly what the constitutional separation of powers and the tradition of the President's office require of us.

Let us remember that a resolution or understanding can be carried in the Senate by a majority vote; it does not require a two-thirds vote. Therefore, if we hang reservations and understandings on the resolution of ratification we shall be faced with a dreadful dilemma should the treaty be rejected because of what we attached to it by only a majority vote.

I believe the issue before the Senate is clear. I do not believe that the Senator from Arkansas [Mr. Fulbright] is any longer worried about a two-thirds vote, but I believe he has every right to worry, and I believe the country has every right to worry, about majority votes, especially on some of the proposals that have been made, which state the obvious. I do not know whether they will be pressed. I assume they will, because they have been printed and have been widely referred to in the press. I refer to such proposals, for example, as the one being made by the distinguished Senator from Georgia [Mr. Russell], who wants us to say that the President will submit to the Senate any proposed amendments to the treaty. The Senator from Connecticut [Mr. Dodd] has four or five others.

I mention this to emphasize the point that a President who wants to put something over on us has many ways to do it, and we know it. A President can plunge us into war. A President can send troops anywhere in the world, because he is the Commander in Chief, and thus put us in a worse situation than that involved in trying to arrive at an executive agreement in lieu of a treaty, or in lieu of an amendment to a treaty, which would require approval of the Senate.

There are many ways of taking action. We have the right over money and over appointments. We have a channel to public opinion in the land. Beyond everything else, there is the great tradition of the Presidency. The great tradition of the Presidency is that in the foreign policy field—I will not discuss domestic policy at this time—there is no reason to deny to the assurances of the President the validity which we give to the office of President.

The issue of the test ban treaty is changing. No one now seriously doubts that the treaty will be approved. However, there are some doubts as to whether people will be drawn into approving something in the form of an understanding in the resolution on the theory that "He means it anyway; so why not say it?"

There are hard reasons for not saying it in the resolution, as I shall develop in a moment. The important thing now is the tradition of the Presidency, the standing of the Presidency—not this President, necessarily, but the institution of the Presidency. I think it deserves the good faith which it seeks, in order to forward the policy of the United States.

There are solid and strong reasons for not including any of the reservations or understandings in the resolution of ratification, which far outweigh the passive argument, "It is there anyway; why not say it?"

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. FULBRIGHT. The Senator has stated very clearly, succinctly, and exactly the critical point in the debate. What he has just stated is very important, and I hope that all Members of the Senate will give close attention to it.

Mr. JAVITS. I am grateful to the Senator.

In discussing the political aspects of the test ban treaty, it is important to define what we mean by "political" so that the term will not be misunderstood in this context. It is important for the American people to understand that economic, social, public health, and moral aspects are inseparable from politics. Politics, as I use it here, means success of the United States in the aims and objectives of its foreign policy—just as politics at home means success in the aims and objectives of a party or candidate.

In the world it is the United States which is running, in a sense, for reelection, for continuance as leader of the free world. It is in that sense that I use the word "political."

I have five points in that regard, and I should like to lay them before the Senate and the country.

First, and perhaps the most important political aspect of the treaty, is the fact that it commits Chairman Khrushchev by a consummated act to the road upon which he and his regime choose to embark—what he calls peaceful coexistence, but what we call a resolution of a cold war without an atomic war.

This is very important. I say this as a lawyer. It is one thing for A to promise B that he will do something. It is quite a different thing for B to act on what A has promised. Then A is bound. That is Hornbook law. It is just as true in the affairs of men.

The treaty would thus have a strong impact on current and future political discussions within the Soviet Union. If, as many experts believe it is to the interest of the present Soviet leadership to keep demonstrating the possibility of making and keeping agreements with the West, and thus to confirm the desirability of some sort of coexistence on their part, then to that extent it benefits our own situation, and that of the whole free world.

If we do not act, if we do not commit Mr. Khrushchev to what he says he wants to be committed to, then, in my opinion, we have lost the opportunity, and we may very seriously rue it.

In committing Khrushchev to this role, it ends for him the alternative of rejoining the Communist Chinese in a common front again with their insistent demand to keep the atomic war threat hanging over the world. Approval of the treaty is a defeat for the deliberate war as an instrument of national policy in the Communist bloc. This is the doctrine of the irreconcilables; and its logical conclusion is that they, like we, must live in the spirit of an armed camp, confronting each other with ultimatums that threaten hostilities on every occasion. The treaty is thus an attempt to improve the chances for peace, as an alternative to war.

In short, my first point is that we commit Mr. Khrushchev to a course of action by acting on the treaty. There is no other way to commit him effectively in his own eyes, internally to the Soviet Union, and to the struggle between the Soviets and the Communist Chinese, in the eyes of the whole world.

Second, among those who oppose the treaty, it is agreed that approval should be used as a bargaining element in the exercise of trying to wring concessions from the Soviet Union on Cuba, Berlin, and other cold war issues.

That is a very clear issue between us. Those who oppose the treaty say, "Do not make it." For example, the Senator from Arizona [Mr. Goldwater] has proposed a resolution to have the Soviets remove their troops from Cuba as a condition to our ratification of the treaty. Someone else might propose a resolution to level the Berlin wall. But the key to this argument, as I see it, is that the treaty is a bargaining element to wring major cold war concessions from the Soviet Union.

If that be done, it will have actually the reverse effect. In the first place, those efforts would be futile. We know very well that the Soviets have to look at this situation in terms of their own self-interest; and I say that in this treaty we stand alone. We know very well that the whole concept of the Baruch-Hancock principle is that we remain competitive if we are to get anywhere with the Soviet Union. So such efforts are bound to be futile. But more than that, if we take such a position, we will frighten the Soviet Union into an intensification of the arms race.

This intensification of the cold war is exactly what the Chinese Communists are urging. This is what is in essence implicit in the doctrine of using the treaty to force other concessions in the cold war. It puts us on the road to ultimatums to the Soviet Union, using the treaty as a bargaining element to make them concede to us what they consider to be substantive positions in the cold war. It is always our trouble in the cold war that we have vision on only one side. Let us remember that just as some of our people are seeking reservations with respect to the withdrawal of Soviet troops from Cuba, the Soviets have exactly the same type of opposition in their camp—that is, the so-called Stalin party or the pro-Communist Chinese party. They are insisting that the Soviets pull their troops out of Cuba, for example, and the Communist Chinese are putting pressure on the Russians to demand from us the establishment of nuclear free zones in Europe, the removal of foreign military bases, and a paper agreement for a total ban on nuclear weapons and their complete destruction as the price of adherence to the treaty.

I invite Senators to listen to a partial text of a broadcast by the Communist Chinese on August 12, 1960, as it was monitored in the United States. This is what the Communist Chinese are saying:

> Obviously, the tripartite treaty, viewed from any angle, is absolutely not a first step toward peace, as alleged, but rather a serious step to increase the war danger and a serious step on the part of the Soviet leaders in open capitulation to imperialism. What warrants attention is that a further political deal is in the making. The people of the world must maintain a heightened vigilance toward this. The tripartite treaty is a fraud and a very dangerous one at that.

The Chinese broadcast went on to say:

> It is an urgent task for the peoples of the world at present to oppose this fraud, smash it, and forestall any new ones, and to hold higher the banner for a total ban on and thorough destruction of nuclear weapons.

As long as the present nuclear deadlock exists, we cannot expect the Soviet Union to surrender in this way without a fight; nor would they expect us to do so either, as we demonstrated so clearly in being willing to accept even nuclear confrontation rather than to leave Soviet missiles on Cuban soil.

Hence, to turn down this treaty on this ground is to gain nothing, while, at the very least, losing a chance to ameliorate the atomic arms race. That is point 2. We gain nothing by trying to make the treaty a key to the resolution of the cold war issues. We would only intensify the cold war, and it would be futile anyway, because the Soviets would ask us for much more than we are asking from them.

A third political advantage of the treaty is that it gives us an opportunity to identify and see lined up all the free world nations who are with us in the fundamental objective of finding a peaceful way to compete with the Soviet Union. Almost all of them, with the sole exception of France, have done so. By the latest count, 84 free world nations, among them 20 African countries, have signed the treaty in Washington. Altogether, 91 nations, including the three original signatories, have signed the treaty in Washington and with the other depositories.

So the third point is that we identify those upon whom we can rely, and we go forward in an effort to lessen the atomic peril and to promote disarmament, if that be possible.

Fourth, the treaty opens the way for other agreements in areas of mutual self-interest and on the same level of international importance. Such cooperative efforts, similar to the highly successful Antarctic Treaty, are possible, in my judgment, in such constructive fields as the peaceful uses of outer space, on greater cooperation in the acquisition of weather information, and by expanding our agreements made in connection with the International Geophysical Year.

This is quite apart from other aspects of the same type of treaty such as the posting of observers at possible places of attack, open skies, and so on. So the treaty gives us an opportunity to move out into the constructive uses of outer space, modeled upon the Antarctic Treaty, and the International Geophysical Year.

The fifth political advantage is that the treaty can encourage fruitful exploration in the field of trade. Every one of us who has visited the Soviet Union—I have been there, the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT] has been there, and many other Members of the Senate have been there—knows that when we speak with any of the Soviet leaders whether it be Khrushchev or Mikoyan, they always talk about trade. They always ask, "Why will you not do business with us? Do you not know we are buying everything we need from West Germany, Holland, and Belgium?"

Of course they are. Control over strategic materials is not as good as we would like to have it, but it is pretty good. We are not talking about that factor; we are talking about what is on the nonstrategic list. In that respect, United States trade with the Soviet Union is practically nil. In money, as to both exports and imports, it amounts to about $100 million a year. We could not make it lower than that if we tried. It is practically meaningless. But Soviet trade with the rest of the world is large. It is something in the area of $3 billion, and that is not inappreciable. When exports and imports are added, it comes to about 3 percent of the aggregate trade of the whole world.

Many countries, such as West Germany, do a vast amount of business with the Soviet Union and its satellites. They like to keep quiet about it and not have it widely advertised. But it is a fact. It is such a real fact that the Germans are much less afraid about what will happen in Berlin than we are, because they know that the East Germans depend very heavily upon their trade with the West Germans and could not hurt them very badly if the trade lines were cut. That is a big leverage. In this respect, the whole free world, including our best allies, do a great amount of business with the Communist bloc; we do practically none.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. FULBRIGHT. I noticed in yesterday's newspaper a short statement to the effect that Canada was negotiating to sell $500 million worth of wheat to the Soviet Union.

Mr. JAVITS. Exactly. I am coming to that. The Senator from Arkansas is most perceptive.

Chairman Khrushchev is most eager to increase trade, and I believe he has no illusions that he can euchre us out of the idea that we will not trade and will not let anyone else trade with Russia in strategic goods. That is practically shown by the fact that the German Bundestag turned down a pipe deal with the Russians by voting not to trade in strategic goods. The free world is well united on that score. Khrushchev has no illusions. Now, the Soviet Union has serious economic problems. The Senator from Arkansas has just pointed out that the Soviet Union is unable to raise enough food for its own people, and it is making large-scale wheat purchases in the free world. The $500 million purchase from Canada is a great deal of money.

The essence of what I say is—not that we should trade with Khrushchev, not that we should open our doors wider, not that we should give him credits—that in exploring what can be done and what cannot be done, it is well to find out what Khrushchev is willing to do if he does find greater opportunities to expand his trade with the free world.

If we find that this is practical, we can protect ourselves against the risk of adverse effects on world trade by insisting, at one and the same time, that the Communist bloc accept and act according to the rules of the General Agreement on Tariffs and Trade which deal with dumping, with selling below cost, and with other unfair practices. The Russians are not now a party to it; and on occasion they hurt us—as, for example, in connection with tin, flax, and fuel oil; and as to them, they could, if they chose, hurt us again. So if we do explore that situation—which could be fruitful, and I am prepared at a later date to make a full-dress review of that situation, which I believe is needed, at the same time, it would promote greater unity among the free world nations in their trade policies with the Communist countries.

These are, to my mind, the five most positive political advantages. There are others—some of which have been advanced many times—but there are some who still insist they have not heard them, or who ignore them. So I would like to cite others which I deem significant, although thus far in this debate I have referred to those I consider to be extremely interesting or novel. But just to be sure that the recapitulation is complete, I shall restate them, so that the case will be complete. I state frankly that they are not mine.

Mr. MANSFIELD. Will the Senator from New York yield?

Mr. JAVITS. I yield to the majority leader—and ask unanimous consent in doing so, I shall not lose my right to the floor.

The PRESIDING OFFICER (Mr. CARLSON in the chair). Without objection, it is so ordered.

The treaty, as in Committee of the Whole, is open to amendment.

If there be no objection, the treaty will be considered as having passed through its various parliamentary stages, up to and including presentation of the resolution of ratification, which will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater, signed at Moscow on August 5, 1963, on behalf of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics (Ex. M, 88th Cong., 1st sess.).

The PRESIDING OFFICER. The resolution of ratification is open to amendment.

The Chair recognizes the Senator from New York.

Mr. JAVITS. Mr. President, I am deeply gratified to have the treaty go through the first stages of its approval during my speech.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. JAVITS. I am glad to yield.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Montana will state it.

Mr. MANSFIELD. Is it the understanding of the Chair that what the Senate has done just now is to go through the regular procedural stages in the consideration of the treaty, and that the time for the offering of amendments to the treaty has now passed, and that the time in which reservations, understandings and the like can be offered has now arrived?

The PRESIDING OFFICER. That is correct. The Chair understands that amendments to the treaty are not in order at the present time, but that reservations can be submitted and can be acted upon by the Senate.

Mr. MANSFIELD. I thank the Chair.

Mr. JAVITS. Mr. President, if I may pursue that point, in order to protect other Members who are interested, that includes not only reservations, but also understandings and any other matters which relate to the resolution of ratification, as distinguished from the treaty?

Mr. MANSFIELD. Except amendments.

Mr. JAVITS. They relate to the treaty. I think the line of distinction is between what would go into the treaty and what goes into the resolution of ratification.

The PRESIDING OFFICER. The Senator from New York has stated the matter correctly.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arkansas will state it.

Mr. FULBRIGHT. I understand that the Senate is now no longer in Committee of the Whole, and that the treaty is now before the Senate as such?

The PRESIDING OFFICER. Yes, the treaty is now before the Senate, and the question is on agreeing to the resolution of ratification.

Mr. JAVITS. Mr. President, I repeat that I am gratified that the first stage of the treaty has been dealt with during my speech.

I have recapitulated the five most positive political advantages which I see in the treaty. I am now about to recapitulate the agreements which have been made on the political side and on the human side in other quarters and in the Senate.

The treaty would remove the heaviest part of the burden of radioactive atmospheric contamination for the future. I know that many people are inclined to sneer at the fallout argument; but as Senator FULBRIGHT so well expressed it last Monday, "I have never heard any argument to the effect that fallout was good for people." Neither have I.

It would strongly inhibit the spread of nuclear know-how, and would therefore limit the number of states which could develop a weapon. In a world of precarious power balance, this is a most important fact.

It could improve the atmosphere of the world by fostering a sense of achievement, between the two superpowers, among nations which say, "A plague on both your houses."

It would line up the two great powers in a community of interest with virtually all the rest of the world, bringing hitherto unknown world pressure to bear on Red China and France, in the interest of the maintenance of peace and international cooperation. Most of the nations who have signed have audibly expressed relief that the Soviet Union, the United States and the United Kingdom have finally taken even so small a step toward lessening the dangers of atomic war.

We must not overlook the significance of the world's reaction to the treaty. This is, in effect, a worldwide vote against nuclear war, a voluntary ban on the proliferation of nuclear weapons, and a very definite advance of our policy in this respect.

It places upon the Soviet Union the spotlight of world publicity, under which any attempt to circumvent or abrogate the treaty will be an affront to all the signers of the treaty. It gives the U.S.S.R. a chance to show if it means business about its new policies, about which so many have expressed doubt.

I shall, of course, oppose reservations or conditions or understandings to the treaty. The President has made solemn commitments with respect to the use of nuclear weapons in atomic warfare for the defense of ourselves, the continuance of underground testing, the maintenance of other testing facilities in adequate readiness, and the keeping of our laboratories, research organizations and monitoring devices fully up to date. These and other assurances are internal to our Nation; they have been so solemnly undertaken that to restate them, even as "understandings," would only throw a cloud on the unconditional nature of the consent and approval by the Senate of the President's action and on the firmness of the commitments upon which we are acting. To interpolate yet other "understandings" would be to call reservations by a different name. Hence, I feel that "understandings" would only serve to confuse our friends and ourselves by casting a "cloud on the title," so to speak, of this treaty.

I use that term advisedly, because I believe it most apposite—a "cloud on the title" of the treaty, which should speak clearly, and unequivocally.

Certainly I do not wish to see the "title" to the treaty clouded by the addition by the United States of a provision such as an "understanding" to the resolution of ratification, which would have to be sent to the United Kingdom, to have it interpret whether it was actually a reservation. If that were necessary, it could be done; but it is definitely unnecessary. On the contrary, it would tend to bring into question the sanctity and validity of commitments of the President of the United States which have been sent to us, and upon which we are acting.

I repeat that it would be a great mistake for us to say, "Well, we mean it, and the President means it, so let's say it." In this case it would work out very much to our disadvantage.

Mr. President, in concluding, let me state that I have no intention of exaggerating what this treaty will do. I am trying to emphasize the positive in what has become, in my opinion, very much a debate in the negative. Of course, the treaty will not mean that we can now proceed to a solution of the problems of the Berlin wall, of Cuba, Laos, Vietnam or Korea, or that it will affect the Communist Chinese threat to invade India or relieve the pressure on the Nationalist Chinese on Formosa, or that it will free the captive nations of Europe, or, conversely, "sell them down the river," or that it will serve as a panacea for the evils and tensions of the cold war.

But so much has been made of the comparative unimportance of the treaty—even its supporters claim no more for it than the "first small step," the "tiny ray of light," and so forth—that it is necessary to remind ourselves of the potential of even a small beginning.

Those who oppose this ratification do not believe that there is any reason for hope at all; and history may prove them right in this instance. But should we destroy this hope without allowing it a fair trial? Can we deny the right of mankind to hope that given even reasonable mutual self-interest, this treaty may lead to better things?

Did our forefathers receive guarantees that it was safe and profitable to colonize America? No—they hoped. Were our Founding Fathers complacently positive that they could successfully win independence from Great Britain? No—they hoped. Was Lincoln sure he could save the Union? No—he hoped. These were neither dreamers, nor sentimentalists, nor were they rash; and they backed their hopes with their lives and treasure.

As we appraise and test this treaty and examine it with the scrupulousness required of us by its historic importance and by our responsibility to the people, let us not forget the obligation which rests upon us. Just as I would not for one moment challenge the sincerity of the opponents to the treaty or fail to recognize the courage of their decision, so I would not have challenged the integrity and patriotism of the proponents and the courage of their decision. Let us remember that the hopes of all mankind rest upon us in a particularly concentrated and dramatic way in respect to this treaty; and therefore, we carry an awesome responsibility.

Senators who vote for the treaty should not forget that we carry the awesome responsibility that it may go wrong and may hurt us. That is possible. It is a big responsibility which we carry. It is not only the opponents who carry the big responsibility. We carry it, too.

I believe if we rejected this treaty it would be a signal to all mankind that the road leads only sooner or later to an atomic Armageddon; while if we can in conscience and patriotism approve the treaty, we extend to all mankind the hope that at long last in the tragic history of earth, littered with so much death and destruction, we begin to see even in its barest outlines, the new road of the rule of law instead of the rule of force and of the capability of men to master the means for their own destruction.

As for myself, I am deeply grateful that I can accept this alternative and that from all indications the Senate, by the needed two-thirds majority can do so too, and bring the promise of a better day, foretold by all our great religions, and all our prophets before us—even one little bit closer.

Mr. FULBRIGHT. Mr. President, first, it is a big relief to have a Senator address himself to what I think are the most important aspects—the affirmative aspects—of the treaty, rather than the negative. The Senator has stated the political, humanitarian, and peaceful aspects. There has been a thorough discussion of the military aspects. The Senator from New York has rendered a distinguished service by discussing the treaty from the other point of view.

I particularly wish to reiterate my emphasis and agreement with him in regard to the importance of not cluttering the resolution of ratification with reservations or understandings.

Is it not true that no matter how innocuous, on the one hand, or how domestic in its application, on the other—it may be, important but essentially domestic—the understanding would still become a part of the resolution of ratification and, under our practice, it would be sent to all signatories of the treaty?

Mr. JAVITS. I would say "yes" to that question unequivocally. I would add that in every case every signatory could for itself interpret whether what we said was internal, was not internal, was an understanding, a resolution, a reservation or not a reservation, and whether it would require renegotiation of the treaty; and that would be unilateral determination that we could do nothing about.

Mr. FULBRIGHT. I wish the Senator to expand that a little further because I think there is a great misunderstanding. A few days ago the Senator from Georgia used as a precedent what we did in relation to the atomic energy agreement. That was quite a different case. In that case there was good reason for a reservation, because under that agreement, an amendment to the basic document would not necessarily have to be approved by our Government, that is, the Executive or the Senate. In other words, two-thirds of the Members could have put into effect an amendment and we would not have the opportunity to object. All we would be able to do would be to resign from the organization, which is too drastic a remedy.

I think there is a misunderstanding on the part of Senators. I have detected it in conversation with some who say, "What is the harm in adding an understanding that the treaty will come to the Senate?"

I emphasize what the Senator from New York has made very clear. I cannot emphasize it too much or agree with him too strongly. The Senator calls it casting a cloud on the title, which is a good analogy; I said "muddying the water." By that I mean we should not create confusion in the minds of the other signatories as to what we have done in relation to the treaty. If we include in the treaty any of the interpretations, understandings or reservations, as the Senator has already indicated, they are not self-explanatory, and each signatory would put its own interpretation on such reservations. Is that not so?

Mr. JAVITS. I thoroughly agree with the Senator. Since the Senator has invited me to amplify, I shall do so. I would add also the concern about testing the quality of the different assurances by the President. If we include one, it seems to me that we must include all.

We certainly would not say that one is more or less important than the others. Therefore, we must rely on the Presidency as an institution. I say that in all respect, and quite without regard to the incumbent. The Presidency as an institution stands so high in the hierarchy of our country that we have almost an obligation in this instance to give it the respect of good faith. Clearly, that is what is involved. The President's assurances are in writing. They were incorporated in a letter to us from the President. We must either take his assurances or reject them all, saying that we cannot rely on him and must write the provision in the document without cause. I cannot see any justification for that.

Mr. FULBRIGHT. Not only the President, but the Secretary of State said under oath that that was his view without question.

The Senator has been Attorney General of his State, and he is a distinguished lawyer. There are many treaties on the books which do not contain that kind of language. Would not the adoption of such language in the present case raise a kind of presumption in the minds of people that, for some reason unknown to me, the constitutional provision requiring ratification of treaties and amendments to treaties has somehow lapsed and that we must reinforce it by such a reservation?

Mr. JAVITS. I believe that every resolution of ratification is what we lawyers call sui generis. Therefore, it would not necessarily involve and complicate any other future resolution of ratification. But it would establish a climate in respect of historical relations between the Senate and the President which I think would have an adverse effect upon those relations. Therefore, that would be an additional reason for being against it.

Mr. FULBRIGHT. It seems to me that what in a very homely sense is termed a reservation or understanding of that character is rather a treaty between the Senate and the President of the United States, rather than a reservation or understanding with regard to the treaty itself.

Mr. JAVITS. With foreign countries. It would seem that way.

Mr. FULBRIGHT. Yet that particular condition is already taken care of by the Constitution itself.

Mr. JAVITS. Exactly. We as adults all know—and we talked about that a few minutes ago—that if the President wishes to get around the relationship between himself and the Congress, he can do so.

The President is Commander in Chief and has many other powers. He is the principal foreign policy negotiator for the United States.

Equally, if the Congress wishes to get around its relationship with the President—if it wishes to cut down his authority—it can do so. We could not write a sufficient number of understandings into the treaty to deal with that situation, so why create a state of confusion? Why "mess it up"?

Mr. FULBRIGHT. The Senator is absolutely correct. Such action would create a situation which would, as he says, "mess it up." I hope the Senate will follow his advice.

Mr. JAVITS. I thank the chairman of the committee. He has been very gracious. I am quite pleased in this matter to be in agreement with him.

(At this point Mrs. Neuberger took the chair as Presiding Officer.)

Mr. JAVITS. Madam President, a very distinguished organization called the Citizens Committee for a Nuclear Test Ban, the principal actor in which is our longtime friend James Wadsworth, former Representative of the United States at the United Nations, has obtained the support of college presidents, business leaders, scientists, and distinguished people in the arts for a fundamental statement of support. I ask unanimous consent that this statement, together with a list of its adherents, may be printed in the Record.

There being no objection, the statement and list were ordered to be printed in the Record, as follows:

Presidents of 10 State Universities and 24 Other Academic Heads Urge Ratification of Test Ban Treaty

The presidents and deans of 34 major U.S. colleges and universities today urged ratification of the nuclear test ban treaty.

Academic institutions in 21 States and the District of Columbia are represented, from James S. Coles, president of Bowdoin College, Brunswick, Maine, to Thomas H. Hamilton president, University of Hawaii.

Among the signers of the public statement are Nathan M. Pusey, Harvard University, Grayson Kirk, Columbia University, Sarah G. Blanding, Vassar College, Julius A. Stratton, Massachusetts Institute of Technology, Arthur S. Fleming, University of Oregon, and Kingman Brewster, Jr., Yale University.

The presidents of 10 State universities joined in the "call to our fellow countrymen to make known their support for the nuclear test ban treaty." The State universities are in Florida, Hawaii, Illinois, Iowa, Michigan, Minnesota, Missouri, North Carolina, Oregon, and Washington.

States with more than one academic institution represented include New York, five, (Cornell University, Columbia University, Columbia Teachers College, New York University, and Vassar College), Massachusetts, four (Clark University, Harvard University, Massachusetts Institute of Technology, and Smith College), Indiana, three (Ball State Teachers College, Notre Dame University, and Purdue University), and Pennsylvania, three (Bryn Mawr College, University of Pittsburgh, and Swarthmore College).

Other signers include the presidents of American University, Washington, D.C., Reed College, Portland, Oreg., Texas Southern University, Houston, Tex., and Washington and Lee University, Lexington, Va.

The complete statement follows:

"The national discussion and committee hearings on the nuclear test ban treaty have been thorough, patient, and many-voiced in the American tradition.

"We believe that the demands for considered caution, expressed in debate and testimony, are warranted. Yet we must not allow ourselves to become so paralyzed by the fear of change and the specter of insecurity that we can never summon enough courage to put a brake on competitive arming and its dread consequence.

"Our Government has been seeking an agreement on the banning of nuclear tests since 1958. The treaty now before the Senate is admittedly only a beginning toward a peaceful world. But, in President Kennedy's words, we see 'a shaft of light out into the darkness.'

"Today we Americans, with other people of the earth, dare look forward to a slowing down in the tempo of the arms race, a lessening of the continued exposure of mankind to radioactive fallout, a limit to the spread of nuclear arms to nonnuclear powers, and a step—however small—toward national and world security.

"As educators, dedicated to the training of youth and the preservation of our Nation's heritage, we urge the Senate of the United States to ratify the nuclear test ban treaty overwhelmingly as in the best interests of the Nation and humanity. We call on our fellow countrymen in every State to make known their support by letter or wire to Washington.

"Join us in making your voice heard."

The statement was issued under the auspices of the Citizens Committee for a Nuclear Test Ban, 130 East 59th Street, New York City. Chairman of the committee is James W. Wadsworth, former U.S. Ambassador to the United Nations and former chief U.S. representative in the test ban negotiations during the Eisenhower administration. Previous, similar statements, under the committee's auspices, were signed by groups of prominent scientists and businessmen.

PROMINENT SCIENTISTS URGE TEST BAN TREATY RATIFICATION

Fifty-two prominent scientists, including 19 Nobel Prize recipients, today (Friday) urged ratification of the nuclear test ban treaty.

The group includes 8 researchers at the Massachusetts Institute of Technology, 7 at Harvard University, 5 each at Cornell University and the University of California, and others at 19 universities, institutions, and corporations.

Among the signers are two former science advisers to President Eisenhower, James R. Killian and George B. Kistiakowsky, Harvard University chemist; and the heads of three academic institutions, George W. Beadle, president, University of Chicago; Detlev V. Bronk, president, Rockefeller Institute and former president of Johns Hopkins University; and Hudson Hoagland, director, Worcester Foundation for Experimental Biology.

The largest number, 24, are physicists, including I. I. Rabi, of Columbia University; Robert I. Bacher, of California Institute of Technology, Robert R. Wilson, of Cornell University of Nuclear Studies (and former head of the experimental nuclear physics division of the Los Alamos Laboratory); and others associated with the development of the atomic bomb. The second largest number, 10, are medical doctors, including Dr. Selman A. Waksman, of Rutgers University. The participants also include four geneticists, George W. Beadle, University of Chicago; Detlev V. Bronk, Rockefeller Institute; Hermand J. Muller, Indiana University, and Edward L. Tatum, Rockefeller Institute.

Other signers are bacteriologists, biologists, and mathematicians.

The statement appears as a full-page advertisement in today's (Friday) New York Herald-Tribune and Washington Star, and in letters to U.S. Senators and others, under the auspices of the Citizens Committee for a Nuclear Test Ban, 130 East 59th Street, New York City. Chairman of the committee is James W. Wadsworth, former U.S. Ambassador to the United Nations and former chief U.S. representative in the test ban negotiations during the Eisenhower administration.

The full text of the statement follows:

"Here you have a collection of some of the most independent minds in America today.

"They have widely divergent views on almost every conceivable subject.

"But all of them agree on the importance and urgency of supporting the nuclear test ban treaty.

"What is it that unites them on this issue?

"These inescapable facts:

"1. The treaty will reduce the likelihood of nuclear war;

"2. The treaty will discourage the spread of nuclear weapons to nonnuclear powers;

"3. The treaty will create a better climate on both sides for a slowup of the arms race;

"4. The treaty will protect us and our children from exposure to additional doses of contamination from radioactive fallout.

"5. The risk of continued testing is greater than the risk of a test ban. The treaty will protect the national security of the United States. Furthermore, under the terms of the treaty, we can resume testing if we ever feel our national security is threatened.

"If these conclusions by the scientists make good sense to you, say so.

"Say it to your Senator. Say it by letter. Say it by wire.

"Say it now.

"While they are making up their minds."

The full list of scientists follows:

Dr. Carl D. Anderson, California Institute of Technology.

Dr. Robert I. Bacher, California Institute of Technology.

Dr. K. T. Bainbridge, Harvard University.

Dr. George W. Beadle, University of Chicago.

Dr. Hans Bethe, Cornell University.

Dr. Detlev V. Bronk, Rockefeller Institute.

Dr. Owen Chamberlain, University of California at Berkeley.

Dr. Robert S. Cohen, Boston University.

Dr. Bernard D. Davis, Harvard University.

Dr. Edward A. Doisey, St. Louis University.

Dr. Jay L. Doob, University of Illinois.

Dr. Freeman Dyson, Institute for Advanced Study.

Dr. Joseph Erlanger, Washington University.

Dr. Bernard Feld, Massachusetts Institute of Technology.

Dr. James Franck, Duke University.

Dr. Donald Glaser, University of California at Berkeley.

Dr. Hudson Hoagland, Worcester Foundation for Experimental Biology.

Dr. Robert Hofstadter, Harvard University.

Dr. David Inglis, Argonne National Laboratories.

Dr. James R. Killian.

Dr. Augustus B. Kinzel, Union Carbide Corp.

Dr. George B. Kistiakowsky, Harvard University.

Dr. Arthur Kornberg, Stanford University.

Dr. Polykarp Kusch, Columbia University.

Dr. Fritz Lipmann, medicine and physiology, Rockefeller Institute.

Dr. M. Stanley Livingston, Massachusetts Institute of Technology.

Dr. Francis Low, Massachusetts Institute of Technology.

Dr. Salvador E. Luria, Massachusetts Institute of Technology.

Dr. J. Howard Means, Boston, Mass.

Dr. Matthew Meselson, Massachusetts Institute of Technology.

Dr. Phillip Morrison, Cornell University.

Dr. Philip Morse, Massachusetts Institute of Technology.

Dr. Herman J. Muller, Indiana University.

Dr. Jay Orear, Cornell University.

Dr. Edward M. Purcell, Harvard University.

Dr. I. I. Rabi, Columbia University.

Dr. Eugene Rabinowitch, University of Illinois.

Dr. Dickinson W. Richards, Columbia University.

Dr. Bruno Rossi, Massachusetts Institute of Technology.

Dr. Edwin E. Salpeter, Cornell University.

Dr. Emilio Segre, University of California at Berkeley.

Dr. William B. Shockley, Clevite Corp.

Dr. Lyman Spitzer, Jr., Princeton University.

Dr. W. M. Stanley, University of California at Berkeley.

Dr. Robert Szent-Gyorgi, Institute of Muscle Research.

Dr. Edward L. Tatum, Rockefeller Institute.

Dr. Harold C. Urey, University of California.

Dr. Selman A. Waksman, Rutgers University.

Dr. George Wald, Harvard University.

Dr. James Watson, Harvard University.

Dr. George H. Whipple, University of Rochester.

Dr. Robert R. Wilson, Cornell University.

WHY THESE BUSINESS LEADERS WANT THE NUCLEAR TEST BAN

Winthrop Aldrich, director, Rockefeller Center.

G. T. Baker, former chairman, National Airlines.

Stephen D. Bechtel, chairman, Bechtel Corp.

Robert S. Benjamin, chairman, United Artist Corp.

William Benton, chairman, Encyclopedia Britannica, Inc.

John D. Biggers, chairman of finance committee, Libbey-Owens-Ford Glass Co.

Harold Boeschenstein, president, Owens-Corning Fiberglas Corp.

Thomas D. Cabot, chairman, Cabot Corp.

William L. Clayton, founder, Anderson, Clayton & Co.

John T. Conner, president, Merck & Co.

John Cowles, president, Minneapolis Star & Tribune Co.

Howard S. Cullman, president, Cullman Bros.

Nathan Cummings, chairman, Consolidated Foods Corp.

Oscar de Lima, chairman, Roger Smith Hotels Corp.

Marriner Eccles, chairman, Utah Construction & Mining Co.

Charles Engelhard, chairman and president, Engelhard Industries, Inc.

Robert V. Fleming, advisory chairman of board, the Riggs National Bank.

Marion B. Folsom, director, Eastman Kodak Co.

Bowman Gray, chairman, R. J. Reynolds Tobacco Co.

Earle V. Grover, chairman, Apex Steel Corp., Ltd.

Robert Heller, president, Robert Heller Association.

Paul G. Hoffman, chairman, Hoffman Specialty Manufacturing Co.

Preston Hotchkiss, president, Fred H. Bixby Ranch Co.

Theodore V. Houser, former chairman, Sears, Roebuck & Co.

Wayne A. Johnston, president, Illinois Central Railroad.

Harrison Jones, retired chairman of board, the Coca-Cola Co.

Devereux C. Josephs, director, New York Life Insurance Co.

Donald P. Kircher, president, Singer Co.

Philip M. Klutznick, president, Klutznick Enterprises.

Sol Linowitz, chairman of the board, Xerox Corp.

Stanley Marcus, president, Neiman-Marcus Co.

Arnold H. Maremont, president, Maremont Corp.

Armand May, president, American Associated Cos.

S. M. McAshan, Jr., president, Anderson, Clayton & Co.

Thomas B. McCabe, chairman, Scott Paper Co.

Charles G. Mortimer, chairman, General Foods Corp.

Robert R. Nathan, president, Robert R. Nathan Association, Inc.

J. Wilson Newman, chairman, Dun & Bradstreet, Inc.

Herman C. Nolen, chairman, McKesson-Robbins, Inc.

William A. Patterson, president, United Air Lines.

Howard C. Petersen, president, Fidelity-Philadelphia Trust Co.

John A. Roosevelt, partner, Bache & Co.

Harry Scherman, chairman, Book-of-the Month Club.

C. R. Smith, president, American Airlines, Inc.

John I. Snyder, Jr., president, U.S. Industries, Inc.

A. M. Sonnabend, chairman, Hotel Corp. of America.

Louis Stein, president, Food Fair Stores, Inc.

Herman Steinkraus, president (retired), Bridgeport Brass Co.; former president, Chamber of Commerce of United States.

Edgar B. Stern, Jr., president, Rohal Street Corp.

William C. Stolk, chairman, American Can Co.

James M. Symes, chairman, Pennsylvania Railroad.

Juan T. Trippe, president, Pan American Airways.

Sidney J. Weinberg, partner, Goldman, Sachs & Co.

David J. Winton, chairman, Winton Lumber Co.

Raymond H. Wittcoff, president, Trans-urban Investment Corp.

Successful businessmen—and the industrial leaders listed here are certainly that—are not given to wishful thinking.

Their call for a test ban treaty is based on the realities of our nuclear world:

1. Continued nuclear testing holds far greater risks for this country than a test ban.

2. Continued testing would increase the tempo of the arms race and encourage the spread of nuclear arms to nonnuclear powers. This would vastly increase the likelihood of war.

3. The test ban treaty will not threaten our national security. Under the treaty's terms we can resume testing on 3 months' notice if, for any reason, we feel our security is threatened.

4. The treaty will protect us and our children from exposure to further and perhaps lethal radioactive fallout.

5. The treaty will create a better climate on both sides for a slow-up in the arms race. It is a first and necessary step toward a rational, peaceful ordering of our world.

If these realities make good sense to you, say so. Say it to your Senators. Say it by letter, say it by wire.

Say it now.

While they're making up their minds.

Citizens Committee for a Nuclear Test Ban, 130 East 59th Street, New York, N.Y., James J. Wadsworth, chairman.

One Hundred and Three Leaders in Science, Art, Medicine, Music, Architecture, Theater, Motion Pictures, Eleven of Them Nobel Laureates, Support Nuclear Test Ban

One hundred and three distinguished leaders in literature, science, art, medicine, architecture, music, theater, motion pictures, eleven of them Nobel laureates, today expressed support of the nuclear test ban treaty as "a significant first step in arresting the present unlimited competition in nuclear arms."

"Failure to ratify the treaty reduces almost to zero whatever chances may now exist for preventing the spread of nuclear weapons to country after country, with a corresponding danger of a chain reaction effect as the nuclear fuse starts to ignite." Mark Van Doren, distinguished American poet, author, critic, and teacher, in behalf of the signatories, made the statement public.

In addition to the 11 Nobel laureates in physics, chemistry, medicine and literature, the signatories included 39 writers, 16 painters and sculptors, 11 musicians, 12 leaders in the theater and motion pictures, 10 architects, and 4 other scientists.

Nobel laureates who signed the communication were:

Prof. Owen Chamberlain, 1959 Nobel laureate, physics.

Dr. James Franck, 1925 Nobel laureate, physics.

Dr. Arthur Kornberg, 1959 Nobel laureate, medicine and physiology.

Dr. Fritz Lipmann, 1953 Nobel laureate, medicine and physiology.

Dr. Hermann J. Muller, 1946 Nobel laureate, medicine and physiology.

Dr. Emilio Segre, 1959 Nobel laureate, physics (with Dr. Chamberlain).

John Steinbeck, 1962 Nobel laureate, literature.

Dr. Edward L. Tatum, 1958 Nobel laureate, medicine and physiology.

Dr. Harold C. Urey, 1934 Nobel laureate, chemistry.

Dr. Selman A. Waksman, 1952 Nobel laureate, medicine and physiology.

Dr. James D. Watson, 1962 Nobel laureate, medicine and physiology.

Signatories to the statement are:

Ivan LeLorraine Albright, painter.

Steve Allen, radio and television.

Karen Arden, painter.

Claudio Arrau, pianist.

Boris Artzybasheff, painter.

Tallulah Bankhead, actress.

Margaret Culkin Banning, novelist.

S. N. Behrman, playwright.

Pietro Belluschi, FAIA, architect.

Leonard Bernstein, conductor, New York Philharmonic Orchestra.

Dr. Kenneth E. Boulding, economist and social scientist.

Catherine Drinker Bowen, novelist.

Ray Bradbury, novelist and short-story writer.

Alexander Brailowsky, pianist.

Marcel Breuer, FAIA, architect.

Alexander Brook, painter.

Eugene Burdick, novelist.

Truman Capote, novelist and short-story writer.

Prof. Owen Chamberlain, 1959 Nobel laureate, physics.

Paddy Chayefsky, playwright.

Aaron Copland, composer.

Malcolm Cowley, president, National Institute of Arts and Letters.

Cheryl Crawford, producer.

Russel Crouse, playwright.

Charles C. Cunningham, director, Wadsworth Atheneum.

Marcia Davenport, writer.

Adolph Dehn, painter.

Rene d'Harnoncourt, director, Museum of Modern Art.

Lamar Dodd, painter.

Helen Gahagan Douglas, actress.

Melvyn Douglas, actor.

Samuel G. Engel, producer.

Ernest Fiene, painter.

Dr. James Franck, 1925 Nobel laureate, physics.

Maxwell Geismar, writer.

Percival Goodman, FAIA, architect.

Walter Gropius, FAIA, architect.

Victor O. Gruen, architect.

Judy Holliday, actress.

Edward Hopper, painter.

Fannie Hurst, novelist.

John Huston, director.

James Jones, novelist.

Elia Kazan, director.

Alfred Kazin, writer.

William Melvin Kelley, novelist.

Dr. Arthur Kornberg, 1959 Nobel laureate, medicine and physiology.

Olga (Mrs. Serge) Koussevitzky.

Stanley J. Kunitz, poet.

Dr. Fritz Lipmann, 1953 Nobel laureate, medicine and physiology.

Richard Lippold, sculptor.

Archibald MacLeish, poet and playwright.

Carson McCullers, novelist.

Frederic March, actor.

Lenore Marshall, poet and novelist.

Ludwig Mies van der Rohe, architect.

Arthur Miller, playwright.

Pierre Monteux, conductor.

Marianne Moore, poet.

Robert Motherwell, painter.

Dr. Hermann J. Muller, 1946 Nobel laureate, medicine and physiology.

Lewis Mumford, writer.

Robert Nathan, novelist.

S. J. Perelman, playwright.

Hobson Pittman, painter.

Ralph Pomerance, architect.

Samson Raphaelson, playwright.

Dr. Fritz Reiner, conductor, Chicago Symphony Orchestra.

Elmer Rice, playwright.

Dr. Leo Rosten, short story writer.

Robert Ryan, actor.

Maurice Samuel, writer.

Carl Sandburg, poet.

Dore Schary, playwright and producer.

James S. Schramm, president, American Federation of Arts.

Dr. Emilio Segre, 1959 Nobel laureate, physics.

Irwin Shaw, playwright and novelist.

Sigmund Spaeth, musicologist.

Bella Spewack, playwright.

Sam Spewack, playwright.

Dr. Lyman Spitzer, Jr., physicist.

Edward Steichen, photographer and painter.

John Steinbeck, 1962 Nobel laureate, literature.

Isaac Stern, violinist.

Rex Stout, novelist.

Joseph Szigetti, violinist.

Edgar Tafel, architect.

Dr. Edward L. Tatum, 1958 Nobel laureate, medicine and physiology.

Alice Tokias, novelist.

Louis Untermeyer, poet.

Dr. Harold C. Urey, 1934 Nobel laureate, chemistry.

Mark Van Doren, poet and short story writer.

Dr. Carl Van Vechten, novelist.

Gore Vidal, playwright.

Dr. Selman A. Waksman, 1952 Nobel laureate, medicine and physiology.

Dr. J. C. Warner, president, Carnegie Institute of Technology.

Dr. James D. Watson, 1962 Nobel laureate, medicine and physiology.

Prof. Victor F. Weisskopf, physicist.

Edmund Wilson, essayist.

Frederick J. Woodbridge, FAIA, architect.

William W. Wurster, FAIA, architect.

Bruno Zirato, orchestra manager.

William Zorach, sculptor.

TEXT OF STATEMENT

The call for a test ban treaty is based on the realities of our nuclear world. Such as:

1. Continued nuclear testing holds far greater risks for us than a test ban.
2. Continued testing would increase the tempo of the arms race and encourage the spread of nuclear arms to non-nuclear powers. This would vastly increase the likelihood of war.
3. The test ban treaty will not threaten our national security. Under the treaty's terms we can resume testing on a 3 months' notice if, for any reason, we feel our security is threatened.
4. The treaty will protect us and our children from exposure to further and perhaps lethal radioactive fallout.
5. The treaty will create a better climate on both sides for a slow-up in the arms race. It is a first and necessary step toward a rational, peaceful ordering of our world.

Mr. SPARKMAN. Madam President, on Monday last, during the morning hour, the distinguished senior Senator from Maine [Mrs. SMITH], placed before this body a series of questions relating to the nuclear test ban treaty. A member of the Armed Services Committee, the Senator from Maine directed her attention primarily on military security aspects of the treaty and in doing so did a capable job of focusing on questions that have troubled many Members.

Since the Senator from Maine did not direct her questions to any specific source, I have taken it upon myself to read through portions of the published and classified hearings recently concluded by the Committee on Foreign Relations as well as the committee's 30-page report in order to find some possible answers.

By posing her questions, our distinguished colleague has focused on one of the most difficult problems facing the Senate with regard to this treaty, for there are no single, factual answers available to most of the questions posed. There are only speculative answers, but answers with high probabilities, based on interpretation of available facts. Final resolution of most of the Senator's questions would come, I fear, only from data collected after a full-scale nuclear war between the United States and the Soviet Union.

With this as a background, I offer to the senior Senator from Maine my answers to her questions—answers which have led me to support ratification of the treaty without any reservations, mental or otherwise.

First. Has the Soviet Union, through its most recent atmosphere test series, now achieved a nuclear advantage over the United States of a military or scientific significance?

Madam President, I give an answer which can be found in the RECORD, from the testimony of the experts.

According to Secretary of Defense McNamara:

> In the area of very large yield weapons the Soviets appear now to have some advantage in the area of nuclear technology. They have demonstrated a device of 60 megatons which we believe could be weaponized or turned into a weapon at about a hundred megatons.

As a weapon, the Secretary went on to say, the 100-megaton bomb, delivered by missile, could be detonated at altitudes of 100,000 feet or more above cities to cause significant thermal damage over hundreds of square miles. Or the 100-megaton weapon could be delivered against hard site command posts buried in rock thousands of feet below.

As for our use of such a weapon, the Secretary pointed out the Joint Chiefs have held the position that smaller but still vastly destructive weapons of the 10-megaton range are militarily more advantageous than the 100-megaton weapon the Soviets may develop.

The Secretary concluded by stating:

> I point out, therefore, that no consensus has ever been formed with regard to the wisdom of a 100-megaton versus a 50-megaton bomb, for this country and I could not predict with any confidence whether we would make a significant improvement investment in the larger bomb even in the absence of the proposed treaty.
>
> But I can state with full confidence that the absence from our arsenal of a bomb greater than the one we can build under the treaty will not impair the effectiveness of our strategic forces.

There is another aspect of the high yield discussion outside the 100-megaton weapon.

The Joint Chiefs stated the U.S.S.R. is ahead of the United States "in weapons effects knowledge derived from high yield nuclear explosions."

On that point however, Dr. Harold Brown, Director of the Defense Department's Office of Defense Research and Engineering, disagreed and testified:

> My interpretation of all the data, and it is available to the Chiefs as well as to me, indicates that although they have done more high yield tests those were no effects tests. Their geography, and the associated activity does not indicate to me that they are effects tests.
>
> With respect to high altitude blackout, the Chiefs say the Soviets have some data that we do not have. I would say yes, and we have some data that they may not have.

In executive hearings, Mr. John McCone, Director of the Central Intelligence Agency, testified directly on this point and I would suggest to the Senator from Maine [Mrs. SMITH] and all my colleagues who share her desire for further information on this matter, that they read Mr. McCone's presentation in support of this treaty.

Madam President, the entire transcript of Mr. McCone's testimony is available in the files of the committee. though the testimony is confidential, it is permissible for any Senator to go to the committee room and read the transcript.

The second question posed by the Senator from Maine [Mrs. SMITH] was: Are we reasonably confident and secure in the knowledge that our ballistic missile retaliatory second strike force will survive and operate in a nuclear environment?

Again I find an answer as best I can from the testimony given before our committee during the course of the hearings. I quote Secretary McNamara, who testified as follows:

> We know, and the Soviets know, that in the event of a surprise Soviet first strike, at least a substantial proportion of our Minuteman missiles will survive. Also we and they know that the Polaris submarines at sea and many strategic aircraft will survive. We can say with assurance, therefore, that even after a Soviet strike the total surviving U.S. strategic nuclear force will be large enough to destroy the enemy.

With regard to operation of our warheads in a nuclear environment, much testimony was received. I would note one statement by Dr. Norris Bradbury, Director of the Los Alamos Scientific Laboratory, to the effect that through underground testing, we can investigate many of the effects of nuclear detonations on other nuclear warheads—information which is useful in connection with the study and design of system requirements for both offensive and defensive nuclear warheads and their delivery systems. Much knowledge already exists here, but much more can be found.

With this question, also I suggest a reading of Mr. McCone's testimony.

Third. In seeking to slow down the arms race as a purported advantage of this treaty, will we adopt nuclear parity as the basis for deterring thermonuclear war rather than nuclear superiority?

Answer. On the general theory of "parity," I would cite General LeMay, who said we could not accept parity but added:

> No one is going to start a war unless they think they are going to win.
>
> So I believe, however, that this is not the case, and even if it were, who is to determine whether you have parity or not?

In other words, parity or any state on either side of it, could not be determined by actual warfare.

As to the administration's attitude toward parity, I cite Secretary McNamara's statement:

> For even if the Soviets fail to abide by this agreement and even under the doubtful contingency of Soviet testing in the prohibited environments without being detected, the United States will maintain its ability to survive a surprise attack with sufficient power to destroy the Soviet Union.

That, I suggest, is a commitment to nuclear superiority and not nuclear parity.

Fourth. Will the treaty, as claimed, prevent the proliferation of nuclear weapons when France and Red China refused to be bound and when underground testing is sanctioned for all nations whether they sign or not?

Answer. I have been unable to find where Senator SMITH found that proponents of the treaty have claimed it would prevent proliferation of nuclear weapons. It is interesting to note that Dr. Edward Teller, in his appearance before the Committee on Foreign Relations, said:

> The argument, the strongest argument, in my mind, for the treaty is to stop the spread of nuclear weapons. We have been worried about such a spread for many years, and rightfully so.
>
> We know, today, that it is easy to make nuclear explosions, and that any country that can acquire nuclear waterials can make an explosion within a year. Yet it has been claimed that this treaty will stop proliferation.

That claim, lodged in Dr. Teller's mind, is not to be found in the record of administration witnesses.

Who made such a claim?

In his letter to the Senate of August 8, 1963, President Kennedy wrote:

> While it cannot wholly prevent the spread of nuclear arms to nations not now possessing them, it prohibits assistance to testing in these environments by others; it will be signed by many other potential testers; and it is thus an important opening wedge in our effort to "get the genie back in the bottle."

Dean Rusk, in his statement before the Committee on Foreign Relations said:

> The treaty will help contain the spread of nuclear weapons. We cannot guarantee it. Most of the countries with the capacity and the incentive to develop nuclear weapons over the next decade or so have already announced that they will accept the self-denying ordinance of the treaty. These countries do not include, by the way, mainland China or France.
>
> While this does not guarantee that they will never become nuclear powers, their renunciation of atmospheric testing will act as a deterrent by making it much more difficult and expensive for them to develop nuclear weapons.

Secretary McNamara said it in slightly stronger fashion when he said in answer to a question at the committee hearing:

> The treaty does not cover the subject of proliferation. That is clear.

The record therefore is clear that among treaty proponents the understanding is that the treaty, though not preventing proliferation, will act as a deterrent to proliferation. For his own reasons, Dr. Teller apparently read into these statements a claim that the treaty would prevent proliferation, a claim which was easy to attack if one wanted to find some reason to attack the treaty. Senator SMITH's question follows this inaccurate line of thinking which apparently stemmed from Dr. Teller's testimony.

Fifth. How is one to define or interpret that which shall constitute an underground test within the meaning of article 1, section 1, subsection (a) of the treaty?

Answer. Secretary Rusk testified, and it was made a part of the Committee on Foreign Relations report that "obviously this treaty permits a clear underground test where the explosion is underground, where the testing apparatus is based on that phenomenon, and I would think that we would not think it applied to a surface explosion which was christened by a few shovelfuls of dirt."

Secretary McNamara stated at the hearings in answer to this exact question that:

> I think that it is clear the intent of the parties is to limit tests to the underground environment. And I think that by definition it would be the intent of the experiment to contain the force of the test under the surface * * * and furthermore, I am satisfied that in the event of a test of the type we have discussed—a weapon buried at a very low depth, as I say, covered by a layer of dust—is detonated under the guise of an underground test, we would probably be aware of that through our detection system, and I, for one, would consider it contrary to the intent of the treaty.

Focusing again on this same point, Dr. Harold Brown made the definition more precise when he stated:

> I would view a test that put most of its energy into the atmosphere as an atmospheric test and it would be detected as such.

Sixth. Do we possess the capability to detect all nuclear detonations occurring in the three environments prohibited by the treaty?

Answer. The most reassuring answers to this question are to be found in the executive session testimony of Mr. McCone and Dr. Doyle Northrup of the Air Force Technical Applications Center, the agency specifically charged with our Government's monitoring program. I doubt if any responsible official would claim we could detect all nuclear explosions in the three prohibited environments.

Dr. Brown testified:

> Underwater explosions of only a few pounds of TNT equivalent can often be detected with hydrophones thousands of miles away * * *. Detections of tests in shallow coastal waters and inland lakes could be done by seismic means, but small tests in inland waters could go unidentified—though they would be seismically detected, because underwater tests couple very well into the earth and produce signals of enhanced coupling which is the opposite of decoupling.
>
> Our detection capacity for tests in deep space is at present rather small in terms of what we actually have deployed.
>
> However, an effective ground-based detection system could be installed rapidly because the basic instrument development work has been largely done, that is, the equipment exists.
>
> With the cooperation of the Western and neutral nations, a worldwide group-based system could be installed with the capability of detecting an unshielded 10-kiloton test at 1 million kilometers, and an unshielded 10-megaton test could be detected at 30 million kilometers, which I think Secretary McNamara mentioned is about 60 times the distance to the moon.
>
> An earth satellite system for detection of deep space nuclear explosions is presently under development (first launch scheduled for September or October this year) and could be made fully operational within 3 years.
>
> In the lower atmosphere, I can summarize the situation quite simply by saying small tests on or above the surface in the Soviet Union are likely to be detected if their yields are in the kiloton range.

Secretary McNamara, in discussing atmospheric tests admitted:

> It is more difficult to detect and identify tests in certain bands of the atmosphere, particularly in this band I am discussing—say roughly from 6 to 20 miles—than it is to detect tests in the low atmosphere.

Dr. Brown amplified this, stating:

> In the band from 6 to about 20 miles, the electromagnetic signal is suppressed somewhat, and therefore you do not have as many techniques, and therefore (detection) is somewhat more difficult. Debris sampling is also harder to do, but it is not impossible. So that even for tests at say 10 or 15 miles there is some chance of being able to collect debris.

At a later point in the hearing, speaking of this 6- to 20-mile band, Dr. Brown stated that with an explosion of a kiloton or more "an acoustic signal will probably be detectable from any test over the U.S.S.R."

Above the 20-mile atmospheric limit, Dr. Brown stated that detection was easier since "you start getting back a different kind of electromagnetic signal. You start getting effects on the ionosphere which cause phase shift and radio signals which you can send through that region. And, also the higher it gets, the easier it is to see visually, as a matter of fact."

I believe the record is clear that neither Secretary McNamara nor Dr. Brown tried to indicate that all nuclear explosions could be detected—in fact, I believe they went out of their way and rightly so to point out the detection risks. I repeat, however, that anyone wanting sincerely to consider a full answer to this question must first read the testimony of Mr. McCone and Dr. Northrup—testimony which I consider reassuring on this point.

Seventh. Can any significant advances in nuclear technology be achieved by clandestine testing in those three environments at yields which may possibly be below our ability to detect?

Answer: As the Committee on Foreign Relations report pointed out:

> The complex subject of clandestine testing * * * was exhaustively discussed in the prepared statements of Secretary of Defense McNamara and Dr. Brown, found respectively on pages 97 and 528 of the printed hearings.

To this question posed by Senator SMITH, I offer this comment by the Joint Chiefs:

> The dangers of detection and the cost and difficulty of testing in outer space would tend to impose severe restrictions upon such clandestine testing. Other clandestine tests in the atmosphere or underwater, depending upon their size, would involve a fairly high probability of detection by our conventional intelligence or our atomic energy detection system. Moreover, the Joint Chiefs of Staff consider the resulting progress which the Soviets might make clandestinely to be a relatively minor factor in relation to the overall present and probable balance of military strength if adequate safeguards are maintained.

Eighth. Will we be able to differentiate between a shallow underground explosion and an atmospheric burst detonated close to the surface of the earth?

Answer: Using the above mentioned definitions as to what constitutes an underground test, it is apparent that neither Secretary McNamara nor Dr. Brown would be willing to accept a shallow underground test—at least one which releases energy into the atmosphere—as anything but an atmospheric test—thus the need to differentiate between the two appears unnecessary. I have already quoted Dr. Brown's testimony at one point on our ability to detect such surface tests. I will quote from a portion of his prepared statement on this point where he stated:

> A third type of clandestine tests which might be tried, is surface bursts or very near surface bursts. These are very detectable.

Ninth. Can we, in fact, maintain an adequate readiness to test in those prohibited environments in the event the treaty should suddenly be abrogated?

Answer: Questioned on this point during the Committee on Foreign Relations hearings, Dr. Seaborg testified:

> Our plans are approximately as follows: The time at which we would be able to make our tests, of course, depends on the type of tests, and I mentioned the three types in my testimony, the proof tests, and the developmental tests and the effects tests.
>
> We would propose to maintain a readiness that would make it possible for us, if we desired, to make a proof test in a period of perhaps a month and to make a development test in a period as short as perhaps 3 months, and an effects test in a period of an order of 3 to 6 months.
>
> Now, this would be a readiness posture, and * * * these are the times that would be required or that we could have the capability of resuming tests of those various types if we desired.
>
> It isn't at all clear that we would necessarily want to test that soon. After having tested some 18 years, and having made hundreds of tests, a matter of a few months one way or the other isn't that critical.

I would only remind Senator SMITH that as Chairman of the Atomic Energy Commission, it would be Dr. Seaborg's responsibility to supervise the maintenance of our testing capability.

Tenth: Will our scientific laboratories and the interest of our scientists deteriorate under a treaty which permits only underground testing?

Answer: Again in answer to almost an identical question at the hearings, Dr. Seaborg frankly testified:

> I think that there will be a problem in keeping the laboratories going strong and keeping a sufficient number of scientists together but this will be helped under this test ban treaty because of the continuance of underground testing * * *. We didn't lose very many (scientists) before (during the moratorium) and at that time we were not carrying on underground testing.

Asked if the AEC could keep topflight scientists with the test ban treaty in effect, Dr. Seaborg replied:

> Yes, I am confident of that.

Dr. George Kistiakowsky, former Chief Science Advisor to President Eisenhower in meeting this question stated:

> I would like to say, however, that if the things particularly highlighted by Senator JACKSON, namely the maintenance of a vigorous nuclear weapons laboratory research and development; the conduct of effective underground testing of nuclear weapons; the extention of the depth and breadth of the U.S. detection and identification system directed at clandestine experiments; and the real readiness for effective testing in the atmosphere should the treaty be suddenly abrogated; that all of these things are completely feasible both from a purely technical point of view and from the point of view of the management of the U.S. scientific effort.
>
> To the extent that these things were possible under the terms of the 1958 moratorium, the Eisenhower administration found it quite feasible to carry them out. The weapons development program during that period turned to extensive theoretical research involving the wider use of modern high-speed computers than had ever been a part of the program before.
>
> This resulted in, if anything, an improvement in the effectiveness of the nuclear weapons research effort. The laboratories remained healthy, and far from shriveling and losing substance, they actually grew both in the quantity and the quality of the work done during the period of the moratorium than afterward.
>
> There is no reason why this performance should not be repeated in the present context which is less restraining because of the continuing of underground testing.
>
> In concluding my testimony I want to return to some general comments. Undoubtedly there are risks to our security involved in the ratification of the proposed treaty. But these risks, as other witnesses and I have stated, can be minimized, if we do not fall into a state of euphoria, using Secretary McNamara's word.

Eleventh. Will we be restrained from ever determining feasibility, developing and deploying any defense whatever against ballistic missile attack?

Answer: To this question Secretary McNamara answered, during the hearings:

> There has been some disagreement, I think, as you know, in the Department, as to whether we should or should not deploy antiballistic missile systems.
>
> The Chiefs, themselves, have been uncertain about that. And I know that in testimony before the committees that you have been a member of, you have heard both sides of the argument. And I think the point to emphasize at the moment is that I believe none of us who state that the system we presently have developed—that is to say the Nike Zeus—nor the system which is presently under development—the Nike X—is an effective system in the sense that they can be guaranteed to protect our metropolitan centers against substantial damage from a potential Soviet attack. We haven't reached the end of the developmental process by any means.
>
> And it is to carry on that process that we have asked the Congress to appropriate $450 million. I am optimistic that we will continue to make progress. Whether the progress will be enough to warrant the hugh expenditures associated with such deployment, I don't know. We estimate very roughly that to protect perhaps 20-odd metropolitan centers, containing some 35 percent of the population, perhaps, would cost on the order of $14 billion.

As to the effects of the treaty on ABM development, the Joint Chiefs, as well as others stated:

> In the antiballistic missile field, development of the U.S. system does not depend on atmospheric testing.

Twelfth. Will this treaty permit the Soviet Union to achieve equality in the low-yield tactical weapons where it is generally acknowledged that we have an advantage and yet, preclude us from ever achieving equality in the high-yield weapon where the Soviet Union is unquestionably superior?

Answer. As I read an answer to an earlier question, it is clear that we have not in the past, and apparently do not have at present, a military requirement for a high-yield weapon. As to the activity of the Soviets in the low yield tactical weapons, Secretary McNamara put it well, I believe, when he stated:

> There is no question in my mind but that without a test ban the Soviets would be able to advance more rapidly and at a lesser cost in the field of tactical weapon technology than they will be under the test ban.

In other words, treaty or no treaty, the Soviets, if they desired, could cut our superiority in the low-yield field—and in all probability, maintain their superiority in the very, very high yield area because it is an area in which we see no military advantage.

I would also suggest reading Mr. McCone's testimony on this point.

Thirteenth. To what extent can we satisfy, through underground testing, the military and scientific requirements which were to have been investigated by atmospheric tests planned for next year?

Answer. Concerning this question, Dr. Harold Brown testified before the joint committees:

> I cannot describe in individual detail the tests in open session, but I can tell you what kinds they were * * * the tests which are planned, if atmospheric testing is resumed, and for which preparations are being made, include tests on the effects of surface shots on hard sites.
>
> They are large tests, hundreds of kilotons, and, of course, would be easily detectable.
>
> They include tests on the effects of nuclear explosions in the atmosphere on blackout, and tests on the effects of nuclear explosions on reentry vehicles.
>
> Some of this information can be obtained by underground tests but much of it cannot and the information can be gotten better from atmospheric tests. If the atmospheric tests are not conducted, we are going to go ahead and design our systems so that these uncertainties, which could be reduced with atmospheric tests, are compensated for by the design of the systems, and that is what we would have planned to do anyway.
>
> That way we will have to compensate for slightly greater uncertainties. But there are some uncertainties that we cannot compensate for no matter how many atmospheric nuclear tests were done.

Fourteenth. What is the human tolerance for radioactivity and what is the truth about the danger of atmospheric contamination, even at previous rates of testing, in causing genetic damage and leukemia to the living and yet unborn?

Answer. There is, of course, no answer here; only estimates which vary and the conclusions which stem from them. As Dr. Seaborg testified:

> I do not think there is a scientist who could tell you (how much contamination the atmosphere can take before we will reach a point of no return) with any authority, and I, although I said earlier that I felt that the fallout up until now had not led to a serious situation, I do feel that continued testing would lead to an amount of fallout that we certainly should avoid, and it is a statistical matter, of course, and that the fallout that has been—that we have up until now—has certainly led to some adverse health effect, and presumably some genetic effects.
>
> So it is just a matter of a balance of these rather small numbers of people affected against the necessity for testing in order to maintain our defenses strong.

Fifteenth. What will be the effect of ratification upon our Plowshare program—a project designed to deepen harbors, dig tunnels and canals, or otherwise cause beneficial changes to the topography through controlled and contained nuclear explosions?

Answers: Dr. Seaborg, in his testimony before the committees, replied as follows on the restraints imposed on the Plowshare program if the treaty is ratified:

> Specifically, we feel that we could develop the devices themselves which clearly can be perfected by underground explosions, completely contained explosions, and we can also develop a good deal of the excavation technology through properly devised experiments in which these explosives were used for earthmoving purposes.
>
> Also, some of the other experiments having to do with the development of oil resources and water resources and so forth can be carried out in completely contained underground explosions.

President Kennedy in his September 10, 1963, letter to Senators MANSFIELD and DIRKSEN, wrote:

> The United States will diligently pursue its programs for the further development of nuclear explosives for peaceful purposes by underground tests within the terms of the treaty, and as and when such developments make possible constructive uses of atmospheric nuclear explosions for peaceful purposes, the United States will seek international agreement under the treaty to permit such explosions.

Sixteenth. Will the participation of East Germany in this treaty constitute even so much as a tacit, implied, or suggestive recognition of that Communist regime, as a sovereign national entity?

Answer: First, both the President and the Secretary of State have publicly stated on numerous occasions that this Government has no intention of recognizing the East German regime. Secretary Rusk also testified to this effect before the committees.

The Secretary's statement is amply fortified by an opinion of the legal adviser found on page 15 of the printed hearings. The committee report, discussing this matter, states that this opinion, together with these public statements of high officials offers reassurance "that the recognition question will not be affected * * * by the treaty. This, indeed, is the committee's understanding."

Thus, the understanding is clearly spelled out in the committee report. In addition, a letter from Senator FULBRIGHT to the Secretary of State, found on page 968 of the printed hearings asks, among other things, whether a legal question affecting recognition arises from the amending procedure of the treaty and whether the United States and West Germany are parties to any international conventions in which East Germany is also a party.

The Secretary assured the committee—in his reply found on pages 968–969 of the printed hearings—that the amending procedures has no bearing on the recognition question. He also replied that the East German regime is a party to 24 international conventions, and that the United States and West Germany are both parties to 11 of these. I would note that all 11 of these treaties have been in effect for more than 10 years and do not imply recognition by us of East Germany. These agreements, together with East Germany's bilateral undertakings, are listed starting on page 969 of the printed hearings.

It should also be noted that East Germany has already acceded to the treaty in Moscow. The process of its accession did not and will not require any official action by the United States even hinting at recognition. The Soviet Union sent a note advising the United States of the accession to the treaty in Moscow of East Germany and a number of other countries. The United States responded by notifying the Soviet Government that since it did not recognize the East German regime as a government, the United States could only take note of the fact that the authorities in that country had signed on in Moscow and could not accept notice of East Germany's signature. Thus, the recognition question remains unaffected by the treaty.

CONCLUSION

Mr. President, I have not resolved any of the questions raised by the senior Senator from Maine for I do not believe they can at this time be resolved by facts but only by well-based opinions. The answers I have given here were selected from many answers that could have been chosen, but having heard most of the testimony and studied the record as best I could, these are the answers that are satisfactory to me and will prove to be correct.

I do not deny there are risks in this treaty. As the distinguished chairman of the Foreign Relations Committee said in opening this debate:

> There are, to be sure, risks in such an approach. There is an element of trust in it, and we can be betrayed. But human life is fraught with risks and the behavior of the sane man is not the avoidance of all possible danger, but the weighing of greater against lesser risks and of risks against opportunities.
>
> There are risks in this nuclear test ban treaty, but they are lesser rather than greater risks and the political opportunities outweigh the military risks. As George Kennan has written: "Whoever is not prepared to make sacrifices and to accept risks in the military field should not lay claim to any serious desire to see world problems settled by any means short of war."

Mr. President, I must say to the Senator from Maine that our national safety and security are already in jeopardy in a world that permits unlimited testing. Ratification of this limited test ban treaty in itself will not make that situation more or less hazardous. If the treaty works, however, it may over a period of time form the basis for further agreements that may bring us peacefully away from this point of jeopardy. If the treaty does not work, then a future nuclear war will in all probability solve all our problems.

Mr. LAUSCHE. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. LAUSCHE. I should like to go back into the first chapter of the Senator's discussion.

Mr. SPARKMAN. Yes.

Mr. LAUSCHE. Is it the understanding of the Senator from Alabama that we have reliable knowledge concerning the tests made by Red Russia with regard to the blackout impact, the weapons effects impact, and the technological knowledge possessed by Russia in all fields? I refer especially to the Senator's suggestion that the transcript of Mr. McCone's testimony be read.

Mr. SPARKMAN. I understand.

Mr. LAUSCHE. To repeat my question, is it the understanding of the Senator from Alabama that we have reliable knowledge concerning first, the status of the development of antiballistic missiles in Russia; second, the blackout impact by high-yield bombs; third, the effects upon weapons of the high-yield bomb explosions; and fourth, the technical knowledge acquired?

Mr. SPARKMAN. Let me call the attention of the Senator to the quotation I gave from Dr. Harold Brown's testimony. We will take high-altitude blackout first. He said:

> With respect to high-altitude blackout, the Chiefs say the Soviets have some data that we do not have. I would say yes, and we have some data they may not have.

I do not think it is anywhere plain that we necessarily know everything the Russians learned from those tests; but, on the other hand, I think sometimes we are prone to emphasize what they may have learned from them. There was testimony on high-altitude blackout by Mr. McCone. I recommended that that testimony be read. I think it is quite reassuring.

So far as weapons effects are concerned, the Joint Chiefs of Staff stated that the U.S.S.R. is ahead of the United States in weapons effects knowledge derived from high-yield nuclear explosions. But Dr. Brown said—and this indicates the difference of opinion which arises on many of these questions:

> My interpretation of all the data indicates that although they have done more high-yield tests, they were not effects tests.

So I think we must admit that it is not known to an absolute certainty.

Mr. LAUSCHE. To me it seems that we do not have the knowledge, and because we do not have the knowledge we draw the inference that they have not made achievements in these fields. The impression of the Joint Chiefs of Staff, as the Senator from Alabama has stated, is that they have excelled us in certain fields. I know Dr. Brown has taken a different position.

Mr. SPARKMAN. Yes.

Mr. LAUSCHE. I put the question to him: "You do not believe that they developed an antiballistic missile?" and he said, "Yes, that is my belief." I asked him, "Why do you believe that?" His answer was, "Because I do not think it can be done."

Mr. SPARKMAN. If I remember correctly, Dr. Brown's attitude with respect to the antiballistic missile was that the best defense was a penetration of the other side, rather than trying to knock missiles out of the sky after they got over our country.

Mr. LAUSCHE. I was amazed by his idea that the development of an antiballistic missile was beyond the realm of achievement, but that the research and development should go on because of the particular good that comes from incidental discoveries that are made.

I asked him, "Why do you think that surrounding Leningrad in Red Russia, is installed a system of antiballistic weapons?"

His answer was that he thought somebody had sold a bill of goods to Khrushchev.

I hope so, but Khrushchev is not sold a bill of goods with that ease.

Still, I do not believe that the question which I put, "Do we have reliable knowledge on these items?" can be answered in the affirmative.

Mr. SPARKMAN. I agree with the Senator. Let us consider the high-yield weapons, for example. This is a point everyone should keep in mind. At the time when we were testing, and the whole world was free to test, there was no ban of any kind whatsoever. When we were testing, the military authorities, those on the Atomic Energy Commission, and those in charge of determining what course we should take, including our scientists, all deliberately reached the decision that we did not want to test for high-yield weapons, because we did not want to develop high-yield weapons; that we preferred numerous relatively small-yield weapons. I hesitate to call them small-yield weapons, because they have tremendous impact, but, nevertheless, relatively speaking, they are weapons of small yield. It was felt that such weapons in larger numbers were much better for our purposes than were high-yield weapons.

So it is not a question of the Russians having stepped out ahead of us with their testing; the fact is that we did not want to test and did not test when we had the opportunity to do so. We decided it was something we did not want, and did not test.

Mr. LAUSCHE. May I put a further question?

Mr. SPARKMAN. Yes.

Mr. LAUSCHE. With respect to the 100-megaton bomb, with the added weight that must be thrown into the air, would the Senator from Alabama say that, because of the propulsion devices developed by Red Russia, they are in a better position to throw a heavier bomb into the air than we are?

Mr. SPARKMAN. I believe it is generally admitted that Red Russia is ahead of us at the moment in that respect, but that situation is only temporary. I had the pleasure of seeing something being developed for us recently, in my own home town, that I was told would transcend anything that the Russians have yet developed. I think it is well-known that the propulsion we are getting ready to utilize will go far beyond anything that Russia has available or that she is likely to develop any time soon.

Mr. LAUSCHE. If and when that develops, will it not follow that we may change our attitude and may want to throw bombs of higher yield into the air than we have done heretofore?

Mr. SPARKMAN. The Senator will recall that there was a mass of testimony on that very score, and we were told that such tests could be carried on to a degree—perhaps not as high as 100 megatons. If I remember correctly, it was testified that we could develop bombs as high as 60 megations.

Mr. LAUSCHE. Fifty or sixty.

Mr. SPARKMAN. It is my recollection that we could develop bombs as high as 60 megatons with the knowledge we have, and by making certain tests underground.

In that connection, let me quote something from General LeMay that was rather significant. This had to do with the antiballistic missile. General LeMay said:

> I think both of us are going to develop antimissile systems.

This testimony was taken in executive session, and that part can be published, but there is a deletion.

This was not before our committee; it was before the Armed Services Committee. This testimony was given before the treaty was signed. This was testimony on military procurement authorizations, in February. I quote from it, leaving out the deletions, where confidential information was given:

> I think both of us are going to develop antimissile systems and the first systems that will evolve are going to be very expensive and only defend a small segment of Russia, and the same thing applies to our antimissiles.
>
> I firmly believe that we can keep ahead of them in our offensive systems so we can penetrate anything that they can come up with in an anti-ballistic-missile system.
>
> Let me put it this way, Senator. I think we are relatively in the same ball park as far as ability in anti-ballistic-missile systems is concerned.

Mr. LAUSCHE. Madam President, there is still great difficulty for me in trying to reconcile what General LeMay said about developing an anti-ballistic-missile system with what Dr. Brown said in stating that he did not believe it could be developed.

Mr. SPARKMAN. Dr. Brown takes the attitude that penetration capability is overriding. By the way, General LeMay indicates that, too, if the Senator will notice it.

Mr. LAUSCHE. Yes; I noticed that.

Mr. SPARKMAN. We could build to penetrate anything that they might develop.

Mr. THURMOND. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. THURMOND. There is no question that the Russians have developed and have tested, in 1961 and 1962, and have learned information from those test, is there?

Mr. SPARKMAN. That is correct.

Mr. THURMOND. The question has been raised as to whether we had learned as much in testing as had the Soviets, because we tested more atmospheric shots. The United States has conducted no experiments comparable in complexity with those of the Soviet operations. A disturbing number of U.S. high-altitude effects experiments which were conducted were compromised either by considerations of unrelated, technical objectives of the test program, or by inadequate or faulty experiments, or operational inadequacies.

That is true, is it not?

Mr. SPARKMAN. The Russians carried on a great many more tests during that series than we did. We did not carry on an equal number of tests. They carried on high-altitude tests, and they carried on high-yield tests that we did not duplicate when we got around to testing. I admit that.

Mr. THURMOND. The United States would be unable to acquire data on high-altitude nuclear weapons effects unless it tests in the atmosphere, will it?

Mr. SPARKMAN. I believe it is only fair to say that the preponderance of evidence—practically all of it—before the committee was to the effect that for the purpose of developing an anti-ballistic-missile missile—and I presume that is what the Senator is aiming at, and also the high-yield weapon—so far as developing an anti-ballistic-missile system was concerned, we had all the information that we needed so far as effects were concerned, and that what we needed was the work that could be carried on in laboratories relating to guidance, selectivity—if I may use that term, although I do not think that that term was used—for trying to ferret out real missiles instead of the decoys that might be sent out, but that we did not need to do any atmospheric testing in order to study the problems concerned with further development.

Mr. THURMOND. The Preparedness Subcommittee in one of its findings, No. 3, made this statement:

> The United States will be unable to acquire data on high-altitude nuclear weapons effects.

That means without atmospheric testing.

All seven members of the Preparedness Subcommittee agreed to the factual accuracy of the report, even the two members who will vote for ratification, the distinguished Senator from Massachusetts [Mr. SALTONSTALL] and the distinguished Senator from Missouri [Mr. SYMINGTON]. There is no question about that, is there?

Mr. SPARKMAN. I was not a member of the subcommittee. I would rather not be called upon to interpret what the subcommittee said.

Mr. THURMOND. This is on page 7 of the subcommittee's report.

Mr. SPARKMAN. In the testimony before our committee, certain limits were recognized; but, in spite of that fact we were told that research and development could be carried on, and that we did not need to do atmospheric testing in order to carry on effectively. I would like to recall this again.

Mr. McCone, who heads the Central Intelligence Agency, Secretary of Defense McNamara, every member of the Joint Chiefs of Staff, and Dr. Brown—who, I think, will be admitted to be a man of unusual competence in this field—are aware of the same problems; yet they support the treaty and say we ought to ratify it.

Mr. THURMOND. But the fact remains that without testing in the atmosphere, the United States will be unable to acquire data on high-altitude nuclear weapons effects. Is this not important because such data are necessary to the design of anti-ballistic-missile systems, warheads, and radars?

Mr. SPARKMAN. We were told time and time again in the Foreign Relations Committee—and I believe we were told this many times when the Senator from South Carolina was present—that the design, development, and manufacture of warheads did not present a problem to us, because we already had them; that we had all the information we needed on them, not only with reference to design, but that we actually had them on hand. Such further study of the problems connected with that activity could be carried on in laboratories and with a limited amount of underground testing.

Mr. THURMOND. Does the Senator mean that we now have the type of design of warhead that we need to penetrate the defenses of the enemy?

Mr. SPARKMAN. In the committee report, at the bottom of page 14, and continuing on to page 15, we have this brief statement:

> But in any case, after considering all of the testimony on this subject, the committee agrees with the Joint Chiefs of Staff that "in the anti-ballistic-missile field, development of the U.S. system does not depend on atmospheric testing."

That categorical statement was made time after time before our committee. I think we have a right to rely upon it. I do not believe the Joint Chiefs of Staff would join in such a statement as that if they did not believe it to be true.

Mr. THURMOND. My question was not about the use of the ballistic missile. I was asking about the design of the warhead that is necessary to penetrate the Soviet missile defense. How do we know we have that design? How will we ever know we have it until such a warhead has been designed and has been tested in the atmosphere in which it will have to function when the time comes?

Mr. SPARKMAN. If I interpret the Senator's question correctly, it is the substance of the second question propounded by the Senator from Maine, which was the one I had started to take up when the Senator from South Carolina asked me to yield to him. So if he will permit me to discuss it, we can have a discussion about it later.

Mr. THURMOND. On the same point, about testing, someone has said that we have learned as much about testing as the Soviets, because we have tested more shots than have the Soviets. Is it not true that above values of 10 megatons, the Soviets conducted, in 1961 and 1962, more than twice the number of tests the United States ever conducted in its entire history of testing?

Mr. SPARKMAN. I do not have the figures before me; but I am sure the Senator from South Carolina has, and I am willing to concede that point, if he says it is so. It is highly repetitious. The figures are in the RECORD, but I do not have them before me now.

Mr. THURMOND. In terms of weight and yield, is it not true that the Soviet Union has demonstrated clearly a superior performance in all yield classes above approximately 15 megatons, a field in which the United States has had no experience since 1954?

Mr. SPARKMAN. That is all set forth in the figures we have placed in the RECORD. I do not have them before me at this time. I am sure the Senator from South Carolina has the figures.

Mr. THURMOND. All the scientific witnesses were unanimous in expressing uncertainty about the particular designs employed by the Soviets. Is it not true that above 1 megaton, the Soviets conducted four times as many atmospheric tests in the period 1961–62 as did the United States in the same period?

Mr. SPARKMAN. Those figures are shown in the tables placed in the RECORD. I do not have them before me at this time. But if the Senator from South Carolina says his information comes from those figures, I am willing to accept it as being correct.

Mr. THURMOND. Is it not true that a large number of the U.S. tests have been for the purpose of improving detection capabilities, and for peaceful uses of nuclear explosions—that is, the Plowshare project?

Mr. SPARKMAN. I feel certain that the Senator is again correctly quoting figures that have been placed in the RECORD. I have been reminded by the distinguished Senator from Vermont [Mr. AIKEN], who is not only a member of the Committee on Foreign Relations but also a member of the Joint Committee on Atomic Energy, that the Soviet Union was conducting tests, a great number of which were in the same field in which the United States had conducted tests years before. I am sure the Senator from South Carolina would recognize that fact, would he not?

Mr. AIKEN. Madam President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. AIKEN. The United States conducted tests with bombs of up to 15 megatons, or possibly a little more, a number of years ago. I do not remember the year. If I had to guess, I would say it was 1954. The Soviets conducted many tests in the past few years with similar-sized bombs, and also one or two tests—I do not know exactly how many—with bombs that were larger. I believe the largest bomb they tested was about 60 megatons.

The Senator may recall that when the United States tested bombs of 15-megaton power, the tests were conducted in the belief that the same principle would apply to larger bombs, and it was decided, rightly or wrongly, that there was no need to test larger sized bombs.

Further than that, the United States would have difficulty in obtaining a place to test them, whereas Russia can test a 150-megaton bomb in her Arctic region without having to clear a space of 300, 400, or 500 miles, which would be one of our handicaps.

However, Russia has tested larger bombs in the last 2 years, while our people did not feel it was necessary for us to do so.

Mr. SPARKMAN. I appreciate the statement made by the Senator from Vermont.

Mr. THURMOND. Is it not true that the Joint Chiefs of Staff have found that the Soviets are ahead of the United States in the development of an anti-ballistic-missile system?

Mr. SPARKMAN. I do not recall. I believe Secretary McNamara said that the Soviet Union could be reckoned as being ahead of us in high-yield weapons. When it came to antiballistic missiles, if I recall correctly, all the testimony was to the effect that the situation was virtually a standoff. Aside from that, I call attention to the fact that whatever the Joint Chiefs of Staff may have found, they have resolved their doubts and differences in favor of the ratification of the treaty, and they recommend to the Senate that it be ratified.

Mr. THURMOND. From a political standpoint. They are taking into consideration the political angle, also.

Mr. SPARKMAN. Let us put it this way: They are taking into consideration the interest and security of the United States, from whatever angle they must be considered, and have recommended the ratification of the treaty.

Mr. THURMOND. They have been told to take into consideration the political aspects. Did they not state that there were military disadvantages to be stressed? If one reads the statement by the Joint Chiefs of Staff, it sets forth that to bring about world stability, it is necessary to take into consideration the political environment.

Mr. SPARKMAN. Does not the Senator believe that consideration should be given to those factors?

Mr. THURMOND. That is all right; but the Joint Chiefs of Staff were told to take the information that had been given to them by the State Department, and assume that it was correct, and then take into consideration the political aspects as well as the military aspects. General LeMay said he was not an expert in the political field, but that he was ordered to take that aspect into consideration. I shall cover that point more fully in a speech I expect to make on this subject, probably tomorrow. But from a military standpoint, not a single one of the military men, as I recall, said that the treaty was advantageous to this country.

On the ABM system——

Mr. SPARKMAN. Is the Senator about to move to another subject?

Mr. THURMOND. No. We had been talking about the anti-ballistic-missile system. With respect to that system, there is no question about the position taken by the Joint Chiefs of Staff. It is in writing. It was made in highly classified hearings before the Preparedness Investigating Subcommittee.

The experts have all agreed that the Soviets are ahead of the United States in the development of an anti-ballistic-missile system. The Preparedness Investigating Subcommittee has that testimony before it.

How can we ever catch up with the Soviets in the development of an anti-ballistic-missile system, which has to be fired in the atmosphere, unless we can conduct tests in the atmosphere, in the type of environment which the anti-ballistic-missile system will have, in my opinion, if it is called upon in the event of an exchange?

Mr. SPARKMAN. I feel that I have answered that question about three times. I believe this is a fair summarization of the testimony of all the witnesses—Secretary McNamara, the Chairman of the Joint Chiefs of Staff and the staff members of the Joint Chiefs of Staff, Mr. McCone, and those closely connected with this activity. The testimony as a whole was to the effect that in considering the antiballistic missile, they had to take into account the various things that had to be done; and the development of warheads was only one. The testimony was to the effect that we had developed warheads and had an ample supply already on hand, and that the stocks needed with reference to guidance systems, and perhaps with reference to the vehicle to carry them there, could be developed without any limitation whatsoever, so far as the test ban treaty was concerned; and that, therefore, each and every one recommended our approval of the treaty.

Mr. THURMOND. The Senator feels, then, that there will be no handicap to the development of our anti-ballistic-missile system, although we would not be allowed to test in the atmosphere, despite the fact that since these warheads have been built and designed, the Soviets have conducted their large-yield tests with tremendous explosions? How does he know that our warheads will meet that test?

Mr. SPARKMAN. Let me read from the statement of the Joint Chiefs which has to do with the effects of the treaty on the United States-U.S.S.R. balance of military power.

The Joint Chiefs of Staff concluded that the United States would not be able to overtake the present advantage which the U.S.S.R. probably has in the high-yield weapons field, whereas the Soviets, by underground testing probably could retrieve in time any lead which we may presently have in the low-yield tactical field. Both sides could achieve an antiballistic missile, but one with less desirable characteristics than would be the case if additional atmospheric tests were conducted.

That applies to both sides. Of course there would be some handicap; but it would apply to the U.S.S.R., just as well as it would apply to the United States.

Mr. THURMOND. The treaty would freeze it at the point where we have now developed it, would it not?

Mr. SPARKMAN. Yes.

Mr. THURMOND. Who is ahead now?

Mr. SPARKMAN. I should have stated the conclusion they reached as to U.S. weapons capability; this is the one which deals with the anti-ballistic-missile field. The Joint Chiefs of Staff said:

> In the anti-ballistic-missile field, development of the U.S. system does not depend upon atmospheric testing, and hence this treaty will not significantly influence any imbalance that may exist.

That is not a political decision; it is a military decision. That is a decision of those whom Congress, by law, has designated to be the military experts and advisers for the security of the United States.

Mr. THURMOND. The treaty will prohibit that development by both; but the Soviets are ahead now, and this freeze——

Mr. SPARKMAN. The treaty does not say that.

Mr. THURMOND. I am giving the Senator the statement of the Joint Chiefs of Staff.

Mr. SPARKMAN. I can read further from their statement.

Mr. THURMOND. In their statement to the Preparedness Subcommittee, they admitted that the Soviets were ahead; and in their second statement, when they came before us, the Joint Chiefs of Staff admitted that the Soviets were ahead of us in the anti-ballistic-missile field, and that the treaty would tend to freeze their lead, and that the only way we could ever overcome that would probably be by testing in the atmosphere.

Today we may be in the lead, to a certain extent, in testing underground; but the treaty would partially overcome that situation. But we can never overcome the lead that the Soviets now have, unless we test in the atmosphere; and that fact is borne out on page 7 of the report of the Preparedness Subcommittee, as follows:

> An ABM system will be required to function in the nuclear environment created both by its own defensive warhead explosions and those of the attacking enemy. Under such circumstances it is important to be as certain as possible that no element of the system possesses unknown vulnerabilities to nuclear effects. All electronics components of the ground arrays and missiles must function; the missiles must be capable of operating in the presence of nuclear, thermal, and blast effects; the warheads must be resistant to nuclear radiations. It is apparent that unless a system of such complexity is tested in its operational environment, there will be a low level of confidence in its ability to perform the mission for which it was designed and produced. Many unknowns will arise in the course of the ABM development program which can only be explored and satisfied through the medium of atmospheric and high altitude nuclear testing.

I wish to repeat the last sentence; it is important:

> Many unknowns will arise in the course of the ABM development program which can only be explored and satisfied through the medium of atmospheric and high altitude nuclear testing.

That report was agreed to by all of the committee.

Mr. SPARKMAN. From whom is the last sentence quoted?

Mr. THURMOND. That is the conclusion based on the facts presented to us——

Mr. SPARKMAN. By whom?

Mr. THURMOND. By the Joint Chiefs of Staff and by the other military and scientific advisers who appeared before us.

Mr. SPARKMAN. Who made the statement?

Mr. THURMOND. The Preparedness Investigating Subcommittee.

Mr. SPARKMAN. This is its report?

Mr. THURMOND. Yes.

Mr. SPARKMAN. But I have been quoting from the statement of the Joint Chiefs of Staff.

Mr. THURMOND. This statement was joined in by all seven members of the subcommittee. All seven members of the subcommittee agreed on the accuracy of the report; and the Joint Chiefs themselves have admitted, before this subcommittee, that the Soviets are ahead of us in the development of the antimissile system. The Senator can go to the subcommittee and read the classified testimony there for himself.

Mr. SPARKMAN. Madam President, instead of quoting from conclusions by me or from conclusions by members of the Committee on Foreign Relations, I wish to quote from the Joint Chiefs of Staff themselves. They are the ones Congress says should be the advisers to the United States on military and security matters. So I shall quote their own words; and I wish to make that clear. This testimony is to be found on page 273 of the hearings of the Committee on Foreign Relations. Madam President, I wish to call attention to the fact that, under the rules of the Senate, the Committee on Foreign Relations has jurisdiction over treaties. Our committee held hearings on the proposed treaty. We invited members of the Armed Services Committee and members of the Joint Atomic Energy Committee to sit with us, and they did. The Joint Chiefs of Staff testified before our committee, and I shall now read from their statement, as found on page 273 of the hearings of the Committee on Foreign Relations on the treaty.

> (b) In the anti-ballistic-missile field, development of the U.S. system does not depend on atmospheric testing, and hence this treaty will not significantly influence any imbalance that may exist.

I think that is as clear as it could be.

Mr. THURMOND. But will the Senator read the preceding sentence, in which they say the indication is that the U.S.S.R. is ahead of the United States in the high-yield field?

Mr. SPARKMAN. Certainly. I have seen that, and I have already read it. However, again I call attention to the fact that the same members of the Joint Chiefs of Staff testified that when we had free and unlimited testing rights, the Joint Chiefs of Staff, along with the scientists and others in charge of this program, deliberately reached the decision that they did not care to make high-yield tests in the atmosphere.

We had decided that for our purposes a multiplicity of relatively smaller weapons was preferable to massive single-shot weapons.

Mr. THURMOND. Did Dr. Teller reach that decision?

Mr. SPARKMAN. I do not recall Dr. Teller's testimony on that particular point. I know that Dr. Teller testified before us that he had changed his mind from one period of time to another. I do not know whether it was on that particular subject or not.

Mr. ELLENDER. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from Louisiana, who has been on his feet for a long time.

Mr. ELLENDER. Madam President, the Senator from South Carolina has quoted from the committee interim report on investigation of the preparedness program. I am sure that the same Chief of Staff who testified before the Preparedness Investigating Subcommittee testified before the Committee on Foreign Relations.

Mr. SPARKMAN. The chairman of the Joint Chiefs and each individual chief, including General Shoup of the Marines.

Mr. ELLENDER. To show how the preparedness committee itself was in doubt, I should like to read the last paragraph of their report:

> Although we have concluded that there will be a net military disadvantage to us if the treaty is ratified, we recognize the existence of other factors which, while not within the scope of this report, are pertinent to a final judgment on the treaty. Among these are matters related to international affairs, foreign policy, and relations with other countries. When these are taken into consideration the question becomes one of weighing relative risks, and our hearings provide ample evidence that the overall assessment of the relative merits and demerits of the treaty is a complex and difficult matter on which equally patriotic, informed, and dedicated persons may and do disagree. In the final analysis, then, each individual must reach his own judgment on the basis of personal philosophy, past experience, current knowledge, and the relative weight which he assigns to the various factors involved.

Mr. SPARKMAN. Yes, I believe that is a very fine and wise statement which the committee made.

Mr. ELLENDER. That is why I submit it. If the Preparedness Investigating Subcommittee had heard all of the witnesses who appeared before the Committee on Foreign Relations, had listened to them carefully and made the same analysis as did the Foreign Relations Committee in connection with that report, it might have come to the same conclusion as did the Committee on Foreign Relations.

Mr. SPARKMAN. The concluding part of the report indicates that their views were reached purely from a military standpoint.

Mr. ELLENDER. Exactly.

Mr. SPARKMAN. And yet in deciding the question from the military standpoint, it is important that the other things that the subcommittee pointed out so well and so clearly be considered.

Mr. CHURCH. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from Idaho.

Mr. CHURCH. Madam President, apropos to the discussion of the significance of high yield weapons, I wonder if the distinguished Senator from Alabama recalls that when Dr. Teller was before the Senate Committee on Foreign Relations, I asked him specifically if he felt that the Russian development of high yield weapons was an important factor with respect to the position that he took against the treaty.

In response to that question he said that he did not regard the high yield weapons that the Russians had developed as particularly significant, nor did he feel that they bore importantly upon security considerations. I think it is important that we put the question in perspective, because the one witness who was the most adamant in his opposition to the treaty did not attribute his position to the importance that he attached to the development of high yield weapons by the Soviet Union.

Mr. SPARKMAN. I am glad that the Senator reminded me of that point. Speaking about high yield weapons, at one place in his testimony Dr. Teller said:

> But as of today I do not see any overwhelmingly strong reason to argue for the large bombs.

I think that is the point that the Senator from Idaho is making.

Mr. CHURCH. That is the point I am making. I think it is important. He brought out the point that it was not of great significance.

Mr. THURMOND. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. THURMOND. I should like to read a quotation from Dr. Teller appearing on page 457 of the hearings:

> Dr. TELLER. I have said explicitly that the Russians are ahead of us as far as I can see in one extremely important field, in nuclear—in missile defense, and I said that this specifically requires atmospheric testing if in this important field we should catch up. I did not say that the Russians are ahead of us in all categories. They may be ahead of us in quite a few fields. We do not have definite knowledge, but in the case of missile defense, the indications are particularly strong that they are ahead of us.

Mr. SPARKMAN. It is all right to quote Dr. Teller. Dr. Teller is one of our outstanding scientists. There is no question about that. What he says is entitled to great weight. But I call attention to the fact that some other eminent scientists were on the stand, one of whom was Dr. Harold Brown. I should like to ask the Senator from South Carolina to read the testimony of Dr. Harold Brown carefully.

Mr. THURMOND. I have read his testimony.

Mr. SPARKMAN. Dr. Brown said in so many words——

Mr. THURMOND. He used to work under Dr. Teller, I believe.

Mr. SPARKMAN. He said, "We just do not agree. I think he is wrong and he thinks I am wrong."

Dr. Kistiakowsky, who occupied the high position of science adviser to President Eisenhower, is still an adviser to the present President of the United States, and is professor of physical chemistry at Harvard University, said:

> Before leaving the ABM problem, which seems to be, perhaps, the issue of greatest concern to those who question the wisdom of the treaty, I would like to make one other observation. I am not really intimately familiar with this important problem in all its technical details. Neither have been most of the other witnesses who have been heard. I would therefore urge that the committee give special weight to the testimony of Harold Brown, who, to my knowledge, is the only witness so far heard who can speak with real authority regarding the total ABM problem, and the related developments in offensive systems. He has access to all of the intelligence regarding Soviet activities and all of the expertise in the United States on our future capabilities that relate to the problem.

That is certainly a very strong endorsement of Dr. Brown and of Dr. Brown's statement.

Furthermore, there was printed a statement from Dr. Ulam with reference to this matter in which Dr. Ulam was directly opposed to Dr. Teller. They are two outstanding scientists who worked together in the development of the hydrogen bomb.

Mr. THURMOND. The Senator is no doubt familiar with the fact that in the fall of 1949, after the Soviets detonated an atomic bomb, the United States was considering whether to develop a thermonuclear weapon. The official intelligence agency, even after being fooled by the Soviets on the atomic bomb a few weeks earlier, said the Soviets could not develop the thermonuclear weapon until the late 1950's. All the scientists except one agreed with the estimate and opposed U.S. construction of a thermonuclear bomb. The one exception was Dr. Edward Teller, who, in October 1959, urged that if the United States did not hurry with the development of the hydrogen bomb the Soviets would get one first.

Fortunately, President Truman decided against the official estimate and with Dr. Teller's lone scientific opinion. The estimate was wrong. Dr. Teller was right. We exploded a thermonuclear bomb on October 31, 1952. The Soviets followed on August 12, 1953, with a hydrogen bomb explosion.

There is no question that Dr. Teller is regarded by the scientists of this country as the greatest living scientist in this field. If there is any one man's judgment we can accept—in this case, as stated, President Truman accepted his judgment over that of the others—it is Dr. Teller's. It developed in the previous instance that Dr. Teller was correct. We proceeded to develop the hydrogen bomb, fortunately. President Truman followed the advice of Dr. Teller.

Dr. Brown serves in the Pentagon. He is under Mr. McNamara. He is in the administration setup. Naturally, although he wishes to do the proper thing, there is bound to be a certain amount of compulsion on the people who serve in the Pentagon. There is bound to be a certain amount of pressure on them.

I would prefer to take the judgment of Dr. Teller, who is a great scientist, the outstanding man in this field in the world today. That is acknowledged by other scientists. In my opinion, we would be much safer following his advice than the advice of some other scientist.

It is true that Dr. Brown worked for awhile under Dr. Teller, but everyone acknowledges that Dr. Teller is the outstanding scientist in this field.

Mr. SPARKMAN. I wonder if the Senator would mind telling me from whom he is quoting, about the 1949 incident.

Mr. THURMOND. I was stating what happened. I was quoting from a newsletter which I issued on August 31, 1963. I challenge the Senator to deny the accuracy of it.

Mr. SPARKMAN. I am not trying to deny it. I merely wished to know who was the author and what was the authority.

Mr. THURMOND. Madam President, I ask unanimous consent that my weekly newsletter referring to this matter may be printed in the Record at this point.

There being no objection, the newsletter was ordered to be printed in the Record, as follows:

[From the Shreveport (La.) Journal, Aug. 31, 1963]

U.S. Senator Reports: The $64 Question

INTELLIGENCE ESTIMATES

(By Strom Thurmond)

Washington, D.C.—Testimony on the Moscow test ban treaty, both in public and secret sessions, reveals that there is one awesome question on which the whole issue precariously hangs. The question—Do we dare risk the entire national security of the United States on the validity of our official intelligence estimates?

All of the intelligence experts admit freely that our intelligence is poorest on what is happening in the Soviet Union and in Red China. By comparison, Cuba is an open book. Our official intelligence estimates do not have a history that exactly inspires confidence. Consider the record.

1. When the Soviets came up with the atomic bomb, it was a complete surprise to the United States. Official estimates took the position that the Soviets could not master the atomic bomb before the mid-1950's, but they tested on August 19, 1949.

2. In the fall of 1949, just after the Soviets detonated an atomic bomb, the United States was considering whether to develop a thermonuclear weapon. The official intelligence estimate, even after being fooled by the Soviets on the atomic bomb a few weeks earlier, said the Soviets could not develop the thermonuclear weapon until the late 1950's.

All the scientists, except one, agreed with the estimate, and opposed U.S. construction of a thermonuclear bomb. The one exception was Dr. Edward Teller, who, in October 1949, urged that if the United States didn't hurry with the development of the H-bomb, the Soviets would get one first.

Fortunately, President Truman decided against the official estimate and with Dr. Teller's lone scientific opinion. The estimate was wrong: Dr. Teller was right. We exploded a thermonuclear bomb on October 31, 1952; the Soviets followed on August 12, 1953, with a hydrogen bomb explosion.

3. When the Communists invaded South Korea in June 1950, the United States was caught off guard. Official intelligence estimates took the position that it wouldn't happen. On the basis of those estimates, U.S. military forces had been withdrawn from the area, making the attack possible.

When the Soviets launched Sputnik I in October 1957, the United States was caught by complete surprise. Official intelligence estimates had let us down again.

4. Along in 1958, official intelligence estimates said the Soviets had a multitude of ballistic missiles, and thus was born the "missile gap." It was such a scare that it became a major issue in the 1960 Presidential election. It then turned out that the whole estimate was phony: the estimates were wrong, and the "missile gap" was a fraud.

5. On September 19, 1962, an official intelligence estimate was issued which took the position that there were no Soviet missiles in Cuba, and that the Soviets would not put any missiles in Cuba. This one got disproved in a hurry. Now it is admitted that missiles were in Cuba when the estimate was written.

The official estimates now admit that the Soviets are ahead of us in some fields of nuclear technology. They also admit that we don't have much hard information on which to base our estimates. In the areas of technology where we have the most information, official estimates admit the Soviets are ahead; in areas of technology where we have the least information, official estimates assume that the United States is ahead.

Gen. Curtis LeMay, who knows something about our intelligence methods in this field, has little confidence in our intelligence estimates. He stated that if the treaty were not already signed, he would recommend don't sign it.

Gen. Thomas Power, who commands the Strategic Air Command, and is even closer to the problem, says the estimates are wrong, and that it's far too dangerous to sign the treaty. The Soviets might well have a clear superiority in technology now. Gen. Bernard Schriever, who commands our missile development, says he can't do his job properly if the treaty is ratified.

Dr. Teller, who has the best experience in the nuclear field, and, who has a history of making correct judgments, says the intelligence estimates are wrong.

What is the difference? If the treaty is ratified, and any significant part of the estimates is wrong again, the United States is finished. Russia will have us hands down in the nuclear field, and the only choice that would be left to us then is surrender or be wiped out.

Mr. AIKEN. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from Vermont.

Mr. AIKEN. I have followed the colloquy which has been going on in recent moments, and found it interesting. Two or three points have been raised which are of more than ordinary interest to me.

The first related to the antiballistic missile system and the assertion that testing in the atmosphere would be necessary in order for us to develop an airtight anti-ballistic-missile system. I listened for many hours to the testimony relating to antiballistic missile systems and to other nuclear weapons in the various committees of which I am a member. It is rather difficult to talk about these things, because much of the testimony was classified, and we were abjured not to go into the details or the facts or to make them public.

I do not think I am betraying any confidence of the classifiers when I say that after listening to all the testimony I could come to no other conclusion than that neither Russia nor the United States has developed an airtight antiballistic missile system up to the present time. If we knew a ballistic missile were to pass at a certain place at a certain time, we have developed weapons which would stand a fair chance of destroying the missile before it reached its target, but the fact remains that we have not developed a foolproof or airtight defense system up to the present time. We do not believe any other country in the world has, either.

A question then arises. If we could continue atmospheric testing, would we then be able to develop a perfect antiballistic missile system which would be sure protection to us or to any other country which happened to possess it? In that respect, I invite the attention of the Senator from Alabama to the testimony of Dr. Foster, to be found on pages 619 and 620 of the hearings before the Committee on Foreign Relations. I was concerned about the question of whether we would show greater progress if we continued atmospheric testing. If the Senator does not mind, I should like to read into the Record at this point the short colloquy which took place, which begins near the bottom of page 619.

Mr. SPARKMAN. I shall be glad to have the Senator do so.

Mr. AIKEN. I read from the hearings:

Senator Aiken. I do not know of anyone who advocates nuclear war. However, if the United States were to engage in nuclear warfare, would it be more advantageous for us to engage in it immediately or would we be in a comparatively stronger position after 5 years of testing and the development of more potent weapons, both offense and defense?

Dr. Foster. Well, Senator Aiken, that is a, both a tactical military question and a question of relative rates of development of the Soviet Union and the United States, as I understand it; is that correct?

Senator Aiken. When do you think we would be in a stronger position to engage in nuclear warfare?

Dr. Foster. Today or in the future?

Senator Aiken. To engage in it immediately or after the conduct of tests for another 5 or 10 years, assuming that any enemy would also be conducting tests. Do you think we could outrace them?

Dr. Foster. That, sir, is, I think, an issue that transcends the treaty. For 18 years the United States, aware and concerned for the potential and growth, actual growth, of armaments, particularly nuclear armaments, has developed in a restrained manner.

We have every year tried our best to reach an agreement with the Soviets and to limit this constant increase in the development of arms.

During that period of 18 years the Soviets have come from a position of relative hopelessness to one that was described by Dr. Bradbury as rough parity, and I do not want to argue whether they are ahead or behind.

The interesting, discouraging to me, the discouraging point, is that currently from their recent atmospheric series and from our recent atmospheric series, I see a very high rate of progress in the Soviet Union compared to the United States. If this were to continue, and I will mark this, Mr. Chairman, as one of the advantages of the treaty, it would be to the detriment of the United States.

We have chosen to limit our efforts; these have been unilateral.

Senator Aiken. And they have been making progress in the nuclear field much faster than we have?

Dr. Foster. Yes, sir.

Senator Aiken. And there is no reason to believe that that rate would not continue?

Dr. Foster. That is right.

Senator Aiken. Then if we were to engage in nuclear war at all, there would not be much time to lose.

Dr. Foster. That is correct.

Senator Aiken. That is all.

Mr. MANSFIELD. Madam President, will the Senator yield?

Mr. SPARKMAN. I shall be glad to yield to the Senator as soon as the Senator from Vermont reaches a stopping point.

Mr. MANSFIELD. Did I correctly understand the Senator from Vermont to say that Dr. Foster, the head of the Lawrence Radiation Laboratory, at Livermore, Calif., said that if tests were continued in the atmosphere the Russians would continue to outdistance us?

Mr. AIKEN. He stated that they would gain at a much more rapid rate than we would.

Mr. MANSFIELD. And he said that was the reason why, although he is an opponent of the treaty, this was a good point in favor of the treaty?

Mr. AIKEN. Yes; he said he marked this as a point in favor of the treaty; that if we were to continue testing, the Soviets would make much more progress in that field than we would.

Mr. MANSFIELD. He is an opponent of the treaty?

Mr. AIKEN. Yes. He does not approve of the treaty, and I could not understand from his testimony why he should be an opponent, unless he is some sort of fatalist.

Mr. MANSFIELD. And he is the successor to Dr. Teller and Dr. Brown at Livermore?

Mr. AIKEN. That is correct. I believe he is one of the disciples of Dr. Teller.

I should like to finish one other point I wished to make with reference to Dr. Teller. Dr. Teller has been the chief opponent of the test ban treaty. He has been quoted more than any other member of the opposition. He is a very capable scientist. He is given much of the credit for the development of the nuclear bomb. He seems to have plans or desires for developing much more potent bombs or weapons, both offensive and defensive. Perhaps, if there were no restrictions of any kind, he might be able to do that.

But I am not sure that Dr. Teller is always right, because the other morning I heard on the radio a report of a speech which he made in Texas the night before, in which he said there was no time to lose in sharing our atomic and nuclear know-how with all our allies. We now have 20 or 30 allies throughout the world. If we count only the NATO allies, we have only a dozen. If Dr. Teller can tell me who our allies are going to be 10 years from now, or even 5 years from now, I would know better whether or not I felt it safe to share our nuclear know-how. I can think of one of our allies that would be delighted to share our secrets, and would probably start making missiles in no time at all.

I do not think he was making a sound recommendation when he said we should share our nuclear know-how with all our allies. I suspect his supporters would think that was a good recommendation, but one of the worst things we could do would be to proliferate our nuclear secrets or weapons around the world to those countries which we now regard as allies.

Someone hearing the same radio report I did might suggest that perhaps it would not be well to give those secrets to South Vietnam at the present time. Perhaps it would be good, but I do not think so.

So I do not know why one man, who was instrumental in developing the deadliest weapon the world has ever known, should be regarded as the last word in determining in what direction we should go and how we should go in that direction.

Mr. THURMOND. Madam President, will the Senator yield on that point?

Mr. SPARKMAN. I yield.

Mr. THURMOND. On September 13, I believe, the able and distinguished Senator from Vermont raised this point.

Mr. AIKEN. I raised the point about Dr. Foster.

Mr. THURMOND. About Dr. Foster.

Mr. AIKEN. I read from the report.

Mr. THURMOND. I believe the point was that the Russians had made relatively great gains in 1961 and 1962, and that this proves that continued unlimited testing would bring the Soviets to a parity or into the lead. That was the point that was raised.

In response to that, let me say, as Dr. Foster pointed out, that we have chosen to limit our efforts.

The Senator will find this on page 16988 of the CONGRESSIONAL RECORD for September 13, 1963:

> We have chosen to limit our efforts; these have been unilateral.

Dr. Foster's fear that in the absence of a ban on testing the Soviets would continue to gain in technology was specifically conditioned on the possibility that the United States would continue to drag its feet in testing, while the Soviets went all out.

There is no question that if we go all out, we can beat the Soviets. We have beaten them. We have been ahead of them. So long as we test and go all out, we can stay ahead.

Dr. Foster's point has been that we have been dragging our feet. He says we have chosen to limit our efforts. If we do not limit our efforts, we can go ahead and stay ahead of the Soviets in practically every field; but because we did not carry out tests in 1961 and 1962 and they conducted tests in the atmosphere and conducted tests of high-yield weapons, as the RECORD in the Preparedness Investigation Subcommittee showed, the Soviets have gone ahead of us in this field. The statement of the Joint Chiefs of Staff is there. Anyone can read it. The record of the Preparedness Investigating Subcommittee shows that the Soviets are ahead of us in this and some other crucial areas.

Senators who oppose the treaty are at a great disadvantage, in a way, because the material presented to our Preparedness Investigating Subcommittee is classified, and we cannot go into it, as members of the Foreign Relations Committee can come into the Chamber with a book of testimony and say, "This is what so and so said in support of the treaty." And, unfortunately, the information most detrimental to the administration's position is the most difficult to get the administration to declassify, while most everything that helps the administration's case is generally made public. If we could tell what the scientific and military leaders said against this treaty, I do not think there would be any doubt in the minds of many people.

Dr. Foster says that we are handicapped, and have not done all we could. His thinking is that if we are to follow that kind of course—of not going "all out" in testing to maintain or regain superiority—that is another story.

Mr. AIKEN. I think I heard all the testimony referred to, as a member of the Joint Committee on Atomic Energy. Much of it is, very properly, classified. I listened to Dr. Foster's testimony. It is true that he implied we had been restricted; we had been held back from going ahead and developing as fast as we could.

Mr. SPARKMAN. He said we had limited ourselves.

Mr. AIKEN. But he did not tell us who was responsible for the limitation and what they would do about it if we accepted his recommendations at this time. So far as I know, the same forces that restricted testing in the past 2 or 3 years are still in authority, and hope to be for some time yet. I do not know just what he would do about it.

The Congress has appropriated billions of dollars. For a number of years we have had the ablest scientists, including Dr. Teller, that money has been able to hire or that loyalty has been able to command.

If we have been required to drag our feet during the past, I do not know who is going to make us pick up our feet in the future. It is an interesting question. It is a question which we can argue extensively; and we shall probably be hearing many arguments on it in the months ahead.

Dr. Teller certainly cannot say that there was not money enough or scientists enough. Why did we drag our feet, if we did drag our feet? At least, we all know we have some pretty capable weapons on hand. The military authorities say we have enough to saturate any possible enemy.

Mr. SPARKMAN. And to retaliate.

Mr. AIKEN. And to retaliate. We are short of antiballistic missiles. We believe that no country in the world has air tight protection against missiles—perhaps against one missile, but when there may be 15 or 20 decoys coming from one direction, and all looking alike on the radar screen, we still have no defense against a situation like that.

Mr. THURMOND. Madam President, will the Senator let me quote Dr. Foster on that point?

Mr. SPARKMAN. Briefly.

Mr. THURMOND. On the first point the Senator just mentioned, relating to money and laboratories, and why have we not gone ahead, I can tell the Senator why we have not gone ahead. The scientists have wanted to go ahead. The military people have wanted to go ahead. But because of foot dragging by their political superiors in the executive branch they were not allowed to go ahead.

The military authorities and the scientists desire to make progress in this field, but they must take their orders from those above.

Dr. Foster said with regard to this treaty:

> You are taking a risk and you cannot calculate it regardless of these safeguards.

He was speaking on the basis of adoption of certain safeguards.

Mr. SPARKMAN. I wish to make one or two statements in order to clear up some things that have been said with respect to the dragging of our feet in testing. Let us remember that over the past several years testing was open. Before the voluntary moratorium, and after Russia broke the moratorium and testing was resumed, it was up to the United States as to what we could test, where we could test, and how we should test. I wish to make this statement very clear. In spite of what the Senator from South Carolina says, the hearings are literally brim full of evidence that the military—those who are in office now and those who preceded them and those who were in office at the time—deliberately reached the decision that we should not make high yield tests; not only that, but the scientists connected with our Government made the same decision. It was not something that was forced upon them through an executive order.

Mr. THURMOND. Madam President, will the Senator yield?

Mr. SPARKMAN. Just a moment. The Chairman of the Joint Chiefs of Staff appeared before our committee. We had the individual Chiefs of Staff. Various scientists came before the committee. The testimony of everyone touching this subject was to the effect that we made it as a deliberate decision that it was not needed for our security, if we preferred to follow the other course that I have mentioned so many times.

Mr. THURMOND. Madam President, will the Senator yield?

Mr. SPARKMAN. I have one other point to make, before I yield. It is said that in 1949 and 1950 Dr. Teller was the only one who believed in the hydrogen bomb. Dr. York, whose statement is carried in the hearings, was one of the partners with Dr. Teller in the development of the hydrogen bomb. Not only that, but Dr. York testified before the committee that he supported Dr. Teller. He recognized Dr. Teller as the great scientist that he is, and as being entitled to all the credit that has been given him with reference to the hydrogen bomb.

He would not try to detract one bit. I think he is a great scientist. I enjoyed his testimony. But, as great a scientist as he was, he did not stand alone, like Horatius at the bridge. There were others with him who advocated the same thing that he did.

I sometimes think it would have been a happier world if we had never learned how to split the atom. Nevertheless, we did. When there resulted the terrible weapons that we devised, why should we not have gone on to the hydrogen bomb as well?

I should like to yield first to the Senator from Idaho [Mr. CHURCH]. Madam President, I ask unanimous consent to be permitted to yield to the Senator from Idaho without my losing the right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. Madam President, first I wish to say a word regarding the discussion that has been in progress concerning the development of an antiballistic missile defense. As the Senator from Alabama has pointed out, the weight of the testimony has been that we can go forward with perfecting such a system without need of further atmospheric testing.

The argument I would urge upon the Senate is that we ought to keep the question of the antiballistic missile defense system in proper perspective. I remember, during World War II, we used to have what was called the blockbuster bomb. Until the first atomic fireball inflicted 128,658 casualties in Hiroshima, the blockbuster was the biggest weapon we had. It would destroy about one city block; hence its name. It had the explosive power of 8 tons of TNT. The atomic bomb which fell on Hiroshima had an explosive power of 20,000 tons of TNT. We have since developed, and have stockpiled in our arsenal, warheads a thousand times more powerful than the first atomic bomb.

It has been estimated that the arsenals of the United States and the Soviet Union now have the equivalent of 60 billion tons of TNT, which is equal to a 20-ton bomb against the head of every man, woman, and child on this planet.

This is a different age, Madam President. It is so different from the Second World War, and the conventional weapons with which we fought that war, that I believe we must think in new terms about the question of national security in the nuclear age.

We speak here of national defense. That term has practically disappeared from the lexicon of contemporary military usage. There is no defense anymore, in terms of preserving our homeland and our people and our way of life, and everything that is worth preserving. Instead of defense, we have what we call a deterrent. Its purpose is not to defend, but to avenge. If it ever has to be used, the country is lost, the system has failed. It is against this background that we must consider the meaning of an antiballistic missile defense system.

I remember, in the Second World War, that if we knocked down 5 percent of the attacking force of enemy bombers, we thought that was pretty good. If we got 8 or 10 percent, it was a day of signal success for one defending forces. Yet, although 92 to 95 percent of our bombers used to get through, we still had to bomb and bomb week in and week out, month in and month out, year in and year out, before we were finally able to pummel the enemy down to defeat.

Today, Madam President, the nuclear firepower of one Polaris submarine is the equivalent of all the bombs that all our bombers dropped on the enemy in all the years of the Second World War.

It is in this perspective that we must judge the meaning of national defense in this nuclear age.

Dr. Teller was before us, and he said, in response to one of the questions put to him, that he could not conceive of any anti-ballistic-missile defense system which would ever protect our cities.

At another place in his testimony, he referred to the Russian cities and industrial centers as the source of their national power and importance. Are not our cities and industrial centers the source of our national power and importance? It is against this that we must judge the significance of an antiballistic missile defense system in the nuclear age.

Suppose we were able to perfect such a defense system to the point where it struck down 25 percent, or 50 percent, or even 75 percent of the enemy's first-strike missiles, if such perfection can ever be attained in a defense system—and all history records that none has ever been attained to this day of that degree of excellence. But even if we were to perfect such a system, what meaning would it have if the 25 to 50 percent of the enemy missiles which penetrated through were sufficient to inflict total damage upon us?

Unless we begin to shake off the thinking of Napoleon's time, and begin to think of defense in terms of military strategy for the nuclear age, we are surely lost.

The Secretary of Defense addressed himself to this point, as did other military witnesses who came before the committee. All of them said that even in the absence of any kind of antiballistic missile system, we today had a weapons mix, including hardened bases and a Polaris fleet, that would enable us to strike back and inflict mortal destruction upon any enemy that engaged in a first strike against us. This capacity is the basis for deterrence. So long as we continue to possess a weapons mix with this retaliatory power, we can hope that the deterrent theory will work. But I think all these factors must be held in mind if we are to place the question of the development of the optimum antiballistic missile defense system in the perspective of the age in which we live.

Mr. SPARKMAN. Madam President, I yield further to the Senator from South Carolina.

Mr. THURMOND. Madam President, I ask the distinguished Senator from Alabama to check with the Pentagon to see if there is not pending for approval a military requirement unanimously approved by the Joint Chiefs of Staff for a high-yield warhead, one for manned bombers and also one for missiles, but that the requirement has not yet been approved at the civilian level. Then he will be able to determine who is holding up this program. The military people want to go ahead. They want to test the high-yield weapons.

Mr. SPARKMAN. There is a difference between the statement made by the Senator from South Carolina and the question of testing at high altitudes or for high yield. This is a question that the distinguished Senator from Ohio [Mr. LAUSCHE] put to General Taylor, Chairman of the Joint Chiefs of Staff:

> Senator LAUSCHE. Does that warrant the conclusion that you would be in a better position to judge what we should do if we had enjoyed what you call a 60-megaton test?

> General TAYLOR. I attach very little to this, frankly, Senator. The whole very high yield weapons field is one which has very little, if any, military significance.

If I had the time to go through the record of the hearings, I could pick out time after time when we were told by witnesses who appeared before us—military and scientific—that it was a deliberate decision on our part, because we did not feel that we needed high-yield weapons as a part of our military arsenal. That is what General Taylor, Chairman of the Joint Chiefs of Staff, said at that point in the hearings.

Mr. THURMOND. That might have been the case some time ago.

Mr. SPARKMAN. This was in August. I read this from the hearings before the Committee on Foreign Relations on the treaty, held in August, last month, 3 weeks ago.

Mr. THURMOND. I merely asked the distinguished Senator from Alabama to inquire of the Air Force whether there is not now pending, and has been pending, a request unanimously approved by the Joint Chiefs of Staff that there exists a military requirement for a high-yield warhead; but that the requirement has not been approved at the civilian level.

Mr. SPARKMAN. I have no idea where the Senator from South Carolina is obtaining his information; but our committee did its best to go to the best sources. We called upon the Chairman of the Joint Chiefs of Staff, and then we called upon each member of the Joint Chiefs of Staff. I do not see why we should go to some subordinate officer and ask him what his thought is on that point, or what his attitude would be, or what he thinks ought to be done. We had before us the men who, under the law of the land—the law enacted by Congress—are supposed to formulate military policy and military strategy.

Here was the spokesman, the Chairman of the Joint Chiefs of Staff, saying that he attaches no military significance or little military significance to very-high-yield weapons.

We were advised, time after time, by the military authorities who are charged by law with the responsibility of advising us with reference to military strategy, the military measures to take in order to assure the security of the United States. That was what they said to us. I think we have a right to rely on it.

Mr. THURMOND. I do not know whether General Taylor has forgotten, or what has happened, but I say that the Joint Chiefs of Staff have unanimously approved a military requirement for a high-yield warhead, one for manned bombers and one for missiles, but that the requirement has not been approved at the civilian level. If the Senator from Alabama will go to the Preparedness Investigating Subcommittee and he will contact Mr. Kendall, chief counsel, he will find such a statement in the testimony.

This testimony is, of course, classified, but it is there nevertheless. If possible, I am going to get it declassified so the Senate and the public can have full access to this vital information, especially in view of the point raised here today by the Senator from Alabama in reading from the unclassified hearings of the Foreign Relations Committee.

We have been handicapped by not being able to bring all the testimony to the Senate, because that testimony is not printed in the hearings of the Preparedness Subcommittee, because most of it is highly classified.

Mr. SPARKMAN. Madam President, the committee having jurisdiction of the treaty and handling the hearings is the Committee on Foreign Relations. We have brought the hearings here, and we brought them in a way that is presentable, readable, and clear to the Senator. The hearings have been edited, so far as secret or classified material is concerned. The testimony includes that of several persons who are supposed to speak for the defense and security of our country—the scientists; the Chairman of the Atomic Energy Commission, Mr. Seaborg; the Director of the CIA, Mr. McCone; and the top scientists and advisers to the President of the United States. We heard the testimony of all those persons, who under the law, are supposed to speak.

As regards the printed hearings, Senators do not have to go to the committee or anywhere else for the testimony, although a few items are retained as confidential in the committee files. Any Senator can go right downstairs to the committee room and can be shown the secret testimony.

I refer particularly to the testimony of Mr. McCone, Director of the Central Intelligence Agency; I also refer to the testimony of Dr. Northrop; and I also refer to the secret testimony of General Taylor, Chairman of the Joint Chiefs of Staff.

Madam President, many questions which have been asked by the Senator from Maine [Mrs. SMITH] have been brought up in the course of this debate. I should like to refer now to the first and second questions; there are 16 altogether.

We have discussed one, and had just started our discussion of the second. The second one is whether we are reasonably confident and secure in the knowledge that our ballistic missile retaliatory second strike force will survive and operate in a nuclear environment.

Certainly there is no controversy with reference to that. I believe everyone admits that we do have sufficient power to enable us to make a retaliatory strike that would be destructive to any enemy that might attack us.

Mr. THURMOND. Madam President, will the Senator from Alabama yield on that point?

Mr. SPARKMAN. Yes, I am glad to yield.

Mr. THURMOND. Has the Senator from Alabama seen the issue of Missiles and Rockets, dated September 14—last Saturday?

Mr. SPARKMAN. I have not yet seen that issue.

Mr. THURMOND. This magazine contains an article and an editorial on this very question. I hold the editorial in my hand. It reads in part as follows:

> The article on page 14 of this issue probably is the most important published by this magazine since its founding. It brings out into the open the critical and highly classified problem which has been at the heart of the opposition to the nuclear test ban treaty by many nuclear scientists and high-ranking Air Force officers. The fact is that the Soviets may have found the answer to their antiballistic missile problem by attaining the ability to render U.S. missiles inoperational in their silos.
>
> The possibility is more than a threat to the effectiveness of U.S. missile forces. If true, it threatens to negate the whole deterrent posture of this Nation by making possible enemy deactivation of the heart of U.S. nuclear strength.

Then the editorial points out the dangers. In other words, if through the tests the Communists have conducted in 1961 and 1962, they have gained technical knowledge that will enable them to drop a bomb, inasmuch as we have said we will not make the first strike, what if they should make the first strike, and if this knowledge has enabled them to drop a bomb that will produce an electromagnetic phenomenon—if we want to call it an electric current—that will blow out the fuses on our missiles, or will fuse the wires in our missiles and thus prevent them taking off or would render ineffective much of the guidance systems, so we never would be able to get them out of the silos properly and on their way to the target. Then the question which would naturally arise is, where would we be? That is a possibility that our military people, I can state, are deeply concerned about; and that is the information that has been gained in the recent tests by the Soviets. If they did gain sufficient knowledge to be able to make our missiles inert or inoperable in the silos, and since Secretary McNamara is "phasing out" our bombers—so that soon we shall not have any bombers, and if, therefore, we do not have any bombers, and if our missiles are made inert and inoperative, where will America be?

I question statements which state unequivocally that we will be able to make a second strike. I should like to have the Senator explain how we shall be able to make a second strike if a missile or missiles are dropped over here by the Soviets which will destroy the electronic systems of our missiles. If the Soviets have gained this knowledge and can manufacture such a weapon, they will do that or threaten to do that; and then where will we be?

The only answer to that question that I know is that we shall have to test in the atmosphere to gain the requisite knowledge to prepare the installations and equipment necessary in order to protect the missiles. Otherwise we may find ourselves in a helpless condition.

That again brings to the forefront the need for atmospheric testing. That is no phony objection raised to the treaty. It is a direct reality. It is a reality that has been pointed out by the magazine Missiles and Rockets, an engineering magazine whose editors feel that the treaty is an extremely dangerous instrument because of the very fact I have mentioned. If the Communists are able to drop a bomb in our country and to neutralize our missiles, we shall not be able to send our missiles over to Russia to strike their targets in retaliation, and we shall not have the necessary knowledge with which to insulate the missiles and pursue a course which might provide protection for them.

What other course can we pursue to protect our Nation than to test in the atmosphere? That is the only way in which we can get the information.

If the Senator from Alabama can answer or explain away that question, I would certainly like to hear him do so. The military people—and I have talked to them—and some of the scientists are deeply concerned about this question. If the Senator will read the classified testimony given before the Preparedness Investigating Subcommittee again, I believe it will be of great interest to him.

We are handicapped in not being able to bring to the Senate classified information which the people of our country ought to hear so that they could truly know the dangers involved with regard to the very vital point that I am now making. If the people of America knew all of the information, and if they knew the jeopardy in which we would place our country by stopping atmospheric testing when we should go ahead as fast as we can in order to attempt to protect these missiles—because we will be dependent upon them—in my judgment there would be no doubt as to the answer of the American people to the question.

I would be pleased to have the Senator from Alabama read that classified testimony, and after he reads the testimony that was given before the Preparedness Investigating Subcommittee, I would be further pleased if he would come back and express himself.

He may change his opinion. If the Senator from Alabama is completely objective on the treaty—I am not insinuating that he is not—but if he is willing to change his mind when something of great significance and importance is brought out, I believe that the Senator from Alabama might wish to reappraise his position. If he will read carefully the classified testimony in the Preparedness Investigating Subcommittee on this question, if he will talk in person with General Power and some of the other experts, including General Schriever and others, and if he will look into the subject further, he may wish to reappraise his entire position on the treaty because of the one question which I now raise.

Mr. SPARKMAN. Madam President, I doubt that any member of the Committee on Foreign Relations or any other committee heard more of the testimony than I did, with the sole exception of the chairman of the committee, the Senator from Arkansas [Mr. FULBRIGHT]. I believe that he perhaps heard more than any other member of the committee. I listened to the witnesses who came before the committee. We did not merely pass over the question of blackout. We did not pass over the other developments of which the Senator has spoken. We questioned the scientists and the military experts before us. I admit that there was not a great deal of testimony in open session on blackouts, because when the time came for it, it was generally suggested that the discussion should be carried on in executive session.

But the testimony is given in the hearings after having been edited.

Dr. Norris E. Bradbury, Director of Los Alamos Scientific Laboratory, testified before us. His testimony can be found commencing on page 579. On page 581 he said:

> A similar situation exists with respect to what may be called the nuclear blackout phenomena or the effect upon communications or radar of nuclear explosions in the relatively high atmosphere. Again, the phenomena is known, many excellent experiments were conducted to study it during the 1962 oversea operations, as well as earlier.
>
> We are very far from being devoid of knowledge as to the nature of the problems involved. Limiting our knowledge in this area, as we will also have to limit our knowledge to that which we now have of other electromagnetic phenomena associated with nuclear explosions, is one of the risks which we would have to take.
>
> To me, it does not appear to be a great risk, and it will be a challenge to see the extent to which our scientists with the available information can examine it, theorize upon it, and extend its applicability with reasonable confidence.

The subject was discussed in the report. On page 15 Senators will find a reference to it. We quoted from Dr. Harold Brown's testimony as follows:

> With respect to high-altitude tests carried out for the purpose of determining the effects of nuclear bursts on communications blackout, radar blackout, and nuclear weapons vulnerability, Soviet and United States experience appears to be comparable. Each side has had about the same number of tests, over yield ranges and altitude ranges which are comparable though not identical. Enough has been learned in the United States to verify the existence, nature, and rough dependence of blackout characteristics on yield and altitude, although important details still have not been explored. The same is probably true in the Soviet Union. Probably neither side understands the phenomena sufficiently well to permit theoretical extension with complete confidence to some other altitudes, yields, and types of devices; but we have, and presumably the Soviets also have, enough information to enable us to take steps to design around our uncertainties.

That was the deliberate position of one of the leading scientists in our country. It was not a newspaper editor, publisher, or writer of newspaper articles playing on the sensational angle of things. That was the sworn testimony of Dr. Harold Brown, who is one of the outstanding nuclear scientists in the world today.

Mr. HUMPHREY. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. HUMPHREY. Dr. Harold Brown is the present Director of Defense, Research, and Engineering of the Department of Defense; is that not correct?

Mr. SPARKMAN. That is correct.

Mr. HUMPHREY. Does the Senator recall the testimony of the science adviser to President Eisenhower, Dr. Kistiakowsky, as it relates to Dr. Harold Brown?

Mr. SPARKMAN. I do. I made reference to it a while ago. I said that Dr. Harold Brown was an outstanding scientist and that Dr. Kistiakowsky would recommend that we take in full faith what Dr. Brown said.

Mr. HUMPHREY. In exact words Dr. Kistiakowsky said:

> I would therefore urge that the committee give special weight to the testimony of Harold Brown, who, in my knowledge, is the only witness so far heard who can speak with real authority regarding the total ABM problem, and the related developments in offensive systems. He has access to all of the intelligence regarding Soviet activities and all of the expertise in the United States on our future capabilities that relate to the problem.

It seems to me that if a U.S. Senator is to judge the reliability and credibility of testimony, under this type of reference by one of the world's leading scientists—a man recognized in the United States as being one of the most able scientists in the field of nuclear energy and physics, Dr. Kistiakowsky—to accept the testimony of Dr. Brown as compared, I say most respectfully——

Mr. SPARKMAN. With a magazine article.

Mr. HUMPHREY. With a magazine article, even from an outstanding magazine.

I asked the Senator from South Carolina if I could see the article. The article is not at all conclusive. I should like to read the article, if the Senator will be kind enough to permit me to do so.

Mr. THURMOND. Madam President, the Senator has not seen the article. This is an editorial based on the article.

Mr. HUMPHREY. The Senator was looking at the editorial. Let us see what the editorial says. The editorial is not nearly as conclusive and definitive as is the Senator from South Carolina. It reads, in part:

> The possibility of Soviet development of such an ABM system based on high-yield testing that the United States has not matched is not in itself a reason for rejection of the treaty.

Perhaps I ought to repeat that.

Mr. SPARKMAN. I think it bears repeating. People should remember that statement.

Mr. HUMPHREY (reading):

> The possibility of Soviet development of such an ABM system based on high-yield testing that the United States has not matched is not in itself a reason for rejection of the treaty.

I continue to read from the editorial:

> There are alternatives that may be acceptable risks, such as increased procurement of Polaris submarines.

Mr. SPARKMAN. I was about to mention that as a part of the system as to which there is no breakdown.

Mr. HUMPHREY. The Senator from South Carolina was talking about the effects of high-yield explosions on Minuteman missiles and on our silos, yet one of the great developments of our missile capability today—really, the secret weapon, if one can call a weapon a secret weapon—the weapon the Soviet Union has not matched at all, is the Polaris submarine missile system. We are producing Polaris submarines at the rate of one a month. Each Polaris submarine carries 16 tubes. Each one of those Polaris missiles which comes out of each of the 16 tubes will "lay low" a city of the size of Moscow—will "rub it out."

I often wonder exactly how much explosive power would satisfy the U.S. Senate. We have reached unbelievable megaton ranges. The bigger the megaton range the greater the demand for some kind of acceptable risk.

I am of the opinion that the testimony by Dr. Harold Brown and by Dr. York, both of whom have had most enviable records in highest positions of this Government in the field of research, should be accorded considerable weight by the Senate. It should carry even greater weight than testimony given by a general. A general uses weapons. Scientists make them, measure them, and know what they are about.

With one or two exceptions, scientists who have responsibility for nuclear weapons favor the treaty. I submit that when one is trying to make a value judgment on evidence by the military and scientific experts, any measurement one uses on the treaty will support the treaty, because of all the generals and military men who have spoken out, as the distinguished chairman of the committee has pointed out—I think there were 14 whose voices were heard—only 2 spoke in opposition to the treaty.

I believe that there were only two or three scientists who testified in opposition to the treaty.

When scientists of the quality of Dr. Kistiakowsky, Dr. York, Dr. Harold Brown, Dr. Bradberry, and others testify in favor of the treaty, I do not think we can reject that testimony on the basis of even the best of articles, whether it be published in Missiles and Rockets, or Fortune, or any other magazine. I do not care what magazine it is.

Mr. THURMOND. Madam President, will the Senator yield on that point?

Mr. SPARKMAN. I will yield in a moment.

Since we are speaking of generals who have been heard, I should like to know whether the Senator from Minnesota agrees with me in the contention that although there are hundreds of generals who serve, under our governmental system the military authorities who are charged by law with the responsibility of advising us on military matters—strategy, security, and things such as that—are the Joint Chiefs of Staff, headed by the Chairman of the Joint Chiefs of Staff.

Mr. HUMPHREY. The Senator is obviously correct.

Mr. SPARKMAN. The Senator spoke of 14 generals, and of 2 being against the treaty. I do not remember any general testifying before our committee against the treaty. I do not know where the Senator got his information.

Mr. HUMPHREY. General Power is against the treaty.

Mr. SPARKMAN. Did he testify before our committee?

Mr. HUMPHREY. He is one of the field commanders who were questioned.

Mr. SPARKMAN. By our committee?

Mr. HUMPHREY. By the Joint Chiefs of Staff. The Joint Chiefs of Staff asked all the commanders in the field what they thought about the treaty, and if they had any views on it. As I recall, General Power, the head of SAC, spoke against the treaty. One officer said that he had no opinion, since he had not given it what he thought was adequate consideration. All of the other commanders, as will be seen from page 407 of the hearings, were for the treaty.

The chairman of the committee asked General LeMay a question in this regard. If I may, I will read it for the information of the Senate:

> The CHAIRMAN. General LeMay, do you know whether or not the commanders in the field, I believe they are referred to as unified commanders in the field, such as those at CINCLANT, Admiral Felt and other officers, have been requested to give their personal views on the acceptability of this test ban treaty?
>
> General LEMAY. Yes, sir; the Joint Chiefs asked their views on it and they were forwarded, I think, without exception.
>
> The CHAIRMAN. Could you tell the committee how these commanders in the field felt about this treaty?
>
> General LEMAY. I can't list them all word for word. I think generally most of them were in favor of it.

The testimony then goes on to reveal that one withheld his comment and that General Power, for whom we have great respect, was opposed to the treaty. General Power is commander of the SAC operations.

All the other commanders, all those who read Missiles and Rockets, all those who consult, were for it.

It seems to me that is a reasonably good body of evidence in support of the military aspects of the treaty.

I have constantly heard it said that militarily the treaty involves unacceptable risks. If so, we had better remove the field commanders, because this Senator had to take advice from those field commanders. If the treaty involves unacceptable military risks, and these commanders say that the treaty is acceptable, something is wrong, and the Commander in Chief had better take a look at what kind of commanders he has in the field. I think the Commander in Chief knows what kind of commanders he has in the field. They are reliable, experienced, able, competent commanders. Their advice was asked. Their advice was given. Their advice was in favor of the treaty.

Mr. THURMOND. Madam President, will the Senator yield?

Mr. SPARKMAN. Madam President, I appreciate the comments by the Senator from Minnesota in that regard. The Senator referred to General Power as being opposed to the treaty. General Power's superior said that he would favor it.

Mr. HUMPHREY. The Senator is correct.

Mr. SPARKMAN. Taking all military and political factors into consideration.

Mr. THURMOND. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from South Carolina.

Mr. THURMOND. We are all in favor of the Polaris program. I have supported the Polaris program vigorously. I expect to continue to do so.

The Polaris submarine does not fire its missiles at once in a salvo. The Polaris fires only one missile at a time.

Information published in the Washington Evening Star some time ago brought out that the Soviets have an antiballistic missile system at a certain city in Russia. Our intelligence reports showed, according to that article, that the antiballistic missile system at this particular city was capable of knocking down medium range missiles, that is, those with a range of up to 1,200 miles; and intermediate range missiles, that is, those with a range of up to 2,500 miles; and, under certain favorable conditions, intercontinental ballistic missiles, that is, those which will go from 5,000 to 7,000 miles.

If the Soviets continue to develop their present antiballistic missile system as they have already done, we can see that even with our Polaris system, which fires only one missile at a time, we shall be in jeopardy.

With regard to the various officers who testified, General Power testified in the Preparedness Investigating Subcommittee. Much of his testimony is classified. I cannot go into all the details. Again, I refer the distinguished Senator from Alabama to the classified committee testimony and urge that he read it. General Power said—and this is in the report of the Preparedness Subcommittee—that, in his opinion, the treaty is not in the best interest of the United States. That is General Power's statement.

Who is General Power? General Power is the man who is responsible for launching the missiles and the nuclear weapons, and other weapons, against the enemy. He is the one man in the whole free world—not only the United States, but the whole free world—who has a chance to try to save us and the rest of the free world. General Power is the man who would send these missiles through the air; he would send nuclear weapons by manned bombers from different points of the world; and he stated to the Preparedness Investigating Subcommittee, unequivocally, that this treaty was not in the best interest of the country.

I believe the Senator from Alabama said that his "boss" said he went along with the treaty. General LeMay did go along with the treaty, but what did he say? He said he would probably have recommended against the treaty had it still been in the proposal stage—this is, he was told to take into consideration the political aspects which he was not qualified to assess.

I wish to read two or three lines from General Power's testimony, because I think it is important for the people of America to know that this one commander, who is responsible for protecting this country, in delivering weapons on the enemy if an exchange begins, said:

> I feel that we have military superiority now, and I feel very strongly that this has resulted in a world that has been free from nuclear warfare. I have the lowest confidence factor that we can and will maintain that military superiority under the test ban treaty.

So he is very much concerned. He went even further in the Preparedness Subcommittee. I cannot go into his statement there.

We talk about the generals. I come next to General Schriever. Who is General Schriever? He has charge of the development of these missiles. He has charge of the development of our Air Force weapons systems. What did he say? He told the subcommittee that there are definite military disadvantages to the treaty, and that as a military man he felt he could protect the country better without the treaty than with it.

If we want to consider the treaty on political grounds, then one must put it on that basis if he is for the treaty. I say that one cannot consider it from a military standpoint and adopt it. It must be considered from the political aspect; that is, more weight must be given to political rather than military considerations.

There was another general who came before our committee.

By the way, did not the Senator from Ohio request that General Power be heard by the Foreign Relations Committee, and was not that request refused?

Mr. SPARKMAN. I cannot say. I will not say that he did or did not.

Mr. THURMOND. I am informed that that is the case.

Mr. HUMPHREY. Madam President, will the Senator yield on that point? Let us get the record straight.

Mr. SPARKMAN. I yield.

Mr. HUMPHREY. I do not believe that the immediate superior of General Power, who is General LeMay, is anybody's lackey. I do not believe he lies down and plays dead when somebody says, "Take my view." He is a man of conviction. He reported General Power's point of view. He also knew that he had testified before the Preparedness Subcommittee. General Power is an officer in the line. He does not control the country. He is under the command of General LeMay; and I think the chairman of the committee will say under whose command he is. There is a Commander in Chief, after all.

Mr. THURMOND. I feel General LeMay knows in his heart that he did not want the treaty, and that he would not have recommended it had it been in the proposal stage. The chairman of our subcommittee [Mr. STENNIS] pointed out Friday that he did believe the Joint Chiefs had their hearts in their subsequent testimony before our subcommittee in which this time they gave qualified endorsement based on political factors supposedly offsetting the military disadvantage they listed.

Mr. HUMPHREY. I protest that accusation of General LeMay. General LeMay is a man of conviction and honor. I do not think he would have come before 3 committees and testified in behalf of the treaty—recognizing the limitations and risks, but at the same time coming out for the treaty—unless he thought it was all right. These gentlemen are men of conviction. Many of them in the past have resigned when they disagreed with the civilian authorities. The Senator from Minnesota says General LeMay would not tell an untruth; he would not falsify the record; that he said what he believes; and that belief is in the record. He said he supported the treaty. The Senator can twist it and turn it inside out and outside in, but that is General Power's testimony on the treaty.

Mr. THURMOND. I do not twist and turn like the Senator from Minnesota. I am not accustomed to twisting and turning and using a lot of gab like the Senator from Minnesota. I am going to mention facts and not twist words as he has mine.

Mr. HUMPHREY. Madam President——

The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. SPARKMAN. Madam President, I have been trying to be quite generous in yielding.

Mr. THURMOND. I want to make this point in reply——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from South Carolina?

Mr. SPARKMAN. Let us keep to one point at a time. I yield to the Senator from South Carolina.

Mr. THURMOND. There was another general who testified, and that was General Twining. General Twining testified very strongly against the treaty. He is a former Chairman of the Joint Chiefs of Staff. He is not now directly under the gun, but he has been asked by the Air Force to head a committee to study matters of this kind, and they have been studying this question. He has been briefed recently with the latest intelligence. General Twining testified in a very magnificent manner and gave his reasons, very strongly, as to Soviet superiority in certain critical areas of nuclear technology and capability and as to why this treaty should not be adopted. I cannot go into the reasons here because the Defense Department has his testimony highly classified. Again I refer the Senator from Alabama and other Senators to the Preparedness Investigating Subcommittee hearings. All those who know General Twining know, I think, that he is a very able and distinguished man.

Admiral Burke, former Chief of Naval Operations, was before the subcommittee, and Admiral Radford, former Chairman of the Joint Chiefs of Staff, submitted a statement which was included in the record of the hearings of the Senate Foreign Relations Committee.

At least five officers of general or flag rank—General Power, General Schriever, General Twining, Admiral Radford, and Admiral Burke—testified against the treaty. We also received much valuable classified information from other military personnel in key and sensitive assignments.

Mr. HUMPHREY. Madam President, will the Senator yield?

Mr. SPARKMAN. I should like to say just a word on that comment. I have said it many times during the afternoon. I have been referring to the hearings befor the Foreign Relations Committee. I have drawn my citations from those hearings. They are what I consider to be the official hearings. The Foreign Relations Committee is the committee that has jurisdiction over treaties. It held hearings.

When I speak of the various witnesses who appeared, I am speaking about witnesses who appeared before that committee, and not some other committee at some other time, somewhere else. I am referring to witnesses who appeared before the Foreign Relations Committee. Our committee published notice of the hearings before they were started. Anyone could have replied. A bipartisan subcommittee of the Foreign Relations Committee decided upon the witnesses to be called. I believe a logical course was followed. We called first the Secretary of State. Then we took the testimony of the Secretary of Defense. Then we took the testimony of the Joint Chiefs of Staff, the chairman of the Joint Chiefs, the head of the Atomic Energy Commission, and the head of the Central Intelligence Agency. We took the testimony of outstanding scientists. We called in Dr. Teller as an independent witness.

We heard Dr. York. We heard Dr. Bradbury. We heard Dr. Foster. We did not select witnesses who we felt were either for or against the treaty. We selected witnesses who had knowledge and had policymaking responsibilities.

Mr. CARLSON. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CARLSON. I merely wish to confirm what the distinguished Senator has said about the hearings. There were 3 weeks of hearings. As one of the Senators who attended quite regularly, I wish to say that the distinguished Senator from Alabama was one of the most attentive at the hearings. He has just stated that we did not try to select the witnesses. We heard testimony for and against the treaty. We have over a thousand pages of testimony before us in the Senate. I feel that the hearings were very conclusive.

Mr. SPARKMAN. I thank the Senator. I appreciate his remarks. I said a while ago that I believe no member of the committee, except possibly the chairman, who was there practically all the time, heard more of the testimony than I did. I would put the Senator from Kansas in the same category, because he attended regularly. I was impressed by the hearings. I was impressed by the fact that these people were telling things as they saw them and as they understood the facts to be.

Mr. CARLSON. The distinguished Senator from Alabama was present practically all the time. I was not quite as often in attendance as he was, but I did attend most of the sessions.

Mr. SPARKMAN. If the Senator from Kansas was not present as often, he came very close to being there all the time. He was certainly present most of the time. I do not believe I ever attended hearings that were fairer or more adequate than these hearings.

Madam President, I am a lawyer. I practiced law before I came to Congress. I enjoyed practicing law. I was a courtroom lawyer. I know something about preponderance of evidence. Of course there were differences of opinion. Some of the experts saw things one way and some saw them in another way. When they started to draw conclusions, they drew differing conclusions. Some of the experts saw a risk involved where another expert saw no risk involved. So it went. However, when we look at the subject as a whole, and measure it from the standpoint of preponderance of evidence, I must say that I have never seen a case develop that had greater preponderance of evidence in favor of a matter than this one has in favor of ratification of the treaty.

As the Senator from Minnesota has said, the military experts are the advisers to the United States. The Chairman of the Atomic Energy Commission heads the Commission that has jurisdiction over that awful power. I mean "awful" in the right sense. It has vast powers and responsibilities. We also heard the head of the Central Intelligence Agency.

I wish to stress again that downstairs in the committee room are to be found transcripts of the testimony of Mr. McCone, the head of the Central Intelligence Agency; and any Senator who desires to do so may read the whole, unexpurgated testimony of Dr. McCone. The same is true of Dr. Northrup. His is perhaps among the most interesting of all the testimony given during the entire hearing. It would give a lift to Members of the Senate to go downstairs and read the testimony of Dr. Northrup.

Mr. CARLSON. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. CARLSON. The hearings would have been much more voluminous had all the testimony been printed.

Mr. SPARKMAN. Probably twice as big.

Mr. CARLSON. Much of the testimony was in executive session. If all of it had been printed, hundreds of pages of additional testimony would be before us.

Mr. SPARKMAN. Would not the Senator agree with me that it would give Senators a lift to read Dr. Northrup's testimony?

Mr. CARLSON. I agree completely. It was a revelation to me as to what was planned for the future.

Mr. SPARKMAN. When we talk about blackout, I am sure the Senator agrees with me that when we become pessimistic and think we have not been making headway with blackout, we find that there is no cause for pessimism.

The case has been strongly made. I believe it would be a terrible backward step, not only for the Senate, not only for the United States, but also for the world, and not only for this generation, but perhaps for many generations to come, and perhaps even for all generations to come. There might not be too many generations more to come. There may not be, unless we find some way to curb the terrible armaments race.

It may be that nations survive by strength, but not by military strength alone. Strength is to be measured in many different ways. It has been said that the treaty is a small step. It is, but it is an important step, a significant step.

I earnestly hope that the Senate will approve the treaty.

Mr. HUMPHREY. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. HUMPHREY. I wish to read into the Record, with the Senator's permission, testimony from pages 354 and 355 of the hearings, particularly the colloquy under the heading "Chiefs' Agreement With General Taylor's Statement." Senator Kuchel is doing the questioning at this point:

> Senator Kuchel. General LeMay, in the statement which General Taylor read to this committee several days ago, he said in part, and I quote:
>
> "The broader advantages of the test ban treaty have led the Joint Chiefs of Staff to conclude that it is compatible with the security interests of the United States and to support its ratification."
>
> Is that a correct statement of the position of the Joint Chiefs?
>
> General LeMay. I believe so; yes, sir.
>
> Senator Kuchel. It is fair to say that every member of the Joint Chiefs does support the ratification of the treaty?
>
> General LeMay. That is correct.

Then the Senator from California went on to ask whether any pressure had been brought to bear by the administration; namely, by the President, or the Secretary of Defense, on the chiefs of our military services.

The Senator from California said:

> But for the record, for the benefit of the people of the country, it is then true without qualification that in acting simply and solely to determine the best interests of the people of the United States, it is true that every member of the Joint Chiefs of Staff supports the ratification of the treaty.
>
> General LeMay. I would like to amplify a little bit on your question, Senator.
>
> First of all, as to the brainwashing. I would resent very much any attempt to put pressure on me to come up with an answer either way on this treaty. I recognize that I have not only a responsibility to the President and the administration but that I have one to the Congress and to the people of the United States also.
>
> So, I say again that here has been no pressure applied to me in this matter, and I have come up with the best possible answer that I could give based on all of the knowledge that I have in the military profession in nuclear science, and with all of the input that I could get from everyone who could talk intelligently on this subject.

On page 355, General Wheeler said:

> Senator, my position as regards pressure is exactly that of General LeMay. I, too, would resent any pressure being put upon me.

He further said:

> All of us have reservations in this area. I think the reservations are well spelled out in the paper which we presented to the Congress. In the purest sense of the term any agreement or treaty which limits the manner in which we develop our weapons systems represents a military disadvantage.
>
> On the other hand, there can also be military advantages, and certainly there can be political advantages, to the overall good of the country. I think General LeMay is correct in saying that each of us probably assessed the various risks and the various advantages with a slightly different weight.
>
> However, the net result you can read. We all agreed that in toto the treaty is acceptable.

Then we come to Admiral McDonald:

> Admiral McDonald. I have nothing to add to what General LeMay and General Wheeler have stated other than to say for myself that no pressure whatsoever was put upon me.

General Shoup, Commandant of the U.S. Marine Corps, also responded.

General Shoup made it quite clear. He said:

NO "PRESSURE" FELT

> General Shoup. I agree with that statement. I would like to—I suppose this is the time, if I came back here to say something this is the time to say it.
>
> I hold a very unique position amongst the other service chiefs inasmuch as the likely value of my views and counsel has been limited by legislation to the matters in which I declare the interests of the Marine Corps are directly involved.
>
> In this particular item I did not take the position of direct concern. However, I did avail myself of the opportunity and privilege of being present during all the discussions.
>
> In addition I was called for by the Commander in Chief and the Secretary of Defense in person and in private and I presume that if pressure was being used I would have found it out.
>
> There was no such indication whatsoever.
>
> I would like to make one other statement. That I believe that there is a possibility of getting our orientation too closely frozen to this business of a nuclear exchange.
>
> Obviously, we want to avoid nuclear blackmail, and it is by these safeguards that are stated here that is intended to be provided for.

FIFTH SAFEGUARD TO FIGHT COMMUNISM

> Nevertheless, I would like to point out that I believe one of the main purposes of our Government is to prevent the spread of communism and the Communist system.
>
> Then I would like to call to your attention the fact that communism has not yet been spread by the use of nuclear weapons, and I think a fifth safeguard is an essential one at this time and that is our efforts should be tripled against the spread of communism by methods other than the use or the threat of nuclear weapons.
>
> Senator Kuchel. Thank you, sir. Both you and Admiral McDonald do then support the ratification of the treaty?
>
> General Shoup. I do.
>
> Admiral McDonald. I do.

Madam President, if we are to talk about retired military officers—and retired military officers have a fine and unique role in American life—I should like to cite a statement by a retired military officer who was not only a five-star general, but also was a commander in chief of the U.S. Armed Forces—General Eisenhower. General Eisenhower was commander in chief when General Twining was chairman of the Joint Chiefs of Staff. General Eisenhower supports the treaty.

If we are to look for retired military officers, I think we can find some quite responsible ones in American society who support the treaty. General Eisenhower supports it. General White, of the Air Force, supports it. The Joint Chiefs of Staff, who have access to intelligence information in the year 1963—not 1953 or 1958—support it.

Mr. SPARKMAN. In connection with the statement by the Senator from Minnesota, not only does General Eisenhower support the treaty now, but when he was commander in chief he proposed almost the identical treaty.

Mr. HUMPHREY. Exactly.

Mr. SPARKMAN. He supported it strongly then.

Mr. THURMOND. Madam President, will the Senator yield on that point?

Mr. SPARKMAN. I yield.

Mr. THURMOND. Was not that before the Russians conducted the big high-yield tests in 1961 and 1962?

Mr. SPARKMAN. Yes. But even following those tests, our military officials, who have the responsibility for advising us, and our scientists deliberately decided that we did not want to go to the high-yield tests.

There is another point I have not mentioned. I am sure it has been mentioned in the course of the debate. The Senator from Minnesota read from the testimony of certain members of the Joint Chiefs of Staff. The Senator will remember that General Taylor, as well as various other members of the Joint Chiefs of Staff, told the committee that they were consulted frequently in the course of making ready for the treaty; that is, they were consulted on matters involving the treaty. We were told that they actually helped prepare the directive under which Mr. Harriman went to Moscow.

Mr. HUMPHREY. General Taylor told us that he was in daily communication by cable.

Mr. SPARKMAN. I believe General Shoup testified—I do not think the Senator read this part—that he was kept informed of every single word that went into the treaty, and that he endorsed every one of them. The Joint Chiefs of Staff told us that they were kept in daily touch. General Taylor was advised daily. He saw all the dispatches, and he in turn passed the word on to the staff Chiefs. They knew at all times what was taking place. The treaty was endorsed throughout the proceedings.

I have never seen a treaty so thoroughly considered by all those concerned and taking part in it as this particular treaty.

Mrs. SMITH. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. PELL in the Chair). Does the Senator from Alabama yield to the Senator from Maine?

Mr. SPARKMAN. I yield.

Mrs. SMITH. I thank the distinguished Senator from Alabama for his response to my question. I have listened to a part of his statement, and shall read the rest of it and give it my most earnest attention and study.

Mr. SPARKMAN. I am grateful to the Senator from Maine. I feel that the whole Senate should be grateful to the Senator from Maine, because she has put her finger on some of the most compelling and pertinent questions with which Senators were faced. Some of the questions propounded by the Senator from Maine were asked in almost the exact form as the questions propounded here. I believe every single one of them was asked of the military representatives, scientists, and various other persons who came before the committee. I have not picked out all the answers, but I have tried to select what I thought was the predominant opinion expressed by those who were in a position to know in giving answers to Senators.

As I said a few minutes ago, it is, of course, recognized that when this proposal is considered from one standpoint or another, disadvantages are found. I like the concluding paragraph of the report that was made by the Preparedness Investigating Subcommittee, of which I believe the Senator from Maine is a member. It reads:

> Although we have concluded that there will be a net military disadvantage to us if the treaty is ratified, we recognize the existence of other factors which, while not within the scope of this report, are pertinent to a final judgment on the treaty.

The report then continues with a fine discussion of the subject. I agree with the statement in full. We do not live in a little world, where we can choose our individual environments. We must take everything into consideration. We cannot live in a purely military world. Political factors are illustrated many times over in places where we have military obligations today. They are mixed and intermixed, so that we are almost unable to disentangle political from military factors. The political and military factors are mixed. As the Senator from Minnesota said a while ago, we are living in 1963, at a time when both sides are heavily burdened with thermonuclear weapons; when the world could be destroyed and civilization could be destroyed if something went wrong. We cannot totally disregard any particular side or facet or factor. We must consider them all. That is what I have tried to do. That is what I believe the witnesses generally have tried to do.

Mrs. SMITH. Mr. President, it is a privilege to be a member of the Preparedness Investigating Subcommittee. Although I have not come to a decision on the treaty, I did sign what I considered to be a fine report. I have appreciated serving under the chairmanship of the distinguished Senator from Mississippi, who rendered outstanding service. The committee heard many witnesses whom the Committee on Foreign Relations heard.

While I am studying the response of the distinguished Senator from Alabama, I have more questions that I wish to ask, if I may, and if he will be patient with me.

Although I am not a lawyer and have had no legal training, there are certain ambiguities in the nuclear test ban treaty that raise questions. The wording of the treaty raises these questions, and I hope that before the debate has been concluded, legal answers will be supplied to these questions.

Mr. SPARKMAN. I thank the Senator from Maine. I have watched the subcommittee under the chairmanship of the able Senator from Mississippi [Mr. STENNIS], and I know that he would perform only a first-rate service. I discussed the matter with him before our committee ever started hearings on the treaty. I have a very high regard for the subcommittee's report; and I have been glad to quote the last paragraph therein, which I think is a very significant statement by the subcommittee.

Mr. THURMOND. Let me say that while the distinguished Senator from Alabama was going over his points, I assumed that he was going to answer each one of the points raised by the distinguished Senator from Maine. He started with a few, but he did not take up all of them. Is he putting the rest of them in the RECORD?

Mr. SPARKMAN. Does the Senator have a copy of my remarks?

Mr. THURMOND. I do not yet have a copy.

Mr. SPARKMAN. I now hand the Senator one.

Mr. THURMOND. I was going to take them one by one and ask questions on them.

Mr. SPARKMAN. I would not mind going through all the points, but I felt it would be an imposition on the numerous Senators who have been waiting for an opportunity to speak. I thought the Senator from South Carolina had a copy of my speech.

Mrs. SMITH. Mr. President, I ask unanimous consent to have printed in the RECORD at this point my further questions.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SMITH

SOME QUESTIONS RAISED BY THE WORDING OF THE NUCLEAR TEST BAN TREATY

I

Under the wording of the first paragraph of article I of the treaty each of the parties to the treaty undertakes to prohibit, to prevent, and not to carry out any nuclear explosion, "at any place under its jurisdiction or control:

"(a) in the atmosphere; beyond its limits, including outer space; or underwater, including territorial waters or high seas; or."

Questions raised:

1. Could a party to the treaty carry out a nuclear explosion in the atmosphere above an uninhabited island not claimed by it and justify its action upon the ground that the explosion did not occur at a place under its jurisdiction or control?
2. What nuclear explosions in outer space are banned by this paragraph in view of the fact that outer space, and particularly the more remote regions thereof, is not considered to be within the jurisdiction or control of any nation? If Russia explodes a nuclear device in outer space and we claim that such action is prohibited by this paragraph, are we placed in a position where we must simultaneously admit that Russia has jurisdiction over or controls the particular region of outer space in which the explosion occurs?
3. Would a nuclear explosion underwater in the middle of the Pacific Ocean be barred by this paragraph in view of the fact that the high seas are not considered by nations to be within the control or jurisdiction of any particular nation?
4. Does the ban on "any other nuclear explosion" prevent us from operating atomic energy plants for the production of electricity, the steamship *Savannah*, or any atomic submarine, all of which are operated by means of controlled atomic explosions?
5. Will we be branded as a violator of the treaty if we have an accidental explosion at one of our atomic energy plants?

II

If section I of article I means what it appears to say, and relates only to nuclear explosions carried out by a party at a place under its jurisdiction or control, it becomes necessary to look elsewhere in the treaty for language prohibiting a party from carrying out explosions at places not under its jurisdiction or control.

Paragraph 2 of article I of the treaty does not contain the limiting language "at any place under its jurisdiction or control" and would therefore have much wider application than paragraph 1 of that article, if it is the intention of the parties that it should apply to direct acts of the parties as distinguished from indirect acts of the parties. The explanation of paragraph 2 contained in the letter to the President from the Acting Secretary of State, dated August 8, 1963, and containing an explanation of the treaty, indicates that paragraph 2 was designed to be applicable to indirect action but does not state flatly that it does not apply to direct acts (see Executive M, 88th Cong., 1st sess., p. 6).

Questions raised:

1. Does paragraph 2 apply to direct acts of the parties or only to indirect acts of the parties? For example, does it apply to a nuclear explosion by Russia in the atmosphere above Russian soil or is it intended to apply only to such a situation as a nuclear explosion by the Communist Chinese regime in the atmosphere above China which is caused, encouraged, or participated in by Russia?

2. If paragraph 2 does apply to direct acts of the parties, how do you resolve the conflict between its provisions, which are not limited by the phrase "at any place under its jurisdiction or control", and the provisions of paragraph 1, which are limited by such phrase?

III

Article IV of the treaty provides that a party desiring to withdraw from the treaty must give notice 3 months in advance.

Question raised:

If the U.S. decides to withdraw from the treaty because it has irrefutable evidence that Russia has violated it, would we not be compelled to wait 3 months before resuming nuclear testing unless we were willing to risk being branded as treaty violators?

(At this point Mr. PELL took the chair as Presiding Officer.)

Mr. DOUGLAS. Mr. President, the test ban treaty imposes a solemn responsibility upon all Senators. If Russia has been able to develop an antiballistic missile during the 2 years in which she broke the informal moratorium, she would be able to launch a devastating attack upon us and largely parry our counterattack. We would then lose our deterrent and expose ourselves to terrible devastation.

These are questions which have deeply disturbed me during this last week. I do not know whether these suspicions are true. They may be or they may not be.

On the other hand, the case for ratification is strong since rejection would greatly damage our international position and acceptance would greatly reduce radioactive fallout and offer some opportunity for cautious yet constructive steps toward peace.

To my mind, with some genuine doubts, on balance the treaty is in the interest of the United States. Therefore, I will vote for it. Certainly it is now Russia's turn to demonstrate good faith, while we should not let down our guard.

THE AMERICAN REVOLUTION OF 1963—AN NBC DOCUMENTARY

As in legislative session,

Mr. HICKENLOOPER. I have a copy of a letter, Mr. President, from Robert M. L. Johnson, the mayor of Cedar Rapids, Iowa, which is my hometown. The letter was written on September 12, 1963, to Mr. Robert Kintner, president of the National Broadcasting Co., 30 Rockefeller Plaza, New York City.

I ask unanimous consent that the letter be printed in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CITY OF CEDAR RAPIDS,
Cedar Rapids, Iowa, September 12, 1963.

Mr. ROBERT KINTNER,
President, National Broadcasting Co.,
New York, N.Y.

DEAR MR. KINTNER: A few observations concerning the 3-hour documentary presented by your network on September 2, 1963, "The American Revolution of 1963."

At one point in the program Dr. Wendell Cotton, a Negro orthodontist from Los Angeles, Calif., reviewed his experiences and stated that while driving from Chicago to California he was refused motel accommodations in Cedar Rapids, Iowa. There was no further explanation, to my knowledge, regarding this incident. I have just completed a telephone call to Dr. Cotton in which we reviewed the incident referred to in your network program, and I was somewhat shocked when Dr. Cotton told me the incident happened in 1947—16 years ago.

Furthermore, Dr. Cotton told me the incident did not happen in Cedar Rapids but rather on the outskirts of the city. Dr. Cotton also told me that a gentleman who heard the discussion at the motel offered to take him back to Cedar Rapids and to a friend's house where he could spend the night with his good wife and 6 weeks old baby.

Dr. Cotton told me that he did accept that offer and that he did spend the night in a Cedar Rapids home.

Whether or not your research people had all of these facts I do not know but as mayor of this city I can say without reservation that the impression left by your network across the Nation is one of discrimination prevalent in Iowa, despite the fact that Iowa is recognized as having one of the best public accommodations laws in the Nation.

In my opinion, the NBC report was unfair, prejudiced and did not accurately portray "The American Revolution of 1963." I might add here that I am a former radio-television newscaster and newspaper reporter.

I will be most appreciative of any response explaining NBC's editorial judgment that you may be inclined to forward to me.

Yours for good government,
ROBERT M. L. JOHNSON,
Mayor.

Mr. HICKENLOOPER. Mr. President, in deference to the Senator from Pennsylvania, who is waiting to speak, I shall not read the entire letter, but I do wish to call the attention of the Senate to some of the unfortunate distortions that occur from time to time in what otherwise should be completely objective news media.

On September 2, 1963, the National Broadcasting Co. televised a 3-hour documentary called "The American Revolution of 1963."

As Mayor Johnson points out:

> At one point in the program, Dr. Wendell Cotton, a Negro orthodontist from Los Angeles, reviewed his experiences and stated that while driving from Chicago to California he was refused motel accommodations in Cedar Rapids, Iowa. There was no further explanation.

Mr. Johnson further writes:

> I have just completed a telephone call to Dr. Cotton in which we reviewed the incident referred to in your network program, and I was somewhat shocked when Dr. Cotton told me the incident happened in 1947—16 years ago.
>
> Furthermore, Dr. Cotton told me the incident did not happen in Cedar Rapids but rather on the outskirts of the city. Dr. Cotton also told me that a gentleman who heard the discussion at the motel offered to take him back to Cedar Rapids and to a friend's house where he could spend the night with his good wife and 6-week-old baby.

Mr. Johnson goes on to say that he believes it is stretching somewhat the timely comment on a subject of this kind by including in a documentary that is supposed to be up to date, and is presented as present fact, something that happened 16 years ago, but without any explanation to the public that it was an antiquated and ancient incident which apparently was reasonably happily resolved at that time. However, it was not so presented in the documentary.

Mr. President, this is not the first time that so-called documentaries have used propaganda, distorted the facts involved, or failed to give full representation or disclosure of the facts, in order to promote certain issues those in charge wish to present to the public.

SALE OF WHEAT BY CANADA TO THE SOVIET UNION

As in legislative session,

Mr. HUMPHREY. Mr. President, at 11 o'clock this morning the Canadian Minister of Trade and Commerce announced an agreement to sell a record amount of wheat to the Soviet Union. The agreement calls for delivery to Russia of 239 million bushels of Canadian wheat and wheat equivalent of flour by July 31, 1964. This sales agreement, including a smaller one of 11 million bushels announced earlier this month, represents a forthcoming movement of Canadian wheat to the Soviet Union totaling $500 million. The terms of payment are favorable—25 percent down, with the balance in three equal 6-month installments.

The Canadian wheat sale has considerable meaning to Canada, in terms of her farmers, her overflowing storage facilities, and her foreign exchange earnings. A press dispatch from Ottawa quoted Mitchell Sharp, the Trade Minister, as saying that the new wheat purchase by the Soviet Union is equal to two-thirds of total Canadian wheat and flour shipments made in the entire 1962–63 crop year. He said it will bring Canadian wheat exports in the 1963–64 crop year ending next July 31 to a record 550 million bushels—nearly all of it sold for dollars—as compared with the existing record of 408 million bushels in the 1928–29 crop year. Also, and this is certainly most significant, this year's exports are expected to bring Canada foreign exchange earnings of more than a billion dollars. While the United States is expected to export 650 to 700 million bushels of wheat in fiscal year 1964, only 200 to 250 million bushels of this will be sold for dollars.

I bring this transaction to the attention of the Senate because it directly points up an important direction in world wheat trade in which the United States is not a part. Wheat and other grains are moving in tremendous quantities from the West to the East, but we in the United States—despite our tremendous productive capacity and our big reserves and our competitive prices—are being bypassed. The reason we are being bypassed is our export policy—a policy that is antiquated, a policy that is not in the best interests of this country, a policy which, if pursued, will deny us an opportunity to use our productive capacity either for the good of ourselves or for the good of anybody else.

The time is long overdue for a complete reexamination of our outdated export policy. It is not suitable for present conditions and must be changed if we are to share properly in world markets.

Mr. President, wheat is not what I would call a military item. It just so happens when the Secretary of Agriculture visited the Soviet Union recently, he had intended to visit what are known as the new lands, the areas that in recent years have been put under the plow, for the purpose of producing wheat.

His itinerary was charged by the Soviet Government. I gather the reason is quite clear now—a reason the Weather Bureau of our Government might well have reported to the Congress or to the executive branch, and most likely did.

(At this point Mr. McGovern took the chair as Presiding Officer.)

Mr. HUMPHREY. Mr. President, the Soviet Union has experienced a crop failure. Poland is experiencing one. A drought has gripped the entire area. What the leaders of these countries had hoped to be a bumper crop became a poor crop. Today the Soviet Union finds itself, as China did 2 years ago, in desperate need of cereals. Two years ago the Canadians sold hundreds of millions of bushels of wheat to China. They sold it for dollars—for gold—not for Chinese yen. And they are not selling it now to Russia for Russian rubles. They are not giving it away, either.

China received the wheat; Canada received the dollars. Canada emptied her surplus bins. Last year the Canadian Government asked the Canadian wheat farmers to produce as much wheat as they possibly could. At the same time our Government was asking the American wheat farmer in a referendum to accept drastic cutbacks in acreage and production.

The American wheat farmer turned the proposal down. We must respect that decision. I will not be a party to penalizing that farmer or in any way criticizing him or chastising him. He was given one choice and he turned it down. I think it is about time our Government gives our farmers another choice—to let the American wheat farmer do business instead of keeping him under controls, regulations, supply management, and restrictions which he does not like, and instead of having our granaries overflowing, at a cost to the taxpayers of hundreds of millions of dollars a year for storage; and also for millions of bushels of wheat that are damaged due to rodents, vermin, or weather. It is time for us to examine the validity of an export policy—by Congress and by the executive branch—which makes it exceedingly difficult, if not impossible, to export grains to the Soviet Union and its satellites, which are willing to pay for it with hard currency, at a time when we have a shortage in our gold reserves; at a time when we have a deficit in the balance of payments; at a time when severe economic problems face our wheat farmers in the coming year. The present occupant of the chair [Mr. McGovern] knows, because he is from South Dakota, that the price of wheat could drop to $1 or $1.25 a bushel next year—when we face a bumper wheat crop.

Mr. President, I do not criticize Canada. Canada is one of the great free nations of the world. Canadians are as loyal to the principles of democracy as any country in the world. The Canadians were our allies in two world wars. The Canadians have stood by us in every area, national and international. The new Government in Canada is friendly to our Government. But, today it sold $500 million of its wheat on terms of 25-percent down and the balance to be paid off in three equal installments at 6-month intervals. This is short-term credit.

We should take a look and see what is wrong with our trade policy. I protest this Government's action—or its inaction—in failing to bring these policies up to date. I call upon our Government—the President, the Secretary of Agriculture, the Secretary of State, the Secretary of Commerce, and the Congress itself—to reexamine our trade policy and explore the possibilities of expanding foreign trade in food products in the Soviet sphere.

Mr. President, I ask unanimous consent that a news article entitled "Canada Planning To Sell Russia $500 Million Worth of Wheat," written by Philip Shabecoff and published in the New York Times, September 14, 1963, be printed at this point in the Record.

There being no objection, the news article was ordered to be printed in the Record, as follows:

Canada Planning To Sell Russia $500 Million Worth of Wheat

(By Philip Shabecoff)

The Canadian Government is expected to announce today or tomorrow a wheat sale to the Soviet Union that may run as high as 250 to 300 million bushels, trade sources here said yesterday.

These sources said this would be the largest single wheat sale ever transacted. Its value would be at least $500 million.

Earlier yesterday, the Canadian Wheat Board acted to suspend all operations in oversea sales of wheat after October 20, indicating that a massive sale would be forthcoming.

Exporters here said that Russia, normally an exporter of wheat, was being forced to import wheat this year because of a severe crop failure caused by drought.

The Soviet Union has denied any extensive crop failure. However, it had already purchased 1 million tons of wheat from Australia before it opened negotiations with the Canadian Government.

One trade observer said yesterday that "at this point Russia will take wheat from any place she can get it, including the United States."

The Soviet Union reportedly has already chartered ships to carry wheat from both Canadian coasts starting in October. Tramp steamer rates have been rising in expectation of heavy shipments.

Earlier this summer Canada completed a 187-million-bushel sale to Communist China for delivery over the next 3 years. Canada also has contracted for heavy exports to Poland. The total Canadian wheat crop for 1963 has been estimated at about 700 million bushels.

The head of the international department of a leading wheat exporting concern asserted that the huge Russian wheat purchases coupled with the poor Western European wheat crop this year add up to "a fundamental change in the world wheat situation this year." He said the wheat requirements of normally exporting areas would create "tremendous opportunities for North American wheat."

"Two weeks ago American wheat was a dead issue," the executive said. "Today it is a red-hot item."

Grain futures traded in Chicago have made substantial gains in the last week.

Walter C. Klein, president of the Bunge Corp., an international export grain concern, said last night that 'in our opinion the ultimate implications of the large unexpected demand for wheat behind the Iron Curtain will be very favorable in terms of reducing the free world's burdensome wheat-surplus—including that of the United States. This coming, by coincidence, at a time when Western Europe is in trouble with their own wheat crop will enable the United States to sell to the Western World quantities not visualized just a few weeks ago."

Most of the major wheat exporting companies contacted last night expressed a strong interest in selling to the Soviet Union. However, they consider the attitude of the Kennedy administration toward such sales as problematical.

Under the U.S. export control program, such sales must be made under a Government license. This license has been very difficult to obtain in the past.

One trade official speculated that Secretary of Agriculture Orville L. Freeman may have discussed sales of American wheat when he met with Premier Khrushchev on his recent trip to Russia.

Reports from Washington, however, indicated yesterday that Secretary Freeman did not talk about American wheat sales while in Russia.

Mr. PELL subsequently said: Mr. President, I wish to add my word of support for the thoughts expressed by the Senator from Minnesota concerning the sale of grain to Russia.

DREW PEARSON AND THE COMMUNIST LINE

As in legislation session,

Mr. THURMOND. Mr. President, if there is one thing for which I have a distinct distaste it is reading Drew Pearson's column. The principal reason why I do not waste time reading it is that I have never come to appreciate fiction over fact, and as is generally recognized, Mr. Pearson and his associate, Jack Anderson, deal predominately in fiction and twisted facts rather than facts and truth.

Some who read Mr. Pearson's column on the funny page in the Washington Post do call various of his columns to my attention, especially when they parrot the Khrushchev line, as many of Mr. Pearson's columns do. In a recent series of columns, written from the Soviet Union, Communist satellite countries, and from Turkey, Mr. Pearson has again shown himself to be Mr. Khrushchev's "Goebbels." This may be a harsh statement to make, Mr. President, but I believe that a perusal of these columns will convince any objective reader that the "Communist line" on the wonderful life under communism, Mr. Khrushchev's fervent desire for peace, and the advantages of accommodation with communism constitutes the major thrust of these columns.

Even Mr. Pearson recalls in one of these columns that on an earlier visit by him with Mr. Khrushchev, at his Black Sea resort in 1960, he reported back to America that we in this country had a wonderful opportunity to make peace with his friend, Mr. Khrushchev. Mr. Pearson contends that the proposed test ban treaty confirms his earlier position, but he overlooks the intervening acts of perfidy by Mr. Khrushchev—in Berlin, Cuba, and southeast Asia—as he usually does.

Mr. President, I ask unanimous consent that the following Pearson columns be printed at the conclusion of these remarks:

"Soviet To Reduce Arms, K. Says," August 21, 1963.

"K. Stresses Question of Germany," August 22, 1963.

"Leave the Chinese to Us, K. Says," August 23, 1963.

" 'Socialist Life' Keeps K. Young," August 24, 1963.

"Record Cited in Support of Russian Regard for Treaties," August 31, 1963.

"Farm Cooperatives Succeed in Rumania, September 2, 1963.

"Rumania Is Opposed by State Department," September 4, 1963.

"History Links Arms Races to War," September 7, 1961.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 to 8.)

Mr. THURMOND. Mr. President, I also call to the attention of my colleagues a vindictive column against three U.S. Senators written by Mr. Pearson on September 13, entitled "Will J. F. K. Keep Turning His Cheek?" The column is typical of Mr. Pearson's warped reasoning that all U.S. Senators should be susceptible to being bought off by administration favors and attentions, and that they are ingrates if they do not feel so bound, even though their integrity may not permit them to subscribe to Mr. Pearson's dubious code. I am confident that Members of this body will resent Mr. Pearson's insinuation that the distinguished junior Senator from Florida [Mr. SMATHERS], the distinguished senior Senator from Georgia [Mr. RUSSELL] and the distinguished junior Senator from Mississippi [Mr. STENNIS] could be bought off by what he reports to have been administration efforts to influence their actions in the U.S. Senate.

I am also sure, Mr. President, that the Members of the Senate will likewise take offense at Mr. Pearson's statement over station WTOP-TV yesterday to the effect that the distinguished junior Senator from Louisiana [Mr. LONG] and the distinguished junior Senator from Mississippi [Mr. STENNIS] are standing against the test ban treaty for "purely political reasons."

Mr. President, I realize that by paying these questionable tributes to Mr. Pearson that I will probably soon be making headlines on both the funny and editorial pages of the Washington Post. Nevertheless, Mr. President, I feel that too little attention is devoted to exposing this "great exposer," and his journalistic leprosy.

EXHIBIT 1

[From the Washington Post, Aug. 21, 1963]

SOVIET TO REDUCE ARMS, K. SAYS

(By Drew Pearson)

GAGRA, U.S.S.R.—Premier Nikita Khrushchev has informed me, in the first exclusive interview he has given since the test ban treaty, that the Soviet Union will proceed with arms reduction whether the United States reduces or not.

"In the field of economics we will compete with you, but we won't compete with you on war preparation," he said.

The interview took place near the dark blue water of the Black Sea beside Khrushchev's beautiful swimming pool—which he demonstrated to Agnes Meyer, who participated in the interview. The Communist leader was very frank and friendly and careful to say nothing that might upset the new era of better understanding between the United States and Russia. He also discussed Berlin, a possible summit meeting, the late Pope John, and prevention of surprise attack.

His statement on unilateral disarmament came after I recalled a previously published admonition by President Kennedy to Air Force Gen. Curtis LeMay that generals did not need the capacity to destroy Russian cities several thousand times.

"General LeMay knows full well his capacity for overkill," replied Khrushchev, using Pentagon parlance. "But he's under pressure from the arms monopolies, which are trying to get as many war orders as possible.

"Regardless of whether the United States stops increasing its arms budget or not we are going to stop increasing ours because we have enough of all these things. You have a lot of dollars and you can go on spending but we will not do that. In the economic field we will compete with you, but we won't compete with you in war preparation.

ARMS RACE ABSURD

"I believe President Kennedy said the United States could destroy the Soviet Union several times; I can't remember how many times. He also said the Soviet Union could destroy the United States several times. Now, isn't this convincing proof that the arms race is absurd?

"Even without an agreement with the United States, we are not going to spend all this money on arms. For 1964, we will have an arms budget at the same level of 1963 or even less, and in 1965 we will probably reduce allocations for the military even further.

"I will tell you about an episode which occurred about 2 years ago when we were discussing the reduction of arms. This was a discussion inside our own Government. Some said it was better to link arms reduction with the disarmament talks in Geneva, but we finally told our people it was better to handle it unilaterally because if we tied arms reduction to the talks at Geneva, we would never get anywhere.

"This is what happened. The Geneva talks are still going on but we've reduced arms unilaterally. We've saved fantastic funds and our firepower is not weaker. It is greater.

"The military," Khrushchev concluded, "sometimes don't know when to stop."

The above appears to confirm reports that Khrushchev was having arguments with Red army leaders. He gave me a hint of this when he told me 2 years ago that military leaders wanted to resume nuclear testing. It was also reported after the Cuban crisis that it was the Red army which insisted on placing missiles in Cuba.

CAN'T UNDERSTAND J. F. K.

Khrushchev was in an entirely different mood than when he talked beside the same swimming pool 2 years ago. That was right after his abortive talk with Mr. Kennedy in Vienna, when he was greatly concerned over Mr. Kennedy dispatching additional U.S. troops to West Germany and his increased budget for long-range bombers.

At that time Khrushchev had told me, "I can't understand your young Mr. Kennedy. He has increased his military budget twice since he came into office. However, for every American soldier he sends to West Germany, we can send two to East Germany, for we are closer than you."

This time, however, Nikita Sergeevich, as he is affectionately called by the Russian people, was far more friendly to Mr. Kennedy. When I asked him about the possibility of inviting Mr. Kennedy to Moscow he indicated this was up to Mr. Kennedy.

"I don't think I can give you a direct reply," he said. "There is another party which should be asked first."

Regarding a summit meeting, he continued, "I never object to one provided the intentions of the participants are good."

I shall report Thursday on Khrushchev's views on Berlin and steps for increasing better relations between the United States and Russia.

EXHIBIT 2

[From the Washington Post, Aug. 22, 1963]

K. STRESSES QUESTION OF GERMANY

(By Drew Pearson)

GAGRA, U.S.S.R.—The last time I interviewed Khrushchev on the shores of the Black Sea, the Berlin crisis was at its peak and he gave his ideas on the Berlin problem with considerable vigor.

This time he was more sympathetic, though still emphatic that the German question was the key to European peace.

"The German question is like a case of appendicitis," he said. "Everyone understands it's harmful but the patient doesn't want to be operated on, so he walks around and aggravates his disease.

"Everyone wants a settlement on the German question. It would improve relations not only between the United States and the Soviet Union, but all countries. I am sure this is the wish of President Kennedy.

"It would seem quite reasonable to let the people of West Berlin," he replied, "a peace they wish, but along comes Adenauer and objects. He then starts bargaining between Kennedy and De Gaulle and Berlin becomes a pawn.

"However, it is inconceivable that we should have war. Why should we go to war over Adenauer's claims?"

When I asked Khrushchev for his present ideas of settling Berlin, he replied, "A peace treaty should be signed between the two German states. One goes toward capitalism and the other goes forward to socialism. But we must let them work out their future. We must sign a treaty guaranteeing routes of access and guaranteeing noninterference in their internal affairs. We must give West Berlin a chance to develop the way it wants.

"This will be a reasonable solution. It would not infringe on either of the two states, but would give them a chance to develop as they wish. We want Germany to become a Socialist state. You want Germany to become a capitalist state. This cannot be arranged around a round table." I didn't understand the translation of this and asked for an explanation.

A TABLE OF ANY SHAPE

"You got me wrong," explained Mr. K. "I was ironic about the round table. The shape of the table has nothing to do with it. It will not help us to talk at a table of any shape. No side will yield, so the only solution is to sign a peace treaty and let Germany work out its own solution."

"Would this mean that Bonn would give up its demand for reunification?" asked Agnes Meyer, who participated in the interview.

"Yes, this is so," replied Khrushchev, "but there again in a peace treaty we can meet the national wishes of the people and there can be unification of the two German states provided there is agreement between the two German governments.

"On what basis will they agree?" Khrushchev asked, then answered his own question: "Maybe capitalistic, maybe socialistic. It is up to them to discuss and decide."

I asked him whether he and Dean Rusk made any progress in settling these matters.

"No," he replied. "We've only exchanged views. We decided not to bring up this question now, not until the test-ban treaty has been disposed of. Then we will proceed to other questions. We also decided to pay some attention to the nonaggression pact between NATO and the Warsaw Pact nations, but we didn't decide anything except to come back and discuss it all later."

GERMAN QUESTION FIRST

I asked whether there was any priority regarding which subject should be discussed first. Mr. K. replied, "These matters are not linked in any way. Of course, it would be more desirable to discuss the German question first because it is a major one. Discussion on a nonaggression pact is easier. It is a moral matter."

I recall a conversation with Mayor Willy Brandt in West Berlin last year in which he advocated putting part of the United Nations in West Berlin.

"I have said we favor the deployment of part of the U.N. in Berlin," Khrushchev observed, "but that does not mean there will be no control at the border dividing Berlin. All states have their borders and guard them and it is time for the West to get used to that fact. East Germany will guard its border."

When I asked Khrushchev about reports that he might visit Pope Paul, he left the door open with this reply:

"Replying in office-like language, I may state that so far my plans do not include such a visit." Then he went on to say, "The late Pope John was a man of whom it might be said 'He felt the pulse of the time.' He was much wiser than his predecessor. He understood the times we live in."

Khrushchev discussed the question of mutual trust and, briefly, Red China, as will be reported on Friday.

EXHIBIT 3

[From the Washington Post, Aug. 23, 1963]

LEAVE THE CHINESE TO US, K. SAYS

(By Drew Pearson)

GAGRA, U.S.S.R.—Chairman Khrushchev was extremely frank when I interviewed him on the shore of the Black Sea except on one point—Red China. Here he was humorous but cagey.

I opened the subject by asking whether China, now out from under the wing of the Soviet, might cause world trouble.

"Now you are trying to make me speak for the Chinese," Khrushchev replied, "I am not instructed to speak for the Chinese but if I am to express my own personal view, I don't expect they will start anything. The Chinese believe in peace and coexistence. They are saying so and we believe them."

Agnes Meyer, who participated in the interview, then asked whether the growing trust between the United States and the Soviet Union would help prevent the Chinese from causing trouble.

Khrushchev replied, "I should say the Chinese people and Government want peace. But, of course, better relations between the United States and the U.S.S.R. will better stablize the world situation. I don't mean an American-Soviet understanding at the expense of a third party, but one from which all nations would gain."

"But," I asked Khrushchev, "wasn't one of the quarrels between China and the Soviet the fact that China did not believe in coexistence?"

"Let us agree on one thing," Mr. K. shot back, "put the responsibility for negotiating with China on our shoulders, not on yours."

That ended that.

IMPROVING MUTUAL TRUST

When I interviewed Khrushchev 2 years ago, we discussed the difficulty of getting better United States-Soviet relations unless there was more mutual trust. This brought a lot of criticism from rightwingers in the United States, who asserted that mutual trust was impossible, but I am still convinced it is the most important problem facing the two countries and I asked Khrushchev how we could improve mutual trust. He enumerated the following points:

"The major question is disarmament, but it is difficult to approach now, so we should take up some other matters first. The test ban treaty, while not complete, has settled the heart of the problem—the poisoning of the atmosphere.

"The second is a nonaggression pact.

"The third is the German question. If we solve it, it will clear the atmosphere right away. Then we will be in a position to talk about a reduction in armed forces in Germany. This is a matter on which I believe we can agree.

"Then there is the freezing of budgets to stop the arms race.

"Finally, we believe it is possible to preclude a surprise attack. What does this mean? It means that we would deploy control groups on the territory of each side—at major railway junctions, airports, and seaports. The groups would see to it that there was no movement of troops for surprise attack and this in turn would lead to greater confidence.

"After that we could raise the question of withdrawing troops back to their original frontiers, which in turn could lead to a discussion of general disarmament."

INSPECTION QUESTION

"What is the difference between inspection to prevent a surprise attack and inspection to check on underground nuclear tests?" I asked.

"The difference," Khrushchev replied, "is that inspectors for underground tests would cover great areas while inspectors for a surprise attack would be stationed at key places to see whether troops are moved. They would not roam around the country because if they left their specific observation posts, troops might move while they were away."

Khrushchev also talked briefly but positively about the problem of convincing people of the need for trust: "To convince people, it is sometimes necessary to ask who is doing the convincing—and, do they want to be convinced? Do they realize that in the next war the rich and the poor will require the same coffin?"

My personal conclusions regarding Khrushchev's current outlook on life, war and the United States will be reported in an early column.

EXHIBIT 4

[From the Washington Post, Aug. 24, 1963]

SOCIALIST LIFE KEEPS K. YOUNG

(By Drew Pearson)

GAGRA, U.S.S.R.—This interview with Soviet Premier Nikita Khrushchev was more hurried than the last because he was leaving for Yugoslavia.

"Because of this," he said, "I can't invite you to go swimming. The last time you were here, I remember that you swam like a seal while I wore a rubber tube. I couldn't keep up with you."

However, Khrushchev showed us his beautiful tiled pool, 75 feet long with a glass partition which, at the push of an electric button, slides out to enclose the pool from cold air. It was anything but cold on this sunny Georgian afternoon, and Khrushchev wore a loose Ukrainian shirt embroidered in blue at the collar, without a necktie.

Four of his grandchildren played on the beach below. Children grow fast and in 2 years it seemed as if they had shot up like beanstalks. Two years before, Khrushchev had complained that his doctor was making the children capitalistic by bribing them with candy. This year they looked too old to be bribed.

Down the coast half a mile, Khrushchev pointed to the spot where the Soviet Government is building a rest house for 5,000 people. He didn't seem concerned about the fact that it will destroy his privacy.

Khrushchev, now 69, talked last spring about retiring but outwardly he had not changed in the 2 years since I saw him. His hands looked young, his girth about the same. There were no wrinkles in his face, although he did look tired around the eyes.

When I asked how he kept looking so young, he replied, "It is the good Socialist life I lead."

THE RED-BOSS LOOK

You can't help noting a resemblance between Khrushchev and other Socialist leaders in this part of the world. I have now interviewed Tito of Yugoslavia, Zhivkov of Bulgaria and Gheorghiu-Dej of Rumania. All came up through the ranks of trade unions. All suffered arrest and torture in prison and wounds in war. All are rotund today and enjoy good food. All are genial, outgiving and wisecracking, and seem friendly toward the United States. So I asked Khrushchev whether he had been training other leaders to act like him.

"It is the life of socialism and the people who trained in it," he replied.

We discussed some Soviet peas he had sent me, which had an excellent production record in Russia and did well when I planted them in Maryland.

I told Khrushchev of the comment of Madam Dobrynin, wife of the Soviet Ambassador, when she inspected the Soviet peas I planted alongside some American peas.

"The Soviet peas are higher than the American peas," she said, "but the American peas have more pods on them. Perhaps the two should get together."

I told my farm manager to harvest the peas separately, and I told Khrushchev what the farm manager said: "The bees will not let you do that for more than one season. They will mix up the Soviet and American peas and that will be coexistence."

"Maybe we should learn from the bees," said Khrushchev.

TUNES IN VOA

As we drove back from Khrushchev's summer place along a cypress-lined road along the Black Sea, we stopped briefly at the little town of Gagra, where almost immediately our car was surrounded by a hundred curious, friendly Russians, many speaking English, all asking about the United States.

As the car waited, an interesting thing happened. Khrushchev's chauffeur turned on the radio in Khrushchev's own car and listened to the Voice of America. A few months ago it wouldn't have happened but it's happening now all over the Socialist world. And when it came to cabling these columns, the telegraph operators said they would be glad to send twice as many if it would help the cause of peace.

Two years ago I reported after seeing Khrushchev that he was a potential friend of the United States and sincerely wanted peace. I was criticized unmercifully by some people for saying this and I was called everything from a sucker to a fellow traveler.

But more than ever I am convinced I was right. Furthermore, I am also convinced that a great majority of the Russian people are devoutly, almost fanatically, for peace.

EXHIBIT 5

[From the Washington Post, Aug. 31, 1963]

RECORD CITED IN SUPPORT OF RUSSIAN REGARD FOR TREATIES

(By Drew Pearson)

EN ROUTE THROUGH THE AEGEAN.—Wherever you go in this part of world you see the remnants of war. In Salonika, were once miles and miles of munitions dumps for the Allied armies in 1918. On the island of Lemnos, near the Turkish coast, the British Fleet concentrated for the attack on Gallipoli; and along the Dardanelles you can see the acres and acres of white tombstones where thousands of Australian and New Zealand troops lost their lives in the Gallipoli campaign which was Churchill's greatest error.

And beyond the Dardanelles lies the Bosporus and the gateway to the Black Sea over which scores of wars have been fought during the centuries.

Those were, however, old-fashioned wars in which cavalry charged and men fought hand to hand. They were nothing like modern atomic war.

Cruising through this war-marked area makes you not only recall the past wars but think about the future war which President Kennedy seeks to prevent, and his first step in that direction.

Looking at the situation from the vantage point of distance, it seems to me that the problem boils down to whether or not you can trust Russia to keep an agreement. The quick and easy thing to say, when I left Washington, was that you couldn't trust Russia around the corner.

However, as Al Smith used to say, let's look at the record.

During the Stalin regime I wouldn't have given 2 cents for Russia's word on anything. But I think, to be fair, you have to look at the record of the past 10 years under Stalin's successors, men who have denounced Stalin and removed his body from the place of honor in the Kremlin.

The Korean war and the Berlin blockade took place while Stalin was still in power. Since his death in 1953, the United States signed a treaty with Russia in 1955 to take the troops of both sides out of Austria, and both sides have scrupulously complied with the treaty.

The United States and Russia have also signed a treaty regarding the Antarctic, agreeing to inspection in that area, and to use the Antarctic for international research. This has worked so well that Russian scientists have been invited to use American observation posts.

You frequently hear Russia accused of violating the Berlin agreement in regard to access by American troops, the construction of the Berlin wall, etc.

However, no less an authority than Harry Truman, when President of the United States, stated that there was no agreement with the Russians over Berlin and that General Eisenhower had forgotten to work one out. Gen. Lucius Clay, a commander under Eisenhower, has taken the blame for this in his book.

No matter who is to blame, the fact remains that we have no treaty or agreement regarding Berlin dating from the war. After the Berlin blockade in 1949, we did sign an agreement with the Russians guaranteeing Western land, water, and rail transportation access to Berlin, and this has been kept.

Furthermore, there has been a military agreement between the United States and Russia that each side may station military observers behind the other's lines to ascertain whether troops are being mobilized. This has been carried out to the letter that during the Cuban crisis U.S. helicopters were over East Germany watching to see whether the Red Army was mobilizing. It was not.

The Cuban crisis saw the most hastily improvised agreement between the United States and Russia—and the most important. It rested solely on notes exchanged between Khrushchev and Kennedy that Russia would remove its missiles, to be followed by on-site inspection.

The inspection was thwarted by the irreconcilable Fidel Castro, but we know that Anastas Mikoyan remained in Havana for weeks arguing with Castro, even through the death of his wife. The State Department is satisfied with Russia's good faith. Later, inspection was permitted on the high seas, and daily U-2 inspection over Cuba has convinced the Pentagon that no missiles remain in Cuba.

Russian troops, which man antiaircraft rockets, have not fired a shot at our U-2 planes since October.

Going back to the oldest treaty we have with Russia, for the protection of Pribilof seals in the Bering Sea, the former Secretary of the Interior, Oscar Chapman, has stated that the Russians have honored this scrupulously.

In business dealings the Russians have the reputation of being tough negotiators but living up to the letter of a contract once it is signed. In scientific operations, U.S. scientists have never caught them making a misstatement.

Some commentators have accused the Russians of violating a test ban treaty in 1961, but this is completely erroneous. There never has been a test ban treaty or agreement until the Harriman treaty just signed. Russia voluntarily stopped testing and we followed later, but there was no agreement.

My own conclusion, from careful examination of the record, is that the Soviet Union has been a tough negotiator, but keeps its word when given.

EXHIBIT 6

[From the Washington Post, Sept. 2, 1963]

FARM COOPERATIVES SUCCEED IN RUMANIA

(By Drew Pearson)

BRAZOV, RUMANIA.—Jon Girceag must be a very patient man. He manages the big cooperative farm at Harman, just outside Brazov, where 760 families work on 5,000 acres. He is elected by the co-op members and he has held that job for 13 years.

I talked to him, standing outside the huge barn where 100 cows are milked at a time. In a field nearby, a brandnew red tractor, made in Rumania, was plowing. In another vast pasture, 1,000 cows were grazing.

Girceag is a quite, unpretentious man of about 50, dressed in a business suit, not the clothes of a peasant. I asked the question that has always intrigued me about a Socialist co-op: "Who decides what crops you will plant?"

"We get together in regular meetings and make those decisions. Everyone is entitled to express his opinion and in the end we don't have much trouble working out the program."

"How do you admit members to the cooperative?" I asked.

"By written application," Girceag replied. "A cooperative is different from a state farm where the Government owns the land and employs the workers. In the cooperative the workers contribute land or, if they do not have land, machinery or animals or their skill. We need skilled workers. After they have applied and stated what they can contribute, we hold a meeting and decide whether to let him join."

"What does a member get in the way of pay?"

"He gets both cash and kind," Girceag explained. "He gets 1,000 lei per month in cash (about $75), plus 10 pounds of potatoes, 150 grams of sugar, 50 pounds of hay for his stock per month, vegetables, cheese and a garden plot of around 1⅔ acres."

The farm manager went on to explain that a member of the co-op was permitted to keep his own cow and sheep, with food for them. He works around 10 hours a day in the summer and around 6 hours a day in the winter, and men who produce more or work overtime get a bonus.

"What happens when a man refuses to work or loafs on the job?"

"If he doesn't work he doesn't eat," was the answer. "He can be expelled. He wouldn't be expelled just because he doesn't come to work. But if he continues to do so or causes trouble he is expelled. We try to educate our people to the advantages of production. When they see others getting a lot, they work harder."

Girceag said that schools were located on the cooperative and that schooling for 8 years is compulsory for the children of the farmers. He also said that 280 new homes had been built by co-op members in the past 3 years. They are owned by the members, and can be sold or rented by them.

Asked whether the cooperative system had been able to improve production, Girceag said that the Harman Co-op had been able to increase the production of wheat in the past 10–15 years from 1,400 kilograms per acre to 3,000 per acre, and that milk production had increased from between 800 and 1,000 liters per cow annually to 3,000 liters per cow.

The milking barn is a huge building with old-fashioned stanchions and has not profited from the new milking parlor advances made by milking pioneers in the United States whereby a herd of 100 cows can be milked by 1 man in around 2 hours.

This Rumanian cooperative had plenty of labor and was not interested in conserving manpower. For instance, the dairy herd of 1,000 cows was pastured in a field without fences, with 2 men leading the herd in front and 2 bring up the rear. Less than 50 yards away was a field of green corn with no fences around it, and though the pasturage was sparse where the cows were grazing, they made no effort to break away into the corn.

"If those were my cows they would be in that corn in 5 minutes," I told one of the herdsmen.

"These are Communist cows," he replied. "Yours are capitalistic. Yours are accustomed to raiding other people's property."

In general, the farm cooperatives of Rumania seem to be working. Certainly they have been more successful than those of Russia. When I asked a Bucharest official about this, he pointed out that they had profited from Russian mistakes and, among other things, were giving farmers more incentive.

Rumania has also two advantages which he did not mention and which neither Communists nor capitalists can do much about—rain and heat. The growing season is longer in Rumania and it also gets more rain than the Soviet Union.

EXHIBIT 7

[From the Washington Post, Sept. 4, 1963]

RUMANIA IS OPPOSED BY STATE DEPARTMENT

(By Drew Pearson)

CONSTANTA, RUMANIA.—If we are to follow the coexistence policy set by President Kennedy we have to know the countries in the Soviet bloc, and to that end I went to see Gheorghe Gheorghiu-Dej, chairman of the Rumanian People's Republic.

Stern pictures of Gheorghiu-Dej stare down from all Rumanian Government offices, but when I met him on the terrace of his summer place looking down at the dark blue waters of the Black Sea, I found him relaxed and cordial.

I recalled meeting him in New York in 1960 when most of the Communist leaders had come to the United Nations. There had been a great deal of newspaper speculation at that time as to what the top Communist leaders of the world had been plotting on the SS *Baltic* as they steamed across the Atlantic to New York. This week, for the first time, I got the answer.

"Everybody was seasick," laughed Gheorghiu-Dej, "everybody except the captain, Khrushchev and me. The Baltic was a 9,000-ton vessel and tossed on the waves like a cork. We didn't have time to do anything except take care of our fellow passengers.

"Khrushchev and I weren't supposed to drink, but we finally sneaked a drink before dinner. There were three doctors on board but we even had to take care of them. The newspapers thought we were discussing top strategy, but we were only seasick."

I reminded the Rumanian chairman that when I had interviewed him in New York he had said, apropos of the difficulties between the United States and Russia: "When the big bulls are fighting, the little bulls should stay away."

Gheorghiu-Dej remembered this, but this time he commented: "The little bulls have a duty to humanity, and when they all pull together they can be a force in the world.

"The test ban treaty," he said, "is a great thing. True, it's only a step, but it's a step which should energize the statesmen to move forward; to come closer, and open all roads and channels for peace.

"We have sent our congratulations to President Kennedy and said that the Rumanian people approve his position. I believe he will improve the strength of his position as a result of signing the treaty and that he will win out over his critics.

"I also believe that President de Gaulle will ratify," said Gheorghiu-Dej. "The spirit of de Gaulle is not the spirit of the French people. They want a test ban treaty, and public opinion is strong."

The top man of Rumania went on to talk enthusiastically about the new moves for better understanding between Washington and Moscow and, among other things, said that the peoples of the East and West must have a right to enjoy happiness.

"Our definition of happiness," he said, "is to live under good conditions, not to trouble anyone, not to be troubled by anyone; and be a friend of everyone."

He indicated that Rumania is trying to follow such a course.

Gheorghiu-Dej told in some detail about Rumania's amazing economic growth, but said that, like other countries, Rumania has a problem in the drift to the cities. The city population has grown about eight times in comparison with the rural population, while the overall population has increased about 1 million in 15 years.

"We have birth control clinics not only in the cities but in the villages," he said. "In the old days there were laws against teaching birth control, but not today."

Gheorghiu-Dej expressed regret over lagging trade relations with the United States, which he attributed to a State Department boycott.

"We have tried to buy approximately 10 factories in the United States," he said, "factories for manufacturing fertilizer, tires, plastics, electronics, rubber, and various petrochemicals. But the State Department has said no."

"We bought one plant from the Hydro-Carbon Research Corp., which sold it to us despite State Department opposition. The State Department then barred Hydro-Carbon from doing business with Eastern European countries for 5 years."

EXHIBIT 8

[From the Washington Post Sept. 7, 1963]

HISTORY LINKS ARMS RACES TO WAR

(By Drew Pearson)

CANAKKALE, TURKEY.—I am writing this from one of the great crossroads of war. On a hill across the Hellespont stand the remains of Troy where one of the world's first major recorded wars was fought around 1200 B.C. On another hill are rows and rows of white tombstones where thousands of Australian and New Zealand troops were buried after the great slaughter in the Battle of Gallipilo as late as 1915.

The seige of Troy lasted 10 years. Gen. Curtis LeMay, reported to be skeptical about ratification of the test ban treaty, has said that the next war will last only 30 days, after which all the major cities of the United States and Russia will be a pile of rubble.

The 10-year campaign to capture Troy, we are told by the poet Homer, was fought over the affections of a beautiful woman; though actually it was to win control over this narrow strip of water which connects the Mediterranean with the Black Sea and controls the highway between Asia and Europe.

Darius the Persian came across this narrow strip of water in 490 B.C. with 40,000 troops, gathered from as far away as Rangoon, to try to capture Athens, and was turned back in the Battle of Marathon by only 10,000 Greeks who had developed great mobility—running—as their chief weapon. That war began in 497 and lasted until 490 B.C., in contrast to General LeMay's projected 30-day war.

When Xerxes, son of Darius, tried to avenge his father's defeat in 480 B.C., he developed for the first time in history the pontoon bridge, thereby taking his troops across the Hellespont.

And in 408 B.C., when the Athenians and the Spartans fought it out for control of the Greek cities, the city of Thebes developed another new military tactic, the porcupine technique of spears held close together.

So continued the development of weapons.

TINGED WITH BLOOD

In 1915 when Winston Churchill, then British Minister of War, tried to hit the "soft underbelly" of the Kaiser at Gallipoli, hand-to-hand fighting failed. It was Turkish mines in the Hellespont that blew up British and French warships and caused the worst Allied defeat of World War I.

The Hellespont and the Dardanelles were strewn with the rusting wrecks of sunken ships for months afterward and for a time their deep blue waters were tinged with blood.

Today as I look out over that same blue water it is placid and the countryside around it is peaceful. But as we tried to swim this morning, a Turkish patrol boat chugged by to warn us that these were military waters—no swimming allowed.

Nevertheless, Secretary of Defense McNamara, according to reports received here, has just told Congress that we have enough of these new weapons to wipe out Russia and China several times over.

He has said we have 126 Atlas missiles with 5-megaton warheads; 68 Titans with 10 megatons; 150 Minuteman; 144 Polaris missiles; 700 B–47's carrying 10-megaton bombs; 630 B–52's carrying 24 megatons; plus others.

Altogether, according to unofficial but reliable estimates, this amounts to an overkill of 1,250. In other words we have 1,250 times the amount of firepower necessary to kill the entire population of the 140 major Soviet cities—even if 50 percent of our warheads fail to reach target.

Yet, Gen. Tom Power, head of the Air Force's Strategic Air Command, is opposed to ratifying the test ban treaty for fear we will lose our nuclear lead.

FIVE THOUSAND YEARS

On February 2, 1950, the late Brien McMahon, of Connecticut, the Senator who pioneered the Atomic Energy Commission, made a speech on the Senate floor in which he warned against a policy of "endlessly striving to stay ahead in the weapons competition, even after the Kremlin becomes armed with hydrogen bombs.

"Arrayed against this choice," said Senator McMahon, "is 5,000 years of recorded history, which teaches again and again and again that armaments races lead to war.

"How is it possible for free institutions to flourish," he asked, "or even maintain themselves in a situation in which defenses, civil and military, must be ceaselessly positioned to meet an attack that might incinerate 50 million Americans—not in the space of an evening, but in the space of minutes?"

Senator McMahon placed the military budget in 1950 at $15 billion. Today, 13 years later, it is $53 billion. By 1975, at the present rate of increase, it will be $100 billion.

Yet Gen. Tom Power out in Omaha told NATO delegates that anyone who talks about overkill should have his head examined, and Senator BARRY GOLDWATER, Republican of Arizona, says it's foolish to stop nuclear testing.

VISIT TO THE SENATE BY MR. AKIVA GOVRIN, LEADER OF THE COALITION PARTIES IN THE KNESSET OF ISRAEL

Mr. HUMPHREY. Mr. President, I have the privilege and honor of presenting to the U.S. Senate a distinguished member of the Knessett, the Parliament of Israel; the leader of the Coalition Parties and the chairman of the important Labour Committee. I present to my colleagues the able and honorable Akiva Govrin, an outstanding parliamentarian in his country. We welcome him to the U.S. Senate.

(The distinguished visitor rose in his place and was greeted with applause, Senators rising.)

The PRESIDING OFFICER. On behalf of the Senate, the Chair extends a cordial welcome to our distinguished guest.

Mr. PELL. Mr. President, as a member of the Committee on Labor and Public Welfare, I wish to add my word of welcome to the gentleman from the equivalent committee of the Coalition Parties of the State of Israel. We express joy that he is with us today.

Mr. CLARK. Mr. President, I wish to add my comments to those of the Senator from Minnesota and the Senator from Rhode Island. We are happy to have the representative from the State of Israel with us today. I regret that there is not a larger attendance in the Senate. If there were, the applause would have been louder and longer.

We are happy to have you with us.

Mr. SMATHERS. Mr. President, I add a warm word of welcome to those expressed by other Senators to the very distinguished representative from the State of Israel.

In my State of Florida there are many people who had their origins in your country. I hope that during the course of your visit in the United States you will see fit to visit us in Florida.

Mr. THURMOND. Mr. President, I join with my colleagues in extending a hearty welcome to the distinguished representative from the State of Israel.

I had the pleasure of being in Israel in 1961. I was amazed by the great progress being made. The people of Israel are to be highly commended for what they are doing to develop their country and improve the lives of the people.

We are glad to welcome this distinguished representative to the United States.

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

Mr. CLARK. Mr. President, I return to the subject matter of the debate, the pending treaty.

There is no need for me to defend this treaty or to advocate its ratification. That has been so ably done by the leadership and the ranking members of the Foreign Relations Committee on both sides of the aisle that there is really nothing left to say. Senators MANSFIELD, FULBRIGHT, HUMPHREY, CHURCH, SALTONSTALL, and DIRKSEN, among others, have in my judgment, made an unanswerable case in support of the treaty.

I rise today for a different, if related subject. For I have never been torn by the doubts which appear to have tortured many of my colleagues.

I have long been convinced that the rational, intelligent, compassionate, as well as the tough, hard-boiled self-interest answer is: Of course we shall vote to give our advice and consent to the treaty negotiated by Under Secretary of State Averell Harriman, a highly experienced and qualified diplomat, on behalf of the President with the support of the Secretary of State, the Secretary of Defense, the Chairman of the Atomic Energy Commission, the Chairman of the Joint Chiefs of Staff, and the Chief of the Arms Control and Disarmament Agency. The military risks of ratification are minimal; the political risks of failing to ratify serious. The arguments to the contrary of those who oppose the treaty are to me quite unconvincing.

We have heard a good deal today about the so-called "secret testimony" given by military men before the Preparedness Subcommittee of the Committee on Armed Services. This "secret testimony" was also available to the Committee on Foreign Relations, which nonetheless voted 16 to 1 to report the treaty favorably. I have no doubt that the "secret testimony" was available to the President of the United States, to the Chief of the Central Intelligence Agency, to the Secretary of Defense and to each member of the Joint Chiefs of Staff; nonetheless, these top level civilians and military men recommend to the Senate that the treaty be ratified.

It is frightening even to contemplate what would happen to the position of the United States all over the world if we were to repudiate the action of our President and Commander in Chief and every one of his principal advisers after 92 other nations had ratified the treaty.

Yet a recent poll indicates that, while 73 Senators—now, I am happy to say, 74 Senators, including the Senator from Illinois [Mr. DOUGLAS]—have stated their intention to support the hand of our Commander in Chief, 12 have stated that they will vote against ratification and 13 or 14 are said to be in doubt.

How is it possible that 12 Senators, and perhaps more, can take so atavistic an attitude toward this treaty? I use the word advisedly for the result, if not the motivation—on which I do not pass—of a negative vote is quite clearly to return to a philosophy of the jungle; the dog-eat-dog attitude of primitive man; the fear of something new; the fear, also, of the powerful and unfriendly nearby tribe. Man has conquered this attitude slowly but surely during the long centuries since he came down out of the trees. We must conquer it again.

If one looks at the names of Senators who are stated to oppose this treaty or to be doubtful about it, the conclusion is irresistible that the overwhelming majority of them come from the most conservative Members of this body. Several of them are generals in the Armed Forces, men who have rendered notable service to our country by wearing its uniform in time of war and in combat.

Several more are ranking members of the Armed Services Committee, where, day in and day out, the demands of the military for more and bigger arms are heard.

It is perhaps not too much to say that the opposition to the treaty, declared and potential, with one or two conspicuous exceptions, represents the hard core—the low-water mark, if we will—of the Senate Establishment, those who belong and a few who are potential members. I am happy that their ranks are so thin. I honor them for their sincerity and their dedication to the cause of our country, but I profoundly disagree with their conclusions about the treaty—conclusions which, in my judgment, are opposed to our long-range national security and the social, economic, and political interests of our country at home and abroad.

But let us not delude ourselves. The establishment has not given up. It is still determined to force the United States full steam ahead in an accelerated arms race if that can be done. That has been made clear in speech after speech during this debate. Moreover, in this determination to push forward unilaterally with the arms race the establishment is being joined by several Senators who do not usually follow its lead.

So one important question remains: Where do we go from here? What is the next step? On Friday, the Senator from Mississippi [Mr. STENNIS] said, and I quote:

> What will the next step be? Will we be presented with a treaty banning tests in all environments accompanied by the argument that the Senate has already endorsed such a treaty in view of the preamble of the present treaty? Will a nonaggression pact follow? Are we, by endorsing this treaty, including its preamble, indicating in advance that we approve the concept of an agreement on complete general disaramament?
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> Much as I fear the effect of this so-called first step I have even greater fears of what it may portend in the way of further compacts with the Soviets which may affect the quality or quantity of our Military Establishment even more drastically. It has already been suggested that there be a reciprocal burning of bombers and that we unilaterally cut back on the production of nuclear weapons to a substantial extent. Is this treaty a first step toward activities of this type? I do not say it is; I simply raise the point that very possible this will be a part of the picture.

Personally, I hope that the next step will be a further relaxation of tension along the lines apparently feared by the Senator from Mississippi. The negotiation from our present great strength, which, of course, we must maintain for the time being, of a treaty of general and complete disarmament under enforceable world law as advocated by President Kennedy and, before him, by President Eisenhower while Christian A. Herter was Secretary of State, is the ultimate purpose of the country. This would require the elimination of military establishments all over the world, including our own. With that elimination, radical as it may seem to some Senators, might even come the abolition of the Senate Armed Services Committee and its Preparedness Subcommittee.

That this is the fixed long-range policy of the United States was made clear by our President and Commander in Chief on September 25, 1961, in an address to the General Assembly of the United Nations, where President Kennedy advocated:

First. The disbanding of all national armed forces and the prohibition of their reestablishment in any form whatsoever other than those required to preserve internal order and for contributions to a United Nations peace force.

Second. The elimination from national arsenals of all armaments, including all weapons of mass destruction and the means of their delivery, other than those required for a United Nations peace force and for maintaining internal order.

Third. The institution of effective means for the enforcement of international agreements, for the settlement of disputes, and for the maintenance of peace in accordance with the principles of the United Nations.

Fourth. The establishment and effective operation of an international disarmament organization within the framework of the United Nations to insure compliance at all times with all disarmament obligations.

Often in the past I have spoken in support of President Kennedy's advocacy of general and complete disarmament under enforceable world law. We are still a long way from that goal which, in my opinion, we must achieve if our children and our children's children are to have a chance of survival; if we are to eliminate the delicate balance of terror by which we presently live and if we are to leave the forces of mutual suspicion behind us and move toward that goal of peace on earth and good will to man which is the essence of the Christian and, indeed, of the other great religions.

This treaty is a very small step in that direction. The cold war is perceptibly thawed. The Russians are more receptive than for many years to suggestions looking toward a relaxation of tensions. They, too, have declared themselves, time after time, as in accord with President Kennedy's great speech referred to earlier and that other fine address on the same subject at American University on June 10 of this year.

The Senator from Washington [Mr. JACKSON] spoke on Friday of his fear that the American people might lapse into a state of euphoria. He spoke with concern of the possibility that "peace is breaking out all over." The warning is apt. We must maintain our military strength so long as it is needed. And it is needed now and for the foreseeable future. In the words of the President:

> Let us never negotiate out of fear. But let us never fear to negotiate.

And let us always negotiate from strength.

Nobody knows whether the Soviet Union is going to spend more or less money on military hardware than we plan to spend. It is anybody's guess. Of course, we must keep our guard up and not relax.

But there are good grounds for speculating that the Soviet may decide to cut down unilaterally on its military expenditures for economic reasons and that it is prepared to renounce nuclear warfare as an instrument of aggressive national policy, as the Senator from Vermont [Mr. AIKEN] suggested Friday.

Let us remember that disarmament is our ultimate goal. Let us persevere in seeking it at the United Nations, in Geneva, and elsewhere. Let us be the aggressors for peace, not for war.

I suggest it is nonsense to expect that all the difficult problems confronting the world and separating our position from that of the Soviet Union and the Chinese Communists can be solved at once. The so-called hard view reported in the newspapers and said to be held by certain individuals in the State Department and which requires the solution of all political problems before we can ease tensions and move toward cooperation in areas where there is no inherent conflict is as atavistic as opposition to this treaty.

And let it never be said that the Senate of the United States, with all of its wonderful history and fine tradition, was the body which made the further search for a just and lasting peace impossible.

Mr. PELL. Mr. President, I rise to congratulate the Senator from Pennsylvania on his speech today, ably emphasizing the need for keeping in our minds the objectives set forth by our President and Commander in Chief 2 years ago, that some day—we ourselves will never see it; probably not our children—we hope our children's children will see a world that is at peace and where there is a state of complete disarmament.

Mr. CLARK. I thank my friend from Rhode Island for his kind words. I am not only a good deal older than he is, but more optimistic, and I hope to see that day before I die.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to the Senator from South Carolina.

Mr. THURMOND. I rise to inquire of the distinguished Senator if he thinks that Mr. Khrushchev feels this treaty is to his benefit.

Mr. CLARK. I assume he does, or he would not be prepared to sign it. I assume it is to our benefit, too, or the Senator's Commander in Chief, and mine, would not have recommended it to the Senate.

Mr. THURMOND. I respectfully call to the Senator's attention an Associated Press article which comes out of Moscow, under date of August 22, which states:

> The Soviet Union told Red China the limited nuclear test ban was a positive gain for communism because it would perpetuate the liquidation of the onetime American nuclear monopoly, and freeze each side's nuclear power.
>
> A 20,000-word official Government statement Wednesday derided Communist Chinese charges that signing of the treaty marked a Soviet "capitulation" to the United States as the words of "simpletons." It told the Chinese they would do well to improve their economic situation and forget about nuclear weapons.
>
> The statement, in reply to the August 15th attack on Soviet policy by Peiping, said that for years it would have been against Soviet interests to have a test ban unless the United States agreed to destroy all its nuclear weapons.

Does not the conclusion seem to be that a few years ago Mr. Khrushchev did not want a nuclear test ban treaty, because we were ahead, but that now, inasmuch as they conducted more than 100 tests in 1961 and 1962, and have gained a tremendous store of invaluable and critical nuclear knowledge, which we need, on high-yield weapons and high-altitude anti-ballistic-missile weapons, and now that Mr. Khrushchev is ahead on the high-yield weapons, he is willing to freeze the situation, if we were to ratify the treaty. Does not the Senator know that the only way we can catch up on high-yield weapons, is by testing in the atmosphere, which is prohibited in the treaty? And is it not true that with regard to low-yield weapons, it is admitted that we may be ahead, but that the Soviets can overcome their deficiency by testing underground, whereas with the high-yield weapons we will have to test out in the atmosphere, and that is the kind of testing which is prohibited? Therefore, if that is the case, the freezing would result in a great advantage to the Soviets because they are ahead of us in high-yield weapons?

Mr. CLARK. The Senator has asked me a great many questions. I shall try to respond to them en bloc. The Senator from South Carolina is certainly entitled to his opinion. He is a very able general in the Army Reserve. He is a member of the Preparedness Subcommittee of the Armed Services Committee. I know he has given great and careful attention to this subject from his first-class mind. However, I respectfully say—and I see no need to go into greater detail—that the opinion of the Senator from South Carolina is not shared by at least four-fifths of the Members of the Senate, is not shared by the leading military men of the United States, is not shared by the leading scientists of the United States, is not shared by the President of the United States, our Commander in Chief, or by the Joint Chiefs of Staff.

With all due respect, and with the highest regard and deep affection for the Senator from South Carolina, I prefer to take the judgment of these men to his.

Mr. THURMOND. I invite attention to a news dispatch which came out of Tokyo. This is also an Associated Press dispatch:

> TOKYO.—The Soviet Union told Communist China today there was no need for it to try to manufacture an atom bomb because if attacked it could count on Russian nuclear might under the friendship and mutual assistance treaty.
>
> In a Japanese-language broadcast, Moscow Radio reiterated that, despite Chinese-Soviet differences, the treaty with China remains in effect. A Moscow commentator asked:
>
> "Why does China feel it must have an atom bomb? Is it for her defense? In this connection we would like to remind China of two things.
>
> "One is that there is a treaty of friendship and mutual assistance between the Soviet Union and China, and even now it continues in effect.
>
> "The second is that the Soviet Union has repeatedly pointed out that it considers an attack on the Peoples' Republic of China to be an attack on the Soviet Union itself. Therefore, if the Peoples' Republic of China is subject to an attack, the entire might of the Soviet Union will fall upon the aggressor. What greater security can China ask?"
>
> The commentator chastised Peiping for groundless reasoning in arguing that the limited nuclear test ban treaty is aimed at restricting possession of nuclear weapons to the original signatory nations, the Soviet Union, the United States and Britain.
>
> He declared that Moscow has already been prepared to enter into an acceptable agreement for a total nuclear weapons ban, and that Soviet nuclear policy in no way jeopardizes the Socialist camp.

Is there any question in the Senator's mind that Russia meant what is stated in these two articles?

Mr. CLARK. Again the Senator has asked me several questions. I would answer, first, yes, there is some doubt in my mind in view of a number of happenings with respect to the Chinese-Soviet relationships during the past few weeks and months, and also because there is always a question in my mind as to whether the Soviets will keep any treaty which they negotiate. Therefore, there is doubt.

My second answer is that it seems to me that the point raised by the able Senator from South Carolina is irrelevant and immaterial to the issue before the Senate today.

Mr. THURMOND. Does not the Senator feel that this goes to the very heart of the so-called rift between Russia and China?

Mr. CLARK. It seems to me that the so-called rift between Russia and China has nothing whatever to do with whether we should ratify the treaty. I believe the rift is deep, and I hope it will become deeper. It might be that Russia would keep its treaty if we attacked China. However, we have no intention of attacking China. In any event, in my opinion we are not giving away one bit of our military power by ratifying the treaty.

Mr. THURMOND. Some proponents of the treaty have cited the rift between Russia and China as one of the main reasons why we should ratify the treaty.

Mr. CLARK. I can speak only for myself. I do not take that view.

Mr. THURMOND. Therefore, it is said, because there is a so-called rift between these two countries, perhaps there is a chance that we can work with the Soviets. Does the Senator feel we can ever work with the Soviets, or trust the Soviets, or is the Senator of the opinion that the Soviets still have as their goal the domination and enslavement of the world, and that we cannot trust them?

Mr. CLARK. Again the Senator is asking me many questions in one question. When the enlightened self-interest of the Soviet Union coincides with our enlightened self-interest, as I think it does under this treaty, which I feel to be of benefit to both countries, we should follow that enlightened self-interest and ratify the treaty. I am sure there are many instances in which our enlightened self-interest will lead to diametrically different conclusions. In such a case we must follow our own self-interest.

Mr. THURMOND. I am sure the Soviets will feel that it is to their interest, because they are ahead of us in the high-yield field.

Mr. CLARK. It seems to me that it must be to their interest. It must be or they would not have signed it. It is no reason for our not ratifying the treaty if it is also in our interest.

Mr. THURMOND. How can it be in our interest if we are going to freeze the great lead the Communists have made in the high-yield weapons development, which would require testing in the atmosphere; and when they can remove the deficiency in the low-yield weapons area by following the treaty and testing underground?

Mr. CLARK. Because our leading military authorities have repudiated the suggestion that we should get into the high-yield weapon category to any greater extent than we have already gone.

I wish to extend every courtesy to the Senator from South Carolina, but the Senator from Florida [Mr. SMATHERS] has been waiting for a long time to speak. I would like to yield the floor.

Mr. THURMOND. I should like to ask the Senator one further question. Speaking about the leading military experts, does not the Senator know that the Joint Chiefs of Staff have unanimously approved a requirement for high-yield warheads, one for manned bombers and one for missiles, but that the requirement has not been approved at the civilian level? And also that the Preparedness Investigating Subcommittee has found that we need to test in the atmosphere to gain certain critical information on high-yield weapons effects on the survivability of our second-strike missile system?

Mr. CLARK. The Joint Chiefs have asked the Senate to give its advice and consent to the treaty.

Mr. THURMOND. Does that take into consideration political implications, as well as military?

Mr. CLARK. Yes; which I believe are very important.

Mr. THURMOND. I thank the Senator.

Mr. CLARK. I thank my friend from South Carolina.

Mr. SMATHERS. Mr. President, several years ago a distinguished elder American statesman said:

> We are here to make a choice between the quick and the dead * * *. Behind the black portent of the new atomic age lies a hope which, seized upon with faith, can work our salvation. If we fail, then we have damned every man to be the slave of fear.

Those words were spoken by Mr. Bernard Baruch when he presented to the United Nations, shortly after World War II, our Government's magnanimous offer to place under international control the monopoly we then held in nuclear weapons.

Those words, prophetic and pertinent then, are even more applicable today, as we debate the wisdom of this test ban treaty.

As a member of the human race who enjoys living, I am concerned about the treaty; as a father and a hoped-to-be grandfather, I am concerned about radioactivity and fallout and the danger that can be done, genetically and somatically, to future generations; as a citizen, proud of our United States, I am concerned about the security and the safety of this great Nation; as such a citizen I am thereafter concerned about the image of the United States as the strongest and most powerful Nation on earth and the leader of the free world; as a U.S. Senator and member of the Foreign Relations Committee, I have felt that this treaty and its implications for the future for all of us transcends all other issues; and, like other Senators, I have studied the language of the treaty, read most of the testimony given before our committee, and, like others, have prayerfully agonized over the arguments pro and con with respect to the treaty.

In this treaty we are again presented with a hope which, seized upon with faith can work and has possibilities of working. If, in the words of Baruch, "we fail," even in this small attempt, we have damned every human being to a life of fear.

Certainly there are risks involved in this treaty. There are risks in going forward. But in this case there are even greater risks in pushing the world backward into an even more expensive, explosive, and frightening nuclear armaments race.

The great weight of evidence appears to me, indisputably to be on the side of the treaty, and it is my humble judgment that the treaty should be vigorously supported and overwhelmingly adopted.

Because of these conclusions I was, therefore, pleased to vote for it when it was reported from the Foreign Relations Committee by a vote of 16 to 1.

The fact is that there is nothing startlingly new about the treaty, for it is similar in most respects to the limited test ban treaty proposed by the previous administration in 1959, which at that time was rejected by the Soviet Union.

The present treaty is the result of a long-term bipartisan effort on the part of the two most recent administrations. That this treaty has now won Soviet approval is largely due, in my judgment, to changes in conditions in both the Soviet Union and in Red China.

The changes wrought in the Communist world are evident on every side, in every news story and broadcast, in every charge and countercharge flying back and forth between Moscow and Peiping.

The distinguished Chairman of the Foreign Relations Committee [Mr. FULBRIGHT], in his speech on this subject a week ago today, outlined in great detail the reasons why the Soviet Union is now willing to agree to such a test ban, whereas they were not several years ago. I shall more precisely set out some of these reasons later in this talk, but they are all in the RECORD for anyone to read.

Some people will believe there is a genuine change in the Communist world; others will not. For myself, I do not believe that the basic Communist goals have changed, but I do believe there has been a great change within the Communist world's leadership and their outlook as to the best procedure to follow in the achievement of these goals.

I believe that Mr. Khrushchev differs from Mr. Mao Tse-tung in the manner and the procedure of achieving Communist goals of world domination. I believe that the Soviet Union has an enormous capacity to deliver nuclear weapons into the United States and anywhere else in the world, but I believe Mr. Khrushchev does not want to give that capability to the Chinese, for I do not believe Mr. Khrushchev feels that he can trust Red China any more than we can trust Mr. Khrushchev or Red China.

Whether or not the Russians learned something in their last series of tests in 1960–61 is anybody's guess. Some believe they made great progress; others, including most of our respected military leaders and scientists, believe they made progress; but there is no certainty that the progress made threatens our national security. But no matter, for even if we are behind them in some areas of development, such as 50- to 65-megaton high-yield bombs, we are ahead in other equally important areas, and the central fact remains that while they can get at us and inflict great damage, they know we can always retaliate through our Polaris missiles, even if our fixed launching sites are incapacitated, and destroy them.

Further than that, from what I have learned from the so-called experts and best informed people in this subject, Mr. Khrushchev fully appreciates the danger of radioactive fallout. He totally understands that fallout is just as dangerous to future generations of Russians as it is to future generations of Americans.

He does not like what he sees ahead any more than we do. Apparently he is just as concerned and worried about the nuclear bombs with deliverable capabilities in the hands of other large, and small nations, which now do not have them, as are we.

So there is reasonable, credible, thoroughly defensible evidence that prudent, patriotic men can accept as to why the Soviet Union would at this time enter into a treaty when in fact the Soviet refused to do so 2 years ago.

Mr. President, I believe this treaty represents a small step, an essential first step, toward greater security for the American people against the terrors of our times.

Some people, frightened by the threat of testing and the use of nuclear weapons to human life on this planet, hysterically declaim, "Better Red than dead." If we follow these people into unilateral nuclear disarmament, it would, of course, be a grave mistake, and we will be Red and wish we were dead.

Others, equally prone to extremes, say, "Better dead than Red." If we follow these people into continued and unrestricted testing of nuclear explosions in all the environments, many of us will be dead, and those who are not will find that we have preserved our principles for the enjoyment of a dreary half life in a malformed, twisted, and fearful world.

Fortunately, we do not have to choose between being Red or being dead.

If we refuse to be seduced, on the one hand, by overoptimistic estimates as to the results of the treaty or, on the other, to be panicked by those who claim we are destroying ourselves; if we steadfastly pursue the goal of peace with honor through strength; I believe we can keep nuclear power under control while simultaneously preserving our freedoms.

Of course, the treaty does not achieve this goal all by itself, for indeed it is no millenium. As stated so often, it is only a hesitant, tiny step forward, but it does represent the most practical approach toward the control of the problems growing out of the present nuclear arms race.

Some Americans of the "better dead than Red" type seem to have received the impression that the treaty would strip our country of its nuclear protection.

A simple reading of the treaty clearly shows that not to be the case. This treaty is not a disarmament treaty. It does not bind, nor even ask, any nation to destroy any nuclear or other weapon now in its arsenal. It does not bind any nation to discontinue the production of any type of weapon, including nuclear weapons. It does not bind any nation to refrain from using nuclear weapons in the event of a war, nor restrict the use of nuclear weapons in the exercise of the right of self-defense.

With the exception of certain types of testing, it does not bind any nation to refrain from research, invention, experimentation, or development of nuclear weapons.

It does not even ban all nuclear testing. It does ban nuclear weapons tests in the atmosphere, in outer space, and underwater; but it does permit such tests underground so long as the radioactive debris remains within the country where the explosion takes place.

Another fear expressed by the "better dead than Red" orators is that the treaty would make it possible for the Soviets to continue tests in violation of the treaty while our Government honorably abides by the treaty and falls behind.

These people seem to fear that the Soviets could do so without detection or, if they were detected, that we would be honorbound to continue to observe the treaty and to refrain from such tests ourselves.

These people say, "We can't trust the Russians." And, of course, we cannot.

In the hearings this aspect of the matter was thoroughly discussed and examined. As a result, it is clear to me that to enter into this treaty we do not have to trust the Russians.

I was convinced, as most of the committee were convinced as a result of the testimony, that the U.S. scientific detection and identification system plus conventional intelligence methods available to us would insure detection of all such test violations of any substantial value to the Soviets. It would theoretically, of course, be possible for the Soviets to conduct tests in space so far away from the earth that detection would be avoided. On this possibility, Secretary McNamara said:

> Multimegaton weapons development tests would have to be conducted more than 20 million miles from the earth—80 times as far away as the moon—if they were to have a good chance of escaping detection by a ground-based system such as could be installed rapidly with the cooperation of Western and possibly some neutral nations.
>
> While tests at extreme ranges are a technological possibility, they would involve years of preparation, plus several months to a year of actual execution, and they could cost hundreds of millions of dollars per successful experiment.

On the possibility of clandestine tests on earth, Secretary McNamara said:

> Over the U.S.S.R. or Communist China, only very low yield tests with quite limited objectives, could have a good chance of escaping discovery. These tests, we believe, could not produce significant advantages.

In addition, it should be borne in mind that we will not be limited to our present detection capability. Constant improvements are being made in our means of detection, and the treaty will not in any way inhibit such developments.

If it would have any effect, it would be to stimulate our progress in this field, since we would be placing even greater reliance than at present upon our detection system. And a pledge has been made by all concerned in the executive branch, from the President down, that in the event the treaty is ratified, a strenuous effort will be made to further improve and develop our means of detection.

Much of this testimony was given in executive session before the Foreign Relations Committee. I am sure any Senator who would read the record would be highly gratified and reassured at the great progress we are making in the matter of detection.

If there were a violation and we discovered it, we would not be bound by the treaty to refrain from testing in the prohibited environments. Under international law, violation of a treaty by one nation which is a party to it, releases, at that moment, other nations from their reciprocal obligations under it.

Therefore, in entering into this treaty, we do not have to trust the Russians not to test in violation of the treaty. Once they resume such testing, we are free to resume testing too. And because we are assured by the President, the Secretary of Defense, and the Chairman of the Atomic Energy Commission that we will stand ready to test at all times, we would be back where we are and no worse off than we are now.

Furthermore, those who say we would be signing our lives away by ratifying this treaty must not be aware of its provision permitting any party to the treaty to withdraw, upon 3 months' notice, if it decides that extraordinary events related to the subject matter of the treaty have jeopardized its supreme interests. The United States alone would decide whether extraordinary events have occurred and whether they jeopardize our supreme national interests.

This provision of the treaty should be borne in mind, also, in considering the fear that the Soviets would violate the treaty by slipping nuclear information to the Red Chinese, who are not a party to the treaty, and permitting the Chinese to conduct their tests for them. Let it be understood that we would not have to prove that such collusion had taken place. We could cite the Chinese tests as "extraordinary events" which "jeopardize our supreme national interests" and could withdraw.

And we have been assured by the President and by the Chairman of the Atomic Energy Commission that we would reinstate our testing program if at any time we felt the tests of any country were compromising our position.

Another charge we have heard against the treaty is that it would permit the Soviets to continue testing in areas and in weapons where they are behind us but it would keep us from testing where we are behind them.

This charge is partially based upon the uncontroverted Soviet preeminence in the larger or higher yield bombs—those ranging up to 58 megatons—which they have tested and which we have not.

At the hearings, Defense authorities testified that our lack of development in this area has been conscious and deliberate, based upon a decision—first made years ago in the previous administration, and continued into the present administration—that our defense needs are best served by smaller nuclear weapons. In discussing the bases for this decision, Secretary McNamara said, as reported at page 101 of the hearings record:

> As a result of our consideration of these very high-yield weapons, we have concluded that there are two military disadvantages

> to deploying them as contrasted with deploying a larger number of smaller weapons.
>
> First, as I have said, our studies indicate that for most missions directed at military targets, we can achieve a higher confidence of kill by using two or three smaller weapons instead of one very large one; for a given resource input we achieve higher target destruction with our smaller systems.
>
> Second, very high-yield warheads are relatively inferior as second strike, retaliation, weapons; it is much more difficult and costly to make them survivable—to harden, camouflage, or make mobile the huge missiles required to deliver these weapons.

At another point, Secretary McNamara further developed this line of thinking, as follows:

> And U.S. superiority in the lower ranges facilitates further development of relatively small warheads which would be used to assure penetration by saturation of sophisticated and very elaborate ballistic missile defenses.

Dr. Edward Teller, a highly respected opponent of ratification, said this on this point:

> It is not clear to me that these very big yields will result in a substantial advantage for the Russians * * *. In evaluating the consequences of the test ban, I do not place very great importance on the lead which the Russians enjoy in this particular field.

The Chairman of the Joint Chiefs of Staff, Gen. Maxwell D. Taylor, testified:

> I attach very little importance to this, frankly * * * the whole very-high-yield weapons field is one which has very little, if any, military significance.

As part of this charge, it is argued that we are ahead in the testing of smaller nuclear weapons of the type which could be tested underground under the treaty, and that the Soviets would be free to catch up with us on this type of testing. Without the treaty, of course, the Soviets can test either underground or in other environments in an effort to catch up with us in this area. Along this line, Secretary McNamara had this to say:

> But, by limiting Soviet testing to the underground environment, where testing is more difficult and more expensive and where the United States has substantially more experience, we can at least retard Soviet progress and thereby prolong the duration of our technological superiority.

In connection with the Secretary's observation that our own underground tests will be moving right along, it should be noted that, due to our greater experience in this environment, we should be progressing more rapidly than the Soviets.

Another similar attack against the treaty is that it would prevent us from testing and developing our antiballistic missile program. Dr. Harold Brown, Director of Defense, Research, and Engineering for the Department of Defense, testified:

> The best present judgment is that our ABM development efforts are comparable in magnitude and success with those of the Soviets. Any deployed system which the Soviets are likely to have now or in the near future does not appear to be as effective, almost certainly not more effective than Nike-Zeus.

Secretary McNamara added another telling answer to this argument, when he testified:

> One important point stands out in connection with the antiballistic missile: The ABM problem is dominated by factors unrelated to the treaty—by reaction speed, missile performance, that is, the rate of acceleration of the intercepted missile, traffic handling capacity, and capacity for decoy discrimination. A fuller understanding of the blackout phenomenon—which would result from tests prohibited by the treaty—might at most permit some reduction in the number of ABM radars required per ABM site.
>
> Thus, with or without a test ban, we could proceed with the development of an ABM system.

Initially, one of the strongest arguments against the treaty was the danger of euphoria, the danger that our Government and our people, after ratification of the treaty, would assume that the cold war is over and that the efforts and sacrifices which we have been making during the long period of tension are no longer necessary. However, all administration spokesmen who testified before our committee displayed an awareness that the treaty by itself does not solve all our problems of international relations and defense and that it will still be necessary to "keep our guard up" and to take certain steps to avoid falling behind our potential enemies in weapons development. The President, in his message transmitting the treaty, sounded the right note when he said:

> This treaty is not a substitute for, and does not diminish the need for, continued Western and American military strength to meet all contingencies. It will not prevent us from building all the strength that we need; and it is not a justification for unilaterally cutting our defensive strength at this time. Our choice is not between a limited treaty and effective strategic strength—we need and can have both.

The strongest possible assurance is given in a letter of August 23, 1963, to Chairman RUSSELL from Deputy Secretary of Defense Roswell Gilpatric that the executive branch is firmly committed to and will vigorously support the safeguards which will be vitally needed whether or not this treaty is ratified. In that letter, Undersecretary Gilpatric discusses all that is being done and will continue to be done, as follows:

First safeguard: The conduct of comprehensive, aggressive, and continuing underground nuclear test programs designed to add to our knowledge and improve our weapons in all areas of significance to our military posture for the future.

Second safeguard: The maintenance of modern nuclear laboratory facilities and programs in theoretical and exploratory nuclear technology which will attract, retain, and insure the continued application of our human scientific resources to these programs on which continued progress in nuclear technology depends.

Third safeguard: The maintenance of the facilities and resources necessary to institute, promptly, nuclear tests in the atmosphere should they be deemed essential to our national security or should the treaty or any of its terms be abrogated by the Soviet Union.

Fourth safeguard: The improvement of our capability, within feasible and practical limits, to monitor the terms of the treaty, to detect violations, and to maintain our knowledge of Sino-Soviet nuclear activity, capabilities, and achievements.

It appears to me that very few of our countrymen have been carried away by their enthusiasm for the treaty and its possibilities. On the contrary, I have observed that most Senators—and it seems most of the American people, certainly most of the people who write to me—look on this treaty with a skeptical and questioning eye. Rather than this treaty encouraging a relaxation of the defense effort, it seems there is more talk of keeping our guard up and on the ready at this time, than there has been since the days of Quemoy-Matsu.

Accordingly, I regard the danger of euphoria as more imaginary than real, as applying more to the theoretical reaction of a large number of hypothetical people than to the actual reaction of the American people, constituted as we are and thinking as we do.

Closely related to the fear of euphoria is the fear of planned surprise abrogation of the treaty by our potential enemies.

The argument is that the Soviets may be luring us into this treaty with the intention of suddenly violating or abrogating it by means of a quick series of tests which will give them a commanding lead before we can initiate tests of our own.

If we follow through on the safeguards discussed in Undersecretary Gilpatric's letter and the President's letter as read by the Senator from Illinois [Mr. DIRKSEN], as we almost certainly would, we would be in as good a position as the Soviets to resume testing in that event, and we should not fall behind to any significant degree.

In addition, it seems that we have learned our lesson from the sudden resumption of Soviet tests in 1961 which caught us unprepared, and we would not be as likely to make that mistake again.

On this fear, Dr. Brown said at the hearings:

> So, I think providing we are ready, a sudden abrogation of a treaty need not concern us greatly.

Another witness, Dr. George B. Kistiakowsky, professor of physical chemistry at Harvard University and former Special Assistant to President Eisenhower for Science and Technology, testified as follows on this point:

> It would be a rather stupid maneuver on the part of the Soviets to break the treaty by abrogating and starting to test right away, whereas they have the full right under the treaty to abrogate, wait 3 months and then test.
>
> The political disadvantages, bad odor of what they have done, will persist, and the technical gains of making certain atmospheric tests 3 months earlier are so infinitesimal that it just doesn't make any sense to me.

Finally, when all other arguments fail, the treaty's opponents fall back upon the argument that there is only one reason why the Soviets would agree now to a treaty which they have rejected in the past, and that is that they must be convinced that under present circumstances it works to their advantage and to our disadvantage. Undoubtedly, they must be convinced that it works to their advantage, but it does not necessarily follow that it works to our disadvantage or that they think that it does. Nations which enter into treaties usually recognize that it is to their mutual advantage to do so. Of course, we cannot know for certain what is in the minds of Soviet leaders in agreeing to this treaty, but we can readily see a number of reasons why enlightened self-interest might lead them to do so.

First. They are just as interested as we in preventing contamination of the air which we all must breathe and of the earth from which we all draw our sustenance. They are in as great danger of radioactive fallout as are we.

Second. They are no more desirous than we of being wiped out in a nuclear holocaust. They do not believe any more than we that anyone would win after a nuclear exchange. It would be a conflict which all would lose. Thus, they may recognize this treaty as one step toward control by mankind of the monster it has created.

Third. There is good evidence that the people under Soviet domination are becoming more and more dissatisfied with their low standard of living and are demanding more consumer goods. Perhaps there is a hope among their leaders that the treaty will make it possible to shift some of their means of production away from this highly expensive weapons production to that of consumer goods.

Fourth. There is evidence that the rift between the U.S.S.R. and China is genuine, and they may feel that the treaty helps them in their growing competition with their great Communist rival.

Fifth. They understand the danger of proliferation. They see that they would benefit, as would we, from the resulting discouragement of other nations from developing nuclear weapons.

Now, Mr. President, as the evidence of the desirability of U.S. approval of the treaty piles up, the opponents shift from a head-on attack of the treaty to the oblique to the enfilade. Opposition from the flank, it is sometimes called. They call these reservations and clarifications.

One of the most dangerous of these is the one offered by the able and distinguished junior Senator from Arizona, which would provide that the treaty would not go into effect until the U.S.S.R. has removed its troops and weapons from Cuba and arrangements have been made for international inspection within Cuba to confirm such removal.

I believe it is a fair and truthful statement, Mr. President, that no one has been more concerned than the junior Senator from Florida over the Communist takeover of Cuba.

I believe I was the first Member of the Congress to warn of the deteriorating situation in Cuba and of the danger Castro's movement presented to the security of the Western Hemisphere.

In those days, the Senator from Florida was abused by some of the press and by some of his colleagues for his warnings. After Castro's seizure of power, the Senator from Florida called upon the administration then in power to adopt a firmer policy against the tyranny which was enslaving Cuba, and continued to urge the new administration to the same effect.

I believe I was the first to call for cutting off all trade with Cuba.

I have been rather critical of the lack of a strong and affirmative policy against Castro's Cuba during the present administration, although I cheered the strong stand taken by the President during the fall of 1962, which resulted in a splendid, bloodless victory for our way of life and for freedom everywhere.

I have continued to urge recognition of a Cuban Government in exile and other more positive steps looking toward a free, independent, democratic Cuba.

So, the amendment of the Senator from Arizona is one that strikes a sympathetic chord within me. It is one that under almost any other circumstances I would support, for the Senator is indeed ringing a bell.

But, Mr. President, I respectfully submit that the bell he is ringing is not at the right address. This amendment is not germane to this treaty. It is clear that if it were added to this treaty, it would not result in the removal of the Russian troops and weapons from Cuba, but it would result in a defeat of this treaty.

For, obviously, it would require renegotiation of the treaty after some 91 nations have signed it. It is evident that the Soviet Union, and probably other nations—possibly Great Britain, Italy, West Germany, and others—would not agree to this reservation and that its result, in practical effect, would be merely to kill the treaty without serving any useful purpose whatever in decreasing the use of Cuba as a Soviet military base or eliminating the Castro regime in Cuba.

So, Mr. President, I believe any Senator can consistently and logically vote against the amendment of the Senator from Arizona and at the same time share with the Senator his concern over conditions now existing in Cuba and work with him and others in ways and means of bringing about the downfall of Fidel Castro and the returning of freedom to Cuba.

In searching his heart and conscience for the right decision on this momentous issue each Senator must decide what our Nation's goals should be and which road offers the least risk and best hope toward reaching those goals.

If our objective should be to make certain that more millions of Russians than millions of Americans would be killed in a future nuclear war, then perhaps we might come to the conclusion that the least risk would be to allow the present nuclear arms race to continue unchecked.

However, I submit that that is not the goal which most Senators and most of the American people are pursuing, for I am sure that most of us recognize that that road leads to the most frightful—the most egregious—consequences for human life on this planet.

As I interpret our wishes, our hopes, and our fears, the goal which most of us earnestly seek is the continuation of our free American way of life with a minimum of possibility of wholesale nuclear slaughter and the destruction of ourselves and other peoples.

The treaty's proponents have recognized throughout that there are risks in this treaty. Risks are unavoidable in any step in international relations we take in the dangerous times in which we live.

However, the risks in the treaty have been reduced to a minimum by the careful planning and negotiation which preceded it. In seeking the goal which I believe we are seeking, the risks of ratifying the treaty are much less than the risks of rejecting it.

It would not disarm us. It does not compromise us. It does not lessen our commitment to preserve our freedom and that of other nations who seek our assistance. But our signing does indicate to the remainder of the world that we recognize the United States and the Soviet Union have created a "Frankenstein monster" which must be controlled, and that we are willing to take a small step with the Soviets toward controlling it.

There are some military people, some scientists, and some Senators who have expressed beliefs that the risks outweigh the benefits from the treaty.

We can have the greatest respect, as does the Senator from Florida, for the able Senators who are opposing ratification, and for a military man such as Gen. Thomas S. Power and a scientist such as Dr. Edward H. Teller, both of whom have opposed it.

But we should also have great respect for the competence in this field of the Secretary of State Dean Rusk, the Secretary of Defense Robert McNamara, Director of the CIA John McCone, who used to be Assistant Secretary of the Air Force and who under the previous administration was Chairman of the Atomic Energy Commission. Particularly should we have respect for those men chiefly responsible for the Nation's security, the Joint Chiefs of Staff.

Mr. President, during World War II, I had the honor of serving in the U.S. Marine Corps. During the long, arduous, and sometimes sad days, I developed a deep and abiding respect for the courage and dedication of the leaders of the U.S. Marine Corps.

I particularly admired the selflessness and the bravery of a marine officer, David W. Shoup. He has received this Nation's highest decoration for heroism in combat, the Congressional Medal of Honor. Shoup was appointed Commandant of the Marine Corp by President Eisenhower. He sits with the Joint Chiefs of Staff. He appeared with other chiefs before our committee and in behalf of the treaty. His independence is unquestioned; his integrity is solid gold. When he said he was very much in favor of this treaty being initialed, I am frank to say that carried much weight with me.

But he and others whose judgment we can respect on a matter of this importance have unreservedly come out for the treaty, as have the former Commander in Chief of Allied Forces in Europe, the former President of the United States, Dwight D. Eisenhower, former President Harry S. Truman, and a host of others much too long to outline here.

This is too important an issue to be considered on partisan grounds. And I am proud of Senators again, for always, on matters of such gravity and consequence as this treaty, there is no room for political considerations. That is why we find such Senators as the distinguished and courageous minority leader [Mr. DIRKSEN], the ranking minority member of the Armed Services Committee [Mr. SALTONSTALL], the senior Senator from Vermont [Mr. AIKEN], and others all supporting this test ban treaty in the interest of their country.

Mr. President, all life is a risk, and those who seek to risk nothing, achieve nothing.

The ratification of this treaty is a calculated risk, and one I believe we must take, for it offers the greatest hope and the least risk toward the achievement of the supreme national objectives in the minds and hearts of American people.

I hope the Senate will overwhelmingly ratify the treaty.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the able Senator from South Carolina.

Mr. THURMOND. The able Senator in his address spoke of being able to detect explosions if they should occur. I am sure the able Senator knows that the art of concealment always runs ahead of the art of detection.

Mr. SMATHERS. I do not know that.

Mr. THURMOND. I mean, the art of detection always runs ahead of——

Mr. SMATHERS. I believe the Senator stated it the way he intended to state it the first time.

Mr. THURMOND. I said it correctly the first time; the art of concealment always runs ahead of the art of detection.

Mr. SMATHERS. I have heard that, but I do not know that to be true.

Mr. THURMOND. That is the information which was brought out in the hearings. That makes it difficult in a great many cases to detect an explosion. It has been found that the party who wishes to explode can conceal for some time and possibly get away with it, before the explosion can be detected.

Mr. SMATHERS. I have great respect and a very warm affection for the able Senator, whose patriotism is of the highest. I know he has conscientious concerns and worries about the treaty, but I do not accept that particular statement. I cannot accept that particular statement in the light of the weight of the testimony of the witnesses who came before the committee, who said that they believe the only way there could be an explosion without it being detected, unless it were underground, would be to have an explosion so far out that it would be beyond the moon, if it were not an explosion of such small consequence and such low yield that it would not really be of any benefit to the Soviet Union to test.

That was the testimony as I remembered it. That was the statement of Secretary of Defense McNamara. So I cannot accept the postulate the Senator first made.

Mr. THURMOND. For example, if an explosion occurred on the boundary line between Russia and China, over in the middle of the country, we are told by some of the military people—I remember General Power in particular—that it would be very difficult, if not impossible, to detect where the explosion occurred. I do not mean to imply that we would not be able to detect an explosion. Our seismic instruments probably would be able to pick up an explosion, but it would be impossible to tell where it occurred unless we had on-site inspection and were nearer the situs.

Mr. SMATHERS. In response to that statement by the Senator from South Carolina, I will say that if there were an explosion on the Russian side of the line certainly it would be against our interest and we could withdraw. If it were on the China side, we would have to make a determination, as provided in the treaty, as to whether it was against our interest. If it was, we would say, "We had better take a look at this situation and withdraw from the treaty." That is one good thing about the treaty—whenever we determine such explosions are against our interest, we can withdraw. Certainly if it happened in the Soviet Union, we would know with certainty that we could withdraw from the treaty and begin testing, ourselves immediately. If it happened on the China side of the line, we could do the same thing, under the protections of the treaty, if it were against our interest, and if there were collusion, and there probably would have to be under the circumstances, we would withdraw and begin our own testing. This was the testimony, as I recollect it, given by most of the expert witnesses on this question.

I might also point out to the able and distinguished Senator that the President of the United States has given the assurance that our facilities for detection of possible violation of the Treaty will be expanded and improved as required to increase our assurance against clandestine violations by others.

Mr. THURMOND. If we were not allowed to go into those countries to determine just where the explosions took place, or we could not detect the explosions well, if at all, how would we be able to tell the location? For example, what would keep Russia from shifting her scientists, equipment, and personnel to the Chinese side and continue to carry on nuclear work?

Mr. SMATHERS. I do not believe that would really make a great deal of difference. As I understood the testimony, under the treaty, if there were an explosion in the atmosphere, of sufficient size to warn us immediately, and our seismic instruments and other scientific tests showed us that they were testing in earnest again, we would know immediately that we would start testing immediately. If it were in China, we could give the 90 days' notice if we believed such testing was against our supreme interest. Certainly, if China started testing, that would have to be our conclusion.

I refer to page 18 of the report on the question of detection, which reads as follows:

> And the committee was impressed by this comment of the Joint Chiefs of Staff: "The dangers of detection and the cost of difficulty of testing in outer space would tend to impose severe restrictions upon such clandestine testing. Other clandestine tests in the atmosphere or underwater, depending upon their size, would involve a fairly high probability of detection by our conventional intelligence or our atomic energy detection system. Moreover, the Joint Chiefs of Staff consider the resulting progress which the Soviets might make clandestinely to be a relatively minor factor in relation to the overall present and probable balance of military strength if adequate safeguards are maintained."

Mr. SPARKMAN. Mr. President, will the Senator yield just briefly at that point?

Mr. SMATHERS. I yield.

Mr. SPARKMAN. Earlier today I suggested to Senators that it would be a very fine thing and very encouraging for each Senator to go downstairs to the Foreign Relations Committee Room and get out the testimony of Dr. Northrup on detection. Does not the Senator from Florida agree with me in that statement?

Mr. SMATHERS. I agree with the Senator from Alabama. In my more formal remarks, I said there was much more testimony, which is of a secret nature, that would give Senators more assurance and confidence in this Nation's ability to detect any sort of meaningful explosion on the part of the Soviet Union or Red China.

Mr. THURMOND. Whose testimony was that?

Mr. SMATHERS. Dr. Northrup's.

Mr. THURMOND. I also point out that it might be helpful to the Senator if he could read the full testimony of General Power, the most vital parts of which are classified. The Senator knows the responsible position General Power holds. He has studied this question thoroughly, and he is one of the country's great experts on this subject.

Mr. SMATHERS. I agree with the Senator that he is an outstanding military man and citizen but there are more than military considerations involved.

Mr. THURMOND. He is very much concerned about this matter. If an explosion occurred in the atmosphere near the line, it is felt that it would be impossible to tell in which country it had occurred, and it would be necessary to have onsite inspection or have some other way to determine it. If those countries did not permit entrance for the purpose of inspection, Russia could assert that it had happened in China, and it could very well have happened in China. Suppose Russia had shifted her operations there. There would be nothing to prevent her from doing it.

I earlier brought out information relating to the so-called rift between Russia and China. I am sure the Senator does not have too much confidence that there is a deep and lasting rift, because the Soviets have assured Red China that this treaty is in the best interest of world communism.

It is in the interest of both countries, the U.S.S.R. and Communist China.

I believe the Senator was present in the Chamber when I referred to an Associated Press article which reads:

> The Soviet Union told Red China the limited nuclear test ban was a positive gain for communism because it would perpetuate the liquidation of the onetime American nuclear monopoly, and freeze each side's nuclear power.

It is felt by a great many of our military experts that if the situation were frozen as it is now, after the most successful series of tests by the Communists in 1961 and 1962, the great military advantage would, in some critical areas, be on the side of the Communists.

The Preparedness Investigating Subcommittee, after holding hearings for almost a year, and having heard the military and scientific witnesses who appeared before the Foreign Relations Committee, in addition to others such as General Power, General Twining, Admiral Burke, and other key military men—concluded that if the treaty were ratified, the United States probably would be unable to duplicate Soviet achievements in very high yield weapon technology. That is because the Soviets have conducted tests with high yield explosions and have gained knowledge from them. It is felt that what the Soviets desire now, after gaining this knowledge, is time. They are trying to buy time by entering into this treaty, so they can manufacture weapons with their slower production facilities as a result of having gained this knowledge, and then they will be in a very powerful position.

So if the treaty should be approved by the Senate, the Soviets would have that knowledge, and we would not be allowed to test in the atmosphere. The Soviets are ahead of us, as the scientific and military experts have said, in high-yield weapons, and have a great advantage. I am not now considering the political aspects; I am considering the military advantages.

I was wondering how the Senator felt we could ever overcome the advantage that the Soviets have gained in very high-yield technology from these tests, because the only way such knowledge can be gained is by testing in the atmosphere. It is generally agreed that that is the only way.

It has been stated that it could be partially gained by testing underground. We could not gain complete knowledge that way, and in this competition we cannot settle with being half safe or half sure. The only way to test any weapon with any degree of confidence is to test it in the environment in which it will have to function, in which it would have to operate in a showdown campaign.

I was wondering how the Senator felt we could equal or regain knowledge the Soviets have acquired in this particular field.

Mr. SMATHERS. First I should like to answer another question; then I will answer the question the Senator has just asked. We were discussing the question of the Chinese testing, and the question whether that testing took place on the border. That is a question which was asked by Senator Russell of Secretary McNamara when he appeared before the committee. Senator Russell said:

> Senator Russell. We, in common with mankind everywhere, are yearning to avoid these dangers of a nuclear war, but we don't want to get carried away by the objective and leave ourselves in a helpless position, as you so well point out in your able presentation.
>
> REACTION TO POSSIBLE CHINESE TESTING
>
> What would we do if the Chinese started testing, and we discussed the matter with Mr. Khrushchev, and he said, "Yes, that contemptible scoundrel Mao Tse-tung has gone on testing there. You can't trust him on anything. We have tried our best to deter him, but he is continuing to test in the atmosphere and elsewhere."
>
> Just how far would we let that situation go before we would resume testing?

That is the situation to which the Senator from South Carolina had reference. Let me quote Secretary McNamara on this point:

> Secretary McNamara. Senator Russell, that would clearly fall under article IV of the treaty, and we would certainly have the right to test under those circumstances.
>
> I am certain that if there was any indication whatsoever that our national security was adversely affected by such Chinese action we would act to test.

It was that kind of testimony which convinced the majority of the members of the Joint Committee on Atomic Energy—and I see in the Chamber the former chairman of that committee, the Senator from New Mexico [Mr. Anderson]—and the majority of the Committee on Armed Services, and certainly the majority of the members of the Foreign Relations Committee, that we were not jeopardizing our Nation's security. The testimony was that we would test if it was determined that the Chinese were testing and it was adverse to our national interest. We have a right under the treaty to get out at any time that we believe there is something going on against our supreme interest. The minute that we know that testing is going on and the treaty has been broken by one of the parties to it, the other party is immediately released to do what it wants to do. We have already gone on record—the President of the United States, the Chairman of the Atomic Energy Commission, and all the others—that we are going to keep ourselves prepared to test even faster than we did after the resumption of tests by the Soviet Union in 1961.

That pretty well answers the first question of the Senator. I continue to read:

> Senator Russell. Despite any protestations on the part of the Russians that they had no part of it and didn't even know what the effects of the test were?
>
> Secretary McNamara. Yes, sir, I am confident of our actions under those circumstances.

There it is.

With respect to the other question of the Senator——

Mr. THURMOND. Will the Senator yield?

Mr. SMATHERS. I yield.

Mr. THURMOND. Red China now is not a party to the treaty.

Mr. SMATHERS. That is correct, but should they test in the atmosphere—and we consider such testing adverse to our supreme interest—we can, by giving 90 days' notice, release ourselves from the provisions of the treaty.

Mr. THURMOND. The Senator was saying that if Red China tested in the atmosphere, we would breach the treaty.

Mr. SMATHERS. We can under the provisions of the treaty with 90 days' notice to the signatories release ourselves from the treaty when such treaty is adverse to our supreme interest.

Mr. THURMOND. We would have the right. However, would we?

Mr. SMATHERS. This is what Secretary McNamara said. It is in the Record——

Mr. THURMOND. That is a new thought that has arisen in connection with the treaty, that if Red China tests in the atmosphere we will abrogate the treaty.

Mr. SMATHERS. At any time that any nation anywhere on the face of the globe tests, and we believe it is against our supreme interest, we can get out. That is one of the values of the treaty. It is that simple. That is what we are talking about. It is not much of a step forward. We are only beginning to move over. As the able chairman said, it is taking a different direction. This does not amount to a great deal in some respects, because we can start testing at any time that someone else starts to test in the atmosphere and we think it is against our supreme interest. If Israeli started to test or if Egypt started, or if anyone else started, and we thought it was against our interest, we would start testing immediately if they were signatories. If not upon 90 days' notice.

Mr. THURMOND. As a matter of fact, we would not have to have any reason to abrogate if we determined that it was in our national interest to do so. We could withdraw from the treaty.

Mr. SMATHERS. Yes.

Mr. THURMOND. Would we do so if Red China tested? Would we withdraw?

Mr. SMATHERS. I believe we would withdraw.

Mr. THURMOND. Suppose China did test in good faith, and the testing had no connection with Russia?

Mr. SMATHERS. Secretary McNamara said we would do it if it were against our supreme interest. I am satisfied we would. Obviously, Red China, ideologically motivated as it is, with its goal, constitutes the same threat to freedom.

Mr. THURMOND. I am of the opinion that the Russians would not hesitate to shift their scientists and their equipment across the line and have the tests carried on in Red China, and then claim that Red China was doing it, and not they.

Mr. SMATHERS. If there is testing, that is what may happen. If it does happen, we are out.

Mr. THURMOND. We could abrogate, but suppose they go along for 2 years, using the knowledge they have gained from the high-yield tests in 1961 and 1962, and have their weapons, and then suppose we abrogate, and they have already had their breathing spell and have kept us from testing, and have been able to build their weapons. We would have been testing underground, which would not equal atmospheric testing.

Mr. SMATHERS. I am sure the Senator from South Carolina recognizes that one of the foremost scientists who opposes the treaty is Dr. Edward Teller, the father of the hydrogen bomb. I have stated in the formal part of my speech that even though he is opposed to the treaty, on this particular point he did not believe that there was great progress to be made with respect to the future of this high-yield, many-megaton bomb, and that in many respects he did not believe it gave the Russians any particular advantage.

I am sure some military men believe—and I heard the Senator argue this point—that if the big bomb were exploded, it might knock out the radar defense system. However, it would not knock out the Polaris missile. It does not stop the Polaris submarines. There are 16 missiles in 16 tubes in those submarines. Those will work. I do not share the great concern of the able Senator from South Carolina on this point.

Mr. THURMOND. Unless we test, how do we know that it will not knock out the electronic systems of the missiles on board the Polaris submarines? Also, there is the point I raised earlier today, about the Soviet ABM capability to knock down Polaris missiles, which, by the way, are fired one at a time and not in salvo.

Mr. SMATHERS. If the Soviets can find out where these Polaris submarines are operating, they would have to blow up the warhead, including themselves, to do that. If a submarine lies 50 miles off the shore in the Black Sea, they must use a small weapon to hit that submarine, without destroying themselves. This is the advantage of the maneuverability and the manner in which the Polaris submarines can operate. This is what makes them one of the great weapons of all time.

Mr. THURMOND. If a bomb of 50 to 100 megatons were dropped and if it destroyed the electronic system by fusing the wires——

Mr. SMATHERS. The Senator has reference to fixed site missiles.

Mr. THURMOND. In the earth. The electric current operates them. If such a bomb should be dropped in certain parts of the world, how do we know it would not affect the missiles, unless we conduct tests to find out?

Mr. SMATHERS. Probably they can conduct such tests. The testimony of Dr. Harold Brown, one of the most respected scientists, is that it is possible to conduct underground tests and learn from them almost as much—I am paraphrasing the testimony—as one could from tests in the atmosphere. With respect to the antiballistic missile system, it did not involve so much a question of the warhead as it involved the deliverability system, the system of discrimination.

That is the real problem—the anti-ballistic-missile system. It is not the nuclear warhead end of it, but how is it delivered? How is it made to discriminate? How will it actually operate?

As the testimony is, except for one or two of the military men, the preponderance of the testimony was that our system of anti-ballistic-missile development was as good as theirs. I know the Senator from South Carolina does not hold to that view entirely, but I do. From the evidence I have heard—and the Senator from South Carolina has a right to believe the witnesses whom he wishes to believe, and I have a right to believe those whom I wish to believe. I believe the Joint Chiefs of Staff and other competent witnesses. I accept the word of Dr. Harold Brown. I am willing to accept the word of former President Dwight David Eisenhower, who, I think, knew something about this subject. I am willing to accept the word of the President of the United States, the Secretary of State, and the Secretary of Defense. We must believe someone in this matter. So far as Senators are concerned, it is a question of who to believe. I believe the weight of the testimony is well in favor of the treaty and that its ratification is in our national interest.

Mr. THURMOND. What about General Power, General Schriever, Admiral Radford, Admiral Burke, Dr. Teller, Dr. Foster, and so forth?

Mr. SMATHERS. I respect General Power, but I also respect the Joint Chiefs of Staff. I respect highly the Commandant of the Marine Corps, David Shoup, who has received the Congressional Medal of Honor, the highest award that can be given to any man in the U.S. Armed Forces. He sat before us and said, in effect, that he was happy when the United States initialed the treaty and that we ought to enter into it.

There is no greater patriot than General Wheeler, Chief of Staff of the Army, or Admiral MacDonald, Chief of Naval Operations. The committee heard all of them. It is a case of which ones Senators wish to believe.

The Senator from South Carolina has chosen to believe some highly respected men; I have chosen, as have most other Senators, to believe other men. This is what we all have a right to do. I do not question the Senator's patriotism; he does not question mine. I think this is a matter of judgment.

In addition to the military facets of the test ban treaty, there are other important reasons why the United States should approve the test ban treaty.

Mr. THURMOND. Of course, we respect General Shoup for having received the Congressional Medal of Honor; but there is a great difference between physical bravery and the possession of nuclear knowledge. Dr. Teller warned that a "disparity of knowledge today is a disparity of power tomorrow."

Dr. Teller said further:

> A test ban treaty with the Soviet Union would prevent vital improvements of our atomic explosives as well as foreclose the development of antimissiles and systems like Nike-Zeus and Nike-X. It would not keep the Russians from cheating. Such a treaty, in sum, would endanger our security and help the Soviet Union in its plan to conquer the world.

I am sure the Senator from Florida has great respect for Dr. Teller.

Mr. SMATHERS. I have the highest respect for him. Because of that, I wish to read what Dr. Teller said in answer to a question asked of him by the former chairman of the Joint Committee on Atomic Energy, which appears in the hearing on page 471.

> Senator Anderson. I appreciate that statement because I fully agree with you. I have grave doubts as to how important these large-scale weapons are. You were director of that laboratory and its guiding spirit for a long time. If this country had had to have a large-scale explosive you would have built one, wouldn't you?
>
> Dr. Teller. If I had thought so at that time that it was necessary I would have built one.

Obviously, the presumption is that Dr. Teller did not think such an explosive was necessary. Senator Anderson, because he respects Dr. Teller highly, but does not agree with him in this particular instance, said:

> You surely would.
>
> Dr. Teller. But it is entirely possible that 4 years from now I will appear before this committee and Senator Church will confront me with another situation where on the basis of changed information I will have changed my mind.

We all respect Dr. Teller; but Dr. Teller said he did not believe we should give too much weight to the fact that the Soviet Union might be ahead of us in the development of high-yield bombs—100-megaton nuclear warheads.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. HUMPHREY. Does the Senator recall another occasion, when Dr. Harold Brown appeared before the committee and was asked whether he had access to all information, technical and intelligence, and that Dr. Brown said, "Yes"? I asked the question of Dr. Brown.

With all regard and respect for Dr. Teller—and I emphasize that he has made a great contribution to science in this country and is a great scientist himself—I asked Dr. Brown if Dr. Teller had access to all the information, both scientific or technical and what we call intelligence, and the obvious answer, of course, was "No." We must take that fact into consideration. This is not to derogate the scientific competence of a man like Dr. Teller; it is merely that in forming his judgments, he did not draw from as wide a base of information.

A little later in the hearings, the great Dr. Kistiakowsky, who is acknowledged throughout the world as one of the truly outstanding scientists, and who was President Eisenhower's scientific adviser, was asked about the testimony of Dr. Teller and Dr. Brown. That testimony was recited today, so I do not need to quote it word for word. But the Senator from Florida may recall that Dr. Kistiakowsky said, in effect, "If you want to know about antiballistic missiles and talk to the man who knows the most about them and is in possession of information about them, that man is Dr. Brown."

Another man who is quite competent in this area is Dr. York. He gave rather revealing testimony when he said he knew of no way to build a defense against a missile; that what we ought to do is to build an offensive capacity; what he called penetration aids and penetration capacity.

So when we get into testimony, I say most respectfully to the Senator from Florida, as he himself has said so well, that while we can find a scientist here and there who may disagree with men like Dr. Brown, Dr. Bradbury, Dr. Kistiakowsky, Dr. York, and the military experts, we must take into consideration, it seems to me, in arriving at a judgment in this highly complicated important matter, the weight of the testimony. How much testimony is on this side? How much is on the other side? It is not that Dr. Brown is more intelligent than Dr. Teller, or vice versa. It is a question of updating the information or of weighing the testimony.

The President's Science Advisory Committee released a statement some time ago. I have a copy of it before me, dated August 24. Among those who serve on the President's Committee are men like Dean Harvey Brooks, of the Division of Engineering and Applied Sciences, of Harvard University; Dr. Edwin R. Gilliland, professor of chemical engineering, Massachusetts Institute of Technology; James B. Fisk, president of the Bell Telephone Co.; Dr. Bronk, president of Rockefeller Institute. Twenty-five or more of the greatest scientists in the United States, the best scientific brains we have, comprise the President's Science Advisory Committee.

Mr. SMATHERS. That is why so many Senators who listened to the testimony have made judgments as to whom they will believe. It is a difficult judgment to make. One finally takes as we say in law—the weight of the evidence. The Senator from South Carolina cites 1 authority; we cite 10. So it goes. The Senator from South Carolina may choose to believe his one authority; but other Senators may choose to believe many others. It was because of the testimony of such distinguished scientists and technicians in the field of missiles that most members of the Foreign Relations Committee were convinced. That is why they voted, 16 to 1, in favor of the treaty.

Mr. HUMPHREY. The point I wish to make about the August 24 statement, which later today I shall enter into the RECORD, is that Dr. Teller had been invited to present his views before his distinguished colleagues, not before Senators, not before those of us who are not scientists, but before the men who have been responsible for the defense of the free world, in the field of science and technology, before men who have been responsible for the intricate electronic companion system of rocketry.

Dr. Teller was asked to come in and have a full discussion on his views with the Science Advisory Committee. I did not sit in judgment, and neither did the Senator from Florida [Mr. SMATHERS]; neither did Dr. Teller's colleagues in the fields of science, engineering, physics, chemistry, and nuclear physics. All the men who had had practical experience in designing atomic energy projects, warheads, rockets, and missiles came to a different conclusion from that reached by Dr. Teller. I do not say Dr. Teller is necessarily wrong, because I do not know that. All I know is that men who know something about nuclear science, men who know something about engineering, men who have given their lifetime in this area, came to this conclusion, after they had heard Dr. Teller testify in the same way that one would testify before a panel of his peers:

> It is our judgment that the present advanced state of U.S. nuclear technology, and the present advanced state of U.S. nuclear technology and associated weapons systems, make it possible to accept restrictions on this treaty with confidence in our continuing security. Although certain technical possibilities will have to be foreclosed, these limitations also apply to other nations. In fact, more extensive limitations to a comprehensive treaty with adequate safeguards could provide ever greater confidence in our continuing welfare and security. The treaty would provide relief from radioactive fallout, and contribute significantly to the task of preventing the spread of nuclear weapons to other countries, thus constituting an important step toward a safe and secure peace in the world.

They decided in favor of the treaty.

Mr. SMATHERS. What date is that?

Mr. HUMPHREY. August 24. On August 23, Dr. Teller spent a good deal of the day in full discussion of his views, just as he presented them to the committees of Congress.

I must say that if I were to have a decision made about a point in surgery or in medicine, I should prefer to have a doctor who wished to argue his point on the proposed surgical or medical treatment go before a panel of other doctors and argue with them as to their professional judgments, so that later I could have the benefit of the weight of the judgment of the panel of doctors, rather than have the doctor whose views differed from theirs come before a group or a committee of Members of Congress and argue about a medical case or a case involving surgery.

Dr. Teller is not to be derogated, of course; but that is not the point. The point is that we have to make a decision, and we cannot expect unanimity on these matters. No doubt all these men are equally patriotic.

Mr. SMATHERS. I very much appreciate the statement made by the able and distinguished Senator from Minnesota. He has made very well the point I was trying to make in my colloquy with the able Senator from South Carolina [Mr. THURMOND].

Our decision on the question of voting for or against approval of the treaty is, of course, based on the judgment which all of us must make. When there is a difference of belief among the scientists and among the experts, we must decide which ones we choose to believe.

I respect the Senator from South Carolina for whatever judgment he has arrived at; but I maintain that the great weight of authority and evidence is in favor of our approval of and is in accord with the view that the treaty is in our national interest.

Of course some risks are involved. But if, following our approval of the treaty and its ratification, our country can work out and achieve an arms control system which will be practical and sensible, if we can, somehow, maintain the peace, and if we can, somehow, avoid a nuclear war, certainly this step is worth taking.

Of course, I could proceed to answer questions all day long. The Senator from South Carolina could cite the experts whose testimony he thinks the best, and I could cite 20 experts whose views coincide with my own. I have great affection and great respect for the Senator from South Carolina; but I am sure I would never be able to convince him to accept my point of view in regard to this treaty.

Mr. THURMOND. Mr. President, the able Senator from Florida has tried many cases in a court of law, and I am sure he knows that the judge or jury does not consider primarily the number of witnesses on either side.

Mr. SMATHERS. I agree.

Mr. THURMOND. The quality of the witnesses, is the primary consideration. I point out that testimony, not the number of such distinguished men as Dr. Teller, Mr. Foster, Admiral Burke, Admiral Radford, General Power, General Schriever, General Twining, and others have testified that, in their judgment, the treaty is not in the best interests of this country.

Mr. SMATHERS. But I am sure the able Senator does not believe that President Eisenhower is opposed to the best interests of our country, any more than he would believe that President Kennedy is or President Truman is. I am also sure the Senator does not believe the Joint Chiefs of Staff are any less qualified than is General Power. I am sure the Senator does not believe that General Wheeler or Admiral McDonald, or the Chairman of the Joint Chiefs of Staff do not know what they are talking about. All of them favor the treaty.

It is obvious that the minds of men who long have been in the military service—and I pay tribute to the able Senator from South Carolina, who is a distinguished major general in the U.S. Army Reserve—are oriented along military lines. So it is more difficult for them to see the political possibilities and the ideological possibilities of achieving peace. Of course, I would not go so far as to say that any military man wants such a war; I am sure those in the military service do not.

But the fact of the matter is that—practically speaking—large armaments and large military expenditures do not hurt the military men. Instead our military program gives them their rank and their stature. So, although we weigh the testimony of military men, I believe it sometimes more important to weigh the testimony of the scientists and others because their careers are not so directly affected by our decisions. I would not in the slightest derogate—to borrow a word used by the able Senator from Minnesota [Mr. HUMPHREY]—the patriotism and the ability of any military man. But I believe we should consider the views of other witnesses, too, should weigh all the evidence, and then should arrive at our decision.

I am sure I cannot convince the able Senator from South Carolina—who has produced a great array of witnesses—to accept my view. But I must say, with the highest respect for him, that he has not made the slightest dent in my convictions about what is right with respect to this treaty.

Mr. THURMOND. I am wondering whether the distinguished Senator realizes that General Twining has been working as the chairman of a Twining Committee, which has been studying these matters, and that he has been briefed on all the latest intelligence along this line. He testified before our subcommittee, but his testimony is classified, and I cannot discuss it. He came to the very firm, definite, and unequivocal conclusion that the treaty is not in our best interests.

I am sure, of course, that the Senator knows the members of the Joint Chiefs of Staff were ordered to take into consideration not only the military advantages, but also the political advantages, which General LeMay testified he did not feel qualified to assess.

Mr. SMATHERS. Yes. However, the world in which we live is not all military, and we can be grateful for that.

Mr. THURMOND. That is true. But I think there is no question that the thrust of their testimony was military directed at military disadvantages.

What political advantages does the Senator feel we would gain from the treaty?

Mr. SMATHERS. Of course, to answer that question, I could deliver my speech all over again. I wish the Senator had listened to it. I spent 35 minutes delivering it.

Mr. THURMOND. And I listened to it. What main political advantage does the distinguished Senator feel that we would gain from the treaty?

Mr. SMATHERS. First, there is the possibility that we can thus head off a nuclear war and maintain our freedom. I believe we can do that.

Second, I believe another great advantage is that we may not have to continue to incur the present enormous military expense, which is a burden on the taxpayers of this and other lands. So the treaty may make it possible for us to end the present large concentration of funds into this program, whereas today—because we are almost frightened to death—we are trying to establish a balance of power with the opposition.

If we could somehow relax tensions between the Soviet Union and ourselves, I believe that would be a great thing for all the people in the world. If we could, somehow, keep moving forward in the direction in which this treaty will start us moving, we could actually enter into some kind of sensible and practical disarmament treaty, I believe that would redound to the benefit of the United States and all other peoples, who, I believe, regardless of their color or their nationality, have the same goals in mind: They wish to be free, to eat three meals a day; to have their children educated, to think as they choose, and to worship as they choose. I believe all mankind wants those things; and I believe that if they are given sufficient opportunity, they can achieve them.

So I believe many advantages can be obtained by redirecting our efforts, if at all possible, so that we do not continue to follow the course of building larger and larger armament programs, more and more weapons, and larger and more dangerous bombs, to the point where we would contaminate the atmosphere and also to the point where, finally, some day, if a lunatic obtained control of one country, the world would be destroyed.

I believe that we ought to make almost any effort we can make in honor which would preserve our security and head off that kind of collision.

Mr. THURMOND. I can see the point that the able Senator makes. However, the testimony is that under the treaty we would keep up our armaments. I believe the testimony has been unanimous that we would not disarm. Some witnesses have testified that we shall spend more for underground testing because it will be more difficult.

Mr. SMATHERS. We must, until we see what the next step is. The proposal is a small first step. Then we hope for the next step. The next step may be entirely negative and we may all start testing again. On the other hand, having looked in that direction and at each other, saying, "Do you not realize the insanity of doing what you are doing," and hearing them say, "Yes, we do; we will make a little tentative agreement if you will," it may be that both of us, looking at each other and knowing what we are doing, though the process could lead to the destruction of civilization, might allow reason to prevail. We could turn away from the buildup of armaments and weapons, and the money that we are now spending for that purpose could be turned into more profitable and productive things to improve the life of all of our people.

I do not know that it will happen. No one does. But we would make a small effort. Perhaps we might accomplish that hope. We must keep our guard up. We do not know. The proposal may involve some deception on their part. But we must wait and see. At least we shall give them an opportunity to prove whether they mean what they say. However, we shall not endanger ourselves while we do so.

Mr. THURMOND. There is the question. At that point we part ways. In recent tests the Communists have gained great knowledge of high-yield weapons, superbombs, and bombs that might neutralize our silos. There are bomb effects which might make our missiles inert.

Mr. SMATHERS. I have not heard a military man or any man—even General Power, General Twining, or Admiral Burke—say that the Russians have a bomb that is big enough. It may hit a silo. Their argument is that if the silo is fixed at a site in Nevada or somewhere else, the Russians might be able to drop a bomb over it and fuse the electronic system, so that it would not work. I have not heard even the Admiral say that they can hit a Polaris submarine which is moving in the Black Sea, the Mediterannean, the Baltic, or elsewhere.

We are building them at the rate of one a month. If the Russians should drop a big bomb on one of those submarines, they must destroy themselves because it is so big. How can such a bomb hit a submarine and not destroy all that is around it? So far as I am concerned, at that point the argument does not hold up. I understand that if we had to rely totally on the fixed silo, accepting the Senator's argument at its full value, which I really do not, but for the sake of argument if I accepted it, it still would not answer the question. The admirals have not said that a big bomb can destroy that Polaris submarine because the Polaris submarine is mobile. It is under the water. It can get close to the shoreline. It can be 5 miles from the shore. If the enemy should drop such a bomb 5 miles off the shoreline, they would destroy themselves.

Mr. THURMOND. If the distinguished Senator could find the time to do so, I should like to have him read some testimony given before our committee, particularly the testimony of General Twining, General Power, and others who testified as to what happens under certain conditions during certain tests. I also remind him that several months ago the Communists published a statement in the newspapers to the effect that they have an antimissile system in a certain city in Russia, and that our intelligence reports confirm this.

I am not nearly as concerned about blast effects or near hits as I am the various exotic effects of the super bombs which I cannot discuss because of its highly classified nature.

Mr. SMATHERS. I heard the Senator make that argument the day the Senate held a closed session.

Mr. THURMOND. And it all came out in the newspaper.

Mr. SMATHERS. It should never have come out in the newspaper. I agree with the Senator. But it is pretty hard to keep things from the newspapers.

Mr. THURMOND. According to the intelligence received, that type of system has a capability of knocking down missiles with a range of 1,200 miles and 2,500 miles, which would cover the range of the Polaris submarine. We must not forget that the Polaris submarine does not fire a salvo. Some warheads are equipped to fire salvos. Those salvos can be composed of multiple warheads. They can all be deadly weapons or they can be composed of some decoys along with other missiles that are alive. But the Polaris does not fire a salvo. It merely fires one ballistic missile—a single missile. The Russians have a system that will knock down such missiles. Of course, they do not have it all over Russia yet, but as time passes, if they develop the system that they now have in this place, it is calculated to knock down a missile of the type carried by the Polaris. The Senator can see the trouble that we might then be in.

Mr. SMATHERS. I understand that. I believe the RECORD should clearly show that that is the Senator's view. There are others who probably support that view. But the Secretary of Defense specifically said that the anti-ballistic-missile system that we have today—the Nike-Zeus—in his judgment is as competent, if not more competent, than that which the Soviet Union has. He does not believe that the Soviet Union has today, or is in the process of developing, as sophisticated and effective an anti-ballistic-missile system as we have.

Mr. THURMOND. Our Nike-Zeus system has been effective in 8 out of 12 shots. We have increased its effectiveness since the secret meeting in the spring. But we are not developing it. The Soviets have developed their system. They have not only developed it, but they have deployed a system, and it would take us 4 years to produce and deploy such a system.

Mr. SMATHERS. I am sure the testimony is that we are going forward with the development of our anti-ballistic-missile system.

Mr. THURMOND. We are only doing research. We are not even providing for procurement of parts. That is the program for which we tried to get the money to go forward with.

Mr. SMATHERS. The Senator has previously debated that question in the Senate. It was generally the conclusion of most Senators, after having been informed by the able Senator from South Carolina on that particular point, that the Defense Department was doing the correct thing in not putting money into a system which would be outdated probably by next year, but would go forward with the development of a more specific and a more technically refined system than that which we now have under the Nike-Zeus system.

Mr. THURMOND. The Senator now knows that the Defense Department has admitted that the Nike-X will merely be an extension of the Nike-Zeus.

Mr. SMATHERS. As everyone knows, when we proceed from A, we get to B and then to C. We start with the first step and then improve it with a second, and then improve it still further with a third. We have improved the Nike-Zeus.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the Senator from Minnesota.

Mr. THURMOND. Mr. President, will the Senator yield to me for one further point?

Mr. SMATHERS. I yield.

Mr. THURMOND. The Nike-Zeus is supposed to go far out and knock down missiles, whereas the Nike-X goes up but a short distance. If a missile gets past the Nike-Zeus, the Nike-X is supposed to get it.

It is all one system. I explained that point a while ago. The Department of Defense was trying to show that it had a better system in the Nike-X, but that was a deception. That was not the case. The Nike-Zeus and the Nike-X are all one antimissile system. The Nike-Zeus would go far out, and the Nike-X would stop the missiles if they should get by the Nike-Zeus and come closer. I am sorry that the Secretary of Defense expressed the situation as he did, because it was deceiving.

Mr. SMATHERS. Mr. President, I wish to yield a moment to the able Senator from Minnesota.

Mr. HUMPHREY. Mr. President, the only thing I can contribute to the point under discussion is the testimony of General LeMay and the testimony of our scientists who have had the responsibility for the development of the system of antiballistic missiles. The Senator may recall that Dr. Teller made the point that we were falling behind in what he called knowledge in the entire field of weapons systems and the antiballistic missile. In the hearings many Senators questioned other witnesses on that subject. Without exception the witnesses disagreed. Other scientists disagreed with that evaluation made by Dr. Teller. In other words, either we had comparability, a kind of parity of knowledge, or, as others said, we were ahead.

With respect to the question of the anti-ballistic-missile system, the Senator may recall the testimony of Secretary McNamara, in which he pointed out that the anti-ballistic-missile system is not merely a warhead, but is the entire apparatus of the rocket or the missile itself. There are many component parts of it. We can continue to develop the system and to test it. We can continue to develop penetration aids and decoys. We can continue to develop radar and electronic devices and all the many facets and many component parts of the missile.

It was also stated—we can refer to the testimony to get the exact quotations—that insofar as the weapons effect of the warhead on such a missile is concerned, we have considerable information on that right now. In other words, it was stated unequivocally that we can develop an anti-ballistic-missile system which is as good as or better than that of the Soviet Union.

What did General LeMay have to say with reference to the Nike-Zeus and the second generation, or the extension of the Nike-Zeus into a more sophisticated weapon? General LeMay was cross-examined by the distinguished Senator from South Carolina on this question. Certain testimony was deleted for security purposes.

Mr. THURMOND. Of course, General LeMay has always been against an anti-ballistic-missile system. He goes on the theory of offensive power; and there is merit in that position.

Mr. HUMPHREY. That is exactly true. About the only one who seems to emphasize the anti-ballistic-missile system is Dr. Teller, who does not have competence in this field.

Mr. THURMOND. General Wheeler and General Taylor both are strong for the Zeus anti-ballistic-missile system.

Mr. HUMPHREY. General Wheeler supports the treaty. General Wheeler has full responsibility.

Mr. THURMOND. But the Senator said that nobody else supported it.

Mr. HUMPHREY. The Senator is correct in calling me up for that statement of mine. What I meant was that of those who opposed the treaty Dr. Teller was the one who was concerned primarily about the anti-ballistic-missile system, which caused him to oppose the treaty. Dr. Teller was not particularly concerned about the big bomb.

These men have their own specialties. Dr. Teller was more concerned about the anti-ballistic-missile achievements of the Soviet Union. He was not concerned so much about the big bomb.

Somebody else is more concerned about the big bomb, but not so concerned about the Soviet anti-ballistic-missile system.

We have found that, without further testing, we can make a bomb of 60 or 65 megatons, which would be a rather sizable "little firecracker."

Most of the scientists have testified to the effect that our weapons system and anti-ballistic-missile system is as good as or better than that of the Soviet Union. General LeMay testified:

> I do not recommend going into production of Nike-Zeus now, but I do recommend full scale development.

Which is exactly what we are doing. "Full scale development" is as fast as we can go.

Mr. THURMOND. Who is developing, full scale?

Mr. HUMPHREY. Research on Nike-Zeus.

Mr. THURMOND. The only thing we are doing is research on development of x. Actually, the Zeus has almost been abandoned except for a little research.

Mr. HUMPHREY. Did the Senator not hear me? I said "research."

Mr. THURMOND. The Communists have gone further. They have not only developed but have also deployed their system—a difference of 3, 4, or 5 years.

Mr. HUMPHREY. We heard that.

Mr. THURMOND. They are at least from 3 to 5 years ahead of us.

Mr. HUMPHREY. That is the conclusion of one Senator. I submit, most respectfully, it is the conclusion of a Senator who has studied this field. I respect the Senator's knowledge in this field. But there was no testimony before our committee that the Russians were 3 to 5 years ahead. The testimony which we heard on the Leningrad installation was that that was the only installation, and nobody knew what it was or how much they had.

Mr. THURMOND. The testimony before the Preparedness Subcommittee was that the Russians were from 3 to 5 years ahead of us.

Mr. HUMPHREY. There may have been one witness who testified to that, but the truth of the matter is that the people in this Government who are responsible for the defense of this country are not the people who are saying that this treaty will so inhibit us in the development of the anti-ballistic-missile system that we ought to reject the treaty. That is the first point.

The second point is that our knowledgeability of the anti-ballistic-missile system, according to our best experts, and according to Dr. Kistiakowsky, rests with the man who knows the most about this subject, who is Dr. Harold Brown. Dr. Harold Brown's testimony is unequivocal that we have either comparability with or are ahead of the Soviet Union on the development of an anti-ballistic-missile system.

I do not know whether we are ahead or behind. I know I have to believe somebody who has competence in the field.

Mr. THURMOND. I will tell the Senator whom he can believe on this question. All day the Senator has been putting confidence in the Joint Chiefs of Staff.

Mr. HUMPHREY. I hope so.

Mr. THURMOND. If the Senator is willing to put all that confidence in the Joint Chiefs of Staff, he can go to the committee room and read the classified testimony given before the Prepardness Subcommittee. There he will see that the Joint Chiefs of Staff admitted that the Soviets are ahead of us in the anti-ballistic-missile system. That is in the Preparedness Subcommittee hearings. I invite the Senator to go to read the testimony.

Mr. HUMPHREY. The only thing I will say is that this debate on the treaty, boiled down, comes to about the following:

First, many opponents of this treaty do not trust the Russians. I think we could pretty well agree on that.

Not only do they not trust the Russians, but some of them do not trust even our own scientists—I mean, their judgment.

Now it seems we do not even trust the Joint Chiefs of Staff. Apparently we do not trust the President. I say this because the President, the Secretary of State, the Secretary of Defense, the Director of the Central Intelligence Agency, the Joint Chiefs of Staff, the Chairman of the Joint Chiefs of Staff, and the President's Science Advisory Committee, as well as the leading scientists of this country—at least most of them—support this treaty.

If we cannot trust anybody, perhaps we ought not to have a treaty. Perhaps we ought not to have hearings. Whom can we trust?

Two Presidents have recommended this treaty. Two Secretaries of Defense, two Secretaries of State, and two Chairman of the Joint Chiefs of Staff have recommended it. It seems to me we must trust them.

Mr. THURMOND. In closing, Mr. President——

Mr. SMATHERS. I thank the able Senator from Minnesota. Then I will yield to the Senator from South Carolina. I am happy to hear the Senator from South Carolina say "in closing."

The point is that there must be someone whom we can believe. The Senator from Minnesota has outlined all the people who are for the treaty. The Senator from South Carolina can outline all those who are against it. Every man has a choice.

The Senator from South Carolina chooses to believe a certain group who have some doubts about the treaty. That is his right. That is his privilege. We respect him in that right. The Senator from South Carolina will not convince me. Certainly he will not be able to convince the Senator from Minnesota. I doubt that he will be able to convince more than a few Senators of the correctness of his position, but certainly he has a right to express it. I look forward, as I am sure other Senators do, to hearing the Senator's formal speech in this regard in the next 2 or 3 days. We will give the Senator every consideration.

But, so far as the junior Senator from Florida is concerned, I have examined the testimony. I have listened to a great deal of it. I have heard many of the arguments pro and con. There is no question in my mind. It is not even a close question. We should adopt the treaty. We should adopt the treaty overwhelmingly, because it is in the best interests of the United States, as I see it.

Now I yield to the Senator from South Carolina.

Mr. THURMOND. In the Preparedness Subcommittee the testimony will show that the Joint Chiefs of Staff admit that the Soviets are ahead of us in high yield nuclear weapons. The testimony will also show that the Russians are ahead of us in the development of the anti-ballistic-missile system. In order to overcome the deficiencies in those two fields it will be necessary to test in the atmosphere. That is the only way we can do it.

We are supposed to be ahead of the Soviets in the low yield weapons tests.

I do not know what information the Senator had before the Foreign Relations Committee. I am telling the Senator what testimony was given before the Preparedness Investigating Subcommittee. I wish the Senator would read it.

Mr. SMATHERS. I concur in the conclusion of the Foreign Relations Committee, which was written in the report. This is our conclusion. The Senator from South Carolina does not know what was said before our committee, and perhaps I do not now what was said before his committee. He can read what was said before our committee, and I can read what was said before his committee. I thought we had all the testimony. The Senator says that maybe we did not. I still think we did. But now I quote the report:

> But in any case, after considering all of the testimony on this subject, the committee agrees with the Joint Chiefs of Staff that in the anti-ballistic-missile field, development of the U.S. system does not depend on atmospheric testing—

Which is just contrary to what the Senator from South Carolina just said. The Joint Chiefs of Staff did not say that before our committee.

Mr. THURMOND. Some of the Joint Chiefs expressed the position that they felt we could overcome some of this advantage, but I do not think they said we could do it completely, or that we could overcome it entirely. I do not know what kind of statement the Senator has, but the Preparedness Subcommittee had it in more detail, and it is classified.

Mr. SMATHERS. The Senator understands that, even if it is classified, every Senator can read it.

Mr. THURMOND. That is correct; and I would be glad if Senators would do it. In fact, I heartily recommend this.

Mr. SMATHERS. When executive sessions were held before the Atomic Energy Joint Committee, the Foreign Relations Committee——

Mr. HUMPHREY. And the Armed Services Committee——

Mr. SMATHERS. And the Armed Services Committee—we thought we really were getting all the testimony.

Mr. THURMOND. We are trying to have some of our testimony declassified. The Defense Department has refused to declassify a lot of information which will be helpful to our side. It is a very strange thing for the Department officials to do.

I read now a question asked by the Senator from Rhode Island [Mr. Pastore] of General LeMay on page 350 of the hearings of the Foreign Relations Committee.

The Senator from Rhode Island asked this question:

> Do you see any military need for a 50- or 75-megaton bomb?
>
> General LeMay. Yes, sir; I do. The Joint Chiefs have already recommended we go ahead with the development work on a large yield bomb.
>
> Senator Pastore. Is this a new policy?
>
> General LeMay. It is not new as far as I am concerned. I asked for, the Air Force asked for, a high-yield bomb as early as 1954.
>
> Senator Pastore. When you talk of high yield you mean over 50 megatons?
>
> General LeMay. Yes, sir.

I bring this information up at this time because the question arose in the debate earlier today as to whether the military had asked for a high-yield bomb. I believe the Senator from Alabama indicated that it had not. We had this information in the Preparedness Investigating Subcommittee. We are trying to declassify it now, but are having difficulty doing so. I see that it was brought out in the Foreign Relations Committee hearings in this exchange between Senator Pastore and General LeMay. This is a vital point, so I call it to the attention of the Senate at this time.

I read now from page 351 of the same hearings. The Senator from Rhode Island [Mr. Pastore] asked Admiral McDonald this question:

> Admiral, could the use of very large-yield weapons put our command communications of Polaris out of commission?
>
> Admiral McDonald. Quite likely.

In conclusion, it is clear that the Soviets are ahead of us in high-yield weapons and in testing for the effects of high-yield weapons on our second strike systems. They are also ahead of us in the development of an anti-ballistic-missile system. Therefore, the only way we can catch up in these crucial fields is through atmospheric testing. We can catch up partially with underground testing. We cannot completely catch up the way we should by testing in the atmosphere. We need to test in the atmosphere to determine what size bomb would knock out missiles and knock out electronic controls or guidance systems in the missiles in the silos. These tests need to be conducted in the atmosphere.

In my judgment, and that of others we shall be making a great mistake if we do not do it.

I thank the Senator for his courtesy.

Mr. SMATHERS. I am delighted to have had this discussion with the Senator from South Carolina. I would like to ask him one question in closing. When the hearings were held before the Preparedness Investigating Subcommittee, were all the members present, or was the Senator from South Carolina there by himself?

Mr. THURMOND. Most of the members heard the testimony. They were not all there all the time, but were there most of the time.

Mr. SMATHERS. With reference to the report of the Preparedness Investigating Subcommittee, I wish to read very briefly the views of two Senators who were present and heard this testimony that apparently not enough of us heard. One of them is the Senator from Missouri [Mr. SYMINGTON], who said:

> As a member of both the Foreign Relations Committee and the Preparedness Investigating Subcommittee I listened to and questioned many responsible witnesses—both in and out of Government. Most of these experts testified that our national security would be adequately protected under the terms of the treaty.
>
> Much of this testimony was before the Foreign Relations Committee and, therefore, is not emphasized in this report.

The Senator said further:

> Based on the record, I am worried about the treaty; but more worried about the possibility of an all-out nuclear exchange some day in the future.
>
> Therefore, I plan to vote for the treaty.

This Senator sat on the same subcommittee, and listened to the same testimony that the Senator from South Carolina did, but apparently came to another conclusion.

Mr. THURMOND. He did conclude with one other Senator, to support the treaty, but the Senator from Missouri signed the majority report with five others, with only the Senator from Massachusetts [Mr. SALTONSTALL] declining to sign although agreeing that the facts of the subcommittee report were accurate.

Mr. SMATHERS. I shall paraphrase the views of the Senator from Massachusetts [Mr. SALTONSTALL], who took part in the hearings of the Preparedness Subcommittee, and who is a member of the Committee on Armed Services—I think he is the ranking minority member. He said, in effect, "I cannot come to the same conclusion my friend STROM THURMOND came to. I am going to support the treaty."

It all comes back to the same question Senators have been discussing this afternoon. The evidence is before us. A Senator can choose to believe this one or that one, and not believe 25 on the other side, or he can do anything he wishes in arriving at his own judgment; and that is what the Senator has done.

The rest of us, motivated by the same desires to serve our country, with the same degree of patriotism, who put ourselves in his class and say that we, too, love our country just as he does, have chosen to believe what we think is the preponderance of the evidence given by all the witnesses.

We think there is something beyond the mere narrow view of the military to be considered in the test ban treaty. We think the interests of this Nation and the free world can be served by adopting the treaty. That is why we are going to vote for it. The Senator is entitled to his view. We are entitled to ours. I thank the Senator.

Mr. THURMOND. I thank the able and distinguished Senator. Five of the seven members of the Preparedness Investigating Subcommittee favored the report. The other two Senators admitted that the report was factually true, one of the two even signing the report with the rest of us. The Senator from Missouri [Mr. SYMINGTON] said that, to the best of his knowledge, the factual data contained in the report of the Preparedness Investigating Subcommittee is correct. The Senator from Massachusetts [Mr. SALTONSTALL] admitted that the facts contained in the report of the Preparedness Investigating Subcommittee were accurately stated.

The committee stated:

> From the evidence we have learned that the Soviets have overtaken and surpassed us in the design of very high-yield nuclear weapons; that they may possess knowledge of weapons effects and antiballistic missile programs superior to ours; and that under the terms of the treaty it is entirely possible that they will achieve parity with us in low yield weapon technology.

Mr. SMATHERS. I wish to finish reading that part of the report. It states:

> Although we have concluded that there will be a net military disadvantage to us if the treaty is ratified, we recognize the existence of other factors which, while not within the scope of this report—

Because this is on a narrow, military basis—

> are pertinent to a final judgment on the treaty.

This is the point we are making—there are other considerations besides the narrow considerations of what are military advantages. There are other considerations, even bigger considerations.

Mr. THURMOND. That is correct, but I do not consider the military disadvantages to be narrow. The effect is that one would favor the treaty if he believed the Preparedness Subcommittee's report that there were military disadvantages but believed that there would be political advantages which would offset or more than offset them.

Mr. SMATHERS. That is correct.

Mr. THURMOND. I thank the Senator.

Mr. SMATHERS. I thank the Senator from South Carolina.

Mr. HUMPHREY. Mr. President, I think it is obvious that each Senator can bring to bear on this question different witnesses who have different points of view. Again, I repeat, one has to consider the testimony in terms of the competence of the witness, of the variety of experience the witness may have had, and the knowledge he may have acquired, and his current knowledge in weaponry and in our relative strength to that of the Soviet Union.

First of all, I believe the RECORD ought to be corrected with reference to Admiral McDonald. Admiral McDonald did not testify that a big weapon could put out of commission our Polaris submarines. What he did testify was that a big underwater explosion in the megaton range near a Polaris submarine would put that submarine out of commission. He testified at page 396 of the hearings with respect to the whole system, and his testimony is to the effect that the big weapon would not put out our communications system, which is the heart of the Polaris system. We have duplicate systems. We have ways of putting in extra protection. I ask unanimous consent to have printed in the RECORD at this point the marked portion of the testimony of Admiral McDonald.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> Admiral McDONALD. I believe the question was what impact would it have; would it have an adverse impact upon the communications of the Polaris submarine.
>
> My answer was——
>
> Senator PASTORE. With the permission of Mr. KUCHEL, I think we ought to read General Taylor's answer to that question. That is the reason I asked it so that you would have the full context of it.
>
> "General TAYLOR. Admiral McDonald really should answer the question. I would say from what I know we have so many duplicating pairs for communications that we would have no problem communicating with any one of our weapons systems or the essential elements of those systems, although, obviously, some fraction might be lost."
>
> Admiral McDONALD. May I go ahead, sir?
>
> Senator PASTORE. Yes.
>
> Admiral McDONALD. When the question was asked this morning my immediate thought was the effect that a megaton bomb would have upon the communications system of the submarine were the bomb applied to the submarine, in other words, a megaton underwater burst near the submarine, and that is the reason I said "Quite likely." I had studied earlier this morning something that Senator ANDERSON had worked up because of a question that was asked him in the spring [deleted].
>
> Now, if we are speaking, as I understand now, of the communications, not of the submarine but to the submarine from the shore, I doubt very much if it would adversely affect them, because we do have duplicating systems [deleted] I realize that there are some who ask what will happen if these megaton bombs create a communications blackout?
>
> Well, I don't know, and I am not certain that our scientists know positively that such a thing will happen.
>
> But if it does, I think it would have less effect upon the Polaris system than any other because the Polaris system does not have to be as immediately responsive.

Mr. HUMPHREY. Mr. President, we should also note, with reference to the so-called high yield big weapon, that the decision was conscientiously made by our scientists and military men not to go in for the big weapon, even though the Air Force favored it.

We have exploded rather large bombs. Our scientists have said that without further testing of 50 or 60 megaton bombs, we have knowledge on that type of weaponry. At pages 10 and 11 of the report of the Committee on Foreign Relations there is this statement with respect to our decision to build smaller weapons:

> This decision has accounted in large part for the superiority of the U.S. forces. As Secretary of Defense McNamara stated:
>
> "Our high yield-to-weight ratio in the relevant range has facilitated the development of more powerful warheads for Minuteman and Polaris without concomitant increase in vehicle size or decrease in range. It is because of this that the United States has had the advantage over the Soviets of being able to deploy large numbers of hardened and dispersed Minuteman missiles and a large number of long-range, sub-launched Polaris missiles. And U.S. superiority in the lower ranges facilitates further development of relatively small warheads which would be used to assure penetration by saturation of sophisticated and very elaborate ballistic missile defenses."

The report continues:

> Even Dr. Edward Teller, a critic of the treaty, recently commented:
>
> "It is not clear to me that these very big yields will result in a substantial advantage for the Russians * * *. In evaluating the consequences of the test ban, I do not place very great importance on the lead which the Russians enjoy in this particular field."
>
> The Joint Chiefs of Staff testified that they "have not regarded as important the attainment of weapons in the 100-megaton range * * *. They feel that the types and numbers of megaton-yield weapons available to us now or in the future could give us an adequate capability in the high-yield weapon range."
>
> And the Chairman of the Joint Chiefs of Staff, in response to a direct question on this point, replied:
>
> "I attach very little importance to this, frankly, Senator. The whole very high yield weapons field is one which has very little, if any, military significance."

When this country has to rely upon military advice, I should think we would have good reason to respect the views of the Chairman of the Joint Chiefs of Staff and all of the Chiefs; and the considered judgment of the Chiefs of this particular point has been read into the RECORD.

With respect to the anti-ballistic-missile missile the overwhelming body of evidence indicates that our knowledge in this field is equal to that of the Soviets, or superior.

When we get down to the credibility of witnesses, I do not believe anyone can deny that Dr. Brown, who now has the responsibility for defense research in this area, for the development of our weapons in the anti-ballistic-missile field, should be looked upon as credible and reputable and as an honorable witness. His testimony is in the RECORD.

Mr. SMATHERS. Mr. President, I should like to add also with respect to the high-yield bombs, that even Dr. Teller, the scientist who opposes the treaty, said he did not attach any particular significance or importance to the fact that the Soviet Union at this time was admittedly ahead of us in the matter of development and production of high-yield bombs.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial entitled "J.F.K.'s Reassuring Letter," published in the Minneapolis Tribune. The editorial relates to the communication of the President to the majority leader and the minority leader, and expresses the view of one of our leading newspapers in the Midwest.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

J.F.K.'S REASSURING LETTER

Mr. Kennedy's "unqualified and unequivocal assurances" with respect to the nuclear test ban treaty should go a long way toward allaying any doubts and fears that might have turned some still undecided Senators against it.

The treaty's ratification by the constitutional majority of two-thirds has not recently been in serious doubt. But the letter which the President addressed to Senate Majority Leader MIKE MANSFIELD and Senate Minority Leader EVERETT M. DIRKSEN is likely to result in a more emphatic endorsement by the Upper House. Fully as important, it promises to minimize the chance that the Senate, by adopting reservations to the treaty, might drain it of much of its substance and purpose.

The American people should be reassured, too, by Mr. Kennedy's letter. It has been spelled out for them, in unmistakable terms, that underground nuclear testing (permitted by the treaty) will be "vigorously and diligently carried forward." All necessary steps will be taken to safeguard our national security if the treaty should be violated or abrogated. Furthermore, Mr. Kennedy makes it plain that the treaty does not in any way limit the authority of the President to use nuclear weapons for the defense of the United States and its allies.

This last assurance was directed to a point raised by Mr. Eisenhower. Another was apparently addressed to Senator BARRY GOLDWATER's proposed reservation which would render the treaty inoperative as long as Russian troops remained in Cuba. The United States will take all necessary action in response, said the President, if Cuba should be used to circumvent the treaty.

We think that Mr. Kennedy should be commended for his clear and forthright effort to dispel any doubts that were sincerely held within the Senate. Reservations to the treaty, on our part, could only be an invitation to the Russians to adopt comparable limitations and might well end in stalemate.

The Kennedy letter should help to set the stage for an emphatic endorsement of the treaty next week. Senator DIRKSEN's support of it, too, is an important weight on the side of ratification and the realization of a long sought goal. This is not a partisan issue and the American people, we feel sure, would not want it to be one.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an article on the Harris poll, which was published in the Washington Post on Sunday. It indicates that the latest poll shows a significant increase in public support for the test ban. It shows unqualified approval of 81 percent, up from 52 percent in July; qualified approval, 11 percent, down from 29 percent in July. The total qualified and unqualified approval is 92 percent. Opposed is 8 percent, down from 19 percent in July.

I have the feeling that as the public comes to understand the significance of the treaty, it is probable that the American public will demonstrate a great sense of judgment, possibly even better than that of the Senate.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PUBLIC MORE THAN 4 TO 1 FOR TREATY, MANY SWITCHING TO IT SINCE JULY

(By Louis Harris)

If the American people had to vote in the Senate this week on ratification of the nuclear test ban agreement, they would vote better than 4 to 1 in approval, according to a special nationwide survey completed this past week. Public fears of the effect of fallout and radiation from continued testing and the cautious hope that the agreement marks a first step toward peace contribute heavily to people's views.

Actually, there have been some interesting shifts in public opinion on the test ban question since the negotiations were begun early in July. As the Senate has moved closer to a decision on the treaty, there has been a sharp increase in the number of people who now give unqualified support to the ban and a comparable fall-off in the number who are outrightly opposed or still have reservations.

Here are the current feelings toward the treaty among Americans who expressed their opinion in a poll taken last week—compared with the outcome before negotiations began in July:

Attitudes toward test ban agreement

	Percent	
	September	July
Unqualified approval	81	52
Qualified approval	11	29
Opposed	8	19

Even if people giving only qualified approval are combined with those opposed, there are only 19 percent who could not go along with ratification of the agreement now before the U.S. Senate.

If the overall shift has been decidedly toward unqualified approval of the test ban agreement, then there are just as dramatic changes in the reasons that lie back of people's opinions. When asked why they feel the way they do, here is the lineup of the reasons given:

Reasons for favoring or opposing test ban agreement

	Percent	
	September	July
Unqualified approval	81	52
Cut fallout	21	12
Must end tests	18	18
End risk of atom war	15	12
Stop world suicide	13	6
Step to world peace	9	0
Halt cost of testing	5	4
Qualified approval	11	29
If Russia keeps word	8	12
Only with inspection	2	12
If on our terms	1	5
Opposed	8	19
Russia will break it	4	17
Hurts U.S. defense	4	2

In the 2 months of public discussion of the test ban, public awareness on the fallout issue has risen. In Lowell, Mass., for example, a 42-year-old machine tool operator put it this way: "Everyone should agree to this on account of the fallout. This is bad for your system. It can hurt your health." In Gary, Ind., a 27-year-old steelworker had this to say: "It should cut down on the danger to people's health."

A sizable segment of the public also sees the test ban as a first step on the road to peace. However, most agree with this elderly widow in Alhambra, Calif., in her caution, when she said: "I grant it doesn't really do much, but it's at least a step, a possible move for something better." Or as a 28-year-old St. Louis accountant put it: "It's a first step in the relaxation of the cold war, but I'm still terribly leery of the Communists."

Much of the opposition was summed up by a business executive in Rochester, N.Y., who said: "It puts us at a military disadvantage. We've been hoodwinked by the Russians before. It cuts down our experimentation for an anti-missile-missile weapon." Or, in the words of a motel owner in Inverness, Fla.: "It hurts national defense. We'll keep our word. Russia will break its word."

In short, in the view of a large majority of the American people, the test ban treaty is considered a first, cautious step worth taking, but few are ready to believe the millennium of peace is anywhere in sight.

ANTARCTIC TREATY INSPECTION

Mr. HUMPHREY. Mr. President, one of the issues which has been brought up repeatedly in the debate on the test ban treaty is that the Soviets do not keep their obligations or fulfill their obligations under treaties. Without trying to go into this subject in detail, I remind my colleagues that in 1959 the executive branch of our Government signed and in 1960, the Senate subsequently ratified a treaty dealing with the Antarctic. There were 12 signatories to that treaty including the Soviet Union.

Despite some doubts voiced at the time of ratification by both proponents and opponents of this treaty, it was approved and has been operative for over 3 years.

Its relevance to the present debate was highlighted just the other day when it was announced that we planned to make an inspection of facilities constructed and maintained in the Antarctic by other nations—including the Soviet Union.

Though announcement of this proposed inspection appears to have qualities referred to by some as "managed news," an inquiry into the facts of the matter will disclose that the timing was only provident.

Arrangements for the inspection started a year ago and the other signatory nations were informed of our plans last spring. I use the words "informed of our inspection" rather than "requested to permit it," for the treaty gives the right of inspection to one signatory without consent of those to be inspected.

It is rather significant that at the time the treaty was ratified some of us noted this inspection feature, and that inspection seemed desirable in our national interest. That is exactly what we are doing now.

I have been informed that the Soviets offered no objection to our inspection procedure and that, depending on weather conditions, it will take place sometime between November and February.

The Senate has been told more than once during this debate that the Soviets cannot be trusted to keep obligations undertaken by treaties they sign.

I point out that they apparently are adhering to the 1960 Antarctic treaty.

This may be only one of a few examples that we can point to, but it is a present treaty; it is one that was signed in recent years, as was the treaty on Austria. I believe they will adhere to the test ban treaty.

It will be the task of our Nation to persuade them—by keeping open the diplomatic channels of negotiation while maintaining our strong defense posture—that to do anything less would not be in their interests.

As every Senator knows, treaties are generally adhered to because treaties serve the interest of nations. When a treaty serves the interest of many nations, or when there is a mutuality of interest, treaties are generally effective.

RATIFICATION—SENSE OR SENTIMENTALITY?

Mrs. NEUBERGER. Mr. President, we have been told that Senate ratification of the test ban treaty will be more a tribute to the political potency of the "mothers' vote" than a rational reflection of our national self-interest.

The assumption, of course, is that women—and in particular mothers—are notoriously sentimental, and that their sentimentality has clouded their enthusiasm for an unchecked, proliferating nuclear arms race.

Mr. President, there is, indeed, a "mothers' vote" for the test ban treaty and against continued atmospheric pollution. But it is not a sentimental vote. It is a vote that flows from the rational concern of any mother for the welfare of her children and her natural and acute sensitivity to the survival of future generations in recognizable form.

I say "rational concern" because the accumulated scientific evidence on the genetic and somatic effects of nuclear radiation establishes beyond any reasonable doubt that fallout from atmospheric testing presents a significant hazard to human life.

Suprisingly, no one, not even the most avid exponent of continued testing suggests that fallout is harmless. Those scientists, who oppose the treaty simply consider the hazards of fallout relatively "acceptable."

But, there is surprisingly little conflict among scientific witnesses on the absolute hazards of fallout radiation. No one today seriously doubts that radiation from the Hiroshima and Nagasaki bombs caused cancer, and particularly leukemia, in heavily exposed individuals. Nor is there any doubt that genetic mutations, including muscular dystrophy, blindness, dwarfism, and other major deformities, flourish among the children of irradiated Hiroshima and Nagasaki survivors.

Excessive radiation has taken its toll in this country too. American radiologists have been shown to experience excessive death rates from leukemia. Uranium miners, subjected to airborne radiation in the mines, suffer a significantly higher death rate from cancer of the lung. Chromosome X-rays of atomic workers at Oak Ridge, who had experienced radiation accidents, disclose "an irregular pattern of deformity."

No one disputes the cause and effect relationship of radiation and injury in these cases, but fallout, as one scientific witness put it, is in a different ball park. Why? Because the radiation levels from fallout fall far below the dosages to which these radiation victims were subjected.

Yet few scientists are prepared to argue that there exists a level below which no damage is done by radiation—a threshold of safety. There appears to be a consensus that any quantum of radiation added to our atmosphere will cause a proportionate number of genetic mutations and a proportionate increase in the incidence of radiation-connected diseases, such as leukemia.

It is argued, however, that the absolute numbers of fallout radiation victims are an "insignificant" or "negligible" percentage of the world's population.

What are these absolute numbers? The estimates vary, but they are none the less meaningful. Somewhere between 50,000 and 200,000 children will be born in the world with "gross" birth defects, directly attributable to fallout from atomic testing. These are conservative estimates. Some authorities have predicted that "the total estimated serious genetic defects will be 17 million with about 150,000 expected to occur in the first generation." In addition, an estimated 400 children in the United States alone will die of leukemia this year as a result of atomic testing.

These estimates do not account for areas in which scientists' suspicions have not yet hardened into estimates. The effects of radioactive carbon from bomb tests, for example, cannot yet be gaged. "Such defects," a Harvard biologist told the committee, "may be at least 10 times more numerous than those from fallout."

Nor do the estimates account for local hotspots as in Utah and Nevada, where radioactive iodine 131 from the Nevada testsite appeared in far greater quantities than had been previously suspected. In my own city of Portland, Oreg., strontium 90 levels in milk for May and June exceeded the "permissible" level set by the International Commission on Radiological Protection.

At this moment the results of these phenomena are beyond estimation. Nor can we estimate the toll of future tests—bigger tests; more frequent tests; tests, not only by the United States, the U.S.S.R., Great Britain, and France, but tests by Red China, perhaps Israel, Egypt, Czechoslovakia, Canada, West Germany, Japan, Switzerland, Sweden, India, and other nations, caught up in the race to join the nuclear club.

While discussing the treaty with my friend, former Representative Joseph Casey, he recalled an article by the late Senator Brian McMahon from which I quote:

> We are all of us fond of repeating that war is not inevitable. We act almost as if we believe that merely wishing will make it so. We almost appear to think that verbal incantations will somehow repeal the inexorable laws of an accelerating arms race. Five thousand years of history, which teaches over and over and over that arms races al-

> ways lead to war—under today's conditions, to atomic war. Unless we act boldly and immediately to wrench history from its present course, war is inevitable. It is still within our power to confute this somber prophesy, but we must act valiantly and we must act now.

This continuing arms race and continued testing are what I fear.

The President and the responsible advocates of the partial nuclear test ban treaty have been properly cautious in delineating its significance. It is not a blueprint for disarmament. It in no way obviates the necessity for maintaining a superior military structure. It may or may not effect any long-range diminution of international tension. It may or may not establish a pattern for the nonmilitary solution of international problems.

Yet if the only tangible benefit to be derived from the test ban would be the capping of future atmospheric pollution it will still be a major achievement in the history of human affairs.

Admiral Rickover once recounted an incident in which his concept of the significance of radiation conflicted rather sharply with those of a superior officer. "One day one of my superiors asked that I reduce the amount of radiation shielding on our nuclear ships. He said I was using civilian radiation safety standards but in military units, casualties of 20 to 30 percent were sometimes accepted. I told him that I was sorry that I could not do what he asked. I couldn't ignore the fact that where radiation is involved we are dealing not just with the health of the men aboard one ship, but with the genetic future of mankind."

If there is, indeed, a "mother's vote" on the nuclear test ban, then it is a vote cast, as Admiral Rickover once cast his vote, for "the genetic future of mankind."

ORDER OF BUSINESS

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. KUCHEL. On the off chance that this question has not been asked earlier today, and simply for the information of the Senate, is it the intention of the leadership to have the Senate convene at 10 o'clock each morning this week?

Mr. HUMPHREY. That is the present intention.

Mr. KUCHEL. Is it the hope of the leadership that a vote might take place on some of the preliminary proposals this week?

Mr. HUMPHREY. The indication that I have received from the majority leader is that there may be votes on some of the proposed amendments or reservations that have been suggested by certain Senators. I am hopeful that the Senate will be able to complete action on the treaty this week. There has been exhaustive and full debate on the treaty. No effort will be made, of course, to cut off any Senator, or in any way deny any Senator the opportunity to discuss the treaty to the fullest extent possible. It is important business. I am sure the Senator from California would agree with me that when Senators have concern or doubt about items in the treaty, they should be privileged to express that doubt. So the date of the vote is secondary in importance to the unqualified right of a full discussion of the treaty and all its ramifications.

Mr. KUCHEL. Of course it is secondary. The able Senator from Minnesota, the acting majority leader, is completely correct. I asked the question so that Senators might be guided from the standpoint of committee activities and other senatorial business.

Mr. HUMPHREY. I believe that every Senator should make plans to be present all week. If Senators have other plans, they ought to begin to make other arrangements. I say this because, as the Senator knows, meetings are scheduled which concern some of my Democratic colleagues from the Western States; and I have heard about other meetings. But I do not think we can really say categorically when the amendments and reservations that have been discussed will be voted upon. So every Senator ought to be present.

Adequate notice will be given of the time of the final vote. Certain Senators are attending an international conference. I hope they will return before the final vote on the treaty takes place; but at least notice of 24 hours will be given before that vote takes place.

Mr. KUCHEL. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. KUCHEL. At what stage of the rules are we now with respect to the consideration of the treaty?

The **PRESIDING OFFICER.** The resolution of ratification is open to amendment by reservation or understanding.

Mr. KUCHEL. Do I correctly understand that it is now in order to offer amendments to the resolution of ratification and to vote upon them?

The **PRESIDING OFFICER.** The understanding of the Senator is correct.

DEATH OF REPRESENTATIVE LEON H. GAVIN, OF PENNSYLVANIA

As in legislative session,

Mr. SCOTT. Mr. President, today we in Pennsylvania are mourning the death of the beloved dean of the Pennsylvania Republican delegation, Representative LEON H. GAVIN, of the 23d District. LEON and I served together in Congress for some 20 years. I had a deep affection for him as a person and a high regard for him as a legislator.

I am deeply saddened to learn of his death. He has been an outstanding Representative.

He and I came to Congress at almost the same time. Personally, he was a man of great warmth and compassion. On the floor of the House he was a fighter for the interests of his constituents—a fighter every bit as tough and determined as he was during the First World War, in the 51st Infantry.

Not only has Pennsylvania's 23d Congressional District lost a wonderful Representative, but the Nation has lost a fine legislator.

Mr. President, quite recently we in Pennsylvania also lost the Honorable Francis E. Walter, of the 15th District. Here in the Senate, we have lost our amiable friend, the late Senator Estes Kefauver, of Tennessee. In addition to these two Members from Pennsylvania, the House has lost through death, this year, the Honorable Clyde Doyle, of California, and the Honorable Hjalmar Nygaard, of North Dakota.

Two Senators are presently in hospitals.

The five Members of the Senate and of the House who have died so far this session exceed by one the number who died in 1962, and this is the same number as those who died throughout the full year 1961.

Dr. George W. Calver, physician to the Congress, has frequently commented on the deadly effect of protracted sessions of Congress.

Early in this session I spoke several times of the lack of forward planning and of the time lost in the early part of each session—time which, in my judgment, could be better utilized.

While the Senate's delays can be attributed in part to the archaic rules and procedures under which we operate, and which I am seeking to have the Senate amend, I think that much of the physical strain and risk to the health of our membership can be attributed to the erratic ups and downs of our program of legislation.

The President's program has been before us for 8 months, but it now seems likely that we shall be here until Christmas, although with the prospect of passing very little major legislation. Not much rest or relaxation can be salvaged this year. Is not this the time for somewhat better planning, in the interest of both the country and Congress, for the coming second session, in January?

No one can say with certainty what losses of Members through death or illness may occur during the remainder of this session. But there is every likelihood of a filibuster before we adjourn, and it may cause the death of some Members who are in the Senate today. Neither can we say for sure what the rigors of the next session may bring. But perhaps some casualties at the next session could be avoided if it were properly and efficiently planned.

Therefore, I urge that the leadership of the Senate and House, with the cooperation of the Executive, now put next year's program in a framework planned as carefully as possible to avoid the frustrations and the casualties which otherwise could be expected with reasonable certainty.

A large part of the President's program for legislation in the 88th Congress is already before us. Hearings have been held on a number of major bills.

Careful planning would enable the committees to hold hearings on a large number of less controversial measures as soon as the second session convenes, because we shall not then be delayed by the problem of the reorganization of committees. Major legislation could also be planned for certain periods during the session.

Of course, I am aware that interruptions are caused by emergencies, procedural delays, frequent holidays, and a general reluctance to get down to business. But the next session can, if its leaders and if the Executive are of a mind to get results on a planned basis, comply with the provisions of the Legislative Reorganization Act and adjourn by July 31.

If an analysis of the program convinces congressional leaders that this target date is not possible, provision should be made for a summer vacation, to permit Members to rest and relax with their families and to see a little of their children and grandchildren, and to permit a change of pace and a lowering of blood pressure.

The 1st session of the 88th Congress has been a killer—and, in my opinion, needlessly.

The second session will be a killer, too, unless there is an improvement in our own housekeeping and our own planning.

We obey traffic regulations, in order not to be killed or injured. But there are no congressional safety signs or rules of the road to serve as precautionary provisions to keep Members from being maimed, or worse, on the tortuous and frustrating hills and valleys along the legislative highway.

The legislative process reminds me of our old Pennsylvania Dutch saying: "We get too soon old and too late smart."

Mr. President, if we do not want to lose more Members, we had better get smart.

Mr. President, as in legislative session, I submit, on behalf of myself and the senior Senator from Pennsylvania [Mr. Clark], a resolution extending condolences to the family of the Honorable Leon H. Gavin, late a Representative from the State of Pennsylvania.

The resolution reads in part as follows:

> *Resolved*, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.
>
> *Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Shortly, Mr. President, a motion will be made to have the Senate adjourn as a further mark of respect to the memory of the deceased.

The PRESIDING OFFICER. The Chair lays before the Senate a message from the House, which will be read.

The Chief Clerk read the message, as follows:

> In the House of Representatives, U.S.,
> *September 16, 1963.*
>
> *Resolved*, That the House has heard with profound sorrow of the death of the Honorable Leon H. Gavin, a Representative from the State of Pennsylvania.
>
> *Resolved*, That a committee of thirty-five Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.
>
> *Resolved*, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.
>
> *Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.
>
> *Resolved*, That as a further mark of respect the House do now adjourn.

The PRESIDING OFFICER. The question now is on agreeing to the resolution of the Senator from Pennsylvania, which will be read.

The resolution (S. Res. 199) was read by the Chief Clerk, and was considered and unanimously agreed to, as follows:

> *Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Honorable Leon H. Gavin, late a Representative from the State of Pennsylvania.
>
> *Resolved*, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funerel of the deceased Representative.
>
> *Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

The PRESIDING OFFICER. Under the second resolving clause, the Chair appoints the two Senators from Pennsylvania [Mr. Clark and Mr. Scott] the committee on the part of the Senate.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, if there is no further business to be transacted, I move, as a further mark of respect and honor to the memory of the late Representative Leon H. Gavin, of Pennsylvania, that the Senate adjourn, in accordance with the order previously entered, until 10 o'clock tomorrow morning.

The motion was unanimously agreed to; and (at 6 o'clock and 51 minutes p.m.) the Senate adjourned, in executive session, under the order previously entered, until tomorrow, Tuesday, September 17, 1963, at 10 o'clock a.m.

NOMINATION

Executive nomination received by the Senate September 16, 1963:

U.S. District Judge

Bernard T. Moynahan, Jr., of Kentucky to be U.S. district judge for the eastern district of Kentucky, vice H. Church Ford, retired.

EXTENSIONS OF REMARKS

The Federation of Malaysia

EXTENSION OF REMARKS

OF

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1963

Mr. BROOMFIELD. Mr. Speaker, today marks the formation of a new nation, the Federation of Malaysia. This new nation is a consolidation of Malaya with Singapore, Sarawak, and North Borneo.

Born in freedom, Malaysia is dedicated to the principles of democracy and self-determination.

The Tunku Abdul Rahman, Prime Minister of Malaya and one of the principal supporters of this new country, has said:

> My ambition is not a mighty Malaysia, but a happy Malaysia.

He has called for "food instead of bullets, clothing instead of uniforms, houses instead of barracks."

He is dedicated to economic growth, to prosperity, to peace, and to freedom for the citizens of this new nation, and with our help and support, Malaysia will achieve these goals.

Geographically, Malaysia occupies one of the most strategic spots in the world. The port of Singapore is the main trading post for all of southeast Asia. The Straits of Malacca are equal to the Suez and Panama Canals in importance.

Malaysia is sandwiched between covetous neighbors who have actively opposed the creation of this sovereign country.

Indonesia has made no secret of its opposition to the Federation. It has attacked Malaysia verbally, diplomatically, and militarily.

Armed bands have crossed the Malaysian border from Indonesia, shooting, killing, creating dissension and turmoil.

Indonesians were directly involved in efforts to stir up revolt and resistance to Malaysia within the country itself, and many of them had to be sent back home.

The Philippines has laid dubious claim to North Borneo and also has attempted to wreck the Federation of Malaysia before it could be created.

In an effort to placate these two neighbors, the United Nations sent a survey team into the area to be encompassed by Malaysia, and the finding was that the population overwhelmingly supported this new nation.

Instead of calling off their opposition, both Indonesia and the Philippines are continuing their resistance and are attempting to force this independent country to its knees.

Indonesia forgets that our Nation supported its efforts for freedom. The Philippines forget that we gave that nation its freedom—which it most certainly earned. Yet, these two countries would deny the right of self-determination to Malaysia and instead strive to make Malaysia their colony.

This effort to wreck Malaysia must be resisted, and it will be resisted at all costs.

Malaysia is rich. Malaysia has solved a great many of its economic problems by itself, by concentrating on peace and prosperity. Let us hope that Malaysia's neighbors will learn from Malaysia, will realize that economic growth can be accomplished much more quickly and much more efficiently under freedom.

The Government of the United States should give the Federation of Malaysia its fullest support, and I am sure that my colleagues concur in these views.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1963

Mr. ALGER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following newsletter of September 14, 1963:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

CIVIL RIGHTS, HUMAN RIGHTS, PROPERTY RIGHTS, ARE IDENTICAL

Man's unalienable right to life, liberty, and property is the basic guarantee of the Constitution. These rights are identical and inseparable. Liberal demagogs, through semantics, now try to confuse the issue and to destroy the faith of the people in certain areas of rights which are identical to others which they promote. The rights of all the people are being trampled upon to give special treatment to minorities, justified by proponents because the minority has suffered past discrimination. This premise is faulty and, if followed through, will destroy the fundamental rights of all, including the minority. Test the following fundamental rights to determine wherein—or if it is possible to separate civil rights—human rights or property rights can be separated.

FUNDAMENTAL RIGHTS OF ALL THE PEOPLE

1. Right to be secure in your own home. Anglo-Saxon law has always maintained that a man's home is his castle and inviolate against government control, unlawful entry, or seizure without due process of law. This includes the right to own a home, a right which is now being taken away through Government-owned housing and in seizure of private property through eminent domain as a part of Federal urban renewal programs. (Applying the test can this be separated as to civil rights, human rights, or property rights?)

2. Right to earn and to keep. Every man has a right to earn according to his ability and talent and to keep the fruits of his labor. (What does your test show here?)

3. Right to sell, dispose of, or bequeath. Every man has the right to dispose of what is his in any manner not harmful to others and which benefits him or his family. (Apply the test.)

4. Right to improve oneself. Each man has the right, according to his individual ambition, desires, and willingness, to improve himself in order to better his lot in life. (Civil right, human right, property right, or all three?)

5. Right to hire or fire. In a system based on private ownership a businessman has the right to hire those who are capable, who meet his requirements, who produce according to the demands of the job, and at wages he has the right to set in order to insure his right to a profit. (Test this right.)

Apply the test, too, to other basic rights such as the right to shop and buy freely; right to own a business and to pick your customers; right to pick your neighbors, companions, and the right to marry; right to eat what you choose; right to personal safety and protection.

Many of these rights are being curtailed or denied by a powerful Federal Government, taxation, bureaucratic regulations, and the power of monopolistic labor unions by wage setting, price fixing, fair trade laws, limited competition, enforced hiring by race, Federal standards for education, nutrition, job performance, and restrictions on firing.

NEW FRONTIER POLICIES RESTRICT RIGHTS OF A FREE PEOPLE

New Frontier policies—politics at any price—threaten these basic rights of all the people. Kennedy policies not compatible with individual rights include a planned economy, democratic socialism, big Federal Government and big Federal spending at the expense of local government and individual freedom; President Kennedy's flirtation with Soviet Russia without proper regard for the defense and security of the United States, weakening our military position and making more probable all-out war or our defeat without a war; his courting of minority groups—Negroes, labor, big-city machines sets the Nation back to the corrupt era of political bossism as epitomized by the worst years of Tammany Hall in New York, the Hague machine in New Jersey, the Crump machine in Tennessee, and the gangster-ridden Pendegrast machine in Missouri.

ONLY THE PEOPLE CAN SAVE THE REPUBLIC

The choice of what kind of government we will have in the future, the preservation of our civil, human, and property rights, is up to the majority. Only the people have the power to halt the complete destruction of rights guaranteed by the Constitution. Our present course will be reversed only if the people, the great majority of the people, become as vocal in contacting their Senators, Representatives in Congress, and the President, as the gangs of demonstrators, the pressure groups now monopolizing the front pages of our newspapers and the newscasts on radio and television. Only an aroused public will force action to protect the rights of all.

The Civil Defense Shelter Development Program

EXTENSION OF REMARKS

OF

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1963

Mr. ROGERS of Florida. Mr. Speaker, I would like to comment briefly on the civil defense shelter development program contained in H.R. 8200 which will come before the House this week.

All the discussions about a nuclear test ban treaty and a hot line between Moscow and Washington should not in any way lessen our interest in protecting American citizens against fallout in the event of an enemy attack. Our past experience indicates just how far we can trust those who would destroy us. Pearl Harbor may be dimming in our memory, but the missile buildup in Cuba certainly is not. Just a year ago Russian arms were deployed in Cuba for a possible attack on the United States. Cuba is still an all-important problem. There are others around the world which indicate that today as ever we must keep our guard up. In this nuclear age we must be ready for action at any time. There will be no second chance to get ready. Preparedness is the only answer to the threat. The survival of the United States demands that we take action to protect our population against nuclear fallout. The shelter program in H.R. 8200 would provide a margin of safety for millions of Americans.

No. 6—New Mexico: The Gamblers' Paradise

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1963

Mr. FINO. Mr. Speaker, today, I would like to bring to the attention of the Members of this House, more particularly the members of the congressional delegation from the State of New Mexico, some pertinent information about gambling—both legal and illegal—in that State.

In 1962, legal parimutuel betting in New Mexico amounted to $37 million of which the State treasury received about half a million dollars in revenue. However, illegal gambling of all varieties far surpasses legal wagering. According to testimony presented to the McClellan committee, offtrack betting dwarfs the volume of betting at the track.

Mr. Speaker, New Mexico's portion of the estimated national yearly offtrack turnover came to $265 million last year. Of course, offtrack betting is not the only form of illegal gambling. The figures for bets placed offtrack must be doubled in order to arrive at an estimate of the total gambling volume in that State. This would put the annual illegal gambling turnover in New Mexico at more than $500 million. Some of this money is heading south of the border to the lotteries in Mexico and other similar operations. The rest of it is fattening the purses of criminal elements who hang onto about 10 percent of the total take as gross profit.

Mr. Speaker, if the Spanish-Americans of New Mexico are buying foreign government lottery tickets, it is clearly understandable. The United States is the only nation with a considerable Spanish-speaking population that does not operate a national lottery.

I do not doubt for a moment, Mr. Speaker, that a referendum in New Mexico would establish overwhelming sentiment for a National or State lottery. Perhaps, New Mexico will follow the lead of New Hampshire and make a decision for social and financial reality. Until such time, official hypocrisy will continue to be a silent partner in crime and New Mexico will continue to be a vice-ridden gamblers' fiestaland.

Revitalization of Economy of Wisconsin, Michigan, and Minnesota

EXTENSION OF REMARKS

OF

HON. GAYLORD NELSON

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Monday, September 16, 1963

Mr. NELSON. Mr. President, Wisconsin stands in the center of a three-State area, once abundant in natural resources, later despoiled by shortsighted interests.

The Federal Government, through the U.S. Department of Agriculture, has studied the area of the northern parts of Wisconsin, Michigan, and Minnesota to recommend ways of revitalizing the economy of that part of the Nation.

It is a valuable natural resource area, lying within 500 miles of 50 million Americans. President Kennedy will visit the area later this month and will address the Great Lakes States Conference at Duluth, Minn.

In order to explain more fully the purposes and aims of the conference, I ask unanimous consent that a news release from my office to Wisconsin news media be printed in the Record.

There being no objection, the news release was ordered to be printed in the Record, as follows:

Washington, D.C.—When President Kennedy brings his nationwide conservation tour to northern Wisconsin on September 24, he will learn of "blunders in the past and great hope for the future," Senator Gaylord Nelson said Monday.

"The destruction over 50 years ago of natural resources in northern Wisconsin—just as in many other places—was a national scandal," Senator Nelson said.

"First we squandered the timber. Then we ruined the soil and some of the waters. And then we exploited our final resource—the people. Every one of these foolish measures ended in failure."

Nelson said that intelligent long-range planning could turn the North into a great recreational asset and a self-sufficient economic unit. However, without such planning at the local, State and national level, natural resources and recreational assets could be destroyed anew by a rapidly growing population and fierce economic pressures, he said.

"I hope that the Presidential trip and the Great Lakes States Conference at Duluth on September 24 and 25 will point the way to some solutions for the problems of the North and some wiser conservation policies for the Nation."

President Kennedy will leave Washington on September 24 for a 5-day nationwide tour of conservation needs and outdoor resources. He will land at Duluth, Minn., take a side trip to the Lake Superior shore area of Wisconsin, and make a major speech at the Duluth conference.

"President Kennedy's conservation trip should arouse the national conscience," Senator Nelson said.

"All conservationists and thoughtful citizens will applaud this effort which we hope is a prelude to a comprehensive investment by our State, local and national governments to preserve these assets in the next decade."

"The history of northern Wisconsin tells the old story, repeated all over the world, of men destroying their environment while pursuing a better life," Nelson said.

Northern Wisconsin was once covered with 130 billion board feet of pine trees worth billions of dollars, Nelson pointed out. If these forests had been systematically managed and harvested, they could have continued forever as a permanent resource.

A pioneer Wisconsin conservationist, Increase A. Lapham, warned in 1854 that Wisconsin would eventually run out of timber. He called for systematic tree planting, but a State and Nation which considered its timber resources inexhaustible ignored his warning, Nelson said.

Also ignored was an 1867 report by a special State forestry study committee which said:

"Consult the history of Egypt, of Palestine, of Greece, of Italy, and we shall see that the original fertility and productiveness of a country may be destroyed. A country capable of sustaining a dense population of happy, prosperous, and civilized people may be converted into one of comparative sterility. * * * Such may be our future unless we profit by their example."

"This warning was ignored and the land was raped by the lumber barons at the turn of the century," Nelson said. "Forest fires raced through the tangled slash left behind by the loggers. Floods and erosion took their toll. Much of this magnificent land was left in ugly ruins."

"Soil erosion, in turn, caused silting in many streams, the effects of which are still noticed today," Nelson said.

"The exploitation of human resources was probably even more regrettable," Nelson said. "Real estate speculators advertised far and wide that huge tracts of choice land were available to settlers in the north. Train loads of new settlers filled with hope poured in from Chicago, St. Paul, and many other areas. The land was sold to them at a higher price than many of their grandchildren can get for it today after a lifetime of backbreaking cultivation and improvement," Nelson said.

Wisconsin mistakenly believed that "the plow would follow the ax" into northern Wisconsin and that rich productive farms would spring up there as they had elsewhere in the westward development of our country. They were cruelly disappointed because, as scientists had tried to warn them a generation earlier, the destruction of the forests had altered the soil and the very climate of the north.

The inevitable result was heartbreak, financial ruin, and eventually a sad exodus as these people abandoned their farms and filed back to the cities seeking jobs.

"They left behind staggering problems for State and local governments," Nelson noted. Tax delinquency became rampant and villages, towns, and counties throughout the north were thrown into fiscal crisis.

Despite all of these tragic developments, the north has made a remarkable comeback and has a bright future "if we can learn the lessons of the past," Nelson said.

"Once the resources were destroyed, the State enacted enlightened programs of conservation and reforestation. These programs have resulted in the almost complete reforestation of the north, and the population which stayed behind, despite a generation of hardship, has remained vigorous and resourceful," he said.

"The north has tremendous resources," Nelson said, "in its great supplies of land, trees, and clean fresh water. It makes a logical recreation center for many millions of Americans crowded into cities who long for life in the outdoors.

"However, the very factors which create the new opportunity for the north, also threaten it with the second destruction of its resources in a single lifetime," Nelson said.

Population is booming, Nelson pointed out. Highway and air transportation is greatly improved. Americans have more leisure time and more leisure money.

Cottages are filling up the shorelines of the lakes at the same time that there is an unprecedented demand for public access, Nelson pointed out. Some lakes are being polluted by septic tank overflow from poorly planned lake shore subdivisions. High-powered motorboats, many of them trailered from big cities to small lakes, have turned old fishing haunts into waterborne traffic jams. Swamps are being drained for subdivisions, leaving no sanctuary for wildlife. Beautiful landscape vistas are being ruined with a cheap costume jewelry of neon signs, billboards, and hotdog stands.

"Fast buck operators, who have already made millions in Arizona and Florida, are proposing huge cheap subdivisions in northern Wisconsin areas utterly unsuited to intensive residential development," Nelson said.

Some northern residents are easy prey for fast talking promoters who offer an alternative for what has been a long period of near poverty. As a result, Nelson said, "local residents and units of government are tempted to sell tracts of land, which would be ideally suited for public use, to developers who promise swift but short-lived profits. Some persons are reluctant to preserve scenic areas for public enjoyment because so much of the North is already publicly owned."

Nelson said that the North desperately needs a responsible long-range plan, setting aside vast areas for public recreational activities for the long-range future, drawing tourists from all over the country." He said the rest of the land should be developed, both publicly and privately, in ways that would provide long-range economic growth without ruining the area as a recreational resources.

What are the principles to be learned from the history of northern Wisconsin? Senator Nelson asked.

He pointed out that the 1867 committee in Wisconsin had applied a principle that was still relevant. The committee noted that those who moved to harvest Wisconsin's timber had no permanent interest in the State.

These men were not builders of farms; they obtained the land, stripped it of its valuable timber and "moved on to depardations upon other lands," the committee said. It suggested that the interests of such men "should be made to yield to the interests of men who are to become the permanent occupants of the land, those who would improve and adorn the land rather than injure and destroy it."

Nelson said, "the public has the paramount interest in our natural resources. No one, even in a free enterprise economy such as ours, has any inherent right to wipe out a great natural resource such as timber, soil, and water."

Nelson said we also need detailed scientific research on natural resources, particularly the dependency of one resource upon another, if we are to make balanced use of all our resources in the public interest.

"As a State legislator, as Governor and as a U.S. Senator, I have seen the same story repeated over and over," Nelson said. "Some person warns that the public interest in a natural resource is being threatened by some private activity. There is a call for some action to protect the public interest. Inevitably someone replies that there is a vital economic interest at stake here and that the State or the community or even the Nation has no right to interfere in private business."

"A classis example is a story in the Milwaukee Sentinel in 1898 warning that the lumber of northern Wisconsin would be gone in 10 or 20 years. In a State caught up in a frenzy of lumber prosperity, with lumbermen occupying positions of influence in government and newspapers, such a warning went unheeded."

"Again in 1912," NELSON said, "when the plunder had occurred and wise men called for replanting, an editorial in the Rhinelander News was headlined, 'Northern Wisconsin Wants Farms and Not Reforestation.' "

"Most important of all," NELSON said, "we must remember that the time to preserve our resources is when they are plentiful, not when they are scarce."

"I hope that the residents of northern Wisconsin, the civic and political leaders of the State and the Nation as a whole will take heed of what may be our last chance," NELSON said. "This visit of President Kennedy to northern Wisconsin can provide a crucial turning point in the preservation of our northland. If we don't respond to this golden opportunity the destruction of our beautiful northland may occur all over again."

NELSON noted that 50 years ago another President, Theodore Roosevelt, had said:

"There is no question now before the Nation of equal gravity with the question of the conservation of our natural resources."

NELSON commented, "President Kennedy is reminding us of this fact half a century later. I hope we will heed this warning. It may never come again."

Double Taxation on Dividends Should Be Repealed

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1963

Mr. PELLY. Mr. Speaker, I rise today to express my view strongly opposing the provision of the new revenue bill with regard to taxation of dividend income.

As Members of the House know, presently under the law, an individual can exclude the first $50 of dividends from his taxable income—up to $100 in the case of a married couple. In addition, he may claim also a credit against his tax of 4 percent of his dividends.

This modest tax credit provision was enacted in 1954, when the Internal Revenue Code was revised. It was a part of a monumental legislative effort to eliminate inequities in the tax laws.

In 1954 the Republicans controlled the Congress, and in the House, the dividend credit was one of the two issues in controversy with the Democratic minority. The Democrats, in a motion to recommit, tried unsuccessfully to eliminate this partial relief from the double taxation of dividends.

Mr. Speaker, I remember a story which was related during that debate. It was told by the present chairman of the House Committee on Rules, our distinguished colleague from Virginia [Mr. SMITH]. He quoted a former Senator from Virginia, who used to say when in a quandary, "Boys, when you are in doubt, do right."

Maybe this proviso in the bill does not loom sufficiently large to cause doubt. We were told in 1954 that the present dividend exclusion provision would cost the Treasury $240 million. The new bill which would double the exclusion but reduces the credit would only increase the Government income by $300 million. In other words, in terms of effect on the Treasury this is a minor matter. But whether Members are in a quandary or not, there is a right as far as principle is concerned and I think I can show wherein is the right in a very few words.

Before proceeding, I should mention, however, that there are now in excess of 17 million stockholders who are concerned with this discriminatory double taxation. I am told by the Library of Congress that there are 7,965,000 adult male owners of stock in America and 8,291,000 adult female stockholders. Furthermore, I have heard that the number of stockholders was only 6½ million 10 years ago, when the present law was written. So the number of citizens who have been enjoying the modest relief from double taxation of dividend income has increased.

Today, Mr. Speaker, I am not discussing whether a tax cut with an unbalanced budget and a swollen national debt is justified nor am I discussing the merits or defects of the bill. I am just directing my remarks to the one issue of individual taxation of dividend income.

Going back to 1954, if I may, I want to refer to the position at that time of the present chairman of the Committee on Ways and Means [Mr. MILLS]. In a colloquy with Mr. BYRNES of Wisconsin, Mr. MILLS said there is only double taxation when a corporate tax is not passed on to the consumer.

All I can say is, Mr. Speaker, as far as I know, the corporate tax on income is never passed on to the consumer. It is the one tax that is never passed on. Or if there are exceptions which prove the rule, they are very rare. Other taxes, yes, but income taxes are a slice of the profits—the bigger the profits, the bigger the slice. It is impossible, except perhaps with some isolated transaction, to include corporate income taxes in consumer prices.

Where the facts should be set straight, also, is in connection with the comparison of income taxes from wages as compared with income taxes from dividends. The argument fallaciously has been used that a worker earning $4,000 a year pays $240 tax, whereas a shareholder receiving $4,000 in dividends only pays $120 in taxes on this amount. This is wrong. On the $4,000 of dividends, the earning of the shareholder has been taxed already more than 50 percent, or $2,080, so that in fairness the comparison should be adjusted to add this to the $120. But basically I want to emphasize that a corporation is not able to pass on the corporation income tax on its gross profits and that a tax on dividends does represent double taxation.

Mr. Speaker, let me just add this to what I have said, namely, that business stimulation and prosperity are best secured by incentives to business to expand and thereby create permanent employment. Private enterprise and investment and venture capital represent the key to solving unemployment in this country.

There was no tax on dividend income when the 1918 income tax code was adopted. But for the last 30 years our tax laws have been such as to punish success rather than raise revenue. I hope we can see the folly of attempting to make some people believe that business as such is evil and should be burdened by heavy taxation as the price of existence.

Double taxation of dividends on corporation stock causes many people to place their savings in tax-exempt bonds rather than invest their money as risk capital.

It has caused corporations to use bonded indebtedness to expand their plants. What this country needs now is to encourage business and thereby create prosperity. That is the objective of the President's tax proposal—so why, as in the new tax bill, reduce the partial existing relief from the taxation of dividends? It defeats the purpose of the bill.

Mr. Speaker, the House Committee on Ways and Means has acted. It was controlled by the Democrats. As a Republican Member of the House, I am rather helpless. The bill will be considered by the House starting September 24 without any Member having the privilege of offering amendments.

But the minority will have one motion available to it and as a member of the Republican policy committee, I am urging that this motion provide for striking out the Democratic provision to eliminate the 4-percent credit which the Republicans were successful in enacting in 1954.

Mr. Speaker, I strongly support elimination of double taxation and hope if the House does not do so that the Senate will insist on retaining this incentive to invest in American industry.

Foreign Aid: The Facts

EXTENSION OF REMARKS

OF

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1963

Mr. BRADEMAS. Mr. Speaker, in the CONGRESSIONAL RECORD for August 30 there appeared a statement entitled "Foreign Aid: A Foolish Fantasy," containing a number of specific as well as general criticisms of the foreign aid program. These are the facts about each of the criticisms:

FACTS VERSUS FANTASY

Criticism: That Brazil has received $398 million in U.S. assistance in 1963 after promising "to do better."

Fact: The United States has agreed to provide additional assistance to Brazil only on condition that Brazil make certain specific internal reforms. Because Brazil has not yet taken the necessary first steps to carry out the agreement, the United States is withholding funds.

Criticism: U.S. radar equipment has been made available to India.

Fact: Equipment from deactivated radar sites became excess to U.S. Air Force requirements, and subsequently was made available for use in the military assistance program. Some of this equipment will be supplied to India as well as other countries receiving military assistance. By utilizing such excess equipment wherever practicable, the military assistance program is able to increase more economically total free world defense capabilities.

Criticism: U.S. aid is being provided to 104 countries, including "many Communist countries."

Fact: U.S. economic assistance is highly concentrated in those key countries with the most promising prospects for development. Eighty percent of all U.S. economic aid is going to 20 countries. Forty-five countries receive less than 10 percent of American aid. Nearly all of these are in Africa, where small, limited aid programs can have a very good influence on the development of these new countries. No foreign aid dollars are being spent in Communist countries. This is specifically forbidden by law unless the President finds that such assistance is vital to U.S. security.

PERSONNEL FIGURES

Criticism: AID has 64,508 employees.

Fact: The Agency for International Development has about 13,000 employees under direct hire. Another 8,000 people—including 4,000 foreign nationals paid in local currencies from trust funds to which cooperating countries also contribute, employees of contractors performing under AID contracts, and personnel from other U.S. Government agencies—also are engaged in economic assistance programs.

The 64,000 personnel figure comes from adding people not employed by AID, including about 23,000 students from foreign countries participating in training programs under AID and Defense Department auspices—about two-thirds of these students are receiving training under Defense Department programs—and approximately 21,000 personnel engaged in our military assistance program. This includes about 10,000 military personnel engaged in training and assistance to free world military forces, and approximately 7,000 foreign nationals paid in local currencies.

Criticism: Six hundred technical aid projects in one country, and more ready to be started before completion of the existing ones.

Fact: The total number of active AID projects all over the world is less than 2,200. This figure includes active projects for which 1964 funds are being requested, projects with unobligated balances as of March 31, 1963, for which 1964 funds are not requested, and active Alliance for Progress and development loan projects included in the fiscal year 1964 request.

VIETNAM

Criticism: A highway in Vietnam on which the cost skyrocketed from an original estimate of $18 million to more than $129 million before completion.

Fact: The $18 million figure and the $129 million figure did not relate to the same construction. The $18 million figure apparently refers to a bid submitted by a contractor in 1956 for construction of a limited amount of road and bridge work in Vietnam. Prior to execution of a definitive contract, a substantial change in construction priorities was effected because of overriding military and economic requirements. This resulted in a much larger construction program and ultimate cost figure. However, even the higher cost figure does not approximate the $129 million figure, which presumably includes not only the construction contract, but also a number of other Vietnam highway projects. The $129 million figure also includes both dollars and local currency. Moreover, indications now are that the final costs will be considerably less—$104,641,000 including dollars and Vietnamese funds.

Criticism: A fertilizer plant in Taiwan, started with foreign aid money and estimated to cost $34 million, which was inoperable because equipment did not meet the specifications for the desired operations.

Fact: The fertilizer plant referred to has been completed and is operating at rated capacity. There were considerable delays because of mechanical and design deficiencies. Full production was achieved in July 1961. The final dollar cost was about $31 million, considerably higher than the original estimates. Annual output of fertilizer is saving the Taiwan economy about $8 million a year in foreign exchange and making an important contribution to the country's agricultural productivity.

Criticism: Radio towers installed in Saigon which had not been put in operation because their utility was undetermined and their location in doubt.

Fact: This refers to a complex of seven stations of Radio Vietnam for which U.S. assistance was provided. The criticism grows out of the fact that in 1958 and 1959 there were some delays in completion of the project growing out of United States-Vietnamese differences in interpretation of original agreements as to where certain equipment should be located. These differences were completely resolved by May 4, 1960. For some time the seven stations of Radio Vietnam have been completely operational. Radio Saigon broadcasts news bulletins and reviews, informational programs on handicrafts, business and commerce, civic education, and science and technology. It also includes English language instruction.

Criticism: $3.1 million for an air-conditioned yacht for the Emperor of Ethiopia.

Fact: In 1960, the Department of Defense, under the military assistance program, loaned to the Government of Ethiopia a World War II seaplane tender for use as the flagship of the Ethiopian Navy. As a flagship, it contains quarters for flag officers, or the Emperor as commander in chief. It is air conditioned since air conditioning is considered necessary for that part of the world. One basic use of the ship is as a training vessel for the Ethiopian Navy. A significant part of the $3.1 million cost of refitting the ship was to make possible its use as a training vessel. The Department of Defense maintains important military communications facilities in Ethiopia as part of its worldwide network.

Criticism: $400,000 for battery-powered TV sets in remote jungle villages—merry-go-rounds driven by children would recharge the batteries.

Fact: This contract was terminated before the funds were spent. The purpose of the TV sets was to provide widespread inexpensive communications with outlying villages in order to overcome the immense difficulties of ordinary communication and to provide methods for beginning education of inhabitants of such villages. Consideration was given to a variety of techniques for recharging the batteries. One proposal was the use of primitive merry-go-round systems as a method of generating power for the batteries, somewhat similar in principle to the familiar "merry-go-round" used throughout the world to raise water for wells by hitching oxen to a primitive pump system.

AFRICA

Criticism: Independence Day gifts to African countries from the President's contingency fund.

Fact: During fiscal years 1960 through 1962, the United States presented Independence Day gifts to 18 countries at a total cost of $1.006 million, or an average of $56,000 per country. The practice of independence day gifts is followed by other major countries such as France, Germany, and often the United Kingdom. The usual U.S. gifts were bookmobiles, mobile health units or mobile film units, often accompanied by medicines, books, or films and services of American technicians. The principal reason for use of the contingency fund in these cases is that in most instances independence was formally proposed, sought, and granted within a few months, making it impossible to predict the date of independence far in advance. The goodwill generated and the usefulness of these gifts are large in relation to the relatively moderate cost involved in each case.

Criticism: Gifts to Guinea and Mali, because of their changing political attitudes, from the contingency fund.

Fact: U.S. assistance from the contingency fund to Guinea and Mali was designed to take timely advantage of situations—of changing political attitudes—in order to further the U.S. objective of helping these countries to become more independent of the Sino-Soviet bloc and more politically oriented toward the West. These assistance efforts were not merely "gifts"—they were programs carefully designed to meet specific needs in the countries involved.

INDONESIA

Criticism: $5.6 million to Indonesia for completion of a road to an athletic stadium from the President's contingency fund.

Fact: This refers to the so-called Djakarta bypass, which was not a road to an athletic stadium, but rather a road connecting the port of Djakarta with important internal highways linking Djakarta with other parts of the island of Java. The Indonesians requested speedup of completion of the road which comes at one point within 5 miles of the athletic stadium. The United States agreed to speed up completion, thus requiring use of $2.7 million, not $5.6 million, contingency funds in order to finance the work at an increased rate of speed. However, the United States insisted and Indonesia agreed that any cost increase over the previously estimated cost of the highway would be met by the Indonesian Government.

Criticism: The shipping of millions of dollars worth of navigational equipment to countries incapable of using it.

Fact: It is true that countries were incapable of using the equipment when it arrived. What is not made clear is that the equipment was only part of the program—the other main purpose being training of locals in the effective use and maintenance of the equipment. Many of these programs have been very successful, are being satisfactorily operated and maintained by local personnel, and are of great assistance to safer and more efficient air transportation by international as well as local travel, including U.S. airlines.

Criticism: Supplying enough rifles to one country so that each soldier could have, on the average, 1½ rifles and programing enough rifles and carbines in another country to provide an average of two weapons per soldier.

Fact: A quick glance at the MAP congressional presentation books in 1961 would have indicated that these charges were true. However, what the book did not show was that in 1961 country A, 11,000 carbines were furnished under the MAP to arm partially two paramilitary groupings—a rudimentary national guard and civilian militia—for combating Communists guerrillas in outlying areas. Since they are not part of the regular Military Establishment and not normally supported by MAP, these paramilitary groups were not included in the "active military forces" shown in the congressional presentation documents. In this country, weapons furnished under MAP to both the active military forces and to the paramilitary units have not even totaled one per man.

The charge of two rifles per man was based on a typographical error in the MAP congressional presentation document for the country in question. The document showed a total cumulative program of 1,947 rifles and a MAP supported force of only 1,200 men. The latter figure should have been 2,200 men. The information was corrected and supplied to the committe for the hearing on March 29, 1962, but was not reflected in the subcommittee report.

AIRCRAFT

Criticism: Planes to supply additional aircraft to a country with a shortage of trained pilots.

Fact: As in the case of navigational equipment, it is true that there were not enough trained pilots to fly the aircraft planned for delivery to the country in question. Again, the assistance program included transitional training of pilots familiar with other aircraft—the only effective way in which pilots could be trained for the new aircraft. The country now has more than enough trained pilots to man the aircraft provided.

Criticism: Fighter planes and a loan to an African country to buy jet airliners.

Fact: The country referred to is Ethiopia which received jet fighters under the military assistance program in 1959. These fighter planes are being effectively used by the Ethiopian Air Force and saw important and effective duty during the recent Congo crisis. The jet aircraft referred to probably consist of two jet airlines which the Ethiopian Government purchased with the assistance of an Export-Import Bank loan and with collaboration of Ethiopian Airlines and the Boeing Co. The jets were purchased to replace two DC-6B's on European flights and some African routes. An expanded African network and anticipated traffic growth are expected to maintain adequately a load factor for the aircraft. These two jets were not financed with funds under the foreign assistance program.

KOREA

Criticism: Pouring into Korea $200 million a year, which is beyond the capacity of the country's economy to absorb productively or of its Government to administer efficiently, the result of which has been to encourage corruption and hamper development.

Fact: After years of recovery from the war Korea has now begun to move ahead economically. Grant aid to finance Korean imports has been reduced by half, putting pressure on Korea to expand exports and to budget prudently. Financing for capital development projects now is provided almost entirely through loans, Korean tax collections have been improved, and Korean national attention has been focused sharply on planned economic development. United States and European investors are becoming interested in Korea for the first time. The Korean economy is fully able to absorb effectively present and planned levels of U.S. assistance.

Criticism: The transfer of military funds to the contingency fund, and then a further transfer to economic programs.

Fact: This transfer was made at the end of fiscal year 1962 to meet unanticipated urgent economic assistance requirements. Such transfers are specifically authorized by the Foreign Assistance Act. Under section 610 of that act, the President, whenever he determines it "to be necessary for the purposes of this act," may transfer not to exceed 10 percent of the funds made available for any provision of the act to funds made available for any other provision of this act.

CONTRACTING AND EVALUATION

Criticism: One thousand 23-inch television sets were ordered for use in community education programs in underdeveloped countries overseas at a cost of $400,000 for areas with no electric power supply.

Fact: This refers to a contract which a congressional committee investigated at great length last year. Criticism by the committee was directed at weaknesses in AID contracting and evaluation techniques on this program, rather than the purpose for which the program was undertaken—that is, to provide relatively inexpensive and far-reaching methods of communication and education in underdeveloped countries. The contract was terminated early in 1963. Negotiations are now proceeding to determine whether there will be any cost to the United States. The agency, with the guidance of the committee, has improved its contracting for research and development procedures to insure that such weaknesses do not recur.

Criticism: Foreign aid funds were used to buy suits for undertakers in Greece.

Fact: This charge was raised in 1957 and 1958. It has no basis in fact. Procurement records in Greece show no AID-financed procurement of clothing of any kind, except footwear for the army. Civilian clothing, as a matter of policy, has always been ineligible for AID financing in Greece.

Criticism: U.S. aid to Kenya was used to buy extra wives for government officials.

Fact: A traders loan program was undertaken by the Kenyan Government in 1953 and 1954 to provide a fund for loans to traders and small manufacturers in a program analogous to the U.S. Small Business Administration. During this period, before any U.S.-owned funds were made available for the program, one trader did borrow approximately $600 and then used the funds to buy a wife. As a result of this incident, extremely tight controls for supervision of the traders loan program were set up. No such incident occurred after U.S.-owned funds were contributed to the program in 1955. The traders loan program has been quite successful, and repayment has been completely satisfactory.

Criticism: A stockbreeding farm was erected in Lebanon with U.S. aid. Nine stalls were built for each bull.

Fact: This apparently refers to an animal husbandry demonstration program during 1953 to 1957 in Lebanon. A barn was built to house a herd of approximately 30 cows and 15 bulls. During a good part of the year, most of the bulls were transported from village to village to be used in a program to improve the caliber of native livestock. It is therefore possible that at any point in time there might not have been enough bulls in the central barn to fill all the stalls. This program successfully demonstrated the greatly increased productivity possible with better caliber livestock. As a result of this program and a subsequent program using artificial insemination, livestock in many villages was significantly improved. After observation of this program, Lebanese dairy farmers began themselves to import high quality livestock. A thriving dairy industry was developed to provide Lebanese cities with reasonably priced wholesome milk.

Criticism: The Peace Corps sent a man, his wife, and nine children to the Philippines. One-way fare cost $13,190. The Corpsman's salary is $10,190.

Fact: This is substantially correct. The $13,190 includes cost of transportation of effects and household goods as well as one-way fare for the employee and his family. The employee was appointed as executive officer of the Philippines Peace Corps operation. This assignment includes responsibility for coordination of administrative efforts with the AID mission, supervision of the Peace Corps' own administration in Manila, and liaison with the American Embassy. The position of executive officer requires a person with a high degree of leadership quality and the ability to work well with the Philippine people.

MAJORITY SUPPORT FOREIGN AID

The remainder of the statement consists of the individual views and opinions of the speaker in question. Those views must be judged on their merit, as compared with the views of others with knowledge and experience in the subject. To begin with, they must be compared with the view of three Presidents of the United States, three Secretaries of State, and three Secretaries of Defense, all of whom have given stanch support to foreign aid. They must be compared with the views of a majority of the Members of Congress, as reaffirmed year after year for 15 years during which Congress has voted for the aid program. They must be compared, in fact, to the majority views of the American people, who, according to public opinion polls, support foreign aid more strongly today than ever.

Foreign aid is not a perfectly designed and executed program, but there is waste and inefficiency in every large organization, whether it be a Government agency or a private corporation. Look at the tremendous waste and inefficiency in the Ford Motor Co. in the failure of the Edsel. Mistakes are human, and both the foreign aid program and the Ford Motor Co. are operated by human beings.

Great improvements have been made in the design and administration of foreign aid in the past several years. Much remains to be done. But the foreign aid program needs to be strengthened rather than curtailed, and improved rather than restricted. The repetition of old and insignificant criticisms does not contribute toward the kind of constructive criticism of foreign aid which Congress needs to provide in order that the program can be strengthened and improved.

Should We Seek Economic Security Even at the Cost of Individual Freedom?

EXTENSION OF REMARKS

OF

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 16, 1963

Mr. CURTIS. Mr. Speaker, I do not often put in the RECORD speeches I have made before "captive audiences." I much prefer to subject what I have to say to those who might seek to rebut me. However, I am anxious to get the facts and arguments on the issue of Federal taxes and Federal debt as I see them as widely disseminated as possible.

Accordingly, I am setting out a speech I made on Wednesday, September 11, 1963, before the National Association of Underwriters, as follows:

SHOULD WE SEEK ECONOMIC SECURITY EVEN AT THE COST OF INDIVIDUAL FREEDOM?

(Remarks of Congressman THOMAS B. CURTIS, of Missouri, Before the National Association of Underwriters, Annual Convention, Americana Hotel, Miami Beach, Fla., Wednesday, September 11, 1963)

President Blumberg, Mr. Gatling, gentlemen, I always enjoy having the title of a speech picked for me, particularly when the title contains good affirmative and negative pregnants. In the process of picking out the overtones hidden in the semantics one sometimes can develop a much clearer presentation of the real issues involved. The title I was asked to speak on today, "Should We Seek Economic Security at the Cost of Individual Freedom" is a beauty. It contains just about all the overtones a speaker could ask for.

But before I address myself to this excellent topic, let me express my appreciation to this leading group in the insurance community for inviting me to Miami to address this meeting. Much of what I say this morning will be meaningless unless the people who belong to organizations such as yours take an informed stand on the issue of how much our Government should interfere in the lives of our citizens; how much interference our economy can stand and still be free and enterprising.

You will notice I said "people" must take the stand. An organization undertaking is only as good as the effort by the people who belong to that organization. How much zeal, how much knowledge, how much patriotism, how much conviction, how much principle do the people of an organization bring to their organization objectives and endeavors? When our zeal, our knowledge, our patriotism, our convictions, our principles are too little or too casual, we risk having the words "free" and "enterprising" lost as being descriptive of both our economy and our way of life.

I am not here to preach on patriotism nor to speak partisanly. However, I have strong feelings on the urgency of citizen action and organization responsibility; I have strong basic disagreements with others who have recently used business forums to espouse economic and political views which I believe hold danger for our Nation.

In my view, no other nation in the world has a more inspiring historic origin than the United States in terms of the ideals and principles which guided our forebears in establishing the institutions of our governmental system. These illustrious patriots committed our Nation to a political system that recognized the preeminence of human liberty and opportunity over statism and that recognized the creative superiority of private enterprise over government enterprise. Pursuant to these precepts of government our Nation has grown in strength and stature to a position, unmatched, of respect and honor in world affairs.

But in our lifetime our growth as a nation has found a waning in the intensity of citizen determination to protect liberty and opportunity as we have increased our efforts to achieve economic security through the bounty of government. We have voted to spend the other fellow's money to make us secure without pausing to realize that the other fellow was being just as successful in voting to spend our money to make himself secure. We have pursued government policies designed to create statistical results—many of them bad—without adequate concern for quality of government.

There has been no political revolution in this country nor has there been a major deliberate alteration in our system of government. Yet the past 30 years have produced changes so profound and far reaching that it is my earnest conviction that a penetrating and searching examination of where we are and how we arrived there is in order.

Obviously I am not going to undertake such an exhaustive examination this morning. Suffice it to say that our present affluence is not entirely to our credit because we have resorted too much to expedience and insisted not enough on principle in our drive to be affluent; we have listened too much to sophism and not enough to facts; we have heeded the do-gooder and ignored the realist. We can always cash in principal and use it for current income and make ourselves look and feel better than we are really entitled to look and feel. As a consequence, our freedom from government domination has been lessened; and by a process of fiscal socialism—involving the absolute power of government to tax and spend—we have increased dangerously the role of government in our lives and our society.

Over the past three decades our Federal Government has tried and failed in the effort to spend our Nation rich. With budgetary deficits 80 percent of the time in this period, our economy has grown in fits and spurts. The private sector has produced sustainable economic growth in spite of this tinkering, but the consequences of our thoughtless actions are now in the immediate offing. We have produced a fiscal environment of constantly rising and mounting tax burdens; burdens that consistently proved inadequate to pay the Government bills we incurred. And now, from all points of political and economic thinking, the cry is the Federal tax burden is undermining our economy. I hope that soon there will be unanimity in the cry that the Federal tax and debt burden is undermining our economy. This is not the unanimous cry as yet. The deficit financiers still think they can keep debt separate from taxes, and so they seek to lower the taxes at the expense of increasing the debt and so have their cake and eat it too. This is head-in-the-sand thinking.

We have justified our extravagant and profligate ways by giving recognition to a fiscal tenet that just does not work; this tenet says that it is not necessary to worry about a budget imbalance in any particular year so long as it is balanced over a period of years. It doesn't work because we lack the self-discipline to pay off the deficits incurred in the cyclical trough from the surpluses we should have in the cyclical upturns, such as we have experienced in both 1962 and now 1963. The resort to expediency implicit in this philosophy has led us to what can only be termed "fiscal immorality"—the consequences of which can only be measured in a trillion dollars of debt, in a burgeoning Government bureaucracy, in a serious imbalance in our international payments account, and in a curtailment of human liberty.

The last time we succeeded in even paying our way in a fiscal year was in 1960, and it now seems almost certain, if the cavalier ethic is to depose the puritan ethic, that at least a half a decade will elapse from then before we again have a chance of a budget balance. In those intervening 5 years we will add a minimum of between $25 and $30 billion to the Federal debt even if we succeed somewhat in stemming the rising tide of annual total spending. In the past three decades we had no program for debt retirement and we have none for the future—as citizens we are content to be prodigals. The administration is busy ladling out the soothing sirup saying the Federal debt is nothing to be alarmed about. Debt is good. Debt with a purpose backed by resources may be better than inaction, but no one should question that expansion based upon savings is much preferable to expansion based upon expectations. And, certainly, inane debt, in which category I place much of our present Federal debt, is bad.

The continuing budget deficits of the last 30 years did not occur in times of depression nor in times of little or no change in Government fiscal affairs. Indeed, relative prosperity has marked the post-World War II period and the Government's fiscal experience has found budget expenditures and tax collections increasing more than twentyfold in the last three decades. We have had the opportunity to do something about paying our way and paying off the debt resulting from World War II, but we have instead chosen a course of Government on credit and creating more debt—we have chosen to let our children be the fall guys for our fiscal imprudence.

But we need not go back three decades to measure an alarming growth in levels of spending and taxing. I will not belabor you with endless statistics, but the facts are there as conclusive proof that our spending increases for civil matters exceeded the relative increase in military spending. The administration seeks to hide this fact by coupling interest payment on the debt and spending for the civilian part of the space program with defense spending. Even with this type of figure juggling the fact still remains that nondefense spending rose proportionately higher than defense spending.

If these spending increases had been for Government goods and services that were provided within the framework of a balanced budget, they might have represented expenditures which we were willing to pay for rather than pass on as a charge to succeeding generations. The fact is we did not pay for the cost of those goods and services and, as a consequence, we have a Federal statutory debt in excess of $300 billion. The present annual interest charges on that debt, without providing for any debt retirement, are more than double the total budget expenditures for all purposes by the Federal Government three decades ago.

But this $300 billion figure does not tell the whole story. The truth is that our Federal indebtedness today exceeds $1 trillion, and it means that every American family of four has a share of $22,000 of this debt. This trillion dollar debt includes such items as $250 billion for unfunded obligations of the social security system, $70 billion for unfunded obligations of Government retirement programs, $300 billion of commitments to veterans, $150 billion for unfunded public works and similar charges to the statutory debt. These are currently accruing obligations of our Government for which we are not paying and which will represent demands on the productivity of succeeding generations.

As bad as these fiscal facts are, I feel that future events will pale our past experience to insignificance. Under the present administration we have found that new spending authority had risen from $80 billion in fiscal year 1960 to $100 billion for fiscal year 1963, and actually, spending has risen from $77 billion to $94 billion. It is inevitable that this fact will produce increased spending pressures in future fiscal years. Fiscal year 1964 is still set at $98.9 billion, the highest figure in our history, exceeding the peak in World War II by $200 million. The distinguished chairman of the Senate Committee on Finance has predicted that by the year 1965 the Federal budget figures will exceed $135 billion, including $30 billion of trust fund expenditures. I call to your attention the fact that this budget event, if it materializes as predicted, is only 2 years away. Now would seem to be the very latest moment for an allout program to call a halt to this compulsive spending unless we as taxpayers are willing to pay for it and we could afford to increase Federal taxes without creating more than the erosive damage our economy is presently experiencing through the already high tax rates.

In an inaugural speech of not too long ago we were encouraged, if not reassured, by a reiteration of the principle that individuals should concern themselves with what they can do for the State rather than being preoccupied with what the State can do for them. As recently as several months ago we were told, "If Government is to retain the confidence of the people, it must not spend more than can be justified on grounds of national need or spent with maximum efficiency." It seems paradoxical to me that such statements are made by a political leader who, since taking office, has sent to the Congress nearly 300 different spending proposals which, if they had been enacted by the Congress would, in my judgment, have done much to destroy private enterprise and individual liberty.

Regardless of the fact that our Federal Government is the biggest spender, the biggest, employer, the biggest property owner, the biggest tenant, the biggest insurer, the biggest lender, and the biggest borrower in all the world, we find a growing impatience on the part of many holding high office in our land to make Government even bigger. Thus, we are told that it is the Federal Government which must grant aid to schools, compulsory medical care, a permanent system of extending unemployment compensation benefits, an expanded food-stamp plan, an expansion of area redevelopment and public works, enlarged public assistance programs, increased public power projects, enlarged housing programs, increased subsidies and other items on a staggering list of so-called Government giveaways—giveaways that inescapably cost the taxpayers of today and tomorrow for programs that involve the massive Federal intervention urged by Government spenders.

Whenever one talks about the threat to individual freedoms inherent in such massive Federal intervention in our economic life, the neo-federalist advocates of these spending programs preach that individual freedom means nothing without economic security as if such security could be achieved through ill-conceived and ill-administered Federal programs. When one mentions the threat of an ever-increasing Federal debt to the future prosperity of our children, the neo-federalists glibly reply, "It really doesn't matter because we owe it to ourselves."

In order to give you greater knowledge concerning the kinds of Federal programs I am talking about, I'd like to discuss the problem of unemployment in some detail. As most of you probably know, for some time the seasonally adjusted percentage of unemployed in our labor force has been hovering between 5.5 and 6 percent.

The Kennedy administration, during the course of this session of Congress, has sent up a number of proposals purportedly designed to meet the unemployment problem. Three of the major ones are the Area Redevelopment Act of 1963, recently defeated in the House, the so-called Blatnik accelerated public works bill, and the youth employment bill. Many Republicans in Congress have long contended that the key to a long-term solution of the unemployment problem lies in education and training programs rather than Federal makework projects. This means not only equipping the unemployed with needed skills, but also encouraging those workers presently holding jobs to upgrade their skills, thus avoiding technological unemployment as well as producing job openings for those further down the ladder. And, above all, to identify the jobs going begging so that, when a man is retrained, he has a job. It was with this objective in mind I helped to initiate and many of us helped to write and then supported the Manpower Training Act passed during the last session of Congress.

In contrast, the Kennedy administration's cure for this disturbing and continuing problem in our economy is to send a Congress a package of legislation providing the discredited solutions of the thirties for the problems of the sixties. To expose fully the economic fallacies underlying all three bills would take more time than we have today, but let me just comment briefly on each of the three. The Area Redevelopment Act, for which the House wisely denied continued authorization in early June, has proven to be an extremely costly boondoggle which has accomplished practically none of its desired results. Rather than creating new jobs, in many cases it has merely used Federal funds to transplant employment, leaving new unemployment in its wake. In other cases it has permitted staggering expenditures to create a miniscule number of jobs. In the depressed area of Minnesota, for example, the redevelopment agency approved loans and grants totaling nearly $19 million to build a convention auditorium near Duluth. In the agency's own words, the purpose of these loans and grants was to "supplement convention, entertainment, recreation, and cultural facilities of the area." The auditorium will ultimately provide the magnificent total of 22 jobs, at a cost to the taxpayers of only $277,272 per job. This sort of bargain will, I am sure, be of substantial comfort to the iron ore miners of Duluth and victims of hard-core unemployment in other depressed areas.

The pork-barrel Public Works Acceleration Act, for which the House recently passed an additional authorization of $450 million, has been a similar success. Ignoring the fact that public works construction has never been effective as an anticyclical measure during an economic recession (unemployment is not concentrated in the constructon field today) the Kennedy administration ballyhooed the additional authorization as a needed short-term shot in the arm while the economy waited for the long-term accomplishments of the Area Redevelopment Act. The past performance of this program gives little hope for future results. The act has been unable to provide immediate employment because of the large leadtime needed for surveys and studies before work can actually begin. Also, in many cases, because of its matching grant features it has diverted community resources from necessary high-priority long-term projects to less-needed short-term projects which will qualify for Federal assistance. Furthermore, a high percentage of the cost of these projects has inevitably gone for the purchase of materials and equipment and for the employment of already-employed skilled and professional people.

One example of how little employment is produced for each dollar spent was provided by one of my Republican colleagues during the debate on the floor of the House several months ago. Among next year's projects is a recreational facility in Hickory County, Mo., costing $347,000, which will employ no people permanently, and which, during the development of the facility, will employ a grand total of about 47 people for a period of a year. Incidentally, Hickory County has a total population of about 4,500 people. Gentlemen, this bill has been presented to America as one answer to the unemployment problem. I say it is rather a pork-barrel slush fund which will undoubtedly be used by the Kennedy brothers to help elect more Kennedy-type Democrats to Congress and return them to the Presidency.

The third part of the administration program to combat unemployment, the so-called youth employment bill, deserves even less comment. Its provision for a Youth

Conservation Corps impresses me as an extremely cruel hoax. Under the terms of this bill, young people would be taken off the city streets for periods varying from 6 months to 2 years and trained to plant trees and shrubs, use a pick and shovel, and chop wood. In other words, get them out of sight. However, it is extremely difficult to see how this type of training will equip them to operate complex machines, learn the skills of a profession like a truly skilled life insurance man, or work in the advanced laboratories of the future and so give them real jobs, permanent jobs—not make-shift jobs—and, I might add, provide the skilled manpower we so badly need; the lack of which really puts the crimp in our economic growth. Even the Washington Post and Times-Herald labeled the bill as a mere "patch" on the main problem and criticized it as providing only "make work and stopgap jobs." A sound alternative was presented in the Senate by Senator PROUTY, of Vermont, which would have provided increased funds under the Manpower Training Act to train unemployed young people for the skilled jobs now available. Needless to say, this constructive proposal was rejected by those who persist in thinking of New Deal solutions for New Frontier problems.

Because of other similar costly and ill-conceived programs, we have failed to control and manage our fiscal affairs within the limits of what the country can afford and to solve the problems that need solution; we have essentially departed from a basic philosophy of our Founding Fathers who believed that it was our citizen duty to support our State and not our country's obligation to support its citizens. To this end, Thomas Jefferson once said: "I place economy among the first and most important virtues, and public debt as the greatest of dangers to be feared. * * * To preserve our independence we must not let our rulers load us with perpetual debt—we must make our choice between economy and liberty, or profusion and servitude. If we can prevent the Government from wasting the labors of the people, under the pretense of caring for them, they will be happy."

In our time we have disregarded the wisdom of Thomas Jefferson. We have also rejected the prophetic admonition of the French philosopher deTocqueville who warned us in the early history of our country that if the time should ever come when people conclude they can vote themselves benefits out of the Public Treasury, self-government by responsible men will be an impossibility.

I need not tell a knowledgeable group such as this that the implications of our failure to do better in handling our fiscal affairs are of concern to any person now living, or to live in the future, who might aspire to be free of political domination. Furthermore, the truth of the matter is that we in world affairs are the world's banker; on the strength and stability of the American dollar rests the economic vitality and monetary security of the non-Communist world and probably the Communist world as well, inasmuch as it is a parasite living off the system of the free world. In the past 12 years we have had 11 deficits in our balance of payments and our gold supply has dwindled to approximately $16 billion. Our commitments against this gold supply included our obligations of $12 billion of legal monetary reserves and obligations of a considerably greater magnitude held by foreign governments and foreign nations.

The simple fact that as the world's banker we borrow short and lend long demonstrates the importance of confidence in our ability to conduct our fiscal and monetary affairs in such a way as to avoid debasing the purchasing power of the dollar.

Against this backdrop of debt, deficits, and declining gold supply, we are now told that the cure for virtually all our problems is to be found in a tax cut. This proposal makes me wonder whether this issue should be decided by the votes of those American citizens who are now of voting age or by the votes of those young people whose age does not now qualify them for voting status. Indeed, it is the latter group that we will be taxing to make up the deficit from the tax reduction that we give to ourselves. Americans have always felt strongly against the idea of taxation without representation; hence if we who have been entrusted with the right of franchise persist in failing to treat this right as also a trusteeship for Americans under age 21 and those not yet born, then we should formally create such a trusteeship so that the voice of the future generations could be heard on the question of a tax cut at this time of high spending and planned deficits.

There is no one who is more concerned than I am over the stifling effect of our present tax structure on economic growth and national strength. Our tax laws represent a peculiar tax policy for a country that relies on individual initiative for progress. Tax receipts of Federal, State, and local governments take almost one-third of our net national product, and most of these receipts are derived from assessments on earned income and on capital accumulation. The more productive and venturesome a person is, the higher tax he pays.

The result is that our present tax system has an impact that is not conducive to economic growth. We have a sharp progressivity of tax rates that is self-defeating. The complexity of our tax structure discourages enterprise and impairs venture taking. In short, I have long been associated with those who say tax reduction and reform are long overdue, and I say "welcome aboard" to the Johnny-come-latelies, in which category I include President Kennedy and his economic mentor, Dr. Walter Heller, chairman of the President's Council of Economic Advisers. However, I wholeheartedly disagree with those who are mostly these Johnny-come-latelies who say we can have high deficit spending as usual and still have lower tax burdens across the board. I disagree with those who believe that outlays for even tested and wanted Government programs can be continued without establishing priorities and total ceilings. We cannot tax less to pay more for these programs. In short, I support a major program of tax rate restructuring and reform to remove the impediments to incentive and capital formation, but only if we are not at the same time building up worse impediments to economic growth through larger debt burdens and the monetary imprudence such a course produces.

Tax reduction should not be enacted at this time without a commitment from the administration and a pledge by the Congress, both backed by hardheaded action, to hold spending over the next 2 or 3 years at a level that does not exceed the 1963 figure. Tax reduction should not be enacted unless it is designed to increase productive incentive and to enable the capital accumulation needed to undertake the entrepreneurial risks. Tax reduction should not be enacted if it is designed for a mere short-term stimulant, like dope, that would not result in sustainable economic growth and would end up in hopeless and deleterious addiction to government rather than private allocation of our resources.

Thus, I think it can generally be agreed among this group that our tax reduction objective (1) must be sought under conditions of our regaining control over our spending activities, (2) must be directed toward the attainment of long-term economic progress, and (3) must have as its focal point the easing of tax burdens from those critical rates and substantive provisions that, under present law, make tax saving more important than taxable earnings. In short, we must free our tax structure from its inhibitants against growth and efficiency. How do we do this?

First, we must realize that as long as we are spending for more Government than we are willing to afford, we cannot have tax reduction solely for the sake of making the cost of Government generally less on our citizens. Any tax reduction must be so planned and designed as to achieve maximum incentive benefit at minimum revenue loss. We must not have a tax reduction that seeks to solve our growth and full employment problems merely by increasing the size of the deficit that would have to be financed by added Government borrowing and bank-created funds.

Second, we must recognize that the economic progress from tax reduction at this time finds its key in the vigorous expansion in business investment in new plant and equipment, in inventory and in accounts receivable in the distribution and service areas of our economic endeavor, the area like insurance where we are experiencing the greatest growth and progress, and in the growth of small business. In our last two recessionary periods, profits or incentive for business capital to invest has lagged and, as a consequence, we have had a recovery in each instance that fell short of expectation. This supports the view that our tax reform at this time and under present circumstances must emphasize easing the tax burdens and the governmental debt burdens on savings and investment.

Parenthetically, on this second point, I would observe this fact: Anything we may do in the area of tax reform, revision, and reduction will be to no avail if our people do not have confidence in Government administration and policies. Therefore, we must not repeat the self-defeating mixture of bad and good tax changes that comprised the administration's tax bill of the last Congress. Unfortunately, however, it appears that we are headed down the same road again with this year's tax cut package. We should avoid seeking through tax legislation the accomplishment of nonrevenue objectives such as social reforms and curbs on foreign investment by American free enterprise and private investors. We should strengthen, not weaken, confidence in the integrity of government. We should base our tax reform on the hard realities of sound economics and competitive advancement and let the shortsighted politics be damned.

A third factor that we must take into account as we seek tax reform conducive to growth and efficiency is our present undue reliance on taxes on earned income to produce our Government revenues. The statistic and comparative tax tables on this point are well known, and the details need not detain us here. The effect is that our tax structure with its steeply progressive rate schedule and high corporate rate discourages risk and productive effort and even brings about what I will term the "economic withdrawal" of some of our most promising and able producers.

Tax reduction involving minimum revenue loss and maximum economic benefit will take account of those factors which will encourage utilization of technological innovation and which will sustain in our people a desire to work hard for enlarged incomes and a willingness to accept the risks of entrepreneurial activity. This sort of tax reduction can help us to afford the Government we need; Government whose every expenditure meets the test of absolute essentiality and Government whose every service and good is provided to the people only because the people cannot do it for themselves.

I would come to the close of this discussion by recalling the words of President Eisenhower in his last budget message presented to the Congress in which he said:

"In summary, if we plan wisely and allocate our resources carefully, we can have both public and private advancement. Sound fiscal policies and balanced budgets will sustain good economic growth and eventually will make possible a reduced tax burden. At the same time, we can have necessary improvements in Federal programs to meet the demands of an ever-changing world.

"If, however, we deliberately run the Government by credit cards, improvidently spending today at the expense of tomorrow, we will break faith with the American people and their children, and with those joined with us in freedom throughout the world."

In fact, I happen to believe that the growth and dominance of Government and budgetary deficits in the past three decades have not interfered more detrimentally to our existence as a nation is not a testimonial to the wisdom of Government policy but is instead attributable to the excellence of our free enterprise system and the indomitable industry of our people. These latter have been tougher and have taken more abuse than anyone had a right to expect.

I speak not as an alarmist when I say that the strength of private enterprise cannot endlessly endure the encroachment of bureaucracy; private initiative cannot flourish in the face of Government confiscation of the risktaker's product. Government must cease profligately using the power to spend as the reason for taxing more and more of our national substance and creating more debt to pass on to our children.

In addition, the private sector of the economy must do its part. It should follow such excellent examples as the insurance industry in the case of health care, particularly for the aged, and devise effective private programs to meet social needs with a minimum of governmental help.

Let me close by commending you as individuals and as a group for resisting the attempts, though well meaning, of those who foolishly think we can achieve economic security through the bounty of Government and this without a regard for whether, even if it were attainable, it would be at the sacrifice of individual freedom. Let me urge you to continue to encourage others to hold fast to the belief that there is only one way to achieve economic benefits for our citizens—through freeing up, not interfering, with the operation of the private enterprise system. An objective review of our brief 200-year history as a society in contrast to the thousands of years of treadmill history of other societies substantiates this belief. The lobby we most need in Washington is a lobby against unnecessary expansion of the Federal Government under the pretext of providing some citizens with economic security. I urge all people to join that lobby as citizens for a better America. If this lobby succeeds in its aim, perhaps the taxes our children pay will be for the cost of their Government, not ours.

SENATE

Tuesday, September 17, 1963

The Senate met in executive session at 10 o'clock a.m., and was called to order by the President pro tempore.

Rev. Edward B. Lewis, minister, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

O God, our Heavenly Father, we pause before Thee at the beginning of this session of the Senate of the United States of America. We need Thy help in such a critical and challenging time in world history.

Thou hast told us, through Thy Son, Jesus Christ, that we need to tarry to receive power from on high. We tarry in behalf of these, Thy servants, the elected leaders of the people. They need Thy guiding presence in the important matters before them. What they decide here in the next few days will affect all of the citizens of this great country of ours and the countries of the world.

Thou art our foundation on which we must build the peace we all desire. We stand before Thee in need. We tarry asking Thy forgiveness wherein we have denied Thee and have not followed the paths we have known to be right. Forgive us, we pray, and lead us in future paths of righteousness.

We tarry and believe now that Thou wilt give to these men and women Thy guidance. Empower them with keen insight for their important work. May they know within their hearts the spiritual peace which comes from the reality of God within. May they be helped by this Presence to legislate decisions that will instill more faith, hope, and love in the hearts and lives of all men.

Bless, we pray Thee, the President, the Congress, and the people of our Nation. May we, with all Thy children throughout the world, be instruments of peace, through Jesus Christ, our Lord. Amen.

ORDER FOR TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

Mr. SMATHERS. Mr. President, I ask unanimous consent that, as in legislative session, there be a morning hour, and that statements in that connection be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE JOURNAL

On request of Mr. SMATHERS, and by unanimous consent, the reading of the Journal of the proceedings of Monday, September 16, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Ratchford, one of his secretaries, and he announced that on September 16, 1963, the President had approved and signed the joint resolution (S.J. Res. 72) favoring the holding of the Olympic games in America in 1968.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report of Special Study of Securities Markets of Securities and Exchange Commission

A letter from the Chairman, Securities and Exchange Commission, Washington, D.C., transmitting, pursuant to law, a report of a special study of securities markets of that Commission, part 5 (with an accompanying report); to the Committee on Banking and Currency.

Report on Claim of Certain Indians

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, that proceedings have been finally concluded with respect to the claim of the *Tillamook Band of Tillamooks, Naalem (Ne-ha-lum) Band of Tillamooks, Clatsop Tribe, Kathlamet Band of Chinooks, Nuc-Quee-Clah-We-Muck Tribe, the Confederated Tribes of Siletz Indians, Confederated Tribes of the Grand Ronde Community, Oregon, and portions and descendants of all such tribes and bands, Petitioners,* v. *The United States of America, Defendant,* docket No. 240 (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. RUSSELL, from the Committee on Appropriations, with amendments:

H.R. 7179. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes (Rept. No. 502).

SUSPENSION OF EQUAL TIME PROVISIONS OF THE COMMUNICATIONS ACT FOR 1964 PRESIDENTIAL CAMPAIGN—REPORT OF A COMMITTEE—ADDITIONAL VIEWS (S. REPT. NO. 501)

Mr. PASTORE. Mr. President, from the Committee on Commerce, I report favorably, with amendments, the joint resolution (H.J. Res. 247) to suspend for the 1964 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for legally qualified candidates for the offices of President and Vice President, and I submit a report thereon, together with the additional views of the Senator from Indiana [Mr. HARTKE]. I ask unanimous consent that the report be printed, together with the additional views.

The PRESIDING OFFICER (Mr. WALTERS in the chair). The report will be received and the joint resolution will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Rhode Island.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KEATING:

S. 2149. A bill for the relief of Aziza (Susan) Sasson; and

S. 2150. A bill for the relief of Dr. and Mrs. Fabian Tolete; to the Committee on the Judiciary.

GOLD MINE REVITALIZATION ACT OF 1963—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of September 9, 1963, the names of Mr. Bible and Mr. Kuchel were added as additional cosponsors of the bill (S. 2125) to revitalize the American gold mining industry, introduced by Mr. Gruening (for himself and other Senators) on September 9, 1963.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1952) to extend and broaden the authority to insure mortgages under sections 809 and 810 of the National Housing Act.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H.R. 12. An act to increase the opportunities for training of physicians, dentists, and professional public health personnel, and for other purposes;

H.R. 5081. An act to authorize the Commissioners of the District of Columbia to sell a right-of-way across a portion of the District Training School grounds at Laurel, Md., and for other purposes;

H.R. 5623. An act to amend the provisions of title 14, United States Code, relating to the appointment, promotion, separation, and retirement of officers of the Coast Guard, and for other purposes; and

H.R. 6012. An act to authorize the President to proclaim regulations for preventing collisions at sea.

THE SITUATION IN BIRMINGHAM

Mr. JAVITS. Mr. President, I rise today to speak on the morning after Birmingham and to call attention to what is the central issue as contained in the leading editorials in the Nation, and call attention to the revealing article written by Charles Morgan, Jr., of Birmingham, white, who bares his soul, so to speak, in the anguish of what has not been done in the Birmingham community.

Birmingham is a modern, industrial American city. It is typical of a situation, a complete anachronism in an area which considers segregation to be a social order—a social order which can no longer endure. That is very clear. The question before the Nation is, Will this vital American city rouse itself to see its responsibility and do its duty, not only under the Constitution of the United States but in terms of humanity, appealing to the very essence of the religious feelings of almost every person in that city, because, in spite of the act of madness that has occurred, Birmingham is a city where religion is honored.

One can speak, even in so tragic a time, infinitely more in sorrow than in anger. But the lesson is clear: 50 bombings have not been solved. This is the first bombing of a Negro church and property. There is a likelihood that it will not be solved, and that, even if solved, it will be tried before a jury made up, at best, mostly of white men. The previous history is that the culprits may be acquitted, no matter what the evidence.

So it is solely up to Birmingham. If Birmingham acts as it should, the honor of the city will be redeemed. Certainly it will stimulate us to write civil rights legislation sooner. I have no doubt of it. This is written in blood, and it will be honored accordingly.

It still can be a challenge to the citizens of that State and city. Even they know how much blood was shed during the Civil War in order to establish the right that citizens are citizens not only of a State but of the United States.

In many areas citizens have had to swallow hard their own feelings and prejudices in order to be citizens of a country from which they get so much.

I utter a prayer, without regard to anything else, whatever we do in the Congress and in the executive branch and in our own consciences, that the citizens of Birmingham will at long last be an object lesson to the South of what is really called for from the South in meaningful and historic civil rights legislation, by joining to find the miscreants and punishing them. That is the first honorable step. And nothing less will do.

Mr. HART. Mr. President, did the Senator from New York intend to include in the Record the article by Charles Morgan, Jr.?

Mr. JAVITS. Yes.

Mr. President, I ask unanimous consent to include in the Record that article, along with an editorial in the New York Times.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

[From the Washington Post, Sept. 17, 1963]

Who's to Blame?—All in Birmingham at Fault

(By Charles Morgan, Jr.)

(Charles Morgan, Jr., is a white, 33-year-old Birmingham attorney, a graduate with honors from the University of Alabama and a leading advocate in a current legal action seeking reapportionment of the Alabama State Legislature. Yesterday Morgan went to his office in Birmingham's newest skyscraper and wrote these thoughts on the church bombing and deaths that shocked the Nation on Sunday.)

Four little girls were killed in Birmingham Sunday. A mad, remorseful, worried community asks "Who did it? Who threw that bomb? Was it a Negro or a white?"

The answer should be "We all did it." Every last one of us is condemned for that crime and the bombing before it and the ones last month, last year, a decade ago. We all did it.

A short time later, white policemen kill a Negro and wound another. A few hours later two young men on a motorbike shoot and kill a Negro child. Fires break out and, in Montgomery, white youths assault Negroes.

And all across Alabama, an angry, guilty people cry out their mocking shouts of indignity and say they wonder, "Why?" "Who?" Everyone then "deplores" the "dastardly" act.

But, you know the "who" of "who did it?" is really rather simple. The "who" is every little individual who talks about the "niggers" and spreads the seeds of his hate to his neighbor and his son.

The jokester, the crude oaf whose racial jokes rock the party with laughter. The "who" is every Governor who ever shouted for lawlessness and became a law violator.

It is every Senator and every Representative who in the Halls of Congress stands and with mock humility tells the world that things back home aren't really like they are.

It is courts that move ever so slowly and newspapers that timorously defend the law. It is all the Christians and all the ministers who spoke too late in anguished cries against violence.

It is the coward in each of us who clucks admonitions. We are 10 years of lawless preachments, 10 years of criticism of law, of courts, of our fellow man, a decade of telling schoolchildren the opposite of what the civics books say.

We are a mass of intolerance and bigotry and stand indicted before our young. We are cursed by the failure of each of us to accept responsibility, by our defense of an already dead institution.

Sunday while Birmingham, which prides itself on the number of its churches, was attending worship service, a bomb went off and an all-white police force moved into action, a police force which has been praised by city officials and others at least once a day for a month or so. A police force which has solved no bombings. A police force which many Negroes feel is perpetrating the very evils we decry. And why would Negroes think this?

There are no Negro policemen; there are no Negro sheriff's deputies. Few Negroes have served on juries. Few have been allowed to vote, few have been allowed to accept responsibility, or granted even a simple part to play in the administration of justice. Do not misunderstand me. It is not that I think that white policemen had anything whatsoever to do with the killing of these children or previous bombings.

It's just that Negroes who see an all-white police force must think in terms of its failure to prevent or solve the bombings and think perhaps Negroes would have worked a little bit harder. They throw rocks and bottles and bullets. And we whites don't seem to know why the Negroes are lawless. So, we lecture them.

Birmingham is the only city in America where police chief and sheriff in the school crisis had to call our local ministers together to tell them to do their duty. The ministers of Birmingham who have done so little for Christianity call for prayer at high noon in a city of lawlessness and, in the same breath, speak of our city's image. Did those ministers visit the families of the Negroes in their hour of travail? Did any of them go to the homes of their brothers and express their regret in person or pray with the crying relatives? Do they admit Negroes into their ranks at the church?

Who is guilty? A moderate mayor elected to change things in Birmingham and who moves so slowly and looks elsewhere for leadership? A business community which shrugs its shoulders and looks to the police or perhaps somewhere else for leadership?

A newspaper which has tried so hard of late, yet finds it necessary to lecture Negroes every time a Negro home is bombed? A Governor who offers a reward but mentions not his own failure to preserve either segregation or law and order? And what of those lawyers and politicians who counsel people as to what the law is not when they know full well what the law is?

Those four little Negro girls were human beings. They have lived their 14 years in a leaderless city; a city where no one accepts responsibility; where everybody wants to blame somebody else. A city with a reward fund which grew like Topsy as a sort of sacrificial offering, a balm for the conscience of the good people.

The good people whose ready answer is for those right-wing extremists to shut up. People who absolve themselves of guilt. The liberal lawyer who told me this morning, "me? I'm not guilty," then proceeded to discuss the guilt of the other lawyers, the one who told the people that the Supreme Court did not properly interpret the law. And that's the way it is with the southern liberals. They condemn those with whom they disagree for speaking while they sigh in fearful silence.

Birmingham is a city in which the major industry, operated from Pittsburgh, never tried to solve the problem. It is a city where four little Negro girls can be born into a second-class school system, live a segregated life, ghettoed into their own little neighborhoods, restricted to Negro churches, destined to ride in Negro ambulances, to Negro wards of hospitals or to a Negro cemetery. Local papers on their front and editorial pages, call for order and then exclude their names from obituary columns.

And who is really guilty? Each of us. Each citizen who has not consciously attempted to bring about peaceful compliance with the decisions of the Supreme Court of the United States, each citizen who has ever said "they ought to kill that nigger," every citizen who votes for the candidate with the bloody flag; every citizen and every school board member and schoolteacher and principal and businessman and judge and lawyer who has corrupted the minds of our youth; every person in this community who has in any way contributed during the past several years to the popularity of hatred, is at least as guilty, or more so, than the demented fool who threw that bomb.

What's it like living in Birmingham? No one ever really has and no one will until this city becomes part of the United States.

Birmingham is not a dying city; it is dead.

[From the New York Times, Sept. 17, 1963]

THE BLAME—AND BEYOND

When an American city is ruled by the police dog, the high-pressure fire hose, the shotgun and the bomb, then it no longer can be considered a city ruled by law. Birmingham's double outrage—the bombing of the four children in Sunday school and the shooting of two teenage boys—were acts of madness.

The blame, as in any conspiracy, falls strongly upon those who incite and encourage and direct as well as upon the actual perpetrators of the crimes. It is the merest hypocrisy for Governor Wallace and his political associates to offer rewards for the capture of the criminals who shamed his State and our country.

The massacre of innocents in a church in the middle of the city and the police shotgun blast in the back of a 16-year-old Negro were bestial acts. They were not committed by mere bigots from the backwoods acting alone; the actual murderers were only the instruments that touched off the fuse. Those public officials and leading citizens who set the standard of violent behavior for the city and State, by words and actions as well as by silence, created a receptive atmosphere for the irrational and horrible crimes that naturally ensued.

This was the 21st bombing of Negroes in their homes and churches in Birmingham in the last 8 years; not 1 of the 50 bombings of Negro property there since World War II has been solved. This is the pattern of a police state, not of a State of the Union. The desecration of the Confederate flag, waved by rabble rousers in Alabama, is a desecration of the American flag everywhere.

White citizens in Alabama and in Congress still have the opportunity to stamp out the evils of the killers and the lawbreakers. The truly brave can help to integrate the schools peacefully, as some have already made an effort to do despite the rabble led by the Governor. And the U.S. Congress can enact the civil rights bill without delay in order to help bring the rule of law back to the Deep South.

Mr. HART. Mr. President, I would like to add a postscript to the column just placed in the RECORD by the senior Senator from New York, the column written by a 33-year-old white Birmingham attorney, Charles Morgan, Jr.

In a revealing and, I am sure, difficult piece of writing, Mr. Morgan inquires who is guilty of the crime which shocked the conscience of this country. He does it very well. I believe it is a question that every American should ask himself the day after Birmingham. Technically, some one man or group of men is guilty under the law. Apparently they got into an automobile and, arming themselves with dynamite, drove to a church on a Sunday morning and, with premeditation, put the dynamite into the building and destroyed the lives of four innocent children. They are guilty of the crime; not all the people of Birmingham; just three or four, or one or two, or one.

The question each of us should ask himself is, Have we a measure of guilt for the broader crime? Everyone who has remained silent in the face of both inhumanity and injustice should plead guilty to a part of the larger crime. Anyone who on another Sunday went to church and saw the rear pews of the church reserved for Negroes only, and went home without talking to the minister or priest about it, should file a plea of guilty. Anyone who dropped his children off at a "for white only" school, and on the way home saw Negro children going into a broken-down place, should consider a plea of guilty.

It is this broader crime to which the Nation must address itself. We have a better prospect of responding wisely and rightly if we admit that in some measure or other all of us are guilty. The ultimate objective of those of us who support the President's civil rights program is to insure, to the extent that the law may enable us to insure it, that every American is judged as an individual who is either good or bad, useful or worthless. That judgment must be based on an individual observation and evaluation; on the performance of the particular person. This judgment cannot be made while that individual is still 50 feet away. That is exactly the kind of judgment that is passed if, 50 feet away, the restaurant manager determines that that individual is not to be served. He does not know whether that individual is a good person or a bad person.

Some one individual, or one or two people, committed the crime which disturbs all of us; not all the people of Birmingham. However, all the people of America should inquire: Am I doing everything I can, whatever my role in life may be, to insure that that broader crime, which is basically a crime against the individual dignity of man, is eliminated. I hope that one of the aftermaths of Birmingham will be that people will ask themselves: Am I doing all I can, whatever my role? Silence in the face of injustice could suggest concurrence and support of injustice. This is the broader crime. Americans preach we do not judge a man on the basis of how he spells his name, where he goes to church, which side of the railroad tracks he was born or lives, nor his color or national origin. Indeed we say this is a truism. Its time we made the truism true.

Mr. YOUNG of Ohio. Mr. President, I wish to associate myself with the remarks which have just been made by the distinguished junior Senator from Michigan [Mr. HART]. I have never heard of anything so vicious and inexcusable as the outrageous killing of four innocent children, merely because their skins happened to be black. The perpetrators of this atrocious crime are guilty of malicious, premeditated, deliberate murder.

I am well satisfied that the Federal Government is doing its utmost, through the services of FBI operatives and others, to search out the culprits who are guilty of one of the most terrible crimes that have been committed in recent years. I hope, as one who believes that certain punishment, like a shadow, must follow the commission of a crime, that those dastardly culprits who are guilty will be found and brought to justice, tried and convicted, and given the limit of the law for their despicable crime.

DECLINE IN AWARDS OF DEFENSE PROCUREMENT CONTRACTS TO STATE OF NEW YORK

Mr. JAVITS. Mr. President, I invite attention to an important development with respect to defense procurement. The decline in New York's share of defense procurement continues unabated. It is now at a 10-year low of less than 10 percent—9.9 percent of the prime contracts moving out of the Department of Defense. This has occurred notwithstanding the fact that New York's scientific and technological capacity is equal to that of any other State, perhaps superior to all except California. California and New York rank about the same in that respect. Yet New York's share has fallen to less than 10 percent of the procurement, while California's has risen from 14 percent in 1954 to almost 24 percent today. In the last fiscal year, California's share was 23.9 percent.

New York's share is at a 10-year low. In the critical area of experimental, developmental, test, and research contracts, which account for an increasing share of total prime contract awards, California received 40 percent of all such awards in fiscal year 1962, New York only 11 percent. There is virtually no scope for price competition in contracts of this type, and thus there are few restraints on administrative decisions that determine the geographic allocations of such contracts. The close correlation of the award of prime contracts to California and its predominance in EDTR work, according to the

Defense Department study, is closely associated with a stronger emphasis on missile production which is heavily concentrated in the Pacific and Mountain States. More than one half of all missile contract awards are in the EDTR category. In other words, those who get the missile contracts get the EDTR contract along with it.

I am frankly concerned by these uninterrupted trends. I do not hold that there have been irregularities in the awarding of defense contracts. But I do ask if administrative inertia has not denied business enterprises in many highly industrialized States throughout the Nation a fair opportunity to present their qualifications and make their offers. In negotiated contracts, which account for an overwhelming proportion of total defense procurement, the Department of Defense asks several firms to submit bids and these firms tend to be confined to the west coast—often in the State of California.

I have long contended that the principal factor behind this pattern of procurement is the Defense Department's unchanged emphasis on awarding close to 90 percent of its procurement contracts on the basis of negotiation rather than formally advertised procedures. I believe in the widest possible use of formally advertised open bidding. When negotiated contracts are required, I believe there should be a more conscientious search for qualified firms to submit bids. I believe the result of such practices will be a more equitable distribution of defense contracts and will further the national interest in procuring the best quality defense equipment at the lowest possible cost.

The practice of negotiation has been followed, notwithstanding the expression of Congress in Public Law 87-653, enacted at the end of last year on this subject, and notwithstanding the fact that the Secretary of Defense himself has said that he believes a 25-percent saving can be made on each dollar shifted from noncompetitive to competitive procurement. The awarding of a substantial share of such contracts on a competitive basis would strengthen the national economy by sustaining the private sector in areas of the country now hampered by unemployed men and idle capacity.

During the 87th Congress I introduced a bill specifically designed to provide congressional direction for increased competitiveness in defense procurement. In September of 1962, a very similar proposal was passed by Congress, Public Law 87-653, and became effective in December 1962. The facts show, however, that during fiscal year 1963 negotiated contracts continued to account for 87 percent of total military procurement actions. During January–June 1963—6 months following the enactment of Public Law 87-653—formally advertised procurement accounted for 12.9 percent of such awards, exactly at the same level as during the identical period in 1962.

Therefore, in order to obtain the facts fully, I am asking the Secretary of Defense to explain in detail why there has been no increase in competitive bidding, notwithstanding the law enacted by Congress expressly to that effect, at the end of last year, and to inform me of what steps are being taken to carry out the congressional direction. When I have the Secretary's answer, I shall make it available to the Senate.

This is a matter that vitally interests my State, which is fully prepared to handle a much greater share of defense work than it is getting, especially as the State of New York is responsible for 20 percent of the Federal tax revenues and has the greatest industrial and research complex in the Nation.

I firmly believe, that should competitive procurement become the rule rather than the exception in defense procurement, New York State and other States in a similar situation would obtain a much more substantial share of total defense procurement than it has been able to obtain under a system of predominantly negotiated procurements.

New York State's scientific and technological capacity needs no explanation. Industrial research in my State is big business. Approximately 1,100 research laboratories are located in New York—by far the greatest concentration of laboratory facilities in the country. This number is greater than the combined totals of Massachusetts and California combined. These research laboratories employ more than 70,000 persons—of whom 50,000 are scientists and technical personnel. Thus, it is self-evident that should New York be given a fair chance to compete we could make an even greater contribution to the Nation's defense effort than we do at present.

I believe Senators from other industrial States are entitled to a similar explanation for the failure of the Department of Defense to comply with this law which Congress passed at the end of last year to help remedy the defense procurement situation. Apparently it not only is not helping but has worsened the situation. We ought to know why. Accordingly, I have demanded an explanation from the Secretary of Defense.

TILLMAN B. HUSKEY, SR.

Mr. JOHNSTON. Mr. President, the U.S. Senate lost one of its loyal and valued employees in the death of Tillman B. Huskey, Sr., Chief Cabinetmaker of the Senate. Mr. Huskey's 29 years of service in the cabinet shop of the U.S. Senate earned him many friends and the respect of everyone for the outstanding ability he displayed in his trade.

Few indeed are the offices and rooms in the U.S. Senate which have not been improved by the artistry of Mr. Huskey. His work will be a lasting testimonial to his ability and integrity.

Mr. President, more important than the material things that Mr. Huskey performed in the Senate are the deeds and acts of this good Christian man. The people he has touched and helped during his lifetime and the works of goodness and charity he accomplished, both as a member of the Christian Church and the Masons, are far too numerous to repeat in detail.

Mr. Huskey was a native of Gaffney, S.C., having been born on August 26, 1884. All South Carolinians are proud of Mr. Huskey's fine reputation and he will be missed by all who knew and respected him.

THE CONTEMPORARY CLUB

Mr. WILLIAMS of New Jersey. Mr. President, it has often been said that the best years of one's life are the golden years of 65 and over. Many people have found, however, that this is quite to the contrary. Upon retirement, inactivity or physical handicaps often set in to make retirement less rewarding than it should be. To help alleviate this the Passaic Young Men's Hebrew Association has dedicated itself to providing activities for the elderly. The YMHA is one of many organizations throughout New Jersey and the rest of the country that cannot tolerate the waste of energy and talent of the elderly.

The great value of the contemporary club and the other similar clubs throughout the State makes the club worthy of the attention of the Senate as a fine example of what the elderly can do.

Mr. President, I, therefore, ask unanimous consent to have an article on the Contemporary Club from the Passaic Herald-News of July 27 printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GOLDEN YEARS HAPPY ONES IF NOT LEFT TO WANE—IN CLUB SEASON YMHA HUMS WITH MERRY CHATTER AS BUSY HANDS SEARCH FOR NEW ADVENTURES

(By Betty Metzler)

Although some lean on crutches to paint and others knit with arthritic fingers, members of the Contemporary Club are eager project workers. During "the season" many arrive at least a half-hour early for the Tuesday morning meetings at the Passaic-Clifton YM-YWHA.

The club is cosponsored by the "Y" and the Passaic Section, National Council of Jewish Women, for the handicapped and for those 65 or older.

It provides a means of expression for minds that are still active despite infirmities. Members discover a sense of fellowship, which often is denied those retired from daily work routine or confined to their homes.

A leader among the club artists is Mrs. Frederick S. Ranzenhofer, a Passaic lawyer, whose right side has been paralyzed by a stroke. Formerly right handed, she now painted with her left hand.

The artist requires help in climbing the steps at the "Y" but she speaks with authority in demonstrating her speciality, finger painting. Members crowd around as she paints a bird, flower or a scene with deft strokes of her fingers.

Mrs. Ranzenhofer learned finger painting and oil painting while she was a patient at Mountainside Hospital, Montclair. Art instruction proved so beneficial that she continues to return to the hospital once a week for painting classes. Some of her work has been displayed in hospital exhibits. She lives with a nurse at her home, 82 Paulison Avenue, Passaic.

She has a son, Harold, of New York City, and two daughters, Mrs. Francis Flaster, of Clifton, and Mrs. Edward Buechler, of Cedar Grove.

In the ceramics workshop the instructor, Sam Goldberg, puts a bounce in the steps of those who walk in with canes. Mr. Goldberg, a contemporary of his pupils, started working on ceramics at his home soon after he retired 6 years ago as a foreman with a construction firm for store fronts and fixtures.

In February Mr. Goldberg moved his kiln into the "Y" as he couldn't connect it in his home. Since then he's been experimenting with operating the kiln and with colors used in ceramics. He has carved his own molds from wood, progressing from flat to round ones for vases, and has developed ceramic designs which club members use.

With Mr. Goldberg's leadership ceramics has become a popular hobby among those who like to turn out gifts for the children and grandchildren.

In one corner of the shop Simon Weintraub, former women's apparel designer and store operator in Paterson 45 years, is trying his hand at sculpting. His current project is a man's head which he is making from his own sketch.

At club meetings various activities proceed simultaneously. At one table some members are writing cards to Senators and Congressmen on social action for the aged. In another room Mrs. Philip Shurkin, a former teacher, is conducting a class in English improvement.

Others may be improving their steps in a ballroom dancing class and the choral group may be practicing for a program. A current events discussion add some good-natured arguments. Mrs. Morris Wilard may be seen reading some poetry she has written.

Whatever the current interest, members chat merrily over a pair of knitted mittens or a song they've learned to sing, not sighing over their loneliness or the pain in their legs.

All activity stops at noontime when lunch is served. The club continues in the afternoon with a mass meeting. Each week a speaker discusses health, social security, housing, and other topics of interest to the elderly.

As the result of one speech a member reexamined her social security benefits and now is receiving $5 more per week. Whether there's any money in it for them or not, all keenly follow the discussions.

The club was organized the beginning of this year as a pilot program and reports from members indicate it is becoming a permanent institution.

Abraham Senderoff, who was instrumental in forming the club, says members hope to start a dramatics class in the fall, publish a newspaper and organize an advanced class in English. They also are making knitted articles, dolls, and children's clothes for a fall bazaar.

Mr. Senderoff is starting a library for members and arranges tours to museums in New York City. Classes also will be continued to acquaint members with their Jewish heritage. Mr. Senderoff is treasurer of Hiller Academy and a member of the board of governors, Israel Bond Drive.

He and Mrs. Rose Bell, Mrs. Pauline Cohen, and Mr. and Mrs. Charles Sanders have been attending courses of the Volunteer Friendly Visitors. Members are encouraged to contribute to community improvement and club delegates are appointed to serve with community drives and organizations.

The club is open to "Y" members and as a result 27 new members have joined in order to participate in the Contemporary Club. Attendance averages 50 men and women.

In addition 20 volunteers, led by Mrs. William N. Gurtman of the Passaic section of the council and Mrs. Deborah Cohen, "Y" program director, assist with club activities and emphasize that feeling of fellowship.

MAN'S STAKE IN THE WORLD OF NATURE

Mr. **METCALF**. Mr. President, an article appeared in the September 15, 1963, issue of the New York Times magazine which, in view of President Kennedy's upcoming conservation and resources trip to Montana and nine other Western States, is quite timely. The article is written by that great conservationist who is carrying on the fight of Gifford Pinchot and Theodore Roosevelt to preserve our wilderness, Secretary of the Interior Stewart L. Udall.

In the article entitled "To Save Wildlife and Aid Us Too," he describes man's stake in the world of nature. He points out why we need conservation and preservation of our wilderness and reminds us of three factors which have contributed most to the extinction of animals and birds: man, the selfish destroyer; progress uprooting natural habitat; and pollution of our air and waters.

After citing several examples of successful preservation he concludes with a call for the passage of the land and water conservation fund bill. I second the motion, and would hope that his message does not go unheeded by this Congress.

Time is running out. If we are to preserve our wilderness for the generations to come we must act now with foresight and without hesitation.

Mr. President, I ask unanimous consent that this article, entitled "To Save Wildlife and Aid Us Too," be printed in the Record.

There being no objection, the article was ordered printed in the Record, as follows:

To Save Wildlife and Aid Us, Too—Secretary Udall Describes Man's Stake in the World of Nature

(By Steward L. Udall)

"The squirrel has leaped to another tree, the hawk has circled farther off, and has now settled upon a new eyrie, but the woodman is preparing to lay his ax to the root of that, also."—Thoreau's Journal (1851).

Twice each year, at migration time, lovers of wildlife await the census count of North America's small band of whooping cranes, which fly between their summer nesting grounds in northwest Canada and their winter refuge on the gulf coast of Texas.

The whoopers have been poised on the edge of extinction for more than 30 years now. In 1938, at the low point, there were only 14. For a time the flock slowly increased, but after a survey last summer the Canadian wildlife experts reported with alarm that the nesting season was a failure and our whooping crane population had dropped in 1 year from 38 to 28.

The fight for existence of these rare birds symbolizes the plight of vanishing types of birds and animals everywhere. The degree of concern evoked in our minds by the threat to a species is one of the quiet tests of modern civilization. In the end, whether we provide conditions which will allow wildlife to coexist with us on this planet will be as significant a commentary on our progress as any of the feats of rockets and computers. Later this month President Kennedy will visit national parks and seashore and wilderness areas in 10 States across the country, drawing attention to the efforts of the Government to conserve and protect the Nation's natural heritage.

It is estimated by the experts that more than 200 species of birds and mammals have already disappeared from the face of the earth and that nearly 250 species in various parts of the world are now on the danger list. The California condor, the polar bear, the woodland caribou, the manatee, the everglade kite, the Key deer, the sandhill crane are only a few of the imperiled species in our hemisphere.

Manmade threats to a species come from three sources. In too many parts of the world the destroyers are selfish or wanton individuals who ignore the elementary principles of conservation. A news story last year indicated that hunters were using automobiles to corner and kill the few remaining Arabian oryx; in East Africa native poachers are making deep inroads into the finest big-game herds in the world.

"Progress" is the second and more subtle threat. Encroaching civilization daily destroys habitats that are essential for the survival of some species. Wildlife can thrive only when conditions favor reproduction; some creatures face eventual extinction the moment natural conditions are seriously unbalanced by man. Some animals and birds need space; others require solitude or special nesting conditions. But space and solitude are commodities increasingly in short supply in the 20th century. Populations are exploding, and in our haste to exploit resources we have often ignored side effects that are detrimental to the welfare of wildlife.

A final, and new, risk relates to those conquests and miscalculations of man which threaten the life process itself. Pollution of air and water is slowly reducing life expectancies of many forms of wildlife. This insidious process occurs quietly. The permanent loss of a stream or estuary by pollution is too often unnoticed until the damage is irreversible. In her provocative book, "Silent Spring," Rachel Carson called our time an age of poisons and urged a thorough evaluation of the use of commercial chemicals and pesticides. The entry of numerous poisons into the chain of life may be a fateful event for wildlife species—and perhaps for some members of the human species as well. Even the controlled killing of plants, insects, and animals often has an unintended impact on nature's delicate balances.

The people of this country have passed through three stages in their treatment of wildlife. The first was the period of waste and slaughter that came to a culmination in the last half of the 19th century. The fate of the passenger pigeon and the buffalo symbolizes that age. Delectable and easy to kill, passenger pigeons were butchered by the millions. By 1915, a bird which once constituted nearly a third of the entire bird population of the United States had been relentlessly pursued to extinction. The vast buffalo herds that once roamed the Great Plains were the wildlife wonder of our continent; their near destruction also marks this savage and shortsighted hour in our history.

The crusade for wildlife protection in the 1880's began a protest against the slaughter and was spearheaded by such organizations as the Audubon Society and the Boone and Crockett Club, which was founded by Theodore Roosevelt and a group of his friends.

In the last four decades we have developed game management into a science. Hunters crop only the annual increase, and public opinion and public budgets support numerous wildlife protection programs. The main threat today arises from the side effects of advancing civilization. The draining of each swamp, the building of each new road, the indiscriminiate broadcast of pesticides, the widening circle of pollution, and the destruction of open space on the edges of our cities are now the clear and present danger to wildlife.

The Federal Government has many preservation programs under way, ranging from pesticide research to the purchase of wetlands to save habitat for the ducks and geese that travel the continental flyways. One exciting restoration project concerns the Aleutian Canada goose, a bird which was thought to be extinct. This small goose formerly nested throughout the Aleutians, but hunters made a fatal change in the bird's environment by introducing predatory foxes throughout the islands in an effort to increase the supply of fox pelts. Only 56 Aleutian geese were counted last year.

Last summer a few goslings were captured on Buldir Island and taken to the Monte Vista Wildlife Refuge in Colorado. While this temporarily transplanted flock increases its numbers, foxes will be removed from some of the islands so as to restore the habitat to its previous State. Later a covey of the captive geese will be taken back from Colorado to their ancestral islands and released, and the cycle of restoration will be completed. Through this process it is hoped that another species of wildlife will be rescued from extinction.

A similar project last year involved the nene (naynay) goose, Hawaii's State bird. This white-necked goose has largely forsaken swimming and flying for a life on the most improbable habitat imaginable—the barren lava beds of Hawaiian volcanoes. The nene's troubles began when it became prey to the dogs, cats, pigs, goats, rats and mongooses that had been brought to Hawaii by American settlers. By 1955, there were only 22 wild nene alive. By good fortune, however, some of these geese had been transplanted to the British Isles; a grant from the World Wildlife Fund, a worldwide voluntary organization devoted to saving threatened species, made it possible to ship 30 of these fine birds by air from England back to Maui last July.

Another example of bird restoration is that of the masked bobwhite quail, a bird which disappeared from its Arizona habitat a half century ago. Recently, some specimens were found in northern Mexico. A 640-acre tract was set aside in Arizona near Tucson by the Interior Department's bird experts and three pairs of the Mexican bobwhite quail were "planted" in the area where once their species flourished. If this rare quail reestablishes itself, it will be another last-minute victory for wildlife conservationists.

There is hope that Congress will establish the land and water conservation fund bill recomended this year by President Kennedy. This historic conservation legislation will provide funds desperately needed for Federal and State governments to save choice lands for recreation and wildlife protection. It will take an all-out effort at both the State and Federal level, and by voluntary organizations also, to secure such lands for posterity.

However, there are signs of a new awakening on the conservation front. In the last 3 years a few States have established farsighted buy-now-pay-later conservation programs. New Jersey's "green acres" plan, New York's $100 million acquisition program, and Wisconsin's effort to save its out of doors show what can be done at the State level if there is the right kind of leadership.

Even more encouraging are the efforts of local organizations to save marshes, seashores or forest refuges. Five years ago a group organized as the Philadelphia Conservationists purchased a 200-acre marsh and presented it to their city as a permanent wildlife sanctuary. In recent months an emergency committee of New Jersey citizens fought off the proposed intrusion of a jet airport by raising several hundred thousand dollars to save New Jersey's Great Swamp. This land, a natural museum piece, was later donated to the people of the United States, and stands as one of the rare instances on the eastern seaboard where wildlife won out over asphalt and concrete. Likewise, conservation commissions established in many Massachusetts communities are providing excellent examples of local initiative that is getting results.

Private philanthropy can also play a pivotal role. In May leaders of Boston's business community, joining together to encourage gifts of land and bequests of money for conservation projects, established a fund for the preservation of wildlife and natural areas. Henry Thoreau once advised his New England neighbors that "a town is saved not more by the righteous men in it than by the woods and swamps that surround it." It is heartening that people of his neighborhood are, a century later, taking his advice at face value.

It is inevitable, of course, that the worldly and cynical will propound their usual sowhat questions. "What does wildlife contribute to our abundance, or add to the sum of human happiness?" they will ask in weary tones.

Such queries reveal minds that lack all reverence for the marvels of the natural world. These same individuals, who prate of the wonders of modern life and the new "conquests" of science, have, in incipient form, the attitudes that lead to what the ancient Greeks called hubris—the deadly arrogance of men who had lost their roots.

The truth is that there is a force at work in the world larger than ourselves, and the natural world is its outer garment. The creatures of nature have a claim to life as valid as our own. We need to accord them respect as much for our own mental and spiritual preservation as for theirs.

PUBLIC WORKS PROGRAM MEANINGFUL IN BUTTE

Mr. METCALF. Mr. President, the area redevelopment and accelerated public works program have done, are doing, and I hope will continue to do much for Montanans.

A recent article in the Sunday, September 8, 1963, issue of the Montana Standard, published in Butte, carried an article by Frank Quinn entitled, "Timber! Tree County Project." The article points out that nearly a half-million dollars are being spent on long-needed forest improvement projects in the Butte area, projects that will provide work for some 75 unemployed Montanans.

In a similar vein, I have just received a letter from Mr. Ralph O. Godtland, manager of the Western Iron Works Inc., of Butte. Mr. Godtland states that as a direct result of a contract awarded his company by the Interior Department, he was able to employ from 12 to 15 persons, and 4 local boys were thereby enabled to attend college. Three railroads participated in the hauling of more than 600,000 pounds of steel. Four truck freight lines participated in hauling finished products.

Mr. Godtland states that he received excellent cooperation from the Bureau of Land Management, Montana State Employment Office, and the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers Local No. 130.

Had it not been for this contract—

Wrote Mr. Godtland—

this shop would have had a dull and slow summer.

Mr. President, I ask unanimous consent to insert in the body of the RECORD the article from the Montana Standard and the letter from Mr. Godtland to which reference has been made.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Butte (Mont.) Standard, Sept. 8, 1963]

TIMBER!—THREE-COUNTY PROJECT

(By Frank Quinn)

Nearly a half-million dollars will be spent on forest projects in Deer Lodge, Silver Bow, and Granite Counties between now and Christmas.

Rolf B. Jorgensen, supervisor of Deer Lodge National Forest, said that $430,000 of $1,285,000 in accelerated public works funds allocated Montana forest areas, will be spent in the three counties.

The projects, Jorgensen said, will give employment to 75 or more men, taken from the unemployment rolls of the Montana Employment Service. The Forest Service and whatever contractors are required in the work are using the "unemployment roster" to secure employees.

ALLOCATIONS BY COUNTIES

The allocations by county for the work follows:

Deer Lodge County, $200,000 for projects in both the Beaverhead and Deer Lodge National Forests.

Granite County, $100,000 for work in the Deer Lodge and Lolo Forests.

In Deer Lodge County $100,000 will be spent in the Beaverhead Forest and another $100,000 in the Deer Lodge Forest. Work in Silver Bow County will include expenditure of $3,000 in Beaverhead Forest and $127,000 in the Deer Lodge Forest. In Granite County the allocations provide for $50,000 in the Deer Lodge and $50,000 in the Lolo Forests.

The $1,285,000 for development of forestry resources and construction of facilities in Montana was allocated by the Department of Agriculture under the accelerated public works program.

The work now under way follows projects of last spring under a similar appropriation in which 75 men were employed.

The programs are administered by the Forest Service in cooperation with the Area Redevelopment Administration of the Department of Commerce.

SILVER BOW COUNTY PROJECTS

Projects in Silver Bow County as announced by Jorgensen follow:

Construction of 4.41 miles of Fleecer Mountain Road (500 man-days), by contract.

Installation of campground roads, bridges, fills, and culverts in the Fleecer area (125 man-days), and installing six metal cattleguards on existing roads in the area (90 man-days).

Work on campgrounds, tables, fireplaces, fences, well drilling, signing and installation of lavatory facilities, barrier and cattleguards at the Beaver Dam campground on Divide Creek, the Piegan Creek campground on Fish Creek, the Canyon campground south of Butte and the Lime Kiln campground south of Butte (575 man-days). In those areas also there will be fire portal prevention signs posted.

The work in Silver Bow County will include building of range fences for rotation grazing and range improvements (23 miles), 12.5 miles of which will be under contract. Development of springs for livestock, installation of cattleguards in range fences and drafting of range analysis maps will provide for 1,680 man-days of work. The Fleecer work center will be reconstructed, and 100 acres are involved in timber stand improvement and disease control projects. This includes thinning young timber stands and removing mistletoe infected trees in the Lime Kiln Gulch, American Gulch and Fleecer

Mountain areas. Construction of a relief map model for fire control is another project for Silver Bow County.

The total man-days involved in this county will be 3,497.

Work in Deer Lodge County forest areas will call for 2,614 man-days including one contract job involving campground roads at Lodgepole, Spring Hill, and Warm Springs campgrounds and the Warm Springs picnic grounds.

Projects in Deer Lodge County include replacing of two bridges on the Storm Lake Creek road, installation of a water system in the Lodgepole campground. Completion of a boat-launching ramp and parking are set at Red Bridge on the north end of Georgetown Lake, and graveling of the parking area and shoreline protection installations at Grassy Point on Georgetown are included.

The Deer Lodge County program also includes installation of a water system at the Spring Hill campground, drilling of a well and pump installation at Cable Mountain campground, installation of a storage reservoir, pipelines and hydraulic ram at the Foster Creek campground, construction of a contour relief model for fire control and fire prevention sign portals.

A powerline will be constructed to the Cable Mountain Lookout for radio communication relay. Range pasture fences, range water developments, stock management corrals, timber stand improvement and tree disease control are other planned work for the Deer Lodge County forest areas.

Construction of a road to Emerine Lookout, blacktopping of the Philipsburg Ranger Station roads and parking areas, other improvements at that station and construction of a fire lookout tower on Emerine Peak are jobs set up in Granite County. There will be 200 man-days of work in that county with two contract jobs.

Western Iron Works, Inc.,
Butte, Mont., September 9, 1963.
Hon. Lee Metcalf,
The Senate Building,
Washington, D.C.

Dear Mr. Metcalf: In April of this year, we were the successful bidders on a cattleguard contract, which money was from the Public Work Acceleration Act of 1962; and which contract was awarded by the U.S. Department of the Interior, Bureau of Land Management, contract No. 14-11-0008-1188 and consisted of fabricating 243 only steel cattleguards complete with steel wings.

I wish to inform you and enlighten you on how much this contract has meant to this area. As a matter of statistics, we want to inform you that the total amount of the contract was $101,000, and the number of persons employed was from 12 to 15 and a direct result of this shop being successful bidders for these cattleguards.

We received excellent cooperation and help from the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers & Helpers, Local No. 130, and the Montana State Employment Office located in Butte. As a result of this contract four local Butte boys will be able to attend college this year and this was in part due to the excellent cooperation of the Boilermakers' Union in allowing these students to paint and weld and receive the maximum union wage.

It might be interesting to note that three railroads, the Great Northern, the Northern Pacific, and the Union Pacific participated in the hauling of over 600,000 pounds of steel. Four truck freight lines participated to the extent of hauling the finished products to various locations in Montana. Over 1,000 gallons of red lead paint were used and this material was hauled by a truck freight line from the east.

We wish to express our thanks, also, to the inspectors of the Bureau of Land Management for their close cooperation and guidance to assure that the Government received exactly what they paid for.

Most of all, we are indebted to you who initiated this program for the Silver Bow County area. Had it not been for this contract, this shop would have had a dull and slow summer. As a result of your efforts in obtaining this work for this area, many benefited and I offer my sincere thanks for your thoughts and dedication to our community.

Yours very truly,
Ralph O. Godtland, *Manager.*

COMMITTEE ON VETERANS' AFFAIRS

Mr. KEATING. Mr. President, last week I was honored to speak before the 45th national convention of the American Legion in Miami Beach and to meet with the legislative committee. One of the principal issues of concern to the American Legion, and rightly so, is the pressing need for a Senate Committee on Veterans' Affairs. Under the existing arrangement, veterans' affairs are divided between two committees, each of which has an exceedingly heavy workload already.

The Senator from Nevada [Mr. Cannon] and I prepared some years ago for the Rules and Administration Committee a study of the situation, and concluded then that there was indeed a very real need for a Veterans Committee in the Senate. Since that time a number of other Senators have joined us in cosponsoring resolutions to establish such a committee. Just recently the Senator from Illinois [Mr. Dirksen] gave his wholehearted approval to the project. I am hopeful that before this Congress finally adjourns some major progress will have been made.

Mr. President, I ask unanimous consent to include following my remarks in the Record the text of the resolution adopted by the American Legion calling for establishment of a Senate Committee on Veterans' Affairs.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution No. 89 (Ohio) as Amended

Resolutions No. 89 (Ohio) and No. 423 (Illinois) both on the subject of creating a Senate Committee on Veterans' Affairs were consolidated under the number 89, and, as so consolidated, said resolution was amended and approved as follows:

"Whereas the American Legion, as well as all other major veterans organizations, favors the establishment of a standing Veterans' Affairs Committee in the U.S. Senate; and

"Whereas such a committee would better serve the needs of the 22 million veterans of all wars, their widows, orphans, and dependents, and would, through its professional staff, be of great assistance to the Members of the Senate in evaluating veterans legislation, and in answering constituents' inquiries on veterans problems; and

"Whereas the House of Representatives has its own House Veterans' Affairs Committee to devote full time to the study of veterans legislation; and

"Whereas it is believed that a majority of the Members of the Senate recognize the need for, and favor the creation of such a committee: Now, therefore, be it

"*Resolved by the American Legion in national convention assembled in Miami Beach, Fla., September 10 to 12, 1963,* That we aggressively go on record as favoring the immediate amendment of the rules of the Senate to provide for a standing Veterans' Affairs Committee."

LAWLESSNESS IN BIRMINGHAM

Mr. KEATING. Mr. President, the tragedy in Birmingham has stirred the conscience of the Nation. However, it is not enough to express concern and sympathy for the victims. We must resolve to do all within our power not only to apprehend and punish those responsible for this crime, but also to purify the poisonous atmosphere which engenders such acts of depravity.

It is no coincidence that such acts follow on the heels of repeated failures to bring to justice those involved in past outrages such as the lynching of Mack Charles Parker in 1959 and the assassination of William Moore. In the past 8 years there have been 21 bombings in Birmingham alone without a single successful prosecution.

In 1960 Congress passed an antibombing statute which gave the Federal Government jurisdiction in racial bombing cases. It was my hope in sponsoring this legislation that it would act as a deterrent to such acts of barbarism, and it is significant that for more than a year after its enactment not a single bombing incident occurred in Birmingham. Unfortunately, the impression was allowed to develop that this law would not be vigorously enforced. This has undermined its deterrent effect, and since January 1962, eight bombing incidents have taken place in Birmingham alone.

The officials in power in that State must accept a part of the onus for this tragic incident, because when people in authority flout the laws, the court decisions, and the power and authority of the Federal Government, it tends to leave in the minds of outlaws and hoodlums the idea that this is a way of life. Therefore, the criminals who actually perpetrated this outrage—who threw the bomb into the church—are not the only ones guilty in an offense of this kind.

Mr. President, the Nation cannot accept defeat at the hand of such lawless elements. We must convince these depraved elements and others who would deign to follow their inhuman example that they cannot escape a day of reckoning for their deeds.

TWO NOTABLE ANNIVERSARIES IN SLOVAK HISTORY

Mr. PELL. Mr. President, all to often we in the Western World are inclined to forget that the iceberg of Communist imperialism which has swept out of the East has eroded and obliterated much that lay in its path. All too often the Communist rulers of subjugated countries have sought to change history and rub out proud reminders of the heritage of liberty and cultural distinction which might help to nourish sparks of freedom in the captive lands. It is all the more important, therefore, that we in the West not be forgetful, and that we do all we can to keep the proud heritage of these lands alive.

As a former Foreign Service Officer who served in Czechoslovakia I am particularly mindful of the extent to which the Communist regime in that country has gone in its attempt to wipe out memories of the past. And I am proud for this reason to call the attention of the Senate to two notable events in the Czechoslovak calendar which should be properly commemorated in the year 1963.

I ask unanimous consent to insert in the RECORD, a memorandum concerning these events.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

Recently, the Slovaks, subjugated together with the Czechs by a Communist totalitarian regime in Czechoslovakia, have been prevented from properly commemorating two of the most remarkable anniversaries of their history, the 1,100th anniversary of SS. Cyril and Methodius' arrival in Great Moravia and the 100th anniversary of the establishment of the Matica Slovenska (the Slovak Academy).

In 863 A.D., Rastislav, the prince of Great Moravia which was, to a considerable extent, the historical predecessor of present-day Czechoslovakia, asked the Byzantine Emperor Michael III to send him teachers of the Christian faith for his most Western Slav people, the ancestors of the Slovaks and the Czechs. Rastislav's request was motivated not only by spiritual and cultural, but also political considerations. The Moravian princes had to fight their Western (German) neighbors who tried to bring to Great Moravian political subjugation along with Christianity. The Byzantine ruler sent to Rastislav two learned brothers-missionaries from Salonica, Constantine who later assumed the name Cyril and Methodius. Their arrival probably at a Slovak town, Nitra, was an epoch-making event. They became the first Christian apostles of the Western Slavs. They created a new Slavonic, the famous Cyrillic alphabet, upon which the modern orthography of the great majority of Slav peoples is based. Although the Slovaks and the Czechs chose the Latin rite and alphabet instead of the Orthodox rite and Cyrillic alphabet, the apostolate of SS. Cyril and Methodius has left a deep mark on the spiritual, religious, cultural, and national life not only of the Slovaks and the Czechs but also many other Slav nations. It helped to settle the Western cultural and political orientation of the Slovaks and the Czechs which has been the moving force of their national and political history throughout the past 11 centuries.

At the beginning of the ninth century, Great Moravia was destroyed by the Magyars. Slovakia became a part of the kingdom of Hungary and Bohemia became an independent kingdom. During that forcible political separation, the Slovaks were subjected to a harsh national and social oppression particularly in the 19th century and the beginning of the 20th century. Exactly 1,000 years after SS. Cyril and Methodius brought the Christian faith to Great Moravia, the Slovaks found a Slovak academy, called Matica slovenská, in Turciansky Sväty Martin, Slovakia, led by two outstanding spiritual and national leaders, the Roman Catholic Bishop Stefan Moyses and the Lutheran Evangelical Bishop Dr. Karol Kuzmány. Although it existed only 11 years, being dissolved by the Hungarian Government in 1875, the Matica slovenská displayed a tremendous impact on the literary, cultural, political, and national life of the Slovak people in their most difficult historical era. It became a symbol of national unity and perseverance, a source of enlightenment and cultural strength and a firm basis for a purposeful future.

After the establishment of the Czechoslovak Republic, the Matica slovenská was solemnly revived in 1919. It has concentrated its efforts on scientific, literary, publishing, and general cultural activities. It was considered a leading cultural and scientific institution. However, the Communist regime has terminated its activity by transforming it into a national library. Nevertheless, the Slovak people have not abandoned the splendid idea, distinguished activities, and the noble traditions of the Matica slovenská. They will reestablish them after the restoration of their freedom from the Communist yoke.

THE EFFECT OF FOREIGN IMPORTS ON THE DOMESTIC ECONOMY

Mr. BOGGS. Mr. President, at the recent Southern Governors' Conference at White Sulphur Springs, W. Va., the Committee on the Effect of Foreign Imports on the Domestic Economy submitted an important report.

The Honorable Elbert N. Carvel, Governor of my State, Delaware, served as chairman of that committee, which also included Gov. Henry Bellmon of Oklahoma, Gov. John B. Connally, of Texas, and Gov. Jimmie H. Davis, of Louisiana.

This report, together with four appropriate resolutions, was considered carefully by the conference and unanimously adopted.

Mr. President, I ask unanimous consent that the report and the resolutions be printed in the RECORD.

There being no objection, the report and resolutions were ordered to be printed in the RECORD, as follows:

THE EFFECT OF FOREIGN IMPORTS ON THE DOMESTIC ECONOMY

This is the fifth report of the Committee To Study the Effect of Foreign Imports on the Domestic Economy. This committee was created by the Southern Governors' Conference in 1958 and continued by the conferences of 1959, 1960, 1961, and 1962.

The committee was established because of the very serious problem facing certain industries and the economies of the Southern States. Previous reports of the committee have dealt with the damage to domestic manufacturers and producers caused by excessive foreign imports in specific industries especially in the fields of textiles and apparel, menhaden and shrimp fisheries, and oil. The conference in 1962 adopted a resolution as follows:

"EFFECT OF IMPORTS ON THE DOMESTIC ECONOMY

"Whereas the Committee on Effect of Imports on the Domestic Economy, created in 1958, has reported to this meeting of the Southern Governors' Conference that our national policies and procedures governing foreign imports are undergoing extensive change but the adverse effects on domestic manufactures and production, in numerous instances, continue to increase: Now, therefore be it

"*Resolved by the 28th annual meeting of the Southern Governors' Conference in Hollywood, Fla., October 4,* That the committee be continued for another year with instruction to collect, correlate, and disseminate to Members of Congress and others information on the impact of excessive imports on individual industries and the economy generally of the Southern States, and that it be empowered to make representations to the President, to appropriate committees of the Congress, and to Federal agencies to obtain greater protection and assistance for domestic manufacturers and producers imperiled by foreign competition; and be it further

"*Resolved,* That the executive and legislative branches of the Federal Government act promptly to establish import quotas which will provide fair treatment and adequate protection to both domestic and foreign producers and industries in the fields of textiles and apparel, menhaden and shrimp fisheries, oil, and other areas in which excessive imports are damaging the domestic economy and security, and assure that the present mandatory oil import program be held in line with the ratio quota recommended by the Cabinet Committee as essential to protect the national security, and to take any other measures necessary to accomplish such purpose."

The committee's investigation and reports from member Governors of this conference indicate the continued existence of the situation described by the resolution adopted last year.

When the previous committee made its report to last year's conference the Trade Expansion Act of 1962 had just been enacted by the Federal Government and the committee stated "because the act leaves so much to administrative decision, it is too early to assess the effect it will have on the matters we have studied." The situation in August 1963 is the same as when the prior committee wrote its report. No tariff reductions have been negotiated pursuant to the authority granted by the act, and no negotiations with respect to tariff reduction are scheduled until May 1964.

However, the committee made a very cogent point when it observed that the act left so much to administrative decision. It is clear that poorly administered, the Trade Expansion Act could have very harmful effects, not the least of which is to promote a growth in imports which could result in extensive damage to individual industries, agriculture, labor and the economy generally of the Southern States.

Because of the significant role administrative decision is expected to play in implementing the Trade Expansion Act, this year's committee deemed it prudent to examine in depth some of the important administrative principles which are expected to be followed by the executive branch of the Federal Government, including the Office of the Special Representative for Trade Negotiations and to make recommendations, if indicated, to this conference with respect thereto.

ADVISERS

It is axiomatic that a prerequisite to good administration of the act by the Office of the Special Representative for Trade Negotiations including the trade negotiators, is a full appreciation and complete understanding by them of agriculture, the industries with respect to which they are negotiating, and the labor problems thereof. The Trade Expansion Act provides for formal hearings to be held by the Tariff Commission and the Office of the Special Representative for Trade Negotiations. The hearings are designed to give industry, agriculture, and labor the opportunity to present their views with respect to the impact of imports as well as concessions which the trade negotiators should seek from foreign countries so as to increase U.S. exports. It is apparent that Government, industry, agriculture, and labor cooperation in these hearings is a necessity if the act is to be successfully implemented.

But this committee seriously questions whether these formal proceedings, in and of themselves, are adequate. The Trade Expansion Act provides that the Special Representative for Trade Negotiations shall, in the performance of this function, "seek information and advice with respect to each negotiation from representatives of industry, agriculture and labor" (sec. 241(b), Trade Expansion Act of 1962). However, to date, there has been no announcement of the appointment of representatives of industry, agriculture, and labor to act as advisers to the Special Representative for Trade Negotiations. The committee believes that qualified advisers would be of immeasurable assistance to the Office of the Special Representative for Trade Negotiations in its preparations for, and during its conduct of, trade negotiations implementing the Trade Expansion Act of 1962. If advisers were appointed then there would be available at all times experienced judgment to assess accurately the impact of a proposed course on domestic industry, agriculture, and labor. In addition, in a subject as complex as this, it is impossible to anticipate every matter which might arise and it is a virtual certainty that judgments will have to be made on the spot.

The question is whether those judgments will be naive or informed; and if advisers are available to our negotiators the committee believes such judgments are more likely to be informed ones.

The obvious wisdom of such close cooperation between Government, industry, agriculture, and labor has been recognized by foreign governments for many years. It is well known that in many previous tariff reduction negotiations between the United States and foreign nations that representatives of foreign industry, agriculture, and labor have worked extremely closely with their government negotiators both prior to and during negotiations with the result that the negotiators were well informed and advised, and in a position to negotiate skillfully. There can be no question but that such Government, industry, agriculture, and labor cooperation represents a substantial advantage.

For these reasons the committee offers to the conference the appended resolution on advisers and recommends its adoption by the conference. This resolution advises the executive branch of the Federal Government, including the Office of the Special Representative for Trade Negotiations that this conference urges them to appoint and utilize qualified advisers from industry, agriculture, and labor to assist them in their preparations for, and during, their conduct of trade negotiations implementing the Trade Expansion Act of 1962. The resolution also directs that copies of it be forwarded to the President of the United States, to Members of the Congress, and to Christian A. Herter, the President's Special Representative for Trade Negotiations.

MOST FAVORED NATION

The Trade Expansion Act of 1962 directs that "any duty or other import restriction or duty-free treatment proclaimed in carrying out any trade agreement under [it] shall apply to products of all foreign countries, whether imported directly or indirectly" (sec. 251, Trade Expansion Act of 1962). This is a statement of the most-favored-nation principle, followed by the United States since 1934. It means, in practice, that any trade concessions granted by the United States to any friendly foreign nation will automatically be extended by the United States to all friendly foreign nations. The committee does not presume to question the wisdom of this long-established policy of the United States. However, it has been brought to the attention of the committee that in the past it has been the policy of certain foreign nations from whom the United States has obtained trade concessions not to follow the most-favored-nation principle. This results in individual industries and the economy generally of the Southern States being subjected to an undue amount of foreign import competition since industries of many foreign nations exporting to the United States are unable to market their products in those nations not following the most-favored-nation principle. An outstanding example of this is found in the pressure of imports from Japan on domestic industry.

The United States grants concessions to European countries which it automatically extends to Japan. Thus domestic industries are subject to import competition from both European countries and Japan. However, the European countries, while granting concessions to the United States, refuse to extend the same concessions to Japan and thus Japan can market its products only in the United States.

The committee is firmly convinced of the basic unfairness of this situation and of its adverse effect on domestic industry and the economy generally of the Southern States.

For these reasons the committee offers to the conference the appended resolution on most-favored nation and recommends its adoption by the conference. This resolution advises the executive branch of the Federal Government, including the Office of the Special Representative for Trade Negotiations that this Conference urges them, during their conduct of trade negotiations implementing the Trade Expansion Act of 1962, to require foreign nations to which the the United States grants trade concessions to follow the most-favored-nation principle with respect to trade concessions granted by said nations to the United States, and not to grant trade concessions on behalf of the United States to any nation which does not, in fact, follow the most-favored-nation principle, and to withdraw, in whole or in part, any trade concession granted to any foreign nation in the event it is subsequently ascertained that said nation is not, in fact, following the most-favored-nation principle. The resolution also directs that copies of it be forwarded to the President of the United States, to Members of the Congress, and to Christian A. Herter, the President's Special Representative for Trade Negotiations.

RECIPROCITY

One further important administrative principle remains to which the committee recommends the conference direct its attention.

The Trade Expansion Act of 1962 permits trade concessions to be granted to foreign nations with respect to a particular domestic industry without obtaining trade concessions for the same industry from those same foreign nations similar in nature or equivalent in value. The danger inherent in this situation is apparent. A domestic industry with respect to which trade concessions have been granted by the United States and for which no concessions have been obtained from foreign nations may find itself confined to a limited market in which it is subjected to undue foreign import competition and not in a position to expand to new foreign markets and thereby ease the pressure.

In addition, experience has shown that trade concessions granted by foreign nations have often proved meaningless because of the subsequent imposition by those nations of nontariff barriers to trade, such as import quotas, regulation of exchange or excessive regulation of the product itself. The committee sees in this practice an inherent danger to domestic industry and believes it should be faced squarely by the United States.

The above described situations have caused the committee to offer to the conference the appended resolution on reciprocity and the committee recommends its adoption by the conference. This resolution advises the executive branch of the Federal Government, including the Office of the Special Representative for Trade Negotiations that this conference urges them to conduct the forthcoming trade negotiations implementing the Trade Expansion Act of 1962 on a truly reciprocal basis and, further, to instruct the U.S. trade negotiators to advise trade negotiators of foreign nations that it will be the policy of the United States to withdraw in whole or in part any trade concessions granted to any foreign nation in the event said foreign nation subsequently imposes a nontariff barrier of a character or kind which reduces the meaning of, or makes meaningless, a trade concession previously obtained from that nation for the benefit of an industry of the United States. The resolution also directs that copies of it be forwarded to the President of the United States, to Members of the Congress, and to Christian A. Herter, the President's Special Representative for Trade Negotiations.

TEXTILES

In prior years reports of this committee have dealt specifically with the import problem faced by the domestic textile industry. The background and problems of this industry were succinctly described by the President in his announcement on May 2, 1961, of a 7-point program of assistance to the textile industry. He said:

"The problems of the textile industry are serious and deeprooted. They have been the subject of investigation at least as far back as 1935, when a Cabinet committee was appointed by President Roosevelt to investigate the conditions in this industry. Most recently these problems were the subject of a special study by the Interdepartmental Committee headed by Secretary of Commerce Luther H. Hodges. I believe it is time for action.

"It is our second largest employer. Some 2 million workers are directly affected by conditions in the industry. There are another 2 million persons employed in furnishing requirements of the industry at its present level of production. Two years ago, the Office of Defense Mobilization testified that it was one of the industries essential to our national security. It is of vital importance in peacetime and it has a direct effect upon our total economy. All the studies have shown that unemployment in textile mills strikes hardest at those communities suffering most from depressed conditions."

The President recognized that textile imports had become such a penalty to the domestic industry that the sixth point of his program was devoted to seeking an international understanding to avoid undue disruption of established industries:

"Sixth, I have directed the Department of State to arrange for calling an early conference of the principal textile exporting and importing countries. This conference will seek an international understanding which will provide a basis for trade that will avoid undue disruption of established industries."

The President further recognized the importance of the textile industry to national security when, as point seven of his program of assistance, he invited an application by the textile industry under the national security provision of the Trade Agreements Extension Act:

"Seventh, in addition to this program, an application by the textile industry for action under existing statutes, such as the escape clause or the national security provision of the Trade Agreements Extension Act, will be carefully considered on its merits."

Such an application was filed on May 15, 1961 with the Office of Civil and Defense Mobilization (now the Office of Emergency Planning) on behalf of the combined fiber, textile, and apparel industries, asking for an investigation to determine whether textile products were being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security.

In recognition of the importance of said application and a recommendation thereunder, the President said, in a letter to the Honorable Carl Vinson on February 26, 1962:

"Finally, there is now pending before the Office of Emergency Planning an application by the textile industry for relief under the national security provision of the Trade Agreements Extension Act. Consideration of the case upon its merits is being expedited and I am requesting the Office of Emergency Planning to make a recommendation to me without any unnecessary delay."

Due to the heavy dependence of the economies of the Southern States and of employment throughout the Nation on the health of the textile industry, and to provide guidance to the President, the Tariff Commission, and our negotiating team under the Trade Expansion Act, it is certainly timely now to obtain a decision from the Office of Emergency Planning on this application.

Since the announcement of the President's seven-point program of assistance, no Government action has been taken to prevent textile imports of wool, silk, and man-made fibers from rising, and imports of cotton textiles and apparel have continued to rise despite an international trade agreement.

The need for an immediate decision by the Office of Emergency Planning on this application stems from the fact that the United States is now preparing to negotiate the reduction of barriers to international trade under the authority of the Trade Expansion Act of 1962. Under section 232 of this act no decrease in or elimination of any duty or other import restriction of the United States can be taken if the President determines that such reduction or elimination would threaten to impair the national security. Therefore, the President in order to make his determination needs the findings and recommendation of the Office of Emergency Planning with respect to said pending application. Likewise, our chief negotiator, the negotiating teams, and the Tariff Commission, in the preparation of the bargaining lists and in any later negotiations, would be materially aided and strengthened by a decision of the Office of Emergency Planning as to the vital importance of the textile industry to the national security.

For these reasons the committee offers to the conference the appended resolution on textiles and recommends its adoption by the conference. This resolution advises the executive branch of the Federal Government, including the Office of the Special Representative for Trade Negotiations that this conference urges them not to prepare bargaining lists and not to commence bargaining under the authority granted by the Trade Expansion Act of 1962 with respect to any segment of the textile industry before a decision has been rendered by the Office of Emergency Planning on the application filed by that industry. The resolution also directs that copies of it be forwarded to the President of the United States, to Members of the Congress, and to Christian A. Herter, the President's Special Representative for Trade Negotiations.

Under the circumstances cited in this report, and especially in view of the forthcoming trade negotiations scheduled for May 1964 implementing the Trade Expansion Act of 1962, the Committee on the Effects of Imports on the Domestic Economy recommends that this committee be continued for another year.

Respectfully submitted,
Gov. Elbert N. Carvel, *Delaware,*
Chairman.
Gov. Henry Bellmon, *Oklahoma.*
Gov. John B. Connally, *Texas.*
Gov. Jimmie H. Davis, *Louisiana.*

RESOLUTIONS

ADVISORS

Whereas the Committee on the Effect of Foreign Imports on the Domestic Economy has reported to this meeting of the Southern Governors' Conference that in accordance with the provisions of section 241 of the Trade Expansion Act of 1962, the President has appointed Christian A. Herter as Special Representative for Trade Negotiations to be the chief representative of the United States in each negotiation under the act; and

Whereas the Trade Expansion Act provides that the Special Representative for Trade Negotiations shall, in a performance of his functions, "seek information and advice with respect to each negotiation from representatives of industry, agriculture, and labor, and from such agencies as he deems appropriate" (sec. 241(b), Trade Expansion Act of 1962); and

Whereas there has been no announcement of the appointment of representatives of industry, agriculture, and labor to act as advisors to the Special Representative for Trade Negotiations; and

Whereas the nature and extent of the impact of the forthcoming trade negotiations with foreign nations on the welfare of individual industries, agriculture, and labor, and the economy generally of the Southern States is dependent upon a full appreciation and complete understanding by U.S. negotiators of agriculture, the industries with respect to which they are negotiating, and the labor problems thereof; and

Whereas the adverse effects on domestic manufacturers and production of foreign imports in numerous instances continue to increase; and

Whereas the extraordinary grant by the Congress of the United States of powers to the executive branch of the Federal Government as embodied in the Trade Expansion Act of 1962 could result in extensive damage to individual industries, agriculture, labor, and the economy generally of the Southern States unless skillfully exercised by negotiators who are in a position to analyze and fully comprehend the effect of proposed changes on individual industries, agriculture, and labor, and the economy generally of the Southern States: Now, therefore, be it

Resolved by the 29th annual meeting of the Southern Governors' Conference in White Sulphur Springs, W. Va., August 19, 1963, That the executive branch of the Federal Government, including the Office of the Special Representative for Trade Negotiations, be advised that the Southern Governors' Conference urges them to appoint and utilize qualified advisors from industry, agriculture, and labor to assist them in their preparations for, and during, their conduct of trade negotiations implementing the Trade Expansion Act of 1962; and be it further

Resolved, That a copy of this resolution be forwarded to the President of the United States, to each Member of the Congress, and to Christian A. Herter, the President's Special Representative for Trade Negotiations.

MOST-FAVORED NATION

Whereas the Committee on the Effect of Foreign Imports on the Domestic Economy has reported to this meeting of the Southern Governors' Conference that it is the policy of the United States to follow the most-favored-nation principle with respect to trade concessions granted to foreign nations and that this principle will be followed by the United States in implementing the Trade Expansion Act of 1962; and

Whereas the most-favored-nation principle means that any trade concessions granted by the United States to any friendly foreign nation will automatically be extended by the United States to all friendly foreign nations; and

Whereas in the past it has been the policy of certain foreign nations from whom the United States has obtained trade concessions not to follow the most-favored-nation principle and not to extend the concessions granted the United States to all friendly foreign nations; and

Whereas the result and effect of said policies has been that U.S. industries with respect to which the United States has granted trade concessions have been subjected to foreign import competition from industries of all friendly foreign nations, while the same industries of those nations not following the most-favored-nation principle and whose governments have not extended concessions granted the United States to industries of other friendly nations are not subjected to the same degree of competition from foreign industries as to which U.S. industries are subjected; and

Whereas this situation has resulted in individual industries, and the economy generally of the Southern States being subjected to an undue amount of foreign import competition since industries of many foreign nations exporting to the United States are, because of trade barriers, unable to market their products in those nations not following the most-favored-nation principle; and

Whereas the general Agreement on Tariffs and Trade, article I, specifically adopts the most-favored-nation principle: Now, therefore, be it

Resolved by the 29th annual meeting of the Southern Governors' Conference in White Sulphur Springs, W. Va., August 19, 1963, That the executive branch of the Federal Government, including the Office of the Special Representative for Trade Negotiations, be advised that the Southern Governors' Conference urges them, during their conduct of trade negotiations implementing the Trade Expansion Act of 1962, to require foreign nations to which the United States grants trade concessions to follow the most-favored-nation principle with respect to trade concessions granted by said nations to the United States, and not to grant trade concessions on behalf of the United States to any nation which does not, in fact, follow the most-favored-nation principle, and to withdraw, in whole or in part, any trade concession granted to any foreign nation in the event it is subsequently ascertained that said nation is not, in fact, following the most-favored-nation principle; and be it further

Resolved, That a copy of this resolution be forwarded to the President of the United States, to each Member of the Congress, and to Christian A. Herter, the President's Special Representative for Trade Negotiations.

RECIPROCITY

Whereas the Committee on the Effect of Foreign Imports on the Domestic Economy has reported to this meeting of the Southern Governors' Conference that the Trade Expansion Act of 1962 permits U.S. trade negotiators to grant trade concessions to foreign nations with respect to a particular domestic industry without obtaining trade concessions for the same industry from those same foreign nations similar in nature or equivalent in value; and

Whereas the impact of foreign imports on the domestic industry with respect to which trade concessions have been granted as aforesaid could have an adverse effect on said industry and result in extensive damage to it and the economy generally of the Southern States; and

Whereas said industry will not be in a position to relieve said adverse effect and damage to its domestic market since trade concessions will not have been obtained from foreign nations which would open new foreign markets to said industry; and

Whereas the adverse effect on domestic industries, manufactures and production of foreign imports in numerous instances continue to increase; and

Whereas experience has shown that trade concessions granted by foreign nations have often proved meaningless because of the subsequent imposition by said foreign nations of nontariff barriers to trade, such as, but not limited to, quota restrictions, exchange permits or excessive regulation of products: Now, therefore, be it

Resolved by the 29th annual meeting of the Southern Governors' Conference in White Sulphur Springs, W. Va., August 19, 1963, that the executive branch of the Federal Government, including the Office of the Special Representative for Trade Negotiations, be advised that the Southern Governors' Conference urges them to conduct the forthcoming trade negotiations implementing the Trade Expansion Act of 1962 on a truly reciprocal basis; and be it further

Resolved, That said U.S. trade negotiators also be instructed to advise trade negotiators of foreign nations that it will be the policy of the United States to withdraw in whole or in part any trade concession granted to any foreign nation in the event said foreign nation subsequently imposes a nontariff barrier of a character or kind which reduces the meaning of, or makes meaningless, a trade concession previously obtained from that nation for the benefit of an industry of the United States; and be it further

Resolved, That a copy of this resolution be forwarded to the President of the United States, to each Member of the Congress and to Christian A. Herter, the President's Special Representative for Trade Negotiations.

TEXTILES

Whereas the Committee on the Effect of Foreign Imports on the Domestic Economy has reported to this meeting of the Southern Governors' Conference that the economies of the Southern States and employment throughout the Nation is heavily dependent upon the health of the textile industry; and

Whereas the President has recognized the existing need for aid to the textile industry by the announcement on May 2, 1961, of a seven-point program of assistance; and

Whereas included in this seven-point program was his recognition of the textile industry's importance to national security in that the President, as his seventh point, stated: "An application by the textile industry for action under existing statutes such as the escape clause or the national security provision of the Trade Agreements Extension Act will be carefully considered on its merits"; and

Whereas an application under the national security provision of the Trade Agreements Extension Act was filed with the Office of Civil and Defense Mobilization (now the Office of Emergency Planning) on May 15, 1961, on behalf of the combined fiber, textile, and apparel industries, asking for an investigation to determine whether textile products are being imported into the United States in such quantities and under such circumstances as to threaten to impair the national security; and

Whereas under the provisions of section 232 of the Trade Expansion Act of 1962 no decrease in or elimination of any duty or other import restriction of the United States can be taken if the President determines that such reduction or elimination would threaten to impair the national security; and

Whereas the President in order to make his determination needs the findings and recommendation of the Office of Emergency Planning with respect to said pending application; and

Whereas in recognition of the importance of said application and a recommendation thereunder, the President said, in a letter to the Honorable CARL VINSON on February 26, 1962: "Finally, there is now pending before the Office of Emergency Planning an application by the textile industry for relief under the national security provision of the Trade Agreements Extension Act. Consideration of the case upon its merits is being expedited and I am requesting the Office of Emergency Planning to make a recommendation to me without any unnecessary delay"; and

Whereas the United States is now preparing to negotiate the reduction of barriers to international trade under the authority of the Trade Expansion Act of 1962; and

Whereas our chief negotiator, the negotiating teams, and the Tariff Commission, in the preparation of the bargaining lists and in any later negotiations, would be materially aided and strengthened by a decision of the Office of Emergency Planning as to the vital importance of the textile industry to the national security: Now, therefore, be it

Resolved by the 29th annual meeting of the Southern Governors' Conference in White Sulphur Springs, W. Va., August 19, 1963, That the executive branch of the Federal Government, including the Office of the Special Representatives for Trade Negotiations, be advised that the Southern Governors' Conference urges them not to prepare bargaining lists and not to commence bargaining under the authority granted by the Trade Expansion Act of 1962 with respect to any segment of the textile industry before a decision has been rendered by the Office of Emergency Planning on the application filed by that industry; and be it further

Resolved, That a copy of this resolution be forwarded to the President of the United States, to each Member of the Congress, and to Christian A. Herter, the President's Special Representative for Trade Negotiations.

SECRETARY FREEMAN REPORTS TO THE PEOPLE

Mr. HUMPHREY. Mr. President, on September 8, Secretary of Agriculture Orville Freeman returned to his home State of Minnesota where he discussed the contrasts between American agriculture and the Iron Curtain countries. Secretary Freeman, who just recently returned from a 30-day trip through the Soviet Union, Poland, Rumania, Bulgaria, and Yugoslavia, gave his impressions in an address at the Minnesota State plowing contest in Mankato.

Mr. President, it seems to me that all Senators would want to read this talk because it reveals the thoughts of a Cabinet official of our Government—a top adviser to the President of the United States—on the subject of agricultural programs and policies and systems of two highly different societies, and the present and possible future relationship between them. Because of talks of this type, we are provided an insight into the possible future policies of our Government.

I ask unanimous consent, Mr. President, that the text of Secretary Freeman's speech in Mankato be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN AT THE MINNESOTA STATE PLOWING CONTEST, MANKATO, MINN., SEPTEMBER 8, 1963

It is always good to get to Minnesota—and I appreciate my home State all the more for having just returned from a fairly extended trip into another world—the world behind the Iron Curtain.

The Soviet Union and the other four countries that our party visited are a different world. And this comes home with special impact to an American Secretary of Agriculture. In those countries—without exception—agricultural officials are trying to figure ways to increase production. They are literally straining every resource to produce more and more of everything.

In the United States, of course, we have quite a different problem—the problem of dealing with surpluses and trying to adjust the almost irrepressible tendency of American farmers to produce more than we can use and thus force down prices and farm income.

Since 1932, we have taken about 75 million acres out of production. In the same years, the Russians have put 150 million additional acres into production.

I have said, only partly in jest, that a U.S. Secretary of Agriculture returning from a Communist country needs to undergo a debriefing because the farm problems of the two worlds are so dramatically different. The shock of readjustment is almost that great.

I might express the opinion, too, that the food problems of the Communist countries are easier to understand. It's easy for farmers anywhere in the world to understand why they should produce more, but it's much more difficult to appreciate a need to produce less. American farmers feed us better and more cheaply in proportion to our income than any other farmers in the world today, or in all of history. They have earned the sympathetic appreciation of the American people. But few Americans understand the dilemma of a farmer who wants to use all of his land efficiently and produce food to his maximum ability—and yet who knows that, if he does, he will produce more than can be sold at a fair profit.

Unfortunately, this dilemma is being distorted, for the U.S. farmer is usually pictured not in terms of this economic crisis, but rather as a man who wants only a subsidy.

Nevertheless, despite all our difficulties, I am glad that we have our food problem of abundance and not theirs of scarcity.

That brings me to the four points I should like to make here today:

First, there are contrasts between our systems—agricultural contrasts and political contrasts.

Second, there are benefits—mutual benefits—to be derived from maintaining and even expanding contacts with the people of Eastern Europe.

Third, the spirit of individualism is hard to eradicate from the human breast—even in collectivized nations.

And fourth, in the economic war which Khrushchev is launching, American agricultural productivity is one of our most potent weapons.

But before examing those points, I want to talk with you for a few moments about my visit to the Communist world—especially to the Soviet Union. Not to give you a detailed or scholarly analysis of Soviet agriculture—but just to give you some of my impressions as a Minnesota boy a long way from home.

I consider it my job as Secretary of Agriculture to know what goes on in agriculture everywhere in the world in terms of the position of our country with relation to all others. Eastern Europe is both a customer and a competitor today, and promises to become a more important one in the future. It is the most powerful bloc outside of our own country, and agriculture, in which about half of its people are engaged (as compared with 8 percent of our people), is a vital part of the life and economy of those Communist countries. It is part of my job to know all I can about it.

We traveled widely and we worked early and late. We talked to people—to peasants and to collective farm chairmen and to political leaders. We sat down at tables and toured experiment stations and tramped the fields with them. We asked detailed questions about their planning and organization—about their machines and cultural practices—about their system and how it is organized and how it works. We asked about research, institutions, techniques, and about their adjustments to local conditions.

I don't claim to have become an expert in 30 days. But with me I had distinguished specialists in several phases of U.S. agriculture and Soviet agriculture. Our party was able to split up at various points, and so I had the benefit of several pairs of eyes trained in science, in agricultural engineering and the economics.

We flew 6,000 miles in the Soviet Union alone, in Russian commercial airplanes. One time, I recall, we landed on a grass runway in a heavy four-engine turboprop airplane. We stirred up enough dust—believe me—to have accounted for a recent Soviet conference on wind erosion. The Russians are beginning to be concerned about the effects of wind erosion and dust storms in these so-called new lands which were first broken to the plow in 1954 and which have given them 100 million additional acres of grain production, mostly wheat. We were the first American delegation to stop at that frontier-type city of Orenburg—on the hot, dry, flat plains or steppes—since the Hoover famine relief commission visited there after World War I.

Our experts were critical of some of the cultural practices followed in this new lands area where there is virtually no rain during July and August. We think they plow too deep, and plant too deep, and use too much seed. Yet we found these same cultural methods followed in the dry land areas all over the U.S.S.R. Apparently they have been decreed in Moscow. A lack of local decision-making—a lack of flexibility—appears to be one of the great weaknesses of the socialist system.

Next we flew south and east into central Asia, into the parched desert land of Uzbekistan, where the Russians grow irrigated cotton. It was 104° the day we landed there.

Then we began to circle back, stopping in the Krasnodar region—in their corn belt—which is at about the same latitude as Mankato. The countryside looks like southern Minnesota, except that you don't see any soybeans. Again, there is no rainfall during the late summer growing season, and soybeans don't thrive there. The Russians get two-thirds of their vegetable oil from sunflowers.

Our next stop was in the Ukraine, traditional breadbasket of Russia. Then on to Byelorussia, Leningrad, and back to Moscow.

Besides flying over vast distances, we rode hundreds of miles over bumpy roads and tramped countless steps through endless fields and milk sheds and hog barns. Our first stop in the new lands was at a 275,000-acre state farm (more than half as large as all of Blue Earth County), with 150,000 acres planted to spring wheat and other crops. Can you imagine the administrative problems in running a farm that size?

We spent 18 days in the Soviet Union, topping off our visit with a down-to-earth, 2-hour conference on agricultural problems with Premier Khrushchev. Then we spent a total of another 12 days in Poland, Rumania, Bulgaria, and Yugoslavia. In those countries we also had conferences with the top political and agricultural leaders, and saw their farms and institutions. We arrived home exhausted. But it was worth the effort. We had learned a lot.

Now, let us take up the first of my four points—the contrasts in our systems.

I returned from this revealing survey of socialist farming with my conviction reinforced that there is no more efficient and effective system of agriculture than the American family farm. Agricultural output is one of the proudest achievements—indeed, one of the miracles—of the American economy. It is a testimonial to the incentives of free enterprise. Under it, our farmers have something to work for which is lacking in collective systems.

Compare the results, if anyone doubts this. Eight percent of our population feeds our 185 million people, with enough left over to furnish food and fiber for a food for peace program which is active in 100 countries, plus ample reserves against emergency at home. This compares with 50 percent of the Soviet population producing a far less satisfactory and more expensive diet. One U.S. farmer feeds 27 people, one Russian farmer 6 people. The American consumer spends only 19 percent of his disposable income for a well-balanced, attractive diet that comes to him in handy packages and cans and in frozen and convenient forms. The Soviet people, on the other hand, spend nearly half of their income on foods that run heavily to cereals and starch. Canned and frozen foods are not to be found in their stores.

We gathered additional evidence of the American farmer's ability to outproduce the Russians in the food price comparisons that we made in Soviet cities. One of their principle foods, bread, costs 65 cents for a 2-pound loaf, as compared with 39 cents here. You see people buying just one or two eggs, at 10 to 12 cents each for medium size; our large eggs are 5 cents each. Lard costs $1 a pound in Moscow (they use a great deal of lard), and 15 cents in Washington. Remember also that they pay these much higher prices from salaries that are much lower than ours on the average.

Our consumers would be more appreciative of the low food prices made possible by the American farmer if they went shopping in the U.S.S.R.

Premier Khrushchev acknowledged to me that American agriculture is at a higher level than Soviet agriculture, but he credited the U.S. advantage to our riches, not to our system. I told him I disagreed with him, and gladly accepted his challenge when he said the Soviet Union intends to overtake and pass us in agriculture by 1970.

This kind of peaceful competition, I welcome. I do not believe that the socialist system of planning—as cumbersome and inefficient as I saw it to be—will ever be able to compete with our individualistic family farm agriculture and its built-in incentives. The Russians have said many times before what they intend to do in agriculture, but they continue to trail further behind us.

Our 2-hour conference was friendly, but we did needle one another a few times about the respective merits of our two systems. I offered to sell him some poultry, but he told me that all he wanted to buy—all he had money for—was production equipment, such as fertilizer plants, chemical plants, and feed mixing plants. He said he plans to invest near $6 billion in fertilizer production in the next 5 years in order to increase production from 20 million to 100 million tons a year. Even if he could increase the production that fast—which I doubt—I suspect, from our own longer experience with fertilizers, that his less efficient farmers could not learn to use it properly in such a short time.

It was good news, however, to hear him say that he intends to use his money for fertilizer plants instead of rockets. He said he is "fed up" with rockets and the Soviet Union has enough of them. Khrushchev said also that he prefers competition for wheat and beef production to competition for atomic weapons. I hope he means it.

The organizational bases of agriculture in the United States and Russia are entirely different, of course. Farmland in the Soviet Union is nationalized, which is one way of saying that the state owns all the land. There are two types of farms there—state farms, which are managed by the state and operated by workers hired for wages—and collective farms, which theoretically are run by an elected chairman and by vote of the members. Both kinds of farms must produce certain quotas of commodities for the state, however, and state inspectors check carefully on the operations of the collective farms. This is in sharp contrast to our family farm system, based on private ownership.

Not only is Soviet agriculture different—the farmers are different. There are obvious contrasts in the training and background of United States and Russian farmers. The American farmer's capabilities are much broader and his management skills much greater. We observed very few farmers who could come near to matching the American farmer with his working knowledge of agronomy, mechanics, veterinary science, business management, and the like.

The Soviets are trying to concentrate on agricultural education and they now have about 100,000 specialists of various kinds—agronomists, tractor specialists, animal husbandrymen, business managers, and so forth, stationed on or available to their 50,000 state and collective farms. But the American farmer wraps up all these specialties in one man, to an amazing degree.

The Russians are using much more marginal land, and weather conditions are less advantageous than in the United States. This difference in climate is a very real factor, and it is only fair to recognize this and to be grateful for the rich blessings of climate and soil that we have in this country, and which is so apparent here on the good Minnesota farm where we are meeting this afternoon.

Krasnodar is at Mankato's latitude, as I said, but Krasnodar is in the far south of the Soviet Union. Most of the Soviets' farmland is farther north, and a lot of it is much farther north. Moscow is about 400 miles north of Winnipeg. So you can readily realize what this means in shortened growing seasons in much of the Soviet Union.

We visited a research institute at Krasnodar that has done a great deal of work with hybrid corn—and here again the American influence was pronounced. For areas with a short growing season, the scientists at Krasnodar recommend a hybrid variety developed right here in Minnesota. When the season is longer, they recommend Wisconsin and Illinois varieties. Hybrids are now used on about 70 percent of Soviet corn acreage, and within a very few years, we were told, they will be used almost exclusively.

At the Krasnodar Institute, the outstanding achievement is a new beardless wheat—one of the parents of which was an American variety. This new wheat which is the only one used throughout a large region in Russia and which has spread to Hungary, Bulgaria, and Rumania, is claimed to have increased yields 35 percent.

The mention of midwest corn varieties in Russia leads me naturally into my second point—about the benefits to be derived from continued and expanded scientific, technical, cultural, and people-to-people contacts with other countries—including countries with a political system much different from ours.

We ought not to be fearful of the interchange of ideas. Agriculture is a peaceable pursuit. It is an open window between East and West. Its scientific innovations are published in agricultural journals for all the world to see and to read. We discovered again and again that the Des Moines newspapers are well known in the Soviet Union because they proposed the idea of exchanges between the two countries some years ago.

Keeping diplomatic and personal lines open between countries is an important way to avoid serious clashes. Witness the new "hot line" between Washington and Moscow; this is regarded as a major step, and rightly so, in preventing accidental or thoughtless adventures that could wipe out most of civilization. I said before that agriculture is a peaceable pursuit. So why can we not have an augmented peace line—an expanded line of agricultural exchanges—between our two countries? What better way to make sure that no one ever has to make a call on the "hot" line.

The people of the Soviet Union—even Mr. Khrushchev—agree with us that American agriculture is the best in the world. It follows, therefore, that perhaps Russian agricultural scientists and practitioners have more to learn from us than we from them. For that reason, we might selfishly say: "Let's go slow on exchanges." But that would be a grave mistake, not only because our agricultural knowledge is given wide publicity and is translated and studied by the Russians but also because shutting off agricultural exchange would close down lines of international communication over which flows the broad good will that accompanies personal contact. Of course, we can never for an instant let down our own security guard. We must never delude ourselves into thinking that the Communists have abandoned their goal of world conquest—that would be a negation of Marxism, on which their whole philosophic structure is built.

Both countries benefit from such exchanges. Cross-fertilization of our own ideas and techniques is important to the United States, just as is cross-fertilization of some of our plants and trees.

In Leningrad we visited the All Union Institute of Plant Industry, which maintains plant exchanges with 80 countries. Scientists are sent out all over the world to collect plants and view the work in agricultural schools and institutions.

Years ago the exchange program between the United States and that institute was allowed to lapse, but in 1959 this exchange was reestablished. Since that time, we have received 2,300 lots in exchange for about the same number sent over there from this country.

We are interested in sending explorers to the Soviet Union to search among wild plants, and we recently concluded an agreement to permit two American scientists to do this. They are now in Moscow and soon will be in the Uzbek Republic. This can benefit us, since many of our wheat, fruit, and vegetable species originated in that part of the world. By exploring among wild species, we can perhaps find strains that resist diseases and insects—and which have other desirable characteristics. We can also search for insect predators and parasites that might be used here to combat our insect pests.

Our explorers have been doing this in other countries—and we are interested in doing this kind of work within the great land mass that is the Soviet Union. We discussed the possibility of further arrangements of this kind with the Soviets at several levels and found a great deal of interest. I brought it up, then, with Premier Khrushchev, and he replied that plant exploration is important, and that he is in favor of such exchanges.

One of the plant characteristics that we can use in our breeding program was present in some low-growing apples and cherries that we saw in Moscow. These little trees—which came from Siberia—are no more than 18 inches off the ground and spread out like a creeping plant. We understood that when winter comes, the snow covers up the whole tree, and it can, therefore, survive—despite the bitter Siberian winters. It gets cold in Minnesota, too, as I recall.

We are interested in learning more about their beardless wheat; and about hard spring wheat we saw at Orenburg that was reported to test at an unusually high protein content. In Bulgaria, we saw a beautiful hybrid tomato which our scientists said was one of the best in the world; Bulgaria exports 250,000 tons of this hybrid annually. At a general agricultural collective in Yugoslavia, we were shown alfalfa and corn pellets that had been developed on the farm. We saw some interesting vitamin pellets developed on a first-rate hog farm in the U.S.S.R.

What I'm saying is that both nations—all of our nations—can benefit from the kind of scientific exchange we are trying to enlarge.

The third point I want to make—and it is an encouraging one—is that even under a Communist system that has survived for a generation and a half, as it has in Russia, a feeling of individualism continues to be a part of the human spirit.

The success of the small private plot is an example. In the Soviet Union a collective farmer may cultivate a little more than 2 acres, and a worker on a state farm about a third of an acre for himself.

Although private farm plots are not officially encouraged and do not benefit from the Government's extension service, these small private enterprises are very productive and make up a significant part of agricultural production in the U.S.S.R. because they give individual farmers a chance to exercise their own initiative.

I want to mention one other item on the durability of the human spirit. The first collective farm we visited in Poland had over the mantlepiece not the inevitable picture of Lenin which we saw everywhere in the U.S.S.R. but, instead, a crucifix.

In the Soviet Union it is possible, though not always easy, to attend church services. In Minsk, for example, Mrs. Freeman asked the Agriculture Minister at our first briefing session about attending church the following day, which was Sunday. The Agriculture Minister said he was a Communist and did not go to church, and in fact he didn't even know where there was a church, but that he would find out and see that it was arranged. So she and I went to a service at a Russian Orthodox Church. We had been told ahead of time that we might expect to see only peasant women of advanced years there. We were pleasantly surprised. There were a number of middle-aged men and women, and some young people, too.

The members of our traveling party had many, many visits with everyday citizens in the countries we visited—people on the farms, in factories, in the streets. Whenever possible, I would say a few words to farmhands, to staff people, or just to curious onlookers, along these lines: "I bring you greetings from President Kennedy and the American people and expressions of friendship and a desire for peace in the world."

And in each case, the people, many of whom had never seen an American, responded with warm applause and crowded around happily to shake hands.

I must admit that I had not anticipated such a completely friendly response as we received from the Russian people, particularly in view of all the anti-American propaganda calling us imperialist warmongers, that they have heard over the years. We discovered an immense reserve of friendship for the United States among the people themselves. Their talk was always about peace, and they responded spontaneously to the message that President Kennedy and the American people want peace. It is hard for me to communicate the intensity of their feeling about peace.

Then we visited cities that had been destroyed—leveled to the ground—in World War II. In those cities, and in that country where 20 million people lost their lives in the war, the memory of total destruction of life and property is still very real. Kiev, for example, on the Dnieper River, has been mostly rebuilt since 1946. Minsk, a city of 600,000, was a battlefield in World War II, and is still being rebuilt.

We were in Russia at the time the nuclear test ban treaty was initiated. When the news came, I was having a rather technical discussion with the Ukrainian Minister of Agriculture in Kiev. The session immediately dissolved into a big round of speeches of friendship. Other members of our party were on a state farm. Applause and shouts of approval greeted the announcement there.

To summarize our agricultural observations, let me point out again that the specialists in our party did not completely agree. But it was unanimous that there has been progress in Soviet agriculture. The extent of this progress, and the amount of future progress to be expected, are more difficult to assess.

It is clear that Soviet science and research have improved, and some of it is good indeed.

It is clear that the Soviets are communicating know-how to farmers and local managers better and more effectively than was the case 5 to 10 years ago.

And it is clear that total production has risen considerably. They have the ability to feed their people, although with a very limited diet.

As you might expect, the Soviets are the most successful in producing those crops where production can be routinized and standardized. That is, grain and the row crops—sugarbeets, cotton, and sunflowers.

In the more diversified kinds of farming—such as livestock, dairying, fruit and vegetables—they are lagging far behind. Part of the reason is that this kind of farming calls for so many day-to-day and week-to-week decisions on the spot that a remote decisionmaking process breaks down under its own bureaucratic weight.

Another reason for the Soviet lag is a poor marketing system. This is a big deficit in Soviet agriculture. If you can't market and transport and preserve milk and meat and vegetables—you can't produce them successfully on a large scale. There is a big shortage of marketing, distribution, storing, and processing facilities.

As for the future, it seems certain that the Soviets will begin to put more of their capital resources into agriculture. So—while I don't believe that with their system they will ever catch up with us in productivity per man-hour—their total production will continue to increase.

The single greatest impression from my visit to the Soviet Union is that we need to increase our person-to-person contacts with the Russian people—consistent, of course, with security principles and remembering always that the Communists still are striving to dominate the world. Agriculture offers perhaps our best and most peaceful opportunity to do this.

But the people of the Soviet Union—as contrasted with their leaders—don't necessarily share the desire to dominate the world and to "bury" the United States, as Mr. Khrushchev has expressed it. They want peace. They feel a friendliness for Americans.

Agriculture offers perhaps the best opportunity to meet these people on common terms. The exchange of information on agriculture can be a process of mutual improvement. Every American citizen who goes to the Soviet Union learns something. Russians are strongly impressed by our institutions and our way of life, whenever they have the opportunity to experience them.

I strongly suspect, in the light of Mr. Khrushchev's recent emphasis upon economic targets—his references to "economic war" and his statement to me that he means to take over our agricultural priority by 1970—that he now seeks to transform the cold war into an economic war. This may account for his desire for military peace—for relief from the economic burdens of building weapons for a nuclear war which might destroy communism as well as all the Communists.

If Khrushchev wishes an economic war, we are willing and able to take up that challenge. And this is my fourth point—in such a contest, agriculture will play an important role. American agricultural productivity today has proved its superiority over any Communist system ever devised.

I am certain that this will become more and more apparent to people everywhere—even to those behind the Iron Curtain—as they have more and more opportunity to learn about our achievements. In a contest involving either ideology or economics, we can whip the Communists hands down. And in such a contest you, the farmers of Minnesota and the United States, will lead the way.

A NEW AMERICAN LEGION COMMANDER—DANIEL FOLEY OF MINNESOTA

Mr. HUMPHREY. Mr. President, on Thursday, September 12, a singular honor was given to the State of Minnesota by the election by the American Legion of Daniel F. Foley, of Wabasha, Minn., as national commander of this great organization of veterans.

As a long-term friend and admirer of Dan Foley, it gives me great pleasure to congratulate the American Legion on its choice of leadership for the coming 12 months. Mr. Foley's election commemorates the first time that a Minnesotan has commanded the American Legion, the world's largest veterans' organization. Dan Foley combines the qualities of quiet courage, intelligence, and a balanced and reasonable attitude toward controversy. He is a careful and considerate man, whose deep commitment to the public welfare, as well as to the welfare of veterans and their families, will certainly mean that the American Legion during the coming year will be wisely and judiciously led.

Mr. President, I ask unanimous consent that an editorial from the Minneapolis Star of September 13, 1963, entitled "Commander Foley," and the article from the Minneapolis Morning Tribune of September 13, 1963, entitled "Foley Elected U.S. Legion Commander," be printed at the conclusion of my remarks.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Minneapolis (Minn.) Star, Sept. 13, 1963]

COMMANDER FOLEY

The American Legion has recognized the fine leadership qualities of a solid Wabasha, Minn., citizen in electing Daniel F. Foley its national commander. He comes of a family long prominent in State and national public affairs and he has devoted most of the years since World War II to Legion responsibilities.

The Legion's farflung welfare activities sometimes are obscured by controversy over some aspects of its Americanism program. But there is no objection to such fine projects as Boys State, junior baseball, high school oratorical contests, school patrols, get-out-the-vote and go-to-church campaigns and all the other similar efforts of the Legion.

The Legion's child welfare proposals have led to much of the State and Federal legislation in that field. The Legion pioneered the veterans rehabilitation program after World War I. With its women's auxiliary it has been an outstanding force for the betterment of America.

Commander Foley seems the right man to carry forward such endeavors and he brings to his high office diplomacy as well as administrative ability.

[From the Minneapolis (Minn.) Morning Tribune, Sept. 13, 1963]

FIRST MINNESOTAN TO WIN—FOLEY ELECTED U.S. LEGION COMMANDER

(By Mercer Cross)

MIAMI BEACH, FLA.—Minnesota's Dan Foley thundered to a 3-to-1 victory Thursday to become the top man in the American Legion.

The Wabasha lawyer is the first Minnesotan to command the world's largest veterans organization.

In the State-by-State balloting on the final day of the Legion's national convention, Foley collected 2,251 of the potential 2,974 delegate votes.

His opponent, Joe L. Matthews, Fort Worth, Tex., had 709. It was his second defeat in 2 years.

Matthews attributed his loss to alleged calling in of Legionnaires who would support Foley as the supposed choice of Legion "king-makers."

"Poppycock," said outgoing Commander James E. Powers of Georgia.

"We knew we were fighting a stacked deck," said Matthews. He wouldn't say whether he would make a third try next year.

Foley, in his acceptance speech from the platform of Miami Beach's immense Convention Hall, made this pledge:

"Though the forces of atheistic communism may beat with all their fury on the breasts of liberty, this Nation shall endure strong in justice.

"This Nation shall prosper, rich in compassion.

"This Nation shall stand down through the corridors of time, secure in freedom."

"Time and again," said Foley, "history has shown that the course of extremism, either to the right or to the left, is the course of failure."

"The American Legion," he said, "is the greatest stabilizing factor in America today."

Powers placed the red cap of the national commander on Foley's head and pinned the commander's medal on his navy blue jacket.

Minnesota Gov. Karl F. Rolvaag mounted the platform with Foley and told the convention: "I trust this is as great a day for the American Legion as it is for the State of Minnesota."

Adolph Bremer, city news editor of the Winona (Minn.) Daily News, made Foley's nominating speech.

"Here is a Legionnaire with rare courage," he said of the 41-year-old former commander of the Legion's Minnesota department. "Here is a man of action."

As soon as Bremer had finished, the 9th district Legion band from Crookston, Minn., struck up the "Minnesota Rouser."

Hundreds of Legionnaires, led by 323-pound John (Butch) McDonald of Foley's Wabasha Post 50, paraded around the hall with placards.

Leading the cheers was a convention within the convention—Foley's relatives.

His cheering section consisted of his wife, Ellen; their five sons, ages 8 to 16; his four brothers, and two of his four sisters.

Matthews' demonstration was considerably more noisy and spectacular as his followers paraded to Texas songs and chanted, "Go with Joe."

But the votes meant more than the cheers.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

Mr. ERVIN. Mr. President, after much deliberation upon its provisions and implications, I have decided to vote to approve the test ban treaty. This is the most difficult decision I have had to make since coming to the Senate 9 years ago.

Candor compels the confession that I shall cast my vote for approval without great enthusiasm. The test ban treaty does not outlaw all testing of nuclear weapons. It carefully preserves the right to test underground.

While compliance with the test ban treaty will lessen the overmagnified danger of nuclear fallout, it seems obvious that the United States should not have negotiated with Russia any test ban treaty other than one which prohibits all testing of nuclear weapons and establishes, within the borders of Russia, a system of inspection sufficient to detect any clandestine testing. Such a treaty would not have subjected the United States to disproportionate military disadvantages. Besides, it would have virtually assured the discovery of any attempt to test in secret.

Until the negotiators of the test ban treaty went to Moscow, the United States had consistently and wisely taken the adamant and implacable position that our country would not agree to any test ban which did not provide for adequate inspection.

The test ban treaty constitutes a complete surrender, upon the inspection issue, by our negotiators to Russia. I find scant comfort in the suggestion that we may be able to develop improved methods of detection which will minimize the need for inspection within the borders of Russia. This is true because I cannot indulge in even an uneasy hope that the total surrender upon the inspection issue has not implanted in the Russian mind the abiding conviction that negotiators from our State Department do not possess sufficient fortitude and stamina to withstand for long any demand which Russia may make in any negotiations on any subject.

Since being assigned to the Senate Armed Services Committee about January 1955, I have given much consideration to the things affecting our military posture and that of Russia. As a consequence, I am satisfied that the proposed test ban treaty imposes upon the United States disproportionate military disadvantages. As a matter of fact, virtually every military man and nuclear scientist who has testified before the Senate Foreign Relations Committee or the Preparedness Subcommittee of the

Senate Armed Services Committee admits this to be true. For reasons of national security, I refrain from detailing these military disadvantages.

I would vote without hesitation to reject the proposed test ban treaty because of these military disadvantages if the Joint Chiefs of Staff and others possessing expertness in military and nuclear matters had not given the Senate and the Nation positive assurances that the United States can overcome these military disadvantages by extraordinary measures, and if the President had not given the Senate and the Nation positive assurances that the executive branch of the Government will pursue with unrelenting energy such extraordinary measures.

Despite these assurances, I would vote without hesitation to reject the proposed test ban treaty if my judgment permitted me to base my decision solely upon military considerations. The tragic truth is that this particular test ban agreement should never have been negotiated. Even with the extraordinary measures suggested by the Joint Chiefs of Staff and promised by the President, the treaty will not enhance in any degree the capacity of the United States to defend itself and the free world against a potential enemy which is preoccupied with troubling the peace of mankind and is threatening to bury us.

Unhappily, however, we are not confronted with the comparatively simple question of whether the test ban treaty should have been negotiated.

It has been negotiated, and it has been submitted to the Senate for approval or rejection. Moreover, it has been acclaimed and adopted by most of the nations of this earth, in the uncertain hope that it presages a more peaceful existence for all mankind.

When a Senator votes on the question of approving the test ban treaty, he will not be making an easy choice between what is good and what is bad, or between what is wise and what is foolish. He will be making a choice between somewhat undesirable alternatives. If he votes in favor of approval, he will vote for approval of an agreement which imposes upon his country military disadvantages. If he votes in favor of rejection, he will vote to cast cold water upon the hopes of mankind.

I entertain misgivings, based on military considerations, concerning the wisdom of ratification of the test ban treaty.

Nevertheless, I shall vote for approval of the treaty, because I think it the lesser of the two undesirable choices available to us. This is true because I am convinced that the political and psychological impact upon the other nations of the earth of rejection of the treaty by the United States would irretrievably damage, if not absolutely destroy, any opportunity for the United States to furnish to the free world any effective leadership during the foreseeable future.

We must not permit the making of this treaty to blind us to the realities of our precarious world, or to lull us into a false sense of security. Eternal vigilance is still the price of liberty.

The men of the Kremlin have not changed their hearts or their purpose. They and their puppet governments still hold in captivity behind the Iron Curtain hundreds of thousands of Bulgarians, Czechs, East Germans, Hungarians, Latvians, Lithuanians, Poles, and Rumanians. The men of the Kremlin still maintain armed forces in Cuba—only 90 miles from our shores, in violation of the letter and spirit of the Monroe Doctrine. They still hold fast to their dream of world conquest.

Let us remember the solemn warning given us by the late Elmer Davis:

> Atomic warfare is bad enough; biological warfare would be worse; but there is something that is worse than either. It is subjection to an alien oppressor.

If Americans are to preserve their liberty and that of the free world, they must keep their hearts in courage and patience, and lift up their hands in strength. There is no other way.

THE ALBRIGHT ARTICLE ON THE TEST BAN TREATY—PERSONAL STATEMENT

Mr. ROBERTSON. Mr. President, I regret that Mr. Robert Albright is not present in the Press Gallery. I shall refer to him in my statement. I shall send him a copy of it. I do not know whether he will get it. If he does not get it, I hope someone will bring it to his attention.

Mr. President, judging by public statements which they have issued, my present guess is that proponents for the test ban treaty outnumber the opponents at least 5 to 1. All of us who have spoken against ratification have made it crystal clear that we are dealing with a vital military problem which must be handled free from partisan politics, and that we do not challenge the sincerity of any Member of the Senate who does not share the conclusions we draw from military testimony that the military disadvantages outweigh the so-called political advantages.

It is, therefore, very surprising to me that proponents of the treaty very grudgingly admit the sincerity of the opponents and that members of the fourth estate even will attempt to smear Members of the Senate who express opposition to the treaty. In the Washington Post of today, we see two illustrations of that unfortunate fact.

One columnist charges that all of the members, except one, of the Stennis Preparedness Investigation Subcommittee who brought in an adverse report have a self-interest in opposing the treaty because they are reserve officers who get paid when on active duty and are fearful that if the treaty be ratified, defense appropriations will be cut. The answer to that absurd charge will come immediately after we have voted on the test ban treaty. Today, the Senate Appropriations Committee will mark up the biggest peacetime defense budget in our history and that, a measure providing for increased defense spending, will be passed by the same Senators who so enthusiastically supported the test ban treaty.

The second illustration occurred in a story written for the Washington Post by its top Senate reporter, Mr. Robert Albright. In our younger days, Bob Albright and I were good friends, but I regret to say that throughout my service in the Senate, which now goes into the 17th year, he either has never written, or the Washington Post never has published, one commendatory sentence of anything I have ever done in the Senate. But, with all due deference to the leftwing articles that Bob Albright has written for a leftwing paper, he never has, during my service in the Congress, been unfair to me. His report on the Senate debate of yesterday on the test ban treaty is published in the leading column of the front page of the Post today. I was greatly surprised that Albright had seen fit to include in that report the following statement concerning me:

> But when ROBERTSON suggested that Senate Foreign Relations Chairman J. WILLIAM FULBRIGHT, Democrat of Arkansas, had endorsed the treaty before hearing any testimony on it, FULBRIGHT shot back: "That is a lie."

Considering, as I say, that Bob Albright never has in the past deliberately misrepresented anything I have said in the Senate, I shall proceed today on the assumption that he either did not hear what actually occurred in the exchange between Senator FULBRIGHT and me on yesterday, or else he misunderstood what he said. I shall read from the CONGRESSIONAL RECORD the official report, which is a correct report of what actually was said to show: First, that I did not suggest, as the Albright story implies, that Senator FULBRIGHT had endorsed the treaty before hearing any testimony; second, that Senator FULBRIGHT did not call me a liar, as the story would imply, and incidentally I do not think that has ever happened in the Senate since dueling was abolished; and third, the RECORD clearly shows that Senator FULBRIGHT admitted that he endorsed the treaty before hearings were started in his committee, and that was all that my constituent had charged.

The following is taken from page 17059 of the CONGRESSIONAL RECORD of Monday, September 16:

> Mr. ROBERTSON. Then let me say that today I received from a lawyer a letter in which he asks whether it is the normal procedure for the chairman of the Foreign Relations Committee to announce his support of the treaty before he heard one word from anyone about it—while he was in Moscow.
>
> Mr. FULBRIGHT. I will say that is a lie.
>
> Mr. ROBERTSON. Then I will write him that the Senator says it is a lie.
>
> Mr. FULBRIGHT. The Senator can tell him it is a lie. The record shows what happened. Before then, I had seen this treaty. It was brought before our committee before it was even initialed. The Senator from Virginia says he has received a letter in which it is said that I announced my approval of the treaty before I had seen it; but such a statement is nonsense.
>
> Mr. ROBERTSON. I will write to him that that is what the Senator from Arkansas says.
>
> Mr. FULBRIGHT. The record shows what I said. Such a statement is not true. Not only did I see it, but a majority of the members of the committee saw the treaty before it was initialed. We were consulted at considerable length about it.

Mr. President, I now come to the essential part of that comment which my former friend, Bob Albright, deliberately ignored:

> Mr. Robertson. I did not say the Senator from Arkansas did not see the treaty. The letter states that the Senator announced his support of it before he started the hearings. Is that true or not?
>
> Mr. Fulbright. That is true. This is a good treaty.
>
> Mr. Robertson. Then the one who wrote the letter did not lie, did he?
>
> Mr. Fulbright. But the statement to which the Senator referred was that I had approved the treaty before I had even seen it.
>
> Mr. Robertson. The statement was that the Senator from Arkansas announced his support of the treaty before he heard any testimony on it.
>
> Mr. Fulbright. Oh, no; I had heard a great deal about the treaty. I heard from the Secretary of State; and we read the treaty, and discussed it at length.
>
> Mr. Robertson. I am not referring to statements from the State Department; I mean the testimony of witnesses before the committee. The Senator from Arkansas announced himself as favoring the treaty before he opened the committee's hearings, did he not?
>
> Mr. Fulbright. That is quite correct.

If Mr. Robert Albright wishes to retain my previous high opinion of his ethical standards, he will publish in the Washing Post tomorrow an apology for writing a piece that hit me below the belt, and explain that he did not understand exactly what was involved. If he does not do so, the conclusion will be inescapable that he deliberately sought to smear me in the article published today.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. SMATHERS. First, the Senator made reference to the statement that some of those who supported the test ban treaty grudgingly admitted that those who opposed it were patriots. In my judgment every Senator who supports the test ban treaty recognizes the total and complete patriotism of every other Senator, even though he may oppose the treaty. I am happy to say that insofar as the knowledge of the Senator from Florida is concerned, I do not know of any Senator who in any way questions the patriotism or the purity of the motives of the able Senator from Virginia, the Senator from South Carolina, or any other Senator who conscientiously and sincerely opposes this particular treaty.

We do not happen to agree with them, but we recognize their patriotism.

With respect to the particular article to which the Senator has referred, which appeared in the Washington Post this morning, I also know Bob Albright. He does not necessarily need any defense from me. I have a high respect for him, although he does not write anything particularly friendly to me. I do not believe he usually writes much which is very friendly to any Senator from the South. It is not that he has any personal vindictiveness or feelings about us.

One of the problems is that those in the press gallery have a hard time hearing all that happens on the floor. I know friends who have sat in the family gallery have said, "We cannot follow what is said."

The Senator from Arkansas [Mr. Fulbright] sometimes does not talk very loud. The Senator from Virginia is always well heard. He has a strong voice. He articulates well. There are some Senators who do not talk with the strength of voice of the Senator from Virginia, so that the people in the galleries can hear.

I recall that several years ago a motion was made that what we needed to get, if we wished to do the job we ought to do, so that the people who come to the galleries could hear—and certainly so that those in the press galleries could hear—was some kind of a microphone system. I know that in most legislative bodies throughout the world there is a system whereby one can get a little extra power if he needs it when he talks.

In these rapidly developing colloquies which go on between Senators, sometimes it is very easy for people in the visitors' galleries, as well as for those in the Senate Press Gallery, to miss a point or to miss a word or a line, and come to an erroneous conclusion.

I am satisfied that is what happened in the case of Bob Albright, who is a most respected newspaperman.

I am satisfied, once the Record is read—I know everyone has great respect for the able Senator from Virginia—that this matter will be corrected.

I read the story this morning. I thought about it. I have served 16 years in the House and in the Senate. Never during my service in this body have I heard any Senator—and that is true even of the House—say what was printed in the newspaper this morning.

Mr. ROBERTSON. Of course not. It would be against the rules of the Senate. In the old days one would have been involved in a duel. Somebody would have been killed, if anyone could shoot.

Mr. SMATHERS. That is correct. I agree with the Senator with respect to the fact that it was a little shocking.

On the other hand, I think once the able Mr. Bob Albright understands what did transpire, it will be corrected. I think we must make allowances for the fact that some of those who are now in the gallery cannot hear exactly what I am saying, yet they must make a report of it. They have to report in time to meet a deadline. They do not have time to look at the Record. They have to write their stories based on what they hear.

I am sure the able Senator from Virginia will be as charitable with respect to Mr. Bob Albright as he customarily is with respect to his other good friends. I think this difficulty can be solved easily—and it will be.

In connection with the possible changing of the rules of the Senate, perhaps some of them should be changed, but I think one of the first things we should do is to work out a system whereby Senators can be heard without having to shriek. The distinguished Senator now occupying the chair, [Mr. Walters] presiding over the Senate at this time, is a very able Senator who has developed unfortunately, over the years, something wrong with his vocal cords. It is quite difficult at times for him to be heard. The able Senator has a great mind and a great heart, and he should be heard. I am certain that when he speaks in his home State of Tennessee he has a microphone.

When a Senator makes an address to a group or organization outside of the Senate, there he will find a microphone so that he can be heard by all in the audience. But he cannot find one in the Senate Chamber today where such an audio system is certainly needed. If we had such a system each Senator could hear each other and could also be heard in the upper reaches of the galleries. The press and the public are entitled to hear what is said on the Senate floor. It seems a little ridiculous that unless a Senator shrieks and wears himself out he cannot be heard.

Mr. AIKEN. Mr. President, I have noticed that the able Senator from Tennessee [Mr. Walters] gets his points over, just the same.

Mr. SMATHERS. The able Senator from Tennessee has never missed getting his point over very well.

I appreciate what the Senator from Virginia has had to say. I make the point that I am certain it will be solved to his satisfaction. I hope that out of this we may develop some improvement with respect to making it possible for Senators to be heard.

Mr. ROBERTSON. Mr. President, I greatly appreciate the kind words of my distinguished friend, the Senator from Florida, who is our acting majority leader. It may be that some of us who are getting criticism of the kind we have never known before are becoming a little tender.

I have held public office continuously for 46 years. Never in that period of time have I received the type of criticism I have been getting about the test ban treaty.

I hope that I misjudged some of my distinguished colleagues when I said that they grudgingly admitted the sincerity of those of us who were on the minority side, on the unpopular side. I do not know with certainty the exact value of the Gallup poll, but it claims that the country is 4 to 1 in favor of the treaty. I should say that the Senate is about 5 to 1 in favor of the treaty.

I am glad to have the assurance that no Senator who is for the treaty either criticizes or challenges the sincerity or patriotism of those of us who have drawn the conclusion that the military disadvantages outweigh the so-called political advantages.

As to our friend Albright, I gave him the charitable interpretation. There are some able reporters in the Press Gallery at the present time. Most of them have served throughout my term of service in the Senate. Not one of them has ever misquoted me.

I agree that it is not easy for them always to hear. I frankly admit that normally I am calm, but if anybody moves in on me in a hostile way, I go into a defensive position very fast. Sometimes when I do that I speak a little rapidly, and perhaps the news reporters cannot hear everything I say.

So I say about my friend Albright that I will assume he did not correctly hear the colloquy; or perhaps he was not present and got a report from somebody else. But if that be true, he will have an opportunity, in the Washington Post tomorrow, to correct what on its face is a slander and a smear on me. That is all I have to say about it. I will be as charitable to him as the Senator from Florida in the statement that he did not mean to do me this injustice and that he is going to correct it. We will wait to see.

Mr. JAVITS and Mr. THURMOND addressed the Chair.

Mr. ROBERTSON. Mr. President, I yield first to the Senator from New York, who has been on his feet for some time.

Mr. JAVITS. I merely wished to say to the Senator that I submitted a resolution to substitute a microphone system for these rather useless—at least today—sort of inkwell arrangements on the desks. An investigation was made. That is entirely practical and feasible. When I served on the Committee on Rules and Administration I could not get the resolution passed. But I am encouraged by what the Senator has said. I most respectfully invite Senators, if they are interested, to join with me; and I will resubmit the resolution. I think it is extremely necessary.

Mr. ROBERTSON. I say to my friend from New York that one of the most gratifying experiences I had during the 14 years I served in the House was the ability to go to the well, where a microphone was provided, so that everybody could hear. It was not necessary to shout, and those in the gallery could hear.

As the Senator from Florida has pointed out, in the Senate Chamber if a Senator does not have a "foghorn voice" even those who sit in the front of the Press Gallery cannot always hear, and those who sit in the visitors galleries behind the Senator cannot hear a thing. They are always very patient. They do not stamp their feet or say, "Sit down." They are very patient. They cannot hear what is going on, though they come to hear.

If it will do no violence to the traditions of what is supposed to be the greatest deliberative body in the world for us to install modern equipment, we can do so. This Chamber is quite different from the old Supreme Court chamber. At the time that was used there were only 25 States, and 50 Senators. It was a smaller room, about one-third the size of this. It had a little gallery, about one-fifth the size of the gallery here. When Daniel Webster spoke, not only could he be heard throughout the Senate, but also the reporters could hear him so well that he was heard around the world, like the shot fired at Concord.

I should be glad to support a resolution to install loudspeakers, so that each Senator, who is required under the rules to stay at his desk, if anybody objects to his moving—I roam around sometimes, but that is what the rules require—could have some means of being heard.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. SMATHERS. I recall when the able Senator from New York submitted his resolution. At that time I thought I should join him. Because of this unfortunate episode this morning, perhaps some good will develop. If the Senator will resubmit his resolution, I am sure that I and other Senators will be glad to join with him. As the Senator from Virginia so ably says, years ago there was a smaller body, a smaller Chamber, and a smaller press corps, and it was easy for Senators to be heard.

But today a Senator must shout in order to make himself heard. I have many constituents who come into the galleries and say, "Well, we sat there for 20 minutes. Not only were few Senators there"—which they complain about, and we have to explain that they are in committees, and so forth—"but those who were there mumbled." I say, "They did not mumble. It is 40 or 50 feet away. You cannot hear up there." They come here and they are quite disappointed that they could not hear.

I think the time has come—it is long overdue—when we ought to have the means of being heard in the Senate. I would certainly support the resolution.

Mr. ROBERTSON. I agree, because I would not want a reporter to publish something that was not true because he did not hear what I said. Incidentally, I see a distinguished reporter from the Washington Star in the gallery, who wrote a little piece about what I said yesterday, but he did not understand I had made an accusation against the Senator from Arkansas [Mr. FULBRIGHT] and that the Senator on the floor had called me a liar. Maybe the other man did not hear.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. JAVITS. Mr. President, I ask unanimous consent that the Senator may have 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. I commend the Senator from Virginia for the address he made about the test ban treaty. I want to say that maybe the poll published in the Washington Post or some other poll shows that people favor the treaty by a vote of 4 to 1, or whatever it is. That is not in accord with the mail I receive. I get about 1,000 letters a day, half from within South Carolina and half from without. I have checked with my administrative assistant on this. The mail is 30 to 1 against the treaty. I do not know that this is an index of the sentiment of the people throughout the Nation, but certainly the people that have written to me, from within South Carolina and without South Carolina, are opposed to this treaty in the ratio of 30 to 1.

I say to the distinguished Senator from Virginia that the fight he is making on this treaty is a commendable one and characteristic of his courage and foresight.

Mr. ROBERTSON. I thank the Senator. I realize that, whether it is 4 to 1 or 6 to 1, we are on the unpopular side, but we are stating how we conscientiously feel.

Mr. THURMOND. Mr. President, in view of the fact that Senators cannot be heard from back here, I wonder if the Senator from Virginia would mind if I used his desk? If not, I ask unanimous consent that when I speak this morning, I may speak from the seat of the Senator from Virginia.

Mr. ROBERTSON. Mr. President, that desk was first designated by a former President, the Honorable Harry Truman. The Senator from South Carolina is welcome to it.

Mr. THURMOND. I believe I will stay where I am. [Laughter.]

Mr. SMATHERS. Mr. President, I think that is a good illustration of what we are talking about. Nobody heard what went on. The people in the galleries are laughing. I see some very fine reporters in the galleries. Perhaps they could not hear, and they might write about what went on.

The Senator from South Carolina asked the Senator from Virginia if he could use his desk this morning, because he wanted to get out from under the galleries, where he could be heard. People cannot even hear the Senator from South Carolina from where he is. So he wanted to use the seat of the Senator from Virginia. Under the rules of the Senate, a Senator is supposed to talk from his Senate seat. So the Senator from South Carolina asked unanimous consent to use the seat of the Senator from Virginia. The Senator from Virginia said he would be delighted to let the Senator from South Carolina use his desk; that the desk had been used by former President Harry Truman, in my judgment, one of the finest Presidents. Whereupon the Senator from South Carolina said, "In that case, I do not believe I will use the desk."

Mr. HART. Mr. President, I would like to make a comment on that.

Mr. JAVITS. Mr. President, I have the floor. I yield.

Mr. HART. What has been suggested should be done, if only to obviate the necessity of repeating. There are times when it is difficult enough to hear what is said the first time. It is much worse if it must be repeated. If microphones will do what we desire, I am for it.

Mr. JAVITS. Mr. President, I had no intention of addressing myself to that subject this morning, but I will resubmit the resolution, and certainly will invite the Senator from Florida and other Senators to join with me in this effort to improve the archaic procedures of this great body.

Mr. SMATHERS subsequently said: Mr. President, so long as the able Senator from Virginia [Mr. ROBERTSON] is present and the Senator from Pennsylvania [Mr. CLARK] is also present, I should like to make further reference to the matter discussed earlier by the able Senator from Virginia, which resulted in the idea that we probably needed some type of acoustical improvement, in order to be heard. The point was made—and I think wisely made—that in every one of the committee rooms which have recently been built—which are half the size of this room, with galleries half the size of these—microphones are provided; but in this Chamber, which was changed from the original Senate Chamber, as was so well pointed out by the Senator from Virginia, it takes a man with a real foghorn voice and the constitution of a bull in order to be heard around the galleries and up in the Press Gallery.

It seems to me, as Senators have suggested, that the time has come to do something about it. I know the Senator from Pennsylvania [Mr. Clark] is greatly interested in changing the rules and in making other improvements in the Senate. I have commended him for it. It seems to me this is something that would be in sympathy with his views.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the Senator from Pennsylvania.

Mr. CLARK. I am very glad the Senator from Florida called my attention to this matter. Goodness knows, I am not an expert in the Senate rules. I may make a great deal of noise about it, but I am not an expert. However, I am happy to join the Senator from Florida in suggesting this badly neeeded reform. We can all remember that a former Senator from Wisconsin, Senator Wiley, urged this reform on us for many long years. I thought he was right then. I think the Senator is right now.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield to the Senator from Missouri.

Mr. SYMINGTON. I also should like to join the distinguished Senator from Florida on this particular point. Certain Senators were very difficult to hear. I remember specifically Senator Millikin, from Colorado, who was impossible to hear, not only in the galleries, but even when one was sitting almost next to him. He was one of the most brilliant minds ever to serve in the Senate. Other Senators have very low voices.

I hope this suggestion will be given serious consideration.

Mr. SMATHERS. I thank the able Senator from Missouri.

I point out that earlier in the day the junior Senator from Oregon [Mrs. Neuberger] said that, sitting in the back row, in the corner, unless one gets up and goes to the well, he or she cannot hear what is happening sometimes between the majority leader and the minority leader.

It all comes back to the fact that sometimes members of the press who sit up in the galleries cannot hear us when we turn our backs or turn this way or that, and mistakes are possible in their reporting because they did not hear.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield to the Senator from Virginia.

Mr. ROBERTSON. I appreciated the comments of the Senator earlier in the day, and I mention the fact that I am now in the Chamber again. In the meantime I have been attending a meeting of the Appropriations Committee, where it is planned to bring to the Senate, as soon as the vote on the test-ban treaty is over, a defense appropriation bill in the magnitude of $47 billion-plus, which is exclusive of foreign aid for military assistance and exclusive of military construction, which, when added together, will exceed $50 billion. During the period in question I was absent from the Chamber. I am present whenever possible, but occasionally we must attend committee meetings.

YOU CAN'T WIN

Mr. YOUNG of Ohio. In connection with the limited test ban treaty debate—and I expect to participate in that debate later today or tomorrow—from time to time we hear very peculiar statements. A short time ago, a Member of the House of Representatives, Representative Hosmer, a Republican Representative from California, blatantly denounced the limited test ban treaty saying, "There must be some side agreements with Russia."

He made that statement in spite of the fact that the treaty is drawn in understandable language and is simply and directly written.

He demanded to know all about the arranged "sellout," as he called it, on the part of our President.

The following day, this same Member of the other body said he accepted President Kennedy's denial at his news conference regarding any side agreement, or any secret interpretation of the terms of the test ban treaty. Following that, this same Representative said:

> I therefore withdraw my charge. However, I must reiterate that the failure to have made such an agreement, secret or otherwise, is both reckless and improvident.

I think I should leave that Representative and his two statements and give to them now the charity of my silence.

The PRESIDING OFFICER. The Senate is in executive session. The question is on agreeing to the resolution of ratification of the treaty.

Mr. SMATHERS. Mr. President, I understand that the Senator from South Carolina [Mr. Thurmond] is ready to make a speech on the pending business. I should like to have the Chair recognize him at this time. After he has obtained recognition, I shall ask him to yield to me.

The PRESIDING OFFICER. The Chair recognizes the Senator from South Carolina.

Mr. THURMOND. I thank the distinguished Senator from Florida. I am pleased to yield to him.

Mr. SMATHERS. Do I correctly understand that the Senator from South Carolina desires a quorum call?

Mr. THURMOND. The Senator is correct.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 161 Ex.]

Anderson
Boggs
Cannon
Church
Clark
Curtis
Ervin
Hartke
Hill
Jordan, Idaho
Keating
McGovern
McIntyre
Miller
Morse
Morton
Nelson
Randolph
Scott
Simpson
Smathers
Thurmond
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

Mr. HUMPHREY. I announce that the Senator from Alaska [Mr. Bartlett], the Senator from Maryland [Mr. Brewster], the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Mississippi [Mr. Eastland], the Senator from Oklahoma [Mr. Edmondson], the Senator from Alaska [Mr. Gruening], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Oklahoma [Mr. Monroney], the Senator from Utah [Mr. Moss], the Senator from Maine [Mr. Muskie], and the Senator from Connecticut [Mr. Ribicoff] are absent on official business.

I further announce that the Senator from California [Mr. Engle] is absent because of illness, and the Senator from Wyoming [Mr. McGee] is necessarily absent.

Mr. KUCHEL. I announce that the Senator from Colorado [Mr. Allott] and the Senator from Kansas [Mr. Pearson] are absent on official business to attend a meeting of the Interparliamentary Union.

The Senator from Utah [Mr. Bennett], the Senator from Kansas [Mr. Carlson], the Senator from New Jersey [Mr. Case], the Senator from Kentucky [Mr. Cooper], the Senator from Colorado [Mr. Dominick], the Senator from Nebraska [Mr. Hruska], the Senator from New Mexico [Mr. Mechem], and the Senator from Texas [Mr. Tower] are necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

Mr. SMATHERS. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on the motion of the Senator from Florida.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay Mr. Aiken, Mr. Bayh, Mr. Beall, Mr. Bible, Mr. Byrd of Virginia, Mr. Byrd of West Virginia, Mr. Cotton, Mr. Dirksen, Mr. Douglas, Mr. Ellender, Mr. Fong, Mr. Fulbright, Mr. Goldwater, Mr. Gore, Mr. Hart, Mr. Hayden, Mr. Hickenlooper, Mr. Holland, Mr. Humphrey, Mr. Inouye, Mr. Jackson, Mr. Javits, Mr. Johnston, Mr. Jordan of North Carolina, Mr. Kuchel, Mr. Lausche, Mr. Long, of Louisiana, Mr. Mansfield, Mr. McCarthy, Mr. McClellan, Mr. McNamara, Mr. Metcalf, Mr. Mundt, Mrs. Neuberger, Mr. Pastore, Mr. Pell, Mr. Prouty, Mr. Proxmire, Mr. Robertson, Mr. Russell, Mr. Saltonstall, Mrs. Smith, Mr. Sparkman, Mr. Stennis, Mr. Symington, Mr. Talmadge, and Mr. Young of North Dakota entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

The Senator from Florida is recognized.

Mr. SMATHERS. Mr. President, I should like to say, in the absence of the able Senator from South Carolina, who asked that there be a "live" quorum call so that Senators would have the benefit of his views on the test ban treaty, that he has momentarily stepped out of the Chamber. I am sure he will soon return.

Mr. THURMOND. Mr. President, the treaty which the Senate is now considering constitutes major risks and jeopardies to the capability of the United States to deter a nuclear war in the future. These risks and jeopardies are military in nature, for our deterrent to nuclear war is military. Our deterrent has been and is the overwhelmingly superior strategic power embodied in our nuclear forces. It is our ability to deter nuclear war which is risked by this treaty.

The risk takes the form of military disadvantages, which result from the fact that in significant and crucial areas of nuclear technology, the Soviets have a lead on the United States as a result of their nuclear testing in 1961 and 1962. These military disadvantages are summarized by the Preparedness Subcommittee as follows:

First. The United States probably will be unable to duplicate Soviet achievements in very-high-yield weapon technology.

Second. The United States will be unable to acquire necessary data on the effects of very-high-yield atmospheric explosions.

Third. The United States will be unable to acquire data on high altitude nuclear weapons effects.

Fourth. The United States will be unable to determine with confidence the performance and reliability of any ABM system developed without benefit of atmospheric operational system tests.

Fifth. The United States will be unable to verify the ability of its hardened underground second-strike missile systems to survive close-in high-yield nuclear explosions.

Sixth. The United States will be unable to verify the ability of its missile reentry bodies under defensive nuclear attack to survive and to penetrate to the target without the opportunity to test nose cone and warhead designs in a nuclear environment under dynamic reentry conditions.

Seventh. The treaty will provide the Soviet Union an opportunity to equal U.S. accomplishments in submegaton weapon technology.

Eighth. The treaty will deny to the United States a valuable source of information on Soviet nuclear weapons capabilities.

These disadvantages are both serious and formidable. At the very least, they will seriously impair, if not completely nullify, our ability to maintain the overwhelming superiority in strategic power absolutely essential to the prevention of nuclear war.

Proponents of ratification of the treaty seek to mitigate the findings of the Preparedness Subcommittee by pointing out that the Joint Chiefs of Staff testified that they support ratification of the treaty. This mitigates not at all against the fact of the disadvantages, for not only are the conclusions of the Preparedness Subcommittee not in conflict as to the facts with the testimony of the Joint Chiefs, but in most particulars, the Chiefs' testimony supported these conclusions. The Joint Chiefs of Staff specifically recognized that the treaty resulted in military risks, but then professed to weigh them against nonmilitary considerations.

This was explicitly set out in the final paragraph of the presentation of the views of the Joint Chiefs of Staff by General Taylor, who concluded his presentation as follows:

> Having weighed all of these factors, it is the judgment of the Joint Chiefs of Staff that, if adequate safeguards are established, the risks inherent in this treaty can be accepted in order to seek the important gains which may be achieved through a stabilization of international relations and a move toward a peaceful environment in which to seek resolution of our differences.

It is unfortunate that the testimony of the witnesses before the Preparedness Subcommittee could not be printed in time to be before this body during consideration of the treaty, but the declassification procedure is immensely time consuming, and essential from a security standpoint. But no security implications can arise from the quotation of the following excerpts from General LeMay's testimony. General LeMay stated:

> But the net result is that there are military and technical disadvantages to the treaty. All of the Joint Chiefs agreed on this point.
>
> However, there are political advantages that may accrue from the treaty. This is a field that I don't consider myself an expert in, and I have depended to a large extent on the advice of others.

General LeMay stated that he and the other Chiefs had been briefed on the political, or nonmilitary considerations, by both Secretary of State Dean Rusk and Under Secretary Harriman.

General LeMay was interrogated further with regard to this matter by Senator BYRD of West Virginia, who posed the following question:

> You have indicated, General LeMay, that the Joint Chiefs of Staff were not to confine their judgment in connection with the treaty before us on the basis of purely military considerations, but that political considerations were also be to thought about.
>
> Is this normal, General LeMay, or has it been the practice in the past for the Joint Chiefs of Staff to attempt to assess political considerations in reaching their judgments?

General LeMay responded:

> It certainly has been true since President Kennedy came into office, because this is one of the first things that they told the Joint Chiefs they expected them to do. They expected them to put the political factors in at their level.
>
> They told us this verbally many times. Actually, I think we have a note in writing on the subject, the Joint Chiefs.

Quite obviously, therefore, the testimony of the Joint Chiefs does not conflict with the findings of the Preparedness Subcommittee. The Joint Chiefs were instructed to consider the political considerations, which they were given by Mr. Rusk and Mr. Harriman, and this is the basis for their support of the ratification of the treaty. General LeMay not only stated that he had to rely on the advice of others on the political factors, because he did not consider himself an expert in the field, but he also stated in his testimony that he had less confidence than others that these political considerations could be realized.

As the Senator from Mississippi [Mr. STENNIS] has pointed out, the Joint Chiefs could hardly be classified as "supporters" of the treaty, but that a more accurate assessment of their position is that they "go along with" the treaty, or perhaps even more precisely, they "go along with" the White House.

The Chiefs of Staff may not have been threatened outright, and most probably were not; but the Chiefs live in an environment which daily demonstrates the rule of rigid compliance with decisions from above, and more and more of the details are being decided from above. Therefore, there is hardly a need for the Chiefs to have a picture drawn for them on each specific issue on which they are expected to conform to the policy decision.

It is significant to note that immediately after the treaty was initialed, the Chiefs were called to the White House individually one day, and then were recalled as a group the next day, ostensibly for consultation.

All in all, there is no reason to even suspect that there was any arm twisting of the Chiefs of Staff over the treaty. There was no need for it. Many lessons in the foolhardiness of disagreeing with policy decisions had been taught quite recently, with graphic and dramatic examples that could hardly fail to impress the Joint Chiefs of Staff and all other officers.

Both Adm. George Anderson and Gen. Curtis LeMay disagreed with the official position of the administration on the TFX award, which shows that the Joint Chiefs can disagree without literally facing a firing squad. No one, of course, would be so suspicious as to find any causal relation between the disagreement by these two Chiefs of Service with the official position and the subsequent decision by the White House which materially shortened their active military careers.

Although there was surely no physical arm twisting practiced on the Joint Chiefs, and they themselves denied that there was, it is not beyond imagination to suppose that they learned from the administration that opposition was hopeless, for ratification was assured, regardless of their position.

The Joint Chiefs are not expert in political matters, by their own ready admission. It is possible that they made an unduly modest judgment as to the weight that their opinions carry in the Congress; especially if they assume that their influence with one civilian group is about the same as with any other civilian group; and, therefore, that they would have about the same influence with Congress that they have with the civilian echelon above them in the Department of Defense.

Under such circumstances, they could well have reasoned that since ratification was inevitable, they would go along, while being as candid as consistently possible about the military disadvantages and covering their conclusions by reference to the "political considerations" which were given them by Mr. Rusk and Mr. Harriman. In this way, they may have reasoned, they might be able to salvage something in the form of safeguards, since they were going to have to live with the treaty, regardless of their position. At least with the safeguards, they secured promises to the Congress, and hopefully, Congress would take a continuing interest in insuring that the safeguards were kept.

While such reasoning would obviously be based on the false premise that Senate approval of ratification was a foregone conclusion from the time the treaty was initialed, once the premise was accepted, the logic of securing all that was possible under the circumstances—in this case, the four so-called safeguards—would seem reasonable.

Of course, all of this reconstruction of the possible reasoning of the Chiefs of Staff is purely conjectural. Had such been the rationale of the positions of the Joint Chiefs of Staff, however, it might be hard to convince them now that it was erroneous.

At this point, it does seem from all appearances that Senate approval of the treaty is inevitable. Speeches are even made which resemble the position of the Joint Chiefs of Staff—admitting and warning of all or many of the obvious risks and disadvantages of the treaty, and then announcing support of ratification.

In fact, if the chiefs had merely concluded that to oppose ratification of the treaty would be to incur the unmitigated wrath of their civilian superiors, they could hardly be convinced now that their conclusion was inaccurate. The Air Force Association passed a resolution in opposition to the treaty, based on reasoning not unlike that of Gen. Thomas Power, Commander of Strategic Air Forces. In retaliation, Air Force Secretary Zuckert canceled his scheduled appearance before the Air Force Association, at the reception, and with wrath and fury characterized the association's position with such adjectives as "immoderate," "alarmist," "irrationalism," and in "disregard of the best interest of the United States."

If such unbridled and unrestrained intemperance is the reaction to a private association, taking a position contrary to that of the administration, what would have been the reaction if the Joint Chiefs of Staff had opposed the administration?

All of this does not paint a very bright picture of the future military career of the able and candid General Power. While I am not a gambler, I have had occasion to wonder what are the odds one could get against General Power ever being Air Force Chief of Staff under this administration, or does infinity reach that high?

The Joint Chiefs of Staff, professing not to be experts on nonmilitary or political matters, could not be expected to defend and explain the so-called "political" considerations on which they hung their decisions to go along with the treaty. It is, nevertheless, interesting to note the political aspects mentioned in General Taylor's presentation of the Chiefs' formal position. He stated that:

> The risks inherent in this treaty can be accepted in order to seek the important gains which may be achieved through a stabilization of international relations and a move toward a peaceful environment in which to seek resolution of our differences.

This conclusion is qualified and requalified. Twice it is repeated that the purpose is not to get, but in the words of the presentation, "to seek." The elusive and undefined "gains" which General Taylor says we will "seek," "may" be achieved, not "will" be achieved.

The conditions for whatever is to follow is the only thing which the Chiefs assert as positive. This is twofold, one being "a stabilization of international relations" and the other "a peaceful environment." Both of these bear closer examination.

The clear implication of General Taylor's statement is that this treaty will contribute to what he calls "a stabilization of international relations" and "a peaceful environment."

In specific terms, however, no witness before any committee was able to back up these generalities, which are no more than a dream of "pie in the sky."

Will this treaty get the Russians troops out of Cuba?

Will this treaty rid Cuba of the despotism of Communist domination?

Will this treaty stop the sabotage in Venezuela?

Will this treaty eliminate the Communist subversion and espionage in Peru and Ecuador?

Will this treaty stop Communist agitation in Africa?

Will this treaty free any of the people enslaved in eastern European countries? How many?

Will this treaty tear down the Berlin wall, so that more people may express their antagonism to Communist despotism with their feet?

Will this treaty cause the Soviets to abandon their espionage rings in any free world nation?

Will this treaty end the constant irritations on the Korean truce line, or prevent future killings of American troops on that line?

Will this treaty prevent the shelling of Quemoy and Matsu in the future?

Will this treaty cause the Communists to cease their attacks on non-Communists in Laos, or mitigate their efforts to take over the country?

Will this treaty cause the North Vietnamese and Chinese to cease trying to take over Vietnam?

Mr. President, these are matters which would be the specifics of a process of stabilization of international relations. The treaty will not mitigate these matters, and in fact, it may result in the tempo of these agitations being increased.

Not one witness who testified in the hearings would say that this treaty would affect the Communist goal of world domination, nor slacken their efforts to achieve that goal. It is precisely this goal, and the myriad methods employed by the Communists to implement it, that insures that international relations will remain unstable so long as any free nation resists Communist aggression. There can be no peaceful environment in the presence of Communist aggression, suppression, and duplicity.

General Taylor, along with other witnesses, stated his concern that the treaty might induce in the free world what he calls "euphoria." Nothing could come nearer inducing a rosy glow of self-satisfaction and unconcern into the American public than the repeated assertion that this treaty will "stabilize international relations" and create "a peaceful environment." If a state of induced apathy can possibly be imposed on the American people, the propaganda barrage aimed at the American public, in an attempt to convince them that this treaty means "peace" and "relaxed tensions," will accomplish it.

The situation on this treaty calls to my mind a poem of Rudyard Kipling entitled, "The Truce of the Bear." It was written shortly after the Crimean war, in which the British had fought the Russians. Kipling, England's foremost poet of statemanship, found it necessary to warn the British of the danger of treachery during a truce with the Russians. The poem is quite apropos the situation in which we now find ourselves. The last two stanzas read:

> When he stands up as pleading, in wavering, man-brute guise,—
> When he veils the hate and cunning of his little, swinish eyes;
> When he shows as seeking quarter, with paws like hands in prayer,
> That is the time of peril—the time of the Truce of the Bear!
>
> Eyeless, noseless, and lipless, asking a dole at the door,
> Matun, the old blind beggar, he tells it o'er and o'er;
> Fumbling and feeling the rifles, warming his hands at the flame,
> Hearing our careless white men talk of the morrow's game;
> Over and over the story, ending as he began:—
> There is no truce with Adam-zad, the Bear that looks like a Man!

We are now considering ratification of the Truce of the Bear. Yet even those who profess to fear euphoria, as they call it, join in the propaganda chorus to lull the American people to sleep with a sedative of "stabilized international relations" and "peaceful environments." We have only their own expressed concern with euphoria as evidence that they are not the worse victims of their own propaganda, and the most vulnerable to "The Truce of the Bear."

Mr. CURTIS. Mr. President, will the Senator from South Carolina yield?

The PRESIDING OFFICER (Mr. JORDAN of Idaho in the chair). Does the Senator from South Carolina yield to the Senator from Nebraska?

Mr. THURMOND. I am pleased to yield.

Mr. CURTIS. I commend the distinguished Senator from South Carolina, not only for his speech today, but also for the material he has placed on public record throughout this debate.

The treaty was presented in such a manner that its ratification seemed to be a foregone conclusion. Nevertheless, history is being written in the Senate, and the Senator from South Carolina is bringing to light some very important truths that will make the record abundantly clear, and also should help Senators to arrive at their own conclusions.

During the course of the hearings, I asked the Secretary of State whether the treaty had strengthened Khrushchev among his own people. There was a bit of a pause, and I did not get a direct answer. Finally he said, "The treaty is popular all over." I regard his answer as quite significant. In every community in the United States the attitude toward Khrushchev and communism has softened. Every Senator knows that. At the same time, proponents of the treaty freely admit that they do not trust the Russians. No one claims that the great Communist design has changed; yet we proceed with the treaty. I, for one, am very grateful to the Senator from South Carolina for his important contributions.

Mr. THURMOND. Mr. President, I deeply appreciate the kind remarks the able and distinguished Senator from Nebraska has made. During the committee consideration of the nuclear-test-ban treaty, he made important contributions. He has propounded penetrating questions, and has been most helpful in bringing out facts with which the American people and the Senate should be acquainted.

To bear out the statement the Senator from Nebraska has just made, I should like to refer to an Associated Press article from Moscow, on August 26, in which it was stated:

> The Soviet Union told Red China the limited nuclear test ban was a positive gain for communism because it would perpetuate the liquidation of the one-time American nuclear monopoly, and freeze each side's nuclear power.

It further stated:

> The statement, in reply to the August 15 attack on Soviet policy by Peking, said that for years it would have been against Soviet interests to have a test ban unless the United States agreed to destroy all its nuclear weapons.

In an Associated Press article from Tokyo it was stated:

> The Soviet Union told Communist China today there was no need for it to try to manufacture an atom bomb because if attacked it could count on Russian nuclear might under the friendship and mutual assistance treaty.
>
> In a Japanese-language broadcast, Moscow Radio reiterated that, despite Chinese-Soviet differences, the treaty with China remains in effect. A Moscow commentator asked:
>
> "Why does China feel it must have an atom bomb? Is it for her defense? In this connection we would like to remind China of two things.
>
> "One is that there is a treaty of friendship and mutual assistance between the Soviet Union and China, and even now it continues in effect.
>
> "The second is that the Soviet Union has repeatedly pointed out that it considers an attack on the Peoples' Republic of China to be an attack on the Soviet Union itself. Therefore, if the Peoples' Republic of China is subject to an attack, the entire might of the Soviet Union will fall upon the aggressor. What greater security can China ask?"

I believe these dispatches make clear the fact that there is no significant or encouraging aspect of the rift between Russia and China. They also bear out the fine remarks of the able Senator from Nebraska, whom I commend once more for the excellent service he is rendering our Nation in connection with this important subject.

Mr. President, General LeMay was more specific on one particular nonmilitary consideration, and it has more substance than any other I have heard mentioned, although it is not persuasive to me.

In answer to a question, General LeMay stated:

> The United States, ever since the war, has been trying to make progress in control of nuclear weapons, in fact in disarmament affairs in general, and both the Democratic and Republican administrations since the war have tried to do these things.
>
> I would think it would probably be a setback in many ways if the treaty were not ratified now. Whether this would be disastrous or not to our further efforts, I am not so sure.
>
> But it certainly is a factor and one that we did take into consideration.

From this statement, it seems apparent that the timing was in no small part a significant part of the political considerations which weighed in the conclusion of the Joint Chiefs of Staff.

With General LeMay, there is reason to believe that it may have been decisive. I asked General LeMay whether he would recommend that the treaty be signed if it were being considered in the proposal stage. His answer was that he did not think he would recommend signing.

In connection with General LeMay's answer to my question, when he stated before the Preparedness Subcommittee, and again before the Foreign Relations Committee, that he did not think under those circumstances he would recommend signing the treaty, it has been pointed out in debate that General LeMay, subsequent to the open hearings, in an executive session of the Foreign Relations Committee, attempted to qualify his earlier answer.

It is also true that some time after he testified, a written proposed modification of General LeMay's answer was submitted to the Preparedness Subcommittee. After giving the same answer before two committees on different days, a change was submitted. If accepted, an evasive answer would have appeared in the printed record of the hearings. The Preparedness Subcommittee rejected the proposed change.

For the information of those who do not yet know, if any there are, I point out that the Department of Defense reviews carefully all the transcripts of hearings. The screening is done by Department of Defense censors. They screen not only for security—and in this instance they were not screening for security, for that is a process now in progress—but also for compliance with the policy of the administration. The corrections or changes which are submitted by an officer, of his own testimony, must be cleared for policy conformity by the Department of Defense, just as the prepared statements of all personnel for congressional committees must be cleared and censored, even if to be given in executive session.

It is hard for the Department of Defense to control responses of witnesses which are given to committees on the spot in answer to specific questions. But any changes or submissions for the record are subject to censorship. If a witness wants to get himself off the hook, especially when he is told to do so, he can always submit a correction of his testimony to conform it to policy. The committee does not have to accept it, but as long as the witness tried he gets off the hook, or at least, mitigates the breach of policy.

This is all really too disgusting to discuss, but that is the way Mr. McNamara's empire is run. The question was raised on the floor last Friday, and the facts should be set straight.

My own sympathy is with the witnesses. We cannot blame them. A committee of the Senate has said in strong words that testimony for congressional committees, particularly in executive session, should not be censored for policy by the administration, but it continues nevertheless. If the Congress will not or cannot enforce against executive departments its own rights to hear frank and uncensored opinions from witnesses in the executive branch, how can we expect witnesses to stand up and take chances with their own careers and jobs?

If the Congress hears a lot of "me too" testimony when it calls executive department witnesses, or polite evasiveness in some cases, then Congress has only itself to blame, because nothing has been done to stop the censorship. In fact it is worse than ever. All we can hear from the executive department is "one voice." We are fortunate to have three official witnesses on the treaty who broke the monotony—General Power, General Schriever, and Dr. John Foster. We should be thankful for them, for they have taken the chances and risks which Congress should long ago have eliminated. It is worthy of note that not one of these three witnesses had a prepared statement to be censored by the Department of Defense. They did not have a statement conformed to official policy with which they had to stay consistent.

To get back to General LeMay's point that now that the treaty had been signed, damage would be done to our disarmament program if it were not ratified, let me say that this would probably be an advantage, in my opinion, judging from what I know of our disarmament proposals.

It is not armaments that cause wars. The cause of war is political friction, usually brought on by the greed of aggressors. Armaments are material—inert, lifeless tools—and can do nothing by themselves. It is men who start wars, and they do so because of their depraved motivations, the most prominent of which is lust for power. Armaments can be used for good or for evil, depending on the morality of the men who control the armaments. The United States has had a superiority in armaments for two decades, at least. Who is prepared to say that these armaments have not been used as a force for good, keeping evil in check? If we had not had these massive armaments, we would have either had a war or would now be living under Communist dictatorship.

Wars will not cease if arms are destroyed. In the first place, evil men will not disarm themselves, for their evil motivations of power lust can only be gained by force. Evil men will always find tools with which to try to oppress others, and they will succeed in oppressing the weak.

For those, however, who still fear the temper of opinion of other nations and of people of other nations, should this treaty be rejected, Dr. Edward Teller gave the only answer:

> If you reject this treaty, this will be a small mistake; if you ratify this treaty, I think you will have committed an enormously bigger mistake * * * You will have given away the future safety of this country.

Mr. President, the Foreign Relations Committee, in its report on the treaty, states that the main thrust on the treaty is political, and that excessive reliance on the military considerations might undermine the national security of the United States. If that be the case, why has the thrust of the arguments of the proponents of the treaty been concentrated on the negative side—that is, on trying to mitigate against the military disadvantages?

We have had over a week of debate on the treaty. We still have not heard what are the political advantages of the treaty. We have heard vague generalizations, such as "peace" and "relaxed tensions," but no specifics.

In its report, the Foreign Relations Committee makes illusive references to some nonmilitary considerations. The report does not attempt to spell out or number any specific political advantages that flow from this treaty. There is no attempt to state that there is one, two, or three political advantages in the opinion of the Foreign Relations Committee.

Nonmilitary aspects of the treaty are discussed in several different-type contexts in the report. Some of these aspects are included under a discussion of possible Soviet motivations. Some are included in the concluding comments of the committee. One is included under the title "Other Considerations." None of these has been made any more specific or finite by the debate of the proponents.

The Foreign Relations Committee makes the general claim that:

> The committee believes that the treaty reflects an identity of interest in the specific area of containing the arms competition.

As I have already pointed out, disarmament will not eliminate the cause of war, for it is men and not armaments that start wars. It should also be noted that the Communists have no intention of disarming themselves. The Communist approach to disarmament was expressed by Mr. Khrushchev on January 16, 1963, in a speech in East Germany in these words:

> Disarmament primarily means dismantling the gigantic war machines of the highly developed countries. General disarmament does not mean disarming the peoples fighting for national liberation. On the contrary, it would deprive the imperialists of the means to halt progress and crush the struggle for independence.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield to the able Senator from Georgia.

Mr. TALMADGE. Is it the judgment of the distinguished Senator from South Carolina that Khrushchev construes the treaty to mean that it would disarm those who are seeking to stop revolutions but would not handicap those who are starting Communist revolutions throughout the world?

Mr. THURMOND. That is exactly correct. I am convinced that what Mr. Khrushchev and the Communists are trying to do is to get us to take this first step—and the President has called it a first step. In the words of the preamble, the treaty itself provides:

> Proclaiming as their principal aim the speediest possible achievement of an agreement on general and complete disarmament—

And so forth. This is the first step to a disarmament program.

That is exactly what Mr. Khrushchev wants. He wants us to disarm. But you wait to see if the Communists disarm. They are cunning. They are deceptive. Their word cannot be relied upon.

I hold in my hand a list of agreements. This pamphlet was issued by the Defense Department on November 5, 1962, after the recent Communist act of perfidy in Cuba. Evidently at that time the Defense Department did not know that the administration would come forward with this treaty, or probably the administration would not have allowed the Department to issue it. The pamphlet sets out on one side of each page the agreements and on the other side the results. The pamphlet is entitled "Soviet Treaty Violations." It is filled with violations of agreements made by these deceptive, cunning Communists.

I also hold in my hand a pamphlet issued by the Internal Security Subcommittee of the Committee on the Judiciary of the Senate, entitled "Soviet Political Agreements and Results." In this pamphlet there are listed the agreements into which the Communists have entered and the sad results. I wish every Senator would read these two pamphlets before voting on this treaty.

I understand that the Internal Security Subcommittee has now issued another pamphlet, as a supplement. It will be of great interest to the Senate.

Mr. President, how can we rely on the Communists to keep an agreement, in view of their past performance?

The American Bar Association made a study and reached the conclusion that the Communists have broken 50 of the 52 major agreements into which they have entered since World War II.

I am convinced that this treaty is a trap, that this is the first step to try to persuade this country to disarm. If we disarm, God knows, we are gone.

The only language the Communists understand is power. So long as we have had power—and we have had a superiority of military power since World War II—we have avoided a war.

If we enter into this treaty, we will freeze the gains the Communists now have in high-yield weapons and in the development of an anti-ballistic-missile system. Where will we then be, considering the great knowledge the Communists have gained from their recent tests, in 1961 and 1962?

Again I say to the able and distinguished Senator from Georgia [Mr. TALMADGE], that in my opinion we cannot place any trust in the Communists. Their purpose in this treaty is to freeze the knowledge they have gained, in order to gain time to manufacture the weapons with which to try to destroy us or to blackmail us into surrender. Why should they want to enter into a treaty for any purpose other than one which would help them? Why do not the proponents of this treaty look at the seamy side of Soviet motives rather than just what appears to them to be of a rose color?

The able Senator from Georgia was a distinguished and capable lawyer and the able Governor of a great State. He served as a distinguished officer in the Navy in World War II. He knows the treachery of the Communists; and he knows that no trust can be placed in them.

Mr. TALMADGE. I thank my distinguished friend. I congratulate him for his magnificent contribution to this debate.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. THURMOND. I am pleased to yield to the able Senator from Louisiana.

Mr. LONG of Louisiana. Does the Senator recognize that under section 2 of article I of the treaty the statement is made:

> Each of the Parties to this Treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or—

I now emphasize the next four words:

> any other nuclear explosion

I repeat:

> any other nuclear explosion, anywhere which would take place in any of the environments described—

Which refers to in the atmosphere, underwater, or in space—

> or have the effect referred to, in paragraph 1 of this Article.

The clear language of this particular section would prohibit this Nation from using nuclear weapons to fulfill its treaty obligations in Korea, in Vietnam, or in Formosa, in the event the Communists decided to move. It is very clear, under the language of the treaty, that we would be precluded from using weapons in such a fashion.

Someone sent an opinion from the State Department saying, "That is not what it means; it does not mean that. We would have the right to use them."

In the committee report the committee says:

> We do not mean that. We clearly mean by this language that this Nation would reserve the right to use such weapons to fulfill our defense commitments.

The Senator well knows that in law, as in a treaty, the clear language of the law or the clear language of a contract speaks out over and above some legislative history. The leading case on that had to do with the Mann Act, as the Senator will recall. The Mann Act was passed to prevent transportation of prostitutes across State boundaries. Some young boy from the District of Columbia went with a young girl to Baltimore. He was indicted under the act. All the legislative history showed that that was not the kind of thing the act was intended to outlaw, but the man still had to go to jail, because the court said the law was clear and that the court would not look to legislative intent when the law was clear in itself.

The Senator well recalls that, I am sure. The Senator, as a lawyer, knows that any one of the nearly 100 signatories to the treaty would take this country before the World Court, of which the United States is a member. The interpretation of a treaty is clearly a matter within the jurisdiction of the World Court. This country could be taken before the World Court, and the World Court would tell us, in my judgment, that the treaty means exactly what it says. We would be said to have made a treaty clearly contrary to what President Eisenhower said we should do, and clearly contrary to what the President himself says we are doing by this treaty.

That in itself is reason enough to reject the treaty.

Mr. THURMOND. The able Senator from Louisiana is eminently correct. The treaty itself is clear, as the Senator from Louisiana said it is. The wording is crystal clear.

The treaty itself is clear. It outlaws "any nuclear weapons test explosion, or any other nuclear explosion" except underground when the nuclear explosions do not send radioactive debris outside one's borders. The President, moreover, in transmitting the treaty to the Senate, said that "this treaty is the whole agreement—the treaty speaks for itself."

The State Department contends that "any other nuclear explosion" does not mean any detonation on behalf of an ally attacked or in our own self-defense. This interpretation goes against the clear wording of the agreement. There is nothing in international law to support a contention that the rule of construction of a treaty is any different in this respect than the rule of construction of a statute or any legal document; namely, if a document is clear on its face, recourse may not be had to any other source.

The State Department justifies its interpretation by consulting the minutes of discussions during the negotiations to justify its position. But then it does not make these available in their entirety to the Senate. It also comes up with the conclusion that detonations for peaceful purposes, such as canal building, are proscribed.

The Senator is absolutely correct. If some nation took this treaty to the World Court, I agree with the able Senator that the World Court could well say that this wording, this verbiage, was clear and the Court would have to construe the intent from language of the treaty.

Mr. LONG of Louisiana. Mr. President, if the Senator will yield further, whoever this lawyer was—in my opinion, he was instructed to write an opinion saying this, which is clearly contrary to the language of the treaty—relied upon the preamble to put a construction on the language of the treaty different from what the treaty provides. I say that if one compares that language with the preamble, it does not support the contention. For example, the preamble uses the words:

> Seeking to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end, and—

I emphasize this—

> desiring to put an end to the contamination of man's environment by radioactive substances.

The treaty then proceeds to provide that we will proceed, first, to stop testing, and then to stop other explosions, under the treaty.

The preamble actually follows the clause. It says:

> (1) You will not conduct the test explosions; and (2) you will not conduct any explosions.

So it is now very clear that any court composed of lawyers, rather than politicians, would have to rule that the treaty forbids all explosions, even those for our own self-defense. Under the terms of this treaty, it would be illegal for this Nation or any of our allies to use an atomic explosion for an antiballistic missile to stop a missile aimed at one of our cities, which could destroy 5 or 6 million people in a single blast. It would be against the treaty to use an atomic explosion to defend ourselves. We would have to violate the treaty in order to fire a shot in self-defense.

Mr. THURMOND. The Senator from South Carolina is in accord with the construction placed on this matter by the able Senator from Louisiana. The treaty is as clear as crystal. Article 1, section 2, reads as follows :

> Each of the Parties to this Treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the environments described, or have the effect referred to, in paragraph 1 of this Article.

There are no exceptions. How could the World Court find exceptions or place a strained meaning on the construction? It would be forced, if its members followed their oath of office, to construe it according to the language in the treaty.

Mr. LONG of Louisiana. Mr. President, will the Senator yield further?

Mr. THURMOND. I yield.

Mr. LONG of Louisiana. As the Senator well knows, based on this Nation's agreement to be a party to the World Court, and based on the agreement which this Nation made when we became a part of the United Nations, it is not what we say in a committee report that this treaty means; it is what the World Court says about this treaty that will determine it.

Mr. THURMOND. The Senator again is correct. Under article 36, the World Court has a right to construe treaties. That is one of its responsibilities. Under article 36, section 2, paragraph (a), interpretation of a treaty is that Court's responsibility.

Mr. LONG of Louisiana. The Senator knows that the same persons who would ratify this treaty are also among those who would have us submit to the complete, unfettered jurisdiction of the World Court. As things stand now, under the Connally reservation, this Nation reserves to itself the right to determine whether a matter is an international matter or whether it is a purely domestic matter. But the Senator well knows that the question of interpretation of the treaty is clearly an international affair, and we would stultify ourselves if we tried to pretend it was anything but that.

Mr. THURMOND. There is no question about that. The able Senator from Louisiana, who is an astute lawyer, has construed this question properly, in my judgment. I commend him. He was an able officer in World War II, in the Navy. He is a great patriot. He has given this matter much consideration, and his opinion is well worth serious consideration by the Senate.

Mr. LONG of Louisiana. The Senator knows that former President Eisenhower, who did not negotiate the treaty, made the statement that we should not ratify the treaty unless we made it clear that we reserved the right to use these weapons to fulfill our treaty commitments and to defend ourselves. If we are to leave that matter to the World Court and rely upon the World Court—which has three Communist judges sitting on it—to say that the treaty does not mean what it says, we have made a bad mistake. As the Senator knows, any time Russia decides to attack this country, she is going to attack us, treaty or no treaty. So far as defending ourselves is concerned, for the most part, this Nation abides by treaties.

Can the Senator tell me how many treaties this Nation has violated?

Mr. THURMOND. Our country keeps its treaties. We keep our word.

Mr. LONG of Louisiana. That was my impression. The Senator may recall that before World War II this Nation entered a disarmament treaty. The Japanese burned up a great many blueprints, and we burned up many ships to fulfill our part of the disarmament treaty. That proved to be a bad mistake. We could have used those ships at the time when we were taken by surprise. This Nation kept its agreement even when it proved to be a very bad bargain.

The Senator knows that this treaty could work out to be a Communist trap, and prevent us from doing the things necessary in our defense and the defense of our allies, whereas the Soviets could break the treaty whenever it suited their purpose.

Mr. THURMOND. The Senator from South Carolina is in thorough accord with the Senator from Louisiana. The Senator from Louisiana had much experience in World War II in the Navy. A few days ago he discussed, very intelligently, our sad experience with torpedo duds in the Pacific in World War II because we did not test them in advance, just as we will not be able to test our vital nuclear weapons in their environment if this treaty is ratified.

Mr. LONG of Louisiana. I believe the record is clear on that portion. I may discuss it later.

I thank the Senator for yielding.

Mr. THURMOND. Mr. President, in view of Mr. Khrushchev's definition of disarmament, I would sincerely hope that the Foreign Relations Committee is incorrect in its assessment that the treaty reflects an identity of interest in limiting the arms race or achieving disarmament, for that would mean that Mr. Khrushchev's definition of disarmament reflected the official policy of the United States.

In support of its contention that the treaty reflects an "identity of interest in a specific area of containing the arms competition," the Foreign Relations Committee advanced two hypotheses. The committee states:

> First, the treaty will inhibit the proliferation of nuclear weapons, thus reducing the danger of accidental or catalytic nuclear war, as well as nuclear war by design.

As the Senator from Washington [Mr. JACKSON] pointed out last week, the role of the treaty in inhibiting proliferation has been generally overestimated. We have little to fear from most of the nations, other than the Soviet Union, which signed the treaty, even if they obtained a limited capability with such weapons. In point of fact, very few of them have the capability of achieving any significant nuclear capability; and if they did manage the development of a warhead itself, they would still be faced with the problem of a delivery system which, for most of them, would be impossible.

The major concern to the United States of proliferation is centered in one nation—Communist China. No one has contended that Communist China will sign the treaty, and the only disagreement about the Chinese nuclear program lies in the estimates of when they will actually begin detonating nuclear devices. The Chinese Communists unfortunately do have an aggressive intent, as they have repeatedly demonstrated, and any significant nuclear capability by China does increase the defense problems of the United States and the free world. The treaty does not inhibit development of nuclear weapons by Communist China. The major problem of proliferation, therefore, and the only one of major consequence, will remain unaffected by this treaty.

The second hypothesis of the Foreign Relations Committee in support of the "identity of interest" contention is that the treaty has already deepened and complicated the divisions within the Communist orbit. The Foreign Relations Committee makes it clear that it is referring to the so-called Sino-Soviet rift. Incidentally, this is not the only place in the report where the Sino-Soviet differences are discussed. The Foreign Relations report also sees the Sino-Soviet schism as one of the possible motivations of the Soviet Union in signing the treaty.

The implications behind the discussions of the so-called Sino-Soviet schism lead one to believe that Khrushchev is actually afraid of the expansionist policies of Communist China. Obviously, it is conjectural at this point as to what is the real nature of the differences between China and the Soviet Union, for in point of fact, the only intelligence we have on this matter is what the Soviets and the Chinese themselves tell us. Judging from experience, this is a very poor basis for realistic estimates.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. THURMOND. I am happy to yield to the able Senator from Wyoming.

Mr. SIMPSON. Does the Senator from South Carolina believe that the Sino-Soviet rift is as patent and sure as it has been represented to be?

Mr. THURMOND. I do not believe that the so-called rift between Soviet Russia and China is as it has been purported to be or as it has been reflected in the report of the Committee on Foreign Relations. The major difference between Russia and China is how they will go about burying us. Russia says, "Let us take more time. Let us do it through infiltration and subversion and nibble away on one country after another. Let us build up a powerful defense system and intimidate and coerce other countries, so that they will be afraid not to come behind the Iron Curtain."

That was the case with Czechoslovakia. Mr. Khrushchev has been quoted time and again as boasting that he will overtake the United States in superiority of strength and that in effect America will undo itself, as we will help in doing if we ratify this treaty.

The Chinese want to do it more hastily and in a more revolutionary manner. The Chinese and the Russians have the same goal. It is a matter of how to attain this goal, whether it will be the Soviet way or the Chinese way. As I stated earlier today, when I read the Associated Press articles from Moscow and Tokyo, they do not seem to be far apart on the essential elements of mutual defense and their aim to take over the world.

Mr. SIMPSON. That is the point I wished to bring out. Is it not correct to say that upon an overture from the Soviet Union, the Chinese people would immediately effect a reconciliation with the Soviet Union, and that the rift is less real than seems to be indicated?

Mr. THURMOND. There is no question that if a showdown should come between the United States and Russia, China would be on the side of the Soviet Union. The Senator from South Carolina propounded this very question to the members of the Joint Chiefs of Staff during the hearings before the Senate Preparedness Subcommittee. He asked, if the United States had a showdown with Russia on which side would China be. All of them said that China would be on the side of the Soviets.

Then the Senator from South Carolina asked the question, If the United States had a showdown with China on which side would Russia be? All of the men said that in their opinion Russia would be on the side of China.

If they are going to be together, what difference does it make if there is a rift on the question of how to "bury us." The only question is where they will be in case of a showdown. In the opinion of the Joint Chiefs of Staff, they will not be on the side of the United States, and they will be together if a showdown comes. The rift will then fade away like cigarette smoke.

Mr. SIMPSON. I thank the Senator from South Carolina. In view of the fact that he is such a great Army officer and high in the echelons of the Department, I am sure that people of America will listen to him, though the Senate is not listening to him.

Mr. THURMOND. I thank the able Senator from Wyoming. I commend him for the great attention he has given to the discussion. Several days ago he delivered a masterly address. He is a great American and a great patriot, of whom the people of his State can be proud.

At page 361 of the hearings of the Foreign Relations Committee the Senator from Vermont [Mr. AIKEN] propounded a question to General LeMay, which I believe is pertinent today, as follows:

> Senator AIKEN. I say nobody can guarantee that any future officials of government will carry out their duties as they are expected to or not, but it is safe to say any official who failed to carry out the responsibilities in this respect would also undoubtedly be very lax in other respects as well.
>
> ### SINO-SOVIET RELATIONS
>
> Just one other question. This Sino-Soviet split must have very significant strategic implications.
>
> For instance, suppose China launches a more aggressive attack on India. I know there is a question in the minds of a good many people what Russia would do. Do you think the split between Russia and the Chinese is a real split?
>
> General LEMAY. I think they probably have some differences of opinion. But I believe that they are mostly on how to advance world communism, and it is my opinion if there was any real trouble in the world we would find that very quickly Russia and China would get back together again. They do have a mutual defense pact, and I certainly think it would be invoked and operating efficiently if it was necessary.

I believe that answer is on this point, and further substantiates the position of the able Senator from Wyoming. Further, at page 362 of the hearings, the Senator from Kansas [Mr. CARLSON] asked a question of General LeMay, as follows:

> ### TREATY'S EFFECT ON SINO-SOVIET RELATIONS
>
> Senator CARLSON. General LeMay, as I have listened to you and the testimony this morning of the Joint Chiefs I gather that from the political standpoint you are recommending that this treaty be ratified on the basis that there would be some restraint on the further proliferation of nuclear weapons and that it would reduce world tension. If I remember correctly, I think General Taylor added another item: He thought it important that the treaty would further accentuate the split between Red China and the Soviet Union.
>
> Do you agree with that?
>
> General LEMAY. Well, probably not to the same extent that General Taylor does. I think there is a possibility that it may, but I don't think it is a very great possibility.
>
> In other words, I don't see that we are going to be able to split Red China and Rus-

sia. We may cause trouble between the two, but not to the extent that when the chips are down they won't get back together again.

Senator CARLSON. Do I understand from that statement you have a feeling this treaty would have no effect one way or the other as far as driving a wedge between the Red Chinese and the Soviet Union?

General LEMAY. No. I think it may cause further trouble between them but not to the extent that they are going to break off completely.

(At this point Mrs. NEUBERGER took the chair as Presiding Officer.)

Mr. THURMOND. That further substantiates the position of the able Senator from Wyoming [Mr. SIMPSON].

The Soviet Union and China share the Communist goal of world domination. Perhaps if and when they accomplish this overriding obsession, they would in time fight each other for possession of the spoils. In the meantime, it is hard to take much solace in the fact that there is an inner dispute between them as to what is the best method to eliminate either us or our freedom, or both.

As it is, and as long as the apparent difference in approach to aggression persists between the Soviet Union and China, we will have to face the dangers of both strategies. For all we know, however, the apparent schism between the Soviets and China could be a variation of the old tactic of the carrot and the stick. Instead of alternating, they may now just be using both at the same time.

Some have intimated, of course, that the Soviets are now mellowing or evolving, and that we now have less to fear from this center of communism. The implication is that Communist China now constitutes the principal threat from the Communists.

If anyone really is convinced that Red China is now the main source of danger to the free world, rather than the Soviet Union, he should come right out and say so. Beyond the question of whether it is the Soviets or the Chinese who have the nastier intentions toward us, it would be interesting to hear who has the bigger stick. Of the two criminals, the Soviets clearly have the more polished grammar, and may hurl the more so subtly phrased insults at the United States, but it is quite clear that they both mean to do us in, and the more dangerous is the one with the largest capability to try it. The Soviets still have, and for the foreseeable future will have, the bigger stick.

The Foreign Relations Committee seems to find some comfort in the fact, that although acquisition by the Chinese Reds of nuclear weapons—which the treaty will not inhibit—will make the Chinese stick look a lot bigger to China's neighbors, that Red China's failure to sign the treaty will make the Chinese appearance more offensive to the sensibilities of its neighbors. Should we really conclude, as the committee suggests, that these developments will "encourage greater resistance to Communist expansionist policies" from southeast Asian nations?

The question is, Which will impress the little neighbors of Red China more—fear of the bigger and atomic powered stick, or increased dislike at another display of Red China's belligerence?

The discussion of the so-called Sino-Soviet schism raises another question by its implications. Are we to believe that Khrushchev is really afraid of Red China?

Where did Red China get its jet fighters, and where do the spare parts and ammunition come from?

Where did Red China get the SA-2 antiaircraft missiles with which to shoot down a U-2 plane flown by Nationalist Chinese?

Where did Red China get its tanks, and where must the spare parts come from?

Where does Red China get its military transport, and from where do the spare parts come to keep it running?

If Khrushchev is really afraid of Red China, does anyone believe that he could not cause the complete collapse of the Red China rulers by cutting off all the supply lines to Red China from the Soviet Union?

Before we base any hopes on advantages to ourselves on the apparent Soviet-Chinese schism, these questions must be answered along with many others.

In many respects, the nonmilitary aspects of this treaty referred to in the Foreign Relations Committee report are contradictory.

For instance, the committee alleges that the primary purpose of the treaty is "to inhibit the arms race." Yet the testimony of the Secretary of Defense in support of the treaty follows the principal thrust that we can determine all the information necessary to support an all-out increase in our armaments by underground testing and by reliance on knowledge we already have. Obviously, the Soviets can follow the same course, and the only hitch is that the Soviets have more knowledge already than do we in certain critical areas, and possibly have more knowledge in a number of crucial areas.

Madam President, I wish to read from page 637 of the hearings of the Committee on Foreign Relations on the nuclear test ban treaty to show what Dr. John Foster, head of the Livermore Laboratory, had to say on the question of underground testing as a substitute for testing in the natural environment. The questioning is by Senator BYRD of West Virginia.

UNDERGROUND TESTING NO SUBSTITUTE FOR ATMOSPHERIC TESTING

Dr. Foster, I asked you earlier, if by using the information that we already have, and by conducting aggressively underground tests under the conditions of the treaty, we could acquire information which would satisfy our fears with regard to weapons effects upon sites and systems, and you indicated, I believe, that we could not.

Would your answer still be the same if I had framed my question differently to the extent that I had included the safeguards the Joint Chiefs of Staff have recommended?

Dr. FOSTER. Yes, it would have been the same. It is simply that the question of how hard anything is to electromagnetic phenomena, be it anti-ballistic-missile defense or hardness of silos, has to do with matters that, in my opinion, are not sufficiently well understood to be able to say with full confidence that they will function as designed in a nuclear environment and this nuclear environment cannot be created by underground experiments.

Senator BYRD of West Virginia. And so safeguards are no——

Dr. FOSTER. Correct.

Senator BYRD of West Virginia. We are taking a great chance with the security of this country if we approve a treaty which prohibits our further testing in the atmosphere, and, consequently, learning by such testing important facts dealing with effects upon sites and systems?

Dr. FOSTER. You are taking a risk, and you cannot calculate it.

Senator BYRD of West Virginia. Regardless of these safeguards?

Dr. FOSTER. Regardless of these safeguards.

Senator BYRD of West Virginia. Even though they are implemented to the fullest?

Dr. FOSTER. That is correct.

Madam President, in attempting to assess the Soviets' motivations in signing this test ban treaty, the Foreign Relations Committee speculates that it may have been for the purpose of permitting "some diversion of resources away from nuclear weapons development and toward the consumer goods area."

Of course, this is pure speculation, for even if the Soviets were able to convert some resources, there is no assurance that the savings would go into consumer goods rather than Cuba-type ventures, or their agitation and subversion operations in Latin America, Africa, and southeast Asia.

But the very allegation, that the treaty will result in a diversion of resources from weapons development, is contradicted by the claim that it will be much more expensive for the Soviets to move their testing program underground in an effort to catch up with their assumed lead in low-yield weapons technology. General Taylor, in support of the treaty testified:

> If the Soviets are to catch up with the United States in the low-yield field, particularly in numbers, they will be subjected to a major additional expenditure of national resources which are already under heavy strain.

Of course, there is no objection or particular offensiveness in advancing abstract theories, providing, of course, that they are understood clearly as hypotheses. The remoteness of many of the speculations as to the nonmilitary aspects is emphasized by the fact that they are contradictory to other such speculations, and contradictory to some of the arguments advanced for the purpose of mitigating against the obvious military disadvantages of the treaty.

Some years ago, efforts to obtain a cessation to atmospheric testing were based primarily on the need for eliminating the hazards of radioactive fallout. There is little question but that the magnitude of the hazard from radioactive fallout, as a result of nuclear testing, has been grossly exaggerated. Where conditions permit, all possible steps should, of course, be taken to eliminate even the most remote hazard.

The risk of danger from radioactive fallout as a result of nuclear testing, however, pales in significance by comparison to the risk to our security, our military preparedness, and our ability to deter nuclear war which flows from the treaty.

The Foreign Relations Committee pointed out in its report that:

> It is generally agreed that radiation from fallout amounts to considerably less in terms of human exposure than normal background radiation. Moreover, informed opinion appears to be that radioactive fallout produced to date has remained well below a level to which it might be deemed hazardous.

President Kennedy, himself, stated on March 2, 1962, in his announcement that the United States would resume atmospheric testing, that:

> It has been estimated, in fact, that the exposure due to radioactivity from these tests will be less than one-fiftieth of the difference which can be experienced due to variations in natural radioactivity simply by living in different locations in the country. This will obviously be well within the guides for general population health and safety as set by the Federal Radiation Council; and considerably less than the one-tenth of 1 percent of the exposure set for adults who work with industrial radioactivity.

The Federal Radiation Council estimates that man's natural environment will give him a 70-year dose of radiation 17 to 35 times greater than the one he will receive from fallout from all tests conducted through 1961.

The Senator from Connecticut, who formerly was Secretary of Health, Education, and Welfare, pointed out, on September 9, 1963, that:

> We must face the fact that the land on which we live and work, the air we breathe, the water we drink and use in industry, agriculture, and recreation have been altered over the past half-century by a manmade fallout far more abundant and potentially more dangerous than the contamination of nuclear weapons testing.

Madam President, as appears on page 214 of the nuclear test ban treaty hearings before the Senate Committee on Foreign Relations, an exchange on this subject occurred between the able Senator from Georgia [Mr. RUSSELL] and Dr. Seaborg, Chairman of the Atomic Energy Commission, as follows:

> Senator RUSSELL. Dr. Seaborg, I read in the paper, I believe the day before yesterday, that there is twice as much radiation in milk today as there was 3 years ago.
>
> Is that approximately right?
>
> Dr. SEABORG. That would depend on the section of the country that was being referred to. I would like to say that there are probably sections of the country where there is twice as much strontium 90 in the milk now as there was 3 years ago, yes, sir, Senator.
>
> Senator RUSSELL. Has that yet reached a point where it is sufficient to endanger the human family?
>
> Dr. SEABORG. No, sir.
>
> Senator RUSSELL. It is a long way from it?
>
> Dr. SEABORG. It is a considerable distance from it, yes, sir.
>
> Senator RUSSELL. I must express my surprise that you did not refer to any advantages to be gained from lessened fallout. Some of our practicing politicians have been predicating their vote on this treaty on what they call very cynically and irreverently "the mother vote," because the treaty would lessen the dangers of increasing the fallout.
>
> But I commend you for being frank and honest with the committee and not bringing in an objection that is captious and not genuine.

As appears on page 632 of the hearings of the Committee on Foreign Relations, I had an exchange on this subject with Dr. Foster, as follows:

> Senator THURMOND. Dr. Foster, on the question of the fallout to which Senator BYRD referred to a few moments ago, that seems to be the question that is disturbing a great many people today who tend to favor the treaty where otherwise they might be against it.
>
> On this question, if I recall correctly, last week or the week before some scientists made the statement that one would get more radiation from living in the mountains of Colorado than from fallout.
>
> Dr. FOSTER. That is correct, sir.
>
> Senator THURMOND. That is correct.
>
> I believe it is also true that one living in a brick house would get 20 times more radiation than he would get from fallout.
>
> Dr. FOSTER. Well, sir, there you are ahead of me. I do not know that because——
>
> Senator THURMOND. Mr. Earl Voss, I believe, brought that out in his book "Nuclear Ambush."
>
> Dr. FOSTER. Yes.
>
> Senator THURMOND. And one wearing a wristwatch with a luminous dial, as I have on here, would get 10 times as much radiation as he would get from fallout.
>
> Dr. FOSTER. I am familiar with the arguments, sir. I do not know that a wristwatch——
>
> Senator THURMOND. Does that sound reasonable? In other words, do those statements sound reasonable to you?
>
> Dr. FOSTER. It is true that natural background is large compared with the additional activity, radioactivity, associated with fallout from all past tests.
>
> Senator THURMOND. Isn't it a matter of fact that the fallout mentioned by some of those who favor this treaty, the propaganda that is being disseminated and the bugaboo that is being raised, that the fallout is imperceptible, and is of little consequence?
>
> Dr. FOSTER. I think, sir, that the problem or the question of fallout is of insignificance, of little significance, compared to the major issue with which the development of warheads is attempting to deal.
>
> Senator THURMOND. What people want to know is this: We have been reading about fallout, fallout in milk, and fallout in food and resulting injury to the future generation. Is it possible for this fallout to bring about sterility and various other reactions?
>
> I just want to ask you whether you feel that there is danger to people's health from the little fallout radiation resulting from the tests we have conducted?
>
> Dr. FOSTER. No, sir.
>
> Senator THURMOND. Your answer is "No"?
>
> Dr. FOSTER. My answer is no.
>
> Senator THURMOND. Thank you.

Madam President, much of the exaggerated fear of fallout has been caused by the normal human fear of the unknown and of things that cannot be understood, and also by very poor public relations treatment by the U.S. Government. For instance, the American public has never been effectively told of the radiation hazards which have been eliminated as a result of the better understanding of radiation that we have obtained from testing nuclear devices. Far greater radiation hazards, in the form of excessive medical X-rays, repeated and excessive dental X-rays, and even toy and shoe store X-rays, which formerly existed, have been eliminated than have those created by radioactive fallout from testing.

Should nuclear testing in the atmosphere be continued, the advent of clean nuclear devices would probably result in even less radioactive fallout per test than has been the case with former tests. Unfortunately, from the military standpoint, but encouragingly from the standpoint of lessening the hazards of radioactive fallout, even the Soviets have demonstrated a capability of utilizing remarkably clean nuclear warheads. In June of this year, the United States detected what were presumed to be nuclear tests in the Soviet Union, but there was no radiation debris which came out of the Soviet Union from which to prove that the signals received were, in fact, caused by nuclear detonations.

Under these circumstances, and without in any way mitigating the desirability of eliminating all radioactive fallout from nuclear testing, the degree of hazards from radioactive fallout as a result of atmospheric testing is not of sufficient magnitude to make it a major consideration in weighing the merits and demerits of the treaty.

Madam President, if there are significant nonmilitary or political advantages to ratification of this treaty, then they should be enumerated and spelled out. The specifics should be given of each such political aspect so that it may be objectively weighed in the balance. This is no time to delude ourselves or the American people with idealistic statements and hypotheses which becloud the hazards to which this treaty subjects our very existence.

We have experienced the penalties of indulging in the "Truce of the Bear" before. One such instance was at Yalta. There, too, we professed to find an "identity of interests" with the U.S.S.R. We would do well to recall the assessment of our position at Yalta by the none other than Mr. Averell Harriman himself, who on April 6, 1945, as U.S. Ambassador in Moscow, cabled the U.S. Government as follows:

> It may be difficult for us to believe, but it still may be true that Stalin and Molotov considered at Yalta that by our willingness to accept a general wording of the declaration on the Red Army for security behind its lines, and of the predominant interest of Russia in Poland as a friendly neighbor and as a corridor to Germany, we understood and were ready to accept Soviet policies already known to us.

It was Mr. Harriman's conclusion that the continued "generous and considerate attitude" adopted by the United States was regarded in Russia only as a sign of weakness. We need to keep in mind Mr. Harriman's own words:

> Our experience has incontrovertibly proved that it is not possible to bank general goodwill in Moscow.

We entered another "Truce of the Bear" in 1958. That "Truce of the Bear" took the form of a moratorium on atmospheric testing. Once again, we suffered the consequence of Soviet duplicity and our own idealism.

It is not enough to soberly express our concern with "euphoria," as it is called. As a result of the treaty—despite the expressed cautions—our guard is already being let down mentally, if not yet physically. Many illustrations could be given. For instance, an article appeared in the Washington Post of September 14 entitled "Bill Would Ease Arms-Cut Pain."

The first three paragraphs of this news article state:

> A pioneering blueprint designed to soften the economic impact of a cut in arms spending was unveiled yesterday by Senator George McGovern, Democrat, of South Dakota.
>
> McGovern showed reporters the draft of a bill he plans to introduce after the Senate votes on the test ban treaty. It would create Federal machinery to take some of the pain out of converting swords into ploughshares.
>
> The Senator's move comes against a background of growing congressional interest in the problems flowing from a future reduction in military outlays. Senator Joseph Clark, Democrat, of Pennsylvania, heads a manpower subcommittee that will conduct hearings in November on the employment aspect of arms reduction.

Madam President, it is hard not to conclude that the most significant political effect of this treaty, despite all the pronounced intentions to keep our country prepared, is what the witnesses have called "euphoria," which, when translated into practical effect, means diminished military preparedness and less capability to deter a nuclear war.

This political aspect of the proposed treaty has long been recognized, even before the treaty was considered seriously by the Soviets. In 1959, to a confidant, Secretary of State John Foster Dulles is reported to have stated:

> Since a (test ban) treaty is what the Russians want, it wouldn't be difficult to come up with one which would look good on the surface. We could include in it all the fuzzy language of diplomacy—and believe me, I know some of the phrases—and present it to the world as a great achievement for peace. All of this would result in a relaxation of world tensions, generate a feeling of international good will, and probably elect a Republican President in 1960.
>
> But we're not going to do it. If we signed such a pact with the Soviets, there would develop a tremendous pressure to cut back on our defenses, reduce the size of our Armed Forces, and curtail our armaments. And we'd have only the word of the Russians that they were doing the same. Our NATO, SEATO, and other alliances would be endangered, perhaps to the point of deterioration. As a result, within a few years, we could be as a sitting duck for the Communists to pick off whenever they felt the time was ripe.

This analysis is just as accurate today, if not more so, than in 1959.

Even were there no military disadvantages to the treaty, the nonmilitary considerations, on balance, weigh against the ratification of the treaty.

It is the military consequences which are determinative, however.

Political considerations have not and will not stay the hand of the aggressor bent on world domination. Until now, we have maintained such an overwhelming superiority in nuclear power that the alternative of nuclear war has been foreclosed to Khrushchev as a means of extending his dictatorial control.

We have followed a policy of deterrence of nuclear war. To make this policy work, it has been necessary for the United States to maintain not just a lead in quality and quantity of nuclear weapons, but to maintain an overwhelming superiority. The wide margin of superiority is necessary because we have made it clear that we will let the enemy have the advantage of the first blow. Our deterrent force is, in fact, therefore, composed only of that portion of our strike force which the Soviets believe could survive the hardest first blow that the Soviets could throw at us.

During the period since September 1961, the Soviets have managed, through a determined and comprehensive testing program, to achieve a lead in technology in certain critical fields of nuclear weaponry, and possibly to achieve a lead in certain other crucial areas. It is possible that they drew abreast of the United States in still other areas of nuclear technology. From this knowledge, it is possible that the Soviets now have the know-how, which, if converted to weapons, would give them the capability to cripple our second strike forces with a first blow to the extent that Mr. Khrushchev might judge any possible retaliatory blow by the United States to constitute an acceptable risk.

The Soviets did not gain this advantage in technology because of any inherent superiority. During the moratorium, while we neither tested nor prepared for testing, the Soviets made intensive preparations and, as a result, were able to mount two comprehensive, complex, and full-scale atmospheric test series involving more than 100 tests. By comparison, our one-test series was hastily prepared after the moratorium was broken and was, therefore, only partially successful. While the Soviets concentrated their tests on a search for technology which would directly affect their ability to knock out the U.S. forces in a first strike and defend against what survived, the U.S. tests were diversified by a number of other factors. We limited the size of our tests in terms of yield. The VELA series, designed at improving our detection, identification, and analysis capability, constituted a substantial part of our testing. Some of our tests were on Project Plowshare, to experiment with peaceful uses.

To maintain our position of clear superiority, it is incumbent on the United States to do more testing than the Soviets, for we must have additional knowledge for the design of weapons capable of surviving a nuclear attack. The Soviets, who do not intend to allow anyone else to start the war, do not have this additional requirement, for they intend to launch their attack first, and they know that the United States will not attack first.

We can, through atmospheric testing, if we have the will, overcome any Soviet lead in technology. We can proof test our weapons systems on an operational basis, so that we can insure their survivability. We can find out from our own atmospheric testing just how much the Soviets do know. We have the capability of maintaining, or regaining, our superiority in technology in all fields of nuclear weaponry and weapons effects if the treaty is not ratified.

If this treaty is ratified, momentous risks to our capability to deter nuclear war will result. We cannot assess the degree of risks with any confidence on the basis of information we now have.

It is unthinkable for the United States to play blindman's bluff with nuclear war, and that is precisely the effect of this treaty.

For the sake of the United States and all mankind, the treaty should be rejected.

Mr. MANSFIELD. Madam President, only a few minutes ago I was handed a telegram sent to me by one of the most respected Members of Congress I have ever known. I served with him in the House of Representatives and I got to know him intimately and well. He is a man of great integrity, great understanding and great knowledge. I refer to our old colleague, former Representative Carl Durham, of North Carolina, whose career in the House of Representatives was both long and distinguished.

The telegram reads as follows:

> Hon. Mike Mansfield,
> *Majority Leader, U.S. Senate,*
> *Washington, D.C.*
>
> Dear Mike: As one who has closely followed and strongly supported our nuclear weapons program from its inception and as twice past chairman of the Joint Committee on Atomic Energy I believe it is in the best interests of the United States that the treaty now before the Senate be ratified as drawn without amendment and without reservation. Information developed by the Joint Committee over the years reflects that future uncontrolled atmospheric testing could constitute a danger to humanity. This treaty represents a beginning toward control of this potential danger. In my opinion the United States possesses the finest nuclear weapons laboratories in the world. If we keep them and our testing capability in full readiness and continue a vigorous underground testing program we will in my opinion more than adequately protect our security.
>
> Carl T. Durham.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Madam President, I ask unanimous consent that there be a printing of the resolution of ratification, for use by the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SYMINGTON. Madam President, the Foreign Relations Committee, under the able leadership of the Senator from Arkansas [Mr. Fulbright], has kept itself informed of the test ban proposals which were the antecedents of the one before us today.

This committee, in its recent exhaustive hearings, has heard the testimony of some 44 witnesses, witnesses from inside and outside the Government, witnesses for and against ratification, witnesses appearing in open and executive session.

The record produced is impressive, and the report, taking into account both military security and foreign policy considerations, is a persuasive one. I congratulate the chairman.

Likewise, I express appreciation and admiration for the work done by the Preparedness Investigating Subcommittee of the Armed Services Committee under the able chairmanship of the Senator from Mississippi [Mr. STENNIS].

This subcommittee has compiled, I believe, the most complete and probing record ever made on the vital subject of the military and technological implications of nuclear test ban treaties.

Senator STENNIS had the foresight last fall, over a year ago, when the prospects for agreement of any kind with the Soviets were dim indeed, to begin these searching hearings, in order to obtain facts and opinions from the relevant Government departments and agencies, from military officials and from scientists. This record of the Preparedness Subcommittee will be of inestimable future value to the Congress and the country.

I have the privilege of sitting on both of these committees; and therefore the opportunity, in both open and closed sessions, to hear and question witnesses in great detail as to the military security aspects of the problem; and also to look at the military aspects in the context of international affairs and foreign policy.

For many years I have been studying the activities of the United States in the area of arms control and disarmament, including test ban proposals. In 1955 I was appointed to the then Joint Subcommittee on Disarmament, when it was first formed.

It is my judgment that the action taken by the Senate on this treaty could well be its most important action during our time. Unless there can be some understanding among the growing number of nations that will have the weapon, a nuclear holocaust is only a question of time.

Before deciding that it would be better to take that risk than any risk inherent in the test ban treaty, let us consider the following:

It is estimated that a groundburst of one of the largest weapons would totally destroy, incinerate, everything within a radius of 7 miles, and create blast effects that would cause severe damage out to 23 miles. The thermal effects from an air burst below 50,000 feet would cause first degree burns on exposed skin out to 100 miles—or beyond Wilmington, Del., if the bomb were dropped at Washington—second-degree burns out to 70 miles. Under these considerations, although we must always remain stronger than any possible adversary, the basis of deterrence, it is hard to see how there could be any victor as the word has been used in the past.

As was stated in the concluding statement of the report of the Preparedness Subcommittee, the question is "one of weighing relative risks."

I have weighed the relative risks.

First I weighed the purely military risks, which were the focus of the Preparedness Investigating Subcommittee.

The question in this connection is whether the restraints imposed by the treaty, as compared with a condition of unlimited testing, disadvantage the United States militarily more than they do the Soviet Union.

It is clear—and all witnesses have so testified—that this test ban treaty will inhibit certain aspects of U.S. weapons development and weapons effects knowledge.

This is a disadvantage and is not a point in dispute. But we must weigh such disadvantages to the United States against comparable, if not similar, disadvantages to the Soviet Union.

For example, the Soviet Union, like ourselves, will be prevented from further exploration of blackout phenomena, from gaining all knowledge one would like to have about the destructive effects of large weapons on hardened sites, from conducting complete systems tests clear through to nuclear explosions, and so on.

It would appear that, from the military point of view, the limited test ban treaty is probably somewhat more disadvantageous to the United States than to the Soviet Union. It is possible that this is wrong, however; in fact it is possible that the treaty will disadvantage the Soviets militarily more than ourselves. The latter is the judgment of the Secretary of Defense.

The subcommittee report did not attempt to compare the military disadvantages it discussed with the military disadvantages of unrestricted testing by all countries who may acquire the capability to test. I think this latter point should be taken into account along with the other important points the subcommittee report does present.

In any case, I do not believe that the evidence supports the conclusion that the treaty is sure to result in significant military or technical disadvantages to the United States.

There were major differences of opinion among the experts, no doubt because of the newness of the nuclear art, and partially, I am sure, because the subject is so highly classified.

Some of the able, experienced, and completely honorable scientists who testified against the treaty made mistakes in fact, apparently because in the reasonably recent past they had not been cleared for all classified information. Specifically, apprehensions in the ABM field were not borne out, at least to me, in the highly classified intelligence briefings we received.

From a military standpoint, I believe the thrust of the disadvantage to the United States in future weapons development was overemphasized by some witnesses; and the comparable disadvantage to the Soviets underemphasized.

Mr. GORE. Madam President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to the able Senator from Tennessee.

Mr. GORE. I concur in what the able Senator has said. I wonder if he would express his view, in discussing the possible disadvantages, comparable or similar, to be experienced both by the United States and the Soviet Union, as to the possible restraint upon other nations which might aspire and who may now have the industrial capability of becoming nuclear powers.

Mr. SYMINGTON. Madam President, the able senior Senator from Tennessee, who is extraordinarily well versed on this subject, especially because of his long experience in the House, and in the Senate, as a member of the Joint Committee on Atomic Energy, has put his finger on one of the most important aspects of this treaty.

To date, I understand some 91 countries have signed the treaty. Many of those countries could not, in the conceivable future, have atomic weapons; but many of them could develop a nuclear weapon, and some of them are already close to it. The fact that those countries have signed this agreement, preventing their testing in the atmosphere—unless they desire to cheat, in which case, as I shall discuss later, I believe they will be promptly caught—is indeed the most significant characteristic of the entire problem.

Have I answered the question of the Senator?

Mr. GORE. Yes. I thank the Senator from Missouri. Is not our security primarily involved in the avoidance of nuclear war? And if by means of the treaty there is discouragement and restraint—perhaps effective discouragement and restraint—from the proliferation of nuclear power, would that not diminish the possibility of an outbreak of nuclear war?

Mr. SYMINGTON. Madam President, I can see no alternative to the logic of the position taken by the distinguished Senator from Tennessee. In our lifetime, we have known men who wanted to conquer the world, and who, before they died, were considered insane. Certainly that was true of Hitler as well as others. That being true, it is obvious that with a proliferation of nuclear weapons, there would be more of a chance of such a person having the opportunity to start a nuclear war. In that event, as presented a few minutes ago, there would be little likelihood of a victor in the sense of the word as we have used it in the past.

Mr. GORE. So in weighing the advantages and disadvantages from a purely military standpoint, if we were privileged so to consider the treaty, one must realistically take into account the advantages and disadvantages of not merely the United States vis-a-vis the Soviet Union, but the whole cosmic problem of a global nuclear conflict?

Mr. SYMINGTON. The Senator from Tennessee is correct and I appreciate his typically constructive contribution.

In any case, I believe that under this treaty any significant cheating on the part of the Soviets could be discovered promptly; and this Government has pledged that we will remain ready to thereupon resume atmospheric tests immediately.

As I see it, there are four areas which could be considered in coming to a judgment as to the likely net effect of the treaty; first, the significance of the big bomb; second, the question of smaller nuclear weapons; third, the antiballistic missile; and fourth, the question of survivability of our deterrent force.

The first two of these areas do not cause me much apprehension. The United States, including the Joint Chiefs of Staff, has seen operating need for 100-megaton weapons. The Joint Chiefs of Staff place no emphasis on having yields in excess of those which can be achieved under the treaty.

Even Dr. Teller stated that desire for very high-yield weapons did not figure significantly in his opposition to the treaty. Smaller yield warheads—still over 100 times as large as the Hiroshima bomb—are better for carrying out our war plans.

Second, the fact the Soviets can improve their lower-yield weapons by underground testing does not appear to be an argument against the treaty, because they can improve those weapons faster and cheaper without the treaty.

So, as I say, the weapons development points do not cause me any great concern.

The other two points appear to me more important.

Two facts come through crystal clear in all testimony with respect to the anti-ballistic missile. First, it is extremely unlikely that an anti-ballistic-missile defense can be developed which can be counted on to save a nation from lethal harm. Even ABM optimists claim only that such a system would reduce somewhat the damage. Second, the technical problems which face us in our attempt to develop an anti-ballistic-missile system are heavily concentrated in the nonnuclear areas—in areas unaffected by the treaty, such as reaction speed, missile performance, traffic handling capacity, and capacity for decoy discrimination.

At the most, therefore, the treaty will raise the cost of any ABM the United States decided to deploy, because uncertainties about blackout will have to be built around by the addition of radars.

I regret this affect of the treaty on us. But the evidence before both committees is that the Soviets have not yet solved their anti-ballistic-missile problems; therefore, the treaty, if it inhibits our ABM development, will likewise inhibit theirs.

Mr. FULBRIGHT. Madam President, will the Senator from Missouri yield?

Mr. SYMINGTON. I am glad to yield to the able Senator from Arkansas.

Mr. FULBRIGHT. I am much interested in the statement being made by the Senator from Missouri. I know he attended the hearings assiduously and followed them with deep interest.

On the anti-ballistic-missile problem, I thought we received persuasive testimony from Dr. York to the effect that without any inhibition on the development of anti-ballistic-missile systems, it was his opinion that the offense, the penetrability, could always stay ahead of the threat to create an anti-ballistic-missile system. He used the analogy of the race between the hare and the turtle. If only the hare did not go to sleep—the hare being the United States—there was no question in his mind that we could always keep ahead of the defense by the development of operations of such things as the Senator has mentioned; for instance, decoys. Does the Senator subscribe to that viewpoint?

Mr. SYMINGTON. I do. The best illustration I could give is what occurred during the Battle of Britain and shortly thereafter, in England. I was in London the night of the most devastating Nazi raid on that city. It was a Saturday night. The next Monday, at work in the Air Ministry, I was amazed to find everyone apparently happy, whistling in the corridors.

I asked, "How can this be?" because most of the mess of Saturday night that had been cleaned up, although it had been widespread early Sunday morning.

The reply was the experts had calculated that more than 5 percent of the bombers that came over London had been destroyed; and they had extrapolated that if the British had destroyed more than 5 percent, the Germans would not be able to afford that kind of attrition by future raids. This was proved by the fact this raid was the last organized air raid on England. There were one or two plane sorties; but it was estimated that on that evening some 300 bombers had been over London. It was the last organized raid on England until the V-1's and V-2 rockets came along some time later.

On the other hand, as the Senator from Arkansas realizes, when we have weapons like Polaris submarines, in which every one of the 16 weapons in that submarine has many times the power of the Hiroshima bomb. Even if it had been possible to get 95 percent of the bombers on that evening, instead of 5 percent, had these modern nuclear weapons been available, it would have been absolutely certain——

Mr. FULBRIGHT. They would have been out of business.

Mr. SYMINGTON. The enemy would have been destroyed. London for sure.

Mr. FULBRIGHT. There is quite a difference in the character of the weapons.

Mr. SYMINGTON. The Senator's point is well taken.

Perhaps my greatest concern has to do with the effect of the treaty on the survivability of the U.S. deterrent force. The treaty will prevent atmospheric tests designed to test the vulnerability of our missile sites and control centers.

Present knowledge is based on extrapolation of small tests. Under the treaty, our further knowledge will have to be based on underground tests, where only some of the effects can be measured; presumably tests of less than a megaton.

I would much prefer that we learn more, that we reduce the uncertainties regarding our missile-site vulnerabilities. But the evidence is that the Soviets know no more than we do about such vulnerabilities. The evidence is that they have not conducted any large-yield tests of this kind.

This is a very important point. Upon first receiving this information, I investigated further, and am satisfied to make this statement to the Senate.

While I regret, therefore, that the United States did not, before now, find the answer to more of the gnawing vulnerability questions, I am convinced that the Soviets, limited as they are by the terms of this treaty, will not be able to change the elemental facts of the strategic nuclear power balance.

We should remember that the United States has, and will continue to have, enormous strategic nuclear power. This treaty will not affect to an appreciable extent our capability to destroy the Soviet Union if a retaliatory strike is required. I say that because I am convinced that under the terms of this treaty we could detect promptly any significant cheating. That was the aspect I wanted to study most carefully. If my conclusion in this regard had been different I would not support the treaty.

When the inquiry is broadened beyond military concerns to include all relevant factors—as it was before the Foreign Relations Committee, and as it is here before the Senate—the problem becomes more complex, but the possible advantages of the treaty become more clear.

The vital importance of this broadening into the field of international relations in this nuclear space age was clearly recognized by the Joint Chiefs of Staff, when they said:

> It is the judgment of the Joint Chiefs of Staff that, if adequate safeguards are established, the risks inherent in this treaty can be accepted in order to seek the important gains which may be achieved through a stabilization of international relations and a move toward a peaceful environment in which to seek resolution of our differences.

The four "safeguards" stipulated by the Joint Chiefs were:

First. The conduct of comprehensive, aggressive and continuing underground nuclear test programs designed to add to our knowledge and improve our weapons in all areas of significance to our military posture for the future.

Second. The maintenance of modern nuclear laboratory facilities and programs in theoretical and exploratory nuclear technology which will attract, retain, and insure the continued application of our human scientific resources to these programs, on which continued progress in nuclear technology depends.

Third. The maintenance of the facilities and resources necessary to institute promptly nuclear tests in the atmosphere, should they be deemed essential to our national security, or should the treaty or any of its terms be abrogated by the Soviet Union.

Fourth. The improvement of our capability, within feasible and practical limits, to monitor the terms of the treaty, to detect violations, and to maintain our knowledge of Sino-Soviet nuclear activity, capabilities, and achievements.

Madam President, the President, the Secretary of State, and the Secretary of Defense have all emphasized that these four stipulations are accepted wholeheartedly and will become part of the policy and programs of the Government.

My own conclusion is quite similar to that of the Chiefs. I was worried, as were they, about the possibility that a successful conclusion of the treaty might cause the United States to relax its guard, and therefore not be ready to respond promptly to any violation or surprise abrogation of the treaty by others. But after studying the matter, I am satisfied that the safeguards they suggested, and which the executive branch has pledged to implement promptly, will afford adequate protection against that risk.

As we consider the treaty in its international relationships during this nuclear space age, we realize that:

It is important to slow down the proliferation of nuclear weapon capabilities in other nations. We know the world will become an exceedingly risky place for all human life if the present trend is not stopped.

It is important to avoid destabilizing shifts in military power. The United States—as unanimously agreed by the witnesses we heard—now holds a commanding lead in nuclear weapons systems over its potential enemies, and it is possible that unsettling challenges to this lead can be avoided more easily under a condition in which the nuclear race is dampened all around.

It is important to stop polluting the atmosphere with radioactive debris. Although the amount of debris from reasonable atmospheric testing programs would not be great, fallout—resisted by, and frightening to, the world—would spread throughout the atmosphere.

It is important that the United States lead, not follow, the world in the direction toward which the limited treaty points. As presented in my additional views that are included with the report of the Preparedness Investigating Subcommittee:

> I am worried about the treaty; but more worried about the possibility of an all-out nuclear exchange some day in the future—particularly if there is a proliferation of nuclear weapons among more countries.

I said further that:

> This treaty, a very small step, nevertheless could be the first step toward bringing nuclear weapons under some form of satisfactory control, which action should promote the possibility of just peace under law.

In closing, Madam President, I do not imply, in supporting the treaty, that the struggle with the Soviet Union will stop with ratification of the treaty, or even that the struggle will change in any major way. On the contrary, the cold war will go on.

I believe the Senate of the United States should advise and consent to ratification of the treaty; but I also believe that the Senate, together with the other arms of the U.S. Government, should gird for the contest in the new situation. We must do our part, not only to insure that the four safeguards listed by the Joint Chiefs of Staff are effectively implemented, but also to maintain the vigilance and strength of the Nation while the small first step which the treaty represents finds its way into the complex of conditions from which the future will be made.

Our children and their children would not excuse us if we took this small step blindly, under any delusion that it was more than it really is. We must be ever alert; otherwise, we could deliver them and the free world into slavery.

Equally important, however, could our children and our grandchildren forgive us if we lacked the courage and wisdom, at so little risk, to take this small step toward the most desired of all goals?

With our eyes open, therefore, let us give weight to the fact that this treaty might point the way toward bringing nuclear weapons under some form of satisfactory control, and thereby furnish hope that a just and lasting peace will move out of the shadows into more of the light.

Mr. FULBRIGHT. Mr. President, will the Senator from Missouri yield?

The PRESIDING OFFICER (Mr. McINTYRE in the chair). Does the Senator from Missouri yield to the Senator from Arkansas?

Mr. SYMINGTON. I am glad to yield.

Mr. FULBRIGHT. I congratulate the Senator from Missouri for his very fine statement, which has come from one who has served the Federal Government not only as Secretary of the Air Force, but also in many other important capacities, as well as in his present capacity as a Senator.

I believe his statement in support of the treaty is most very reassuring, not only to the Senate, but also to the country as a whole. He has rendered a most valuable service by his excellent and clear statement of his position and of the reasons for it; and I thank him very much.

Mr. SYMINGTON. Mr. President, I thank the distinguished Senator from Arkansas. It is a great privilege to work with him on the Committee on Foreign Relations of which he is chairman.

It is true that the treaty does affect very specifically the military problems incident to the security of the United States. It also affects economic problems and the international problems incident to all our various relationships with other countries.

As I have mentioned before, only a few years ago a trip around the world took many months; later, many weeks. Today, however, due to the telescoping of space and time—many men and one woman have gone around the world many times in a single day. In a world of that character, it is important for us to realize that, regardless of our military position—and the basis of all our statements is the fact that the United States must remain stronger militarily than any other country—even in a cold war, as well as in peace, military policy should be an arm of our overall foreign policy.

Mr. THURMOND subsequently said: Mr. President, when I addressed the Senate, I went beyond the lunch hour, and while I was at lunch the distinguished Senator from Missouri [Mr. SYMINGTON] made an address on the nuclear test ban treaty. I have prepared a number of questions I intended to ask the distinguished Senator from Missouri, but which I did not have the opportunity to ask.

I ask unanimous consent that these questions may be placed in the RECORD at this point, together with the "Meet the Press" program of April 28, 1963, when the Senator from Missouri was the guest.

At a later date, before the treaty debate has been concluded, I would like to have the opportunity to debate these questions with the distinguished Senator from Missouri.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

QUESTIONS FOR SENATOR SYMINGTON

1. The Senator is in a unique position, since he is a member of both the Foreign Relations Committee and the Preparedness Subcommittee, and signed the reports of both committees. I believe the Senator from Missouri has attested that the factual data in the Preparedness Subcommittee's report is accurate. Is that correct?

2. Does the Senator subscribe to the opinion of the Foreign Relations Committee, stated in its report, that, and I quote: "But exclusive, or excessive, reliance on military considerations could undermine national security by encouraging comparable military efforts by others, thereby strengthening the destabilizing forces adrift in the world, possibly creating new ones."

3. I notice that the Senator states that "unless there can be some understanding among the growing number of nations that will have the weapon, a nuclear holocaust is only a question of time." Does the Senator mean to imply that armaments, rather than human weaknesses, cause wars?

4. The United States has maintained a level of armaments over recent years unequaled in all history. Would the Senator not agree that these armaments have been the very factor that has prevented nuclear war?

5. Would the Senator not agree that the only way in which one can be sure of preventing nuclear war, so long as the Communists maintain their goal of world domination, is to keep an overwhelming superiority in strategic military power?

6. The Senator from Missouri has correctly pointed out that the military disadvantages of the treaty to the Soviet Union must also be considered, along with the military disadvantages to the United States. Would not the Senator from Missouri agree that in assessing the relative military disadvantages of the treaty, that the starting point, in terms of technology, of both the United States and the Soviet Union, is largely determinative of the degree of disadvantage from prohibition of testing in a particular environment?

7. The Senator has pointed out that the Soviets will be unable to test for blackout phenomena after the treaty goes into effect, just as will the United States. Isn't it a fact, however, that the Soviets specifically tested for blackout phenomena, and particularly as it applies to ABM systems, in the 1961–62 test series, but that the United States has made no comparable test?

8. Another factor which bears heavily on the relative military disadvantages of the treaty, as I am sure the Senator will agree, is the different strategies of the United States and the Soviets. Since the United States must rely on second strike capabilities, it must test to determine every possible vulnerability in its weapons systems, for to leave one that is unknown could spell disaster in the event of any enemy first strike. Since the Soviets rely on the strategy of a first, or preemptive strike, they do not have to test for the purpose of insuring the invulnerability of their own weapons systems, but can concentrate on ferreting out one or two vulnerabilities of our weapons systems and the proper weapons design to exploit our weapons systems vulnerabilities that they have found. Does this factor not require, in effect, far more comprehensive nuclear testing for weapons effects and proof tests by the United States to maintain its second strike

force than is necessary for the Soviets to advance their first strike force?

9. The Senator states that the Joint Chiefs of Staff have seen no need for a 100-megaton bomb. Is the Senator not aware that the Joint Chiefs of Staff have, in fact, recommended that we go ahead with the development of the big bomb?

10. Isn't it also a fact that General LeMay recommended the development of a big bomb as early as 1954, but that he was refused?

11. Isn't it a fact that one of the reasons that the recommendation of the military for development of a big bomb has never been approved lies in the fact that the defense policy of the Nation is based on a shift in reliance from manned aircraft, which could deliver a very high yield weapon, to ballistic missiles, in which we do not now have a capability of delivering the necessary weight to achieve the very high yield?

12. The Preparedness Subcommittee report, in which the Senator from Missouri attests as to the accuracy of the facts reports as a fact that, and I quote: "The United States will be unable to acquire necessary data on the effects of very high yield atmospheric explosions. Without such knowledge it is unlikely that a realistic assessment can be made of the military value of such weapons." Would the Senator not agree that the Soviets have a distinct lead over the United States in this area, and that we do not now have the necessary information from which to assess the military potential of the 100-megaton bomb when used against us?

13. Would the Senator not agree, that regardless of whether the United States would decide, after acquisition of sufficient information on which to make a realistic evaluation, to build a 100-megaton bomb for its own arsenal or not, that it is a major disadvantage for the enemy to have a major weapon of which he knows the military potential, and for the United States to know the existence of the weapon, but to be precluded from ascertaining with some degree of certainty its military potential?

14. The Senator is quite pessimistic about the ability of either the United States or the Soviet Union to develop an effective ABM system. According to the information we now have, the Soviets have deployed an ABM system in one location to which we attribute significant effectiveness in defending against IRBM's, including the Polaris, which incidentally are not missiles which can be salvoed, but we attribute very little effectiveness to this system against ICBM's. In view of the fact that it is possible that the vulnerabilities of our missiles in silos could possibly be exploited by some weapons effects of which we are not now fully knowledgeable, to say the least, would the Senator not agree that under some circumstances the present Soviet technological capabilities in the ABM field are of large significance?

15. As the Senator correctly stated, the Soviets could not, if they abide by the treaty, obtain any more information from ABM testing than could the United States while the treaty was in effect. Is it not true, however, that the Soviets have already performed tests dictated by ABM considerations specifically on the blackout problem, to which the United States has made nothing comparable?

16. The Senator stated that "Specifically, apprehensions in the ABM field were not borne out, at least to me, in the highly classified intelligence briefings we received." Is it not true that the briefings to which the Senator refers included a specific description of Soviets ABM tests, to which we have performed nothing comparable?

17. Is it not true that the highly complex ABM tests performed by the Soviets could have, and probably did provide valuable information on the ability of an ABM system to operate in a nuclear environment, including radar and communications blackout, and that we do not know the precise results, or the thrust of the knowledge that the Soviets gained thereby?

18. Will the Senator from Missouri tell us whether the Joint Chiefs of Staff, when they made their assessment of the treaty, had all of the details of the Soviet ABM tests in their possession, or whether certain significant facts about the tests had never been disclosed to them?

19. In discussing the question of vulnerabilities of our missile sites, the Senator points out that the Soviets will not be able to make tests to determine vulnerabilities any more than will the United States under the treaty. Once again, we must go back and examine the point from which each side starts if we are to reach an objective evaluation. The U.S. reliance on a second strike strategy, together with the Soviet reliance on a first strike strategy, makes it incumbent on the United States to have a broader spectrum of knowledge on the vulnerabilities of missile sites than the Soviets. Is it not a fact that the Soviets have demonstrated in their tests that they know more about exotic radiation effects than does the United States?

20. Is it not true that the magnitude and residuality of some electromagnetic phenomena varies substantially according to the time when the nuclear explosion takes place?

21. Is it not true that the United States has generally tested for weapons effects in the atmosphere only at periods when such effects were at a minimum, while the Soviets have tested for the maximum of such effects?

22. Is it not also true that the Soviet tests of very high yield weapons over the Soviet Union demonstrated a very long range effectiveness of some electromagnetic phenomena against communications circuits?

23. Is it not true that although the time of explosion of the nuclear warhead substantially affects the level of electromagnetic phenomena, even in the same medium where the warhead is detonated, that we have attempted to test the effects of this phenomena only underground, not even in the medium where the weapon would presumably be detonated, with a very small yield explosion and attempted to extrapolate the results?

24. Would the Senator not agree that the Soviets have demonstrated a capability for producing the maximum level and residuality of exotic radiation effects with a very high yield warhead, and that, if their tests were properly instrumented, they had the opportunity to learn much about the effects of these phenomena?

25. Would the Senator not agree that in these exotic radiation effects of nuclear explosions could possibly and even probably lie vulnerabilities to our missile sites and the communications and control circuits, as well to our early warning systems?

26. Would not the Senator agree, as is stated in the Preparedness Subcommittee's report, that the Soviets now enjoy a lead in knowledge of high yield weapons effects?

27. Would not the Senator agree that the knowledge of weapons effects, particularly the exotic radiation effects, and knowledge of the vulnerabilities of our missile silos and communications and control circuits are so closely related that they are for all practical purposes inseparable?

28. The Senator from Missouri has quoted the concluding paragraph of the presentation of Gen. Maxwell Taylor for the Joint Chiefs of Staff which states:

"It is the judgment of the Joint Chiefs of Staff that, if adequate safeguards are established, the risks inherent in this treaty can be accepted in order to seek the important gains which may be achieved through a stabilization in international relations and a move toward a peaceful environment in which to seek resolution of our differences."

Does the Senator believe, as is implied by the statement he quoted, that the treaty will lead to a "stabilization of international relations"?

29. Does the Senator believe, as this same quotation implies, that the treaty is a move toward a "peaceful environment"?

30. Does the Senator believe that this treaty will cause the Berlin wall to be torn down, so that this unstabilizing factor on international relations will disappear?

31. Does the Senator believe that this treaty will improve the situation in Vietnam caused by Communist aggression?

32. Does the Senator believe that this treaty will eliminate the Communist regime in Cuba, or reduce the all-out efforts of the Communists to subvert Latin America?

33. In what way, if any, will this treaty lead to the stabilization of international relations and a peaceful environment?

34. Would not the Senator agree that the principal power from whose acquisition of nuclear weapons the greatest danger of nuclear war arises is Communist China?

35. This treaty will not prevent the development of nuclear weapons by Red China, will it?

36. Is it the understanding of the Senator from Missouri from the testimony of official witnesses that the United States will withdraw from the treaty if Red China tests nuclear weapons in one of the three environments in which testing is banned by the treaty, although Red China will not be a party to the treaty?

MEET THE PRESS—AMERICA'S PRESS CONFERENCE OF THE AIR, SUNDAY, APRIL 28, 1963

Produced by Lawrence E. Spivak.

Guest, Senator STUART SYMINGTON, Democrat of Missouri.

Panel: Marquis Childs, St. Louis Post Dispatch; Peter Lisagor, Chicago Daily News; Robert McCormick, NBC News; and Warren Rogers, Hearst newspapers.

Moderator: Lawrence E. Spivak.

Mr. SPIVAK. This is Lawrence Spivak, inviting you to Meet the Press. Our guest on Meet the Press is Senator STUART SYMINGTON, Democrat of Missouri. He is the only Senator who is a member of the two committees directly involved in the cold war: Foreign Relations and Armed Services. He is also a member of the Senate Space Committee. Senator SYMINGTON was the first Secretary of the Air Force. He was a candidate for the Presidential nomination in 1960.

We will start the questions with Mr. Marquis Childs.

Mr. CHILDS. Senator, as you know when Averell Harriman met with Khrushchev, shortly after the meeting, Khrushchev issued a statement saying that he believed in an independent and neutral Laos, but he apparently gave no assurances at all that he would do anything to stop the Communist takeover of that country.

What I want to ask you is whether you don't feel the time has come for this country to take some pretty active steps to check that takeover, including perhaps sending troops, American troops into Laos?

Senator SYMINGTON. Mr. Childs, based on my having been in that part of the world, I'd be very skeptical about any military action in Laos. I think it would be much better if we are going to have military action that we would consider what is necessary in South Vietnam. As you know most of this trouble is coming from North Vietnam, from Hanoi, specifically. We've got a good many billion dollars now invested in the defense of those three little countries that formed part of Indochina. My own feeling would be that we will have to face up sooner or later to what we want to do with respect to what is coming out of Hanoi.

Mr. CHILDS. We are already in South Vietnam. There are more than 12,000 American troops there. Laos is at stake apparently. Do you think the war can be successfully prosecuted in South Vietnam if Laos goes entirely Communist?

Senator Symington. Let me put it to you this way: I think we could be successful in South Vietnam militarily regardless of what the Chinese Communists or the North Vietnamese did. I would have my doubts about what we could do in Laos if the Chinese Communists and the North Vietnamese were determined about Laos. It is a very difficult country to have any military action in. As you know, it has no seacoast; it has very few roads. I was surprised to hear only this week that Souvanna Phouma has been sympathetic to and agreed to have his half brother, Souphanouvong, let the Chinese Communists build roads down from North Vietnam into Laos because that of course would help any aggression on the part of the North Vietnamese and the Chinese Communists.

Mr. Childs. If I understand you properly, Senator, you are then in effect prepared to see that country go to the Communists?

Senator Symington. I wouldn't be prepared to see it, but I think that the place to stop it is in Hanoi and not in Laos, and I think you would do it from Hanoi—or to Hanoi from South Vietnam.

Mr. Childs. How do you mean, what would we do about Hanoi, would we move in and take over Hanoi?

Senator Symington. I think that we ought to notify the North Vietnamese that we are tired of their infiltrating into South Vietnam from Cambodia as well as from Laos and that we are tired of their infiltrating into South Vietnam itself. As you know, they are doing that, even south of Saigon, and that if they didn't cut it out, we would destroy their marshaling yards in Hanoi.

I don't think we can continue to put billions and billions of dollars into this part of southeast Asia and at the same time consistently be on the defensive politically as well as militarily. I don't think it will work out.

Mr. Childs. What you are saying then is, we would bomb Hanoi?

Senator Symington. We would either bomb it or we would go into Hanoi. I think that is the only way that you are ever going to satisfy the situation in what was formerly Indochina. Either that or get out.

Mr. Childs. This would mean a much larger number of American troops out there, would it not?

Senator Symington. Oh, not necessarily, if you did it from South Vietnam, because you have 600 miles of coastline with respect to South Vietnam, so you would utilize your naval forces in a way that would be totally impossible in Laos.

Mr. Childs. Senator, you have been talking about what we should do in Laos and South Vietnam. These are roughly 8,000 or 9,000 miles away. What do you think about Cuba, which is 90 miles away? Are there moves we can make there? Obviously, we are not—at least as far as anyone knows; you may know by your position on the committees—making any very positive moves to remove that Communist dictatorship from Havana.

Senator Symington. Of course Cuba is 90 miles away and is therefore a much serious matter. I don't at this time see anything more than we are doing that we could do. Everybody talks about Cuba. It is a little bit like Mark Twain and the weather. Nobody seems to have come up with anything practical in the way of a suggestion as to what to do. All of the prominent critics that I know say we should not invade, which I agree with.

On the other hand, I would hope we could do our best to interest the Organization of American States, and that we would be sympathetic to any Cuban movement with respect to eliminating the Castro regime, because I am one who does not think that as of today Cuba is a military menace in any serious form to this country, but I do think, Mr. Childs, that it is going to be used as a place to develop a great deal of subversion all through Central and South America.

As a matter of fact we know that it is going on now.

Mr. Lisagor. Senator, to get back to Laos for just one moment, the suggestion has been made that perhaps we could agree to a partition of that country since the pro-Communist Pathet Lao holds the nothern part of it now and the part the free world is interested in is the southern part, the Mekong River part, whereas you know the rightists have about 60,000 troops and it wouldn't be too hard for the West to help them there.

What do you think about the proposition of partitioning it as Vietnam is now partitioned?

Senator Symington. I don't think it would last, Mr. Lisagor. I don't think that the people of Peiping or the people of North Vietnam are interested in any agreements with respect to that country. We have noticed over the years that the totalitarians from the Kaiser in the First World War and Hitler in the Second are not interested in agreements if it bothers them in their desires for conquest and I believe the Communists are determined to pick up Laos as soon as they can. When I was out there a year ago last fall, with Gen. Maxwell Taylor and Secretary Walt Rostow, my feelings were just what they are today, and I think that it is fair to say that they would agree that I prophesied what has happened would happen at that time, which is about 16 months ago.

Mr. Lisagor. But a line has been drawn, Senator, in South Vietnam and in Korea. Both are partitioned. You don't believe it will work at all in Laos because they want to take Laos? Is that your judgment?

Senator Symington. It is not working out in South Vietnam, and as you know the Communists are consistently violating the line that has been drawn in Korea, and I think it would be much harder to defend any line that was drawn in Laos based on the terrain and the nature of the people and so forth than it would be in either South Vietnam where again we are in a much better position from the standpoint of our own forces, or than it would be in Korea.

Mr. Lisagor. Senator, as we all know Fidel Castro is in Moscow now and they are giving him quite a reception. You would think that he was a prodigal son returning home. I wonder if you believe the reason the Soviets are going all out for him is that they are trying to rub our noses into it because they have established a base in this hemisphere, and he is the symbol of that base?

Senator Symington. That might be part of it. It looked last—when Mikoyan was there—as if Castro was upset about the fact they took out their offensive missiles, but I would say they are doing everything they could to solidfy Cuba as a Communist base a few miles off the American coast. I think that is a wise remark you have made, and I believe they want to show the world that they are right behind Castro all the way.

Mr. Lisagor. Does this suggest to you, Senator, as the President and other administration officials have indicated, that the Soviets plan to get any of their troops out of there any time soon?

Senator Symington. I think they have taken some out. As to whether they have taken their combat troops out or not, as you know is an open question, but I think they have still got a great many there and apparently they intend to keep them there unless we decide to do something about it, and then they have got another decision to make.

Mr. Rogers. Senator, I would like to question you about strategy, but first I would like to follow up your comments about bombing, attacking, or invading Hanoi. What do you suppose would be the reaction on the Red Chinese side if we did something like that?

Senator Symington. The Red Chinese might be upset about it. They might take planes off from Hainan, which is the island which they control fairly close to the northern part of what was Indochina, but I must say I don't think they want to tangle with the United States at this time in the air or any other way. They are already tangling on the ground, you might say, through the North Vietnamese. My only point in bringing that up is, that we put billions and billions of dollars into these three little countries, just like we put billions and billions of dollars into India and billions and billions of dollars into Pakistan, and I just don't think we can continue to put billions and billions of dollars all over the world, shoring up our defenses. I think at some time we have to show that we are willing to take a risk in order to avoid the type and character of disintegration that is now going on in Laos.

Mr. Rogers. Then I take it you are not afraid of any escalation of a war in that area into a conventional world war type of thing or else nuclear?

Senator Symington. No, I wouldn't be afraid of that at all.

Mr. Rogers. You think we could do it and get away with it?

Senator Symington. I certainly do, and I am not at all apprehensive about how the Russians would feel about us doing it down there as against how they would feel, for example, if we did it around Berlin.

Mr. Rogers. Senator, on the question of strategy, a couple of years ago you and some others were complaining about a missile gap, and now the only thing we hear about a missile gap is that the Russians have one and they have it bad. Secretary McNamara says we could absorb two strikes and have enough to obliterate Soviet society.

What has happened to bring about this remarkable change?

Senator Symington. First, let me make this point with you: If we know and knew and still know really as little about what actually is in Cuba, then I will leave it to you to decide how much we really know about what actually is in Russia. Now that is the first point. The next point is that the same man, a fine man, the head of the Central Intelligence Agency, between February 1959 and August 1961, reduced the estimate of the Central Intelligence Agency as to how many missiles were on launching pads in Russia by 96.5 percent. His own figures in both cases.

I am not at all sure that he was right in February 1959. I am not at all sure that he was right in August 1961, and I am not at all sure based on my experience as a member of the Preparedness Subcommittee that is looking at the Cuban situation, that we know what is in Russia today. The only thing that I am sure of, based on the many years that I have spent in this field, is that the one thing we know that the Soviet Communists, the Chinese Communists and, to the best of my knowledge, all other Communists respect is strength on the part of those whom they would like to conquer.

Mr. Rogers. Are you confident now there is no missile gap, that we don't have any lag behind the Russians at this time in that field?

Senator Symington. I am not confident of that at all, no. And I don't think anybody can say with certainty what their position is as against ours.

For example, as you know, they've got some very fine airplanes flying. They probably have the finest supersonic bomber in the world flying today. And yet you have heard a lot of talk in the past about their leapfrogging the supersonic bomber to get into missiles. I have no confidence in any particular position, because in a closed society it is very, very difficult to know what they have.

Mr. Rogers. Do you think that our defense budget is in line with our strategy? What I am thinking of is, are we spending too much on missiles and not enough on conventional warfare. For instance, are 16 divisions enough?

Senator Symington. I think that is a very good question. My criticism, if I have any, of the present operation is that we are putting too much attention or giving too much attention to computers. The greatest computer in the world is the mind of a man, and it seems to me that the new people are constantly degenerating the position of men and building up the position of machinery. If you have as much trouble finding out what is or is not in Cuba, 90 miles away, then the fact that we are now moving toward a position where a man in Omaha, Nebr., will press a button and something takes off from Wyoming, goes across the Atlantic, goes across Europe, goes into Russia, behind the Urals and destroys a hardened base, from a perimeter standpoint, I think that is rather optimistic, frankly, and I wish we would put more attention into conventional weapons and more attention into positive control through the control of men as against instruments.

Mr. Rogers. Do you think 16 divisions is enough for the Army if it is to fulfill its conventional role?

Senator Symington. I think if we are going to have 16 divisions, it is wise to have 16 good divisions, but I want to be honest with you, Mr. Rogers, I don't think that the people in Moscow or Peiping care too much whether we have 14 divisions or 16 divisions or 18 divisions.

Mr. McCormick. Senator, I believe the full Armed Services Committee has recently studied the whole test ban question again. Khrushchev, of course, as we all know, has offered two or three on-site inspections a year, and we have cut our demands down to seven a year. If it is not classified, is there any indication that we would accept even fewer than seven a year?

Senator Symington. It was classified, but I think all this information should be given the American people, and therefore it has been declassified. Dr. Brown, who is the head engineer and scientist in the Pentagon building, has stated that he thinks six would be satisfactory. That is one less, and that has been declassified.

In addition to that, as you probably know, not only have all the Chiefs of Staff of the services, but also all the service Secretaries have said before the Armed Services Committee in recent weeks that they felt that testing in the atmosphere was essential to the security of the United States.

Mr. McCormick. Is testing in the atmosphere essential to the development of an antimissile missile?

Senator Symington. We haven't gotten into the testing field in the Armed Services Committee the way we are going to, because the Senate Military Preparedness Subcommittee under the chairmanship of Senator Stennis is about ready to undergo extensive hearings in this field. But the military people and the service Secretaries believe that it is essential to have atmospheric testing in order to develop adequate defense from the standpoint of anti-intercontinental ballistic missiles.

Mr. McCormick. That brings up another question then: Do you think Congress would go along with ratifying our current test ban offer, to say nothing of reducing the number of on-site inspections?

Senator Symington. It is hard to say what the Congress would or wouldn't do. My personal opinion at this time is that it would not, because there are a good many very fine scientists who believe that the Russians are well ahead of us now in three important fields—certainly two of three. They feel—we know they are ahead of us in yield and therefore in all probability in yield to weight. They have done some very sophisticated testing in the atmosphere in 1961 and 1962 to the point where these scientists believe that they are ahead of us in the anti-intercontinental ballistic missile field. And they may well be ahead of us in the penetration development as a result of the extensive work that we know that they have done on nose cones. They broke their word to us after the 34-month moratorium by starting out a series of tests which they must have been preparing for many, many months before they actually did it in the fall of 1961. And so the way things are going now, it looks as if they are in pretty good shape from the standpoint of their nuclear position as against ours.

Mr. Spivak. Senator, a moment ago in answer to Mr. Rogers you said something about computers. Do I understand you to mean by that that you think it is a mistake to phase out manned air power, as Mr. McNamara evidently is planning to do and that we ought not to put quite so much money into missiles? Is that what you were saying, Senator?

Senator Symington. Oh, yes, I do feel that way. I think that the degree of emphasis that we put on the Polaris weapon, which is a genocide weapon and not a part of the theory of counter force, and building up the Minuteman which, despite what people say, based on my analogy of going across to the Urals and hitting a hardened site, in my opinion, is also a weapon of that character. In fact, we have no airplanes—for the first time in our history we have no weapons systems in development at all that have to do with men, until you get to a program which also apparently may be in trouble, the Dyna-Soar, and I don't think that is right. I think we ought to maintain a positive control of weaponry and not be in a position of all or nothing. And actually—I believe Mr. Rogers mentioned the budget—if you are going to a theory of overkill and abandoning the theory of counter force, then I think you could save a great deal of money in the budget as it is today.

Mr. Childs. Senator, I would like to clarify two points. First, about Laos. If I understand you correctly you said you predicted a year ago what has been happening now, is that correct?

Senator Symington. That is right.

Mr. Childs. Therefore you must feel that it was a great mistake for the Kennedy administration to try to reach an accord on a neutral Laos?

Senator Symington. No, I never think it is a mistake to do your best to work out an arrangement where everybody signs some paper and then comes home and says "Peace in our time," but I have just never been one who believes, based on the activities of the Communists in places like Korea and based on this terrific misrepresentation that they gave President Kennedy with respect to offensive missiles in Cuba, that it was going to work. I am all for negotiation at any time, any place, on any subject, but I don't think that you are going to lick this problem by signing treaties with these people because it has been my experience, and based on history, that they never keep a treaty if they don't think it is to their interests.

Mr. Lisagor. Governor Rockefeller of New York, and former Vice President Nixon and other critics of the administration's policy toward Europe have suggested that we ought to help the Europeans directly to build their own nuclear force, sell them the warheads and the know-how and the weapons that they need. What do you think of that argument?

Senator Symington. Of course if you did that, Mr. Lisagor, you would have to chance the McMahon Act. You could not do it under the present law.

Mr. Lisagor. That was going to be my next question.

Senator Symington. Yes. Actually we have helped the British. We have been in sort of a partnership with the British for a good many years in the nuclear field, and I am somewhat disturbed and distressed at the volubility, you might say, of Mr. Harold Wilson's desire to give up any nuclear position, because we have today as head of the Joint Chiefs of Staff, Chairman of Joint Chiefs, a very fine and able soldier and citizen, but he wrote a book in which he said there were two places we would certainly use nuclear weapons in case this country was attacked or in case we were sure it was going to be attacked. And then, he said there is a third possible case where we might use them and that would be an allout attack against Europe.

Now under those circumstances I think it is very clear why some people would want to develop their own nuclear force. As to whether we should help them, I would question that, although I think that proliferation especially with regard to other countries as well as France, is only a matter of time.

Mr. Lisagor. What do you think about the act, Senator? Is it possible at all to amend that act today in any way?

Senator Symington. Yes, it would be possible if it was in the interest of the United States, but I think you would have to convince the Senate and the House that it would be in the interest of the United States to do it.

Mr. Spivak. Gentlemen, we have only 2 minutes.

Mr. Rogers. Senator, before the editors recently, Mr. McNamara said that the Pentagon was in chaos when he took over. When you were Secretary of the Air Force, was the Pentagon in chaos?

Senator Symington. It was a chaotic condition spending $13 billion, if it wasn't in chaos, and now they are spending $52 billion. I must say this: I wouldn't want to leave the wrong impression about Mr. McNamara and his work. I think we need civilian control very badly, especially because of the cost of weaponry, I am glad that he is there, and I think he is doing a good job in making the decisions. I don't happen to agree with a couple of them, but that is the way our system works. We set the law in 1958 where he has direction, authority, and control, and in my opinion he is at least as good a Secretary of Defense as we have ever had.

Mr. McCormick. Senator, in connection with the investigation of foreign lobbyists, you have already caught one apparently, one John O'Donnell. What comes next in that investigation?

Senator Symington. I think you would have to ask Chairman Fulbright about that. We have a lot of hearings in executive session and some of it has been no more pleasant than the O'Donnell episode.

Mr. Spivak. Senator why do the Chiefs of Staff and the chiefs of service want to test in the atmosphere at this time? I thought we had given up all question, even, of testing in the atmosphere. Can you tell us?

Senator Symington. I think in the short period of time you say we have left the best way to answer that is we believe in some fields the Russians are already ahead because they are testing in the atmosphere, and we think we might lose our country if they get well ahead of us in this field.

Mr. Spivak. Senator, can you tell us, is that the anti-missile-missile field?

Senator Symington. That is one of the three I mentioned.

Mr. Spivak. Mr. Childs, a very short one.

Mr. Childs. What about this crash program to the moon, $20 or $30 billion, do you think we should go forward with that?

Senator SYMINGTON. That is a difficult question. I think we might go forward a little more slowly, but I do feel again that those who control space in the years to come will control the world, just as those who control the air today control the world.

Mr. SPIVAK. I am sorry to interrupt, gentlemen, but our time is up. Thank you, Senator SYMINGTON, for being with us.

CANADIAN WHEAT AGREEMENT WITH THE SOVIET UNION

As in legislative session,

Mr. YOUNG of North Dakota. Mr. President, news headlines this morning state "Russia Signs Agreement To Buy Canada Grain Worth Half Billion." This will bring total Canadian grain sales to Russia and other Communist countries to more than $1 billion, most of it sales of wheat and wheat flour. This comes at a time when the United States has on hand more than $4 billion worth of wheat—over half of which is in the hands of the Federal Government.

These huge sales of farm commodities by our allies, together with huge sales of industrial goods, completely nullify our own program of withholding or restricting sales to Communist countries. This development makes our whole foreign policy look rather silly. It indicates an almost complete breakdown of cooperation between the United States and our allies for our major objectives throughout the world.

The time to take a new look at our foreign policy is long overdue. Certainly it would not be too difficult to figure out one that would be a bit more effective and realistic.

The economic position of the United States, as it relates particularly to the balance of payments with the rest of the world and our gold supplies, has been deteriorating year by year. During the last quarter, we lost more gold than during any other quarterly period in our history. If our present policy continues—that of vast foreign-aid gifts and other expenditures throughout the world, and with our huge military installations, with their costly drain on U.S. dollars, coupled with our present foreign-trade policy—we may find ourselves in a most serious economic situation.

These huge wheat sales by Canada will tax their railroads and other transportation facilities to the limit. It will mean their flour milling industry will have to operate at full capacity for the next 12 months to meet their orders. Agriculture and associated industries will be booming in Canada while here in the United States we will continue to spend billions on reducing food production, land retirement programs and the like.

While Canadian farmers will be urged to produce more to meet their foreign commitments, farmers in the United States will be asked to retire more land from production. It is being urged that some of this fertile land be used to provide golf courses, ski jumps, and other recreational facilities of all kinds. The great contrast between the situation in Canada and the United States will be difficult, if not impossible, for the average American to understand and particularly farmers.

By our foreign sales policies—which apparently none of our allies are cooperating on—we are withholding our greatest weapon to gain friends throughout the world, that of making our huge food surpluses available to starving people.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. AIKEN. The Senator from North Dakota has given the Congress and the country something to think about. About a year ago, when Canada announced a plan to sell wheat to Red China, I expected to be deluged with protests from this side of the border. Up to this time I have not received a single protest against Canada selling wheat to Red China. Now Canada is disposing of nearly two-thirds of her entire crop of wheat this year to Red China and to Russia. We shall probably receive some complaints that Russia is reselling some of the wheat to Cuba.

First, I think we must stop and consider whether a strong solvent Canada—and Canada will have a favorable balance of trade because of the sale of the wheat—contributes more to our hemispheric defense than a bankrupt Canada would do.

As to the sale of wheat to other countries—particularly Russia's sale to Cuba—first, I should like to say that I do not recall any instance in history in which any people have been starved into democracy. They have been starved into totalitarianism, but not into democracy.

I am not sure we are in a position to criticize Canada's sale to Russia and Russia's sale to Cuba, because we have a substantial export business in wheat. Last year we exported about 700 million bushels. The quantity will be about the same this year. We will pick up the driblets, the smaller orders that Canada will be unable to fill. We sell largely to Western Europe. For some time Western Europe has been milling that wheat and selling it to Russia or any other country—including East Germany and probably Cuba—that is able to pay for it. We might be in the position of the pot that called the kettle black, with the exception that Canada gets the money for her wheat because Russia can pay in gold, if necessary, whereas we sell it to Western Europe at reduced prices and Western Europe gets the cream. We should take another very close look at the situation which the Senator from North Dakota has pointed out and decide whether we are as smart with our foreign trade as we have thought we were.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. First, I thank my friend the Senator from Vermont. I now yield to the Senator from Arkansas.

Mr. FULBRIGHT. My State is not a wheat-producing State. I do not follow wheat as I do the fortunes of cotton and soybeans. But I was very glad that a Senator from one of the great wheat-producing States pointed out the problem. Perhaps the question is premature, but for my personal information, I should like to ask the Senator a question. I have been very curious about not only the attitude of the experts, but also the attitude of the representatives of the wheat-growing areas. I wonder if the Senator feels that perhaps we should negotiate with the Russians for the sale of wheat.

When I read the newspaper report, the thought naturally came to my mind that the order is a very large one. We are in such desperate straits in reference to our balance of payments that I thought that if there were no real good reason not to do so, it would be a great boon to our economy if we could sell some of our wheat to them. I understand that we now have approximately 30 million tons of wheat in storage. Is that approximately correct?

Mr. AIKEN. Approximately.

Mr. YOUNG of North Dakota. We have a carryover of about 1,200 million bushels as of July 1 and we will have a crop of about 1,100 million bushels in addition.

In answer to the Senator's question, I believe it would be desirable if we would not provide the Communists with all the food and industrial goods they seek. But if our allies are going to sell to them, it does not make sense for us to sit back and bankrupt ourselves through not selling.

Mr. FULBRIGHT. That thought is exactly what occurred to me. The Senator from Vermont [Mr. AIKEN] has already pointed out that the Russians might come to us and seek to buy. We turn them down. They then go to West Germany and buy.

In Sunday's newspaper there was a story about Rumania, I believe. Rumania sought to buy some kind of textile or synthetic fibers plant. We turned them down. They went to Germany or some other country and bought it. Now we read that they are going to Canada for wheat. As the Senator from Vermont has already stated, in effect we have been giving away a great deal of wheat under Public Law 480 while the Canadians are selling it. It makes us look a little silly to be doing that continually.

I thank the Senators from the wheat States who have brought the problem to our attention. I would certainly be ready to support them in their efforts from what little I know about the situation.

Mr. AIKEN. Mr. President, will the Senator yield further?

Mr. YOUNG of North Dakota. I yield.

Mr. AIKEN. Our wheat undoubtedly has been going to the same places to which we object that the Canadian wheat is going, to a considerable extent, but we have been letting the middlemen, in the nature of one of the countries of Western Europe, skim off a good sized profit in the process.

Mr. FULBRIGHT. I understand that Poland has received wheat from us under Public Law 480.

Mr. AIKEN. Yes, but I believe the wheat that we have sent to Poland has been used in Poland. I do not believe it has been resold.

Mr. FULBRIGHT. I presume that it was used there.

Mr. YOUNG of North Dakota. There may be some indirect benefits to the United States. Probably we can take over some of the wheat markets that Canada would otherwise have supplied. But those will be largely foreign currency markets. Canada has the dollar markets.

Mr. McGOVERN. Mr. President, will the Senator yield?

Mr. YOUNG of North Dakota. I yield.

Mr. McGOVERN. I endorse wholeheartedly what the Senator from North Dakota has said this afternoon as well as the comments, in a similar vein, that were made by the assistant majority leader, the Senator from Minnesota [Mr. HUMPHREY] last evening. From every standpoint it is in our interest—and it makes good sense—to reconsider our policy with reference to the sales of wheat and other agricultural commodities to the Soviet Union. Certainly it is in our economic interest to consider that possibility.

As the Senator has pointed out, sales of wheat will be made in any event by our allies. We are the greatest wheat-producing country on the face of the earth. We desperately need to broaden our markets, and this is an opportunity to do so. It is in our political interest—in the interest of the ideological struggle that we are carrying on in the world—because it is an ideal opportunity for us to demonstrate the superiority of our economic system.

The one great failure in the Communist world that stands out above everything else is their failure in the field of agriculture. There is not a single Communist state anywhere in the world that has solved the problem of food production. This is a perfect opportunity for us to demonstrate to people all over the world that we not only have the capacity to produce more food than we can consume at home, but also that we are willing to follow an enlightened policy to make use of it.

Finally, it is certainly in our moral interest to take the action proposed. The Bible tells us that if our enemies hunger to feed them. It does not say that we cannot take money when they are able to pay for it.

Here is a country—it may be an enemy, a rival—that is not only in need of food but is also willing to pay hard cash for the things we have to produce. During the 18 months time that I had the privilege of directing the food for peace program there was no single subject upon which we had the volume of mail that we received on the question of whether we ought to make surplus food available to people behind the Iron Curtain.

That mail was overwhelmingly in support of exactly the course the Senator is suggesting today. I wholeheartedly endorse the statement he has made.

Mr. YOUNG of North Dakota. Mr. President, I especially appreciate that statement, coming from the Senator from South Dakota. He has had more experience than any other Senator in dealing with the food program, as the Administrator of the food for peace program.

Mr. KEATING. Mr. President, I can only add one thought to the discussion which has been taking place. The sale of wheat was in part a sale to Cuba. It was done through the subterfuge of selling to the Soviet Union, for the Soviet Union to turn the wheat over to Cuba.

It strikes me that when the policy of our Government is to try to bring economic pressure to bear upon Cuba, to seek to help bring about a more democratic system and the removal of Russian weapons and troops from that beleaguered land, we have a right to expect greater cooperation from our allies than we have had in many respects, and specifically with respect to the sale of wheat to Cuba. It shocks me that our friendly neighbor to the north should be prepared to enter into a transaction of this kind at this moment.

ORDER OF BUSINESS

Mr. RUSSELL obtained the floor.

Mr. MUNDT. Mr. President, will the Senator from Georgia yield to me, briefly?

Mr. RUSSELL. Mr. President, I yield to the Senator from South Dakota.

Mr. MUNDT. I thank the Senator from Georgia.

RISE IN IMPORTS OF BEEF AND PRODUCTS

As in legislative session,

Mr. MUNDT. Mr. President, in recent weeks we have been reading in the newspapers about the sharp rise in imports of beef and beef products in competition with our own production. According to available figures this has had a seriously adverse effect on the prices which American producers receive in the market place.

In a recent issue of "Washington Farmletter," by Wayne Darrow, it was pointed out that in 1962 the United States took 79 percent of Australia's beef and veal exports, and more than 90 percent of New Zealand's boneless beef exports in the past 3 years. Wayne Darrow's letter points out that the Department of Agriculture concludes that the United States is the most liberal major nation in the world in agricultural trade, and is only mildly protectionist. The United States exercises import controls only on wheat, sugar, peanuts, cotton, and dairy products. All other products may come in unlimited quantities subject only to health, sanitation, and quarantine safety requirements, and to payment when specified on fixed tariffs. This country is the world's largest farm exporter and the second largest farm importer—being exceeded by only the United Kingdom.

While I firmly believe that through expanding our markets around the world we can relieve our agriculture surplus, I just as firmly believe that we should not permit imports into this country which depress prices of our own products and depress the agriculture economy.

There is good reason to believe that our entire farm program in America is imported from abroad. I think it is time that Government officials paid some attention to this fact.

For many weeks now many organizations throughout the Nation have been contacting me urging a halt to the import of beef and beef products. I have urged the Secretary of Agriculture, the State Department, and other administration officials to take necessary steps to protect our great beef industry. Today I received in my office a resolution adopted by the South Dakota Beef Council supporting the steps which I have been advocating. I ask unanimous consent that the letter be printed in the RECORD at this point so that all those in the administration dealing with this beef import problem can share with me the thinking of the South Dakota members of the beef council.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SOUTH DAKOTA BEEF COUNCIL,
Brookings, S. Dak., September 11, 1963.
Senator KARL MUNDT,
Washington, D.C.

DEAR SENATOR MUNDT: At a meeting of the South Dakota Beef Council in Mobridge, S. Dak., September 7, the following resolution was passed:

"Whereas beef imports have risen to a point where we are now eating approximately 10 percent imported beef; and

"Whereas the American beef market price has suffered a decrease of approximately 30 percent in the past year: we, therefore,

"Move the South Dakota Beef Council go on record opposing the importation of beef and have it returned to the 1957 level."

We trust you will give this resolution your attention and if you can ever do anything about lowering beef imports, our South Dakota Beef Council, representing beef producers and feeders, will appreciate it.

Sincerely yours,
JOHN L. LEIBEL,
Secretary.

Mr. MUNDT. I deeply appreciate the courtesy of my friend from Georgia in yielding to me.

Mr. MANSFIELD. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield to the majority leader.

Mr. MANSFIELD. Apropos of what has been stated by the distinguished senior Senator from South Dakota, I wish to express my full accord with the views stated. When I was at home during the latter part of August and the first part of September I covered the eastern and central portions of Montana. One of the "beefs"—and I use that word literally—which was brought to my attention was the fact that the cattlemen in the area were feeling heavily the importation of feeder cattle from Canada into our area, as well as the increased importation of frozen beef from New Zealand.

I have addressed a letter to the Secretary of Agriculture suggesting that this matter be investigated. I have asked for detailed facts and figures. I have also advanced the suggestion that there be a moratorium on the importation of feeder cattle during the marketing period, so that the price will not be depressed for our cattle producers and they will be given some stability. I do this in part not only because of the need, but because of the fact that, by and large, the cattlemen have gotten by on their own and have not always come to the Government looking for assistance, in the form of subsidies or other methods of assistance, to keep them going.

Mr. GORE. Mr. President, will the Senator yield?

Mr. RUSSELL. Mr. President, I yield for a brief statement.

Mr. GORE. I think the distinguished Senator from Montana said the cattlemen did not often come for aid. As a matter of fact, they never have.

Mr. MANSFIELD. I was allowing a little margin. There are many things that I do not know, and I thought there might have been some assistance I did not know about.

Mr. RUSSELL. Mr. President, I do not desire to get into an extraneous debate, but I remember that during the New Deal many cattle were brought to the South from the dry areas of the West to save the cattle. I was a Member of Congress at that time.

Mr. MUNDT. Let me add, in defense of the cattlemen, that when it was proposed, in furtherance of the desire that the Federal Government should get into all areas of American life, that price supports be placed on livestock, the cattlemen from all over the country came to the Capitol and said, "We will be able to look after our own problems." They have done that very successfully. Obviously, however, they cannot compete with beef that is allowed to flow into this country from all over the world. I am glad the majority leader has added his voice of considerable influence in this matter.

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M (88th Congress, 1st session), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

Mr. RUSSELL. Mr. President, I shall decline to yield for any other extraneous matters until I have concluded my remarks.

Mr. President, since the first draft of the pending treaty was presented to the appropriate committees of the Senate by the Secretary of State, I have earnestly studied all facets of the proposal and its probable and possible effect upon the welfare, security, and happiness of the people of the United States. With the desire to take any step, however short, in the direction of world peace and understanding, I have tried earnestly to bring myself to support the pending treaty. It is a matter of profound regret to me that I have reached the conclusion that I cannot in good conscience vote my consent to its ratification.

Viewed in the most favorable light, and assuming that the Soviet Government will faithfully observe the terms of the treaty, we are disadvantaged in the matter of armaments.

Viewed in the light of the long record of broken promises of the Soviets through the years, a record marked by intrigue, deception, and perfidy, the signing of this treaty, under its limitations, could plant the seed of our destruction.

Every person who has any awareness of the desolation brought by war and the almost unbelievable destructive power of nuclear weapons must desire an arrangement between the non-Communist community of nations and Soviet Russia that would lessen tension, decrease the possibility of war, and enable us to devote some of the massive effort and expenditures now made for defense to the abolition of poverty and a better life for all.

I yield to no one in my desire for a safe and truly effective treaty with Soviet Russia that would permit this.

The first comprehensive plan for international control of atomic energy was made in the United Nations in 1946 by Mr. Bernard Baruch, representing the United States. Licensing and full inspection were fundamental elements of this plan. It was advanced at a time when the United States had a virtual, if not a literal, monopoly in nuclear weapons.

I supported this original proposal because I believed that it included adequate safeguards. But it was rejected by the Soviet Government. Consistently since 1946, I have favored any proposed agreement to reduce the threat of a nuclear war that contained similar protection.

I have followed as best I could the long series of negotiations with the Soviet Union looking to a nuclear agreement. There have been times when hopes have been high. But in every case, the Russians have, in the last analysis, refused any agreement of any kind that contained a practical, foolproof method of detection of treaty violations.

I have a simple but realistic standard of measurement of the good faith of those who talk about limitation of arms, whether nuclear or conventional. If any party is in good faith and intends to observe the letter and spirit of the agreement, it will accept methods of inspection that are certain to detect violations by any party to the agreement.

Time and again, I have declared my opposition to any program of disarmament, prohibiting testing of nuclear devices, or their use as weapons, whether partial or complete, that did not provide for onsite inspections, adequate in number and in scope. To me it seems to be the height of folly to adopt any other policy.

The Soviet has consistently refused any serious method of inspection. The treaty now before the Senate does not provide for any inspection whatever. I know it is urged that inspection is not essential for the purposes of the treaty because there is no limitation on underground testing, and we are told inspection is more important to detect violation of agreements not to test underground than to detect violations in space, the atmosphere, or under water.

Our methods of detecting violations in the environments contained in the treaty are undoubtedly better than the seismic instruments to detect underground atomic explosions, but I am convinced that it is important to make sure that testing in any environment is precluded if we are to limit ourselves as proposed in this treaty.

Our ability to determine whether any nuclear detonations have occurred is considerable. Indeed, to a person unschooled in the sciences, it approaches the miraculous. But this ability is not complete. There are dangerous gaps. The hearings we had on the treaty show that there are serious deficiencies in detection capability, and one of the safeguards sought by the Joint Chiefs of Staff as a condition precedent to their acceptance of this treaty was necessary improvements of our methods of detection.

If Russia desires in good faith to bring nuclear testing in all environments under control, she would permit examination within her territorial limits of suspicious circumstances or inconclusive evidence. Without such inspection, we cannot be sure, and even the strongest advocates of the treaty disclaim reliance on the validity of the Russian pledge.

There is impressive evidence that this treaty gives Russia a military advantage. As a result of intensive secret preparations for a comprehensive series of tests during the previous moratorium on testing, which the Soviets arranged, the Russians announced an end to the moratorium on August 30, 1961, and on September 1 commenced a series of substantial and significant tests which continued through 1962.

It is generally agreed by both scientific and military witnesses that, in these tests, the Russians gained knowledge and experience in nuclear weapons of high yields—much higher than those of any weapons we have ever tested. I am not impressed by efforts to depreciate the value of this knowledge and experience by claiming that yields of this magnitude are beyond the point of diminishing returns, or more accurately, the point of diminishing devastation. These terror weapons would undoubtedly have a profound psychological effect, and we have reason to believe they may impair the electronic and communications systems upon which our retaliatory power depends.

Of great importance is the knowledge that the Russians may have gained of the effects of nuclear explosions on our weapons systems, such as blackouts incapacitating our retaliatory missile systems or the antiballistic missile system we hope to perfect. They may have developed information that is crucial to the successful development of the antiballistic missile system on which we know they are working.

The matter of blackouts and the impairment of our system poses a problem that baffles our finest scientists. It is classified information. I am sure most Senators are familiar with it. Some striking illustrations have occurred in the course of our own tests. It therefore concerns me that the treaty prohibits our testing large-yield weapons in the atmosphere to attempt to develop the same experience the Russians have in this environment, but that the Russians can continue to develop underground in an attempt to overcome our experience and assert their superiority in the area of small-yield tactical weapons.

It has been urged that when the number of types of nuclear weapons are considered, we have a superiority of technique at this time, and that the treaty would slow down the rate at which the Russians could otherwise catch up with us. The Russians have many defects in their code of conduct in international relations, but they surely are not negligent when it comes to looking after their own interests; I believe they would never enter into an arrangement as disadvantageous to them as some of the supporters of the treaty assert it to be.

They have delayed signing the treaty over a period of time when it would have been disadvantageous for them to do so.

It is generally agreed that in the atomic field the Soviets have superior knowledge of high-yield tests which the treaty would prohibit us from acquiring. We claim an advantage in the low-yield or tactical weapons that can be tested underground. The Soviet is therefore free to test in the area where we have predominance, but we are prohibited from testing in the area where they have superiority. I am not oblivious to the consequences of the Senate's refusing to consent to this treaty. I know that such action would be compared to the Senate's refusal to ratify participation by the United States in the League of Nations. But I am not one of those who think that this action led inevitably to World War II, and I am quite sure that a refusal to consent to the pending treaty would not in itself be the cause of another war.

I point out, in connection with the attempt to draw an analogy with our refusal to enter the League of Nations, the fact that in 1928 we entered into the Kellogg-Briand Treaty, signed by all the nations of the earth, forever renouncing war as an instrument of national policy, but that in a few years that treaty, along with so many others of the past, including, as I recall, the Holy Alliance after the Napoleonic Wars, in which the great powers of the earth agreed to outlaw war, was absolutely ineffective.

I also know that withholding of consent would be said to be embarrassing to the President in his conduct of foreign relations, and that such action, after our representatives had signed the treaty, would raise questions about who speaks for the United States on such subjects. I regret any action that might embarrass the President of the United States in the tremendous burdens that he is bearing in this area. However, I am completely convinced that all the governments represented in the United Nations, especially those most directly concerned, have full knowledge of our system of government, and that they know the Senate has a constitutional role and responsibility in this area.

The constitutional role of the Senate in connection with treaties would be vitiated if the Senate consented to treaties merely because refusal to do so might create some temporary misunderstanding abroad.

In opposing the treaty I assuredly do not lay any claim to superior patriotism or greater knowledge of what is best for our country. Supporters of the treaty include Senators whose ability and devotion to the national interest I have long admired and officials in the executive branch whose competence and devotion to our country are beyond question. However, in the last analysis, the merits of the pending question cannot be determined with mathematical precision; opinions and judgments are deeply involved, and each of us participating in the ratification process has the duty to record an independent judgment and opinion.

In the field of weapons, one of my doubts about the treaty is whether it unwisely handicaps our attempts to develop an effective antiballistic missile system. Related to this is the question of whether it provides adequate protection against low-yield violations in certain regions of the atmosphere. The Secretary of Defense testified that it is most difficult for us to detect detonations that occur from roughly 6 to 20 miles above the surface of the earth; and it is obviously more difficult to detect low-yield explosions than high-yield ones. The area from 6 to 20 miles above the earth can be the critical range within which antiballistic missiles would have to neutralize the incoming intercontinental ballistic missiles, and in the vast reaches of the Soviet Union, Outer Mongolia, and Communist China clandestine tests of antiballistic missile warheads could well be possible.

So far as our own efforts are concerned, I am not reassured by the thought that we can test warheads for antiballistic missiles underground. It seems highly desirable to test such warheads in the environment in which they would be used if needed. Russia was not willing to sign the treaty until it had conducted actual tests in the atmosphere, in the area in which the antiballistic missile warheads would be used.

It is dismaying to me to reflect that the United States is spending billions of dollars on weapons systems that have, to date, never been actually test fired with nuclear warheads, and that the approval of the treaty would prohibit us from ever obtaining knowledge as to the effectiveness of such weapons systems.

What a paradox. We will not buy a simple rifle, or even the most primitive weapon in our arsenal, a bayonet, unless it has been subjected to exhaustive tests under every conceivable condition. Here we would accept, with childlike faith in mathematical formulas and extrapolation, the efficiency of the most intricate, complicated, and costly weapon without even one test under war conditions, and we bind our hands by this treaty against ever testing them under those conditions.

The second of my major doubts about the desirability of ratification is my conviction that this is but the first step of a series of disarmament measures, each of which is apparently relatively innocuous by itself, but actually to the advantage of the Soviet Union, and cumulatively resulting in an almost unilateral disarmament that could be ruinous.

It is my own belief that a comprehensive test ban that prohibited underground testing, but without adequate inspection rights, would have been entered into, except for the fear that the U.S. Senate would not consent to ratification.

Mr. President, in the course of my service, I have seen a number of instances in which the Congress has been caught up in a chain of events from which it was next to impossible to extricate itself. This treaty provides in article 2 for amendments when approved by a majority of all of the parties thereto, including the votes of each of the three original parties.

Mr. President, any treaty involves the surrender of a certain measure of our national sovereignty. Our experience shows that in treaties involving nearly every nation of the earth, it is exceedingly difficult to regain any element of sovereignty once it is placed in a common pool to be controlled by a number of states.

It has been alleged time and again on the floor of the Senate that the treaty is the first step toward total disarmament, which is advocated by many Senators; and that there will be no arms on earth except those in the hands of troops under the United Nations.

For my part, I am not now prepared, in the present state of world affairs, to subscribe to a course of action that would leave the administration of justice among the nations of the earth wholly in the hands of the United Nations, and would place the only effective armed forces on earth under the command of the commanding officer of the United Nations.

Time and again our country has taken action in various fields which imposed limitations upon our ability to change our course. Indeed, ofttimes the initial step has placed drastic limitations upon our freedom of action in dealing with subsequent proposals in the same area.

This is graphically illustrated today by the situation in Vietnam. It is hard to conceive of a more unhappy position than that we occupy in that strife-torn country. In common parlance, we are over a barrel. We have there an investment running into the billions and a current cost of over a million dollars a day. We have not been able to change the terrible conditions which exist in that unhappy land and the President said a few days ago that we cannot get out. We are captives of our own policies and have foolishly locked the door and thrown away the key.

Our vigorous support of the United Nations has drastically limited our right to define our own policy with respect to conditions in many areas of the world. Indeed, it would appear to the casual observer that we predicate our position on issues arising on the several continents on the course advocated by certain countries or peoples inhabiting that continent and without regard to basic principles or of an overall international policy.

This has us supporting dictators in one part of the world and denouncing them in others. We undertake to condemn aggression from without in some parts of the world, but when India, by a naked action of military aggression with overpowering forces, conquered Portuguese Goa we responded with a very light, almost pleasant and polite, tap of Mr. Nehru's wrist.

In Africa, the strident voices of Ben Bella and Nkrumah seem to move our diplomats greatly. We therefore vigorously support repression of liberty in Algeria and Ghana in favor of dictatorships of the worst sort, but follow Ben Bella and Nkrumah in demanding that Portugal get out of Africa—piously reciting our devotion to the right of self-government as the excuse, when everyone knows there is more freedom and self-government in the Portuguese possessions than exists in a number of the so-called emerging nations.

In the Organization of American States, we are loath to even mention the Monroe Doctrine for fear of offending the representatives and people of states that only exist because of the Monroe Doctrine. Indeed, if we even mention the Monroe Doctrine in this country we often do so in muted tones as if afraid that we would be overheard.

The pending treaty, Mr. President, is agreed by all to be the first in a series of agreements looking to general and complete disarmament, both in the field of nuclear and conventional weapons. This involves surrender of sovereignty in the vital area of military strength.

With general and complete disarmament as our declared objective, it is proposed that we take this first step in abandoning the basic principle of inspection without which our interests cannot be fully protected. We are surrendering complete freedom of movement with respect to vital interests in arms and armaments. We are placing some of our sovereignty, a great deal of our world prestige, and the totality of our image abroad into the hands of some 90 states, each of which has the right to propose amendments to this treaty looking to complete disarmament. Some of these states have much to gain and little to lose by a program of total disarmament. We in this country have much to lose if we delude ourselves by adopting a policy of unilateral disarmament. As for myself, I am unwilling to start out on this trek, Mr. President, leaving behind the only assurance that we could possibly have that we will not be deceived or mousetrapped into unilateral disarmament to such a degree that we cannot defend ourselves.

Mr. President, this is where I entertain fears for the effects of euphoria upon our people. This is the area where we are most likely to be lulled into trusting the promises of those who would destroy us rather than demanding onsite inspection to assure good faith and performance.

I am not a prophet or the son of a prophet, but I predict that it will not be long before amendments will be proposed to prohibit underground testing on terms that the Senate would not have accepted had such terms been proposed in the initial treaty that is before the Senate today.

The Senate will then be presented with the argument that the amendment has the support of an overwhelming majority of the signatory states and that it is only a logical extension and complementary action to what the Senate has already approved. I submit that it will be much more difficult to vote against an amendment which has the overwhelming approval of the other signatories than it will to reject this treaty and resume negotiations for a comprehensive test ban in all fields that will in fact assure that there is no surreptitious or illegal testing.

Senators who support the treaty will naturally defend themselves in their home States against criticisms of their action. Their action in constantly defending their approval of the treaty and in stressing their love of peace and their desire to have the armaments race ended will, of itself, lend persuasion to the arguments in behalf of support for amendments to the effect that we cannot afford to stop now, for fear of losing world leadership and offending world opinion or causing a breach of world peace.

I have seen in many fields the operation of this form of political and mental compulsion. Today, it is pronounced in the consideration of what we call foreign aid measures. For many years a majority of the Members of Congress have defended their position in support of foreign aid, and therefore each year Congress continues to approve increasing expenditures for this program. I am convinced that if it were presented to us de novo today, with the knowledge which most Representatives and Senators now have as to the operation of the program, Congress would not approve expenditures of anywhere near the magnitude of the ones in this field we finally shall approve this year. Very few Members of Congress have found a way to "get off this toboggan"; and I apprehend that a similar situation will exist when amendments disadvantageous to the United States are proposed to the treaty, with the support of a large number of other signatory states.

What defense would we have to an amendment to the treaty which would prohibit underground testing without any onsite inspection, if such an amendment were proposed by a majority of the signatories? It would be argued that the amendment would prohibit the Soviets from making underground tests, and that, therefore, we would have everything to gain, and nothing to lose, by agreeing to ban underground tests on the same terms as those by which the pending treaty bans testing in other environments.

This partial agreement, without provision for inspection of any kind within the territory of suspected violators, will make it extremely difficult to reject other proposals in the field of testing; and it can prove highly embarrassing if amendments outlawing nuclear weapons, providing for the destruction of all stockpiles of them, and relying upon the word of each signatory state to take action in good faith, are proposed.

Mr. President, there have been indications that the next proposal in this area will involve the stationing of observers at highway junctions and railroad marshaling points. For other reasons, I have supported proposals to increase our ability to respond to conventional wars; but I have never done so with much hope that a war with the Soviet Union would remain conventional. In a day when the greatest threat to our survival is from missiles with nuclear warheads, I am unable to perceive the usefulness of such a limited system of observation.

But, Mr. President, if the Soviet Union would permit on its soil observers who would make inspections in the marshaling yards and the highway centers, it seems to me that the Soviets should—logically—not refuse to permit observers to come anywhere near the Soviet nuclear test operations, to make inspections in that area.

I apprehend that if the Senate were to give its advice and consent to ratification of the treaty, such action would tend to cause the people of the United States to adopt an unjustifiably optimistic view of the status of our relationships with the Soviet Union and the need for us to continue to maintain powerful defense forces.

A common failing of the human family is a willingness to believe what one wishes to believe. A combination of dread of the consequences of an atomic war and an increasing trust in the pledges of the Soviet Union—as generated in part by the action of Congress—can start us down the road to destruction.

Mr. President, I have been impressed and touched by the arguments made in the Senate about the horrors of what occurred at Hiroshima and at Nagasaki. I have been impressed by the terrible pictures of the destruction resulting from an atomic war. But I submit, Mr. President, that every one of those arguments can apply to our embarking upon a unilateral disarmament program, as well as they can to the support of this program.

All of these horrors are known to the American people. But if the leadership of this country is unwilling to demand equality in a test ban treaty, and is unwilling to insist on it, will the American people be willing to take that risk?

There are so many ways in which this treaty can be violated.

It is not improbable that the Soviets might decide to conduct tests in violation of the treaty within the vast areas of their lands or in Outer Mongolia or in China. If we were to detect what we thought was an explosion there, and if we were to call upon the Soviets for an explanation, if they responded by saying such explosions had occurred, but that they had been carried out by the Red Chinese, and if they claimed Mao Tse-tung was conducting the experiments contrary to their wishes, what would the United States do? In that event, it would be difficult to bring about a decision by our Government to abrogate the treaty. However, I do not doubt for a moment that the Communist leadership will pursue such a course whenever it serves their purpose to do so.

Unfortunately, one of the prices we pay for our great system, which includes our guarantee of individual liberties, is the fact that our republican form of government cannot compete in speed or in definite action with a dictatorship. This is another reason why any agreement of the nature of the pending treaty should be accompanied by provision of the right of inspection.

Russia can withdraw from the treaty or can violate it on a moment's notice, on the basis of a decision by four or five men. In the United States, under our system, we could not extricate ourselves from the toils of the treaty without having long, protracted debate and many explanations.

Let us suppose that dispatches from Stockholm or from some other neutral area were to state that there had been treaty violations somewhere in the vast expanses of Russia or in adjacent lands. Those who head our Government undoubtedly would meet and would debate any information of that sort which was obtained by our intelligence service, and would classify the information. If the Russians then denied the charge, and attributed it to the desire of "capitalistic provocateurs" to engender a nuclear war, our people and our Government would be in a terrible dilemma—one which could be avoided if we had maintained our demand for inspection.

We would be reminded of the effect of precipitate action on our "world image" that thousands are so dedicated to preserve. Other thousands would fear that to challenge the Russians' word and withdraw from the treaty would provoke a nuclear holocaust. Probably we would wind up by protesting the alleged atomic explosion to the United Nations and by falling further behind Russia in the development of nuclear weapons.

Next year, and for many years to come, we shall need to maintain our Armed Forces at high levels; the defense budget will still be necessarily large; and the Armed Forces will still require service by our young men and women. We cannot afford any inclination to relax and we should not deceive ourselves by believing this treaty means we are more secure or that we can trust the Soviets.

I recall not a single witness before the committees who thought the Russians would honor this treaty 1 minute longer than the Russians believed it would serve their objectives. One has only to review the record of agreements broken by the Soviet Union to begin speculating on the date that this one, with all the amendments thereto, might be breached. Unfortunately, we may be unable to supply the date on which it is breached. In this connection, I ask unanimous consent to include in the RECORD at this point an article published by the Department of Defense, Office of Armed Forces Information and Education, on November 5, 1962, entitled "Soviet Treaty Violations," showing the results under some of the agreements entered into by the Soviet Communist regime.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[ALERT No. 5—Soviet Treaty Violations, published by Armed Forces Information and Education, Department of Defense, Nov. 5, 1962]

SOVIET TREATY VIOLATIONS

Officials of the Soviet Union, from the 1917 Bolshevik revolution onward through 45 years of Communist rule, have established an undisputed reputation for breaking their most solemn pledges.

The Soviet regime's consistent viewpoint on the relative unimportance of promises is not restricted to its dealings with other countries, but extends with equal force to its relationships with the Russian people and the various minority groups which comprise the U.S.S.R.

Only 3 days after the November 7, 1917, revolution placed it in power, the Communist regime abolished freedom of the press as a privilege too dangerous to be entrusted to the people. The people were promised, however, that the decree would be rescinded just "as soon as the new regime took root." This 45-year-old promise notwithstanding, the order still applies today.

Other instances in which the Soviet Republic has broken faith with its own people are legion. The revolution of 1917 was carried out in the name of democracy, and ever since "democracy" has been one of the most frequently used words in the Communist lexicon. But while the Communists have capitalized on the word, they have radically altered its definition—from "government by the people" to "government for the good of the workers." Since the Communists keep for themselves the right to determine what is "good" for the workers, the Soviet definition of democracy in fact has become "government by Communists."

After 1917, the Russian people wanted not only democracy but its specific institutions: a constitution, a parliament, elections, a secret ballot, trade unions, etc. They were given all these things, but in name only.

The Soviet Constitution is an interesting document to read. However, it is violated or ignored by the regime as a matter of course. The Soviet parliament meets regularly, but it possesses neither power nor function. Elections are held every 4 years, but the single-slate ballot gives the voters no choice. A secret ballot is provided, but its purpose is to identify dissenters rather than protect them. Trade unions flourish, but only to make the worker more subservient to his employer, the state.

A RECORD OF BROKEN PROMISES

That promises mean next to nothing to the Communist official mind has been admitted by Soviet leaders:

V. I. Lenin—

"Promises are like pie crust, made to be broken."

"It would be mad and criminal to tie one's hand by entering into an agreement of any permanence with anybody."

J. V. Stalin—

"Words have no relation to actions—otherwise what kind of diplomacy is it?

"Words are one thing, actions another. Good words are a mask for concealment of bad deeds. Sincere diplomacy is no more possible than dry water or wooden iron."

G. E. Zinoviev (first head of the Communist International)—

"We are willing to sign an unfavorable peace—it would only mean that we should put no trust whatever in the piece of paper we should sign."

The Soviet Communist regime has entered into hundreds of international agreements. The following list shows how well the Soviet leaders keep their promises when it no longer appears to be in their interest to do so.

THE AGREEMENT	THE RESULT
May 7, 1920: Soviet regime signs treaty with independent Georgian Republic, pledging no interference in Georgia's internal affairs.	February 11 and 12, 1921: Soviet troops invade Georgia, in step leading to absorption of republic into U.S.S.R.
March 16, 1921: In trade agreement with Britain, Soviet Union pledges not to engage in propaganda in that country.	May 26, 1927: Britain ends agreement because of Soviet violations, including failure to stop propaganda as promised.
June 5, 1922: Soviet Union concludes friendship agreement with Czechoslovakia.	June 29, 1945: U.S.S.R. compelled Czechoslovakia to cede Carpatho-Ukraine to the Soviet Union.
December 12, 1943: U.S.S.R. and Czech government-in-exile sign treaty of friendship and mutual assistance.	February 25, 1948: Czechoslovak Government forced to accept Communist ultimatum, as Soviet Union completes arrangements to force country into its satellite empire. Ultimatum compels appointment of a cabinet of Moscow followers and climaxes Soviet postwar drive to absorb once-independent Czechoslovakia.
December 17, 1925; U.S.S.R. signs nonaggression and neutrality pact with Turkey.	March 20, 1945: U.S.S.R. denounces this pact, begins campaign to secure control of Black Sea straits.
August 31, 1926: Soviet Union concludes nonaggression pact with Afghanistan.	June 14, 1946: U.S.S.R. forces Afghanistan to cede border territory of Kushka.
September 28, 1926: Soviet Union makes nonaggression pact with Lithuania, later extending this agreement through 1945.	June 15, 1940: Soviet troops invade Lithuania. August 3, 1940: Lithuania is annexed by Soviet Union.
September 27, 1928: Soviet Union adheres to Kellogg-Briand pact for renunciation of war.	Soviet Union violates this pledge by 1939–40 invasions of Poland, Lithuania, Latvia, Estonia, Rumania, and Finland.
January 21, 1932: U.S.S.R. agrees to nonaggression pact with Finland.	November 30, 1939: Soviet military forces invade Finland.
February 5, 1932: Soviet Union signs nonaggression pact with Latvia.	June 16, 1940: Soviet troops invade Latvia. August 5, 1940: Latvia is forcibly incorporated in the U.S.S.R.
May 4, 1932: Soviet Union pledges nonaggression in agreement with Estonia.	June 16, 1940: Soviet military forces invade and occupy Estonia. August 6, 1940: Estonia is annexed by U.S.S.R.
July 25, 1932: Soviet Union signs nonaggression pact with Poland.	September 17, 1939: Soviet troops invade Poland.
May 5, 1934: U.S.S.R.-Poland extend nonaggression pact for 10 years.	September 29, 1939: U.S.S.R. signs agreement with Nazi Germany to partition Poland.
June 9, 1934: U.S.S.R. recognizes Rumania, guarantees her sovereignty.	June 27, 1940: Soviet army invades Rumanian provinces of Bessarabia and Northern Bukovina. Soviet occupation of these areas completed in 4 days.

THE AGREEMENT	THE RESULT
September 15, 1934: U.S.S.R. enters League of Nations, pledging thereby "the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another."	**August 23, 1939: U.S.S.R. makes treaty with Nazi Germany, termed "a joint conspiracy" to deprive Poland, Estonia, Latvia, Lithuania, Finland, and Rumania of their independence and territorial integrity.**
August 21, 1937: Soviet Union signs nonaggression pact with Republic of China.	October 2, 1949: U.S.S.R. breaks relations with Republic of China, after recognizing Communist Chinese regime it helped to gain power.
July 30, 1941: U.S.S.R. concludes agreement with Polish Government-in-exile, pledging mutual aid and cooperation.	April 25, 1943: U.S.S.R. breaks relations with Polish Government-in-exile on pretext of Polish request for Red Cross investigation of Katyn Forest massacre.
September 24, 1941: Soviet Union pledges adherence to Atlantic Charter, which provides that agreeing countries seek no aggrandizement, that the countries desire no territorial changes not made in accord with freely expressed wishes of the people concerned, and that they respect the right of all peoples to choose their own form of government.	Against these promises stands the Soviet Union's record of occupation and domination of Rumania, Estonia, Latvia, Lithuania, Czechoslovakia, Tannu Tuva, Afghanistan territory, Hungary, East Germany, Albania, Bulgaria, Poland, North Korea, Mongolia.
January 29, 1942: Soviet Union, with Iran and Britain, signs treaty of alliance, providing for military use of Iranian territory only until end of military operations against Germany.	Soviet Union refused to withdraw its troops from Iran at the end of World War II.
February 4–11, 1945: At Yalta Conference, U.S.S.R. agrees on various postwar measures, including adoption of a resolution that the liberated peoples of Europe should have the opportunity to solve their economic problems by democratic means.	In violation of this agreement stands the U.S.S.R.'s record of domination in Bulgaria, Rumania, Poland, East Germany, Hungary, and Czechoslovakia, and other countries which were forced into postwar roles as satellites of the Soviet Union.
February 11, 1945: U.S.S.R. at Yalta Conference, agrees to declaration that Polish provisional government "shall be pledged to the holding of free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot."	January 5, 1947: Soviet Union refuses to participate in meeting with Britain and United States to secure compliance with the 1945 agreement pledging free elections in Poland. January 19, 1947: Communist-controlled fraudulent election carried out under conditions of Soviet military occupation.
April 11, 1945: U.S.S.R. signs 20-year treaty of friendship, mutual aid, and cooperation with Yugoslavia.	September 29, 1949: Soviet Union denounces this agreement.
June 14–18, 1945: President Truman and Premier Stalin agree, in an exchange of letters, to "free access by air, road, and rail from Frankfort and Bremen for U.S. forces."	April 1, 1948 to May 12, 1949: The Soviet Union imposes the Berlin blockade by severing all land and water routes between Berlin and West Germany. Western Allies supply Berlin by airlift. March 1962: Soviet Union harasses flights by Allied airplanes between Berlin and West Germany.
July 17 to August 2, 1945: At Potsdam Conference, U.S.S.R. agrees that there should be uniform treatment of the German people throughout Germany.	East Germany today continues to be a rigidly controlled Soviet satellite. Its people have been denied free elections, isolated from the people of West Germany, and victimized by the same kind of regimentation, police rule, and economic restrictions imposed on the peoples of all the Soviet bloc states in Europe.
August 14, 1945: The Soviet Union enters into treaty with Republic of China, containing these pledges: "Each high contracting party undertakes not to conclude any alliance and not to take any part in any coalition directed against the other high contracting party * * *. The treaty comes into force immediately * * * and shall remain in force for a term of 30 years."	February 14, 1950: These pledges were broken when the U.S.S.R. made a new agreement with the Communist Chinese regime it had helped create. The Soviets did not even bother to change the basic wording. The new treaty also pledges: "Both high contracting parties undertake not to conclude any alliance against the other high contracting party and not to take part in any coalition or actions or measures directed against the other high contracting * * *. The present treaty will be valid for 30 years.
March 10, 1947: Council of Foreign Ministers, meeting in Moscow, agrees that all German prisoners of war should be repatriated by December 31, 1948.	August 3, 1955: Soviet regime furnishes West German Red Cross with data on the health and whereabouts of only 20 of the approximately 14,000 Germans known to be still held in the U.S.S.R.
May 4 and June 20, 1949: Four-power agreements of New York and Paris guarantee United States, British, French, and Soviet joint control of Berlin, all access routes to and from the city, and freedom of movement within the city.	September 20, 1955: U.S.S.R. unilaterally transfers Soviet control over all access routes to and from Berlin to East German regime. August 13, 1961: Construction of Berlin wall completely prohibits free passage from the Soviet sector to the Western sectors.
July 27, 1953: Military armistice established between United Nations command and opposing Communist forces, assisted by U.S.S.R., of China and North Korea. Armistice agreement pledges signers to "cease introduction into Korea of reinforcing military personnel."	July 11, 1955: U.N. command details long list of armistice agreement violations by Communist parties. May 6, 1957: U.N. command, in another of series of official complaints, charges that Communists have sent troops in Korea's demilitarized zone six times in period of less than 4 months.

THE AGREEMENT
January 14, 1956: U.S.S.R. signs agreement with Yugoslavia, pledging $110 million in credits for industrial construction. August 4, 1956: U.S.S.R. pledges an additional grant of $175 million, bringing total to $285 million.
October 19, 1956: U.S.S.R.-Japanese joint declaration pledges the Soviet Union to refrain from interference in Japan's internal affairs.

Mr. RUSSELL. Mr. President, if some of these broken agreements seem relatively old by now and if one is tempted to believe that the company is under new management, let us remember the events of last fall when the Soviet Foreign Minister was reassuring the President of the United States that Russia had no intention of placing missiles in Cuba, when in the drawers of the very desk on which Mr. Gromyko leaned there were pictures of Soviet missiles already in Cuba.

That is not the only experience we have had with a breach of faith on the part of the Soviets in the matter of inspections and agreements. I hold in my hand copies of the President's thrilling speech to the Nation on the Cuban situation when the missiles were discovered. It contains letters which he wrote to Mr. Khrushchev. In three instances he demanded on-site inspections in Cuba to determine that the missiles were removed. When the chips were down, Mr. Khrushchev agreed to the inspection. What happened? Since we did not insist upon the inspections, they were never held, and no American citizen that I know of today could take a categorical oath that those missiles are out of Cuba at this very moment. Millions believe they are out. It is our official position that they are out. But the inspection that was supposed to be on-site in Cuba wound up by the Soviets permitting us to see a tarpaulin pulled back from the end of a metal container that was observed from some 600 or 800 feet away from the deck of an American destroyer. We were told that that tarpaulin covered a container that held one of the missiles, and that all the missiles were therefore being removed from Cuba.

That is what we got into when we surrendered the onsite inspection that was guaranteed. In the present treaty we are not even insisting on any form of inspection.

We ironically note that the same Mr. Gromyko whom the President denounced categorically as a liar in his address to the American people is the man who signed the treaty on behalf of the Soviet Government.

I do not see how anyone could ask for additional evidence that the officials of the Government with whom the treaty was negotiated are unreliable and that they will take advantage of us on any and all occasions and opportunities.

In searching for reasons the Russians are willing to enter into a treaty they had rejected in the past—because, forsooth,

THE RESULT

May 28, 1958: Yugoslav sources disclose that the Soviet Union has postponed for 5 years the grant to Yugoslavia amounting to $285 million. This represented an attempt to retaliate against Yugoslavia for its refusal to accept the Soviet Communist Party's ideological leadership.

1958: During the weeks preceding Japanese elections on May 22, Soviet radio beams propaganda at Japan violently opposing the reelection of Premier Kishus government.

1959–60: U.S.S.R. threatens Japan with the possibility of nuclear war if Japan ratifies United States-Japan security treaty, signed January 19, 1960.

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it had some form of inspection in it before—proponents have heavily stressed the family quarrel between the Soviet Union and Communist China.

I do not believe there is any doubt that there are differences between Communist China and the Soviet Union; but in my judgment those differences would be quickly resolved in the event that either one of them came into armed conflict with our country. If Russia were genuinely concerned about a threat from Red China, the Russians would abandon their specious argument about onsite inspections being merely a ruse for espionage. If they really thought there was anything to fear from China, they would agree to a comprehensive prohibition against all nuclear testing and provide for adequate onsite inspection.

If they were afraid, they would agree to onsite inspection and demand that Red China likewise adhere to the same terms. If they wished to cut off the production of nuclear weapons in China, as they assert is their purpose, they would agree to inspection in the treaty and undertake to get Red China into the treaty so that they could make sure that Red China would not develop any nuclear weapons.

I have been amazed to see so many intelligent men explain their support of this treaty by comforting themselves with the belief that there are such grave differences between China and Russia; that these two communistic states are at dagger's point and if we will somehow appease the Russians we will drive a wedge between these two Communist giants.

Unfortunately, these differences apparently spring from the clashing opinion of two men who, in the course of human events, will both pass away in the next few years. Mao Tse Tung and Khrushchev are approaching the end of man's allotted years. The treaty states that it is permanent. Who would dare to predict the attitude of their successors toward each other or toward the treaty and its amendments? But this treaty binds with ties of honor our President, our Commander in Chief of the United States, whoever he may be. We know that he will observe it.

To me the most plausible or most likely reason is the conclusion that the Russians know they passed us in knowledge in the series of tests after they broke the moratorium and wish to retain their advantage.

Once negotiations are begun on a subject, there seems to be a compulsion, unhappily endemic to the West, to come to an agreement—almost an urge for a treaty for a treaty's sake.

Compromise can be a laudable trait in negotiations on some subjects; but in agreements with treacherous adversaries, with whom one is dealing at arms length, affecting the life of nations, patience and obduracy are vital and complaisance can be fatal. Though opposing arguments become exhaustingly repetitious and despite the weariness of hearing repeated "Nyet," "nyet," "nyet," we the Senate should reject the treaty. We should continue our negotiations, and wait the Russians out for an agreement that offers more assurance and protection than this one offers our country.

If we are to endure as an independent nation, we must have patience, diligence, the will to sacrifice and to live dangerously, for this is a dangerous world, and those who cower or flinch are lost.

This is an instance in which I honestly hope and pray that I am completely wrong, that the doubts and worries which beset me will be proved to be baseless; but my judgment, based on such knowledge as I have of the world's history of the past five decades, tells me that even this first step toward the nuclear disarmament we so devoutly seek is wrong, because it does not afford us adequate protection.

The stated objective of the pending treaty set forth in its preamble is:

> The speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armament race and eliminate the incentive to the production and testing of all kinds of weapons, including nuclear weapons.

I point out that the only reference to "strict international control" is in the preamble, where it is not effective. The treaty itself does not provide for observers or for inspection of any kind.

As for me, Mr. President, I will not take this first step down the road to disarmament without any pretense of inspection. If we take this first step subsequent amendments will likewise ignore the necessity of inspections. I remember that the Russians have often offered with great sanctimony to disarm completely under a system of self-inspection. If we agree to inspection by the nations involved, it can only mean we have faith and are willing to place our future security in their hands. I am not willing to embark upon a course that even implies placing this Nation's security in the hands of the Russians.

This treaty has been called a small step forward in the direction of world peace. Mr. President, I do not believe that reliance upon the signature of Gromyko or Khrushchev, which disadvantages this country in weaponry development, is consistent with either world peace or the maintenance of our liberties.

Communism has not yet abandoned its dream of total world domination. It still ceaselessly applies itself to works of subversion through the world. The Communist still considers treachery, falsehood and deceit as laudable means to achieve advantage over those nations outside the Iron Curtain. They are firmly committed—even openly committed—to the doctrine that the end justifies the means.

I would wholeheartedly support an agreement banning nuclear tests of every kind or nature that provides for adequate inspection. I am willing to surrender the keys to our every secret as proof of our good will and good faith in complying with such a treaty if the Communist world will do likewise.

Moreover, I will support agreements limiting and prohibiting the use of nuclear weapons if those agreements guarantee full and complete inspection to assure that all parties will comply.

I would go so far as to support an agreement reducing or limiting conventional arms if all the other nations of the Earth which are signatories to the treaty—and that includes the Soviet Union—were willing to prove their good faith by guaranteeing adequate and constant policing and inspection.

I am willing to open every door in America as evidence of our compliance and our good faith; but, when we do so, I demand that the Soviet Union open every door beyond the Iron Curtain.

I am unwilling to place any part of our security in the scales to be weighed against the naked word of Soviet officials. I cannot support this program, even though it be entitled a program to begin "general and complete disarmament," when I feel in the very depths of my soul that when we abandon the elementary safeguard of inspection we endanger all that we hold dear.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I am glad to yield.

Mr. STENNIS. The Senator has touched this point, clearly, but other Senators have come into the Chamber who did not hear it made.

The Senator made a powerful point about our surrender of our constant demands for inspection. The Senator's argument and belief, as I understood him, is that if we should abandon this concept now and take the first step, we would be abandoning it and surrendering it; and we would lose all opportunity ever to get any terms of that kind again.

Mr. RUSSELL. It would be almost impossible, considering the experience we are having today in the United Nations and throughout the world, ever to recapture or to reinstitute the system of inspection sought.

I greatly fear—I hope I am wrong, but I fear I am correct—that the next step will be an inspection of highways and railroad marshaling yards where the Russians will permit inspections, because they do not intend to strike us on the ground, but they will not permit us inspections with respect to those areas relating to the air.

Then there will come before us an agreement to ban underground tests. We will be told, "You have a great deal to gain from this. Now the Soviets can test underground. What will you have to lose if they do not observe the treaty?"

We have been mousetrapped. We have made ourselves a prisoner of the condition with respect to underground testing, because we are to approve the partial test ban.

Mr. STENNIS. The Senator has made a new point, which is a powerful point, and explained it as clearly as a bell. I heartily agree with the Senator.

As I understood the point made by the Senator from Georgia before other Senators came into the Chamber, from the knowledge which the Senator has of our present condition with reference to our missiles, our capability, and our offensive capacity, and especially with reference to our ICBM's, we have never yet sufficiently tested them in simulated conditions to the extent that we know whether they will work under nuclear conditions. I do not refer to an actual hit, but to a near miss or to a miss near enough to contaminate the air with nuclear explosions.

Mr. RUSSELL. Mr. President, in the effort to reassure the nations of the earth as the leaders in this peace movement, we have only to take into consideration that one of the four intercontinental ballistic missile systems on which we are spending billions of dollars has been tested for actual war conditions. Only one has been fired with a nuclear warhead. Yet the treaty would bar us from knowing whether the billions of dollars we have spent on this weapon will be of any use to us.

Mr. STENNIS. The same question applies to the ability of our nuclear warheads to penetrate to the target, so far as we know.

Mr. RUSSELL. We do not know, nor do we know the effects on hardened missile sites of their detonation and what effects they will have in preventing them from continuing to fire from hardened sites.

Mr. STENNIS. So, from the standpoint of launching to the point of reaching the target, tests have not been made, and they would be cut off by the treaty.

Mr. RUSSELL. That is correct.

Mr. STENNIS. The Senator answered the question about the antiballistic missile. As I understood him, he clearly said that we have no knowledge of how they would work under war conditions. The treaty would cut us off from adequately testing in order to make an effective antiballistic missile.

Mr. RUSSELL. I said it would prohibit us from testing in the environment in which the weapon is supposed to work, because we would not be able to fire in the atmosphere.

I would be willing to surrender much, but it must all be accompanied by assurance of good faith. I know the road ahead upon which we are starting. I know what is going to happen when amendments to the treaty are brought before the Senate. I know the arguments that will be made. It will be said, "We have made the first step. We cannot stop now. We must go forward. What will the world think of us if we do not accept the amendments?"

Mr. STENNIS. The Senator has made a notable address. I commend him for the clarity and force of his argument.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from South Carolina.

Mr. THURMOND. I take this opportunity to commend the Senator from Georgia for the magnificent address he has delivered today. I am only sorry that more Senators were not present to hear it. I wish more Senators had been present to hear the fine address.

Mr. RUSSELL. I thank the Senator.

Mr. THURMOND. The Joint Chiefs of Staff testified that the Soviets are ahead of us in high-yield weapons, and also are ahead of us in the development of an antiballistic missile system, and that we may be ahead of the Soviets in low-yield weapons. The Soviets can overcome their deficiency by testing underground. We cannot overcome our deficiencies without testing in the atmosphere, in order to perfect our anti-ballistic missile systems, in order to know the weapons effects of high-yield weapons, whether they are going to destroy fuses, whether they are going to fuse wires, or knock out the electronic systems, neutralize the system and make them useless. The only way we can obtain knowledge is by testing in the atmosphere, testing in the environment in which the weapons would be used, and this would be prohibited under the treaty.

Is that not the opinion of the Senator from Georgia?

Mr. RUSSELL. That is my opinion as a layman. I realize that there is a school of scientific opinion that relies upon extrapolation. But as a layman I never felt I could have confidence in an instrument such as an ICBM that had not been subjected to testing under the conditions under which it would be used in the unhappy event of war——

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. First, I should like to acknowledge the esteem and great affection and admiration in which we all hold the Senator from Georgia. It is always embarrassing to me to find myself in disagreement with the Senator from Georgia.

Mr. RUSSELL. I would feel much better if the Senator from Arkansas were on my side. I always feel better when he is on my side. That is why I expressed some doubts. I said I wished we were not in disagreement.

Mr. FULBRIGHT. With reference to the Senator's statement, which I do not wish to emphasize in this particular, of his willingness to sign a treaty if it provided for inspection, it so happens that the last treaty we signed with the Russians, the so-called Antarctica Treaty, provides for inspections; and yet the Senator fought it vigorously.

Mr. RUSSELL. I did. I still think it was a mistake.

Mr. FULBRIGHT. That particular treaty provided what the Senator from Georgia now says should be in this treaty, that is, full inspection. The Senator from Georgia did not agree to that treaty, and he fought it vigorously, as I remember, and made it very difficult for the junior Senator from Arkansas.

Mr. RUSSELL. The junior Senator from Arkansas always turns out the votes, with the pressures that are provided. I do not think he has been greatly concerned about the opposition of a feeble voice, when he has behind him not only the power of the administration and the Foreign Relations Committee, but also the almost unanimous support of the great media of communication, the press, radio, and television. I realize how remote is any chance possibility of unhorsing the Senator from Arkansas in this tournament against such odds, but I could not live with my conscience if I had not stated my opposition to the treaty.

Mr. FULBRIGHT. With regard to the last treaty, which I believe was in 1960—3 years ago——

Mr. RUSSELL. Yes.

Mr. FULBRIGHT. The Senator does not know of the slightest rumor of violation.

Mr. RUSSELL. No; but we have not been inspecting. No inspection has been conducted.

I objected to that treaty because I thought it was the first step toward world government. We pooled the U.S. Government with the governments of a number of other countries—Norway, Chile, Australia, and the Argentine. We formed a joint administration of about one-fourth of the earth's surface. I could see the germs of world government in that treaty.

No later than yesterday Senators advocated the abolition of our arms and armaments and turning them over to the United Nations, and relying upon one world government. I am not willing to take that step. I opposed the Antarctica Treaty because I regarded it as one step in that direction. I think events will justify my opposition on that ground.

Mr. FULBRIGHT. I was about to say next that I was disappointed in the Senator's alarm about our Government. I thought he had great respect for the Government of the United States——

Mr. RUSSELL. That is the reason why I am opposing this treaty.

Mr. FULBRIGHT. I think the Senator's sentiments about the relative efficiency of a dictatorship and this Government indicates that he feels that our Government is in a deplorable condition. I do not think we are. The Senator knows much about the conduct of the last World War. Our Government, including the Senate, can act efficiently and quickly when it must. I admit that we have not acted promptly this year, but perhaps it is not necessary.

Coming to the question of unilateral disarmament, the Senator knows that in the U.S. Senate there are 64 veterans and in the House of Representatives there are 284 veterans. The Senator knows that we are spending the largest budget in peacetime in the history of the Nation. In view of these circumstances, does the Senator believe there is the slightest prospect, based upon the Senator's experience, both on the Armed Services and Appropriations Committees, of a unilateral disarmament under the treaty?

Mr. RUSSELL. The treaty is a direct step toward unilateral disarmament.

We are prevented from testing in the area where we are weak, and Russia is permitted to test in the area where we are strong. This is a step in military disarmament. It cannot be in issue. The treaty is a step, in itself, in the direction of disarmament.

Mr. FULBRIGHT. I did not believe the Senator felt that this treaty was a step in the direction of disarmament.

Mr. RUSSELL. The Senator from Arkansas did not follow me closely. I pointed out four instances in which we were disadvantaged.

Mr. FULBRIGHT. Disadvantage and disarmament are not exactly the same thing. They do not necessarily mean the same thing.

The Senator does not maintain that we should give up any arms that we now possess. We do not destroy any; nor are we in any way inhibited from building twice as many weapons as we have. The Secretary of Defense testified that, whereas we now have approximately 500 weapons of a certain type, by 1965 we shall have 1,700. Is it not a fact that all the Joint Chiefs of Staff, including the Chairman, testified in support of the treaty?

Mr. RUSSELL. Yes; they testified as military men, but they had been carried out into the political domain, and they said they thought the military would be disadvantaged. But when they considered the political consequences, if the safeguards that they outlined were included, they did not think the treaty was a blow to our national security. That is about the gist of their testimony.

Mr. FULBRIGHT. The Senator will recall particularly General Wheeler's testimony, as well as the testimony of others, to the effect that there is no clear-cut distinction between military and political considerations, and that it is not an easy distinction to follow. I believe this is borne out by the statement of the Senator from Georgia during the hearings on the military procurement bill.

Mr. RUSSEL. That is the unkindest cut of all. The Senator knows that I was sitting next to him at the time I was questioning the witnesses, and that I was trying to bring myself to support the treaty. He knows that my questions were directed at the witnesses in an effort to justify the treaty. That is true of every question I asked. I was trying to bring myself to support the treaty. I could not do so after hearing the testimony.

Mr. FULBRIGHT. The Senator misunderstood me. I am referring to the hearings on the military procurement bill for the fiscal year 1964, held in February. Those hearings had nothing to do with the treaty.

Mr. RUSSELL. I apologize to the Senator. I thought he was referring to the hearings on the treaty.

Mr. FULBRIGHT. The Senator agrees that there is never a complete black-and-white distinction between military and political considerations. General Wheeler elaborated on it very clearly and effectively. I should like to quote from these hearings, at page 4 of the hearings:

> Chairman Russell. Mr. Secretary, we are living in a very unusual era of history, and sometimes the line of demarcation between the function of military strength and foreign policy is very dim, and they seem to run together.
>
> Are you consulted with respect to foreign policy?
>
> Secretary McNamara. I am certainly consulted with respect to the military implications of foreign policy.
>
> There are a number of subjects that the State Department addresses itself to that have few, if any, military implications. Frequently even on those our counsel will be requested. But to the best of my knowledge there has never been since World War II a closer relationship between the State Department, the Defense Department at all echelons than exists today.
>
> Chairman Russell. I have always taken the position that the Congress has nothing to do with war plans and matters of that kind. But the strategic policies of the country do have a direct impact on our Armed Forces and are closely related to the constitutional mandate on the Congress to raise and maintain the military forces of the country.

I am sure the Senator agrees that it cannot be clearly said, "This is military; this is political." General Wheeler gave some illustrations. He said that a certain relationship—the Senator mentioned the relationship between Russia and China—while it could be considered political, in his point of view it has very grave military implications. It has much to do with plans and our capacity to defend ourselves.

Therefore I think the accusation that the military leaders were not in real support of the treaty——

Mr. RUSSELL. I have not made any such statement, Mr. President.

Mr. FULBRIGHT. That has been implied by the Senator's statement.

Mr. RUSSELL. I do not believe the Senator should say that. I did not state it. I said that they took into consideration political implications.

Mr. FULBRIGHT. That is correct.

Mr. RUSSELL. That is all I said.

Mr. FULBRIGHT. After all, these are our principal military experts, and they are responsible for the security of our country. In addition to the Joint Chiefs of Staff, the Secretary of Defense, and former President Eisenhower, who is no mean military and political figure, support the treaty. I do not quite see why the Senator is so deeply concerned that the treaty is not in the interest of our security, when all or most of the men who have the primary responsibility in this field endorse the treaty.

Mr. RUSSELL. Mr. President, let me say, first, that if the Senator's competent staff, who have researched all the questions I have ever asked and all the statements I have ever made over the years, have been unable to find anything more inconsistent than what the Senator has read, I feel that I have achieved greater success than I could have hoped, much as I talk in committee.

In the second place, let me remind the Senator that there are a few people on this earth who are, by nature, independents and insist upon making up their own minds after considering a question and carefully studying it. I am one who is not afraid to stand, and to stand alone, if necessary. I may be standing in the light of error, and I may be wrong; but if I have studied a question and have come to a conclusion, I stand on my own responsibility, not that of other men. I will stand that way; and even President Eisenhower, for whom I have great admiration and affection; President Kennedy, whom I highly admire; the Senator from Arkansas, whom I know to be an able scholar, 90 Members of the Senate, and even the 93 countries which have signed the treaty, will not convince me that merely because the crowd is going in a certain direction I should follow. It is easy to say "Let us go. Join up. Follow the crowd."

When conscience and judgment tell me I am in the right, I have never been afraid to stand alone and take the consequences. In this case they may be considerable.

Mr. FULBRIGHT. I hope the Senator did not interpret anything I said to mean otherwise.

Mr. RUSSELL. The Senator from Arkansas said:

> President Eisenhower, together with General this and General that, think this way or that way. Why does not the Senator from Georgia think likewise?

The answer is because I arrived at a different conclusion after I had studied the subject with my own intellect, such as it is. It may not be very much, but it satisfies me. That is the way I have to answer to my conscience for my action. My decision is not based upon what other people say, or the fact that the crowd is engaged in a great stampede.

It would have been much easier for me to support the treaty. I tried earnestly to reach a conclusion that would permit me to do so. When I had studied it, and after I had sat down and thought about it alone for hours, I saw that in good conscience I could not do it, because I was afraid it would endanger my country. I am not persuaded because a mass of people are going the other way.

Mr. FULBRIGHT. I hope the Senator is not taking offense at my questions.

Mr. RUSSELL. I am not. I am merely explaining my position.

Mr. FULBRIGHT. It is traditional in the Senate to seek the advice of experts in the particular field with which the Senate is dealing. I was trying to bring to the attention of Senators who did not attend the hearings what men who are generally considered to be experts in their field have said on the subject.

Mr. RUSSELL. I heard what the Senator said.

Mr. FULBRIGHT. I am not implying that the Senator does not have courage.

Mr. RUSSELL. I lay no claim to exceptional courage or expertise. I do insist upon the right of independent judgment.

Mr. FULBRIGHT. All I was seeking to do was to put before the Senate some of the evidence that was given in the hearings.

Mr. RUSSELL. This discussion can continue ad infinitum.

Mr. FULBRIGHT. I am not seeking to labor the point. If the Senator from Georgia does not feel that this colloquy is doing anything to enlighten the Senate, I will desist from asking him questions.

Mr. RUSSELL. The Senator may make any statement he desires. I am glad to yield to him.

Mr. FULBRIGHT. One statement by the Senator in his prepared text puzzled me. He said:

> Here we would accept, with childlike faith in mathematical formulas and extrapolation, the efficiency of the most intricate, complicated, and costly weapon without even one test under war conditions.

Mr. RUSSELL. That is with respect to the warheads.

Mr. FULBRIGHT. It is not the Senator's view, is it, that we must have a war in order to test a weapon under war conditions? Would the Senator care to explain that statement?

Mr. RUSSELL. The Senator is splitting hairs. I do not believe any Senator was confused by that statement. That means that the warhead has not been fired under conditions that would exist in the event of war. I am not advocating a war so that we can test the weapons under war conditions. I do not know whether they would work; and I certainly would not want to go into war when I did not know whether the weapons on which we would have to rely would function. No one knows that they will function. They have never been fired under the conditions with which we would be confronted if we were engaged in war. I hope that clears up that question.

Mr. FULBRIGHT. Perhaps I am very dull in this field. I was under the impression——

Mr. RUSSELL. I could not so charge the Senator. I think he is mistaken in his views about the treaty, but I never would accuse him of being dull. Anyone who could make a sea gull speech is not dull.

Mr. FULBRIGHT. The Senator will agree that that was very good advice. The sea gull is very smart.

I do not wish to labor the question. Other Senators wish to speak. I deeply regret that the Senator from Georgia opposes the test ban treaty, as he did the Antarctic Treaty.

He may well state that we are taking a chance. We have signed the treaty. But I will say one further thing about the difficulty of getting out of our obligations, and the delay. The treaty has a lenient withdrawal clause, perhaps the most lenient of those with which I am familiar. Withdrawal does not require approval of the Senate. So that is one delay which will not be encountered. The President can give notice, and in 90 days the whole thing will be over, so far as the United States is concerned.

Mr. RUSSELL. I appreciate that. I would feel better if a concurrent resolution or a simple resolution could take us out of the treaty in 90 days, even though 90 Senators are said to favor the treaty. But I do not wish to raise any new arguments with respect to the treaty.

Mr. FULBRIGHT. I do not think the Senator ought to distress the Executive. He made the point that we should not embarrass the Executive. I recall that in the previous administration, with respect to the Formosa agreement, a great argument along that line was made to me as a member of the committee. It had certain significance. It was not determinative, and it should not be in this instance. I do not urge it as a ground for it, but it is not unusual to make that argument. The Senator from Georgia will recall that incident. I remember that in the Committee on Foreign Relations the Senator's late former colleague, Senator George, made the argument. It was made in connection with the Eisenhower doctrine treaty, which was brought before the Committee on Foreign Relations. I do not subscribe to that argument as being very persuasive, but it has been made.

Mr. RUSSELL. I think it carries weight.

Mr. FULBRIGHT. It has some weight today, but I would not advance it as the sole reason.

I shall desist from further questioning. I regret that once again I find myself on a different side of the fence with respect to an important treaty—and I regard it as an important treaty.

Mr. RUSSELL. I have personal regard for the Senator from Arkansas. He says we are on opposite sides of the fence, but we both try to speak in the interest of our country. I regret that the Senator has the opportunity to take along with him so large a number of the forces of the Senate in favor of the ratification of the treaty.

Mr. FULBRIGHT. I have often heard the Senator from Georgia praise the Senate as the greatest deliberative body on earth. I join with him in that expression. However, I cannot feel that suddenly the Senate has lost its good judgment. I have heard the Senator from Georgia praise the Senate highly probably more often than has any other Member of this body. I do not believe the Senate has suddenly gone astray.

Mr. RUSSELL. I believe in the Senate. I have defended its functions and its important place in history. But I have never said that many Senators could not be in error. But the Senate works its will and a majority is sometimes wrong.

I did not go into details when I said the President should not be embarrassed. The reason why I made that statement was that if there are any experts in the world on the division of powers in the United States Government, they are the ones who occupy positions in the chancelleries of the world. They know more about the division of powers in this Government than does the average American. They constantly follow our Government's operations.

When the foreign aid bill is before Congress, they know that the President proposes and Congress disposes. They have had experience with treaties. They know as much about the functioning of the Senate as does the average American. The world has been well educated, since the beginning of World War I, in the operations of the American Government. That is why I said the President should feel no embarrassment if the Senate should decide to reject the treaty.

Mr. FULBRIGHT. I thank the Senator from Georgia for yielding to me.

Mr. JACKSON. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I am glad to yield to the Senator from Washington.

Mr. JACKSON. I compliment and commend the distinguished Senator from Georgia, chairman of the Committee on Armed Services, for the valuable contribution he has made to the debate.

Mr. RUSSELL. I thank the Senator.

Mr. JACKSON. The right of dissent is the heart and soul of our democratic process. I want to cite an example of how difficult it is to be sure the majority is right in dealing with crucial decisions.

I was a member of the Joint Committee on Atomic Energy in 1949, when every member of the Science Advisory Committee to the Atomic Energy Commission opposed our proceeding with the development of a thermonuclear bomb. All but one member of the Atomic Energy Commission opposed it. The Secretary of State, then Dean Acheson, and President Harry S. Truman took the initiative, along with the Joint Chiefs of Staff. And there was the affirmative decision made by the Joint Committee on Atomic Energy. The entire Science Advisory Committee to the Atomic Energy Commission opposed them.

At that time Edward Teller spoke out and warned that it was not just a question of whether we should go ahead on the hydrogen bomb. The question was: Would the Russians get it before we did?

We exploded our first device in November 1952; the Russians exploded theirs in July or August 1953. I make this point because a majority of people, or some long list of distinguished scientists or other persons, does not necessarily assure the right answer.

That is as good an example as I could cite of the importance of debate, discussion, and dissent on a problem as difficult as this. Honorable men can examine the record and come to different conclusions. I advocate strongly the right of dissent and its importance in trying to decide upon the correct answers.

I cannot commend the distinguished Senator from Georgia too highly for the contribution he is making to the sum total of the debate and discussion on the treaty.

Mr. RUSSELL. I thank the Senator from Washington. I am sure we can disagree without being disagreeable. I have deep convictions. I am never afraid to express my convictions; and I try not to offend other Senators in doing so.

Mr. GORE. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield to the Senator from Tennessee.

Mr. GORE. I have listened attentively to the able address delivered by the distinguished senior Senator from Georgia. I have twice read his statement during the course of subsequent colloquies.

The Senator and I serve on the same committee. I have advised with him many times on this subject. I consider the senior Senator from Georgia to be one of those in the United States who are charged with a primary responsibility for the security of the country. I have listened to his advice with much respect and concern.

If the Senator will permit me to interpret the three principal points which the Senator makes in a telling way in his speech, I should like to suggest that they are: First, the lack of inspection; second, that this is a disarmament treaty; third, the distinguished Senator fears that this is a first step which will be followed by other inadvisable steps. I wish to engage the Senator briefly on only one of those points.

As to the third one, this is an issue, upon which each Senator in his own right and in his own light must invest either faith or fear. I choose faith but I shall not discuss that point.

As to whether this is a disarmament treaty, I find myself in disagreement with the Senator from Georgia. This has been discussed with the senior Senator from Arkansas; so there is no need to engage him in a discussion of that subject. I do not feel that the treaty would bring about any disarmament. It would inhibit both nations from promoting an armament threat with atmospheric tests.

The most telling point the able Senator makes is the first one; namely, that this is a treaty that does not provide for inspection. I believe the Senator from Georgia was present during the hearings when I stressed the point that the failure to obtain with the Soviets an agreement to accept close inspection was a severe disappointment to our Government. As the Senator from Georgia knows, I have had close connection with this effort, and I know how assiduously our country sought to obtain, both during the Eisenhower administration, and thus far during the Kennedy administration, an agreement by which the Russians would agree to such inspection. However, the very political and psychological nature of the Soviet system seems to make them utterly unwilling to agree at this time to an inspection system of that sort. At least, they were utterly unwilling to do so.

My inability to agree on this point with the Senator from Georgia—and I say this with great respect—lies in the fact that he says we are "abandoning the basic principle of inspection." Those words appear on page 5 of his statement. I respectfully suggest that if I could fully concur in the statements of belief which the able Senator has made on the floor this afternoon, I, too, would conclude, as he has, that the treaty should be rejected.

But I do not believe we have abandoned the principle of inspection. True, the treaty represents a failure to achieve an agreement calling for inspection; but in this particular field the United States has shown great competency for detection. I recall, and point out to the able Senator, that the Soviet Union has not announced even one nuclear test. All the Soviet tests have been announced either by the United States or by one of the neighbors of the Soviets—either Japan or one of the Scandanavian countries. As the able Senator from Georgia knows, our Government has not announced to the American public some of the tests the Soviets have conducted.

So there is a great capacity for detection of atmospheric tests. Moreover, my feeling in this regard is buttressed by the fact that I did not decide to support this treaty until the President of the United States had personally assured me that we would continue weapons development in underground tests and would continue development of our detection system in the atmosphere, under water, and in outer space.

It is to this point that I wish—I do not desire to use the word "challenge," but——

Mr. RUSSELL. I do not find that word offensive at all.

Mr. GORE. At any rate, I wish to express disagreement. The Senator from Georgia has said the treaty represents—to use his words—"abandonment of the principle of inspection." I respectfully insist that it does not represent abandonment of it.

Mr. RUSSELL. Where in the treaty is any inspection provided for? If we have not abandoned the principle of inspection, I do not know how we could go about it. None is provided for by the treaty.

Mr. GORE. In this case, the treaty is a very limited one embodying tests in the areas in which present detection systems are already extremely good—as the Senator from Georgia has stated—and in which, so we are advised by scientists, vast improvements can be made, and in which improvements will be sought. In this regard, I respectfully disagree with the Senator's statement that the treaty represents abandonment of the principle of inspection.

Indeed, since 1958 our Government has sought, to terminate testing, even underground, above the threshold; but because we could not obtain inspection, the Government of the United States finally had to take the best it could get, which was a limited agreement which we did not believe required inspection in the Soviet Union.

The Senator from Georgia made one other statement with which, in part, I wish to associate myself: He expressed the view that in all probability the Senate would not approve by two-thirds vote a treaty involving underground tests without adequate inspection. I do not know whether that might have happened; but I know there were in the executive branch of our Government certain persons who wanted to go, in that regard, much further than I would have gone or much further than I believe the Senator from Georgia would have gone; and I am sure he recalls that I made numerous speeches in which I warned against such a treaty. So I respectfully insist that, from my point of view, this treaty does not amount to abandonment of the principle of inspection. Indeed, in it we reassert the principle of inspection.

I thank the Senator from Georgia for permitting me at this time to state my thoughts in this connection. But, by virtue of his eminence and his eloquence, he brings into the Chamber a number of Senators who might not be present when a Senator of lesser eloquence and lesser eminence addressed the Senate. So I have asked these questions and have made these points.

Mr. RUSSELL. Mr. President, the distinguished Senator from Tennessee does me an honor that I do not deserve. I have great respect for him, but I believe that when he examines his remarks, he will conclude that he has challenged himself. He has said that we have tried for years to obtain with the Russians an agreement on inspection, and that because we could not obtain such an agreement with them, we propose this treaty—which does not provide for inspection—in order to prove that we are insisting on inspection. I cannot follow such reasoning. It is beyond my capability to understand.

The Senator has been of great service in this field; and there is no Senator upon whom I rely more. He has rendered a great service in undertaking to secure the adoption of a treaty which really would assure this country of security for the United States in dealing with the Russians; and—if I am not mistaken—the Senator from Tennessee attended one of those conferences as a U.S. delegate, and by his presence, his intelligence, and his knowledge in this field, labored to obtain with the Soviets a treaty in the area of a nuclear test ban. Is not that correct? Did not the Senator from Tennessee attend the conference? I remember that during that period I felt somewhat better about the situation.

But I must say that there were then in our Government some who did not try to obtain an agreement which would afford this country that protection; and unfortunately, they are still in the Government. So we shall have to watch them every inch of the way when such amendments are submitted in the future.

However I cannot agree with the Senator from Tennessee that in surrendering our right to have inspection provided for by this treaty, we did not give up our right to require inspection. Actually, we now might, as a result, have to give them up in totality.

I hope the Senator from Tennessee will not be so carried away by his efforts to achieve peace—even a peace of death or of similar consequences—that he will be willing to vote for the adoption of treaty amendments which would eliminate inspection. I do not believe the Senator from Tennessee will do that.

But I do not believe I can follow his reasoning to the effect that we have strengthened our position in respect to our demands for inspection by surrendering our demand for inspection—as we have done—in this treaty.

Mr. GORE. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I am glad to yield.

Mr. GORE. I point out to the Senator that inspection sites in the Soviet

Union were sought primarily for the detection of underground tests. The Senator will recall the many hours of argument and the many days of testimony, before Senate committees, about seismic signals and about the ability to muffle—or what was the word Dr. Teller used in that connection?

Mr. PASTORE. Decouple.

Mr. GORE. Yes—to decouple underground explosions.

For years the argument made on detection and inspection has involved our proposal for a treaty to stop tests underground as well as in the atmosphere. When we were unable to obtain an agreement with the Russians for adequate inspection to provide safeguards against cheating on underground tests, an agreement was reached to stop atmospheric tests and underwater tests where detection is, if not fully adequate, at least quite efficient, and with respect to which adequacy, we are advised, much efficiency can be developed. So I reassert my view that we do not abandon the principle of inspection in the slightest degree. We have insisted and still insist, before we agree upon stopping underground tests, that adequate inspection sites be maintained in the Soviet Union in order to prevent cheating upon such an agreement.

Mr. RUSSELL. Mr. President, I have interpreted and dealt with that subject. I realize the difficulties we have had with the Russians in that area. To me it has been evident that the Russians did not intend to observe their treaties in good faith, if they were unwilling to permit the entry of impartial teams into their railroad marshaling yards, into their highway centers, and on the soil of Russia, to make sure that they do not take us with bows and arrows on the ground. If they are in good faith and give us evidence of such good faith, why will they not permit us to come into Russia for atomic inspections?

I interpret the history of our efforts in that field somewhat differently from the way in which the Senator from Tennessee interprets them. I know that his knowledge in that area is far superior to my own. But we started, under Mr. Baruch's plan, by demanding the right of inspection for all kinds of testing. We insisted on that for a long time. Finally we surrendered that demand. Perhaps I should not use the word "surrendered." We gave it up. We abandoned it. The Senator does not like the word "surrender." We abandoned that demand in our effort to obtain a treaty that provided that we would give up all inspection except on underground testing. The Russians would not agree to that. So from the Baruch plan down to the treaty that is before the Senate today we have surrendered our demands for inspection. We have given up our demands for the right of inspection with which we started under Mr. Baruch in 1946. They have been whittled away bit by bit. In the beginning the Russians were willing to agree to 8 or 10 on-site inspections of underground testing. We demanded 20; we got down to 10; they fell to 3; we went down to about 5; they continued to demand 3. The Senator from Tennessee and others said that they thought that three tests would not protect the security of the United States, and that provision was eliminated from the treaty. But we have been mousetrapped in that regard.

When the Russians come forward now with a proposal for underground inspection, what is our reply? If they say, "Let us have an agreement relating to underground testing with no inspection," what have we to lose if we sign it, if we believe that the Russians are acting in good faith and will not catch us with inadequate weapons? I do not believe that we have nothing to lose, because we shall have let them reduce us in the areas in which we are strong. They will have tied our hands in areas in which they are strong, and they will be free in areas in which they are weak. I cannot see it in any other way. But the Senator is entitled to his opinion. I respect his opinion. I respect the Senator from Tennessee, but I cannot agree with him on that point.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. RUSSELL. I will yield, if the Senator will permit me one further statement.

The Senator said that he heartily disagreed with the contention that the treaty was in the nature of disarmament. He said that it was some kind of inhibition. I agree. But inhibition can certainly contribute to disarmament. We shall have agreed not to proceed in an area in which they are ahead of us; and we would permit them to proceed in an area in which we claim superiority over them. If there were two countries, one of which had its forces armed with shotguns and the other had its forces armed with rifles and machineguns, if they both signed a treaty that they would not improve their weapons, I would claim that the country that had the shotguns had practically disarmed itself. That is what we will have done.

We shall have dropped out of the development of weapons in areas where they are needed and left the Russians free to advance where they are behind. That would be an inhibition only against the country that had the shotguns. The inhibition would be on that country if the two countries were arrayed on the field of battle with the forces armed with shotguns against the country having the rifles and machineguns.

Mr. GORE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. YOUNG of Ohio in the chair). Does the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. GORE. First, I thank the Senator for his generous references to me.

Mr. RUSSELL. Sometimes such references on the floor of the Senate are rather perfunctorily made. Mine was not a perfunctory statement. I really meant that statement, and I am not given to tossing them around casually. I really think that the Senator from Tennessee has made a great contribution. I regret very much that he did not continue it by going over there and helping to negotiate the treaty. If he had done so, I do not believe it would be in the form in which it is before the Senate today.

Mr. GORE. I am most grateful to the distinguished Senator. Once again he has demonstrated that we are not only neighbors, but friends. The high regard in which I hold him is in no way a secret.

The Senator has recalled certain history—I believe somewhat inaccurately.

Mr. RUSSELL. I would thank the Senator if he would straighten it out. I know it is roughly accurate.

Mr. GORE. Except in one respect. The Senator said that the Soviets had proposed to accept two or three inspections. The fact is that the Soviets have never at any time agreed to accept a single meaningful on-site inspection within the Soviet Union.

Mr. RUSSELL. Mr. President, the treaty is worse than I thought it was. I thought that at one time the Russians had agreed to three inspections on underground testing.

Mr. GORE. I recall that there was a propaganda effort that led many people to believe that the Soviets had made a so-called concession. One of their tricks in the trade is to make a propaganda concession which is without substance. I have followed this subject closely, and with the greatest of care. I assert that the Soviets have never at any time formally agreed to accept a single meaningful inspection in Soviet territory.

Mr. RUSSELL. Mr. President, I am sure that if there is any person on earth who has learned not to believe all that he reads in the newspapers, it is the Senator from Georgia. I have had a great deal of experience along that line, some of it very personal. But I read in the newspapers that Mr. Khrushchev said that if we would not agree to a maximum of three inspections within the Soviet Union he would withdraw from negotiations. That may have been propaganda. It may have been propaganda from some of our representatives at those negotiations because some of them were long engaged in attempting to negotiate a treaty. At least it exhausted their patience. I am not blaming them. One of my temperament would long since have lost patience in negotiating with the Russians.

I would either have blown up and dissolved the treaty conference in great confusion, or I would have become so exhausted and confused that I would probably have signed the same statement.

Mr. GORE. For the sake of the accuracy of the record, I propose to search the record and tomorrow will make a brief statement in that regard.

Mr. RUSSELL. I hope the Senator will do so, and will go into the question. I hope that he will ascertain what occurred from the time we started with discussions of 20 on-site inspections and determine how far down we brought the figure. That part of the statement is accurate.

Mr. GORE. The Senator will recall that he and I expressed jointly our exasperation when, in 1959, I believe it was, Prime Minister Macmillan made a visit to Russia and, according to all the reports, later confirmed, it was he who dropped the hint of seven or eight inspections. Like the Senator from Georgia, I resisted the constant whittling down of the number of inspections because I thought we were going below the number of inspections which would give an adequate system of detection of underground tests. Many times the Senator and I have talked in the Chamber or at the luncheon table. I have cautioned our administration. I have made speeches on the Senate floor.

Mr. RUSSELL. I have commended the Senator from Tennessee time and again, and have endeavored to encourage him in his position. The Senator has rendered real service. I cannot refrain from expressing my regret that the Senator did not go somewhat further. But I can understand the Senator's position.

I will listen to the Senator's remarks. If I am unable to be present in the Chamber, I will pay the Senator the greatest compliment one Senator can pay to another; I will read every line of this speech in the RECORD.

Mr. GORE. Mr. President, will the Senator yield again?

The PRESIDING OFFICER (Mr. NELSON in the chair). Does the Senator from Georgia yield to the Senator from Tennessee?

Mr. RUSSELL. I yield.

Mr. GORE. I have always favored, since the first day the conference met in Geneva on October 30, 1958, when I was present, the United States taking the lead in curbing and eliminating atmospheric tests, because I thought it was particularly in this medium in which the greatest hazard to the human race was involved, and that it was in this medium that the proliferation of weapons in the hands of other nations would be most likely to occur.

I assure the Senator that I have done everything I possibly could to obtain a workable and effective treaty.

Mr. RUSSELL. I subscribe to that statement.

Mr. GORE. This one is limited.

The able Senator referred to the Baruch plan. I believe the Senator said in his speech that he supported the Baruch plan. I point out to the Senator that that was far more comprehensive than the limited treaty before the Senate. I point out to the Senator that it involved a real miliary disadvantage as proposed, because then the United States had a monopoly on nuclear weapons. The Soviet Union had not even achieved an atomic explosion, let alone a thermonuclear one. It was then proposed that we go much further and vest these weapons in an international agency.

If I entertained the convictions which the able Senator has here expressed today, I would join him in opposition to the treaty.

Mr. RUSSELL. I know that. Much of my respect for the Senator grows from the fact that the Senator from Tennessee is one Member of this body who is not afraid to stand alone when he reaches a conclusion.

Mr. GORE. I thank the able Senator.

Mr. RUSSELL. I said practically as much in my remarks. When Mr. Baruch made the proposal, we were giving up the monopoly which we had. We had a monopoly on atomic weapons that we were willing to surrender, but the Soviet Union refused to agree to the Baruch proposal.

Mr. GORE. I agree. The Senator has spoken well.

Mr. RUSSELL. I thank the Senator.

Mr. GORE. The Senator has spoken ably and diligently. I do not wish to trespass further upon his time. I realize that this is an issue which involves faith or lack of it, trust, or distrust, like or dislike. It is an issue with respect to which men search their souls and reach conscientious convictions. I am confident that the Senator's conviction has been so reached.

Mr. RUSSELL. I have tried to do so.

Mr. CANNON and Mr. THURMOND addressed the Chair.

Mr. RUSSELL. I yield first to the Senator from Nevada. Then I will yield to the Senator from South Carolina.

Mr. CANNON. Mr. President, I compliment the Senator from Georgia for an excellent statement. The Senator pointed out that, in his opinion, this would be a step along the road toward unilateral disarmament, and that it would be extremely difficult, as amendments were proposed, after all the signatories had signed the agreement, to resist any proposed amendment or change.

I am aware of the fact that the Senator has an amendment which has been printed, which would insure that any proposed amendment to the treaty would be submitted to the Senate for its consideration and for its advice and consent; and I presume that would require the same number of votes.

I have heard assurances from individuals in this regard, but I wish to ask the distinguished Senator from Georgia his opinion as to the necessity for this type of insurance provision.

Mr. RUSSELL. Mr. President, if I had not thought it desirable I would not have suggested it.

I say to the distinguished Senator from Nevada that I have discussed this subject in some detail with the distinguished Senator from Arkansas [Mr. FULBRIGHT]. The Senator is convinced that the necessity for submission for advice and consent is so clear that the amendment is not necessary. We are discussing the question. I hope that we shall be able to arrive at some agreement. I have some reason to believe that we will, though not in the exact terms I offered. It is very seldom that one gets exactly what he seeks in the Senate.

This will at least assert the position of the Senate, and the position of the administration as expressed by President Kennedy—which would be binding, we hope, on any of his successors in office—that any amendments to the treaty would be submitted to the advice and consent process as set forth in the Constitution.

Mr. CANNON. And that would require the same vote required for approval of the treaty?

Mr. RUSSELL. Yes. Article II, section 2, referring to the President's powers, states that "He shall have power, by and with the Advice and Consent of the Senate, to make Treaties; provided two-thirds of the Senators present concur."

I am hopeful in that regard, and have reason to believe that that question will be resolved.

Mr. CANNON. I thank the Senator for his assurance in that regard. I feel that some assurance should be given in connection with this ratification.

Mr. RUSSELL. I thank the Senator. I have a strong feeling that it should.

I now yield to the Senator from South Carolina.

Mr. THURMOND. Mr. President, I thank the Senator very much.

A great deal has been said about military men considering political matters. This seems to be somewhat of a turnabout.

I recall that in 1961 speeches by military officers about communism were being censored. They were not allowed to discuss that subject. It was considered to be political. I did not so consider it. I considered that communism was a subversive subject, not a political subject. At any rate, the speeches of the officers were censored.

Only recently Mr. McNamara put into effect the salient features of the Gesell report. The Gesell report instructs the military commanders of the camps, bases, and military installations to go into the surrounding communities and see that public facilities as well as private business establishments in the surrounding communities are integrated. If anything is political, that certainly is.

A few moments ago the Senator from Arkansas may have been attempting to chide the Senator from Georgia a bit about some statements it is alleged he made some time ago, about considering political as well as military matters, but I recall that on the Senate floor, on September 13, 1963, the Senator from Arkansas [Mr. FULBRIGHT] made this statement:

> This is an illustration of the fact that it is impossible to distinguish clearly between a military consideration and a political consideration. They are inextricably merged, in their judgment.

That statement is a far contrast from the position the Senator from Arkansas took in the Fulbright memorandum, in 1961. In 1961 the Senator from Arkansas said:

> There is little in the education, training, or experience of most military officers to equip them with the balance of judgment necessary to put their own ultimate solutions—those with which their education, training, and experience are concerned—into proper perspective in the President's total "strategy for the nuclear age."

The Senator further said, in that memorandum which I made public in the CONGRESSIONAL RECORD on August 2, 1961:

> Rather, the need is for understanding of the true nature of that menace, and the direction of the public's present and foreseeable awareness of the fact of the menace toward support of the President's own total program for survival in the nuclear age. There are no reasons to believe that military

> personnel generally can contribute to this need, beyond their specific, technical competence to explain their own role. On the contrary, there are many reasons, and some evidence, for believing that an effort by the military, beyond this limitation, involves considerable danger.

I do not understand why it is that in 1961, the military could not participate in conducting cold war seminars on the subject of communism, yet now the military can consider these great political questions, on which, according to one of the members of the Joint Chiefs of Staff, they are less informed.

General LeMay said, in his testimony before the Preparedness Investigating Subcommittee:

> But the net result is that there are military and technical disadvantages to the treaty. All of the Joint Chiefs agreed on this point.
>
> However, there are political advantages that may accrue from the treaty. This is a field that I don't consider myself an expert in, and I have depended to a large extent on the advice of others.

General LeMay says he does not consider himself an expert in political matters, but he was directed to come to a conclusion based on military as well as political considerations. He was not only directed, but was told to rely on political conclusions given him by the State Department. The Joint Chiefs of Staff were directed to consider what the State Department told them as being the valid political conclusions; and, on that basis, the Joint Chiefs arrived at their conclusion of qualified endorsement of the treaty.

There is no question that, from a military standpoint, there are serious disadvantages to the treaty. I am amazed at the position now being taken by this administration and some of the proponents of the treaty that military men must now consider political questions, whereas they could not consider what was described as political questions when the officers wanted to talk against communism, because that was considered a political question back in 1961.

Further, General LeMay was interrogated in regard to this matter by the Senator from West Virginia [Mr. BYRD], who posed this question:

> You have indicated, General LeMay, that the Joint Chiefs of Staff were not to confine their judgment in connection with the treaty before us on the basis of purely military considerations, but that political considerations were also to be thought about.
>
> Is this normal, General LeMay, or has it been the practice in the past for the Joint Chiefs of Staff to attempt to assess political considerations in reaching their judgments?

General LeMay answered:

> It certainly has been true since President Kennedy came into office, because this is one of the first things that they told the Joint Chiefs they expected them to do. They expected them to put the political factors in at their level.
>
> They told us this verbally many times. Actually, I think we have a note in writing on the subject.

So the military have been told to consider political questions whenever it is so desired, whenever it is thought the decision will be in favor of the administration; but when it comes to considering questions with regard to speaking against communism, which the administration considers political, but which I consider subversive, the military cannot do it. They get orders to stay out of it.

Does that make much sense to the Senator from Georgia?

Mr. RUSSELL. I could not evaluate all the Senator has said, because I am not familiar with all of it, but the question of the Senator reminds me of the old saying, "Oh, that mine enemy had written a book," and causes me to extend it to say, "Oh, to have had a Senator make five speeches in the Senate." Sometimes we meet words we have uttered under different circumstances.

Generally speaking, I accept the thesis that the military branch of our Government is under civilian control. Those able and dedicated men, who have spent their lifetime in the service of their country, have much information they can bring out on a number of subjects, and it is impossible to keep them from having their own political opinions.

Going back to a previous question, I stated to Secretary McNamara that the line of demarcation between the two was so thin that it could not be seen.

I do not believe military men should be hobbled in expressing their ideas. I do not mean that they should run around indiscriminately and find a soapbox in some square from which to make a speech, but certainly officers who have spent their lives in the service of the Nation have much advice that can be helpful to our people.

The Senator mentioned the Gesell report. I intend to say something about that report later. That introduces into the service the same system of commissars that we condemn so heatedly in the Russian Army. It brings a completely political complexion into the indoctrination of men who are trained to fight a war, not only to condition minds, such as what brought General Walker into disrepute, but seeks to influence the views on political questions of those who live in proximity to military posts. However, I do not wish to go into that subject now.

Mr. THURMOND. I could go into further questioning and quote it for the record, but I shall not do so at this time. I thank the Senator. I again wish to commend him for his most eloquent and convincing address.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Nebraska.

Mr. CURTIS. I commend the Senator from Georgia for the views he has given and the stand he has taken. I will not elaborate on his statement, but I point out for the record that I doubt if there is any Senator in the history of the Republic who has been associated with the problems of the defense of the country for as many years, through two great wars, as the distinguished and able chairman of the Committee on Armed Services.

When we are calling on experts to testify, I would place in the category of the foremost experts the distinguished chairman of the Armed Services Committee, the Senator from Georgia [Mr. RUSSELL], because for more than a decade legislation relating to our Armed Forces, types of weapons, various branches of the service, personnel, and classified information have all crossed the Senator's desk. He is well qualified to speak on these matters. I hope the Senate will give great weight to the position he has stated.

Mr. RUSSELL. I thank the Senator. I would that I might deserve the high encomium he has paid to me.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Kentucky.

Mr. COOPER. I value very much having heard the Senator from Georgia this afternoon, as I always do, and particularly on any subject that affects the national security.

One of the great privileges I have had, not being a member of the Armed Services Committee, has been that of attending many times the executive sessions of the committee, of which the Senator is the chairman. This has given me the opportunity to learn more about our very complex systems of defense.

I agree with the premise the Senator from Georgia has stated, that whatever the political advantages resulting from its ratification may be—and I think they would be considerable—yet, so far as I am concerned, I think it is our first duty to assure ourselves that the treaty would not adversely affect the security of this Nation. I believe that is the opinion of the Senator from Georgia.

Mr. RUSSELL. It is. I thank the Senator and appreciate his compliments. We always welcome him into the Armed Services Committee, because he has an interest in all phases of problems that affect the security of the country.

Mr. COOPER. I assume the Senator bases his assessment of risks of the treaty to our security on its effect on our nuclear capability, either present or future.

Mr. RUSSELL. In the present state of affairs of nations, we must depend on our nuclear capability. I hope that we might be able, sometime in the future, to get a fair treaty that would safely allow our doing away with nuclear weapons. I am anxious as anyone else to avoid the nightmare that we must live with, both in our sleeping hours and waking hours, of nuclear war that might eliminate the human family from the globe. I am as eager as anyone else to do that; but we have gone further than any people have ever gone to give away the advantages we held at the time we had a monopoly in nuclear weapons. We could have issued ultimatums right and left to any country, and it would have had to accede to the ultimatums.

We have shown tolerance and a desire for peace, and a desire that all peoples should control their own affairs, to an extent that has never been approached before by any country in the history of mankind, so far as my knowledge goes. I am willing to do away with nuclear weapons, but I must have a guarantee that other nations will do the same.

Mr. COOPER. I wish to ask the Senator in what areas does he consider the treaty as having an effect on our security? Does he believe that if the Soviet Union should engage in clandestine tests we would not be able to detect the tests?

Mr. RUSSELL. It is wholly possible, because Secretary McNamara testified before the committee, and this testimony was all received under oath—not that he would not have testified exactly the same if he had not been under oath—and it is generally agreed by the scientists that there is a belt from 6 to 30 miles in the atmosphere where our present methods of detection are wholly inadequate.

The electromagnetic instrument does not function in that area. The very fact that the Chiefs of Staff, who live with this problem 24 hours a day—and some of us live with it for about 20 hours—insisted on improving our method of detection before they would approve the treaty, shows that they are not complete.

Mr. COOPER. Is it not correct to say that the scientists have testified that any extensive tests by the Soviet Union would be detected?

Mr. RUSSELL. There is no question about it. Any extensive test above 30 miles in the atmosphere is almost certain of detection. We have two methods, and both of them pinpoint the explosion. When one gets above 30 miles, or stays on the surface of the earth, it is possible to detect the explosion.

Mr. COOPER. Would the Senator consider that the risk of any advances that the Soviet Union could make from underground testing would be offset by the advances that we would make in underground testing?

Mr. RUSSELL. No; because there is a definite limitation on size in underground testing. We have had one since the test ban treaty has been pending. It was a relatively low-yield explosion, but it shook the windows in the city of Las Vegas, which is many miles away. The Senator from Tennessee knows exactly how far away it is. Perhaps he can tell us how far the test area is from Las Vegas.

Mr. GORE. It is in the neighborhood of 140 miles.

Mr. RUSSELL. That was my impression. There is a definite limit on such testing. The machines that are used in the testing are different, too, from those used in atmospheric testing.

Mr. COOPER. Would not the Senator agree, in evaluating another risk, that has been argued, that if the Soviet Union should break the treaty and resume testing, it would not take them as long to resume testing as it would take the United States?

Mr. RUSSELL. It all depends on the state of readiness. The Soviet Union, in 1961, covertly and secretly made the most extensive and exhaustive preparations for the resumption of testing, but we knew nothing about those preparations. They notified us on August 30 that they would start testing again. On September 1 they made their first test. That caught us off balance. We then started to prepare to resume our own testing, and we finally did resume testing. We did not plan the tests as adequately as we should have.

It is one of the safeguards the Joint Chiefs of Staff sought to have included before they would say the treaty was consistent with our security. It is one of the safeguards that have been given, and one that I am sure the administration intends to follow, to undertake preparations for testing. In the past we have not made out well on the resumption of testing because the Russians would notify us one day and start testing the next.

Mr. COOPER. I have one more question to ask. My purpose is to inquire about the specific risks that have been stated. I believe the chief point of concern of the Senator is that the Soviets have acquired information, through recent tests and from past tests, which we do not possess, relative to an antiballistic missile system, and radar and communications blackout and reentry. I call to the attention of the Senator the testimony of Dr. Brown, at page 530 of the hearings—I mentioned this the other day—where he makes the categorical statement that the tests have been comparable. His statement is:

> With respect to high altitude tests carried out for the purpose of determining the effects of nuclear bursts on communications blackout, radar blackout, and nuclear weapons vulnerability, Soviet and U.S. experience appear to be comparable.

Is that the Senator's view?

Mr. RUSSELL. I do not believe the Senator was in the Chamber during the whole of my statement. I said at one point that this matter was in a classified area which I could not go into. This deals with the results of blackouts. The result from one of our own explosions was wholly unexpected. It was something our own scientists could not explain. If the Senator will go to the executive, classified record of the testimony of both Dr. Brown and Mr. McCone, who is the head of the Intelligence Agency but who at one time was Chairman of the Atomic Energy Commission, he will find the extent and the nature of the tests the Russians conducted, and some of the effects of those tests, as well as one that we conducted, and its effect. They are matters of high classification.

Mr. COOPER. I have read some of the testimony. I appreciate the Senator's responses to my questions.

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, before the Senator from South Carolina leaves the Chamber, I should like to make a brief observation on the colloquy between him and the Senator from Georgia, which I believe leaves a rather unfortunate implication. The implication is that possibly the members of the Joint Chiefs of Staff were ordered or induced or persuaded or compelled against their best judgments to reach a conclusion with regard to the treaty.

In that connection I should like the record to show that at page 349 of the hearings there appears, close to the bottom of that page, under the title "No Pressure Exerted on Chiefs To Approve Treaty," the following questions by the Senator from Georgia [Mr. RUSSELL]:

> For the record, General LeMay, was any pressure put on you to join with the other Joint Chiefs in approving this treaty with these safeguards?
>
> General LEMAY. No, sir.
>
> Senator RUSSELL. General Wheeler?
>
> General WHEELER. No, sir.
>
> Senator RUSSELL. Admiral McDonald?
>
> Admiral MCDONALD. No, sir.
>
> Senator RUSSELL. General Shoup?
>
> General SHOUP. No, sir.

I hope that that will allay the fears or doubts of any Senator who thinks for a moment that any decision that was reached by the members of the Joint Chiefs of Staff with respect to the treaty was influenced in any way by the Chief Executive or anyone else. If I may paraphrase substantially what General LeMay said at one point, it was, "I would resent such pressure, even an attempt, being exerted upon me."

Mr. President, I am particularly proud to speak on behalf of the treaty before the Senate. I have never been prouder of the Senate than I have been during these days of discussion. Able speakers—gifted, dedicated, sincere—have honestly stated their positions. A common love of America commands them all.

No petty, no partisan, no parochial prejudice colors their view of what is best for America as each is privileged to see it. And I am sure that each sees America in the larger framework of humanity; in the dimensions of America's power, prestige, and responsibilities in a world that has been made so small by the science of man; a world made so fearful by man's science; a world brought closer by its common fears.

Out of these common fears has come the treaty to which more than 90 nations are already signatory.

But all the billions of the world's people look to Washington—and listen—to learn what our decision as Senators will be. For no matter how many nations might sign the treaty, it is but a scrap of paper without the acceptance of the United States. That acceptance cannot be achieved without ratification of the treaty by the Senate.

So the hearts of the world reach out to Washington—and to the Senate—with hope.

Yes, the world is our audience; but in the lonely chamber of his conscience each Senator weighs his responsibilities and indeed votes his conscience.

In the area of America's nuclear power this Senate has placed upon some Senators a special responsibility that goes with their opportunity for special knowledge. Among others, such a responsibility is vested in the Joint Committee on Atomic Energy. As a member through the years—and presently chairman—I have tried to accept and discharge that responsibility to my country and to my conscience.

I support the treaty, which I consider is the first step toward what we hope will be a peaceful future. I support this treaty, which is the culmination of efforts by three administrations to obtain some type of international control over the destructive power of the atom. We have worked for it for almost two decades.

BACKGROUND

The ashes had not long settled in Hiroshima and Nagasaki when President Truman attempted to obtain international control over atomic information and material. President Truman recognized the uncertain future of a world in which the destructive power of atomic energy would exist in the possession of individual national powers if it were unchecked and uncontrolled. The Baruch plan of 1946 was an unsuccessful attempt to create an Atomic Development Authority within the United Nations to which the United States would have transferred its monopoly of nuclear material and information. It was the first of our many efforts to obtain some international restriction on the destructive forces that had come into the possession of mankind.

President Eisenhower, who bore the responsibility for millions of American lives during World War II, who well knew the ravages of war, and who had seen whole cities destroyed and countrysides laid waste, most earnestly attempted throughout his administration to reach agreement on the cessation of nuclear weapon testing.

President Eisenhower continuously and conscientiously devoted his energies to exploring methods for obtaining agreement with the Soviet Union to control the atom. Under his leadership, some headway was made. Agreements were signed between the United States and the Soviet Union for the exchange of scientific information on peaceful uses of the atom and for reciprocal visits of nuclear scientists to each country. A treaty was entered into by the United States, the Soviet Union, and other nations, prohibiting the dumping of atomic waste material in the Antarctic. The International Atomic Energy Agency was established to further the peaceful uses of atomic energy and to develop safeguard procedures to insure that nuclear material is not diverted into military purposes.

In the summer of 1958, under President Eisenhower, experts of the United States, England, and the Soviet Union met in Geneva to evolve scientific methods of detecting and identifying nuclear explosions as a basis for any possible agreement which might be reached by the nuclear powers.

Based upon the results of the conference of experts and in response to a proposal of President Eisenhower, the United States, the United Kingdom, and the Soviet Union, beginning in October 1958, entered into the Conference on the Discontinuance of Nuclear Weapon Testing. That conference was to continue for more than 3 years, to consist of over 350 meetings, and to extend into President Kennedy's administration. Over 100 additional meetings on a nuclear test ban were conducted within the 18-nation disarmament conference. These conferences absorbed the energies and minds of such capable men as Mr. James J. Wadsworth, Mr. Arthur Dean, Mr. John McCloy, and Mr. Charles Stelle.

The treaty before us today represents the best efforts of these and many other patriotic Americans who gave untiringly of their energies during three administrations of our Government. It is not an agreement hastily drawn or little thought out. Rather, it is the result of many thousands of hours of negotiation and exploration between the scientists and diplomats of the United States and the United Kingdom on the one hand and representatives of the Soviet Union on the other. It is the distillation of many years of conscientious effort by men dedicated to solving the most dangerous problem facing our world today—the threat of nuclear destruction.

In the library of the Joint Committee on Atomic Energy are bound volumes of the minutes of these conferences, running into thousands of pages. They amply reflect the minute details covered during the negotiations.

EXPLANATION OF TREATY

As clearly pointed out by others, the treaty banning nuclear tests in the atmosphere, in outer space, and underwater is not a treaty that will prevent nuclear war.

It is not a treaty that will prevent the present nuclear powers from continuing to add increasing numbers of nuclear weapons to the existing tens of thousands already in stockpile.

It is not a treaty that will prevent the major powers of the world from continuing to develop and test more efficient and larger delivery systems to transport the massive destructive forces of existing nuclear weapons to the civilian population centers of the world.

It is not a treaty that prohibits all nuclear tests.

As President Kennedy has stated:

> This treaty is not the millenium, but it is an important first step—a step toward peace, a step toward reason, a step away from war.

For too many years now the world has watched apprehensively as the nuclear powers have vied with each other in testing larger and more efficient nuclear weapons.

The tremendous force of the early atomic bombs was surpassed by the horrendous force of the hydrogen bomb. More easily deliverable, larger, and more powerful hydrogen bombs have followed, the testing of which forced radioactive material into the atmosphere.

The world has long awaited some movement toward control of the military atom. A wondering world seeks some indication that the nuclear powers can reach agreement in the military fields of atomic energy as they have in the peaceful uses. A fearful world seeks some indication, no matter how small, that the powerful forces opposing each other in the East and in the West are able to find a path mutually advantageous to both, a path which may lead eventually to elimination of the threat of a nuclear holocaust. This treaty, while limited in scope, thus assumes tremendous importance in the eyes of the world because it represents the first step toward that greater goal which we pray we may some day achieve.

It is the first step, and like all first steps it does not traverse a great distance. Also, like all first steps, it was entered into cautiously and haltingly. May subsequent follow-on steps be taken with greater assurance and encompass larger areas.

The treaty before us consists of five articles and, as clearly and unequivocally described by those charged with responsibility for its negotiations, by the President, by the Secretary of State, and the Secretary of Defense, it is a self-contained document which embodies the whole of the agreement. There are no other arrangements, conditions, understandings, or additions of any kind.

In article I, the parties to the agreement agree to prohibit nuclear weapon tests and all other nuclear explosions in peacetime in three environments: in the atmosphere, underwater, and outer space. Signatories to this treaty agree not to aid any other nation in conducting nuclear explosions of the type prohibited under the treaty. Under article I, underground explosions are permitted as long as resulting radioactive debris is not carried to and deposited beyond the territorial limits of the nation conducting the tests.

By its very nature the treaty pertains to the testing of nuclear weapons, and does not affect the use of nuclear weapons in time of war. To the extent that the United States has always maintained the right to use nuclear weapons in its defense against armed aggression, such a right is not affected or limited by this agreement.

This point was clearly brought out by Secretary of State Rusk and Secretary of Defense McNamara in their testimony in support of the treaty. It is substantiated by a legal opinion set forth on page 76 of the printed hearings.

Mr. President, I ask unanimous consent that the opinion be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

AUGUST 14, 1963.

OPINION OF THE LEGAL ADVISER

Subject: Meaning of the words "Or Any Other Nuclear Explosion" appearing in article I, paragraphs 1 and 2 of the treaty banning nuclear weapon tests in the atmosphere, in outer space and underwater.

Article I, paragraph 1, of the treaty provides:

"1. Each of the Parties to this Treaty undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, *or any other nuclear explosion*, at any place under its jurisdiction or control: * * *"

Article I, paragraph 2, provides:

"2. Each of the Parties to this Treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, *or any other nuclear explosion*, anywhere which would take place in any of the environments described or have the effect referred to in paragraph 1 of this article."

The question has been raised whether the words "or any other nuclear explosion" impose any limitation on the use of nuclear weapons by the parties in war.

The answer is no.

I. THE TEXT OF THE TREATY

The text of the treaty and its internal construction provide ample grounds for answering the question in the negative.

The title of the treaty is "Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Underwater." This title delimits the operative scope of the treaty. It shows that the treaty was intended to deal with weapon tests and not with the use of nuclear weapons in combat or in connection with armed hostilities. The limited scope of the treaty in this respect is reinforced by its preamble. The second paragraph looks forward to more general disarmament, eliminating the incentive to the production and testing of nuclear weapons. If this treaty banned the use of such weapons in wartime, the incentive for further production and testing would already be gone. Similarly, the third paragraph of the preamble, looking to the future negotiation of a comprehensive test ban, shows that this treaty is limited in its application to nuclear weapons tests.

The agreed communique issued when the treaty was initialed refers to a series of meetings to discuss questions relating to the discontinuance of nuclear tests. It notes that agreement was reached on the "text of a treaty banning nuclear weapons tests in the atmosphere, in outer space, and underwater." It refers to the agreement in several places as "the test ban treaty," and it refers specifically to discussions relating to a nonaggression pact. Had the negotiators agreed to ban the use of nuclear weapons in war it would surely have been mentioned in the agreed communique.

Moreover, the general scheme of the treaty is inconsistent with an interpretation of the words, "other nuclear explosion" to cover wartime use of nuclear weapons. The treaty has no effect on laboratory development of nuclear weapons. It permits weapons tests and other explosions underground, so long as the radioactive debris is confined within the territorial limits of the State in which the explosion is conducted. The treaty does not restrict weapons production, as appears from the second paragraph of the preamble. The Soviet Union has rejected any proposal even to restrict the production of fissionable material for weapons purposes. Finally the treaty does not require the destruction of any stockpiled weapons. It is hardly conceivable that a treaty which permits the development, testing, stockpiling, and production of nuclear weapons should be construed as banning their use in wartime.

II. NEGOTIATING HISTORY

The conclusions derived from the text of the treaty are supported by a review of the negotiating history. That history reveals that the words "or any other nuclear explosion" were inserted to prevent evasion of the treaty by the explosion in peacetime of tested nuclear weapons, whether for peaceful purposes or otherwise.

The basis for the Moscow negotiations was the draft of the limited nuclear test ban treaty tabled in Geneva on August 27, 1962, by the United States and United Kingdom delegations. Article I of that draft prohibited nuclear weapon tests. Explosions were dealt with in article II. Such explosions were permitted, but were to be subjected to controls because of the difficulty of distinguishing peaceful purpose explosions from weapons tests.

In the course of the Moscow negotiations, the Soviets rejected article II of the August 1962 draft completely. This rejection would have left a loophole in the treaty if article I had remained confined to "nuclear weapon test explosions." A party might have conducted explosions revealing valuable military data or even weapon tests on the pretense that they were in fact peaceful purposes explosions and not "nuclear weapon test explosions." In order to close this loophole, the phrase "any other nuclear explosion" was inserted in article I at the appropriate points. Its purpose is to prevent, in the specified environments, peacetime nuclear explosions that are not weapons tests. That is its only significance.

III. GENERAL UNDERSTANDING

This construction of the phrase "or any other nuclear explosion" is supported by the public statements of United States and other officials prior to the signature and ratification of the treaty. Thus, in his radio address presenting the treaty to the American public, the President said:

"No nation's right of self-defense will in any way be impaired. Nor does this treaty mean an end to the threat of nuclear war. It will not reduce nuclear stockpiles; it will not halt the production of nuclear weapons; it will not restrict their use in time of war."

The President's message transmitting the treaty to the Senate for advice and consent to ratification makes the same point,[1] as does Acting Secretary Ball's letter transmitting the treaty to the President.[2] Secretary of State Rusk reiterated the point at the signing ceremony in Moscow, and again in his testimony before the Senate Foreign Relations Committee. There he said:

"This treaty does not affect the use of nuclear weapons in war. It has to do with nuclear weapon testing in time of peace."

This understanding of the import of the treaty is not confined to United States officials alone. For example, United Nations Secretary-General U Thant, appearing in Moscow at the treaty signing, listed a number of "other equally important measures aimed at the relaxation of tension." Among these he included the following:

"I would also hope that the proposal, initiated in the fall of 1961, for convening a special conference for signing the convention on the prohibition of the use of nuclear and thermonuclear weapons for war purposes, will now receive wider support."

It would obviously be unnecessary to hold such a conference if the test ban treaty itself outlawed the use of such weapons in war.

IV. TACTICAL WEAPONS

There has been some suggestion that the phrase "or any other nuclear explosion" might outlaw the use of tactical, as opposed to strategic, weapons in wartime. There is no basis in the treaty for making any distinction whatever between tactical and strategic weapons. The analysis in this opinion applies fully to tactical as well as strategic weapons.

Mr. PASTORE. Mr. President, article II provides a method for amending the treaty. It requires that any amendment receive the unanimous approval of the United States, the United Kingdom, and the U.S.S.R., as well as the votes of a majority of all parties to the treaty. The treaty recognizes the ratification process of each of the original parties to any amendment. Accordingly, all proposed amendments prior to entering into force must come before the Senate of the United States, for approval by two-thirds vote. The President and the Secretary of State have given their assurances that no amendment will be agreed to without submission to the Senate.

I wish to say, for the RECORD, that we have entered with many nations into bilateral agreements on military and peaceful uses of atomic energy. Many of these bilateral agreements subsequently have been amended from time to time; and each time they were amended, the President of the United States gave to Congress and to the Joint Committee the same assurances that were given at the time of the original bilateral agreement; and all the amendments were submitted to the same governmental process of submitting them to Congress and the Joint Committee, as was done with the original bilateral agreement. This is precisely the way amendments to this agreement must be treated, and will be treated.

Mr. FULBRIGHT. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am glad to yield.

Mr. FULBRIGHT. I particularly appreciate the Senator's emphasis of this point, and his doing so with such great clarity and effectiveness.

I should like to ask a question: Does he know of any instance in which a treaty made by this country has been amended other than by following the procedure of submitting it to the Senate and obtaining its approval?

Mr. PASTORE. I certainly do not; and I believe it is elementary law and fundamental international law, and the law of our land, that whenever a treaty needs amendment, the amendment must be submitted to the Senate, just as the original treaty was. There can be no question about that. We received the assurance of the President and we received the assurance of the Secretary of State of that. If anyone now says that is not enough, let him look at the precedents; he will find the answer there.

Mr. FULBRIGHT. I thank the Senator from Rhode Island.

Mr. PASTORE. Article III sets forth the procedures for ratification and accession, and permits all nations so desiring to become a signatory. Accordingly, East Germany and Communist China may subscribe to the treaty without constituting recognition by the United States. I think that point should be made abundantly clear.

As these treaties are signed by the nations of the world, they may be deposited with three depositaries: with the United States, Great Britain, and Russia. It is absolutely clear, and we have been told so unequivocally by the Secretary of State, that the mere fact that Red China, Cuba, or any other government which we do not recognize at this time becomes a signatory to the treaty, does not, in itself, compel us or oblige us to recognize that government or put us in the position of recognizing it. I do not know how much clearer one could make that point.

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[1] "While it will not end the threat of nuclear war or outlaw the use of nuclear weapons, it can reduce world tensions, open a way to further agreements, and thereby help to ease the threat of war."

[2] "The phrase 'any other nuclear explosion' includes explosions for peaceful purposes. Such explosions are prohibited by the treaty because of the difficulty of differentiating between weapon test explosions and peaceful explosions without additional controls. The article does not prohibit the use of nuclear weapons in the event of war nor restrict the exercise of the right of self-defense recognized in article 51 of the Charter of the United Nations."

The able minority leader, the junior Senator from Illinois [Mr. DIRKSEN], quite appropriately asked for clarification on this point when the treaty was first submitted. The West German Government also had a question on this point. Clear statements by the President and by the Department of State, and a legal opinion set forth on page 15 of the printed hearings, affirm the fact that no recognition is afforded to an unrecognized regime which may subscribe to the treaty.

Mr. President, I ask unanimous consent that that opinion be made a part of the RECORD at this point in my remarks.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

AUGUST 12, 1963.

OPINION OF THE LEGAL ADVISER

Subject: Questions of Recognition in Relation to the Nuclear Test Ban Treaty.

Article III of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space, and Underwater, provides that the Treaty shall be open to all States for signature, subject to later ratification, or for accession. It designates the United States, the United Kingdom, and the Soviet Union as depositary governments.

The question has arisen whether recognition is accorded to an unrecognized regime that subscribes to the obligations of the test ban treaty. The answer is no; no change in the status of such a regime can occur.

I

In international law, the governing criterion in determining recognition is intent. 1 Hackworth, Digest of International Law, 166. The intention is ordinarily express, but recognition can also be implied from acts if they manifest unequivocally the intention of a government to recognize a state or regime. It is, however, a well-established proposition of international law that participation with an unrecognized regime in a multilateral treaty open for general adherence does not give rise to such an implication of recognition.

"The legal position with respect to multilateral treaties may be correctly summarized to the effect that neither signature nor adherence on the part either of the nonrecognizing or the unrecognized state result by themselves in bringing about recognition." Lauterpacht, "Recognition in International Law," 374.

The American Law Institute Restatement of the Foreign Relations Law of the United States says:

"Section 107. Manifestation of Intention To Recognize, General: (1) Recognition is effected by manifestation of intention by the government of a state to treat an entity as a state, or to treat a regime as a government. Such manifestation may be made by an express indication that recognition is extended or by implication from certain relations or associations between the state and the entity or regime, unless such an implication is prevented by disclaimer of intention to recognize.

* * * * *

"(3) Except as stated in section 108 [which refers to participation in international organizations], participation by a state in a multilateral international agreement in which an entity not previously recognized by it also participates does not necessarily imply recognition of the entity as a state, or recognition, as its government, of the regime that makes the agreement for it." Restatement, Foreign Relations, section 107 (proposed official draft 1962).

Continental writers take the same position. For example:

"It seems, therefore, that the prevailing practice is, not to restrict the effects of a multilateral treaty to the relations between recognized contracting parties, but to admit the validity of the commitment of a government that is not recognized, even with respect to the states that refuse to recognize it without, nevertheless, that government's obtaining implicit recognition." Charpentier, La Reconnaissance internationale et l'évolution du droit des gens, 61 (1956).

II

The practice of the United States has been consistent with this rule that participation in a multilateral treaty to which the United States is a party, especially a treaty open for general adherence, does not accord recognition to regimes or authorities that the United States does not recognize.

"It is not considered * * * that adherence to a multilateral treaty of which the United States is a signatory or to which it is a party, by an unrecognized government, involves recognition of the latter by the United States. It is erroneous to attribute to the Government of the United States the doctrine that adherence to a multilateral treaty by governments to which previous recognition had not been accorded, constitutes recognition of such governments. Adherence by another government is its own unilateral act. Intention is a matter of primary importance in recognition, and intention on the part of the United States to recognize such a government could not be imputed to it from an act of the other government." I Hackworth, Digest of International Law, 354.

The United States has also taken the position that no disclaimer is necessary in order to avoid recognition.

In 1929, in connection with the International Conference on the Safety of Life at Sea, Secretary of State Kellogg said:

"It is the view of the Government of the United States that neither participation of the United States through an American delegation in a conference in which delegates representing the Soviet regime are also participants, the signing by American plenipotentiaries of a multilateral convention which is signed also by delegates of the Soviet regime, nor the ratification of a convention signed by plenipotentiaries of the United States and representatives of the Soviet regime constitute recognition of the so-called Government of the Union of Russia, and that such actions by the United States or its plenipotentiaries are not fairly open to construction by foreign governments as constituting such recognition by the United States."

In 1932, Green Hackworth, then legal adviser, stated in connection with the International Sanitary Convention for Air Navigation:

"The mere signing of a multilateral treaty to which a nonrecognized government is also signatory does not constitute recognition of that government.

"Recognition, as has repeatedly been stated, is primarily a matter of intent. Intent to recognize cannot be validly imputed from the mere failure to raise objection or make reservation where no direct contractual obligation is undertaken."

The United States has also taken the position that, within the framework of a general multilateral treaty, it could even have dealings with a nonrecognized regime without thereby recognizing it. It has been our view that any possible implication resulting from such dealings would be effectively negatived by an appropriate disclaimer.

As depositary of the 1949 Geneva Conventions on Red Cross and Prisoners of War, the Swiss Government received acceptances from five regimes not then recognized by the United States. The U.S. Government, in replying to notifications of these acceptances, acknowledged that the nonrecognized regimes had committed themselves to apply the conventions.

More recently, the United States signed the protocol on the neutrality of Laos in 1962, which was also signed by Communist China and North Vietnam. Despite this cosignature, the United States continues to refuse to recognize both these regimes.

The United States is a party to some 11 conventions or treaties also subscribed to by the so-called German Democratic Republic.[1] The treatment given by the United States to these efforts of the German Democratic Republic to become a party to multilateral treaties has depended upon the particular treaty. In most cases (e.g., aviation, shipping, and industrial property), the United States, on receiving a notification from a depositary government that the German Democratic Republic purported to accede, has replied by stating that, since the United States does not recognize the so-called German Democratic Republic, the United States attached no significance to the purported action. However, in the case of the 1949 Geneva Conventions for the Protection of War Victims, the United States responded to a notification that the German Democratic Republic had purported to accede by stating:

"The Government of the United States of America does not recognize the 'German Democratic Republic.' Bearing in mind, however, the purpose of the Geneva Conventions that their provisions should protect war victims in armed conflict, the Government of the United States * * * notes that the 'Government of the German Democratic Republic' has accepted the provisions of the Geneva Conventions * * *, and has indicated its intention to apply them, subject to certain reservations * * * as to which the attitude of the * * * United States parallels its attitude toward reservations to the Conventions as communicated at the time of deposit of the U.S. instruments of ratification."

The practice of other countries has been similar. The Federal Republic of Germany, for example, responded to the Swiss notification of the attempted East German adherence to the Prisoners of War Convention with a note of the same tenor as the U.S. note quoted above. When the International Sugar Agreement was signed in London in 1953, the Soviet Union, Poland, and Czechoslovakia declared that their signatures did not imply recognition of the authority of the Republic of China over Formosa. Treaty Series, No. 28 (1956), Cmd. 9815, at 223.

III

The United States has also considered that, when acting as depositary of a multilateral treaty, it could receive and circulate communications from regimes it did not recognize without thereby extending recognition. For example, in the case of the International Civil Aviation Convention, Trans-Jordan forwarded a notice of adherence when the United States did not recognize the Trans-Jordan government. The United States accepted the notification, but pointed out in its notes to other governments that the United States had not accorded political recognition to Trans-Jordan and that application of the Convention between the United States and Trans-Jordan was not to be understood as implying political recognition of Trans-Jordan by the United States.

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[1] Convention for the unification of certain rules relating to international transportation by air; International Load Line Convention; Convention on safety of life at sea; Geneva Convention relating to the treatment of prisoners of war; Red Cross Convention for the amelioration of the condition of the wounded and sick in armed forces in the field; Red Cross Convention for the amelioration of the condition of the wounded, sick, and shipwrecked members of armed forces at sea; Convention relating to the protection of civil persons in time of war; Agreement for the suppression of the circulation of obscene publications; Convention for the protection of industrial property; Convention relating to the suppression of the abuse of opium and other drugs; Convention for limiting the manufacture and regulating the distribution of narcotic drugs.

The United Kingdom adopted the same view as depositary of the Load Line Convention when the East German authorities filed a notification of adherence. The United Kingdom circulated the notice, emphasizing that it was acting solely in its capacity as depositary, and that its action in no way implied recognition of the East German authorities.

In the case of the test ban treaty, however, it is understood among the original parties that no depositary need accept a signature or communications from a regime that it does not recognize. Thus the contacts between the United States as depositary and unrecognized regimes will be kept to an absolute minimum, and below the level which the general rules of international law would permit in a depositary without implying any change in recognition status of unrecognized subscribers to the treaty.

Mr. PASTORE. Mr. President, each one of the three original parties to the agreement is designated a depositary government, and subsequent subscribers to the treaty may deposit their instruments of ratification or accession with any one of the three.

Article IV reserves to each nation the right to withdraw from the treaty "if it decides that extraordinary events, related to the subject matter of this treaty, have jeopardized the supreme interests of its country." Three months advance notice of such withdrawal must be given to all other parties to the treaty. Accordingly, we reserve to ourselves the right to terminate if our overriding national interests necessitate withdrawal from the treaty. On the other hand, in the event of violation by the Soviet Union—and this point must be made abundantly clear—the treaty would, of course, be abrogated, and no time period would have to run before we could proceed to do as we pleased. A detailed legal opinion covers this point, and appears on pages 37 to 40 of the printed hearings.

I ask unanimous consent that the opinion be printed at this point in the RECORD.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

OPINION OF THE LEGAL ADVISER

Subject: Right of the United States to withdraw from the nuclear test ban treaty in the event of violation by another party.

Article IV of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space, and Underwater provides, inter alia:

"Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty three months in advance."

The question has been raised whether the United States would have to give 3 months' notice prior to withdrawing if another party conducted nuclear weapon tests in the atmosphere, or committed some other act in plain violation of the treaty. The answer is "No."

A breach of treaty obligations by one party is considered in international law to give other parties the right to terminate their obligations under the treaty. Article IV is not intended as a restriction of that right. The three original parties recognized that events other than violations of the treaty might jeopardize a country's "supreme interests" and require that country to resume testing in the prohibited environments. Article IV permits withdrawal, upon 3 months' notice, in this case. If another party violated the treaty, the United States could treat the violation as an "extraordinary event" within the meaning of article IV, or it could withdraw from the treaty immediately.

I. THE GENERAL RULE

In international law, violation of a treaty by one party makes the treaty voidable at the option of the other parties. I Lauterpacht, "Oppenheim's International Law" 947 (8th ed. 1955); see also Restatement, Foreign Relations, section 162 (proposed official draft 1962). Whether there has been a violation, and whether it is serious enough to justify termination is for each party, acting in good faith, to decide. The right to void the treaty must be exercised within a reasonable time after the violation has become known (I Lauterpacht, 948).

The right of unilateral abrogation for cause has apparently never been adjudicated in an international court.[1] It has however, been confirmed by publicists generally, and by United States, British, and Soviet authorities, among others.

The British view is "that, in general terms, such a right exists; [and] that the exercise of this right is optional at the discretion of the party wronged." McNair, "The Law of Treaties, British Practice and Opinions" 515 (1st ed. 1938).[2] Soviet authorities have taken the same position:

"The annulment of a treaty by one signatory in the event of the nonfulfillment by the other of key terms is held to be legal," Academy of Sciences of the U.S.S.R., Institute of State and Law, "International Law" 280.

The United States has consistently affirmed its unilateral right to terminate treaties in the event of violation by another party. Green Hackworth, then Legal Adviser of the Department of State and later a judge of the International Court of Justice, declared in 1935,

"The weight of opinion as expressed, at least in the United States, appears to incline to the view that a state may by its own unilateral act terminate a treaty as between itself and a state which it regards as having violated such treaty." Memorandum of the legal adviser of the Department of State, February 27, 1935, V Hackworth, "Digest of International Law" 346 (1943).

In 1791, James Madison wrote that a breach of a treaty by one party "discharges the other," which is then "at liberty to take advantage or not of the breach, as dissolving the treaty," V. Moore, "Digest of International Law" 321 (1906).

At least four Secretaries of State and one President have expressed the same view. Secretary of State Frelinghuysen termed the Clayton-Bulwer treaty "voidable at the option of the United States" because Great Britain had "persistently violated her agreement not to colonize the Central American coast." Quoted in *Hooper* v. *U.S.*, 22 Ct. Cl. 408, 417 (1887). And in a memorandum for the President in 1896 concerning that treaty, Secretary of State Olney said Great Britain "undoubtedly did not fully comply with the provisions of the treaty" and that this "might well have been made the ground for an annulment of the treaty altogether,"[3] III, Moore, 205. Secretary of State Lansing took the same position in a communication to the Swiss Minister in Washington concerning the effect of German violations of the treaty with Prussia of 1828, II Hyde, "International Law Chiefly as Interpreted and Applied by the United States" 1542 (2d rev. ed. 1945). The right of abrogation upon breach by another party was affirmed in a dictum by President Coolidge in his award as arbitrator in a dispute between Chile and Peru. Opinion and award of the arbitrator, 19 Am. J. Int'l L. 393, 398 (1925). Secretary of State Hughes also signed the award.

Finally, the Supreme Court has also declared the principle. Mr. Justice Iredell, in *Ware* v. *Hylton*, said it was "a part of the law of nations, that if a treaty be violated by one party, it is at the option of the other party, if innocent, to declare, in consequence of the breach, that the treaty is void" (3 Dallas 199, 261 (1796); see also *Charlton* v. *Kelly*, 229 U.S. 447 (1913)).

The most restrictive position on the right of unilateral abrogation for cause is taken by the Harvard Law Research Draft Convention on the Law of Treaties, which rejects the right and substitutes instead provisional suspension pending referral to an international tribunal, 29 Am. J. Int'l L., Supp. 1077, 1094 (1935). This position has been rejected by subsequent writers, and finds no support in international practice.

II. INTERNATIONAL PRACTICE

The right to abrogate or annul a treaty on the ground that another party has committed a breach has been exercised rarely. The United States appears to have invoked it only once. In 1798, when relations between France and the United States were strained, Congress passed an act, signed by the President, declaring that—

"Whereas the treaties concluded between the United States and France have been repeatedly violated on the part of the French Government; and the just claims of the United States for reparation of the injuries so committed have been refused, and their attempts to negotiate an amicable adjustment of all complaints between the two nations have been repelled with indignity: * * * the United States are of right freed and exonerated from the stipulations of the treaties and of the consular convention, heretofore concluded between the United States and France; * * *" 1 Stat. 578, V Moore, 356.[4]

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[1] It has, however, been alluded to in at least two cases before the Permanent Court of International Justice, *Diversion of Water From the River Meuse*, P.C.I.J., ser. A/B, No. 70, 50 (1937); *Case concerning the Factory at Cherzow*, P.C.I.J., ser. A, No. 9, 31 (1927).

[2] The second edition of McNair deals with the law of treaties generally, rather than with British practice. In the second edition, he limits the exercise of the right to cases of "fundamental breach." Id. at 571 (2d ed., 1961).

[3] The United States alleged that Great Britain had violated the treaty by exercising sovereignty over British Honduras, and by treating that territory as a British colony. The British considered the allegation "wholly untenable," on the ground that the treaty was not intended to cover British Honduras. However, they also assumed that the United States would be entitled to abrogate the treaty if Great Britain had violated it, McNair, 567–568 (2d ed.).

[4] The treaties with France were abrogated by act of Congress. However, the President may, acting alone, declare a treaty inoperative or suspended. See 40 Ops. Att'y Gen. 119, 123 (1941). See also "Restatement," sec. 167.

France did not recognise the U.S. termination. For an account of subsequent negotiations see V Moore, "History and Digest of the International Arbitrations to Which the United States Has Been a Party" 4429 (1898).

In 1933, a Greek Court refused to extradite Samuel Insull, then under indictment in the United States for violation of the bankruptcy laws. The United States denounced the treaty but did not abrogate it. In a communication to the Greek Minister of Foreign Affairs, the American Minister to Greece, termed the decision "utterly untenable and a clear violation of the American-Hellenic Treaty of Extradition * * *" and stated:

"Accordingly I am instructed to give formal notice herewith of my Government's denunciation of the treaty with a view to its termination at the earliest date possible under its pertinent provisions," 28 Am. J. Int'l L. 307, 311 (1934).

The issue was later resolved by a protocol to the extradition treaty, IV Hackworth, "Digest of International Law" 118.

In 1870, Russia denounced the Black Sea clauses of the Treaty of Paris on the ground that the other parties had violated several of its essential clauses. For an account of British practice, see McNair, 540–570 (2d ed.).

Unilateral abrogation has normally been met by vigorous protests from the other parties. However, the protests have been the result of disagreement over the facts rather than over the principle of law. See II Hyde, 1543, McNair, 568 (2d ed.).

III. MATERIALITY OF THE BREACH

Most publicists limit the right of abrogation to cases of a substantial breach by the other party. Hyde says abrogation by one party is justified by the "failure of a contracting state to observe a *material stipulation* of its agreement * * *," although he also notes the futility of attempting "to enunciate rules pointing, decisively to the circumstances when abrogation by one party is to be excused." II Hyde, 1541. [Italics supplied.] The rule is sometimes stated in terms of the nonfulfillment of "key terms" (U.S.S.R., "International Law" 280) or "breach of a stipulation which is material to the main object," Hall, "A Treatise on International Law" 409 (8th ed. Higgins 1924). Under the proposed draft restatement, termination of the entire agreement is justified only when the violation "has the effect of depriving the aggrieved party of an essential benefit of the agreement," "Restatement," section 162. The draft articles on the Law of Treaties of the International Law Commission, prepared by G. C. Fitzmaurice, require a "fundamental breach of the treaty in an essential respect, going to the root or foundation of the treaty relationship between the parties, * * *" II Yearbook of the International Law Commission 31 (1957), A/CN.4/SER.A/1957 (Add.1).

Hackworth, however, does not so limit the right of abrogation, and Lauterpacht states:[5]

"There is no unanimity on the point, since some make a distinction between essential and nonessential provisions of the treaty, and maintain that only violation of essential provisions creates a right for the other party to cancel the treaty. Others oppose this distinction, maintaining that it is not always possible to distinguish essential from nonessential provisions, that the binding force of a treaty protects nonessential as well as essential provisions, and that it is for the injured party to consider for itself whether violation of a treaty, even in its least essential parts, justifies its cancellation," I Lauterpacht, 947.

The primary undertakings of the nuclear test ban treaty are contained in articles I and IV. Article I obligates the parties not to conduct nuclear weapon tests or other nuclear explosions in the atmosphere, underwater, or in outer space. Underground explosions are permitted if they do not spread radioactive debris beyond the territory of the country in which they are conducted. Parties are also prohibited from "causing, encouraging, or in any way participating in" the carrying out of prohibited tests or explosions by others. Article IV requires 3 months' notice of withdrawal in the case of an "extraordinary event" jeopardizing "supreme interests." Breach of any of these obligations, all of which are fundamental, would justify withdrawal from the treaty under appropriate circumstances.

IV. MULTILATERAL TREATIES

The right of a party to terminate its obligations under a multilateral treaty because another party has breached it depends upon the nature of the treaty. A breach by one party obviously does not give any other party the right to bring the whole treaty to an end. At most, the aggrieved party may consider itself released from its obligations under the treaty.

In the case of multilateral treaties creating obligations necessarily dependent on the corresponding performance of other parties, a breach by one party justifies withdrawal by any other party. A disarmament treaty has been cited as an example of such a treaty in an analysis of unilateral withdrawal from multilateral treaties, II Yearbook of the International Law Commission 52–55 (1957). The nuclear test ban is of the same character. The undertaking of each party to refrain from testing nuclear weapons is given in return for a similar undertaking by each of the other parties.

However, in the case of a multilateral treaty consisting of a mutual and reciprocal interchange of benefits and concessions, such as a copyright or consular convention, a breach by one party does not justify general withdrawal by another party. Rather, it justifies only a reciprocal breach of obligations. For example, if state A refused to honor its obligations to state B under a copyright convention, state B could be released, if it chose, from its obligations to state A. It would not, however, be released from its obligations to other parties to the convention. Ibid.

COMMITTEE HEARINGS

Mr. PASTORE. Mr. President, 11 days of hearings were held to consider this treaty, in a historic combined meeting of the Foreign Relations Committee, the Armed Services Committee, and the Senate section of the Joint Committee on Atomic Energy.

As chairman of the Joint Committee on Atomic Energy, I want to thank the distinguished junior Senator from Arkansas, the scholarly and capable chairman of the Foreign Relations Committee [Mr. Fulbright]. As chairman of that committee, to which all treaties are referred, and which had primary responsibility for investigating and developing all its aspects of this one, he was most gracious and considerate in inviting Senators from the Armed Services and the Joint Committee on Atomic Energy to participate with the Foreign Relations Committee throughout its detailed hearings.

Of course, under the Constitution only the Senate—not the House of Representatives—acts on treaties, after they are submitted to it by the President. But out of his willingness to cooperate, the distinguished chairman of the Foreign Relations Committee extended an invitation not only to the nine Senate members of the Joint Committee on Atomic Energy, but also to nine House of Representatives members of the Joint Committee. The latter, in turn, although they appreciated the invitation, and so expressed themselves, decided that inasmuch as the treaty was the governmental responsibility of the Senate, the House members should not participate. For that reason, they did not attend; but the Record should show that at least they were invited, in a spirit of cooperation.

The Senator from Arkansas was most fair and impartial in giving adequate time to all who participated in the hearing, whether they were members of his committee or were members of the Armed Services Committee or the Joint Committee.

On behalf of myself and the other members of the Senate section of the Joint Committee on Atomic Energy, I want him to know how very much we appreciate his kindness, his patience, and the many courtesies he extended throughout the public hearings and the closed hearings on the treaty.

I believe the resulting printed record, consisting of over 1,000 pages of testimony and information, is eloquent evidence of the very careful attention that was given to this treaty by the members of the three committees.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. FULBRIGHT. I wish to express my appreciation to the Senator for his kind remarks.

Mr. PASTORE. The Senator has fully earned them. The intensive hearings held by the three committees clearly documented the fact that our Nation is militarily strong and amply prepared to defend itself in the event of armed aggression by any nation, or group of nations.

Today we have tens of thousands of nuclear warheads.

I wish to repeat that statement. We have in the U.S. arsenal tens of thousands of nuclear warheads. Many are dispersed to our operating forces, immediately available in the event of surprise attack and include tactical as well as strategic weapons. As testified to by Secretary McNamara:

> In the past 24 months alone, there has been a 100-percent increase in the number of nuclear warheads in the strategic alert forces; a 60-percent increase in the tactical nuclear forces deployed in Western Europe.
>
> During that period the megatonnage of our strategic alert forces has been more than doubled and during the next 24 months it will be further increased.

Four times a year, the Joint Committee on Atomic Energy receives a "top secret" document from the Department of Defense reporting on the dispersal of nuclear weapons to our operating forces and oversea locations. I personally have also visited some of these forces and know the powerful military capability they possess.

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[5] In the first edition of his "Law of Treaties," McNair said flatly, "* * * it is not possible to say that some stipulations are essential ones and some are not, and that only a breach of one of the former class gives rise to the right; it must be assumed that each stipulation forms part of the consideration which induces the other party to enter into the treaty," at 515.

As further pointed out by the Secretary of Defense:

> The U.S. force now contains more than 500 missiles—Atlas, Titan, Minuteman, Polaris—and is planned to increase to over 1,700 by 1966. In addition, the United States has SAC bombers on air-alert and over 500 SAC bombers on quick-reaction alert.

Thus, we do not negotiate from a position of weakness. Let there be no misunderstanding nor mistake on that point. We negotiated the treaty before the Senate from a position of great strength.

Today a question was raised about the actual testing of some of the complete systems. I believe the point was referred to by my distinguished friend the Senator from Georgia [Mr. RUSSELL]. He made the point that many of our atomic weapons, hydrogen and nuclear systems, have not been fully tested.

Others have cited General Power's testimony before the Preparedness Subcommittee. However, General Power, in making a plea for operational systems testing, failed to state that the Department of Defense, the Atomic Energy Commission weapons laboratories, and the division of military applications have examined and studied the problem in great detail. Many studies on each weapons system were undertaken. Complete tests of the system, including the warhead firing signal up to the nuclear detonation, have been accomplished. However the nuclear devices have separately been tested. One does not, without the greatest care, detonate nuclear weapons. Nuclear weapons tests at ICBM distances are not necessary for proving systems and proving warheads.

I wish to give special emphasis to the remark I am about to make. It is to be noted that the Soviet Union has not operationally tested an ICBM system that included a nuclear warhead detonation. But in 1962, in the Pacific, we tested a complete Polaris system missile with nuclear warhead and nuclear detonation.

The system worked and the nuclear weapon detonated just as we were assured by the Atomic Energy Commission it would, and the technical and military people thought it would. It did so without malfunction on the first attempt when it was fired from a submarine. The point that I make is that we have had a complete test of the Polaris missile system and the Russians have not had a complete test of their intercontinental ballistic missile systems.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. FULBRIGHT. I appreciate the Senator's making that point very clear. The Senator is one of the few Senators in a position to know about those subjects. This seems to me to be quite contrary to the impression I received from the previous speaker. I am pleased that the Senator made that point very clear.

Mr. PASTORE. I thank the Senator.

DESTRUCTIVE FORCE OF NUCLEAR WEAPONS

For over 10 years I have been a member of the Joint Committee on Atomic Energy and have closely followed the highly classified weapon development and testing program. I have observed during the years tremendous advancements made in the efficiencies, the numbers, and types of our weapons. No one who has ever seen the result of a nuclear weapons test, particularly a hydrogen explosion, will ever forget the massive destructive power of such weapons.

People today discuss and the newspapers carry articles referring to kiloton weapons and megaton weapons. Debates occur as to whether or not there is military need for weapons of 60 to 100 megatons. I think an observation of that kind was made today.

It is important that we periodically stop and contemplate the true meaning of megaton. As I have previously pointed out, only one 20-megaton bomb has been calculated to be equivalent to the explosive force of TNT carried by a railroad train of freight cars stretching diagonally across the United States from New England to the State of California.

Sometimes we talk about megaton in the abstract as though we were talking about agates or marbles. I have made speech after speech—I only wish more people heard them—during the past 10 years, to the effect that there are enough bombs in the stockpiles of the powers today—the United States, Great Britain, and Red Russia—so that if they were strategically dropped, everything that man created from the beginning would be destroyed. What was not burned would be contaminated by fallout.

We hear talk about 100-megaton bombs. What would we do with them? Blow up the entire world? If one 20-megaton bomb has the equivalent of all the TNT that could be carried on a train of freight cars from the Atlantic seaboard to the Pacific, what would we want with a weapon that would be 5 times more powerful than that?

Does anybody want to test them? I know; the Russians have tested a 60-megaton bomb. We can build a 60-megaton bomb now, with the knowledge we have.

If my memory serves me correctly—and I think it does—the Senator from New Mexico [Mr. ANDERSON] brought this out when he interrogated the Secretary of Defense. He asked:

> Has it ever been the policy of the United States to make a 100-megaton bomb?

The answer was "no." The answer was that it is not the policy of the United States to make such a terror weapon, there was no military need for it. We in this country have at least some conscience.

Yes; we are prepared to destroy every military installation the Russians have. If anyone doubts me, we can even include every installation that Red China has and that Castro has. We have that power.

As the Secretary of Defense pointed out, we have nuclear bombs by the tens of thousands. Our stockpile includes kiloton and megaton weapons. I remind my colleagues that a 20-kiloton weapon completely destroyed the city of Hiroshima, and killed or injured 256,000 people in one blow. That was the first one. That was the crude one. That was the primitive one.

I wish some of my colleagues could see some of the bombs we have now.

When we refer to these bombs—be they 20- or 60- or 100-megatons—let us realize what we are talking about.

I will put it another way. World War II was a terrible war. It was a big war. It accounted for many blue stars and many gold stars in the windows of America.

Do my colleagues know that all the explosive power used in World War II was equivalent to less than 3 megatons? And Secretary McNamara says we have nuclear weapons by the tens of thousands.

I say to my colleagues that the time is coming fast when we must begin to think about ending this race.

No one is suggesting that we should weaken the military posture of America. Who is for that? Nobody.

Today—I was present, because I am a member of the Appropriations Committee—the committee reported the Defense Department appropriation bill. Anybody who thinks America is growing weak or going soft should ask how much was reported. It was $47,385 million.

I am told that if a person spends $1,000 a minute it will take him about 100 years to spend $47 billion. Senators can imagine how much of an appropriation was recommended today. They can hardly imagine it.

Yet there are some who say, "We are weakening America."

One weapon today, therefore, is significantly greater in destructive force than all the weapons exploded in World War II. It is difficult for the mind to contemplate the destructive forces that are available today as they presently exist in the stockpiles of the Soviet Union and the United States.

There is something else I feel compelled to say to my friend before I forget it. We are asked, "Why do the Russians do this, when they would not agree for 5 years? That has always been a mystery to me."

I wish some of the Senators who like to talk about Cuba were present in the Chamber now. It is too bad they are not present.

President John Kennedy said to Khrushchev, "If you bring your ships near the American coast, and not permit inspection of those ships to make sure there are no missiles on them, your ships will be blown up." That is what the President said. What did the great Khrushchev do? What did Khrushchev, who is supposed to have great power through this treaty, do? Did he become haughty? Did he become arrogant? Oh, no. He retreated. Did this man, who is to get so much from this treaty, who, some think, has accomplished so much with the tests he began September 1, 1961, about which everybody is talking, say, "Like the deuce you will. I will sail my ships through"? No. He retreated. Why did he retreat? Because President Kennedy made him understand that he would get into a nuclear war. He does not want it. The Kremlin does not want a nuclear war any more than we want such a war.

He knows that all the explosive power used in World War II, which destroyed practically all of his country, was equivalent to less than 3 megatons. That was the beginning.

This man, who was going to bleed America dry, realized that America was not going to take it lying down. The man he thought was a young boy in the White House was a man 10 feet tall; and Khrushchev knew it. When he came face to face with that fact, the man who is supposed to have so much under this treaty backed down. That was the beginning of the treaty.

He has other troubles. There are some who would make one think that it was necessary to embrace Khrushchev if one is to favor this treaty. One almost finds it necessary to stand up and give assurances that Khrushchev is on the level.

Who cares whether he is or is not? This is not his treaty. This is America's treaty. This treaty is not based on the good faith of the Russians. Of course not. We are not taking their word for anything. Read the treaty. We are not taking their word for one period, let alone crossing a "t" or dotting an "i."

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from South Carolina.

Mr. THURMOND. I have only one question to ask, and then I shall have to leave the Chamber.

The distinguished Senator is the chairman of the Joint Committee on Atomic Energy.

Mr. PASTORE. That is true.

Mr. THURMOND. I have one question to ask the Senator.

I have been informed that recently the United States detected signals which indicated that a nuclear explosion possibly occurred in the Antarctic. It is my understanding that the possibility that the signals were caused by a volcanic eruption has been largely eliminated, since there has been no evidence of volcanic ash in the atmosphere or the sea. I have heard that the Joint Committee on Atomic Energy has held executive hearings on this matter. Could the Senator give the Senate any assurance that the signals received from the event in the Antarctic were not caused by a nuclear explosion set off by the Soviets or some other Communist nation?

Mr. PASTORE. Our best experts in the United States have said that there is no such indication. If the Senator has better information than I have, I wish he would spread it on the record.

Mr. THURMOND. I thank the Senator.

Mr. PASTORE. The Senator is welcome.

Who can deny that the treaty is to the mutual advantage of the free world, as well as the Communist world, in the exploration of every avenue to prevent nuclear war? Who can deny that Mr. Khrushchev and more than 200 million Russian people do not want nuclear war? President Kennedy and 187 million Americans do not want war.

When I accompanied the Secretary of State to the Soviet Union, we took a ride. The Senator from Arkansas [Mr. FULBRIGHT] was with us, as were the other Senators who went to Moscow. I am not familiar with Russian, and I do not remember the name——

Mr. FULBRIGHT. Zagorsk.

Mr. PASTORE. I thank the Senator.

I never saw such arid country in my life. The vegetation was not very healthy. I do not want to deprecate the people who fed us, but we had an official luncheon. I ask the Senator from Arkansas if he noticed the vegetables. They all looked anemic.

Do Senators think the Russians have big tomatoes such as are produced in Florida and California? Do Senators think they have big peaches such as we get from Georgia, or some of the fine fruit we get from South Carolina? Or the great peppers from Rhode Island?

What we were fed were puny, little string beans.

Khrushchev has been educating his people. They are becoming more informed. Now they want things. I ask the Senator from Arkansas if that is correct. He is my expert on foreign relations.

That is the paradox. That is the dilemma of this man Khrushchev. He is trying to outdo the people of the world in scientific accomplishments. So he trains his people and builds the big Moscow University. He can use all the propaganda he wants on his people, but when a Ph. D. sits down and gets a puny stringbean, he is not going to believe all the things that are being said about capitalism. Khrushchev has that situation to contend with. To top it off, he is having trouble with Mao Tse-tung.

So there we are, Mr. President.

The Russians are now reaching a point, even in the Kremlin, where they are beginning to realize that man has created a monster. If we are not careful to bring it under control, and if the nuclear club continues to expand, only God knows what the end may be.

When we consider that less than 3 megatons were used in World War II, and we are talking now about thousands of nuclear bombs, it gives us an idea of the destructive forces available.

I have already touched upon this point, but I repeat it: Who can deny that it is to the mutual advantage of the free world, as well as the Communist world, to explore every avenue to prevent nuclear war? Who can deny that Mr. Khrushchev and the over 200 millions of Russian people do not want nuclear war? President Kennedy and the 187 millions of Americans do not want war.

Who is there of us that does not recall those dark days of last October when the threat of war was imminent? Who of us today does not remember the deep concern we felt as a Nation and as individuals over the fear that nuclear weapons were about to be released upon the world? Those were somber days, and heavy responsibilities lay on the shoulders of each of us who today has the responsibility of voting on this treaty. Heavy responsibilities lay on the shoulders of the President, the Secretary of Defense, on military commanders, and on our Strategic Air Command personnel.

Those were sober days also for Mr. Khrushchev, his advisers, and his military personnel. We remained resolute and fortunately for the world—both the Communist and the free world—reason prevailed.

Why are the leaders of the Soviet Union willing today to enter into a limited test ban treaty which they repeatedly rejected in the past? Many factors may enter into their decision. I suggest that one factor will be the sober reflections resulting from last October. They, as well as we, have come close to the abyss. They, as well as we, have much to lose and nothing to gain by all-out nuclear war. They, as well as we, have reason to prevent nuclear war.

Let no one doubt that the Soviet leaders were affected by their mad step toward the edge of darkness in Cuba.

In a letter of July 13, from the Central Committee of the Communist Party of the Soviet Union to all party organizations, the Soviet leaders show the dramatic scars of their confrontation with the United States last October. Listen to their own words:

> The atomic bomb does not distinguish between the imperialists and working people * * * the atomic bomb does not adhere to the class principle—it destroys everyone within range of its devastating force * * * never before did mankind come so close to the brink of a thermonuclear war as it did in October of last year.

That is what they say.

This July 13 letter of the Central Committee crystalizes the sharp difference between the Chinese and the Russians. In the years to come, it will be recognized, I believe, as a key document in the history of communism. It will be reviewed and cited by historians for its insight into and the rationale of the break between the two Communist states.

As I stated before, this treaty represents a first step—a cautious step. For the last two decades we have been unable to reach satisfactory disarmament agreements, although we have consistently tried in good faith. While it has been discouraging, disheartening, and frustrating, we can be thankful that we have not engaged in nuclear war.

We must remain strong. As I have already pointed out, we must not permit our guard to be let down. The President, the Secretary of State, the Secretary of Defense, the Chairman of the Atomic Energy Commission, each individually has assured us that they will support a vigorous underground testing program, and will maintain our atmospheric testing capabilities in a high state of readiness. They have also assured us that efforts will be made to improve our test detection capabilities so that in the event of a violation we will be in a position to ascertain the fact and take immediate steps. As chairman of the Joint Committee on Atomic Energy, I can assure my colleagues that the Joint Committee intends to keep fully abreast of these matters in the interests of the United States and the free world.

On Friday, September 13, the United States conducted two underground tests at Nevada, as permitted under this treaty. A representative of the Joint Committee staff was present at the test site and has personally reported his observations to me this morning.

While we continue to remain strong, we likewise must continue to explore for means of disarmament.

The next two decades will be crucial. What will we bequeath to our children? Will it be a civilization in which medical advances will make possible longer and healthier lives, in which starvation will disappear, in which the heavy burdens of manual labor will be lifted from man leaving him ample leisure time to enjoy the benefits of life?

Will it be civilization or annihilation—destroyed cities; millions of dead; untold maimed and crippled?

We have had reports from experts to the effect that, in the event of a surprise attack, it could mean 35 million American lives. It could mean 50 or 75 million Russian lives. We are discussing an atomic attack that would result in the loss of millions of lives.

Will our children survive? If so, will we leave to them and their children the ashes of our civilization, the radioactive pollution resulting from the fallout of a nuclear war? These, then, are the alternatives that will be facing us in the next two decades.

And now, after weeks of deliberation and debate, the great constitutional drama is about to reach its decisive moment. Whether this treaty is more advantageous to the Soviet Union or to the United States no one can say with certainty.

Naturally, there are uncertainties involved. We may not know with definite certainty everything the Russians know, or what they may have achieved, although we have methods and means to keep us pretty well informed.

After all, we can gage what they might have done by what we are able to do. We know that if we have scientific problems, they must have them, too. They have a closed society, and no one can stand on the floor of the Senate and say precisely what they have. I hope no Russian can stand in his Presidium and say with certainty what we have. There are many Senators who do not know what we have. Naturally, there are imponderables, and there are risks to be weighed. But what we do know is that the responsible representatives of our Government have assured us that the balance of power is in our favor. Every man has a right to reach his own conclusion. After all, who are our best-informed people? Who is the best-informed man in the United States? If he does not know what is going on in his Government, he should not occupy the White House. He has at his disposal, at his command, any available information he desires. There are no restrictions upon him. He does not need a Q clearance. He is the President of the United States. He is the head of our Government. He is the Commander in Chief. He has made it his business to find out. He knows. If Senators are not satisfied with one President—let us add President Eisenhower. Did he not know, as President? I realize that a Senator can reach his own conclusion, but where does one go when he looks for authority? One goes to the best-informed source. If one cannot go there, he is lost.

The President of the United States, the Secretary of State, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the members of the Joint Chiefs of Staff, and the Director of the Central Intelligence Agency, Mr. McCone, whom I have known for many years as one of the most illustrious and best informed men who has ever headed the Atomic Energy Commission, all are in favor of the treaty. Mr. McCone told our committee—I see in the Chamber my distinguished predecessor, the Senator from New Mexico [Mr. ANDERSON], who will bear me out—that Mr. McCone would not utter a word before our committee until he had done his homework, and that only then would he open his mouth before our committee. That is how cautious he is.

Then there is the current Chairman of the Atomic Energy Commission, Dr. Glenn T. Seaborg. Who is he? He is a Nobel Prize winner. He merely discovered the element plutonium. If we did not have plutonium, we would not have the nuclear weapons we have today. I will let Senators in on a fact. Dr. Seaborg is in favor of the treaty. Is he alone? No; there are five members of the Atomic Energy Commission, and all five of them are in favor of the treaty.

Military might is an important subject. We talk about military power and who has it; the balance of terror, and the balance of power. If I asked the question once, I am sure my good friend from Arkansas will bear me out when I say that I asked every responsible witness the same question. The question was: "Would you say the balance of power is in our favor or in the favor of the Russians?" Every one of them said the balance of power is in favor of the United States.

If we cannot rely upon those men, where can we go for our information? If we cannot rely on them, where can we go for advice and counsel? Where can we go for help in this crucial hour?

Some have the idea that if the treaty is rejected—and I pray it will not be rejected—tomorrow will be like yesterday. There is no critical program that I know of for the United States to indulge in an extensive atmospheric testing program. The only assurance we have is that the President of the United States said we will not test in the atmosphere unless the Russians do so first. That is the only assurance we now have. We have before us an agreement that neither side will do it.

We must realize that we have been at this task of negotiating a treaty since 1958. I ask my colleagues in the Senate, who has been the moving party in this endeavor? Were these talks initiated at the suggestion of Stalin or Khrushchev, or were they initiated at the suggestion of Eisenhower and Kennedy? The best rationale that Senators who have talked against the treaty on the floor can use in reaching a conclusion is that we should have never gotten into this situation in the first place. What they are actually saying is that everything that was started in October 1958, was wrong, that everything we have done since has been wrong, and that what we have now is wrong. That is their argument. With all due respect to their sincerity and their dedication and patriotism, I cannot agree.

A rejection of the treaty would be an invitation to unrestricted atmospheric testing or increasing radioactive pollution of the atmosphere. That is all it can mean. What we are discussing is atmospheric testing. While scientific evidence indicates that the dangers of fallout today have not reached the critical point, the fact remains that continued further testing at the same or greater rate, even without a nuclear war, could constitute a serious problem.

Strontium 90 has a half-life of 28 years.

When I was a little boy, we used to play a game. We would throw a ball into the air and shout, "What goes up, must come down." When strontium 90 is shot into the air, it will come down. When it rains, the rain will gather it and bring it down. The atmosphere can absorb only so much. True enough, what is up there now has not reached the danger point. The more that is shot up, the more will be up there; and the more that is up there, the more that will come down here. Remember the song: It goes in there, and it comes out here? Once we have passed the point of no return, we will not send any chimney sweeps up there to sweep the strontium 90 away. It will be there. It will be there to plague the destiny of mankind for years to come.

I am not trying to alarm anyone by saying for a moment that we have already reached the danger point. But if we are to exercise the privilege of testing in the atmosphere, and if Russia will exercise the privilege of testing in the atmosphere, and if Great Britain will exercise the privilege of testing in the atmosphere, and then De Gaulle, Mao Tse-tung, Israel, then Egypt, and then some other countries, who will stop the testing then?

The time to stop it is now. That is why we are a party to the treaty. Let us stop atmospheric testing now; otherwise it could be too late.

Moreover, a rejection of this treaty by the U.S. Senate would signify to the world that the long hoped for first step toward the control of nuclear weapons still evades us. What the motive of Khrushchev may be in accepting this document I cannot say. For my part, the question is: Is this treaty in the interest of the United States of America and the free world? My answer is unequivocally, "Yes." From the very start, we have been the moving party. It was President Eisenhower who initiated this effort. It was President Kennedy who pursued it. We were the ones who took the initiative. As far as I am concerned, the treaty is the product of our effort. It is an American treaty, signed by an American Secretary of State.

I was present and had the honor to stand behind the Secretary when he signed it—and it was recommended to the Senate by the President of the United States. So far as I am concerned—and I shall shout this from the rooftops—this treaty is good for us, it is good for our families, it is good for our children, it is good for America. The treaty is good for the free world; it is good for all mankind.

Of course, risks are involved. There has not been an individual of any responsibility who has not admitted from the very start that risks are involved. But how much greater are the risks if we reject this treaty and, if rejected, then the crucial question would be: Where will we start all over again?

What will be the prestige and position of the United States in the face of over 90 nations which have now become parties to a treaty that is the product of our effort? How can we stand here at this moment retreating, rejecting, and repudiating what we have been trying to achieve for the last 5 years?

I ask these questions with a prayer on my lips: What would we do the week after we had rejected the treaty? What would the President do? What would the Secretary of State do? Where would we begin new talks? What would we say to the 90 nations that have signed the treaty—a treaty that we initiated, a treaty that we inspired, a treaty that we have worked for?

As I have previously stated, those who doubt the treaty have a double responsibility and a double power under our constitutional process. For every Senator who votes against the treaty—and I do not challenge or question any Senator's right to do so—the President must produce two Senators who will believe in him. That is how serious the situation is.

I realize that it is a foregone conclusion that the minds of Senators are made up. That has been evident from the very start. One can tell it from the number of Senators in the Chamber. They have lived with this subject. They have studied it and have read the RECORD. Their minds are made up. All we are doing is making our speeches for the RECORD. I really made mine the other day, regretfully on the time of the distinguished Senator from Minnesota [Mr. HUMPHREY]. I am making this formal statement merely to document the RECORD. I feel I am obliged to do so because I owe a responsibility to the Senate as Chairman of the Joint Committee on Atomic Energy. But really I am not adding any new argument. All the arguments have been made, and made very clearly. One could not invent a new idea or a new argument; they have all been made.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. FULBRIGHT. I should like to protest the last statement. The Senator from Rhode Island is delivering a wonderful, masterly speech. I regret that more Senators are not in the Chamber to hear it. It is one of the great speeches being made. I do not accept the Senator's characterization that it is a formal speech.

Mr. PASTORE. Besides being a great scholar, the distinguished Senator from Arkansas is a generous gentleman. I appreciate his compliment.

I have lain awake nights thinking about the treaty. I have pondered the testimony of the great experts who have come before our committee to tell us what they think of the treaty, of the destructive capabilities of atomic weapons, and of the capabilities of the Russians.

But as God is my judge, my task at this final moment is an easy one. My work has not always been easy. The decisions we have had to make as members of the Joint Committee have been quite strenuous and hard. I have lived with this problem and peril from the very start. I have followed our country's efforts year by year and step by step. With each failure, I have suffered a feeling of frustration; and every time the encouragement came from the President to resume the talks, I found new hope.

We have now accomplished what we have been trying to accomplish.

I am reminded of a young man who courted a girl for 5 years. Once a day he asked the girl to marry him. Every day he asked her to marry him. She would not give him an answer. Finally, after the 5 years, when he asked her again, she said, "Yes." And then he thought he had made a bad bargain.

We have tried for 5 years to obtain this treaty. Now we have accomplished what we started to accomplish. I do not believe that we have made a bad bargain. We have made a good one. This is a good opportunity, a golden opportunity, that has come to all humanity. It would be the greatest tragedy of our time to reject the treaty. It is the biggest thing that has happened to civilization since that day in December 1942 when Enrico Fermi found the secret to the atomic bomb. It is the biggest thing that has happened since December 2, 1942, when Fermi achieved the first nuclear chain reaction under Stagg Stadium, at the University of Chicago.

The treaty is only a first step, but it is the only step we have been able to take in the direction of achieving some sort of control, even so small, of the destructive force of atomic power. Whether this opportunity will ever come again, only God knows; but I sincerely believe this is our opportunity. I pray we shall not allow it to pass unheeded, unappreciated, and unaccepted. With all the reverence in my heart and with all the reverence of my being, I say, in utmost sincerity, let us accept this treaty, let us approve it, and let us give humanity a second breath.

Mr. FULBRIGHT. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am glad to yield.

Mr. FULBRIGHT. I cannot resist thanking the Senator from Rhode Island for delivering one of the greatest speeches I have ever heard since I have been in the Senate. I thank him from the bottom of my heart for doing so.

Mr. PASTORE. I thank the Senator.

Mr. PELL. Mr. President, will my colleague yield?

Mr. PASTORE. I yield.

Mr. PELL. I rise to congratulate my senior colleague on the excellent speech he has just delivered. If there are Senators who are in doubt, I believe it will have a profound effect upon them. Throughout the United States there may be many undecided citizens, and perhaps the words he has uttered will also have an effect upon them.

From the bottom of my heart, I congratulate my colleague for his remarkably fine speech.

Mr. PASTORE. I thank my colleague.

Mr. HUMPHREY. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. HUMPHREY. I wish to join other Senators in commending the distinguished Senator from Rhode Island for his address, the text of which I was privileged to read earlier in the day. I also had the privilege of hearing him deliver part of it in such masterful style.

I particularly commend the very able Senator from Rhode Island for his interrogation of the witnesses who appeared before the three committees during the hearings, for the quality of his questions and the perception he revealed by them, and for his keen understanding of the great issues relating to nuclear energy and the relationships between our country and the Soviet Union.

I believe one of the Senator's most valuable contributions to the debate and to the important decision the Senate will soon make was made during the many days of hearings and the taking of testimony, when by his incisive mind and the thoughtful questions he asked, and also by the answers received to them, many of the doubts relating to the treaty were removed and eliminated.

So the Senator from Rhode Island has performed a dual service both by the hard work he did in the committees and by his speech in the Senate Chamber this afternoon, in presenting his conclusions in regard to the treaty.

I join the Senator from Arkansas and the junior Senator from Rhode Island [Mr. PELL] in congratulating him on his magnificent address.

Mr. PASTORE. I thank the Senator from Minnesota.

Mr. ANDERSON. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I am glad to yield.

Mr. ANDERSON. I, too, desire to express to the chairman of the Joint Committee on Atomic Energy my thanks for his very valuable and fine speech. As former chairman of the Joint Committee on Atomic Energy, I always admire the virile and vigorous way in which he conducts the Committee; and I have nothing but praise for his excellent speech this afternoon. I wish to associate myself with his remarks.

Mr. PASTORE. I thank the Senator from New Mexico.

Mr. BIBLE. Mr. President, will the Senator from Rhode Island yield to me?

Mr. PASTORE. I yield.

Mr. BIBLE. I have a deep and warm affection for the Senator from Rhode Island. Every time I hear a speech by him, I think it is the best speech he ever made; but I am convinced that the speech he has made today is by far the best of the best.

Mr. PASTORE. I thank the Senator from Nevada.

Mr. President, I yield the floor.

Mr. ANDERSON. Mr. President, I have been following the Senate debate on the limited test ban agreement, and I was privileged to participate in the hearings of the Foreign Relations Committee which preceded floor debate on the question of approval of the treaty. I extend to the Senator from Arkansas [Mr. FULBRIGHT] my thanks for his excellent job. The hearings elicited valuable information on which Senators and the public could form their judgment of the treaty. I say that on the basis of some 12 years of service on the Joint Committee on Atomic Energy, where, behind closed doors, we have been kept in close touch with nuclear weapons developments. As a member of that committee, I have attended test ban conferences at Geneva.

The day of atomic weapons first dawned in my own State, at Alamogordo. In New Mexico there are large laboratories for weapons research and development, technical and industrial facilities for assembling nuclear warheads, and bases and missile sites from which they can be launched.

Actually, my relationship to atomic weapons policy issues goes back to my service in President Truman's Cabinet when there came up the question of whether to give the Russians the secret of the atomic bomb. I was one of those who advised against such an action. That view prevailed. So I had the conviction that my decision as to how I would vote on the question of Senate approval of this treaty was not to be based on weighing the mail I received or on examining the latest Gallup poll, or on party loyalty; instead, it was to be supported by intimate and long experience with nuclear weapons research, development, and employment.

During the hearings, it was stated several times that international political considerations, rather than military requirements, were preeminent in the administration's decision to sign the partial test ban treaty.

I had not intended to speak during the treaty debate. A very substantial record, in both open sessions and executive sessions of the Foreign Relations Committee and the Preparedness Investigations Subcommittee, had been made on the issue; and I believed the Senate could move rather expeditiously to the vote. But as the debate has continued, I have grown concerned about certain statements which have been made. In dealing with these statements, I want to establish that there are some very good scientific reasons—and in connection with nuclear weapons, they are security reasons—for the kind of test ban which is established by the treaty. I also want to explore the statements that the treaty imposes military disadvantages on the United States.

The very nature of the subject under debate sets barriers to placing the complete story before the public. There are necessary requirements that certain information be withheld from public view. And our knowledge of just what the Russians have achieved in nuclear weapons and defensive systems is not 100-percent complete.

These limitations do not support the belief that there is anything sinister in the treaty. I find nothing to justify anyone's feeling less confident in the security of this Nation if the treaty is ratified by the United States.

The safeguards deemed essential by the Joint Chiefs of Staff are well known, as are the pledges by the administration that the safeguards will be implemented. Other assurances have been given, and these I will not discuss, except to say that I am confident of the determination of the Congress and the administration to uphold them.

I want to speak this afternoon to the questions of reliability of nuclear weapons, and of the future of underground testing, antiballistic missile systems, and large-yield weapons. In limiting my remarks to these areas, I am not discounting the importance of such matters as reducing international tensions and halting possible radiation hazards from renewed atmospheric atomic testing.

Many specters have been raised by some in the military pertaining to the lack of reliability of systems which they claim can only be demonstrated by actually exploding a total system or perhaps a number of systems in operational configurations and under closely simulated operational conditions.

Testifying before the Senate Preparedness Investigations Subcommittee on August 19, Gen. Thomas S. Power, Commander in Chief, Strategic Air Command, said:

> I have some [deleted] different types of nuclear weapons in the Strategic Air Command arsenal. None of them have been tested operationally from stockpile to detonation. I think this is a mistake. I think they should be tested.
>
> The only way you can prove a weapon system is to take it out of the stockpile in a random pattern and let the tactical unit take it out and detonate it. If you haven't done this, there is always a chance that something has happened that we won't discover until too late. [Deleted.] The point I am making is that, unless you test the very thing that is in your arsenal, you are never certain, and the stakes are so high I feel we must be certain.

Mr. President, there are many systems where this has not been done. However, much thought went into this problem during the early design, development and manufacturing stages of the systems involved. Obviously, the nuclear warhead, exclusive of the vehicle, went through various phases of testing as a warhead, and by that term I mean the nuclear device complete with its electronic fusing and firing circuits. During the design of these systems, the electronic components were flown in the vehicle which would serve later as the warhead carrier. For example, warheads which were to be used with the Air Force Atlas missile were integrated into and flown on Atlas test vehicles.

Even if deemed necessary, the detonation of a small number of systems does not statistically prove that all remaining systems of the same physical design and characteristics are dependable. The reasons for this are:

First. The electronic gear in the system, because it has been miniaturized and frequently and continuously changed to improve its efficiency and reliability, in many cases, has pushed the technology. Although the purpose of a particular system has remained the same, the components have been changed to upgrade reliability. Therefore, because the individual components in a system are not precisely the same from device to device, there is simply not enough statistical data to correlate the sample from random tests. I want to emphasize that there has never been a failure of the nuclear parts of the weapon system—any weapons system. Most of the failures encountered in routine testing of components and, in some cases test devices detonated in Nevada or in the Pacific, were failures caused by electronic fusing and firing circuitry. The reliability of the electronic components has always been much less than the nuclear components.

Even with the proposed test ban it is possible to test reliability of electronic fusing and firing circuitry and related electronic systems without complete testing of the warhead which, of course, would involve a nuclear detonation, whether underground as of a small yield, or in the atmosphere if of a large yield.

Second. As to whether the reliability of the warheads would be reduced by radiation heat, shock, and any other adverse conditions, this can be improved, in many cases, without a nuclear explosion. Again, the items which one would suspect would fail in a radiation field would be the electronic gear, both in the warhead and in the vehicle carrying it, whether it be an aircraft or a missile. We have special reactors available in a number of places which can expose electronic devices to various levels of radiation and more will be built.

It is interesting that in the years when we were conducting atmospheric weapons tests Air Force requests to test systems operationally were rejected. This rejection was based on studies made by Los Alamos Scientific Laboratory, Livermore Radiation Laboratory, and Sandia Corp., along with military personnel, which showed that sufficient benefits could not be derived from such tests. As I said a moment ago, the mere dropping of operational systems of a certain type with a successful detonation does not in itself give any greater assurance of reliability for the balance of like systems in the stockpile. If the need becomes evident for system tests, high explosives can be substituted which would adequately test the electronic components, and this can be done under the limited test ban.

Statistical testing is a function of numbers and it is not very reassuring when the total number of units tested is relatively small compared to the number in the stockpile. The studies also counseled against such tests because of the tremendous expense in detonating these high cost systems.

The story of how we maintain reliability of operational nuclear systems is little known to outsiders but pertinent to this discussion. Routinely a preventive maintenance check is made of all systems by the Sandia Corp., the AEC laboratories, and the military users involved. The system components are tested for the effects of time and the environment in which they are to be used and under simulated conditions established by military requirements.

The Atomic Energy Commission has the primary responsibility for the design, manufacture, and delivery of the nuclear system and the responsibility to certify its usability. The Commission makes a frequent examination of the weapons to make sure that they are extremely reliable and that there has been no degrading of system performance and no deterioration of the components. When the AEC and its laboratories have doubts about a system, it is withdrawn from active use and other units of like kind which can be certified as serviceable are substituted. The systems in question are then minutely examined to determine the cause of uncertainty and to do whatever is necessary to make them reliable, or they are scrapped. If the problem seems more widespread, all systems which contain like components are immediately programed for review and detailed examination.

When it comes to determining whether or not a nuclear system design from a physics standpoint is good, bad, or indifferent, or has been affected by age or by environment, the AEC has full responsibility. The record attests that the AEC has met this responsibility in full measure. No one can successfully deny this.

Mr. President, this has been the arrangement provided for by law. I am surprised that it is now implied that the procedure does not assure a high enough factor of military confidence. In spite of the fact that no operational tests have been conducted, the Air Force for years has been confident enough—and I believe justifiably so—to declare that it had the capacity to destroy any enemy if the United States were attacked. I do not understand how the limited test ban alters that posture of confidence. However, I understand and fully appreciate that the military users of nuclear weapons systems do have and must continue to have a large voice in stating their requirements, and that these requirements should be expressed to the weapons laboratories.

Dr. Edward Teller has said that the United States canceled tests in the atmosphere for political reasons; that is, concern that this nation might incur the wrath of other countries. It might be more accurate to say that there were sound scientific and economic considerations for that decision, as well as possible political considerations. But decisions had to be made, and if we were to conduct all the tests the scientists wanted and all the tests the military felt necessary, we would be testing in the atmosphere 12 months every year. The fact is that priorities for tests were decided upon and while perhaps some scientists were disappointed about a specific test, the key tests to obtain the most valuable information were performed.

I turn now to the possibilities for weapons development in underground tests. Our leadership in this environment is undisputed. We have conducted far more underground tests of a wider variety than the Russians. Because the atmosphere was available, it was not necessary to develop underground techniques to the extent possible. We can, to use the language of the scientists, "push the state of the art." And the President has declared our intention to do so.

Over the years of atmospheric testing, our scientists have accumulated mountains of data on yields and effects of nuclear weapons. Some of this information was incorporated into subsequent tests. Large amounts of data have been recorded, however, which have never been fully analyzed, and bits of information which can and should be correlated are available. This reservoir of information from atmospheric tests can be correlated with data from past underground tests and will help us improve future underground tests.

The question arises as to just what can be accomplished below ground. A great deal can be, according to the testimony of Dr. Norris Bradbury, Director of Los Alamos Scientific Laboratory. He told the Foreign Relations Committee:

> Underground testing will permit, I am convinced, essentially every technical warhead development which would be possible with atmospheric testing up to yields probably as great as a megaton. Tests as great as this have not yet been conducted underground, but we have done contained underground tests with yields higher than we would ever have been willing to test above ground in Nevada and found no reason to believe that the scaling laws for explosion confinement will not continue to operate for higher yields as we have found them to behave for lower yields.
>
> Testing underground at the higher yields will even permit some progress in the further improvement of very high yield systems if these are desired, although we could not know by such methods and their associated theoretical interpretation the precise yield of a very large device. But that it would be very large and that it would work, we would know.
>
> With underground testing, I believe we can develop and test whatever type of warhead may be required for an antiballistic-missile system if one is required. Small weapons, cleaner weapons, tactical weapons, to the extent that any of these are needed and practical, can be worked on and improved. We can investigate many of the effects of nuclear detonations on other nuclear warheads—information which is useful in connection with the study and design of system requirements for both offensive and defensive nuclear warheads and their delivery systems. Much knowledge already exists here, but much more can be found.

Dr. Bradbury's comment that "although we could not know by such methods and their associated theoretical interpretation the precise yield of a very large device. But that it would be very large and that it would work, we would know," is extremely important.

The margin of error in predicting underground yields is only slightly greater than the margin of forecasting atmospheric yields. But in sound scientific opinion, when high-yield weapons are being developed—if we should choose to do so—this margin of error in terms of megatons has little strategic significance.

With respect to whether the Russians have gained an advantage in yield-to-weight ratios from their high-megaton tests in the atmosphere, and whether the treaty would prevent us from obtaining a better ratio, it should be remembered that the weight of the system depends to a large extent on the weight of the total mechanical system—including the case and the electronic components. Improvements of these elements can be accomplished without a nuclear detonation. Moreover, new nuclear materials can be tested underground and findings scaled up for larger yields.

To return to the Manhattan Project of World War II, our scientists were able to develop nuclear devices without previous experience to build on, and those primitive devices worked—as the scientists said they would.

They have ingeniously contrived all kinds of solutions to difficult problems, and I am sure that one must agree with Dr. Bradbury that if underground testing is all that is to be available, the scientists will learn to use this medium even more effectively and will gather data much beyond what has been done to date. John Foster, Director of the Lawrence Radiation Laboratory, at Livermore, who opposes the treaty, agrees with this view.

It has been said that the cost of underground tests is greater than for atmospheric tests. If the costs are calculated on the basis of the scientific device and the preparation of an underground site compared with the cost of an airplane or tower or rocket, the underground costs are far more. But, in fact, the atmospheric tests frequently have involved large task forces. In one series in the Pacific, in the neighborhood of 19,000 men were involved. The cost of that task force was upward of $100 million. And that does not include substantial funds for preparation of the site as well as the work after the actual series was completed.

Indeed, if total costs are compared, without question, underground testing is far cheaper.

There is a positive bonus gain in underground tests as to improvement of methods of detecting such shots. We will be able to advance our knowledge and capability to detect underground detonations by other countries because we will be accelerating and refining our own experiments in this environment. Since the Soviet Union no doubt will be conducting more underground detonations, this will provide an excellent operational test of our detection systems.

General Power has referred to the ultimate question of weapons systems, and that is the number that will "survive and arrive." I agree.

Are the Russians afraid of the hundreds and hundreds of bombs in our stockpile? No. They are afraid of American bombs that can be put over their heads. What carries our bombs there? It is a vehicle of some sort. It is the components that guide the vehicles which are critical. Unless the warhead gets there, there is no sense in worrying about the warhead.

I think it can be said that the nuclear warhead, including the fusing and firing circuitries which have been a rather difficult problem since the beginning of the program, has a higher reliability factor than the vehicle which carries it. It might be said that a nuclear system might fail to get to its destination infinitely more often than a nuclear warhead may fail to detonate over its target.

One can agree at this point that every warhead that gets to its target should have a certain detonation because it may be one of the few systems that gets through the enemy's defenses and offsets the carrying system's lack of reliability. I think one must accept this as a valid premise. However, the defense against the charge of having an overkill capability is the point that because there is a doubt as to the number of systems that might survive either the initial enemy attack or succeed in penetrating the enemy's defense, a great variety of weapon carriers are needed and a great number of bases from which strikes can be made either on land or, in the case of the Polaris, by submarines are required.

The military philosophy of multiple weaponry is the correct one and it is not based solely on system reliability.

I turn to the defense against ballistic missiles, where many grave doubts are expressed regarding the treaty. This exchange took place in the Foreign Relations Committee between the Senator from Nebraska [Mr. CURTIS] and the Chairman of the Joint Chiefs of Staff:

> Senator CURTIS. Now, if there is much to be learned, and it depends on what research turns up in the future, what causes you to believe that nowhere in the future of the development of an antiballistic missile will atmospheric testing be essential or important?
>
> General TAYLOR. Primarily because the problems in the antiballistic missile field, which are numerous and which are difficult, lie not in the warhead, not in the atomic component, but in the guidance, the radar, all of the associated equipment which goes with an accurate intercept of an incoming object moving at great speed.
>
> In these areas indeed there is a great deal of work still to be done. But insofar as being sure that we have an atomic warhead that will go off at the right time, that is relatively easily solved. So I would stress the fact in the atomic aspects of the program we do not find the principal difficulty.

I will not go into the complexities of deploying an adequate anti-ICBM system. These are familiar to Senators; I cite General Taylor's statement because it establishes that the problem is not in the nuclear part of the system.

But I have these comments. With reference to the vulnerability of our silos in terms of enemy strike, one must assume that certain assumptions were made in the structural design of the hardened base. Without getting into classified information, it would seem that no manmade missile silo which has been designed for a quick response and must remain always in a state of readiness could be 100 percent protected from a direct hit.

If a silo were buried 3,000 feet under the ground, it would be very doubtful if its missile could be launched against the enemy in anything like the 10 or 20 minutes which is highly desirable in order to avoid it being caught by the next wave.

Even with the best antiballistic missile defense, in any nuclear war a number of enemy ICBM's will penetrate and strike this country. Because of the destructive power of these weapons, we can grimly expect large numbers of casualties. Ultimately, the most effective antimissile system is that which deters an attack. The tremendous power of our nuclear weapons and our capability to put substantial numbers of them onto an attacker's homeland is what deters that attacker. We can improve this deterrent capability without nuclear tests in the atmosphere. As Dr. Brown testified before the Foreign Relations Committee:

> U.S. penetration aids now under development will be effective against much more sophisticated systems.
>
> In other words, with or without U.S. nuclear tests, the U.S. penetration aid capability gives us confidence that our missile systems will penetrate presently designed ABM systems with a large margin of safety. Development and massive defensive deployment of a more advanced system would take a number of years, either for us or for the Soviets, if by the Soviets, that would give us enough time to develop more advanced penetration aids and deploy more missiles of our own.

Mr. President, it has been said that we have great gaps of knowledge about the effects of nuclear weapons on our underground sites.

But, Dr. Herbert York, Director of Defense Research and Engineering during President Eisenhower's administration, testified:

> Some concern has been expressed about the fact that our knowledge of the vulnerability of Minuteman missile sites is incomplete and that the treaty will prevent us from developing that knowledge further.
>
> We need to remember in this connection that we undoubtedly know a great deal more about the vulnerability of our sites than the Soviets do, since we alone are well informed on the nature and structure of the silos and have performed a number of test explosions relevant to them.

A good deal has been said about the possible effects of atomic blasts on communications, the so-called blackout phenomena. Let us examine the problem. Our scientists are not babes in the woods in this area. American atmospheric tests in the South Atlantic and Pacific first revealed that communications could be disrupted by certain types of nuclear explosions in the atmosphere.

Mr. President, I was surprised to hear so many people refer to the need for the development of an antiballistic missile system and the fact that we have not conducted high-yield tests. Therefore, I want to emphasize for the RECORD on this point something which has been carefully prepared.

HIGH ALTITUDE TESTS

The United States has conducted many more high altitude explosions than has the Soviet Union. In 1958, prior to commencement of the so-called moratorium, the United States conducted five high altitude nuclear weapons effects tests. Since the resumption of testing by the Soviets on September 1, 1961, the Soviets conducted about four high altitude tests, but the United States in 1962 conducted five high altitude tests above the Pacific Ocean.

Let us recapitulate these U.S. tests.

Three tests were conducted high above the South Atlantic; these were the Argus tests. This was purely for effects purposes. It was an experiment designed to provide information on the trapping of electrically charged particles in the earth's magnetic field. This information is important to the understanding of the phenomena associated with communications blackout and defense against ballistic missiles. The detonation altitudes were all about 300 miles above the surface of the earth. These were low yield kiloton tests.

In August 1958 and prior to the Argus events, megaton range shots, two in number, were conducted at high altitude above the Pacific Ocean, near Johnston Island. The Teak shot was at about 50 miles and the Orange shot was at 27 miles. These events were used for the study of effects relating to communications and radar blackout. These effects on the communications spectrum were studied intensively and were studied from different locations, close in as well as worldwide.

In 1962 we conducted five high altitude events above the Pacific near Johnston Island. Four of these were of low to submegaton yields, detonated at altitudes of tens of kilometers, and the most famous, Starfish, was 1.4 megatons, detonated at an altitude of 250 miles. Again these tests were utilized to get effects information on basic physics phenomena at high altitude and to understand better the communications and radar blackout phenomena.

We have thus clearly acquired a great deal of nuclear weapons effects information at high altitude. This information is of great benefit to devising systems for defense against ballistic missiles. It is also of great benefit to the designing of instruments to detect and identify nuclear explosions that are detonated at high altitude or in outer space.

Most of the information on our high altitude tests and on the Soviet high altitude tests is classified.

This information is, however, available to all Senators who have a need to know and who have appropriate clearance.

I do not understand the constantly repeated assertion that we need to wipe out the treaty and fail to vote for it because, somehow, we need to examine more carefully and find out what happens in high altitude tests. I repeat, we have done more than the Russians have done in that field.

The fear has been expressed that the Russians might try to preempt retaliation by this strategy.

The blackout is not instantaneous. If our communications start getting fuzzy in a way peculiar to an atomic blast, we will know a violation of the test ban treaty has occurred or an attack has begun. And we will know who is responsible. Our retaliatory forces will be alerted, and I expect the "hot line" phone between the White House and the Kremlin will be ringing.

In the absence of a limited treaty, this country might hesitate before responding because of the belief that the incident merely reflected a Russian high altitude test. In the presence of the treaty, it must then be either a violation of the agreement or a preemptory act of war.

Among the chief witnesses who have expressed strong support for the treaty are Dr. Herbert York, former Director of Research and Engineering in the Defense Department under President Eisenhower; Dr. Harold Brown, who presently occupies that position; Secretary of the Air Force, Eugene Zuckert; and John A. McCone, Director of the Central Intelligence Agency. The interesting aspect of this is that each of these men not only now has, or has had, direct responsibilities and authority connected with security matters, but has had long experience dealing with atomic energy.

Dr. York is a former director of the Livermore Radiation Laboratory, which is one of the chief centers of nuclear weapons development. Dr. Brown also served as director of Livermore Radiation Laboratory. Eugene Zuckert is a former Atomic Energy Commission commissioner, with deep knowledge in military applications; and John McCone is a former distinguished chairman of the AEC and, of course, has the best and most current knowledge of Russian weapons capabilities.

Surely these men who have knowledge of both military operational requirements and nuclear weapons could not be advocates of the treaty unless they were confident its ratification would not endanger this country.

Mr. President, I have attempted to set forth some of the scientific and technical issues involved in the question of ratification of the limited test ban agreement. The weapons we are discussing are not conventional weapons, the effects of which our minds rather easily can comprehend. They are unconventional weapons whose destructive power has sown fear throughout the world. Many of those who most precisely understand nuclear weapons because they have created them are awed—and frankly, frightened—by the enormity of this force. This feeling was expressed simply, but eloquently, by Dr. Bradbury of Los Alamos Scientific Laboratory, to the Foreign Relations Committee when he said:

> I must confess to a horror of a possible nuclear war, perhaps because I have been in this business for a long time. I was in this business at the time of Hiroshima and Nagasaki. I saw those pictures. I never quite lost the feeling of incredible concern that one might some day see another city like these.

That expression is not the voice of timidity, Mr. President. It is the voice of concern for one's country and all mankind. I share that concern. These men who have helped design bombs know the horror the bombs can create. The great bulk of bombs in our stockpile were designed at Los Alamos, and therefore I would close my talk with a resolution from the American Federation of Scientists chapter at Los Alamos Scientific Laboratory which declares its support of the treaty. I ask unanimous consent that its resolution be inserted at the end of my remarks.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

(See exhibit 1.)

Mr. **ANDERSON.** Therefore, Mr. President, I shall support the treaty, based, I hope, upon sufficient information on atomic energy so that I have some competence in its propriety. I believe I attended the first witnessing by civilians of the bomb test in 1951. I was a member of the Joint Committee on Atomic Energy then. There was great concern by all as to how it would work out, how it might be done. I have followed the information from all the tests from that date on. I think I have examined every set of figures produced by the Atomic Energy Commission on these tests. After 12 years of experience, I think I can say I believe this treaty can be safely ratified.

EXHIBIT 1

The Los Alamos Chapter of the Federation of American Scientists welcomes the nuclear test ban treaty now before the U.S. Senate as an initial contribution to the control of an irrational arms race. The treaty raises the hope that a peaceful world can be achieved by a sequence of mutually beneficial and attainable objectives.

From the scientific testimony presented at a series of hearings before the Joint Committee on Atomic Energy in March 1963, it is evident that violations of this treaty leading to meaningful nuclear weapon improvements have little chance of escaping detection.

With minimal threat to our security the treaty therefore may achieve numerous tangible and intangible advantages for the United States and the world.

The treaty offers the opportunity for demonstration of the international cooperation needed to open further avenues to a peaceful world.

Its sharp curtailment of atmospheric testing correspondingly limits the radioactive contamination of our environment.

Adherence to it by numerous nations which now are, or which shortly will be, capable of nuclear weapons development is evidence of its effect in preventing the global spread of such weapons.

It formally recognizes the idea that world peace can be best constructed by the successful implementation of limited practical steps—a view long advocated in American foreign policy.

This treaty deserves the wholehearted support of the American people.

The Los Alamos Chapter of the Federation of American Scientists has among its members scientists with a wide range of experience, including the design and testing of nuclear weapons. One of its principal aims is the encouragement of responsible discussion of the interaction of science and contemporary society. The present officers of the Los Alamos chapter are Franz Jahoda, chairman, and Robert Cowan, secretary.

Mr. **FULBRIGHT.** Mr. President, will the Senator yield?

Mr. **ANDERSON.** I yield.

Mr. **FULBRIGHT.** As chairman of the Foreign Relations Committee, I know that I express the appreciation of the entire committee, as well as myself, for the cooperation the distinguished Senator from New Mexico, former chairman of the Joint Committee on Atomic Energy, and, of course, the present chairman, gave. Both these men very graciously accepted the invitation of the Foreign Relations Committee. They attended the hearings assiduously and rendered a great service, not only because of their general knowledge, but their capacity to ask the right questions of the list of witnesses whom the Senator has just named, many of them scientists of whom I and other members of the Committee on Foreign Relations had little knowledge and with whom we had little acquaintance.

The Senator from New Mexico was extremely helpful, not only in suggesting some of the witnesses, but in examining them.

I think the committee, the Senate, and the country owe the Senator from New Mexico a great debt for the contribution he has made to the record of this committee, in addition to the speech which he has just now made, which has so well clarified some of the questions that have been raised, such as the one he mentioned about high altitude tests.

Much has been said on this floor about that subject by persons far less qualified to know, and, naturally, it has caused some confusion in the minds of people.

I thank the Senator for all he has done in helping to make the hearings complete and to enlighten the people of this country on this question.

Mr. **ANDERSON.** I thank the Senator from Arkansas and say to him that, in the beginning, I thought the Joint Committee on Atomic Energy ought to have had the treaty rereferred to it for study, but when I saw the way in which the Foreign Relations Committee went about its consideration and the courtesy it extended to other committees, and the widespread questions they permitted, I was happy to recognize the fine service the committee had rendered and was happy to participate.

Mr. **FULBRIGHT.** I thank the Senator. This is a very special treaty, and I do not know of many precedents, if any, for such a matter as this. There is a certain cumbersomeness connected with it, but with the cooperation of the chairman of the Joint Committee on Atomic Energy, I thought it went on reasonably happy and that we made an excellent record. I thank the Senator for his help.

Mr. **ANDERSON.** I thank the Senator.

Mr. **HUMPHREY.** Mr. President, will the Senator yield?

Mr. **ANDERSON.** I yield.

Mr. **HUMPHREY.** I would not miss the opportunity to commend the Senator from New Mexico. The chairman of the Foreign Relations Committee has done so already, with his usual ability and preciseness. However, I recall that some years ago the Senator from New Mexico, in his role as a member of the Joint Committee on Atomic Energy, and then as its chairman, gave us many good lessons in terms of nuclear energy and its relationship to the disarmament program, when we were discussing proposals for nuclear test ban treaties.

As the Senator from Arkansas has so well stated, the questions asked by the Senator from New Mexico in the committee hearings on the test ban treaty opened up new lines of questioning for all of us and brought us a considerable amount of information which was exceedingly helpful.

The Senator has demolished the arguments that have been made about the inadequacy of our Government's program in high altitude testing. By a simple statement of fact, based on information, he has made the RECORD unequivocally clear with relation to our testing capacity and our testing program.

Mr. ANDERSON. I thank the Senator.

Mr. BIBLE. Mr. President, first I wish to join the Senator from Arkansas and the Senator from Minnesota in their compliments to my distinguished colleague and seatmate in the Senate, the Senator from New Mexico [Mr. ANDERSON]. His contributions in the field of atomic energy are well known. Those of us who live in Nevada lean heavily upon his advice and suggestions, because we are an integral part of the entire program. We have had many problems in connection with it in the past few years, and he has certainly been of great assistance in this field. We lean heavily on him for his suggestion as to the possibility of using underground detonations in future mining. I am grateful to him for the contributions he has made. They are based upon the sound knowledge of a very talented man.

I support the nuclear test ban treaty. Over the past several weeks I have studied with deep interest the bulk of testimony given before the Foreign Relations Committee. After weighing it carefully, I am convinced the nuclear test ban treaty is a small step in the right direction. This small step toward controlling the threat of nuclear war is being heralded the world over. Already over 90 nations have shown their approval by ratifying the treaty. These people share with the United States our hopes for a just peace and relaxation of tensions caused by the threat of nuclear war.

It is unfortunately true, Mr. President, that the Soviet Union has displayed bad faith in the past, and it is very likely that in many areas we may expect more of this sorry performance in the future. I hope that in this vital area with which the test ban deals, we may expect better intentions from the Russians than they have displayed in other areas. It is unfortunate this treaty cannot be based on trust. However, in the present world situation, it is ironic but all too true that we must travel the road to peace carefully. We must be protected with adequate armament and safeguards while negotiating.

Early in the testimony heard on the test ban treaty the Joint Chiefs of Staff called for several safeguards which the United States should adopt under the treaty to insure our continued growth and achievement. In the face of repeated bad faith in the past by the Russians, these were felt necessary, even though the treaty is designed as a first step away from the arms race. These safeguards include first, the maintenance of comprehensive and aggressive underground nuclear tests; second, the maintenance and expansion of our nuclear laboratory facilities; third, maintaining our ability to begin immediately a comprehensive atmospheric testing program should violations be discovered and if deemed essential to our security; and fourth, the improvement of our capabilities to detect treaty violations and the ability to monitor Sino-Soviet nuclear actions and achievements.

These safeguards were assured the Senate by the President through his press conferences and in various speeches and by the Defense Department through a letter to Senator RUSSELL from Under Secretary Roswell Gilpatric which outlined in detail measures underway or planned to implement the safeguards called for.

The Senate has shown its determination to implement them.

Recently the distinguished majority and minority leaders, in order to make crystal clear to the Senate and the people of the Nation this Government's intentions, called on the President to put his formal assurances forward in a letter to the Senate. This letter was read September 11 before this body. I would like to briefly cover again what was said.

The President made these points from which I quote.

> 1. Underground nuclear testing, which is permitted under the treaty, will be vigorously and diligently carried forward, and the equipment, facilities, personnel, and funds necessary for that purpose will be provided.
>
> 2. The United States will maintain a posture of readiness to resume testing in the environments prohibited by the present treaty, and it will take all the necessary steps to safeguard our national security in the event that there should be an abrogation or violation of any treaty provision. In particular, the United States retains the right to resume atmospheric testing forthwith if the Soviet Union should conduct tests in violation of the treaty.
>
> 3. Our facilities for the detection of possible violations of this treaty will be expanded and improved as required to increase our assurance against clandestine violation by others.
>
> 4. I am glad to emphasize again that the treaty in no way limits the authority of the Commander in Chief to use nuclear weapons for the defense of the United States and its allies, if a situation should develop requiring such a grave decision. Any decision to use such weapons would be made by the United States in accordance with its constitutional processes and would in no way be affected by the terms of the nuclear test ban treaty.
>
> 5. I am able to assure the Senate that if that unhappy island (Cuba) should be used either directly or indirectly to circumvent or nullify this treaty, the United States will take all necessary action in response.
>
> 6. The treaty in no way changes the status of the authorities in East Germany.
>
> 7. This Government will maintain strong weapons laboratories in a vigorous program of weapons development, in order to insure that the United States will continue to have in the future a strength fully adequate for an effective national defense.
>
> 8. The United States will diligently pursue its programs for the further development of nuclear explosives for peaceful purposes by underground tests within the terms of the treaty.

It appears to me, Mr. President, that with such a thorough slate of safeguards and resolutions by the President, the United States can proceed to adopt the treaty under any risks remaining.

Surely, in view of the limited designs written into the treaty and with such adequate measures taken to protect ourselves, the United States should pursue the hope in the treaty that may lead to an easing of tensions and indeed to a lessening of the arms race in time. We cannot afford to do less.

Without this treaty we can expect unlimited testing by nations of the East and the West. We can expect testing by as many nations as have the ability and the will to produce nuclear armament. Both our allies and those of the Soviet Union seem to feel the need to do their own testing and produce their own weapons capability. They seem unwilling to trust the United States or the Soviet Union to risk catastrophe by protecting them with nuclear weapons. Thus, they will continue to produce weapons to protect themselves. The atmosphere will continue to be filled with radioactive poisons which threaten potential harm to many people. Tensions inherent in testing will go unabated. Where will this dangerous road end?

There have been arguments that the United States is losing the nuclear race to Russia. According to Atomic Energy Commission figures available, the U.S.S.R. has conducted over 145 nuclear tests, of which 144 were atmospheric. The United States has conducted 283 tests, of which 171 were in the atmosphere. The United States, Britain, and France have conducted over 300 tests among them. The United States has conducted tests of all types and has produced weapons in many varieties. Secretary of Defense McNamara has stated in testimony:

> Allowing for losses from an initial enemy attack and attrition en route to target, we calculate that our forces today could still destroy the Soviet Union without any help from the deployed tactical air units or carrier task forces or Thor or Jupiter IRBM's.

He further stated that the United States maintains nuclear warheads in the tens of thousands.

The Soviet Union tests have yielded more total megatonnage than the United States, because they have concentrated their testing in the high-yield spectrum, whereas the United States, by calculated decision, has stayed in the low-yield area. The Soviet Union thus appears ahead in high-yield technology, while the United States appears ahead in the low-yield area. Some witnesses have indicated that the United States should not allow itself to fall behind in any area of nuclear technology. Is it, indeed, dangerous for the United States to lag in this area? Dr. Harold Brown, Director of Defense, Research and Engineering of the Department of Defense, has advised us in his testimony:

> The U.S. advantage in the low and intermediate part of the yield spectrum is important technologically and in its effect on military systems. Our high-yield-to-weight ratio in this range has facilitated the development of more powerful warheads for Minuteman and Polaris without concomitant increase in vehicle size or decrease in range. We have thus been able to deploy large numbers of hardened and dispersed Minuteman missiles and large numbers of long-range sublaunched Polaris missiles.

Dr. Herbert York, Director of Lawrence Radiation Laboratory in Livermore, Calif., from 1954 to 1958, in response to the same problem stated:

> Very big weapons; that is, weapons in the 100 megaton class, are specialty weapons, suitable only under special circumstances

> against special targets. Even if one is thinking of very hard targets, improving the accuracy and reliability of our present missiles is a much more effective approach than increasing their yield * * * the result of many careful considerations of the problem * * * have yielded the conclusions that in view of all other possibilities and in view of the limited usefulness of such big bombs, their development was unnecessary.

On the topic of comparison of United States and Russian capabilities, Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff, in his statement says the following:

> As to net superiority in ability to inflict damage on the enemy, the Joint Chiefs of Staff consider that the United States at present is clearly ahead of the U.S.S.R. in the ability to wage strategic nuclear war, and is probably ahead in the ability to wage tactical nuclear war, whereas the Soviets have developed a substantial midrange ballistic missile capacity.

Are we likely to lose what lead we have in the low-yield range since underground testing is permitted under the treaty? Dr. Brown touched on this question in his testimony before the committee. He concluded that:

> If the provisions of the treaty are strictly adhered to, the present differences as pointed out above, and any others that may exist, will tend to shrink more slowly than if unlimited testing were permitted by both sides.

It seems to me, Mr. President, that the United States is well ahead in the ability to wage nuclear war in case of attack. Our Minuteman dispersal and wide ranging Polaris submarines give us this insurance.

With the safeguards mentioned, I feel the United States is in a position where it cannot be taken by surprise, as it was after the last test moratorium.

I have received many letters from my constituents stating the well known fact that Soviet Russia cannot be trusted to keep any treaty. They point out that Russia has broken some 50 out of their last 53 agreements. We are all aware of this inexcusable record. It is indeed legitimate to ask why we should be party to another one and be caught by surprise. I feel that here is one area where the interests of the Soviet Union and the United States do truly converge.

There is one area in which both sides should have the greatest possible motives to be honorable in their obligations. Both the United States and Russia have an interest in protecting their nations from nuclear holocaust and of warding off the dangers of radioactivity, with its inherent dangers to present and future generations.

During the testimony given before the Committee on Foreign Relations the question of fallout and its dangers was repeatedly raised. This is a problem with which I am familiar. It occurs in my State of Nevada and in neighboring States, because it involves the problem of fallout from nuclear testing. We hear also from different scientific organizations concerning the different interpretations of the extent of the danger. I am not capable of analyzing this controversy from a scientific viewpoint. In these matters I, like most Senators, have to rely on the opinions of those we most respect.

About all one can say with certainty is that no one has come out in favor of fallout. Expert witnesses are at variance; but taken on balance, they all point out some of the problems involved in this area.

Some of the expert witnesses testifying on this treaty tended to feel the fallout controversy is being exaggerated.

Dr. Edward Teller stated that background radiation from natural causes is 90 percent greater in Denver, Colo., than exposure radiation to nuclear testing. Dr. John S. Foster, Jr., current director of Lawrence Laboratories in Livermore, Calif., felt that fallout from all past tests is equal to deciding to live a few hundred feet higher in elevation.

On the other hand is the statement by the Technical Division, Greater St. Louis Citizens' Committee for Nuclear Information, before the Subcommittee on Research, Development and Radiation of the Joint Atomic Energy Committee of August 21, 1963. This group is composed of equally competent members, most of whom are M.D.'s or Ph. D.'s. I quote from their report:

> Our analysis of the same monitoring data published by the AEC shows that as a result of nuclear tests at the Nevada Test Site, in the period 1951–62, a number of local populations in Nevada, Utah, and Idaho, and probably other communities scattered through the continental United States have been exposed to fallout so intense as to represent a medically unacceptable hazard to children who may drink locally produced milk.

I state these different views to show the inexact views competent people have on this important subject. I think it is valid to hope for a test ban treaty to end any more contamination until more adequate and complete knowledge is supplied on which to base our decisions. I commend the majority leader, the distinguished Senator from Montana [Mr. MANSFIELD], for his able presentation of his feelings on this subject.

The problem of developing an antiballistic missile system has been given a great deal of attention. Testimony in this area, as on fallout, has been both favorable and unfavorable considered in relation with the test ban treaty. Both sides were represented by competent, highly skilled witnesses.

I quote from those on the negative side:

> Dr. Teller: "On that point I will say that indeed we can do a lot in this development without atmospheric tests, we cannot bring the development to a reliable conclusion without atmospheric tests."
>
> Admiral Strauss: "When these new devices (missiles) are invented, they can only be dependably mated to the weapon by testing. Their theoretical compatibility with the weapon will be too uncertain to rely upon * * *. I will only add my layman's belief that underground testing will not suffice to prove an antiballistic missile system which must function in the atmosphere or perhaps even beyond the atmosphere."

And on the positive side:

> Dr. Brown: "Most of these problems (to acquire early, to discriminate decoys * * * to handle large volumes of traffic * * * and to hit and kill targets) have little or nothing to do with further nuclear testing."
>
> Secretary McNamara: "One important point stands out in connection with the antiballistic missile: The antiballistic missile problem is dominated by factors unrelated to the treaty—by reaction speed, missile performance, and capacity for decoy discrimination."
>
> Dr. N. E. Bradbury, Director of Los Alamos Scientific Laboratory: "Underground testing will permit, I am convinced, essentially every technical warhead development which would be possible with atmospheric testing up to yields probably as great as a megaton * * *. With underground testing, I believe we can develop and test whatever type of warhead may be required for an antiballistic missile system if one is required."

On this subject which is so technical and hard for a layman to interpret and to base an educated opinion, I can only weigh the arguments in the framework of how they appear to me logically and convincingly.

The controversy, as I understand it, centers on whether an antiballistic missile system can be perfected under the treaty or whether the components can only be considered effective and compatible by actually testing them in the atmosphere.

The distinguished Senator from New Mexico [Mr. ANDERSON] has spoken at length on that point a few minutes ago. His analysis is clear and convincing.

The preponderance of the testimony is of the view that an antiballistic missile system can be capably developed under the treaty. In any event, it seems the main problems concerned with the program are in areas where progress is not hampered by the treaty. The preponderance of testimony in favor of the treaty came from those who work most closely with the problems from day to day, or in the past, such as Dr. Brown, Secretary McNamara, Dr. Bradbury, and Dr. York.

I was further impressed that although the system could progress and should be vigorously pursued, witnesses on both sides doubted that the antiballistic missile would protect the population generally or would be any final answer. As Dr. York testified in an important statement:

> It is simply easier to build devices that will penetrate a ballistic missile than it is to build an antimissile which can cope with it.

Since there were these misgivings about how effective such a system would be and since the treaty appears more fruitful, I would press the effort to find security in this way—through an attempt to break through the barriers of distrust, even though we continue work to perfect an antiballistic missile.

Concerning our program of peaceful development of nuclear energy, we have been assured by the President, Secretary Rusk, and Dr. Seaborg that we can progress on most development levels. A new isthmian canal in Panama may well be precluded under the treaty because of the problem of containing the radioactivity produced in such a small area. This program has yet to be produced in any event. Another area where development will be limited is in the area of propelling rockets with nuclear explosions.

I firmly believe in and subscribe to the need to continue our important and beneficial program of the peaceful development of nuclear energy.

An even greater need for development is in the ability of peoples of the world to live in harmony and mutual trust. This should be our No. 1 goal. We should never hesitate to work for peace and lessening of tensions between nations. If this treaty is a step in that direction, I would place first priority here.

Our experiences in the past have clearly proven beyond doubt we must proceed with caution. I firmly believe we must proceed. As the President has well said:

> We must never negotiate out of fear but we must never fear to negotiate.

Our security does not increase with the yield of the weapons we have in stockpile. Since World War II, our nuclear capacity has increased many times, yet our security has inexorably declined.

The 100-megaton bomb in which we are asked by some to place our faith is 5,000 times more powerful than the weapon which destroyed Hiroshima and killed over 60,000 people.

Deterrence is not ultimate security. I feel we must seek relief from the fear of war somewhere other than in the production of more powerful weapons. Our only alternative is to seek this area of common interest with our avowed enemies with the hope that our interests in our national existence and our children's welfare are strong enough to make this treaty work.

Should the treaty be approved, I do not expect any immediate lessening of the conflict in which we are engaged. I hope that the treaty may in time point toward other areas in which tensions can be relaxed. In the meantime, the struggle may well intensify in the economic and political areas. I would welcome the competition. The United States, as the standard bearer of freedom in the world, has the clear advantage in these areas. In a military showdown, neither side has any advantage. Both would lose.

Should the treaty lead to positive steps toward disarmament, lessening of world tensions, and reduction of the costly military effort, both the United States and the Soviet Union could enjoy the benefit of being able to shift resources from unproductive and uneconomical weapons to productive efforts of education, housing, and the eradication of poverty and disease.

We did not make the world safe for democracy in either World War I or World War II. War has never been a sane approach to solving problems, though nations would not or could not change. Today, war has inherent consequences which make it unthinkable. Other solutions must be found.

The world is still parent to jealousies, hatreds, bigotry and fear. Our great strides in science hold promise for more positive steps toward elimination of age-old problems. Men must learn to use the blessings of science to uproot evil.

A more purposeful, sustaining and peaceful environment throughout the world must not be marred by nuclear holocaust.

While science has given us a deterrence, one of terror, one where we are equal to our enemies, it has also provided a street to a more peaceful existence. We cannot afford to walk the avenue of disaster.

We in this body have an opportunity to take one step, a step which I am hopeful will lead to a better understanding among the peoples of all nations, a step which could insure more freedom than a thousand nuclear bombs.

I receive telegrams saying, in effect: "We have 'three children,' or 'four children,' or 'five children'—Please vote against the treaty." I recognize this problem. I have four children of my own and four grandchildren.

Certainly, in my considered judgment, we must leave our children a brighter future and heritage than a mushroom cloud of death. Can we afford to take this chance to melt the Iron Curtain? I am willing to assume that risk.

For these reasons, I shall vote in favor of approval of the nuclear test ban treaty.

Mr. HUMPHREY. Mr. President, will the Senator from Nevada yield?

Mr. BIBLE. I am glad to yield to the Senator from Minnesota.

Mr. HUMPHREY. I rise to commend the Senator from Nevada for his address and for the emphasis he has placed upon what one might term the "social, political, and psychological factors involved in the treaty." We are really dealing with the life of man himself. The Senator from Nevada has very ably and with great conviction emphasized the fact that the treaty is dedicated toward—as the President put it—"the processes of peace" and the relieving of tensions and the achievement of harmony among nations. If we can make some contribution in this area, then—as the Senator from Nevada has indicated—this will be a very worthwhile endeavor.

The Senator's speech was both well documented, in terms of the scientific aspects involved in the treaty, and very well stated and developed in terms of the policy that this Government should follow as a government of the people, by the people, and for the people.

I am very pleased with the Senator's remarks, and I wish to join, as one of his many admirers and friends, in commending him and in thanking him.

Mr. BIBLE. I appreciate very much the sentiments of the Senator from Minnesota.

Mr. President, I yield the floor.

Mr. WILLIAMS of New Jersey. Mr. President, let me say, first of all, that it is a high honor to follow the senior Senator from Nevada [Mr. BIBLE] in participating in this debate, which is one of the most important the Senate has had on one of the most fundamental principles—namely, our search for sanity and peace in the world. Certainly I applaud the distinguished Senator from Nevada, and state that the deliberations in the Senate on this issue and on every other issue to which the Senator addresses himself are substantially more thoughtful because of his contributions.

Mr. BIBLE. I appreciate the kind statement of the Senator from New Jersey, and thank him very much.

Mr. WILLIAMS of New Jersey. Mr. President, my speech at this time on this important issue will be abbreviated, because I know that the senior Senator from Minnesota [Mr. HUMPHREY], who, day in and day out, for a decade has been involved in the search for ways to reach a beginning of disarmament, which is the way to peace, will speak when I conclude my remarks.

Mr. President, I should like to say a few words about the proposed nuclear test ban treaty.

In my judgment, this treaty is clearly in our national interest, and deserves the overwhelming support of the Senate.

I say this with open eyes, and not merely because I, along with probably every other American, would like to say "yes" as an affirmation of hope that we may some day see a world truly at peace and secure from the threat of instant devastation to civilization as we know it.

This treaty represents only a symbol of the first faint progress toward that goal, and we cannot ignore the fact that it will last only as long as it suits the interests of the Soviet Union. We know full well that today's thaw may only bring tomorrow's freeze.

We know we cannot trust the Soviet Union. We know that the Soviets have not lost their desire to convert the world to a system of government that provides no place for individual freedom and individual dignity.

Yet, knowing this, we can still say this treaty is in our national interest, for several reasons.

First of all, the treaty does represent a step forward——no matter how small—toward bringing the arms race under control. It gives us time and opportunity to work for more substantial agreements.

I stress the word time, for time is our greatest hope. In time, change is possible, even within the Soviet Union. After all, it was only 20 years ago that two of our strongest allies of today were then our mortal enemies.

I think we should take this treaty for what it is: A gesture that moves the hands of the clock back a little.

We should take advantage of whatever time we have gained, and should make the most of whatever psychological breakthroughs have been achieved.

While we may not be optimistic about the extent of the gain we have made, pessimism is no reason for rejection.

Second, as long as the treaty remains in existence, it will provide two concrete advantages of no small importance: It will reduce the poison in the air from radioactive fallout. We really do not know the extent of this danger to us and to children yet unborn. Perhaps it is less serious a threat to our health than automobile fumes and ordinary air pollution. But it is a danger, and it is one that we know we can avoid.

Perhaps even more important is the value of the treaty in helping curb the proliferation of nuclear weapons into the hands of more and more nations. To me, this is truly a frightening prospect. With all the instability and conflict that exist in the world today, I shudder to think what might happen if nuclear weapons got into the hands of some of the paranoiac rulers now on the world scene.

Perhaps technological progress will some day make nuclear weapons available to all who want them. But certainly the inability to test the devices will help slow the rate of proliferation.

If for no other reason, I think the historical imperatives of our Nation's position as a leader in the quest for peace compel us to approve this treaty.

For 20 years, through three administrations, of both political parties, the United States has sought to bring the power of the atom, which we ourselves unleashed, under responsible and enforcible international control.

It seems inconceivable to me that we would repudiate this first, small step. I can think of no faster way to lose, not our international good will and prestige, which is an ephemeral thing, but our own national self-respect.

Mr. President, it seems to me that the only reason for rejecting this treaty would be compelling evidence that it represents a clear threat to our national security.

In this connection, I have had a chance to read the report of the Senate's Preparedness Subcommittee, which I think performs a valuable service in outlining the military disadvantages involved in accepting the treaty, for there is no question that there are risks, just as risks are involved in every course of human endeavor. But we cannot overlook the fact that there is no risk-free alternative for us to pursue.

The risk here, of course, is that the United States will not be able to develop the best possible nuclear-weapons-defense system that it is within our capacity to produce; and the Soviet Union may, as a result of its latest test series, have gained some advantages over us in the nuclear-weapons-development field.

But the fact remains that the President, the Secretary of Defense, and a large majority of the Nation's top military leaders have determined that the treaty is in the best interest of this Nation.

Furthermore, although the Soviet Union may possibly be ahead of us in certain sectors, I think it is important to note one paragraph of the report of the Preparedness Subcommittee, as follows:

> From the testimony before the subcommittee, it is clear that neither nation has conducted a weapons effects test program of sufficient size and complexity to resolve whatever doubts may exist about the adequacy of the design and the survivability of their nuclear weapon systems; nor has either tested sufficiently to fulfill the needs of their system designers and military planners.

Thus, I think we must keep in mind the fact that the Soviet Union will also be laboring under serious limitations, just as we will.

In addition, from a purely military standpoint, there are risks in continued testing, as well as risks in not testing. By not testing, we run the risk of freezing the nuclear uncertainties that now exist on both sides of the iron curtain, and in some areas the Soviet Union may be less uncertain than the United States. On the other hand, if we continue to test, we run the risk of taking our chances in an unending race with the Russians toward some ultimate weapon. Since the Russians have caught up with us in the past, in some phases of the arms race, we can only assume that they have the capacity to move ahead of us in the future.

This is the risk we face if this treaty is not approved; and I think the distinguished Senator from Idaho [Mr. CHURCH] very clearly spelled this out in his statement to the Senate on September 10, when he cited General Taylor's testimony that there is no guarantee that the Soviet Union would not score a breakthrough if we continued testing, and that this would pose a military danger to the United States.

In my judgment, Mr. President, all these factors lead inescapably to the conclusion that the Senate should approve the nuclear test ban treaty.

I only hope that as we continue to debate the treaty, which merely puts our toe in the water, we also shall give some thought and discussion to the vast and uncertain sea beyond. To me, the central and overriding issue is how we can best insure humanity's survival in an atmosphere of dignity and freedom, in the long years that lie ahead. To date, we have relied on a balance of nuclear power, and have armed ourselves with the maximum possible military deterrent power. That has worked—so far.

But what are the chances that it will continue to work over the next 20, or 100 or 500 years? How long can we expect our luck to hold out against a pressing of the fatal button by design, accident, or madness?

I do not know; but I cannot help feel that some day, if the world continues on its present course, our time will run out.

The other course lies down the path of arms control and disarmament. But there are risks there, too—risks that the inspections systems we devise may not be sufficiently foolproof, risks that the Soviets may cheat in areas of vital importance in the military field.

I am sure the risks involved in a truly meaningful arms-control treaty will make the risks involved in this treaty look like child's play.

But always we will be facing the risks of an ever expanding arms race in a very volatile world.

I hope we will give to this central issue more serious thought and attention than I think the people of the United States have given to it so far.

However, I must say, Mr. President, that I have been truly impressed by the extent of the thoughtful consideration that has been given to this treaty by the American people—at least, if its consideration by New Jersey residents is any indication. I have been literally overwhelmed by an enormous volume of mail on this treaty. Probably no other issue in my experience has prompted a greater number of lengthy and thoughtful letters, clearly indicating the great concern most people have for the issues of war or peace.

Some weeks ago, I asked the citizens of New Jersey to make known to me their views on the treaty. I also wrote to a broad cross-section of organizations, including business, professional, labor, veterans, educational, and civic groups, and requested the opinions of their memberships. The response has been most impressive. I have received over 3,000 letters on the subject. The regular mail ran about 3 to 1 in favor of the treaty; but the responses I then received were slightly over 86 percent, or about 6 to 1, in favor of ratification.

Even aside from these striking figures, there are several aspects of this mail that I think important: First, it is evident that the signing of the treaty has touched a deep yearning of the American people for the bringing of some kind of order into what often appears to be the chaos of the world situation.

One Montclair couple, for example, began their letter by stating:

> We rarely write our Senators or Representative, but we feel that this is an important issue.

Almost all the letters appear to have been written after serious thought and consideration of the available information. Although many expressed deep-seated distrust of the Soviet Union and expressed misgivings over becoming involved with it, ratification of the treaty was favored.

It was common to receive letters, written on behalf of an entire family, expressing the writer's awareness of the immediate implications of the cold war for his family's future, and particularly that of the children.

One couple wrote:

> Although we recognize the limitations of the proposed nuclear test ban, we feel strongly that a start must be made somewhere. We are parents of two young children, and the threat of nuclear war and its aftermath to us, our children, and their children, is unthinkable.

The connection between a nuclear test ban and the possibility of more substantive moves toward real disarmament seems to have been realized by a large number of citizens. One New Jersey resident wrote to me as follows:

> I am not a ban-the-bomber. However, quite in the light of cold reason, I believe no person should discourage sober efforts to bring nuclear energy under responsible control.

Or again, as one letter from my own hometown of Westfield put it:

> This is an important first step toward peaceful relations among nations—a vital move back from an uncontrolled arms race which leads inevitably to world disaster.

Another factor which I think deserves due consideration is the considered opinion of the Nation's editorial writers. I think it would be worthwhile and instructive to quote from some of the articles on the treaty that have appeared in New Jersey papers.

The Elizabeth Daily Journal made an important point in a recent editorial, when it commented:

> The United States kept negotiations for this treaty alive when others would have left

the conference table. It cannot abandon it now.

The Newark Star Ledger made much the same point, but one that in my opinion cannot be reiterated too often, when it said:

> The signing of the limited nuclear test ban treaty is an important step down the road of world peace * * * but it is only a step. Its importance, however, may be considerably advanced if it leads, as expected, to sincere negotiation on other major international problems.

The Ridgewood News commented:

> For the first time in nearly 20 years of cold war, in which the will to war has driven the world again and again to the brink of disaster, a new motivation has emerged. The test ban treaty, with all its obvious limitations, is a declaration of the will to peace. Neither pride nor prejudice nor consideration of political partisanship must be allowed to bar the speedy confirmation of this historic step toward international sanity.

On the subject of reservations, about which we have heard so much, it seemed to me that the Trenton Times had some sensible things to say:

> If we should actually try to write any (revisions) into the treaty, it is easy to imagine the reaction in Moscow. Trying to change the terms of a treaty signed by us and by our closest ally, a treaty reached only after years of striving and deadlock, could cause Russia to denounce it and us and blow out the feebly flickering light that has begun to point the road to peace. We made no bones about mistrusting Russia's sincerity. We must not forget that the Russians have similar doubts about us. We have an open covenant openly arrived at and cannot afford to justify their doubts so clearly (to them) as we would if we now went back on our word.

Mr. President, I have received, from great newspapers and from very thoughtful citizens in the State I have the honor to represent, overwhelming expressions of hope that the Senate will approve the treaty, and that it will be, indeed, the first small step toward the control of—and ultimately, we hope, the elimination of—the weapons that can destroy civilization. Ultimately, of course, our freedom depends upon that.

Mr. President, I ask unanimous consent that the editorials I have discussed be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

HE TAKES THE STEP

Senator EVERETT MCKINLEY DIRKSEN has given the treaty limiting nuclear tests to underground explosions the strong bipartisan impetus that this vital proposal needs for a solid vote of ratification.

In giving the treaty his unqualified support, Senator DIRKSEN recalls a similar role played by the late Senator Arthur Vandenberg, of Michigan, a Republican with broad international leanings. Senator Vandenberg was a stanch bipartisan ally of former President Truman, helping him over the shoals in foreign affairs.

Now Senator DIRKSEN has donned the mantle. The transition comes at a time when President Kennedy can use all the support he can muster on both sides of the aisle to hold down the hard core of opposition to a minimum.

His action, detailed in his highly stylized rhetoric, makes it certain that the opposition will be confined to Senator BARRY GOLDWATER and a handful of Republican legislators of extreme conservative persuasion. Noting his advanced age (67), DIRKSEN pulled all the oratorical stops in an hour-long peroration in which he observed at the end:

"I'd hate to have it written on my stone: 'He knew what happened at Hiroshima, but he didn't take the first step.'"

Senator DIRKSEN took the big step, ruling out as "ungermane" Senator GOLDWATER's reservation that would make the effective date of the treaty contingent on the removal of all Soviet missiles and military personnel from Cuba.

Mr. Kennedy, in return for DIRKSEN's support, has agreed to draft a letter to the Senate giving the legislators unequivocal assurances that the ratification of the treaty would not be followed by any relaxation of nuclear arms development.

Since DIRKSEN's announcement, another potent objector to the treaty has come out for ratification. Senator HENRY JACKSON, Washington Democrat, concedes the risks are serious and formidable, but with added safeguards for the Nation's safety, he feels the Senate may prudently give its advice and consent to ratification.

The Senate hearings on the treaty have had a beneficial effect. They were a sounding board for thoughtful expositions on both sides of this fateful issue. The treaty is not a cureall for the arms race. It merely provides a moratorium on nuclear testing, a breathing space during which more negotiations can be carried on in an atmosphere of lessened tension and anxiety.

AUGUST 2, 1963.

WPEN EDITORIALS

We urge strong support for the test ban agreement, and we're certainly happy to hear that Senators SCOTT and CASE, both Republicans, as well as Senators CLARK and WILLIAMS, Democrats, from Pennsylvania and New Jersey, are going to support the ratification of the pact. We have been hearing rumblings from a minority group within both parties that they plan to vote against ratification. Averill Harriman, the man who developed the treaty for the United States says that a veto by the Senate of this all-important treaty would downgrade this country in the eyes of the world, and would lend credence to Red Chinese statements that we are warmongers. The presence of two Republicans of the stature of SALTONSTALL, of Massachusetts, and AIKEN, of Vermont, lends considerable prestige and indicates to us that there'll be strong Republican as well as Democratic support for the treaty. A two-thirds vote is needed in the Senate. A popular support runs about 12 to 1. We are gratified by the statement of a Philadelphia citizen who wrote us saying prayerfully: "May God speed the ratification"; and continues, "if the treaty runs into opposition in the Senate, I would urge the President to take his case to the public, pinpointing where and who the obstruction is, so that we can bring public pressure to bear." One of the most exultant letterwriters says: "In common with every other rightminded American I feel like dancing in the streets—for the first time in their lives, I can look at my children and not be afraid." These quotes are favorable to the test ban agreement—unfortunately there have been letters, vitriolically written, opposing. We firmly feel that we should have both sides of any question; what bothers us is the apparent venom some people spew out in arguing their point of view. One letter in particular is so full of invective we wouldn't want it seen by children, as well as adults. What the majority, however, feel is—basically—gratitude for a step toward peace, relief from anxieties from radioactive fallout, and the future welfare of children. Again, we urge strong support for Senate ratification of the treaty.

[From the Newark (N.J.) Star-Ledger, Aug. 12, 1963]

A VICTORY FOR RUSK

A collective sigh of relief swept the Western community of nations with the announcement by West German Chancellor Konrad Adenauer that he will sign the historic limited nuclear test ban treaty. In a sense it can be chalked up as a victory for the soft sell approach of U.S. Secretary of State Dean Rusk.

But with Germany now committed to the treaty, there still remains another European power, France, loftily refusing to go international and accept the test ban agreement.

France's flat refusal and Germany's heretofore reluctance were based on sharply different motivations growing out of expediency for their own nations' futures.

Their positions are understandable when they are gaged in this light; they are not arbitrary stands, reflecting stubborn resistance to a treaty that solves some of the world's pressing problems.

West Germany's reluctance was based on the political considerations inherent in the treaty. Chancellor Adenauer has been fearful that his divided nation may suffer a setback under the treaty if the pact permits Communist East Germany to gain international recognition.

Adenauer displayed this concern over the treaty's political implications in his talks with Defense Secretary Robert McNamara. He asked McNamara to put off his departure reportedly to reemphasize Bonn's misgivings about the treaty and its effect on his country. He finally agreed to sign the treaty after reassurances from Secretary of State Rusk.

West Germany made strong representations to the Western Powers that a declaration be drafted that would make crystal clear that accession to the treaty would not strengthen East Germany's political stature.

These are legitimate, understandable fears and concern on the part of West Germany's leaders.

President de Gaulle's major concern is not primarily political, although he is firmly convinced that he should have played one of the dominant roles in the treaty negotiations.

This was never a practical approach, since France, despite De Gaulle's insistence to the contrary, no longer is a major world power. The French leader is painfully aware of this privately, but he is an adroit nationalist who knows how to exploit every possible angle.

De Gaulle, however, is on firmer ground when he maintains that the pact would be much more effective if the major powers halted production of nuclear arms. This would make the treaty far more attractive, but it could have been an issue that would have forestalled any agreement.

The French President makes another pertinent point in calling for an "effective and practical" limitation of delivery systems that can carry nuclear arms.

The major flaw in De Gaulle's position is his dogged refusal to view the limited nuclear test treaty in its proper perspective. De Gaulle, notwithstanding, the treaty is a step forward. It may not be as big a step as many would like, but it marks the first time since the Hiroshima atomic bombing 18 years ago that an accord has been reached on limiting at least one phase of nuclear firepower.

The absence of France impairs the effectiveness of the treaty. It is not, however, an overwhelming obstacle to restricting the testing of nuclear weapons.

There is still a possibility that France will join the treaty signatories. De Gaulle may be a little more difficult than Adenauer but he, too, may find it to his country's advantage to sign.

The less exclusive the signatories are, the better off the world will be.

[From the Elizabeth (N.J.) Daily Journal]

U.S. Senate Holds Treaty's Fate

Activation or destruction of the nuclear testing compact signed last Monday in Moscow now is in the hands of the U.S. Senate, to whom President Kennedy has submitted it with assurance of its integrity. No secret agreements, the bogeyman of the hour, are involved, he has told the Senators.

Mr. Kennedy cited 10 specific reasons for senatorial "consent," but all are insignificant in the shadow of the single statement that the treaty will lead toward "a more secure and peaceful world."

Only the gravest fallacies, the deepest flaws, could undermine that estimate. It is both the presidential summary of the document and the hope of the people.

Lest it arouse unfounded exuberance, Mr. Kennedy added a specific definition of its impact: "This treaty advances, though it does not assure, world peace; and it will inhibit, though it does not prohibit, the nuclear arms race."

No more than that probably could be asked at this point and to activate and preserve this much is an accomplishment surpassing anything else since the first atomic bomb was dropped in the destructive anger of war. The approval of the Russians and British Governments is not in doubt, so the responsibility now rests upon the Senate.

Other governments are falling into line—some have signed the accord in England, some in Washington, some in Moscow. Dozens will have aligned themselves with this rejection of nuclear testing in the atmosphere or on the sea.

If the Senate, after its fill of oratory and questioning administration officials and diplomats, will align the United States with these other governments, world sentiment will assume dimensions that even the recalcitrant President De Gaulle may recognize. Mao Tse-tung, of course, is another matter, but he will observe the world is choosing the other side.

The United States kept negotiations for this treaty alive when others would have left the conference table. It cannot abandon it now.

[From the Trenton (N.J.) Times, Aug. 7, 1963]

Test Ban Treaty Is Senate Issue

Now that the United States, Britain, and the Soviet Union have signed the nuclear test ban agreement, the next question is whether and when the Senate will accept it.

Ours is the only one of the three nations where the question arises. Under the Soviet system, Premier Khrushchev's signature is all that matters and there is no possibility of a legislature overriding him. In Britain there is almost as little chance of Parliament trying to upset what Prime Minister Macmillan has done.

But as Woodrow Wilson and the world found out to their cost in the League of Nations debate, the Senate can dispose of what an American President proposes. Though it seems unlikely now, it could reject the Moscow pact and put us right back where we were when the negotiations began.

Washington politicians reportedly are rating the pact as a political victory for President Kennedy. If Republican leaders swing to the same view they may decide to oppose it.

But if all indications are to be believed, the American public is solidly behind the treaty and it might be the worst possible strategy for the Republicans—or Kennedy's enemies among the southern Democrats—to oppose it. On the other hand, refusal to oppose him on a popular issue might neutralize its political benefit to him.

Republicans can claim, and doubtless will, that Eisenhower was the first President to propose the test ban, anyway. And reportedly the administration hopes to get him, as well as Herbert Hoover and other prominent GOP leaders, to endorse the treaty.

Many newsmen now believe that while there will be lengthy debate and perhaps some reservations, the Senate in the end will approve the pact by a one-sided vote.

Though two of the ranking Republican Senators, Dirksen and Hickenlooper, refused to go to Moscow for the signing, they stayed home more because of their position in the party hierarchy than from personal opposition to the treaty. Senators Aiken and Saltonstall did make the trip at Kennedy's invitation, today's President being too good a reader and writer of history to make the same mistake Wilson did.

If there are enough Senators seriously opposed to the treaty to make a real fight on it, they will doubtless try to do so through revisions. But if we should actually write any into the treaty, it is easy to imagine the reaction in Moscow.

Trying to change the terms of a treaty signed there by us and by our closest ally, a treaty reached only after years of striving and deadlock, could cause Russia to denounce it and us and blow out the feebly flickering light that has begun to point the road to peace.

We make no bones about mistrusting Russia's sincerity. We must not forget that the Russians have similar doubts about us. We have here an open covenant openly arrived at and cannot afford to justify their doubts so clearly (to them) as we would if we now went back on our word.

Where There's a Will

The three-power partial test ban treaty should be confirmed by the United States immediately and with a convincing majority, if for no other reason than the fact that failure to do so would cancel out the last hope of retaining world leadership in this country.

Criticism in some Senatorial circles is being directed toward the so-called escape clause, permitting any one of the contracting parties to resume testing under certain conditions.

This argument is specious. When, one may ask, has a treaty ever had value when one or more of the contracting parties decided on grounds of national self-interest, to break it?

A treaty does not have the force of law and is weak to that degree. But it may have value as a declaration of interest.

This is the major value of the test ban treaty. For the first time in more than 20 years of cold war, in which the will to war has driven the world again and again to the brink of disaster, a new motivation has emerged. The test ban treaty, with all of its obvious limitations is a declaration of the will to peace.

Where there is a will, a way can be found, and the treaty is a first step in the quest for a pattern of peace.

Neither pride nor prejudice nor consideration of political partisanship must be permitted to bar the speedy confirmation of this historic step toward international sanity.

A Step Forward

The signing of the limited nuclear test ban treaty is an important step down the road of world peace—but it is only a step.

Its importance, however, may be considerably enhanced if it leads, as expected, to sincere negotiation on other major international problems.

This thinking is shared by the three major powers—the United States, the Soviet Union, and Britain—who signed the historic document banning all nuclear testing except underground.

This hope was expressed by Soviet Foreign Minister Andrei Gromyko at the treaty signing yesterday in Moscow when he said:

"The conclusion of the treaty banning nuclear weapon tests may pave the way to the solution of other still more important international problems, including the disarmament problem."

These hopeful words must be measured on the basis of past performance, and the Soviet Union has a poor record on this score. It has viewed the free world with deep mistrust, a view that has distorted a number of major meetings on critical world problems.

If the Soviet Union is undergoing a revisionist policy on foreign affairs, the change may be wholly or partially dictated by expediency, an expediency nurtured by the alarming devisionist hostility of its major Marxist ally, Red China, and its deep concern over the awesome destructive potential of thermonuclear weapons.

The motivation on the part of the signatories for the test ban treaty may be found deeply ingrained in the fear of the nuclear bomb itself, a weapon that has the potential of destroying our civilization.

But it does hold out, as Secretary of State Rusk noted at the signing ceremony, a hope for mankind that this will be a step on the road to a peaceful world.

If this world cannot live in peace, even with clashing ideologies, it is obvious that it's not going to be able to exist, let alone live, in a thermonuclear holocaust. The future of the world is being dictated by necessity; we have run out of alternatives.

A Step Backward

Before the signing of the limited test ban treaty, Premier Khrushchev warmly greeted Secretary of State Rusk in his office with the observation: "Things are going well, very well."

They were, in Moscow, but not in Red China.

Where it was formerly vituperative, the Chinese Communists have now mounted a four-way threat designed to increase tension throughout Asia, putting pressure on the Soviet Union and the United States.

The trouble spots being exploited by Peiping are in Korea, India, Laos and Vietnam.

The United States is directly involved in Korea, where the Communists are boldly infiltrating American-held positions in South Korea. This country has substantial interest in the delicate situation in India, Laos and Vietnam. So does the free world.

Strangely, we find our interests paralleling, to a degree, those of the Soviet Union in reference to Asia. The Kremlin is lending considerable aid to India and, at the same time, withdrawing vital assistance to Red China.

The motivation is different, however. The Soviet Union is determined to keep Peiping from an Asian takeover, which could create an intolerable situation for the Kremlin. The free world is determined to fight aggression in this sensitive part of the world.

The stakes are considerable for both the free world and the Soviet Union.

Mr. WILLIAMS of New Jersey. Mr. President, as I have said, the volume of mail that has come to me on the treaty has to a remarkable degree been distinguished by its thoughtfulness and quality. I have selected a very few from among the many thousands of letters I have received on this issue. I request unanimous consent that they also be printed in the Record.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

THE METHODIST CHURCH,
NEW JERSEY CONFERENCE,
NEW BRUNSWICK DISTRICT,
Ocean Grove, N.J., August 14, 1963.
Senator HARRISON A. WILLIAMS,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR: I favor the test ban treaty.

In my opinion it will relieve, to some degree, East-West tensions and enable the nations to take a step toward disarmament.

World conditions, to my mind, call for more high-caliber statesmanship, as expressed in the proposed treaty, as contrasted with the blind obsession of the militarists with defense buildup.

I sincerely trust that with your help the Senate will approve the treaty.

Yours cordially,
WILLIAM R. GUFFICK.

CHAMBER OF COMMERCE,
Jersey City, N.J., August 15, 1963.
Senator HARRISON A. WILLIAMS, Jr.,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: In answer to your request in "Report Home" for your constituents to advise you of their feelings regarding the test ban treaty, my feeling very definitely is that I favor the proposed treaty between the United States, Great Britain, and the Soviet Union to ban nucelar tests in the atmosphere, outer space, and underwater, but I have at the same time great fears that we are once again being treated to some Russian skulduggery.

I believe it is absolutely necessary that all nations strive and do everything within their power to create treaties to forestall any nuclear war of the future.

However, I just can't trust Russia and I believe that every time they warm up to us in the manner that they have with this treaty, we are dropping our defenses and that only in later months or years will we see the actual tactics of the Russians divulging why they had been agreeable to a treaty at this time.

So I believe that while we should favor the treaty and certainly endorse it, that we must constantly remain on guard and we must not allow this treaty to deter our efforts to allow the democratic governments to remain free.

Respectfully yours,
THOMAS N. STAINBACK,
President.

MIDLAND PARK PUBLIC SCHOOLS,
Midland Park, N.J., August 15, 1963.
Senator HARRISON A. WILLIAMS, Jr.,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: This letter is written in response to your request for an expression of feelings on the test ban treaty as expressed in your "Report Home," volume V, No. 16, for the week of August 5, 1963.

I personally do favor the test ban treaty.

I believe that any attempt to restrict any atmospheric or surface blast of any type should be encouraged. Since there is a clause in the treaty which would enable us to bow out with due cause and advance notice, it seems apparent to me that should we be falling behind in our military development of such weapons, we could take advantage of that clause.

I do not, for one moment, place much faith in the integrity of the present Russian Government to live by this treaty. There is no reason to believe that they will live by this one any better or more honestly than they have others in the past. Still there is a possibility that they might and that is a chance that we as a country should take. I also believe that in spite of the errors that have been made, the intelligent sources of this country will be able to reasonably ascertain how well the Russian Government is keeping its obligation.

Therefore I think that we have moral and patriotic obligations to take whatever steps we can take, even if we are not certain that they are the right ones, along the road to peace and the eventual complete outlawing of the use of nuclear and atomic fision in warfare.

I hope that this expression on one person's ideas will assist you in voting the way you determine best on this most complicated problem.

Sincerely yours,
WILLIAM D. POLHEMUS,
Principal.

R. B. MASON & SON,
Belleplain, N.J., August 15, 1963.
Senator HARRISON A. WILLIAMS,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: I wish to be recorded in favor of the treaty to ban nuclear tests in the atmosphere, outer space, and underwater.

Thanking you, I remain,
Very truly yours,
CARLTON E. MASON.

JERSEY CITY, N.J.,
August 15, 1963.
Hon. HARRISON A. WILLIAMS, Jr.
Old Senate Office Building,
Washington, D.C.

DEAR SIR: Thank you for your "Reports Home" and your request as to how I stand on the test ban treaty.

I am in favor of this test ban treaty, provided the Government keeps a close watch on the testing of other countries in violation of our good faith to keep it.

Another reason I am in favor of reducing the tests above the ground is the increasing danger from fallout. This past spring I had occasion to visit a farming section of the State of Pennsylvania and learned that the farmers were instructed to delay the grazing of their cattle due to fallout. Mothers and children could be affected by milk from cows exposed to this increased fallout.

I was also pleased with the passage of the equal pay bill, for as president of the Jersey City Business and Professional Women's Club, we worked a long time for this bill.

Cordially,
VIOLA M. BOOTH.

JERSEY CITY, N.J.,
August 15, 1963.
Senator HARRISON A. WILLIAMS,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR: In answer to your question, Mrs. Eichler and I most certainly favor the proposed treaty between the United States, Great Britain, and the Soviet Union to ban nuclear tests in the atmosphere, outer space, and underwater.

Even though it may be regarded as only one step, the treaty is a step in the right direction. I am optimistic enough to believe that it will lead to a second step—a ban on underground tests.

Hoping you will vote in favor of the treaty, I am,

Most sincerely yours,
GEORGE M. EICHLER,
Counselor at Law.

INTERNATIONAL BROTHERHOOD OF
FIREMEN & OILERS,
Haddonfield, N.J., August 15, 1963.
Senator HARRISON A. WILLIAMS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in response to inquiry regarding my views on the test ban treaty issue.

I believe that the limited test ban treaty negotiated by the United States, Great Britain, and Russia offers the first glimmer of hope that the free and Communist worlds may have achieved a climate in which potentialities for true disarmament will be possible and future serenity in international affairs.

Even though we may have good cause to distrust Communist Russia and this test ban leaves much to be desired, nevertheless, morality and reason should dictate pursuit of the path of peace.

Senate ratification of the treaty should be unanimous to enhance our prestige.

Sincerely yours,
JOHN J. WASLOSKI,
International Representative.

CITY OF RAHWAY, N.J.,
August 14, 1963.

DEAR PETE: Having observed past practices of the U.S.S.R. tearing up agreements, when they no longer suited their purposes, I wonder about their sincerity in signing this treaty.

However, as one charged with providing maximum safety for 28,000 lives should nuclear war ever be visited upon mankind, I am in a position to visualize the terrible destruction and loss of life above and beyond the comprehension of the average citizen, should these awesome weapons ever be employed. It is not an enviable position.

Weighing these factors, I find I must urge ratification of the treaty, though a slight step at this time, it is conceivable that it might lead to total disarmament of nuclear weapons, and become the forerunner of a permanent peace preserving procedure.

But let us not, under any circumstances, let apathy overtake us, or a false sense of security prevail, let us at all times, "keep our powder dry."

Sincerely,
WM. MCBRIDE.

JERSEY CITY, N.J.,
August 12, 1963.

DEAR SENATOR WILLIAMS: I am in favor of the proposed treaty between the United States, Great Britain, and the Soviet Union to ban nuclear tests in the atmosphere, outer space, and underwater.

It is a beginning of friendlier relations between our three nations. When Russia sees that we keep our word, she will begin to trust us. The next step would be an exchange of one on-site inspection.

Radioactive fallout is damaging the health of the people of the United States. It results in respiratory illness, and may even contribute to our high rate of cancer. It falls on the ground in the vegetable gardens, which penetrates our vegetables. The cows eat the grass, and it is passed on, in milk. Chickens eat from the ground, it gets into the eggs. It has an effect on our fish, chicken, and cattle. Worst of all it has an effect on our mothers to be; they eat this impure food, and the unborn child becomes retarded, deformed, or has lung congestion. The impure air is passed on to the child, in the weakness of the mother. She must be able to breathe naturally. If she holds her breath, for just one moment, it can kill the child. I saw it happen. The child was stillborn. The woman heard the screech of auto brakes, and the scream of a child. She held her breath in fear, that it was her son that was hurt. It was a neighbor's son.

So if we can relieve the feeling of tension, and also active fallout, we will have a healthier Nation.

Now, we must watch Red China.

Will contact our Senior Citizen clubs and members and ask them to write to you.

Sincerely,
Mrs. Lillian Allan,
Membership Chairman, New Jersey Council of Senior Citizens.

P.S.—I am in favor of the National Service Corps, too. Let the American people learn how to give of themselves and their talents to help others. I know it brings satisfaction and happiness. Time—effort and love—no pay.

Mercer County Bar Association,
Trenton, N.J., August 14, 1963.
Senator Harrison A. Williams, Jr.,
352 Old Senate Office Building,
Washington, D.C.

Dear Senator Williams: Thank you very much for your letter of August 8, 1963.

I want you to know that I personally favor the proposed treaty between the United States, Great Britain, and the Soviet Union to ban nuclear tests in the atmosphere, outer space, and underwater.

I am having the secretary of the Mercer County Bar Association include in our notice going out shortly to our membership in connection with our September meeting a plea to our members to let you have their views on this vital question before the Senate.

Sincerely yours,
Sidney S. Stark,
President.

Board of Education,
Levittown, N.J., August 13, 1963.
Senator Harrison A. Williams, Jr.,
352 Old Senate Office Building,
Washington, D.C.

Dear Senator Williams: This is one of the very few letters that I have ever written to our elected representatives in Washington.

In response to your question in "Report Home," August 5, 1963,

I favor the proposed treaty between the United States, Great Britain, and the Soviet Union to ban nuclear tests in the atmosphere, outer space, and underwater.

It is about time that we heeded the advice of our top scientists and began developing a sound nuclear test policy that may save the future of mankind.

Sincerely yours,
Leonard E. Coplein,
Assistant Superintendent.

Distillery, Rectifying, Wine and Allied Workers' International Union of America, Local 19,
Newark, N.J., August 12, 1963.
Senator Harrison A. Williams, Jr.,
352 Old Senate Office Building,
Washington, D.C.

Dear Senator: I would like to go on record as asking you to vote in favor of the proposed treaty between the United States, Great Britain, and the Soviet Union to ban nuclear tests in the atmosphere, outer space, and underwater.

It would be in the best interest of the United States and the world.

Very truly yours,
Louis Kronberg,
President.

P. J. Ritter Co.,
Bridgeton, N.J., August 13, 1963.
Senator Harrison A. Williams,
Old Senate Office Building,
Washington, D.C.

Dear Senator Williams: In response to your question, "Do you favor or oppose the proposed treaty between the United States, Great Britain, and the Soviet Union to ban nuclear tests in the atmosphere, outer space, and under water?" My answer is to favor any action of this type with the hope that we would not be lulled into a feeling of false security and with the complete recognition of the eventual Soviet aims.

Yes, sign the treaty and maintain our vigilance.

Sincerely yours,
Paul J. Ritter.

Bankers National Life Insurance Co.,
Montclair, N.J., August 12, 1963.
Senator Harrison A. Williams,
Old Senate Office Building,
Washington, D.C.

My Dear Senator: I would urge you to vote yes for the proposed treaty on nuclear tests. Even though you and I both know that the odds are heavily in favor of the Soviet breaking this pact, I believe it should be endorsed.

I also hope that you will lend your weight to the tax reduction bills which are now being studied in committee.

Sincerely yours,
John D. Brundage.

The First National Bank & Trust Co.,
Paulsboro, N.J., August 12, 1963.
Senator Harrison A. Williams,
Old Senate Office Building,
Washington, D.C.

Honorable Sir: In your report you have asked for an expression of various opinions concerning the proposed test ban treaty. I am not qualified to pass upon the military security involved, but as a family man, I am intensely interested in the effects of nuclear fallout.

I believe any steps taken toward the ending of nuclear tests in the atmosphere are desirable. We all recognize that treaties made by some countries may turn out to be merely scraps of paper but in this case, I believe risk is worthwhile.

Unless you discover in the debate that the risk is not worthwhile, and entirely out of line with your thoughts, I believe you should vote for the proposed treaty.

Very truly yours,
Frank S. Flowers,
President.

F. W. Holbein School,
Mount Holly, N.J., August 17, 1963.
Senator Harrison A. Williams,
Washington, D.C.

My Dear Senator Williams: I favor the proposed treaty between the United States, Great Britain, and the Soviet Union to ban nuclear tests in the atmosphere, outer space, and under water.

Thank you very much for sending me your news release. After reading it during the coming school year I plan to pass it on to our eighth grade American history teacher for use in her classes.

Respectfully yours,
F. W. Holbein,

Union City, N.J.,
August 15, 1963.
Senator Harrison A. Williams,
Old Senate Office Building,
Washington, D.C.

My Dear Senator: I wish to urge immediate passage of the test ban treaty which is important for the encouragement of total disarmament and improved relations among the various countries for the pursuit of peace.

The efforts of the President must be given our united support so that the world at large will realize that all of us in this country—regardless of party—are behind every action taken toward any and all negotiation for peace.

Very truly yours,
Bernard A. Schwarz,
Counselor at Law.

Disabled American Veterans,
Jersey City, N.J., August 16, 1963.
Senator Harrison A. Williams,
Old Senate Office Building,
Washington, D.C.

Dear Friend Pete: I feel definitely the way you and the President feel on this most important treaty. It looks like the first real step for peace in the cold war. A vote against it would be a vote for Red China or for that clown De Gaulle, who has always been against everything and everyone.

Pete, a real good friend of yours, Past State Commander Charles H. McSperitt, 679 Ridge Street, Newark, N.J., died in Dublin, Ireland, last Sunday, while on a visit with his two daughters to visit their relatives in Ireland.

Keep up the real great work you are doing in the U.S. Senate.

Sincerely yours,
Bill Dodd,
Past National Commander, Disabled Veterans, Inc.

Musicians' Protective Union,
Vineland, N.J., August 26, 1963.
Senator Harrison A. Williams, Jr.,
Washington, D.C.

Dear Sir: At our meeting of Local 595, A.F. of M., August 26, the members are 100 percent in favor of the proposed treaty between the United States, Great Britain, and the Soviet Union to ban the nuclear tests in the atmosphere, outer space, and under water.

Respectfully yours,
Enrico Serra,
Secretary Treasurer.

Democratic County Committee,
Ocean County, N.J., August 15, 1963.
Hon. Harrison A. Williams,
Senate Office Building,
Washington, D.C.

Dear Pete: In response to your "Report Home" request for the opinions of your constituents on the test ban treaty, this is to advise you that the Ocean County Democratic Organization discussed the subject at its meeting on August 13.

It was unanimously voted by the membership to advise you that we favor the test ban treaty and we strongly support President Kennedy's position.

We respectfully ask, therefore, that you urge your colleagues in the Senate to vote in favor of ratification.

Sincerely,
Albert J. Cucci,
Chairman.

Locust, N.J., *August 23, 1963.*
Senator Harrison A. Williams,
Old Senate Office Building,
Washington, D.C.

Dear Senator Williams: I am in favor of our acceptance of the nuclear test ban treaty.

I regard it as an essential step toward the future safety of the United States and mankind.

Sincerely,
Mrs. R. O. Rippere,
President, League of Women Voters of Middletown.

Princeton, N.J.,
August 26, 1963.
Senator Harrison A. Williams,
352 Old Senate Office Building,
Washington, D.C.:

The test ban treaty must be passed if we Americans know what is good for us—and the rest of mankind.

Stringfellow Barr.

MANHATTAN LODGE NO. 1679, INTERNATIONAL ASSOCIATION OF MACHINISTS,
Passaic, N.J., August 30, 1963.
Hon. HARRISON A. WILLIAMS,
U.S. Senator, New Jersey,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: I brought to the attention of our membership, at our last meeting, the fact that you are soliciting opinion from your constituents on what their thinking is on the ratification of the nuclear test ban treaty.

We did have a very short debate on this matter at this meeting. After the smoke cleared it was decided that I be authorized to write you and inform you that we go on record in favor of ratification at this time. I was also instructed to inform you that the membership is a bit skeptical but feel that under the circumstances it should be given an opportunity to operate.

Trusting that this is what you are asking for, I remain,

Sincerely,
ALEX SMOLLOK, *Secretary.*

TEMPLE SINAI OF BERGEN COUNTY,
Tenafly, N.J., August 21, 1963.
Senator HARRISON A. WILLIAMS,
Old Senate Office Building,
Washington D.C.

DEAR SENATOR WILLIAMS: May I respectfully urge you to do whatever you can to bring about the ratification of the Test Ban Treaty now being presented for consideration. Ratification of the treaty could very well provide us with the kind of international atmosphere which would give man pause to consider the utter insanity of nuclear warfare and the testing of nuclear weapons which pollute the atmosphere, endangering the future of mankind.

Cordially,
DR. IRWIN M. BLANK.

PENNINGTON, N.J., *August 31, 1963.*
Hon. HARRISON A. WILLIAMS,
Old Senate Office Building,
Washington, D.C.

MY DEAR SENATOR WILLIAMS: Please add my name to those who would favor a test ban treaty. If we are in a position to do such unholy damage to millions of innocent people, I can see no reason for striving to be still more powerful. If this country were to reject the treaty, memories of what we did to the League of Nations would be revived and the conclusion would be inescapable that we do not want to live in a secure and peaceful world.

Very truly yours,
CARROLL C. PRATT,
Professor of Psychology Emeritus,
Princeton University.

LEAGUE OF WOMEN VOTERS OF HAMILTON TOWNSHIP,
Trenton, N.J., August 29, 1963.
Hon. HARRISON WILLIAMS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: The president of the Hamilton Township League has requested me to report that its members are in favor of the disarmament treaty under consideration with Russia.

In addition, I would like to mention my personal opinion. I feel we have no choice but to make such a treaty, if only out of deference to world opinion. However, this country's past experience with Russian treaties leaves little room for elation, or hope for genuine results.

Yours truly,
THERESA DIETRICH.

PERTH AMBOY SMELTER & REFINERY WORKERS UNION,
Perth Amboy, N.J., August 29, 1963.
Senator HARRISON A. WILLIAMS,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR: In reference to the question in your "Report Home" of August 5 on the proposed treaty between the United States, Great Britain, and the Soviet Union to ban nuclear tests in the atmosphere, outer space, and under water.

On behalf of the executive board of the Perth Amboy Smelter & Refinery Workers Union, Local 365, and representing 1,200 workers at the American Smelting & Refining Co. in Perth Amboy, N.J., we are in favor of this treaty to ban all nuclear tests.

In addition, we hope that in the future all nations will sign the treaty to have the entire nuclear tests banned.

Very truly yours,
JOHN INFUSINO, *President.*

PATERSON DIOCESAN COUNCIL OF CATHOLIC WOMEN,
Paterson, N.J., August 29, 1963.
Hon. HARRISON A. WILLIAMS, JR.,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR: First I would like to commend you for making a major effort to get the opinion of the people of New Jersey in reference to the test ban treaty.

As president of the Paterson Diocesan Council of Catholic Women I brought this matter up at our recent board meeting and I hope you will be hearing from many of our members.

Personally, I am in favor of the test ban treaty and sincerely hope it will be in the interest of the American people.

Sincerely yours,
MAE REILLY
Mrs. Thomas W. Reilly,
President.

NEW JERSEY HEALTH OFFICERS ASSOCIATION,
Orange, N.J., August 26, 1936.
Senator HARRISON A. WILLIAMS,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR: Thank you very much for your letter of August 12 with reference to the proposed test ban treaty.

Unfortunately this association will not meet until October 3, and there will be no mailing to the membership until September 11. There is, therefore, no way in which it may be suggested to the members that they participate in this poll.

I have, however, discussed the matter with our president, Mr. Walter J. Nicol, health officer of Kearny, who agrees with me that the test ban treaty should be ratified. We are both of the opinion that most of our membership, when all facets of the matter are considered, would take a similar position. We agree that care and caution must be exercised, but that the advantages of the treaty far outweigh the disadvantages.

Respectfully yours,
EDWARD GERNER,
Secretary.

DREW UNIVERSITY,
Madison, N.J., September 3, 1963.
Senator HARRISON A. WILLIAMS,
Old Senate Office Building,
Washington, D.C.

DEAR MR. WILLIAMS: I am writing you to express my support of the test ban treaty. I sincerely hope that the Senate will ratify the treaty with a resounding majority. I am confident that many of my fellow citizens join me in this wish. Thank you for the leadership which you are giving to your State and Nation on this matter.

Sincerely yours,
DAVID M. GRAYBEAL,
Director of Field Work.

THE FLEMINGTON BAPTIST CHURCH,
Flemington, N.J., August 16, 1963.
Senator HARRISON A. WILLIAMS,
Old Senate Office Building,
Washington, D.C.

HONORABLE SIR: In complying with your request in "Report Home" for opinions on the adoption or rejection of the treaty to ban nuclear tests, I feel that the treaty should be adopted. It is, in my opinion, a step in the right direction toward peace. A vote to defeat adoption would be another argument that the United States does not want world peace.

Yours truly,
EDWARD C. DUNBAR.

THE LEAGUE OF WOMEN VOTERS,
Trenton, N.J., September 4, 1963.
Senator HARRISON A. WILLIAMS,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: Thank you for seeking the opinions of members of the League of Women Voters on the proposed nuclear test ban treaty. Although the League of Women Voters as an organization has taken no position on the treaty, so far as I know, I personally am altogether in favor of it. At our first meeting in September I shall urge other members of the Trenton League to express to you their opinions on the proposed treaty.

Sincerely,
MARGARET A. THORNE,
President.

UPPER MONTCLAIR, N.J., *September 4, 1963.*

DEAR SENATOR WILLIAMS: By all means, support the treaty to ban nuclear tests in the atmosphere, outer space, and under water.

The future of the world depends upon the establishment of the rule of law among the nations. This treaty is only a first step. But that, in a way, gives it special importance. We must take a first step to have any hope of getting somewhere in the long run.

Please, please, support the treaty.

Sincerely yours,
HAROLD S. OSBORNE,
Mayor of Montclair, N.J.

RUTGERS, THE STATE UNIVERSITY,
New Brunswick, N.J., August 20, 1963.
Senator HARRISON A. WILLIAMS,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: I am in favor of the proposed test ban treaty.

Sincerely,
ABRAHAM YESELSON,
Associate Professor, Department of Political Sciences.

PRINCETON UNIVERSITY,
Princeton, N.J., August 17, 1963.
Senator HARRISON WILLIAMS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR WILLIAMS: It would be unthinkable for the Senate of the United States to fail to ratify the partial nuclear test ban treaty now before it, in view of the evidence that it will not decrease and may increase the security of the United States.

In view of the difficulty of policing underground explosions and to win responsible military support, the ban cannot at present be made a complete one. But "half a loaf is better than no bread." Any measure which will result in the relaxation of the tensions which are so greatly contributory to the outbreak of wars, without an accompanying relaxation of vigilance, is a step away from the holocaust the world dreads.

I trust you will vote for ratification of the treaty.

Yours faithfully,
R. B. Y. SCOTT.

New Jersey Hospital Association,
Trenton, N.J., August 19, 1963.
Hon. Harrison A. Williams, Jr.,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: In regard to your question as to favoring or opposing the possible test ban treaty between the United States and the Soviet Union, I can only speak for myself and not the association. I do favor this test ban treaty and also hope that the Senate will approve it.

Sincerely,
Jack W. Owen.

Asbury Park, N.J., *August 19, 1963.*
Senator Harrison A. Williams,
Old Senate Office Building,
Washington, D.C.

Dear Senator: Please be advised that I am greatly in favor of the proposed treaty between the United States, Great Britain, and the Soviet Union to bar nuclear tests in the atmosphere, outer space, and under water.

Very truly yours,
Thomas F. Shebell, Jr.,
Lawyer.

Uniformed Firemen's
Association, Local 198,
Atlantic City, N.J., August 1963.
Senator Harrison Williams, New Jersey.

Dear Sir: Received your newsletter and your request for my position regarding the nuclear test ban. I surely couldn't be considered well informed and I only know what I read in the papers. But I support every effort that our country can make to improve conditions. I know we are all mindful of the lack of good faith that the Russians place in treaties. But with our detection devices near the Russian borders we will immediately know if they have broken the treaty and can act accordingly. I believe we must make every effort to end this headlong dash to make more and better nuclear arms. To my way of thinking this can end only in total disaster for all concerned.

Thank you most sincerely for asking.

Sincerely,
Thomas Scanlon,
Secretary.

Local Union No. 429, United
Brotherhood of Carpenters and
Joiners of America,
Montclair, N.J., August 18, 1963.
Senator H. A. Williams,
Old Senate Office Building,
Washington, D.C.

Dear Senator: I favor the treaty to ban nuclear tests, except for peaceful pursuits, which would benefit the people.

I am not in favor of strontium 90 increasing in the milk supply of the Nation.

We should block anything that is detrimental to the peace of the world.

I will read your letter at our next meeting September 9. I still post your report home on the bulletin board at the local.

With kindest regards.
H. J. Rudolph Nelson,
Recording Secretary.

Temple Emanuel,
Passaic, N.J., September 5, 1963.
Hon. Harrison A. Williams,
Old Senate Office Building,
Washington, D.C.

Dear Senator: May I join the legion of peace-loving people, in the effort to minimize, through the ratification of the test ban treaty, the possibility of an all-out war. A self-imposed limitation upon the nuclear tests, even though minimal, will open the door to ultimate disarmament. I want to thank you for the sense of commitment to a noble purpose that characterizes your espousal of the treaty.

Very truly yours,
Max Zucker,
Rabbi.

Retired Citizens Club,
New Brunswick, N.J., August 20, 1963.
Hon. Harrison A. Williams, Jr.
Senate Office Building,
Washington, D.C.

Dear Senator: I respectfully urge you to vote for acceptance of the nuclear test ban.

At least it is a start to test Soviet responsibility.

It could just be, that the terrors and rowdyisms following revolutions have run their course in Russia; and their leaders find it to their advantage to accept at least a measure of civilization.

Respectfully yours,
Hugo P. Buell.

Rutgers, the State University,
Newark, N.J., August 21, 1963.
Senator Harrison A. Williams,
Old Senate Office Building,
Washington, D.C.

Dear Senator: I would like to record myself as being in favor of the ratification of the proposed treaty to partially ban nuclear tests.

Sincerely yours,
Willard Heckel,
Dean, School of Law.

City of Perth Amboy, N.J.
August 16, 1963.
Senator Harrison A. Williams,
Old Senate Office Building,
Washington, D.C.

Dear Senator Williams: It is my firm belief that the proposed treaty between the United States, Great Britain, and the Soviet Union to ban nuclear tests in the atmosphere, outer space, and underwater is a definite step toward the relief of world tension and a more cooperate future.

It is also my firm belief that the treaty will be a giant step in the fight against contamination of the air by pollutants.

For the above reasons, I should like to voice my personal approval of the proposed treaty and urge you to support confirmation of same by the Senate.

Very truly yours,
Joseph J. Soporowski,
Deputy Mayor and Director, Bureau of Air Pollution Control.

New Jersey Federation of
Planning Officials,
August 14, 1963.
Senator Harrison A. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator: Thank you for your question on feelings on the proposed test ban treaty and request for dissemination of the problem of our national signature to such a pact, among our membership.

In my personal opinion, regardless of past records, of other signatories in keeping their word, we must approve this treaty.

When we sign it (and I must assume we will) it will increase the heavy burden our Representatives and Senators already have in insuring our guard is not dropped and that we continue to be able to speak from a position of strength as a democratic force in the world. But we would abnegate a tremendous deal for which we have fought if we declined to join in this joint promissory action. Much for which we as a nation might say in the future in the cause of human preservation might be vitiated by refusal (or even a niggardly acceptance) of this proposed treaty to ban nuclear tests in the air, water, or in space.

Sincerely,
Thomas A. Hyde.

First Baptist Church,
Moorestown, N.J., August 16, 1963.
Hon. Harrison A. Williams,
Old Senate Office Building,
Washington, D.C.

Dear Senator: Please use your vote and your influence to approve and ratify the test ban which will soon come before you. I agree with the New York Times' editorial which stated, "Risks are inescapable in today's troubled world, but the risks inherent in rejecting the treaty and thus giving a new spur to the worldwide nuclear arms race are much greater than any discernible in the pact's approval.

I am very appreciative of your service.

Sincerely yours,
Norman R. DePuy.

Bernardsville, N.J.,
August 15, 1963.
Senator Harrison A. Williams,
Old Senate Office Building,
Washington, D.C.:

In answer to the questionnaire in your "Report Home," volume V, No. 16, I favor the proposed treaty between the United States, Great Britain, and the Soviet Union to ban nuclear tests in the atmosphere, outer space, and underwater.

Archibald S. Alexander.

New Jersey State AFL–CIO,
Newark, N.J., August 16, 1963.
Hon. Harrison A. Williams, Jr.,
Senate Office Building,
Washington, D.C.

Dear Senator Williams: I have your letter of August 12, concerning my views on the proposed nuclear test ban treaty.

The National AFL–CIO has gone on record in support of the treaty and this is a decision in which I heartily concur.

The alternative to peaceful coexistence is nuclear war and total annihilation of all human life. The choice appears to be quite simple. Even though the Goldwaters and the John Birchers don't realize it, we are really saving their lives.

You should have no doubt about how to vote on this one. Hope to see you soon.

Sincerely,
Joel R. Jacobson,
First Executive Vice President.

McCarter & English,
Counselors at Law,
Newark, N.J., September 9, 1963.
Senator Harrison A. Williams,
Old Senate Office Building,
Washington, D.C.

My Dear Senator Williams: As a member of the Monmouth County Bar Association, I am replying to your request for the views of members of that organization on the proposed limited nuclear test ban treaty. I note that Senate debate on the treaty will commence during this week.

Although many of the relevant considerations with regard to the proposed treaty are, for valid security reasons, hidden from the public view, from the information available, I can see only one possible reason for the Senate to fail to ratify the initialed treaty. That is the possibility that the Soviet Union, during its extensive testing last autumn, was successful in developing an antimissile system. Some pronouncements of Soviet military men, to which I would not be inclined to give great weight, tend to support such a conclusion. The uncensored testimony of some of our scientific and military spokesmen before the Senate Foreign Relations Committee leads me to believe that no such breakthrough occurred and that neither the Russians nor the United States have successfully mastered the intricacies of such a system.

There does not seem to be much question but that our nuclear stockpile far outnumbers that of the Soviet Union or that we have more delivery vehicles available for nuclear weapons than do the Russians. It seems to me that the numbers of weapons and delivery vehicles available to us and to the Russians is largely irrelevant in the final analysis, since the view of most of our military-scientific personnel appears to be that both sides are fully capable at the present time of thoroughly devastating by nuclear weapons the industry, population, and food supply of the adversary.

Thus, with the slight reservation which I have mentioned, I see no valid practical reason for a failure on the part of the Senate to ratify the proposed treaty.

Even more important perhaps than the military and scientific aspects of the decision to ratify the treaty are the moral implications of such a decision. The United States has for years advocated a nuclear test ban and has even gone so far 2 years ago as to cease voluntarily its own testing (resumed, admittedly, upon resumption of testing by the Soviet Union). To fail to accept the present treaty, although limited in scope, would be a complete reversal of the publicly espoused position of this country and the private aspirations of a good portion of its population.

The proposed treaty is in my view a first step toward broader test ban agreements leading, it is hoped, to complete disarmament. Approval of the treaty has its risks. Its rejection would be disastrous. It would lend aid and comfort to the Communist portrayal of the United States as a warmongering nation bent upon a continuance and acceleration of the arms race. It would disillusion and alienate the many unalined nations of the world, many of whom have already signified their adherence to the treaty. It would offend the sensibilities of peace-loving people in this country as well as abroad.

For the above reasons, I feel that the proposed treaty should be quickly and emphatically ratified by the Senate.

Respectfully yours,

Michael D. Loprete.

Mr. HUMPHREY. Mr. President, I wish to commend the Senator from New Jersey, as I have others of our colleagues today, on his presentation. I know of his deep concern over the treaty. I am delighted that a man of his understanding and background in the field of government has declared his intention to vote for the ratification of the treaty. It will mean a great deal not only to the Senate, but to the citizens of his State. I am sure that the Senator from New Jersey knows, as do other Senators, that the American people are vitally concerned over this issue; and while most of the people who are for the treaty have not written to Senators, the public opinion polls that have been conducted in a very intensive and extensive manner show overwhelming support for the treaty. The words of the Senator from New Jersey are very helpful. I assure him that his support will be reassuring to Senators who support the treaty; to the Secretary of State, who signed the treaty; and to the President of the United States, who initiated the treaty. The Senator is to be commended, and I do so.

Mr. WILLIAMS of New Jersey. Mr. President, I am very appreciative and deeply grateful for the remarks of our most beloved friend, the Senator from Minnesota. I do not believe we would be in this most historic moment of our national history if it had not been for his untiring and persistent devotion to the cause of peace. For that reason, among others, I am most grateful to him.

Mr. HUMPHREY. Mr. President, the newspapers of the United States have participated in the great debate over the nuclear test ban treaty, as have Members of the Senate and the House of Representatives.

The editorial pages of newspapers in all sections of the country continue to express strong support for the limited test ban treaty. This is bipartisan support. It is found on editorial pages of conservative, middle-of-the-road, and liberal ideologies.

Editorial opinion corresponds with the overwhelming public vote of confidence disclosed by the Louis Harris and Gallup polls. The distinguished Senator from Arkansas [Mr. Fulbright] inserted the Louis Harris poll in the Congressional Record yesterday. I shall not do so again today, but I do wish to emphasize the marked shift of opinion in favor of the treaty which has occurred during the past 2 months. The percentage favoring the treaty rose from a narrow majority of 52 percent in July to an overwhelming 81 percent recorded last week and another 11 percent expressed qualified approval of the treaty, bringing the overall support of the test ban treaty at 92 percent. This is an impressive expression of public support on a matter of such importance.

I commend many of the editors from all sections of the country who have written of their strong support for the limited test ban treaty. We are indebted to thoughtful editors and columnists for their contributions to this historic debate. I ask unanimous consent that these editorials be printed at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Chicago Sun-Times, Sept. 14, 1963]

DIRKSEN'S PERSPECTIVE

Senator Everett M. Dirksen, Republican, of Illinois, will be 68 years old next January and his term in Congress will have another 5 years to run. He then will have reached an honorable retirement age and so he need no longer temper his views to suit shifting political winds in anticipation of the next election.

And so it is that he can, in 1 day, face two such disparate groups as the National Federation of Republican Women and demonstrators rallied by the Student Nonviolent Coordinating Committee (Snick) and disagree with both.

The Illinois branch of the women's organization had passed a resolution urging rejection of the test ban treaty as "a cruel hoax on the American people." Dirksen threw away the speech he had planned to make before the Republican women and instead argued for the approval of the test ban treaty.

Earlier he had met the Snick demonstrators who read him a statement urging him to support that part of President Kennedy's civil rights program outlawing segregation in privately owned business establishments. He reminded them that he has long been a champion of civil rights legislation but he has not changed his mind on the public accommodation section because he believes this is an area reserved for State action as it is in Illinois.

The Illinois law has been on the books since 1885 and, until community mores with regard to discrimination began to change in recent years, it was observed mostly in the breach.

In his speech before the Republican women, Dirksen reminded them that a nuclear test ban was supported by the Republican platform of 1960. A review of that platform certainly shows such a pledge without strings. It reads:

"We advocate an early agreement by all nations to forgo nuclear tests in the atmosphere, and the suspension of other tests as verification techniques permit."

That is what the test ban treaty encompasses. Tests in the atmosphere are voluntarily forgone. Underground tests continue because verification techniques neither have been developed nor agreed on.

The Republican platform actually was more specific with relation to the present debate on the test ban than the Democratic platform of 1960. The Democratic platform read:

"A primary task is to develop responsible proposals that will break the deadlock on arms control. Such proposals should include means for ending nuclear tests under workable safeguards."

Dirksen had reservations about the test ban treaty when it was first initialed but he has satisfied himself that it is in the best interests of the United States and has no hidden dangers. He has taken the lead as spokesman for it.

Senator Paul Douglas, Democrat, of Illinois, has not spoken out for the test ban treaty as has his Republican colleague, but it is far more important that the Senate minority leader, Dirksen, speak out forcefully for the treaty, inasmuch as such opposition as there is comes largely from Republicans.

We assume Douglas will vote "aye" on the treaty when the roll is called, but meanwhile he ought to speak up as Dirksen has. Like Dirksen, he should be unconcerned about the next election. When his term ends in 1967, he will be 3 months short of 75 years of age.

[From the New York Times, Sept. 9, 1963]

THE SENATE AND THE BAN

The time has come for the Senate as a whole to debate the nuclear test ban treaty. All the pundits—including the Senators themselves—agree that the treaty will be passed with a decisive majority.

This will not inhibit debate on the Senate floor, nor should it do so. We have our ways of getting things done—ways that often bewilder foreign observers. Yet, the occasions when we go tragically wrong, as in the close vote that defeated the League of Nations treaty after World War I, are very rare. Senator Mansfield, the majority leader, in his impressive presentation of the case for the treaty on Wednesday, said he would vote for the agreement because it is "a testament to the universal vitality of reason." In simpler terms, it makes sense.

The Foreign Relations Committee spent the month of August listening to scientists, military leaders and Government officials. It heard so many criticisms, so much doubt and suspicion, such a deal of faint praise, that it was extraordinary for the committee to come up with a 16-to-1 vote in favor. The committee's report was not exactly enthusiastic, but it reached the safe conclusion that the accord "represents a net advantage to the United States."

The members recommended approval without any crippling amendments, and this is the way the Senate, as a whole, should pass the treaty. Senator Goldwater, one of the few Senators out to make trouble for the treaty, wants to tack on a reservation to defer its implementation until the Russians get out of Cuba. There is no more reason to require this in connection with a nuclear test ban treaty than to demand that the Russians take away the Berlin wall. The test ban must stand by itself. Reservations of any kind would mean renegotiation, a long delay, and perhaps the collapse of the whole effort.

When President Kennedy addressed the Nation on July 26 after the signing of the accord he began by saying: "I speak to you tonight in a spirit of hope." There was magic in the first flash of hope that lit up the skies all around the world when the treaty was first announced. The Senate has an opportunity to rekindle at least a measure of that hope. Grant the risks, the loopholes and the limitations of the treaty, but weigh them against the reduction of fallout hazard and against the possibility that it can represent a building block for a more peaceful world, and there should be no doubts left in any Senator's mind.

As the spiritual leaders of the Catholic, Protestant and Jewish faiths declare in their statement to the Nation this morning it is time to "take this first step along the road to peace for the common good of the world."

[From the Indianapolis Times, Sept. 8, 1963]

The Goldwater Reservation

Senator Barry Goldwater, who has been prodding the nuclear test treaty for possible flaws, departs from that course in his suggestion that, as a condition for ratification, the Russians be required to get their arms and men out of Cuba—with on-site inspection by a neutral power.

Senator Goldwater hasn't entirely committed himself on the treaty.

If he intends to vote against it, that is what he should do, rather than worry it to death by changing the subject. For the attachment of any such reservation obviously would mean no treaty.

Cuba should be handled separately. The Russians should be moved out regardless of what happens to this treaty.

The bomb test treaty should stand on its own feet. If—by itself—it is judged to serve the interests of the United States, it should be ratified.

If it doesn't, it should be rejected—even in the vastly unlikely event that Russia might agree to leave Cuba as a U.S. bonus for signing.

Cuba is an aggravation and an embarrassment but a minutely minor item compared to the nuclear defenses of this country.

[From the Raleigh (N.C.) News & Observer, Sept. 12, 1963]

Lead, Not Follow

It is not only of the utmost importance that the Senate ratify the limited nuclear weapons test ban treaty. It is essential also that the Senate join President Kennedy in showing the world that this Nation is a leader, not merely a follower, in the search for peace and an easing of cold war tensions. And such a showing will require not halfhearted Senate acceptance of the treaty but Senate approval of the treaty by a decisive, unmistakable and enthusiastic margin.

Any fears anyone could have about this modest, first step toward an end to the chilling nuclear arms race should by now have been obliterated. There has been no evidence at all of any kind of a "deal" in the negotiation of this treaty by American and British statesmen with the Soviet Union. The treaty in no way restricts this Nation's reliance upon its truly awesome arsenal of nuclear weapons in the defense of the United States or its friends. President Kennedy properly made that clear again yesterday in giving unqualified assurances that safeguards recommended by the military Joint Chiefs of Staff, who endorsed the treaty, would be fully carried out.

The eyes of the world are, of course, upon the Senate in its current debate on the treaty. Nothing is clearer than that the people in this country and around the world are hungry for what measure of assurance and security this treaty provides them in these perilous times. The fact that upwards of 90 of the world's nations have already signed the treaty attests this hunger.

The Senate should safeguard this country's now established place in the forefront of mankind's efforts to survive in the nuclear age by giving this treaty overwhelming, enthusiastic approval.

Strangely and disappointingly, North Carolina Senators Sam J. Ervin and B. Everett Jordan have been conspicuous by their noncommittal attitudes toward this treaty. They ought to put this State on the official record of those supporting the Nation's leadership in the hopeful step this treaty takes away from civilization's suicide.

[From the Boston Globe, Sept. 9, 1963]

The Battle Opens

The announcement of Democratic Senators Richard B. Russell of Georgia, and John C. Stennis of Mississippi that they will vote against ratification of the nuclear test ban treaty portends trouble. It may mean a closer vote than seemed likely a week ago.

As the respected veteran chairman of the Armed Services Committee, the Senator from Georgia wields much influence among his colleagues. Senator Stennis is also strategically placed as chairman of the Preparedness Subcommittee. But neither has entertained much enthusiasm for the treaty in the long, confused hearings now ended.

Senator William Fulbright, chairman of the Foreign Relations Committee, who will lead the battle for ratification, was doubtless aware of this when he estimated 10 days ago that the treaty's foes would muster at most a possible 20 votes. That is a long way from the 34 needed to scuttle it.

Yet the danger exists. In view of the long history of the Senate in dealing with treaty ratifications it behooves the administration and the treaty's friends in the Republican ranks to take no risks. The emergency conference President Kennedy is holding today with Senate Republican and Democratic leaders indicates his concern. Senator Mansfield, administration leader, and Senator Saltonstall, a veteran of the Armed Services Committee on the Republican side of the aisle, display awareness of the new hazards facing the treaty by pledging their support anew.

No treaty since the U.N. covenant went to the Senate has equaled the importance of this one. The hopes of the world indicated by more than 80 nations already subscribing to it are involved. At stake also is the good sense, the international repute and the basic policy of the United States.

[From the Fort Wayne (Ind.) Journal Gazette, Sept. 9, 1963]

Treaty Debate Begins Today

Today the U.S. Senate is scheduled to begin debate on the nuclear test ban treaty signed recently with the Soviet Union and Great Britain.

It seems clear enough that the treaty will be approved by the Senate.

It will have heavy bipartisan support. Two-thirds of those Senators voting must be recorded for the pact to insure its ratification.

Yet the debate will take place even though it is doubtful whether a single Senator will be influenced by it.

Members will wish to explain their position. They will be talking to the folks back home.

The public should follow the debate, to see what kind of reasoning the solons use.

It is the hope of the supporters of the measure that the ratification of the treaty will bring a lessening of tensions between Moscow and the West to the end that war will become less likely.

The Soviet Union seems less hostile to the West since the feud between the Kremlin and Peiping became so heated. But Americans will be on the alert to see that neither camp of the Reds puts anything over on us.

The United States will remain ready to resume the testing of atomic weapons in the atmosphere if Moscow suddenly renounces the treaty or begins to cheat on it.

If the testing is limited to underground, as the treaty provides, the atomic fallout in the atmosphere will be reduced and the threat to the health of children yet unborn removed.

The form of the treaty has been set. The Senate is not likely to try to change it after so many nations have signed it. So the issue seems one of acceptance or rejection, and acceptance is the general forecast.

This step toward a purer atmosphere and a reduction of tensions will serve the best interests of America and the cause of international peace.

[From the Boston Herald, Sept. 9, 1963]

The Cuban Reservation

We share Senator Goldwater's misgivings about the test ban treaty. But we see no merit in his proposal that the effective date of the treaty be linked to the final withdrawal from Cuba of all Soviet missiles and military personnel.

The treaty should stand or fall on its own merits. The presence of Soviet missiles and/or troops in Cuba has no relevance to the test ban question.

The overwhelming majority of the American people and of the Senate apparently favor the treaty. Their judgment should not be thwarted by a gimmick such as the Cuban reservation. It would not be understood either in this country or abroad.

President Eisenhower, who earlier approved the treaty with certain reservations, has now made it clear, through Senator Dirksen, that he did not mean formal reservations, requiring renegotiation of the treaty. That kind of reservation is cumbersome and more often than not self-defeating.

The Senator's reservation, if it was to have any effect, would have to be formal, and it would certainly kill the test ban treaty. It is definitely the wrong way to combat the agreement.

There is more than a suspicion that the Senator, who is a candidate for the Republican presidential nomination in 1964, is simply straddling the issue. By means of the reservation he can oppose the treaty while seeming to leave the door open to it.

He owes the country better than that.

[From the Washington News, Sept. 12, 1963]

Ratify the Treaty

Again, in his letter to Senator Dirksen, President Kennedy has attempted to answer objections, heretofore raised, to ratification of the treaty imposing a partial ban on nuclear tests.

The President's statements are persuasive and we hope that, barring any significant new developments, the Senate will proceed to a favorable vote by a majority substantially larger than the required two-thirds.

In the "eight points" of his letter the President pretty well covered the field:

"Underground tests, not affected by the treaty, will be 'vigorously and diligently' carried forward.

"We will keep ready to test in the atmosphere 'forthwith' should the Soviet Union renege.

"Facilities for detection of violation will be expanded.

"The treaty will not limit the use of nuclear weapons in the defense of the United States or our allies.

"Cuba will not be permitted to be used to 'circumvent or nullify' the treaty.

"The status of East Germany is unchanged.

"We will maintain strong weapons laboratories and

"We will 'diligently pursue' a program for development of nuclear explosives for peaceful purposes."

All these pledges are, of course, dependent on the will of the administration—any administration in power at the time—to honor them. But a determined policy in defense of U.S. security is not dependent on this treaty and need not be affected by it.

We cannot be 100-percent certain the treaty will serve our interest. There is no such certainty in any policy we may adopt. But, as Senator DIRKSEN notes, the preponderant evidence of those "most competent to judge" favors ratification. This preponderance includes 5 of 7 scientific authorities who have testified and 12 of 14 military leaders.

There isn't the slightest doubt the Soviets will violate this treaty the moment it appears in their interest to do so. But there is evidence—or at least hope—that the Soviets now are convinced an easing of the arms race serves their interest as well as ours. In any event, this actually is a 90-day agreement, subject to termination on that notice when any party to it feels its security menaced. And constant readiness to resume tests, as promised by the President, will diminish the risk that an abrupt break by the Soviets might give them substantial advantage.

It is, as Senator DIRKSEN says, a question how long the 18-year cold war can "be kept from generating heat." And a "risk in the domain of faith may be justified."

[From the Bridgeport (Conn.) Herald, Sept. 8, 1963]

DANGER IN LINKING TEST BAN, CUBA

Far be it from us to pick incessantly on Senator BARRY GOLDWATER because we believe he is a necessary gadfly on the national scene.

He is a mouthpiece for those who both passively and violently oppose the Kennedy administration and all it stands for. Simultaneously he is a target for those who support the administration's approach to national and world problems and must have a popular figure at whom to aim their darts.

Having said this, we acknowledge the appeal of Senator GOLDWATER's proposal to tie Senate approval of the test ban treaty to withdrawal of Russian forces from Cuba. It has appeal but is dangerously impractical.

The test ban treaty has worldwide application. Our differences with Cuba and Cuba's bond with communism fall in a different area of negotiations.

Every effort should be made to get the Russians out of Cuba and to get rid of Castro.

But these efforts must not be associated with banning atomic weapons testing other than underground.

Fortunately the Senate does not appear to be taking the Goldwater suggestion seriously.

[From the Philadelphia Bulletin, Sept. 8, 1963]

THE SENATE GETS THE TREATY

The Senate tomorrow opens floor debate on the treaty to stop all but underground nuclear explosions. Senator FULBRIGHT, chairman of the Foreign Relations Committee, expects the debate will not go more than a week. There appears little reason why it should.

Before his committee approved the pact by a 16-to-1 vote, it heard 44 witnesses, many of them of the highest competence and spanning a 180-degree range of opinion on the treaty. It is hard to see how prolonged Senate debate could add much light.

Last week Senator GOLDWATER said he will propose putting a formal "reservation" into the document to make it conditional on the withdrawal of Soviet arms and military personnel from Cuba. As a goal, this is of course most desirable. The question is whether a treaty reservation is the proper way to seek it.

Senators of both parties promptly pounced on the proposal for good reason: To add a reservation would require renegotiation of the treaty, and it would open the door to other reservations from other signatories. This undoubtedly would end in killing the treaty.

Former President Eisenhower, while approving the pact, also called for a reservation which would insure our right of self-defense with nuclear arms if need be. Mr. FULBRIGHT pointed out that the right is specified in the United Nations Charter. It does not need to be embodied in the reservation, he said, but will be included in a memo of understanding. This should suffice.

Probably, the treaty would rouse little opposition if Russia were a consistently honorable adversary. But she is not—remember that her Cuban adventure and gross deception occurred less than a year ago.

So, understandably, cries have been raised: How can we trust the Russians? The answer is we can't, and the administration has promised that our keenest detection ears will be bent to detect violations. This treaty is not based on trust; it will only be as good as the signers and it may be broken tomorrow.

Rather, it is rooted in hope—that sometimes flickering but never quite extinguished flame of hope that somehow mankind will find a way to live in peace. The treaty, of course, does not promise peace. But, as President Kennedy said, "A journey of a thousand miles must begin with a single step."

With all the opinions in the scale, it appears that the Senate should enable the step to be taken.

[From the Chicago Sun-Times, Sept. 9, 1963]

THE TREATY DEBATE BEGINS

Today the Senate begins the formal debate necessary before that body can advise and consent to the ratification of the nuclear test ban treaty.

There are indications that the treaty will be approved with a comfortable margin over the necessary two-thirds vote for ratification. This is indicated by the thoroughness of the Foreign Relations report delivered to the Senate on Wednesday. The report dealt in detail with every voiced objection and apprehension raised during the hearings before the committee. The Foreign Relations Committee voted 16 to 1 to consent to ratification.

There will be some opposition to the treaty. Senator BARRY GOLDWATER, Republican of Arizona, has already gone on record with a demand that Russian troops and installations be removed from Cuba before the treaty can become effective.

This is a fallacious demand on the part of Senator GOLDWATER. It is founded in political motives. If this were the time for such an amendment to the treaty Senator GOLDWATER would have basis for argument. It is not the time. The time had passed once the treaty had been agreed upon by Russia, Great Britain, and the United States, and initialed in Moscow.

The matter of Russian troops and installations in Cuba is a grave one and a danger to the entire Western Hemisphere. This is a matter to be resolved by the United States and Russia. It should not be a condition of a treaty that has now been signed by almost every nation in the world.

The proposed partial nuclear test ban treaty is, as we have remarked on this page, only a first step toward the easing of tensions in this complicated and dangerous world. It is not a perfect document. It is not an all-encompassing treaty.

It is a step forward. It is a beginning, a tentative reaching toward a mutual accord. It gives rise to the hope that in the future even more can be accomplished, that one day the nations of this world may be able to settle larger and more difficult questions around the conference table.

The exhaustive report of the Senate Foreign Relations Committee should give assurance to all Members of the Senate that there is no danger in this treaty for the United States, no compromise with security. The treaty in no way, to use the language of the report, "impairs the authority and discretion" of the U.S. Commander in Chief in time of crisis to use whatever weapons he judges are required.

There are risks in this treaty, as there are risks in any new venture. The military risks have been weighed and found acceptable to U.S. security. The Senate will review all judgments and debate the issues.

Senator EVERETT M. DIRKSEN, Republican of Illinois, the minority floor leader of the Senate and the leader of his party, admitted to many reservations when the treaty was first proposed. He now says he will vote for ratification. His reservations and doubts have been resolved by close study and conference with administration officials.

There are risks but they are worth taking for the prospect of opening a way to a lessening of tensions and a possible start toward the eventual elimination of the danger of nuclear war.

[From the Pittsburgh Post-Gazette, Sept. 7, 1963]

COLD WATER ON A-TREATY

When our negotiators went to Moscow in July to talk about a nuclear test ban treaty, administration officials were put to some pains to reassure critics that this was all that would be negotiated. This was because of a widespread belief that Soviet Premier Khrushchev was trying to link a nuclear test ban treaty to a nonaggression agreement between the North Atlantic Treaty Organization and its Communist counterpart, the Warsaw Pact nations of East Europe.

There was much relief, in this Nation at least, when the U.S. negotiator, Averell Harriman, came home with a nuclear test ban treaty to which no strings had been attached. It was a remarkably simple document which obligated the signatory powers only to refrain from testing nuclear devices in the atmosphere, in outer space, or underwater. On the surface, at least, it favored neither of the two great nuclear powers, the United States and the Soviet Union, nor did it upset the status quo in the various other areas of conflict between East and West.

Now that the treaty is up for ratification in the U.S. Senate, however, Senator BARRY GOLDWATER wants to change the conditions. He has proposed that the treaty's effective date be made conditional on the withdrawal from Cuba of Soviet nuclear weapons, missiles, and military personnel.

This is exactly the same as if the Soviets were to make acceptance of the treaty conditional upon our recognition of East Germany and the withdrawal of our military forces from Europe, southeast Asia, and/or Turkey.

We think Senator GOLDWATER's proposal is wrong, that it is politically inspired, and that it ought to be rejected. If the Senate went along with it, it would mean that the treaty would have to be renegotiated with no chance of success and that the slight gains to be expected under the treaty would be lost.

The treaty, as we see it, has two advantages. One is the protection of people from poisonous fallout from nuclear testing. The other is an easing of tensions that might lead to further agreement between the major powers on just such sensitive issues as the Russian base in Cuba and the American forces in Germany.

But if the test ban treaty is upset and an attempt is made to deal with these larger issues at one sitting, it is doomed to failure. Senator GOLDWATER knows that as well as anyone else. We cannot, therefore, think why he would attempt to upset the small beginning represented by the nuclear test ban treaty except that he sees in it some possible advantage to his presidential aspirations.

[From the Bridgeport (Conn.) Post, Sept. 11, 1963]

DIRKSEN SUPPORTS TREATY

Unqualified support for the limited nuclear test ban treaty (made in Moscow) has been given by the Republican minority leader, Senator EVERETT MCK. DIRKSEN, of Illinois. This removes some of the fear that a coalition of GOP Senators and southern Democrats might be powerful enough to kill the United States-British-Soviet pact.

The Kennedy administration has made a gain toward its goal of solid bipartisan backing for the agreement to limit tests to underground explosions. It was after a long White House conference with President Kennedy, attended also by Majority Leader MIKE MANSFIELD and Defense Secretary McNamara, that Senator DIRKSEN, evidently convinced, made his pledge of support.

He revealed that Mr. Kennedy had provided him with assurance that there will be no relaxation of U.S. security measures, which he had feared might result from ratification. Mr. DIRKSEN also took issue with Senator BARRY GOLDWATER, who had sought a reservation that would make the treaty effective only when the Soviet Government removed all its men and missiles from Cuba.

If the Arizona Senator's proposal had been accepted, there is no doubt about the fate of the treaty. It would have been killed. He received little if any backing, and even his Republican colleagues dissociated themselves from his protest. Senator KENNETH KEATING, New York Republican, who has fought consistently to get Soviet arms and troops out of Cuba, flatly rejected the Goldwater idea.

Proponents of the treaty argue that the Goldwater proposal made no more sense than a demand from Russia that the United States abandon its European bases. The extraneous issue introduced by Senator GOLDWATER is doomed. How he will vote on the treaty, since he is a frontrunner for the Republican presidential nomination, is perplexing to his friends in and out of the Senate.

The debate in the Senate, now underway, should convey to the public just what the treaty does, and does not do. And the people should make the decision on ratification, by immediate communication with Senators.

[From the St. Louis Post-Dispatch, Sept. 9, 1963]

A BIPARTISAN TREATY

As Senate debate opens on the test ban treaty, a majority of both parties appears to be assured in favor of ratification. Senator DIRKSEN, the minority leader, intends to support it, and Senator AIKEN predicts that two-thirds of the minority will do so. That should be an eloquent response to Senator GOLDWATER's effort to exploit the issue for his personal political purposes.

Senator GOLDWATER says he will vote against the treaty, and he also has indicated that he will try to nibble it to death with reservations. President Eisenhower has withdrawn his own suggestion of a reservation proclaiming the right to use nuclear weapons in the event of aggression, but Senator GOLDWATER supports that idea as well as the idea of a reservation delaying the effective date of the treaty until Russia removes all military forces and any remaining nuclear weapons from Cuba.

As Mr. GOLDWATER himself acknowledges, international inspection would be required to certify the removal of Soviet forces. Castro vetoed inspection once, and he has the power to veto it again. It would be up to him, therefore, to decide whether inspection took place and hence whether the test ban treaty signed by 80 nations should go into effect.

In seeking to stall the test ban until something else happens, Senator GOLDWATER takes his place alongside De Gaulle, the Chinese Communists, and one faction of the Kremlin. De Gaulle wants no ban until nuclear delivery vehicles are dismantled, the Chinese want none until general disarmament has been achieved, and even the Russians tried for a long time to make the ban conditional upon some extraneous political concession, such as a European nonaggression pact.

American negotiators rightly insisted that the treaty must stand on its own feet. It is, in essence, a door opener—a token of possible further steps toward the settlement of other cold war issues. To drag those issues into the debate on the treaty means simply keeping the door closed.

If the Senate did attach extraneous conditions to the treaty, the way would be clear for the Russians to attach conditions of their own. They could, with equal justification, demand that the test ban be delayed until American troops had been withdrawn from Berlin, until Polaris submarines had been removed from the Mediterranean, or until all American forces had abandoned Turkey.

So Senator AIKEN, the Vermont Republican, is quite right in describing the GOLDWATER reservation as an attempt to kill the treaty. The question is how many Republicans—and Democrats—will follow him.

The Republican national platform of 1960 pledged the party to "an early agreement by all nations to forgo nuclear tests in the atmosphere, and the suspension of other tests as verification techniques permit." The Democratic platform pledged "ending nuclear tests under workable safeguards" as a means of breaking "the deadlock of arms control." How the Senators of each party vote will measure how seriously each takes its promises to the electorate.

[From the DeKalb (Ill.) Chronicle, Sept. 7, 1963]

IT'S WORTH A TRY

No one now expects that the U.S. Senate will give anything but overwhelming approval to the partial nuclear test ban treaty with the Soviet Union.

In the Senate Foreign Relations Committee's nearly unanimous endorsement of the treaty, there is a clear assessment that whatever risk is involved is one this Nation can take without grave danger to its freedom and security.

It is a judgment which says in effect that if we are not willing to take some risk in order to test Russia's purposes at this stage, we are saying that negotiation is now and perhaps forever a futile device of diplomacy in the cold war.

Obviously we are not prepared to take so adamant and seemingly final a stance.

Soviet motives, in the nature of things, can seldom if ever be entirely clear to us. But we are not now measuring motive. We do not have to know all that goes on between the Kremlin and Red China in order to take this test ban chance.

We will be watching Soviet action. There is a strong conviction that if Russia breaks the treaty we will speedily know it and be able to act on our own to prevent Moscow from gaining a critical nuclear military advantage.

It is we who have the great advantage today, and we do not propose to yield it. We will have our guard up, prepared to test in the atmosphere again should the Russians resume.

And beyond doubt, we shall be constantly alert to assure that our massive stockpile of nuclear weapons—called by President Kennedy sufficient to kill 300 million people in 1 hour—remains an effective shield for us and the free world.

This means, of course, keeping the weapons in usable condition—and deliverable over targets.

Military men disagree on ways of assuring this effectiveness. But there would seem to be ample support for the idea that it can be done, notwithstanding the test ban treaty.

Not all our military and nuclear specialists like the treaty. But the Senate Foreign Relations Committee is a sober and responsible body. It listened to the doubts and reservations and yet decided to approve the document. At worst, the committee might in time be proved wrong. At best, this group, the full Senate and all associated with the treaty must recognize that it is not a guarantee of peace, but only a small beginning step down that road.

Up to now there has been almost no traffic on that road. We are simply making ready to try it. We may have to turn back. But, with the stakes so high, the try is one our sanest Senate leaders think we ought to make.

[From the Waterbury (Conn.) Republican, Sept. 7, 1963]

GOLDWATER'S GAMBIT

STATESMANSHIP RENOUNCED

Arizona's Senator BARRY GOLDWATER has to consider his actions and votes in the U.S. Senate in the context he finds himself as a leading candidate for the Republican presidential nomination.

Senator GOLDWATER's position on the limited nuclear test ban treaty, for example, will not decide whether or not the Senate will ratify the agreement, but it will affect his chances for the GOP prize. Mr. GOLDWATER is a hardliner in just about everything, but he is particularly adamant in cold war policies.

A candid stand against the treaty would hearten the legions of rightwingers who support, with and without his consent, the conservative spokesman of the Republican Party. A Goldwater vote in favor of ratification would edge the Senator closer to just right of center, a position which would earn him some approval in States presently hostile to his candidacy.

But BARRY GOLDWATER has come up with a way to be for the treaty yet opposed to its ratification on terms accepted by the signatories. He has proposed that ratification be joined with a pledge by the Soviet Union to withdraw weapons, troops, and military and technical advisers from Cuba, a proposal that must, and will, be rejected by the Senate.

First off, such a proposal would necessitate a renegotiation of the treaty, and one nation's rider to the pact would prompt similar reservations by other powers. Senator GOLDWATER's afterthought is plainly unacceptable.

[From the Detroit (Mich.), Free Press, Sept. 7, 1963]

GOLDWATER'S GREAT GAMBLE

The words of Senator HUMPHREY—"ill timed, ill considered, and illogical"—sum up reactions to Senator GOLDWATER's reservations about the nuclear test ban treaty.

When GOLDWATER said on the Senate floor that he was going to propose a reservation to the treaty, requiring Russia to pull troops out of Cuba, not a single Senator came to his defense. Even those who don't like the treaty agreed that such a reservation would doom it.

As Averell Harriman, the Under Secretary of State who negotiated the treaty, said here Thursday, the desirability of a nuclear test ban was really settled in the United States in 1946.

Our policy in trying to control atomic explosions and converting atomic energy to peacetime purposes has been reaffirmed repeatedly since then. The only question is finding the best way. Thus GOLDWATER's reservation is ill timed.

It was ill considered because it would doom all hopes. Not only Russia would propose counterreservations, but so might all the 80-plus nations which have signed it.

And it is illogical because the troops in Cuba have nothing to do with the central issue. The Russians have agreed to this much. Let us take this one step firmly, and then proceed to the next.

GOLDWATER's object, quite clearly, is not so much to get the troops out of Cuba, for which he has no reasonable answer, but to get himself the GOP presidential nomination.

As Ed Lahey, chief of our Washington bureau, put it, defeat of the treaty would be a paralyzing blow to the administration, and make GOLDWATER a short-price favorite for the nomination.

As such, GOLDWATER's was a callous move, and one almost overwhelmingly sure to rebound against him. We no longer have a choice of how we're going to live with atomic explosions.

Evidence of increased poisoning of the atmosphere has shown that we can't live with them. Sooner or later the radioactive accumulation will be just as deadly as the explosions themselves.

Fortunately, almost all other Senators recognize this.

[From the Decatur (Ill.) Herald, Sept. 7, 1963]

RESERVATION WOULD STRANGLE TEST BAN HOPES

Senator BARRY GOLDWATER, Republican of Arizona appears to be trying to strike a popular chord in his proposed "reservation" to the nuclear test ban treaty—which would make its effective date conditional on a complete Soviet withdrawal from Cuba.

There has been considerable talk about Senate "reservations" even though it appears there will be few dissenting votes when the Senate takes action to "advise and consent" to the treaty.

In fact, it would appear that Senator GOLDWATER is not at all concerned about the votes in the Senate. His "reservation" seems clearly aimed at the votes he thinks it could collect on the first Tuesday after the first Monday of November 1964.

As Senator MIKE MANSFIELD, Democratic leader in the Senate, pointed out: "In the end about one-half the world will ask reservations of one kind or another to the effect that the other half withdraw from the earth. And since the feeling will be mutual, we will be back where we started from."

Senator GOLDWATER's "reservation" is inherently dishonest in that it does not go to the subject matter of the treaty at all. The Russian base in Cuba is a mote in the eye of U.S. security, but perhaps no more so than the U.S. bases on the fringe of the Soviet Union. Logically, Moscow, which has been fairly quiet during the debate on the treaty in this country, could well demand American withdrawal from one or more foreign bases as its own riposte to any reservation introduced by the Senate.

The United States is still more vulnerable than the Soviet Union on the subject of base withdrawals. We have more foreign bases, and are more dependent upon them, although this dependence is lessening in the missile era.

Senator GOLDWATER's bold bid for votes in 1964 should be understood for what it is, just that. It is a dangerous bid too, considering the risk to the worthwhile experiment that is the test ban treaty. For whatever reasons, the Soviet Union agreed to negotiate the treaty, it is certain that Moscow has lost none of its age-old suspicion of the Western powers. Senator GOLDWATER's "reservation" never should have left the reservation.

[From the Middletown (Conn.) Press, Sept. 9, 1963]

GOLDWATER'S STAND

Senator BARRY GOLDWATER has now made his position ineluctably evident: He is against the limited test ban agreement.

This dilemma has posed an extremely difficult problem for the Arizona presidential candidate. As Roscoe Drummond put it, opposing the treaty would have hurt him in one direction, supporting it would have hurt him in another. He has now made his choice.

Had GOLDWATER decided to vote for the treaty he would have alienated the powerful financial and political support of the radical right, the John Birch sympathizers, and all those who believe that no agreement of any kind is possible with the Soviet Union.

Now, by deciding to vote against the treaty, GOLDWATER separates himself from the overwhelming majority of Republican Senators, even from the conservative leaders of his own party (such as Senator DIRKSEN and Senator BOURKE HICKENLOOPER), not to mention the mainstream of the American public which has been polled as in favor of the treaty.

Despite GOLDWATER's decision, we find his stance improved over the last few days. He originally said that he would vote only for the treaty if the Russians agreed to pull their troops and missiles out of Cuba. This was, of course, a fraudulent stand. The test ban treaty is not an attempt to alter the territorial status quo of the world. We cannot demand as its price, concession in Cuba, destruction of the Berlin wall, free elections in the satellites, or any other group of desirable, but unattainable demands. By the same token the Russians cannot demand that we recognize East Germany, pull our missiles out of Italy or Turkey, or seek any of their familiar objectives. The treaty sets out to do what it says, and no more. It is only an attempt to reduce atmospheric fallout and hopefully to lay the groundwork for other negotiations.

Senator GOLDWATER certainly must have known this at the time he proposed his so-called reservation to the treaty. In any case, he now says flatly, "I am not going to vote for the treaty."

"There is nothing political in this. I'm worried about the military effect of the treaty." The Senate, he said, "will not take my reservation on Cuba and I don't see how the treaty could be revised so I could support it."

It is perhaps fair to point out that the Senator has again confronted the American people with evidence of his somewhat fuzzy thinking. If he is really worried about the military effect of the treaty, surely taking the Russians out of Cuba will not solve that problem. The 15,000 Russians and their apparently defensive missiles will certainly not affect the balance of power in the world, so once again GOLDWATER has produced an irrelevancy in support of his view.

This now happens to be the fourth position that GOLDWATER has taken on the treaty. At first he appeared to oppose it, then he announced he had "an open mind" on the subject, then he said he was against it unless there was a Cuban evacuation by the Russians, and now he says that he is against it on the grounds of its military effect.

We give the Senator credit for at last having the courage to state his position clearly, but we are not sure that we can give him equally high marks for the methods or the thought processes by which he arrived at his position.

In the months to come the Senator will be called upon more and more to be specific about his views, and we rather suspect that if he is honest these views will merely reflect the attitude of the extreme right in the United States, and not the bulk of the people. Whether this will change his popularity or not we do not know, because it would seem to us that in many cases his most avid supporters are not very clear about what he actually believes. This is one problem which we are sure that time will rectify.

[From the Meadville (Pa.) Tribune, Sept. 7, 1963]

TEST BAN THE ONLY ISSUE

Senator GOLDWATER raises unnecessarily a side issue when he suggests that effectiveness of the nuclear test ban treaty be delayed until the Soviet Union removes its troops from Cuba. We hope that his colleagues will not be diverted from considering only the main issue of the pact and taking positive action on it.

The treaty aims at a single objective—the prohibition of nuclear tests on land, underwater and in the atmosphere. The Soviet Union was persuaded not to link to it a nonaggression pact, and the United States now should not add to the treaty the nonrelated Cuban question. To do so would require its renegotiation and probably would eliminate any opportunity to arrive at agreement on banning nuclear tests.

Most Americans share with Senator GOLDWATER grave concern about the presence of Soviet troops in Cuba. But their removal along with a nonaggression pact, the Berlin question and disarmament should be the subject of subsequent negotiations. The test ban treaty has been hailed as a possible opening of the door to further East-West agreements. The Cuban question may properly be raised after ratification of the treaty without fundamental change, which we hope the Senate will do next week.

[From the Greensburg (Pa.) Tribune-Review, Sept. 7, 1963]

HOW MUCH OVERKILL?

In connection with analysis of the nuclear test ban treaty's potential effect on U.S. security, it behooves us to examine the argument that an arms race can preserve the peace. We are being told that the treaty might mean loss of our supposed lead in this race. Is that a conclusive point against the treaty?

The argument goes that as long as we are stronger than any potential enemy and are willing to use our strength we can avert war by the mere threat of war. If the Russians can destroy 50 percent of our cities, according to this view, we must be able to retaliate by destroying 75 percent of their cities. When the Russians are capable of destroying the world three times over, we must be able to destroy it four times over.

Thus we arrive at the absurdity of the argument of overkill.

The important point to bear in mind is that the use of force is not the only way of settling international disputes. But even in the use of force, the importance of having the lead in capability can be exaggerated.

We are committed not to strike first. Therefore, the only value of our strength can be a psychological one. In an actual fight the stronger man must win. But if strength is used merely as a threat to prevent a fight the question of who is stronger is not nearly as important. In a barroom brawl one desperate man armed with a broken bottle can hold off two or three stronger men who don't want to get hurt.

Question: Is the race to be ahead in overkill capability really as vital as it is made out to be?

[From the Fairmont (W. Va.) Times, Sept. 9, 1963]

No Reservation Needed

Senator Long of Louisiana, who distinguishes himself by being the only member of the Senate Foreign Relations Committee to vote against recommending Senate ratification of the nuclear test ban treaty, plans a further attempt to obstruct it. He seeks a formal reservation which would spell out the right of the United States to use nuclear weapons in its own defense or in the defense of its allies.

This is a wholly unnecessary reservation. Nothing in the treaty signed by the United States, Russia, Britain, and now several score other nations would hinder our use of nuclear weapons in the event of war. Furthermore, it is universally accepted that when a nation's security is urgently threatened it can take whatever action it deems necessary to meet the threat.

This would include the right to use nuclear arms in such circumstances. Any suggestion that this treaty would prevent our doing so, merely because there is a provision that atmospheric tests cannot be resumed without 90-day notice to other signatory powers, is a foolish evasion of reality.

The record of Senate hearings, the formal report of the Foreign Relations Committee and—if this is thought advisable—an explicit statement on this aspect of the matter in the letter of transmittal will adequately establish the point that we reserve the right to use nuclear weapons without notice in a dire emergency. Senator Long's proposed reservation is not necessary.

More important, it would dangerously impair chances of having the treaty itself remain on the world record. For if the Senate appends a formal reservation the treaty must be renegotiated; the reservation must be approved not only by Russia but by two-thirds of the other signers. The chances of a slip would be great. Which may be what Senator Long and other treaty opponents anticipate.

[From the Washington Star, Sept. 12, 1963]

Support the President

President Kennedy has sent a strongly worded letter to the Senate which he hopes will smooth the path for ratification of the test ban treaty. It should help. But when the final word has been written and the last speech made, there doubtless will remain a sincere doubt in the minds of some, though apparently not many, Senators.

To these, one thought should commend itself. The Senate's role in the treaty-making process is not to be belittled. A Senator should explore all the implications of any treaty and if, in the end, he finds himself definitely opposed he should vote against it. But if the testimony and the arguments pro and con leave him with nothing more than a doubt in his mind, that doubt should be resolved in favor of ratification.

This is so because the President has primary responsibility in making treaties. He also has the fullest access to the relevant information—military, political, economic or whatever. There is also the fact that any President, once he submits a treaty to the Senate, puts his prestige on the line. This is true even if nothing more than, say, fishing rights are involved. It is infinitely more true when the subject matter of the treaty conceivably deals with the ingredients of the difference between war and peace.

This latter surely is true of the proposed test ban treaty. For the Senate to reject it would be to deal a shattering blow to the President's stature throughout the world. A rejection could also strike a fatal blow at the hopes for peace. These are very large considerations. And when placed in the balance against mere doubts, they should tip the scales in the President's favor.

[From the Washington Star, Sept. 7, 1963]

Mr. Goldwater on the Ban

Senator Barry Goldwater has reserved 51 rooms at the Mark Hopkins Hotel for a period coinciding with the Republican National Convention next July. Putting two and two together, this is an impressively affluent move that embraces the hotel's entire 15th floor. It also constitutes strong additional evidence, if any more were needed, that the Senator intends to make a serious bid for his party's presidential nomination.

It is against this fact that one must judge the Goldwater position on the limited nuclear test ban. He has announced that he will vote for ratification, but only if there is attached to the treaty a spectacular reservation that would make the whole thing inoperable unless or until the Soviets withdraw all their missiles and all their troops from Cuba—and unless or until Fidel Castro agrees to on-the-spot international inspection, on Cuban soil, to confirm the withdrawal.

Quite obviously, as Senator Goldwater himself undoubtedly knows, such a nongermane condition would surely kill the pact. It would require a complete renegotiation in which the Kremlin would insist on the terms already agreed upon. So there would be an absolute stalemate, a finish to what Majority Leader Mansfield has described as "a flicker of light" on the long, dark road toward a possible detente and a peace in which all nations could have confidence. The gentleman from Arizona, however, does not seem to be worried about that.

Clearly, for a man who obviously aspires to be President of the United States, such an attitude, as Senator Humphrey has declared, "does not represent constructive policy, but rather partisan mischief." When he takes over the 15th floor of the hotel in San Francisco, Senator Goldwater may come to regret that he has dealt so shallowly, and even frivolously, with the test ban.

[From the Washington Star, Sept. 11, 1963]

Military Support for the Treaty

There is a short but persuasive answer to the report of the Senate Preparedness Subcommittee which warns against military disadvantages in the test ban treaty: The Joint Chiefs of Staff have considered these disadvantages, and they support the treaty unanimously.

It is true that the disadvantages exist. The Chiefs themselves pointed them out in testimony before the Preparedness Subcommittee and the Senate Foreign Relations Committee. Any restrictions on the development of new weapons is, of course, to some degree a military disadvantage, whether the restriction is imposed by a budget ceiling or a treaty. Reluctantly but realistically, military leaders accept budget restrictions, and the Nation agrees that this is necessary. The Chiefs, after studying the implications of the test ban treaty, concluded that while there are military disadvantages to the treaty, they are not so serious as to render it unacceptable.

The disadvantages, as cited by the subcommittee report and by the Chiefs are these: Under the treaty the Russians can remain ahead in multimegaton weapons and catch up in small nuclear weapons; we will be unable to prooftest our nuclear weapons, including an antimissile missile, or study the effects of explosions in the atmosphere or space.

The Chiefs pointed out in their testimony, however, that these disadvantages and risks can be reduced through certain safeguards, which the administration is taking to the satisfaction of the Chiefs. They said, furthermore, that their study of the treaty included its effects in the broad field of international relations and worldwide military strategy. The treaty, they concluded, could contribute to major political achievements with important and favorable military implications.

In case someone wants to charge that the Chiefs were coerced into supporting the treaty, the fact is that one chief, Adm. George W. Anderson, had already been dropped as Chief of Naval Operations after demonstrating his independence and that two others, Gen. Curtis E. LeMay of the Air Force and Gen. David M. Shoup of the Marine Corps, are coming to the end of their terms and are not bucking for anything. We do not believe, furthermore, that Gen. Earle G. Wheeler, Chief of Staff of the Army, Adm. David L. McDonald, new Chief of Naval Operations, or Gen. Maxwell D. Taylor, chairman of the Joint Chiefs of Staff, would even think of bowing to pressure in a matter that is so important to American security.

One subcommittee member, Senator Symington, Democrat, of Missouri, has followed the same path of reasoning as the military leaders. He signed the report and then added his own broader view: "This treaty, a very small step, nevertheless could be the first step toward bringing nuclear weapons under some form of satisfactory control, which action should promote the possibilities of just peace under law. Therefore, I plan to vote for the treaty."

The Senator's point is well taken, and this, combined with the weight of the military testimony, argues strongly for overwhelming ratification.

[From the New York World-Telegram & Sun, Sept. 9, 1963]

The Goldwater Reservation

Partisan mischief is too strong a term for the so-called Goldwater reservation to the nuclear test treaty; but, as Senator Hubert Humphrey said, it is ill-considered and illogical.

Senator Barry Goldwater, who has done a good job prodding this treaty for possible flaws, departs from that course in his suggestion that, as a condition for ratification, the Russians be required to get their arms and men out of Cuba—with on-site inspection by a neutral power.

Goldwater hasn't entirely committed himself on the treaty.

If he intends to vote against it, that is what he should do, rather than worry it to death by changing the subject.

For the attachment of any such reservation obviously would mean no treaty.

Cuba should be handled separately.

The Russians should be moved out regardless of what happens to this treaty.

The bomb test treaty should stand on its own feet.

If—by itself—it is judged to serve the interests of the United States, it should be ratified.

If it doesn't, it should be rejected—even in the vastly unlikely event that Russia might agree to leave Cuba as a United States bonus for signing.

Cuba is an aggravation and an embarrassment but a minutely minor item compared to the nuclear defenses of this country.

[From the New York World-Telegram & Sun Sept. 12, 1963]

Ratify the Treaty

Again, in his letter to Senator Dirksen, President Kennedy has attempted to answer objections, heretofore raised, to ratification of the treaty imposing a partial ban on nuclear tests.

The President's statements are persuasive.

Barring any significant new developments, the Senate ought to proceed to a favorable vote by a majority substantially larger than the required two-thirds.

In his letter the President pretty well covered the field:

Underground tests, not affected by the treaty, will be vigorously and diligently carried forward.

The United States will keep ready to test in the atmosphere should the Soviet Union renege.

Facilities for detection of violation will be expanded.

The treaty will not limit the use of nuclear weapons in the defense of the United States or its allies.

Cuba will not be permitted to be used to "circumvent or nullify" the treaty.

The status of East Germany is unchanged.

The United States will maintain strong weapons laboratories and will "diligently pursue" a program for development of nuclear explosives for peaceful purposes.

All these pledges are, of course, dependent on the will of the administration—any administration in power at the time—to honor them.

But a determined policy in defense of U.S. security is not dependent on this treaty and need not be affected by it.

Nobody can be 100 percent certain the treaty will serve U.S. interest. There is no such certainty in any policy.

But, as DIRKSEN notes, the preponderant evidence of those most competent to judge favors ratification. This preponderance includes 5 of 7 scientific authorities who have testified and 12 to 14 military leaders.

There isn't the slightest doubt the Soviets will violate this treaty the moment it appears in their interest to do so.

But there is evidence—or at least hope—that the Soviets now are convinced an easing of the arms race serves their interest as well as ours.

In any event, this actually is a 90-day agreement, subject to termination on that notice when any party to it feels its security menaced.

And constant readiness to resume tests, as promised by the President, will diminish the risk that an abrupt break by the Soviets might give them substantial advantage.

It is, as DIRKSEN says, a question how long the 18-year cold war can be kept from generating heat. And a risk in the domain of faith may be justified.

[From the Little Rock (Ark.) Arkansas Gazette, Sept. 7, 1963]

WHEN GOLDWATER TOYS WITH HEALTH AND HOPES

The guilelessness that Senator MIKE MANSFIELD has brought to the essentially conspiratorial job of majority leader never ceases to amaze. After saying that Senator Goldwater's proposed reservation to the nuclear test ban treaty amounted to a mischievous toying with the health and hopes of the American people, Senator MANSFIELD added, wholly characteristically, that he was sure the Senator from Arizona hadn't meant it that way.

It, of course, does not matter in the slightest whether the author meant it that way or not, if that is the effect the reservation would have; and Senator MANSFIELD's implication that it does matter goes well beyond the minimum courtesies of the club to show just how sweet-spirited and generous of mind the majority leader really is.

A measure of Senator MANSFIELD's ingenuousness appears to have rubbed off on other senatorial critics of Senator GOLDWATER's obstructionist role who ordinarily are less soft spoken, for almost everybody appears to have arrived independently at the amazing deduction that attaching the GOLDWATER rider on Cuba would mean renegotiating the whole thing from scratch.

Of course it would, and that was the only purpose Senator GOLDWATER had in offering it: To try to sabotage the treaty. (Sab-o-tage: To throw your shoe into the works.") The Arizonan obviously does not greatly care what happens after that, once that much has been accomplished.

But, someone might demur, isn't BARRY GOLDWATER "sincere?" Again, does it matter? The Chinese Communists are certainly sincere enough in their opposition to the treaty, as well as in a lot of other things: They "sincerely" hate and fear the Americans, the Russians and just about everybody else, including each other. But is that any reason why any of us should behave like the Chinese Communists?

President de Gaulle is sincere, but will that make France's further contributions to contamination of the atmosphere any more tolerable? Elements of the West German press that are attacking the treaty in terms that—as the Russians have rightly remarked—closely resemble those resorted to by the Chinese are no doubt "sincere," at least most of them. But is that enough? Not for us, it isn't.

Could it be that BARRY GOLDWATER, for once, is ahead of his time, in talking of a deal to remove the Russian presence from Cuba before the treaty, he is anticipating some sort of carefully hedged-about arrangement for mutual thinning of confronting American and Russian Communist forces after ratification. No, of course, it couldn't be. But this is no reason why the rest of us should not take time to dwell for a moment upon the possibility or, if one chooses, the dream.

For the moment, though, the treaty's the thing. It gives away nothing. It could save all of us—the whole race of men—quite a lot.

[From the Little Rock (Ark.) Democrat, Sept. 8, 1963]

GOLDWATER ON SHAKY GROUND

Arizona's Senator BARRY M. GOLDWATER steps out on shaky ground with a proposal about the antitest ban treaty. He said he will offer a reservation to defer it till Russia pulls all weapons out of Cuba.

This would make the treaty a bargaining basis with Russia. And when you bargain with a nation, as with an individual, you tacitly admit that the nation has some possession to give up for what you offer. Russia hasn't the ghost of a possessive claim to Cuba.

The Russians are there by a brazen defiance of our Monroe Doctrine and of the Cuban people's sacred right to govern themselves through free elections.

In the test ban, Russia has something to yield—the right, equally with our own, to test nuclear weapons. In Cuba, Khrushchev rightfully has nothing to yield.

We'd be admitting something rightful in his Cuban crime, if we dickered with him about it. We should tell him bluntly to get out.

[From the New York Herald Tribune, Sept. 14, 1963]

THE TREATY IS NOT A CATCHALL

The chief basis of Senator RUSSELL's concern over the test ban treaty turns out to be a distrust of the future practices of the American Presidency, rather than distrust of the Russians. He fears that the amendment provisions of the treaty (over which the United States, as an original signatory, has a veto) might lead this country into steps toward disarmament of which the Senate might not approve. And he wants a statement that any amendment must be ratified by the upper House to be included in the ratification resolution.

It is difficult to see how any amendment of a treaty could come into force under the Constitution without Senate ratification. Nor is it easy to understand why a clause to this effect—a matter purely of domestic concern—should be embodied in an international instrument of ratification; the inclusion of such a clause in the Atomic Energy Treaty arose from special circumstances, which do not obtain in this case.

The test ban treaty has been negotiated and debated in full accordance with constitutional processes. It is not a catchall for resolving all the doubts of every Senator about those processes.

[From the New York Herald Tribune, Sept. 8, 1963]

NO BOX TOPS WITH THE TEST BAN

The idea of getting some kind of premium with the test ban treaty, as proposed by Senator GOLDWATER, is not new. Mr. Khrushchev tried to hitch a nonaggression pact to the treaty, presumably on the assumption that the West was so anxious to stop nuclear testing that it would give away trading stamps for Russia's signature. But Mr. Khrushchev was soon disabused; the West's concession on the treaty was accepting a limited ban without inspection, and it considered that enough.

Mr. GOLDWATER, too, has been disabused—by his own colleagues in the Senate. They all admit that it would be a great thing to get Soviet troops out of Cuba, but they point out that to make this a precondition for bringing the test-ban arrangement into effect would entail opening up all outstanding cold war issues for international debate. And this would mean the continuance of nuclear testing.

For it is idle to expect the Russians to concede an evacuation of Cuba in return for an end to testing. Khrushchev is already under fierce fire from the Red Chinese (which also means a large number of unreconstructed Stalinists in Communist parties throughout the world, including the Soviet Union) not only for signing the test ban treaty but for pulling his missiles out of Cuba. Even if Khrushchev is prepared to withdraw his military from Castroland he would certainly prefer to do so with a minimum of fanfare and not, under any circumstances, as an appendix to the treaty.

We suspect that Senator GOLDWATER is quite as aware of this as anyone, and that he suggested the Cuban rider to the treaty as an indirect attack upon the treaty itself. By the same token, the pronounced Southern trend away from the treaty may be, at least in part, an indirect attack upon the Kennedy administration's stand for civil rights rather than an expression of any strong feelings about the need for continued testing.

It is to be hoped that the overwhelming majority of the Senate will neither try to get redeemable box tops with their treaty nor use it as a club with which to beat the administration. An end to atmospheric testing is a good thing in itself and, at this stage, virtually a necessity for the maintenance of American leadership in the free world. It should be ratified on that basis.

[From the Washington (D.C.) Post, Sept. 7, 1963]

GOLDWATER RESERVATION

Senator GOLDWATER's proposed reservation on the test ban treaty may serve his own purpose of camouflaging his opposition to the treaty. But it is not likely to become a serious issue in the Senate debate. What the Senator is saying in effect is that this small step toward ironing out differences with the Soviet Union should not be taken unless it is linked with larger steps which cannot be taken.

His first proposal is that the treaty should not become effective until the U.S.S.R. has moved all nuclear weapons and military personnel from Cuba. This in itself would destroy the treaty. As Majority Leader Mansfield has pointed out, a new agreement would have to be negotiated, and the Soviets would match the American demand for Russian withdrawal from Cuba by demands for American withdrawal from Greece, Turkey, or Berlin. The two sides would be right back where they started from.

Mr. Goldwater was not content, however, to reject the inch because it is not a mile. He also has proposed that the treaty should not become effective until "arrangements have been made for international inspection within Cuba to determine and confirm" the removal of Russian troops and missiles. Castro's government would never permit such inspection, and Moscow could not compel it to do so. Consequently the whole treaty, to which most of the world has subscribed, would go down the drain because the Senate had attached conditions which none of the negotiating powers could control.

This aspect of the proposed reservation fully justifies Senator Humphrey's comment that it does not represent constructive policy but rather partisan mischief. Mr. Goldwater is entitled to make as much political capital as he can out of the unsatisfactory situation in Cuba, but this is no excuse for extinguishing the flicker of light that the treaty has kindled. It is significant that in the preliminary debate in the Senate he got no support whatever.

[From the Washington (D.C.) Post, Sept. 12, 1963]

THE TREATY'S GREAT BOON

Debate over the test ban treaty has been so crowded with examination of its purely military consequences that the virtue of eliminating radioactive fallout sometimes seems almost to be lost sight of in the overall discussion.

Senator Holland and Senator Pastore, among some others, have brought this forcibly to the attention of the Senate. The Senate and the country must not be allowed to minimize this very tangible boon. In the hearings before the Senate Foreign Relations Committee, and in the debate, there have been frequent allusions to the relatively minor risks to health involved in testing. It has been stated frequently that the added hazards involved in testing can be tolerated, that the risks are not considerable, that they are in fact less menacing than many other sorts of environmental pollution.

The somatic and genetic damage that will flow from the tests already conducted, by any standard of measurement, are terrible and horrifying. This damage might be multiplied were indiscriminate tests by many nations to take place in the future. The consequences of testing alone, to say nothing of the risk of war itself, might well work an alteration upon the environment of this planet that would work dreadful injury to the health of all mankind.

Scientists have had to proceed with caution into this unknown area and they have stated their anxieties conservatively but there is no mistaking their apprehensions. The report of the United Nations Scientific Committee on the effects of atomic radiation, last September, ought to be consulted anew. These scientists asked that great attention be given this risk because, they said: "The effects of any increase in radiation exposure may not be fully manifested for several decades in the case of somatic disease, and for many generations in the case of genetic damage." This report, like the reports of many other groups, emphasized that there is no threshold of added exposure up to which the tests are harmless. It stated: "Geneticists have consistently found both in mammals and other animals that the frequency of mutations is affected by radiation throughout the range of doses and dose rates investigated."

This committee pointed out, as has been so frequently observed in the debate, that testing has increased fractionally radiation risks due to natural sources. It put the increase in hereditary effects due to testing up to 1961 at 11 percent and the increase in somatic effects from 15 to 23 percent. The U.N. group found that the concentration of carbon 14, with its afterlife of thousands of years, is now 25 percent above the concentrations resulting from natural processes. This nuclide will continue to irradiate future generations for thousands of years. Only after 20,000 years will 90 percent of the total dose due to carbon 14 be delivered.

Dr. Herman J. Muller of Indiana, who won the Nobel prize in 1946 for discovering that X-rays cause changes in our genes, has calculated that the fallout radiation resulting from the above-ground testing of a single 100-megaton bomb would be likely to induce more than 100,000 cases of leukemia, bone cancer and other fatal ills to the present population of the world and a million harmful mutations in the next generation. Against the total population of the world, in terms of percentages, these casualties are not great. They are staggering in terms of the total human suffering conjured up in the mind of any sensitive man.

There has been a great deal of political conjecture about why the Soviet Union wished to sign the test-ban treaty. The reason may be much more simple than our conjectures. As early as December 1961, N. P. Dubinen of the Institute of Cytology and Genetics wrote in a Soviet scientific journal an article on the "Analysis of the Effect of Radiation on Cellular Nuclei of the Culture of Embryonal Human Tissues." He concluded: "The effect of ionizing radiation in the range of small doses, starting with fractions of roentgens and higher, acting on humanity as a whole, represents a real danger to future generations and threatens the irradiated individuals themselves as possible causes of malignant tumors."

The weight of the world's scientific opinion is that radioactive fallout from testing has increased (and future testing would further increase) the hazards due to natural radiation; that any increase is likely to cause some additional somatic and genetic damage.

When this country had to weigh unilateral suspension of testing it was required to place this hazard in the scales against the risk that a failure to test (while others were testing) might handicap this country to the point that it would increase the likelihood of thermonuclear war with its calamitous radioactive fallout, to say nothing of its direct effects on human life. The test ban treaty committing others to refrain from testing, greatly diminishes this hazard. The suspension of atmospheric testing, in these altered circumstances, becomes an affirmative gain of the most enormous consequences to the human race.

Events may disappoint the hopes and expectations of those who have proposed this treaty. It does not, by itself, and for all time, automatically preclude the resumption of atmospheric testing, but it may well result in that most desirable end. And if it does, its adoption may spare unnumbered thousands of our own countrymen, and perhaps millions, around the world, the pain and sorrow of terrible, wasting, lifelong injury. And it may lift from mankind the dread menace and dire threat of damage to the genetic integrity of the human family that would cast its dark shadow forward through the generations down to children born 20,000 years from now.

[From the Kansas City (Mo.) Star, Sept. 9, 1963]

MEET THE TREATY DECISION HEAD ON

The debate begins this week. And, among the predictions that might be made about an unpredictable Senate, this one seems the safest: The nuclear test-ban treaty, which serves the interest of the Nation and the cause of peace, will be ratified.

The Senate, which must give its advice and consent, has all the information on the treaty and its meaning. So has the public. The hearings have been proper, thorough and informative. By now, it is obvious that the public as a whole not only expects ratification, but strongly demands it. This, in spite of the American citizen's obvious and justified distrust of the Soviet Union.

We fail to see how the Senate can flout public opinion and turn down the treaty. Indeed, it seems likely that the crucial test will not be between treaty or no treaty; but rather between the treaty as it stands, and the treaty with reservations or conditions that might destroy this opportunity for all of mankind.

You can be certain that, as the debate proceeds, there will be a plethora of reservations offered. By indirection, any Senate-endorsed condition would force the whole business back into renegotiation. The treaty thereby could be killed. It might happen. But for all the oratory that you will hear on the Senate floor, we doubt that it will.

Obviously some of the reservations have been and will be proposed in the best of faith. Others are frankly political in nature, tossed out, as it were, for public consumption. Political motivations are always to be expected, whenever such matters as international treaties and agreements come up in the Senate of the United States.

Very probably, there will be two major lines of attack on the treaty:

The first has its genesis in the fear originally expressed by Lewis Strauss, former Chairman of the Atomic Energy Commission. Strauss has suggested that the treaty might be construed as a prohibition on the use of atomic weapons by the United States to repel aggression. As we see it, there should be no confusion on this score. After reading and rereading the limited agreement on testing in the atmosphere, beneath the seas and in space, we find nothing to justify this apprehension.

If such a doubt were justified, it would be foolish to ratify the agreement. For in this world of cold war, one fact stands out above all others: Our arsenal of devastating nuclear weapons guarantees the security of the United States. The same arsenal is the shield of the free world.

If we could see in the treaty any possible weakening of this shield of defense, we would certainly urge that the Senate not give its consent. But as The Star interprets it, the treaty in no way inhibits the United States in the use of its nuclear weapons.

There would be no harm, we suppose, should the Senate choose to clarify its interpretation of the treaty, perhaps by a separate resolution. But attached to the treaty as a reservation, such an interpretation would very likely undo all that has been done. The small but historic step toward nuclear peace would unquestionably not be taken.

The second main line of attack has been launched by Senator Barry Goldwater. He says that the price of ratification should be final and complete withdrawal of the Russians from Cuba. His demand will figure prominently in the debate.

It is not necessary to discuss, here, whether this is simply Goldwater's indirect method of attempting to kill the treaty. Approved by the Senate, it would have that effect. It would be better, really, just to reject the pact outright.

Certainly all Americans want the Communists out of Cuba as quickly as possible. But Cuba is one matter; the treaty is another. Throw Cuba into the test ban consideration, and it could, as in the case of the other major reservation, set back the hopes of a world seeking to avoid nuclear holocaust. In short, Cuba, in this debate, is an irrelevancy.

We recognize and we share the distrust of the Soviet Union that has created most of the opposition to the treaty, especially among the military and in the Armed Services Committee of the Senate. But as we have said before, the world has reached a sorry state, if fears and distrust can block any move by mankind toward the ultimate goal of peace. The Star believes that the test ban treaty, for all its limitations, is a step toward that goal.

[From the Kansas City (Mo.) Times, Sept. 11, 1963]

BIPARTISANSHIP TO HELP THE TEST BAN PACT

The vote of Senator DIRKSEN, of Illinois, for the test ban pact will be much more than the vote of one Senator. As Republican leader he is placing the final stamp of bipartisanship on this small but significant step that would serve the national interest and the cause of world peace.

To be sure, there has been little question that most Republicans in the Senate would vote for the treaty. It has been equally obvious that a small minority of Democrats would vote against it. If there is bipartisan support, there is bipartisan opposition. We can at least hope that the proposed pact has thereby been removed from the arena of political infighting. It is too important to too many people to become a plaything of partisanship.

Senator DIRKSEN, the minority leader, will do his best to see that it does not. For this, he deserves credit. There had, in fact, been little doubt about DIRKSEN's personal position. Only last week, he stated publicly that he had had "a good many doubts" but that they had been resolved as a result of conferences with Secretary McNamara and others. On the other hand, DIRKSEN, for political reasons, could have swung the other way. He did not and that is the point.

So the opposition, as the debate continues, centers around Senator BARRY GOLDWATER among the Republicans, and around members of the Armed Services Committee among the Democrats. The committee members are headed by Senator RICHARD B. RUSSELL, of Georgia. It is not without meaning to note here that the hostility of Southern Democrats to the Kennedy administration may be a factor. GOLDWATER, unquestionably the leading contender for the GOP presidential nomination in 1964, is the rallying point for the extreme conservatives of his party. Many regard his proposal to attach a get-out-of-Cuba reservation as simply another way of indirectly killing the treaty.

There was at least a faint possibility that GOLDWATER could have taken more of the Republicans with him. We are pleased to note that he did not. For if there has been no question of Senate ratification, there has been some doubt on the degree of senatorial enthusiasm. EVERETT DIRKSEN has removed most of that doubt and his announcement helps clear the way for the Senate vote that certainly will reflect the deep desires of the American people.

[From the New York Times, Sept. 12, 1963]

BIPARTISANSHIP WHERE IT COUNTS

President Kennedy's letter to the Senate on the test ban treaty was impressive for the assurances of military security it gave, but more impressive for its presentation by the leader of the Republican minority, Senator DIRKSEN. His selection to make public the letter the President wrote to Mr. DIRKSEN and Majority Leader MANSFIELD underscored the firmness of bipartisan support for this first step toward a more peaceful world. The country will benefit if something of the same spirit will now reflect itself in the other great issues before Congress—civil rights, tax reduction, and foreign aid.

[From the New York Times, Sept. 9, 1963]

THE SENATE AND THE BAN

The time has come for the Senate as a whole to debate the nuclear test ban treaty. All the pundits—including the Senators themselves—agree that the treaty will be passed with a decisive majority.

This will not inhibit debate on the Senate floor, nor should it do so. We have our ways of getting things done—ways that often bewilder foreign observers. Yet, the occasions when we go tragically wrong, as in the close vote that defeated the League of Nations treaty after World War I, are very rare. Senator MANSFIELD, the majority leader, in his impressive presentation of the case for the treaty on Wednesday, said he would vote for the agreement because it is a testament to the universal vitality of reason. In simpler terms, it makes sense.

The Foreign Relations Committee spent the month of August listening to scientists, military leaders, and Government officials. It heard so many critics, so much doubt and suspicion, such a deal of faint praise, that it was extraordinary for the committee to come up with a 16-to-1 vote in favor. The committee's report was not exactly enthusiastic, but it reached the safe conclusion that the accord "represents a net advantage to the United States."

The members recommended approval without any crippling amendments, and this is the way the Senate as a whole should pass the treaty. Senator GOLDWATER, one of the few Senators out to make trouble for the treaty, wants to tack on a reservation to defer its implementation until the Russians get out of Cuba. There is no more reason to require this in connection with a nuclear test ban treaty than to demand that the Russians take away the Berlin wall. The test ban must stand by itself. Reservations of any kind would mean renegotiation, a long delay, and perhaps the collapse of the whole effort.

When President Kennedy addressed the Nation on July 26 after the signing of the accord he began by saying: "I speak to you tonight in a spirit of hope." There was magic in the first flash of hope that lit up the skies all around the world when the treaty was first announced. The Senate has an opportunity to rekindle at least a measure of that hope. Grant the risks, the loopholes, and the limitations of the treaty, but weigh them against the reduction of fallout hazard and against the possibility that it can represent a building block for a more peaceful world, and there should be no doubts left in any Senator's mind.

As the spiritual leaders of the Catholic, Protestant, and Jewish faiths declare in their statement to the Nation this morning, it is time to "take this first step along the road to peace for the common good of the world."

[From the Philadelphia Inquirer, Sept. 13, 1963]

A BIPARTISAN DISPLAY

The bipartisan support furnished the nuclear test ban treaty in the Senate was given dramatic accent on Wednesday by the Senate Republican leader, EVERETT MCKINLEY DIRKSEN.

President Kennedy had asked DIRKSEN to read to the Senate a letter giving unequivocal assurances that U.S. security will be protected under the terms of the treaty. The Illinois Republican not only read the letter but, in an impassioned speech, delivered with his own patented brand of eloquence, he gave the treaty his complete backing, without qualifications or reservations.

It was DIRKSEN's idea for the President to write the letter, so as to address himself directly to the misgivings entertained by some Senate Members and to suggestions for certain reservations. The assurances contained in the statement should not only have the desired effect in marshaling additional support in the Senate but should help dissipate any lingering doubts held by citizens generally concerning the worth of the test ban proposal.

It is difficult to see how President Kennedy could go any further than he did in his letter in answering such doubts. Not only did he declare that the United States would maintain a vigorous program of weapons development after ratification of the treaty and that we would be ready to resume atmosphere testing at once should the Soviet Union violate the treaty, but he assured the Senate that the treaty in no way prevents the United States from using nuclear weapons in war; that underground nuclear explosions for peaceful purposes will be conducted; that the treaty implies no recognition of Communist East Germany; and that this country will take all necessary action if Cuba is used directly or indirectly to circumvent the test ban treaty.

The proposed treaty is a first step, if a limited one, on the road to peace. Should it fail, as Senator DIRKSEN said, the Nation will have lost nothing because its strength and security will continue to be maintained.

"The longest journey begins with a first step," Senator DIRKSEN reminded his fellow Senators considering the treaty. "I would not want to have it written, 'He knew what happened at Hiroshima, but he didn't take a first step.' I want to make a step."

There are many others who want to make it, also, and their representatives in the Senate, Democratic and Republican, are showing firm resolve to make the test ban treaty this historic step.

The zeal displayed by DIRKSEN and other Senate Republicans in placing the country's best interests above petty partisanship is in sharp contrast with the performance of a number of Democratic Senators from the South who think they have to oppose the treaty because they oppose Kennedy.

[From the Philadelphia Inquirer, Sept. 8, 1963]

THE TREATY: A SUMMING UP

As the U.S. Senate prepares to debate and vote on ratification of the nuclear test ban treaty there should be a solemn awareness, not only on Capitol Hill but across the Nation, of what is at stake.

The treaty is limited and imperfect. It will not end testing underground and does not outlaw the use of any kind of atomic weapons in war. Conceding these obvious faults, which have been cited again and again by the treaty's critics, it remains an overriding truth that the pact pays an immediate dividend to all mankind in the form of less contaminated air and soil and water.

In the long view, the potential good of this treaty as a step toward peace in incalculable. A ban on all nuclear testing, and eventually the total abolishment of nuclear weapons, could result. To those who ridicule these goals as unrealistic we would reply that only a few months ago the skeptics were saying that Soviet agreement to any kind of a test ban treaty was impossible.

The Inquirer firmly believes—after sober reflection on arguments voiced by sincere and responsible Americans on both sides of the question—that the treaty ought to be ratified. We urge, moreover, that it be ratified without reservations or riders which would have the effect of invalidating the treaty pending renegotiation with the Soviets.

This is not to say that all objections to the treaty should be shunted aside. It will be permissible—and perhaps desirable—for the Senate to adopt one or more resolutions, entirely separate from the treaty itself, which would underscore America's position on a number of matters about which doubts exist.

Lewis L. Strauss, former Chairman of the Atomic Energy Commission, in testimony before the Senate Foreign Relations Committee, set forth with exceptional clarity some areas of possible misunderstanding. He suggested, for example:

That the United States affirm its right to employ, without notice, any type of weapon, including nuclear weapons, that might be required to repel armed aggression against ourselves or any other free nation. Former President Eisenhower has made a similar suggestion;

That the United States reserve the right to use nuclear explosives for peaceful purposes such as digging canals and dredging harbors;

That appropriate Federal agencies be directed to maintain nuclear testing facilities in a constant state of readiness and that underground testing be continued at a vigorous rate.

Mr. Strauss and a number of other witnesses before the committee also expressed grave concern about potential obstacles that the treaty might put in the path of the U.S. program to develop an antimissile missile. A Senate resolution calling for full speed ahead in the anti-missile-missile program might be helpful. Scientific testimony indicates it will be many years, if ever, before this defensive weapon will need to be tested with a nuclear explosion in the atmosphere.

Even Senator Goldwater's demand that Cuba be cleared of all Soviet missiles and troops could be incorporated in a Senate resolution, although we fail to see what this has to do with the test ban treaty. The gentleman from Arizona evidently is hedging in hope that he can avoid losing favor in either protreaty or antitreaty circles.

Whatever resolutions are adopted, the treaty itself should be ratified without encumbrance.

[From the Baltimore Sun, Sept. 12, 1963]

HELP FOR THE FIRST STEP

In a letter to the majority and minority leaders of the Senate the President has—once again—given unqualified and unequivocal assurances that the nuclear testing treaty will not deliver the United States, bound, naked and helpless, into the hands of its potential enemies.

The country will vigorously and diligently carry on underground testing; it will keep its laboratories at work on a vigorous program of weapons development; it will be ready forthwith to resume testing in the atmosphere and other environments if the need arises; the right to use nuclear weapons for the defense of the United States and its allies is in no way limited by the treaty; and so on. This may seem to be like turning on all the lights at bright noon on a cloudless day. Still, those who think the treaty is full of secret traps, concealed pitfalls and buried bombs may, at last, be comforted and won to the side of ratification. That's the idea, of course.

While all these explanations and constructions are being read into the record it may not be inappropriate to remind ourselves that the purpose of the treaty, after all, is to limit testing and that the hope inspired by the treaty is that it will—eventually—encourage a real reduction and control of armaments. This is worth mentioning lest the scores of other nations that have stood in line to sign the agreement form the odd impression that the United States believes in an arms decrease only if it doesn't apply to much to its own arsenals, research and production. There is reason to be thankful, therefore, to Senator Dirksen, who read the letter to the Senate, for saying after he had done so:

I want to make a step. I would not want to have it written: "He knew what happened at Hiroshima, but he didn't take a first step." It isn't easy to imagine what megrims and palpitations the Senate will suffer if the day ever comes that it has to consider some sort of international understanding that would involve giving up a few bombs or restricting their manufacture. There's no need to worry about that now, though. It's a long, long time off. All that the Senate is asked to do at present is to take a first and very short step. The President has provided the crutches.

[From the Baltimore (Md.) Sun, Sept. 10, 1963]

EXAMPLE OF LEADERSHIP

Senator Dirksen, the minority leader in the Upper House, deserves the congratulations and commendations of the country for announcing his unqualified support of the nuclear testing treaty. In doing so he has displayed an order of statesmanship which should also earn him the gratitude of his own party.

To be sure, it had been expected that he would vote for the agreement. The important thing is that he has chosen, at the very outset of the senatorial debate, to say that he will do so and without understandings or conditions. In making clear the unreserved character of his backing he has rejected attempts to write into the treaty limitations which could force it to be renegotiated. Even more explicitly, he has dismissed Senator Goldwater's irrelevant proposal to make the effectiveness of the treaty dependent on Russia's removal of troops from Cuba; in effect, he said this ungermane suggestion is not worthy of serious attention. As for any apprehensions that the treaty might adversely affect the future strength of the United States as a nuclear power, Senator Dirksen has let it be known he will be satisfied with assurances in a letter from the President that this will not be permitted to happen.

The stand taken by the Illinois Republican will carry a great deal of weight and almost certainly guarantees ratification. It should more than offset the opposition of a small group of southern Democrats to which, regrettably, the name of Senator Russell was recently added, and it promises to rally to his position the Republican Members who have hesitated to declare themselves. In fine, Senator Dirksen has handsomely provided his party with the kind of leadership that gives fresh and welcome vitality to the wise tradition of rising above politics where major international issues are at stake. It is an example of sound and positive bipartisanship at its best.

[From the Baltimore (Md.) Sun, Sept. 9, 1963]

THE TREATY DEBATE

The last and decisive stage of the Senate's consideration of the nuclear testing treaty begins today. After weeks of hearings, the upper Chamber opens its debate leading to the vote that will determine the fate of the agreement. Either it will be ratified or it will fail to win the two-third majority necessary for approval, or it will be conditionally accepted—that is with reservations attached to it which would require it to be renegotiated, rewritten by the United States, Brittain, and Russia in a new form which would once again be satisfactory to all of them.

It is generally expected that the treaty will be ratified, not with reservations but with unilateral interpretations on the part of the Senate expressing the understanding of that body of certain aspects of the treaty that some Members feel require clarification. This is the outcome suggested by the drawing of the lines insofar as individual Senators have stated or indicated their positions in advance of the debate. Whether the discussion will change any minds—and if so how many and which way—cannot be predicted.

As the Senate addresses itself to this historic task a great many citizens—many more than two-thirds of them, we believe—will hope that the Senators will keep in mind what a failure to ratify would mean, and alterations in the treaty's substance compelling renegotiation would constitute a failure as much as an adverse vote. What, they must ask themselves, will follow from such failure.

Three consequences could hardly be in question. First, a failure to approve would be a repudiation of hope that it is within the power of this generation to bring about a limitation or control of armaments. That hope is of a tentative and qualified kind at best. It would lose all reality if this country were to say to the world that it rejects even a restriction upon some forms of testing for the purpose of inventing new weapons.

Second, there would almost certainly follow an increase in international tension, suspicion and fear which would bring about new and heavier rounds of testing. Hitherto the belief that some kind of agreement could be reached that would hold testing in check has worked as a restraint. If that belief is dismissed the major nuclear powers will inevitably feel that to hold the balance of power they must engage in more and more testing lest they fall behind in the development of more destructive weapons. Not only will the competitive race not be halted—it will be accelerated. And none will be able to foresee its end.

Last, such a contest will, of course, steadily add to atmospheric pollution. The Public Health Service has just reported that owing to last year's tests in Russia and America the national daily level of radioactive strontium 90 found in milk in June is nearly double what it was in that month in 1962. It is still well within the acceptable range, but who can say how high it will go if test followed test without prospect of cessation?

The risks carried by the treaty are, at worst, conjectural, as is shown by the division of technical and military opinion. The risks that would be created by failure to approve it seem clear, sure, and very terrible.

[From the Baltimore Sun, Sept. 8, 1963]

MOTHERS MAKE NEWS

Mothers, always acknowledged to be a consequential element in our society but usually wielding their influence by private devices, have lately been a good deal in the news.

In the test ban treaty discussions we have been hearing about "the mother vote," a phrase used by opponents of the treaty in a derogatory sense to include all who permit their nights to be troubled by thoughts of radioactive fallout from nuclear testing.

It seems to us that in one way (not necessarily in all) these people are like Governor Wallace, of Alabama. They underestimate mothers.

On Friday in Huntsville, Ala., a group of mothers marched their children into East Clinton Grammar School, which Governor Wallace had ordered closed for the day. The Governor's State troopers, with their guns and helmets and superman suits, quailed and let them through, and the Governor, he lay low.

To a mother what matters is a child. The reason she worries about strontium 90 is that it might hurt her child—or her grandchild, or her great-great-great-grandchild, for if mothers are able to think no further into the future than other categories of citizens can, they do feel further into the future.

In schooling too if it is first things first, and the first thing about school is not what some Governor or other may say or do, or what the great national issues of the moment may be. It is seeing that the child gets his full share of whatever advantages may be around.

Some mothers may temporarily put lesser considerations ahead of those, but if they persist in it they become renegade mothers, outlaws, turncoats, apostates, strays, and no longer count as mothers.

The Huntsville mothers who made the troopers give way on Friday were acting in the oldest ways of motherhood, going back to the caves and beyond, but they were also acting from the most modern motives, for it happens that Huntsville is a city of a new age: its booming population, up from 16,000 to 105,000 in just over a decade, has been drawn there mainly by the vast and bustling George C. Marshall Space Flight Center.

Mothers are apt to know instinctively a truth the rest of us have to think out, that in the human story what's past, what's now and what's to come are all one.

[From the Baltimore Sun, Sept. 12, 1963]

CROSS YOUR HEART

Is this really, honestly, the way you have to run a country?

Yesterday's Presidential letter to the Senate ought to answer the test ban treaty doubts of all Senators except those few who can think in military terms only—that is, who are incapable of considering foreign policy as a whole—and those few others whose motivations on all issues are partisan or regional. The President gives unqualified and unequivocal assurance that the safeguards emphasized by the Joint Chiefs of Staff will be fully seen to, and trusts that this and the accompanying assurances will be helpful in dispelling any concern or misgiving which any Member of the Senate or citizen may have as to our determination to maintain the interests and security of the United States.

We too trust so, and we trust that Mr. Kennedy is as determined as he says he is—because we've got to trust, with the system we have.

In this, as in another matter to be mentioned in a moment, we find an element of the childish, and of the comic (not that childhood is comic). It may be high comedy, played on a stage that could be swept next by tragedy, but comedy it is all the same.

Each President of the United States, when he assumes office, solemnly swears or affirms that he will faithfully execute the Office of President of the United States, and will to the best of his ability preserve, protect, and defend the Constitution of the United States, the purpose of which was and is to form a more perfect union, establish justice, provide for the common defense, promote the general welfare, and secure the blessings of liberty.

What has happened now is that a number of Senators, not feeling the oath and the preamble to be quite final and firm enough, have demanded of the President: "Say it again, and Scout's oath this time, cross your heart and hope to die." And the President has said it again.

Similarly, on the more limited domestic scene, with the proposed tax cuts. Almost everybody agrees that tax cuts would be most welcome to individuals and corporations, and good for the economy. But when the House Ways and Means Committee on Tuesday brought out a bill for an $11 billion reduction in taxes, there was tied to it a formal demand that the President promise, cross his heart and hope to die, not to throw the country's money wildly away—that he pledge himself to all reasonable means to restrain Government spending.

In the first place, Congress can prevent a President's throwing money away, and can set any measure it likes of what is reasonable. In the second place, the President already has the duty of doing what he is being asked to vow he will do. And the President once more will undoubtedly vow, vouch and asservate.

The test ban treaty must be ratified: Senator DIRKSEN'S 15 reasons for ratification say why it must, better than we can. And a tax cut should be enacted, for the general welfare, though our expectations of what it can do are not so high as the administration's are. But is this the way to go about getting those things done? Is this really the way you have to run a country?

[From the Baltimore Sun, Sept. 8, 1963]

LINING UP

Senator SALTONSTALL, of Massachusetts, has performed a service in announcing before the floor debate begins tomorrow, that he will vote for Senate ratification of the test ban treaty. Since Mr. SALTONSTALL is chairman of the conference of Republican Senators, and senior Republican on the Armed Services Committee as well as on its Preparedness Subcommittee, his announcement adds importantly to the bipartisan character of support for the treaty.

The lining up on the other side, and in our opinion the wrong side, proceeds too, with Senators RUSSELL, of Georgia, STENNIS, of Mississippi, and THURMOND, of South Carolina, all Democrats and all committee members (Mr. RUSSELL is chairman of Armed Services), announced against ratification. So the opposition for its part is bipartisan; and unless the situation should change sharply it looks like a bipartisan minority in a ratio of 1 to 5, or wider.

Prominent among those who have not made up their minds is Senator BYRD of Virginia. Mr. BYRD says he leans against ratification, and from the tenor of his remarks he is leaning far. Mr. GOLDWATER until yesterday was leaning the same way, though he hesitated flatly to declare himself (for him as a possible presidential candidate there are wheels within wheels) and now has plumped, all out against the treaty.

We hope that the lesser leaners are inclined mostly in the other direction, and that when the voting comes they will vote for ratification, so that the sense of the Nation may be expressed, through its highest legislative body, as unmistakably as possible.

[From the New York Post, Sept. 15, 1963]

POLITICAL COMMUNIQUE

After close study of Senator GOLDWATER'S latest speeches, and especially his warning to the Republicans against nomination of a candidate who agrees with President Kennedy on any major matter, we have reached a clear-cut conclusion.

We are convinced that BARRY GOLDWATER, if nominated, will run and, if elected, will serve.

We are also convinced—on the basis of such recent Goldwater statesmanship as his demand that the nuclear test treaty be contingent on a Soviet withdrawal from Cuba, and his later announcement that he would vote against the treaty even if it were so amended—that Mr. Kennedy would enjoy a national contest with Mr. GOLDWATER.

[From the New York Post, Sept. 8, 1963]

LOST WORDS IN THE TREATY DEBATE

Senator HUMPHREY has called the attention of his colleagues to various polls—Gallup, Harris, Minneapolis Tribune—that show heartening public support for the nuclear test ban treaty.

In doing so he also voiced his distress that the Senate hearings have so far placed so much emphasis on prospective weapons development under the treaty and so little on what the country could do to achieve and maintain peace in the aftermath of this breakthrough.

"The Senate will make a good name for itself during its consideration of the nuclear test ban treaty," HUMPHREY declared, "if occasionally a voice is raised in this Chamber to indicate that one of the purposes of the treaty is to search for more reliable pathways to peace."

We hope HUMPHREY'S colleagues heed these words and that the next installments of the debate nourish rather than snuff out what Senate Majority Leader MANSFIELD has called a flicker of light where there has been no light.

[From the New York Times, Sept. 15, 1963]

DUBIOUS TREATY SUPPORTERS

The endorsement given to the nuclear test ban treaty by Senator JACKSON, one of our more influential legislators on military affairs, was the most equivocal bit of support it has had since General LeMay told the Foreign Relations Committee that he was for the treaty but probably would have been against it if it had not already been signed. The spirit of Senator JACKSON'S remarks is that the only true security for the United States lies in continued mistrust of the Soviet Union and in the maximum pileup of nuclear weapons. If both Moscow and Washington proceed on that theory, the treaty is not a first step toward eventual peace and disarmament—but another step toward world annihilation. Risks attend either road, but surely the possibility of survival is more worth striving for than the certainty of destruction. The debate on a treaty designed to rid the atmosphere of pollution ought not become the medium for polluting the atmosphere of international relations. Happily, President Kennedy will have an opportunity to restore the initiative for peace in his address before the United Nations General Assembly Friday.

[From the St. Louis Post-Dispatch, Sept. 9, 1963]

LIMITED TEST BAN

Debate opened on ratification of the limited test ban treaty in the Senate today with approval apparently assured.

Only a handful of Senators are expected to oppose the document when it comes up for final vote; most seem to have made up their minds already and are not likely to be swayed by floor discussion or by appeals to attach reservations to the treaty which would require renegotiation.

Nor is it likely that any new information or arguments will be developed for or against the document. The proponents will argue that the treaty is a first small step toward easing the cold war; that it may lead to other steps toward better understanding between the West and the Soviet bloc; that it will reduce the danger and fears of radioactive fallout, slow down the nuclear arms race, and hamper the proliferation of nuclear weapons among smaller nations.

Opponents will argue that the treaty will allow the Soviet Union the opportunity to narrow the nuclear gap between it and the United States and thereby jeopardize our national security; that the Russians cannot be trusted to keep the treaty and will violate it as soon as it serves their purpose. Some others fear that the Russians are ahead of the West on development of an antimissile system and the treaty will give them a chance to exploit this advantage.

That there are risks involved for the United States in ratifying the treaty are undeniable. The administration, and a great majority of Senators who have probed the problem intensively since the pact was signed July 25 believe, however, that the risks are small and controllable and do not outweigh the political, diplomatic, and military advantages of acceptance.

Unless some substantial new evidence is presented to the contrary, the pact probably will be ratified with the full realization that Communist aims remain the same; that Soviet reasons for accepting the ban may change suddenly and the atmosphere which now appears conducive to easing the nuclear arms race and world tensions may dissipate quickly.

[From the Dayton (Ohio) Journal Herald, Sept. 7, 1963]

GOLDWATER'S TREATY PROPOSAL

If the desirability of U.S. Senator BARRY GOLDWATER as the Republican presidential nominee in 1964 was still an open question prior to Thursday, and it was, we would think the issue came near to being closed with his proposed reservation to the pending nuclear test ban treaty.

The Goldwater reservation would defer the treaty until Russia removed its military equipment and troops from Cuba and it called for on-site inspection to make sure that Russia did so.

Such a reservation would in fact kill the treaty and with it the hopes of America and the world for a lessening of United States-Soviet tension and the risks of nuclear war. The Republican Party will be hard pressed to make a creditable showing with a candidate so committed. That would commit the party, too. It would seem to mean the United States was turning its back on its role as a world leader of nations working for peace, freedom, and a good life for all people. Such a commitment would be a heavy load to carry in the year 1964.

[From the Philadelphia Bulletin, Sept. 13, 1963]

DIRKSEN ON THE HIGH ROAD

The voice could be used to sell shampoo on television; the face and gestures are tank-town Hamlet. The name is EVERETT MCKINLEY DIRKSEN. On Wednesday in the Senate, where he is minority leader, he had what must be ranked as one of his finest hours.

The wide-arm stance was there. The oratory ("Oh, the tragedy. Oh, the despair.") was there. But no one would dismiss Senator DIRKSEN as a ham actor on the occasion.

In giving his unequivocal support to ratification of the treaty banning all but underground nuclear tests, he gave the Nation and politicians of both parties a lesson in nonpartisan statesmanship.

It would have been easy for the Republican senatorial leader to say in effect, all right, I guess I'll go along with this treaty. Some in both parties are saying just that, and of course a few are opposing it. Senator DIRKSEN revealed himself as a leader in more than title by embracing it forthrightly.

He reminded his party that its 1960 platform said, "We advocate an early agreement by all nations to forgo testing in the atmosphere."

He reminded all politicians of Edmund Burke's lectures to citizens: "Your representative owes you not his industry only, but his judgment; and he betrays instead of serving you if he sacrifices it to your opinion."

Mr. Kennedy's letter repeating assurances of preparedness and the use of arms in national defense no doubt made it easier for Mr. DIRKSEN to take his stand. It was nonetheless one of courage and in the best tradition of the "loyal opposition."

[From the Portland Oregonian, Sept. 7, 1963]

IT'S OUR TREATY

Those like Senator GOLDWATER who propose to rewrite and renegotiate the nuclear test ban treaty by Senate amendments and reservations disregard one salient point. This is that the treaty as written is exactly the treaty proposed by the United States last year. The Soviets did not originate it. They accepted it. And this left the United States in no position to bargain, to demand concessions such as the removal of Soviet troops and weapons from Cuba, or demolition of the Berlin wall, as the price of agreement.

The United States proposed a treaty to prohibit nuclear blasts in the atmosphere, in water, and in outer space—but not prohibiting underground testing which is not a hazard to health—because the treaty is believed to be in the best interests of the United States and of the world's people. Premier Khrushchev finally agreed, but wanted to attach a condition—a nonaggression treaty between the NATO and Warsaw powers. The condition was rejected by the United States and British negotiators. If our side also tried to impose conditions on the Russians—and this has not been disclosed—they must have been rejected by the Russians. The treaty is almost exactly the same as that offered by the United States and turned down by the Russians at Geneva last October.

This newspaper has suggested that the next efforts to reach sensible agreements with the Communist empire should be centered on getting the Russians out of Cuba and removal of the Berlin wall. It is no use to talk about nonaggression treaties so long as these symbols of Soviet aggression are not eliminated. But the nuclear ban treaty is another matter. It stands on its own feet. Senator GOLDWATER, whose aim evidently is to kill the treaty, will get very little support, even in his own political party, for his proposals for renegotiation of a treaty that has already been accepted by 80 nations.

[From the Des Moines (Iowa) Register, Sept. 7, 1963]

THE ONLY TREATY POSSIBLE

Several of the more outspoken opponents of the nuclear test ban treaty appear to be in the position of opposing any kind of an agreement with the Soviet Union at any time on any subject. Their arguments against the nuclear treaty and their proposals for reservations to be attached by the U.S. Senate are rational only from the point of view of killing the treaty.

An example of this is Senator BARRY GOLDWATER'S proposal to defer effectiveness of the treaty until the Soviet Union had withdrawn all its military equipment and personnel from Cuba. Clearly, this would force renegotiation of the treaty, and Russia would reject it. GOLDWATER does not expect the Senate will approve such a reservation, but he expects to make political use of the idea, probably as an explanation if he votes against the treaty, which he has indicated is likely.

Outright opposition to any sort of pact with the Soviet Union would be more forthright. It is not reasonable to try to add on a number of conditions at this stage of the ratification process. It is not reasonable to bring in a number of other issues besides the limited one of stopping nuclear tests in the atmosphere.

As the administration has pointed out, the Russians almost certainly would demand withdrawal of U.S. military installations in Turkey, Greece, or other places in return for a withdrawal from Cuba. Agreement on such matters as closing down bases and withdrawing troops obviously is not possible at this stage of arms control talks—and may never be.

The test ban treaty, if it works out successfully, could be a step toward further agreements in the military field and in other fields. But that is only a hope. Pressing now for a larger package of agreement at best would complicate and delay a treaty, making it more open to evasion and less likely to be effective. In all probability, such additions to the agreement would stop the whole process at the start.

The treaty is limited. It does not cover undergound tests. It is self-enforcing, since air and water tests can be spotted by present national surveillance methods. And any party can withdraw in 90 days if need be. It does not pretend to outlaw nuclear weapons, nor nuclear weapons research, to say nothing of all the other elements of modern warfare—including antimissile rocket development and methods of delivery, to use the callous military lingo for hurling nuclear explosives to their targets.

So, really, the treaty does not do much, and many of us, like GOLDWATER, wish it could be more comprehensive. We wish it could include banning all nuclear weapons tests, with rigid international inspection; reduction of armed forces, again with inspection; reduction of military bases and so on.

But these things are plainly not possible now. The best that can be done now is this tentative beginning. And we believe it is well worth doing. It should not be throttled at birth by attempts to reopen the negotiations. Clearly, the United States cannot get a treaty with all the advantages on its side, and neither can Russia get one that stacks the cards in its favor. What we can agree on is a very limited step, with advantages to both sides, and after seeing how that works, try another.

[From the Long Island (N.Y.) Star-Journal Sept. 7, 1963]

GOLDWATER AND THE GOP

The political conservatives of this country really haven't had a presidential candidate they liked since Alf Landon went down the drain in 1936.

They voted in turn for Willkie, Dewey, Eisenhower and Nixon, but only because these men were not as bad as the Democrats. Recently, after 28 years in the political desert, the conservatives picked up Senator GOLDWATER, of Arizona. He is their hope and their champion. They are trying their hardest to get him the Republican nomination for President.

We fear the conservatives are out of luck again. With the test ban treaty assured of passage, Senator GOLDWATER wants to send it back for renegotiation. He wants, in effect, to embody a settlement of the Cuban issue in the same package. This puts him in so extreme a position that other Republican Senators cannot go along. For example, even Senator KEATING, who has been the sharpest critic of the Russo-Cuban conspiracy, doesn't believe the bomb treaty can be tied in with any other issue.

Senator GOLDWATER has committed himself beyond recall. The ultraconservatives will be pleased with him, but he stands before the country as a man of impractical views and ill-considered action, whom most Republicans will not follow.

[From the Troy (N.Y.) Times-Record, Sept. 7, 1963]

GOLDWATER SAYS "NO"

Senator GOLDWATER has virtually said "no" in advance of the formal vote on ratification of the nuclear test ban treaty. His insistence Soviet withdrawal from Cuba be made a condition for treaty approval had the same effect as a negative vote.

For the United States to attach such a condition at this time would wreck chances for a treaty. Other signatory nations would demand conditions just as unacceptable to us. Senator GOLDWATER'S demand ignores the fact not even the treaty's most ardent supporters claim it will solve all East-West differences. It is but a small step and should be considered as such. The Senator seems to want to settle everything at once.

There is some indication Senator GOLDWATER'S introduction of the Cuban issue is just what Senator HUMPHREY called it—a case of partisan mischief. While paving the way for the negative vote which would please his supporters, Senator GOLDWATER's insistence on solution of the Cuban dispute would make his treaty rejection more palatable to liberal Republicans as well.

By linking the Cuban situation to the test ban treaty Senator GOLDWATER has made certain the matter will be an issue in the next presidential campaign. The Arizonian will be able to claim he demanded strong action to force Soviet withdrawal from Cuba only to have his demand rejected. And if Soviet Union actions in other areas lead to new crises in the cold war, as treaty supporters concede they might, Senator GOLDWATER will be able to say he told us so.

Opposing the test ban treaty is apparently a matter of conviction with Senator GOLDWATER. By introducing the Cuban issue he has also made it a matter of political strategy.

[From the Greensboro (N.C.) News, Sept. 7, 1963]

GOLDWATER AS BISMARCK

After weeks of searching for an advantageous way to beat the nuclear test treaty, Senator GOLDWATER has at last devised an ingenious position.

The Senate, he said this week, should not unreservedly ratify the treaty until the Russians withdraw all nuclear weapons, soldiers, and military technicians from Cuba, subject to inspection. So now we know. Rather than face a debate on the real merits and demerits of the nuclear test treaty, Senator GOLDWATER elects to take refuge in the silent and powerful unrest in the United States about Russian presence in Cuba—a real issue, but one that has not the remotest connection to nuclear testing.

No one, at least, has said what the connection is. Indeed the idea of linking the two issues, which is a bit like tying two human legs in a square knot, seems not to have occurred to Senator GOLDWATER—publicly—until August 27, almost a month after the treaty had been signed and sent to the Senate.

The dangers of the Goldwater maneuvers are readily apparent. It potentially offers a perfect out for Senators who would like to shout the treaty down (in its present form, anyway) but fear to cast a vote in favor of fallout. By supporting Senator GOLDWATER's irrelevant rider, they could easily stall, and probably kill, the treaty without ever facing relevant issues.

Senators of both parties were quick to attack the Goldwater maneuver, and there are good reasons. In the first place, this parliamentary afterthought is too astonishingly irrelevant for serious comment.

The Russians are not, to anyone's knowledge, testing or preparing to test nuclear weapons in Cuba. Therefore it is patently so much mumbo-jumbo for Senator GOLDWATER to speak of the Russian presence there—distasteful as it is to all—as a stumbling block to the treaty.

If enough Senators bought Senator GOLDWATER's reservation, the treaty would be in for a tedious renegotiation, not only with the Soviets but with all the dozens of countries that have innocently signed believing that the United States would ratify it. Since there is little chance that the Russians would agree to remove their troops, or Castro allow an inspection if they did, the hopes for an agreed end to nuclear testing would crumble and the United States would be diplomatically humiliated.

Indeed, the United States would be in the familiar Russian position of agreeing to positions on one day and fudging out of them the next. Surely it is not forgotten that the American negotiators spent most of their time in Moscow dissuading the Russians from tying their own strings—in the form of a nonaggression pact—to the treaty.

The inescapable truth is that Senator GOLDWATER's maneuver is a device designed to free him, on the cheap, from the heavy responsibility of evaluating the treaty on its merits and finally voting yes or no. If he were forced to that point, he could no longer be both the hero of the further search for an ultimate and absolute missile or missile defense and an opponent of nuclear fallout from further testing. He could no longer sit on the fence. He could no longer claim an open mind on the nuclear treaty at the same time that he opposes and wishes to end diplomatic relations with Russia—which as things stand now amounts to sampling the devil's supper while resolutely opposing any meals with the devil at all.

It would doubtless be a political triumph for Senator GOLDWATER if his ploy should work and result in the destruction of the nuclear test treaty, but the consequences for the United States and for the world might not prove to be so happy. After all, the great game of Bismarck cannot be played casually.

[From the Denver Post, Sept. 8, 1963]

TREATY RATIFICATION APPEARS CERTAIN

Barring some unforeseen spectacular development, the partial nuclear test ban treaty will be ratified by the Senate, probably at the end of this week.

The treaty has been recommended for approval by a 16-to-1 vote of the Foreign Relations Committee, and as things now stand, it is expected that five votes at the most will be cast against the treaty when the full Senate votes.

But the Senate approval will not be as overwhelming as it might appear on the surface, for many of the "aye" votes will be cast reluctantly.

The reasons for this reluctance will be spelled out on the Senate floor this week when formal ratification debate is held. There will be more than a handful of Senators who will want it made clear for the record—and for their constituents—that they have misgivings about entering into the treaty.

These misgivings center on the historically established untrustworthiness of the Russians and on the fear that a false sense of security generated by the test ban might prompt us to relax a bit in maintaining and improving our nuclear defenses.

We can understand these misgivings; indeed, we have in these columns expressed doubts about various aspects and effects of the test ban treaty.

But we—along with the administration and the overwhelming majority of the Senate—believe that on balance the treaty is in the best interests of the United States and that the risks, assuming our Government does all it can to counter them, are worth taking.

We feel certain that the Senate will quickly and overwhelmingly defeat the formal reservation to the treaty that BARRY GOLDWATER says he intends to introduce this week. The reservation would make the treaty's effective date conditional on the withdrawal of Soviet troops and arms from Cuba.

Such a reservation would, of course, mean certain death for the treaty, and the Arizona Senator is perfectly aware of this. He knows that if we asked for a reservation, the Russians would in turn ask for a reservation and then all the treaty's signatories would ask reservations—and soon the whole thing would become a hopeless tangle of demands and counterdemands, and the treaty would die aborning.

As Colorado's Senator GORDON ALLOTT pointed out, regardless of the fact that the world's hopes about the treaty seem overinflated, the United States cannot afford to kill it. "This is a price we cannot afford to pay," he said, "if we are to retain the confidence of the world in our moral leadership."

[From the Rocky Mountain News, Sept. 9, 1963]

THE GOLDWATER RESERVATION

"Partisan mischief" is too strong a term for the so-called Goldwater reservation to the nuclear test treaty; but we agree with Senator HUBERT HUMPHREY, it is ill-considered and illogical.

Senator BARRY GOLDWATER, who has done a good job prodding this treaty for possible flaws, departs from that course in his suggestion that, as a condition for ratification, the Russians be required to get their arms and men out of Cuba—with onsite inspection by a neutral power.

Senator GOLDWATER hasn't entirely committed himself on the treaty. If he intends to vote against it, that is what he should do, rather than worry it to death by changing the subject. For the attachment of any such reservation obviously would mean no treaty.

Cuba should be handled separately. The Russians should be moved out regardless of what happens to this treaty.

The bomb test treaty should stand on its own feet. If—by itself—it is judged to serve the interests of the United States, it should be ratified. If it doesn't, it should be rejected—even in the vastly unlikely event that Russia might agree to leave Cuba as a U.S. bonus for signing. Cuba is an aggravation and an embarrassment but a minutely minor item compared to the nuclear defenses of this country.

[From the Hartford (Conn.) Times, Sept. 9, 1963]

GOLDWATER'S TIMING REVEALS HIS MISCHIEF

It is impossible to view Senator GOLDWATER's nuclear test ban treaty reservation proposal regarding Cuba with anything but distinct dismay.

Americans generally share the Arizona Senator's sentiments with respect to the Soviet fortifications on Cuba 90 miles off our coast. But the mischief inherent in any such treaty reservation made at this time is plain to see.

Already some 80 nations have signed it. When all who have indicated intention to sign have done so, the total will be more than 100 nations.

If we were to insist on a reservation as suggested by Senator GOLDWATER, it would mean the whole treaty would have to be renegotiated and signed by every nation all over again, if they accepted the change.

What the Senator is demanding is that the Soviet Union remove all its military forces from Cuba before the test ban treaty becomes effective. Senator GOLDWATER said:

"This proposed test ban treaty cannot be a first step toward peace if it must stumble over Soviet missiles and troops in Cuba."

The tangle that implementation of the Senator's suggestion could create was vividly set forth by Montana Senator MANSFIELD, majority leader, who said sarcastically:

"We will ask for a reservation that the Russians withdraw from Cuba and the Russians will then ask that the United States withdraw from Greece or Turkey or Berlin or somewhere else.

"And Egypt will ask for an Israeli withdrawal from Palestine and Israel will ask for a comparable Egyptian withdrawal, and Pakistan and India will ask for comparable withdrawal from Kashmir."

It takes little imagination to envision the snarled international relations that would develop if such a situation as that pictured by Senator MANSFIELD became reality.

Democratic Senator HUMPHREY, of Minnesota, was blunt in his denunciation of the Goldwater proposal. He called it ill-timed, ill-considered, and illogical and added that it didn't represent constructive policy but rather partisan mischief.

Under Secretary of State Harriman, who participated in the treaty negotiations, said that the Goldwater proposal didn't make any sense. And so it doesn't.

The treaty is no panacea for all international tensions or a cure-all for every sore spot in the world today. There are risks in it.

However, these risks are worth taking because nuclear testing, unchecked, and armament races running wild can eventually bring only acute suffering to all mankind.

Senator GOLDWATER's suggestion is as unsound as it is impractical and is fraught with peril.

[From the Detroit News, Sept. 8, 1963]

GOLDWATER AND THE TREATY—DOES HE WANT TO KILL IT?

Senator BARRY GOLDWATER will put his political career to its most crucial test when the Senate begins its debate this week on the ratification of the limited nuclear test ban treaty.

The Arizona Senator has set the stage for his decision by announcing that he plans to offer a formal reservation to the limited nuclear test ban treaty and that, if it is defeated, he probably will vote against the treaty itself.

The Senator will run the risk, if he pursues his announced course, of alienating a large and important segment of public opinion, the support he needs to win the Republican nomination for the presidency in 1964, and the votes he would need to defeat President Kennedy's reelection bid.

It no doubt is true that the Senator's proposal to make the treaty effective only upon the withdrawal from Cuba of Soviet nuclear weapons and men will win some support in the United States.

But we suspect the Senator realizes that the treaty will be confirmed despite his reservation and opposition. Certainly all indications point to an overwhelming endorsement. And we think that he is counting on the confirmation of the treaty despite his intention to offer a reservation that would, if approved, kill it.

The point is that if the treaty were killed because of GOLDWATER's opposition and the Soviet Union and the United States then resumed nuclear testing in the atmosphere, in outer space, and underwater, he would be blamed for the increase in radioactive fallout and contamination that would occur. And we don't think that any presidential candidate would want that kind of worldwide notoriety. So we don't think GOLDWATER really intends to kill the treaty.

In announcing his opposition to the treaty, GOLDWATER instead is counting upon using it as a campaign issue in 1964. He may be expecting that the Soviet Union will break the agreement and resume testing by the time the U.S. election occurs in November, 1964. Then he could say, "I told you so." Such a result would be a powerful boost to his candidacy, assuming he is the 1964 GOP choice.

But even if the Soviet Union does not break the treaty, GOLDWATER would be able to raise the question all during the campaign as to whether the Soviets might resume testing the very next day. Concern about whether the Soviet Union will keep its word remains one of the most important questions about the treaty. GOLDWATER may well be intending to capitalize on that public distrust.

If we look at the substance of GOLDWATER's proposal, it is difficult to avoid the conclusion that it would not accomplish either of the aims he supposedly seeks. If the United States demands as a condition to its approval of the treaty that the Soviet Union must withdraw its nuclear arms and men from Cuba, is it not likely that the Soviet Union in turn will attach conditions of its own, such as the U.S. withdrawals from bases close to the Soviet Union? If the Soviet Union would not pull all of its missiles and men out of Cuba after President Kennedy's threats of last fall, what reason is there to suppose the mere signing of a treaty would convince them to do so now?

If the United States attaches a formal reservation that changes the substance of a treaty—as GOLDWATER's reservation would do—the treaty must be renegotiated with all of the signers. U.S. officials have said that such a reservation would kill the treaty. We agree. And it still would not get the Russians out of Cuba. We would be left right where we are now.

But adoption of GOLDWATER's reservation would also be a backward step. For it would put out the tiny spark of hope for peace that arose in the world with the signing of the limited nuclear test ban. And it would do so without removing the threat that the Soviet troops and weapons in Cuba pose to the United States and to Latin America.

The limited nuclear test ban treaty stands alone. It is not now tied to any other agreements or conditions. It should not be limited by reservations that would require renegotiation and result in its death. So those who propose reservations with that thought in mind will assume a heavy responsibility.

As we have indicated, we think Senator GOLDWATER's purpose is to make the treaty a political issue in 1964. If so, we believe his intended course will serve as more of a barrier than as a benefit to his political hopes.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following routine legislative business was transacted:

RESOLUTION

CONDOLENCES TO FAMILIES OF NEGRO CHILDREN KILLED IN BIRMINGHAM EXPLOSION

Mr. HART (for himself, Mr. KUCHEL, Mr. HUMPHREY, Mr. JAVITS, Mr. CASE, and Mr. WILLIAMS of New Jersey) submitted a resolution (S. Res. 200) extending condolences of the Senate to the families of Negro children killed in Birmingham and favoring the designation of Sunday, September 22, as a day of national observance to their memory, which was ordered to lie on the table.

CONDOLENCES TO FAMILIES OF NEGRO CHILDREN KILLED IN BIRMINGHAM, ALA.

Mr. HART. Mr. President, on behalf of myself, the distinguished Senator from Minnesota [Mr. HUMPHREY], the distinguished Senator from California [Mr. KUCHEL], the distinguished Senator from New York [Mr. JAVITS], and the distinguished Senators from New Jersey [Mr. CASE and Mr. WILLIAMS], as in legislative session, I submit a resolution and ask unanimous consent that it lie on the table.

The PRESIDING OFFICER. The resolution will be received, printed, and lie on the table.

Mr. HART. Very briefly, Mr. President, this resolution seeks to give voice to what I believe is the feeling of the Senate. It takes note of the fact that on Sunday last there occurred the killing and maiming of children that shocked the conscience of America. It makes the further point that on Sunday next we celebrate the 101st anniversary of the signing of the Emancipation Proclamation. It suggests that by resolution the Senate—which at this moment can do so little—extend condolences to the families of the children, and it further suggests, that the Senate request the President to designate next Sunday as a day of memorial for those children.

Mr. HUMPHREY. Mr. President, I am very happy to associate myself with the resolution offered by the distinguished Senator from Michigan. I ask unanimous consent that a copy of a letter which was sent to the President and filed by the Senator from California [Mr. KUCHEL], the Senator from Michigan [Mr. HART], the Senator from New York [Mr. JAVITS], and myself be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SEPTEMBER 17, 1963.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We share your grief and outrage over the killing of young Americans in Birmingham last Sunday. This day will always be remembered with shame, remorse, and sorrow.

You have expressed the hope that these cruel and tragic events will awaken the conscience of every American to the folly and evil of this racial injustice, hatred and violence. In the same spirit, we respectfully urge you to issue a Presidential proclamation designating next Sunday, September 22, 1963, as a day of national mourning and remembrance for the young children who were so wantonly taken from us. This is particularly appropriate since next Sunday will also be the 101st anniversary of President Lincoln's announcement of the Emancipation Proclamation.

We are confident that the religious leaders of the Nation would cooperate in this day of national mourning and remembrance. Let us, as a free people, search our minds and hearts for the courage and sense of justice which is so urgently needed in this hour of moral crisis.

Sincerely,

HUBERT H. HUMPHREY.
THOMAS H. KUCHEL.
PHILIP A. HART.
JACOB K. JAVITS.

Mr. HUMPHREY. Mr. President, of all the public comments made upon last Sunday's atrocity in which four young girls were murdered in Alabama this past Sunday, none is more moving or eloquent than that published in this morning's Washington Post and written by a young Alabama attorney, Charles Morgan, Jr.

I understand that that statement has been entered into the RECORD. Later today, before the Senate concludes its day's work, I wish to address myself to the subject matter of that statement along with certain other remarks; but at this time I merely wish to join with Senators in this resolution and to say to them that we have asked the President to declare the date of September 22 a special day of mourning and remembrance in the Nation out of respect for the great tragedy that took place last Sunday.

Mr. HART. Mr. President, I ask unanimous consent that the text of the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 200) is as follows:

> Whereas on Sunday, September 15, 1963, the conscience of this Nation was shocked by the killing and maiming of Negro children while attending religious services in a church; and
>
> Whereas Sunday, September 22, 1963, is the 101st anniversary of the signing of the Emancipation Proclamation by the President of the United States: Now, therefore, be it
>
> *Resolved by the Senate of the United States*, That it extends its deep condolence to the families of these innocent children; and
>
> Further, that the President of the United States be informed that it is the sense of the Senate that he proclaim Sunday, September 22, 1963, a day of national observance in memory of these children and a day of rededication in this Nation to the principles of law, equality, and tolerance.

Mr. **HUMPHREY** subsequently said: Mr. President, I desire to speak briefly on a subject to which my friend the Senator from New Jersey [Mr. WILLIAMS] referred earlier.

Mr. President, of all the public comments made upon the shocking atrocity in which four young girls were murdered in Birmingham, Ala., this past Sunday, none has been more moving and eloquent than the statement which appeared in this Morning's Washington Post written by a young Alabama attorney, Charles Morgan, Jr. A short time ago I made that same statement in the Senate, because it related to a resolution which was offered by the distinguished Senator from Michigan [Mr. HART], a resolution which I was privileged to cosponsor. But Mr. Morgan's statement will live in the memory of Members of Congress and the American public for a long time.

Written in grief and shame, Mr. Morgan's statement, I feel, reflects the feelings of virtually every American of sensibility and judgment in reaction to this culminating act of senseless racial violence.

> Who did it? Who threw that bomb?

Mr. Morgan says that Birmingham is asking.

And his answer:

> We all did it.

Indeed we all did it.

Mr. Morgan condemns the whole establishment of Birmingham—the political leaders, the business community, the press, the professional men and women—those, in short, who know better, those with the advantages of education and knowledge of the world. He condemns not only those who have deliberately inflamed the fears and passions of the whole community, but also those who have not dared to oppose the cold and cynical policies of leaders who have sought to perpetuate themselves in power by holding the Negro down "to his place."

What I have said is the statement of Mr. Morgan, repeating and paraphrasing what that fine citizen of Birmingham, Ala., has expressed from his heart and from his mind. I know that it is all too easy for one who comes from a State in which the Negro population is but a tiny fraction to speak out strongly against segregation and the humiliation of our Negro fellow citizens. It really does not require much courage. But it requires far more courage for a young man like Charles Morgan of Birmingham, Ala., to say the hard words of truth that were expressed in this morning's newspapers.

But how tragic that most of the enlightened southern leadership is silenced by their own fears of the consequences—fears that are not groundless—fears of brutal political and economic retaliation, fears of demagogs who could without a doubt bring them down, fears that a life of public service to the Nation could be destroyed by taking even a moderate position on the question of civil rights for Negroes.

Mr. President, I understand this terrible dilemma. And I stand by helplessly as I see the fears of the southern moderate proved valid again and again by the failure of the southern establishment, that is, all those in power, to give him backing when the racist demagog goes after him.

The constant, unremitting humiliation which is suffered by the Negro in his country—in America—is something which no free man should be expected to tolerate.

The lack of educational opportunities for the Negro—and it is my firm belief that the failure to provide equal educational opportunities has been a calculated policy of the southern establishment—is unique for advanced nations.

The very real and terrible problems created by the migration of uneducated Negroes into the northern Negro ghettos—the crime rates and disorganized living patterns of the slum Negro in the North—are directly traceable to the callous and cynical policy of denying the southern Negro the opportunity to better himself through education.

I have said many times that the policy of separate but equal schools was detrimental to both white and colored, because no State is rich enough to operate two separate systems of public education. Therefore, that policy, which was pursued for years, denied all citizens the benefit of a really good first-class education.

To be sure, there is a world of improvement to be made in the treatment of our Negro fellow citizens in the North, but the policy of the political, cultural, business, and professional leadership in the North is to provide equal education opportunity, equal job opportunities, equal treatment. At least, these are the standards, the objectives of the official leadership.

To be sure, sometimes those standards are violated and those objectives are not fulfilled. Nevertheless, they are the declared objectives and policies.

But, that is not the policy of the Governor of Alabama and of all of those whom he represents who deliberately encourage, advocate, and enforce a policy of inequality and segregation for their fellow citizens of Negro ancestry.

It does little good to condemn the uneducated, the poor, and ill-informed white citizen who can only look to his leadership for guidance and direction.

But I do condemn that leadership—few in number but very influential—which has sought to keep wages down throughout the South by keeping Negroes uneducated and untrained. I condemn those leaders in the South who have sought to prevent the growth of labor unions by setting white worker against Negro worker.

And I condemn that leadership anywhere that has made professional political careers out of Negro-baiting or out of religious or racial bigotry and intolerance.

One cannot refuse the Negro a decent education and then say "the Negro is too ignorant, he cannot be employed." One cannot follow a policy of apartheid and then accuse the Negro of having social habits that make him undesirable for white company.

One cannot constantly, day by day, follow a policy of playing up Negro crime in the daily newspapers without knowing that this policy inflames race prejudice and makes any reasonable accommodation among the races almost impossible. One cannot drip that kind of poison daily into the homes of every family in the community without creating hate and passion.

Finally, I cannot accept the statement that the combined forces of the business and professional leadership in the South—those men who own and control the banks and the factories, the newspapers, the radios, the televisions, who own the land, who are the big contributors to the politicians—could not have before this, and cannot now, establish a rational and humane pattern of equality for the southern Negro. I know the power of these men. And I also know that much of their power is linked with, and subservient to, the economic power of the northern and eastern banks, insurance companies, and other corporations. The responsibility of the southern establishment for the state of affairs in the South during these past decades must be shared with their associates in the North who have at the very least acquiesced in the policies of racial degradation and humiliation.

Many large institutions—corporations, manufacturing establishments, and banks—are owned by people in the North. They profess to have policies of equal opportunity in the Northern areas or in the Western areas, but they do not advocate the same policies in the South. So I have little sympathy for them.

What is so sickening about the whole matter is that these policies have been to a large degree followed because of money—to save money that might otherwise have been used to educate, to save money that might otherwise have been used to raise worker's salaries and to improve their working conditions.

It is no accident that those who most loudly espouse the meanest and most reactionary of racist policies also oppose every effort to improve working conditions, to improve education, to provide more social security—not just for Negroes but for all Americans.

As one who engaged in this struggle for civil rights early, I have found that much of the opposition to the civil rights program did not emanate from the average citizen, but rather came from those who were talking about their

States rights only because the Federal Government would have the power to tax, to regulate, and to make certain financial and business institutions adopt and pursue policies which were fair and reasonable, decent and humane. The argument for States rights was a coverup for States wrongs and individual wrongs.

All too often the most reactionary forces in the Nation were identified with the "phony arguments" about States rights, arguments designed only to prevent a worker from having a union of his choice so he could get a fair wage or have a decent home in which to live and bring up his family.

And so—for profit, for money—the whirlwind of racial hatred and violence has been encouraged—not permitted—but encouraged and invited, by the stubborn and determined hard core of segregationist who are reactionary, politically and economically.

I repeat, they are a limited, small number, but they have maintained control and power frequently with the help of powerful economic and political influences in other areas of the country.

These are strong words. I have weighed them carefully. I feel them strongly.

When young girls are blown to death deliberately, in a Sunday school where they are worshiping God—when Negro leaders are assassinated in their own homes, when fire hoses and police dogs are turned on children who dare to protest nonviolently—there is something so savagely and shockingly bad about the society in which this could happen that I wonder that our Nation can dare to claim any moral leadership in the world.

Who are we to criticize excesses in the Congo, to point the finger at brutality in South Vietnam? Who are we to make pious statements about a breakdown of morality in Great Britain?

Who are we to do any of these things in the light of what has happened in our own country and what continues to happen day after day only because some Americans want full citizenship and equal rights.

What kind of a spectacle do we make in this world where we have prided ourselves on being the good society, where we have been demanding reforms from other governments—when duly constituted authority in parts of this Nation not only tolerates but also incites brutality, violence, and sadism?

We ought to be wearing ashes and sackcloth.

We ought to go into a period of public mourning.

I do not think that any single act could have been committeed that would more humiliatingly lay bare the raw and ugly shame of this most massive failure of our society, than the bombing of last Sunday.

Charles Morgan, of Birmingham, has spoken up with singular courage and conviction. Now we will see.

Will the leadership of the community of Birmingham turn its back on him? I hope not, and I think it will not.

I have faith in those people, if they can only get some moral support from people throughout America, as to doing the right thing.

Will they permit him to be destroyed by the subhuman elements which they have released into the streets? I do not believe so.

Or will the leadership of Birmingham, Ala., recognize in Charles Morgan the voice of their own conscience? I hope so.

But what of us? What about the rest of us in this vast Nation? What will be our response to this senseless outrage in Birmingham, which, by the way, could happen in many other cities? Regrettably, I remind the Senate that only a few years ago it was the Jewish synagogues which were being bombed in America. When we talk of evil and atheism in Russia, and the closing of churches in the Soviet Union, we should think of citizens becoming so deeply moved by hate and passion that they bomb synagogues and bomb churches and kill people who worship. We ought to do something about it. There is something we ought to examine as to the fabric of our life.

We can—and should—bow our heads in public shame and mourning. But more is required than remorse or shame.

I have today joined with Senators Hart, Kuchel, Javits and others in requesting the President to set aside next Sunday as a day of national mourning for the victims of last Sunday's bombing.

I now ask unanimous consent that at this point in my remarks there be printed the text of the resolution submitted earlier today, and the text of our letter to the President of the United States.

There being no objection, the resolution and letter were ordered to be printed in the Record, as follows:

RESOLUTION INTRODUCED BY MR. HART ON BEHALF OF HIMSELF, MR. KUCHEL, MR. HUMPHREY, AND MR. JAVITS

Whereas on Sunday, September 15, 1963, the conscience of this Nation was shocked by the killing and maiming of Negro children while attending religious services in a church; and

Whereas Sunday, September 22, 1963, is the 101st anniversary of the signing of the Emancipation Proclamation by the President of the United States: Now, therefore, be it

Resolved by the Senate of the United States, That it extends its deep condolence to the families of these innocent children; and

Further, that the President of the United States be informed that it is the sense of the Senate that he proclaim Sunday, September 22, 1963, a day of national observance in memory of these children and a day of rededication in this Nation to the principles of law, equality, and tolerance.

LETTER TO THE PRESIDENT

SEPTEMBER 17, 1963.

DEAR MR. PRESIDENT: We share your grief and outrage over the killing of young Americans in Birmingham last Sunday. This day will always be remembered with shame, remorse, and sorrow.

You have expressed the hope that these cruel and tragic events will awaken the conscience of every American to the folly and evil of this racial injustice, hatred, and violence. In this same spirit, we respectfully urge you to issue a Presidential proclamation designating next Sunday, September 22, 1963, as a day of national mourning and remembrance for the young children who were so wantonly taken from us. This is particularly appropriate since next Sunday will also be the 101st anniversary of President Lincoln's announcement of the Emancipation Proclamation.

We are confident that the religious leaders of this Nation would cooperate in this day of national mourning and remembrance. Let us, a free people, search our minds and hearts for the courage and sense of justice which is so urgently needed in this hour of moral crisis.

Sincerely,

THOMAS H. KUCHEL.
HUBERT H. HUMPHREY.
JACOB K. JAVITS.
PHILIP A. HART.

Mr. HUMPHREY. But there is more—far more—that we can and must do.

If we are ever to hold up our heads again, let us resolve that the public laws of this country shall be written so as to provide for our fellow citizens of color more than a mockery of the brave words of the Declaration of Independence and the Emancipation Proclamation.

We should never again attempt to lecture any other nation until we have cleansed this blot of racial injustice from our shield.

The President has sent to the Congress a civil rights program. He has called on the Congress to act—and to act now—to insure that the full weight and majesty of the Federal Government may be brought to the support of our Negro friends and fellow citizens.

When the Negro in America shares in truly equal opportunity, when he has at last gained his full citizenship in our society, then, perhaps, we can look back on Sunday, September 15, not simply as a day when a group of American children lay dying in the debris of their Sunday School classroom—but the day when the conscience of America at last awakened to the horror that lies beneath the surface of American life.

I was moved and touched by President Kennedy's message yesterday. It has been placed in the Record, but I think it bears rereading and study day after day. I commend the President for his words of kindness and compassion, and his words of outrage at the atrocity that was committed.

Mr. President, I ask unanimous consent that the following articles be printed in the Record at the close of my remarks:

An article by Charles Morgan, Jr., entitled "Who's to Blame?" in the Washington Post on September 17, 1963.

The text of President John F. Kennedy's statement on the Birmingham church bombing as printed in the Washington Post of September 17, 1963.

An editorial in the New York Times of September 17, 1963, entitled "The Blame—and Beyond."

An editorial from the Washington Post of September 17, 1963, entitled "Reaping the Whirlwind."

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Sept. 17, 1963]

WHO'S TO BLAME? ALL IN BIRMINGHAM AT FAULT

(By Charles Morgan, Jr.)

(NOTE.—Charles Morgan, Jr., is a white, 33-year-old Birmingham attorney, a graduate with honors from the University of Alabama and a leading advocate in a current legal action seeking reapportionment of the Alabama State Legislature.

(Yesterday Morgan went to his office in Birmingham's newest skyscraper and wrote these thoughts on the church bombing and deaths that shocked the Nation on Sunday.)

Four little girls were killed in Birmingham Sunday. A mad, remorseful, worried community askes "Who did it? Who threw that bomb? Was it a Negro or a white?"

The answer should be "We all did it." Every last one of us is condemned for that crime and the bombing before it and the ones last month, last year, a decade ago. We all did it.

A short time later, white policemen kill a Negro and wound another. A few hours later two young men on a motorbike shoot and kill a Negro child. Fires break out and, in Montgomery, white youths assault Negroes.

And all across Alabama, an angry, guilty people cry out their mocking shouts of indignity and say they wonder, "Why?" "Who?" Everyone then deplores the dastardly act.

But, you know the "who" of "who did it?" is really rather simple. The "who" is every little individual who talks about the "niggers" and spreads the seeds of his hate to his neighbor and his son.

The jokester, the crude oaf whose racial jokes rock the party with laughter. The "who" is every Governor who ever shouted for lawlessness and became a law violator.

It is every Senator and every Representative who in the Halls of Congress stands and with mock humility tells the world that things back home aren't really like they are.

It is courts that move ever so slowly and newspapers that timorously defend the law. It is all the Christians and all the ministers who spoke too late in anguished cries against violence.

It is the coward in each of us who clucks admonitions. We are 10 years of lawless preachments, 10 years of criticism of law, of courts, of our fellow man, a decade of telling school children the opposite of what the civics books say.

We are a mass of intolerance and bigotry and stand indicted before our young. We are cursed by the failure of each of us to accept responsibility, by our defense of an already dead institution.

Sunday while Birmingham which prides itself on the number of its churches, was attending worship service, a bomb went off and an all-white police force moved into action, a police force which had been praised by city officials and others at least once a day for a month or so. A police force which has solved no bombings. A police force which many Negroes feel is perpetrating the very evils we decry. And why would Negroes think this?

There are no Negro policemen; there are no Negroe sheriff's deputies. Few Negroes have served on juries. Few have been allowed to vote, few have been allowed to accept responsibility, or granted even a simple part to play in the administration of justice. Do not misunderstand me. It is not that I think that white policemen had anything whatsoever to do with the killing of these children or previous bombings.

It's just that Negroes who see an all white police force must think in terms of its failure to prevent or solve the bombings and think perhaps Negroes would have worked a little harder. They throw rocks and bottles and bullets. And we whites don't seem to know why the Negroes are lawless. So, we lecture them.

Birmingham is the only city in America where police chief and sheriff in the school crisis had to call our local ministers together to tell them to do their duty. The ministers of Birmingham who have done so little for Christianity call for prayer at high noon in a city of lawlessness and, in the same breath, speak of our city's "image." Did those ministers visit the families of the Negroes in their hour of travail? Did any of them go to the homes of their brothers and express their regret in person or pray with the crying relatives? Do they admit Negroes into their ranks at the church?

Who is guilty? A moderate mayor elected to change things in Birmingham and who moves so slowly and looks elsewhere for leadership? A business community which shrugs its shoulders and looks to the police or perhaps somewhere else for leadership?

A newspaper which has tried so hard of late, yet finds it necessary to lecture Negroes every time a Negro home is bombed? A Governor who offers a reward but mentions not his own failure to preserve either segregation or law and order? And what of those lawyers and politicians who counsel people as to what the law is not when they know full well what the law is?

Those four little Negro girls were human beings. They have lived their 14 years in a leaderless city; a city where no one accepts responsibility; where everybody wants to blame somebody else. A city with a reward fund which grew like Topsy as a sort of sacrificial offering, a balm for the conscience of the "good people." The "good people" whose ready answer is for those "rightwing extremists" to shut up. People who absolve themselves of guilt. The liberal lawyer who told me this morning, "Me? I'm not guilty," then proceeded to discuss the guilt of the other lawyers, the ones who told the people that the Supreme Court did not properly interpret the law. And that's the way it is with the Southern liberals. They condemn those with whom they disagree for speaking while they sigh in fearful silence.

Birmingham is a city in which the major industry, operated from Pittsburgh, never tried to solve the problem. It is a city where four little Negro girls can be born into a second-class school system, live a segregated life, ghettoed into their own little neighborhoods, restricted to Negro churches, destined to ride in Negro ambulances, to Negro wards of hospitals or to a Negro cemetery. Local papers, on their front and editorial pages, call for order and then exclude their names from obituary columns.

And who is really guilty? Each of us. Each citizen who has not consciously attempted to bring about peaceful compliance with the decisions of the Supreme Court of the United States, each citizen who has ever said "they ought to kill that nigger," every citizen who votes for the candidate with the bloody flag; every citizen and every school board member and schoolteacher and principal and businessman and judge and lawyer who has corrupted the minds of our youth; every person in this community who has in any way contributed during the past several years to the popularity of hatred, is at least as guilty, or more so, than the demented fool who threw that bomb.

What's it like living in Birmingham? No one ever really has and no one will until this city becomes part of the United States.

Birmingham is not a dying city; it is dead.

White House Statement

The text of President Kennedy's statement yesterday on the Birmingham church bombing:

"I know I speak on behalf of all Americans in expressing a deep sense of outrage and grief over the killing of the children yesterday in Birmingham, Ala. It is regrettable that public disparagement of law and order has encouraged violence which has fallen on the innocent.

"If these cruel and tragic events can only awaken that city and the State—if they can only awaken this entire Nation—to a realization of the folly of racial injustice and hatred and violence, then it is not too late for all concerned to unite in steps toward peaceful progress before more lives are gone.

The Negro leaders of Birmingham who are counseling restraint instead of violence are bravely serving their ideals in their most difficult task—for the principles of peaceful self-control are least appealing when most needed.

"Assistant Attorney General Burke Marshall has returned to Birmingham to be of assistance to community leaders and law enforcement officials—and bomb specialists of the Federal Bureau of Investigation are there to lend every assistance in the detection of those responsible for yesterday's crime.

"This Nation is committed to a course of domestic justice and tranquility—and I call upon every citizen, white and Negro, North and South, to put passions and prejudice aside and to join in this effort."

[From the New York Times, Sept. 17, 1963]

The Blame—and Beyond

When an American city is ruled by the police dog, the high-pressure firehose, the shotgun and the bomb, then it no longer can be considered a city ruled by law. Birmingham's double outrage—the bombing of the four children in Sunday school and the shooting of two teenage boys—were acts of madness.

The blame, as in any conspiracy, falls strongly upon those who incite and encourage and direct as well as upon the actual perpetrators of the crimes. It is the merest hypocrisy for Governor Wallace and his political associates to offer rewards for the capture of the criminals who shamed his State and our country.

The massacre of innocents in a church in the middle of the city and the police shotgun blast in the back of a 16-year-old Negro were bestial acts. They were not committed by mere bigots from the backwoods acting alone; the actual murderers were only the instruments that touched off the fuse. Those public officials and leading citizens who set the standard of violent behavior for the city and State, by words and actions as well as by silence, created a receptive atmosphere for the irrational and horrible crimes that naturally ensued.

This was the 21st bombing of Negroes in their homes and churches in Birmingham in the last 8 years; not 1 of the 50 bombings of Negro property there since World War II has been solved. This is the pattern of a police state, not of a State of the Union. The desecration of the Confederate flag, waved by rabblerousers in Alabama, is a desecration of the American flag everywhere.

White citizens in Alabama and in Congress still have the opportunity to stamp out the evils of the killers and the lawbreakers. The truly brave can help to integrate the schools peacefully, as some have already made an effort to do despite the rabble led by the Governor. And the U.S. Congress can enact the civil rights bill without delay in order to help bring the rule of law back to the Deep South.

[From the Washington (D.C.) Post, Sept. 17, 1963]

Reaping the Whirlwind

What kind of creature is it that would snuff out the lives of children innocently at church of a Sunday morning?

The Birmingham assassins themselves are as yet unidentified. Probably they are mindless irresponsibles, devoid of imagination or sensibility. But some of the men who inflamed the passions and prejudices of the assassins are known.

The Governor of Alabama, George Wallace, in a sense is a party to this monstrous crime. There is justice in the charge made by the Reverend Martin Luther King who telegraphed the Governor: "The blood of four little children * * * is on your hands. Your irresponsible and misguided actions have created in Birmingham and Alabama the atmosphere that has induced continued violence and now murder."

Alabama's entire delegation in Congress bears a heavy measure of responsibility for the climate of inhumanity out of which this crime grew. Signers of the Southern Manifesto, champions of "white supremacy" and segregation, condoners of the Governor's frenzied contempt for law and Federal authority, they have never justified the trust and leadership reposed in them by reminding their constituents of the obligations of American citizenship or the simple moral dictates of decency and generosity. They have pandered to the worst instead of appealing to the best in Alabamians wherever race was involved.

For all the tears he now is shedding, the mayor of Birmingham, Albert Boutwell, shares in the culpability. Elected to municipal office to replace the discredited Bull Connor, Mayor Boutwell acted more to slacken than to speed the pace of desegregation in the city. Just the other day he sought, unsuccessfully, a court order to postpone even the token school desegregation ordered by the courts. Nor has he moved effectively to erase the bitter discrimination of which Negroes are the victims in Birmingham.

There have been 21 bombings against Negroes in Birmingham during the past 8 years. There have been seven such bombings since last May 11. The perpetrators have not been found or punished in a single one of these cases. Yet, the local police are quick to shoot and kill Negroes who demonstrate or strike back in protest against these atrocities. A 16-year-old boy who threw stones at passing cars was a victim of police gunfire in the aftermath of Sunday's church bombing.

The Negroes of Birmingham cannot count on evenhanded justice from their local law enforcement authorities. "I'm convinced," said Dr. King, "that unless some immediate steps are taken by the Federal Government to restore a sense of confidence in the protection of life, limb, and property, my pleas will fall on deaf ears and we shall see in Birmingham and Alabama the worst racial holocaust this Nation has even seen."

We think there is one way to avert such a holocaust, other than the establishment of martial law in Birmingham. That way lies through decisive action by Alabamians themselves to assure full justice and equality to the Negro citizens of the State. It is time now for a new kind of Southern manifesto—a manifesto proclaiming to all the world that Jim Crow is at last dead in Alabama, that Negroes will henceforth be recognized there as full citizens of the United States and as children of a common God. It is time now for Alabama leaders to declare for healing instead of hatred, for obedience to the Constitution instead of defiance of it, for the Union instead of the Confederacy.

Here is a manifesto for men of good will, for leaders who seek not an irrecoverable past but a bright future, for Alabamians who are Americans. There is no other atonement for Alabama's shame.

Mr. HUMPHREY. Mr. President, these items are must reading, and I commend particularly to our colleagues the editorial in the Post, which I believe expresses fully and adequately the concern that all of us have and the feeling that we have about this tragic situation.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 10 a.m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 32 minutes p.m.), the Senate adjourned, in executive session, until tomorrow, Wednesday, September 18, 1963, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 17, 1963:

IN THE NAVY

The following-named officers of the U.S. Navy for temporary promotion to the grade of commander in the line, subject to qualification therefor as provided by law:

Abbott, John
Abel, Paul F.
Abels, Robert F.
Abromitis, William, Jr.
Adams, Clayton R.
Adams, Richard C.
Addicott, Leslie, Jr.
Adkins, Joe D.
Albars, Hugh W.
Alderman, Edward L.
Aldrich, Robert G.
Alford, Richard L.
Allard, Robert E.
Allen, Henry L., Jr.
Allison, George E.
Alt, Walter L.
Alvis, John H.
Andersen, John M.
Anderson, Lee O.
Anderson, Ralph L.
Anderson, Robert J.
Andrus, Jack F.
Armstrong, Colin L.
Atkin, Wayne H.
Atkins, "A" "J" Martin
Austin, Carl B.
Ayers, William R.
Bailey, George G.
Baird, Orlie G.
Bajus, John C.
Balch, Allen H.
Balish, Daniel
Balmforth, Stanford C.
Barie, Arthur H.
Barr, Max D.
Barrow, John C.
Bates, George M.
Bates, Richard W.
Baumann, Hugh B.
Bausch, Norbert L.
Beaman, Percy S.
Becker, Jerry T.
Beckwith, Reynolds
Beitzer, Francis J.
Belflower, Harry E., Jr.
Bellinger, Richard M.
Benson, Francis W., Jr.
Benton, Archie E.
Berger, David W.
Bernhardt, Robert B.
Bernstein, Earl J.
Bezore, Eugene
Bilderback, Oral J.
Bilkey, John H.
Birch, Stanley W., Jr.
Birdwell, Carl, Jr.
Bisceglia, Michael
Black, Arthur C.
Black, Don H.
Blackwell, Logan C.
Blair, Ira W.
Blakney, Walter T.
Blaskowsky, Carl
Blizard, Floyd N.
Boh, Roger M., Jr.
Bolan, Charles D.
Boston, Ward, Jr.
Bouffard, Edward N.
Bouslog, Eugene H.
Bowers, William W.
Boyd, Richard C.
Boykin, Rhodes, Jr.
Brady, James L., III
Brady, Robert E.
Brandt, Carl R.
Brannen, Richmond D.
Brannon, John W., Jr.
Braun, Joseph J.
Bremus, Martin F.
Briand, Rene L.
Briggs, Edward S.
Brockmann, Victor D.
Broughton, William R., Jr.
Broun, Leroy R.
Brown, Charles H.
Brown, Edward J.
Brown, Walter F.
Brown, Woolson S.
Brownell, Stuart M.
Brozena, John M.
Brummitt, Gerald F.
Brunson, James S.
Bryan, William L.
Bryant, Harry F., Jr.
Bryant, Paul G.
Bublitz, Robert E.
Buckbee, William D.
Buckingham, Winfred L.
Buckmaster, Albert T.
Buddhu, Roy E.
Buechler, Robert G.
Bueg, Stanley H.
Bueler, Charles M.
Bulmer, Robert W.
Burch, Clarence V., Jr.
Burgess, William L., Jr.
Burrows, Kenneth A.
Burton, James V.
Bushman, Herman J., Jr.
Butler, Dempsey, Jr.
Butler, Donald D.
Butler, James D.
Callaghan, William M., Jr.
Campbell, Ivan R.
Campomenosi, Louis J., Jr.
Capone, Lucien, Jr.
Carpenter, Earl C., Jr.
Carpenter, Ramon L.
Carr, Kenneth M.
Carruth, David C.
Carter, Charles C.
Carter, John T., Jr.
Cartwright, Billie J.
Carver, Edward S.
Case, Richard E.
Castle, Ernest C.
Castruccio, Nicholas A.
Cates, Charles W.
Chalbeck, John A.
Chambers, Horace B., Jr.
Cheesman, Thomas P.
Chessman, Samuel R.
Chevalier, Edmond A.
Chew, Robert S., Jr.
Chewning, Milton J.
Chipman, William T., Jr.
Chirillo, Louis D.
Christie, Eugene R.
Clark, Glenwood, Jr.
Clark, Wyndhem S., Jr.
Clarke, James C.
Clarke, Wade E.
Classen, Robert E.
Clauzel, Jean S.
Claytor, Richard A.
Cobb, Warrington C.
Colee, Cecil S.
Coley, Craig M.
Congdon, Robert N.
Conklin, William F.
Conolly, Robert C., II
Cook, Donald A.
Cook, Karl F.
Cook, Murray C.
Cornell, Kenneth E.
Counts, Stanley T.
Cowden, Jack
Cox, Sidney S.
Coyle, Arthur J.
Crabtree, Alan B.
Craig, Donald E.
Crevier, Albert W.
Crumpton, John R., Jr.
Cuddy, Thomas W.
Cullen, James H.
Cullison, Chester D.
Culwell, Jackson P.
Curtin, Theodore A.
Daniel, William A.
Danis, John F.
Darling, Richard B.
Davidson, John D.
Davis, George H.
Davis, John M.
Davis, Whittier G.
Day, Edward R., Jr.
Dearmond, Charles
Dearolph, David E.
Dejarnette, Hugh M.
Demyttenaere, Jules H.
Denham, John G.
Denny, Lewis E.
Derrick, Arthur C.
Dewenter, John R., Jr.
Dewolf, William W.
Dietrich, Edward O.
Dillman, Louis W.
Dittmann, George W.
Dittmar, William D.
Dixon, John C., Jr.
Dixon, William J.
Dobbs, Lewis L.
Doheny, John F.
Dombroski, Anthony
Donahoe, Norman K.
Donlon, John M.
Donnelly, William N.
Donovan, James A.
Dorenkamp, Kurt F.
Dorris, Claude E.
Dorsey, Laurens
Dotson, William C.
Douglass, Robert M.
Dowell, James W.
Downing, Joseph H., Jr.
Draim, John E.
Duck, John C.
Dughi, James R.
Dumoulin, John L.
Dunbar, Norman L.
Duncan, Richard T., Jr.
Duncan, Robert D.
Dunn, Alex R., Jr.
Dyer, Gerald W.
Dyer, Philip M.
Eakin, John C.
Eareckson, Frederick L., Jr.
Earley, Walter M., Jr.
Edmundson, James E.
Egan, Henry W.
Ekelund, John J.
Ellis, Harry B.
English, James F., Jr.
Enney, Kenneth E.
Ennis, Robert
Epps, John H.
Erb, Charles C.
Ettinger, Harry E., Jr.
Eustace, Robert J.
Evans, Delmar H., Jr.
Evans, William A.
Everling, Jack E.
Everngam, John L., Jr.
Farmer, Leo J.
Fasig, Richard D.
Fellowes, Robert E.
Fenlon, Leslie K., Jr.
Ferguson, Robert E.
Fine, Stanley S.
Finke, Eugene I.
Fitzgerald, Jean
Fitzgerald, Donald T.
Fleiner, Fred J.
Florence, George D.
Forrester, John J.
Foster, James R.
Foster, Wynn F.
Fowke, Benjamin B.
Fowler, Alfred N.
Franke, Fred A. W., Jr.
Fraser, William F.
Fritzke, Herman E., Jr.
Frost, Richard A.
Frothingham, Edward, Jr.
Fullinwider, Peter L.
Fusco, Arthur S.
Gabriel, Wallace S.
Galloway, Richard E.
Galyean, Loyd F.
Gartland, John P.
Geist, Alvin E.
Ghormley, Ralph M.
Gibbs, John D., Jr.
Gildow, William E.
Gillen, William V.
Gilmore, Frank C.
Goehring, Bernard E.
Golding, William M.
Goldman, Roy E.
Goodacre, Russell F., Jr.
Goodman, William F.
Gracey, Jack L.
Grady, Morris R.
Graham, Horace E.
Graham, Warren C., Jr.
Grayson, Roy R.
Green, John W.
Green, Richard
Gresham, John I.
Griffith, Harold F.
Grobmeier, Alvin H.
Guerrieri, Louis M.
Guilday, Thomas J., Jr.
Gussow, Milton
Guthe, Douglas B.
Guthrie, William S.
Hagler, Billy E.
Hall, Charles R.
Hall, Donald B.
Hall, Donald P.
Hall, Joseph F.
Hall, Robert W.
Hallman, Albert B.
Hamilton, Harold E.
Hamilton, Kennard R.
Hamlin, David R.
Hancock, Burton W.
Hanley, Richard J.
Hantzes, Savas
Hanus, Charles Z.

Harding, Norton D., Jr.
Harlan, James D.
Harlow, Robert J.
Harris, Wade H.
Haskell, William C.
Hasler, Arthur R., Jr.
Hathaway, Charles E.
Hawe, Stanley R.
Hayes, Donald J.
Hayes, James T.
Helmer, Dale P.
Henderson, Donald
Hendrickson, Robert C., Jr.
Henry, Albert G., Jr.
Herron, Russell G.
Hibbs, Alvin S.
Hilton, Robert P.
Himelick, Ronald V.
Hoag, Harold
Hodge, Alan G.
Hoffmann, Roy L.
Holdren, Leland A.
Holmes, Robert C.
Hoover, Lloyd N.
Hopkins, Thomas M.
Horn, Kenneth A.
Houchins, Lee S.
How, Alfred L., Jr.
Howard, Alfred M.
Howard, Cornelius S., Jr.
Hughes, David L.
Humphrey, John C.
Hunt, Harry E.
Hunter, Robert E., Jr.
Hurt, David A., Jr.
Hynes, Roy T.
Ince, Eugene S., Jr.
Jackson, Edward D., Jr.
James, John W.
James, Robert C.
Janiec, Roy T.
Jansen, Alan L.
Jenkins, Harry T., Jr.
Jenks, Albert L., Jr.
Jenks, Shepherd M.
Jensen, John L., Jr.
Jessen, George E.
Johnson, Francis C.
Johnson, Henry B.
Johnson, Jack K.
Jones, Francis N.
Jones, Gerald R.
Jones, Harry L.
Jones, Herman W.
Jones, Isaac F., Jr.
Jones, John W.
Jordan, Glenn D.
Josephson, John V.
Joss, Herbert L.
Juntilla, Harry W.
Jussel, Alfred R.
Kanak, Robert A.
Kanakanui, William A., Jr.
Karschnia, Paul T.
Kastner, Thomas M.
Katcher, Martin J.
Kauflin, James A.
Keiser, Richard M.
Keller, Harry S., Jr.
Keller, Jack E.
Kennedy, Robert W.
Kent, Theodore R.
Key, Harry N., Jr.
Kidd, John W.
Kilcline, Thomas J.
Kile, Newton A.
Kincade, Richard W.
King, Robert R., Jr.
King, William C.
Kinnear, George E. R., II
Kint, John R.
Kissick, James W., Jr.
Klapka, Edward J.
Klause, Joseph E.
Klein, Peter F.
Klemm, Vernon P.
Klinefelter, John W.
Klinker, Francis J.
Kneale, James E.
Knock, Franklin C.
Knudson, Harold F.
Koach, John H.
Koett, Lee E.
Komoroff, Robert A.
Koval, Francis P.
Kraus, Walter J.
Kreck, Victor G.
Kremidas, William S.
Krimmel, John E.
Kriser, Louis
Krueger, Otto E.
Lafferty, Frederick R., Jr.
Lamb, Chirs W.
Lamoreaux, Lewis S.
Larson, Norman O.
Laske, Robert M.
Law, Jason P.
Lawler, Robert L., Jr.
Lawrence, Kenneth W.
Lawson, Robert F.
Lebert, William A.
Lechleiter, Mark B., Jr.
Lechner, Thomas F.
Lee, George H.
Lesperance, Albert P.
Liles, James E.
Lindsey, Wesley E., Jr.
Livesay, Alvin R., Jr.
Llewellyn, William E.
Lockey, Richard R.
Lockwood, Warren H.
Loheed, Hubert B.
Loomis, Thomas A.
Loper, Ollie J.
Love, Warren H.
Lowry, Charles H., Jr.
Luff, Charles A.
Lynch, Leslie, O.
Lynch, William H.
Lynn, Doyle W.
Macdonald, Clinton D.
Macelwee, John F.
Madden, William E.
Maier, Arthur R., Jr.
Mallard, John B., Jr.
Mallinger, William D.
Malm, Frank S.
Maloney, Thomas E.
Mape, John C.
Marr, Harold L.
Marsh, Marvin D.
Marshall, John E.
Marshall, Lee R.
Martin, Charles E.
Martin, Robert J.
Martin, Ward K.
Martin, William L., III
Marzluff, Joseph O.
Masek, Floyd E.
Mashaw, Andrew J.
Mathis, Travis A.
Mayfield, Harley D.
Mayfield, Stanwix G., III
Mayo, Donald H.
McArthur, Kenneth V.
McCabe, Gerry M.
McCaig, James A.
McCallum, Elmer A., Jr.
McCann, Carl J.
McConeghy, John K., Jr.
McCord, John W.
McCreight, Major I., III
McCue, William W.
McCullough, Carlos D.
McDaniel, Charles B.
McDonald, Ewing R., Jr.
McDonald, Jack H.
McDonald, Thomas E.
McDowell, Charles E.
McEachern, Harold O.
McFarland, Ralph I.
McFarland, Milton C.
McFarlane, William D., Jr.
McGinnis, Thomas P.
McGrath, James J.
McKechnie, Russell R.
McLain, Roy W., Jr.
McLeod, Murdoch M.
McLuckie, William E.
McNamara, Thomas W.
McTammany, John A.
McVeigh, Paul J.
Mead, Frank C.
Mead, Merle P.
Meanix, William H., Jr.
Martz, Charles, III
Messere, Edward J.
Messier, Albert C.
Metcalf, John T., Jr.
Metcalf, Wayne C., Jr.
Metzger, Robert P.
Mayrick, Charles W.
Miles, Lee C.
Miller, David W.
Miller, David B.
Miller, Edmund A.
Miller, Roger J.
Milner, William G.
Mitchell, William T., Jr.
Mixon, Cameron O., Jr.
Mohlenhoff, William
Mohrhardt, Robair F.
Moloney, Robert J.
Monger, Albert J.
Monroe, Robert R.
Moore, Charles P.
Moore, Donald E.
Moore, Randolph
Moore, Robert S.
Moore, Sumner K.
Moorman, Eugene R.
Morel, Albert A., Jr.
Morey, Leonard, Jr.
Morgan, George E., Jr.
Morgan, Harry W., Jr.
Morgan, Joseph B.
Morin, James B.
Morris, James H.
Moss, Eugene C.
Mozley, Paul H.
Mulcahy, John E.
Mumma, William L.
Munday, Donald F.
Murphy, James F.
Murphy, William L.
Murray, Eugene R.
Murray, James D., Jr.
Myett, Paul J., Jr.
Myers, William A., III
Myrick, James E.
Neely, Guy M., Jr.
Neidhold, Carl D.
Neidlinger, Carl C.
Neise, Norman J.
Nellis, Donald P.
Nelson, Andrew G.
Nelson, Frank A.
Nelson, Frederick L.
Nelson, Robert E.
Nemer, Harold
Nesbitt, James D.
Nettnin, Leonard H.
Neville, Joseph T.
Newgard, Douglas L.
Nickerson, Richard H.
Noblet, Eugene J.
Noel, Lionel M.
Nolen, Dan R.
Norman, Robert D.
Norris, William J.
Notson, Raymond P.
Nottingham, Robert P.
Nugent, Thomas H., Jr.
Nystrom, Bruce A.
O'Connell, William R.
O'Connor, Roderick J., Jr.
Oesterreicher, John A.
O'Keefe, Patrick G.
Olson, Lyle R.
O'Reilly, Charles C., Jr.
O'Rourke, John J.
Orr, William E.
Orrill, Johnny W.
Ortlieb, Edward J.
Otth, Edward J., Jr.
Page, James R.
Page, Louis C., Jr.
Palazzolo, Anthony L.
Palmer, John G.
Parker, Hugh G., Jr.
Patton, James E.
Paul, Milton O.
Paulis, Joseph J., Jr.
Peck, Paul A.
Peksa, Charles F.
Pentinmaki, Walfred N.
Perry, Donald W.
Peters, Charles H.
Peterson, Richard J.
Phillips, Edward
Pickering, John H.
Place, William M.
Pollard, Robert D.
Porcari, Thomas J.
Porter, Kenneth A.
Post, Harry J.
Poteet, Alonzo M., Jr.
Potter, Louis C.
Pray, Robert E.
Previati, Louis J., Jr.
Prisley, John P.
Provost, Robert D.
Pstrak, Theodore W.
Quarg, William F.
Rader, Jack B.
Ragland, Roy J.
Ralston, Wesley L.
Ramsey, Lee M.
Rawsthorne, Edgar A.
Raymer, Gordon E.
Read, William L.
Redmon, William L.
Reichert, Herbert E.
Reid, Charles E., Jr.
Reiher, Eugene J.
Resch, Earl F.
Richards, Homer K., Jr.
Richmond, John W., Jr.
Riedl, Harold A.
Rigsbee, John T.
Riley, Jack
Riley, Jack D.
Ritter, Franklin O.
Roberts, James W.
Roberts, Liona R., Jr.
Robertson, Keith H.
Robins, Clarence O.
Rogers, David A.
Rogers, Edmund D., Jr.
Rogers, Edward B., Jr.
Rogers, Joseph P., Jr.
Roman, Paul D.
Romley, Richard M.
Rose, Samuel J., Jr.
Ross, Claude M.
Ross, Donald S.
Ross, William W.
Roth, Emil S.
Rothrock, George B., Jr.
Rudd, Richard O.
Ruggiero, John
Rumfelt, Milo
Rust, David
Saar, Charles W.
Sallada, William F.
Sander, Richard E.
Sanders, Ernest D.
Sandon, Kenneth M.
Sawtelle, William J.
Schaufelberger, Albert A., Jr.
Schleuning, Henry H., Jr.
Schlofman, Arthur S.
Schlosser, Frank P.
Schnorf, Richard A.
Schock, Robert E.
Schorz, Ernest H.
Schuler, Foster R.
Schwan, Harold C.
Schwartz, Richard D.
Schwoeffermann, Robert E.
Seelye, Thomas T., Jr.
Seligmiller, Harold L.
Shapiro, Sumner
Sharpe, William C.
Shaw, John D.
Sheehan, William R.
Shelton, Benjamin A.
Shepard, Philip B.
Shepherd, Burton H.
Schick, George B., Jr.
Shimmel, Albert F.
Shine, Eugene F., Jr.
Shute, John W.
Sizemore, William G.
Skinner, William A.
Slusser, Richard C.
Small, William N.
Smith, Carl R., Jr.
Smith, Charles R., Jr.
Smith, Donald A.
Smith, Frank A.
Smith, Frederic W.
Smith, George F.
Smith, George E.
Smith, Gerald F.
Smith, Gordon H.
Smith, Harold F., Jr.
Smith, Homer L.
Smith, James H. B.
Smith, Leon W.
Smith, Meredith A.
Smith, Paul E.
Smith, Robert H.
Smith, Robert L.
Smith, Ronald M.
Soberski, Floryan L.
Somers, Robert W.
Somerville, William H.
Somme, Maurice L.
Songer, Jack R.
Sourbeer, Emory R., Jr.
Southworth, Harrison B.
Sparks, Donald E.
Speed, Lincoln J.
Sproull, Harold H.
Stacy, Edward F.
Stammerjohn, Robert G.
Stansfield, Richard J.
Stell, Joe D.
Stephenson, Claude M.
Stevenson, Norman M.
Stiegman, Daniel B.
Stiles, Charles L.
Stringfellow, Reid
Stromberg, Herman A., Jr.
Struyk, Richard
Stuyvesant, William R.
Sullivan, Robert G.
Sumner, Donald A.
Sundberg, John P.
Swanson, Charles O.
Swanson, Peter S.
Swift, Douglas D.
Synhorst, Gerald E.
Swift, Douglas D.
Talmadge, Charles J.
Tarpenning, Duane A.
Taylor, Boone C.
Teed, John
Tegfeldt, Carl G.
Terry, Harold L.
Tesch, Bernard, Jr.
Thiele, Karl R.
Thom, Philip H., Jr.
Thomas, Harry E.
Thompson, Albert J.
Thompson, Robert M.
Thomson, Alexander D.
Thomson, Richard G.
Tigner, Robert E.
Tillerson, William E.
Tilton, Charles N.
Tissot, Ernest E., Jr.
Townes, John W., Jr.
Townsend, Marland W., Jr.
Train, Harry D., II
Tripp, Paul R.
Tucker, Richard M.
Twedell, Jack L.
Vangundy, Bryson, Jr.
Vanlunen, Lloyd M.
Vantol, John
Vayo, Myles P.
Vecchione, Felix S.
Venning, Elias, Jr.
Vogel, John C.
Vogt, Leonard F., Jr.
Walker, Charles M.
Walker, Harrison M., Jr.
Walker, John R.
Waller, Edward C., III
Walters, Robert L.
Ward, Glean W.
Ward, James F., II
Waring, Charles E., Jr.
Watkins, Frank T., Jr.
Watkins, James D.
Webber, James H.
Webster, Dean E.
Weeks, Robert E.
Weil, Albert J.
Wells, Frank P.
Wentworth, Thomas F., Jr.
Werner, David J.
Wheeler, Clifford D.
White, Joseph P.
White, Robert C.
Whitmore, Charles A., Jr.
Whyte, James D.
Wielki, Eugene J.
Wiener, Richard A.
Wilder, James D.
Willey, George H.
Williams, David T.
Williams, George A.
Williams, James E.
Williams, Peter A.
Williford, James R., III
Wilson, James C.
Wilson, James H.
Wilson, Louis A.
Wilson, Ralph E., Jr.
Wilson, Russell F.
Wilson, Thomas B., Jr.
Wilson, Thomas H.
Wirt, William O., Jr.
Wissler, John G.
Wold, John C.
Wolff, John M.
Wolford, Richard S.
Wood, Robert C.
Wood, Thomas B., Jr.
Wood, William H., III
Woodard, David J.
Woods, Edwin E., Jr.
Wooten, Guy G.
Wright, Walter J., Jr.
Wurlitzer, Robert E.
Wynn, James H., III
Yeatman, Richard P.
Yingling, Abdiel, R., Jr.
Young, Randall W.
Youngblade, Charles J.
Zajichek, Robert A.
Zeier, Frederick
Zekan, Charles J.
Zettel, Marcus A.
Zicht, Austin L.
Zimmerman, William R., Jr.
Zinsler, Frank G.

Lt. Comdr. Dorothy L. Maraspin for permanent promotion to the grade of commander in the line of the U.S. Navy subject to qualification therefor as provided by law.

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 17, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Colossians 3: 15: *Let the peace of God rule in your hearts.*

Eternal God, our Father, we rejoice that Thou art speaking to us in these moments of prayer, seeking to give wisdom to our minds and courage and peace to our hearts.

We humbly confess that we so frequently take counsel with our fears and allow the days of darkness and disaster, of chaos and confusion to shatter our faith and to shut out our vision of Thy grace and goodness.

Grant that as patriots and soldiers of righteousness we may conquer those moods of hatred and violence which are raging in the hearts of men and of nations and filling the life of humanity with so much sorrow and suffering.

May we gird ourselves with the spirit of brotherhood and good will and dedicate our strength of body, mind, and soul to the supreme task of building a civilization ruled by the Prince of Peace.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed a resolution, as follows:

S. RES. 199

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Honorable Leon H. Gavin, late a Representative from the State of Pennsylvania.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate, at the conclusion of its business today, adjourn until 10 a.m. tomorrow.

NULLIFICATION OF THE DIRECTIVE ISSUED BY THE DEPARTMENT OF DEFENSE ON JULY 26, 1963, IN REFERENCE TO THE GESELL REPORT

Mr. VINSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Speaker, I have today introduced a bill which, if enacted into law, will nullify the directive issued by the Department of Defense on July 26, 1963, that seeks to implement major portions of the Gesell report.

The bill I have introduced does not concern itself with integration or segregation. The bill merely keeps the military services out of the affairs of local communities and sovereign States.

The bill preserves the traditional relationship between the military and civilian elements of our Nation.

We have been most fortunate throughout the years of our existence that our armed services have not been involved in social reforms or political matters. And, I hope the House will agree with me that it would be a serious mistake for the armed services to be forced into becoming active exponents of social reform.

The bill simply keeps the military forces of the Nation where they belong—in the business of defending our Nation from its external enemies.

It keeps political commissars out of our Armed Forces. It keeps politics out of the promotion of officers and enlisted personnel. It keeps members of our Armed Forces out of local politics, State politics, and Federal politics. It preserves the time-honored tradition of keeping our Armed Forces free from all political tinges.

The future of this Nation is at stake. Too many nations of the world have fallen victims to overzealous military leaders. Until now we have never been threatened with this challenge, but the directive issued by the Secretary of Defense, the memorandum to the President of the United States, and the Gesell report, are clear warnings to every American citizen that the role of our military, unless we act, is about to undergo a sharp and dangerous change. My bill seeks to keep the military in the business of defending the Nation. Let the Congress, the courts, the States, and the people worry about social reform. Let the armed services concentrate on defending the Nation.

I repeat, the bill I have introduced does not deal with civil rights, integration, or segregation. It does not infringe upon the constitutional power of the President as the Commander in Chief.

It does put our Armed Forces back into the sole mission for which they are maintained—defending us against any would-be aggressor.

COMMITTEE ON RULES

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SMITH of Virginia. Mr. Speaker, on tomorrow the Committee on Rules will hear the application of the Committee on Ways and Means for a rule on the tax bill. There is considerable interest in this subject matter and our quarters in the Rules Committee are rather confining for a large crowd. For the convenience of the Members of the House who wish to be informed on the subject, and through the courtesy of the chairman of the Committee on Ways and Means, the Committee on Rules will meet not in our own chamber tomorrow but in the chamber of the Committee on Ways and Means in the New House Office Building in order to hear the application of the committee for a rule on the tax bill. There are many Members interested in this who would like to hear the discussion that will be carried on by the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS], and the ranking minority member, the gentleman from Wisconsin [Mr. BYRNES]. This meeting will be at 10:30 tomorrow morning.

COMMITTEE ON THE JUDICIARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 5 of the Committee on the Judiciary may be permitted to sit during general debate on September 17 and 18.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

"LET RIGHT BE DONE"

Mr. WELTNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WELTNER. Mr. Speaker, there was a time when a southerner was "moderate" for what he did not say. There was a time when silence amid the denunciations of others was a positive virtue. But, in face of the events of Sunday, who can remain silent?

Those responsible for the deed in Birmingham chose a Sabbath morning as the time, a House of God as the place, and the worshipers within as the victims. I do not know what twisted and tortured minds fashioned this deed. But I know why it happened. It happened because those chosen to lead have failed to lead. Those whose task it is to speak have stood mute.

And in so doing, we have permitted the voice of the South to preach defiance and disorder. We have stood by, leaving the field to reckless and violent men.

For all our handwringing and headshaking, we will never put down violence until we can raise a higher standard.

Though honest men may differ as to means, can we not affirm as a great goal of this Republic the concept—equality of opportunity.

Mr. Speaker, we need not so much new paragraphs on books of the law, as new precepts in the hearts of men. We need to raise, and to follow, this standard—as old as Christianity and as simple as truth—"Let right be done."

THE GESELL REPORT

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for

1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. **SIKES**. Mr. Speaker, the bold and courageous words uttered here a few moments ago by the distinguished gentleman from Georgia, the chairman of the Committee on Armed Services, are among the most salutary that I have heard. I commend him for his action. The bill which he proposes is one of the most needed measures before the Congress of the United States today. He shall have my wholehearted support.

Mr. Vinson's bill would set aside the Gesell report, which is one of the most dangerous documents I have seen. The recommendations of the Gesell Committee would subordinate the defense of the Nation to a program of integration of the races. It would have officers graded for promotion on the basis of their ability to bring about integration on and off base rather than on the basis of ability, courage, leadership, and honor. It proposes that bases be moved away from segregated areas without consideration for defense, training, or cost. It recommends the illegal procedure of labeling "off limits" those nonintegrated commercial establishments near military bases.

To my great disappointment, the administration is implementing into action some of these provisions. The morale of the military forces and the defense of the Nation require that the entire report be set aside. Mr. Vinson clearly spells out the weaknesses of the report and points to the fallacy of seeking to make military commanders supreme over the communities around them. For the first time in our history, the military would have clear ascendancy over civilians and, equally undesirable, for the first time the military would be subordinated to a commissar type system of operation. The Vinson measure is essential to the future of democracy in America and I sincerely hope there will be an outpouring of popular support nationwide for the bill.

Mr. **HÉBERT**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. **HÉBERT**. Mr. Speaker, the gentleman from Florida has just expressed the opinion of a majority of the Members of this House in saluting the distinguished gentleman from Georgia [Mr. Vinson] on the remarks which he previously made on the floor in connection with the Gesell report. On the afternoon of August 7, when the Gesell report was first brought to the attention of this body, many Members asked, "What is the Armed Services Committee going to do about it?"

The courageous, the patriotic and the bold expression by the gentleman from Georgia today, the dean of this House, is an emphatic, affirmative reply—that an attempt will be made certainly by the Committee on Armed Services under the leadership of the gentleman from Georgia to do something about this report and to take the military out of the business of social orders.

I have always been proud to serve under the gentleman from Georgia on the Committee on Armed Services and today I am prouder than ever to be associated with him.

The **SPEAKER**. The time of the gentleman from Louisiana has expired.

THE PROPOSED CONSTITUTIONAL AMENDMENT PERTAINING TO OFFERING OF PRAYERS IN PUBLIC SCHOOLS

Mr. **BECKER**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **BECKER**. Mr. Speaker, I do not know how many Members are aware of the fact that today the Secretary of Defense has been notified that action will be taken that chaplains are in violation of the Constitution of the United States, in our Armed Forces. I do not know how many Members know that in conjunction with this that chaplain services in our Military Academies is mandatory and this will be attacked. I do not know how many of you know that the suit in California today to eliminate "under God" in the Pledge of Allegiance is now in the supreme court in California and these attacks are being made day by day and I have little doubt in my mind that they will succeed in the Supreme Court of the United States as did the decision in 1962 and 1963. The discharge petition No. 3 is at the desk. All of you now, I believe, have a copy of the new amendment that will be substituted for House Joint Resolution 9 that covers this entire field of litigation, when the 218 signatures are secured, and the only way you are going to get a chance to act on this is to enact the constitutional amendment and get it going by signing the discharge petition and I hope you will do it now.

NURSING HOME CARE FOR VETERANS

Mr. **SCHADEBERG**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. **SCHADEBERG**. Mr. Speaker, I was privileged to serve as a member of the Special Subcommittee on Intermediate Care appointed by the distinguished chairman of the Committee on Veterans' Affairs. I attended every public hearing and every executive session scheduled by the chairman of the subcommittee. Together with other members of the subcommittee, I visited hospitals, State homes, and private nursing homes in various parts of the Nation. I listened carefully to the testimony of Government witnesses, representatives of State homes, national veterans organizations, and other national associations. I was tremendously impressed with the thoroughness of the subcommittee's treatment of this subject, but I was even more impressed with the urgent need for nursing care facilities to take care of the rapidly increasing aged veteran population. The product of our effort is, of course, H.R. 8009, the bill under consideration today.

Because of my belief in the merits of this bill, and in order to indicate my strongest possible support, I introduced H.R. 8007, a bill identical to that reported by our subcommittee.

The 2,000 Veterans' Administration beds authorized for nursing care in H.R. 8009 is but one approach to solving the problem of the aging veteran. Equally important are the provisions for extended outpatient for the treatment of certain conditions associated with advancing years; the provisions offering financial incentives to State homes to increase their facilities for nursing home care and the provisions authorizing the Administrator of Veterans Affairs to transfer patients to public or private nursing homes after they have received all the active medical treatment the hospital can provide.

While H.R. 8009 will save our taxpayers money by placing our veterans in need of limited hospital care in nursing type homes which have a per patient cost significantly lower than that of a hospital. The bill also will open up beds for the veterans who need hospitalization by releasing those who stay in the hospital only because no limited care facilities are available.

These are provisions that will relieve an already overburdened Veterans' Administration hospital system, and at the same time, provide an urgently needed benefit to the aged veteran who cannot afford private nursing care.

The American Legion, Veterans of Foreign Wars, Disabled American Veterans, AMVETS, and the Veterans of World War I, USA, Inc. have all testified in support of nursing care for veterans. Seldom are these great organizations so thoroughly in accord on a single issue. I believe this fact is significant and offers added evidence of the overwhelming need for this legislation.

Because of their age, the principal recipients of the benefits of this bill will be the veterans of World War I. Without question, H.R. 8009 will fulfill the most pressing need of this group of aging veterans. I urge your support.

GESELL REPORT

Mr. **RIVERS** of South Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER**. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, when I had the floor some time ago with regard to the infamous Gesell report, a lot of people asked me what Carl Vinson was going to do. Well, you have found out what Carl Vinson is going to do. He has just told you. Mr. Speaker, Carl Vinson wants to save the military of the United States from a political dictatorship and he wants to save America from a military dictatorship. He is interested in his country. He has told you why he opposes the Gesell report. You now have an opportunity to help us to save America now from the aspirations and the whims of certain people who have temporarily got our military in the clutches of their political hands.

Let us save this country from a military dictatorship. Let us help Carl Vinson. He knows what he is doing. He sees the danger signal.

Brother Gross, let us give Mr. Vinson a hand—saving this Nation is everybody's business.

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I, too, want to join with my colleagues in offering my sincere appreciation and gratitude to the distinguished chairman of the House Committee on Armed Services, our dean, the gentleman from Georgia, Congressman Vinson.

The passage of the legislation he has introduced today will preclude the possibility of a military dictatorship here in the United States, something that passed from a very remote possibility to a likely probability the day the President directed the Secretary of Defense to implement the provisions of the infamous Gesell report.

When I first brought this report to the attention of the Nation several months ago, I did so after discussing it with the illustrious dean of the House. I tell you that I could not believe what my eyes told me I was reading in the pages of the Gesell report. I read it over once; put it aside and reread it the following day. Convinced by then that the report did, indeed, do violence to the traditional relationship of the civilian and the military and did, indeed, break down the barrier that has in the past protected us from a military dictatorship, I went to the chairman of the Armed Services Committee with my fears.

Only then did I write to every Member of this and the other body, to the President, the Secretary of Defense, and the Secretaries of the arms of our service forces and to every daily newspaper in the country.

There is a man in this Chamber who sees the truth of the contents of the Gesell report in spite of any blackout. That man, and I spell it with a capital M, is Chairman Vinson.

The military must be kept in the role for which it was created, to protect and defend the United States from its aggressors.

BRACERO PROGRAM

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, some of our colleagues have been under the impression that all segments of organized labor, union labor, are opposed to the bracero program, Public Law 78. I would like to read briefly from a statement proving that the contrary is true. Cliff Jameson, secretary-treasurer for Teamsters' Local 186, which represents Santa Barbara and Ventura Counties in California stated last night as follows:

> We would be remiss in our duties if we did not stand behind the bracero program. We can't pack, can, freeze, dehydrate or haul crops that haven't been harvested.

The union has 1,500 members in the Oxnard, Calif., area alone.

GESELL REPORT

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the gentleman from South Carolina [Mr. Rivers] need not worry about the position of the gentleman from Iowa with respect to the Gesell report and its infamous recommendations. The gentleman from Iowa made his position clear on August 7, and the gentleman from Iowa on that day wondered about the whereabouts of the gentleman from Georgia [Mr. Vinson]. You know, we looked around for him here on the floor to find out where he stood on this particular issue, but he was not here. I wondered at that time if he was again taking a walk through the White House rose garden. I am glad to know today that he is on the side of those of us who on August 7 made our positions very, very clear in opposition to the Gesell report. I am delighted to have that information at this late date, and I hope he does not take another trip through the rose garden.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. I was facetious when I was referring to the gentleman from Iowa. I just want to say it is good to have him with us, and you know good and well that you and I and the gentleman from Georgia, Carl Vinson, can do a lot of things together.

Mr. GROSS. Let us say you and I.

CIVIL AERONAUTICS BOARD

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, this seems to be the season for criticizing CAB. I am not going to join in those criticisms. As a matter of fact, I am going to take the side of CAB. I am convinced that CAB does a very good job. I can say that in its Chairman, Alan Boyd, it has a distinguished public servant; one of the ablest that I have known and a man of forthright integrity.

The Board has been criticized for its decision on Northeast Airlines. I recall when equal criticism was directed to the Board when it authorized Northeast to operate in Florida. The feeling then was that existing lines would have their earnings seriously jeopardized by introducing another air carrier into the picture. I have not studied the evidence, but I would not for a moment think that CAB acted on caprice in now removing Northeast from the Florida scene.

In my judgment, the caliber of the men involved in this and in other decisions is such that we can be sure they have acted in good faith and that their decisions have merit.

CONSENT CALENDAR

The SPEAKER. This is the day for the call of the Consent Calendar. The Clerk will call the first bill on the Consent Calendar.

ACQUISITION OF PROPERTY IN SQUARE 758 IN DISTRICT OF COLUMBIA

The Clerk called the bill (S. 254) to provide for the acquisition of certain property in square 758 in the District of Columbia, as an addition to the grounds of the U.S. Supreme Court Building.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CLERK AND MARSHAL OF THE SUPREME COURT

The Clerk called the bill (H.R. 7235) to amend sections 671 and 672 of title 28, United States Code, relating to the Clerk and the Marshal of the Supreme Court.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

FACILITATING THE WORK OF THE DEPARTMENT OF AGRICULTURE

The Clerk called the bill (H.R. 7155) to facilitate the work of the Department of Agriculture, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER. This concludes the call of the Consent Calendar.

PRIVATE CALENDAR

The SPEAKER. This is the day for the call of the Private Calendar. The Clerk will call the first individual bill on the Private Calendar.

OUTLET STORES, INC.

The Clerk called the bill (H.R. 2300) for the relief of the Outlet Stores, Inc.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

DR. AND MRS. ABEL GORFAIN

The Clerk called the bill (H.R. 2706) for the relief of Dr. and Mrs. Abel Gorfain.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

CHARLES WAVERLY WATSON, JR.

The Clerk called the bill (H.R. 2728) for the relief of Charles Waverly Watson, Jr.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CONTE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

JOHN F. MACPHAIL

The Clerk called the bill (H.R. 5145) for the relief of John F. MacPhail, lieutenant, U.S. Navy.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

ROBERT ALEXANDER

The Clerk called the bill (H.R. 4505) to confer jurisdiction on the Court of Claims to entertain, hear, and determine a motion for a new trial on the claim of Robert Alexander.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the period of limitations for petitioning for new trial, jurisdiction is hereby conferred upon the United States Court of Claims to entertain, hear, and determine a motion for a new trial in behalf of the plaintiff on the claim of Robert Alexander, United States Court of Claims case numbered 295–58, on the grounds of newly discovered evidence, which evidence was discovered subsequent to the period within which a motion for a new trial could have been filed.

SEC. 2. Such motion may be instituted at any time within three months after the date of enactment of the Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HANS-DIETER SIEMONEIT

The Clerk called the bill (H.R. 1277) for the relief of Hans-Dieter Siemoneit.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HEMPHILL. Mr. Speaker, the objectors committee on both sides of the aisle have had a rule for some years that unless a bill has been on the calendar for a certain number of days it shall not be considered. Mr. Speaker, I ask unanimous consent that the further reading of the Private Calendar be dispensed with at this time.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

TO EXTEND AUTHORITY TO INSURE MORTGAGES

Mr. RAINS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1952) to extend and broaden the authority to insure mortgages under sections 809 and 810 of the National Housing Act.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 809 of the National Housing Act is amended—

(1) by striking out "October 1, 1963" in subsection (f) and inserting in lieu thereof "October 1, 1965";

(2) by striking out the first sentence of subsection (g)(1) and inserting in lieu thereof the following: "A mortgage secured by property which is intended to provide housing for a person (i) employed or assigned to duty at or in connection with any research or development installation of the National Aeronautics and Space Administration and which is located at or near such installation, or (ii) employed at any research or development installation of the Atomic Energy Commission and which is located at or near such installation, may (if the mortgage otherwise meets the requirements of this section) be insured by the Commissioner under the provisions of this section."; and

(3) by striking out clause (B) in subsection (g)(2)(iii) and inserting in lieu thereof the following: "(B) persons employed at or in connection with any research or development installation of the Atomic Energy Commission, as the case may be;".

SEC. 2. Section 810 of the National Housing Act is amended—

(1) by striking out clause (1) of subsection (b) and inserting in lieu thereof the following: "(1) the housing which is covered by the insured mortgage is necessary in the interest of national security in order to provide adequate housing for (A) military personnel and essential civilian personnel serving or employed in connection with any installation of one of the armed services of the United States, or (B) essential personnel employed or assigned to duty at or in connection with any research or development installation of the National Aeronautics and Space Administration or of the Atomic Energy Commission,";

(2) by striking out in the second sentence of subsection (d) "and employees of contractors for the armed services", and inserting in lieu thereof the following: "employees of contractors for the armed services, and persons described in clause (1)(B) of subsection (b) of this section"; and

(3) by striking out "October 1, 1963" in subsection (k) and inserting in lieu thereof "October 1, 1965".

The SPEAKER. Is a second demanded?

Mr. WIDNALL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. RAINS. Mr. Speaker, the bill before us, S. 1952, is, I believe, completely noncontroversial. All the bill would do is extend the life of two FHA mortgage insurance programs, sections 809 and 810, and make some minor changes in the law. S. 1952 passed the Senate by voice vote and it has the support of both the FHA and industry groups.

Section 809, which was added to the law in 1956, authorizes FHA mortgage insurance to finance the construction or purchase of owner-occupied homes for scientific and other essential personnel at research or development installations of the military departments and certain National Aeronautics and Space Administration and Atomic Energy Commission centers. The terms of these mortgages are similar to those under the regular FHA section 203 home mortgage program. A separate program was established for these places because so many of the installations are in remote areas or one-industry communities which are not appropriate for the 203 program. At present, 12 research and development centers are eligible and approximately 7,800 units have been insured.

The pending bill would make the following changes in the section 809 program. The program, which under present law has a cut-off date of October 1 of this year, would be extended for 2 years. This would make the termination date the same as that which applies under existing law to all other FHA programs. The bill would eliminate a restriction in existing law that confines the program to only two communities and make it available anyplace where there is a NASA or AEC research or development installation. These are the only changes which would be made in section 809.

Section 810 was added to the law in 1959 to supply off-base rental housing for military personnel and essential civilian employees of the armed services. Under the law the program is limited to 5,000 dwelling units and that ceiling would not be changed by the pending bill. So far, FHA has issued commitments on 623 units under this program and has applications in process for an additional 838 units. Most of the balance of the 5,000 units has been allocated to military bases where there appears to be a need for this kind of housing.

S. 1952 would make the following changes in section 810. First, it would extend the program 2 years until October 1, 1965. Second, it would make the program available at NASA and AEC research and development installations. This second change will meet the need for rental housing in these places and supplement the section 809 program which is confined to sales housing.

Mr. Speaker, this bill is needed to provide good housing for military personnel and key civilians who work at research and development installations. It goes without saying that our success in the space race and other vital scientific research depends on the caliber of men who work on the program. If we are to continue to attract and hold qualified people, we must make it possible for them to find good housing. Without this bill these two programs, which are entirely self-supporting and involve no cost to the Government, will expire in 2 weeks. I know of no opposition to the extension of these programs and the bill has broad-based support. I ask unanimous consent to include in the RECORD a letter of endorsement from the housing agency and letters of support from the National Association of Home Builders, the Mortgage Bankers Association, and the National Association of Real Estate Boards.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

(The matters referred to follow:)

HOUSING AND HOME
FINANCE AGENCY,
OFFICE OF THE ADMINISTRATOR,
Washington, D.C.

Subject: H.R. 8061, 88th Congress (Representative RAINS).

Hon. ALBERT RAINS,
Chairman, Subcommittee on Housing, Committee on Banking and Currency, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to the request of a member of your staff for a report on H.R. 8061, a bill "To extend and broaden the authority to insure mortgages under sections 809 and 810 of the National Housing Act."

The bill would extend from October 1, 1963 to October 1, 1965, the authority of the Federal Housing Administration to insure mortgages under sections 809 and 810 of the National Housing Act. Section 809 would be amended to make mortgage insurance available for sales housing for all personnel employed at or in connection with any research or development installation of the National Aeronautics and Space Administration or the Atomic Energy Commission. Under present law the program is available only for employees of the George C. Marshall Space Flight Center, Hunstville, Ala., and the research and development installation of the AEC in Los Alamos, N. Mex.

The section 810 rental housing program would be made available for housing for essential personnel at any NASA research or development installation. Under existing law the section 810 program is available only for Department of Defense personnel.

In addition, the bill would increase the number of dwelling units that can be financed with mortgages insured under section 810 from 5,000 to 10,000.

The housing agency has no objection to the extension of these two programs and the broadening of their coverage as provided in the bill. However, it recommends that if the limit on the number of dwelling units under section 810 is to be increased a provision should be added to that section similar to the provision now in section 809 which would protect FHA reserves for section 810 against losses on the additional housing due to the possible reduction or cessation of activities of the military or NASA. This provision would authorize the Secretary of Defense and the NASA Administrator to guarantee and indemnify the FHA Armed Services Housing Mortgage Insurance Fund against losses to the extent required by the Federal Housing Commissioner with respect to any mortgage insurance issued under section 810 pursuant to an application for mortgage insurance filed after enactment of this bill. However, no guarantee would be required for units authorized prior to its enactment. There is enclosed suggested language to be inserted in the bill for this purpose.

There is also enclosed a report on the present status of the two programs and the areas in which there is a need for housing to be financed under the programs.

The Bureau of the Budget has advised that there is no objection to this report from the standpoint of the administration's program.

Sincerely yours,

ROBERT C. WEAVER,
Administrator.

NATIONAL ASSOCIATION OF
REAL ESTATE BOARDS,
Washington, D.C., September 5, 1963.

Hon. ALBERT RAINS,
Chairman, Subcommittee on Housing, House Banking and Currency Committee, House Office Building, Washington, D.C.

DEAR MR. RAINS: It is our understanding that during the week of September 9 the Subcommittee on Housing, Committee on Banking and Currency, will consider H.R. 8061, a bill to extend and broaden the mortgage insurance programs under sections 809 and 810 of the National Housing Act.

The two programs, which have not yet realized their full potential, provide an excellent tool for the provision of much-needed sales and rental housing at certain military, research, or development installations. Our association, therefore, urges the extension of both programs beyond their 1963 termination dates.

We also endorse the extension of both programs to all NASA and AEC installations, and the dwelling unit increase under section 810 from 5,000 to 10,000 units. The necessity for locating many research and development facilities in relatively inaccessible areas, where there is little or no existing housing, poses a serious problem which these programs, when fully utilized, will be able to meet.

We urge the favorable consideration of the bill by your subcommittee.

Sincerely yours,

JOHN C. WILLIAMSON,
Director.

NATIONAL ASSOCIATION OF
HOME BUILDERS,
Washington, D.C., September 9, 1963.

The Honorable ALBERT RAINS,
Chairman, Housing Subcommittee of the House Banking and Currency Committee, Longworth Building, Washington, D.C.

DEAR MR. RAINS: As president of the National Association of Home Builders I am happy to endorse H.R. 8061, a bill to extend and broaden the authority to insure mortgages under sections 809 and 810 of the National Housing Act.

Our association is keenly interested in assisting the Defense Establishment, the National Aeronautics and Space Administration, and the Atomic Energy Commission in providing suitable housing for their qualified uniformed and civilian personnel. An extension of the 809 and 810 programs would permit a greater number of our builders to assist local communities having military and space installations to construct off-base housing at rental costs in keeping with the incomes of such personnel.

Providing privately built and privately owned housing for such Government employees is far less costly than appropriated fund housing located on Government land. The latter is expensive to maintain and contributes no taxes to local communities.

Therefore we support H.R. 8061 and hope that it will receive early and favorable action by the Congress prior to the expiration of these two programs, currently to occur at the end of this month.

Very sincerely,

W. EVANS BUCHANAN.

MORTGAGE BANKERS
ASSOCIATION OF AMERICA,
Washington, D.C., September 10, 1963.

Re H.R. 8061 and S. 1952.

Hon. ALBERT RAINS,
Housing Subcommittee, House Banking and Currency Committee, Old House Office Building, Washington, D.C.

DEAR MR. RAINS: The Mortgage Bankers Association of America has endorsed the extension of the effective date of section 809 and 810 of the National Housing Act. We are, therefore, pleased to endorse this provision in the above numbered bills.

Other sections of the bills, providing for a broadening of the program and increases in the number of units under section 810, have not been acted upon by the membership. However, the members have generally felt that utilization of FHA to stimulate special purpose housing without requirements of economic soundness is not in the best interest of FHA. For this reason, we would not wish to be considered in favor of these portions of these bills at this time.

Sincerely yours,

GRAHAM T. NORTHUP,
Director of Governmental Relations.

Mr. WIDNALL. Mr. Speaker, the gentleman from Alabama has said that this bill, S. 1952, is noncontroversial. I agree with my distinguished colleague. This is a bill concerned with the effort we are making in space. We are asking that the working conditions, of scientists engaged in that program be made equal to those of our other citizens. The extension of FHA's present 809 and 810 programs and their expansion to all NASA and AEC installations, will do just that.

Passage of this legislation will assure the military and essential civilian personnel, of NASA and the AEC, the same opportunity to buy or rent a home under the 809 and 810 programs that other citizens have under other FHA programs such as the 203 home mortgage program.

When the Government set up the testing laboratories and experimental stations of the National Aeronautics and Space Agency and the Atomic Energy Commission, it placed them in underpopulated and remote areas. The reasons for this were obvious. Unfortunately, the advantages of these areas were not balanced by suitable housing facilities. In addition, these areas, apart from the defense effort, did not have the economic soundness that the Federal Housing Administration requires as a condition precedent to issuing mortgage insurance.

What this meant, prior to the enactment of the 809 and 810 programs, was that military or essential civilian personnel, working at NASA or AEC installations, were being asked to do so at a considerable personal sacrifice. This was unfair and not commonsense. The enactment of programs 809 and 810 into law restored personal justice to a large number of people making a considerable contribution to what has become a vital undertaking of this country. For the same reasons that these programs were enacted, they should now be extended.

The expansion of the programs, previously limited to military installations, to cover any NASA and AEC installation, is in line with the transfer of the direction of these programs from military to civilian control. The extension of the programs for 2 years, until October 1, 1965, brings them in line with the expiration of other FHA programs. And, most importantly, they extend a service to a number of highly qualified people who are rendering a very important service to this country.

Mr. Speaker, I join with my colleague, the very able chairman of the Housing Subcommittee of the House of Representatives, and urge passage of S. 1952.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

AMENDMENTS TO THE RAILROAD RETIREMENT ACT

Mr. HARRIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8100) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—AMENDMENTS TO THE RAILROAD RETIREMENT ACT OF 1937

SECTION 1. Section 3(a) of the Railroad Retirement Act of 1937 is amended by striking out "$250" and inserting in lieu thereof "$300".

SEC. 2. Section 3(c) of the Railroad Retirement Act of 1937 is amended by inserting before ", shall be recognized" in the second sentence the following: "and before the calendar month next following the month in which this Act was amended in 1963, or in excess of $450 for any month after the month in which this Act was so amended".

SEC. 3. Section 4(k) of the Railroad Retirement Act of 1937 is amended by striking out "by the individual who rendered such military service", and by striking out "six months" and inserting in lieu thereof "twelve months".

SEC. 4. Section 4(n) of the Railroad Retirement Act of 1937 is amended—

(1) by inserting after "January 1, 1937," in the first and sixth sentences the following: "and after June 30, 1963,";

(2) by striking out "after December 1956" in the first sentence and inserting in lieu thereof "after December 31, 1956, and before July 1, 1963,";

(3) by striking out the second, third, and fourth sentences and inserting in lieu thereof the following: "The additional cost of crediting military service rendered prior to January 1, 1937, and after June 30, 1963, shall be determined as follows: (i) determine the difference between the actuarial value of the benefit payable under this Act based in part on military service and the actuarial value of the benefit which would be payable to the same individual without regard to military service; (ii) with respect to military service rendered after June 30, 1963, adjust such difference by applying thereto the ratio of the total net level cost of all benefits under this Act to the portion thereof remaining after the exclusion of administrative expenses and interest charges on the unfunded accrued liability after taking into account the effects of section 5(k)(2); and (iii) subtract the actuarial value of such benefit based on the individual's military service as is includible in determinations made pursuant to section 5(k)(2). In calculating these actuarial values, the Board shall use such mortality tables and actuarial factors as it finds appropriate; the ratio referred to in clause (ii) of the preceding sentence shall be determined from time to time by the Board on the basis of actuarial estimates made in accordance with section 15; and all actuarial values shall be calculated as of the date on which the benefit based on military service begins to accrue and shall not thereafter be subject to change. All actuarial calculations in this subsection shall take into account interest at the rate used in the actuarial estimates referred to in the preceding sentence.";

(4) by striking out all of the seventh sentence after "thereon" and inserting in lieu thereof a period;

(5) by striking out the eighth sentence and inserting in lieu thereof the following: "In determining pursuant to section 5(k)(2) for any fiscal year the total amount to be credited from the Railroad Retirement Account to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, credit shall be given such Account for the amount of the taxes described in clause (3)(B) of the first sentence of this subsection and the amount of such taxes with respect to military service after June 30, 1963."; and

(6) by adding at the end of the subsection the following new sentences: "The amount authorized to be appropriated to the Railroad Retirement Account pursuant to clause (2) of the first sentence of this subsection shall be reduced by the amounts credited to such Account pursuant to section 5(k)(2) for military service rendered before January 1, 1957. and the amounts so credited shall be considered as additional costs within the meaning of section 217(g) of the Social Security Act. In any determination made pursuant to section 5(k)(2), no further charges shall be made against the Trust Funds established by title II of the Social Security Act for military service rendered before January 1, 1957, and with respect to which appropriations authorized by clause (2) of the first sentence of this subsection shall have been credited to the Railroad Retirement Account, but the additional benefit payments incurred by such Trust Funds by reason of such military service shall be taken into account in making any such determination."

SEC. 5. Section 5(f)(2) of the Railroad Retirement Act of 1937 is amended by inserting after "so amended" (in the first parenthetical phrase after clause (vi)) the following: "and before the calendar month next following the month in which this Act was amended in 1963, and in excess of $450 for any month after the month in which this Act was so amended".

SEC. 6. (a) Section 5(1)(9) of the Railroad Retirement Act of 1937 is amended—

(1) by striking out "and" where it appears the third time;

(2) by inserting after "so amended" the following: "and before the calendar month next following the month in which this Act was amended in 1963 and any excess over $450 for any calendar month after the month in which this Act was so amended"; and

(3) by striking out "$400" where it appears the second time and inserting in lieu thereof "$450".

(b) Section 5(l)(10) of such Act is amended by striking out "$40" and inserting in lieu thereof "$450".

SEC. 7. (a) Section 15 of the Railroad Retirement Act of 1937 is amended by striking out the third sentence of subsection (a); and by striking out subsection (b) and inserting in lieu thereof the following:

"(b) At the request and direction of the Board, it shall be the duty of the Secretary of the Treasury to invest such portion of the amounts credited to the Account as, in the judgment of the Board, is not immediately required for the payment of annuities, pensions, and death benefits. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (1) on original issue at the issue price; or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the Account. Such obligations issued for purchase by the Account shall have maturities fixed with due regard for the needs of the Account, and shall bear interest at a rate equal to the average market yield, computed as of the end of the calendar month next preceding the date of such issue, borne by all marketable interest-bearing obligations of the United States then forming a part of the public debt that are not due or callable until after the expiration of three years from the end of such calendar month, except that where such rate is not a multiple of one-eighth of 1 per centum, the rate of interest on such obligations shall be the multiple of one-eighth of 1 per centum nearest such rate: *Provided*, That the rate of interest on such obligations shall in no case be less than 3 per centum per annum. The Secretary of the Treasury may purchase other interest-bearing obligations of the United States, or obligations guaranteed as to both principal and interest by the United States, on original issue or at the market price only if he determines that such purchases are in the public interest, provided that the investment yield of such obligations shall not be less than the interest rate determined in accordance with the preceding sentence. If it is in the interest of the Account so to do, the Secretary of the Treasury may sell and dispose of obligations in the Account and he may sell obligations acquired by the Account (other than special obligations issued exclusively to the Account) at the market price. Special obligations issued exclusively to the Account shall, at the request of the Board, be redeemed at par plus accrued interest.

All amounts credited to the Account shall be available for all purposes of the Account."

(b) The Secretary of the Treasury is authorized to retire the special obligations held by the Account on the date of enactment of this Act and to issue in lieu thereof special obligations with an interest rate determined as provided for in section 15(b) of the Railroad Retirement Act of 1937 as amended by this Act.

SEC. 8. The provisions of sections 1, 2, 5, and 6 of this Act shall be effective with respect to annuities accruing and deaths occurring after the month in which this Act is enacted. The provisions of section 3 shall be effective with respect to annuities awarded on or after the date of enactment of this Act. The provisions of section 7(a) shall be effective on the date of the enactment of this Act.

TITLE II—AMENDMENTS TO THE RAILROAD RETIREMENT TAX ACT

SEC. 201. Sections 3201 and 3211 of the Railroad Retirement Tax Act are each amended by inserting before the colon the following: "before the calendar month next following the month in which this provision was amended in 1963, or $450 for any calendar month after the month in which this provision was so amended".

SEC. 202. Sections 3202 and 3221(a) of the Railroad Retirement Tax Act are each amended by inserting after "$400" wherever it appears the following: "for any calendar month before the calendar month next following the month in which this provision was amended in 1963, or $450 for any calendar month after the month in which this provision was so amended".

TITLE III—AMENDMENTS TO THE RAILROAD UNEMPLOYMENT INSURANCE ACT AND THE TEMPORARY EXTENDED RAILROAD UNEMPLOYMENT INSURANCE BENEFITS ACT OF 1961

SEC. 301. (a) Section 3 of the Railroad Unemployment Insurance Act is amended to read as follows:

"Qualifying Condition

"SEC. 3. An employee shall be a 'qualified employee' if the Board finds that his compensation will have been not less than $750 with respect to the base year, and, if such employee has had no compensation prior to such year, that he will have had compensation with respect to each of not less than seven months in such year."

(b) The amendment made by subsection (a) shall be fully effective with respect to base years after 1963. With respect to the base year 1963, they shall be applicable only to an employee concerning whom the Railroad Retirement Board finds that his compensation in that portion of the calendar year 1963 preceding the first day of the calendar month next following the month of enactment of this Act will have been less than $500.

SEC. 302. (a) Section 4 (a–2)(i) of the Railroad Unemployment Insurance Act is amended to read as follows:

"(i)(A) subject to the provisions of subdivision (B) hereof, any of the days in the period beginning with the day with respect to which the Board finds that he left work voluntarily, and continuing until he has been paid compensation of not less than $750 with respect to time after the beginning of such period;

"(B) if the Board finds that he left work voluntarily with good cause, the provisions of subdivision (A) shall not apply, with respect to him, to any day in a registration period if such period does not include any day which is in a period for which he could receive benefits under an unemployment compensation law other than this Act, and he so certifies. Such certification shall, in the absence of evidence to the contrary, be accepted subject to the penalty provisions of section 9(a) of this Act;".

(b) The amendment made by subsection (a) shall be effective only with respect to an employee who leaves work voluntarily after the date of enactment of this Act.

SEC. 303. (a) Effective with respect to compensation paid after December 31, 1963, section 8(a) of the Railroad Unemployment Insurance Act is amended by striking out "3¾" in the table and inserting in lieu thereof "4".

(b) Effective with respect to contributions collected by the Railroad Retirement Board pursuant to section 8(f) of the Railroad Unemployment Insurance Act on compensation paid after December 31, 1963, that part of such contributions equal to one-fourth of 1 per centum of the compensation on which such contributions are based shall, notwithstanding the provisions of section 10(b) of such Act, be applied by the Board exclusively for transfers from the railroad unemployment insurance account to the general fund of the Treasury until the full amount advanced from the general fund of the Treasury to the railroad unemployment insurance account pursuant to section 4 of the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 has been repaid.

(c) The last sentence of section 4 of the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 is hereby repealed, effective with respect to contributions collected on compensation paid after December 31, 1963.

SEC. 304. Effective with respect to contributions collected by the Railroad Retirement Board after December 31, 1961, section 8(f) of the Railroad Unemployment Insurance Act is amended by striking out "0.2 per centum" and inserting in lieu thereof "0.25 per centum".

SEC. 305. Effective after June 30, 1964, section 10(d) of the Railroad Unemployment Insurance Act is amended by striking out "the rate of 3 per centum per annum" and inserting in lieu thereof "a rate for each fiscal year equal to the average rate of interest borne by all special obligations held by the Railroad Retirement Account on the last day of the preceding fiscal year, rounded to the nearest multiple of one-eighth of 1 per centum".

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

CALL OF THE HOUSE

Mr. BELL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. ALBERT). Evidently a quorum is not present.

Without objection, a call of the House is ordered.

There was no objection.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 147]

Abernethy
Adair
Ashley
Aspinall
Avery
Baring
Barry
Bennett, Mich.
Berry
Bolton,
  Frances P.
Brock
Buckley
Clark
Clawson, Del
Collier
Cooley
Corman
Curtis
Daddario
Derwinski
Diggs
Dulski
Dwyer
Edmondson
Ford
Fulton, Tenn.
Gill
Gray
Gubser
Gurney
Hagen, Calif.
Hansen
Hays
Hoeven
Hoffman
Hutchinson
Jensen
Jones, Mo.
Kelly
Kilburn
Kluczynski
Laird
Landrum
Lesinski
Long, La.
McMillan
Macdonald
Madden
Mailliard
Martin, Calif.
Martin, Mass.
May
Michel
Miller, Calif.
Morrison
Morse
Mosher
Norblad
O'Brien, Ill.
Patman
Pilcher
Pirnie
Poage
Powell
Purcell
Reifel
Rhodes, Ariz.
Rooney, N.Y.
Roudebush
Roybal
Ryan, N.Y.
St. George
St. Onge
Saylor
Schwengel
Selden
Shelley
Sickles
Smith, Iowa
Staggers
Stephens
Thompson, La.
Thompson, N.J.
Tollefson
Wallhauser
White
Whitener
Wickersham
Willis

The SPEAKER pro tempore. On this rollcall 342 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDMENTS TO RAILROAD RETIREMENT ACT

Mr. HARRIS. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, this bill, H.R. 8100, amends the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961.

The bill was considered after hearings by the full Committee on Interstate and Foreign Commerce. It was unanimously reported by the committee. It has the full support of railroad management, the railroad industry, and it has the full support of the Railway Labor Executives Act, an organization composed of all of the railroad labor organizations.

The bill was recommended at the outset by the Railroad Retirement Board. There were some slight differences at that time between the bill as recommended by the Board and a later bill recommended by the Railway Brotherhoods.

Consultations were had between the various groups and organizations interested, and as a result H.R. 8100 was introduced to carry out the agreement between all of those interested in this problem at that time. So, Mr. Speaker, we have a very important problem before the House today in which the railroad industry, railroad management and the railroad brotherhoods, are in accord. I know this will be pleasing to all Members of the House in view of our recent experience.

Mr. Speaker, I should like to make the record complete as to why this bill is needed.

Under the Railroad Retirement Act of 1937, railroad employees have their own separate and independent retirement system, financed by payroll taxes paid by both employees and the carriers. For a variety of reasons, the railroad retirement account, into which these taxes are paid and out of which benefits are paid, has developed an actuarial deficit. There is approximately $4 billion in the account today; however, the income of the fund today is somewhat below the amounts required to finance all future obligations of the fund. Currently, the fund is running a deficit at the rate of approximately $77 million a year on a level basis.

The bill before us today is designed to reduce that deficit to approximately $16 million a year, which is a figure well within accepted actuarial limits for a fund of this size.

In addition, Mr. Speaker, the bill is designed to deal with the deficits plaguing the railroad unemployment insurance fund. The Railroad Unemployment Insurance Act, which was enacted in 1938, established a separate and independent unemployment insurance system for railroad employees. This system is financed by payroll taxes imposed upon the carriers, on a sliding scale, with a maximum rate of tax at present of 3¾ percent of taxable payroll.

Because of the extremely high rate of unemployment in the railroad industry in recent years, the railroad unemployment insurance fund has become depleted, and in order for benefits to be paid, it was necessary for the Congress to authorize the unemployment system to borrow funds to meet obligations. At the present time, the unemployment insurance fund owes $300 million to the railroad retirement account.

This bill is designed to meet this problem by increasing the permanent maximum rate of contributions required of the railroads from 3¾ to 4 percent of taxable payroll, and by tightening up some of the requirements for the payment of railroad unemployment insurance benefits.

It is estimated that the changes in the unemployment insurance system will improve its position by approximately $20.3 million a year, which should soon eliminate the necessity of further borrowing by the system, and will permit gradual repayment of its indebtedness to the railroad retirement fund.

At this point I would like to emphasize that the loans to the unemployment insurance fund in no way affect the financial condition of the railroad retirement system. These loans bear interest at the same rate as other obligations held by the railroad retirement account, and these loans will be repaid in full. The financial position of the railroad retirement system is not affected in any way by this borrowing authority.

Mr. Speaker, I mentioned earlier that this bill would improve the financing of the railroad retirement system. These improvements, in general, would occur through three principal changes in the law.

The first change increases the amount of compensation subject to taxes under the Railroad Retirement Tax Act from $400 monthly to $450 monthly; second, the bill makes certain changes in the method of payment to the railroad retirement account for military service, and the committee has been informed that appropriations hereafter will be requested to make payment on account of certain military service credits; and third, the bill provides a new method for determining interest rates on obligations held by the railroad retirement account, provides that the rate of interest paid on these obligations may not go below 3 percent, and provides for the immediate conversion of all 3 percent obligations presently held by the account into obligations bearing the new interest rate.

Mr. Speaker, hearings were held on September 11. All witnesses appearing supported the bill. The Bureau of the Budget and the Treasury Department in general support the bill, though they oppose the provisions of the bill providing for the immediate conversion of the railroad retirement account into obligations bearing the new interest rate, and they oppose the guaranteed minimum interest rate of 3 percent. The committee considered their position and decided to retain the provisions of the bill as introduced for the reasons set out in the committee report.

I also wish to call the attention of the House to the fact that the Bureau of the Budget raises some questions about this bill. Their concern is over the guarantee of a minimum floor of 3 percent on the interest drawn by the retirement account. Let me remind you that in 1937 we provided a 3-percent interest rate to be paid to the railroad retirement account on funds held by the Treasury Department. The record shows that during the years from 1937 to 1956 the Treasury Department lost $230 million because of this interest rate. From 1956 to today the Treasury has gained approximately $230 million because of this interest rate. So in the long run the Treasury of the United States has just about broken even under this procedure in handling the railroad retirement fund. I do not believe that the concern of the Budget or the Treasury Department in this regard should prevent this legislation from being enacted into law.

This is an important program. The Railroad Retirement Fund is not in balance, and it should be. The employees and employers have agreed to increase the payments which they make, half of them by the employees and half by the employers, in order to make this a sound, stable program. That is precisely the problem here.

I commend the bill to the favorable consideration of the House. The committee reported it unanimously. We did not receive the newest report of the Bureau of the Budget until after this report was filed, we did not receive the letter from the Treasury Department until after the report was filed, and we did not receive the letter from the Labor Department until after our report was filed.

The Labor Department wants assurances that this procedure will not become a precedent affecting the State unemployment insurance programs. We do not intend that this bill be such a precedent. We intend it to be applicable only to this program, and in no way should it affect the State unemployment programs and it is not so intended.

We feel this is a program that has been worked out adequately and should be approved.

At this point in the RECORD, I place the latest report from the Bureau of the Budget, from the Treasury Department, and from the Labor Department:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., September 12, 1963.

Hon. LISTER HILL,
Chairman, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: On August 29 and 30 the Bureau of the Budget wrote you a letter commenting on S. 2056 and S. 1356, bills which would make major changes in the financing of the railroad retirement and the unemployment insurance programs.

I have just learned that the House Interstate and Foreign Commerce Committee has reported a bill identical to S. 2056. I understand, moreover, that your committee will hold hearings on this legislation in the early future. I am writing to express my personal concern about two provisions in this legislation in the light of our extremely tight overall budget situation. The budgetary effect of these provisions would be to increase budgetary costs over a 10-year period by more than $200 million and would increase the 1965 budget requirements by approximately $25 million. More importantly, it would establish a principle which if applied to other trust funds would add to the Federal budget about one-third of $1 billion a year and an accumulated cost of about $2 billion over the next several years.

I am sure that in the light of our overall budget situation you would agree that I would be remiss if I did not call this to your personal attention. The financing proposals in the administration bill, S. 729 (also before your committee) do not contain these provisions and are, we believe, eminently fair to all parties concerned.

The first change from the administration bill couples a statutory minimum floor of 3 percent to desirable changes which extend the flexible market yield criteria to investments of the railroad retirement account. The second requires that all present investments of the account be converted immediately to the new market yield criteria.

The proposed guaranteed 3-percent floor would seriously conflict with the market yield principle by making it possible for these funds to earn more than would be received by private investors in Government securities. The Congress in recent years has enacted this fully flexible formula for the social security and the civil service retirement funds without any floor. A guaranteed floor does exist for the veterans' life insurance trust funds which are also invested under the market yield formula, but with the significant differences that a ½-percent offset in the interest yield is made by the Treasury as compensation for the special floor.

Enactment of S. 2056 (or S. 1356) would not only violate the principle of a fully flexible yield now applicable to the comparable social security and civil-service retirement funds but would also create pressures for removal of the offset from the veterans' funds. A guaranteed floor without the ½-percent offset for the current investments of the veterans' funds would adversely affect the Federal budget and increase the interest costs to the Treasury, and the general taxpayer by about $35 million per year.

Investments of the social security, civil service retirement, and the veterans' funds are being converted gradually over a 10- to 15-year period. We see no significant difference in the character or in the investments of the railroad retirement account to warrant an immediate conversion. Should an immediate conversion be extended to these other major trust funds, it is estimated that the increased costs to be borne by the taxpayer would be about $2 billion, of which approximately a third of a billion would be incurred in the first year.

Furthermore, immediate complete conversion of existing investments could serve as a precedent for immediate conversion of future investments, should there be a rise in the average market yield. By contrast, any private investor who seeks to convert his long-term Government securities to those yielding a higher interest rate must sell his existing securities at the market value which frequently may be below par.

In summary, S. 729 provides a fully flexible interest formula and a 10-year rollover of investments for the railroad retirement account which together with other changes brings the railroad retirement system within reasonable actuarial balance. For the reasons outlined above, I urge that your committee modify S. 2056 (or S. 1356) along these lines.

The Secretary of the Treasury joins me in supporting such modifications.

Sincerely,

KERMIT GORDON.

THE SECRETARY OF THE TREASURY,
Washington, September 12, 1963.

The Honorable OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: It has come to my attention that you have introduced H.R. 8100, a bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes.

As in the case of H.R. 3310 and H.R. 4885 which you introduced, one of the principal purposes of the bill is to change the rate of interest prescribed to be paid by the Treasury on special obligations it issues to the Railroad Retirement Account. The statute fixed the present 3-percent rate in 1937; the proposed legislation would change this flat 3-percent rate to a formula relating the rate to the market yield on long-term marketable Treasury issues. (Currently this market-yield formula would produce a rate of 3⅞ percent.) I favor this proposal.

Two provisions have been added to this desirable proposal, however, which give me concern. These added provisions, which were also added in H.R. 4885, would (1) provide for immediate conversion of all of the special obligations held by the account to the rate fixed under the proposed formula, and (2) retain the 3-percent rate as a guaranteed floor under the rate calculated by means of the formula. These two provisions were not in the legislation proposed by the administration, which you introduced as H.R. 3310, because they are not consistent with the treatment accorded to any other trust fund and would give this account an unwarranted benefit at the expense of the general taxpayer.

In recent years actions have been taken to adopt the market-yield formula for fixing the rates of interest on the special obligations issued to most of the major trust funds. This formula has been adopted because it has the advantage of producing a rate which responds quickly to interest rate changes generally. In every case provision has been made for conversion of the total investment in special obligations to rates fixed under the new formula over a period of time, for example 15 years in the case of the old-age and survivors insurance trust fund and 10 years in the case of the civil service retirement fund. This period of conversion is a recognition of the long-term character of these funds. There is no justification for treating the railroad retirement account differently. For almost the first 20 years of its life the flat 3 percent rate provided for the account was higher than the rate the market-yield formula would have produced; it has been only in recent years that the market-yield formula has produced a higher rate. The largest of all funds, the old-age and survivors insurance trust fund, received substantially less than 3 percent on the special obligations issued to it until as recently as 1960. The immediate conversion proposed by H.R. 8100 would provide a windfall for the account which would have to be paid for by the general taxpayer. To provide this same treatment for all of the funds would cost the general taxpayers almost a third of a billion dollars in the first year alone, and gradually declining amounts in successive years.

The proposal in the bill for retaining the present 3-percent rate as a guaranteed floor would be equally unwarranted and inconsistent with principle. In the cases of two trust funds in which a guaranteed floor has been coupled with a change to a rate related to the market yield (the veterans insurance funds), the formula has provided for reducing the market-yield rate by one-half of 1 percent in consideration for the guaranteed floor. In the cases of the other funds for which a rate related to the market yield has been adopted, the formula provides no floor and hence no reduction from the market-yield rate. The fact that the account has had a flat 3-percent rate provides no excuse for retaining that rate as a floor. As I pointed out above, the 3-percent rate has been higher than the market yield during most of the account's existence, and the 3-percent rate has been considerably higher until very recently than the rate on special obligations issued to the prototype and largest of all trust funds, the old-age and survivors insurance trust fund. For all of this period the 3-percent rate was in itself advantageous to the account; the fact that the account has had this advantage is no basis for a further advantage through retention of the 3-percent rate as a floor.

I strongly urge your committee not to jeopardize the enactment of the highly desirable features of this proposed legislation by including the unjustified provisions for the guaranteed floor and for the immediate conversion.

I would also like to reiterate the point made in the Department's report on H.R. 3310 and H.R. 4885 that the language of the Railroad Retirement Tax Act, which title II of the bill would amend, could be considerably improved by some revision of title II. The revision of title II suggested in that report, which would make no substantive change in the provisions proposed by the bills, is attached.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this report to your committee.

Sincerely yours,

DOUGLAS DILLON.

U.S. DEPARTMENT OF LABOR,
Washington, September 13, 1963.

Hon. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The Department of Labor would like to take this occasion to express for the record our views with respect to certain disqualification features of amendments to the Railroad Unemployment Insurance Act made by H.R. 8100, the bill to improve the financing of the railroad retirement and railroad unemployment insurance systems, both of which have large deficits.

Without commenting on the technical features of the financing provisions of H.R. 8100, we do support improving the financing of both these systems. We note that the bill carries the endorsement of both railroad management and railroad labor organizations, as well as the members of the Railroad Retirement Board, which administers the two systems.

The Department would merely like to go on record as stating that enactment of these disqualification provisions for the railroad industry would not imply that the Federal Government would have no objection if such provisions were adopted widely in the regular State unemployment insurance laws as a part of the regular Federal-State unemployment insurance system with which this Department is so directly concerned. As we understand it, the disqualification provisions would work as follows: A railroad worker who is separated involuntarily from his railroad job, takes another job in a nonrailroad industry, and then voluntarily quits the latter job without good cause is disqualified from receiving any railroad unemployment insurance until he earns $750 more in railroad employment following the voluntary quit. The disqualification would bar him from his railroad benefits even if, after his voluntary quit, he had had another nonrailroad job from which he was laid off for lack of work, so that his voluntary quit is not the cause of his present unemployment.

Moreover, if such a worker quit his nonrailroad job with good cause, he could not receive railroad unemployment insurance until he had exhausted any State unemployment insurance to which he might be entitled. Since his nonrailroad earnings in such a situation are likely to be low, his State benefit would generally be considerably below the railroad benefit to which he was entitled. Under existing law, the worker would not be required to draw the lower benefit first. Even under the proposal, a laid-off worker could choose which benefit to draw. Only the one who left any job voluntarily with good cause would be required to draw the State benefit, no matter how small it was, for the appropriate number of weeks provided by the State law before he could begin to draw his more substantial railroad unemployment insurance benefits. Thus, a penalty would be imposed on the worker even though he is found to have acted with good cause.

These provisions are extremely severe. No unemployment insurance law disqualifies a worker for a voluntary quit with good cause. This Department has consistently taken the position that a worker who voluntarily leaves his job without good cause should be disqualified for only a limited number of weeks, rather than making him ineligible until he has requalified through substantial new earnings. We have also consistently held that the disqualification period should be linked in time to the disqualifying act, so that a worker unemployed because of an involuntary separation is not disqualified for an act in connection with some prior separation unrelated to his current unemployment.

This position is based on the principle that the unemployment insurance disqualification is not intended as a punishment for a wrongful act, but is merely a device for limiting the insured risk to exclude unemployment brought about by a voluntary action taken by the claimant without good cause. This principle is generally accepted, even when the disqualification is more severe than we recommend, and is accompanied by the concept that benefits should not be paid on the basis of work which the individual could have kept but for his own action taken without good cause.

This Department would regret any implication of endorsement of the disqualification provisions of H.R. 8100 for the regular Federal-State unemployment insurance system. We would therefore appreciate it if these views were made a part of the committee's printed record of this bill.

While the Department of Labor supports the bill, subject to the foregoing comments, we also wish to point out that the Bureau of the Budget and the Treasury Department have commented on features of the financing arrangements.

Yours sincerely,

WILLARD WIRTZ,
Secretary of Labor.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Illinois.

Mr. SPRINGER. If the gentleman will look at the Wall Street Journal of this morning, he will find that our Federal Government is spending more than 3 percent for most of the money being borrowed.

Mr. HARRIS. I think the average on outstanding long-range obligations is something like 3⅞ percent.

Mr. SPRINGER. All we ask in this bill is that we guarantee the rate of 3 percent. I do not know of anything like $4 billion being lent at 3 percent. It seems to me the Bureau of the Budget is checking it, but they did not object to this particular figure. No one appeared at the hearings. We took the evidence in good faith. No one opposed the bill. I think it is sound legislation.

Mr. HARRIS. I thank the gentleman.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include the letters referred to from the Bureau of the Budget and the Treasury Department.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GROSS. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, in all the years that I have been a member of this committee, we have tried to the best of our ability to be sure that the Railroad Retirement System was in a satisfactory financial condition. There have been years when there has been a surplus. In other years there has been a deficit. We have tried to keep these within some tolerable limits. The fund at the present time has almost $4 billion in assets. I will admit that this is a sizable sum.

However, there is at the present time a current actuarial deficit in the system of about $77 million a year. By the provisions of this bill we will reduce this deficit from $77 million to approximately $16 million, or from 1.79 percent of the taxable payroll to 0.34 percent of the assumed taxable payroll.

We are advised that the remaining deficit of $16 million a year on a level basis is well within the limits of actuarial tolerance for a system that has this size and character.

One of the real problems of this fund has come from the railroad unemployment insurance system. This system differs from the railroad retirement system in that all contributions to the unemployment insurance system are paid by employers and none by employees. The employers do pay contributions by rates that are fixed by a sliding scale schedule. The maximum rate of 3¾ percent is now in effect. However, the rate was increased for 1962 and 1963 by an additional one-fourth percent by the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961. It was anticipated at that time that the figure of 3¾ percent of taxable payroll would be sufficient to cover the costs of all benefits. For that reason Public Law 86–28 included a provision authorizing the system to borrow funds from the Railroad Retirement Act as needed to pay benefits. The system now owes to the Railroad Retirement Act more than $300 million. This deficit for the reason explained is one of an accounting nature.

Fortunately, this bill is supported by all of the parties interested to the legislation and I think all of them realize the importance of getting the fund as nearly in balance as possible. In the hearings on the bill, the Association of American Railroads, which represents substantially all of the class 1 railroads in the United States, the American Shortline Railroad Association, and the Railway Labor Executives Association, who represents almost all of the railroad employees in the United States have recorded their full support for this bill. The joint letter addressed to the chairman of this committee urging prompt enactment of the bill is printed in the report of the committee which most of the Members have before them.

The changes set out in this bill by the chairman of the committee would improve the financial condition of the railroad unemployment insurance system by about $20.3 million a year. This, it is estimated, would eliminate the necessity of further borrowing by the system of funds from the Railroad Retirement Act and these provisions also will permit gradual repayment of the indebtedness of the system to the account.

There are several other provisions which I think are improvements over the present law. The military services credits are revised, definite interest rates are set on the special obligations of the Treasury which has control of the reserve funds, in the Railroad Unemployment Insurance Act there will be an increase in the financial condition of the system by increasing from 3¾ to 4 percent of the payroll under the present limit of $400 a month for each employee. This, of course, is contributed entirely by the employer.

Mr. Speaker, we have wrestled with this matter in previous years and I think substantially have come up with answers which kept the railroad retirement system financially solvent. We are attempting to do that in this case. We believe this legislation is needed and is in the public interest and for this reason I hope that all Members can support it.

Mr. HARRIS. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. The gentleman is talking about actuarial deficit that would occur with the approval of this bill. The gentleman well knows there is a tolerance of approximately 1 percent. The actuaries talk about the fund in perpetuity. Consequently, in actual practice with this adjustment proposed in this bill, it is thought the fund would be actuarily sound because of the fact that we do have tolerance which actuaries in their very conservative report thought we should have.

Mr. SPRINGER. The average rate of loss would be about 0.34 percent. That is only about one-third of a percent. In other words, based on all the expert knowledge, this is well within the tolerance which we ought to have in order to have a sound fund.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. TEAGUE of California. A moment or two ago the gentleman stated, I believe, that he did not know of any considerable sum of money being lent at 3 percent. I should like to call the attention of the House to the fact that the rural electrification co-ops borrow several hundred million dollars from the Federal Treasury at 2 percent. I think this is wrong. I have a bill to try to require that the going rate of interest be paid. I should not want this to be overlooked at this point in the debate, and want it included as a part of the RECORD.

Mr. GROSS. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Speaker, in the consideration of this bill I think we must not overlook the fact that we are dealing with a pension fund that is supposed to be actuarially sound on a funded basis. The thing that causes the deficit primarily is not the rate of tax but the decrease in the number of employees participating in the fund. I am not sure that the figures we are now using will not have to be changed within the next 2 years because of the gradual decrease in the number of railroad employees who are contributing to the fund. In other words, the industry contributes a certain percentage of the payroll and the individuals contribute. Naturally, as the number of employees decrease and the total payroll decreases, then you create a deficit in the fund that is supposed to be actuarially sound. I would not be surprised that within the next 2 or 3 years we may have to revise the figures and I think the House should understand that now and not figure that this legislation is going to eliminate the deficit in this fund permanently.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman.

Mr. HALL. I would just like a little more information about the total cost to the Government of these amendments to the Railroad Retirement Act of 1937. I think the gentleman from California has made a very sage observation. I presume this is something like social security, and motherhood, and that we have to be for it; in view of what we have been through in the last 30 years or so. Certainly, I can see reasons for supporting this bill, H.R. 8100; but it is a little difficult for me to find out from reading the report and the hearings, and in view of some of the situations you have stipulated, how much this is going to take out of the taxpayers' pockets; namely, the U.S. Treasury. Could the gentleman enlighten us on that?

Mr. YOUNGER. I believe the gentleman has misinterpreted the remarks about what we take out of the Treasury. They should be paying the going rate for this money that is deposited with them. If the Congress wants to give to this fund the right of independent investment outside of the Treasury IOU's, they might very well improve the return, but I think as long as this is a Government-operated institution, then the funds that are deposited with the Treasury should be paid the going rate of interest by the Treasury.

Mr. HALL. I understand that, but still when we increase the retirement pay and when we are authorizing these other privileges, it is eventually going to mean a certain amount of money that will be taken out of the Treasury.

Mr. YOUNGER. No, it is on an actuarially sound funded basis.

Mr. HARRIS. Mr. Speaker, I yield myself 5 minutes, so that I may, if I can, clarify this for the gentleman.

Mr. HALL. I appreciate the gentleman, the chairman of the committee, taking the time to do this.

Mr. HARRIS. In supplementing what was said by the gentleman from California a minute ago, I think the answer to the gentleman's question is that presently, as I understand the gentleman's question, he asks, What funds will this take out of the Treasury immediately? Presently there is owing to this fund by the Government approximately $160 million. In other words, that amount has already accumulated which is owed to the fund itself by the Government. So we would expect that as soon as the Congress gets to it, as it will, the immediate result would be the appropriation of the funds that it owes, in the sum of $160 million approximately.

In addition to that, under this arrangement the retirement fund would get in interest from the Treasury approximately $25 million a year. That is based on the going rate of interest approximately. Until the interest rate changes, that is about what the amount would be, on a level basis, as long as the fund remains at presently anticipated levels.

Mr. HALL. Will the chairman yield further?

Mr. HARRIS. I yield to the gentleman from Missouri.

Mr. HALL. Do I understand, then, that the entire import of this bill, as far as spending moneys of the U.S. Treasury is concerned, is simply in the allowance of a fair rate of interest on what we already owe, which will in turn give enough to the retirement fund to accomplish all the other authorized monthly payments, and so forth, herein?

Mr. HARRIS. Not entirely. There is a question which is raised by the Treasury Department—they want the transition from the flat 3 percent to become effective over a period of 10 years. This bill provides that the transition will take effect immediately; and from that date on the interest rate will be the going rate of interest with a minimum of 3 percent. Today it is a flat 3 percent and it has been so since 1937. There is nothing coming out of the Treasury. The Treasury is not putting anything into this fund as such. The fund consists of money which the Treasury owes to this fund for the use of the money. This is the same as other borrowed money on which it pays interest.

Mr. HALL. Mr. Speaker, will the gentleman yield further?

Mr. HARRIS. I yield.

Mr. HALL. I appreciate that, and I simply want to get this clarified. As I say, I think I am going to be for this bill. I understand there is no current appropriation involved herein for these moneys but we will have to make up that which we owe eventually, and the problem involved here is two phased, as I understand it, and on which I am querying the gentleman.

Mr. HARRIS. Except as I stated earlier, there is no appropriation to be made out of the Treasury in the usual sense of appropriating funds not otherwise appropriated. This money will have to be appropriated, however, in order to pay what is properly owed to the fund.

Mr. HALL. And some day we will pick that up in a supplemental appropriation act or in some other manner?

Mr. HARRIS. That is correct.

Mr. HALL. In the meantime, if we authorize a "percentage of interest," this will enable the retirement fund to enhance these benefits for the retirees and other participants, some of which they have to pay through the years to the pension fund.

Mr. HARRIS. The bill provides that the Treasury should pay interest rates on money from this fund the same as it pays on funds raised from any other source that the Treasury obtains its revenues from. That is nothing but just and honest.

Mr. HALL. I thank the gentleman and I agree.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Illinois.

Mr. SPRINGER. I think it should be pointed out in connection with the question proposed by the gentleman from Missouri and also something said by the gentleman from California [Mr. YOUNGER] that we should keep in mind that at the present time the employer and the employee are both paying 7¼ percent.

Mr. HARRIS. This will be on $5,400, too, instead of $4,800.

Mr. SPRINGER. That is right. On $5,400 instead of $4,800. But it should be pointed out further, I think, that by 1968 the share of both the employer and employee will go up to 9⅛ percent.

Mr. HARRIS. That share will be paid by both.

Mr. SPRINGER. So some of the questions which have been raised here as to the possible soundness of the plan should take into consideration the fact that there will be a continually increasing percentage of payment by both the employer and the employee until 1968 when the total combined amounts are 18¼ percent of the payroll which will become permanent.

Mr. HARRIS. The gentleman is correct.

Mr. SPRINGER. Mr. Speaker, I have no further requests for time.

Mr. HARRIS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The **SPEAKER.** The question is on the motion that the House suspend the rules and pass the bill H.R. 8100.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NURSING HOME CARE FOR VETERANS

Mr. TEAGUE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 8009) to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 5001 of title 38, United States Code, is amended (1) by inserting "(1)" immediately after "(a)", (2) by redesignating clauses (1) and (2) thereof as clauses (A) and (B), respectively, and (3) by adding at the end thereof the following new paragraph:

"(2) The Administrator, subject to the approval of the President, is authorized to establish and operate not more than two thousand additional beds for the furnishing of nursing home care to eligible veterans in facilities over which the Administrator has direct and exclusive jurisdiction."

SEC. 2. (a) Subchapter II of chapter 17 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 620. Transfers for nursing home care

"(a) Subject to subsection (b) of this section, the Administrator may transfer any veteran, who has been furnished care by the Administrator in a hospital under the direct and exclusive jurisdiction of the Administrator, to any public or private institution not under the jurisdiction of the Administrator which furnishes nursing home care, for care at the expense of the United States, if the Administrator determines that—

"(1) such veteran has received maximum benefits from such care in such hospital, but will require a protracted period of nursing home care which can be furnished in such institution, and

"(2) the cost of such nursing home care in such institution will not exceed one-third of the cost of care furnished by the Veterans' Administration in a general hospital under the direct and exclusive jurisdiction of the Administrator, as such cost may be determined from time to time by the Administrator.

Nursing home care may not be furnished pursuant to this section at the expense of the United States for more than six months in the aggregate in connection with any one transfer, except where in the judgment of the Administrator a longer period is warranted in the case of any veteran.

"(b) No veteran may be transferred to any institution for nursing home care under this section, unless such institution is determined by the Chief Medical Director to meet such standards as he may prescribe."

(b) The analysis of chapter 17 of title 38, United States Code, is amended by inserting immediately below

"619. Repair or replacement of certain prosthetic and other appliances."

the following:

"620. Transfers for nursing home care."

SEC. 3. (a) Section 641 of title 38, United States Code, is amended to read as follows:

"§641. Criteria for payment

"The Administrator shall pay each State at the per diem rate of $2.50 for each veteran of any war receiving hospitalization or domiciliary care in a State home in such State if the veteran is eligible for hospitalization or domiciliary care in a Veterans' Administration facility, and at the per diem rate of $3.50 for each veteran of any war receiving nursing home care in a State home in such State, if such veteran meets the requirements of paragraph (1), (2), or (3) of section 610(a) of this title, except that the requirement in clause (B) of such paragraph (1) shall, for this purpose, refer to the inability to defray the expenses of necessary nursing home care; however, such payment shall not be more, in any case, than one-half of the cost of the veteran's maintenance in such State home."

(b) No payment shall be made to any State home solely by reason of the amendment made by this section on account of nursing home care furnished any veteran except where such care is furnished the veteran by the State home for the first time after the effective date of this section.

(c) The amendment made by this section shall take effect on January 1, 1964; except that subsection (b) of section 641 of title 38, United States Code, as in effect immediately before such date, shall remain in effect with respect to any amounts retained or collected by any State home before such date.

SEC. 4. (a) Chapter 81 of title 38, United States Code, is amended by adding at the end thereof the following new subchapter:

"SUBCHAPTER III—STATE HOME FACILITIES FOR FURNISHING NURSING HOME CARE

"§ 5031. Definitions

"For the purpose of this subchapter—

"(a) The war veteran population of each State shall be determined on the basis of the latest figures certified by the Department of Commerce.

"(b) The term 'State' does not include any possession of the United States.

"(c) The term 'construction' means the construction of new buildings, the expansion, remodeling, modification, or alteration of existing buildings, and the providing of initial equipment for any such buildings.

"(d) The term 'cost of construction' means the amount found by the Administrator to be necessary for a project of construction of nursing home care facilities, including architect fees, but not including the cost of acquisition of land.

"§ 5032. Declaration of purpose

"The purpose of this subchapter is to assist the several States to construct State home facilities for furnishing nursing home care to war veterans.

"§ 5033. Authorization of appropriations

"(a) There is hereby authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1964, and a like sum for each of the four succeeding fiscal years. Sums appropriated pursuant to this section shall be used for making grants to States which have submitted, and have had approved by the Administrator, applications for carrying out the purposes of section 5032 of this title.

"(b) Sums appropriated pursuant to subsection (a) of this section shall remain available until the end of the second fiscal year following the fiscal year for which they are appropriated.

"(c) Not more than 10 per centum of the funds appropriated pursuant to subsection (a) of this section for any fiscal year shall be used to assist in the construction of nursing home care facilities in any one State.

"§ 5034. General regulations

"Within six months after the date of enactment of this subchapter, the Administrator shall prescribe the following by regulation:

"(1) The number of beds required to provide adequate nursing home care to war veterans residing in each State, which number shall not exceed one-half bed per thousand war veteran population in the case of any State.

"(2) General standards of construction, repairs, modernization, alteration, and equipment for facilities for furnishing nursing home care which are constructed with assistance received under this subchapter.

"§ 5035. Applications with respect to projects; payments

"(a) After regulations have been prescribed by the Administrator under section 5034 of this title, any State desiring to receive assistance for a project for construction of State home facilities for furnishing nursing home care must submit to the Administrator an application. Such application shall set forth—

"(1) the amount of the grant requested with respect to such project which may not exceed 50 per centum of the estimated cost of construction of such project,

"(2) a description of the site for such project,

"(3) plans and specifications for such project in accordance with regulations prescribed by the Administrator pursuant to section 5034(2) of this title,

"(4) reasonable assurance that upon completion of such project the facilities will be used principally to furnish nursing home care to war veterans and that not more than 10 per centum of the bed occupancy at any one time will consist of patients who are not receiving nursing home care as war veterans,

"(5) reasonable assurance that title to such site is or will be vested solely in the applicant, a State home, or another agency or instrumentality of the State,

"(6) reasonable assurance that adequate financial support will be available for the construction of the project and for its maintenance and operation when complete,

"(7) reasonable assurance that the State will make such reports in such form and containing such information as the Administrator may from time to time reasonably require, and give the Administrator, upon demand, access to the records upon which such information is based, and

"(8) reasonable assurance that the rates of pay for laborers and mechanics engaged in construction of the project will be not less than the prevailing local wage rates for similar work as determined in accordance with sections 276a through 276a-5 of title 40 (known as the Davis-Bacon Act).

"(b) The Administrator shall approve any such application if he finds that—

"(1) there are sufficient funds available to make the grant requested with respect to such project,

"(2) such grant does not exceed 50 per centum of the estimated cost of construction of such project,

"(3) that such a grant would not result in more than 10 per centum of the funds appropriated for any fiscal year pursuant to section 5033(a) of this title being used to assist the construction of facilities in any one State,

"(4) the application contains such reasonable assurance as to use, title, financial support, reports and access to records, and payment of prevailing rates of wages, as the Administrator may determine to be necessary, and

"(5) the plans and specifications for such project are in accord with regulations prescribed pursuant to section 5034(2) of this title and that the construction of such project, together with other projects under construction and other facilities, will not result in more than the number of beds prescribed by the Administrator pursuant to section 5034(1) of this title for the State in which such project is located being available for furnishing nursing home care to war veterans in such State.

"(c) No application submitted to the Administrator under this section shall be disapproved until the Administrator has afforded the applicant an opportunity for a hearing.

"(d) Upon approving an application under this section, the Administrator shall certify to the Secretary of the Treasury the amount of the grant requested with respect to such project in such application, but in no event an amount greater than 50 per centum of the estimated cost of construction of the project, and shall designate the appropriation from which it shall be paid. Such certification shall provide for payment to the applicant or, if designated by the applicant, the State home for which such project is being constructed or any other agency or instrumentality of the applicant. Such amount shall be paid, in advance or by way of reimbursement, and in such installments consistent with the progress of construction as the Administrator may determine and certify for payment to the Secretary of the Treasury. Funds paid under this section for the construction of an approved project shall be used solely for carrying out such project as so approved.

"(e) Any amendment of any approved application shall be subject to approval in the same manner as an original application.

"§ 5036. Recapture provisions

"If, within twenty years after completion of any project for construction of facilities for furnishing nursing home care with respect to which a grant has been made under this subchapter, such facilities cease to be operated by a State, a State home, or an agency or instrumentality of a State principally for furnishing nursing home care to war veterans, the United States shall be entitled to recover from the State which was the recipient of the grant under this subchapter, or from the then owner of such facilities, 50 per centum of the then value of such facilities, as determined by agreement of the parties or by action brought in the district court of the United States for the district in which such facilities are situated.

"§ 5037. State control of operations

"Except as otherwise specifically provided, nothing in this subchapter shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any State home for which facilities are constructed with assistance received under this subchapter."

(b) The analysis of chapter 81 of title 38, United States Code, is amended by adding at the end thereof the following:

"SUBCHAPTER III—STATE HOME FACILITIES FOR FURNISHING NURSING HOME CARE

"5031. Definitions.
"5032. Declaration of purpose.
"5033. Authorization of appropriations.
"5034. General regulations.
"5035. Applications with respect to projects; payments.
"5036. Recapture provisions.
"5037. State control of operations."

(c) Paragraph (19) of section 101 of title 38, United States Code, is amended by adding at the end thereof the following: "Such term also includes such a home which furnishes nursing home care for veterans of any war."

(d) Section 101 of title 38, United States Code, is amended by adding at the end thereof the following new paragraph:

"(28) The term 'nursing home care' means the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care, but who require skilled nursing care and related medical services, if such nursing care and medical services are prescribed by, or are performed under the general direction of, persons duly licensed to provide such care. The term includes intensive care where the nursing service is under the supervision of a registered professional nurse."

SEC. 5. (a) Section 3203(f) of title 38, United States Code, is amended to read as follows:

"(f) Where any veteran in receipt of an aid and attendance allowance described in section 314(r) of this title is hospitalized at Government expense, such allowance shall be discontinued from the first day of the second calendar month which begins after the date of his admission for such hospitalization for so long as such hospitalization continues. Any discontinuance required by administrative regulation, during hospitalization of a veteran by the Veterans' Administration, of increased pension based on need of regular aid and attendance or additional compensation based on need of regular aid and attendance as described in subsection (l) or (m) of section 314 of this title, shall not be effective earlier than the first day of the second calendar month which begins after the date of the veteran's admission for hospitalization. In case a veteran affected by this subsection leaves a hospital against medical advice and is thereafter admitted to hospitalization, such allowance, increased pension, or additional compensation, as the case may be, shall be discontinued from the date of such readmission for so long as such hospitalization continues."

(b) The amendment made by this section shall apply only with respect to compensation or pension based upon need of regular aid and attendance in the case of veterans admitted for hospitalization on or after the first day of the second calendar month which begins after the date of enactment of this Act.

SEC. 6. (a) Section 617 of title 38, United States Code, is amended by inserting "(a)" immediately before "The Administrator" and by adding at the end thereof the following new subsection:

"(b) The Administrator may furnish any type of therapeutic or rehabilitative device, as well as other medical equipment and supplies (excluding medicines), if medically indicated, to any veteran who is eligible to receive an invalid lift under subsection (a) of this section, or who would be so eligible, but for the fact that he has such a lift."

(b) The analysis of chapter 17 of title 38, United States Code, is amended by striking out

"617. Invalid lift for pensioners."

and inserting in lieu therof the following:

"617. Invalid lifts and other devices for pensioners."

(c) The heading of section 617 of title 38, United States Code, is amended to read as follows:

"§ 617. Invalid lifts and other devices for pensioners".

SEC. 7. Section 612 of title 38, United States Code, is amended by adding at the end thereof the following:

"(g) Where any veteran is in receipt of pension under chapter 15 of this title based on the need of regular aid and attendance or of an aid and attendance allowance received under section 314 or 334 of this title, or who, but for the receipt of retired pay, would be in receipt of such pension or such an allowance, and—

"(1) has received care for not less than one year under paragraph (2) of subsection (f) of this section; and

"(2) is suffering from (A) cardiovascular-renal disease, including hypertension, (B) endocrinopathies, (C) diabetes mellitus, (D) cancer, (E) a neuropsychiatric disorder, or (F) tuberculosis;

then the Administrator may furnish the veteran such further care as is reasonably necessary for such disease or disorder."

The SPEAKER pro tempore. Is a second demanded?

Mr. ELLSWORTH. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD the texts of telegrams and letters from various veterans' organizations in support of this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The matter referred to follows:

WASHINGTON, D.C.,
September 12, 1963.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans Affairs, U.S. House of Representatives, Old House Office Building, Washington, D.C.:

H.R. 8009, authorizing the Veterans' Administration to provide nursing home care, is a well-rounded program which is urgently needed for our aged and infirm wartime disabled veterans. We are hopeful that this bill will be favorably considered by the House of Representatives. The disabled American Veterans wholeheartedly supports this sorely needed legislation.

CHARLES L. HUBER,
National Director of Legislation, Disabled American Veterans.

SEPTEMBER 13, 1963.

Hon. OLIN E. TEAGUE,
U.S. House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN: H.R. 8009 authorizing nursing home care for certain veterans is scheduled for consideration by the House under suspension of the rules on Monday, September 16.

In our opinion, this seven-point program will preserve the existing Veterans' Administration hospital program for maximum utilization of the acutely ill and, at the same time, provide veterans with nursing type care under a supervised program where attention is directed specifically to the needs of the long-term patient. This bill will reduce the per bed cost by a significant degree.

The Disabled American Veterans wholeheartedly supports this bill and requests your favorable vote on this measure Monday.

Sincerely,

CHARLES L. HUBER,
National Director of Legislation, DAV.

WASHINGTON, D.C.,
September 16, 1963.

Hon. OLIN E. TEAGUE,
U.S. House of Representatives,
Washington, D.C.:

Thousands of chronically ill war veterans urgently need nursing care beds. Your support and vote for House approval of H.R. 8009 will be deeply appreciated by Veterans of Foreign Wars.

FRANCIS W. STOVER,
Director,
National Legislative Service.

MIAMI BEACH, FLA.,
September 12, 1963.

Hon. OLIN E. TEAGUE,
House Office Building,
Washington, D.C.:

This national convention urges your complete support of H.R. 8009 on Suspension Calendar on Monday 16.

JAMES E. POWERS,
National Commander,
the American Legion.

MIAMI BEACH, FLA.,
September 12, 1963.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.:

Congratulations to you and the House Veterans' Affairs Committee for reporting H.R. 8009.

A tribute also to the special subcommittee which struggled with difficult problems and which presented a most constructive program for the care of aging and chronically ill veterans.

The text of resolution 378 containing formal expression of gratitude and support follows:

"Whereas official determination has confirmed the American Legion's belief that the Veterans' Administration has proper legal authority, in existing law, to provide attendant type or nursing home care to otherwise eligible veterans of military service; and

Whereas the Administrator of Veterans' Affairs, by Presidential memorandum of August 12, 1963, has been authorized to activate and operate facilities and beds for 2,000 nursing home type patients in addition to the 125,000 beds presently authorized in the Veterans' Administration; and

Whereas the House Committee on Veterans' Affairs, based upon the exhaustive study conducted by its Subcommittee on Intermediate Care, has reported favorably the bill, H.R. 8009, introduced August 8, 1963, as amended; and

Whereas all of the foregoing actions are in general conformity with the aims and goals of scores of resolutions approved by the national organization of the American Legion during the past decade: Now, therefore, be it

Resolved, by the American Legion in national convention assembled in Miami Beach, Fla., September 10–12, 1963, That the President be thanked formally for his memorandum of August 12, 1963, and his support of H.R. 8009, establishing a new program of care and treatment in the Veterans' Administration, and that this expression of the Legion's appreciation include the chairman and members of the House Committee on Veterans' Affairs; and be it further

Resolved, That the American Legion endorse and vigorously support the enactment of the objectives of a constructive program providing for the care and treatment of needy aged and aging war veterans.

JAMES E. POWERS,
National Commander,
the American Legion.

EASTERN PARALYZED VETERANS ASSOCIATION,
September 11, 1963.

Hon. OLIN TEAGUE,
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, D.C.

DEAR SIR: The members of this organization urge your full and favorable support of H.R. 8009 which would provide a nursing-care program and other benefits for totally disabled veterans. It is our belief that there has been an urgent need for this type of service within the VA program of medical and rehabilitative care for many, many years.

Yours very truly,

HARRY A. SCHWEIKERT, Jr.,
Executive Secretary.

PARALYZED VETERANS OF AMERICA, INC.,
September 11, 1963.

I assure you that the national organization is on record as endorsing and supporting this bill—H.R. 8009.

Sincerely yours,

JOHN J. FARKAS, *President.*

Mr. TEAGUE of Texas. Mr. Speaker, this bill is the result of a number of years of disagreement between the House Veterans' Affairs Committee and the Veterans' Administration over the handling of nursing-care cases in our Veterans' Administration Hospitals. Until recently the General Counsel of the VA had ruled that once a man had reached maximum hospitalization in a VA hospital he had to be taken out of the hospital. We had domiciliaries where we could care for a well man and our hospitals to care for a sick man. But nursing care was formally authorized only recently when it announced before the Committee on Veterans' Affairs in a ruling by General Counsel Robert C. Fable in the presence of Administrator Gleason.

We have some 10,000 hospital beds occupied by nursing-care cases

This year we informed the Veterans' Administration that we expected to try to pass legislation that would create a better method for taking care of nursing-care cases.

Mr. Speaker, I appointed a subcommittee with the gentleman from Tennessee [Mr. EVERETT], as chairman; the gentleman from Texas [Mr. ROBERTS]; the gentleman from Ohio [Mr. SECREST]; the gentleman from Kansas [Mr. ELLSWORTH]; the gentleman from Wisconsin [Mr. SCHADEBERG].

This subcommittee has done an excellent job as is evidenced by the hearings, and by the work that they did on this legislation.

Mr. Speaker, some people have asked me if this bill would save money. It will cause a much more efficient use of our VA hospital beds. Where we have a man occupying a bed that costs on an average about $27 a day, actually he could be taken care of in a bed that would cost no more than $6 or $7 a day. We believe it will bring about a much more efficient use of our VA hospital beds.

Mr. Speaker, the bill was reported out of the committee practically unanimously; I believe there was one vote against it.

The bill which we are considering today is the committee's answer, at this time, to the nursing-home-care needs of our veterans—at least the answer which is now possible of enactment.

In brief, the committee recommends a multipronged approach to the need for nursing home care:

First. Authorizing the use of 2,000 additional nursing care beds in the existing Veterans' Administration system.

Second. Providing for limited care in a private nursing home for certain Veterans' Administration patients who have received maximum hospital benefits;

Third. Increasing aid to State homes by providing for a 5-year program of capital outlays—on a matching basis—and larger per diem contributions for the care of nursing home patients.

Fourth. Encouraging veterans receiving aid and attendance pension to reenter hospitals for brief stays without loss of their pension thus preventing longer stays and more serious illnesses.

Fifth. Furnishing prosthetic appliances to certain aid and attendance pensioners on an outpatient basis of the type and variety required in their everyday lives and which would be furnished if they were in a hospital.

Sixth. Extending of the CBOC program to keep prospective nursing home care patients in their own homes and in their own environment as long as possible.

I want to take this opportunity to compliment the Subcommittee on Intermediate Care and to express my appreciation for the fine job it has done. Under the chairmanship of the gentleman from Tennessee [Mr. EVERETT], lengthy hearings were held on this general subject. The hearings extended over a 2-month period and included visits to several installations in the field. The hearings have now been printed in this comprehensive volume of 1,294 pages which you have before you today. Without the wholehearted cooperation of the gentleman from Tennessee [Mr. EVERETT] and his associates, the gentleman from Texas [Mr. ROBERTS], the gentleman from Ohio [Mr. SECREST], the gentleman from Wisconsin [Mr. SCHADEBERG], and the gentleman from Kansas [Mr. ELLSWORTH], this bill would not have been possible. Never have I seen a subcommittee work harder or more diligently than this group. Moreover, it has worked in complete harmony. Its recommendations were unanimous. Some Members traveled to various installations to see if they were adaptable for nursing care. The subcommittee visited the Restoration Center at Hines, Ill., as well as several Veterans' Administration hospitals in California; a newly opened private nursing home in the San Francisco area; and the California Veterans' Home in Napa County, Calif. The new VA long-term care unit at Kecoughtan, Va., comprising 200 beds has been visited. The hearings extended over a 6-week period and testimony was received from all interested parties and appropriate Government agencies. Again, I commend the subcommittee for the manner in which it has carried out its task.

Section 1, authorizing an additional 2,000 nursing home care beds to be operated in the VA medical system, would involve a cost dependent to a large degree on the locations of such beds. A random check of existing Veterans' Administration hospitals shows, as an example, that 1,053 beds could be provided at a renovation cost of $378,620 at an average cost of $360 per bed. Thirty selected hospitals in the subcommittee survey showed a renovation range of cost from zero for 56 beds at Fort Bayard, N. Mex., to $8,571 per bed for 525 beds at Oakland, Calif. Nine locations involved per bed renovation costs of less than $500; six between $501 and $999; six between $1,001 and $1,999; and nine above $2,000.

Section 2, providing no more than 180 days of nursing care in a private facility would vary in cost with the location. A survey of 168 Veterans' Administration hospitals last fall showed a range from a monthly minimum of $75 to a maximum of $700. Some have estimated a general average cost of $7 per day. Assuming 1,000 such patients per day at $7 per day the 1-year cost would approximate $2,555,000.

With an average member load of 9,000 in State homes and assuming that not more than 30 percent to be eligible for the $1 per diem additional for nursing care, the cost of section 3 for 1 year should approximate $1 million.

Section 4 would require an annual expenditure of $5 million for each of 5 years on a matching fund basis.

Section 5 is favored by the Veterans' Administration, and would cost $1,135,000 the first year.

Assuming 1,000 veterans require $100 annual expenditure for the devices authorized in section 6—only 270 veterans have qualified under the invalid lift provisions in a 3-year period—the annual cost would be $100,000.

Section 7 is not susceptible to an accurate cost estimate; the Veterans' Administration reports it could be "substantial."

In summary, this bill would cost a minimum of approximately $10,790,000.

The bill we are considering has one small amendment in addition to those appearing in the reported version. It is purely technical in nature and appears on page 15 of the bill and involves the striking out of "or" on line 1, page 15, and inserting the same word on line 2 before "(F)."

Mr. Speaker, I yield such time as he may desire to the subcommittee chairman, the gentleman from Tennessee [Mr. EVERETT].

Mr. EVERETT. Mr. Speaker, I appreciate the kind remarks of the chairman of our committee, the gentleman from Texas [Mr. TEAGUE], and I want to take this public opportunity to express to him what I have already said privately of my great appreciation of the privilege and honor of being chairman of this Subcommittee on Intermediate Care. It has been an educational experience to all of us who have worked in this field and I want to pay tribute to my colleagues on this subcommittee, the gentleman from Texas [Mr. ROBERTS], the gentleman from Ohio [Mr. SECREST], the gentleman from Wisconsin [Mr. SCHADEBERG], and the gentleman from Kansas [Mr. ELLSWORTH]. No chairman ever had a more harmonious group to serve with or one that was more cooperative or willing to listen to many days of testimony and give up some of their precious weekend time to visit VA installations in areas remote from Washington.

It is the firm conviction of the subcommittee that the bill reported by the committee which was suggested by the investigation of the subcommittee, is a sound one and one which will do much to alleviate the problem which faces us at the present time.

Section 1 of the bill provides that the administrator may, subject to the approval of the President, establish and operate not more than 2,000 additional nursing-home-care beds for veterans eligible for such care in facilities over which the administrator has direct and exclusive jurisdiction. An administrative ceiling of 125,000 hospital beds was established during the Eisenhower administration, and the action of President Kennedy on August 12, 1963, would appear to increase this figure to 127,000.

Section 2 authorizes the administrator to transfer any long-term patient in a Veterans' Administration hospital who has received maximum hospital benefits, and who will require nursing home care, to other facilities outside the control of the Veterans' Administration, but at the expense of the agency, so long as the per diem cost does not exceed one-third of the cost applicable to a general hospital operated by the Veterans' Administration. The per diem cost of care in a VA general hospital at present is approximately $27. Such nursing home care is not to be furnished for a period longer than 6 months in the aggregate in connection with any one transfer except where in the judgment of the administrator a longer period is warranted. The chief medical director is authorized to prescribe and establish such standards for nursing-home-care facilities in privately operated facilities as he may determine. The 6-month limitation prescribed, is the same period of time as that advocated by the administration in its medical care program. Any nursing home in which a veteran would be placed would be in conjunction with the general Veterans' Administration hospital nearest to the institution.

One of the principal purposes of section 2 is to aid the veteran and his family in making the transition from a hospital to his eventual place in the community. The range of cost of providing nursing care in the several States is indicated in the table which follows, and which under unanimous consent I include as a part of my remarks:

Range of monthly charges in licensed nursing homes available for the care of veteran patients within a radius of 50 miles of the reporting VA hospital, 1962

VA hospital	Range	
	Minimum	Maximum
All VA hospitals	$75	$700
Alabama:		
Birmingham	200	300
Montgomery	200	300
Tuscaloosa	(1)	(1)
Tuskegee	125	225
Arizona:		
Phoenix	150	300
Tucson	125	500
Whipple	175	250
Arkansas:		
Fayetteville	125	175
Little Rock	175	250
North Little Rock	105	300
California:		
Fresno	210	500
Livermore	255	500
Long Beach	255	325
Los Angeles:		
G.M. & S. section	225	500
NP section	225	500
Oakland	255	500
Palo Alto	300	700
San Fernando	225	600
San Francisco	300	600
Sepulveda	200	350
Colorado:		
Denver	175	350
Fort Lyon	165	195
Grand Junction	100	200
Connecticut:		
Newington	218	530
West Haven	275	600
Delaware: Wilmington	160	320
District of Columbia: Washington	200	400
Florida:		
Bay Pines	200	650
Coral Gables	180	300
Lake City	175	350
Georgia:		
Atlanta	125	150
Augusta	125	300
Dublin	150	300
Idaho: Boise	135	350
Illinois:		
Chicago (research)	175	300
Chicago (West Side)	140	(2)
Danville	180	330
Downey	125	540
Dwight	135	350
Hines	140	585
Marion	125	175
Indiana:		
Fort Wayne	160	250
Indianapolis	85	300
Marion	150	200
Iowa:		
Des Moines	150	300
Iowa City	110	300
Knoxville	125	300
Kansas:		
Topeka	135	225
Wadsworth	100	400
Wichita	135	450
Kentucky:		
Lexington	100	250
Louisville	100	600
Louisiana:		
Alexandria	150	200
New Orleans	125	500
Shreveport	125	365
Maine: Togus	190	300
Maryland:		
Baltimore	$145	$200
Fort Howard	145	200
Perry Point	135	350
Massachusetts:		
Bedford	191	500
Boston	210	300
Brockton	200	600
Northampton	180	400
Rutland Heights	205	420
West Roxbury	204	425
Michigan:		
Ann Arbor	250	350
Battle Creek	180	250
Dearborn	210	375
Iron Mountain	135	225
Saginaw	180	300
Minnesota:		
Minneapolis	175	300
St. Cloud	150	300
Mississippi:		
Biloxi	125	180
Gulfport	100	200
Jackson	100	200
Missouri:		
Excelsior Springs	100	475
Jefferson Barracks	150	250
Kansas City	150	300
Poplar Bluff	110	175
St. Louis	175	650
Montana:		
Fort Harrison	175	300
Miles City	135	185
Nebraska:		
Grand Island	85	200
Lincoln	80	400
Omaha	100	240
Nevada: Reno	175	500
New Hampshire: Manchester	213	433
New Jersey:		
East Orange	220	400
Lyons	200	500
New Mexico:		
Albuquerque	165	300
Fort Bayard	175	225
New York:		
Albany	130	400
Batavia	150	600
Bath	210	300
Bronx	260	400
Brooklyn	260	400
Buffalo	233	450
Canadaigua	200	500
Castle Point	281	368
Montrose	240	542
New York	260	400
Northport	135	210
Sunmount	140	300
Syracuse	177	250
North Carolina:		
Durham	75	250
Fayetteville	160	250
Oteen	145	250
Salisbury	150	275
North Dakota: Fargo	150	300
Ohio:		
Brecksville	160	280
Chillicothe	100	200
Cincinnati	120	250
Cleveland	160	450
Dayton	140	300

See footnotes at end of table.

Range of monthly changes in licensed nursing homes available for the care of veteran patients within a radius of 50 miles of the reporting VA hospital, 1962—Continued

VA hospital	Range	
	Minimum	Maximum
Oklahoma:		
Muskogee	$150	$250
Oklahoma City	125	600
Oregon:		
Portland	169	330
Roseburg	200	330
Pennsylvania:		
Altoona	160	320
Butler	100	300
Coatesville	175	300
Erie	220	300
Lebanon	160	300
Philadelphia	180	240
Pittsburgh (general)	250	700
Pittsburgh (psychiatric)	200	250
Wilkes-Barre	250	280
Puerto Rico: San Juan	300	500
Rhode Island: Providence	189	450
South Carolina: Columbia	135	250
South Dakota:		
Fort Meade	150	180
Hot Springs	150	225
Sioux Falls	105	250
Tennessee:		
Memphis	155	300
Mountain Home	125	280
Murfreesboro	150	300
Nashville	125	200
Texas:		
Amarillo	150	275
Big Spring	100	225
Bonham	100	255
Texas—Continued		
Dallas	$120	$300
Houston	75	(2)
Kerrville	125	250
Marlin	120	250
McKinney	100	250
Temple	150	250
Waco	75	200
Utah: Salt Lake City	120	400
Vermont: White River Junction	175	300
Virginia:		
Kecoughtan	125	250
Richmond	150	275
Salem	150	250
Washington:		
American Lake	125	195
Seattle	200	350
Spokane	125	194
Vancouver	150	265
Walla Walla	129	400
West Virginia:		
Beckley	165	360
Clarksburg	135	225
Huntington	150	300
Martinsburg	160	240
Wisconsin:		
Madison	120	600
Tomah	120	250
Wood	150	300
Wyoming:		
Cheyenne	200	300
Sheridan	125	175

[1] No nursing homes available in area.

[2] Not stated.

After the Civil War many States established old soldiers' homes which ultimately were enlarged and their functions changed until today we have 33 such homes in 28 States. Under existing law the Administrator of Veterans Affairs is authorized to pay not more than $2.50 for each day of care given to any veteran in any one of these State homes if the veteran is entitled to receive hospital or domiciliary care in a VA facility. Section 3 continues this $2.50 per day rate for those veterans who are currently in the home but establishes a new rate of $3.50 per day for any veteran who is admitted to the home after the date of enactment of this bill for the first time and who receives nursing home care there. It is estimated that approximately 70 percent of those now in the homes are receiving domiciliary care.

Today a veteran may be admitted for hospital or domiciliary reasons and is thereafter maintained if he develops into a nursing-care case but he cannot be admitted in the latter category for the first time and have the VA pay any of the per diem cost. Section 3 would permit the VA to pay this cost.

Section 3 also repeals the so-called offset provisions in the law today which permits a reduction by one-half of any amount which is retained by the home from any payments of pension or compensation made to such veteran and, unless wives or widows of veterans are admitted and maintained by such home, by any other amounts collected in any manner from such veteran and used for the support of such State home.

Under unanimous consent, I include at this point a table showing the operation of these homes:

Per diem cost of State home care, July 1, 1962, to Mar. 31, 1963

State and home	ADML[1]	Member-days paid for	Spent for State home care	Average cost per member-day
All States, total	9,169	2,511,976	$5,550,171.18	$2.21
California: Napa County	1,820	498,656	1,246,376.16	2.50
Colorado: Home Lake	75	20,630	51,674.80	2.50
Connecticut: Rocky Hill	684	187,336	439,654.40	2.35
Georgia: Milledgeville	206	56,495	136,362.00	2.41
Idaho: Boise	90	24,723	31,581.66	1.28
Illinois: Quincy	565	154,731	367,081.28	2.37
Indiana: Lafayette	249	68,168	132,692.67	1.95
Iowa: Marshalltown	317	86,810	158,457.98	1.83
Kansas: Fort Dodge	94	25,624	33,819.28	1.32
Massachusetts	827	226,761	549,649.00	2.42
Chelsea	(633)	(173,486)		
Holyoke	(194)	(53,275)		
Michigan: Grand Rapids	731	200,267	442,250.41	2.21
Minnesota: Minnesota	397	108,691	156,971.72	1.44
Missouri: St. James	74	20,175	41,667.67	2.07
Montana: Columbia Falls	58	15,807	39,214.98	2.48
Nebraska: Grand Island	148	40,607	83,902.87	2.07
New Hampshire: Tilton	34	9,308	21,516.22	2.31
New Jersey	187	51,359	$126,840.20	$2.47
Menlo Park	(75)	(20,552)		
Vineland	(112)	(30,807)		
New York: Oxford	7	1,835	2,376.23	1.29
North Dakota: Lisbon	93	25,347	55,960.45	2.21
Ohio: Erie County	681	186,712	331,480.00	1.78
Oklahoma	538	147,420	284,279.00	1.93
Ardmore	(167)	(45,782)		
Norman	(196)	(53,752)		
Sulphur	(175)	(47,886)		
Pennsylvania: Erie	181	49,627	123,789.90	2.49
Rhode Island: Bristol	241	65,900	164,319.50	2.49
South Dakota: Hot Springs	138	37,732	86,290.15	2.29
Vermont: Bennington	54	14,735	33,070.40	2.24
Washington	378	103,768	260,333.49	2.50
Orting	(167)	(45,840)		
Retsil	(211)	(57,928)		
Wisconsin: King	290	79,346	140,852.71	1.78
Wyoming: Buffalo	12	3,406	7,706.05	2.26

[1] Average daily member load.

Section 4 authorizes, on a matching basis, $5 million for each of the next 5 fiscal years to assist the States in the construction of new buildings or the expansion, remodeling, modification, or alteration of existing structures in order to provide nursing home beds in their State homes. Appropriate authority is granted the Administrator of Veterans Affairs to prescribe standards governing such construction.

It should be emphasized that this grant is not restricted to States with existing State homes, but rather applies to all States whether or not they at the present time operate a State home. A 10-percent limitation applies on the funds that may be granted to any State for construction of nursing home care facilities. All the funds must be used for the construction of nursing home care facilities and not to enlarge or increase existing facilities for hospital or domiciliary care. Facilities would be constructed on the basis of the war veteran population in each State but not to exceed facilities to provide in excess of one-half bed per 1,000 war veterans in the case of any State.

Section 5 provides that any veteran who is in receipt of the aid and attendance pension shall not have his pension reduced earlier than the first day of the second calendar month which begins after the date of the veteran's admission for hospitalization by the Veterans' Administration. This provision is identical in purpose to section 2 of Public Law 87-645, which provides the same sort of arrangement for veterans with service-connected disabilities.

This section is favored by the Veterans' Administration and the comments quoted above apply with equal validity to this legislation affecting aid and attendance pensioners.

Section 6 authorizes the Administrator of Veterans Affairs to furnish any type of therapeutic, rehabilitative, and medical equipment and supplies, if medically indicated and the veteran is eligible for an invalid lift or would be so eligible if it were not for the fact that he has one. The invalid lift was authorized as a section of Public Law 86-211, effective July 1, 1960. The use of this device has not been widespread—only 270 such lifts have been furnished. This experience indicates the possible use of the authority contained in section 6.

Section 7 relates to the CBOC program—completion of bed occupancy. Section 612(f), title 38, United States Code, enacted as Public Law 86-639, provides that where a veteran reaches a condition in his medical treatment such as to warrant no further medical care in a Veterans' Administration hospital, he may be placed in the CBOC program and in effect be cared for on an outpatient basis for a period not to exceed 1 year. Section 7 would remove this time limit of the CBOC program in the case of six specific diseases from which many of our older veterans are suffering: one, cardiovascular-renal disease, including hypertension; two, endocrinopathies; three, diabetes mellitus; four, cancer; five, neuropsychiatric disorders; and, six, tuberculosis. Care could be given so long as medical judgment dictated such action.

Now a few words indicating the need for nursing home care from sources eminently qualified to speak on this subject. For example, table 5, veteran population projections, 1962–2040, published July 1962, shows that at the present time there are approximately 85,000 World War II veterans aged 65 to 69; 12 years from now in 1975 the figure will have increased tenfold to 889,000; with an additional 255,000 in the bracket 70 to 74 and 89,000 75 to 79.

In May of 1963 the report of the President's Council on Aging was issued under the title, "The Older American." This publication contains much information which will be of interest and value to all those who work in this field. Significantly, it reports that by the year 2000, 52 percent of our population age 65 and over will be veterans and their wives and widows. This same publication, in commenting on the 18 million individual cases, lists these cases as—

> Three ex-Presidents.
>
> Nearly 10 percent of the entire U.S. population.
>
> Nearly 1½ million people living on farms.
>
> More than one out of four U.S. Senators.
>
> Almost 12 million people working full time.
>
> Two of the nine U.S. Supreme Court Justices.
>
> More than 10,000 people over 100 years old.
>
> Over 12½ million people getting social security benefits.
>
> Over 2.3 million war veterans.
>
> More than 3 million people who migrated from Europe to the United States.

Dr. Jack C. Haldeman, Assistant Surgeon General and Chief of the Division of Hospital and Medical Facilities, Bureau of State Services, U.S. Public Health Service, Department of Health, Education, and Welfare, indicated:

> Our aged population now totals 17.3 million persons and is increasing at the rate of over 1,000 a day. More than 600,000 were in institutions at the time of the 1960 census, and, of those not institutionalized or living with their spouse, about half were living alone or with nonrelatives.
>
> Many of the elderly have low incomes, and the resources they have may be strained by higher than average medical care costs. As age increases, the impact of chronic illness becomes more severe. More than 2½ times the days of disability are reported for older persons than for those under 65; hospitalization is more frequent and the hospital stay is longer.
>
> * * * * *
>
> The very elderly predominate among nursing home patients; their average age is in the neighborhood of 80 years. The majority have some heart or circulatory condition and a significant proportion have had fractures, in most cases of the hips. Two out of every 10 are confined to bed and only 5 out of 10 can walk alone, sometimes helped by a cane or crutch. More than half have periods in which they are mentally confused. In general, they have been patients in the home for a year or longer.

Also of interest in showing the magnitude of the problem is a statement from Sidney Spector, Assistant Administrator, Office of Housing for Senior Citizens, Housing and Home Finance Agency:

> Twenty-one million people are now 62 or over, and by 1980 we expect at least 30 million people in this age group. Perhaps even more thought provoking than the numbers involved, is the fact that already one of three persons reaching the age of 60 has a parent or close relative over 80. In 40 years this ratio will rise to two out of three. Then our society will have the unique challenge of meeting the housing needs of not one but two generations of senior citizens. As an indication of how fast our senior citizen population is growing, it may be noted that while the general population increased only 19 percent from 1950 to 1960, the older population rose 35 percent and the age group 85 and over increased just over 60 percent.

During each Congress, the Committee on Veterans' Affairs compiles basic information on the operation of the hospitals and domiciliaries operated by the Department of Medicine and Surgery of the Veterans' Administration. The most recent survey took place in the fall of 1962 and was published as House Committee Print No. 1, 88th Congress. In that connection there was compiled a list of hospitals having patients with long-term illnesses who could be discharged after having received maximum hospital benefits if other facilities were available to receive them. The results of this survey, by area, are reproduced below and are believed to be representative of the situation existing today, and under unanimous consent, I include this survey at this point in my remarks:

Nursing-care eligibles in Veterans' Administration hospitals, by areas

	Patients with long-term illnesses and disabilities who could be discharged with maximum hospital benefits to [1]—				
	Own homes	Foster homes	Nursing homes	Other community placement	Total
Grand total	2,164	3,030	3,703	843	9,740
AREA 1—BOSTON					
Psychiatric	420	487	224	101	1,232
Bedford, Mass	10	45	35	10	100
Brockton, Mass	200	140	5	35	380
Canandaigua, N.Y	8	23	1	3	35
Montrose, N.Y	34	92	78	24	228
Northampton, Mass	114	106	68	19	307
Northport, N.Y	50	50	35	10	145
Togus, Maine	4	31	2		37
Tuberculosis: Castle Point, N.Y	4	2	16	2	24
AREA 1—BOSTON—continued					
General	91	86	117	46	340
Albany, N.Y	10		1	3	14
Batavia, N.Y	3	9	15	3	30
Bath, N.Y		1	9	6	16
Boston, Mass					
Bronx, N.Y	2		6		8
Brooklyn, N.Y	12	8			20
Buffalo, N.Y	26	13	48	6	93
Manchester, N.H	3	3	3	2	11
Newington, Conn			1		1
New York, N.Y	15	11		5	31
Providence, R.I					
Rutland Heights, Mass		19	6		25

[1] Based on question X-15 of questionnaire.

Nursing-care eligibles in Veterans' Administration hospitals, by areas—Continued

	Patients with long-term illnesses and disabilities who could be discharged with maximum hospital benefits to[1]—				
	Own homes	Foster homes	Nursing homes	Other community placement	Total
AREA 1—BOSTON—continued					
General—Continued					
Sunmount, N.Y	--------	--------	--------	--------	--------
Syracuse, N.Y	--------	--------	--------	--------	--------
West Haven, Conn	20	22	28	20	90
West Roxbury, Mass	--------	--------	--------	--------	--------
White River Junction, Vt	--------	--------	--------	1	1
AREA 2—TRENTON					
Psychiatric	245	332	397	37	1,011
Coatesville, Pa	63	69	147	4	283
Lebanon, Pa	29	24	35	11	99
Lyons, N.J	25	25	25	--------	75
Perry Point, Md	26	85	63	2	176
Pittsburgh, Pa	--------	50	15	--------	65
Salem, Va	102	79	112	20	313
Tuberculosis	1	3	5	--------	9
Baltimore, Md	--------	--------	--------	--------	--------
Butler, Pa	1	3	5	--------	9
General	99	52	284	81	516
Altoona, Pa	--------	4	12	--------	16
Beckley, W. Va	--------	--------	5	--------	5
Clarksburg, W. Va	--------	--------	1	--------	1
East Orange, N.J	3	2	11	1	17
Erie, Pa	1	--------	18	2	21
Fort Howard, Md	5	3	15	4	27
Huntington, W. Va	6	--------	11	--------	17
Kecoughtan, Va	2	12	30	7	51
Martinsburg, W. Va	11	--------	13	35	59
Philadelphia, Pa	--------	2	4	--------	6
Pittsburgh, Pa	40	22	45	30	137
Richmond, Va	8	4	60	--------	72
San Juan, P.R	--------	--------	--------	--------	--------
Washington, D.C	6	--------	14	--------	20
Wilkes-Barre, Pa	17	3	25	2	47
Wilmington, Del	--------	--------	20	--------	20
AREA 3—ATLANTA					
Psychiatric	190	209	245	106	750
Gulfport, Miss	25	20	35	20	100
Murfreesboro, Tenn	30	8	40	25	103
Salisbury, N.C	10	10	15	5	40
Tuscaloosa, Ala	15	100	112	10	237
Tuskegee, Ala	110	71	43	46	270
General	197	129	338	37	701
Atlanta, Ga	4	--------	7	2	13
Augusta, Ga	58	107	68	17	250
Bay Pine, Fla	3	1	17	4	25
Biloxi, Miss	13	1	8	--------	22
Birmingham, Ala	2	--------	9	--------	11
Columbia, S.C	15	2	27	1	45
Coral Gables, Fla	--------	--------	12	--------	12
Dublin, Ga	9	5	7	--------	21
Durham, N.C	23	--------	29	3	55
Fayetteville, N.C	--------	--------	25	7	32
Jackson, Miss	--------	--------	7	--------	7
Lake City, Fla	7	4	8	--------	19
Memphis, Tenn	46	6	65	3	120
Montgomery, Ala	7	3	12	--------	22
Mountain Home, Tenn	--------	--------	--------	--------	--------
Nashville, Tenn	10	--------	25	--------	35
Oteen, N.C	--------	--------	12	--------	12
AREA 4—ST. LOUIS					
Psychiatric	73	113	102	15	303
Fort Lyon, Colo	8	21	27	15	71
Jefferson Barracks, Mo	5	9	33	--------	47
North Little Rock, Ark	15	8	----	--------	23
Topeka, Kans	25	40	30	--------	95
Waco, Tex	20	35	12	--------	67
Tuberculosis: Excelsior Springs, Mo	3	--------	2	--------	5
General	168	95	271	51	585
Albuquerque, N. Mex	--------	1	4	--------	5
Alexandria, La	15	--------	13	--------	28
Amarillo, Tex	2	6	5	--------	13
Big Spring, Tex	18	12	19	--------	49
Bonham, Tex	--------	--------	1	--------	1
Dallas, Tex	2	--------	5	--------	7
Denver, Colo	--------	--------	10	--------	10
Fayetteville, Ark	--------	--------	1	--------	1
Fort Bayard, N. Mex	--------	--------	5	--------	5
Grand Junction, Colo	--------	--------	--------	--------	--------
Houston, Tex	81	48	34	45	208
Kansas City, Mo	--------	--------	9	--------	9
Kerrville, Tex	5	5	2	--------	12
Little Rock, Ark	--------	--------	--------	--------	--------
Marlin, Tex	--------	--------	18	1	19
AREA 4—ST. LOUIS—con.					
General—Continued					
McKinney, Tex	--------	--------	3	--------	3
Muskogee, Okla	5	--------	--------	--------	5
New Orleans, La	--------	1	--------	--------	1
Oklahoma City, Okla	7	--------	13	--------	20
Poplar Bluff, Mo	1	3	5	--------	9
St. Louis, Mo	1	--------	7	--------	8
Shreveport, La	21	9	30	--------	60
Temple, Tex	10	5	10	5	30
Wadsworth, Kans	--------	3	72	--------	75
Wichita, Kans	--------	2	5	--------	7
AREA 5—ST. PAUL					
Psychiatric	103	301	180	67	651
Fort Meade, S. Dak	--------	50	10	--------	60
Knoxville, Iowa	38	125	87	62	312
St. Cloud, Minn	--------	--------	--------	--------	--------
Sheridan, Wyo	30	50	30	--------	110
Tomah, Wis	35	76	53	5	169
General	55	20	127	27	229
Cheyenne, Wyo	--------	--------	8	--------	8
Des Moines, Iowa	8	--------	7	10	25
Fargo, N. Dak	4	1	4	6	15
Fort Harrison, Mont	--------	--------	2	--------	2
Grand Island, Nebr	--------	--------	--------	--------	--------
Hot Springs, S. Dak	10	3	31	--------	44
Iowa City, Iowa	1	--------	4	1	6
Iron Mountain, Mich	3	11	2	--------	16
Lincoln, Nebr	--------	--------	2	--------	2
Madison, Wis	6	--------	24	2	32
Miles City, Mont	--------	--------	--------	--------	--------
Minneapolis, Minn	14	5	25	--------	44
Omaha, Nebr	4	--------	12	8	24
Sioux Falls, S. Dak	5	--------	6	--------	11
Wood, Wis	--------	--------	--------	--------	--------
AREA 6—SAN FRANCISCO					
Psychiatric	76	642	291	101	1,110
American Lake, Wash	8	89	7	18	122
Los Angeles, Calif	32	107	129	16	284
Palo Alto, Calif	30	375	45	25	475
Roseburg, Oreg	--------	23	70	36	129
Sepulveda, Calif	6	48	40	6	100
Tuberculosis: San Fernando, Calif	12	13	21	--------	46
General	173	32	321	24	550
Boise, Idaho	3	--------	8	--------	11
Fresno, Calif	4	--------	9	--------	13
Livermore, Calif	1	--------	19	1	21
Long Beach, Calif	9	3	65	12	89
Los Angeles, Calif	123	--------	56	--------	179
Oakland, Calif	4	--------	5	3	12
Phoenix, Ariz	6	--------	15	--------	21
Portland, Oreg	--------	--------	34	--------	34
Reno, Nev	--------	--------	8	2	10
Salt Lake City, Utah	10	11	21	--------	42
San Francisco, Calif	2	--------	11	2	15
Seattle, Wash	--------	--------	--------	--------	--------
Spokane, Wash	3	2	4	--------	9
Tucson, Ariz	3	5	20	--------	28
Vancouver, Wash	--------	2	40	4	46
Walla Walla, Wash	3	2	5	--------	10
Whipple, Ariz	2	7	1	--------	10
AREA 7—COLUMBUS					
Psychiatric	101	449	367	75	992
Battle Creek, Mich	35	30	25	25	115
Brecksville, Ohio	6	5	5	--------	16
Chillicothe, Ohio	--------	250	100	--------	350
Danville, Ill	--------	15	7	--------	22
Downey, Ill	10	39	75	25	149
Lexington, Ky	20	40	125	25	210
Marion, Ind	30	70	30	--------	130
General	156	62	397	71	686
Ann Arbor, Mich	1	3	3	--------	7
Chicago, Ill. (West Side)	4	1	3	4	12
Chicago, Ill. (Research)	--------	--------	2	--------	2
Cincinnati, Ohio	8	--------	120	13	141
Cleveland, Ohio	--------	20	35	--------	55
Daytona, Ohio	10	--------	65	25	100
Dearborn, Mich	9	10	32	7	58
Dwight, Ill	--------	--------	4	--------	4
Fort Wayne, Ind	3	--------	8	2	13
Hines, Ill	118	23	101	17	259
Indianapolis, Ind	--------	3	16	3	22
Louisville, Ky	3	2	6	--------	11
Marion, Ill	--------	--------	--------	--------	--------
Saginaw, Mich	--------	--------	2	--------	2

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[1] Based on question X-15 of questionnaire.

In February, as subcommittee chairman, I conducted a survey as to the possibility of providing nursing care beds in existing VA installations. The table showing the results of my survey speaks for itself, and, under unanimous consent, I include it as a part of my remarks at this point:

Nursing-care beds availability in selected VA hospitals based on subcommittee survey

	Number of nursing care beds	Renovation cost	Equipment cost	Per diem cost	Time to activate (months)
Alexandria, La.	245	$538,900	$302,000	$15.00	18-24
Aspinwall, Pa.	116	705,443	98,829	18.43	15
Bath, N.Y.	300	500,000	150,000	15.00	12
Bonham, Tex.	44	5,000	10,000	17.50	4
Butler, Pa.	190	150,000	45,000	27.00	12
Castle Point, N.Y.	132	300,000	120,000	10.70	8
Dublin, Ga.	232	300,000	212,591	15.00	12-18
Fort Bayard, N. Mex.	56	----------	32,484	11.18	4
Hot Springs, S. Dak.	28	21,000	29,125	13.50	5
Houston, Tex.	76	40,000	56,000	17.00	6
Kerrville, Tex.	64	7,500	92,124	10.41	12
Livermore, Calif.	49	60,716	13,600	27.80	6
Manchester, N.H.	25	27,250	6,315	31.77	3
McKinney, Tex.	39	1,840	----------	18.11	3.4
Memphis, Tenn.	80	7,600	10,280	10.20	5
Miles City, Mont.	100	800,000	60,800	17.44	12
Mountain Home, Tenn.	160	355,000	166,841	18.25	10
Oakland, Calif.	525	4,500,000	315,000	20.00	24-30
Oteen, N.C.	600	500,000 1,000,000	----------	15.00	----------
Poplar Bluff, Mo.	23	14,480	10,965	21.10	6
Richmond, Va.	150	375,000	65,000	26.03	6
Rutland Heights, Mass.	50	230,000	30,000	27.00	15
Thomasville, Ga.	100	30,000	60,000	16.00-18.00	(1)
Tupper Lake, N.Y.	64	16,900	52,028	8.62	9
Vancouver, Wash.	100	21,000	56,000	15.00	4
Wadsworth, Kans.	225	116,000	46,308	6.99	3
Walla Walla, Wash.	64	47,300	28,838	7.65	5
West Haven, Conn.	80	50,000	25,000	25.00	1
White City, Oreg.	275	527,000	330,000	28.00	6
Wood, Wis.	1,026-1,226 800-1,000	7,000,000 2,000,000	75,000 30,000	12.00	30-66
Total	[2] 5,348	17,747,929	2,500,128	[3] 17.46	----------

[1] 3 for 1st 25; 1 month each additional 25.

[2] Assuming 1,226 beds at Wood, Wis.

[3] Giving equal weight to each hospital (average).

The Veterans' Administration is spending $150,000 on a nursing home care study which has been described by the General Counsel, Robert C. Fable, as follows:

It will carefully inspect community facilities of various kinds, including nursing homes, foster home resources, the availability of environmental factors which make it feasible for veterans to reside in their own home and convalescent establishments of all sorts.

The staffing of these facilities, the supporting services, and the types of patients which they will accept, the reasonableness of charges, and many other factors would be examined.

As a companion step, there would be a survey of actual patients in the selected hospitals whose discharge from the hospital will be facilitated if suitable community placement could be arranged. Their precise needs for future care, financial resources, family relationships, need for medical supervision, and other requirements will be compared with the availability, adequacy, and cost of further care in the community itself.

Research will be undertaken at seven localities surrounding selected Veterans' Administration hospitals and will cover the eastern section of the United States. The Veterans' Administration hospitals located include Hines, Ill., East Orange, N.J., Wood, Wis., Columbia, S.C., Huntington, W. Va., Dallas, Tex., and Coral Gables, Fla.

In his April 3, 1963, testimony, before the full committee, Administrator Gleason described a special study of chronically ill patients:

As you know, we have a substantial number of chronically ill patients in our hospitals who are receiving a type of care sometimes referred to as intermediate care. Some of these will finally reach the point at which medical attention is merely incidental and their essential needs could be met through nursing home services. As I have indicated, others who were admitted for hospital care have already reached the nursing home stage but cannot be placed in community facilities and we must continue to provide for them.

These groups offer a sufficient basis, I believe, for an intensive study as to the feasibility and soundness of a Federal venture into the operation of nursing home facilities. I have therefore directed that, along with the other study already described, our Department of Medicine and Surgery with other staff elements shall conduct a careful exploration of this matter with a view to developing facts which will better enable us to make a final recommendation on this critical problem. I feel that no actual pilot test of nursing home facilities, as such, should be undertaken pending the results of this study. As was indicated in the President's recent message on elderly citizens and on health program, the problem of nursing home care which we are discussing is an extensive one affecting all our senior citizens. Successful solution will require the best efforts of all governmental levels and various Federal agencies.

A long-term care unit with a capacity of 200 beds has just started operations as a part of the Kecoughtan, Va., hospital. The results of the first month's operations are shown in the table which, under unanimous consent, I include in the RECORD at this point:

Intermediate service, Veterans' Administration Center, Kecaughtan, Va., Aug. 31, 1963

1. Average daily patient load	162
Patients remaining	175
2. Per diem:	
Actual total hospital (cumulative, July-August)	24.91
Estimated total intermediate (cumulative, July-August)	21.52
3. Service connected (6047 C-3):	
Peacetime	4
Spanish-American War	0
World War I	4
World War II	8
Korean	0
Total	16
Nonservice connected (6047 D):	
Peacetime	0
Spanish-American War	5
World War I	118
World War II	32
Korean	4
Total	159
4A. Range of age from youngest to oldest	27-91
B. Average age	67.29
E. Number discharged to community or home	2
F. Number discharged by death or otherwise	3
5. Number of full-time employment equivalent	124
Doctors	4
Nurses:	
Professional	30
Practical	3
Total	33
Semiprofessional staff:	
Social workers	1
Vocational counselors	0
Therapists	5
Total	6

Intermediate service, Veterans' Administration Center, Kecoughtan, Va., Aug. 31, 1963—Continued

5. Number of full-time employment equivalent—Continued	
Nursing assistants and aids	50
Other:	
Dietetic	16
Housekeeping	8
Clerical	6
Recreation specialist	1
Ratio of employment to restoree	0.77
6. Average length of stay (days) [1]	1,144
7. Turnover rate (discharged as rehabilitated only), percent	0.01
10. Drug cost per diem restoree	0.67

[1] 4E, 1,323; 4F, 1,024.

NOTE.—The following actions (not involving discharge) occurred on the intermediate service during August and are not included above: (a) 3 patients were returned to acute treatment wards; (b) 6 patients were placed on trial visit status in local communities.

The intermediate service had a total of 29 patients in local communities on trial visit status, and 7 on leave of absence as of Aug. 31, 1963. Only 3 wards were operating during July: Wards 1N, 1S, and 1W. On Aug. 12, 1963, ward 1E was opened and all wards are now in operation. 10 beds on ward 1E are reserved for P.M. & R. patients and are not included in this report.

Mr. Speaker, under unanimous consent, I insert at this point the President's memorandum of August 12 to the Administrator of Veterans' Affairs, and certain tabular material germane to this subject:

THE WHITE HOUSE,
Washington, August 12, 1963.

Memorandum for the Administrator of Veterans' Affairs:

The changing characteristics of our veteran population, particularly those who served during the First World War, are resulting in an adverse effect on the acute medical programs administered by the Veterans' Administration. Nearly 1 million war veterans are aged 70 and over. The number will increase 50 percent by 1966.

Older veterans account for one-third of your hospital admissions and they comprise the bulk of the long-term-care patient load. Many have attained maximum benefits of hospitalization but attempts at community placement have been unsuccessful because of the lack of facilities, inadequate financial resources, absence of family ties, and other reasons. Retention of these patients in facilities designed for acute care is costly and places an undue strain on the 125,000-hospital-bed limit under which you are now operating.

In order to relieve this situation, I authorize you to activate and operate facilities and beds for 2,000 nursing-home-type patients in addition to the 125,000 hospital beds presently authorized. This will provide arrangements more consistent with patient requirements and improve utilization of acute care facilities. The higher patient turnover will also defer the need for increasing present bed levels. Existing buildings best suited for this purpose and appropriately located throughout the country according to your judgment, should be utilized. No construction, other than for necessary conversion of existing facilities, is authorized.

This authorization is to enable the Veterans' Administration to gain firsthand knowledge and experience in the operation of beds specifically designated for patients requiring attendant-type services. It will be possible to evaluate a full range of care from domiciliaries through acute medical care, restoration centers, and nursing home care where outplacement is not possible.

I am sure that as a part of your administrative studies, cost control systems will be established so that direct cost comparison will be definitive; also that you will continue to work toward the development and utilization of community and private resources in the best interest of the veteran and the Nation.

JOHN F. KENNEDY.

Hospital costs in community hospitals—Voluntary short-term general and special hospitals—Expense per patient-day, 1961, by region and State

United States, total	$36.04
New England, total	40.91
Connecticut	41.91
Maine	30.81
Massachusetts	$43.58
New Hampshire	34.80
Rhode Island	40.59
Vermont	33.83
Middle Atlantic, total	34.82
New Jersey	33.92
New York	39.09
Pennsylvania	30.31
South Atlantic, total	32.50
Delaware	36.61
District of Columbia	41.10
Florida	35.75
Georgia	31.74
Maryland	37.46
North Carolina	25.89
South Carolina	23.35
Virginia	28.14
West Virginia	30.16
East north cental, total	36.78
Illinois	38.85
Indiana	34.37
Michigan	39.19
Ohio	35.15
Wisconsin	33.59
East south central, total	31.70
Alabama	32.56
Kentucky	32.80
Mississippi	28.64
Tennessee	31.14
West north central, total	$31.11
Iowa	29.52
Kansas	28.18
Minnesota	35.97
Missouri	31.30
Nebraska	29.26
North Dakota	26.34
South Dakota	28.13
West south central, total	33.78
Arkansas	29.49
Louisiana	35.54
Oklahoma	30.89
Texas	34.94
Mountain, total	34.75
Arizona	36.33
Colorado	34.91
Idaho	37.40
Montana	30.38
Nevada	42.81
New Mexico	34.51
Utah	36.59
Wyoming	27.86
Pacific, total	48.78
Alaska	45.79
California	51.83
Hawaii	42.33
Oregon	38.43
Washington	44.64

Source: Hospitals, Journal of the American Hospital Association, guide issue, vol. 36, No. 15 (Aug. 1, 1962), pt. 2, pp. 422–439.

Expense per patient-day, annual admissions, and average daily census, U.S. hospitals, 1946 and 1961

Classification	Expense per patient-day		Admissions (thousands)		Census (thousands)	
	1946	1961	1946	1961	1946	1961
United States, all hospitals	$5.21	$18.46	15,675	25,474	1,142	1,393
Non-Federal short term (general and surgical)	9.39	34.98	13,655	23,375	341	489
Voluntary	10.04	36.04	9,554	16,974	231	349
Proprietary	10.13	33.29	1,408	1,566	25	25
State and local government	7.39	32.27	2,694	4,835	84	116
Non-Federal psychiatric	$1.39	$5.53	202	376	517	654
Non-Federal tuberculosis	4.57	14.72	85	65	55	36
Non-Federal long term (general and surgical)	2.97	14.49	139	155	63	60
All Federal	6.14	23.34	1,593	1,503	166	153

Source: Hospitals, Journal of the American Hospital Association, guide issue, vol. 36, No. 15 (Aug. 1, 1962), pt. 2, pp. 416–417.

VETERAN POPULATION, JUNE 30, 1963

Estimated number of veterans in civil life, by State, June 30, 1963 [1]

[In thousands]

State	All veterans [2]	World War II [3]	Korean conflict		World War I	Other [4]
			Total [3]	No service in World War II		
Total	22,166	15,100	5,663	4,567	2,343	156
State total	22,039	15,040	5,609	4,522	2,324	153
Alabama	314	211	87	68	32	3
Alaska	24	18	7	5	1	(5)
Arizona	187	127	53	41	17	2
Arkansas	168	113	35	26	27	2
California	2,361	1,630	679	499	215	17
Colorado	235	159	65	50	24	2
Connecticut	349	245	84	69	33	2
Delaware	57	41	15	12	4	(5)
District of Columbia	105	66	33	24	13	2
Florida	715	484	187	135	90	6
Georgia	381	261	104	82	35	3
Hawaii	52	34	17	14	3	1
Idaho	76	52	17	14	9	1
Illinois	1,254	858	295	251	140	5
Indiana	539	358	138	118	60	3
Iowa	308	195	77	67	44	2
Kansas	254	169	62	51	32	2
Kentucky	307	206	74	62	36	3
Louisiana	323	225	79	63	33	2
Maine	113	75	27	22	15	1
Maryland	407	288	110	83	34	2
Massachusetts	681	463	166	133	78	7
Michigan	926	627	232	202	92	5
Minnesota	401	257	103	88	53	3
Mississippi	181	125	42	32	23	1
Missouri	516	341	128	105	67	3
Montana	82	54	21	17	10	1
Nebraska	159	101	43	37	20	1
Nevada	51	36	15	11	4	(5)
New Hampshire	83	56	22	17	9	1
New Jersey	856	604	199	165	82	5
New Mexico	111	76	32	25	9	1
New York	2,173	1,495	510	437	227	14
North Carolina	436	299	115	95	39	3
North Dakota	54	34	15	13	7	(5)
Ohio	1,247	859	309	263	118	7
Oklahoma	286	191	74	56	37	2
Oregon	248	169	58	45	32	2
Pennsylvania	1,450	1,017	335	279	145	9
Rhode Island	111	77	27	21	12	1
South Carolina	208	141	57	45	20	2
South Dakota	75	45	20	18	11	1
Tennessee	375	255	93	78	39	3
Texas	1,125	781	294	228	108	8
Utah	106	70	32	26	9	1
Vermont	40	27	10	8	5	(5)
Virginia	459	321	133	96	39	3
Washington	384	258	106	78	45	3
West Virginia	187	125	45	37	23	2
Wisconsin	453	290	116	101	59	3
Wyoming	46	31	12	10	5	(5)
Other United States [6]	91	40	47	42	8	1
Foreign	36	20	7	3	11	2

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[1] Subject to revision when final Bureau of Census estimates of interstate migration, July 1962–July 1963, become available.

[2] Veterans with service in both World War II and the Korean conflict are counted only once.

[3] Includes 1,096,000 veterans who served in both World War II and the Korean conflict.

[4] Spanish-American War veterans, 22,000; former members of the (peacetime Regular Establishment receiving VA disability compensation, 134,000; and Indian wars veterans, 25.

[5] Less than 500.

[6] Commonwealth of Puerto Rico, possessions, and other outlying areas.

Estimated number of veterans in civil life, by regional office, June 30, 1963 [1]

[In thousands]

Regional office	All veterans [2]	World War II [3]	Korean conflict		World War I	Other [4]
			Total [3]	No service in World War II		
Total	22,166	15,100	5,663	4,567	2,343	156
Alabama, Montgomery	314	211	87	68	32	3
Alaska, Juneau	24	18	7	5	1	(5)
Arizona, Phoenix	187	127	53	41	17	2
Arkansas, Little Rock	173	116	36	27	28	2
California:						
Los Angeles	1,466	1,013	430	315	128	10
San Francisco	914	631	255	188	88	7
Colorado, Denver	235	159	65	50	24	2
Connecticut, Hartford	349	245	84	69	33	2
Delaware, Wilmington	57	41	15	12	4	(5)
District of Columbia, Washington	288	202	88	59	24	3
Florida, St. Petersburg	715	484	187	135	90	6
Georgia, Atlanta	381	261	104	82	35	3
Hawaii, Honolulu	52	34	17	14	3	1
Idaho, Boise	76	52	17	14	9	1
Illinois, Chicago	1,335	914	316	269	147	5
Indiana, Indianapolis	458	302	117	100	53	3
Iowa, Des Moines	308	195	77	67	44	2
Kansas, Wichita	185	122	45	38	24	1
Kentucky, Louisville	307	206	74	62	36	3
Louisiana:						
New Orleans	233	162	59	48	22	1
Shreveport	90	63	20	15	11	1
Maine, Togus	113	75	27	22	15	1
Maryland, Baltimore	303	209	81	64	28	2
Massachusetts, Boston	619	420	152	122	70	7
Michigan, Detroit	926	627	232	202	92	5
Minnesota, St. Paul	374	240	97	83	49	2
Mississippi, Jackson	181	125	42	32	23	1
Missouri:						
Kansas City	278	186	69	54	36	2
St. Louis	307	202	76	64	39	2
Montana, Fort Harrison	82	54	21	17	10	1
Nebraska, Lincoln	159	101	43	37	20	1
Nevada, Reno	32	22	9	7	3	(5)
New Hampshire, Manchester	83	56	22	17	9	1
New Jersey, Newark	856	604	199	165	82	5
New Mexico, Albuquerque	111	76	32	25	9	1
New York:						
Albany	201	139	45	38	23	1
Brooklyn	317	209	80	72	33	3
Buffalo	326	221	80	68	35	2
New York	1,104	772	249	212	113	7
Syracuse	225	154	56	47	23	1
North Carolina, Winston-Salem	436	299	115	95	39	3
North Dakota, Fargo	81	51	21	18	11	1
Ohio:						
Cincinnati	554	380	139	118	53	3
Cleveland	693	479	170	145	65	4
Oklahoma, Muskogee	286	191	74	56	37	2
Oregon, Portland	248	169	58	45	32	2
Pennsylvania:						
Philadelphia	562	393	131	108	58	3
Pittsburgh	580	410	131	110	56	4
Wilkes-Barre	330	229	78	65	33	3
Puerto Rico, San Juan	91	40	47	42	8	1
Rhode Island, Providence	173	120	41	32	20	1
South Carolina, Columbia	208	141	57	45	20	2
South Dakota, Sioux Falls	75	45	20	18	11	1
Tennessee, Nashville	375	255	93	78	39	3
Texas:						
Dallas	345	243	86	66	33	3
Houston	297	205	79	64	26	2
Lubbock	178	125	49	38	14	1
San Antonio	192	134	52	38	19	1
Waco	108	71	27	21	15	1
Utah, Salt Lake City	106	70	32	26	9	1
Vermont, White River Junction	40	27	10	8	5	(5)
Virginia, Roanoke	380	264	107	80	34	2
Washington, Seattle	384	258	106	78	45	3
West Virginia, Huntington	165	110	40	33	21	1
Wisconsin, Milwaukee	453	290	116	101	59	3
Wyoming, Cheyenne	46	31	12	10	5	(5)
Philippines, Manila	16	10	2	1	3	2
All other [6]	20	10	5	2	8	(5)

[1] Subject to revision when final Bureau of Census estimates of interstate migration, July 1962–July 1963, become available.

[2] Veterans with service in both World War II and the Korean conflict are counted only once.

[3] Includes 1,096,000 veterans who served in both World War II and the Korean conflict.

[4] Spanish-American War veterans, 22,000; former members of the (peacetime) Regular Establishment receiving VA disability compensation, 134,000; and Indian wars veterans, 25.

[5] Less than 500.

[6] Includes all places outside regional office areas.

Estimated age of veterans in civil life, June 30, 1963

[In thousands]

Age in 1963	Total veterans [1]	World War II [2]	Korean conflict		World War I	Spanish-American War	Other [3]
			Total [2]	No service in World War II			
All ages	22,166	15,100	5,663	4,567	2,343	22	134
Under 20 years	(4)	----------	----------	----------	----------	----------	(4)
20 to 24 years	14	----------	1	1	----------	----------	13
25 to 29 years	907	----------	867	867	----------	----------	40
30 to 34 years	3,318	275	3,090	3,018	----------	----------	25
35 to 39 years	4,505	3,863	1,025	631	----------	----------	11
40 to 44 years	5,026	4,979	369	36	----------	----------	11
45 to 49 years	3,188	3,167	178	11	----------	----------	10
50 to 54 years	1,613	1,604	78	3	----------	----------	6
55 to 59 years	834	829	35	(4)	(4)	----------	5
60 to 64 years	452	279	15	----------	165	----------	8
All ages—Con.							
65 to 69 years	1,364	85	4	----------	1,277	----------	2
70 to 74 years	741	14	1	----------	725	----------	2
75 to 79 years	167	4	(4)	----------	161	1	1
80 to 84 years	22	1	----------	----------	12	9	(4)
85 to 89 years	14	(4)	----------	----------	3	11	(4)
90 years and over	1	(4)	----------	----------	(4)	1	(4)
Average age (years) [5]	44.2	44.0	33.8	31.9	69.1	85.3	36.9

[1] Veterans with service in both World War II and the Korean conflict are counted once. A small but unknown number of veterans are included more than once if their service was in 2 or more other periods.

[2] Includes 1,096,000 veterans who served in both World War II and the Korean conflict.

[3] Former members of the (peacetime) Regular Establishment receiving VA disability compensation (and 25 veterans of the Indian wars).

[4] Less than 500.

[5] Computed from 1-year age groups.

Life expectancy [1]

	At birth			At age 65		
	Both sexes	Males	Females	Both sexes	Males	Females
Current	70.2	67.0	72.6	14.6	13.0	16.1
1950	68.1	65.5	71.0	13.8	12.7	15.0
1930	59.2	57.7	61.0	12.2	11.7	12.8
1900	49.2	47.9	50.7	11.9	11.5	12.2

[1] The life expectancy of veterans is not significantly different than that of the general population.

In summary, hearings before the Subcommittee on Intermediate Care were held on providing intermediate care for veterans over a 6-week period, on the following dates: May 14, 15, 16, 21, 22, 23, June 4, 5, 6, 11, 12, 13, 20, 25, 26, 1963.

Every interested party was given an opportunity to testify, including the Veterans' Administration; the Bureau of the Budget; the Department of Health, Education, and Welfare; the Housing and Home Finance Agency; American Hospital Association; the Association of State Homes; the American Nurses' Association; the American Legion; Veterans of Foreign Wars; Disabled American Veterans; AMVETS; Paralyzed Veterans of America; United Spanish-American War Veterans; and Veterans of World War I of the U.S.A., Inc. All of the veterans' organizations testified in support of the concept of this legislation.

There is a great need for intermediate or nursing home care for veterans and nonveterans.

Thousands of veterans in Veterans' Administration hospitals today require and are receiving such type of care. Other thousands now outside the VA medical system will in the future need it. The restoration center now operating at Hines, Ill., and the one to be opened this fall at East Orange, N.J., while holding some promise do not meet the need for nursing home or intermediate care and do not involve many veterans of the age bracket needing nursing care. Experience is thus far lacking—except for 1 month as indicated earlier—from the long term care unit just beginning operations at Kecoughtan, Va., but facilities such as this located appropriately across the country would meet the need for this type of care. At the present time there is no plan to build additional long-term care units.

In October 1961, the Veterans' Administration made a survey of neuropsychiatric patients in its hospitals. At that time 42 percent had been in the hospitals for more than 10 years and 18 percent for more than 20 years. These patients constitute the great bulk of the so-called frozen beds and greater utilization of nursing-care facilities would relieve this situation and make beds available for the acutely ill patient.

With a medical system already in operation involving 168 hospitals with an average daily patient load of 110,000 and 16,000 additional individuals being cared for in 18 domiciliaries located throughout the country, with 33 State homes operated by 28 States—9,000 average daily member load—for whom the Federal Government is paying a portion of the operating costs as well as 3,000 Veterans' Administration beneficiaries maintained in community and private hospitals throughout the country, the Veterans' Administration is uniquely qualified to pioneer in this field and could provide skilled nursing home care affiliated with a hospital as sought by the Administration as part of its program for the general population.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein certain tabular matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, the purpose of the bill now pending before us has been adequately explained by the chairman of the full committee, as well as by the chairman of the subcommittee.

Mr. Speaker, I certainly want to state at this time that it was a great privilege to serve as a member of the subcommittee under the outstanding leadership, planning, and guidance of the chairman of the subcommittee, our fine colleague, the gentleman from Tennessee [Mr. EVERETT].

Public hearings on intermediate care, or nursing care as it is more popularly known, were held beginning on May 14 and extending through June 26. A 1701-page volume of printed hearings offers living testimony to the depth of the committee study of nursing home care for veterans. All interested agencies of Government, veterans' organizations, professional associations, Members of Congress, and other interested parties presented their views on this subject. The subcommittee visited and observed the operation of nursing homes, both public and private, in various parts of the Nation. The bill before you today, H.R. 8009, is the end result of our deliberations. It represents the unanimous thinking of the subcommittee, endorsed and approved by the full Committee on Veterans' Affairs.

The bill will first, authorize 2,000 additional beds in the Veterans' Administration system exclusively for nursing type care; second, authorize the Veterans' Administration to pay for a maximum of 6 months nursing care in public or private nursing homes after the maximum hospital benefits have been received at a Veterans' Administration hospital with the cost of such care not more than one-third of the cost of care in a Veterans' Administration general hospital; third, authorize a $1 increase in the per diem payment to State homes for each eligible veteran receiving nursing care; fourth, authorize a 5-year program on a 50–50 matching basis with States of $1 million per year for the construction or expansion of existing State home facilities for nursing care; fifth, encourages veterans receiving aid-and-attendance pensions to reenter hospitals for brief stays without loss of their pension thus preventing longer stays and more serious illnesses; sixth, authorizes the furnishing of therapeutic or rehabilitative equipment or supplies to certain aid-and-attendance pensioners in the same manner as they would be provided if they were hospitalized; and, seventh, removes the present 1 year limitation on outpatient treatment under the completion of bed occupancy program following hospitalization, in the case of certain diseases normally associated with old age.

The approval of this legislation, Mr. Speaker, will fill a longstanding void in the veterans' benefit structure. As the Nation's veteran population advances in years, the need for facilities for the treatment of conditions associated with advancing years grows more acute. The average age of World War I veterans today, for example, is 69 years. For purposes of care and treatment, the veteran population seems to be divided into three groups. At one extreme are the group who are acutely ill and require active medical treatment in hospitals that are fully staffed with doctors in all specialties, nurses, technicians, and attendants. At the other extreme, are the group who have disabilities that incapacitate them from earning a living, but not so severe as to require hospitalization. The Veterans' Administration domiciliary home program meets the needs of this group.

Between these two extremes, however, is the rapidly increasing class of veterans who do not require active hospital care and treatment, yet are too ill to qualify for admission to a domiciliary home. This is the patient who requires nursing care—the geriatric, the chronic, the long-term patient.

The Veterans' Administration system as it exists today cannot meet the needs of this class of veteran.

Because of this lack of facilities, many of these patients occupy beds at a per diem cost of $27 in general medical hospitals that are professionally staffed and geared to active medical care, when they could well be transferred to nursing care facilities operating at approximately one-third of the per diem costs of general hospitals. Others are denied the type of care they so urgently need.

This bill, Mr. Speaker, offers a multipronged solution to the problem I have outlined. It offers an incentive for State Governments to share the responsibility for this problem and to share in its solution. It fulfills an urgent need of the aging veteran population. I urge its approval.

Mr. Speaker, I yield to the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Several questions come to my mind in connection with this legislation. First of all, the legislation authorizes 2,000 additional beds exclusively for nursing care. Now, are these beds to be in new nursing homes built by the Veterans' Administration or are they to be already existing hospital beds converted to nursing care?

Mr. ELLSWORTH. The bill calls for 2,000 additional beds in facilities over which the Administrator has direct and exclusive jurisdiction. In view of this language, I do not believe separate nursing homes will be built. It is quite possible, however, that a new building on the grounds of an existing Veterans' Administration hospital may be constructed to house a nursing care unit or an already existing building on VA hospital property may require renovation for this purpose. Even an unused ward in a VA hospital may be converted to nursing care. In the light of the requirement that these be additional beds, however, I do not anticipate the conversion, for this purpose, of beds presently occupied by active medical care patients.

Mr. FINDLEY. On page 20 of the committee report, there is a listing of some 30 hospitals that could provide 5,348 nursing care beds after some renovation. Are the 2,000 beds authorized by this legislation to be limited to these facilities?

Mr. ELLSWORTH. Undoubtedly some of these facilities will be utilized in providing nursing care. The list of hospitals to which the gentleman refers, however, were the result of a random survey of 51 Veterans' Administration hospitals. Among the 117-odd hospitals not surveyed, I am confident that nursing care units can be provided at comparable costs. I am confident the nursing care beds will be located in facilities that offer the widest possible coverage of the Nation's veteran population.

Mr. FINDLEY. On pages 60a and 60b of the committee report, there is a memorandum to the Administrator of Veterans' Affairs from President Kennedy authorizing the activation and operation of 2,000 nursing care beds. What is the effect of the President's memorandum upon the bill presently under consideration?

Mr. ELLSWORTH. When the Special Subcommittee on Intermediate Care reported H.R. 8009 on August 8, 1963, it contained a provision authorizing 4,000 beds for nursing care. The President's memorandum of August 12 authorized 2,000 beds for nursing care. The full Committee on Veterans' Affairs on August 14 amended H.R. 8009 to authorize 2,000 additional. Should this legislation be approved and ultimately become law, we will have 2,000 beds authorized by Presidential memorandum plus 2,000 beds authorized by statute, for a total of 4,000 nursing care beds as contemplated by the Special Subcommittee on Intermediate Care when it reported H.R. 8009 on August 8. I would call the gentleman's attention to the fact, however, that the President's memorandum can be rescinded merely by issuing another Presidential memorandum.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I would be glad to yield to the gentleman from Vermont.

Mr. STAFFORD. Mr. Speaker, I want to compliment the committee on this fine legislation and its handling of it and to express the hope that it will pass the House unanimously. This is an area in which our country can demonstrate its gratitude to and concern for our war veterans.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I will be glad to yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Speaker, although I am not a member of the Committee on Veterans' Affairs, I have long been aware of the need for a program of nursing care for veterans.

The average age of Spanish-American War veterans is 85. The World War I veteran's average is 69 years of age. Even the World War II veteran has an average age of 44. As the veteran population ages his medical needs accelerate greatly with a corresponding increase in the need for facilities to care for disabilities usually associated with advancing years. There are currently 2,343,000 World War I veterans. Practically all of this group are over 65. As these veterans come into the 65-and-over age classification and as they have incurred additional disabilities associated with aging, they require additional special care. The present facilities of the Veterans' Administration are woefully inadequate to meet the needs of this aging veteran population. Certainly, we would be penny wise and pound foolish to permit the existing beds in the Veterans' Administration hospital system to be occupied for the most part by this class of veteran at a cost of $27 a day, when all he needs is nursing care which can be provided at a fraction of the cost.

Now, we have all been exposed to the demands for increase in pensions for the sick and needy World War I veteran. Without going into the merits of the pension demands, it is my considered judgment that we will be providing more benefits to the sick and needy veteran of World War I by the enactment of this legislation than that contained in any pension bill before the Congress. This bill offers a tangible benefit to the sick veteran who is unable to afford the cost of a private nursing home. Insofar as veterans' legislation is concerned it merits priority attention and I recommend its approval.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I shall be glad to yield to the gentleman from Ohio.

Mr. AYRES. Mr. Speaker, as the ranking member on the Veterans' Affairs Committee, I would like to commend the subcommittee for the superb job they have done in this field. They not only worked hard but they worked diligently. I am quite certain that the Members who have had the time to review the work of the subcommittee will agree that this is a very constructive piece of legislation.

Mr. ELLSWORTH. I thank the gentleman from Ohio for his remarks.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I shall be glad to yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, I too want to associate myself with the remarks of the gentleman from Kansas [Mr. ELLSWORTH] and to take this opportunity to compliment the gentleman and the chairman of the committee for the outstanding job they have done in bringing this most worthwhile piece of legislation before the House.

In enacting this legislation, the House will be meeting one of the pressing national goals which has always been the proper care and treatment of those who have given so much to this Nation.

Certainly the provisions stated in this excellent bill will meet the immediate needs, and the cost is not great considering the propitious benefits that will be derived.

Each section of this bill gives promising hope to the many veterans in the United States whose treatment has been less than sufficient. The additional beds, particularly are needed.

By passing this bill the Congress will demonstrate its compassion for those who need the care at a time when it is most important in their lives.

While the future statistics of veterans who will be requiring care astound the imagination, this legislation—as an intermediate measure—is most important and meaningful.

I am indeed grateful to the committee for presenting such an excellent piece of legislation before the full Congress.

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHADEBERG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I rise in support of H.R. 8009 and wish to commend the most able chairman of the Subcommittee on Intermediate Care of the Veterans' Committee which conducted the hearings for a job well done. As a member of the subcommittee I attended and participated in all of the scheduled hearings. While I was not completely sold on the advisability of entering this program of intermediate care when the hearings began I am convinced in my own mind based on the facts presented to the committee that there is not only a need for the program but that the program will result in benefiting the veteran in need but the taxpayer as well.

We have a rather extended veterans' program at present and I am sure that all of us would like to do the best job for the veterans at the least expense. While it is true that the bill calls for an outlay of additional sums of money for the program it should be pointed out that since our veterans are getting older there will, under the present program, be increased need for additional hospital facilities. At the present rate the cost per patient per day is about $27. It is our hope that through providing intermediate care the cost can be reduced from $27 to $9 per patient per day.

Since it is clear that the program of veterans' care will increase—unless, of course, it is discontinued and there is little indication that it will be discontinued—the only alternative is to have our veterans' program cost increase at an alarming rate rather than increase at a minimum rate.

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. **SAYLOR**. Mr. Speaker, I rise in support of H.R. 8009.

I must confess, however, that I am not entirely satisfied with this bill. My dissatisfaction is not based upon the bill doing too much, but rather upon the bill not going far enough. Section 1 of this bill authorizes the Administrator of Veterans' Affairs to establish and operate not more than 2,000 additional nursing home beds for veterans. Feeling that this number of beds was inadequate for this purpose, I offered an amendment in committee, which was defeated, increasing the 2,000 beds to 5,000.

In a survey recently accomplished by our committee, 51 Veterans' Administration hospitals in various parts of the Nation, were asked the question: "Assuming the existence of authority and availability of funds, the subcommittee would like to know how many nursing care beds you can provide and staff at your installation and the cost of renovating or modernizing existing structures, but not involving the construction of any new buildings?" Twenty-one hospitals submitted negative replies. The balance, 30 hospitals, indicated they could provide a total of 5,348 beds exclusively for nursing care. There would, of course, be some cost of renovation involved.

Now, Mr. Speaker, there are 168 hospitals in the Veterans' Administration system. If a random survey of 51 of these hospitals discloses more than 5,000 beds available for nursing care in 30 of them, it is reasonable to assume that there are at least an equal number of additional beds available for nursing care among the remaining 117 hospitals in the system. The 2,000 nursing care beds authorized by H.R. 8009, in my judgment, only partially fills the overwhelming need for facilities of this type. The committee survey indicates that a minimum of 5,000 beds can easily be provided for nursing care from within the Veterans' Administration hospital structure without the necessity of constructing one single additional bed. I will vote for this bill, Mr. Speaker, because it represents a step in the right direction. I hasten to add, however, that it is the first step and ultimately we will find it desirable to provide at least 3,000 additional beds for this worthy purpose.

Mr. **ELLSWORTH**. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. REIFEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. **REIFEL**. Mr. Speaker, on pages 6 and 7 of the bill, under the general regulations for the State-Federal program of constructing nursing home facilities for war veterans, the VA Administrator is instructed to furnish the following:

> 1. The number of beds required to provide adequate nursing home care to war veterans residing in each State, which number shall not exceed one-half bed per thousand war veteran population in the case of any State.

On page 5 of the committee report it is further stated as follows:

> Facilities would be constructed on the basis of the war veteran population in each State but not to exceed facilities to provide in excess of one-half bed per 1,000 war veterans in the case of any State.

I can well understand the desire of the committee to authorize only a limited program of nursing-home care directed at meeting the greatest need among veterans. There is little doubt that lack of this type of care is one of the real remaining gaps in the present Veterans' Administration care program.

However, I am wondering if the one-half-bed-per-thousand restriction might not defeat the committee's purpose, or seriously hamper it, in the case of the smaller States.

By this language it would appear that a small State which, for example, has only 50,000 war veteran population would be limited to no more than 25 nursing-care beds if it saw fit to enter into the construction phase of this program. This would seem to make it uneconomical to construct these needed facilities.

It would be particularly restrictive in the case of any small State which at present has no State soldiers home to which an addition for nursing care could be constructed.

In some cases there may be States which would like to construct nursing home facilities for veterans at a site apart from the existing State soldiers home. Most of these homes were constructed many years ago and some are distant from the population centers of today. If limited to 25 or 30 or 50 beds, this would appear to be infeasible to justify new construction.

Therefore, it would appear that the one-half-bed-per-thousand restriction works a hardship on the smaller states and prevents them from participating in the construction phase to the maximum extent.

I am certain that this was not the intent of the committee and, inasmuch as the bill before us is not open to amendment, it is hoped that the other body will take steps to correct this situation.

It would seem to me that a sensible solution would be to establish a minimum floor of 75 or 100 beds for any State wishing to construct new nursing home facilities apart from existing construction in order to better serve its war veteran population.

In the case of South Dakota, for example, the existing State soldiers home is located at Hot Springs, some 400 miles away from the most heavily populated region of the State. If the State of South Dakota wished to construct a new home offering exclusively nursing care to veterans in this more heavily populated area, it would seem to be precluded from doing so because the one-half bed formula limits that State to 37 beds on the basis of its 75,000 war veterans.

The effect of this provision on other States is demonstrated by the following table:

Effect on smaller States of ½ bed per thousand limitation

States	Veterans population as of June 30, 1963	Entitlement to nursing beds under H.R. 8009
1. Alaska	24,000	12
2. Arizona	187,000	93
3. Arkansas	168,000	84
4. Delaware	57,000	28
5. District of Columbia	105,000	52
6. Hawaii	52,000	26
7. Idaho	76,000	38
8. Maine	113,000	56
9. Mississippi	181,000	90
10. Montana	82,000	41
11. Nebraska	159,000	79
12. Nevada	51,000	25
13. New Hampshire	83,000	41
14. New Mexico	111,000	55
15. North Dakota	54,000	27
16. Rhode Island	111,000	55
17. South Dakota	75,000	37
18. Utah	106,000	53
19. Vermont	40,000	20
20. Wyoming	56,000	23

Source: Veterans' Affairs Committee Report No. 680, p. 55.

Mr. **ELLSWORTH**. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. DOLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. **DOLE**. Mr. Speaker, I want to congratulate the gentleman from Kansas [Mr. ELLSWORTH] for his excellent presentation of this subject of vital concern to all of us. The gentleman has always demonstrated a remarkable insight into the problems affecting veterans and as a member of the Committee on Veterans' Affairs conscientiously applies his knowledge in solving them.

The bill before us today, rounds out the program of hospital and medical care this grateful Nation provides for its veterans. For many years, the Veterans' Administration has been providing medical care, properly termed "second to none." Through the domiciliary program, it has been providing a home for veterans whose disabilities prevent them from pursuing gainful employment. In recent years, however, the need for a third category of medical care has increased rapidly, that is, nursing care or intermediate care as it is sometimes called. The existing facilities of the Veterans' Administration cannot accommodate the veteran not sick enough to require active hospital care but too ill to qualify for domiciliary care. As the veteran population ages, the need for nursing care facilities will become even more acute.

H.R. 8009 will fill this void by authorizing 2,000 beds in the Veterans' Administration system exclusively for nursing care. I am pleased to note States are given an opportunity to share the responsibility in solving the problem of the aging veteran through this legislation.

Mr. Speaker, the committee has performed a needed service in bringing this legislation to the floor of this House. As a wartime service connected disabled veteran, I will vote in favor of it and trust my colleagues will do the same.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I am glad to yield to the distinguished gentleman from Missouri.

Mr. HALL. I would like to ask the gentleman if there is anything in the bill that says that those who will participate in this extended Veterans' Administration medical care program applies to only service-connected disability patients as usually determined by the Medical Director of the Veterans' Administration, or to non-service-connected disability cases?

Mr. ELLSWORTH. In answer to the gentleman's question, the answer is "No." There are no changes or modifications in this bill of the regular standards for eligibility for treatment.

Mr. HALL. If the gentleman will yield further; in other words, it would allow the Administrator or the Medical Director of the Veterans' Administration to have a patient requiring care hospitalized in a nursing home whether he was service connected or nonservice connected?

Mr. ELLSWORTH. Subject to the regular "means test," which is already the law.

Mr. HALL. If the gentleman will yield further, we know, of course, that the "means test," as far as determining service connection is concerned, is merely the question of the signature of the veteran on a petition. This has been argued out, and I think this is no place to discuss it in connection with this bill, because is it not true that in the end and in summary this would be a question of providing additional beds for care of deserving veterans, as determined by the Administrator, at an expenditure which many of the States are now carrying themselves, of perhaps, a maximum of $6 to $9 a day total—including compensation and so forth—rather than building additional hospital beds which might vary above the 125,000 now prescribed by law from, say, $27 per bed to even $34 per bed—or per diem cost per patient—is that correct?

Mr. ELLSWORTH. Of course, a part of the purpose of the bill is to remove veterans who are now occupying $27- and $30-a-day beds and put them in $7-, $8-, and $9-a-day beds.

The main thrust of the gentleman's remarks is that this bill provides both service-connected and non-service-connected facilities.

Mr. HALL. I finished with that particular "thrust," but I would like to "thrust" in another direction. By doing this, if indeed there are additional beds needed, we are doing it at a cost of from $6 to $9 a day rather than at the cost of a permanent hospital operation and maintenance which amounts to an average of about $32 per bed per day.

Mr. ELLSWORTH. The gentleman is correct.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. May I inquire, is there any limitation on the Administrator as to where he should rent these nursing homes?

Mr. ELLSWORTH. No, sir, there is not. That is within the discretion of the Administrator.

Mr. ROGERS of Colorado. He cannot put them all, 2,000, as an example, in the State of Massachusetts, for instance?

Mr. ELLSWORTH. No. That is my understanding, he could not.

Mr. ROGERS of Colorado. It is his judgment as to where they should be located?

Mr. ELLSWORTH. Yes. I may say to the gentleman the subcommittee and the chairman of the subcommittee, the gentleman from Tennessee [Mr. EVERETT], conducted a somewhat random survey of facilities throughout the country that would be available to the Administrator in case legislation of this kind should be enacted. We had responses from some 51 facilities, or 30 hospitals throughout the country, indicating the possibility of providing 5,348 nursing care beds after some improvements.

Mr. TEAGUE of Texas. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I yield to the gentleman from Texas.

Mr. TEAGUE of Texas. The gentleman is confusing two sections of the bill. The gentleman's question was, "In private nursing homes can the Administrator place the veterans wherever he wants to?" Of course, there are about 10,000 across the United States, and I doubt if there is any State that would have the 2,000 out of the 50 States. We direct the Administrator to place the veteran in a private nursing home near his home or near the hospital. That would give us a pretty fair spread across the United States as to where they would go.

Mr. ROGERS of Colorado. Do I understand that part of the study is reflected on page 3 of the report where you take the VA hospitals, take them up by States, and you have ascertained approximately the cost of nursing homes near all those hospitals? As an example, in my own State of Colorado you have in Denver a minimum of $175 a month up to $350 a month, and so on down through the rest of the State of Colorado and throughout the Nation. What has prompted me to ask the question as to location of the nursing homes is to determine if the Administrator in his judgment decides in the State of Florida he can take them down there and give them nursing care much cheaper than he can in Denver, is he obligated to do so?

Mr. ELLSWORTH. No, sir.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I yield to the gentleman from Iowa.

Mr. GROSS. Did I hear someone say it is proposed to put something more in Massachusetts?

Mr. ELLSWORTH. No, sir.

Mr. GROSS. How would West Virginia feel if we were to put another veterans installation in Massachusetts? I just wanted to be sure.

Mr. ELLSWORTH. I thank the gentleman.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I yield to the gentleman from Missouri.

Mr. HALL. Is it not further true that as far as distribution is concerned in the various States, in the other section of the bill where there are State soldiers' homes, they can be expanded into nursing or convalescent facilities and they are given a priority for refurbishment and additional nursing home care on the part of the Administrator under this bill?

Mr. ELLSWORTH. I do not know whether they would be getting a priority. There is provision in the bill and the Administrator is authorized to carry on that sort of program very definitely. The gentleman is correct.

Mr. HALL. I may say to the gentleman this is an orderly and a very fine way to rehabilitate these patients. Many of them are needing this kind of care. It aids in the transition from regular hospital care back to domiciliary care, which is needed in certain diseases, and care in the homes. These are additional nursing home facilities and I hope this bill will be supported.

Mr. ELLSWORTH. I thank the gentleman for his remarks, particularly, of course, because, as everybody knows, he is one of the outstanding medical doctors in this country, and we appreciate his contribution to this discussion.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. I yield to the gentleman from North Dakota.

Mr. SHORT. This sounds like a very practical approach to a serious problem, and it provides the means of taking care of veterans that need nursing home care at much less cost than can be provided in Veterans' Administration hospitals.

I note on page 5 of the committee report, which has to do with section 4, which authorizes facilities, that "facilities would be constructed on the basis of the war veteran population in each State but not to exceed facilities to provide in excess of one-half bed per 1,000 war veterans in the case of any State."

What I am wondering is, in the instance of a State which has a rather small population, such as my State of North Dakota, with a total of only 600,000 people, that I do not see the figures in here on the number of veterans we have. Would this preclude the construction of a practical size hospital? I am trying to fix in my mind whether this limitation would limit the size of the hospitals to one of 15 or 20 beds, which would not be a very practical size.

Mr. ELLSWORTH. I do not understand that there is any limitation on the size of a hospital, so that in direct answer to the gentleman's question, I think the answer is no, it would not.

Mr. SHORT. I do not see anything here that specifically says there is any limitation as to the size of the hospital, except as you read this provision here as to the war veteran population in each State but not to exceed facilities to provide in excess of one-half bed per 1,000 war veterans in the case of any State.

Mr. ELLSWORTH. I think I can answer the gentleman's question by saying what we are talking about in that portion of the report is not hospitals but State-constructed nursing home facilities. I think the gentleman will agree that in a case of that kind a 15- or 20-bed facility would not be impracticably low, whereas it would in the case of a hospital. Does that answer the gentleman's question?

Mr. SHORT. Yes. I thank the gentleman.

Mr. ELLSWORTH. I have no further requests for time, Mr. Speaker.

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that the subcommittee members may have permission to extend their remarks at this point in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. ROBERTS of Texas. Mr. Speaker, I wish to join my colleagues in support of H.R. 8009.

This bill is the result of hearings by the Subcommittee on Intermediate Care which compiled some 1,700 pages of evidence.

There are more than 10,000 beds in VA medical and surgical hospitals occupied by veterans who need nursing care rather than medical care.

Medical and surgical beds cost the Veterans' Administration an average of $27 per day. Nursing home care can be provided for about $7 per day. In fact this legislation limits the cost to one-third of the cost of one medical and surgical bed; or a maximum of $9.

By Executive order, the President has established 2,000 nursing-type beds and H.R. 8009 will add 2,000 more. Even these 4,000 intermediate-type beds will still leave 6,000 regular VA beds occupied by veterans who have received maximum hospitalization benefits.

I commend the chairman of the subcommittee, the gentleman from Tennessee [Mr. EVERETT], for his distinguished leadership, and the chairman of the full committee, my distinguished colleague from Texas [Mr. TEAGUE].

Mr. Speaker, I would also like to express appreciation to all the members of the Veterans' Affairs Committee for their support on this legislation.

I hope the House will pass it unanimously.

Mr. HALPERN. Mr. Speaker, I rise in unqualified support of H.R. 8009, a bill which would provide urgently needed nursing home care for veterans. As a cosponsor of this measure, my bill being H.R. 8083, I would like to emphasize the pressing need for this particular type of legislation.

First, I would like to point out that this is not a giveaway program of the multi-billion-dollar type which has not found favor either in the Congress or with the vast majority of our citizenry. This bill would provide a service which is limited in scope and which would institute a sorely needed adjunct to existing medical programs for veterans.

Heretofore existing medical programs have lacked intermediate care facilities for the small percentage of patients, primarily of advanced age, who have received maximum hospital benefit but whose infirmities are such that some type of supportive care is a necessity.

Lack of such supportive care leads to increased disability and to additional ailments requiring hospitalization. By providing this intermediate care at a cost much lower than a comparable period of hospitalization, we are able to offer better, more efficient medical services to larger numbers of qualified persons and at a lower overall cost. While there is an existing need of considerable magnitude, the need will materially increase in the coming years as more of our veterans reach upper age brackets. We must anticipate increasing costs of hospital care and increasing numbers of beds needed for veterans hospitals. This program will free a considerable percentage of beds and so decrease the anticipated need for expansion with its corresponding requirement of greatly increased outlay of funds. There are, at the present time, about 9,700 patients in Veterans' Administration hospitals who could be properly cared for at smaller cost in nursing home facilities of the type this bill would provide.

On this basis alone the passage of this bill is justified. However, we are contending with more than the cost or dollar value of our program. Our primary concern in this is not the dollar but the individual, a human being who needs help. This is humanitarian legislation. It fills a need for which no adequate measures have heretofore been applied.

The medical problems of persons of advanced age are unique and necessitate care programs frequently dissimilar to the medical requirements of younger persons. Not the least of these is the need for compassionate, competent, nursing home care. Properly staffed and administered nursing homes will provide an atmosphere conducive to the psychological well-being of persons whose advancing age has carried them outside the mainstream of everyday life. Such homes will provide the necessary safeguards and attention to physical problems attendant upon advanced age, and serve to mitigate such problems. They will provide the day-to-day care needed to prevent the development of major illnesses from minor ailments, and will be able to detect the approach of major illnesses before they reach an advanced stage, either not responsive to treatment or requiring a much longer period of hospitalization.

In addition to providing residential nursing home care for veterans needing this type of accommodation, this bill provides for expanded outpatient care. It has been long demonstrated and is an established fact that proper and timely outpatient care can and does reduce materially the time and expense requirements of inpatient care. There is, in fact, no substitute for an effective outpatient program, and we must buttress our existing programs if they are to attain maximum effectiveness.

The program we propose here today provides for needed nursing care facilities, but we all recognize the desirability, both from the point of view of the budget-minded administrator, and from the point of view of the potential patient himself, of creating a situation whereby the prospective patient might remain in his own home atmosphere as long as possible. Therefore, one section of this bill extends the existing program so that we might attain maximum effectiveness in this area.

Mr. Speaker, in conclusion let me say that we have in this country, well over 2 million veterans of advanced age. Many of these have income insufficient to meet their increasing medical needs. Most do not have adequate health insurance. We have an obligation to provide the best possible medical care for veterans who need it. At the same time, we must work within the range of our financial capabilities.

The measure before us today does this, and I urge an overwhelming vote of approval by the Members of this House.

Mr. O'HARA of Illinois. Mr. Speaker, as the last veteran of the Spanish-American War in the Congress, I have an especial interest in H.R. 8009. It is a sound, wise, and just bill as it affects and benefits the veterans of all wars, the later as well as the earlier, veterans who in their years of disablement deserve every attention and the full measure of care within the power of a grateful Republic to provide.

Congress during the years has been considerate of and sympathetic with the veterans of the war with Spain. As the great and beloved chairman of the Veterans Committee, Mr. TEAGUE, of Texas, has said on this floor on several occasions, their disabilities must be considered as service-connected. Practically no records were kept and the conditions of service at the time, with pitiful scarcity of medicine and medical care, with food more often than not unfit for human consumption, brought on great and grave plagues of disease the ill effects of which were lifelong with the survivors. I am not exaggerating. I am merely making a statement of fact.

I think my comrades of the war of many years ago will agree with me that the Veterans' Administration and the administrators of the veterans hospitals, in general, have worked in warm and understanding cooperation with the national, department, and camp officers of the United Spanish War Veterans in providing hospitalization and outpatient treatment within their limitations. There have been exceptions, of course, but they have been rare, and when brought to higher attention usually have been righted. For this the Spanish War veterans are most grateful.

But the fact remains that, both in the veterans hospitals and the civilian hospitals, there is still an appalling gap between the number of available beds and the number of patients needing hospitalization. The opening of more nursing homes would seem to be an immediate solution, in part at least to this problem. This is the sound approach of H.R. 8009. It also contemplates more adequate financing of home care.

It does not contemplate resting homes as places to which patients are consigned, more or less unattended, to wait out the time until the final summons. That sort of resting home is unthinkable in the mind of decency.

What H.R. 8009 contemplates is a resting home that is in part an auxiliary hospital servicing patients to the full extent of their needs when they no longer require the more urgent, immediate and emergency care. The erection of more and more resting homes on this model, resting homes that are in part auxiliary hospitals, will release hospital beds for those who badly need them, and at the same time decently provide for the aged and other patients who no longer require full hospitalization.

It is true, Mr. Speaker, there are not many survivors of the war with Spain. The war was commenced 65 years ago and it ended with the Philippine Insurrection and the Boxer expedition 61 years ago. I am 81 years old, and I am among the youngest. The average age I think is over 85. Representatives of the United Spanish War Veterans testified in full and enthusiastic support of H.R. 8009 before the subcommittee so ably chaired by the distinguished gentleman from Tennessee [Mr. EVERETT], and when the Veterans of the war with Spain meet in their annual encampment at Lansing, Mich., the first week in October I confidently predict the convention hall will ring with words of appreciation and affection for the chairman of the full committee, Mr. TEAGUE, of Texas, the chairman of the subcommittee, Mr. EVERETT, by each and every member of the great Committee on Veterans' Affairs, and for each and every Member of the House of Representatives of the Congress of the United States who today will pass H.R. 8009 by unanimous vote.

Mr. ROUDEBUSH. Mr. Speaker, I too, rise in support of H.R. 8009, a bill to provide certain war veterans with urgently needed nursing-home type beds. I also agree that in the long run, this legislation will result in a savings to the American taxpayers, while also providing a much needed service to our veterans. The veterans of the first World War now have reached the average age of nearly 70 years. Many of these fine men have suffered from disease and disability that cause a need for nursing care, while still not in need of regular hospitalization. The bill provides 2,000 beds for this purpose in the existing veterans hospital system. I only wish that it were possible to double or triple this amount. Another feature that I like very much about the bill is the increase of the per diem from $2.50 to $3.50 per day. I am sure that this increase will cause a great increase in both the quantity as well as the quality of care in the various State veterans homes. The bill also provides a method of utilization of private nursing homes, and this will also greatly increase the service available to our veterans who so badly need this type of service. I certainly want to commend the gentleman from Texas [Mr. TEAGUE] and concur with his recommendations that the House adopt this legislation.

Mr. MORSE. Mr. Speaker, the bill before us today provides a much needed missing link in our medical treatment of American veterans. As a former Deputy Administrator of the Veterans' Administration, I am familiar with the high quality of care and treatment afforded our veterans under present law. But I am also familiar with the fact that we are lacking in adequate intermediate care for the veteran who has received all he can from a veterans hospital, but is still unable to care for himself completely. By providing an additional 2,000 nursing home care beds, this legislation will insure that the veteran is helped along the road to complete recovery. This will not only aid the individual veteran, but will cut down on the number of serious relapses due to inadequate post-hospital care that would make new demands on the veterans hospitals.

I urge the adoption of this legislation.

Mr. ZABLOCKI. Mr. Speaker, I wish to add my endorsement to H.R. 8009, legislation which would provide nursing home care for veterans, and to commend the chairman of the Veterans Committee, the gentleman from Texas [Mr. TEAGUE], and the members of his committee for bringing this legislation to the floor of the House.

As one who has long been interested in medical care for veterans, I believe that H.R. 8009 is another step toward alleviating the problems of veterans who receive maximum medical benefits at VA hospitals but who are in need of additional care.

Mr. Speaker, a new Veterans' Administration hospital is presently under construction at Wood, Wis., which is the VA center in Milwaukee County and part of my congressional district. When the new hospital is finished, the post-Civil War domiciliaries will be demolished and the domiciliary facilities will be moved to the present hospital building.

When this transfer is accomplished, I am assured by the VA that at least one ward of the present hospital will be set aside for a pilot project into the kind of rehabilitation-restoration services which nursing home care provides.

This project will give Wood, Wis., a vital, pioneering role in this new and challenging field of veterans' care.

Veterans' Administration policies in the past have required patients to be discharged from VA hospitals as soon as they receive maximum medical benefits. Many of these patients, however, have required additional therapeutic care, professional attendance or rehabilitative services. Frequently they were unable to receive these at home or could not afford to pay for them in private institutions.

The problems of veterans who find themselves in this predicament cannot be solved by applying for admission to a VA domiciliary. Admission to a domiciliary is restricted to eligible veterans who are fully capable of attending to their own needs, and of performing some duties in the domiciliary.

What has been badly needed for some time is a special program of convalescing and nursing care which would help needy veterans accomplish the transition from the hospital to productive activity or normal home care in the shortest possible time, and with the least hardships to their families.

This rehabilitation and restoration facility would be of great assistance to our veterans, particularly elder patients and those with special problems or disabilities. It would perform constructive service in restoring them to normal, useful home life.

President Kennedy took the first step toward the initiation of a program of nursing care for veterans when, in a memorandum to VA Administrator John S. Gleason, Jr. on August 13, he reserved 2,000 beds for this purpose. The bill before us today, H.R. 8009, will add 2,000 more nursing care beds, as well as provide other methods of aiding veterans needing this form of treatment. The alternate methods include providing help through State homes and nursing home facilities in the veteran's own hometown.

It is my firm belief, Mr. Speaker, that H.R. 8009 goes a long way toward solving a troublesome problem. It deserves the full support of the Congress.

Mr. DONOHUE. Mr. Speaker, I most earnestly hope this bill, to economically provide eligible veterans with vitally needed nursing home care and nursing care facilities, will be unanimously adopted without prolonged debate or delay.

Seldom has this body been provided with such a great amount of most impressively authoritative evidence, in favor of this measure, as has been presented to us from the recital and hearings conducted by the distinguished chairman and his dedicated associates of the Veterans' Affairs Committee.

From this testimony it is clearly shown there are nearly 10,000 patients now in Veterans' Administration hospitals who could be discharged and, if appropriate facilities were currently available, given adequate care at much lower cost. Obviously the future will develop even more urgent veterans' needs for such care than the present. Right now there are about 85,000 World War II veterans, aged 65 to 69; 12 years from now the figure will have increased tenfold to 889,000, with an additional 255,000 in the 70 to 74 bracket and 89,000 in the 75 to 79 group.

When we consider the projection of veterans possible hospitalization contained in these statistics together with our knowledge that about 5 percent of patients ready to leave the hospital, because further hospitalization has nothing to offer, are left with residual disabilities sufficient to require a measure of supportive care beyond that which the patient can provide for himself, then we begin to realize the vast scope of the problem with which we are here dealing. The solution to the problem is to begin now, in cooperation with the various States, to set up a program to develop, at great potential savings to the taxpayer, adequate nursing home care facilities and beds for eligible veterans. The program is recommended by the highest medical and administrative authorities; it is economical; it is urgent; it is in full accord with our traditional principles and practices of democratic government; it is in concern for our own citizens.

I ask you to unanimously approve it.

Mr. DORN. Mr. Speaker, the passage of this bill today will provide 2,000 nursing care beds for our aging veterans. Mr. Speaker, in addition to providing 2,000 beds for nursing care above the 125,000 hospital bed ceiling, this bill permits the Administrator to utilize private nursing-home facilities for certain cases which have reached the maximum hospital benefits in a VA hospital. This section is undoubtedly more important than the 2,000-bed provision.

This program will be a tremendous help to the veterans of World War I. Almost 1 million World War I veterans are 70 years or older. By 1966, this number is expected to increase to 1,500,000. Our older veterans account for one-third of our Veterans' Administration hospital admissions. The bulk of those requiring longtime care are veterans of World War I. This nursing-home program has been advocated for years by all of the veterans' organizations. The great majority of the members of my committee have always favored such a program. These 2,000 beds will definitely help relieve the demand on present Veterans' Administration hospital facilities and will provide much needed nursing beds for our older and completely disabled veterans.

Mr. Speaker, I am personally familiar with this urgent need and as a member of the Veterans' Affairs Committee will continue to do everything possible for this most worthwhile program. I believe these 2,000 beds for our aging veterans will be only the beginning of a program to take care of many more.

Mr. Speaker, I urge passage of this bill and hope every Member of the House will support it.

Mr. BOLAND. Mr. Speaker, I rise in support of H.R. 8009, a bill to provide 2,000 additional nursing home care beds for veterans eligible for such care in facilities over which the Veterans' Administrator has direct and exclusive jurisdiction.

The legislation authorizes the Veterans' Administrator to transfer any long-term patient in a Veterans' Administration hospital who has received maximum hospital benefits, and who will require nursing home care, to other facilities outside the control of the Veterans' Administration, but at the expense of the Veterans' Administration, for a 6-month period.

Mr. Speaker, this legislation is of particular importance to the 28 States operating 33 soldiers' homes, such as my own Commonwealth of Massachusetts with soldiers homes in Holyoke and Chelsea. The president of the National Association of State Veterans' Homes is my longtime friend, John Harrington, superintendent of the Holyoke Soldiers Home. He has explained to me the importance of this legislation to veterans in need of nursing home care, and to the States that operate these 33 soldiers' homes.

Under existing law, the Administrator of Veterans' Affairs is authorized to pay not more than $2.50 for each day of care given to any veteran in any one of these State homes if the veteran is entitled to receive hospital or domiciliary care in a VA facility.

Section 3 continues this $2.50 per day rate for those veterans who are currently in the home but establishes a new rate of $3.50 per day for any veteran who is admitted to the home, after the enactment of this bill, for the first time and who receives nursing home care there. It is estimated that approximately 70 percent of those now in the homes are receiving domiciliary care. Today a veteran may be admitted for hospital or domiciliary reasons and is thereafter maintained if he develops into a nursing care case but he cannot be admitted in the latter category for the first time and have the Veterans' Administration pay any of the per diem cost. Section 3 would permit the VA to pay this cost. This section also repeals the so-called offset provision in the law today which permits a reduction by one-half of any amount which is retained by the home from any payments of pension or compensation made to such veteran, and, unless wives or widows of veterans are admitted and maintained, by such home, by any other amounts collected in any manner from such veteran and used for the support of such State home.

Mr. Speaker, another important provision of this bill is found in section 4 which authorizes, on a matching basis, $5 million, for each of the next 5 fiscal years to assist the States in the construction of new buildings, whether they have an old soldiers' home at present or not, or for the expansion, remodeling, modification, or alteration of existing structures in order to provide nursing home beds in their State homes.

Mr. Speaker, under unanimous consent, I include with my remarks telegrams I received in support of this bill from Governor Peabody of Massachusetts and from veterans organizations in my State:

BOSTON, MASS.,
September 12, 1963.

Hon. EDWARD P. BOLAND,
House Office Building,
Washington, D.C.:

Urgently ask you to vote for H.R. 8009 on Suspension Calendar on Monday, September 16 so that we can meet problems pertaining to long term care for older veterans.

PHILIP J. GAVIN, JR.,
Legislative Chairman, American Legion
Department of Massachusetts.

BOSTON, MASS.,
September 13, 1963.

Congressman EDWARD P. BOLAND,
House Office Building,
Washington, D.C.:

H.R. 8009 on Suspension Calendar for September 16. Urgently ask your favorable vote so that we may begin to meet pressing problem of long term care for older veterans.

JOSEPH R. HAROLD,
Massachusetts Department Adjutant,
Disabled American Veterans.

SEPTEMBER 13, 1963.

Hon. EDWARD P. BOLAND,
House Office Building, Washington, D.C.:

H.R. 8009 will be considered on Monday, September 16, 1963. This bill concerns aid to veterans who require long-term care also much needed assistance to our soldiers' home in Chelsea and Holyoke. We will appreciate your support and any help you can lend to its passage.

JOSEPH E. ANDERSON,
Department Commander, VFW.

SEPTEMBER 13, 1963.

Hon. EDWARD P. BOLAND,
House Office Building, Washington, D.C.:

I respectfully urge your support of H.R. 8009 which is on the Suspension Calendar for September 16. This measure would allocate nearly $300,000 to such Massachusetts institutions as the Chelsea and Holyoke Soldiers' Homes and would be of great assistance in resolving the problem of long-term veteran care.

ENDICOTT PEABODY,
Governor.

Mr. SECREST. Mr. Speaker, as a member of the Subcommittee on Intermediate Care, I urge support of the bill, H.R. 8009, which is recommended unanimously by our subcommittee.

The hearings which we held over a 6-week span were certainly complete. I commend the volume of hearings to all Members of the House since it contains much information in this general field.

In my mind there is no question of the need for nursing home care. Thousands of veterans in the Veterans' Administration hospital system today could be transferred to this type of care at a great saving of money.

Briefly, the bill which is before us today authorizes the Veterans' Administration to utilize 2,000 additional nursing home beds within the existing Department of Medicine and Surgery medical system. This, of course, must be related to the action of the President subsequent to the subcommittee's reporting of the bill to the full committee, in which he authorized the Administrator of Veterans' Affairs to increase the 125,000-hospital-bed ceiling by 2,000-nursing-home-type patients. This bill will provide an additional 2,000 beds.

The measure also provides nursing care, generally not to exceed 6 months, in privately operated nursing homes when Veterans' Administration patients have received maximum hospital benefits.

It increases the aid to State homes in 28 States by providing a higher rate of $3.50 a day for nursing care patients as compared with $2.50 for other veterans, and also provides a 5-year program of $5 million each year for capital outlays on a matching fund basis for nursing home bed construction. All States would be eligible.

H.R. 8009 encourages aid and attendance pensioners to reenter hospitals for brief stays without loss of their pension until the first day of the second calendar month following admission, thus preventing long periods of hospitalization.

Prosthetic appliances are authorized to be furnished to aid and attendance pensioners. These would be of the variety required in their everyday lives and which would be furnished if they were in a hospital.

Lastly, the bill extends the time of the bed occupancy program by removing the administrative time limit on six specific diseases from which older veterans suffer: Cardiovascular-renal disease, including hypertension; endocrinopathies; diabetes; cancer; neuropsychiatric disorders; and tuberculosis.

I believe that this is a reasonable bill and one of the most humane bills ever considered by this House. I hope that it can be speedily enacted into law.

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, I rise in support of H.R. 8009, a bill to provide 2,000 additional beds to furnish nursing home care to eligible veterans. Before proceeding further, I wish to commend the gentleman from Tennessee [Mr. EVERETT] for a job well done as chairman of the subcommittee that has put in so much time in these hearings. A few moments ago he remarked that in the years that he has been in Congress, he has seldom participated in floor debate. Today he gave a most excellent presentation of the purpose of this bill and certainly deserved the generous applause of his colleagues when he concluded his remarks.

This authorization for nursing home care, in our opinion, will preserve the existing Veterans' Administration hospital program for maximum utilization for the acutely ill and yet will provide veterans with nursing home care in a supervised program tailored to the needs of the long term patient. The net result should be to reduce by a substantial amount the per bed cost.

I shall not take much time except to point out that this bill raised the national hospital bed ceiling to 127,000 beds or an increase of not less than 2,000 nursing type care beds. The administrative ceiling had been 125,000 hospital beds which was established during the Eisenhower administration.

Aside from this major provision of the bill, which is the increase in bed total, there are some other interesting provisions including the provisions for care in a private nursing home of certain patients who have received maximum hospital benefits. This is limited to 6 months and will be paid so long as the per diem costs do not exceed one-third of the present per diem VA general hospital cost of $27 per day. It is interesting to note that this bill increases aid to State homes providing for a larger per diem contribution, raising the current payment of $2.50 per day to $3.50 per day for veterans in such homes that are entitled to receive care in a Veterans' Administration facility. At the same time the bill provides $5 million for each of the next 5 fiscal years to assist the States on a matching basis in the construction, remodeling, and alteration of existing structures to provide nursing home beds in these State homes. An innovation in veteran legislation is the section which states that those veterans in receipt of aid or receiving a pension shall not have this pension reduced on account of attendance or reentry into a hospital earlier than the first day of the second calendar month after admission. This is intended to encourage veterans to reenter hospitals for brief stays without loss of their pensions which might, except for this provision, encourage longer stays in the hospital after the pension had been reduced. The concluding section of the bill relates to CBOC which means "Completion of bed occupancy." This is a situation where a veteran has reached a condition in his medical treatment such as may warrant no further medical care he may then be placed in the CBOC program which means that he is placed upon an out-patient basis to round out his medical care. Heretofore, administratively this had been limited to a period not to exceed 1 year. H.R. 8009 would remove this administrative time limit in six specific diseases from which many older veterans suffer: First, cardiovascular-renal disease, including hypertension; second, endocrinopathies; third, diabetes mellitus; fourth, cancer; fifth, neuropsychiatric disorders; and sixth, tuberculosis. In these instances care should be given so long as medical judgment dictated such action.

Mr. Speaker, there appears to be no opposition to this bill and it is hoped it will be approved by the House. All the veterans organizations have written to me, I suppose because I was a former member of the House Veterans' Affairs Committee.

If I may be privileged to do so, I would take just a few moments to point out that in my home area of west central Missouri, there is a condition which I suspect obtains nationwide. We have a definite need for this nursing type care beds. I know that the need must be nationwide. In the Kansas City area there is a veteran population of about 287,000 of which 38,000 are veterans of World War I with many of them badly in need of this type of care. As a localized reason why this bill should be passed, is revealed by a letter from the fourth district commander of the Department of Missouri Veterans of Foreign Wars, which shows that the present VA hospitals located in or in the vicinity of Kansas City, Mo., each have a long waiting list as follows: Wichita, Kans., 53 patients; Topeka, Kans., 86 patients; Wadsworth, Kans., 38 patients; and at the Veterans' Administration Hospital in Kansas City, Mo., there is a waiting list of 104 patients. These figures should demonstrate the need for this nursing home care in western Missouri and eastern Kansas. Without a doubt, this situation is repeated again and again across the United States in the area of every one of our veterans hospitals.

Now in conclusion I would express the hope that when this bill does become effective that the Veterans' Administrator will take a careful look at all of the hospital installations in the Veterans' Administration system and in particular another look at a hospital at Excelsior Springs, Mo., that was recently closed on July 31, 1963. While as a member of the House Veterans' Affairs Committee during the 87th Congress and while a member of the hospital subcommittee, I made a field inspection of this facility and found that the buildings were in an excellent state of preservation. At the time of our report in June of 1962, we found that this facility was well suited for conversion to one of the domiciliary care hospitals. Now with the expansion of nursing type care beds, this well-preserved facility should not be overlooked for use in the new program. It is well located, close to a big metropolitan center. It is connected with downtown Kansas City by a recently completed freeway only minutes away from the heart of downtown Kansas City. This beautiful, well-located Federal property should be carefully considered by the Administrator when this new program of nursing type care is inaugurated.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 8009 as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FALLOUT PROTECTION IN FEDERAL STRUCTURES AND NONPROFIT INSTITUTIONS

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 512 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8200) to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN] and pending that, to myself such time as I may consume.

Mr. Speaker, ordinarily when handling a rule, I am very brief and merely describe the rule. This bill that will be before us when this rule is adopted is, in my opinion, one of the most important bills that will be considered on the floor of this House in this Congress. I am not going to attempt to describe in detail the provisions of the legislation. It deals with the very significant question of providing a modicum of protection to the people of this country from the dangers of atomic fallout. It represents, perhaps, one of the most interesting legislative stories I have ever come across. The distinguished chairman of the Subcommittee on Armed

Services which handled this bill, Mr. HÉBERT, in a letter which I believe he sent to all Members the other day pointed out that when his subcommittee began 8 weeks of hearings in which they heard 108 witnesses, he thought each and every one of the 12 members of that subcommittee was opposed to the legislation. After hearing those 108 witnesses, including distinguished scientists, distinguished military people, and experts in this field, the subcommittee voted by a vote of 9 to 2 to report this bill.

This bill is not a bill which was sent to the Congress by the executive and sent to the floor by the committee. It is a bill which was completely written by the subcommittee and then adopted by the full committee. The report on this bill, I believe, is enormously convincing. I would hope the Members of the House would take the time to read this report and that they would take the time to listen to the debate because I am convinced that if a substantial number of the Members of the House become familiar with the contents of this bill and with the testimony heard in the hearings, with the attitude of the gentleman from Louisiana and the other members of the committee, this bill will pass by an overwhelming margin.

Mr. Speaker, I urge the adoption of the rule and reserve the balance of my time.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make the point of order that a quorum is not present on this important bill.

The SPEAKER. The gentleman from Missouri makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. BOLLING. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 148]

Abernethy
Adair
Aspinall
Avery
Baring
Barry
Bennett, Mich.
Berry
Boggs
Bolton, Frances P.
Bolton, Oliver P.
Brock
Buckley
Clark
Clawson, Del
Collier
Cooley
Corman
Cunningham
Daddario
Derwinski
Diggs
Downing
Dulski
Dwyer
Edmondson
Ford
Frelinghuysen
Fulton, Tenn.
Gill
Green, Oreg.
Gubser
Gurney
Hagen, Calif.
Hanna
Hansen
Harding
Hays
Henderson
Hoeven
Hoffman
Hutchinson
Jensen
Jones, Mo.
Kelly
Kilburn
Kluczynski
Laird
Landrum
Lesinski
Long, La.
McMillan
Macdonald
Madden
Mailliard
Martin, Calif.
Martin, Mass.
May
Michel
Miller, Calif.
Morrison
Morse
Mosher
Norblad
O'Brien, Ill.
O'Hara, Mich.
Patman
Pilcher
Pirnie
Poage
Powell
Purcell
Reifel
Rooney, N.Y.
Ryan, N.Y.
St. George
St. Onge
Saylor
Schwengel
Selden
Shelley
Sickles
Smith, Iowa
Staggers
Stephens
Taylor
Thompson, La.
Thompson, N.J.
Tollefson
Wallhauser
White
Whitener
Wickersham

The SPEAKER. On this rollcall 339 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

FALLOUT PROTECTION IN FEDERAL STRUCTURES AND NONPROFIT INSTITUTIONS

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume, and ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, as my colleague on the Rules Committee, the gentleman from Missouri [Mr. BOLLING] has explained, this resolution makes in order the consideration of the bill H.R. 8200, with 2 hours of general debate, with the bill to be open to amendment at any point under the 5-minute rule.

The bill itself is to amend the Federal Civil Defense Act of 1950, as amended, to provide for shelters in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes.

I have great respect and much affection for my colleague from Missouri on the Rules Committee, but I cannot agree with everything he said as to this bill, because I believe this measure contains some provisions I cannot go along with, and doubt many Members of the House will want to go along with.

It provides not only $15-million-some-odd-hundred-thousand for the Federal Government to continue its present program of construction of fallout shelters in Federal buildings, or to complete or carry on the construction of fallout structures in Federal buildings, but in addition it provides, in section 207, for the expenditure of some $175 million on a new program to have the Federal Government subsidize or to help pay for the construction of fallout shelters throughout the country in structures other than Federal buildings.

Also, Mr. Speaker, while the bill limits itself to the 1 year only, that is just the beginning of a planned program that some of our friends downtown would have last several years, 5 years in fact.

Their plan calls for—if you will refer to page 5 of the report, you will find the civil defense shelter program—a program over a 5-year period, with $175 million for this year, as provided for in this bill; then $460 million a year, for each succeeding year for 4 years thereafter, at an expense to the Federal Government for aid for the construction of fallout shelters in different sections of the country—not on Federal property but in other places—to cost well over $2 billion. This bill is the first step down that pathway, and if this bill is approved as written they will be back here next year wanting $460 million to carry out or continue the program.

Now, let us stop and think for a moment. You have seen some of these air raid shelters right here in the buildings around the Capitol. Members of the House are supposed to be over 25 years of age—so go see for yourselves whether or not they are worthwhile shelters even in these buildings. Take a look at them. See the tin cans of water piled up. The first little breath of a blast would destroy everything in sight.

Let me ask you a very simple question, if I may inject it into what I consider to be a questionable bill. Suppose this bill becomes a law and a fallout shelter is constructed in one end of your district by the Federal Government, because the Federal Government furnishes the money, for they would not go ahead with the present program they already have throughout the United States under which local authorities build their own fallout shelters in every school building now being constructed, and where they arrange fallout shelters in the older buildings. Every new municipal building, almost without question, now has a fallout shelter built into it by local authorities at local cost. But they go out now, if this bill becomes law, and the Federal Government puts up the money to build fallout shelters—maybe in some new building or maybe not—just for that purpose only.

But suppose they build a fallout shelter in one end of your district and then do not build a fallout shelter in the other end of your district. What do you think the people at the other end of your district are going to be saying about their Representative in Congress? Are they going to ask why it was you saw to it Federal funds were spent in section A to protect these people from any possible fallouts, or air raids, but you did nothing to protect those in section B and left them to die? Well, Congressmen, What is your answer?

We have had this air raid problem floating around here and floating around this Capitol in one form or another for 15 or 18 years, to my certain knowledge. Of course, it is a rather peculiar situation that confronts us. This bill comes from a fine committee. It has on it a name of one of the most illustrious Members of this House, and for whom I have the highest respect, and here we are, over on this side of the Capitol of the United States, you and I and all the rest of us, talking about embarking upon a new Federal aid program that will cost $190,600,000—if I remember the odd thousands correctly, the first year, but if the program, as outlined by the civil defense authority, goes through, then it will be $460 million more each year for another 4 years.

We are talking about that over on this side. We are actually giving it serious consideration. Yet on the other side of the Capitol, in another legislative Chamber, men are debating the question of ratifying a treaty that is being sold to the American people as one that will put a ban—and God knows we hope it will be permanent—on the testing of nuclear devices, in the atmosphere, in outer space, or underwater so there will be no fallout from which to be protected by these shelters. We are being told if that treaty is ratified by the other body it will be the first step toward bringing an end to the cold war. We are being told that we are making progress toward peace, that we have such great military defenses, such strong power of retaliation, that no enemy will dare to launch a nuclear attack against this Nation.

We are appropriating in different forms, ways, and sums a total of about $57 billion for national defense to prevent war, or to defend us and protect us in case of war. Yet now we are being told we ought to build fallout shelters and get ready to hide somewhere and stay, if we can get to them, in order to protect us from the danger of fallout, and perhaps of bomb blasts as well.

It was just a few short years ago that we had a great deal of nationwide excitement. The Federal Government put out thousands upon thousands, yea, millions, of booklets on how to build bomb shelters for home use. All sorts of organizations were formed to sell bomb shelters to a harassed and worried people. Then it was discovered that 90 percent of them would not work, that they were of no value whatsoever, and if they were put to use and there were bombs dropped, those who survived would find no place to go, no place to eat, and would die quickly. So suddenly the bottom dropped out of the market for bomb shelters and suddenly, and it was decided to try—somebody, I do not know who—a new approach, for that somehow or other we had to do something—perhaps for some psychological effect, although I do not know—to show we are ready to meet for whatever may happen, and so we now have fallout shelters. We will spend over $190 million this year, and $175 million of it will be in Federal construction under a new program, as a part of a bigger program, that we will have before us later on if this is passed, which will cost over $2 billion.

Yes, what a reasonable people we are. What sound judgment we display. Some of you, some of the older Members—and I see some of you in front of me—can remember, back during the war, when we were meeting over in the Committee on Ways and Means in the New House Office Building because the roof here in the Capitol was threatening to fall in, that we had a bill reported out by a legislative committee of this House and brought before the Rules Committee at that time to spend, as I recall it, $300 million in order to erect a whole series of buildings on the periphery or perimeter around Washingthon, 28 to 30 miles away, to house duplicate sets of Federal records so they would be available in case Washington was bombed and destroyed. We were told the city of Washington would be so hot, and so contaminated, that no one would be able to get the records here in Washington. Therefore, they must have this duplicate set of records in these buildings 30 miles away, just above the distance a bomb might do damage.

That bill was reported in all good faith, just as I am sure this bill was reported in good faith, brought before the Rules Committee, and someone, I believe the gentleman from Georgia, another distinguished Georgian by the way, a member of that Rules Committee, asked, "Where will the people live who are to take care of these records?" And do you know what the answer was? The answer was, "They will drive out from Washington; they will just motor out to these buildings and look up these records."

And the committee said, "If Washington is destroyed so that the records in Washington and the buildings in which they are contained are destroyed, how could the people living in Washington drive out from Washington?" And the committee proponents of the bill looked rather solemnly at the members of the Rules Committee and said, "Well, well—we guess we have not thought of that." But they wanted the bill and we brought it out. Somebody wants this bill. And this bill has been brought out.

Mr. Speaker, all I am saying to you is, I am appealing to you, to use your good judgment and your good commonsense. I have no objection, personally, as a Representative of the people, to spending this $15 million, provided in the first part of the bill, to continue the present program of putting these fallout shelters in Federal buildings, to continue that program I do have objection to starting out a new program, by spending $175 million, or authorizing the expenditure of that amount, this year, and undoubtedly $460 million a year for the next 4 or 5 years thereafter, for the Federal Government to help build fallout shelters all over the United States, wherever pressure may suggest they ought to be built at the time the question comes up.

Mr. Speaker, I understand there will be amendments offered, perhaps emanating from some of the members of the committee considering this bill, to strike out section 207. That is the part that contains all of the authority for the Federal Government to start on an entirely new program of constructing fallout shelters throughout the country on property other than Federal property, in buildings other than Federal buildings, at a cost of $175 million to start. Only the good Lord knows how much the cost will be in future years.

So I suggest, as my good friend, my beloved friend, my colleague from Missouri, a member of the Rules Committee, has stated, every consideration be given to this measure; and listen to the debate. I know there will be some eloquent speeches made in favor of the bill, some persuasive speeches made in favor of it, because, somehow or other, that siren song of spending Federal money always sounds sweet and clear on the air, to many. Yet I hope all Members will use their own sound judgment and their own good commonsense in deciding how they will vote on amendments to this bill, or on the bill itself.

Mr. BOLLING. Mr. Speaker, I yield 10 minutes to the gentleman from Louisiana [Mr. HÉBERT].

Mr. HÉBERT. Mr. Speaker and Members of the House, I certainly want to tell my distinguished and beloved friend, the gentleman from Ohio [Mr. BROWN], that I deeply appreciate the compliment he has paid me. I know of no Member of this House with whom I share a more common objective than the gentleman from Ohio. I know no Member of this House who is more eager to place above partisanship consideration any legislation where the good of his country is concerned. I know of no Member of this House who is more open to reason, or more willing to be convinced when the facts are presented. It is because I have this deep affection for him and this common bond in the interest of our Nation that I have asked for the time now in the consideration of the rule to keep the RECORD straight. The gentleman and I are both proud of a common profession, the newspaper business and reporting. The one guiding desire of the good newspaperman is accuracy and my colleague from Ohio shares that desire with me.

Mr. Speaker, I could not help but wonder as I heard him make his very persuasive speech, which certainly would have been more persuasive if it had been factual, how much time he spent in studying this bill. The arguments which he used were the same arguments the committee which considered the bill had in great measure before it when the hearings opened. The 12 members of that committee were of the same mind, I might say, as the gentleman from Ohio. But that committee, after sitting for 8 weeks and hearing 108 witnesses and hearing the facts, changed its mind. I know the gentleman did not hear one of those witnesses. I do not know whether he has read the hearings. I do know that when the matter was presented before the Committee on Rules the gentleman was absent and did not hear the arguments presented by the members of the subcommittee. I do know that the subcommittee voted out this bill by a vote of 9 to 2. I know that it went to an originally hostile full committee but was voted out by a vote of 32 to 4 in favor of the bill.

I am very grateful that the bill has come to the floor of the House now with a vote from the Committee on Rules, of which the gentleman from Ohio is a most distinguished member.

Now, Mr. Speaker, there are some things that concern me, and I shall not go into detail. I shall discuss the bill on its merits when I present its contents after the rule is adopted, which I hope will be adopted. But my dear friend has indicated that this is a political bill. Now, I am sure he is not serious about that charge when he sees my name on the bill, because I plead innocent to any type of partisanship, and the gentleman knows that.

Mr. BROWN of Ohio. Will the gentleman yield at that point?

Mr. HÉBERT. Yes, I am happy to yield.

Mr. BROWN of Ohio. I am fearful that the gentleman misunderstood, or I did not make myself clear. I did not say the bill was a political bill. I did make the statement, I believe, and the record will probably so show, that the allotment or the assignment of construction of these fallout shelters throughout the country might be made on a political basis.

Mr. HÉBERT. I think that is what the gentleman said and I concede that if it is made on a political basis, even an inch or a foot, it is political and it must, therefore, be a political bill. That is the assumption I follow. I may be in error, but that is what I recognize in my syllogistic approach to it, both the major and the minor conclusion, being political in effect it becomes a political bill.

Now, the gentleman has suggested what would all Members of Congress do for votes if the fallout shelters were built at one end of their district and only half of his constituency was saved?

Unfortunately, this did not really enter my mind. I never at any time approached consideration of this bill on a political basis. But I will say to the gentleman, since he has raised the question, I would not care at all where the shelters are built, and if it meant a matter of votes to me. I was concerned most about saving lives. The gentleman apparently would have everybody die. If I could save only half the lives of the constituents I would be happy. But be that as it may, has the gentleman studied the bill? Does he know that the designation of shelters is within the hands of the sovereign State itself? The Federal Government has absolutely nothing to do with selection of a site for a fallout shelter. The gentleman knows my position on these matters.

Language was specifically written into the bill that the State agency, the sovereign State, shall make the selection or give approval or approbation of the shelter, eliminating entirely any danger of a political boondoggle.

Mr. BROWN of Ohio. Is it correct to say that the site must be approved by the Federal Government?

Mr. HÉBERT. It must be approved by the Federal Government, a very interesting point. It must be approved by the Federal Government only after it has been approved by the State, then it can be approved only by the Federal Government if it falls within the realm of the formula mentioned and written sentence by sentence, paragraph by paragraph in the bill itself. There is no discretion on the part of the Federal Government if the application comes within that realm. It is a feature of the bill the gentleman is interested in, and I suggest he remain on the floor for the 2 hours of general debate because I am certain after he hears the debate and after he hears the presentation in the fair-minded spirit I know him and love him for, he will be one of the first to say, "I have made a premature judgment."

I concur with the gentleman in his closing sentences: listen to the debate, understand what it is about, and use your own good, commonsense in your decision.

I have no political ax to grind, I have no political pay to make. It is because I believe in this, it is because I was convinced along with the other 8 members of my 12-man committee, that logic and commonsense was the guiding factor that I changed my opinion which I held at the opening of the hearings. I confess I was in error.

The gentleman has referred to the failure of other shelters. I say to the gentleman that the finest testimony in this country from engineers, architects and builders who appeared before the committee, and they were asked the question, "if given this objective can you successfully construct fallout shelters to accomplish this objective?" With unanimity they agreed they could be constructed, and that they were feasible and practical. I must accept the testimony of interested, nonpartisan, individuals who are expert in their field.

The question of subsidy was brought up. The Federal Government is not being called upon to subsidize these buildings or fallout shelters. The limitation is $2.50 per square foot. The estimated cost of construction is $4. Keep in mind that whenever a nonprofit institution obtains approval of a contract for the construction of these fallout shelters it must give up something. It does not take. This is not a giveaway program. They must give up its precious space in hospitals and schools, it must give up a part of its construction in order to acquire the fallout shelters. We are not talking about bad shelters. We are talking about fallout shelters. We are not talking about holes in the ground.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I want to compliment the chairman of the subcommittee and the members of the subcommittee as well as the members of the full committee, the chairman and his members, for the very careful manner in which they considered this bill, and for reporting the bill to the House for consideration.

For many years I have considered the shelter program to be the fourth arm of our national defense. This bill is to save American lives in case of an emergency. We are spending $57 or $58 billion for our Army, Navy, and Air Force, and that is necessary. We have to maintain military strength to deter aggression and to deter war. But we are faced with vicious and evil-minded individuals and forces throughout the world. This bill is aimed to save American lives in case there should be a general attack. If a potential enemy were to hurl a bomb on Boston, they are not attacking Boston or Massachusetts, they are attacking the United States of America.

There are those with whom I cannot agree who in good faith say it is hopeless. I think that is a very unfortunate and materialistic approach, that it is hopeless to render protection to American citizens in case of attack by a potential enemy.

The people of America owe thanks to the chairman and members of the subcommittee and the chairman and members of the full committee for reporting this bill. In good conscience I could not vote against this bill. I do not see how anyone having regard for the fact that it may mean the saving of millions of American lives in the future, can vote against this bill. Certainly if a bomb is dropped we cannot consider a program of this kind then. We have to consider it now.

Mr. HÉBERT. I thank my distinguished Speaker.

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. Mr. Speaker, in order that the gentleman from Louisiana may have time to answer the gentleman from New York, a member of the committee, I yield him 3 minutes.

Mr. BECKER. My very distinguished chairman of the subcommittee, with whom I have served a long time, particularly the 2 months in which we held hearings on this bill, said a moment ago there were distinguished scientists and engineers who said these fallout shelters could be built. Is that correct?

Mr. HÉBERT. In the statement that I made I did not use the word "scientists." I said architects, engineers, and builders. The gentleman will recall the day they appeared and sat around the table and answered questions. I think there were about 10 representatives at that time.

Mr. BECKER. I unfortunately used the word "scientists."

Mr. HÉBERT. I corrected my distinguished friend. I know it was another area he was discussing.

Mr. BECKER. When we tested and retested scientific devices such as the atomic devices at Yucca Flats, the gentleman knows we built test facilities and we tested these things to find out whether or not they were workable, but up to this day I submit that there has not been a single test shelter built by the civil defense agency or any agency to test the efficacy of such a program. Not one has been built to this day to prove to the Members of this House that this would work. Is not this true?

Mr. HÉBERT. No, I do not know whether it is true or not. All I can say to the gentleman is, it has not been tested; that no nuclear bomb has been dropped and that we tested a fallout shelter.

Mr. BECKER. You do not have to test a nuclear bomb to test a fallout shelter.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman.

Mr. HOLIFIELD. I can certainly attest to the gentleman from New York that there have been test facilities built at Yucca Flats in Nevada and I have been in them. In one simple test shelter there, it was a quonset hut that was buried 3 feet underground at its apex, the amount of radioactivity exposure was reduced from 1,000 roentgens per hour to only 4 per hour, which means the difference between a lethal dose and a tolerable dose.

Mr. BECKER. That is exactly what I had in mind.

Mr. HOLIFIELD. But the gentleman said that not one single shelter had been tested.

Mr. BECKER. That is right. That is exactly right. I am talking about the civil defense program such as the shelter right over here that is supposed to be a shelter, in the House Office Building. I am talking about these things that are going to be put in Federal buildings. I am talking about these alterations that you are going to make in public and nonprofit buildings. The very thing I enunciated was we did test at Yucca Flats as to fallout and a bomb shelter. I am talking about what we are going to put in these buildings. Let me add this. Right over here just a couple of days before we are getting to vote on this bill, there was a great rush to put in these water cans and boxes with food in the center of that subway over there.

Do you mean to tell me if a nuclear bomb falls anywhere near that if we or members of our staff go down there that anybody is going to be saved with that foul air or contamination? Is anybody going to be saved in this place? You know as well as I do, my dear friends who have great knowledge in this field, that nothing can be accomplished except the expenditure of money in that area. That applies all over the States and the Nation today in the 104 million cellar spaces designated by the civil defense in the survey that was made.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman.

Mr. HOLIFIELD. Of course, we realize that we do not have time to answer the type of argument that has been advanced by the gentleman from New York, but I hope I will be allowed to have some time and the gentleman will ask me some specific questions on the probability of protection by shielding from radioactivity, and I will be glad to give the gentleman some answers that will stand up on the basis of the finest and most knowledgeable experts in the United States who have testified before the Joint Committee on Atomic Energy.

Mr. HÉBERT. I thank the gentleman from California. I hope the gentleman will avail himself of that opportunity because the committee welcomes his assistance. We look to the experts for information in this field.

Mr. BOLLING. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, the first thing I would like to do would be to compliment this committee on bringing out this bill. This is not an answer to the problem of nuclear war and the committee does not intend that it be so considered. This is a very mild step forward to face a realistic condition that exists in the world today.

There are one or two points that I would like to make in the 5 minutes that have been yielded to me. None of us want a nuclear war. But there is no human being who can say there will not be a nuclear war. If there is a nuclear war, there is no military defense against the delivery of nuclear warheads on the United States. I repeat that. There is no military defense against the delivery of nuclear warheads on the United States from a variety of sources. Once those nuclear warheads are delivered, there is a spread of radioactivity. A mild attack upon the United States, and this is information which comes from the Department of Defense, from the nuclear weapons effects department of the Department of Defense, before the Joint Committee on Atomic Energy—a mild attack of 1,456 megatons and that is 1,456 million tons in weapons on 246 targets in the United States gave an indicated casualty of 60 million people. Now no one is going to say that people where a bomb explodes or close to where a bomb explodes on the ground, are going to be saved in any kind of shelter. But for every square mile that is covered by this kind of strike, there are hundreds of square miles that will not be affected by this strike because only radioactivity—and not blast and fire—would affect the places in these buildings. There are hundreds of square miles, in fact, thousands of square miles. But this bill is directed to that danger of floating radioactivity. Now, is a civil defense program feasible? It is feasible if it is built on the principle, as this bill is, of placing some kind of solid mass of material between the individual and the floating radioactivity from a bomb blast.

What is the scientific formula for the decay of radioactivity? This is important—500 roentgens of radioactivity will kill a man. Let us take 1,000 roentgens of radioactivity floating down on a city maybe 25, 50, or 100 miles from the point of the explosion of the weapon itself. In 7 hours that radioactivity declines by the natural scientific formula of decay to 100 roentgens. In 7 times 7 hours, or 49 hours, it goes down to 10 roentgens. Then in 343 hours it goes down to 1 roentgen. When you approach the 10 roentgens mark you approach a tolerable exposure for a human being. When you get down to 1 roentgen you have an even more tolerable amount. You have an exposure there that is very small in effect. That number of hours of decay is 16 days in the 1,000 roentgen exposure example. In 16 days a person could come out of a shelter and sustain his life and also his family's life could be sustained.

Now let us get to the factors of relative exposure. Of course, you can build 20 feet in the ground a shelter that would be a shelter for 10,000 roentgens. We do not propose that in this bill. We propose a shelter of the type that is available in most instances, such as in the cellars of this building. This would give a radioactive protection of a factor of 40 to 1 or more, in the type of shelters that the gentleman from New York spoke about. This is not all we would like to have. If you will go a little bit lower into some of the subterranean areas under these buildings, you will get a much greater factor of safety. Forty roentgens per hour will kill a man in something like 20 hours. If you have any kind of protection at all and if you are in an area—and there will be many such areas of this country—that would not have over 10 or 15 or 20 roentgens per hour to begin with, because they would be considerable distances away from nuclear explosions, then you start saving human lives.

These are scientific facts. This committee is not offering anything that is radical. This is a small step forward to facing a reality which the Congress has not faced. It is a reality which could occur. It is very easy to make fun of this and to sit here, as Members of Congress, and wonder about a shelter over here, and with the people over here not voting for you because you did not build a shelter for them. However, I say to those people that the members of this Committee on Armed Services and the members of the Joint Committee on Atomic Energy I believe almost without exception you will find, Republicans and Democrats alike, would be acquiescing in what I say here today, namely, that if this Congress fails to face up to its responsibility and take this feeble step forward to saving the lives of millions and possibly tens of millions of people in the United States, then in my opinion and in my humble judgment, based on 16 years of study of this problem, you are turning your face against the real problem which exists in the world today. You are denying those people who sit around the diplomatic table not only the ability to have in their right hand the punch of military power but to have in the left hand punch an ability to accept the blow which we cannot keep from coming if war comes. It is this resiliency and this ability for the people of our Nation to be able to accept an attack and to live through that attack, yes, and to rebuild and perpetuate this Nation, these are the simple facts we are talking about today.

I hope this bill passes and I hope Congress faces up to its responsibility. Resolve your doubts in favor of this committee which had over 100 expert witnesses before it and which went into this exploration with doubts and misgivings but came out of it, based on the experience of the witnesses before it, including the Chiefs of Staff, General Wheeler and General LeMay and Mr. McNamara, the Secretary of Defense, who all said that civil defense is an integral part of the military defense of our Nation.

If civil defense is an integral part of our total defense, as our top military experts have stated, then when we vote against this bill—we are voting against the defense of our Nation.

It is not something that is over here at one side. It is an integral part, it is as important as the military defense. Does that mean that I am for lessening military defense? No; we have got to have a strong military defense, the ability to deter war. But if war comes we have the obligation as Representatives of the people of the United States, who cannot speak for themselves, to act in their behalf today.

I have supported every military appropriation to make this Nation strong enough to deter war, or fight a war if necessary. I have no illusion that any single appropriation, or any single item, is alone the key to victory or defeat. But I am clear as to the fact that there is no military hardware in the inventory to shield the population from the effects of nuclear weapons that would accompany a general nuclear war today.

This need for shielding is a part of the picture of our strategy and military capabilities. It must be filled, for it is too crucial to national survival to permit a gap. Those who would oppose shelters like to refer to them disdainfully as holes in the ground. I would say that no soldier disdains a foxhole or a trench in the right place. And right now, the United States is the right place. All the people are front-line soldiers in case of nuclear attack. Shielding is the means for survival.

Now, no one is convinced that civil defense programs will succeed in the sense of saving all the people, or even will succeed in saving most of the people under the most difficult conditions. If there is a nuclear attack on the United States, it will be a very damaging and lethal blow to millions of our citizens. The civil defense mission is to work for survival of the Nation, and this means providing protective measures to reduce casualties. How effectively this job is done spells the difference between life and death for the Nation as a whole. How much is done depends not only on good planning but on authorizing legislation and dollars—simple ordinary dollars. Who of us would withhold the authority for survival? Who will take the responsibility of saying America should stand naked against nuclear attack?

We cannot forget the dollars. The national budget is the way we allocate resources for national purposes. We in the Congress are always concerned about costs.

But consider this: We spend $50 billion a year for our national defense. We spend billions of dollars for individual weapons systems which become obsolete before or after they are completed, and which are relegated to the inactive file or the salvage yard. We even commit ourselves to a $20 to $30 billion program to land a man on the moon, and hope that somehow in the process it will improve our defense posture.

And with all these enormous costs there are still great gaps in our defense program. To develop, produce and deploy an antimissile defense system would cost, according to various estimates, up to $20 billion. And even then, no absolute protection would be assured. How much are we willing to spend for civil defense, as another great gap in our national defense? What do we want as a maximum or minimum program?

There are, of course, many variables to calculate. The prospects for survival improve substantially with a system of blast shelters for the entire population. I freely admit that no one has come up with that solution in the form of a cheap, folding, do-it-yourself, paste-on, easy-off blast shelter. It is a big-money, big-effort problem. I have suggested for a number of years that we should face up to it.

The important business at hand, however, is H.R. 3516. It is a step forward. It is an incentive or assistance plan to permit payments to nonprofit schools, health, and welfare institutions to permit them to build in or equip fallout shelter areas for public use in new and existing buildings.

As you doubtless know already, the Department of Defense fallout shelter survey identified about 100 million spaces in existing buildings and structures which could be used by substantial numbers of people to live through the deadly radiation environment after a nuclear attack. This program requested in H.R. 3516 is intended, as I understand it, to provide most of the spaces for the remainder of the population. I will not go into details, for you will seek those from the administration spokesmen.

What I emphasize is that this program has been developed to provide something for all the people. It is important, not only that the plan can try to provide for the entire population in a manageable and economic way, but that this basic level of protection is a vital thing. It is a difference in received body radiation which can spell life or death for millions, and there is no question in my mind that the difference is really in millions of citizens.

Now, admittedly the fallout shelter program would benefit only those who survive blast, burn, and initial radiation in case of nuclear attack. Is that any different from your providing guns and bullets for a whole regiment of marines, when some of them may never reach the beach? And to push that point further, you provide a regiment of marines with air transport, support ships, supply, air cover, guns, food, communications, and equipment right down to knives. If you were told that all the rest of the high-priced equipment had technical problems, would any of you seriously consider taking away the rifles and knives of the marines because they could not solve all the problems?

Civil defense is a massive and complicated problem—there is no perfect solution. But the alternative is not to throw up our hands. This program before you is a partial answer to urgent national needs.

You are all very well aware that there is as yet no defense against incoming missiles with nuclear warheads. Certainly there will be none for years ahead. And even if an anti-ICBM missile is developed, it will undoubtedly require more civil defense shelter and not less, by the inexorable laws of missile warfare. If, by chance, and the grace of God, we come to a time when a real, lasting, honorable and just peace blesses the world, you can save lots of civil defense budget dollars. But at that point, you will be saving many more billions of dollars by junking the weapons themselves.

I would like to remind you at this point that the Armed Services Committee has already accepted the fallout shelter program as an essential part of our national defense strategy and planning. As a part of your report on authorization for aircraft, missiles, and naval vessels for fiscal year 1963—House Report No. 1406, 87th Congress, 2d session—you said, at page 14:

> DEFENSE AGAINST ICBM
>
> We must also do whatever is feasible to develop, produce, and deploy an effective system of active defense against ICBM attack. We have extensive development programs on Nike-Zeus and on more advanced versions of terminal defense systems, as well as on other ideas involving underdeveloped technology.
>
> However, these systems would still not necessarily solve the problem of nuclear fallout from surface explosion outside the defended areas. There is a limit to the range of effectiveness of any terminal defense system, and fallout from ICBM's landing outside this range could still be lethal. Therefore, we must provide, in any event, for the protection of our population against that danger.

Your report then proceeds to list the defensive task in terms of the threats:

> FUTURE DEFENSIVE TASK
>
> Thus, the defensive task over the next few years is to:
>
> 1. Reduce the vulnerability of the existing bomber defense system to ballistic missile attack.
> 2. Improve the certainty and timeliness of warning of ballistic missile attack.
> 3. Provide, to the extent feasible, for an active system of defense against ballistic missile attack.
> 4. Improve our defenses against attack by submarine-launched missiles.
> 5. Develop a system for the detection, tracking, and identification of satellites and study the problem of destroying unfriendly satellites.
> 6. Provide, to the extent feasible, fallout protection for our population.

Thus, you yourselves have recognized the close relationship of civil defense to the modern missile systems with which war will be waged if it is thrust upon us in the near future. Many people have come to this realization at long last. The President is proposing a program. The Secretary of Defense is charged with civil defense responsibilities. The Joint Chiefs of Staff are involved, and so are the military services. The Army Corps of Engineers and the Navy Bureau of Yards and Docks are already participating—they have managed the fallout shelter survey, and they are prepared to assist in this follow-on program.

You, along with the rest of the American people, experienced the Cuban crisis. Among other lessons, those tense moments brought home to each person, to each conscious being, the facts that have been in the background—the open sky, the defenseless land, the fragile barrier between the present moment of life and death in the exploding bombs.

I want to remind you that the dangers are likely to mount, the tense moments to come again, and again. We need not stand idle. We can produce, with modest programs such as this, a far greater protection for the human life, for the people who have built this country. We may have to do more, but we can no longer put off the beginning.

The Congress has invested several hundred million dollars, whether we like it or not, in a fallout shelter system, with many of the shelters already stocked and equipped. That is done under existing authority of the Civil Defense Act of 1950. It is not fair and proper to stop work on that basic shelter system when there is space for only half the people. The other half of the program must be completed, over the next few years. It will not insure survival. The people can be killed by a big enough attack, they can lose hope, die in despair, or commit suicide. But at least a fallout shelter system can provide a means for very many people to survive, if they have the will. Those who are not blasted, shocked, or burned, or radiation-sick could and would carry on, rebuild, restore, remake the Nation if necessary. That is all you expect of our Armed Forces; that is what you would expect of our people.

Mr. BOLLING. Mr. Speaker, I yield such time as he may require to the gentleman from Mississippi [Mr. COLMER]

and ask unanimous consent that he be permitted to revise and extend his remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COLMER. Mr. Speaker, I am taking this time out from this important debate to comment on another important matter concerning the national welfare.

Mr. Speaker, specifically I rise to commend the distinguished able and senior Member of the House, the chairman of the Armed Services Committee, the gentleman from Georgia [Mr. VINSON], for the action that he has taken today in the interest and efficiency of the armed services of this country. I refer, Mr. Speaker, to the introduction of the bill by the gentleman from Georgia [Mr. VINSON] which has as its purpose the nullification of the ill-advised Gesell report.

My distinguished colleague and friend has today advised me of the important step that he has taken to prevent further implementation of the recommendations of the President's Committee—the Gesell report.

Mr. Speaker, I know of no action that has been taken by this administration or for that matter by any previous administration that would so adversely affect the efficiency of our armed services as the implementation of the unrealistic, unnecessary, and inconceivable Gesell report. Certainly nothing could contribute more to the breaking down of the morale of the armed services than the enforcement of these recommendations which I take it is unnecessary to spell out on this occasion.

However, here are some of the recommendations made in the Gesell report:

Base commanders should appoint biracial committees in the communities to break down racial separation.

Civic clubs should not be joined by military personnel if they are not integrated.

Methods are suggested for getting around local segregated housing by leasing homes in the name of the Government and moving Negroes in.

Promotion of officers should be based on their initiative and accomplishments in forcing integration.

Military personnel should be allowed to patronize only those establishments that are integrated.

Girls who believe in segregation are not to be allowed on bases for social functions.

Negro hostesses should be considered at base functions instead of white.

Military promotion boards should not be allowed to view photographs of officers under consideration.

A base snooper should be appointed to whom those with complaints are encouraged to make anonymous charges of discrimination.

Base commanders are to be held personally responsible for promoting integration on base and off base.

This report is nothing more or less than another political maneuver for the Negro bloc vote.

Therefore, Mr. Speaker, I think that the Congress and the country are indebted to the distinguished chairman of the Armed Services Committee for his forthright action. It is not only welcomed by many Members of the Congress but it will be—I am confident—so received by 90 percent of the armed services' people themselves in addition to the people of the country generally.

Mr. Speaker, I should like to respectfully suggest to the very able Secretary of the Armed Services, Mr. McNamara, that he give now assurance to the chairman and members of the Armed Services Committees and the country itself that no further efforts will be made to implement these unwise and unfortunate recommendations.

Mr. BOLLING. Mr. Speaker, I yield such time as he may require to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT of Florida. Mr. Speaker, in 1957, I introduced legislation which would authorize Federal assistance to the States and local communities in financing a program of atomic and disaster shelters in our Nation's schools. I am happy that the Congress at last has an opportunity to vote on and consider a program for fallout shelters in federally owned buildings and in public places.

It was my feeling in 1957, and it is the same in 1963, that a nationwide program of fallout shelters would benefit many millions of human beings throughout our country. This would be a humanitarian project that would save literally millions of lives. The Armed Services Committee of the House, where it is my privilege to serve, points out in its report that from 25 to 65 million lives would be saved by providing reasonable protection against fallout radiation.

The second major factor in supporting this program is the part these shelters will play as a deterrent to military aggression. This is a positive deterrent against enemy attack and compares with any defensive weapons system. If an enemy knows that an attack would leave an area prostrate and with no survivors then this area would be a prime one for surprise attack. On the other hand, if the enemy realizes that a large majority, or maybe all, of those in a potential attack area would live through an atomic attack there is less likelihood of a concentrated bombing on that area.

Gen. Curtis LeMay testified during the lengthy hearings "that the Air Force has an active civil defense program inbeing, and it is based upon the concept that such a program is essential to our deterrent posture and our overall national security objectives."

The national requirement estimate for fallout shelter spaces is 240 million spaces to take care of the movement of people between home and work, that is, both the daytime and the nighttime population. When I first introduced a fallout shelter program, I suggested schools would be the obvious places for these shelters, and this principle is being followed in this legislation now under consideration. It was thought then, and it is a valid assumption now, that schools are usually located in the areas where a vast majority of the people live.

Now, this bill also includes buildings in areas where people work, and so we have a highly compatible, and safe arrangement. As of June of this year, 43 million spaces had been surveyed and marked, another 27 million will be marked in the months ahead, and another 4 million will be added from a survey of new construction. This gives us 74 million spaces. The legislation today—H.R. 8200—would provide 11 million new spaces for a total of 85 million spaces. Under the full shelter space system, 25 to 65 million lives would be saved in an all-out attack; under the available 85 million shelter spaces by 1964, the lifesaving potential is 10 to 26 million lives.

This program of 1964 would cost $175 million for shelter spaces to schools, hospitals, and other nonprofit institutions, and to State and local governments, and $15.6 million more for modification of Federal, civilian, and military buildings.

Mr. BOLLING. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Speaker, I want to take this time to tell the House that I had the privilege of being in attendance when we had a bomb blast out in Nevada of a 20-megaton A-bomb, when I was an observer from the State of Pennsylvania serving in its civilian defense. This particular blast is of interest because it was a bomb blast set off for the specific purpose of testing the bomb shelter devices. We tested at that time the shelter devices for private, public and military survival.

This particular bomb was dropped from a tower. A community had been built up to duplicate a normal community in the United States, with its church structures, its school structures, private homes, public buildings, as well as an area made up as a replica of military installations. The bomb was dropped at 5 a.m. in the morning. Within 60 seconds after it was dropped, the physical effects could be noted through the glasses we had specially provided. The test was to cover both the destruction from the impact of the bomb explosion as well as the fallout content. And although we were 7 miles away on Nob Hill, there were those in the party who were knocked from their feet because they were not properly braced when the bomb impact hit.

I could say to you that in the investigation we made in the area after they declared it safe for us to go into the bomb area, we found that in certain types of bomb shelters which have since been approved and advocated by those interested in civilian defense today, lives would have been saved; and that danger to the individual was minimized by the construction of simple shelters at the proper places and with the proper specifications. Shelters can be built and lives can be saved.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

IN THE COMMITTEE OF THE WHOLE

Mr. HÉBERT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8200) to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Louisiana.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 8200, with Mr. O'NEILL in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Louisiana [Mr. HÉBERT] will be recognized for 1 hour and the gentleman from Illinois [Mr. ARENDS] will be recognized for 1 hour.

The Chair recognizes the gentleman from Louisiana [Mr. HÉBERT].

Mr. HÉBERT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, just a few moments ago I heard my friend, the gentleman from Ohio [Mr. BROWN], suggest that you vote today in keeping with your conscience. I say to you that today is one of the most important days not only in your tenure in Congress but in your lifetime.

Today you keep a rendezvous with your conscience. Today you sit in judgment not on the life of one individual. Today you sit in judgment on a matter of life or death to upwards of 65 or 70 million of your countrymen.

Mr. Chairman, this is not a popular piece of legislation. This legislation needs the leadership of the elected Representatives of the people more than any matter—certainly in my time—that has come before the House. This is a time when people must look to and respect and have confidence in those in whom they have placed their future.

Mr. Chairman, I readily admit—and I am the first one to admit it—that there is no rising demand from the grassroots of the country for this legislation. The greatest obstacle we have to overcome in considering this matter is the apathy of our own people, and not through their fault, not through our fault, but just one of those things that happens.

Mr. Chairman, if they could only have been permitted to come into this Capitol and into our hearings and sit with us and discuss the matter over this period of time to which I just referred, some 8 weeks and 108 witnesses, they, too, I am sure, would have come to the same conclusion that your subcommittee and your full Committee on Armed Services came to.

Now, what is the bill and what does it do?

The bill provides a step in the right direction for a future civil defense program. I ask you to blind yourselves to the past history of civil defense, because it is an era that should be blinded out. It is an era of inefficiency, boondoggling, political maneuvering and manipulation. That is the history of civil defense. I would be less than fair if I did not admit that.

But a new era is dawning. I am convinced that under the leadership of the Assistant Secretary of Defense, Mr. Steuart Pittman, who is as dedicated a public servant as I have ever seen come before a committee, we now have a positive and affirmative program. We approach this program—and this is most important—not on the 5-year basis which was suggested but on a 1-year basis with the view that in 1 year we come back to the Congress—or the Defense Department comes back to the Congress and gives us the benefit of its experience during the year. Then we examine the whole spectrum, the whole plane of the civil defense program and wipe it off the books and write a new, solid law which will close the door to any future machinations contrary to the intent of the law. This bill was written by the committee. It is a tight bill, and if it can be made any tighter I will accept any amendment to make it so.

In that area it has come to my attention during the last few weeks that certain groups are much concerned about the military taking over the fire departments of the country or the civil defense taking over the fire departments of the country. I have no concern about that. The hearings were open for 8 weeks. Nobody ever raised the question and if he had, we would have considered it. However, these protests have come in after the hearings, and I understand practically every Member of Congress has been contacted.

I thought we had a tight bill. I know we have a tight bill. But if an amendment can be offered to make it any tighter or to put more screws in it, I for one will accept the amendments.

Let me give you another feature of it, which is important, in reference to the alleged politics in this. The bill to my knowledge is the first bill written with the specific intent of preempting Executive orders, eliminating the use of Executive orders against this bill. This language was written with reference to the order issued by President Truman in the steel industry matter. President Truman's order was held unconstitutional by the Supreme Court, with Mr. Justice Frankfurter as the spokesman of the Court, on the basis the President's order went beyond limitations written into the Taft-Hartley Act. This bill spells out exactly how these decisions can be made and allotments given to the several States and an Executive order cannot preempt any of these matters. This retains everything in the control of the Congress.

In the matter of money, some $18 million plus some other millions of dollars which have already been designated are authorized for Federal buildings where there is an application approved to build these fallout shelters. Keep in mind we are not talking about blast shelters.

There is no hope in a blast shelter. If a bomb hits this building you have no time to perform an act of contrition. You are gone. We are talking about fallout within 100 miles. Federal buildings amounting to $100 million additional will be built, and $175 million, a paltry, picayunish amount of money to save lives, is designated and earmarked and authorized for nonprofit institutions or municipalities.

There is no chance, as I see it, of any mismanagement or misdirection under the terms of this bill, which was written so tightly. You have heard the figure of $2,300 million over a 5-year period. When the people from the Defense Department and the civil defense come back here next year and say, "We have done this job. This is how we have done it; you either give us permission to go ahead, or you don't," it is in our hands.

As I suggested before in reply to my distinguished friend from Ohio, the State itself must approve that application. Oh, yes, I would like to point out another very important thing that was not put into this bill but was eliminated, to show you how tight this legislation is. We hear a hue and cry around here every day about Congress losing its control, that the Executive has taken this control away. The Executive did not take it away from us, we gave it to him. Practically every piece of legislation that comes out of this body has the last section in it that the department or agency shall have the right to write regulations to implement the legislation. When you do that you say goodby to your authority and your control. That particular line was in this legislation, but you cannot find it in here today. It is gone, out, finished, and the Congress keeps control. That is how tight this bill is.

We are talking about supplying shelters under this bill in the amount of some 11 million shelters, 10 million in the nonprofit organizations and 1 million in Federal buildings. This will save, or we hope it will save—and I am not standing here telling you whether it will save or not because I do not know whether it will save a single life, but I am not going to play God and make a determination upon the future life or death of any American or any human being if I can help it. If there is a chance to save one life I am for that chance, because that one life might be in the being of the leader that will be needed to take us out of a chaotic world if a nuclear attack ever comes.

Do not be misled by this talk about the nuclear test ban treaty. It has absolutely nothing to do with this legislation. Anybody who contends it does is absolutely misinformed or simply will not read or hear. All the test ban treaty means is that we have come to an agreement to stop testing in the air. It is a piece of paper as far as I am concerned. I will sign it right now, but I will keep my powder dry. If the Russian violates it tomorrow I will be ready to fire right after he fires. It is the same as if Ford and General Motors would come together and sign an agreement that they would not test a motor generating more horsepower than presently exists. Would that agreement stop the deaths on the highway with the existing automobiles on the roads? Of course not. The nuclear test treaty will not stop anything. That is because we have in our arsenal enough nuclear weapons to destroy the entire world, and that is the reason the Russian wants to sign a treaty, because we are talking from strength.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Iowa.

Mr. GROSS. I thought this so-called limited test ban agreement or treaty whatever you want to call it, was supposed to stop contamination of the upper atmosphere. What is the purpose of it if it is not to do that?

Mr. HÉBERT. I am not going to discuss this test ban treaty today. I merely mention it to say to him that I said the test ban treaty has no bearing on this. A test ban treaty merely stops the future testing in the atmosphere of atomic weapons, but it does not stop an atomic war.

Mr. GROSS. That is right.

Mr. HÉBERT. This pending bill is pertinent to the possible result of an atomic war which may come.

Mr. GROSS. What about the radioactivity?

Mr. HÉBERT. The gentleman evidently still refers to the test ban treaty. I cannot make it any more plain. The test ban treaty has nothing to do with this if we get into a nuclear war. The test ban treaty does not stop nuclear war.

Mr. GROSS. I did not say that. But testing puts radioactivity in the atmosphere; does it not? Is that not the assumption?

Mr. HÉBERT. That is my understanding; and the test ban treaty is for the purpose of stopping that testing in the atmosphere.

Mr. GROSS. That is right. Therefore, it should follow that there should be less radioactivity in the atmosphere; is that not true? What are you protecting against if not against radioactivity?

Mr. HÉBERT. This bill is for protecting against the day that we have a nuclear war, if such a war does come. I think that is as plain as I can make it.

Mr. GROSS. If the gentleman will yield further; are we concerned about the radioactivity presently in the atmosphere?

Mr. HÉBERT. I do not think it has any connection at all with this bill. We are talking about a nuclear war. If I thought that the debate was going to go off on this tangent with such extraneous matter and misunderstanding, I would never have mentioned the nuclear test ban treaty because the nuclear test ban matter is such a simple thing—people understand well what it is all about. I just wanted to clear the air and, apparently, I failed. So far as nuclear war is concerned, I know something about nuclear war. I was in Hiroshima.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield for a question?

Mr. HÉBERT. I yield to the gentleman for a question.

Mr. YOUNGER. In reading the bill, I find nothing here about meeting the requirements of the Davis-Bacon Act in connection with construction of these shelters outside of those owned by the Government. Why was that omitted?

Mr. HÉBERT. I do not know how far to left field we can get, to ask this kind of question. The Davis-Bacon Act applies to Federal construction, as you well know, and will apply to any Federal construction so why write it into the bill again. I fail to understand what the gentleman means by his question.

Mr. YOUNGER. We write it in legislation for all of our hospital construction and everything else in connection with contributions of the Federal Government so why should we not write it into this bill?

Mr. HÉBERT. If we start writing into this bill everything that others want to have written into it, we would have no control over the bill in the final analysis. I say this is a tight bill and I want to keep it in the hands of the Congress.

Now, Mr. Chairman, let us get back to saving lives. That is what we are talking about—saving lives. Here you have a situation where we are spending not millions but billions of dollars in a defense budget to kill and to defend. Here is an attempt to spend less than $200 million to save lives. I do not know how many lives are going to be saved. But I repeat, here is a chance to save lives; and to express it in a way that I think is far better, I certainly agree with the old Chinese proverb that it is better to light one candle than to damn the darkness. This is a candle that you can light.

My distinguished colleagues on the committee who are very able and who have been well schooled know what this means because they have had the opportunity to listen and with rare exception they agree with me in the ultimate, and they understand what this is about. They will explain to you in detail as we go along here. I only wish we had more Members here because we cannot convince empty chairs nor can we make those see who will not open their eyes nor can we make those hear who will not open their ears. But we are sitting here as a jury today in judgment on those lives. And I would suggest following the statement of the gentleman from Ohio that we let our conscience be our guide. I suggest today that we keep a rendezvous with that conscience.

Mr. BECKER. Mr. Chairman, will the gentleman yield? I want to agree with the gentleman.

Mr. HÉBERT. I will yield to the gentleman in a second, I have a thought in my mind that I want to express and I do not want it to slip from my mind.

I want to make a point and express it in the language of that great British statesman, Sir Thomas More, because I always believe in going to those who know more and in going to the experts to help me in coming to my conclusion.

It was Sir Thomas More who said:

> I believe those statesmen who forsake their private conscience for the sake of their public duty lead their nation by an indirect route to chaos.

I think those words are most applicable at this moment when we examine our private conscience and understand what we are faced with and apply it to our public duty as reflected by the constituency which we represent. That constituency, if it had the opportunity, if it had the full facts as we have had the opportunity of weighing them here, would come to the conclusion that we have also come to and would understand that they are not being led by an indirect route to chaos.

Only this morning on the "Today" show I heard Mr. Hugh Downs marvel at the fact, when he came to Washington over the weekend and had a chance to talk with a Member of the other body, that he was amazed at how much more we knew about these matters before us than the people back in the hinterlands. He was sure that if the people only knew or had an opportunity to know all the facts that they would understand why we vote in the manner which we do. It is amazing that Mr. Downs had to wait for maturity to learn that, but it is just a typical case. He is an intelligent, outstanding television broadcaster who only discovered last weekend that perhaps we in Congress would have the benefit of more information than they. I must say if we had to depend on our television friends on the national level for our information, we would not have any information on it. Anyway, we have to abide that. Our people look to us for leadership. What is going to be your judgment? As I told you before, I will not play God and I am sure you will not. Give us a chance. Have faith and confidence in this committee.

My distinguished chairman, the gentleman from Georgia, in a letter which will probably be made a part of the RECORD today, last year gave us his negative opinion on this bill, and to his everlasting power and glory, when he was confronted with the facts after a long study he understood what it was about and is now supporting this bill today.

Charles Bartlett wrote a piece in the Sunday Star which said that this is like raising Lazarus from the dead. The committee meant to give Lazarus a decent burial, and lo and behold Lazarus has come forth. It is a pretty good description, because we felt we would be polite about this and have a hearing and let everybody have their say. Then we would bury the bill.

I know that not everybody will be convinced here, but as we did in our subcommittee and in the full committee, after being confronted with the facts and being told the facts and listening to the testimony given before us, we decided not to take a chance. A great man once said words to this effect: It is better that 99 guilty persons go free than that 1 innocent man should hang. We have the power of decision on this subject which we face today. I submit it is better that if we save only one life we have justified the bill. Use your commonsense and examine your conscience and you can only come up with one answer and that is an answer to vote in favor of this piece of legislation.

The **CHAIRMAN.** The Chair recognizes the gentleman from Indiana [Mr. BRAY].

Mr. BRAY. Mr. Chairman, first I want to comment on a statement made by the chairman of this subcommittee, Mr. HÉBERT, when he said that there had been objections made since the committee finished hearings and in the last few days that there was some danger that the military would take over the local fire departments and matters of that kind. I have checked on that thoroughly and can see no possible justification for that. That is not the intention of the committee, and, as far as that is concerned, if anyone can think of any amendment that would make it clear, I would join with the chairman in supporting it.

I am well aware that there is considerable apathy and some downright opposition to the civil defense fallout shelter program. I can well understand this. I, too, have been disgusted with the civil defense program, and I have referred to it as a boondoggle. For some years we have had many devoted, sincere, and capable people in our civil defense program; but I regret to say we also have had some of the other type. And, while there have been many hundreds of millions spent on civil defense, we do not have much to show for it.

I entered the hearings on this bill with misgivings and was inclined to be against this legislation before listening to the evidence. So I can understand the attitude many of you have.

I have, however, along with other members of the subcommittee, listened to 9 weeks of testimony. We heard the best experts on the subject in America; and today there is no doubt in my mind that we should pass this legislation.

I want to be fair with you and state that I am not certain the administration will properly operate this program; but I hope it will. I certainly hope that if we do pass this legislation, it will be capably, fairly, and economically administered and will not become a political boondoggle.

I also have some doubts that the people in the local communities are interested enough in this legislation to carry their part of the burden; that remains to be seen. I do want to assure you that I intend to do my best as a legislator to see that this legislation is passed and that if passed that it is properly administered to the benefit of the American people. Allow me to emphasize the fact that this program is not to provide blast shelters. It is for fallout shelters. While this program would save lives in the large cities, the greatest benefit would be in the small cities and towns.

Although I have been connected with military matters for many years, I had not fully understood the importance of adequate fallout shelters until our committee heard from experts on this subject. I could quote many authorities, but because of the shortness of time, I will quote only one. Dr. Edward Teller, the father of the H-bomb, and one of the greatest nuclear physicists of the world, is not a starry-eyed dreamer; but a most practical man and one of our greatest patriots in America. May I briefly quote from Dr. Teller:

> Recently a book has been published in Russia on military strategy. The editor of this book is Marshal Sokolovsky. The book discusses at great length, with many repetitions and in an aggressive and many times distasteful manner, the dangers of war.
>
> I believe that this book has lessons for us, which we should not disregard. A very considerable portion of the book, and I don't want to talk about the book only insofar as it has to do with civil defense, a very great portion of the book is dedicated to the description of past campaigns in which the Soviet Union was involved.
>
> In particular, the civil war in Russia, which followed the First World War, is discussed in detail. Similarly, in detail, you find a description of the Second World War and very particularly the beginning of the Second World War when Hitler's armies penetrated deeply into Russia. In both these cases the existence of the Soviet Government was deeply in danger. The book does not hide this fact. The authors take very considerable pride in having survived these two dangers. Civil defense is mentioned, seriously, with some emphasis, but not with great emphasis. But where it is mentioned, it is stated clearly that the experience of these two wars has convinced the Russians that they must prepare for future emergencies, make sure that the whole population is thoroughly prepared.

The book expresses complete conviction that in a next war—and they talk in a very dreadful way about this—in a scandalous way, calling the Western nations, particularly the United States, aggressors—but, having said that, they then do not hide from their leaders that the next war, which they intend to win, will be a grim affair; as in the last two times, the book states the Soviet Union must be completely prepared.

I do not think you can read this book without being convinced that these sections are meant seriously, that defensive preparations in Russia are proceeding now. The book has not been written for your reading and mine; it has been written for many people, but primarily for the Russian leaders.

There has been other evidence, which the Russians do not particularly emphasize, that they, indeed, put some emphasis on civil defense.

Russia is a poor country, very poor, compared to the United States. If Russia will be prepared to withstand an atomic attack and we, who are rich and powerful, will not, this will go down in history as one of those peculiar states of blindness where—wherein great countries have ended their national existence because of lack of elementary foresight and wisdom.

Out of each defense dollar today we spend not more than one-tenth of one cent on civil defense. I am not here to tell you gentlemen that civil defense is easy, or that civil defense is cheap, but I am here to tell you that if something like 10 percent of our defense budget were devoted to civil defense, within a few years, in sufficient time, we could have enough defense so that the Russians will know for sure that this way they cannot bury us. If atomic war comes, it will be a most dreadful affair. I am sure that all of us want to do everything to avoid it, but one of the best ways to avoid it is to be prepared for it because our opponents are determined, but they are not madmen like Hitler; they are cautious; they are calculating.

I recently have been hearing statements to the effect that now that our nuclear test ban treaty is about to be signed, we have no need for fallout shelters. Nothing could be further from the truth. Perhaps the greatest danger in our signing this nuclear test ban treaty is that it will cause America to let down her guard; it will cause us to relax and believe that we are safe in the world.

It has been the ever presence of the armed might of the United States that has kept the peace we have had in the world since 1946. Yes, we have had a cold war during that time, but American strength has prevented a cold war from going into a fighting war.

I do not intend to debate the merits or demerits of the test ban treaty. That matter is at this moment being debated by the other body whose duty it is to consider that treaty. I do, however, want to point out that it seems that our memories are rather short. Most of us have forgotten that in 1925–26 Russia was insistent upon the signing of a peace and nonaggression pact with Poland, Estonia, Latvia, Finland, and Rumania. Finally on February 9, 1929, this nonaggression pact was signed by Litvinoff, the Russian peace advocate of his day, on behalf of Russia, with Estonia, Latvia, Lithuania, Poland, and Rumania signing. Finland refused to sign.

The real motives of the Russian overtures of peace in these treaties which renounced war between Russia, Estonia, Lithuania, Latvia, Poland, and Rumania became crystal clear in the light of the experience of passing years. The Soviets wanted these countries to disarm and trust Russia so that they could more easily be absorbed by the Russian bear. Ten years after these neutrality nonaggression pacts were signed at Russia's insistence, the Soviets had violated each of these pacts and, by force, had taken over Estonia, Lithuania, and Latvia, and in conjunction with Germany destroyed a free Poland by force of arms. A few years later Rumania was forced into the Russian orbit. It is perhaps ironical the only one of the six countries which remained free was Finland, which had refused to sign the pact.

I am not saying that Russia will not become a dove of peace now, but if she does it will be a reversal of five centuries of Russian aggression.

For you who believe that Khrushchev, unlike Stalin and Russian leaders of the past, will keep his word and that we should not prepare defenses against a Russian attack, I would like to point out that in August 1958, the United States, Britain, and Russia agreed to start negotiations on a test ban on October 31 of that year. They also agreed that there would be no tests after the commencement of negotiations. The Soviets commenced these negotiations by breaking a promise, for they had tested nuclear weapons the entire week after October 31, the day that they promised to cease testing.

The following quotations on nuclear testing are taken from the Washington Daily News of September 25, 1961:

> May 1, 1959: On receiving the Lenin Peace Prize, Khrushchev said the major objective

of the Soviet Union was to achieve an agreement on a nuclear test ban so that "the poisoning of the atmosphere will cease at last."

August 5, 1959: Khrushchev, on radio Moscow, said: "The Soviet Union, for its part, is ready to give a most solemn pledge that it will not be the first to carry out any new test of nuclear weapons."

August 29, 1959: The Council of Ministers of the U.S.S.R. announced it had resolved "not to resume nuclear tests in the Soviet Union if the Western Powers do not resume nuclear testing."

January 3, 1960: To an Argentine newspaper editor, Khrushchev said: "Cessation of testing is a very important step toward removal of the threat to the lives and health of millions of people."

January 4, 1960: To the Supreme Soviet in Moscow Khrushchev said: "Should any of the states resume nuclear weapons tests, it is not difficult to imagine the consequences—other states would be forced to take the same road. The government which would be the first to test would take upon itself a heavy responsibility before the people."

January 14, 1960: To the Supreme Soviet in Moscow Khrushchev said: "The Soviet Government will stick to its self-imposed obligations not to resume experimental nuclear explosions if the Western Powers do not begin testing of atomic and hydrogen weapons. The instigators of such violations of the test moratorium will cover themselves with shame and be condemned by the peoples of the world.

January 30, 1960: In a letter to the World Federation of Scientific Workers, Khrushchev said: "Resumption of nuclear tests by the United States would push the world back to where it stood on the problem before the opening of the Geneva talks. Such action by the United States would give further impetus to the arms race and resume contaminations of the earth's atmosphere with radioactive fallout."

May 18, 1960: At a Paris press conference, in which Khrushchev again promised the Soviets never would be the first to resume testing, he said: "If the United States were to resume nuclear testing all the people will see who is guilty, who sabotages the discontinuation of this thing."

September 23, 1960: At the U.N. General Assembly in New York, Khrushchev said: "The Soviet Government is prepared to do everything in order that nuclear weapons be prohibited this very day."

June 21, 1961: At the 20th anniversary of the Nazi invasion of the U.S.S.R., Khrushchev said the Soviets hadn't tested a nuclear weapon for nearly 3 years and "in the future we can do without carrying out any nuclear tests."

On September 1, 1961, with less than 24 hours' notice, although both the United States and Britain had kept their promises against nuclear testing, Russia commenced testing and made more than 40 nuclear tests, some of them larger than any bomb tested before.

Mr. Chairman, please understand that I am not saying that Russia will attack the United States, nor am I at this time criticizing the fact that we are about to ratify the test ban treaty; but I do want to point out that defeat of this legislation would be a decisive step for complacency, a decisive step toward trusting the fate of the free world to the tender mercies of the Russian bear; and we certainly do not want that at this time.

America must keep its guard up, must remain strong, and must not yield to Soviet aggression or bluff.

As I pointed out earlier it is difficult to determine if the administration will properly administer this bill, or if the American people will be interested enough to properly cooperate. But I wish to say that this bill is only authorization for 1 year. The administration asked for a 5-year authorization, but the committee unanimously rejected that. We want to have a look at the program every year. At the end of 1 year, if the people have not become interested enough to cooperate, or if this legislation is being used as a boondoggle, I certainly will oppose the continuance of the program.

I know that in case of a nuclear attack we will badly need fallout shelters. They will save millions of lives. All of our billions spent on defense is on the premise that there may be a war and we will need this strength. We should think of the fallout shelters in exactly the same light. I hope and trust that we will never need either our armed might—our planes, our missiles, our bombs and warships, but I do not propose to so trust the avaricious Communist world that our only answer to them would be to surrender. We need defensive as well as offensive capabilities.

While my interest during the hearings on this bill extended to all elements of the bill I want to especially discuss three particular aspects of it. They are, role of the military in civil defense; chemical and biological warfare; and a new element of civil defense, natural disasters. I will discuss these matters in that order.

Gen. Earle G. Wheeler, Chief of Staff of the Army, testified before the Committee on Armed Services, speaking for himself and for the Joint Chiefs of Staff, that military assistance must complement civil participation in civil defense operations, but that this military support cannot substitute for civilian effort. In line with this thinking, the Joint Chiefs have approved and Secretary McNamara signed on April 23, 1963, a new Department of Defense directive entitled "Military Support of Civil Defense."

This directive for the first time clearly outlines the basic concepts of military support, states the reasons and requirements for an effective civil defense program, and stresses the interdependence of military and civil defense. The mission of the Armed Forces, in case of nuclear attack on the United States, is to:

> Employ available resources which are not required at that time for offensive or defensive operations to assist civil authorities to restore order and civil control, return essential facilities to operation, prevent unnecessary loss of life, alleviate suffering, and take other actions as directed to insure national survival.

This does not mean that military units are going to "take over" civil defense, or to take over or control in any manner the local fire departments or the like, but it does mean that our people and our civil governments will be aided in time of an attack emergency by all the military units available. If a city police or fire department or a county highway department or hospital needs help in a time of attack emergency, they will now be able to call on military units for help to the limit of the ability of the military.

In other words, both civilian and military forces will be working hand in glove to help the country survive and recover from a nuclear attack. If Indianapolis, for example, were hit by a 5-megaton weapon, there would be many survivors among those people about 3 miles or more from the explosion. In fact, there would be hardly any fatalities closer than 6 to 7 miles from the burst, provided the people were in fallout shelters.

But many of the survivors would be injured and they would all need help, when the decay of fallout radiation made it possible to leave shelters. Someone would have to clear debris from the streets, to allow rescue forces to enter the blast-damaged area. Some survivors would be trapped in the basements of badly damaged buildings, and would have to be freed by outside forces. Trucks and buses would be needed to move injured and noninjured survivors from the damaged zone. The injured would need medical care, and the homeless would need to be lodged and fed.

We can now expect to see National Guard, Army Reserve, and other military forces working side by side with civilian policemen, firemen, highway crews, and doctors and nurses to help the survivors of an attack, should a nuclear war ever occur. In my opinion, this cooperation is one of the major benefits we have realized from assigning the civil defense mission to the Department of Defense.

As a person of some military background and experience I am greatly encouraged by the obvious deep interest which the military services, and particularly the Army, are showing in this program. I should say immediately that the interest of the Navy and the Air Force is certainly no less than that of the Army, but because of the very nature of the ground forces, their ordinary roles, missions and functions, are more easily adapted to collateral civil defense functions.

We cannot help but benefit very substantially from the united effort of the civil defense people at the Federal and local level with the Army forces, including the National Guard and Reserves which are stationed throughout the United States and readily available in event of need.

I feel certain that sometime this afternoon someone is going to raise the question as to how our populace is being protected from chemical and biological weapons and whether all of our efforts in the providing of shelters might be nullified by the use of chemical and biological agents rather than nuclear weapons.

Let me say this on that subject, and I am referring directly to testimony received by the committee.

Neither chemical nor biological weapons have yet been developed to the point at which they constitute a threat against the continental United States, which is competitive with nuclear weapons as a killer of people. This is one of many potential future weapons which is kept under the closest possible study so that military and civil defense measures can be developed to meet it if, and when, it ever materializes.

If weapons of this type materialized as an instrument of intercontinental warfare, it would be necessary to go to some expense to provide filtration for shelter areas and gas masks for at least some shelter occupants, but there is no question that this can be done. People would be clearly better off grouped in shelters with knowledgeable leadership and the necessary defensive equipment available.

So, there is no likelihood in the near future of an attack by chemical or biological means. But, should the future indicate that these are matters which must be considered, prompt and relatively easy action can be taken to protect the populace from this kind of danger.

Mr. Chairman, at this point I would like to refer to a new element which has been injected into the civil defense picture and that is the expansion of civil defense functions into the area of great natural disasters. I am referring to hurricanes, droughts, floods, unusually large fires and matters of this kind.

At present, Federal civil defense is limited by definition in the Civil Defense Act to war-caused disasters.

The proposed change in the law would extend Federal assistance to State and local governments to include preparations for peacetime disasters as well as war.

This would increase opportunities for the Federal Government to strengthen State and local civil defense organizations which have always responded to alleviate the effects of natural disasters, and which in certain sections of the country is an important capability to have because of the frequency and destructiveness of tornadoes, hurricanes, floods, and other violent manifestations of nature.

When the proposed legislation came to our committee, Defense Secretary McNamara pointed out that planning and preparations for natural disaster relief contribute directly to preparations for operations under enemy attack. He urged, and I quite agree with him, that this relationship to our overall national preparedness should be recognized in the law.

The Assistant Secretary of Defense for Civil Defense, Mr. Pittman, pointed out further that the natural forces of destruction are, in some instances, not unlike some of the local fringe effects of nuclear explosions.

The blast of a nuclear explosion creates damage comparable to a hurricane or tornado at certain distances from ground zero. Although natural disasters do not begin to compare with the devastation of nuclear weapons, emergency operations of local governments and the organization of emergency military support calls for the type of action which could be used in some locations for both types of disasters.

There is a common problem of preparing and organizing for emergency operations, using all elements of organized government, the police, the volunteer firemen, the National Guard, supporting regular military units, the Red Cross, emergency communications, and emergency power.

A striking demonstration of the value of civil defense capabilities for action in peacetime disaster was provided during hurricane Carla in 1961. The greatest hurricane in recorded coastal history, Carla delivered winds of more than 150 miles per hour and raised the tides on the Texas coast to over 18 feet. Ninety-seven percent of the homes in Texas City were flooded. The damage was far greater than the famous 1947 explosion which partially destroyed that city.

As the hurricane moved inland, thousands of persons were moved to safety, largely through coordinated local civil defense efforts, and cared for until the disaster subsided.

Hurricanes have reached the Atlantic and gulf coasts of the United States on an average of about two a year over the last decade. Tornadoes have averaged around 600 per year. Floods continue to be an annual threat in many areas of the United States. Fires annually ravage wide areas of our more combustible woodlands.

Civil defense at the State and local level of government has increasingly played a vital role in natural disaster work. This has not only paid off in the relief of suffering and saving of lives, but has strengthened civil defense organization and capacity to perform in a wartime emergency.

The proposed legislation now before us would further assist the States and localities in developing their capabilities for dealing with disasters of any type immediately, on their own, and without waiting for outside assistance.

This legislation would help protect lives and property both in localized as well as major, widespread, disasters.

Mr. Chairman, I believe it would be well for all of us to remind ourselves that governmental responsibility in time of disaster is, in general, the same as in normal times: the protection of life, public health, and property; the maintenance and repair of public property; and the continuation of essential public services.

Disasters do not change the basic responsibilities of government, but rather increase the need for fulfilling them promptly and adequately under emergency conditions.

Recognizing the need for direction and control of assistance provided by the various Federal agencies—particularly in those disasters of "major" proportions, Congress in 1950 passed the Federal Disaster Relief Act, Public Law 875.

Under authority of this law, the Office of Emergency Planning in the Executive Office of the President, has responsibility, and will continue to have responsibility, for administering the legislation which authorizes Federal financial assistance to relieve areas found by the President to have suffered a major disaster. Civil defense and appropriate military units will continue to assist the Office of Emergency Planning in assessing damage and in carrying out their responsibilities under the Disaster Relief Act.

On the basis of the proposed legislation, the Office of Civil Defense is preparing to establish guidance on natural disaster planning and operations which will draw from the most useful of civilian and military experience. The hardware, facilities, training, and staff of civil defense at all levels of government will be made more fully available to assist in operations to relieve the effects of hurricanes, tornadoes, floods, and other natural disasters.

In addition to disaster relief of many types readily available from agencies of the Federal Government, there are many other welfare, religious, and charitable institutions—too numerous for me to mention here—that are organized, equipped and trained to operate during the immediate emergency period. Their resources are utilized to alleviate human suffering and need, and are essential to the local community.

No statement concerning disaster relief can be complete without mentioning the American National Red Cross, a seasoned veteran in helping people in time of need. And I should emphasize at this point that proposed amendments to section 4 of the proposed bill recognize the vital and unique role of the Red Cross by stipulating that:

> And nothing contained in this act shall be construed to limit or in any way affect the responsibilities of the American National Red Cross under the act approved January 5, 1905 * * * as amended.
>
> The concept of preparedness is that there should be no distinction in disasters—whether peacetime or wartime.

Today, all States, and many localities, are legally empowered to operate in any type of disaster. In this connection please let me emphasize that there is no intent in the proposed legislation to usurp any State or local powers for direction or action in peacetime emergencies. To the contrary, the proposed amendment to section 3 would merely strengthen the assistance that could be provided by the Federal Government.

I might also note at this point that the proposed amendment has the full support of State and local governments.

In the hearings, Dr. Richard Gerstell, director of civil defense, Commonwealth of Pennsylvania—speaking also as president of the National Association of Civil Defense Directors—stated that the proposed amendment to section 3 of the bill is "highly desirable."

He explained that the difficulties currently faced by the States and localities in peacetime disasters—

> stem from these basic facts: In combating natural disasters, prudence obviously demands that State, county, and local civil defense officials utilize all emergency equipment required and available to them. But much of this equipment has been obtained wholly, or in part, through Federal civil defense grants. The latter legally restrict use of the equipment to attack situations, as now defined under section 3 of the Federal Civil Defense Act of 1950.

He then stated that:

> Adoption of the amendments embodied in section 3 of the bill obviously would eliminate future statutory conflicts. Further, the change would be in full conformity with the provisions of Public Law 875, which authorizes Federal assistance to State and local governments, in natural disasters of major proportions.

It is plain that limitation by the Federal Government to assistance for meeting wartime disasters only is unreal and arbitrary when viewed from the local level of operations.

I am firmly convinced that this portion of the proposed legislation is a reasonable and practical amendment to the Civil Defense Act; and further, I believe it is vitally necessary for the safety and well-being of the people of this Nation.

The public has a right to expect a peacetime return for its civil defense efforts. We can give them that return and further strengthen our entire national defense readiness through the inclusion in the bill of this very important provision.

I will close with these remarks: As the hearings on this bill opened I felt an instinctive objection to the program. I visualized it as the beginning of another big Federal spending program—and a quite unrealistic one at that.

I might say that I perservered in this opinion fairly well into the hearings but as I listened to the testimony over the long weeks of our hearings and heard some of the most eminent scientists in the United States testify—each within his own competence—on the many aspects of civil defense and, of course, particularly fallout shelters, I began to realize that I should reexamine my position.

And when I found, as the hearings progressed, that the program had the full—and I might say even fervent—approval of the Joint Chiefs of Staff and other military leaders, my opinion began to change.

I do not recall during my service in Congress an experience quite like this. I started off opposed. I maintained that opposition for quite some time, but I am happy to say that I did manage to maintain a mind sufficiently free that it could be swayed by the testimony of experts in the field.

When I describe my experience, I think I am describing the experience of almost all members of the subcommittee.

Let us look at it this way: The subcommittee under Mr. Hébert was merely a representative portion of the full committee. That the subcommittee took the proper action on this bill is I think clearly established by the action of the full committee. Now, the full Armed Services Committee is merely a small representative portion of this whole House and it is my sincere hope that the House will believe me when I say that its Armed Services Committee, as agent of the whole House, has done its job and has done it well.

I will say this also—and this has been said before—if the whole membership of the House had been privileged to sit with the committee during its long deliberations it would have come to precisely the same conclusion that the Armed Services Committee did. We are just like the rest of the House, from different geographical areas, and of various political persuasions. What we did you would have done.

Let me express the hope that the vote today on this bill will establish the correctness of my thinking in this respect. We have done a long and hard job on this legislation and I hope the House will support us in our conclusions.

Mr. BRAY. Mr. Chairman, I yield such time as he may consume to the gentleman from Minnesota [Mr. MacGregor].

Mr. MacGREGOR. Mr. Chairman, I would like to add my support to those who favor the passage of the civil defense bill which is now before us. Having carefully studied the bill and the committee's report, I appreciate the tremendous assistance this measure will provide suburban and rural areas which have serious problems in meeting the shelter needs of their citizens.

In my own district, the suburban and rural areas surrounding Minneapolis, Minn., we have experienced, as have many of my colleagues who represent similar districts, great difficulty in the shelter program because of the small number of buildings meeting the standards set up in the national fallout shelter survey. There is no question that all suburban areas throughout the United States have this same problem—a problem which will be at least partially alleviated by the shelter assistance plan for nonprofit institutions and State and local governments which is incorporated in this legislation.

This legislation will provide contributory help for schools, hospitals, public buildings, and other similar installations which every community possesses in some quantity and which will fill, at least in part, the void which now exists in shelter capability in such areas.

I have been in contact with the officials of local governments in my district and I am convinced that they have an understanding of the need for this legislation and are strongly in favor of its passage. These officials, almost without exception have the problem of raising money and providing the funds for the construction of schools, hospitals, and other public institutions. For all of them the question is to find enough money to meet the basic needs of these institutions. Very few, if any, are in a position to provide the extra money which would cover the incorporation of shelters in their public buildings. The passage of H.R. 8200 by this Congress would provide much needed assistance in this regard.

I have received many inquiries and I am certain that many other Members of the Congress have received similiar inquiries from officials of nonprofit institutions asking for details of the shelter payment program. There is no question that thousands of institutions throughout the Nation are willing and anxious to build shelters if basic and reasonable help is given them by the Federal Government.

In my district as in the districts of all the Members of Congress, the public generally expects their Government to protect them. I am positive that although there is no general clamor for this particular phase of our national defense, the public feels this is a major item and expects those responsible for the overall defense of the Nation to do something about it.

Mr. Chairman, there has been constant repetition in some big city newspapers that civil defense has not accomplished anything. It is my strong opinion that contrary to these reports a tremendous amount has been accomplished in the 2 years since civil defense was made a part of the Department of Defense.

In my district many shelters, but not enough, have been located, marked, and stocked. At the same time individuals and local governments have been working hard to achieve a readiness to meet emergencies through the development of civil defense support programs of all kinds. They now need the means to finish the shelters on which the total civil defense program is based.

This is all a part of the national picture in which over 100 million shelters have been located. Of this number, shelter spaces for 50 million persons have been marked and stocked in more than 60,000 buildings throughout the United States.

A remarkable amount of progress has been made since the Department of Defense put into motion a truly realistic program. We have now an excellent opportunity to assist the Federal Government and local government leaders to do more by passing the bill to amend the Civil Defense Act. The Armed Services Committee has written this bill and has recommended we approve it. I regard it as our duty to accept this recommendation and vote for the passage of H.R. 8200.

Mr. HÉBERT. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. Pike].

Mr. PIKE. Mr. Chairman, those who are advocating this program today—and to eliminate the confusion my speeches usually cause, I would like to say at the outset that I am one of them—are concerned with the danger which the fallout following a massive nuclear exchange would cause. They have devised a program designed to meet this danger and in my opinion it is a good, a solid, and a reasonable approach. Before this program—or any program to combat this danger can become a reality there is perhaps an equal danger which must be surmounted, and its name is apathy.

When responsible newspapers can refer to our civil defense program as the "biggest yawn in town," then we know that civil defense has lost contact with and meaning to the American people. And I think the advocates of this program would do well to face this fact before we go any further. The average American citizen does not know much about civil defense—the average American citizen does not care much about civil defense. The limited number who do know anything about it, know that it costs money and that thus far it has not been necessary.

I believe that civil defense in this country is at a crossroads and by our action here today we will determine what route our civil defense program will take. The easy route—broad and smooth, and downhill all the way—will be to do nothing, and I believe that this is the route which would have been advocated by every member of Mr. Hébert's subcommittee at the beginning of our hearings. It is a route which would not have cost any money and it is a route which would not have cost any votes.

Those who advocate the easy, do-nothing route, look at civil defense today and do not like many of the things they see. I look at civil defense today and I do not like many of the things I see either. I walk right around these buildings and I see cans marked "emergency water," and I lift the cans and find them empty and I know that in an emergency we can not live on dehydrated water. So the easy thing to do is to play the ostrich—to avoid the expenditure of money—to avoid the moral arguments which are raised against civil defense by a few, the technical arguments which are raised against civil defense by a few more, and the economic arguments which any child can raise against it. I submit, however, that it is not the role of a Member of Congress to play the ostrich. I call to your attention the fact that ostriches would be extinct if Government did not assume the responsibility of protecting them. I believe we have to take the harder road. I believe that we, here, have a responsibility of our own to assume and that that responsibility is to provide a means of protection for those who would themselves prefer to ignore this problem and to bury their heads in the sand in the hope that the problem will blow over. The problem will not blow over. On the contrary, it is possible that some day there will blow over this city and there will blow over your congressional districts and mine, a fine granular substance, something of the consistency of salt—or of sugar, and as these grains blow over our districts they will fall to earth and they will be deadly. They will have the capacity of killing unprotected people who were far away from the nuclear explosions which created them and which made them deadly. They would, I repeat, kill people who are not protected.

So this bill today is a bill designed to provide protection for people who would otherwise be unprotected. This bill requires us to pull our heads up out of the sand and to face the fact that while everyone prays that a nuclear disaster may continue to be unlikely—everyone realizes that a nuclear disaster continues to be a possibility. This bill asks us to grasp the responsibility which belongs to no one but us, which we cannot shift to anyone else's shoulders. This bill asks us to prepare to save the lives of millions of American citizens who might otherwise die.

Mr. Chairman, we could stand here in this Chamber and needle civil defense all day. We can apply all the labels that we like to substitute for thought. We can label it a boondoggle. We can label it simply as a new spending program. But to do our duty by the American people, I think we had better stop pinning labels on the civil defense system of the past and start working on the civil defense system of the future.

We spend less per capita on civil defense than Switzerland, West Germany, Sweden, Denmark, Norway, and Great Britain—and Russia. We not only spend less—we spend a lot less per capita.

Great Britain spends $1.01; Norway, $1.33; Denmark, $2; Sweden, $2.80; West Germany, $3.68; Switzerland, $4.40. In the Soviet Union the figures are harder to come by but estimates range for from $2.33 to $7 per capita for civil defense. We spend 68 cents.

Sweden, Norway, Finland, Denmark, the Netherlands, and Switzerland have all surpassed the United States in civil defense organization, training, and shelter development. In each of these countries shelter in new construction is required by law and the construction must be carried out under standards established by the governments. In terms of gross national product the Soviet Union spends anywhere from 13 to 40 times as much for civil defense as we do. Less than one-fourth of 1 percent of our national defense expenditures went to our civil defense program in the last fiscal year. About one-eighth of 1 percent of our national budget.

So to those who attack our civil defense on the ground that it has not accomplished much, I think it is fair to say that we, as a Congress, have not put much into it.

Civil defense, like the Army, and the Navy, and the Air Force, and like any program in any one of them, will produce for our people roughly on the same order that it is supported by Congress both in terms of money and also in terms of meaning. I believe that it has a job to do and that we here today have a job to do in giving meaning and purpose and direction to the actions of thousands of dedicated persons across our land who are trying to help create a program which will enable our Nation to survive a nuclear disaster. It is nuclear weapons—and no other kind—that we must guard our population against for the reasonably foreseeable future.

Nuclear weapons by their very nature provide the greatest advantage to an attacker because not only do they possess a tremendous blast effect with all of the destruction that results from this blast, but they have the secondary and very imporant effect of causing deadly fallout. This fallout, of course, is not limited to the area immediately surrounding the blast. It can extend literally for hundreds of miles downwind from point zero.

There is little or nothing that can be done for those too close to the explosion, whether it be a large-yield weapon or a small-yield weapon. There is no certainty as to where these explosions would take place, regardless of the intentions of the enemy.

These weapons would be used against the most powerful counterattack the world has ever seen. In the event of an all-out nuclear attack on the United States, widespread fallout, covering perhaps 75 percent of the geography of the country, is a sound prediction. Tens of millions would be killed by blast and nothing can be done to prevent this if a full-scale nuclear war was started. There would be a great deal of fire from various causes, but these fires would do their damage in the same general areas as the blast and would not sweep over vast territories in the same manner as fallout.

This all adds up to the simple fact that defense against fallout radiation provides a practical and feasible means of containing the damage of nuclear explosions to those areas relatively near ground zero—that is, the blast effect. The result is a saving of lives estimated at 25 to 65 million people.

The technical base for these predictions is sound in the opinion of the committee and it is nice to be able to report today that there appears to be a solid consensus—not always so—among the military and civilian experts on the pertinent subjects in the Pentagon and among the military and civilian experts in the Armed Services Committee. This is backed up by the advice of the National Academy of Sciences, which is perhaps the most authoritative body which might speak for the scientific community, and by the advice of such eminent scientists as Dr. Teller, Dr. Wigner, Dr. Seitz, and others who came before the committee.

I think I know how the House feels today about this matter. It feels exactly as the committee did when it started its hearings. The same atmosphere of doubt is felt by the Members of the House as was felt by the subcommittee and for exactly the same reasons.

I hope that some of this doubt has already been dispelled by those who have already spoken. I would like to say—as others have already said—that the subcommittee and the full Armed Services Committee is merely a small segment of the whole House. It is made up of the same kind of people—the same kind of backgrounds—the same interests—and the same doubts. Yes, I would like to repeat that had all of you sat with us for the 8—almost 9—weeks of hearings, you would have had exactly the same experience that we did: Instinctive objection, changed by the application of reason to firm convictions that we have no choice in this matter.

We are impressed with the weight of the evidence.

And, I am also impressed by the leadership in this matter. The President says we need it. The Secretary of Defense says we need it, and the Joint Chiefs of Staff say we need it.

We should go forward with this program—now.

Mr. BRAY. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. OSMERS].

Mr. OSMERS. Mr. Chairman, it is said that self-preservation is the first law of nature. If Congress has ever violated laws of nature, its failure to provide the American people with adequate fallout protection is by far its greatest violation. Throughout the history of mankind, the development of a weapon has been promptly followed by the development of a defense against it. The spear and sword were soon followed by the shield and armor; the fort and trench came soon after the gun and the bullet; the tank trap, land mine, and the antitank gun after the tank; the gas mask followed poison gas; the antiaircraft gun and bomb shelter after the plane, the subchaser, depth charge, and sonic radar after the submarine; and so on through military history.

Nations in the past that have failed to build their defenses against known weapons available for use against them have either disappeared from the face of the earth or been conquered.

Mr. Chairman, we constantly use a word here that should be changed. We use the word "civil" to describe the defense against fallout. People rightly start to think of city or town hall and local affairs when the word "civil" is used. What we are really talking about here is the heart of our national defense. If we do not defend the people of the Nation against known existing weapons, we will not have a nation after a broad nuclear strike. During our history, we have thought of the oceans and the Arctic as the means of giving us time to prepare for war. But in this day and age, they give us no time and provide no defense from the delivery systems and missiles that are available to our potential enemies.

Mention has been made of the cost of the program. In this bill, we are not approving the 5-year possible cost of about $2 billion. We are considering a figure of $175 million which is less than two-tenths of 1 percent of our nearly $100 billion budget. When one considers that each year we vote some $50 billion for the means of defense, $7 billion to help farmers, $16 billion for research and development, an expenditure of $175 million to initiate a program that may save millions of lives and save the Nation from defeat and extinction is not a great extravagance.

Ambassador Harriman, in reply to a question of mine at a briefing about what effect approval of the test ban treaty should have on our expenditures for national defense, answered that he thought our defense programs should continue at about the same as present. This reply would clearly indicate that this treaty, while possibly a step in the right direction, does not end the danger of a nuclear attack by any means.

The Congress of the United States must not leave the fate of our people in a nuclear war entirely in the hands of the salesman who wants to sell a home fallout shelter. These shelters are a vital part of our defense but Congress still has the responsibility to provide the most practical protection for the maximum number of Americans at the earliest possible time.

All of the great wealth and resources that we have expended for national defense over the years will be for naught if millions of our people are left unprotected and wiped out because of our failure to provide fallout protection. If an all-out nuclear strike should ever come, it is the nation whose people have been protected and can thereby survive the blow that can then go on to win. We must insure that the United States is that nation. We need H.R. 8200. It is in fact a most modest and carefully thought out start toward closing a huge gap in our defenses.

This shelter program should have been a part of our defenses from the moment a potential enemy developed an atomic capability. Delay is dangerous.

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. OSMERS. I yield to the gentleman from Massachusetts.

Mr. BATES. Mr. Chairman, I want to commend the gentleman for the fine statement which he has made. He commented on the initial doubt which he experienced when he first attended the meetings of the committee. That is certainly similar to the experience which I had in the Joint Committee on Atomic Energy when we considered this matter some 5 years ago. However after extensive hearings and after listening to outstanding military authorities and the most distinguished scientists in the country, the conclusion reached by the committee was this: proper fallout shelters would save some 45 million lives in the event of a hypothetical attack which we had postulated for this particular study. It seems to me, Mr. Chairman, that 45 million lives are something that we cannot ignore. I think it is a good bill and I think we ought to go even further.

Mr. HÉBERT. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. Ichord].

Mr. ICHORD. Mr. Chairman, after studying the matter of fallout shelters through 8 weeks of hearing by the Armed Services Subcommittee so admirably chaired by the distinguished gentleman from Louisiana [Mr. Hébert], I am firmly convinced that this Congress should proceed without delay to enact this modest fallout shelter program. A failure to do so might very well turn out to be the biggest mistake ever made by any Congress and one which could never be corrected.

The idea of a fallout shelter program has always been, and I suppose still is, attacked by some on the basis of the adverse psychological effects such a program might have on our people.

Some place particular emphasis on what is considered an un-American preoccupation with "burrowing in the ground." They say that this could cause a national psychosis, that it might sap our will to stand up and face our enemy, that it is a form of retreat—and some even with the idea that a fallout shelter is a cowardly thing.

Others—and I am sure with complete sincerity—stress the effect that a fallout shelter program might have on our children. They say that we would bring up our young people in an atmosphere of fear.

Although I do not believe that our national character could be adversely affected by any kind of reasonable defensive effort—with fallout shelters or anything else—the basic premise on which these people operate is false.

We are not going to "burrow in the ground." We are merely going to make minor modifications in existing buildings and slight changes in the design of new buildings so as to provide fallout protection.

In fact it would take a particularly well-trained eye to tell whether a particular building is falloutproof or not. The fallout shelter area looks virtually the same after modification as it did before. The walls may be a little bit thicker, perhaps there are not as many windows on the lower floors as there were before, and perhaps it could be noticed that the ventilation is considerably better than it had been; but on the whole, it is the same place that you knew before and, as I say, it would take an expert eye to notice any difference from its former condition.

As I have pointed out, the subcommittee heard both—or I should rather say all—sides of the question as to whether we should have a fallout shelter program.

I think it fair to say that virtually all of those who were opposed to the program were opposed on the basis of its psychological effects. Frequently the psychological aspect was mixed with religious considerations, but in essence, adverse psychological effects were the basis for the objections.

Let me give an example: There was considerable testimony on the effect that fallout shelters in schools might have on young children—whether a shelter in a school might make children more worried and anxious about the world in which we live.

Some of this testimony was on a somewhat theoretical basis, and was to the effect that we ought to be very careful about locating shelters near childhood activities because this might somehow cause the children to develop into nervous, immature adults who might not be capable of making the kind of sound decisions we need in American society.

I confess that I could not, and cannot, see the logic in this type of reasoning. But in addition to theoretical views, we also had the views of those who reported on the basis of actual experience.

As many of you know, there is an elementary school, the Abo School, in Artesia, N. Mex., which is built totally underground. It serves both as a school and as a fallout shelter, and it was opened last year. The superintendent of this school, Mr. Vernon Mills, and Dr. Frank Lutz, a research psychologist, testified before our committee, and reported that both the children and teachers have enjoyed the school during the year in which it has been in use, and that there has been no psychological damage to the children as a result of studying in what is also a fallout shelter.

This school was partially financed by the Federal Government as a shelter research project, but the people of Artesia, N. Mex., value the underground school so much—primarily because classroom temperature and lighting can be controlled much better—that they have voted local funds to build a new junior high school which will contain underground school space.

This project in New Mexico helps solve two problems: How to gain better control of classroom environment, and how to provide fallout protection in the event of nuclear attack.

Now, it seems to me that this goes to the core of whatever psychological problems may result from a fallout shelter program—particularly the program we are now considering. And in this respect it is important to realize that this bill before us does not authorize a special shelter-construction program. There is no intention here of scarring the landscape with thousands of holes in the ground for the sole purpose of building fallout shelters.

The intention of this bill is to develop fallout shelter by making additional use of space normally found in a building. The bill is aimed at developing, not special shelters, but special buildings. Buildings that can be used as schools and shelters, as hospitals and shelters, as fire stations and shelters.

Frequently, shelter can be built into a building by making some rather minor modifications, and that is the central purpose of this bill. But it seems to me that the important point for those who may be concerned about any possible psychological implications is that the shelter program is after dual-use space, not specialized shelter space, and that people can use this dual-use space day in and day out without being aware they are also in or near a fallout shelter. If they are not aware of it, they are not going to be particularly worried about it—anymore than people might have worried years ago about the danger of flooding their houses by installing inside plumbing. It is just another, modern-day use for the building.

Professional architects and engineers, who are advising the Department of Defense on the shelter program, testified that as the skill increases in their professions in antiradiation construction more and more fallout protection can be incorporated in buildings at a very low cost and without impairing the regular usefulness or beauty of the buildings. That is one of the long-range goals that can be brought nearer by the shelter bill now before us.

In my view, the psychological effects of the shelter program we are now considering are good, not bad. The only bad effect would come if we should fail to approve this legislation. By doing so, we would be telling thousands of local communities and building owners that their efforts to date in developing public shelter space have been in vain. We would be telling our friends and foes alike that we are not really serious about national defense.

This, Mr. Chairman, is a psychological effect that this Nation cannot afford.

Mr. Chairman, I would now like to turn to another subject and one which is of very immediate and practical interest to all of us and that is: How does the program work? What are the mechanics of seeing to it that fallout shelter is provided in your particular area? What are the steps which must be taken from the local level all the way up here to Washington?

Prior to going into these specific steps I would like to refer to the fact that the subcommittee—and the full committee—carefully followed the admonitions of our chairman, the gentleman from Louisiana [Mr. HÉBERT], that we write a "tight" bill, one that not only will guarantee careful and useful expenditure of funds for shelter development, but one that will give the Congress the maximum supervision and control of the program.

It was with this in mind that the committee gave careful consideration to section 207 which has to do with shelter financing. In this section it is specified that payments shall not exceed the estimated cost of design, equipment, construction or modifications eligible under the regulations or such lesser amounts as may be determined in accordance with the regulations.

To clarify the relationship of this program to other important Federal aid programs, the bill specifies further that any payment made under section 207 shall be in addition to and shall cause no reduction in any other financial assistance by the Federal Government for construction, with the exception that payments under the section when added to other financial assistance shall not exceed the limitations set forth in the paragraph to which I just referred.

Provisions for allocation among the States of amounts appropriate to carry out the purposes of section 207 shall be made on the basis of population, need for shelter space, and such other factors as may be determined; provided any amount of such allocation not used within a State may be reallocated among the other States.

The administrative plans of the Office of Civil Defense, which are now being completed, are based upon the benefits of experience of civil defense professionals at the Federal, State, and local levels.

The nationwide fallout shelter survey, already completed by the Office of Civil Defense, has provided a wealth of professional experience and knowledge which can be readily translated into the proposed shelter development program. The survey involved thousands of architects and engineers from firms all over the country who received specialized training in new techniques of radiation shielding and knowledge in the identification and modification of areas which could be used as fallout shelters.

In addition, personnel from the Army Corps of Engineers and the Navy Bureau of Yards and Docks who have been involved in administering the survey in the field will be able to pass along their knowledge to appropriate persons both in and out of the military services.

There is yet another area in which the Office of Civil Defense has gained valuable experience and that is in the marking and stocking activity in connection with the fallout shelter survey. In this activity Federal, State, and local civil defense officials have gained valuable experience in obtaining the cooperation of building owners, State and local governments, and faced up to the many problems involved in procuring and transporting survival supplies.

And now for the mechanics: the application for shelter payments may cover buildings of a single eligible institution or it may be consolidated into an application sponsored by a county or municipality covering a group of institutions which are eligible to apply separately.

The steps in the approval process are:

First. The application must set forth information showing the eligibility of the institutions owning or controlling the proposed shelter space, the characteristics of the buildings, descriptions of the proposed shelter features, and the name of the architect or engineer who is preparing the necessary general designs.

Second. The application goes to the local civil defense director, who certifies that the shelter space is needed in the proposed location. For this purpose he uses the available local data from the national shelter survey.

Third. After verification by the local civil defense director of the need for the shelter space, the necessary designs are prepared by the eligible institution. The resulting sketches and estimates of costs properly attributable to the shelter proposal are attached to the application, signed by the architect or engineer, and sent on by the local civil defense director to the State civil defense director.

Fourth. The State will review the application to determine that the proposed construction or modification is consistent with State law and regulations and consistent with the State civil defense plans. Thus a decision to respond first to counties or municipalities making the most rapid civil defense progress would be at the discretion of the State. The State will be responsible for allocations to its political subdivisions within the Federal allocation to the State. It will be responsible for assuring that the probable costs to the Federal Government do not exceed suballocations and that the accumulated applications do not exceed the total Federal allocation to the State.

Fifth. If approved by the State director, the application is then forwarded for final action to one of the eight Federal civil defense regional offices. The regional director, before finally approving the application, is advised by the local district office of the Army Corps of Engineers or the Navy Bureau of Yards and Docks, as the case may be, as to whether the shelter criteria have been met and the cost estimates may be relied upon. A combination of certifications by architects and engineers, trained in fallout shelter analysis, spot check of smaller projects by the military engineers, and progress and completion inspection of larger projects by the military engineers insures that payments will be made only for shelter purposes within the limits set forth in the bill.

There have been many questions raised as to how the consolidated application for shelter development funds will work. I would like to give one example to show why the Committee accepted this proposal and recommends congressional approval.

City A with a population of 12,000 has 4,000 existing shelter spaces concentrated chiefly in the downtown business district. There are five existing school structures and one more planned for construction, all located in areas of shelter need.

City A advised the State civil defense director that it is considering new shelter space in schools.

The city and school authorities decide to go ahead with an expanded shelter program and develop a consolidated application.

It is determined that 4,150 new shelter spaces can be developed in 3 school structures by installing ventilating systems, increasing thickness of walls and ceiling, and various other modifications.

The architect or engineer trained in shelter design develops the modification plans for creating the new shelter space and certifies that the plans would provide shelter space meeting Office of Civil Defense criteria. An application form for shelter development funds is completed. This is a single page application with an attachment on which cost detail for each school will be entered by the architect or engineer. An authorized official of the city will certify the need for shelter space in each school area and sign the application requesting a specific amount of Federal funds for the development of a specified number of square feet of shelter space in the city.

The detail provided in the application would include such information as follows:

	Square feet	Cost per square foot	Amount
Building 1	10, 000	$2. 43	$24, 300
Building 2	20, 000	2. 60	52, 000
Building 3	11, 500	2. 55	29, 325
Total	41, 500		105, 625

The average aggregate cost per square foot in this application is $2.55—total cost $105,625 for 41,500 square feet of shelter space.

Without going further into all of the proposed administrative details, I believe we can see that there will be sufficiently rigid guidelines for determining nonprofit eligibles and for setting limits of payment that would apply strictly to fallout shelter development. Using these guidelines money would not be expended for creation of shelter spaces in areas that already have enough.

One more thing. And a very important thing. There is, I think, a widespread misunderstanding as to how the authority of this bill could be used or misused.

I know that there are many here on the floor today who have very real concern that this program could turn into a colossal boondoggle. This is a very reasonable concern. If our bill were not written the way that it is, if we had not made it as tight as is humanly possible, if we had not felt the very same concern that I know many of you feel, it could have become a boondoggle.

I will say with full confidence and complete sincerity that this bill cannot become a boondoggle, but what is much more important than that particular concern is the question as to who gets what.

I have thought long and hard on this subject and I have come to the firm conclusion that no one—excepting only the general public of the United States—can gain from this bill.

Keep in mind—because it is extremely important—no one can conceivably gain anything from this bill as an individual, or as a hospital, or as a school. Indeed in many cases having fallout protection in a structure will be slightly disadvantageous to those who own the building. There will be slightly less space, for example.

Anyone who has a dream of building a building or even radically modifying a building through the use of Federal funds is going to be sadly disappointed. It simply cannot be done.

The Federal contribution is small, is strictly limited, and only those costs directly connected with fallout shelter are reimbursable to the building owner.

I cannot stress this point too strongly.

Let me say this again. No individual can conceivably gain any advantage through this bill other than the one for which it is specifically designed and that is the provision of fallout protection. No one can add to his existing structure, no one can do anything under this bill which accrues to his own exclusive benefit because, Mr. Chairman, the only thing that is paid for is that cost clearly identified with fallout protection.

I hope my remarks have thrown some light on the problems involved in this program and I can only hope that the firm convictions that I have arrived at will be shared by the other Members of the House.

Mr. BRAY. Mr. Chairman, I yield 5 minutes to the gentleman from Maryland [Mr. Long].

Mr. LONG of Maryland. Mr. Chairman, I rise in strong support of this bill.

I have often marveled at how ingenious people can be in devising arguments when they are determined to be wrong. Americans are in the same frame of mind now with respect to civil defense as we were back in the thirties with respect to national defense. It took a terrible war to teach us that we had to have a strong national defense in the world in which we lived in the thirties. We have an even worse world now. But we have not yet learned the lesson with respect to civil defense.

Why are some people opposed to civil defense? I think they can be classified into two broad groups. One of these groups opposes civil defense because it thinks civil defense will not work. The other group is opposed to civil defense, even if it would work. Typical of the latter opponents is a lady whom I debated on television on Sunday. I asked her: "If we could have an effective civil defense, would you be in favor of it?" She said, "No."

Why does the one group of opponents to civil defense think it will not work? Basically, because they do not think it will save everybody. Well, it is not intended to save everybody. It is intended to save the lives of millions of people. If a bomb should fall in Washington, we in Washington will all be dead. If it falls on Baltimore, the people there will all be dead. But bombs will not fall on every community and city in this land. Millions of people will be in areas where bombs do not fall.

A civil defense program of this kind is designed to save the lives of people in those latter areas—from fire, blast, panic, and the hurricane of misery that could sweep upon our people at such a time.

With respect to this group, I agree that our cities are almost naked in their civil defense against enemy attack. Our civil defense is scarcely more than a loin cloth. I want to put on more civil defense clothing. These opponents want to take even the loin cloth away.

Now the other group—which is opposed to civil defense even if it were effective—feels that appeasement is the same as peace. They are afraid civil defense will lull the American people into overconfidence, so that they will be less willing to work for peace. They also feel that civil defense will be regarded by the Communists as an act of aggression.

I liken this argument to the proposal to scrap the lifeboats in the hope of better avoiding shipwrecks, by making the navigator more careful and the seas less angry.

The thinking of both these groups is wrong. If you do not want national defense, vote against this bill. If you feel appeasement is the way to peace, vote against this bill. But if you want to save lives, if you accept the testimony of the overwhelming majority of our military and scientific leaders that civil defense is an integral part of national defense, vote for this bill. If you accept the proposition that this program will provide some training, some core of leadership until the American people wake up to the realization that clothes can be just as important as arms to the safety of our people, then vote for this bill.

Mr. HÉBERT. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. Fisher].

Mr. FISHER. Mr. Chairman, I was one of those "doubting Thomases" who before hearing the testimony on this legislation took a dim view of spending money in this field of civil defense, but who after hearing a parade of more than 100 witnesses, including certainly some of the most distinguished authorities in America on this subject of thermonuclear fallout, became convinced that the Federal Government owes an obligation and must assume the responsibility in the future in respect to initiating, inspiring, encouraging, and in promoting a fallout shelter program of which this would be, in my opinion, a very reasonable and a very modest beginning.

It has been said that a lot of money will be wasted and has been wasted and will be wasted in the future because of this program.

That may very well be true and in a manner of speaking I hope it is. I believe we all hope it is true. If by not having a nuclear war this money would be wasted, then of course we all hope it will be wasted.

But, on the other hand, assuming there is a thermonuclear war, who is there to rise up now and say this money will be wasted? Assuming that we should get into an atomic war in the future, and that is what this is all about, who will say for one moment that we should not take this modest beginning in protecting human life here in America? It is just that simple.

We are living in a thermonuclear age, whether we like it or not. We are living in an age that is faced with constant danger of a thermonuclear war whether we like it or not.

We spend a lot of money on research and development, on building the Titan, the Atlas, the Minuteman, and other weapons, all designed for one purpose only—that is, to carry thermonuclear warheads to certain targets around the world. Our potential enemy is engaged in the same sort of thing. So we are living in a thermonuclear age that is charged with the possibility of a thermonuclear war. If we have a thermonuclear war, and God forbid, then we need this legislation. If we do not have a nuclear war then we can say we do not need it, although an effective fallout program would itself be a deterrent. We could save a lot of money if we did not have a thermonuclear war. We are spending a lot of money in building the Titan, the Atlas, the Minuteman, and others, and certainly after you pass that area where they are built for the purpose of deterrent perhaps we can get along without a lot of them, unless there is a thermonuclear war.

Mr. ALBERT. Mr. Chairman, will the gentleman yield?

Mr. FISHER. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I hate to interrupt the gentleman, but I have here before me a statement by Gen. Curtis LeMay which says:

> We must also provide protection to our population by practicable passive defense measures. Civil defense has the same identical objective as counterforce operations and active defense operations; namely minimizing damage to our country and its people. Thus, civil defense is a vital element of our national deterrent posture and is another factor which must be carefully assessed by any potential enemy in calculating his chances of success.

Here is one of the great military authorities of our country indicating that perhaps this expenditure might help prevent an atomic war.

Mr. FISHER. Indeed, that is true, and the distinguished authority to whom the gentleman referred was supported by other members of the Joint Chiefs of Staff, also by Dr. Edward Teller, than whom there is no greater authority on this subject in the world today, and who is convinced that the passage of this legislation is modest but highly essential.

In short, Mr. Chairman, assuming that there should be a thermonuclear war, just assuming that, and as I say again, you have to think of this in terms of such an assumption, but assuming there should be one, then the passage of this legislation could very well mean the saving of as many as 20, 30, 40 or 60 million lives. We are dealing with a lot of people here. This is an issue that relates to human lives.

I am going to devote my remarks on the bill to that area which is of particular interest to my own constituency—a constituency which I am sure is in many ways similar to many of yours on the floor today. I come from an area which is primarily a ranching and farming community. These people too—although in many cases far removed from a target area—have as great a stake in this legislation as those people near our urban centers.

Fallout is indiscriminate. It has already been pointed out that although the target and blast are 100 or 200 or even 300 miles away no consolation can be derived from this fact. Fallout goes with the wind, and if the wind is blowing in your direction—in the direction of your farm or ranching community—it must have protection just as the more populous areas must.

The committee took a great deal of testimony concerning ecological effects of fallout. Now ecological is a rather fancy word, but when one is dealing with nuclear attack and fallout it becomes a very important word indeed. Very briefly and simply stated ecology is that science that deals with how nature arranges itself, how one organism lives with another, how farming could be upset by a disruption of the insect population and many other things of this kind.

Believe me, this area of concern has been the subject of extremely intensive study by a large part of the scientific community which has been concerned with nuclear weapons and their effects.

I might say that the effects to which I am referring were originally considered to be very much more severe than has now become evident from further scientific investigation. It is a serious matter but not as serious as was once thought.

We all know that a large segment of our population remains in small towns or the rural community. The rural population of the United States is estimated at over 54 million persons, of which, I might say, well over 2 million live in Texas.

The Secretary of Agriculture told the Armed Services Subcommittee that this legislation is urgently needed. The Secretary said that studies show that in rural America there is a shortage of fallout shelter facilities.

Secretary Freeman told us that in communities of less than 50,000 persons and in rural areas today there is shelter space for not quite one-fourth of the 70 million people who live there.

These figures compare unfavorably with the situation in all other areas of our society where there is shelter available for over 87 million people, or 77 percent of the people living there.

Of course, you may well ask why we are worried about building fallout shelters for the rural population when it is a logical assumption that rural America will not be the priority target in a nuclear war.

I reply simply that the fallout from nuclear bursts would be just as lethal. Death for humans would be just as certain in rural areas as anywhere else.

Keep in mind that this is a fallout shelter program, not a blast program. You have already heard other speakers say that if you are where the weapon drops there is little chance of your survival. We are not focusing our attention in the area of blast at all. This would be astronomically expensive and wholly unfeasible from a practical standpoint. Keep in mind, then, that this is only fallout protection that we are talking about.

In the South—particularly in its many rural communities—we are short of the types of buildings which have high protection factors built into them. Many of them are lightly constructed, and few have basements. This legislation will permit us to build fallout protection into our hospitals, orphanages, schools, and other public and private buildings.

Fallout shelters are needed throughout America, not only to protect the people near target areas, but also to provide shelter for farm and rural people. Community shelters can be provided in many schools and buildings in very small towns, though shelter for rural areas will always have to be supported by home shelters and sheltering for livestock.

Critics of this legislation ask the question: Why be preoccupied with saving people in shelters if, when they come out of the shelters the food, and the water, and the croplands are contaminated by fallout? Or, to put it another way, if we did survive the attack, would not we die of poisoning or starve to death?

The committee hearings brought out clearly that all ecological communities are affected by human action. These ecological effects vary widely, depending upon the amount of fallout. More often than not, man controls his destiny. He has already altered the balance of nature. There is no reason to believe that man cannot control the situation following a nuclear attack.

Take, for example, the food supply.

Fallout is slow acting on vegetation. The fallout particles can be washed from food, then it can be eaten. Well-informed witnesses told the committee that there should be enough food, in being, along with our reserves of grain, to support the surviving population for a least 1 to 2 years.

Secretary Freeman testified that he was confident that there is—and will be—food available after the attack. There is an inventory of the supply of food at the county and community level. Food processing plants and their capacity have been pinpointed. The Secretary is confident there are adequate food stocks for a 6-week period in the home, retail stores, and local warehouses. And he proposes a supplemental program to locate backup supplies of processed foods, wheat and feed grains at the proper points to fill in any gaps.

While agricultural production would be crippled for a time after an attack, the committee heard convincing testimony that such effects would be largely troublesome only the first year. Farmers then could work their fields, even in areas originally heavily contaminated.

An attack during planting and harvesting time, the committee heard, would result in the loss of part of the national harvest, but not all of it. In much of the agricultural community, farmers could go back to work within 2 months. With reasonably effective rationing, current stocks of food would support the population for at least 9 months while surplus grain would avoid starvation for twice this period.

In sum, there is no reason to expect mass starvation or critical malnutrition if we are adequately prepared.

A similar situation would apply to the water supplies following a nuclear attack. There will be more available than the casual student of the question might assume.

First, there will be the water stocked in shelters. Then there will be uncontaminated water trapped in buildings. Finally, there is the probable availability of water in water mains—unless they are damaged—which could sustain the population during the first few weeks.

In its detailed examination of this situation the committee was informed that recent studies show that by the time these supplies of water at hand are depleted, the supply of water in streams, in lakes, and in reservoirs—as well as ground water—can be used by the people.

I am persuaded by the facts brought out in the hearings that although grievous wounds would be inflicted upon our country by nuclear attack, the results would not be fatal to our society if we undertake sensible precautions.

The rural population has as great a stake as those who live in urban communities in acquiring adequate shelter from fallout. The surviving population must carry on, and the farm community must be able to support all the survivors. We are short of fallout shelter space in rural America; we must have it.

This legislation, as proposed to the House, is but the first step in a long journey. But it is a step that must be taken.

Mr. BRAY. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. Foreman].

Mr. RUMSFELD. Mr. Chairman, I make the point of order a quorum is not present.

The CHAIRMAN. The Chair will count.

Ninety Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 149]

Abernethy
Adair
Aspinall
Auchincloss
Avery
Baring
Barry
Bennett, Mich.
Berry
Boggs
Bolton,
  Frances, P.
Brock
Buckley
Cameron
Celler
Clark
Clawson, Del
Collier
Cooley
Corman
Cunningham
Daddario
Derwinski
Dulski
Dwyer
Edmondson
Ford
Fulton, Tenn.
Gill
Gubser
Hagen, Calif.
Hansen
Hays
Hoeven
Hoffman
Jensen
Jones, Mo.
Kee
Kelly
Kilburn
Kluczynski
Laird
Landrum
Lesinski
Long, La.
McMillan
Macdonald
Madden
Mailliard
Martin, Calif.
Martin, Mass.
May
Michel
Miller, Calif.
Morrison
Morse
Mosher
Norblad
O'Brien, Ill.
O'Hara, Mich.
Patman
Pilcher
Pillion
Pirnie
Poage
Powell
Purcell
Reifel
Rooney, N.Y.
St. George
St. Onge
Saylor
Schwengel
Selden
Shelley
Sickles
Smith, Iowa
Staggers
Stephens
Thompson, La.
Tollefson
Wallhauser
White
Whitener
Whitten
Wickersham

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. O'Neill, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 8200, and finding itself without a quorum, he had directed the roll to be called, when 346 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. Foreman].

Mr. FOREMAN. Mr. Chairman, while I agree with most of the Members who have been here to speak to you today on this civil defense fallout shelter bill, and while I do agree with the distinguished chairman of the subcommittee that considered this bill when he said that most of the members of the committee changed their minds concerning civil defense fallout shelters, I too was one of those who changed my mind as to the need for fallout shelters and for a civil defense program.

But there are some of us who believe while we need fallout shelters and while we do need a civil defense fallout shelter program, we do not necessarily agree that we need a new Federal aid program to accomplish this end. We do not believe all our problems can be solved by throwing money at them.

While I do endorse a properly planned civil defense program, I say that there has been no necessity demonstrated for a new $2.1 billion fallout shelter program. These are the reasons I say we do not have to initiate this new $2 billion program that will cost us $175 million this year and, according to the Civil Defense Department, will cost $460 million next year and $460 million each of the next 3 years, or a total of $2.1 billion.

We now have in this country identified 104 million fallout shelter spaces. We are gaining 4 million each year cost-free as a byproduct of commercial construction. We have a good program that is getting better. We have a program whereby we are building these needed fallout shelters. Granted that there is a problem, that we will have a nuclear war, that there is a necessity for it, and this is a good bill, there has been no need demonstrated that we have to spend $175 million and progressively more each year to get the Government to move in to do the job because people are doing that themselves.

There are Members who will say that this is just a new program to cost $175 million the first year, but as I pointed out, the Civil Defense Department has already programed this for 5 years. I do not think there is any Member in this body who is new enough or inexperienced enough to say that once we enter into this planned program, this civil defense program, we are going to stop it next year. We are going through with it. It is not going to stop regardless of how good it is or how bad it is. We are going to continue it. I know, as do the Members of this body, that once the Federal Government starts a program it gets bigger and more costly every year.

Aside from the fact that we already have fallout shelters identified for 60 percent of our population in this country, that we are gaining 4 million new shelters each year by private construction, there are millions of private fallout shelters that have been built by homeowners themselves and there are millions being built each year because the people have recognized this need, and when they build new homes they can be included at very little additional cost. When we have a good situation that is getting better I say that it would be an intelligent move to allow the taxpayers to keep their money to build their own shelters rather than to take it away from them for general redistribution.

The chairman of the committee has stated that if we saved one individual's life, this $2.1 billion expenditure would be all right. He said, further, that he did not intend, or want, to play "God" with anyone's life. What, may I ask, right does the gentleman have to tax the people of this country to provide a program that they have expressed disfavor with? We should not spend this money. Let us take a proven program as an example. Automobile manufacturers and seat-belt manufacturers have proven beyond a doubt that, with the use of seat belts, lives are saved in automobile accidents. Millions of Americans as a result of this have put seat belts in their automobiles. Does that justify that the Government should step in and say, "Here is a proven way lives can be saved, so we are going to initiate a new Federal-aid program for seat belts?"

Thousands of people die each year from drowning, when if these folks had life jackets on them they would not drown when they fell in the water, so as the result, let us put on life jackets before we go in the water. But is the Federal Government to say to the rest of the folks that we are going to initiate a new Federal-aid program to buy life jackets for them?

I say you have a good program that is doing good, and there is no need to initiate a new spending program on this.

Looking at it from the other side, during our hearings Mr. Phillip Kelleher, the committee counsel, made a very reasonable observation which I want to pass on to you for your review. I think it brings in some of the things the gentleman from Ohio mentioned when he talked about the political implications that could get into this bill. Mr. Kelleher said:

> To be completely realistic about the pressures which might be exerted to expand this program far beyond its present confines, one merely needs to ask himself: What city, town, or village doesn't have a requirement, real or imaginary, for a municipal structure for which a large injection of Federal funds would be most desirable. How many cities but would like to build a downtown garage under the common which could serve the double function of garage and fallout shelter. Even the mention of this consideration presents each Member of Congress with his own Pandora's box.

Mr. HÉBERT. Mr. Chairman, will the gentleman yield?

Mr. FOREMAN. I yield to the gentleman from Louisiana.

Mr. HÉBERT. I just want to keep the record straight for my dear friend from Texas. This matter that Mr. Kelleher brought before the committee was discussed at length, and the gentleman knows as well as anybody else that under the present bill they could not under the greatest stretch of fantasy have a garage built downtown as a basis for a fallout shelter. Is not that a fact?

Mr. FOREMAN. No, it is not a fact.

Mr. HÉBERT. Will the gentleman point out to me where a downtown garage could be built, under the bill?

Mr. FOREMAN. Under the provisions of section 207. As I say, this was discussed in the committee. I think the good chairman of the committee is familiar with it.

Mr. HÉBERT. It is utterly impossible.

Mr. FOREMAN. This position I am taking today is exactly the same position that the distinguished gentleman from Georgia took just 1 year ago concerning this program, when he wrote the President of the United States this, and let me quote just a portion of his letter.

Our very capable, sound, and experienced House Armed Services Committee chairman, Mr. VINSON, was well founded in his letter to the President on August 8, 1962, concerning the fallout shelter program, when he stated in part (full text of Mr. VINSON's letter on p. 3051 of the hearings):

"I would like to state it is my considered judgment that these steps must be taken one at a time.

"I do not believe that the country is at this time ready for the third step, the shelter incentive portion of the program.

"I feel that the first part of the program, the survey, should be completed and that then the program should progress through the second step, the provision of shelter space in Federal structures.

"From these first two steps much knowledge will be gained which will permit a proper assessment of how we should proceed with respect to the third step, the provision of shelter space in schools, hospitals, and other nonprofit institutions. In other words, I believe that there must be gradual progress made in this program. This would, I believe, be accompanied by a growing awareness on the part of the public that fallout shelter is essential.

"If the executive branch and the Congress follow the course that I have outlined above, I am of the view that we can generate a public acceptance of the civil defense concept which is clearly not the case today."

This sound advice of Mr. VINSON to the President is a very realistic and reasonable approach to the problem with which we are confronted today. This approach is worth the deliberate study and evaluation of the Members of this Congress.

In view of the existing situation and our past studies, we agree with this advice submitted to the President last year by Mr. VINSON. We, therefore, propose that instead of approving section 207 of this bill—the community incentive program—that it would be best for the Government to fully exploit existing surveyed fallout shelter areas, arranging for their use, marking and stocking them and by trying to stimulate as much private shelter construction as possible through Federal example in Federal buildings and through technical assistance and planning advice to those needing or requesting it.

This proposal is almost identical to choice No. 2 as offered by Assistant Secretary of Defense, Steward Pittman (hearings, 3065). It is a sound, logical approach which will assist in an orderly fallout shelter program, and could even bring about public acceptance to the point that private industry would possibly be encouraged to build enough shelters, that, when coupled with those provided in Federal buildings, we could attain an adequate shelter program without spending $2.1 billion.

Therefore, at the appropriate time, I will offer an amendment to this bill to delete section 207. By supporting this amendment, Members will be opposing the establishment of a new Federal aid program at a time we are faced with a record national debt, substantial deficits, a dangerous gold outflow, and imminent financial crisis. By supporting this amendment, Members will be voting for a logical and orderly civil defense program, including the construction of fallout shelters in Federal buildings and Government direction and encouragement of the construction of shelters in public and private buildings. I urge your favorable consideration and support of this amendment.

Mr. BRAY. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Chairman, I rise in support of this legislation.

I think it would be wise for the United States to spend eight-tenths of 1 percent of our national defense budget for civil defense. That is what this bill provides. I think it is important to do this, since the bill would extend the total number of available fallout shelter spaces to more than 80 million—or about one-third of the total national need. By doing this it is expected we will reduce deaths in the event of an all-out attack from 60 to 12 million. I think this is worth the expenditure of this amount of money when our present defense program is costing $250 billion.

Besides this it also seems to me to be particularly important, since it would provide for shelter areas in school buildings from the kindergarten to university, thus safeguarding the greatest segment of our young people. It would extend protection to personnel and materials of hospitals and other medical institutions that would be vital in case of attack. Many of these medical institutions are on college or university campuses and would be protected under the portions of this bill relating to those institutions as a whole, thus avoiding duplication of cost. But others of great importance, such as, for example, the Mayo Clinic in Rochester, Minn., and its great, related hospitals there, would be of extreme importance in case of nuclear attack and must also be protected. This bill also provides for protection of such facilities.

Furthermore, in the section dealing with preparation of areas in public buildings, it would make available additional suitable shelter areas for the general public.

Let us say that a nuclear attack actually occurred. What would most of us think of first? Our children, of course. I am convinced most of us would be better prepared to meet our responsibilities following attack if we knew there was protection provided for our children.

If our Nation were to continue operation following nuclear devastation, fallout shelter protection on college and university campuses would be essential. As shown by many leading educators who testified at the thorough investigation of this bill by the House Committee on Armed Services, the universities and colleges are centers from which the brain trust of practical knowledge for rebuilding would come. Through this bill, we would provide protection for the students, who are the future leaders of all segments of the Nation, and the faculties, which possess knowledge needed for rapid recovery from attack. The Armed Services Committee stressed this in submitting a favorable report on the bill.

Universities have already recognized the need for shelter areas and stepped-up training in civil defense and have taken some preliminary steps to provide this protection for their academic communities. Such a step was establishment of a Universities' Committee on Civil Defense. But that same testimony showed that the present funds available to institutions of higher learning are barely adequate for instructional purposes and that no funds are available for a truly adequate program of civil defense on campuses.

We cannot overlook the importance of protecting our leading medical facilities, which protection is provided in this bill. Their roles in the event of nuclear attack is obvious.

I also feel that this bill will provide greatly increased opportunity for training of civil defense organizations. With shelter areas available, training procedures take on a new and more important meaning than ever before and training can become more realistic. Certainly, one of the great needs in the event of nuclear war is a well-trained organization capable of taking emergency measures to safeguard the public, maintain communications and transportation and enforce law and order.

This bill would also increase public awareness of the importance of civil defense. It is easy to interest people in the more dramatic aspects of defense, such as space exploration, test ban treaties, the number of megatons in a bomb. But people seem to have the fatalistic idea that if we are attacked we cannot survive and recover from nuclear devastation.

But we can survive and we can recover. Outside the relatively small blast and heat areas, the danger is fallout. We have adequate stores of food and other essentials for survival. What remains is to protect ourselves against the fallout. Actual tests show that fallout does not last forever. The normal amount of time to be spent in a shelter after attack would be 2 weeks.

Since we can survive and we can recover from nuclear attack, we should take every precaution possible to see that we are in a position to do so. By safeguarding our young people and our means of recovery, our medical facilities to aid the injured, by better training our civil defense personnel and by making the public aware of civil defense procedures, we can take a long step toward survival and recovery.

However, before closing, I want to express my concern about one portion of it, section 3 of the bill. Some constituents of mine have raised objection of section 3 of this bill. They are the firefighters and fire insurance companies who are concerned about this. I will propose an amendment at the proper time which will have the effect of striking section 3. This would delete the reference to the two sections of the law, section 201(a) and section 201(b) which have to do with the parts of the law which refer to preparation of national plans and programs. This amendment then will provide merely that in the case of national disasters, civil defense facilities can be used or are permitted to be used by State and local governments in the event of national calamitous disasters. For the last 200 years State and local governments and firefighting organizations have had their autonomy and have operated their own business and they can under this amendment continue to do this. This would be permitted. The fears that they have expressed in contacting me, and many others of my colleagues, will be removed by this amendment to the bill. I think it is wise in the case of a calamitous natural disaster of any kind that the facilities that are available in civil defense be able to be utilized. This would, I think, develop what this committee had in mind. I have talked with members of the committee and I believe we have reached an agreement on this.

Mr. BRAY. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. BRAY. Is that the amendment you told me about a while ago?

Mr. QUIE. Yes, that is the same amendment that I showed to you and to the chairman.

Mr. BRAY. That is the amendment that is designed to eliminate the objection from the fire insurance companies and the firefighters and the various firefighting organizations?

Mr. QUIE. Yes; that is correct. I have talked with their representative and they find that this is agreeable to them.

Mr. BRAY. It is agreeable to these organizations?

Mr. Chairman, I will have no objection to it, in fact, I think it is a good amendment and, as I said earlier, if any amendment of this kind was offered I would support it.

Mr. HÉBERT. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. HÉBERT. This is the amendment that I referred to, I think in my opening remarks concerning the bill when I was trying to explain the bill to my colleagues in which I said that if it tightened the bill, I would be willing to accept it. This is the amendment you showed me; is that correct?

Mr. QUIE. Yes.

Mr. HÉBERT. Mr. Chairman, since this is the amendment that the gentleman showed me and which was referred to, I shall have no objection when it is offered.

Mr. BRAY. Mr. Chairman, I yield 3 minutes to the gentleman from Vermont [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, in connection with section 3 of this bill, which has just been under discussion, maybe I can relate one incident back in the State of Vermont which would tend to support the advisability of adopting this part of the bill before us.

After a long dry season in the State of Vermont, weatherwise at least, in the south and central parts of the State a severe drought resulted and some of our towns ran very short of water. One town ran completely out of water from its reservoirs for use in homes and for taking care of emergencies. This was the town of South Royalton. The emergency was finally taken care of about a week ago by bringing civil defense pumpers from a stockpile at Winooski, Vt., to the scene, and they were largely responsible for restoring water to the reservoir so that the town in question was in a position to supply its homes and meet emergencies. This effort and use of the civil defense equipment had to be done as a civil defense drill because of fear that the present law did not offer a basis upon which it could be done in any other way. As I understand it, the changes which are proposed would permit the use of civil defense equipment in cases of great catastrophes, floods, droughts, hurricanes, fires, earthquakes, storms, and so on, on a legal basis without having to resort to some subterfuge such as a claim that it was done as a civil defense exercise.

This part of the bill taken with the Quie amendment I think is good legislation, and I hope it will be adopted.

I yield back the balance of my time.

Mr. BRAY. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Chairman, this legislation before us today is, as the gentleman from New Jersey [Mr. OSMERS] said a moment ago very eloquently, basically a national defense bill. It is a part of our overall national defense. It is a part of our total nuclear deterrent. We are all, of course, aware of what happened last October in Cuba, even though some people have been trying hard lately to rewrite history in this connection. At that time the Soviet Union, as we all know, backed down in the Cuban crisis, because they saw this country was prepared to go to nuclear war when our national security was threatened, as it was by the introduction of missiles into Cuba.

The only way in which we can have a strong national defense, of course, is if that force is a credible force and if the deterrent power which we possess is a credible power. Obviously our nuclear striking power cannot be fully credible unless we give some clear demonstration that if we ever decide to use that nuclear force and thereby initiate nuclear warfare, we are prepared to take all reasonable preventive measures to protect our own people from whatever nuclear attack might be directed against them.

It is a little surprising to me that those who have been most strenuous in urging that we go to war against Cuba today seem to be the same ones who also want us to cut down this portion of our overall nuclear defense program. It seems strange that those who suggest we should take aggressive action in Cuba also propose that we ought to base our national defense effort on individual or statewide action.

Mr. Chairman, you cannot build a national defense on the basis of individual actions or even by a combination of statewide actions. War and military power can only be developed on a national basis. The same is true with respect to this aspect of our overall program. These shelters are part of our national defense. They can only be built on a national basis, as a result of nationwide leadership.

Over in the other body they are deliberating the nuclear test ban treaty. Although the gentleman from Louisiana [Mr. HÉBERT] said a moment ago that he did not want to get into a discussion of that treaty, I believe there are some important correlations between that treaty and what we are discussing here today. The point that is constantly being made in connection with this treaty is that if we go ahead and ratify it, as I believe we will, we must also make certain to keep our powder dry, and to keep our defenses strong.

In discussing the nuclear test ban treaty, there has also been a lot of talk about the importance of an anti-ballistic-missile-missile. Let me just say this to those who are interested in this important weapon. The evidence presented to our committee made it clear that if you believe in developing an anti-ballistic-missile-missile, then the only way in which such a weapon can be effectively deployed is in connection with a comprehensive system of fallout shelters. For otherwise an enemy can completely wipe out the locality any such missile is designed to defend merely by exploding nuclear blasts upwind from the defended site and then let the lethal fallout drift down over the defended site and wipe it out in that fashion.

The adoption of this legislation, then, Mr. Chairman, would seem to me to be one of the most conclusive pieces of evidence we could give to the Russians and to the world that we do intend to maintain a strong defensive posture, even with a nuclear test ban treaty. And I for one intend to vote for this essential and necessary part of our overall national defense program.

Mr. BRAY. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BECKER].

Mr. BECKER. Mr. Chairman, I have listened to every one of the hearings for 2 solid months, on this legislation. I listened today to the debate. I would say that about 90 percent of the statements that have been made today were based on emotionalism. And if that is the case, I want to make it perfectly clear that I am just as much interested, as I am sure every Member of this House is interested, in saving the life of even one American citizen, if this legislation is effective. But I am wondering why, if we have good legislation—and I want to bring this out before the House as I did before the committee—that Mr. Steuart Pittman, Assistant Secretary of Defense for Civil Defense, had to call up a high official in New York State and have him telephone me at my office down here, to try to influence and stop my opposition to this legislation. This was at the end of the hearings. This was after months of meetings with Mr. Pittman in the hearings. Mr. Pittman, when he came to my office, always received courteous and gentlemanly treatment, but he had to use this method; and after the gentleman who called me was finished, I assure you, I do not believe he will ever be induced to make that kind of call again.

Mr. Chairman, let us look at the record of this legislation. As my good colleague, the gentleman from Texas [Mr. FOREMAN] said, we, too, are in favor of fallout shelters and an adequate program. But take the first section of this bill, 206. What is this going to do? It will provide that the Civil Defense Agency, with the funds authorized, can put fallout shelters in Federal buildings, and that they can alter Federal buildings for fallout shelters. Under what committee's jurisdiction do we have the matter of Federal buildings? That comes under the jurisdiction of the House Public Works Committee. The House Public Works Committee in making its plans and programs for new Federal buildings may provide under the law any shelter space or program that they want. If they want to go to the Civil Defense Agency and coordinate their efforts as to design, for a scientific fallout shelter in a Federal building, they certainly may do that. And there ought to be that type of cooperation for the funds that we are giving and have been giving to the Federal Civil Defense Agency. So why do we have to have a Federal buildings program under the Civil Defense Agency today in any shape, manner, or form? This is why I object to this section of the bill.

I object to section 207 of the bill, also, for the very same reason or similar reasons mentioned by my colleague from Texas. Mind you, we, too, listened through the hearings; we listened to all the scientific information that was given. And may I add, great stress was laid upon the testimony of a great nuclear scientist, a man for whom I have the greatest respect and for whose talent I have the greatest admiration, Dr. Edward Teller.

Mr. Chairman, great stress was laid upon his testimony in support of this program. But let me add here that while his testimony is being used for the support of this program, I wonder how many remember that his testimony in the other body in opposition to the test ban treaty has been more or less ridiculed? It is according to whose ox is being gored and when you want to stab the right person.

Now, Mr. Chairman, if we are going to go into the States with fallout shelters, my good colleague and my esteemed chairman of the subcommittee, the gentleman from Louisiana [Mr. Hébert], challenged a statement made by the gentleman from Texas [Mr. Foreman] that you could not put one in a downtown garage. I say the gentleman from Texas [Mr. Foreman] was right. You can. If the city of New York or if the city of Chicago wanted to build an underground garage in the middle of the city, you can under this legislation apply for funds to put a fallout shelter there, and I am sure everybody on the committee knows this.

Mr. Chairman, let me point out one other thing. Representatives of the Artesia School District in New Mexico testified before our committee that they had gone ahead to experiment with an underground school. Because of heat conditions and sandstorm conditions they designed one to build underground. They came to the committee and told us what a wonderful idea it was. But, as they informed the committee, as they approached the date of construction someone gave them the idea that if they went to the Civil Defense Agency in Washington they could get some money. So they came to Washington and went to the Civil Defense Agency and were informed that if the Department of Education of the Department of Health, Education, and Welfare would approve it, they would pass the money over to HEW. They did and got $30,000 toward a total cost of $490,000 for the construction of that school to be built underground, which was never designed for a fallout shelter. This school was never designed or intended for a fallout shelter but they got the money.

Mr. Chairman, this is how far out this will go when you get out in the field of Federal aid.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. BECKER. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Chairman, during the committee's consideration of this legislation was any thought given to the matter of the civil rights that might be involved here? We have had under consideration nondiscriminatory sections in various bills which have been considered by the House this year. This involves certain items for local facilities. Has this question been clarified in the action of the committee?

Mr. BECKER. I might say to my good friend that I would rather someone else answer the question. I think it nearly broke up the hearing at one point. However, I would like to ask the gentleman from Louisiana [Mr. Hébert] to answer the question.

Mr. HÉBERT. If the gentleman will yield, the bill is without limitation for the use of shelters.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield further?

Mr. BECKER. I yield to the gentleman from Illinois.

Mr. FINDLEY. May I conclude from that then that the legislative history would make it clear that no funds would be available for facilities which would be racially segregated?

Mr. BECKER. There are no funds for racially segregated shelters.

Mr. HÉBERT. Mr. Chairman will the gentleman yield?

Mr. BECKER. I yield.

Mr. HÉBERT. There is no such thing as a racially segregated shelter. The shelters are without limitation.

Mr. FINDLEY. And no Federal funds could be granted to a facility which was operated on a segregated basis?

Mr. HÉBERT. The language in the bill says "without limitation."

Mr. BECKER. Mr. Chairman, one of our colleagues on the floor of the House said there was no humor or fun in this bill. I agree with that wholeheartedly. This is serious business. However, I remember during the course of the hearings when Mr. Pittman was asked by a member of the subcommittee what do the Members of Congress do, where do all the thousands of people on the Hill go, in the event of a nuclear attack? No one knew.

But suddenly signs went up all over the place. Suddenly some water cans were put down in the subway. Suddenly some boxes appeared toward the end of the hearing. And, do you know something? I just found out that if we had a nuclear attack today and wanted to use those shelters which have been provided, those water cans are empty. This is how ridiculous we can get when we go into a program that is not sufficiently designed, but will spend money regardless of what the effects are going to be.

Mr. Chairman, I say to the members of the committee that we must have a proper civil defense, of course, not only from the standpoint of Federal buildings but throughout the entire States of the Union. Once we get that and once we have the civil defense leadership, then we can look into these other areas. But if we are going to have empty water cans over here in the subway of the Capitol and if you and I and others are going to survive on them, what is going to happen to the other people where some of the shelters are now designated? For instance, in the city of New York testimony before the committee showed some of them to be rat- and garbage-infested cellars.

Mr. Chairman, these are some of the things which went on in the hearings that the members of the committee ought to hear before they cast a vote on this bill. God knows that every man in this House is vitally concerned with saving the lives of every American man, woman, and child.

No one has a premium on that position in this body, but if we are going to do it, for God's sake let us do it right, and not under this kind of legislation.

Mr. HÉBERT. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. Nedzi].

Mr. NEDZI. Mr. Chairman, let me say at the outset I want to add my name to those who were persuaded by the exhaustive, comprehensive, and excellent hearings from the position of being highly skeptical to the legislation to one that is satisfied that it is in the best interests of the United States.

I find it extremely difficult to understand some of the arguments posed by gentlemen opposed to this legislation. On the one hand, we decry the deplorable situation that exists in civil defense today and on the other hand we decry the efforts being made to improve the situation.

Let me refer to some of the figures mentioned by gentlemen opposed to this legislation. First of all, the impression has been created that 104 million shelter spaces are available in the United States at the present time. As the result of a national survey by the civil defense organization, 104 million spaces were found, and this figure of 104 million spaces has become embedded in the minds of many people. It is a figure that is accepted with reference to usable spaces. But that is not a true figure. Of the 104 million spaces there are only about 75 million of them actually usable.

Mr. FOREMAN. Mr. Chairman, will the gentleman yield?

Mr. NEDZI. I yield to the gentleman from Texas.

Mr. FOREMAN. Mr. Chairman, does the gentleman mean to say to this House that we have 104 million identified in this country and that if we have a nuclear attack we will not use those 104 million spaces?

Does the gentleman mean to say to this House that if we are attacked and the bank employees are in their banks they are not going to have the intelligence to go into their vaults and turn on the air conditioning?

Mr. NEDZI. In answer to the gentleman's question, that is exactly what I mean. We do not have those spaces, and it is a deception on the American public to say that we do have them. We have 70 to 75 million spaces only.

It is generally recognized that we need something in the neighborhood of 240 million spaces despite the fact that we have a population of 180 million. The reason for this is obvious. People go to work and they cannot use the shelter space at home, and vice versa. This means that we have 70 to 75 million available. We need 165 to 170 million more spaces to have an adequate civil defense program in the country.

Everybody is in favor of civil defense. You hear the opponents to this legislation say they are in favor of civil defense. But how are they going to create these 165 to 170 million spaces?

Let me repeat the argument that was presented that these spaces are being created at the rate of 4 million spaces a year by private initiative. That is what is going on at the present time. Assume 4 million spaces are added, do you realize how many years it is going to take to get 165 million additional spaces? This does not take into consideration the increase in the population which means our actual increment in terms of relation to population is only one-half million spaces a year. If you divide one-half million into 165 million you get something in the neighborhood of 325 years before we have an adequate fallout shelter program in the country to protect the people of the United States.

At this point, Mr. Chairman, I should like to make a few remarks about the cost of the program. Let me preface my remarks by saying that this is a 1-year bill. Some of the figures that I will use will refer to a 5-year program. And they are correct when related to a 5-year program; but again I stress the fact that the committee did not accept the Department's 5-year program—and this bill will cover only 1 single year.

If the program shows progress a year from now, as we hope it will, and if we do go into a 5-year program ultimately although this will be year-by-year, the total cost for the necessary 240 million spaces would be about $2.35 billion, and there is no sense kidding anybody about it.

I know this figure will be brought up and will be stressed, and will be made to appear as the cost of the program which we are now embarking on. Let me say again, this is not so. Congress is exerting more control over this program than on other programs that I am personally familiar with. This bill has a life of 1 year, and will simply run out at that time, unless the House Armed Services Committee and the Congress decide to grant further hearings to continue the program for another year. And I think it can be guaranteed that if the program does not work the way that it is supposed to, if there are any deviations from either the letter or the spirit of the law, we will know about it immediately and will take whatever corrective action is necessary. Personally, I do not expect anything of this kind to happen but accede the possibility of it, and it is for this reason that I mention it.

Mr. BRAY. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. CHAMBERLAIN].

Mr. CHAMBERLAIN. Mr. Chairman, there has been a good deal of skepticism expressed about the necessity and feasibility of this incentive civil defense program for the establishing of fallout shelters. Such an attitude has often been dominant with respect to our other civil defense programs as well. This skepticism seems to spring from at least two sources: first, questions about the workability of the programs themselves, and second, the belief that civil defense is no longer a genuine possibility. There is something about civil defense that for a good many people has only a ring of unreality. Talk of survival in the event of a nuclear war to them seems at best ludicrous or utopian, and at worst, a misleading and perhaps even criminal illusion, raising false hopes and misrepresenting the stark realities of nuclear war itself.

Most of us remember the crucial role that civil defense played in the Second World War. In fact, what most people understand by the term "civil defense" is probably a "word picture" of the heroic efforts of the English citizenry during the battle of Britain. And it is, no doubt, the difference between V-2's and nuclear ICBM's that has seemed to obliterate all meaning out of that "word picture" meaning. And thus though we as a nation were fortunate enough to have been spared such a civil defense experience in the last war, we are now so unfortunate as to apparently be denied such a means to protect our civilian population and to bolster our home defenses in the event of another war. Therefore it seems to follow for many, at least emotionally, that since nuclear war—and survival of it—is unthinkable, it is best not to think about it at all.

Now while I have been skeptical about the operation and effectiveness of our civil defense efforts, I do not believe that civil defense is an impossibility and therefore "unthinkable." Nor do I feel that thinking about civil defense necessarily means that we raise false hopes about survival and about the nature of nuclear war, if we adjust and update our understanding, our "word picture" of civil defense. We cannot of course have great hopes for the saving of those in the blast area itself as was the case in the last war, but we can reasonably hope to protect the rest of the people from the equally deadly effects of radioactive fallout which following such a blast would spread across the country. It is with that purpose in mind that this incentive program is proposed.

The committee took a coldly neutral approach to this proposal, a view in which I shared since such a Federal program could only be justified if it were shown that the local civil defense programs were in genuine need of such aid and could use it effectively. In our long hearings we heard both favorable and unfavorable reports as to the state of preparedness of local civil defense organizations.

The recent statistics indicate that 2,962 counties out of the 3,080 counties in the United States have some form of organized civil defense. Since 1961, the first year in which the personnel and administrative matching funds were appropriated by the Congress, participation by States and political subdivisions has almost doubled. All States are participating in the program. At county and municipal levels over 55 percent of the population has some form of civil defense leadership. Last year 1,268 counties and municipalities plus 55 States and territories alone expended more than $27,500,000 in the matching funds program for civil defense.

Mr. Chairman, I believe that this is strong evidence that State and local governments are making financial contributions to the development of a strong civil defense system and that few of these responsibilities are being supported by the Federal Government. In no case does Federal support exceed 50 percent of the actual cost.

There are many instances which are too numerous to list in which basic civil defense functions have been assigned to elements of existing government in counties and cities.

As several of our civil defense programs have been shared by Federal and local authorities on a matching-funds basis, there was naturally much talk in favor of this approach to this incentive program for shelters. However, it was not possible to arrive at an accurate measurement for determining the value and amount of the local contribution, consequently the committee accepted the view of the Defense Department that the Federal offer of financial assistance should be to reimburse for all costs up to $2.50 a square foot rather than to develop a complex cost sharing mechanism.

The Defense Department estimates that the local contribution over a 5-year period would substantially exceed the Federal contribution. The building owner must donate valuable space in a building to store shelter supplies. Using national average figures, this item alone would come to about $15 per shelter space. In most instances the building owners will contribute the time of employees to be trained as shelter managers and monitors. There are other administrative burdens which will fall on schools, hospitals, and other institutions permitting their buildings to be used as public shelters.

Local governments must meet the management and financial burden of moving the shelter supplies into place, policing them and replenishing them if necessary. They take title and responsibility when the supplies are picked up from Federal warehouses. The local government must organize and plan for full use of the shelters. People must be assigned to make sure that the shelters are open and available when needed. Communication links must be established from local emergency operating centers to the public shelters. These shelters will be staging areas for work parties to carry on the vital functions during and immediately after an attack, and all of this must be planned and organized at considerable expense and effort.

Mr. Chairman, I participated in the long and informative hearings which preceded the writing of the bill which is before the House. I heard testimony from State and local civil defense officials and private citizens which convinced me that the State and local governments have taken seriously the joint responsibility they have with the Federal Government to provide a system of civil defense.

It is argued that if this program is continued for the full 5 years the cost of over $2.1 billion will be excessive. There is no denying that it is expensive, but I think we must view it in terms of our overall defense effort. Let us remember that during that 5-year period the Defense Department budget would total over $250 billion. And certainly a potential enemy must also take into account in sizing up our vulnerability to attack, the ability of our people to recover and retaliate. It is primarily with this thought in mind that I find that we cannot afford to shortchange our civil defense effort. There are many ways to seek to secure the peace and prevent the stark realities of nuclear war from taking place. And a sound civil defense program is not the least effective of those ways. Congress, so often attacked, however justly, for failing to assume responsibility, has in this instance through the Committee on Armed Services written this program. It has not been forced upon it. It is the deliberative choice of that committee. As a Federal aid program it has no more virtues than do any of the others, but I feel that the consequences flowing from a rejection of this program are too forbidding. I urge passage of H.R. 8200.

Mr. BRAY. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. Bolton].

Mr. OLIVER P. BOLTON. Mr. Chairman, it is not usual for me to appear here in the well either in opposition to my leader, the gentleman from Ohio [Mr. Brown], nor supporting a new and increased spending program, but I am one of those who has been a part of the much maligned civil defense effort.

During World War II, it was my privilege to serve on several staffs and to wrestle with the problems of planning for potential disaster. As a member of the staff of my county civil defense organization, it was my responsibility to try to plan some method for survival in a county adjacent to a sure area of atomic attack, if war came. But wait a minute. One easier method to attack a city such as Cleveland, Ohio, rather than planning for a direct hit is to drop a bomb in the shallowness of Lake Erie and, thereby, to cover through fallout not just one county but an area extending from Toledo to Erie, Pa., the whole Mahoning Valley, and even to Pittsburgh.

This program we are discussing here today is to help provide a shelter against such an attack for survival. Whether it gets the job done well is a question of administration. In connection with the administration, I would say to the Chairman that it is my hope that the effect of this legislation and of the program under it is not so rigid as to prevent consideration of a program which has recently been brought to my attention, to tie in this shelter program with our national highway defense system, to tie it in under bridges, and to connect these bridges with fallout protective trains for contact and supply after attack.

Let me recall to you the feeling when the blockade of Cuba was first announced and the potential of an atomic reaction confronted many of our citizens who had never before faced up to such an eventuality. In some areas there was a fatalistic shrugging of the shoulders but in others there was a real desire to do whatever possible to continue to live.

I want to strengthen the hand of our President so that he can be firm in his reaction on foreign relations.

Of course, it is not surprising to me that the White House has been during the past few months eloquently silent regarding the merits of this bill. While on paper it has the President's support, the White House pulsetakers know only too well that a fallout shelter bill is a political dud. I have yet to see a single congressional legislative questionnaire which indicates popular support for this kind of legislation. Indeed, as politicians, many of us could gain considerable favor with our constituents by ridiculing this entire program, as one Member of the other body from my State has cynically tried to do for years.

Few of us who see a great deal of merit in this bill will never be in a position to say "I told you so" and we fervently hope and pray we will not be. Nonetheless, regardless of the political disadvantages, we have before us today, a duty and obligation to perform. We have the benefit of a compelling set of highly technical scientific studies—parts of which are classified. Our constituents do not. Arguments against a fallout protection program make blazing headlines; arguments for suffer the fate consigned to all esoteric research. As I see it, such an unfavorable environment compounds our responsibility to act.

Gentlemen, protection against fallout for a major portion of our population can no longer be considered as passive defense. Civil defense, under the present-day assumptions of what would constitute an enemy nuclear attack, must be included as a most important part of our active and deterrent posture within the total national security effort. One can hardly fail to arrive at this conclusion after reading the testimony of the Secretary of Defense, the Chiefs of Staff of the Army and Air Force, and such leading nuclear physicists as Dr. Edward Teller and Eugene Paul Wigner.

Of far more immediate concern, however, is the statement by Defense Secretary McNamara that he personally will not deploy our Nike-Zeus and X antimissile missiles unless an adequate fallout shelter program becomes a reality. He testified to this last February before the Defense Appropriations Subcommittee and repeated the statement in a letter to me of June 3. His rationale is that an ABM defense of major target areas—if perfected—would do little good since an enemy could lob 50-megaton missiles into unprotected areas 100 miles upwind, thereby permitting prevailing winds and resultant fallout to break through the defense or because their destruction would create tremendous fallout itself. Even if you disagree with this reasoning, I think the RB-70 episode has taught us that in matters relating to actual deployment of authorized and appropriated weapons, the Secretary holds the trump card. In this regard, a vote against a start on this experimental program could very well be a vote against future deployment of Nike-Zeus and Nike-X.

The House of Representatives has before it today an opportunity to dramatically express to the entire world that, notwithstanding he hopes implicit in the proposed nuclear test ban, we, as a nation, have no intention of dropping our guard.

In this measure before us we are being asked to choose between the euphoria of the present and the reality of the hazards of the future. I know where I shall cast my lot. I urge your support of H.R. 8200.

Mr. Chairman, I include as a part of my remarks my letter to the Secretary of Defense and his reply thereto.

MAY 13, 1963.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
U.S. Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: During the course of the fiscal 1964 Defense Department hearings conducted by the Subcommittee on Department of Defense Appropriations, you were quoted on page 438 as saying: "I would say the quickest way to provide for a saving in lives under these circumstances is to advance the civil defense program at an expenditure which is just a small fraction of this. As a matter of fact, any one of these programs demands a complementary civil defense program, because there will be such a huge amount of fallout generated by our own anti-ICBM system and the incoming warheads of the strike that it would be foolhardy to spend funds of this magnitude without accompanying it with a civil defense program."

Under further questioning on this point by Congressman FORD, the hearings have you quoted as saying: "* * * I think I am right in saying that our own program will create a fallout problem."

Shortly thereafter, on page 439, you made what I consider to be one of the strongest statements ever made by a Secretary of Defense in support of the current, relatively modest fallout shelter program when you said: "I personally will never recommend an anti-ICBM program unless a fallout program does accompany it. * * * On this point, may I add one further thought: If we had a Nike-Zeus or X system in being, the Soviets almost certainly would target some of their missiles outside the range of those systems. They would know where the defense systems were located and they would target their missiles outside the range of those systems with ground bursts to insure that we had a substantial degree of fallout even though the defense system might have been successful in intercepting some or even a majority of the warheads targeted against the urban areas themselves."

You went on to conclude on page 440, as follows: "* * * I am not so certain we have gotten this point across before as thoroughly as we should have, but it is a point we have mentioned before, and I wanted to mention it again now."

As one who is in general sympathy with your concern over the interrelationship between our anti-ICBM and fallout programs, as evidenced by the attached news release, I fully concur with your feeling that "I am not so certain we have gotten this point across before as thoroughly as we should have." Moreover, if the point is unclear with members of the appropriate congressional committees, I believe this vital matter has been completely lost on the part of the public.

In this regard, with your interest in the strategic importance of an adequate fallout program, would not better understanding of the existing and proposed shelter programs result from a frank acknowledgment of the interrelationship of our anti-ICBM and fallout programs?

With this in mind, Mr. Secretary, would you kindly comment in greater detail on the above statements, especially with regard to your assertion that "I personally will never recommend an anti-ICBM program unless a fallout program does accompany it."

With every best wish,

Ever sincerely,

OLIVER P. BOLTON.

THE SECRETARY OF DEFENSE,
Washington, June 3, 1963.

Hon. OLIVER P. BOLTON,
House of Representatives.

DEAR MR. BOLTON: Your strong and consistent support of the civil defense program is most appreciated, and I welcome the opportunity your letter affords me to discuss in greater detail the relationship between civil defense and the antiballistic missile program.

In your letter you quote my remarks before the House Subcommittee on Department of Defense Appropriations to the effect that any antiballistic missile defense program "demands a complementary civil defense program, because there will be such a huge amount of fallout generated by our own anti-ICBM system and the incoming warheads of the strike that it would be foolhardy to spend funds of this magnitude without accompanying it with a civil defense program."

You underscore, however, only the first source of fallout I mentioned. Actually the fallout generated by our own anti-ICBM would be of minor significance compared with that generated by the incoming warheads. I elaborated on this aspect of the problem on the very next page of the hearing from which you quoted. I pointed out the danger that the Soviets in an all-out nuclear attack upon the United States might deliberately groundburst some of their missiles outside the range of our antiballistic missile system and that this type of burst would result in a great amount of fallout even though the defense systems might have been successful in intercepting some or even a majority of the warheads targeted against the defended urban areas themselves. This last is the most important point to keep in mind, and it is in that context that I said "I personally will never recommend an anti-ICBM program unless a fallout program does accompany it."

Thus, the statement in your April 26 press release, "According to information provided me by top Pentagon officials, even a high degree of success in aerial intercept of incoming enemy missiles by Nike-Zeus or X systems deployed around such industrial targets as Cleveland, Columbus, or Akron could be easily overcome by the Soviet's ground bursting weapons downwind (or upwind) and outside the range of our anti-ICBM system, thereby achieving by fallout the destruction and loss of lives that could not be attained by bursting within these target areas," is entirely correct. It is principally for this reason that an effective fallout shelter program is a necessary complement to an anti-ICBM system.

And, as I pointed out in my prepared statement to the House Defense Appropriations Subcommittee, "* * * the effectiveness of an active ballistic missile defense system in saving lives depends in large part upon the existence of an adequate civil defense system. Indeed, in the absence of adequate fallout shelters an active defense might not significantly increase the proportion of the population surviving an all-out nuclear attack. For this reason the very austere civil defense program recommended by the President * * * should be given priority over any major additions to the active defenses." For example, if we were to consider the cost of our current shelter marking and stocking program as equivalent to one, the relative cost per additional survivor of other possible programs would be as shown in the table below:

Program	*Approximate relative cost*
Complete shelter marking and stocking program	1
Provide fallout shelters for entire population	15
Provide blast shelters for urban population	30–50
Improve air defense and provide ballistic missile defense for large cities	30–50

As shown above, the cost of providing a ballistic missile defense system for large cities would be anywhere from 30 to 50 times more than the cost per additional survivor of the currently approved shelter, marking, and stocking program. In fact, such an active defense system for our major metropolitan areas would cost two to three times more than fallout shelters for the entire population of the United States, including the cost of building new shelters. That is why we have so strongly recommended to the Congress that the completion of the current shelter survey, stocking, and marking program be given first priority. The second essential step is to initiate a shelter development program to provide the shelter spaces needed to care for the rest of our population. Only then should we consider other major programs to limit the effects of a possible attack.

I hope these comments will assist you in your efforts to create a wider public understanding of the civil defense problem.

Sincerely,

ROBERT S. MCNAMARA.

Mr. BRAY. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. HORTON].

Mr. HORTON. Mr. Chairman, it seems it is a very unusual coincidence that while the other body is considering a test ban treaty, this body should be considering the expenditure of millions of dollars to provide protection for the civilian population through fallout shelters. Yet, I think it is very appropriate because by virtue of this very fact, it highlights to the American people that the American position must continue to be one of strength regardless of whether or not a test ban treaty is ever entered into.

It seems to me also that one of the most important elements in the defense of our country is the protection of our civilian population. I think we would all agree, it is very important that we have a strong national defense and that America be strong in order to protect our country from the ravages of whatever the enemy may bring upon us. It seems to me that in addition to the efforts to defend our country, such as our SAC Air Force bases, our early detection systems, and the other military efforts, it is equally important that we provide defense for our civilian population.

I have long been interested in and active in civil defense. I have shared in the frustrations of the civil defense effort in my community. For years I served as sector warden of our civil defense in the Rochester area, the area that I serve. I know the frustrations that those in the civil defense effort experience day in and day out in trying to provide protection for our civilian population. It seems to me, and it is my purpose here now to indicate to the American people that the Congress of the United States feels it is just as important that we protect the civilian population from fallout as it is that we provide the other defenses that we are providing through our military effort.

Mr. Chairman, the strength of our national defense, in large measure, is determined by the ability of our civilian population to withstand and survive an enemy attack. Protection of our people constitutes a significant factor in this Nation's deterrent to aggression.

In recognition of this truth, I wish to announce my support of the bill, H.R. 8200, now before the House to provide for fallout protection in Federal structures and nonprofit institutions. Passage of this measure will be an important first step in building a nationwide network of community fallout shelters.

As I have studied this legislative proposal and the findings of the Armed Services Committee which were reported to the House with a favorable recommendation on the bill, my conviction that civil defense is a major element of our total security effort has been strengthened considerably. Those who contend that civil defense is not necessary because nuclear war is unlikely should be reminded that only our strong deterrence including civil preparedness makes it remote because of our capacity both to withstand an aggressor's onslaught and to deliver a devastating retaliatory blow.

Beyond its general worth, I feel it is desirable to assess the specific provisions of this bill.

First. There is established a mandatory requirement that shelter space be incorporated in all existing or new Federal buildings. The only exceptions to this requirement would be in those instances where fallout shelters were not needed, too costly, or not practicable. The sum of $15.6 million which the bill authorizes for this purpose would provide one million shelter spaces, according to the estimates.

Second. The bill authorizes $175 million in Federal incentive payments for the development of shelters in buildings belonging to States, local governments, and nonprofit institutions such as schools and hospitals. These payments to encourage shelter provision in these buildings are to be limited to $25 per shelter space of 10 square feet.

Mr. Chairman, I also desire to support the Quie amendment to this bill concerning the applicability of Federal civil defense assistance to natural disaster situations.

In the bill, as reported by the committee, there is a section which would amend the definition of "civil defense" as it is specified in present law so as to include natural disaster activities. According to the committee report on this redefinition:

> Federal resources and assistance is to be supplementary to local efforts and made available only when the local disaster is a major one beyond the local and State resources.

As a result of this section, there were voiced objections from certain firefighting, fire prevention, and fire insurance underwriting groups to this broadened concept of civil defense. The objections, I understand, arose from the belief that adoption of this section would lead to confusion in the direction of disaster rescue and relief, impairment of local initiative in responding to a local calamity, and dilution of the role of municipal fire service in any disaster.

A telegram from Rosso Ritto, president of the Rochester Fire Fighters, Local 1071, AFL-CIO states:

> On behalf of your friends the firefighters of Rochester, N.Y., and the firefighters of the State of New York, we respectfully request and urge to be recorded against section 3 of H.R. 8200. We are not opposing the balance of H.R. 8200. We ask your support for deletion or withdrawal of section 3. We do not feel it is in the interest of our citizens or our community to give control of a highly efficient fire service to those without the knowledge or experience to effectively save lives and property. Following a disaster the proper use and utilization of a fire department that has been highly trained and ever ready on the alert under guidance of competent qualified leadership and command is the rock upon which rests safety of our community from the ravages of fire. This command should not be subjugated to any type of authority, military or civilian defense, except in the case of insurrection or military aggression. Again, we urge your support to defeat section 3.

When the Quie amendment is offered, Mr. Chairman, I intend to support it and urge its inclusion in this bill.

It is my understanding that this amendment will permit civil defense participation in certain natural disasters in a manner acceptable to the local organizations that have primary responsibility in assuring the public welfare in times of natural peril.

As a member of the Military Operations Subcommittee, civil defense has been a particular concern of mine. From the testimony I have heard and the research I have conducted, I am convinced that we are moving in the right direction in affording civilian protection from the threat all of us pray will never materialize.

I find my feelings on the civil defense shelter program are best summarized in a portion of the testimony given by the distinguished gentleman from California [Mr. HOLIFIELD] when he appeared before Subcommittee No. 3 of the Armed Services Committee earlier this year. In his position as chairman of the Military Operations Subcommittee, I have the honor to serve with the gentleman and, thus, know from personal experience the breadth and depth of his knowledge of civil defense both as it stands and its needs for the future.

In his statement, the gentleman said:

> A fallout shelter system can provide a means for very many people to survive, if they have the will. Those who are not blasted, shocked, or burned, or radiation-sick could and would carry on, rebuild, restore, remake the Nation if necessary. That is all you expect of our Armed Forces, that is what you would expect of our people.

Mr. HÉBERT. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I am happy that the bill, amending the Civil Defense Act, has been brought before us. I am sure that all of my colleagues recognize that this bill—H.R. 8200—is one which has been reported out by the Armed Services Committee after more than 2 months of hearings and study and marks a milestone in the development of a meaningful program of civil defense for our Nation.

I have long been a strong supporter of the idea that the responsibility of the Congress to strengthen the nonmilitary defense posture of our Nation ranks with its responsibility to maintain and strengthen the active military defenses.

This is a bill which says clearly that the Congress of the United States desires that the Federal Government shall by leadership and example aid in the development of a fallout shelter-based civil defense program for the entire country. By so doing, the Congress will be strengthening the relationship of joint responsibility for civil defense between the Federal Government and the States and local governments which was enunciated in Public Law 920 and which established the national program of civil defense in 1950.

I think it is imperative that the Members of Congress view this bill for what it really is—a document of hope for the future, and an indication of the belief by our people that a great future awaits our Nation and that the most important and reasonable thing to do is to make preparation to survive any eventuality.

The hearings before the subcommittee headed by the distinguished gentleman from Louisiana [Mr. HÉBERT] made it clear that survival is not only possible but can be obtained at reasonable cost through the development of a nationwide fallout shelter development program.

Mr. Chairman, there is no question that the leadership and guidance of the Federal Government is a most important ingredient in the development of a national civil defense fallout shelter system. But more importantly we now have the opportunity to make it clear to all our citizens that we accept the responsibility to make preparations to safeguard the lives of all of the people in the event of a nuclear attack.

As I said, when the chairman of the House Armed Services Subcommittee, the gentleman from Louisiana [Mr. HÉBERT], so graciously permitted me to appear on behalf of the bill we will be considering, I find it extremely difficult to believe that nuclear war is such a remote possibility or the likelihood of American communities being subject to the destructive force of nuclear weapons so improbable, that we could fail or refuse to take basic steps to guard against or at least minimize the destruction of life which would accompany such an attack.

The House Armed Services Committee by reporting this bill for our consideration and action indicates its belief that we have passed the point where there is any validity in debates as to whether we should have a strong program of civil defense. This bill indicates a recognition of the fact that we are involved in a cold war with international communism and that our antagonist possesses an awesome nuclear capability, just as we do.

If our potential enemies have accepted the theory that complete destruction of the ability of our Nation to resist must be the objective of any nuclear war, then we must give consideration to ways and means of preventing this from happening by enacting the bill which will be before us next week.

I think that there is no question that the nature of the threat we face demands that our Nation have a complete system of defense. A complete system of defense does not mean that we become more warlike or aggressive. Rather it serves notice on all who would attack us, that we are determined to protect ourselves and to preserve our great American heritage for our children and our children's children.

Mr. Chairman, I hope that all of the Members of the House will vote to support the passage of H.R. 8200. Such support will reaffirm our belief that it is our responsibility to provide every possible means of protection to our people in order to guarantee our national survival in the event of nuclear attack.

Mr. HÉBERT. Mr. Chairman, I yield the balance of our time to the distinguished chairman of the full Committee on Armed Services, the gentleman from Georgia [Mr. VINSON].

Mr. VINSON. Mr. Chairman, this has been one of the most illuminating, rewarding—and I might say learned—debates that I have been privileged to hear in many days, and I want to congratulate the Members who participated with such objectivity, knowledge, and dignity.

Mr. Chairman, that was a fine and persuasive statement given by the gentleman from Louisiana [Mr. HÉBERT]. I want to congratulate him and his subcommittee for the long, hard job that they have now completed.

I know that our own committee, the House, and also the other body will be greatly assisted by the thoroughness with which the gentleman from Louisiana's [Mr. HÉBERT] subcommittee has done its work.

They heard 108 witnesses.

They held about 8 weeks of public hearings and then held rather extended additional hearings on the actual operation of the civil defense program.

The result is an impressive record and a real contribution to understanding this difficult problem of civil defense and fallout shelters.

I am particularly impressed by the gentleman from Louisiana's [Mr. HÉBERT] reference to the objection to the program, which he and the other members of the subcommittee felt at the beginning of the hearings.

I might say that in the past I have shared this feeling. And I think that this attitude is perhaps widespread in the House and throughout the country. I would agree with the reasons which the gentleman from Louisiana [Mr. HÉBERT] has mentioned for this attitude.

I feel, however, that we cannot be guided by hunches or instinctive feelings about this or any other important program. We must analyze problems of this kind regardless of our feelings and come up with the best answer that we can.

Now, I want to make one thing clear: this bill does not grant any authority to dig holes throughout the country for people to hide in.

I think some people may have this idea, but nothing could be further from the truth.

All of the $15,600,000 for existing Federal buildings will be for minor modifications to the structures. Where there is a big, heavily constructed building with a good cellar, perhaps the only funds that will be spent will be for ventilating the space and putting in a few filters and things of that kind.

And the same is true of the $175 million. Most of it will be used for minor changes in buildings. Perhaps bricking up a window, piling dirt alongside the lower walls of the building, and things of that sort.

Of course, new buildings of nonprofit institutions come within the program, too. In that kind of case, the architect that is about to design the building gets together with the civil defense people and the building is designed in the first place to provide fallout protection. This may be merely the thickening of a wall, the extension of eaves, or something like that.

As a matter of fact, in many instances it would take an expert to tell that this building is not fallout proof and that building is.

And one other thing to remember—no building owner gains anything by having a fallout shelter in the building. The only money he gets is the expense of providing the shelter itself, and this is of no help to him as a building owner.

So far as the building owner is concerned, it does not make a bit of difference to him whether his wall is one foot thick or 2 feet thick. In some instances, his building may be slightly less useful to him because he may lose a little space in the process.

The committee feels, and I am in complete personal agreement, that, while unlikely, nuclear war is a possibility over the next 5, 10, or 20 years—and that its consequences are far too grave to be discounted.

It is equally clear that if there should be a nuclear attack, it would almost certainly be accompanied by widespread, deadly fallout radiation.

A most reasonable program of civil defense can provide shielding which will protect and save those who would otherwise be killed.

How many would be saved, and who—no one can say with certainty. But based on very conservative assumptions, some 25 to 65 million lives would be saved by providing reasonable protection against fallout radiation.

Who these people would be can be stated only this way: It would be those located far enough from where the bomb or missile drops to survive the direct effects of the nuclear explosions—but who are within the wide patterns of fallout carrying even as much as hundreds of miles downwind of the ground bursts.

There is a tendency—and a widespread one—to confuse the shelter with a blast program.

Those who confuse these two programs in their minds throw up their hands and say that the devastation of a nuclear war would be so great that we are foolish even to try to save lives.

But they are thinking of the blast of nuclear weapons and the people within the blast area. These people, or at least the majority of them, probably would be killed. And very little can be done about this.

But I am talking about the millions and millions of people throughout the United States who would neither hear or see the blast of the nuclear weapon but who, without fallout protection, would just as certainly die as those at the point of impact of the bomber missile. I hope we can keep this distinction clear in our minds.

Perhaps there are those who say that we will have an antimissile defense at some time in the near future. Maybe we will. But I seriously doubt that the time is going to come when we will be able to shoot down every one of the missiles that might be used against us. I simply do not think this is in the cards.

And there would not have to be many of them get through to create the fallout conditions that I have described. So this is no argument against a shelter program.

What about the cost of this program? Speaking generally and considering the total number of lives which would be saved, it is the cheapest in life-saving potential of any defensive weapons system that this country has in being, or under development.

To me this is a strong argument for the idea of fallout shelters.

Speaking specifically, I want to draw to the particular attention of the House that this bill is designed as a 1-year bill—even though the total program, as planned by the executive branch, extends over a 5-year period.

While I feel certain that this program can be administered in an efficient, economic way, I still am withholding my own support of a long-range program in a single bill.

If this program is administered in the fashion that I feel sure it will be, then we can take the next step next year and continue it. But I can assure the House that the Armed Services Committee is not going to engage in any long-term plan that might involve a commitment into the future. This is for 1 year.

Now, the House has heard many speak on a number of occasions on differences of opinion which have existed between the civilian leadership and the military leadership in the Department of Defense. I am happy to say that I have no need to speak on this subject today for there are no differences of opinion.

What are the expressed views of the executive branch? Let us start with the President. Here is what the President has said:

> More than ever, a strong civil defense program is vital to the Nation's security. Today, civil defense is of direct concern to every citizen and at every level of government.

Secretary of Defense McNamara, in his posture briefing to the Armed Services Committee this year, maintains that the civil defense program is an essential element in the total defense effort and in addition to this is a complement to any future antiballistic missile system.

Mr. McNamara at another point said that:

> In the absence of adequate fallout shelters, an active defense might not significantly increase the proportion of the population surviving an all-out nuclear attack.

Those are strong words from the Secretary of Defense.

General Wheeler, the Chief of Staff of the Army, has said many things in strong support of civil defense and fallout shelters. I will quote only briefly from General Wheeler but I will draw the attention of the House to the extended series of quotes from him which start on page 21 of the committee report.

General Wheeler says, for example, and I quote:

> Civil defense is clearly a major element of the total U.S. security effort.

General Wheeler also has said:

> Prudence dictates that we include civil defense in our measures against nuclear attack as a matter of national interest. In the opinion of the Joint Chiefs of Staff, the risk is too great to forgo the small premiums on the valuable insurance of an adequate civil defense.
>
> We see civil defense as a most important part of our active and deterrent posture within the total national security effort.

Quoting General Wheeler again:

> A potential aggressor sees that our population is reasonably protected from both his missiles and their fallout and so this is a deterrent to nuclear attack in the first place.

And the last quote from General Wheeler:

> The fallout shelter program * * * offers the quickest and cheapest means of protecting the population.

General LeMay, Chief of Staff of the Air Force, says and I quote:

> Civil defense is a vital element of our national deterrent posture.

General LeMay also said that the Air Force "is convinced favorable action by the Congress will result in further strengthening the security of our country."

And lastly, General LeMay says, and again I quote:

> Civil defense has the same identical objective as counterforce operations and active

defense operations; namely, minimizing damage to our country and its people.

And now, listen to this—and I think this is worth repeating even though the gentleman from Louisiana [Mr. Hébert] has already referred to it—Dr. Teller whom we all know as the foremost exponent of nuclear testing and a foremost expert on nuclear weapons has said this:

> I would oppose transferring money from nuclear testing to any other project excepting one, and that is civil defense. Civil defense is the only project which is in so bad need of funds that if nuclear development should be cut in favor of that, I think we would have made a net gain.

I invite the attention of all of the Members of the House to the quotes set out on pages 20 through 24 of the report.

Now, that is Dr. Teller speaking.

Of course, we all know that we have had a basic civil defense law for the last 13 years. We also know that in the past, civil defense has not had a good name—not because its people have not been dedicated, but principally, it seems, because it has lacked a sense of direction. It has not received the support, throughout the years, of either the people or the Congress.

But all of this has changed quite radically in the fairly recent past. Perhaps the Berlin crisis and the Cuban crisis had something to do with this, or perhaps there is a growing awareness of the leadership in the executive branch that nuclear war is a real possibility and, however unlikely, must be considered and must be dealt with.

Whatever the reason, there is no doubt that there is firm leadership—firm guidance—and an entirely different atmosphere in the field of civil defense today. I certainly could attribute much of this change to Assistant Secretary of Defense Steuart Pittman. He is intelligent, informed, and with a most fundamental determination that this country will have a civil defense program.

Now, with this civil defense law that has been on the books for so long, what has the Department been able to do?

Well, for some of the reasons I have suggested, it did not get to do even the things it would be permitted under the law.

But what is more important for us right now is what authorities did it lack which would be provided by this bill?

First, the bill contains $15.6 million in new authority for shelter in existing Federal buildings.

The bill also contains what I will call a reauthorization of $8.2 million in funds which the Department now has but cannot use.

The old civil defense law had no such authority. And let me say at this point that this must have had a strong effect on the feeling throughout the country, particularly on the part of State and local officials, who were encouraged to devote their energies to civil defense activities while at the same time the biggest building in town—a Federal building—was not even being considered as part of the civil defense effort.

Also, under this bill—but not under the old law—is the program to provide financial assistance to communities to provide shelter space.

Under the bill, $175 million is authorized to provide up to $2.50 per square foot or $25 per person sheltered in buildings of a nonprofit nature.

Now, this could not be done under the old law because under the basic Civil Defense Act, there was a requirement that there be 50 percent matching contribution from eligible institutions and as the hearings clearly reveal, schools, hospitals, and other nonprofit institutions are having enough trouble today to meet the expenses of their regular programs.

There simply is not anything left over for fallout shelters in their buildings.

This is a fact of life that is well known to all of us here on the floor.

Lastly, under this bill authority is provided for the use of shelter space in the case of natural disasters. I am referring to hurricanes, tornadoes, droughts, earthquakes and things of that kind.

Now, no money would be spent to provide shelters for these natural disasters alone. But what the bill will do will permit these shelter areas to be used by the public in the event of a natural disaster.

There is the protection of the building itself; there are medical supplies in the shelter; and there are food and water. I think this is a very important addition to the authority of civil defense.

Of course, apart from a shelter program, other operations have been going on in civil defense over the years.

The total civil defense budget for fiscal year 1964 is $342.5 million of which only $190.6 million falls under this bill.

The remainder of the budget which does not require any further fund authority is made up of $82.2 million for operations and maintenance; $46.9 million for stocking shelters with food, water, medical supplies and so forth; $7.8 million for surveying and marking existing buildings; $15 million for research and development.

This is a total of almost $152 million which, when added to the $190 million makes the total civil defense budget for fiscal year 1964—$342 million.

Now, I think I have described what the bill will do and why it should be enacted into law. But let me summarize very briefly the major points which I have made. They are these: The subcommittee heard 108 witnesses. They held over 8 weeks of public hearings.

Hardly a member of the subcommittee was in favor of the program when it started, and virtually every one of them was a strong proponent of it at the end of the hearings.

Even a conservative estimate indicates that a fallout shelter program will save 25 to 65 million people who would otherwise die in a nuclear war.

On any basis that you want to figure, it is the cheapest program for the saving of lives. This is a 1-year bill.

I remind you of my quotes from General Wheeler, the Chief of Staff of the Army—General LeMay, Chief of Staff of the Air Force—and Dr. Teller.

I again draw your attention to the great change that has come about since civil defense has been placed under the Department of Defense, and the great progress that has been made by this vigorous organization in the past year and a half.

The money figures, you will recall, are $15.6 million for shelter in existing buildings and $175 million for the nonprofit organizations—a total of $190.6 million.

And lastly, may I remind you that these shelters can be used for natural disasters granted under authority in the bill.

Now, here we have a sensible, cheap way to protect millions and millions of Americans.

I do not want to take it upon my shoulders to say that these people will not be protected.

I do not mean to be dramatic about this thing or play on the emotions of people. But here we have a single fact facing us: If there is a nuclear war—and this is always a possibility—many, many millions of our people would die without fallout shelters, who would live with them.

It is just that simple.

With the testimony of the witnesses of this character whom I have quoted, I respectfully submit to the intelligence of this House, how can you disregard it?

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield.

Mr. GROSS. The gentleman mentioned Dr. Teller. Is that the same Dr. Teller who is opposed to the limited nuclear test ban?

Mr. VINSON. That is the Dr. Teller whose name is in the paper all the time.

Mr. GONZALEZ. Mr. Chairman, I welcome this opportunity to speak in support of the proposed legislation, H.R. 8200, because I am deeply concerned about the present shortage of fallout shelters in San Antonio and Bexar County, Tex.

Our local civil defense program, like the national program, has made a good deal of progress in the past 2 years. But in Bexar County we are still a long way from having enough fallout shelters to protect our people in case of a nuclear attack and the vast rural areas of Texas have even less shelter in existing buildings.

Part of this deficiency can be corrected by more intensive local effort, and I plan to do everything I can to see that greater local effort is made. However, even after the people of my district take all the actions open to them, we still will not have enough fallout shelters. Without the Federal assistance authorized in this bill, a great number of Bexar County's 700,000 residents will have no shelters to go to—will not have even minimal protection against the radioactive fallout that is almost certain to follow a widespread enemy nuclear attack.

At present there are 267,000 existing shelter spaces in Bexar County, which would accommodate only about 40 percent of our population. To date, our local civil defense organization has marked about 130,000 spaces, and has stocked about 40,000 spaces with survival supplies.

This is the area where stronger local effort is called for, and it will be put forth. We intend to mark and stock the remaining spaces as quickly as possible.

When the marking and stocking is completed, however, we will still have only about a quarter of a million shelter spaces for nearly three-quarters of a million people. As far as I can see, our only hope of getting needed shelter spaces is through the Federal Government's participation called for in this pending legislation.

The Defense Department survey in 1961–62 that located 267,000 shelter spaces in my district suitable for immediate use also brought out that another 154,000 spaces now exist which are "improvable"—that is, they can be made usable after minor improvements or alterations. Most of these improvements are relatively inexpensive, and with the Federal assistance provided in this bill, these potential shelters in public and nonprofit institutions would be made usable.

In addition, new buildings are being constructed every month in Bexar County. Technical assistance is now available to assist all owners who wish to include shelter features. With the modest Federal assistance available in this bill, shelter can be included in all new schools, hospitals, child care institutions, and local government buildings well located in relation to the resident population. This will result in a substantial number of new spaces.

Many of my colleagues in the House probably face the same situation in their districts. I hope they will join with me in voting for the passage of this shelter bill.

Mr. ALGER. Mr. Chairman, the separate views contained in the report accompanying H.R. 8200 seem quite sensible to me. Throwing more Federal money in another expanded Federal program is not the answer to the problem.

We all believe in civil defense, and in protecting ourselves against nuclear attack. The best way is to continue to develop and test our weapons so that we are not vulnerable to attack. Most of all we need the antimissile missile. This takes nuclear atmospheric testing, not the ratification of the nuclear test ban treaty.

This new program of $2.3 billion is no assurance of adequate civil defense. The only sensible program will be through private initiative and local effort.

Section 206 to make Federal buildings adequate is feasible. Section 207 is not and should be deleted. If not the bill should be defeated.

This bomb shelter bill is an interesting companion bill to the nuclear test ban treaty. Yes, we will need civil defense. True, we might need more civil defense anyway, but the test ban treaty assures a quicker more complete civil defense program, even as ratification of the treaty brings the time of Communist attack closer.

We need civil defense but not this hodgepodge Federal aid program. Private initiative plus existing Federal buildings can do the job.

As the gentleman from Texas [Mr. FOREMAN] points out, we have a program in being, in civil defense. Yes, it could be improved, but improvement should be private not Federal aid. Our people locally will protect themselves as our present program accelerates.

Mr. HÉBERT. Mr. Chairman, I have no further requests for time.

Mr. BRAY. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. These being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2251 et seq.), is further amended by adding to title II of the Act the following new sections 206 and 207:

"SHELTER IN FEDERAL STRUCTURES

"SEC. 206. (a) Public shelter shall be incorporated in all structures existing or to be constructed in the future and owned or occupied by any department or agency of the United States whether civilian or military, unless exempted from such shelter requirement in accordance with the procedures and criteria prescribed pursuant to subsection (b).

"(b) The President may prescribe rules and regulations to carry out the provisions of subsection (a). Such rules and regulations shall make provision for the establishment of procedures and criteria for incorporating public shelter in structures in the United States (as such is defined in section 3(f) of the Act) owned or occupied by any department or agency of the United States. Regulations establishing exemptions shall be limited to the following bases for such exemptions:

"(1) The proposed shelter would be in areas where additional public shelter space is not required;

"(2) The only practical design or construction characteristics of the structure with shelter incorporated therein would result in exceeding cost limitations, which shall be set forth in said regulations to maintain an average of not to exceed $4 per square foot, for shelter developed with funds appropriated in any one fiscal year;

"(3) In the case of a leased structure, the term of the lease, together with terms of options to renew, is less than an aggregate of ten years;

"(4) Competitive bidding for property to be leased by the Federal Government would be unduly impaired by requirements for the inclusion of shelter features in the buildings to be leased;

"(5) The operational use of the structure is such that the proposed incorporation of shelter would impede or impair its operational mission;

"(6) The proposed shelter would be in restricted areas not available to the public in time of emergency; or

"(7) It would be unnecessary, uneconomical, or impracticable to include shelter in a particular structure.

"(c) A statement that the incorporation of shelter into any new structure to be constructed has met the requirements of subsection (a) shall be submitted to the Congress as a part of the authorization procedures for new structures which may be required by other provisions of law.

"(d) There is hereby authorized to be appropriated in fiscal year 1964 not to exceed $15,600,000 to carry out the purposes of incorporating public shelter in existing structures not otherwise provided for; and there is also authorized $8,200,000 to carry out the purposes of incorporation of public shelter in existing structures for which appropriations were made by the Department of Defense Appropriations Act, 1962.

"SHELTER FINANCING

"SEC. 207. (a) The Administrator is authorized to make payments on the basis of approved applications to States, to their political subdivisions, or to instrumentalities of either, or to nonprofit institutions which create public shelter space by construction or modification in their facilities. Such public shelter space must meet standards and criteria therefor, established under the provisions of this Act and must be available to the public, without limitation, in case of attack or anticipated attack in accordance with local civil defense use plans. Payments shall be made in accordance with the following enumerated terms, conditions, and requirements:

"(1) Applications may cover one or more facilities and may be combined to cover projects of more than one eligible institution. If applications are combined, the sponsoring applicant must be the political subdivision, or an instrumentality thereof, with jurisdiction over the territory in which the pertinent buildings of eligible institutions are located.

"(2) Payments shall not exceed either the aggregate costs covered by an approved application determined in accordance with standards, criteria, and conditions established pursuant to this Act, of designing, equipping, or modifying facilities, estimated to be allocable to providing shelter space, or such lesser amounts as may be determined in accordance with such standards, criteria, and conditions: *Provided,* That no costs exceeding $4 per square foot in any one facility shall be allowed for this purpose.

"(3) Payment shall not exceed $2.50 multiplied by the total square feet of public shelter space provided in respect of an approved application.

"(4) Any payment made under this section shall be in addition to, and shall cause no reduction in, any other financial assistance by the Federal Government for construction (by contract, direct construction, grant, loan, insurance of loans, or commitments to participate or otherwise); except, however, payments under this section, when added to such other financial assistance provided by the Federal Government properly allocable to public shelter space costs under said standards and criteria, shall not exceed the limitations in paragraphs (2) and (3) above;

"(5) Provisions for allocation among the States of amounts appropriated to carry out the purposes of this section shall be made on the basis of population and need for public shelter space within a State: *Provided,* That any amount of such allocation not used within a State may be reallocated under the same criteria among the other States;

"(6) No payment shall be made toward the procurement of land.

"(7) Payments shall be made only upon (a) the execution by the State, political subdivision, instrumentality, or nonprofit institution of agreements sufficient to protect the interest of the Federal Government for the marking, stocking, and equipping of the public shelter space and for its use in accordance with civil defense use plans developed by the States or political subdivisions to meet wartime and natural disasters and (b) evidence that the appropriate official of the State has approved the application as consistent with, and as most efficiently and equitably furthering, State civil defense plans.

"(b) To encourage the greatest economy and efficiency in the obtaining of additional public shelter space under the provisions of this section through the development of communitywide or multiple facility applications, local survey and planning services may be provided to identify the lowest cost opportunities to meet local shelter deficiencies, and funds authorized under this section, not to exceed $10,000,000, shall be available to meet such costs.

"(c) As used in this section, the following terms shall have the following meanings:

"(1) The term 'nonprofit institution' means an entity which is engaged in activities meeting the tests prescribed by section 170(c) of the Internal Revenue Code (26 U.S.C. 170(c)), or which has been determined to be exempted from taxation as a nonprofit organization under section 501 of the Internal Revenue Code (26 U.S.C. 501);

"(2) The term 'shelter space' means space within a facility which space provides features of construction, as determined by the Administrator, essential to provide protection for people from the effects of radioactive fallout and associated structural elements or equipment required for shelter systems;

"(3) The term 'construction or modification' means the incorporation in a facility of shelter space by initial construction, reconstruction, renovation, rehabilitation, alteration, equipping, remodeling, conversion, or modification.

"(d) There is hereby authorized to be appropriated in fiscal year 1964 not to exceed $175,000,000 to carry out the purposes of this section."

Sec. 2. Title IV of the Act is further amended by adding the following new sections 414 and 415:

"APPROPRIATIONS AND TRANSFER OR ALLOCATION

"Sec. 414. (a) Funds authorized to be appropriated under this Act, for expenses of shelter, research and development, and construction shall remain available until expended.

"(b) Funds appropriated under this Act for the inclusion of public shelter in structures owned or occupied by any department or agency of the United States may be allocated to the civilian or military departments or agencies of the Federal Government.

"APPLICABILITY OF OTHER LAWS

"Sec. 415. Upon meeting the requirements of this Act for incorporation of shelter in structures owned or occupied by any department or agency of the United States, all requirements of law in respect of shelter shall be deemed to have been met: *Provided*, That nothing in the foregoing shall be considered to eliminate the authorization procedures required by other provisions of law for the construction, modification, or alteration of facilities: *Provided further*, That any statement in an instrument of conveyance or lease that the requirements of this Act have been met shall be conclusive."

Sec. 3. Section 3 of the Act (50 U.S.C. App. 2252), is amended by striking the comma at the end of subsection 3(b)(1) and adding the words "or a flood, drought, fire, hurricane, earthquake, storm, or other catastrophe in any part of the United States," and by adding the words "or catastrophe" following the word "attack" wherever it otherwise appears in section 3(b).

Sec. 4. (a) Section 410 of the Act (50 U.S.C. App. 2262), is amended by changing the period at the end thereof to a comma and adding the words "and nothing contained in this Act shall be construed to limit or in any way affect the responsibilities of the American National Red Cross under the Act approved January 5, 1905 (33 Stat. 599), as amended."

(b) The caption appearing immediately before section 410 is amended by adding the words "and the American National Red Cross."

Mr. HÉBERT (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: On page 6, strike lines 18 through 21 and insert in lieu thereof the following:

"(b) as a condition precedent the appropriate official of the State shall have approved the application as consistent with, and as most efficiently and equitably furthering, State Civil Defense plans."

The committee amendment was agreed to.

Mr. ROOSEVELT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to make a little legislative history. My colleague from California [Mr. Johnson] brought out the fact that the Davis-Bacon Act provision usually found in this type of legislation was not found in this particular bill. Upon discussion with the distinguished chairman of the subcommittee I have been told, and I think it should be in the Record, that the Davis-Bacon provision is in the original act as amended. I have found this to be true.

In the opinion of the committee the Davis-Bacon Act, therefore, does apply to the bill presently before the House; is that correct, sir?

Mr. HÉBERT. If the gentleman will yield, the gentleman from California is correct. I thought I made an attempt at the time to explain that in my opinion all Federal laws relating to construction would apply and that the Bacon-Davis Act would apply. I thank the gentleman for making it more specific and for bringing it definitely to the attention of the committee. It is written into the basic law which is not being amended. Therefore, it applies. The amendment that we offer is to the basic law but is not applicable to that section which refers to the Davis-Bacon Act. So it does apply. The gentleman is correct.

Mr. ROOSEVELT. I thank the gentleman very much.

Mr. Chairman, I rise in support of H.R. 8200, a bill to provide for shelter in Federal structures, and to contribute to the setting up of shelters in other public or noncommercial buildings. I believe that this legislation is an integral part of our overall defense program. Our defense structure ought to be and is aimed at preventing a nuclear war. Nevertheless, we would be remiss in our duty if we did not also make provision for the possibility that despite all our efforts such a war might some day be fought. Our primary responsibility in this area must be the saving of the lives of as many of our citizens as possible. This program is a step in that direction.

It is true that the construction of fallout shelters does not protect against the blast, fire, or initial radiation effects of a thermonuclear explosion, but it does offer a real hope of saving the lives of many of those who would be endangered following the blast by airborne radioactive fallout. It is a conservative 1-year program, especially designed to prove the feasibility of an expanded program, and I feel our obligations to our constituents and our posterity require us to approve this program. Even if it is only a possibility, the existence of the possibility of saving human lives, in time of catastrophe, is justified abundantly.

AMENDMENT OFFERED BY MR. BECKER

Mr. BECKER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Becker: on page 9 strike out section 3 entirely and insert a new section 3, as follows:

"Sec. 3. The Administrator of the Federal Civil Defense Agency, in the event of any catastrophe or disaster in any State of the Union, shall permit the use, by such State, of any equipment or facility controlled by the Federal Civil Defense Agency."

Mr. BECKER. Mr. Chairman, this is the amendment which I mentioned earlier in the general debate that I would offer.

I am sure that I am in total agreement with the chairman of the subcommittee when I state that this matter was not called to our attention during the hearings. It came to my attention from the International Association of Fire Chiefs, in a letter dated September 13. The letter is six pages long. I am not going to read this letter or give all of their reasons for opposing that section. But their reasons are contained in the six-page letter.

Then, Mr. Chairman, there is the Association of Fire Underwriters, a national organization, which is also opposed to that section.

Now, the language is very simple as contained in the amendment. I understand that Mr. Steuart Pittman, the Assistant Secretary of Defense, agreed to certain language this morning. It was my understanding, and the understanding of these people, that an amendment was going to be accepted to do certain things along the same lines. Then, somewhere something happened and the procedure was changed. Of course, this information could be correct or it could be incorrect. However, it came to me from outside sources. I did not say the committee accepted anything.

Mr. HÉBERT. Mr. Chairman, will the gentleman yield?

Mr. BECKER. I yield to the gentleman from Louisiana.

Mr. HÉBERT. I can give the gentleman the exact story, because I want to keep the facts straight.

Mr. BECKER. So do I.

Mr. HÉBERT. Mr. Pittman did agree to language of an amendment and the gentleman from Indiana [Mr. Bray] on the minority side and I agreed to accept it as well as the gentlemen representing all these interests which the gentleman from New York is now discussing also agreed. In other words, we were in complete agreement, as reflected in the committee amendment.

Mr. BECKER. I just saw the committee amendment a minute ago. The wording of my amendment is not as lengthy and is not spelled out in the same detail. But it does give permission to the Administrator to grant the use of equipment and facilities in the event of any disaster or catastrophe in any State of the Union at any time.

Mr. HÉBERT. If the gentleman will yield further, this amendment to which I am addressing myself is the amendment and the language which was agreed upon by all parties.

Mr. BECKER. However, being a member of the subcommittee, I was not advised of any language in any amendment. I was not advised that there was such an amendment. I considered this as a matter in which I thought the Association of Fire Chiefs were entirely correct and I am trying to bring it here before the House. I shall ask for the adoption of the amendment.

Mr. HÉBERT. If the gentleman will yield further, the gentleman is absolutely correct. This is not a committee amendment and I think the gentleman recognizes my passion for being fair.

Mr. BECKER. I certainly do.

Mr. HÉBERT. If the gentleman will permit me to finish, I say the reason I did not agree to anything until I discussed it with the ranking minority member, the gentleman from Indiana [Mr. BRAY], with Mr. Pittman and with the counsel for the Defense Department is because I realized I could not contact the members of the committee and I did not want to come in here and say this is a committee amendment, because it is not a committee amendment but an amendment which has been agreed upon by all interested parties and will be offered as a substitute to the amendment which the gentleman now has and which I will support and ask the members of the committee to support.

Mr. BECKER. I appreciate my good colleague is always fair and has been the many years I have served with him. I have tried to make it clear this was not before the committee and, therefore, I was introducing it on behalf of the International Association of Fire Chiefs.

Mr. HÉBERT. That will be corrected.

Mr. BECKER. I may say I was unaware of the wording of any other amendment until a few minutes ago. I was not apprised earlier of it. I informed the gentleman from Minnesota [Mr. QUIE], that I was going to introduce this amendment at the proper time so we could get all of the technicalities out of the way.

Mr. Chairman, I think it is rather unfortunate this matter did not come before the committee so that it could have been studied. The amendment will clarify that section of the bill. I want to make it clear because this question might arise: my position on whether or not I am in favor of the bill if the amendment is in or not. My purpose as a Member of this House has been always and will be that I will either oppose or support a bill, but in the course of debate or in amending the bill I will try to amend it where I think it should be amended in order to clarify it in the event the bill should be passed.

Mr. Chairman, I trust my amendment will be agreed to.

Mr. QUIE. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

> Amendment offered by Mr. QUIE as a substitute for the amendment offered by Mr. BECKER: On page 8, line 5, strike the words "the following new sections 414 and 415" and insert in lieu thereof "the following new sections 414, 415 and 416", and on page 9, following line 2, insert a new section 416 as follows:
>
> "CIVIL DEFENSE AND DISASTER RELIEF
>
> "SEC. 416. The Administrator, in the event of the occurrence of a civil nuclear disaster, or a flood, drought, storm, hurricane, earthquake or fire of catastrophic proportions in any part of the United States, notwithstanding the limitations contained in subsections 201 (c), (e), (h), (i) and subsection 205(d), may, as a part of the civil defense program, permit the use by the states of any equipment, materials, or facilities which have been purchased, leased or otherwise acquired through funds of or contributions made by the Federal government for civil defense purposes"; and strike all of section 3 and renumber "SEC. 4" to read "SEC. 3".

Mr. QUIE. Mr. Chairman, I offer this substitute, and I am sorry to run into difficulties with the subcommittee on what is being offered. My interest in this is generated by constituents of mine who are concerned that the Federal Government was usurping the responsibilities of State and local governmental agencies, and especially the fire departments in the cities in my district. So I called up some members of the subcommittee and I worked particularly with the gentleman from Michigan [Mr. CHAMBERLAIN]. This amendment was developed between counsel of the majority and the minority. It pins down the language that is acceptable to the firefighters and the insurance companies. We have reached an agreement that this straightens out the situation.

The new language is narrower in its application than the old section 3, but the functions intended to be performed are the same. It spells out the types of calamitous disasters, and also spells out equipment, materials or facilities which have been purchased, leased or otherwise acquired through funds of or contributions made by the Federal Government for civil defense purposes, therefore being more concise than the Becker amendment.

There is no question in administering the law as to how it shall be utilized if this substitute is adopted. It deletes any reference to those sections 201 (a) and (b) and thereby does not cut into the coordination of the Federal Government's activities with the State and local governments, but does permit State and local governments to utilize the civil defense equipment, materials or facilities in handling of any of these natural disasters of catastrophic significance. I think that is well understood by everyone. I am opposed to section 3 of the bill because:

First. It changes the whole concept of civil defense. It permits the military to expend Federal funds and use them in peacetime for purposes that have no direct connection with an attack on the United States.

Second. It could lead to chaos and confusion, from an operational standpoint, in areas that are being handled adequately by the States and the local communities.

Section 3 of the bill redefines the term "civil defense," which is centered around attacks on the United States, to include the peacetime natural phenomena of "flood, drought, fire, hurricane, earthquake, storm, or other catastrophe in any part of the United States." It also adds the words "or catastrophe" following the word "attack," wherever it appears in the definition of "civil defense."

The effect of this amendment of the term "civil defense," when read into the "Powers and duties" section of the act, is to clothe the Administrator of Civil Defense, by executive order of the Department of Defense, with vast authority and power over activities which in peace time have always been left to the States, the local communities and to private endeavor.

For example, by the substitution of the word "fire" for the word "attack" and the addition of the words "or catastrophe" following the word "attack," the Federal Government can first, set up firefighting forces on a national scale, second, establish fire prevention organizations; third, develop operational plans for fire prevention and firefighting; fourth, recruit and train fire personnel; fifth, conduct research in fire prevention and firefighting; sixth, take over traffic control and communications during fires, and so forth.

This is but one example of the extent to which section 3 of this act could permit the military to completely invade the province of the State and local governments in peacetime to perform functions which are purely and simply local in nature, and have been for over 200 years.

There should be no interference by the Federal Government into the peacetime operations of State and local governments and their firefighting and related disaster activities. I do, therefore, offer the following amendment, which has been made available to the House Armed Services Committee and the Department of Defense. I am advised that they do not object to it.

The purpose of the amendment is to permit use of civil defense facilities by State and local governments to meet disasters of calamitous proportions. However, it preserves to State and local governments their peacetime autonomy in these matters.

Mr. Chairman, I ask for support for my substitute.

Mr. HÉBERT. Mr. Chairman, as I stated before, I do accept the amendment, and the committee also is willing to accept the amendment.

At this point I am including the legislative history on the amendment, in order that there may be no doubt about it.

Mr. BRAY. Mr. Chairman, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Indiana.

Mr. BRAY. This is the same amendment that the gentleman and I discussed previously?

Mr. HÉBERT. Yes, it is the same amendment we discussed.

The amendment which has been offered containing substitute language for section 3 is not objected to by the Department of Defense or by the subcommittee. We consider it unnecessary, but in the interest of dispelling any impression that new invasions of the Federal Government into local operations are authorized, we are willing to go along with it.

Section 3, as approved by the Armed Services Committee, would have amended the definition of "civil defense" to include disasters from natural causes. This amendment was requested of the Department of Defense by State and local governments, who considered the amendment essential for their civil defense purposes.

As I understand the objections to the section, they were based on fears that the Federal Government would engage in the operation of firefighting organizations, or of other organizations, in combating disasters at the local level.

As presented to and approved by the committee, the redefinition of civil defense would mean that disaster relief preparations, planning, and training would be made an integral part of civil defense functions and would receive appropriate Federal recommendation and assistance at the State and local level.

Currently, civil defense activities under the Federal Civil Defense Act are entirely attack oriented. All the States, however, have placed disaster relief functions in their civil defense organizations. Because of the current gap in the Federal law, the Department of Defense is compelled to make an artificial distinction when providing assistance to the States and localities, and to separate disaster relief activities, whether in the predisaster planning stage or after the occurrence of a local disaster, in the accounting by a State and political subdivisions for the assistance received.

Section 3 would make State and local property obtained with Federal matching funds, and materials stockpiled by the Federal Government, available to local governments in relieving the effects of local disasters not sufficient in magnitude to be declared a major disaster by the President under Public Law 875, 81st Congress, the Disaster Relief Act. It would not make natural disaster purposes a sole basis for the Federal Government's civil defense assistance before a local disaster occurs. This assistance would still be for civil defense reasons.

Each Member recognizes that a local disaster is nonetheless a disaster, although not normally sufficient to warrant supplementary assistance by the Federal Government under Public Law 875. Section 3, either in its form as offered in the amendment, or as approved by the committee, would recognize that the public has a right to a return in natural disasters for their funds spent in preparation for civil defense. Disaster relief activities many times closely resemble those which would be performed after nuclear attack, and the amendment is mutually advantageous to both efforts.

I consider the amendment to the bill totally unnecessary. The committee received a letter from the Assistant Secretary of Defense for Civil Defense categorically stating that the amendment would not authorize the Federal Government to engage in local firefighting or other disaster activities now carried on at the State and local level, or change local responsibility in this field.

The committee is also in receipt of a letter from the American Municipal Association, the National Association of Counties, and the U.S. Conference of Mayors heartily endorsing section 3 as it appears in the bill. If anyone should be concerned about an alleged invasion of local responsibilities by the Federal Government, it should be these organizations and those whom they represent. But they are strongly for the section as it is.

However, because of the great merit in removing artificial legal distinctions as to the natural disaster use at the local level by local civil defense personnel and equipment, and to make available civil defense equipment belonging to the Federal Government, such as pumps, pipe, portable emergency hospitals, stockpiled medical supplies, and so forth, for use by local government in disasters not declared by the President to justify the allocation of Federal funds, we will accede to the amendment. I think the House should recognize that in our judgment, and that of the Department of Defense, the expressed fears are groundless and the amendment totally unnecessary.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. QUIE] as a substitute for the amendment offered by the gentleman from New York [Mr. BECKER].

The substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York as amended.

The amendment was agreed to.

Mr. JOELSON. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. JOELSON. Mr. Chairman, I recall that about this time a year ago when we had the Cuban crisis, the mood of the American public was one of determination in backing the President on his strong stand, but there was a feeling of helplessness, which I admit I shared as a member of the civilian population.

It occurs to me we have not faced up to our responsibility to do something about protecting the civilian population. It occurs to me that civil defense is like insurance. It costs money to pay the premium. We hope and we pray that we will never have the tragedy that requires us to cash in on the policy, but there is some satisfaction in knowing that we have taken every precaution we can to protect ourselves.

I know there have been exaggerated claims for this bill and it will not do everything many people hope for, but as I understand from members of the committee, this is not civil defense against blast but it will protect those outside the blast area. Those in the blast area, I figure it is pretty well agreed, are beyond a great deal of help, but those in an area sufficiently far away from the blast area can be helped if they have a place to which they can repair and in which they can receive the necessities of life.

With that understanding, that this is insurance and that it can be effective, not 100 percent but to a very substantial proportion, I am going to vote for this bill, and I hope it will pass.

AMENDMENT OFFERED BY MR. FOREMAN

Mr. FOREMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FOREMAN: On page 4, line 3, "Shelter Financing", strike out all of section 207 down to page 8, line 3.

Mr. FOREMAN. Mr. Chairman, by deleting section 207 of this bill, the Federal aid program to nonprofit institutions, we will at the same time be allowing the Government to fully exploit existing surveyed fallout shelter areas, by arranging for their use, marking and stocking them, and by trying to stimulate as much private shelter construction as possible through Federal example in Federal buildings and through technical assistance and planning advice to those needing or requesting it.

We will have the same program that we have today plus the improvements of adding fallout shelters to new Federal construction and putting fallout shelters in existing Federal buildings.

This proposal is almost identical to choice No. 2 as offered by the Assistant Secretary of Defense in the hearings. It is a sound and logical approach which will assist in an orderly fallout shelter program and could even bring about public acceptance to the point that private industry would possibly be encouraged to build enough shelters that when coupled with those provided in Federal buildings, we could obtain an adequate shelter program without spending the proposed $2.1 billion plus.

By supporting this amendment, Members will be opposing the establishment of a new Federal aid program at a time when we are faced with a record national debt and substantial deficits and imminent financial crisis.

By supporting this amendment, Members will be voting for a logical and orderly civil defense program including the construction of fallout shelters in Federal buildings and Government direction and encouragement of the construction of shelters in public and private buildings.

Mr. Chairman, I urge your favorable consideration in support of this amendment.

Mr. PIKE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to pay tribute to the gentleman from Texas in that he did not use the usual line, "I am not attempting to gut the bill."

Mr. Chairman, what this amendment does is to take out $175 million of the less than $200 million that are involved in this legislation. He makes in his statement in the minority report these four points. He referred to the fact that the existing program has identified a certain number of spaces. It has. It has identified 104 million of them. Of these, approximately 34 million are not available to the public because they are privately owned by people who do not want to turn them over to the Federal Government as shelter spaces or because they are not adequate or because they are marginal in their adequacy for shelter spaces.

We can talk about the $2.1 billion, 5-year program, if we want to. But let us not forget the fact that basically this is an under $200 million, 1-year bill. If we want to save money, let us talk about the 5-year, $250-billion defense budget. If we want to save money, let us talk about that $250 billion defense budget because that is what the defense budget is over a period of 5 years; and it is better than $250 billion. But if we want to save lives, let us not accept this particular amendment.

The gentleman on this occasion did not mention this, but earlier he mentioned the position which was taken by Chairman VINSON a year ago on this bill. A year ago the gentleman from Georgia, Chairman VINSON did oppose this bill, but what he said was that he was not ready for that step at that time. The gentleman from Michigan has pointed out that under this particular amendment, it would take roughly 360 years for the United States of America to arrive at an adequate fallout shelter program. I do not think we ought to think about this particular problem geologically. I think we ought to take this year's program for this year's program. Let us take last year's position for last year's position. The chairman of the full committee has made his position on this legislation abundantly clear. He is in favor of this legislation. I think the majority of the subcommittee had this amendment before it, and they rejected it. The majority of the full committee had this amendment before it, and they rejected it.

I hope this House will reject this amendment this afternoon.

Mr. HÉBERT. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I yield to the gentleman.

Mr. HÉBERT. I just want to rise to echo what the gentleman from New York has so eloquently and adequately said. He has certainly spelled out the situation and has crossed the t's and dotted the i's. There is no doubt about it, a vote for this amendment is a vote to kill the bill. This is the heart of the bill in the advancement of the program. If you want to kill the bill, vote right now to adopt this amendment and then you will have no civil defense shelter program. If you favor the bill, then vote this amendment down. I hope the committee will vote this amendment down.

Mr. FOREMAN. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I yield to the gentleman from Texas.

Mr. FOREMAN. Just in answer to what the distinguished chairman of the subcommittee said, if you follow this out, you cannot have a civil defense program. He is saying in effect that we have no civil defense program today. But we do have a program today. We have identified the 104 million shelter spaces.

Mr. PIKE. I would like on my own time to ask the gentleman if he is satisfied with the civil defense program today and the pace at which it is going.

Mr. FOREMAN. No, I am not satisfied.

Mr. PIKE. We are on my time now and I would like to ask the questions. I would like to say that I am not satisfied with the civil defense program as it has been in the past. I think this is a bill to improve that civil defense program for the future, and I think we ought to reject this amendment and get on with the improvement of our civil defense program.

Mr. PRICE. Mr. Chairman, will the gentleman yield?

Mr. PIKE. I yield to the gentleman from Illinois.

Mr. PRICE. I would like to point out to the gentleman from Texas that under his amendment it would take us 70 years to produce the number of shelters needed for the protection of our people.

Mr. PIKE. I have come up with the figure of 360 years which was calculated by the gentleman from Michigan, and I think it is just about the civil defense program that we will get if that amendment is accepted.

Mr. STRATTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would just like to repeat what I said earlier in the well of the House; namely, that this bill before us today is a national defense program and the idea that you can conduct our national defense on an individual or Statewide basis is patent nonsense.

If we need this program seriously, then it has to be conducted by the Federal Government. Just as you cannot build ships, missiles, and planes on a State-by-State basis, so you cannot conduct this part of the national defense program in that way either. I urge that the amendment be defeated.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask the gentleman from Louisiana [Mr. HÉBERT], chairman of the subcommittee, the question of what will the 240 million shelters cost? Do you have any idea?

Mr. HÉBERT. Yes. Over the 5-year period, in the full bloom of the program, $2,340 million.

Mr. GROSS. $2.3 billion?

Mr. HÉBERT. If we went ahead with the 5-year program.

Mr. GROSS. On what is this based?

Mr. HÉBERT. This estimate is made by the Department of Defense based on the cost of shelters. Before the Congress enters into this program next year, it will have to decide if it is a practical approach or not.

Mr. GROSS. Will all of these shelters be provided with food and water?

Mr. HÉBERT. Yes. They will all be so provided.

Mr. GROSS. With water and food?

Mr. HÉBERT. With water and rations. Yes.

Mr. GROSS. What else?

Mr. HÉBERT. Water and food. Yes.

Mr. GROSS. Anything else?

Mr. HÉBERT. Well, it is going to be provided with emergency medical kits. I think of these things as they come along. But the basic foundation for survival will be the water and the medical kit and the rations and proper radiological air conditioning in each shelter.

Mr. GROSS. You can get all of these 240 million shelters plus all of the equipment that goes into them, for $2.3 billion? Is that correct?

Mr. HÉBERT. Approximately. Give or take a few dollars.

Mr. GROSS. And how many years will it take? You will have all of these in 5 years. Is that correct?

Mr. HÉBERT. We hope to develop that program in 5 years if Congress decides to go ahead with it.

Mr. GROSS. What happened to the program of about 10 years ago for decentralization of the Federal Government; spreading it out all over the country so it would not be so vulnerable to attack?

Mr. HÉBERT. I am not familiar with that program.

Mr. GROSS. The gentleman heard it here on the floor of the House time after time. It was said that we ought to spread the Government over the country so we would not be so vulnerable here to attack.

Mr. HÉBERT. Of course I have heard that, but I am trying to reply directly to the gentleman's question. This was not given consideration in this bill and was not a question germane to the subject.

Mr. GROSS. In view of what is going on over in the other body with respect to a nuclear test ban, and the fact that we have not decentralized, but rather are putting up buildings almost every day around here, glittering marble structures in Washington, let me ask the gentleman this question: When did this new and sudden danger from nuclear attack arise?

Mr. HÉBERT. The sudden danger has been with us since the first bomb was dropped at Hiroshima and became aggravated when Russia got its nuclear bomb. Let me say this further to the gentleman——

Mr. GROSS. I think I have your answer to the question.

Mr. HÉBERT. The gentleman has complimented me greatly by roaming all over the field and asking me questions about everything under God's blue sky. I accept the compliment; he and I are a couple of old newspapermen and we think we know the answers to everything.

Mr. GROSS. No; the gentleman will have to indulge himself in that self-praise. I do not claim to know all the answers.

Mr. HÉBERT. I may say to the gentleman that I consider myself a reporter on sabbatical leave and I am proud of our newspaper connections.

Now, has the gentleman got another question on another subject?

Mr. GROSS. I did not realize I was at any time off the subject at hand. From the statements I have heard in this debate I do not know whether I am supposed to go underground——

Mr. HÉBERT. The gentleman in good conscience and good judgment, which I know he has, if he goes along with me today, I am sure his children will be happy.

Mr. GROSS. I seek the gentleman's help. Shall I go underground now with President Kennedy or vote against this bill?

Mr. HÉBERT. I just do not know how deep underground you want to go now. Do you want to stop at purgatory or go all the way?

Mr. GROSS. I think maybe I ought to go all the way with Kennedy underground.

Mr. HÉBERT. I will assure the gentleman if we both go all the way we will find many of our friends.

Mr. GROSS. We hear from the President that the nuclear test ban treaty is an important step toward peace. But here we have this bill which would embark us upon a $2.3 billion program because of the danger of war. This is really the world of make-believe, I will resolve my doubts by voting against this bill for I am far from convinced that 240 million fallout shelters are necessary and I seriously question whether, under an all-out nuclear attack the corridor of a building in Washington, New York, Chicago, or Los Angeles would provide very much protection from radioactive fallout. If an attack were to be delivered on Washington within the next 2 hours the hundreds of water cans now stacked in the House office buildings would be of little use.

Mr. BRAY. Mr. Chairman, I rise in opposition to the amendment. I hope the amendment will be voted down and that we may get on with the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. Foreman].

The question was taken; and on a division (demanded by Mr. Foreman) there were—ayes 50, noes 137.

So the amendment was rejected.

Mr. HOSMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I think that the gentleman from Iowa [Mr. Gross] adequately pointed out the confusing situation with the test ban treaty debate going on in the other body and the fallout shelter debate going on in this body at one and the same time. Let me say that the argument goes both ways. One can say one does not need fallout shelters because of the euphoric situation the world will be in, but the other can say that you need them as an insurance against the explosive treachery of the other side. So each argument cancels out the other.

Mr. Chairman, I think it is important to make clear, however, the proper role of fallout shelters in the strategic situation, and by fallout shelters I mean a device for the protection against post-attack radiation. If you are under the gun at the time of the attack, you are not going to survive anyway, so we are not talking about bomb shelters.

One thing that worries me in this connection about the civil defense equipment we have in the basement of the House Office Building and the Capitol, and the empty water cans that have been referred to, even if they were full, is that this structure that has been designated by the civil defense people as a fallout shelter will not protect against fallout. There is no adequate protection against the entry of airborne radioactive materials in the areas where people are hopefully waiting to be protected from it. Mr. Chairman, if that is the kind of program we are going to have, I think we should think twice about spending the money. We can only hope for a better, wiser Civil Defense Administration.

But insofar as the strategic situation goes, even despite the fact that some people in this country have the idea that now the Russians want to coexist, certainly the Soviets have no intention of coexisting any longer than the Communist dogma indicates they should. They are under a compulsion to achieve world domination for the sake of communism. They are told to get about the job as fast as they can and to use the highest degree of force they can to do it and do it swiftly.

Mr. Chairman, the situation during the past 15 years has been that the United States has had a sufficient strike-back capability to prevent them from using nuclear force and initiating an attack, because we would do too much strike-back, retaliatory damage to the Soviet homeland, the base of communism's strength. Now, assuming that, under the test ban treaty conditions or otherwise, our ability to survive the first "Sunday punch" and to hit back with sufficient damage becomes too feeble to deter the Russians, then they have the freedom to take the first of two steps in a decision-making process to initiate the first strike attack. That is, to make the decision it is safe to attack the United States because it would involve only an acceptable amount of retaliatory damage.

The second and final step in the decisionmaking process is a calculation of whether or not, with their first strike, Pearl Harbor-type attack, they could impose sufficient damage on the United States to insure their ultimate victory. That is where civil defense comes in. The able vice chairman of the Joint Atomic Energy Committee is here, and he may correct me if I am wrong. But under an hypothecation during Joint Committee hearings of a 1,500-megaton bomb attack on the United States, we found almost 60 million casualties would occur without the benefit of fallout shelter protection. But with this protection, the number of casualties would be cut down from 60 million to approximately 12 million. In other words, 4 out of 5 casualties would not be imposed upon the United States if we maintain adequate fallout shelters. That means, aside from any humane consideration of saving lives, that by civil defense we place ourselves in a position to deny the Soviets the opportunity, by a factor of 4, to impose human damage upon the United States. This will most certainly retard a decision on their part to initiate a surprise attack. Therein lies the strategic significance of civil defense.

Mr. Chairman, I think if the Members will compare the cost of $2.3 billion for fallout shelters for helping to stave off a surprise attack with the $6 billion we spend annually on the farm program, it will indicate their vote should be in favor of this legislation.

Mr. MATSUNAGA. Mr. Chairman, I move to strike the requisite number of words.

Mr. HÉBERT. Mr. Chairman, will the gentleman yield?

Mr. MATSUNAGA. I yield to the gentleman from Louisiana.

Mr. HÉBERT. Mr. Chairman, I move that all debate on this amendment and all amendments to the bill close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

Mr. SNYDER. Mr. Chairman, reserving the right to object, did the gentleman say all amendments?

Mr. HÉBERT. All amendments and all debate thereon.

Mr. SNYDER. Mr. Chairman, may I inquire as to how many amendments are at the desk?

The CHAIRMAN. There are three amendments at the desk at the present time.

Mr. SNYDER. Mr. Chairman, I withdraw my reservation.

Mr. HÉBERT. Mr. Chairman, I move that all debate on this amendment and on the bill close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. OLIVER P. BOLTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. OLIVER P. BOLTON. Mr. Chairman, is the gentleman's 5 minutes included in the 20 minutes?

The CHAIRMAN. No.

Mr. MATSUNAGA. Mr. Chairman, a very highly respected Member of this body advised me on my very first day in Congress that one should rise to address this honorable body only if he feels he has a contribution to make. It is in keeping with this advice of the wise that I now rise in support of H.R. 8200.

The people of Hawaii are perhaps better acquainted with large-scale disasters than are the citizens of most other States. We have had devastating volcanic eruptions, typhoons, and tidal waves. Ours is the only State in the Union which suffered and endured the ravages of modern warfare.

Fortunately, loss of lives and damage to property have been kept at a minimum. How? Through an effective civil defense and rehabilitation system which had been kept in operation during most of these emergencies. In the great tidal wave disaster of 1960 which almost completely demolished the business district of the city of Hilo, for example, only 57 persons were killed—and these were principally those who had failed to heed the warning sounded by civil defense officials. The entire city had virtually been orderly evacuated under direction of the civil defense unit only hours before disaster struck. As a consequence, thousands of lives were saved.

From grim experience, we in Hawaii have come to believe in advance preparations against disaster—in having plans and organizations in readiness to bring our State back to normalcy after disaster strikes—whether it be manmade or natural. We also believe that all available resources should be put to use—State, local, and Federal—if it means quicker alleviation of suffering and the saving of lives and property.

The pending legislation, Mr. Chairman, is as important to the people of Hawaii as it is to our entire Nation. It will greatly increase the number of fallout shelter spaces which will be available in an emergency. The 1961–62 survey by the Defense Department located existing shelter spaces capable of protecting 183,000 people in Hawaii against radioactive fallout. Our civil defense organization has marked 133,000 of these spaces and stocked them with survival supplies for 39,000 persons. We are making good progress in marking and stocking the balance.

In addition to the 183,000 spaces that are usable right now, the Defense Department survey uncovered other potential shelter areas capable of protecting an additional 120,000 persons with modifications which can be made by combining Federal aid with State, local, or private resources. Without Federal aid, the job cannot be done, and 120,000 people will be denied fallout protection, which may well spell the difference between life and death in the event of a nuclear attack.

Mr. Chairman, a suggestion has been made that section 3 of H.R. 8200 should be deleted as an "unwarranted" expansion of civil defense into the area of natural disasters. Let me remind those who make or support this suggestion that natural disasters can claim human lives as much as manmade wars.

Again, speaking from the experience of a community of people who have dealt bravely and efficiently with natural disasters, I am convinced that the effectiveness of Hawaii's civil defense system in the event of war has been assured by its proven effectiveness in natural disasters. Besides, who is there to deny that by some freak act of nature we may at any time suffer within a limited geographic area a concentrated fallout of radioactive substances now in space?

Hawaii and other States, I am sure, have the machinery to cope with peacetime disasters. However, oftentimes the dimensions of disaster overwhelm the capabilities of local units and additional assistance is required. It is at this point that Federal aid becomes invaluable in saving lives and property. In the report accompanying H.R. 8200, it is stated that "Federal resources and assistance is supplementary to local efforts and made available only when the local disaster is a major one beyond the control of local and State resources."

The intent here appears to be to fill a long-existing gap in needed Federal assistance, the gap between a State or municipality fighting a disaster too overwhelming for its resources, and Public Law 875, which would allow Federal financial assistance only after the area has been found by the President to have suffered a major disaster.

I am firmly convinced that a close examination of section 3 will show no other intent, and I am just as firmly convinced that my colleagues in Congress who are as interested in increasing the protection of their constituents as I am, will join me in voting to provide this vital protection to all citizens of our Nation.

I strongly urge approval of H.R. 8200.

The CHAIRMAN. The Chair recognizes the gentleman from Montana [Mr. OLSEN].

Mr. OLSEN of Montana. Mr. Chairman, we are dealing with civil defense measures which have been recognized by the President, the Secretary of Defense, and our highest military leaders as an essential element of our total national defense posture. By logic and necessity, the protection of our citizens against fallout is tied closely to military efforts in defense of this Nation. Measures to protect our civilian population add credibility to our military deterrent and the Secretary of Defense has ranked fallout protection for our citizens ahead of any major addition to the active defenses.

In my own district and in the State of Montana as a whole, the close relationship between military defense and civil defense is being demonstrated in a way that should serve as an object lesson for many other areas. It goes to the issue of whether the Federal Government, when it makes decisions based on military necessity that create prime targets for an enemy attack, is not morally bound to take at least minimum steps to protect the people living in those target areas.

The case in point here is the military decision to deploy the Minuteman missile. This is the new generation, solid fuel weapon that is to become the backbone of our retaliatory strike force. The Strategic Air Command has let it be known that some 950 Minutemen will eventually be located in certain western areas of the United States, buried in blast-resistant silos. I have little doubt that an enemy must attempt to destroy these missiles in any attack on this country, and would use ground bursts to dig them out. It is these ground bursts which produce the fallout we are talking about here and the areas surrounding these sites could come under the heaviest fallout we are likely to suffer.

For Montana, this is more than just a hypothetical situation. In July, SAC announced that the first Minuteman wing of 150 missiles had become operational—at Malmstrom Air Force Base, in Great Falls, Mont.

We may take some pride in the fact that the Nation's "Sunday punch" could be delivered from the soil of our State, and that a vital segment of the free world's nuclear strength lies buried beneath our prairies. But the unenviable corollary is that Montana does not have fallout protection for even the majority of its citizens, despite the fact that we would face a fallout threat second to none.

We accept the military necessity which placed these missiles in our backyards, but we should not expect less than the best possible fallout protection for our population, developed through whatever Federal contribution and leadership is needed.

The national survey for fallout shelter space has identified in Montana approved space for only 136,000 of its 675,000 people. The survey has discovered buildings which could be improved under this bill to add space for some 217,000 persons. In my district alone, some 105,000 spaces could be added under this development program, at a relatively modest cost. This still does not represent the full protection we must have, but it goes a long way toward setting up a shelter system capable of protecting all Montanans in an emergency.

This bill gives us hope that the Federal Government will not ignore its responsibilities to those civilians who have been placed under the gun by military necessity. I know that other Members here will face these same problems as more Minutemen missiles are emplaced. I ask them to join me now in asking the Congress to face squarely the issue of Federal responsibility here and particularly, the responsibility of the Congress to speak for all our citizens in this serious issue involving national survival.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. FINDLEY].

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: Page 9, after line 19, add a new section to read as follows:

"SEC. 5. The authorization for an appropriation contained in this Act shall not be effective until such time as—

"(a) the receipts of the Government for the preceding fiscal year have exceeded the expenditures of the Government for such year, as determined by the Director of the Bureau of the Budget; or

"(b) the budget submitted to the Congress by the President under the Budget and Accounting Act, 1921, reveals that the estimated receipts of the Government for the fiscal year for which such budget is submitted are in excess of the estimated expenditures of the Government for such fiscal year."

Mr. FINDLEY. Mr. Chairman, defense is certainly important to all Americans and defense can take many forms. Civil defense is one form. A sound dollar is another form. A sound dollar is the defense we have given no attention to in recent months.

I note in the committee report these words:

> We are faced with a record national debt, substantial deficits, a dangerous gold outflow, and imminent financial crisis.

As a former Secretary of the Treasury once said, "A sound dollar is our first line of defense." We have no hope of achieving it until we get our fiscal house in order and have a balanced budget. The effect of this amendment would simply give the President an incentive to present to the Congress a balanced budget the first of the year.

Mr. HÉBERT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not think it is proper in this place. I think the debate has clearly demonstrated that more important than the dollar value are human values. You cannot measure the life of a man by a dollar sign. I therefore ask for the defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The amendment was rejected.

AMENDMENT OFFERED BY MR. SNYDER

Mr. SNYDER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Snyder: Add the following new section:
>
> "Sec. 5. No funds shall be available to any State, political subdivision, instrumentality or nonprofit institution unless the said State, political subdivision, instrumentality or nonprofit institution shall give satisfactory assurance that no one shall be excluded from the use of facilities because of race, color, or creed."

Mr. SNYDER. Mr. Chairman, in the colloquy a while ago between the gentleman from Illinois and the gentleman from Louisiana and the gentleman from New York, the question was asked about whether or not civil rights issues insofar as the use of facilities was concerned was resolved in the bill. The gentleman from Louisiana indicated that "without limitation" on page 4 would take care of it. I took his answer to be rather evasive and to classify the matter I would assume he would have no objection to it being spelled out and the legislative history made clear.

Mr. HÉBERT. Mr. Chairman, of course, I oppose this amendment. It is Banquo's ghost riding again. We have decided this issue many, many times and it could not be more clear and more explicit. The shelters are available without qualification and without limitation. They are available to Jews, gentiles, Catholics, Protestants, Hindus, Negroes—you name them—if they are there in time, it is open to them.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. Snyder].

The question was taken; and on a division (demanded by Mr. Snyder), there were—ayes 53, noes 93.

So the amendment was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. Oliver P. Bolton].

Mr. OLIVER P. BOLTON. Mr. Chairman, I agree with the gentleman from New York [Mr. Becker] that the name of the distinguished scientist, Mr. Teller, has been bandied about both in the House and in the other body. I consulted him last night with regard to this program because of the effect it has on our anti-missile-missile program. At 4:57 this afternoon, I received the following wire from Mr. Edward Teller:

> Davis, Calif.,
> *September 17, 1963.*
>
> The Honorable Oliver Bolton,
> *House of Representatives, House Office Building, Washington, D.C.:*
>
> The discussions of the last week have brought out the fact that Soviet strength is and will continue to be great and dangerous. Construction of shelters is an elementary and peaceful measure of defense in case of the dreadful event of a nuclear war. Civil defense may mean the difference between the survival of the United States and the catastrophic end of the United States as a nation and as an idea. The bill which is now before the House of Representatives is a small but important step toward a program of self-defense designed to save millions of lives. In the next few years, this program should develop into a significant component of our national preparedness and as such it will be a clear sign that we shall not relax our vigilance in the coming period.
>
> Edward Teller.

Mr. Chairman, I thought the Members of the House would find the wire of interest.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Lindsay].

Mr. LINDSAY. Mr. Chairman, I regret that when the gentleman from Texas [Mr. Foreman] offered his amendment, the committee was so impatient that it shouted down any continued discussion of that amendment, because to me that amendment made the bill a reasonable bill, which otherwise is not reasonable.

As I looked at the Congressional Quarterly last week I took note of the fact that out of the 25 measures listed there of importance to the country, 4 had passed the Congress. First was the extension of the draft for 4 years, which has become routine. Second was the debt limit, for which every Member apologized. Third is the compulsory arbitration bill which everybody denounced while voting for it. Fourth is the temporary extension of the excise taxes.

It seems to me this measure in its present form and in the absence of committee acceptance of this amendment is a further indictment of the inadequacies of the 88th Congress and the executive branch which in theory leads them.

The Foreman amendment strikes out section 207 of the bill, which provides for $175 million in grants to States and localities for bomb shelters. There are those who say that this program is only for a 1-year trial period. However, the civil defense department's projected program over a 5-year period calls for $175 million in fiscal year 1964, $460 million for fiscal year 1965, $460 million for fiscal year 1966, $460 million for fiscal year 1967, and $460 million for fiscal year 1968.

The amendment would leave in the bill those provisions which would permit the Federal Government to fully exploit existing surveyed fallout shelter areas, arranging for their use, marking and stocking them and by trying to stimulate as much private shelter construction as possible through Federal example in Federal buildings and through technical assistance and planning advice to those needing or requesting it.

It seems to me that this suggestion is entirely consistent with the position of the distinguished chairman of the Committee on Armed Services just a year ago. I am puzzled by the sudden switch. Cutting out this feature of the bill would represent a sound, logical approach which might even bring about public acceptance to the point that private industry would possibly be encouraged to build shelters.

At the moment the surveys are inadequate and the money can and probably will lead to expensive obsolesence.

The Foreman amendment could have made reasonable a proposition which is doubtful to begin with, and in view of the fact that the House turned it down, with little debate, I shall vote against the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. Price].

Mr. PRICE. Mr. Chairman, I am sorry that the gentleman from New York who has just spoken indicated that through his support of the amendment offered by the gentleman from Texas to strike out section 207 that in effect imposed an inadequate shelter program on us. I think we recognize there are many great scientists in this country. I would like to quote, in the moment I have, from a statement by Dr. Eugene P. Wigner of Princeton University, an Enrico Fermi Award winner and Atoms for Peace Award winner. Dr. Wigner told the Committee on Armed Services of the House this:

> Hence I believe that many of the so-called arguments against civil defense are only rationalizations of our unwillingness to face the real world.
>
> It seems to me, however, that the sooner we adjust to the fact that neither conflicting desires nor nuclear weapons can be wished away, the milder will be those conflicts and the less will be the likelihood that the nuclear weapons will be used.

Mr. Chairman, I urge the adoption by the House of the bill reported to it by the House Committee on Armed Services so that we might have an adequate shelter program which, in the event of a nuclear war, would save millions of American lives.

Mr. Chairman, I would like to associate myself with the remarks of the gentleman from Georgia, the distinguished chairman of the House Armed Services Committee.

No other legislative body has made such an exhaustive review of the entire subject of civil defense as has our Armed Services Committee. In prolonged and detailed hearings this summer, the committee took testimony from more than 100 witnesses. Its recommendations are based upon careful study of this testimony, followed by the development of procedures to carry out actions under this shelter bill—procedures which will keep the Congress in constant control of the program.

A year ago we did not have the benefit of the penetrating hearings on civil defense so ably conducted by the gentleman from Louisiana. We did not have, for example, the clear testimony of respected military leaders and others that civil defense is an integral part of our national defense structure. We decided at that time, and I think rightly so, to gain more experience with the national shelter survey, marking and stocking program, before moving ahead with a shelter development program which involves the construction of shelter space in new and existing buildings.

But today we have the testimony and we have over a year of experience with a realistic first-stage shelter program under able Defense Department management. And we have the firm recommendation of our Armed Services Committee to move ahead with the next step, the shelter development program.

In my opinion, this shelter program is as essential as military defensive measures to our national security. It is certainly as important as the development of an antiballistic missile system. In fact, without a shelter program it does not make sense to pursue the development of an antimissile system.

Much progress has been made in the past year in marking and preparing for use millions of fallout shelter spaces located through the national survey. Many States and local governments are deeply involved in this shelter program. And they are watching the Federal Government carefully to measure the degree of leadership we intend to provide.

The President supports this shelter program; the Secretary of Defense supports it; the Joint Chiefs of Staff support it; our Armed Services Committee supports it; the weight of expert testimony supports it.

This support comes from a logical analysis of the factors in national defense—an analysis which clearly calls for support of H.R. 8200.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, as a member of the subcommittee which heard extensive testimony on this bill, I have felt a very deep concern with the philosophical and moral problems which are an integral part of any thoughtful consideration of a civil defense program.

I join with my many colleagues who are concerned and prepared to work for a relaxation of international tensions; for the promotion of world stability and peace where the threat of nuclear war will no longer be a dread concern for us or our children.

Many of us feel so strongly about this that we, along with countless other Americans, are making what contributions we can toward the development of international understandings and cooperation which will eliminate the use of war as a means of settling our differences. Among other things, I have long and consistently supported the work of our Arms Control and Disarmament Agency and I will continue to work for legislation which will strengthen and improve the vital functions it is performing.

Unfortunately, there is still a wide gap between what we all so earnestly want and hope for and the realities of international life. Those of us, therefore, who have responsibilities to the people of the United States; responsibilities not only to work for a better world but to be alive to the dangers present in the world which we now inhabit, can see no conflict between working against nuclear war and for world peace and developing a reasonable, practical, and basic fallout shelter program which would protect the lives of millions if by design or accident we were subjected to nuclear attack.

In brief, I can see no inconsistency between insuring the defense posture of our country, as we bend and encourage our efforts for peace, and providing basic protection for our people.

I, for one, do not believe the providing of minimum insurance for our own protection means that we want war or that we plan war. Nor do I believe that developing a minimal but adequate civil defense system for our people would provoke an attack any more that the building of our active military defenses is doing.

A system of public fallout shelters is the foundation of any sound civil defense program at this time. The program which we have approved in committee is practical and reasonable in both cost and size. In fact, the cost is only .007 percent of our total defense budget. It appeared to the committee that the Government should and must provide the people of our country such protection as insurance against the possibility of what we earnestly hope will never come—the possibility of nuclear attack.

Mr. Chairman, I join wholeheartedly with those who say our national aim should be peace, but I also stand with those who believe we must be prepared to defend our people and our democratic way of life. This is a prudent and necessary measure. On balance, I favor its adoption

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. BROWN].

Mr. BROWN of California. Mr. Chairman, I rise in opposition to H.R. 8200, and I do so because, in my opinion, the discussion which we have heard here this afternoon, both in support and in opposition, avoids the main issues with which we should be concerned in discussing a civil defense and a fallout shelter program.

Would any of us refuse to vote approval for $190 million or $2 billion, in order to save 45 million lives? Or even 1 million lives? No, we would not. But that is not really the question, as a moment's reflection makes clear. If it were, then we would extend the arithmetic and spend another $2 billion, or $5 billion, or $10 billion, and save even more lives. The U.S. Congress will not quibble over a few billion dollars if it is sure that it is thereby protecting American lives. There would not be a moment's hesitation by a single one of us.

But the justification for civil defense is based, not upon simple arithmetic of dollars for lives, although that is the argument frequently heard on this floor, but upon complex probability calculations. We must combine a calculation of the probability of war with a calculation that fallout shelters, in case of war, would save a certain fraction of our population. Both of these probabilities are extremely difficult to calculate. However, it should be obvious that if from this date forward the probability of war should grow less, and the probability of the use of increasingly destructive weapons in the event of war should grow greater, the argument for fallout shelters becomes progressively less tenable.

I believe that this is the situation today, and for this reason alone would vote against this bill.

A nuclear attack today would probably kill 100 million people in the United States. A massive $2.3 billion civil defense program might, it is claimed, save 25 million of these lives. I reject this argument for shelters completely.

By the time a shelter program could be completed new weapons developments by the U.S.S.R. could completely negate this purported savings of 25 million lives, and in fact could increase the casualties beyond the 100 million figure. The fact of the case is that if the U.S.S.R., or possibly other enemies in the years to come, were to decide that their goal in an attack was to cause casualties of 100 million, or 150 million, in all probability they will have the weapons to do it with. They will consider the extent of our civil defense measures in exactly the same fashion they would consider any other military factor, such as our radar, our fighter defense, our anti-ICBM, or the probable malfunctioning of their missiles, in calculating the attack necessary to achieve their goal. If we spend $2.3 billion on shelters, they will add a few more megatons of radioactive explosive force to counteract it. Thus our civil defense calculations of lives saved are based on quickly shifting sands. We will find ourselves running faster and faster just to stand still. This is the inevitable result of the arms race, and today civil defense is merely another facet of the arms race.

Civil defense and fallout shelters have been advocated as part of our deterrent posture, on the theory that if our enemy knows we are preparing to minimize our losses and resume national operations in the postattack period he will be less inclined to attack us. I believe this argument to be false. It is false because of what I have just said about the ability of an enemy to compensate in his attack for our civil defense preparations. It is false because our deterrent posture stems from our ability to produce unacceptable losses on any enemy. The enemy is deterred by knowing how large his losses will be, not by knowing how many lives our civil defense program will save, if any.

The basic reason that the military wants a civilian defense program has not been mentioned here this afternoon, and in my opinion it has nothing to do with saving civilian lives, or creating additional deterrent beyond the fantastic overkill capacity we already have. The military wants a civilian defense program because it creates a climate in which nuclear war becomes more credible, more reasonable, more acceptable to the American people. Their backbone will be stiffened, they will be prepared to react more aggressively in Cuba, in South Vietnam, in the Middle East, in Berlin, and in the other troubled areas of the world. This is an unqualified benefit as far as the military is concerned, and justifies their supporting any possible civil defense program.

I do not happen to sympathize or agree with this motivation by the military to support civilian defense. In my opinion the net result of a massive civilian defense program will be to increase the chances of nuclear war by helping to establish a psychological climate in which such war becomes acceptable. As I stated above, there is very little possibility that the net level of casualties is likely to be reduced by shelters. I, therefore, conclude that this program instead of saving lives helps to make inevitable the eventual death of a hundred million or more Americans, and many hundreds of millions of other human beings throughout the world.

In weighing all of the probabilities in this complex computation I have been forced to the conclusion that approval of this bill would lessen the security of the people of the United States. The continuously shifting calculations of possible lives saved cannot outweigh the effect of strengthening the credibility of nuclear war as an instrument of national policy. I personally reject the concept of nuclear war as an instrument of national policy in today's world. I must, therefore, reject a move which in my opinion lends credence to such a concept and in so doing leads us closer to world destruction.

I am not by this statement naively rejecting the use of force in today's world. I believe that substantial force will be a strong element in human affairs for many years in the future. Nor am I suggesting that I favor a lessening of American will and determination. On the contrary, the determination and dedication of the American people to achieve a world that is both peaceful and free of tyranny is more important today than ever before in history. But that determination and dedication will be fruitless and self-defeating if it accepts the thesis that any worthwhile human aim can be achieved by all-out nuclear war.

I urge your opposition to this bill.

The **CHAIRMAN**. The Chair recognizes the gentleman from New York [Mr. RYAN].

Mr. **RYAN** of New York. Mr. Chairman, I regret that the hour is late and the time is limited. I had hoped this afternoon to be able to discuss at greater length some of the complex issues raised by H.R. 8200. I have thought a great deal about this problem over the past several years and have followed the debate this afternoon with keen interest.

Mr. Chairman, H.R. 8200 authorizes funds for fallout shelters in Federal buildings. It also authorizes the expenditure of $175 million for fiscal year 1964 as incentive payments to schools, hospitals, and other nonprofit institutions to build fallout shelters.

At the height of the Berlin crisis in 1961 the Congress increased civil defense appropriations 500 percent from the fiscal year 1961 appropriations. After this a great controversy raged throughout the Nation concerning the utility of civil defense. I believe that it is safe to say that this controversy produced a consensus against the establishment of a fallout shelter system.

Not only were very few private fallout shelters constructed, but every single congressional poll that I have seen reported at least 65 percent of the Congressman's constituents were opposed to a Government fallout shelter program. In my annual questionnaire taken in the spring of 1962, more than 75 percent of those who replied were against a Government fallout shelter program.

It is interesting to note that New York State, in November 1961, authorized $100 million to aid schools, colleges, and State institutions in providing fallout shelters. By January 1963, only $34,575 was dispensed. This sum went to only three schools out of the thousands of schools in the State. Ten other schools had incomplete applications pending for a total additional allocation of $150,000. The New York State experience shows that local school administrations would rather build urgently needed classrooms than fallout shelters.

After the tensions of the Berlin crisis subsided, the Congress in 1962 cut the civil defense appropriation request by a whopping four-fifths and granted $113 million out of the $695 million requested. And on April 10, 1963, the House rejected the Office of Civil Defense's request for a fiscal year 1963 supplemental appropriation of $61.9 million for stocking shelters.

I should like to discuss the following four objections to the proposed program:

First. Civil defense is expensive obsolescence.

Second. A fallout shelter program cannot protect our cities or areas surrounding military installations and might do more harm than good.

Third. The problems involved in reaching the shelters and living in them indicate the dubious effectiveness of shelters.

Fourth. The effects of a nuclear war on our society and physical environment are such that few would survive with or without shelters.

1. CIVIL DEFENSE IS EXPENSIVE OBSOLESCENCE

In considering a fallout shelter program, it is useful to note that the history of civil defense shows that civil defense concepts rapidly become obsolete. After World War II, before the Soviet Union had the atomic bomb, our civil defense efforts concentrated on protecting the population against conventional air attack. When it became clear that the Soviet Union had developed a nuclear weapon which could be delivered by long-range bombers, we were forced to abandon the old efforts and to start planning for the evacuation of our population centers. Evacuation, if possible at all, depended upon a long period of warning. With the advent of Soviet ICBM's evacuation had to be abandoned. However, not until 1961 did civil defense officials give up the idea of evacuation.

We are now told that fallout shelters, the latest civil defense concept, will protect the population. Shelters, however, are based on the theory that fallout will be the major peril in case of a nuclear attack. But the situation is changing again and like other civil defense concepts fallout shelters are becoming obsolete. The Russians now have the capacity to deliver 30-megaton bombs or larger. These large thermonuclear weapons would permit the destructive capacity to be maximized by exploding these weapons in the air rather than on the ground. If an aggressor chose that form of attack, there would be no danger from fallout which is caused by the lifting into the atmosphere of huge amounts of radioactive material when a nuclear or thermonuclear weapon explodes on the ground. In Hiroshima and Nagasaki there was no fallout because the bombs were exploded in the air. Airbursts cause widespread blast, heat, and fire damage against which fallout shelters do not attempt to protect. In the opinion of Dr. William F. Schreiber, associate professor of electrical engineering, Massachusetts Institute of Technology, who conducted a scientific study of the effects of nuclear weapons, "attacks against our cities would be airbursts"—hearings, 1963, Subcommittee 3, Armed Services Committee, page 4567, hereinafter referred to as hearings.

There is disagreement as to whether at this time the Russians would select airbursts instead of groundbursts. If, however, we do build a comprehensive system of fallout shelters, we may find ourselves in a similar position to France when she relied on the Maginot Line. The Russians, as the Germans did in World War II in regard to the Maginot Line, would no doubt take our shelters into consideration and plan an attack calculated to negate their value.

Hanson Baldwin, the military editor of the New York Times, writing in the Saturday Evening Post, of March 31, 1962, recognized the problems of obsolescence and stated:

> Civil defense planners are confronted with the nearly insoluble problem of technical obsolescence. The programs of yesterday are of limited usefulness today; today's shelters may not be worth the cost of tearing them down tomorrow. In an age when the offensive has such a great advantage over the defensive, the enemy can easily nullify all except the most elaborate and expensive attempts to provide passive protection.

We must realize that a fallout shelter program will take time to establish. The Office of Civil Defense estimates that it will take at least 5 years with an expenditure of at least $2.1 billion to develop a minimally adequate program. Five years ago we were seriously concentrating on evacuation. Five years from now we may be primarily concerned with the danger from blast and fire caused by airburst or the danger of a chemical-biological attack or a cobalt bomb.

McGeorge Bundy, Presidential Adviser on National Security Affairs, in a January 1962 speech before the American Management Association, indicated the futility of trying to keep civil defense efforts ahead of technological developments when he stated:

> Dollar for dollar the aggressor who is intent upon the massive annihilation of people can almost surely keep ahead of the pick

and shovel work of moving underground for passive defense.

II. A FALLOUT SHELTER PROGRAM CANNOT PROTECT OUR CITIES OR AREAS SURROUNDING MILITARY INSTALLATIONS AND MAY DO MORE HARM THAN GOOD

Mr. Chairman, there was a time when we were being told that the Russians would only attack our missile and bomber bases and avoid attacking our population centers. Under these circumstances, the argument went, we had to construct fallout shelters since fallout would be the primary threat to our population. This theory never made any sense to me. First of all, if one looks at the location of our military installations, it becomes obvious that most of them for economic reasons are located near concentrated population areas. In addition, we have been hardening our missile sites. This means that more and more megatonnage must be used in order to destroy them. Of course, the higher the megatonnage the greater the possibility that urban centers will receive heavy damage. It is also inconceivable that any enemy would not try to destroy our Nation as a functioning unit in the very first strike. Secretary of Defense McNamara once and for all interred the argument that there would be a strike only at our military installations when, on February 6, 1963, he stated before the House Defense Appropriations Subcommittee:

> I personally believe that it is extremely unlikely that in the event of a nuclear strike by the Soviet Union against this country they would do anything other than to strike all of our Nation with all of their power in the very first strike. (House Defense Appropriations Subcommittee hearings, p. 33.)

American citizens know that their cities would be attacked. They also know that a system of fallout shelters is meaningless if the cities are attacked. Because of the enormous power of thermonuclear weapons a city would be leveled by blast, heat, and fire. Fallout would be the least of the problems facing a city under direct attack. Dr. Thomas Stonier of Manhattan College, for example, conducted an intensive and scientific study of the effects of a 20-megaton attack on Columbus Circle in New York. The Stonier study concludes that with or without shelters 6 out of 8 million people would perish within a very short period of time. Similar studies with similar results have been conducted regarding other cities. On October 1, 1962, for example, the Washington Post reported that a 20-megaton bomb dropped on the Washington Monument "would kill most if not all in a 20-mile area."

One of the major problems facing a city after an attack would be fire and firestorms.

A firestorm is caused by a fire which is so hot that it burns up all the available oxygen in the area and sucks in fresh air from its perimeter. The winds during a firestorm are of hurricane velocity and the temperature can rise to as much as 1400–2000° fahrenheit. During World War II firestorms were created by saturation bombing in Tokyo and Hamburg. There was also a firestorm in Hiroshima. According to the British Home Ministry's official report, "Earp, Deaths from Fire in Large-scale Air Attack With Special Reference to Hamburg Firestorm," cited at page 4574 of the hearings, the Hamburg firestorm covered an area of 13 square kilometers and killed at least 40,000 people in one night. People died in basement shelters which resemble the proposed fallout shelters.

Where there are firestorms, fallout shelters may very well cause more casualties than the lives they save. Dr. Thomas Stonier in his testimony before the subcommittee stated:

> If you had a population blindly rushing into fallout shelters, that would be the worst thing they could possibly do because the experience at Hamburg, again, and at Hiroshima, where many of the people saved themselves by rushing into the canals or rivers, these are the people who survived in a firestorm area. (Hearings, p. 4938).

A study of the effects of a 20-megaton ground burst on downtown Boston conducted by a group of physicians and physicists and published in the May 31, 1962, New England Journal of Medicine concluded:

> Within a circle of a radius of 16 to 21 miles second-degree burns would be produced, and clothing, houses, foliage, gasoline and so forth would ignite producing a firestorm. Human survival in this area would be practically impossible, and an estimated 2,250,000 deaths would occur in Metropolitan Boston from blast and heat alone. (Hearings, p. 4840).

Cities are particularly vulnerable to firestorms as they contain many combustibles. Fallout shelters in a city in which there is a firestorm would be infernos. As the Hamburg experience shows, the firestorm cuts off available oxygen, or the shelter becomes too hot for habitation.

It might be possible to construct shelters which could withstand firestorms, but it would be enormously expensive. A distinguished group of scientists at Columbia University estimated that in order to provide such shelters an expenditure of $254 to $302 billion would be necessary.

In addition to firestorms, an attacked city would be in severe danger from ordinary fires. Dr. William F. Schrieber of the Massachusetts Institute of Technology told the subcommittee:

> What I foresee is a series of conflagrations developing from simultaneous ignition at hundreds of thousands of points in each target area. (Hearings, p. 4569.)

Fallout shelters, of course, would not protect anyone if the building in which his shelter is located burned down. In fact, fallout shelters hinder effective firefighting as everyone would be huddling in shelters worried about fallout instead of fighting the fires.

There are those who admit that the fallout shelter program in effect writes off the cities and areas surrounding military installations, but say that it is necessary for other areas. If one looks at the location of our military installations and our cities, one finds that the remaining areas cover a small part of our country. If fallout shelters, however, are not intended to protect our cities, why do we have before us a bill which provides money, much of which will be allocated to the cities? I would consider voting for a bill which honestly faced this question. There are, however, many problems, in constructing a passive defense, which apply to both attacked and nonattacked areas.

III. THE PROBLEMS INVOLVED IN REACHING THE SHELTERS AND LIVING IN THEM INDICATE THE DUBIOUS EFFECTIVENESS OF SHELTERS

The Office of Civil Defense states that, if the bill before us today is approved, there will be 84 million shelter spaces by the end of 1964 and, if a $2.4 billion program were approved there would be 240 million spaces by the end of 5 years—hearings, page 5126 and page 5129. These figures sound impressive until they are subjected to analysis. Even these spaces are not enough and of themselves mean very little. Suppose a nuclear attack did occur, what could we expect?

The Defense Department has told us that we can expect no more than 15 minutes' notice. In the future that time may very well be reduced to 10 minutes or even 5 minutes. Once it is realized that the warning signal is not merely a trial run—that in itself may take 5 to 15 minutes—millions would head for the fallout shelters. It must be expected that thousands or even millions, depending on the height of the burst and the size of the bombs, would be blinded before they even reached a shelter. Those in the death radius of the bomb would, of course, be immediately killed. For those not in the immediate attack area the problem of reaching the shelter door would be enormous. One can just imagine the panic, confusion, and congestion which would exist. If the shelter were reached, other serious problems would have to be faced immediately.

Although a place may be marked "fallout shelter," it does not mean it will be open 24 hours a day. In fact, because shelters are presumably stocked with supplies of value, shelters are usually kept locked. This means that part of the 15-minute warning time will have to be spent looking for the person who has the key. There is no way to guarantee that that person will be able to get to the shelter door. If the shelter is opened, other problems arise.

Our population shifts in density depending on the time of day. At 12 noon downtown and shopping areas, for example, are vastly overcrowded, while suburban residential areas are far less crowded. The situation is reversed during the night. Because of this fact some shelters would be faced with the dreadful dilemma of turning people away. It is no answer to say that we will have 84 million shelter spaces by the end of 1964 or 240 million by 1968. One would need at least two shelters per person, 1 day, 1 night, to begin to meet this problem. Even this would not be sufficient because shelter spaces would not be evenly distributed. The present program calls for shelters in Federal buildings, schools, hospitals and other nonprofit institutions. We know that these buildings are not evenly distributed in all areas. In the case of schools, for example, comparatively few are located in downtown shopping areas, and in rural areas they tend to be located quite a distance from each other.

Where shelters are overcrowded, who is going to make the agonizing decision to turn people away? Who is going to control the reactions of those who have been turned away and, therefore, feel condemned to death? During the civil defense controversy in 1961 there was much talk about stocking the shelters with guns so that one could shoot his neighbor if the neighbor tried to enter the shelter or attempted to stop up the ventilation system in retaliation for being denied access.

This problem is still with us. It is not solved by community shelters. There is no getting around the fact that every shelter has food and space for only a limited number of people. If it is crowded above maximum capacity, everyone's life is endangered. School shelters, which are emphasized by the program before us today, are particularly vulnerable to overcrowding. If the attack took place during school hours, which is improbable as children spend only one-eighth of the hours in a year in school, most mothers would rush to the school to be with their children. Who is going to keep them out of the shelter? It is also expected that many people in the surrounding community would rush to the school knowing that it is the most likely place for a shelter. Who is going to keep these people out?

We must expect that some shelters would be invaded by more than can safely be housed, and therefore the lives of most of the inhabitants would be jeopardized. Or suppose that a shelter leader's decision to turn away people, especially if those turned away are related to those inside, is not accepted and a revolt ensues.

For those who manage to get into a shelter, which does not contain more people than capacity and which is not being assaulted by those who are refused entrance, the problems have just begun.

The Office of Civil Defense speaks of establishing and stocking spaces but does not consider that people would have to live in them for a long period of time. There is to date only one study under civil defense auspices on this problem. In early 1960 Dunlap Associates issued a report to OCDM which systematically investigated the problems of shelter life. The report was based on the findings of a team of scientists led by Dr. Donald Michael. The Dunlap report on how to manage a 1,000-man fallout shelter, which has been gathering dust for 3 years, indicates many of the problems consistently ignored by shelter advocates. What are some of these problems?

As the Dunlap report points out, the first concern of nearly everyone during a disaster is the welfare and safety of his family. Since almost all American families are separated during the day, a daylight attack would mean that millions of husbands, wives, and children would have to decide whether to stay in their shelters, desperate without the knowledge of their families, or attempt to leave the shelter in order to search for them. President Eisenhower reflected this attitude when he stated:

> If I was in the finest shelter in the world, all alone, with all my family somewhere else, I think I'd just walk out. I don't want to live in that kind of world.

But an attempt to leave the shelter might endanger not only those leaving but everyone else inside because of the fallout outside. Shelters could be constructed with airtight exits but at an enormous expense, and such a procedure is not contemplated by the present shelter program. The question of whether to let people leave and thus endanger those inside would confront the shelter leadership with another major ethical problem.

It must be realized that under the present program there is not even a guarantee that there would be shelter leadership. Many shelters may disintegrate as social units as various groups vie for leadership. The Dunlap report shows that, in order to run a shelter, it is imperative that there be a well-trained leader and several well-trained lieutenants. If we consider the tasks that must be accomplished to maintain the effectiveness of a shelter, this point becomes obvious. Decisions must be made, for example, concerning the rationing of space, food, water, medical supplies, and access to toilets. Babies and sick people must be taken care of. Some of the shelter occupants may very well be antisocial individuals such as drug addicts or criminals. As the normal law enforcement procedures in our society will not be available, these persons and any others who act in an antisocial manner will present a problem of great magnitude.

It is expected that many normal people will suffer from extreme anxiety, and they must be cared for. Simply cleaning up the shelter from the results of mass diarrhea and nausea, which is a commonplace response to disaster, will require firm shelter leadership and a high degree of organization.

Even if shelter leaders could be trained, nobody knows how such a leader could exert his authority without resort to force or how to guarantee that the trained leader would be able to get to his shelter during the warning period. Any shelter which found itself without such a leader and his lieutenants would be unlikely to survive. Those shelters in which there are rival factions for leadership might also fail to survive. The extreme difficulties which would inevitably arise in shelter living might very well result in many shelters succumbing to apathy or irrational violence. In many cases a social collapse would interrupt access to air, food, water, and sanitation.

For those who miraculously survive the 2 weeks in a shelter, life will be, in Hobbsian terms, "nasty, brutish, and short."

IV. THE EFFECTS OF A NUCLEAR WAR ON OUR SOCIETY AND OUR PHYSICAL ENVIRONMENT ARE SUCH THAT FEW WOULD SURVIVE WITH OR WITHOUT SHELTERS

In some areas it must be expected that the radiation level would be so high that anyone leaving the shelters would not survive. Another factor, which is not considered in civil defense discussions or in planning, is the possibility of the introduction of chemical or biological weapons 2 weeks after the initial attack. Assuming, however, that in some areas people could emerge without fear of radiation and that chemical and biological weapons were not employed—what kind of a world would the people who emerge from their shelters most likely find?

The social, political, and economic fabric of America would be ripped to shreds. Food and water would be the No. 1 problem. Even if processed food and canned water had been stored, the problem of reaching the food and distributing it would be formidable. Since most of the water and food would be stored around population centers, in order to have them nearest to those who need them, many of these storage centers would have been destroyed in the attack.

Highways would be blocked, gasoline would have been burned or exploded, and railroad tracks would have been torn up. Practically no artificial water systems would be working since water mains and dams would have been broken, and purification systems would be abandoned. Clothing and shelter would present another major problem. Most available clothing would have been burned or contaminated by fallout. Washing with water would be sufficient, but water would have also been contaminated. If people emerged from their shelters into cold weather, heat and housing would be essential, but most of the housing would have been contaminated or destroyed, and fuels would be burnt up or inaccessible. It is also quite likely that most of the face of America would be a charred wasteland.

The Atomic Energy Commission, in October 1961, estimated that a 100-megaton air burst would create a firestorm greater than the State of Vermont. With sewerage lines broken, water polluted, millions of dead unburied, and health facilities unavailable, disease would quickly reach epidemic proportions. Because shelters only provide austerity rations and those living in them would be in a state of intense anxiety for 2 weeks, when they emerged, the danger of disease would be increased further.

Could the Government be expected to restore essential services or to distribute food, clothing, shelter, and medical supplies? We live in a highly interdependent society. Transportation and communications would be severely curtailed, if they existed at all. The Government would be in chaos. Many officials would have died in the attack. Those remaining would be facing the same fantastic problems as others face, and personal survival would be their main concern. Martial law might be in effect in some areas; but with transportation, hospitals, and communications gone, few police or military organizations could enforce it.

Most Americans who managed to emerge from their shelters would not be able to survive for long for lack of the biological necessities of life.

Nuclear war would have severe effects on the physical and biological environment of our Nation. One scientist who has consistently called attention to the total effects of nuclear war is Dr. John N. Wolfe, chief of the Environmental Sciences Branch of the AEC. In a widely reported speech to a symposium on radioecology held in Fort Collins, Colo., on September 11-15, 1961, Dr. Wolfe stressed the profound effects that nuclear war would have upon our environment and the relationship of man to that environment. Dr. Wolfe stated:

> The effects of nuclear war on man and his environment are awesome to contemplate. Thermal and blast effects and concomitant radiation would create vast areas that would be useless to the survival of man. Add also fire, insect devastation and disease, and the picture in many areas becomes grim indeed.
>
> Fallout shelters in such areas seem only a means of delaying death and represent only a part of a survival plan. With an environment so completely modified the question is, where does man go after his sojourn in shelters? What does he do upon emergence?

Dr. Wolfe and others have pointed out that insects are far more resistant to radiation than birds and mammals that control the growth of the insect population. A plague of insects, therefore, would be likely in the postattack situation. Such an insect attack would affect whatever vegetation is left. In addition, the continent would be stripped of forests and crops. Flooding and erosion would be a fact of life in the postattack environment.

Dr. H. Bentley Glass, a distinguished biologist at Johns Hopkins University, has estimated that after a 7,000-megaton attack upon the United States the radioactive soil would not be able to produce edible food for 5 years. To decontaminate such soil would be impossible as workers would be killed by radiation.

Mr. Chairman, I have attempted to show that this fallout shelter program is an unrealistic response to the threat of nuclear war. It cannot prevent the destruction of our liberty and our society if such a catastrophe occurs. In fact, it may very well force an enemy to increase the severity of the attack in order to negate our civil defense efforts. By resting our hope for survival on fallout shelters, we are closing our eyes to the fact that the only real shelter is disarmament under effective international controls.

Soon we will be asked to authorize money for the Arms Control and Disarmament Agency. The fiscal year 1964 budget request of this Agency, which has the primary responsibility for the establishment of disarmament, is less than one-tenth of what we are being asked to authorize today for fallout shelters.

I suggest to my colleagues that an increase in the budget for the Arms Control and Disarmament Agency is a more realistic approach to the security of our Nation.

Mr. RANDALL. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objections to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Chairman, before the record is complete, I have asked that I may extend my remarks in support of H.R. 8200 for the reason it has been my privilege to serve as a member of the Military Operations Subcommittee of the House Committee on Government Operations. Earlier this afternoon we heard the gentleman from California [Mr. HOLIFIELD], the chairman of the committee, very eloquently describe why this bill deserves our support. You have heard him state that if just a part of our people can be given fallout protection that with the passage of time the deadliness of fallout will be diminished and that an inestimable number of lives can be saved by the fallout shelters created under H.R. 8200.

There is a long history of the work that has been done by the Military Operations Subcommittee on Civil Defense, going back to 1955. The first Civil Defense Act was passed in 1951 and was kept alive by this subcommittee. Today, appropriately, the Armed Services Committee is handling the present bill because this is a legislative matter, but I am sure every member of the Government Operations Committee has been working in a correlative way and will support this legislation today.

As you know, OCDM, or, the Office of Civilian Defense Mobilization was created in 1958. The previous administration had developed the concept of evacuation as a primary measure. No shelters were contemplated. Responsibility was shoved on to local communities and to individuals. The Eisenhower administration emphasized a sort of do-it-yourself program and encouraged the building of private or backyard shelters. It was this sort of thing that led to activities by unscrupulous contractors who came forward to make a quick dollar from the construction of these shelters. With the advent of the Kennedy administration, there was a reappraisal of this procedure. It was concluded that many individuals were throwing away their money on these high-priced, poorly constructed family structures. However, the most important change in the whole concept of civil defense came just after the Berlin crisis in 1961 when President Kennedy made the most significant advance since the first Civil Defense Act of 1951. He transferred all the functions of OCDM to the Defense Department by Executive order. This was quickly followed by a follow-up order providing for a survey in 1961 by qualified architects and engineers as to the number of available shelter spaces then in existence. This could be said to be step No. 1 under the new civil defense philosophy inaugurated after the Berlin crisis by our President. Step No. 2 is H.R. 8200 which we are considering today.

It is significant to note that before the hearings of the subcommittee of the House Committee on Armed Services which began on May 28, 1963, nearly all of the members of the committee were opposed to the fallout shelter program. After listening to more than a hundred witnesses, the subcommittee did an about-face. Opposition melted away and was then replaced by an attitude of firm belief in the fallout shelter program.

Mr. Chairman, H.R. 8200 provide Federal leadership because shelters in Federal buildings are endorsed. This has been made mandatory as to existing or new Federal buildings. The sum of $15.6 million is authorized for this purpose which it is estimated will buy 1 million spaces. In addition Federal incentive payments are authorized to States, political subdivisions and nonprofit institutions such as schools and hospitals. Although Federal payments are limited to $25 per shelter space of 10 square feet each, this program authorizes $175 million for fiscal year 1964. A very important provision is that the present statute is amended to include natural disasters. This is important in that it would remove the legal restrictions which now limit Federal civil defense assistance to war-oriented disaster preparedness and operations. This is most realistic because it recognizes the public has a right to a peacetime return for its civil defense efforts.

The bill has been accused by its opponents of doing many bad things, including its expensiveness. It should be remembered that the bill does not authorize a long-range or as was once suggested a 5-year program but covers only 1 year—fiscal year 1964. It should be further remembered it does not authorize Federal payments for blast or thermal shelters, but only for protection of people from the effects of radioactive fallout. It does not change the Office for Emergency Planning which would administer Federal disaster relief even though civil defense is progressing to include national disaster work. It does not exclude Federal assistance under related programs. For example, a hospital group could get Hill-Burton funds for hospital construction, and at the same time, Federal civil defense funds for fallout shelters in or under the hospital.

Civil defense has been attacked over the years by opponents who have called it boondoggling. They have described the program as a useless expenditure which could be better spent by putting this money into striking power. While some Members may have conducted their own private polls which they say reveal a lack of interest in civil defense and fallout shelters, it is my own conclusion from discussion with constituents in my own congressional district that there is a different public attitude today from earlier viewpoints. Many were scared by reading such books as "On the Beach" and "No Place To Hide." For awhile they believed this world might be left as only a nuclear blasted planet, lifeless and spinning on out into eternity, unmanned by a surviving human being. Subsequent studies have proved that we can and even shall survive an atomic attack even though there might be disruption of national life and many millions of casualties. With the new belief that we can survive, the present appraisal of nuclear war becomes something different from the preexisting concept.

This leads to the next logical contemplation that civil defense is in fact a weapons system; and further that it is not merely a sort of passive thing but a weapon of war and that the first nation that can prove it has the capacity to survive after an attack as an operating national entity has gained a great military advantage. For awhile there were those who thought civil defense was a sham and delusion. For awhile there was an attitude that we should assume an ostrich-like posture with our heads in the sand; a little while later it was even suggested, as you may remember, that it was sort of a cowardly thing to advocate a strong civil defense. But I believe today, there is a lot of interest in this program and that the American people in any event are not opposed to civil defense. They may be apathetic because the programs up until now were merely paper programs.

I have received a lot of literature in the past few days from groups that oppose this legislation including certain faculty groups in our universities, both on the east coast and the west coast and from certain religious organizations, all of whom are well meaning. They are all very learned people but their common denominator is simply a longing for a peaceful, disarmed world. We all share these longings but we must be realistic. No one can say that reasonable men would rather die than survive. Even though there may be those who say they do not want to endure the horror of a nuclear war, our responsibility as Members of Congress goes beyond the personal feelings of such persons.

Opponents may call fallout shelters nothing more than holes in the ground but anyone who served in World War II will remember he was mighty glad in many instances to find a foxhole or even a small depression in the earth which would afford some shelter. Then, too, all of us well remember last October during the Cuban crisis, when in those tense times we looked to the open sky and thought how lacking we were in either civil defense or adequate shelters. This crisis has passed but there may be others to come in the future. We cannot get ready for these crises when they have happened or just before they happen. The program proposed by this bill is only a beginning but we should not further postpone the beginning but act now.

I think it should be made crystal clear that no one believes a civil defense program or this fallout shelter program will be completely successful in the sense it will save all of the people or even most of the people. However, it may serve to provide for the survival of the Nation or as it has been said by someone, makes the difference between the life and death of our Nation as a whole. To put the matter otherwise and perhaps rather crudely, the aim may no longer be solely humanitarian as to individuals but also a practical objective beyond that or a utilitarian aim to preserve enough of us to run the country.

If we oppose this measure today, those who do, will take the responsibility for saying America should stand unprotected against nuclear attack. Sure this program will cost dollars and we cannot forget or be unconcerned about cost, but the chairman of my subcommittee, the gentleman from California [Mr. Holifield], has put it very well when he said, "No one has come up with a solution in the form of a cheap, folding, do-it-yourself, paste-on, easy-off, blast shelter." Admittedly, the fallout shelter program would benefit only those who survive the blast, burn, or initial radiation. Shelters are not a perfect solution but the program is a partial answer to an urgent national need and we cannot simply shudder at the thought of nuclear war or let the fiascos of the past civil defense programs be a deterrent for the passage of this bill today.

Recent Government studies have shown a large-scale nuclear attack might deny us the use of our agricultural land for months, but on the encouraging side is the fact that we do have sufficient food stock to bridge a gap of at least 9 months. These studies further show that water supply would be made available much more quickly than was once believed and that some transportation facilities could be put in operation again much sooner than was once believed possible. All of these things point not only to the possibility of survival but make it imperative to realize that measures be taken to assure our national survival. Those who are not blasted or burned could, yes, would and must carry on to rebuild if only they have the will. We have a right to believe we could expect our people to have this will.

Finally, Mr. Chairman, in spite of a recent national magazine article that refers to so many things as "pork barrel," these shelters certainly do not fall in that category. Instead, these shelters are really a military necessity and if no other way is found to finance these shelters they should be made a part of the military budget. Regardless of the test ban treaty, it is a known fact the Soviet Union is stepping up its own civil defense program and now that our own studies have shown the possibility of survival for nuclear war, it is imperative that we take a step by the passage of H.R. 8200 to assure our survival as a nation.

Mr. ALBERT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Chairman, I know I express the feelings of every Member of the House when I say that the distinguished chairman of the Committee on Armed Services, the gentleman from Georgia [Mr. Vinson], and the distinguished chairman of the subcommittee, the gentleman from Louisiana [Mr. Hébert], have performed a great service to the House and the country in bringing this legislation to the floor. They and their colleagues on the committee deserve the commendation of us all for the thorough and effective job they have done.

Mr. Chairman, I would also be remiss if I did not repeat what has been said here many times today, that the Assistant Secretary of Defense, the Honorable Steuart Pittman, has done a sincere and dedicated job, rarely seen in or out of Government, in laying the groundwork necessary to point up the importance of this legislation. He has assembled and presented unassailable facts and reasons for its enactment. He has given the matter of civil defense in this thermonuclear age a new promise of success. His work has been tireless. He has been unyielding both to frustrations and to opposition. He is a great public servant.

Mr. Chairman, the arguments which have been made here leave no doubt of the complete interdependency of the military and the civil defense in building realistic, effective protective readiness for this Nation.

The Congress of the United States and the Federal Government have dragged their feet too long in establishing a meaningful program to develop adequate fallout shelter space for our Nation.

This is not the time for vacillation or timidity, for second-guessing or the nurturing of moral qualms. Mr. Chairman, now is the time to fish or cut bait.

This is not a handout. By no stretch of the imagination can it be construed as one. It is an austere program over which the Congress has abundant control. It is a product of the disciplined planning of the Defense Department and the wise congressional overseers of the Committee on Armed Services. Since this program has been brought into the Department of Defense, fallout shelter space has been located for over 100 million Americans.

Today, one of the gravest perils to the United States—and to all nations—is the possibility of nuclear warfare. Hopefully, this possibility is remote.

But may I remind you that so long as the destiny of the world is controlled by men, the danger of war will remain with us.

We cannot look at this fact and then back away from it, saying that there is nothing we can do, especially when expert testimony has demonstrated that fallout shelters do offer a prime means of survival for the Nation.

This bill is supported by a great cross section of thinking Americans—businessmen, scientists, our senior military officers, and the clergy. It is not defeatist. The thinking behind it does not accept the inevitability of war. On the contrary, building fallout shelters will buttress our powerful weapons systems. A nation not in danger of being brought to its knees through annihilation of its people is, by this fact alone, a more powerful adversary, a Colossus which the hostile world could never topple.

Mr. Chairman, the people of our country are looking to us for leadership. We have procrastinated too long.

We cannot avoid this responsibility.

We must pass H.R. 8200.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. Hébert] to close the debate.

Mr. HÉBERT. Mr. Chairman, there is nothing that can be added to what has already been said. I am sure the points have been well presented and the question is understood.

Therefore, Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. O'NEILL, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill, H.R. 8200, to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes, pursuant to House Resolution 512, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. FOREMAN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. FOREMAN. I am, Mr. Speaker, in its present form.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. FOREMAN moves to recommit the bill (H.R. 8200) to the Committee on Armed Services with instructions to report it back forthwith with the following amendment: On page 4, line 3, Shelter Financing, strike out all of section 207 down through page 8, line 3.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken, and on a division (demanded by Mr. FOREMAN) there were—ayes 67, noes 172.

Mr. FOREMAN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

So the bill was passed.

A motion to reconsider was laid on the table.

Mr. ROYBAL. Mr. Chairman, the city of Los Angeles has virtually abandoned its civil defense program. The Director of Civil Defense has been instructed not to request any material or equipment furnished by the Federal Government, and I must confess that, as a prime target in case of nuclear war, Los Angeles would have practically no chance of escaping total destruction—with or without civil defense preparation.

As a Representative of the people of Los Angeles, therefore, I hope that the House will have an opportunity before the end of the current session to reconsider its voice-vote approval of the $190.6 million fallout shelter construction program.

As with many Federal programs, I am afraid that once it starts, even though it may originally be on a rather modest scale, the program will blossom and grow with little or no effective restraint.

In fact, according to official estimates of the Office of Civil Defense, the current $190.6 million program is to be the initial request of a 5-year program costing over $2.1 billion.

Past civil defense programs have been riddled with charges of waste; the strategic materials program has resulted in the purchase of millions upon millions of dollars of items far in excess of our real requirements; and the problem of technical obsolescence renders almost any civil defense program out of date before it is completed. Even after spending billions on such a program, we may well find ourselves with a thermonuclear age Maginot Line—of virtually no use in protecting our people from advanced weapons.

It is extremely interesting to note the comments on this subject made by Mr. Hanson Baldwin, senior military editor and analyst for the New York Times, writing in the Saturday Evening Post of March 31, 1962:

> Civil defense planners are confronted with the nearly insoluble problem of technical obsolescence. The programs of yesterday are of limited usefulness today; today's shelters may not be worth the cost of tearing them down tomorrow. In an age when the offensive has such a great advantage over the defensive, the enemy can easily nullify all except the most elaborate and expensive attempts to provide passive protection.

It seems to me, therefore, from a practical standpoint, that it is foolish and wasteful to enter into a huge, expensive, longe-range program of fallout shelter construction that will probably never do the job it was intended to do. We will be hiding behind a false protector and deluding ourselves that we are safe against the horrors of atomic war.

Moreover, it seems to me that, at the very time the Senate is considering the limited nuclear test ban treaty as a first step away from war, it is most inappropriate for Congress to be considering a program based on the proposition that the treaty has already failed and we must prepare ourselves for the worst.

By passing this shelter program we are unmistakably demonstrating our lack of faith in the nuclear test ban, and putting a real damper on the spirit of relaxed tension that has recently given us some measure of hope that a way can be found out of the spiraling and costly nuclear arms race.

Perhaps more than anything else, however, this fallout shelter program represents a defeatist, defensive, underground, ostrich-like viewpoint at a time in our history when, above all, we need a positive, constructive, and realistic approach to world problems.

Instead of retreating into a protective shell, we should be looking outward for every opportunity to bridge the communications gap and establish the firm basis of a secure and lasting peace.

In my opinion, this basis cannot be found in a fearful, subterranean defense posture, but rather in a willingness to explore every avenue of possible agreement with other nations of the world—and particularly, a willingness to go that extra mile, and take that extra step in the direction of peace.

For these reasons, I hope the House has an opportunity to reconsider its voice vote on the fallout shelter program, and that it will use that opportunity in a more positive expression of the American people's desire for a better world in which to live.

GENERAL LEAVE TO EXTEND REMARKS

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

ST. CLAIR COUNTY SOIL AND WATER CONSERVATION DISTRICT—25 YEARS OF PROGRESS

Mr. PRICE. Mr. Speaker, I ask unanimous consent for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, farmers, conservation leaders, and numerous cooperating organizations can be justly proud of the conservation achievements in the St. Clair County Soil and Water Conservation District. This district, organized 25 years ago, has made outstanding progress in the field of soil and water conservation and is a unique example of successful Federal-State-local cooperation. The conservation program in St. Clair County has provided a means of insuring local direction and leadership in pursuing conservation practices that have been responsive to the needs and desires of our own communities.

Since the district was organized a quarter century ago more than 1,000 cooperators have been approved for participation in the program. Currently there are about 861 active cooperators. During this 25-year period 887 basic conservation plans have been prepared for operation of the farms of the local district of which 688 are currently active. The achievements in connection with 20 or more major conservation practices pursued to implement these basic plans on the farms of the district have been most impressive.

Among the leading projects pursued in St. Clair County, the Hog River-Pig Creek watershed project is of particular significance during the past year. This project, cosponsored by the local conservation district, the city of Mascoutah, and the Mascoutah Surface Water Protection District, is intended to solve problems of floodwater and drainage damage to more than 2,000 acres of cropland, 65 acres of grassland, and 818 acres of urban and miscellaneous land. The cost of conservation work required on these lands is estimated at about $582,000—$369,000 Federal and $213,000 non-Federal. The project scheduled for completion in fiscal year 1964, was about half completed during 1962. Reports indicate that the partially completed work has been effective in dealing with the water problem in the area and that there is reason to believe that the completed project will give the protection desired.

It is encouraging to observe the continued interest in farm conservation planning in the St. Clair County district. It appears that it is becoming more and more difficult to work out plans with farmowners and tenants because of the changing character of agriculture in the area. Recent census data indicate that St. Clair County has changed from a predominantly dairy-wheat type of farming to a corn-soybean-hog producing area. This change in land use has necessitated an increase in terracing, grass waterways and structures to try to handle this more intensive cropping. Incentive payments made under provisions of the agricultural conservation program have speeded up application of soil and water conservation practices. Many farmers have been encouraged to move ahead of their program by these payments. This program, in cooperation with the technical assistance provided by the Soil Conservation Service, has done an outstanding job in the area.

Achievements of the conservation program in the St. Clair County Soil and Water Conservation District confirm once more that the soil conservation district program is a great success. It is a fulfillment of the belief and hopes of those who 25 years ago saw in soil conservation districts a great new opportunity for democratic action in the best traditions of our democracy.

NUCLEAR TEST BAN TREATY

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, under the Constitution, the U.S. Senate has the responsibility for ratification of treaties. This, of course, does not ban comment and discussion on the question of ratification of a particular treaty by the general public or by the House of Representatives. Indeed, there is an obligation on the part of the public and Members of the House of Representatives to speak out on the subject if it is of sufficient importance and one feels that a contribution can be made in moving the debate forward.

Certainly the proposed nuclear test ban treaty being considered by the Senate has become the symbol of an important and very basic issue to our people, a step toward world peace. If the proposed treaty itself does not warrant this symbol, it is very important that our people understand that the symbol itself, a step toward peace, is not being rejected, but rather something falsely marketed under that fine label is being rejected.

President Kennedy has asked for forthright debate on the issue, a ratification of the treaty, but at the very same time he asked for forthright debate he and those who decided, in camera, to support ratification fouled up the rules of fair debate by begging the basic question. The question is: Is ratification of this treaty a step toward world peace, however small? Let us discuss the question.

The arguments of those opposing ratification of the treaty which have been reported to the people, subtly though unintentionally, help to further conceal the fact that the basic question has not been debated.

These arguments have as their basic theme that ratification of this treaty is dangerous to our national defense. Hence there is the overtone of acceptance of the administration's unsupported contention that the treaty is a step toward peace.

I certainly believe that the secondary question of whether we should take the risk to our national defense of a small step toward world peace needs serious debate once the premise that it is a step toward peace were established; and I commend those who manfully are trying to conduct such a debate in the atmosphere of such heavy emotional odds against them, stemming from the strong feeling our people, or any humane people, have to take risks for even a small step toward peace.

I have written a letter to my people who have been writing to me on this important subject. I seek to meet the basic question, not beg it. Is the proposed nuclear test ban treaty really a small step toward peace? Or is it really a step away from peace? A step back toward ignorance, fear, and irrationality? I believe a calm examination of the treaty in full context of the state of world's scientific knowledge reveals that it is a step backward from peace. It is a step away from honest search for the truth. A step toward peace only comes from a step toward justice, as best we can define it. And progress toward a better understanding of justice comes only from search for truth.

I am setting out this letter for whatever value it may be in furthering debate on this matter. I am also setting out a very fine editorial appearing in the Friday, September 13, 1963, St. Louis Globe-Democrat entitled "If I Were a Senator." As one can see from reading the editorial it follows a different theme from that of my letter, the secondary theme which accepts the premise, but then asks is it worth the risk. It is cogently put. It too moves the debate forward.

Is it indeed too much to ask the President and those who follow his philosophy on this important matter to abide by the rules of fair debate? Debate the basic question. Do not beg it.

IF I WERE A SENATOR

The conscience of the Nation is on the 100 U.S. Senators as they prepare to take the most fateful vote of this decade on the nuclear test ban treaty.

Each Senator must look deep into his own heart and mind in determining his vote. Each thoughtful citizen must decide what he would do "If I were Senator," and should communicate these views to his Senator.

Supporters of the treaty include former Presidents Eisenhower and Truman, Director John McCone of the Central Intelligence Agency, some members of the Joint Chiefs of Staff—with reservations—and a number of leading Senators, though chiefly those generally associated with Kennedy administration policies.

Opponents include Dr. Edward Teller—our most knowledgeable scientist in this field and one whose previous predictions have unfailingly been correct—a number of military leaders now retired and not under the thumb of the President, including Adm. Arleigh Burke and Adm. Lewis Strauss, former chairman of the Atomic Energy Commission, and General Power of the Strategic Air Command, and the two most knowledgeable Senators in this field, Senator Russell of Georgia and Senator Stennis of Mississippi.

The chief argument for the treaty is that it will be a first step toward reduction of nuclear tensions. We concur in this only to a superficial extent.

The treaty itself is a triumph of Madison Avenue techniques, whereby dozens of nations—including many whose main offensive potential is throwing coconuts at each other—have agreed not to build nuclear weapons, whereas the two actual, or potential, members of the nuclear group—France and Communist China—have made no such commitment.

It is very easy for nations to forgo things which they have never had and have no possibility of obtaining.

The proponents also state that rejecting the treaty would put us in a bad light in world opinion. For what it is worth, this is probably true—though not nearly so bad a light as if the world were eventually lost for lack of U.S. strength.

If we now reject the treaty, we unquestionably shall be accused of being warmongers. This is a dreadful position for President Kennedy to have placed us in, in the first place. Yet, we are there.

Air Force General LeMay, for example, states that he would oppose the treaty if we were not already committed to it by our President.

These, then, are the most substantive arguments made for the treaty. No proponent has yet said that it will add strength to America.

It has only been a question of how much it will subtract, and whether the political considerations of the subtraction of strength will outweigh the very real disadvantages of this loss of present and future deterrent power.

Against the treaty is, first, the fact that the Russians undoubtedly will cheat on this treaty, as they have in everything else throughout the entire history of the Bolshevik regime. No one seriously believes that they will, this once, keep faith.

This pact allows the Russians to progress in those areas where we lead—and restrains us in fields where they lead, because we have always kept the sancity of treaties.

Further, there is the deep-seated conviction—despite disclaimers—that there are more to these negotiations than meet the eye.

The continuing suspicion of a deal involving a nonaggression pact and recognition of the satellites of Eastern Europe, and especially East Germany, which would cut the heart out of the pledges we have made from the very beginning of World War II for the self-determination of people, and for liberty and freedom of the captive nations, persist despite disclaimers.

Of equal importance is the great suspicion that this treaty may be not so much the first step toward peace, but the first step toward disarmament as planned by the misty-eyed dreamers and unrealists of the Kennedy palace guard, who are convinced that the future of the United States lies not in strength—as the lessons of history have taught us—but in getting away from deterrent strength, which they term provocative, down to a level of assumed weakness with the Russians.

This effort to buy peace by trying to appease the unappeasable, and satiate the insatiable, has failed every time we have ever tried it—starting with Teheran and Yalta up to the very present moment.

The Kennedy administration is trying to sell the treaty on the basis that its weaknesses are compensated by the political gains made. We could agree if any political gains—other than ephemeral world opinion, for which the Russians themselves have never striven—were apparent.

For example, if—as a collateral of this treaty—the Russians would honor their pledge to withdraw their weapons, technicians and armed forces from Cuba, or tear down the Berlin wall, or cease their provocations in southeast Asia or their subversion of peaceful governments throughout the world, then we could easily understand that the risks involved in this treaty would be compensated by the real gains toward eventual world peace and disarmament in good faith, consonant with security.

Not a single shred of evidence points to this conclusion.

On balance, we think the treaty is dangerous for the United States, in that the loss of strength is very real—and the gains, outside the will-o'-the-wisp of world opinion, are undiscernible.

At the very least, the treaty raises a reasonable doubt, on the basis of learned testimony, as to its value. Reasonable doubts of this sort should be resolved in favor of strength and safety for America, not possibly reckless gambling with our future.

World opinion is the most overrated commodity today. We have spent over $100 billions essentially to build a favorable climate of world opinion for us—and we are universally mistrusted, our motives scorned.

World opinion follows the strong and the correct—not the weak and vacillating.

Every lesson of history has taught us that only the strong remain free. Yet, this treaty panders to weakness and abjures strength.

It breeds suspicion of the future, not confidence.

It leads us down the road to accommodation, with its dangerous pitfalls of being caught unprepared and unwary, without any compensating advantages to the United States and to those—whatever they may say today—who have owed, and will continue to owe, their survival to one factor, and one factor alone, the ability of the United States to deter aggression.

For all these reasons—acknowledging the good intentions of those who think otherwise—we urge the Senate to reject the treaty until such time as Russian commitments to peace are more meaningful and more realistic, in the light of past performances and future hopes.

DEAR CONSTITUENT: Thank you for your communications regarding the nuclear test ban treaty among the United States, the Soviet Union, and Great Britain. This proposal provides: "Each of the parties to this treaty undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion, at any place under its jurisdiction or control in the atmosphere, beyond its limits, including outer space; or underwater; including territorial waters or high seas; or in any other environment if such explosion causes radioactive debris to be present outside the territorial limits of the state under whose jurisdiction or control such explosion is conducted."

Because of the number of letters which I have received on the subject of this treaty, and because of the importance of this issue, I am resorting to a mimeographed reply to your communications. I hope that you will excuse this, but since it is my desire to fully answer all the questions asked of me on this subject, this type of response is the best way to say more to more people.

Let me say at the outset of this discussion that the impact of my opinion upon the final outcome of the treaty is greatly limited due to the fact that its ratification rests solely with the Senate. This, however, in no way lessens my concern over this issue, nor does it reduce my determination to do all I can to influence my colleagues in the Senate.

Turning to the nuclear test ban treaty itself, I believe that it is important to consider this issue in its proper perspective. Nuclear power can be good or bad, depending on how it is used. Not only does it pose a threat of mass annihilation, but also it holds the promise for further peaceful technological development. By channeling the power of nuclear explosives into civilian and industrial areas, it could be used for the creation of harbors and sealevel canals at much less expense. For example, if a second Panama Canal were built by a nuclear explosion rather than by conventional methods of earth moving, it has been estimated that something like $8 billion could be saved. Also it has a bearing on space, underwater, and other propulsion. It has a bearing on medical and botanical advancements. We cannot get around the fact that space utilization requires maximum energy releases and nuclear explosions are the method through which maximum energy releases can be produced—and produced most cheaply. Further, plowshare explosions which can be so useful on earth, if we can learn to make them clean, may be required for the building of stations on the moon. Is it not self-evident that to establish anything like a useful environment on the moon a great deal of earth moving will be necessary? Hence, we would have to transport vast amounts of energy into space, which would be impossible unless we can package the energy into minimum weights. Again, the nuclear explosive provides the solution.

All of this speculation is dependent on the continuance of our nuclear testing. We have already produced the raw explosion, the uncontrolled explosion, the explosion dangerous to mankind. Now, we must learn to refine and control this phenomena which can be so wonderful, if only we will let it be. Only by further developing our knowledge of nuclear explosives will we be able to produce a so-called clean explosion—that is, a nuclear explosion which does not produce deleterious fallout. The test ban treaty threatens to end our partial improvements and achievements toward this end. As Dr. John Wheeler said: "It will prevent us from developing a technology of pure hydrogen devices free of fission fallout." We must let the scientists continue their experimentation, not only in the laboratory but also in the field of nuclear testing. The basic threat to mankind is nuclear war with dirty bombs not nuclear testing. The real threat, nuclear annihilation, comes from the potential fallout of all the dirty bombs that Russia and the United States now possess in their stockpiles. These stockpiles will not be dissipated by a lopsided, cheatprone, illusory nuclear test ban treaty. Indeed, a test ban of this sort would prevent us from developing the more efficient weapon which would not cause damage to the innocent bystander. The loopholes only would increase the threat to America and her free world allies.

While this is my main reason for rejecting the present treaty, it is supplemented by several other concrete arguments. Nuclear weaponry is a new science which needs further refinement. Although war, if it should ever come, can never be made humane, it can be made less inhumane if nuclear testing is allowed to proceed so that nuclear weapons which might be used will affect only the intended target, not innocent civilians or the personnel using the weapon. This is particularly true in the case of the defensive nuclear weapons, those designed to shoot down the enemy's nuclear missiles. We certainly want no fallout from our antimissile missiles which perforce will operate close to our own lands and so hurt the very people they seek to protect. In addition we have to consider whether Russia can be trusted to live up to any treaty let alone a nuclear test ban treaty which involves the very survival of nations. It must be pointed out that the United States has gradually reduced its demands for on-site inspections from 20 to 8–10 to 3, and now the present treaty requires no control posts, no on-site inspection, with no international body doing the checking. In other words, we are considering entering into an agreement with the Soviet Union which seems to have no adequate policing or controls. Dr. Edward Teller's words must be considered, even though we may end up going against his advice. He says of this proposed treaty that "such a ban would be virtually unpoliced. It would endanger our security and would help the Soviet Union in its plan to conquer the world. The test ban would prevent vital improvements of our atomic explosives. The test ban will not interfere with Russian progress. It may endanger the NATO alliance."

Experience should teach us that the Communists will enter no agreement which does not give them a net advantage in their unremitting campaign to destroy the non-Communist world.

These reasons, therefore, are the basis of my stand against the proposed nuclear test ban treaty. With further development we would be able to produce clean, nuclear propulsive and explosive power which would enable us to employ this newly discovered power for the peaceful advancement of mankind. It also would enable us to make a horrible weapon much less horrible. Instead of killing millions upon millions of innocent bystanders, the nuclear weapons without deleterious fallout could be confined to a much smaller area and affect fewer people. Scientific advancement cannot be made in the academic laboratories alone. There is only one way to snatch bits of truth from the dark and boundless abyss of the unknown and that is by patient, intelligent trial and error-testing, checking, and then testing again and again and again. The treaty, far from making the world safer by attempting to put a cap on the status of human knowledge actually is preventing the world from gaining the knowledge necessary to use nuclear power safely. If we are to forgo the benefits of advancing scientific knowledge in this important area on the assumption that this will lessen the chance of a nuclear war with the terrible dirty bombs the Soviet and we presently possess by a test ban agreement, I would recommend strongly that it be only with greater controls and inspection systems which will prevent our nuclear advantages from being lost, thus becoming "second best." We have before us now an unpoliced and inadequate treaty which works to the benefit of the Soviet Union and threatens our security. It is a drastic, unimaginative, somewhat cowardly step backward in mankind's search for truth and, yes, peace, instead of an important first step forward.

Finally, as to peace itself. Peace only comes through working in the hearts of men not with the great forces of the inanimate

> world. Whether men kill each other with spears, arrows, bullets, TNT, Torpex, or nuclear bombs it is death and destruction to those who die. Real peace can only come through pursuit of justice and justice can only be found through an unsullied search for truth. If we would write peace treaties, write treaties around new and advanced principles of justice, not banning forces that in themselves are neither good nor bad. Fire is bad if it burns a home and destroys people. It is good if it cooks food and keeps us warm. Explosive forces are bad if they are used to kill and main people but good if used to propel ships and planes to bring people closer. Let's don't attack search for truth in the guise of seeking peace, let's attack the real villain, inhumanity, and if this battle is won, peace will be the prize.
>
> With best wishes.
>
> Sincerely,
>
> THOMAS B. CURTIS.

POLICE DESERVE COMMENDATION

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, I would like to take this time to offer my personal commendation to the Capitol Hill and Metropolitan police who were present last week at the hearings of the House Committee on Un-American Activities and preserved order. They showed great restraint in the face of contemptuous, offensive conduct and deserve our sincere thanks. They were attacked, cursed, and abused in every manner but in the face of this they were calm, deliberate, and decisive.

By no stretch of the imagination could the unkempt, beatnik type youth who rioted in the caucus room of the Cannon House Office Building be called typical college youth. To use contemporary terminology, the best thing that could be said about them was that they were "offbeat." A number of the youth were ordered expelled from the hearings by our chairman, the gentleman from Louisiana [Mr. WILLIS]. In defiance of these orders and the uniformed symbol of law and order, the policemen who were present, many resisted with verbal abuse and physical assault. I doubt that many red-blooded Americans would have used the same restraint exercised by these fine police officers under the same circumstances. The patriotism of these so-called students is best exemplified by their applause when a Communist propaganda film showed an American plane being shot down over South Vietnam. During the rioting, the off-beat sympathizers shouted "What's wrong with communism?" and "there's more freedom in Cuba than Louisiana."

Dispassionately and objectively, the policemen dispersed the rioting, ejected the hecklers, and restored order. This is the American way of doing things and the charges that we will undoubtedly read in the Communist Daily Worker and other far left publications of "police brutality," Fascist tactics" and so forth will have absolutely no basis in fact.

In its usual manner the Washington Post tinted their account of the melee to give the benefit of the doubt to the unruly students. The subheadings read "Student, Police Clash at Hill Quiz" and "Youths Dragged from Hearing on Cuban Tour." Their slanted version certainly did an injustice to the policemen on duty that day.

It is no secret that one of the strategems of the Communists in the country is to discredit the FBI, internal security laws, and the police whenever it can be done. Unfortunately, they are joined by a great number of civil liberties groups who are silent when gallant police officers are shot in the line of duty, such as Sgt. Peter Voto and Gary Tedesco, at Lodi, N.J., on August 27, 1963, but cry "police brutality" if the policemen use necessary means to defend themselves.

For example, on August 29, New York City Police Lt. Thomas Quinn, a 53-year-old veteran and father of two children, led a police raid into a room in the Manhattan Hotel in New York City on a tip that Frank Falco, 25, a major suspect in the slaying of Sergeant Voto and patrolman Tedesco 2 days before, was hiding out in the hotel. Falco was also wanted for the murder last month of Robert Munos, 19, whose body was found in the East River and Falco's criminal record showed convictions for third degree robbery and arrests for felonious assault and simple assault. As the story is reported, Lieutenant Quinn, with gun in hand, awakened the sleeping Falco who fought the police. Falco was shot to death in the ensuing struggle.

The New York Civil Liberties Union called Falco's death—

> An example of police employing standards not unlike a Ku Klux Klan lynching party when they get their hands on a so-called cop killer.

As the reputable newsletter Counterattack puts it—

> The police are citizens of the United States too and have rights the same as anyone of us. They are paid to keep law and order and to protect our society from lawbreakers but that does not presuppose that they therefore give up all their rights to protect themselves too.

I for one am glad that the overwhelming majority of police officers in this country act in the same responsible manner as did the Capitol Hill Police and the Metropolitan Police in maintaining law and order at the September 12 and 13 hearings. Too few of us take the time to commend them for their fine work. Of course, it can be said that it is their job and they should do no less but we should also realize that the vexing nature of their work calls for more than ordinary conduct in the face of taunts, jeers, profanity, and assault.

THE VICIOUS KILLING OF FOUR LITTLE GIRLS IN BIRMINGHAM, ALA.

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I rise to express the shock I felt, which I know is shared by all Americans, at the vicious killing of four little girls in Birmingham, Ala. It is imperative that the perpetrators of this outrage be brought to justice with all possible speed. In addition, as the President reiterated so eloquently yesterday, it is necessary that steps be taken to assure racial justice throughout the country, so that tragedies like that in Birmingham will never again occur. This must be done if inflamed emotions are to subside and a terrible bloodletting is to be avoided. In addition, the public officials of the city of Birmingham, the State of Alabama, and all other areas where heinous acts of intimidation are commonplace, must tell the extremists of their constituencies in no uncertain terms that acts of violence and terror will be dealt with with the greatest possible firmness. The responsibility of certain of these officials for an inflamed situation which encourages the actions of depraved fanatics cannot be overlooked.

I hope that this tragedy will serve to remind Alabamans and all Americans of the need for the proposed civil rights legislation, so that equal rights for all Americans will become a reality, and the violence and despair engendered by the present situation will pass away forever.

THE VICIOUS KILLING OF FOUR LITTLE GIRLS IN BIRMINGHAM, ALA.

Mr. LINDSAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LINDSAY. Mr. Speaker, the bombing that took place in Birmingham last Sunday wantonly and brutally killing four children, ought to shake the conscience of America to its "root pins."

If it has been unclear to some that the country must take hold of this unsolved problem and resolve it according to basic principles stated in the Declaration of Independence and in the Constitution of the United States, it should be clear enough now. There is nothing that we legislators in Washington can say or do that will bring these little children back or that will wash away the stain of blood. But we as legislators can do our appointed task with fresh determination and conviction.

That task is to draft a proper civil rights bill that is nationwide in scope and that calls upon all Americans, through our constituted Federal Government, to respect the equal protection of the laws and the full mandate of the 13th, 14th, and 15th amendments to the Constitution. I call upon the Congress to act on legislation and to stop fiddling while the country burns.

I call upon the U.S. Department of Justice to multiply its efforts 100-fold to uncover the facts surrounding this crime and to bring to justice the persons who committed it. But no FBI technique is needed to tell us that this crime weighs heavily on the conscience of every American and that the tears shed by the fathers and mothers, brothers and sisters of these little children are shed for all of us.

Mr. Speaker, we have done little enough in this Congress; let us at least, in this area of primary importance, accomplish what we have set out to do. We live under a body of laws, and we are governed by these laws and not by men. The law must be adjusted to put an end to daily humiliation and to guarantee equal opportunity for our citizens in all facets of American life. If we fail in this we fail altogether.

CASTRO AND COMMUNISM IN CUBA

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, we are all agreed that the screws must be tightened on Castro and communism in Cuba if we are to rid this Nation and this hemisphere of the curse and threat of communism so close to our shores.

You will recall that on Thursday last I advised the House of the resolutions adopted by the 45th Annual National Convention of the American Legion meeting in Miami Beach, Fla., proposing that our Government take stronger action than we are now taking toward strangling Castro and communism in Cuba. One of the actions which the American Legion convention recommended and which I was privileged to suggest to the foreign relations committee of the American Legion was that we tighten the restraints on shipping now serving Castro and Cuba and bar U.S. ports to ships and ship captains who have transported passengers, cargo, or both, to or between Cuban ports and to ships of ship proprietors who or which have caused any ship to serve Cuba. I gave notice on Thursday last that I would introduce on Monday legislation to accomplish these recommendations of the American Legion.

On account of the death of our distinguished colleague, Mr. Leon Gavin of Pennsylvania, I was not able to introduce the bill to effectuate such end yesterday. I do so today and commend this proposal for the thoughtful consideration of the President, the Secretary of State, and the Congress and the country. My bill which I have offered today provides as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) it shall be unlawful for all vessels owned by any individual, company, corporation, or other association (American or foreign) owning any vessel used for the transportation of persons or property to or from, or between points within, Cuba (other than United States installations in Cuba), during any period when Cuba is Communist-dominated, to enter any port of the United States at any time; (b) it shall be unlawful for any vessel which has been used for the transportation of persons or property to or from, or between points within, Cuba (other than United States installations in Cuba), during any period when Cuba is Communist-dominated, to enter any port of the United States at any time. Any vessel which enters a port of the United States in violation of this subsection shall be subject to a penalty of not more than $100,000, which penalty shall be a lien upon the vessel and such vessel may be libeled therefor in any district court of the United States within the jurisdiction of which the vessel may be found.

(c) For the purposes of subsections (a) and (b) of this section, Cuba shall be deemed to be Communist-dominated from the effective date of this Act until the date of publication in the Federal Register of a proclamation issued by the President of the United States stating that Cuba is not Communist-dominated.

Sec. 2. It shall be unlawful for any individual who acts or has acted as master of any vessel described in the first section of this Act to act as master of any vessel entering a port of the United States. Whoever violates this section shall be fined not more than $10,000, or imprisoned not more than 1 year, or both.

Sec. 3. The foregoing provisions of this Act shall take effect as of the thirtieth day following the date of enactment of this Act.

HOWARD JOHNSON ON RELIEF—ARA RIDES HERD AGAIN

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the Area Redevelopment Administration on September 15, 1963, announced a new industrial loan of $2,275,000 toward building a motel in Carolina, Puerto Rico. This continued the disregard of the expressed intent of Congress that has been evidenced many times by that administration prior to this.

This loan, representing 40 percent of the project cost, is to the Howard Johnson Motor Lodge, Inc., an organization which is building motels and restaurants all over the country without any Government assistance. To the best of my knowledge, it has had no credit problems and has shown no signs of bashfulness in establishing itself in any spot where the tourist dollar beckons. This is a classic example of the Area Redevelopment Administration's willingness to ignore the expressed intent of Congress regarding the operation of the depressed areas program.

The Senate Banking and Currency Committee in its report on the proposed new ARA authorization bill, S. 1163, issued a warning to the Area Redevelopment Administration to go slow on loans to motels, hotels, and similar tourist facilities. The House Banking and Currency Committee, when it considered S. 1163, was emphatic in its majority report when it stated that "considerable doubt" had been raised about motel projects and the House committee by its action cut off all future loans to hotels, motels, and nursing homes.

Why should the American taxpayers subsidize Howard Johnson's at a low 4-percent interest rate in an island economy featured already by tax concessions to lure business? If Puerto Rico qualifies for area redevelopment aid, there can be no objection to a sound program that will provide the maximum number of jobs. There must certainly be far more worthy projects for Puerto Rico. If not, this could be a deliberate attempt to get rid of present appropriated funds so that the agency can cry about its need.

Only a short time ago ARA provided an industrial loan for an expanded clay plant totaling $670,000 in Rio Piedras, P.R. The agency estimated that 2,051 indirect and direct jobs would be promoted. This is at a rate of $802 per job in terms of the Federal contribution, since the ARA loan amounts to 40.7 percent of total cost. Yet this new motel project would create only 300 jobs at a rate of $16,021 per job in terms of the Federal contribution.

This is not only ridiculous economics, it flies in the face of clear congressional directive. In the Senate report the committee specifically states that motel loans should not exceed the cost per job of other types of projects assisted. This ARA loan multiplies the cost 20 times the cost of other jobs in Puerto Rico. The Senate committee also stated that a higher Federal cost ratio would only be justified in a case where tourism had not previously been important to the area. Who can maintain that tourism has not been important to Puerto Rico?

This action on the part of the Area Redevelopment Administration betrays the position of the Kennedy administration. It indicates that the provision striking out hotels and motels in the new House version of the Senate bill, which was put in as a sop to critics and to avoid the civil rights question on public accommodations, is dead. The administration obviously expects it to be dropped in any conference between the House and the Senate.

In fact, if you take the majority report's interpretation of the motel amendment, even passage of this provision would be meaningless. According to the majority report, the amendment "does not, of course, apply retroactively, to interfere with the completion of any such facility for which the ARA has already received an application." In other words, as long as an application is in, regardless of approval, the ARA is free to work its will. In light of this inexcusable "tourist" motel project in Puerto Rico, the next 2 years will be no vacation for the American taxpayer.

WE SHOULD SHARE NUCLEAR ARMS WITH OUR ALLIES

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. FINDLEY. Mr. Speaker, if I were a Member of the Senate, I would oppose the test ban treaty in its present form. My negative attitude is shared by many of my colleagues in the House. Some of them are speaking up, but others, for a variety of reasons, tell me they feel they should be silent at this time.

In fact, based on my survey, I predict the treaty would be rejected if ratification were up to the House instead of the Senate.

For several reasons, I consider it to be against the interests of the United States.

No. 1. A total ban on atmospheric testing is not necessary in order to safeguard public health.

Normal decay of radioactive fallout in the atmosphere is sufficient to permit adequate testing—for both military and peaceful purposes—by the world's leading powers.

No. 2. The treaty will impede development and application of nuclear power for peaceful purposes.

Peaceful uses have been almost completely neglected in the test ban debate. The potential for good is impressive. Up to now, we have had but a glimpse of the wonderful ways in which nuclear power can benefit mankind in a nonmilitary way.

For example, nuclear explosive can be useful in excavation, propulsion, space and weather activities, in medical and botanical advancement.

In a sense we are today at the primitive level in nuclear development. We have produced raw or "dirty" explosions. Vast research, experimentation, and testing are needed to refine this power.

The treaty would retard this refinement, if not prevent it altogether. It would block many peaceful uses.

No. 3. The treaty is a military disadvantage to the United States. Expert opinion on this point differs, but enough of our top military leaders have spoken out to give us cause for grave concern over the military implications. Why take a chance? Certainly, there has been no showing that the test ban treaty will improve our military position.

If I could believe it is a step, however small, away from nuclear catastrophe, I would certainly support it in every way possible. Dr. Edward Teller, father of the H-bomb, has expressed eloquently my own concern. He feels as I do that it may actually move us closer to war. It will weaken our military position and tend to invite Soviet aggression.

No treaty is worth any more than the character of the signatories. The Soviet Union without warning broke the longstanding moratorium on atmospheric testing less than 2 years ago and conducted a series of high-yield explosions. This is but one in an almost endless series of broken agreements by the Russians.

A recent study, by Dr. F. G. Lassner of Stanford University, shows that the Soviets habitually violate treaties that have strategic importance. We will certainly live up to our end of the test ban, but there is little confidence on the part of anyone that the Russians will do likewise.

Suppose, under treaty limitations, we build what we believe to be a workable antimissile missile. How can we be sure it will work if we are barred from atmospheric testing? We would be foredoomed to rely on an untested weapon that might prove to be a complete fizzle.

Certainly reservations to the treaty which would improve our military position are wise and proper.

To illustrate, Senator GOLDWATER proposes that the treaty's effective date be delayed until all Soviet military power is removed from Cuba, and the removal confirmed by onsite inspection. This is not a novel or new proposal. The President himself announced he would insist on these very conditions last October before he lifted the blockade. Ridding Cuba of Soviet power would help to counterbalance some of the test ban's military disadvantage. It would not make the treaty acceptable, but it could certainly improve our position.

No. 4. The treaty tends to weaken the NATO alliance.

It attempts to freeze the status quo in nuclear arms development, and is directed against so-called proliferation of nuclear power. The emphasis is on bilateral deals between Moscow and Washington. In ratifying the pact, we bargain with Moscow to keep our own allies disarmed from the nuclear standpoint.

NATO is a defensive alliance, dependent in great measure on U.S. nuclear power. By agreeing to curb our nuclear activities, we are at the same time agreeing to curb NATO's defensive position. We do so without offering any alternate plan to strengthen NATO.

The treaty is essentially an arms-control deal with Soviet Russia, a Communist power that is notable for breaking treaties.

Instead of an arms control deal with an untrustworthy dictatorship, I propose arms sharing with nations we can trust.

Instead of weakening the defensive armor of freedom, we should strengthen it by sharing it with our friends.

The test ban treaty, or talk of disarmament, our pullout of missiles from Turkey and Italy, and our lack of followthrough in dealing with Soviet military power in Cuba have caused wide concern among our allies.

Who can blame them for wondering if we would really defend their cities with nuclear weapons if Khrushchev pushes the attack button?

We can dispel that doubt, and at the same time strengthen NATO, by giving them the know-how and the weapons they need and deserve.

FREEMAN'S PARTIAL END OF DISCRIMINATION APPRECIATED

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. FINDLEY. Mr. Speaker, I have thanked Agriculture Secretary Freeman for partially ending export subsidy rate discrimination against soft wheat varieties.

I protested September 6 against a 14-cent per bushel advantage accorded hard wheat in USDA export subsidies. Since then the disparity has been reduced by 6 cents.

In my letter to Freeman I said:

> As of this moment, you have washed away nearly half of the subsidy discrimination against growers of soft wheat. By the time this letter reaches you I hope the rest of it will be gone.
>
> On behalf of the soft wheat growers in Illinois and elsewhere, I wish to express my appreciation for this prompt—although partial—response to my request.
>
> As you close the export subsidy gap, I hope you will also end the discrimination against soft wheat in Public Law 480 agreements. Illinois wheat farmers deserve the same treatment as wheat farmers elsewhere.

176TH ANNIVERSARY OF THE SIGNING OF THE CONSTITUTION

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, today marks the 176th anniversary of the signing of the Constitution and the start of Constitution Week, pursuant to a resolution passed by the Congress.

I feel that this week should be observed with special significance this year. All Americans should take a few moments to read the Constitution, a divinely inspired document that spells out the finer motivations and aspirations of mankind.

Unfortunately, our Constitution is under attack. We have in the executive branch of our Government many leaders who have publicly downgraded this noble document and relegated it to the ash heap of history. Men may come and go, but principles do not change.

The inspiring phrases of the Constitution and the deep basic principles they espouse will survive the New Frontier and the Kennedys. All Americans have a vital stake in seeing to it that no group of self-centered men, no group of misguided zealots can alter or erase the guidelines that our wise Founding Fathers set up for our Government.

Our Republic is still the most noble experiment in decency in history. We can only retrogress by attempting to change the precepts that created this Government.

WHILE THE FDA TWIDDLES

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. KEITH] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. **KEITH**. Mr. Speaker, currently under consideration by Congress are several important proposals to strengthen the American fishing industry and protect traditional American fisheries from foreign exploitation. Similarly, and for many years, Congress has seen untold millions of dollars appropriated to help feed the starving and malnourished in the developing nations of the world.

I request permission to include in these proceedings the text of an editorial that bears eloquently on both of these problems. It is titled, "FDA Bottleneck," and has pointed reference to the continuing struggle some of us are having in getting this Federal agency to update its thinking with respect to a remarkable new food—fish flour, or as it has become known, "fish protein concentrate." Published by the Standard-Times of New Bedford, Mass., it was prompted by news last week that our good friends in Scotland are now ready to mass-produce a high-protein fish concentrate for export to the developing countries.

This news will be hailed by health experts and will be welcomed, I am sure, by the millions of people in the world today who still suffer from inadequate supplies of protein—nutritionist Nevin Scrimshaw, writing for the current issue of Scientific American, estimates that nearly half the world's population "is underfed or otherwise malnourished." Yet, and without detracting from the significance of the news from Glasgow, I feel almost impelled to say "I told you so" to the Food and Drug Administration, and with a touch of bitterness.

Frustration and delay have been our only rewards in dealings with this agency. Despite the overwhelming weight of scientific evidence to the contrary—and logic—Mr. Larrick and his staff have consistently stuck to their arbitrary ruling that fish protein concentrate would be "esthetically" objectionable to the American people, and that because the process uses whole fish, the food should be considered "adulterated" under the law. This ruling and the agency's subsequent opposition to a bill I filed in the last session to overcome it, have stymied American production of a product that could go far toward solving the world's age-old problems of malnutrition. At the same time, it would give the beleaguered American fisherman an exciting new market for the abundant supplies of so-called trash fish off our coasts, which have been of little commercial worth in the past.

The Food and Drug Administration has twiddled away our lead in this field, but now I would hope that this development in Glasgow and the steady stream of reports we get about the activities of the Russian fleets—which could make the concentrate aboard factory ships right off our coasts—will prompt the agency to review its position. I sincerely hope the FDA will at last recognize that this important breakthrough in food technology can have values to the free world—economically, nutritionally, and politically—that certainly transcend any "esthetic" considerations.

I should say at this point that with the Soviet Union systematically harvesting everything that swims off the New England coast, we are going to need special markets if something is not done and soon.

Now, after years of haggling and delay, and for no better reason than the fact that the FDA took an obstinate, unimaginative, and unscientific attitude when confronted with a new kind of food product, we find that we are still far from the day when an American-made fish protein concentrate will be put on the world market—or used in our foreign aid programs, or in our civil defense strategic food reserves.

Partly in deference to the FDA's stubborn stand on the acceptability of FPC, we now have a million-dollar Federal research program underway to develop methods of producing FPC. While I am confident that this program will result in worthwhile knowledge, the fact is that in my district, for a number of years now, there has been a private firm ready and able to manufacture a high-grade fish protein for human consumption. It is pure in every respect and has been used throughout the world in nutritional studies. I have personally witnessed its amazing results in Mexico and South America. Infants suffering from kwashiorkor—severe protein deficiency—were returned to health in only weeks with a diet supplemented by a few cents worth of FPC made in an American plant.

The concentrate is a perfect supplement to the native diets in the developing regions of Latin America, Asia, and Africa where cereals and vegetables predominate and, often, fail to provide the proper quantities and qualities of protein. It is odorless and without taste. It is a dry powder that needs no refrigeration and is therefore ideally suited to the inland areas of the tropics, where fresh fish are all but unknown. Most importantly, it can be manufactured for a few cents a pound.

There are a number of companies in this country that are interested in making this product and they are willing, as were my constituents, to invest their own money for research and development. They ask for no Federal research program—only the approval of the FDA to market the food once it is produced.

The editorial that follows suggests that we will just have to wait—while Scotland and the fishing nations go ahead with this promising new industry—until the FDA "sees the light." On the record, this seems unlikely to ever come about.

[From the New Bedford (Mass.) Standard-Times, Sept. 10, 1963]

FDA: BOTTLENECK

From Glasgow, it is reported that a Scottish company is ready to mass produce high-protein fish flour for export to developing countries.

News of this development, the end result of 20 years of research, has given a considerable fillip to Scotland's fishing industry, which long has hoped for a profitable method of using fish byproducts. Diet experts recognize that fish is one of the most important protein bearing food sources in the world, and millions in underdeveloped nations are suffering from lack of protein.

What of it?

Fish flour has been made for some time in New Bedford by VioBin Corp. It, too, could be exported in quantity to developing countries except for one factor: The U.S. Food and Drug Administration has declared it is "esthetically" unsuitable for human consumption. Nutrition authorities, legislators, and health officials have argued otherwise, but the FDA is unmoved.

As Senator ENGLE, Democrat, of California, commented last April, "It seems to me there ought to be some way to get the Food and Drug people out of the way or run over the top of them."

Meanwhile, Scotland will feed the hungry and build an industry while doing it—and we can twiddle our thumbs waiting for the FDA to see the light.

VETERANS' NURSING CARE FACILITIES

Mr. **CHARLES H. WILSON**. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. EDWARDS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **EDWARDS**. Mr. Speaker, I am very much in favor of this bill. I have been concerned for some time about the shortage of beds being provided for veterans for nursing home care and nursing care facilities, and was honored to be a member of the Veterans' Affairs Committee during the hearings on this bill.

In summary this legislation, first, authorizes the use of 2,000 additional nursing care beds in the existing Veterans' Administration system; second, provides for limited care in a private nursing home for certain Veterans' Administration patients who have received maximum hospital benefits; third, increases aid to State homes by providing for a 5-year program of capital outlays—on a matching basis—and a larger per diem contribution for the care of nursing home patients; fourth, encourages veterans receiving aid and attendance pension to reenter hospitals for brief stays without loss of their pension thus preventing longer stays and more serious illnesses; fifth, furnishes prosthetic appliances to certain aid and attendance pensioners on an outpatient basis of the type and variety required in their everyday lives and which would be furnished if they were in a hospital; sixth, extends the CBOC program to keep prospective nursing home care patients in their own homes and in their own environment as long as possible.

California veterans' hospitals are particularly in need of the assistance provided by this bill. Our veteran population has increased along with our general population, and our veterans' facilities have been seriously overtaxed. This legislation will alleviate some of the most glaring inadequacies of the medical care now provided to our veterans.

INTEGRATION

Mr. **CHARLES H. WILSON**. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Waggonner] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **WAGGONNER**. Mr. Speaker, a series of four news items which appeared recently in the Washington Post and Evening Star, all independent of each other, accented the growing disturbance among the Nation's white citizens over the mishandling of the integration subject. In its zeal to court the Negro minority which is so vital to its presidential reelection plans next year, the administration has completely lost touch with the white race and is deaf to its concerns.

It took the political master, former President Harry Truman, to break into print with statements that are being repeated and repeated throughout the Nation today, but which do not get in the papers unless a "name" speaks them.

President Truman said in New York last week that he sympathized with southerners who "don't want to be pushed around by damn Yankees." In another statement in Cleveland last Friday, he elaborated a bit and said that "if the northern busybodies would stay at home and clean up their own backyards, the rest of the country will obey its laws."

Both these stories are worth reading in their entirety and I would like to insert them here in the Record.

Another item which carries the same theme I mentioned earlier, that the interests of the 90-percent majority are being pushed aside in the vote-getting chase after the 10-percent minority, is the column of Rowland Evans and Robert Novak entitled, "Daley's Troubled City." It tells of mass meetings of whites in every section of Chicago, the most segregated city in the United States, each with a single theme, protesting the rights of one race to remain separate from another if they so choose. I hope every Member will read this column and ponder the import of these meetings. These white citizens are saying something that the race-mixers need to hear.

And, finally, if there is statistical support needed for these three items, that is available as well. The recent Gallup poll broke down their sampling 24 different ways; grouping people by ages, by education, by area residence, by religious faith, and by other groupings and out of these 24 categories, only the majorities of 3 groups felt that integration was not being pushed fast enough. The other 21 groups felt, in the majority, that race mixing was being forced on the people too rapidly.

From one end of the country to the other, regardless of faith, occupation, or age, the white people of the United States are protesting the so-called civil rights push of the administration. The majority of the people are speaking. The Congress must listen to that voice.

Busybodies in North Are Truman Targets

Cleveland, September 14.—"If the northern busybodies would stay at home and clean up their own backyards, the rest of the country will obey its laws," former President Truman said tonight.

In a speech to 1,200 persons at a $100-a-plate dinner honoring Senator Stephen M. Young, Democrat of Ohio, Mr. Truman spoke out on recent demonstrations. In his usual blunt style, he said:

"These youngsters who are running around the country trying to institute mob rule were raised under the nutty theory of let the child grow like a weed with no home discipline. It is a lazy way to raise a family.

"These young rioters were not spanked enough as they grew up. The police should be furnished with nice old-fashioned butter paddles and be authorized to use them in the place intended for spanking on such demonstrators as interrupted the (House Un-American Activities) Committee hearing in Washington and the so-called 'sit-ins' in the mayor's office in New York."

The dinner was designed to raise $100,000 for Young's reelection campaign if he should run again in 1964. Young continued to keep Democrats guessing, but Mr. Truman left no doubt the 73-year-old Senator would seek reelection.

South Gets Sympathy of Truman

New York, September 11.—Former President Harry S. Truman said today he sympathizes with southerners who "don't want to be pushed around by damn Yankees."

He also said he hopes that integration in the United States does not lead to intermarriage between the races.

Truman, 78, talked of integration and his views on intermarriage during his regular morning walk, the last of his current visit to New York. He and his wife were to leave tonight for their home in Independence, Mo.

Newsmen accompanying him on his stroll along Madison and Park Avenues asked him if he thought integration would lead to intermarriage.

"I hope not," Mr. Truman said. "I don't believe in it. The Lord created it that way. You read your Bible and you'll find out."

Mr. Truman praised President Kennedy's action in handling the Alabama integration crisis.

"It worked out just as it should have, without anyone getting hurt," he said. "The President handled it in firstclass shape."

United States Pushes Integration Too Fast, 50 Percent Believe

(By George Gallup)

Princeton, N.J., September 10.—About half the Nation's adults believe the Kennedy administration is pushing integration too fast. This figure is nearly the same as it was last month, when the percentage reached its highest point in 15 months.

In the latest survey, 50 percent say that the administration is pushing integration too fast. Ten percent say not fast enough and the remaining 40 percent say about right or do not commit themselves.

Following is the question asked and the trend over the last 4 months:

"Do you think the Kennedy administration is pushing integration too fast, or not fast enough?"

[Percent]

	May	June	July	August
Too fast	36	41	48	50
Not fast enough	18	14	11	10
About right, no opinion	46	45	41	40

The effect, if any, of the Washington march on the public's views will be measured in a Gallup survey now underway.

In the most recent survey, 75 percent of whites living in the South say racial integration is being pushed too fast. And as many as 49 percent of Northern whites hold this view.

Here is an analysis of opinions of white voters across the Nation:

Percent saying too fast

	Percent
College trained	60
High school	55
Grammar school	54
Republicans	63
Democrats	51
Independents	56
East	46
Midwest	49
South	75
Far west	57
21–29 years	46
30–49 years	56
50 years and over	58
Business and professional	57
White collar	56
Manual workers	57
Farmers	52
Cities, 500,000 and over	51
50,000 to 499,999	56
2,500 to 49,999	57
Under 2,500, nonfarm	61
Farm	54
Protestants	63
Catholics	41

Daley's Troubled City

(By Rowland Evans and Robert Novak)

Chicago.—Much about race relations and politics in the Nation's second city is revealed by an untold little sidelight to the booing of Mayor Richard J. Daley at an NAACP rally in Chicago 2 months ago.

When the booing began, a Negro woman on the city payroll turned her back to the speaker's platform and bowed her head. It looked like a gesture of shame and embarrassment over the treatment of her boss by fellow Negroes. In truth, she was joining in the booing herself but hiding to prevent detection by a Democratic precinct captain.

The spectacle of one of the 37,000 beneficiaries of Chicago's Democratic patronage biting (or more properly, booing) the hand that feeds her typifies the political upheaval set off by the Negro revolution. It is shattering the tight little world where Dick Daley has lived all his life and commanded the past 9 years.

Only a year ago, Daley's organization seemed the most secure of Democratic big city machines. There wasn't a Chicago reform movement worthy of the name. The city's politically vital minority groups, including well over 800,000 Negroes, were dependable cogs in the machine. Furthermore, Daley was an enlightened despot—interested in building Chicago, not interested in graft.

But this pretty picture omits the fact that Chicago is one of the Nation's most tightly segregated cities. In a city where Polish, Irish, and Jewish neighborhoods are still clearly identifiable, it naturally follows that racially integrated housing is an oddity. Daley's own neighborhood on the South Side is a lily-white Irish enclave surrounded by Negroes.

And when neighborhoods are segregated, so are public schools. Only 10 percent of the city's elementary schools can be called racially integrated.

Thus, Chicago was ripe for this year's racial explosion. The new Negro leaders want segregation and discrimination of all kinds ended and ended now. In the current campaign against school segregation, Negro mothers take to the streets every day.

The old Negro political leaders—ailing Congressman William Dawson, the Democratic organization's chief Negro lieutenant for a generation, and the Negro Alderman handpicked by Daley and Dawson—have been brushed aside.

Moreover, the new Negro leadership is furious with Daley. They know he could have faced an anti-discrimination housing ordinance through the city council any time. They know he could dictate school integration. They know he could oust city school superintendent Benjamin Willis.

Nor is Negro militancy Daley's only worry. In segregated Chicago, the white attempt to maintain the status quo is understandably stronger than elsewhere.

Just look at this week's events. On Monday, 300 white parents picketed the all-white Bogan High School to protest the possible transfer of one Negro ("Strangers stay at home. We have no room for you," read one mother's placard). On the next night, 3,000 whites packed the Bogan auditorium for a protest meeting. And on Wednesday, 4,000 South Side whites marched on city hall to protest equal housing legislation.

Less publicly, precinct captains of the Daley machine are sending ominous reports to city hall. Thousands of Polish homeowners frantic that a Negro might move in next door and lower property values, are in open revolt against the Democratic Party. The middle-income Irish are not far behind.

The white reaction may be one reason why Daley is so impervious to Negro demands. But there seems to be a more profound cause for it: Daley simply doesn't understand or doesn't want to understand the social revolution now in progress.

He repeats the incantation that there is no segregation in Chicago. He insists Negro ghettos simply do not exist. In the face of grassroots Negro unrest here, Daley complains about outside agitators.

What makes the mayor's attitude doubly distressing is his elevated status in the White House. He is President Kennedy's chief—perhaps only—direct source of intelligence about Chicago.

It is much too early to speculate whether Chicago's racial turmoil could deprive Mr. Kennedy of Illinois' pivotal electoral votes next year. There is a more imminent, less partisan danger: violence.

Negro leaders view this danger as imminent. Indeed, when thousands of Negroes and whites are picketing and attending mass meetings each day for diametrically opposed causes, anything can happen.

BRACERO LAW

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I believe that plain people can sometimes take apart complex issues with surprising clarity. I have here a letter from a citizen who lives in California, which gives us some pretty sharp comment on why the bracero law ought not be extended:

> Glad to know that the cries of hungry and forsaken children of the unemployed citizens rings louder in your ears than the jingle of bracero lobbyist's money.
>
> If American citizens are so untrustworthy that they cannot be depended upon to pick cantaloupes, we don't need them in the armed services. Maybe our servicemen in the Armed Forces should be replaced with braceros.

Mr. Speaker, that makes more than a little sense. Service life is not very glamorous in lots of places. I really do not know whether Americans can be found to do the stoop labor around the military posts of the world. Maybe we ought to start importing mercenaries to do this. If we cannot let Americans pick our food, why should we allow Americans to defend our country?

BIRTHDAY OF MAJ. GEN. FREDERICK WILHELM VON STEUBEN

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. RYAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RYAN of Michigan. Mr. Speaker, today is the anniversary of the birth of Maj. Gen. Frederick Wilhelm von Steuben, a man whose valiant deeds were instrumental in achieving American independence. He was a German military leader who came to America on December 1, 1777, with letters from Benjamin Franklin, Silas Deane, and Beaumarchais, who were leaders in the movement for independence. He came to fight for freedom; to struggle for the American cause.

The spirited general offered his services free of charge to the Continental Congress. To von Steuben, principle was above personal comfort. He was willing to accept a personal loss and to make self-sacrifices so that the American people might become free. When he joined Washington's army, it was apparent to the Congress that this Prussian-born militarist had developed a strong sense of loyalty to America and to her ideals.

Gen. George Washington, impressed by von Steuben's practical knowledge and experience in military affairs, soon appointed him Acting Inspector General. In addition, he was given the difficult and key job of training the Army. Without his professional training and leadership, the independence movement might have collapsed.

The general not only succeeded in drilling the rookie American troops to perfection, but he also inspired them with his military writings, including a basic training manual, "Regulations for the Order and Discipline of the Troops of the United States."

When the peace and victory was ours, von Steuben continued to work for the new Nation he had served so well. He assisted Washington in the preparation of a plan for the future defense of the United States and the mobilization of her Armed Forces. Washington's last official act before relinquishing command of the Army in 1783 was to write a letter of commendation to von Steuben for his invaluable services to the United States throughout the war.

On this day, September 17, when the Nation commemorates the signing of the Constitution, Americans also should pay homage and respect to their "adopted patriot" von Steuben, who joined Washington at Valley Forge, distinguished himself in battles at Monmouth and Yorktown, and later became a citizen of the United States.

His democratic spirit should be an inspiration for the youth of our Nation who are interested in elevating the image of America by defending her great constitutional principles.

It is only fitting and proper that the Steuben Society of America today celebrate the anniversary of the birth of its namesake. The anniversary of the celebration of his birthday centers entirely on the theme of Americanism.

On this occasion, I am happy to join with those Steuben Society members in all parts of America who look upon today as a day of rededication to the ideals of this country. Those who honor him do so as an expression of their loyalty to America and to the principles for which he fought. It is my hope that we rededicate ourselves to the great principle that was involved in the American Revolution.

NEW RADIATION RESEARCH CENTER AT NOTRE DAME UNIVERSITY

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD on the subject of the dedication of a new radiation research center at Notre Dame University, and include two addresses delivered at Notre Dame, one by Dr. Glenn T. Seaborg, chairman of the Atomic Energy Commission, and the other by Dr. Frederick Seitz, president of the National Academy of Sciences and two editorials pertaining to the same subject.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I had the great pleasure on September 1, 1963, of being present at the University of Notre Dame for the dedication of a new Radiation Research Building which was constructed with funds provided by Congress and the Atomic Energy Commission.

Leading scientists from England, the United States and other countries of the world were present for the dedication ceremonies as well as to attend the first meeting ever held in this country of the Faraday Society, a pioneering organization of British scientists with American members.

Major speeches were delivered on this occasion by two distinguished American scientists, Dr. Glen T. Seaborg, chairman of the U.S. Atomic Energy Commission, and Dr. Frederick Seitz of the University of Illinois, president of the National Academy of Sciences.

Also present for the occasion was our distinguished colleague, the Honorable MELVIN PRICE of Illinois, who as chairman of the Research and Development Sub-

committee of the Joint Committee on Atomic Energy, played a key role in the decision to construct the $2.2 million building at the University of Notre Dame.

There are two other persons of whom I would like to make particular mention in connection with the new center. The first is Dr. Milton Burton, a member of the faculty at Notre Dame since 1946 and the director of the research program in radiation chemistry which will now be carried on in the new building.

Dr. Burton's great scientific competence and his personal dedication are in large measure responsible for the leadership which the University of Notre Dame symbolizes in the field of radiation chemistry in our country and, indeed, in the world.

I also want to speak of Father Hesburgh, the Reverend Theodore M. Hesburgh, C.S.C., president of the University of Notre Dame, whose remarkable abilities have been largely responsible for the continuing strides which Notre Dame has been making in the academic world. Father Hesburgh surely is one of the greatest university presidents in our country today.

At a special convocation as part of the dedicatory ceremonies, Father Hesburgh conferred honorary doctors of science degrees on two pioneers in radiation chemistry, Dr. James Franck, professor of chemistry, emeritus, at the University of Chicago, and Dr. Samuel C. Lind, of Oak Ridge, Tenn., National Laboratory.

Dr. Lind is know as the father of radiation chemistry and Dr. Franck, a Nobel Prize winner, is regarded as the father of modern photochemistry.

Not only because their addresses were delivered on an occasion of great importance to the people of the district I have the honor to represent but also because what Dr. Seaborg and Dr. Seitz said at these ceremonies is of significance to all those concerned with the role of both science and education in America today, I ask unanimous consent to insert their addresses on this occasion in the CONGRESSIONAL RECORD.

RADIATION CHEMISTRY AT NOTRE DAME

(Remarks by Dr. Glenn T. Seaborg, Chairman, U.S. Atomic Energy Commission, at the dedication of the Radiation Research Building, University of Notre Dame, Notre Dame, Ind., September 1, 1963)

Many of you attending these ceremonies today are also here to attend the discussions of the Faraday Society on "fundamental processes in radiation chemistry" which begin tomorrow morning. This will be the first Faraday Society meeting held in the United States. I feel that the presence of this learned society lends a greater significance to this ceremony.

Radiation chemistry, as we know it today, was spawned by the Manhattan district out of urgent need. Early in 1942, when "the metallurgical laboratory" was formed, it was recognized by Dr. Frank Spedding, who was then director of the chemistry division, that the understanding of chemical effects of radiation would play a significant role in the success of the plutonium project. The metallurgical project was the cover name for the plutonium project to preserve the necessary secrecy. In May 1942, Dr. Spedding asked Prof. Milton Burton to join the chemistry division as chief of what was subsequently called the radiation effects section. I recall that I visited Milton in New York at that time and urged him to join our mysterious project in Chicago, and he did so soon thereafter.

The primary responsibilities of the radiation effects section were those associated with the chemical effects in those systems involved in the production and separation of the materials needed in the manufacture of the nuclear device. This covered a very broad area, ranging from such things as the effect of radiation on the graphite moderator to lubricants in pumps. In those early days, no one had any good idea of what intensities or amounts of radiation could be expected from a nuclear reactor. Indeed, at that time it was not even known for certain whether a sustained nuclear chain reaction was possible. There was some scientific literature available on the effects of radiation on chemical systems prior to 1942—much of it due to the pioneering efforts of Drs. S. C. Lind and H. Fricke—but the enormous scientific effort associated with the plutonium project generated a myriad of problems never before encountered.

PROBLEMS ENCOUNTERED AND RESOLVED

Although the technical problems of the radiation effects section were vast, so were the administrative problems. Personnel had to be assembled, as well as equipment; physical space was at a premium; radiation sources were few. I well recall the competition between our groups for the limited laboratory space in the hastily erected building known as New Chemistry on Ingleside Avenue at the edge of the University of Chicago campus. Some of these administrative problems were quickly surmounted, but the problem of space was never solved—I doubt if it ever will be.

The problem of obtaining radiation sources was soon resolved. Very fortunately, there was on the Notre Dame campus a 1-Mev Van de Graaff accelerator that was eminently suitable for much of this work. Dr. Burton quickly secured the full-time use of this source and in doing so brought radiation chemistry to this campus, where it remained and flourished.

The problems related to personnel were also solved with relative ease. Dr. Burton, very fortunately, was successful in securing the able assistance of such people as Drs. W. M. Garrison, T. J. Neubert, T. W. Davis, C. Hochanadel, J. Ghormley, C. V. Cannon, and—a little later—Dr. A. O. Allen. Many of these people are here today, and I am sure they could (and will, during the course of the next few days) tell interesting and human stories—especially those relating to the abundant enthusiasm which Prof. Milton Burton applied to all his activities.

The eagerness with which he attacked his work made an early impression on all of us at the metallurgical laboratory—even on the security guards. Toward midnight one evening, Milton was working at his desk in the laboratory. His laboratory seems to have been rather solicitously protected by an armed guard, willing and apparently anxious to use either end of his gun in patriotic fervor. If my memory serves me correctly, Milton ended up outside the laboratory with a torn shirt, a bloody head and some other reminders that that guard was not selected on the basis of his scientific acumen. I am sure that this was not the first or the last time Dr. Burton's enthusiasm caused some strong differences in opinion.

RADIATION RESEARCH EXPANDS

As the plutonium project advanced through a succession of important achievements toward its final goal, so did the radiation effects section. Notable achievements in the basic understanding of the effects of radiation on many chemical systems were made, especially on pure water, aqueous systems and graphite. Dr. James Franck, who succeeded Dr. Spedding as director of the chemistry division and who later became a sort of roving consultant, contributed most decisively to the fundamental understanding of the effect of radiation in these systems.

Many of you here today, by the way, should be happy to know that the Smyth report lists "The Effect of Radiation on Water and Aqueous Solutions" as a project closed out almost 20 years ago. As I understand it, this came about by Milton's frustration with a metallurgical laboratory procedure of assigning code numbers to all projects under study. As the research effort expanded and the radiation effects section grew, Milton soon found that there were more than 100 separate project numbers associated with the radiation chemistry of aqueous systems; by a single strike of his pen all of these projects but 1 were eliminated. Since the project numbers no longer existed, the work was considered completed.

PEACETIME RESEARCH

The end of the war did not mark the end of research in this field, which was only in its infancy. Many of the personnel associated with this research during the war continued to devote their intellectual efforts to this fascinating new chemistry in peacetime. Their efforts and the activities of the newly formed Atomic Energy Commission propagated interest at a rate which was sufficient to see this new chemistry emerge as a distinct discipline as manifested by symposia, journals, texts, conferences, and so forth, in less than a decade.

The name "radiation chemistry" was accepted by all and began to appear with increasing frequency in our scientific literature. The papers of the June 1947 symposium on radiation chemistry held on this campus were soon followed by many individual papers from scientists both here and abroad, by texts, American Chemical Society and other symposia, Faraday Society discussions, Gordon conferences, international conferences, and so forth.

Like other scientific areas which have attracted great interest, radiation chemistry has matured to the point where it has become a source of stimulus to other scientific areas—such as photochemistry, kinetics, mass spectrometry, and solid state chemistry, to name a few.

NOTRE DAME'S EARLY ROLE

The responsible staff of the University of Notre Dame has unquestionably played a most significant role in the development of radiation chemistry as a mature and established discipline—not only in profound and lasting scientific contributions, but in the education and training of personnel. Indeed, a good many of you who are here to attend the Faraday Society discussions have at one time or other been associated with this university in a formal manner.

Notre Dame was the first university in America to provide formal training in this new chemistry and is today its principal source of postgraduate trained personnel in the United States. This program began in 1946 when Professor Burton, who had joined the faculty of Notre Dame late in the previous year, obtained a research grant from the Office of Naval Research to continue investigation of the many fascinating problems uncovered during the war years. After the formation of the Atomic Energy Commission in 1947, it was recognized that, as centers of stimulus and as centers of training, our universities and colleges were of great importance to the success of the Commission's scientific programs. One of the Commission's earliest university contracts was with the radiation chemistry group here at Notre Dame.

This formal association between the Atomic Energy Commission and Notre Dame, which began some 14 years ago, has been most successful. Indeed, our presence here today signifies the recognition of Notre

Dame as a center of excellence in radiation chemistry.

This building which we are dedicating today was put on this campus because the Congress, through its Joint Committee on Atomic Energy, and the Atomic Energy Commission recognized the importance of the scientific competence of the responsible faculty to the basic research program of the Atomic Energy Commission. The building is not a reward to the University of Notre Dame for its contributions to our program—it is, rather, a sound investment on our part to insure maximum intellectual growth in the discipline of radiation chemistry.

Scientific research today, especially in fields related to atomic energy, is expensive—much more so than it was just 10 years ago. To a large extent this is due to the increase in the degree of sophistication of our experiments, which is a direct reflection of our knowledge. It is also due to a large extent, however, to increased research services which are attendant to research facilities. With your indulgence, I should like to enlarge upon this subject a little because of its pertinence to research support to universities by outside agencies.

The impact of the explosion of science on our universities and the role of the Federal Government in support of research is a subject of much discussion and often heated debate. I do not wish to enter the ring in this subject, but merely to indicate some of my thinking on the matter.

THE FEDERAL GOVERNMENT'S ROLE

Research support to universities as it exists today in America puts a heavy burden on the universities, for it insists on the presence of one or more scientists of outstanding competence on the faculty before even modest support is forthcoming. Substantial support can be realized only if there is an assembly of scientific competence in one or more particular areas of research, and only substantial support can provide the first-rate research facilities and their attendant research services which are required to create a center of excellence. Universities must therefore—by a considerable investment of their own funds—provide research facilities and services sufficient to attract competent scientists before they can hope to obtain research support. In our present-day competitive society, this can be very difficult for institutions of limited financial resources. It is my own opinion that the Government has a responsibility to aid in the establishment of new centers of excellence in research and education.

I am sure that you can see that a situation such as the present one is fraught with many dangers. We in the Atomic Energy Commission are aware of these dangers; and I can assure you, so are many Representatives in Congress, which is the ultimate source of the funds provided for research support.

I feel sure that we all recognize the importance of science faculties that are free to pursue their own intellectual interests—uninhibited and free from the restraints imposed by the wishes and means of outside agencies or individuals. In those universities and colleges where scientists are simply considered in the same light as other scholars and are not considered as financial assets, this atmosphere, I believe, prevails. Such is the case, I am sure, on this campus, which is under the guidance of scholars and where scholarship is of paramount importance. But not all schools have a Father Hesbaugh on their campuses.

It is obvious that much research remains to be done. Basic research is the foundation upon which technological and social advances are made, and I am convinced that strong and continued basic research support in our universities by the Federal Government is a necessity. In my judgment, the most important problems facing our universities today are those directly associated with the degree and manner in which our universities obtain their funds.

INVESTMENT IN RESEARCH AND THE FUTURE

To prevent the problems of fiscal instability in our universities, we must face up to the real costs of research and education at institutions of higher learning and provide financial support in a manner which is consistent with good scholarship and which will promote fiscal stability; for to accept their role in our Nation's long-range commitment to basic research, universities must be free to develop and pursue their own intellectual interests according to their own best judgment, and to do this universities must be free of any fiscal crises.

This building is completed, and standing here before your new library it portends the continued vigorous growth of your university. Its completion also fulfills the prophecy made by my predecessor, John McCone, at your 1959 commencement exercises when he said: "I can foresee a fine new laboratory on this campus which will be devoted to basic research in radiation chemistry."

This building, which has been constructed at a cost of some $2 million, is a reflection of our confidence in your ability to maintain those qualities and attributes which have made Notre Dame a center of excellence.

ADDRESS FOR BUILDING DEDICATION AT NOTRE DAME UNIVERSITY

(Address of Dr. Frederick Seitz, Department of Physics, University of Illinois, Urbana, Ill.; President, National Academy of Sciences)

Father Hesburgh, distinguished guests, it is a deep privilege to participate in the dedication of this new research laboratory. In fact, I must admit that I experience a mixture of happy emotions in being with you today.

First, I feel very conscious of being an honorary alumnus of the university, a privilege I share with Pope Paul VI.

Second, there are the emotions derived from seeing again so many old friends and associates—I might mention in particular Professor Burton and Dean Rossini—who are doing so much to add luster to this institution under the guidance of one of the most distinguished university presidents in our country.

Then, there is the pleasure of seeing an entire laboratory devoted to the field of radiation effects which has been so close to my heart for more than two decades. There is no doubt in my mind that this laboratory shall open up new chapters in the evolution of this very rich and productive field.

Finally, I should add that I look upon your new building with a certain sense of envy which you will find it easy to understand. When the Atomic Energy Commission introduced the bill which included the request for your building into Congress, it also included a building for somewhat similar purposes for my own university. Unfortunately, a highly influential Representative from one of our sister States decided that only Notre Dame was worthy of such a laboratory and removed the other laboratory from the budget. In the meantime, the distinguished Congressman has departed this earth and doubtless is looking down on us from heaven today with much pleasure because of the dedication. I wish, for many good reasons, that he were with us so that he could enjoy the occasion more directly. It would also give me an opportunity to assure him that I bear him no ill will. I might add that we finally did succeed in obtaining the funds for the building, partly with the help of the Atomic Energy Commission, although it was necessary to use somewhat more complex channels because of the obstacles that we faced in Congress.

NEW RESEARCH LABORATORIES

New research laboratories are not the rarity these days that they were during the depression years when I completed graduate work. Nevertheless, each new laboratory is worthy of a special celebration in which there is a mixture of the joyful and the serious. A new laboratory underscores a highly significant development of our time, namely the fact that science is now widely recognized as a major underpinning of society and is being well supported. Having lived through the depression years of the 1930's, I cannot continue but to marvel at the speed of growth of this concept since 1940. As I am sure all of you are aware, the support of science has essentially doubled on the average every 4 years or so since the end of the war. I think it is safe to say more wealth has been devoted to good science in the last 15 years than in all the centuries throughout the world prior to 1940.

Although this growth is in one sense remarkable, it is in another sense perhaps strange that it took so long for the present state of affairs to come about because the potentiality of science for improving man's lot was clearly recognized by Bacon and Descartes nearly 400 years ago. In fact, Descartes hoped that the golden era we are now experiencing would come about in his own lifetime in substantial part as a result of his own efforts.

SCIENCE AND TECHNOLOGY

The reason for the long delay is fairly complex. However, I believe the main source of delay arises from the fact that the interplay between science and technology is one involving a certain reverberation time. A certain minimum number of generations had to pass before science and technology, working in tandem, could help one another in the way which has made the present golden age of science possible. We all recognize that technology now turns to science for many of its most productive ideas whereas science turns to technology for new tools. As significantly, however, science also turns to the profits of technology for the monetary wealth which supports science in a number of ways. It is only in the last generation or two that this wealth gained through technology has achieved a level which permits society to educate a sufficiently large fraction of the population to allow science to flower in a way in which it can really have a significant effect upon technology in a short period of time. In other words, many generations have been required for the feedback between science and technology to build up both to the present highly effective level.

In this connection, we may note that only in the last generation or two has the advance of technology depended on access to the most advanced type of scientist and his specialized scientific knowledge; that is, to the type of knowledge we now associate with education at the Ph. D. level or its equivalent. At earlier periods, the half-educated person could accomplish a great deal for technology by a combination of patience and intuition. Today, there is scarcely a field of technology that does not need application of the most advanced and sophisticated scientific knowledge if it is to progress.

MATERIAL BENEFITS OF SCIENCE

Since the wealth required to support science on a large scale is generated by our technological effort, it is quite common these days to justify the support of science by the benefits of a material kind which it provides mankind whether they lie in the fields of commerce, defense, or health. This theme runs back and forth through all of the proposals which we prepare for gifts, grants, and contracts, whether governmental or private. Personally, I do not believe that we should be the least bit ashamed of this fact, for the material benefits derived from science have indeed lightened the burden of mankind enormously. Were it not for the products of research in agriculture, communications, medicine, and the like, most of us in this room would not be alive today and those of us who were would for the most part not enjoy anything approaching the sense of well-being which we do or the freedom of choice of careers. It is not for us who have reaped such enormous personal or collective benefits from science to frown upon its applications.

It also seems appropriate, however, particularly on an occasion such as this, to recognize that the complete man does not deal with material things alone. In fact, he has other highly important needs upon which I should like to dwell, noting as I do so that science is fully as important for these as for advancing the material aspects of life.

OTHER BENEFITS OF SCIENCE

Prominent among these needs, we may recognize that mankind will forever contemplate with awe the unfathomable mystery in which we are immersed; a mystery which is as much a part of our existence as the material world to which we warp so much of our efforts at the present time. At first sight, it may seem that science is of limited use in the contemplation of this mystery because the concepts relating to it basically lie not only beyond the capabilities of our rational apparatus but also beyond the scope of our language except in a relatively crude way. We must recognize, however, that science serves two valuable purposes in this connection: First, it provides intellectual and spiritual enlightenment on those matters which do lie within our range of comprehension. Second, it permits us to delineate more clearly the boundary between those areas which can be understood by the type of disciplined logical probing characteristic of science and those which we can hope to approach only through what is termed "faith." In this entire realm, science, philosophy, and religion walk hand in hand as partners. The level of sophistication or purity of our contemplation of the overall aspects of the universe in which we live is profoundly affected by the evolution of the knowledge gained through science.

KNOWLEDGE OF MAN

The other great issue to which man must continue to be dedicated is that of understanding himself both broadly and in depth. Whatever philosophical or ethical value this process of self-comprehension may have had in the past, it is now clear that our continued existence on this planet will probably depend more on our ability to understand ourselves and our limitations than upon any other factor.

The problem of increasing self-comprehension is a task for mankind as a whole. The mission does not belong exclusively to any art or profession, for man is a many-faceted creature. He can and should be revealed to himself on many planes of vision. An indispensable part of this task belongs to the clergy. Moreover, as the late Pope John so clearly demonstrated through his example, this task transcends religious denominations if we are to consider mankind as a whole. Part of the task belongs to the artist—the poet, the novelist, the painter, the dramatist and the composer. Part belongs to the lawyer with his cases and his guiding precepts. Part belongs to the philosopher and the historian. And a highly important part belongs to the scientist.

Whatever great value we may place upon the role science plays in helping us accommodate ourselves to nature, the knowledge we gain of ourselves through science is fully as important in the larger sense.

Through anthropology and paleontology, which by this time have borrowed tools from all of science, we now realize that man emerged from his primate antecedents as a land rover with an erect posture about 10 or 15 million years ago. Somewhere along this path, he divided his family into carnivorous and herbivorous branches which one contributor with a touch of the poet has termed the branches of Cain and Abel. The remains that Cain has left behind show us not only that he slew Abel but that he probably devoured him in the process. The scientific evidence in hand also indicates more and more strongly that our species is the descendant of the family of Cain the implacable predator. It is highly important that we keep this fact about our origin in mind in the period ahead.

EVOLUTION OF MAN

At some point about 2 million years ago, our forebears began to evolve those special features of the central nervous system that ultimately transformed us into the reasoning creative artisan; that is, the inventor, and thereby gave our aggressive predatory instincts new capabilities to use in our mission on earth. The Homo sapiens that emerged from all of this about 50,000 years ago was genetically our twin. All he lacked was our knowledge, experience, and institutions. The difference between us lies in the level of education or knowledge.

There is little doubt that through this long period of evolutionary development, extending over 10 million or more years, our ancestors have been social beings much as we, entering as individuals within groups which, in turn, have interacted with one another as more or less unified entities. It is only reasonable to assume that this social side of our nature must have undergone very complex and diverse evolution in parallel with the evolution of all other aspects of our makeup that relate to the upper levels of the central nervous system. This aspect of our inheritance merits far more attention than it has received to date, for in it there may well lie the key to understanding the particular aspects of our nature which, when coupled with our growing power to destroy, have a good chance of driving us into extinction.

INTERHUMAN RELATIONS

In considering the evolution of those parts of our brain which have to do with interhuman relations, we may note, on the pleasant side, the gift we have gained which permits us to appreciate and treasure sophisticated art, poetry, and music, all of which do so much to enrich our lives. However, along with this we cannot help but ponder the complete range of social instincts we may have inherited from our ancestor Cain. It is not possible for our generation to dwell on this issue very long without having images of the carnage of Auschwitz and Buchenwald arise before our minds, images which seem to make no rational sense unless we are prepared to admit that some of our inheritance is potentially lethal and must be controlled explicitly if we are to survive.

Since this inheritance presumably lies as a potential force within all of us, we must somehow manage to produce a mutation or its equivalent within ourselves to counteract it. Science can render no greater service to us at this time than to help us appreciate this matter and aid us in the search for a remedy.

Although the new discoveries concerning the physical and chemical form of our genetic apparatus, which have emerged through research in molecular biology, show great promise for future exciting research and possibly of applications, it seems like a forlorn hope at this stage of human affairs to believe that this knowledge will significantly help us resolve the great danger of suicide we face, at least in the short-range future. It appears instead that we must hope that a rise in collective human wisdom, accompanied by universal recognition of the dangers we face, will compel us to mold our social institutions in a way which removes the danger ever farther away.

I join with everyone here in the confident hope that the research carried on within this laboratory and the knowledge generated and transmitted within this great university will add significantly to the evolution of this collective wisdom which is our great hope.

Mr. Speaker, I also ask unanimous consent to include at this point in the Record two editorials concerning the new Radiation Research Building, from the South Bend Tribune and the Mishawaka Times:

[From the South Bend (Ind.) Tribune, Sept. 5, 1963]

Progress at Notre Dame

This has been a summer of fruition for the University of Notre Dame. Hard on the heels of the dedication of the new Notre Dame Computer Center came this week's dedication of the Radiation Research Center Building and the impressive ceremonies that surrounded the event.

Two statements made by Glenn T. Seaborg, Chairman of the Atomic Energy Commission, during the dedication were especially noteworthy.

One recognized the role played by Notre Dame's Milton Burton in the development of radiation chemistry and characterized Notre Dame as "the principal source of postgraduate trained personnel" in this highly specialized field.

The second referred to the new building. "It is," said Dr. Seaborg, "not a reward to the university for its contributions to our program; it is rather, a sound investment on our part to insure maximum intellectual growth in the discipline of radiation chemistry."

As the South Bend-Mishawaka community approaches Partners in Progress Week, a time for emphasizing community achievements, it is fitting that a spotlight has been trained on this impressive aspect of Notre Dame's growing excellence.

[From the Mishawaka Times, Sept. 3, 1963]

Radiation Research Building Not Just a Reward to Notre Dame

The University of Notre Dame was warmly praised Sunday by Dr. Glenn T. Seaborg, Chairman of the U.S. Atomic Energy Commission. Dr. Seaborg was on the Notre Dame campus to dedicate the university's new $2 million Radiation Research Building.

The radiation facility at Notre Dame is tangible evidence that the university has gained national stature as a seat of higher learning and as a center of scientific research in an age when these disciplines are a necessity for the well-being of the human race.

Dr. Seaborg in his dedicatory address explained how Notre Dame and its radiation laboratory has grown and has contributed to the complex of radiation work and discovery since the early 1940's. The Atomic Energy Commission Chairman was positive in his admiration for the advancements made by Notre Dame's scientists, and he emphasized that the Radiation Research Building (built with Federal funds) was not a reward for the school. Rather it is evidence that the Atomic Energy Commission and others connected with scientific research have confidence that Notre Dame will continue to be a leader in the radiation field.

The dedication of the research facility was indeed a fine day in Notre Dame's long history. There is no question that the university is headed more and more into the areas of excellence to which Rev. Theodore M. Hesburgh alludes. Father Hesburgh, Notre Dame's intense and scholarly president, has reason to be pleased at the progress his development program has made in the last decade.

NUCLEAR TEST BAN TREATY

The **SPEAKER**. Under previous order of the House, the gentleman from New

York [Mr. PILLION] is recognized for 60 minutes.

Mr. PILLION. Mr. Speaker, the nuclear test ban treaty is not an isolated political instrument.

It is a major item of political contention between the Soviet and Red China. It is a major item in the Soviet-Communist world campaign of political war and subversion which is specifically targeted against the United States.

POPE PAUL VI CONDEMNS COMMUNISM—RECOMMENDS THEORETICAL AND PRACTICAL COMBAT

Mr. Speaker, on September 6, only 11 days ago, His Holiness, Pope Paul VI, reaffirmed the doctrinal condemnation of communism by the Roman Catholic Church.

Pope Paul described "communism" as a "contagious and lethal disease."

His Holiness, most wisely, pointed out that communism needs to be first diagnosed and then combated—not only theoretically but also practically.

NUCLEAR TEST BAN TREATY

Mr. Speaker, the U.S. Senate is about to pronounce judgment for this Nation upon the nuclear test ban treaty. This treaty is not a simple contract between the United States and the Soviet Government to restrict nuclear explosions.

The treaty raises fundamental issues that will determine the future course of the world.

These issues cannot be resolved by ignoring the realities of world politics. They cannot be decided on the basis of desperation or sentimental gullibility.

If we fail to adequately and accurately diagnose the nature of communism, if we allow hope to displace reason, if we allow fear and hysteria to overcome objective analysis, then we risk not only our own freedom but that of the entire world.

And Mr. Speaker, we are doing just that.

MILITARY ASPECTS OF TREATY

Up to now, the debate on this treaty has concentrated mainly upon its military aspects. This military analysis has been sober and realistic.

But, what is the final military verdict?

The Joint Chiefs of Staff is the highest military authority for this Nation. They have flatly stated that there are military disadvantages to the United States in this treaty.

The Stennis Military Preparedness Subcommittee, of the U.S. Senate, reports this conclusion upon the treaty:

> From the extensive evidence presented to us, we have come to the conclusion that the proposed treaty banning nuclear testing * * *, will affect adversely the future quality of this Nation's arms and that it will result in serious and perhaps formidable military and technical disadvantages.

Therefore, Mr. Speaker, the purely military evaluations of the consequences of this treaty demand its rejection. The ratification of this treaty in its present form endangers the military security of our people.

POLITICAL RATIONALE FOR TREATY

Mr. Speaker, the next question we must ask is this: Is the political rationale for this treaty valid?

In spite of the adverse expert military judgment, the State Department and other administration witnesses have urged the ratification of this treaty. They contend that the political advantages outweigh the military disadvantages.

These political advantages are claimed to be:

First. The treaty will lead to a relaxation of world tensions.

Second. The treaty will restrain the proliferation of nuclear weapons.

Third. The treaty will reduce the possibility of a nuclear war.

These are the concrete claims made for the treaty. In addition, the proponents of the treaty suggest to the American people that the treaty represents a hopeful first step toward an end to the cold war.

RELAXATION OF TENSIONS—"PEACEFUL COEXISTENCE"

Mr. Speaker, this Nation is suffering from a great delusion if it relies upon this treaty to become a first step for reducing world tensions.

Nuclear weapons testing is not the cause, but is a symptom of world tensions. The basic cause of world tensions is the unrelenting Marxist-Leninist goal to create one universal Communist social system.

This goal is reflected in the civil strife, class warfare, and worldwide insurrections which were being incited by the Soviet-directed Communist parties around the world long before the appearance of nuclear weapons.

The nuclear test ban treaty does not in any way remove these basic causes of world tensions and cannot, therefore, serve to lessen them.

Following the signing of the nuclear test ban treaty on August 5, 1963, Premier Khrushchev made this point tersely and frankly:

> No treaties and agreements can overcome the radical contradictions which exist between the two social systems.

In the Communist dialect, he is restating the basic Marxist-Leninist doctrine that communism and the free world cannot permanently coexist.

It is only with this background that we can fully understand the Communist policy of peaceful coexistence, and its corollary slogan of relaxation of world tensions.

The Soviet High Command redefined its policy of peaceful coexistence just recently on March 30, 1963. I quote:

> Peaceful coexistence of states with different social systems presuppbses an unremitting ideological, political, and economic struggle between the two social systems, a class struggle by the workers inside the countries of the capitalist system, including armed struggle when the peoples deem it necessary.

Khrushchev stated this policy in simpler terms to the Members of the U.S. Senate, in this Capitol Building, on September 16, 1959:

> We are not asking for your approval, we wish only one thing—that we should not be impeded. Admit this fact and peace will be assured. If you do not admit it, then it will be impossible to avoid war.

When the Communists offer interchangeably peaceful coexistence and relaxation of world tensions, they are demanding that the United States cease active opposition to the Communist drive for world power.

In plain simple English language, Khrushchev seeks to establish, and for the United States to accept, these Communist propositions:

First. The Communist governments and the Communist parties around the world shall be free to continue and to intensify their nonmilitary and paramilitary campaigns to subjugate every free nation in the world.

Second. The United States and the free world shall continue to be denied the right or opportunity to advance our beliefs and our social system among the people within the Communist nations.

Khrushchev demands complete freedom to destroy all free institutions, socities, and nations.

At the same time, he denies the United States the right to advance the cause of human liberty and material independence among the people of the Communist bloc.

This Moscow treaty will not alter any of these conflicts. On the other hand, this treaty will increase world tensions because Khrushchev's world Communist campaign will be intensified and accelerated.

World tensions will be eased, only when Communists are forced to abandon their drive for world conquest or when they achieve their goal by our surrender.

And this treaty in no way alters, modifies, or alleviates the basic obectives, world goals, policies, or programs of the Soviet Communist power system.

PROLIFERATION OF WEAPONS

Mr. Speaker, the second claim made for this treaty is that it would restrain the proliferation of nuclear weapons. However, France and Red China have already stated that they will not sign the treaty, and will not be restrained by it.

Other than France and Red China, there are only six to eight nations who have the industrial and scientific capacity to construct nuclear weapons systems. None of these nations has indicated any intent to do so. Therefore, if this treaty is signed, it will not, in fact, reduce the proliferation of nuclear weapons.

Furthermore, these six to eight nations capable of nuclear weapons production are associated with the free world and not with the Soviet-Communist bloc.

It is a military and political policy of the Soviet to maintain a monopoly over nuclear weapons. The Soviet cannot afford to aid Red China in the development of a nuclear weapons system. She is afraid of being blackmailed.

The independent development of a weapons system by Japan, or other nations of the free world, would not be accompanied by the same degree of danger to the United States as the danger to the Soviet from a nuclear weapons system in the hands of Red China.

If this treaty is not signed and if the nations who are capable do, in fact, build nuclear weapons, it will be a threat to the Soviet and not to the United States.

The proliferation of nuclear weapons among the nations of the free world would, in fact, restrain the Soviet from embarking upon a nuclear war. It would discourage Khrushchev's reckless threats to launch his 100-megaton bombs.

It would require the Soviet to take into calculation the political and military risks of being required to launch a nuclear attack where the targets are dispersed among a number of nations instead of upon targets concentrated in the United States.

The implied acceptance by the United States of the antiproliferation policy of the Soviet is a grave error of foreign policy.

TREATY INCREASES POSSIBILITY OF U.S. SURRENDER OR NUCLEAR WAR

Mr. Speaker, the third claim made for this treaty is that it will reduce the possibility of nuclear war. This claim is a catch phrase, an unwarranted conclusion. It is not supported by diagnosis, analysis, and logic. The fear of nuclear war has been highly inflated and grossly exaggerated.

Khrushchev has successfully promoted and exploited this fear among the peoples of the world to his political and military advantage.

The State Department of the United States has likewise exploited this fear to promote the ratification of this treaty, and in part, to create a false image of peace for partisan political purposes.

CONDITIONS FOR NUCLEAR WAR

Mr. Speaker, what are the conditions under which nuclear war is likely to erupt?

First, the conditions under which the United States may launch a war is the United States might be forced to launch a defensive nuclear war as its only alternative to a political surrender.

Radio Moscow, on July 24, 1963, stated the Soviet assessment of this possibility in the following language:

> The Socialist camp grows, the revolutionary atmosphere becomes hotter, the class warfare in the Western countries worsens; This inspires the imperialist camp to use war to stop the development of Socialist countries.

This means that Khrushchev is aware that the United States might panic and launch a nuclear war if the Communist political and paramilitary campaigns continue to drive the United States into a desperate choice of surrender or nuclear war.

Under today's political climate, the United States is more likely to accept a sugarcoated surrender.

Second, the condition under which Soviet would launch nuclear war is if the Soviet is locked or impeded in its drive for world power, under its political strategy of peaceful coexistence, and if it possesses a favorable nuclear capability, it is most likely to launch a nuclear war. There is little likelihood of this, because the Soviet is winning its political war on every continent without military or nuclear war.

Mr. Speaker, neither of these conditions exist today. But, Mr. Speaker, the ratification of this treaty would advance the development of those conditions under which either the United States or the Soviet would launch a nuclear war.

If we are determined not to surrender in this political war, then this treaty accelerates instead of retarding or avoiding war.

Mr. Speaker, we do have a solemn duty to avoid war. But Mr. Speaker, we have double and primary duties to avoid and escape Communist tyranny.

TERMS OF MOSCOW TREATY

Mr. Speaker, the content, draftsmanship, implications, scope, and vagueness of the terms of this treaty are incredible.

This treaty has three original parties: the United States, the Soviet Union, and the United Kingdom. Article III provides that the treaty shall not enter into force until all of the three original parties ratify and deposit their ratifications.

Prior to ratification by the three original parties, this treaty was circulated to some 130 nations of the world; it has been signed by more than 100 nations.

Moscow has propagandized this treaty as the Moscow treaty leading to world peace.

The U.S. Senate is now debating the ratification of this treaty under heavy, psychological duress and political coercion.

The U.S. Senate cannot amend this treaty, stipulate reservations, or refuse its consent without flaunting world opinion.

The United States is placed in a most vulnerable position of being unable to debate this treaty upon its merits and to safeguard the security of this Nation by proper amendments.

The U.S. Senate has been deliberately placed in the dilemma of either consenting to or rejecting this treaty unconditionally.

The State Department should never have agreed to the procedure under this treaty whereby it was circulated around the world, before the original parties had an opportunity for full debate, amendment, and ratification.

I leave to the judgment of the American people the question of whether the State Department should be indicted for utter incompetence or whether it has resorted to a deliberate scheme to psychologically and politically coerce the U.S. Senate into a ratification of this treaty.

ARTICLE II—AMENDMENTS TO BE CIRCULATED AND WORLD CONFERENCES CONVENED PRIOR TO APPROVAL BY ORIGINAL PARTIES

Mr. Speaker, I now go back to article II of the treaty. Article II purports to establish a procedure for amending this treaty. The same procedure is to be allowed in the amending process as is now taking place in the ratification of this original treaty. The original parties—the United States, the Soviet Union, and the United Kingdom are given a veto power, not before but after, the amendments are first circulated to all signator nations and after these amendments are given world publicity by a world conference meeting to consider amendments.

This procedure will place the United States in the same disadvantageous world psychological blackjack position in regard to amendments that we find ourselves in now with regard to the original treaty before the U.S. Senate.

NEW INTERNATIONAL FORUM CREATED

Mr. Speaker, it is incredible that this most dangerous provision of this treaty has been so totally ignored in the public debates. In deliberate simple language, article II creates a new international organization.

Under its provisions, signator nations may propose unlimited amendments. These must be circulated to all parties to the treaty.

The subject matter, the scope, the relevance of the amendments are wholly unrestricted.

Article II mandates the convening of a conference of all nations upon the call of one-third of the contracting parties.

The Soviet Union can muster, at will, one-third of the nations of the world in support of its purposes.

Thus, the Soviet Union is provided with a new world forum for propaganda, agitation and the manipulation of world opinion. The United States is thus compelled to discuss, negotiate and defend any and all charges and grievances, no matter how spurious or malicious at the will and at the time chosen by the Soviet Union.

A secretariat and an organizational structure must be created to administer and process the amendments and the conferences to be authorized under Article II. An alternate, competing and conflicting world organization is thus created paralleling the United Nations in this treaty.

Mr. Speaker, it is elemental contract law and international law that a contract or a treaty cannot be amended, except by the approval of all contracting parties.

But, under article II, amendments can bind the parties to this treaty, against their will, and without their approval, by a simple majority vote and ratification of the parties to the treaty, including all of the original parties to the treaty.

Thus, a superinternational quasi-government is created. The contractual relationship of the parties to the original treaty is transformed into a governmental, parliamentary relationship.

Mr. Speaker, article II is a colossal fraud upon the United States. The State Department is foisting upon this Nation a premeditated amorphous legal and political monstrosity.

SOVIET EXPECTATIONS FROM MOSCOW TREATY

Mr. Speaker, the Soviet expectations from the Moscow treaty have been repeatedly stated by Khrushchev and the Kremlin leadership. His first objective is to disintegrate our NATO military alliance with Western Europe by:

First. The conclusion of a non-aggression pact between the Warsaw Pact nations led by the Soviet Union and the NATO allies led by the United States.

Second. The detachment of West Berlin from the free world under Khrushchev's plans for its internationalization.

Third. The detachment of West Germany from the free world by Khrushchev's plan for a neutralized Germany.

COMMUNIST PURPOSE TO DESTROY U.S. NUCLEAR POWER

Mr. Speaker, Khrushchev's second expectation from the Moscow treaty is to destroy U.S. military power.

This Nation's Army, Navy, and Air Force are built around the maximum utilization of nuclear firepower. Without nuclear weapons, our total defense system would become a hollow shell.

A mutual disarmament of nuclear power would, immediately, give to the Soviet a clear superiority of manpower, firepower, and conventional military might.

Khrushchev does not need to rely upon nuclear power to defend the Soviet because the Soviet cannot be threatened by conventional military forces.

Mutual destruction of nuclear power by the Soviet Union and the United States will destroy the only deterrent this Nation has against Communist aggression, and leave the Russian-led international Communist forces intact, unchallenged, and unopposed.

The consequences of this Moscow treaty will advance both of these major Soviet objectives.

Mr. Speaker, the position in which we find ourselves with respect to this treaty, constitutes a major diplomatic and political defeat.

But, Mr. Speaker, there is a way out of this deplorable dilemma.

The treaty presents us with a great opportunity to advance freedom and to secure the true peace.

This is the moment when we can and we must challenge the Soviet Union, Premier Khrushchev, and the Communist parties around the world, to demonstrate the sincerity of their loudly proclaimed desire for a more peaceful and secure world.

Ours is the opportunity to place before the world, the Communist definition of peaceful coexistence and our own definition of peace.

We can reveal once and for all whether Khrushchev wants a complete and total disarmament or whether this treaty is another conniving scheme for the advancement of the Communist war of hatred, deceit, and totalitarian subjugation of peoples.

Let us clarify and join the issues which confront and divide the peoples of the world.

Let us determine whether the peoples of the world choose love of mankind or hatred and hostility of one class against the other.

Let us determine whether the peoples choose freedom for individuals and nations or want the Communist totalitarian form of life.

I respectfully submit that the following amendment to the preamble of the treaty be presented to Premier Khrushchev.

PROPOSED AMENDMENT TO THE PREAMBLE TO THE NUCLEAR TEST BAN TREATY

At the end of the preamble, add the following clauses:

> Proclaiming as a further principal joint aim the speediest possible achievement of an agreement on general and complete nonmilitary disarmament under strict international control in accordance with the objectives of the United States which would put an end to direct and indirect political aggressions and eliminate the incentive to the creation in other nations of civil, paramilitary, and military strife and revolution, and
>
> Seeking to achieve the discontinuance of the use of propaganda, agitation, financial and military aid which promote hate and hostility of any class, race, religion, nation, or people against others.

Mr. Speaker, this amendment will pose to Khrushchev the question of his good faith. It will test whether or not the Soviet-Communist government and party organization are truly and sincerely interested in reducing world tensions.

It will determine whether there is a will and a subsequent possibility to create conditions between communism and the free world for a concurrent and coordinate total disarmament of all military and political warfare weapons.

The presentation of this amendment, offering a total military and political subversion disarmament to the Soviet, will dissipate the clouds of confusion that blind the State Department of our Government.

It will return the people of this Nation from their vain hopes and confused despair, to a sober assessment of the practical measures needed to secure our freedom and avoid Khrushchev's alternatives of surrender or thermonuclear war.

Mr. Speaker, I, here and now, challenge Mr. Khrushchev to accept this amendment to the preamble of this Moscow treaty.

This treaty is a God-created opportunity to present Mr. Khrushchev with an ultimatum to truly disclose Soviet intentions. We can by this amendment to the preamble trap Mr. Khrushchev in his own mousetrap.

If the United States wishes to crystallize and clarify the issues that are causing world tensions and that are threatening thermonuclear war it must, at this time, directly confront the Soviet Government with a demand for a total disarmament across the whole spectrum of the cold war.

If Khrushchev rejects this demand, then the United States can no longer doubt that Khrushchev is completely sincere when he states that the contradictions between the Communist nations and the Free World cannot be resolved by treaties and agreements.

If Mr. Khrushchev rejects this demand, then the United States can no longer doubt that his proposals for peaceful coexistence and relaxation of tensions are mere camouflage catch phrases to deceive the peoples of the world.

If Mr. Khrushchev rejects this demand, then the United States must believe that the Soviet-Communist policy is what they officially reaffirmed it to be on July 14, 1963, 2 months ago.

I quote this official Soviet statement:

> We fully stand for the destruction of imperialism and capitalism. We not only believe in the inevitable destruction of capitalism, but are doing everything for this to be accomplished as soon as possible.

Mr. Speaker, as certainly as I stand here today, the Soviet Communist answer would be "No." If the Soviet rejects total disarmament—as the United States defines it—then the nuclear test ban treaty must be scrapped and the hopes that we hold for it evaporate.

The United States must then maintain a superior military deterrent. We must then use our superior military deterrent power as a shield and as an umbrella to fully engage and counter the total Soviet-Communist cold war of political destruction around the world.

URGES NATIONAL PUBLIC DEBATE

Mr. Speaker, there has been bipartisan support for the test ban treaty in the U.S. Senate. I trust that this bipartisanship is not misinterpreted.

I cannot believe that either the Democratic or Republican parties are committed to the policies that are inherent or implied in this treaty:

First, policies of non-resistance to the Soviet-Communist forces; or

Second, policies of peaceful collaboration with communism; or

Third, policies that would abandon military superiority as a deterrence to Soviet-Communist aggressions.

Mr. Speaker, the bipartisan support in the Senate for this treaty does not, and will not preclude the two major parties from entering into a full and free debate on the issues raised by the treaty. It is the responsibility of both major parties, between now and the 1964 elections, to forge their most effective alternative policies and programs to meet Communist threats.

This Nation can and must find, adopt, and carry out policies and programs that will avoid the cruel choices that Khrushchev presents—surrender or thermonuclear war. These are the transcendent issues that confront this nation.

Mr. Speaker, I now refer to the "Papal Encyclical" of His Holiness, Pope Pius, the Eleventh, in the year 1937. I quote:

> Communism is intrinsically wrong, and no one who would save Christian civilization may collaborate with it in any undertaking whatsoever. Those who permit themselves to be deceived into lending their aid towards the triumph of Communism * * *, will be the first to fall victims of their error.

His words were true 26 years ago. Unfortunately, world events have repeatedly proven the wisdom of his warnings.

Mr. BRUCE. Mr. Speaker, will the gentleman yield?

Mr. PILLION. I yield to the gentleman from Indiana.

Mr. BRUCE. I think it is interesting to note that the Interparliamentary Conference of the Union, going on at Belgrade, Yugoslavia, at the moment, is faced with a resolution. Ostensibly it is a resolution of endorsement of the test ban agreement. I do not think there can be any question that the psychology and propaganda impact has created a tremendous support among the nations around the world, as an escape hatch, behind the test ban.

It is interesting to note, as reported by Roscoe Drummond, that imbedded in this resolution representatives from this body and the other body are going to have to vote on is a paragraph which in endorsing the test ban treaty also endorses a nonaggression pact between NATO and Warsaw countries, and also calls for the creation of a denuclearized zone in various parts of the world, including central Europe.

So in this Soviet resolution we find the real program and we also recall in the briefing which we had from the gentlemen who negotiated it on our part, the comment that the question of a nonaggression pact would be taken up later after this was out of the way.

What are our delegates to this conference supposed to do? If they vote against this resolution in an interparliamentary meeting they bring down the condemnation of the rest of the nations because they are "for war and nuclear tests." If they vote for it they have to take exceptions, not on the vote, but in their remarks, in effect saying we are voting for it, but we reserve our support from the other items. When they cast a vote in favor of this resolution that vote is in favor of a nonaggression pact between Warsaw and NATO and in favor of the denuclearized zones.

This is a striking example of what the Communists can and will do by diplomatic subterfuge as well as by psychological means, economic means, and military, where they can get away with it.

Mr. PILLION. The gentleman has made a great contribution by stating the expectation of Khrushchev and the Communist Party concerning the nonaggression pact which, of course, is just one of a series of steps by which we will be completely disarmed.

Does the gentleman know the Communist Party is propagandizing this nuclear test ban treaty around the world as being the Moscow Treaty, and their agents in Belgrade now are selling the treaty and attempting to submit and consolidate around the world their policies and their program, which is, of course, intended to completely disarm us and our deterrents and to destroy any possibility we may have to engage in and win a war?

Mr. BRUCE. In regard to the remarks the gentleman has made about the legal grounds of this treaty, may I point out that under article 49-0 of the Soviet Constitution the Soviet Government is authorized to abrogate any treaty instantly and without cause. This is the law of the Soviet Union. So when they break a treaty they are not violating the Soviet Constitution. This is the Soviet law.

Mr. PILLION. The gentleman is completely correct.

Mr. BRUCE. So there is no legal binding in this agreement so far as the Soviet Union is concerned.

Mr. PILLION. Of course, they know nothing about honor. A treaty depends on integrity.

Mr. BRUCE. From the Communist viewpoint there is a certain integrity, the integrity that anything goes that advances their cause.

Mr. PILLION. Their cause, part of which is the destruction of the United States.

Mr. BRUCE. But the point is that in their Constitution they frankly state it is the law of the Soviet Union that they may at any time abrogate any treaty without notice, so this treaty is absolutely meaningless as far as being binding on the Soviet Union is concerned.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. PILLION. Surely. I will be glad to yield to the gentleman from California.

Mr. HOSMER. I wish to congratulate the gentleman from New York on his very fine exposition and his very carefully detailed and documented statement of the situation as it exists today. I only wish that perhaps on the other side of the Capitol some of the remarks might have been as able as those made by the gentleman from New York today.

Mr. PILLION. I thank the gentleman for his generosity.

Mr. HOSMER. I have particularly in mind a reference by one of the gentlemen of the other body which had to do with an argument for ratifying the treaty on the basis that if we refused it the Chinese Communists would have an opportunity to ridicule and deride the Moscow Communists.

If we are to conduct matters that have to do so vitally with our national security on a proposition of making the Communists happy I think we are soon doomed to a dire fate.

This squabble between the Chinese and the Moscow Communists is a matter of difference in interpretation of the Communist doctrines. They are both true Communists. They are both dedicated to the burial of the West. Each has the cemetery in mind insofar as freedom in Western civilization, as we know it, is concerned.

I think, too, we have had prevalent in this country what might be termed a soft-line policy toward the Communists. I certainly feel that the gentleman is not in that category. He illustrates the hard line.

Mr. PILLION. The gentleman is completely right about that.

Mr. HOSMER. But those who do argue taking the soft line say that if we do, if we are nice to those people, they, in turn, will be nice to us; that there are, they argue, on the other side of the Iron Curtain, those who would follow a soft line toward the West and that what we do by way of softness encourages and abets and gives strength to those on the other side who would likewise follow a soft policy. And they say Mr. Khrushchev, as an example, illustrates that policy. We must do these things to keep Mr. Khrushchev up and Mao Tse-tung down.

I think the fallacy of the argument lies in the fact that the exact opposite result is more likely to occur; that is, that when softness is observed on our side, Communist dogma indicates to them that it is time for the hard line. And Mr. Khrushchev can certainly switch between the soft line and the hard line and back again as he pleases.

Mr. PILLION. And the gentleman knows that the soft lines and the hard lines are merely tactical matters to them.

Mr. HOSMER. Certainly the external affairs of the Communist countries are carried on strictly in accordance with the Pavlovian philosophy and psychology, the creation of crisis and then the relaxation of the tension; the creation of the the crisis and the relaxation of the tension in the animal, which so shatters the animal's mental being that he becomes of no decisive nature whatsoever. That kind of thing is calculated to do exactly the same thing to us.

It was only 9 months between Khrushchev as the frowning Russian rocket-rattler of Cuba and the Khrushchev who was the smiling test ban treaty peddler of Moscow. Let us look ahead another 9 months. That takes us up to the spring of 1964. And I would like to go on record right now as predicting that in that period of time we again will see a crisis period, a strong tension period aimed again at weakening our will to resist. And further than that, by the fall of next year we will see a relaxation period. The spring affair might be something in Europe, something around Berlin; it could be in Africa, where they have kicked up troubles, or in Asia, where they have kicked up troubles, or in our own Western Hemisphere, or any place in the world.

But mark my word, it will occur and the realization thereafter again will occur, because it will by the manipulation of the Soviets seem to be a justification of the soft-line policies that might pertain in this country, and it would have an effect at that time upon the outcome of the American election.

Mr. PILLION. I agree with the gentleman's assessment completely. I think the gentleman is making a great contribution by stating it here today in connection with this nuclear test ban treaty.

Mr. HOSMER. If the gentleman will yield for just a moment further, as the gentleman has pointed out, what this test ban treaty does is not to accomplish the very things that its proponents claim it will accomplish.

Now, one of the things that the gentleman has not mentioned, because it is no longer claimed to be accomplished by the treaty, but which up until the very moment that the atmospheric treaty was negotiated, was one of the very strongest arguments that was made by treaty proponents for a test ban treaty. That was that the document, because it would continue inspection and detection procedures would serve to open up society and, mind you, that only by opening up the closed Soviet society could the world take that first step toward peace.

Now, that has been entirely abandoned. We have forgotten about it. It has been given up and it has been surrendered. With this kind of a treaty before us there is no longer compulsion for a treaty that does contain inspection and detection procedures. Therefore, we have abandoned the opportunity to achieve that very thing which so many claimed was the key to the first step toward a treaty.

Mr. PILLION. Does the gentleman agree with me that the U.S. public, the American public, the people of this Nation, are not acquainted with the implications and facts that underlie this treaty and underlie the dangers around the world?

Mr. HOSMER. If the gentleman will yield, I think that is true, particularly in the context of understanding the strategic situation—the fact that we do live in a world where there is a force that is dedicated to our destruction, that is dedicated to our destruction as immediately as possible, that uses coexistence or uses nuclear explosives alternatively, depending upon what historical facts or circumstances tell them to use according to the Marxist and Leninist dogma.

Certainly, the people of the United States have not had the opportunity fairly to judge this treaty in the context of that situation. They have only been allowed to see it as a small segment.

Mr. PILLION. Does the gentleman agree that the political parties of this Nation should not be precluded, no matter what the vote may be, no matter what the leadership may say in the Senate, from fully debating and discussing the facts surrounding this treaty, fully stating to the American public what the actual political and military condition is so that we can debate this between now and the election in 1964 so as to give to the American people the grounds for forming a judgment of what we have been doing?

Mr. HOSMER. If the gentleman will yield further, more than that. I believe that inasmuch as it seems likely that this treaty will be ratified, we must make a complete index of all of the disadvantages of the treaty. Now, these disadvantages have been admitted implicitly by the administration, by the Joint Chiefs of Staff, by the Secretary of State, by the head of the Disarmament Agency, by all of those who are proponents of the treaty who say to do such things as try to keep the labs working as they should work, conducting a vigorous underground test series, and keeping a readiness for testing. All right, those are admissions that this is a defective and dangerous document. They say the dangers can be overcome by this kind of action. Now, let us list those actions.

Let us make sure that it is done to protect the United States. This has to do with the survival of the United States and if there are any errors to be made let us make them on the side of safety, not upon the side of running a further risk. This, Mr. Speaker, means the expenditure of many billions of dollars to prepare ourselves for readiness for testing alone. I intend to enlarge upon this subject at a later date. It will consume about $1 billion if we are going to maintain that readiness year after year, and in the event of a serious breach it is going to cost us a quarter of a billion dollars a year. That is a basic, necessary expenditure to meet and try to overcome a danger that is otherwise absolute and admitted even by the most vigorous adherents of the treaty.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. PILLION. I yield to the gentleman from Illinois.

Mr. PUCINSKI. The gentleman from California and the gentleman from New York have made a very significant contribution to this discussion this afternoon, but having said all the things the gentleman has said, would he venture an opinion as to whether or not the other body should or should not ratify the test ban treaty, in his judgment?

Mr. PILLION. As I stated in my remarks, this is a beautiful opportunity for the U.S. Senate to add a reservation that would require the Soviets to disarm completely its subversive weapons, its infiltration weapons, its weapons in mass communication and mass media by which it is waging this political warfare. It is a war of minds. The great genius of Lenin was in applying certain strategy and tactics to this political war. That is the war we are in at this time. Let us disarm both in the military field and in the political warfare field, then we can compete with them around the world. That is the opportunity we have now to insert that reservation and avoid his mousetrap, put him in the trap when we say to the world: "Let us have a true, enduring, real peace." Let us see what he says about that. If we do not have such a reservation, if we do not put that ultimatum to them, the treaty is a great disservice to the United States and to the world, and it should be rejected. If it is allowed to stand as it is without those safeguarding amendments, we are in trouble.

Mr. PUCINSKI. I believe the gentleman from New York has really spelled out the grand desire he has for the ultimate conquest and collapse of the international Communist conspiracy. I do not think any Member of this Congress on either side of the aisle would quarrel with the gentleman in his ultimate goal. Certainly I agree with him, and all of the things he has said are necessary before this world can rest with some degree of security against the menace of international communism.

I agree this is the grand desire, this is the great hope of free people all over the world.

President Kennedy has properly stated that even a journey of a thousand miles requires a first step. Having made the statement he did, these are the things that we all hope for, but, certainly, one cannot be in touch with reality and believe that we can encompass this great plan that the gentleman described all in this one treaty. The President has stated most eloquently, and I think the President deserves a great deal of credit for being frank and honest with the American people, his position when he said do not place too much hope in the document. This is but the first flicker of hope. Where it is going to lead us we cannot say.

Now, I ask the gentleman, assuming that the gentleman's grand design is rejected as an amendment to the treaty, would the gentleman then suggest that the other body not agree to this beginning at some sort of understanding in the control of this very destructive weapon? Would the gentleman say that the other body should reject the treaty?

Mr. PILLION. I appreciate the gentleman's noble concept and patriotic intentions. I know that he is as interested as I am in a true peace, but this is not a first step to peace. It is not that at all. It is the first step to the negotiation of an agenda that was designed in Moscow for the purpose of permitting the Soviet Communist forces to accelerate their taking over the rest of the world by destroying our deterrence.

The policy that the United States has followed is to make itself strong enough so that it can engage communism around the world without fear of a thermonuclear war, and until the Communist Party discontinues or gives up its goal, until it gives up its policies, gives up its program under these policies and this goal, all you are doing is weakening yourself and failing to engage in the war that he is winning, the war of minds, winning the minds of the world. He ultimately wins political power, and political power is a power to which the military is subordinate. By winning political power he wins military power. That is how he is winning this war. He is winning the whole world politically, economically, and militarily.

Mr. PUCINSKI. My distinguished colleague from Buffalo knows I have the highest respect for him.

Mr. PILLION. And I have the highest respect for the gentleman.

Mr. PUCINSKI. I respectfully submit that my distinguished colleague tortures history slightly when he suggests that this plan originated in Moscow. Is it not a fact that this plan of a limited nuclear treaty actually had its genesis right here in the White House when President Eisenhower suggested that we try to make a first step in this direction, when he suggested that we propose to the world that if we cannot reach an agreement on complete disarmament, if we cannot reach an agreement on a ban on nuclear testing, if we cannot reach an agreement on complete inspection and foolproofing the system, at least we can make a first step in that direction by barring nuclear testing in the air and underwater. I am under the impression that had its genesis right here in the Nation's Capital, not in Moscow.

Mr. PILLION. I was not referring to that portion of the treaty. That is a minor portion of the treaty. It is what Mr. Khrushchev expects from the treaty in the line of disarmament that is the important part of this treaty. That is just an entering wedge, exploiting the fears of people around the world about nuclear war. That is the minor part of the treaty. The major part is disarmament.

Mr, PUCINSKI. I thank the gentleman.

Mr. PILLION. I thank the gentleman for this contribution.

Mr. WYMAN. Mr. Speaker, will the gentleman yield?

Mr. PILLION. I yield to the gentleman from New Hampshire.

Mr. WYMAN. Mr. Speaker, there has been a good deal of misunderstanding and misinformation concerning the real significance of the test ban treaty. It is unfortunate that the American people have been literally besieged by editorial opinion and much free lance comment motivated by exaggerated fear of fallout and general detestation of a nuclear holocaust.

Any such test ban treaty, even were we to assume good faith and performance by the countries signing it, leaves open atmospheric testing to nations that do not sign. As to these, the only deterrent is the sometimes nebulous restraint of world opinion. Thus we, in effect, agree that we will not test in the atmosphere although Red China or France may do so. This is scarcely a sound position for a nation whose experts virtually all agree that it has not completed its atmospheric testing requirements.

President Kennedy himself not very long ago was explicit in his assurance to our people that any test ban treaty to be signed by this Nation would contain ironclad guarantees of onsite inspection. There are none whatever in the treaty now proposed to the Senate. Authorities also agree that in the vast reaches of the Soviet Union as well as in space itself atmospheric testing by a nation intending to violate its treaty commitment is difficult, if not impossible, to detect and identify.

The Soviet Union is infamous for its repeated violations of treaty obligations. The act of exacting a solemn commitment with the Soviet Union on a reciprocal covenant basis in a treaty implies a measure of faith in Communist promises that is both naive and offensive to many nations and peoples of the world who have witnessed Soviet lies, deceit, and trickery at close hand and at awful costs over decades.

The treaty proposed is less than a work of art in legal draftsmanship. Its loopholes are glaring. It can be withdrawn from by any signatory by its own terms on 90 days' notice. It is in fact only a gesture toward the desirable goal of international regulation of nuclear power capable of mankind's destruction. Yet the fact of its execution, should it be ratified, will lull millions toward the false belief that somehow, because of its covenants, that things are better in the world, Communists have changed their spots and there will be peace in our time. Like the siren-song of Munich, this feeling will but enervate the determination and concern of most Americans to maintain a strong military posture.

No matter protestations by the executive of awareness of communism's record of duplicity or its contentions that the United States enters into this treaty with its eyes open, there is somehow the suggestion implicit in the fact of the treaty itself that international communism is not as much of a mortal enemy as it has been in years past. This is contrary to historical fact and dangerous to the national security in the extreme. It amounts to letting down our guard at a time when Communist military and espionage activities are going on under our very noses in our own backyard in Cuba and along our coasts in the form of hundreds of Communist ships taking advantage of international law which they do not recognize but which they know we do and will. It is the same with this proposed test ban treaty. It is all to Communist advantage and our disadvantage or the Soviets would never have agreed to it.

The dangers of fallout from atomic testing are real. But the fallout is not yet anywhere near lethal limits nor has it reached proportions that will demonstrably adversely affect the genes of generations to come. Undoubtedly a dirty 100-megaton explosion would aggravate the fallout picture. But clean explosions, particularly of small bombs on a test basis, would not do this and we need to continue such explosions to perfect an antimissile defense that many informed persons indicate they believe Communists have already perfected.

As a matter of fact, the proposed nuclear test ban treaty makes atomic war more likely than less likely because American policy should and must be to make certain that Communists know they cannot attack us successfully without being destroyed in return. Our commitment to cease atomic testing forever freezes the Soviet advantage in their known superiority in heavy yield weapons. It does little good to say that five 20-megaton bombs are the equivalent of a 100-megaton monster or that we have such an overkill capacity that we no longer need to test. Nuclear missilery is an evolving science. Testing on a continual basis is essential. With the Vostok launch vehicle, it is not inconceivable that at some not too distant day the Soviets will orbit a 100-megaton bomb, controllable by pushbutton from within the Soviet Union. We have not even tested to know that we can produce such a weapon.

In the same practical sense, the actual hardness of our missile sites has not been tested. This requires atmospheric testing. Likewise, certain atmospheric testing is incumbent in respect to submarine defenses.

Mr. Speaker, the hard fact of the matter is that we are losing our capability for a second strike. This means that our capability to deter Soviet aggression is steadily being rendered less and less. Are we agreeing, for example, by this treaty that if we need a second Panama Canal we will spend billions for it rather than to construct it by a few nuclear explosions?

Years ago Lenin said that disarmament for Communists means disarming the bourgeoisie and arming the proletariat. This was Khrushchev's theme in 1961. The Soviet strategy today is the same as it has always been. It is determined to neutralize the opposition. This test ban treaty does exactly that. Apparently this administration wants to help us to be neutralized.

I am compelled to observe that in the Kremlin there must be rejoicing as the Communists talk of "those stupid Americans" much the same as the Nazi's talked of the "stupid British" after Munich. This Moscow manufactured test ban treaty, instead of being hailed by historians as a step toward peace, should it be ratified, will some day earn the title of the Munich of the sixties.

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, soon the Senate will vote on the question of giving its advice and consent to the Nuclear Test Ban Treaty. Actually, the Senate had no opportunity to give its advice. All that is being sought is its consent. The action of the administration in first, suddenly withdrawing its previous insistence on "on-site" inspections, and second, initialing the treaty in advance of any public debate, has left the other body in an impossible position.

If it opposes the treaty, it subjects America to the possible scorn and verbal attacks by the other 80 signatories to the treaty—signatories for whom a pledge not to test weapons is rather meaningless in view of their nonpossession of nuclear weapons. On the other hand, if the Senators give their belated consent, in an "ex post facto" manner, they place our country once again in the position of trusting the word of the Communists with the very survival of our country at stake. This is a perplexing paradox—a dilemma.

It is not a choice that any Senator must relish. It is not a choice I would relish if voting on this treaty were a responsibility of the House of Representatives. But as a member of the House Armed Services Committee with knowledge of the reservations of our highly informed military leaders, I believe I would rather subject myself to the scorn of a few other nations than to the ominous military disadvantages imposed upon our proud, freedom-loving sovereign Nation by this treaty.

Even those Senators friendly to the administration have given only grudging approval to this treaty. It is obvious that if their advice had been sought before the treaty was initialed they would have insisted that America stick by its insistence on "onsite" inspections. So anxious was this administration to seek an accommodation that political imagery took a priority over past experience in dealing with the Soviets.

About one provision in the treaty, I am particularly concerned, even though it is in the preamble. Paragraph 2 of the preamble states:

> Proclaiming as their principal aim, the speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons including nuclear weapons.

In the present state of world affairs, I am not at all convinced that we are ready to or that we should commit the Congress and the American people to a program of complete disarmament under the United Nations supervision. I do not have that much faith in the United Nations as a police force, certainly not under circumstances whereby the primitive and nonresponsible nations of Africa hold 25 times as many votes in the General Assembly as does the United States.

But by agreeing to paragraph 2 of this preamble, I can see where we enable Mr. Khrushchev to put increasing pressure on us to accept total disarmament, of all arms, by virtue of our total commitment in this treaty. I question whether President Kennedy himself wants to be put in this position, and I am sure that the occupant of the White House after the 1964 elections will not relish that commitment.

Many questions remain unanswered in spite of the debate in the Senate. These include the wisdom of any agreement with the Soviet Union which has a long history of abrogating treaties when it so suits them to do so. We should ask ourselves, would we enter such a treaty if there were no split between the Soviet Union and Red China, and as a logical follow-up, will we be required to stand by our commitment not to test in the event that breach is resolved at some distant point in the future?

We should ask about the advisability of limiting our development of nuclear weapons which have been our only successful deterrent to war in the past 16 years.

We should ask whether instead of slowing down the nuclear arms race, we will not in fact impel countries like France to speed up their nuclear arms development out of fear that America can no longer be relied upon to maintain the nuclear strength and a deterrent of the free world.

My own duties on the Armed Services Committee compel me to ask whether we are abreast of the Soviet Union in our knowledge about the effect of fireball thermonuclear or other "blackout" from electrodynamic pulsation on untested and anti-missile-missile devices. Only the Soviet Union has tested nuclear devices in the 50-megaton range and we know that there is a serious impact on all types of communication facilities from the effect of such a blast. But we have no specific knowledge in an area that could mean life or death in case of nuclear attack, insofar as our reaction to an attack depends on continuity of communications. Only U.S.S.R. has fired a missile through a "fireball."

The questions that remain unanswered are these:

First. In the formulation and negotiations leading to the treaty and its terms, were all five members of the Atomic Energy Commission consulted? Also, were the Joint Chiefs fully consulted prior to initialing the treaty?

Second. Would article III of the proposed treaty give Cuba a back-door clearance to test underground? Would the same section allow back-door clearance to East Germany to become recognized in the family of nations?

Third. Will our agreement to the treaty delay if not inhibit our ability to develop an operational antimissile missile, and will it prevent us from testing later refinements of our long-range ICBM's insofar as assuring their capability to deliver a nuclear warhead—a test which the Soviets may already have conducted in their last test series? Our people should know that our ICBM's are not fully successful and one has never carried and fired a nuclear warhead.

Fourth. Will the terms of the treaty permit the Soviet Union to develop its tactical nuclear capability, the one area in which we are now in the lead?

Fifth. Will the treaty enable Khrushchev to perpetrate the myth that he is a peace-loving man, in spite of the fact that without active Soviet support, current Communist subversion throughout the world would collapse?

Sixth. Do we give acquiescence to Soviet troops in Cuba, the Berlin wall, Soviet subversion in Latin America, and aggression in Laos and Vietnam by negotiating with the Soviet Union on other issues, before these instances of aggression are resolved?

Seventh. Is not the maintenance of a strong nuclear deterrent a vital weapon in the face of the manpower resources of the Soviet Union and Red China, and is an agreement which tends to restore the balance of military power to those nations with numerical superiority against our best interests?

Eighth. Are we not overlooking the entire history of Soviet aggression, the long record of treaties they have broken, and the alternate periods of thaw and attack which followed earlier supposed examples of Soviet mellowing in 1955 and 1959?

Ninth. Does the treaty continue to give the Soviet Union the right to test without detection underwater in their inland lakes near uninhabited areas, without any provision for on-site inspections

Tenth. Is this treaty truly in the national interest of the United States or does it merely encourage hope for a future relaxation of tensions without any evidence that the Soviet Union has abandoned its announced intentions of spreading communism throughout the world, by whatever means are required of the moment?

Mr. Speaker, I find it hard to understand how the Nation can so shortly forget President Kennedy's own words when, after the Soviets broke their word in October 1961, when he said "we would never again agree to any test ban without on-site inspections." Now he has called for national debate, yet few have printed or broadcast the text. By approving this treaty without reservations, we are in effect, demonstrating the success of Soviet strategy to push, and push, and push until we give. I do not believe we can lead the free world until our backbone proves at least as strong, and eventually stronger, than those who have sworn to bury us.

NUCLEAR TEST BAN TREATY

The **SPEAKER** pro tempore (Mr. O'BRIEN of New York). Under previous order of the House, the gentleman from Iowa [Mr. GROSS] is recognized for 60 minutes.

Mr. GROSS. Mr. Speaker, for days on end, first out of Moscow and now out of Washington, citizens of this Nation have been treated to some of the fastest verbal footwork ever perpetrated upon mankind in connection with the so-called limited nuclear test ban agreement.

In some respects the recent signing ceremonies in Moscow were reminiscent of nearly a quarter of a century ago, in late August of 1939, when, in an atmosphere of "friendship and joviality," the then Communist masters of the Kremlin suddenly did a complete about face and signed a nonaggression pact with Adolf Hitler and his Nazi Germany. Ten days later, Hitler invaded Poland and World War II was underway. But through this cynical pact the two dictators, Hitler and Stalin, bought time for their later bloody showdown that each knew was inevitable.

The limited nuclear test ban agreement is another of the infamous wheel-and-deal maneuvers of Soviet foreign policy and neither in Moscow nor in Washington has there been anything approaching an adequate or convincing explanation. The recent pictures of American and Communist Russian officials, vodka and champagne glasses in hand, beaming at each other—"friendly" and "jovial"—at the agreement signing ceremonies provided not the slightest clue that the present masters of the Kremlin are any less cynical than were their counterparts in 1939. Nor that they are in the slightest degree remorseful for the dozens of broken agreements and acts of aggression before and since World War II.

Citizens of this country should constantly bear in mind that the main thrust of the so-called limited test ban agreement is to stop testing in the upper atmosphere. Testing can and will go on underground with any size nuclear explosive force. This, then, is not disarmament for by the agreement not a single nuclear bomb or other weapon is caused to be eliminated from any nation's arsenal.

The treaty, says President Kennedy, will not "eliminate the dangers of war. But," he continues, "it is an important first step—a step toward peace—a step toward reason—a step away from war."

If it will not "eliminate the dangers of war"—any of them—how then does it become "an important first step toward peace?" This sounds like duplicity—political duplicity.

There is anger among the American people over the failure of the Kennedy administration to eliminate the Communist Soviet forces from Cuba; to eliminate the "wall of shame" in Berlin, and halt the Red advances, not only in Central and Latin America but in Europe, as attested by the astonishing increase in Communist votes in Italy in that country's recent national election. Can it be that the Kennedy administration, faced with trouble in the 1964 election, seeks a political "peace issue?" It goes without saying that the Russians have no desire to see a new administration in Washington instituting strong and positive policies in behalf of Americans.

What better way to make Americans forget Cuba and other depredations of the Communists than to convince them that the hierarchy in the Kremlin is no longer dangerous and unyielding?

It is significant that in all the headlines and stories concerning the Russian about-face on the limited test ban, there was no mention of the Khrushchev-approved statement, issued on July 14, 1963, which said:

> We fully stand for the destruction of imperialism and capitalism. We not only believe in the inevitable destruction of capitalism but are doing everything possible for this to be accomplished as soon as possible.

In the light of this statement, preceding by only a month the signing of the test ban agreement, can President Kennedy say with a straight face that amid the clinking of vodka glasses in Moscow, amid the "joviality" that pervaded the Kremlin, "an important first step was taken toward reason?"

When the treaty was initialed in Moscow, a Member and leader in the other body, who declined to make the trip to the Red capital, claiming he did not want to become committed in advance, said he discerned a "gimmick" in the treaty. He said:

> Khrushchev has not yet recanted his determination to bury us.

And then he added:

> If this is the first step, when does the second shoe drop?

But a trip through or in the vicinity of the White House rose garden apparently wafted away the odor of any and all "gimmicks."

There followed an emotional speech on the floor of the other Chamber on the destruction and devastation wrought by the bombs that were dropped on Hiroshima and Nagasaki, but there was not one emotional word uttered by this Member and leader concerning the 35,000 American dead and 100,000 wounded in the Korean war that came 5 years later—victims of a sanquinary war that was made possible only because of Russian perfidy.

What is the meaning of this new-found "friendship" and "coexistence" with the Soviet? Is this treaty part of a grand design to add Rumania and Hungary to the list of other members of the Communist conspiracy now feeding out of the foreign handout program?

The proposed treaty effectively blocks the United States from effective development of an antimissile missile, for scientists say these tests cannot be made underground with any degree of effectiveness. We are told that it blocks the perfection of missile detection and tracking systems against blackout through the explosion of high megaton devices in the atmosphere. As in 1958, when a moratorium on testing became effective, the proposed treaty will again give the Russians needed time to evaluate the results of the high-yield detonations they have carried on since 1961.

And let it be remembered that when the Russians resumed testing in the atmosphere in 1961, they announced their decision to break the moratorium on the eve of a conference with other Communist and so-called neutral nations. At the time they again displayed their prefidy by charging that the United States had broken the moratorium; that it was the warmongers of the United States that had caused them to again start testing in the atmosphere.

At this point it might well be asked: What has happened to the United States demand for onsite inspections? For years the representatives of this country have demanded a minimum of 27 onsite inspections. This number had gradually been reduced until today this demand has apparently been given up as a lost cause.

Rejecting the lessons of history and the cynical disregard of the Soviet Communists for adherence to agreements and treaties, we see our Nation being shackled to a proposed treaty in which there is not the slightest disarmament with respect to existing weapons, but which, I am convinced, gives to the Russians an insidious control of the development of our weapons systems and thereby threatens the very security of the United States.

Let us hope that the other body will test the sincerity of the Russians by adding reservations to the proposed treaty.

Mr. BRUCE. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. BRUCE. I think a point ought to be made here that the proposal which was made by President Eisenhower called for inspection. The Soviet Union consistently refused to accept Mr. Eisenhower's proposal with adequate inspection. The current treaty does not have inspection in the countries involved. That has always been the Soviet position.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. PUCINSKI. I think the gentleman completely ignores the fact that we have understood and our allies have understood that the present state of the art permits the virtual foolproof detection of nuclear detonations both in the atmosphere and underwater. The gentleman from California is here, perhaps he would like to comment on that. He is a distinguished member of the Joint Committee on Atomic Energy. It is my understanding we now have devised adequate inspection systems to detect any nuclear detonations in the atmosphere even at extremely high altitudes. Certainly, there is no question we now have adequate international inspection systems to detect any nuclear detonation underwater. Certainly, this is consistent with Mr. Eisenhower's suggestion. Mr. Eisenhower had pressed very hard and properly so for a ban on all nuclear testing. It is true, to the general's credit, that he was not going to be trapped into agreeing with a situation with the Soviet Union whereby we could not have foolproof inspection on the Soviet continent for underground testing. So this country has not accepted a treaty for a ban on all nuclear testing. We retain our right to continue our nuclear testing underground simply because we could not reach agreement with the Soviet Union for foolproof inspection of underground testing in the Soviet Union. The gentleman from California, perhaps, would like to tell us whether or not we have developed adequate systems for detecting nuclear detonations in the atmosphere and underwater.

Mr. GROSS. I am afraid the gentleman from Illinois is not completely informed with respect to the efficiency of our testing system. I yield to the gentleman from California to express his views.

Mr. HOSMER. I thank the gentleman from Iowa.

There are two items raised by the very able gentleman from Illinois that I would like to discuss. The first is that the offer by Eisenhower of an atmospheric treaty was in somewhat the same language as the present treaty, but in an entirely technological context. At the time, in 1958 or 1959, when the offer of an atmospheric treaty was made, the United States possessed absolute superiority in nuclear weapons technology. Since that time the Soviets breached the moratorium on testing, suddenly resumed tests in 1961, and carried on a series of tests into 1962 and as a result achieved undisputed superiority in high-yield weapons. They also claimed to have achieved a capability with antimissile weapons, which claim we have not been able to make. That leaves us only then with a superiority at the present time, under the present treaty-negotiating situation, a superiority in tactical nuclear weapons. Now, tactical nuclear weapons can be developed underground. Therefore, the Soviets have an opportunity to catch up with us in that field. Antimissile weapons cannot be developed underground nor can high-yield weapons. So we have no opportunity to catch up with them in those areas. So the inevitable consequence of this treaty will be the loss of U.S. nuclear weapons superiority that has been the practical umbrella which has maintained the peace of the world over a period of almost 15 years.

We are substituting for that umbrella the umbrella of a piece of paper signed in Moscow, an untested piece of paper, an ambiguous piece of paper, a piece of paper that can be subject to pulling and hauling and divers interpretations and quarrels and abrogation, either on a 3-month notice as provided in the treaty or abruptly and instantaneously as provided for by the customs of international law. So in that sense we are on an entirely different basis than when Eisenhower provided an opportunity for entering this kind of treaty earlier. The gentleman from Illinois made another point.

Mr. PUCINSKI. Will the gentleman yield at this point for a question?

Mr. GROSS. I believe the gentleman from California wants to discuss the question of detection systems.

Mr. HOSMER. I would like to talk about this detection system for a moment. It is not true that we have a system which will infallibly detect nuclear explosions in the atmosphere.

We have a system that may ambiguously record some data which cannot be classified either as nuclear or nonnuclear. If you recall, the President's speech here at American University on June 10 was the ushering in of this era of partial test ban treaty. On about the 12th we read in the newspapers here in Washington of the detection of some kind of a manifestation in the Soviet Union. I think there were either two or three such manifestations. Upon query the Atomic Energy Commission was unable to classify the manifestations as either nuclear or nonnuclear. As a consequence, whatever it was, whether it was a lightning storm, whether it was a high explosive conventional explosive, whether it was a low fission yield, or a clean type nuclear explosive or a very low yield nuclear explosion in the atmosphere we do not know. Therefore, at this very moment when this treaty is subject to ratification by the U.S. Senate we find developing an area of uncertainty that opens up a very confusing period for the defense of the United States, for we simply do not know and we cannot know, as we do not have the technical capability of knowing, what these people are up to with respect to the development of nuclear weapons.

Mr. GROSS. Is it not true that the Eisenhower administration insisted on 27 onsite inspections? Was that not a point?

Mr. HOSMER. Yes. Some figure of that nature. That had to do with a comprehensive treaty, however, and not the atmospheric treaty that we are talking about now. The inspection machinery with respect to an atmospheric treaty was not spelled out simply because the Russians said, "Nyet. We won't talk about it."

Mr. GROSS. That is right. And at present it appears that the agency reduced this demand to three or four or five.

Mr. HOSMER. That is again when they were talking about a comprehensive treaty, whatever it was, but there was a constant erosion of their position on safety to one of imperiling danger.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I will yield.

Mr. PUCINSKI. It is my understanding, and I do not want to debate with the distinguished gentleman from California who is a member of the Joint Committee on Atomic Energy, so I would presume he would have a great deal more information on this subject than the average Member of Congress, but I am under the impression that there has not been a single responsible member of the scientific community in this country who first has had any doubts about our ability to detect nuclear detonations out in the atmosphere. More importantly I would like to ask the gentleman this question: He makes a great deal of the fact that the Atomic Energy Commission in its announcement of a blast had a failure positively to identify this particular blast that the gentleman mentioned a moment ago. Is it not a fact that to this day, some 15 years after the Soviet Union had allegedly developed all of this nuclear progress, the Atomic Energy Commission has never in any of its official releases stated that the Soviet Union has detonated an atomic or nuclear bomb but has merely described the detonations as a detonation of an atomic device with no further explanation? The point I am making in my question is, is this not a policy of the Atomic Energy Commission never positively to identify the scope of the Soviet activity in the nuclear field? Has it not been a long-standing policy from the very beginning?

Mr. HOSMER. If the gentleman will yield further, I will answer that.

Mr. GROSS. I yield to the gentleman from California.

Mr. HOSMER. I will answer the last query first, that is to say, I do not intend to become entrapped in semantics here. Of course, the Atomic Energy Commission often has been equivocal in what it said, but there was no equivocation in connection with the manifestations I mentioned where it stated it could not identify them as nuclear, which meant it could not identify them as nonnuclear. So there is no question about this.

The gentleman first asked if I knew of any competent scientific opinion that ever stated that nuclear testing in the atmosphere could not be detected. I believe the gentleman from Illinois will acknowledge that Dr. Edward Teller is a competent nuclear physicist and entitled to have a weighty opinion on this subject.

There are at least three or four or five gentlemen here in the room who sat with me about 6 weeks ago at a breakfast—on June 25, to be exact—at which Dr. Teller stated that anything up to 20 kilotons you could get away with for sure in the atmosphere, and possibly more than that.

Let me explain a little more about this atmospheric testing. Of course, all nuclear weapons progress is a record toward cleaner and cleaner weapons, and the closer you come to that the more difficult and then finally it becomes impossible to detect them in the atmosphere, simply because you do not have sufficient product that you can collect and put back in the laboratory and label it definitely.

Mr. Speaker, I thank the gentleman from Iowa for yielding to me.

Mr. PUCINSKI. Mr. Speaker, I would like to thank the gentleman from Iowa for yielding to me. Certainly this has been a very interesting discussion. I hope we will have the satisfaction of pursuing this subject further at a future date. I express my appreciation to the gentleman from Iowa for yielding.

Mr. PILLION. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from New York.

Mr. PILLION. May I just refer to the question of Red China and the Soviet, and the relationship there? The gentleman from California raised it. On May 17, 1954, about 9 years ago, I stated in this House:

> The Soviet cannot and does not dare to industrialize China. The Soviet Union lives in dread fear of a unified, industrialized, and independent China. * * * The present rulers of China cannot condemn China to perpetual subservience to Moscow's purposes. * * * History demonstrates that two dictatorships cannot both govern the same area.

I made those remarks at that time knowing full well that while the Soviet and Red China are united in their purpose to destroy the free world they still have a great conflict of interest, a great conflict of national interest, which is now arising. It is shown by the eruption of the discord and differences and disagreements between Red China and the Soviet. I am most sorry to see that the United States, instead of exploiting the natural and conflicting interest between Red China and the Soviet is doing everything to prevent that split by assisting and helping the stronger of our two enemies—the Soviet Union. Anyone who has two enemies, a strong one and a weak one, is not going to help the stronger one. It is commonsense that you exploit those differences and you do not help the stronger of your two enemies.

It is the Soviet Union that is the leader at the present time of the 100 million people in its army around the world that is seeking to destroy us. If anything, we should weaken the Soviet Union and strengthen Red China, and perpetuate that conflict of interest between those two great powers.

Instead of that, we are weakening our own allies, destroying our European allies, the only military strength that we have around the world.

Mr. Speaker, it is time that we reassessed our policies along this line. Instead of destroying our allies and helping our enemies we should help our friends and our allies and protect them with our umbrella of nuclear power, just the way the Soviet uses its nuclear power as an umbrella to protect Castro. That is why we are afraid of Castro and to go into Cuba. That is why we lost the Suez Canal, because Khrushchev threatened to use his nuclear weapons. And we have been afraid of them and, therefore, we do the exact opposite.

Mr. Speaker, I want to make those remarks in connection with the question raised by the gentleman from California [Mr. Hosmer], who has made a great contribution on this subject in this Congress.

Mr. BRUCE. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am happy to yield to the gentleman from Indiana.

Mr. BRUCE. Just for the purpose of the record and with a full and deep respect to my colleague, the gentleman from New York [Mr. Pillion], I would ask that the Record show that I dissent from the analysis concerning the alleged split between the Soviet Union and Red China just made by the gentleman from New York [Mr. Pillion].

Mr. UTT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from California.

Mr. UTT. I thank the gentleman from Iowa. I wish to associate myself with the remarks of the gentleman from New York in his opening statement and congratulate the gentleman upon reserving the time to explore what I think is the most dangerous first step that the United States is making.

Mr. GROSS. Mr. Speaker, I yield back the balance of my time.

LIMITED TEST BAN TREATY

Mr. UTT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UTT. Mr. Speaker, the ratification of the limited test ban treaty by the U.S. Senate is probably the most important issue facing the Congress today. It is an emotional issue and highly political. In such an atmosphere, it is difficult to resolve the question dispassionately.

From a political standpoint, it is well known that one of the main issues in the 1964 elections will be the position that each Senator and Congressman takes on the test ban treaty. Those who favor it will be claiming that they are for peace, and those who oppose it will be charged with being warmongers. Averell Harriman set the tempo when he stated that anyone opposing the treaty would find it difficult to explain to the mothers of this country why he was opposed to peace.

The truth of the matter is that the test ban treaty does not lay the groundwork for peace, as claimed by the administration, but rather sets the stage for national surrender on the installment plan.

Since the Bolshevik revolution, Russia has alternately smiled and raged at American seven different times. You should remember that the Japanese Ambassadors in Washington the day before Pearl Harbor were also smiling, although they had full knowledge of the impending sneak attack which was to take place the following morning. The American people should realize that Russia has broken 51 of its 53 treaties and that the Russian Constitution provides that any treaty is null and void upon the say-so of their Government. We should also have in mind what Mr. Khrushchev said a few years ago:

> If anyone thinks that our smiles mean the abandonment of the teachings of Marx, Engels and Lenin, he is deceiving himself cruelly. Those who expect this to happen might just as well wait for a shrimp to learn how to whistle.
>
> If you don't like us, don't accept our invitations and don't invite us to come to see you. Whether you like it or not, history is on our side. We will bury you.

The "butcher of Budapest" has not changed his spots. He is simply buying the most precious time that has ever been for sale. He has nothing to give; he only takes. During the voluntary test ban a few years ago, Russia was able to develop a bomb with the equivalent of 50 million tons of TNT. The destruction of Hiroshima needed only a 20,000-ton bomb. The present nuclear capabilities of Russia in the big bomb are more than 2 to 1 over our capabilities, and they have developed an antimissile missile. America cannot develop the antimissile missile under the test ban treaty. It cannot even use a small tactical nuclear missile in Korea or South Vietnam, should it become necessary. Our hands are tied. The greatest danger lies in the fact that under this treaty the American people have been lulled into a sense of false security, falling all over themselves to believe that Khrushchev is our friend.

Under this aura of good feeling, the administration will make further concessions of appeasement and accommodation. We will negotiate a nonaggression pact with the Warsaw Treaty countries. We will recognize the Communist government of Hungary. The American public will be distracted from the fact that Russia is expanding its empire all over the world. We will be led to believe that Russian activities are commercial rather than military. Here are a few of the things that Russia is doing:

Yemen: The Russians built a modern port of Hodeida and placed their technicians in key posts.

Iraq: The Russians are helping the Iraqi to enlarge the port of Basra.

Egypt: Soviet warships, including submarines, have been given to the government of the ambitious, power-crazed Gamel Abdel Nasser.

Algeria: The Soviets are negotiating a contract with their friend, Ben Bella, to equip and train an Algerian navy. Soviet warships and technicians have been offered to the "Arab Castro."

Morocco: The Moroccan navy has acquired several small Russian vessels. A shipyard is planned in the port of Tangier, with a submarine base in Alhucemas, right opposite Gilbralter.

Guinea: The Russians established a spanking new naval base at Conakry to supply their South Atlantic fishing fleet. Sekou Toure signed a contract with the Soviets to "bring about the development of the national fishing industry."

Indonesia: A large maritime center is being constructed in the island of Amboina. This complex includes facilities for the processing of fish, a shipyard, gasoline tanks, and personnel training by Russian technicians. Similar bases are being constructed in Java, Sumatra, Borneo, and Celebes.

Antarctica: Soviet naval bases exist at Novo Lazarevskaya, Molodeshnaha, and Mirnyi.

British Guiana: Cheddi Jagan and the Soviets have been negotiating the establishment of fishing port facilities at Georgetown with the assistance of Russian technicians.

Ghana: The port of Tema, near Accra, is being converted into a vast center of Soviet naval operations.

Meanwhile, America is phasing out its Strategic Air Command. Today SAC has a total capability of 30 billion tons of TNT and could completely demolish all of Russia in a few hours' time. This is what Khrushchev fears.

Peace can only come through strength, and not through weakness. If we do not reverse our trend of unilateral disarmament, we will be subject to military blackmail within the present decade. I subscribe to what Winston Churchill once said:

> If you will not fight for the right when you can easily win without bloodshed; if you will not fight when your victory will be sure and not too costly; you may come to the moment when you will have to fight with all the odds against you and only a precarious chance of survival * * * there may even be a worse case. You may have to fight when there is no hope of victory, because it is better to perish than live as slaves.

Mr. Speaker, at this point I should like to include four articles by Mr. George Todt appearing in the Los Angeles Herald Examiner, dealing with the subject here under discussion.

[From the Los Angeles (Calif.) Herald Examiner, Aug. 12, 1963]

INTELLIGENCE REPORT

(By George Todt)

"I have but one lamp to guide my footsteps, and that is the lamp of experience. I have no way to judge the future but by the past."—Patrick Henry, 1773.

Recently I received an astonishing letter and intelligence report from the Korean patriot and superior underground agent, Kilsoo Haan.

I met this gentleman at a press conference in the Rodger Young Auditorium several months ago. He is a close friend of Dr. John Lechner, executive director of the Americanism Educational League (Post Office Box 90593, Airport Station, Los Angeles 9, Calif.; telephone OR 8-1641). The latter introduced us.

I found Haan a brilliant scholar and well-grounded intelligence agent—one who had called the shots correctly at Pearl Harbor and also with reference to Red Chinese aggression in Korea long before these tragic actions took place.

If only we had heeded wisely his advance information then—but that, unfortunately, is now only so much water down the sluices and over the spillways. Too late.

THE GIST

In the next few columns I will give you the gist of his remarks to me. They are his considered opinions about the Soviet-Sino operation against us in the cold war, now being waged on a global scale. Is he to be considered valid?

I don't have a crystal ball and cannot even vouch that we will most assuredly see the day after tomorrow. But Kilsoo Haan rings true to me. After hearing him and questioning him—I believed him. Let's listen to him:

"DEAR MR. TODT: Many thanks for your confidence and support of our stand. I sincerely appreciate the article 'Exploit Red Split.'

"If one would evaluate President Kennedy's press conference comments in reference to Red China versus Communist Russia, it would seem apparent his administration is trying to choose the lesser of two evils.

"However, one cannot understand his reason and logic relating to the threat of nuclear war against us in the 1960's. The direct military threat of Russia to American security is 100 times greater than that of Red China.

"Actually, the Soviet Union provides a bona fide threat, possessing both nuclear war potential and capabilities. In addition, she has planned and adopted a devastating blueprint for war against the United States.

"This is the Korean intelligence agents' evaluation of the highly dangerous situation: The threat of nuclear war by Mao Tse-tung is merely that of a barking dog; whereas Russia's threat is like Hitler-Tojo strategy.

"Russia now needs a breathing spell, a preparation period to organize her war strategy. During this period, she hopes to complete her three top priority nuclear weapons and delivery systems. These are:

THE LIST

"1. Antimissile missile defense system. Supermissile killers, somewhat akin to our Nike-X class.

"2. Superbombs achieved through series of high altitude tests in 1961-62 which, when detonated, can neutralize all electronic systems in enemy territory. In addition, they can neutralize ICBM bases—even to the depth of 280 feet underground.

"3. Space platforms—the ultimate weapon—to deliver up to 100-megaton bombs on enemy territory.

"These three top priority nuclear weapons will not be ready until the fall or winter of 1965. Russia must have this time, which is her critical 'preparatory period.' She will do anything to gain this needed respite—even to making a big propaganda show called 'The Sino-Soviet Split.'

"The present Khrushchev 'peace offensive' is definitely linked with Russian military strategy for the future. This wily war plan contemplates, besides Red Cuba, two or more additional Soviet bases close to the United States.

NEED TIME

"Russia wants the West to be kept busy fighting among ourselves concerning such divisive issues as disarmament and the protracted racial question during the next 3 or 4 years. They want this time to complete their fantastic nuclear armaments.

"Once Russia is ready, President Kennedy will reevaluate the precarious situation and learn quickly that the U.S.S.R.—not Red China—is our No. 1 worry and concern. The former is the real nuclear war threat.

"Red China's menace to us is merely that of more regional wars with conventional weapons. The United States can stop this activity very easily. But when Russia moves—you will have another Pearl Harbor."

So ends my remarkable letter from Mr. Kilsoo Haan.

[From the Los Angeles (Calif.) Herald Examiner, Aug. 13, 1963]

A CHILLING DOCUMENT

(By George Todt)

"A diplomat's words must have no relation to action. Words are one thing, action is another. Sincere diplomacy is no more possible than dry water."—Joseph Stalin, Complete Works, volume 2, page 277.

I hold in my hand now a copy of the "Korean Underground Report of July 9, 1963," which, according to Mr. Kilsoo Haan, was submitted to President John F. Kennedy. It is a chilling document. Let's examine it.

What J. F. K. did with his original copy, I cannot say. Perhaps he agreed, or disagreed, as the case might be. Likely he saw it—but may have decided to sit on it. A Presidential prerogative. Who knows?

In my case, I think this information ought to be shared with my readers. It is not classified. So why not? Read it and see what you think.

According to the Korean patriot and ace underground intelligence agent, Kilsoo Haan, the following are some important facts to be noted:

About a week before the three-power nuclear test ban talks began in Moscow last month, the Korean underground report of July 9 disclosed a preview of what was purportedly Soviet Russia's price—the conditions for an East-West rapprochement.

THE ALTERNATIVE

The report also revealed the alternative: War between the United States and U.S.S.R. possibly in this decade.

On May 1, 1963, six Russian military officers from the Soviet Union were visiting in Pyng-Yang, capital of North Korea. They revealed to six North Korean officers of equal rank these five conditions for "peaceful coexistence" between the United States and U.S.S.R.:

1. The United States must withdraw completely all its military forces and nuclear weapons from Europe and Asia.
2. The United States should be the first capitalist power to recognize the East German People's Government.
3. The United States must sign the nonaggression agreements with the Socialist commonwealth nations.
4. The United States must abandon the Monroe Doctrine policy and allow the Latin American countries the right of self-determination to choose the kind of government they prefer.
5. As a sign of good faith, the United States must initiate an unrestricted trade agreement negotiation with Red China and North Korea—not later than 1965.

ARROGANT REDS

If we American capitalists do not accept these proposals of the arrogant Reds, then what is our alternative? The ready answer is—war.

Of course, the Communists have already decided in advance that we are responsible for any conflict between us. As they see it:

"The determination of war in the 1960's will rest on the United States and not on the Soviet Union."

Here are nine reasons why the Soviets say we two world titans may have to fight:

1. The possibility of the United States initiating a "preventive war" on the U.S.S.R. in the 1960's is real.
2. The ruling class and the warmongers in the United States believe American security will depend on the destruction of the U.S.S.R. before 1970.
3. The warmongers are working fanatically for a monolithic control of NATO and rearmament of Germany with nuclear arms and weapons.
4. Therefore the Soviet Union is necessarily committed to war against the Republic of the United States.
5. The first military strike must be against the United States and not the NATO countries in Europe, nor American allies in Asia.
6. The Soviet Union does not intend to be caught unprepared. Hence, the preparation for nuclear war in the 1960's must be given top priority.
7. To insure an early victory, the Socialist camp civil defense troops must—swiftly and jointly—occupy all the strategic cities and areas of America.
8. The Soviet war plan calls for two or more advance bases close to the United States—in addition to Red Cuba—in order to deploy civil defense troops prior to the first strike.
9. Also, the Soviet war plan calls for specialized Negro liberation civil defense units. These specialized units can and will (according to the Soviets) play a very important role to insure the Soviet camp an early victory. On this note, the report ends.

K.'S CROWBAR

According to Kilsoo Haan, Premier Khrushchev launched his peace offensive on the eve of the nuclear test ban talks, which began in Moscow on July 15, 1963. He saw in the limited nuclear test ban agreement something of a diplomatic crowbar to gain his first objective.

And this is nothing less than the "conditions for peaceful coexistence," as revealed in the Korean report of July 9, 1963 (above).

Mr. K. put on another dramatic performance, as usual, and was a huge success from the Soviet point of view. He got his crowbar.

There should no longer be any doubt that we are facing a master chessman on the world stage today. Can we cope with him? Who on our side can give him a serious run for his money? Where is our David to stop this modern Goliath?

[From the Los Angeles (Calif.) Herald Examiner, Aug. 14, 1963]

RED PLAN FOR VICTORY

(By George Todt)

"The facts of the matter are that the Soviets and ourselves give wholly different meaning to words—war, peace, democracy, popular will—and we have wholly different meanings to the same words, such as internal affairs and aggression."—President John F. Kennedy, 1961.

My friend, Kilsoo Haan, the notably successful Korean patriot and underground intelligence agent, tells me that the Soviet image of diplomacy is the same today under Nikita Khrushchev as it was previously under Josef Stalin.

President Kennedy got the treatment in June 1961, at the time of his person-to-person summit conference with Mr. K. in Vienna. That was when he spoke as shown at the top of this column.

According to Haan, the Soviet politico-military strategists are extremely fearful of these three possibilities:

PREMATURE WAR

1. The U.S. "preventive war" school of thought might prevail over the appeasement "Rostow policy group" located in the Department of State. The latter backs the status quo containment of Communist nations. (And completely unrealistically, let it be added.)
2. Red China may provoke a nuclear war prematurely before she is prepared and ready.
3. The growing anti-Khrushchev underground movement behind the Iron Curtain countries in Europe may erupt into another Hungary-type revolt and upset Warsaw Pact security arrangements.

The Reds have worried and fretted much about these three potential items ever since the Soviets "reluctantly" pulled back their intermediate-range ballistic missiles—or did they?—from Communist Cuba last year.

PONDER THESE

And all thinking Americans ought to consider them, too.

The present nuclear test ban agreement, now before the U.S. Senate for possible approval and ratification, will inevitably have a far-reaching influence on the later security of NATO nations and ourselves.

Here are some factors for American critics to ponder upon:

1. This partial nuclear test ban agreement might become the key to a modern "Munich" fiasco with the role of Adolf Hitler portrayed by Old Nick, himself—and the Neville Chamberlain part played by J.F.K.
2. Khrushchev's peace offensive at this time is only a deceptive portion of an overall Soviet war strategy. It was planned and adopted over 1 year ago. Cannot be considered a genuine peace offer.
3. The proposed pact will give the U.S.S.R. the much-needed time necessary to complete its nuclear war preparations without fear of preventive actions or reprisals from us before 1966—its target date for a real showdown with the United States.

Haan makes the recommendation that all American patriotic societies—as well as every interested citizen whether in a group or acting as an individual—should get hold of an astounding Communist book called "Soviet Military Strategy."

THE BLUEPRINT

It was published by the Soviet Ministry of Defense in September 1962, and is a blueprint for war with us. Makes one think of Hitler's "Mein Kampf," another blueprint—and a true one—for a past holocaust.

This one seems quite as authentic, in fact even more so. It calls for a preparatory period to organize the defeat of the enemy. Meaning us. Let's look at some realistic interpretations from this revealing work:

"The book 'Soviet Military Strategy' represents the U.S.S.R.'s official military position," wrote Ralph de Toledano of King Features Syndicate last year. "It's major point is that the Soviet Union must and will launch an all-out nuclear attack on the United States once it has nuclear superiority.

"While the U.S.S.R. is in the process of seeking this lead, it will continue to operate behind a propaganda smoke screen—calling for negotiations with the West, relaxation of tension and an end to the cold war.

"All troops must be deployed long before the attack signal is given. These forces must be dug in as close to the American heartland as possible, so they can be moved rapidly after the knockout blow."

ALREADY FACT

This Red blueprint for war in the 1960's is already fact, not fiction. Inexorably it is being put into effect—and the proposed test ban agreement is only one of the prerequisite first steps.

For those who loftily and grandiloquently pooh-pooh the foresight of caution in matters such as this one, let's recall that months prior to Pearl Harbor—22 years ago—a Japanese war plan book was turned over to the U.S. government.

It outlined diplomatic and military procedures that later took place, almost exactly as indicated in the book. We scoffed at it, smiled our fear away.

Today we are facing a similar situation—neatly outlined in "Soviet Military Strategy."

[From the Los Angeles (Calif.) Herald Examiner, Aug. 15, 1963]

MAO-K SPLIT PHONY?

(By George Todt)

"America is morally and spiritually a defeated nation. If America is so afraid to occupy Cuba right on her doorstep to avoid a nuclear war, how can she face the Sino-Soviet alliance in Europe and Asia? We now can face any and all military contingencies without fear of defeat."—Mao Tse-tung.

Is it really true that the Sino-Soviet alliance is on the rocks, about to come apart at the seams? Or is this seemingly convenient arrangement only a cunning trick? What are we to believe actually in this instance?

Referring to previously reliable Kilsoo Haan's Korean report of December 4, 1962, we may find these pertinent passages:

"Red China's internal security and the need of industrial goods and machineries motivated his (Mao Tse-tung's) impatience. His persistent demands for these necessities caused Khrushchev much anxiety and concern.

WHAT HE SAID

"In November, 1962—during the 'post Cuban crisis' period—Red China pressed for action from Khrushchev. And at the suggestion of the Soviet Government, Mao reluctantly made the following observation and recommendation:

"1. It would be advantageous to the Sino-Soviet alliance to fully exploit the Western Powers' thinking that the Sino-Soviet alliance is in danger and will soon break apart.

"2. Suggested that the Soviet Union take an unprecedented initiative to ease the East-West tension and diplomatically lay the groundwork to bring about the negotiations for trade and commercial agreements—for the purchase of surplus grains, agricultural food machineries, surplus ships, et cetera."

It is Haan's considered and professional opinion that the present purported Sino-Soviet split is phony as the one we fell for before—that of strutting Marshal Tito of Yugoslavia and the equally trustworthy Kremlin.

In that clever little bit of ham acting on the world stage, Tito came away with some $3 billion of U.S. taxpayers' enforced giveaway. And at last report, this worthy was yelling that he would march with the Soviet Union against us, when and if world war III might arrive someday. Nice work if you can get it.

The trouble with us frankly naive Americans is that we have been too gullible in dealing with Old World enemies, past and present. These are ancient, extremely effective hands in the art of subversion, espionage, guile, and deceit.

Sometimes we act like innocent children when in their presence. We are neither hardheaded nor toughminded enough when dealing with them. Their agents con us with the oldest self-serving line in the world—and, trustingly, we buy it.

We have eager-beavers who try to lead us, who cannot win for losing, but they never seem to lose their jobs at the Department of State and other administration sites. They appear frantic for victories of any kind, but seldom seem to gain yardage. Being overanxious, perhaps they become setups for defeat.

A generation ago, then-President Franklin D. Roosevelt said manfully, "All we have to fear is fear itself."

FEAR

However true that may have been in the 1940's, the fact remains that we have been dominated apparently by fear of nuclear war for the past several years. How otherwise explain our sorry compromise on Laos, failure to force Soviet troops out of Cuba, the acceptance of the status quo at the Berlin wall?

"History proved again and again to us," said Kilsoo Haan in his Korean Underground Report of July 9, 1963 (submitted to J. F. K.), "that shadowboxing with dictators has not deterred them from war."

What the United States needs today is a bold, meaningful strategy—born of patriotism and good sense—without impotent, wishful daydreaming.

Here are some down-to-earth suggestions by my friend, Kilsoo Haan:

Before the U.S. Senate approves or disapproves the partial nuclear test ban agreement, the citizens of our country ought to be given a 30-day period of time to freely discuss, debate, and inquire into the relative merits and demerits of the proposed treaty. What are its implications?

And, as a further safeguard, he proposes that the Senate and the House of Representatives adopt a joint resolution requesting the President to secure assurances of sincere intentions—with deeds, not hot air—from the U.S.S.R. before the nonaggression pact is negotiated.

UNCLE SAP

The joint resolution should request of the Soviet Union:

1. Pull all Soviet troops out of Cuba and dismantle fortifications now built.

2. Permit on-the-ground inspection by U.S. military experts—and report their findings to Senate and House Committees on Armed Services.

3. Dismantle and remove the Berlin wall, and grant freedom of travel to all East and West Berliners.

4. Terminate the Sino-Soviet alliance, recall all military advisers—including Soviet scientists, technicians, and engineers—and discontinue military collaboration.

Should we be the only ones to make concessions to our enemies? Let the Reds get into the act, too. Why continue to play "Uncle Sap?"

TACTICS USED BY PROPONENTS OF THE TEST BAN TREATY

The SPEAKER pro tempore. Under previous order of the House the gentleman from New York [Mr. Derounian] is recognized for 60 minutes.

Mr. DEROUNIAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DEROUNIAN. Mr. Speaker, I shall not take the full 60 minutes.

Mr. Speaker, this has been a very educational afternoon for me and I would like to congratulate the gentleman from New York [Mr. Pillion], the gentleman from California [Mr. Hosmer], and all the other Members who have participated in enlightening some of us who are not quite experts in this field.

Mr. Speaker, something that has bothered me lately has been the type of campaign conducted by some of the proponents of the test ban treaty such as ridicule, Madison Avenue tactics, bringing the matter up while people are on summer vacation. I have particular reference to one of the spokesmen for the administration who intimated that perhaps a seagull has more sense than those who oppose this treaty.

Mr. Speaker, under leave to include extraneous matter, I insert at this point in the Record a very wonderful article written by Ted Lewis in today's New York Daily News:

CAPITOL STUFF

(By Ted Lewis)

Washington, September 16.—The hope of the Senate leaders that the nuclear test ban treaty would be ratified before President Kennedy appears before the United Nations on Friday has now been knocked into a cocked hat by the strange performance of one Senator.

What Senator J. William Fulbright, Democrat, of Arkansas, has now done has infuriated the opposition to the treaty, which had a right to consider that its arguments should be taken seriously and not be brushed aside with cute scorn by the chairman of the Foreign Relations Committee.

By comparing the wisdom of sea gulls favorably with the IQ of treaty opponents, Fulbright has probably delayed the ratification vote until next week at the earliest. His contrived levity and sarcasm were aimed at the 13 to 15 Senators, including the highly respected Richard B. Russell, Democrat, of Georgia, who constitute the core of the treaty opposition. They definitely now will talk more, and with considerably more heat, because of the Fulbright effort to hold them up to ridicule.

As a result Kennedy is not going to point with pride in New York on Friday to the Senate's rubberstamping of the nuclear agreement as he had hoped in order to give his U.N. speech significance.

The flippant treatment of the opposition by Fulbright amazed other Senate leaders in the treaty fight. It came at a time when the administration considered that it had won on the merits of the issue and was relieved that the debate had been high level and free of any cheap name calling.

What was worse was that the new, personalized note was injected by the head of the Foreign Relations Committee, which has sponsored the treaty. And by an individual Senator who prides himself on his fine sense of diplomacy, which is supposed to be an attribute of every chairman of the esteemed committee.

Yet there was Fulbright, so taken by the peaceful behavior of sea gulls compared with man's inability to handle global affairs, that he could not resist giving the Senate a sardonic lecture.

IT'S ALL VERY LEARNED STUFF

His discourse on sea gull wisdom was larded with delicate little barbs, sharp as all getout, at Senate treaty opponents. It was all erudite stuff, but to be sure that the point went across he once extemporized to the effect that "even a 10-year-old child would be able to see that this treaty should be ratified."

The way Fulbright told it, the sea gull has learned to live at peace with his fellows, substituting "ceremonial expressions of hostility for fighting."

He twitted the treaty opponents by suggesting that "the genius of modern science" should invent a smoke bomb which "would permit us the fun and excitement of nuclear war without getting killed."

There was no doubt that this sea gull stuff was not cleared with either the White House or State Department. Even Presidential adviser Arthur Schlesinger, Jr., who finds amusement in such ivy league type of banter as FULBRIGHT offered to a deadpanned Senate, would not be so gullible as to OK this extolling of sea gull virtues.

THINKS HIMSELF A GOOD PINPRICKER?

This FULBRIGHT faux pas can only be explained on the basis that he considers himself a real wit, a master of the art of gentle sarcasm and that he has found that among the eggheads he is admired for his skill in this area of the well rounded but pinpricking phrase.

The only clue as to why he decided to treat the Senate to his sardonic witicisms on the treaty issue is the fact that he had a certain amount of success in a previous performance.

This occurred August 2 in a sarcastic and sly appraisal of Senator BARRY GOLDWATER's "rare gift to clarity" in a political speech.

"So lucid is his discourse," FULBRIGHT then said, "that he makes us wonder what all the fuss has been over nuclear weapons and international tensions and unemployment and all the other stubborn problems that perplex the American people."

There was a lot more of this glib stuff. And it did go over big with GOLDWATER critics in the Senate, both Republicans and Democrats. So it makes sense to figure that FULBRIGHT thought he could poke sarcastic fun at those who don't agree with him on the present issue before the Senate. But this time no colleague slapped his back and praised him for giving anybody hell. They were too embarrassed by the needless taunts at the treaty opposition.

J. WILLIAM HAS BEEN CARRIED AWAY BEFORE

FULBRIGHT, the record shows, has occasionally in the past been carried away by his own ideas. For example, after the off year congressional elections in 1946 when the GOP swept House and Senate, he urged that President Truman resign in favor of a Republican Secretary of State.

Otherwise, FULBRIGHT said, the Democrats would suffer a disastrous defeat in 1948. And, what was worse, in the Senator's mind, "another world war" was likely to result if Truman stayed in the White House after his party had been repudiated by the voters.

At that time the name-calling between FULBRIGHT and Truman in private was close to unprintable. The Senator referred to Truman as a "nincompoop." Truman referred to FULBRIGHT as an "overeducated * * *."

This is a vendetta that has continued to this day and explains in part the low opinion that Truman had for Adlai Stevenson, who used FULBRIGHT as a top campaign aid.

It could be that FULBRIGHT's trouble goes back to the fact he was a sort of child prodigy. He graduated from the University of Arkansas when he was 20, then went to Oxford as a Rhodes scholar and before he entered politics 25 years ago he was a professor and later president of his alma mater. He cannot let a chance go by to show his erudition.

Mr. Speaker, I feel that one of the best bits of evidence as to the worth of this test ban treaty is the remarks of the President of the United States, John F. Kennedy.

Mr. Speaker, I ask unanimous consent to include in my remarks at this point nine instances of the views of the President telling the people of the United States how dangerous it was to enter into the kind of treaty that he is now for 100 percent.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

(The matter referred to follows:)

"I can say that as far as I am concerned, this report by a special panel on nuclear testing has made me feel more urgently than ever that without an inspection system of the kind proposed by the United States and the United Kingdom at Geneva no country in the world can ever be sure that a nation with a closed society is not conducting secret nuclear tests."—August 10, 1961.

"The Soviet Union has shown its complete disregard for the welfare of mankind, first, by breaking off the nuclear test cessation negotiations at Geneva, which had been underway since October 31, 1958, and second, by contemptuously exploding in the atmosphere a large number of nuclear weapons ranging into many megatons, including a device which, by their own admission, exceeded 50 megatons * * *. In spite of the evidence which shows very clearly that the Soviet Union was preparing its own tests while pretending to negotiate their cessation at Geneva, the United States maintains its determination to achieve a world free from the fear of nuclear tests and nuclear war. We will continue to be ready to sign the nuclear test treaty which provides for adequate inspection and control."—November 2, 1961.

"We are making necessary preparations for testing because of the wholly new situation created by the secretly prepared and massive series of 40 to 50 tests conducted by the Soviet Union last fall while active efforts for a test ban agreement were still going forward * * *. Any other course would imply unilateral disarmament, and would serve no true course of peace, but at the same time, and with equal energy, we shall go on seeking a path toward a genuine and controlled disarmament. What this means for atmospheric testing is methods of inspection and control which could protect us against the repetition of prolonged secret preparations for a sudden series of major tests."—February 7, 1962.

"We will support the passage of an effective treaty which provides for effective inspection, but we cannot take less in view of the fact of our experience of the past months where it takes us many months to prepare for tests in the atmosphere. The Soviet Union prepares in secret. Unless we have adequate protection against a repetition of that incident, any such test agreement obviously would be extremely vulnerable."—February 7, 1962.

"It is a deadly business, this competition, and I don't say that much security comes out of it. But less security would certainly come out of it if we permitted them to make a decisive breakthrough in an area like an ICBM so we would certainly have to have some assurances against a repetition against this before we would feel that the treaty is a satisfactory one."—February 7, 1962.

"As new disarmament talks' approach, the basic lesson of some 3 years and 353 negotiating sessions at Geneva is this—that the Soviets will not agree to an effective ban on nuclear tests as long as a new series of offers and prolonged negotiations, or a new uninspected moratorium, or a new agreement without controls, would enable them once again to prevent the West from testing while they prepare in secret * * *. We now know enough about broken negotiations, secret preparations, and the advantages gained from a long test series never to offer again an uninspected moratorium."—March 2, 1962.

"We cannot accept any agreement that does not provide for an effective international process that will tell the world whether the treaty is being observed. The Soviet Government so far flatly rejects any such inspection of any shape or kind."—March 29, 1962.

"I must point out again that in order to end testing, we must have workable international agreements; gentlemen's agreements and moratoria do not provide the type of guarantees that are necessary. They do not give assurance against an abrupt renewal of testing by unilateral action. This is the lesson of the Soviet Government's tragic decision to renew testing just a year ago. Nor can such informal arrangements give any assurance against secret underground testing. That is why we must have definite agreement with reasonable and adequate assurance. The United States cannot be a party to any renewal of false hopes which the Soviet Government shattered last September."—August 29, 1962.

"We have suggested that we would not accept a test ban which would permit indefinite underground testing by the Soviet Union. We would not accept a test ban which did not give us every assurance that we could detect a series of tests underground. That is the administration's position. We would not submit a treaty which did not provide that assurance to the U.S. Senate. Nor would the Senate approve it * * *."—March 6, 1963.

Mr. DEROUNIAN. Mr. Speaker, I know that the test ban treaty will be passed in the Senate by an overwhelming vote. Perhaps that is what the President wanted when he pushed the signatories to this treaty so that by the time it arrived at the Senate it was a fait accompli. I do not take too much to this type of approach to the Constitution of the United States because if the Constitution states that the advice and consent of the other body ought to be given, the President ought to follow the Constitution and not have one package already delivered and sealed and then tell them it will be embarrassing if you do not approve the treaty.

Mr. Speaker, again my thanks to the gentleman from New York [Mr. PILLION] who has spent hours and hours on this subject. He testified in the other body. He has rendered a great public service not only to us in the House but to the people of the United States.

THE CALIFORNIA YOUNG DEMOCRATS: CAPTIVE OF THE RADICAL LEFT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. CHARLES H. WILSON] is recognized for 60 minutes.

Mr. CHARLES H. WILSON. Mr. Speaker, I continue my August 26 and September 10 reports to the House on the subject of Young Democrats.

I have requested this special time to allow myself the opportunity to present a full and complete report on the present situation in California. For the past week information has been flowing into my office, and I am now prepared to place the blame squarely on the shoulders of those individuals responsible for the recent disgraceful resolutions that have so seriously embarrassed the Democratic Party. I am also prepared to absolve from blame the vast majority of responsible Young Democrats in the Western States, who in fact had nothing to do with the much publicized policy positions. At the end of my prepared statement I will welcome any comments that Members, from either side of the aisle, may wish to make on this situation.

I have found that the root of the problem lies within my own State of California. The August 16 meeting of the Western States Young Democratic Conference was in fact controlled by the California delegation—at least as far as the resolutions report is concerned—and we can therefore dismiss this meeting and concentrate on the main issue of the California organization.

At his press conference of September 12 the President of the United States was asked the following question:

The Young Democrats out in the West have taken some unusual stands on Red China, East Germany, Cuba, and Vietnam. Have you seen them and would you care to comment on them?

The President replied:

> Yes. I didn't agree with any of them. I don't know what is happening with the Young Democrats and Young Republicans—but time is on our side.

Mr. Speaker, it is clear that this matter is of some importance when the President of the United States is asked for his comments, and I hope we will all better understand what is happening with the Young Democrats before we leave the floor of the House today.

Because of these Young Democratic resolutions conservative newspapers and politicians have been having a field day at our expense. Conservatives know full well that the National Democratic Party and Democratic Party officeholders do not subscribe to the recognition of Red China, reopening of trade and diplomatic relations with Castro, withdrawal of U.S. troops from the Far East, et cetera. They know this full well, but it is to their political advantage to exploit the situation.

It will relieve the President to know that the Young Democrats do not believe in these policy positions either—except for a handful of unscrupulous radicals in California, and I will discuss them in detail shortly.

As an organization the Young Democrats may not be important within the leadership councils of the party. To my knowledge, no elections have been won solely on the efforts of Young Democrats. However, this organization is the official youth arm of the party and as such should be attracting members—not driving them away. The Young Democrats provide schooling in the practical art of politics, and have been a valuable training ground for many distinguished officeholders both at the State and National level. I believe the party needs a strong and virile youth movement—we derive many benefits from it.

Both political parties, Mr. Speaker, can agree with my assessment of the value of a well-organized youth movement. The Republican Party no less than the Democratic Party has created and believed in this type of organization.

However, there are strange and peculiar individuals who join the youth organizations of the two great political parties for reasons other than those that motivate the majority of young people. They join the Young Democrats and the Young Republicans not to learn; not to take an interest; not to work for the party of their choice—but to distort and corrupt; to pervert the normal function of the organization and make it serve a purpose for which it was not designed.

These individuals seek to use the name of the group as a cover for their own brand of political philosophy. They seek to delude the people of their community and their State into believing that the policies they advocate are the policies of sizable sections of the Democratic or Republican Parties and as a result therefore are respectable opinions. They seek to use the major political parties for the publicity value that accompanies the use of the old and honorable party names. In addition, they mask their political philosophy under the label of "conservatism," if they are Republicans, and under the label of "liberalism" if they are Democrats.

This is what we are faced with now in California. We are faced with it in both parties. The Young Republicans have been captured by the radical right—and as I shall soon demonstrate the Young Democrats have been captured by the radical left.

I am not responsible for the activities of any arm of the Republican Party. Members of that party must insure their own house is in order. I cannot do this for them.

However, when the Democratic Party is involved—it becomes my business. I must be sure that I have not stood idly by while my party has been taken-over and destroyed by extremists. I do not believe that any Democrat worth his salt would disagree with me. I wish to do my share toward saving my party in the State of California. There is still time to act, if we act in California now.

It is easy to shrug and say—what the heck. It is easy to say—they are only a bunch of emotional kids; leave them alone. The truth of the matter is they are not just a bunch of emotional kids. Or, I should say, they are a bunch of emotional kids but they are being led by a small hardcore group of professional political agitators who are certainly not kids and will not just go away if left alone.

These leaders work for a living at a variety of occupations, but their every spare moment is spent in some sort of political activity. They live, eat, and sleep politics, and so I call them professionals. They are not students. They left school years ago in most cases. They are men determined and convinced of the rightness of their cause, and they will use any means, any person, to achieve their ends.

These are the men who now control the Young Democratic movement in the State of California. A small number in point of fact, but with a tremendous potential for achieving publicity. Because, after all, publicity is what they really seek. Publicity for their resolutions and policy positions with the cloak of liberalism and the Democratic Party to give themselves a measure of respectability.

We cannot compromise with these men. We cannot convince them by reason and logic that they are wrong. They will not believe they are wrong. They are inspired by a fanatical zeal, and they seek converts to their philosophy; converts to their brand of radicalism. As long as they are permitted to use the name of the Democratic Party they will be a festering sore on our body politic. Under violent attack they will retreat two steps to the rear, but this is only done to enable them to take three steps forward when the right opportunity presents itself.

They are irrational and illogical. They are opposed by their own basic natures to the spirit of true liberalism that is the heart and blood of the Democratic Party. They hold the concept of party responsibility up to scorn and mockery unless they themselves are in charge of party affairs. They will not attempt to reach an understanding with the elected public officeholders of their party. They hold the official platform of their party up to ridicule and abuse. They do all these things and more. They cannot help themselves; they cannot change themselves—they are radicals.

They will use our laws, our customs, and our political parties only as long as they serve a purpose. When they have achieved that purpose they will scrap our laws, junk our customs, and abolish our political parties. They do these things because they are radicals, and they cannot change.

If they are left in their positions of authority within the youth movement they will use those positions as the springboard from which to launch their next assault. They will prey on the young and immature; they will solicit support from the flotsam and jetsam of the political sphere; they will cultivate the pathetic social rejects of our society that comprise the militant and unruly activists. They will grow stronger and more vocal, until like the cancer they really are they will destroy the Democratic Party.

Mr. Speaker, to further their aims these individuals are free to join any type of organization they wish. They are free to join a Fair Play for Cuba Committee; a peace-at-any-price group; a better-Red-than-dead club. We allow this freedom in our democratic society and I would never wish this right restricted. The fact that they would be far less charitable to us if they were holding positions of power is not an argument against it.

However, I do not believe that these same people have the right to seize control of the Young Democrats when their only desire is to distort that organization into an instrument for their own peculiar brand of radicalism.

The Democratic Party is a party for all Americans—not just a select few. We must insure that all the arms of the Democratic Party are truly representative of the party, and that they provide a home for all reasonable people who may wish to join.

I have not yet seen a complete text, but if the press reports are true—I declare that the resolutions and policy positions adopted by the California Young Democrats at their September 8 meeting in San Diego are the most damning indictment that could be made against this organization. This meeting alone should prove that the party has lost control of its youth movement in California and that radical hands are now steering this group on a collision course to disaster.

I say that action must be taken by the appropriate party officials to restore this organization to its rightful members, and return it to the control of the party from whence it sprung. I say that all this should be done, and must be done, because of the San Diego meeting alone.

However, there is more than just one meeting in San Diego to document in the downfall of this organization. There is a history of a cold and calculated power grab; a classic demonstration of the takeover-from-within technique. I shall attempt to portray that series of events for my colleagues in the House. We have seen this procedure work before—I am sure we will see it attempted again in the future. It is not new to us, but it can be a warning to us and a reminder of what can happen when responsible citizens are too busy to care about events around them. For this reason I discuss the matter today.

No more than a dozen or so men have led the plot to capture the California Young Democrats for the forces of the Radical Left. They have been aided, and are still being aided, by a cackle of high school and college students, social misfits, and misguided and disorientated young people—but only a dozen or so older men knew where they were going and the goal they hoped to achieve.

They masked their true purpose with the cloak of liberalism, and were able to convince a surprisingly large number of young people that the liberal position was somehow always opposed to the foreign policy of the Democratic Party and the President. They advocated, and do still advocate, a foreign policy of appeasement and compromise that if ever adopted would destroy this country within a few weeks. All this has been sold to the young people of California as the philosophy of liberalism. In fact, of course, this is not the liberal position—it is the lunatic position.

It is the lunatic position to advocate that our total national sovereignty be handed over to the United Nations—worthwhile though that organization may be for some duties. It is the lunatic position to advocate that our entire Nation be stripped of all defenses to prevent us falling under the spell of a "war psychology." It is the lunatic position to advocate that our Nation be unilaterally disarmed to prove to the world we are really for peace.

Yet these are only a few of the policy positions of this radical group in California. They may not have adopted all these positions in their resolutions at San Diego last September 8, but for at least the past 2 years they have been advocating them among the young and gullible people within their organization and passing them off as the liberal position on matters of importance.

The tremendous concentration by these people on international affairs is an interesting point. They pass and advocate pro-labor resolutions, pro-civil rights resolutions, and even pro-conservation resolutions, but their first and primary interest is with our national foreign policy. They have a continuous love affair with foreign events. They dislike almost everything we do at the international level, and they can resist no opportunity to say so—always, of course, under the name of our party.

I am not going to single out any specific individuals from this group as being worthy of special mention. They are well known in the youth movement of the party in California. It is enough to say that there are only a small number of real ringleaders, and that no more than five or six men have been the spearhead for the radical takeover.

The plot to capture control of the California Young Democrats was laid almost 2 years ago. At that time a State convention was to be held and a slate of officers elected. The moderate and party regular members controlled the federation and had chosen an up-and-coming Los Angeles attorney as their candidate for State president.

This man was very definitely of liberal persuasion, and was a junior partner in a well-known liberal law firm. He would seem to have been a perfect choice for all liberal oriented Young Democrats. However, he was a stanch party man and a confirmed Kennedy supporter. Therefore, the radicals sought another candidate.

From complete obscurity appeared a young man with no party background and little knowledge of political affairs. He was not identified with the radicals, and he resided in a southern section of the State that had never been represented in a major office.

Radicals and party regulars had been feuding within the Young Democrats for some time. By hiding behind the skirts of an unknown and obviously sincere liberal the radicals could claim that here was the candidate for peace and unity within the federation. A campaign based on the need for political peace and a unified organization was launched. The young and unknown candidate suddenly found supporters and advisers appearing from everywhere.

At the State convention that year this political unknown was elected by a razor-thin majority. Radicals were jubilant. Although they had elected none of their own people to State office—their foot was firmly in the door—and they were ready for the next phase of operations.

The new State president appointed radicals chairmen of every major committee within the federation, and it soon became apparent to party regulars that peculiar activities were taking place within the youth arm of the party. State meetings were constantly being held in northern California, where the radicals were strongest, and people from the South were forced to travel long distances to attend these meetings. As a result many did not go. Resolutions of a radical nature began to be rammed through the State Resolutions Committee, and people speaking against these resolutions were booed and shouted down. The State Rules Committee began a subtle change of the rules of procedure—weakening those rules that hampered the radicals, and strengthening those that aided them.

Suspicions began to mount over the administration of State funds. During a period of more than a year three separate demands for an official audit of the State financial records were made by the State central committee of the Young Democrats. No audit was ever made. The State treasurer of the organization was working closely with the radical camp and complete mystery surrounded his handling of federation funds.

Finally, the climax was reached. The State president had served his purpose and as it developed was conveniently drafted into the Army. As his last official act he appointed Josiah Beeman of San Francisco, acting State president. The radicals now had acquired almost everything. Only one more step was needed to give them full and complete control.

In May of this year the California Young Democrats held their State convention to elect officers. The acting State president was in charge of making all the arrangements for this meeting. He was an announced candidate for election to a full term in the office of State president, and so we have one of the candidates setting up the ground rules and arrangements for his own election.

The moderate and party regulars of the organization made a last supreme effort to save their federation, but as we shall see all the cards were stacked against them.

As their candidate for State president the responsible members chose William Green, of Los Angeles. Mr. Green is a Negro, and was the first member of his race to run for the top office in any California Democratic Party organization.

His background is of some interest. Mr. Green is a combat veteran of the Korean war; a former employee of the State Department; and a former broadcaster for the Voice of America. He is also a former field representative for CORE, the Negro action group.

It would appear that Mr. Green has outstanding credentials as a liberal. However, during his campaign for the office of State president of the California Young Democrats he was greeted with insults and jeers by followers of the radicals and was labeled a "Black Reactionary." Mr. Green had made the mistake of campaigning on the issue of party responsibility and loyalty to President Kennedy.

We need not concern ourselves with too much detail from the May 1963 State convention. The maneuvers of the radicals within the credentials committee are, however, interesting. I believe that some of my colleagues from California will also be interested.

Did you know, Congressman HAWKINS, that the El Camino College Young Democrats from your district were refused the right to vote or participate in this Young Democrats Convention? Or, that the University of Southern California Young Democrats were ejected from the convention and were not allowed to cast their votes?

Did you know, Congressman CAMERON, that the El Monte Young Democrats from your district were refused a charter by the Young Democrat Federation in June 1962, again in November 1962—were finally chartered in February 1963 and then were thrown out of the State convention without being allowed to cast their votes?

Did you know, Congressman CORMAN, that an attempt to take over the Canoga Park Young Democrats from your district nearly succeeded, and that the young daughter of one of your postmaster appointments was subjected to considerable harassment and abuse at this convention?

Did you know, Congressman BURKHALTER, that clubs from your district had their voting strength reduced without any real pretext or legal reason?

Did you know, Congressman SHELLEY, that the San Francisco State College Young Democrats from your district voted at a club meeting to support the candidacy of William Green, and that they suddenly had their delegation taken over at the convention by strange and unknown "club members" who cast the club votes for Josiah Beeman?

I could continue on at more length, but I am sure we can all see the picture very clearly. Despite their best efforts the radicals won only a narrow victory at this convention. Josiah Beeman was elected State president by a margin of 174 votes from a total vote cast of 4,694. However, by the same margin the radicals were able to win almost every other State office within the federation, and this was for them a real victory.

But at this point a major problem appears for the radicals. The incumbent State treasurer did not choose to run for reelection, and by a quirk of circumstance this office was filled by a party regular, almost the only one elected.

After the convention when the new State treasurer was able to obtain the State financial records he found that figures did not add up and that the records made no financial sense. He took the records to the official Democratic Party accountant and asked him to make an inspection.

The party accountant decided that in his opinion the books could not be audited. Hundreds of dollars did not balance out in the Young Democrats' financial records, and there is no way to account for a considerable sum of money. This is all the more amazing when we consider that the former Young Democrats State treasurer is a professional certified public accountant.

It is the view of those persons close to the scene that only two conclusions can be drawn from the state of the Young Democrats' financial records. Either the State treasury has been looted, or that large sums of money were never paid into the treasury in the first place.

I cannot bring myself to believe that any outright theft of official funds has taken place. It is much more likely that the missing money was never really there. Under the rules of procedure of the Young Democrats, voting at State meetings is based on club membership—the more members in a club, the more votes that club can cast. It is required that a $1 membership fee be paid into the federation before a new membership card can be counted for voting purposes.

It seems probable to assume that the large number of membership cards turned into the federation by the radical clubs to boost their voting strength at the State convention were, in fact, never paid for; that no money was paid into the treasury to cover those memberships. If this is the situation, we have a clear case of election fraud.

The deplorable condition of the Young Democrats' financial records points to financial irregularity. If a full and complete inquiry is launched without delay, a case of election fraud may well be proven. Time is important. Already a large number of membership cards have been lost, misplaced, or in some way become unavailable, and we have the case of radical clubs voting inflated membership totals at State meetings without any evidence of membership cards or dues in the official State records.

This, then, is the present situation within the California Young Democrats. This is the organization that so proudly put itself on record as opposed to every plank of American foreign policy.

The leaders of this organization intend to hold on to their present positions come what may. They are determined to lead a radical California delegation to the Young Democrats National Convention in November of this year and attempt the same coup in resolutions and policy positions that they performed at the Western States Young Democratic Conference last August 16.

It is of interest to see what was done at the Western States Young Democrats Conference. Regional Young Democrats conferences have been held all over the United States this past year. At none of them were any radical or anti-Kennedy resolutions passed. In fact, at most Young Democrats regional conferences there was no resolutions committee established.

However, the California radicals demanded a resolutions committee for their regional meeting and the unsuspecting officials granted the request. Not only that, but they appointed a California radical as chairman of this committee.

When we see that this was the same man that chaired the resolutions committee at the California Young Democrats meeting in San Diego on September 8—it is not difficult to forecast developments. The action of the national Young Democrats' officials can only be compared to that of handing a loaded gun to a lunatic. I am sure, however, that they have learned by their experience.

In brief, less than half of the delegates to this western conference were present when the resolutions were voted upon. The California delegation exercised their full powers of manipulation and the resolutions poured forth. By some sleight of hand the votes from the State of Washington that were left behind to be voted against the resolutions were not voted at all, and this made most of the difference.

At the San Diego meeting on September 8 the story should be already clear to us. By casting inflated membership totals, that cannot be verified, the radical clubs were able to do much as they pleased.

One interesting point from this San Diego meeting was the resolution to send an official California Young Democrat delegation to Cuba in defiance of the U.S. Government travel ban. The resolution called upon the federation to finance the trip, and it was this financial aspect that brought the State president into the picture. He was recorded as saying that he favored the resolution and would be glad to visit Cuba himself if someone would pay for the trip, but the federation did not have sufficient funds available and for these reasons the resolution should be defeated. The State president appears to have some influence with his own people; the resolution failed to carry by a margin of 24 votes from a total of nearly 2,000 cast. I think it is significant that the president of the youth arm of the party in California could find no other reason than this for opposing such a disgraceful resolution when the U.S. Government is at this very moment taking action against the disreputable group of so-called students that recently enjoyed the hospitality of the red bandit Castro.

To further illustrate how far things have gone in this organization—during the debate on resolutions at the same San Diego meeting one young man from San Francisco was greeted with cheers when he shouted, "East Germany is a vacation land compared to Vietnam." This same young man was greeted with more cheers when he later shouted, "We don't have to lick the boots of President Kennedy."

Mr. Speaker, I believe I have demonstrated that the California Young Democrats have politically moved so far away from the Democratic Party that they do not have the right to use our party name. Furthermore, I believe I have demonstrated that there is a serious legal question as to the right of the present officers to hold their positions. Financial irregularity is clear; election fraud is entirely possible; every action of the May 1963 convention of this organization is suspect.

I say again, only a full and complete inquiry by the responsible senior party officials in California will pull aside the curtain of manipulation and intrigue that surrounds this organization. If the present State officers of the Young Democrats did not win their seats honestly—they should be removed forthwith. The resolutions and policy positions adopted by this group in San Diego should be thoroughly examined, and in any case the national charter held by this organization should be immediately suspended. Under no circumstances should this group be allowed to participate in the November convention of the National Young Democrats until all points at issue have been fully clarified.

I wish to be clearly understood at this time, Mr. Speaker, I want no misunderstanding to follow from this period on the floor. I am not standing here today to damage my party; I am standing here today to aid my party. We cannot sweep a problem of this kind under the rug—the newspapers and the other major party will not permit us that luxury.

I believe that by facing the issue of the radical left squarely and by meeting the challenge without fear we will demonstrate to the American people that we are able to keep our house in order and that they can continue to have confidence in our ability to govern this Nation.

I know that attacks will be directed against me in California—this much has already been made clear. But I stand on what I say today. I have a 100-percent pro-Kennedy voting record, and a zero percent ACA voting record. I believe I am a liberal, and I believe I know what liberalism is—and more important what it is not.

I do not wish to restrict the right of free speech for any person. The Maryland Young Democrats met this past weekend and were critical of the senior party in their State. However, their criticism was given in a very responsible manner, and was confined to matters of local and State importance. They endorsed and supported the President in his handling of foreign affairs as was right and proper. I am for criticism by young people—it is the type and manner of criticism that makes the difference.

I cannot see how any political party can long survive if there is no sense of responsibility among the various arms of that party. The youth arm—or any arm—should be trying to help the party and the candidates of that party. Surely, this is what they are there for—not to tear down the party and everything it stands for in the minds of the people.

For these reasons I have spoken here today, Mr. Speaker. It has not been a pleasant duty, but it has been a necessary duty. I trust the appropriate party officials in California will now take action, and that we will not have to discuss this situation ever again.

Mr. Speaker, I ask that all Members be permitted to extend their remarks at this point in the RECORD on the subject of the Young Democrats of California, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UDALL. Mr. Speaker, it is not my purpose today to discuss the merits of the Young Democrats of California. I am from Arizona, a State which has had widely advertised troubles with California, and it would be poor grace for me to pose now as an expert on internal California matters.

I do wish to speak, however, on the role of Young Democrats and Young Republicans in our two national political parties. There are striking parallels today. In each case the national party has found itself somewhat at odds with its junior counterparts in recent weeks. In a free and open society we should not be surprised by these occurrences, and yet in each instance of late it has seemed necessary for national leaders to make clear that the expressed views of one or another junior organization were not necessarily the views of the senior party organization. I believe these disclaimers serve a purpose, but it is a purpose which arises more from a lack of understanding of the democratic process than from any possibility that the views of these "young Turks" might become the policies of the Democratic and Republican Parties.

I know something about the National Young Democrats, and I want to say that I am proud of the health and vigor of that organization. I know something about the Young Democrats of Arizona, and I want my colleagues to know that these young people are continuing to show the sense of responsibility which has always characterized their activities. I also know something about the Western States conferences of Young Democrats which are held from time to time. These meetings are great confrontations of various points of view. Many subjects are debated and voted on. As in the Congress, some issues are settled by unanimous consent, while others pass with bare majorities. The recent meeting of the Western States Young Democrats passed a total of 32 resolutions. The resolutions we have heard the most about were but a small fraction of the total, and they were voted by narrow margins. Under the circumstances I do not think the Republic is in danger, or that the Democratic Party is about to be taken over by some mysterious crowd of dangerous leftwingers. Like Voltaire, I disagree with some of the things these Young Democrats said through their resolutions, but I would defend with my life their right to say them.

In passing, Mr. Speaker, I should like to observe that the Western States Conference of Young Democrats was conducted in an orderly and parliamentary fashion. By contrast, the outgoing chairman of the National Young Republicans, who also met in San Francisco recently, charged following the meeting that is was characterized by Gestapo tactics which prevented the normal workings of the democratic process. Those who find cause for such severe criticism of the Young Democrats would do well to reflect on this interesting contrast.

Mr. Speaker, let me remind my colleagues that the events at the gathering of the Young Republicans, about which we have heard so much, was a National Young Republican Convention—not merely a small regional conference. This was the gathering that was dominated by a hooting, jeering, shouting group of far-right extremists who shouted down delegates opposed to withdrawal from the United Nations, abolishment of the Federal income tax, or impeachment of Supreme Court Justices. The national—and I emphasize national—machinery of the Young Republican movement is now in the control of these extremists. Len Nadasdy, former national chairman of the Young Republicans, said that this June convention was "like a nightmare." Let us remember also that a professed John Bircher, Robert Gaston, is the head of California's Young Republican Federation, and that a former Republican Congressman is now a regional executive for the John Birch Society.

Mr. Speaker, the Young Democrats of Tucson, Ariz., demonstrated their own form of independence by disavowing certain of the controversial resolutions passed at that Western States conference. I have no doubt the National Young Democrats at their next convention will also make clear that some of these policies narrowly voted by their Western States brothers are not the views of the national organization. This is democracy at work. Good ideas work their way to the top. Bad ideas sink of their own weight.

All right, now, what are the controversial Western States Young Democrats resolutions which have prompted so much concern? They are three. One would have the United States resume diplomatic relations and trade with Cuba in order to minimize Soviet influence there. Mr. Speaker, I disagree with this proposal. I do not think it would accomplish the end for which it is intended. It conflicts with President Kennedy's policy. But those who say this is extreme, fanatical, and leftwing should be reminded that the president of the U.S. Chamber of Commerce, hardly a dangerous leftwing organization, recently proposed the same course of action toward, of all countries, Red China. If a handful of rambunctious young Democrats are about to destroy our Republic, I do hope someone will look into the chamber of commerce, too. A threat is a threat, after all.

The second controversial resolution urged that the North Atlantic Treaty Organization establish a nonaggression pact with the countries of the Warsaw Pact. I do not agree with this resolution either—at least not in such general terms without the qualifying language that would make such a pact a feasible and concrete step toward peace. But is passage of such a resolution tantamount to treason, as some critics have suggested? Hardly, for a great many responsible leaders and writers are saying that such a pact should be explored. Even Life Magazine and the New York Herald-Tribune, hardly leftwing Democratic organs, have suggested that the United States should follow ratification of the nuclear test ban with talks on such a nonaggression pact and other matters which might reduce world tensions.

The third controversial resolution urged the President to make renewed efforts to encourage the Diem regime in South Vietnam to make meaningful reforms or face the threat of withdrawal of American forces. I agree with President Kennedy that we must not give up the struggle in southeast Asia because of our displeasure with the Diem regime. But if critics of the Western States Young Democrats regard this resolution as unthinkable, I would call their attention to the statement now circulating in the U.S. Senate—presently carrying the signatures of 22 Senators, including 2 Republicans—making precisely such a demand on the President.

These are the three resolutions singled out by Chairman WILLIAM E. MILLER of the Republican National Committee as occasion for a repudiation by the Democratic Party leadership. I join Chairman Miller in disagreeing with the resolutions, as I think a majority of Democrats do, but I simply cannot agree that they threaten our Republic or reflect "dangerous leftwing tendencies" in the Young Democratic Clubs of America or the Democratic Party. They were formulated and adopted by loyal, patriotic young Americans who offered them as ways to advance American self-interest. They have a right to their views, as I have a right to mine.

As long as we continue to have free and open discussion in this country, Mr. Speaker, I will not fear for the Democratic Party, the Republican Party, or the future course of our Nation.

THE ETHICS OF THE NEW FRONTIER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. Curtis] is recognized for 60 minutes.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, some time ago I called the attention of my colleagues to a story in the New York Times about what the Federal Advisory Council on Social Security Financing will report to the Congress—page 9246, Congressional Record, May 23, 1963. This was significant then, because that Council had not even been appointed, and it is not to report to the Congress until January 1965.

Four days after I made my remarks here I received a letter from the Commissioner of Social Security which I will now read for the Record:

May 27, 1963.

Hon. Thomas B. Curtis,
House of Representatives,
Washington, D.C.

Dear Mr. Curtis: I have read the remarks you inserted in the Congressional Record for May 23 reflecting on the independence of the members of the next Advisory Council on Social Security.

Your reaction was evidently prompted by a newspaper report referring to a talk I made in Yonkers, N.Y., to a group of social-security district office managers. If you had checked with me about this brief newspaper report before making the insertion in the Record, I would have told you then, as I tell you now, that it was inaccurate. I did not say that an expansion of social security taxes and benefits will be drafted by the Advisory Council.

What I did say, and what may have prompted the newspaper report to mention an expansion of social-security taxes, was to remind the district managers that the present schedule of tax rates now in the law will result in increased tax payments over the next 5 years. I did not say that the Council would or would not recommend further increases over those now scheduled.

I also pointed out to the managers that since the statute calls for the Council to examine not only the financing of the program but also extension of coverage, the adequacy of benefits, and all other aspects of the program, the Council is very likely to take up all of the issues in social security that are currently in the air. I mentioned some of the issues. I did not indicate in any way, however, that the Council will or will not take up any particular issue or will or will not come to any particular conclusion.

I do not know who told you that my office confirmed the accuracy of the newspaper story but the story is not accurate and, moreover, I can find no evidence that anyone from my office said anything to give anyone a contrary impression.

I am sure that your sense of fairness will lead you to want to correct the mistaken impression which has been created and which, if allowed to persist, could damage the ability of the Council to carry out its important assignment.

As you know, the membership of the Advisory Council has not yet been announced but I can assure you that the persons being considered are persons of independence, ability, and integrity and that they are not the sort to be a "rubberstamp" for anyone.

Sincerely yours,

Robert M. Ball,
Commissioner.

Following receipt of this letter, I proceeded to make further inquiry as to the reliability of the New York Times news story even though at the time I made my remarks a check had been made with the office of the Commissioner and it was stated that he was accurately reported. I also am informed that staff of the Social Security Administration, in a position to know, accept that news story as reliable and accurate.

Mr. Robert Garst, the assistant managing editor, wrote that the Times had received no complaints as to the accuracy of the story. However, he rechecked the accuracy of it with the news reporter and was assured the facts as printed were accurate.

Now to the meat of the matter.

When I made my observations originally in May, I asked some questions about this yet-to-be-appointed Council on Social Security Financing. I asked how this Council is being selected? Has the Secretary of Health, Education, and Welfare written to the AFL–CIO or to independent labor unions for suggestions? Has he written to the large employer organizations for names of businessmen who would reflect the thinking of the business community? I also asked: "Are we going to have a handpicked Council of people, most of whom are in agreement on the most controversial social security proposal before this or any other Congress? Medicare?"

The specific directive authorizing the Secretary of Health, Education, and Welfare to establish the Council is provided in the Social Security Amendments of 1956. It reads as follows:

> The Council shall be appointed by the Secretary and shall consist of the Commissioner of Social Security, as Chairman, and of twelve other persons who shall, to the extent possible, represent employers and employees in equal numbers, and self-employed persons and the public.

The thinking of the Ways and Means Committee at that time—and I was a member and took a personal interest in developing this language—was that the people selected should represent specific segments of our population—the employers, because they pay almost 50 percent of current social security taxes, employees because they pay a like amount, self-employed persons who are taxed at a rate 50 percent more than employees, and the public because they could take a broader view with respect to benefits on the one hand, the tax burden on the other.

This provision as to Council members who represent these segments of our Nation is all the more important for the new Advisory Council for in the amendments of 1960, we directed them to broaden their study and report on such issues as extensions of coverage, the adequacy of benefits and all other aspects of the program.

You will note that the Commissioner in his letter to me did not see fit to answer the basic questions I raised about the method of selecting people for this Advisory Council which were entirely apart from the grave impropriety of stating what the nonappointed Council would find.

Sunday, June 9, the appointments of the 1963–64 Advisory Council were announced and the first meeting was scheduled for the next day, June 10.

I am still concerned about the criteria employed by the Commissioner and the Department in selecting those who have now been appointed to this Advisory Council and I still wonder about the manner in which such selection was made.

I can report to you that from the detailed check I have made, the Department made no serious effort to follow the directive provided in the law, so far as the selection of employer and self-employed representatives is concerned. I wrote to the leading national organizations of employers to learn whether or not they have been approached officially by the Department of Health, Education, and Welfare to supply names of businessmen who would represent the employer thinking on social security matters. The Chamber of Commerce of the United States, the National Association of Manufacturers, and the National Small Business Association replied that they had not been approached in any manner whatsoever.

There are three men on this new Advisory Council who obstensibly serve as employer members to reflect the thinking of employers across the country. I cannot regard that employer thinking is represented by these men. One of the men has retired from active business and his only connection with business now is as a member of the board of directors of the company which formerly employed him. Moreover he recently authored an article on the medicare issue in a current magazine—Atlantic Monthly, June 1963—and I am sure that his views on this very important issue would have little, if any, support in the employer community.

This man incidentally will reach his 70th birthday this fall, is retired, and may now be a social security beneficiary.

Another man appointed, ostensibly as an employer member, retired from his company in August of this year at age 67. He can then become a social security beneficiary.

May I say that both of these men are very fine gentlemen and able, and are very familiar with social security. The only point I am making here is to question whether they are suited to represent the views of the employer community on the subject of social security.

I also wrote to the leading national organizations whose members are characteristically self-employed to determine whether they had been approached by the Department of Health, Education, and Welfare. Without exception, each replied that it had not been approached.

The only person appointed to this new Advisory Council who might be regarded as self-employed—and I am sure he is a fine reputable doctor—is the president-elect of the National Medical Association. This organization, the National Medical Association, must not be confused with the American Medical Association. But is it reasonable to believe that this gentleman will represent the social security thinking of the self-employed, such as the farmers—let alone his own profession—whose organization, the American Farm Bureau Federation, has opposed medicare, when the gentleman's organization to which he has been elected president has recently endorsed medicare?

Now when we turn to the five appointees who represent the public, we find four come from the academic field and one from a professional organization of social workers. Every single one of these has gone on public record endorsing medicare. No opinion poll I have heard of has shown 100 percent support by the public for medicare. The most recent Gallup poll I have seen showed only 44 percent endorsed it.

In consequence, I must conclude that the public cannot be fairly represented by the five individuals selected, at least so far as the medicare issue is concerned.

Now let me turn to the three individuals selected to represent employees. I have no doubt that the Department of Health, Education, and Welfare was in close communication with the AFL–CIO about these appointments. However, I must point out that the AFL–CIO represents no more than some 14 million employees. Certainly, if this national organization and its legislative objectives were broadly acceptable to the working people across the country, the membership of this organization would be vastly larger—at least two or three times its present size. I cannot conclude that the two selected from international organizations of the AFL–CIO and the one from its staff here in Washington appropriately represent the social security views of the some 50 million employees currently covered by social security. And, of course, these three endorse any kind of health and medical care services paid for by social security.

Thus, of the 12 persons appointed to this Council, 10 are on the public record as committed to support social security medicare, a measure fraught with profound implications to the financial soundness of our existing cash benefits program, and to our unequalled system of health and medical care.

I want nothing that I have said so far to be interpreted as a criticism of a single person appointed to this Advisory Council. I am sure that they are all fine people.

However, I conclude that in its selection of people for this Council, the Department of Health, Education, and Welfare has chosen to ignore completely the explicit congressional intent in the amendments of 1956 and has in effect packed the jury for narrow partisan reasons. It is the Department which has put these individuals in a most embarrassing position for the Council members will not and cannot with their preconceptions broadly represent the social security views of the more than 50 million employees covered by social security, the several million of self-employed, the millions of employers, and the public. In consequence, the labors of this Council during the ensuing 18 months as far as coming forth with an objective report is concerned is foreordained to failure and will meet with public skepticism, even if the Commissioner had not been so unthinking as to announce some of the major conclusions the Commission would reach even before it was appointed.

Under these circumstances, who can reasonably attach the significance to this Council's forthcoming report and recommendations which the Congress had in mind and the Nation so badly needs?

The failure to follow congressional intent is, in my view, most tragic. During the next 10 years, the two social security cash benefits programs will face the severest tests of financial support. The first of this year an increase in the tax rate went into effect—without any increase in benefits. Further tax increases are now provided in the present law. The first takes effect in 1966 and the second in 1968. These increases are also necessary like the one this year, merely to enable the system to continue paying cash benefits already promised.

Notwithstanding this added financial support, the board of trustees announced in its most recent annual report that both programs, the old-age and survivors benefits program and the permanent and total disability benefits program, are out of actuarial balance. In fact, the intermediate cost estimate of the chief actuary of social security indicates that the trust fund of the latter program will be exhausted by 1971. In consequence, the chairman of the House Ways and Means Committee, the gentleman from Arkansas, Mr. WILBUR MILLS, has wisely introduced a bill which will improve the financial support of both programs.

I would like to call your attention, however, to what has been happening in the larger of these two—the old-age and survivors benefits program. In 1950, the trust fund was then $13.7 billion and benefits and other costs were slightly in excess of $1 billion. Thus, the trust fund could have continued benefits for more than 13 years. In 1960, when the trust fund was $20.3 billion, benefits and other costs had increased to $11.1 billion. The trust fund was thus equivalent to no more than 1 year and 10 months of benefits. The most recent figures I have are for June 1963. The trust fund amounted to $18.9 billion and benefits and other costs to $14.7 billion. In 1953 the trust fund was approximately the same, $18.7 billion, but the benefit and other costs were then only $3.1 billion. Thus, the trust fund in 1963 is equal to only 1 year and 4 months of benefits—at the present level of costs for benefits and administration.

I do not mean to imply by these statements that Congress will not see to it that financial support for benefits already promised will be forthcoming when needed, so long as Congress reasonably can. My purpose here is to emphasize that the trust fund today is truly a contingency reserve fund. The system is on virtually a pay-as-you-go basis. In consequence, Congress must in the future examine with extreme care each and every proposal that would increase further the costs under social security.

This is true, even though such Congress also prescribes further tax increases. For there must ultimately be some limit—at least in our lifetime—to the social security tax burden. We can expect American workers willingly to carry just so much social security tax load; and American employers to absorb just so much in additional tax costs, or the American consumer public to pay for it in higher prices. However, today we are beginning to realize that apart from our own will there is a discipline over which we have little or no control entering the picture—the international market place. We cannot just increase prices as we may wish if we are to sell our products and keep our gold reserves.

That is why I was so deeply concerned when I read in the New York Times that the Social Security Commissioner, and now also Chairman of the new Federal Advisory Council on Social Security Financing, had said last May that this Council will draft an expansion of social security taxes and benefits. This is one of the reasons I am so deeply concerned about the Kennedy administration's willful decision to tie a costly and untried compulsory health insurance program to our social security system.

There is one bright spot in this otherwise gloomy picture and the present pay-as-you-go financial status of the old-age benefits program dramatically highlights it. One fundamental difference between Government social security on the one hand and financing of insured retirement benefits by private plans on the other is that private plans are funded, the Government plan is not. Today, when the social security old-age trust fund is equivalent to less than 2 years of benefits, we find an entirely different story with insured private retirement programs. According to the Social Security Administration, private insured pension funds had total reserves in 1961 of $20.2 billion and the annual benefit payments aggregated $440 million. In addition the private trusteed pension funds have about $30 billion total reserves and the annual benefit payments are probably of the same ratio. Thus, the reserves were the equivalent to more than 45 years of benefits payments at the present rate.

I think this and other differences between social security and insurance should be told to the American people and repeatedly emphasized. I am aware that the Social Security Act, title II, uses insurance terminology, such as "insured status." I think this is most unfortunate because it has not only led to a misunderstanding by the American people as to the nature of social security, but it has also provided a basis over the years for misleading statements in some of the publications of the Social Security Administration. The social security program is not insurance in the dictionary and legal sense of the word; it is social-insurance which is a new term and to be used correctly and without confusion should always be hyphenated. Far from hyphenating the word, the Social Security Administration in its printed public material and in the speeches of its Administrator and high officials deemphasizes by whatever means it can the fundamental differences between private insurance and social-insurance. It seems apparent that the reason for trying to simulate the label of a superior product is the usual one, to capitalize on the fine reputation that private insurance rightly enjoys in our society.

I would hope that one or another individual on this new Council will want to conscientiously reconsider acceptance of his appointment, since his participation and contribution will be gaged not individually but as part of this group. Certainly the public generally and the Congress in particular should be made well aware of the tactics that are being employed by the Kennedy administration in its zeal to push through the programs it has decided in camera are best for the people, whether indeed straightforward factfinding and debate would support their conclusions or not.

To complete the record, I include at this point in the Record my letter of June 5, 1963, to Commissioner Ball and his reply to me of June 13, 1963:

Department of Health,
Education, and Welfare,
Social Security Administration,
Washington, D.C., June 13, 1963.

Hon. Thomas B. Curtis,
House of Representatives,
Washington, D.C.

Dear Mr. Curtis: I have your letter dated June 5 replying to mine of May 27.

So that there can be no possibility of misunderstanding I should like to repeat: The newspaper story on which you base your charges was inaccurate. I did not say that "an expansion of social security taxes and benefits will be drafted by an advisory council." I mentioned some of the issues in social security that are currently in the air and which the Council might take up, but I did not indicate in any way that the Council will or will not take up any particular issue or that it will or will not come to any particular conclusion. I referred in my talk—in the context of a discussion of public attitudes toward social security—to the tax increases over the next 5 years that are now scheduled in the law. I did not indicate in any way, however, that the Council would or would not recommend further increases over those now scheduled.

Sincerely yours,

Robert M. Ball,
Commissioner.

June 5, 1963.

Mr. Robert M. Ball,
Commissioner, Social Security Administration, Department of Health, Education, and Welfare, Washington, D.C.

Dear Mr. Commissioner: This is to acknowledge receipt of your letter of May 27.

In your letter, you flatly deny the accuracy of the news story in the New York Times of May 17. You go on to relate what you did say to a group of Social Security district office managers and suggest this remark "may have prompted the newspaper report to mention an expansion of social security taxes."

According to your letter, you were "reminding the district managers that the present schedule of tax rates now in the law will result in increased tax payments over the next 5 years."

It is incredible to me that any person, least of all a news reporter could so misunderstand such simple language as to write in the news story something about what "the Advisory Council will draft." Your explanation is based upon a strange premise that you as Commissioner, with many years of close experience with the Social Security district managers, felt they need reminding about the tax increases already in the law.

This is not a matter of fairness or unfairness as indicated in your letter. Let me assure you that your office was contacted as to the accuracy of the New York Times story. Not only did your office know of this story, but they affirmed that you were accurately reported. If you contend that you were inaccurately reported, it seems to me that you have some responsibility to see that this news item is corrected in the same newspaper.

Nothing in my remarks could possibly "damage the ability of the Council to carry out its important assignment" as you indicate—provided this Advisory Council is selected in a manner wholly consistent with congressional intent, clearly expressed in the law. May I refer you to the section (116(b)) which says "the Council * * * shall consist of the Commissioner of Social Security, as Chairman, and 12 other persons who shall, to the extent possible, represent employers and employees."

When I made my remarks to the Members of the House of Representatives, I raised a question about whether those selected would be truly representative. Your failure to comment in your letter on my questions about this reveals far more than it conceals. It is perfectly apparent that you have not, for example, written large organizations representing employers, asking for names of businessmen who would reflect the thinking of the business community.

Let me assure you that, as a member of the Ways and Means Committee, I do not intend to stand idly by while another effort to circumvent the clear intent of Congress is made, as seems to be indicated by the circumstantial evidence.

Sincerely yours,

Thomas B. Curtis.

FOREIGN AID

Mr. Speaker, since I made a speech on the floor of the House—pages 15836–15839, Congressional Record of August 26, 1963—answering the President's intemperate remarks about the actions of Republican Members of the House of Representatives in proposing and having adopted with the help of powerful Democratic support a cut in the foreign aid authorization bill to a level of $3.6 billion, I have been puzzling over just what further steps can be taken to alert the people of the country that the Kennedy administration has been misrepresenting the issue to the country.

The answer, I suppose, is to be patient and just continue to make the Record. The Congressional Record is read by some people. To some extent the truth does seep out to the public even though it may take years and be too late to help save our country from serious errors. Indeed the truth of the overfunding, the lack of policy, and the poor administration of the foreign aid program has reached the people in spite of the cloak of protection the national news media has given to this program over a period of years during three different presidential administrations.

Now let me make it clear again. I am in favor of the theory of foreign aid. My voting record and my floor speeches over a period of 13 years demonstrate this. Why do I have to say I must make it clear again? Because the false reporting on the issue of foreign aid has sought to brand those who seek to correct the program by getting it down to an effective size to meet the legitimate aims of the program as being against the program itself, with overtones that either they are isolationists, they are so ignorant that they do not appreciate that we live in a modern world where time and space have shrunk, or that they just hate foreigners.

I do not intend to discuss further the improper use of the unsubstantiated statistic that 80 percent of foreign aid dollars that is now going under contract will be spent in the United States. This I hope is a closed matter. It would be shameful if it became necessary to nail it down again. I want to bring out in the open what the Clay Committee "To Strengthen the Security of the Free World" said in its report to the President, dated March 20, 1963.

Never has a report been so often discussed by so many with so few apparently ever having read it. The Department of State, which published the report, apparently did everything within its power to see that as few people possible did read the report and that the reports of what it said were garbled. An enterprising reporter could make an interesting comparison of the format and dissemination of this report with some of the reports whose substance the State Department approved of. The reporting was so inadequate that the Chairman of the Committee, General Clay, recently made a public criticism of the actions of the House of Representatives for cutting the foreign aid program too much in the first year when it actually cut the program $200 million less than the Committee recommended.

There was no editorial comment, no wondering by newscasters, analysts, or columnists of this inconsistency. Let me quote from the last full paragraph, page 20, of the report under the heading "IV. Future U.S. Assistance Programs":

> AID informs us that if our criteria were now in effect, present programs would be reduced by approximately $500 million, and there would be additional reductions in the following years as some of these programs were phased further down or out.

The present programs called for an expenditure of $3.9 billion in fiscal 1963. Putting the Clay Committee recommended criteria into immediate effect would reduce this figure to $3.4 billion.

The Clay Committee made this recommendation with full knowledge of the problems involved in cutting back. It said in the last line of the preceding paragraph:

> Nonetheless, we believe these actions must be undertaken and can be effected by

> diligent diplomatic effort over a 1- to 3-year period.

This 3-year cut is not limited to $500 million. The 3-year cut is $500 million plus "the additional reductions in the following years as some of these programs were phased further down or out."

This is further emphasized in the paragraph which precedes this last quotation:

> For the present, however, we are convinced that reductions are in order in present military and economic assistance programs. Mindful of the risks inherent in using an axe to achieve quickly the changes recommended, the committee recommends these reductions be phased over the next 3 years.

Now let us go back one more paragraph to be certain we are really in context. The section IV from which I have been quoting begins with a discussion of "our military assistance program for some years to come." The Commission says beginning on the last line of page 19:

> We believe that in a few years, the basic need for such assistance can be served by an annual appropriation of $1 billion.

Let us go on to see how much in context this matter really is:

> It should be noted that the Department of Defense also contemplates the phased reduction of military assistance to this figure, though it believes it cannot be attained until fiscal 1968.

This is a 4-year phasing down instead of the 3-year the Clay Committee has generally recommended.

It is quite clear from the entire report that the Clay Committee was recommending cutting the total of the foreign aid program, not increasing it. When it refers, as it does, to an annual appropriation figure of $1 billion for military assistance, it is talking about the net of phasing down and out of programs along with the starting up of the new programs that may be necessary.

It is important to understand this point, because the Kennedy administration seeking an out in the committee's recommendation might try to say the phasing down of present programs by $500 million in the first year does not take into account the new programs we might start. This argument is specious because even without the application of the new and stricter criteria advocated by the Clay Committee certain programs are phasing out anyway and theoretically the new programs merely take their place in the total budget figures. A full understanding of this basic tenor of the report reveals that entirely aside from the new criteria to be applied to present programs the number of new programs to be started should be less than the programs which are being phased out under the old criteria.

Now how has the Kennedy administration handled the Clay report recommendations? First, the President made a point, with habitual publicity fanfare, of cutting back on the previous request for new authorization for fiscal 1964 by $400 million. This chiseling $100 million off the Clay Committee recommendations served the purpose not only of keeping $100 million but tended to distract attention from the key factor. What was the reduction applied to? Present levels of spending of $3.9 billion—the fiscal 1963 figure—to which the report directed attention? No. The figure was applied to $4.9 billion which the President had requested in his budget for fiscal year 1964 presented to the Congress in January.

In other words, the President asked for an increase of $1 billion over last year's figure and then, with the help of an uncritical press, tried to create the impression that he was following the spirit of the Clay report by cutting the foreign aid program. His $400 million figure was no cut at all. It was changing a requested increase of $1 billion to a requested increase of $600 million.

The Foreign Affairs Committee of the House cut the President's request for $600 million increase to a $200 million increase or a total figure of $4.1 billion amidst much publicized wailing and crocodile tears on the part of the administration.

Then as we know, the House of Representatives took action to cut back the foreign aid program below 1963 figures. The figure was still $200 million more than the Clay Committee recommended for the first year of cutting.

Fortunately it appears that the House Appropriations Committee is really digging into the program for fiscal year 1964 and will go below, unless Presidential pressure becomes too great, the Clay Committee's figure recommendations for the first year cut. However, this will not be below the ultimate figure recommended by the Clay Committee after the 3 years of cuts. I interpolate this figure to be about a level of $2 billion annual appropriation, probably a little less.

With so much misrepresentation on the part of those responsible for the future of the foreign aid program, I think the peoples' Representatives in the Congress will be quite wise to do a little overcutting rather than undercutting to smoke out a bit of truth for a change.

Those who are truly concerned about the future of an adequate and responsible foreign aid program, and I share this concern, may rest assured that this kind of discipline will in no sense harm, let alone endanger the program. Indeed, it may be its salvation.

The Congress has a system, unfortunate in many respects, of handling supplemental appropriations and deficiency appropriations. This system was established for very good and sound reasons to protect against mistakes that might be made in planning or cutting back too much and to take care of new developments that might have arisen with perfectly sound reasons after the moneys were voted. I say this system is unfortunate in many respects because it has been so badly abused to make meaningless in many instances the original appropriation processes.

However, the system is available and because of this no possible damage can come to a little overzealousness in cutting back to lower levels than the Clay Committee recommended for the first year. Instead we might even find out what programs really are good and necessary if someone has to fight for them with real facts and honest argument for a change.

For the purpose of clarity and context I am setting out the entire section IV of the Clay Committee report from which I took my quotations. No one in the Congress should fail to read the entire Clay Committee report, if they have not already done so. It is only 25 pages long, including Mr. George Meany's lone dissent of 3 pages. Section IV is as follows:

REPORT TO THE PRESIDENT OF THE UNITED STATES FROM THE COMMITTEE TO STRENGTHEN THE SECURITY OF THE FREE WORLD

IV. FUTURE U.S. ASSISTANCE PROGRAMS

> We are convinced that barring extraordinary developments, U.S. security interests will require maintaining our military assistance program for some years to come, though it should be reduced progressively as the economic capacities of recipient nations improve. We believe that in a few years, the basic need for such assistance can be served by an annual appropriation of $1 billion. It should be noted that the Department of Defense also contemplates the phased reduction of military assistance to this figure, though it believes it cannot be attained until fiscal year 1968. We believe further that the supporting assistance which supplements major military aid in several countries will continue to be necessary, though it should be possible to reduce this type of assistance in such cases sharply over a 3-year period.
>
> For the present, however, we are convinced that reductions are in order in present military and economic assistance programs. Mindful of the risks inherent in using an axe to achieve quickly the changes recommended, the Committee recommends these reductions be phased over the next 3 years. This should permit the fulfillment of most past aid commitments and others which might be revised somewhat in the light of actions by the countries concerned. While dollar savings from these changes will be substantial, though not immediately great in relation to the total program, the changes wrought should permit aid to be more effective now and in the future.
>
> The Committee recognizes that its recommendations to decrease or abolish aid in a number of countries and otherwise tighten standards will be difficult to implement and provoke charges that are "politically impossible" in terms of good U.S. relations with countries concerned. The Committee recognizes as well that the political problems of pulling back from ongoing aid programs are much greater than those created by U.S. refusals to extend aid where none previously has been given. Nonetheless, we believe these actions must be undertaken and can be effected by diligent diplomatic effort over a 1- to 3-year period.
>
> We hesitate to translate our recommendations into precise dollar terms. This would require in addition to our current examination, detailed review of programs now under consideration and judgments on the firmness of understandings arising from past negotiations with foreign governments. We have stated program criteria which affect the number of countries receiving aid and the nature of that assistance. AID informs us that if our criteria were now in effect, present programs would be reduced by approximately $500 million, and there would be additional reductions in the following years as some of these programs were phased further down or out. We recognize the necessity of fulfilling present commitments which in some cases will delay the point when these criteria can be in full application and the existence of other commitments

which could require increased funds in the future.

Beyond the period at hand, the future of economic assistance is not predictable. It depends on many factors, including the capacity of countries to absorb aid usefully, their pursuit of internal policies which justify our external assistance, the pace at which sound multilateral institutions can increase their volume of activity, and the continued confidence of the free world in the stability of our economy. Once the objectives of the economic assistance program have been sharpened and operations improved, it will be easier to judge how much in the way of new resources should be provided yearly to facilitate the kind of economic growth in the developing countries which is in our national interest to support. In the long run, as more and more of the developing countries establish viable economies, there will be less need for extraordinary external assistance. As we approach this point, we can look for repayments of interest and principal on AID loans to provide an increasing share of the funds necessary for the economic assistance program. While repayments on AID loans in fiscal year 1964 will amount to only $5 million, they will increase gradually thereafter. Moreover, there is approximately $2 billion in outstanding dollar repayments of economic assistance loans from other sources, not including Export-Import Bank loans. The reappropriation of these repayments as well as those on AID loans could provide a revolving fund which could make possible a reduced appropriation of new resources needed yearly for the program.

In making our recommendations for present reductions, we recognize that future emergencies and unknown challenges are likely to arise. The President of the United States must have the flexibility to meet such contingencies, and nothing in this report should be construed to limit him from doing so as future circumstances require. It is for this reason that we strongly favor the provision of an ample contingency fund in the annual aid appropriation.

TO SET THE RECORD STRAIGHT—PART II

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, on August 23 I brought to the attention of this body the other side of the coin as far as the Young Republican National Convention, held last June in San Francisco, was concerned. It had been alleged by many that radicals and extremists took over the organization, a statement which I indicated was unfounded and deceitful. On nationwide television last Sunday, Governor Rockefeller repeated these dishonest accusations on the program "Meet the Press." In reply to a question by Lawrence E. Spivak, Governor Rockefeller said:

> * * * The best illustration was what happened at the Republican—Young Republican Convention in San Francisco a number of months ago, where a man was elected, a young Republican was elected on a platform to abolish the income tax, to withdraw from the United Nations—I don't know whether he included impeachment of Earl Warren but that is part of this whole concept and the idea that General Eisenhower was a crypto-Communist—this whole concept is unrealistic, unrelated to the realities of the world in which we live and yet by rowdy tactics and techniques they were able to take that convention and this young man was elected president of the convention.
>
> Now the conservative Republican who had been chairman and was the outgoing man came back to his own community and made a very strong statement on the dangers which the party faced, based on his experience at that convention, Mr. Nadasdy.

How unfortunate it is, Mr. Speaker, that a man who aspires to the Presidency should either be so miserably misinformed or be deliberately deceiving us. Little of what he said has any close relation to the truth. This subject was amply covered in the August 23 remarks so I would add little at this point. Mr. Lukens ran on no such platform and his statements regarding these matters at the convention and since that time would not substantiate these smears.

While on the subject, Mr. Rockefeller's television appearance certainly confirmed his position in the liberal-welfare State camp. Few Republicans would agree with him when he stated "it is essential to hold Federal spending at present levels." Most of us feel that there is undue waste and bureaucratic proliferation which could be cut out at a great savings to the taxpayers by the implementation of the Hoover Commission approach and some restraint at the executive level. One cannot help but wonder if this means he has supported the $20 billion in new spending voted by a Democratic Congress under the New Frontier.

Governor Rockefeller did change his tune on at least one point. He said in answer to a question by Merrill Mueller, of NBC News, that "the radical right is not a significant element in our party."

In his July 14, 1963, blast, Governor Rockefeller said:

> I am now convinced that, unless the vast majority of Republicans who subscribe to these principles, are aroused from present inaction—whether this inaction stems from complacency, from fear or from a fantastically shortsighted opportunism—the Republican Party is in real danger of subversion by a radical, well-financed and highly disciplined minority.

Again I raise the question to Governor Rockefeller that I expressed in my August 23 address: "Just who is this radical right and where is the threat?" He is not honest enough to tell us or retract his irresponsible statements. He was pinned down by Mr. Spivak on this exact point:

> Mr. SPIVAK. Governor, when you charge that the Republican Party was in "real danger of subversion by a radical, well-financed and highly disciplined minority," can you tell us who was leading and who was financing that disciplined minority?
>
> Governor ROCKEFELLER. No, it is very hard and that is one of the problems.
>
> Mr. SPIVAK. Now Senator GOLDWATER thinks your statement was aimed at him. Was it?
>
> Governor ROCKEFELLER. No, it was not, but Senator GOLDWATER's name is used by anonymous personalities who are putting up large sums of money and by an organization—different organizations who are trying to penetrate the party standing for these principles.

Now note that nebulous charge once more:

> Senator GOLDWATER's name is used by anonymous personalities who are putting up large sums of money.

Come now, Governor, you certainly can be more specific. I again state that this is the phony "strawman" tactic whereby a bogeyman is created and then "courageously" attacked. It is regrettable that in the process of this irresponsible tirade, the Governor from New York should smear the good name of the Young Republicans in America.

Returning again to the matter of the Young Republican Convention, evidence keeps pouring in to refute the irresponsible charges of Governor Rockefeller and former Chairman Nadasdy. One of the national vice chairmen of the federation has expressed dismay at the dishonest charges and the bad publicity which resulted from these charges. Note well that the State of Virginia voted for the losing candidate, Chuck McDevitt, and not the new chairman, Buz Lukens, who is the target of the Rockefeller-Nadasdy-Pearson-AFL-CIO wrath. I include at this point in the RECORD the statement of S. Strother Smith, of Richmond, Va.:

RICHMOND, VA.,
July 20, 1963.

GOV. NELSON ROCKEFELLER,
Governor's Mansion,
Albany, N.Y.

DEAR SIR: The executive committee of the Young Republican Federation of Virginia was truly shocked and amazed to hear anyone holding such a position of trust and responsibility as do you making such unfounded and prejudiced remarks about a group which has done so much toward the furthering of Republican aspirations across the entire United States as have the Young Republicans.

We have long noted that one of your crusades has been against prejudice. As far as we know you were never present at the Young Republican National Convention last month, yet you presume to make charges of "sectionalism, racism, and extremism" based only on the hearsay testimony of witnesses whose objectivity cannot fail to be questionable. It seems to us that this can only be termed the rankest form of prejudice.

You charged the Young Republicans with sectionalism in spite of the fact (which you should have known, had you taken the time to go into the matter) that within every section of the country the votes on nearly every issue were almost evenly divided. If you had been at the convention, which you so viciously attacked, you could not have helped but note that Virginia, North Carolina, Georgia, Arkansas, and Texas all voted with New York, New Jersey, Ohio, and Pennsylvania in the election for national Young Republican chairman. You would also have known that your own delegation, along with the delegations from every other section of the country, voted for Virginia's Bob Stone for national treasurer, while at least five Southern States voted against Virginia's candidate. You would also have seen Virginia and Georgia joined with New York against South Carolina and Florida to elect Barbara Kohler, of Texas, in her race against a candidate from New Jersey for the office of secretary. When all sections of the Nation are as almost evenly divided (within themselves) on every issue it seems impossible that an "objective" observer could charge the Young Republicans with sectionalism. As a matter of fact, we can think of no other evidence that could show so strongly the subjugation of sectional interest to the greater interest of a great national party and a common concern for the preservation of our national and individual liberties.

You charged the Young Republicans with racism. Just ask the Negroes of the New York delegation how they got along with the racists from North Carolina, Georgia, and Arkansas. If you have the time you might also look into the civil rights resolution which was originally submitted by Virginia and which, after extensive discussion and rational compromise was passed unanimously by the resolutions committee (which included representatives from New Hampshire, Iowa, Mississipi, Virginia, Alabama, Massachusetts, and your own home State of New York. Your own delegation would know that such deceitful reporting as that by the "objective" Roland Evens and Robert Novak was completely erroneous and one-sided. They could have told you, had you bothered to ask, that the civil rights resolution, while opposing the proposed Federal invasion of private property took a strong stand against any State or local government requiring segregation in any form. It opposed unwarranted and discriminatory governmental intervention regardless of the victimized group of level of government. It seems incredible that any responsible individual could call such action racist.

Finally, you charged the Young Republicans had been taken over by highly organized, well-financed subversive and extremist groups. If by subversive groups you mean that the convention was controlled by the extremist forces from California, you and your "objective" sources couldn't be more mistaken. Both of California's candidates for national office lost by tremendous margins (in both cases gaining only slightly more than the 40 votes of their own delegation). In fact, every candidate supported by the California delegation on the first ballot lost. There could not possibly have been a more complete rejection of extremist groups by any organization.

As far as the conservative forces being well financed, it was obvious to all who were truly objective, that comparatively speaking, it was the more liberal candidate who had the greatest financial resources. In fact, his financial backing was so much greater than anyone else's that his opposition could charge that he was being backed by "Rockefeller money." If there were any outside financing, it certainly seems that it was from the liberal side rather than the conservative.

There is only one point on which an "objective" viewer could agree with your charges, and that is that the Young Republicans were extreme in their devotion to the American ideals of individual liberty and responsibility and private incentive as the best and surest means for the maintenance of American freedom and prosperity. If this be extreme Governor, then the Young Republicans are guilty. On all other counts, however, we feel either that your charges need substantially greater documentation or that you owe the Young Republican National Federation a public apology.

Sincerely,

S. Strother Smith III,
Vice Chairman, Young Republican Federation of Virginia.

SAVE PUBLIC HOUSING

The SPEAKER pro tempore (Mr. O'Brien of New York in the chair). Under previous order of the House the gentleman from New York [Mr. Ryan] is recognized for 10 minute.

Mr. RYAN of New York. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN of New York. Mr. Speaker, in April of this year I introduced two bills (H.R. 5877 and H.R. 5878) to amend the Housing Act of 1937 in order to obviate the serious problem created by the ceiling on annual contributions to public housing agencies. The act of 1937, as amended, placed the ceiling at $336 million and further stipulated that no State may receive more than 15 percent of the contributions. By the end of June New York State reached its 15-percent limitation and exhausted its quota of units available under this act. And unless the $336 million limitation upon annual contributions is removed, the quota of units for the entire country will soon be exhausted. The public housing program is about to come to a standstill. This ceiling and the method of apportionment must be changed.

Today, I have introduced a bill concerning another ceiling which also is choking our public housing program. In 1957 section 15(5) of the Housing Act of 1937 was amended to provide that the cost for construction and equipment per rental room shall not exceed $2,000. If the Administrator finds in the geographical area of any project that, first, it is not feasible under the given cost limitations to construct the project without sacrifice of sound standards of construction, design, and livability, and, secondly, there is an acute need for such housing, he may allow an increase in the cost limitations of not more than $750 per room. Thus the resulting maximum allowable construction cost per rental room for federally aided housing developments in New York City is limited to $2,750.

Since this amendment was adopted in 1957, the cost limitations are based on the building cost index of that time. Since then construction costs in New York City, as well as other metropolitan areas, have increased substantially. Between June 1957 and April 1963 the Engineering News Record discloses an increase of approximately 19 percent in New York City. However, a study of bids for developments of the New York City housing authority for the last 6 years reflects construction cost increases averaging 30 percent. Only 2 years ago bids averaged about $1.30 per cubic foot, whereas now they average somewhere between $1.75 and $2 per cubic foot. This increase is due to a number of reasons:

First, the finished materials used in housing are steadily climbing in price.

The second factor is that of rising labor costs. In New York City between 1957 and 1962 the total wage increase in trades concerned with the construction of public housing was approximately 25.9 percent. Last year the electricians signed an agreement which resulted in an increase of approximately 29 percent. Plumbers, steamfitters, bricklayers, plasterers, and various other trades are negotiating new contracts which will undoubtedly further increase the bids on new developments.

Thus the combination of a fixed maximum statutory limit on the unit cost of low-rent public housing and rising construction costs has affected the rate, quality, and efficiency of public housing construction. Bids have been such that costs per rental room are in excess of the statutory maximum. This brings attempts to downgrade design or to eliminate desirable features to obtain lower bids. There has also developed the tendency to withhold the taking of bids on a number of vest-pocket projects so that bids on three or more of these projects can be accepted in combination in the hope that the low bidders will see this as an opportunity to make a profit not otherwise obtainable if the buildings were bid separately, and which in turn will enable them to submit lower legal bids. This is especially true in the west side urban renewal area, which encompasses a section of my congressional district.

Mr. Speaker, if projects now in the planning stage are to be completed, and if the public housing program in New York City and other large urban areas is not to grind to a halt, this bill, to raise by $1,000 per room the statutory room cost limitation of the Housing Act of 1937, as amended, is essential.

Public housing is a crucial weapon in the fight against the social and economic evils of the slums. It has provided adequate housing in a healthful environment for millions who would otherwise be unable to afford it.

Yet, the task is far from completed. Some 30 million people—or 1 person out of every 6 in our population—live in substandard housing, while another 17 million live in the shadow of the slums, waiting for the self-generating process of those slums to engulf them. Mayor Wagner states that in New York City alone "there are a minimum of 200,000 ill-housed low-income families whose only prospect for improving their housing consists of low rent public housing—87th Congress, 1st session, Senate Committee on Banking and Currency, hearings on various bills to amend the Federal housing laws, page 16.

Mr. Speaker, we cannot permit one-sixth of our population to exist in a slum environment. We cannot allow the public housing program, which only last year celebrated its 25th anniversary, to lapse. Action must be taken now.

Mr. Speaker, as I close this special order, if I may be permitted to indulge in a personal aside, I note that in Washington today is a magnificent and wonderful person. Without my wife, Priscilla, I would not be here now. I pay tribute to her for her understanding, patience, fortitude, and forbearance. She and our four children, Bill, Priscilla (Polly), Virginia, and Catherine, are a constant source of strength and inspiration in my public service.

THE VINSON BILL—TO PREVENT THE PENTAGON FROM FIGHTING THE DAMAGE CAUSED BY SEGREGATION PRACTICES

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. Stratton] is recognized for 15 minutes.

Mr. STRATTON. Mr. Speaker, earlier this afternoon my good friend and the distinguished chairman of my committee, the gentleman from Georgia [Mr. Vinson], announced that he has introduced legislation to prevent the Secretary of Defense from implementing a directive he issued on July 26 designed to encourage the elimination of discriminatory practices harmful to the U.S. serviceman in areas surrounding military bases.

I have a great deal of admiration and respect for the gentleman from Georgia, and I have usually supported him on matters affecting our armed services. But this time, Mr. Speaker, the gentleman from Georgia is, in my opinion, completely wrong, and I intend to oppose his bill as vigorously as I possibly can.

The extravagant charges made against Secretary McNamara's directive earlier on this floor, and now echoed in the chairman's statement, completely distort the meaning and the purpose of the Secretary's directive.

Over the years military commanders have always been interested and concerned with conditions or practices in areas surrounding military bases which impair the morale or the efficiency of our men in uniform and their families. They would have been grossly negligent had they not done so.

It is now clear—and I have the evidence here at hand and will introduce it at the conclusion of my remarks—that today the practices of segregation and discrimination which are in effect in areas surrounding a large number of our military bases in the South are indeed seriously impairing the morale and efficiency of hundreds of thousands of our men in uniform. In view of these facts, and also in view of the profound social upheaval that is already in progress in this country, thereby aggravating the harm which these practices do to the fighting efficiency of our men in uniform, the Secretary of Defense would indeed be gravely negligent were he not to take the action he has taken to try to eliminate these practices in areas surrounding military bases located in the Southern States, where most of our military bases, incidentally, are located.

Actually in this case, it should be noted, the Secretary of Defense acted at the request of the President of the United States, who is also constitutionally the Commander in Chief of our Armed Forces.

There is also, in my opinion, Mr. Speaker, in spite of the statement made by the gentleman from Georgia, a very grave question as to whether this proposed legislation does not violate the Constitution and does not intrude improperly on the proper prerogatives of the President and executive branch of the Government. I have very grave doubts as to whether Congress legally can or properly should order the Commander in Chief and the Secretary of Defense not to take steps to protect and improve the morale and efficiency of the young men under their command.

In any event, to pass this bill and to say they cannot do so would in my judgment gravely impair our national defense posture, the very thing which the members of the great Committee on Armed Services are most interested in promoting. For this reason, I oppose the enactment of the legislation introduced by the gentleman from Georgia and intend to do all I can to insure its defeat.

Mr. Speaker, under leave to extend my remarks, I include an article from the September 1963 issue of Harper's magazine, an article by Ruth and Edward Brecher, which describes in dramatic detail some of those practices which are so destructive of the morale and efficiency of our men in uniform, and which Secretary McNamara's directive of July 26 seeks to eliminate:

[From Harper's Magazine, September 1963]

THE MILITARY'S LIMITED WAR AGAINST SEGREGATION

(By Ruth and Edward Brecher)

(Throughout the South, Army, Navy, and Air Force bases are providing working models for integrated living—and may soon put considerable pressure on neighboring communities.)

Following World War II, on orders from President Truman, the Army, Navy, and Air Force abolished their traditional Jim Crow units and with very little fanfare integrated themselves. On a recent 3,200-mile tour of the South, we viewed the impressive results.

We saw Negro and white servicemen eating at the same messhall tables, drinking at the same onbase bars, playing ball on the same teams. They sleep in the same barracks, share lavatories and showers, borrow money from one another until payday.

In onbase homes assigned without regard for race, white and Negro families live next door to one another, babysit for one another, watch TV together, share backyard barbecues. They swim together in onbase pools, worship together in military chapels. Their children play and squabble happily together on the lawns, attend onbase schools and Sunday schools together. All this has for years been accepted practice on military bases, including many in the Deep South.

Some white service families, to be sure, remain personally aloof; that is their privilege. But "stirring up trouble" on base has become a social misdemeanor. Many Negro servicemen and their wives assured us that nowhere else had they ever experienced such complete or such successful neighbor-to-neighbor integration.

The speed with which Southerners as well as Northerners adapt to this integrated military way of life must be seen to be believed. Negro and white recruits reporting for induction are herded together into buses without prior indoctrination and driven to their first assignment, hours or even days away, in elbow-to-elbow intimacy. From the onset white Southerners take orders from Negro officers and noncoms as a matter of course—a decisive demonstration that abrupt social change is feasible, even when dictated by outside authority rather than inner conviction.

"This must be your first experience associating with Negroes," we remarked to a sandy-haired GI hitchhiking home from Fort Lee—an Army post in Virginia—for a weekend on his father's small farm on the Virginia-Tennessee border.

"Sure is."

"It must have taken quite a while to get used to."

"Sure did—'bout 2 weeks."

Often white and Negro GI's form firm friendships. "Our best friends at Fort Knox were a white couple from New Orleans," the wife of a Negro lieutenant colonel told us. "We were all heartbroken when we were shipped out—we to Germany and they to Japan. But now we're all back in the States again, and they're bringing their kids for a visit next month." White service families have described similar friendships.

Military integration changes those who experience it. Negroes expect more after they leave the service, and white ex-servicemen are generally willing to yield more. In several southern cities we found white and Negro ex-officers, ex-GI's, and their wives active in the small but fervent integrationist groups which meet till long past midnight in one another's living rooms to plan their community's next steps toward desegregation. And when such groups negotiate with local officials and business groups for integration concessions, ex-servicemen are commonly found on both sides of the bargaining table.

White segregationists realize that military integration is helping crumble local racial barriers. "My own nephew argues with me about segregation since he's been in the Air Force," an Alabama bank president told us with wry candor. As a guest of the nearby Army base commander recently, this banker for the first time in his life had dinner with a Negro. Though he doesn't like the prospect of integration, he's getting used to the idea.

So, too, are the tens of thousands of Defense Department civil servants who stream into the huge Army, Navy, and Air Force installations each morning. All day they work side by side with Negroes, take orders from Negro supervisors, use integrated washrooms. Evenings and weekends, too, southern civilians flock to the bases as guests at integrated officers' and enlisted men's clubs. They shake hands with Negro club members, bowl at integrated alleys, play integrated bingo, attend integrated lectures, concerts, art shows, and religious revival meetings. Seeing such activities in the heart of the South, we found it hard to realize that a few miles away, Negroes were being arrested and beaten for seeking a cup of coffee at a lunch counter.

For the sorry truth is that integration stops abruptly at the gates of the military reservations. Just outside those gates, "white only" signs can be seen on restaurants, bars, and theaters—even drive-in movie theaters—from Maryland to Texas.

We learned at first hand from scores of Negro and white officers and GI's, and from their wives, about the many forms of offbase discrimination, crude and subtle, brutal or merely demeaning, which assail the Negro serviceman and his family. In retelling their stories, we have omitted or altered names of individuals and left locations indefinite for obvious though painful reasons.

NO VACANCIES

The South today is ablaze. Reprisals are daily occurrences. When it was alleged in a local newspaper for example, that the sister-in-law of the president of a drycleaning company had attended an integrated prayer meeting, a boycott was organized against the drycleaning company. The small integrationist groups which meet in many southern communities often receive bombing threats and must change their meeting places frequently. Some integrated meetings have been bombed. Publicity concerning one integrationist group led to tape-recorded attacks on it broadcast all day, every hour on the hour, over a local radio station. To identify a white civilian as an integrationist is to expose him at the very least to a barrage of 2 a.m. "hate calls" on the phone and piles of garbage on his lawn. Negro activists, of course, run much graver risks—loss of jobs, police harassment, and "stray" bullets.

Even on the military side of the fence, a man's career may be subtly but significantly affected if he is identified as either an integrationist or a segregationist. At least one influential southern Congressman is out for the scalp of an Air Force commander who took a step toward integration; another commander suffered transfer to a distant post after he was accused of "dragging his feet" in carrying out an integration order from Washington. Anonymity is thus a pearl beyond price in the turbulent South today. The identities of even the officially appointed members of biracial negotiating committees are commonly kept a closely guarded secret.

Among those who must remain anonymous is an Army master sergeant we'll call Lincoln Smith. He is typical of the many dedicated Negro career men on whom the Armed Forces rely to train recruits and carry out countless other essential military duties. In 1962, after 18 years' service at northern and oversea posts, Master Sergeant Smith got his bad news: Transfer to a base in the South.

On arriving there with his wife and three daughters, he learned to his dismay that no onbase quarters were available. This is a common experience; half of all servicemen these days are married—and the military services have housing for barely half of their married personnel.

White families who arrived with the Smiths moved temporarily intc motels or tourist camps. But most southern motels are closed to Negroes. For their first few weeks, as a result, the Smiths had to swelter in a rundown Negro rooming house, in a single room, with a curtain rigged down the middle; kitchen and bathroom "privileges" were shared with three other families. The few modern homes and apartments open to Negroes were full, and waiting lists long. Eventually the Smiths had to settle for a shack on a dusty, unpaved back street lacking even street lights. It has three small rooms and a rickety front stoop, a kitchen sink, and a rusty shower stall but no tub or running hot water. "The only reason I put up with it is to keep the family together," Mrs. Smith explained.

Overseas, an American commander would do his best to get his men out of billets like this—but in the South, such accommodations for Negro service families are accepted as a matter of course.

On his way to the base each morning, Sergeant Smith passes an attractive air-conditioned FHA-financed housing project. It was built for service families. Its rents are little more than the Smiths pay for their shack. And there are half a dozen vacancies—but none for Negroes.

Bad as their housing is, the Smiths worry even more about education. "We can wait, but our girls' schooling can't; it's now or never," Mrs. Smith said. She herself attended integrated northern public schools many years ago; that her daughters at this late date should have to attend a Jim Crow school is gall and wormwood for the Smiths.

DISINTEGRATION FATIGUE

Master Sergeant Smith is not timid about standing up for his daughters' rights. If he were not in uniform, he might sue to secure their admission to a white school. But as a serviceman in the South, he hesitates. He has 18 years' seniority at stake. He has heard rumors—and so have we—of Negro servicemen who have taken part in offbase desegregation activities and who have shortly thereafter been labeled troublemakers and threatened with reprisals—transfer to some post in Alaska or Greenland, for example, where they cannot have their families with them at all.

These rumors can seldom be confirmed. Some may be apocryphal. But they are widely believed—and no one in authority has ever assured Negro servicemen that they are free to demand their constitutional and offbase human rights. So the rumors have become deterrents; and the Smiths end up feeling even more frustrated than Negro civilians who can at least protest, demonstrate, and sue.

Sergeant Smith has had no trouble personally with the local police force. "I always go straight home nights," he says. And there have been no beatings, jailings, or police dog attacks in the immediate vicinity during recent months. But an incident or two a year is quite enough to keep a whole population "in its place."

So Sergeant Smith walks the city streets with eyes averted, does not take his daughters to the zoo or other places where they may not be welcome, and avoids looking or sounding "uppity" in the presence of a white man or woman. "If I'd been raised in the South I'd probably catch myself saying, 'Yas, suh, boss,' " he remarked, with an effort to smile.

On base, Master Sergeant Smith must play a very different role—that of a man of dignity and self-assurance, training his troops in the defense of their country. He does his very best. But like tens of thousands of other Negro Americans held in the South by their military orders, his ability to perform his duties boldly and efficiently on base is inevitably impaired by the "disintegration fatigue" from which he suffers off base.

Jim Crow also undermines white morale. A white infantryman from Kentucky stationed in rural Georgia was as bitter on this score as any Negro. "Eleven of us were transferred back from Germany to this hole," he told us. "Three of us are Negroes—great guys, guys you'd trust your life to. We'd been buddying around together all over Europe. First Saturday night here, we headed for town to celebrate with a few beers."

Bar after bar refused to admit them together. When they finally elbowed their way into a Negro spot, the bartender called the police. "Said he'd lose his license if he didn't. The cops jugged us for the night, in segregated cells. When we got back to the base late for drill next morning, the sergeant took away our privileges for a month." The charge was drunkenness. "But hell, we never did finish one beer. Now we go to town separately, and come back mad. The three of them have a grudge against the world, and I don't blame them—but sometimes I wonder what it would be like to go into action with guys nursing grudges. We're all getting out of here the day our time's up."

"Reenlist? Hell, no."

Maxwell Air Force Base in Alabama, Fort Benning in Georgia, and several other large southern installations serve, in addition to their other functions, as training centers for foreign officers. Among these military guests have been high-ranking Haitians, Liberians, Ethiopians, and others with dark skin. To shield them from affronts, one base supplies foreign officers with handsomely embossed "passports," signed by the mayor, the chamber of commerce president, and the base commander. The officers are warned to carry these documents with them whenever they leave the base. But insults, refusals of restaurant service, and other incidents occur despite this and other precautions. And the passport system is peculiarly offensive to Negro-American servicemen.

"I had two strikes on me down there," said an MIT graduate who had recently completed his tour of duty. "In addition to being a Negro I was an American Negro and wore an American uniform. They wouldn't give me a passport so I could eat in a decent restaurant or go to a first-run movie." A Negro captain's wife at another base complained: "You can live almost anywhere around here if you speak with a foreign accent. And your kids can go to the white school, even though they're a lot darker than my kids. The only people they discriminate against around here are American Negroes."

WHAT KIND OF LOCAL ELITE?

The Department of Defense took its first short step toward solving offbase discrimination problems in June 1961, when a Pentagon order directed that commanders "make every effort" to secure integrated offbase facilities for their men.

But the order also specified that commanders should use for this purpose their "community relations committees," composed of high-ranking officers and civilian leaders. These committees had previously been devoted to maintaining cordial relations between the bases and their neighboring communities. At many southern bases, unfortunately, the committees were peculiarly unsuited to their new mission.

Some dated back to the day when a few ruling families still constituted the unchallenged local "power structure." Some had 50 or even a hundred members; inclusion on the committee had become a social honor comparable to listing in the social register. Quite a few commanding generals and admirals were themselves born and bred in the South, and kin to the local elite whom they planned to rejoin on retirement. Such officers would hardly venture to trouble their distinguished committee members with the discrimination problems of Master Sergeant Smith—especially if, as was often the case, leading local segregationists sat on the committee. Though the South was rapidly changing, few committee members died and none retired. When the U.S. Commission on Civil Rights (established by Congress in 1957) checked up on what had been accomplished during the first year of the offbase integration order, it was able to find few signs of progress. Some committees, and even some commanders, were unaware that the order even existed.

This year, following the Civil Rights Commission checkup, the 1961 order was revived and supplemented. On March 6, for example, the Navy instructed "all ships and stations" to "include local leaders of all ethnic groups" on the committees and to establish liaison with "influential local community organizations such as, but not limited to, the chamber of commerce, the Rotary, the National Association for the Advancement of Colored People, the Lions, the Urban League, the Young Men's and Young Women's Christian Associations, and the Kiwanis."

On our own recent swing through the South, we noted some resulting harbingers of change. At one base, for example, a commander skilled in social as well as military tactics had first cut his committee down to working size. In the process, he quietly dropped members who might balk at serving with Negroes. He then added two prominent Negro leaders and took the whole group on a 2-day military junket to get acquainted with each other. After a few further shakedown dinners and social sessions, he dumped into their laps his most pressing community problems; integrated schooling and the opening of restaurants, hotels, and theaters to all servicemen and their families. The first fruits of the new approach were promptly harvested; courses at the previously all-white university branch near the base were opened to Negro servicemen with barely a ripple of local protest.

At another base we visited, the commander had appointed one Negro to his committee but was hesitating to take the next step. At a third, the commander was balking. "I'd be willing to appoint a Nigra," he told us, "but there isn't a Nigra around here qualified to serve." He was mistaken, of course. During a very brief stay in his area, we met several Negroes capable of serving with distinction.

Some commanders and their staffs displayed a surprising ignorance of conditions outside their gates. "No complaints around here," we were assured at one Georgia base. But ex-GI's who had served there told a different story: they had not dared to complain while still in uniform for fear of reprisals. Currently under consideration by the Defense Department is a proposal that a specially qualified officer on each base—preferably one with legal training, free of personal prejudice—be charged with the duty both of investigating all civil-rights complaints, reprisal threats, and other common grievances of Negro servicemen and their families, and of alerting the commander to abuses even in the absence of formal complaints.

BOTH SIDES OF THE FENCE

The Defense Department is also seeking in other ways to ease the pressure on its Negro personnel in the South. It has requested an appropriation, for example, to build 12,000 new housing units on bases next year. Congressmen were shocked when Secretary of Defense McNamara, testifying personally in support of this appropriation, showed them photographs of shacks in which service families now live.

But even if the 12,000 new units are built, the surface of the military housing problem will barely be scratched. According to Secretary McNamara's own figures, 106,000 military families live offbase in homes that do not meet military standard's because of their physical condition or their small size or their distance from the base. An additional 32,000 families live in substandard onbase housing. And 24,000 married servicemen are living apart from their families because they can't find family housing at all. The brunt of these housing hardships falls with discriminatory weight on Negro service families.

The 12,000 new units should, of course, be built. In addition, private entrepreneurs must be persuaded to build integrated housing near the bases. President Kennedy's housing order of November 1962 opens the door for FHA financing of new integrated housing developments throughout the country; but to date, little has been done to put this order to use near military installations. And local commanders, with the help of their reorganized community-relations committees, must be directed to protect the builders from segregationist interference. This is not as formidable an assignment as it might appear to be from a distance. Even the Deep South has for years calmly accepted integrated housing on one side of the military fence; with tactical skill it can no doubt be led to accept it on the other side, too.

Schooling, like housing, is a disgrace to our Armed Forces. Servicemen's children at 248 bases still attend segregated offbase schools; and 9 years after the Supreme Court school decision, the Federal Government is still subsidizing these schools with Federal impacted-area payments. Worse yet, Federal funds are still being furnished for the construction of new segregated schools.

To date, the U.S. Department of Health, Education, and Welfare has allotted more than $21 million for the construction of such schools in Alabama, more than $33 million for Georgia, and more than $8 million for Mississippi. In addition, generous annual subsidies help meet the operating expenses of these schools—$5.3 million to Alabama school districts last year, $5.6 million to Georgia, and $1.8 million to Mississippi. Negro schools in these districts are likely to be inferior in many respects. Some are not accredited; some use castoff books from the white schools; some are on double shift. Yet the formula used to compute the subsidies allows as much per Negro pupil as per white pupil.

Fort Lee in Virginia is an example of the system at its worst. The 1,613 children of white servicemen posted there go to bright new Prince George County public schools. The 210 children of Negro servicemen are instead transported by bus to Negro schools in the next county. The Prince George County School Board receives Federal payments for educating the Negro as well as the white children—but "subcontracts" the Negro children to the Petersburg, Va., School Board.

School integration throughout the South has been delayed by such practices; for so long as Washington not only tolerates but subsidizes school segregation and discrimination, Southern communities find it hard to believe the Government means business on enforcing the Supreme Court decision.

Recently, it is true, the Justice Department has brought suit to desegregate schools receiving Federal subsidies in Prince George County and in Huntsville, Madison County, and Mobile County, Ala.; Bossier Parish, La.; and Gulfport and Biloxi, Miss. Also, the Department of Health, Education, and Welfare is building new integrated elementary schools on eight large southern reservations—Maxwell Air Force Base, Fort McClellan, and Fort Rucker in Alabama; Robins Air Force Base and Fort Stewart in Georgia; England Air Force Base in Louisiana; and Myrtle Beach Air Force Base and Fort Jackson in South Carolina. Fifteen school boards, in Florida and Texas, have agreed to desegregate "voluntarily," under threat of withdrawal of subsidies or Justice Department suits. But these measures, like the housing measures, barely scratch the surface of the problem. This fall, as in past years, the great majority of children of Negro servicemen stationed in the South at their country's call will be enrolled in segregated schools.

A FEW LESSONS FROM PRIVATE INDUSTRY

Clearly, new techniques are needed to deal with these ugly situations. One approach as yet untried is the status of forces agreement commonly used in foreign countries. Before a base is opened abroad, American officials secure a signed agreement from local authorities safeguarding the rights of military personnel. Similar agreements might be negotiated with American States, cities, and school boards—especially at the strategic moment when southern lobbyists are in Washington hungrily seeking a new base or the expansion of an existing base. Along with a pleasant climate, safe water supply, and adequate approach highways, Federal officials responsible for selecting base locations might consider whether a site assures satisfactory offbase housing, education, public accommodations, and police protection for Negro as well as white personnel. Private industry weighs such factors when choosing plant sites. Had the Defense Department been equally prudent, a disproportionate number of large military bases would not now be crowded into the South.

Strategic opportunities for securing such agreements have been neglected as recently as this spring, when a $400-million installation was allotted to southern Mississippi for military and civilian missile engine testing. No civil rights assurances were secured from the Mississippi communities which will boom as a result of the facility's location. The moral issue aside, there is here also a practical issue: it won't be easy to staff the new installation in a turmoil-blighted region.

Another technique often discussed but rarely invoked is use of the power to declare off limits to all servicemen any establishment which refuses to serve Negro servicemen. It is theoretically possible, too, to close down a base altogether and transfer its payroll and purchases to a more hospitable neighborhood.

As a practical matter, however, such steps would no doubt be effectively blocked by powerful Southern Congressmen who are endowed, through their seniority, with the chairmanships of key military affairs and appropriations committees. One measure of their influence is the present weirdly disproportionate crowding of military establishments below the Mason and Dixon line. "If they put any more bases in Alabama, they'll sink the State," an Air Force commander said recently.

Yet another obvious but rarely used remedy for the offbase grievances of Negro GI's is resort to the law of the land. The Federal courts, and a few Southern State courts as well, are building magnificent records in safeguarding human rights. A victim of false arrest, a family which cannot rent in a new FHA-financed housing project, or a couple whose child is refused access to a white school can appeal to the courts with considerable likelihood of securing redress eventually. But the prerequisite for court action is skilled legal counsel, a commodity in lamentably short supply for Negroes in the South.

The Armed Forces supply servicemen and their dependents with doctors when they are sick and dentists when they have a toothache—but not with lawyers when they suffer illegal discrimination offbase.

A modest move in this direction has recently been made, it is true. A recent naval instruction, for example, states: "Legal assistance officers may be employed to assure that members of the Armed Forces are accorded due process of law." The instruction spells out specific steps to be taken "if it appears that civil rights * * * may be infringed on." But these noble phrases refer to legal advice, not representation in court—the service which GI's in the South really need.

Recently, too, the Defense Department has been struggling with the problem of whether or not to permit servicemen to participate in peaceful offbase demonstrations when off duty and out of uniform. In June, the Air Force took a small step in this direction; in July (under pressure from Congressmen) the Defense Department modified the June order but did not yield completely. As a result, few servicemen know just where they stand. Orders giving GI's other rights, too, have never been adequately explained to personnel. A right is of little value to a man who doesn't know he has it. A military statement of offbase civil rights policy, addressed directly to the rank and file, is long overdue.

Also overdue is firm action to clean out the isolated remnants of onbase discrimination which survive in a few commands. They are not common, even in the Deep South, and usually it is the spirit rather than the letter of the integration orders which is violated—but they rankle all the same. No commander these days, for example, would tell Negro officers or noncoms that they are unwelcome in an onbase club. To do so would be to invite court-martial. But there are subtler ways to achieve the same effect. A commander can set up several clubs, staff one of them with a Negro manager, load its jukebox with Negro records, and hire Negro bands for gala events. Negro personnel get the message quickly.

Similarly, no commander would forbid a serviceman to bring a Negro guest to an onbase club. But he can bar guests from within a radius of 50 miles—and then neglect to enforce the order when the guests are white.

Military establishments, like other Federal agencies, are under long-standing Presidential directives to hire, promote, and fire civilian employees without regard to race. Yet at one onbase cafeteria we visited, the only Negroes in sight were busboys clearing away dirty dishes. The civil service employees eating in the cafeteria were without exception white. One way of achieving a lily-white civilian working force, we learned, is by posting notices of civil service examinations and vacancies only in segregated places where Negroes won't see them. No doubt there are other dodges, too.

Little additional effort would be needed to clean out such anachronistic pockets of discrimination on military bases and thus complete with flying colors the job begun many years ago.

Detailed recommendations for reform, both off base and on, were formulated in June by President Kennedy's Committee on Equal Opportunity in the Armed Forces. In forwarding these recommendations to the Secretary of Defense, the President urged that the military consider them promptly. He called discriminatory practices "morally wrong," and announced: "I am asking the military community to take a leadership role."

Defense Secretary McNamara in reply promised prompt action and even agreed that in extreme cases businesses or communities discriminating against Negro servicemen might be "declared off limits" to all servicemen. He gave the three services until August 15 to prepare improvements in their integration policies.

The next moves are thus up to the Army, Navy, and Air Force. Their response during the next few months may have an important impact on the pace of change throughout the South—and in the North as well.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Saylor, for Tuesday, September 17, 1963, on account of official business.

Mr. Stephens (at the request of Mr. Flynt), for Monday and Tuesday, September 16 and 17, 1963, on account of a death in his family.

Mrs. Dwyer (at the request of Mr. Halleck), for the balance of the week, on account of a death in her family.

Mr. Corman (at the request of Mr. Albert), for today and the balance of the week, on account of official business.

Mr. Schwengel (at the request of Mr. Halleck), for today and tomorrow, on account of illness in his family.

Mr. Sickles (at the request of Mr. Albert), for today, on account of illness.

Mr. Baring (at the request of Mr. Albert), for today and the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Wright, for 1 hour, on Monday, September 23.

Mr. Curtis, for 1 hour, today.

Mr. Ashbrook, for 15 minutes, today.

Mr. Horton, for 60 minutes, on Monday, September 30.

Mr. Ryan of New York, for 10 minutes, today, and to revise and extend his remarks.

Mr. Randall, for 15 minutes, today, and to revise and extend his remarks.

Mr. Stratton, for 15 minutes, today, and to revise and extend his remarks.

Mr. Gibbons (at the request of Mr. Charles H. Wilson), for 60 minutes, on Monday, September 30, and to revise and extend his remarks and include extraneous matter.

Mr. Vanik (at the request of Mr. Charles H. Wilson), for 15 minutes, on Wednesday, September 18, and to revise and extend his remarks and include extraneous matter.

Mr. Dent (at the request of Mr. Charles H. Wilson), for 60 minutes, on September 18, and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Ullman.

Mr. Gross and to include extraneous matter.

Mr. Oliver P. Bolton, the remarks he made today in the Committee of the Whole, and to include a letter from the Secretary of Defense and his answer thereto.

Mr. Philbin and to include extraneous matter.

(The following Members (at the request of Mr. Charles H. Wilson) and to include extraneous matter:)

Mr. Vanik.

Mr. Dent in two instances.

Mr. Gilbert.

Mr. Hanna.

Mr. Celler.

Mr. Herlong.

Mr. Albert.

(The following Member (at the request of Mr. Battin) and to include extraneous matter:)

Mr. Martin of California.

Mr. Ashbrook (at the request of Mr. Pillion).

Mr. Stratton (at the request of Mr. Libonati) to revise and extend remarks made in his special order for today and to include extraneous matter.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 12. An act to increase the opportunities for training of physicians, dentists, and professional public health personnel, and for other purposes;

H.R. 5081. An act to authorize the Commissioners of the District of Columbia to sell a right-of-way across a portion of the District Training School grounds at Laurel, Md., and for other purposes;

H.R. 5623. An act to amend the provisions of title 14, United States Code, relating to the appointment, promotion, separation, and retirement of officers of the Coast Guard, and for other purposes; and

H.R. 6012. An act to authorize the President to proclaim regulations for preventing collisions at sea.

ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 13 minutes p.m.) the House adjourned until tomorrow, Wednesday, September 18, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1208. A letter from the Acting Secretary of the Army, transmitting reports relating to the number of officers on duty with Headquarters, Department of the Army, and the Army General Staff on June 30, 1963, pursuant to section 3031(c) of title 10, United States Code; to the Committee on Armed Services.

1209. A letter from the Assistant Secretary of Defense, Installations and Logistics, transmitting the June 1963 report on Department of Defense procurement from small and other business firms, pursuant to section 10(d) of the Small Business Act, as amended; to the Committee on Banking and Currency.

1210. A letter from the Archivist of the United States, General Services Administration, transmitting a report on records proposed for disposal under the law; to the Committee on House Administration.

1211. A letter from the Assistant Secretary of the Interior relative to a proposed concession contract with the Mesa Verde Co., which will authorize the corporation to continue to provide services for the public within the Mesa Verde National Park for an additional period of 20 years, pursuant to 67 Stat. 271, as amended by 70 Stat. 543; to the Committee on Interior and Insular Affairs.

1212. A letter from the Chairman, Securities and Exchange Commission, transmitting in one volume, designated as part 5 of the report, all of the summaries, conclusions, and recommendations of the report of the special study, as well as the letters of the Commission and of the special study of securities markets which transmitted the various installments of the report, pursuant to Public Law 87-196 (H. Doc. No. 95, pt. 5); to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ZABLOCKI: Committee on Foreign Affairs. H.R. 491. A bill vesting in the American Battle Monuments Commission the care and maintenance of the original Iwo Jima Memorial on Mount Suribachi, Iwo Jima, Volcano Islands; without amendment (Rept. No. 750). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 3850. A bill to establish an additional office of Assistant Secretary of Agriculture, and for other purposes; without amendment (Rept. No. 751). Referred to the Committee of the Wole House on the State of the Union.

Mr. FORRESTER: Committee on the Judiciary. H.J. Res. 335. Joint resolution designating the 17th day of December of each year as "Wright Brothers Day"; without amendment (Rept. No. 752). Referred to the House Calendar.

Mr. FORRESTER: Committee on the Judiciary. H.J. Res. 475. Joint resolution to authorize the President to proclaim December 7, 1966, as Pearl Harbor Day in commemoration of the 25th anniversary of the attack on Pearl Harbor; without amendment (Rept. No. 753). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS:

H.R. 8454. A bill to provide a particular designation for the proposed dam and lock now under construction known as the Millers Ferry lock and dam, Alabama; to the Committee on Public Works.

By Mr. BONNER:

H.R. 8455. A bill to amend the act of February 26, 1944, as amended (16 U.S.C. 631a et seq.), for the purpose of aiding in the administration of the Pribilof Islands, in Alaska, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GIAIMO:

H.R. 8456. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 8457. A bill to amend the Copyright Act by repealing the jukebox exemption, and for other purposes; to the Committee on the Judiciary.

H.R. 8458. A bill to provide for the establishment of an International Home Loan Bank, and for other purposes; to the Committee on Banking and Currency.

By Mr. PATMAN (by request):

H.R. 8459. A bill to amend the Federal Credit Union Act to allow Federal credit unions greater flexibility in their organization and operations; to the Committee on Banking and Currency.

By Mr. VINSON:

H.R. 8460. A bill to amend the Uniform Code of Military Justice, and for other purposes; to the Committee on Armed Services.

By Mr. WATTS:

H.R. 8461. A bill to amend section 311 of the Tariff Act of 1930 to permit the manufacture in bonded manufacturing warehouses of cigars made of tobacco imported from more than one foreign country; to the Committee on Ways and Means.

By Mr. WRIGHT:

H.R. 8462. A bill to authorize the conveyance of certain real property of the United States heretofore granted to the city of Grand Prairie, Tex., for public airport purposes, contingent upon approval by the Administrator of the Federal Aviation Agency, and to provide for the conveyance to the United States of certain real property now used by such city for public airport purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HENDERSON:

H.R. 8463. A bill to amend the Classification Act of 1949 to restore the granting of step increases on the basis of performance ratings of satisfactory in lieu of the standard of acceptable level of competence, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PEPPER:

H.R. 8464. A bill to prohibit certain vessels which engage in trade or commerce with Cuba from entering ports of the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. STEED:

H.R. 8465. A bill to amend the act entitled "An act to organize and microfilm the papers of Presidents of the United States in the collections of the Library of Congress"; to the Committee on House Administration.

By Mr. RYAN of New York:

H.R. 8466. A bill to amend the U.S. Housing Act of 1937 to increase by $1,000 per room the statutory limit on the cost of a low-rent housing project; to the Committee on Banking and Currency.

By Mr. SHIPLEY:

H.R. 8467. A bill authorizing the Secretary of the Army to participate in the construction of a highway bridge across Carlyle Reservoir, Kaskaskia River, Ill.; to the Committee on Public Works.

By Mr. CLEVELAND:

H.R. 8468. A bill to provide that the Attorney General may intervene in, or take an appeal from a final order entered in, any proceeding before any department, agency, or instrumentality of the United States in order to further the purposes of the antitrust laws of the United States; to the Committee on the Judiciary.

By Mr. DAGUE:

H.J. Res. 736. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.J. Res. 737. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. CLEVELAND:

H.J. Res. 738. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. GOODLING:

H.J. Res. 739. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. MONAGAN:

H.J. Res. 740. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. POFF:

H.J. Res. 741. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SICKLES:

H.J. Res. 742. Joint resolution to authorize the President to issue annually a proclamation designating the first week in March of each year as "Save Your Vision Week"; to the Committee on the Judiciary.

By Mr. CELLER:

H. Res. 518. Resolution to print as a House document the handbook entitled "The United States Courts"; to the Committee on House Administration.

By Mr. COOLEY:

H. Res. 519. Resolution to grant additional travel authority to the Committee on Agriculture; to the Committee on Rules.

By Mr. HARRIS:

H. Res. 520. Resolution to grant additional travel authority to the Committee on Interstate and Foreign Commerce; to the Committee on Rules.

H. Res. 521. Resolution to amend House Resolution 226, 88th Congress; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALBERT:

H.R. 8469. A bill for the relief of Dr. Salim Akyol; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 8470. A bill for the relief of Warren A. Jeffers and Francis H. Leik; to the Committee on the Judiciary.

By Mr. AYRES:

H.R. 8471. A bill for the relief of Eveline Samuh and Shalom Shafiq Kassab; to the Committee on the Judiciary.

By Mrs. FRANCES P. BOLTON:

H.R. 8472. A bill for the relief of Tamas Gathy; to the Committee on the Judiciary.

By Mr. BURKHALTER:

H.R. 8473. A bill for the relief of Mrs. Helena Schwewach; to the Committee on the Judiciary.

By Mr. CONTE:

H.R. 8474. A bill for the relief of Mr. and Mrs. Vincent McKeever; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 8475. A bill for the relief of Suphi Surmeli, M.D.; to the Committee on the Judiciary.

By Mr. FINNEGAN:

H.R. 8476. A bill for the relief of Mrs. Setsuko Monma; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 8477. A bill for the relief of Dr. Chi-Chang Chao; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 8478. A bill for the relief of Mieczyslaw Chrostek; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 8479. A bill for the relief of Georgette D. Caskie; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8480. A bill for the relief of Bernardo Randazzo; to the Committee on the Judiciary.

By Mr. SHELLEY:

H.R. 8481. A bill for the relief of Dr. Mario A. Borja; to the Committee on the Judiciary.

By Mr. SICKLES:

H.R. 8482. A bill for the relief of certain individuals; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 8483. A bill for the relief of Teresita Centeno Valdez; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

303. The SPEAKER presented a petition of Herman Q. Guerrero, Saipan, Mariana Islands, relative to extending thanks to the U.S. Government and the American Red Cross for the aid rendered to the people of the Mariana Islands district after Typhoon Olive; to the Committee on Public Works.

EXTENSIONS OF REMARKS

Foreign Aid: Too Much for Too Many

EXTENSION OF REMARKS

OF

HON. H. R. GROSS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1963

Mr. GROSS. Mr. Speaker, the September 1963 issue of the Political Science Quarterly, published by New York's Columbia University, carries an article by our distinguished colleague, the gentleman from Louisiana, Hon. OTTO E. PASSMAN, on the subject of foreign aid.

As chairman of the Appropriations Subcommittee dealing with foreign aid, no Member of Congress has made a more exhaustive study of this subject and no Member is more qualified to speak on it.

I am pleased, therefore, to offer for printing in the CONGRESSIONAL RECORD the following views of the gentleman from Louisiana [Mr. PASSMAN], as set forth in the Political Science Quarterly:

VIEWS OF HON. OTTO E. PASSMAN, MEMBER OF CONGRESS, FIFTH DISTRICT OF LOUISIANA

When President Kennedy, late in 1962, announced the appointment of a committee headed by Gen. Lucius Clay to study our foreign aid program and submit recommendations for future policy and actions, my reaction was one of mild interest mixed with considerable skepticism. This attitude was the result of my disillusionment based on past experience with similar committees. The work of these committees, in most cases, had been of a superficial nature, and their function, on the whole, had obviously been intended to advocate the point of view and strengthen the hand of the Executive with Congress and the public. Therefore, I looked upon the Clay Committee as one which was cast for the same role, to "bail out" foreign aid.

But, since the Clay report was released by the State Department in March, I have studied its comments carefully, and—although I do not think that any committee within the span of a few months can adequately, and in detail, investigate and evaluate such a vast and complex matter as our worldwide program of foreign aid—I have been both surprised and pleased at the apparent objectivity with which the Committee undertook its assignment, so far as it went. Many of the Clay Committee assessments and conclusions can, and I sincerely hope will, serve effectively in furthering the effort in Congress to curb our indiscriminate foreign aid to a substantial extent.

It has been clearly evident for a long time, however, that we have been "indeed attempting too much for too many," but it is well that the Clay Committee saw fit to give emphasis to this point. It would have been well, too, if the Committee could have gone into a more thorough study and, then, reported in greater detail on how ill-conceived, badly executed, unrealistic, wasteful, and expensive, much, if not most, of our foreign aid really is. In that event, its recommendation for cutting the program's funds would doubtless have been increased considerably beyond the $500 million figure which was announced—assuming, of course, that realistic guidelines continued to prevail in the process of decisionmaking.

Nevertheless, within the limitations imposed by the circumstances, the Clay Committee did note that a good deal of the public and congressional complaints about and criticisms of our aid program and problems were well justified. This is all to the good, even though it is but limited acknowledgment of conditions which I, as chairman of the Subcommittee on Foreign Operations of the House Committee on Appropriations, and the majority of my committee colleagues, who are continuously studying the program, have been pointing out for years.

Since the Clay Committee did not go into these particular weaknesses and faults of our foreign aid program, I think that in the interest of a factual presentation, some of them should be enumerated here. They include overextending ourselves in practically all categories of aid; programs which are too diffuse for specific results; mismanagement of many projects; ineffective bureaucracy in AID headquarters and in the field; ignorance on the part of many planners in AID; little effective liaison between main office in Washington, D.C., and field offices in foreign lands; too many projects started and not brought to fruition; too many sloppily planned projects; projects which are not in the interest of the people to whom aid was offered; too little consideration for our own national interest; completely inadequate and ineffective end-use justification; too much kowtowing to certain political cliques in some countries; graft and greed of some politicians in recipient areas, getting rich at the expense of the masses by means of our aid; speculation in our aid goods; projects initiated far above the ability to repay; aid solely in response to so-called Communist threats; aid in response to pleas from flamboyant politicians; aid for projects in which our prestige has suffered; aid solely to commit funds unexpended at fiscal yearend; aid disbursed by subterfuges, moved from program to program and from the President's emergency fund; and noncooperation on the part of recipients.

The records of our subcommittee are full of documentation for every one of these criticisms, and for many others as well. So, my principal regret is that the Clay Committee did not delve far enough into our foreign aid follies—because it could not go into the program more extensively or, perhaps, for other reasons. However, while covering only a relatively small portion of what is being done and what actually ought to be done, the report is certainly correct in questioning the visible results of our aid.

I concur with General Clay and his committee that "reductions are in order" in present military and economic assistance programs; that Africa is an area where Western European countries "should logically bear most of the * * * aid burden"; that it should be made unmistakably clear that aid recipients must be "serious about self-help"; that aid planning "should be marked by realism"; that aid should not be given to foreign governments for "projects establishing government-owned enterprises which compete with private endeavors"; that careful examination should be made of the argument that aid should be given for "political" reasons; that there are "serious doubts" as to the wisdom of guaranties on our part against commercial risks (guaranties which should be given, instead, by the recipient countries); that AID employees "whose performance is marginal or whose technical skills are not required" should be separated from the program; that aid should not be given to Indonesia; and that, over all, "a higher quality and reduced quantity of our diffuse aid effort * * * could accomplish more."

But, I part company with the Clay Committee in some of its other conclusions, and most especially do I reject General Clay's personal contention that $4 billion is the "rockbottom" sum that should be made available for our foreign aid in fiscal 1964. The evidence simply does not support such a claim as that, any more than it has supported similar "rockbottom" claims advanced by the Executive over the past 8 years. During that period, in which it has been my privilege and responsibility to serve as chairman of the Foreign Operations Appropriations Subcommittee, the Congress appropriated an aggregate of $6,582,937,000 less than the budget estimates for foreign aid—the reductions ranging in amount from $558,650,000 for fiscal 1961 to $1,204,182,000 for fiscal 1960. Even so, the funds made available were, in every year, far in excess of the needs. This was so despite the many grandiose policies and actions which have characterized the program and despite administration assertions that any substantial cuts at all would seriously damage the program. On this score, the facts of the matter are irrefutable.

We are now into, and accelerating, the third major phase of our foreign aid since the end of World War II, assistance to a large number of so-called underdeveloped countries. Yet, in large measure, we are applying in these cases the same economic and military criteria which we used in Western Europe. This basis of action, in my opinion, is completely wrong. A new set of formulas must be devised for this kind of program, if we are to proceed with it, and the elements of commonsense and practicality must be given priority, both in concept and execution. This rules out, so far as I am concerned, such projects as the building of artificial harbors, roads that lead nowhere, giant hydroelectric schemes that cannot possibly be paid for in the forseeable future, and those other large projects which are dear to the hearts of some of the recipients and the superplanners in AID.

With regard to many of the other countries, I heartily concur with the Clay report that they do not now really need our assistance and, therefore, we should cut off our aid to them. In this category, the Clay Committee specifically mentioned only four nations, but I think I would have no difficulty in adding to that list a good many others. Those countries should shoulder their own burdens, and there is no way which, in clear conscience, our continued expenditures for their benefit can be justified. And certainly, if there is going to be foreign aid, the other industrialized nations—France, England, and others—should, as the Clay report suggests, help their own former colonial areas. After all, they, not the United States, got most of the benefits from those areas.

The Clay Committee recommendation that the United States should by every means possible get out of governmental aid and make extensive efforts to interest private investors to go into foreign areas is in the best American tradition. Private business know-how and initiative can accomplish more than aid on a government-to-government basis; and if there are foreign socialistic governments who do not wish to allow our private capital to come in, it is my judgment that we should let them alone entirely.

While the Clay report did not go into the matter of Russia's so-called aid to other nations, I think it is well for us to note, in the context of this discussion, that the Soviet dealings have involved "banker" type loans and profitable barter deals. The Soviets, invariably expecting repayment in usable goods and hard cash, assess the capabilities of the various areas according to their ability to pay.

Are our statesmen less able to understand these people and countries than are the Communist leaders?

Mexican Independence Day

EXTENSION OF REMARKS

OF

HON. PATRICK MINOR MARTIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1963

Mr. MARTIN of California. Mr. Speaker, it was in September of 1810 in Dolores—on a day now observed every September 16 as Mexican Independence Day—that Padre Miguel Hidalgo shouted to his flock el grito de Dolores: "Long live our Lady of Guadelupe. Down with bad government. Death to the Spaniards."

This great exhortation marked the beginning of the Mexicans' long, bloody struggle to overthrow three centuries of oppressive Spanish rule. Mexico was the first Spanish colony to defy Madrid, and her example inspired other uprisings in Latin America in the 19th century.

Padre Hidalgo and his supporters won several victories against the Spanish royalists, but in 1811 they were finally defeated and their leaders executed. The banner of independence was not allowed to fall, however, and the struggle continued for 10 long years until the last viceroy was crushed and Mexico became independent in 1821.

Since then the course of Mexican history has been turbulent. Governmental instability, revolutions, civil wars, and dictatorial regimes hampered political and economic progress for more than a century. It was not until the presidency of Lájaro Cardenas, who was elected in 1934, that some measure of peace and stability came to Mexico. Since then every Mexican President has completed the 6-year term allowed him by the constitution and given way to his lawful successor. This political stability has permitted marked progress in the economic, social, and educational development of the country.

United States-Mexican relations have also steadily improved during the 20th century. Old differences between our two nations have been settled amicably, as the recent settlement of the Chamizal border dispute amply demonstrates. Friendly relations with our southern neighbors have been enhanced over the years by the extensive northward migration of Mexicans, adding a rich and varied tradition to the Southwest. These Mexican-Americans, who number more than 635,000 in California alone, have made great contributions to their new country in both war and peace.

On behalf of these Americans of Mexican descent, as well as all Americans, I salute our southern friends in the Estados Unidos Mexicanos on the occasion of their independence day and wish them continued progress and happiness.

Double Outrage in Birmingham

EXTENSION OF REMARKS

OF

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1963

Mr. GILBERT. Mr. Speaker, in behalf of the people of the 22d District of New York, whom I represent, and as a Member of Congress, I wish to express the terrible heartache and grief as well as the outrage we feel as a result of the recent bombing of a church in Birmingham, Ala., which caused the death of four little girls; we deplore the shooting of two teenage boys—these are indeed acts of madness.

Our sympathies go out to the bereaved; the murder of these children will be on our conscience as long as we live; it will remain a blot upon our Nation throughout our history.

Those responsible for the massacre of, and injury to, innocents in a church, committed an act of unbelievable cruelty, lawlessness, and a crime against all humanity. The President has pledged the full resources of our Government in apprehending those responsible for the crimes. We do not know the exact number of persons who perpetrated the heinous acts, but we do know there are many others who are also indirectly responsible; those who have encouraged public defiance of the law, which in turn creates violence and harm to the innocent, are equally guilty with those who threw the bombs and used the guns.

A time of grave crisis is upon us and despair is our lot when we realize that events prove that a police state virtually exists in parts of our Nation. It seems incredible to every right-thinking American that citizens of our Nation, which is dedicated to law, order, and equality of all, are victims of and threatened by irrational and horrible crimes; crimes based upon hatred, bias, bigotry, and distorted thinking.

It is the responsibility of the Federal Government and Congress to stamp out these evils; the racial sickness which endangers our Nation must be cured; the killers and lawbreakers must be apprehended and punished; violence must be halted. Every citizen must now make it his deep concern to end the discrimination which exists, based on color, religion, race, or national origin, for when law and order are scorned, no citizen is safe.

We have no more time to lose. Congress must proceed, with all possible speed, to pass the strong, effective, civil rights legislation which will guarantee protection and real equality to all our citizens. Members of Congress, as well as every other citizen of our country, must face up to the duty which is ours.

Let us earnestly pray that there will be no more such murders; let us take every step necessary to prevent such atrocious acts in the future. This is our burden now and our responsibility, which we must all discharge with courage and forthrightness.

Statement by Senator Kuchel on the Quality Stabilization Bill

EXTENSION OF REMARKS

OF

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1963

Mr. DENT. Mr. Speaker, the many Senate and House proponents of the quality stabilization bill have recently been receiving letters and messages opposing its enactment. They usually come from retired people and written with such erroneous fears that I personally believe they are directly in result to being planted by some factions who are well financed and without honor in so scaring these good people.

Answering the senior citizens who so write becomes a desired necessity, but it also poses an extra workload on our already heavy schedule.

Senator TOM KUCHEL has prepared a statement for his own use in answering these misinformed people. It is direct, it is profoundly intelligent, completely honest.

As a possible suggestion to other busy Members of Congress, and with Senator KUCHEL's permission, I include the statement:

STATEMENT BY U.S. SENATOR THOMAS H. KUCHEL ON THE QUALITY STABILIZATION BILL

In 26 years of public service, I have fought for a square deal for all of our people. I have voted for laws to protect the working people of America from exploitation of their labor; I have voted for decent pay for those who devote their lives to the public service, whether it be civil, postal, or military; whether they be still employed or retired. I have voted for improvements in our social security system so that those who are living on fixed incomes might be able to lead a comfortable life in retirement which is not haunted by the constant fear of poverty knocking at the door. I have supported legislation to protect veterans disabled in the service of our country. Now, I am concerned about the future for the small businessman in our country. And, apparently, on this issue you and I respectfully disagree.

You are opposed to the quality stabilization bill which I have coauthored with my counterpart Senator HUMPHREY, the Democratic assistant leader, and a bipartisan coalition. Many who have written me say that this is price fixing. It is not. If a manufacturer feels that he can secure more sales through an emphasis on selling to so-called discount houses, he can continue to do so should this act be approved since the provisions of the law are not compulsory. However, if a manufacturer is sick and tired of seeing his quality merchandise displayed at less than the price which he has sold it to various dealers (not to mention sales below his own cost of manufacture) in order to bait customers into their stores (the so-called price leader), then he might properly be concerned with the effect of such unreasonable pricing policies over which he has no control on the confidence which consumers will have in the value of his product. The market for practically every brand-name item is developed not by the local store owner but by the manufacturer who spends a large amount of his sales budget in advertising expenditures on all media. If a store owner wants to sell an item below cost or at less than a fair price, the legislation which I have coauthored permits him to do so provided that the brand name of the manufacturer is removed.

Speech by Senator Barry Goldwater in Cleveland, Ohio, on September 9, 1963

EXTENSION OF REMARKS

OF

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1963

Mr. ASHBROOK. Mr. Speaker, on Monday, September 9, Senator BARRY GOLDWATER made a hard-hitting speech at Cleveland, Ohio, before the Ohio Republican Finance Committee luncheon. Well over 3,000 turned out to hear the Nation's No. 1 conservative deliver a major address which stressed the threat which is coming from the radical left in American politics. I include the speech with these brief remarks:

Chairman Smith, ladies and gentlemen, I am delighted to be here today to contribute what little I may to the whole idea of political fund-raising in the State of Ohio. This particular problem, I'm sure you all realize, is not one confined to your fine State alone. We have it in Arizona, too—every year. So I can say—speaking as one who has had considerable contact with this problem over the years—that I sympathize with you and I commend your efforts.

I always like to come to Ohio and particularly to a Republican Party function. Like many others acquainted with political affairs, I believe Ohio has one of the finest, best-organized Republican operations to be found anywhere in this country. And I certainly would be lacking in my appreciation of that fact if I were not to pay tribute at this time to men like your distinguished Governor Rhodes, your nationally-respected State chairman, Ray Bliss, your able county chairmen like Sonny DeMaioribus, your able finance chairman, Ken Smith—and to all the other men and women throughout Ohio who are responsible for this enviable state of Republican affairs.

You certainly do not need anyone from another part of the country to explain and stress the importance of good party organization. And I'm sure that you people in this room, above all others in Ohio, are well aware of the vital importance—the dire necessity—of financial support for the Republican Party.

Looking at what is presently going on in Washington—and I might say that I enjoy a front row seat in the bleachers—I don't believe there ever has been a time when the political stakes were higher. The early development of an efficient, well-financed, carefully organized Republican Party in every part of this country could well be the last best hope for freedom in America as well as throughout the world. No matter who the candidate might be in 1964—and I am not entirely blind to the fact that there is some little argument developing on that score—party organization and party financing will be needed on a scale never before contemplated when we, as a party, confront the New Frontier as it makes its bid for another 4 years in power.

Not only will the party need organization and money, but it will have to present a unified opposition to the grasping, opportunistic, ruinous policies of the Kennedy administration. It will have to stand out strong and clear for the things this country needs, both at home and abroad, to combat the ever-pressing onslaught of international communism. It will have to stand for what is best for America, not just what is good for some particular pressure group. It will have to take hard positions—some of them possibly unpopular—in joining the fight for individual freedom against those who would turn over our lives—lock, stock, and barrel—to the bureaucratic paternalism of a completely centralized Government.

Make no mistake about it, we will need a maximum of all the ingredients necessary for political success. No matter what our personal inclinations and attitudes as we interpret the basic doctrines of the Republican Party, the need for party unity is greater than at any time in our history. We have no choice. The opposition will be formidable, wealthy, entrenched and ruthless. It will take everything we've got to combat an incumbent who can be counted upon to make maximum use of the Presidency and the National Government to further the cause of his reelection and the perpetuation of the New Frontier. Even though President Kennedy has been able to talk himself through 3 years in the White House, the Republicans can't expect to talk themselves to victory in the drive to oust him. What we can do, if we're not careful, is talk ourselves out of any chance of victory by engaging in party feuds and divisive tactics. I've said it many times before and I say it again now, we do nothing but play the Democratic game when we chew on other Republicans. We've got to get used to the idea that we have a common target in the New Frontier. We've got to start emphasizing our many points of agreement, rather than our fewer points of disagreement. We've got to fight the New Frontier with everything the party can muster.

I suggest that we have been so absorbed with what is transpiring in our own party that we haven't been paying enough attention to what the New Frontier is doing. Perhaps the most significant and frightening development of recent date was a conference of those who call themselves Young Democrats of 13 Western States held several weeks ago in Berkeley, Calif. At that conference—believe it or not—resolutions were adopted urging:

1. U.S. resumption of diplomatic relations with Cuba.

2. A nonaggression pact between NATO and the Communist Warsaw Pact nations.

3. U.S. withdrawal of its troops in South Vietnam.

Now let me point out to you that these young people are the President's own followers. With the New Frontier's constant preoccupation with youth in Government it is entirely probable that these so-called Young Democrats of 13 Western States constitute one of the major recruiting grounds of the New Frontier for Government workers. This is a fairly dangerous situation. For example, you might ask yourself how many Young Democrats who hold such ridiculous and dangerous views are actually working in policy-making jobs of the Federal Government?

Nor is the concern over the trend of thinking and acting among the Young Democrats confined to myself or the Republican Party. For example, in the CONGRESSIONAL RECORD of August 26, Democratic Congressman CHARLES H. WILSON of California had this to say—and I quote:

"There can be no doubt that resolutions urging resumption of diplomatic relations with Cuba, the signing of a nonaggression pact with the eastern European slave states, and the withdrawal of U.S. troops from the Far East are clearly following the Kremlin line and are repugnant to all responsible members of the Democratic Party."

Congressman WILSON said he couldn't agree with the Young Democrats National Chairman Allen T. Howe that the Berkeley action was an "isolated instance." He pointed out that "resolutions calling for unilateral disarmament by the United States have been introduced time and again at meetings of Young Democrats in California."

Now let me quote further from Congressman WILSON. Here is what he said: "Anyone reading the convention platforms and resolutions of the California Young Democrats can only assume that the organization is firmly in the grasp of a highly vocal group of emotional radicals, peace-at-any-pricers, and other assorted lunatic leftists.

"It is a disgrace that the honorable name of the Democratic Party should be associated with such resolutions and policy positions. I know that there have been many sincere members of the Young Democrats fighting against this tide of radicalism, but they have been left to stand alone. Little if any interest or aid has been forthcoming from the national leadership.

"I suggest to Mr. Howe that he refrain from pointing the finger of scorn at the Young Republicans until such time as his own house is in order. The old expression—people in glass houses should not throw stones—is entirely appropriate in this case."

In view of all this, it certainly seems to me that we have been hearing much too much in this country about the far right and not nearly enough about the far left. The far left is in business in a big way and a dangerous way. According to the Democrat I have just quoted, it already has succeeded in capturing the Young Democrats of California. It has made inroads into the Government of the United States via the Americans for Democratic Action. And I would remind you and all other good Americans that the ADA has a basic contempt for our traditions of free enterprise and individual liberty. It would alter the Constitution to fit its peculiar measurements for a socialist welfare state. It would grant full diplomatic recognition to Red China.

Let me ask you this: What is it that causes young people in the Democratic Party to believe for 1 minute that unilateral disarmament is in the best interest of this country? What is there about Cuba that is so noble and respectable that Young Democrats want us to resume diplomatic recognition of a Communist satellite in the Western Hemisphere? What is there about the Far East that makes Young Democrats believe it would help America to withdraw our troops from South Vietnam and pave the way for a Communist takeover of all Southeast Asia?

Always remember that these people are members of the political group that is running this country and, to a large extent, affecting the future of freedom everywhere.

This is the true danger in American political life today. As I have said, many times before, I worry a lot more about extremists who are inside the house breaking up the furniture than I do about those who stand outside and throw rocks at the windows. We've heard a lot of nonsense from the Democrats about the John Birch Society taking over the Republican Party. Yet as GOP National Chairman Bill Miller has pointed out there is not a single member of the John Birch Society serving in a position of influence in the Republican Party. I know of not a single John Bircher among Republicans in Congress, among our Republican Governors, or among our State chairmen and members of the national committee.

But can the Democrats claim as much when we consider the far left? They certainly can't while ADAers hold important policymaking jobs in the Cabinet, in the White House, in the State Department, in the Labor Department, in the Department of Health, Education, and Welfare, in the Post Office Department.

Let me say that I believe it is one of our most important tasks as Republicans to draw attention to the growing activities of the far left and to point out the dangers involved in getting too close to the radical ideas stemming from those quarters. No matter how mellow the Russians are reportedly becoming—and I for one put no faith at all in this dangerous premise—there can be no excuse for lowering our guard through unilateral disarmament, the withdrawal of troops from the Far East, and the other moves suggested by the lunatic left.

The radical left poses an immediate, serious threat close to the Government of the United States and here is where we must concentrate our attention and our attack. We must examine every move proposed by the administration for its ultimate effect not only on our security but our way of life as a free society. In domestic affairs, we must combat every new attempt to build up the political power structure of the Federal Government. The additions to this coercive force made and sought during the Kennedy administration are frightening in their proportions. They aim at virtually complete control of the U.S. economy by the Federal Government. They propose Government action in almost every sphere of business activity. They would extend the welfare state into every conceivable area of human endeavor.

But the struggle ahead will not be easy. The New Frontier will be playing a tough, hard game of power politics—and they'll be playing for keeps. And to meet this challenge—as I pointed out earlier—the Republican Party will need the best organization it has ever fielded; it will need continuous and ample financing; it will need a unified approach based on traditional Republican principles; it will need hard work in every ward and precinct in the Nation. It must convince the American people that the positive programs offered by Republican officeholders at every level preserve and strengthen liberty, dignity, and our economy. And perhaps the most important requirement of all—the Republicans must have the will to win.

Don't let anyone fool you on this score. The job ahead can't be done with half-hearted effort. Any suggestion of defeatism in the face of formidable, deeply entrenched opponent can end the fight before it starts.

Nothing less than an all-out, no-holds-barred campaign can even come close to success.

See America Year

EXTENSION OF REMARKS

OF

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1963

Mr. ULLMAN. Mr. Speaker, in addition to the support being voiced for my "See America Year" resolution (H.J. Res. 658) by State and other public agencies, I am receiving significant encouragement from representatives of the domestic travel and tourist industry. During the last few days several national associations have contacted me to state their concern for our balance of payments deficit, and to inform me of their support of a 1964 "See America" program. For example, I ask that a letter from Mr. Joseph P. Adams, general counsel and executive director of the Association of Local Transport Airlines be included at this point in my remarks:

ASSOCIATION OF LOCAL
TRANSPORT AIRLINES,
Washington, D.C., September 16, 1963.

Hon. AL ULLMAN,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ULLMAN: I am writing to you on behalf of Mr. T. H. Davis, chairman of our board, and the individual presidents of our 20 members, to congratulate you and express our heartfelt appreciation for your legislative efforts in designating 1964 as "See America Year."

Our association held an official business meeting this past week and it was the specific request of the group that a resolution supporting this program be included on the agenda, and I am pleased to advise you that it met with unanimous consent and approval.

You are assured that our members, which serve the 50 States and Puerto Rico, will be active participants in your program which is not only beneficial to the American traveler, but to the country as a whole in this crucial year regarding the balance of payments situation. Our short-haul transport airlines are particularly well suited for a grass roots tour of the United States as their average flights are approximately 80 miles and they fly at comfortable altitudes permitting an expansive view of our rivers, harbors, farmlands and cities.

It is a pleasure to cooperate with you in this matter and please do not hesitate to call on ALTA if we can be of further assistance.

Best personal regards,

JOSEPH P. ADAMS.

Another association which has contacted me to express their interest is the National Association of Travel Organizations. This organization, which was originally organized by State travel agencies, but has since 1941 expanded to a membership of 600, including all segments of the American travel industry, has been developing a "See the U.S.A." program for some time. Early next year "NATO," as it is known to its members, is sponsoring what may be the biggest convention of travel organizations ever held, to enlist national recognition of their program. That program has already been recognized as potentially helpful in relieving the serious dollar drain caused by the present high level of American tourism overseas.

On September 12, President John F. Kennedy wrote Joseph I. McDonell, president of the National Association of Travel Organizations, expressing his congratulations and appreciation for the "See the U.S.A." drive. A copy of the President's letter to Mr. McDonell follows:

THE WHITE HOUSE,
Washington, September 12, 1963.

MR. JOSEPH I. MCDONELL,
President, National Association of Travel Organizations, Washington, D.C.

DEAR MR. MCDONELL: I am pleased to learn that the domestic travel and tourism industry is responding to the request contained in the special message to Congress of July 18, in which I urged that Americans be encouraged to learn more about their own country and the glory of their heritage. I congratulate the National Association of Travel Organizations upon its initiative in agreeing to organize and coordinate this drive.

A successful campaign will have important economic implications to our Nation, and the various Government agencies concerned with this effort stand ready to lend their assistance. I also hope that all segments of industry will cooperate in this worthwhile nationwide project.

It is my understanding that the theme adopted for your campaign will be "See the U.S.A." and that the entire program will be in full operation by spring 1964. It will thus complement the U.S. Travel Service campaign to encourage foreign nationals to come to our shores. Those of our citizens who take advantage of the opportunities offered will benefit from a greater knowledge of their country and a greater appreciation of its resources and history.

I am deeply interested in this program's success.

Sincerely,

JOHN F. KENNEDY.

Lake Champlain Waterway

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1963

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I enclose my statement before the public hearing held by the International Commission on the Proposed Enlargement of the Lake Champlain Waterway, Albany, N.Y., September 16, 1963.

The statement follows:

Mr. Chairman and gentlemen of the International Joint Commission, my name is EMANUEL CELLER. I am the Representative from the 10th Congressional District of this State and I am Chairman of the Judiciary Committee of the House of Representatives.

I appreciate the opportunity to give you my views on the matter you have under consideration and I am glad that you are holding this series of hearings to get the views of the people most affected by the proposal of the Lake Champlain Waterway.

For years I have been aware of the efforts of certain commercial waterway shipping interests to have a so-called Little Seaway constructed to connect the deeper Hudson River at Albany, N.Y., with the St. Lawrence near Montreal. The route most discussed would utilize the Champlain division of the Barge Canal, Lake Champlain itself, and the Chambly Barge Canal in Canada. The effect of this would be to reduce sailing distances via the present St. Lawrence Seaway from the Great Lakes to the Port of New York by more than 1,000 miles.

When it comes to transportation, I have long advocated that the public should be afforded full usage of the most economical mode or modes available. However, let me stress at this point that when I say most economical—I mean most economical in terms of all costs, including cost to the taxpayer. Moreover, it is essential that the collateral effects of any proposed transportation project be weighed in appropriate plus or minus columns. We must see the picture—whole—not in parts.

Upon doing this, I find that any inclination I might have to support a shorter Lake Champlain water transportation route is completely obliterated by the devastating economic consequences such a Champlain Seaway would have upon the entire economy of the Northeastern United States. Originally I inclined to favor this proposal, but I had only touched the periphery of the subject. When I plumbed its depths and most maturely considered it, I believe now that the United States would not receive benefits from this waterway commensurate with the vast costs with which her citizens would be saddled. Canada may be able to find economic justification for improving the Richelieu River and thus insure a shorter route for traffic in and out of Montreal, but one cannot envisage sufficient advantages to the United States to justify the great costs to her taxpayers. I may be accused of inconsistency. My answer is that sometimes consistency is a stagnant pool. It breeds reptiles on the mind.

It will be my purpose at this hearing to limit my remarks to the effects of the proposed waterway primarily upon the citizens of my own State of New York, with specific reference to those communities which would be most involved.

First, let us consider residents of the Champlain area itself. They have been told by proponents that a Champlain Seaway would benefit them because it would "Make possible the transformation of all locations along its route into seaports."

You might think that the citizens and local officials of these small communities would grasp hold of any sort of scheme which held even remote promise of transforming them into seaports. But, these folks recognize that it is sheer nonsense to expect any or all of the Lake Champlain communities to become seaports due to the mere fact that they are located on a deepwater route. They need only to look at the score of communities located on the deeper Hudson River south of Albany to see that it takes more than deep water to make a seaport. They had better review the chagrin and disappointment of the citizens of many cities along the St. Lawrence Seaway. They too had been persuaded or self-hypnotized into the belief that their cities would become great seaports. Hopes became hoaxes. There were no perceptible changes. The seaport argument is as useless as a 2-foot yardstick. Ogdensburg remained as before. So did all the other cities en route. Business leaders who enthusiastically supported the St. Lawrence Seaway are now convinced that a Champlain Waterway will fail to usher in great marts of international commerce.

Perhaps the best explanation as to why Lake Champlain communities can hold a little hope of having the proposed seaway transform them into seaports comes from the prominent resident of one of these communities. Mr. W. R. Casey, of the customhouse brokerage firm of F. W. Meyers & Co., and a resident of the Champlain area for more than 70 years, stated in a letter published in the June 21 Plattsburgh Press-Republican:

"Cities on Lake Champlain are at a disadvantage by being too far removed from markets. There would be no reason for a vessel entering at Rouses Point to discharge at Burlington goods for * * * consumption in the New York metropolitan area, while for a little more freight charge, discharge could be made in the New York area. Just because there are cities favorably located geographically on Lake Champlain does not prove that they are located favorably economically."

Of further significance is the fact that Mr. Casey's home village of Rouses Point, located in New York on the northern end of Lake Champlain, went on record in opposition to the project in a resolution adopted by the village board in December of last year. According to the Plattsburg Press-Republican of December 6, the village's mayor, Leo Letourneau, said the resolution was adopted because "no community in the northern part of the State would stand to benefit from lake shipping" and that "wastes from ships would only add to water pollution problems already being experienced."

A year ago last August, the New York State Joint Legislative Committee on Commerce and Economic Development held a public hearing on this Champlain Seaway proposal. At that hearing, Mr. Peyson E. Hatch, supervisor from Essex County which borders a major portion of Lake Champlain, testified as follows:

"Should the waterway be built, I am sure the (pleasure) boating public would stay away from Lake Champlain, since the southern end is nothing more than a winding and narrow river. It would be dangerous to try to compete with the large commercial ships for the narrow channel.

"Since industry needs a healthy railroad, anything that might harm the railroad should not be undertaken. As a public official, our town needs a healthy railroad to help pay the taxes. In the small town of Willsboro, the Delaware & Hudson pays $40,000 a year in taxes.

"It is my belief that it is only wishful thinking that to open the Champlain Waterway would benefit the Champlain Valley."

I think that it is also of great significance that an organization representing all Champlain are county supervisors, as well as all other supervisors in the State, adopted a resolution at a meeting held at Utica, N.Y., in January of this year in opposition to the Champlain Seaway. According to the January 23 Buffalo Evening News, the resolution adopted by the Supervisors Association of the State of New York called the proposal "unnecessary, harmful to the economic and other interests of the people, and a project the Federal Government cannot afford to undertake."

This brings us to the subject of costs and the willingness and ability of our Government, through its taxpayers, to pay such costs. Although it will take an extensive engineering survey to determine the exact cost of enlarging the waterway to accommodate seagoing ships, I have seen some reliable estimates which place the cost of constructing a 27-foot channel in excess of $1 billion—and even in these days we should be sure this project is paramountly needed before spending that amount of the taxpayers' money.

When this Champlain Seaway scheme was the subject of a previous extensive study by this Commission in 1937, it was found that the cost for a 27-foot-deep channel (the minimum depth required for oceangoing ships) would equal nearly four times the amount to be saved in transportation costs.

That was in 1937 when the capital cost was estimated at more than $342 million for a 27-foot channel. I am sure that no one will disagree when I say that the costs of material and labor have at least tripled since 1937. Today's cost would advance to over $1 billion. That is a staggering sum and hardly commensurate with gains to our commerce and industry and well-being.

Although we haven't heard much on the subject of tolls to date, I believe that it is to the credit of at least one proponent who declared at the August 28 hearing held in New York State that "this seaway can be built with taxation and on a self-supporting basis if we exercise foresight and leadership."

However, I think it would take more than foresight and leadership to have this happen. On the basis of the money-losing operation of the St. Lawrence Seaway every year since it opened in 1959, I think it would take a small miracle to make the proposed Champlain Seaway self-supporting. Indeed the argument that the Champlain Route could be self-sustaining is about as useless as a scabbard without a sword.

In the 5th year of operation of the $444 million St. Lawrence Seaway, it is steadily developing more cargo, but cargo is far behind the estimates and far behind paying its way. Soon the seaway must either raise tolls or accept a subsidized status. When the seaway began its first year of operation in 1959, it was estimated that it would be handling 37 million tons of cargo annually by 1962. The volume last season was 25,593,000 tons. That is quite a shortage. As Bobbie Burns said, "The plans o' mice and men gang aft a-gley."

The enabling laws of Canada and the United States include an obligation to place the seaway on a self-sustaining basis by July 1, 1964. Under the original planning it was not intended that either the Canadian or United States corporation would be able to pay on capital costs in the first few years. Although traffic is steadily gaining (the April–July volume this year was 2,300,000 tons above the same period in the previous year), the prospect of the seaway becoming self-liquidating and self-supporting is extremely bleak.

According to the St. Lawrence Seaway Development Corp.'s report of 1962, the United States share of tolls for the year up to and including 1962 have fallen $5,415,786 behind the Seaway Tolls Committee's estimates and the U.S. share of the cumulative deficit at the end of 1962 reached almost $11.5 million.

The average toll on the 89,914,308 tons of traffic moved in the first 4 years of operation of the St. Lawrence Seaway was 49 cents a ton. However, to just barely meet its basic financial requirements, the tolls should have averaged $1.03—or more than double the present rate.

Looking at it another way, traffic would have to increase from 1962's 25,593,000 tons to 51 million tons annually if present tolls are to be merely adequate to meet current costs. But, there is not the slightest prospect for such a doubling of traffic. Moreover, even this increase would be insufficient to make up for the deficits of the past 4 years. This is a fine kettle of fish. And the deficits do not point to any successful Champlain Waterway.

The St. Lawrence Seaway, indeed, should stop wishful thinking about possible future traffic levels and raise its tolls enough to become self-sustaining now, and such tolls would be improvidently high.

If the great St. Lawrence Seaway has bred such embarrassments, deficits, red faces, and chagrin, what would the weaker Champlain Waterway yield? Only more deficits, discouragements, and disappointment.

At the beginning of my remarks I noted that it is necessary to weigh the collateral effects of a project such as this Champlain proposal in appropriate plus and minus columns—weigh merits against demerits.

Let us consider who the principal beneficiaries would be in providing a deeper waterway through Lake Champlain. I have no doubt that they would be the same people who are now reaping enormous benefit from the St. Lawrence Seaway—namely, foreign shipping interests.

A year ago this month a story appeared in some newspapers in my State by the late lamented noted Washington columnist Ray Tucker. His story, based on "data submitted to Congress and the Department of Commerce," declared that the St. Lawrence Seaway:

"Instead of providing a waterway to cheaply transport American goods to foreign markets, it has provided entry for foreign commodities manufactured and mined with cheap labor and carried in ships paying far lower wages than American rates."

Although the St. Lawrence Seaway has resulted in substantial diversion of traffic from the east coast ports of New York, Boston, Philadelphia, and Baltimore, the diversion would have been greater if it were not due to the fact that it is now too costly and too time-consuming to move imports and exports to and from lower latitude countries via the northern St. Lawrence route.

Although my own port of New York has been hurt by the St. Lawrence, in 1961 it still handled more than 70 percent of the Nation's exports of the following high value commodities: motor vehicles, tires and tubes, automotive parts, machine tools, electrical machinery, railway locomotives and cars, and semifabricated copper.

In this same year the port of New York handled more than 50 percent of the national imports of the following commodities: crude rubber, edible vegetable oils, wines and liquors, refined copper, crude tin, and crude zinc.

What would happen to this traffic if the proposed Champlain Seaway were put into operation? I don't think you need a crystal ball to see the answer. Quite obviously the bulk of such traffic would completely bypass the port of New York. And without a doubt, the impact would be even greater on other East Coast ports which would not even be able to provide top-loading, servicing, and fueling the ships inbound and outbound to and from the Great Lakes.

Let me also point out that the Commerce and Industry Association of New York, representing more than 3,500 industrial firms, most of whom are shippers, is strongly opposed to the Champlain Seaway. The December 1962 issue of Traffic Management magazine notes that the association's position was based upon a special study made by the organization's transportation council, comprised of 50 traffic executives of large industrial corporations and 30 top officials of carriers representing most modes of domestic transport.

I quote now from a letter written to me on August 12, 1963 by Mr. Arnold Witte, general manager of that association:

"In view of scheduled hearings regarding the Champlain Waterway proposal, we believe you might wish to be aware of our views.

"Both shipper and carrier members of the New York Transportation Council of the Commerce and Industry Association of New York, Inc., express serious doubt that the proposed construction of the waterway is urgently needed.

"The cost, according to proponents would range from $375 to $750 million, depending on the desired depth. Some engineers' estimates run as high as $1 billion. This, it was generally felt, is an exorbitant price for a project which might or might not engender trade for New York; but would probably only make the port of New York a gateway for seaway traffic.

"The completed waterway would bring about lower waterborne transport expenses for Canadian mineral interests primarily, but there is question as to benefits to the American taxpayer and industries located here. Its value for shipping would be limited because it would be unnavigable about 5 months of the year. Railroads which are now operating at levels well below their carrying capacity certainly would suffer through lost business diverted to water carriers.

"There is no indication of any potential advantages the undertaking would present to commerce in the port of New York, nor is there any way of ascertaining whether industrial development would materialize here.

"There seems to be no pressing need for building another waterway outlet to the port of New York, especially in view of the surplus of transportation services now available to industry."

Of course, it is no surprise to find that the railroads, for very sound reasons, are strongly opposed to this proposal. I am sure that they will adequately explain their reasons for their position so I will not attempt to go into them at his time except to say this: Here we are supplying another tax-consuming facility to compete with existing taxpaying facilities. The railroads of New York State, for example, in 1961 had about 68,000 employees and a payroll in New York State of about $365 million per year. To those figures must be added the number of employees and the payroll of New York industries supplying the railroads. The common carrier truckers of New York State have a large number of employees and a big payroll.

The railroads of the State are also important taxpayers, so some part of this facility which would compete with the railroads would be paid for by them. My understanding is that their real estate taxes alone in New York State amount to about $13 million per year.

Not only the Commerce and Industry Association of New York, but also the West Side Association of Commerce of New York, is opposed to this project. They are the voice of industry in New York City. They deserve to be heard. They should be listened to.

Also the board of directors of the Brooklyn Chamber of Commerce is opposed to the project and among other things has said this:

"The proposed waterway would be unnavigable for about 5 months of the year, the same as the St. Lawrence Seaway which has lost money in its operation every year since it opened. It is estimated that the cost of this project would range from $375 to $750 million, depending on the desired depth. It is felt that the Port of New York would only be used as a gateway for the Seaway traffic, contributing to congestion in the harbor without any revenue derived from this traffic. It is also felt that Albany would siphon off a great deal of upstate cargo which is now shipped through the Port of New York."

Adding further weight to the railroads' position is the fact that, to quote one railroad brotherhood official, railroad employees "completely concur with management with respect to this Champlain Seaway proposal." Mr. F. B. Boardman, New York legislative chairman of the Brotherhood of Locomotive Firemen and Enginemen, has testified at New York hearings on the proposal as follows:

"When you are told how many jobs such a seaway would create, please keep in mind the number of railroad jobs which could be lost on the other hand. In the 11 counties along the proposed waterway route, there are more than 5,500 employees working for the 4 principal railroads serving this area. * * * These employees were paid a total of $30,091,088 in 1961.

"We are convinced that most, if not all of these jobs, would be placed in very serious jeopardy if the Champlain Seaway were to result in the abandonment of the rail lines now serving the Champlain and upper Hudson Valleys north of Albany.

"Furthermore, many other railroad employees in other areas of the State could be affected because of resulting losses of traffic in their respective areas."

The railroads and railroad labor are not alone among the modes of transportation in opposition to the enlarged waterway. The February 1963 issue of the Motor Truck News of New York offered the following observations on the proposal:

"We can only see economic harm for the trucking industry of New York State if the seaway is constructed. Tonnage that moves by motor carrier would be lost to water carriers, and there does not appear to be any reason to believe that new tonnage would be generated by the seaway, and if there were that it would move by trucks. As for the local truckman in New York City, who handles waterborne traffic, there appears little likelihood of any increase in tonnage available to him; in fact it would appear entirely possible that there would be a lessening of available tonnage because freight which presently moves to the Port of New York by railroad or over-the-road trucks from the Champlain area would be loaded directly on ships along the seaway route."

It is sheer madness to construct additional avenues of transportation when the present systems are adequate. No one yet claims that transportation by motor truck, air, and rail is inefficient or objectionable in the least. Then why destroy or impair existing facilities and embark upon a water route involving grave uncertainties and harm and unusual financial risk?

The Champlain route should be as unwanted as a wart on your nose.

And who would be the principal beneficiaries of this project? In 1962 more than half of the 6,351 passages through the St. Lawrence were by ships of Canadian registry as compared to a mere 507 of United States registry. Most of the remaining ships which used the St. Lawrence last year were from northern European countries. It can therefore be expected that those shipping lines from southern latitude countries and the Far East would be added to the list of foreign beneficiaries if the Champlain Seaway is constructed. It might well be assumed that many of these ships of southern latitude registry would be the same as those which are now serving the port of New York. Where are they from? Here is the story.

For the first 6 months of 1963 more than one-sixth of the 6,059 ship arrivals at the port of New York were of southern latitude and Far Eastern registry. The following countries were those which had in excess of 90 arrivals over this 6 month period:

Greece, 160; Italy, 92; Japan, 171; Liberia, 300; Panama, 157. Other South and Latin American combined, 179 (Argentina, Brazil, Chile, Colombia, Guatemala, Honduras, Venezuela, Uruguay, Nicaragua).

It is impossible to predict which of the shipping lines from the foregoing countries would take advantage of the shorter water route to the Great Lakes which would be afforded by the Champlain Seaway. However, it could be logically expected that a great number of these would naturally take advantage of the shorter shipping route to Midwestern ports. Although there were only 74 ships from Asian countries which used the St. Lawrence Seaway in 1962, there was more than double that number (171) of Japanese registry which entered the port of New York. Therefore it could be assumed that there would be a substantial increase in the number of ships of Japanese registry which would enter the Great Lakes from a Champlain Seaway because of the round trip saving of more than 2,000 miles.

I am, of course, in favor of any proposal that would enhance our foreign commerce but such favorable consideration must be correlated to other factors. It cannot be augmentation of foreign commerce at any price. We set side by side the advantages and the disadvantages, the merits and demerits. If we are primarily to feather nests of foreign flag carriers of our transoceanic commerce, we must ask to what degree by way of reciprocity is our own commerce and industry aided. In this respect no data or figures or information has been made manifest justifying our vast outlay for this waterway.

Indeed, with this tremendous outlay and with foreign flag carriers reaping advantages and with no concomitant benefits to us, the United States would be like a fool making a feast for a wise man to eat.

Before one erects or pulls down a fence, one usually determines the actions and intentions of one's neighbor. Our neighbor to our north has ventured into fields not of our liking, to say the least.

The Dominion of Canada is promoting sales of wheat to Red China in return for textiles from that country. I quote from the New York Times of September 8, 1963, as follows:

"Paul Martin, the Dominion's Minister of External Affairs, said in a recent speech that the limited nuclear test ban treaty should be followed up with other contacts with the Communist countries, including China. He emphasized the expansion of trade as an important contact.

"Perhaps most significant was Canada's agreement to admit $7 million worth of competitive goods from China—mostly textiles—as part of the deal in which she will sell 187 million bushels of wheat to the Chinese over the next 3 years. This clause was admitted to the contract despite the angry protests of Canada's textile industry.

"It has been widely conceded that Canada, which consistently maintains a heavy surplus of exports over imports in trade with the Communist nations, could not substantially expand these exports unless it admits more Communist goods. The willingness of the Government to accept Chinese textiles would seem to indicate that Canada would import competitive products to accelerate exports to the Communist nations.

* * * * *

"Over half of Canada's sales to the Communists—some $147 million—went to China, which is blacklisted by the United States."

Most of these wheat and textile shipments may go through the St. Lawrence Seaway. Certainly, we in the United States never intended to help build and support a route that would in the slightest degree give any aid and comfort to Communist China. Frankly, we deplore the action of Canada in its deals with an implacable foe of Western democracies—Red China. We blacklist certain cargoes only to have Canada free list them as far as Red China is concerned. Certainly we would not want any possible Champlain Waterway contaminated with Red China freight. It is enough that we pay part of the charge of conveying Red Chinese advantages, by helping discharge the deficit from the operation of the St. Lawrence Canal. I would not want this nasty situation exacerbated by any Champlain Waterway.

Indeed, Canada has not advanced her cause with these Communist Chinese exchanges. While on that score, neither has has she incurred by a long shot any good will with her deals with Castro. Indeed, opinion in the United States is quite to the contrary.

We also have today a number of communities which expected to benefit from the St. Lawrence Seaway which today, in the light of recent experience with the St. Lawrence, view this Champlain Seaway proposal with strong suspicion. I have had forwarded to me a letter from the president of the St. Lawrence County National Bank, Walter M. Wilmshurst, who identifies himself as a former "enthusiastic backer" of the St. Lawrence project. Mr. Wilmshurst states that although he expects that the financial problems of the St. Lawrence will be corrected in time, he adds:

"I believe that the Lake Champlain Seaway is unjustified, at this time, and do not believe that it will bring industry or any great increase in business to the area affected. In fact, it could be very damaging to the present recreational facilities."

Another letter forwarded to me by Mr. George H. Rand, vice president of the International Paper Co. which operates a mill at Ticonderoga, concludes:

"We see no benefits but feel that serious disadvantages would result to our operations if the seaway were constructed."

Moving further west in New York State, we find many other respected citizens raising serious questions regarding this proposal. On June 21 of this year, the Rochester Democrat and Chronicle, in an editorial titled "Doubtful Ditch," stated that with respect to the proposed billion-dollar cost of the project, "Certain better things (can be done) than build a massive ditch to damage a vast recreational region."

A similar editorial appeared 5 days later in the Jamestown Post-Journal which noted:

"Not long ago we saw a statement to the effect that the St. Lawrence Seaway would be unable to meet its financial obligations unless it increased its tolls. Let's not build any more such burdens."

The city which would be hurt the most in the western part of New York State is a city which has already suffered severe economic impact due to the St. Lawrence Seaway. I refer to the city and port of Buffalo.

Between 1957, before the St. Lawrence Seaway was opened, and 1961, cargoes using the port of Buffalo dropped from 23 million to 16 million tons. As of July 30 of this year, general cargo other than flour handled at the port totaled 6,563 tons, compared with 8,381 tons a year ago.

Understandably, the port of Buffalo could expect further losses of traffic if the Champlain route were opened to ocean-going ships. It was for this reason that the Buffalo Chamber of Commerce has expressed the following view regarding this proposal:

"It is the opinion of the chamber that this waterway would further weaken the competitive position of the port of Buffalo in much the same way as did the St. Lawrence Seaway.

"Buffalo, in its present economic state, can ill afford to suffer the adverse effects from expenditures of huge sums for what appears to be an economically unfeasible venture.

"Any localized gains that might accrue from this undertaking would be more than offset by general losses which would be absorbed by other areas and the Nation as a whole."

As noted earlier many citizens of my State are concerned about pollution of Lake Champlain, the second largest fresh water lake in the United States other than the Great Lakes. They are concerned, not only from an esthetic and recreational point of view, but from the point of view of future water supply for our growing population.

I have heard it said that ships don't pump their bilges in or otherwise pollute our inland waterways. I only wish this were true.

I note that my colleague on the other side of the aisle, Representative Miller, of New York, has sponsored Concurrent Resolution No. 45 for the specific purpose of stopping further pollution of the St. Lawrence by ships now using it.

Dr. Luther L. Terry in the U.S. News & World Report, September 16, 1963, says the fastest growing health problem in this country involves water and air pollution.

Ocean-going ships with their refuse, sludge, oil, and bilge would make the clear, limpid waters of Champlain a filthy stew, a smelly bouillabaisse. The contamination of waters in a river like the St. Lawrence, bad as it is, is far less than in a lake, like Champlain. The defilement usually runs down the river and empties into the sea, but in a lake it is walled in. The filth remains and settles. Dr. Terry, Head of the Public Health Service, thus properly sounds a solemn warning.

I have heard it further argued that any pollution of the St. Lawrence is due to sources other than ships. However, the general manager of the Thousand Islands State Park Commission has stated that bilge pumping does occur in the waterway. On June 11 of this year Associated Press carried a story from Watertown announcing that the park commission general manager, Ralph D. Wallace, was filing a complaint with the St. Lawrence Development Co. because of a ship discharging its bilge along the beach at Grasse Point State Park making the beach unusable for picnickers and campers.

Waterways are unlike highways. We can't have policemen cruising every few miles to enforce antipollution laws and regulations. The only certain means of preventing pollution of Lake Champlain is by preventing the sources of such pollution from entering the lake itself.

One of the most absurd arguments advanced in support of the waterway is that it would "make available a fresh water supply for the States of New Jersey and New York and for Long Island and eliminate all future demands upon the Delaware River watershed for additional fresh water for this same area."

This is sheer nonsense.

Considering the great quantities of water that would be used to operate the essential high locks, where would the additional water come from?

How fresh would Champlain waters remain with great ships contaminating and polluting it with sludge, oil, and bilge. The answer is clearly made by Dr. John H. Bland of the University of Vermont's College of Medicine. He said:

"I do know from the point of view of a biologist that Lake Champlain as a body of fresh water could not continue to maintain its plant and animal life in the presence of oil, sludge, and such pollution as its necessary if deep sea vessels ply the lake."

In the interim report of the International Joint Commission on the Champlain Waterway in 1937, the position of the opposition was summarized:

"1. There had been an increase in domestic trade to and from the Atlantic seaboard of the United States, but it was not of a nature, for the most part, to help the Champlain route; anthracite and petroleum, for instance, represents a large tonnage that would not travel that way in any event.

"2. Transatlantic steamship rates were controlled by conferences and their stability was easily upset. Stability could not be maintained if it became practicable for European tramp steamers to go up into the Great Lakes.

"3. Railways of both the United States and Canada were going through a very difficult time. If competition of waterways should be added to that of highways, the railways would be either forced out of business or at least their efficiency and purchasing power impaired. Reduce their purchasing power and you injured the community.

"4. The proposed water route would, if successful, be disastrous to a large body of railway employees.

"5. Railway facilities were more than adequate to handle all available and prospective tonnage. It was not in the public interest to multiply facilities beyond traffic requirements, and in any event there was already a water route in operation from the Great Lakes to tidewater by way of the New York State Barge Canal.

"6. The project was commercially and economically unsound because it involved the provision by the Government of a free right-of-way, whereas the railways had to spend millions of dollars on theirs. There was no justification for subsidized transportation.

"7. The State of New York already had 8,000 miles of railways and 47,000 miles of highway, as well as 525 miles of barge canal. One of the most efficient and best equipped transportation systems in the world, it represented an enormous investment of capital.

"8. Some witnesses who opposed a deep waterway thought there might be justification for the deepening of the Richelieu River and canals to give a minimum depth of 12 feet between the St. Lawrence and the Hudson.

"9. Opening of a deep waterway from the sea to the Great Lakes would bring into the Middle West the competition of agricultural products grown by cheap labor overseas; also iron ore to compete with the products of American mines, and foreign coal to displace native coal.

"10. The economic picture had radically changed since the International Joint Commission reported in favor of the St. Lawrence waterway in December 1921. At that time the principal factor was shipment of export wheat. Today that was no longer an important consideration. At that time railway equipment and terminal facilities on American railways were admittedly inadequate. That was no longer the case.

"11. Even if the waterway were successful, it would not help Vermont and New York interests along the route because the traffic would be mainly through traffic.

"12. It would seriously damage recreational interests around Lake Champlain.

"13. The waterway would necessarily be out of operation 5 months in the year, and if successful would throw a heavy burden on the railroads during their least profitable season. They would have to provide equipment in winter not needed in the summer.

"14. The cost would fall upon the taxpayers of both countries and could not possibly be justified as a national or international investment.

"15. The very slight existing traffic over the waterway made it highly improbable that it would be profitable to deepen it. The history of the route showed an almost continuous decline in traffic.

"16. Waterways were only justified, in such a region as that under consideration, when rail and water facilities could be coordinated so that neither would cripple or destroy the other. That was not the present case. The proposed waterway would simply duplicate existing efficient rail facilities.

"17. The only types of canals that had proved successful were the artificial straits such as the Suez and the Panama canals, the shallow barge canals such as those of France, Germany and the Netherlands, and ship canals like the St. Lawrence channel and the Manchester ship canal. The present proposal did not fall strictly within any of these classes.

"18. All-water services between the Great Lakes and the Atlantic seaboard had already been tried and had proved a failure. There was no real demand for such a service.

"19. What was needed and desired today was not an additional means of transportation, but rather the most efficient use of the available facilities at the lowest possible cost to the public.

"20. It was not practicable for deep draft ocean vessels to use such restricted channels.

"21. The business interests of New England were strongly opposed to the project.

"22. The principal requirement on the Atlantic seaboard was not such slow freight as waterways might afford, but rather fast service for manufactured products."

In my opinion, this opposition is as firm today as it was when first uttered. Nay more, the difficulties of this waterway have been increased and the opposition is even more cogent today. Furthermore, this interim report on page 16 shows the following cogent opposition to the waterway:

"The Commission has given very careful consideration to the evidence and arguments of those who appeared for or against the proposed waterway, as well as to the report of the engineers, but finds nothing that would justify it, at the present time, in recommending the improvement of the all-water route from Montreal to the Hudson River by way of the St. Lawrence River, the Richelieu River, and Lake Champlain, to 27 feet, to 14 feet, or to 12 feet.

"The Commission is impressed by the contrast between the maximum potential annual saving in transportation costs, as estimated by the engineers, and the annual carrying charges mentioned in (3). For a 27-foot waterway, the maximum potential annual saving in transportation costs is estimated to be $4,710,240, as against estimated annual carrying charges of $17,646,400. For a 14-foot waterway, the figures are $75,600 saving and $2,738,600 carrying charges. For a 12-foot waterway the corresponding figures are $58,800 and $953,000.

"If these figures were even approximately correct, the United States and Canada would be paying each year on account of the Champlain waterway, if it were a 27-foot channel, nearly four times the amount saved in transportation costs; if it were a 14-foot channel, 36 times the saving; and if it were a 12-foot channel, 16 times the saving.

"After careful consideration of the evidence adduced at the hearings, the arguments of those who appeared in support of or in opposition to the proposed improvement, the detailed report of the engineers appointed to assist the Commission, and the briefs and exhibits filed, the Commission begs to report that, with the possible exception of the situation indicated (in the preceding paragraphs) as to a 12-foot waterway, it is neither advisable nor economically practicable to improve a waterway from Montreal by way of the St. Lawrence and Richelieu Rivers through Lake Champlain to connect with the Hudson River, at the present time."

Gentlemen, in addition to all I have thus far said about this project, let me point out one more thing. We have a transportation crisis in the United States today. It is of such serious proportions that on April 5, 1962, President Kennedy sent to Congress a historic message relative to the transportation system of our Nation. In this message he said these things, among others:

"Transportation is thus an industry which serves, and is affected with, the national interest. Federal laws and policies have expressed the national interest in transportation particularly in the last 80 years; through the promotion and development of transportation facilities, such as highways, airways, and waterways; through the regulation of rates and services; and through general governmental policies relating to taxation, procurement, labor, and competition. A comprehensive program for transportation must consider all of these elements of public policy. * * *

"Pressing problems are burdening our national transportation system, jeopardizing the progress and security on which we depend. A chaotic patchwork of inconsistent and often obsolete legislation and regulation has evolved from a history of specific actions addressed to specific problems of specific industries at specific times. This patchwork does not fully reflect either the dramatic changes in technology of the past half century or the parallel changes in the structure of competition.

"The regulatory commission are required to make thousands of detailed decisions based on out-of-date standards. The management of the various modes of transportation is subjected to excessive, cumbersome, and time-consuming regulatory supervision that shackles and distorts managerial initiative. Some parts of the transportation industry are restrained unnecessarily; others are promoted or taxed unevenly and inconsistently. * * *

"Some carriers benefit from public facilities provided for their use, while others do not; and of those enjoying the use of public facilities, some bear a large part of the cost, while others bear little or none.

"This administration's study of long-range transportation needs and policies convinces me that current Federal policies must be reshaped in the most fundamental and far-reaching fashion. * * *

"Investment or capacity should be neither substantially above nor substantially below these requirements, for chronic excess capacity involves misuse of resources, and lack of adequate capacity jeopardizes progress. * * *

"This basic objective can and must be achieved primarily by continued reliance on unsubsidized privately owned facilities, operating under the incentive of private profit and the checks of competition to the maximum extent practicable."

Now we are here talking about another subsidized, publicly provided transportation facility to compete with the taxpaying railroads and other segments of our privately owned and operated national transportation system. We already have an excess of transportation facilities, and the common carrier segment of our transportation system, the railroads and the common carrier trucks, are suffering.

In yesterday's New York Times appeared this caption, "Kennedy Orders Spending Curbed in the 1965 Budget." The article indicated the President would prohibit any new programs not previously submitted to Congress. His Champlain proposal has not been submitted to Congress, and I hope it never shall. The President is quite aware of huge expenditures while the budget remains in imbalance. The President's words of caution cannot go unheeded by you.

In conclusion, I am firmly convinced that the proposed Champlain Seaway is not economically feasible, is not in the best interests of the people of the United States and Canada, would only add a further burden upon the taxpayers, would mainly benefit foreign shipping (if, in fact, it would benefit anyone at all), would further accentuate our transportation crisis, and I, therefore, strongly recommend that you reaffirm your 1937 findings and reject the proposal.

University of Oklahoma Press

EXTENSION OF REMARKS

OF

HON. CARL ALBERT

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1963

Mr. ALBERT. Mr. Speaker, I am happy to announce that 15 books published by the University of Oklahoma Press will be included in the special section of 1,780 books recently chosen for the White House Library. For Oklahoma's well-known publishing house on the campus at Norman, Okla., this recognition is one of the strongest it has enjoyed since its founding 35 years ago.

All Oklahomans are proud of the remarkable growth and achievements of the University of Oklahoma Press. The press has grown from a 5-book-a-year publishing house in 1928 to a book every 5 days, or 70 editions, new and reprint, each year. The annual offerings from Norman, Okla.—all of them of scholarly but interesting character—range from Xenophon's "Anabasis" in classical Greek to how to drill an oil well, with many stops in between for significant volumes on the American West, Indian history, and early American exploration.

The University of Oklahoma Press is the child of its parent university, which in September celebrated its 71st birthday. The university's fourth president, William Bennett Bizzell, declared in his inaugural address in 1925 that he believed it the duty of a first-class institution of higher learning to publish the results of its research under its own auspices. Three years later he put his convictions to work by hiring Joseph A. Brandt, the young city editor of the Tulsa Tribune, to do something new and significant with the print shop on the Norman campus.

The Press' first book was published in the spring of 1929, a volume of folklore entitled "Folksay," edited by B. A. Botkin, then a member of the English faculty. By 1932, the press had its first big success with the selection of "Wah'-Kon-Tah," an account of the Osage Tribe of Indians, written by John Joseph Mathews of Pawhuska, himself a member of the tribe.

Three years later, Paul B. Sears, then of the botany faculty at Norman, rocked the Nation with his account of man, the land, and dust storms in the book, "Deserts on the March," which went through many printings and is still one of the most active books in the press list, 28 years later.

To a retired county agent of Elyria, Ohio, however, the University of Oklahoma Press owes much of its present stature. He had sent his short manuscript, passed over by many other publishers, to the second and present director of the press, former Rhodes Scholar, Savoie Lottinville, in the spring of 1943. Lottinville published it as "Plowman's Folly" on July 5, 1943, and it has sold more than 350,000 copies in the years since. It is still very much in print. It has literally changed the face of North America by reducing the emphasis on plowing of land and substituting, instead, disk harrowing.

Under Lottinville's leadership, the University of Oklahoma Press has achieved worldwide distinction as a quality publishing house. The Press is now probably as well known in London, Cairo, and Manila as it is in Oklahoma City and San Francisco. Historically or literarily, its books cover almost all regions of the globe, drawing scholarly authors from everywhere. Its distribution machinery includes London and

Amsterdam. Through its European distributors, W. S. Hall & Co., its books reach Europe. Through Feffer and Simons, University of Oklahoma Press publications may be found in Asia, Africa, Australia, and South America. It has a New York advertising agency.

The recent range of the Press' interests is reflected in the Centers of Civilization series, which already include 10 volumes and will ultimately extend to 150. Each of these small volumes deals with a great city at a particular point of its flowering. The enthusiastic response of countries as far away as Iran, Morocco, Eire, Greece, Italy, Turkey, Syria, and France, all of which are represented in the series, suggests an international influence from Norman, Okla., which is all the more remarkable in view of the fact that Oklahoma is still comparatively young culturally.

The Civilization of the American Indian series remains perhaps the greatest and most representative of the Press' achievements since its founding. The series now numbers 70 volumes with at least 3 new volumes coming out each year, each one eagerly sought throughout the United States and overseas. Oklahoma's own Cheyennes, Araphoes, Kiowas, Apaches, Comanches, Osages, Cherokees, and many others of its historic 67 tribes figure in this continuing publishing program.

For the whole of the Trans-Mississippi West, the Press' American Exploration and Travel series and Western Frontier Library, the one numbering 40 volumes, the other 23, are of high interest. Hardly a State west of Missouri is not represented in either or both of these series. At least two books are published in each series during the year.

During the last 3 years, the Press' growing publications program in the Greek and Latin classics has won the attention of scholars in many parts of the world. The effort in this direction is dictated by Director Lottinville's aphorism that there is not an audience for books, but scores of audiences for books of particular interest to each. Lottinville is convinced that a healthy development in scholarly publishing dictates the constant reexamination of the extent and tastes of these audiences.

It has been a policy of the University of Oklahoma Press for many years to publish at least one book each season in each of the fields of literary criticism, music, art, and the theater—subjects of high cultural significance, and again all the more significant for coming from Oklahoma, which won its spurs as a State only before Hawaii, Alaska, Arizona, and New Mexico.

History, which has made Americans as much aware of their national past as almost any other people, because of the intensive job that has been done on it in the past quarter of a century, has greatly enlivened not only the story of Oklahoma, to which the Press has contributed no fewer than 80 volumes, but the story of such neighboring States as Kansas, Missouri, New Mexico, Texas, Arkansas, and Colorado—all of which are represented in the Press list either by full-statured histories in 1 volume or by multivolumed projects on various aspects of State history.

"Oklahoma has a record of being a good neighbor," says Director Lottinville. "But our responsibility extends even further than that: It asks that we develop and share the history of our neighboring States, whose progress is linked indissolubly with our own. Perhaps we can grow together to even greater heights in the years to come."

Mr. Speaker, I salute the University of Oklahoma Press and its distinguished director, Mr. Savoie Lottinville, who is largely responsible for much of its success.

Chairman Mills Explains Basic Principles Behind H.R. 8363, the Revenue Act of 1963

EXTENSION OF REMARKS

OF

HON. A. S. HERLONG, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1963

Mr. HERLONG. Mr. Speaker, under leave to extend my remarks, I am including in the Record a statement released Monday, September 16, by Chairman Mills, of the Committee on Ways and Means, explaining the intent and purpose of section 1 of H.R. 8363, the Revenue Act of 1963:

Chairman Wilbur D. Mills, Committee on Ways and Means, Explains Intent and Purpose of Section 1 of H.R. 8363, the Revenue Act of 1963

As the author of section 1 of the bill, I would like to explain its intent and purpose.

The purpose of this tax reduction and revision bill is to loosen the constraints which present Federal taxation imposes on the American economy. The results of these tax reductions and revisions will be a higher level of economic activity, fuller use of our manpower, more intensive and profitable use of our plant and equipment; and with the increases in wages, salaries, profits, consumption, and investment, there will be increases in Federal tax revenues. Increases in economic activity, in the use of our resources, in personal and business incomes, and in Federal revenues might be also realized if, instead of reducing taxes, the Congress and the administration increased expenditures of Government. In other words, there are two roads the Government could follow toward a larger, more prosperous economy—the tax reduction road or the Government expenditure increase road. There is a difference—a vitally important difference—between them. The increase in Government expenditure road gets us to a higher level of economic activity with larger and larger shares of that activity initiating in Government—with more labor and capital being used directly by the Government in its activities and with more labor and capital in the private sector of the economy being used to produce goods and services on Government orders. The tax reduction road, on the other hand, gets us to a higher level of economic activity—to a bigger, more prosperous, more efficient economy—with a larger and larger share of that enlarged activity initiating in the private sector of the economy—in the decision of individuals to increase and diversify their private consumption and in the decisions of business concerns to increase their productive capacity—to acquire more plant and machines, to hire more labor, to expand their inventories—and to diversify and increase the efficiency of their production.

Section 1 of the bill is a firm, positive assertion of the preference of the United States for the tax reduction road to a bigger, more progressive economy. When we, as a Nation, choose this road we are at the same time rejecting the other road, and we want it understood that we do not intend to try to go along both roads at the same time.

The further meaning of section 1 of the bill is that no Government activity is to depend for its justification on the amount it contributes to the total spending of the economy, because we prefer to reduce taxes and allow individuals and business concerns in their own rights to make that contribution. On the contrary, any and all activities of the Government have to be justified on their importance in serving other essential goals of the Nation. There is no further justification for an indifferent attitude toward wasteful, inefficient Government activities, merely because they incidentally give employment—tax reduction will also create job opportunities and in lines of activity which better satisfy the character and demands of the people for an enriched life. There is no more justification for half-hearted efforts or outright failure to eliminate Government programs that have outlived their usefulness just because they also contribute to the total spending stream of the economy—that contribution will be better realized by increasing the purchasing power of consumers and investors through tax reduction. Finally, there is no further occasion for using the additional revenues which will be generated by the expansion of the economy as a result of tax reduction and revision to finance additional investment expenditures, solely because those additional expenditures might add further to expansion of economic activity. If such additional expansion is desired or needed, tax reduction will achieve it just as surely and through vigorous and progressive forces of the private sectors of the economy.

Let me emphasize the last point. Section 1 of the bill announces very clearly that we are not rejecting a balance in the budget as the guiding criterion for management of the finances of the Federal Government. We are, indeed, emphatically reaffirming that criterion. We are confident that within a relatively short period of time, tax reduction and revision will result in larger Federal revenues than those we could expect without these tax changes. Section 1 of the bill calls upon both the Executive and the Congress to restrain Government expenditures so that this increase in revenues can reduce deficits and bring us sooner to realization of the goal of a balanced budget in a prosperous economy.

I have stressed the contribution this bill will make in achieving a balanced budget and an enlarged economy. These are the principal economic objectives of the bill. If I were called upon to give a definition of the phrase "fiscal responsibility," this is just how I would define it. It means conducting the finances of the Federal Government in such a way that a balanced budget can be and is achieved in an economy which is growing rapidly, providing adequate employment and investment opportunities, making full use of its capital and human resources, and giving the fullest possible play to the initiative and venturesomeness of the private sector. Tax reduction and revision will make it possible for us to achieve these objectives—to be fiscally responsible—with minimum direct intervention by the Government in the decisions of individuals and business concerns.

It has been argued by some that this bill represents an effort by the Federal Government to manage the economy and ignores

the precept that taxation should be for revenue purposes only. The argument is completely wrong. This bill reflects an effort by the Federal Government to reduce and remove—not to impose—tax constraints on the economy, to give the private sector of the economy greater wherewithal to do what comes naturally to it and which increases the well being of all of us. Moreover, it affords us the greatest possible assurance that we will before long secure revenues equal to—or even greater than—Government expenditures. Indeed, failure to provide tax reduction and revision at this time would be fiscally irresponsible. It would represent the Federal Government's ignoring the adverse impact of its excessive tax burdens on the economy and on the budget. We must remember that tax policy cannot be made in a vacuum. If we are to be responsible, we must give the closest possible attention to the effects on the economy of what we do—or fail to do—in tax policy.

This bill, therefore, represents a responsible discharge of our duties to sound fiscal management.

The American Effort in Oceanography

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1963

Mr. HANNA. Mr. Speaker, on September 9 I had extension of my remarks on the Soviet challenge in oceanographic research and development inserted in the CONGRESSIONAL RECORD at page 16588. In those remarks there was emphasized the importance of the knowledge of the oceans of the world in terms of the future of mankind. An attempt was made to partially document the aggressive and impressive program the Soviets have launched recently. Today I should like to address myself to a short and therefore necessarily incomplete assessment of what the United States is doing and to set forth some of what we should do, if we appreciate the grave necessity for an improvement in our effort.

The bulk of the American official effort in oceanography is carried out in conjunction with the military. We have a polyglot fleet of 24 vessels. All are overaged conversions of ships originally designed for other missions. Thirteen of these are Navy survey craft operationally controlled by either Serv-Lant or Serv-Pac. They receive their assignments from the U.S. Naval Oceanographic office. Crews are either Navy or MSTS. These craft range from the three largest which are converted Victory ships 484 feet in length and displacing 13,000 tons to a converted Y.F. displacing 200 tons. The remaining 11 ships are assigned to military research and development and operate for various Navy laboratories interested in weapons, detection, and underwater sound. In this force there are three converted submarines of the *Archerfish* class. They perform the kind of tasks best suited to their operational abilities but all are, besides being quite old, limited in submergence time, too noisy, overcrowded and severely limited in laboratory space. It is interesting to note not one of these ships was specifically constructed for the purpose it now serves and all date back to World War II or earlier. Although our oceanographers have not lacked in resourcefulness and it is true that they have accomplished some rather noteworthy advances, efficiency has certainly not been the hallmark of the U.S. oceanographic effort. Further, serious limitations encompass our efforts because the small number and the character of our committed fleet inherently restrict operations and results.

It is true that some private and semiprivate research organizations have been notably active in the study of the oceans. Among these are Woods Hole Oceanographic Institution, Scripps Institution of Oceanography, Stanford University, New York University, and the Lamont Geological Observatory. Besides these leaders there are a scattering of lesser lights in higher learning institutions and some limited but important research being done by industrial firms like the National Marine Consultants of Anaheim, Calif. All of these groups employ an array of vessels that range from the vintage of the *TeVega*, an old four-master used by Stanford, to the really modern *Atlantis II*. Some of these groups prefer sailing vessels like the *TeVega* for although they are slow, they avoid the noise interference of the heavy marine engines. In the varied conversions of the civilian fleet besides the sailing vessels there are former tugs, catamarans, freighters, trawlers, draggers, and transports.

What we in America need desperately to do in this field is to awaken ourselves to the importance of oceanography in world affairs and the emerging possibility that the control of the resources and powers of the seas may be the largest single determinant in world domination in the future of our planet. Appreciating the urgent need to move we should do so on several fronts. First, our colleges and universities should direct more effort and students to the study of oceanography and its related fields. Our representatives in the State Department and in the U.N. should urge and support resolution of the legal barriers for jurisdiction in the seas of the world and develop legal principles to protect the investments for development of the food and mineral resources to be found there. Funds should be appropriated to establish a data collection center with communication to all resources now existing and to be developed in measuring, mapping, and sampling the variables in the farflung waters of our oceans. A truly up-to-date fleet scientifically and practically built and developed to do the major on-the-spot research and laboratory work should soon be on the boards and in the ways. Some of the recommendations of the National Academy of Science Committee on Oceanography deserve serious consideration and immediate attention. That report requests the construction of 70 vessels specifically designed for this kind of mission to be constructed in the next 10 years at a proposed expenditure of $213 million. In comparison to the Russian effort this is hardly calculated to catch us up in what could be the important unseen gap in technological know-how.

Oceanography, this hydrological synthesis of physics, chemistry, biology, meteorology, geology, and electronics, is the key to the vast storehouse of the sea. In the years to come the history of mankind may well hinge on the question of how soon this key will be perfected and who will hold it. May we hope that the Members of this body will want the key to be forged soon and to be held firmly in the hands of the leaders of the free world.

A Tribute to Hon. Lewis Deschler

EXTENSION OF REMARKS

OF

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1963

Mr. VANIK. Mr. Speaker, on Thursday evening, September 12th, the Ohio Society paid tribute to House Parliamentarian, the Honorable Lewis Deschler, in an evening entitled "A Tribute to Lew."

The Ohio Society was honored by the presence of the distinguished Speaker, the Honorable JOHN W. MCCORMACK; the distinguished majority leader, the Honorable CARL ALBERT; and the distinguished minority leader, the Honorable CHARLES HALLECK, who spoke of the tremendous contributions of Parliamentarian Lew Deschler to the House of Representatives and to the American people.

The program also included stimulating speeches by the Honorable Clarence J. Brown, dean of the Ohio delegation to the House of Representatives; the Honorable Clarence Cannon, chairman of the House Appropriations Committee; and the Honorable Anthony J. Celebrezze, Secretary of the Department of Health, Education, and Welfare; the Honorable Secretary of Labor, Willard W. Wirtz; the Architect of the Capitol, the Honorable J. George Stewart; and the Honorable Ralph Roberts, Clerk of the House of Representatives.

The following statement was made by the distinguished minority leader, the Honorable CHARLES HALLECK:

> Lew Deschler is the only guy in politics I know of whose return to office in the Congress of the United States is a foregone conclusion.
>
> And Lew—let me say to you that if the time should ever come when I'm Speaker of the House—and you can put up with me—you've got a tenure as long as either one of us lasts.
>
> As far as I'm concerned, Lew is the world's best Parliamentarian—by any standard you want to apply, including pound for pound.
>
> He's one person I'm convinced would rather be right than President. And if he's ever been wrong, nobody has proved it—to my knowledge.
>
> You know, Lew maintains a legal residence out in Chillicothe, which is far enough away from Washington that nobody knows whether he votes Democrat or Republican.
>
> I guess maybe I'm glad I don't.

I've always said an independent is a person who doesn't care what happens to the country, but I'll take that back as far as Lew is concerned.

He's been around for a long, long time—not too long, you understand—and I've known him most of the years he has served in the Congress.

Incidentally, he spent 3 years working his way up from messenger to Parliamentarian and 33 years proving that we were right when we hired him in the first place.

Seriously, for my money nobody could possibly have been more loyal to the people he has served on both sides of the aisle.

And one of the greatest tributes I can pay to him is to say that he has understood and appreciated the role of Parliamentarian, and that through the years he has demonstrated this understanding and appreciation by a complete dedication to his assignment.

He has been fair and impartial to all concerned and—I might add—fiercely jealous of the prerogatives of the House.

I think I speak for everyone here when I say that there has never been the slightest doubt in anyone's mind that Lew's one objective has been to serve the House of Representatives to the full extent of his energy and ability and that—believe me, is considerable.

In the years I have known him, he has been my trusted friend, as I hope I have been his.

You know, we couldn't operate this complicated piece of machinery which is the Congress, with all of the pulling and hauling that is such an integral part of our two-party system, without mutual trust.

And no one has a more delicate role to fill in this operation than Lew.

Let me say for myself, that I have never had the first occasion to question—for an instant—Lew Deschler's good faith—and we have weathered some pretty severe legislative storms.

A lot is said about indispensable people, and I've been around long enough to realize that none of us is.

But Lew comes about as close to that as anybody I know. Let's face it: we wouldn't dare fire him—either side.

And I just hope, as we pay this richly deserved tribute to a wonderful guy and a great American that he proves to be just as indestructible as he is indispensable.

The following inspirational prayer was offered by the Chaplain of the House of Representatives, Dr. Bernard Braskamp:

Most merciful and gracious God, grant that during the fellowship of these evening hours we may have the blessings of Thy grace and favor.

Our hearts rejoice as the Ohio Society bestows its tributes of praise upon our beloved and highly esteemed friend and fellow citizen, whom we affectionately call "Lew" and who for 36 years had rendered significant service in the Congress as Parliamentarian of the House of Representatives.

We acknowledge gratefully that Thou hast endowed him richly with many outstanding talents and gifts for the high vocation of leadership in the business of statecraft, enabling him to contribute worthily to the welfare of our beloved country.

We thank Thee for his sincere and simple faith in God; his integrity of character and lofty idealism; his patriotism and devotion to duty; his wisdom in counsel and his clear mindedness in formulating policies of government that are just and righteous.

May his own heart be filled with joy as he goes up and down the courts of memory and calls to mind those 36 years of faithful service and continues to accept with an indomitable spirit the many arduous tasks and responsibilities which demand and challenge the consecration of his noblest manhood.

Hear us in the name of the Prince of Peace.

U.S. Chamber of Commerce: Right-To-Work Committee

EXTENSION OF REMARKS

OF

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1963

Mr. DENT. Mr. Speaker, the medicine men of the far right who make up the select committee for the right to work of the U.S. Chamber of Commerce have come up with a remarkable new claim for their product:

It not only protects workingmen from their unions but it "skyrockets" the membership of unions as well—they say.

If it were true it would be a neat trick—so-called right to work making the unions stronger and weakening their membership in the same breath.

Obviously both diametrically opposed claims cannot be true, even if the U.S. Chamber of Commerce does say so.

The amazing double claim is made by the chamber of commerce right-to-work committee in a booklet given nationwide distribution. In it, the chamber of commerce makes the claim that union membership in Georgia has grown by 280 percent in that State under a so-called right-to-work law.

The figures of union growth from 1938 to 1953 are true enough. But the period in which a right-to-work law has been in effect in Georgia does not match the dates of the union growth. The fact is the great union growth in Georgia took place in this period during the years of World War II.

What has been done by the medicine men of the U.S. Chamber of Commerce is to claim for the right-to-work law all of the growth of union membership during the war years when the right-to-work law did not even exist.

The way it is done is a typical right-to-work misstatement of fact. It is handled this way:

> Union membership has skyrocketed, especially in States that enacted right-to-work laws during this period (1939–53). Georgia's right-to-work law was adopted in 1947 and union membership climbed from 35,000 to 135,000 in 1953, or 280 percent. Other increases are equally impressive: Texas, 239 percent; Arizona, 257 percent; Nebraska, 153 percent; South Dakota, 185 percent; and Arkansas, 171 percent.

The trick is that the union growth took place before 1947, when the right-to-work laws became effective, not afterward.

This bit of statistical chicanery is illustrated by U.S. Department of Labor, Bureau of Labor Standards, Directory of Labor Unions Bulletin 937, June 1948. This official chart shows union membership in 1947 at just under 16 million, excluding Canada.

Right-to-work laws generally were enacted in the period after passage of the Taft-Hartley Act in 1947. Therefore, the bulk of union growth took place in the years before enactment of right-to-work laws.

The illusion of greater growth is enhanced by the chamber of commerce right-to-work computers who arbitrarily chose a lower base figure for union membership in 1939 than the official Department of Labor figure of approximately 8½ million. Instead the illusionmakers choose unofficial figures of the National Bureau of Economic Research, Inc., which estimates union membership in 1939 as approximately 6½ million.

This little maneuver thus adds about 2 million of additional gains in union strength for the 14-year period until 1953, which these happy statisticians claim for the benefit of right-to-work legislation.

Apparently the chamber of commerce mathematicians sifted and selected surveys until they found figures to their liking. They used a survey made by Leo Wolman in 1956 but they ignored his statement that "union membership in the United States in 1948–49 suggests that the large postwar spurt—of union membership—ended in 1947.

This conclusion obviously did not fit the illusion the medicine men sought to create, so it was not used.

It should be stressed that the basic statistics used by the U.S. Chamber of Commerce in their remarkable figuring cover the entire 14-year period from 1939 to 1953. In only 6 of these years were right-to-work laws actually in effect—from 1947 to 1953, although Florida had an ineffective right-to-work statute from 1944.

The States that adopted right-to-work laws which were passed or activated in 1947 were Arizona, Arkansas, Florida, Georgia, Iowa, Nebraska, North Carolina, North Dakota, South Dakota, Tennessee, Texas, and Virginia.

According to the NBER, Inc., figures, these 12 States gained 949,300 union members in this period. Bulletin No. 937 of the Department of Labor Bureau of Labor Statistics states that in the years 1946–47—before activation of right-to-work laws in the 12 States—three-quarters of a million members were added to the labor movement in the Southern States as a result of an intensive membership drive by the unions.

This accounts for most of the alleged 949,300 growth claimed as a result of right-to-work laws and note, too, that these gains were prior to the existence of these laws.

It should also be noted in this context that the late Mr. Wolman, whose survey the U.S. Chamber uses for their statistical gymnastics, stated that the union membership growth in New York State alone was more than in the entire gain claimed for right-to-work laws. New York is a free labor State.

But let me call attention to some other statements made by Mr. Wolman in his 1956 study which the U.S. Chamber prefers to ignore.

> Within the 14-year interval, total union membership in the continental United States increased by almost 9.7 million or 148.8 percent. Of the total increase more than two-thirds (68.7 percent) accrued to the 10 States with the largest membership in 1953 (New York, Pennsylvania, California, Illinois, Ohio, Michigan, New Jersey, Indiana, Massachusetts, and Missouri).

None of these States were right-to-work States. Indiana passed a right-to-work law in 1957, 4 years after the period in question.

It becomes apparent that the whole case presented by the U.S. Chamber of Commerce is based on a calculated misstatement of figures designed to create the false impression that right-to-work laws had skyrocketed union membership. The source used by these fakirs when examined denies the allegation conclusively.

The U.S. Chamber has sought to claim the labor movement's greatest period of growth, the war years, and the period immediately preceding and following the war, resulted from right-to-work laws when, in fact, the laws did not come into existence until after the Taft-Hartley Act passage in 1947.

They use a nimbly worded statement to create the impression that union growth in Georgia resulted solely from right-to-work. This is a clever statement but the publicity writers employed by the U.S. Chamber were not taken into their statistician's confidence. The publicity release accompanying the pamphlet contains no such subtleties.

The opening paragraph of the release states:

> WASHINGTON, August 25.—Union membership "skyrocketed" in six States after enactment of right-to-work laws, according to a booklet released today by the Chamber of Commerce of the United States.

No quibbling here. No clever phrasing. Instead a flat claim.

But the figures which disprove the implication of the distorted figures completely disavow this claim.

The U.S. chamber gives the right-to-work law credit for all the growth of unions, yet they never mention losses in union membership in right-to-work States. Roy R. Evans, writing on the subject of Texas labor growth in a study for the Texas State AFL–CIO, pointed out that in the years from June 1954 to June 1962, the membership of the Texas labor movement declined from 375,000 to 350,000 whereas the total labor force had grown in the same period from 3,300,000 to 3,670,000. Mr. Evans concludes:

> Had organized labor had its normal growth, Texas would have 60,000 more union members in the last 8 years rather than 25,000 less.

As part of the same investigation Dr. W. H. Watson, professor of industrial relations at the University of Texas, examined "The Attitude Toward Union Survival in Texas." The conclusion:

> To many of the larger industrial local unions, the "r-t-w" is more like a parasitic growth—always weakening and sometimes deadly. In many areas of the State the so-called right-to-work law has done in the last 15 years what other antilabor forces could not do in three times the length of time before—slowly and surely withering away the life of proud local unions.

It should be noted that this study by the University of Texas and by Mr. Evans covered the period immediately following that allegedly studied by the U.S. Chamber of Commerce.

Thus the facts completely disprove the allegations by the U.S. Chamber that right to work helps unions.

Mr. Speaker, what baffles me is what do these hucksters hope to gain by their obviously false claims?

An old aphorism states that "Figures don't lie, but liars can figure." But these people apparently forget that honest men can figure too.

When honest men encounter such blatant misuse of fact they can only conclude that the whole effort of fraud and misrepresentation has been undertaken deliberately in a cynical attempt to sway the judgment and viewpoint of the uninformed.

Clinton Lodge Elks, No. 1306, Celebrates 50th Anniversary

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 17, 1963

Mr. PHILBIN. Mr. Speaker, on Saturday, September 14, 1963, the Clinton Lodge Elks, No. 1306, fittingly celebrated its 50th anniversary. Many dignitaries and a large crowd of members of the Elks, Emblem Club, and their friends gathered for the banquet and the impressive program that followed.

The invocation was delivered by Msgr. John F. Gannon, beloved by the entire Clinton community, pastor of St. John's Church.

The toastmaster, who presided with moving eloquence, skill, and graciousness, was Henry T. Flaherty, past exalted ruler and past district deputy, who made a great contribution to the evening and pointed out:

> Fifty years ago tonight a group of men were gathered in Pierce Hall in Clinton. The occasion for that meeting was to celebrate the institution of the "Baby Lodge of Elkdom"—Clinton Lodge No. 1306. These men were the leading citizens in our community, and it was their hope that Clinton Lodge of Elks would become the outstanding fraternal organization in our town and their ambition that Elkdom would grow and prosper in the town of Clinton.
>
> Things were a lot different, that night 50 years ago—The J. H. Martin Co., located in the Fitch Building, was selling sirloin steak at 25 cents a pound, lamb chops were 18 cents and you could buy a pound of butter for 30 cents. The Boston branch was selling coffee for 20 cents a pound and the leading drygoods store, W. L. Hubbard Co., was advertising ladies' gingham dresses for 59 cents. Hamilton & Butterfield advertised ladies' shoes at $1.69 and our brother, Anton Schlickman was selling men's shoes, $2 to $4.50. Boyles Cafe was advertising whisky at 10 cents a shot and the Morgan House listed their rates at 50 cents a night for lodging and 25 cents for meals. You could buy a new Glenwood kitchen stove from David Dias for $23.
>
> Joe Paine was selling the latest model Ford, black, of course, for $690 and the police department reported that there were 100 automobiles in the town of Clinton. Three of our brothers owned cars. Ev King had a Regal, Perley Hamilton a Huppmobile, and our leading knight, Dr. Bastian, owned a Chalmers.
>
> But, some things were normal—the Red Sox were in fifth place. They beat the Giants in the World Series the previous year when Fred Snodgrass muffed a fly ball in center field.
>
> And so, in spite of the great change in the economy of our country, despite two World Wars and all other changes, the "Baby Lodge of Elkdom," Clinton Lodge, has grown and prospered. Tonight we are not only celebrating the 50th anniversary of our lodge, we are also honoring the memory of these men who brought Elkdom to Clinton.
>
> This evening I heard someone say, "A lot of water has gone over the dam since Clinton Lodge was instituted. More appropriately, it should be said that a lot of charitable work has been done, quietly, by the Order of Elks and by the members of Clinton Lodge since that night 50 years ago."

During the course of the evening the toastmaster introduced several very distinguished guests, who made very appropriate remarks. Among these, the famous Judge John E. Fenton, of Lawrence, Mass., famed jurist, civic leader and fraternal leader and past grand exalted ruler of the Elks. In accordance with his usual custom, Judge Fenton delivered an exceptionally brilliant and eloquent address, touching upon the great contributions of Elkdom and its future destiny.

Mr. Harold Burns and his fine orchestra presided over the musical program and gave an exceptional performance.

The occasion was one of the finest in the tradition of the Elks and emphasized the outstanding patriotism and loyal Americanism exemplified by one of our greatest American benevolent and fraternal organizations.

In my own brief remarks I said, in substance, that—

> This celebration, attended by so many distinguished leaders and members of the lodge and Emblem Club and their friends, is reminiscent of the colorful glorious past, points up the vigorous, progressive present, and forecasts the magnificent future of the Clinton Lodge.
>
> Our community, State and Nation are indeed under great debt to the leaders and members of this lodge who, since the time of its origin, have been so conspicuous and meaningful in exemplifying lofty principles and standing and working for every worthy cause.
>
> True benevolence has flourished here, generous charity has been fostered here, justice and freedom have been safeguarded here, and the spirit of good fellowship, loyal friendship, and community cooperation has abounded here in so many ways that have brought untold benefits and blessings to the people of Clinton, our State, and our country.
>
> Like Brother Elks everywhere, and with a fervor and zeal that could not be denied, this lodge has nurtured and spread the spirit of Americanism, loyal citizenship, and a deep sense of civic responsibility and has displayed an allegiance and devotion to American institutions that could never be surpassed.
>
> Tonight we are proud to recall and express our profound sense of gratitude for these unselfish contributions that have done so much to uphold and strengthen charity, justice, fellowship, and understanding among all our people, regardless of class or creed, and to fortify, preserve, and build the vigor, power, usefulness, and greatness of our free enterprise institutions and the freedoms we cherish.
>
> Tonight from grateful hearts, we hail and salute all these men and women, too, of past and present, who have so willingly given of themselves to make this lodge the great

American institution and inspiring influence that it continues to be.

Perhaps, as never before, the values of Western civilization and our Nation are challenged and beset by many difficult problems. Whatever the future may bring, we may be confident, and we may have justifiable and firm faith, that this outstanding lodge will continue its commendable work for truth, for charity, for justice, and for the perpetuation, growth, and advancement of the greatest and best free government that the world has ever known.

Let us resolve here tonight with our great distinguished jurist and leader, Judge Fenton, our beloved and talented charter member, George Connors, our other distinguished guests and all our officers, brothers, and sisters of this magnificent branch of illustrious Elkdom, that we will remain stanch, loyal, and strong in our loyalty to this honored, esteemed lodge and the high purposes to which we are pledged as Elks and Americans.

Let us continue to carry out this great work with supreme confidence in ourselves and in the future, and with the help of Divine Providence, reaffirming our ideals and our fidelity, go forward together in friendship and brotherhood to promote all the great spiritual and patriotic causes to which we are committed. In this way, we can best strive for a stronger and greater Elkdom, a better and more prosperous community, a greater America, and a peaceful world.

Long live our lodge, our order, and our country.

OPENING REMARKS OF MR. HENRY T. FLAHERTY, PAST EXALTED RULER AND PAST DISTRICT DEPUTY

Monsignor Gannon, distinguished guests at our head table, officers and members of Clinton Lodge of Elks, ladies and gentlemen, my brothers; 50 years ago tonight, a group of men were gathered in Pierce Hall in Clinton. The occasion for that meeting was to celebrate the institution of the "Baby Lodge of Elkdom"—Clinton Lodge No. 1306. These men were the leading citizens in our community and it was their hope that Clinton Lodge of Elks would become the outstanding fraternal organization in our town and their ambition that Elkdom would grow and prosper in the town of Clinton.

Things were a lot different, that night 50 years ago. The J. H. Martin Co., located in the Fitch Building, was selling sirloin steak at 25 cents a pound, lamb chops were 18 cents and you could buy a pound of butter for 30 cents. The Boston Branch was selling coffee for 20 cents a pound and the leading drygoods store, W. L. Hubbard Co., was advertising ladies gingham dresses for 59 cents. Hamilton & Butterfield advertised ladies shoes at $1.69 and our brother, Anton Schlickman was selling mens shoes, $2 to $4.50. Boyles Cafe was advertising whisky at 10 cents a shot and the Morgan House listed their rates at 50 cents a night for lodging and 25 cents for meals. You could buy a new Glenwood kitchen stove from David Dias for $23.

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But, some things were normal—the Red Sox were in fifth place. They beat the Giants in the World Series the previous year when Fred Snodgrass muffed a fly ball in centerfield. And so, in spite of the great changes in the economy of our country, despite two World Wars and all other changes, the "Baby Lodge of Elkdom," Clinton Lodge, has grown and prospered. Tonight we are not only celebrating the 50th anniversary of our lodge, we are also honoring the memory of these men who brought Elkdom to Clinton.

This evening I heard someone say, "A lot of water has gone over the dam since Clinton Lodge was instituted." More appropriately it should be said that a lot of charitable work has been done, quietly, by the Order of Elks and by the members of Clinton Lodge since that night 50 years ago.

Among the honored guests were: Joseph A. Morano, selectman, town of Clinton; Thomas Kerrigan, exalted ruler, Hudson Lodge No. 959; George Connors, PER, PDD, only living charter member; Michael E. Kelly, chief, Clinton Police Department; John J. Harty, member, Grand Lodge Committee on Credentials; Msgr. John R. Gannon, P.A., V.G., pastor, St. John's Church; Judge John E. Fenton, past grand exalted ruler; Henry T. Flaherty, PER, PDD, toastmaster; Hon. Philip J. Philbin, Congressman, Third Congressional District; Thomas J. Dowd, president, Massachusetts Elks Association; Domenic P. Dululio, district deputy, West Central District; Walter F. Belaska, exalted ruler, Clinton Lodge No. 1306; Thomas Moore, chief, Clinton Fire Department; Alfred J. Mattei, secretary, Massachusetts Elks Association.

The committee in charge was headed by my valued friends, Mr. David B. Reisner, prominent Clinton businessman, and Mr. Enoch L. Jones, high official of the Colonial Press, who did a truly fine job in setting up the arrangements, Mr. Reisner concentrating on general matters and Mr. Jones handling the very beautiful memorial program for the occasion.

HOUSE OF REPRESENTATIVES

WEDNESDAY, SEPTEMBER 18, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Psalm 121: 2: *My help comes from the Lord.*

O Thou whose resources of grace are inexhaustible and abundantly adequate, we humbly acknowledge that we greatly need Thy divine guidance to carry on victoriously in the many strange and various events and experiences of each new day.

Hitherto Thou hast blessed us and we are commending and committing ourselves to Thy care and keeping as we face a future which we cannot foresee or foretell.

Grant that through the old and familiar way of prayer we may receive wisdom and strength to accept the challenge of every difficult task and every noble adventure.

Give us a clear and commanding vision of the glory and splendor of a social order dedicated and devoted to the principles of the Fatherhood of God and the brotherhood of man.

Hear us in the name of our blessed Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

THE GESELL REPORT

Mr. FUQUA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FUQUA. Mr. Speaker, yesterday the distinguished Congressman from Georgia [Mr. VINSON] introduced a bill which, if enacted into law, would nullify the directive issued by the Department of Defense on July 26, 1963, that seeks to implement major portions of the Gesell report.

As we are well aware, this report has not been widely publicized as it should have been, and, in my opinion, its implementation could be one of the most dangerous steps this Nation has ever taken with regard to the military.

I do not speak about integration or segregation, I speak as forcefully as I may about the proper role of the military, and that role is to defend this Nation, under the control of its civilian officials.

I agree entirely with the gentleman from Georgia [Mr. VINSON] that it would be a serious mistake for the armed services to be forced into becoming active exponents of social reform.

The implementation of the Gesell report would accomplish little, in my opinion, and its dangers are many. It would almost force members of our Armed Forces into local politics, State politics, and Federal politics—it would place politics into the promotion of our officers, rather than on the basis of their ability to defend this Nation and command its armed services.

The bill of the gentleman from Georgia [Mr. VINSON] seeks to keep the military in the business of defending this Nation. That is their proper role, it has been their role, and should continue to be their role; and, no matter how anyone may feel, the military should not be made the vehicle for social action.

The Gesell report is a dangerous document. It is a new and unwarranted intrusion for the military into the civilian life, and I would warn this Nation that this is dangerous.

The recommendations of the Gesell Committee would subordinate the defense of this Nation to a social program, for the military to actively interfere with the social life of this Nation in the guise of social reform, it would have officers graded on the basis of their ability to bring about such social changes on and off base rather than on their ability and courage and leadership in defending this Nation.

There are other phases of this report which I feel all Americans should be warned about, it is a dangerous philosophy. I commend the distinguished gentleman from Georgia in having introduced this bill which would nullify the directive of the Department of Defense and thereby prevent our military from embarking on an unwise, unsound, and dangerous course of action. I urge its passage. Let the military retain its proper role, that of defending this Nation.

FEDERAL TAX REDUCTION AND REFORM BILL

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, next week I shall vote for the tax bill.

Mr. Speaker, I wish to call the attention of my colleagues to what can be referred to as a "fringe benefit" contained in the tax reduction and reform bill we shall be considering within another week.

The stimulus to the economy on the national level will have its counterpart on the State and local governmental levels as well. It is now estimated tax revenue in this sector of government will be increased 7 percent if the proposed Federal tax bill is enacted.

In my State of Indiana this can be estimated to be in excess of $64 million with a breakdown showing State government can expect a boost in revenue by $29 million and local governments can benefit by some $35 million. A sizable portion of State revenue is reallocated to local units which should further ease a property tax burden that is approaching the confiscatory level in some cases.

It is a "fringe benefit" which can further stimulate the economy in the areas of immediate concern to all Members of this House.

SECTION 301 OF THE TRADE EXPANSION ACT

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, with the passage of time, we have been able to see in specific form the defects that some of us pointed out in the Trade Expansion Act of 1962 at the time of its passage.

At that time, I indicated the radical change that was projected in the then existing procedure for obtaining redress by industries affected by tariff cuts and resulting imports.

The legislation set up a new philosophy whereby industries were no longer protected against the flow of imports, but were to be allowed to suffer and decline with the novel provision, however, that nationally financed assistance should be forthcoming to the industries and workers who suffered through the expanded volume of imports.

Even under the new philosophy of trade introduced by the 1962 legislation, the provisions of the act have proven to be too restrictive. While I should have preferred to retain the old escape clause philosophy, nevertheless, given the new law, I can see the necessity of the "adjustment assistance" provisions of section 301 of that act.

Unfortunately, experience shows that the law is so rigid that the Tariff Commission has been unable to apply it.

According to a recent report, the Commission has completed 11 investigations under section 301. In all cases, the Commission unanimously found no basis for qualifying the petitioner for assistance under the act.

The principal reason for this Commission finding has been the requirement of the law that the Commission determine that increased imports shall be a major cause of injury or threat of injury to the petitioner.

This requirement contrasts with the requirement under a comparable section of the old law, which permitted the Commission to make a finding of injury when increased imports contributed substantially to causing or threatening serious injury to a petitioning industry.

I feel that neither the sponsors of the bill, nor Congress, intended to provide a requirement which would be as exclusionary as section 301 has proved to be. In my judgment, it does not meet the objectives of the legislation. Accordingly, I have prepared and filed a bill to amend section 301 of the Trade Expansion Act to substitute for major cause the phrase "substantial factor in causing." This will permit action by the Commission in its discretion where imports have been a substantial cause of injury, but will not make it mandatory that the Commission find such injury only when at least 51 percent of the cause shall have been the imports.

If some such reasonable standard is not provided, the remedial sections of the new law will never be made effective and there will be no remedy for the inevitable loss from increased imports.

DEPLORABLE PHILOSOPHY OF THE NEWS MEDIA

Mr. BECKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECKER. Mr. Speaker, it has depressed me to read in recent days the headlines in our news media speculating on the possible death of a former Member of this House and a beloved friend of mine and I know of every Member of this House when he served in this body. I am referring to our former colleague, CLAIR ENGLE, of California. CLAIR ENGLE and I became very fast friends when I came to Congress in 1952. It would seem to me that the years he served in this House and in the other body would impel the press of this country and the other news media to ask our people to pray for his speedy recovery rather than writing headlines and news columns in speculation on who might take his place in the event of his death.

Mr. Speaker, I deplore this, and I should hope there will be a change in the philosophy of the news media, so that they will think more about the recovery of this very fine person, a respected friend and former colleague of ours, than to speculate about his possible death.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BECKER. I am glad to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I desire to associate myself with the remarks the gentleman is making. I think they are very timely under the circumstances.

Mr. BECKER. Mr. Speaker, I appreciate the approval of the distinguished majority leader. I hope that this change will be brought about all over this Nation. I think what has been done is deplorable. I do not think any Member of this House approves it. I do not believe that any politician in the country likes this type of newspaper speculation while a man has any hope of recovery. I pray and shall pray every day for his recovery.

PRAYERS IN SCHOOL

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, the gentleman who preceded me has been a dedicated crusader as a result of the prayer decision of the Supreme Court of the United States. In connection with that crusade I received a letter in the mail this morning that I think is meaningful and quite moving. I shall not reveal the names of the authors other than to say that they are three young school-age ladies. I read this letter for the benefit of the House. It is dated September 14, 1963, from Hilliard, Ohio. It says:

> DEAR CONGRESSMAN: We are writing for our family and friends. We feel that the Supreme Court should rule in prayers because our country is based on religion and the freedom of speech.
>
> Some schools are still having prayers, but our school isn't. What do you think we should do? If our school voted democratically on having prayers, and we voted in the affirmative, could we have the right?
>
> We sincerely hope this letter can help you in fighting for our rights, and we would really appreciate an answer.

Mr. Speaker, I think we have come to a sorry pass when the youngsters of our country have to write to their Congressmen and ask if they could democratically vote to save prayers in the schools.

RESIDUAL OIL—THE COAL LOBBY STEPS BACKWARD AGAIN

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, yesterday I received a lengthy communication from Mr. Joseph Moody, president of the National Coal Policy Conference. The conference, as many of us know, is the well-financed, well-organized lobby of the domestic coal industry. As many of us in New England know all too well, the conference has spearheaded the drive to continue the rigid, costly, and discriminatory quotas on imports of residual oil which put our economy at a grossly unfair competitive disadvantage.

Mr. Moody's latest appeal urges the Congress to eliminate the Atomic Energy Commission's development program designed to stimulate the nuclear powered utility industry. The Federal Government, Mr. Moody complains, is "developing nuclear power to compete with coal." Mr. Moody asks us to "oppose any further appropriations to provide subsidies for the nuclear reactor development program." He also invites comment and I am glad to comply with this request.

COAL OPPOSES PROGRESS

There are Members of Congress better qualified than I to discuss the merits of the Atomic Energy Commission's nuclear power development program and who can speak to the overall wisdom of Mr. Moody's criticisms. However, I have always looked upon the development of atomic energy as a promising national venture. I look forward to the day when nuclear energy may realize its full potential and may be harnessed for peaceful purposes to dramatically improve the living standards of our people and, indeed, all the world. The atoms for peace program advanced by former President Eisenhower holds great promise of progress for all mankind.

But, regrettably, once again, Mr. Moody seeks to turn back the clock. Wholly apart from any consideration of the merits of Mr. Moody's observations on the development of atomic power, I am struck by the fact that the coal industry, as Mr. Moody puts it, is now unalterably opposed to Government subsidies to a competitive source of energy which may, he fears, discriminate against the coal industry. Mr. Moody, it seems to me, has picked a rather unusual occasion to bring out his newest crying towel. We in New England view the oncoming winter season with much apprehension. We are informed that the quotas on residual fuel which we are to be allowed to burn in our schools, hospitals, powerplants, apartments, and industrial buildings are inadequate to carry us through the winter.

BAD WINTER—BAD NEWS

In fact, if we have a particularly severe winter, as we did last winter, we will face a severe shortage. We realize that through Mr. Moody's very effective lobbying, the lifeblood of our economy is threatened. We know that, at best, even if the Department of Interior—in another magnanimous gesture—gives us a slight increase in our quotas, we will still—once again thanks to Mr. Moody's efforts—have to pay a substantial price premium for the fuel that we burn. Secretary Udall, of course, is familiar with our problem. When he dusted off Passamaquoddy a while ago, he mentioned New England's high electric rates, which the oil quotas help keep up. High rates, high quotas, and high mountains—Mr. Udall has an affinity for all.

NEW ENGLAND PAYS COAL SUBSIDY

Possibly it has not occurred to Mr. Moody that residual oil quotas are a form of Government subsidy. There is no difference between a Government quota system which raises the price of a vitally needed commodity and a system by which the Federal Government fosters the growth of the atomic power industry with development funds. When New Englanders pay $30 million a year in increased prices for residual fuel, it is a subsidy to the coal industry—no matter what you call it, it is still a subsidy.

I am forced to conclude, Mr. Speaker, that Mr. Moody is well aware of the fact that his industry is being subsidized by the Federal Government by the inequitable means of residual oil quotas. Perhaps it is time we reminded Mr. Moody of the ancient truism that "what is sauce for the goose is sauce for the gander." It is difficult for me to understand how Mr. Moody can plead for subsidies for his industry in the form of residual oil quotas and at the same time decry subsidies for the development of nuclear power.

I hope, Mr. Speaker, that we have not reached the point wherein the self-interest of one fuel producing industry can block or even retard the genuine progress which our country may experience in exploring the vast and yet unknown potentials of nuclear energy, a potential which can so dramatically benefit all of mankind. I hope also, Mr. Speaker, that we have not reached the point where the self-interest of one fuel producing industry can bring about Government policies which discriminate against and oppress a vital region of our country. The rather shameless display of hypocrisy on the part of the National Coal Policy Conference as evidenced by this appeal, Mr. Speaker, underlines more vividly than ever the need for removal of residual oil quotas.

STEEL CAPACITY OF THE NATION

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Bow] may extend his remarks at this point in the Record and include extraneous matter. .

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. BOW. Mr. Speaker, time and time again during the last presidential campaign Candidate Kennedy deplored the fact that the steel capacity of the Nation was not operating at a higher rate.

Although domestic output has seen a slight uptrend over the last 4 weeks, it still remains under 60 percent of industry capacity. Meantime, foreign steel moving into the country hit a record high of 600,000 tons in July, surpassing May's previous mark of 516,000 tons.

It becomes apparent that the trade policies of this administration continue to prevent a higher rate of capacity in steel and, also, contributes to high unemployment.

In this regard, may I point out that in my hometown of Canton and elsewhere in the Nation during that campaign Candidate Kennedy said:

> We are going to have to find 25,000 jobs a week for the next 10 years if we are going to find jobs for your children who are coming into the labor market—25,000 jobs a week, 52 weeks a year for 10 years, if we are going to maintain full employment in the United States, and it is going to be a matter that is going to be of concern to us all, Canton, Ohio, and the United States. We want to make sure that any American who seeks a job, who honestly wants to work will have a chance to work. That is our objective.

Glowing promise, but where are the jobs?

I think it is well to ask, Mr. Speaker, when will we have the capacity in steel production that will put our steelworkers back to work? I wonder if the candidate of 1960 who is obviously preparing his campaign for 1964 will have an answer to these questions?

SYMPATHY FOR BIRMINGHAM, ALA.

Mr. EVERETT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Gallagher] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, our Nation is in mourning for the four young people of Birmingham, Ala., who fell victims of an act that must be recorded in history as one of the most dastardly and barbarian of our time.

Our sympathy goes out to the parents, relatives, and friends of these young people who are, without question, martyrs in a just cause.

But sympathy is not enough. We must assure that these young people did not die useless deaths.

I am confident our Government will leave nothing unturned in its efforts to place the blame, to cause the person or persons who committed this beastly act to be brought before a court of law and there to answer for their horrible misdeed.

But blame and punishment are not enough. It is a question of responsibility. It is a question of the moral obligation that failed to protect the lives of these young citizens. If it is beyond the capability of the officials of Alabama to protect its citizens and to guarantee their constitutionally given rights, then I feel, the Negro population has the right to expect the protection of the Federal Government.

We must act to protect our citizens, in the South and elsewhere, to guard against further violence in a State where today fear prevails.

How many children must die? How many families must be grieved before we take the actions necessary to assure that all men may enjoy the full rights of citizenship and live in peace, free from threats and bodily harm.

Sympathy, blame and punishment are not enough, for if we do not act with utmost speed to bring full rights of citizenship to all Americans and to secure domestic peace, the beasts will continue to ravage the just and the lawful, and surely those young Americans will have died in vain.

The Congress has before it legislation that will so guarantee and I urge that we now give highest priority for action to this critical measure.

Again, as we did on August 28, we are witnessing a tremendous demonstration of civic responsibility and good citizenship as the Negro leaders of Alabama and throughout the Nation plead with their justly outraged people to follow the path of law to justice.

It is our hope that all men, in Alabama and elsewhere, will heed that plea.

And as we pray for the souls of the children who lost their lives let us pray also that in the days ahead right and justice will prevail and that all Americans can work and worship in safety and with dignity.

A SOUTHERN PRECEDENT

Mr. EVERETT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I have previously pointed out the odd and ambivalent attitude of many backers of the bracero law, because they willingly support the antidiscrimination clauses of that law, but do not support similar measures now sponsored by the administration. Today's Washington Post points out this dichotomy:

> A SOUTHERN PRECEDENT
>
> Of all the southern objections to the civil rights bill, one of the weakest is that the public accommodations provisions involve a wholly novel Federal infringement on property rights. It is pertinent to point out that southern legislators themselves have supported a public law that embodies the very philosophy that underlies the public accommodation section of the civil rights bill.
>
> This little-noticed precedent exists in Public Law 78, which governs the importation of Mexican labor for harvest work. Article 8 of the law contains a strong prohibition against discrimination, and empowers the Secretary of Labor to prohibit use of braceros in any community where Mexicans are subjected to discriminatory practices.
>
> The Labor Department has used this power to act on a number of complaints. In Stamford, Tex., barber shops and beauty parlors were charged with denying service to persons of Mexican ancestry. The complaint was resolved when the mayor agreed to take steps to remedy the problem. In Levelland, Tex., a movie theater refused to admit Mexicans, but the owner changed his policy when he was informed of the sanctions that could be applied under Article 8. In Slaton, Tex., similar intervention by the Department of Labor led to the admission of Mexicans to a hitherto "white only" city swimming pool.
>
> Yet the record does not disclose any outpouring of southern Democratic indignation over alleged infringements of property rights under Public Law 78. On the contrary. Southern legislators have been among the strongest proponents of this measure to provide low-cost labor in rural areas. Are we to conclude that it is perfectly proper to use Federal power to protect the civil rights of foreign nationals—but that it is somehow un-American to protect the rights of citizens of the United States?

PROPOSED TEST BAN TREATY

Mr. EVERETT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, the lengthy hearings and the extended debates over the proposed nuclear test ban treaty have clearly demonstrated the wisdom of the administration for having negotiated it.

Certainly, reasonable men can disagree, and those opposed to the treaty are not to be castigated simply because they are opposed. But in this case the opposition has resorted to one weightless argument after another. For example, some critics have argued that the Soviet Union has surpassed the United States in the area of high yield nuclear explosives and that since the treaty prohibits atmospheric testing we can never catch up. Yet Dr. Teller himself has rejected this argument and has testified that he does not regard the high yield weapons that the Russians have developed as particularly significant, and that they do not bear importantly upon security considerations.

They have argued that the treaty was written in the Soviet Union and that it is being dictated to us. But the truth is that it is almost the same treaty that we have been urging for years and that we wrote the draft of the treaty.

They have argued that this treaty is an act of unilateral disarmament. How a bilateral agreement can be construed as a unilateral act of any nature is concept beyond my understanding. It is a contradiction. In fact President Eisenhower said on August 22, 1958:

> As the United States has frequently made clear, the suspension of testing of atomic and hydrogen weapons is not, in itself, a measure of disarmament or a limitation of armament. An agreement in this respect is significant if it leads to other and more substantial agreements relating to limitations and reduction of fissionable material for weapons and to other essential phases of disarmament. It is in this hope that the United States makes this proposal.

Perhaps the most dangerous of the arguments presented is the insincere one whereby an amendment relating to Cuba would be tacked on to the treaty in the Senate. The proponent of this amendment admits that it involves a side issue not contemplated by the treaty. Further, he admits that even if the amendment were adopted, the treaty would still not be acceptable to him. This is hypocrisy and I submit not worthy of being presented in such an august and deliberative body as the U.S. Senate.

The critics have also argued that we need more time within which to bargain with the Soviet Union. But time is of the essence. It is short. It is the stuff that is running out on the radioactive clocks of the world. Time should be utilized for constructive purposes, not wasted.

The purpose of the treaty is to stop the testing of nuclear explosives so as to put a halt to the further contamination of the atmosphere with radioactivity. The babies of the world, living and unborn, cannot afford to absorb any more radioactivity. The level of strontium 90 has already reached frightening proportions in certain parts of our country.

The President has said that the treaty represents a small step toward world peace. How, in good conscience, can any reasonable person refuse to take it?

U.S. STUDENTS WHO TRAVELED TO CUBA, AFTER CAUSING NEAR RIOTS ON CAPITOL HILL, PRACTICE OPPRESSION

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I attended and was shocked over the well-planned efforts to create havoc and, hopefully, thus to downgrade the Congress by the U.S. students who traveled to Cuba which occurred in Washington last week at the time of the House Un-American Activities Committee hearings.

These outbreaks, in direct violation of committee rules, and exhibiting no respect whatsoever for Government, were done in the name of so-called freedoms which the students were asserting, including the claimed right to violate any laws with which they disagreed.

It is interesting to note how this obviously Communist inspired and well-indoctrinated group, which aided the Communist efforts by visiting Cuba in violation of U.S. laws, have carried out the Communist design while in Washington and are continuing to carry out that design in New York at their meeting to protest the travel ban to Cuba by completely reversing their position—a trick not uncommon to the Communist strategy—and practicing most oppressive actions which violated the rights of all those who protested this meeting.

The actions were directed toward two anti-Castro groups who oppose Castro and who are in favor of retaining the travel ban. Such oppressive measures invoked by these U.S. student travelers to Cuba and their sponsoring organizations included:

First. Inspection and frisking of all persons attending.

Second. Demanding that all anti-Castro sympathizers leave despite the fact that they had paid for admission to what was advertised as a public meeting.

Third. Physical expulsion of anti-Castro sympathizers even though they had caused no disturbance.

Fourth. Actual physical violence and physical force used to kick out anti-Castro sympathizers, resulting in personal injury and the letting of blood.

Fifth. Refusal to let any opponents of the pro-Castro rally to speak or be heard.

This action by the pro-Castro student group puts in proper focus and makes a mockery out of their protests over being denied what they claimed were their rights before the House Un-American Activities Committee and indicates they believe they have a right to demonstrate, even before a duly constituted congressional committee, but that people who oppose their views have no right to even attend a meeting or to be heard at a meeting sponsored by their group and, further, that actual force to remove any such persons is justified.

This is typical of the Communist conspiracy philosophy which is—demand all sorts of rights and privileges in order to accomplish the Communist objective and deny all such rights to those who oppose you.

I wish to insert in the RECORD at this point, for my colleagues' attention, an article on this matter which appeared in the New York Times of September 16. The article follows:

THOUSANDS OF EXILES MASS NEAR TOWN HALL TO ASSAIL GROUP PROTESTING TRAVEL BAN TO CUBA—FIVE ARE ARRESTED

(By Peter Kihss)

Thousands of anti-Castro demonstrators swarmed in and around the Times Square area yesterday protesting a Town Hall rally by American students who had traveled to Cuba.

The rally, from which two groups of anti-Castro demonstrators were forcibly ejected, wound up with the police escorting 1,400 participants in the meeting along 43d Street to the Times Square subway station.

One anti-Castro Cuban was cut above the eye; five persons were arrested in scuffles waged at various points in the area; a police inspector and a newspaper reporter were hit by an egg, and a police horse was gashed when thrust against a car.

But the meeting went off as scheduled from 2:15 to 4:45 p.m. Phillip Abbott Luce, one of the leaders, said the Student Committee for Travel to Cuba would sponsor another trip to Cuba—perhaps next January or June—to uphold its claim to freedom of travel, despite a State Department ban.

REPRESSION CHARGED

At the rally, Conrad J. Lynn, panel moderator, asserted that "we are making a demonstration here this afternoon not so much for Cuba as for America."

"There will be no peaceful solution to American problems if we are going to have repression of expression," he said.

The Times Square area has been ruled out for mass demonstrations by an order of Police Commissioner Michael J. Murphy since last October 24. The ban is from 40th to 59th Street between 5th and 9th Avenues.

But before yesterday's gathering at Town Hall, 113 West 43d Street, between the Avenue of the Americas and 7th Avenue, Cuban exile groups opposed to Premier Fidel Castro had been calling their forces from as far away as Miami and Washington to protest. The American students, the Cuban exiles had heard, planned to make favorable reports on the Castro revolution.

TURNOUT ESTIMATED AT 3,000

Alfred Estrada, assistant secretary general of the exiles' Cuban Workers Democratic Revolutionary Front, estimated that up to 3,000 anti-Castro adherents from many groups had turned out.

They ran into a reminder by Assistant Chief Inspector Anthony S. O'Connell, of the anti-picketing ban. But the police official said he would allow 25 pickets on West 43d Street across Town Hall. He suggested the others might disperse to demonstrate at such areas as the United Nations.

Chief O'Connell reported he had more than 100 policemen on hand by 1 p.m. They included mounted policemen wearing World War I helmets. The police screened pedestrians to make sure they had tickets to the rally or business in the block.

By 1:30 p.m. motor traffic was being turned away by police barricades. Fifty pickets—double the authorized number—were marching across from Town Hall between the Hotel Diplomat and Henry Miller's Theater. Some of their signs said, "America Do Not Believe the Red Liars" and "Dismantle Castro."

The student group was also screening everyone entering Town Hall with its own security force, led by Jacob Rosen, 24 years old, of 636 West 174th Street, who said he has been assisting racial integration efforts in Monroe, N.C.

Mr. Rosen said he had 150 men and women committee members at the doors and in the audience. They inspected pocketbooks and ran their hands over the pockets of those entering to make sure no "Molotov cocktails, stink bombs, or weapons of any kind" were being brought in.

Just before the meeting started, Mr. Rosen said he spotted about 30 anti-Castro sympathizers sitting in the back rows of the orchestra section. He said he asked them to leave and offered to refund their money. (Tickets had sold for $1 and $2.50 apiece.)

When the anti-Castro group protested, Mr. Rosen's committee members began hauling them out. In a melee, Rafael Alvarez, 28, of 168 State Street, Brooklyn, a member of the anti-Castro revolutionary recovery movement, was struck above the right eye. Blood streamed over his face, and four stitches were taken later at St. Clare's Hospital to close the wound.

BALCONY GROUP OUSTED

A few minutes later, Mr. Rosen's forces sought to eject from the balcony a group of members of the anti-Castro Cuban student directorate. Jose Antonio Lanuza, Miami chief of information for the group, asserted that 80 members had bought tickets at $1 apiece but intended no disturbance.

"I'll give you 3 minutes to get out," Mr. Rosen said later he had told them, when the group became boisterous. The anti-Castro students started singing the Cuban national anthem and then poured down the stairs and out into the street, with their secretary general, Luis Fernandez Rocha, instructing his members to refrain from any disorder.

Corliss Lamont, writer and lecturer, served as chairman of the meeting, after Carleton Beals, another writer, had asserted that announcements that he would take part were unauthorized. Mr. Lynn, a lawyer, acted as panel moderator after I. F. Stone, another writer, had withdrawn from the program.

Student speakers in a panel session included Mr. Luce, assistant editor of a monthly put out by the Emergency Civil Liberties Committee; Levi Laub and Steve Martinot, organizers of a Progressive Labor Movement club at Columbia University last year; Albert L. Maher, bearded former Harvard student and cowboy, whose father, John F. Maher is a wealthy Houston industrialist; John Wayne Thomas of Oakland, Calif., and Martin A. Nicolaus, of Fontana, Wis.

Other speakers included James Higgins, assistant editor of the York (Pa.) Gazette and Daily, who helped take a collection for the students' legal defense, future trips and the family of one traveler who died in Cuba. Others were Maxwell Geismar and Truman Nelson, authors.

Mr. Lamont announced that the traveling students were accepting the challenge of the Cuban Student Directorate to a debate "on the proper occasion." He expressed the hope that Madison Square Garden might be the locale for the debate.

Mr. Luce declared that "we have broken no law, because there is no law" against travel to Cuba—only public regulations and notices.

Mr. Thomas said Premier Castro had ruled that "anyone who discriminates against any man is a counterrevolutionary and can be shot."

Mr. Laub said Cuba had "wonderfully honest leadership" but a "serious problem of bureaucracy." Mr. Martinot described Cuba's single-party system as "eliminating egotism which arises from the competitive system." Mr. Nicolaus asserted "the vast majority of the Cuban people backed Fidel Castro and the Socialist revolution."

While Mr. Maher was talking about folk culture in Cuba, a man dashed up on the stage to demand, "What about freedom to go out of the country?" Two guards hustled him away. Mr. Maher replied that "on the plane to Madrid a number of Cubans were leaving" and that when transportation became available, he was sure anybody who wished to leave could.

A heckler shouted from the balcony in Spanish and was also hastily ejected.

The rally was to end at 4:45 p.m., with the last part of the program consisting of written questions from the audience. But Mr. Rosen and other group leaders became worried about the departure of the throng, and, after vainly trying to charter a fleet of buses or taxis, arranged with the police for a guarded exodus to the subway.

At 4:23 p.m. Mr. Lamont interrupted to announce this move to the crowd. Ten minutes later, Mr. Rosen went to the stage to appeal to everyone to file out together, promising police and security guard protection.

Outside, mounted policemen and more than 100 dismounted but blue-helmeted policemen formed in rows to guard the crowd. Chief O'Connell said later he had sent for 75 extra motorcycle men at 2:45 p.m.

ANTI-CASTROITES SEALED OFF

By the hundreds, anti-Castro demonstrators were being walled off by the police at 44th Street, across the traffic island at Broadway and 43d Street, and south of 42d Street, with two blocks of Broadway barred to traffic.

Amid denunciations from the anti-Castro protestors, the Town Hall spectators made their way down a narrow stairway next to the New York City Information Center to the IRT and BMT subway lines. Only one woman change-collector was on hand to sell tokens; a police sergeant pitched in to help her until another collector arrived.

George Calvo, a 19-year-old Sunnyside, Queens, member of the Cuban Student Directorate, perched on shoulders of other anti-Castro demonstrators and through a microphone shouted to the police:

"American people, especially New York police, we think you have a right to tell your Government what you think. * * * We would like to see the day you Americans and we the Cubans are fighting shoulder to shoulder against the Communist enemy * * *. We don't want to fight you, your horses, the American people."

On 42d Street, individual Cubans implored policemen, "let's just get one or two beards." Patrolman William T. Walsh, 25, of the tactical patrol force, reported two anti-Castro demonstrators swung at him and injured his finger at Broadway and 42d Street.

The two were arrested and booked as Andre Mondros, 22, a painter, of 600 West 140th Street, and Roberto Villate, 29, a busboy, of 322 West 89th Street. They were charged with felonious assault, disorderly conduct and resisting arrest.

Earlier, the police had arrested Fred Jerome of 69 East Seventh Street, editor of the monthly periodical of the Progressive Labor Movement, on a charge of felonious assault in the injury to Mr. Alvarez. Two anti-Castro demonstrators charged they had seen Mr. Jerome hit Mr. Alvarez as he was being ejected from Town Hall. Mr. Jerome insisted he was a block away at the time.

Two other anti-Castro demonstrators were arrested on simple assault charges filed by two men after altercations at 43d Street and the Avenue of the Americas. They were booked as Osmundo Rodriquez, 32, of 561 West 143d Street, and Bernard Leon, 49, of 11-31 79th Street, Long Island City, Queens.

Nevertheless the 1,400 Town Hall participants made their way without incident aboard subway trains from the Times Square station, and by 5 p.m. the station was back to its normal air. On the street, policemen began dispersing the last anti-Castro demonstrators. The Paramount Theater movie marquee might have made a fitting caption. It read: "A Ticklish Affair."

STUDENTS WHO TRAVELED TO CUBA ILLEGALLY MADE ANTI-AMERICAN REMARKS IN CUBA—TRANSLATIONS FROM CUBAN NEWSPAPERS

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, upon my request of some weeks ago, the State Department sent me the translations of newspaper accounts, appearing in Cuban newspapers, of the 59 American beatniks who ventured to Cuba and of some of their anti-American, pro-Castro statements. Because of the timeliness of this subject, and the recent reprehensible conduct of many of these people and their followers during the hearings of the House Committee on Un-American Activities, I am asking that these reports be placed in the RECORD.

I am also renewing my request that the cell leaders of this unrepresentative group of American young people be prosecuted to the fullest extent of the law. Failure to do so will merely encourage further disrespect for U.S. laws and further undermining of our anti-Communist efforts in this hemisphere.

The translations, which speak for themselves, follow:

DEPARTMENT OF STATE,
DIVISION OF LANGUAGE SERVICES.

(Source: Hoy, July 3, 1963, p. 1)

"Fidel met with the students from the United States at Varadero. He chatted at length and played ping-pong with them. Fidel made a great impression on all the students."

VARADERO, July 2 (by Reinaldo Peñalver Moral, of Prensa Latina).—The Prime Minister, Maj. Fidel Castro, chatted at length today in this summer resort with the group of American students who traveled to Cuba in order "to get to know the Cuban situation at close range."

The young students—totaling 59—are lodged at the Hotel International at this beach, where they have been enjoying a rest since their arrival in Cuba 3 days ago, defying the threats and obstacles placed in their way by the U.S. Department of State in order to prevent the trip.

The supreme leader of the Cuban revolution, who unexpectedly arrived at the hotel, had a pleasant chat with the visitors and later engaged in interesting games of ping-pong with them, four of whom he defeated.

Before leaving, Fidel Castro suggested to the American students that they should tour the interior of the country extensively and promised to meet them again in order to converse and exchange views.

He also congratulated them on the firm decision to which they held when they received the call from the Yankee NBC broadcasting station.

VARADERO (by Benito, special correspondent).—With regard to the news that reached Havana about the threat by the U.S. authorities to cancel the passports of the 59 students and to take other coercive measures, Levi Loud, an American student who heads the large group, stated that such threats did not worry them and they would continue on their "historic trip through the island of Cuba."

Furthermore, in connection with the visit paid by the Prime Minister to the Hotel International at Varadero, the leader of the American group stated that "Fidel is an extraordinary man, completely different from the way the press depicts him."

The Minister of Economy, Regino Boti, and the Director of INDER José Llanusa, spent all of yesterday afternoon and evening with the 59 American students who are lodged at the Hotel International at Varadero, and answered many questions on certain aspects of the revolution formulated by the American students.

Likewise, José Rebellón, Joaquin Más, Maximino González, and Daniel Inclán, the leaders of the Federation of University Students, accompanied by Captain Fernando Ravelo, a member of the National Committee of the UJC, were exchanging views with the American students.

[Caption under the picture: "Fidel plays ping-pong with a young American."]

DEPARTMENT OF STATE,
DIVISION OF LANGUAGE SERVICES.

(Source: Hoy, Habana, July 3, 1963, p. 8)

NEW YORK TIMES ADVOCATES TEARING DOWN THE WALL ERECTED AGAINST CUBA

"Although the imperialist newspaper condemns the trip of the students, it says that it is a mistake to prevent trips to the island."

NEW YORK, July 2.—The New York Times comes out today in favor of having the United States tear down the wall prohibiting American citizens from traveling freely to Cuba.

The editorial, however, comments adversely on the decision of 59 students from American universities to travel to Cuba in spite of the threats of the Department of State.

The New York Times states that the 59 students "broke a Government regulation" and that "they will have no right to complain" when they are condemned upon their return to the country, but it points out that the prohibition against visiting Habana is "a mistake."

Then it rejects the two so-called official arguments for preventing Americans from traveling to Habana:

(1) That there is no U.S. Embassy in Cuba; and (2) that after visiting Habana Americans "lend themselves to Cuban propaganda."

The editorial defends the theory that the United States ought to be better informed about Cuba. "If travel to Cuba were open to all Americans," it emphasizes, "the picture the United States would get * * * would be varied, rounded, and honest."

The New York Times also asks: "If the Castro revolution is mostly bad, as most of us believe, why not trust intelligent adults to find this out for themselves?"

Lastly, in connection with the prohibition against the trips, the American newspaper suggests a criticism of President John F. Kennedy by recalling that on June 25 in West Berlin he stated that "we have never had to put up a wall to keep our people in, to prevent them from leaving us."

NEW YORK, July 2.—Rose S. Rosenberg, a Los Angeles lawyer, today ironically asked the members of the Committee on Un-American Activities of the House of Representatives to devote themselves to investigating "what is happening in the South" instead of engaging in "witch hunts."

Dr. Rosenberg was the first person who appeared before the House committee which today began hearings on trips to Cuba.

While the session was being held in the Federal building at the civic center about a hundred persons were displaying signs in the adjoining streets reading "Get Rid of the Witch Hunters."

Dr. Rosenberg was interrogated for an hour but she took refuge behind the 1st, 5th, 9th, and 10th amendments of the U.S. Constitution.

Rose S. Rosenberg traveled to Cuba in the spring of last year and, it was said, negotiated in Los Angeles to have medicines sent to Cuba.

[From Revolución, July 1, 1963]

(First part of article, on p. 1 of the paper, missing; this is the continuation, on p. 4 of the paper.)

(Headline: "Arrival of a group of * * *.)

To Revolución by Levi Laub, a young student at Columbia University, New York, on arriving in Havana yesterday, heading the American student delegation that is visiting our country at the invitation of the FEU (University Students Federation).

As is already known, a group of 59 students and graduates of various universities of the United States was invited by the University Students Federation to visit Cuba last December, but they were unable to come because of the pressure of the Yankee Department of State, which not only threatened them with 5 years in jail or fines of $5,000, or both, if they made the trip, but also indirectly blocked the possibility of the group's being able to travel by way of Canada.

Steadfast in their idea of getting face to face with the truth about Cuba, and resisting all threats, these young people of both sexes and extremely varied racial origin—Negroes, Jews, Puerto Ricans, white Americans—and of different political persuasions, left New York on June 25 last for Paris, the first stop on their trip to Cuba.

"In Amsterdam and Prague," José María Lima, a Puerto Rican who has just been graduated with a degree in mathematics from the University of California, told us, "we were approached by officials of the American Embassies in the Netherlands and Czechoslovakia, who in solemn official language warned us of the grave penalties to which we would be liable if we continued with our project. I am a Socialist by conviction. In my country I have fought in the ranks of those who want independence, because I believe that independence from the Yankee yoke is the only path open to Puerto Rico. A month ago I learned about the trip to Cuba that was being organized by the Permanent Students Committee on Trips to Cuba, and I gave notice of my intention to participate in the excursion. And here I am, anxious to submerge myself in the Cuban revolution."

The group includes students and graduates of the Universities of Columbia, Harvard, Wesleyan, Indiana, Michigan, North Carolina, California, San Francisco, New York City College, Oakland City College, and other lesser schools in the United States.

They were met at the José Martí Airport by representatives of the foreign affairs section of the FEU and the Cuban Institute of Friendship Among Peoples.

Levi Laub, leader of the delegation, told the reporter about all the inconveniences that had preceded their arrival in Havana:

"We left New York on Tuesday, June 25," he said, "bound for Paris, and we made stops in London and Amsterdam. As if it were an order from our Department of State, we were threatened in the three places by consular officials of the United States."

"Our passports were withdrawn for a number of hours," continued Laub, "and finally a long list was read to us, stating our supposed violations of the law by visiting Cuba. In Prague the same thing happened. The consul received us at the airport and gave us the familiar warning: 'This is going to cost you a jail sentence.'"

Levi did not look tired despite the long journey. His companions also appeared smiling and animated. The newspaper interview continued for more than half an hour through the immigation and customs sections of the airport. Our colleague, Tomás Toledo, who had accompanied them aboard the Britannia on the flight from Prague, putting together his impressions, which we print here, was surprised at the group's perfect cohesion, despite the fact that the majority of them had become personally acquainted with each other only when they assembled in New York on the 25th.

"We are not a political group; we are students, of various beliefs, and each of us is going to draw his own conclusions from this visit," Laub added. "As our fellow citizen, Stanton Evans, wrote in his book, "Revuelta en el Recinto Universitario" ["Revolt in the University Precincts"], 'We are not sponges absorbing ideological juices.' We simply aspire to be molders of opinion."

Levi further commented that they were certain that they were going to like Cuba and that they hoped to interview Fidel Castro and other leaders of the revolution, as well as the American Negro leader, Robert Williams, an exile in Cuba, a refugee from the racial terror of his own country.

There are 10 Negroes in the group; this is particularly important to the United States because of the fact that these students are visiting Cuba, where the revolution has eradicated odious racial discrimination.

"I FEEL HAPPY IN CUBA"

Philip Abbot Luce is another one of the students who are visiting us. Furthermore, he works for the National Guardian, a weekly publication, and the daily York Pennsylvanian.

"After having wanted to come for a long time, at last I am in Cuba," he exclaimed. "As for the threats that hang over us on our return to the United States, I say simply that they do not frighten me."

"THE FUTURE LIES IN SOCIALISM"

John Milton has firm convictions:

"I believe that this journey will serve to confirm my conviction that the future lies in socialism," stated the young student from the University of San Francisco. "One can see a new spirit in the Socialist countries. Men are looked upon as men, not as things."

Marcus Gordon is studying painting in New York. "This trip is something I have long dreamed of and desired, and now I am here," he said to Revolución. "This makes me very happy. Aside from the program that we have laid out in order to see as much as we possibly can of Cuba, I am especially interested in getting in touch with Cuban painters."

"FIDEL IS WONDERFUL"

Richard Thorne is a robust Negro student from the University of California.

"Even without having visited Cuba," he said, "I had a very friendly feeling toward you. Fidel has accomplished something marvelous, not only in the elimination of the remains of racial discrimination but in the fact that with a small country he has the moral force, that is missing in the Government of the United States. Thus he can denounce the ruling classes of my country without fear. He represents the power of the people."

Referring to the racial crisis in the United States, he said:

"The leaders of this crusade, Wyatt Walker, Martin Luther King, and Ralph Abernathy, are very fearless, valiant men, and so are the people who participate every day in the street demonstrations. The Negro student leaders have also been characterized by their courage and bravery in this campaign, which has inspired solidarity among the people."

"But we must recognize," he concluded, "that they do have the weakness of fearing that they may offend the group from whom they are demanding the freedom that is denied to them in the United States."

"They have no right to prohibit us from traveling."

Marcia Glenn, a graduate of the University of Indiana, who specialized in Latin American civilization, was trenchant in her comments: "I am not in the least concerned about what the Government of the United States may do to me. They have no right whatever to keep me from coming to Cuba. I consider myself very fortunate to have this opportunity to learn about this country and its revolution. I am very excited about the trip."

A FIRM ATTITUDE

We noted an air of determination in all the members of the delegation.

To sum up their firm attitude in the face of the campaign of intimidation by the State Department, it is sufficient to quote a paragraph from the official statement prepared by the group:

"We are traveling to Cuba despite the press communiques of the State Department attempting to limit the travel of American citizens, because we believe that it is our right to travel where we wish and when we wish."

RECENTLY SIGNED WHEAT AGREEMENT BETWEEN CANADA AND RUSSIA EVIDENCES THAT THE ADMINISTRATION IS ASLEEP AT THE SWITCH IN COMBATING CASTRO'S COMMUNISM

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, another example of the Kennedy administration being asleep at the switch with respect to the Communist challenge in this hemisphere is best evidenced by the failure of the administration to protest the recent $500 million wheat agreement between Canada and Russia, $33 million of which will be shipped directly from Canada to Communist Cuba.

Recent press reports indicate that the Government of Canada itself stated that the U.S. Government had been informed of these negotiations and that the Canadian Government had received no protest.

Mr. Speaker, the administration should register a formal protest and should have done it a long time ago. It is time for this Government to call for a halt to the trade agreements which will help sustain the Castro government.

It is about time this administration started exerting some leadership in this area. It is about time that the nebulous New Frontier withdrew its head from the clouds and took a good, hard look at the results of its anemic policies on Cuba.

While we are asking Latin American nations to stop trading with Cuba, it makes little sense to them—and also our other allies—to, at the same time, timidly acquiesce to trade being carried on between Cuba and our so-called allies to the north.

This double standard makes us look weak and foolish to those Latin nations that have joined us in this economic embargo of Cuba. It raises serious questions as to our sincerity in trying to rid this hemisphere of communism.

Mr. Speaker, this fiasco indicates further that there is little chance for any meaningful action in combating Castro communism in this hemisphere by this administration, and this includes the President's refusal to use his discretionary authority to withhold aid to nations who are trading with Cuba, recently rewritten into the foreign aid authorization bill on the floor of the House.

The manner in which this discretion is not being exercised relating this wheat deal proves again the necessity of Congress approving my amendment removing such discretion in cases of withholding aid to countries trading with Castro as I offered to the AID authorization bill.

CAB PETITIONED FOR RECONSIDERATION OF AUGUST 15 DECISION

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. MACDONALD] is recognized for 15 minutes.

Mr. MACDONALD. Mr. Speaker, the majority membership of the Civil Aeronautics Board once again has acted in the pattern that has been made clear in their Northeast Airlines New York-Florida decision; that is, one of harsh and preconceived judgment.

On Thursday of last week the Department of Justice filed with the Civil Aeronautics Board a petition for leave to intervene in the New York-Florida renewal case which involves the application of Northeast Airlines for permanent certification of its routes south of New York. At the same time, the Justice Department filed a petition for reconsideration by the Board of its August 15, 1963, decision. The Justice Department's brief was well documented, thoughtful, and presented to the Civil Aeronautics Board the public interest point of view, which by congressional mandate is the Civil Aeronautics Board's function to protect. The thrust of the Justice Department's argument for reconsideration was that the Civil Aeronautics Board has disregarded long-established policy with respect to competition in major traffic markets and the Board's holding that only two carriers were needed in the New England-Florida market was contrary to the clear intent of Congress in the language of the Federal Aviation Act and established antitrust principles.

The brief of the Justice Department noted that the increase in the east coast-Florida traffic since the Civil Aeronautics Board allowed Northeast to participate therein was greater than the total traffic in which three carriers share in the Chicago-Miami market. It pointed out that the share of the Boston-Miami run carried by Northeast Airlines in 1962, almost 98 million passenger miles, was greater than that shared by three airlines between Chicago-Tampa, Chicago-Atlanta, and New York-Birmingham. After setting forth comparative statistics of passenger traffic between various cities in the United States, the Justice Department concluded that it was clear on economic grounds alone that "if the New York-Miami pair does not require at least three carriers, there is not a market in the country that does."

I wish to call to the attention of my colleagues the clear and compelling reasons, listed in the Justice Department's brief, for reconsideration and argument of the New York-Florida renewal case:

> The traffic statistics, the decisions of the clear intent of Congress, the firm policy of the Federal Aviation Act, all clearly demonstrate that the east coast-Florida market, one of the richest in terms of profits and the largest in terms of passengers, must be serviced by at least three carriers.
>
> The Board's decision is based on a finding that Eastern and National can meet the present needs of the market. Using such a finding as a rationale for its decision is contrary to its enunciated policies of more than 20 years.

On Monday, the first business day after it had read the Justice Department brief, the Civil Aeronautics Board, in a curt one-paragraph order denied the Justice Department the right to intervene. The Board said, in essence, that the Department of Justice was late in seeking to intervene and had not shown good cause which would justify late intervention.

It would seem to me that the Civil Aeronautics Board acted with tremendous and unnecessary rapidity in handing out its decision in this matter. As we all know, the Justice Department is charged with the duty of preventing monopoly in trade and commerce within the United States and the 16-page brief that was filed with the CAB by the Justice Department could not have been digested and disposed of in a reasonable manner with the time allotted to it, which amounted to just 1 working day. I would hope that one agency of the Government should feel incumbent to give serious weight to the indictment of its reasoning by a fellow agency, which is charged with the duty of protecting the public interest. In addition to being an affront to the Department of Justice, the CAB's action in giving a cursory brushoff to the Justice Department's brief is completely unsound from both a legal and a policy standpoint.

The Attorney General and Assistant Attorney General William H. Orrick, Jr., of the Justice Department are to be congratulated for their forthright action in this matter, and I would hope that their attention will continue to be riveted on this situation which seems to tend toward the growth of monopolistic service to the air traveling public of Massachusetts, New England, and the entire eastern seaboard.

MEXICAN BRACEROS

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 10 minutes.

Mr. GONZALEZ. Mr. Speaker, I rise again in connection with the proposal that Public Law 78, known as the bracero law, be extended. Dramatically, though tragically, last night in California 28 braceros died as a sort of underline or emphasis of some of the things that we have for years been trying to bring to the attention of the American conscience.

I was recently assailed by a Mexico City newspaper that quoted an anonymous official of the Mexican Ministry of Foreign Affairs who was quoted anonymously for he did not have the courage, the honesty or forthrightness to identify himself. He attacked me in the newspaper by describing me as having made a demagogic expression concerning this law. I called Public Law 78 a slave labor law, and I reiterate that statement today.

It is a pathetic thing when the officials of a government do not have the courage nor the ability to defend even their own citizens and it is more pathetic when we in a free country do likewise for less reason. By the enactment of the revived type of indenture servitude which had been proscribed by the Congress in 1885, we have gone on record as saying that we will enter into Government agreements to protect this kind of servitude and guarantee certain things that we deny to our own native labor.

So the newspapers last night said "Twenty-six Mexicans Die as Train Hits Bus."

Let us look to see what is behind this story. Was it a bus? I have investigated, and I have found that this accident took place in the very county in California that has proclaimed the loudest indignation and protestation that these imported workers were being cared for, that they had all kinds of protection, that they had legal protection and sanctions as to safety in transportation, work hygiene, sanitary conditions, labor standards, and so forth.

Let us see about that. We checked and found the accident involved a truckload of braceros, not a busload, but a truckload.

What was this truck? It was a flatbed truck with four rows of benches, with a capacity of 69 passengers. This truck was hit by a train and wholly demolished. Twenty-eight are dead up to this point; 13 are critically injured, some of whom may be expected to die; yet that truck met the legal standards.

How many braceros have been killed like this? What are the full statistical facts, even as poorly garnered as they have been? In 1959 we know 16 were killed in Arizona in a bus crash; in 1960, throughout the United States, 52; 1961, 129 were killed; in 1962, 76 were killed; and in 1963, so far, 43, or a total of 316 are dead from all causes in the last 5 years.

These statistics are not exactly complete or completely accurate because these are those things that prompt the attention of people only through accidents such as the one reported in the newspapers last night and this morning.

I say that my witnesses have not been my own remarks uttered here on the floor. My witnesses are the 28 known dead and the many more who are maimed. This testimonial is more eloquent, I am sure, for men of conscience, that is. My reply to the newspaper reports that this Mexican Government official had criticized me for utterances I had made in the American Congress against Public Law 78 is, I just wonder what would be the expressions of the gentlemen who have been so adamant in their public expressions here if some American newspapers had criticized a Mexican congressman for utterances he had made on the failure of the Mexican Congress.

So my reply to those newspapers in Mexico City and my reply to that unknown, anonymous Mexican Foreign Minister, and my reply to my own native colleagues here, is the tragic death of 28 men whose only protection is the luck of destiny and fate that may dictate that when they have been used and worked they will be returned summarily to where they came from, unless they jump the contract, which about 10 percent do, and then it is up to the Immigration and Naturalization officials to try to locate them.

This is something that I have not heard as a third witness or from a third party. I have been from one end of Texas, where this labor has been used for 10 years, to the other. The facts have confirmed, not disaffirmed, what some of us have said.

In my State last year the Labor Department changed the minimum wage for braceros from 50 to 70 cents. The use of the braceros dropped 76 percent. These are the same people who were saying they had to have this labor, but they dropped 76 percent in its use. Where did they get the labor they said they had to have? Naturally, even at this wage they found they could get domestics.

I have testimonials and letters from the growers in the valley of Texas. I have visited them in the valley. I have letters and telegrams and statements in which they say, "We have a surplus of domestic labor. We do not need the bracero. We used to use the braceros but we do not need them any longer."

I have been accused of attacking Public Law 78 merely from the selfish standpoint of protecting the domestic migratory worker, but may I say once again that this is one of the principal reasons but it is not the main and only and exclusive reason. My main reason is that we have sowed the wind and we are going to reap the whirlwind with this type of practice that crystallizes and encases and embalms this indentured labor practice.

I have talked to Mexican officials who work for the Mexican consulate in the United States and privately and personally and off the record, they tell me, "What can we do? Your Government controls Mexico. You say you need it. Our Government officials cooperate. We succumb to pressure. There is not much we can do. If you really want to put a stop to it and if you put a stop to the bracero law, then make sure that you enforce the law preventing illegal entry into the United States. But you do not do it and you never have."

What do we do? Mexico is close to the United States. One of them even made the remark, "This has been the bad luck of Mexico, that it has been so far from God and so close to the United States." These are the sentiments that you do not hear publicly. These are the utterances that you do not hear quoted. But a human being can tell the difference between being treated justly and being treated unjustly. Even a dog can differentiate between being kicked and being stumbled over. These people may be ignorant—and the overwhelming masses of the braceros are. They cannot speak English. They cannot read or write, but they are human beings and they can tell the difference.

I agree that even at 50 cents or 60 cents, if that amount were paid, in most instances even that agreement was not kept. And we cannot mollify our consciences and say that we have enforced this—yes, you have some who will and some who will not—but I am talking about the cases in which it is not enforced—and if you have these situations, these things are bound to come back to haunt us. And that tells us better than anything that I can say or argue back and forth—and the stark realities and the occurrences that we are confronted with daily tell us the facts better than anything I can say. So the bracero who comes here and earns even 50 cents or 60 cents is earning more than he can earn in the place that he comes from. But nobody argues that. That is not the point. But, oh, the men who say they love this laborer and who say that they really want to help him are the very ones that will not help him to come here in freedom. They do not want immigration. If we need the Mexican laborer, why not let him come here in freedom as our parents did and as a freeman make a free contract for his labor and his work.

THE FEDERAL TAX BILL

The SPEAKER pro tempore (Mr. Haley). Under previous order of the House, the gentleman from Missouri [Mr. Curtis] is recognized for 10 minutes.

Mr. TEAGUE of California. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. TEAGUE of California. Mr. Speaker, I merely wish to state that full and complete answers will be made to the allegations made a few moments ago by the gentleman from Texas after there has been opportunity to investigate the facts about this tragic accident and not to rely just on newspapers.

Mr. CURTIS. Mr. Speaker, this morning the Committee on Rules began hearing the Committee on Ways and Means' request for a closed rule on the proposed tax bill of 1963. The chairman of the committee, the gentleman from Arkansas, Congressman Mills, in his usual able fashion, presented the case for this tax bill. I think it is worth paying attention to the basis upon which he premised his case. It is that there will be expenditure reforms. The difference between the gentleman from Arkansas, Congressman Mills' position and that of those of us on the minority side and, I am happy to say, many Democrats, is the question of whether you can rely on words in the light of the context of deeds that are the opposite. Or whether indeed we do not have to rely on actual performance at this time on the part of the executive department in the area of expenditure reform. The fact remains that the President's budget, which he presented to us, requesting an additional obligational authority of $108 billion still remains unchanged. His expenditure rate for fiscal 1964 in that budget of $98.8 billion still remains unchanged. The fact remains that every single one of these programs calling for increased expenditures still has the heat of Executive pressures behind them. Just a few weeks ago we witnessed what I regard as very intemperate remarks of the President when the House in its judgment cut the foreign aid bill down to $3.6 billion, leaving it $200 million more than the Clay Committee recommended that we cut it to. We have the Presidential pressures on next week to take another crack at the area redevelopment bill which this House in its judgment turned down previously. However, the issue here and the point that I am driving at today is the premise upon which the chairman of the Committee on Ways and Means and now the President in his statements are pushing the tax bill. The premise is that there will be expenditure reform. As a matter of fact, the premise is not justified by the cold facts. This original tax-cut proposal was made by the President in consultation with his Council of Economic Advisers. It is best expressed by the statements of Chairman Heller wherein he said that expenditures cannot be cut. If you cut expenditures you cut back on the economic incentive that is hoped to be gained from this tax cutting. Let us have some debate on this novel theory instead of running away from it as the President is now doing.

I know there are people who sincerely believe in that theory of deficit financing. These are the modern Keynesians who actually believe that in order to have our society move forward economically we have to have more Government spending, not less. These are sincere men, and Dr. Heller is one who leads them. There are many economists who believe in this but there are many who disagree with them. I certainly disagree with it. But let us have it out in the open. Has the President really abandoned the advice of his Council of Economic Advisers and those who say that you cannot cut expenditures with this tax cut if you really hope to achieve this end result?

The immediate motivation for my taking the floor was that I saw in the Washington Post this morning an editorial headlined "The GOP and the Tax Cut." Usually I do not bother about an editorial in a particular paper. However, it just so happens that the Washington Post is a sort of bellwether for the thinking of the New Frontier or at least the Keynesian economists. This particular editorial is so illustrative of the smear technique used by New Frontiersmen to combat the arguments of those who disagree with them and is such a timely example of what I regard as disgraceful misrepresentation of what the other side has said that I want to put it in the Record along with a few comments. I might say that the only reason why an editorial like this, which so misrepresents the position of the other side, can be printed with any semblance of credibility is because in the news columns of this same newspaper they have not been reporting what the viewpoints of the Republicans are, and I might say that of many good Democrats on this great issue, as we have expressed them and as I myself have expressed them beginning 14 months ago when this economic theory of deficit financing was first proposed by the administration in its spokesmen's testimony before the Joint Economic Committee.

The editorial professes that "the Republican will assume the role of prophets of fiscal doom and defenders of fiscal morality in an effort to engender fears of budgetary deficits."

We are not trying to engender fears of budgetary deficits. We are trying to point to budgetary deficits of the past and into the foreseeable future and we are trying to point out our theory of what are the economic consequences of these deficits. These economic consequences are dire and should be feared. The debate should center around the reasons why we feel these consequences would come about. The editorial goes on to say:

> The minority report is among other things an anthology of fallacies and misapprehensions about the purposes and consequences of tax reduction.

This is false. The Republicans—and I am among them—have been arguing that we need tax reduction for a long time. We were arguing that long before President Kennedy ever advocated such a thing. The Baker-Herlong bill, for example, preceded the Kennedy administration. Many of us have been arguing for many years that our taxes at the Federal level are so great that they are undermining our economy. The editorial goes on:

> According to its authors, tax reduction without offsetting reductions in Federal expenditures would lead to bigger deficits, price inflation, a worsening of our balance of payments, and moral delinquency.

This is a false statement, because our position has never been one of offsetting reductions. We think there must be expenditure reduction and expenditure control, but the amount of the cut is a matter of considerable judgment and one control should cover more than 1 year. I had something to do with writing the minority views of the Joint Economic Committee on the President's Economic Report in 1963. We suggested holding expenditures at the 1963 level for 3 years. We were not talking about offsetting reductions. But we are talking about reduction while the President in his budget is presenting increases. The Washington Post editor, whoever wrote this, knows that or should know it. This is dishonest, to present it in this way. There are those who do argue—I happen to disagree with them, although I can sympathize with them—who think you do have actually to have offsetting reductions, and indeed you should have balanced budgets before you move forward with tax cuts. I do not adhere to this theory. The Republican position has not been that by those of us on the Joint Economic Committee or on the Committee on Ways and Means. Then this editorial goes on to say:

> Its shrill tone of indignation—

Referring to the minority views and the tax bill—

> makes one wonder how so unmitigated an evil as tax reduction can be acceptable to Republicans under any circumstances.

This is gutter politics. I know no other word to describe it. The Washington Post and the people who follow this philosophy of the neo-Keynesians apparently do not have the decency to argue against the real point of view that we have been trying to express. They have to misrepresent. The editorial goes on:

> If one pursues the Republican minority's line of reasoning to its logical conclusion—a conclusion rejected by an important segment of the business community—taxes would never be reduced.

This is false. It is part of a false campaign that the administration has been trying to conduct to create the impression that a big segment of the business community, headed up by Henry Ford and this business advisory group is for a tax cut without expenditure reform. The committee has been very careful, every time they have issued anything, to say, "and expenditure reform." And I might say that the news media of this country, beginning right here in the Washington, D.C., news media, consistently over the period of the past 12 to 14 months when this debate was shaping up, have ignored what we have been harping on; that tax cutting hinges on expenditure reform. This point is well brought out just this morning by the chairman of the Committee on Ways and Means. The difference between his view and the Republicans and some members of his own party is he is willing to take the word of the President even though the facts reveal them to be hollow words. We insist that there be some performance.

The **SPEAKER** pro tempore. The time of the gentleman from Missouri has expired.

Mr. **CURTIS**. Mr. Speaker, I ask unanimous consent to proceed 5 additional minutes.

The **SPEAKER** pro tempore. The gentleman from Pennsylvania [Mr. DENT] has a special order to follow immediately. Does the gentleman from Pennsylvania object to the request of the gentleman from Missouri?

Mr. **DENT**. I have no objection, Mr. Speaker.

The **SPEAKER** pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. **CURTIS**. Mr. Speaker, going on, the editorial says:

> In their zeal to defeat the administration's bill, the minority were willing to press their case far beyond the breaking point.

And, then, they point out:

> They disingenuously accuse the majority of "giving a gratuitous handout of billions to big business by doubling the benefit of the investment credit."

We did not point that out in our zeal to defeat this bill because there are many reforms in this bill that are very good and let me say this: If we could get on top of the expenditure reforms, there are many Republicans who would vote for this bill, even though it has certain bad features in it. Of course, it has a lot of good features. But this business of "giving a gratuitous handout of billions to big business by doubling the benefit of the investment credit" is really true. It is a repeal of the Long amendment which was offered in the other body by the Senator from Louisiana and which became part of last year's law. And, this is a handout.

They go on to say:

> But they are curiously silent about their own role in defeating proposals which would have closed tax loopholes.

This is untrue. There are many comments in our report in regard to certain things which we thought should have been closed and improvements made.

The major issue of closing an alleged loophole happened to be whether or not there should be reforms on oil depletion, and I was the one who raised the question about the committee banning consideration of that. The decision to abandon any consideration was done by the majority side without even discussion. Oil depletion has almost become the symbol of a tax loophole.

Mr. Speaker, the editorial goes on to say: "so blinded by the fear of fiscal deficits that they will reject a fiscal policy which holds forth the promise of greater economic growth and more jobs."

And, this is the key. What is this fiscal policy, because the President has now abandoned it? It used to be the Neo Keynesian's philosophy that Dr. Heller offered. It says that you cannot cut expenditures at the same time you cut taxes, or you will remove the stimulative effect of the tax cut.

Mr. Speaker, I think this debate—and I know it will—when it takes place on the floor of the House on next Tuesday and Wednesday is going to be on a much higher plane than that exemplified in this shameful editorial of the Washington Post and, regrettably, as exemplified by the general run of the reporting of this great issue over the period of the past months to the people of this country.

Mr. **SPRINGER**. Mr. Speaker, will the gentleman yield?

Mr. **CURTIS**. I yield to the gentleman.

Mr. **SPRINGER**. May I congratulate the gentleman upon his statement. I think what the gentleman has said here is true both as representing the position and the philosophy of the Republican Party.

I read the same editorial upon which the gentleman comments. I read it this morning and I admit I was shocked by the mistakes that appeared in that editorial.

Mr. **CURTIS**. I thank the gentleman.

Mr. Speaker, I ask unanimous consent to include that editorial at this point.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The editorial referred to follows:

[From the Washington Post, Sept. 18, 1963]

THE GOP AND TAX CUT

If the minority report of the House Ways and Means Committee is a harbinger of things to come, the battle over tax reduction will be fought along strict party lines. The Republicans will assume the role of prophets of fiscal doom and defenders of fiscal morality in an effort to engender fears of budgetary deficits.

The minority report is among other things an anthology of fallacies and misapprehensions about the purposes and consequences of tax reduction. According to its authors tax reduction without offsetting reductions in Federal expenditures would lead to bigger deficits, price inflation, a worsening of our balance of payments and moral delinquency. Its shrill tone of indignation makes one wonder how so unmitigated an evil as tax reduction can be acceptable to Republicans under any circumstances. Even if the second stage of the tax cut were made contingent on a freeze of Federal expenditures, as Representative JOHN W. BYRNES and his colleagues demand, they would still incur the risk of large deficits in the event that a recession caused tax revenues to decline.

If one pursues the Republican minority's line of reasoning to its logical conclusion—a conclusion rejected by an important segment of the business community—taxes would never be reduced.

In their zeal to defeat the administration's bill, the minority were willing to press their case far beyond the breaking point. They disingenuously accuse the majority of "giving a gratuitous handout of billions to big business by doubling the benefit of the investment credit." But they are curiously silent about their own role in defeating proposals which would have closed tax loopholes.

Representative BYRNES and his Republicans are apparently proceeding on the assumption that the majority of the American people are so blinded by the fear of fiscal deficits that they will reject a fiscal policy which holds forth the promise of greater economic growth and more jobs. On what other grounds can the following passage be explained?

"For the average wage earner, the bill results in a tax reduction of between $1.50 and $2 per week. Are these taxpayers willing to have the Government go into debt at the rate of $10 billion per year for the foreseeable future to give them the equivalent of 'cigarette money'?"

Business Week, a publication which is widely read in managerial circles, warned that if the Republicans allow themselves to be maneuvered into a position of blind and unreasoning opposition to the tax cut, "President Kennedy will get the credit for any tax reduction bill that is finally passed—and that they will get the blame if the bill fails." And the editors concluded that: "There may be more effective ways of committing political suicide. But believing * * * in two-party government, we hope that no one in the GOP high command thinks of them."

One segment of the GOP is already committed to self-destruction, but we hope that the impulse is not contagious.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield further?

Mr. CURTIS. Yes; I yield further to the gentleman.

Mr. SPRINGER. Mr. Speaker, under unanimous consent, I insert at this point in the RECORD an article from the Washington Post of September 17, 1963, concerning the intervention of the Justice Department in a pending case before the Civil Aeronautics Board:

CAB BARS JUSTICE DEPARTMENT ROLE IN FLORIDA AIR ROUTE CASE

(By John P. MacKenzie)

The Civil Aeronautics Board said yesterday that it did not need the help of the Department of Justice to decide whether to stand by the decision to strip Northeast Airlines of its Florida routes.

By the same 3-to-2 vote that decided the Northeast case August 15, the CAB dismissed the Justice Department's petition to intervene and help reargue the case.

The Department had been asked to look into the decision's impact on airline competition by Massachusetts Senator EDWARD M. KENNEDY, Democrat, and LEVERETT SALTONSTALL, Republican, who have led a bipartisan band of New England legislators in attacking the decision.

PETITION ACCUSES CAB

Antitrust attorneys applied for intervention Thursday, disavowing any interest in the Boston-based Northeast. The petition accused the CAB of failing to maintain healthy competition and added the charge that the CAB had favored strong Eastern Air Lines over weak Northeast.

Technically, the Department had no absolute right to enter the case 2 years after it had started, and that is what the CAB told the Department yesterday.

Over the dissents of Board members Robert T. Murphy and G. Joseph Minetti, the CAB ruled that the Department had offered no new arguments and had failed to show legal cause for failing to participate since 1961, when Northeast's temporary certificate came up for renewal.

Chairman Alan S. Boyd, who cast the deciding vote and has been the focus of attack, used less judicial language on the same subject last night in a radio interview.

"I must confess I'm surprised that the Justice Department just found out about the case," said Boyd on a program heard in six eastern cities over the Westinghouse Broadcasting Co. network.

BLASTS AT CHARGE

Boyd called the favoritism charge very irresponsible. He is on record as saying his vote would change only if some important new evidence should come to light. Northeast has until Thursday to seek reconsideration by the CAB and may appeal to the courts after that.

Asked why American taxpayers should subsidize Northeast by $3.7 million a year because of the loss of its profitable Florida runs, Boyd replied, "One of the premises, I would say, of the Board's decision is that the airline has no possibility for continued existence."

Boyd, a Democrat, was appointed to the CAB in 1959 by former President Eisenhower and was elevated to the chairmanship by President Kennedy in 1961. Republicans Whitney Gilliland and Chan Gurney joined Boyd to make the three-man majority in the Northeast case.

Mr. Speaker, it is well known that Members of Congress are being importuned to intervene in the decision of the CAB which took the Florida run from Northeast Airlines. Here apparently now is an attempt of the Justice Department to pressure an independent agency which has already made a decision to reverse itself.

We cannot hope to have independent agencies decide a case on its merits with such a situation existing. I know nothing about the merits of this case but the reality of the situation is that CAB has made a decision and it ought to be respected.

The Oversight Committee investigated many "pressures on agencies" in 1958. The Special Investigations Committee of the Committee on Interstate and Foreign Commerce is the successor to the Oversight Committee. Here is a case wherein I think the Special Investigations Subcommittee could do a good job.

If our investigation reveals no undue pressure on the CAB no damage has been done to anyone. If it reveals there has been pressures brought against the CAB we will have contributed to the welfare of all independent agencies. We should serve notice now that Congress will not allow outside pressures on its creatures—agencies created as an arm of the Congress to administer fairly to all parties who may appear before them. Failure to take action now will only announce to the world that the Congress does not intend to protect the integrity of the independent agencies.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

MINE SAFETY LEGISLATION

The SPEAKER pro tempore (Mr. HALEY). Under previous order of the House, the gentleman from Pennsylvania [Mr. DENT] is recognized for 60 minutes.

Mr. DENT. Mr. Speaker, I take the floor today in an attempt to gain support for the passage of a new Federal Coal Mine Safety Act. Back in 1952 the Congress, after 10 years of operating on a voluntary basis in the matter of coal mine safety regulation and inspection, passed a Federal mandatory act.

The Congress at that time in its wisdom and deliberations decided that all mines employing 14 or less employees would not be covered by the mandatory law. In 1952 after many major disasters in the coal mines of the Nation, which shocked and alerted the Congress, urging passage of a strong Federal mandatory safety inspection law, Congress passed this act. The mines of the United States were divided into two categories: Title I mines, with 14 or less employees, and those with over 14 employees.

As this act became operable there was a notable reduction in the number of major coal mine disasters. There was one in 1953, there was one in 1954, none at all in 1955 and 1956. We thought that this was really paying off.

Then a laxity crept into the mine operations regarding safety features and in 1957 the number of coal mine disasters began creeping upwards again. It took two recent large coal mine disasters to bring this situation before the public in a dramatic and appalling way. This, of course, called to the attention of the Congress and the people the inherent dangers that always obtain to coal mines. However, these disasters were in the large mines covered by the act. It is assumed they might have been averted by a closer inspection on the part of Federal and State officials. However, the Nation was shocked recently by a disaster that occurred without the benefit of any kind of inspection.

The only inspections made in the No. 1 mines of the United States, the small mines, by the Federal Government, is in reality not an inspection but an observation. They go into a mine about twice a year. Then they notify the mine operator and the miners, if there are any representatives of the miners who have that duty, of the conditions they find; but they have no jurisdiction or authority to enforce any of the safety features of the Coal Mine Safety Act of the United States.

There has been a terrific increase in the number of so-called small mines. It is becoming apparent there is an advantage to operating without the so-called restriction covenants of the mine safety law. Therefore in many areas there has been a great increase in the number of mines that are exempted because of their size.

I think this latest disaster up in the hard coal regions of Pennsylvania, the Sheppton mine disaster, has called to the attention of the people again that whether it is 1 life lost or 150 lives lost, the loss is just as tragic and, therefore, we have a duty, I believe, as Members of this Congress, to put whatever blanket coverage of protection we can around all mine operations in the United States.

In the Sheppton case, for instance, the Federal mine inspector made an inspection but only as a matter of routine, and here is his official report. His findings and the language he uses in making the report available to the mine operator and also to the State of Pennsylvania clearly show the need for Federal legislation. I quote from the official report of the Oneida No. 2 slope mine known as the Fellon Mining Co. up in Schuylkill County at the town of Sheppton. I quote from the report:

> The partial and continuing collapse of the main slope pillars presents imminent hazards in this mine. Therefore persons other than those necessary to correct this hazardous condition should not enter the mine.

If that mine was under Federal inspection, the word "should" would have been "must." It would not have said "should not enter the mine" but "must not enter the mine." In all probability Lou Bova's life might have been saved.

Last year through the efforts of the Committee on Education and Labor a bill I sponsored was presented to the

Committee on Rules. One simple feature of this bill might have averted this loss of life and a tremendous outpouring of time, money, and effort to save two men whose lives under any other circumstances in the mining industry would have been lost.

It would have been demanded and provided that in any mine operation, regardless of the number of men employed in that mine, there would have to be two entries, one known as the escape-hatch entry. Every mine in the United States employing 15 or more men must have two entries, two holes down into the ground in order that there is an opportunity to escape in case of an explosion or fire or inundation or collapse of the roof structure. Somehow or other we have come to believe that it is perfectly all right to allow men unfortunate enough to have to dig coal for a living in a small mine to work in a hazardous condition but that it is our duty to protect those who work in large mines. To me it has no sense, and it lacks the human element of concern for our fellow men.

It is a well-known fact that no one works in a coal mine unless he has to. I ought to know. I was born in a coal-mining town.

Recently the President took cognizance of this fact after the Robena disaster and the situation that developed up in the anthracite region.

This was in a news dispatch carried in all the large papers in the United States.

> He ordered an intensive review of mine safety practices today in an attempt to prevent mishaps such as the recent two that cost the lives of 59 coal miners. He sent the order to Secretary of the Interior Stewart Udall.
>
> I also request your views promptly—

The President said:

> on the need for further or improved legislation which would enable us to prevent such accidents in the future.

Just this morning we started holding hearings on the new mine safety proposal sponsored by the Department of the Interior at the request of the President. This proposal would include mines of the category of title I. But it goes further and attempts to prevent by future safeguards some types of disaster accidents that occur because of an insufficiency of fresh air entering the mine.

Now I believe that first things must come first. I admit, and I have sponsored this bill to show I admit the need for further refinements in mine safety law. But I say that at this time the first duty of this Congress is to cover title I mines under the present law otherwise we will enter into a situation where the opponents of safety laws for title I mines, all the small mines, will receive the help of the opponents of reform in the title II mine law.

I believe that many lives can be saved in the mining industry by at this time—forthwith—passing legislation to put the No. 1 mines under the same act as the No. 2 mines; and then work toward a reform in the total mine safety law.

Mining is a peculiar industry. It has had many ups and downs. In the early days when I was a young man the mining industry was one of the major employers in the United States, but of recent years the mining industry has, because of the competition from cheap imported fuel, because of the cheapness of natural gas and the convenience of natural gas, because of the very serious matter of the proportionate labor cost to a ton of coal—there has been a great mechanization taking place in the coal mines and so although we are still producing a sizable tonnage of coal in the United States, we are employing far less men. The automated concept of production has reached its highest form in the production of coal. Now, because of the nature of coal mining and because of the hazardous occupation that it is, the largest organization representing miners, the United Mine Workers of America, accepted automation—accepted mechanization—knowing full well that that meant less men in the mines but that it also meant less men exposed to the hazards of mining coal. But when the big mines, and they had to be big mines in order to mechanize and have sufficient capacity to produce under this new method of mining—when they left and abandoned large areas of coal holdings, a new concept of mining came into being and we are in a situation where we have hundreds of coal mines in the United States employing 2 men, 1 man, 5 men, 7 men—but mostly under 14 men.

Now, this new process of mining coal or, rather, this new innovation in the industry has brought on with it the added catastrophes and fatalities that have made mining again a very serious hazard in the United States.

The aim of House bill 23 which I have had the privilege of sponsoring is to remove as much of the element of risk as we can from mining in these particular types of mines. For instance I have here a list of cataloged coal mines in the anthracite region of Pennsylvania, in the area where the Fellin mine is situated. There are 207 single, separate mine operations that have only 1 hole for entry. There is no escape whatsoever if the situation which occurred in the Fellin mine recurs in any of these 207 mines. Under this bill, the first and primary purpose is to force the construction or the excavation of another escape way. There is no question but that if the Committee on Rules in its deliberations and in its wisdom would have seen fit to have given us an opportunity to vote last year on this bill, the situation in the Fellin mine might not have ended in disaster, because these operators go in and they are shoestring operators in the main. It is an economic situation which motivates it. This area has been underemployed since 1927. The anthracite region, composed of five counties in the heart of Pennsylvania, has been a depressed area longer than any other State, or other section of the State, or community within a section in the entire United States. The influx of oil from the South American countries and the Asiatic oil-producing nations hit the eastern seaboard and the great market for anthracite which was the New England manufacturers and utilities. Of course, they went to oil because of the price structure. The anthracite industry practically died there back in the early thirties. It has been revived mainly because these small operators are able to go in and mine coal economically because they have absolutely no restrictions on how and what they mine. In the Fellin disaster, for instance, Mr. Fellin himself was the only miner in the mine. Mr. Throne and Mr. Bova are known as laborers. Here you have an operation with only three men in it producing something like 40 to 60 tons a day. They cannot produce that much coal except—except by going into this mine, which was an old working abandoned years ago, and taking out of that mine the pillar structures that were left in there for safety purposes. When that mine was a title II mine, why, the mine inspectors made sure they left the pillars to protect the overburden and the roof. By going into the mine and stealing out the pillars, they caused the disaster which occurred.

Now, we understand the problem in the anthracite region. Nobody wants to destroy the opportunity for these men to make a living. No one wants to destroy them economically. However, in this day and age we cannot any longer allow conditions such as these to exist in this industry. I believe many Members of this Congress who have had experience in the areas that mine coal have long ago recognized the necessity for legislation to cover all of the coal mines in the Nation and to break away from the idea in law that lives are worth more if there are more of them and that lives are worth nothing if there are less of them. In that concept of government I refuse to participate.

Mr. MORGAN. Mr. Speaker, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Pennsylvania.

Mr. MORGAN. Mr. Speaker, I am pleased to join with my other colleagues who have indicated their support of legislation to amend the Mine Safety Act. I want to congratulate the gentleman from Pennsylvania for reserving this time to discuss this very important subject.

I have cosponsored this legislation every Congress beginning with the 85th Congress. My bill is identified as H.R. 1666. It amends Public Law 552, 82d Congress, known as the mine safety bill. The purpose of the bill is to remove the present exemption in section 201(b) for coal mines in which no more than 14 men are regularly employed underground.

My reason for introducing this bill is very simple. I feel that every man who goes down into the bowels of the earth to mine coal is entitled to equal and every possible protection that can be provided through the practice of modern safety precautions.

I have never regretted my activity in support of the present safety laws. It is a matter of public record that the coal industry in the days before enactment of effective mine safety legislation counted its injuries in 5 figures and its fatalities at more than 2,500 in a single year. By the year 1959, however, the fatalities had dropped to less than 300, or to be exact to 251; 274 in 1960, 256 in 1961, and 243 in 1962. This is indeed an improvement of which the 82d Congress can be proud. It is my hope that the 88th Congress will give the figures a further reduction by amending Public Law 552, to make every mine in America subject to the penalties prescribed by Public Law 552 for title II mines.

As you know, mines employing less than 15 men underground are known as title I mines. Title II mines are those which employ more than 15 men underground.

Recent statistics indicate that since 1952 the number of title I underground mines increased from 5,281 to 6,879 whereas the number of title II underground mines decreased from 2,233 to 1,045.

It is evident from these figures that limiting the enforcement powers of the act has resulted in an increase in hazardous conditions in hundreds of mines since many coal operators have slipped behind the "14 men curtain" by maintaining their work force under 15 persons. By this means they avoid the mandatory provisions of title II.

More alarming is the information that many new mines are being opened and operated as title I mines. The act should not provide such an inviting loophole to escape compliance with reasonable safety precautions.

My own State of Pennsylvania ranks second in the number of title I mines—a total of 1,635.

I hope the Congress will support the provisions of my bill H.R. 1666 or similar proposed legislation without any crippling amendments. I want the safety provisions of Public Law 552 to apply to every coal mine in this country. The Federal Bureau of Mines should have the authority to close down any mine in America where they find dangerous, uncorrected condition to exist. This means equal protection to every coal miner regardless of whether he is employed in a title I or title II mine. Each miner has a right to this protection. Life is just as dear to a title I miner and his dependents as is the life of any miner employed in a title II mine. I believe that any man who mines coal for a living should be protected to the fullest extent that practice of modern safety precautions can provide.

The entombment of three miners last month in a coal mine near Hazleton, Pa., points up the urgent need for strengthening the provisions of the Mine Safety Act. The need for immediate legislative action is well emphasized in an editorial which was carried in the Pittsburgh Post Gazette of Monday of last week. Because this editorial is so timely, I am going to read it as part of my remarks. It is headed, "A Close Look at Mines" and says:

> State Mines Secretary H. B. Charmbury has ordered three mine inspectors to make an exhaustive investigation of the recent cave-in that trapped two men and apparently took the life of another at a coal mine near Hazleton, Pa.
>
> This investigation should do more than just determine the cause of this particular accident. It should also focus public and legislative attention upon the need to strengthen State and Federal mine safety laws.
>
> Pennsylvania law presently calls for safety inspections of mines employing five or more workers and automatic closing of a dangerous mine. The Federal Coal Mine Safety Law of 1952 empowers Federal inspectors to close mines if they find immediate danger. But mines employing no more than 14 persons underground, and all strip mines, are exempted from the safety requirements.
>
> The "doghole" in which the three men were working near Hazleton had only four employees and thus was not protected by either State or Federal safety measures. There are 756 anthracite mines in this State employing fewer than five persons each. Mr. Charmbury has ordered each of them investigated. He wants to determine, in particular, if these mines provide second openings or plan to do so. The Hazleton mine did not have a second opening.
>
> We realize the problems involved in imposing rigid safety standards upon marginal coal mine operations. Costly safety precautions could make them uneconomical. But in that event it seems to us that they ought to be shut down. Other jobs, perhaps through retraining, ought to be opened up to men working in these marginal mines so that they do not have to work under dangerous conditions.
>
> How many more mine disasters must we have before the Federal and State authorities take the stringent measures required?

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, I thank the gentleman for his participation.

Mr. OLSEN of Montana. Mr. Speaker, will the gentleman yield?

Mr. DENT. I yield to the gentleman from Montana.

Mr. OLSEN of Montana. Mr. Speaker, I wish to subscribe to the remarks of the gentleman from Pennsylvania [Mr. DENT] and state for the record that I, too, have introduced legislation which would amend the coal mine safety law to eliminate the exemption of those coal mines employing 14 or fewer miners, and for substantially the same reasons expressed by the gentleman from Pennsylvania.

Let me say that coal mine safety rules, or any mine safety rules, must be uniform throughout the economy. We have got to have a standard of safety that provides the same standard of expense throughout the industry and throughout the economy. Otherwise there would be unfair competition in those places, those States, where lower standards were permitted.

I had the experience in Montana of noting some terrible mine disasters, some in the more recent years. One in the coal industry was the catalyst to bring about the Coal Mine Safety Act in our State.

I might say that the now great president of the United Mine Workers, Mr. Tony Boyle, was the gentleman who came to our legislature and to our State capital and spearheaded the drive for a new Coal Mine Safety Act in Montana. Our industry is not large now. Our coal mining industry is suffering from the same effects described by the gentleman from Pennsylvania. But in the event that coal mining should again flourish I think that the lives of men must be protected and these uniform coal mine safety laws must be enforced uniformly in all of the mines.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, under leave to extend, I insert the following column:

WHY DO MINERS WORK IN "DOGHOLES"?

(By Ralph McGill)

Now and then the news moves a reporter's memory to recollection—providing a sort of text. It was many a year ago at a pit entrance at Rockwood, Tenn. A sudden explosion deep in the mine had trapped a dozen men. At about dawn on the third morning the first of the dead was brought out and a woman's scream filled the air and tore at the ears and heart as his name was made known. And again, there were the long, frozen nights and days when workers sunk a shaft to reach Floyd Collins, not knowing that even then he was days dead in the cold earth of February in Kentucky.

Two men caught in what coal miners call a "doghole" mine a few days ago were pulled from the darkness of symbolic death. Mankind always is fascinated, and held, by the Prometheuslike plight of man bound by fate in the stygian inkiness of a cave, of an excavation, or of an old well left uncovered and camouflaged by grass and weeds.

BREED OF FATALISTS

Enthralled by the drama of men escaping the clutch of death in Pennsylvania, few noted that a third man, equally trapped, had died alone, hearing in his last hours the sounds of drills moving toward others and knowing that he, because of the peculiar quirks of whatever destiny or geologic forces had caused a fall of rock and earth to trap him alone, was alien to aid. A choice had been made. He was outside it. So, he died in darkness. It is likely he passed without bitterness, perhaps even with resignation. Men who dig coal are fatalists.

These were the stories that held the attention of most of the Nation for about 2 weeks.

There was—and is—a greater story. It is a part of the vast and mighty economic force we call change. Nowhere has it been more calamitous than in the coalfields. Greed is in it. And automation. So are misery, poverty, illiteracy, and bitterness of spirit.

Why do miners work in "dogholes"?

Why are the small mines excluded from the Federal laws about inspection of mines? How many readers noted the angry exchange at Sheppton, Pa., between the United Mine Workers' representative and that of the Independent Miners Union, the former charging that only the UMW forced a rescue effort, that the Independent Union had agreed to writing the men off as dead? The Independents denied this heatedly. But that this exchange should have taken place is revealing.

The story is one of change. The working miner today, with a UMW contract, makes about $24 per day. But thousands of men have been, in effect, forced out of the union because of all that is wrapped up in those six letters that spell "change."

Trouble—economic trouble—began after the huge coal boom that peaked in 1948. The industry had been overexpanded, in part because of war, and could produce twice as much coal as industry could consume. Truck mining and mechanization multiplied. John L. Lewis took the position that machines would be run by his men and that those displaced by them would find employment elsewhere. Human nature worked against this conclusion. The mountain men don't move easily from their coves and valleys. Coal mining was all they knew. Secondly, their educational levels were low and they were not trained to take other jobs.

Clandestine wage cuts, agreed to by jobless miners, provided work in the small mines, later to be tagged as "dogholes" by the beleaguered UMW. The coal strikes of 1959 were an outgrowth of cumulated bitterness and poverty. They failed. Hundreds of men never went back to the union.

LEWIS WON SAFETY CODE

Today's consensus is that no American worker is as helpless and unprotected as these men who dig coal in the small, unprotected pits.

One of John L. Lewis' major achievements was the Federal Mine Safety Code. But Congress, with one ear tuned to the interests working smaller mines, restricted the act's application to diggings working 15 or more men.

These small mines account, according to available statistics, for about 12 percent of the Appalachian coal output, but for a shocking $33\frac{1}{3}$ percent of its killed and injured miners. Hunger and misery lie heavily on the region. Those who work in the really small mines cannot live without surplus relief food. Nowhere has change hit so hard—and created so desperate a human condition—as in the coal fields.

Mr. DENT. Mr. Speaker, I thank the gentleman. It may be of interest to the Congress to know that the gentleman from Montana [Mr. OLSEN] was district attorney of his State at the time that the big fight was on for the passage of the mine safety law. He is known throughout the West as the man who brought mine safety to the western part of the United States. I think he is to be commended on his stand over the years. I certainly appreciate his coming to our assistance today and helping to bring this problem before the Congress and the people of the United States.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. DENT. I yield to the gentleman.

Mr. BRAY. Mr. Speaker, I want to thank the gentleman from Pennsylvania for again bringing this important matter to our attention. Through my years in the Congress I have had an abiding interest in coal mine safety. When I first came to this body in 1951 this was one of the first legislative topics to occupy my interest.

I was glad to support and work for the passage of the Coal Mine Safety Act in the 82d Congress. At that time we would liked to have included the smaller mines, too; but in the interest of getting the major part of the legislation approved, we accepted the exclusion of the smaller mines.

The basic legislation has worked well. No one can say how much loss of life and limb it has prevented, but we know it has made a significant reduction in mine accidents and casualties.

We have realized that the smaller mines should be made subject to this act as well as the larger mines. We repeatedly have tried to knock out section 301(b) of the act so as to eliminate the exclusion. We realize this need especially since it seems that the accidents which do occur happen most often at those mines outside the coverage of the act.

I have introduced a bill similar to the bill introduced by the gentleman from Pennsylvania.

The recent tragedy at the Fellin Mine near Hazelton, Pa., directed the attention of the entire Nation again to the hazards of coal mining. The rugged, brave men who work in the mines know that theirs is a dangerous occupation. They do not expect that all danger will be removed. They do not ask that it be made as safe as sitting behind a desk or standing behind a counter. They do ask that all reasonable precautions for their safety be taken. They do expect that their Government shall see that standards are established and maintained to reduce the possibility of mishaps to a minimum.

The Committee on Education and Labor has before it several bills which would accomplish the purpose referred to above—eliminate the present exclusion of the smaller mines. The Committee has held some hearings on this legislation and has others scheduled for this week. I do want to take this opportunity to remind the Members of the House of this important area of legislation, and hope that we will have their attention and support when refinements are brought before the House.

Mr. DENT. I appreciate the support of the gentleman from Indiana [Mr. BRAY], because it is an indication that the safety of the miners and the regard for human life is a nonpartisan venture and takes in both Republicans and Democrats in their regard for the lives and the welfare of the people of the United States, no matter what type of industry they may be employed in.

Mr. Speaker, the gentleman from Montana [Mr. OLSEN] mentioned the fact that the present international president of the United Mine Workers, Anthony Boyle, was very, very active and instrumental in the passage of legislation in the State of Montana and in other Western States, where he hails from.

Mr. Speaker, in his testimony before the committee he said something significant and I think the gentleman from Montana mentioned it a minute ago and which I think ought to be repeated. He said:

> The United Mine Workers of America has never opposed modernization and mechanization of the mining industry. The industry has received our cooperation and the membership has adhered to this policy down through the years. We are still of the opinion that by increased productivity per man-day the mineworkers will receive a larger participation and improve their standard of living in this economy. However, it was never intended that the eagerness of management for production should be permitted to outweigh the industry's protection of the precious human lives in its custody. The Robena disaster confirmed the belief that I have held for some time—that we may be mechanizing the coal industry past the point of safety.

The U.S. Bureau of Mines can now take measures to protect the lives of individuals in a mine employing 15 men or more, but such protection is denied others unfortunate enough to be forced to labor in a mine employing less than 15 men.

During previous hearings before committees of other Congresses, opponents of this legislation appeared to protest the need for such legislation. I assume we may expect them to appear again decrying the need for any legislation whatever and asserting that they alone are qualified to determine whether or not employes who work in these small mines will live or die. The United Mine Workers, representing the bulk of the men in the mines, vigorously oppose this position, and claim the right to expect the Federal Government to afford equal protection to the thousands of there membership who are presently employed in so-called title I mines.

Opponents of this legislation have also previously appeared and took the position that compliance with provisions of the Federal Coal Mine Safety Act would force them out of business. This position, of course, has been completely disproven by testimony of responsible representatives of the U.S. Government, the United Mine Workers, and others.

The witnesses in the past have appeared from Kentucky, Tennessee, Virginia, West Virginia, Pennsylvania, and other States. I say to this committee that if these people are complying with the laws in their States, there will be no additional cost to them under Federal legislation, because these laws are similar in their main context and, in some cases, go far beyond conditions covered in Federal legislation.

The witnesses have said that ventilation requirements of the Federal Coal Mine Safety Act are excessive and, if complied with, would create an enormous economic burden. The facts are to the contrary.

Mr. Speaker, the Robena disaster which occurred not more than 15 miles from my own home confirmed the belief that I have held for some time that we may be mechanizing the coal industry past the point of safety because of the vast number of men working in the mines. There has been a distinct laxity in the application of mine safety laws, although they are inadequate at this time. We have been lax in enforcing the very laws we now have on the statute books. Of the deaths in the bituminous and lignite coal mines, 225 occurred underground, 20 on the surface, and 17 in strip mining operations, falls of roofs and rib structure accounted for 105 of the underground fatalities which amounted to 47 percent of the total disasters.

Mr. Speaker, if we take the mine safety law and apply it to these small mines we could then determine the type of roof structure which they would have to put in, the size of the timbering that had to go in and the type of rib structures that had to be maintained in order to protect the lives of the men working in the mines.

Mr. Speaker, the major cause of disaster in the coal mine is improper timbering, improper ventilation, improper protection against inundation by flash floods through hitting underground pools of water, or just plain drainage accumulation in the mine. These are various things that can be corrected by simple procedures without too much expense attached to it.

Mr. Speaker, I have a deaf ear any more to the appeals of those who come before us who say it is going to cost $200 or $300 in order to make this mine safe for human entrance and human labor.

I believe that the time has come when we cannot measure—we cannot measure—the sum that must be spent or the time which must be spent if we want men to work in these mines.

Mr. Speaker, how many of us, in good conscience, can say that we would, because of the dollar sign placed upon this safety measure, condemn a man to work in these conditions? Furthermore, how many of us would work under the same conditions? It is only by the grace of God and the faith that we find ourselves here instead of there. It is only the question of a little decision made at one time, probably more through accident than anything else, that I ended up a Member of Congress rather than in a coal mine somewhere in Pennsylvania. It is a question of my regard and your regard for the human element that must always be considered in legislation when we as a body of men meet to legislate for the welfare of the citizens of our Nation.

Mr. Speaker, to those who come before us with the argument that this is an invasion into the realm of the rights of the States, let me say clearly that it is my concept of government that this means to do for people and the States that which they cannot do for themselves, or in the interest of human welfare will not do for themselves.

If the States have been lax in their approach to this problem, then the time has come when the Federal Government must in good conscience step into the picture to do that which we can do in order to maybe not eliminate but at least reduce the opportunities that are now present for disaster in the coal mining areas of the United States.

In conclusion, I can only say that unless Congress remedies this situation by passing the requested amendment to the act, more men will die unnecessarily, more wives and children will be deprived of their loved ones, and in that event, Congress will have to assume this responsibility. This legislation is of such vital importance that the only consideration given to it should be that of the human element, which should be noncontroversial, and any man of moral responsibilities should be for it.

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FLOOD. Mr. Speaker, I would like to add my support to certain aspects of the bill—H.R. 8351—to amend the Federal Coal Mine Safety Act.

The first amendment proposed by this bill is to repeal subsection (b) of section 201 of the Federal Coal Mine Safety Act, which states:

> This title (title II of the act) shall not apply to any mine in which no more than 14 individuals are regularly employed underground.

There is no rhyme or reason why a mine employing 15 or more men should come under title II of the act and a mine with less than 15 men employed should not. The legislative history of the present Federal Coal Mine Safety Act discloses that there was a wide divergence of opinion as to whether any exemption or what exemption should have been allowed to permit a "meeting of minds" on the then pending legislation. It was purely happenstance that no one raised any objection to the number 15 whereas there were objections raised to other exemption numbers ranging from 1 to 20. And so the number 14 was agreed upon to permit the subcommittee in charge of the then pending legislation to get on with the business assigned to it. The exemption number—14 men—does not represent logic nor does it merit scientific or statistical support. It was purely chance, about as scientific as if this number came up on the spin of a raffle wheel.

Time and experience have shown the fallacy of putting such an exemption number into title II of the present Federal Coal Mine Safety Act. And it further points up that this is really discriminatory legislation. It has discriminated against the employees of so-called small mines. In many instances these small mines are owned by companies or individuals of limited resources and the safety features that they provide are "bare bones." Therefore the employees should have the maximum protection that can be provided by outside sources such as the Federal inspection service so that they—the employees—will get basic protection against serious hazards or the mine will be shut down. In many instances, the mine workman cannot force a "showdown" with his employer, even in the face of known danger, because he is torn between two forces—the economic necessity of earning a living for his family or "going on relief." Therefore the discrimination against the small mine employee should be ended by repealing the exemption to the mandatory provisions of the Federal Coal Mine Safety Act of mines employing less than 15 men underground.

Another aspect of the proposed legislation that I heartily endorse is the elimination of the "grandfather" clauses which were included in title II of the Federal Coal Mine Safety Act to allow the operators of gassy mines to comply eventually with the provisions of the act. Well, this latitude has been construed by some operators as license to continue operating unsafe nonpermissible equipment indefinitely. If on the effective date of the Federal Coal Mine Safety Act—July 16, 1952—the operator of a gassy mine or a mine classed as gassy after the act became effective, owned nonpermissible face equipment, or owned the right to use it, or had ordered such equipment, he can continue to use it until it is replaced. Well, there is no time limit placed on the use. It can be repaired and repaired until it is virtually entirely rebuilt with perhaps nothing remaining of the original equipment except the frame. Now 11 years have passed since the act became law and much of this unsafe equipment remains in operation in gassy coal mines. I think that time has long ago run out and there should be a definite time limit established—as the amendment proposes—for the elimination of the unsafe electrical equipment that is operated legally in gassy coal mines.

The Bureau of Mines has published time and time again reports on mine explosions that were caused by gas—methane—ignited by unsafe electrical equipment. Certainly a giant safety step would be taken if legislation is enacted to get rid of the "grandfather" clauses which have long outlived their usefulness and which today serve to defeat one of the main purposes of title II of the Federal Coal Mine Safety Act.

Mr. EVERETT. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. DENTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DENTON. Mr. Speaker, I have introduced H.R. 3497 which is a companion bill to H.R. 8351 which was introduced by the gentleman from Pennsylvania [Mr. DENT]. Both bills seek to repeal section 201-B of the Mine Safety Act of 1952.

This section provides that the act does not apply to mines with less than 14 workers regularly employed underground.

I believe that it is unnecessary to say that the workers in mines with less than 14 underground employees deserve the same protection as workers in the larger mines. Yet the act, as passed, says they are not entitled to it. Therefore I feel that this section should be repealed.

I ask unanimous consent to include an article from the Black Diamond, dated September 7, 1963, in the CONGRESSIONAL RECORD.

AN OUNCE OF PREVENTION

The Pennsylvania Department of Mines and Mineral Industries is to be congratulated with the efficiency shown in effecting the rescue of miners David Fellin and Henry Throne from the Sheppton Coal Mine after 14 days of effort; the men merit admiration for their courage and good sense during their ordeals. Anyone who has the slightest reverence for life rejoices in the successful undertaking.

All this being true, the achievement would seem to underscore the application of the adage that "an ounce of prevention is worth a pound of cure." If the laws regarding mine safety and mine inspection applied to the Sheppton mine as they do to Pennsylvania mines employing 15 or more miners the chances are that the men would not have had their harrowing experience; that the Commonwealth would have been saved the heavy expense involved in the rescue; that the public would not, as it doubtless has, obtained a false impression of the hazardness of coal mining.

There are said to be more than 700 such mines operating in the anthracite region which employ less than 15 men and whose workers are not covered by the inspection provisions of the law. Yet the life of a man working in these small mines is as worthy of protection as that of a man working in the largest mine in the State. If the cost of carrying out reasonable protective measures places such operations beyond competition, as has been suggested, then it will be demonstrated that such mines are uneconomic and should be closed.

At best, coal mining is hazardous, and the safety and inspection laws are a just discharge of the State's responsibility to the men that work in the industry, to the coal producers, and to the public. They must not only reduce the number of accidents and lives lost in the industry, but also lower the cost to the industry and the State. Isn't it time that the State apply these laws on the basis of the value of human life, whether that life is employed in a mine hiring 3, 5, or 500 men?

THE LATE CARL ATWOOD HATCH

Mr. LIBONATI. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. Montoya] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MONTOYA. Mr. Speaker, today, I would like to raise my voice in gratitude. This week the Hand of Heaven has taken from us former U.S. Senator Carl Atwood Hatch. For this I have only deep sorrow. However, I do not wish to dwell upon his passing, but upon his life—a rich and full life for which we may all be grateful.

He contributed much, but for himself he took little. Perhaps in justice, we may now give to his family some of the honor and comfort which were his, but to this day remain unclaimed.

In speaking of a truly great man—and Carl Hatch was among the greatest of men—we must ask not only who he was, but more importantly, what he was, what he did, and what he held dear.

To many questions we might ask about his life, the answers are many—for he was not a simple man, only a humble one.

He was a man who loved his fellowman and shared with many both their triumphs and their failures. This love was his to give for he received it from others in abundance.

His interests were broad, and his accomplishments were myriad. Student, lawyer, judge, these were Carl Hatch. Now, he has breathed his last, but a cold world was warmed by his breath.

In describing him, perhaps we could term him as a principled man. As a statesman, he could compromise on an issue, but never on a principle. This was the key to his success. It was for this very reason that he played a major role in so many projects—whether it be clean government through the Hatch Act, or international peace through the United Nations, "Smiling Carl" was in the forefront.

His people were all people and his constituency was the world. The citizens of New Mexico knew this, and drew great pride from it. Any State and any people would have been proud to have such a man serve them. In fact he had close ties with many different regions of our country. He was born in Kansas, studied there and in Oklahoma, as well as in Tennessee. His greatest desire was to know this country and its people. Truly we can say that he knew them as few men have ever known them.

In truth and justice we may call him the only thing that he ever desired to be called—Carl Atwood Hatch was an American.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Macdonald (at the request of Mr. Everett), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Curtis, for 10 minutes, today.

Mr. Talcott (at the request of Mr. Battin), for 20 minutes, on September 19.

Mr. Ellsworth (at the request of Mr. Battin), for 60 minutes, on September 23.

Mr. Weltner (at the request of Mr. Libonati), for 60 minutes, on September 26.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

(The following Member (at the request of Mr. Battin) and to include extraneous matter:)

Mr. Cahill.

(The following Members (at the request of Mr. Everett) and to include extraneous matter:)

Mr. Teague of Texas.

Mr. Celler.

(The following Member (at the request of Mr. Libonati) and to include extraneous matter:)

Mr. Hanna.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1952. An act to extend and broaden the authority to insure mortgages under sections 809 and 810 of the National Housing Act.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on September 17, 1963, present to the President, for his approval, bills of the House of the following titles:

H.R. 12. An act to increase the opportunities for training of physicians, dentists, and professional public health personnel, and for other purposes;

H.R. 5081. An act to authorize the Commissioners of the District of Columbia to sell a right-of-way across a portion of the District Training School grounds at Laurel, Md., and for other purposes;

H.R. 5623. An act to amend the provisions of title 14, United States Code, relating to the appointment, promotion, separation, and retirement of officers of the Coast Guard, and for other purposes;

H.R. 5781. An act to amend the act of August 1, 1939, to provide that professional nurses shall be registered as staff officers in the U.S. merchant marine, and for other purposes; and

H.R. 6012. An act to authorize the President to proclaim regulations for preventing collisions at sea.

ADJOURNMENT

Mr. LIBONATI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 18 minutes p.m.) the House adjourned until tomorrow, Thursday, September 19, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1213. A letter from the Comptroller General of the United States relative to a letter dated May 29, 1963, relating to a report on the ineffective programing, delivery, and utilization of aircraft and related equipment furnished to the Portuguese Air Force under the military assistance program, which report was referred to the House Committee on Government Operations on May 31, 1963, and recorded as Executive Communication No. 874; to the Committee on Government Operations.

1214. A letter from the Assistant Secretary of the Interior, transmitting a report relative to stating that an adequate soil survey and land classification of the lands in the Fryingpan-Arkansas project, Colorado, has been completed as a part of a plan for project development, pursuant to Public Law 172, 83d Congress; to the Committee on Appropriations.

1215. A letter from the Director, U.S. Information Agency, transmitting a draft of a proposed bill to provide certain basic authority for the U.S. Information Agency; to the Committee on Foreign Affairs.

1216. A letter from the Comptroller General of the United States, transmitting the report on our review of the economic aspects of a loan by the Development Loan Fund (succeeded by the Agency for International Development, Department of State) for construction of a river water supply system in Saigon, Vietnam; to the Committee on Government Operations.

1217. A letter from the Acting Administrator, General Services Administration, transmitting a report which provides information on contracts negotiated for experimental, development, or research work or for the manufacture or furnishing of property for this purpose during the 6-month period ending June 30, 1963, pursuant to 63 Stat. 377, as amended (5 U.S.C. 630); to the Committee on Government Operations.

1218. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill to provide for the establishment and operation of an analytical research experiment station at Frederick, Md.; to the Committee on Interior and Insular Affairs.

1219. A letter from the Chief Commissioner, Indian Claims Commission, relative to reporting that proceedings have been finally concluded with respect to the *Claim of Certain Indian Tribes and Bands, petitioners, v. The United States of America, defendant,* docket No. 240, pursuant to 60 Stat. 1055; 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 8484. A bill to authorize the sale at current support prices of agricultural commodities owned by the Commodity Credit Corporation to provide feed for poultry and swine in areas determined to be emergency areas; to the Committee on Agriculture.

H.R. 8485. A bill to make feed available at reduced prices for flocks of poultry and foundation herds of hogs in disaster areas; to the Committee on Agriculture.

By Mr. FOUNTAIN:

H.R. 8486. A bill to authorize the sale at current support prices of agricultural commodities owned by the Commodity Credit Corporation to provide feed for poultry and swine in areas determined to be emergency areas; to the Committee on Agriculture.

H.R. 8487. A bill to make feed available at reduced prices for flocks of poultry and foundation herds of hogs in disaster areas; to the Committee on Agriculture.

By Mr. FUQUA:

H.R. 8488. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus personal property to State agencies for use by volunteer firefighting organizations; to the Committee on Government Operations.

By Mr. JOHNSON of California:

H.R. 8489. A bill to establish the Whiskeytown-Shasta-Trinity National Recreation Area in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MONAGAN:

H.R. 8490. A bill to amend the Trade Expansion Act of 1962; to the Committee on Ways and Means.

By Mr. TUTEN:

H.R. 8491. A bill to amend the St. Lawrence Seaway Act to provide that the St. Lawrence Seaway Development Corporation shall not engage in publicity or promotional activities such as free or paid advertising; solicitation of cargoes; publication of ocean, rail, port, or motor carrier rate or service comparisons; or other activities that are actually or potentially disruptive to the flow of waterborne trade among ports in the United States; to the Committee on Public Works.

By Mr. HARVEY of Indiana:

H.R. 8492. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate in a separate section provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. HUDDLESTON:

H.R. 8493. A bill to amend the Uniform Code of Military Justice, and for other purposes; to the Committee on Armed Services.

By Mr. FUQUA:

H.J. Res. 743. Joint resolution to authorize the President to issue annually a proclamation designating the first week in March of each year as "Save Your Vision Week"; to the Committee on the Judiciary.

By Mr. ANDERSON:

H.J. Res. 744. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. OSTERTAG:

H. Con. Res. 216. Concurrent resolution expressing the sense of Congress with respect to the withdrawal of Soviet troops from, and the conduct of free elections in, the Baltic States; to the Committee on Foreign Affairs.

By Mr. GILBERT:

H. Res. 522. Resolution to authorize the Committee on Interstate and Foreign Commerce to conduct an investigation and study of the accuracy of odometers on certain leased motor vehicles; to the Committee on Rules.

By Mr. ELLIOTT:

H. Res. 523. Resolution to provide funds for the investigation authorized by House Resolution 504; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON:

H.R. 8494. A bill to provide for the free entry of one set of musical handbells for use of Tabor Lutheran Church, of Rockford, Ill.; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 8495. A bill for the relief of Hicri Gunduz; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 8496. A bill for the relief of Paula Fekete; to the Committee on the Judiciary.

By Mr. KILBURN:

H.R. 8497. A bill for the relief of Claude Mirsamadzadeh; to the Committee on the Judiciary.

By Mr. TUTEN:

H.R. 8498. A bill for the relief of Mrs. Josette Augustine Ingram; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

304. The SPEAKER presented a petition of Sam C. Hanna, Rochester, N.Y., relative to his notice of appeal in civil action 9922, U.S. District Court for Western New York State, together with accompanying papers; to the Committee on the Judiciary.

SENATE

WEDNESDAY, SEPTEMBER 18, 1963

The Senate met in executive session at 10 o'clock a.m., and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, we would that this quiet moment of prayer will be an open gateway to the boundless resources of Thy renewing grace by which our jaded souls may be restored.

Grant us courage. Give us wisdom for the living of these days of momentous decision.

Measure us, we beseech Thee, with the challenge of our times, and make us worthy of those who in the dangerous yesterdays were strong and unafraid as they dared the scorn and wrath of evil men.

We lift to Thee our gratitude for the safe return to the homeland, and to his post of strategic leadership, of the honored and dedicated President of this body, so vital in the life of the Republic. We rejoice in the opportunity which was his, and which he seized so effectively, to assure independent nations across the seas with whom we have close and friendly relations, and who with us are facing the complex problems of a swiftly changing world, that America cherishes nothing but good will for all mankind and the lifting of the levels of human betterment everywhere, and to march with them in a crusade for a just, worldwide peace among all men of good will.

May the deliberations and decisions registered in this historic Chamber be the channels of Thy eternal purpose as it is wrought out upon the earth.

We ask it in the spirit and the name of Him who is the Way and the Truth. Amen.

TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, as in legislative session, there be a morning hour, and that statements in that connection be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, September 17, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Ratchford, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Housing, of the Committee on Banking and Currency, was authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON TRANSFER OF FUNDS

A letter from the Deputy Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the transfer of $1 million of the fiscal year 1963 research, development, and operation funds to the fiscal year 1963 construction of facilities appropriation; to the Committee on Aeronautical and Space Sciences.

Amendment of Title 37, United States Code, Relating to Pay and Allowances of a Certain Officer

A letter from the Secretary of Defense, transmitting a draft of proposed legislation to amend title 37, United States Code, to prescribe the basic pay and allowances of an officer who is serving as Supreme Allied Commander, Europe (with an accompanying paper); to the Committee on Armed Services.

Report on Procurement From Small and Other Business Firms

A letter from the Assistant Secretary of Defense, Installations and Logistics, transmitting, pursuant to law, a report on Department of Defense procurement from small and other business firms, during fiscal year 1963 (with an accompanying report); to the Committee on Banking and Currency.

Report on Contracts for Military Construction Awarded Without Formal Advertisement

A letter from the Secretary of the Army, transmitting, pursuant to law, a report on contracts for military construction awarded without formal advertisement, for the 6-month period ended June 30, 1963 (with an accompanying report); to the Committee on Armed Services.

Reports on Officers on Duty With Headquarters, Department of the Army and Army General Staff

A letter from the Acting Secretary of the Army, transmitting, pursuant to law, reports on the number of officers on duty with Headquarters, Department of the Army and the Army General Staff, as of June 30, 1963 (with accompanying reports); to the Committee on Armed Services.

Amendment of Federal Credit Union Act

A letter from the Assistant Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Federal Credit Union Act to allow Federal credit unions greater flexibility in their organization and operations (with an accompanying paper); to the Committee on Banking and Currency.

Sales in Interstate Commerce of Natural Gas for Industrial Use

A letter from the Chairman, Federal Power Commission, Washington, D.C., relating to the bill (S. 1734) to vest jurisdiction in the Federal Power Commission over the sales in interstate commerce of natural gas for industrial use, and informing the Senate that a majority of the present Commission favors its enactment, but that Commissioners O'Connor and Woodward do not; to the Committee on Commerce.

Report on Backlog of Pending Applications and Hearing Cases in Federal Communications Commission

A letter from the Chairman, Federal Communications Commission, Washington, D.C., transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commission, as of July 31, 1963 (with an accompanying report); to the Committee on Commerce.

Participation of the United States in an Increase in Resources of International Development Association

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the International Development Association Act to authorize the United States to participate in an increase in the resources of the International Development Association (with accompanying papers); to the Committee on Foreign Relations.

Report on Increased Costs Resulting From Failure To Procure Ships Spare Parts Competitively or Directly From the Manufacturer

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the increased costs resulting from failure to procure ships spare parts competitively or directly from the manufacturer, Department of the Navy, dated September 1963 (with an accompanying report); to the Committee on Government Operations.

Proposed Concession Contract Within Mesa Verde National Park

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract with the Mesa Verde Co. for services to the public within Mesa Verde National Park (with accompanying papers); to the Committee on Interior and Insular Affairs.

Suspension of Deportation of Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provision of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

Warren A. Jeffers and Francis H. Leik

A letter from the Administrator, Federal Aviation Agency, Washington, D.C., transmitting a draft of proposed legislation for the relief of Warren A. Jeffers and Francis H. Leik (with accompanying papers); to the Committee on the Judiciary.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. Johnston and Mr. Carlson members of the committee on the part of the Senate.

PETITION

The VICE PRESIDENT laid before the Senate a resolution adopted by the Mariana Islands District Legislature, which was ordered to lie on the table, as follows:

Resolution 12–1963

A resolution extending thanks and appreciation to the U.S. Government and the American Red Cross for the aid rendered to the people of the Mariana Islands District after Typhoon Olive

Whereas many of the inhabitants of the Mariana Islands District experienced great suffering and damage during Typhoon Olive, on April 29 and 30, 1963; and

Whereas the President of the United States, through the Office of Emergency Planning, sympathetically and promptly made assistance available to the typhoon-stricken people; and

Whereas the American Red Cross also generously assisted the people with food and other essential commodities; and

Whereas such aid has enabled the inhabitants of the Mariana Islands District to hasten their rehabilitation program: Now, therefore, be it

Resolved by the Mariana Island District Legislature, That it extends, on behalf of the people of the Mariana Islands, its thanks and appreciation to the U.S. Government and to the American Red Cross for the generous assistance rendered to the inhabitants of the Mariana Islands District after the disaster of Typhoon Olive; and be it further

Resolved, That the president certify to and the legislative secretary attest the adoption hereof and that copies of the same be thereafter transmitted to the President of the United States, president of the American Red Cross, Secretary of the U.S. Department of Agriculture, Office of Emergency Planning, Speaker of the House of Representatives and the President of the Senate, Secretary of the Department of Interior, the High Commissioner of the Trust Territory of the Pacific Islands, District Administrator of the Marianas, mayor, Municipality of Saipan, mayor, Municipality of Tinian, and chief commissioner, Municipality of Rota.

Passed by the Mariana Islands District Legislature, August 9, 1963.

Vincent Y. Santos,
President.
Lumon E. Guerrero,
Secretary.

RESOLUTIONS OF MASSACHUSETTS SENATE

Mr. SALTONSTALL. Mr. President, on behalf of myself, and the junior Senator from Massachusetts [Mr. Kennedy], I present resolutions adopted by the Senate of the Commonwealth of Massachusetts, relating to an offshore limit for taking fish off the New England coast by fishing vessels of foreign countries. I ask unanimous consent that the resolutions be printed in the Record and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Commerce and ordered to be printed in the Record, as follows:

Resolution Memorializing the Congress of the United States To Enact Legislation Providing for a 200-Mile, Offshore Limit for Taking Fish Off the New England Coast by Fishing Vessels of Foreign Countries

Whereas the taking of fish by certain foreign countries off the shores of New England constitutes a serious economic threat to the fishing industry of the Commonwealth, an industry which has been the traditional life blood of our State's economy; and

Whereas the present territorial limitation as to fishing off the coast of the United States is totally inadequate to protect the fishing fleets of the Commonwealth from such irreparable loss, a situation which can be remedied by appropriate legislative enactment: Therefore be it

Resolved, That the Massachusetts Senate respectfully urges the Congress of the United States to enact legislation providing for a 200-hundred-mile offshore limit for taking fish off the New England coast by fishing vessels of foreign countries; and be it further

Resolved, That a copy of this resolution be transmitted forthwith by the State secretary to the President of the United States, to the Presiding Officer of each branch of

Congress, and to the Members thereof from the Commonwealth.

Adopted by the senate September 5, 1963.

THOMAS A. CHADWICK,
Clerk.

Attest:

KEVIN H. WHITE,
Secretary of the Commonwealth.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. JOHNSTON, from the Committee on Agriculture and Forestry, without amendment:

H.J. Res. 192. Joint resolution relating to the validity of certain rice acreage allotments for 1962 and prior crop years (Rept. No. 503).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry:

George L. Mehren, of California, to be a member of the Board of Directors of the Commodity Credit Corporation.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 2151. A bill authorizing the Secretary of the Army to participate in the construction of a highway bridge across Carlyle Reservoir, Kaskaskia River, Ill.; to the Committee on Public Works.

By Mr. SMATHERS:

S. 2152. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. SMATHERS when he introduced the above bill, which appear under a separate heading.)

By Mr. CARLSON:

S. 2153. A bill for the relief of the Campbell Oil Co.; to the Committee on the Judiciary.

By Mr. LONG of Louisiana:

S. 2154. A bill to amend the Internal Revenue Code of 1954 to permit small mutual insurance companies and life insurance companies to be taxed on bond discount like other taxpayers; to the Committee on Finance.

(See the remarks of Mr. LONG of Louisiana when he introduced the above bill, which appear under a separate heading.)

PROPOSED LEGISLATION DESIGNED TO PREVENT ILLEGAL ACTIVITIES IN THE OPERATIONS OF MOTOR CARRIERS

Mr. SMATHERS. Mr. President, on September 15, 1961, at the time when I was chairman of the Surface Transportation Subcommittee, I introduced a bill designed to foster and encourage activity against illegal activities in the operations of motor carriers.

Introduction of the measure followed extensive hearings in that year which demonstrated that unlawful trucking had put great pressure on all modes of regulated common carriage and seriously threatened to undermine the ability of these carriers to serve the public.

The measure, S. 2560, 87th Congress, which became known as the "gray area bill," passed the Senate without dissent in the summer of 1962 but not the House.

Since that time, private industry and the Interstate Commerce Commission have vastly stepped up efforts to control and eliminate the trucker operating outside the law.

Two conferences of the American Trucking Associations, along with the Motor Freight Traffic Association, have established the Committee on Transportation Practices—COTP—to fight illegal transportation. By mid-August of this year, COTP was responsible for 33 formal complaints involving more than 1,000 individuals and business firms and more than a score of shipper associations. All have been charged with violations of the Interstate Commerce Act.

At another level, that of education, the Committee Against Unauthorized Transportation—CAUT—has underway a program to advise shippers and truckers of the legal responsibilities in this field. The program was recently characterized as "so successful that nobody reasonably can plead ignorance of the law to mitigate a violation." Furthermore, other trade associations are cooperating. The Manufacturing Chemists Association has published a brochure for its members—mostly shippers—entitled "Digest of Federal Laws and Regulations Governing Private Carriage in Interstate Commerce of Interest to the Chemical Industry."

In the foreword, the associations say illegal for-hire transportation has "mushroomed at an appalling rate in the last 10 years."

The Interstate Commerce Commission has similarly not been idle. In Traffic World, August 17, 1963, issue, we find the following:

> In the 12-month period ended April 30, 1963, the ICC successfully concluded a total of 1,045 enforcement cases against motor carriers, including 895 court cases and 150 proceedings before the Commission. The 895 court proceedings represented an increase of 246 cases over the previous 12 months. In the fiscal year 1956, such cases totaled 312. The 895 court cases in the 12 months ended with April included 451 actions against gray area operations (resulting in a total of $359,000 in fines) in these categories: undisguised illegal transportation, 258; leasing subterfuge to create appearance of private carriage, 152; buy-and-sell operations to create appearance of private carriage, 9; subterfuge arrangements by shipper associations and alleged agricultural cooperatives, 10; and concession and rebate cases, 22.

Impressive as these efforts are, there is much more to be done. An assault is not a victory; and intensified enforcement activities and public education will only be the beginning of a never-ending battle unless there is also a sharpening and modernizing of the tools to be used.

Though no longer a member of the Commerce Committee, I have never lost my interest in transportation or in this vital aspect of our common carrier systems. I am, therefore, introducing for appropriate reference, a bill very similar to that which passed the Senate last year. The only change is in the first section of the bill and was submitted to the Congress in a letter from the Chairman of the Interstate Commerce Commission. I quote from that letter:

> As you know, the Commission greatly appreciated the passage of S. 2560 by the Senate during the 87th Congress and the sincere efforts of your committee to improve generally our enforcement capabilities. As you know, however, the House counterpart of S. 2560 did not clear the Committee on Interstate and Foreign Commerce and it has been our understanding that the principal obstacle there was an objection which developed on the part of certain State officials to section 1 designed to attain uniform registration requirements of ICC certificates within the several States. The argument was advanced that this constituted Federal usurpation of power and derogation of States rights.
>
> I thought it would be of interest to you and your committee to know that shortly after adjournment of the 87th Congress some of the more responsible State officials, led by Commissioner Walter McDonald of Georgia, prevailed upon the National Association of Railroad and Utilities Commissioners (NARUC) to designate an ad hoc committee of five State Commissioners with power to act and bind the States by redraft of the old section 1 of S. 2560 in order that it would not be opposed if further considered by the Congress. At this point early last fall, the TAA under the capable leadership of Harold Hammond as its president, offered to work with the States and the ICC in an effort to work out a section palatable to the States and not objectionable to any responsible interest. ATA was cooperative in this effort also. As a result, after a number of meetings and much friendly give and take, we were able to come up with something which at the request of Chairman HARRIS we recently transmitted to his committee.
>
> In view of your interest in the general subject of better enforcement and uniformity, I felt we should report this development to you, and for that purpose enclose a copy of this redrafted section.

The other provisions are unchanged from the Senate-enacted bill. I ask unanimous consent that the section-by-section analysis from the report on S. 2560—Report No. 1588, 87th Congress, 1st session—covering the other four sections be printed at this point in my remarks.

There being no objection, the section-by-section analysis was ordered to be printed in the RECORD, as follows:

B. SECTION 2

Section 2 of S. 2560 would amend section 222(b) of the Interstate Commerce Act which provides for civil relief against any motor carrier or broker operating in violation of the provisions of part II of the Interstate Commerce Act. The first paragraph of the amended language would expand the existing section 222(h) which gives the Interstate Commerce Commission the authority to obtain the enforcement of its lawful rules, regulations, requirements, or orders, or the terms or conditions of any certificate or permit issued by it. The new language would authorize the inclusion as a party in any such action of any person or persons acting in concert or participating with any carrier or broker who is violating the law. Process is authorized to be served upon the violating motor carrier or broker or upon any person or persons acting with them without regard to the territorial limits of the district or of the State in which the proceeding is instituted.

The Interstate Commerce Commission has long requested the amendment of this section to provide for such nationwide service of process. It is often necessary for the Commission to join as parties defendant shippers who use the services of motor carriers or brokers without authority under the law. Because of the territorial limitations on service of process in some cases the Commission has been unable to obtain service upon both the carrier and the shipper.

Paragraph 2 of this section is entirely new language which would enable any injured party to restrain any person unlawfully operating without a certificate, permit, or grant of temporary authority. The language of this section would limit the jurisdiction of the court to enforcement of the law in those cases in which the violation complained of was a "clear and patent" violation of any of the provisions of section 203(c), 206, 209, or 211 of part II of the Interstate Commerce Act, or any rule, regulation, requirement, or order thereunder. The words "clear and patent" are intended not as a measure of the burden of proof required, but rather as a standard of jurisdiction. No district court is to entertain any action except where the act complained of is openly and obviously for-hire motor carriage without authority under the sections enumerated above.

In order to insure that action is not brought prematurely, or that the court will be requested to rule in an area where applicability of the law is not clear, and to protect the responsibility and authority of the Commission as the primary agent for enforcing and carrying out the Motor Carrier Act, the language of this section would require that a copy of any application for relief by a private party shall be served upon the Commission and that the Commission may appear as of right and, if it deems necessary, it may request a dismissal of the action. Such dismissal if granted could be done without prejudice to any of the parties involved or to the Commission.

As a further protection and as a bar to harassing lawsuits, this measure also includes a provision for the posting of a bond and the recovery of reasonable attorney's fees where the action brought is not warranted by the facts and circumstances.

This section is intended to enable persons being injured by illegal operations to protect themselves against those who operate without any color of authority and who are outside of the exemptions provided for in the law. The language of the section is designed to make it clear that the courts would entertain only those suits which involve obvious attempts to circumvent operating regulation. All questions involving interpretation of the law would remain under the Commission's primary jurisdiction.

Injured persons may now seek injunctive relief under parts I, III, and IV of the Interstate Commerce Act, the Federal Aviation Act of 1958 (49 U.S.C.A., sec. 1487(a)), and the Communications Act of 1934 (47 U.S.C.A., sec. 401(b)). Thus the general form of direct relief which would be afforded by the proposed language is not new.

Your committee believes this language will provide an avenue by which many instances of flagrant violations could be halted promptly through an injunctive process instituted by the person being hurt. It will relieve the already overburdened personnel of the Commission of the necessity to handle obviously routine enforcement problems. It is looked at by the committee as an adjunct to the Commission's investigative and enforcement activities, as a supplement to the Commission's efforts, and not as a substitute for them.

C. SECTION 3

Section 3 of S. 2560 would amend section 222(h) of the Interstate Commerce Act, as amended, by including under the civil forfeiture provision any failure or refusal to comply with section 203(c), 206(a)(1), or 209(a)(1) relating to the need for certificates or permits to operate in the for-hire motor transportation business in interstate or foreign commerce, and any failure or refusal to comply with the safety regulations promulgated by the Commission. At the present time the forfeiture provision relates only to the failure or refusal to make reports, keep records, and the like.

The new language would increase the forfeiture provided for from $100 for each offense to not to exceed $200 for each offense, and in the case of a continuing violation from $50 for each offense, to not to exceed $100 for each offense after notice. The provision would also change the existing section by enabling the Commission to proceed on its own in the Federal courts rather than require the Commission to request action through the Department of Justice.

The language of this section was requested by the Interstate Commerce Commission for the purpose of increasing its ability to contain illegal operations being conducted by either regulated or unregulated carriers. This principle was also recommended in the President's transportation message. The Commission testified that such an amendment would be helpful in its efforts to eliminate unlawful and questionable leasing arrangements.

The inclusion under the civil forfeiture provision of this new material would enable the Commission to more directly attack those who operate without regard to the requirements of the law. It will relieve them of the necessity for preparing and prosecuting difficult criminal actions, and it should speed the process of bringing illegal operators to account.

The Commission is admonished, in view of the strong concern of the regulated motor carrier industry and the representatives of the legitimate exempt and bona fide private operations, not to direct its main efforts under the forfeiture provision as it relates to safety violations against those who in the normal course of their activities are in substantial compliance with the law or whose violation is of an unintended and minor nature. The language relating to safety violations is viewed as a necessary tool for the Commission's use in its war on illegal and unlawful operations.

The Commission in its own testimony on a number of occasions has brought out the good safety compliance record of those carriers who operate within the law. In the normal course of their activities and relations with these carriers the Commission already has sufficient authority to bring about compliance with the safety regulations.

Safety regulation compliance has been a problem with respect to those who do not otherwise comply with the law, and it is with a view to these operators that the language relating to the failure or refusal to comply with the rules promulgated by the Commission pursuant to section 204(a) (1), (2), (3), and (3a) is included in this section. In addition, your committee believes that the forfeiture provisions relating to continuing violations should not apply except in those cases where adequate notice has been given after the initial offense is discovered.

D. SECTION 4

Section 4 of the bill would remove the exemption of "used household goods" from the provisions of section 402(b) of the Interstate Commerce Act. In consequence of the removal of this exemption, the provisions of part IV of the Interstate Commerce Act become applicable to freight forwarders of used household goods, except as otherwise provided by section 4 of the bill.

The transportation by motor vehicle of used household goods in interstate commerce has been regulated since 1935. When the Freight Forwarder Act was passed in 1942, the preponderance of household goods shipments moved by motor common carrier. The volume of household goods forwarding at that time was too inconsequential to warrant legislation. In recent years, the development of containerization and its application to the transportation of used household goods has had a vast impact upon both the manner of shipment and competitive relationships within the industry. Today, a substantial volume of household goods shipments are handled by forwarders in so-called door-to-door container service. Instead of loading individual articles of furniture into a motorvan, transporting the shipment by motorvan to destination (or to a port in the case of an oversea shipment where the goods are packed into a sea van for water transportation) household goods shipments moving by this mode are packed or consolidated in a container in the home, forwarded by rail, motor, or water carrier to destination, then unpacked from the same container at destination. Use of the container mode has grown to the point where the preponderance of oversea shipments of used household goods are handled in this manner. Witnesses who supported this bill indicated that the container mode will be used with increasing frequency for purely domestic shipments as well.

With the advent of containerization, there has developed an industry of freight forwarders of used household goods who specialize in this mode and who have been successful in diverting considerable traffic from certificated motor common carriers of household goods. Such forwarders employ the services of regulated rail, motor, and water carriers and compete with motor common carriers of household goods with respect to rates and service. Regulation of this activity is, therefore, needed in the public interest.

In addition, persons who engage exclusively in forwarding of used household goods also function as forwarders of such shipments. Some carriers have initiated door-to-door container service as an adjunct to their carrier operations. Because the development of new techniques is changing the complexion of the household goods moving and forwarding industry, it is believed that the scheme of regulation to be imposed, particularly as regards entry into business, should not impede its natural growth and development. Witnesses representing all factions agreed that regulation of this activity should take account of the special nature of household goods forwarding and should be sufficiently flexible in respect of entry controls to assure that existing competitive relationships will not be disturbed.

Section 4(b) of the bill would amend section 406(g) of the Interstate Commerce Act to direct the Commission in prescribing regulations and practices of household goods forwarders to consider the similarities of service provided by motor carriers of household goods. This direction recognizes the close relationship between these two activities.

Section 4(c) of the bill would amend section 410 of the act to provide for the issuance of a permit to operate as a freight forwarder of used household goods to any person found by the Commission to be fit, willing, and able properly to perform the service proposed. Permits are to be of 1-year duration and renewable annually. Both original and renewal applications must be accompanied by a fee of $50. Neither a "grandfather" clause nor a finding of public need is deemed necessary for the effective regulation of this activity. Indeed, more stringent entry control would tend only to prefer those who have initiated token operations. Many persons have operated as freight forwarders of used household goods only sporadically, but unless they are allowed to qualify for a permit upon a showing of fitness, they will lose business to competitors and be unable to serve their customers as they have in the past. Such a loss or redistribution of business is not intended.

Section 4(d) of the bill would amend section 410(c) of the act to enable a motor common carrier of household goods to qualify as a freight forwarder of used household goods. Since many such carriers are now functioning as forwarders, this provision is required to enable them to perform the same service they have in the past.

Section 4(e) of the bill would amend section 410(e) of the act to make the provisions of that section inapplicable to freight forwarders of used household goods. In order to afford forwarders of used household goods the flexibility which their operations require, permits to be issued should contain no territorial restrictions. This provision is intended to effectuate this objective.

Section 4(f) of the bill would amend section 411(c) of the Interstate Commerce Act to enable a motor common carrier or a director, officer, employee, or agent of such carrier to control, acquire control, or hold stock in a freight forwarder of used household goods. Again, this provision is needed to protect the position of carriers or carrier personnel who have acquired a stock interest in a freight forwarder of used household goods.

Section 4(g) of the bill would amend section 417(b) of the act to accomplish the same objectives as those outlined in the discussion of section 2 relating to the amendment of section 222(b) of the act.

E. SECTION 5

Section 5, recommended in the President's transportation message, would authorize the Interstate Commerce Commission to make agreements with States to cooperate in the enforcement of the economic or safety laws and regulations of the various States or of the Federal Government with respect to highway transportation. Of this provision the message stated:

"This law would be consistent with collateral efforts to develop and adopt uniform State registration laws for motor carriers operating within States but handling interstate commerce. The purpose of both of these efforts is to help eliminate unlawful trucking operations which abound because of diverse, ambiguous laws and practical limitations in enforcement."

Mr. SMATHERS. Mr. President, I fully appreciate and recognize that the Commerce Committee has had a busy session. I hope, however, that it will have a chance to give this important measure expeditious and favorable consideration.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2152) to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the National Transportation System, and for other purposes, was received, read twice by its title, and referred to the Committee on Commerce.

TAXATION OF SMALL MUTUAL AND LIFE INSURANCE COMPANIES ON BOND DISCOUNT

Mr. LONG of Louisiana. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to permit small mutual insurance companies and life insurance companies to be taxed on bond discount like other taxpayers. I ask unanimous consent that an explanation of the bill, prepared by me, be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the explanation will be printed in the Record.

The bill (S. 2154) to amend the Internal Revenue Code of 1954 to permit small mutual insurance companies and life insurance companies to be taxed on bond discount like other taxpayers, introduced by Mr. Long of Louisiana, was received, read twice by its title, and referred to the Committee on Finance.

The explanation presented by Mr. Long of Louisiana is as follows:

Explanation of Amendment Providing Capital Gains Treatment on Market Profits Realized by Life Insurance Companies and Small Mutual Fire and Casualty Insurance Companies From the Purchase of Bonds at Less Than Par Value

Under present law, life insurance companies, and small mutual fire and casualty insurance companies are the only taxpayers denied capital gains treatment on market profits realized from bonds purchased at less than par value. This results because these taxpayers are required to accrue annually a pro-rata part of the difference between the par or face value of the bond and its lower purchase price. All other taxpayers report bond discount as capital gains when the bond is sold or redeemed. Until last year, medium, and large mutual fire and casualty insurance companies were also required to accrue bond discount, but this was changed by the Revenue Act of 1962.

On March 15 of this year, I introduced S. 1104 which eliminated the requirement for accruing discount on tax-exempt bonds only. S. 1104 was restricted to discount on municipal bonds so as to eliminate the necessity of litigating the question of whether amounts of accrued discount on tax-exempt bonds were to be treated as tax-exempt interest or fully taxable interest. This is an issue recently raised by an Internal Revenue ruling (Rev. Ruling 60-210), and should be resolved by legislation and not left for the courts to decide.

The litigation of this recently created issue would be expensive both to taxpayers and to the Government and involves only years after 1960, even though the statute requiring accrual of discount has been in existence since 1942. Prior to 1961, mutual fire and casualty insurance companies and life insurance companies consistently and uniformly treated the accrued discount on municipal bonds as tax-exempt interest.

S. 1104, by allowing capital gains treatment on municipal bond discount, would avoid this litigation by giving life insurance companies and small mutual fire and casualty insurance companies the same relief from Revenue Ruling 60-210 that was accorded to medium and large mutual fire and casualty insurance companies last year by the Revenue Act of 1962. Thus, all taxpayers to which Revenue Ruling 60-210 applied would be treated alike.

Since the introduction of S. 1104, I have had inquiries suggesting that I expand my proposal to also eliminate the requirement of accruing market discount on taxable bonds. It was pointed out to me that the original purpose of the provision requiring life insurance companies to accrue discount on bonds at the time it was first enacted in the Revenue Act of 1942 was to provide a means of taxing this type of capital gains since life insurance companies were not taxed on capital gains at that time.

This purpose is recognized in the Conference Committee Report of the Revenue Act of 1942 (77th Cong., 2d sess., H. Rept. 2586) where at page 53 the elimination by the Senate of the House provisions including capital gains and losses from income and deductions and the Senate addition of the provisions relating to amortization of bond premium and discount provisions were explained as follows: "Amendment No. 206. * * * Capital gains are excluded in the tax base, and amortization of bond premiums and accrual of bond discount is provided for."

Since the Life Insurance Company Income Tax Act of 1959, however, life insurance companies have been subjected to tax on their capital gains. Therefore, the original reason for requiring the accrual of discount on all bonds by life insurance companies no longer exists.

This bill, by eliminating the required accrual of market discount for all bonds, will correct a matter which was overlooked when the Life Insurance Company Income Tax Act of 1959 was enacted. Also, by providing similar treatment for small mutual fire and casualty insurance companies, it will correct an oversight in the Revenue Act of 1962 when the required accrual of bond discount was eliminated for medium and large mutual fire and casualty insurance companies but not for the smaller companies.

The bill applies to tax years beginning after December 31, 1962, the same effective date as is applied to medium and large mutual fire and casualty insurance companies by the Revenue Act of 1962.

I am informed that the annual revenue loss caused by the enactment of this bill will be less than $1 million, after taking into account the capital gains taxes that are ultimately due.

NUCLEAR TEST BAN TREATY—RESERVATIONS AND AMENDMENT

Mr. LONG of Louisiana. Mr. President, I submit a reservation, intended to be proposed by me, to the resolution of ratification of the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater, and ask that it be printed. The reservation would assure that this Nation, under the treaty, would be permitted the use of atomic weapons in the event of warfare.

The VICE PRESIDENT. The reservation will be received, printed, and will lie on the table, as requested by the Senator from Louisiana.

Mr. MILLER. Mr. President, with respect to the pending resolution of ratification, I send to the desk an amendment and also a reservation, and ask that they be printed, and also that they be printed in the Record.

The PRESIDING OFFICER. The amendment and reservation will be received, printed, and will lie on the table, and, without objection, will be printed in the Record.

The amendment and reservation are as follows:

AMENDMENT

At the end of the resolution of ratification add the following new paragraph:

"Following ratification of the treaty by the Praesidium of the Supreme Soviet, the Secretary of the Senate is hereby instructed to return this Resolution to the President of the United States for appropriate action."

RESERVATION

Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation, which is hereby made a part and condition of the resolution of ratification, that the instrument of ratification of the treaty by the United States shall not be deposited as provided by paragraph 3 of article III thereof until the Union of Soviet Socialist Republics has paid all of its delinquent assessments to the United Nations".

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT OF DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL, 1964

Mr. **LAUSCHE** submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes, the following amendment; namely:

On page 38, between lines 5 and 6, insert a new section as follows:

"Sec. 608. (a) The second sentence of section 4 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 904), is amended by striking out "and shall bear interest at the rate of 2 per centum per annum; interest rates on the unmatured and unpaid balance of any loans made pursuant to this section prior to the effective date of this amendment shall be adjusted to 2 per centum per annum, and the maturity date of any such loans may be readjusted to occur at a date not beyond thirty-five years from the date of such loan:", and inserting in lieu thereof the following: "and shall bear interest at a rate equal to the average rate of interest payable by the United States of America on its marketable obligations, having maturities of ten or more years, issued during the last preceding fiscal year in which any such obligations were issued and adjusted to the nearest one-eighth of one per centum:".

"(b) The third sentence of section 5 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 905), is amended by striking out "and shall be at a rate of interest of 2 per centum per annum; interest rates on the unmatured and unpaid balance of any loans made pursuant to this section prior to the effective date of this amendment shall be adjusted to 2 per centum per annum", and inserting in lieu thereof "and shall bear interest at a rate equal to the average rate of interest payable by the United States of America on its marketable obligations, having maturities of ten or more years, issued during the last preceding fiscal year in which any such obligations were issued and adjusted to the nearest one-eighth of one per centum".

"(c) The amendments made by this section shall be effective with respect to all loans made on and after the date of enactment of this Act."

Mr. LAUSCHE also submitted an amendment, intended to be proposed by him, to House bill 6754, making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

ADDITIONAL COSPONSORS OF BILLS

Mr. BOGGS. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 108) making Columbus Day a legal holiday, the name of Mr. Williams of New Jersey be included as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BOGGS. Mr. President, I also ask unanimous consent that at the next printing of the bill (S. 2115) to improve the balance-of-payments position of the United States by permitting the use of reserved foreign currencies in lieu of dollars for current expenditures, the name of Mr. Dominick be included as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

AID TO VIETNAM—ADDITIONAL COSPONSORS OF RESOLUTION

Mr. CHURCH. Mr. President, last Thursday I submitted a resolution (S. Res. 196) which provides that unless the Government of South Vietnam abandons policies of repression against its own people and makes a determined and effective effort to regain their support, military, and economic assistance to that Government should not be continued. I left the resolution on the table for a week until noon, Thursday, September 19, so that other Senators could join in cosponsorship. The latest Senators asking to cosponsor the resolution are the senior Senator from New Mexico [Mr. Anderson], the junior Senator from Maryland [Mr. Brewster], the junior Senator from New Hampshire [Mr. McIntyre], and the junior Senator from Tennessee [Mr. Walters].

I ask unanimous consent for their names to be added. This brings to 30 the number of Senators now sponsoring the resolution.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. CHURCH. Mr. President, Arthur Krock of the New York Times is one of the most knowledgeable analysts of political affairs in Washington. In the New York Times of Tuesday, September 17, Mr. Krock has published a lucid article dealing with this resolution. In this excellent article, Mr. Krock calls for an open inquiry into the confusion surrounding the situation in South Vietnam, and concludes: "It is a high function of Congress to try to penetrate such confusions by objective and responsible inquiry."

Mr. President, I ask unanimous consent to have Mr. Krock's article printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Some Move Away From the Confusion Over Vietnam

(By Arthur Krock)

Washington, September 16.—The strategic value of Senator Church's resolution to the administration's effort to get closer coordination from the Diem government of Vietnam is plain enough. The proposal by Senator Church and 25 other Senators to cut off economic and military aid until or unless Diem promptly abandons certain practices and policies of which they adjudge him to be guilty can be impressively cited by President Kennedy as proof of great danger that Congress will do just that.

But the resolution also opens the way to a thorough appraisal of the conflicting reports from Saigon and the shifting acts and policies of Washington from which a firm public opinion and policy will emerge. For the resolution is pertinent to the Senate committee hearings which will influence the decision Congress soon will make as to the amounts and allocations of the funds it will appropriate for foreign aid.

BASIS FOR PROBE

The Senate Committee on Foreign Relations, though actual appropriation and distribution of money is the function of another committee, has jurisdiction over such proposals as the Church resolution. Senator Keating, who has proposed a Senate inquiry into the true situation in Vietnam, would, he explained today, have the inquiry conducted by this committee in connection with the upcoming legislation of funds for foreign aid. Since the Church resolution is pertinent to the legislation, it could provide a specific basis for the inquiry when it is referred to Foreign Relations. This, by automatic procedure, will be one week after its introduction last Thursday.

Meanwhile, the resolution is serving as a psychological experiment. And, according to Senator Church today, that is going well. He told the Senate the weekend had brought "the first encouraging reports to come out of Vietnam in many weeks," citing the lifting of the press censorship and martial law in Saigon, the rescheduling of legislative elections and the release of imprisoned Buddhist priests.

But, since even these actions are being disputed as mere superficial and transient tokens of reforms by the Diem regime, the thorough inquiry proposed by Senator Keating is still highly desirable. And the Foreign Relations Committee again demonstrated, in its hearings on the test ban treaty, the objectivity which an evaluation of the situation in Vietnam requires. In at least the preliminary stages of such an inquiry, executive sessions are indicated. That is not only because of the variance of press dispatches and official statements, touching the same incidents on the same day in Vietnam and in Washington, but because of the factors of national security and conflicting official jurisdictions that would be involved.

Congress, for example, has the constitutional right and duty of thorough inquiry. But the Executive has frequently and successfully asserted to power to forbid testimony sought by Congress on the ground that it would infringe essentially confidential intra-Executive relations. In an open inquiry into the situation in Vietnam this restriction would properly have to be invoked to the full.

THE CLOUDED SITUATION

But in closed session, with the Executive support it merits, the Foreign Relations Committee could clarify the origins and facts of certain disputed acts and policies at issue between Saigon and Washington in the war against the Vietcong, and in Diem's internal programs. This clarification could then be generalized as a guide to legislation, and to an informed public judgment which is now impossible to reach.

The murk of controversy conceals materials for sound congressional and public judgment on such disputed matters as these: the timing of the replacement of Ambassador Nolting, and the consequent gap in U.S. intelligence of which one illustration was the unanticipated Diem attack on the Buddhist pagodas; the military value of the strategic hamlets system; the actual prospect of winning or losing the war; the true extent to which the activities of the small Buddhist central committee and the immolations reflect the state of the Buddhist population as a whole under Diem.

It is a high function of Congress to try to penetrate such confusions by objective and responsible inquiry.

LET US HAVE THE FACTS ON SOUTH VIETNAM

Mr. KEATING. Mr. President, as has been indicated by the distinguished Senator from Idaho who preceded me, for some months the American people have been asking with increasing frequency "What is going on in South Vietnam?"

The answers have been coming in too, with increasing frequency, from Washington, from Saigon, from the United Nations, even from Paris, from military men, from civilians, from intelligence information, and foreign aid specialists. The only trouble is the answers are all different.

Now the Senate is to be faced with a resolution, which perhaps has the behind-the-scenes blessing of the State Department, favoring, though not requiring, the discontinuance of aid until the Government abandons its policies of repression. What the resolution amounts to is a warning to the present regime, which we have been warning for the last 10 years, that it had better do a more successful job of winning the loyalty of its own people before it tries to count on the support of others.

But the real question in South Vietnam—the question which has been evaded, not only by this administration, but also by previous ones—is this: Is the Diem government, or perhaps it should be called the Nhu government, the only alternative to communism in South Vietnam? I do not know myself, and I seriously doubt whether there is any other Member of the Senate who has today sufficient information to make a responsible judgment on that question.

For the last year we have heard the most optimistic reports from Government officials: "We are defeating the guerrillas, by our strategic hamlet policy, by our aid program, by strengthening the South Vietnamese Army, by training special forces." Yet now we learn that whole provinces of South Vietnam are so infiltrated with Communists that our forces end up baby sitting with Communist guerrilla families while they are out terrorizing other villages. Now we learn that whole cities can be easily overrun by these guerrilla forces. Now we learn that the special forces are being used to silence internal opposition, whether political or religious, and not to fight the Viet Cong at all. Now we learn that modern effective weapons are flowing to the guerrillas. Now, all of a sudden, the situation is turned upside down and voices are warning that the war will be lost in 2 years unless the present regime is replaced.

What is the truth of the matter? And how can the Senate act responsibly on any amendment to the foreign aid bill without adequate information? What is needed is not an amendment tacitly backed by the executive branch that can win majority support without discussion, but rather a full fledged study both in executive and perhaps in open hearings, so that the Members of the Senate and the rest of the country will have some way of finding out what is going on and what our policy is.

The VICE PRESIDENT. The time of the Senator has expired.

Mr. KEATING. Mr. President, I ask for 2 additional minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KEATING. Mr. President, I sincerely hope this amendment will not become a smokescreen to prevent full information and disclosure on the South Vietnamese situation, but rather will be the occasion and opportunity for an objective and responsible inquiry.

The Senator from Idaho has asked and received unanimous consent to have printed in the RECORD the recent column by Journalist Arthur Krock. It had been my intention to do so, but that will not be necessary since it will appear immediately preceding my remarks. But, as Mr. Krock said:

> The murk of controversy conceals materials for sound congressional and public judgment.

It is to be hoped that the resolution which the Senator from Idaho has offered with the backing of a large number of Senators will lead to such an inquiry rather than forestall it. The Senate and the country will welcome a chance to learn the facts.

AWARDS BY AMERICAN POLITICAL SCIENCE ASSOCIATION TO TWO SENATORS AND TWO REPRESENTATIVES

Mr. MANSFIELD. Mr. President, this Congress, like the many which have preceded it, has not lacked its critics. No matter how hard or long its Members work, their public rewards are more often than not brickbats, rather than praise. So, naturally, all of us view with pleasure any statements of appreciation for the service and devotion to duty of our colleagues. One such occasion came the other night in New York City, when four Members were awarded by the American Political Science Association the Congressional Distinguished Service Awards for 1963.

Each year these bipartisan awards are given to two outstanding Members of both Houses. I am especially pleased to inform my colleagues that this year's winners included the Senator from New Mexico [Mr. ANDERSON] and the Senator from Massachusetts [Mr. SALTONSTALL]. I know of no Members of this body who are more deserving of this high honor, and I am sure I speak for all Senators when I extend to them our sincere congratulations.

Likewise, Mr. President, I commend the association's choice of its House winners—Representatives GEORGE H. MAHON, of Texas, and THOMAS B. CURTIS, of Missouri.

Let me quote briefly from the awards given to the two Senators.

The citation awarded Senator ANDERSON reads in part as follows:

> CLINTON ANDERSON consistently looks beyond the immediate necessities of policy, considering foremost the prospects for future generations. Pursuing a wide range of legislative interests, he has demonstrated a deep reverence for life and an abiding faith in the American system.

An excerpt from the citation awarded Senator SALTONSTALL reads as follows:

> Extremely successful in finding common ground on which advocates of divergent viewpoints can stand, LEVERETT SALTONSTALL is particularly effective in conference committee and executive committee sessions. Unpretentious, moderate, and reasonable in approach, he is respected by his colleagues in both parties. A committee man rather than an orator, he disdains publicity in favor of quiet service to his State and Nation.

Mr. President, I applaud this effort by the American Political Science Association to call to the attention of political scientists and the public at large the outstanding contributions made by these men to public service. This is the third time the association has presented the awards, which were established by former Senator William Benton, of Connecticut. Prior awards in 1959 and 1961 went to Senator HUMPHREY—who, incidentally, gave the principal speech at the award dinner—Senator AIKEN, Senator DOUGLAS, and Senator JOHN WILLIAMS.

I ask unanimous consent, Mr. President, that copies of several documents pertaining to the award ceremonies—including an editorial published in the Washington Evening Star of September 13—be printed in the RECORD.

There being no objection, the articles, citations, speech, and editorial were ordered to be printed in the RECORD, as follows:

TWO SENATORS, TWO REPRESENTATIVES HONORED FOR DISTINGUISHED CONGRESSIONAL SERVICE

NEW YORK.—A Republican and a Democrat from each House of the U.S. Congress tonight were named recipients of the American Political Science Association's 1963 Congressional Distinguished Service Awards.

The winners, honored for service during the 87th Congress (1961–62) are: Senators CLINTON P. ANDERSON, Democrat, of New Mexico, and LEVERETT SALTONSTALL, Republican, of Massachusetts, and Representatives THOMAS B. CURTIS, Republican, of Missouri, and GEORGE H. MAHON, Democrat, of Texas.

Presentation of the awards was a highlight of the association's 59th annual meeting, which opened here September 3 and closes September 8. Their purpose is to call attention to effective legislative service which might otherwise go unnoticed, thus dramatizing the role of free elections in bringing into public life individuals of high abilities and varied talents.

The speaker for the awards ceremony was Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, a previous winner. Other recipients have been Senators GEORGE AIKEN, Republican, of Vermont, PAUL DOUGLAS, Democrat, of Illinois, and JOHN WILLIAMS, Republican, of Delaware, and Representatives CARL VINSON, Democrat, of Georgia, KENNETH KEATING, now a Senator, Republican, of New York, RICHARD BOLLING, Democrat, of Missouri, and GERALD R. FORD, JR., Republican, of Michigan.

The awards are made possible by a grant from the William Benton Foundation. This year's selection committee was made up of Dr. Max Kampelman, association treasurer; Prof. Harold D. Lasswell, Yale Law School; President John W. Lederle, University of Massachusetts; President James W. Miller, Western Michigan University; President John D. Millett, Miami University, Oxford, Ohio, and President Harold W. Stoke, Queens College, Flushing, N.Y.

CONGRESSIONAL DISTINGUISHED SERVICE, 1963, AWARD OF THE AMERICAN POLITICAL SCIENCE ASSOCIATION—SENATOR CLINTON P. ANDERSON

Resolute and effective in advancing causes in which he believes deeply, CLINTON P. ANDERSON consistently looks beyond the immediate necessities of policy, considering foremost the prospects for future generations.

Pursuing a wide range of legislative interests, he has demonstrated a deep reverence for life and an abiding faith in the American system. He is an eloquent and persuasive leader in the struggle for conservation—wise use, not misuse—of the Nation's resources. Intimately involved in the complex and increasingly important relationship between Government and science, he plays a leading role in the careful development of atomic energy and in the advancement of knowledge about space. Without regard for his own health, he champions vigorously the cause of medical care for the Nation's aged.

The American Political Science Association takes great pleasure in presenting this Congressional Distinguished Service Award to Clinton P. Anderson, Democrat of New Mexico—versatile of intellect, progressive committee chairman, and a dedicated public servant who for more than a quarter of a century has been building for those who will follow.

The 1963 Congressional Distinguished Service Award of the American Political Science Association—Senator Leverett Saltonstall

Extremely successful in finding common ground on which advocates of divergent viewpoints can stand, Leverett Saltonstall is particularly effectively in conference committee and executive committee sessions.

Unpretentious, moderate, and reasonable in approach, he is respected by his colleagues in both parties. A committee man rather than an orator, he disdains publicity in favor of quiet service to his State and Nation. He is cautious about extending Federal authority at the expense of the States and is a jealous defender of individual freedom and initiative. A party leader, he nonetheless has achieved a reputation for placing the national interest above partisan considerations, serving as an influential symbol of bipartisan cooperation in foreign affairs.

The American Political Science Association takes great pleasure in presenting this Congressional Distinguished Service Award to Leverett Saltonstall, Republican, of Massachusetts—party leader, successful mediator, and legislator, whose conscientious committee work has contributed significantly to the Nation's welfare.

Congressional Distinguished Service, 1963, Award of the American Political Science Association—Representative George H. Mahon

Discharging with quiet distinction one of the Congress' most difficult and important tasks, George H. Mahon exemplifies the best traditions of legislative service.

Under his guidance, $1 billion a week flows from the Capitol to the Pentagon. His zealous concern for the national defense is tempered by concern for the Nation's economy. His respect and friendship for the Military Establishment is tempered by a commitment to civilian control. Sympathetic to every proof that more money is needed for military security, his questions and relentless demands for facts are quieted only by proof. An acknowledged expert in his field, he commands the attention and respect of all his colleagues.

The American Political Science Association takes great pleasure in presenting this Congressional Distinguished Service Award to George H. Mahon, Democrat of Texas—soft-spoken, hard working, and with a soundness of judgment and steadiness of purpose that have made his legislative career an outstanding example of dedicated public service.

Congressional Distinguished Service, 1963, Award of the American Political Science Association—Representative Thomas B. Curtis

With selfless tenacity, with a love of hearty debate, and with an honesty and sincerity that have won him the respect of his colleagues, Thomas B. Curtis seeks to maintain the vitality of the Congress and of his party.

By articulating and advancing policy alternatives, he has elevated the discussion of economic issues in the Congress and elsewhere. Joining in a bipartisan effort, he worked energetically for enactment of trade legislation consistent with this Nation's role in international affairs. He speaks with a compelling voice in the development of his party's approach to the problem of full employment in a rapidly automating economy. A student of Congress, he is in the forefront among his colleagues in working for alteration of rules and procedures to meet the needs of a changing society in a changing world.

The American Political Science Association takes great pleasure in presenting this Congressional Distinguished Service Award to Thomas B. Curtis, Republican of Missouri—respected advocate, courageous individualist, and diligent legislator whose service is in the finest tradition of constructive conservatism.

Speech of John D. Millett, President of Miami University, Oxford, Ohio, and Chairman of Congressional Distinguished Service Award Committee, at Presentation Ceremony, Friday, September 6

In 1955 former Senator William Benton of Connecticut proposed that the American Political Science Association, as an organization of scholars interested in government from an objective, nonpartisan point of view, undertake to select certain individuals who deserved special recognition for distinguished service in the Congress of the United States. After some consideration, the officials of the association decided to accept this challenge and to undertake to select and present an appropriate award for outstanding congressional service.

The first Congressional Distinguished Service Awards were presented to four Members of the Congress at the annual meeting of this association in 1959. The second presentation was made at the annual meeting of 1961. This is the third time when the American Political Science Association has undertaken to present Congressional Distinguished Service Awards.

The purpose of these awards is to call attention in a dramatic way to the vital importance of the Legislature as an institution of American Government. More and more, over the years, political leadership in American political life has fallen upon the Executive. Yet in the process of an emerging Executive leadership, the Legislature in our system of government retains its position of power. In America it may be that it is the Executive who proposes, but it is the Legislature which disposes of legislation in the public interest. The role of the Legislature is crucial in maintaining the values and the processes of a free society.

Through these awards our association honors legislators for service competently, carefully, faithfully, and responsibly performed. Service of distinction in the Congress may be performed in many ways. Some legislators may command headlines and television appearances, receiving popular acclaim. On other occasions the service of a legislator may attract little public attention and yet be of inestimable worth to the Nation. It is the hope of our association that these awards will stimulate a broader public appreciation of the high talents and varied abilities which Members of the Congress bring to their deliberations. The Congress of the United States offers a wider scope to the capacities of its Members than any other legislative body in the world.

In choosing recipients for these awards, the selection committee has been aware especially of four criteria:

(1) Devotion to the public welfare combined with a fine grasp of the skills required of the legislator;

(2) High competence measured in terms of effectiveness and concrete accomplishment;

(3) Constructive imagination, hardheaded acumen, and a capacity to formulate and advance objectives of national policy while remaining mindful of the constituents back home;

(4) The respect of colleagues based upon day-to-day contacts that reveal the true worth of the individual.

The Congressional Distinguished Service Awards by the American Political Science Association are made possible by a gift from the William Benton Foundation. In accordance with the terms of the gift and the traditions of this association, the awards are made to four persons, two Senators and two Members of the House of Representatives, two members of the Democratic Party and two members of the Republican Party. Let me add the observation that the association can take pride in the selections of the past two occasions, and we believe equal pride may result from these selections announced tonight. The process of selection is not a simple one. There are many Members of the Congress who render distinguished service. This fact, although embarrassing to the selection committee, should be a cause of rejoicing for our Republic.

The award itself is a desk set of bronze, mounted on a marble base, created by one of our members, Pendleton Herring, and executed by a well-known New York sculptor, Ralph Menconi. The design consists of an open book upon which is inscribed the closing words of Lincoln's Gettysburg Address: "That government of the people, by the people, and for the people shall not perish from the earth." The open book is imprinted. In a free society lawmaking is performed as the responsible expression of the popular will open to the public view. This open book rests upon a legal roll symbolic of the Bill of Rights. The three sides of the book present a voting box, legislative debate, and appeal to the voters who elect our legislators.

The red marble base is intended to memorialize the blood of patriots, and a tree rising from the base is the tree of liberty nourished by such blood. Finally, there is an elephant on one side and a donkey on the other, representing the two parties of which the recipients are members and reminding all of us of the bipartisan nature of the recognition here afforded. If the donkey and the elephant seem to be lying down, it is purely for the moment only and for the occasion of this award.

The awards this evening are made to four Members of the Congress of the United States primarily for service rendered in the biennium 1961–62, the 87th Congress. On behalf of the selection committee and in the name of the American Political Science Association, it gives me great pleasure to present these four Congressional Distinguished Service Awards of 1963. In alphabetical order, the recipients are: Senator Clinton P. Anderson, Representative Thomas B. Curtis, Representative George H. Mahon, and Senator Leverett Saltonstall.

The Congressional Distinguished Service Awards

The Congressional Distinguished Service Awards of the American Political Science Association are presented at the annual meeting of the association in each odd numbered year: one to a Democrat and one to a Republican in each House. They are made possible by a grant from the William Benton Foundation.

The purpose of the awards is to honor legislators for distinguished congressional service and to dramatize the crucial role of a freely elected legislative body in maintaining the values and processes of our democratic society.

Service of distinction in the Congress can be performed in many ways: some services win popular acclaim; other duties are fulfilled which attract little recognition on the part of the general public but may be of even greater value to the Nation.

It is the hope of the association that these awards for distinguished congressional service will stimulate a keener public appreciation that our free elective system produces in Congress Members of high abilities and varied talents. Moreover, Congress offers a wider scope to the capacities of its Members than any other lawmaking body in the world. Therein lies the source of its strength and character.

In making the awards, factors that weigh heavily are:

1. Devotion to the public welfare joined with a firm grasp of the skills required of a lawmaker;

2. High competence measured in terms of effectiveness and concrete accomplishment;

3. Constructive imagination, hardheaded acumen and a capacity to formulate and advance objectives of national policy and yet be mindful of the welfare of constituents back home, and finally;

4. The respect of colleagues based on the day-to-day contacts that reveal the true worth of the individual.

Both Houses of Congress have many Members who meet these qualifications. It is hoped that the awards presented every 2 years will call attention to the important and dedicated service rendered not only by those to whom these awards are given but also to the many Members of Congress who share the qualities for which the awards are made.

[From the Washington Evening Star, Sept. 13, 1963]

Congressional Honors

Kicking Congress around is an old American sport and one which has reached new popularity this year. The humorists and the reformers have all been working over their favorite targets on Capitol Hill.

It is refreshing—and genuinely useful—for the American Political Science Association to break into this chorus of catcalls and jeers to honor several Members of Congress with Distinguished Service Awards.

The biennial honors were presented last Friday to Senator Clinton P. Anderson, Democrat of New Mexico, Senator Leverett Saltonstall, Republican of Massachusetts, Representative George H. Mahon, Democrat of Texas, and Representative Thomas B. Curtis, Republican of Missouri.

We join the political scientists in saluting them. The variety of their political views and their styles of operation bear out one theme of the awards: That Congress offers scope to men of many talents. Senator Anderson has been as aggressive in pushing the causes in which he believes as Senator Saltonstall has been skillful in contriving the compromises that permit leigslation to go forward. Representative Mahon, the chairman of the Defense Appropriations Subcommittee, is a symbol of dogged, effective committee work. Representative Curtis has become perhaps the leading champion of effective floor debate.

The Congressional Distinguished Service Awards were suggested by former Senator William Benton of Connecticut, not just to honor individual lawmakers but to dramatize the crucial role of a freely elected legislative body in maintaining the values and processes of our democratic society.

We share with Mr. Benton and the American Political Science Association the view that recognition, not ridicule, is more likely to inspire Members of Congress to fulfill the responsibility the Founding Fathers laid upon them.

ADDRESS BY SENATOR HUMPHREY BEFORE AMERICAN POLITICAL SCIENCE ASSOCIATION

Mr. MANSFIELD. Mr. President, I call attention to another speech delivered at the American Political Science Association convention; I refer to the principal address, given by the distinguished deputy majority leader of the Senate, the Senator from Minnesota, Mr. Humphrey.

In his speech entitled "The Role of Congress in the American Political System," Senator Humphrey made an illuminating comparison between the challenges which beset the 63d Congress of 1913–1915 and those which confront us today. The earlier Congress, after months of public criticism of dawdling and equivocating, passed such historic legislative landmarks as the Underwood Tariff Act, the Federal Reserve Act, the Clayton Antitrust Act, and the Federal Trade Commission Act. The senior Senator from Minnesota then expressed the conviction that the 88th Congress, in spite of similar criticism, will meet the historic challenges facing it, by enacting legislation of equally far-reaching importance.

Mr. President, I ask unanimous consent that Senator Humphrey's speech be printed at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

The Role of Congress in the American Political System

(Remarks by Senator Hubert H. Humphrey before the 59th annual meeting of the American Political Science Association, September 6, 1963, New York City)

Mr. Chairman, my good friend and advisor, Max Kampelman, President Friedrich, President-elect Pritchett, and my good friend and fellow Minnesotan, Evron Kirkpatrick, my colleagues from Capitol Hill, and fellow members of the American Political Science Association. It is indeed an honor, privilege, and, I might add, a surprise to participate in this ceremony to announce the four recipients of the Congressional Distinguished Service Awards for the 87th Congress. I say "surprise" because, as some of you may recall, I was also scheduled to perform a similar function 2 years ago in St. Louis when the awards for the 86th Congress were presented.

At the last moment my bill to establish the Arms Control and Disarmament Agency was called up for action and I had to send my regrets and Max Kampelman. But Max Kampelman performed what had already become for him a most accustomed role—namely, filling in for Hubert Humphrey. Reports have it that he delivered a magnificent address on the role of Congress in the American political system—remarks which I take credit for because I taught him his politics.

I noticed in the press that Governor Rockefeller addressed your annual meeting. I also recognized it to be a rather partisan address. Now, as a member of the association, I realize that this occasion should be nonpartisan and I shall abide by the ground rules, at least to a degree.

Having professed my innocence, let me now proceed with a partisan comment. Governor Rockefeller and Senator Humphrey have something in common. Neither of us got to be President in 1960 and neither of us will be elected President in 1964. It is this sort of bipartisan understanding that makes American politics so interesting, and, at times, so sad.

I am particularly pleased to participate in this biannual ceremony when the congressional distinguished service awards are presented to the four outstanding House and Senate Members. Our former colleague from Connecticut—the Honorable William Benton—has graciously and generously provided the association with the resources and imagination which make these awards possible. Bill Benton took the initiative, a well-known characteristic of this outstanding American, because he believed, as I believe, that Congress has a vital role to play in the governing of this Nation. He believed, as I believe that outstanding service in our national legislature should not go unrewarded and unrecognized. He believed, as I believe, that while the role of Congress has undergone profound transformations since the Founding Fathers drafted article I of the Constitution in the spring and summer of 1787, the fate of the Nation is as much dependent upon the decision of Congress today as it was then. In fact, as the problems and responsibilities of government have grown, the duties assigned to the Congress have steadily expanded.

Certain sophisticates make a profession of scoffing at the notion of the separated powers, implying that Congress has been left behind by the sweep of present-day events and challenges. Speaking as one who has frequently criticized many aspects of congressional organization and procedures, I nevertheless must also stand up and be counted as one who sees the legislative process as embodying the heart and soul of American politics.

Democratic government has never been easy. This is why so few nations have been successful at it for any sustained period of time. It is, so to speak, "a glorious misery." I believe it was Winston Churchill who said, "Democracy is the worst possible form of government except all others." It is the system which is always supposed to be on the verge of failing, always there with too little, too late. The same is said of Congress. And yet, at least in this Nation, the "glorious misery" is still with us. So is Congress.

Certainly we do not lack for critics. Several months ago a well known speaker, writer, and religious leader, Dr. Norman Vincent Peale, had a grand time taking politicians to task, particularly those elected to Congress. Let me quote several of his remarks, as reported by the Associated Press:

"If in the future I get within gunshot of a politician, it'll be because I don't know it," this religious leader announced.

He continued: "Taking them (politicians) by and large as a breed, they leave me cold. You wonder how the country survives with these men.

"The fact that God watches over us saves us from most of these fellows. I used to think a Governor or a Senator was a great man, but I long since got over it. He's just cleverer than the next guy, that's all," he concluded.

Now, as a politician, my hide is pretty tough, hardened as it were to the slings and arrows launched for the most part, it seems to me, by the outraged fortunate. But frankly, I would hope that all American political and spiritual spokesmen would also acknowledge the critical role which elected representatives perform in our system of government. In a democracy such as ours the elected representatives, "the politician," has the heavy responsibility of making the decisions which determine how this country will function from day-to-day and from year-to-year.

To the ancient Greeks, "politics" meant "the science and art of government." A politician was, therefore, a scientist, an artist, in government, in the affairs of the state, in meeting human needs, in providing order and continuity for his people. The state, of course, is not self-operating. No matter how satisfactory our Constitution is, no matter how advanced our computers become, human beings are and will be required to practice the art of government. Heaven knows some of the practitioners leave something to be desired; but most of them I know spend their time honestly and faithfully trying to make right decisions in a world whose complexity seems more profound every morning.

This is a difficult and demanding task. The character of the persons selected to make these decisions reflect, in large measure, the character of the people they represent.

Is "politician" such a nasty word in our vocabulary? Thomas Jefferson was a politician, so was Andrew Jackson, Abraham Lincoln, Grover Cleveland, Teddy Roosevelt, Woodrow Wilson, Calvin Coolidge, Herbert Hoover, Franklin Roosevelt, Harry Truman, Dwight Eisenhower, and John Kennedy. Must we always reserve the appellation of "statesman" for the politicians of whom we approve, never to admit the simple truth that most statesmen are also politicians?

Fellow political scientists, I am sure you will be interested in several excerpts from a letter which the president of this association, Prof. Carl Friedrich, wrote in response to the attack on politicians which I have just quoted.

To quote from Dr. Friedrich's letter: "It is, of course, a conventional pastime of the 'man in the street' to work off his frustrations by such abuse. But in these times when constitutional democracy in general, and our American Republic in particular, are confronted with the totalitarian challenge to representative government, such reckless misrepresentation of the plain facts ought not to go unanswered.

"Let me then stand up and be counted as one who believes that the large majority of the men serving in the Senate and House of Representatives are dedicated public servants. It has been my privilege as a lifelong student of politics to be personally acquainted with quite a few of these men. I have no hesitation in saying that I have found them men of intelligence, courage, and integrity, and what is perhaps even more important: very hard working."

Speaking for all politicians everywhere, we rise up and thank President Friedrich for this unsolicited endorsement. There is nothing quite like flattery to restore and revive the tired politician. And tonight I feel great.

But we all know the allegation that Congress never gets anything done. Let me quote several news dispatches from the pages of the New York Times.

An outraged member of the Republican Party was quoted as saying, "I will further add that I think it is rather a spectacle, after Congress has been kept in session late in the summer during the past 5 or 6 years, when everybody is tired out, and a great many Senators are absent and more will be absent, for the purposes of considering a measure which I think I am safe in saying no considerable portion of the Senate believes will be enacted into law at this session of Congress."

A related story in the Times noted that, "The President had his jaw set hard today when he let it be known that there was no truth in reports that he had decided to abandon his legislative program. On the contrary, said the President, he intended to push the legislation despite the determined opposition in Congress."

During July the Times printed a dispatch which read, "The Senate has settled down to the serious task of passing the bill as soon as possible and then adjourning. But by August, the tune had already changed." The Times reported, "Congress intends to adjourn October 15 if conditions justify it." The Senate whip, himself, was quoted as saying, "I have to get a general idea of what the Members think on certain subjects. Sometimes I miss the mark a little. This time I know what I am talking about. There will be a recess after the vote on October 16 or 17."

With these news reports the New York Times described the trials and agonies of not the 88th Congress but the 63d Congress as it struggled to enact the historic legislative program proposed by a former president of this association and then President of the United States, Woodrow Wilson.

As scholars and political scientists, we now look back to the 63d Congress of 1913–15 as the golden age of congressional responsibility and accomplishment. Here one Congress recorded such historic legislative achievements as the Underwood tariff, the Federal Reserve Act, the Clayton Antitrust Act, and the Federal Trade Commission Act. Such radical devices of party responsibility as the binding caucus were used by the Democrats in both Houses. President Wilson literally carried his program to Capitol Hill by reviving the long abandoned and almost forgotten practice of delivering the State of the Union address in person.

"A speech from the throne," muttered incensed lawmakers on both sides of the aisle. However, the speech was so successful that President Wilson, while driving back to the White House after addressing the packed joint session, gleefully exclaimed: "I'll bet T.R. wishes he had thought of this."

Yet, if one looks at the day-to-day events which produced the grand accomplishments of the 63d Congress, one is startled to find the similarity with conditions we associate with our present situation; namely, stalemate, frustration, revolt, and turmoil. But in discovering these similarities we also begin to appreciate the realities of the legislative process.

As assistant majority leader I can also appreciate the plaintive words of the Senate majority leader in the 63d Congress, Senator John Worth Kern, of Indiana, as he surveyed an almost empty Senate Chamber:

"At this time there is not a quorum in the city. There may be a quorum on Monday * * * but at this time there is no use in going through the idle ceremony of meeting here when there is not a quorum in attendance." Senator Henry Ashurst, of Arizona, his antagonist in this colloquy, snarled in reply: "I join with those who say we ought not to pingpong about from Thursday to Monday, then from Monday to Thursday. Let us diligently take up subjects of legislation and treat them as they should be treated, or have the nerve and pluck to adjourn."

If Senator Kern had the nerve and pluck as Senator Ashurst described, the magnificent record of the 63d Congress would never have been compiled. The Nation would never have reaped the abundant harvest of the new freedom. Senator Kern didn't adjourn; he stayed.

I cite these anecdotes about the 63d Congress to suggest that legislating has never been an easy, orderly task, and never will be. As the four recipients of the congressional Distinguished Service Award know so well, the legislative process is a tedious, demanding, frustrating, and harsh taskmaster.

If you want to wear yourself out, just run for Congress and win.

As the crises of our time accelerate the tendency toward decisionmaking solely by the executive branch of the Government, it becomes increasingly important, in my opinion, for Congress to participate more actively in these decisions. The Congress is the public forum. It is the voice of the people.

Like it or not, there are 190 million persons represented on Capitol Hill. Who is so brash and foolish to claim the total omnipotence of one group or section of these people over another?

For our democratic system to remain healthy and vital in the demanding years ahead, we must reach decisions that reflect the entire Nation. Congress must provide itself with the institutional tools to become more of a participant and less of an observer in the formulation of long-term foreign and domestic policy. I have proposed the creation of joint committees in the area of national security policy and international trade which would permit precisely such congressional participation. There are other areas, such as appropriations, which should be reexamined for possible procedural reform.

In the final analysis, the fundamental criterion by which to judge the operations of Congress is, in my opinion, whether or not Congress is seeking to resolve the truly critical issues of the day. To illustrate, let me return briefly to the 63d Congress. Why did this Congress, as opposed to the 60th, 61st, or 62d, go down in history as one of this Nation's greatest? The answer is clear: the 63d Congress hammered out solutions to the truly critical problems which gripped the Nation, the problems of business responsibility in the 20th century, the problem of trade with foreign nations, and the problem of a banking system designed to meet the needs of an industrialized society. Nothing was of greater importance in those years. Nothing could have warranted higher priority on the congressional agenda.

The responsible Members of the 63d Congress understood that their task must be the passage of effective legislation in these areas. Not every Member of Congress understood this, some were openly hostile, some criticized without offering constructive alternatives, some derided the President because all was not accomplished immediately. But these critics only displayed their own lack of appreciation for the magnitude of the task at hand. In the end, Congress met its responsibilities fully. The new freedom silenced the critics forever.

I predict that the 88th Congress will assume a comparable place in history. Why do I make this prediction?

For this fundamental reason: As in the days of Woodrow Wilson, the Congress is now engaged in matters of historic dimension, issues which will shape the nature of American society and the world for years to come.

What are these critical issues? I would list three. First, do we possess the courage and determination to preserve our Nation and the rest of mankind from nuclear annihilation while simultaneously defending freedom and democracy? Second, are we sufficiently committed to the ideals of American democracy that we will banish racial prejudice and discrimination from these shores forever? Third, do we possess the wisdom and commonsense to capitalize fully on our free enterprise system, to achieve its full measure of economic growth and to eliminate unemployment?

These are the critical issues before the United States. And it is no accident that the top priority items on the agenda of the 1st session of the 88th Congress are the test ban treaty, the civil rights bills and the tax cut. Congress must learn and act on a new "three R's"—ratification, racial equality, and revenues.

Just as the 63d Congress found the path of achievement to be long indeed—President Wilson held the 63d Congress in session for almost 24 consecutive months—the 88th Congress will be one of almost continuous labor.

This week I alerted my colleagues that I expect Congress to remain in session until Christmas. We expect to ratify the nuclear test ban and complete action on the civil rights and tax bills before this first session adjourns. We will pass a variety of education bills as well. There will be no wavering or turning back from these paramount objectives. There will be no "equivocation or tokenism," as certain critics of the administration have charged. There will be nothing but resolute determination that each of these matters must be completed. And they must be completed in this Congress. We will accept nothing less.

We begin floor debate on the limited test ban treaty on Monday. Seldom have I participated in a more thorough and comprehensive examination of a foreign policy proposal. It is now clear that Congress will ratify by an overwhelming majority this extremely significant advance in the process of peace. We are not overly sanguine on the impact of this treaty on the future of the world. But we cannot afford not to take this step, for here, in 1963, mankind has the opportunity to step back from the abyss of nuclear annihilation and say, "It shall never come to pass."

On civil rights the President and his congressional leaders have pledged that a truly effective bill will pass this session. We have served notice on all who oppose the President's bill that we are prepared to fight until a significant victory has been achieved. If the bill is filibustered in the Senate, we will break the filibuster. I have spent my entire Senate career working for such legislation. We will not turn back now.

Let those who question the sincerity of President Kennedy and his supporters in Congress be prepared to stand with us in this coming struggle. I deeply regret that certain persons have felt it necessary to use the question of human freedom as a vehicle for personal political advancement. Nevertheless, let us now mutually vow to remove this question from the partisan political arena altogether and seek to banish the stain of racial injustice from our soil forever. We intend to win this fight and we will.

Let the word go out—test ban treaty, civil rights, and tax cut; these will guarantee the 88th Congress a proud place in the history of America.

While decisions of this magnitude cannot be taken easily, quickly or superficially, they will be done in 1963. They will testify that Congress still is a principal contributor to the "glorious misery" of our democratic system.

We are told today, as Woodrow Wilson, the political scientist, asserted years ago, that Congress is archaic, illogical and inoperable. Yet this Senator says the system has worked and it will continue to work as long as this Nation is blessed by public servants such as those who are honored here this evening. It is my great privilege to serve with these distinguished Members of Congress and I am personally honored to have been given the opportunity to participate in this awards ceremony.

DEATH OF JUDGE CHARLES N. PRAY

Mr. MANSFIELD. Mr. President, I am sorry to announce to the Senate the passing of Judge Charles N. Pray, of Great Falls, Mont., a former Member of the House of Representatives, and the father of Glacier National Park. He made many contributions to the development of the great State of Montana and the Nation.

Out of respect to this great man, I ask unanimous consent to have printed in the RECORD various newspaper articles and editorials relative to Judge Pray's manifold accomplishments.

There being no objection, the articles and editorials were ordered to be printed in the RECORD, as follows:

[From the Great Falls (Mont.) Tribune, Friday, Sept. 13, 1963]

FATHER OF GLACIER PARK, RETIRED JUDGE PRAY, 95, DIES

Charles N. Pray, 95, retired Federal judge and dean of U.S. district court judges, respected throughout the West for his distinguished service as a jurist, died at his home, 1401 Fourth Avenue North, Thursday afternoon.

Respected throughout the Nation for his ability and devotion to the public good, Judge Pray retired from the Federal bench in 1957 when he was 88, after more than 33 years as Federal judge. He was appointed by President Calvin Coolidge, January 21, 1924.

In the years between his retirement and his death, Judge Pray was honored many times for his long and active career. He was a guest speaker at the 1960 Governor's Convention in Glacier Park, and earlier in the year was guest of honor at a Kalispell dinner celebrating the park's 50th anniversary. He was unable to attend a legal conference at Glacier Park this summer.

In addition to his activities while a Federal judge, Pray was known as the "Father of Glacier Park" for his efforts toward establishment of the 1-million acre park while he was a Member of the U.S. House of Representatives from 1907 to 1913.

MANY TRIBUTES

Upon his retirement announced January 17, 1957, by President Eisenhower, Judge Pray was accorded tribute by the President, Members of both Houses of Congress, fellow lawmen and newspapermen throughout the State.

Men of legal stature added to tributes paid the distinguished jurist. Judge William J. Jameson, former American Bar Association president, appointed by President Eisenhower to succeed Pray, said in part: "Throughout his distinguished career as a jurist, Judge Pray has exhibited those qualities which make a great judge—humility, a sound and proper sense of values, unquestioned integrity and intellectual honesty. He has been a diligent worker. He has tempered firmness with kindness, justice with mercy."

At its 58th annual commencement in 1955, Montana State University conferred an honorary doctor of laws degree on Judge Pray as a distinguished jurist and for his service to both State and Nation.

BORN IN NEW YORK

Judge Pray was born in Potsdam, N.Y., April 6, 1868. He grew up in Middlebury, Vt., where he very nearly attended one of the service academies rather than taking up a law career.

He received an appointment from Representative James F. Stewart but at the last minute found there were no vacancies and was advised by Stewart to wait another year when the appointment would be made good.

Instead, he attended Middlebury College, taking a Latin, science curriculum. At the end of the school year he talked with a friend who had just graduated from West Point and received such a dismal report he abandoned the service school idea.

In his sophomore year at Middlebury, he left during February and went to Chicago, where a friend had obtained for him a job as reporter for the Morning Record, forerunner of the Daily News.

TRIED ACTING

As a reporter, he covered three theaters and made friends with actors and playwrights. He succumbed to that lure temporarily and for 6 months was a member of a stock company touring the Midwest.

During that time, the leading man was stricken just as the play was to go on, before a packed house. The director wanted to cancel the performance and refund the audience's money, but Pray offered to take the role and finally convinced the director.

Later he went to another company and, although still quite young, took over the lead in that company's play. He held the job for 5 months until a job opened in the Chicago courthouse which would permit him to study law at night.

After 2 years, he received a bachelor of law degree from the Chicago College of Law and practiced in that city from 1893 to 1895.

In 1896 he came to Montana, settling first in Fort Benton where he became associated with John Donnelly, who was a Civil War veteran and had headed a raid into Canada when the Fenian Movement tried to annex all of Canada to the United States against the wishes of the United States.

WED IN FORT BENTON

He married Edith C. Wackerlin June 20, 1901, in Fort Benton. She preceded him in death here May 28, 1951.

From 1899 until 1906 he served as prosecuting attorney at Fort Benton. Pray was elected to the U.S. House of Representatives in 1906, when Montana elected only one person to serve as Representative at Large, and served until 1912 in the 60th through 62d Congresses.

His election in 1906 as a Republican was achieved over another famous Montanan. His Democratic opponent for Representative was the late Thomas J. Walsh, who later was elected U.S. Senator, lost the election to Pray by more than 23,000 votes.

While in Congress he served on the House Committee on Alcoholic Liquor Traffic, Mines and Mining, and Public Lands.

These committees passed the 3-Year Homestead Act and established the Bureau of Mines. One of them assisted in passage of the "20 million certificate bill," which furthered irrigation projects in the Western States. Pray also had a strong interest in establishment of the postal savings system.

Many of Pray's congressional speeches, and the subject of many bills he introduced, had to do with questions of the public lands. He was author of various resolutions regarding entry on homestead lands and authorizing land surveys in Montana.

AUTHORED REPORTS

In the congressional sessions of 1909 and 1910 he was author of reports by the Committee of Public Lands recommending establishment of Glacier National Park, and in the 62d Congress he authored H.R. 1679, authorizing the Government to accept the cession of lands constituting the present million-acre park.

He was defeated in quest of reelection in 1912 by the late John M. Evans by a margin of 995 votes. His margins in the 1908 and 1910 elections had been equal to that of 1906.

Upon leaving Congress, Pray returned to the practice of law in Montana, as a member of the firm of Pray, Callaway, and Toole at Great Falls, where he has lived since.

In 1916, he received the Republican nomination for U.S. Senator but was defeated by the incumbent, Henry Lee Myers.

He remained in private practice until he was appointed District Judge for Montana by President Coolidge January 21, 1924. When he retired 33 years later, at the age of 88, he was the dean of U.S. District Court judges.

Among honors extended the veteran jurist and attorney were his election as president of the Ninth Circuit District Judges Conference in 1952, 1953, 1954, 1955, and 1956.

Although he officially had retired in 1957, Judge Pray, as provided for by law, carried on judicial work here. Federal law states a Federal judge never completely retires as he shall continue to serve in cases he is willing to undertake.

There are no close relatives. Funeral arrangements are pending from George Co. Chapel and will be announced.

[From the Great Falls (Mont.) Tribune, Sept. 13, 1963]

OFFICIALS EXTOLL PRAY: OUTSTANDING AMERICAN

HELENA.—The Governor and Montana's Supreme Court justices joined Thursday in issuing statements of regret over the death of retired U.S. District Judge Charles N. Pray, of Great Falls.

Gov. Tim Babcock called Pray one of the outstanding Americans of the century.

The State's highest judges described him as a man of unyielding principles.

In a statement released through his office, Babcock said:

"In the passing of Judge Pray, Montana has lost one of her most venerable and beloved citizens, a nationally respected judge, and one of the outstanding Americans of this century.

"Judge Pray was one whose achievements and whose contributions to his fellow man will long survive him. His inspirational influence will be felt for many generations to come.

"It is fitting that Glacier National Park should stand as a living memorial to Judge Pray, who was instrumental in that beautifully scenic region being set aside for people from all the world to enjoy.

"No greater memorial to any man could exist."

The supreme court justices said, in part:

"With sincere and deep regret, the justices of the Montana Supreme Court learned of the passing of the Honorable Charles N. Pray. * * *

"He trained his mind to a severe and impartial discipline. As a judge, he presented his views to his fellow men such as not to offend them. Yet with all, he was firm in his convictions and when any of his high principles were in jeopardy, he was unyielding. He loved justice, a real justice that was tolerant and humane. Montana has lost, in the passing of Judge Pray one of its finest citizens. We shall miss him."

[From the Great Falls (Mont.) Tribune, Sept. 14, 1963]

MONTANA MOURNS THE PASSING OF TRULY GREAT U.S. JURIST

In the death of U.S. District Judge Charles N. Pray, Montana has lost one of its finest and most distinguished citizens. Through his long career as a Federal judge he was accorded many well-deserved National, regional, and State honors. Upon his retirement in 1957, high tribute was paid him by President Eisenhower, Members of both Houses of Congress, fellow lawmen, and by Montana newspapers.

In addition to his reputation as a jurist, he was known as the "Father of Glacier Park." Serving in Congress prior to his judicial appointment, he championed and authored the House bill which established this million-acre national park.

He was a truly great judge—one who exemplified the highest standards of judicial performance. He was humane in the administration of justice, yet firm in his principles and convictions.

His illustrious example will remain an inspiration and guiding light for American jurists at all levels.

MONTANA'S ELITE CORPS—THE MONTANA SMOKEJUMPERS

Mr. MANSFIELD. Mr. President, Missoula, Mont., boasts of being the largest smokejumping center in the Nation. It is one of eight such facilities operated by the U.S. Forest Service.

The elite corps of 175 are on standby throughout the summer, ready to combat the most devastating of all threats to our national forests, the uncontrolled forest fire. The chosen few are physically fit and experienced, and willingly submit to the rigors of the smokejumpers school and the hazards of fighting timber fires.

A recent issue of the Christian Science Monitor contains an excellent feature on the Montana smokejumpers, and I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Sept. 7, 1963]

SMOKEJUMPERS' AIM HIGH

MISSOULA, MONT.—A smokejumper is somewhat like a submarine skipper attacking a battleship.

He faces a larger and stronger foe. But he knows that one swift, precise blow—if timed and placed correctly—can defeat his opponent.

An elite corps of 175 men, on standby at Missoula throughout the summer, can be ready in minutes to fly to any area in the Nation. Actually, most jumps occur in the Pacific Northwest, principally Montana and Idaho. But Missoula-based men also parachute into fires in Alaska and New Mexico.

The Missoula smokejumper center, largest of eight such U.S. Forest Service facilities in the country, spreads over several acres adjacent to the Missoula County airport, on the fringe of some of the world's most dense timberland.

STANDARDS HIGH

Dedicated in 1954 by President Eisenhower, the center was officially dubbed the Missoula Aerial Fire Depot. The site includes a sizable training area that looks much like an Army paratrooper school.

"We take considerable pride in our training program," says Henry J. Viche, the husky air-operations officer. "We've made 55,000 jumps since 1940 without a fatality caused during the descent or landing.

"About 1,000 young men apply for smokejumper duty at Missoula each summer. We take about 60 of them. We're choosy and we keep our standards high."

An applicant is rejected if he hasn't worked one summer on a regular fire-suppression crew.

"Our typical smokejumper," says Mr. Viche, "is a college student about 24. He must meet demanding physical requirements but there are no limitations on academic background. We get them from all fields—we often get applications from divinity students."

FIRST JUMP

Mr. Viche, born in Missoula, has been with the Forest Service 34 years.

Among his chief assistants is Earl Cooley, soft-spoken veteran superintendent of the parachute project and the second man to drop from an airplane into a fire area.

That was on July 12, 1940, when Mr. Cooley and Forester Rufas Robinson jumped from an old Ford trimotor into the Martin Creek fire in Idaho's Nez Perce National Forest. The plane still is used by smokejumpers at Grangeville, Idaho.

Mr. Viche directs all aerial operations in region 1—33 million acres that includes all of Montana and parts of Idaho, Washington, and North Dakota.

A smokejumper looks like a low-level astronaut. He wears a white nylon suit, heavy gloves and shoes, crash helmet, wire mask, two orange and white parachutes and other equipment to aid him in any emergency.

If he lands in a giant Douglas fir, the smokejumper hooks a special rope to his chute, then slides down.

FIREPROOF TEPEE

He carries in a 3-pound cylindrical belt kit a protective fire shelter that looks like a baby tepee. If trapped by a blaze, he huddles inside the recently developed aluminized cone capable of withstanding temperatures of 750 degrees.

"It's kind of a last resort," Mr. Viche says. "It has great potential in saving lives."

Once on the ground, the smokejumper cuts a trench ahead of an advancing fire. Eventually, he encircles the flames with a wide path, utilizing heavier equipment such as power saws dropped separately.

Earlier this month, Missoula smokejumpers had made 412 drops on 119 fires in region 1, 84 in New Mexico, and 99 in Alaska. During a busy day, more than 100 jumpers may fight more than 30 fires.

LONG WALK BACK

The only hit-or-miss phase of the operation is the return trek to the Missoula headquarters. It usually involves hiking, hitchhiking, trains, or buses.

Foresters say the secret of the smokejumpers' success is speed. "The sooner we get to a fire, the better the chance of controlling it," says Mr. Viche. "Once a fire spreads over thousands of acres, we have to work on several fronts.

"Eighty percent of the fires still are small when we get to them. We're able to confine them quickly."

First-year men are paid $2.20 an hour—a rate that also applies for overtime.

MONTANA STUDENT NOW CHIEF RESIDENT AT VENTURA GENERAL HOSPITAL

Mr. MANSFIELD. Mr. President, the patronage program on Capitol Hill provides the means, through employment, for many a college education. These jobs bring young people from their home States to the Washington, D.C., area, where they can obtain additional education at some very fine institutions of higher learning. During the time that I have been in the Senate, many young Montanans have enrolled, obtained degrees, and gone on to great things.

Unfortunately, many times these college graduates succumb to job opportunities far from Montana. That is entirely understandable, but results in difficulties for a State such as Montana, which needs to depend so strongly on its young people for future leaders in development and progress.

Recently, a feature story from a California newspaper was brought to my attention. It tells of the sacrifice and dedication of a hospital's new resident doctor and his family. The subject of the story is Dr. James Mason, formerly of Lavina, a thriving community of 200 residents. Jim operated an elevator here in the Senate while he completed his medical education at George Washington University.

I am exceedingly pleased to know that Jim and his family are doing so well, and wish to take this means of offering my congratulations and to wish him success in the medical profession. Mr. President, I ask unanimous consent to have printed in the RECORD a feature story appearing in the August 14, 1963, issue of the Ventura County (Calif.) Star-Free Press.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Ventura (Calif.) Star-Free Press, Aug. 14, 1963]

Local Doctor's Career Is Hard Work, Not Suspense-Filled TV Drama

(By Pamela Hallan)

The life of a doctor at Ventura General Hospital is not one of finding drama in every corner of the corridor as portrayed by television's "brooding young men."

But it is filled with self-sacrifice and dedication—not only for the doctor—but for his family.

"One's first impressions of medicine are not the real ones," said Dr. James Mason, chief resident at Ventura General Hospital.

"Everyone has his own impression of what a medical career will be like, and they are usually right," he said.

"You find the appealing things later on," he added. And the doctor's family finds medicine more appealing later on, too.

"It was hard to be a premed student's wife while he was in school," said Eva Mason, the prettier half of the Masons.

"I can remember him reading, eating, and drinking medicine," said Eva. "And that was his schedule."

"This year it's much nicer. We have more family life because he has time," smiled the mother of two, Kent, 6, and Rennae, 5.

This year and last year Dr. James Mason has been a resident at Ventura General where he is learning how to handle a general practice.

"Ventura is supposed to have one of the finest training programs for doctors wanting to go into general practice careers," said the graduate of the University of Montana and George Washington University Medical School.

"The Ventura hospital has no interns, only first- and second-year residents. We live on the hospital grounds and are employed by the county," he explained.

"As general practice trainees, we are schooled in all areas of family medicine including children's diseases, surgical procedures, and all common, less complicated diseases.

"This year my schedule consists of surgery from 7 a.m. to about noon, then rounds visiting post- or pre-operative patients, then teaching conferences, and if I'm lucky—then I go home," said Dr. Mason, whose two brothers are also physicians. Dr. J. K. Mason is a first-year resident at Ventura General and Dr. Lymon Mason, practicing medicine in Washington.

Being able to go home is a rather new occurrence, according to the doctor's spouse.

"While he was in medical school in Washington, he also had a job after hours," said Eva, who helped feed mouths by being employed in the Federal Reserve Building in Washington.

"He was elevator operator for Senator Mike Mansfield of Montana, working 5 hours a night," she remarked.

"I even had a desk and lamp off the elevator in the basement so I could study," said Dr. Mason.

"All the elevator operators were medical students and all the security guards were law students," he added.

Maybe television's medical men could pick up that information and film a series in Washington.

"We watch both the Casey and Kildare series once in a while," said the doctor.

"Casey is technically accurate but Kildare reaches pretty far," he commented.

"Hospital life isn't quite so openly dramatic. We have our drama but it's more subtle and we certainly don't have so many romances between the young doctors and the young nurses—not in Ventura," he grinned.

"Our residents have almost all served their internship. Their role here is more subservient as they are putting into practice what they want to do in the future. They've very conscientious and are not specializing," he explained.

"There are the Casey types in medicine with their yelling and brooding, but they're more likely to be found in places like Los Angeles County Hospital. That's where the Casey material originates. I interned there and it's really a grind," he continued.

"We don't feel the influence of the television doctors too much except for an occasional 'say Doc, this is just like Ben Casey' as we wheel someone into surgery," he laughed.

But Dr. Mason doesn't want to stay in the hospital for the remainder of his career.

"Eva and I would like to go north to a small town of 3,000 or 5,000 residents to set up practice," said the physician, a Montana boy hailing from Lavina, a towr of 200 residents.

"There I could put into practice what I I've been trained to do as a family doctor," he said.

"But it will still be hard to be the family doctor's wife," said Eva, "especially when it comes to normal routine things, like planning a dinner party. I never know if he'll be in or out," she laughed.

Which just proves that however dedicated the men in white may be * * * there's someone more dedicated in the kitchen ironing that white uniform.

TRIBUTE TO SENATOR RUSSELL

Mr. MANSFIELD. Mr. President, I had hoped to make a few remarks during the course of the speech being made yesterday by the distinguished Senator from Georgia [Mr. Russell], but because so many Senators were participating in debate in the Chamber I found it impossible. I was called from the Chamber briefly, and when I returned it was too late.

I commend the distinguished Senator for the breadth he has shown. He indicated—if I have interpreted his speech correctly—that so far as the positions of the Joint Chiefs of Staff were concerned, they were not motivated by the military aspect of the treaty only, but looked at it from a broad point of view which considered its political implications as well. I know that the Senator from Georgia has been personally perturbed and disturbed over what his stand should be on the treaty. I commend him for his integrity and for his fairness and understanding. I am sorry he is not on the other side, but I look upon him as a responsible and dedicated Senator, and I respect his integrity.

Mr. RUSSELL. Mr. President, I wish to express my appreciation to the distinguished majority leader. He does me more honor than I deserve.

His very kind words will prove a salve to the wounds I know I shall bear when the Senate emerges from final consideration of the treaty.

CRITICISMS OF CONGRESS

Mr. RUSSELL. Mr. President, of late I have been greatly concerned by the constant criticisms of Congress from so many sources.

Congress is not a perfect institution. It is composed of human beings, and generally the Members reflect very well the progress and the competency of those who send them here.

Many persons feel that one who is elected to Congress is thereby endowed with some supernatural quality. However, all who occupy seats in this body know that is not the case. We are still human beings, although as Members of Congress we have greater responsibilities than we had theretofore, and we are compelled to struggle with them. But certainly no particularly increased competency is bestowed upon us by virtue of the mere fact of our election to Congress, to represent our constituents.

One reason for my concern about this matter arises from the fact that the criticisms seem to be based on a belief that a Congress that does not wheel out the bills as fast as they are introduced, and does not pass a great many laws, is a very poor Congress. In my judgment, sometimes a Congress can better be judged by the standard of the bills it rejects and the measures it does not help enact, rather than by the bills which are enacted.

Recently, I happened to read an article entitled "Congress Delenda Est," written by Mr. Ralph Bradford, and published in a periodical entitled "Christian Economics." I do not know Mr. Bradford, and this is the first time I have seen this periodical. However, inasmuch as the article presents some enlightening information in regard to the attacks on Congress, I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Congress Delenda Est

(By Ralph Bradford)

The word has gone out among the left-liberals: Congress delenda est. They don't use that phrase, of course. They are not so frank as Cato was about Carthage; but their frustration and sense of betrayal lead to the same angry purpose, and they are equally implacable.

For they consider that they have a mission. Quite simply, it is to determine what is best for the country, and then to compel the country to accept the medicine they have prescribed. Any reluctance to do so is evidence to them of ignorance or worse. They are frustrated when their Messianic role is not acknowledged; they feel betrayed when their plans are not accepted.

Just now they seem to have decided that the big bar to progress (as they define the term) is not in such theaters of action as Cuba or Laos. The big problem is right here at home. The real enemy is within—and they are taking steps.

Congress delenda est.

The campaign was heralded on last December 30 when liberal Prof. James MacGregor Burns appeared on "Meet the Press." He said: "The basic thing wrong with our political system is that our Government was set up to be a divided government, with internal checks."

Note, please, the clever semantics of that attack. "Divided" is semantically a "bad" word. It carries the connotation of weakness and dissention. Of course, none of the Founders ever thought of it as a divided government. It was and is simply a government of coordinate and equal branches. But Professor Burns now puts out the line that it is "divided."

And he went on: "Today it is imperative that we have a strong national government, but we still have the old constitutional checks. This is the basic problem, but it is greatly intensified by the fact that Congress, and especially the House of Representatives, has become the least representative agency of the National Government."

A panel member reminded Burns that this Congress was elected since the medicare and educational aid bills were defeated. The Congressmen had been home, had heard from their constituents, and many had been reelected. Did this not prove that Congressmen are closer to the voters on these issues than Burns believed?

The professor shifted ground by insisting that Congress now overrepresents rural, conservative areas. Finally, on being asked bluntly if he wanted to give all power to the President, he replied that he wanted to improve the Congress (note again the clever semantics: "improve" is a good word) so that Congress could have what he called "an affirmative role to protect the general interest."

AN AFFIRMATIVE ROLE

In other words, Congress shouldn't say "No," it should say "Yes." It should not be coordinate and equal, it should be subordinate and amenable. The President, surrounded by a coterie of liberal intellectuals, should decide what is good, and Congress should go along. If it fails to do so, then Congress delenda est.

Another blow was struck on March 3 by Howard K. Smith, a devoted left-liberal. He opened with an indictment of Congress in which he referred to its "increasingly negative mood," and quoted Chief Justice Warren as saying that if the Bill of Rights were introduced as new legislation today, Congress would not pass it.

He then ran through a list of evils, such as slums, unemployment, the crime rate, cost of education, and lowered industrial production—all of which he termed "a wastage of human resources that no other nation, free, or Communist, is permitting itself."

Now, I would have assumed that the liquidation of some 15 million Russian peasants, and of a still greater number of small landowners in China, offered fairly grisly examples of the wastage of human resources. When I compare our worst conditions with those I have seen in Calcutta or in the slums of Rio or Lima, or in the back streets of Naples, I would not have thought that we Americans are ahead of all others in the wastage of human resources.

But Mr. Smith is not blinded by any such national prejudice. He says we are the world's worst; and he asserts that with respect to all such bad conditions "our representatives have turned deaf and blind." This of course made Congress look very bad—which is the apparent object of the left-liberal campaign. For remember: Congress delenda est.

A third salvo was fired the same date on "Open End." Mr. David Susskind has, of course, often demonstrated his devotion to the left-liberal cause. On this program he had as guests old New Dealers Thomas Corcoran, Benjamin Cohen, and Roxford G. Tugwell. As an ideologic link of their time with the present, another guest was Arthur Schlesinger, Jr.

In the reminiscent talk of New Deal days, Mr. Susskind tried to reemphasize the old liberal legend that in 1933 the country was on the verge of a bloody revolution. To his apparent disappointment, his guests seemed reluctant to support that bloody-revolution myth.

Having failed on that gambit, Mr. Susskind brought the talk around to Congress. Transcripts of the program are not available, so direct quotes cannot be made; but the substance of what followed was that Congress was unresponsive to the crying needs of the present day. At any rate, the left-liberal end was served. Another blow had been struck. Congress delenda est.

We should be alert to these attacks. They will no doubt be repeated many times. Having agreed upon a program of inflationary spending and bureaucratic expansion as the sure and only salvation for this country, the left-liberals are outraged that the support they expected from the country is not forthcoming.

Characteristically, they conclude that those who oppose their plans are unenlightened reactionaries. But they have no way of attacking such people effectively. Congress, however, as the immediate and visible obstacle to their schemes, is another matter. Since Congress will not go all the way with their program, Congress must be at fault. Certainly it would never occur to a left-liberal that he could be wrong.

So the thing to do is to attack the Congress; make it appear weak, futile, reluctant, negative; demand that its constituencies be redistricted, that it be reorganized, that its committees be packed and reconstituted, that its rules be changed.

All this, of course, not to the end of really improving Congress, but of compelling it to abdicate its responsibilities and accept the big-spend, big-debt program which the left-liberals are determined to force through. Watch for it. The word has gone out: Congress delenda est.

REFORM IN THE FEDERAL BUDGET

Mr. PROXMIRE. Mr. President, recently there was published in the Journal of Commerce a very thoughtful editorial on a report by the Statistics Subcommittee—of which I am chairman—of the Joint Economic Committee. The report deals with reform in the Federal budget. I believe the editorial is an excellent assessment of the recommendations made in that report. I also feel that the editorial is indicative of a general feeling, both among the press and among citizens generally, concerning the present usefulness of the Federal budget. I was impressed by the fact that the Journal editorial indicates that they had "mulled over this subcommittee report in spare time for several days."

I think there is general concern about the nature and the usefulness of our budget materials. This editorial is a good explanation of that concern.

Mr. President, I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York (N.Y.) Journal of Commerce, Aug. 16, 1963]

What Went Down Which Drain?

The budget of the United States is much more than an imperfect document or even guideline; it has become so complex that not even Congressmen who have to vote for or against appropriations have any intelligent guide as to what has been previously appropriated and for how many Government agencies. Reform has been loudly called for and for many years.

Now a Subcommittee of the Joint Economic Committee headed by Senator William Proxmire has come up with a blueprint for reform, and the report is largely the work of the committee's economist, Roy E. Moor, who has lived with this thing for a long time. Some of the recommendations have merit. Others will vastly increase the detailed documentation, and greatly to the work of the Bureau of the Budget and make jobs for more statisticians and clerks, and more work for the Government Printing Office.

The committee thinks this additional expense will be worth the money, the traditional attitude of all congressional committees. We have our doubts.

A key recommendation is that the Federal budget be presented on a program basis and not on a basis of expenditures by Government agencies, one by one. For legislative purposes the agency-by-agency system could still be retained (with extra work for the Budget Bureau) but Congressmen at least would have a global picture of the whole thing and therefore could vote more intelligently by relating each individual part to the whole.

The dilemma of a Member of Congress on these things is illustrated by a citation from testimony at a subcommittee hearing which tells of how one Congressman postponed an appropriation for education purposes in 1961 because he had discovered that educational activities involving expenditure were scattered through 9 different Government departments and were also in 23 programs in 11 other agencies.

No one in the Government really knew what the total figure was, what overlapped what and what, if any, the overall end result or accomplishment had been.

Congress is entitled to know, but usually does not, what may be expected from a grant of expenditure authority, to what use the funds will be put, what previous expenditures have accomplished and how much is left for future outlays. Do the Government agencies really know what they are doing? If they do they should be able to provide the Budget Bureau with more intelligent guidelines for Congress. If they don't know, and we suspect many do not, then it is high time for them to learn.

There is also a good point made by this Proxmire committee in saying there is no reason why, as in any private business, budget estimates of both receipts and expenditures could not be frequently revised and continually made available to Congress. Projection could be made as far as 5 years ahead; variables could be kept under control by frequent revisions.

What stands out, in our opinion (and we have mulled over this subcommittee report in spare time for several days), is that four times in its text it cites with approval what the Defense Department has been doing in close control of its own expenditures and projections.

It is hardly surprising that former big businessman Robert S. McNamara should have a better grasp of budget matters than some other bureaucrats and can do just as well with his past results and future projections as can, for example, the pad-and-pencil-carrying expert, Douglas Dillon, the Secretary of the Treasury—who has to cash the checks.

Mr. McNamara has already developed the program approach. It has established budgetary forecasts on a 5-year basis, updated monthly. It requires regular reporting from all who do business with it on work in process and costs, with the costs broken down.

The report of the Proxmire subcommittee is worth study, especially since it has been reviewed by such eminent Senators as Paul H. Douglas, of Illinois, J. W. Fulbright, of Arkansas, and Thomas B. Curtis, of Missouri. The committee expressly states that its report is not to be a 1-day wonder, but will be followed by more, hewing to the same line and making plenty of chips fly.

Getting back to where we started, it is absurd, and an undoubted source of waste and red ink, for Congressmen to vote money without knowing what has previously been appropriated for the same or related projects, how much was previously put down what drain, and how much has been obligated for the same things for future years. It is comforting to see even Congressmen getting more worried about it.

THE BIRMINGHAM BOMBING

Mr. PROXMIRE. Mr. President, yesterday a letter written by Harry Kingman—a distinguished gentleman and outstanding resident of the city of Washington, who comes from California—was published in the Washington Post. In the letter, he refers to the very sad and tragic bombing, last Sunday of a Birmingham church, and the resultant death of four children.

The letter is sensitive, thoughtful, and concise. I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Racial Sickness

As I read of the bombing to death of Sunday School children in a Birmingham church it was almost impossible not to weep. My own winsome grandchildren were in a similar school at the same hour, also learning about Jesus' teachings such as "love your neighbor as yourself," and "suffer little children to come unto me, for of such is the Kingdom of Heaven." The fearsome loss could have been to those nearest and dearest to me, or to anyone.

My chief immediate reaction is, I think, that I and all Americans are challenged anew to enlist with men of good will, of any race, to think and struggle harder and more effectively to cure a horrible racial sickness which has been tolerated for so long that it now threatens the basic fabrics of our fair land.

To replace hatred with love constitutes a mammoth task, but to work hard at it might truly help restore the moral and spiritual health of many individuals and institutions.

Harry L. Kingman.

Washington.

ALLIANCE FOR PROGRESS — AN ADEQUATE ALTERNATIVE TO CASTROISM

Mr. CHURCH. Mr. President, on several occasions I have indicated my displeasure with certain facets of our foreign aid program. One's attention certainly tends to be drawn to those aspects of any legislative program which do not appeal, and we tend to take for granted those portions which do.

Certainly, the Alliance for Progress is one which, in its conception and in the context of the obstacles which it faces, has, in less than 2 years of actual operation, accomplished much which entitles it to our continued support.

An article appearing in the September 20 issue of Time magazine points out the accomplishments of the Alliance for Progress, and the necessity for full support for the battle against communism which we are waging in this hemisphere. An adequate alternative to Castroism is offered through the Alliance for Progress, and the progress that we have made cannot be lost at this critical juncture.

Mr. President, I ask unanimous consent that the article entitled "The Alianza—Cut When It Hurts" be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Alianza—Cut When It Hurts

On the first anniversary of the Alliance for Progress last year, Coordinator Teodoro Moscoso fired off a blunt message to his staff. There was, he said, "nothing to celebrate." Last month, when it came time for a second anniversary, Puerto Rico's Moscoso found signs of progress in the 10-year program for social reform and economic development in Latin America. As "brick and mortar" evidence, he noted that U.S. Alliance funds, amounting to $1.5 billion in the past 2 years, have helped build 140,000 homes, 8,000 classrooms, 1,500 water systems and 900 hospitals and clinics; 11 nations have made modest starts on tax reform, 12 others on land reform. But Moscoso still feels glum. "We were just beginning to make real progress," he says, bitterly, "and now Congress has clobbered us."

EQUAL TO CUBA

Like all foreign aid, the Alliance was hard hit when the House of Representatives recently chopped nearly $1 billion from President Kennedy's original $4.5 billion request for fiscal 1964. Despite earlier congressional authorization of $600 million a year over a 4-year period, the House was now willing to allow only $450 million for the Alliance. If the cut stands, says Moscoso, the U.S. Government investment in all of Latin America next year will amount to little more than what Russia is pumping into Communist Cuba alone.

For many Latin Americans, the House action was interpreted as a vote of no confidence in the Alliance. Stanch supporters of the program felt abandoned, complained that the United States had not kept its word. Predictably, Fidel Castro's Havana radio gloated over the doomed Alliance. To make matters a little worse, the aid cut came just when, according to Moscoso, the "objectives and principles of the Alliance are beginning to make an impact on the thinking of Latin Americans." Says Moscoso: "I've tried to explain it to them, but I'm afraid that disenchantment with the Alliance has already set in. We've made commitments, and now we're going to have great difficulty in meeting them."

HOUSES AND MEDICINE

By scraping up money from such sources as the Export-Import Bank and the Peace Corps, Moscoso hopes to stretch out his budget for a while. But Alliance economists are busy figuring out scaled-down programs, even though there is a possibility that the Senate might reverse the House action. A $150 million cutback could mean abandoning plans next year to build 10,000 classrooms and low-cost housing for some 175,000 people; it would cancel low-interest loans to 10,000 farmers for plows, seed, and fertilizer to escape subsistence-level farming, wipe out a plan for loans to 6,000 small businessmen to stimulate grassroots private enterprise, and force withdrawal of U.S. support for 60 mobile medical units which provide treatment for 2 million people in 600 Central American villages. And finally, it would prevent the U.S. food for peace program from expanding its operations to help feed some 6 million children throughout Latin America.

In the light of the Alliance's slow start and the widespread criticism of it, congressional impatience is understandable. But the danger is that a sharp cut in the aid funds might well, as Moscoso warns, cause the United States to "lose the tenuous but specific initiative we have gained in Latin America during the last 2 years."

THE BIRMINGHAM CHURCH BOMBING

Mr. WALTERS. Mr. President, I ask unanimous consent to have printed at this point in the Record an editorial entitled "The Devil's Inning: Infamy Stalks When Hate, Encouraged, Runs Amuck," published in the Nashville Banner, issue of September 16, relating to the events that occurred in Birmingham.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Devil's Inning: Infamy Stalks When Hate, Encouraged, Runs Amuck

The devil had his inning yesterday at Birmingham—his cup of hate running over; spilling innocent blood, and marking with inconceivable infamy the Lord's Day.

God help a nation and its people subjected thus to the ravages of either individual or mass insanity.

The horrifying details of this atrocity do more than wring the heart. They shock and consternate; but they also awaken society to the deadly peril of malice gone completely berserk, and all humanity cries out in the voice of conscience to bring these culprits—as agents of the Devil—to justice.

The intent of those who bombed a church, occupied by 400 Negro worshippers, could only have been wholesale murder. That it was for purposes of inciting terror—and visiting malevolence anew on a city otherwise slowly recovering from circumstances of racial turmoil—are facts adding sedition to the premeditated central crime.

The hand not only of that stricken city and State, but of every man, surely, is raised against the arch conspirator—or conspirators—known for the moment but to themselves and God. Justice cannot rest until they are identified, apprehended, tried, convicted, and punished to the full extent of the law.

Heaven help a land that is the prey to insensate antagonisms, and marauders—irrespective of creed or color—boiling fevers of hate into explosions and carnage. As the consummation of that handiwork, the tragedy at Birmingham is exhibit A. And gazing at it, as the forerunner of more—if intelligence doesn't halt where it is the flame of a broadening catastrophe—public conscience stands appalled.

It is time that the citizens of this country realize that whites or others participating in the fringes of controversy, by whatever motivation, do nothing but provoke incidents of this sort.

It behooves every citizen, as well as those responsible for law enforcement as such in all its categories, to put a stop to everything that can inflame it; to cease playing to either side of it, and unite on the central purpose of Americanism, righteously conceived as the instrument of justice and public safety, under law and order.

Decent people know that hellraising speeches, demonstrations, etc., are not going to bring solution to the problems of the Negro; as this newspapers repeatedly has said, as an individual and minority race, used all too long as the pawn of white politicians and his own demagogic leadership.

The solution and changes sought can come only two ways: (1) By education; and (2) by changes in the hearts of the people.

Infuriating on the part of both races, politicians playing to present differences only add fuel to the flames that will consume more and more—including the innocents—unless reason acts to extinguish the sparks.

The message of the ever-present danger could not be clearer than Birmingham's tragedy of yesterday made it.

TEST BAN TREATY STIRS TALK TO REDUCE DEFENSE OUTLAYS

Mr. MILLER. Mr. President, in yesterday's edition of the Wall Street Journal appears an excellent article entitled "Test Ban Tangent," by Jerry Landauer. It is a timely commentary, and one which I believe merits the attention of all those who are concerned about the test ban agreement and its following implications. I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 17, 1963]

TEST BAN TANGENT: CASE FOR TREATY STIRS TALK TO REDUCE DEFENSE OUTLAYS

(By Jerry Landauer)

WASHINGTON.—The Kennedy administration's strong sales pitch for the nuclear test ban treaty is having an unintended effect in Congress: It is fueling the belief, still feeble but gaining, that defense spending can soon be reduced with safety.

To overwhelm Senate resistance to the treaty, administration spokesmen proclaim America's manifestly superior military strength and they vow to increase it in the years ahead. Even after absorbing a surprise first blow, they assert, the United States unquestionably can annihilate an aggressor.

All this has been said before, though perhaps not so categorically. What is new is the Defense Department's specific comparisons of United States and Soviet might. The idea is to convince the public and Congress that the United States is so far ahead in nuclear weaponry that it can prudently relinquish the legal right to test nuclear devices in the atmosphere, in space, and underwater. As this conviction grows, receptivity to reducing defense outlays grows with it.

THEORY OF OVERKILL

To Members of Congress who want to save defense dollars or divert them to domestic welfare programs, Defense Secretary McNamara's assurance of growing U.S. superiority in arms dovetails with the newly current theory of overkill—the proposition that the United States, if provoked, already has the firepower to destroy Russia many times over.

Chairman RUSSELL, Democrat, of Georgia, of the Senate Armed Services Committee thinks believers in overkill are gaining adherents in Congress and in the country. When the $49 billion Defense Department budget reaches the Senate floor late this week or early next, Mr. RUSSELL expects a flanking operation intended to slash perhaps $6 billion from defense appropriations.

Spending cuts of the magnitude mentioned by Mr. RUSSELL are inconceivable so long as he and other Members of Congress own defense establishment, senior members of the Armed Services and Appropriations Committees, continue backing the Pentagon. It's noteworthy, nevertheless, that for the first time Congress is seriously questioning in a coherent way the assumptions underlying defense spending.

This year, for the first time also, Congress has stopped pressing on an unwilling Defense Department more money for such programs as the RS-70 supersonic bomber.

INITIAL IMPACT

Though the test ban treaty may well fortify the budget-cutters in the long run, the immediate impact surely will expand rather than shrink defense spending. To overcome uncertainties about the blast resistance of U.S. missile sites (that might be resolved in part by atmospheric testing), sites may be more widely dispersed and more may be dug. Stepped-up underground testing (the Atomic Energy Commission budget assumed fewer tests this year) and more elaborate preparations to detect and diagnose Soviet tests in prohibited environments certainly will add to costs, too.

Other factors, too, help assure upward pressure on arms outlays. The military pay bill alone will require $300 million more next year. The new TFX fighter-bomber will be costly. So will additional missiles already planned. And the Pentagon has been pumping much of its increased spending into conventional forces, a buildup not challenged by the overkill ardents. Nevertheless, the current congressional mood makes it clear that, assuming no real change in the international situation, Mr. McNamara in the future will find it increasingly difficult to ward off attacks by budget-cutters.

For the time being, the Defense Secretary is treading a careful path. Warning against "euphoria," Mr. McNamara argues that it's much too early to think about reversing the upward spiral of defense spending, though he agrees that a leveling-off point lies ahead.

Sheer numbers of city-busting atomic and hydrogen bombs are not strictly relevant, of course, to the nuclear test ban treaty. As military spokesmen are quick to note, it is more relevant to consider nuclear knowledge—the yield-to-weight ratio of warheads and the data gleaned from earlier testing about the effect of nuclear blasts on missile sites, on defensive communications, on incoming warheads.

But laymen in Congress know little about these esoteric matters. Far more impressive to them is the number and variety of weapons in stock. According to Mr. McNamara, the U.S. stockpile includes tens of thousands of nuclear weapons. There are more than 500 ready-to-fire Titan, Atlas, Minuteman, and Polaris missiles, he says, and in 3 years the missile inventory will grow to more than 1,700; by contrast, the Soviet arsenal contains a mere fraction of the U.S. total.

Among those most impressed by this comparison is freshman Senator McGOVERN, Democrat, of South Dakota, who launched the budget debate last month in a speech that has become among the most widely read documents in official Washington.

Senator McGOVERN suggested that the U.S. nuclear inventory exceeds any conceivable need. He thinks it's senseless to keep adding to the inventory because (1) as Mr. McNamara himself contends, the United States already has sufficient striking power to annihilate Russia even after absorbing a sneak first strike; and (2) because piling up more nuclear firepower won't contribute substantially to security.

Needlessly high military spending, Mr. McGOVERN argues, distorts the economy, squanders research talent and money, and endangers American leadership by robbing industry of its ability to compete successfully in world trade. He has drafted an amendment to shear some $4 billion from the pending Defense Department budget.

Probably a dozen Senators, chiefly liberal Democrats, will vote with him if he decides that the Chamber's temper is ripe for a rollcall. Mr. McGOVERN knows he can't win. He's more interested in generating a lively debate about military expenditures and probably in readying a more determined budget-combing campaign next year.

A VOTE TRADITION

The Senate tradition against voting in opposition to the Appropriations Committee's recommendations works against the budget-cutters. Deputy Democratic Leader HUMPHREY of Minnesota, and Chairman FULBRIGHT, Democrat of Arkansas, of the Foreign Relations Committee are inclined to agree that Senator McGOVERN is right. But these two influential leaders are practically bound to support committee decisions.

Overkill and its implications are being debated within administration councils, too. A joint report by the Defense Department and the Atomic Energy Commission projecting long-range requirements for nuclear warheads is due to reach the President's desk shortly. AEC Chairman Seaborg won't predict the report's recommendations but he does point to a growing realization that perhaps too much fissionable material for warheads has been acquired.

In part, the restiveness in Congress can be traced to the zealous lobbying for the overkill thesis by Seymour Melman, professor of industrial engineering at Columbia University. He and six other academicians are being financed in part by a New York businessman, who wishes to remain anonymous. Mr. Melman has received respectful hearings in some 40 congressional offices.

Working from data compiled by the Institute for Strategic Studies in London, Mr. Melman says the United States has sufficient nuclear power packed in 3,400 delivery vehicles to destroy 500 times all 370 industrial centers and cities containing more than 100,000 people in Russia and China.

If just 10 percent of the American bomber fleet got through, and if only 25 percent of the Polaris and Minuteman missiles hit target, he calculates, the United States still could devastate an enemy with 440 delivery vehicles packing 2,310 million tons of TNT. This is more than 200 times enough to destroy Communist society, and it doesn't take into account the destructive power of fighter aircraft, short-range missiles, torpedoes, mines, and tactical nuclear warheads.

In Mr. Melman's view the progressive hardening of Soviet missile sites and the emplacement of missiles aboard submarines relegates Mr. McNamara's counterforce strategy to the scrap heap.

Counterforce means responding to a Soviet first strike with a counterblow against Soviet military targets to blunt a second attacking salvo. But Mr. McNamara himself acknowledges that a U.S. counterstrike can't destroy "any very large portion" of fully hardened Soviet sites, Mr. Melman notes. And because the Soviets are inferior to the United States in offensive capability, they would in logic fire most of their missiles in a first strike; to invoke counterforce would mean striking at empty holes in the ground.

THE DEPARTMENT'S REBUTTAL

At bottom, the Defense Department's rejoinder to the theory of surplus destruction rests on the assumption that the United States can launch its missiles faster than the Soviets can. Contrary to Mr. Melman's exercise in logic, Pentagon strategists assert, Moscow can't get off its full striking power in a single salvo.

Defense strategists think a second fundamental fallacy of the overkill theory is its assumption that most of the weapons being added to the inventory represent additions of firepower. In fact, they say, most of the acquisitions merely replace poorly protected, vulnerable weapons, i.e., Minutemen for B-47's.

If nothing else, the overkill debate, accentuated by the administration's test ban rationale, is crystallizing the hitherto vague belief on Capitol Hill that Congress often in the past has merely rubberstamped the defense budget. This seems less likely in the future.

UDALL AND HIS NUMEROUS COMMITMENTS

Mr. SIMPSON. Mr. President, recently I came across a story datelined

Dar-es-Salaam, Tanganyika, September 11, which was buried deeply in the dark recesses of a Washington newspaper.

It headlined in quite large letters, "U.S. Plan To Aid Parks in Africa Revealed by Udall." The Associated Press dispatch itself was a study in brevity. Its scant 50 words said:

> Secretary of the Interior Udall said yesterday U.S. aid is slated for a new national park in the Kilimanjaro region and for two major natural resources development programs. Mr. Udall, who plans to climb Mount Kilimanjaro during his stay here, announced the aid plans at a news conference.

It seems strange to this Senator, who comes from a State which still recognizes fiscal integrity and a balanced budget, to hear such talk coming from an executive officer who is apparently predicting the allocation of funds for this project of questionable benefit to American interests.

I am sure the Secretary, once he returns from his sojourn in the cool crisp air of Kilimanjaro, will be at his loquacious best in justifying the expenditure of inordinate sums of our national treasure for this African adventure.

This Senator would simply like to comment that it would be pleasing to find the Secretary as interested in pledging funds to be applied against the national debt as he is in pledging American taxpayers' dollars in frivolous projects in the far-off land of Tanganyika. It looks like more U.S. "snow on Kilimanjaro."

NEW YORK STATE FALSE ADVERTISING LAW

Mrs. NEUBERGER. Mr. President, yesterday in two different New York newspapers two items attracted my attention. One was published in the New York Times, under the headline "Advertising Law in State Praised." It referred to a new false advertising law, for which I commend the State of New York. Mr. Lefkowitz, the attorney general of New York, in describing the law, said that it was to cover advertising and labeling which is misleading in a material respect.

I moved on to the Wall Street Journal, where I found an advertisement. I shall read a portion of it. The headline is:

> Only for Women Who Want * * * Financial Independence, Earn $25,000 to $50,000 and More!

The advertisement describes rather vaguely an opportunity to move into this high salary class. It turns out that by selling a brand of dinnerware one should be able to move into a salary bracket which very few women in professional life attain.

This interested me, since New York has a new advertising law to control false advertising. I thought perhaps the advertisement in the Wall Street Journal should be looked into. In that relationship I have written to the editor of the Wall Street Journal and to the company which has a blind advertisement in the Journal.

I ask unanimous consent that the article, advertisement, and letters may be printed in the RECORD.

There being no objection, the article, advertisement, and letters were ordered to be printed in the RECORD, as follows:

[From the New York (N.Y.) Times, Sept. 17, 1963]

ADVERTISING LAW IN STATE PRAISED—FTC AID SAYS NEW CURB ON FRAUD "FILLS NEED"

New York State's new false advertising law "fills a need we are most conscious of," a Federal Trade Commission official said yesterday.

Albert G. Seidman, attorney in charge of the New York office of the Commission, congratulated Attorney General Louis J. Lefkowitz and the State for being the first to enact such a law; it went into effect September 1.

Mr. Seidman appeared at the meeting called by Mr. Lefkowitz at the State Office Building, 80 Centre Street, to explain the law to more than 100 business and trade association leaders.

Mr. Seidman said that many large stores engaging in interstate commerce here were put under restraint by the FTC while their smaller cash and carry competitors who belonged to the fringe element castigated by Mr. Lefkowitz were free from the Commission's control.

The Federal official said the new law could also be applied to service industries that were "generally not subject to the FTC."

Arthur Startz, a vice president of the Better Business Bureau of Metropolitan New York, pledged "complete cooperation." When the bureau fails to get voluntary compliance, he said, "we will present our findings" to the attorney general's consumer frauds bureau.

Mr. Startz drew attention to the fact that the statute applied to advertising inside as well as outside stores, such as price lists used to suggest special bargains. Particularly with the World's Fair opening next year, he said, there could be "more vigorous" action against "so-called gift shops, especially in the Times Square area," that have been known to exploit visitors from out of town and overseas.

FALSE ADVERTISING DEFINED

Mr. Lefkowitz said sales advertising was defined in the new law as "advertising, including labeling, which is misleading in a material respect." He noted that this means not only false representations but failure to reveal material facts, which, he said, "become as important as the use of outright falsehood or deception."

[From the Wall Street Journal, Sept. 17, 1963]

ONLY FOR WOMEN WHO WANT FINANCIAL INDEPENDENCE—EARN $25,000 TO $50,000 AND MORE

Your own business * * * a salary in the high five figures * * * plus unusually high profits on investment. This is what a long established company of exclusive, nationally advertised dinnerware and related products is now offering to women with experience in sales, management, and administration.

Parent company gives you unlimited assistance and field training, an unlimited market, a proven product with a 25-year free replacement guarantee, a complete, integrated sales program, and a protected franchise.

You own and operate this business, no experience in dinnerware line necessary, no franchise fees; $5,000 to $10,000 inventory investment, depending on area.

Write: Box S-966, the Wall Street Journal, New York.

U.S. SENATE,
Washington, D.C., September 17, 1963.

EDITOR, THE WALL STREET JOURNAL,
44 Broad Street,
New York, N.Y.

DEAR SIR: Because of the wide influence of the Wall Street Journal, I probably should not question the reliability of an advertisement which appeared in today's Journal. However, on the face of it I am concerned. This is the advertisement which carries no complete name and is only identified by, "Write Box S-966, the Wall Street Journal, New York, N.Y."

Its attention-calling headline says, "Only for women who want financial independence. Earn $25,000 to $50,000 and more." Further reading of the advertisement indicates that this is an "opportunity" to invest $5,000 to $10,000 in a moneymaking scheme having to do with dinnerware.

I recall the financial difficulties encountered by many credulous souls who answered the same kind of advertisements having to do with establishing your own automatic drycleaning business, or setting yourself up in a laundromat enterprise, until finally the FTC had to step in. Could there be an analogy here?

Not just because I am interested in the status of women, but more generally interested in control of all advertisements to see that they are not misleading I call this to your attention.

Sincerely yours,
MAURINE B. NEUBERGER,
U.S. Senator.

U.S. SENATE,
Washington, D.C., September 17, 1963.

THE WALL STREET JOURNAL,
44 Broad Street, New York, N.Y.

DEAR SIR: Since I serve on President Kennedy's Commission on the Status of Women, I am particularly sensitive to advertisements such as yours which appeared in the Wall Street Journal, directed toward women.

This kind of blind ad is suspect from the beginning, but since very few women—even authors, teachers, scientists with Ph. D.'s—earn as much as $25,000 to $50,000—and more, I am curious as to the reliability of your prediction. Please send me your brochure, contract, and guarantees as indicated in the advertisement.

Sincerely yours,
MAURINE B. NEUBERGER,
U.S. Senator.

THE UNIVERSAL GUILT OF BIRMINGHAM

Mrs. NEUBERGER. Mr. President, yesterday, while his fellow citizens searched for the bomb thrower, a young Birmingham lawyer, Charles Morgan, Jr., looked inward in his own anguished search for the source and meaning of the terrible events of the preceding day—inward to his own conscience and to the collective conscience of his community and his country.

What he found there was a universal guilt which transcended both the bombing of a single church and the geographical confines of Birmingham.

Out of his search grew a heavy indictment; an indictment which did not spare the hatemongers, and the morally corrupt politicians, as well as the "demented fool who threw that bomb;" an indictment which in truth spared no one, including himself.

> You know the "who" of "Who did it?" is really rather simple. The "who" is every little individual who talks about the "niggers" and spreads the seeds of his hate to his neighbor and his son. The jokester, the crude oaf whose racial jokes rock the party with laughter. The "who" is every Governor who ever shouted for lawlessness and became a law violator.

"It" is every Senator and every Representative who, in the Halls of Congress, stands and with mock humility tells the world that things back home aren't really like they are. It is courts that move ever so slowly and newspapers that timorously defend the law. It is all of the Christians and all their ministers who spoke too late in anguished cries against the violence. It is the coward in each of us who clucks admonition.

None in Birmingham escaped the finger of guilt—not the ministers "who have done so little for Christianity," not the business community which "shrugs its shoulders and looks to the police or perhaps somewhere else for leadership," not the "Southern Liberals," nor the "good people whose ready answer is for those right-wing extremists to shut up."

We are indebted to this morning's Washington Post for printing Mr. Morgan's words in full, but the Post erred in its subheading, "All in Birmingham at Fault." Morgan's guilty are not encompassed by the Birmingham city limits nor even the South, but can be found in every State, including my own.

Who is really guilty? Each of us. Each citizen who has not consciously attempted to bring about peaceful compliance with the decisions of the Supreme Court of the United States; each citizen who has ever said, "They ought to kill that nigger"; every citizen who votes for the candidate with the bloody flag; every citizen and every school board member and schoolteacher and principal and businessman and judge and lawyer who has corrupted the minds of our youth; every person in this community who has, in any way, contributed during the past several years to the popularity of hatred is at least as guilty, or more so, than the demented fool who threw that bomb.

Charles Morgan reminds us painfully of the fearful silence of the liberals. Thus he echoes the words of Rabbi Joachim Prinz who had been the chief rabbi of Berlin under Hitler. In addressing the participants in the August 28 march on Washington, Rabbi Prinz had reminded us all that the greatest crime of the German people was silence.

THE CIVIL RIGHTS COMMISSION

Mr. SALTONSTALL. Mr. President, I am the chief sponsor of a bill to extend the life of the Civil Rights Commission, which will expire September 30 of this year, which was introduced in behalf of a number of Senators.

Obviously an all-inclusive civil rights bill will not be before the Senate by that time.

I believe the Commission has done valuable work, and that it is necessary that its life be extended.

I have been informed that it is the intention of the majority party to attach the extension of the Civil Rights Commission to the appropriation bill for the Departments of State, Justice, and Commerce. As the senior member of the Appropriations Committee on the Republican side and as a member of that particular subcommittee, I do not believe it is possible for the committee to make a report; for the Senate to act upon the bill; to have a conference with the House—since there are a number of items as to which there are differences—and for the bill to be passed before September 30. I call this situation to the attention of the Senate at this time, and particularly to the attention of the majority leader, in the hope that the majority will find another bill to which the extension of the Commission can be attached, so that the date of September 30 will not be passed without an extension of this very helpful Commission, which deals with a difficult subject.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield to the Senator from New York.

Mr. KEATING. I am glad the distinguished Senator from Massachusetts has called attention to this problem again. I stated that I would seek to attach an amendment to the medical education bill which was before the Senate, and I was dissuaded from doing so by representations—I am sure made in the utmost of good faith—to the effect that an opportunity would be given in connection with some other bill to extend the Civil Rights Commission.

I am distressed to hear from the Senator from Massachusetts that it is not likely that the Senate can consider the appropriation bill for the Departments of State, Justice, and Commerce in time for the bill to get through the legislative process by the end of the month. Like the Senator from Massachusetts, I had understood that to be the bill to which it was intended to attach the extension of the Civil Rights Commission.

Within a few days the Senate will very likely consider the Defense Department appropriation bill. I hope that an effort will be made to attach the extension of the Civil Rights Commission to that bill.

I noticed that there was included a permanent extension of the Civil Rights Commission in the bill under consideration in the committee of the other body—which, by the way, was the bill of the distinguished Senator from Massachusetts, joined in by other Senators. It will not be helpful to the civil rights problem as a whole to allow the Commission to die, and then try in some way to revive it, because in the meantime the good people certainly cannot stay together unless they are assured of the extension of the life of the Commission.

I again appeal to the majority leader and to other Senators to take steps, either in connection with the Defense Department appropriation bill or otherwise, prior to September 30, to extend the life of this badly needed Commission, which has done outstanding work.

The Senator from Massachusetts has performed a service by again calling attention to this problem. I again serve notice that I shall consider it my duty to take positive steps to see that this is done, if it cannot be done by negotiation or otherwise, which would, of course, be a better way to do it.

I feel that we cannot allow the Commission to expire and go out of business and then try, by some "hocus pocus" or "Houdini" method to get it back into operation.

Mr. SALTONSTALL. Mr. President, I thank the Senator from New York for his contribution. The majority leader, for whose conscientiousness and for his leadership I have the utmost respect, is in the Chamber. I hope he will consider a vehicle by which the Commission can be extended without having it cease to exist and then seeking to reestablish it, with all the problems which that course would entail.

S. 1219 is the bill that I and a number of other Senators sponsored.

(At this point Mr. McIntyre took the chair as Presiding Officer.)

Mr. MANSFIELD. Mr. President, I have indicated to the Senator from New York [Mr. Keating] on several occasions that I shall do my very best. I say this not as an alibi or in defense, but I would hope that if because circumstances do not develop as anticipated, it proves to be impossible by September 30 to extend the Civil Rights Commission, the Civil Rights Commission will not automatically, because of that, close down everything connected with it, but will allow us a little leeway, if needed.

Mr. SALTONSTALL. I hope so. Perhaps it can be a continuing resolution for a very short period of time, if we did so.

JUSTICE DEPARTMENT INTERVENTION IN NORTHEAST AIRLINES CASE

Mr. WILLIAMS of Delaware. Mr. President, in yesterday's issue of the Wall Street Journal there was an article which dealt with the Civil Aeronautics Board's curt dismissal of the Justice Department's stinging attack on the Board's decision to strip Northeast Airlines of its routes south of New York.

I happen to be one who regretted that the agency had made this decision. On the other hand, this Board is an independent Board, and I think it is highly improper that the Department of Justice should try to use its influence to bring pressure on this independent agency, unless it wished to bring a charge that some law was being violated.

In the preceding administration there was considerable criticism of a White House aide for his attempted intervention with the decisions of an independent agency.

It is equally wrong for the Attorney General to use his political influence in an attempt to change the decisions of any independent agency.

I ask unanimous consent that the article appear at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Sept. 17, 1963]

CAB Rejects Justice Department's Plea To Intervene in Northeast Airlines Case

The Civil Aeronautics Board curtly dismissed the Justice Department's stinging attack on the board's decision to strip Northeast Airlines of its routes south of New York.

The Board told the Department, in effect, that hearings and arguments on the case began 2 years ago and, because the Department had nothing to say all that time, it shouldn't start complaining now.

The Board's action, taken on a 3 to 2 split vote in Washington, appears to close one avenue in the drive Massachusetts Senators Kennedy and Saltonstall began in August to upset the CAB decision. They asked the Justice Department to investigate any antitrust ramifications; the Department's response was the attack on the decision and the request to intervene.

The two Senators and other members of Congress from New England, where Northeast has its headquarters, also introduced a bill to overturn the CAB decision. The bill hasn't made much progress, although its backers probably will seize on the CAB's brisk dismissal of the Justice Department petition as new evidence of the need for their measure.

NO COMMENT FROM NORTHEAST

A Northeast Airlines spokesman said, in Boston the company had no comment on the latest CAB decision.

The spokesman said, however, that Northeast still plans to file with the CAB a petition for reconsideration of its decision. Thursday is the deadline for filing.

Northeast said it will again adjourn its annual meeting scheduled today, this time until November 13. The meeting was first adjourned July 30 until August 12.

The Justice Department last week asked permission to intervene in the Northeast case—meaning to state its position for the record—and at the same time filed a "petition for reconsideration" urging the Board to reverse its finding that three airlines aren't needed on the east coast-Florida routes and that Northeast must get off. It was in the petition that the Justice Department attacked the decision, claiming it has a "monopolistic value" for the two remaining lines, Eastern Air Lines and National Airlines.

NO OFFICIAL STANDING TECHNICALLY

Technically, the petition had no official standing until the Board ruled on the Department's request to intervene. In dissenting from that ruling yesterday, CAB members Robert Murphy and G. Joseph Minetti, who also has dissented from the decision to strip Northeast of its Florida routes, said they would have allowed the Department to intervene "under the circumstances of this case."

Any new Justice Department move would have to be in the courts, a spokesman said, but it's uncertain what it would be. It would depend on the outcome of Northeast's motion for the CAB to reconsider its decision. Should the Board agree to reconsider, it probably also would stay the date, set now for October 14, when Northeast must quit flying south of New York.

If the Board reaffirms its decision, or if it refuses to reconsider, Northeast could take the case to a U.S. court of appeals. The Justice Department then probably would file a friend-of-the-court brief supporting Northeast. However, a Department official said if Northeast doesn't appeal the Department probably would not, on its own, take the CAB to court.

FOREIGN DEBTS OWED THE U.S. GOVERNMENT

Mr. WILLIAMS of Delaware. Mr. President, several weeks ago I called to the attention of the Foreign Relations Committee the fact that we have no central point for the Congress or the agencies themselves to determine how many outstanding loans the U.S. Government has in each of the respective countries throughout the world.

Upon discovering that no such information was readily available I introduced an amendment to the pending foreign aid bill which would provide that unless such information had been submitted to the Congress prior to the end of this month, September 30, no further loans would be negotiated.

The Department is trying, in compliance with that amendment, to assemble that information. In that connection, I received a letter from the agency under date of September 7, 1963, stating that while it may take them a little while longer to get that information it will be submitted and that once it is submitted this information will list all the loans to each of the respective countries, along with the rates of interest, the status of the loans, the terms of the loans, the manner in which they are to be repaid; that is in dollars or foreign currencies; the outstanding balance; and so forth. It will be recommended that this information be put in a permanent document and kept currently up to date at regular intervals and submitted to the Congress.

This procedure should have been adopted long ago. I cannot understand why such information has not been kept current.

I ask unanimous consent that the letter be printed in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE, AGENCY FOR
INTERNATIONAL DEVELOPMENT,
Washington, D.C., September 7, 1963.

Hon. JOHN J. WILLIAMS,
U.S. Senate, Washington, D.C.

DEAR SENATOR WILLIAMS: Thank you for your letter of August 7, with further reference to your request for information on all foreign debts owed the U.S. Government. We have made substantial progress in compiling the information we had originally understood you wished to have.

However, your letter of August 7 makes it plain that you wish also to have us include in our compilation debts owed to international agencies such as the World Bank which are financed in part by the U.S. Government. We will proceed to add this information to the compilation we are preparing.

In order that there be no misunderstanding, let me restate what it is we are now preparing for you: a single list by country, in a standardized format similar to our "Report on Country Loans", of all foreign loan obligations to the U.S. Government or its agencies and to international lending agencies in which the U.S. Government participates. The list will be all-inclusive, containing loans to foreign governments, to subsidiaries of foreign governments, to mixed private-public undertakings, and to private concerns with or without government guarantee of the obligation.

As you know, the compilation of this material from the various documents in which it is now published is a rather massive clerical and typing job. I expect when we have completed this compilation, to suggest to the Director of the Bureau 'of the Budget that he consider whether some agency of the Government—perhaps the Treasury or Commerce Department—should not be assigned the task of keeping such a compilation currently up to date, and publishing it at regular intervals perhaps yearly. Meantime, we hope to have our special compilation completed in the next few weeks.

Sincerely yours,

DAVID E. BELL.

Mr. WILLIAMS of Delaware. I am concerned that no one in the Department had seen fit to recognize the importance of having this information available prior to being required by the Congress to assemble it. I do not see how in the past the Department could have intelligently passed upon the application for a loan by any country when it admits now that it did not have readily available information as to the status of its outstanding loans or how much that country already owed the Government.

NASA GIVES TAXPAYERS NEW HOPE

Mr. PROXMIRE. Mr. President, this is a happy day for the taxpayers if what the Wall Street Journal has reported can be accepted as true. It reports that NASA plans a fiscal 1965 budget request on a level with or even below this year's.

The space agency has been the most rapidly rising, expensive agency in Government, and it was anticipated that its budget would go up $2 billion next year.

One of the interesting reasons why the space agency does not plan for bigger budgets is that it does not find its need as great as was anticipated and a reduction in the requested budget is possible.

I have insisted that this is the most pampered and favored agency, in our Government, including Defense. I hope that this year Congress will take a careful look at the space appropriation, which has not yet come before the Congress, and seriously consider cutting back some of the requests which are excessive. This is the only nondefense agency which is not required to have separate Budget Bureau approval of its request before it comes to Congress.

For that reason alone Congress should give its request the most careful consideration.

I ask unanimous consent that the article from the Wall Street Journal to which I referred earlier be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NASA PLANS A FISCAL 1965 BUDGET REQUEST ON LEVEL WITH, OR EVEN BELOW, THIS YEAR'S

(By Jonathan Spivak)

WASHINGTON.—The National Aeronautics and Space Administration, for the first time in 6 years, plans to hold the line or even trim its budget request for new funds.

For the fiscal year starting next July 1, space officials, for political and technical reasons, have decided to keep their budget at, or more likely below, the agency's current year request of $5.7 billion. The precise amount will be determined by final congressional action on this fiscal year's budget and also, of course, on the attitudes of the White House and Budget Bureau.

But, officials say, the agency is considering an appropriations ceiling of $5.5 billion, although figures as low as $5 billion have been discussed.

NASA's current budget authorization was cut $350 million to $5.4 billion by Congress and the agency anticipates some further reduction in actual appropriations. In previous years, NASA's budget went through Congress almost unchanged with appropriations rising, for example, from $1 billion in fiscal 1961 to $3.8 billion in the year to last June 30.

NASA officials, concerned with congressional budget-cutting this year, want to present a lower budget than fiscal 1964's for psychological reasons. But beyond this, forecasts of the actual needs of existing NASA programs have convinced the agency some reduction in appropriations requests is possible.

SPENDING WILL CONTINUE TO RISE

Because of the lag of expenditures behind appropriations, however, space spending will continue to rise. Expenditures are estimated at $4.4 billion in the current fiscal year and, depending on fiscal 1965 appropriations, they could climb to about $5.3 billion. The agency estimates it will spend $2.5 billion of previously authorized funds in fiscal 1965 plus about half of the new appropriations.

The agency's 1965 budget won't initiate any major new programs. NASA's top echelon is hesitant about assuming any major new undertaking with the Apollo manned lunar landing program making heavy demands on personnel and facilities. It's clear the White House wouldn't endorse any big new project because of its overall impact on the budget.

Earlier this year, there had been some consideration given to beginning the first actual procurement of hardware in fiscal 1965 for either an orbiting manned space station or what the agency calls a lunar logistics vehicle, a spacecraft to transport supplies and equipment to the moon. Space experts believe there are compelling technical reasons for undertaking both projects without much delay because of the probably prolonged research and development required.

But the decision to proceed with either a space station or a lunar logistics vehicle has been deferred to fiscal 1966 at the earliest.

PRIME CONTRACTOR DECISION

As yet, NASA and the Defense Department haven't agreed on any agency to be given prime management responsibility for the manned space station. Until this is resolved, and it's likely to include a White House decision to do it, there will be only relatively minor expenditures made for study of the space station.

NASA favors the space station as its next major program and may seek to include in its budget $8 to $10 million for detailed design study of its characteristics. The Air Force also has been spending lesser sums for study of a military-oriented space station.

Both military and civilian space leaders agree the orbiting space station should be able to house about four to eight men. It would be designed to remain in space for 1 year or more to determine the prolonged effects of weightlessness on men and material and permit other prolonged space operations. Crew members would be rotated by a smaller spacecraft launched at intervals of 2 months or so from earth. The total development costs are estimated at $2 to $3 billion and annual operation costs would add several hundred million dollars.

The lunar logistics vehicle and other projects associated with a manned base on the moon will continue to be studied in fiscal 1965 by NASA, probably requiring outlays of about $2 million to $3 million. The logistics vehicle would transport a payload ranging from 1,500 pounds to 20,000 pounds in supplies and equipment to the moon in support of astronauts.

While Project Apollo managers believe the logistics vehicle is necessary to insure safe and expeditious accomplishment of the lunar landing program itself, top space agency planners are unpersuaded. The agency's leadership is convinced the logistics system, because of its high development and operating cost, should be undertaken only if the administration makes a broader decision to follow up the initial landing of men on the moon with development of the manned lunar base.

A lunar logistics vehicle, designed to be launched by the Saturn V rocket, being developed for the Apollo program, probably would cost $2 billion to $3 billion to develop and close to $1 billion a year to operate.

"In our estimation the manned space station is the first thing that should be done. It will contribute more to space technology," asserts a NASA official.

Without the initiation of major programs, NASA's planning experts argue, the agency already has passed the peak of its need for new appropriations in some areas. It's estimated, for example, that the fiscal 1965 request for funds for facility construction will be substantially below this year's. New construction money of about $600 million may be sought, compared with a fiscal 1964 request of $800 million and congressional authorization of $713 million. Even so, because of the slow pace of obligation of construction funds, actual expenditures for constructing new facilities will continue to rise from this fiscal year's $582 million.

FURTHER PERSONNEL INCREASES

The agency hasn't yet determined at what point its manpower requirements will level off, and further increases in personnel probably will be asked for fiscal 1965. The agency's work force stood at 29,000 on July 1 and probably will rise to about 32,000 by next June 30. Even without additional staff, appropriations and expenditures for personnel and operations probably will rise about 10 percent in fiscal 1965. The fiscal 1964 request was $552 million and Congress authorized $518 million.

The major factor in the agency's apparent ability to hold the line on its fiscal 1965 appropriations is a leveling off in the demands of its manned space flight program, accounting for about 70 percent of the agency's total budget. Planners calculate fiscal 1964 will represent the peak appropriations requirements for some segments of the manned space flight effort.

It isn't anticipated, for example, that appropriations requirements for the two-man Gemini spacecraft, under prime contract to McDonnell Aircraft Corp., will be as high as this fiscal year's $306 million. It's also estimated that appropriations requirements for Project Apollo have reached or are nearing their peak. Prime contractors for Apollo are North American Aviation, Inc., and Grumman Aircraft Engineering Corp.

MASSIVE CANADIAN WHEAT DEAL WITH U.S.S.R. HURTS CAUSE OF FREE WORLD

Mr. PROXMIRE. Mr. President, yesterday the newspapers disclosed that Canada had just closed the biggest wheat deal in history with the Soviet Union in an agreement to sell the Soviet Union $500 million worth of wheat. Frankly, I was shocked and surprised by this agreement. The Soviet Union does not need additional wheat for its own consumption. It produces more than it needs. It has been in the past a wheat exporter, and it is still an exporter of wheat.

The Soviet Union will use this wheat to continue to have economic influence and domination over its satellites by using such wheat for export.

Thirty-three million dollars worth of that wheat—and this is firmly in the agreement—will go to Cuba; and the Soviet Union will be saved a great deal of freight cost by shipping it from Canada to Cuba instead of from Black Sea ports to Cuba.

From any standpoint, it seems to me, this is not good for the free world or the United States.

There is another article in the New York Times, on the following page, under the heading, "U.S. Hopes To Gain From Wheat Sale." It is true that we gain indirectly in our balance-of-payments situation, because the wheat was sold for gold. It is true that Canada is our best customer. It is true that there may be some benefit in opening up markets—the wish is there expressed—for our wheat in future years.

But it must be realized that whatever surcease from a hot war we may be able to achieve through the test ban treaty—and we all hope and pray to achieve it—we are in stern and strict economic competition with the Soviet Union. Khrushchev has said he intends to bury us, and he intends to do it.

This wheat deal is bound to help the economy of the Soviet Union as almost no other kind of assistance could.

The Soviet Union is suffering primarily because she has an inefficient farm economy. Almost half of her people work on the farm. This means that those people cannot be taken off the farms and put into factories. This wheat deal will be of great benefit to the Soviet economy. It will have a similar favorable effect on Castro's economy.

I hope this kind of agreement, which was reportedly not objected to in Washington, will be given far greater consideration, in all its implications, before this kind of an agreement is approved in the future.

I ask unanimous consent to have printed at this point in the RECORD the following articles which were published in the New York Times of Tuesday: "Huge Wheat Sale Closed in Canada"; "U.S. Hopes To Gain From Wheat Sale"; "Soviet Crop Loss Estimated at 10 Percent," which appeared in today's New York Times; and "Khrushchev Calls Farms Wasteful."

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 17, 1963]

HUGE WHEAT SALE CLOSED IN CANADA

(By Raymond Daniell)

OTTAWA, September 16.—Canada closed an agreement today to sell the Soviet Union nearly $500 million worth of wheat, the largest sale of grain for delivery in 1 year ever transacted.

Cuba was a direct beneficiary. Of the total 198 million bushels in the agreement, 16.5 million bushels of wheat and flour worth $33 million are for delivery by the Soviet Union to Cuba.

The only transaction comparable in size is a $580 million foreign-aid sale of U.S. wheat to India. That agreement, to expire June 30, 1964, covered a 3-year period.

The agreement, the third between the two countries, calls for deliveries five times as large as those provided for under any previous agreement with the Soviet Union. The Soviet purchase is also larger by about 40 million bushels than the recent long-term purchase by Communist China of 187 million bushels.

UNITED STATES INFORMED

Mitchell Sharp, Minister of Trade and Commerce, who negotiated the agreement for Canada, said the United States had been informed that part of the wheat was to be delivered to Cuba and had offered no objections. The Soviet Union will be responsible for transporting the wheat, he said.

Recently, the Ontario Wheat-Marketing Board, acting on its own, sold 1.8 million bushels of wheat to a foreign buyer and it was reported that it was destined for Cuba. Canada has been selling skimmed milk powder to Cuba directly for some time.

Under the terms of the agreement signed today, Canada will deliver at its ports 5.3 million long tons or 198 million bushels of wheat and 575 million long tons or 29.5 million bushels of wheat flour by July 1964. From the ports, the Soviet Union has the responsibility of transporting the grain.

The agreement was signed by Mr. Sharp, and S. A. Borisov, Soviet First Deputy Minister of Foreign Trade, who has been here as head of a Soviet trade delegation for the last 2 weeks to negotiate the purchase.

The agreement provides for short-term, Government-guaranteed credit through July 1964. The Soviet Union has agreed to buy 500,000 long tons or 18.7 million bushels more wheat or flour in 1965. This would be worth about $36 million, a relatively small amount, which it was said might be increased if the Soviet Union needs to supplement its own crop further.

It is understood that the Soviet Union is acting as an intermediary for Cuba because Havana lacks the dollars to buy wheat directly. The Soviet Union is understood to have accrued the necessary dollars through recent gold sales. Mr. Sharp noted that Canada insists on payment in dollars.

VOLUME SURPRISING

What is most surprising about the agreement is the volume of deliveries. Fulfillment of the commitment within a year will pose serious logistical problems, tax the capacity of Canadian flour mills and lower the reserve in Canadian granaries to about the safety level or less than 500,000 bushels.

Mr. Sharp said at a news conference that the agreement, coming after Canada's sale this summer of 187 million bushels of wheat to Communist China over a 3-year period, would not interfere with commitments to supply major markets in Britain, Europe, Japan, Asia, and elsewhere under the International Wheat Agreement.

It might, however, prevent Canada from carrying out her planned expansion of foreign aid to underdeveloped countries in the form of gifts of grain.

Canada, Mr. Sharp said, will not try to sell any more wheat this year. However, it is reported that a Polish delegation is coming to try to make additional purchase. Poland has bought Canadian wheat for several years.

Mr. Sharp said the Soviet delegation had made no secret of its intention to distribute some of the huge grain purchase among its satellites in Eastern Europe as well as in Cuba.

Mr. Borisov said in a statement, read in Russian and translated, that weather in the Soviet Union had adversely affected the Soviet wheat crop, forcing his country to buy from other countries. The Soviet Government has also bought substantial quantities of wheat from Australia.

Future purchases of wheat from Canada for delivery to Soviet ports near Canada could be "economically justified and proper," Mr. Borisov said. He declared that this would "depend on how much Canada is able to enlarge its purchases of Soviet goods." Because the economies of Canada and the Soviet Union are somewhat similar, any great expansion of Russian exports to this country is regarded as unlikely.

The wheat sale was made possible by the Export Credit Insurance Corporation, a Government body, which agreed to provide guarantees to a maximum of $200 million at any one time. The sale was for 25 percent cash for each shipment, with one-third of the balance payable after 6, 12, and 18 months from the date of shipment.

The agreement is expected to set a record for wheat export in a single year. The Canadian Wheat Board, whose chairman, W. C. McNamara, took part in the negotiations, estimated that total exports this year would amount to 550 million bushels, against 386 million bushels in 1952–53, the best postwar year. Sales of 550 million bushels would represent foreign-exchange earnings of more than $1 billion.

Wheat sales to Communist China and the Soviet Union will go a long way toward enabling Canada to cover its chronic imbalance of trade with the United States, running at the rate of about $1 billion a year.

The wheat and flour purchased by the Soviet Union for delivery this year, including purchases outside the agreement, amount to 239 million bushels.

Because of the immense volume of grain movements to the ports in so short a time, N. R. Crump and Donald Gordon, presidents of the Canadian Pacific and the Canadian National Railways, were consulted on the ability of their lines to handle the traffic. They expressed confidence that they could do so, although it would mean doubling the traffic.

Arrangements have been made, Mr. Sharp said, to speed the movement of grain carriers through the St. Lawrence Seaway for the time left in the ice-free season and from the time it reopens next spring.

Even if Canada is able to get the required amount of grain from the prairies to the ports on her east and west coasts, it was suggested that the Soviet Union might find trouble in getting ships to carry the cargoes to its own ports.

[From the New York Times, Sept. 17, 1963]

UNITED STATES HOPES TO GAIN FROM WHEAT SALE

WASHINGTON, September 16.—U.S. agricultural officials speculated cautiously today that Canada's $500 million sale of wheat to the Soviet Union might benefit American producers.

Any benefit, it was said, would come from Canada's leaving open some world markets and from the United States filling demands with dollar sales. Some officials said the United States could increase its wheat sales by more than 200 million bushels in the next year as a replacement for Canadian wheat. This could raise U.S. wheat exports to a record.

While farm officials speculated on possible benefits, officials at the State Department said the Soviet plan to send Canadian wheat to Cuba posed no issue between the United States and Canada.

The State Department officials said that wheat was in the category of food and that Washington had never prohibited the shipment of food and drugs to Cuba under Premier Fidel Castro. Traditionally, they said, the United States has acted on humanitarian grounds—even toward Communist China.

POLICY UNDER STUDY

Washington also wonders whether the Soviet purchase will spur the United States to open its surplus agricultural products to the Soviet Union and to other Communist countries.

There is no legal prohibition of government-to-government sales with the Soviet Union, provided that commercial exporters obtain export licenses from the Department of Commerce. The policy, however, has been to rule out trade in farm products with Communist countries other than Poland and Yugoslavia.

This issue has agitated Congress for several years. Congress has prohibited aid to any country known to be dominated by communism or Marxism. But it has permitted sales and gifts of surplus farm products where the President finds them in the national interest.

Senator HUBERT H. HUMPHREY, of Minnesota, the Democratic whip, asserted today that the United States must change its outdated export policies if it was to share in world markets.

Wheat is not a war material, he told the Senate in commenting on the Canadian-Russian agreement. Canada, he said, is getting dollars for its wheat at a time when the United States needs gold to help its dollar balance.

HODGES FAVORS EXPANSION

There was no official indication that the Soviet purchase had stimulated a re-examination of the U.S. policy. Earlier today Secretary of Commerce, Luther H. Hodges said he had planned to suggest to President Kennedy that the United States might expand trade with Communist countries in the wake of the easing of tensions and the treaty for a limited ban on nuclear tests.

Mr. Hodges spoke on the television program "Today" over the National Broadcasting Co. network before Canada announced the Soviet agreement. He did not specifically include farm products. The Secretary said, "We ought to follow somewhat more what our allies have been for the last several years—namely, to sell goods."

The Department of Commerce will hold a White House conference tomorrow on promoting exports. President Kennedy will speak, and Mr. Hodges said he planned to carry his plea to the President then.

Analysts of Soviet agriculture and the Department of Agriculture commented that the Canadian sale might indicate that the Russian grain shortage was worse than had been believed. But they had no definite word.

Agriculture officials indicated that if the United States could add to its exports, wheat prices would generally be strengthened. But, they pointed out, this applied to the current wheat crop and would have no affect on the 1964 crop.

PRICE DROP EXPECTED

Official predictions are that wheat prices will drop sharply next year. This is based on producers' rejection of the administration's tough new wheat-output control proposal earlier this year. That program would have guaranteed producers $2 a bushel, compared with the predicted 1964 price of about $1.30.

One cause of worry, officials said, is that with the Canadian sale opening sales for U.S. wheat, and with a resultant stiffening of prices, producers may be induced to plant more. Winter wheat, the bulk of the U.S. crop, is going into the ground now for harvest next year.

One reason for caution by farm officials is that Canada has had two successive bumper wheat crops. The 1962 production was 550 million bushels; this year's yield, estimated at 706 million could amount to 750 million.

Canada could easily handle the 550 million bushels for domestic and export needs, the officials said, but this year's crop provided her with a 200-million bushel surplus to be drained off by the Soviet Union. At the same time, they noted, Canada has notified some customers that she cannot fulfill all her commitments.

[From the New York Times, Sept. 17, 1963]

SOVIET CROP LOSS ESTIMATED AT 10 PERCENT

(By Tad Szulc)

WASHINGTON, September 17.—U.S. specialists on Soviet agriculture and trade today ascribed Moscow's purchase of Canadian wheat to a drop of perhaps 10 percent in the Soviet crop.

A contract for the Russian purchase of more than 6 million metric tons of wheat and wheat flour was signed in Ottawa yesterday.

The purchase was necessary, the U.S. specialists said, because even in past years the Soviet crop has provided only slightly more than enough to meet consumer demands.

This year's drop, combined with the new needs of Cuba and Eastern Europe, left the Soviet Union with a substantial deficit.

Weather conditions were believed to be the main cause for the decrease in output.

The estimate here was that the Canadian purchase was the equivalent of about 1 month of Soviet domestic consumption. Officials warned that precise figures were not possible because Soviet export commitments are not fully known.

DEMANDS ON CROP SHOWN

The demands on the Soviet wheat crop, both domestic and international, were illustrated by Soviet insistence that the entire agreement be conditioned on Canada's acceptance of the shipment to Cuba of 465,000 metric tons of wheat and flour from the purchase.

Canada advised the United States of this condition when the State Department asked whether the deliveries to Cuba were an essential part of the transaction.

Figures for Soviet wheat and flour exports to Cuba indicated today that Moscow had decided to meet its pledges of wheat to Cuba through purchases of Canadian wheat.

This, experts here stressed, showed that the Soviet Union would rather pay in dollars for supplying Cuba with wheat and flour, now among the essential staples consumed on the island than take them out of her own supplies.

The Cuban wheat and flour needs grew from 292,000 metric tons in 1961 to the 465,000 tons this year, largely to make up for a drastic decrease in Cuban food production including rice, black beans, and malanga, a turnip-type edible root.

MOSCOW WILL SAVE

In overall terms, however, the Soviet Government is making a saving in buying the wheat for Cuba from Canada, because freight costs from Canada to Cuba are only a fraction of what Moscow pays for shipments from Black Sea ports.

ALLIES IN BLOC MAKE DEMANDS

In addition to the rising Cuban needs, the Soviet Union is known to be under pressure to provide wheat and grain in considerable quantities to its Eastern European allies, notably Poland and East Germany, because of their own crop failures, also caused by poor weather.

Even before the Soviet harvest shortages became known, Poland indicated her eagerness to obtain additional U.S. wheat on loan under the commodity surplus program and to purchase a sizable amount of wheat in Canada.

She had been receiving U.S. wheat and other farm commodities under the surplus program for the last 5 years, but she is reported to be having difficulty in opening negotiations with Washington.

Cuba, which ran out of foreign exchange in 1961, has been depending exclusively on Soviet shipments financed by credit arrangement. In an article in the June issue of U.R.S.S., a Soviet magazine in Spanish, a Soviet trade representative, P. Sakun, wrote that "the supply of bread to the Cuban population is carried out completely through the supply of Soviet wheat and flour."

What now appears to have been one of the first signs of Soviet difficulty in delivering wheat and flour to allies came in a broadcast by the Havana radio last month. The radio announced that the production of crackers and noodles would have to be curtailed temporarily.

U.S. specialists say that while the Soviet Union reported a wheat production of 70 million metric tons last year, the figure was probably closer to 55 million tons.

The size of the Canadian purchase indicates that the 1963 production will be less than 50 million tons.

[From the New York Times, Sept. 18, 1963]

KHRUSHCHEV CALLS FARMS WASTEFUL

Moscow, September 17.—Premier Khrushchev has demanded an all-out effort to "improve the management of Soviet agriculture."

Speaking in Volgograd yesterday to regional officials responsible for state farms and irrigation projects, the Premier chided "people who cling to their old habits and who cannot get rid of the bureaucratic style of management."

The speech was printed tonight in Izvestia, the government newspaper. It occupied the greater part of the paper's front page and almost an entire inside page.

The Premier stressed the questions of fertilizer and irrigation, both long of special interest to him.

He disclosed that the central committee of the Communist Party, after prolonged debate, had decided recently to create a new administration exclusively responsible for the construction and operation of all irrigation works in the country.

OUTPUT TO BE INCREASED

Mr. Khrushchev also said the central committee had concluded that it was of prime national importance to increase the production of mineral fertilizer and to insure that existing stocks of fertilizer were being used effectively.

"We must spare no effort to increase the production of fertilizer," Mr. Khrushchev added.

He said that present plans called for an increase of fertilizer production from 20 million tons this year to 29 million tons next year and to 35 million tons in 1965. The goal of 35 million tons is equal to the 1962 fertilizer output of the United States, Mr. Khrushchev noted.

The Premier cited the care with which American farmers protected their fertilizer in plastic bags in contrast with the neglectful practices in the Soviet Union, where, he said, piles of fertilizer were allowed to freeze for children to sledge down on.

Mr. Khrushchev also criticized the cost of vegetables, declaring that it was "a shame" that Soviet agriculture with its modern machinery had allowed the price of vegetables to rise so high.

Mr. Khrushchev said he was "not pleased" with what he had seen and heard in the newly irrigated Volga-Don region, which he inspected yesterday and where he made his speech.

"If you continue to work like this, then the bread received from such irrigated lands will become bitter because you spend a lot to produce it," he cautioned.

YUGOSLAV FARMS PRAISED

Mr. Khrushchev said that during his recent visit to Yugoslavia he had been impressed by the high yields obtained on state farms there and by the effective use made of fertilizer.

Although state farms make up only 20 percent of the Yugoslav agricultural area, he said they produce 60 percent of the country's bread grain.

Mr. Khrushchev hinted that instead of extending the acreage under cultivation as in the past under his virgin lands plan, the Soviet Union would in the future concentrate on intensifying production on existing acreage, mostly through the wider use of fertilizer.

The Soviet leader said that on the average the Soviet Union was using 154 pounds of mineral fertilizer a hectare (2.47 acres) of arable land compared with 499 pounds in the United States, 1,115 in France, 1,685 in Britain, and more than 2,200 in West Germany.

"Comrade leaders," the Premier said, "it is necessary now to improve the management of agriculture in the most resolute way."

Mr. **KEATING** subsequently said: Mr. President, supplementing the remarks of the distinguished Senator from Wisconsin regarding the sale of $500 million worth of wheat to the Soviet Union, it seems to me we must view it with mixed emotions.

So far as the Soviet Union is concerned, it conclusively proves the failure of the Communist agricultural programs and demonstrates to the world what a poor farmer the Communist bloc is. As far as Canada is concerned, the sale is undoubtedly a good bargain and economically useful.

But insofar as this deal specifically includes, as the Senator from Wisconsin pointed out, $33 million worth of grain for Cuba, it involves a very serious breach in U.S. efforts for economic and political isolation of the Castro regime.

Canada has always refused to join the Organization of American States and participate in hemispheric planning efforts, but this move goes a step further than that. It is a direct repudiation of the efforts of the OAS to isolate Castro. It will invite leftists throughout the hemisphere to press for renewed ties with Castro and may open the way for an even greater flood of Communist influence into Latin America.

Furthermore, reports indicate that the Canadians have also been selling skim milk powder to Cuba for some time.

It is ironic that for some time the United States has tried to move carefully and restrict its Public Law 480 sales of grain, which represent a substantial and effective part of our foreign aid program in order not to offend nations like Canada. Our aid to underdeveloped countries, in other words, has been deliberately held down to please Canadian grain sellers. Yet, Canada has one of the smallest foreign-aid programs in the entire free world. Proportionate to Canada's gross national product, the country supplies only one-fifth as much aid to poorer nations as the United States does and ranks practically at the bottom in free world aid programs.

Increased international trade is all very well and dollars are important to every nation. But I think it is extremely unfortunate that the Canadian Government, in its pursuit for profit, should deliberately flout the mutual interest of the entire hemisphere in encouraging a Soviet withdrawal from Cuba. In fact, what the Canadians have done is to strengthen the Soviet position in Cuba, by allowing the Soviets to take the credit for alleviating the food shortage.

This action, although on a larger scale dollarwise, is comparable to the intention of a French firm in Paris to sell Castro equipment to build a sugar-waste processing plant, by which waste sugar cane may be chemically processed into yeast. This undertaking, on which I have just received what I consider positive confirmation from Paris, will, like the grain sale, tighten the Communist grip on Cuba.

It is regrettable, and a sign of the half-hearted manner in which our own shipping and other restrictions have been applied, that there has been not one single word of protest or condemnation by our Government on these moves.

I did not know until the Senator from Wisconsin spoke that our State Department had actually approved of this sale. At least I know that there has been no protest or condemnation of it. I hope it is not indicative that there is no real will in Washington to enforce a strong boycott against Cuba, and that our Government is content to drift with the tide and roll with the punches that come, not only from the Communist bloc, but, alas, in increasing number from our allies.

I am greatly distressed by this transaction insofar as it represents a sale to Cuba, indirectly, and I share the concern of the distinguished Senator from Wisconsin.

Mr. MANSFIELD. Mr. President, I should like to make a brief statement.

I have been following with considerable interest the statements being made on the wheat deal between Canada and the Soviet Union, with some of the wheat being shipped to Cuba.

It is a little surprising to me to hear a Member of the Senate state on the floor that this was done with the approval of the administration in Washington. I was always under the impression that Canada, being a sovereign nation, does what it does in its own best interest, as we do also.

While I certainly have my doubts and do not approve of the action with regard to Cuba, I point out that this matter is Canada's business, and Canada's business alone.

I would also point out, on the subject of wheat, that we have shipped a good deal of wheat to our friends in Western Europe, and that certain allegations have been made on the floor of the Senate, and certain proofs have been forthcoming, to the effect that some of the wheat which we shipped to our friends in Western Europe has, at times, has been milled and shipped behind the Iron Curtain.

Therefore I would suggest that we look at this matter with a little understanding. I do not approve of what Canada has done, but Canada, being a sovereign country, does what it desires, and what it does is not dependent upon approval in Washington. To the best of my knowledge there has been no approval in Washington of what Canada has done in connection with this wheat deal.

Mr. AIKEN. The colloquy we have been hearing in connection with the sale of Canadian wheat to Russia has been quite interesting. It is significant that, as the need for wheat in Communist China increased, our own exports increased materially. There is no use trying to fool ourselves. If any of the countries behind the Iron Curtain want American goods, they can get them, although they must go through a third country, which skims off the cream.

Mr. MANSFIELD. Usually they are our allies.

Mr. AIKEN. Yes; our own allies. They are doing a land office business. I do not want to add to anyone's discontent, but I have just read that the Australians have sold $100 million worth of wheat to Russia.

What is the solution? Shall we sever relations with Australia and Canada?

Instead of constantly complaining, we should make some suggestions about what to do about the situation. So far as I know, the only thing we can do is to break off diplomatic relations with Australia and Canada, and perhaps also with Germany, France, Belgium, Holland, and Italy, and all our other good friends.

I am satisfied that our friends are doing a land office business with Communist countries and taking a very substantial profit on the materials and production which we sell to them.

If Cuba wants to get powdered milk or flour from American wheat, it can get it; so can Hungary and Rumania and Russia. To get it, of course, it must go through a third party.

Therefore, we ought to hear some recommendations as to what to do about the situation.

Certainly the U.S. Government does not have to approve Canadian transactions or Australian transactions with any other country. The only recourse would be retaliation. What form that retaliation should take, I do not know. The fact remains that our best friends are cleaning up on us, and we are taking it out on complaints.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. PROXMIRE. The article published in the New York Times, which I read, states:

> Mitchell Sharp, Minister of Trade and Commerce, who negotiated the agreement for Canada, said the United States had been informed that part of the wheat was to be delivered to Cuba and had offered no objections.

Another article published in yesterday's New York Times states:

> While farm officials speculated on possible benefits, officials at the State Department said the Soviet plan to send Canadian wheat to Cuba posed no issue between the United States and Canada.

At least no objection was made by the U.S. Government, and certainly no reluctance was shown on our part toward having the deal go through. There was no protest. No reservation was expressed with regard to it.

Mr. MANSFIELD. The Senator from Wisconsin ought to be fair. I know he wants to be fair. So far as the State Department is concerned, it has not been asked, and it should not be asked by the Canadians as to what they should or should not do. After all, Canada is a sovereign nation, as I have tried to indicate. What the Senator says does not indicate that the State Department had approved the wheat deal.

Mr. PROXMIRE. I read again from yesterday's New York Times:

> Mitchell Sharp, Minister of Trade and Commerce, who negotiated the agreement for Canada, said the United States had been informed that part of the wheat was to be delivered to Cuba, and had offered no objections.

Mr. MANSFIELD. What good would it have done?

Mr. PROXMIRE. We could at least have disagreed with it. We could have said we do not like it. We could at least have stated our position.

Mr. MANSFIELD. Suppose they told us they did not like what we were doing.

Mr. PROXMIRE. So long as they informed us, it seems to me that if the State Department did not like it, it could have said so. It is possible Canada might not proceed against our expressed opposition. If she did proceed, it would be possible for this country to consider steps that might discourage such action in the future.

Mr. MANSFIELD. That is Canada's business. That is the answer.

Mr. AIKEN. If the Canadians ship wheat from Canada to Cuba, it is less expensive than shipping it from Russia. Last year our exports of wheat to Western Europe increased tremendously, going above 7 million bushels. No doubt some of that was shipped to Red China.

It is cheaper to ship Canadian wheat to Cuba than to have it reshipped, and the same is true with respect to wheat shipped to Red China, or to any other part of the world.

Mr. PROXMIRE. The point I wish to make is that we should try to make it as expensive, difficult, and onerous for the Communist nations as possible, not as easy and convenient as we can make it.

Mr. AIKEN. Does the Senator from Wisconsin recommend that the United States sever diplomatic relations with Canada, Australia, France, West Germany, and Belgium?

Mr. PROXMIRE. Certainly not; I say we should have protested and made our position clear.

Mr. AIKEN. Does the Senator think we should tell Canada, Australia, New Zealand, and other nations how to conduct their business?

Mr. PROXMIRE. I say that when Canada informs us that she plans to sell to Russia wheat that Russia will send to Cuba, we should say we oppose that action because it is a bad thing to do. Our allies can do it; they are sovereign nations. But we should at least make our position clear to them; that is all I ask.

Mr. AIKEN. They will go ahead and ship it anyway.

Mr. PROXMIRE. Why assume this great nation is so impotent? This way they do it with our tacit approval.

Mr. AIKEN. Even if we should say, "No," very few countries would do what we ask. Even Vietnam would not do what we want it to do.

Mr. PROXMIRE. We can hardly blame or criticize our allies for assisting the Communist bloc if our State Department, which is informed of these actions, does not at least go on record disapproving them. If Canada takes such action, as it has done, without notifying our Government, or does it over the protest of our Government, we should criticize Canada. But when Canada informs us, and our State Department indicates no objection, the criticism and it should be emphatic should be lodged with the State Department, not with Canada.

A FLOWER FOR THEIR GRAVES

Mr. GRUENING. Mr. President, last night's Washington Evening Star con-

tained three interrelated items on the disgraceful and loathsome happenings in Birmingham, Ala., where repeated bombings and now the killings of innocent children while attending Sunday School in their church have put the spotlight on the too-long delayed struggle for equal rights for all the people of the United States regardless of the color of their skin.

The first article, written by columnist David Lawrence, urges the Negro to go slow—not to push things too fast. It occurs to me that Mr. Lawrence should ask himself whether if he were born a Negro he would consider it pushing too fast if, 100 years after he had been promised equality and was still being denied equal educational opportunities, equal employment opportunities, equal accommodations, he too would think it was pushing things too far to want these constitutionally guaranteed rights—now.

The second item is an editorial in the same issue of the Star disagreeing with Mr. Lawrence. I agree with that editorial. I agree with its view that Mr. Lawrence's comments are "tasteless and absurd." In the light of what has been happening in Birmingham, as the Star says editorially "this is a time for shame, not for self-righteousness."

Finally, a column from the Atlanta Constitution, written by its editor, Eugene Patterson, a native Georgian, entitled "A Flower for the Graves," tells eloquently what should be in the hearts of all of us.

I ask unanimous consent that these three items be printed at the conclusion of my remarks.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Sept. 17, 1963]

ANSWERING BIRMINGHAM BOMBERS—ALL SIDES URGED TO WORK OUT REFORMS AND PUT THEM INTO CITY ORDINANCES

(By David Lawrence)

The tragedy of Birmingham reflects the conflicts of angry men. It emphasizes a defeat for the rule of reason and a triumph for the spirit of mobocracy.

To preach nonviolence, yet to sanction street demonstrations which incite to violence, is to stir up the deepest emotions. Under such circumstances, men on both sides tend to feel rather than to think.

Responsibility for the recent outbreaks of violence will be attributed by each side to the other in the integration controversy. It will be said that, if the churches themselves had not become active participants in the public demonstrations, there would have been less resentment in the communities. It will be argued in reply that there was no other way to dramatize what was felt to be an innate injustice, both in law and morality.

There is no question about the fact that the bitterness of those who have been discriminated against because of race or color produces an anger that often brushes aside pleas for a rule of reason and for the operation of a system of law. Not so many years ago, the anger of the mob caused the lynching of many an innocent man. The mob always felt sure that the suspect was guilty and cried out: "Why wait for the courts—he's guilty." The cry today is: "Why wait for the process of law—it's too slow."

The air is filled with threats. It is being said that, unless this or that reform is immediately granted, there will be race violence. No constructive purpose is served by such threats and, when uttered by clergymen, they are even more discouraging. For what is lacking in the controversies today is the restraint that comes from a true religious spirit. Saint Thomas Aquinas in his famous book said:

"The angry man is energetic in the pursuit of justice. But anger can destroy the reasonableness and prudence of our actions. Frequently angry men exact a greater vengeance than the injury done to them merits."

This applies particularly to the men who bombed the Negro church in Birmingham. They do not represent or reflect a majority sentiment in the community. They gave vent only to their own passions of anger, and their evil deed will bring about an adverse reaction to whatever cause they had in mind.

Who committed the crime—tossing a bomb that killed four young girls in a church during Sunday school services? Could this possibly have been the premeditated plot of any organized movement? Could it have been—as some observers are beginning to suspect—the work of that small but dangerous clique inside this country who capitalize on every public controversy? They provoke friction and violence because these will injure the image of America throughout the world—an objective sought by Communist subversives who even employ some Fascists for the purpose in order to conceal the true origin of the drive.

It will be of little avail to accuse any one in public office—or the people of Birmingham—of responsibility for last Sunday's crime. This will tend only to increase bitterness all around. Maybe the perpetrators of the bombing will never be caught. Whether in the North or South, most bombings in recent years have gone unsolved because the bombs can be tossed from a speeding automobile which then vanishes, or they can be planted clandestinely during the night.

The answer to the country's race problem will not come from bombings any more than it will come from demonstrations, however orderly they may appear to be. The right of petition under the Constitution can be effectively exercised in less spectacular ways.

Whatever Congress may do at this session will be regarded as inadequate by angry men anxious to accomplish overnight what must take a long time to achieve. For, as past experience indicates, customs and ways of life are not surrendered under threat or in an atmosphere of passion.

This country has prided itself on its constitutional system—a government of written laws. Unjust laws are not repealed by mob violence but by steady and persistent pleas in the court of public opinion. The means of communication are numerous today and are available to proponents or opponents of any legislation.

The theory that demonstrations are essential to the winning of public opinion fails to take into account that, in an atmosphere of anger and bitter resentment, there is no human progress if laws are passed before the electorate has really been persuaded of their justness through application of the rule of reason. Violence begets more violence. It doesn't vanish when provocative speeches are made in the name of nonviolence. It is a time for self-examination by all sides of the current controversy. There surely are in every community men of all races who can sit down together to work out needed reforms and gradually put them into effect through city ordinances. They can also bring about the passage of the necessary State or Federal laws to deal with particular barriers to the better understanding which should prevail among all races.

Even this process, however, takes time for education of the citizens and a legal determination of where private rights end and public rights begin. Time and reason can solve any difficulty, but the passions of anger will solve nothing—not even in the relations of governments or nations, as the wars of the past have tragically proved.

[From the Washington Star, Sept. 17, 1963]

MR. LAWRENCE'S THESIS

On the page opposite this one, David Lawrence today advances the thesis that the death of four Negro children attending Sunday school in Birmingham is a somewhat logical result of the active efforts of Negroes to secure their civil rights as Americans.

We print the column as part of a continuing effort to present a variety of views on controversial issues. But, speaking for ourselves, we reject Mr. Lawrence's comments on this subject as tasteless and absurd.

It hardly behooves a member of the white majority in this country to make the death of these innocent victims of bigotry an occasion for a lecture to the Negro community on the need for additional restraint. This is a time for shame, not for self-righteousness. The column by Eugene Patterson of Atlanta, reprinted elsewhere in today's paper, would seem to represent a more appropriate reaction.

[From the Washington Star, Sept. 17, 1963]

A SOUTHERNER SPEAKS—A FLOWER FOR THE GRAVES

(The Atlanta Constitution, one of the South's leading newspapers, placed the responsibility for the bombing of the Birmingham church Sunday morning on the entire white South in the column printed below, entitled "A Flower for the Graves." It was written by Eugene Patterson, a native Georgian and editor of the Constitution since 1960.)

A Negro mother wept in the street Sunday morning in front of a Baptist church in Birmingham. In her hand she held a shoe, one shoe, from the foot of her dead child. We hold that shoe with her.

Every one of us in the white South holds that small shoe in his hand.

It is too late to blame the sick criminals who handled the dynamite. The FBI and the police can deal with that kind. The charge against them is simple. They killed four children.

Only we can trace the truth, Southerner—you and I. We broke those children's bodies.

We watched the stage set without staying it. We listened to the prologue unbestirred. We saw the curtain opening with disinterest. We have heard the play.

We—who go on electing politicians who heat the kettles of hate.

We—who raise no hand to silence the mean and little men who have their nigger jokes.

We—who stand aside in imagined rectitude and let the mad dogs that run in every society slide their leashes from our hand, and spring.

We—the heirs of a proud South, who protest its worth and demand its recognition, are the ones who have ducked the difficult, skirted the uncomfortable, caviled at the challenge, resented the necessary, rationalized the unacceptable, and created the day surely when these children would die.

This is no time to load our anguish onto the murderous scapegoat who set the cap in dynamite of our own manufacture.

He didn't know any better.

Somewhere in the dim and fevered recess of an evil mind he feels right now that he has been a hero. He is only guilty of murder. He thinks he has pleased us.

We of the white South who know better are the ones who must take a harsher judgment.

We, who know better, created a climate for child killing by those who don't.

We hold that shoe in our hand, Southerner. Let us see it straight, and look at the blood on it. Let us compare it with the unworthy speeches of southern public men who have traduced the Negro; match it with the spectacle of shrilling children whose parents and teachers turned them free to spit epithets at small huddles of Negro schoolchildren for a week before this Sunday in Birmingham; hold up the shoe and look beyond it to the statehouse in Montgomery, where official attitudes of Alabama have been spoken in heat and anger.

Let us not lay the blame on some brutal fool who didn't know any better.

We know better. We created the day. We bear the judgment. May God have mercy on the poor South that has been so led. May what has happened hasten the day when the good South, which does live and have great being, will rise to this challenge of racial understanding and common humanity, in the full power of its unasserted courage, assert itself.

The Sunday school play at Birmingham is ended. With a weeping Negro mother, we stand in the bitter smoke and hold a shoe. If our South is ever to be what we wish it to be, we will plant a flower of nobler resolve for the South now upon these four small graves that we dug.

JURY TRIALS FOR STATE OFFICIALS CHARGED WITH CRIMINAL CONTEMPT OF COURT IN VOTING CASES

Mr. MORSE. Mr. President, in 1957, I was the only Senator outside the South to vote against the Civil Rights Act. A major reason why I did so was the inclusion of a provision for jury trials for State officials who are charged with criminal contempt of court in voting cases. I made the case then that the right to trial by jury did not and should not enter into cases of criminal contempt.

The St. Louis Post Dispatch of September 13, 1963, published an editorial commenting on this issue with respect to the case of Gov. Ross Barnett, of Mississippi. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BY JURY OR JUDGE?

The American Civil Liberties Union has gone to the Supreme Court on the side of Gov. Ross Barnett of Mississippi, who seeks a jury trial of criminal contempt charges. Since the ACLU strongly opposes the antilibertarian activities of Governor Barnett, it deserves great credit for siding with him on principle. Nevertheless, the issue is not a simple one.

What is the principle? As stated by the ACLU, it is that the constitutional guarantee of jury trial should extend to criminal contempt cases.

A distinction must be made between civil and criminal contempt. A man may purge himself of civil contempt of court by obeying the court; "he carries the keys of his prison in his own pocket," as one Justice said. But in criminal contempt cases, a defendant is being punished by the court for his past defiance of it, and if convicted cannot absolve himself of punishment.

The ACLU says lack of any specific right to a jury trial in criminal contempt cases goes back to errors in English law, and allows the judge to act as prosecutor, witness, jury and judge in vindicating his authority. This is indeed true. There also are incidents of judges who abused this authority.

Yet the argument for jury trial must be measured against the historic reasons for allowing the court itself to punish for contempt. That reason is to preserve the integrity of the court and of the law, including other rights as significant as that of jury trial. And history shows that even the great jury system is not always certain protection of justice.

Two safeguards exist for those facing criminal contempt charges. One is that courts may appoint independent masters to conduct hearings and report findings for a decision as to guilt. The more basic safeguard is the right of appeal, always open to a defendant who feels unfairly accused or punished.

This problem was debated thoroughly in Congress in 1957. Southerners wanted to amend the Civil Rights Act to require jury trials for those charged with denying Negroes the right to vote. To make this seem less parochial, they proposed jury trials in all Federal criminal contempt cases. The Eisenhower administration resisted. The result was an unsatisfactory compromise limited to voting cases, and requiring judges to grant jury trials for anyone fined more than $300 or sentenced to more than 45 days.

Governor Barnett has already been found guilty by a court of civil contempt in trying to keep James Meredith out of the University of Mississippi. Who would predict that a Mississippi jury would find him guilty of criminal contempt on the same grounds?

The ACLU rightly contends that how a jury might dispose of the case is irrelevant to Governor Barnett's right to a jury trial. Yet the issue is larger than that. If jury trial in criminal contempt cases means that the courts will lose their authority to enforce the law and require compliance with their orders, then jury trial is not serving justice but obstructing it. So long as other safeguards of individual rights exist—notably the right of appeal to a different court—the cause of justice may be set back by unduly circumscribing the courts in contempt matters.

Mr. MORSE. Mr. President, as I pointed out in 1957, the history of jury trial does not extend to the inherent right of a court to preserve itself. I am willing to take judicial notice that in most southern jurisdictions today there is little hope of preserving the judicial process in criminal contempt cases in civil rights actions if the cases are to be turned over to juries. That happens to be one of the sad and ugly realities of the critical times in which we live.

I stand on every argument I made in 1957, and shall continue to protect the inherent right of the American court system to preserve itself from prejudiced areas that would seek to destroy the power of the court in civil rights cases involving southern officials.

ADMINISTRATIVE PROCEEDINGS: THEIR TIME AND COST CAN BE CUT DOWN

Mr. MANSFIELD. Mr. President, in the September 1963 edition of the American Bar Association Journal is an article concerning the delay and cost that all too often are involved in administrative proceedings before governmental agencies, written by our colleague, the Senator from Missouri [Mr. LONG]. The article graphically illustrates how this fact of governmental life is acting to hurt the economy in general, and small business in particular. The Senator is, of course, the chairman of the Judiciary Subcommittee on Administrative Practice and Procedure, and has become well acquainted with this problem and the needs for reform. I am sure that the Senate will be interested in this well-written article and will agree with Senator LONG that something has to be done in this area.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ADMINISTRATIVE PROCEEDINGS: THEIR TIME AND COST CAN BE CUT DOWN

(By Senator EDWARD V. LONG of Missouri)

The basic reason for the establishment of a multitude of Federal administrative agencies has been the general belief that the matters coming within their jurisdiction could be dealt with more expeditiously by administrative than by legislative and judicial procedures. Developments of the last few years, however, have cast some doubt on this basic premise, which underlies the administrative process as a whole. Administrative procedures have become tremendously complicated, often very lengthy, and usually terribly expensive.

If, within the bounds of due process, administrative proceedings cannot be made less complicated, less lengthy and less costly, the whole fabric of the administrative process may begin to unravel. Warnings of this are contained in the report of former Civil Aeronautics Board member Louis Hector to President Eisenhower in 1959 and in the report of former Federal Communications Commission Chairman Newton N. Minow to President Kennedy of May 3, 1963.

A good example of the ridiculous lengths to which administrative proceedings can go is the case of *Federal Trade Commission* v. *Evis Manufacturing Company,* 287 F. 2d 831 (9th Cir. 1961). When the Supreme Court refused certiorari in that case (368 U.S. 824), the defendant should have had cause for rejoicing. By refusing certiorari, the Court declared Evis the winner of a 6-year legal battle with the Federal Trade Commission. But there was no rejoicing in the Evis Manufacturing Co. at the announcement of their legal victory. In fact, there was no Evis Manufacturing Co. As a result of the interminable proceedings, the company had folded its tent and evaporated in a plume of blue smoke.

What was the case all about?

Evis had been charged with false advertising of a water-conditioning device. After receiving elaborate and costly evidence, the Commission hearing examiner refused to issue a cease and desist order. The examiner was reversed by the Commission twice after hearings in 11 cities, with 124 witnesses, 4,000 pages of transcript, and 4 years' time. The Court of Appeals for the Ninth Circuit reversed the Commission in its issuance of a cease-and-desist order, and the Supreme Court refused certiorari. After 6 years, Evis had won.

Why had it gone out of business? Its litigation expenses were $285,000. Worse yet, its sales dropped quickly and radically. The company literally fell apart.

WHY SUCH LENGTHY ADMINISTRATIVE PROCEEDINGS?

Is the Evis case an extreme one?

Yes, admittedly so. However, there are a great number of cases which are almost as shocking and in which the results have been equally disastrous to the litigants.

One could compile a "chamber of horrors" of examples of lengthy and costly administrative proceedings. However, in my view, the unsatisfactory length of time for the average case in some of our administrative agencies is both more important and more shocking. The conditions of undue delay and of untoward expense appear to be symptomatic of agency proceedings. Again, admittedly, the situation is much worse in some agencies than others.

In September of 1960, the Federal Power Commission said that it would take 13 years for its present staff to clear up its pending 2,313 producer rate cases; further, with the filing of 6,500 new cases during that 13 years, it would take until the year 2043 to clean up the docket even if its staff were tripled. This is ridiculous.

The Federal Power Commission, however, is not a great deal worse than some of the other agencies. For example, in formal proceedings before the Civil Aeronautics Board in 1960, the average docket was closed after 32 months. Interstate Commerce Commission contested proceedings consume from 2 to 3 years.

Some agencies have made strenuous efforts to reduce the time and cost of proceedings. It has been recently announced that the Federal Power Commission has "cleared away much of its backlog." After considerable effort the Interstate Commerce Commission has reduced somewhat the length of time it takes to decide a case and, consequently, it has reduced somewhat the backlog of cases on its docket. For example, between October 31, 1959, and December 31, 1962, the backlog of cases was reduced from a high of 5,978 cases to a low of 4,711 cases.

The ICC and other agencies are certainly to be congratulated for their efforts. But the backlog is still much too large. In fact, for reasons too complicated to be explained here, the ICC backlog had skyrocketed to 7,500 cases by March 31, 1963.

And certainly the length of time required for vaguely complicated cases is much too long. As recently as March 1963, the ICC handed down its decision in *Akron, Canton Railroad* v. *Atchison, Topeka & Santa Fe Railway,* Docket No. 31503, after 10 years of proceedings. The record consisted of a fantastic 11,250 pages of testimony, 834 exhibits, and 1,150 printed pages of briefs, plus voluminous appendices. Admittedly, this was a difficult and important case, involving the division of approximately $1.5 billion annually among various railroads—but, 10 years!

As ponderous as the procedures of the Senate may be, they are streamlined compared to this. For example, the Appropriations Committee and the Senate will pass on the merits of all items in a defense budget of roughly $50 billion before the session of Congress ends.

HOW ABOUT THE COSTS OF THESE PROCEEDINGS?

Strange as it may seem, there have been no accurate studies as to the costs involved in different types of administrative proceedings. Yet, there are certain ways of estimating the direct-dollar costs of certain proceedings. For example, the mere acquisition of the hearing record in a case involving 10,000 pages of testimony will be approximately $10,000. Estimates can also be made of lawyers' fees, preparation of exhibits, employment of experts, travel, etc. James M. Landis has estimated that in the Phillips Petroleum rate case before the Federal Power Commission "the total cost must have run into the millions."

If there were some way to estimate them, the indirect costs due to complex procedures and delay would probably be more staggering than the direct costs.

Some of these indirect costs must be borne directly by the participants in the administrative proceeding. Take the case of an applicant for a Federal Power Commission certificate to build a new pipeline. Frequently, the grant or denial of the certificate is delayed for years. Not only does the applicant lose the profits which might be made during the time of delay, but the cost of construction may also be greatly increased by delay.

More important is the effect which the delay may have on the economy as a whole. In the pipeline case a prompt decision by the regulatory agency might result in a shot in the arm to the steel industry during a period of low productivity, or a reduction in unemployment at a time when this would be particularly helpful.

The delay in any one administrative proceeding would not normally have any significant effect on the economy as a whole. However, when literally thousands of these proceedings are subject to long and unnecessary delays, the effect on the national economy may be extremely serious.

It seems clear that the unsatisfactory economic growth rate of our economy today is due at least in part to the delays in administrative proceedings. Exactly what part these delays play cannot be demonstrated, but it may well be a much more important part than one imagines at first blush.

The excessive length and cost of so many administrative proceedings go right to the heart of business initiative; they stifle the very initiative on which economic growth depends. Year by year, more and more business decisions are subject to administrative approval or review. Year by year, administrative proceedings take longer and cost more.

EFFECT ON SMALL BUSINESS PARTICULARLY ADVERSE

It is most important to note that the length and cost of present-day administrative procedures are particularly devastating on small businesses.

For a number of years, small businesses have found it increasingly difficult to survive. Certainly, one reason is that small businesses do not have the resources to carry through with the growing number of lengthy and costly administrative proceedings. To quote Dean Landis again: "The result is that in many situations the small businessman is practically excluded from an opportunity to compete."

In all probability the primary cause of delay is the growing business before the regulatory agencies. Put in its simplest terms, the caseload of the agencies is constantly increasing, and their resources for handling this increasing load are not keeping pace. They need more money and bigger and better staffs.

Another primary reason for delay is the lack of decision on major policies. For example, the FCC has failed to make up its mind with respect to the effective use of ultra-high frequencies; there have been many investigations but very few decisions.

It must be realized that in many circumstances the inability or failure of decisionmaking at the agency level results from a like failure at the executive and congressional level. As a case in point, neither the executive nor the legislative branch has set forth any rational transportation policy for the Nation that could be intelligently translated into action by the regulatory agencies. The failure here, and the resulting delays, must be placed at the door of the White House and the Congress rather than at the doors of the ICC and the CAB.

It is not the purpose of this article to discuss the reforms needed to correct delays due to the increased caseload or failure of policymaking. But there is a third primary cause of delay—the need for procedural reform.

PROCEDURAL REFORMS ARE NEEDED NOW

The Administrative Procedure Act was passed in 1946. It represented a considerable legislative achievement at that time. In the intervening years, some of the procedures under the act have proved to be very burdensome. Yet the agencies are bound by law to follow them.

During these same years, the courts have developed and widely employed new techniques which have not been applied to administrative proceedings. The American Bar Association and many State and local bar associations have been in the vanguard of those proposing administrative reforms. They have focused attention on the many problems and have made a number of very helpful, practical suggestions.

A Senate subcommittee has been established specifically to see if methods can be devised to modernize administrative practices and procedures. This is the Judiciary Subcommittee on Administrative Practice and Procedure, of which I have the honor to be chairman, and which consists of Senators Everett M. Dirksen, of Illinois, Philip A. Hart of Michigan, Edward M. Kennedy of Massachusetts, and Birch Bayh, of Indiana.

What is this subcommittee doing toward this specific goal? We are tackling the basic problem from three completely different angles.

The first bill upon which hearings were held this year by the subcommittee was S. 1466. This bill, which has long been sought by the American Bar Association, is designed to get rid of the special admissions requirements for legal practice that are perpetuated by some Federal agencies, such as the Treasury Department, the Patent Office, and others. S. 1466 would require all Federal agencies to permit practice by attorneys who are in good standing before the highest court in their State, without further ado. It would eliminate the waste of time and money in special admissions procedures.

We have recommended the establishment of a permanent Administrative Conference of the United States. In many ways it is modeled on the highly successful Judicial Conference, and it would stand in a similar relationship to the administrative agencies that the Judicial Conference stands in relation to the Federal courts.

The proposal for the Administrative Conference is contained in S. 1664, which was drafted by the Bureau of the Budget and has wide support among the agencies, the bar, and the public. It would consist of a full-time Chairman, a Council of 12, and an Assembly of approximately 75, including heads and counsels of agencies, members of the bar, administrative law scholars, etc.

Much of the enthusiasm for the establishment of a permanent Administrative Conference stems from the success of a temporary conference established by an Executive order in 1961. This temporary Conference, which automatically ended on the last day of 1962, made a number of recommendations for procedural reforms that would cut down on administrative delays. Several of these reforms have been put into effect by some of the agencies.

It is believed that a permanent Conference, composed of outstanding governmental and nongovernmental personnel, will be able continually, to develop recommendations to reduce the length and cost of administrative proceedings.

ADMINISTRATIVE PROCEDURE ACT REVISION IS THIRD PROPOSAL

In addition to what can be done by the agencies through voluntary reforms, it is recognized that many reforms can be achieved only through changes in the Administrative Procedure Act itself.

Most of the major legislative proposals for reform have been incorporated in an omnibus bill, S. 1663, which was introduced by Senator Dirksen on June 4, 1963. I had the honor to cosponsor this completely bipartisan attempt to review the entire Administrative Procedure Act. Neither of us is necessarily committed to all of the reforms proposed in the act. Yet, they represent most of the serious proposals for change that have been made in the past few years. It is our intention to see that they are thoroughly considered by the subcommittee as quickly as possible.

Many of the changes proposed in S. 1663 are designed specifically to reduce the length and cost of administrative proceedings. One such reform is contained in the proposal for prehearing conferences, which have been so successful in judicial proceedings. It is difficult to see how we are ever going to reduce the size of the tremendous records in these agency matters unless we find a way to get parties and their representatives to sit down with the agency and the presiding officer in advance of the hearing and make a determined effort to reduce the number of issues and questions in dispute. When this has been done in court cases, it has been most beneficial. Why should it not be helpful in administrative proceedings?

There should also be a great time economy for both the agency and the members of the public by more use of informal procedures, and the draft bill so provides.

One of the basic justifications for deciding things in an administrative agency instead of in court is supposed to be the fact that an agency can move in an informal and expeditious manner while court proceedings are often lengthly and cumbersome. It seems, however, that this is no longer true because agency proceedings are often longer and more cumbersome than those of the courts. Therefore, if we are going to find a valid purpose for administrative proceedings, we must place more emphasis on some form of informal procedure.

Yet, at the same time, we do not want to take away the statutory right which anyone has to a decision on the record after a formal hearing. This right is preserved in the bill by the provision that any party who is dissatisfied with the decision reached in the informal proceeding may file specific objections to it, and these objections will be determined on the record in a formal proceeding.

There is still another provision in S. 1663 which is worthy of careful consideration. That is the provision for discovery. There is probably no faster way of getting to a decision in a matter than getting at the facts before the actual hearing when the time of everyone is not taken up with endless cross-examination, which may in the long run be unnecessary. And the more facts that are found before the hearing begins, the shorter the hearing itself will be.

CONSOLIDATION AND SETTLEMENT ARE PROPOSED

The proposed revision also contains provisions on consolidation and settlement, and I feel that they emphasize the plain and simple fact that we must take account of all the necessary factors if we are to get on with an administrative proceeding and reach an acceptable result.

In looking over the statistics which have been prepared on the length of time it takes an administrative matter to get from the initial decision by the presiding officer to the final agency decision, I do not believe anyone can fail to appreciate that something must be done in this area. There is considerable agreement that much greater emphasis must be given to the decision of the presiding officer. S. 1663 follows the recommendation of the Administrative Conference that his decision shall be subject only to specific exceptions showing where it is in error.

Thus, in one stroke there would be wiped out two time-consuming aspects of present procedure. First, we would eliminate the idea that there must be two decisions—an initial decision and a "final" decision; and second, we would limit the need for agency review of the decision to specific exceptions rather than to all of the issues which have already been heard and determined by the presiding officer.

The bill takes another important step in the area of agency review by providing that the agencies may establish appeal boards to hear and decide the exceptions. This should greatly reduce the time taken to reach the final result in agency proceedings because the work can be divided among the agency members or delegated to appellate level hearing examiners. It will also mean that the agency members will have more time to devote to agency policymaking, and this in turn will provide better guidance to the members of the public and the staff of the agency in connection with the work of the agency.

For the first time, too, the amendments proposed in the bill provide specifically for the court in which the review can be had and for the procedure to be used in seeking reviews. These improvements should provide a much better guide to the public in seeking judicial review of agency action.

There are many other aspects of this bill which I believe deserve careful consideration because of the public benefit they provide, such as provisions for the narrowing of the areas in which the agencies can act without notice or hearing; for the granting of the right of counsel, which is now quite limited; and for the opportunity to obtain a transcript of the proceeding.

If we can eliminate restrictions on practice before Federal agencies, if we can establish a permanent Administrative Conference, and if we can enact the worthwhile proposals contained in S. 1663, we shall have gone a long way in reducing the length of time and the cost of administering proceedings.

A TRIBUTE TO PANAGRA'S 35TH ANNIVERSARY

Mr. SMATHERS. Thirty-five years ago on September 13, 1928, a frail single-engine Fairchild monoplane with four passengers and a sack of mail took off from a race track in Lima and landed 8 hours and 600 miles later in a soccer field in Talara, Peru.

This rather modest beginning heralded the start of scheduled U.S. airline service on the west coast of South America and marked the beginning of Panagra—Pan American-Grace Airways.

A year later, this pioneer airline had blazed an air trail south and across the formidable Cordillera of the Andes to deliver the first U.S. air mail to Buenos Aires in 11 days after it had left New York and carry American aviation farther than it had ever been.

Shortly after that, it had cut the distance between these 2 cities to 7 days, and for many years Panagra alone linked the United States with the countries on the west coast of South America by air.

Today, it serves key cities in Panama, Colombia, Ecuador, Peru, Bolivia, Chile, and Argentina in a matter of hours and fosters a greater interchange of people, cargo and ideas between the Americas.

The indomitable spirit which inspired Panagra's growth is a tribute to American aviation and the part it has played in shortening the distances between countries, stimulating trade and travel, building friendship and good will, and drawing the free peoples of this hemisphere closer together culturally and economically.

Over great stretches of oceans and deserts and across dense jungles and towering mountains, the airline extended its operations, building its own airports, installing its own network of radio and meteorological facilities, obtaining the necessary concessions and contracts from South American governments, and even providing accommodations for its passengers.

To fully realize what the development of this airline has meant to South America, one need but look at the topography of this continent, which makes surface transportation in some areas impractical if not altogether impossible.

Time and again it has been an angel of mercy, coming to the aid of the sick and the afflicted, flying a patient to a hospital, drugs and serums to save the life of a child or to ward off an epidemic, and airlifting planeloads of food, medicine, and clothing to earthquake, fire, and flood victims.

In the three and a half decades since its inception, Panagra has flown more than 2½ million passengers and over 71,000 tons of cargo and mail and has become an almost inseparable part of the everyday lives of the people of the countries it serves.

On occasion, it has come to the aid of a mining community facing economic disaster when a vitally needed generator part threatened to shut down the mine, rushed salvage equipment for a stricken passenger ship beached off the coast of Chile, flown spare parts needed urgently to repair a city's electric powerplant, carried arms and ammunition to oil workers besieged by savage Indians, hauled tons of machinery for a hydroelectric plant in the high Andes, and established altitude records to aid scientific missions studying the effects of cosmic rays at high altitudes.

On the more prosaic side, its cargo manifests list high-grade beef from packing plants in Argentina, fresh fruit and sea food from Chile and Peru, Panama hats from Ecuador, crude rubber from Bolivia, textiles from Colombia, and such diverse items as newspapers and magazines, oil drilling equipment, machinery, television sets, and a host of other products from the United States to make this airline the principal cargo carrier in South America and a boon to the continent's rapidly developing industries.

It can be readily seen why in some countries the name of Panagra has become a household word, and in some areas of South America, it is a generic term for the airplane.

Panagra can be justly proud of its progress and record of achievement.

THE FAIRNESS DOCTRINE FOR BROADCASTERS

Mr. THURMOND. Mr. President, the September 16, 1963, issue of the Dan Smoot Report discusses the Federal Communication Commission's recent interpretation of the so-called fairness doctrine for broadcasters. This is a matter which is of deep concern to broadcasters across this country. I share this concern, Mr. President, because I fear, as does Mr. Smoot and as do many others, that this interpretation could be used against those who broadcast from a conservative political point of view. In a recent meeting of the Communications Subcommittee of the Senate Commerce Committee, I had occasion to discuss this subject with the Chairman of the Federal Communications Commission; and at that time I expressed my concern to him, and asked that he and other members of the Commission give these views appropriate and serious consideration. He indicated that some aspects of this subject would soon be decided in a forthcoming decision.

In order that the Members of the Congress may know more about the concern of a number of broadcasters across this country with the recent FCC interpretation of the fairness doctrine, I ask that Mr. Smoot's report, entitled "Darkness Is Descending on the Land," be printed in the body of the RECORD at the conclusion of my remarks.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

THE DAN SMOOT REPORT—DARKNESS IS DESCENDING ON THE LAND

In the beginning, we do not see many overt acts of tyranny. Only occasionally, and under confused circumstances, does a midnight pounding on the door rout from bed some citizen whose sole crime is criticism of all-powerful government. Only occasionally, when a man's fight for justice can be calumnied as a selfish stand against progress, is a citizen jailed without trial, and held as an example to intimidate others. Only occasionally is a military hero of the Republic stigmatized as mentally ill and incarcerated without formal process or permission to make bond, because the ruling tyranny, in momentary rage or panic, hated the man as a symbol of resistance.

In the beginning, tyranny is subtle, its actions explained as necessary steps against enemies of the public good, its iron fist hidden in a velvet glove, its death's-head grin masked as a smile of paternal beneficence. By the time the naked power of the police state is unsheathed and brandished boldly for all to see and cringe before, it is often too late for an intimidated populace to take action.

At the outset of the Kennedy administration, the President and other New Frontier spokesmen called upon the American people to shake off their apathy and to develop an informed and active interest in the great political problems of our time. The President stressed this theme in his first inaugural address and again in his first State of the Union Message. In his State of the Union Message (Jan. 30, 1961), the President said:

"Let it be clear that this administration recognizes the value of daring and dissent—that we greet healthy controversy as the hallmark of healthy change."[1]

By dissent, the President did not mean dissent from any act or idea of his: Before the end of his first year in office, Kennedy was calling his critics irresponsible fanatics, discordant voices of extremism, and counselors of fear and suspicion. By the end of 1961, the President's counselors were demanding that conservative critics of the administration be silenced, and the President was moving fast to implement their demands.

REUTHER'S RECOMMENDATIONS

On December 19, 1961, Walter Reuther presented to Attorney General Robert Kennedy a memorandum (which had been prepared by Walter's brother, Victor) on "The Radical Right in America Today."[3]

Reuther congratulated the Kennedy administration for saying harsh things about the "radical right," but demanded action instead of words. Here are passages from the Reuther memorandum on the "radical right":

"President Kennedy's addresses in Seattle and Los Angeles on November 16 and 18, 1961, evidenced both a deep concern with, and a profound understanding of, the serious problems injected into American life by the growing strength of the radical right.

"If the administration truly recognizes this as a serious problem, as it certainly appears to do, it is most important that President Kennedy's addresses in Seattle and Los Angeles be implemented.

"The radical right or extreme rightwing, or however it may be designated, includes an unknown number of millions of Americans of viewpoints bounded on the left by Senator GOLDWATER and on the right by Robert Welch.

"The radical right moves the national political spectrum away from the administration's proposed liberal programs at home and abroad.

"What are needed are deliberate administration policies and programs to contain the radical right from further expansion and in the long run to reduce it to its historic role of the impotent lunatic fringe.

"The radical right poses a far greater danger to * * * this country * * * than does the domestic Communist movement."[3]

Reuther suggested that "radical right" organizations be placed on the Attorney General's subversive list, along with the Communist Party, and that their ranks be infiltrated by the FBI. This would be a political purge of major proportions. Note that "radical right" includes Senator GOLDWATER and every other American as conservative as, or more conservative than, the Senator. Reuther admits that the number is in the millions, and growing.

The patriots of America are to be branded subversive, and outlawed.

It can happen here. Indeed, the police-state purge of patriots has already begun. At present, there are no visible signs, no tangible evidence, that Kennedy plans to follow Reuther's recommendation about branding and outlawing the millions of Americans who are as conservative as BARRY GOLDWATER—Americans whom Reuther labels as "radical right." But two other Reuther recommendations (of equal, if not deeper, import) are in the process of implementation by the Kennedy administration—were, indeed, already being implemented, in part, as Kennedy policy before Reuther submitted his memorandum. One involves the military: silence all "radical right" expression by military officers, and use military establishments as pressure groups to support administration policies. The other involves broadcasting: banish any "radical right" expression from radio and television, and convert these media into propaganda agencies for governmental programs.

THE MILITARY

The Reuther memorandum to Robert Kennedy recommended muzzling of all military officers who think communism is a threat within the United States and who disagree with Kennedy administration policies of accommodating and appeasing the Soviets abroad. Anti-Communist officers who cannot be silenced should be removed, by one means or another, from the Armed Forces. All of this, according to Reuther, is to be done under the pretext of separating military personnel from partisan politics. At the same time, those military officers who agree with Kennedy are to be encouraged, even ordered, to speak and act officially in support of Kennedy's political programs.

This is what Reuther recommends. This is what Kennedy is doing.

The muzzling of anti-Communist officers in the Armed Forces was a major controversy during the first year of Kennedy's administration. By the beginning of 1963, anti-Communists had been silenced or forced out of the services. This was done, exactly as Reuther had recommended, under the pretext of keeping military personnel out of controversial political matters. In July 1963, however, the administration ordered military personnel to intervene aggressively in the most controversial political matter of all time, in support of the President's racial program.

On July 26, 1963, Robert S. McNamara, Secretary of Defense, issued a directive, "Equal Opportunity in the Armed Forces," ordering all military commanders to take action in and against civilian communities around military bases, whenever those communities do not wholly support the President's racial program.[4]

The author of this directive is Adam Yarmolinsky, whose parents are notorious Communist-fronters and who has a record of participation in Communist activities since his undergraduate days at Harvard.[5]

The purpose of the Yarmolinsky directive is to implement the program of the President's Committee on Equal Opportunity in the Armed Forces, appointed in June of 1962.

On June 13, 1963, the Committee outlined its scheme for racial equality in a 93-page report entitled "Equality of Treatment and Opportunity for Negro Military Personnel Stationed Within the United States," popularly referred to as the Gesell report, after the name of a Washington, D.C., lawyer, Gerhard A. Gesell, who is chairman of the President's Committee.

The Gesell report was written by a Sacramento, Calif., Negro attorney, Nathaniel S. Colley, said to be an official of the National Association for the Advancement of Colored People.[6]

Here is one passage from the 93-page Gesell report, now implemented as binding instructions on the Armed Forces, by the Yarmolinsky directive, issued on July 26, 1963, in the name of the Secretary of Defense:

"Segregation and other forms of discrimination in facilities in a given locality, detrimental to the morale of Negro personnel at a neighboring military base, must cease. The commander should, of course, attempt by means available to him—community committees, persuasion, emphasis of the base's importance to the local economy—to eliminate such practices. In situations in which these efforts are unsuccessful, the commander should develop a plan under which military personnel of all races would be permitted to patronize only those facilities which receive his express approval."[6]

BROADCASTING

The Reuther memorandum to Robert Kennedy is, among other things, a tissue of false insinuations which amount to outright lies about the "radical right." Reuther insinuates that conservatives are organized into clandestine, undercover organizations lavishly financed by means which violate the Nation's tax laws, and that they dominate radio and television broadcasting, to the exclusion of liberal commentary. Without being specific, Reuther darkly hints that the Federal Communications Commission must do something to banish the "radical right" from radio and television.

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[1] "The State of the Union—address of the President of the United States," CONGRESSIONAL RECORD, vol. 107, pt. 2, pp. 1427–1431.

[2] "The Far Right," by Donald Janson and Bernard Eisemann, McGraw-Hill Book Co., Inc., 1963, pp. 227–232.

[3] "The Radical Right in America Today," by Victor G. and Walter P. Reuther, the Christian Beacon, Aug. 15, 1963, pp. 4–5.

[4] "The Gesell Report and Perversion of the Mission of the Military," speech by U.S. Senators JOHN STENNIS, Democrat, of Mississippi; BARRY GOLDWATER, Republican, of Arizona; and others, CONGRESSIONAL RECORD, July 31, 1963, pp. 13778–13787.

[5] Military cold war education and speech review policies. Hearings before the Special Preparedness Subcommittee of the Senate Armed Services Committee, 1962, pt. IV, pp. 1491–1492.

[6] "Gesell Report," speech by U.S. Representatives L. MENDEL RIVERS, Democrat, of South Carolina; JOE D. WAGGONNER, JR., Democrat, of Louisiana; LOUIS C. WYMAN, Republican, of New Hampshire, and others. CONGRESSIONAL RECORD, Aug. 7, 1963, pp. 14344–14395.

In truth, most constitutional conservatives are not prone to join organizations. Those who belong to the John Birch Society and similar groups are outspoken about it, proud of their stand for constitutional principles, trying always to educate others in those principles. They have very little money, and no access to national television.

I probably have wider television coverage than any other constitutional conservative news commentator. I have one 15-minute television program once a week. It is a condensation of this published report. It has been on 33 television stations in a nine-State west coast area, under the sponsorship of Dr. Ross Pet Food Co., of Los Angeles, since early 1957. More recently, I have acquired sponsorship on eight television stations, in four States outside the Dr. Ross company's marketing area.

My broadcast is presented commercially by the firms which sponsor it. In all cases, the stations sell time to my sponsors, at their regular rates, and on the same basis that they sell time, to other sponsors who advertise with other news-commentary programs.

In 1962, the Subcommittee on Tax Administration of the California Legislature under the chairmanship of Charles H. Wilson, a Democrat, investigated the advertising program of D. B. Lewis, president of the Dr. Ross Pet Food Co., to determine, among other things, whether Mr. Lewis was violating or abusing California tax laws in the sponsorship of my broadcasts.

On October 1, 1962, Mr. Wilson's subcommittee submitted its report. Here are pertinent excerpts:

"The Lewis Food Co., of Los Angeles, a California corporation, producer of 'Dr. Ross dog and cat food,' sponsors the news commentator Dan Smoot, whose views on national and international questions may be described as conservative.

"The sponsorship of this program extends to 32 television and 52 radio stations in 11 Western States.

"The committee can find no abuse of the deductibility privilege in this sponsorship * * *. Mr. Lewis is getting value out of his advertising dollar. We find no abuse of the intent of the law in the sponsorship of news and public affairs commentators, notwithstanding the fact that they might reasonably be classified as 'extremists.' Dan Smoot's weekly commentary differs only in content, not in kind, from that of Howard K. Smith, Chet Huntley, or David Brinkley."

This has been the experience of my broadcast in all areas. Nowhere, has my broadcast caused legal action against me, my sponsors, or the stations. An overwhelming majority of the listening audience responds favorably to my once-a-week news commentary on television. Why? Because there is a vast, unsatisfied public hunger for television programs analyzing the news from the viewpoint of a constitutional conservative. A majority of Americans are conservative—despite the fact that totalitarian liberals control the Government and all its multibillion-dollar tax-financed propaganda agencies, and control and dominate most of the major newspapers and magazines, all of the television networks, and most major radio and television stations in the Nation.

Conservatives have more access to radio than to television. My own radio broadcast is commercially sponsored on 71 stations in 20 States. There are, perhaps, a half dozen other conservative radio programs distributed nationally and reaching a large audience, and there are local conservative radio commentators.

On television, there is also an unknown number of local conservative commentators; but there is not one television commentator, with national coverage, who expresses the viewpoint of constitutional conservatives.

None of the television networks will sell time to respected, legitimate sponsors who want to advertise with my broadcast. And in some cities, my sponsors have been unable to buy time on any television station. Houston, New Orleans, Kansas City, Boston, New York—these are specific major cities where respected business organizations which wanted to sponsor my television broadcast were unable to buy time on any television station. In all cases, time was available if my sponsor would present an approved or liberal commentator. In many cities where my television broadcast is on the air, the stations running it do not like it. They run it, because my sponsor is a good customer who insists, and because the public response is overwhelmingly favorable.

The Reuther memorandum (developing its false insinuation that radical right programs receive favored treatment by broadcasting stations) mentioned one place where a radio station (WLW, in Cincinnati) sold time for a conservative broadcast but would not sell time for the UAW program called "Eye Opener." Reuther said action against WLW, for this conduct, was pending before the FCC. In this connection, I offer an interesting contrast.

The sponsor who wanted to buy time for my television broadcast in Kansas City was told by all three stations in that city (WDAF, KMBC, and KCMO) that time was available—until they discovered that he wanted to sponsor me. All stations then found that time was not available for my program. My potential sponsor wrote to the FCC to see whether he had any redress through the FCC to force the stations to sell time for my broadcast. The FCC, by letter dated June 20, 1963, informed my sponsor that "there is no statute or Commission rule" which would give him redress.

This is the situation in national television: totalitarian liberals have a virtual monopoly and have had since the beginning. There are scores of national network television news programs (most of them daily), of the Howard K. Smith and Huntley-Brinkley and Walter Cronkite type, whose reporting of the news sometimes is offensive to well-informed conservatives. In addition to that, the President and officials in the executive establishment have instant access to all mass media communication, with free time, to advocate the programs of totalitarian liberalism. Not one conservative organization has a voice on national television, and not one constitutional conservative commentator has a national television coverage.

Yet the Reuther brothers in December 1961, advised Robert Kennedy to have the Federal Communications Commission do something about getting the "radical right" off the air.

The FCC has now done something which will eventually (if something is not done) banish me and every other conservative commentator from every radio and television station in the Nation, and limit all broadcasting stations to the role of communications media in the Soviet Union—the role of presenting nothing but programs governmentally approved.

THE TWO-EDGED SWORD

On July 26, 1963, the Federal Communications Commission sent a public notice to all radio and television stations, advising them of their "responsibilities under the fairness doctrine as to controversial issue programing." Here is the full text:

"Several recent incidents suggest the desirability of calling the attention of broadcast licensees to the necessity for observance of the fairness doctrine stated by the Commission in its opinion of June 1, 1949, in docket No. 8516. The Commission adheres to the views expressed in that opinion and continues to apply that policy, namely, that the licensee has an affirmative obligation to afford reasonable opportunity for the presentation of contrasting viewpoints on any controversial issue which he chooses to cover.

"The Commission has undertaken a study to consider what actions, perhaps in the form of a primer of rules, might be appropriate better to define certain of the licensee's responsibilities in this area. Without undertaking at the present time to specify all, or the most important, applications of the policy, it is appropriate to call attention to the Commission's view of its application in three currently important situations:

"(a) When a controversial program involves a personal attack upon an individual or organization, the licensee must transmit the text of the broadcast to the person or group attacked, wherever located, either prior to or at the time of the broadcast, with a specific offer of his station's facilities for an adequate response (Clayton W. Mapoles, 23 Pike & Fischer, R.R. 586, 591; Billings Broadcasting Co., 23 Pike & Fischer, R.R. 951, 953).

"(b) When a licensee permits the use of his facilities by a commentator or any person other than a candidate to take a partisan position on the issues involved in a contest for political office or to attack one candidate or support another by direct or indirect identification, he must immediately send a transcript of the pertinent continuity in each such program to each candidate concerned and offer a comparable opportunity for an appropriate spokesman to answer the broadcast (Times-Mirror Broadcasting Co., 24 Pike & Fischer, R.R. 404, 405).

"(c) When a licensee permits the use of his facilities for the presentation of views regarding an issue of current importance such as racial segregation, integration, or discrimination, or any other issue of public importance, he must offer spokesmen for other responsible groups within the community similar opportunities for the expression of the contrasting viewpoints of their respective groups. In particular, the views of the leaders of the Negro and other community groups as to the issue of racial segregation, integration, or discrimination, and of the leaders of appropriate groups in the community as to other issues of public importance, must obviously be considered and reflected, in order to insure that fairness is achieved with respect to programing dealing such controversial issues (Editorializing Report, 1 (pt. 3), Pike & Fischer, R.R. 201, 204–206; cf. WBNX Broadcasting Co., Inc., 4 Pike & Fischer, R.R. 242, 248).

"In determining compliance with the fairness doctrine the Commission looks to substance rather than to label or form. It is immaterial whether a particular program or viewpoint is presented under the label of 'Americanism,' 'anticommunism' or 'States rights' or whether it is a paid announcement, official speech, editorial or religious broadcast. Regardless of label or form, if one viewpoint of a controversial issue of public importance is presented, the licensee is obligated to make a reasonable effort to present the other opposing viewpoint or viewpoints.

"The Commission does not seek to prevent the expression of any viewpoint by any licensee on any issue. It does seek to prevent the suppression of other contrasting viewpoints by any licensee on any issue when licensed broadcast facilities have been used for the presentation of one view of the issue.

This is required by the public interest standard of the law."

Note carefully paragraph (c). It is particularly concerned with broadcasts on the racial question, but includes all issues "of public importance."

Practically every radio and television station in the country has interpreted the FCC notice as a discriminatory policy against conservative broadcasts: liberals ("in particular * * * leaders of the Negro * * * groups") can demand time to answer conservative broadcasts, but conservatives may not demand time to answer liberal broadcasts. Such discrimination does seem to be the intent of the FCC notice, but the FCC does not specifically say so, because the FCC has no legal right to order such bias.

Hence, this FCC notice could be a two-edged sword. There are pitifully few conservative broadcasts on radio and television. Liberals can harass stations and sponsors into canceling all of them by demanding free time for rebuttal. What if millions of American conservatives demanded equal time to answer liberal broadcasts? Practically all television "documentaries" and news analyses, and "studies in depth" are slanted toward liberalism. If conservatives, in the millions, relentlessly demanded equal time to answer all liberal broadcasts, the radio and television stations (particularly television) would have time for little else.

How can broadcast stations protect themselves? As a group, they should demand, and keep on demanding (by private means and through their public facilities) that Congress enact a law nullifying the FCC Fairness Doctrine and all other FCC rules and directives not absolutely necessary for technical regulation of broadcasting. Meanwhile—until Congress acts—broadcast stations could protect themselves by literal interpretation of a key phrase in the FCC Fairness Doctrine Notice, as it presently stands.

In paragraph (c), FCC says that a station which allows a broadcast expressing a view on an issue of public importance, must offer similar opportunities for the opposing viewpoint. Many stations have interpreted this to mean that they must donate equal time for liberals to answer a conservative broadcast, even though time for the conservative broadcast was sold at regular rates. By such misdirected interpretation, the stations are cutting their own throats. If someone wants to answer one of my broadcasts by getting a commercial sponsor to buy time for him, equal to the time that was bought for me, permitting him to do so would be offering him similar opportunity to express his view. To give him time (when my sponsors had to pay for my time) will, in the end, either bankrupt the station or force cancellation of my broadcasts.

Station KATU-TV in Portland, Oreg., has already notified my sponsor (Dr. Ross) that my broadcast will be banished from the station, because the station anticipates expense and trouble in offering free time to answer.

Station WOAI-TV in San Antonio, Tex., now runs an announcement after each of my broadcasts, saying: "This station voluntarily solicits responsible dissenting viewpoints to controversial matters discussed in the preceding program."

My sponsor in San Antonio (Mr. Louis Michael, president of Travis Savings & Loan Association) pays the station a substantial sum for my broadcast time because conservatism is good advertising for his business—and because he is a dedicated patriot who believes in constitutional government. Mr. Michael complained vehemently about the tag which labels my broadcast "controversial" and offers time to answer it. To no avail.

WOAI ran a 3-hour NBC "documentary" slanted against conservatives who have a States rights view on the racial question. Huntley and Brinkley, with 30 minutes a day on WOAI-TV, sometimes slant the news and editorialize in favor of liberalism. There is a union commentator on WOAI-TV who not only editorializes but tries to incite his audience to lobbying and boycotting activities. A woman commentator on WOAI-TV has lauded the United Nations and harshly condemned its critics. The station considers none of these controversial in the sense that time should be offered for conservative rebuttal—even though WOAI personnel admit that when they ran the 3-hour NBC documentary on the race question, the station received 349 telephone calls, 346 of them from irate citizens who resented the presentation.

Practically every radio and television station in the Nation gave many hours of coverage to the Negro march on Washington, August 28. Bayard Rustin (Negro who was second in command of the march) had free time on television networks (and on radio) to present demands as to what the Congress and people of America must do. Bayard Rustin has a disgusting police record as a moral degenerate.

No conservative has been given network time to answer hate-inciting comments made by perverts and Communist fronters, who spoke to the Nation on television, free of charge, on August 28.

Last month, I had a broadcast criticizing the test ban treaty recently negotiated in Moscow. Dean Manion had a broadcast on the same subject. Several television stations refused to run my broadcast on the treaty. I do not know how many stations refused to run Dean Manion's broadcast on the treaty.

An article in the September 2, 1963, issue of Broadcasting reveals, however, that the Citizens Committee for a Nucelar Test Ban Treaty demanded free and equal time from 300 broadcasting stations (mostly radio) which had run the Manion broadcasts criticizing the test ban treaty. The demands were mailed on August 23. By August 29, the committee had received replies from about 150 stations, most of them offering the committee free time to answer the Manion Forum broadcast, although time for the Manion broadcasts had been sold.

Some stations wrote the FCC, asking whether they must give time to answer conservative broadcasts whose time had been purchased at regular rates. An FCC official said the Commission "couldn't answer the question, since the Commission had never settled the issue." [7]

WHAT CAN BE DONE

If conservative commentary is banished from the airways, the cause of constitutional government is doomed. What can you, an individual, do about it? Paragraph (a) of the FCC fairness doctrine notice says:

"When a controversial program involves a personal attack upon an individual or organization, the licensee [the station] must transmit the text of the broadcast to the person or group attacked, wherever located, either prior to or at the time of the broadcast, with a specific offer of his station's facilities for an adequate response."

Any factual, conservative comment about the U.N., organized labor, or any governmental program can be considered a personal attack which demands adequate response from the attacked. But when liberal commentators denounce all conservatives as right-wing crackpots and praise programs and organizations which conservatives know to be harmful to their country, will the FCC's provision for adequate response apply?

Conservatives could really convert this provision into something effective for our side.

In every city throughout the country, conservatives could form a local "Organization for the Protection of Conservative Opinion in Broadcasting"; officers could be elected; letterheads printed. Each organization could send notices to its local broadcasting stations, listing subjects within the organization's scope of interest (the national budget, foreign aid, foreign policy, the U.N., organized labor, education, States rights, and so on). The conservative group could request transcripts of all proposed broadcasts dealing with such subjects, in accordance with the Federal Communications Commission's public notice, subparagraph (a), issued on July 26, 1963.

If the station does not cooperate, the conservative group could write the FCC in Washington, making a formal complaint, sending copies of the letter to the local station.

Every time a "liberal" broadcast is made on a local station, touching on any subject of interest to the local "Organization for the Protection of Conservative Opinion in Broadcasting," the organization could demand free and equal time to answer. Individuals who cannot form an organization for this purpose, can, and should, act as individuals.

If any responsible conservative should demand and get equal time to answer a liberal broadcast, and then feel that he lacks time or facilities to prepare a proper presentation of his own views, I will lend my television film, free of charge, for such rebuttal purpose. Since early 1957, every issue of my "Report" has been summarized for television and radio broadcasting. A fairly adequate supply of these transcribed broadcasts has been preserved. They cover a wide range of subjects which liberals discuss in ways offensive to conservatives.

If the FCC really wants the opposing view to have free opportunity for expression, and if stations really want to give away broadcast time for that purpose, we conservatives should help them out. We should challenge every liberal broadcast and demand time for our own view, on every radio and television station in America.

If a leftwing committee, urging ratification of a test ban treaty which could prove disastrous for our country, can get free rebuttal time from hundreds of broadcast stations, why can't we? We can—if we will.

(Distribute copies of this report as widely as possible. We conservatives must act now.)

THE SITUATION IN BIRMINGHAM

Mr. RIBICOFF. Mr. President, news of the stark tragedy that occurred in Birmingham this past Sunday did not reach those of us who were delegates to the Interparliamentary Union meeting in Belgrade, Yugoslavia, until yesterday morning as we boarded an airplane for our return to the United States in anticipation of the pending vote on the test ban treaty. Words alone cannot describe the feeling of shame and humiliation I felt as I stood on foreign soil and read of this atrocious and indefensible crime. Having attended an international meeting representing the strongest nation on earth—the richest power the world has ever known—I was struck by the irony of our inability to keep sacred the lives of four small children in Birmingham while we profess to world leadership in Belgrade.

The world watches, and wonders, before accepting on faith our sincere attempt to lead the world to peace and order through law. As James Reston points out in this morning's New York Times "lawlessness" is the crisis in Birmingham. I ask unanimous consent to include Mr. Reston's article at the end of my remarks, and an editorial from this morning's Washington Post.

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[7] "Equal time requests follow Manion show," Broadcasting, Sept. 2, 1963, pp. 61-2.

There being no objection, the article and editorial were ordered to be printed in the Record.

(See exhibit 1.)

Mr. RIBICOFF. Mr. President, the Birmingham bombing has aroused the conscience of all America—north and south. The Governor of Connecticut, John Dempsey, has sent the President the following telegram:

> All Connecticut is shocked and sickened by the Birmingham bombings. On behalf of the people of this State, who believe in equal rights for all citizens and the solution of problems through legal and orderly methods without violence directed toward innocent children. I strongly urge whatever immediate action is necessary to end this sorrowful blight on our Nation.

In the North, editorial opinion, I think, is most eloquently expressed by an editorial in yesterday's Hartford Courant entitled, simply, "Forgive Us"; and a southern editor, in the Atlanta Constitution, writes an apology entitled, "A Flower for the Graves." I ask unanimous consent that both editorials be printed at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Hartford Courant, Sept. 17, 1963]

Forgive Us

It will be a long time before the soul of America is clean again. All of us share in the blashphemy and tragedy of what happened in that Birmingham church on Sunday. All of us have a part in the bestial violence with which American citizens have denied that national article of faith: All men are created equal.

Four young Negro girls were killed as they assembled for prayer. Others, injured, wandered in a daze through the dust of the explosion. It is not often that blood is shed by a shattered piece of stained glass from a church. When the Caliban that lurks in man's soul defiles a church by blowing it up, then our last sanctuary is gone. One can only say with the psalmist:

> O Lord God, to whom vengeance belongeth; O God, to whom vengeance belongeth, shew thyself. Lord, how long shall the wicked, how long shall the wicked triumph? They break in pieces thy people, O Lord, and afflict thine heritage. They slay the widow and the stranger, and murder the fatherless.

How can there be release and cleansing from this black thing? The first need is to make sure no more blood is shed. The city, the State, and if need be the Nation must reestablish the law as supreme. So it may be that yesterday's plea by the Reverend Martin Luther King and other leaders for a Federal army of occupation must be heeded. We must shrink from nothing to stop this thing now.

Last spring, when Bull Conner set his dogs to sink their fangs into the flesh of Negro people, he let loose an explosion of anger. American Negroes, through their long years of torture, have often shown themselves superior to the whites who fancy themselves still the masters. They have been forbearing and restrained. Yet if they should now turn upon their tormentors in a mass explosion of fury, who could blame them?

No wonder that Negroes, their souls boiling over, reach with bare hands for stones to hurl at those who hate them and hurt them. No wonder one Negro woman, as Sunday's blast blew the windows out of her laundry across the street, came out screaming, "I'll kill the bastards. Just let me at 'em. I'll kill 'em." No wonder, too, that a soft-spoken young Negro with angry eyes asked, "What are y'all going to do about all this bombing? Looks like it's up to the colored folks to do something."

We could be near the edge of an abyss. For why should Birmingham's Negroes have faith in the State troopers and National Guardsmen lately set to keeping Negro children out of school? Or in those Birmingham policemen who shot over the crowds heads, they said, though they killed a Negro boy?

This is the fourth bombing in Birmingham since the recent school troubles began. It is the 22d in 8 years. Not once have those who set off any one of these bombs been found, let alone punished. Is it any wonder if American Negroes feel that injustice has gone to the point at which it can no longer be endured?

Something is needed, and we do not have to go far to seek it. It is for the people of Birmingham and Alabama and the whole of the United States to rise up in outrage against the sick and evil men who have brought this thing on, by preaching defiance of the law of the land. The sanctimonious Governor Wallace now expresses regret, and offers a reward for apprehension of the guilty. Yet in a real sense he, too, is guilty. For when his fellow citizens were resigned to the inevitable, it was he who again stood in the schoolhouse door, and called the State troopers and the National Guard to defy the law of the land.

As the South's responsible leaders have explained over and over again for 9 years, the issue is not desegregation. It is to stand up and be counted in support of law. We are often told that laws cannot end segregation, but it must end in the hearts of men. And so it must. But unless the law is first supreme, nothing else will follow.

So let the law bring peace, and then justice. Yet vengeance will not lift this thing from us. What good is it if every loutish perpetrator of this latest violence upon the Negro is caught? It will not bring back to life one dead child, nor wipe one drop of blood from the dusty cellar of that church.

Nor let anyone here in the North feel superior. To be sure it could not happen here. Or could it? Chicago, Detroit, Folcroft may be far away in distance, but not in kind. Yes, here we have civil rights. We have outward decency, and increasing awakening and acceptance. But the evil is in our souls too, and we too need expiation. For we still tolerate that North End ghetto. We still feel unreasoning fear, fear that has no more substance than a child's fright in the dark, if a Negro family moves to a white neighborhood. We have our Andovers, our real estate associations. And we have our all-white places of employment, and churches.

When the brute kills what is holy, man is powerless. One's heart grows empty, one's mouth dry, one's whole being sick. One reaches for phrases like, "Father, forgive them, for they know not what they do." How then can we exorcise this evil, how atone, how find that cleansing and release that sometimes rises out of tragedy? Perhaps we shall find it at the hands of our Negro fellow citizens, who may in the end forgive us for what can never be forgiven.

[From the Washington Post, Sept. 18, 1963]

Southern Editor Writes Apology, "A Flower for the Graves"

(This is the Monday column of Eugene Patterson, editor of the Atlanta Constitution. It was entitled "A Flower for the Graves.")

A Negro mother wept in the street Sunday in front of a Baptist Church in Birmingham. In her hand she held a shoe, one shoe, from the foot of her dead child. We hold that shoe with her.

Every one of us in the white South holds that small shoe in his hand.

It is too late to blame the sick criminals who handled the dynamite. The FBI and the police can deal with that kind. The charge against them is simple. They killed four children.

Only we can trace the truth, Southerner—you and I. We broke those children's bodies.

We watched the stage set without staying it. We listened to the prologue unbestirred. We saw the curtain opening with disinterest. We have heard the play.

We—who go on electing politicians who heat the kettles of hate.

We—who raise no hand to silence the mean and little men who have their nigger jokes.

We—who stand aside in imagined rectitude and let the mad dogs that run in every society slide their leashes from our hand and spring.

We—the heirs of a proud South, who protest its worth and demand its recognition.

We are the ones who have ducked the difficult, skirted the uncomfortable, caviled at the challenge, resented the necessary, rationalized the unacceptable, and created the day surely when these children would die.

This is no time to load our anguish onto the murderous scapegoat who set the cap in dynamite of our own manufacture.

He didn't know any better.

Somewhere in the dim and fevered recess of an evil mind he feels right now that he has been a hero. He is only guilty of murder. He thinks he has pleased us.

We of the white South who know better are the ones who must take a harsher judgment.

We, who know better, created a climate for child killing by those who don't.

We hold that shoe in our hand, Southerner. Let us see it straight, and look at the blood on it. Let us compare it with the unworthy speeches of Southern public men who have traduced the Negro; match it with the spectacle of shrilling children whose parents and teachers turned them free to spit epithets at small huddles of Negro schoolchildren for a week before this Sunday in Birmingham; hold up the shoe and look beyond it to the State house in Montgomery where the official attitudes of Alabama have been spoken in heat and anger.

Let us not lay the blame on some brutal fool who didn't know any better.

We know better. We created the day. We bear the judgment. May God have mercy on the poor South that has been so led.

May what has happened hasten the day when the good South, which does live and have great being, will rise to this challenge of racial understanding and common humanity, in the full power of its unasserted courage, and assert itself.

The Sunday school play at Birmingham is ended. With a weeping Negro mother, we stand in the bitter smoke and hold a shoe. If our South is ever to be what we wish it to be, we will plant a flower of nobler resolve for the South now upon these four small graves that we dug.

Mr. RIBICOFF. Mr. President, the nationwide reaction has released the pent-up feeling of honest and responsible people everywhere. But it is not enough. What is needed is resolute and positive action to assure that these children shall not have died in vain. People of all races, colors and creeds both here and abroad look to us now in the Congress for our answer. Let it not be said that we failed in our hour of responsibility and opportunity. Let us proceed to early debate and overwhelming passage of a strong, meaningful, and positive civil rights bill. Let Federal, State, and local officials throughout the country resolve to settle the problems under their jurisdictions. Let industry and labor leaders face up to their responsibilities. In short, let us all now take stock of the realities confronting us and accept as a fact once and for all that civil rights is not the Negroes' fight alone. We are all involved.

I ask unanimous consent that my name be added as a cosponsor at the next printing of Senate Resolution 200. I commend the sponsors of this resolution for bringing it before the Senate. Had I been here yesterday, I certainly would have joined with them in sponsoring this proposal. Its adoption, expressing the condolences of the Senate to the families of the children killed and injured last Sunday and setting aside this coming Sunday as a day of national observance in their memory, is the least we can do now. Then let us begin the long climb toward decency and blot out the black mark of last Sunday's Birmingham bombing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Exhibit 1

[From the New York Times, Sept. 18, 1963]

Birmingham—The Crisis of Lawlessness in Alabama

(By James Reston)

Birmingham, Ala., September 17.—The crisis in Birmingham now is not only between white and black, and between State law and Federal law, but between order and anarchy.

Both races are now at the mercy of a few hoodlums. The city is calm today, with the sun shining and the electrical church bells ringing out the old hymns, but nobody knows what may happen in an hour.

In this sense, at least, everybody has something in common because everybody is isolated. The white leaders who put Governor Wallace in office cannot be sure that his authority will protect them. The Negro leaders, who have been preaching patience, cannot be sure after the church bombing of last Sunday that their people will follow them.

This is what happens when the leaders of a community think law can be unequally applied to protect them and not to protect their fellow citizens. Eventually, others act on their own impulses, and everybody is left with his own fears and suspicions.

THE CONSEQUENCES OF FEAR

What was destroyed in the bombing Sunday of the 16th Street Baptist Church here was not only the lives of four Negro children, but the confidence of the whole community in law and order.

The Negroes now feel that they have to protect themselves. On "Dynamite Hill," an area of about 15 square blocks, they have established their own community protective organization, with their own weapons, observation posts and communications system, to watch for potential bombers.

Only a few days ago the Reverend Fred L. Shuttlesworth, a leader of the Negro community here, was calling off demonstrations, talking about the progress being made at the Birmingham lunch counters and exhorting his flock to be cool, stay sober, avoid crowds, and don't carry guns or knives.

But today he was saying that the Federal Government must declare an emergency and take over Birmingham. Instead of praising the work of the city's biracial committee, he was denouncing it as a fraud, and instead of opposing demonstrations, he was calling for a massive march on the State capital that would force the Federal Government to come in and protect his people.

NIGHT RIDERS

Even the white community no longer feels quite secure. The two Jewish temples in Birmingham are watched night and day against attack. Employees at the hotels where the Yankee reporters live wonder out loud when the bombers will get around to them, and even the local newspapers, which have recently been critical of the extreme segregationists, are not safe from the night riders.

Without common purposes or confidence in either Governor Wallace or President Kennedy, fear and rumor abound. The Negro leaders here have no confidence in the local police and are openly suspicious of Governor Wallace's State troopers. They even speculate on the possibility that Wallace's men themselves may have been responsible for the bombings.

Some white leaders raise precisely the opposite possibility—namely, that Negroes dynamited their own churches in order to put the white community on the spot. Until last weekend, they noted in support of this thesis that "nobody was ever hurt" in these bombings—an argument that seems even less plausible since the casualties of last Sunday.

In this atmosphere of ugly suspicion, the situation here is in some ways worse than it was during the crisis of last May. Since then admittedly some progress has been made. A few lunch counters and sanitary facilities have been desegregated, the newspapers have urged at least a decent respect for Federal law, there has been some communication between Negro and white leaders, and a more liberal but weaker municipal government has taken over.

BROKEN PROMISES

But the Negro leaders feel that even the token compromises of early summer have not been honored. No real improvement has been made, they assert, in the employment of Negroes in the stores and elsewhere, and meanwhile Governor Wallace has been so aggressively segregationist that he has incited the bombers and diverted the municipal government from the task of desegregation.

Paradoxically, both white and Negro leaders agree on denouncing the bombings but are far apart on who is responsible. When Justice Department officials arrived here after the death of the four Negro children, they felt that the white leaders of Birmingham were not so concerned about finding the bombers as they were about protecting themselves against the possibility of a counterattack by the Negro community.

In short, both races deplore violence and the tyranny of the lawless minority. They agree in theory with what Dr. Martin Luther King, Jr., said here last night—that if both sides take an eye-for-an-eye philosophy "they will both end up blind." But the tragedy is that they cannot agree on any way of cooperating to protect the community as a whole.

[From the Washington Post, Sept. 18, 1963]

Hunting the Killers

Because of the high repute of the Federal Bureau of Investigation, that agency's massive effort to solve the Birmingham bombing will bring reassurance to an outraged nation. A Justice Department spokesman has said that there is a presumption that the bombing violated a section of the Federal Civil Rights Act of 1960—the so-called antibombing statute—and that a full-scale investigation by the FBI has been ordered.

It is not so certain, however, that the announcement will bring full reassurance to Negroes in Birmingham or throughout the country. Negro leaders have complained for several years that the FBI has not been zealous in hunting down civil rights violators in the South. The record gives a degree of color to their contention. In Birmingham alone there have been 12 bombings of Negro homes and churches since the antibombing law was passed by Congress. But the FBI has looked into only four of these cases and has solved none.

Critics of the Bureau ought to take a few factors into account. The first of these is that FBI Director J. Edgar Hoover is indubitably right in saying that investigation of crimes of this kind is primarly the duty of duly constituted local police authority; the FBI has jurisdiction only when the offense involved some crossing of State lines, and it needs to be careful to avoid exceeding its jurisdiction. Critics should remember in the second place that in crimes of this kind local cooperation, especially by the police, is almost indispensable, and sometimes it is withheld. The FBI's task in Birmingham is not an easy one.

Yet when all this has been said, it is essential to emphasize that solution of the Birmingham atrocity is of vital importance, whether by the FBI or by local police or by the two working in cooperation as they should. For a situation in which a part of the population feels that it cannot rely for protection on the duly constituted law enforcement authorities—as Negroes have undoubtedly come to feel in Birmingham—is dangerously explosive.

When men cannot rely on public power for protection, they may resort to their own power; when they cannot rely on public punishment of criminals, they may seek private retaliation. Negroes in Birmingham may not indefinitely submit to bombings and shootings and arson. They need to know that the law is their best and surest shield. If local authorities cannot give them that assurance, then the U.S. Government will have to do so.

POLITICS HER BUSINESS

Mr. RIBICOFF. Mr. President, the Christian Science Monitor recently printed a well-deserved tribute to Connecticut's secretary of the state, Ella T. Grasso. Mrs. Grasso's service to her community, as their representative in the State legislature; to her State, as their highest elected woman official; and to her Nation, as a member of the State Department's Board of Foreign Scholarships have been the result of her active and able participation in our democratic process. Ella Grasso proves how effective woman can be in the affairs of our Nation. I ask unanimous consent to include the article at this point in the Record:

There being no objection, the article was ordered to be printed in the Record, as follows:

Politics Her Business

The League of Women Voters is a nonpartisan organization, but there's nothing that says a league member who goes into politics and is elected can't continue to work for policies she supported in the league and which the league supports because it believes they are for the good of community, State, or Nation.

When Mrs. Ella Tambussi Grasso, now serving her second 4-year term as secretary of state in Connecticut, was elected to the House of Representatives of the Connecticut General Assembly in 1953, she was a minority member of a minority party. There had been an oxodus of prominent Democrats, she said, but she went to the legislature with the Democratic platform under her arm and in possession of some good, solid convictions in line with those of the League of Women Voters of which she was a member.

INTRODUCES BILLS

"What do we do now?" she asked, with the Democratic platform in mind. "You can introduce bills if you want to," a veteran in politics told her with a keen glint in his eye.

"I do want to," she said, "in fulfillment of my responsibility to carry through the platform on which I ran.

"What seems impossible in one session becomes a reality in the next as public opinion is aroused and communicates itself", she observed, during our interview.

One of her bills was designed to eliminate the county government, an old structure which had existed since colonial days. Another provided for reorganization of the municipal court system into a district court system. Both had LWV support. A third provided for an office of mental retardation to study and act on the problem through local and regional programs rather than place people in institutions and leave them there.

When these goals had been accomplished it seemed there might be no new worlds to conquer, but she found she was mistaken. Plenty more appeared.

SERVES IN ASSEMBLY

She served in the 1953 and 1955 sessions of the general assembly and in 1956, 1958, 1960, and 1962, served as chairman of the Democratic State Platform Committee—the first woman to hold such a post in Connecticut. At the Democratic National Convention in 1960 in Los Angeles, she was also a member of the platform drafting committee which prepared the platform for consideration of the resolutions committee.

Mrs. Grasso and her husband, Dr. Thomas A. Grasso, principal of the Center School in East Hartford, Conn., have both been active in the affairs of their community and State for many years. Dr. Grasso, in addition to his work as an educator, has served for some time on the State prison board.

Mrs. Grasso majored in economics and sociology at Mount Holyoke College, South Hadley, Mass., and graduated magna cum laude in 1940. While working for her M.A. in these subjects, she served as a departmental assistant and laboratory instructor in statistics.

It was her active participation in the League of Women Voters that really led her into politics because she had been preaching good government and when it was proposed to her that she run for office, she decided she'd better practice what she preached. And she's intent on keeping voters aware of what's going on in the State government.

"It must be my League of Women Voters training," she said, "but if the voters and candidates of Connecticut aren't fully informed and constantly cognizant of dates and facts to remember it isn't for the lack of trying. We have slides and brochures (in English as contrasted with the legalese of the law), flyers, schools for moderators, for registrars and town clerks, etc., in preparation for the important occasions involved.

"I am pleased we made some progress in improving our election laws. Of course, the mandatory party lever is still with us—it dies hard."

The Grassos have two children. Susane is a sophomore at the Chaffee School, and trying to decide between Brandeis and Barnard. She has just finished an exciting summer studying painting with Robert Brackman at Madison.

IN JUNIOR HIGH

"Jimmy, who was 1 year old when I went into my first primary," says his mother, "is 'pushing 13,' as he reminds me constantly. He is in junior high and gives top priority to tanks, the Civil War, and pushups.

"There is always time for important things," is the Connecticut secretary of state's answer to the question, How do you manage? But she admits the hours sometimes seem to run out mysteriously. "The advantages of a tolerant husband and indulgent children help put order into our chaos," she asserted.

"That they respect the myriad activities essential to political participation and even join in the fun makes light work of formidable tasks. It is nice to have young Jimmy pilot me through a picnic grove, go to a tea with Susane, and indulge of an evening in driving to an assignment with my husband.

"A zest for living makes possible a multitude of activities. Sometimes I look wistfully at the tangled garden and unread books—but tomorrow always brings new challenges, new opportunities, and new adventures for all of us."

REMARKS OF SENATOR GOLDWATER BEFORE THE NATIONAL FEDERATION OF REPUBLICAN WOMEN IN CHICAGO

Mr. CURTIS. Mr. President, I am pleased to offer for the enlightenment and interest of my colleagues the remarks made by the junior Senator from Arizona, the Honorable BARRY GOLDWATER, before the National Federation of Republican Women in Chicago, Ill., on September 11, 1963, and ask unanimous consent that they be printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

EXCERPTS OF REMARKS BY U.S. SENATOR BARRY GOLDWATER, REPUBLICAN, OF ARIZONA, BEFORE THE NATIONAL FEDERATION OF REPUBLICAN WOMEN, CHICAGO, ILL., SEPTEMBER 11, 1963

If we had all night, I might try to explain to you some of the extreme and dangerous things that are taking place these days in the Nation's Capital. But since we don't I will summarize the situation by telling you that all is confusion. It may be that there is a master design buried somewhere amidst the confusion that will emerge in time. When and if it does, I can assure you that it will be a plan conceived by the Kennedys, dedicated to the Kennedys and operated by and for the Kennedys.

At the moment, however, I am inclined to share with a good many others the belief that our Government is not being (administered) so much as it is being tinkered with.

More and more these days we are led to believe that change of any kind is a measure of progress, particularly in things governmental. But the change in Washington that came about after 8 good years under that great leader President Eisenhower has taught a great many Americans the fallacy of this kind of reasoning. Things certainly have changed. But if we have made any progress during the past 3 years it has been progress in the wrong direction. It is progress in the direction of a socialized welfare state; it is progress in the direction of national bankruptcy; it is progress in the direction of bigger government and less individual freedom; it is progress along the dangerous path of accommodation of our enemies.

Some of the change we have witnessed since the advent of the New Frontier came in Berlin. There the landscape was altered by the erection of a Communist wall against freedom. Some of the change came in Cuba. There a one-time island paradise friendly to the United States was first communized, then sovietized, and finally turned into a Moscow-trained military base on our southern doorstep. Some of the change came in Laos, where we arranged a deal with the Communists and the neutrals under which freedom can never survive. Some of the change came in the Atlantic Community, where allied unity turned into Western disarray because our Government didn't understand what General de Gaulle was saying about the defense of Europe.

Yes, there has been a lot of change in the last 3 years. Most of it has been changed for the worse. But this hasn't brought about any perceptible reaction from the New Frontier. It is still committed to a policy of change for the sake of change.

On the domestic front, the President and his advisers are attempting to speed the drive toward collectivism along every possible social and economic front. Within the past 6 months, for example, the White House has sent to Congress more than 200 requests for additional spending or increased Executive powers. This record is matched only by the steady outpouring of Executive orders which are designed to change your way of living whether you like it or not.

In this period, the first session of the 88th Congress has been asked for a total of 207 Government spending programs. Accompanying these were 70 requests for more Presidential power. This is a greatly accelerated request rate. During the entire previous session of Congress, when the true magnitude of the New Frontier's Executive power grab first became apparent, the President made less than two spending requests per week and less than one-half a request for more power per week, on the average. The pace in this Congress is running eight and a half for spending and three for increased power every week on the average.

In the President's 1964 budget message alone there were 46 demands for additional spending authority. More were included in special messages on education, agriculture, mental health, medical aid to the aged, transportation, District of Columbia affairs, youth programs, civil rights, vocational training.

The budget message also contained a total of 28 requests for extensions or additions to the Executive powers of the present administration. In the area of education, the administration sought extra power in three broad categories; in the farm area, four; in the health area, eight; transportation, eight; civil rights, five.

All of this was in one session of Congress, which has not yet run its course and may never do so. And we can expect nothing better next year. I do not have to remind you that the next Congress will convene in an election year when economy and spending caution are inclined to give way to political expediency under an administration dedicated to its own perpetuation.

Now I suggest that the purpose of any government worthy of the people's trust is to govern. If the New Frontier has a purpose, it is to expand the Federal Government to the point where it can regulate, not govern, the individual lives of all Americans. I can see no other explanation for the avalanche of orders, edicts, messages, and pronouncements which we have been subjected to in the past 3 years.

And through them all runs a paternalistic, condescending attitude which says, in effect, that the American people do not know what's good for them so the Government will have to educate them. You all know what I am talking about. Dr. Heller is worried about our puritan ethics and the prevailing belief that constant and increasing Federal deficits are a bad thing for the economy. President Kennedy is concerned with economic myths which say that combining more Federal spending with a Federal tax cut is a dangerous policy.

The New Frontier is literally dripping with a "Daddy knows best" attitude toward the American people.

And "Daddy" is getting tougher all the time. He's beginning to think that he can legislate away any and all problems that arise on the American scene. Every time a problem arises—real or imaginary—from which some political advantage might be gained, another message comes up to Capitol Hill from the White House. It carries the President's signature and a lot of fancy reasoning for another law or another set of laws. And it makes no difference whether the nature of the problem is legal or moral or even exists.

It doesn't seem to occur to the President that this Nation has had very sorry experience with the idea of legislating morals. We tried enforced prohibition at one time and only succeeded in developing the finest network of rumrunners, lawbreakers, hoodlums, and drunks the civilized world has ever seen.

We are now in the throes of another noble experiment, the personal income tax, which in addition to supporting half the world supports an army of legal experts dedicated to the proposition that all taxpayers are created equal—if they have a smart lawyer.

Now don't misunderstand me. I am not suggesting repeal of the income tax law. I know that that cannot be done unless other sources of revenue are provided. But I am suggesting that where the progressive rates under the present income law become punitive in nature they are destroying American initiative and incentive and are having a speakeasy effect on the morals of the American people. The Federal tax law has become so complex and so involved that the whole question of how to legally beat the Government has become a favorite American pasttime. It blurs the line between what a taxpayer legally owes his Government and what he morally owes his Government. And I believe it is the time for a thorough-going overhaul of our entire Federal tax system which is long overdue.

In the whole area of American fiscal affairs, there is a crying need for a hardheaded commonsense approach to question of what really needs to be done and how much we can spend to do it. The New Frontier wants everything at the same time. It wants greatly increased Government spending and a tax cut—both at the same time. It wants a better international balance of payments and increased outlays of foreign spending—both at the same time. It wants freer trade with the European Common Market and tariff protection for American poultry—both at the same time. In Washington we call this latter "chickenmanship."

I might suggest right here that only adolescents really believe they can have their cake and eat it too.

Our outflow of gold continues at a rate that is alarming the entire world, yet when the House of Representatives made a move in the direction of correcting this situation by trimming the administration's $4.5 billion foreign aid authorization by half a billion dollars, the President called a special press conference to complain. He castigated the Members of Congress who voted for the cut and did his best to blame the entire thing on Republicans, even though 66 members of his own political problem went along with the reduction.

The President, whose memory is conveniently short at times, asserted that he always supported the Eisenhower foreign aid requests while he was a Member of Congress. But the record of his votes in the U.S. Senate shows a different picture. In 5 of his 8 years in the Senate he either voted for foreign aid cuts made in the Senate or against Senate restoration of foreign aid cuts made in the House.

In fact, his votes in the Senate over the years called for a total reduction of $1,260 million in foreign aid funds, a commendable record which for some interesting reason he is now trying to forget.

You might wonder why our foreign aid expenditures are so high. Well let me give you a few examples of the kind of projects your hard-earned money is expected to finance. In Burma, for example, the administration is planning to spend $31,500 for a study of the cultural-functional relationships of that nation. Another $31,200 is to be spent in a study of heat and water balances in the camel. Another $21,200 has been earmarked to investigate the mating calls of the Central American bufo toad.

And here at home, some interesting projects have been listed for public financing. For example, $4,800 is scheduled to study the sexual incompatibility in higher fungi; $28,000 to study the social dominance behavior of rodents, and $17,600 to study genetics and social influences on the behavior of chickens.

This, of course, is New Frontier culture on a broad front.

Now let me remind you that when you cut through all the many-sided operations of the New Frontier—whether it be the expenditure of your money for foreign aid or for the expansion of the welfare state—the fundamental question that arises is what is all this doing to the freedom of the individual?

I suggest that more and more the basic decencies of the American people are being smothered in the rules and regulations, many of which are no more enforcible than the prohibition law. And under the Kennedy concept, the law is being used to try and create morality while voiding long-standing customs and traditions.

There can be no doubt that we have much to answer for in the field of interracial relations. Nor can there be any doubt that impressive progress has and is being made in correcting these wrongs through the selfless dedication of leaders of all races who have accepted the challenge of this massive problem.

These problems will be solved because the inherent decency of our people tells us that they must be solved. In doing so, however, we must be careful not to create another monster that could be a worse plague on both our houses than the inequities existing today.

Unenforceable Government edicts benefit no one. Continued public attention and moral persuasion, I believe, will do more in the long run to create the good will necessary to the acceptance of decent racial relations in all segments of our society.

This is a continuing job and our record as Republicans establishes the fact that we will keep up the fight.

Of all people, those of us active in political affairs, must realize the need for unity, whether it is racial or political. Without this element, we are a mob instead of a society; a rabble instead of a party.

As Republican women you will be in the forefront of the political wars ahead of all of us. If we are divided at the outset we throw every advantage to our opponents. I would remind you that there are many New Frontiersmen to direct your anger toward, rather than chewing on members of your own party. In fact there are almost enough Kennedys to go around for this or any other political party.

We will, of course, select someone to take on the Kennedy clan in 1964 and the choice of that selection will rest with the attitudes and conditions existing within the Republican Party next July. Between now and then we can serve our party and our country best by opposing what is wrong with the New Frontier, by examining the issues and by investigating the philosophies and political background of our leaders and by proclaiming what is best for the United States.

Unless we, as a united party, have confidence in our own political wisdom we certainly cannot expect the great mass of voters to give us their confidence and their support.

We are a big political party and there is all kinds of room for a difference of opinion. But in differing we need not beat the hides off those we differ with.

It is easy to tag politicians with labels. We're either right, left or middle of the road. Usually at different times, but not always. It's sort of a great American indoor sport—this labeling of politicians—and it is basically dishonest.

I am a Republican, pure and I hope not too simple. I have always been a Republican and I will continue to be a Republican.

I accept that designation with pride and I wear the mantle with honor.

I do not accept any gradations with my Republican label. I am not a fifth-amendment Republican, nor do I know any.

And if you are a Republican, that is good enough for me, and it will be best for the country as we multiply.

At the outset I expressed some confusion about what is going on in Washington.

However, we need not be confused about the most important things.

The present administration is taking us down the winding road of irresponsible spending, questionable defense, and dubious foreign relations.

We are forced to make judgments out of half-truths, to form policy on the thin ice of evasion and concealed facts.

Today there aren't 10 men in America who know the full truth about Cuba, all the facts of the test ban treaty, or the commitments made on behalf of this Nation with governments dedicated to the idea of destroying us.

I don't mind the Kennedys keeping some family secrets, but there is such a thing as carrying clannishness too far.

In the Senate we are now debating the partial nuclear test ban treaty. Our mail is running heavily against this international commitment and I am convinced the reason is that our people have no confidence in the present administration and less in the honesty of our enemies.

We have a tax bill on the agenda, a civil rights program, and a covey of lesser legislative matters still to be disposed of. This Congress will probably set an alltime record for longevity as it certainly will set a record for high cost and confusion.

We will survive, however. We are fortunate that this country is great and strong. One of lesser virility might not survive what is being done to it on the New Frontier.

We are fortunate also that we can in 1 more year again express our national opinion about how we have been governed for the preceding 4.

To you, of course, will go a large share of the burden of leading the American people to the polls in the proper frame of mind. It will be the biggest job you have ever tackled because the New Frontier will fight with every weapon the Kennedys can lay their hands on to hold the family power.

Women like a challenge, and a good fight. Well, you're going to have one next year and now is the time to start getting ready for it. The place to begin is in your own neighborhoods, among your own people.

We have a long way to go before the job is done.

We have a nation and a way of life worth working for.

And, above all, we have the need to restore to our Government and to our society the great virtues of thrift, honesty, and patriotism.

THE SOUTH DAKOTA QUINTUPLETS

Mr. MUNDT. Mr. President, during the past several days since the marvelous news was received from Aberdeen, S. Dak., that Mrs. Andrew Fischer had given birth to quintuplets, I have received a number of inquiries from my colleagues here on the floor and in the cloakrooms, as well as a steady stream of telephone calls to my office inquiring about the quintuplets, the Fischer family, the size and characteristics of the city of Aberdeen, the type of medical and hospital facilities located there, and what procedure to follow by those who are desirous of sending gifts to this family.

I recognize that a good many by now have had the opportunity to view over the television, read in the newspapers, or hear on the radio many reports from Aberdeen. For those who have not had an opportunity to follow these reports, by the networks, pointing out the excellent medical and hospital facilities available in Aberdeen, I merely wish to point out these facilities are typical of the fine medical services which are found throughout the Midwest, on a par with those you will find anywhere in the country. The quintuplets are receiving the best of care.

The city of Aberdeen itself is one of our progressive, friendly communities of the Midwest, South Dakota's third largest city, with a population of some 23,000, and is truly representative of the fine wholesome qualities to which all America aspires.

Because a number of the inquiries made to me have also included expressions by some of a desire to offer gifts or money or other helpful assistance to the proud parents so as to help them meet their unexpected increase in family expenses, I wish to take a moment to point out that those desiring to extend a helping hand may send their gifts and contributions to the Andrew Fischer family in care of the Aberdeen Chamber of Commerce which is serving as a clearing house for such assistance.

I wish to add one more comment, speaking as a South Dakotan who is thrilled with a good deal of home State pride over this momentous, blessed birth of quintuplets that has taken place in Aberdeen. It is a wonderful thing to know that the generous and understanding heart of America has been so greatly touched by this king-sized, happy event and I know that all in South Dakota are highly gratified at the interest, response and prayers of Americans everywhere to this historic landmark in our American population and birth records.

FRESH HAWAIIAN PINEAPPLES

Mr. INOUYE. Mr. President, it is my pleasure to advise my colleagues that fresh Hawaiian pineapples will be available throughout the eastern seaboard so the average housewife will be able to afford this delicious fruit, which we in Hawaii believe is far better in quality as compared to pineapples previously sold in these parts.

The inaugural shipment of this fresh Hawaiian pineapple arrived in the District of Columbia over this weekend. I hope each of my colleagues was able to taste the delectable fruit delivered through the cooperation of the Matson Navigation Co., Honolulu, Hawaii.

After tasting it, I know that you will never eat any other type of pineapple. None can approach the Hawaiian product.

The shipment was made possible through advance methods of handling, which resulted in cutting down costs. This meant that a new rate—a through rate involving ship and rail transportation—could be filed by Matson with the Federal Maritime Commission. The Commission, among other factors, wisely saw what this could mean both to the Hawaiian economy and to the enjoyment of the millions of Americans in the East. The Commission approved the rates last February.

Unfortunately, the pineapple season came to a close shortly after approval of the new rates. Because there were not enough pineapples available immediately for marketing, none was shipped at that time, waiting for the new season to roll around.

That season is here now and those most closely associated with the agriculture and economy of Hawaii took steps to ship the fresh pineapples east at the earliest opportune time.

While awaiting the new season, an improved method of handling the pineapples was developed. Now, there is no need to use carbon dioxide for retardation of ripening.

The new method, to assure freshness, calls for the pineapples to be picked in the Hawaiian fields at night and placed under immediate refrigeration. The refrigerated containers then are loaded aboard Hawaiian freighters early the next morning.

When the ship arrives in San Francisco, the pineapples are transferred immediately to iced railroad cars. With the cooperation of the railroads, the cars begin their transcontinental journey as soon as they are loaded.

Performing packing operations in the field and using refrigerated containers and cars eliminates repeated handling. This has resulted in a substantially improved quality of fruit. Hawaiian pineapples will be much more inexpensive on the east coast than heretofore because of this method and due to more economical surface transportation from Hawaii to the east coast. I know that this is welcome news to the American housewife.

Another important factor in the more economical shipment of the pineapples is the fact that the Matson Navigation Co., an unsubsidized line, has moved ahead on its own, with its own capital, to modernize its fleet and provide containership service to the entire west coast of the United States.

All of this is vital to our economy in Hawaii. Other firms involved in the present shipment are the Dole Pineapple Co. and Giant Food Stores, which purchased the first shipment, as well as Heggblade-Marguleas, Inc., of San Francisco.

Heggblade-Marguleas, we might note, is the firm that inaugurated shipping California strawberries to the east coast on a year-round basis. The same principle is involved in the Hawaiian pineapple movement.

THE HOME BUILDING MESS AND A REMEDY FOR IT

Mr. GRUENING. Mr. President, nearly 2 years ago homeowners in a new FHA-approved home construction development named Eagle River Heights, near Anchorage, Alaska, found that their FHA-approved dwelling had major and minor defects.

These defects were numerous. They ranged from buckled wall paneling, to inadequate heating facilities, to the use of second-hand pipe for plumbing, and to improperly installed storm doors and windows, to name but a few flagrant shortcomings.

When this situation was brought to my attention by the properly indignant home-purchasers in January 1962, I went to work to see what could be done.

Subsequently, after a thorough examination of the incriminating evidence, evidence so clear that one could hardly overlook it, I introduced on June 21, 1962, S. 3460, a bill to put meaning into the words "FHA insured."

The bill received favorable comment and was endorsed by then Federal Housing Administration Commissioner Neal J. Hardy.

And the defects in the Eagle River homes were corrected thanks to the positive action of FHA officials. They deserve the highest acclaim for their prompt and effective remedial steps, an attitude which unfortunately is not found in all Federal agencies. The cost of repairs totaled $100,000.

In the months which have ensued since I introduced on March 28, S. 1200—to obviate similar deficiencies throughout our Nation—identical to S. 3460 of the 87th Congress—I have received many letters urging enactment of the bill. Eleven of my colleagues, representing various areas of this Nation have joined as cosponsors. They are the junior Senator from Minnesota [Mr. McCarthy], the senior Senator from Nevada [Mr. Bible], the senior Senator from Pennsylvania [Mr. Clark], the senior Senator from Connecticut [Mr. Dodd], the senior Senator from Illinois [Mr. Douglas], the late senior Senator from Tennessee [Mr. Kefauver], the junior Senator from Montana [Mr. Metcalf], the senior Senator from Oregon [Mr. Morse], the junior Senator from Utah [Mr. Moss], the junior Senator from New Jersey [Mr. Williams], and the junior Senator from Ohio [Mr. Young].

Mr. President, the defects in the homes in Eagle River, Alaska, were corrected, but this happy ending is, regrettably, rare. Obviously the laws need strengthening.

I therefore wish to commend highly the Saturday Evening Post for bringing the need to put meaning into the words "FHA insured" to the attention of its millions of readers. Under our democratic system in which the Government is presumedly the agent and servant of the people it is imperative that their confidence in it be not impaired.

The September 21, 1963, issue of the Post contains a well-documented article entitled "Why New Houses Cost Too Much." It is written by Mr. Arthur M. Watkins, a gentleman with considerable expertise in homebuilding. Mr. Watkins cites shocking examples of homebuilding waste, including that in Eagle River, Alaska. It deserves the widest reading and I recommend it to my colleagues.

In addition to publishing Mr. Watkin's article, the editors of the Saturday Evening Post have commented editorially on "The National Homebuilding Mess."

Says the Post:

> The tale of flooded basements, crumbling bricks and cracking walls told by Arthur Watkins * * * is a scandal of such national proportions that only action can set it right.

"Scandal" is, in my judgment, the proper term for this shocking situation which levies so heavy a toll on the economy and the happiness of millions of our fellow citizens.

The Post's editorial notes that S. 1200 would "put teeth" in the law by empowering "the FHA to require little-known builders to post a bond before beginning work." It may not provide, and indeed does not provide, as Mr. Watkins points out, the complete solution of the problem but it is an important step toward rectification.

The Post concludes:

> We hope that Senator SPARKMAN's subcommittee will act on the bill as soon as possible and bring out a favorable report.

We have many inequities to correct in our own country, one of them being the pressing need to protect purchasers of homes covered by FHA-insured mortgages against major defects. The errors which occurred in Eagle River, Alaska, must not be repeated again and again in the other States.

Mr. President, I ask unanimous consent that the Post's editorial in support of the need for legislation such as is embodied in S. 1200 as well as the full text of the article by Mr. Watkins be printed in the RECORD at this point.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

THE NATIONAL HOMEBUILDING MESS

The tale of flooded basements, crumbling bricks, and cracking walls told by Arthur Watkins is a scandal of such national proportions that only national action can set it right. Among the recommendations made by Watkins is one that could be accomplished in short order: the housing bill (S. 1200) introduced by Senator ERNEST GRUENING, of Alaska. As a top FHA official told Watkins, the FHA under existing law can only try to persuade a builder to repair structural defects. If the builder refuses, "We can only cross his name off our list of builders eligible for FHA-insured mortgages," the FHA official said. Senator GRUENING's bill would put some teeth in the law. It would empower the FHA to require little-known builders to post a bond before beginning work. When a major structural defect appeared, the buyer of the house would complain to the FHA, which in turn would notify the builder. If the builder refused to make the necessary repairs, the FHA would do the job and charge it against the bond. In the case of well-established builders, the work would be charged against existing accounts with the FHA. Senator GRUENING introduced his bill last year toward the close of the 1st sess., 88th Cong. and reintroduced it when Congress met this year. So far there has been no action on it, although GRUENING has written to Senator JOHN SPARKMAN, of Alabama, chairman of the housing subcommittee, and requested an early hearing. We hope that Senator SPARKMAN's subcommittee will act on the bill as soon as possible and bring it out with a favorable report.

WHY NEW HOUSES COST TOO MUCH

(By Arthur M. Watkins)

Anyone planning to buy a new house in Mount Vernon, N.Y., a subsurb just north of New York City, ought to know about George C. Grimm, because George C. Grimm can cost him money. Like many towns all over the country, Mount Vernon has an obsolete building code which requires the use of inefficient, labor-consuming construction techniques. As a result, contractors estimate that a house which can be built for $26,000 in neighboring towns that use the modern New York State code will cost about $30,000 in Mount Vernon. That's all right with George Grimm, because he's the square-jawed chief of Plumbers Local No. 86, and he argues that using their work-saving code would violate "local autonomy." With the help of certain local contractors, Grimm has successfully fought against changes that would save every house buyer thousands of dollars.

Nothing illustrates the rule quite so pungently as the exception. When the Mount Vernon High School required new storm-water and sewage drain connections recently, architects estimated that installing the piping according to the New York State code would save $5,000. Budget-strapped school officials howled for the saving; Grimm had to back down and permit the more efficient installation, which will perform just as well. Immediately afterward, however, the door was closed, and the Mount Vernon code was back in all its dictatorial force.

A home buyer, needless to say, lacks the political leverage of a school board. And he rarely knows about such matters in the first place. Real estate men and builders selling houses may talk of kitchen space, woodsy views, and low downpayments. But they never mention the inefficiency and bureaucracy which make houses needlessly expensive to buy and needlessly expensive to keep up in every part of the United States.

The U.S. housing industry is a $23 billion annual business which has a potent influence on the whole economy. It provides jobs for 5 million workers and a vast market for dozens of other industries; when it falters, business everywhere feels the effects.

And housing has been faltering, largely because of the industry's incredible inefficiency. Most of the Nation's 125,000 home builders are forced to use wasteful and obsolete techniques and materials, do little or no research, and are largely cut off from new technology which could sharply reduce the cost of housing. The industry is hobbled by a maze of outdated local building codes which rule out the benefits of mass production methods. The effects on the cost and quality of housing can be gaged by imagining what automobiles would be like if local laws decreed that they had to be assembled in local garages rather than built on factory production lines.

The system—if it can be called that—is perpetuated by a combination of powerful national pressure groups, including local craft unions (particularly the plumbers, electricians and masons), and certain manufacturers of old-line building products like iron and steel, masonry and plumbing fixtures. Some home builders, real estate dealers and mortgage bankers oppose reform for fear it would cut into their local domination of the housing business or reduce commissions. Organizations like the U.S. Chamber of Commerce oppose it for fear that reform would involve Government meddling.

The situation is exacerbated by corrupt building inspectors, builders whose ethics are no stronger than their foundations, and local craftsmen who couldn't care less about craftsmanship. While the proportion of honest men in home building is probably as high as in any other industry, corner-cutters account for a disproportionate share of the business. The muddle in housing encourages cheats, and even gives them competitive advantage.

The end result is evident in spiraling construction costs, which have risen 192.6 percent since 1930, or two and a half times the increase in the overall cost of living. "Twenty years ago I could build a good small house for $7,000," says a Cleveland builder. "Today approximately the same house must sell for $17,000."

It is perhaps more painfully evident in the household budgets of homeowners such as Frank Stahl, a 28-year-old college graduate who moved his wife and baby into a $23,000 development house in New York's Rockland County early this year. The Stahls (not their real name) bought the house partly out of desperation, after 15 months of house hunting, to escape from a cramped apartment. "It was absolutely the lowest priced suitable house around," Stahl says. "I had just gotten a raise to $9,100 a year (which puts him in the upper 25-percent wage bracket); so we figured we could swing the deal."

Stahl isn't so sure now. His taxes were just raised and he finds that total housing costs take an unexpectedly large chunk out of his income. The chunk includes $183 for mortgage, insurance and taxes, another $42 for heating, utilities, and ordinary house upkeep. Thus housing swallows nearly 40 percent of Stahl's $540 a month take-home pay, leaving a lean $73 a week for everything else. The Stahls have to skimp on some essentials, and are hoping that no home repair emergencies will confront them with bills they cannot afford. The odds are against them there.

"Most families tread on thin ice if housing takes more than 20 percent of their income," says Henry Freeman, executive director of Pittsburgh's Family and Children's Service Agency. "But more and more families in the suburbs are paying 30 or 40 percent, and are just one step ahead of a judgment." Many, in fact, have passed the breaking point. Voluntary bankruptcies have soared to record heights, and home foreclosures are at a postwar peak, exceeded only by the vast numbers of people who lost their homes during the great depression.

The ultimate impact of housing costs falls upon tens of millions of people who can't afford even to consider buying a house. Fully half of the Nation's families have been effectively squeezed out of the market for private housing—used as well as new, since the price of new houses automatically sets the scale for used homes. Basing his figures on a Government study of typical urban areas, Pennsylvania Senator JOSEPH CLARK says that as many as two-thirds of all families don't earn enough to afford the absolutely lowest priced minimal new housing in such places as Boston, Atlanta, Indianapolis, and Portland, Oreg.

How much social and psychological suffering this squeeze causes can only be guessed—although social workers say, for example, that housing problems are a chief cause of what they call family trouble cases. But the debilitating wound which it inflicts on the U.S. economy is all too plain, and measurable. Harvard economist Douglas Dacy thinks that the slowdown in housing sales and construction since 1956 may account for most of the lately lamented decline in the national growth rate, with its legacy of widespread unemployment.

And cost is the root of the trouble. Each $1,000 reduction in the price of the average new house would make an additional 75,000 American families eligible to buy, according to estimates by the National Association of Home Builders. That many more houses a year would call for an additional 150,000 tons of steel, 350 million bricks, 1.5 million gallons of paint, 895 million board feet of lumber, 90,000 bathtubs, and proportionately greater sales of other products. And each $15,000 house sold generates some $15,000 of related economic activity, such as furniture sales, electricity installations, and new stores and streets to serve the homes. The $23 billion worth of houses which will be put up this year will have a total impact of more than $50 billion on the economy. There would be a lot more housing and a lot more stimulus if houses were cheaper.

This does not mean cheaper quality. The ultimate irony of the housing muddle is that the same reforms which would reduce prices would produce better houses. Forced to use inefficient materials and methods, to hire construction labor on a local catch-as-can basis, to contend with inflated costs at every turn, builders are under enormous pressure to cut corners—and even to chisel. In return for high purchase prices, home buyers are likely to get shoddy merchandise and high home repair bills to compound their financial troubles. Some examples:

SPARE THE RODS, SPOIL THE HOUSES

In Ventura County, Calif., a developer used skimpy 3-inch floor slabs—permitted by the local code—for his $15,000-$25,000 houses. Result: An epidemic of cracking floors, broken pipes and buckling foundations. A chamber of commerce survey showed that 159 of the 249 families in the Weathersfield tract had bought defective homes. Some were virtually beyond repair; others had to be jacked up, at a cost of $2,200 per house, so that a new concrete slab could be placed underneath. The homeowners—not the builder—paid.

A couple were having coffee in the living room of their new $24,000 development house in Rockland County, N.Y., when the room began to shudder. The chimney broke off the house and came tumbling down with a crash. After much acrimony, the builder rebuilt the chimney at his expense—but only, says the husband, "because he couldn't sell more houses while people saw the bricks on the ground."

Whole subdivisions in the Houston area are plagued by shifting foundations, which cause floors to crack and doors to stick shut. "Jerrybuilders put down steel reinforcing rods before pouring the cement, and then call the building inspector," says a local contractor. "After the inspector leaves, they remove the rods to the next foundation. One set of rods will do for a whole subdivision."

Engineers of Home Inspection Consultants, Inc., checking out houses for prospective buyers in Indianapolis, Philadelphia, and northern New Jersey, report "inexcusably low-grade quality" in custom houses priced as high as $80,000. The most common defects include improper lot grading, poor foundation waterproofing, low-grade heating, skimpy insulation, green lumber, and sleazy paint jobs.

All these defects are difficult and expensive to repair after a house is finished. A good many builders refuse to make amends, and generally can duck their responsibility even when homeowners haul them into court. One homeowner, for example, won a hands-down, $6,100 judgment for repairs but never collected a dime. The builder had cannily drained his corporate till of all its assets in advance and set up a new company which was not legally liable, a ploy known as "corporation folding." The aggrieved homeowner was stymied—yet through his front window every morning he could see the builder throwing up a new tract of houses at full steam.

Many homeowners have tried to bring criminal charges against builders who refused to make justified repairs, but in almost all cases district attorneys have given them the brushoff, explaining that it is hard to prove criminal intent.

Nor do the Federal Government's much-touted housing laws give real protection. It is true that Federal rules require higher construction standards for houses with Government-insured FHA or VA mortgages than are normally encountered in privately financed houses. But the FHA and VA can't really enforce their standards.

Consider the case of 55 families who purchased FHA-insured houses in a development at Valley Cottage, N.Y., a few years ago. It shortly became evident that the houses, priced at $16,000 and $17,000, suffered from grievously inadequate waterproofing. Roofs began to leak and rot, wall shingles popped off, and basements became soaked as the insidious water vapor spread through the houses. "All my rooms and clothes closets are constantly damp," says Mrs. Margaret Warshaw, one of the residents. There have also been cracked foundations and driveways, sinking carports and peeling bathroom tiles. An architect consultant called in by the residents found a total of 37 violations of the FHA's minimum standards.

"The builder [Philip Shapiro] kept stalling and would make no repairs," says Mrs. Warshaw. "Though I made three trips to Washington, we got no real help from our Representative, the FHA, or anybody else. FHA officials tried to persuade the builder to make repairs, but he laughed at them. Sure, the FHA finally blacklisted him, so he can't build any more houses with FHA mortgages. But that's no help. I'm sick about the whole thing. It will probably cost $3,000 to $4,000 apiece to put our houses in decent shape."

A top FHA official explains the situation this way: "Under the Federal housing law we can try to persuade the builder to make justified repairs, but that's all. If he refuses, we cannot force him to correct defects. We can only cross his name off our list of builders who are eligible for FHA-insured mortgages."

In a few cases, however, authorities have taken a hard line—and got results.

In an outlying residential section of Brooklyn, N.Y., there was an epidemic of cracking foundations and sinking walls in hundreds of houses priced from $25,000 to $50,000, due to flimsy support and poorly filled land. The builders had promised paved streets but supplied nothing more than dirt roads. Basements were often flooded with raw sewage backed up from the street; it turned out that drainpipes had been hooked up to the street lines in a flagrantly illegal manner.

The buyers squawked to a series of city building-department officials to no avail. In desperation they finally went to Kings County District Attorney Edward S. Silver. Appalled at what he saw, Silver 3 years ago launched an investigation which is still in progress and has produced these results to date:

Builder Richard Powell and his Donven Realty Corp. were convicted last March of first-degree grand larceny. (It was probably the first successful criminal prosecution of a U.S. builder for shoddily built houses.) Five other builders have been indicted, and charges may eventually involve as many as 40 builders and houses sold to as many as 10,000 families. A city plumbing inspector has been indicted for taking bribes. Eight FHA inspectors and a VA construction analyst have been indicted on bribery charges brought by the Federal Government, apparently based in part on leads developed by the Silver investigation. "These things don't happen in a vacuum," notes Assistant District Attorney Irving Seidman, who helped track down the evidence. "Shoddy construction goes hand in hand with corrupt inspectors."

One unexpected benefit is the "cleansing effect" on other builders, says Aaron Koota, chief of the Brooklyn Rackets Bureau. "After our indictments, the builders realized we meant business. Now it's amazing how fast they make repairs." The case has also brought a stream of calls to Silver from D.A.'s in other cities.

Another official who took outraged action is Senator ERNEST GRUENING, of Alaska. Houses purchased by 47 families near Anchorage were so full of defects that interior temperatures hovered at 32° in the winter and icicles formed in the attics, even with furnaces working full blast. Though the houses were built with FHA mortgages, the owners complained futilely to the builder and to local FHA officials. Finally, Senator GRUENING contacted top FHA officials in Washington, who put pressure on the builder. Fortunately the builder was a big U.S. construction firm which could not risk an FHA blacklisting; the firm reluctantly repaired the houses at a reported cost of more than $100,000—for quality that could have been provided in the beginning at one-quarter this price.

To guarantee protection against flaws in all FHA houses, Senator GRUENING has proposed a bill to put teeth in the FHA housing law. It would require builders to post a performance bond, and the FHA would use this money to repair any major defects which appeared within 3 years after a house was sold.

But neither GRUENING's bill nor criminal prosecutions strike at the fundamental troubles in housing. As a five-man committee appointed by President Kennedy to survey the housing situation reported last year, the real problem is "the commercial structure of the industry itself * * * its fragmented and local character." From fragmentation comes inefficiency and lack of professional know-how. In many cases, key people associated with local building—the banker who puts up the capital, the builder, and the work crew—have appallingly narrow knowledge of what constitutes really good design and construction. Only a small minority of houses are designed by architects; most homebuilders, pressed by inflated costs, consider such services as frills.

One basic medicine needed can be expressed in a word: prefabrication. The widespread introduction of efficiently made, mass-produced structural assemblies would produce better houses, because each part would be designed by a factory staff of architects and engineers, instead of—as is too often the case—by local stumblebums. Each part would be produced under factory-controlled conditions which would sharply reduce the possibility of flaws. If there were a serious flaw, an established factory would not be likely to try to duck responsibility by changing its corporate name.

We already have the know-how to mass-produce whole floor, wall and roof sections, which can be swiftly lined up and locked in place. Interior partitions, also shipped in sections, can be dropped in place. Complete plumbing can be prepackaged and sealed into bathroom-wall sections, a technique which, in itself, would cut the cost of houses by 5 to 10 percent. Drop-in-place techniques used throughout the house would not only produce a better house but also ultimately cut costs as much as 50 percent.

Even short of Detroit-style "house factories," mass production can produce astonishing results. Take the case of builder William Levitt, who builds some 3,000 houses a year—a large number for the housing industry, but still small-scale production. Selecting areas for his "Levittowns" where building codes do not hamper efficiency, using a permanent, trained work force, Levitt builds substantial houses for $9 per square foot versus $13 a square foot for the average house. He also tosses in appliances, air conditioning, schools, and community swimming pools, the dollar equivalent of at least 10 percent more house.

But the hodgepodge of wildly differing building codes in most cases prevents builders from standardizing components or achieving the mass markets necessary for mass production.

Here is what confronts a builder in just one State—Connecticut—and in just one part of a house. The FHA allows $\frac{5}{16}$-inch-thick wall plywood, a perfectly safe demand, but the Avon, Conn., code insists on half-inch. Bridgeport, Fairfield, and Trumbull also specify half-inch, but only if it is nailed horizontally. Still other town codes, such as Easton's, demand extra-thick $\frac{5}{8}$-inch plywood—which adds $200 to the cost of a small house. Yet the thickness of plywood is a totally obsolete gage; the type and grade are the key to soundness. (Here, incidentally, is an example of why so many local codes fail to safeguard the buyer.)

Connecticut codes are studded with other idiotic variations. Even the kind of nails allowed varies depending on which side of the town line a house is located. And Connecticut is not exceptional. The fact is that in cities and towns all across the country the local code is a front that serves to preserve the profitable status quo for a few local groups at the expense of everybody else. Their pressure, compounded by public officials' ignorance of building matters, keeps out new products and new techniques. Archaic plumbing-code requirements are a notorious example in such cities as New York, Pittsburgh, Chicago, and their suburbs, where they outlaw the efficient use of copper and nonmetallic pipe in favor of iron or steel pipe. Powerful suppliers combine with local contractors and plumbing unions to keep it that way. In one apparently pure little picture-postcard New England village, the plumbing code is administered by an inspector czar who is also the largest local plumbing contractor. Needless to say, he faces little business competition.

Miamians pay $100 to $200 per house in excessive wiring costs because of a code that dictates the arbitrary use of heavy, old-fashioned wiring. A builder says, "This was sensible 15 years ago when our code was written and nonmetallic wiring conduit had not been invented. The new wiring is far superior, but local contractors, suppliers and union men fight tooth and nail against changing the code." In Cleveland the electricians' union blocks the new wiring on the grounds that it is a fire hazard, according to a spokesman for Local 38 of the Electrical Workers Union. Yet nonmetallic wiring has the blanket approval of the National Board of Fire Underwriters, and more than 1.5 billion feet of it is installed in the United States every year.

In Philadelphia the brick people have long fought against modern wood-frame construction by permitting few or no changes in the masonry-slanted code. In Chicago the plasterers keep out economical plasterboard. A Chicago housing expert says people there are victims of "old, obsolete code rules that are often unwritten and operated out of the building inspector's hat."

The "in" groups can block new cost-cutting products and techniques because of what are called specification codes. Often written years ago, they stipulate exactly which materials and methods are allowed locally. They do not cite many modern materials and techniques, because such innovations were unknown when the codes were written. A product that is not specifically mentioned is therefore outlawed.

Nearly all impartial building experts agree that specification codes should be junked and replaced by performance codes. A performance code merely spells out the desired goal—a floor that will hold a 40-pound-per-square-foot load; a pipe that will withstand, say, 50 pounds of water pressure; a wall that will not quaver in hurricane winds, whether it is built of wood, brick or synthetic palm fronds.

Performance codes are easier and less expensive to administer, enforce and keep up to date. They would open the door for new products now waiting in the wings, including rugged new lightweight aluminum-, steel-, and plastic-skin wall panels, rigid new corrosion-free plastic pipe—used to handle corrosive sulfuric acid in chemical plants but barred for house water pipe by obsolete codes. Experts hold that new lightweight structural assemblies are our best hope for sharply cutting construction costs. But many manufacturers will not even earmark research money to develop new products, because the present code curtain would bar whatever they developed.

Also needed is code uniformity—a national performance code—the same flexible but nonetheless uncompromising rules for everybody. It would be a model code for voluntary adoption by any city or town. It could easily embody regional modifications to allow for geographical differences in building requirements.

How much would house prices come down with a national performance code? A top manufacturer of prefabricated houses recently said that if a national performance code were introduced, he could slash his selling prices—less land—by at least 25 percent. Within a year or so, additional economies could bring down prices by about 50 percent. A handsome three-bedroom house he now must sell for $16,000, could, by January 1, 1965, be priced at about $8,000.

Another house manufacturer, paying $45 apiece for his bathtubs, figured he might cut costs by turning out tubs with his own giant press. His engineers said yes, but only if he could attain a volume of 40,000 houses a year. Then the cost would nosedive to $13 a tub.

Painting a house by hand costs from 5 to 10 cents a square foot today. It is often done hastily with the cheapest paint, leading to stiff repainting bills in 3 or 4 years. By contrast, notes architect Carl Koch, complete wall sections can be roller-painted on a factory assembly line for less than a penny a square foot, giving "infinitely better, longer wearing, cleanable surfaces."

Far from producing look-alike houses, a uniform national code would open the door to far more design flexibility. Mass-produced wall sections could be fitted together in a huge variety of shapes and patterns, just as the 18 parts of a Tinker Toy set can form thousands of assemblies. A Midwestern maker of prefabricated houses not long ago demonstrated this by building three totally different-looking house models, a Cape Cod, colonial, and contemporary, using the same structural components, except for the facing.

Many union leaders block the introduction of modern performance codes because they fear loss of jobs. Yet they probably would be better off. Craft unions in St. Louis—together with certain suppliers and contractors—fought a bitter 7-year battle to stave off a new performance code. The new code was finally pushed through in 1961, and local construction costs have since come down 16 percent, setting off a building boom which has given union members more work than ever.

MORE JOBS IN THE LONG RUN?

Although a national performance code might cause some initial job shrinkage, experts are convinced that in the long run it would generate more jobs. They think it would spark an unprecedented surge both in new construction and in the rehabilitation of existing homes—an estimated two out of three homeowners want to fix up, remodel, or expand, but most simply can't afford the current stiff prices for things like extra rooms and modernized kitchens.

More factory production would also provide year-round job security in an industry that is notorious for part-time work. Because of the seasonal nature of building and weather delays, workers are paid top hourly rates, but many can count on only 30 to 40 weeks of work a year. The rest of the time they collect unemployment checks—another bill paid by the public.

In addition to a model national performance code, housing people mention two other urgent needs. The industry spends peanuts on research and development compared with the average growth industry. Yet research is essential to set up basic industry-wide performance standards for building products. Such criteria, lacking today, are necessary to implement our building codes, to evaluate new products and protect consumers from shoddy products. Another need is a frontal attack on soaring land and development costs—that is, sewers, water lines, and so on—which requires a fresh reappraisal of discriminatory and inefficiency zoning laws.

Such problems may take time to remedy, but a big start can be made by two virtually self-evident solutions:

1. A National Building Code Commission to develop a uniform national building code for houses, as recently accomplished in Canada and in various European countries. (The biggest impetus behind the current surge in the West German economy is a housing boom set off by code reform permitting widespread use of prefabrication.) The code would be administered by a joint government-industry-labor panel, and its acceptance by cities and States would be voluntary, just as cities in New York voluntarily adopt that State's pioneering performance code.

2. A National Institute for Building Research, as recently proposed by a blue-ribbon committee of the National Academy of Sciences. It would be, in effect, a baby National Bureau of Standards to do for building what the NBS now does in setting up standards for 15 other branches of private industry. (A top west coast banker has said, "Regretfully I have come to the conclusion that the Federal Government alone is capable of undertaking the kind of research and development necessary.")

These proposals would involve a relatively small Federal investment, and both could be made self-sustaining—much like the FHA, which pays its operating costs through its one-half-percent service charge on loan guarantees and in nearly 30 years has not cost taxpayers a cent.

To date, the Federal Government has produced a profusion of studies and reports on the housing mess, but little direct action. In particular, some housing experts think the record of Robert Weaver, chief of the Housing and Home Finance Agency, has fallen far short of his initial promise. Preoccupied with urban-renewal problems, Weaver has not provided the executive stimulus needed to get Congress moving on code reform or home-building research.

The need for more housing is going to get more and more critical as the millions of World War II babies begin getting married and creating unprecedented new housing demands. Simultaneously there is a growing demand for economical, compact housing by record numbers of people reaching retirement age. Between now and the year 2000 the United States will need 40 million new housing units just to keep abreast of population growth, plus tens of millions of new units to replace old houses that wear out. There is, too, an incalculably vast worldwide demand for lowcost housing which could provide more business and jobs in the United States if housing could be mass-produced here for those markets.

"Private industry will be unable to do this job unless we sweep away the 19th-century restrictions that now hold it back," says Nathaniel Keith, head of the National Housing Conference. "Some may object to Federal 'meddling' in local and private affairs. Yet the ultimate effect would be to impose less, not more, government upon the industry, to get rid of the tangle of regulations that breeds inefficiency in housing and slows the progress of the whole economy."

SOUTHERN PRESS REACTION TO BIRMINGHAM TRAGEDY

Mr. HUMPHREY. Mr. President, I ask unanimous consent that a number of editorials from southern newspapers deploring the great tragedy which occurred in Birmingham on Sunday be printed in the Record at the conclusion of my remarks.

As I noted on the floor yesterday, I have faith that the responsible moderates in this time of great crisis will make their voices heard. Charles Morgan, the courageous lawyer of Birmingham, has already spoken out in one of the most moving statements on our racial crisis that has ever been written. Eugene Patterson, editor of the Atlanta Constitution, has penned an equally profound and moving editorial.

I commend these voices with the courage to speak of justice, freedom, and the responsibility which rests on every American in these difficult days.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Washington Post]

Southern Editor Writes Apology, "A Flower for the Graves"

(Note.—This is the Monday column of Eugene Patterson, editor of the Atlanta Constitution. It was entitled, "A Flower for the Graves.")

A Negro mother wept in the street Sunday in front of a Baptist church in Birmingham. In her hand she held a shoe, one shoe, from the foot of her dead child. We hold that shoe with her.

Every one of us in the white South holds that small shoe in his hand.

It is too late to blame the sick criminals who handled the dynamite. The FBI and the police can deal with that kind. The charge against them is simple. They killed four children.

Only we can trace the truth, southerner—you and I. We broke those children's bodies.

We watched the stage set without staying it. We listened to the prologue unbestirred. We saw the curtain opening with disinterest. We have heard the play.

We—who go on electing politicians who heat the kettles of hate.

We—who raise no hand to silence the mean and little men who have their nigger jokes.

We—who stand aside in imagined rectitude and let the mad dogs that run in every society slide their leashes from our hand and spring.

We—the heirs of a proud South who protest its worth and demand its recognition.

We are the ones who have ducked the difficult, skirted the uncomfortable, caviled at the challenge, resented the necessary, rationalized the unacceptable, and created the day surely when these children would die.

This is no time to load our anguish onto the murderous scapegoat who set the cap in dynamite of our own manufacture.

He didn't know any better.

Somewhere in the dim and fevered recess of an evil mind he feels right now that he has been a hero. He is only guilty of murder. He thinks he has pleased us.

We of the white South who know better are the ones who must take a harsher judgment.

We, who know better, created a climate for child killing by those who don't.

We hold that shoe in our hand, southerner. Let us see it straight, and look at the blood on it. Let us compare it with the unworthy speeches of southern public men who have traduced the Negro; match it with the spectacle of shrilling children whose parents and teachers turned them free to spit epithets at small huddles of Negro schoolchildren for a week before this Sunday in Birmingham; hold up the shoe and look beyond it to the State House in Montgomery where the official attitudes of Alabama have been spoken in heat and anger.

Let us not lay the blame on some brutal fool who didn't know any better.

We know better. We created the day. We bear the judgment. May God have mercy on the poor South that has been so led.

May what has happened hasten the day when the good South, which does live and have great being, will rise to this challenge of racial understanding and common humanity, in the full power of its unasserted courage, and assert itself.

The Sunday school play at Birmingham is ended. With a weeping Negro mother, we stand in the bitter smoke and hold a shoe. If our South is ever to be what we wish it to be, we will plant a flower of nobler resolve for the South now upon these four small graves that we dug.

Southern Press Deplores Bombing

(Note.—The following are extracts from other newspaper editorials in the South.)

Birmingham News: "Not one word or a million makes up for the deaths of four innocent children in the Sunday school bombing yesterday morning. Not one or a million could.

"Death is a shocking, final reality in the midst of far too many words. * * *

"It is yet possible, despite the host of unsolved bombings, that what must be a small band of men will be arrested and tried for what must be called outright murder wholly premeditated and carried out.

"The Negro community has affronted the white community in past weeks with open law-violating street demonstrations—seeking their ends outside the courts which alone can bring them their goals.

"But Negroes of Birmingham have a hard right to ask why bombings of the past have not been solved, for it is their flesh and blood, their property which has been the target of dynamite planters. Every white man certainly should be asking himself how he would feel if for years the unidentified had made his wife, his children, his home, his church, the object of such hatred."

Birmingham Post Herald: "The bombing is something that we shall not forget. It is deeply imbedded in the conscience of Birmingham. The news of it has been spread for all the world to know.

"The question now is, what next? Will there be more demonstrations, more violent words, more bombings, more deaths?

"We join in a prayer with the whole community that we have seen the last of such violence, but it will take more than prayers and good intentions to bring this about. It will take positive action to see that respect for law and for order—those overworked but all-important words—prevail."

Atlanta Journal: "This crime must bring the decent and responsible people of the South and this Nation to a new realization of the need for moderation, understanding and charity in working out the strains and tensions of this era."

Montgomery Alabama Journal: "No effort should be spared in apprehending the guilty. If it takes every law enforcement officer in Alabama, use them. There has been much talk about the southern way of life; if the phrase means anything, Sunday's barbaric crime was a bestial assault on it beyond anything in our memory * * * Alabama can now view the sickness within itself."

Montgomery Advertiser: "The bombing speaks for itself with eloquent hideousness. We trust that whoever is responsible for this tragedy hates Alabama and its people, black and white, for he has done them an injury that will not heal in a long time and which is almost certain to generate evil complications."

Memphis Commercial Appeal: "The South, meaning all of us who live in this section, has to bear the burden of this shameful social tragedy. In this shame there is total equality, for the bomb that ripped a house of God was fused by a complex combination of events in which both whites and Negroes have been guilty of wrongdoing. When stark hate erupts it is the result of an underlying sickness."

Memphis Press-Scimitar: "This is what happens when supposedly decent people encourage the mob ** * Federal authorities should join with the decent Birmingham authorities to do everything in their power to apprehend the perpetrators of this savage bombing. And as Governor Wallace joins in the hunt he might possibly find time to search his own conscience."

NEW PRESIDENT OF THE UNITED NATIONS GENERAL ASSEMBLY

Mr. HUMPHREY. Mr. President, I extend my congratulations to the new President of the U.N. General Assembly, Dr. Carlos Sosa Rodriguez, of Venezuela. I take particular satisfaction in this selection as it elevates to the Assembly presidency a fellow American and an outstanding leader of one of the most enlightened and progressive democracies of this hemisphere. It is most appropriate that the U.N. chose a leader from one of the Latin American nations which has from the U.N.'s inception contributed so much to its success. And it is equally appropriate that the Latin-American leader come from Venezuela, whose present government has shown a dedication to progressive democracy at home and enlightened internationalism abroad.

I ask unanimous consent to have printed in the Record at this point as a part of my remarks sundry newspaper articles in tribute to Carlos Sosa Rodriguez, the new President of the United Nations General Assembly.

There being no objection, the articles were ordered to be printed in the Record, as follows:

U.N.'s Brisk President: Carlos Sosa Rodriguez

United Nations, N.Y., September 17.—The new President of the General Assembly has been training for the post like an athlete.

Dr. Carlos Sosa Rodriguez, of Venezuela, says that he can stand up to the rigors of meetings but that the social pace of the General Assembly season is more wearing. He has taken off 10 pounds in preparation for the receptions and dinners he will have to attend.

In the other phase of his work, Dr. Sosa is known as a brisk and capable chairman who can keep a large meeting in line if some of its members tend to stray from the business in hand. He has presided in the Security Council and at meetings of the Latin-American group here, besides heading his country's delegation.

At 51 he looks 10 years younger. Trim and alert looking, he has thick dark hair, dark eyes, and an aquiline nose.

He is a lawyer by training. He has been in public life since he became national controller general of Venezuela in 1949.

In 1950 he became Venezuelan Ambassador in London but he resigned in protest 2 years later when Col. Marcos Perez Jimenez seized the Government. Dr. Sosa spent the next 6 years in self-imposed exile in Spain.

READ ALL THOSE BOOKS

Financially independent, he says he devoted his time to reading all those books that one never has time to read normally after school days—philosophy, history, and the classics.

When the dictator fled Venezuela in 1958, Dr. Sosa returned to the diplomatic life as his country's representative at the United Nations.

He prefers to be called simply "Dr. Sosa." Rodriguez is his mother's family name and, in accordance with Spanish custom, he puts it after his father's in formal signatures. North Americans, he finds, gets confused unless he uses both names.

His father, Julio Sosa, directed a large plantation, La Foresta, just outside Caracas. The family raised coffee and sugar there for more than 100 years. Now the land has been engulfed by the city and turned into building lots at substantial profit to the family.

HOLDS TWO DOCTORATES

Dr. Sosa's mother still lives in the family's colonial mansion, surrounded now by the city. His father died 2 years ago.

Born in Caracas on April 30, 1912, Dr. Sosa was educated first there and later at Baddingham College, England, the University of Paris, and the Central University of Venezuela. He holds a doctorate in law from Paris granted in 1935 and one in political science from the Central University in the same year.

This varied education has left him fluent in English and French as well as in his native Spanish. He conducts U.N. sessions in Spanish.

He has published one book in French—a doctoral thesis on international law relating to rivers and in particular the rivers of Latin America.

Dr. Sosa married Yolanda Pietri Pietri, the daughter of a prominent Caracas lawyer, on December 8, 1938. They have eight children—five boys and three girls ranging in age from 24 to 3.

The three oldest boys, Carlos, 24; Andres, 20, and Manuel, 15, are studying in Caracas. Yolanda, 17, is at Manhattanville College and Julio, 12, at St. Bernard's School in New York.

DEMANDS ARE INCREASING

Because of the rigors of U.N. work and social studies the three youngest—Carlota, 6; Antonieta, 4, and Hernando, 3, are being left with their grandmother in Venezuela during the Assembly session.

Dr. Sosa said recently: "The United Nations is increasingly demanding. Besides the Assembly, I have been sitting in the Security Council and the Committee on Colonialism. With the social life during the Assembly added to that, we found it best to leave the small children with their grandmother."

Excerpts From Sosa's Statement to U.N. Assembly

United Nations, N.Y., September 17.—Following, in translation from the Spanish, are excerpts from a statement by Dr. Carlos Sosa Rodriguez, of Venezuela, on his election today as President of the 18th session of the General Assembly:

"I wish to express to you my deep gratitude for the great honor you have conferred upon me in electing me to this high office. The outstanding ability of my immediate predecessor, Sir Muhammad Zafrulla Khan, will be my source of inspiration.

"For all its imperfections—imperfections which are inherent in it as an institution shaped by human hands—the United Nations is today an indispensable need of mankind.

"It is a characteristic fact of the present century that the outstanding achievements of science and technology have not gone hand in hand with similar progress in the disciplines applicable to human relations. The importance of the spiritual values has too often been forgotten, and too much reliance has been placed on purely material progress. The United Nations Charter represents a great effort to redress this imbalance.

"Since the Second World War three political imperatives have emerged with irresistible force and are shaping the course of history in this 2d half of the 20th century. They are: The outlawing of war as a means of settling international disputes, the abolition of the dependence of certain peoples on others, and international cooperation with a view to improving the levels of living of the developing peoples.

"MUCH WORK TO DO

"The United Nations has made incontestable progress in prosecuting these ends; but the work which remains for it to do is of much greater dimensions.

"In the broad historic process which is moving toward the attainment of the ideals of the charter, each General Assembly has marked a step forward. I hope that this 18th session will be no exception.

"The importance which the United Nations has acquired compels it to adapt its methods of work to the increasing demands it is called upon to satisfy. The efficiency of the organization will depend to a great extent on the efficiency of its methods of work. We must all cooperate in making it a ready and effective instrument, responding to the needs of the moment and prepared to face those of the future.

"Despite all the divergent views, conflicting interests and passions which must naturally find expression in an international parliament, we also share ideals and aspirations which constitute an invaluable common denominator permitting us to smooth out our differences and helping us to achieve acceptable solutions.

"URGES CONSISTENCY

"Many a difficulty can be overcome if we put aside the often artificially created fears and prejudices which distort reality and hamper understanding. Moreover, a sound interpretation of the principles of the charter presupposes that they are to be applied impartially. The principles and precepts of the charter are the same for all; we should not exempt some from what we demand of others, nor excuse in some what in others we condemn. Such inconsistencies weaken the moral force of the Assembly and breed mistrust and skepticism.

"I have every confidence that the debates, which will take place during this session and in which so many eminent states from all over the world will participate, will proceed in an atmosphere of understanding, harmony, and mutual respect and will increase the trust placed by the peoples of the world in the United Nations; and that, while they obviously cannot solve all the serious problems facing the world today, they will at least help to clear the ground for the solution of those problems.

"The United Nations is, in a sense, a mirror which reflects the world, and the spirit in which our debates are conducted is bound to spread beyond these walls to all the nations of the globe.

"Fortunately, this session opens in an auspicious atmosphere. International tension has been reduced by the welcome signature of the Moscow treaty, and in all parts of the world men's fears are replaced by hope.

"I beseech divine providence to enlighten our minds and to unify our efforts so that, thus inspired and united, we may bring to a happy conclusion our appointed task of maintaining peace among nations and promoting the progress and well-being of all mankind."

The **PRESIDING OFFICER**. Is there further morning business? If not, morning business is closed.

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwrater.

The **PRESIDING OFFICER**. The question is on agreeing to the resolution of ratification.

Mr. **MORSE**. Mr. President, it is rather surprising to me that the debate and discussion of this treaty have gone so far afield from the subject it treats. Its central purpose was, and still is, to curb pollution of the earth's atmosphere with radiation. Yet the effort to do so has brought on a debate that seems to question the value of the treaty not because of what it does but because of what it does not do.

I suppose that my own criticisms and doubts about the value of the treaty also go to what it does not do. I very much regret that there is not more to the treaty; that it does not ban all nuclear testing; that it does not put any real curb on the armament race; that it does not call for disarmament of the kind that would permit substantial cuts in our defense budget.

It is a step so small it may never be noticed in the history of the world, if it is not followed up with more steps in the same direction.

That is the basis for my reservations. The objections that have been voiced by others, however, indicate a fear that it may be followed by additional steps.

Yet out of all the military and scientific testimony I have not heard the case made that the overall advantage in continued and unlimited testing by all nations—in other words the advantage of rejecting the treaty—would lie with the United States.

Let us not forget that defeat of the treaty and continued atmospheric testing by the United States, as advocated by some opponents of the treaty, would also mean continued atmospheric testing by the Soviet Union and the progressive and rising number of nuclear tests of other types of weapons by other countries.

The development of nuclear weapons, together with their systems of delivery, has brought the American people ever nearer to total destruction, not safety. This is so because we are unable to limit them to the United States. During that brief period at the close of World War II, when the United States and Britain alone had the nuclear capacity, we might have known that moment of complete supremacy in the world that few nations ever enjoy. But our supremacy was only momentary; it proved to be an incentive for others to acquire the same weapons. Today we hear it said in France that no nation that lacks nuclear weapons can be a first-class nation or exert influence or leadership in the world. France is busily acting on that premise, as is China, and I expect other nations to follow suit whether we have a test ban treaty or not.

The critics and opponents of the treaty who want to continue atmospheric testing have no scientific breakthrough in mind that would reestablish any degree of military supremacy for the United States comparable to our breakthrough in nuclear weapons. What they are talking about are the refinements of nuclear weaponry that carry with them an ever-widening range of accompanying defense systems.

Take the antimissile missile, about which so much has been said in this debate. Of course, the scientists who have the responsibility of developing this weapon do not regard atmospheric testing as necessary to its development. But there are opponents of the treaty who do. Even from them, I have heard nothing in the debate or the testimony which would indicate that an installed antimissile missile, with a civilian defense shelter program which will be the next adjunct we will be asked to finance, perfected through continued atmospheric testing by all nations, would furnish the American people with a greater degree of safety than we now have.

I shall announce my complete opposition, when it reaches the floor of the Senate, to what I consider to be the deception and fraud being practiced on the American people by the passage in the House of Representatives yesterday of a so-called fallout shelter program. How deceptive can we be? How can we justify on moral grounds leading the American people to believe that a shelter program will be an effective protection for them in case of a nuclear war?

Mr. President, many scientists and military propagandists are deceiving the American people on this point, and I will not vote for a single dollar of appropriations for any so-called fallout shelter program, because it is a delusion and an illusion; it is a shockingly deceptive device on the part of some propagandists who seek to continue a military buildup that is bound to bring mankind to destruction.

What will the historians write, 100 years from today, if there is then any society, about the immorality of our generation, the immorality of the Americans, the Russians, the British, the French, and all the other leading nations of the world? Never before has such a chapter of immorality been written by man. The armaments race is a sinful and immoral thing; and it should be ended.

There are some interesting concealments of the great damage already done by fallout. Despite the propagandists who are seeking to deceive the American people into the opinion that we can continue atmospheric tests and not do irreparable damage to generations of unborn children. Last summer the dairymen in Minnesota had to keep their herds in the barns 24 hours a day—day and night. They did not publicize that fact, because they thought publicity might have an adverse effect on the milk industry; but the fallout in that part of the United States was so dangerous that, from the standpoint of health, it was not safe even to turn the dairy herds out of the barns. It is about time for us to get to the American people the facts about fallout, even though they might have a bad effect on the dairy industry.

Mr. President, I offer no apology for basing my support of the treaty 100 percent on moral grounds. I pray to God that the treaty may be the first step which will help bring mankind to its senses before it is too late, and will lead to an ending of the sinful nuclear armaments race.

As a member of the Committee on Foreign Relations, I have studied long and hard the testimony submitted in connection with the treaty by scientists, militarists, and civilian political spokesmen. Over the past several years, I have interested myself in the entire matter of nuclear armaments, and from time to time have spoken—to the boredom of many Senators, I am sure—ever since the sinful nature of this race became crystal clear to me and ever since I became convinced of the inevitable destruction of a large part of civilization if we do not live up to our military responsibilities and start doing the things necessary to be done in order to bring to an end the immoral nuclear armaments race.

Mr. FULBRIGHT. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I am glad to yield.

Mr. FULBRIGHT. The Senator from Oregon has made a very good point in regard to deception of the American people. He will recall the testimony of Dr. York—who, I believe is generally recognized as one of the great authorities in the field of the long-range aspects of the anti-ballistic-missile system, and who states that, in his opinion, there is no question that offense would always be much easier to develop and would always overcome any anti-ballistic-missile system one could have.

Mr. MORSE. I do not believe there is any doubt about that.

Mr. FULBRIGHT. In other words, it is a deception to pretend that we can develop a system which will protect us from all these missiles.

Mr. MORSE. I believe that point needs to be emphasized again and again. But if the nuclear armaments race is continued, it can result in the development of hideous destructive devices for killing.

Mr. FULBRIGHT. Yes.

Mr. MORSE. That is the test.

Mr. FULBRIGHT. I wish to add that what the Senator from Oregon has said about this race is quite appropriate; and some way must be found to bring it under control, for it is getting completely out of hand. Certain groups are now developing vested interests in these operations—as was evident in Miami, the other day, through the demonstration by the Air Force Association. It is now clear that unless we act reasonably soon to bring this race under control, a strong political movement which would be very difficult to control may develop.

Mr. MORSE. I completely agree.

Mr. President, in responding to the remarks of the Senator from Arkansas, I should like the RECORD to show my very great admiration for his leadership in the handling of the treaty and in this historic debate in the Senate. In his work as chairman of the Committee on Foreign Relations, of which I have the honor to be a member, he has made a magnificent record of statesmanship.

I have a commitment to go to the west coast, and therefore I shall have to leave immediately after completing my speech; but I wish to take this moment to express my compliments to the Senator from Arkansas.

Mr. FULBRIGHT. I thank the Senator from Oregon. Certainly he has done his part in connection with the treaty.

Mr. MORSE. Mr. President, too many of those who are trying to be more military than the military think of national defense only in terms of weapons. Yet defense really means the protection of the lives and property of American citizens. Armies, nuclear weapons, and missiles may or may not contribute to that protection. I suppose that is a concept that few Americans care to consider. It is contrary to the military dogmas of our day to mention the fact that the use of these pieces of hardware will also mean the failure of our defense system to defend the United States. Using them will mean the destruction of the lives, property, and freedom of millions upon millions of Americans, and probably the permanent destruction or at least curtailment of what we all like to call the American way of life.

Well then, it may be said that the important thing is not having an antimissile missile for the sake of using it, but only for the sake of having it. The nation that first develops and installs a reasonable antimissile missile is said to gain a political advantage that will encourage it to undertake aggression it could not otherwise risk. That seems to mean that the existence of a military weapon is valuable primarily for its political effect. But then we are agreed that these weapons, and the desirability of testing them, are political more than military questions.

Much the same is true of the 100-megaton bomb. I heard many doubts expressed during the hearings about whether it was wise to ban atmospheric testing after the Russians had tested bombs in this magnitude. Yet I never heard anyone who raised this point state that the United States should test bombs in this range. I do not know to this day whether that is the conclusion to be drawn.

The testimony was ample in showing that our nuclear program did not contemplate going into that range of weapons. We could have developed it in that direction, but we chose not to. There was no evidence that we would go in this direction in the absence of a test treaty, and I heard no critics of the treaty suggest that we do so.

The value of advances in weaponry achieved by wide open testing by ourselves and all interested nations can only be judged in terms of what other countries are likely to do and in terms of the impact of this level of military spending upon our own economy.

This, of course, is why we have civilian control over the military—and I pray that we keep it.

Yet I am very much disturbed about a dangerous type of military buildup in the United States. I refer to the buildup of what I consider dangerous influence of the military on American public policy. There have been implications of it in the present debate, for in the debate there have been Senators who seem to be of the opinion that the judgments of the military should be substituted for those of American civilian officials in the determination of American public policy. As a constitutionalist, I say from the floor of the Senate today to the American people, "Keep yourselves on guard against the power of this military. Keep yourselves on guard against the growing and dangerous power of American military minds over public policy, for it is important in a democracy to keep the military always in its place; and its place is subordinate to our civilian leaders. Its place is to carry out policy determined by our civilian leaders, and not determined by military minds."

If the time ever comes when American foreign policy is determined by American military authorities, we are on our way to inevitable war. I speak weighing fully the meaning and implication of every word that I utter. If we permit the American military to determine American foreign policy, or have the determining voice in American foreign policy, we are on our way to an inevitable war and the destruction of our country, for all of history points out that unless we keep military forces in control, they will lead us to a manifestation of their art, which is the art of war.

I congratulate the President of the United States, the Secretary of Defense, Mr. McNamara, and the Secretary of State, Mr. Rusk, for their repetitive action during this administration to make perfectly clear to the military in the Pentagon that the Commander in Chief is still the President of the United States under our Constitution.

There is more implication in what I have uttered in connection with the treaty than the words at first analysis may seem to indicate.

As I have said, this is why we have civilian control over the military. It is why the power to declare war resides in Congress, and why the limitations on funds for the Military Establishment were written into the Constitution.

In today's world, arms and weapons alone are not a source of security or protection. If they are used, the nation involved in the exchange will have failed to achieve the primary purpose of defense, in the sense of protecting its people. The existence, the handling, and the nature of the military establishment and its component parts are hence vital political questions, as well as military ones.

The importance of having an antimissile is not in using it, but in its effect on other nations. Will it deter them? Or will it merely encourage them to improve their own weapons systems in an effort to overcome our advantage? We already know that the development of nuclear weapons by the United States did not repel others from acquiring them, due either to their cost or to their horror. They are the status symbol of a first-class power. The missile delivery system will undoubtedly be the next.

I do not mean to deny or to belittle in any way the importance of military defense against Communist aggression, and I doubt that any man or woman in the country has voted more funds for the military end of defense of the free world than I have in the last 19 years.

Time and time again I have voted more funds for the defense of our country than all the Presidents under whom I have served have requested. I have voted for more funds than President Roosevelt recommended; more funds than President Truman recommended; more funds than President Eisenhower recommended; and already in one case in connection with seapower, I have voted for more funds than President Kennedy recommended.

Each of us has to come to our conclusion of how much is enough, and I am rapidly coming to the conclusion that the increased sums we are spending for further weapons development are adding little to our total security.

I recognize the importance of keeping this country so strong that Russia will understand 24 hours of the day and night that she has everything to lose and nothing to gain by nuclear war. The sad fact is that it is true of us, too, and it is true of every nation which might involve itself in a nuclear war, and it is also sadly true of all peaceful nations that do not want to be involved in a nuclear war. They cannot escape its consequences. Certainly military weaknesses and capabilities are themselves a large political factor.

But it also seems to me to be more true than at any time in our history that the defense of the United States—meaning the protection of lives, property, and political and economic systems—depends upon economic and political factors.

Not the least of them is the impact of a military system like the one we have upon our economy. Guns versus butter. Up to some point, there is a case to be made that like public works, or like leafraking, Government spending for armaments injects a stimulus into our economy. We are hearing the argument being made now that spending for foreign aid—over half of which is munitions—is a boon to our economy. If foreign aid is a good thing because it puts men to work and keeps factories running, I shudder to think what arguments will be made against any reductions in our own Defense Establishment, should they become possible.

But at some point, military spending becomes more of a drag than a stimulus, and this, too, is a political decision. Certainly if the economic underpinnings of our Defense Establishment ever gave way, the free world would collapse without a shot ever being fired against it. We have enough 20th-century examples of how political and economic conditions can overwhelm military objectives to know that the same thing can happen in the United States.

So it is that the hazards of radiation must also enter into these political decisions. We have already assured the death of an unknown number of people, and assured the deformity of many more by the testing we have done to acquire our present nuclear arsenal. Every further improvement in that arsenal that is tested, and every new weapon that is tested by another nation will be bought at the expense of an untold number of unborn children. Even assuming that not one of these weapons is ever fired in anger, its very testing will bring pain and death.

Some of these victims will be Americans. The longer the nuclear arms race continues and the more nations that get into the race, the more American children will die from it. So will Russian children, and so will children in countries that never spend a penny on a weapon of their own.

If Senators say that the radiation from testing is not bad enough to worry about, then I say, "You only mean you are not worrying about it today." Someone will have to worry about it tomorrow. But by then it may be too late to do anything about it.

That is why I think it is unfortunate that the debate over this treaty has gotten so far away from the small and limited objective of the treaty. When I hear Cuba, and Berlin, and the antimissile missile dragged into this debate, I know that they are being dragged in by men who do not want the issue of the need to test versus the radiation hazard from testing to stand alone to be voted up or down. They are not satisfied to let this treaty stand or fall on its merits. Every issue we have had with communism everywhere in the world for the past 50 years is being brought in, in the effort to tip the scales against the treaty.

Not only is the past being made an issue, but so are future possibilities of amendments. Article II, section 2, of the treaty states:

> Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all of the Original Parties. The amendment shall enter into force for all Parties upon the deposit of instruments of ratification by a majority of all the Parties, including the instruments of ratification of all of the Original Parties.

Note the language, Mr. President, "upon the deposit of instruments of ratification." That is the language of the treaty. Under the Constitution of the United States, it is impossible for us to deposit such an instrument until the Senate has given its advice and consent to that ratification. We know that a treaty is not effective insofar as we are concerned unless and until it has been ratified by the Senate. If Senators do not understand that, I do not know how it can be made any more clear by adding such an understanding to the treaty. It is the Constitution of the United States that governs our ratification procedure, and the treaty declares that amendments to it must be ratified by all the original parties.

The alarms raised about possible amendments being achieved by executive action are all of the "what if" variety. It is pretty hard to see how or why the President of the United States would violate the Constitution by depositing an instrument of ratification of an amendment to this treaty when it had not in fact been ratified by the Senate. If he should, then he would be subject to both the legal action authorized by the Constitution and to the political action that his opponents would certainly undertake.

But suppose that in fear that the President might illegally announce the ratification of a future amendment, the Senate rejects the treaty. What is to stop any President from suspending tests in the prohibited atmosphere, anyway? As Chief Executive, he does not need ratification of this treaty by the Senate in order to make U.S. policy conform to the terms of the treaty.

Or suppose we add to the treaty the language that has been suggested, to the effect that all future amendments must be ratified by the U.S. Senate in order to make them legal from the American standpoint?

If a future President were inclined to violate the Constitution in order to accept an amendment to the treaty, he could also ignore the language added by the Senate and simply make American policy conform to the amendment.

If ever I listened to an example of surplusage, the proposal to add somewhere in the treaty a definition that ratification means approval by two-thirds of the Senate is it. That is what ratification means, anyway, under the Constitution. I do not know why the fear argument is being used. I am at a loss to understand this "windmilling" in the Senate, without the windmill even being connected to a serviceable pump. This is diversion. This is confusion. This is "scarecrowism." It has no relevancy to the Constitution of the United States and the treatymaking powers and procedures set forth in the organic law involved.

I wish to make clear to my leadership that I am not interested in placating anyone by agreeing that unessential language be added to this treaty or to its resolution of acceptance. The resolution should be voted up or down without the change of a comma. I believe the leadership of the Senate has a duty to put it to a vote without the change of a comma, and to let the American people judge that vote.

If a future President were inclined to violate the Constitution in order to accept an amendment to the treaty, he could also ignore the language added by the Senate and make American policy conform to the amendment. Or he might even devise a way of depositing the instrument of ratification without submitting the amendment to the Senate. If we are contemplating a possible President who would violate the Constitution, I assume such a person would also be able to get around a mere Senate amendment.

If any President should ever try to follow such a course of action in violation of the oath he took when sworn in on Inauguration Day, I would hope that there would be a sufficient number in the Congress who would vote to impeach him. That is the safeguard the American people have written into the Constitution. He would be subject to impeachment.

I am at a loss to understand this verbalistic gymnastic program contemplated by the Senate on this subject matter in recent days. It has no relevancy to the Constitution and the safeguards written into the Constitution in connection with the ratification of treaties, and the great check the American people have under the Constitution, which retains for Congress the right to impeach a President who violates constitutional processes binding upon him when he takes his oath of office.

I think the negotiators of the treaty, and the President himself, are to be commended for the language which clearly requires ratification of any future amendments. To object that the treaty does not spell out the constitutional process by which the United States ratifies a treaty is a pretty flimsy ground for opposition to the treaty itself. We have over 600 treaties in effect, ratified by an equal number of acceptance resolutions, none of which have language of this kind in them.

I invite Senators to show me, during the debate on the treaty, in over 600 treaties which have been ratified by this body, language such as is here proposed. If we add it to this one, in the preamble of the resolution or anywhere else, does this cast a reflection on the 600 that went before?

It is now proposed to put into the preamble of the pending acceptance resolution the language in question. This would not affect the treaty itself, and would avoid the embarrassing predicament of going back to all the other signees with a restatement of our own Constitution. But it is, in my opinion, unnecessary and undesirable to put it in the preamble of the resolution, either, for all the same reasons.

I hope we have not reached the point where we will go through waste motion on the floor of the Senate, and add surplusage to the preamble of a treaty resolution, merely to placate someone. This treaty should stand on its own feet. It should not be modified one iota.

We know what our Constitution says and means about ratification of treaties. We know how much a President can do with or without a treaty in fixing the policy of the United States in nuclear weapons. It adds nothing to spell out our ratification process, and I am sure that doing so will not even gain the support of any Senator who makes this point against its ratification. They will still vote against it.

This brings me to the question of what, if anything, will come after it.

I hope something will come after it. What does come may not come in the form of a treaty. Just as we could suspend further underground testing without a treaty or an amendment to the current one, so could we probably take further steps to guard against surprise attack without signing a formal treaty on this point.

If any agreement along those lines proves possible, it certainly should take the form of a treaty.

But even if we fail to reach further agreements with the Soviet Union, I believe the pending treaty is sound and advantageous to the United States. The Secretary of Defense has testified that it is advantageous to us even on military grounds, in that confining weapons tests to underground would slow down the Soviet Union as it seeks to close the gap with us in warheads of lower ranges, while the United States has little interest in the gap in the higher yield ranges, where the Russians apparently hold the lead.

I quote the testimony of the Secretary of Defense on this point. He said:

> The risks under the treaty are either small or under our control, and the values of the treaty are substantial even if we consider only the military area.

I emphasize the word "only."

That is the conclusion of the Secretary of Defense. In his opinion, the treaty is advantageous to the United States in terms of its impact in the military area alone.

The Joint Chiefs of Staff were more conservative. They said that:

> While there are military disadvantages to the treaty, they are not so serious as to render it unacceptable.

The most serious reservation they had was, in fact, a political one. It was that a relaxation in tensions might result from the treaty that would mean a letdown in military preparedness. That was the chief concern expressed by the Joint Chiefs; yet it is not even a military one.

I know that witnesses can be held up as examples of patriotic, dedicated men who have devoted their lives to the military service or to the scientific research that goes into military weaponry, and it can be said that this one and that one opposes the treaty. I think that all the witnesses who appeared at the hearings start even in their patriotism and in their dedication to the service of their country.

I am only concerned with the facts and opinions they presented, and I find the tremendous preponderance of fact and of expert opinion in support of the treaty. Indeed, this is true in the military and scientific fields as well as the political field, despite all the concentration upon issues of the antimissile missile and the high yield nuclear bombs.

So I shall vote for this treaty with only the reservation that it does not go far enough. I would like to see it include more far-reaching and significant measures. But I shall vote for it if for no other reason than that it tries to reduce the pollution of the atmosphere, and that is an objective the United States has pursued under administrations of both parties. It is the objective of the resolution introduced in this body by the Senator from Connecticut [Mr.

DODD], of which I was pleased to be one of the cosponsors.

It is a very small and limited objective presented to us in the treaty. There is not even any certainty that it will succeed in curbing radioactive pollution. The major nonsigners, France and China, will probably pollute the world with their bomb testing, and these events could lead both the United States and Russia back into the test business. Or any of the signatories could simply withdraw or unilaterally abrogate the treaty for reasons of its own, immediately freeing all the other signatories from any further commitment to it.

When one stacks this frail and limited treaty against the overwhelming worldwide nuclear stockpiles now in existence, it is evident that in itself the treaty is scarcely a grain of sand in an ocean of potential destruction.

Yet I welcome the opportunity to vote for it, and I hope it will be ratified by an overwhelming majority.

In my opinion, we have nothing to lose from it and we may gain immeasurably. That is an opportunity that we do not often have presented these days and I cannot conceive of the American people, through their Senate, turning their backs upon it.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I wish very much to express my deep appreciation to the Senator from Oregon for an incisive and informative speech. This is not the first time he has made such a speech. We have become so accustomed to very penetrating analyses by the Senator from Oregon that sometimes we let them pass without comment, but he has made a very fine speech.

There are a couple of points I wish to emphasize. On one of them I wish to ask a question.

On page 9 of his statement he states:

> Or any of the signatories could simply withdraw or unilaterally abrogate the treaty for reasons of its own, immediately freeing all the other signatories from any further commitment to it.

I am not quite sure I understand. Does the Senator mean the three original parties, or all the signatories?

Mr. MORSE. I mean that if any party violates the treaty, any other party to the treaty that wants to engage in nuclear testing and considers the treaty dead is not bound by it.

Mr. FULBRIGHT. Let us suppose the country of Burma decides to withdraw, under article IV, as distinct from violating the treaty. Does the Senator believe we are relieved of any obligations under the treaty without going through——

Mr. MORSE. Not at all.

Mr. FULBRIGHT. I wanted to be sure.

Mr. MORSE. No. If Russia or Great Britain or the United States violated the treaty, the other parties would be free at once to follow whatever their national interests dictated.

Mr. FULBRIGHT. There is another question which has intrigued me, and which I had not thought of. At page 8 of his text the Senator refers to the euphoria on which some of the opponents of the treaty, particularly the military opponents, rely so heavily. As I see it, that is essentially a political question; is that not true?

Mr. MORSE. Of course it is. They are out of their field in that respect.

Mr. FULBRIGHT. How the Joint Chiefs of Staff or any other military men are competent to judge the euphoria which might overtake Congress or the country is not quite a reasonable interpretation, it seems to me. I do not subscribe to that theory.

Mr. MORSE. Neither do I.

Mr. FULBRIGHT. I am glad the Senator has pointed out that this is essentially a political matter. I thank the Senator for a very fine speech.

Mr. MORSE. I thank the Senator for his comment. I close by extending to my President my hearty congratulations for the great statesmanship he has displayed by his leadership in connection with the treaty. I congratulate Governor Harriman for the very able work he did as our head negotiator in Moscow in connection with the treaty. When it was signed, I said it was a great day for mankind, for it offers mankind an opportunity to change its course and to march toward a new horizon of permanent peace.

It is up to the people of the world to determine whether they will hold responsible their governments for the establishment in our time of a system of permanent peace, for there will be no other time. I am convinced it will be done in our time, or most of mankind will be destroyed.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Iowa [Mr. MILLER], with the understanding that I do not lose my right to the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MILLER. Mr. President, I thank the Senator from Ohio. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MILLER. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MILLER. Mr. President, my decision on whether to vote for or against ratification of the proposed limited nuclear test ban treaty is the most difficult one I have faced since I had the honor of becoming a Member of the U.S. Senate. Having been a Member for less than 3 years, I have felt reassured when I have heard the same comment from some of the most senior Members of the Senate.

In arriving at my decision, I have done my best to sit in on the various hearings which were conducted by the Committee on Foreign Relations, the Joint Committee on Atomic Energy, and the Committee on Armed Services, meeting jointly, and the hearings of the Preparedness Subcommittee of the Armed Services Committee, meeting in closed session; to read the testimony before those sessions of the committees which I was unable to attend; to study a volume of materials—both top secret and unclassified—bearing on various aspects of the treaty; and to read most of the rather sizable correspondence I have received on the question of ratification.

I have also called upon my personal knowledge and experience as a member of the active Air Force Reserve, with over 26 years' service, including the faculty of the Army Command and General Staff College, Ft. Leavenworth, Kans., and the China-Burma-India Theater of Operations during World War II, and some 10 years' Reserve training at Strategic Air Command Headquarters before my election to the Senate in 1960.

When the future security of the United States and, in turn, of the free world, is at stake, one does not lightly turn aside any piece of relevant testimony or any argument advanced in good faith by well-meaning people, whether they are for or against ratification. Emotional arguments by sincere persons do merit attention and deserve consideration, although they naturally tend to hinder rather than to help in arriving at a sound decision.

Regardless of which way a Member of the Senate votes, none of us will know for a long time whether or not our vote was correct. If we have done our best to do our homework, if we do not let side issues such as partisanship cloud our thinking, if we vote our consciences—and I am sure all of us will do so—then we will have made the right decision. Whether it is the correct decision will cause us some sleepless hours in the years ahead.

TWO THINGS CERTAIN

Of two things I am sure: First, that when it comes to dedication to a just and lasting peace, to an end to the arms race and to disarmament with effective inspection and controls so that all mankind can enjoy more of the good things in life in a safer world, and to a win policy of freedom over communism, all Members of the Senate—wheher they vote for or against ratification—are on common ground. It would be dishonest and unfair for anyone to say or to imply that because a Senator votes for ratification of the treaty, he believes in peace at any price. And it would be equally unfair and dishonest for anyone to say or to imply that because a Senator votes against ratification of the treaty, he is in favor of nuclear war and nuclear fallout.

The second thing of which I am sure is that this is not a clear-cut decision we are about to make. Anyone who thinks that a decision for ratification or against ratification is obvious, or that the evidence is overwhelming one way or the other, either has proceeded from false premises or simply has not done his homework. Practically all the evidence has been opinion evidence rather than factual evidence. Opinions have been couched in such terms as "may" or "might," "could or should," "possibly" or "probably," and the like. I know that some have made the suggestion that there is more evidence on the side of ratification than on the side against it. Whether this is true or not, I would not say. In any case, it is the quality and not the quantity of the testimony, it is the quality and not the number of witnesses that matters.

THE MOLDING OF PUBLIC OPINION

I regret to point out that calculated efforts have been made by some people favoring ratification of the treaty to artificially mold public opinion in favor of ratification. These efforts have apparently succeeded, for I note from the Harris Survey poll which appeared on the front page of a local newspaper on Monday that the public is supposed to be 4 to 1 for the treaty. One wonders how deep the survey went and, particularly, how well informed those who were questioned really were. If the question were stated: "Do you favor the test ban treaty, assuming that it will not adversely affect the security of our country?", that would be one thing. If the question were stated: "Do you favor the test ban treaty, with the understanding that it could adversely affect the security of our country?", that would be another.

If the results of such a poll are supposed to cause a Senator to vote for a treaty which he conscientiously believes to be contrary to the interests of his country, I think it renders a disservice to the people of the United States.

In this connection, I believe it is most unfortunate that those who gave Ambassador Harriman his instructions with respect to the treaty negotiations failed to see to it that the treaty provide that until the parties to the negotiation—the United States, Great Britain, and the Soviet Union—had all ratified the treaty, no other country would be permitted to join in the treaty. As a result of this failure, most of the other nations of the world have, with little or no deliberation, signed the treaty—and I suppose most of them will also ratify it. Many of these nations are numbered among the neutral nations, some of which have little understanding of the nature of Communist imperialism and some of which were quite ready to condemn the United States when it resumed testing in the atmosphere in 1962 and strangely silent on condemnation of Soviet Russia's breach of the moratorium in 1961 following years of secret and deceitful preparation. Most of these nations may think they have everything to gain from the treaty and nothing to lose, when they should realize that their future security and freedom depends on the capability of the United States to deter Communist aggression.

The U.S. Senate is now being given the argument that inasmuch as all of these other nations have signed the treaty, it would be harmful to the prestige of the United States if the Senate refused to ratify it. If the prestige of the United States has fallen so low that failure to ratify this treaty—if it threatens the security of the United States—will cause great and irreparable damage to our reputation as a peace-loving Nation—after thousands upon thousands of our men and women have given their lives in the cause of freedom, after the people of this country have paid out over $100 billion in foreign aid to the less fortunate members of the world community, after the United States has poured millions of dollars into the United Nations to keep it alive while the Soviet Union has amassed a delinquency of almost $54 million of the total outstanding delinquencies of $102 million, then I would say that our friendship with the other nations of the world hangs by a very slender thread. And if the U.S. Senate is supposed to ratify a treaty mainly because it is suggested that to do otherwise would adversely affect world opinion, then the constitutional power to advise and consent has been reduced to an empty gesture. And, I might add, if such a consideration is supposed to tip the scales of the Joint Chiefs of Staff in their recommendation regarding a treaty, they have been wrongfully placed in a position unbecoming the top military leaders and advisers of this country.

MY DECISION

Some of my brothers have said that the question to be answered is this: "Is this treaty in the national interest?" But no one really knows whether it is. No one really knows whether or not it is a first step in the right direction. No one really knows whether it is a shaft of light in the darkness or whether we just think we see one. The question to me is more properly this: "Will the failure to ratify this treaty be more harmful to the national interest than will its ratification?" I have concluded that it will, and I shall therefore vote for ratification. I might add that I may support one or more reservations which may be offered to the resolution of ratification; but their adoption or rejection will not affect my decision to vote for ratification.

My reasons for my decision are briefly these, and I shall have more to say about them later:

First. I am persuaded that the risks relative to our military power now and in the future are acceptable when considered in light of the safeguards prescribed by the Joint Chiefs of Staff which the President of the United States has committed himself and his administration to follow, accompanied by the clean withdrawal provisions set forth in the treaty.

Second. Failure to ratify the treaty is more likely to lead to more nuclear testing in the atmosphere and more nuclear fallout than will ratification; although it is highly unlikely that in either event will either the United States or the Soviet Union permit themselves or other nations to contaminate the atmosphere beyond scientifically established limits of safety.

Third. Failure to ratify the treaty is more likely to lead to proliferation of nuclear weapons to other nations than will ratification.

Fourth. Due to faulty negotiation of the treaty in not requiring ratification first by the United States, Great Britain, and the Soviet Union before permitting other nations to join, we have been placed in a position as a result of which failure to ratify would cause considerable embarrassment to the President of the United States before the rest of the world, thus adversely affecting our leadership of the free world.

Fifth. Within reasonable limitations, we have a moral obligation to keep trying for better relations with the Soviet Union in our efforts to secure a just and lasting world peace.

There are some disadvantages under the treaty, aside from the military risks which I have termed "acceptable" under the safeguards prescribed by the Joint Chiefs of Staff. They are serious and harmful, or at least potentially harmful, to our national interest. But I have concluded that they are outweighed by the above five considerations. I shall discuss them in fuller detail later, but briefly they are:

First. Under the safeguards prescribed by the Joint Chiefs of Staff, which have really become a part of the treaty so far as we are concerned, the arms race will be stepped up and so will our costs of national defense—at least insofar as they relate to nuclear testing and weaponry.

Second. Peaceful uses of nuclear explosions will be impeded.

Third. There is danger that the American people will become so hypnotized over the thought that the Communist leaders in the Kremlin sincerely want peace—as we interpret that word—that they will let down their guard.

Fourth. In the face of the Soviet Union's attempt to install nuclear missiles in Cuba, the Gromyko lie to the President of the United States, Premier Khrushchev's failure to carry out his commitment for onsite inspection in Cuba under United Nations auspices and his further failure to carry out his commitment to withdraw all Soviet troops from Cuba, the brazen attempt by the Soviet Union to bankrupt the United Nations, continued Soviet-sponsored subversive activities in Latin America, the Middle East, and Africa, and not one significant deed whatsoever to relieve international tensions or to indicate any change in a policy of lying, cheating, subversion, and aggression—all occurring after our previous offers to negotiate a treaty similar to this one, our negotiation and ratification of this treaty now, represents a policy of accommodation rather than a policy of firmness towards communism.

MILITARY RISKS

It would be well to remember that the Joint Chiefs of Staff clearly recognized certain military disadvantages under the treaty. These include the permanizing of the Soviet lead in so-called high-yield nuclear weapons, the Soviet lead in information about high-yield weapons effects, including radiation and blackout effects on communications and missile control systems, the opportunity for the Soviets to catch up to our lead in tactical nuclear weapon technology, and the deprivation of our opportunity to prove the effectiveness of an anti-missile defense system which we may develop. With a view to bringing these disadvantages to a level of acceptability, they prescribed four safeguards as conditions unequivocally necessary to their very cautious approval of the treaty. These conditions are absolute, and they are to continue indefinitely into the future until such time, at least, as a comprehensive nuclear test ban treaty, covering underground testing, with completely adequate inspection and control provisions, may be negotiated. The safeguards are as follows:

First. The conduct of comprehensive, aggressive, and continuing underground nuclear test programs designed to add to our knowledge and improve our weapons in all areas of significance to our military posture for the future.

Second. The maintenance of modern nuclear laboratory facilities and programs in theoretical and exploratory nuclear technology which will attract, retain, and insure the continued application of our human scientific resources to these programs, on which continued progress in nuclear technology depends.

Third. The maintenance of the facilities and resources necessary to institute promptly nuclear tests in the atmosphere, should they be deemed essential to our national security, or should the treaty or any of its terms be abrogated by the Soviet Union.

Fourth. The improvement of our capability, within feasible and practical limits, to monitor the terms of the treaty, to detect violations, and to maintain our knowledge of Sino-Soviet nuclear activity, capabilities, and achievements.

In his letter, dated September 10, 1963, to Senators MANSFIELD and DIRKSEN, the President of the United States committed himself and his administration to the "unqualified" and "unequivocal" fulfillment of these safeguards. There is some question about whether these safeguards can, indeed, be met, for one must recall the President's speech of March 2, 1962, announcing resumption of nuclear testing, when he said:

> We must test in the atmosphere to permit the development of those more advanced concepts and more effective, efficient weapons which, in the light of Soviet tests, are deemed essential to our security. Nuclear weapon technology is still a constantly changing field. If our weapons are to be more secure, more flexible in their use and more selective in their impact—if we are to be alert to new breakthroughs, to experiment with new designs—if we are to maintain our scientific momentum and leadership—then our weapons progress must not be limited to theory or to the confines of laboratories and caves.

This point was raised at the President's news conference on September 13, 1963; and he was asked what had happened since March 2, 1962, to change his mind about this. His response was:

> I believe that what I was talking about then was a comprehensive test ban treaty.

But he was not. He was talking about the massive Soviet tests in the atmosphere, following their breach of the moratorium, and he was justifying our resumption of testing in the atmosphere. Note the statement, "We must test in the atmosphere" which I just quoted. And this statement was preceded earlier by the following statement:

> The fact of the matter is that we cannot make similar strides [to those of the Soviets] without testing in the atmosphere as well as underground. For in many areas of nuclear weapons research we have reached the point where our progress is stifled without experiments in every environment.

So the President has not yet answered the very timely question put to him by a member of the press; and until he does, I am sure many will wonder how well the safeguards of the Joint Chiefs will be met. Only time will tell; and, in any event, the withdrawal provision of the treaty ultimately provides an "out."

I think it appropriate to point out that valuable testimony was provided against the treaty by some of our oustanding military leaders, such as Gen. Thomas Power, commander of the Strategic Air Command; Gen. Bernard Schriever, commander of the Air Force Systems Command; Adm. Arthur W. Radford, former chairman of the Joint Chiefs of Staff; Gen. Nathan Twining, former Chairman of the Joint Chiefs of Staff; and Admiral Strauss, former Chairman of the Atomic Energy Commission. They were reinforced by such outstanding and thoroughly knowledgeable scientists as Dr. John S. Foster, Director of the Lawrence Radiation Laboratory, Livermore, Calif.; and Dr. Edward Teller, whose wisdom and courage to stand practically alone gained for him the name "father of the H-bomb." The noted aeronautical consultant, Alexander P. deSeversky, also testified in opposition to the treaty. I may add that most of Dr. Teller's splendid testimony and powerful logic were confined to the field of nuclear science and nuclear weaponry, in which he has no peer—and not, as some treaty proponents erroneously say, to the field of international politics. In this connection, I believe the point made by the able Chairman of the Preparedness Subcommittee was extremely well taken:

> If the proponents of the treaty would discount Dr. Teller's testimony in the political field, why should not the testimony of the Joint Chiefs of Staff in the political field be discounted, too?

Mr. SIMPSON. Mr. President, will the Senator from Iowa yield?

Mr. MILLER. I am glad to yield.

Mr. SIMPSON. Will the Senator from Iowa advise me whether he will address himself to the fallout problem?

Mr. MILLER. Yes; I shall do so very shortly.

Mr. SIMPSON. I thank the Senator.

Mr. MILLER. Mr. President, we should add to the conclusions. I have already listed the conclusions and major findings of the Preparedness Subcommittee:

> 1. From the evidence we are compelled to conclude that serious—perhaps even formidable—military and technical disadvantages to the United States will flow from the ratification of the treaty. At the very least it will prevent the United States from providing our military forces with the highest quality of weapons of which our science and technology is capable.
>
> 2. Any military and technical advantages which we will derive from the treaty do not, in our judgment, counterbalance or outweigh the military and technical disadvantages. The Soviets will not be similarly inhibited in those areas of nuclear weaponry where we now deem them to be inferior.

This is powerful evidence, Mr. President, and it has not been refuted. It could not be refuted, because it represents opinion evidence, and the evidence in opposition to it and in favor of the treaty from other knowledgeable people is also opinion. In my judgment, it is of just as high quality as the opinion evidence on the other side—possibly even superior to it. However, I am persuaded that fulfillment of the safeguards prescribed by the Joint Chiefs of Staff, coupled with the treaty's withdrawal provision, keeps these military disadvantages and risks at an acceptable level.

Let me say a word about the treaty's withdrawal provision. Article IV of the treaty provides that each party shall in exercising its national sovereignty have the right to withdraw from the treaty if it decides that extraordinary events, related to the subject matter of this treaty, have jeopardized the supreme interests of its country. It will not be easy for the United States to exercise this prerogative. People who have been seized with the debilitating disease of euphoria will talk about world opinion. It will take a courageous President and a courageous Congress to do what must be done.

NUCLEAR FALLOUT

To put this point in perspective, one should recall the words of the President at the time he directed the resumption of testing in the atmosphere in 1962. He said:

> It has been estimated, in fact, that the exposure due to radioactivity from these tests will be less than one-fiftieth of the difference which can be experienced, due to variations in natural radioactivity, simply by living in different locations in this country. This will obviously be well within the guides for general population health and safety, as set by the Federal Radiation Council.

Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, stated that he did not rate the fallout problem as great as some of the other reasons for the test ban. He stated that he knew of no particular case of leukemia or bone cancer or things of that kind or mutation which could be scientifically attributed to worldwide fallout, and mentioned only "one or two freak cases of local fallout." He acknowledged that the most skilled scientific evidence of geneticists was that their best estimate of the number of cases of leukemia and bone cancer caused by natural radiation—not by man-made radiation or fallout—is, in the case of leukemia, from zero to 84,000 cases and, in the case of bone cancer, from zero to 14,000 cases; and that the zero means they still cannot trace even one case. With reference to such reputed hot spots as Utah, he indicated that he would not use the word "danger" to describe the amount of concentration of radioactivity.

Nevertheless, in view of the present state of our scientific knowledge on fallout, I do not believe anyone would question the desirability of minimizing it or eliminating it entirely. Dr. Teller emphasized that we should try to limit radioactivity in the air—preferably by an international agreement which could be drawn in a way to permit needed tests for military and peaceful applications.

Failure to ratify this particular treaty, of course, does not mean that our air is going to be polluted by nuclear fallout. The President, in his commencement speech in June at American University, said:

> I now declare that the United States does not propose to conduct nuclear tests in the atmosphere so long as other states do not do so. We will not be the first to resume.

I would question that this commitment was cleared with the Joint Chiefs of Staff, but, in any event, it represents our present policy which would continue if the treaty is not ratified. So proponents of the treaty can hardly argue that if the treaty is not ratified the United States is going to cause more nuclear fallout. It is true that the Soviets might be the first to resume, but they will resume with or without a treaty, when and if they think it is to their advantage to do so. The Secretary of State has made this abundantly clear. As far as France and Red China are concerned, they are having nothing to do with the treaty anyhow, so their eventual testing in the atmosphere will very likely occur anyhow. If it does, it would be highly unlikely that they would cause any more fallout than did our tests in 1962, with respect to which the President clearly indicated there would be no danger. The prospect of other nations engaging in atmospheric testing in the foreseeable future is small, and to a degree greater than our 1962 series. I would conclude that it is minute. Nevertheless, it must be concluded that ratification of the treaty will have a tendency to prevent fallout more than failure to ratify. And this being so, I am persuaded that an area of mutuality between the United States and the Soviet Union exists. Let it be made clear, however, that the United States need be no more concerned about the problem of fallout than the Soviet Union.

A comparison might be made to the situation of water pollution of a river between two States. The water, as most drinking water is, may be polluted to a degree far below a point endangering the public in each State. Nevertheless, there would be a mutual interest on the part of the people of these States to undertake not to pollute the river further, particularly if scientific knowledge with respect to the ramifications of water pollution was not clearly established.

Mr. THURMOND. Mr. President, on the question of fallout, will the Senator yield?

Mr. MILLER. I am more than happy to yield to the Senator from South Carolina.

Mr. THURMOND. The Senator has brought out some valuable information indicating a lack of danger from fallout. I wonder if I overlooked his statement, or whether he brought out the testimony of Dr. Foster. I do not recall that he did.

Mr. MILLER. No. The Senator from Iowa did not allude to the testimony of Dr. Foster. If the Senator from South Carolina deems it material, I should be more than happy to have him point it out at this time.

Mr. THURMOND. I call attention to the testimony of Dr. Foster, which appears on pages 632 and 633 of the hearings before the Committee on Foreign Relations. At that point I propounded some questions to Dr. Foster on that subject:

RADIATION FROM NATURAL BACKGROUND

> Senator THURMOND. Dr. Foster, on the question of the fallout to which Senator BYRD referred to a few moments ago, that seems to be the question that is disturbing a great many people today who tend to favor the treaty where otherwise they might be against it.
>
> On this question, if I recall correctly, last week or the week before some scientists made the statement that one would get more radiation from living in the mountains of Colorado than from fallout.
>
> Dr. FOSTER. That is correct, sir.
>
> Senator THURMOND. That is correct.
>
> I believe it is also true that one living in a brick house would get 20 times more radiation than he would get from fallout.
>
> Dr. FOSTER. Well, sir, there you are ahead of me. I do not know that because——
>
> Senator THURMOND. Mr. Earl Voss, I believe, brought that out in his book "Nuclear Ambush."
>
> Dr. FOSTER. Yes.
>
> Senator THURMOND. And one wearing a wristwatch with a luminous dial, as I have on here, would get 10 times as much radiation as he would get from fallout.
>
> Dr. FOSTER. I am familiar with the arguments, sir. I do not know that a wristwatch——
>
> Senator THURMOND. Does that sound reasonable? In other words, do those statements sound reasonable to you?
>
> Dr. FOSTER. It is true that natural background is large compared with the additional activity, radioactivity, associated with fallout from all past tests.
>
> Senator THURMOND. Isn't it a matter of fact that the fallout mentioned by some of those who favor this treaty, the propaganda that is being disseminated and the bugaboo that is being raised, that the fallout is imperceptible, and is of little consequence?
>
> Dr. FOSTER. I think, sir, that the problem or the question of fallout is of insignificance, of little significance, compared to the major issue with which the development of warheads is attempting to deal.
>
> Senator THURMOND. What people want to know is this: We have been reading about fallout, fallout in milk, and fallout in food and resulting injury to the future generation. Is it possible for this fallout to bring about sterility and various other reactions?
>
> I just want to ask you whether you feel that there is danger to people's health from the little fallout radiation resulting from the tests we have conducted?
>
> Dr. FOSTER. No, sir.
>
> Senator THURMOND. Your answer is "No"?
>
> Dr. FOSTER. My answer is "No."
>
> Senator THURMOND. Thank you.

I call that to the distinguished Senator's attention because it is on a subject on which he has elaborated and brought out valuable information. I observe these words in the report of the Foreign Relations Committee:

> It is generally agreed that radiation from fallout amounts to considerably less in terms of human exposure than normal background radiation. Moreover, informed opinion appears to be that the radioactive fallout produced to date has remained well below a level at which it might be deemed hazardous.

There has been much talk about fear of fallout. I felt that the public ought to know the facts about it. I commend the Senator for bringing out the information he has given the Senate. I add the additional information.

I wish the public to know that the danger of fallout is so minimal and insignificant, as stated by Dr. Foster, as to be little detrimental from the standpoint of health, so as to fade into insignificance when compared with the great purpose of keeping this country prepared.

As the Senator knows, since he is a distinguished officer in the Air Force Reserve, the only language the Communists understand is power. It will be power which will preserve and protect this country. In my judgment, we must continue the tests.

I believe the tenor of the Senator's speech is that many questions are still unanswered. I believe the Senator is not satisfied with everything. I can readily understand why he is not, because we know the Communists are ahead of us in high-yield weapons, and we know they are ahead of us in the development of an anti-ballistic-missile system. We know we cannot catch up with them or become superior to them in these fields unless we test in the atmosphere. That is the only way we can ever definitely know, because no weapon can be used with assurance by anyone until it has been tested in the environment in which it must function.

We can test underground. We can make gains with underground testing. We can possibly make some accomplishments underground. But we shall never be able to be assured that a weapon will function properly and do what we expect it to do until it is tested in the environment in which it must function.

I am sure the Senator agrees with that.

Mr. MILLER. I thank the distinguished Senator from South Carolina for his comments. In the light of past scientific evidence, which is available, I find it inconceivable that the President of the United States would have directed the resumption of nuclear testing in the atmosphere in 1962 without being able to conclude that the fallout resulting from the tests would be far below the danger point, as he pointed out in the statement which I have quoted from his speech.

Mr. THURMOND. The distinguished Senator quoted from the President's statement. Was that the statement of March 2, 1962?

Mr. MILLER. The Senator is correct.

Mr. THURMOND. That statement indicated that there was little, if any, danger from fallout. That was the effect of the statement, as I construed it. Is that the manner in which the Senator construed it?

Mr. MILLER. That is correct. It amounted to about one-fiftieth of the difference in radiation we might expect from moving around from one part of the country to another.

I cannot conceive of any President deluding the people by making a statement like that if he had scientific knowledge that danger would be involved.

This does not mean, of course, that as time goes on there may not be an accumulation of radioactive fallout resulting from continued testing. It does not mean that there may not be some pockets of fallout—some "local nuclear fallout," in the term used by Dr. Seaborg—which may have serious effects. This is recognized. I pointed it out.

It is well to put the argument of the proponents of the treaty into proper perspective. I granted it a plus in my analysis of the treaty; I find other points in favor of the treaty of much greater persuasion.

Mr. THURMOND. As the debate has proceeded I have been impressed by the fact that some who originally stressed the fallout question as the big danger or the "big bear," so to speak, are now beginning to see that this factor practically fades into insignificance.

Mr. MILLER. I thank the Senator from South Carolina.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. HOLLAND. I know the Senator from South Carolina has correctly quoted a portion of the report of the able Committee on Foreign Relations ending with the conclusion:

> It is generally agreed that radiation from fallout amounts to considerably less in terms of human exposure than normal background radiation. Moreover, informed opinion appears to be that the radioactive fallout produced to date has remained well below a level at which it might be deemed hazardous.

I also know that we do not expect through the action contemplated to diminish the radiation already in the atmosphere. I know that many people are greatly concerned about increasing the amount of radiation. I am glad the distinguished Senator from Iowa has referred already to what might occur from increased testing, which has caused deep concern.

I should like to read some further language from the report of the Foreign Relations Committee which immediately follows the quotation read into the RECORD by the distinguished Senator from South Carolina.

> But it is also clear, as the Chief of the Division of Radiological Health of the U.S. Public Health Service said in June of this year: "Fundamental is the hypothesis that any amount of radiation exposure involves some risk in exposed population groups." Geneticists have shown greater and more specific concern.
>
> It is feared that continued, or stepped up, atmospheric nuclear testing would increase the damage, genetic and otherwise, induced by increased exposure by population groups to radiation. The treaty, in halting the release into the atmosphere of radioactive fallout, offers a distinct benefit.

The Senator from Florida knows something of the wrestling of conscience and mind through which the Senator from Iowa has gone. The Senator from Florida has shared that wrestling. As a matter of fact, he has had the pleasure of conferring with the Senator from Iowa. He knows that both of us have been trying to find what course offers the greatest advantage to our country in this situation.

It seems to me that the fact that the Russians exploded 71 of these bombs in the late 1961 and early 1962 period, and that many of those bombs were much greater in size than anything we had ever exploded in the atmosphere, and that those bombs were known to be dirty—that is, to carry a very much greater menace from the standpoint of radioactive fallout than would have been the case if they had been clean—indicates rather conclusively that we cannot, in considering this matter, regard our own preferred moderation in testing as the sole amount of testing which would ensue if a halt were not called. In view of the known excessive atmospheric tests just referred to by me, does not the Senator from Iowa believe that we are confronted with this reality—that the Russians do not have the same willingness to test in small amounts in the atmosphere, or to test with only clean bombs in the atmosphere that we recognize and insist upon in the testing conducted by our own country?

Mr. MILLER. In answer to the question by the distinguished Senator from Florida, let me say that his very persuasive statement earlier in the debate last week on this very point is one of the points which convinced me on this very subject. The Senator from Florida pointed out the possible mutuality of interest between the Soviet Union and the United States which could exist on this point. He did it so persuasively that I put it in my address. I wanted to observe that this was not my original thinking. I derived this beneficial approach to the problem from the Senator from Florida.

I thoroughly agree with the observation. However, I think I should emphasize that the mere failure to ratify the treaty would not necessarily lead to more testing in the atmosphere, because, as I pointed out, the policy of the President of the United States, as announced at American University early in June, is still the policy of our country, namely, that we are not going to be the first to resume testing. If the Soviet Union decides to test in the atmosphere, it will do so whether there is a treaty or not. But there is a mutuality of interest which can exist in this area, and I think it is a plus in favor of ratification.

Mr. HOLLAND. I agree completely with the statement of the distinguished Senator. I think there is a reasonable prospect that the Russians will have somewhat the same regard for their children of this generation and children yet to be born that we have for children. In this one field, and perhaps in others, there is some real opportunity for arriving at a mutuality of interest that does not exist in many other fields. That is one of the compelling arguments which has persuaded me to feel that our Nation can, with safety and in good conscience, ratify the treaty.

I thank the distinguished Senator from Iowa for yielding to me.

Mr. MILLER. I thank the Senator for his comments.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. THURMOND. Naturally, we all have concern about fallout. We wish to take no undue risk in this connection. I should like, however, to quote at this time a very interesting statement by Dr. Teller. This is what he said:

> This argument, while it sounds simple and plausible, is wrong. Fallout has so small an effect that nobody ever has observed it. And nobody knows either from direct observation, or from statistics, or from any valid theory whether the claimed damages in fact exist or do not exist. I want to talk about that a lot more, because talking about the effects of various doses of radiation leads us immediately into an interesting field of research which should be important for all of us. The plain fact is that we do not know what are the effects of small doses of radiation.
>
> We have heard that fallout produces a terrific genetic burden. To begin with, radiation from fallout is only 1 percent of the radiation which we are getting anyway.
>
> Fallout is not dangerous. But the fallout scare is. Many people know that a medical X-ray gives you 100 times as great a dose as fallout will give you in your whole lifetime. How many people have been scared away from X-rays? How many people have gone with their ailments unrecognized and untreated, only because there has been this needless and exaggerated fallout scare? I don't know. I don't know whether anybody has been killed by fallout, but I am sure that many have been killed by the fallout scare.

In the hearings Dr. Foster testified that a man living in the mountains of Colorado would normally receive more radiation than he would from fallout—showing the greatly erroneous opinion that has been circulated about fallout, which has produced a great scare on the part of some people.

Naturally, we are all concerned about fallout and everything that affects the health of our people; but there is no evidence to support the judgment that some have claimed in the fallout field, as shown by what Dr. Teller said, and as shown by what Dr. Seaborg said in response to a question from the Senator from Georgia [Mr. RUSSELL], which I believe the distinguished Senator from Iowa brought out in his address.

Mr. MILLER. I thank the Senator from South Carolina. I am not denying the sincerity or conscientiousness of those who have indulged in a great deal of pessimistic talk about fallout. Some of our own colleagues in the Senate have made extensive statements along these lines. I am not denying their sincerity, but I believe they are overemphasizing something without any scientific data to support such an argument at this time.

PROLIFERATION OF NUCLEAR WEAPONS

Under the treaty, there is nothing to prevent any of the parties from assisting any other nation in underground testing. If, for example, the Soviet Union and Red China should settle their apparent differences, the Soviet Union could not only assist Red China in underground testing but transfer nuclear weapons to Red China. The mere transfer of nuclear weapons which, of course, would supposedly never be used except in self-defense, is not prohibited by the treaty. Moreover, since neither France nor Red China will have anything to do with the treaty and are clearly pointed to developing their own nuclear capability, it is obvious that the treaty will not prevent the proliferation of nuclear weapons.

Nevertheless, by preventing testing in the atmosphere and thus forcing nuclear development through more expensive underground testing in other countries, the treaty will tend to "retard" the proliferation of nuclear weapons. And this being so, I am persuaded that an area of mutuality between the United States and the Soviet Union exists. Again, let it be made clear that the United States need be no more concerned about proliferation of nuclear weapons than the Soviet Union.

EMBARRASSMENT TO THE PRESIDENT

Due to what I would charitably term "faulty" negotiation, the U.S. Senate has been placed in a position of being pressured to vote for the treaty to save the President of the United States from the embarrassment he would suffer in the eyes of the world should the treaty be rejected. Regardless of party, no one should wish to see this happen. He is the leader of the free world. His prestige—at least in international affairs—falls naturally upon our country; just as his loss of prestige would also fall upon our country. Unless security risks are unacceptable, we should not permit this to happen.

Nevertheless, I think it would be remiss if I did not point out that this unfortunate situation is largely of the President's own making. Although article II, section 2, of the Constitution of the United States provides that the President shall have the power to make treaties, it clearly provides that this shall be "by and with the advice and consent of the Senate." Although there was some informal discussion with some of the members of the Senate Foreign Relations Committee about the proposed treaty, the committee's report does not indicate that a consensus of the members was obtained. There is no indication that our representatives in the negotiations made any effort at all to persuade Premier Khrushchev to live up to his promise of removing Soviet troops from Cuba or to follow through on his agreement to permit on-site inspection of Cuba under United Nations auspices—as a prelude to signing of the treaty. And yet, when the Senator from Arizona [Mr. GOLDWATER] offers a reservation to condition the effective date of the treaty on the withdrawal of Soviet troops from Cuba, he is met with the argument that this should have been taken care of during the negotiations.

Furthermore, at the preliminary signing of the treaty in Moscow, there were widespread reports about Mr. Khrushchev's expectation that the next step would be a nonaggression pact between NATO and the Warsaw Pact countries; but as far as withdrawal of Soviet troops from Cuba and on-site inspection in Cuba, both previously promised by Premier Khrushchev, our representatives stood mute.

If the failure to negotiate a provision requiring ratification of the United States, Great Britain, and the Soviet Union first before permitting other nations to join was due to oversight, it might well have been avoided if more effort to obtain the advice of the Senate had been sought. Not having sought it, matters are not made any easier now by suggestions of some administration spokesmen that "with all the other nations having joined in signing the agreement," the Senate must ratify the treaty or the United States will suffer a loss of face. The unfortunate failure to seek more advice of the Senate is thus compounded by reducing the Senate's consent to one of bailing out the executive branch of the Government from an embarrassing situation. This is not the only argument in favor of ratification of the treaty, of course, but I do not believe the foundation should ever have been laid for it. Now that the situation is as it is, it becomes an important consideration which is most difficult to view objectively.

In the negotiation of any future treaties or amendments to this particular treaty, I trust that this situation will never be repeated.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. THURMOND. The point has been raised about the impression over the world, and the loss of face that we would suffer in other nations of the world. Does not the Senator feel that sometimes we go too far in taking action in this country, because we feel we might not make the best impression on other countries of the world?

Should we not do what is right for our people? Is not our first obligation to our people and to our country? Should we not do that, instead of always wondering what impression we will make on Communist nations and so-called neutralist nations, a great many of which are pro-Red, to say the least?

Mr. MILLER. I have had the uneasy feeling for a number of years, increasingly so in recent years, that there has been a tendency to talk too much about world opinion when a subject relates to the security of the United States.

The Senator from Iowa felt very much reassured when the President of the United States, on March 2, 1962, announced the resumption of testing in the atmosphere. This was not an easy decision to reach. The Senator from South Carolina will recall that immediately there were outcries from some of the so-called neutral nations, about the U.S. resumption of atmospheric testing, although they were very quiet about the Soviet breach of the moratorium in 1961.

Mr. THURMOND. They had practically nothing to say.

Mr. MILLER. That is correct. I am quite sure that some people in this country brought heavy pressure to bear upon the President of the United States to cause him not to resume testing. Fortunately, wiser counsel prevailed; and I am quite sure that he was persuaded that we had to resume testing to preserve our national security.

There still seems to be too much attention being paid to world opinion. The fact that some of the proponents of the treaty have emphasized this so much, after the faulty negotiation of the treaty, makes it extremely difficult for the Senator from Iowa to view this point objectively.

If we were not concerned about the seriousness of this problem, it would be easy to be tempted to say that the President's negotiator in Moscow made a blunder, that he was careless as a negotiator; and that being the case, if the President is to be embarrassed, let him be embarrassed.

I do not believe a Senator should act that way. As I say, it is a difficult matter to view objectively. We have a bad situation, and I believe that, absent undue risks, we should do something about it.

I recognize that the able Senator from South Carolina, differs with me with respect to the acceptability or nonacceptability of the military risks. However, if one can conscientiously arrive at a conclusion that our military security is not to be unduly risked, the bailing out of the President from an embarrassing situation is something which, regardless of party, we ought to attempt to do.

Mr. THURMOND. Is it not a fact that some of the very countries to which we have granted foreign aid, either through grants or loans, or in some other way, have severely criticized some of our actions?

Mr. MILLER. Indeed it is. It is also true that I have been making the point for some time that most of the nations which have joined on the treaty are delinquent in their obligations to the United Nations.

The United Nations is now in debt to the extent of about $104 million. It is faced with bankruptcy. More than 2 years ago I pointed out that the day was coming when this would become the toughest problem before the United Nations. That is what it was called last fall. The United Nations still has not solved the problem, and it will not solve it unless a majority of the members of the United Nations face their obligation of paying up what they owe to the U.N. The Soviet Union, owing $54 million, is the worst deadbeat of them all.

Nations which are not willing to pay their obligations, some of them trifling, have received foreign aid from the United States to the extent of millions of dollars in excess of what they owe the United Nations, and I am sure they would be the first to say what a terrible thing it was for the President to negotiate this treaty and then not follow through and deliver on it.

This is unfortunate, but it is a fact of life. We should try to encourage more nations, particularly those which have been the recipients of our people's tax money, to take a more realistic view of these activities and conduct themselves as friends in deeds rather than as friends in words. But the situation being as it is, I would feel bad if any President were to suffer great embarrassment. I am persuaded that that is what would happen under the situation that now exists.

Mr. THURMOND. I feel that the able Senator from Iowa would have more respect for some of those countries if they did not call upon us for aid and would pay their dues to the United Nations.

In the past, the United States has granted aid to 104 of the 112 nations. Even now, for fiscal year 1964, we have requests to grant aid to 100 of the 112 countries. Since World War II, the United States has granted aid to other countries to the extent of $121 billion plus interest. Yet some of those countries are willing to jump down our throats at the least provocation.

It seems to me that the most important thing we could do for the free world, and even for other countries, would be to keep so strong that we would not be attacked, because the United States is the only nation that stands between communism and the free world. We should remain so powerful that there will not be a temptation to attack the United States. By doing so, we stand our best chance, I believe the Senator from Iowa will agree, to avoid a war—an all-out nuclear war—in which there would really be radioactive fallout in addition to the destruction of millions of lives.

Mr. MILLER. The Senator from South Carolina is correct. As I stated earlier, some of the nations which have joined in the treaty would be the first to suffer if the United States were unable to maintain its deterrent posture with respect to Communist aggression.

Mr. THURMOND. I thank the able Senator from Iowa.

Mr. MILLER. I thank the Senator from South Carolina.

A MORAL OBLIGATION TO KEEP TRYING

Mr. President, I come now to my final reason for reaching my decision, that is, the moral obligation to keep trying.

Once the hurdle of acceptability of military risks is cleared, the one really compelling reason to vote for ratification was advanced by the Secretary of State when he said:

> We should never reach the point of giving up trying to work out better relations with the Soviets.

I recognize the feeling of frustration when people write to me and say:

> Senator, after all the United States has done to try to develop better relations with the Soviet Union, and after all the Soviet Union has done to undercut us with their lies, their cheating, their subversion, their aggression, their creation of international tensions, why should we do anything more? Let them make the first step now—and we mean a first step in deeds, not just words on a piece of paper.

That is difficult to answer. Indeed, they may have the answer, because their approach—to demand some meaningful first step on the part of the Soviets first—may well be the surest way to achieving better relations with them. In any event, the only answer that can properly be given to the argument of the Secretary of State is one of timing—possibly requiring some meaningful first step by the Soviets to indicate a measurable change in policy. Inasmuch as the preamble to the treaty recites that the three major parties, including the Soviet Union, proclaim as their principal aim an agreement on general and complete disarmament under strict international control "in accordance with the objectives of the United Nations," it would seem that a reasonable first step for the Soviets to take to reassure us of their change in policy would be to pay up their some $54 million in delinquencies to the United Nations.

It would be tragically unfair for anyone—outside the Senate or in the Senate—to condemn a Member of the Senate for insisting on some meaningful first step by the Soviets as a condition precedent to the treaty's effectiveness, just because that Senator felt that something more was required to evidence good faith than champagne and caviar parties, smiles, and bear hugs in Moscow.

It can be answered that the mutuality of benefits with respect to nuclear fallout and proliferation of nuclear weapons does not necessarily require such a meaningful "first step" to evidence good faith on the part of the Soviets. We stand to benefit anyhow. It is a fair answer, particularly when coupled with the point of saving the President of the United States from embarrassment. Accordingly, while I might be inclined to support a reservation providing for a reasonable condition precedent to the treaty's effectiveness, the failure of such a reservation's adoption would not cause me to vote against ratification of the treaty itself.

DISADVANTAGES UNDER THE TREATY—A STEPUP IN THE ARMS RACE AND IN COSTS OF NATIONAL DEFENSE

It is erroneous to think of the treaty standing by itself. It must be thought of as coupled with the absolute adherence to the safeguards prescribed by the Joint Chiefs of Staff. These will mean an expanded program of expensive underground testing which will more than offset the costs of testing in the atmosphere, in outer space, and underwater, which will be prohibited. Not being able to obtain more high-yield weapons effects information will require additional "hardening" of our missile sites to provide for a margin of safety and greater deployment of even more missiles to insure an adequate second strike force against a possible "blackout" and other effects of which we do not possess adequate knowledge. We will continue to try to develop an effective antimissile defense system, and not to expect the Soviets to do so would be foolish indeed. Moreover, the Soviets can be expected to step up their underground testing in an effort to catch up to us in the tactical nuclear weapons field. As Walter Lippmann wrote in the August 22 issue of the Washington Post, of course the race of armaments will continue under the treaty. The well-known physicist, Dr. Leo Szilard, testified that if the United States proceeds with an extensive program of underground bomb testing, then, rather than furthering the cause of peace, the test ban agreement would be likely to do just the opposite.

But the United States will proceed with an extensive program of underground nuclear testing, because this is one of the safeguards proposed by the Joint Chiefs of Staff; and the President has unequivocally committed his administration to doing so.

There is a great deal of merit in what Dr. Szilard says, and one would be invulnerable to fair criticism for voting against ratification for this reason.

In any event, a realistic appraisal of the situation makes it clear that a vote for ratification of the treaty, coupled as it is with the safeguards of the Joint Chiefs of Staff, is not a vote for a step down in the nuclear arms race but for a step up in the nuclear arms race and in the costs of national defense. But there are two answers to this disadvantage under the treaty: First, the costs of defense to the Soviets will increase, too, so that there is some mutuality of disadvantage; and, second, this mutual disadvantage may pave the way for Soviet agreement on a comprehensive test ban treaty with fully adequate inspection and controls.

PEACEFUL USES OF NUCLEAR EXPLOSIONS WILL BE IMPEDED

Our plowshare program holds a great potential for the benefit of mankind. Through the use of nuclear explosives which produce little radioactivity and by placing them underground so that nearly all of the radioactivity is trapped, projects could be undertaken at a fraction of the cost required by conventional methods. We have been assured that under the treaty we can continue experiments, and, to the extent that detectable amounts of nuclear fallout do not go beyond our own territorial limits, application of these experiments to mining, recovery of oil and gas, water development, and the construction of harbors can be made. However, construction of a second Panama Canal and other applications which would entail detectable amounts of fallout beyond our own territorial limits cannot be undertaken.

It is unfortunate that the treaty was not negotiated in such a manner as to permit peaceful uses of nuclear explosions—at least to be conducted under an inspection system, involving the three negotiating countries, to permit verification that, indeed, the application of nuclear explosions is for peaceful purposes. It is to be hoped that an amendment along this line will be negotiated later.

THE DANGER OF EUPHORIA

No matter how powerful our military capability may be, it will be meaningless as a deterrent if our national will to resist aggression through the use of this capability is weakened. We are prone to think of the decay of a nation's moral fiber in terms of vice and corruption; but just as deadly to the moral fiber of our people would be a condition of euphoria—a false sense of well-being with respect to Communists, in general, and the Soviet Union, in particular. Nothing would better serve the purposes of the leaders in the Kremlin than to have a substantial number of our well-meaning citizens succumb to the smiles and soothing peace talk of Soviet psychological warfare, and become so hypnotized over the thought that the Communist leaders "sincerely" want peace—"peace" as they interpret that word, not as we interpret it; that is to say, the Communists regard "peace" as a condition under which Communist aggression can be continued without undue interference—that they will eventually fall into a state of mind which can best be described as "peace at any price" or "better Red than dead."

It is highly significant that the Secretary of State, the Secretary of Defense, and the Joint Chiefs of Staff emphasized the danger of euphoria, and one member of the Joint Chiefs of Staff expressed the opinion that under the treaty our national will probably will deteriorate.

There are two answers to this problem: First, it should be no more of a problem for the people of the United States than for the people of the Soviet Union. Second, the problem actually exists, whether the treaty is ratified or not; and although the problem may be accentuated if the treaty is ratified, it will be much more of a problem with respect to "follow-on" amendments to the treaty or other treaties and relationships with the Soviet Union. We might as well face up to the problem now; and it could be that the treaty, if it serves no other purpose, will serve our national interest by once again focusing public attention on the nature of communism and Soviet imperialism.

I believe that administration spokesmen who favor the treaty should be commended for making it clear that the treaty is, at most, only a very small first step toward improved relations with the Soviet Union, and that it is nothing to become wildly excited about. It stands as more of a symbol of hope for improved relations. Everyone agrees with its purpose to lay a foundation for improved relations; but there are honest differences of opinion over whether these will actually result from the treaty. Absent a concrete example of a change in Soviet intentions, the evidence is overwhelming that communism is not changing and that the Communist leaders in the Kremlin are not throwing off the shackles of their Communist ideology.

It would be well never to forget a few hard facts about communism:

First. Communists deny the existence of God, so that their "moral" code is not the same as ours. Unlike us, they believe that might makes right and that the end justifies the means.

Second. Communists—whether they live in the Soviet Union, in Red China, in the United States, or anywhere else—are dedicated to achieving one world of communism. Lying, cheating, subversion, and war are perfectly proper means to this end. It was a perfectly proper Communist tactic for Mr. Gromyko to lie to the President of the United States last October, when Mr. Gromyko declared that only "defensive" weapons were being supplied to Cuba.

Third. If and when a nuclear war were decided upon as a proper means to "bury" the United States, the leaders in the Kremlin would not hesitate to engage in a "preemptive"—first strike—war. Soviet military doctrine expresses no scruples over a first strike, if it would be decisive. Our Government recognizes this; and that is why we have a program for "hardening" our missile sites. But the following quotations from "Soviet Military Strategy," by V. D. Sokolovskii, marshal of the Soviet Union—translated by Rand Corp. and published by Prentice-Hall, Inc., 1963—ought to be remembered:

> Military strategy directs primary attention to the study of how a future war may break out and to a detailed study of the particular features of strategic deployment of the Armed Forces, methods of delivering the first blow and conducting initial operations, and strategic utilization of the different branches of the Armed Forces (p. 91).
>
> In modern warfare, military strategy has become the strategy of missile and nuclear strikes in depth (p. 93).
>
> In a missile war, the main war aims and missions will be accomplished by strategic missile forces, which will deliver massive nuclear strikes. * * * The National PVO will protect the country from enemy nuclear attacks. * * * The probability of such wars cannot be completely excluded at the present time (p. 95).

The fourth point to remember about communism is that the Red Chinese openly state that war is inevitable as a means of achieving one world of communism over the capitalistic nations. They openly do so. The Soviets openly speak of "peaceful coexistence," while secretly preparing for war. "Masters of deceit" is what J. Edgar Hoover calls the Communists.

Small wonder, Mr. President (Mr. NELSON in the chair), that administration spokesmen for the treaty have warned that the Soviets can be expected to abrogate the treaty whenever they conclude that it is in their interest to do so—just as they did in the case of their breach of the moratorium in 1961, after years of secret preparation for the premeditated breach. And the chairman of the Joint Chiefs of Staff testified that "I believe we can anticipate clandestine testing on the part of the Soviets." Although we may hope that the Soviets will change their ways and will adhere to the letter and the spirit of the treaty, it would be foolish for our people to let euphoria blind them to the realities of communism and to the long Soviet record of broken treaties and agreements, such as those with Finland, Estonia, Latvia, Lithuania, Poland, Hungary, Rumania, and Czechoslovakia, to name only a few.

Another manifestation of euphoria would be the assumption that with nuclear parity will come an end to the danger of nuclear war. Such an assumption overlooks the fact that so-called parity would be destroyed by a first strike of the Soviets or by Soviet development of an effective antimissile system. It fails to recognize that, in reckoning with a first strike, the United States must have far more nuclear weapons than the Soviets in order to retain parity after a first strike. Those who use the overkill argument, in an effort to persuade us to reduce our nuclear capability, appear to take a conservative position in estimating that only 10 percent of our bomber fleet and only 25 percent of our Polaris and Minuteman missiles would hit their targets, and that such a force would be more than 200 times enough to destroy the Soviet Union. Surely they do not believe that the Soviet Union would engage in a first strike on the basis of such an estimate. Rather, it would be more realistic to assume that the Soviets would not make a first strike until they believed they could prevent almost all, if not all, of our bombers and missiles from getting off the ground or reaching their targets. The overkill adherents also overlook the fact that strategic weapons would not be employed in a tactical war and that tactical weapons might well not be employed in a strategic war; and they do not take into account obsolete weapons, aborts, misses, and nontargeted targets. Administration spokesmen who favor the treaty have made it clear that we cannot safely diminish our nuclear capability relative to that of the Soviet Union.

Nevertheless, the theory of overkill has merit, if placed in proper perspective. The danger is that its apparent logic might be used to justify unilateral disarmament or the ratification of a comprehensive test ban treaty without adequate inspection and controls. The American people can now sleep soundly at night, secure in the realization that our military power deters the Soviet Union from attack. It has always been this way, and the so-called missile gap of the 1960 campaign has long since been proved to have been nonexistent. The real concern, however, is, Will we maintain our deterrent power in the future? Years are required to design, develop, and produce weapons systems. It would be foolish and tragic, if not fatal, to let euphoria in the form of a misapplied overkill theory or any other form to persuade the people and the Congress to engage in unwise and premature cuts in our national defense budget, or to resist the defense budget increases which will arise in the nuclear weapons and technology area by firm adherence to the safeguards prescribed by the Joint Chiefs of Staff.

Finally, let us not be deluded by the argument that a continuation of the arms race, which ratification of this treaty will promote, will lead to greater international tensions. It is the international tensions, caused by the aggressive policies of Communist imperialism, which has brought on the arms race.

THE POLICY OF ACCOMMODATION

Serious as the other disadvantages under the treaty are, to me the most serious one is that ratification of this treaty, in the absence of even one first step by the Soviet Union indicating a change in policy, means following a policy of accommodation in dealing with communism. For over 25 years I have been studying the Communist ideology, and I have had the benefit of instruction, advice, and writings from people who have devoted their lives in this field. Not the least of these is Robert Strausz-Hupé, director of the Foreign Policy Research Institute of the University of Pennsylvania, who testified that while he favors a comprehensive test ban treaty, he is opposed to ratification of this treaty. I recognize that there are some differences of opinion among the experts, but the great weight of opinion is that the best if not the only way to deal with communism is through a policy of firmness. And a policy of firmness demands that before undertaking a solemn treaty obligation with the Soviet Union, in the face of its attempt to install nuclear missiles in Cuba last fall, in the face of the Gromyko lie to the President of the United States, in the face of Premier Khrushchev's failure to carry out his commitment for onsite inspection in Cuba under United Nations auspices, in the face of Premier Khrushchev's further failure to carry out his commitment to withdraw Soviet troops from Cuba, in the face of the brazen attempt by the Soviet Union to bankrupt the United Nations by running up a delinquency amounting to $54 million—over half of the combined delinquencies before the U.N., and in the face of continued Soviet-sponsored subversive activities in Latin America, the Middle East, and Africa—then some meaningful first step must be made by the Soviet Union to indicate peaceful intentions.

That first step could be the removal of Soviet troops from Cuba, onsite inspection of Cuba, payment of its delinquencies before the United Nations, adoption of an "open skies" policy such as that requested by former President Eisenhower, public renunciation of lies and villification relating to the intentions of the United States which have been deliberately fed to the people of the Soviet Union, who yearn for peace, by the Communist leaders in the Kremlin, or something similar. If it be said that the Soviet Union would never agree to taking such a first step as a condition precedent to ratification of the treaty, there are two answers: First, no one but the leaders in the Kremlin know whether the Soviet Union would take such a first step. Under the circumstances of this treaty, with the pressures of "world opinion" upon them, it could well be that the Soviet Union would pay up its obligations before the United Nations if this were a condition precedent. Second, the failure to take such a first step would be highly indicative of the surface nature of the protestations of "good faith" by the Soviet Union.

Instead, we are being urged to follow a policy of accommodation. This policy seems to be to merely react to Communist aggression, to do nothing which might "rock the boat," so to speak, to bend over backward to not cause Premier Khrushchev to lose his temper and pound the table with his shoe. It finds expression in references to the "brink" of nuclear war during the Cuban confrontation, although let me say, Mr. President, we were not on any "brink" at all. We were ready to go, that is true. But we were not even close to a nuclear war because Premier Khrushchev was not close to committing suicide.

A line seems to be drawn between taking action—such as the blockade of Cuba—when there is imminent danger to our Nation; and inaction evidenced by lifting the Cuban blockade following the removal of Soviet missiles—when no imminent danger faces our Nation, although our national honor has been ground underfoot by emasculation of the Monroe Doctrine. I could cite other examples, such as our tolerance of the Berlin wall, our failure to follow up on Premier Khrushchev's promise to have onsite inspection in Cuba and to withdraw Soviet troops from Cuba, and the apparent failure to even mention these points when Premier Khrushchev stated that he expected to negotiate a nonaggression pact between NATO and the Warsaw Pact countries as the next step following the treaty.

I do not say that the policy of accommodation is intended to reflect a "no win" policy on the part of those who advocate it, because the advocates are among the first to proclaim our hope that freedom will come to those who are now dominated by ideologies which reject individual freedom and the self-determination of nations. But because the policy of accommodation results in surrendering the initiative to the Communists, because it results in the side of freedom being on the defensive against the aggressive moves of Communist subversion and imperialism, it tends to weaken our willingness and desire to win the cold war. It tends to erode away the morale of the dedicated men and women in our Armed Forces, the people in the captive nations, and the refugees who seek to reestablish freedom in their native countries. It places an almost unbearable burden of understanding on those in the front line of the cold war—the men and their families affected by SAC alert, by maneuvers of our Polaris submarines, by our operations in South Vietnam to name only a few; and the Cuban patriots who seek to overthrow the bearded Moscow puppet in their homeland.

The point is, Mr. President, that the "accommodation" policy has not worked. And the reason it has not worked is that Communists look upon such sufferance as a sign of weakness, which invites further subversion and aggression, rather than a sign of the hand of friendship to be grasped.

I could be wrong when I say that a policy of firmness is the one to follow, rather than a policy of accommodation, and I hope I am. I do know that when we have followed a policy of firmness—as we did in Berlin and as we did during the briefly imposed Cuban blockade—it has worked. But if a majority of my colleagues in the Senate feel that we should follow a policy of accommodation and ratify the treaty without a meaningful first step by the Soviet Union first, then I will go along—with this clear understanding: I want to see a meaningful first step by the Soviet Union, clearly demonstrating a change in policy, before ratifying any amendments to this treaty or any other treaties with the Soviet Union affecting the security of our country. In this connection, let me caution that I do not consider a proposed exchange of observers of ground forces, which is being mentioned, or a proposed proclamation of an end to class warfare in the Soviet Union, which will probably be made later on, as a "meaningful first step." I have already indicated examples of what I mean by this, and I speak of a unilateral step by the Soviet Union of that character.

CONCLUSION

In conclusion, Mr. President, I would make two points: First, the Praesidium of the Supreme Soviet has not, as yet, ratified this treaty. On September 9, the State Department advised that the treaty has been unanimously endorsed by the Joint Foreign Affairs Committee of the Supreme Soviet, the Council of the Union, and the Council of Nationalities, and was then before the Praesidium of the Supreme Soviet, which has the power to ratify. This naturally raises the question of what will happen if the Praesidium does not ratify the treaty? The chairman of the Senate Foreign Relations Committee has said that he does not believe there is the slightest doubt that the Praesidium will ratify the treaty. He further said that, as far as he was concerned, if the Praesidium should not ratify the treaty sooner than next spring, the treaty would be "off." I recognize that the treaty will probably be ratified by the Praesidium, but we do not know this for certain. And if it should not do so sooner than next spring, I agree that the treaty should be "off," but I am not so sure that it will be "off." Once the treaty has been ratified by the U.S. Senate and the document of ratification deposited with the Soviet Union, it would seem to be "on" unless the President recalled it. I think it would be helpful to make sure that the State Department not deposit the ratified treaty with the Soviet Union until the Praesidium has ratified the treaty and it is on its way over here for deposit with us. Remember, that under Soviet law a treaty ratified by the Praesidium does not become effective until it has been deposited.

The second point is that I have detected a certain amount of cynicism over what will happen if this treaty is not ratified by the U.S. Senate. We have been told that ratification of this treaty is far better than to have an unlimited arms race extending without relief into the future. The inference, of course, is that if the treaty is not ratified we will, therefore, have an unlimited arms race extending without relief into the future rather than continue to work for a comprehensive test ban treaty. And the further inference is that any Senator who dares vote against ratification must be in favor of an unlimited arms race extending without relief into the future. The logic of such an argument completely escapes me. If I were to vote against ratification, I would deeply resent it. And inasmuch as I intend to vote for ratification, I am in an even better position to say that I deeply resent the implication it casts upon those of my colleagues who, with just as much dedication as any of us possesses to peace, to an end in the arms race, and to more of the better things in life for our people which genuine disarmament can bring, cannot conscientiously support ratification.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. THURMOND. A portion of the preamble to the treaty reads:

> Proclaiming as their principal aim the speediest possible achievement of an agreement on general and complete disarmament—

And so forth. Of course, the Senator is familiar with that portion of the preamble.

Secretary Rusk has said that the test ban treaty is only the first step down this road. He made that statement before the Senate committee March 11, 1963.

I believe the President of the United States said that this is the first step.

Does the Senator from Iowa feel that this is the first step in a disarmament program?

Mr. MILLER. No. I do not believe this is the first step in a disarmament program. I have tried my best to make it clear that the result of this treaty, coupled with the safeguards of the Joint Chiefs of Staff, will be a step-up in the arms race rather than a stepdown.

I fear that most of the proponents of the treaty have not done their homework. They are trying to persuade Senators to vote for the treaty on the basis of the argument that it will be a stepdown in the arms race. When the budget costs roll around to the Senate next year and the year after and the year after that, because the administration will then be trying to carry out the safeguards of the Joint Chiefs of Staff, those proponents should not come to tell me that they are sorry, that they were wrong. They have had ample time to do their homework on this point.

I have concluded that this will not be a first step toward disarmament. At least, that will not be the first result. I recognize that it may have a tendency, because of the increased costs of national defense both for the Soviet Union and the United States—because of these mutual disadvantages—to bring the two parties together in an effort to arrive at a comprehensive test ban treaty which will prohibit underground testing under adequate safeguards of inspection and controls. That could be a first step toward disarmament.

In other words, the treaty could provide a basis for a first step; but to say that the result of the treaty will be a first step toward disarmament, when the result is going to be an increase in the armaments race, is something I cannot quite reconcile.

Mr. THURMOND. Is it the feeling of the Senator from Iowa that this would not be a first step? Is that what the Senator has expressed? I believe it is the position of the Senator that it would not be a first step in disarmament.

Mr. MILLER. No.

Mr. THURMOND. Or does the Senator from Iowa want this to be a first step.

Mr. MILLER. I would like to have the treaty become a meaningful first step toward relative, genuine, effective, safeguarded disarmament between the United States and the Soviet Union, because I am well persuaded that until the day comes when we can spend more of our national resources on the better things of life for our people rather than for instruments of destruction, we shall not be able to provide the opportunities which I am sure our Maker intended for our people.

But that does not appear to be very near. I do not think we ought to try to aggravate the situation. I can understand Senators voting against ratification, on the ground that the treaty, might step up the arms race. I think that is a disadvantage, but I think it is outweighed by the other points I made for ratification.

Mr. THURMOND. So the Senator is not in accord, then, with the interpretation placed upon the treaty by the President and the Secretary of State that it is a first step?

Mr. MILLER. That is a first step toward disarmament?

Mr. THURMOND. Yes.

Mr. MILLER. We must not get into an argument over the meaning of words, but the Senator from Iowa cannot see, if nothing more is done, that a year from now we shall be any nearer disarmament. The Senator from Iowa believes we shall be further away, because the arms race will have been stepped up just that much more. The only way one could justify the argument that this could be—the use of the word "is" is gratuitous—a first step is on the basis that it could result in better relations between the United States and the Soviet Union and, on that basis, perhaps a meaningful agreement regarding de facto disarmament could be arrived at.

Mr. THURMOND. Does the Senator feel the time has now come when the Communist leaders are evolving into peaceful people, that we can trust them, and that relations will be improved because of the treaty?

Mr. MILLER. No; the Senator from Iowa does not believe so. To be fair, I believe that some of the administration's spokesmen, such as the Secretary of State, have indicated that they do not believe that they are changing now, either.

There is a hope. One never knows when the people under the domination of the Communists will start to cast off the shackles of communism. We hope and pray that there will come a time when they will. Who knows when that time will be? A majority of my brothers here seem to think this is the time; that we do not have to have a meaningful first step by the Soviets; that this is the time for caviar and parties and bear hugs, which all of us saw on TV and heard about on the radio, as taking place in Moscow; and that this is supposed to be the crystallization of the change in Soviet intentions.

The Senator from Iowa does not believe so. The Senator from Iowa hopes and prays that it is. With all the reasons I have set forth in my argument, and with the first hurdle being gotten over, if the military risks involved are acceptable, in light of the assurances of the Joint Chiefs of Staff, and with the withdrawal provision, I will go along.

But let no one come to me a year from now, or 2 years from now, and say, "We have an amendment to the treaty. It would provide for better relations between the United States and the Soviet Union. There are some security overtones in it, but we want you to vote for this amendment." Let no one do that unless I have seen a meaningful first step in the meantime, because the policy of accommodation has not worked. I am willing to go along this once, but if it does not work, I say let us "get on the ball" and follow the policy that has worked, which is a policy of firmness toward communism.

Mr. THURMOND. The Senator knows, does he not, that Secretary Rusk is construing this as a first step toward disarmament, as he stated before the Senate committee on March 11, 1963?

Mr. MILLER. As I said, I do not want to get into an argument over the meaning of words. I do not recall whether the Secretary of State testified that this treaty's immediate result would be a step down in the arms race——

Mr. THURMOND. No; a first step toward disarmament, I said.

Mr. MILLER. But there are some persons who say the treaty would step down the arms race; and that, therefore, it is a step toward disarmament. They have arrived at that conclusion conscientiously, although, as I have said, I do not think they have done their homework. If one reaches the conclusion that the treaty will be a step down in that arms race, he may believe that it will be a step toward disarmament. But if one reaches the conclusion, as I have, that it will be a step-up in the arms race, I do not see how he could say it is a step toward disarmament unless he thinks it will provide for better relations between the two nations that will result in reaching other meaningful agreements providing for a step toward disarmament.

Mr. THURMOND. In view of the preamble to the treaty, which states it is a step toward general and complete disarmament, and in view of the statement of the Secretary of State to that effect in March 1963, and in view of the President's statement that it is a first step, is there much doubt in the Senator's mind as to how the executive branch construes it?

I am not asking the Senator's construction, but is there much question in the Senator's mind as to how the executive branch construes the treaty? It is that branch that will be charged with the enforcement of it.

Mr. MILLER. Let me say to the distinguished Senator from South Carolina that I am looking at the treaty now. The preamble states:

> Proclaiming as their principal aim the speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons, including nuclear weapons.
>
> Seeking to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end, and desiring to put an end to the contamination of man's environment by radioactive substances,
>
> Have agreed as follows——

I cannot see that the preamble states that we are now undertaking to disarm. It merely states that we are aiming for an agreement on general and complete disarmament, and trying to achieve discontinuance of all test explosions of nuclear weapons for all time. It is an objective, but the preamble does not state that the treaty is going to be a step in that direction. I do not believe the preamble of the treaty could be said to stand for the proposition that the treaty is going to step down the arms race.

Mr. THURMOND. I remind the Senator what Mr. Khrushchev said in East Germany on January 16 of this year about disarmament. He made the statement:

> Disarmament primarily means dismantling the gigantic war machines of the highly developed countries. * * * General disarmament does not mean disarming the peoples fighting for national liberation. On the contrary, it would deprive the imperialists of the means to halt progress and crush the struggle for independence.

So it is clear from that statement how Mr. Khrushchev construes "disarmament."

I should like to quote from General Power, whom I know the Senator holds in high regard and esteem. He said:

> In my personal opinion, all sensible people in this world desire peace and freedom from a nuclear war, but there are two different theories of how to get there. One theory is through military superiority and through deterrents, which is the philosophy of the strategy we have used. There is another one, through disarmament. I personally think the two theories are diametrically opposed—

Says General Power—

> I do not see how you can arm and disarm at the same time. I have studied previous disarmament measures, and in my opinion disarmament is a proven concept to get you into a war. I think history will prove that the surest way to cause a war, nuclear war or any war, is to disarm.

Does not the Senator feel that what has kept us out of a nuclear war, and what has been the greatest deterrent to war with the Communists, since World War II ended, has been our tremendous striking power, our nuclear weapons, and the great strength and power of this Nation?

Mr. MILLER. There are some who may argue against it, but the Senator from South Carolina knows very well that I believe deeply that most knowledgeable people who have done their homework must admit that to be true. The concern that is often expressed by some against disarmament is that they tend to think in terms of disarmament in a sort of vacuum. I do not regard it in that light. To me, the only kind of disarmament that the United States could conscientiously engage in vis-a-vis the Soviets would be one of relative disarmament, so that there would be a relative amount of power in our favor as between the two countries.

That is a very difficult problem, as the Senator knows, to work out, but I do not believe it should deter us from attempting to make some strides in that direction. I am persuaded that until the time comes when we can spend our money on the better things of life for our people instead of on armaments, we shall not have the kind of life that was intended for us by our Maker. Nevertheless, in the meantime I believe we had better keep our powder dry. There is too much emphasis being given to the argument that the arms race causes world tensions. It is not the arms race that causes tensions. It is the aggressive nature of communism.

The President of the United States has said that if Mr. Khrushchev would cease aggression, we would be in a much more positive situation. What he was politely nudging Mr. Khrushchev on was to get off the Communist ideology and get on to something more peaceful. I do not expect to see him do so for some time. It may be that he will, but I want to see something more concrete first. I am not at all impressed by fine words. I am not impressed by Moscow champagne and caviar parties and smiles and bear hugs.

We must have some concrete evidence first before we take another first step, if it be a first step.

Mr. THURMOND. I am sure the Senator is familiar with the report of the Preparedness Subcommittee.

Mr. MILLER. Yes.

Mr. THURMOND. Under the treaty, is it not true that the United States probably will be unable to duplicate Soviet achievements in very high yield weapon technology?

Mr. MILLER. I believe the Senator is reading from the conclusions of the Preparedness Subcommittee. I have already quoted from the major findings in my main speech.

I recognize the probable validity of these conclusions, although I point out that perhaps even the formidable statement that was put into the conclusions was worded in the terminology of "maybe" or "perhaps." That is the difficulty with all the evidence that we have on the treaty. It is opinion evidence or practically all of it is. Very little of it is factual evidence. Therefore, it is necessary to weigh possibilities and probabilities and "maybe's," "might's," "could's," and "should's" to arrive at a conclusion. This makes the task extremely difficult. Honest people can differ on the degree of emphasis they will give.

What I have been mainly trying to do has been to put some of the arguments in their proper perspective. Both for and against the treaty. In my mail I have received cliches on both sides of the issue. I am not denying the sincerity with which they were offered.

However, they are not persuasive, and I believe they ought to be reduced to size, so that when Senators vote they will vote on the basis of reason and logic and sound judgment, instead of on the basis of cliches and arguments that should have no relevancy in the Senate.

Mr. THURMOND. Because of the Senator's military experience, I am sure he realizes the value of the Preparedness Subcommittee's report. I wish to point up certain things in it in a few more questions. Under this treaty, is it not true that the United States will be unable to acquire necessary data on the effects of very high yield atmospheric explosions?

Mr. MILLER. That question can be answered only in terms of possibility or probability. What are "necessary data"? It is difficult to determine whether they are necessary or unnecessary. Some people think they are absolutely necessary. Others seem to think we can get along without them, and that if we find as time goes on we cannot get along without them, we can withdraw from the treaty.

I do not expect the relative power between the Soviet Union and the United States to blow up overnight. It will be some time before the Soviets catch up to the point of offsetting our deterrent ability. That will occur over a period of several years. In that time, we can detect changes sufficient to enable us to reach a determination as to whether we should withdraw from the treaty.

In the face of world opinion, such withdrawal would not be easy. It would be necessary for the President and the Members of the Senate to be courageous about it. However, I do not believe I can answer the question of the Senator from South Carolina any better than I have answered it. It is hard to say whether it is necessary. I agree that we will not be able to obtain certain information on weapons effects which the Soviets have obtained. The President of the United States said as much in March of 1962. He said that they had obtained weapons effects information that would probably take them 2 or 3 years to analyze, and that we do not have it. I am satisfied that as a result of our rather limited testing in 1962, we have less comparable information to analyze.

Mr. THURMOND. Under this treaty, is it not true that the United States will be unable to acquire data on high altitude nuclear weapons effects?

Mr. MILLER. Neither side can do so under the treaty. The point I wish to make—and I thought I had agreed with the Senator on it—is that the Soviets, by virtue of their massive tests in 1961, have acquired certain data which we probably have not acquired as a result of our rather limited test series of 1962.

Mr. THURMOND. If the treaty is adopted, we will not be able to acquire the information. Is that correct?

Mr. MILLER. That is correct.

Mr. THURMOND. Under the treaty, is it not true that the United States will be unable to determine with confidence the performance and reliability of any ABM system developed without benefit of atmospheric operational system tests?

Mr. MILLER. The testimony on this point, as the Senator knows, was divided. I am inclined to think that Dr. Teller's testimony on this point was more persuasive than the testimony on the other side. In any event, it was of equal quality. The proponents of the treaty say we do not need to test. Dr. Teller and others say we need to test. It is a difficult question for anyone to evaluate and upon which to come to a conclusion.

I go one step further, if the Senator from South Carolina wishes to know how I reconciled my position on the treaty with that problem. There are two ways. First, the withdrawal provisions of the treaty. I am satisfied that the Soviet Union will not for a long time develop an antimissile system which will effectively take care of our weapons. They will be working for one, probably, and they may develop one. But I am satisfied we will get information in the meantime which will indicate to us whether we need to test our system. Under the withdrawal provisions of the treaty, we shall be able to do so.

Mr. THURMOND. Speaking of Dr. Teller, I should like to quote a statement he made in January of this year:

> A test ban treaty with the Soviet Union would prevent vital improvements of our atomic explosives, as well as foreclose the development of antimissile systems like the Nike-Zeus and the Nike-X. It would not keep the Russians from cheating. Such a treaty, in sum, would endanger our security and help the Soviet Union in its plan to conquer the world.

Mr. MILLER. I remember that Dr. Teller testified in similar vein during the hearings on the treaty. As I said in my speech, Dr. Teller's knowledgeable testimony and his powerful logic is certainly of as high quality as any of the testimony on the other side.

But the problem is: What if the Soviets are able to test, as Dr. Teller says they are, without detection? Will the results of those tests be significant? That is the magic word. Dr. Teller says they will be significant. Secretary McNamara says they will not be significant. So we are confronted with the problem whether there will be significant developments resulting from the Soviets' clandestine tests, assuming they propose to do so.

The Chairman of the Joint Chiefs of Staff said that we will make that assumption. This is a difficult problem.

I still say that if we adhere to the safeguards prescribed by the Joint Chiefs of Staff, we will be able to detect, through our intelligence, whether there have been sufficient developments so that we shall be sufficiently forewarned and be able to withdraw from the treaty.

Mr. THURMOND. Does the Senator from Iowa consider that the tests the Soviets made in 1961 and 1962 were significant?

Mr. MILLER. I believe they were highly significant. This is one of the main reasons why the argument that is now advanced by the proponents of the treaty, who signed the treaty, was offered to the Soviets in 1958 and by President Kennedy in 1961; therefore, we must follow through with it now. But they completely ignore the change in factual circumstances since the previous offers of the treaty, not the least of which was the massive series of Soviet tests in 1961, which had highly significant results.

The big question is whether the results they obtained compared with the results that they previously obtained, plus the results we obtained in our limited series in 1962, have created a significant imbalance which could lead to a significant imbalance in technology vis-a-vis the two nations.

I am persuaded that they do not; but if they do, we will have available the withdrawal provisions of the treaty.

Mr. THURMOND. The able Senator from Iowa being an Air Force Reserve officer, I am sure he will be familiar with the next question:

Under the treaty, is it not true that the United States will be unable to verify the ability of its hardened underground second-strike missile systems to survive close-in high-yield nuclear explosions?

Mr. MILLER. That is true; but something must be added in answer to the question. It can be doubted whether the Soviets know the answer. Furthermore, prudence would dictate that margins of safety, certainly within reason, be provided in the hardening of our missile sites. I have said that this will be another result of the treaty. Instead of the arms race being stepped down, it will be stepped up. We shall have to do more hardening of missile sites to provide margins of safety, in view of what the Senator from South Carolina has said. We shall have to spread our missiles out still more and have more of them, because we are uncertain of Soviet developments.

Mr. THURMOND. How will we know how much to harden our missile sites if we cannot test in the atmosphere?

Mr. MILLER. We do not know how much to harden them; all we can do is to guess. The Senator from South Carolina knows that we have always done that in our military activities. In addition, we shall have to disperse our missiles more, so that we shall have the capability to retaliate if there are some weapons effects instruments that the Soviets might release, which might, over a large area, paralyze our missile control system.

Mr. THURMOND. Under the treaty, is it not true that the United States will be unable to verify the ability of its missile reentry bodies under defensive nuclear attack to survive and to penetrate to the target without the opportunity to test nosecone and warhead designs in a nuclear environment under dynamic reentry conditions?

Mr. MILLER. This is true; but again, I think it could be said, with validity, that the Soviets probably do not have an adequate amount of information on that point either.

Mr. THURMOND. Notwithstanding the tests which the Soviets conducted in 1961 and 1962?

Mr. MILLER. According to my best information, that is something that is highly technical and difficult to evaluate. More than one series of tests would be required to develop a creditable reentry vehicle, if indeed problems are developing.

Mr. THURMOND. Is it not true that the treaty will provide the Soviet Union an opportunity to equal U.S. accomplishments in submegaton weapon technology?

Mr. MILLER. Yes, indeed. However, I wish to be fair in my statement. The Secretary of Defense and, as I recall, other administration spokesmen who favor the ratification of the treaty, indicated that this could be done. They did not try to dodge the question. Their answer was that it would take a long time and would entail a large amount of additional expense to the Soviet Union to step up its underground testing sufficiently to hope, after several years, to catch up in that area.

Mr. THURMOND. Is it not true that the treaty would deny to the United States a valuable source of information on Soviet nuclear weapons capabilities?

Mr. MILLER. I do not know. I should say that even without the treaty, we face about the same problem, so far as our intelligence regarding Soviet nuclear weapons capabilities is concerned. I believe we have some good intelligence on this subject. We do not have as much as we would like to have. Whether we have the treaty or do not have it, I do not believe there will be a great amount of difference in our intelligence on this point. Perhaps I do not understand the thrust of the question asked by the Senator from South Carolina. I want to be responsive; but if I correctly interpret his question, I have given the best answer I can.

Mr. THURMOND. Based upon the testimony of the Joint Chiefs of Staff, other military people, and scientists, it is clear that the United States is ahead of the Soviets in low-yield weapons. I believe the Senator from Iowa will agree to that.

Mr. MILLER. That is correct.

Mr. THURMOND. It is further clear that under the treaty the Soviets could test underground and overcome their deficiency in that respect.

Mr. MILLER. That is correct. But I wish to repeat, to be fair, that the proponents of the treaty recognize this—although they have a semirebuttal to it, in pointing out that it will entail a great amount of additional cost to the Soviets, and that it can be achieved only over a long period of time.

Mr. THURMOND. The testimony before the Preparedness Investigating Subcommittee also clearly shows that the Soviets are ahead of us in high-yield weapons and in the development and deployment of an anti-ballistic-missile system. Is it not true that we would have to test in the atmosphere, in order properly to overcome that deficiency?

Mr. MILLER. Not quite, because it should be remembered that even granted that they are ahead of us in the development of an antimissile system—although I am not sure they are—I recognize that they may well have installed some kind of antimissile system, and I also recognize that they will not be content to stop there, either, but will get the best one they can, and will do so sooner than we do, if possible. Nevertheless, I am satisfied that in the foreseeable future, the penetration capabilities of our nuclear retaliatory force will be quite sufficient to destroy Khrushchev and the Soviet Union, in the event they attempt to make the first strike.

Mr. THURMOND. I invite the attention of the Senator—if he has not had an opportunity to read it—to the testimony in the Preparedness Investigating Subcommittee of the Joint Chiefs of Staff, who definitely, explicitly, and precisely said the Soviets do have a lead on us in the antiballistic missile system field.

Mr. MILLER. Yes. But the Senator knows that the problem is, How much? No one knows how much their lead really is.

Mr. THURMOND. To the extent that they have one developed and deployed whereas we have none deployed, and it is a matter of fact that it would take us 4 years to deploy an ABM system. Also the Soviets has made more sophisticated tests than we have.

Mr. MILLER. That is correct; and I think there should be no disagreement on that point.

Mr. THURMOND. Except for the fact that our intelligence shows that the Soviet system is capable of knocking down medium-range missiles, which travel up to approximately 1,200 miles; and intermediate-range missiles, which travel up to about 2,500 miles; and, under certain favorable conditions, intercontinental ballistic missiles, which travel from 5,000 to 7,000 miles. Our intelligence may be wrong; but that is what our own intelligence shows.

Mr. MILLER. Assuming that to be correct, I suggest to the distinguished Senator from South Carolina that the Soviets would have a long, long, long way to go before they could develop and set up a comparable defense system around all the major cities in the Soviet Union. So I believe they have a long way to go in making that development.

Nevertheless, this does not mean that we should not concern ourselves with the development of an effective antimissile system sooner than the Soviets develop one. But this system will extend far beyond the confines of one localized area, which is where I understand the Soviet system now is. It will have to be nationwide, and that will take a long time. I hope we do not have to develop it to that point; but I believe we would be foolish, indeed, if we proceeded on the assumption that the Soviets would not try to succeed before we do.

Mr. THURMOND. I thank the able Senator. In view of his excellent military background and knowledge, and his stated lack of trust of the Communists, and also in view of the disadvantages of the treaty, as he has expressed them in his address today, and also throughout the debate on the treaty, I am still at a loss to understand how the able Senator has reached the conclusion to support the treaty.

Mr. MILLER. I thank the distinguished Senator from South Carolina. He well knows my great respect and affection for him and also my great respect for his military knowledge, which is unexcelled by that of any other Member of the Senate.

I may say that the last paragraph of my speech was included because I am cognizant of the position of the Senator from South Carolina and of other dedicated Senators who, in their conscience, feel that they cannot favor approval of the treaty.

These matters should be viewed in the proper perspective. Some persons no doubt will say the Senator from South Carolina, the Senator from Georgia [Mr. RUSSELL], and the Senator from Wyoming [Mr. SIMPSON], and other Senators who cannot in good conscience vote for approval of the treaty, therefore are in favor of an unlimited nuclear arms race far into the future, and so forth. I believe it best to lay that misunderstanding to rest, once and for all; and I have done my best to do so.

Mr. YOUNG of North Dakota. Mr. President, I will vote for approval of the nuclear test ban treaty. This is one of the most difficult decisions I have ever had to make, dealing—as it does—with our future security. As is the case with most issues of great importance, not all the merit is on one side.

While the danger of fallout from nuclear testing may be overestimated, the great majority of people throughout the world fear that unlimited testing could seriously affect the health of this generation and future generations. Thus far nuclear testing has been limited to that by the United States, Russia, England, and France. In a matter of a few short years other nations will be in a position to test nuclear weapons, thus greatly increasing the danger of nuclear fallout, in the absence of a nuclear test ban agreement.

Another serious question involved is that of easing the cold war tensions with Communist Russia. It is impossible for the United States to avoid having to deal with Communist Russia in Berlin and in countless other areas throughout the world. There is some advantage to a better relationship, if this can be accomplished without endangering our national security. The provisions of the test ban treaty itself leave ample room for any of the signators to withdraw—perhaps too much to be effective. Limiting nuclear testing is the goal sought by most people throughout the world, and earnestly advocated by both President Eisenhower and President Kennedy.

I am well aware that the Soviet Union has violated most of its treaties and agreements with us and other nations. This one may be, too; but nothing will be lost if we continue, and even accelerate, our vast program of research and development of nuclear weapons, and continue to prepare for future tests, which could be resumed immediately following any violation by Russia. We have this assurance through a letter by President Kennedy to the Senate. Equally important, there is a sizable increase in the appropriations for this purpose in both the House and the Senate versions of the appropriations bills.

I would never vote for approval of the treaty if I had the slightest doubt that our research and development in all phases of nuclear power would not only be continued, but also would be expanded and vigorously pursued. A strong national defense is still, and always will be, our greatest assurance of peace and security.

The United States now is capable of destroying every military installation and every important city in Russia at least 25 times over. We could literally cover Russia in a sea of flames.

The most important defense weapon of the future is the Nike-X, an antimissile missile on which we are spending hundreds of millions of dollars, each year, in research and development. If this can be perfected—and that is possible within a comparatively short time—this, together with our other defense weapons, could give us a high degree of protection against any nuclear attack, whether by plane, missile, or submarine.

One of the most important questions involved in approving the treaty is whether nuclear testing would be necessary in the perfection of this antimissile missile. On this question, again there is some disagreement among our top military authorities. Gen. Curtis LeMay, Chief of Staff of the Air Force, reluctantly approved the nuclear test ban treaty, because he felt it would be desirable to test the Nike-X missiles with nuclear warheads attached, before they were deployed. He felt the same way with respect to the Minuteman, Titan, and Atlas missiles, which already are deployed, but never have been tested with nuclear warheads attached. Since our military authorities believe it is not necessary to test these missiles with nuclear warheads attached, it is questionable whether the Nike-X would be tested with its nuclear warhead, even if there were no test ban treaty. We have many thousands of nuclear warheads already perfected and ready to be attached to the Nike-X or any other weapon.

After long and careful study of all the testimony on both sides of the issue, I have come to the conclusion that more is to be gained by approving the test ban treaty than by disapproving it. I do not subscribe to the position—taken by a few of our military leaders, and some others—that nuclear war is inevitable. If this were the case, there would be little hope for the future.

Mr. YOUNG of Ohio. Mr. President——

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The Senator from Ohio [Mr. YOUNG] is recognized.

Mr. YOUNG of Ohio. For several weeks, members of the Committee on Foreign Relations, members of the Committee on Armed Services, and the Senate Members of the Joint Committee on Atomic Energy have examined intensively the proposed limited nuclear test ban treaty.

As a member of the Committee on Armed Services, I desire to thank the distinguished Senator from Arkansas [Mr. FULBRIGHT], the chairman of the Committee on Foreign Relations, for inviting all members of the Committee on Armed Services to participate in the hearings of the Foreign Relations Committee on the limited test ban treaty. I am grateful to the chairman of that great committee, not only for inviting me to attend those sessions, but also for calling on me to ask questions of all witnesses.

Mr. President, it happens that I first read this treaty approximately 4 days before it was even initialed. I have attended the committee meetings and I have studied the treaty; and I now believe that the Senate has intensively examined it.

In my judgment, every conceivable implication of the treaty, every word, every comma, and every period, has been minutely examined. More thorough consideration has never been given to any matter which has come before the Senate.

As the distinguished majority leader has said, in the last analysis the question which confronts us is simply whether the proposed treaty does, on balance, serve the interests of the people of the United States?

Some Senators have engaged in a great deal of discussion and there have been many expressions of doubt regarding the reliability of the safeguards in the treaty. Those who oppose the treaty exaggerate the risk of cheating. They minimize the risk of continuing the arms race. The treaty contains the specific reservation that our Nation may scrap the agreement if that is deemed necessary by our President for our national security. Furthermore if the Soviet Union were to violate any provisions of the treaty, it would be voided immediately. In addition, each nation may continue underground tests so long as radioactive debris is not deposited outside its territorial limits. Of course, we shall not rely solely upon Soviet good faith. We shall rely on our far-flung detection network which instantly warns of atmospheric tests or underwater tests anywhere in the world.

Mr. President, the treaty gives us the right to resume testing in the atmosphere, underwater, or in outer space whenever we feel that our national security requires it. Three Presidents of the United States—Presidents Truman, Eisenhower, and Kennedy—have striven patiently to achieve an effective nuclear test ban treaty, and they have endorsed the one before us. The Chairman and the other members of the Joint Chiefs of Staff have endorsed it. By far the majority of the scientists and the nuclear physicists who testified before the Foreign Relations Committee strongly endorsed the treaty. Every possible safeguard and precaution to protect our vital national interests have been taken in the drafting of this historic document.

Of course, there are risks in this as in any venture in foreign relations. Commonsense will balance them against the risks of continued massive testing with all that it implies for the poisoning of the atmosphere and the aggravation of an arms race that would end only in disaster. There are also risks in failing to venture; risks in standing still in a world of change and challenge which does not remain stationary for this or any other nation.

This treaty is an objective which two administrations, representing both political parties, have patiently sought in spite of repeated discouragements, and notwithstanding opposition and criticism at home. It was a prime element in the foreign policy of the Eisenhower administration. When President Kennedy assumed office he could, had he chosen, have ignored the efforts of the previous administration. However, he pursued this policy as it is in the best of interests of all Americans, regardless of their political affiliation. It will not usher in the millennium. It will not end the cold war. It will not totally disarm the Soviet Union. It will not end the threat of Communist aggression. It will not bring about at once total and complete disarmament. It will be a step toward ending one area of armament competition. It may pave the way for progress in other areas.

Should we reject this treaty, the risks of paralyzed uncertainty and the resulting petrified foreign policy may be far greater than those, if any, which might result from ratification.

Mr. President, the Communist masters of Red China have denounced this treaty. In this they are in complete agreement with members of the radical right-wing fringe in our own country who claim that coexistence is impossible. Coexistence is defined as existing together. Do those who oppose the limited test ban treaty, claiming there cannot be coexistence with the Soviet Union, believe the Russians will just cease to exist? The alternative to coexistence is coannihilation. Together we have power to destroy millions of Americans and Europeans. In 10 years, if China with 700 million population becomes a nuclear power, then what? Obviously, we should take this short step toward peace by ratifying the limited nuclear test ban treaty.

The test ban is an acknowledgement and a reflection of the nuclear stalemate that exists. The Soviets have bigger H-bombs than we do; we have far more warheads, a greater variety and superior delivery weapons. Neither side has true superiority as each possesses the power to destroy the other if it is willing to be destroyed itself.

Armaments races ultimately led to World Wars I and II. Let us hope this treaty signals the beginning of the end of today's armaments race. There would be no victor in a nuclear war.

Questions were asked of the preceding speaker whether the treaty might not mark the end of today's armaments race. I hope that ratification of the treaty will have that end result.

Mr. President, if not for ourselves, then for our children and our children's children and for all generations to come, we owe a duty to take this first small, cautious, well-protected step toward peace and toward ending continued pollution of the atmosphere. Some scientists claim that the genetic damage already done has been very substantial. We cannot afford to gamble with the health and lives of unborn children.

Debate over the test ban treaty has been so crowded with examination of its purely military consequences that the virtue of eliminating radioactive fallout sometimes seems almost to be lost sight of in the overall discussion.

The genetic damage that will result from tests already conducted by any standard of measurement are terrible and horrifying. This damage might be multiplied were indiscriminate tests by many nations to take place in the future. The consequences of testing alone, to say nothing of the risk of war itself, might possibly work an alteration upon the environment of this planet that would cause dreadful injury to the health of all mankind.

The weight of the world's scientific opinion is that radioactive fallout from testing has increased—and future testing would further increase—the hazards due to natural radiation; that any increase is likely to cause some additional genetic damage.

The test ban treaty committing others to refrain from testing, greatly diminishes this hazard. The suspension of atmospheric testing, in these altered circumstances, becomes an affirmative gain of the most enormous consequences to the human race.

Events may disappoint the hopes and expectations of those who have proposed this treaty. It does not, by itself, and for all time, automatically preclude the resumption of atmospheric testing, but it may well result in that most desirable end. And if it does, its adoption may spare unnumbered thousands of our own countrymen and millions, around the world the pain and sorrow of terrible, wasting lifelong injury. And it may lift from mankind the dread menace and dire threat of damage to the genetic integrity of the human family that would cast its dark shadow forward through the generations down to children born a thousand years from now.

Opponents of ratification have had much to say regarding Dr. Edward Teller and his testimony. He is one of a very few leading scientists who oppose this limited test ban treaty. Therefore, regarding Dr. Teller let us consider the record.

The burden of Dr. Teller's advice now is that to give up atmospheric testing would grant the Soviets a dangerous advantage in developing a missile defense. This view is not supported by the Joint Chiefs of Staff or by other scientists of equal or greater competence. It should be measured against previous alarms raised by Dr. Teller when a test ban was under discussion.

In 1957, when the Eisenhower administration was considering a moratorium, Dr. Teller was the leader of a scientific group which strenuously opposed any such policy on the ground that it would dangerously interfere with our development of a 100 percent clean bomb.

According to a news article in the Washington Post, there is good reason to believe that the bomb Teller was talking about had been developed and indeed even secretly tested before 1957. Apparently no one wanted it then and apparently no one wants it now.

In 1959, when the United States and Russia had temporarily suspended testing not by treaty but simply under an unwritten agreement and begun negotiations for a formal ban, Dr. Teller advanced a different reason for his opposition. Then he argued that tests were absolutely necessary in order to develop peaceful uses of nuclear energy, such as Project Plowshare—atomic explosions to deepen a harbor or to build a canal.

In 1961, he produced still another reason. This time, a test ban would dangerously interfere with our development of a neutron bomb, the absolute weapon that would kill people but do no damage to property.

Little is heard these days about the neutron bomb, about the clean bomb, about the need for large atmospheric explosions for peaceful purposes. Now it is the antiballistic missile which Dr. Teller dangles before the Senate. But in view of the record, how much confidence can be placed in his advice?

The question is all the more pertinent in view of the fact that in 1960 when Dr. Teller was arguing that the United States should break the moratorium then in force by resuming underground testing, he actually advocated almost exactly what the Kennedy administration is advocating now. "All developments of nuclear explosives which are really necessary," he then wrote, "can be carried out by methods which will not contribute to the contamination of the air. We can continue the development of nuclear weapons without causing any further contact of human beings with radioactivity."

That is exactly what the administration now proposes. Furthermore, as President Kennedy emphasized at a recent news conference, he proposes to keep our nuclear laboratories functioning at full strength, to prepare standby facilities for the immediate resumption of atmospheric tests in case the treaty is violated, and to improve detection methods so that any violation will certainly be found out. Dr. Teller's argument that the treaty will tragically weaken the Nation simply does not stand up. On the other hand, the failure to ratify, with all that this would imply for acceleration of the arms race, would be a real tragedy for the world at large.

I am not one of the younger Members of the Senate of the United States. I am one of the older Members who sit in this small rectangular chamber which is truly the hall of the States.

I feel I speak for the fathers and mothers of this country who fear that the milk their children drink will be more and more contaminated and poisoned if the atmosphere is permitted to be polluted by nuclear explosions of 4, 6, 8, or 20 nuclear powers, as our President said there would be in 1975 unless some treaty such as this is ratified. I know this treaty is not merely good for those fathers and mothers and for their children. I know this is good for my four young granddaughters, who will with others of similar ages be the trustees and guardians of this Nation in a comparatively few years. I want them to live in a country which is secure and powerful as is our country at this time—also in a clear atomsphere of peace, instead of in a grim period of cold war and international anarchy. This limited test ban treaty is a small step in the long journey for the peace of the world. In that hour of decision when we are asked to support our President and advise and consent to the ratification of this nuclear test ban treaty, I will support our President. Every vote cast against ratification will have the same power and weight as every two votes cast in favor of ratification. I hope and I believe that the Senate will ratify this treaty by an overwhelming margin and that we shall vote down overwhelmingly every amendment and reservation.

We have heard of some reservations which will be offered. We have seen the letter written by our President to the majority leader and minority leader of the Senate, setting forth eight specific assurances. We have seen the report of the Committee on Foreign Relations. We know there is no necessity whatsoever for any reservations or understandings. We know that if a so-called reservation were offered and adopted, it would kill the treaty, since it would then be necessary to submit the treaty to complete renegotiation.

I pray that nothing like this will happen. I feel certain it will not. If our Commander-in-Chief, our President, is to be struck down by a vote rejecting this treaty I want no accusing finger to be pointed to me that mine was the assassin's blow.

The treaty may not work. In that event our political, military, and scientific leaders have assured us that our national security will not have been jeopardized. However, we must allow ourselves the luxury of a faint glimmer of hope. This treaty is just that.

Mr. President, the junior Senator from Ohio will vote to ratify this treaty. I believe it to be a step, however small, in the director of preserving a world fit for our children to live in and a step forward in the history of human civilization.

Several Senators addressed the Chair.

Mr. YOUNG of Ohio. Mr. President, I shall yield first to the distinguished Senator from Alaska [Mr. GRUENING]. Before doing so, in view of the colloquy which occurred immediately before I obtained the floor, and the reference that was made to Dr. Edward Teller, let me say that for most of my adult life I have been a trial lawyer. When I represented a losing side, and had one positive witness, though his testimony may be rebuted by all the opposing witnesses, I liked to emphasize his testimony. This appears to be the case with opponents of the treaty and their star witness, Dr. Teller.

In reading the hearings before the Committee on Foreign Relations, I discovered that the distinguished senior Senator from Idaho [Mr. CHURCH] obliterated the validity and force of Dr. Teller's testimony, in the questions he asked him, by using certain quotations from the writings of Dr. Teller himself. The Senator asked Dr. Teller:

> I have before me some quotations from writings that you have published in that interval between the Eisenhower administration and the present time—that are pertinent to the inquiry today—the statements which you have made. I would like to identify them for you and read them to you. I have four and since they are all related in a sense, let me read the four and then you can make such comment as you care to make about them.
>
> The first is an excerpt from an article of yours entitled "The Issues of Peace," which was published in the Bulletin of Atomic Scientists in June of 1960, and appears on page 203, in which you say, and I quote:
>
> "I say that we can stop nuclear testing in the atmosphere. We may do this unilaterally. We can then challenge the Russians to follow suit even if they won't sign a treaty."
>
> That ends the quote.
>
> The second quote is from an article of yours which appeared in the Washington Evening Star in August of 1960 from which I quote as follows:
>
> "We should renounce nuclear weapons tests in the atmosphere. We should challenge the Russians to do likewise and we should use our influence in the United Nations to prevent atmospheric weapons tests by all nations."
>
> That ends the quote.
>
> From the same article there is a second quote as follows:
>
> "All developments of nuclear explosives which are really necessary can be carried out by methods which will not contribute to the contemination of the air. We can continue the development of nuclear weapons without causing any further contact of human beings with radioactivity."

In other words, underground testing.

Then the Senator from Idaho propounded the final question to the witness, reading an extract from the "Legacy of Hiroshima," Dr. Teller's book, published in 1962:

> Is an effective test ban possible? In the atmosphere and beneath the surface of the ocean, yes. In these areas the biosphere, the sphere of living beings, violations of a test ban could be detected.

Those four quotations from Dr. Teller's writing were used in questioning the witness. The Senator from Idaho had asked him how he could reconcile those statements with his present attitude. The witness said:

> The simple answer to your question is don't reconcile them. They are contradictory.

He went on to say this:

> Now, after having eliminated a small part of the contradiction, I want simply and completely to say that the biggest part of the contradiction remains and is to be explained by the fact that I have changed my mind.

I ask those who will quote this same doctor in support of their position against this limited nuclear test ban treaty. Is it not just as likely that a year from now, or two years from now, he may again say, "I have changed my mind" and he may say it rather sheepishly?

It is my belief and my fervent hope that more than 80 Senators will vote to ratify the limited nuclear test ban treaty and take this important first step forward toward peace.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield to the Senator from Alaska.

Mr. GRUENING. I congratulate my able and distinguished colleague, the junior Senator from Ohio, on the constructive, well-reasoned, and farsighted presentation of his views on the test ban treaty. I am confident that he represents the views of the overwhelming majority of the American people. The test ban treaty is one of the great achievements of our time, whatever may be the ultimate result.

As the junior Senator from Ohio has so well pointed out, if we merely succeed for a time in stopping the poisonous fallout, which may destroy the health and happiness of countless people for generations to come, we shall have achieved a success; but I am confident, as he is, that this is an important step forward. I think the Senator has contributed greatly to the discussion, and I congratulate and commend him for it.

Mr. YOUNG of Ohio. I thank the Senator from Alaska.

ORDER OF BUSINESS

Mr. AIKEN. Mr. President, I raise the point of order that the Senate is not in order.

The PRESIDING OFFICER. The Senate will be in order. The Senator from Ohio [Mr. YOUNG] has the floor and can yield only for a question.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent to yield to the junior Senator from Rhode Island [Mr. PELL].

Mr. AIKEN. Mr. President, I have no objection to Senators asking questions of a speaker, but I do object to the irregular practice of passing out time by Members of the Senate. I also object to the practice of requesting and obtaining time 3 or 4 days in advance in the case of a Senator who wishes to leave the Senate and not be in the Chamber, thus being able to go off somewhere else. I believe the time has come when we should observe the regular order in the Senate. There is no question that the practice of passing out time days in advance for speakers on the floor is contributing to the breakdown of the legislative processes of the Congress.

Mr. YOUNG of Ohio. Mr. President, I have the floor, and I am prepared to yield the floor. I ask unanimous consent that the statement made by the distinguished Senator from Vermont be placed in the RECORD after my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. I yield the floor.

Mr. AIKEN. I realize that practically everything that can be said on the treaty has been said.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

ORDER LIMITING DEBATE

Mr. MANSFIELD. Mr. President, on behalf of the distinguished minority leader and myself I send to the desk a unanimous-consent request and ask for its immediate consideration.

The PRESIDING OFFICER. The unanimous-consent request will be read for the information of the Senate.

The unanimous-consent request was read, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Monday, September 23, 1963, at the conclusion of routine morning business, during the further consideration of the treaty on nuclear test ban (Ex. M, 88th Cong., 1st sess.), debate on any amendment or preamble to the resolution of ratification, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such a proposal or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such a proposition, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said resolution shall be received. All reservations or understandings already printed shall be deemed germane.

Ordered further, That on the question of the final agreement to the resolution of ratification debate shall be limited to 6 hours, to be equally divided and controlled, respectively, by the majority and minority leaders or someone designated by them: *Provided,* That the said leaders, or either of them, may, from the time under their control on the adoption of the resolution, allot additional time to any Senator during the consideration of any of the above proposals: *Provided further,* That a final vote on the adoption of the resolution of ratification shall be taken at 10 a.m. Tuesday, September 24, 1963.

Ordered further, That the Senate shall convene at 10 a.m. on September 23, 1963, and 9:30 a.m. on September 24, 1963.

The PRESIDING OFFICER. Is there objection?

Mr. CURTIS. Mr. President, I must object. I should like to ask the majority leader if there is any binding understanding as to when the time for debate on the treaty shall be used.

Mr. MANSFIELD. As I understand the unanimous-consent request, that would be in the discretion of the majority and minority leaders. I assure the Senator from Nebraska that, so far as we are concerned—I believe I speak for the minority leader also—we will do the best we can, within reasonable limits, to bring the reservations and understandings to a vote as soon as possible, so as to reserve the time on the treaty for later in the day.

Mr. CURTIS. Is there any understanding as to the order in which the reservations will be called up?

Mr. MANSFIELD. It is my understanding that the Senator from Arizona [Mr. GOLDWATER], if he has not done so already, will submit his reservation today and speak on it tomorrow or Friday, and that it is his intention to call it up the first thing on Monday morning next.

Mr. CURTIS. May I inquire whether I correctly understand that the unanimous-consent request is that the yea-and-nay vote on the treaty itself will be at 10 a.m. on Tuesday next?

Mr. MANSFIELD. That is correct. The purpose of convening at 9:30 a.m. on Tuesday is to give every Senator an opportunity to be present. The vote will occur one-half hour after the Senate convenes.

Mr. CURTIS. I must object.

Mr. MANSFIELD. Mr. President, I suggest that the time for the vote on the treaty on Tuesday be changed from 10 a.m. to 11 a.m., and that the time of convening on Tuesday morning be 10:30 instead of 9:30.

The PRESIDING OFFICER. Is there objection to the agreement, as modified?

Mr. PASTORE. Mr. President, the Senator has reference to the final vote on the resolution of ratification. Is that correct?

Mr. MANSFIELD. That is correct.

Mr. GORE. Mr. President, I reserve my right to object only to inquire about the votes on the other motions and reservations and amendments. Is it expected that there will be yea-and-nay votes on Monday, or would it be possible to complete the debate on the reservations and to have the yea-and-nay votes come on Tuesday?

Mr. MANSFIELD. In response to the question raised by the distinguished senior Senator from Tennessee, I should like to say that arriving at this unanimous-consent request has taken a great deal of time. It has taken a great deal of time to negotiate. It is anticipated that the debate on the treaty would be cleared by Monday night; and that the votes would be taken on the reservations, understandings, and so forth, if requested, on Monday, thereby getting them out of the way, so that when the Senate met on Tuesday, it would be for the purpose of voting on the treaty.

Mr. GORE. Then all Senators may be on notice that there may be yea-and-nay votes on amendments, reservations, and interpretations?

Mr. MANSFIELD. That is correct.

Mr. PASTORE. Not amendments.

Mr. MANSFIELD. Reservations.

Mr. PASTORE. Reservations, understandings, or preambles.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Mr. President, first of all, I believe it should be made clear that on a reservation 1 hour of debate will be allowed, a half hour on each side. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. DIRKSEN. In the discussions on the proposed unanimous-consent agreement it was fully understood that no intervening business of any kind whatsoever would be brought up, including any calendar business, until the treaty had been disposed of. Is that correct?

Mr. MANSFIELD. That is correct. If on Monday additional time is needed on the treaty, we shall be happy to do our best to comply with such requests.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the agreement as modified is entered.

Mr. PASTORE. I congratulate the majority and minority leaders.

The unanimous-consent request, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That, effective on Monday, September 23, 1963, at the conclusion of routine morning business, during the further consideration of the treaty on the nuclear test ban (Ex. M, 88th Cong., 1st sess.), debate on any amendment or preamble to the resolution of ratification, motion, or appeal, except a motion to lay on the table, shall be limited to 1 hour, to be equally divided and controlled by the mover of any such a proposal or motion and the majority leader: *Provided,* That in the event the majority leader is in favor of any such a proposition, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said resolution shall be received. All reservations or understandings already printed shall be deemed germane.

Ordered further, That on the question of the final agreement to the resolution of ratification, debate shall be limited to 6 hours, to be equally divided and controlled, respectively, by the majority and minority leaders or someone designated by them: *Provided,* That the said leaders, or either of them, may, from the time under their control on the adoption of the resolution, allot additional time to any Senator during the consideration of any of the above proposals: *Provided further,* That a final vote on adoption of the resolution of ratification shall be taken at 11 a.m. Tuesday, September 24, 1963.

Ordered further, That the Senate shall convene at 10 a.m. on September 23, 1963, and 10:30 a.m. on September 24, 1963.

Mr. **AIKEN**. Mr. President, I realize that not much more can be said either for or against the approval of the partial test ban treaty. However, there are two or three items on which I should like to comment briefly at this time.

On September 11, the minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN], made a remarkable speech in this Chamber. In his speech, the Senator from Illinois read a clear-cut statement from President Kennedy which should have reassured all but those who are determined not to be reassured.

The Senator from Illinois then announced his unequivocal support for the test ban treaty without reservations. It was an intelligent speech for it reflected the fact that its author had studied without stint all the arguments and facts which have been presented for and against this treaty.

It was a fair and honorable speech, for the Senator from Illinois did not hesitate to give the opponents of the treaty the benefit of every doubt which they may hold in arriving at their own decision.

It was a courageous speech, for the minority leader must surely have known that it would bring down on his head the curse of the emotionally militant element of our society.

During the course of his speech, Senator DIRKSEN made reference to the large amount of mail he has received on this issue. My own mail on the test ban treaty has been quite heavy though not recordbreaking in volume. It has been recordbreaking in one respect, however: At no time in my recollection has the mail on any issue before Congress contained so many threats and vituperations as that of the last few weeks.

I want to make clear that most of the opposition to the treaty comes from conscientious people. These people really believe that the risk involved in the treaty does outweigh any possible benefits. Others have been the victims of plausible sounding propaganda.

The country is being flooded by circulars purportedly issued by organizations with highly respectable sounding names, but which are unknown to official Government agencies. These circulars contain inflammatory statements intended to make the reader hate the word "peace" and all those who dare to advocate it. They even go so far as to imply that the Senator from Illinois is opposed to the treaty and that those who do not help him kill it are either blind or disloyal.

To date, I have received many communications for and against the treaty. Counting those from California and Texas, which appear to be largely organizational mail, I would say that 60 percent of them are in opposition to the treaty. The mail from New England will run 80 percent or better in favor of the treaty.

Before this treaty is voted on, I expect I will have received many more protests against it—at least one outfit is advising its members and sympathizers to smother me with protests.

These protests might seem quite formidable indeed were it not for the fact that 190 million people in America have not protested the test ban treaty in spite of the propaganda to which they are subjected.

So long as 190 million Americans have confidence enough in Congress to leave the decision to us, I shall believe that most of them are not opposed to the very small step toward peace which this treaty represents.

In advocating the approval of the treaty, the minority leader was representing the official position of the Republican Party and I believe also the opinion of the overwhelming majority of the American public.

The Republican platform of 1960 stated:

> We are similarly ready to negotiate and to institute realistic methods and safeguards for disarmament, and for the suspension of nuclear tests. We advocate an early agreement by all nations to forego nuclear tests in the atmosphere, and the suspension of other tests as verification techniques permit. We support the President in any decision he may make to reevaluate the question of resumption of underground nuclear explosions testing, if the Geneva Conference fails to produce a satisfactory agreement. We have deep concern about the mounting nuclear arms race. This concern leads us to seek disarmament and nuclear agreements. And an equal concern to protect all peoples from nuclear danger, leads us to insist that such agreements have adequate safeguards.

That statement was not merely a campaign promise. It was a serious effort to put the party on record as urging a world without war.

It was intended to tell the world that the Republican Party is not the party of fear. It was intended to express the hope of the party that there need be no more Hiroshimas with their ghastly toll of horror and death.

I do believe, Mr. President, that fear is at the bottom of most of the opposition to the treaty—not alone the fear of losing one's life through enemy instruments of destruction, but the fear that from this very small first step there may emerge a changing pattern in the world, a pattern from which may be molded a world of universal law rather than universal war and preparation for such war.

If we should find ourselves in a position of not having to be constantly preparing for war, it would indeed change the pattern of our national economy. A substantial part of our gross national product is generated directly and indirectly from arms production and preparation for possible war. This business has always been profitable in many countries.

I can well understand the fears of management, investors, and employees that their business, their incomes, and their jobs might be curtailed if the seed planted by the treaty should grow to greater proportions.

However, I feel that this fear which is reflected in some of the letters I receive is unwarranted as far as the test ban treaty is concerned.

Secretary McNamara has already announced his intentions to ask for more money for next year rather than less. There is not the slightest possibility that appropriations for defense purposes will be materially reduced by Congress in the foreseeable future. Costs of the Defense Department have increased $8 billion in the last 2 years and we will be very lucky if this sharp increase does not continue.

We have been living on borrowed money and borrowed time for many years. The danger to our political system today is probably greater from monetary disaster or internal disturbances or a continued deterioration of governmental processes than it is from an enemy attack from the outside.

The question is frequently asked about the relative strength of the United States and Russia in the various phases of nuclear weaponry both offensive and defensive. No one, not even Mr. Khrushchev or our own Joint Chiefs of Staff, can answer that question accurately without a detailed examination of data furnished by the other side, a situation which is not likely to happen.

We do know, however, that neither Russian or the United States has or is likely to develop airtight defense against delivery of bombs of 1 to 50 megatons or even more.

We do know the probable effect of bombs of various strength exploding at different altitudes.

We do know that a 10-megaton bomb would destroy virtually all buildings within a distance of 8 miles from the point of explosion.

We do know that the same explosion would reduce to cinders every human being exposed within this area irrespective of race, creed, color, or station in life.

We do know that a 10-megaton bomb would start fires for a distance of 30 miles from the seat of the explosion.

We do know that a nuclear bomb explosion would burn the retinas of every living being who happened to witness the explosion from distances of up to 500 miles depending on the altitude of the explosion, thus causing total or partial blindness.

We do know that the explosion of a 10-megaton bomb would cause first-degree burns on any unprotected person within a distance of 35 miles, and second degree burns to a distance of 25 miles.

We do know that the fallout from the explosion of a 20-megaton bomb would drift downwind for a distance of over 300 miles, sentencing all people in its path to incurable misery for such life as might remain to them.

We do know—everyone of us within his own heart—that unless the nations now possessing the nuclear bomb make a determined and sincere effort to prevent its use, the time will come—and it may come quickly—when this weapon will be tested on human targets.

This limited test ban treaty in itself does not and will not prevent the use of nuclear weapons by one nation upon another. It is not intended to.

It will, however, serve as a faint ray of hope to the world that the nations now possessing the bomb are well aware of its power to destroy the progress which mankind has made over tens of centuries and that those nations will try to prevent a holocaust on earth.

Approval of the treaty will mean that a dozen other nations that have the means and the know-how to make nuclear bombs will not attempt to do so.

Not all the nations on earth will sign this treaty. A half dozen will refuse.

The vote of the Senate will tell the world whether the United States stands with most of the nations of the earth or whether we stand in company with only Red China, France, Albania, and Cuba in our opposition.

Mr. President, with due regard for the sincerity of those who will vote against the partial test ban treaty and with full recognition of the fact that there are risks, particularly the risk of "euphoria," as well as advantages involved, I will say that since the treaty was submitted to committees of Congress on July 23 and 24, no evidence has been presented to convince me that the advantages do not far outweigh the risks.

Therefore, Mr. President, I trust that we may have a nearly unanimous vote of the Senate in favor of this first short hopeful step on a long, long journey to peace.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. AIKEN. I am glad to yield.

Mr. MANSFIELD. Mr. President, I commend most highly the sound, solid, and statesmanlike speech just delivered by the distinguished senior Senator from Vermont, the ranking Republican Member of the Senate. He is not noted for sensationalism. He is sober and hardworking. He attended the meetings of the three committees during the course of their consideration of the treaty. He always renders a distinct service to the Senate, to his State, and to the Nation.

I express to him my personal thanks for the fine speech he has made, and acknowledge that it is another of the many important contributions the distinguished Senator has made during his 22 years of service in the Senate. I commend him.

Mr. AIKEN. I thank the Senator from Montana. I know of no one whose approval I would rather have.

Mr. FULBRIGHT. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I am glad to yield.

Mr. FULBRIGHT. I should like to associate myself with the statement of the Senator from Montana. During the committee's consideration of the treaty, the Senator from Vermont rendered most valuable service—as he always does. Not only did he make the motion that the treaty be reported from the committee to the Senate, but—in addition, and in particular—he also made the motion that it be reported without reservation. In my opinion, that enabled the committee to avoid a great deal of struggle, difficulty, and delay in dealing with possible reservations.

Therefore, as chairman of the Foreign Relations Committee, of which the Senator from Vermont is a senior member, I am greatly indebted to him for what he has done to make the work of the committee move along in a reasonably efficient way. His assistance has been of vital importance in connection with bringing the treaty before the Senate.

I appreciate very much the great importance of the service of the Senator from Vermont, both in connection with this treaty and in connection with all the other important business of the Senate. I appreciate particularly his most valuable service in connection with the treaty; and I am sure the country will, too.

Mr. AIKEN. I thank the Senator from Arkansas. Let me say that if any guilt is connected with the activities he has described, I plead guilty. However, I must confess that my principal interest was to have the treaty reported from the committee and before the Senate, so the Senate could take action on it, and then could proceed to the transaction of its other business. That may have been a selfish motive; but, at the same time, I thoroughly believe in the statement I have made, and also in the advisability of obtaining overwhelming approval by the Senate of the test ban treaty at as early a date as possible.

Mr. FULBRIGHT. It is most fortunate that the Senator's personal wishes and interests happen to coincide with the national interest. I know of no happier combination.

Mr. COOPER. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I yield.

Mr. COOPER. Mr. President, I consider it a great privilege to have heard the speech of the Senator from Vermont. I know that all of us are naturally concerned about our position in regard to the treaty. It gives me—and I know it gives the Senate—greater confidence and assurance to know that the Senator from Vermont, the ranking Republican member of the Foreign Relations Committee, and a man of sound and practical judgment, has decided to support it.

Of course, the unknown always gives cause for concern; but the risk of nuclear war is known, and I believe it also gives the leaders of the Soviet Union cause for concern.

Mr. AIKEN. Yes. I feel that the Senator from Kentucky is—as usual—correct in his analysis of the situation. It is fear that prompts the opposition to the treaty; but I have no doubt that the same fear or apprehension is held by people in other countries—probably including the Soviet Union itself. I feel that we always live in the shadow of fear of some kind. However, the fear of a nuclear war seems to transcend most of the other fears that have been dreamed up over the centuries and during many generations. It is in the hope of taking a very small, first step toward allaying this fear and toward making it more bearable that we are supporting this partial test ban treaty. .

Mr. COOPER. I hope—and I am sure the Senator from Vermont does, too—that not only will it be a first step, but it will also lead ultimately to a completely enforcible ban on all nuclear testing, including testing under ground, and it also ultimately will bring to an end the nuclear arms race.

Mr. AIKEN. I share the hope of the Senator from Kentucky that this is only a first step; but I fear that future steps probably will be equally as difficult, if not more so, and that they may be longer in coming to realization.

However, if we once give up hope and give up the effort to achieve a world without war—particularly, a world without nuclear war—we have a right to be very discouraged.

I do not believe the world has given up hope. Of course, as I have said, every Senator's office has received probably from 2,000 to 10,000 communications on the subject of the test ban treaty. Possibly the majority have been received from the two States in which apparently the opposition is well organized.

However, I believe we find a hopeful sign in the fact that more than 190 million of the American people have not written to Senators about the treaty, and are willing to leave the decision to the Senate.

Mr. PELL. Mr. President, the Senate is now concluding a thorough, exhaustive debate on the ratification of the partial nuclear test ban treaty.

In the back of many of our minds is the thought that if we do not do something to prevent our present international atomic "danse macabre" upon the precipice of nuclear coannihilation, one of the dancers will make the inevitable slight misstep and fall into the crater's abyss, and that one will not be immolated alone.

It has been brought out that the Soviet Union could conceivably cheat and engage in small covert tests. Then, too, we have examined the record of the Soviets with regard to the scrupulousness with which they have honored past obligations, and we have found them lacking.

As opposed to these risks, however, we are presented with mounting evidence of the apparent adequacy of our present defense posture.

Secretary McNamara has stated unequivocally that we now have the capacity to absorb a full-scale nuclear attack by the Soviet Union and still destroy them in retaliation. They, too, presumably have a similar capacity.

To put the matter in different terms, the estimated total explosive power of the combined nuclear stockpile now held by the United States and the Soviet Union adds up to approximately 50 billion tons of TNT, which is enough to put a 10-ton bomb over the head of each human being in the world.

We have now the actual numerical edge in tests in that the total number of announced nuclear tests conducted by the West has been 315, while those conducted by the Soviet Union have been estimated at 126. Here we find the West with a numerical superiority over the Soviet Union in testing experience. Of these totals, the West conducted 213 which emitted radiation into the atmosphere and the Soviet Union 125, according to Western estimates.

The continuous injection into the atmosphere of the poisonous strontium 90, resulting from atomic tests, has already gone higher than we as parents, and as progenitors of yet unborn generations, can permit.

The political platforms of both the Democratic and the Republican parties have called for the ending of atmospheric nuclear testing along the lines of the treaty we presently have under consideration. Specifically, the 1960 Democratic platform supports "means for ending nuclear tests under workable safeguards." And the 1960 Republican platform reads "we advocate an early agreement by all nations to forgo nuclear tests in the atmosphere."

The treaty upon which we are now being asked to give our advice and consent does just what both our parties' platforms seek. In fact, not to approve it would be a breach of faith with our people.

In this regard, and transcending national politics, was the eloquent plea to consent to the resolution of ratification of the minority leader, Senator DIRKSEN, who placed his honor, his principles, and his belief above limitations of partisan consideration or the possible results of mailbag pressures.

There is little doubt in my mind as to the overall advantage to the United States and to mankind—for we cannot truthfully separate ourselves from mankind—of ratifying the treaty. In the course of the debate, I have sought continously to understand the arguments of the opponents of the treaty. I do understand and realize these arguments are presented in good faith and are based on points of valid criticism. Yet, I continue to believe that the benefits of ratification far outweigh rejection and I look forward gladly and proudly to voting for the treaty's ratification.

Mr. CURTIS. Mr. President, in rising to speak on whether or not the Senate should advise and consent to this treaty, I speak for no one but myself. I realize that I must search my mind and heart and assume the responsibility. The future of the United States of America and the hope of establishing a just and lasting peace have been my guidelines.

In my opinion, every Member of the U.S. Senate is acting with integrity and with the highest sense of patriotism. I disagree violently with some of their positions, including utterances that have been made concerning further steps to be taken. But, my challenge goes to their strategy and to the wisdom of their proposals for dealing with the Communists and not to their motives. All I ask of those in the Senate and throughout the land who disagree with me is to grant to me the same recognition of honesty of purpose.

I yield to no American in my dread of war and my desire for a just and lasting peace. I served in Congress through two wars, when the draft calls were heavy and the casualty notices were numerous.

All of us have seen the relentless march of communism. All of us have witnessed the expansion of atheistic, imperialistic, cruel and destructive communism, the takeover of millions of square miles of the earth's surface and the bonding of millions of helpless people into slavery. I, too, have observed these things and I want to act in the best interests of my country above all else.

The Constitution of the United States imposes upon this Senate the power and responsibility to assist in making treaties. Our powers and responsibilities are not limited to ratifying the act of the Chief Executive nor can we discharge those responsibilities by merely responding to world propaganda forces.

In debating this treaty there are many points to consider. There are a few very fundamental questions that must be asked. Will this treaty bring a just and enduring peace to our country and to the rest of the world? Will it lessen the strength of the United States as a force for maintaining the peace? To repeat, will it aid or hinder this Nation's leadership in the free world's defense? Can we serve the interests of our country by embracing Russia in a solemn treaty? Will the Communists honor the treaty? Are there other overriding considerations such as the danger of radioactive fallout so paramount as to persuade us to accept a treaty if otherwise it is not in the interest of the United States?

I, too, have attended the committee hearings, both open and executive. I, too, have read secret testimony taken in committees when I was not present. I, too, have sought the wisest counsel that I can find.

First, let us consider what it is that maintains the peace. We have seen country after country go under the heel of the Communist tyrants. There is a long list of them. I call attention to the cruelty, the murder, and the treachery of the Communist attack upon Hungary only a few years ago. We have witnessed helpless people succumb to the might of the atheistic Communists. I call attention to the establishment of a Communist beachhead in the Western Hemisphere in Cuba. We have read about the ill-fated Bay of Pigs invasion that failed, not because it lacked in hope or good intentions, but because it lacked the necessary military strength to make it succeed.

Following World War II the leaders of our Government did collaborate with Communist Russia. An example of faith in the Communists was expressed in an interview published in Life magazine in 1943 by our Ambassador to Moscow, Mr. Joseph E. Davies.

Mr. President, I ask unanimous consent that the interview be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CURTIS. I will not take time now to discuss the utterances of a long list of well-intentioned but mistaken people who, following World War II, clamored for us to share our atomic weapons with the Communists. Those utterances were made and everyone knows it.

It remained for Winston Churchill to come to the United States and make a speech at a little college in Missouri. I believe it was Westminster College. It was there that he shocked some of the complacent people of America by using the term "Iron Curtain." He warned the West what the Communists were doing behind the Iron Curtain. Winston Churchill said the only thing that stood in the way of the Communists making all out war against our country and his country was the possession of the atomic bomb by the United States.

When are we going to realize it will require the regeneration of the hearts of men in every country of the world to bring a just and lasting peace? I, too, pray and hope for that time to come, but in the meantime I am convinced we must have a strong national defense. Until that great day comes when the spirit of the Prince of Peace shall rule in the hearts of men all over the earth we must have police forces to protect us from the criminals. We must have a national defense capable of resisting any attack on our country or we shall be in the gravest danger.

Peace is maintained by being strong. A couple of weeks ago I appeared on a television program. A distinguished newscaster presided. He, with good intentions, stated a fallacy. He said that in the past the peace had been kept through a balance of power. The fact is that the peace has been kept through an imbalance of power. Our military superiority has prevented the Communists from attacking us.

I wish that every Senator had read the testimony of Gen. Thomas S. Power before the classified portions were deleted. He is commander in chief of our Strategic Air Command and Director of the Joint Strategic Target Planning Staff.

If war were to start tomorrow, upon the shoulders of General Power would fall a greater responsibility to protect our cities and towns, our men, women and our children, and our factories, than would fall upon anyone else.

In presenting General Power, the Senator from Mississippi [Mr. STENNIS] said:

> General Power commands and controls the most powerful strategic striking force which has ever been assembled in the history of the world. The long-range missiles and manned bombers of SAC, in combination with our Polaris submarines, represent the very heart of our retaliatory force and of our deterrent of a catastrophic nuclear war.
>
> In the past, testing has played a vital role in the development of the nuclear weapon systems which are the basis of the superiority of our strategic forces. It is essential to our national security that this superiority be maintained in the future. Thus the crucial question with which we are confronted is the impact which the proposed limitation on nuclear testing will have on the integrity and survivability of our strategic retaliatory forces.
>
> As the operational commander of these forces, General Power is in a unique position to assist us in reaching correct conclusions on a number of troublesome questions which have arisen during the course of this inquiry.

Here are some of the things General Power said:

> I don't think it is in the best interests of the United States. That is the basic reason.
>
> Senator STENNIS. That is a mighty good reason, and if you will just give us the details of that now, we will be glad to give you such time as you wish.
>
> General POWER. I feel that we have military superiority now, and I feel very strongly that this has resulted in a world that has been free from nuclear warfare. I have a lower confidence factor that we can and will maintain that military superiority under the test ban treaty than I have under a condition in which we do not have a test ban treaty.
>
> Senator STENNIS. Would you give more of the details of the reasons why it would affect us adversely.
>
> General POWER. Well, you mentioned in your opening statement one of the very important reasons. There are voids in our

knowledge about the vulnerability of our ballistic missile systems. [Deleted.] That is one.

At the same time we have been switching the emphasis from the manned bomber to the ballistic missile, so more and more of your deterrent posture is going to depend on this weapon system.

For example, in 1959 we had better than 2,000 bombers in the Strategic Air Command, and 10 years later, in 1968, we will have some 700. We will in the meantime have added better than [deleted] ballistic missiles.

Now to fill that void we have introduced the ballistic missiles. This missile has never been operationally tested all the way through from stockpile to detonation, and we have never tested such things as the vulnerability [deleted] due to shock wave propagation, due to blackout, there are many voids in our knowledge as to the operational capabilities and vulnerabilities of this weapon system.

In particular the RV [deleted] thermal effects, blast effects—cannot really be tested from my point of view as an operator until you test it in the nuclear environment, and as I am responsible for writing the war plans of the free world, I have to deal with facts.

I have to deal with proven data, and if too much of the data is extrapolated or theoretical, I do not have a high confidence factor that I have a sound plan. We are dealing with the security of the United States, and if facts can be obtained, I want to have them.

Senator STENNIS. You enumerated several points, areas in which testing was incomplete. Perhaps you would want to develop each of these points a little further. You say you have to extrapolate too much, and they hand you information that you are not certain of as to its completeness. What fields are they now? Go over it again, if you will.

General POWER. In all fields. We have never completely tested any of the nuclear weapons in SAC's arsenal.

Senator STENNIS. I want it spelled out in detail, because there have been general assurances here that everything has been done that could be done.

General POWER. Let's take the bombs first.

Senator STENNIS. Yes.

General POWER. I have some [deleted] different types of nuclear weapons in the Strategic Air Command arsenal. None of them have been tested operationally from stockpile to detonation. I think this is a mistake. I think they should be tested.

The only way you can prove a weapon system is to take it out of the stockpile in a random pattern and let the tactical unit take it out and detonate it. If you haven't done this, there is always a chance that something has happened that we won't discover until too late. [Deleted.] The point I am making is that, unless you test the very thing that is in your arsenal you are never certain, and the stakes are so high I feel we must be certain.

I would like to operationally test all my weapons. This means the missiles should be fired, and these reentry vehicles detonated in space to make sure that the warhead will go off and to test our operational factors.

Senator STENNIS. I think it is highly important that you enumerate the problems. You started with the nuclear weapons. Just go right on down the line and detail what has not been done and how the ban on nuclear testing would cut it off, and the extent to which it would hamper you.

General POWER. We have not tested any of the operational warheads in our inventory. That includes the missiles and the bombs.

Senator STENNIS. Let me interpose there. The test ban would not change our policy on that, because we are not doing it anyway. What is your response to that?

General POWER. I would urge that they do it. I have repeatedly requested that they do it.

Senator STENNIS. And you think that our information in that field is incomplete under present conditions?

General POWER. That is correct.

Senator STENNIS. And if we go into the test ban agreement, we would be precluded from even changing our minds.

General POWER. That is the very fundamental first step. Now there are great voids in our knowledge on such things as [deleted] shock wave propagation, blackout, communications, and command and control that, in my opinion, can be obtained only through atmospheric testing.

In the field of high-yield weaponry, I feel that the Soviet Union now has a technical lead as a result of their tests in 1961 and 1962. They have a lead in their weight-to-yield ratio in the big bomb categories, and I feel that we should overcome that lead. You can only do this through testing in the atmosphere in my opinion.

Some of this can be obtained in underground testing, but I don't think you can fully get the answers unless you explode a weapon of this size, and I am talking about yields above [deleted] megatons.

Now in the field of clean weapons, it is of tremendous importance to everybody in this world that we get these weapons as clean as we can so we don't have the fallout effect which tends to prohibit their use. Then, if you do have to use them, they will not cause unnecessary or indiscriminate killing. I think that, with testing in the atmosphere, you could arrive at a clean weapon faster than you can in underground testing.

We know that the Soviet Union now leads us in the field of weight-to-yield ratio and in the cleanliness of these high-yield weapons. There is evidence that they have advanced very far along the spectrum of the state of the art. [Deleted.]

My instinct tells me that it is to their advantage to have this test ban treaty now. [Deleted.] I just feel we have obtained our position in this world today, our military superiority, through our weaponry, through our scientists, and through testing.

We could not be in the position of talking with confidence that we could prevent a thermonuclear war unless we were strong, and we basically got our strength through these weapons and through testing. I just feel that the surest way to prevent war—and that is my goal, and I feel very strongly about it—is to have overwhelming strength so that it is ridiculous for anybody to even think of attacking the United States. That is what it has been in the past and that is what it is today.

It has unpleasant features, yes, but the surest way in my opinion of preventing a thermonuclear war is to have overwhelming strength, and I think this is one area in which we can beat anyone.

I think our science, our economy, and everything else can help us win this race. We have won it in the past, and I think we can continue to win it. But it takes the will to do it. That is an off-the-cuff summation about how I feel about it.

I am seriously concerned about losing our military superiority, because I think that this superiority has resulted in a peaceful world as far as nuclear war is concerned, and I can't think of anything more important than to keep the world safe from a nuclear war.

I think if we get into one, there will be no winners, only losers, and I think mankind will have reached its highest plateau of stupidity if it tries to reach its aims and goals or settle its differences with nuclear weapons.

However, I think that our formula to prevent this has been a successful one to date, and it is a real simple formula. We have had overwhelming military superiority to the point where it is ridiculous for Mr. Khrushchev to even seriously contemplate attacking this country. Now I maintain that it is possible to hold this type of lead, and that is what I recommend.

Senator JACKSON. In other words, you feel that peace depends not on the maintenance of a balance of power, but a maintenance of an imbalance of power in favor of the West.

General POWER. That is correct.

Senator JACKSON. Over the Soviets.

General POWER. Words mean nothing. Our record speaks for itself. The world knows we are not going to use these weapons to bully people, to accomplish any of our external goals, or to take over any territory. They are in mature, moral hands. I think we should maintain this type of superiority in those mature, moral hands.

Mr. President, the testimony of the Joint Chiefs of Staff condemns this treaty. They state absolutely it has military disadvantages. I recommend that Senators read their entire testimony. We must heed the enumeration of the military disadvantages to this country as stated by the Chiefs of Staff. I asked the Chiefs of Staff, If this treaty went into effect, would it lessen the cost of our defense? The reply was that it would increase the cost of our defense.

One of the greatest patriots I know, a soldier, a man who has given much of his lifetime in defense of this country and in defense of liberty, is a distinguished native of my State, Gen. Albert C. Wedemeyer. Before asking to have printed in the body of the RECORD his letter to me, I want to read a few significant portions. Speaking of the military, he says:

> We have fought and won two wars at great sacrifice in lives and treasure. In each case we have lost the peace, primarily because our political leaders and their representatives were naive, trusting, and inept. The Versailles Treaty, Yalta, Teheran, Potsdam, Korea and Cuba were the products of political minds, not military.

I commend to the Senate General Wedemeyer's letter, and I ask unanimous consent that it appear at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BOYDS, MD.,
September 17, 1963.

Hon. CARL T. CURTIS,
U.S. Senate,
Washington, D.C.:

I gladly comply with your request for views concerning the test ban treaty now under consideration in the U.S. Senate. As you know, I have spent most of my mature life in the military service, striving to improve knowledge and to acquire experience in connection with the security of our country, both military and economic. One of your colleagues across the aisle a few months back expressed the opinion that military leaders do not have the capability nor the responsibility of considering economic and political factors.

We have fought and won two wars at great sacrifice in lives and treasure. In each case we have lost the peace, primarily because our political leaders and their representatives were naive, trusting, and inept. The Versailles Treaty, Yalta, Teheran, Potsdam, Korea and Cuba were the products of political minds, not military.

I read in today's paper that the same Senator mentioned above now suggests that we "emulate the seagull and devise suitable forms of ceremonial combat in which no one is hurt." If the Members of Congress take seriously such an ill-advised suggestion by the chairman of the Foreign Relations Committee, the much discussed test ban treaty should be referred to the American people in a national referendum. It is my considered judgment that this treaty presents the gravest problem that has confronted our Nation in many years. If Congress were to be influenced in this vital matter by Senator FULBRIGHT's levity—the seagulls may not be hurt but millions of Americans would be at the mercy of Khrushchev and his henchmen in the Kremlin.

While commanding troops in combat, I frequently visited the wounded. They would often ask me, "Why are we here in this far-away place? What are we fighting for?" I explained that we were fighting to protect our rich heritage of freedom and to make available to less fortunate peoples similar opportunities for individual freedom and the dignity of man. My point is simply this, CARL. If U.S. Senators taunt military leaders and make light of a terrible threat to the security of the United States, what is there left to defend?

Every sensible person would be happy to support a disarmament program. However, before this could be done safely, of course, we must eliminate the reason for the existence of armies, navies, and air forces. In American communities where people speak the same language and have the same customs we must maintain restraining forces to protect those who would obey laws against those who would violate them. In this test ban situation we are not dealing with people who speak our language, literally or figuratively. The leadership of the Soviet Union has arrogantly boasted since the Communist revolution more than 40 years ago that they will communize the world. Their program is being carried out by a disciplined, highly trained membership fanatically dedicated to victory. If they are unsuccessful in conditioning peoples' minds to accept step-by-step surrender through the employment of propaganda, economic pressures, and Machiavellian maneuvers, then they invariably resort to violent and diabolical means.

The President has described the test ban treaty as a first step toward disarmament. This has great appeal to the American people. However, in the present international environment we must retain overwhelming military strength and realistic safeguards. The cost in materials and dollars of such a program would be high, but we would be providing realistic protection for our most precious commodity—American lives and freedoms. A considerable amount of money could be found in the foreign aid program which presently is directly or indirectly strengthening the sinews of our enemy.

The Soviet Union and her satellites continue ruthless aggressions and disregard of treaties and obligations. They will only honor agreements when advantage accrues to them. President Franklin Roosevelt may have had some excuse for his naivete in dealing with this international conspiracy but since his time, through the valiant efforts of civic-minded patriots and Members of Congress, the complete record of Communist perfidy has been made readily available to political and military leaders and to the American body politic. Recently the President with commendable fervor explained to the Nation that Mr. Gromyko, the Soviet Foreign Minister, had lied to him about the presence of Soviet missiles in Cuba. This is the same Gromyko who recently initiated the test ban treaty which the President is now urging you and your fellow Congressmen to ratify in good faith.

I do not agree with Secretary of Defense McNamara or the Joint Chiefs of Staff if they accept parity with the Soviet Union in the development of nuclear weapons. It is my belief that we must generate and maintain a working superiority in this field. If the comparative strengths are in delicate balance, the leaders of the Kremlin would be inclined to risk war.

I urge you in behalf of the people of the State of Nebraska which you so ably represent, in behalf of all our countrymen, and in fact, in behalf of mankind to vote against the test ban treaty in its present form. I strongly urge the introduction of an ironclad reservation which will provide a foolproof inspection system. Without such reservation, it is my judgment that the test ban treaty, if approved, would unacceptably jeopardize not only the military security of the United States but also of the free world.

A. C. WEDEMEYER.

Mr. CURTIS. Mr. President, I read in the newspapers that the Secretary of Air was scheduled to attend a reception of the Air Force Association, a group dedicated to improving our Air Force and maintaining it at its very best, not for aggression but for peace. The Secretary of Air canceled his appearance. Why? Because they had the audacity as free Americans to express an opinion on a matter pending before the Senate of the United States. What kind of notice is that to others who might have an honest disagreement? What kind of notice is that to other organizations that might want to assemble and discuss a vital public question? What kind of notice is that to Members of the Senate who might disagree with the wisdom of this treaty?

Speaking of the defense strength of this country as a means of preserving the peace, I want to pay my respects to the Honorable RICHARD RUSSELL, the distinguished and experienced Senator from the State of Georgia. He is the Chairman of the Armed Forces Committee. Does not his 30 years of experience on that committee and on a predecessor defense committee qualify him to express an opinion? Does not wisdom compel us to pay heed to what he says? Since Mr. RUSSELL has served on the defense committees, 40 Secretaries of Defense and of the separate branches of the service have come and gone. There have been 25 Secretaries come and go since he has been chairman of the committee.

Many fine men are called to serve as Secretary of Defense. They come from private life into totally new surroundings and when any one of them quickly and glibly says "Yes" to every query pronounced to him concerning a matter proposed by his superior it causes me to wonder. I could not do it. I do not think anyone else could. I want to give heed to what Senator RUSSELL has to say about this treaty.

Senator RUSSELL is not a maverick. He loves his political party as I love mine. He feels an attachment to the individuals in his State whose political beliefs agree with his, just as I feel an attachment to the people who adhere to the same political principles as I do and who work unselfishly time after time to elect me to this office. It was not easy for Senator RUSSELL to oppose his administration. He spoke from deep conviction from the heart and from a desire to serve this country. I, for one, am not going to brush his statements aside.

May I also pay tribute to the Honorable JOHN STENNIS, of Mississippi, the chairman of the Preparedness Investigating Subcommittee of the Armed Services Committee, and all the other members who joined with him in their scholarly report. These men are experts in matters of defense. They are not seeking partisan advantage. They do not want the United States to adopt the wrong course. They are not warmongers. I would like to list the disadvantages of this treaty enumerated in the report of Senator STENNIS and his committee. They are as follows:

First. The United States probably will be unable to duplicate Soviet achievements in very high yield weapon technology.

Second. The United States will be unable to acquire necessary data on the effects of very high yield atmospheric explosions.

Third. The United States will be unable to acquire data on high altitude nuclear weapons effects.

Fourth. The United States will be unable to determine with confidence the performance and reliability of any ABM system developed without benefit of atmospheric operational system tests.

Fifth. The United States will be unable to verify the ability of its hardened underground second-strike missile systems to survive close-in high yield nuclear explosions.

Sixth. The United States will be unable to verify the ability of its missile reentry bodies under defensive nuclear attack to survive and to penetrate to the target without the opportunity to test nose cone and warhead designs in a nuclear environment under dynamic reentry conditions.

Seventh. The treaty will provide the Soviet Union an opportunity to equal U.S. accomplishments in submegaton weapon technology.

Eighth. The treaty will deny to the United States a valuable source of information on Soviet nuclear weapons capabilities.

Does anyone doubt the great and growing strength of the Soviet Union? It is not limited to a manned air force and submarines. Does anyone doubt that they have missiles, intercontinental missiles, aimed at us? Does the Congress have a responsibility to strive for the surest defense against a missile attack? I hope that I am not termed obsolete when I quote from the Constitution of the United States. It says that the Congress shall provide for the common defense.

We face many problems in our defense, but I do not happen to hold to the belief that certain things are impossible in the field of science and invention.

The President has stated that missile defense is beyond our reach. A few days later Secretary McNamara, using a more positive approach, explained that even without the experiments prohibited by the test ban treaty we will be able to gain the information needed to plan our missile defense. Are these two statements contradictory? We must assume that they are compatible.

The President did not say that a partial defense against missiles is impossible. We should interpret his statement as the reasonable assertion that complete defense against a Russian missile attack is not likely to succeed.

In fact, missile defense is an extraordinarily difficult task. Missiles move with speeds exceeding that of sound, or of the fastest plane or bullet. Several missiles may arrive in a single salvo. They may be accompanied by dozens of decoys. We must discriminate between the real missiles and the decoys, and then destroy all of the "hot" missiles. All of this must be done before the missiles reach a distance within a few miles of their target. A completely satisfactory solution is unlikely indeed.

Secretary McNamara pointed out on the other hand that many of the vital problems of missile defense can be solved without atmospheric testing. We will be able to develop the radar needed to observe the incoming objects. We can study the fine points which may permit us to distinguish a bomb from a decoy. We may use underground tests to develop the best anti-missile explosive.

But there are some things we cannot do. We cannot test our defense setup against a simulated attack. We cannot build up the body of experience needed in practical matters of some complexity. Would we dare to build our Navy without having ever launched a steamship? Would we have confidence in our fighter planes if experience with them were restricted to tests in a wind tunnel?

Specifically we should know in what way our own defensive explosions interfere with each other and with the observation of other missiles in the same salvo. We are hunting a pack of wolves and all the wolves must be destroyed. We are using ammunition, the flash of which may blind the hunter.

We cannot make a direct hit on each incoming missile. We must use nuclear explosives as a defense against nuclear warheads. Such nuclear explosives can kill from a distance. But what distance? Do we need to vaporize the incoming object, or will lesser damage suffice? If the surface of a missile is damaged, its fast passage through the atmosphere may complete its destruction. Experience in all these matters is badly needed.

The Russians have performed many more atmospheric tests in the missile age than has the United States. The Soviets have claimed that they have solved the problems of missile defense. These claims may be empty boasts, but for us to disregard them may be a deadly peril. The recent book by the Russian, Marshal Sokolovsky, entitled "Military Strategy," leaves no doubt about Russian determination on missile defense.

It is to be noted that Secretary McNamara did not say that our missile defenses will be actually deployed. He mentioned no date; he made no commitment. Will lack of atmospheric experimentation induce enough doubts in our minds to tip the scales away from safety? The Russians may try to build up their defenses and may well succeed, while we may never give missile defense a full trial.

It may well be that a massive Russian attack will penetrate any defense we can install. But we may parry any small attack that the Chinese can mount during the 20th century. We are worried about proliferation. We can and we should defend ourselves against its consequences. Missile defense may turn out to be the correct move with which to counter Chinese nuclear power.

The announcement of the test ban was followed by the President's pessimistic evaluation of our missile defense. We must hope that these two facts are not related. If our interest in test cessation diverts our effort from missile defense, then the test ban will not have served our security.

We must bend our efforts toward an early and successful plan for missile defense. The ban will certainly impede our effort and this fact alone is a strong argument against the ban. The Russians may well be ahead of us in missile defense. If so, we shall have a difficult time catching up with them. This is an even more telling argument against the test ban treaty.

Our emotions have been aroused by those who run away from the facts and talk about Hiroshima or Nagasaki, and then say that I am for something that everyone condemns. Let us face the facts. The defense against a nuclear missile attack is dependent upon testing in the atmosphere, and we are proceeding to tie our hands in that field. I ask, who is it that is concerned about the terror of a nuclear attack?

The missile-atomic age has moved our country into the front line of a possible war. A treaty that weakens our missile defense endangers the security of our military defenses, our cities, and our homes.

I call attention to the words of one of the country's most distinguished citizens on the necessity of military strength as an instrument of preventing war and keeping the peace. I want to quote to you what Adm. Lewis Strauss had to say about this. He said:

> May I be so bold, in conclusion, as to call to mind a fact repeatedly experienced and then forgotten through the generations. Because civilized man abhors war, he is attracted by any apparently reasonable proposal that is labeled "peace."
>
> Too often, however, and too late, a pact hailed by a hopeful majority as signaling "peace in our time" actually turns out to be a first step on the path to disaster.
>
> In the past, it has been only our strength which has kept the peace. For many years, our strength will be our surest, perhaps our only assurance of peace.

Many well intentioned and well informed people have fears about this treaty. When I use the term "fear," I use it in its connotation as relating to being prudent and not in any sense indicating cowardice. Will anyone deny that such fear exists in the minds of many Senators? Millions of Americans fear this treaty. Many members of the Armed Forces who were not called to testify have privately expressed grave fears about this treaty.

Is it our duty to allay their fears with promises? Or do we have a duty to do our very best to ascertain the truth of these fears? Much has been said about the fear of injury to human beings from radioactivity that occurs in fallout from a nuclear explosion in the atmosphere. Good people have been concerned about it. Designing people have used it as a propaganda weapon. Fear of radioactivity has been preached to the masses in the far corners of the earth.

Many have spoken and written about it, and I have done my best to read the testimony and secure the opinions of the best authorities. While there is disagreement on the subject as to the degree of this danger, there is nothing in the hearings to give us sufficient reason to advise and consent to a treaty on this basis.

After I had read the material of one of the top scientists in the United States, I sought a conference with him. We talked and we exchanged some correspondence. I asked him to find for me an accurate statement on this radioactivity problem written in layman's language which I would understand, which at the same time was scientifically accurate. He referred me to the book entitled "Nuclear Ambush," by Earl H. Voss, a careful writer and a distinguished Washington newspaperman. The book was published in 1962. This scientist directed my attention to certain pages of Mr. Voss' book. I want to read what he has to say:

> This excursion into the basic science of radiation has shown that the hazard of nuclear test fallout is trifling—3 to 5 percent—compared to background radiation hazards the world accepts without question. How distorted the thinking has become can be made clear by comparing fallout with other hazards, using some popular statistical techniques.
>
> Over the past 20 years, in the United States, there have been six fatal accidents and a small number of injuries to atomic energy workers from ionizing radiation. For most of these 20 years automobile accidents have been causing more than 30,000 deaths per year. But each of the 4 radiation accidents that caused 6 deaths among atomic energy workers has received worldwide publicity; the fact that over 100 nuclear-energy workers have been killed in automobile accidents alone during the same period has gone unnoticed.
>
> Smokestacks belch millions of tons of acid, silicone, beryllium, lead, and arsenic—all widely suspected to be cancer agents—while scientists are sifting the air for faint traces of radioactive fallout.
>
> Living in a brick house gives a person 20 times the radiation dose one gets from fallout. But world attention has been concentrated on limiting the strontium 90, not on finding a substitute for bricks. There is no known case of moving from a brick house to a frame house to avoid radioactivity.
>
> Luminous-dial wrist watches give off as much as 10 times the radiation dose that fallout produces.
>
> Science suspects automobile exhausts, as it suspects fallout, of producing cancer. But no one has suggested declaring a moratorium on automobile transportation, or even making a multi-million-dollar investigation of auto exhausts.
>
> Principally because of the fallout problem, science has been stimulated to learn much more about radiation as a cause of cancer and other health problems than it knows

about almost any other occupational or environmental hazard. Benzpyrene, for instance, was discovered in the early 1930's to be a powerful cancer-producing agent in mice. Combustion of petroleum by autos yields more than enough benzpyrene to produce a cancer hazard. In large American cities, there is so much benzpyrene in the air that it settles on windowsills in measurable quantities. But there has been no scientific investigation of the hazard of benzpyrene at low doses.

"I presume that we want to save thousands of lives in this country every year and we could just abolish the manufacture of automobiles and go back to riding horses," Senator Bourke Hickenlooper, of Iowa suggested facetiously in one committee hearing on fallout. "It seems to have struck a balance in the minds of people that transportation is important and we keep making automobiles, people keep getting killed by the thousands on the highway every year. We are all sad about that."

On the east coast, the annual radiation from natural sources is about 0.1 roentgen per year, while Denver and other large Coloradan cities get about twice that amount from natural background sources. Denver is expanding despite this health hazard. And New York reports a higher rate of leukemia than Colorado, presumably from causes other than radiation.

In southern Illinois, where the drinking water contains unusual amounts of radium, persons store about 10 times as much radium in their bones as those living in Chicago. But there is no significant difference in the bone-cancer rates so far detected.

People living in Albuquerque, N. Mex., annually absorb much more radiation in their mile-high homes than do people in Washington, D.C. The excess is greater than that received by Washington residents from all bomb-test fallout to date. Yet most of the citizens of Albuquerque continue to reside there.

If the incidence of lung cancer from cigarettes is assumed to be linear, that is, depending on the size of dose, as leukemia is assumed to be linearly proportional to fallout, one scientist has calculated that two cigarettes per year can produce as much lung cancer as fallout can produce leukemia.

Using the same statistical technique, pollution of the city air can be regarded as a comparable hazard. A few hours spent in the city by country folks would produce lung cancer to the same extent as fallout produces leukemia.

It would be rash to claim that small radiation doses have no effect on humans in increasing bone cancer and leukemia. But it would seem reasonable to conclude that if there is any increase in the incidence of these diseases because of fallout, it is so slight as to be unnoticeable when compared with other suspected causes of bone cancer and leukemia.

The directly proportional or linear theory can be applied to other harmful phenomena in modern society.

One's life expectancy can be reduced about 9 years by smoking a pack of cigarettes a day, according to one statistical calculation based on the linear theory. This is equivalent to shortening one's life by one hour for each cigarette smoked.

A sedentary job instead of one involving exercise reduces life expectancy by 5 years, compared to the 1 to 2 days life-shortening due to worldwide fallout. Being 10 percent overweight costs one a year and a half. Living in the city instead of in the country reduces life expectancy by 5 years; so does remaining unmarried.

The point here is that it can be misleading in the extreme to assume that one suddenly discovered factor, like fallout, is the sole cause for some change picked at random from a whole spectrum of causes and changes.

Nor can it be considered completely valid to contend that all mutations are bad. Students of evolution say that it was genetic mutation—thousands of years ago, when the natural background level of radiation presumably was much higher than it is today—which produced man in his present form. It can only be said that mutations are neither all significant nor all bad.

As more is learned about cancer, doubts are increasing that low doses of radiation produce noticeable or significant effects. Both cancer and leukemia are sometimes produced by indirect methods not involving a direct hit by a radioactive particle or ray on a human cell. Many have assumed that radioactivity makes a direct hit on a single cell and starts a chain reaction of cancerous cells. If two mutations instead of one were found to be required to produce cancer, however, then instead of 100,000 cases of leukemia produced over the centuries by fallout, there might be as few as 100 cases, over millennia.

The theory that cancer is caused by a single mutation that gives rise to a growing colony of cancer cells was in vogue some years ago but is passing out of fashion. Scientists advancing the proportional theory in relation to fallout have been "almost exclusively * * * quite unfamiliar" with recent advances in cancer knowledge.

Add to these difficulties the imprecise measurements of the fallout hazard that are possible with present techniques, and there develops a wide range of uncertainty, mainly on the side of doubt as to whether there is any health hazard in test fallout at all. Fallout doses are so low that they cannot be used on mice. As has been noted earlier, millions or billions of mice would have to be bred in laboratories before any genetic effects would be noticeable from even such relatively high doses of radiation as 10 roentgens.

"Hot spots," or clusters of radioactivity from tests could develop in populated areas, but in experience since 1945, there is no recorded case of harm to human or animal life.

Most scientists feel that while past testing has not presented a health hazard, big megaton explosions of the order of magnitude exploded by the Soviet Union in 1961 and 1962 could eventually accumulate fallout hazards of serious proportions. Heavy testing in the atmosphere is not a realistic prospect, even after the Soviet series of 1961 and 1962, however. The United States has signified its intention of confining the great proportion, if not all, of its future tests underground, where there will be no radioactive fallout hazard.

The greatest hazard might come from newly emerging nuclear powers if they developed dirty weapons. Regulation of their atmospheric testing could become an issue in the next decades.

How did the unrealistic fear of fallout get such a grip on the world? A rather detailed study of the test ban's history shows there were many forces at work, some informed and some uninformed.

Whether the treaty is finalized or not the United States will proceed to do as much testing as possible underground and it may well be assumed that we will make further advances in producing clean bombs. However, a treaty that will completely prohibit testing in the atmosphere would seriously hinder our national defense. At the same time the treaty will not lessen the radioactive fallout from nonsigners such as Red China, whose bombs will be dirty bombs, nor will it lessen radioactive fallout caused by treaty breakers.

Mr. President, can we trust Red Russia? We here in exercising our treaty-making power are not acting for ourselves. We are acting for the United States of America, its people, its institutions, its future.

Just who signed this treaty for the Russians? It was the Soviet Foreign Minister, Mr. Gromyko. About 11 months ago, Mr. Gromyko went to the White House and told the President that the Russian Communists had no missiles in Cuba. The facts were the whole country was terrified to learn that missiles were there pointed at a large portion of the United States.

On October 22, 1962, the President, in justified outrage, described the barefaced deceit to which he had been subjected. Before the whole world the President branded Mr. Gromyko's statements false.

Would I be regarded as naive to inquire, when a spiritual regeneration and rebirth took place in Andrei Gromyko, the Soviet Foreign Minister? Before we trust murderers, thieves, and liars in our private dealings, we should inquire whether they have changed. Do we have any less responsibility in protecting our country?

Much has been written and said about the broken promises of the Russian Communists. One of the most concise statements on this subject appears in the hearings. The recitation was made by the distinguished Senator from Ohio, [Mr. Lausche]. I want to read it to the Senate:

> I want to recite here Russia's conduct of the past. I begin on February 2, 1920, when it made separate peace treaties with Estonia, Latvia, and Lithuania, recognizing the independence and autonomy of these countries and renouncing voluntarily and forever all rights of Russia over these people. On June 16, 1940, in the face of that treaty, Soviet troops occupied Estonia, Latvia, and Lithuania.
>
> I go to Iran. There was a tripartite alliance on January 29, 1942, to which Red Russia was a signatory, and it promised to withdraw its forces from Iranian territory. In 1945 Red Russia equipped the rebels with Soviet arms and Red army uniforms. Iranian forces were neutralized by Red army troops. In January of 1946 Iran appealed to the United Nations charging the Soviet Union with violating the agreement and interfering with its internal affairs, and nothing was done about it.
>
> I now go to Yalta. We heard so much about it. In the Yalta agreement Red Russia, the United States, and the United Kingdom agreed to assist liberated people to form interim government authorities broadly representative of all democratic elements in the population and pledged to the earliest establishment through free elections, and I want to repeat that, free elections, and the right of self-determination, of governments responsive to the will of the people. Now, the violations: In Hungary, acting through the Hungarian Communist Party and its own agencies and armed forces in Hungary, Red Russia suppressed the will of the Hungarian people by installing the minority Communist dictatorship and denied Hungary fundamental freedoms. The same thing was done in Rumania and Bulgaria.
>
> I now go to Poland. In 1932, on July 25, Red Russia signed an agreement that there would be no aggression of Red Russia on Poland and not by Poland on Red Russia. We all remember this stab in the back on

> September 17, 1939, when Poland was fighting Germany on the west and Red Russia attacked Poland on the east.
>
> I now go to the United States. In 1933 when Red Russia was begging the United States to establish trade relations with Russia, just as Kadar is now doing, and Litvinov wrote a letter to our Government committing himself that on Russian soil no agency would be permitted to exist contemplating intruding communism upon other nations of the world. In violation of that Litvinov letter undoubtedly about which you know, the Comintern was in existence and they were attempting to communize the world.
>
> No. 10, Finland: There was an agreement that before Russia and Finland ever engaged in war that the issue would be submitted to arbitration, and that in no event would resort be made to war until 3 months after the report of the arbitrators. On November 26, 1939, the Soviet Government attacked Finland.
>
> I now come to Hungary of 1956. When those patriots took control of the Government and Imre Nagy was in charge, Red Russia said, "We will remove the Red Russian troops. Pravda will tell the story." The story was carried throughout the United States, but while we were relying upon that promise they were bringing in their tanks and their guns and their military men.
>
> No. 12, German reunification; On July 23, 1955, the Foreign Ministers of the Governments of France, the United Kingdom, the United States, and Red Russia stipulated, the heads of government have agreed, that settlement of the German question shall be by means of a free election. That was repudiated and broken.
>
> We now come to China, No. 13. In the alliance between the Republic of China and the Union of Red Russia, they agreed to work together in close and friendly collaboration after the coming of peace following World War II, and to act according to the principles of mutual respect for their sovereignty. That treaty was broken.
>
> Then we come to the very significant Potsdam agreement on Germany. It was promised that Germany would not be scalped and denuded of all of its economy. The signatories to that promise kept it except Red Russia, and it carried out everything it possibly could, causing us to pour huge sums of money into Germany to reestablish the economy. There were other commitments made in the Potsdam agreement that were broken.
>
> I now come to the Kellogg-Briand Treaty, which is significant. The Kellogg-Briand Treaty outlawed war as an instrument of national policy. The Red army invaded Manchuria on October 12, 1929, 1 year after it promised to outlaw war. Here we are sort of outlawing the nuclear tests. I wonder how long we can rely on that.

Yet, Mr. President, we hear Senators beg Russia for a pact to outlaw war.

The Senator from Ohio also said:

> Japanese war prisoners: It was agreed by Red Russia that it would return those prisoners. It still hasn't done it.
>
> Korea, item No. 17: It was agreed on December 27, 1945, there shall be set up a provisional Korean democratic government. There shall be a joint commission to provide a four-power trusteeship of Korea for a period up to 5 years. From the very beginning, the Russian representative refused to collaborate and to act in pursuance to that agreement.
>
> No. 18, the return of German prisoners of war from the concentration camps: It still has not been done. Then we have had the peace treaties with Hungary again and Rumania and Bulgaria, also violated.

Mr. President (Mr. McGovern in the chair), the Senator from Ohio closed his recitation of events by saying:

> Now, may I ask, Mr. Secretary, which is the last agreement that Red Russia has violated? I have in mind the Cuban commitment that we would have the right to inspect and ascertain whether the missiles were removed. Am I correct in that or not?
>
> Secretary Rusk. That was a basis for the exchange, basis of the exchange between the President and Khrushchev during the week beginning October 22.
>
> Senator Lausche. That promise was not kept.
>
> Secretary Rusk. That is correct, sir. As you recall, Castro would not accede to that.
>
> Senator Lausche. Yes. The commitment was made that neutral nations would be permitted to go in and see whether the missiles were removed. That commitment was not executed, is that correct?
>
> Secretary Rusk. That is correct, sir, but there were certain alternative arrangements that were made, as you remember.
>
> Senator Lausche. I have a letter here from the State Department saying that we are not bound by the promise not to invade or any of the other promises that we made because the commitment of Khrushchev was not kept to allow us to inspect.
>
> I ask you, in the face of this fragmentary recitation of breaches of commitments, if we are to judge Red Russia in the future by what it has done in the past, what can we expect?

High officials have openly stated they expect the Russians to cheat on this treaty. There is no reason to doubt their word. The distinguished Senator from Minnesota [Mr. Humphrey] publicly admitted that he did not support the treaty on the basis that he trusted the Russians. If that be the case, what safeguards do we have?

Secretary Rusk stated in the hearings:

> The original position of the Soviet Union in these discussions was that a withdrawal clause was not necessary, because a sovereign state could, in any event, denounce a treaty.

As a matter of fact, that provision is in their Constitution. The whole history of Soviet actions proves that they claim the right—which they have repeatedly exercised—to junk a treaty, not on 90 days' notice, not on 1 day's notice; not on 5 minutes' notice, but without 1 second of notice.

Earlier in my remarks, I quoted the Joint Chiefs of Staff as saying that if this treaty were put into effect, our defense would cost more. One of the reasons is that it will cost more to test underground and to establish all over the world stations to check on what nuclear developments take place in Communist Russia. Many of those plans of detection are still on paper. The money has not been appropriated, and they are years away.

The hope that the United States could readily and effectively resume atmospheric testing, if the Communists violated the treaty, is not sustained by the record. When the Communists broke the testing moratorium in 1961, some time passed before we could test. When our tests were made, they were hurried and unprepared for, and the knowledge gained fell far short of that desired.

The treaty itself is replete with ambiguity, uncertainty, and undefined language. Its preamble refers to additional steps, but does not define them. The treaty uses terms that never before have been used in treaties. If we enter into this treaty, we shall bind ourselves not only to refrain from testing in the atmosphere, but also to refrain from carrying out any other nuclear explosion. Thus, the treaty not only will put an end to great portions of our peacetime use of atomic energy, but it also raises a serious question about the use of nuclear explosions to preserve the peace. In case of aggression or threatened aggression against us or one of our allies, our hands will be tied. The assumption that when a state of war exists, we shall not be bound by the treaty could result in a negation too late to prevent war.

An instance of the capability of superior weapons to preserve the peace, save lives, and at the same time prevent the extension of the subjugation of free peoples, occurred in July 1958. It was then that President Eisenhower ordered the landing of troops in Lebanon. The landing was made; there was no loss of life; and the Russian Communists did not dare interfere. The mission was accomplished because other branches of our defense system were poised with our superior weapons to strike whenever and wherever necessary.

If we solemnly agree not to carry out any nuclear explosion, a mission similar to the one to Lebanon could not be carried out by us.

The strength of the aggressive power of countries in which human life is not valued lies in their millions and millions of men. The strength of the defensive power of countries such as ours, in which human life is valued, lies in their superior weapons.

It is commonly said the United States can withdraw from this treaty any time it wants to on 90 days' notice. The treaty carries no such provision. The treaty provides in article 4 that we have the right to withdraw from the treaty if we decide that extraordinary events, related to the subject matter of the treaty, have jeopardized the supreme interests of our country. These extraordinary events must be related to the subject matter of this treaty. In other words, they have to be related to nuclear testing. Extraordinary events of aggression, or subversion, or a Communist takeover of more countries in the Western Hemisphere by conventional weapons would not be related to nuclear explosions. In that case we are still bound by the treaty. It is not only the use of our weapons that keeps the peace, but the ability to use them—the readiness to use them—and at this point we tie our hands.

The late John Foster Dulles, an able and distinguished Secretary of State, said before his death in 1959:

> Since a treaty is what the Russians want, it wouldn't be difficult to come up with one which would look good on the surface. We could include in it all the fuzzy language of diplomacy—and believe me, I know some of the phrases—and present it to the world

> as a great achievement for peace. All of this would result in a relaxation of world tensions, generate a feeling of international goodwill, and probably elect a Republican President in 1960.
>
> But we're not going to do it. If we signed such a pact with the Soviets, there would develop a tremendous pressure to cut back on our defenses, reduce the size of our Armed Forces, and curtail our armaments. And we'd have only the word of the Russians that they were doing the same. Our NATO, SEATO, and other alliances would be endangered, perhaps to the point of deterioration. As a result, within a few years we could be a sitting duck for the Communists to pick off whenever they felt the time was ripe.

Is this treaty a part of the Communists' great design for world domination? Is it a propaganda weapon to force the hand of the United States and to cause our people and the Congress to slumber? The Joint Chiefs of Staff certainly have warned against complacency. Why was this treaty not allowed to be completed pursuant to the constitutional processes of the principal signers before it was submitted to all the nations of the world to sign? Something over 90 nations have already signed. Was this procedure followed to pressure the United States and the U.S. Senate into a difficult position to reject or amend the treaty?

When we have a parade of nations not possessing a popgun, an air rifle, or a cherry bomb, coming in and solemnly agreeing that they will not set off a nuclear explosion in the atmosphere, there is something about such procedure that is tainted with hypocrisy. It would have been a simple matter to have a treaty considered and finalized by the principal parties, who are atomic powers, and then after the entire treatymaking process was completed permit other countries to join in, but that was not done.

We hear much talk about world public opinion. I have respect for world public opinion, but I try to remember that not everything appearing as world public opinion is such. With a few dollars a troublemaker can journey to the capital city of a foreign country and hire some kids to carry placards, parade in front of the American Embassy, and shout falsehoods. Such an event then is broadcast to the world through the news media and we are supposed to interpret it as world public opinion. It is propaganda pure and simple. It is manufactured. It is managed.

The treaty itself makes reference to further steps. The proponents of this treaty have said that it is only a step. There will be more. What are these next steps? Will one of the future steps be to compel stalwart and honorable Uncle Sam to march to Moscow and sign a nonaggression pact? America is not an aggressor nation. We have no aggressive intentions. Our money and our might have been spent unselfishly for other countries. American boys have died not alone for this country but for the defense of many countries. We were the victor in World War I and World War II but did we demand territory? Is there anyone in the Chamber who feels that the United States must renounce its past and sign an agreement not to commit aggression?

What would be the effect of the Russian Communists signing a nonaggression pact? They have signed many nonaggression pacts before, all of which have been broken. Unless they change, their signature on a nonaggression pact can not be depended upon. But, that is only half of the story. When great powers enter into a nonaggression pact, it is based on the premise that they may keep the territory already taken. This would wipe out all hope for the millions who today live under Communist slavery. It would freeze and make permanent the status quo. One might say that such a nonaggression pact would never be drawn. I say to him, suppose it is and suppose it is presented to this country under the same conditions and procedures as this treaty is presented. Many people have argued that the Senate should advise and consent to this treaty because refusing to do so now will create an unfavorable image. Would not that same problem exist if a nonaggression pact should come before us?

Red China has not signed this treaty and would not observe it if she did. Yet Red China may be the one aggressor nation emerging as a nuclear power. We are asked to sign this treaty without any provisions to inspect nuclear developments in that vast interior of Red China.

Many prudent individuals believe that in case of war against the United States, Communist Russia and Communist China would join forces. Certainly we should not risk the future of this country on the hypothesis that they will not stand together.

In recent months Red China and Red Russia have entered into certain treaties and I want to call attention to them.

The newsletter of the United Nations Association of the Republic of China, published in Taiwan, June 1963, on page 15:

Peiping and Moscow Sign Science and Technological Cooperation Plan

> The Chinese Communists and Soviet Union have signed a plan for scientific and technological cooperation for the last half of 1963 and the first half of 1964, Peiping radio disclosed on June 21.
>
> The Communist Chinese radio, monitored in Tokyo, has also reported the signing of an executive plan for scientific cooperation between Communist China and Bulgaria in 1963. Both were signed in Peiping. The Sino-Soviet agreement was signed following 8 days of talks "held in a friendly atmosphere. A communique issued on June 19 said "under this plan the (Communist) Chinese and Soviet institutions concerned will mutually play host to scientific, engineering, and technical workers studying scientific and technical achievements and production experience in various branches of the national economy and will supply each other with scientific and technical data and samples."

Mr. President, one of the greatest statesmen of our time is that distinguished Nebraskan, Hon. Walter Judd, former Representative and former missionary to China. As a student of Communist strategy he has no peer. I have heard him liken the Communist strategy to that of a football game. When a football team acts like they are going to carry the ball through the line, look out—they are about to run the end, or make a surprise forward pass. When the football team gets poised for a line drive the opposing team must beware of a surprise punt. When the formation is called for a kick, the opposing team, if they want to win, must be prepared for a line drive. Representative Judd has said that just as the football team uses strategy to advance the ball, the Communists use strategy to advance communism and achieve their unchanged goal of world domination.

We should not forget that they want to bury us. When they act like they want peace, they prepare for war. When they pretend to be friendly they strike with force. When the vehicle of treaty making can be used to advance communism they will use it. The Russian Communists neither enter into a treaty nor observe a treaty when it is not to their advantage to do so.

When the United States and the Russian Communists sit down at a peace table they do not meet as equals. The Communists are aggressors. The Americans are not. Americans are believers. The Communists are atheists. The Americans honor treaties and the Communists break treaties.

There are other inequalities. The high-megaton nuclear explosions in the atmosphere carried out by the Russians following the moratorium may have given them additional knowledge which the United States does not have.

The Apostle Paul in writing to the Corinthians said:

> Be ye not unequally yoked together with unbelievers: for what fellowship hath righteousness with unrighteousness? And what communion hath light with darkness?

Mr. President, I must be guided by the lamp of experience and I cannot turn my back on history. Neither can I ignore the warnings that have come from the Communists themselves.

I hold in my hand a little devotional book written by Father James Keller, founder of the Christophers. It is entitled, "3 Minutes a Day." I want to read about the Communist boast made some 20 years ago. In reading it I want to point out that time is running against us:

> "War is inevitable," were the strong words used by Dimitri Manuilsky, when he addressed the students of the Lenin School of Political Warfare in 1930.
>
> His dire forecast continued:
>
> "Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years.
>
> "In order to win we shall need the element of surprise. The bourgeoisie will have to be put to sleep, so we shall begin by launching the most spectacular peace movement on record.
>
> "There will be electrifying overtures and unheard of concessions. The capitalistic countries—stupid and decadent—will rejoice to cooperate in their own destruction. They will leap at another chance to be friends.
>
> "As soon as their guard is down, we shall smash them with our clenched fists."

Mr. President, I shall vote against this treaty.

THE SOVIETS AND THE POSTWAR—A FORMER AMBASSADOR TO MOSCOW ANSWERS SOME PERPLEXING PROBLEMS

(By Joseph E. Davies)

(The replies to these questions submitted by the editors do not reflect any current official opinion of either the Soviet Union or of the United States, so far as I know. Nor are the answers intended to be dogmatic. They are simply my own opinions, for such value as they may have. They are based upon published sources of information, and upon facts within my own knowledge, and represent my considered judgment.)

"1. Can we assume that the rulers of Russia are men of good will toward other nations and that they desire a peaceful, stable world?"

Yes. Their public statements of policy and their deeds in the past decade both establish that. Ambassador Litvinow, when he was Foreign Minister, both within and without the League of Nations, was the outstanding advocate of collective action by the nonaggressor nations, in order to insure "a peaceful and stable world." War anywhere, he constantly urged, would engulf all the rest of us for "peace was indivisible." Abyssinia, Spain, China, the attitude of the Soviets in agreeing to stand by Czechoslovakia with France against attack by Germany—all attest to their sincerity as "men of good will." It is, also, to their practical best interests to have peace with, and in, the world.

"2. Will Russia pursue a lone-wolf policy after the war or will she seek to cooperate with the other great powers in creating a stable world?"

That will depend upon what kind of world they will then face, or upon what kind of a world they think they are facing. If they believe in, and trust the proposals of Great Britain, China, and ourselves, and the United Nations, they will, in my opinion, go as far as any of these in a high-minded and altruistic effort to cooperate in creating a stable and decent world.

If, on the other hand, they believe they are not getting a square deal on a reciprocal and high-minded basis, they will not hesitate to go it alone. They will not be "taken for a ride." Nor will they be used to pull anyone's chestnuts out of the fire. They will do exactly what we would do, if in their shoes.

"3. Will Russia seek to create some kind of world federation, embodying some transfer of sovereignty from the member states to the central government? Or will she favor voluntary cooperation by the great powers to maintain a stable world?"

The Soviets vigorously supported the League of Nations and constantly advocated a stronger and more effective League. They are, however, essentially practical and realistic in the application of their ideals. First things first is the motto of the Soviets. They, I feel sure, would be willing to give up so much of their sovereignty as would assure a strong federation to outlaw war, aggression and conquest and to establish an international police force to keep the peace for the world community of nations. What other and further relinquishments of sovereignty they would agree to would depend upon how practical and unselfish the proposals were, and upon their confidence in the good faith of the other large nations.

"4. Will Russia be willing to undertake any international commitments which involve revealing military information to other nations?"

Yes, if it is upon a fair and reciprocal basis, and for the honest purpose of protecting the peace of the world community against gangsters, outlaws, or terrorists.

"5. Winston Churchill once described Russian foreign policy as 'a riddle wrapped in a mystery inside an enigma.' Can you make sense of it? What are its fundamental aims?"

In my opinion, the best approach to the solution of the riddle is to forget the epigram and set to one side the idea of either an enigma, or a mystery. The riddle, if riddle there be, from my experience can be best solved by the simple approach of assuming that what they say, they mean; that they are honest in their beliefs, speak the truth and keep their promises. If one were to assume, also, that they were strong, able, courageous and willing to treat others honestly, if they believe they are treated honestly themselves, the riddle can be answered with reasonable certainty.

As a matter of fact, in my opinion the foreign policy of the Soviet Government is quite clear. Its first concern is to insure the territorial security of the Soviet Union. They built up a great military and industrial system for that purpose. The Soviet Government is not a predatory power like Germany or Japan. It was only after Hitler came into power that the great industrial development projected by Stalin was speeded up for war purposes. Once that security is established, the Soviet policy is to develop the U.S.S.R. internally. That can best be done in a peaceful world. The Soviet foreign policy therefore has been consistently addressed to the prevention of war. When they lost faith in both the will and the capacity of the Western democracies to join them realistically to stop Hitler, they still tried to maintain their security and their peace by entering into a nonaggression pact with Hitler in 1939. That was not a pact for a mutual offensive against Germany's enemies. In that particular, it provided only that neither would attack the other. They gained precious time which they feverishly employed to protect their security against the inevitable Nazi attack.

After this war there will be still greater need for peace to promote their plans for the internal development of their country.

There is no riddle or mystery if the statements of the Soviet Government, or its leaders, are read in the light of these policies. They are straightforward and direct.

"6. Is there religious freedom in Russia?"

The Constitution of the Soviet Union (art. 124) provides that, "Freedom of religious worship and freedom of antireligious propaganda is recognized for citizens."

By this same article the church is separated from the state and the school "to insure citizens freedom of conscience."

Article 135 of the Constitution provides that religion shall be no bar to the right of the citizen either to vote or hold office.

Prior to the enactment of article 135, which is attributed directly by some to the attitude of the President in his recognition of the U.S.S.R. in 1933, several nations including the United States were guaranteed that their citizens in the Soviet Union should have: (1) full liberty of conscience and religious worship, free from persecution; (2) the right to hold religious services in churches or buildings selected for that purpose, free from molestation; and (3) the right to impart religious instruction to their children. That, however, did not include the right to proselyte outside those restrictions.

In 1937 there were about 100,000 ministers of religion in the Soviet Union, according to the chairman of the Atheist League of the U.S.S.R.

The Russian Orthodox Church of the Soviet Union is militantly supporting the Government in this war. The highest prelate, Acting Metropolitan Sergei of Moscow, has appealed for this tolerance of religious people outside Russia and has urged that such people be not misled by "Fascist propaganda" or believe "their lies" as to persecution of the church in recent years. A book devoted to the Truth About Religion in Russia was recently published in Moscow by the Orthodox hierarchy, addressed to providing accurate information on religion in the Soviet Union.

There is no question, however, that despite these constitutional guarantees there is much hostility toward religion in the party membership. I was reliably informed when in Moscow that the objections raised to the adoption of these constitutional provisions were overcome by Premier Stalin's personal advocacy of their passage.

"7. Is Russia determined to pursue the cause of world revolution?"

In my opinion, no. The Stalin 5-year policy clearly set aside the Trotsky idea of world revolution. It was one of the alleged betrayals of the revolution charged by the Trotskyites.

"8. If Russia has given up her ambition to turn the world Communist, may she nevertheless still fear capitalistic encirclement and attack?"

That depends upon whether they think that they have reason for such fear. Much will therefore depend upon how the rest of the world approaches the problem of postwar reconstruction, and the attitude of the other nations toward the United Soviet Socialist Republic. If there are evidences of hostility on the part of the outside world, they will certainly detect it and protect themselves.

Before Russia entered the war, Russian distrust of the Western powers was very real. On the morning following Hitler's night attack, June 22, 1941, there were highly informed persons in Moscow who believed that Britain would launch a simultaneous naval attack through the Baltic Sea in conjunction with, and pursuant to, an agreement with the Nazis. That fear was only relieved when Prime Minister Churchill's broadcast came over the air, pledging all-out aid to Russia.

The developments in the conduct of the war, I believe, through contacts and better understanding, have definitely contributed to dissipating the classic fear of capitalistic encirclement and attack.

"9. Even if Russia is not interested in promoting world revolution for its own sake, will she still use revolutionary activity as an instrument of Russian nationalism? May she, for instance, promote Communist revolutions in Europe? In Asia?"

This idea is again being vigorously and assiduously preached by Goebbels and other Nazi propagandists, both in and out of Germany. The express oral assurance of Premier Stalin, the commitments contained in the Joint Declaration by the United Nations, and the treaty made with England have definitely killed that Hitler bugaboo which he has tried desperately, and without success, to sell to Europe these many years. The Soviet Union has an enviable record as a nation for keeping its obligations. Except as an instrument of military necessity, the Soviet Union will not promote dissension in the internal affairs of other nations.

"10. What do you think is the probable extent of Russia's territorial demands?"

It would be natural for them to demand what any other people would, under similar circumstances. First, they would naturally want that back which had previously been taken away from them by force after the last war. After that, it would be natural for them to require any such territory as that which they considered to be vital to their security in the event of possible future European attack.

The probable extent of Russia's territorial demands will therefore depend, in my opinion, upon what conditions are when peace comes and upon what kind of a world they think is going to come out of the peace.

It should be remembered that the Baltic States were all carved out of, and taken away from Russia, after the last war. It is also the fact that the very Germany, which they are now fighting, in 1917 and 1918 took away from Russia nearly all of the territory gained westward since the accession of Peter the Great, including the Ukraine and White Russia. It would be only natural that they should want to get it back from a defeated Germany. Five million Ukrainians were arbitrarily converted into Polish citizens after the last war. Bessarabia, which was taken from Russia at about this time by Rumania, had been Russian for 100 years. The United States refused to recognize Bessarabia officially as a part of Rumanian territory. It could be contended with much force that Soviet claims to all of this territory would not be "territorial aggrandizement" and would not be inconsistent with pledges made by the Soviet Government either in the treaty with Britain last June, or with the covenants contained in the Joint Declaration of the United Nations made in January 1942, in Washington. It could be contended that the acquisition of such territories did not constitute aggression, but simply the restoration to the Soviets of that which has been taken from them by force and the rectifying of previous wrongs.

Further, if the Soviet Government believes that it is confronted with the same type of world which existed before this war, they will undoubtedly require that which self-preservation demanded in this war, namely, a sufficient extension of territory on its western frontier to make itself secure against possible European attack. That would mean a part of Finland and, possibly, a part of Poland up to the Curzon line. That, it will be remembered, was the line determined by the Curzon Commission under the Versailles Treaty as the line of racial demarcation of the Polish and Russian nationalities.

Last year, when the Soviet-British Treaty was signed, providing for a mutual-assistance pact in the event of an attack upon either for a period of 20 years, both Britain and the Soviet Union were satisfied to leave the solution of controversial questions to be settled after the fighting was over by the application of certain broad equitable principles. That was wise. It is no time to fight among ourselves until Hitler and the Nazis are thoroughly beaten.

At that time the question of the Polish border was raised, according to the press. It was reported that General Sikorski and the Polish Government were agreeable to that disposition of the problem in the interest of unity in the war effort. After the British-Soviet Treaty, which from press accounts seemed to have been approved by General Sikorski, great numbers of Polish prisoners held by Russia were freed, and some 100,000 Polish soldiers were released, armed by Great Britain and the United States, and organized as a fighting force against Hitler. They are now in the Middle East.

I am very sympathetic with the Polish people, but it could scarcely be expected that the Soviets would remain mute when these controversial frontier matters were recently brought up in London; particularly in the face of what appeared to the Soviets to be an implied consent to the postponement of the determination of the issue until after victory. The Soviets, obviously, could not permit these claims to be asserted without contradiction, without themselves being estopped at some future time from asserting their viewpoint, upon which naturally they would wish to be heard. It is significant that it is not the Soviets who are now pressing, so far as the United States is concerned, for decisions upon these controversial matters.

After victory has been won, conditions may be entirely different from those existing now. Many things may happen in the interim. The science of war is being completely revolutionized by airpower. Frontiers such as rivers and mountains, providing bases for fortifications, have lost much of their importance. The war has already shown that thousands of paratroopers may be transported to strike at vital centers in the interior, by simply passing over the frontier land fortifications. Boundaries may not be of such vital importance in a reconstructed and peaceful world.

Moreover, the terms of the peace may, and probably will, provide for mutual-defense agreements for collective security, which will reduce the necessity for military defenses and armaments. It is unthinkable that such little, at least, would not be the result of the war.

Under such conditions, it is not beyond possibility that the Soviets might consider, in the interest of a peaceful world, that the matter of the extension of its frontiers was not a matter of vital protection against a possible recurrence of German attack.

Certainly, the comradeship and understanding developed by mutual fighting against Hitler and aggression will provide solvents for these knotty questions.

"11. What does Russia regard as her proper spheres of influence?"

That would again depend upon the character of the world which the Soviet Government would confront at the conclusion of the war. If the postwar world can be assured of the enforcement of one principle, to wit: that military power cannot be used by any nation to enforce its will, then these questions of vital interest can be determined on the basis of equity and decency. The Soviets, I believe, would go as far as any nation to bring that about.

To answer the question flatly, however, there is no doubt that there are certain matters in which Russia has a vital interest. There is the matter of access to the sea and warm-water ports. That, particularly, affects the Pacific and the Mediterranean. Russia has always been concerned with the ports of Port Arthur and Darien on the Pacific side, of which she was deprived in 1905. Again the use by her and other nations of the highway which the Dardanelles affords for shipping and an outlet from the Black Sea, and through the Mediterranean to the oceans, would naturally and rightly be a matter of concern. Also, realistically, in a hostile or an anarchic world, self-preservation might demand the thrusting forth of their defenses against a possible repetition of German attack through the territory of smaller states adjacent to Russia, which are not strong enough themselves to prevent a strong Germany, or other aggressor, from making a highway of these smaller countries to attack the Soviet Union. To illustrate: The great sea base of Kronstadt, and the city of Leningrad, are only 25 miles from the Finnish border and within easy reach of German long-range guns. The Soviet Union made a very strong effort to come to an agreement with the Finnish Government, whereby the Soviets could compensate them for concessions of territories which were vital to Soviet defense against German attack. These the Finnish Government, in fear of Germany, was unable to concede because, obviously, they were under the German gun, and, unfortunately, still are.

Presumably, all of these vital interests and others, such as fair access to raw materials, the common use of the seas and the air as highways for all of the nations in the world community, and similar matters, must ultimately be adjusted on a basis of reciprocity and a fair balancing of the interests of the various states, if there is to be a stable peace. Their determination must be governed under rules of decency and equity as between neighbors who desire peace for mutual advantage, even though they be friendly economic competitors. I believe that the Soviet Union would cooperate wholeheartedly and would contribute positively to that end, once convinced of the good faith and reliability of her associates.

The attitude of the Soviets, no less than that of other nations, upon these vital matters will therefore depend entirely upon the kind of peace that is to be established to secure a decent, desirable, and stable world to live in.

"12. Will Russia be prepared to back up her demands with arms if we oppose them?"

If the Soviets face an archaic world, where not peace but war confronts them, they can and will back up their security by force of arms if that is the only alternative. That, I am sure, would be far from their desire.

"13. If other states go Communist and voluntarily apply for admission to the U.S.S.R., will Russia admit them? Can we safely permit this?"

If states adjacent to the Soviet Union should voluntarily apply for admission to the U.S.S.R., I have no doubt that they would be admitted. If that were done, both countries being willing, it would be my opinion that it was none of our business; nor would our safety be necessarily imperiled thereby. If any such states were not contiguous to the borders of the Soviet Union, such application might possibly be embarrassing to the Soviets, but I doubt it. In any event, in my opinion, they would resolve such problems in a practical and realistic way in cooperation with those nations that were associated with them in the common enterprise of keeping the peace of the world community.

In this connection there has been much agitation directed from Berlin to the possibility that the success of the Soviet armies might result in communizing Europe. It is the same old red herring drawn across the trail. Anyone who knows Europe knows full well that neither the Scandinavian countries (Norway, Sweden, Finland) nor Poland nor Rumania nor Hungary nor Greece nor Czechoslovakia would ever voluntarily accept communism or the Soviet system. And it will be a long time before the Soviets will ever call either Frenchmen or Germans Tovarisch after this war.

"14. What will be Russia's policy toward the defeated nations?"

There is no doubt but that, like the rest of us, they would wish to see evenhanded and exact justice done, under law and without passion. This would require that those in the defeated nations who were responsible for crime would be duly tried by a judicial body and, if after due process, they were found to be guilty, then punishment suitable to the crime would be administered.

Undoubtedly the Soviets would also require that all necessary safeguards would be established to prevent defeated nations from again breaking the peace and indulging in mass murder. Apart from these, the policy of the Soviets would, I think, be dictated solely by humanitarian considerations. Premier Stalin's published utterances abundantly support that conclusion.

"15. What would be Russia's attitude toward a European federation (not including herself and Great Britain)?"

It would clearly depend upon the character of such federation. If it were to contain the seed of either actual or potential aggression, the Soviets would oppose it, just as we all would. Assuming that it was part of a general plan to secure world peace through collective action, and that it was so set up as to prevent domination by any potentially strong aggressor unit in it, I do not think that the Soviets would oppose it.

"16. On what basis can a stable settlement in Asia be made between Russia and China?"

Both Russia and China, in my opinion, have leaderships which are sincere in their desire to secure a peaceful world. Both of these leaderships are practical and wise. Both recognize that there can be no peace if force is to be used by either as an instrument of national policy to enforce the will of either over the other. Both, I believe, to secure a peaceful world, will actively try to establish an effective international police. That accomplished, there is within these two countries sufficient capacity for fairness and tolerance to settle all matters of difference if any such exist, through reciprocal arrangements on a fair and equitable basis as between themselves; and if not, each, I am sure, governed by a decent respect for the opinion of mankind, would submit their differences to other members of the community of nations in order to preserve the peace of that community.

As far back as 1938, I was reliably informed in Moscow that the Soviet Union was most helpful to the government of Generalissimo Chiang Kai-shek, in that it exercised its influence on behalf of the Chinese Government to prevent communistic activities which would impair the common defense against Japan. That is indicative of the kind of decent cooperation which, in my opinion, can be expected from the Soviet Government in the interests of a peaceful world.

"17. Does Russia fear an Anglo-American entente with an anti-Russian basis?"

I do not know. It is, of course, possible, if we should so conduct ourselves as to justify that fear. It is of vital importance that this should not happen. We should accept the good faith of Britain and the Soviet Union, just as they should accept the professions which we make.

"18. What if the Russian economic system proves to be more efficient than ours?"

I do not accept the premise that their economic system will prove to be more efficient than ours.

From what I have seen of both systems, I am firmly of the opinion that we need not fear their competition. Our system of free enterprise, under rules of fair competition protected by government, contains springs of initiative and enterprise that will, under fair conditions, surpass anything that a bureaucracy, under government administration, can produce. A pure governmental socialism, even with the great vigor and energy which the Soviet leadership provides, cannot compete with the efficiency of our type of private enterprise. A completely socialistic state, in my judgment, will inevitably, as human nature presently is and will continue to be for a long time, breed inefficiencies in contrast to an industrial, economic, and social system such as ours which, in addition to the joy in the working, provides greater individual reward for extra effort and exceptional ability, coupled with police protection against unfair competition, monopolies, or other special class privilege.

The fact that the Soviets have constantly extended the system of individual profit in order to make their industries more productive during recent years, in my opinion, supports that point of view.

"19. What can America do to assure Russia of the security she needs and to assure mutual cooperation between our two nations?"

The Soviet Government, so far as the future is concerned, recognizes that any arrangement with the United States, to be of any real value, must be by treaty and that that treaty must be confirmed by the Senate of the United States. They know very well what happened in the last war when the Senate refused to ratify the League of Nations Treaty. That fact contains the answer to the question.

The surest answer is to be found in a better mutual understanding and confidence as between our peoples.

"20. How would you deal with Russia?"

Exactly as I would want to be dealt with if conditions were reversed. Their word I would accept with the same confidence that I would ask them to accept ours, until faith had been broken. Just as I would insist that their government would not interfere in our internal affairs or in our governmental matters, so I would scrupulously stay out of theirs. Their government is their business. What they tell their people, or do not tell their people, is not our concern. They have their own problems. They have handled them in a manner which demonstrates their effectiveness and also their purpose to serve peace, order, and law in the world.

Generally speaking, we should deal with the Soviet Union as she is entitled to be dealt with. The U.S.S.R. is a great nation. It covers one-sixth of the world's land surface and has approximately one-tenth of the total population of the world. The country is blessed with enormous natural wealth—mineral, agricultural, fisheries, forestry—and a great, vigorous, strong people. The potentialities of the Soviet Union are commensurate with the achievements which she has demonstrated. She is destined to be one of the very great powers of the earth.

In the interest of our country and the world at large, she must be accorded the recognition and treatment that such a situation requires. Without Russia, our common victory would have been seriously jeopardized. Without the cooperation of the Soviet Union, there can be no permanent and durable peace projected. Both of these are self-evident. If we cooperate with the Soviet Union on a basis of fairness to her, to ourselves, and to the rest of the world, the Soviet Union can be an inestimable power and a great influence in the establishment of permanent peace and the elimination of war, for the common benefit of all of us. To think of the Soviet Union in any other way and to deal with her in any other manner or on any other plane is to expose the world and ourselves to many avoidable dangers and catastrophes.

This was in effect the policy I recommended to my Government at the end of my service as Ambassador to the Soviet Union. To the Department of State I find that I wrote the following:

"Such a policy does not involve approving in any manner the ideological concepts of this Government. It does, however, recognize the right of self-determination. It is interpretative of the high-minded and Christianlike declarations of the foreign policy of the United States as expressed by the President of the United States and the Secretary of State in connection with foreign affairs. It is a good neighbor policy, and one consistent with the best traditions of our diplomatic history."

"21. Should we start negotiations with Russia (and the other great powers) now to lay the basis for postwar cooperation?"

Yes, provided such negotiations were confined to matters upon which there is substantial agreement, the discussion of which would not impair the unity necessary to win the war.

If, for instance, the great powers could now negotiate a treaty providing for collective security, the outlawry of war as an instrument of aggression or conquest, and providing the means for enforcing order so that the peace of the world community would not be broken, it would be highly desirable. Upon such simple negotiations there could be little room for disagreement. It is obviously in the interest of all and detrimental to none.

With that done, a long step forward would be taken in the winning of the peace. Under such a condition all other matters in difference would have to be settled by conference and mutual concessions, fairly and equitably, for force would be outlawed. Time would be afforded for the settlement of the inevitable graver problems of frontiers, access to raw materials and other economic and political problems.

Such a simple agreement would in itself constitute a great contribution to civilization. It might make haste more slowly, but in my opinion it would be more surely. Tropical growth flowers rapidly, but it wilts easily and is not hardy. Hardwood forests are slow in growth, but they withstand storms and last long.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. CURTIS. I yield to the Senator from South Carolina.

Mr. THURMOND. I congratulate the able and distinguished Senator from Nebraska for a masterful presentation today. Since I came to the Senate I have not heard a finer address than the one delivered by the able Senator from Nebraska today. It is a masterpiece.

The Senator is a student of communism. He knows the dangers and evils of communism. He knows that when Mr. Khrushchev says, "I favor peace" what he really means is the time after he has conquered the world when there will no longer be any conflict and therefore peace under Communist rule. He knows that the word "truth" to the Communist means anything to promote the Communist cause. He is astute enough to understand that we cannot trust the Communists except to do what they want to do and what promotes their interests.

I commend the able Senator. He has made a fine contribution to the debate. I wish every Senator could have been present to hear him speak today.

Again I congratulate the able Senator from Nebraska.

Mr. CURTIS. The distinguished Senator has been more than generous. I do not deserve his praise.

I judge no other Senator, but I shall have no part of the treaty. I respect the motives of every Senator, but I cannot turn my back on history or the pronounced intentions of the Russian Communists.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. CURTIS. I am glad to yield to my distinguished friend the Senator from Wyoming.

Mr. SIMPSON. I commend the Senator from Nebraska, and I associate myself with the remarks made by the distinguished Senator from South Carolina.

I have a great and abiding affection for the Senator from Nebraska, and a high regard for his ability. His address today, to which I have listened very attentively, confirms more and more my belief that I am entirely correct in my opposition to the so-called test ban treaty.

I also commend the Senator for his statement about the first step. We have heard much about the "first step" procedure. I am reminded of what the distinguished Senator from Utah said in the committee to which I belong. It was said that when a person starts upon a long journey he must always take a first step. The distinguished Senator from Utah said, "Yes, and if you take that first step in the wrong direction you are likely to meet with ruin."

The Senator's remarks today have great probative force.

I also wish that all Senators could have been present to hear the Senator's remarks, because I am convinced that perhaps many would be able to see the error of their ways and perhaps would vote with us against the treaty, which I think would do a disservice to America.

Mr. CURTIS. I express my gratitude for the kind words of the distinguished Senator from Wyoming, with a feeling of humility. I do not deserve his tribute.

I am alarmed by all the discussion of additional "steps." Is it expected we shall proceed to completely disarm our country? Will Uncle Sam be asked to agree to reform and not commit aggression, and to close the door on the millions of people who are now behind the Iron Curtain?

I do not know what the next step will be. I agree that the first step is the beginning of a long journey, but I contend that it is easier to take a step downhill than a step uphill.

Mr. SIMPSON. The Senator from Wyoming has observed that there have been some rather intemperate remarks made to the effect that any one who was opposed to the treaty was irrational or that any 10-year-old should have the sense to sign it. I merely observe that the able chairman of a great committee, the Senator from Georgia [Mr. RUSSELL], certainly is not irrational. Certainly, Senators THURMOND, STENNIS, ROBERTSON, RUSSELL, and other Senators of that caliber are not irrational. I protest that kind of statement. I yield to no one in this body in my belief in this country and the patriotism I feel for it.

The Senator from Nebraska has made a distinct contribution, and it confirms me in my belief that my stand is correct.

Mr. CURTIS. I thank the Senator. I take this position because I want to prevent a nuclear war.

Mr. SPARKMAN. Mr. President, will the Senator yield to me before he yields the floor?

Mr. CURTIS. I yield to the Senator from Alabama.

Mr. SPARKMAN. I join Senators who have complimented the Senator from Nebraska. I think he knows I do not agree with him in the conclusions he has drawn, but I think he has made a fine and clear presentation of his viewpoint. I wish to question him briefly about one or two points. I have carefully followed the debate and the hearings before the Foreign Relations Committee, both the open sessions and the secret sessions. As I have previously stated on the floor, that I do not believe any member of the committee attended the hearings more regularly than I did, with the exception of the chairman of the committee, who I believe attended more regularly than any other member. But the Senator from Nebraska has placed a great deal of emphasis upon the interim report made by the Preparedness Investigating Subcommittee.

I read it with a great deal of interest. I appreciate the amount of work that went into it. I am impressed by one thing about the report, which was brought out by the committee in the concluding paragraph. I am sure the Senator from Nebraska is familiar with the portion which reads:

> Although we have concluded that there will be a net military disadvantage to us if the treaty is ratified, we recognize the existence of other factors which, while not within the scope of this report, are pertinent to a final judgment on the treaty. Among these are matters related to international affairs, foreign policy, and relations with other countries. When these are taken into consideration the question becomes one of weighing relative risks, and our hearings provide ample evidence that the overall assessment of the relative merits and demerits of the treaty is a complex and difficult matter on which equally patriotic, informed, and dedicated persons may and do disagree. In the final analysis, then, each individual must reach his own judgment on the basis of personal philosophy, past experience, current knowledge, and the relative weight which he assigns to the various factors involved.

Let me go one step further and note that there are seven members of the subcommittee. Of the seven members, six have definitely taken a stand, three of them in favor of the treaty, and three opposed. So far as I know, the seventh member has not given an expression on it. But it seems to me the committee itself was saying there is not a clear-cut decision against it. In other words, the committee did not make a report against the treaty. It said, in effect, "These are the military facts, and we have not gone into the other factors. Each individual Member must decide for himself." Following that, at least three members spoke for the treaty, and three have spoken against the treaty. So far as I know, the seventh member has not yet given an expression. To me, that fact is quite significant.

Mr. CURTIS. I, too, read that report and the closing paragraph. All it means to me is that the committee is not invading the province of any other committee. It is not attempting to embrace in its report matters to be covered by the Committee on Foreign Relations, and perhaps other committees.

The very fact that the dedicated chairman of that subcommittee, and half of its members, who are dedicated to the defense of this country, cannot support the treaty, should weigh against it. The mere fact that half of its members, including the chairman, have spoken out against the treaty should weigh against the treaty. Everyone knows that upon the chairman falls the responsibility of calling for hearings and assembling reports. The report speaks for itself.

The military conclusions in it have not been disputed by members of that committee or any other committee in the Senate. Is that not correct?

Mr. SPARKMAN. No; I do not agree to that statement. I am not sure the Senator means just what I understood him to mean.

Mr. CURTIS. The Joint Chiefs of Staff say there are military disadvantages to the treaty.

Mr. SPARKMAN. Yes; but each member of the Joint Chiefs of Staff recommended ratification of the treaty.

Mr. CURTIS. I know that.

Mr. SPARKMAN. Each one of them did so because they all took into consideration the other factors which they said ought to be taken into consideration.

Mr. CURTIS. If the Senator will read their entire testimony, they admit that the treaty——

Mr. SPARKMAN. I was present and heard it. I did not have to read it. I sat in committee and heard it. I heard it in open session, and later I heard it in secret session.

Mr. CURTIS. Let the record speak for itself.

Mr. SPARKMAN. Yes.

Mr. CURTIS. I challenge the Senator to show me a speech made in this debate in which, point by point, a Senator has undertaken to disprove the findings of the Stennis subcommittee concerning the treaty.

Mr. SPARKMAN. I am not trying to do that.

Mr. CURTIS. It has not been done.

Mr. SPARKMAN. So far as I know, no Senator has questioned it. All I am trying to say is that the subcommittee, in its conclusion, said that there are other factors which are recognized but have not considered. Each Senator will have to consider them. All the committee has done is present the military picture.

I do not wish to engage in argument, but I thought it was rather significant to point out that fact.

Mr. CURTIS. Those conclusions have not been challenged in any speech on the floor.

Mr. SPARKMAN. Also, I point out that half of the members of the subcommittee have expressed themselves on the treaty and have spoken for it. They have not merely announced they were for it; they have made speeches on the floor of the Senate in favor of the treaty.

Mr. CURTIS. I think that is an emphatic condemnation of the treaty.

Mr. SPARKMAN. If the Senator will yield to me for one further point, I was interested in the Senator's reading from Father Keller's book. Father Keller is a great leader and a forceful speaker, but I happened to think, while the Senator was reading, about the motto of the Christophers. Is it printed on the inside page of the book? If not, I think I can quote it.

Mr. CURTIS. Perhaps the Senator can. There is a research center from which a Senator can obtain all sorts of information——

Mr. SPARKMAN. No; I have read many of Father Keller's little booklets.

Mr. CURTIS. What I read was not Father Keller's book.

Mr. SPARKMAN. It was a quotation used in the book.

Mr. CURTIS. I was referring to what was said by Dimitri Manuilsky and the boast about their political warfare in 1930, wherein he said:

> The bourgeoisie will have to be put to sleep, so we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard-of concessions. The capitalistic countries—stupid and decadent—will rejoice to cooperate in their own destruction. They will leap at another chance to be friends.
>
> As soon as their guard is down, we shall smash them with our clenched fists.

Mr. SPARKMAN. I am familiar with that quotation.

Mr. CURTIS. It was a Russian who said that.

Mr. SPARKMAN. I knew that. I said the quotation was contained in Father Keller's book.

Mr. CURTIS. Does that invalidate it?

Mr. SPARKMAN. I thought it might be interesting.

Mr. CURTIS. Father Keller's book is a devotional book. I did not intend to enter into a denominational discussion. The Supreme Court might enjoin us. I could have obtained the Dimitri Manuilsky quotation from another book, but I happened to have this one on my desk.

Mr. SPARKMAN. I thought the motto of the Christophers, for whom Father Keller writes, should be placed in the RECORD:

> It is better to light a candle than to curse the darkness.

That is a positive statement, to say the least.

Mr. CURTIS. It is. I thank the distinguished Senator. I hope that before the debate concludes some Senator will defend the treaty.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. THURMOND. The point was raised by the distinguished Senator from Alabama about the Joint Chiefs of Staff supporting the treaty. I wish to read the last part of their statement, given by General Taylor. This is what he said:

> The risks inherent in this treaty can be accepted in order to seek the important gains which may be achieved through a stabilization of international relations and a move toward a peaceful environment in which to seek resolution of our differences.

Those are the political questions on which the Chiefs based their decision. According to their own words, they are willing to take the military risks in order to achieve two political gains, namely, the gain of stabilization of international relations and the move toward a peaceful environment.

I ask the distinguished Senator whether he feels that the treaty will bring about a stabilization of international relations.

Mr. CURTIS. Definitely not. The Chiefs of Staff warned against euphoria—against complacency. I wish the Senator would read into the RECORD at this point his words of yesterday when he quoted General LeMay as to what his instructions were as to considering factors other than the military merits.

Mr. THURMOND. The other point that was mentioned in the statement of General Taylor on behalf of the Joint Chiefs of Staff was:

> A move toward a peaceful environment in which to seek a resolution of our differences.

Does the Senator feel the treaty would bring about a peaceful environment, or may it not be a step toward disarmament, which in the end could lead us into war, instead of peace?

Mr. CURTIS. If I thought the treaty was a move for peace, I would support it. I believe no such thing.

Mr. THURMOND. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the portion of General LeMay's testimony to which the Senator from Nebraska has referred.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> General LeMay stated:
>
> "But the net result is that there are military and technical disadvantages to the treaty. All of the Joint Chiefs agreed on this point.
>
> "However, there are political advantages that may accrue from the treaty. This is a field that I don't consider myself an expert in, and I have depended to a large extent on the advice of others."
>
> General LeMay stated that he and the other Chiefs had been briefed on the political, or nonmilitary considerations, by both Secretary of State Dean Rusk and Under-Secretary Harriman.
>
> General LeMay was interrogated further with regard to this matter by Senator BYRD, of West Virginia, who posed the following question:
>
> "You have indicated, General LeMay, that the Joint Chiefs of Staff were not to confine their judgment in connection with the treaty before us on this basis of purely military considerations, but that political considerations were also to be thought about.
>
> "Is this normal, General LeMay, or has it been the practice in the past for the Joint Chiefs of Staff to attempt to assess political considerations in reaching their judgments?"
>
> General LeMay responded:
>
> "It certainly has been true since President Kennedy came into office, because this is one of the first things that they told the Joint Chiefs they expected them to do. They expected them to put the political factors in at their level.
>
> "They told us this verbally many times. Actually, I think we have a note in writing on the subject, the Joint Chiefs."
>
> Quite obviously, therefore, the testimony of the Joint Chiefs does not conflict with the findings of the Preparedness Subcommittee. The Joint Chiefs were instructed to consider the political considerations, which they were given by Mr. Rusk and Mr. Harriman, and this is the basis for their support of the ratification of the treaty.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. LONG of Louisiana. I agree with the Senator that there is no reason to believe that this Nation would be advantaged by trusting the Soviet Union and the leaders of that country to keep their word. A great number of individuals and nations making that mistake found that their decision led to their own extinction.

Is it not true that the best information the Senator can find indicates that the treaty would be an advantage to the Soviet Union from a military point of view, as compared with the United States, even assuming that the Soviet Union does abide by the treaty?

Mr. CURTIS. That is the unquestioned testimony of every military authority who appeared in any of the hearings. It is supported by the Senator from Mississippi [Mr. STENNIS] in his report. It is supported by the Senator from Mississippi in his speech. It is supported by the distinguished soldier, the Senator from South Carolina [Mr. THURMOND]. It is supported by the Senator from Georgia [Mr. RUSSELL].

I said earlier in my speech that 40 Secretaries of Defense or of the separate branches of the service have come and gone since Senator RUSSELL served on the Armed Services Committee or the predecessor committee.

It is not a matter of my opinion. It is generally accepted and not disputed that the military advantages are in favor of the Soviet Union.

Mr. LONG of Louisiana. The Senator has spelled out the fact that as a part of the Communist doctrine, from the Soviet point of view, it is a laudable thing for them to deceive, defraud, and mislead other nations, particularly the capitalist nations of the world. Recognizing that fact, and, in addition, the fact that they are obtaining a military advantage from the treaty itself, and thus will have the ability to consummate their perfidious acts, I ask the Senator if that does not add up to the conclusion that we might risk our national survival and our independence if we agree to abide by a treaty of this nature.

Mr. CURTIS. That is true. In the course of the hearings I asked the Secretary of State if the treaty had strengthened the hand of Khrushchev with his own people. I did not get a direct reply. He said, "The treaty is popular all over."

The fact is that it has strengthened the influence of Khrushchev in this country, back home in my State of Nebraska, and everywhere else. He has partly accomplished his mission of disarming the American people. There is not one iota of evidence that the Communists have changed their goal or that Gromyko is any more truthful now than when he was in the White House deceiving our President a year ago.

Mr. LONG of Louisiana. The treaty has been described as one of a number of steps. It may well prove to be about the only step that will be necessary to assure Soviet superiority. Is that correct?

Mr. CURTIS. It might be the one step that we can refrain from taking. The other steps will be harder to resist.

Mr. LONG of Louisiana. I thank the Senator.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns today, it adjourn to meet at 10 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, it is hoped that all Senators who desire to speak on the pending partial test ban treaty will come to the Chamber tomorrow and Friday, prepared to remain until late. If there are no requests for speeches to be made on Saturday, it is anticipated by the leadership that there will be no Saturday session.

Mr. LONG of Missouri. Mr. President, the Senate has before it today a treaty which may prove to be a small step toward a world free from the scourge of war. If this treaty is not approved, it may be many years before the people of the world will have another opportunity to begin this journey. In fact, though it is hard to face this reality, we may now be considering the last opportunity for civilization to start this journey.

Because the results of the Senate's decision may be so consequential to all mankind both living and yet to be born, it is essential that the most careful thought be given to the promises and possible pitfalls of the treaty.

This I have done. Last Friday, I spoke before the Third Baptist Church Men's Study Group in St. Louis, Mo., on the subject of the treaty and presented my reasons for supporting ratification. I ask unanimous consent that my statement be printed in the RECORD at the conclusion of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. LONG of Missouri. Mr. President, this treaty is not a coveted panacea, marking a solution to the cold war. The vast ideological gulf separating East from West has not closed; the cold war has not ended for all time; the world, to quote the words of one of our heralded predecessors, is not yet "safe for democracy." But, we face the future with renewed hope, knowing that peaceful methods are possible to lessen tensions and to ameliorate conflicts without a concomitant loss of status and/or strength vis-a-vis the Communist bloc nations.

Many observers have noted since the signing of the test ban accord that it, in fact, accomplishes little which the voluntary moratorium did not—that is, we have signed an agreement banning space, atmospheric, and underwater testing.

The most controversial aspect of the armaments race remains unchecked; no regulation of underground nuclear testing has been attempted.

Despite the fact that complete and unanimous agreement has not been reached on all facets of banning nuclear testing, that we have reached an accord on any portion of this whole, complicated problem—a problem which potentially could spell doom for the human race—indicates progress. That we have not yet gone the whole way and completely erased the threat of nuclear war and weapons is not the primary issue. We are moving toward our goal of lasting peace and, simultaneously, protecting our own self-interest.

The present treaty, despite its obvious limitation, is significant on several counts. A step has been made toward the gradual tapering off of the pace of the arms race. This is important. History shows that all arms races have ended in war. If and when an agreement is made to ban nuclear testing underground, the nuclear arms race should come to a halt.

There has been much speculation about the Soviet Union's motives in negotiating a nuclear test ban treaty at this time, after 5 years of blocking all attempts to devise a formula acceptable to both East and West. Many people feel that we are witnessing a change in Soviet policy—peaceful coexistence with an accompanying lessening of tensions is a sincere goal of the Khrushchev government. Others see the Soviet willingness to conclude a treaty as an effort to throw the West off balance. These critics argue that we will suffer from a false sense of security and as a result curtail our own nuclear exploration to the benefit of the Communists. They predict that Western military power will diminish in relation to that of the Communists.

The Joint Chiefs of Staff and other military and scientific experts have expressed assurances that militarily the treaty is sound. It does not, in their considered opinions, put this country in a disadvantageous position. Further, the President has assured us that underground testing will be vigorously and diligently carried forward and that we will maintain a position of readiness to resume testing in the other environments if there is a violation of the treaty by the Soviet Union.

Already more than 90 nations in the international community have signed the treaty. An irresponsible rejection of the treaty would damage the U.S. position as a world leader dedicated to peace.

Finally, and this in and of itself is sufficient reason for consenting to the treaty, with the cessation of atmospheric and space tests, radioactive fallout will become less of a problem. This is an especially important factor to the citizens of Missouri, for we have one of the highest Strontium 90 counts in the country. Our health and that of our children must be taken into account when considering this treaty. Most authorities believe a relationship exists between certain types of cancer and the Strontium 90 count in the atmosphere. If this is true, we cannot justify—to ourselves or future generations—our not adhering to this agreement. Moreover, the risk of radiation-induced mutations and genetic deformities must be taken into account.

As I said earlier, this treaty does not signal the termination of the cold war. Communist ideology and Western beliefs still are polar. An ideological difference, however, does not mean that one side must destroy the other. We have managed to find one area of mutual agreement. Perhaps others exist. If so, we may find them.

All of our problems are not over, we cannot expect utopian conditions. However, we can be justly proud and happy that a constructive attempt is being made to deal with one of mankind's most perplexing difficulties.

It is for these reasons that I support the test ban treaty. In so doing, I am cognizant that dangers and difficulties are inherent in the situation.

The treaty is a true test of our Nation's courage. It would be far easier to adhere to the status quo and continue our daily lives with the false security offered by unlimited nuclear development. But, this was not the way of our forefathers and it is not the way of Americans today. We have the courage, the will, and the means to seek a lasting and responsible peace. If this venture toward the realization of mankind's fondest dream fails, it must not be because we refused to give it a chance.

Let us take this first small step with full realization of all it entails but let us take it enthusiastically.

EXHIBIT 1

THE TEST BAN TREATY—PROGRESS OR REGRESS?

(An address by the Honorable EDWARD V. LONG, U.S. Senator from Missouri, before the Third Baptist Church Men's Study Group, St. Louis, Mo., Sept. 13, 1963)

Gentlemen, you have invited me to discuss with you the question of the proposed nuclear test ban treaty—the 1,500-word document signed August 5 by the United States, the United Kingdom, and the Soviet Union which is now being debated in the U.S. Senate. I appreciate the opportunity to explore the many faceted agreement with you—men who I know full well share my hope for a world at peace, not at war—a world in which man, as a creature in the image and likeness of God, lives in keeping with all that is inherent in his nature, with the freedom and dignity the Creator intended. I am not here to argue for or against the treaty itself. I have arrived at a conclusion on the matter, but it is not my purpose to make any attempt at persuasion here tonight. I have reached a judgment to support ratification, and I want you to know how I have arrived at that conclusion.

First, let me make it clear that while my support for ratification of the treaty is unqualified, it does not stem from any notion that entering into the compact doesn't involve risk. There are risks—and it is important that we recognize this reality. But what great achievement does not involve chance and uncertainty?

Wasn't there great risk in the pioneering of our beloved country, risks that had to be taken in order to forge this great Nation from a vast and uncharted wilderness? Yet, men did not turn their backs on the venture because of them, and as a result America has grown and prospered.

Haven't all great discoveries of man, in exploration, in science, in medicine required assumption of risks—grave risks? But this fact alone has not swayed man from the course that has led to knowledge and understanding of our environment, alleviation of suffering, cure of disease and a greatly advanced civilization.

Isn't our space program—exploring the unknown mysteries of the universe—demanding from our modern day pioneers awesome risks and dangers? But because men and women are willing to carry on this work, knowing there are risks and coping with them intelligently, world security increases, and man is likely on the threshold of fantastic discoveries that may lead to solutions of many age old problems.

Isn't there a definite element of risk in every business venture—every investment—every new business opening—every factory expansion? But because men recognize them, assume them and deal with them in sound calculation our business and industrial economy thrives.

Doesn't every family venture, whether it is a home purchase, or selection of a college for a son or daughter involve risks? If risk alone caused us to abandon family aspirations, democracy and self-determination would have failed miserably long ago.

If we find that every phase of life has its dangers and its risks, and certainly they have, would it be reasonable to shun what could well be the first opportunity of man to achieve his greatest earthly goal, permanent peace, because it involves a degree of uncertainty?

Since the dawn of human creation, man has reached for this goal. Today we have a chance to take the first small step in that direction. Although it is only a first step—and only a small one, to be sure—if we let it pass us by, who can tell how many generations of the future may come and go before there is another such opportunity to make a breakthrough. In fact, considering today's capacity for destruction, man may never again have such an opportunity. I believe our duty to God and to our Christian philosophy demands that we look at this opportunity realistically, and make every effort to see it bear the fruit of peace and security.

Sometimes I get the feeling that perhaps there has been so much talk about the many risks involved in the treaty, that we can tend to lose sight of the very real fact that our present situation—where there is no limitation on testing, itself involves a number of very serious risks. It would be logical to weigh these risks, and see how they strike a balance, if in fact they do.

Without a test ban the risks are:

(a) A continued intensified and unrestricted arms race between the United States and the U.S.S.R. History has made it clear that all arms races have led to war.

(b) A continued and increasing risk of further spread of nuclear weapons among the other countries of the world; and

(c) An increasing risk of radioactive contamination of the atmosphere. I am convinced that the treaty constitutes a small beginning in reducing the first two of these risks, and will dramatically reduce the third.

With the treaty, those risks are overcome, but new ones take their place. They are:

(a) Secret testing by the Soviets; and

(b) Secret preparations to resume testing by the Soviets, and their sudden, large-scale treaty violations.

I am convinced that the treaty, and U.S. policies developed under it, will reduce these risks so that either course of action by the Soviet Union will not be a threat to our security.

In balance, the reasonable possibilities that our acceptance of the treaty may usher in a new era in which man is serving man instead of trying to dominate and destroy him are so great, that if we don't act with advised courage, our hesitance and failure could be the greatest step away from peace that man has ever taken.

An old Army axiom has it that a good soldier never polishes the backs of his shoes because no one will ever see him in retreat. I pray God that it can never be said that this country was seen in retreat from the frontiers of peace.

What is this treaty? What does it do? What does it not do?

The treaty, a simple and clearly written document, prohibits nuclear testing in the atmosphere, in space, and underwater. Underground testing is permitted so long as there is no radioactive fallout beyond the boundaries of the testing country. Those are the only things the treaty does.

It does not prohibit the production of nuclear weapons—nor the means of delivering such weapons.

It does not restrict the use of nuclear weapons in the event of war.

It does not require that the United States give diplomatic or other official recognition to any country not presently recognized.

It does not bind the United States to any further agreements or negotiations regarding further disarmament.

And the treaty does not commit the United States to any negotiations or settlement of political issues, despite the attempts of the Soviet Union to tie the treaty to a nonaggression pact with the Warsaw treaty nations.

Going further into the advantages and disadvantages as I have listed them, let us consider them one by one.

With reduction of the arms race, we will be taking the first step toward eventual arms control—a goal we have been seeking ever since we first realized what a massive destructive power we had in our hands when we dropped atomic bombs on Hiroshima and Nagasaki—small and crude weapons in the light of today's standards.

The all-out, uncontrolled, increase, and multiplication of destructive might has not increased our national security. Since the dawn of the nuclear age in the closing days of World War II, our adversaries have been constantly close at our heels—each of us forcing the other toward—even beyond—the point where one's capability would so far outstrip the other's that he would draw back in horror.

But instead we have both long since reached the stage of development where further increases in power of our weapons make little, if any real contribution to our capability. By President Kennedy's own estimate, both of us are fully capable of destroying upward of 300 million human beings in only 1 hour. Having reached the "point of diminishing returns" in destructive power, the United States has, in recent years, concentrated primarily on deliverability of weapons, proceeding on the assumption—and I think a valid one—that accuracy and dependability at this point far outweigh sheer explosive might.

More than 90 nations have now become signatories to the treaty—binding themselves to the compact that blocks the flow of nuclear weapons and information to them.

By limiting further spread of nuclear capability to presently nonnuclear countries, the risk that a nuclear weapon would be accidentally detonated is significantly reduced, in turn lessening the danger of a local conflict escalating from conventional to nuclear. An escalated conflict would almost certainly place the United States and the Soviet Union in direct confrontation.

It is hopefully expected that within a short time all the nations of the world, save Communist China and France, will have bound themselves to the agreement. World opinion moves toward greater crystallization against atmospheric contamination from testing. That leaves underground testing the only available alternative—a far more expensive and time-consuming process.

Some treaty opponents have all but discounted the value of eliminating the continuing risks of rising pollution from testing. Granted, to the best of our present knowledge, the dangers from fallout are slight. But even the slightest risk—when it is unnecessary, and avoidable, is a foolhardy undertaking. As the President said in his July 26 nationwide speech "this is not a natural health hazard—and it is not a statistical issue." No one is able to say now what physical damage increasing fallout levels might precipitate. No one is able to say now what mutations might occur in future generations—mutations brought about by high fallout levels. But all agree there is a risk—the only disagreement being as to how great it is.

I am sure that no one hails this treaty as an absolute guarantee that all the intended purposes will be faithfully fulfilled by all the parties. Much debate has centered around the record of the Soviet Union—one that is strewn with broken agreements, violated treaties, and soon-forgotten "understandings." Those who argue that "Russia can't be trusted" do so from valid ground. We can't trust them to keep the agreement, left solely to their own devices. But this treaty is not based on trust; it is not based on confidence; it is not based on any notion that there has been an overnight reversal of Communist aims or methodology.

Instead, we will be constantly monitoring the Soviet Union with instruments—for detecting nuclear weapons tests which have been developed over the past several years to know what progress was made by the Soviets. Listening devices; seismic instruments to detect earth tremors; detecting of radio signals from the radiation that accompanies nuclear explosions—as well as flights and surveillance around the perimeters of the Soviet Union to gather samples of dust and clouds to be tested for radioactive debris. The Joint Chiefs of Staff have urged—and the administration has assured—that our current detection system will be expanded and improved, through satellites to detect outer space tests and other means.

With a detection system such as this, any cheating on the test ban would have only the most remote chance of going undetected. With a detection system such as this, the United States has concluded, according to Secretary McNamara, that "the Soviet Union could obtain no major results by testing in the atmosphere and deep space or underwater without incurring the high risk of detection and identification."

In addition to the risk of Soviet testing on the sly, there is also the recognized risk that instead of attempting prohibited tests clandestinely they would make preparations for a massive test series, and then, in a surprise move, suddenly abrogate or nullify the treaty and resume testing. On the basis of experience with the 1958–61 moratorium we must be prepared for this occurrence. While we can do little to inspect for and detect such preparations, the President has made it clear that our testing facilities will be kept "at the ready"—fully capable of an immediate resumption of presently treaty-banned testing if that course of action would be necessary to preserve our present definite superiority. Also minimizing the risks involved in sudden Soviet treaty abrogation will be continuation of underground tests, which the scientific community agrees almost unanimously will maintain our present lead in overall nuclear capability.

Balancing the risks, and approaching the treaty with a realistic outlook as to both the agreement itself and the past performances of the Soviet Union our overall national security will increase. Already possessing a nuclear force described by Secretary McNamara as "manifestly superior," a point which has not been contradicted by any responsible or knowledgeable testimony or evidence, the United States does not need further atmospheric tests to:

(1) Insure that our weapons systems will survive a Soviet attack and penetrate Soviet defenses; or

(2) To develop and deploy an antimissile defense.

Further—the United States long ago made a firm decision not to pursue attempts to develop an extremely high-yield weapon. We have instead centered our program around strengthening our defenses and increasing the tactical effectiveness—the deliverability—of our nuclear striking power. Testing in the atmosphere is not an essential part of that program.

The treaty, I believe, represents an opportunity to take the first step in the direction of peace. It is only the beginning of a long, slow and precarious journey. But the real task of reaching the ultimate goal lies in the future. As I see it, the task is threefold—and each step equally important as the others.

First, we must maintain all necessary safeguards to keep the United States strong in our defenses; to protect against the danger of surprise abrogation; and to continue our efforts against the spread of Communist aggression. If we fail this, the treaty may fulfill the worst fears of its opponents, and instead of moving us toward peace, move us toward war. I am convinced that this Nation is committed to and determined to carry out this first task.

Second, we must keep exploring for further steps toward peace; toward further agreements which can be adequately policed; toward further measures which can strengthen international law and international security. If we fail this, the treaty will lead only to an isolated signpost on a dead end road. I am convinced that the treaty will in no way alter the course of U.S. policy of an unrelenting search for permanent peace, but will in fact, bolster our efforts in that direction.

Third, we must reorient our thinking. While it will be necessary to continue the development of our nuclear strength, we must bring to an end our concentrated pursuit of nuclear strength as an end in itself. If the all-out, unlimited arms race of the last decade is merely transformed into an all-out, underground arms race, then the main thrust—the main promise—of the treaty will be lost. We must learn to live with the idea that mankind may at last be moving toward its fondest dream. A world free from the scourge of war.

If we persevere in these tasks with the same intensity that we used in bringing about this treaty, we have every valid reason to hope that we have indeed taken the first, though admittedly small, step toward peace.

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Wyoming [Mr. McGee], I ask unanimous consent to have printed in the Record at this point a statement prepared by him relating to the proposed nuclear test ban treaty.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator McGee

The debate on ratification of the nuclear test ban treaty has caught the interest of the Nation, and we are indeed in the spotlight of public attention and concern. I have received many, many letters from Wyoming concerning various points in the treaty and its effects upon this Nation if ratified. Therefore, I thought it would be appropriate if I approached this question in response to those inquiries.

The first thing that must be understood is that a Wyoming approach to the problem of the cessation of nuclear testing is no different from the approach of a resident of any other of the 50 States. For Wyoming, although it is far from either ocean and unique in many aspects of her way of life, is on the front lines in any potential nuclear war. In our missile bases at Cheyenne, the largest missile complex in the world, and our oil industry centered about Casper, we have completely suitable targets for nuclear devastation. And we neighbor a State in which the levels of radioactive materials have reached such quantities as to be of real concern to public health officials, and, it goes without saying, to the mothers of growing children. Our stakes in this matter are as vital as those of any other American.

While Wyoming's interests in this treaty are identical to the rest of the Nation's, I think that it is proper and illuminating to draw some parallels in the development of Wyoming and the West and the tenor of the reservations expressed against the test ban treaty.

To agree to this treaty, according to its critics, would be to take unjustified risks with the future of the Nation because we cannot be positively certain that the Soviet Union will not at some future date break the agreement. It is also said that this treaty, once ratified, will immediately lull us into a soporific attitude of national negligence from which we shall awake to find ourselves in chains. These critics say that as a prelude to any treaty we should insist that the Russians agree to dismantle the Iron Curtain, and present us with ironclad evidence of their sincerity in this matter and their withdrawal from the cold war.

If the pioneers who settled Wyoming had insisted upon equivalent guarantees before they started on their westward journey none would have ever passed the Mississippi. The thing that separated these pioneers from the rest of the population is the very fact that they were willing to take calculated risks in order to create a better life for themselves.

These resolute Americans had no illusions about finding any Garden of Eden in the American West. They required no ironbound assurances that the Indian population would immediately abandon all hostile attitudes and they did not ask as a prerequisite to that journey that all questions of land ownership and rights be settled in their favor.

While our forefathers were perfectly willing to accept this risk, I do not imply that they were unmindful of the dangers involved or ignored the risks of their journey and new way of life. Quite to the contrary, they took every reasonable precaution to assure success in their journey and in the establishment of a new life in the new land. These precautions took the form of well-defended wagon trains, scouts, and lookouts, and the maintenance of adequate supplies and lines of communication.

Above and beyond all these material things, these pioneers had the essential ingredient for success—faith in their own ability to meet and surmount the challenges that lie ahead. They knew that hostile Indians or the adversities of weather might make life extremely difficult, but they believed that they could adjust to those difficulties and conquer them.

And so must we have the determination to accept the challenge of this treaty. Certainly, there are risks involved and certainly there is required eternal vigilance. But these were normal conditions on the frontier and they are, unfortunately, normal conditions in the cold war.

As others have said, this treaty is no giant stride toward peace and tranquility. But it is a small step in the right direction, an opportunity to set a more favorable course toward the ultimate goals of peace and national security. I am convinced that we dare not ignore this chance. We cannot leave for our descendants a legacy of doubt and obstinacy in response to opportunity. We cannot forever refuse to face the challenge of finding means to reach the ultimate goal of a lasting peace.

I believe that this treaty offers a chance to make a lasting peace—not in the treaty itself or in the events in the next 5 years, but possibly in the next generation. And it is a chance that is consistent with the maintenance of our national security.

The treaty would not substantially change our nuclear position vis-a-vis the Russians for it would preserve a status quo that in total finds us maintaining a superior position.

The treaty would not bind our hands in time of war or in case of a surprise violation of the treaty by the Soviets. In either case, the treaty becomes an immediate dead letter.

The treaty is not based on any unwarranted trust of the Soviet Union's good intentions nor is it the first step in a national self-delusion that will reduce our desire to protect our Nation and way of life. If we are to commit suicide or sell the Nation down the river, no treaty can prevent it or cause it. If our national leaders and our Military Establishment have not by now learned the lessons of almost a score of cold war years, there is little hope for us now.

What the treaty is, then, is a chance, a small chance, to improve the outlook for human survival to wage the battle for human freedom and the democratic way of life on lines less sanguinary than the nuclear battlefield and to eliminate the uncharted dangers of nuclear fallout. What we do here will be weighed on the scales of history. I am confident that we will not be found wanting.

Tiny as the immediate material impact of this treaty will be at the outset, it is nonetheless bigger than all of us here—in fact bigger than life itself. It rides the wave of the history of our times. History teaches us nothing if not the inevitability of change—the kind of change and in which direction no man here is wise enough to foretell. But the conscience of that history hangs heavily over the heads of the Members of this body at this moment. No man here can pretend to know what tomorrow holds. Nor can any one of us be so absurd as to assume an omniscience denied us by the Lord. Yet there are those who want to be certain, who want to be sure. Unfortunately, we can't wait until tomorrow in order to make our judgments in hindsight. Tomorrow has to be taken on faith today.

What the treaty does for us, then, is win a chance—albeit a small chance—to bring peace to mankind. The price we have already paid for that chance through two world wars ought to haunt us every night. What we do with it on this occasion the future generations now looking over our shoulders alone will stand in judgment.

Mr. PROXMIRE. Mr. President, I have now arrived at a decision on the proposed nuclear test ban treaty. In doing so, I have carefully reviewed the hearings and committee reports on the test ban treaty. I have read and listened to the debate in the Senate Chamber. And I have had a chance to interrogate supporters of the treaty on the floor of the Senate on some of the military implications of the treaty that troubled me the most.

The way the treaty has been handled is a great credit to the U.S. Senate. I say this as one whose duties did not bring him into special responsibility with regard to the treaty. I do not serve on any of the committees that have competence on any phase of this treaty. So I can appraise with some perspective the manner in which this treaty has been handled.

The Committee on Foreign Relations has discharged its prime responsibility brilliantly. Statements made to the committee by the Nation's most competent and responsible experts and the committee's comprehensive interrogation of these experts represent a model of searching scrutiny. Any Senator uninformed on this treaty after these hearings can only be uninformed because he failed to read them.

The unique participation in these hearings by members of the Atomic Energy Committee and the Armed Services Committee served the happy purpose of bringing the special knowledge of these members in the military and scientific implications into focus on the treaty.

Unlike some able Members of this body, I believe that the Senate Preparedness Subcommittee of the Armed Services Committee performed a very impressive and useful service by holding its own hearings on the treaty and issuing its own highly critical report on the treaty. Frankly, this report gave me a further very important insight into the military consequences of the treaty which I would have otherwise missed.

Debate on the floor on this treaty has been the most enlightening and helpful that has been heard in this body in a long time. Senators have not merely delivered "canned" speeches. For days they have submitted to interrogation that has emphasized and re-emphasized the critical problems involved in the treaty. Some of the questioning has been repetitive, but even that has been useful in hammering home the answers to the most troublesome questions.

Mr. President, I will vote for the treaty. In doing so I recognize that we cannot, and in this treaty do not, trust the Soviet Union to keep its part of the bargain on faith.

I rely on the assurance of the most competent military and scientific brains in and out of our Government that we can detect any Russian atmospheric nuclear tests that could give them a significant advantage by violating the treaty.

I rely on the assurance of the President that we will take full advantage of our rights under the treaty to keep our nuclear defense, including our retaliatory deterrent and our progressing nuclear knowledge, in a state of steady improvement. And, further, I rely on the President's clear assurance that we will instantly act to protect our security, if and when the Soviet Union is detected violating the treaty.

Most important of all, I will vote for the treaty because of a point made by the brilliant opponent of the treaty, Dr. Edward Teller, in his masterly attack on it.

Dr. Teller argued that this treaty fundamentally serves not to stop the physical production of the arms race, or the deployment of devastating nuclear weapons. This treaty strikes at the crux—the fount of military power: the opportunity to push back the frontiers of knowledge about nuclear explosions in the atmosphere. This treaty will prevent us from discovering truth: the truth about the prospects for nuclear weaponry in the atmosphere.

Mr. President, John Stuart Mill wrote of the sacredness of truth in his essay "On Liberty," the greatest political essay ever composed in the English language. Few men in history have ever had a more complete reverence for truth than Mill; and yet, in this greatest defense in the English language of mankind's right to seek the truth and to speak the truth, Mill recognized a fundamental reality about the truth: that mankind in fact often has turned away from knowledge and truth. He did so in the execution of Socrates and the crucifixion of Christ. Repeatedly throughout history truth has been crushed and buried, to rise, if ever, ages later.

But what this treaty begins to do in its small, halting, limited way is not to force the truth-speakers to their death, not to suppress truth or to smother truth, but to channel the brilliant and precious and limited scientific knowledge that we have in this world a little—and only a little—away from the search after the truths about the more efficient destruction of mankind and, I hope—by implication at least—toward the vast unexplored areas of ignorance that engulf us.

We live in an ocean of ignorance about our own world, and, of course, the universe. We live on a tiny island of knowledge. We can magnify our knowledge a thousandfold—yes, a millionfold—and still our ignorance of God's plan is pathetically large.

What a travesty on man's wisdom that, beset by this unending challenge to find the truth, we impose immense taxes on our people to focus the precious scientific energy and ability we do have to peer into the one limited microscope of self-destruction to discover more and more and more and more about how we can more efficiently wipe out mankind on earth. One would think that this is the only kind of knowledge that remained to challenge our abilities.

I hope and pray that this limitation on the channeling of our scientific energies in the field of destruction will permit these magnificent scientific intellects to work in the positive areas of making it possible to live longer and better and happier and more constructive lives and not to bring quicker and more devastating death.

No one can study the hearings and reports and debates on the treaty without developing serious misgivings. The treaty does indeed involve risks of sudden massive Russian violation that might give the Russians an advantage. I admit that.

But the treaty also begins a small, gradual, limited move toward limiting the nuclear knowledge that will certainly destroy civilization if limitations are not somehow forged.

Of course, it is a weakness of the treaty that Red China and France are outside its agreement. But the governments of these countries as their current leaders pass from the scene will be increasingly pressured to limit their testing and their nuclear advances, if not to adhere to the treaty.

The treaty will slow down the proliferation of knowledge. A nation that does not test is far more loath to pass the knowledge that is power—and death and destruction—over to any other sovereign entity. With that knowledge nuclear power could be within the capability of a score of nations.

What is worse, in view of the geometric escalation of nuclear knowledge based on testing in the past 15 years, a similar escalation in the next few years could make nuclear power a possibility for any sovereign nation, including Luxembourg and Gabon. It is the development of nuclear knowledge that could make it possible with very little capital and simple processing equipment to develop weapons of immense destructive capability.

It is the virtue of this treaty that it begins, very gently and slowly, to steer mankind's scientific genius away from this knowledge.

I say that the proliferation of nuclear destructive power, the ownership of the capacity to kill tens of millions of people by fifty or even a hundred countries, would almost certainly in time mean the cataclysm, Armageddon for mankind.

Many of the countries of the world are and will be dictatorships, often military dictatorships. Continuance of the spreading of nuclear knowledge means than any one of these dictators in a fit of desperation or folly or stupidity or masochism or megalomania could kick off world destruction. This is what proliferation of knowledge means.

And even if we assume that we have seen the end of acts of great evil by men in power—and how naive an assumption—we cannot ignore the mathematical certainty that with scores of nations handling these nuclear weapons someone, somewhere, sometime, will set one off over another country where it will cause death and destruction, and then the capacity of mankind to pull back will be terribly tested.

In spite of books and motion pictures to the contrary, I have faith that our Air Force has put the human and mechanical safeguards into effect that will prevent an Air Force accident. But no man—no man—can ever be a thousand percent sure in any and all circumstances. I have equal faith in our Navy and Army. I have similiar if less faith in the United Kingdom's protections against accident, and some—though sharply diminished—faith that the Soviet Union will not blunder unintentionally into war. But when we multiply this knowledge by 10 or 20 nations the chances of accident become, over time, close to a sure thing.

Here is the risk this treaty would help—a little—but help begin to prevent.

For many more reasons far too numerous to mention, including especially the sure evil of increasing fallout in the atmosphere, I support the treaty. And I do so in the fervent hope that it will be a beginning toward the arms control which will take years of patient, painstaking effort to achieve and which, in the long run, is essential to the survival of civilization on this planet.

Mr. MUSKIE. Mr. President, the taking of the vote on the question of Senate approval of the nuclear test ban treaty will be a momentous occasion in the history of the United States. Although the treaty is a limited one, with limited objectives, it has serious and far-reaching implications for the future of this Nation and the world. Because of its importance and because of its implications, it is imperative that we cast with care our votes on the question of approval of the treaty.

I have read the treaty, the President's messages, the committee reports, and the various published analyses. I have reviewed the testimony and the debate. My objective has been to test the treaty against the criticisms by its opponents, and to analyze it in the light of the arguments by its supporters.

My hope is on the side of a peaceful and uncontaminated world; my concern is on the side of the security and safety of our country; my mind is focused on the logic of the arguments of both sides to the dispute over the question of ratification.

It is clear that this issue is not one-sided. Some express unqualified support; others urge unqualified opposition. Some would require resolution of the Cuban problem as a condition precedent to approval. Still others, although they applaud the objectives of the treaty, believe its purposes could have been stated more clearly, that its application to our security and defense requirements could have been expressed more precisely, that the application to this treaty of the Senate's constitutional duty to approve treaties is ambiguous.

The proposed reservations and the arguments of those who advance them have served useful purposes. They have served to highlight the pertinent questions bearing upon our security and defense requirements which the treaty raises. They have served to broaden our understanding of the effect of the treaty on our national interests. The discussions they have generated have resulted in definition and clarification of the terms of the treaty as they relate to the points raised by the reservations.

I am satisfied, as a result, that ratification of the treaty will not mean recognition of East Germany or other treaty signers whose governments are not already recognized by our Government.

I am satisfied that we can withdraw from the treaty immediately, in the event of a treaty violation by the Soviets, without a 90-day delay.

I am satisfied that the treaty does not inhibit our use of nuclear weapons in the defense of our country.

I am satisfied that the treaty does not prohibit cooperation with our allies in every way needed to improve their defense, including the realization of a multilateral nuclear force with our NATO allies.

I am satisfied that the treaty cannot be amended without ratification by the United States, which would necessarily require submission of the amendment to the Senate, for its advice and consent to such ratification.

I am satisfied on these points because, as a result of the debate generated by the proposed reservations, I am satisfied that the clear and the reasonable meaning of the provisions of the treaty itself supports the conclusions I have stated. Therefore, I see no need for reservations.

I am satisfied, further, that in the area in which the treaty permits an increase of knowledge, including underground testing, such increase of knowledge will be pursued to as great an extent as is needed for the safety of the United States.

On the question of whether resolution of the Cuban problem should be attached as a condition of ratification, I am satisfied that the result of attaching such a condition would be destruction of the treaty, but without solving the Cuban problem. To support such a result would be, in effect, to support a policy that we should do nothing to resolve any one of our differences with the Soviet Union, unless we can resolve all our differences at one and the same time. I do not believe that we can achieve such an end, unless and until we are ready to make a beginning.

If the treaty merits our support, it does so on its own, without additions or subtractions, without our making it more than it is or less than it appears to be. If it is to be nullified, that should be with one stroke, on the issue of ratification.

Should we approve this treaty or should we withhold our consent? That is the central issue; that is the question we must decide.

I would not for a moment detract from the complicated issues surrounding the treaty. I would not suggest that the decision for any one of us is a simple one. But, however complicated, however awesome the decision, it is our duty to face the problem and to make the choice.

As I have thoroughly examined the arguments of the opponents, I find they lead back to two fundamental assumptions: First, that we cannot afford to give up testing in the atmosphere, underwater, or in outer space; and second, that in any event, we cannot trust the Russians, and that any treaty with them is an invitation to delusion and disaster.

The first question involves a judgment on the relative strength of the Soviets and ourselves in nuclear weaponry, the improvements in weaponry which we might gain from further testing in the three environments proscribed by the treaty, the gains the Soviets might achieve from similar testing, the risks of clandestine tests, the hazards of radioactive fallout resulting from further testing, the dangers inherent in an escalating nuclear-arms race involving more nations, and the international political advantages to be gained or lost by such a treaty. The balance of such risks, the President has argued, favors ratification of the treaty.

After reviewing the information provided by the Foreign Relations Committee and the Preparedness Subcommittee, together with other documents and testimony, I agree with the President on this point. We cannot assure absolute security in this world; we can only approach it.

Neither course open to us—ratification or nonratification—can guarantee peace, security, and survival.

Having satisfied myself on the first question, I faced the second: Can we trust the Russians to honor the treaty? There are disagreements as to the number of treaties the Soviets have honored and the number of those they have abrogated. But whatever the detailed figures, the fact which remains is that they have honored some treaties, and have broken more.

In evaluating the treaty, we should, therefore, assume the possibility of its violation by the Soviet Union.

Are we, then, inviting ourselves into another Munich, as some opponents have charged, if we approve this treaty? Are all the arguments about the text of the treaty and its relative values if it were observed meaningless, because we cannot trust the Russians to keep a bargain or to bargain in good faith? If the answers to these questions are "yes," if we must accept the proposition that it never pays to enter into an agreement with the Soviets, then we must adopt a pessimistic, not to say hopeless, outlook on the future of the world. Under such a view, we are doomed to a life of suspicion, with accelerated weapons research and testing, hair trigger preparedness, and the ever-present danger of instant, universal annihilation.

I view with horror such a prospect. But in good conscience I must face it, and I have. Having faced it, having realized its possibility, having examined the logic which leads to the abyss, I return to the question: Can we at no time, under no circumstances, reach an agreement with the Russians on any major issue?

I think we can, if the agreement is in the self-interest of each of us, and if we are in a position to protect our interests if the agreement is broken.

I believe it would be in our interests and in the interests of the Russians to abolish all nuclear testing except that designed for peaceful and necessary purposes under international supervision. Each of us has much to gain from the reduction of the hazards of radioactive fallout. We live in the same world; we breathe the same air; we are all human beings. Each of us has much to gain from inhibiting of the arms race. The search for security through better weapons, in this age, leads to greater tension, not less. Each step leads us closer to the point where we go beyond the balance of terror and enter an area where any step is fatal, not to one, but both; not to some, but to all. Further, each of us has much to gain from curtailing the spread of nuclear testing and weapons to other nations. We know independent nations cannot be controlled completely, even by their allies. Khrushchev has learned this, much to his anguish and distress.

The abolition of all nuclear weapons tests would, it seems to me, be in the Soviets' interests as well as ours. This, I think, has been the reason for the groping efforts of both countries on the test ban treaty issue over several years.

The trouble with total prohibition, however, is the loophole the Russians sought through the refusal to allow onsite inspections of underground tests.

Such a loophole would be in their best interests, but not in ours. It would not have given us a clear opportunity to protect our interests in the event of a violation. The present treaty, however, does give us the opportunity to protect ourselves. It offers no opportunity for significant clandestine tests. We do not rely on expressions of good faith; we rely on the technological facts which make the limited agreements possible; we rely on the determination of this Nation to keep its guard up, without panic, without the aggressive stance which stems from fear.

Mr. President, I shall vote for this treaty. I do so without reservations. I do so, not because I expect it to bring the millennium, but because I believe the treaty is what the President says it is: a way to "get back out from the shadows of war and seek out the way of peace."

To do otherwise, it seems to me, would be to reject the possibility of a rational relationship between ourselves and the Soviet Union, and to accept the inevitability of force as the only conceivable arbiter of our differences.

Are we more fearful of negotiation than we are of nuclear war?

Are we less confident of our ability to wage peace than we are of our ability to wage war?

Which course holds the greater promise for peace, security, and survival—to agree in the circumstances we are considering, or to disagree with the Soviet Union under all conceivable circumstances?

It seems to me that the alternatives, however stated, are clear. All of us, I am sure, have weighed them carefully, impressed by their grave implications. I choose the course offered by the treaty, in the hope and belief that it holds the greater promise for the future of mankind.

When I have voted for this treaty, I can say to my children, "I have tried to give you a world in which you will not be poisoned by the silent, insidious hazards of nuclear fallout"; I can say to my constituents, "I have voted for this treaty because it is a sensible step toward a rational world"; I can say to the critics of this treaty, "I have faith in the strength of America, in its institutions, in its leadership, and in the wisdom of acting with your eyes open and your feet on the ground."

Mr. MANSFIELD. Mr. President, I commend the Senator from Maine for a most moving speech, in which the Senator has delineated his philosophy, and which I believe lays the issue very squarely before the Senate. The Senator has performed a magnificent service in doing so.

Mr. MUSKIE. I am grateful to my majority leader.

COMMITTEE MEETING DURING SENATE SESSIONS ON THURSDAY AND FRIDAY

Mr. MANSFIELD. Mr. President, I have cleared the request I am about to make with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and the distinguished Senator from South Carolina [Mr. JOHNSTON]. I ask unanimous consent that the Subcommittee on Manpower and Employment be authorized to meet on Thursday and Friday mornings, to take testimony on unemployment problems during the sessions of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

> H.R. 4505. An act to confer jurisdiction on the Court of Claims to entertain, hear, and determine a motion for a new trial on the claim of Robert Alexander;
>
> H.R. 8009. An act to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes;
>
> H.R. 8100. An act to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes; and
>
> H.R. 8200. An act to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 1952) to extend and broaden the authority to insure mortgages under sections 809 and 810 of the National Housing Act, and it was signed by the President pro tempore.

HOUSE BILLS REFERRED

The following bills were severally read twice by tneir titles, and referred, as indicated:

> H.R. 4505. An act to confer jurisdiction on the Court of Claims to entertain, hear, and determine a motion for a new trial on the claim of Robert Alexander; to the Committee on the Judiciary.
>
> H.R. 8009. An act to amend title 38, United States Code, to provide certain veterans with urgently needed nursing home care and nursing care facilities while reducing the cost to the United States of caring for such veterans, and for other purposes; and
>
> H.R. 8100. An act to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes; to the Committee on Labor and Public Welfare.
>
> H.R. 8200. An act to further amend the Federal Civil Defense Act of 1950, as amended, to provide for shelter in Federal structures, to authorize payment toward the construction or modification of approved public shelter space, and for other purposes; to the Committee on Armed Services.

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

MODIFICATION OF UNANIMOUS AGREEMENT

Mr. MANSFIELD. Mr. President, again with the concurrence of the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN] and also the distinguished Senator from Nebraska [Mr. CURTIS], I wish to propound a unanimous-consent request for a change in the unanimous-consent agreement already entered.

I ask unanimous consent that on Tuesday morning, instead of meeting at 10:30 a.m. and voting on the resolution of ratification at 11 a.m., the Senate meet at 10 a.m., and vote on the resolution at 10:30.

The PRESIDING OFFICER. Is there objection?

Mr. GORE. Mr. President, reserving the right to object—and I shall not object—I should like, first, to congratulate the Senator upon his facility in reaching an agreement. However, if there is to be a yea-and-nay vote on the Goldwater reservation, I was hoping that the vote could be postponed until Tuesday morning also. Is that not possible?

Mr. MANSFIELD. I plead with the Senator.

Mr. GORE. I withdraw the reservation of objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none; and it is so ordered.

Mr. GORE. Mr. President, during the course of the debate yesterday with the distinguished senior Senator from Georgia [Mr. RUSSELL], I made the following statement which appears on page 17164 of the RECORD:

> The fact is that the Soviets have never at any time agreed to accept a single meaningful onsite inspection within the Soviet Union.

There was some discussion about the accuracy of my statement. I suggested that I would search the records and make a statement today with respect to it.

I have before me a copy of the letter which Chairman Khrushchev wrote to President Kennedy on December 19, 1962, which I shall ask to have printed in the RECORD. I should like to read a paragraph of the letter, and then I shall comment upon that paragraph:

> We took all this into account and, in order to overcome the deadlock and to arrive at last at a mutually acceptable agreement, we would agree, in those cases when it would be considered necessary, to two to three inspections a year on the territory of each of the nuclear powers in the seismic areas where some suspicious earth's tremors might occur. It goes without saying that the basis of control over an agreement on underground nuclear test ban would be the national means of detection in combination with automatic seismic stations. Onsite inspections could be carried on with the precautions mentioned by Ambassador Dean against any misuse of control for purposes of espionage.

It was this letter which gave rise to the impression, widely held in the United States and throughout the world, that Mr. Khrushchev had agreed to permit two or three onsite inspections in the Soviet Union. If we examine the paragraph carefully—as I propose to do—we find that again something appears in form at first glance, but, when examined carefully, is found to be without substance.

At the time Chairman Khrushchev wrote the letter, we had not been able to reach an agreement with the Soviets as to what kind of inspection, if any, should be made. We had not been able to reach any agreement with the Soviets as to who should make the inspection. The Soviets were insisting upon national inspection, upon self-inspection. We had not been able to reach an agreement with them about what kind of an inspection team would be used; about the makeup of the inspection team—so many seismologists, so many chemists, so many nuclear experts, so many Russians, so many Americans, so many international representatives, and so on. We had not been able, even, to reach an agreement that the team would be allowed to have a Geiger counter or any other instruments.

It had never been made clear through agreement as to the right of the United States or of an international agency to make an inspection. The Soviets insisted inspection could be conducted on Soviet territory only upon the invitation of the Soviets.

I revert to the Chairman's letter:

> We would agree, in those cases when it would be considered necessary, to two to three inspections a year.

Who would decide when it was necessary? The Russians were insisting that they would decide when it was necessary; and that the inspection would be made upon their invitation.

By whom? I refer again to the paragraph in the letter:

> It goes without saying that the basis of control over an agreement on underground nuclear test ban would be the national means of detection.

Not an international means, but a national means.

Would the Russians decide whether an inspection was necessary? Under their insistence at the time the chairman wrote the letter, that would be for them to decide. It would be a matter of invitation, not a matter of right by a party to the agreement, and not a matter of right by an international agency.

We had not been able to reach any agreement whatsoever on the budget for the inspection teams. We had been unable to reach any agreement as to who would provide the money, as to who would pay the expenses, as to who would buy the equipment, and in what amounts; or who would have authority to employ members of the inspection teams, to dispatch them, and to exercise administrative control.

We had not been able to reach a specific agreement with the Soviets in any respect whatsoever as to the right of free access to an area where a suspicious event might occur. Indeed, as I shall point out Chairman Khrushchev in his letter excluded vast areas of the Soviet Union. I advert again to his letter:

> In the seismic areas where some suspicious earth tremors might occur.

The United States had been insisting that an underground explosion could be attained in nonseismic areas, as well as in seismic areas.

A careful reading of Chairman Khrushchev's letter in the light of the positions which the Soviets were taking at the conference table reveals that the letter does not in fact represent an agreement to accept a single meaningful onsite inspection in the Soviet Union.

I am fully prepared to reassert the statement I made yesterday, that the Soviets have not proposed and did not at any time propose, or agree to accept, or permit, a single meaningful onsite inspection in the Soviet Union.

This is not a major question in the debate on the treaty. So far as I know, it is not even at issue. Since it arose in a colloquy between the distinguished and able senior Senator from Georgia and me, I agreed to search the annals of the many conferences and determine whether the facts were as I believed them to be and present the facts to the Senate in the interest of accuracy of the record.

Before expressing some general views on the pending treaty, I ask unanimous consent that Chairman Khrushchev's letter to President Kennedy of December 19, 1962, President Kennedy's reply of December 28, 1962, and Khrushchev's letter of January 7, 1963, may be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NOTE FROM KHRUSHCHEV TO PRESIDENT KENNEDY—DECEMBER 19, 1962

In our recent correspondence related to the events in the Caribbean area we have touched on the question of cessation of nuclear weapon tests. Today I would like to come back again to that problem and to set forth my views concerning possible ways of its speediest solution which would be mutually acceptable to both our sides.

It seems to me, Mr. President, that time has come now to put an end once and for all to nuclear tests, to draw a line through such tests. The moment for this is very, very appropriate. Left behind is a period of utmost acuteness and tension in the Caribbean. Now we have united our hands to engage closely in other urgent international matters and, in particular, in such a problem which has been ripe for so long as cessation of nuclear tests.

A certain relaxation of international tension which has emerged now should, in my view, facilitate this.

The Soviet Union does not need war. I think that war does not promise bright prospects for the United States either. If in the past after every war America used to increase its economic potential and to accumulate more and more wealth, now war with the use of modern rocket-nuclear weapons will stride across seas and oceans within minutes. Thermonuclear catastrophe will bring enormous losses and sufferings to the American people as well as to other peoples on earth. To prevent this we must, on the basis of complete equality and with just regard for each other's interests, develop between ourselves peaceful relations and solve all issues through negotiations and mutual concessions.

One of such questions with which the governments of our countries have been dealing for many years is the question of concluding a treaty banning all tests of nuclear weapons.

Both of us stand on the same position with regard to the fact that national means of detection are sufficient to control banning experimental nuclear explosions in outer space, in the atmosphere, and underwater. So far, however, we have not succeeded in finding a mutually acceptable solution to the problem of cessation of underground tests. The main obstacle to an agreement is the demand by the American side of international control and inspection on the territories of nuclear powers over cessation of underground nuclear tests. I would like to believe that you yourself understand the rightness of our arguments that now national means are sufficient to control also this kind of tests and be sure that agreement is observed by any side. But so far you do not want to recognize openly this actual state of things and to accept it as a basis for concluding without delay an agreement on cessation of tests.

Striving to find a mutually acceptable basis for agreement the Soviet Union has made lately an important step toward the West and agreed to installing automatic seismic stations. This idea, as is known, was put forward not by us. It was introduced by British scientists during the recent meeting in London of the participants of Pugwash movement. Moreover, it is well known to us that when this idea was proposed, it was not alien to your scientists who were in London at that time.

We proposed to install such stations both near the borders of nuclear powers and directly on their territories. We stated of our agreement that three such stations be installed on the territory of the Soviet Union in the zones most frequently subjected to earthquakes. There are three such zones in the Soviet Union where these stations can be installed: central Asian, Altaian and far eastern.

In the opinion of Soviet scientists the most suitable places for locating automatic seismic stations in the Soviet Union are area of the city of Kokchetav for central Asian zone of the U.S.S.R., area of the city of Bodaibo for Altaian zone and area of the city of Yakutsk for far eastern zone. However, should, as a result of exchange of opinion between our representatives, other places be suggested for locating automatic seismic stations in these seismic zones, we will be ready to discuss this question and find mutually acceptable solution.

Beside the above said zones there are two more seismic zones in the Soviet Union—Caucasian and Carpathian. However these zones are so densely populated that conducting nuclear tests there is practically excluded.

Of course, delivery to and from international center of appropriate sealed equipment for its periodic replacement at automatic seismic stations in the U.S.S.R. could well be made by Soviet personnel and on Soviet planes. However if for such delivery of equipment to and from automatic seismic stations participation of foreign personnel were needed we would agree to this also, having taken, if necessary, precautionary measures against use of such trips for reconnaissance. Thus our proposal on automatic seismic stations includes elements of international control. This is a major act of good will on the part of the Soviet Union.

I will tell you straightforwardly that before making this proposal I have consulted thoroughly the specialists and after such consultation my colleagues in the Government and I came to a conclusion that so far as the Soviet Union is concerned the abovesaid considerations on the measures on our part are well founded and, it seems to us, they should not cause objections on the part of the American side.

You, Mr. President, and your representatives point out that without at least a minimum number of onsite inspections you will not manage to persuade the U.S. Senate to ratify an agreement on the cessation of tests. This circumstance, as we understand, ties you and does not allow you to sign a treaty which would enable all of us to abandon for good the grounds where nuclear weapons are tested. Well, if this is the only difficulty on the way to agreement, then for the noble and humane goal of ceasing nuclear weapon tests we are ready to meet you halfway in this question.

We noted that on this October 30, in conversation with First Deputy Foreign Minister of the U.S.S.R., V. V. Kuznetsov in New York, your representative Ambassador Dean stated that, in the opinion of the U.S. Government, it would be sufficient to carry on 2–4 onsite inspection each year on the territory of the Soviet Union. According to Ambassador Dean's statement, the United States would also be prepared to work out measures which would rule out any possibility of carrying on espionage under the cover of these inspection trips including such measures as the use of Soviet planes piloted by Soviet crews for transportation of inspectors to the sites, screening of windows in the planes, prohibition to carry photocameras, and so forth.

We took all this into account and, in order to overcome the deadlock and to arrive at last at a mutually acceptable agreement, we would agree, in those cases when it would be considered necessary, to 2–3 inspections a year on the territory of each of the nuclear powers in the seismic areas where some suspicious earth's tremors might occur. It goes without saying that the basis of control over an agreement on underground nuclear test ban would be the national means of detection in combination with automatic seismic stations. Onsite inspections could be carried on with the precautions mentioned by Ambassador Dean against any misuse of control for purposes of espionage.

We believe that now the road to agreement is straight and clear. Beginning from January 1 of the new year of 1963 the world can be relieved of the roar of nuclear explosions. The peoples are waiting for this, this is what the U.N. General Assembly has called for. With the elimination of the Cuban crisis we relieved mankind of the direct menace of combat use of lethal nuclear weapons that impended over the world. Can't we solve a far simpler question—that of cessation of experimental explosions of nuclear weapons in the peaceful conditions? I think that we can and must do it. Here lies now our duty before the peoples of not only our countries but of all other countries. Having solved promptly also this question—and there are all the preconditions for that—we shall be able to facilitate working out an agreement on disarmament and with even more confidence proceed with solving other urgent international problems, which we and you unfortunately are not short of.

Sincerely,

N. Khrushchev.

December 19, 1962.

December 28, 1962.

Dear Mr. Chairman: I was very glad to receive your letter of December 19, 1962, setting forth your views on nuclear tests. There appear to be no differences between your views and mine regarding the need for eliminating war in this nuclear age. Perhaps only those who have the responsibility for controlling these weapons fully realize the awful devastation their use would bring.

Having these considerations in mind and with respect to the issue of a test ban, I therefore sincerely hope that the suggestions that you have made in your letter will prove to be helpful in starting us down the road to an agreement. I am encouraged that you are prepared to accept the principle of onsite inspections. These seem to me to be essential not just because of the concern of our Congress but because they seem to us to go to the heart of a reliable agreement ending nuclear testing.

If we are to have peace between systems with far-reaching ideological differences, we must find ways for reducing or removing the recurring waves of fear and suspicion which feed on ignorance, misunderstanding or what appear to one side or the other as broken agreements. To me, the element of assurance is vital to the broader development of peaceful relationships.

With respect to the question of onsite inspections I would certainly agree that we could accept any reasonable provision which you had in mind to protect against your concern that the onsite inspectors might engage in "espionage" enroute to the area of inspection. In a statement at the United Nations, Ambassador Stevenson suggested that the United States would accept any reasonable security provision while the inspectors were being taken to the site, so long as they had reasonable provision for satisfying themselves that they were actually at the intended location and had the freedom necessary to inspect the limited designated area.

With respect to the number of onsite inspections there appears to have been some misunderstanding. Your impression seems to be that Ambassador Dean told Deputy Minister Kuznetsov that the United States might be prepared to accept an annual number of onsite inspections between 2 and 4. Ambassador Dean advises me that the only number which he mentioned in his discussions with Deputy Minister Kuznetsov was a number between 8 and 10. This represented a substantial decrease in the request of the United States as we had previously been insisting upon a number between 12 and 20. I had hoped that the Soviet Union would match this motion on the part of the United States by an equivalent motion in the figure of 2 or 3 onsite inspections which it had some time ago indicated it might allow.

I am aware that this matter of on-site inspections has given you considerable difficulty although I am not sure that I fully understand why this should be so. To me, an effective nuclear test ban treaty is of such importance that I would not permit such international arrangements to become mixed up with our or any other national desire to seek other types of information about the Soviet Union. I believe quite sincerely that arrangements could be worked out which would convince you and your colleagues that this is the case.

But in this connection, your implication that on-site inspections should be limited to seismic areas also gives us some difficulty. It is true that in the ordinary course we would have concern about events taking place in the seismic areas. However, an unidentified seismic event coming from an area in which there are not usually earthquakes would be a highly suspicious event. The United States would feel that in such a circumstance the U.S.S.R. would be entitled to an on-site inspection of such an event occurring in our area and feels that the United States should have the same rights within its annual quota of inspections.

Perhaps your comment would be that a seismic event in another area designated for inspection might coincide with a highly sensitive defense installation. I recognize this as a real problem but believe that some arrangement can be worked out which would prevent this unlikely contingency from erecting an insuperable obstacle.

Your suggestion as to the three locations in the Soviet Union in which there might be unmanned seismic stations is helpful but it does not seem to me to go far enough. These stations are all outside the areas of highest seismicity and therefore do not record all of the phenomena within those areas. These stations would be helpful in increasing the detection capability of the system but I doubt that they would have the same value in reducing the number of suspicious seismic events by identifying some as earthquakes. For this purpose unmanned seismic stations should be in the areas of highest seismicity, not outside them. To achieve this result there would be need for a number of stations in the vicinity of the Kamchatka area and a number in the Tashkent area. It might be possible, of course, to reduce somewhat the number actually in the Soviet Union by arranging stations in Hokkaido, Pakistan, and Afghanistan. If the stations on Soviet territory were sited in locations free from local disturbances and could be monitored periodically by competent United States or international observers who took in portable seismometers and placed them on the pedestals it would be very helpful in reducing the problem of identification.

You have referred to the discussion of the "black box" proposal at the 10th Pugwash Conference in London in September of this year as a United Kingdom proposal to which the United States has agreed. I do not believe that this was the situation. This proposal was reported to me as a Soviet proposal which was discussed with some U.S. scientists. Of the U.S. scientists who signed the statement none represented the U.S. Government or had discussed the matter with responsible officials. All were speaking as individuals and none were seismologists. Their agreement does not signify anything other than that this was an area which justified further study. The U.S. Government has given it that study and the results have been the conclusions which I have indicated above.

Notwithstanding these problems, I am encouraged by your letter. I do not believe that any of the problems which I have raised are insoluble but they ought to be solved. I wonder how you think we might best proceed with these discussions which may require some technical development. It occurs to me that you might wish to have your representative meet with Mr. William C. Foster, the Director of our Arms Control and Disarmament Agency, at a mutually convenient place, such as New York or Geneva. I will be glad to have your suggestions. After talks have been held we will then be in a position to evaluate where we stand and continue our work together for an effective agreement ending all nuclear tests.

John F. Kennedy.

January 7, 1963.

Dear Mr. President: I received your reply to my message of December 19, 1962. I am satisfied that you have appraised correctly the Soviet Government's proposals set forth in that message as directed to securing in the very near future a ban on all tests of nuclear weapons.

We understand your answer as meaning that you do not object that national means of detection together with automatic seismic stations should be the basis for control over an agreement banning underground nuclear tests. We note your agreement that installation of automatic seismic stations will prove useful from the point of view of increasing the effectiveness of control over cessation of underground nuclear explosions. During the Geneva talks it was justly observed, also by your representatives, that installation of such seismic stations would serve as good means of verifying the correctness of functioning of national seismic stations. It is precisely by these considerations that the Soviet Government was guided in proposing that the idea of installing automatic seismic stations put forward at the Pugwash meeting of scientists be utilized.

In my message of December 19, 1962 I indicated those three areas where in the opinion of our scientists automatic seismic stations should be set up on the territory of the Soviet Union. Those areas were selected after a thorough study with comprehensive consideration being given to geological and seismic conditions in those places.

In the areas of Kokchetav and Bodaibo automatic seismic stations would be located, according to our suggestion, at the exposures of crystalline rocks while in the Yakutsk area—in the zone of eternal congelation. As is known on crystalline rocks and on grounds frozen deep down always only minor seismic hindrances are noticed which facilitates reliable detection of underground nuclear explosions. In combination with seismic stations abroad, on territories adjacent to the seismic zones in the Soviet Union automatic stations located in the above-mentioned points will be adequate means capable of removing possible doubts of the other side with regard to the correctness of functioning of the national seismic station network.

You did not make any comments on the location of an automatic seismic station for the Altai zone in the region of the city of Bodaibo, and thus we could consider this question as agreed upon.

However, you have doubts as to the location of automatic seismic stations for the other seismic zones in the Soviet Union—far eastern and central Asian ones. As far as those zones are concerned, in your opinion, it would be expedient to place such stations in the Kamchatka area and in the area of Tashkent. In the opinion of Soviet scientists placing automatic seismic stations in the areas of Tashkent and Kamchatka would be a worse variant as compared to the one that we propose because in those areas functioning of automatic stations will be seriously handicapped by seismic hindrances. But if you believe it more expedient to relocate those stations we will not object to that. In my message to you I have already pointed out that the Soviet Union is prepared to seek a mutually acceptable solution also in the question of location of automatic seismic stations. We would agree to relocate the automatic seismic station for the central Asian zone of the U.S.S.R. to the Tashkent area placing it near the city of Samarkand and for the far eastern zone—to place the automatic station at Seimchan which is part of the Kamchatka seismic area.

Location of an automatic seismic station on the Kamchatka peninsula itself seems, in the opinion of Soviet scientists, clearly unacceptable in view of strong hindrances caused by the proximity of the ocean and strong volcanic activity in the peninsula itself which will inevitably hamper normal functioning of a station. It appears to us that thus we could consider as agreed upon also the question of the location of automatic seismic stations for the central Asian and far eastern zones of the U.S.S.R.

The Soviet Government having consulted its specialists came to the conclusion that it is quite enough to install three automatic seismic stations on the territory of the Soviet Union. The more so that in your message, Mr. President, a possibility is envisaged of setting up automatic seismic stations on territories adjacent to the seismic zones in the Soviet Union—on Hokkaido, in Pakistan, and Afghanistan, naturally with the consent of respective governments.

The Soviet Government has named definite areas for the location of automatic seismic stations on the territory of the U.S.S.R. Moreover, Mr. President, taking into account your wishes we agree to relocate two stations to new places. We are entitled to expect therefore that your side also will name definite areas where such stations should be set up on the territory of the United States and that in reaching an agreement on the sites where stations are to be placed the American side will take into account our wishes.

Mr. President, we are convinced that all conditions exist now for reaching an agreement also on the question of inspection. It is known that all the recent time we heard not once from the Western side—agree in principle to inspection and then the road to agreement will be open. We believed and we continue to believe now that, in general, inspection is not necessary and if we give our consent to an annual quota of 2–3 inspections this is done solely for the purpose of removing the remaining differences for the sake of reaching agreement.

As you see we have made a serious step in your direction. The quota of inspections on the territory of each of the nuclear powers that we propose is sufficient. Indeed, in the negotiations your representatives themselves recognized that there is no need to verify all or a greater part of significant suspicious phenomena to restrain the states from attempts to violate the treaty. And they gave figures of annual inspections practically equaling the quota proposed by us. Naturally it is most reasonable to carry out inspection in seismic areas where the biggest number of unidentified seismic phenomena may occur. However, if you consider it necessary, we have no objection to inspections being carried out also in nonseismic areas provided such inspections are conducted within the annual quota indicated by us.

I noticed that in your reply you agree with the necessity of taking reasonable measures of precaution which would exclude a possibility of using inspection trips and visits to automatic seismic stations for the purpose of obtaining intelligence data. Of course, in carrying out on-site inspection there can be circumstances when in the area designated for inspection there will be some object of defense importance. Naturally, in such a case it will be necessary to take appropriate measures which would exclude a possibility to cause damage to the interests of security of the state on the territory of which inspection is carried out. In this respect I fully agree with the considerations expressed in your message.

Mr. President, in your message you suggest that our representatives meet in New York or in Geneva for a brief preliminary consideration of some of the problems you touched upon.

We have no objections to such meeting of our representatives. The Soviet Government for that purpose appointed N. T. Fedorenko, U.S.S.R., permanent representative to the U.N., and S. K. Tsarapkin, U.S.S.R., representative to the 18-Nation Disarmament Committee, who could meet with your representative Mr. William C. Foster in New York on January 7 to 10. We proceed here from the assumption that meetings of our representatives should lead already in the very near future to agreement on questions still unsettled so that upon the reopening of the 18-Nation Committee session our representatives could inform it that the road to the conclusion of agreement banning all nuclear weapons tests is open.

Sincerely,

N. KHRUSHCHEV.

Mr. GORE. The principal issue in the discussion between the very able and distinguished senior Senator from Georgia and me yesterday was whether the pending treaty represented an abandonment of U.S. insistence upon inspection to assure compliance with the treaty.

It was my view then, and, upon reconsideration, it is still my view, that instead of representing an abandonment of the principle of inspection, the fact that the United States refused to enter into an agreement involving underground testing without effective inspection serves to reassert this country's dedication to the principle of adequacy of inspection in areas where inspection is needed.

The limited test ban treaty makes no concession with respect to the principle of onsite inspection. It does not give up onsite inspection for any kind of testing where such inspections are necessary to carry out the fundamental principle which underlies the U.S. position in all disarmament negotiations, which is that any disarmament measure must be implemented under such strict and effective controls as to provide firm assurance that all parties are honoring their obligations.

The United States has been unswerving in its support of this position; and where onsite inspections are necessary, we have insisted upon them. Because we were unable to obtain them, we refused to enter into a treaty involving underground tests.

Thus, the Joint Statement of Agreed Principles for Disarmament Negotiations, agreed to between the United States and the Soviet representatives on September 20, 1961, provides that "inspectors should be assured unrestricted access without veto to all places as necessary for purposes of inspection."

Here again is an assertion of a principle by the United States, an agreement "in principle" by the Soviet Union. But it is when specifics are required that we find difficulties developing. That was the case with respect to onsite inspections to detect possible cheating in connection with underground tests.

The limited test ban agreement now before the Senate prohibits only tests in the atmosphere, underwater, and in outer space. It does not prohibit tests underground unless they cause radioactive debris to be present outside the country where the test takes place.

Inspection within the borders of another country at the site of a possible explosion has never been proposed for atmospheric, ocean, or outer space tests; only for those underground.

Neither the 1959 limited test ban proposal of President Eisenhower nor the 1961 and 1962 limited test ban proposal of President Kennedy required onsite inspection.

Secretary Rusk said of all these proposals:

> The concept has remained the same—to take a first step toward the control of nuclear weapons by prohibiting testing in those environments where our national systems are capable of detecting significant violations, leaving for subsequent steps the elimination of those tests that can be detected and identified only with an adequate system of inspection.

Thus, far from having abandoned the principle of onsite inspection, the limited treaty now before the Senate was offered by the United States to preserve that principle, and yet to prohibit testing in as many environments as possible while doing so.

The failure to obtain an agreement for onsite inspection does not represent an abandonment of the principle. We have asserted it. We have insisted upon it. This Government has not failed at any time during the administration of former President Eisenhower or during the administration of President Kennedy to insist upon inspection as a vital part of verification for underground tests or as a principle for the disarmament negotiations.

The fact that we are now discussing a limited, rather than a comprehensive, test ban treaty results from the insistence by the United States that an effectively verified ban on underground tests requires onsite inspections.

The United States does not intend to give up onsite inspections where they are needed, insofar as I am advised with respect to intentions of the Kennedy administration. It is certainly not the intention of the Senator from Tennessee to abandon the principle of onsite inspection to verify compliance with treaty obligations.

No one would suggest onsite inspections for the Washington to Moscow direct communications link. Inspection is not necessary there.

On the other hand, in the case of the comprehensive ban on nuclear weapons testing and other military activities in Anarctica, onsite inspections are needed. We insisted upon them, and the treaty which the Senate ratified provided for them.

Given this record, no other nation, in my view, can effectively contend that the United States has abandoned the principle of onsite inspection.

I reassert, insofar as I am privileged to speak, dedication to the principle; and I believe this view will be held by all Senators who vote for approval of the treaty.

I entered the discussion with the able senior Senator from Georgia [Mr. RUSSELL] on this point yesterday because I regarded it as an important point which he had made in his speech. I said to him then, and I say to the Senate now, that if I believed approval of the pending treaty would in fact constitute abandonment of the principle of inspection, not only with respect to nuclear weapons tests but in the disarmament conferences which are to come, I would not be able to give my consent to it.

I should like to read now from the statement of Gen. Maxwell Taylor, speaking for the Joint Chiefs of Staff. This appears on page 274 of the hearings:

> However, the dangers of detection and the cost and difficulty of testing in outer space would tend to impose severe restrictions upon such clandestine testing. Other clandestine tests in the atmosphere or under water, depending upon their size, would involve a fairly high probability of detection by our conventional intelligence or our atomic energy detection system. Moreover, the Joint Chiefs of Staff consider the resulting progress which the Soviets might make clandestinely to be a relatively minor factor in relation to the overall present and probable balance of military strength if adequate safeguards are maintained.

Mr. President, some of my colleagues have indicated that they will vote against ratification of the pending treaty on the grounds that the treaty would pose unacceptable military risks for this country. I am confident that those who take this position are sincere in their views which have been formed after lengthy study of the treaty and the factors relating to it. Military implications incident to ratification of the treaty are quite properly a legitimate matter for consideration.

I daresay that probably every Senator has given consideration to this point. Perhaps the differing conclusions which Senators have arrived at on this point may result from the focus, the perspective, and the relative weight they attach to the various elements deserving consideration and having a bearing upon the pending treaty.

The military implications of this treaty quite obviously bear upon the present and future military strength of the United States. But they also bear upon the present and future military strength of the Soviet Union. The self-limiting features of this treaty obviously apply to both of the great nuclear powers and will apply to all other nations who have adhered to the treaty.

Surely we would not wish to limit ourselves unless others were similarly limited. That has been the central thesis of all our negotiations with the Soviet Union on this subject since the days of the Baruch plan submitted to the United Nations immediately following World War II. We have sought assurance that we are not binding ourselves without an effective means of verifying that other signatory nations were likewise meeting their obligations under any proposed agreement.

The argument that the treaty should be rejected because of asserted military disadvantages really boils down to an argument that this Nation cannot afford to enter into any agreement at all on this subject. Such an argument, whether wise or unwise, runs counter to what has been the stated policy of the past three administrations, a policy which I believe has been supported by the American people.

In its very essence, this treaty is a political document. There is no way, however, in which political considerations can be divorced from military implications. Indeed, military considerations are an important element in the formulation of all aspects of our foreign policy. Consideration by the Senate of military implications in the discharge of its constitutional responsibility of advising and consenting to this treaty is proper and necessary. But it is also necessary that these military considerations be placed in proper perspective as they relate to the overall decision which Senators must make.

It is generally agreed by proponents and opponents alike that the United States enjoys a clear margin of superiority over any other power in nuclear arms. We are superior, I believe, both quantitatively and in terms of variety of weapons. On this point, I refer my colleagues to the statement of the Secertary of Defense which is found on page 97 of the printed hearings. I refer also to the statement of the Joint Chiefs of Staff who informed the Committee and the Senate as follows:

> As to net superiority in ability to inflict damage on the enemy, the Joint Chiefs of Staff consider that the United States at present is clearly ahead of the U.S.S.R. in the ability to wage strategic nuclear war.

If we clearly possess overall nuclear superiority—and those whom we have charged with responsibility in such matters so state—what then are the asserted military risks incident to ratification of the treaty?

Opponents cite the problem of ultra-high yield nuclear weapons. I regard anything in the one to five megaton range as high yield. Weapons of such yield are more than sufficient to take out virtually any military or civilian target should this ever become necessary. Moreover, as professional military and scientific witnesses told the Committee, weapons in this range can be delivered in greater numbers and with more accuracy than the ultra-high-yield bombs, the single category in which the Soviet Union is conceded to have the lead in yield to weight ratios.

It is true that Russia has conducted atmospheric tests of weapons in the ultra-high-yield area while we have not. It is also true that as long as the treaty should be in force we would be precluded from testing such weapons in the atmosphere.

But, Mr. President, we have not heretofore been so treatybound, and we are not so treatybound now, prior to approval of the treaty. We have not conducted such tests. Our failure to test such weapons has been the result of a deliberate decision on our part that weapons of such awesome destructive power were not of sufficient military significance to justify the effort to develop them.

I cannot see the justification for rejecting this treaty on the grounds of military disadvantage based upon the fact that we would be precluded under the treaty from doing something we had already decided not to do anyway.

Of course, it should be recognized that future events might cause the United States to change its mind.

But such future events, if they seriously affected the security of this country, would permit the United States to remove any binding effect of the treaty in this regard. Secretary McNamara, the Joint Chiefs of Staff, and several scientific witnesses all agreed that these weapons have very little military significance for the United States; and that, in any case, the United States could develop a 50- to 60-megaton weapon without further testing, if that should become advisable.

The second risk, the one which appeared to cause the greatest concern for some, involves antiballistic missile development. After exhaustive testimony on this question, the committee agreed with the Secretary of Defense, the Joint Chiefs of Staff, the Chairman of the Atomic Energy Commission, and the weight of knowledgeable scientific opinion that, first: The development of an antiballistic missile system sufficiently effective to justify the extremely high cost of such development and deployment is not likely.

Second, that the United States must continue intensive research and development in this field. Indeed, the Department of Defense is currently seeking $450 million for this specific purpose, both because the purpose of the program is of such obvious importance and because, as Dr. York and others observed, antiballistic missiles perform a useful service in testing the penetration capabilities of our offensive missiles.

Third, it is generally agreed, as the Joint Chiefs of Staff testified, that "in the antiballistic missile field, the development of the U.S. system does not depend on atmospheric testing."

Virtually every scientific witness testified that the ability of offensive nuclear weapons to saturate and overwhelm defensive missile systems is decisive. The view was expressed that in all likelihood this situation would remain constant. The committee report noted that neither of the chief critics of the treaty, among scientists—Dr. Foster and Dr. Teller—

> Appeared to be convinced that further unrestricted testing would guarantee or necessarily promote significant progress in ABM development.

The other area of risk concerns the effect of induced phenomena on nuclear weapons systems and the possibility that the Soviet Union might have greater knowledge in this area.

I have chosen at this late date in the debate to deal with military risks, not because I feel any particular competence in this field, but because of two factors—

first, the weight of the evidence which I have studied during the years I have been closely identified with the atomic energy program, including the hearings on this treaty; and because so much importance has been attached in the debate in the Senate to the military risks involved.

Information about the relative degree of knowledge in the area of the effect of induced phenomena on nuclear weapons systems is hardly precise, and must be regarded as more or less speculative. The informed consensus appears to be that the United States and the Soviet Union are in roughly comparable positions in terms of knowledge of such nuclear phenomena as blackout and disturbance of communications. Under the treaty, both sides would have to "design around" some of these uncertainties, as a number of witnesses put it, and make extrapolations from known data.

This leads us into a complicated, unknown field—a field difficult for even our most competent and talented scientific geniuses. It is difficult for Senators who had only a limited science course in high school and college to reach a judgment upon these uncertainties, and these complicated and technical factors. Yet it is upon Members of the Senate that the constitutional responsibility for reaching a judgment and a decision devolves with respect to the pending treaty. What shall we do? What have I done? I have listened to the most competent witnesses and have read most of the competent authorities available. My judgment accords squarely with what I regard as the judgment of the preponderant majority of those most competent persons.

Undoubtedly, there is much that we do not yet know about nuclear explosions, their effects, and the means of defense against nuclear attack. There is no question that further development work in this field would be somewhat inhibited under the terms of the treaty. Such work would be more difficult and more expensive—more difficult for us, more difficult for the Soviets; more expensive for us, more expensive for the Soviets. Progress would likely be slower—slower for us and slower for them. Results probably would be less conclusive than if unrestrained and unrestricted nuclear testing were to continue.

But what about the other 25 or 30 nations whose industrial capacity gives them the ability to develop nuclear weapons? Except for Red China, most of them have already adhered to the treaty. They, too, would be inhibited. Indeed, they would be inhibited by the lack of much of the scientific knowledge which the Soviet Union and the United States already have.

Among assertions that have been made during the course of the debate is the statement that the pending treaty would be to the advantage of the Russians. It has been stated that Mr. Khrushchev said the treaty was in Russia's own interest.

What two nations in the world would be most likely to be destroyed in the event of a nuclear holocaust? Obviously, the two nuclear powers that are armed with nuclear warheads already in place on missiles aimed at each other's vital industrial and population centers. The loosing of nuclear weapons tonight would rain destruction upon the United States and the Soviet Union. The United States and the Soviet Union obviously would suffer most from a nuclear war. What greater mutual interest could two nations have than the avoidance of nuclear war by the two nations most likely to be destroyed? This situation involves a real mutual interest, a mutual interest of self-preservation.

Yes, Khrushchev has said the treaty is in the interest of the Soviet Union. President Kennedy has also said it is in the interest of the United States. Do we believe the Soviets would have signed the treaty unless they regarded it as being in their interest? Do we believe President Kennedy would approve the treaty unless he regarded it as being in the interest of the United States of America? All treaties—unless forced upon one of the parties—come about only because of mutual interests.

In case of total nuclear war and the destruction of the United States and the Soviet Union, the other great goliath, Red China, might inherit the earth on foot.

So I am prepared to support a treaty that is in the interest of the United States and in the interest of the Soviet Union—a treaty in which we have the greatest possible mutual interest: self-preservation.

The central point is that it is not here proposed that the United States unilaterally subject itself to these restrictions and allow the Soviet Union to be free of them. The restrictions will apply to both countries. We refused, let me repeat, to enter into a treaty involving underground testing, because the Soviets would not permit inspection adequate to guarantee against cheating. But the proposal before us contemplates that the limitations and restrictions will apply equally to all the signatory powers.

Let us concede, for the sake of argument, that there are some areas in which Soviet knowledge, gained as a result of prior tests, exceeds ours—for example, as to the effects of ultra-high-yield weapons.

However, Mr. President (Mr. WALTERS in the chair), there are other areas in which our knowledge exceeds theirs, advantages we have gained from our own atmospheric testing. Unless we are prepared to reject the advice of all who claim overall U.S. nuclear superiority, then I believe this is a reasonable conclusion. It is not just now that I have heard the authorities thus testify. This has been the case throughout the development of the nuclear era.

For myself, I do not accept the theory that the Russians already know all they wish to know, and have agreed to this treaty only to entrap us into a position where we will be unable to catch up. This is not to say, Mr. President, that the Soviets do not consider the treaty to be in their best interests. As I have said, I assume they do. Indeed, they assert that they do; and I claim the same for my country. But if we must wait for an agreement that is entirely to our advantage, then I fear we must wait forever. If we must wait for an agreement of that type, we must be prepared to accept the prospect that no agreement on anything affecting the security of nations would ever be reached.

There are those who contend that the Russians have no intention of living up to the terms of the treaty. In the light of our past experience in such matters, this could well be true. But here, again, if we must wait until the Russians have demonstrated conclusively and to the satisfaction of all that they will keep their word, we shall wait forever.

Mr. President, as I said yesterday, on some aspects of this issue, Senators must ultimately choose between an investment in faith or living in fear. I have chosen to invest in faith—faith in our own leadership, faith in our own capacities, faith in the will and the determination of our own people, faith that this international concert, now adhered to by more than 90 nations, will be abrogated only upon the greatest of provocation by any nation.

I know it is said that it does no good to reach an agreement with the Soviets. Unfortunately, the Soviets' record with respect to fidelity to trust is not very good.

I cite, however, the instance of one agreement. The treaty with respect to Austria. A fellow townsman—in some respects a political mentor and friend in former days, former Secretary of State Cordell Hull—talked with me about this subject immediately after the end of World War II. One of his priority goals and aims was to seek an agreement to bring freedom to Austria. It was difficult to achieve it. The negotiations were tedious and long; the Soviets were devious and misleading. They treated the negotiations as an exercise in propaganda, somewhat as they have done in connection with the negotiations leading to the pending treaty. Eventually, however, an agreement was reached.

Not long ago, I enjoyed a visit to Vienna, where I heard free Austrians play beautiful Viennese music. I witnessed the freedom they had obtained as a result of the agreement between the United States and Russia—freedom which their neighbors—Hungary and Bulgaria—missed because of failure to obtain a similar agreement. So I am not prepared to say that no treaty will be kept by the Soviets.

I also recall that there is an international concert against the use of poison gas. Many nations had canisters of poison gas during World War II. They were not used by either side in either the European or the Pacific theaters of war. It may well be that future historians will compare the pending treaty—adhered to already, as I have said, by more than 90 nations—to the pact which outlawed the use of poison gas.

In that connection, Mr. President, let me say that nuclear weapons constitute only one of the means of mass destruction. The populations of cities can now be quickly destroyed, not only by nuclear weapons, but also by gases, radiological warfare agents, or bacteriological warfare.

What we are dealing with is one of the means of mass destruction, and we are dealing with it in a limited way at that. But even so, the treaty represents, not disarmament, but a pause in a conflict between societies on a collision course. I welcome that pause. I invest faith in the human race and faith in the ability of the United States to maintain a position of moral and political leadership, of technological and military superiority, and I invest faith in the will and the determination of our people to take whatever steps may become necessary to preserve their freedom.

No, I do not say that we should rely solely upon the good intentions of the Soviet leaders or their pledges to adhere to the terms of the treaty. Indeed, we must not. But this treaty is as nearly capable of unilateral verification as we could reasonably expect any treaty on this subject to be. I do not contend that it is impossible for a signatory nation to cheat without being caught, but the consensus of expert testimony is that the chances of detection of a clandestine test would be very great, and that those chances would increase with the size of the yield of the weapon tested. Admittedly, there will be some risk of undetected cheating, but this is, I think, a minimal risk which, under the terms of the pending treaty, has been reduced to the lowest level that might be expected.

The possibility of failure of the Russians to abide by the terms of the treaty, whether by clandestine tests or by open abrogation, must be met, not by rejection of the treaty, but by our maintenance of a state of readiness to test should Soviet action require it. We have been assured by the Executive that that would be done. Congress is not without means and influence to see that it is done.

It is not my view that there are no military implications at all incident to the ratification of the treaty. Of course, there are. There are military risks involved in many decisions which the Senate makes. The distinguished senior Senator from Oklahoma [Mr. MONRONEY], who does me the courtesy of his attention, is a leader in the development of civil aviation. We take a military risk when we decide to improve our airports or decide not to. We take a military risk when we choose between building 10 or 20 atomic submarines. We take an economic risk with our economy on the question of full employment and tax reduction. Those who are afraid to choose between relative risks need not apply for membership in this body because they must live with risk and decisions.

We are now confronted with one of the most important decisions that it has been our responsibility to make in a long while.

Should the Senate, in its wisdom and in the exercise of its independent judgment, reject the treaty, we shall have put the world on notice that we are committed to a relentless competition to develop ever more powerful weapons of destruction. What other conclusion could the Soviets, the French, the Scandinavians, or any other people reach? We shall have declared to the world that our enunciated policies of seeking some measure of agreement in this field were nothing more than the wishes or the propaganda policies of chief executives who could not obtain the support of the Senate in this vital field. We shall have cast doubt on the sincerity of our professed desire for peace. We shall, in some measure, have forfeited our claim to leadership in the search for an alternative to a world ruled by force, for an alternative to an ever-growing danger of nuclear destruction.

Mr. President, those who would reject the treaty or destroy it by reservations must be prepared to accept the hazards of its rejection. Once the treaty has been entered into by all the nations which have signed it, the Senate is hardly free to reach its decision without consideration of those factors and the consequences which would flow therefrom.

It may well be that Nigeria, or other signatory nations, will not be able within the century to build nuclear weapons. But the people of Nigeria, the largest country in Africa, have an interest in stopping nuclear weapons tests in the atmosphere because the fallout hazard lays an indiscriminate hand upon human beings of whatever race or of whatever country. It not only has an indiscriminate effect among races of people but also an indiscriminate effect on all biological life.

Mr. President, we are hardly free to consider the treaty separate and apart from the world community of which we are a part—indeed, of which I am proud to say we are a leading part. Our country took the lead in creating this problem; I am proud that it has taken the lead in the search for a solution to this awful power that has been unloosed.

What are some of the hazards of rejection?

There is the hazard of a rapprochement or reconciliation between the Soviets and the Red Chinese.

If Mr. Khrushchev is not able to move toward a minimum accommodation with the West he may desire to ameliorate the tension in the East. Instead of promoting division within the enemy of communism, as I think the treaty might well do, as the Red Chinese daily testify to, rejection of the treaty might tend to bring them together and to solidify the Communist alliance, the greatest strength of which has been its monolithic unity.

I think there may be a hazard of military control of the Soviet Union. I am not a champion of Mr. Khrushchev, but I shall never forget that when he was in political difficulty at home because of the U-2 incident, he came to the Paris Conference with a big marshal, who shadowed his every step, and overheard his every word.

I do not pretend to have any psychic powers or any penetrating understanding of the Soviet society, but I raise this question. We have heard scholars of the Soviet society many times allude to the contest between the military domination on the one hand and civilian domination on the other. This is a problem not unknown in our own country, as referred to in the parting advice of former President Eisenhower.

There is the hazard of an outraged—if not outraged, a very disappointed—world opinion. Some Senators do not think this a subject worthy of consideration. I have heard disparaging remarks made about those who do not wish to bring about unfavorable world public opinion.

Although there are those who belittle the influence of world opinion, there is little doubt that rejection of this treaty now would be the single most important act the United States could take to destroy American influence throughout the world. It would be a blow to American leadership and to American prestige. We would thus isolate ourselves from the sentiment of a large proportion of mankind.

I should like to mention another hazard, the hazard of proliferation of atomic weapons into the hands of many nations.

In my opinion, and according to informed testimony, at least eight nonnuclear powers have the capacity to develop nuclear weapons of their own. Perhaps 25 or 30, given a little more time, could develop them.

Rejection of this treaty and the consequent interpretation that the United States, instead of taking this first step—this pause—would travel the other route toward greater and greater atomic armaments, would operate to invite all those nations to build for themselves atomic weapons, thus multiplying the danger of a planned or accidental precipitation of a nuclear exchange.

Whether nuclear missiles start flying through the atmosphere into space and falling to the earth because fired from a small nation or from a great one might not be easily and quickly determined. The first burst might mean the touching of many buttons and the incineration of millions of people.

I repeat, the leading two atomic powers are those which would suffer most. Is there mutual interest? What greater mutual interest could the Soviets and the Americans have?

I do not suggest, Mr. President, that the Senate should ratify this treaty merely because the President has negotiated and approved it or merely because nearly 100 nations have signed it. The Senate, under the Constitution, has an obligation to reject an improvident agreement which would imperil the national security.

As I said in the Senate yesterday, I repeatedly advised the President, both personally and from the floor of the Senate, that in my opinion the most disastrous thing which could occur in this connection would be the approval of a treaty by the President on this subject which would be rejected by the Senate. I also advised as best I could that in my opinion the Senate would reject an improvident treaty on underground testing which did not provide for an adequate system of detection and inspection to verify compliance with the treaty.

But the Senate has an obligation to weigh and consider the risks of rejection as well as the risks of ratification.

This I have attempted to do. I have concluded to support the treaty.

It has long been my view that a treaty ban on nuclear weapons tests to be acceptable to the United States, must by its terms provide an effective means of verification. I have long been concerned about proposals for a comprehensive test ban agreement because I do not believe the Soviets would ever agree to a degree of onsite inspection which would bring the risks of verification within manageable limits. The elimination of underground tests from the terms of the treaty has, in large measure, eliminated this problem.

There are few certainties in this complex world in which we live. Rapid change is the earmark of our time. There is some risk, as I have said, in every action we take, or in every step we take or fail to take in the fields of military policy and foreign affairs. We must be prepared to accept minimal and manageable risks if such action would be helpful as a first step toward reducing the threat of nuclear war. We have a duty to avoid ill-advised action that might increase the threat of nuclear war.

Our highest military authorities assured the Senate and the American people that the terms of the pending treaty pose no unacceptable military disadvantage. On balance, both militarily and politically, the evidence before us and the political realities of the world in which we live strongly support ratification of the pending treaty.

With this I close. I shall vote with the deepest of conviction that the approval of the pending treaty is in the interest of the United States, in the interest of humanity, in the interest of the people of every nation in the world, be that nation small or large.

Mr. RANDOLPH. Mr. President, as a boy I often stood atop a West Virginia hill and traced a rainbow through a storm. I stand today in this forum of debate and decision. I sense a rainbow of promise as we come nearer to the rollcall which will, I believe, bring the ratification of the nuclear test ban treaty. The promise must not be in vain.

The debate on the treaty has demonstrated the function of the Senate in one of its most fundamental duties. Individual Senators have maintained a high level of seriousness and have exercised a deep sense of loyalty to their personal convictions and have translated the convictions of the constituents in their States as well.

It is with this recognition and respect for the views held on both sides of the issue that I am constrained also to state that the debate has demonstrated the remarkable capacity of the human mind to adjust to almost any extremity and to clothe an inherent lunacy in the garb of rationality.

The scholarly chairman of the Foreign Relations Committee [Mr. FULBRIGHT], in presenting the test ban treaty to the Senate on September 9, declared:

> There is a kind of madness in the dialog of the nuclear age, an incredulous response to terrors beyond our experience and imagination.

This "madness," Mr. President, lies near the heart of the debate, not only in the Senate, but in the continuing dialogs of almost two decades.

Eighteen years ago last month, the world vaulted into the nuclear age in terms not of theory but of operations. The response then to the almost instant incineration of more than 60,000 people in Hiroshima was that mankind had finally overreached itself—that the final and ultimate horror of war would eradicate war itself.

The popular response in America to the apocalyptic vision revealed in the fireball over Japan was characterized in the widely read book of that day, "No Place To Hide." Since then we have had lengthy and learned debates on "places to hide," and serious economists and nuclear strategists have discussed plans for placing a large part of our industrial system underground in preparation for a prolonged nuclear exchange.

There has been consideration of the possibility of putting some industry under the mountains of West Virginia. Certain surveys have been carried forward looking toward that possibility.

Seventeen years ago, the official response of the American Government to the nuclear age was presented in the plan of that grand American, Bernard Baruch, to "entrust all phases of the development and use of atomic energy" to an international atomic development authority. Yet today—in the name of military security—we hear the proposed test ban treaty opposed partially on the grounds that it will prevent our testing a 60-megaton bomb in the atmosphere—a bomb with 3,000 times the explosive yield of the machine that wiped out Hiroshima. In 18 years we have moved from the shock and horror of contemplating the death of 60,000 persons to an almost casual and academic consideration of the prospect of 70 million or 100 million Americans being wiped out in a nuclear war with the Soviet Union.

Since the mind cannot possibly comprehend such universal chaos and destruction, we have developed a new and protective lexicon composed of such terms as "the principle of imposed, involuntary reaction," "vulnerability of the retaliatory force," and "systems of mobile dispersal." Somewhere in the process, Mr. President, our perspective has become unhinged from the human realities which are obscured by this kind of language. Whether or not this is the kind of "madness" to which the chairman of the Foreign Relations Committee referred earlier last week, it qualifies for the term in my opinion. And I confess some difficulty in perceiving any enhancement of our national security in this escalation of destructive power and in our emotional and intellectual accommodation to the present condition.

I am not a member of the Foreign Relations Committee. Nor have I had the benefit of sitting on the Armed Services Committee. But I have read the hearings with care. I have followed the previous debate in this forum and in the RECORD, and I have pondered the issues with the most serious deliberation.

The question of arms control in the broad sense is not an entirely new issue to the senior Senator from West Virginia. As a Member of the U.S. House of Representatives, I introduced on June 29, 1945, a bill to create a Department of Peace at the Cabinet level. Former Senator Alexander Wiley introduced a slightly different measure in the Senate on July 6 of that year. We believed then—and I continue to believe—that this Nation must give as much attention, at a high executive level, to the attainment of peace as to the art and science of military pursuits.

I was one of the cosponsors of the measure in 1961 to establish the Arms Control and Disarmament Agency in the Department of State, which I believe has received not enough credit for the unglamorous spadework which preceded the final negotiations of the pending treaty.

I note the presence of the Senator who had more to do with the sponsorship and leadership of that law than any other Member of Congress, the senior Senator from Minnesota [Mr. HUMPHREY], and assistant majority leader. I know and he knows that the Arms Control and Disarmament Agency has not received its due credit for the unglamorous spadework which preceded the final negotiations on the pending treaty.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. RANDOLPH. I am glad to yield to the Senator from Minnesota.

Mr. HUMPHREY. I am very pleased that the Senator from West Virginia has made this comment about the Arms Control and Disarmament Agency and the work of Mr. Foster and Mr. Fisher and the other persons who are associated with these two distinguished governmental officials.

A good deal of work went into the preparations of the treaty which is now before us. Much of that work was undertaken under the guidance and direction of Mr. Foster and the able legal counsel of Mr. Fisher. Several days ago in the debate in the Senate, one of our colleagues asked me what great international lawyer was present at Moscow to protect our rights and to look out for the interests of the United States at the time of the negotiations on the treaty.

The Senator from Minnesota was not quick enough in his response and not very adequate. I did mention the fact that a man of the stature and ability and experience and maturity of the Under Secretary of State Mr. Harriman was present. I should have also added at that time that Mr. Adrian Fisher, former General Counsel of the Atomic Energy Commission, and one of the most able lawyers in this country and dedicated to public service, was also present.

I mention this only because very often we tend to forget that the Arms Control and Disarmament Agency people had a very singular role to play in the negotiation of the treaty.

I wish to say one further word to the Senator from West Virginia. I heard his comments on the subject of the development of the art of peacemaking, or of the role of seeking a just and enduring peace. The Senator from West Virginia will be long remembered for his dedication to peace without appeasement, to strength for our country without arrogance and belligerence. I am very happy that it has been my privilege to be associated with him in many of these endeavors on the part of our Government as we reach out to find ways and means of protecting the freedoms that are ours and extending these freedoms to others, while at the same time attempting to relieve and to limit the tensions in the world which could lead to a terrible catastrophe, a world war. The Senator can be very proud of his efforts, as indeed I know his constituents are proud of what he has done.

I congratulate him upon his genuine leadership throughout the years, in private life and in public life, in the interest of the security of our country and a genuine, lasting peace in the world.

Mr. RANDOLPH. I shall cherish the generous remarks of the Senator from Minnesota. All too often in this restless world, we fail to express the appreciation we feel. To what the Senator has said with reference to the men in the Agency to which I have given my endorsement, I add only this expression, "Ingratitude is the most reprehensible of vices." I have never found the Senator from Minnesota lacking in his expression of appreciation to those who work for enduring goals and for the benefit of mankind.

More recently, in April of last year, the Senator from West Virginia now speaking served as a representative of this body at the Interparliamentary Union Conference in Rome. There I participated in the sessions of the Disarmament Committee; and in October 1962, I also was among those representing the Senate at the NATO Parliamentarians' Conference in Paris. I draw attention to these matters, Mr. President, to indicate that while I am not a member of either of the committees which has submitted its report to the Senate on the test ban treaty, I have long maintained a deep-seated and thoughtful regard for the issues which comprise the substance of the treaty.

However, I do not hesitate to admit that this experience does not qualify me independently to evaluate the technical problems related to the test ban treaty. For this, I must rely on the testimony of the military and scientific experts presented in the hearings.

The Senator from Washington [Mr. Jackson], in his closely reasoned address to the Senate on September 13, referred to the need for hope as well as vigilance in the acceptance of the treaty. I would also point to the operation of faith—the faith that each of us must have in the competency of the technical judgments on which we base our final decision.

Few of us, perhaps not even the knowledgeable Senators who serve on the Armed Services Committee, possess the independent scientific and technical knowledge to appraise all the implications of the nuclear test ban treaty. In a previous era, when military strength was a matter of tanks, of guns, and of battleships, militarily educated and experienced Members of the House or Senate could cope with our strategists on their own terms and in a common language.

Today, however, the military sciences and technology, like other sciences, have become fractured into a number of increasingly esoteric and specialized branches in which only the experts seem to have the answers. And because many of the issues involve a degree of speculation and the weighing of different variables, we discover even the experts in disagreement.

Thus, it is with some relief that one reads in the hearings of the Committee on Foreign Relations the testimony of Dr. George Kistiakowsky, at page 855, that Dr. Harold Brown, Director of Defense, Research, and Engineering of the Department of Defense is "the only witness so far heard who can speak with real authority regarding the total ABM problem, and the related developments in offensive system. He has access to all the intelligence regarding Soviet activities and all of the expertise in the United States on our future capabilities that relate to the problem."

Therefore, on the basis of my faith in the knowledge, integrity, and experience of Dr. Kistiakowsky, I turn to the testimony of Dr. Harold Brown in order to resolve the doubts created by the testimony of Dr. Teller. In reading the testimony of Dr. Brown, I find that his carefully phrased and frequently qualified statements indicate the areas of uncertainty and speculation in the field of nuclear strategy and systems development.

These areas of ambiguity in the technical and military spheres therefore justify our weighing the political and historical considerations in the total balance. And they justify our right to hope that we may somehow break through the vicious spiral of nuclear buildup.

Risks are involved in the test ban. But risks are involved in any course of action in this world. Those that would be incurred under the test ban appear to me to be less mortal in the long sweep than those we would confront with a continuation of uncontrolled testing.

The interim report of the Preparedness Investigating Subcommittee of the Senate Armed Services Committee presented eight military and technical disadvantages which would be encountered by the United States if the treaty is ratified. With the exception of the eighth point—regarding the lessening of accessibility to information on Soviet capabilities—these objections have been answered to my satisfaction by the testimony of Dr. Brown and others, as well as by the assurances and safeguards mentioned by the Senator from Washington [Mr. Jackson] in his comprehensive remarks. It should be emphasized that the Preparedness Subcommittee quite explicitly stated in its report that it avoided an appraisal of "political considerations, and matters involving foreign and international affairs." The subcommittee's report closed with the admonition to Senators that "each individual must reach his own judgment on the basis of personal philosophy, past experience, current knowledge, and the relative weight which he assigns to the various factors involved."

In this respect, my personal philosophy is guided by the axiom that the only changeless fact in life is change itself. The art of government, in this context, is to help to channel the forces of change in the direction that will best fulfill the aspirations of our society. Today, the overwhelming aspiration of the American people, of the Soviet people, and of most humanity, is for world peace.

In my campaign of 1958, as I talked with people about bread and butter issues in the mountains of West Virginia, they spoke about jobs too often denied them through the technological changes; about mechanization and automation within industry. They spoke about schooling for their children, and a decent life.

Yet if I tarried beyond a quick handshake or a hurried conversation, I found they wanted to talk with me about peace and a world in which their sons, growing to manhood, would not have to go out and bear the burden of warfare and perhaps give their lives. The distinguished Senator from Hawaii [Mr. Inouye], who is sitting beside me, has known the bitter fruit of war as a much decorated combat infantry officer who saw action during World War II in France and Italy.

The proposed test ban treaty offers a slight but significant move in the direction of world peace, and for this reason I shall vote for its approval.

Mr. President, there are many aspects of a future under the test ban treaty which we cannot know with certainty. Indeed, there is little in this life about which we have absolute and certain knowledge. But of one prospect I believe we can be certain: That we cannot maintain the status quo of our present nuclear deterrent vis-a-vis the Soviet Union. Every new test brings new knowledge and an accelerated effort by the other party to duplicate or surpass that knowledge. With every test, the prospect of proliferation of nuclear arms to other countries increases, and with it the prospect of accidental war, war by miscalculation, or war precipitated by the actions of an irresponsible dictator of a minor power. Thus, especially in recent years, the long-term security of the United States has not been strengthened by the development of nuclear technology.

We have never been so strong, yet seldom has peace been less secure.

Most certainly, risks are involved in the ratification of the treaty—risks that have been pointed out by knowledgeable Senators, especially the distinguished Senator from Georgia [Mr. Russell] and the distinguished Senator from Mississippi [Mr. Stennis]. One may not lightly dispense with the precautions advanced by those who have participated so extensively in the development of our nuclear deterrent. Yet I would prefer to live with these uncertain elements than with the almost certain prospect of eventual nuclear holocaust, if the present tendency is not altered.

Nor am I expounding the cliche that an armament race inevitably creates or leads to war. We have seen many instances—not the least of which occurred last October—when military strength has been a deterrent to war. The test ban treaty, however, is not addressed solely to a situation in which two protagonists are poised against one another; it is also designed to help forestall or prevent the time when the present so-called "nuclear club" of three or four members is joined by a 5th, a 6th, or a 16th. Those who would argue against the eventual prospect of nuclear war under such conditions as these take a more sanguine view of human nature than I can summon.

There is a curious irony in this regard, in that those who are concerned solely with U.S. military strength, and who avow that "you can't trust the Russians," are viewed as "hardheaded" and "realistic." Perhaps, in another age, it was realistic to declare, as Justice Holmes did, that:

> Now, at least, and perhaps as long as man dwells upon the globe, his destiny is battle, and he has to take the chances of war.

That, however, was the martial and heroic temperament of another age. Today, with the capacity for universal destruction, one who takes a realistic view must acknowledge that man has little longer to dwell upon the globe unless he takes measures to alter his destiny of battle.

Approval of the test ban treaty is a small, concrete step in the direction of a possible new destiny for all mankind. But it is a step of major symbolic purpose in the contribution that it may make toward a new climate of understanding between the United States and the Soviet Union. This does not require that we trust the Soviet leaders, but only requires that we assume they are rational men not bent on self-destruction. This is the same assumption of rationality which guides our military strategy.

The ratification of this treaty will signify for the first time since World War II that the interest in survival which we hold in common may, on occasion, override the issues which separate us. Perhaps this recognition of mutual self-interest in the test ban treaty can, in the future, guide us toward other areas of accommodation, and thereby advance the realization of our desire for peace. The goal is worth the hazard, Mr. President; and I reaffirm my support of approval of the treaty.

Rejection of the treaty might thwart the concerted efforts of men and nations in the quest for peace. We must not allow the crucifixion of humanity on the cross of a nuclear conflict which conceivably could destroy our civilization.

Mr. HUMPHREY. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. I am glad to yield.

Mr. HUMPHREY. I commend the Senator for his moving and eloquent address. It is one of several I have heard that touch one's heart, move one's spirit, and appeal to the mind and the sense of reason. The Senator's concluding words were most eloquent; and I assure him that his speech will be very helpful in the cause for which we work.

I regret very much that I was out of the Chamber briefly at the time when the distinguished Senator from Tennessee [Mr. GORE] completed his remarks and the Senator from West Virginia began his. Certainly the Senator from Tennessee fully merits the commendation, the praise, and the respect of each and every one of us. I am confident that the Senator from West Virginia will agree with me that it was a very persuasive and thoughtful address by a Senator who has given many years of his life to the consideration of the intricate and difficult problems relating to our defensive strength, our foreign policy, the development of nuclear power and nuclear weapons, and the control of those weapons.

Mr. RANDOLPH. I certainly do agree.

Mr. HUMPHREY. Mr. President, we are about to hear from the distinguished Senator from Hawaii [Mr. INOUYE], who has given so much thought to the issue before the Senate. We shall be privileged to hear the words of this distinguished Senator, who has had long experience in the matters of foreign policy and defense; and I look forward to hearing his address.

Mr. INOUYE. Mr. President, I am somewhat hesitant about addressing myself to a subject on which so much expert testimony has been delivered in the various committees by so many persons with such thorough knowledge. I have heard equally impressive arguments on the floor of the Senate, both for and against the approval of the test ban treaty with the Soviet Union. It would take either a person with highly informed technical knowledge or one very deeply committed to attempt to cover the same ground. I feel that although I speak essentially as a result of the latter stimulus, there are many other Americans who feel the same way I do. We are not experts, but we have listened to them carefully, and we feel that the choice must now be made.

During the various committee hearings on the subject, I indicated in a speech to my constituents that if I found myself personally convinced that the treaty would reasonably and adequately safeguard the national interests of our people, then I would do everything possible to secure its approval and ratification. Although the Senate deliberations are yet to be completed, I now find myself convinced that ratification is imperative to our national interests.

I have listened to expert witnesses in committee. I have thoroughly studied the reports of the Foreign Relations Committee and the Preparedness Investigating Subcommittee, and have sat through many a session of the Armed Services Committee.

I have sat and listened to distinguished Senators as they have spoken in the Senate—some with years of experience in the field of weapons development, others with invaluable insight into the intricacies of diplomatic relationships. I have listened to the statement by the President, to the learned exposition by the chairman of the Foreign Relations Committee, and to the truly magnificent extemporaneous remarks of the distinguished leader of the minority party. They have all been eloquent, and have shown remarkable perception of the possible military, technological, and political consequences of ratification or nonratification.

I need not review all the arguments either for or against the treaty. We have all heard them here on the Senate floor. Moreover, anyone who has taken the time to read the 1,000-page report of the Committee on Foreign Relations, with arguments ranging the entire spectrum from Secretary of Defense McNamara to Dr. Edward Teller, or who has studied the tightly argued and technical 25-page report of the Preparedness Investigating Subcommittee, knows full well the testimony of the experts. He should also have more than a layman's understanding of how multimegaton, low-megaton, and submegaton weapon capabilities may or may not be hindered by the ratification. He should understand the arguments and counterarguments on how the treaty may affect U.S. development of very high yield atomic warheads equal to or surpassing Soviet achievements.

And if he has heard or read Dr. Teller's testimony and compared it with that of the Secretary of Defense, he should have some notion of the arguments revolving around the question of the effects of the treaty on our ability to develop further our antiballistic missile defense capabilities.

Frankly, I must confess that I am not enough of a military weapons expert or an applied physicist to understand thoroughly all of the various technical points raised in these arguments and counterarguments. Moreover, I must confess that I am not completely at home in the legal technicalities concerning international law and the theory of abrogation of treaties, so ably covered by Senator FULBRIGHT in his opening remarks. However, I am painfully aware that the Soviets have not established a particularly enviable reputation for adhering to treaties.

I do know the thesis which underlies practically every military and scientific argument against the ratification of the treaty. That thesis, variously stated, is that the Soviets would not have agreed to the test ban treaty unless it was to their advantage and clearly detrimental to the United States; that the Soviets have already attained the knowledge required for an effective antiballistic missile defense complex; that they have already developed advanced technical data on high yield blast, shock, communications blackout, and radiation and electromagnetic phenomena through their 1961–62 series of nuclear-fission tests called by Dr. Teller "the most powerful, the most plentiful, the most repetitious, the most solid ever carried out by any nation"; that the Soviets will not be prevented from cheating because of their ideology but that we will suffer because we will be honest due to our moral commitments; and, finally, that we simply cannot trust the Soviets.

I think that those who have argued for ratification have not dismissed these theses lightly. Rather, they have seriously considered them and have pondered their consequences. But in the end, I must agree with the Secretary of State who has said:

> If there may be marginal risks in it, they are far less * * * than the risks that will result if we accept the thought that rational man must pursue an unlimited competition in nuclear weapons.

The risks that will result from an unlimited nuclear arms race are clearly apparent. At the worst, it may mean staring ultimately into the inferno of thermonuclear destruction. At the least, it means bequeathing to still unborn generations the fallout from additional nuclear blasts, the precise number of which we may never know in our time.

I think it is logical to conclude that the very worst may be anticipated because a spiraling arms race can only result ultimately in a confrontation of adversaries. And a spiraling arms race is inevitable in the argument of those who say the treaty will prevent the United States from engaging in this experiment or that test to further develop ABM capabilities, or nuclear warhead reentry into the atmosphere, or any number of military nuclear capabilities.

At the very least, we can expect the cumulative residue from nuclear explosions past, present, and future, to add up to proportions with which statistics and statisticians need not bother. This would be especially so if in the absence of a test ban, more and more countries would eventually conduct more and more tests. What makes this possibility even more foreboding is the fact that countries entering the nuclear arms race in the future may have neither the technical means nor the necessary incentive to try to control excessive fallout. As has been said: "We have a high obligation to safeguard life and health and the genetic integrity of the human race." In many ways, the test ban treaty is as close a guarantee which we can have today that future generations will not be required to meet costly installments in genetics for thermonuclear experiments today.

It is a rather interesting and significant fact to me that although we most certainly have had conflicting testimony both in the present discussions on this treaty and in the past, I can recall no one who has in any way intimated that continued exposure to radiation has no harmful effects. Grand promises of a more bountiful future are completely devoid of any meaning if we simultaneously bequeath to the future radioactive pollution of the essentials of life on earth.

I am not willing to leave this legacy of contamination.

I am not eager simply to increase the potential of each megaton to kill more effectively.

I am deeply concerned that we renew with increased vigor the attack on the problems of human misery in this Nation and throughout the world.

In short, I am very much disturbed that we should emphasize the art of war rather than the art of peaceful living.

Last week, the President informed us that more than 90 nations, excluding Communist China and France, have already ratified the test ban treaty. The collective eyes of the rest of the world are focused upon the Senate of the United States. In an important sense, we are also staking our position of international leadership. We have been continuously asking for some sort of modus vivendi on the problem of nuclear tests between East and West. This marks the third administration which has attempted to do so. Both political parties have been on record to reach some sort of accord. We have never been closer. If we do not ratify this treaty, we can never rest assured that nations not now involved in nuclear development and testing will not enter, however reluctantly, the mad race to attain nuclear capabilities. The secrets of thermonuclear fission are surely not perpetually secure from the rest of the world.

The chain reaction first conceived in the Manhattan project, then given birth on the sands of Alamogordo, received its fiery baptism at Nagasaki and Hiroshima. Since then, it has reached across the Siberian wastelands of the Soviet Union, tropical Christmas Island in the Pacific, and into the desert of the Saharas. From what we now know, it may reverberate in the hinterlands of Red China in the near future.

How soon will we see the ominous mushroom clouds over the horizons of other nations? We will see them as certainly as we now see the setting sun. We will see them just as soon as these countries reach scientific maturity and technical competence. Yes, we will see them so long as there is no test ban agreement among the leaders of the world.

But, by then, it may be too late. In the collective quest for nuclear proficiency, the world might be just a step away from total annihilation. In chasing the thermonuclear tiger's tail, we may all just melt away.

The ratification of this treaty by all the three major powers involved may, therefore, have a salutary effect not only amongst these signatory nations but upon the nuclear and military ambitions of the entire world. At least, I think that this is a legitimate hope. The National Council of the Churches of Christ thinks so:

> The treaty is a first step—

Says the council:

> It does not halt production or reduce existing stockpiles of nuclear weapons; but it may slow up the nuclear arms race and will diminish the health hazards from radioactive fallout to this and future generations.
>
> Of itself it does not prevent the spread of nuclear weapons to nations without them but it does prohibit assistance to other nations in making tests in the environments which it specifically proscribes. It does not end the threat of nuclear war or outlaw the use of nuclear weapons; but it opens the way to further agreements and thereby reduces the threat of war.

Certainly, these are words of eminent theologians. But there will be those who will ask, rather understandably: "Are there any scientific minds supporting a similar position? After all, is this not ultimately a scientific and technological question?"

Some of the Nation's top scientists have issued a very similar statement, although much more tersely worded as perhaps befits their objective nature. This statement issued by a group of 54 scientists, including 19 Nobel laureates, from Harvard and MIT to Stanford and Cal-Tech, state:

> We have widely divergent views on almost every conceivable subject. But all of us agree on the importance and urgency of supporting the nuclear test ban treaty. What is it that unites us on this issue? These inescapable facts:
>
> 1. The treaty will reduce the likelihood of nuclear war.
>
> 2. The treaty will discourage the spread of nuclear weapons to nonnuclear powers.
>
> 3. The treaty will create a better climate on both sides for a slowup of the arms race.
>
> 4. The treaty will protect us and our children from exposure to additional doses of contamination from radioactive fallout.
>
> 5. The risk of continued testing is greater than the risk of a test ban. The treaty will protect the national security of the United States. Furthermore, under the terms of the treaty, we can resume testing if we ever feel our national security is threatened.

This is as succinct a statement as I have ever read nailing down the precise reasons why ratification must be had. Included in the list of eminent scientists who have signed their names to the foregoing statement are Dr. James R. Killian, Dr. George Kistiakowsky, and James J. Wadsworth, all names highly respected for their scientific and social objectivity.

After all has been said and resaid, I think that it is reasonable to conclude that the basis of most of the objections to ratification of the treaty is that the Soviets cannot be trusted—that the record of past duplicity in diplomatic negotiations should lead us to suspect the Soviet motive in the signing of the test ban treaty.

Let me repeat here that the Soviet's past record in this regard is not especially encouraging. But the Senator from Arkansas [Mr. FULBRIGHT], in his remarks to this Senate, indicated that in order to obtain a proper perspective on this question, it should be noted that the Soviets have satisfactorily observed a significant number of multilateral and bilateral agreements to which it has been a party. The distinguished Senator from Arkansas went on to say that the Soviets indeed have used the criterion of national interest in adhering to or abrogating treaties. However, the Senator reminded us of various factors which he considered definitely to the interests of the Soviet Union in adhering to the conditions of this treaty.

These factors of national interest to the Soviets included the conclusion that they have achieved a position of comparable technical parity with the United States in nuclear weapons development as a result of the 1961–62 tests, that the Cuban crisis forced the Soviets to realize how close they were to nuclear holocaust, that the Soviets are concerned over the Chinese Communists' position of intransigence.

And then, of course, he concluded:

> I do not think we can be so self-righteous as to say this country has never violated a treaty. I did not follow it closely, but I

> **believe the Seneca Indians have been saying that this Government violated its treaty with the Seneca Indians in New York.**

For half a century, we in Hawaii, like the Seneca Indians, had almost come to believe that the promise of eventual statehood was never to be fulfilled, until that glorious day in 1959 finally arrived.

But I think that the most compelling argument against the charge that this treaty rests purely on trust of the Soviets has already been delivered by Secretary of State Rusk in answer to a question during the Senate Foreign Relations Committee hearings. Let me remind Senators of it, for I think it is the best answer that I have heard throughout the hearings as well as the deliberations on this floor. Said the Secretary:

> If we thought that we could rely upon trust, we should probably be discussing a comprehensive test ban treaty rather than one in the atmosphere, outer space, and under water. I do not believe that an agreement of this sort can rest upon the element of faith and trust, because it relates deeply to our own elementary security needs. I do think that we must ask ourselves two questions: Is this treaty, if it is complied with, in the interests of the United States, and are the arrangements in the event the treaty is not complied with adequate for our safety and security? I think the answer to both those questions is "Yes." We will know if there are significant violations of this treaty, we will be free to do whatever is necessary in our own security, and I would think that this is not a matter of trust.

I can personally conceive of no better or more effective way to close my remarks today than by quoting the masterful and moving speech by the leader of the minority party on Wednesday, September 11, 1963, a date on which I was privileged to preside over this body. Said the Senator:

> I want to take a first step, Mr. President. I am not a young man; I am almost as old as the oldest Member of the Senate, certainly am older than a great many Senators. One of my age thinks about his destiny a little. I should not like to have written on my tombstone: "He knew what happened at Hiroshima, but he did not take a first step."

Mr. President, I support the ratification of this limited test ban treaty, without reservations or amendments.

LOOKING AHEAD TO THE 18TH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS

Mr. HUMPHREY. Mr. President, the United States should take the initiative, at this session of the United Nations General Assembly, to create a constructive and conciliatory climate which could lead to a serious discussion between the United States and the Soviet Union of the basic political issues of the cold war. During this session of the United Nations, consideration should be focused on five problem areas offering some possibility of progress:

First. The area of financial support for the United Nations and its peacekeeping functions.

Second. The field of outer space.

Third. The field of lunar exploration.

Fourth. The field of educational, cultural, scientific, and economic exchange.

Fifth. The field of East-West trade.

If progress can be made toward achieving greater cooperation in these functional areas, the chances will be improved for successfully tackling the more delicate political questions later.

In the wake of the test ban treaty, our U.S. delegation to the United Nations should prod the Soviet Union to show a greater willingness to share in the financial burdens imposed upon the United Nations: specifically it can take measures to pay up its regular United Nations assessments and can contribute its proper share to the United Nations peacekeeping operations in the Congo and the Near East. The Soviet Union should cease harassing the United Nations, and, instead, should strengthen its role as a peacemaker by strengthening its financial position.

We should make clear our willingness to cooperate with the Soviet Union and with other nations in the field of outer space. The whole question of exploration of outer space and of the law that will govern outer space are ripe for further discussion and bold new actions.

I am encouraged by recent statements by Soviet officials on outer space policy. In a statement last week in the United Nations Committee on Outer Space, Dr. Nikolai Fedorenko indicated that progress could be made in drafting a declaration of legal principles to govern space activity, and acceded to the Western view that space exploration could be undertaken by private companies as well as by States. Given the previous Soviet insistence on applying Socialist principles to outer space law, this represents a significant modification. This would seem to indicate that the Soviet Union is willing to compromise on the most important disputed areas in the outer space field.

In my view it would be advisable for the United Nations to focus considerable attention during this session on problems of outer space.

Much of the credit for the progress that has been made in outer space law up to the present time belongs to the United Nations. A General Assembly resolution has affirmed that international law applies to outer space and that celestial bodies are not subject to national appropriation. This resolution has laid the cornerstone for the greatest area of agreement among nations on the subject of outer space law. It is indeed a step forward that a consensus has been reached on this important principle.

However, up until now, there have been many points of unsettled disagreement. Beyond the point of general consensus as described by the United Nations resolution, the Soviet Union has adopted an all or nothing attitude toward international agreements concerning space. The U.S.S.R. has insisted that there can be no further agreement on any legal question until a comprehensive code of space law is adopted. This comprehensive code would have to adhere to the principles set forth by the Soviet Government, several of which we find not acceptable. This policy now appears to be changing.

Up until now there have been four major points of difference between the United States and the Soviet Union on this point. First, there has been the Russian demand that nations be barred from using outer space for propaganda purposes. Most experts are skeptical that the Soviets would let this demand stand in the way of an eventual agreement if a consensus on other issues could be reached.

Second, the Soviet Union has contended that space activities should be carried out "solely and exclusively by states"—a clear attempt to impose Socialist principles on the exploration of outer space. As I noted before, Mr. Fedorenko's statement of this past week indicates that the Soviet Union has altered its position on this important point.

Third, the Soviets have insisted that prior discussion and agreement must precede any measures by a state which will affect any other state's exploration of outer space. This proposal is of course an effort to effectively extend the veto into space. We cannot allow such an extension. We can, however, agree to undertake appropriate international consultations before embarking on any space venture which might endanger another nation's efforts in space.

Fourth, the Russians have demanded a ban on all military uses of outer space, particularly on the use of space for the collection of intelligence data. This demand assumes that it is possible to make a meaningful distinction between military and non-military uses of space. This distinction is dubious, at best. As Richard N. Gardner, Deputy Assistant Secretary of State for International Organizations, has stated in a perceptive speech on outer space law:

> There is, in any event, no workable dividing line between military and non-military uses of space. A navigational satellite in outer space can guide a submarine as well as a merchant ship. Thus the United States has military space programs, but all of our space activities will continue to be for peaceful, i.e., nonaggressive and beneficial, purposes.

If both sides agree to only peaceful uses of space, it will make little difference whether space operations come under military direction or not.

We must also realize that the future uses of outer space will belong not only to the United States and the Soviet Union, but to all the nations of the world. Any two-power agreement would have to take into account the future uses of space by many nations who are now devoting most of their resources to the development of their own internal economies. Any effective outer space law would have to apply to these countries as well.

No state has any national claim on any celestial body or on any sector of outer space, nor will any such claims be permitted according to the existing concensus on outer space law. In the light of this fact, it seems quite proper to expect that the United Nations, the body which engineered the existing consensus, will play an important role in any future deliberations. In my view, this meeting of the United Nations Assembly should provide the forum for development of a consensus on outer space law.

I ask unanimous consent that Secretary Gardner's remarks on "Outer Space: Problems of Law and Power" be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. Mr. President, the third area where we should take the initiative is in regard to the lunar probe, which is of course closely related to the question of control of outer space. This morning's New York Times indicates that the Soviet Union has recently become more willing to cooperate in this field too. A prominent member of the Soviet Academy of Science, Dr. Anatoly A. Blagonravov, has suggested that it might be advisable to discuss the possibility of cooperating between the United States and the U.S.S.R. in the assault on the moon. Despite the technical problems that might be involved in such a cooperative venture, it is my view that such proposals on the part of Soviet officials should not be hostilely rejected. Rather they should be given careful consideration.

Fourth, we should take the initiative in expanding our cultural, educational, economic, and scientific exchange programs with the Soviet Union. This is the time to push for more exchange in the fields of art, music, agriculture, and science.

Fifth, we must initiate a bold review of our restrictive trade policy. The Canadian wheat agreement announced this week indicates that there are very definite possibilities for extending East-West trade in nonstrategic products. The Soviet bloc does have available hard currency for certain nonstrategic products which we desire to sell. The extent of possible East-West trade is unknown, since our outdated trade restrictions have discouraged any genuine exploration of the potential for expanded trade with the Soviet bloc. The time for a review of U.S. trade restrictions is overdue. The time for exploring the possibility of increased East-West trade has arrived.

If the efforts to reach a consensus with the Soviet Union in these five functional areas of U.N. finance, outer space, the lunar probe, educational, cultural, and scientific exchange and trade are productive, then we might be in a position to test Soviet intentions on more delicate political questions. With the deepening of the Sino-Soviet rift it may soon be a propitious time to explore the Soviet intentions in the Far East. Surely it would be in the interest of U.S. foreign policy to know the Soviet Union's true intentions in southeast Asia. If the Soviet Union's policy were to evolve in the direction of containing Chinese imperialism and restoring peace to southeast Asia, that would indeed represent a significant step toward improving East-West relations.

As the German Foreign Minister, Gerhard Schroeder, said yesterday, we should take the initiative in proposing solutions to the major international problems. The test ban treaty represents a successful Western initiative. Its successful negotiation could well be a prelude to the negotiation of other outstanding world issues if we can combine imagination, foresight and resoluteness of purpose that made the test ban treaty possible. Now is the time to begin.

Mr. President, I also ask unanimous consent to have printed in the RECORD an editorial on the United Nations, published in the New York Times of September 17; articles on outer space, from the New York Times and Washington Star; a New York Times article on the moon probe; and a New York Times editorial on wheat.

There being no objection, the editorials and articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 17, 1963]

THE EXPENSIVE U.N.

At 18 years of age the United Nations is very much alive and kicking. Those who are going to be kicked at the General Assembly session opening today—especially the colonial powers—will not enjoy the process; but the vitality of the U.N. gives reason for satisfaction.

There is a freshness and newness about the organization that stems from the large number of countries that have just come into existence. To the old and established nations they seem—and sometimes are—not so responsible or practical as they ought to be, too impatient, too demanding, too arbitrary. The United Nations gives the impression, sometimes, of a growing youth whose clothes are bursting at the seams.

This is partly a result of the fact that when the U.N. was formed in 1945 there were 51 members. Today 111 members are gathered in the audience at the General Assembly. It has been obvious for some years that the United Nations has outgrown its Charter. Chapter V begins by saying: "The Security Council shall consist of 11 members of the United Nations." Eleven for 51 was a reasonable number; 11 for 111 is inadequate. Five of the 11 are permanent seats, so there are only 6 nonpermanent seats, chosen every 2 years by an "equitable geographical distribution."

In 1946 there was a "gentleman's agreement" to give two seats to Latin America and one each to the British Commonwealth, Middle East, Western Europe, and the Communist bloc. This left out all the African and Asian countries outside the Commonwealth. Russia is proposing to rectify this maldistribution by allotting one seat each to Africa, Eastern Europe, Western Europe, Asia, Latin America, and the Middle East. One trouble with this arrangement is that it would leave out such major countries as Canada, Australia, and New Zealand.

There is no way of cutting such a little pie into fair slices for everybody. A bigger pie must be made for the Security Council, which, in this case, means altering the United Nations Charter, as unanimously recommended by a special committee of the U.N. But the Soviet Union continues to block such revision unless Communist China replaces Nationalist China as a permanent member of the Council.

The General Assembly is also far from perfect in its methods of operation. Its powers need clarification. There is much waste motion and wasted time. There are doubts about the validity of the one-nation-one-vote procedure that gives equal weight to—let us say—India and Peru.

The dynamism of the contemporary world means that the U.N. must and will change and grow. Anything so vital needs a bigger and better structure—one suitable to the 1960's.

[From the New York Times, Sept. 14, 1963]

SOVIET RELAXES U.N. SPACE STAND

(By Kathleen Teltsch)

UNITED NATIONS, N.Y., September 13.—The Soviet Union yielded a point to the West today by agreeing that out of space activities could be undertaken by private companies—under certain conditions.

Previously, the Soviet Union had insisted that only governments should be permitted to pursue space activities. The United States had opposed this prohibition on private enterprise as an "attempt to extend Soviet economic practices into space."

Dr. Nikolai T. Fedorenko, indicated the more flexible Soviet attitude on this point in a statement in the 28-nation Committee on Outer Space which ended its session on an uncommon note of harmony.

CONCESSIONS URGED

In his statement Dr. Fedorenko again emphasized that progress could be made in drafting a declaration of legal principles for space activity—if both sides made concessions.

Both Dr. Fedorenko and Francis P. Plimpton of the United States have indicated that private negotiations between the two major space powers to work out the legal principles are likely soon.

Until now the two have been at odds on four major points: One of these, but not the most significant, was the question of barring private interests in space.

The Soviet Union also insisted on a ban against using space for propaganda to incite war or racial hatred. More significant to Western officials has been the Soviet demand that any planned experiment deemed potentially hazardous be discussed—and approved—in advance. This has been opposed by the West as an attempt to exercise a veto over space explorations.

SPYING KEY ISSUE

The most controversial issue has been Soviet insistence on prohibiting the use of satellites for collecting intelligence data. In previous committee meetings, Soviet members have been bitter in their attacks on so-called "spy satellites."

Dr. Fedorenko made no mention of this Soviet demand today and only passing reference to it in his earlier policy statement Monday which also was marked for its conciliatory tone in contrast to past Soviet performances.

On the role of private companies, he said today that agreement could be reached if it was accepted that governments would continue to control such operations and bear responsibility for them internationally.

The United States has stressed these conditions in trying to overcome the Soviet objections with the assurance that no private company could undertake any activity without strict government regulations.

The United States has fought the Soviet prohibition because it could have barred such activities as the communications satellite "Telstar" of the American Telephone & Telegraph Co.

The harmonious spirit of the week-long session was reflected in the final report. It spoke of the "narrowing of differences" that took place in the last few days and asked that "contacts and exchanges of views" continue so that agreements could be worked out on the remaining unsettled questions.

[From the Washington (D.C.) Star, Sept. 14, 1963]

SPACE AND THE DETENTE

An encouraging hint that the Kremlin may be beginning to call its policy signals in accordance with the new "spirit of detente" passed almost unnoticed at the United Nations this week. It happened when Ambassador Fedorenko gave a soft answer to our proposals on legal problems in the uses of outer space.

Soft Russian answers have not been common in this tricky area. A U.N. subcommittee got nowhere with the issues last April in New York, largely because of Russia's belligerently take-it-or-leave-it attitude. In July, however, after President Kennedy's "Strategy for Peace" speech at American University, the United States quietly urged Moscow to take another look at the problem, concentrating on what could actually be agreed to.

The Soviet answer has taken the form, so far, of a statement of purpose only—it remains to be seen what details can be worked out in the U.N. session beginning Tuesday. But Mr. Fedorenko listed important areas where the two Governments are in agreement, and he indicated an eagerness to explore disputed points on a give-and-take basis. He went out of his way to assert that there now is a "much more favorable atmosphere" for progress toward understanding.

We find ourselves now apparently as one with the Russians on these extraterrestrial principles: (1) Outer space should be for everybody to enjoy; (2) celestial bodies are not available for worldly annexation; (3) earthlings in space should conduct themselves in accordance with international law and the U.N. Charter; (4) astronauts (or cosmonauts) and space vehicles in distress should be helped without regard to national origin.

Small straws in the wind, to be sure. But this new Soviet mood of responsiveness is being carefully noted by the straw-watchers. It suggests precisely the sort of psychological thaw that the test ban treaty is aimed at producing, and it could portend better things to come. If real cooperation in space should become feasible, the rewards could be very great indeed.

[From the New York Times, Sept. 18, 1963]

U.S. AID REBUFFS SOVIETS' MOON BID

(By John W. Finney)

WASHINGTON, September 17.—The Director of the Manned Spacecraft Center ruled out as impractical today suggestions that the United States and the Soviet Union cooperate in sending a manned expedition to the moon.

The position taken by the Director, Dr. Robert R. Gilruth, assumed particular significance because in recent days Soviet scientists have raised the idea of a cooperative assault on the moon.

In a luncheon meeting last Wednesday with Dr. Hugh L. Dryden, Deputy Administrator of the National Aeronautics and Space Administration, Dr. Anatoly A. Blagonravov suggested that in the future it might be desirable to discuss the possibility of cooperating on the lunar project.

SOVIET SPACE SPOKESMAN

Dr. Blagonravov is a prominent member of the Soviet Academy of Sciences and is regarded as the leading scientific spokesman on the Soviet space program. During the last year he represented the Soviet Union in negotiating an agreement for limited cooperation with the United States in space research.

The luncheon meeting provided an interesting insight into the Soviet space program, particularly its lunar projects, and into apparently a changing Soviet attitude about cooperating with the United States on the peaceful exploration of space.

From a somewhat general conversation, U.S. officials gathered that there is a debate within the Soviet Academy over the desirability of undertaking a manned lunar expedition at this time.

SIMILAR DEBATE IN UNITED STATES

The debate is apparently similar to one that has gone on in this country ever since the lunar expedition program was undertaken in 1961.

On one side are Soviet scientists, urging that priority be given at this point to scientific exploration of the moon with unmanned spacecraft.

On the other side, apparently is an engineer faction urging that any exploration of the moon include manned expeditions.

Some observers feel that the Soviet Union, unlike the United States, has not yet committed itself to a manned lunar expedition. This view appeared to gain support from Dr. Blagonravov's comment that a Soviet decision on the lunar expedition would have to await a "soft landing" of an instrumented spacecraft on the moon to ascertain the characteristics of the lunar surface.

VIEW IS RESISTED

This view, however, is one that U.S. space officials are reluctant to accept. It runs contrary to their persistent theme that the United States is in "a race" to the moon. This theme has proved useful in selling the costly Apollo lunar project on Capitol Hill.

Only last Friday, Dr. Edward C. Welsh, the executive director of the National Aeronautics and Space Council, asserted that all evidence pointed to a Soviet attempt at a manned lunar landing.

The Blagonravov comments are not seen as necessarily conflicting with this conclusion.

Instead of announcing several years in advance that it intends to land a man on the moon before the end of the decade, as the United States has done, the Soviet Union is viewed as following a step-by-step program pointed toward a manned landing on the moon.

SOVIETS SHIFT INDICATED

What is viewed as particularly significant in the Blagonravov comments, however, is the apparent Soviet willingness to cooperate more fully in the peaceful exploration of space.

The agreement reached this spring after a year of negotiation is limited to coordinated launchings of magnetic survey and meteorological satellites, the exchange of cloud-cover pictures taken by satellites and Soviet experiments with a passive communications satellite to be launched by the United States.

Until recently, the Soviet representatives had been taking the position that any closer cooperation in space research would have to await a change in the political climate.

A response to the Soviet overtures may come in President Kennedy's speech before the United Nations on Friday.

The attitude being taken by high officials in the space agency is that the United States should be willing to discuss, on a no-advance-commitment basis, the possibility of cooperating on the lunar expedition.

But at this point they are pessimistic, on security and technical reasons, that it would be possible to work out a cooperative arrangement.

This view was reflected in the comments of Dr. Gilruth in a speech before the National Rocket Club.

Emphasizing that he was speaking as an engineer and not as an international politician, Dr. Gilruth said "I tremble at the thought" of the technical problems involved by just the difference on measurement used by the two nations; feet and inches in the United States and the metric system in the Soviet Union.

[From the New York Times, Sept. 18, 1963]

OPPORTUNITY IN WHEAT

The significance of the huge Russian purchases of Canadian wheat goes far beyond the immediate economic consequences to both countries. It reflects serious internal difficulties for the Soviet Union, already beset by its intense ideological struggle with China. It affords an opportunity for the West, particularly for the United States, to carry out our objective of expanding world trade.

Ten years ago this month Nikita Khrushchev won the center of the stage in post-Stalin Russia for the first time by delivering a slashing speech exposing Soviet agricultural weaknesses and proposing radical reforms. Since then Soviet farming has constantly been his main domestic concern. Now Premier Khrushchev has had to take the radical—and for him personally humiliating—step of buying $500 million worth of wheat and wheat flour from Canada after all his torrent of words about the "superiority" of socialist agriculture.

The money Moscow is spending for this wheat will be unavailable to buy the Western machinery needed for Premier Khrushchev's ambitious industrialization goals. Consequently, there may well have to be some cutbacks in the new 2-year plan for 1964–65 now in preparation. Furthermore, the impact of this defeat upon the political structure of Soviet Russia raises intriguing possibilities. Every Soviet citizen knows how many panaceas for Russia's agricultural ills Khrushchev has offered this past decade. He has spent immense sums to open up the virgin lands of Kazakhstan and Siberia, promising that oceans of wheat would be grown there. He has wiped out the old machine tractor station, raised the prices paid to farmers, overhauled the agricultural administrative apparatus time and again, and introduced new systems of crop rotation wholesale.

But in 1963, after all this, he has had to turn to Canada for the grain the Soviet Union's socialist agriculture could not grow. We may be sure that the Chinese Communists will use his failure to undermine Khrushchev's authority as the final arbiter of Communist policy. It will be surprising if there are not ambitious men in the Kremlin who will try to do the same.

The United States cannot take an active part in the fight behind the Kremlin's walls. But Washington can make constructive use of the sale of wheat by Canada. We will directly benefit from Russian sales of gold, which will mean less pressure on our own gold stock. The indirect benefits, however, are incalculable.

With Western Europe short of grain, the United States is now in a position to dispose of a major part of our own surplus, which has been so expensive and seemingly so permanent a burden. Our aim should not be to make a quick killing simply to improve our balance of payments. Rather, we now have the bargaining power to persuade the European Economic Community to abandon its effort to achieve self-sufficiency in agriculture by increasing its protectionist policies.

To accomplish this end, the United States must be prepared to turn away from our own artificially high agricultural price supports. The support program has given the Common Market an excuse to reject the American demand for a more liberal European attitude. Moreover, our huge and continuing surpluses have served as a deterrent against change, for there seemed no rational way to reduce them. But the administration now has an opportunity to adopt more flexible policies, geared to the new conditions, that will encourage an expansion in foreign trade.

If persistent agricultural failure is the Achilles' heel of the Soviet economy, the United States has never been able to exploit the Herculean strength of our own capacity to produce on the farms. The Canadian-Russian deal offers a chance to move out of the rut created by rigid adherence to artificial prices and by European countermeasures.

The path to trade expansion and greater integration in industry and agriculture is now open. We should not hesitate to undertake new policies that will hasten progress toward these objectives.

EXHIBIT 1

OUTER SPACES PROBLEMS OF LAW AND POWER

(Address by Richard N. Gardner, Deputy Assistant Secretary of State for International Organization Affairs, before the Section of International and Comparative Law of the American Bar Association, Conrad Hilton Hotel, Chicago, Ill., Aug. 10, 1963)

At 12 noon on April 22, 1889, President Harrison threw open several million square miles of Government land for settlement in the Oklahoma Territory. Some eager "sooners" sneaked into the territory too soon, but the vast majority crowded along the border. Long lines of trains nosed right up to the starting line. Detachments of cavalry held back the mob until the blast of a bugle at noon sent a wild stampede into the new territory. One train rider—the trains, by the way, had to run at a set speed so their occupants didn't obtain an unfair advantage—described the scene:

"I saw excited men jump from the windows of crowded coaches even before the train stopped and rush off to stake out claims in a cornfield that by noon the next day was a busy tent city of 10,000 people."[1]

As one historian quipped: "Within a few hours virtually every tract had one claimant, and most had three or four."

Seventy-four years after this event we find ourselves on the borders of space. We are now in year 6 of the spage age and each month brings more astounding progress in the conquest of outer space. Six years ago an orange-sized object in orbit filled the headlines. Today men live in orbit for days in spacecraft weighing thousands of pounds. Six years ago a vehicle launched hundreds of miles into space was a sensation. In 1962 the United States sent a vehicle to Venus to find out what the planet was like. After 110 days of flight at 15,000 miles per hour the vehicle sent radio impulses 36 million miles back to Earth with the following message:

"Venus is hot, 800° Fahrenheit. There is heavy cloud cover; it is impossible to see the landscape. The atmosphere contains no oxygen or water. Life as we know it is generally impossible."

Clearly our scientific capacity is permitting us to rush into space with impressive speed. Is our capacity for law and organization in space equal to the challenge? The first "sooners", as it were, are already in outer space. Can we avoid a space "stampede" and achieve orderly progress?

Lest anyone take this analogy too literally, I hasten to add that I do not envision a flood of settlers leaving shortly for outer space. Washington is uncomfortable this time of year, but Venus appears to be even more so.

The question of concern to lawyers and diplomats is whether nations as they increase their activities and interests in outer space, can develop adequate ground rules to prevent conflicting claims and international violence.

These ground rules may be embodied in articulated legal principles. But, especially in the beginning, much of the law of outer space may grow quietly out of the mutual restraints and reciprocal concessions which nations accept tacitly out of enlightened self-interest. Law will also grow out of specific projects of functional cooperation.

When the question is approached from this broad perspective, one sees considerable progress in developing law for outer space:

General Assembly Resolution 1721 (XVI) affirmed that international law, including the U.N. Charter, applies to outer space and celestial bodies and that outer space and celestial bodies are free for exploration and use by all states and are not subject to national appropriation.

The members of the U.N., responding to another part of this same resolution, have started an ambitious program of worldwide weather forecasting and research making use of satellites as well as earth-based instrumentation.

U.N. members have also begun, through the International Telecommunication Union, to tackle the technical problems involved in using outer space for telephone, radio, and television communication. Following creation of the U.S. Communication Satellite Corporation, we have begun discussions on the creation of a single global satellite communication system—with wide participation in ownership and management—and operated so as to realize economic and political benefits to all nations.

The United States and the Soviet Union have concluded a bilateral agreement calling for the coordinated launching of weather satellites and the exchange of weather information, the coordinated launching of satellites to map the earth's magnetic field, and cooperative experiments with communication satellites.

This record hardly confirms the view that "no law" is being made to govern the relations of states in outer space. And yet it is true that the efforts in the United Nations to reach agreement on specific legal principles beyond those contained in Resolution 1721 have so far been in vain.

What has been the cause of the difficulty? Is there any way it can be resolved?

As most of you know, the Soviet Union insists that there can be no further agreement on any legal questions unless and until there is agreement on a comprehensive code of space law along the lines of the Soviet "Declaration of Basic Principles." Thus the drafting of agreements on specific questions such as liability for space vehicle accidents and assistance to and return of space vehicles and their personnel—matters on which a broad consensus already exists—is being held up by the Soviets pending agreement on more controversial political issues.

Until recently the Soviet Union adopted a similar attitude in the test ban negotiations. It refused to consider an agreement to ban tests above ground until a comprehensive ban was achieved embracing underground testing as well. Happily it has now changed its position and a treaty banning tests above ground has been signed. The Soviets could do much to defrost the cold war if they dropped their "all or nothing" attitude in other fields as well. Cooperation in framing legal principles for outer space would be one good place to start.

The United States would like to conclude international agreements at an early date on both liability and assistance and return. We would also welcome a General Assembly resolution covering the general principles of law which should govern the activities of states in outer space. If there is a willingness on all sides to concentrate on the principles which unite rather than divide us, we can speedily get unanimous agreement for a resolution on general principles at the next General Assembly.

Such a resolution could contain the following elements on which a consensus already exists:

The freedom of outer space for exploration and use by all states.

The unavailability of celestial bodies for national appropriation.

The applicability of international law, including the Charter of the United Nations, to relations among states in outer space.

The retention by the launching authority of jurisdiction over the ownership of space vehicles.

Assistance to astronauts in distress and return of space vehicles and their personnel.

Liability for injury or damage caused by space vehicle accidents.

So much for the principles on which there is general agreement. Let me turn now to the four principles included in the Soviet Declaration which cause problems for us and most other members of the U.N.

First. There is the Soviet principle which would prohibit the use of outer space for "propagating war, national or racial hatred, or enmity between nations." The United States is understandably skeptical about discussing this subject in view of the fact that the Soviet Union, after initiating lengthy negotiations on war propaganda in the 18-nation disarmament conference in Geneva, refused at the last minute to sign the Declaration which had been unanimously agreed upon. We cannot believe the Soviets would let the question of war propaganda stand in the way of agreement if other questions could be resolved.

Second. There is the Soviet principle that space activities shall be carried out "solely and exclusively by states." This provision, which would bar private enterprise from space activities, is an attempt to impose socialist principles on an important sector of human activity and is an obvious attack on Telstar and our communication satellite legislation. The United States sees no reason why private enterprise should be prevented from flying in space any more than it is from sailing on international waters.

On the other hand, we can certainly reaffirm our view that a state bears international responsibility for its activities and for the activities of its nationals. We can also reaffirm that space operations carried on by private parties require Government authorization and supervision. A principle phrased along these lines meets the problem of liability and prevents any irresponsible use of outer space by private parties.

Third. There is the Soviet principle that prior discussion and agreement must take place on any measures to be undertaken by a state which "might in any way hinder the exploration or use of outer space for peaceful purposes by other countries." While this provision might appear innocent enough at first glance, it would effectively extend the veto into space.

One can imagine the difficulties that would result from a multilateral clearance system. Space exploration could be slowed down or halted entirely by red tape or political obstructionism. We cannot accept a Soviet veto over anything we do in space.

The partial test ban has eliminated testing in outer space from the list of issues to which this Soviet principle is addressed. On the potentially harmful effects of other space experiments some agreement may be possible. We are prepared to support the principle that a state should undertake appropriate international consultations before proceeding with a space activity if it has reason to believe that its activity may create a significant risk of harm.

Such a principle would be in accord with existing U.S. practice as reflected in the handling of our West Ford experiment. Project West Ford placed a large number of tiny filaments in a short-lived orbital belt around the earth. The purpose was to determine the feasibility of using such filaments as passive reflectors to relay communications.

Project West Ford was carefully considered in advance by both the President's Science Advisory Committee and the Space Science Board of the National Academy of Sciences. The full details of the experiment were made known well in advance to all interested scientists from other countries. While some expressed concern, there was no serious scientific objection to the experiment on the grounds that it would impede radio astronomy or other scientific research.

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[1] National Geographic, March 1941; p. 271.

The Soviet Union, of course, attacked the experiment bitterly and circulated a U.N. document calling it a criminal experiment, a contamination of outer space, and a step in the preparation for nuclear war. It was wrong on all counts.

West Ford is now almost 3 months old and to date there has not been a single report of interference or damage to space activities and experiments. The results of the West Ford experiment will be distributed for the information and use of the international scientific community. In a recent press release the Soviets repeated, in somewhat milder form, their opposition to West Ford, but, significantly, they chose not to request circulation of this statement as a U.N. document.

Fourth. There is the Soviet principle that the collection of intelligence from space is "incompatible with the objectives of mankind in the conquest of outer space." The fact is, of course, that observation and photography from outer space are consistent with international law and the U.N. Charter, as are observation and photography from the high seas. Moreover, space observation can contribute to the reduction of the risk of war by accident or miscalculation inherent in dealings with a closed society. Observation from space may someday help the U.N. to monitor an armistice or patrol a border. It may play a part in the verification of a disarmament agreement. Even Premier Khrushchev, according to C. L. Sulzberger in the New York Times of July 15, admits that satellites can be used for disarmament inspection.

Quite apart from the undesirability of banning observation from space for military purposes, it is becoming increasingly difficult to make meaningful distinctions on this subject. Maj. Gordon Cooper believed he could distinguish roads, fires, and even his own home while he was in orbit. Equipped with a spyglass and a Brownie camera, could Major Cooper be classified as a reconnaissance satellite? What about the Soviet astronauts who were members of the Red Air Force and carried cameras when they passed over U.S. territory? What about satellites for mapping and weather observation?

Clearly all these forms of observation from space are legally permissible and socially desirable. We cannot agree to any principle which casts doubt on this proposition.

This brings me naturally to some concluding remarks about the military uses of outer space. It should be obvious that the attempt to build peaceful space cooperation and a regime of law for outer space does not eliminate the need for military space programs to maintain the security of the United States and the entire free world. There is no inconsistency in moving simultaneously on both fronts. For the foreseeable future, we need military space programs to help keep the peace, and civilian space programs to help us live better in peace.

The test of the legitimacy of a particular use of outer space is not whether it is military or nonmilitary, but whether it is peaceful or aggressive. Russian cosmonauts are members of the Soviet Air Forces, but this is no reason to challenge their activities. There is, in any event, no workable dividing line between military and nonmilitary uses of space. A navigational satellite in outer space can guide a submarine as well as a merchant ship. Thus the United States has military space programs, but all of our space activities will continue to be for peaceful, i.e., nonaggressive and beneficial, purposes.

Space is not a new subject, only a new place where all the old subjects come up. Whether we are speaking of meteorology, communications or military uses, the things that take place in space are inextricably bound up with the things that take place on the surface of the earth. Those people are living in a dream world who think that space can be wrapped up in a nice new sanitary package and insulated from the harsh realities of the cold war.

In the interest of the security of the free world the United States cannot refrain unilaterally from all military activities in space until military activities on earth have been regulated by disarmament agreements.

When the military problems on earth are solved, the military problems in space will be solved: they are part of the same problem.

This does not mean that nothing can be done to save outer space from the arms race on earth with all its dangerous features. On the contrary, if we cannot insulate space completely from earthly tensions, we may at least be able to prevent a stampede of space weapons into orbit.

Today both the United States and the Soviet Union have the capacity to place thermonuclear weapons in orbit. But, according to the best military advice available, there is now no rational military purpose in doing so. To put it another way, any purely military advantage that might be gained by either side from placing weapons of mass destruction in orbit could now be achieved with less cost through alternative weapons systems—hardened ICBM's or missile-firing submarines.

To be sure, the deployment of a thermonuclear weapon in orbit would have a serious political and psychological effect. If international tensions are to be reduced and world peace assured, it is necessary that countries refrain from making use of terror weapons of this kind.

The United States, for all these reasons, has no intention of placing weapons of mass destruction in orbit unless compelled to do so by actions of the Soviet Union. We earnestly hope that the Soviet Union will likewise refrain from taking steps that will extend the arms race into outer space.

Some critics have charged that statements to this effect by American leaders are tantamount to unilateral disarmament in outer space. Nothing could be further from the truth.

Such critics have failed to distinguish between preparation and deployment. What we are saying is that we hope to avoid an arms race in space and will not precipitate one ourselves. We are not saying that we are neglecting preparations in the event that our hopes are disappointed. On the contrary, the United States is taking measures to insure that we will be in a position, if need be, to deal with threats to our security from outer space.

For the record you might like to know that the budget for fiscal year 1962 included $1.1 billion for military space projects. For the fiscal year just ended, this amount was raised 36 percent to $1.5 billion. These figures do not include expenditures on fundamental research done by the National Aeronautics and Space Agency. In addition to these amounts, a considerable portion of the Pentagon's research and development budget—a proposed 20 percent for this fiscal year—is devoted to the military uses of outer space.

In outer space, as on earth, the conduct of American diplomacy requires the coordinated use of law and power. Those who emphasize the one without the other do no service to the national security of the United States.

LET US NOT DENATURE HUMAN RIGHTS—PUBLIC ACCOMMODATIONS

Mr. PROUTY. Mr. President, the Nation has been shocked by the needless and senseless death of children in Birmingham. They have been sacrificed to the times.

There is nothing more tragic than the death of a child.

A child is innocence and excitement, goodness and mischief, loved and loving. He skirts the shadows of maturity and plays among the expectations of tomorrow. When a child dies, springtime is stolen from the earth.

Were these children taken from us because we were too late in acting? In good conscience I cannot say "yes" because men's hearts can move distorted deeds under the most just law. But I can say that had we undertaken to assure to all men what is due them under the Constitution we might have salted down the breeding ground for demagogs who thrive on inciting men to break just laws.

These children are gone from the land of the free—they are dead because their race was not truly free.

What ought we to do to mark their passing? There are now pending before Congress various bills which have as their objective removing the causes of strife between our peoples. These bills are not perfect. They are not ideal, but they are purposeful and should be given the earliest possible consideration by the Congress. As the author of one of these proposals I feel compelled to urge its passage at this time. My bill, S. 2037, is currently before the Senate Commerce Committee as an amendment in the nature of a substitute. I hope my colleagues on the committee will see fit to give it their most expeditious consideration.

The bill would make available to victims of discrimination in the use of public accommodations the injunctive powers of the Federal courts. The owners of the public accommodations enumerated in the bill would be subject to a Federal court order enjoining further discrimination against the complainant or his class when such discrimination is based on race, color, religion, or national origin and first, is a vestige or historical outgrowth of the slavery sought to be abolished by the 13th amendment to the Constitution of the United States; or, second, serves to deny or impair the right of any citizen or group of citizens to travel freely from State to State or within a State, or to deny or impair any privilege incidental to such travel where such a practice would unduly burden the effective exercise of the right to travel; or, third, serves to deny or impair any right or incident of citizenship protected by the 14th amendment to the Constitution of the United States.

First, the bill recognizes the ancient personal right of unhindered mobility of the person and seeks to protect it.

Secondly, the bill relies on the 13th amendment which abolishes slavery, involuntary servitude, and their historical consequences.

Thirdly, the bill seeks to protect rights of citizenship which necessarily attach to the declaration of citizenship under the first clause of the 14th amendment.

These constitutional bases throw into proper contrast the approach taken by the administration bill.

Phrased most concisely, my bill deals with the rights of man as man. The administration bill deals with the rights of Congress to remove obstructions to interstate commerce.

The administration bill speaks of the burdens imposed on interstate commerce by such discriminatory practices and obstructions to the free flow of commerce; it speaks of restrictions on the normal distribution of goods in the interstate market; it speaks of the reduction in mobility of the national labor force; it speaks of the restrictions on allocation of national resources and the interstate movement of industries. It treats the Negro as "goods in transit."

But, the issue as I see it is not the right of a dollar to pass from State to State but the right of man to pass freely across a great Nation whatever his race may be.

Nor is the issue whether this great Nation suffers a diminishment in its gross national product, but whether the dignity and humanity of man as man shall be forever shackled to slavery's progeny.

My bill's constitutional foundations are firm. It is supported by the legislative history of the 13th and 14th amendments, an assemblage of case law, the concurrence of noted commentators on the law, and is consonant with the jurisprudential principles of our legal heritage. To my way of thinking, this approach is much more fitting and proper because it treats man as man, with rights inherent in him as a creature of divine origin. The fact that he has rights in commerce is treated only as incidental thereto.

PUBLIC ACCOMMODATIONS—BRIEF IN SUPPORT OF THE AMENDMENT PROPOSED BY SENATOR WINSTON L. PROUTY, REPUBLICAN OF VERMONT, TO S. 1732

I. THE HUMAN RIGHT TO MOVE ABOUT

The fundamental right of the people of the United States to move freely and easily from place to place is a right older than the Constitution itself.

The wide-open spaces of the American colonies had great appeal for English subjects who were the victims of restrictions on freedom of movement in the mother country.

Great unhappiness and frustration was caused by the Statute of Apprenticeship passed in Queen Elizabeth's reign which kept a man from going to a new town where workmen were badly needed. Indeed, on the eve of our Declaration of Independence it was said of England:

> [It] is often more difficult for a poor man to pass the artificial boundary of a parish, than an arm of the sea or a ridge of high mountains. (Smith, Wealth of Nations, Book 1, near the end of ch. 10.)

Although freedom of movement was universally recognized in the new country, relatively little legislation was enacted by the colonists on this basic freedom. One of the more significant provisions was put into the Massachusetts Body of Liberties in 1641:

> Every man of or within this jurisdiction shall have free libertie, not with standing any civill power, to remove both himselfe and his familie at their pleasure out of the same.

This generous attitude about outgoing settlers was accompanied by liberality toward incoming persons:

> If any people of other nations professing the true Christian religion shall flee to us from the Tiranny or oppression of their persecutors, or from famyne, warres, or the like necessary and compulsarie cause, They shall be entertayned and succoured among us, according to that power and prudence God shall give us.

The people of Rhode Island, viewing the right to move about freely as a fundamental right, got a clause inserted in their charter which gave each person the lawful right "to passe and repasse with freedome, into and through the rest of the English Collonies, upon their lawful and civill occasions."

With or without sanction in law, freedom of movement within the Colonies was nurtured and came into full bloom.

It was given formal recognition in and was guaranteed by the Articles of Confederation. The crystal clear language of the fourth of these articles clothes the right to pass freely from State to State with all those incidents which are necessary to make it a practical, as distinguished from a theoretical, freedom. The language speaks for itself:

> The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States * * * shall be entitled to all privileges and immunities of free citizens in the several States; and the people of each State shall have free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce.

In exercising his free ingress and egress to and from other States, the free citizen, under the Articles of Confederation, was entitled to all privileges and immunities of free citizens in the several States and was empowered to enjoy all the privileges of trade and commerce.

The framers of the Articles of Confederation knew that the right to pass freely from State to State would be an empty right if it did not carry with it as an inseparable incident "all the privileges of trade and commerce."

The traveler, however far he journeys, may need food, drink, and repose. The inns and other places of public accommodation of the time were few and far between and one of the necessary privileges of trade and commerce was the privilege of ready access to public accommodations.

It had been well settled for hundreds of years prior to the Articles of Confederation that the innkeeper was absolutely bound to receive and serve persons applying for food and lodging unless he had some reasonable ground for refusing to furnish them. This common law principle was recognized as early as the reign of Henry VI, 1422–61, in an anonymous case, as well as in 14 Henry VII, folio 21, in the case of Rex against Bishop of Chester.

The principle was also upheld as the law by courts in many of the several States, including Delaware, Virginia, North Carolina, and Alabama.

The most often cited case with respect to the common law duty of innkeepers is *Rex* v. *Ivens*, 7 Car. & P. 213, which states simply: "The Innkeeper is not to select his guests."

In *Beale* v. *Posey*, 72 Ala. 323, 1882, the Alabama court likened the innkeeper to the common carrier and noted that "each is engaged in public employment, bound, in the absence of reasonable grounds for refusal, to serve all having a necessity for their services."

It is obvious that even prior to the adoption of the Constitution of the United States, a free inhabitant thereof could pass freely and easily from State to State and enjoy all the privileges of trade and commerce.

Article IV, section 2 of the Constitution, like article IV of the Articles of Confederation, was designed to guard the liberty of each citizen to travel unhampered and unobstructed throughout the several States.

Opinions of the courts vouchsafe this conclusion. For example, *Corfield* v. *Coryell*, 6 Fed. Cas. 546, 551; *Passenger cases*, 7 How. 283, 492; *Crandall* v. *Nevada*, 6 Wall. 35, 49; *Paul* v. *Virginia*, 8 Wall. 168, 180; *Ward* v. *Maryland*, 12 Wall. 418, 430; *Slaughter-House cases*, 16 Wall. 36, 76; *United States* v. *Wheeler*, 254 U.S. 281, 290, 297; *Truax* v. *Raich*, 239 U.S. 33.

The first paragraph of the second section of the fourth article of the Constitution is in these words:

> The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

The legal consequences of this provision depend first, on the personal application of the words, "the citizens of each State," and, second, on the rights encompassed within the phrase, "all privileges and immunities of citizens."

The interpretation of the term "citizens of each State" in article IV, section 2 of the Constitution, was, in the early history of this country, judicially considered only in cases where the question was: Can persons of the Negro race be citizens within the meaning of this clause?

There were a number of State statutes prohibiting the immigration of free colored persons—see references at bottom of page 279, Hurd, "Law of Freedom and Bondage in the United States," volume 2—and their validity was discussed in a number of cases.

According to the cases interpreting these statutes, it was the unanimous view that they would be unconstitutional were Negroes to be held citizens of a State within the meaning of article IV, section 2.

The questions of the constitutionality of those State laws which prohibited the immigration of free colored persons, or of those of some seaboard States which subjected free colored persons on board vessels, while within their harbors, to imprisonment, and so forth, were never brought before the tribunals of the National Government even as late as 1862.

In the case of *Dred Scott* v. *Sanford*, 19 Howard 404, et seq. Chief Justice

Taney, delivering the opinion of the court, held that slaves and descendants of slaves were not intended to be included under the word "citizens" in the Constitution and could, therefore, claim none of the rights and privileges which that instrument provides for and secures to citizens of the United States.

Basically, it was the view of Chief Justice Taney that both the Congress and the States were without power to make the Negro a citizen within the meaning of that term in article IV, section 2. He was of the opinion that Negroes were not in the minds of the framers of the Constitution "when they were conferring special rights and privileges upon the citizens of a State in every other part of the Union"—page 412, Dred Scott decision.

Yet Taney did admit that if colored persons were entitled to the privileges and immunities of citizens, they would be exempt from the operation of the special laws and from the police regulations which affected them.

> It would give—

He said—

> to persons of the Negro race, who were recognized as citizens in any one State of the Union, the right to enter every other State whenever they pleased, singly or in companies, without pass or passport, and without obstruction, to sojourn there as long as they pleased, to go where they pleased at every hour of the day or night without molestation.

Although Taney erred in deciding what persons were entitled to the protection of article IV, section 2 of the Constitution, he was correct in assessing the broad scope of this provision.

This is brought sharply to focus in his dissenting opinion in the *Passenger Cases, 7 Howard, 283, 492:*

> We are all citizens of the United States; and as members of the same community, must have the right to pass and repass through every part of it without interruption, as freely as in our own States.

The right to travel as seen by Taney was the right to move with freedom both between and within the several States.

Justice Curtis in the Dred Scott case took sharp issue with the views of Chief Justice Taney. On pages 573 and 574 of the decision, he pointed out that the constitutional law of several of the States made Negroes citizens of such States at the time of the ratification of the Articles of Confederation. He goes on to discuss events that took place when the Articles of Confederation were under consideration by the Congress, and he has this to say:

> The fourth of the fundamental articles of the Confederation was as follows: "The free inhabitants of each of these States, paupers, vagabonds, and fugitives from justice, excepted, shall be entitled to all the privileges and immunities of free citizens in the several States."
>
> The fact that free persons of color were citizens of some of the several States, and the consequence, that this fourth article of the Confederation would have the effect to confer on such persons the privileges and immunities of general citizenship, were not only known to those who framed and adopted those articles, but the evidence is decisive, that the fourth article was intended to have that effect, and that more restricted language, which would have excluded such persons, was deliberately and purposely rejected.
>
> On the 25th of June 1778, the Articles of Confederation being under consideration by the Congress, the delegates from South Carolina moved to amend this fourth article, by inserting after the word "free," and before the word "inhabitants," the word "white," so that the privileges and immunities of general citizenship would be secured only to white persons. Two States voted for the amendment, eight States against it, and the vote of one State was divided. The language of the article stood unchanged; and both by its terms of inclusion, "free inhabitants," and the strong implication from its terms of exclusion, "paupers, vagabonds, and fugitives from justice," who alone were excepted, it is clear that, under the Confederation, and at the time of the adoption of the Constitution, free colored persons of African descent might be, and by reason of their citizenship in certain States, were entitled to the privileges and immunities of general citizenship of the United States.

While Justices Taney and Curtis differed in their interpretation of the words "the citizens of each State," in article IV of the Constitution, they were not at odds on the rights encompassed within the phrase, "all privileges and immunities of citizens."

There remains then to ask whether the right of free movement was an incident of State citizenship or of national citizenship prior to the adoption of the 14th amendment in 1868.

Certainly, in the earlier cases there are statements suggesting that the right to move about freely is an incident of State citizenship, guarded against discriminatory State action by article IV, section 2, of the Constitution. See: *Corfield* v. *Coryell,* 4 Wash. C.C. 371, 381, *Paul* v. *Virginia,* 8 Wall, 168, 180; *Ward* v. *Maryland,* 12 Wall, 418, 430; *United States* v. *Wheeler,* 254 U.S. 281, 298.

According to the dicta of those cases, a State could not hinder the free movement of persons who were not residents of that State. This is true because the fourth article forbids a State to discriminate against citizens of other States in favor of its own.

What happens, however, if a State imposes restrictions on freedom of movement which apply alike to both residents and nonresidents? This question arose in the case of *Crandall* v. *Nevada,* 6 Wallace 35, which was decided in 1867 prior to the adoption of the 14th amendment.

The Legislature of Nevada enacted that "there shall be levied and collected a capitation tax of $1 upon every person leaving the State by any railroad, stagecoach, or other vehicle engaged or employed in the business of transporting passengers for hire," and that the proprietors, owners, and corporations so engaged should pay the said tax of $1 for each and every person so conveyed or transported from the State.

Crandall, who was employed by a stage company, refused to pay the tax. He was arrested and convicted. From the highest court of Nevada, he appealed on the ground that the State law violated the Constitution of the United States. The U.S. Supreme Court struck down the State tax imposed upon "every person leaving the State."

Mr. Justice Miller, in writing the opinion, did not rely upon article IV, section 2. Indeed, he could not so rely because the State statute applied to both citizens and noncitizens.

The reach of the Crandall case is at once long and significant. Its holding meant that freedom of movement was not a freedom protected solely by article IV, section 2. It meant as well that a State may not restrict the locomotion of its own citizens.

Crandall had, too, an even greater signification because it held that the right to move anywhere in the land without impediment was a right of national citizenship. The right was seen as essential to the national character of our Government and was no less real because it was implied rather than expressly stated.

Nowhere in the Crandall opinion is it said that the right of free movement is a right of State citizenship safeguarded only by article IV, section 2. The right secured in this case was a right of national citizenship, finding its origin in the "implied guarantees" of the Constitution.

This view of the Crandall case is reaffirmed in the Slaughter-House cases, 16 Wallace at pages 75–79.

What then may Congress do to shield the liberty of transit which Mr. Justice Miller declared to be "protected by implied guarantees" of the Constitution?

We find our answer in the "necessary and proper" clause of article I, section 8 of the fundamental charter, as elucidated by Marshall's classic opinion in *McCulloch* v. *Maryland,* 4 Wheaton 316:

> Let the end be legitimate—

he wrote—

> let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the Constitution, are constitutional.

Indeed, it has been uniformly held that the Federal Government has the power, whether expressly given or not, to secure and protect rights conferred or guaranteed by the Constitution. *United States* v. *Reese,* 92 U.S. 214; *Strauder* v. *W. Va.,* 100 U.S. 303.

In using such power, Congress can enact laws for the protection of citizens both as against the States and individuals in the States.

In the clear language of Mr. Justice Burton:

> Cases holding that those clauses [of the 14th amendment] are directed only at State action are not authority for the contention that Congress may not pass laws supporting rights which exist apart from the 14th amendment. (*Collins* v. *Hardyman,* 341 U.S. 664, dissenting opinion of Mr. Justice Burton with whom Mr. Justice Black and Mr. Douglas concur.)

Since there is a right guaranteed by the Constitution to pass freely throughout this broad land of ours, it must be seen as a right in full measure and not as a right in vacuo. In the words of

Mr. Justice Field, who spoke for the Supreme Court in Cummings against Missouri:

> The Constitution deals with substance, not shadows.

We come now to the query: Does the vitality of liberty of transit, a liberty of national citizenship, ebb and flow with every whim of the State and every caprice and bias of the lunchcounter proprietor?

Or to put it another way, is freedom of movement an elusive and ephemeral thing whose journey's end is reached when the citizen traveler is hungry and cannot purchase food or is weary and can find no repose?

Certainly the right of locomotion, on Main Street and on the great highways of the Nation, carries with it the right to secure the sustenance and sleep upon which further locomotion may depend. If liberty of transit means less than that, then it "is only a promise to the ear to be broken to the hope, a teasing illusion like a munificent bequest in a pauper's will."

II. THE THIRTEENTH AMENDMENT AND THE POWER OF CONGRESS

I have shown that before and under the Constitution of the United States as originally adopted, it was the right of each citizen to pass freely from place to place and to enjoy as an attribute of that right all the privileges of trade and commerce.

The purpose of this article is to examine the 13th amendment and to determine whether consistent with its spirit and scope, Congress may pass a valid law to prevent discrimination or segregation in public accommodations where such discrimination or segregation is a vestige or historical outgrowth of slavery.

In construing this constitutional provision, let us follow the precept of *Ex-Parte Bain*, 121 U.S. 1, 12, that "it is never to be forgotten that, in the construction of the language of the Constitution, as indeed in all other instances where construction becomes necessary, we are to place ourselves as nearly as possible in the condition of the men who framed that instrument."

The safest rule of interpretation will be found to be to look to the nature and objects of the particular powers, duties, and rights, "with all lights and aids of contemporary history"—*Priggs* v. *Com.*, 16 Peters 60.

So then shall we proceed to consider the state of things which existed before and at the time the 13th amendment was adopted, the mischiefs complained of or apprehended, and the remedy intended to be provided for existing or anticipated evils.

When the Civil War erupted, slavery of the African race existed in 15 States of the Union. The legal code fettering persons in that condition was everywhere harsh and severe. *U.S.* v. *Rhodes*, 27 Fed. Cas. p. 793. A distinguished writer said:

> They cannot take property by descent or purchase; and all they find and all they own belongs to their master. They cannot make contracts, and they are deprived of civil rights. They are assets for the payment of debts, and cannot be emancipated by will or otherwise to the prejudice of creditors (2 Kent. Comm. 281, 282).

Indeed, it was held in South Carolina that an indictment would not lie for the homicide of a slave unless a statute so directed. *State* v. *Fleming* (1847) 2 Strobhart's R., 464.

Bizarre and cruel punishments were an accepted fact. In Maryland, slaves could have their ears cropped on order of a justice, and in another State, rewards were given for the scalps of fugitive Negroes—the former was made possible in Maryland by an act of 1723, the latter by a South Carolina act of 1740 "for the better ordering and governing Negroes and other slaves in this province."

The eminent Kent, cited previously, tells us that colored persons who tried to write or to read the Scriptures could be punished by flogging. I quote him in part:

> In Georgia, by an act of 1829, no person is permitted to teach a slave, a Negro, or a free person of color to read or write. So in Virginia, by a statute of 1830, meetings of free Negroes to learn reading or writing are unlawful, and subject them to corporal punishment; and it is unlawful for white persons to assemble with free Negroes or slaves to teach them to read or write. The prohibitory act of the legislature of Alabama passed at the session of 1831–32, relative to the instruction to be given to the slaves or free colored population, or exhortation, or preaching to them, or any mischievous influence attempted to be exerted over them, is sufficiently penal. Laws of similar import are presumed to exist in the other slaveholding States, but in Louisiana the law on the subject is armed with tenfold severity. It not only forbids any person teaching slaves to read or write, but it declares that any person using language in any public discourse from the bar, bench, State, or pulpit, or any other place, or in any private conversation, or making use of any sign or actions having a tendency to produce discontent among the free colored population or insubordination among the slaves, or who shall be knowingly instrumental in bringing into the State any paper, book, or pamphlet having a like tendency, shall, on conviction, be punishable with imprisonment or death, at the discretion of the court.

Those who now hold that slavery meant only a "condition of enforced compulsory service of one to another" have turned their eyes from history and their hearts from human rights.

A truer estimate of slavery's scope was possible for judges at the time than distorting distance is likely to vouchsafe.

In the Dred Scott case, Mr. Justice Curtis gives us such an estimate:

> The status of slavery embraces every condition, from that in which the slave is known to the law simply as a chattel with no civil rights, to that in which he is recognized as a person for all purposes, save the compulsory power of directing and receiving the fruits of his labor. *Scott* v. *Sanford*, 19 Howard 393, 623 et seq.

Involuntary servitude, then, is not synonymous with slavery. Rather it is only one of its conditions. That more than involuntary servitude is abolished by the 13th amendment is obvious from reading its provisions.

> SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.
>
> SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

The black codes of the first half of the 19th century are indeed a guide to what slavery was all about and to what the 13th amendment was designed to abolish.

I have made an extensive survey of the State laws in existence prior to December 1865, when ratification of the 13th amendment was proclaimed. In areas where slavery subsisted, all States had on their books statutes restrictive and oppressive of the Negro—both slave and free—for a complete and detailed analysis of these black codes, an excellent study is "The Law of Freedom and Bondage in the United States," by John Codman Hurd, Little Brown & Co., Boston, 1862.

Especially limited was the free mobility of the slave and even the free Negro. He could not ride horseback or leave the plantation of his master without permission duly signed. He was prohibited from assembling to learn, and whites were prohibited from teaching him.

Here in the District of Columbia, the slave had a 10 o'clock curfew and could not frequent the Capitol square without business to perform. The free Negro could not settle where he pleased due to laws which would return him to slavery or make it financially prohibitive to stay.

In Virginia, a free Negro or a slave was prohibited from going at large, and free Negroes could not immigrate into the State.

In Kentucky a slave could not work for hire.

Maryland prevented not only slaves, but also free Negroes from using boats for purposes other than that of the master on the Potomac River.

In North Carolina, a slave could not own or attempt to sell cattle.

In Missouri, Negroes meeting to hold instruction—going to school—was an unlawful assemblage.

And, these "black codes" were not confined solely to the States of the South.

The District of Columbia provided for 40 lashes for any meeting of Negroes at night.

The common law made no distinction on account of race or color; and slavery, being contrary to natural right, was developed only by State and local law. Whatever conditions shall attend the status of slavery must depend on the law which creates and upholds it.

Mr. Justice Curtis informs us:

> Not only may the status of slavery be created and measured by (State and local) law, but the rights, powers, and obligations, which grow out of that status, must be defined, protected, and enforced by such laws.

If then the status of slavery may be measured by State and local law, it would serve us well to examine that law in order to determine what rights slaves had in respect of the facilities of public accommodations.

Under the laws of Georgia, white persons were prohibited from selling provisions or any other commodities to any slave unless the slave could produce a ticket from his or her owner, manager, or employer. This was by reason of a statute enacted in 1765.

In South Carolina, peddlers were forbidden to deal with slaves. Any slave could not be absent from home without a ticket or purchase any commodity without a ticket from his master. Slaves without tickets could be seized and punished by any white person.

Tennessee prohibited trading with slaves, and North Carolina even prevented slaves from trading with free Negroes.

In Arkansas, tavern keepers and other managers of public accommodations were not permitted to sell liquor and other commodities to slaves.

These and numerous other examples of laws restricting the Negro in his use of public accommodations were part and parcel of the institution of slavery; and as Mr. Justice Curtis said, that institution may be measured by the statutes which created and protected it.

> Slaves were imperfectly, if at all, protected from the grossest outrages by the whites. Justice was not for them. The charities and rights of the domestic relations had no legal existence among them. The shadow of the evil fell upon the free blacks. They had but few civil and no political rights in the slave States. Many of the badges of the bondman's degradation were fastened upon them. Their condition, like his, though not so bad, was helpless and hopeless. *U.S.* v. *Rhodes*, 27 Fed. cases, 793.

Here, then, is the state of law and here the state of things which existed before and at the time the 13th amendment was adopted. We have reviewed the mischiefs complained of and we shall later look at the remedy intended to be provided for these evils.

Throughout the Civil War, Negroes had shown great sympathy with the Union cause. By the time it was ended, 200,000 had become soldiers in the Union armies. The colored race had strong claims upon the justice and generosity of the Nation. Immense considerations of policy, decency, and right were added factors.

The simple abolition of involuntary servitude, "leaving—antislave—laws and this exclusive power of the States over the emancipated in force, would have been a phantom of delusion." Legislative burdens on the Negro would have been exacerbated.

> Under the guise of police and other regulations, slavery would have been in effect restored, perhaps in a worse form, and the gift of freedom would have been a curse instead of a blessing to those intended to be benefited. *U.S.* v. *Rhodes*, 27 Fed. cases 794.

Thus far we have endeavored "to place ourselves as nearly as possible in the condition of the men who framed the 13th amendment," using the lights and aids of contemporary history.

Although the Supreme Court has relegated that amendment to a position of insignificance, indicating that it did nothing more than to abolish the ownership of one man by another, such a view does not square with the legislative history of the 13th article.

Few, if any, of the judges who have given the amendment a limited scope have thought it worth while to review the proceedings of the Congress which proposed it in order to determine what it was that they were seeking to accomplish.

> There is hardly a question raised as to the true meaning of a provision of the old, original Constitution that resort has not had to Elliott's debates, to ascertain what the framers of the instrument declared at the time that they intended to accomplish. (*Royall*, 4 So. L. Rev. (N.S.) 558, 563 (1879).)

My study of the unhappy events that led up to the 13th amendment, and the statements of those who sponsored and favored, as well as those who objected to its submission and passage, convinces me that one of the chief objects that the provisions of the amendment were intended to accomplish was to establish freedom and to protect all men, black and white, bond and free, fully and equally, in the enjoyment of all the essential rights which inhere in and constitute that freedom.

It may be that the Civil War was the immediate cause of the courage of the Congressmen who brought about the adoption of the amendment; but it was the amendment itself, and not the war to which the Negro both slave and free might look for the assurances he needed that, as a man with dignity, he would now be afforded the dignity of man.

Senator Trumbull, of Illinois, the leader of the proponents of the amendment, and chairman of the Senate Judiciary Committee, left no doubt about it. As he saw it, the task of Congress was "to abolish slavery, not only in name but in fact." Because "it is idle to say that a man is free who cannot go and come at pleasure, who cannot buy and sell, who cannot enforce his rights," Congress must "give effect to the provision making all persons free—Congressional Globe, 39th Congress, 1st session, page 43, 1865.

Note with care that Trumbull saw in the emancipating amendment congressional power to protect the right of the Negro to come and go, to buy and sell. He did not conceive the right to be so narrow as to exclude the privilege of access, on an equal basis with whites, in the use of public accommodations.

The indictment of the slavery the 13th amendment was intended to abolish was dramatically set forth by Henry Wilson, an eloquent abolitionist Senator from Massachusetts. Wilson declared:

> If this amendment shall be incorporated by the will of the nation into the Constitution of the United States, it will obliterate the last lingering vestiges of the slave system; chattelizing, degrading and bloody codes; its dark, malignant barbarizing spirit.

The object of the amendment, then, was to do away with all vestiges of the institution of slavery and not simply to abolish but one of its conditions.

That the opponents of the amendment in Congress recognized this intention is clear from the statements of Representative William S. Holman, of Indiana, an ardent foe of the amendment:

> The amendment confers on Congress the power to invade any State to enforce the freedom of the African in war or peace. What is the meaning of all that? Is freedom the simple exemption from personal servitude? No, sir; mere exemption from servitude is a miserable idea of freedom. (Congressional Globe, 38th Cong., 1st sess., page 2692.)

Other opponents knew perfectly well that the 13th amendment had within it the means by which the slave would be free in every sense of that term.

Specifically, one opponent of the 13th amendment, Anson Herrick, of New York, contended that with the 13th amendment—

> The slavery issue * * * is legitimately merged in the higher issue of the right of the States to control their domestic affairs. (Congressional Globe, 38th Cong., 1st sess., p. 2615.)

Perhaps more succinctly, and more clearly, Robert Mallory, of Kentucky, a bitter opponent of the amendment, concluded:

> You propose to leave them—the emancipated Negro—where they are freed, and protect them in their right to remain there. You do not intend, however, to leave them to the tender mercies of those States. You propose by a most flagrant violation of their rights to hold the control of this large class in these various States in your own hands. (Congressional Globe, 38th Cong., 1st sess., pp. 2982–2983.)

One by one the opponents of the 13th amendment made eloquent declamations about its sweeping scope. They particularized their fears and apprehensions and viewed the measure as utterly revolutionary.

Fernando Wood, Democrat, of New York thought the new article would subvert the whole constitutional system.

The remarks of Representative Kelley, of Pennsylvania, did nothing to quiet the fears of those who felt the amendment represented a great extension of the power of the Central Government. Kelley had this to say:

> This proposed amendment is designed * * * to accomplish the very purpose with which they charged us in the beginning, namely, the abolition of slavery in the United States and the political and social elevation of Negroes to all the rights of white men. (Congressional Globe, 38th Cong., 1st sess., p. 2987.)

From all this, are we to conclude that there is no end to the authority of the Congress under the 13th amendment? The Democrats in Congress also feared that the 13th amendment clothed the Congress with limitless power to interfere with the administration of justice and law within the States. Not so, said Representative Joseph Grinnell, of Iowa. He insisted that the amendment did not include political enfranchisement of the Negro. Natural rights, to which the amendment speaks, is one thing but political franchises are quite another. The right to vote is not a natural right, not a right of citizenship.

> If—

Said Grinnell—

> political rights must necessary follow the possession of personal liberty, then all but male citizens in our country are slaves. (39 California Law Review, 181, ten Broek "The 13th Amendment," Congressional Globe, 38th Cong. 2d sess., 302 (1865).)

What the 13th amendment actually meant is perhaps best determined from the debates and speeches of Senator Lyman Trumbull. The Senator from Illinois leaves no doubt as to precisely what that amendment actually means: It recognizes in all citizens of the United States the right to freedom, to the exercise of natural rights of man which exist independently from the adoption even of the Constitution itself, and it provides to the Congress the implements necessary to guarantee and to enforce these special rights for any aggrieved individual.

In a word, the paramount purpose of article XIII was to abolish slavery and to secure for men those rights which slavery denied.

Among those rights which slavery denied the Negro was the right to buy a meal, a loaf of bread, or even a hoe in the accommodation of his choice.

Senator William Stewart, moderate from Nevada, said that after the 13th amendment Congress could forever more guarantee the freedman "a chance to live, a chance to hold property, a chance to enjoy his civil rights, a chance to rise in the scale of humanity, a chance to be a man"

> We have given him freedom—

He said—

> and that implies that he shall have all the civil rights necessary to the enjoyment of that freedom.

Observe the use of the word "all." It is found again in the remarks of Senator Henry S. Lane, from Indiana, who argued:

> They—the Negroes—are free by the constitutional amendment, and entitled to all the privileges * * * of other free citizens of the United States.

He declared that it is the especial duty of Congress by the second section of that amendment, by appropriate legislation to carry out that emancipation.

Senator Lane continued in this vein:

> If that second section were not embraced in the amendment at all your duty would be as strong, the duty would be paramount, to protect them in all rights as free and manumitted people.

Senator John Sherman, of Ohio, maintained that the amendment would protect "the right to go anywhere within the United States" and gave Congress "the power to secure all rights of freedom by appropriate legislation."

The slavery which was within the scope of the 13th article moved way beyond the personal burden of the slaves and the characteristics of immediate bondage. Congressional debates reiterated what the history of the abolition drive had already made unmistakably clear. The free colored person, South and North, was only little less oppressed, imposed upon and restricted than his enslaved brethren. He was bowed by the weight of all the incidents, burdens, and badges of slavery save only one, the condition of compulsory labor. The great crusade had as its object the freedom of the so-called free Negro as well as that of the "hapless bondman" and the liberty of both was intended to be secured by the 13th amendment—the Work of tenBroek previously cited, at page 179.

The liberty which the 13th article would bring into being was itemized time and time again in the congressional debates. According to the men in Congress at that time the amendment would "convert into a man that which the law had declared to be a chattel." It would "bring the Constitution into avowed harmony with the Declaration of Independence." It would "secure to the oppressed slave his natural and God-given rights," "the rights of mankind." The amendment would signify that the "rights of mankind without regard to color or race are respected and protected."

Let us turn again to the actual text of the 13th amendment:

> SECTION 1. Neither Slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.
>
> SEC. 2. Congress shall have power to enforce this article by appropriate legislation.

That the first clause of the 13th amendment was self-executing presents no problem to any man who can read. Without any other provision than this section, Congress would have had authority to give complete effect to the abolition of slavery, thereby decreed. It would have been authorized to put in requisition the executive and judicial, as well as the legislative power, with all the energy needed for that purpose.

In the words of Judge Swayne:

> The second section of the amendment was added out of abundant caution. It authorizes Congress to select, from time to time, the means that might be deemed appropriate to the end (*U.S.* v. *Rhodes*, 27 Fed. Cases, 793).

The second section was intended to give expressly to Congress the power to bestow "practical freedom" upon the Negro and to leave no room for doubt or cavil upon the subject.

Judge Swayne declared that the results have shown the wisdom of this action:

> Almost simultaneously with the adoption of the amendment, a course of legislative oppression was begun and the Black Codes, customs and practices of the late 19th century became as harsh and severe as those slave codes of the 18th and early 19th centuries.

At least two of the Justices of the Supreme Court, in opinions delivered at circuit before the post-Civil War reaction had set in, took the view that the 13th amendment was broad in scope and carried with it ample authority to undo the continued oppression of the colored people—Justice Swayne in *United States* v. *Rhodes*, 27 Fed. cases 785; Chief Justice Chase in matter of Elizabeth Turner, 1 Abb. 85 (U.S. 1867). The Rhodes case involved the right of a Negro to testify against a white man in the courts of Kentucky, denied by the laws of that State. In the Turner case, the Chief Justice struck down under the "full and equal benefit of the laws" provision of the Civil Rights Act, a Maryland system for apprenticing freed Negro children to their former masters under conditions more rigorous than those applied to other apprentices. See also *Smith* v. *Moody*, 26 Ind. 299, 306 (1866); *People* v. *Washington*, 36 Cal. 658 (1869).

It was a Supreme Court nearly two decades removed from the institution of slavery that shafted the heart of the 13th amendment in the civil rights cases.

It was a court that, save Harlan, paid no heed to the legislative history of that amendment, a practice that had been adhered to by jurisconsultants from the first days of the original Constitution.

Even the misguided decision in the civil rights cases concedes that:

> Under the 13th amendment the legislation, so far as necessary or proper to eradicate all forms and incidents of slavery and involuntary servitude, may be direct and primary, operating upon the acts of individuals, whether sanctioned by State legislation or not.

I believe with Senators Trumbull, Stewart, and Lane, and indeed, the overwhelming majority of the men of the 38th and 39th Congresses that the 13th amendment gave the Negro freedom and the legislative branch power to protect all the civil rights necessary for the enjoyment of that freedom. And that high on the scale of these rights is the full and free use of public accommodations, devoid of any discrimination or segregation which is a vestige or historical outgrowth of slavery.

We meet now to consider whether the 13th amendment has all the majesty and force which its authors intended it to possess. We meet to consider a proposal offered pursuant to that amendment which strikes at a type of discrimination and segregation that had its origin in the weltering agony of slavery.

The overriding issue is whether the 13th amendment protects a right which slavery denied.

In evaluating the proposal I have submitted, I ask that Senators bear clearly in mind the principle in our jurisprudence: That an act of Congress is not to be declared unconstitutional unless the lack of power to pass it is so clear as to admit of no doubt. Every cavil is to be resolved in favor of the validity of the law.

> The opposition between the Constitution and the law should be such, that the judge feels a clear and strong conviction of their incompatibility with each other. (*Fletcher* v. *Peck*, 6 Cranch 128.)
>
> The presumption, indeed, must always be in favor of the validity of laws, if the contrary is not clearly demonstrated. (*Cooper* v. *Telfair*, 4 Dall. (4 U.S.) 18.)
>
> A remedial power in the Constitution is to be construed liberally. (*Chisholm* v. *Georgia*, 2 Dall. (2 U.S.) 476.)

Liberty and slavery are opposed one to the other, and if we undo only one of the conditions of slavery, the condition of compulsory labor, we have the shadow of the former and the substance of the latter.

The Constitution, as amended by the 13th article, dedicated this Nation to more than the absence of involuntary labor. It consecrated the Republic to freedom in every inch and corner of its vast expanse. Freedom in full measure, freedom for all ages and times, freedom in all public places—these are the aims of the mighty and majestic instrument of the 13th amendment.

Is it, indeed, too much to say that the amendment holds within it a power sufficient to prevent a man from being denied a ham sandwich when he is hungry and has the price to pay for it?

III. THE 14TH AMENDMENT AND THE RIGHTS OF CITIZENS

The scope and purpose of the 14th amendment must be gathered, said the *Slaughter House* cases, 16 Wall. 67, 68, from "the history of the times."

Before that amendment became the law of the land, the Constitution did not declare what persons born within the several States were citizens of the United States and Congress had no express power so to declare.

The only power specifically given Congress to legislate concerning citizenship was confined to the removal of the disabilities of foreign birth.

The Constitution left to the States the determination what persons, born within their respective limits, would acquire by birth citizenship of the United States.

The States rights argument was that insofar as there was a Federal citizenship, it arose out of State citizenship and was subordinate to it.

In debate on the "Force bill," Mr. Calhoun said in the Senate:

> If by citizen of the United States he (another Senator) means a citizen at large, one whose citizenship extends to the entire geographical limits of the country without having a local citizenship in some State or Territory, a sort of citizen of the world, all I have to say is that such a citizen would be a perfect nondescript; that not a single individual of this description can be found in the entire mass of our population. Notwithstanding all the pomp and display of eloquence on the occasion, every citizen is a citizen of some State or Territory, and as such, under an express provision of the Constitution, is entitled to all the privileges and immunities of citizens in the several States; and it is in this and no other sense that we are citizens of the United States. Mr. Calhoun's argument on the "Force bill." (See his Works, II, 242.)

Afterward came the Dred Scott decision, *Scott* v. *Sanford*, 19 Howard 393 (U.S. 1857). Its effect was to deny that national citizenship was a necessary result of State citizenship; and it held that no State could confer citizenship upon one of African blood, at birth, or later, so as to bring him within the protection of the constitutional provision for the enjoyment of privileges and immunities in the several States on a par with those enjoyed in the State of his citizenship.

The celebrated 14th amendment brought into the Constitution a definition of national citizenship and it made that citizenship the dominant and paramount allegiance among us—*Edwards* v. *California*, 314 U.S. 160, 182, Jackson concurring.

Justice Jackson, in Edwards against California, spoke of the object of the citizenship clause when he declared:

> The power of citizenship as a shield against oppression was widely known from the example of Paul's Roman citizenship, which sent the centurion scurrying to his higher-ups with the message: "Take heed what thou doest: for this man is a Roman." I suppose none of us doubts that the hope of imparting to American citizenship some of this vitality was the purpose of declaring in the 14th amendment: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside."

Note carefully how the first clause of that amendment gave national citizenship supremacy. By its very terms one could be a citizen of the United States without being a citizen of any State.

Why this sweeping change in the concept of citizenship unless it carries with it certain fundamental rights, the abridgement of which—by man or State—the Constitution would no longer tolerate?

It is to those fundamental rights arising out of the citizenship clause of the 14th amendment that this article will be addressed.

True, there are other provisions of the 14th amendment, but they are largely negative in character and seek to prohibit the States from interfering with the privileges and immunities of citizens of the United States or from denying to any person due process of law or equal protection of the law.

Since these propositions are negatively stated, the judiciary is their natural guardian and legislation is rarely needed for their implementation.

Clause 1, however, is positive in nature and must lean on an active legislative arm or else wither and lose its vitality. That it was meant to give more than mere nomenclature of citizenship is brought sharply to focus by Mr. Justice Harlan:

> The first clause of the first section—"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, and of the State wherein they reside"—is of a distinctly affirmative character. In its application to the colored race, previously liberated, it created and granted, citizenship of the United States, as well as citizenship of the State in which they respectively resided." (Dissenting opinion by Mr. Justice Harlan in the *Civil Rights* cases 109 U.S. 3, 46 (1883).)

The citizenship thereby obtained, by the Negroes, as a result of an affirmative grant from the Nation, may be secured, note solely by the judicial branch of the Government, but by congressional legislation of "a primary direct character."

This is so, said Harlan:

> Because the power of Congress is not restricted to the enforcement of prohibitions upon State laws or State action. It is, in terms distinct and positive, to enforce "the provisions of this article" of amendment; not simply those of a prohibitive character, but the provisions—all of the provisions—affirmative and prohibitive, of the amendment (op. cit. note 2).

The distinguished legal scholar, Horace Edgar Flack, who canvassed newspaper coverage and speeches concerning the popular discussion of the adoption of the 14th amendment asserts that:

> The declarations and statements of newspapers, writers, and speakers * * * show very clearly * * * the general opinion held in the North. That opinion, briefly stated, was that the amendment embodied the civil rights bill and gave Congress the power to define and secure the privileges of citizens of the United States. (Flack, "The Adoption of the Fourteenth Amendment" (1908), see pp. 153–154.)

It is no novel theory then to suggest that the legislative branch has clear authority to define and protect the rights of citizens and to declare that among these rights is the right to full and equal enjoyment of public accommodations.

Representative Jonathan Bingham, who may without exaggeration be called the James Madison of the 14th amendment, since he wrote virtually all of it, pointed out that before the ratification of the 13th and 14th amendments it was forbidden by law and custom "to help a slave who was ready to perish; to give him shelter, or break with him his crust of bread"—Congressional Globe, 42d Congress, 1st session, 1871, Appendix, see pages 81–85.

The distinguished and able Bingham would not concede for a minute that the 14th amendment left Congress powerless to act against individuals who deny rights to free citizens. These are his words:

> Who dare say, now that the Constitution has been amended, that the Nation cannot by law provide against all such abuses and denials of right as these in States and by States, or combinations of persons? (op. cit. note 5.)

Since clauses 2, 3, and 4 of the first section of the 14th amendment speak only of what a State may not do, it is patently clear that the Federal Government may move against "combinations of persons" only by virtue of the affirmatively stated citizenship clause and section 5 which gives Congress the power to enforce that clause.

It is small wonder then that Cooley says in his treatise on "Constitutional Limitations"—fifth edition, page 359, star page 294:

> The most important clause in the 14th amendment is that part of section 1 which declares that all persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. This provision very properly puts an end to any question of the title of the freedman and others of their race to the rights of citizenship.

Mr. Dawes, a member of the 39th Congress, which adopted the 14th amendment, placed an equally high value on the citizenship clause of that amendment:

> After the bloody sacrifice of our 4 years' war, we gave the most grand of all these rights, privileges, and immunities, by one single amendment to the Constitution, to 4 millions of American citizens who sprang into being, as it were, by the wave of a magic wand. Still further, every person born on the soil was made a citizen and clothed with them all.

Dawes went on to say:

> It is all these, Mr. Speaker, which are comprehended in the words "American citizen," and it is to protect and to secure him in these rights, privileges, and immunities this bill (a civil rights measure) is before the House. (Congressional Globe, 42d Cong., 1st sess., pt. I (1871), 475, 476.)

Senator Howard was a coauthor of the 14th amendment in that it was a Howard modification that added the citizenship clause to that amendment. He gave an important speech on May 23, 1866, explaining what he had intended to accomplish. In summarizing Senator

Howard's words the Boston Daily Advertiser declared:

> The first clause of the first section was intended to secure to the citizens of all the States the privileges which are in their nature fundamental, and which belong of right to all persons in a free government. There was now no power in the Constitution to enforce its guarantees of those rights. They stood simply as declarations. The great object of the first section, fortified by the fifth, was to * * * throw the same shield over the black man as over the white, over the humble man as over the powerful.

I have said that the scope and purpose of the 14th amendment must be gathered from the history of the times. Perhaps nothing indicates more clearly the scope of that amendment than the nature of the civil rights statutes approved by the men who actually framed the constitutional modification.

As an appendix to my remarks there will be a short survey of these laws, the nature of which spotlights the original understanding of the 14th amendment.

One can cull from these legislative enactments the peripheral intendments of the framers of the 14th amendment. It must be remembered that these Civil Rights Acts above mentioned were enacted contemporaneously with the amendments in question by a Congress made up in good measure by the framers of these same amendments.

That the courts at subsequent times limited some of these enactments does not detract from the question of what was intended by the framers. The restrictive actions of the courts can be explained as the product of many forces, not the least of which was a feeling expressed by President Johnson and implied by Mr. Justice Bradley that the Congress was becoming inordinately powerful. The court undertook to redress the balance.

Another most important force at work was the oft-mentioned but clearly erroneous impression that oppressed Negroes had remedies available from the State.

One can readily see how a court, operating under these assumptions, might think the power balance of dominant importance.

Add to this consideration the fact that most of the statutes in question imposed criminal penalties for situations involving issues of morality and one can lend some sympathy to judicial hesitancy. But, however, these decisions may be viewed, "the court departed from the familiar rule requiring, in the interpretation of constitutional provisions, that full effect be given to the intent with which they were adopted"—Justice Harlan, dissenting in the *Civil Rights* cases, 103 U.S. 3, 26.

Despite the fact "that much of this legislation was born of that vengeful spirit which to no small degree envenomed the Reconstruction era—see *Screws* v. *U.S.*, 325 U.S. 91, 140 (1945)—it was worded to serve as a basis for safeguarding the rights of citizens, black or white, in all parts of the country. The rights singled out for protection were, with few exceptions, rights that enlightened persons have always regarded as fundamentally important to a citizen in a free society. Sectional malice and partisan hatred may have played their part in bringing about the enactment of these laws. But on their face they did no violence to the democratic principle—and offered many possibilities for constructive use in furthering the cause of individual rights—Carr, "Federal Protection of Civil Rights," page 40.

The fact that the Supreme Court gave too narrow an interpretation of the 14th amendment, where the rights of citizens are involved, has been recognized by the Court itself.

Mr. Justice Moody, speaking in the name of the Court in the famous case of *Twining* v. *New Jersey* (211 U.S. 78) said of the Slaughter House case:

> Criticism of this case has never entirely ceased, nor has it ever received universal assent by members of this Court. Undoubtedly, it gave much less effect to the 14th amendment than some of the public men active in framing it intended, and disappointed many others.

On the other hand, he said, if the views of the minority had prevailed, it is easy to see how far the authority and independence of the States would have been diminished.

In effect, Justice Moody was saying we did not give the 14th amendment the effect it was supposed to have because it would give too much power to Congress.

The argument, if a valid one, was one which ought to have been addressed to Congress when the amendment was discussed, or to the State legislatures when considered for ratification. It has no place in any court of law when the language of the Constitution under study contains no ambiguity. If the effect of the 14th amendment was to greatly enlarge the power of Congress, it was so because the American people had thus decreed and it was not the function of the court to defeat their will.

Both the majority and minority in the Slaughter House cases were wrong. The true intention of the framers of the 14th amendment was to place all civil rights under the Federal Government but only to the extent of preventing infringement by discrimination—See "Government by Judiciary," Louis B. Boudin, page 121.

It should be made unmistakably clear that I have referred to the Slaughter House cases only to show how the Supreme Court has gone astray in failing to give the 14th amendment the full intendment of its framers.

Slaughter House dealt with the 2d clause of the 14th amendment, the "privileges and immunities" clause, which is not affirmatively stated as is the citizenship clause, around which my entire argument revolves.

One last word about the Slaughter House cases before we return to the citizenship clause.

We have discussed the narrow interpretation the Supreme Court gave the "privileges and immunities" clause in those cases. It is interesting to note, however, that about 2 years earlier an entirely different view had been taken by Mr. Justice Woods, who was holding a circuit court in the southern district of Alabama. The decision of this court is striking and takes into full account the objectives of the men who wrote the 14th amendment. What, asks the Justice, are the privileges and immunities of citizens of the United States? He gives this response:

> They are undoubtedly those * * * which belong of right to the citizens of all free States, and which have at all times been enjoyed by the citizens of the several States which compose this Union from the time of their becoming free, independent, and sovereign. (*U.S.* v. *Hall*, 26 Fed. Cases 79, 81, 82.)

Certainly it can be said that from the inception of the Union, citizens have had a right under the common law to partake of the advantages of public accommodations. Slaves, no, but citizens, yes; and by virtue of the 14th amendment the one-time slave became a citizen.

Chief Justice Taney, who was no great champion of human rights, declared that citizens had the right "to go where they pleased at every hour of the day or night."

As American citizens, all of us have the free and absolute right to move about freely in this great country of ours. No State or individual can interfere with this right without becoming subject to possible Federal sanctions. This right, flowing from the very nature of our national existence, has received the protection of our Federal courts.

As early as 1868 the Supreme Court held that a citizen had a right to pass freely through each of the several States. (*Crandall* v. *Nevada*, 6 Wallace 351, 1868.)

It ought to be remembered that the Crandall case arose before the adoption of the 14th amendment. Subsequent to the 14th amendment, the Supreme Court in *Edwards* v. *California* (314 U.S. 160, 1941) reaffirmed this right to pass freely from State to State.

Mr. Justice Jackson, in a concurring opinion in that case, expressed the same view which I hold with respect to the administration's civil rights bill.

After other members of the Court had sought to protect Edwards' rights within the scope of the commerce clause, Justice Jackson noted that "to hold that the measure of his rights is the commerce clause is likely to result eventually either in distorting the commercial law or in denaturing human rights."

He then stated that it was a privilege of citizenship of the United States to enter any State of the Union, either for temporary sojourn or for the establishment of permanent residence therein and for gaining resultant citizenship thereof.

In the words of Justice Jackson:

> If national citizenship means less than this it means nothing. (See also *Twining* v. *N.J.*, 211 U.S. 78 at 97.)

Taney, who spoke for the majority of the Court in the Dred Scott decision, had in earlier cases—Passenger Cases, 7 Howard 283, 292—said:

> We are all citizens of the United States; and as members of the same community, must have the right to pass and repass through every part of it without interruption, as freely as in our own States.

And from the language of Chief Justice Fuller in *Williams* v. *Fears,* 179 U.S. 270, 274:

> Undoubtedly the right of locomotion, the right to remove from one place to another according to inclination, is an attribute of personal liberty, and the right, ordinarily of free transit from or through the territory of any State, is a right secured by the 14th amendment and other provisions of the Constitution.

Therefore, clearly, the right I seek to protect is a right of longstanding judicial recognition.

The declaration of citizenship in the 14th amendment had a collateral effect on rights of persons arising out of residence in a State. Prior to the 14th amendment, a citizen of one State going into another State was to enjoy all the privileges and immunities of the citizens of the host State by virtue of article IV, section 2 of the Constitution.

But the Dred Scott decision denied that a Negro had such citizenship as would entitle him to all the privileges and immunities of the host State. So article IV, section 2, came to mean that every white citizen of one State shall have all the privileges and immunities of the white citizens of the several States. But, the 14th amendment abolished this distinction and now any citizen of any State shall be accorded the privileges and immunities of the citizens, be they black or white, of the several States.

Since our Constitution does not recognize such concepts as black citizen and white citizen, a Negro traveling from State to State shall have the right to the full and equal enjoyment of all the privileges extended to any citizen of the host State.

We have seen that the right to use inns and other places of public accommodation was a fundamental common law right. We now come to the question of how that right is related to other rights.

Clearly, the liberty to move about in this grand Nation of ours could not be exercised were it not for the availability of food and lodging at the convenience of the traveler. Where persons are denied food and lodging because of their race an arbitrary and irrational barrier is thrown across the road of travel, and these persons are effectively deterred from exercising this basic liberty. The incidental side effects to such deterrence are varied and of national concern.

The mobility of labor is impaired and unemployment in single areas grows inordinately high.

Education and the quest of knowledge are impaired because all our citizens cannot see our great country; they are not permitted to sow the varied seeds of our national character; nor are they able to reap the vast rewards of our geographical treasury.

Interstate commerce is burdened. But, all these harms are only incidental to the fact that an essential national right of one of our citizens is denied him solely because of his race.

Public accommodations are privileges extended, generally, to all citizens of the several States. History has considered as an essential privilege of any citizen the equal privilege of trade and commerce. The common law recognized this fact and offered enforcement machinery.

With the advent of slavery, some of our States saw fit to negate the common law. I have no doubt that but for slavery the law of most, if not all, of our several States would support this privilege today. In some 32 States the law does support that principle. The other States have historical familiarity with the principle and I am sorry they have chosen not to follow its dictates.

Congress has the power to protect a federally created right from all adverse forces. That Congress has this power was implied in *Collins* v. *Hardyman,* 341 U.S. 651, and sustained in *Reese's* case, 92 U.S. 214, at 217:

> Rights and immunities created by, or dependent upon the Constitution of the United States can be protected by Congress. The form and the manner of protection may be such as Congress in the legitimate exercise of its legislative discretion shall provide. These may be varied to meet the necessities of the particular right to be protected.

The fact that much of the 14th amendment speaks in terms of prohibitions upon the States does not negate all possible exercise of Federal legislative power against individual impairment of Federal rights. Federal power over State activities must be expressly given by the Constitution because of the nature of our Federal system. But the very nature of government itself permits the sovereign to protect against all comers the rights that naturally flow from the sovereign's existence. Congress may direct prohibitions against the impairment of certain civil rights by individuals. This does not preclude the State from enacting the same prohibitions. Congress is not now seeking to solely occupy the field of civil rights or trample upon State powers. It is only seeking to redress the infringement of the rights of national citizens in those instances where the States have failed to provide such protection in the 100 years allowed them.

As Justice Wood stated in the Hall case, the 14th amendment is broad enough to protect those privileges that "were at all times enjoyed by the citizens of the several States from the time of their becoming free, independent and sovereign" until the time of the adoption of the 14th amendment. Among these rights were the right to obtain food and lodging in a public establishment and the right to travel and enjoy all privileges of trade and commerce.

That the objectives of my bill are legitimate and soundly based on the constitutional powers of Congress itself is self-evident. With 13th and 14th amendment protections joined together—equal access to all the public accommodations enumerated in the bill becomes a valid legislative objective and Federal enforcement of this goal is clearly necessary and proper.

I hold, and it has long been held, that positive rights and privileges were intended to be secured and were in fact secured by the 14th amendment—*Strauder* v. *West Virginia,* 100 U.S. 303 and Ex Parte Virginia 100 U.S. 339. See also *Brewer* v. *Hoxie School District No. 46,* 238 Fed. 2nd 91. This stands for the proposition that the 14th amendment can be the basis of an action for an injunction against the actions of individuals when such individuals attempt to interfere with rights and duties prescribed by the 14th amendment.

The argument that the amendment contains only prohibitions upon the States entirely overlooks the language of the first clause of the first section which declares:

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

Through this clearly affirmative provision, Congress, by virtue of section 5 of the 14th amendment, may pass legislation of a direct and primary nature to protect and enforce that status of citizenship and all its attendant rights.

Senator Howard, the author of the citizenship clause of the 14th amendment, saw its purposes to be large and magnificent. He described the crowning glory of the 14th amendment in these words:

> We desired to put this question of citizenship and the rights of citizens and freedmen * * * beyond the * * * power of gentlemen * * * who would pull the whole system up by the roots and destroy it, and expose the freedmen again to the oppressions of their old masters. (Congressional Globe, 1st sess., 39th Cong. p. 2896.)

APPENDIX—ENACTMENTS PURSUANT TO THE 14TH AMENDMENT BY CONGRESSES CONSTITUTED BY MANY OF THE FRAMERS OF THAT AMENDMENT

Within the historical context of the post-Civil War period, the 14th amendment might be viewed as a device to perfect and clarify the constitutional demands of the 13th amendment.

As I have previously pointed out, the 13th amendment was intended to have a much broader impact than the abolition of institutionalized slavery—the economic system. Not only was this purpose clearly stated in the language of the amendment itself, but legislation passed pursuant to the amendment was sweeping in scope.

On March 13, 1866, Congress passed a bill known as the Civil Rights or Enforcement Act. Entitled "An act to protect all persons in the United States in their civil rights, and furnish the means of their vindication"—14 Stat. 39 (1866)—it was aimed at outlawing the "black codes." All persons born in the United States were declared citizens thereof. The bill further sought to provide equality among the races as to their rights to make and enforce contracts, to sue, be parties, give evidence and inherit, purchase, lease, sell, hold and convey real and personal property and "to full and equal benefit of all laws and proceedings for the security of person and property." In several of its provisions, the bill was remarkably parallel to the 14th amendment, but it predated that amendment.

When the bill was presented to President Johnson for his signature, he returned it, vetoed. He objected to the bill on the several grounds that:

First, the Negroes were too newly freed to possess the requisite qualifications to entitle them to all the privileges and immunities of citizens of the United States.

Second, the civil rights enumerated in the bill were already secured to all aliens, and it might be assumed that they were already secured to the Negro as well.

Third, if the principle of the bill were admitted, Congress could legislate against racial discrimination with regard to voting, officeholding, jury service, and the like.

Fourth, former Federal-State power relationships would be unduly uprooted.

Congress completely rebuffed Johnson's objections. The Senate repassed the bill by a vote of 33 to 15; the House of Representatives repassed it by a vote of 122 to 44 and the bill became law on April 9, 1866.

However, Congress, to eliminate reasonable doubt as to the constitutional basis for this bill, undertook within 2 months to frame the 14th amendment—Konvitz and Leskes, "A Century of Civil Rights," page 51. The 14th amendment passed the Senate on June 8, 1866, the House of Representatives on June 13, 1866 and ratification was completed on July 9, 1868. Upon ratification the Civil Rights Act of 1866 was reenacted. The adoption of the 14th amendment and the reenactment of the Civil Rights Act of 1866 do not demonstrate the inadequacy of the 13th amendment for the purposes sought of it by Congress. Rather, these events demonstrate that the 13th and 14th amendments read together empower the Congress to carry out the many aims and purposes expressed during the formulation of these amendments.

Thus, the adoption of the 14th amendment did more than provide a constitutional basis for one civil rights act. It was adopted to obviate objection to legislation of a similar character, extending the protection of the National Government over the common rights of all citizens of the United States. Accordingly, after its ratification Congress reenacted the act, under the belief that, whatever doubts may have previously existed of its validity, they were removed by the amendment—Mr. Justice Fields, *Slaughter House* case (16 Well. 96, 97).

A brief survey of contemporaneous post-14th amendment civil rights acts will further indicate the congressionally intended scope of that amendment.

The second Civil Rights or Enforcement Act was passed by Congress on May 31, 1870. It was later amended by the act of February 28, 1871. Both acts were designed to implement the 14th and 15th amendments by providing Federal machinery to supervise elections in the States. Stiff penalties were provided for interference with the exercise of the franchise based on race or color.

An act of April 20, 1871, the Ku Klux Klan Act, penalized action, under color of law, which deprived persons of their rights under the laws or Constitution of the United States. The bill levied penalties for conspiracy to overthrow the Government of the United States or to prevent the execution of its laws, and authorized the President to use military force to suppress unlawful action when States were unable or unwilling to prevent interferences with citizens' rights or the obstruction of the Federal Government processes.

The Civil Rights Act of March 1, 1875, was designed to guarantee the Negroes equal accommodations with white citizens in all inns, public conveyances, theaters, and other places of amusement. Refusal by private persons to provide such accommodations was declared to be a misdemeanor, and injured parties were given the right to sue for damages.

Two other acts, the Slave Kidnaping Act of May 21, 1866, and the Peonage Abolition Act of March 2, 1867, made criminal kidnaping any person with the intention of placing him in slavery or otherwise reducing a person to a condition of involuntary servitude.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, September 18, 1963, he presented to the President of the United States the enrolled bill (S. 1952) to extend and broaden the authority to insure mortgages under sections 809 and 810 of the National Housing Act.

ADJOURNMENT TO TOMORROW AT 10 A.M.

Mr. PROUTY. Mr. President, in accordance with the previous order, I move that the Senate adjourn until tomorrow, at 10 a.m.

The motion was agreed to; and (at 8 o'clock and 48 minutes p.m.) the Senate adjourned, in executive session, under the previous order, until tomorrow, Thursday, September 19, 1963, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate September 18, 1963:

MISSISSIPPI RIVER COMMISSION

Brig. Gen. Walter P. Leber, U.S. Army, to be a member of the Mississippi River Commission, under the provisions of section 2 of an act of Congress, approved June 28, 1879 (21 Stat. 37) (33 U.S.C. 642), vice Brig. Gen. Robert F. Seedlock, reassigned.

IN THE NAVY

Having designed, under the provisions of title 10, United States Code, section 5231, Rear Adm. Charles E. Weakley, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

EXTENSIONS OF REMARKS

Foolishness of Area Redevelopment Administration

EXTENSION OF REMARKS

OF

HON. WILLIAM T. CAHILL

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 18, 1963

Mr. CAHILL. Mr. Speaker, I was surprised to read an announcement that the Area Redevelopment Administration had approved a $2,275,000 industrial loan to aid in the construction of a 320-room tourist motor hotel in Carolina, P.R.

I understand that this loan was made to the Howard Johnson Motor Lodges, Inc., which, to my knowledge, is building motels all over the country presumably through private financing.

Having visited Puerto Rico, I find it extremely difficult to classify it as a depressed area. Certainly there are sections of Puerto Rico which are depressed but there is a larger part that is the recipient of millions of dollars of investment in high-rise hotel apartments and gambling casinos.

This is another illustration of the foolishness of ARA. I find it hard to understand why the Area Redevelopment Administration would authorize this loan in view of the findings and admonitions of the House and Senate committees having jurisdiction over this bill. Why new hotels would be considered eligible in view of recent pronouncements by the committees is beyond me.

I flew over Puerto Rico and I saw a great many opportunities for aiding the average Puerto Rican. If any money is to be spent on that island, it certainly should not be spent for the construction of new luxury motels and hotels, since my information convinces me that the banks are more than pleased to advance, particularly to an institution with the financial stability of Howard Johnson, adequate funds for these projects.

The district that I represent, the First Congressional District of New Jersey, has a higher unemployment rate today than it has had in decades and yet it does not qualify for aid under ARA.

It would be interesting to hear an explanation on the Federal aid to Howard Johnson.

How To Succeed in Defense Business by Trying

EXTENSION OF REMARKS

OF

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 18, 1963

Mr. HANNA. Mr. Speaker, in all of the open and part of the somewhat subrosa discussions of distribution of defense contracts there rides a theme that there is present in the pattern of contract awards an unfair preference for certain areas of our country. I would like to ask the House to examine for a few moments the central core of the situation which dictates the wisdom of our present distribution of defense work.

The technology of weaponry is and has recently been moving at a pace that has brought the laboratory into the shop. Conception of ideas for weapon systems are the basis of bids not defined and detailed plans and specifications. Such circumstances call for a high sophistication in research capability coupled with an experienced and updated technical know-how in the shops. Under these conditions a linkage with institutions of higher learning, where the skills of engineering, electronics, physics computers, and the like are on the knife edge frontier of experimentation and development, is required. In the United States, because of the interest, investment, and vision of the people of the area certain centers of leadership in these skills so desperately needed existed and flourished. They had, further, an already healthy and working rapport between the institutions of higher learning and the industrial activities busily engaged in the development of the art in their particular field. These centers were and are Boston, Mass., home for Harvard, MIT, and an array of other fine institutions of higher education; San Francisco Bay area, with the University of California, Stanford University, and several lesser sized but excellent colleges; Los Angeles, home of UCLA, USC, and California Institution of Technology again with a second echelon of other colleges and universities including the State colleges supplementing the efforts of the dominant institutions. Around these great centers of learning which had emphasized those fields so intricately involved in the new technology, that is, physics, chemistry, engineering, and related fields came to be located the research and development laboratories of great foundations and of leading industries.

The accommodation of the one to the other is mutual and to be expected. Then, when the fast-moving breakthrough into thermonuclear power and the emerging space age required the close linkage between research and production, it followed as the day the night that these centers came to be the shop locations of the leading industries wishing to follow up their development with production.

If there is a section or center in this country which seeks to improve its competitive position in the race for excellence and the pressure for superiority, here is the obvious pattern. Invest your people's money, time, and energies in establishing outstanding centers of higher learning. It is an investment which will yield high returns. There will be an undesirable but inescapable time lag for such centers are not created overnight. Such centers are the result of achievements of faculties and graduates; the result of continued support in dollars and concern on the part of governments of the State and local levels; the result of cultivation and maintenance of demand for quality and willingness to pay for it; the result of encouragement and support from local business and industry. It would seem obvious that such a pattern of the past placed those areas now enjoying healthy relations with the present defense effort in whatever privileged position they currently enjoy.

One other matter needs to be stressed. The demands made on industrial firms placed in the complex referred to above have not all been pleasant. A leading executive of one of the larger plants puts it this way:

> Our experience of instant expansion to fill the requirements of our contracts gave us no end of trouble. It early became clear that a business could choke to death trying to ingest a flood of new work just as readily as a business could starve to death failing to get enough business—and you would be just as dead. Our approach has been to look for businesses throughout the country that, on a joint effort, could help us handle the demands of the crash program in space.

What that executive was saying is dramatically demonstrated in a recent Wall Street Journal story about a $934.4 million award from NASA to North American. Although the prime work will be done out of the contractor's offices in Downey, Calif., and Fullerton, Calif., take note of this following quote from the article:

> It is believed that about 50 percent of the work will be performed by subcontractors and suppliers. North American has already negotiated $127 million of Apollo business with about 1,200 companies.

Obviously, then, the second less costly and more immediate way to succeed in defense business by simply trying is to find out what the problems of the prime contractor are and show him the best way to solve them. Hundreds of subcontractors all over the United States are doing just this. There has come, through such efforts, a quicker, a better solution to the problems and a superior product turned out for our national effort.

For the "Forgotten Men": $35 Billion

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 18, 1963

Mr. TEAGUE of Texas. Mr. Speaker, on August 26, 1963, page A5471, there appeared in the daily CONGRESSIONAL RECORD an extension of remarks by our colleague, the gentleman from Pennsylvania, the Honorable JOHN H. DENT, with which was included an article entitled "The Crisis—The World War I Veteran: His Interest, Welfare, and Pension," by Mr. Julian R. Drake, of Albany, Ga.

Mr. Drake's article was critical of the House Veterans' Affairs Committee because it has not reported H.R. 2332, the billion-dollar pension bill of the World War I veterans' organization and it was Mr. Drake's contention that the World War I veteran has been neglected and mistreated. Nothing could be further from the truth. Included in my remarks is a copy of the letter which I have written to the gentleman from Pennsylvania, the Honorable JOHN H. DENT, and I commend its reading to those of you who are being inundated by letters from the World War I veterans, repeating the fictitious nonsense that World War I veterans have not been dealt with generously by our Government:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON VETERANS' AFFAIRS,
Washington, D.C., September 16, 1963.

Hon. JOHN H. DENT,
Member of Congress,
House of Representatives,
Washington, D.C.

DEAR COLLEAGUE: On Tuesday, August 26, 1963, on page A5471 of the daily CONGRESSIONAL RECORD, you inserted an extension of remarks entitled, "The Crisis." This extension of remarks consisted principally of an article prepared by Julian R. Drake which was entitled, "The Crisis—The World War I Veteran, His Interest, Welfare and Pension."

In his article, Mr. Drake contended that the World War I veteran has been neglected and mistreated. The following statements were employed by Mr. Drake in his contention of mistreatment of the World War I veteran:

"Times are so good, except for the poor neglected World War I veteran who was the root of all such prosperity."

"Yet, why has this World War I veteran been so badly neglected? * * * The present Congress has done almost nothing in the way of getting a pension passed which would give World War I veterans a pension to offset any pauperism or become subjects of charity."

"Why has the Congress appeared so negligent or unconcerned? Why has even the President of the United States appeared so unconcerned?"

"Now the poor forgotten World War I veteran must wake up and fight for existence."

"Thousands of World War I veterans have had to turn to charity because they are unable to make ends meet on their meager incomes."

In your own remarks you said: "All of the major political issues are worthy of consideration and attention but this can be done without closing our eyes, our minds and our hearts—the ever-increasing problem of the World War I veteran who is truly becoming the forgotten soldier rotting away in the thrushes of crowding old age, unemployment, despair and in some cases abject need with all its miseries, worry, and personal degradation of spirit, pride and will."

In your remarks you referred to the author, Julian R. Drake, as your friend and termed his article as a masterful appeal. There is no basis in fact for the contention that the World War I veteran has been neglected or mistreated, and there is even less basis for the argument advanced by Mr. Drake that H.R. 2332 is a bill which is primarily intended to help needy World War I veterans.

To date, this Nation has spent $35,435,835,000 in benefits for World War I veterans. This exceeds $7,400 per man. World War I veterans comprise 15 percent of all participants of all of this Nation's wars. They have received 28 percent of all of this

Nation's expenditures for veterans. This year the Veterans' Administration's budget is almost $5½ billion. World War I veterans constitute 11 percent of the veteran population in America today. They will receive $2 billion, or 40 percent, of the money being spent on veterans this year. Listed below is a detailed compilation of the programs which have been available to World War I veterans and their dependents, and the costs:

Adjusted compensation (bonus)	$3, 875, 674, 000
Death compensation or dependency and indemnity compensation	1, 954, 104, 000
Disability compensation	7, 869, 270, 000
Pensions:	
Veterans	8, 443, 687, 000
Dependents	3, 327, 173, 000
Medical care	5, 841, 474, 000
Insurance	[1] 1, 871, 548, 000
Vocational rehabilitation	644, 865, 000
Burial allowance	240, 918, 000
Housing for disabled	6, 757, 000
Others [2]	1, 360, 365, 000
Total	35, 435, 835, 000

[1] Excludes premium and other collections—$456,595,000. If at any age WWI veteran becomes totally and permanently disabled he may stop paying insurance premiums and start drawing benefits of $5.75 per month for each $1,000 of insurance in force. WWII veterans are entitled only to a waiver of premium for total disability which must begin before age 60.

[2] Includes administrative costs and capital expenditures.

About one-half of all living World War I veterans are now receiving a pension. On June 30, 1963, 1,015,835 World War I veterans were on pension rolls. Seventy-four percent of the Nation's expenditures this year for veterans' pensions are going to World War I veterans and their dependents. Forty-five percent of the patients in the Veterans Administration's billion-dollar hospital and medical program are World War I veterans, even though they comprise only 11 percent of the veteran population. A married World War I veteran, with less than $3,000 a year income and a single World War I veterans with less than $1,800 a year income may now receive pension assistance. World War I veterans in the low income brackets receive from $90 to $100 a month, depending upon the dependency status of the veteran. Those with serious health problems receive an aid and attendance allowance, making the maximum pension payable $170 per month. The contention that World War I veterans have been neglected or mistreated is utterly without foundation.

To understand clearly the nature of the demand of Julian R. Drake and the World War I Veterans' organization for enactment of H.R. 2332, it is necessary that the detailed provisions of the bill be considered. The clamor for the bill is in the name of the sick and needy. Mr. Drake's article is typical. H.R. 2332 actually does nothing for many of the sick and needy veterans and widows. A widow's pension is $75 a month if she has one dependent and an income of less than $1,000 a year. H.R. 2332 gives this widow no increase. A World War I veteran with two dependents and less than $1,000 a year income now receives $100 a month. This veteran gets no increase under H.R. 2332. A veteran so sick and disabled as to require aid and attendance now receives $70 a month in aid and attendance allowance. This veteran gets no increase in his aid and attendance allowance under H.R. 2332.

About two-thirds of the proposed additional expenditure under H.R. 2332 of $1,200 million per year goes to veterans in the top quarter of the age 65 income group, while the remaining one-third goes to provide small increases to some cases in the lower income brackets.

It is ironic, indeed, that the World War I Veterans' organization, and an individual such as Julian R. Drake, should launch a pressure campaign for pensions for the well-to-do, and do so in the guise of help for the needy. An examination of the individual circumstances of the author of the article you inserted in the RECORD clearly shows the nature of the deception which is being heaped upon the Congress. The author of the article served in World War I for nearly 2 years. He is married and is retired. He is currently receiving a non-service-connected pension of $90 a month and has been receiving this pension since February 19, 1962. This pension will continue until he has recouped all of his contribution to social security and the Federal Civil Service retirement system. In addition to the $1,080 per year which he receives from the Veterans' Administration, he receives $199 a month in civil service annuity and $45 a month from social security. He has in excess of $5,000 invested, yielding additional income of approximately $100 a year. Apparently, the author sees no reason to be grateful for the $90 a month he receives from the Veterans' Administration, but feels called upon to criticize the Congress and the administration in general, and the Veterans' Affairs Committee specifically, because he does not receive more.

The author is receiving $90 a month on a non-service-connected pension. A 50-percent disabled, service-connected veteran receives only $107 a month. An orphan child who lost a parent from a service-connected cause receives $77 a month. Two dependent parents living together, who lost a son and have $2,000 a year other income get $44 a month. A totally and permanently, service-connected, disabled veteran receives $250 a month, or $3,000 a year. This is $1,108 per year less than the annual income of the author of this article.

The author of the article's annual income of $4,108 compares with the median income for all families headed by a 65-year-old individual which is only $2,897 per year. One-half of the male population of this country has an income of only $4,081 per year. The author's annual income exceeds this figure even though he is retired.

He and the proponents of H.R. 2332 seek more. This bill raises income limits for most married individuals to $4,800 and for most single individuals to $3,600. In addition to these amounts, veterans would be eligible for $1,200 per year additional in a tax-free pension. Individuals in these income brackets are in the top 10 percent group at age 65. It is apparent, therefore, that neither the author of the article nor the proponents of H.R. 2332 have any real concern for veterans in need because of low income or serious health problems, but are really concerned in obtaining a pension for the upper income groups. Their attempt to obtain such a pension is being made in the name of the poor, sick, needy veterans. I view Mr. Drake's article and your endorsement and insertion of it in the RECORD as part of the campaign.

The Committee on Veterans' Affairs has repeatedly considered these questions and has rejected bonus-type pension bills. The committee is obligated to see that there is an equitable balance between benefits payable to the service connected and the nonservice connected. It feels an obligation to the taxpayer who must bear the burden of payment. And the committee is convinced that first priority non-service-connected payments should go to those badly in need because of serious health problems and low incomes. For this reason, it has been rejecting bills such as H.R. 2332 and other similar attempts to secure pensions for the upper income groups in the guise of helping the needy.

I would be most interested in receiving the names and addresses of any World War I veterans known to you who are not receiving non-service-connected pensions and who are "rotting away in the thrushes of crowding old age, unemployment, despair * * * and abject need."

Sincerely yours,

OLIN E. TEAGUE,
Chairman.

Technion and Israel

EXTENSION OF REMARKS
OF

HON. EMANUEL CELLER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 18, 1963

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased to include an address I made at the dinner sponsored by the New Jersey State chapter of the American Technion Society, in honor of the national president, B. Summer Gruzen, in West Orange, N.J., Thursday evening, September 12, 1963.

The text of my statement follows:

Israel and Technion are indivisible. I do not say that one could not exist without the other, but I would say, without fear of challenge, that neither the State of Israel nor the Technion Institute would be the same. To Israel, Technion spells life and viability. To Technion, Israel—young, lusty but lacking in natural resources, is the spur.

It seems almost unbelievable, does it not, to speak of Technion's beginnings in the time of the Ottoman rule of Palestine. Yet, it was then that a group of German Jews, knowing that very few of the Jewish faith were engaged in any field of technology, hit upon an idea that influenced the very course of history. In 1924 when Technion opened, and by that time the British had assumed the mandate over Palestine, 30 young men entered. With the exodus from Germany, beginning in 1933, thousands of fleeing technologists and scientists sought the opportunities only Technion could give them. When the resources of Technion were stretched to the breaking point, the Government of Israel gave a 300 tract to Technion, and the American Technion Society gave close to $10 million for laboratories, workshops, classrooms, and other facilities for Technion's new campus in Mount Carmel.

Truly it has been said that the engineers of Israel are the builders of Israel. They control the flow of water, oil, gas, chart new industries, modernize existing industries, plan towns, and roads, and reservoirs, and harbors.

Every year, 600 men and women are graduated and, in a sense, their contributions mold the destiny of Israel. They already have reached toward the sun for energy, have found untapped wealth in Israel, have begun the desalinization of water, and harnessed atomic energy for peaceful uses.

The Technion's graduates have gone to the countries of Africa and have helped in their development and have come to the United States, in turn, to receive advanced training. There is no doubt in my mind that were peace to come to the Middle East the engineers, and the chemists, and the architects from Technion would spread learning and light throughout the area and cement, through science, the bonds of friendship. As Gen. Yaacov Dori, President of Technion, has said eloquently: "I hope that one day * * * our neighbors will send us their young men and their teachers, so that together we may pursue knowledge and science in an area of peace and progress."

As the graduates of Technion enter into the stream of life of Israel, they serve not only the people of Israel but the people of the world. For example, when the U.S. Air Force asked Technion to do research a few years ago on the problems of travel at high speeds, the Institute produced a revolutionary new pump known as the centripital pump. When Technion developed a refrigerator which is powered exclusively by the rays of the sun, every country close to the equator knew it must be the beneficiary thereof.

So we are not talking here of parochial achievements, we are talking of man's service to man and the good life that science can bring in its wake to all people.

What Technion is doing is exciting in every sense of the word. It stirs the blood to know that the mind and the heart of men are being put to such uses that even our imaginations, educated as they have been to the miracles of the space age, cannot quite grasp. As the men and women of Technion wrest from the earth, and the air, and the sea the secrets of nature, we, in our own way, must help them as they, in their own way, help us. Only the other day I read somewhere that there had been perfected at the Technion Institute a new technique for aiding the blind. So it is not only a matter of bridges, or pumps, or refrigerators, but it is likewise a matter of the most acutely humane of achievements.

More's the pity then that Israel, ready, willing, and able to serve scientific advance through Technion cannot pursue this course when its immediate range must be first and foremost—peace. Nor, again, is peace in the Middle East parochial. A war in the Middle East is unthinkable for all of the world. Thus the cynical vetoing, by the Soviet Union, of the censure of Syria for the needless slaughter of two Israelis, is a shocking display of immorality. When the United Nations reaches the degree of ethical responsibility to make its decisions on the basis of right and wrong rather than on the basis of the play for political power, then many of the problems which we assume today to be insoluble will be resolved. Another dismal note in the United Nations is the whitewash of the massacre of people in Yemen in the power play between Saudi Arabia and Egypt. What happens in Yemen is of immediate concern not only to the State of Israel but also to the world.

When the debate on the foreign aid bill was on the floor of the House, I felt it imperative to call the attention of the Members on the floor of the House to the following facts; I emphasized the provision of the foreign aid bill which reads as follows:

"(1) No assistance shall be provided under this or any other Act, and no sales shall be made under the Agricultural Trade Development and Assistance Act of 1954, to any country which the President determines is engaging in or preparing for aggressive military efforts directed against—

"(1) the United States,

"(2) any country receiving assistance under this or any other Act, or

"(3) any country to which sales are made under the Agricultural Trade Development and Assistance Act of 1954."

This is not a recommendation we can afford to dismiss. The testimony is clear that a dangerous condition exists in that area which is the bridge of three continents. Egypt presently is violating the substance of the provision referred to.

A billion dollars of foreign aid has gone to Nasser. While our dollars have been poured into the United Arab Republic, the Nasser regime has been receiving arms from the Soviet Union. President Nasser has weapons including supersonic Mig-21's, antiaircraft missiles, and an arsenal of Egyptian-made weapons.

Egypt is making jet aircraft and rockets with the help of foreign experts. Its regular army numbers from 60,000 to 100,000. To say that the world has nothing to fear from Egypt's military buildup plus Nasser's insatiable ambition to rule over all Arab governments is to turn our backs upon reality. Every dollar we send Egypt releases Nasser from the obligation of developing the economy of that country. He would have you believe that the main Arab enemy is Israel. Yes; Egypt has enemies; and these enemies are poverty, disease, illiteracy, and ambitious politicians. Were our dollars used to the productive end of wiping out disease and poverty and illiteracy of Egypt I would be the very last to suggest that any conditions be set upon aid to Egypt.

Tension in the Middle East, whether it springs from Nasser's desire for an Arab empire or from his hostility to Israel, brooks ill for the Western World. It is a completely resonable request that American dollars be used to promote peace. Offer after offer by the Israeli Government to sit down at the peace table with Nasser has been spurned. When Nasser's ambition to overcome other Arab governments fails, he turns his wrath toward Israel. Only recently, when Egyptian troops returned from Yeman, unable to admit to his discomfort, Nasser spoke to these troops, saying:

"Our armed forces are getting ready to wash out the shame of Palestine and face Israel and those who support her * * *. You must prepare to restore to the Palestinian Arabs their usurped rights. We must put aright the humiliation which the Arabs suffered in 1948 * * *. For us in Egypt, disarmament is impossible unless the rights of the Palestinian Arabs are restored."

Mark his language. I quote specifically the words, "and those who support her."

Our billion-dollar aid has not persuaded Egypt to refrain from getting military hardware from the Soviet Union. Our billion dollars have not persuaded Egypt to turn aside from her practice of vilification and hate aimed directly against Israel. Our billion dollars have not persuaded Nasser to turn his attention to the development of Egypt's economy and leave other Arab governments to work out their own destinies. In the words of the committee report:

"Any government which devotes its energies and its resources to the harassment of neighboring countries and to a military buildup directed against them reduces the effectiveness of its efforts to develop its resources and to improve the condition of its people. Funds provided by the U.S. taxpayer should not be used to make up for the money and effort diverted by the beneficiaries of our aid to such military activities. Furthermore, U.S. financial support to a government engaged in such activities must inevitably be regarded by those nations which are subjected to such harassment and military threats as evidence the United States is willing to tolerate, if not endorse, such action."

In the name of peace, these words merit the endorsement of every Member of the House. Peace in the world and the security of the United States are indivisible. The foreign assistance program recognizes this fact, but at no time shall it be said that the United States is for peace at any price. Thus, I am in wholehearted accord with the statement of the policy of the United States committed in the Foreign Assistance Act of 1963:

"To support the principles of increased economic cooperation and trade among countries, freedom of the press, information, and religion, freedom of navigation in international waterways, and recognition of the right of all private persons to travel and pursue their lawful activities without discrimination as to race or religion. The Congress further declares that any distinction made by foreign nations between American citizens because of race, color, or religion in the granting of, or the exercise of, personal or other rights available to American citizens, repugnant to our principles."

I have voted, and shall continue to vote, for foreign aid, because I believe that the reduction of world tension and insecurity is our greatest insurance for peace, but wherever there is the possibility that the purposes of our foreign aid may be perverted, we must demand that reasonable conditions be met.

What I have said on the political situation is not irrelevant to the work of Technion. The men and women of Technion work for survival in their area as we in the political arena work in other directions. I have no doubt that peace will come, and I have no doubt that when it does we will receive the full impact of how much the engineer, the chemist, the technologist has prepared the world to live and work in peace together.

Finally, I would emphasize one point which I think is central to all constructive thinking on the world in which we live today. Any educational institution represents an investment in the future and is therefore an expression of faith in the future. If this is true everywhere, it is particularly true in a small country like Israel which is beset with dangers and is almost surrounded by countries whose leaders continually announce their intention of driving it into the sea. I do not think that this evil intention is feasible. I do not think that the world will ever allow an intention like that to happen. But the basic reason for my conviction that it can never happen is the kind of spirit which exists in the Haifa Technical Institute, which led to its creation some 50 years ago and which has led ever since to its constant expansion and improvement. These are people who are not content to be buffeted by fate. These are people who determine their own future in freedom and who have demonstrated their capacity to do so. These are people who look to the future and live for the future and who are doing their best to teach their children the skills that they will need to create that future and enlarge the horizons of human freedom. People like that are unshakable. They will not be deflected from their course for they possess the greatest resource of strength that can ever belong to man—man's belief in himself and in his right and duty to realize his God-given capacities to the full. This is why I believe that the people of Israel will realize the prophecy which we read in our prayers every Sabbath: "The Lord will give strength to his people; the Lord will bless his people with peace."

SENATE

Thursday, September 19, 1963

The Senate met in executive session at 10 o'clock a.m., and was called to order by the President pro tempore.

Hon. KENNETH B. KEATING, a Senator from the State of New York, offered the following prayer:

Our Heavenly Father, we commend ourselves to Thee. Wilt Thou guide our minds, our hearts, and our lips in everything we do, that we may better serve our country and, above all, serve Thee.

Wilt Thou be with all the Members of the Senate and their families, particularly with those who may now be impaired in health or suffering in some manner unknown to their colleagues.

We thank Thee for the help Thou hast given in the past to our Nation and to those of us who endeavor to serve our Nation in the Halls of Congress.

We ask it in Thy name on this day of dedication. Amen.

Mr. MANSFIELD. Mr. President, I wish to take this means to express to the distinguished Senator from New York [Mr. Keating] my deep appreciation for the prayer he has just offered. It was most moving and touching, and I think it was in the best possible taste. I believe the Senate is indebted to this distinguished Member of the Senate for the prayer he offered in the Senate Chamber this morning.

COMMENTS ON SENATORS' DECISIONS ON THE NUCLEAR TEST BAN TREATY

Mr. MANSFIELD. Mr. President, I have been disturbed by a trend during the course of the debate on the question of Senate approval of the nuclear test ban treaty, as reflected by a tendency on the part of columnists, commentators, cartoonists, and organizations, to question the integrity and motives of Senators in connection with their decisions to vote either for or against Senate approval of the treaty.

In my opinion the treaty has caused a great deal of soul searching by the great majority of Senators. I do not question the motive of any Senator in connection with his consideration of the treaty, because I know each Senator has given the matter deep and thoughtful consideration; and I am sure each Senator is aware of the terrible responsibility which is his as an elected official.

No Senator has been irresponsible. No Senator has sought to delay the Senate's consideration of the treaty. No Senator has advocated anything except what he thought would be in the best interests of the United States.

Therefore, Mr. President, I hope that when this issue is decided, no columnist, commentator, cartoonist, or organization will impugn the patriotism or good faith of any Senator, but that, instead, all will realize that the Senate, in its collective wisdom, will have done its best in facing this knotty and difficult question.

Insofar as patriotism, integrity, and responsibility are concerned, these labels should be applied equally to all Senators—both to Senators who vote in favor of Senate approval of the treaty and to Senators who vote against it.

ORDER FOR ADJOURNMENT TO TOMORROW AT 10 A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it adjourn until 10 o'clock tomorrow morning.

The PRESIDENT pro tempore. Without objection, it is so ordered.

NOMINATION

Mr. MANSFIELD. Mr. President, I ask that the Senate now proceed to consider the nomination on the Executive Calendar.

COMMODITY CREDIT CORPORATION

The legislative clerk read the nomination of George L. Mehren, of California, to be a member of the Board of Directors of the Commodity Credit Corporation.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

Mr. MANSFIELD. Mr. President, for the information of the Senate, let me state that, in the opinion of the leadership, the action just taken does not constitute a break with our statement that no other business would intervene before final action on the treaty was taken. The nomination has the unanimous approval of the committee, and meets with the approval of the leadership.

TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, as in legislative session, there be a morning hour, and that statements in that connection be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 18, 1963, was dispensed with.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Subcommittee on Housing, of the Committee on Banking and Currency, was authorized to meet during the session of the Senate today.

PERSONAL STATEMENT BY SENATOR ROBERTSON

Mr. ROBERTSON. Mr. President, I ask unanimous consent to have printed in the Record at this point as a part of my remarks two items from the news ticker, dealing with my complaint that an Associated Press story last Monday misrepresented the views I expressed in a Senate speech opposing ratification of the limited nuclear test ban treaty.

There being no objection, the items were ordered to be printed in the Record, as follows:

Washington.—Senator A. Willis Robertson, Democrat, of Virginia, complained in the Senate today that an Associated Press story last Monday misrepresented the views he expressed in a Senate speech opposing ratification of the limited nuclear test ban treaty.

Robertson said in the Monday speech:

"Knowing what I do about the military issues involved, I would violate the dictates of my conscience if I voted for the pending treaty."

In the Associated Press story, a sentence intended to quote Robertson as saying it would violate his conscience to support the treaty quoted him inadvertently as saying that he would "violate the dictates of my conscience" to support the pact.

A correction was sent later but the original version of the story was published in some newspapers.

Robertson told the Senate today he had seen the erroneous story in Monday's edition of the Los Angeles Herald-Examiner. He read a telegram he sent to that newspaper asking that it publish a correction "making clear that I oppose the treaty, that I am going to vote against it, and that I said so in my floor speech, Monday, September 16."

Robertson told the Senate the Associated Press is "a fine agency and they did not mean to misrepresent me," but added: "I have received telegrams and letters which expressed the feeling that the writers were shocked that a man would violate his conscience by voting for the treaty."

Senator Hubert H. Humphrey, Democrat, of Minnesota, told Robertson, "I know the distinguished Senator from Virginia is not really worried about this misquotation because there is not a living mortal in Virginia or outside Virginia who would ever believe that the Senator from Virginia would vote against his conscience and what his conscience directs him to do."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPARKMAN, from the Committee on Banking and Currency, without amendment:

H.R. 772. An act to provide for the transfer for urban renewal purposes of land purchased for a low-rent housing project in the city of Detroit, Mich. (Rept. No. 508); and

H.R. 4842. An act to amend the Federal Credit Union Act to extend the time of annual meetings, and for other purposes (Rept. No. 509).

JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS—REPORT OF A COMMITTEE—INDIVIDUAL AND SUPPLEMENTAL VIEWS (S. REPT. NO. 504)

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, with an amendment, the concurrent resolution

(S. Con. Res. 1) to create a joint committee to study the organization and operation of the Congress and recommend improvements therein, and I submit a report thereon, together with the individual views of the Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT], and the supplemental views of the Senator from Pennsylvania [Mr. CLARK]. I ask unanimous consent that the report be printed, including the individual and supplemental views.

The PRESIDING OFFICER (Mr. HART in the chair). The report will be received, and the concurrent resolution will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Arizona.

AUTHORIZATION FOR FORMER PRESIDENTS TO ADDRESS THE SENATE—REPORT OF A COMMITTEE (S. REPT. NO. 505)

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, with amendments, the resolution (S. Res. 78) admitting former Presidents of the United States to a seat in the Senate as Senators at Large with certain privileges, and I submit a report thereon.

The PRESIDING OFFICER. The report will be received and printed, and the resolution will be placed on the calendar.

GERMANENESS OF DEBATE UNDER CERTAIN CONDITIONS—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 507)

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, with amendments, the resolution (S. Res. 89) providing for germaneness of debate under certain conditions, and I submit a report thereon, together with the individual views of the Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT]. I ask unanimous consent that the report be printed, together with the individual views.

The PRESIDING OFFICER. The report will be received and the resolution will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Arizona.

MEETINGS OF COMMITTEES WHILE SENATE IS IN SESSION—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 506)

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, without amendment, the resolution (S. Res. 111) amending rule XXV of the standing rules relative to meetings of committees while the Senate is in session, and I submit a report thereon, together with the individual views of the Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT]. I ask unanimous consent that the report be printed, together with the individual views.

The PRESIDING OFFICER. The report will be received and the resolution will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Arizona.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BIBLE (by request):

S. 2155. A bill to provide for regulation of the professional practice of Certified Public Accountants in the District of Columbia, including the examination, licensure, registration of Certified Public Accountants, and for other purposes; and

S. 2156. A bill to provide that the Commissioners may accept or permit the acceptance of the performance by volunteers of services for and on behalf of the municipal government of the District of Columbia; to the Committee on the District of Columbia.

By Mr. JOHNSTON (by request):

S. 2157. A bill to amend title 13, United States Code, to provide for the payment of local telephone service in private homes;

S. 2158. A bill to clarify the intent of Congress with respect to certain annuity increase legislation; and

S. 2159. A bill to extend life insurance and health benefits coverage to non-U.S. citizen employees, and health benefits coverage to retired non-U.S. citizen employees, whose permanent duty station is or was in the Canal Zone; to the Committee on Post Office and Civil Service.

NUCLEAR TEST BAN TREATY—RESERVATIONS

Mr. TOWER. Mr. President, I submit two reservations to the nuclear test ban treaty and ask that they be printed. I ask that the two reservations be printed at this point in my remarks.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The reservations will be received, printed, and will lie on the table; and, without objection, the reservations will be printed in the RECORD.

The reservations are as follows:

Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation, which is hereby made a part and condition of the resolution of ratification, that the instrument of ratification of the treaty by the United States shall not be deposited as provided by paragraph 3 of article III thereof until the President shall have determined and certified to the Senate that all assessments for the financing of peace and security operations of the United Nations, heretofore made by the United Nations upon the Union of Soviet Socialist Republics, have been fully paid".

Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation, which is hereby made a part and condition of the resolution of ratification, that the instrument of ratification of the treaty by the United States shall not be deposited as provided by paragraph 3 of article III thereof until such treaty has been revised by the original parties so as to provide for a system of on-site inspections adequate to detect any violation thereof, and advice and consent to the ratification of the treaty as so revised has been given by the Senate".

Mr. TOWER. Mr. President, first, I have offered a reservation providing that the U.S. instrument of ratification of this treaty not be deposited until the President has determined and certified to the Senate that all assessments for the financing of peace and security operations of the United Nations made by the U.N. upon the Soviet Union have been fully paid by the Soviet Union.

I note that in the preamble of this treaty which the Soviet Union signed there is mention of actions to be taken—and here I quote the language of the treaty—"in accordance with the objectives of the United Nations".

I submit then, that if we are to believe that the Soviet Union is at long last to adhere to the objectives of the United Nations, it is not unreasonable to ask that the Soviet Union demonstrate her good faith by paying up the $52,622,137 arrearage she has amassed.

For 18 years the Soviet Union has done its utmost to sabotage the United Nations—through 101 security council vetoes, by refusing payment of dues for peace operations, by the troika plan for three Secretaries General, and by propaganda abuse. And yet, after the Cuban missile crisis Premier Khrushchev said—and I quote—that he "passionately wished the U.N. to develop as an instrument of strengthening peace and of organizing cooperation between states."

I suggest then that this Senate give the Premier his opportunity of achieving his "passionate" desire. If this is to be a peacemaking treaty and a cooperation treaty, we need some assurance that the Soviets really mean it this time.

The Soviet Union owes the United Nations Emergency Force a total of $15,638,166. She owes the United Nations Operation in the Congo a total of $36,984,971. These are legal obligations of the United Nations according to a ruling of the International Court of Justice. If legal obligations are not paid, the U.N. will eventually flounder in bankruptcy.

Before we accept a Soviet pledge in a treaty which quotes the objectives of the United Nations, we must have some demonstration that the Soviets will support the U.N. and its objectives.

Mr. President, I ask that a table listing Soviet arrearages be printed at this point in my remarks, and that at the conclusion of my remarks there be inserted explanations of the U.N. fiscal crisis from three sources: First, U.S. News & World Report; second, the Senate Republican policy committee; and third, a speech by Richard N. Gardner, Deputy Assistant Secretary of State for International Organization Affairs.

The PRESIDING OFFICER. Without objection, it is so ordered.

The following table lists the assessments and arrears of the Soviet Union with regard to UNEF and ONUC as of July 31, 1963:

United Nations Emergency Force (UNEF)

[In U.S. dollars]

	Assessment	Arrears
1957	2,050,676	2,050,676
1958	3,405,000	3,405,000
1959	2,070,921	2,063,805
1960	2,721,032	2,706,146
1961	2,562,085	2,548,457
1962 (Jan. 1 to June 30, 1962)	1,459,575	1,444,204
1963 (July 1 to Dec. 31, 1963)	1,419,878	1,419,878
Total due (as of July 31, 1963)		15,638,166

United Nations Operation in the Congo (ONUC)

[In U.S. dollars]

	Assessment	Arrears
July 14 to Dec. 31, 1960	6,596,425	6,596,425
Jan. 1 to Oct. 31, 1961	13,491,828	13,491,828
Nov. 1, 1961, to June 30, 1962	11,976,000	11,964,504
July 1 to Dec. 31, 1963	4,932,209	4,932,209
Total due (as of July 31, 1963)		36,984,971

Notes on table:

The assessments for each year through 1962 are taken from "Information on the Operations and Financing of the United Nations," joint committee print of Senate Committee on Foreign Relations and House Committee on Foreign Affairs, 87th Congress, 2d session, and supplement to joint committee print.

The cost of both the UNEF and ONUC operation was financed from July 1962 through June 1963 by the U.N. bond issue.

The assessments for 1963 are from U.N. Doct. ST/ADM/SER.B/174.

The arrears as at July 31, 1963, are from U.N. Doct. ST/ADM/SER.B/176.

Note that for certain years Soviet arrears are less than the assessment. This does not indicate that the Soviet Union has paid a portion of its assessment but rather comprises credits from the U.N. tax equalization fund.

(For explanations, see exhibit 1.)

Mr. TOWER. Mr. President, I now turn to my second reservation.

It provides that the U.S. instrument of ratification of this treaty not be deposited until the original parties to the treaty have revised the treaty so as to provide for a system of on-site inspections adequate to detect any violation of the treaty. The reservation provides also that the Senate shall advise and consent to the required revision of the treaty.

I believe that any party which intends in good faith to observe the treaty will accept on-site inspection to prove its good faith. If this treaty is desired in good faith, then every party to it should demonstrate that good faith. Only on-site inspection can assure this treaty's effectiveness. Since the hopes of the world already have been pinned on the treaty, it is but little to ask that it be made positively effective.

Mr. President, I ask unanimous consent to have printed at this point in my remarks a report which outlines past U.S. insistence upon on-site inspection, which insistence rightly developed into a major tenet of U.S. policy for peace.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

INSPECTION FOR DISARMAMENT

Throughout the postwar years it has been a major tenet of U.S. disarmament policy that this country would enter a disarmament agreement only if it provided for methods to verify that the agreement was being observed by all parties. The history of prewar disarmament experience was interpreted to show the need for inspection to accompany disarmament. President Eisenhower said at Geneva in 1955:

"No sound and reliable agreement can be made unless it is completely covered by an inspection and reporting system adequate to support every portion of the agreement.

"The lessons of history teach us that disarmament agreements without adequate reciprocal inspection increase the dangers of war and do not brighten the prospects of peace."[1]

Harold Stassen, then the Special Assistant to the President for Disarmament, stated the following year:

"History shows that any time you make an agreement that you cannot inspect, the agreement itself becomes a source of doubts and rumors, suspicions, charges, countercharges, and actually increases the dangers of war, instead of improving the prospect of peace."[2]

A decade before this, however, in 1946 the first postwar U.S. proposal on the international control of atomic energy had already contained inspection as a key element. Bernard Baruch, in presenting the proposal to the United Nations Atomic Energy Commission on June 14, 1946, included inspection and freedom of access for control purposes among the fundamental features of a plan to control nuclear energy. He said:

"Adequate ingress and egress for all qualified representatives of the Authority must be assured."[3]

Similarly, early U.S. proposals on conventional armaments and armed forces gave heavy weight to inspection provisions. A paper on U.S. views submitted to the United Nations on May 18, 1958, stated:

"The reporting, inspection, and verification of the elements of the military and paramilitary establishments of the signatory nations is considered the most important safeguard for the regulation and reduction of conventional armaments and armed forces."[4]

In an address to the United Nations General Assembly on October 24, 1950, President Truman included as one of the three basic principles for any successful disarmament plan:

"Third, the plan must be foolproof. Paper promises are not enough. Disarmament must be based on safeguards which will insure the compliance of all nations. The safeguards must be adequate to give immediate warning of any threatened violation. Disarmament must be policed continuously and thoroughly. It must be founded upon free and open interchange of information across national borders."[5]

Inspection continued to be included in the principles which the United States maintained were essential in a disarmament program. On April 24, 1952, the United States proposed as essential principles for a disarmament program that international agreements on the subject "must provide an effective system of progressive and continuing disclosures and verification of all armed forces and armaments, including atomic, to achieve the open world in which alone there can be effective disarmament."[6]

As early as 1952 the importance of "on-the-spot" inspection (which later in the test ban negotiations was known as on-site inspection) was spelled out. A U.S. working paper submitted to the United Nations Disarmament Commission on April 5, 1952, stated:

"The system of disclosure and verification is an integral part of the system of safeguards which must be established to ensure observance of the over-all program of regulation, limitation and balanced reduction of armed forces and armaments, so as to provide for the prompt detection of violations while at the same time causing the minimum degree of interference in the internal life of each country. It will not be adequate to provide merely for the verification of disclosed information. In addition, provision must be made for determining the adequacy of the disclosed information, through broad general powers of "on-the-spot" inspection, through access to statistical data permitting independent confirmation of required reports and through aerial surveys."[7]

The importance of having any disarmament agreement accompanied by adequate inspection was reiterated by governmental officials on countless occasions. For example, speaking to the First Committee of the General Assembly on January 14, 1957, U.S. representative, Henry Cabot Lodge, stated:

"Deeply as we are convinced of the desirability of a reliable agreement and of the dangers in the absence of agreement, we have nonetheless concluded that a bad agreement is worse for the cause of peace than no agreement. An uninspected agreement, or an inadequately controlled agreement, or a one-sided agreement would be a bad agreement. It would not serve the objective of peace."[8]

President Kennedy in an address to the General Assembly on September 25, 1961, described the U.S. disarmament proposal as one which "would assure that indispensable condition of disarmament—true inspection—and apply it in stages proportionate to the stage of disarmament."[9]

The statement of principles agreed to by the United States and the Soviet Union on September 20, 1961, included as one principle the necessity of inspection including unrestricted access as necessary for the inspectors. It stated:

"All disarmament measures should be implemented from beginning to end under such strict and effective international control as would provide firm assurance that all parties are honoring their obligations. During and after the implementation of general and complete disarmament, the most thorough control should be exercised, the nature and extent of such control depending on the requirements for verification of the disarmament measures being carried out in each stage. To implement control over and inspection of disarmament, an International Disarmament Organization including all parties to the agreement should be created within the framework of the United Nations.

"This International Disarmament Organization and its inspectors should be assured unrestricted access without veto to all places as necessary for the purpose of effective verification."[10]

In an exchange of letters accompanying this statement of principles Presidential Adviser McCloy expressed the U.S. position that adequate inspection must consist of inspection of armaments retained under a disarmament agreement as well as the armaments reduced. He said it was "implicit in the entire joint statement of agreed principles that whenever an agreement stipulates that at a certain point certain levels of forces and armaments may be retained, the certification machinery must have all the rights and powers necessary to insure that those levels are not exceeded."[11]

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[1] Statement by President Eisenhower at the Geneva Conference of Heads of Government, July 21, 1955. Department of State. Documents on Disarmament, 1945–59, vol. 1, pp. 484–487.

[2] Hearing before a subcommittee of the Committee on Foreign Relations, Jan. 25, 1956, pp. 20–21.

[3] Statement of June 14, 1946. Documents on Disarmament, op. cit., p. 15.

[4] Senate Committee on Foreign Relations, Subcommittee on Disarmament, Disarmament and Security, a collection of documents, 1919–55, p. 282.

[5] Documents on Disarmament, op. cit., p. 258.

[6] Collection of docummments, op. cit., p. 86.

[7] Documents on disarmament, op. cit., p. 350.

[8] Documents on disarmament, op. cit., p. 735.

[9] Documents on disarmament, p. 469.

[10] Documents on disarmament, 1961, p. 441.

INSPECTION OF A NUCLEAR TEST BAN

The importance of adequate inspection has also been consistently stressed by the United States in the negotiations for a nuclear weapons test ban. After the Geneva Conference of experts reached a conclusion in August 1958 that it was technically feasible to establish a control system to detect violations of a test suspension, President Eisenhower proposed negotiations for an agreement to end tests and establish the suggested control system. He said:

"Progress in the field of disarmament agreements depends upon the ability to establish effective international controls and the willingness of the countries concerned to accept those controls."[12]

The plan for an inspection system submitted by the United States on December 16, 1958, provided for onsite inspections to be initiated automatically, whenever detection techniques determined the location of an event which could not be identified as a natural event and could be suspected of being a nuclear explosion. In the case of seismic events, all those above 5 kilotons were to be inspected and 20 percent of those under 5 kilotons. The United States rejected Soviet proposals on the grounds that they did not contain adequate safeguards.

On April 13, 1959, President Eisenhower did suggest as an alternative to a comprehensive test ban which would require procedures for onsite inspection a ban which would not include tests underground or above 50 kilometers in altitude. He said:

"A simplified control system for atmospheric tests up to 50 kilometers could be readily derived from the Geneva experts' report, and would not require the automatic onsite inspection which has created the major stumbling block in the negotiations so far."[13]

After long negotiations inspection still remained the principal issue separating the Soviet and Western positions. On April 28, 1961, the date of the 300th meeting of the Geneva Conference on the Discontinuance of Nuclear Weapon Tests, Ambassador Arthur Dean, the chief U.S. negotiator, stated:

"The problems of the second category, where the U.S.S.R. is demanding new Western concessions, go to the very heart of control effectiveness. The Soviet Union wants only a token number of annual onsite inspections, namely, three on each original party's territory. The United States and the United Kingdom, basing themselves on the agreed scientific studies, want a realistic number which will actually tend to deter potential violators, namely, 20 on each original party's territory.

"Again, on criteria, the U.S.S.R. insists on a formula which would make it questionable whether even one event per year would be certified as eligible for inspection. This has no appeal to the West, which wants scientifically reasonable criteria.

"The Soviet delegation refused to consider any more than 15 control posts on Soviet territory, even though we have already moved to meet its demand, coming down from 21 to 19 and have proved, by the Soviet delegation's own arithmetic that the number cannot be reasonably fewer than 16 in Soviet Asia, 2 in Europe and 1 on a Soviet island."[14]

A United States note to the Soviet Union on June 17, 1961 complained:

"The Soviet proposals would prevent achievement of the objective of effective control. They would amount to adoption of the principle of self-inspection and would permit any country, if it wished, to evade the agreement with impunity. * * * The United States believes that a treaty prohibiting nuclear weapons tests, like other agreements in the field of disarmament, must contain effective provisions for control."[15]

On November 1, 1961, Ambassador Dean in the First Committee of the General Assembly explained why the United States believed an international control system to accompany a test ban was needed. He said:

"Even without a complete international treaty control system, it is possible at present to identify a great number of atmospheric tests of higher yields with fairly good reliability.

"But when tests occur on the fringes of outer space and of smaller yields in the atmosphere these tests present much more difficult problems. For accurate detections of these tests, an international treaty system of reporting stations is essential.

"In comparative terms also, tests in the ocean are much more difficult to detect; but the difficult hydro-acoustical problems could be solved by an effective treaty organization.

"For all these reasons, it is apparent that an international treaty control system is absolutely necessary in order to have any real assurance that the obligations undertaken not to test nuclear weapons are in fact being fulfilled."[16]

At a press conference on February 8, 1962, President Kennedy said:

"But at the same time, and with equal energy, we shall go on seeking a path toward a genuine and controlled disarmament.

"What this means for atmospheric testing is methods of inspection and control which could protect us against a repetition of prolonged secret preparations for a sudden series of major tests. If and when effective agreements can be reached, no nation will be more ready than ours to see all testing brought under control and nuclear weapons as well. The fact that we must prudently meet our defense needs in the meantime is only one more reason for working toward disarmament."[17]

Secretary of State Rusk on March 23, 1962, told the newly convened 18 Nation Disarmament Conference in Geneva:

"We will not again make our security subject to an unenforceable and uncontrolled moratorium, whether this be in the form of a verbal pledge or a pseudo-treaty such as the U.S.S.R. proposed on November 28, 1961."

"Although American scientists have for the past several years been actively seeking new methods of detection and, even more, of identification of possible nuclear explosions, and although there are some promising avenues of investigation which may be proven in the next few years, the fact is that very little has been discovered up to date to justify any significant modification of the conclusions and recommendations of the Geneva scientists of 1958.

"A test ban, or any disarmament measure, will be acceptable to us only when it is accompanied by adequate measures of verification.

"The United States will consider any proposal which offers effective international verification but the United States cannot settle for anything less."[18]

In a letter of December 28, 1962, President Kennedy replied to Premier Khrushchev's letter indicating that the Soviets would be willing to accept two or three inspections per year:

"I am encouraged that you are prepared to accept the principle of on-site inspections. These seem to me to be essential not just because of the concern of our Congress but because they seem to us to go to the heart of a reliable agreement ending nuclear testing.[19]

EXHIBIT 1

[From the U.S. News & World Report, June 10, 1963]

IS THE U.N. ON THE VERGE OF A CRACKUP?

UNITED NATIONS, N.Y.—By all standards normal to business and government, the United Nations is going broke, on the verge of a crackup.

The world organization today is more than $100 million in the red. By the end of the present year the deficit may be up to $140 million. If funds are not found, it is said, the peace-keeping organization is likely to turn into a debating society.

All of this has been brought about mainly by the Soviet Union and its satellites. The Communists, including Castro's Cuba, refuse to pay bills for any U.N. activities not favored by them. The amount they owe the U.N. so far exceeds $62 million. France, Nationalist China and Belgium also are in arrears on U.N. payments.

UNITED STATES TO THE RESCUE?

The result is that the U.N., once again, must be bailed out—probably by the United States.

There is concern, but little real alarm here at U.N. headquarters. Top officials believe a way will be found for the U.N. to maintain its police functions in the Gaza strip between Egypt and Israel in the Mideast, and in the Congo in Africa.

In addition, the U.N. is sending a peacekeeping mission of 200 observers to Yemen. Cost of this force, however, is to be borne largely by Egypt and Saudi Arabia.

Communist attack on the U.N. this time is aimed at these peace-keeping forces. It is largely the bills for these forces that Russia and its East European satellites, plus Cuba, refuse to pay. A senior U.N. official explained the Russian tactics.

"In trying to bend the U.N. to their own needs and desires, the Russians have found that the boycott is dangerous. They tried that at the time of Korea. It was the Russian absence which enabled the U.N. to approve military action in Korea.

"Just last year the Soviets tried to get control of U.N. machinery by dividing the Secretary-General's powers between three assistants—one a Communist, one a Westerner and one a neutral. But the U.N. wouldn't accept the troika.

"Now the Soviet Union is trying to sabotage the U.N. financial machinery. That won't work either, but it's causing us a lot of trouble."

TURNING POINT: THE CONGO

The Soviet Union approved the first move to send U.N. troops into the Congo. Khrushchev, at that time, thought the United Nations force would help his man in the Congo, Patrice Lumumba, to stay in power. But the U.N. force, instead, stood in the way of a Communist takeover. It was at this point that the Soviets changed their tactics.

Arguing that the U.N. force in the Congo had become merely a front for the United States and the European colonial powers, Russia and the other Communist members refused to pay their share of the cost of the troops. Nor were they alone in this attitude.

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[11] Documents on disarmament, 1961, p. 442.

[12] Statement of Aug. 22, 1958. Department of State. Geneva Conference on the discontinuance of nuclear weapon tests. History and analysis of negotiations, p. 310.

[13] Ibid., p. 355.

[14] Ibid., p. 525.

[15] Ibid., p. 544.

[16] Ibid., p. 565.

[17] New York Times, Feb. 8, 1962, p. 16.

[18] Department of State Press Release, March 24, 1962, No. 186.

[19] Washington Star, Jan. 21, 1963, p. A6.

France, also opposing the Congo operation, refused to pay. So did Belgium.

At present, the Communist U.N. members owe $62.5 million to the U.N. while France owes $14 million and Belgium $3 million.

Chiang Kai-shek's government on Formosa is also in default, by $10 million, but this is largely a matter of money, not politics. The assessment for China's seat in the U.N. involves payment for all of mainland China, which Chiang claims as his own.

What worries the U.N. is that most of the money owed to it is owed for the U.N. peacekeeping units in the Congo and the Mideast.

Out of the $502 million needed for all U.N. activities last year, $102.5 million was for such social welfare programs as the refugee and children's funds. These programs are voluntary and the Communists contribute little, while the United States pays more than its share.

The regular U.N. budget, involving salaries of the permanent staff and the maintenance of U.N. headquarters, ran to $75 million last year.

LIMIT ON LAGGARDS

The founders of the U.N., knowing the ways of governments, set a rule under which any member nation in arrears for more than 2 years on its assessments to this regular budget will lose its vote in the Assembly. More than 40 U.N. members take advantage of this 2-year rule and are habitually in arrears. But, so far, all of them have paid up before they lost their Assembly votes.

The Communists—and France and Belgium, too—argue that members who disapprove of specific peace-keeping operations, as in the Congo, should not be assessed for their costs as part of regular dues. They refuse to pay. In 1962, U.N. costs in the Congo amounted to $120 million.

As a way around the financial problem of special peace-keeping assessments, Secretary-General Thant in 1961 came up with the idea of a U.N. bond issue, the returns from which would be used to pay the U.N.'s bills.

About $135 million worth of these bonds, out of $200 million worth in all have been sold. Half were sold to the United States, the rest abroad. Interest and payment charges were to be added to regular charges to members.

To test the legality of this move, the U.N. went to the International Court of Justice at the Hague to get an opinion on the issue. In July 1962 the justices ruled that the charges for peace-keeping missions should be considered part of the obligations of U.N. members.

Last December, the U.N. General Assembly held, over the opposition of the Communists and the French, that the Congo and Mideast-force assessments were legal and binding on all members and that the 2-year rule applied to these charges just as it does to the rest of the regular U.N. budget.

FROM MOSCOW: ANOTHER "NYET"

Russia, on May 22, served notice on U Thant that it would not pay its share of the U.N. bond charges or of four other items on the regular budget. These included charges for the U.N. commission in Korea, the U.N.'s cemetery for its troops killed in the Korean war, the U.N. mission in the Mideast and the U.N. field service supplying personnel for overseas missions.

In addition, the Russians said they would pay their dues to the U.N. technical assistance fund only in rubles. The Russian dues thus could be used only for the purchase of items from Russia or for the hiring of Russian personnel. Under U.N. rules it is up to the Secretary-General, not the members, to decide what currencies are acceptable.

SHOWDOWN AHEAD

Said a U.S. official after this Russian move: "The Russians are carrying this battle so far that in the next year or so we are going to be forced to throw them out or make them pay."

The fact is that the Congo operation—main target of the Soviet campaign—is almost at an end. U Thant hopes to get all U.N. military forces out of the Congo before the year's end. That would leave little more than a technical mission.

The U.N. Emergency Force in the Gaza Strip is a different matter. Many experts feel that, if this force were removed, Egypt and Israel would soon be at war again.

Most U.N. officials doubt that the Communist attack on these peace-keeping forces of the U.N. will make much difference for the future. Said one:

"If some real emergency arose I think we would put together a U.N. force and find the money later. Of course, the United States and Britain would pay promptly, but the little fellows could put up token contributions to keep the operation international."

On the other side you hear opinions like this: "No nation is going to contribute troops unless it has some guarantee that these troops will be paid. If something serious broke out in Portuguese Angola or in South-West Africa, run by the Republic of South Africa, you'd get plenty of troops from African countries without any trouble. But Asians? Scandinavians? I doubt it."

RUSSIA'S NEXT MOVE

Deadline for the Communist bloc to pay up at least some of the money they owe the U.N. or lose their Assembly votes comes at the end of this year. What then? Here's the guess of a top U.N. official:

"They'll do just what they've done in the past. They'll fight this thing to the edge of the last ditch, but not into it. They'll pay enough to keep the vote—and when they do pay they'll make statements about how they want to save the U.N. for humanity."

The French already appear embarrassed by their stand with the Communists against payment of their share of the U.N. Congo force. They, like the Belgians, appear to be seeking a means of paying up gracefully before they lose their votes.

Much of the Communist campaign against the U.N. has boomeranged against Moscow, particularly in regard to the small and backward nations of Africa. Many of these countries look on the U.N. as their best protection and do not sympathize with efforts to weaken the world organization.

As for the U.N. itself, the betting here at U.N. headquarters is that the United States, with help from Britain and many smaller nations, will keep the U.N. going through this financial crisis, forcing Russia and its satellites to pay up what they owe, however slowly.

[From the CONGRESSIONAL RECORD, Apr. 4, 1963]

INFORMATION ON THE CURRENT FINANCIAL STATUS OF THE UNITED NATIONS

(NOTE.—Prepared by the staff of the Senate Republican policy committee, BOURKE B. HICKENLOOPER, chairman; David S. Teeple, staff director.)

The United Nations regular budget was $82 million in 1962. Of this the United States is obligated to pay 32.02 percent; the Soviet Union, 14.97 percent; the United Kingdom, 7.58 percent; France, 5.94 percent; and the rest lesser percentages down to a minimum fixed by the General Assembly, of 0.04 percent.

The regular budget of the United Nations is prepared by the U.N. Secretariat. When the General Assembly of the United Nations meets, it has before it both the budgetary estimates of the Secretary General and the report of the Advisory Committee on Administrative and Budgetary Questions. Decisions on the budget are made by a two-thirds vote of all General Assembly members present and voting.

No serious difficulties have been encountered on payments to the regular budget but difficulties have arisen on the special assessments levied for the U.N.'s Emergency Force in the Middle East (hereinafter designated as UNEF) and the U.N. operation in the Congo (hereinafter designated as UNOC).

The charter of the United Nations lays a specific obligation upon all countries to pay their assessments or, after 2 years in arrears, face the loss of their votes. But the charter provides, in article 19, "The General Assembly may, nevertheless, permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member." As a result member countries great and small are refusing to fulfill their financial responsibilities to the United Nations.

No one has seriously suggested that any of them be deprived of their votes.

Prior to 1956, the expenses of peace and security operations had been carried within the regular budget. In 1956 UNEF was financed under a special budget, called a special account, and in 1960 in the case of UNOC, the budget was called an ad hoc account.

Another account, titled the "Working Capital Fund," is assessed on the same basis of percentage as the regular budget. It currently has a ceiling of $40 million. It is used partly as a revolving fund to carry the U.N. through the period when the regular budget assessments are due and when regular budget assessments are collected, and partly to finance emergency operations.

While willing to vote these peace and security operations into existence, most countries in the United Nations refused to share the cost of UNEF and UNOC in the usual manner; that is, on the basis of the regular scale of assessments. Because of default on these special levies, the organization will approach a debt of $200 million by the end of 1963. Reasons offered by defaulters for their refusal to share the cost of UNEF and UNOC in the usual manner were many and varied.

First, they contended the charter contemplated peace and security actions should be carried out primarily by the five permanent members of the Security Council who would furnish their troops without cost to other U.N. members. They said the five permanent members of the Security Council should therefore pay considerably more than their ordinary assessment percentage for UNEF and UNOC.

Second, they said the "aggressors" who made U.N. peace and security actions a necessity, plus "parties in interest" should pay all or most of the expenses.

Third, some member countries claimed they could not afford to contribute to the UNEF budget and UNOC budget.

Finally, some countries felt these operations to be unwarranted and in violation of the charter. As a result the United States has felt it necessary to make voluntary contributions, over and above our normal assessment contributions, in 1957, 1958, 1959, 1960, 1961, and 1962.

The Soviet Union argued these emergency items did not fall within the assessments procedure provided by the charter and therefore any disapproving member is free to refuse to help pay for them.

The United States contended the charter's provision applied to all expenses of the U.N. The International Court of Justice at The Hague in July 1962 issued an advisory opinion supporting the U.S. position. The Soviet Union says it will ignore the Court's opinion and continue to refuse to pay its share of the special assessments. The Communist bloc countries have followed the Soviet lead and approximately 40 other nations have also refused to contribute to either or both of the peace-enforcing operations.

In the face of this financial crisis the Assembly in December 1961 voted to authorize the Secretary General to sell $200 million worth of bonds. At President Kennedy's request Congress last year passed a bill authorizing the United States to purchase up to $100 million worth of the U.N. bonds if the amounts are matched by other members.

Further financial criticism was directed at the United Nations when it was revealed, late in 1962, that the U.N. had undertaken to provide a grant of $1,157,600, over a 5-year period, to assist in the development of an agricultural research program in Cuba. To the extent the United States provides approximately 40 percent of the money contributed to the U.N. Special Fund for Economic Development, it was said that 40 percent of the cost of this assistance to Cuba was defrayed by the United States, contrary to our national interests.

Not all operations of the United Nations are financed through assessments. Several specialized agencies receive voluntary contributions from member countries. These specialized agencies include:

1. International Atomic Energy Agency.
2. International Labor Organization.
3. Food and Agriculture Organization.
4. United Nations Educational, Scientific and Cultural Organization.
5. World Health Organization.
6. International Bank for Reconstruction and Development.
7. International Development Association.
8. International Finance Corporation.
9. International Monetary Fund.
10. International Civil Aviation Organization.
11. Universal Postal Union.
12. International Telecommunications Union.
13. World Meteorological Organization.
14. Intergovernmental Maritime Consultative Organization.

[From the daily CONGRESSIONAL RECORD, Mar. 21, 1963]

SOME CLEAR THOUGHTS ON THE UNITED NATIONS FINANCING

(By Richard Gardner)

In treating this subject today I shall not speak about various long-term solutions to the U.N.'s financial problem, for example, the development of independent sources of revenue. Other participants in this panel may wish to deal with various possibilities of this kind. It is appropriate, it is useful, for discussions of the long-term problem to go forward. But you will recall the famous words of Lord Keynes: "In the long run we are all dead." There will not be a long run in which to seek bold solutions for U.N. financing unless we can deal with the financial crisis which faces us here and now.

Therefore I propose to confine my remarks today to the present financial crisis of the United Nations and to consider in turn three specific questions: What has caused this financial crisis? What progress has been made in coping with it? What now remains to be done?

I

The causes of the U.N.'s financial difficulties are familiar to most of you. These difficulties do not arise from the ordinary operations which are paid from the U.N.'s "regular budget." The regular budget covers such items as salaries of members of the Secretariat, expenses of operating the headquarters building in New York, and the costs of meetings and conferences. It also includes some of the smaller peacekeeping expenditures such as the truce supervision activities in Palestine, Kashmir, and Korea.

The regular budget is financed principally by an agreed scale of assessments on members which is broadly based on capacity to pay. The United States contributes 32.02 percent of this amount. The payment record of the members is generally good and the arrears are not of disruptive dimensions.

As you know, however, the expenses for the Middle East and Congo operations were financed from the beginning from separate accounts. Taken together, these operations since 1960 have imposed on the members of the U.N. expenses of about $140 million a year, about double the size of the regular budget.

Because these costs were so large, opposition quickly developed on the part of many U.N. members to sharing the cost in the usual manner—that is, on the basis of the percentage assessments used in the regular budget. In order to gain approval by the General Assembly for resolution to finance these operations it was necessary, beginning with the Middle East operation in 1956, to reduce the assessments for members less able to pay; in other words to assess them for peacekeeping operations at only a fraction of the assessment they have to pay for the regular budget.

Over the last few years almost 90 percent of the U.N. membership has secured relief from the regular assessment rate with respect to the Congo and Middle East budgets. Of the 110 U.N. members, 42 countries have a regular assessment rate of 0.04 percent. For Congo and UNEF their assessment was reduced by 80 percent of their normal scale, to 0.008 percent. As an example of how this has worked out, we can look at the way the costs of the Congo and Middle East operations were shared in the first half of 1962. Instead of being asked to pay the $35,900 they would have paid at the regular budget scale these countries were asked to pay only $7,180.

Reductions by 80 percent were also given 43 additional countries whose regular budget assessment rate was more than 0.04 percent but who were recipients of U.N. technical assistance. Moreover, four additional countries received 50-percent reductions. Thus no less than 89 member governments were excused from 50 to 80 percent of their assessments to these vital peace and security operations.

UNITED STATES AND VOLUNTARY CONTRIBUTIONS

To finance these operations notwithstanding the reduced assessments on these 89 countries the Secretary General appealed for voluntary contributions. Starting with the Middle East operation in 1957, the United States has made large voluntary contributions each year in addition to its regular scale assessment to make it possible for these operations to go forward. In the last several years no other country has made voluntary contributions of this kind, with the sole exception of the United Kingdom which has made very small voluntary payments for the Middle East operation.

With these voluntary payments added to our assessed share, the United States in recent years has been assuming an average of about 48 percent of the burden of the Congo and Middle East operations.

This is the method of financing U.N. peacekeeping operations which has been in effect since 1957. It does not take very long to conclude that this system had two unacceptable aspects:

First, it placed a disproportionate share, nearly half, of the cost of these operations on the United States.

Second, and even more important, a large number of U.N. members were not even meeting their obligations under this arrangement.

The members of the Communist bloc refused to pay because they oppose peacekeeping operations in general.

France, South Africa, the Arab countries, and others refused to pay for at least one of the operations because they did not agree with this peacekeeping operation in particular.

Others, including most of the less developed countries, failed to pay even their reduced assessment and argued that they were too poor to do so.

To make matters worse, legal arguments were advanced by the Communist bloc and many other countries to the effect that the General Assembly could not levy valid assessments for peacekeeping operations outside the regular budget and accordingly that they were under no obligation to pay.

As a result of this nonpayment of assessments, the United States was in the unacceptable position of paying in even more than the 48 percent of the Middle East and Congo operations it had undertaken to pay, although of course the amounts are still due and payable by the defaulters. At the same time the gap between the assessments due for the costs of the two operations and the money actually received from the membership continued to grow until it reached about $100 million by the middle of 1962.

RESCUE OPERATION, SPECIAL FUNDS

To reduce the disproportionate U.S. share of U.N. peacekeeping operations, to avoid the imminent collapse of these operations as a result of the growing deficit, and to safeguard the future potential of the U.N. as a vital factor in maintaining peace and security, the U.S. Government joined with other free world countries and with the Secretary General to search for ways and means of solving the U.N.'s financial crisis. This search produced a rescue operation beginning in the 16th General Assembly which had four major elements:

First, one more General Assembly resolution for the emergency financing of the Middle East and Congo operations for the first 6 months of 1962 by the usual combination of assessments and voluntary contributions.

Second, a bond issue to finance these operations after June 30, 1962, while a more satisfactory solution to the financial problem was worked out.

Third, a request to the International Court of Justice for an advisory opinion which would establish a firm legal basis for the collection of arrearages by determining whether peacekeeping assessments constituted binding legal obligations in the same way as assessments for the regular budget.

Fourth, an intensified study of better ways of financing U.N. peacekeeping operations in the future.

Since this rescue operation was approved by the 16th General Assembly in December 1961, there has been progress on a number of fronts.

Purchase of U.N. bonds got underway in 1962. The U.S. Congress authorized a loan to the United Nations to purchase bonds up to the amount purchased by all other countries. Some foreign governments, such as the Scandinavian countries, responded handsomely to the bond issue by purchasing amounts far in excess of their regular budget percentage. And the 17th General Assembly in its budget authorization for 1963 included an amount of $4,650,000 for repayment of interest and principal of the bonds in the regular U.N. budget, in which the United States share is 32.02 percent.

ICJ ADVISORY OPINION

The International Court of Justice handed down last July a favorable advisory opinion which ruled that the costs incurred by the U.N. in the Congo and Middle East operations were "expenses of the organization" and that the assessments levied to pay for them constituted binding legal obligations. The General Assembly accepted this opinion on December 19, 1962, by a vote of 76 in favor, 17 against, and 8 abstentions.

The events in the General Assembly leading up to the acceptance of this opinion provided considerable grounds for satisfaction. A number of States, including the Soviet bloc and France, urged that the General Assembly should only "take note" of the Court's opinion. The effect of this language, as brought out in the debate, would have left it to the discretion of each state whether it considered itself bound to pay for the peacekeeping assessments. An amendment to change the wording of the resolution from "accepts" to "takes note" was proposed in the Fifth Committee and defeated by 28 votes in favor, 61 against, and 14 abstentions.

The debate on the advisory opinion made it abundantly clear that the term "accepts" used in the General Assembly resolution meant that the U.N. was adopting the Court's view as its operating rule. This means that the assessments in question have been determined to be binding obligations on member states and are therefore due and payable. If not paid, a member becomes subject to loss of vote in the General Assembly under article 19 of the charter, if its total arrears exceed its last 2 years' assessments on accounts. This will apply to the Soviet Union as of January 1, 1964, if it pays nothing for the Congo and UNEF between now and that time.

With the question about the legality of past assessments out of the way, the Secretary General was at last in a position to mount an effective campaign to collect them. A number of governments which had declined to pay their assessments for the Middle East and Congo operations announced in the wake of the General Assembly resolution that they would now begin to pay.

The 17th General Assembly also decided to increase the working capital fund from $25 million to $40 million. This action establishes a more rational relationship between the present level of the regular budget and the need for reserves. It adds significantly to the financial capacity and resources of the organization.

As a further measure to put the U.N.'s financial house in order, the Secretary General appointed as his chief financial adviser Eugene Black, former president of the World Bank. Mr. Black will assist the Secretary General in dealing with the problem of arrearages as well as advise him generally on other aspects of the U.N.'s financial problem.

Finally, the General Assembly buckled down to work on the future financing of peacekeeping operations. It set up a working group of 21 nations, of which the United States is a member, to study and make recommendations on a cost-sharing formula for the future costs of these operations. The group is now in session and is under instructions to complete its work by March 31. A special session of the General Assembly has been called to convene on May 14 to act on its recommendations.

All this is on the credit side of the ledger, but the last year has registered serious debits as well.

Although the General Assembly authorized a $200 million bond issue, only about $74 million has been subscribed by 58 countries other than the United States, despite our readiness to buy up to $100 million of bonds on a matching basis. Assuming that all the bonds subscribed are actually purchased, the U.S. matching purchase would bring the total up to only about $148 million of the $200 million worth of bonds that was anticipated. Prudent financing dictates that the rest of these bonds be sold, and sold quickly.

Moreover, although many members have indicated their readiness to abide by the law declared by the International Court and confirmed by the General Assembly, they have not actually paid. The Soviet bloc, which apparently does not believe in abiding by the law even after it has been declared, has still not paid 1 cent toward the Middle East and Congo operations. France is still refusing to pay its past assessments for the Congo; indeed, it has announced that it will not even pay that portion of its regular budget assessment which is necessary to pay back the principal and interest on the U.N. bonds.

As a result of these and other facts, arrears owed to the U.N. as of January 1, 1963, amounted to $121 million. Twenty-five U.N. members have still paid nothing on their UNEF assessments; 48 members have still paid nothing on their Congo assessments.

It is difficult to escape the conclusion that the United Nations is not being supported and is not supporting itself when arrears have accumulated so far and continue to increase and when major and minor powers continue to refuse to fulfill their legal obligations.

If this situation long continues, public opinion in the United States will be forced to interpret these facts as a denial in practice by many members of the U.N. of something which all the members have accepted in principle, that peacekeeping operations are conducted in the interest of the well-being of the entire world and should be the responsibility of all the members of the organization. This is what we mean by the phrase "collective financial responsibility," it is, or should be, the cornerstone of the organization.

WHAT ARE THE NEXT STEPS?

It is against this mixed record of success and failure that we must now consider what next steps to take in dealing with the U.N.'s financial crisis.

In discussing these next steps it will be useful to keep our eye on the central question. The problem currently before the working group of 21 in New York is very specific; namely, How to finance the Congo and Middle East operations beyond June 30, which is about when the money from the bond issue runs out.

When the General Assembly meets in special session in May it will have to adopt resolutions which will provide for the future financing of these two operations, at least from July 1 to December 31, or it will have to recommend their abrupt discontinuance.

This is the very practical problem immediately before us. It should receive prompt attention and not be lost sight of in a search for possible general principles to govern the financing of unknown operations which are not yet even a gleam in any member's eye.

To put it more broadly, the United States believes that for some time to come it would be wise for the U.N. to deal with the method of financing of each peacekeeping operation if and when that operation occurs, learning from each experience what might be desirable for the future and adjusting each solution to the particular facts of each case. We believe that this approach is the only sensible and practical one to follow at this time, given the present financial plight of the United Nations, the present deep political difficulties between its members, the unpredictable character of any future peacekeeping operations, and the virtual impossibility of now agreeing on any one single formula or any one single set of principles or criteria to govern unknown operations yet to be begun.

Assuming, then, that the immediate question is the financing of the Middle East and Congo operations for the 6 months of 1963, and that the answer to this question constitutes no precedent for the future—what is the answer to be?

In posing this question we are assuming that these operations must continue. Obviously the United States favors the most rapid possible reduction of the Congo force consistent with the increasing capability of the Congolese Government to maintain minimal levels of security and insure its national integrity.

At the same time it would be the height of "pennywise pound foolishness" to reduce either operation so rapidly as to jeopardize all the substantial gains that they have brought to Africa and the Middle East with much sacrifice and effort over the past few years.

Assuming there will be a cost, though somewhat reduced, for the Congo and UNEF operations in the last 6 months of 1963, a strong case can be made for financing this cost at the regular budget scale for the following reasons:

1. The regular budget assessment scale is broadly based on capacity to pay. Very substantial adjustments in the regular assessments scale are made for low per capita income countries, beyond what would be called for by comparative national income figures. It is true that the regular budget scale involves a ceiling for the U.S. contribution. But this ceiling derives from a fundamental principle long accepted by the General Assembly, that, in an organization of sovereign states where each nation has one vote, it is not in the interest of the organization to depend too much financially on any one state.

2. The United States has been virtually alone in making voluntary financial contributions to the Congo and Middle East operations. It has thus been assuming an average of 48 percent of the burden. The financial load simply must be more broadly based, and the carefully worked out cost-sharing formula to accomplish this is the regular budget scale.

3. Since the establishment of the United Nations, the United States has been by far its largest financial supporter. Its assessed contributions have always been more than twice those of the second largest contributor. The proportion of its voluntary contributions has been even higher. It contributes 70 percent for the Relief and Works Agency for Palestine refugees, over 50 percent for the Congo economic assistance program, 42 percent for the U.N. Children's Fund, and 40 percent for the Special Fund and the Expanded Program of Technical Assistance.

4. Quite apart from the United Nations, the United States is bearing a heavy load of foreign aid and defense burdens. Our total contributions for economic development abroad amount to over $5 billion a year—more than double the aid total of the rest of the free world and at least five times the aid made available by the Communist bloc.

5. The peacekeeping operations of the United Nations are not just a matter of interest to the great powers. The small countries have perhaps the greatest stake of all in their success and effectiveness. It is true that these countries are not well off, but the amounts involved are not substantial. For the last 6 months of 1963 the regular assessment share of the 42 countries in the 0.04-percent category would amount to the cost of two or three large limousines or a few big diplomatic receptions. Is this too high a price to pay for keeping the peace?

It is these reasons, coupled with the still inadequate record on the payment of past assessments, which have led to the present U.S. position in the working group of 21. Lest there be any question, the United States stands ready to pay its full 32.02-percent share of the Congo and Middle East operations. But until collective financial responsibility becomes a fiscal practice as well as a legal theory, it would hardly be fair for the United States to pay more than this percentage, either through assessed or voluntary contributions.

We are hopeful that a determination to get the U.N.'s financial house in order is beginning to manifest itself among the members. There are signs of recognition that only through a meaningful system of collective financial responsibility can the organization continue to carry out its current tasks and future responsibilities.

The hard fact of political life is this: Attitudes in the United States toward any possible future contribution above our regular scale assessment for peacekeeping operations will inevitably depend on whether the vast majority of the membership takes the necessary measures in the next several months to give the United Nations the financial support which is absolutely essential to its survival.

6. "The United Nations," said U Thant in his recent Johns Hopkins lecture, "does not represent a vague ideal of universal peace and brotherhood which has its appeal only to starryeyed idealists and moralists. Far from it. It is hardheaded, enlightened self-interest, the stake that all humanity has in peace and progress and, most important of all, survival that dictates the need for the United Nations as a practical, institutional embodiment of the needs of nations on a shrinking planet, as a potent and dynamic instrument at the service of all nations, east and west, north as well as south."

If this statement of the Secretary General is correct, and we most definitely believe that it is, then it is time to face the financial consequences.

The present financial crisis of the United Nations involves the survival of the organization itself, for no institution can long survive if it cannot pay its debts and if its members are not willing to supply it with the funds necessary to continue its operations.

The menu of the U.N. is substantial and important. The check is no less so. Countries cannot expect to take the benefits of membership in the U.N. without the burdens.

AMENDMENT OF SECTION 22 OF INTERSTATE COMMERCE ACT—ADDITIONAL COSPONSORS OF BILL

Mr. HART. Mr. President, I ask unanimous consent that at the next printing of the bill (S. 2075) to amend section 22 of the Interstate Commerce Act so as to assure that rates, fares, and charges established under that section for the U.S. Government are free from undue prejudice and preference, introduced by me on August 23, 1963, the names of Mr. Hartke, Mr. Humphrey, Mr. McCarthy, Mr. McNamara, and Mr. Proxmire may be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONDOLENCES TO FAMILIES OF NEGRO CHILDREN KILLED IN BIRMINGHAM—ADDITIONAL COSPONSOR OF RESOLUTION

Mr. HART. Mr. President, I ask unanimous consent that at the next printing of Senate Resolution 200, extending condolences of the Senate to the families of Negro children killed in Birmingham and favoring the designation of Sunday, September 22 as a day of national observance to their memory, the name of the Senator from Maryland [Mr. Brewster] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRESSIONAL REVIEW OF FEDERAL GRANTS-IN-AID — ADDITIONAL COSPONSORS OF BILL

Mr. MUSKIE. Mr. President, I am pleased to announce that both the junior and senior Senators from Wisconsin have joined the distinguished list of cosponsors of the bill (S. 2114) to provide for periodic congressional review of future Federal grants-in-aid to States and to local units of government. This brings the total number of sponsors to 30, which augurs well for the future of this legislation. I ask unanimous consent that at its next printing the names of Mr. Proxmire and Mr. Nelson be added.

The PRESIDING OFFICER (Mr. Hart in the chair). Without objection, it is so ordered.

AMENDMENT OF FOREIGN ASSISTANCE ACT OF 1961—ADDITIONAL COSPONSOR OF AMENDMENTS

Under authority of the order of the Senate of September 11, 1963, the name of Mr. Dominick was added as an additional cosponsor of the amendments submitted on September 11, 1963, by Mr. Keating (for himself and other Senators), intended to be proposed by them, jointly, to the bill (H.R. 7885) to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes.

NOTICE OF HEARINGS ON NOMINATION OF JOHN A. GRONOUSKI TO BE POSTMASTER GENERAL

Mr. JOHNSTON. Mr. President, as chairman of the Committee on Post Office and Civil Service, I wish to announce that hearings have been scheduled for Monday, September 23, 1963, at 10:30 a.m. in connection with the nomination of Mr. John A. Gronouski to be Postmaster General.

Hearings will be held in room 6202 of the New Senate Office Building. Those wishing to testify may arrange to do so by calling CA 4-3121 extension 5451.

NOTICE OF HEARINGS ON FREEDOM OF INFORMATION BILL

Mr. LONG of Missouri. Mr. President, I would like to announce hearings before the Subcommittee on Administrative Practice and Procedure on S. 1666 on October 28-31 inclusive, in room 2228, New Senate Office Building, beginning at 10 a.m. each day.

S. 1666 is designed to revise section 3 of the Administrative Procedure Act. It is the so-called freedom of information bill, introduced by me with 17 distinguished cosponsors on June 4 of this year.

Persons wishing to testify should notify the subcommittee's chief counsel, Mr. Bernard Fensterwald, Jr., room 3216 New Senate Office Building, telephone CA 4-3121, extension 5617.

NOTICE OF HEARING ON NOMINATION OF GEORGE CLIFTON EDWARDS, JR., OF MICHIGAN, TO BE U.S. CIRCUIT JUDGE, SIXTH CIRCUIT

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, October 1, 1963, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of George Clifton Edwards, Jr., of Michigan, to be U.S. Circuit Judge, Sixth Circuit, vice Thomas F. McAllister, retired.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. Johnston], the Senator from Illinois [Mr. Hart], the Senator from Illinois [Mr. Dirksen], the Senator from Nebraska [Mr. Hruska], and myself, as chairman.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. MUSKIE:

Address delivered by Senator McIntyre at Bristol, Ind., on August 16, 1963.

By Mr. SCOTT:

Letter on minority staffing, written by Representative Fred Schwengel, of Iowa.

CANADIAN WHEAT AGREEMENT WITH THE SOVIET UNION

Mr. CARLSON. Mr. President, Russia's recent purchase of great quantities of wheat from Canada and Australia should prove to us that we must be practical and realistic in our trade programs. This is no time for Pollyanna platitudes. World trade is not only competitive; it is also a cold and calculated business operation.

At the last session, Congress spent months writing foreign trade legislation; and I believe every realist must agree that despite its idealistic approach to world trade, our experience—which is only limited—must convince everyone that trade between nations must be realistic and practical.

Trade based on the most-favored-nations principle may be altruistic, but I firmly believe it is time that we as a nation begin to consider some bilateral trade arrangements.

Russia's purchase of 239 million bushels of wheat from Canada for $500 million, with a time delivery of next July 31, and her purchase, within the last week, of 58½ million bushels of wheat from Australia, valued at $90 million, proves the value of bilateral trading. It no doubt also proves that Russia is suffering a serious food shortage, although it is estimated that these purchases equal only about one-seventh of the current Soviet wheat crop.

Russia and Canada are our real competitors in the world trade of wheat.

We have never sold wheat to Russia, as her wheat trade has always been on the export side of the market.

It is interesting to note that even though Russia has purchased this large quantity of wheat from Canada and Australia, she is at the same time selling wheat to Brazil, Cuba, and Japan, plus giving our Nation real competition in the European markets.

I am not advocating the sale or trade of strategic war material to Russia, but I do urge the Department of Agriculture and the Department of Commerce to study proposals for increased trade with Russia in such items as food and nonstrategic materials.

Our Nation has a substantial surplus of quality wheat and the facilities with which to move it into world markets. Therefore, we must prove to the world that we can place it on the world market, in competition with any other wheat-producing nations.

APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. Hart in the chair). In the absence of the Vice President, the Chair announces for him the appointment of the Senator from New Mexico [Mr. Mechem] to be a member of the Joint Committee on Navajo-Hopi Indian Administration, vice Mr. Goldwater.

UNITED STATES-CANADIAN RELATIONS

Mr. KEATING. Mr. President, I have spoken more than once on the issue, which is extremely vexing to many who live in States along the New York-Canadian border, of differences in tariffs or other regulations between the United States and Canada which place American firms and workers at a real disadvantage.

Two issues in particular have been called to my attention by persons throughout New York State, and, interestingly enough, also by Canadians who are critical of their Government's role: I refer to the 7½-percent tariff on bread imports to Canada, which, since the United States imports bread without tariff, makes it very easy for Canadian bread to flood American markets, but makes it very difficult for United States bread to sell competitively within Canada. This inequality has worked a real hardship on bakery employees in the United States and is contributing to unemployment in many Northern States.

Another question equally disturbing is the continued limit of $25 on Canadian tourist purchases in the United States that may be admitted to Canada duty free. This is a sore point with all towns that might conceivably hope to get some Canadian business, but as a result of this inordinately low limit do not do so.

Some weeks ago I called this situation to the attention of the Departments of State and the Treasury, hoping that representations could be made to the Canadians. Economic talks between the two Governments on a number of issues are scheduled to begin September 21. In reply to my query, the State Department, through Under Secretary George Ball, informed me, as did Treasury Secretary Dillon, that these questions will be taken up with the Canadian Government. I am very glad to have these assurances and hope that something positive will be forthcoming from the talk at the end of this week.

Lest anyone feel that I am exaggerating the importance of these issues, I suggest any who doubt merely glance at the map which has been prepared by the Area Redevelopment Agency to illustrate development areas and public works acceleration areas as of July 1, 1963. In every area along the border with Canada where there is any substantial number of people at all, there is unemployment, often at a high level. From Maine to Washington, the northern portion of every Canadian border State shows depressed areas, with labor surpluses. Only a few relatively uninhabited parts of North Dakota and Montana are not in this category. Now I am certainly not blaming the Canadians for all the problems in these areas, but I do feel that it is more than just a coincidence that these conditions of economic hardship should exist at exactly these points where a lack of reciprocity in United States-Canadian relations has been an obvious source of criticism.

I am delighted that these points will be considered in connection with forthcoming economic talks and trade negotiations with the Canadians because I believe they are of substantial importance to many parts of our Nation.

Mr. President, I ask unanimous consent to include, following my remarks in the Record, the text of the reassurances I have received from Under Secretary Ball on these matters.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of State,
Washington, August 28, 1963.

The Honorable Kenneth B. Keating,
U.S. Senate.

Dear Senator Keating: Thank you for your letter of July 24, 1963, concerning imports of Canadian bread in certain areas, particularly Buffalo, and the effect on border residents when returning from visits to the United States.

As you have noted, the bill to inaugurate the interest equalization tax provides for an exclusion from the tax in circumstances that fit the situation of Canada and thus would permit the sale of new, but not outstanding, issues of Canadian securities in the United States without the tax. The judgment as to the need for such an exclusion is based on what took place after the President's message of July 18, in which he announced his proposal for the tax. The shock to the financial markets in Canada that followed the President's message was immediate and severe. The financial authorities of Canada considered that, unless there were an exclusion, they would have no choice but to take extreme measures to protect their currency—measures that unavoidably would have posed a threat to the international monetary system and to the United States balance of payments. The Canadian authorities stated that, if Canadian securities were not subjected to the tax, it would be their intention not to increase Canada's monetary reserves through the proceeds of borrowings in the United States.

In the circumstances, the discussions with Canada on the tax were confined to international monetary questions and to the financial assurance of the Canadian side; questions of commercial policy were not introduced. Following the discussions, it was decided by the administration to establish an interdepartmental committee to maintain surveillance over the Canadian situation in the light of the stated intentions of the Canadian authorities.

The Department has been concerned about the two problems which you mention and about the effect that they have on certain border communities. It would seem appropriate to consider the Canadian tariff on bread within the context of the Trade Expansion Act negotiations that are scheduled to take place next year. Preparations for these negotiations are underway and I shall see to it that the interest of the bread industry in border communities in seeking reduction of the Canadian tariff is given full consideration.

As you may know the Canadian Government formalized the present level of duty free allowances for returning residents which permits entry of $25 worth of goods per person every 4 months. This subject will be discussed with the Canadian Government in the context of overall economic relations between the two countries at the forthcoming meeting on September 20–21, 1963, of the Cabinet-level Joint United States-Canadian Committee on Trade and Economic Affairs. The Department will keep you informed of any developments.

Sincerely yours,

George W. Ball,
Under Secretary.

CORNELL AND THE PEACE CORPS IN PERU

Mr. KEATING. Mr. President, for 12 years Cornell University has supervised an ambitious and worthwhile project in the Andes directed by Dr. Allan R. Holmberg of the department of sociology and anthropology, and Dr. Carlos Monge, president of the Peruvian Indigenous Institute. The purpose of the project is to bring Peruvian Indian peasants from this remote Andean community out of a feudal age of backward agriculture into 20th century self-government and a personal share in the ownership of the land they work and the economy of the area.

This program has proved conclusively that with technical assistance, credit and political cooperation, land problems in Latin America can be resolved in favor of the peasants and increased productivity, and better living conditions can be assured. The Peace Corps has sent volunteers to assist the program and recent reports indicate that their efforts are most constructive and helpful.

A recent story in the New York Times depicts a New Yorker, Betty Hart Jansen of White Plains, N.Y., with her pupils in the doorway of a 1-room schoolhouse.

Mr. President, I ask unanimous consent to include in the Record following my remarks the text of the story about this project from Juan de Onis.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, Sept. 5, 1963]

Andean Indians Rise From Peonage—United States Helps To Bring Self-Rule and Farm Skills to Vicos

(By Juan de Onis)

Vicos, Peru, September 3.—The Indian peasants of this Andean community have moved in a decade from servitude and subsistence agriculture to self-government, a share in the money economy and ownership of the land they work.

The 400 men of Vicos were peons. Now they are farmers. They are united in an agricultural cooperative that is the second largest marketer of potatoes in Peru, and they own a truck that takes produce to market in Lima and brings back fertilizer and insecticides.

All trucks in Peru carry a slogan painted on the front bumper or headboard. The 5-ton Vicos truck proclaims proudly: "Vicos. Community Property. The Cry of Reform."

The message out of this community of 2,500 Indians in the highland valley of Huaylas is dramatic. In many parts of Peru, land-hungry peasants are invading rural estates and forcing the issue of agrarian reform. Vicos is proof that with technical assistance, credit, and political decision the land problem can be resolved in favor of the peasants and that increased production can be the result.

This has been accomplished here in 12 years by the Cornell-Peru Andean project, directed by Dr. Allan R. Holmberg, of the department of sociology and anthropology of Cornell University, and Dr. Carlos Monge, president of the Peruvian Indigenous Institute. The project has received grant aid from the Carnegie Foundation, New York.

PEACE CORPS HELPS OUT

U.S. Peace Corps volunteers are now assigned to Vicos, and are helping to integrate this once isolated, impoverished community with modern Peru.

Robert Roberts of San Francisco, the volunteer group leader here, played a key role in the Vicos community's decision to buy the neighboring Chancos estate. It will also lease for development the medicinal hot springs and a rundown tourist hotel on the Chancos property. The 110-acre estate and its 13 Indian families will be incorporated into the Vicos community.

To carry out the operation, Mr. Roberts has obtained a $7,000, 4-year Bank of America loan. The Ottinger Foundation of the family of Frank Ottinger has lent Vicos an additional $5,000. Mr. Ottinger is on the Peace Corps staff in Washington.

The prospective purchase and lease arrangement with the Public Benevolent Society of Huaraz, which owns Chancos, requires Vicos to invest $20,000 over the next 5 years in developing the hot springs site. The Vicos community has already started work on refurbishing the 14-room hotel and installing a restaurant, warm-water swimming pool, steam rooms and baths.

The Huaylas Valley along the Santa River nestles beneath the snow-capped White Sierra of the Peruvian Andes and is one of the country's most beautiful tourist attractions. There is a steady flow of visitors to the hot springs.

The decision to buy the Chancos agricultural property and go into the hotel business was taken by the 11 elected members of the Vicos Community Council. Twelve years ago, when Cornell University leased Vicos from the Huaraz Benevolent Society, there was no semblance of such a self-governing body. Orders were given on all aspects of community life by the former lessee of the 20,000-acre Vicos property.

The community council decided to form the agricultural cooperative in 1957, to buy the Vicos property for $75,000 in 1961, and to buy the truck for $6,300 in 1962. The Vicos purchase was half financed on a 20-year basis by the Peruvian Government, which will be repaid by the community.

The prosperity of the community is based on a great increase in potato production achieved through improved techniques, including the use of fertilizers and insecticides and new marketing methods.

In 1962, the community produced 240 tons of potatoes that were marketed through the cooperative.

Two Vicos Indians are in the United States, living on farms in Montana as guests of the National Farmers Union. One of them, Vicosino Agustin Sanchez, has written that his host, Norman Sundyold of Froid, Mont., wants to return his visit and come to Vicos next year. The National Farmers Union brought 18 Peruvian farmers to the United States this year, as well as similar groups from Chile, Bolivia, and Venezuela.

RESOLUTION OF U.S. COUNCIL OF THE WORLD VETERANS FEDERATION FAVORING LIMITED NUCLEAR TEST BAN TREATY

Mr. MUSKIE. Mr. President, yesterday, six of the leading veterans organizations in the United States—all affiliated with the World Veterans Federation—have urged the Senate to ratify the nuclear test ban treaty without further delay.

They have spoken with one voice through the collective mechanism of the U.S. Council of the World Veterans Federation, which is composed of the Disabled American Veterans—DAV; the American Veterans of World War II and Korea—AMVETS; the American Veterans Committee—AVC; the Military Order of the Purple Heart; the Paralyzed Veterans of America, and the Blinded Veterans Association.

But, as they themselves remind us, their action is also an echo of a larger and more insistent voice which cries out across the world in the opening words of the federation's own credo that "None can speak more eloquently for peace than those who have fought in war."

I have been aware of the praiseworthy activities of the World Veterans Federation and its U.S. affiliates for several years; and I have been particularly struck by the quality of the WVF approach to this crucial issue of disarmament.

Just recently, for example, I have received a booklet entitled "Disarmament Is Possible," published by the World Veterans Federation at its headquarters in Paris. As the Secretary General, Mr. Norman Acton, points out in the foreword, this booklet sets forth an authoritative and objective review of the current status of all disarmament negotiations and the problems remaining to be solved. Its content is based on a special session on disarmament sponsored by the federation during their general assembly last summer in Denmark, under the chairmanship of Jules Moch, former French Vice Premier and the permanent French representative to the U.N. Disarmament Commission.

This booklet available for general distribution offers no easy panacea for the world's ills. Neither does it retreat into pacifism. Rather, it seeks to square the hopes of man with the hard facts of international life.

Such an approach is to be expected from this federation, uniting as it does more than 20 millions of war veterans in 164 different organizations from 51 nations.

I ask unanimous consent to place in the RECORD the resolution adopted Wednesday, September 18, by the federation's U.S. council.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

The U.S. Council of the World Veterans Federation, consisting of the Disabled American Veterans (DAV), the American Veterans of World War II and Korea (AMVETS), the Military Order of the Purple Heart, the American Veterans Committee (AVC), the Blinded Veterans Association and the Paralyzed Veterans of America:

Reaffirming in the opening words of the federation's credo our conviction that "none can speak more eloquently for peace than those who have fought in wars," and

Having previously endorsed the principle of disarmament through the collective action of the last General Assembly of the World Veterans Federation in Copenhagen; and

Believing that the partial nuclear test ban treaty pending in the Senate can be the first significant step toward a realistic goal of worldwide disarmament; now

Urges the U.S. Senate without further delay to advise and consent to the ratification of the nuclear test ban treaty now under debate.

"THE FEDERAL UNION UNDER FIRE"

Mr. MUSKIE. Mr. President, I ask unanimous consent to have printed in the RECORD an informative and timely article by Fred J. Cook which appeared in the September 1963 issue of the Progressive magazine. In this account, entitled "The Federal Union Under Fire," Mr. Cook presents a detailed analysis of the origin and development of the rightwing movement to amend the U.S. Constitution.

Various recent speeches and newspaper columns have dealt with the three proposed radical right amendments and attempts by their sponsors to repeal 174 years of American history under this venerable document.

We have reached the point now where the menace of these radical efforts to re-create a confederal association of the States has been fairly well publicized. At the same time, an exhaustive study of the background of this movement has been lacking heretofore. For that reason, Mr. President, I recommend this excellent article to all sincere defenders of our traditional constitutional system.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FEDERAL UNION UNDER FIRE

(By Fred J. Cook)

(Three Constitutional amendments whose total impact would weaken the Federal Union, imperil progressive legislation, cripple civil rights and liberties, and perpetuate minority rule, have achieved an extraordinary degree of approval in a number of State legislatures in the first round of the struggle to make them the law of the land. Fragments of the story of this organized assault on our Constitutional system have appeared in a number of publications, but they have lacked many of the essential ingredients of the whole story. The Progressive assigned Fred J. Cook, a seasoned reporter-investigator, to dig deeply into every phase of this dangerous development. He was aided in his extensive researches by a grant from the Stern Family Fund. Mr. Cook is a freelance writer whose major magazine work has appeared in the Nation; he has also written for the Reader's Digest, American Heritage, the New York Times magazine, Comet, Saga, and others. He has won four major awards for the excellence of his magazine articles.)

On July 27, 1962, delegates from 12 Southern States met in Biloxi, Miss., for a conference that was to have far-reaching effects. It was a conference that was to stimulate a racist, ruralist, rightwing attempt at counter-revolution in America. It was a conference that was to develop a unique powerplay of national dimensions, a play directed from the top by a group of powerfully placed legislators, supported by reactionary business, and rural interests, whooped on by adherents of the lunatic fringe; a play that at its inception could boast virtually no grassroots demand or support, but that, if successful, would alter drastically the American system of government by stripping away Federal power, instituting State supremacy, and reducing the Nation to little more than a confederation of States.

This was the program, mapped tentatively at Biloxi, that has only now, more than a year later, generated a mounting measure of alarm by its phenomenal success—a success that has seen three proposed radical-right amendments to the Constitution speed through the legislatures of a broad cross section of States. One proposal has received full approval in 15 States and partial approval in 5 others; another, full approval in 12 States and partial approval in 7 others. The spadework begun at Biloxi has, so far, tunneled its destructive way into, or through, more than half the State capitols in the Union.

The southerners who met at Biloxi, all officials of Southern States, were attending a regional conference of the Council of State Governments. They were possessed by a States rights fervor which John C. Calhoun might have envied. Many elements contributed to this state of mind. Southern politicians long had been alarmed over a Federal power that reached down into their States and threatened their stubbornly maintained racial primitivism. Ever since the U.S. Supreme Court's unanimous school desegregation decision in 1954, they had been in covert or open rebellion. Now, in 1962, they had a new case, a new cause—one that presented them with a golden opportunity.

In March, the Supreme Court in *Baker* v. *Carr*—the Tennessee reapportionment case—had made another landmark decision. Many States, dominated by rural political machines, had ignored the specific mandates of their constitutions to reapportion legislative districts to keep up with shifts in population. This failure to redistrict legislative seats continued through an era that has seen America change from a predominantly rural economy to one so overwhelmingly metropolitan that it is estimated 80 percent of us ultimately will be living in cities. Tennessee had ignored this change; it had not reapportioned its legislature in 60 years. As a result, it had virtually disenfranchised hundreds of thousands of city voters, maintaining a "rotten borough" system in which rural influence was predominant. It was this system, common across the land, that the Supreme Court struck down in *Baker* v. *Carr*. The Court ruled that when legislatures failed to correct such serious distortions of voting equality, the Federal courts themselves could reapportion legislative districts. It was a ruling that could topple rural and smalltown dominance of legislatures in the South and other regions. Implicit in *Baker* v. *Carr*, if carried out in full measure, was the naked threat of extinction to every rural political oligarchy in the land.

This new "court crisis" gave southern politicians a rare opportunity to join forces with legislatures in every region in a common resistance cause. Southerners had been toying for years with the hope of forming such a new power base. Alone, they had recognized their helplessness, but they had long dreamed of fusing Dixie with the Midwest Farm Belt and the Mountain States in a rural-oriented complex that could counterbalance the voting power of the great industrial States. This, essentially, had been the dream of Senator LYNDON JOHNSON in his abortive campaign for the Democratic presidential nomination in 1960; it remains the gleam in the eye of Senator BARRY GOLDWATER as he looks hopefully to 1964. In *Baker* v. *Carr* the southerners found a fulcrum with which to lever national political action, and the evidence demonstrates that the more perceptive among them seized the opportunity.

The Biloxi regional meeting adopted two important resolutions. The first asked Congress to draft a constitutional amendment forbidding the Federal courts to interfere in reapportionment cases. The second cited a long list of grievances, replete with condemnation of Federal judicial power. It called for a strict separation of Federal-State powers, demanded judicial restraint, and appealed for legislation to curb the authority of the Federal judiciary. The two resolutions formed, in effect, a States' rights manifesto. The southerners, having adopted them, looked for a base of support. They set their sights on the annual conclave of the influential National Legislative Conference, to be held in Phoenix, Ariz., in September 1962.

Step by step there now developed the inside power play that was to lead to the launching of three drastic constitutional amendments. One would so alter the method of amending the Constitution that the States could propose and ratify amendments without any participation by Congress, by legislative action on the State level with no national forum to focus and crystallize public opinion. The second would deny the Federal courts any jurisdiction over the apportionment of legislative seats. The third, and most radical of all, would create a Court of the Union, composed of the chief justices of the 50 States, with power to overrule the U.S. Supreme Court in all cases involving Federal-State relationships.

Such was the explosive package for which the fuse was to be lighted by the southerners when they moved on to the next stage of their power play in Phoenix.

To understand the sequence that now unfolded, one must first appreciate the interrelationships and the interlocking power of a number of organizations of legislators and State officials.

At the pinnacle is the Council of State Governments, a 30-year-old agency maintained by the States. Its objectives are to improve State procedures, further cooperation in solving interstate problems, and improve Federal-State relations. Since it is the one permanent, functioning body in its field, it also serves as a secretariat for a number of other loosely affiliated organizations.

Two of these were to achieve special importance in the developing amendment drive. The first was the National Legislative Conference. This is composed of two elements: staff personnel who work for State legislative bureaus or committees, and legislators and other elected officials who serve as members of permanent or interim committees directing such personnel. The second organization is the General Assembly of the States. This is composed entirely of State officials and legislators. The assembly meets biennially, its convention details arranged by the Council of State Governments, to discuss State problems and the relationships of the States to the Federal Government.

Even a cursory examination of this interlocking chain is revealing. It is obvious that although the bases for membership in the various organizations differ slightly, their directorates, which are dominated by important legislative leaders, often overlap. This enables an inside power complex of extreme conservatives in the National Legislative Conference also to exert influence on the General Assembly of the States and to a marked degree on the highly prestigious Council of State Governments itself.

Certain other vital aspects of these organizations must also be noted. First, though they have a quasi-official prestige, they are not truly official nor truly representative. The word delegates, when applied to attendance at their conventions, has meaning only in the loosest sense. Anyone who qualifies for membership is entitled to attend. There is no formal selection of those who should attend; the only determining factors are private desire and financial means. As a result, attendance is likely to be composed principally of ax grinders who have been supplied with either public or private resources to get to the site of the grinding.

A spokesman who has observed from inside the mechanics of these interrelated groups puts it this way:

"Most State legislatures tend to be quite conservative, and usually it is the more conservative of these conservatives who attend the meetings. It is the old story. Those who are passionately against something, those who are really wrought up, are the ones most likely to show. The good guys, the lofty idealists, you might say, tend to be less well-organized, and they don't charge into the breach until the damage has been done and a crisis is at hand."

In 1962, the normally strong conservatism of these legislative conventions was intensified to an ultrahue by State's rights pressures especially by the emotions aroused by *Baker* v. *Carr*. This was the nettle in the minds of some 750 State legislators and officials from 46 States who gathered in Phoenix for the 3-day convention of the National Legislative Conference held September 19–21. One observer, who watched the delegates in action, has provided this description:

"It is important to remember that members of the State legislatures felt themselves most affected by *Baker* v. *Carr*. As a group, they certainly felt changes were going to affect them personally—things were going to be done to them. There has been, of course, for some time, a large amount of underlying criticism of Supreme Court decisions, but it was *Baker* v. *Carr* that crystallized resentment into action at this particular time."

Definitely, says this observer, there were strongly organized groups within the conference who knew exactly what they wanted and were determined to get it. He explains that he does not mean radical right organizations like the John Birch Society. The wheels were set in motion by highly placed men, jealous of their own prerogatives. The southerners, in their segregationist fervor, were a dynamic force but they were only part of a national coalition which powerful leaders had been assembling for months.

From as unlikely a State as New Jersey (heavily industrialized, in 1960 the second State in the Nation in population density) came a delegation as united in purpose as any delegation from the South. Its leaders were Assemblyman Frederick H. Hauser, a Democrat from the declining onetime Hudson County stronghold of the late Boss Frank Hague, and Senator Wayne Dumont, a Republican from Warren County, and in 1961 an unsuccessful contestant for the State gubernatorial nomination against President Eisenhower's onetime Secretary of Labor, James P. Mitchell. The *Baker* v. *Carr* decision had shaken Dumont. Though the limits of the newly proclaimed Federal power were still to be defined by future court decisions, Dumont, a lawyer, read into it a declaration of carte blanche authority on the part of the Federal judiciary to revamp the entire legislative membership of the States.

What most disturbed him was the prospect that the Federal courts might order reapportionment of the State senates, as well as the lower houses, on a strict population basis. The present New Jersey constitution, adopted in 1947 by popular referendum, provides that each of the State's 21 counties shall have one senator and that each county shall also have a minimum of one assemblyman, with the remaining seats in the lower house apportioned on the basis of population.

"We have built into our constitution a system of checks and balances," Dumont says, "and if you do not have such a system in the legislature, the smaller counties will never get any legislation passed. A few large counties like Essex (Newark) and Hudson (Jersey City) would dominate everything, and out here we would be lucky if we even got crumbs. People who want to base everything on population may be idealists, but I'll say one thing—they've never served in a legislature. If they had, they'd soon have found things don't work that way. You have to have bargaining power."

It should be noted that Dumont's fears may not have been exaggerated, for on July 17, 1963, a three-man Federal court, in the first action of its kind in the Nation, reapportioned both houses of the Oklahoma Legislature on a strict population basis.

"If this is what is going to happen, the counties will lose their political identities completely," Dumont says. "Any redblooded individual who is going to let that happen to him is nuts. And I mean that literally."

In Phoenix, he found other State legislators whose views were virtually identical with his own. "Everybody was aroused about it, and we all felt the same way," Dumont says. "I have never seen all the States so united on anything."

The issue came up for discussion on the last day of the Phoenix conference. The original intention of the southerners, reportedly, had been to get the conference to endorse the Biloxi resolutions, but, instead, a change in strategy was adopted. The conference passed a resolution of its own, entitled "Strengthening the States in the Federal System." The resolution cited the "increasing concentration of power in Washington" and instructed the conference's Federal-State Relations Committee "to prepare a report exploring a clearcut approach" to a method of amending the Constitution through action initiated by the States. The committee was instructed to report its recommendations at the next meeting of the general assembly of the States in Chicago in December.

The ball had now been passed from the meeting of southern delegates at Biloxi to the National Legislative Conference, from the conference to its Federal-State Relations Committee, and the next step had been charted—the step by which the committee would trigger action in the general assembly of the States and the influential Council of State Governments.

With the end of the Phoenix conference, one comes face to face with a key figure in the amendment drive—Representative W. Stuart Helm, Republican speaker of the Pennsylvania house. Helm was chosen chairman of the National Legislative Conference at Phoenix. He was also second vice president of the Council of State Governments and, as such, a member of the council's executive committee. As legislative conference chairman he had the power to appoint the members of the Federal-State Relations Committee that would draft the amendment proposals. In these overlapping capacities, W. Stuart Helm was highly influential, with the power to initiate action and to influence the reception given that action.

Speaker Helm comes from a declining rural-industrial region. His home is in Kittanning, in Armstrong County, about 50 miles from the Ohio border. He has been a member of the lower house of the Pennsylvania Legislature for 24 years, is now its fourth oldest member in length of service, and is serving his second term as speaker. He began his career operating a service station, but for the last 20 years he has been employed by the Sun Oil Co., which is controlled by the Pew family, long noted as bankrollers of Republican and rightwing causes. Now an executive in Sun Oil's merchandising division, Helm exhibits considerable sensitivity about intimations that, because he works for Sun Oil, he is in reality only a mouthpiece for Pew interests.

"I'm employed by Sun Oil, yes, but that's as far as it goes," he insists. "Every year when the legislature meets, I take a leave of absence from my job for several months while the legislature is in session. I've been very careful about that. I don't want anyone to say that there's a conflict of interest."

Obviously, Sun Oil is honored at having on its payroll the speaker of the Pennsylvania House and, patriotically, does not mind the sacrifice it must make in depriving itself of his services for several months each year so that there may be no conflict of interest.

Helm, now in his 50's, stands close to 6 feet tall, has a pleasant, slightly sharpnosed face and thinning gray hair that gives him a distinguished look. He is proud of his stanch conservatism. Drew Pearson, he says, called him a "liberal" conservative, and he bridles at the tag. "I don't know where he gets anything liberal about me," he says. "I've always been a strict organization Republican which, in my understanding of it, tends to be more on the conservative side. I'm certainly no ADAer."

Helm discusses the amendment drive with apparent candor, yet he is sometimes far less candid than he appears. For instance, asked how the idea was born, he responded emphatically:

"I can tell you exactly. We have this committee, a subcommittee of the Conference on Federal-State Relations. This committee came up with these ideas at a time when the conference was not in session. This was following the National Legislative Conference at Phoenix. Since we were not going to be in session, we had provided that any recommendations made by the committee should be submitted to the Assembly of the States meeting in Chicago in December * * * and that was how the whole thing started."

This is at best a deceptive oversimplification. Helm insisted he had never heard of the Biloxi meeting; he even made the astounding statement that the amendment issue had not even discussed at Phoenix—indeed, had never been discussed before the National Legislative Conference. "We didn't discuss it at Phoenix, and we haven't discussed it since," he said. "We have had no occasion to"—a statement that is only technically correct from the viewpoint that specific amendments had not yet been drafted at the time of the Phoenix meeting. The actual proposals, of course, were the work of the committee that Helm named to do the deed.

"The men on the committee were appointed because they were all men I knew," Helm says. "I called them or wrote them—in most cases I called them personally, but in some I wrote letters—and asked them if they would serve, and they agreed."

Subsequent evidence reveals that Helm knew his men well; for of the nine-man committee he appointed, eight were militant advocates of the amendment. Since it was in this Helm-named committee that the deed was done, the identification of its key members becomes important.

Its chairman was Assemblyman Lloyd W. Lowrey, of California, who had begun his career as a teacher but had spent the last 30 years farming and livestock raising. Though elected as a Democrat, Lowrey in recent years had been considered as antiprogressive on most legislative issues. Those who know him rate him an ideal presiding officer for Helm's committee—a man with a definite bias, but one who would consider his role almost judicial and would try to be fair. He would not lead; he would preside and rule—and, though he would strive for fairness, his own personal slant would weight his ruling on any sensitive issue.

With such a chairman, committee sparkplugs would be needed to fire the work, and there is no question Helm found them. All accounts agree that the principal sparkplug was William V. Chappell, 40, a former speaker of the Florida House and a man deemed in Florida political circles to be a radical rightist. During a special session of the Florida Legislature in 1956, Chappell was a leading spokesman for diehard segregationists sponsoring a series of racist bills, some of which would have closed the Florida schools. Some Florida newspapers have labeled Chappell and his political cohorts "the Pork Choppers" from north Florida and have editorially denounced a favorite scheme of theirs to resurrect the so-called blindfold bill. This would set up two slates of unpledged Florida electors in the next presidential election, in effect depriving the electorate of any real choice.

The Florida interests, with Chappell as their moving spirit, were to become dominant in drafting and pushing the amendments. But they received major assistance from at least one northern legislator—Warren Wood of Illinois. Wood, born in Joliet in 1910, represents Will County, south of Chicago. He is vice president of the Union National Bank & Trust Co. of Joliet, and with banking he combines farm management. He served four terms as speaker of the Illinois House, and in 1959 became minority leader. A power in the Illinois Legislature, his political philosophy is reflected by what is perhaps his best known quote—that the 10th amendment to the Constitution "has been raped twice a day for 10 years." The most radical and controversial of the three proposed constitutional amendments, the Court of the Union proposal, is the brain child of Warren Wood.

Other proamendment members of the committee, all active in backing one phase or another of the proposals, were: James Turman, then speaker of the Texas House, later to be defeated in a contest for the post of Lieutenant Governor; Thomas D. Graham, speaker of the Missouri House; Robert D. Haase, speaker of the Wisconsin Assembly (he at first substituted for and later succeeded Speaker David J. Blanchard following Blanchard's death); Clarence L. Carpenter, president of the Arizona Senate, soon to be elected first vice president of the Council of State Governments; and Assemblyman Hauser, of New Jersey.

This was a solid, conservative phalanx. The ninth committee member and lone dissenter was State Senator Frank King, of Toledo, Ohio, a liberal Democrat with a prolabor background. King himself is mystified as to how he came to be chosen. He had not attended the Phoenix meeting, but he had served for several years on the executive board of the National Legislative Conference, he was well-known to many delegates, and he suspects that, since his views were not definitely known, a wrong guess was made in his case. Helm gives a different explanation.

"Originally, King wasn't on the committee," Helm says, "but then someone said that we were loaded with members who were all for the amendments and we should get all shades of opinion, we should hear all sides—and so we asked him to serve."

This passion to hear both sides did not extend to the point of setting up an even debate; Frank King was left alone to battle eight opponents.

The National Legislative Conference's Committee on Federal-State Relations met in Chicago 2 days after the 1962 general election. It had before it as a working base, according to Senator King, the resolutions that had been adopted at the Biloxi conference in July. The purpose was to rework these resolutions and put them in the form of specific proposals to be submitted to the General Assembly of the States.

The drafting committee began work early in the morning, labored throughout the day, and did not finish until late at night. Frank King was appalled by the determined and, to him, radical attitude of his conferees.

"That fellow from Florida, Bill Chappell, was loaded for bear," King recalls. "He brought a whole delegation with him, judges, lawyers, constitutional experts. Any question that came up, he had an expert there to answer it. They were well financed, well prepared; this was an expensive operation, no question about it. But where the money comes from—that's the $64 question you can't get an answer to."

King still sounds baffled, a man wrestling with extreme frustration, when he tries to describe his attempts to talk sense to his fellow committee members. He could find no possible meeting of minds.

"Take Warren Wood, for example," King says. "To sit down and have dinner with him, he impresses you as a very decent sort, a likable guy. He's not the starryeyed, fanatical type at all. But he has this twist to him. He thinks that something drastic has to be done to save the Nation, and he's ready to do it if he has to die for it. A lot of these fellows seem to really believe it. They don't seem to realize that the very things they advocate would ruin the Nation they say they're ready to die to save."

By the time the day's work was done, the three amendments had been whipped into virtually final form. The strategy of the proponents called for the various State legislatures to pass three resolutions calling upon Congress to summon a constitutional convention. This procedure, though provided for in the Constitution, and intended as an avenue for the States to offer constitutional changes, has never been used in our history by the required two-thirds of the States. There are virtually no guidelines for the organization and functioning of such a convention. Clearly, however, if two-thirds of the legislatures passed the proposed resolutions, the same rural-dominated bodies could handpick the delegates to dominate the convention. Such a convention, if ever called, could dismember the basic structure of the governmental system created by the Constitutional Convention of 1787. Here are the proposed amendments:

(1) This amendment calls for a radical addition to the methods of amending the Constitution. It provides that whenever the legislatures of two-thirds of the States—34—pass identically worded resolutions, Congress would be compelled to deem such amendments proposed. Then, ratification within 7 years by three-fourths of the legislatures—38—would make such amendments the law of the land. This procedure would make it possible to bypass Congress in the amendment process and raises the prospect (as, indeed, was soon to be demonstrated in the amendment drive) that powerful, conservative insiders in the State legislatures could maneuver passage of such amendments before the public knew what was happening. Commenting on this amendment, the American Civil Liberties Union warned that such a step might make it "possible for such basic rights as freedom of speech and religion, the privilege against self-incrimination, the right to jury trial or other freedoms in our Bill of Rights to be removed from the Constitution by a minority point of view."

(2) This amendment is designed to maintain rural control of legislatures in perpetuity. It would prohibit the Constitution "or any amendment thereto" from restricting or limiting "any State in the appointment or representation in a State legislature." It would also bar "the judicial power of the United States" from ruling on any case involving "apportionment of representation in a State legislature."

(3) Warren Wood's Court of the Union proposal would set up a supercourt, composed of the chief justices of each of the 50 States. Within 2 years after any ruling by the U.S. Supreme Court involving Federal-State relations, a demand by the legislatures of five States, "no two of which shall share any common boundary," would be sufficient to bring the Supreme Court's decision before the new supercourt for review. The decisions of this new Court of the Union would be "final" and could be changed "only by an amendment to this Constitution."

With this package virtually completed, the Council of State Governments was asked to place the amendment issue on the agenda of the general assembly. It complied. The amendment-drafting committee met once more, in Chicago, on December 4. This was a brief session, devoted to a final review of the previous month's handiwork. The committee, on this second look, liked what it had wrought and ordered its proposals printed for presentation to the general assembly.

The climax now approached, and the insiders had one more move to make. The board of managers, ruling body of the Council of State Governments, was meeting in Chicago on December 5, the day before the general assembly's convention. If the amendment proposals could go before the assembly with the council's august blessing, their chances would be greatly enhanced. And so an effort was made to gain the endorsement of the council's board of managers.

This time, Brevard Crihfield, executive director of the council, carried the ball. In his annual report to the board, Crihfield minced no words. In explicit terms, he denounced the *Baker* v. *Carr* decision.

"The Supreme Court," he said, "has planted both feet in the political jungle. To me, the only surprising facet of *Baker* v. *Carr* and its aftermath is the relish with which some Federal courts have wielded their now-declared power to tell the States what they shall do—or else.

"What can be done? We can wait, wring our hands and hope that subsequent Supreme Court determination of specific issues * * * will perhaps leave some small area within which the States can retain authority over basic apportionment policies. Or we can decide to take a stand."

Crihfield left no doubt about what the stand should be. "We must have close to unanimous State agreement," he declared, "if the States are to be successful in initiating any amendments to the basic law of the land."

This all-out endorsement by Crihfield has caused considerable trauma within the Council of State Governments itself. Even now, months later, responsible council spokesmen will try to tell you that Crihfield's words did not really mean what they seem to say—that he was not recommending action, merely explaining the problem. Crihfield himself, however, is entirely candid about his position.

"You will notice," he said, "that I said nothing in my remarks about amendment 3 (Warren Wood's Court of the Union proposal). I will say that on the other two my remarks supported those, and I still do."

This, then, was the position of the powerful executive director of the council, backed by support in the board of managers, for Helm, Lowrey, and Carpenter were all members of the board. Despite this, the board did not take a position on the issue. It simply passed the hot potato to the general assembly of the States.

It is intriguing to note that up to this point, except for the southerners at Biloxi, no organization in the circle had irrevocably committed itself. The National Legislative Conference, since it was not meeting (and would not until late this summer, in Honolulu), had not formally ratified the work of its committee. The committee's work had been reviewed by the governing body of the Council of State Governments, but this body had not committed itself either. Yet, despite this lack of full commitment, the ideas germinated at Biloxi had been steered through the channels of command by deft manipulation and were now ready for the general assembly. And, significantly, though the council's top board had not taken a stand, Crihfield's report, fully supporting two of the three amendments, was placed in the hands of all assembly delegates.

These delegates, it turned out, needed little stimulus. When they met on December 6, it quickly became apparent that many were aroused and angry men. As usual, it was the ax grinders who had taken the time and spent the money to attend, but this year, incensed by *Baker* v. *Carr*, there were more and angrier ax grinders.

"I wouldn't want to call this mob action, exactly," says an observer, who was there in an official capacity, "but it was certainly mob hysteria. There was nobody actually foaming at the mouth, but they were certainly wrought up."

Frank King agrees. Once more he found himself a lone voice. The speakers' platform was packed and so, seemingly, was the audience. The Florida delegation, sensing a 20th century Bull Run, had turned out in full force. "There must have been a dozen or more of them," King says, and this time they had brought with them a real rabblerousing voice—that of Millard Caldwell, former Governor, now the State's chief justice.

Florida newspapers have written that Caldwell, as Governor, was virtually the patron saint of the Pork Choppers. In the 1960 Florida gubernatorial campaign. The Miami News criticized him for his "medieval philosophy" and commented bitingly on a "pinko" smear he had employed, characterizing his remarks as "pine and palmetto McCarthyism." Excerpts from some of Caldwell's public speeches seem to justify the appellation. He had bitterly criticized a 1944 Supreme Court decision opening Democratic primaries to Negro voters in the South; he had called Harvard "the rallying ground of the bleeding hearts," and Princeton "the center of egghead internationalists." He had seen Russia, thanks to American camp followers, winning "the first rounds of the cold war and unless those of us who are concerned for the future get busy, they can win the hot war." In a speech distributed by fact finder's forum, an ultraright organization, Caldwell had heaped ridicule upon all liberals as "dogooders" and "bleeding hearts," and by some weird distortion of history had concluded that "Hitler and Mussolini are extreme examples" of what is produced by this type of thinking.

Caldwell, with his racial bias, his anti-intellectualism, his conspiracy view of modern history, was virtually the archetype of the radical rightist, and it perhaps says much for this convention that it was Caldwell who was to be its most persuasive voice. All sources agree on Caldwell's dominant role. Frank King gives what is, of course, a highly personalized version of events, but one that agrees in its essentials with the views of other observers.

"The segregationists were in the van," King says. "Unless you had seen and heard it, you wouldn't believe that it could happen and that you were in the United States of America. I never heard such nonsense. They had some real spellbinders; they would shout and rant—and then they'd wave the flag. It was well staged, well planned, and there was practically no opposition. I made a speech against it (the package of States' rights amendments); I told the delegates that all it was, was a baldfaced attempt to perpetuate ourselves in office, regardless of the welfare of the country. But the whole thing had caught the delegations, most of them, flatfooted. They had only the vaguest idea what it was all about, and in the circumstances, you know, some of these glibtongued birds can make you believe almost anything the first time you hear it. And they certainly had the glibtongued birds, especially that former Governor of Florida."

An observer at the session agrees with King. He points out that copies of the amendment proposals were not available until the day the assembly met. The insiders, of course, knew what was going on, but other delegates had little opportunity to study the amendments, to ponder their real significance. And Caldwell was the William Jennings Bryan of this convention. "I know he swayed at least half a dozen States," this observer says. Strikingly enough, Wayne Dumont of New Jersey gives an identical estimate. "I know that Caldwell influenced at least half a dozen votes on the Court of the Union proposal," he says, "and remember it only passed by one vote."

In this atmosphere of passion, frenzy, and rank and file ignorance, the amendment resolutions were whipped through the general assembly. They were "brought out, read, debated, passed all in 2 hours," one informant says. "We usually take longer to pass courtesy resolutions."

The first proposal, to change the amendment process, gained the approval of 37 States; 4 opposed and 4 abstained. Twenty-six States favored the reapportionment ban, but 10 opposed and 10 did not vote. On the Court of the Union proposal, 21 States were in favor; 20 opposed; and 5 did not vote.

The insiders had won their major victory. With the amendments endorsed, the next step was to get action in the State capitols. Once more, the inside power players called on a strategically placed group in which they wielded potent influence. This is still another State organization, called the National Conference of State Legislative Leaders. It is composed, as the name implies, of top level leadership, the presidents pro tem of the senates, the speakers of the lower houses, the majority and minority leaders of both bodies—the dominant officials in every legislature. The general assembly called upon these key leaders "to lend their good offices in seeking favorable State legislative action" on the amendments.

This organization of State legislative leaders had been organized in 1960 with financial help from the Richardson Foundation. The foundation, representing a Vick Chemical fortune, in recent years has poured $532,880 into the Foreign Policy Research Institute of the University of Pennsylvania, and the result has been the promulgation of a hard rightwing doctrine in foreign affairs, expressed in the ridiculously simplified imagery for the nuclear age, that ours is not the lot of peace but the sword. On the domestic front, the Richardson Foundation had been sufficiently interested in the National Conference of State Legislative Leaders to bestow upon it $10,000 to enable the conference to perfect its organization.

Other traces of ultraright enchantment with the amendment proposals soon became evident. Early in 1963, Human Events, the Washington news sheet that is one of the principal bibles of the far right (it also prints and distributes the hard right congressional voting index of Americans for Constitutional Action), devoted major space to an article explaining the wonders of the proposed amendments. The exposition was prefaced by a ruled box, reading: "Human Events suggests that you write your State legislators to back these amendments. With vigorous action, they can be passed." Shortly afterward, when the reapportionment amendment was introduced in the Texas Legislature, copies of Human Events were widely circulated in both houses. The legislature passed the amendment with virtually no discussion, with no one even explaining its purpose.

The amendment push was now getting into high gear, and to keep it rolling still another organization was formed, one whose origins and finances remain something of a mystery. It was called the Volunteer Committee on Dual Sovereignty, and its chairman, by the strangest of chances, turned out to be none other than W. Stuart Helm. Helm gives this explanation of the birth of the Dual Sovereignty Committee:

"Since the National Legislative Conference had taken no official action, we felt we couldn't come out and back the proposals on behalf of the conference. We felt that the best way they could be promoted would be to form a separate, volunteer committee to work for the proposals. They called me and asked me if I would serve as chairman. At first I said I wouldn't, but then I agreed, only with the specific understanding that there should be no official connection with the National Legislative Conference."

"Who were 'they' who called you?" Helm was asked.

"Well," he said, "the men who were leading the fight for these proposals."

He identified them as Chappell, Warren Wood, and "that fellow from California who was the chairman of the committee." The name of Lowrey, whom Helm himself had appointed, seemed to escape him, but when his memory was jogged by mention of Lowrey's name, he indicated that the formal request for him to accept another chairmanship had come from Lowrey.

So the Dual Sovereignty Committee was created, with six vice chairmen assisting Helm. These included four members of the original drafting committee—Chappell, Wood, Hauser, and Haase. Two new names were added—Republican Lieutenant Governor Harold H. Chase of Kansas, and J. D. McCarty, Democratic Speaker of the Oklahoma House. Since Helm was chairman, the Dual Sovereignty Committee listed itself as operating from Harrisburg, Pa., but actually its literature began to bear a Tallahassee, Fla., postmark. For it was in Tallahassee that the committee established a novel public relations setup.

There, in a cubbyhole office tucked away under a staircase in the State capitol, a 37-year-old former newspaperman, George Prentice, set up shop. After leaving the newspaper profession, he had established his own radio and television bureau in Florida, had run into financial difficulties, and finally wound up as public relations man for House Speaker Mallory Horne, of Tallahassee, another close political associate of Chappell.

Prentice says that he was asked to coordinate the effort to pass the amendments in December after the general assembly had endorsed them. His principal functions have been to contact State legislative leaders to urge introduction and passage of the amendments—and to try to keep the movement from being tarred by open involvement with racist and Birchite groups.

"We had some strong approaches from the White Citizens Council of Mississippi and the National Citizens Council, but we have not taken advantage of their offers," Prentice says. "If they want to support the amendments, that's their business. But we don't want our purposes linked with theirs."

Prentice insists that no money has been spent on lobbying. This may be true, since the entire movement is geared to operate from the top, through the close personal ties of powerful legislative leaders. Even so, news releases, long-distance telephone calls, and salaries require quite a bit of money. Prentice's own salary comes to $1,000 a month, he says, and he has one secretary whose salary is paid by a generous Florida State government. In an interview with the Miami Herald, Prentice estimated that the total cost of his dual sovereignty promotion comes to about $1,500 a month, and he added: "My salary is paid primarily by the Dual Sovereignty Committee. Only about 25 percent comes from the speaker's office."

This statement doubtless will come as a shock to W. Stuart Helm. For in Harrisburg, when asked the vital question—where the money was coming from—Helm declared with great emphasis: "We have no money, no organization. We haven't a nickel. We don't spend any money promoting the amendments because we don't have any money to spend. Prentice is a public relations man for the speaker of the Florida House, and whatever he gets paid, he gets for his services as a public relations man to the speaker. We haven't paid him a dime."

Obviously, the gentlemen should get their stories straight.

Such was the behind-the-scenes picture when the amendment drive began to produce astonishing results in the late winter and spring of 1963. State after State, in rapid-fire sequence, began to approve one or another of the amendments. Only then, at a late, late hour, was there any genuine public awakening and opposition.

Two legal experts, Arthur J. Freund, of St. Louis, and Prof. Charles L. Black, of the Yale Law School, were first on the battleline. They corresponded about the amendments soon after they were proposed in Chicago, and Professor Black in a stinging article in the Yale Law Journal, led the attack. He labeled the proposals "radical in the extreme" and argued that they were aimed "not at the preservation but at the subversion" of our governmental system.

"They constitute, collectively, one more attempt, so late in the day, at converting the United States into a confederation," he wrote. "The wisdom of peace and the sacrifices of war alike warn against starting down that ruinous road."

Analyzing the proposed changed method of constitutional amendment, Professor Black argued that it would be "easily possible for a proportion of the American people no greater than that which supported Landon in 1936 to impose on the rest of the country any alteration whatever in the Constitution." He stressed that, as a result of apportionment inequities, legislators representing only 38 percent of their State populations have the power to pass measures in the 38 least populous States. These States contain only 40 percent of the American population. As a result, Professor Black pointed out, the minorities controlling this minority could work fundamental changes and impose their will on the majority. He estimated, for example, that the income tax established by the 16th amendment could be repealed by the votes of legislators representing no more than 15 percent of the people of the Nation.

Black's article had profound impact in legal circles; yet, as late as April 27, 1963, when Chief Justice Earl Warren spoke out on the amendment issue, he reported in shocked amazement that, after researching all law society publications and legal reviews, this was the only article he had been able to find. The Chief Justice lectured the legal profession for its lethargy and called for "a great national debate" on the three proposals. This call finally broke the barrier of public somnolence and indifference, but the fact that it was needed poses a most disturbing issue.

When the belated awakening came, when it finally dawned on liberal and labor and civil rights groups that the amendment drive must be taken seriously, there was an outcry that the amendments had been "sneaked" through various State legislatures in a devious campaign of deceit and concealment. This charge contains some elements of truth, but also much untruth. For the cardinal and glaring and most unpalatable fact is that, in this stultifying age of conformity and nondissent, few persons were awake; few gave a damn. This applies with almost equal impartiality to virtually everybody—to a soporific and superficial press, to labor leaders, to liberals, to lawyers, and to intellectuals.

Crihfield, the Council of State Governments' executive, sports his disdain of liberals when this liberal "sneak" charge is mentioned to him.

"All the charges that have been made that these were sneak amendments are a lot of nonsense," he says. "The (General Assembly) meeting in Chicago was open to the press, the press was there, but frankly, they paid no attention to it."

Wayne Dumont agrees with Crihfield. He, at least, expected and hoped for publicity. "The next day I went out and bought the papers to see what kind of a press we got," he remembers. "I had to hunt through the Chicago Tribune to even find the story. It was buried in the back somewhere, with hardly any mention of the amendments. It was the same with all the papers."

Frank King, in essence, agrees with his opposition in this estimate of the situation. In his State, a few newspapers like the Toledo Blade were awake and aware from the beginning but generally there was a fog of indifference. "At the outset," King says, "I think a lot of people tended to dismiss this business too lightly, to laugh at it as a crackpot affair. In my estimation, many people still do. But I think it's something not to be taken lightly; I think it's damned serious. I've been fighting this thing in Ohio, and it has involved me in the toughest battle of my political life—and I've been in the legislature 15 years."

These views are reinforced by personal observation. More than 6 months after the Chicago meeting, long after Professor Black and Chief Justice Warren had sounded the alarm bells, there was an amazing paucity of information in usually well-informed circles. In Washington, even in the offices of liberal Senators worried about Birchite threats in their States, the files were barren of any useful information about the amendment drive and the forces behind it. Most labor circles, stirring slowly to opposition, acknowledged that they had done virtually no spadework.

In exculpation, it must be stressed that there were two aspects of the amendment drive that encouraged such lethargy. First, as Frank King noted, the proposed amendments were so extreme that it seemed, to many sensible men, they could never gain wide acceptance. Second, and this is perhaps the most vital single point of the entire story, there had been no public demand for such drastic changes, and it seemed inconceivable, to anyone who recalls how difficult the amendment process has been for even widely publicized causes, that the three-amendment package could get anywhere without a strong basis of grassroots support. That, in spite of this basic weakness, the amendment drive could become a menace express something relatively new in the American experience—the determination and ability of top-ranking ultraconservative elements of the establishment to engineer and organize changes from the top downward while the people sleep.

There can be no question about this. In Ohio where the apparently stymied amendment drive was sparked by Lt. Gov. John Brown, King exposed the movement's glaring lack of popular support. "The Lieutent Governor was the only witness to testify for these things before our committee," King declares. "I challenged them. I demanded that they produce one witness, one resolution—that they show me even one letter that had been written urging this action. They couldn't do it."

In New Jersey, the situation was even more dramatic. Wayne Dumont, worried about the State apportionment issue, was opposed to the radical court of the Union idea, but he was ardently in favor of the other two amendments. "I went around to all the Senators," he recalls. "I explained to them just what the amendments were. There was not one of them who was misinformed. They all knew what they were doing. And they all approved; they all wanted to be cosponsors of the resolution."

The result was that on January 14, 1963, with no debate, just as in Texas, the first two amendments flitted through the New Jersey Senate without a dissenting vote. Later, while action was pending in the assembly, came the first stirrings of public reaction. Civil rights groups began to rouse themselves. U.S. Senator CLIFFORD P. CASE called for repeal of the State senate action. A backfire started. As a consequence, a scheduled assembly hearing was abandoned; the senate recalled the unanimously passed amendments; and on June 28, with desertions taking place on all sides, Dumont withdrew the proposals. They are now, he concedes, definitely dead in New Jersey.

Even Helm, the man at the heart of the amendment effort almost every step of the way, acknowledges that the national drive originated with the legislators, not the public. Discussing public reaction, he said, without any prompting: "Originally, of course, there was none at all. Then, after the amendments were introduced, my mail ran pretty heavily against them. Now, since they have been out for some time and there has been a chance to explain them, there has been a complete change, and my mail is running about 4 to 1 in favor." Helm added that this may not truly reflect public sentiment because "the people who write are almost always those who feel especially strong about something."

Asked if there had been any demand for amendments of this kind before the legislators themselves suggested them, he said: "Oh, no, there was no pressure from the public."

The picture that emerges is clear—and potentially fateful. Amendments that, in the words of Professor Black, could reduce this Nation to a loose confederation of States, had been spawned and promoted by insiders of the establishment with such success that only one (the Court of the Union proposal, which has passed only five legislatures) seems definitely doomed. The other two, adopted by a growing number of States, will come before legislatures again this fall and winter, and no man can say what may be the outcome. That so much could be accomplished by a small cabal of strategically placed officials, backed by wealthy and largely hidden interests, aided by the frenzied cries of racists, States righters, ruralists, and Birchites—all without any perceptible stirring or demand among the people themselves—this is a pattern that speaks of a deep and fateful schism in the American body politic.

It has been obvious for some years that the ultrawealthy, ultraconservative part of our society has been divorced from the broad base of the people, as virtually every presidential election since 1932 has demonstrated. It has been obvious that the power of highly placed rightists has been bolstered mainly by a show of strength on the racist and rabid fringe which, to a great degree, they have actively encouraged and promoted. The rural, rotten borough system, easy to manipulate and control in blocking progressive legislation, has helped to maintain this power, and the coalition in Congress of racist southerners and ultraconservatives mainly from rural areas around the Nation, has stood as testament, for the last quarter century, to the existence and influence of reaction. All that was needed for a further grab for power, for an additional effort to roll back the tides of the 20th century, was some catalytic agent to fuse the coalition tighter and broaden its base. This spark was supplied by *Baker* v. *Carr*.

There is no question that this decision brought a great many legislators, some honestly worried about extreme extensions of Federal reapportionment power, into the amendment camp. They have helped to make possible the success of the amendment drive so far. But, significantly, they did not initiate it; they did not bankroll it; they did not control it. At most, to hold on to their own legislative seats, they collaborated. The significance lies, not in the fact of their collaboration, but in the power of the cabal at the top that has been revealed. When drastic and radical changes that would alter fundamentals of the American system can come so close to being imposed from the top, by inside manipulation, without the shadow of public demand; when, to this use of power and position, there is wedded an all-pervasive lack of dissent and controversy and interest on virtually every level of American society, we are confronted clearly with the potentials for an anti-democratic disaster of appalling magnitude. Whatever ultimately happens to the amendment drive, it has demonstrated the existence of these potentials.

They remain, ready and malleable elements, awaiting the masterful hand of this political junta, or some other, that might use them in new reactionary attacks against the Federal Union and against the degree of democracy so painfully achieved in the 176 years since the Convention met at Philadelphia and agreed upon the document that begins: "We the People of the United States, in Order to form a more perfect Union * * *"

A FLOWER FOR THE GRAVES

Mr. MILLER. Mr. President, the sad, horrifying, and completely unnecessary and inexcusable church bombing in Birmingham last Sunday has shocked all of us. Many things have been written and said about it. One of the most moving, understanding, and timely literary pieces I have ever read came from the pen of a southerner, Eugene Patterson, editor of the Atlanta Constitution, in a column entitled "A Flower for the Graves." I ask unanimous consent that it be printed in the RECORD for all to see and ponder.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A FLOWER FOR THE GRAVES

A Negro mother wept in the street Sunday in front of a Baptist church in Birmingham. In her hand she held a shoe, one shoe, from the foot of her dead child. We hold that shoe with her.

Every one of us in the white South holds that small shoe in his hand.

It is too late to blame the sick criminals who handled the dynamite. The FBI and the police can deal with that kind. The charge against them is simple. They killed four children.

Only we can trace the truth, southerner—you and I. We broke those children's bodies.

We watched the stage set without staying it. We listened to the prolog unbestirred. We saw the curtain opening with disinterest. We have heard the play.

We who go on electing politicians who heat the kettles of hate.

We who raise no hand to silence the mean and little men who have their nigger jokes.

We who stand aside in imagined rectitude and let the mad dogs that run in every society slide their leashes from our hand and spring.

We the heirs of a proud South, who protest its worth and demand its recognition.

We are the ones who have ducked the difficult, skirted the uncomfortable, caviled at the challenge, resented the necessary, rationalized the unacceptable, and created the day surely when these children would die.

This is no time to load our anguish onto the murderous scapegoat who set the cap in dynamite of our own manufacture.

He didn't know any better.

Somewhere in the dim and fevered recess of an evil mind he feels right now that he has been a hero. He is only guilty of murder. He thinks he has pleased us.

We of the white South who know better are the ones who must take a harsher judgment.

We, who know better, created a climate for child killing by those who don't.

We hold that shoe in our hand, southerner. Let us see it straight, and look at the blood on it. Let us compare it with the unworthy speeches of southern public men who have traduced the Negro; match it with the spectacle of shrilling children whose parents and teachers turned them free to spit epithets at small huddles of Negro schoolchildren for a week before this Sunday in Birmingham; hold up the shoe and look beyond it to the State House in Montgomery where the official attitudes of Alabama have been spoken in heat and anger.

Let us not lay the blame on some brutal fool who didn't know any better.

We know better. We created the day. We bear the judgment. May God have mercy on the poor South that has been so led.

May what has happened hasten the day when the good South, which does live and have great being, will rise to this challenge of racial understanding and common humanity, in the full power of its unasserted courage, and assert itself.

The Sunday school play at Birmingham is ended. With a weeping Negro mother, we stand in the bitter smoke and hold a shoe. If our South is ever to be what we wish it to be, we will plant a flower of nobler resolve for the South now upon these four small graves that we dug.

CUBAN TEACHERS OF SPANISH IN IOWA

Mr. MILLER. Mr. President, much has been written about the Cuban refugee and the problems of his assimilation into the mainstream of American life. There are some who feel we are obliged to dole out taxpayer money to support them, forgetting that, like most people, the Cuban is a proud person who wants to stand on his own two feet, making his own way. And too often we Americans are unwilling to admit that the Cubans may have something we need. Such a happy marriage of pride in paying one's own way and need has been and is being demonstrated in a little-publicized program initiated by the Iowa Department of Public Instruction and conducted by the State University of Iowa at Iowa City. Through this program, Iowa is tapping some of the hundreds of jobless professionals in Miami and bringing them to the State as teachers of Spanish. In their ever-increasing quest for knowledge, Iowans felt that this was a proper source to fill the gap resulting from a shortage of Spanish teachers. That this program has potentials going far beyond the State of Iowa is demonstrated in an article appearing in the August 19 issue of Newsweek magazine. The dual results of such a program are summed up in the last paragraph of the article. I quote:

> "We'll get along just fine," said Jacqueline Norris, 16, a junior (speaking of her new Spanish teacher). "He'll probably learn just as much from us as we will from him." The new teacher, in turn, was overwhelmed. "I have just one adjustment problem—to get used to living happily again," he said. "I had lost the habit."

Mr. President, I ask unanimous consent that the article, entitled "Iowa, Si" be placed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IOWA, SI

It had been a long and difficult journey from his dank cell in Havana's La Cabaña prison to the white frame house at 1219 Spencer Street in the Corn Belt town of Grinnell, Iowa. As he entered his new home for the first time last week, Vincent H. Rangel—attorney, Cuban refugee, and newest member of the Grinnell High School faculty at a welcome $5,400 a year—turned to one of his hosts and said quietly: "To put it simply, I'm overjoyed."

So was Grinnell, which needed a Spanish teacher as much as Rangel needed a home.

Rangel, 33, whose new status as an Iowan inspired him to change his first name from Vicente to Vincent, is a product of a unique training program for Cuban refugees, conducted by the State University of Iowa and designed to ease a critical shortage of Spanish teachers at Iowa high schools. At Grinnell High School, for instance, there have been four Spanish teachers in seven years. "They didn't like us, we didn't like them, or they moved on for more money," said principal Ray Tyler. "They're just not turning out many good Spanish teachers these days."

COURSES DROPPED

Hearing similar complaints from other schools, some of which had to drop Spanish courses for lack of a teacher, the Iowa Department of Public Instruction had a thought: why not tap some of the hundreds of jobless professionals in Miami's growing colony of Cuban refugees?

With the aid of the U.S. Government's Cuban Refugee Center, the university selected 30 students for this summer's program—pre-Castro lawyers, teachers, businessmen, and even a physician. At the university in Iowa City, the Cubans were subjected to 8 tough, concentrated weeks of study.

"These are mature, well-educated people, but they will be in a strange teaching situation—that is, teaching Spanish as a foreign language rather than a native language," noted Iowa Prof. Florindo Cerreta, director of the program. During 7 daily classroom hours, the Cubans studied not only teaching techniques but American Government and the culture of the Midwest. Besides classroom work in Macbride and Schaeffer Halls on the campus, they practiced new skills on summer-school Spanish students at nearby University High School. Their teaching stressed the sounds of the Spanish language, not its rules of grammar.

FUTURE CRACKERJACKS

Cerreta was pleased with his students. "They have adjusted extremely well," he said. "They will be crackerjack teachers—all of them." The future teachers were happy, too. "In Iowa," said Rangel, "I have been treated like royalty."

By last week, all of the Cubans had been hired to teach, and as their classwork ended, they scattered to such Iowa towns as Eldora, Ringsted, Muscatine, and Van Horne. No welcome exceeded that given Rangel, a handsome, dark-haired man who was imprisoned by Castro for 3 months before fleeing Cuba in the fall of 1960.

Led by the JayceeEttes, a women's club, Grinnell (population 7,300) furnished an 8-room house and collected bundles of clothing and food for Rangel and his wife and four young sons, who joined him this week from Miami. Grinnell High's Spanish students looked forward to instruction from a man so comfortable with the language. "We'll get along just fine," said Jacqueline Norris, 16, a junior. "He'll probably learn just as much from us as we will from him." The new teacher, in turn, was overwhelmed. "I have just one adjustment problem—to get used to living happily again," he said. "I had lost the habit."

THE CRITICAL SITUATION IN BIRMINGHAM

Mr. HUMPHREY. Mr. President, it was my great privilege to meet with some of this Nation's most distinguished churchmen yesterday. They had traveled to Washington from all sections of this Nation to express the deep moral outrage they felt over the tragedy of the Birmingham bombing of last Sunday.

These distinguished churchmen met with many representatives of the Congress, with officers of the executive branch, and last evening, with the Attorney General. They were determined and purposeful men of God. They spoke of the determination which is sweeping the churches and synagogues of this land that freedom and justice shall reign now. They came to urge the speediest possible action by the Congress in enacting the President's civil rights proposals. They referred to this legislation as a minimum program, and to my mind they are absolutely correct.

These churchmen represented every religious faith in the country, and they were here to call to our attention the urgency of the present situation. I stress the word "urgency." They indicated to me that it was their judgment that the Congress did not seem to sense this urgency and the crisis that was upon us. The Sunday bombing greatly intensified the crisis. As one of these churchmen said to me, "Senator, this time I know I fully represent my parishioners. They want the people's representatives in the Congress to speak up and to take action on these vital matters of human rights."

These religious leaders spoke of the need for Americans of every religious persuasion to participate in this quest for full freedom and justice now. They have proposed that every church and synagogue in America observe this coming weekend as a special Sabbath of prayer and petition. These religious leaders say:

> Let us as a nation be still and, praying in our pews, seek the still, small voice of God, asking him for his mercy upon all who have suffered—and upon those who have died. Let us pray for his guidance upon us all that from these present sufferings we might arise at last as one people who dwell together in love, brotherhood, and peace.

I ask unanimous consent that the full text of the statement released by the religious leaders, a list of the leaders, and a digest of their statement to the Attorney General be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

A Call to the People of America by Religious Leaders Gathered in Washington

Washington, D.C., September 18.—We came to Washington today to express the deep moral outrage which we as religious leaders feel over the hideous massacre which occurred in a city of this Nation last Sunday. We came to tell the Members of Congress and the President, through his Attorney General, that we believe the Nation is ready now as it has never been before for legislation which will insure that incidents such as happened last Sunday—and such as have been happening over and over again in only slightly less monstrous forms throughout this land in recent times—will not occur again. We came to declare that every citizen of this Republic must at last have the full protection of the laws of the United States as they attempt to exercise their rights of citizenship.

We came to Washington to register our convictions as religious leaders. But we feel that the hour has now come when more than the leadership of the churches and synagogues must act. The whole religious community—and that means each and every one of its members—must make their presence felt in Washington, too.

It is our firm belief that Americans of every religious persuasion are yearning for a concrete way in which to express their moral outrage over the atrocities which have taken place. We therefore call upon every church and synagogue in America to observe this coming weekend as a special Sabbath of prayer and petition. We are asking that during their services this Saturday and Sunday, pastors, priests, and rabbis give opportunity for their congregations to respond to the tragic events of the past week in silence, even if this means forgoing their sermons.

Let us as a nation be still and, praying in our pews, seek the still, small voice of God, asking Him for His mercy upon all who have suffered—and upon those who have died. Let us pray for His guidance upon us all that from these present sufferings we might arise at last as one people who dwell together in love, brotherhood, and peace. And then, toward the end of that period of silence, let each worshiper resolve to take pen and paper and write to his Congressman, urging the immediate passage of relevant and effective legislation.

The death of the six young Americans in Birmingham on Sunday which has led us to come here today is tragic and senseless. But it is not an isolated incident. Until a community puts out of its life all sanctioned forms of discrimination and segregation, demented men will find encouragement to commit racist murder.

Our faith calls to us that the deaths of these young people must not be in vain. We can, and we must, mourn their dying, but our mourning will be empty unless out of this dark night of violence can come a new dawn of social and racial justice in our land.

And so, in the spirit of prayer and petition on this Sabbath of silence, we believe it would be a most fitting tribute to the memory of these six children for worshipers everywhere to write their Congressmen and to plead, in the immortal words of Lincoln, "That from these honored dead * * * this Nation, under God, shall have a new birth of freedom."

Delegation of Religious Leaders, Washington, D.C., September 18, 1963

Dr. Norman Baugher, general secretary, general brotherhood board, Church of the Brethren, Elgin, Ill.

Rabbi Balfour Brickner, Union of American Hebrew Congregations, New York, N.Y.

The Right Reverend Daniel Corrigan, director, home department, National Council of the Protestant Episcopal Church, New York, N.Y.

Rabbi Richard Hirsch, Synagogue Council of America, Washington, D.C.

His Eminence Iakovos, archbishop, Greek Orthodox Church of North and South America, New York, N.Y.

Dr. J. Oscar Lee, associate director, National Council of Churches, Commission on Religion and Race, New York, N.Y.

Bishop John Wesley Lord, bishop of the Washington area, Methodist Church, Washington, D.C.

The Right Reverend William H. Marmion, Episcopal bishop of southwestern Virginia, Roanoke, Va.

Mr. J. Erwin Miller, president, National Council of Churches, Columbus, Ind.

Mr. Harold Murray, staff member, National Conference on Religion and Race, New York, N.Y.

The Right Reverend James A. Pike, Episcopal bishop of California, San Francisco, Calif.

Mr. Charles Raphael, Orthodox layman, New York, N.Y.

Rabbi Stanley Rabinowitz, Synagogue Council of America, Washington, D.C.

Bishop B. Julian Smith, Christian Methodist Episcopal Church, Chicago, Ill.

Dr. Robert W. Spike, executive director, commission on religion and race, National Council of Churches, New York, N.Y.

Mr. Harold Stassen, president, the American Baptist Convention, Philadelphia, Pa.

Dr. John W. Williams, president, Sunday School Congress, National Baptist Convention of America, Kansas City, Mo.

Dr. Gardner Taylor, pastor, Concord Baptist Church, Brooklyn, N.Y.

Dr. C. Joseph Nuesse, president, Catholic Interracial Council of Washington, Washington, D.C.

Bishop Stephen Gill Spottswood, chairman of the board, NAACP, Washington, D.C.

Digest of Religious Leaders' Statement to the Attorney General

At a meeting with the Attorney General, on September 18, 1963, representatives of the three major faiths voiced their intense concern with the present critical situation in Birmingham and urged the following:

1. That since the citizenry of Birmingham now seem to live in the grip of such paralyzing fear that even those who might wish to speak and act constructively are fearful of doing so, that the Attorney General use to the fullest extent the authority now available to the Federal Government to insure the physical safety and the protection of rights of the citizens of that city and to citizens of every other community where Federal constitutional law may be similarly employed.

2. That the Federal Government seek for even additional legislation by which to extend the guarantee of those rights.

3. That the administration support the strengthening of the proposed civil rights legislation, as in title III, which must include provisions that would more effectively eliminate the brutality of local civic and police officials now practiced against those who protest civil rights violations and practices of segregation and discrimination. Such legislation must provide the techniques whereby legal bottlenecks may be eradicated that permit the leveling of excessive bonds, delay in trial and the holding of leadership of the civil rights movement in jail without bail on capital charges (i.e., insurrection in Georgia, kidnaping in Louisiana, the John Brown statutes in Virginia). Attempts to achieve relief through the Federal courts have been continually thwarted because of the current requirement that State remedies must first be exhausted by the State courts. Moreover, the administration must support proposals in the current legislation that would extend the protection of voting rights to State as well as Federal elections. Under title III the administration is urged to support proposals that would provide for the Justice Department's entering into desegregation cases involving civil rights violations other than those dealing only with segregated education. The group urged the Attorney General to have the administration support a proposal that would make permanent the Civil Rights Commission and the additional strengthening of title VII by providing for a national fair employment practices law.

4. The maximum use of the FBI on a basis of the currently existing antibombing statute and other existing legislation in the anticipation of, protection against, and detection of those who would by such or similar practices not only commit mayhem but incite to violence in a given community.

5. The imposition of sanctions against the Governor of Alabama if it is determined that he by his recent actions stands in criminal contempt of the Federal courts.

The PRESIDING OFFICER (Mr. Muskie in the chair). The time of the Senator has expired.

Mr. HUMPHREY. I ask unanimous consent that I may have 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, on Tuesday a group of Senators submitted Senate Resolution 200, which is currently lying on the table. The chief author of that resolution, the Senator from Michigan [Mr. Hart] is here in the Chamber now. It is cosponsored by Senators Kuchel, myself, Javits, Case, Williams of New Jersey, and Brewster. This resolution expresses the same sense of grief, sorrow, and dedication contained in the statment released by the religious leaders as of yesterday. The resolution reads:

> Whereas on Sunday, September 15, 1963, the conscience of this Nation was shocked by the killing and maiming of Negro children while attending religious service in a church; and
>
> Whereas Sunday, September 22, 1963, is the one hundred and first anniversary of the signing of the Emancipation Proclamation by the President of the United States: Now, therefore, be it
>
> *Resolved,* That the Senate of the United States extends its deep condolence to the families of these innocent children; and be it further
>
> *Resolved,* That the President of the United States be informed that it is the sense of the Senate that he proclaim Sunday, September 22, 1963, a day of national observance in memory of these children and a day of rededication in this Nation to the principles of law, equality, and tolerance.

The resolution was followed by a letter to the President of the United States. I feel it is entirely fitting and proper that the Senate, or at least individual Members of the Senate, and of the House of Representatives, express themselves in the manner in which this resolution indicates. It is the least we can do. But we must also appreciate the urgent need for accelerated action on civil rights legislation. We are in a period of grave crisis. It is time we grasped that fact.

I hope every church and every synagogue in this Nation will follow the admonition and counsel of religious leaders of the Catholic, Protestant, and Jewish faiths that we saw yesterday in the Nation's Capital.

Let the people of deep religious convictions in this country and our spiritual leaders speak out. Let the Sabbath of this weekend be dedicated to a period of prayer in commemoration and dedication to human rights, with all of us expressing our heartfelt sorrow over the tragedy that befell these families in Birmingham and, indeed, the tragedy that befell this Nation, and at the shame and atrocity that was committed within our national boundaries during the past weekend.

Mr. HART. Mr. President, the distinguished senior Senator from Minnesota, as always, has spoken eloquently of the hopes and motivation of those of us who suggested, in the resolution to which he referred, that we record formally our sympathy and, additionally, suggest to the President the proclamation of next Sunday, the first Sunday following the horror of Birmingham, and the day which commemorates the 101st anniversary of the signing of the Emancipation Proclamation, as a day of prayer and memorial.

It is an inadequate response, indeed, to the incident that occasioned it. The basic response which I hope Congress will demonstrate is the adoption of a strong civil rights program. It is this response which, in the long run, will best serve all Americans. However, in this interim of attempted recovery from the horror of Birmingham it seems to those of us who submitted the resolution most appropriate that the people of America be urged that on Sunday next they think a little of the basic value that makes us individuals.

Most Senators, and perhaps all of us, believe that we have a common Creator, that each of us is given the same eternal destiny, and that the day will come, God willing, when we will be altogether. In preparation for that day, it behooves all of us on Sunday next to examine our consciences and to ask ourselves if in the role we have in life we are doing, day after day, in our practice and in our speech, that which will equip us for the eternal day when, in fact, we will sit together with a common Father.

It was that motivation which explains the resolution now on the calendar. I hope it heightens for all of us the awareness of next Sunday.

FREEDOM FROM WAR

Mr. SIMPSON. Mr. President, the preamble of the nuclear test ban agreement proclaims as a principal aim of the signatories the "speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations."

This administration hopes to be around long enough to have a voice in achieving this objective. Accordingly, I should like to have printed in the Record as an adjunct to the test ban debate the administration's programs and thoughts on general and complete disarmament.

This program is described in a shocking brochure entitled "Freedom From War." It is an outline explaining how the U.S. Government hopes to accomplish total disarmament to "put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons including nuclear weapons," as the treaty preamble puts it.

This highly controversial little booklet bears the number 7277. It was released September 1961, and I understand is now almost as difficult to acquire as "thanks for your dollar" stickers in Yugoslavia.

Allusions have been made to this booklet in the course of this debate, and I am sure all of my colleagues have at least a passing familiarity with its contents. Since it is no lengthier than a brief speech and because it is now rather scarce, I am sure its inclusion in the Record at this point will be a contribution to discourse on this treaty which many consider to be a long step toward the loss of our military superiority.

One revealing paragraph on page 3, under the heading "Summary Disarmament Goals and objectives," describes as the U.S. objective, "the disbanding of all National Armed Forces and the prohibition of their reestablishment in any form whatsoever other than those required to preserve internal order and for contributions to a United Nations peace force."

I find it rather alarming, especially in view of the ambivalent test ban treaty to contemplate the disbanding of all America's National Armed Forces.

To alleviate the sudden shortage of these books, I ask unanimous consent for the printing of document No. **7277** in the Congressional Record.

There being no objection, the booklet was ordered to be printed in the Record, as follows:

[Department of State Publication 7277, disarmament series 5, released September 1961, Office of Public Services, Bureau of Public Affairs]

Freedom From War—The U.S. Program for General and Complete Disarmament in a Peaceful World

INTRODUCTION

The revolutionary development of modern weapons within a world divided by serious ideological differences has produced a crisis in human history. In order to overcome the danger of nuclear war now confronting mankind, the United States has introduced at the 16th General Assembly of the United Nations a program for general and complete disarmament in a peaceful world.

This new program provides for the progressive reduction of the war-making capabilities of nations and the simultaneous strengthening of international institutions to settle disputes and maintain the peace. It sets forth a series of comprehensive measures which can and should be taken in order to bring about a world in which there will be freedom from war and security for all states. It is based on three principles deemed essential to the achievement of practical progress in the disarmament field:

First, there must be immediate disarmament action.

A strenuous and uninterrupted effort must be made toward the goal of general and complete disarmament; at the same time, it is important that specific measures be put into effect as soon as possible.

Second, all disarmament obligations must be subject to effective international controls.

The control organization must have the manpower, facilities, and effectiveness to assure that limitations or reductions take place as agreed. It must also be able to certify to all states that retained forces and armaments do not exceed those permitted at any stage of the disarmament process.

Third, adequate peace-keeping machinery must be established.

There is an inseparable relationship between the scaling down of national armaments on the one hand and the building up of international peace-keeping machinery and institutions on the other. Nations are unlikely to shed their means of self-protection in the absence of alternative ways to safeguard their legitimate interests. This can only be achieved through the progressive strengthening of international institutions under the United Nations and by creating a United Nations Peace Force to enforce the peace as the disarmament process proceeds.

There follows a summary of the principal provisions of the U.S. program for general and complete disarmament in a peaceful world. The full text of the program is contained in an appendix to this pamphlet.

Freedom From War—The U.S. Program for General and Complete Disarmament in a Peaceful World

SUMMARY

Disarmament goal and objectives

The overall goal of the United States is a free, secure, and peaceful world of independent states adhering to common standards of justice and international conduct and subjecting the use of force to the rule of law; a world which has achieved general and complete disarmament under effective international control; and a world in which adjustment to change takes place in accordance with the principles of the United Nations.

In order to make possible the achievement of that goal, the program sets forth the following specific objectives toward which nations should direct their efforts:

The disbanding of all national armed forces and the prohibition of their reestablishment in any form whatsoever other than those required to preserve internal order and for contributions to a United Nations Peace Force;

The elimination from national arsenals of all armaments, including all weapons of mass destruction and the means for their delivery, other than those required for a United Nations Peace Force and for maintaining internal order;

The institution of effective means for the enforcement of international agreements, for the settlement of disputes, and for the maintenance of peace in accordance with the principles of the United Nations;

The establishment and effective operation of an international disarmament organization within the framework of the United Nations to insure compliance at all times with all disarmament obligations.

Task of negotiating states

The negotiating states are called upon to develop the program into a detailed plan for general and complete disarmament and to continue their efforts without interruption until the whole program has been achieved. To this end, they are to seek the widest possible area of agreement at the earliest possible date. At the same time, and without prejudice to progress on the disarmament program, they are to seek agreement on those immediate measures that would contribute to the common security of nations and that could facilitate and form part of the total program.

Governing principles

The program sets forth a series of general principles to guide the negotiating states in their work. These make clear that—

As states relinquish their arms, the United Nations must be progressively strengthened in order to improve its capacity to assure international security and the peaceful settlement of disputes;

Disarmament must proceed as rapidly as possible, until it is completed, in stages containing balanced, phased, and safeguarded measures;

Each measure and stage should be carried out in an agreed period of time, with transition from one stage to the next to take place as soon as all measures in the preceding stage have been carried out and verified and as soon as necessary arrangements for verification of the next stage have been made;

Inspection and verification must establish both that nations carry out scheduled limitations or reductions and that they do not retain armed forces and armaments in excess of those permitted at any stage of the disarmament process; and

Disarmament must take place in a manner that will not affect adversely the security of any state.

Disarmament stages

The program provides for progressive disarmament steps to take place in three stages and for the simultaneous strengthening of international institutions.

First Stage

The first stage contains measures which would significantly reduce the capabilities of nations to wage aggressive war. Implementation of this stage would mean that—

The nuclear threat would be reduced.

All states would have adhered to a treaty effectively prohibiting the testing of nuclear weapons.

The production of fissionable materials for use in weapons would be stopped and quantities of such materials from past production would be converted to nonweapons uses.

States owning nuclear weapons would not relinquish control of such weapons to any nation not owning them and would not transmit to any such nation information or material necessary for their manufacture.

States not owning nuclear weapons would not manufacture them or attempt to obtain control of such weapons belonging to other states.

A Commission of Experts would be established to report on the feasibility and means for the verified reduction and eventual elimination of nuclear weapons stockpiles.

Strategic delivery vehicles would be reduced.

Strategic nuclear weapons delivery vehicles of specified categories and weapons designed to counter such vehicles would be reduced to agreed levels by equitable and balanced steps; their production would be discontinued or limited; their testing would be limited or halted.

Arms and Armed Forces would be reduced.

The Armed Forces of the United States and the Soviet Union would be limited to 2.1 million men each (with appropriate levels not exceeding that amount for other militarily significant states); levels of armaments would be correspondingly reduced and their production would be limited.

An Experts Commission would be established to examine and report on the feasibility and means of accomplishing verifiable reduction and eventual elimination of all chemical, biological, and radiological weapons.

Peaceful use of outer space would be promoted.

The placing in orbit or stationing in outer space of weapons capable of producing mass destruction would be prohibited.

States would give advance notification of space vehicle and missile launchings.

U.N. peace-keeping powers would be strengthened.

Measures would be taken to develop and strengthen United Nations arrangements for arbitration, for the development of international law, and for the establishment in stage II of a permanent U.N. Peace Force.

An International Disarmament Organization would be established for effective verification of the disarmament program.

Its functions would be expanded progressively as disarmament proceeds.

It would certify to all states that agreed reductions have taken place and that retained forces and armaments do not exceed permitted levels.

It would determine the transition from one stage to the next.

States would be committed to other measures to reduce international tension and to protect against the chance of war by accident, miscalculation, or surprise attack.

States would be committed to refrain from the threat or use of any type of armed force contrary to the principles of U.N. Charter and to refrain from indirect aggression and subversion against any country.

A U.N. peace observation group would be available to investigate any situation which might constitute a threat to or breach of the peace.

States would be committed to give advance notice of major military movements which might cause alarm; observation posts would be established to report on concentrations and movements of military forces.

Second Stage

The second stage contains a series of measures which would bring within sight a world in which there would be freedom from war. Implementation of all measures in the second stage would mean:

Further substantial reductions in the armed forces, armaments, and military establishments of states, including strategic nuclear weapons delivery vehicles and countering weapons;

Further development of methods for the peaceful settlement of disputes under the United Nations.

Establishment of a permanent international peace force within the United Nations;

Depending on the findings of an Experts Commission, a halt in the production of chemical, bateriological, and radiological weapons and a reduction of existing stocks or their conversion to peaceful uses;

On the basis of the findings of an Experts Commission, a reduction' of stocks of nuclear weapons;

The dismantling or the conversion to peaceful uses of certain military bases and facilities wherever located; and

The strengthening and enlargement of the International Disarmament Organization to enable it to verify the steps taken in stage II and to determine the transition to stage III.

Third Stage

During the third stage of the program, the states of the world, building on the experience and confidence gained in successfully implementing the measures of the first two stages, would take final steps toward the goal of a world in which:

States would retain only those forces, nonnuclear armaments, and establishments required for the purpose of maintaining internal order; they would also support and provide agreed manpower for a U.N. Peace Force.

The U.N. Peace Force, equipped with agreed types and quantities of armaments, would be fully functioning.

The manufacture of armaments would be prohibited except for those of agreed types and quantities to be used by the U.N. Peace Force and those required to maintain internal order. All other armaments would be destroyed or converted to peaceful purposes.

The peace-keeping capabilities of the United Nations would be sufficiently strong and the obligations of all states under such arrangements sufficiently far reaching as to assure peace and the just settlement of differences in a disarmed world.

APPENDIX

DECLARATION ON DISARMAMENT—THE U.S. PROGRAM FOR GENERAL AND COMPLETE DISARMAMENT IN A PEACEFUL WORLD

The nations of the world—

Conscious of the crisis in human history produced by the revolutionary development of modern weapons within a world divided by serious ideological differences;

Determined to save present and succeeding generations from the scourge of war and the dangers and burdens of the arms race and to create conditions in which all peoples can strive freely and peacefully to fulfill their basic aspirations;

Declare their goal to be: A free, secure, and peaceful world of independent states adhering to common standards of justice and international conduct and subjecting the use of force to the rule of law; a world where adjustment to change takes place in accordance with the principles of the United Nations; a world where there shall be a permanent state of general and complete disarmament under effective international control and where the resources of nations shall be devoted to man's material, cultural, and spiritual advance;

Set forth as the objectives of a program of general and complete disarmament in a peaceful world:

(a) The disbanding of all national armed forces and the prohibition of their reestablishment in any form whatsoever other than those required to preserve internal order and for contributions to a United Nations Peace Force;

(b) The elimination from national arsenals of all armaments, including all weapons of mass destruction and the means for their delivery, other than those required for a United Nations Peace Force and for maintaining internal order;

(c) The establishment and effective operation of an international disarmament organization within the framework of the United Nations to insure compliance at all times with all disarmament obligations;

(d) The institution of effective means for the enforcement of international agreements, for the settlement of disputes, and for the maintenance of peace in accordance with the principles of the United Nations.

Call on the negotiating states:

(a) To develop the outline program set forth below into an agreed plan for general and complete disarmament and to continue their efforts without interruption until the whole program has been achieved;

(b) To this end to seek to attain the widest possible area of agreement at the earliest possible date;

(c) Also to seek—without prejudice to progress on the disarmament program—agreement on those immediate measures that would contribute to the common security of nations and that could facilitate and form a part of that program.

Affirm that disarmament negotiations should be guided by the following principles:

(a) Disarmament shall take place as rapidly as possible until it is completed in stages containing balanced, phased, and safeguarded measures, with each measure and stage to be carried out in an agreed period of time.

(b) Compliance with all disarmament obligations shall be effectively verified from their entry into force. Verification arrangements shall be instituted progressively and in such a manner as to verify not only that agreed limitations or reductions take place but also that retained armed forces and armaments do not exceed agreed levels at any stage.

(c) Disarmament shall take place in a manner that will not affect adversely the security of any state, whether or not a party to an international agreement or treaty.

(d) As states relinquish their arms, the United Nations shall be progressively strengthened in order to improve its capacity to assure international security and the peaceful settlement of differences as well as to facilitate the development of international cooperation in common tasks for the benefit of mankind.

(e) Transition from one stage of disarmament to the next shall take place as soon as all the measures in the preceding stage have been carried out and effective verification is continuing and as soon as the arrangements that have been agreed to be necessary for the next stage have been instituted.

Agree upon the following outline program for achieving general and complete disarmament:

STAGE I

A. To establish an International Disarmament Organization:

(a) An International Disarmament Organization (IDO) shall be established within the framework of the United Nations upon entry into force of the agreement. Its functions shall be expanded progressively as required for the effective verification of the disarmament program.

(b) The IDO shall have: (1) a general conference of all the parties; (2) a commission consisting of representatives of all the major powers as permanent members and certain other states on a rotating basis; and (3) an Administrator who will administer the Organization subject to the direction of the Commission and who will have the authority, staff, and finances adequate to assure effective impartial implementation of the functions of the Organization.

(c) The IDO shall: (1) insure compliance with the obligations undertaken by verifying the execution of measures agreed upon; (2) assist the states in developing the details of agreed further verification and disarmament measures; (3) provide for the establishment of such bodies as may be necessary for working out the details of further measures provided for in the program and for such other expert study groups as may be required to give continuous study to the problems of disarmament; (4) receive reports on the progress of disarmament and verification arrangements and determine the transition from one stage to the next.

B. To reduce armed forces and armaments:

(a) Force levels shall be limited to 2.1 million each for the United States and U.S.S.R. and to appropriate levels not exceeding 2.1 million each for all other militarily significant states. Reductions to the agreed levels will proceed by equitable, proportionate, and verified steps.

(b) Levels of armaments of prescribed types shall be reduced by equitable and balanced steps. The reductions shall be accomplished by transfers of armaments to depots supervised by the IDO. When at specified periods during the Stage I reduction process, the states party to the agreement have agreed that the armaments and armed forces are at prescribed levels, the armaments in depots shall be destroyed or converted to peaceful uses.

(c) The production of agreed types of armaments shall be limited.

(d) A chemical, biological, radiological (CBR) Experts Commission shall be established within the IDO for the purpose of examining and reporting on the feasibility and means for accomplishing the verifiable reduction and eventual elimination of CBR weapons stockpiles and the halting of their production.

C. To contain and reduce the nuclear threat:

(a) States that have not acceded to a treaty effectively prohibiting the testing of nuclear weapons shall do so.

(b) The production of fissionable materials for use in weapons shall be stopped.

(c) Upon the cessation of production of fissionable materials for use in weapons, agreed initial quantities of fissionable materials from past production shall be transferred to nonweapons purposes.

(d) Any fissionable materials transferred between countries for peaceful uses of nuclear energy shall be subject to appropriate safeguards to be developed in agreement with the IAEA.

(e) States owning nuclear weapons shall not relinquish control of such weapons to any nation not owning them and shall not transmit to any such nation information or material necessary for their manufacture. States not owning nuclear weapons shall not manufacture such weapons, attempt to obtain control of such weapons belonging to other states, or seek or receive information or materials necessary for their manufacture.

(f) A Nuclear Experts Commission consisting of representatives of the nuclear states shall be established within the IDO for the purpose of examining and reporting on the feasibility and means for accomplishing the verified reduction and eventual elimination of nuclear weapons stockpiles.

D. To reduce strategic nuclear weapons delivery vehicles:

(a) Strategic nuclear weapons delivery vehicles in specified categories and agreed types of weapons designed to counter such vehicles shall be reduced to agreed levels by equitable and balanced steps. The reduction shall be accomplished in each step by transfers to depots supervised by the IDO of vehicles that are in excess of levels agreed upon for each step. At specified periods during the Stage I reduction process, the vehicles that have been placed under supervision of the IDO shall be destroyed or converted to peaceful uses.

(b) Production of agreed categories of strategic nuclear weapons delivery vehicles and agreed types of weapons designed to counter such vehicles shall be discontinued or limited.

(c) Testing of agreed categories of strategic nuclear weapons delivery vehicles and agreed types of weapons designed to counter such vehicles shall be limited or halted.

E. To promote the peaceful use of outer space:

(a) The placing into orbit or stationing in outer space of weapons capable of producing mass destruction shall be prohibited.

(b) States shall advance notification to the participating states and to the IDO of launchings of space vehicles and missiles, together with the track of the vehicle.

F. To reduce the risks of war by accident, miscalculation, and surprise attack:

(a) States shall give advance notification to the participating states and to the IDO of major military movements and maneuvers, on a scale as may be agreed, which might give rise to misinterpretation or cause alarm and induce countermeasures. The notification shall include the geograpic areas to be used and the nature, scale, and timespan of the event.

(b) There shall be established observation posts at such locations as major ports, railway centers, motor highways, and airbases to report on concentrations and movements of military forces.

(c) There shall also be established such additional inspection arrangements to reduce the danger of surprise attack as may be agreed.

(d) An international commission shall be established immediately within the IDO to examine and make recommendations on the possibility of further measures to reduce the risks of nuclear war by accident, miscalculation, or failure of communication.

G. To keep the peace:

(a) States shall reaffirm their obligations under the U.N. Charter to refrain from the threat or use of any type of armed force—including nuclear, conventional, or CBR—contrary to the principles of the U.N. Charter.

(b) States shall agree to refrain from indirect aggression and subversion against any country.

(c) States shall use all appropriate processes for the peaceful settlement of disputes and shall seek within the United Nations further arrangements for the peaceful settlement of international disputes and for the codification and progressive development of international law.

(d) States shall develop arrangements in stage I for the establishment in stage II of a U.N. Peace Force.

(e) A U.N. peace observation group shall be staffed with a standing cadre of observers who could be dispatched to investigate any situation which might constitute a threat to or breach of the peace.

STAGE II

A. International Disarmament Organization:

The powers and responsibilities of the IDO shall be progressively enlarged in order to give it the capabilities to verify the measures undertaken in stage II.

B. To further reduce armed forces and armaments:

(a) Levels of forces for the United States, U.S.S.R., and other militarily significant states shall be further reduced by substantial amounts to agreed levels in equitable and balanced steps.

(b) Levels of armaments of prescribed types shall be further reduced by equitable and balanced steps. The reduction shall be accomplished by transfers of armaments to depots supervised by the IDO. When, at specified periods during the stage II reduction process, the parties have agreed that the armaments and armed forces are at prescribed levels, the armaments in depots shall be destroyed or converted to peaceful uses.

(c) There shall be further agreed restrictions on the production of armaments.

(d) Agreed military bases and facilities wherever they are located shall be dismantled or converted to peaceful uses.

(e) Depending upon the findings of the Experts Commission on CBR weapons, the production of CBR weapons shall be halted, existing stocks progressively reduced, and the resulting excess quantities destroyed or converted to peaceful uses.

C. To further reduce the nuclear threat:

Stocks of nuclear weapons shall be progressively reduced to the minimum levels which can be agreed upon as a result of the findings of the Nuclear Experts Commission; the resulting excess of fissionable material shall be transferred to peaceful purposes.

D. To further reduce strategic nuclear weapons delivery vehicles:

Further reductions in the stocks of strategic nuclear weapons delivery vehicles and agreed types of weapons designed to counter such vehicles shall be carried out in accordance with the procedure outlined in stage I.

E. To keep the peace:

During stage II, states shall develop further the peacekeeping processes of the United Nations, to the end that the United Nations can effectively in stage III deter or suppress any threat or use of force in violation of the purposes and principles of the United Nations:

(a) States shall agree upon strengthening the structure, authority, and operation of the United Nations so as to assure that the United Nations will be able effectively to protect states against threats to or breaches of the peace.

(b) The U.N. Peace Force shall be established and progressively strengthened.

(c) States shall also agree upon further improvements and developments in rules of international conduct and in processes for peaceful settlement of disputes and differences.

STAGE III

By the time stage II has been completed, the confidence produced through a verified disarmament program, the acceptance of rules of peaceful international behavior, and the development of strengthened international peacekeeping processes within the framework of the U.N. should have reached a point where the states of the world can move forward to stage III. In stage III progressive controlled disarmament and continuously developing principles and procedures of international law would proceed to a point where no state would have the military power to challenge the progressively strengthened U.N. Peace Force and all international disputes would be settled according to the agreed principles of international conduct.

The progressive steps to be taken during the final phase of the disarmament program would be directed toward the attainment of a world in which:

(a) States would retain only those forces, nonnuclear armaments, and establishments required for the purpose of maintaining internal order; they would also support and provide agreed manpower for a U.N. Peace Force.

(b) The U.N. Peace Force, equipped with agreed types and quantities of armaments, would be fully functioning.

(c) The manufacture of armaments would be prohibited except for those of agreed types and quantities to be used by the U.N. Peace Force and those required to maintain internal order. All other armaments would be destroyed or converted to peaceful purposes.

(d) The peacekeeping capabilities of the United Nations would be sufficiently strong and the obligations of all states under such arrangements sufficiently farreaching as to assure peace and the just settlement of differences in a disarmed world.

WYOMING AND THE TRAVEL SERVICE

Mr. SIMPSON. Mr. President, I would like to call my colleagues' attention to a story in the September 15 Washington Post in which there appeared in the travel section a story by William McPherson entitled "The USTS Is Breaking Into Song."

Complementing the story, and the most notable from this Wyoming Senator's viewpoint, is a picture of a travel poster bearing the rugged countenance of a Wyoming Indian from the Wind River Reservation near my hometown of Cody. This poster, an original of which hangs in my office and bears in Spanish the exhortation "Travel the New World" and "See the U.S.A.," was the winner of the "Best in Show" award in competition sponsored by the International Union of Official Travel Organizations in Rome earlier this month.

Posters from approximately 80 countries were entered in the show. The picture of my close personal friend, Herman St. Clair, of the Shoshone Tribe took top accolades for the United States.

A U.S. PROGRAM FOR THE UNITED NATIONS

Mr. HUMPHREY. Mr. President, yesterday it was my privilege to offer what I believe to be a series of constructive suggestions and proposals which the United States might make during the 18th session of the U.N. General Assembly to solve or to ease certain cold war problems, problems which have been with us every day since the end of World War II.

I asked that the United States take the initiative on these subjects, just as we took the initiative on the test ban treaty. The proposals I make are not of a political nature but, rather, deal with areas of economics, education, participation in the United Nations, and trade.

I urged, first of all, as I do again today, that we do everything we possibly can to impress upon the Soviet Union the necessity of its active participation in the United Nations by fulfilling its commitments, both financial and political. This means paying up its dues as well as the assessments for peacekeeping operations.

I also suggested that we step up the exchanges between our respective countries in the field of education, the arts, culture, science, and economics. This means that more Americans will be going into the Soviet Union, carrying with them the spirit of this country and the technology and the know-how of the achievements of this country and, indeed, an opening of our gates for more citizens of the Soviet Union to come here, to see our democracy and free enterprise system at work.

I emphasized the importance of additional cooperation between our country and the Soviet Union in the field of outer space, particularly a joint operation in outer space. I believe our Government should ask for an international year for cooperation in outer space, to make the heavens a place of peace, rather than a battlefield for war. In a statement last week in the U.N. Committee on Outer Space, Dr. Nikolai Federenko indicated that progress could be made in drafting a declaration of legal principles to govern space activity, and acceded to the Western view that space exploration could be undertaken by private companies as well as by states. Given the previous Soviet insistence on applying Socialist principles to outer space law, this represents a significant modification. This would seem to indicate that the Soviet Union is willing to compromise on the most important disputed areas in the outer space field.

I urged, and I urge again, that there be a joint operation in terms of the lunar probe, or manned operation—the moon shot. A prominent member of the Soviet Academy of Science, Dr. Anatoly A. Blagonravov, has suggested that it might be advisable to discuss the possibility of cooperating between the United States and the U.S.S.R. in the assault on the moon. Despite the technical problems that might be involved in such a cooperative venture, it is my view that such proposals on the part of Soviet officials should not be hostilely rejected. Rather they should be given careful consideration.

I wish to take a moment to cite an editorial published in this morning's New York Times entitled "Let Us Explore the Stars."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HUMPHREY. Mr. President, I ask for an additional 5 minutes.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. HUMPHREY. The editor reminds the readers of the New York Times that when President Kennedy was inaugurated as President he made the statement:

> Let both sides seek to invoke the wonders of science instead of its terrors. Together let us explore the skies.

One of the reasons why the editorial was written is that the Director of the Manned Spacecraft Center, Dr. Robert B. Gilruth, has dismissed the idea of Soviet-American cooperation in sending a manned expedition to the moon.

He said it should not be done and could not be done. It seems to me there is a conflict in this instance between the expressed attitude of the President and the statement of Dr. Gilruth.

I voted for the more than $5 billion authorization for the Space Agency. But at the time I did so, I recalled a discussion in the Senate that possibly there was an opportunity here for the two great countries that are so deeply involved in space research to cooperate in a way to minimize the costs and to maximize the scientific talent. If the Russians and the Americans cannot get along on the moon, surely they will not get along on earth. Because of the great cost involved, and because of the need to pool the scientific brainpower and know-how, I believe it would be wise policy to attempt to seek cooperative action not only on the part of our own country and the Soviet Union, but also of other countries, in the peaceful exploration of space. At least we can leave such possibilities open to further negotiation and exploration between the United States and U.S.S.R.

Mr. President, I ask unanimous consent that the editorial be printed at this point in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

LET US EXPLORE THE STARS

Two events of the past few days again raise serious question about certain political and ethical aspects of the space program. One is the offhand and astonishingly quick manner in which Dr. Robert R. Gilruth, Director of the Manned Spacecraft Center, has dismissed the idea of Soviet-American cooperation in sending a manned expedition to the moon. The other is the announcement that the 16 astronauts have been permitted to sell exclusive rights to their "personal stories" for over $1 million, to be paid by a publishing house and a magazine.

Does Dr. Gilruth remember, does President Kennedy remember, the stirring plea the Chief Executive directed to Moscow in his inaugural address? "Let both sides seek to invoke the wonders of science instead of its terrors," the President said then. "Together let us explore the stars."

When the President spoke these words, there was far more reason to think his idea an impractical one than there is today. Of course there are difficult problems still in the way of serious Soviet-American cooperation on a manned space flight. But the financial, political, and scientific advantages to both sides of a joining of forces in this area would be so great that every opportunity should be seized to explore this possibility with the Soviet Government. Moscow's feelers in this direction should be followed up, not rebuffed out of hand.

The sale of the astronauts' "personal stories" represents a stain of commercialism on the record of the space program. The astronauts are not movie stars or baseball heroes whose achievements in some private field of endeavor have made them objects of public interest. The motive of private profit has an honorable and legitimate place in the world of commercial endeavor, but that world does not embrace the tasks the astronauts have voluntarily agreed to attempt. If they are underpaid for the kind of job they do (a condition that exists very widely in the Federal Government) they should be paid more; but they should be paid by their employers, the people of the United States. They should not be permitted to reap enormous private profits from outside sources on the basis of their participation in a great national effort.

PROGRAM OF EXCHANGE WITH SOVIET UNION

Mr. HUMPHREY. Mr. President, I wish to emphasize the importance of a program of exchange with the Soviet Union. Every American who returns today from the Soviet Union can tell us more about that country than we knew before he left.

When I returned from a visit to the Soviet Union, I said there were conditions of drought. I said we ought to reexamine the whole question of East-West trade. I said to the Senate that one of the new forces in the Soviet Union today, a force that had to be considered, was the consumer; that the Soviet consumer was rejecting shoddy goods and demanding better quality and more modern goods. He was demanding a larger quantity of consumer goods. Two or three weeks later, that kind of information coming from Moscow made headlines. The Government of the United States, business, and the news media of the country ought to take these factors into consideration.

For example, when will we revise our outdated policies on foreign trade, policies which have shackled this country until today our balance-of-payments situation is becoming deplorable and dangerous? It is a subject of deep concern to any sensible, reasonable person. I am happy to note that after jarring the thinking of a few people in and out of Washington, a process in which a number of Senators have joined, a reappraisal of curbs on Soviet trade is now planned. In an article entitled "Reappraisal of Soviet Trade Curbs Planned," published in this morning's Washington Post, we read:

> Secretary of Commerce Luther Hodges announced last night that the Government would take a new look at its curbs on trade with the Soviet world.

Good. I salute and cheer that announcement. We should not relax curbs on strategic military items; in fact, they should be tightened. But on soft goods, on consumer goods, on foodstuffs, I say the American businessman and the American producer had better ask his Government what is taking place. Shall we continue a policy that enables the Soviet bloc to buy its goods from the West Germans, the British, the French, the Italians, the Dutch, the Swedes, the Danes, the Belgians, and the Japanese? We have factories that are idle and workers who are unemployed.

We have a balance-of-payments problem. We have severe difficulties in our economy. Yet we refuse to do that which is simple and direct: We refuse to trade in goods that in no way would injure American national security.

Mr. President, I ask unanimous consent that the article to which I have just referred be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

REAPPRAISAL OF SOVIET TRADE CURBS PLANNED

Secretary of Commerce Luther Hodges announced last night that the Government would take a new look at its curbs on trade with the Soviet world.

Hodges made this statement to reporters at the close of the White House Conference on Export Expansion. The reappraisal of trade barriers, he said, was urged by the business leaders at the Conference.

The Commerce chief said he was impressed by the fact that "hard-headed businessmen are now saying we ought to take a look at this situation."

"There has been some easing," Hodges added. "They wouldn't have said this 2 years ago."

The businessmen did not specifically call for expanded trade with the Communist bloc but this was the clear purport of their deliberations. One executive noted that the United States last year accounted for only $125 million of the $5 billion that the West sold to the East.

Hodges emphasized that any relaxation would involve only nonstrategic materials. However, this is a remarkably rubbery concept.

Existing legislation prohibits the sale of strategic goods to the Soviet bloc. But the Commerce Department has been accused of defining "strategic" to embrace an encyclopedic list of goods.

Officials elsewhere in Government also would like to relieve the restraints. However, fear of a hostile reaction in Congress has inhibited the administration.

Mr. HUMPHREY. Mr. President, the article reads, in part:

> The Secretary of Commerce says he was impressed by the fact that hardheaded businessmen are now saying we ought to take a look at this situation.
>
> "There has been some easing," Hodges added. "They wouldn't have said this 2 years ago."

I have enough sense to know that if one produces, he ought to sell. The choice for the American farmer today is either to pile up his goods in Government warehouses or else sell them in the world market. I suggest we sell.

PURCHASE OF GRAIN BY RUSSIA FROM AUSTRALIA

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "Russia Buys Grain From Australia," published in the Washington Post of this morning.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RUSSIA BUYS GRAIN FROM AUSTRALIA

MELBOURNE, AUSTRALIA, September 18.—Russia today signed a contract to purchase at least 58.5 million bushels of Australian wheat worth about 40 million Australian pounds ($90 million).

It was the second such major food purchase Russia has made this week. A $500 million purchase was made from Canada Monday.

The Australian contract provides for an option on another 5 or 6 million bushels. All the wheat will be supplied in the form of flour, delivered to eastern European and Siberian ports, mainly in 1964. It will be paid for in cash, and will go to markets where Australian wheat is not normally sold.

The contract was announced by Chairman James V. Moroney, of the Australian Wheat Board. He said the sale, "coming on top of the huge sale of Canadian wheat to Russia announced in Ottawa," gives the international wheat trade its "biggest boost in years."

[In Washington, officials estimated that the total of about 7½ million tons of wheat purchased in Canada and Australia amounts to about a seventh of the current Soviet wheat crop.]

SOVIET TRADE TRAP SEEN

Canadian Social Credit Party Leader Robert N. Thompson, who is on a short tour of New Zealand, said in Auckland that only 6 months ago Russia sold 48 million bushels of wheat to Brazil and only 8 months ago the Communists negotiated a tremendous sale of wheat to Japan. He said that Canada has fallen into a Soviet trade trap.

"Why did not Canada get, for instance, the Brazil order?" he asked.

Soviet experts, however, generally agree that the Soviet grain purchases reflect a genuine grain shortage in Russia stemming from an unusually bad harvest. While the Soviet press and radio have not reported the grain purchases to the Soviet public, Khrushchev has been publicly berating farmers and farm bureaucrats recently for inefficiency.

In a speech published by Tass yesterday, Khrushchev dwelled on misuse of fertilizer production.

"We export mineral fertilizers because our economists haven't learned yet to calculate realistically what this costs," he told a farm meeting in Volgograd (Stalingrad).

"If they calculated, then they would see that it would be better to put a ton of these fertilizers in the earth * * * it would be more economical to export the grain received than mineral fertilizers. And only after we have fully satisfied our domestic needs for mineral fertilizers can we then export them."

CITES YUGOSLAV YIELD

Khrushchev said fields in Yugoslavia, where he recently visited, have higher grain yields than Soviet fields because of the use of fertilizer.

In the Soviet Union, Khrushchev said, some farm officials regard their fertilizer allotments as a burden.

"The matter has reached the point where directors of some collective and state farms must be persistently reminded to take fertilizer they have been allotted out of the storehouse and not let it lay for months," he said.

"We have spacious fields and we took the way of expanding cultivated areas," he said. "Now, evidently, we have to concentrate our efforts on the question of raising productivity—consequently, on the production of mineral fertilizers."

Mr. HUMPHREY. Mr. President, the article reads, in part:

> Russia today signed a contract to purchase at least 58.5 million bushels of Australian wheat worth about 40 million Australian pounds—$90 million.

This item should be of interest to Senators from the Midwest. If you, Mr. President [Mr. HART in the chair], were a Senator from North Dakota or Minnesota or Montana, a State bordering directly on Canada, having the same watershed, the same kind of soil, and the same type of climatic conditions, currencies which are exchangeable, and had a brother living on one side of the border and another brother living on the other side of the border, what would be your reaction?

Yet Canada says to its farmers, "Increase wheat production 25 percent." In America we say, "Decrease wheat production 35 percent."

In Canada, they say, "We will sell, and we will sell for cash." In America, we say to the farmer, "We will give you a crop loan, and you can put the crop in a Government warehouse."

Surely this situation is ill advised. What is the rationale?

I will not stop talking on this subject until there is a change of policy. I do not ask that we sell guns, tanks, and planes; indeed not. I am not asking that we sell goods that can be converted into military power.

But let it be clear that the Soviet Union will not perish because it does not get wheat from the United States. It will get wheat somewhere; otherwise, its own people will have to starve. The Soviet regime will not fall because of a shortage of wheat. They will purchase the wheat from our allies.

Mr. President, our Government ought to make extensive efforts to regularize international trade regulations and normalize them to promote better trade. I ask that we reexamine our trade policy so that we can at least normalize this aspect of relationships among nations.

LARGE-SCALE REDUCTIONS IN DEFENSE EXPENDITURES

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an excellent editorial entitled "Forward Planning," published in the Washington Post of this morning.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FORWARD PLANNING

Senator GEORGE MCGOVERN, of South Dakota, is to be commended for taking the initiative in proposing that plans be made now for cushioning the economic impacts of large-scale reductions in defense expenditures.

Federal outlays for defense are currently running at an annual rate of nearly $55 billion, and it would be both naive and irresponsible to assume that the economy will automatically adjust to cutbacks in expenditures which could ultimately amount to nearly 10 percent of the current gross national product. Rapid reductions that are not accompanied by offsetting tax cuts would surely depress the level of economic activity.

Senator MCGOVERN's bill, which will be introduced after the confirmation of the test ban treaty, contains two important provisions. It would establish a National Economic Conversion Commission in the Commerce Department, charged with investigating the various economic impacts of disarmament. At the same time it would seek the cooperation of the business community by requiring that firms establish forward planning staffs at Government expense whenever they receive contracts which absorb more than 25 percent of their labor force.

Forward planning by Government and industry offers the best hope of avoiding the economic dislocations that would inevitably follow a detente between the Communist and non-Communist blocs. We hope that Senator MCGOVERN's bill will be widely supported when it reaches the floor of the Senate.

Mr. HUMPHREY. Mr. President, the editorial commends the distinguished junior Senator from South Dakota [Mr. MCGOVERN] for taking the initiative in proposing that plans be made now to cushion the economic impact of any large-scale reductions in defense expenditures. This is looking ahead.

The Senator from South Dakota is continuing a study made several years ago by the Subcommittee on Disarmament, of which I am privileged to be the chairman. I have long been interested in this critical problem. I am grateful to the Senator from South Dakota for his cooperation and leadership. I hope every Member of the Senate will seek to help in this endeavor.

A REPORT ON SOVIET AGRICULTURE

Mr. HUMPHREY. Mr. President, we in this country sometimes make the mistake of assuming that the actions and policies of the Soviet Union are based only on political and ideological considerations.

Such an assumption is a mistake because we now know that international policies of the Soviet Union are affected by its own domestic problems. One of them is agriculture.

Food and fiber production has been one of the biggest problems in the Soviet Union. Chairman Khrushchev himself has admitted publicly that the Soviet Union has not been able to meet its agricultural goals. Recent purchases of wheat from Canada and Australia by the U.S.S.R. is further evidence of the Soviet agricultural crisis.

It is important for us to understand the Soviet agriculture problem—and the efforts being made to solve it. Mr. Charles W. Bailey III, Washington correspondent for the Minneapolis Tribune and one of the Nation's outstanding agriculture reporters, has written a seven-part series titled "A Look at Russian Agriculture." Mr. Bailey accompanied the Secretary of Agriculture, Mr. Orville Freeman, on his recent tour of the Soviet Union. The articles he wrote after that trip are fascinating and informative, and I urge my colleagues to read and study them.

Mr. President, I ask unanimous consent that Mr. Bailey's articles, as published in the Minneapolis Tribune, be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Minneapolis Tribune]

A LOOK AT RUSSIAN AGRICULTURE: SOVIET FARM SITUATION COMBINES EXHILARATION AND EXASPERATION

(EDITOR'S NOTE.—Charles W. Bailey was the only Western reporter to accompany Agriculture Secretary Orville Freeman on his tour of the Soviet Union. This is the first of seven articles on what he observed.

(Russians joke about the listener who wrote a radio station to ask if "it is possible to solve impossible problems" and was told, "We do not answer agricultural questions.")

(By Charles W. Bailey)

MOSCOW, U.S.S.R.—On one side of the road stands a ramshackle, half-abandoned village, the old wooden houses frayed by time and neglect. On the other side of the highway, a score of new apartment buildings shoot skyward, their new walls shining in the summer sun.

This scene on the road leading into Moscow from the airport is the first contradiction that greets the visitor to the Soviet Union. If that visitor comes seeking a clear picture of Soviet agriculture, the first glimpse typifies the difficulties that lie ahead of him.

In more than 6,000 miles of travel across the U.S.S.R. last month, an observer accompanying Agriculture Secretary Orville Freeman found that initial roadside paradox repeated again and again.

There are areas in this vast country where almost anything can be grown, and where almost everything is grown—and in Moscow housewives stand in line to buy poor vegetables and scrawny chickens, while grocery shelves are all but bare of even canned foods.

There is power and excitement and an air of great challenge well met in the "virgin lands" beyond the Urals, where millions of acres have been broken to the plow in the last decade—and there are also duststorms and droughts, weed infestation and falling yields in these same wheatfields.

There is the outspoken and persuasive determination of Soviet Premier Nikita Khrushchev to master the problems of agriculture—and there is the current Russian joke about the listener who wrote the radio station to ask if "it is possible to solve impossible problems" and was told: "We do not answer agriculture questions."

In Minsk a bustling factory turns out a shiny blue tractor every 70 seconds—and in Orenburg the chief mechanic on a 250,000-acre state farm tells of spare parts shortages and pistons that fail in the fields.

The Minister of Agriculture for the U.S.S.R. writes of the need to let farm managers run their own operation, to free them from "the administrative itch"—and in the Ukraine, more than 3,000 government inspectors second-guess the decisions of these same managers.

There are big, modern, automated milking parlors at the Soviet agricultural exhibition in Moscow—and a startling number of cases of foot rot in the cows on a collective farm outside Tashkent.

These examples are symptomatic of a broader paradox in Soviet agriculture: Here is a country which has learned to do the big things well—to make a quantum jump in wheat production, for example, by pouring men and machines into previously untilled lands—but which is still struggling, with only limited success, to do the smaller but more complex jobs—like producing good meat and milk and vegetables.

It would be easy and comforting to conclude that a Communist government simply cannot make agriculture, in its more sophisticated forms, work. There is, indeed, evidence that the system is responsible for many of the troubles that have beset Russian farming over the years.

But such a simple analysis will not stand by itself. The Russians have made great strides in some areas, and they are obviously determined to keep moving ahead.

They have succeeded in providing themselves with an ample supply of food grains, the basic ingredient of the Russian diet.

They are planning a massive investment in fertilizer production—an investment which, if actually made and soundly followed through, could sharply increase their yields of feed grains and thus facilitate the production of a more adequate meat supply.

They are beginning to show signs of getting away from the overemphasis on corn which resulted from Khrushchev's near obsession with that crop. Soviet researchers and some farm managers are beginning to look with keen interest on such substitute crops as sorghum, which American experts believe would be better suited to the dry, hot climate in many areas in the U.S.S.R.

Thus, despite the obvious shortcomings, Soviet agriculture is moving. True, the signs that dotted the Russian countryside a few years ago exhorting farmers to "Catch up with the U.S.A." are gone; and some of the problems which remain appear to be so interwoven with the Soviet system that they seem unlikely to be solved without a major political upheaval.

It is also difficult to gage the real state of Soviet agriculture from the farms seen by Freeman's touring party. Clearly, and quite naturally, the places displayed were "the best of the best"; the Americans had to keep constantly in mind that they were seeing no more than a dozen out of some 48,000 farms in the U.S.S.R.

But it would be a mistake as one of Freeman's top aids noted at the end of the trip, to continue to think of agriculture as communism's "Achilles heel." It remains a major weakness and a continuing problem in the Communist economy, but one that is recognized and is being attacked.

No single individual better typifies both the recognition of the problem and the determination to deal with it than Nikita Sergeyevich Khrushchev. His views and his plans will be discussed in the next article of this series.

[From the Minneapolis Tribune]

A Look at Russian Agriculture: "Now We Attack," Khrushchev Says of Soviet Farm Program

(By Charles W. Bailey)

(Note.—When Freeman suggested that more Soviet citizens should visit the United States, Khrushchev replied, "When we must decide on fertilizers or tourists, we decide for fertilizers.")

Moscow, U.S.S.R.—"We have had some success in agriculture. But we respect the success of other people, too."

Nikita Khrushchev looked across the table at Orville Freeman.

"The level of agricultural development in your country is higher than in ours," he went on. "This is not the result of your political system, but the result of your riches—the bigger capital investment in agriculture * * * now we attack."

Khrushchev went on, in a 2-hour discussion in the Kremlin, to explain what he meant by "attack." These were his main points:

He plans a "sizable increase" in fertilizer output. At present, he said, annual production in the U.S.S.R. is about 20 million tons; by 1970, he said, he hopes to boost this figure to 100 million tons per year. He estimated the investment required at close to $6 billion. "We have the money and during the next 5 years we shall invest it," he said. "If we need more, we will allocate more."

Other capital investment in agriculture will also be boosted, he said, citing plans to buy plants for making mixed feeds and production facilities for herbicides, as well as projected outlays for irrigation.

He recognizes the need for training Soviet farmers to utilize new production aids. "It is not enough to have some means—it is important to know how to use them," he said. "We will have to teach the people." Later, he said: "We have a few machines, but in some areas we are short of qualified workers."

He concedes that material incentives—that is, more cash in the farmers' pockets—are important even in the Communist system. "There is no use quarreling about it," he told Freeman. "This problem is a very important one."

Khrushchev readily admits that animal husbandry and the production of fruits and vegetables are a "weak point" in Russian agriculture. "We have much to learn from you in this, and we will use your fundamental experience in this field," he said. Later, he said he wanted to send an aid to the United States to find out how American farmers can produce beef animals with more than twice as much meat on the carcass as Soviet cattle.

Throughout the session, Khrushchev repeatedly stressed the need for investment. He thumped his fist to emphasize the point when he said: "Now we have money on the table." Again and again he returned to the need for investment in agriculture, and when Freeman suggested that more Soviet citizens should visit the United States, Khrushchev responded: "When we must decide on fertilizers or tourists, we decide for fertilizers."

The record of the conversation makes it clear that Khrushchev is as interested as ever in the problems of Soviet agriculture—a subject which has claimed his detailed attention repeatedly since he came to power in the midfifties.

First it was the "new lands" program to boost wheat production; then his love affair with hybrid corn; now the new preoccupation—and the new crash program—is fertilizer.

In the 5 years since he became top man in the Soviet Union, Khrushchev repeatedly has demonstrated his enormous concern with agriculture—and his thorough knowledge of the subject and the problems it creates in his country.

On occasion, he has used the public relations techniques of the Western politician: On a visit to the "new lands" he rode standing up all day in an open car to inspect the fields, and scoffed at suggestions that he sit down. "I would stand up all the way back to Moscow," he said, "if I could see wheat like this all the way."

He has devoted day after day, in party meetings, to his farm problem, to detailed discussion of individual farm operations and practices.

His earthy style is perfectly suited to the subject; discussing his current Minister of Agriculture, I. P. Volovchenko, he told visiting Americans, "He knows the practical well—he knows how to grab a man by the ear and say, 'You are not hoeing the right way'."

But such chummy remarks have not kept Khrushchev from shaking up his farm bureaucracy repeatedly in an effort to improve agricultural performance. Ministers of agriculture have come and gone, control structures have been reshaped, new laws have been put on the books in an effort to curb widespread false reporting, stealing, and poor performance on Soviet farms.

The difficulty of making a totally planned economy work properly was vividly demonstrated by the 1962 increases in prices for meat and milk—increases of up to 30 percent at the consumer level.

Freeman's group discovered in questioning farm managers that these products had been selling below the cost of production, in many cases, before the price increases. The increases were ordered primarily to get production increases—and to act as a brake on consumer demand while supplies were still short.

But even with juggling of prices and higher wages for farm workers, an American observer comes away from the expedition into the tangled thickets of Soviet farm bureaucracy with serious doubt about the possibilities of making it work. How it operates—and how it sometimes does not operate—will be discussed in the next article of this series.

[From the Minneapolis Tribune]

A Look at Russian Agriculture: Behind the Man Behind the Plow Is an Army of Bureaucrats

(By Charles W. Bailey)

(Note.—The complexities of Soviet agricultural bureaucracy make the U.S. Agriculture Department look as simple as a ladies' sewing circle by comparison.)

Kiev, U.S.S.R.—"Everybody was talking, but it was not clear who was responsible for what."

This statement—by a top farm official in the Ukraine—epitomizes the problem of the Soviet agricultural bureaucracy.

The complexities of this bureaucracy make the much-maligned U.S. Department of Agriculture look as simple as a ladies' sewing circle by comparison. And in a completely state-owned, totally planned economy, the effectiveness of the bureaucracy is far more important than in a free-enterprise system where farmers make their own decisions.

As Soviet leaders have struggled to increase production on the farms, they have made a series of changes in Government machinery for handling agriculture. At present, one agency decides on capital investment and sets the figures for deliveries of farm products to the state; another is in charge of research, extension, and other scientific services; a third is responsible for production, actual procurement and handling of farm commodities; a fourth, with the jawbreaking name of "Soyuzselkhozteknika," collects and files orders for machinery needed by the individual farms.

Woven all through these departments, and also superimposed on them at national, regional, and local levels, is the Communist Party.

The size of the Soviet farm bureaucracy is staggering. Take, for example, the "breadbasket" republic of the Ukraine. There are almost 10,000 collective farms and close to 1,000 state farms in the Ukraine. (A collective is theoretically owned and managed by its farmers; a state farm is run by the state and all profits go to the state.)

To direct these 11,000 farms and their approximately 100 million acres, the Ministry of Production and Procurement in the republic employs 14,400 people. The Ministry of Agriculture—now downgraded to a sort of research-and-extension service—employs upwards of 15,000 people.

There are 25 regional production and procurement offices in the Ukraine. They supervise the activities of 250 rayon, or local, production committees.

Working out of the local offices are about 3,100 inspectors, each of whom supervises five farms. These inspectors can call in accountants to check farm books, call meetings of collectives and denounce wayward farm managers if necessary, and otherwise exert what Ukrainian officials blandly called "moral persuasion" to enforce their suggestions.

Although the Soviets insist that the collective or state farm manager is the final authority on his farm, it is perfectly clear that he is in fact under the thumb of the production and procurement offices and the inspectors.

When one visiting American asked what happened if the members of a farm backed up their manager in a dispute with an inspector, one high official replied: "Well, then it is usually a case of breaking the law, and the inspector can call in the courts."

And when a party official was asked whether any farm managers were conservatives who refused to take advice on new practices, he replied without expression: "There are such leaders that are conservatives, but the people just hint that he is not suited to the place."

Meanwhile, the agriculture ministry itself has been left to run experiment stations, develop and supply seed, provide livestock breeding services, handle insect and pest control work, and run the extension service.

At the top level, the Communist Party and the Government are almost completely interlocked. In the Ukraine, for example, the minister of agriculture is also a member of the U.S.S.R. central committee of the party; the minister of the production and procurement is also a member of the presidium of the Ukraine party organization.

This interlocking control extends to lower levels, too.

At one experiment station in Krasnodar, questioning by members of Secretary of Agriculture Orville Freeman's group disclosed that the director of extension was also the Communist Party secretary of the station. And in the Russian Republic, all of the local production committee directors are Communist Party members, and nearly half of these were formerly local party bosses.

(There is a curious reluctance on the part of Soviet officials to acknowledge this close connection between the party and the farm bureaucracy. In 1962, officials said, "many" of the 795 local directors in the Russian republic were not party members. One of the visiting Americans asked how many. The answer: "Six.")

To provide even tighter party control of agriculture, Khrushchev in November 1962 put through a basic reorganization of the party structure as well, to place "the production principle at the basis of the structure of party organs from top to bottom." Special party committees were set up to parallel the local production administrations and to supervise all aspects of rural life.

It seems clear that Khrushchev has succeeded in giving the Communist party much more direct control over agriculture. It is less clear that the reorganizatin has accomplished another of its stated goals—the centralization of responsibility for farm production and elimination of excess bureaucracy.

Thus there may have been more truth than was intended in the explanation of one official for the 1962 reorganization: "In the last few years, the government decided the problem was very important, and changed the name from the Ministry of Agriculture to the Ministry of Production and Procurement."

Americans who visited regional farm offices both before and after the shakeup found that despite its avowed aim to shrink the bureaucracy, the same old faces were still there—though under new titles.

And what about the man at the bottom of the pyramid—the Soviet farmer? How does he fare with so many "big brothers" looking over his shoulder? The next article in this series will take a look at his life.

[From the Minneapolis Tribune]

A Look at Russian Agriculture: Soviet Farms Seek Incentives, and Ivan's Half Acre Has Role

(By Charles W. Bailey)

(NOTE.—The Russian peasant has seen four decades of land seizure, regimentation, moves to boost production, and bloodletting—and he is still low man on the totem pole.)

SAMARKAND, U.S.S.R.—A portrait of Lenin hangs on the wall. The father of the Russian revolution seems to peer over the farm manager's shoulder as he wrestles with the problems of the 5,000-acre collective.

This vignette, which is repeated in every farm and government office, could well typify the plight of the Soviet farmer, for the peasant—more than any other man in Russian society—has paid the price for Lenin's revolution.

It has not been painless, either. The Soviet farm problem is sometimes characterized as a case of "Marx versus the Peasant," and the description is apt. No sector of the population has been less amenable to the changes imposed by communism; no sector of the economy has given Soviet planners and managers more trouble.

After four decades of massive bloodletting, seizure of all farmland, years of regimentation and endless attempts to boost production, the peasant is still low man on the Communist totem pole—and agriculture is still the economic problem child of the U.S.S.R.

What is life like for Ivan Ivanovich, the "kolkhoznik" or collective farm member?

It is a mixture of the ages—old and the brand new. Ivan lives with his family in a little house—no more than three rooms at most—as did his forebears. His children spend most of their day at a collective nursery of kindergarten or school; his wife usually works on the farm, as a full-time milkmaid or herder or part-time harvest hand.

The farm on which Ivan works is either a kolkhoz—a collective farm theoretically owned by the farmers, who share in any profits—or a sovkhoz—a state farm owned and operated by the Government, with farmers merely employees.

In recent years, the Soviets have cut down the number of collectives by merging them or converting them into state farms. The advantage of the state farms to the Government is obvious—it gets all the profits and can more easily control the workers, since they can be fired. But on a state farm the Government must absorb any losses, whereas any net losses on a collective come out of the farmer-members' hides.

Thus, while the shift to state farms is a long-range goal, the Government is apparently moving slowly, converting those collectives which are likely to be profitable and leaving the others unchanged so that losses will not come out of the Government's budget.

Whether he works on a kolkhoz or a sovkhoz, Ivan has no land of his own, of course. But he has for his own use a tiny piece of ground—anywhere from a half acre to 2 acres—on which he can raise produce and a little livestock for his own use, either at home or for sale in the free market.

On most collectives, Ivan is allowed to have for his own one cow, a sheep or pig, some poultry, and perhaps a calf.

Ivan cares for his private plot and this livestock in the early morning or evening. During the day, he works for the collective, as a member of one of the brigades. He has one specific task—tractor driver or field hand, herdsman or mechanic or combine operator.

He gets his pay in a number of chunks, none of them large. On the average—according to figures obtained from farmworkers and managers by U.S. Agriculture Secretary Orville Freeman's group—the total value of Ivan's wages, in cash and in kind, will range from about $70 per month to $130, depending on his job.

This pay is made up of a bewildering array of different pieces. First there is a "norm," a sort of minimum wage, paid partly in cash and partly in kind. There is extra pay if Ivan or his brigade "overfulfills" the assigned work quota.

In some cases, there is a "quality" bonus. If the collective farm shows a profit at the end of the year, there may be another bonus based on distribution of farm income to the workers.

This system, officially acknowledged to be "very complex" and privately described by Soviet economists as a "nightmare," does make one thing clear: Communist leaders have been forced to recognize the profit motive.

Soviet Premier Nikita Khrushchev concedes that material incentives are "very important"—but only "in a certain stage of socialism." He told Freeman that the U.S.S.R. is "entering a new era when we will use moral incentives." An outside observer can only suspect that the new era will be a long time coming.

The "private plot" is perhaps the best evidence of the survival power of material incentive in a Communist society.

From these tiny pieces of land come the best meat, the best poultry, the best fruits and vegetables to be had in most Soviet markets—and the private sales make up an important part of total output of these products, despite official downgrading of this sector.

For the U.S.S.R. as a whole, more than half the total meat and potato production, almost half of all milk and green vegetables, and about four out of five eggs come from the private plots.

In the case of meat, the private sector is important even in state procurement, with about 10 percent of the meat bought by the state coming from private, rather than collective or state farm, production.

The importance of the private sector can be measured in terms of price, too. In the biggest farmers' market in Kiev, U.S.S.R., the market master estimated that individual farmers sell about four times as much meat as the collective farms for which they work; and housewives are willing to pay 30 to 40 cents per pound more for the privately-produced—and thus generally younger and more tender—meat.

(Meat is expensive, even in terms of U.S. purchasing power. State prices for beef at the Kiev market average 80 cents a pound or more for all cuts; for privately-produced beef, shoppers pay upwards of $1.10 per pound, while veal—the most-sought-after meat—brings $1.25 per pound. These prices must be measured against average city wages of $100 a month or less.)

Thus the reason why peasants work hard on their little "private plots" is clear. And Soviet farm bosses, in their efforts to boost production on the collective and state lands, have had to recognize the same material factors.

The collectives, for example, are beginning to establish guaranteed minimum cash payments to workers—a step ordered by Khrushchev to end the prevalent practice of siphoning off any net profits for reinvestment or construction of auditoriums, libraries, "rest pavilions," and other nonagricultural fringe projects.

Another recognition of the power of material incentives was the state-ordered rise in milk and meat prices last year. Figures given by farm managers to the visiting Americans made it clear that livestock products were being produced at a loss before the increases—and that production began to increase only after the prices were hiked to the point where it became profitable.

There is a good deal of theoretical talk about abolishing the private plots. "Eventually they will disappear," says Pavel Fedorouk, Communist Party secretary at a research station in Krasnodar, U.S.S.R. "We are trying to achieve results from the collectives and state farms so that the farmers could use the rest of the day for recreation and cultural achievements and would not have to work on their private plots."

Fedorouk insists there is no "goal" to eliminate the private plots. "We do not discuss this officially," he said. But the implication was crystal clear that the state would like to get rid of them.

This seems unlikely. Ivan Ivanovich likes his private plot, and what he produces on it is still an important factor in meeting consumer food demands. And Ivan is a stubborn fellow—as Josef Stalin learned when he had to slaughter Ivan's forebears to force them onto collective farms.

But Soviet agriculture has its successes as well as its problems. The next article in this series will take a look at one of the major successes—the "new lands" program.

[From the Minneapolis Tribune]

A Look at Russian Agriculture: High Morale of New Lands Can't Erase Mounting Problems

(By Charles W. Bailey)

(Note.—Adamovski state farm's 275,000 acres make it as big as Minnesota's Steele or Pipestone County.)

Adamovka, U.S.S.R.—A thousand miles east from Moscow, U.S.S.R., the plane crosses the Ural Mountains, and the steppe rolls out below, flat and treeless, hot and dry in the July sun.

Now the traveler can see the huge fields, green and yellow and black, and as the plane dips lower he notices the abandoned sites of the tent villages that housed the first settlers a decade ago.

These are the "new lands," the pride of Soviet agriculture: almost 100 million acres of Siberia and Kazakstan—an area as big as the State of California—broken to the plow in massive drive to make the U.S.S.R. self-sufficient in wheat and to free more humid areas for production of feed and livestock.

When you bump down onto the grass airstrip here, you are a long way from anywhere. The members of Agriculture Secretary Orville Freeman's party were the first Americans in this part of the world since the famine relief teams came after World War I.

This community is the headquarters of the Adamovski state farm, settled in 1954 as one of the first "new lands" stations and now, a decade later, one of its showpieces.

As with everything in this area, you have to start with sheer size. Adamovski wraps 275,000 acres into a single unit—making this one farm as big as Steele or Pipestone County in Minnesota, with an area equal to 700 good-sized midwestern farms rolled into one.

There are 120,000 acres planted to spring wheat. Another 30,000 acres are in other crops—corn for silage, field peas, barley, millet, and a small amount of sugarbeets. The rest of the farm is still in grass, though each year an additional 5,000 to 7,500 acres has been going under the plow.

The people and the work at Adamovski are organized on quasi-military lines. There are five divisions, each with its own leader; around each division headquarters are clustered the homes of farmers, little brick houses along a dusty street, their silhouettes providing the only break in the flatness that seems to run a hundred miles to the horizon.

There are 800 full-time workers on the farm, with another 600—farmers' wives and people from the cities to the west—called out in the harvest season. This is, perhaps more than any other part of the Soviet farm economy, a mechanized operation: 12 machinery brigades on the farm operate 260 tractors and 200 combines.

The visitor senses at once that morale is high among the men who came out here to spend that first Siberian winter in tents, and among the men and women who followed them in later years. There is an air of challenge—of great challenge—well met.

But in the headquarters offices at Adamovski and at the similar farms that stretch eastward across the steppe for another 1,000 miles, there are problems piling up that cannot be solved by morale.

An examination of these problems must be prefaced by saying that the new lands program has been a success in Soviet terms. It has been expensive, there has been waste, there have been bad years—but it has added 40 million acres of wheat land to the Soviet total, and the new lands now produce close to half of the Soviet Union's annual output of close to 2 billion bushels of wheat.

But the problems are piling up for these latter-day sodbusters.

Some of them are traditional and climatic—shortage of rainfall, the beginnings of a dust bowl, steadily declining per-acre yields, troubles with weeds, trouble with soil alkalinity. Others seem peculiar to the Soviet system—adherence to questionable cultivation practices, shortages of machines and spare parts, breakdowns, inability to get the harvest in.

The U.S. experts who visited Adamovski were skeptical of the Soviets' deep-plowing techniques and of what appeared to be needlessly dense seeding. One noted after a discussion session that the chief agronomist of the farm "never heard of a grain drill."

The failure to fallow the wheat land—it is left fallow no more than 1 year out of 7 under present programing—also raised American eyebrows. In a similar area in the United States, land would be fallowed every other year. Though the Soviets argue that differences in the seasonal pattern of precipitation make fallowing inefficient, their techniques are at least controversial.

In the machine shop at Adamovski, an American specialist asked Andrei Makarov, the tall, sunburned chief mechanic of the farm, what gave him the most trouble. The answer came quickly: "pistons."

The on-the-spot statement confirmed persistent reports that Soviet farms have continuing difficulties with tractor engines; other reports make it equally clear that a shortage of spare parts is a constant headache.

And there isn't enough machinery to start with. An economist at Adamovski, asked what he would buy if he had $10,000 to spend as he chose, answered at once: "harvesting machinery."

The biggest problems, however, are likely to be caused by weather, particularly if the Soviets continue their present no-fallow practices on the new lands.

Yields have fallen off steadily, especially in the main producing area of Kazakhstan. This year there have also been dust storms reported in the east; existence of this problem was confirmed when a special conference on soil erosion was called this summer.

Soil alkalinity is proving troublesome, too, and in the last few years the weed problem has become a major one. In some areas of Kazakhstan, the 1962 crop came out of the threshing machines with as much as 16 percent wild oats content.

In time, there may be more herbicides, so that Soviet farmers can spray the crop after emergence as is done in the United States when weeds become troublesome. In time, too, there may be enough machines, and enough spare parts, so that much of the present harvest-time trouble can be eliminated.

But one thing that will not change is the climate. The new lands, in a semiarid section of a nation where rainfall is more often than not deficient, will always be short of moisture, and this will always limit yields—especially when land is not regularly fallowed.

There was a hint, in Khrushchev's talk with Freeman, that he is thinking about returning some new lands acreage to grass. Clearly it could support a great deal more livestock than is being run there now—as much as five times as many cattle at Adamovski, in the view of the visiting Americans.

But for the time being, it appears that the Soviets will continue to push wheat production on the Siberian steppes. It has been, for their purposes, a successful program, and it has helped them dramatize their drive to boost farm output.

Whether this will remain a stable producing area depends greatly on the whims of weather, the vagaries of Russian farming doctrine and the improvement of farm machinery supply.

Meanwhile, Soviet farm planners are also struggling to improve livestock production—a sector in which they have had no success to match the new lands drive. The next article in this series will examine this problem.

[From the Minneapolis Tribune, Sept. 10, 1963]

A Look at Russian Agriculture: Red System Is Its Own Worst Enemy in Livestock Production

(By Charles W. Bailey)

(Note.—Four years ago, billboards exhorted Russian farmers to "overtake and surpass the United States" in production of livestock products. The signs are no longer there.)

Kiev, U.S.S.R.—In 1955, Premier Nikita Khrushchev ordered a massive corn growing program in the Soviet Union to produce more livestock feed. In 1963, Khrushchev is proclaiming a massive fertilizer program—to produce more livestock feed.

Four years ago, the Russian countryside was dotted with billboards exhorting farmers to "overtake and surpass the United States" in production of meat, milk, and other livestock products. This year, the signs are no longer there.

These two comparisons offer some insight into the livestock situation in the Soviet Union. And a look at livestock brings the differences between American and Soviet agriculture most clearly into focus, for it is in this sector that Russian farmers lag farthest behind the United States.

Indeed, a comparison of the livestock operations of the two countries suggests that in this sector the Communist system itself may be the major bar to Soviet hopes of equaling or even approaching American performance.

As far as the present status of Russian livestock is concerned, observers traveling with Agriculture Secretary Orville Freeman last month found ample evidence of the lag.

Everywhere the cattle were dual-purpose animals, used for both milk production and beef. Even at research stations there was little evidence of the specialized breeding that has long been commonplace in the United States.

The result is that neither beef nor dairy production fares well. At one leading collective farm here, average annual milk yield per cow was listed at 7,040 pounds—below the average for all U.S. cows of 7,300 pounds. And at the Teresino livestock research station, a first-line breeding farm, average production was 10,516 pounds—below the 11,000-pound average for U.S. dairy herd improvement association cows, and far below the levels attained on Government research farms in the United States.

Similarly, meat is of inferior quality by U.S. standards, and expensive to boot. Beef and veal is priced at $1 per pound, including fat and bones, in Kiev markets.

Russian farms are still fighting serious disease problems. Hoof-and-mouth disease still exists; and at one collective farm near Tashkent, the dairy herd was badly afflicted with foot rot—a disabling hoof ailment that most of the visitors had not seen for many years in the United States.

Despite the size of Soviet dairy herds, mechanization is still in a relatively primitive stage. Officials in Moscow proudly showed the visitors two big motor-driven carousel milking parlors—but on working farms, machines elsewhere, they were portable units used in old style stanchion barns.

Labor expenditures in livestock production are still high. At the Sovky state farm outside Kiev, one of the new specialized farms set up outside big cities to provide milk, one worker was required for every five or six animals. In the United States, efficient dairy farms need only 1 worker for every 25 cows.

Freeman's party visited one big hog farm near Kiev where 30,000 hogs a year are produced in a modern, mechanized setup that seemed fully up to good U.S. standards.

In the Crimea, the Soviets are said to be establishing "broiler factories" along American lines. And artificial insemination, used in the United States primarily for dairy cows only, is being applied in the U.S.S.R. to sheep and hogs as well—a development that the visiting American scientists want to study further.

The Russians are making strong efforts to boost output of feed—the critical factor in expanding their livestock production in terms of volume.

Feed supply was at the root of Khrushchev's corn program; it was a big factor in the new lands wheat program, since this released acreage in the humid areas for feed production.

The marketing and distribution system for perishable livestock products is also a serious problem. There is little refrigeration, inadequate transport, a shortage of processing facilities. Canned goods are virtually unavailable in Moscow groceries, according to visitors who checked groceries there.

Such a catalog of problems should not be read as an indication that the basic reason for the new Soviet cry for increasing fertilizer production.

But after the pros and cons of the existing situation and the proposed plans are weighed, an American observer—even after allowing for inherent political bias—comes away with a conviction that the Communist system is peculiarly unsuited to the production of ample supplies of high quality, reasonably priced livestock products.

The production of livestock—the care and feeding of animals—requires a higher degree of skills, and a more diverse collection of them, than the production of field crops.

The Soviets, by massive applications of manpower and technology, have been able to expand their cropland and thus boost total grain output; but such techniques do not seem applicable to improvement of livestock.

There is confirmation for such a judgment in the fact that the livestock products of the "private plots"—those few head of livestock farmers are allowed to raise for themselves—are acknowledged by Soviet officials to be superior to the products of the state operations.

The fact that consumers are willing to pay substantially higher prices for privately produced meat, and the fact that privately produced meat is more readily available in markets, is even more convincing evidence.

The processing, distribution and marketing problems of livestock products point up another weakness of the Communist system.

This critical segment of the livestock industry had been starved by the Government, which has given priority to investment in other sections of the economy; as a result, there are not enough railroad cars or trucks, not enough well-located and modern slaughtering facilities, almost no bulk refrigerated space, a shortage of food processing machinery and facilities.

This shortfall is, in effect, a planned one—regardless of the reasons, which may have been compelling—and thus directly attributable to the system of total state management of the economy. In another system consumer demand would have forced the diversion of at least some resources into development of these services which are vital in getting meat and milk from farm to city dinner table.

Another evidence of the flaws of a completely planned system in dealing with livestock was the increase in meat and milk prices last year. Until the boost—which averaged 25 to 30 percent at the grocery counter—state and collective farms were losing money on livestock, but were forced to continue such uneconomic production under state-imposed directives.

Under a different economic system, this problem would have been self-correcting, through the working of the market; under the Soviet system, it persisted—and thus held down production—until the Government conceded the power of "material incentives" and boosted prices.

Before this was done, several years of potential progress were lost.

This kind of judgment takes the observer away from the wheat field and the barnyard and into the realm of theory. But such a progression is inevitable, for theory is as important as practice in both the successes and failures of Soviet agriculture.

The next article in this series will offer some overall conclusions about farming in the Soviet Union.

A Look at Russian Agriculture: Farm Problems and Potential Are as Big as the Sprawling Nation

(By Charles W. Bailey)

(Note.—Khrushchev tells Freeman, "We are fed up to here with rockets. We are going to divert this money to agriculture.")

Moscow, U.S.S.R.—Six thousand miles of travel in heat and baking sun. Visits to a dozen huge farms and an equal number of experiment stations. Countless meetings with officials over long tables in stuffy offices. Side trips to crowded markets and bustling tractor plants and shiny horticulture exhibitions.

These are physical elements of an inspection tour of Soviet agriculture in the summer of 1963.

But what sticks in the observer's mind, first of all, are people.

There is the aggressive official in Moscow, denying planning failures: "That cannot happen in our system. We have experience with a planned economy."

And there is another official at the same meeting, a tall, moody, handsome man who quietly deflates this statement with one short sentence: "Gosplan is not God, you know."

There are the new Soviets—men for whom the system has been good; the provincial production boss, twice decorated as a hero of Socialist labor; the bright young tractor driver, rewarded by having his picture in the national agriculture exhibit—and by appointment as a delegate to the 22d Congress of the Communist Party.

And there are, everywhere in the memory, what might be called the old Russians: men building homes of crude lumber or adobe, women standing in shadeless fields tending a few cows, children waiting at the roadside to watch the big black cars speed by.

There are the people of the "new lands," sunburned, hardhanded, proud as they show what they have done to transform the endless Siberian steppes into millions of acres of wheatland.

There is the agriculture minister in the Ukraine—Mark Spivak, old Bolshevik, member of the party central committee, veteran survivor of Soviet politics—flushing with emotion as he describes his boyhood as the child of a poor peasant and tells how the Communist Party helped him to rise and prosper, and why it is good for Russia.

And there is Spivak again, real astonishment in his eyes as Orville Freeman explains that he became Secretary of Agriculture in the United States after winning three elections—and losing three elections.

This traveler's montage of faces is paralleled by a similar collection of conclusions—seemingly random and subjective, but all supported by factual evidence.

The potential of Russian agriculture is rich—if it can effectively be tapped. In this country, encompassing one-sixth of the earth's land area, there are resources to produce all that is needed, and more.

The Soviets have come a long way in 45 years—through chaos and bloodbaths, through a devastating war that forced them in many places to start all over again—from the primitive agriculture of czarist Russia.

They are at least in grain and other field crops, a "going concern." Their techniques may seem clumsy to Western eyes, but the production is there, and it will increase. It is not inconceivable that in a decade they will be competing with us in world export markets.

Soviet agricultural research, badly crippled for years by insistence that scientists accept the Lysenko theory of inheritability of environmentally induced characteristics, is now following the same general lines as our own—though researchers still pay lipservice to Lysenkoism.

The willingness of Lenin and Stalin to make the peasant pay the price of national progress—by starving and coercing him while they built Soviet industry—is brutally clear.

The size of Soviet farms is staggering. So is the size of Soviet farm bureaucracy. The conclusion is inescapable that both are too large for efficient operations.

The Communist Party has not been able to apply its principles and its machinery to animal husbandry, or to such specialized crops as fruits and vegetables, with any degree of success. It is questionable whether the Communist system can be successfully applied to livestock production.

Even in the production of grain crops, where the system can be made to work if there are enough machines and enough capital investment, Communist ideology has proven a balky engine—unless it is lubricated with capitalist "material incentives."

No matter what is done to boost production, consumers will not receive full benefits from it until the Soviet Government greatly increases its investments and effort in the farm-to-table segment of agriculture—in transportation, refrigeration, processing, handling and marketing.

As of now, this sector is the stepchild of Soviet agriculture.

Further progress in Soviet agriculture depends on the willingness of Russian leaders to increase the amount and the proportion of capital investment going into agriculture.

While past gains have been made by increasing acreage, future progress will depend on increasing yields—and this will require heavy investment in fertilizer, insecticides and weed-control chemicals, as well as improved seeds.

Even if such increases in investment are made—and Premier Nikita Khrushchev gives every indication of a determination to make them—there is another unknown factor: the ability of Soviet farmers to absorb new technology effectively.

Soviet agriculture cannot make any really spectacular further progress unless the system is modified. This conclusion is not based simply on any reflexive bias against communism, but rather on past performance—and on the admitted fact that Soviet leaders are still struggling to make their political and economic control systems for agriculture workable.

Finally, there is one conclusion that could be a heartening one for the whole world: There is enough work for the Soviets to do on their own farms to keep them, and their national resources, occupied for decades.

If they choose to look inward instead of outward for new frontiers to conquer, the Russian farmer and consumer, as well as the rest of us, will be the better for it.

Khrushchev held his hand up under his chin as he told Freeman, "We are fed up to here with rockets—we have enough rockets. * * * We are going to divert this money to agriculture." Khrushchev's people, no less than the rest of us, can only hope he means it.

ROSH HASHANAH GREETINGS

Mr. HUMPHREY. Mr. President, on the occasion of a new year in the Jewish calendar, I would like at this time to extend to the Jewish citizens of the world my sincere wishes for a prosperous year ahead. May it prove to be, for them and for all mankind, a year of genuine peace, security, and happiness. May it bring new hopes, new dreams, and new goals, while at the same time fulfilling the hopes, dreams, and goals of yesteryear.

Rosh Hashanah—the day of God's judgment of the world—is also a day on which the Jews pray not only for themselves, but for the people of the world at large.

In response, the American people as a whole join with them in the knowledge that peace, a traditional object of prayer on this occasion, is no longer a mere trinket to be talked about and played with, in the political sense. Indeed, it is fast winning recognition as an absolute necessity.

Let us then pray, and let us also remember that out of the strains of this era, if we but will it and have the faith to see it through, we can achieve even more than ever.

It is in the spirit of using this time of prayer as the springboard of the inspiration we need to go forward, that I extend to American Jewry my best wishes on Rosh Hashanah.

CIVIL RIGHTS BROADCASTS

Mr. WILLIAMS of New Jersey. Mr. President, in this time of discussion, debate, and concern over the civil rights crisis, it is a pleasure for me to commend the efforts of a group of television and radio stations, RKO General Broadcasting, to add to public enlightenment on the subject.

RKO General Broadcasting, a national group of five TV and seven radio stations in New York, Los Angeles, Boston, Detroit, San Francisco, Washington, D.C., and Memphis, has developed, and is currently broadcasting, a series of statements by prominent individuals who present their ideas on how the civil rights crisis can be resolved peacefully and justly. An attempt has been made to give widely varying viewpoints. It is a pleasure to report, too, that the Voice of America is broadcasting these messages around the world. The series is called "In Search of a Solution: Civil Rights."

The premise of the series—a continuing national symposium—was set forth in these words by Hathaway Watson, president of RKO General Broadcasting:

> We consider the civil rights issue the most important on the domestic scene today. It is recognized that attitudes on this question differ, yet we believe that there is no disagreement on the desirability of resolving the crisis without violence and with a maximum of fairness to all. In the messages recorded to date we have found, as we expected, a diversity of opinions, which we welcome. For it is our hope that the expressions we broadcast will not only constitute a significant national and local consensus, but that they will offer original and constructive ideas for a solution of this problem.

It is noteworthy that RKO General Broadcasting, in developing the series, sent invitations to an extensive list of leaders in Government, including Senators and Governors of northern and southern States. In addition, invitations were sent to leaders in education, religion, business, labor, the arts and the law, and to the heads of the major Negro organizations. I was gratified to be included among those invited to participate.

The series was conceived by, and is under the supervision of, Martin Weldon, director of public affairs for RKO General Broadcasting; and Mr. Weldon has provided me with a set of the statements so far recorded and now in process of being broadcast, on varying schedules, on the RKO General Broadcasting stations: in New York, WOR AM/FM-TV; in Los Angeles, KHJ AM/FM-TV; in San Francisco, KFRC AM/FM; in Washington, D.C., WGMS AM/FM; in Boston, WNAC AM-TV, WRKO FM—the Yankee Network; in Detroit-Windsor, CKLW AM/FM-TV; and in Memphis, WHBQ AM-TV.

I am pleased to call to the attention of the Congress of the United States these statements, broadcast by RKO General Broadcasting, in regard to solution of this urgent national problem.

I ask unanimous consent that these statements be printed in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

FRANCIS CARDINAL SPELLMAN, ARCHBISHOP OF NEW YORK

The inequities inflicted upon the Negroes in America have been a festering problem in our society for many decades. There is simply no reason why the color of a man's skin should limit his opportunities in a society that boasts of freedom.

Visiting our soldier-sons all over the world, I have seen white and Negro soldiers serving our country, suffering the same hardships and confronting the same hazards of war. Yet contrary to every Christian principle and in defiance of the glorious American ideal of equal justice for all, some of those same Americans who risked their lives for you and for me are denied the right to vote, the right to receive an adequate education, the right to live where they desire.

They are denied these rights for only one reason—the color of their skin. It is lamentable that some Americans who would die together, will not live together. This is an outrage which America cannot tolerate. Doors cannot continue to close in the faces of Negroes as they search for jobs, as they strive for membership in some unions, as they seek the chance for specialized job training. Surely the spirit of justice and equality which lives in the very heart of our great Nation will not permit these inequities to continue.

The tradition of America is to get things done promptly, but also to get them done peacefully. That is the American way. We must accomplish what has to be done working together, as one people with a common ideal, calmly but with determination to progress and to succeed in making our ideals a reality.

DR. DAN M. POTTER, EXECUTIVE DIRECTOR OF THE PROTESTANT COUNCIL OF NEW YORK CITY

The solution to the problems of integration seems to me to be in the realization that in this 20th-century America no human being can be a complete person, a truly fulfilled individual, unless his circle of friends and associates includes members of other races, religions, and cultures.

When the world is two-thirds nonwhite, how can anyone claim to be a complete person when he doesn't personally know some members of that majority? It's simply old-fashioned to be restricted to our "own kind."

We may have to walk a picket line at first to get acquainted, give our children the opportunity to go to school and church with members of other races, or get the chance ourselves, if white, to work with Negroes and Puerto Ricans at all levels in our company or union. You can come even closer home by becoming a foster parent for a Negro child, one of those hundred orphans just waiting for a little human love, a family for their own.

So if we want to be complete, fulfilled persons, we must wake up to the way the world is * * * the way it's always been, really, ever since God created of one blood all nations to live together on the face of the earth. I wonder how long we have left to wake up to reality? If we recognize this basic truth and act accordingly, our social tensions will soon pass, and we'll all be healthier, happier, and more mature people.

DR. JUDAH CAHN, RABBI, METROPOLITAN SYNAGOGUE OF NEW YORK

The long hard years since the founding of the National Association for the Advancement of Colored People culminated in the historic 1954 Supreme Court decision which removed the "separate but equal" blot from the pages of American history. But even more important it also vindicated the faith of the NAACP in the strength and the justice of American democracy. The NAACP won its victory not on the barricades, not in street brawls, but within the confines of the judicial process which is the greatest safeguard of personal freedom in American democracy.

Today our civilization and our personal fortunes of free men are more dependent on the strength of law and order than ever before in our history. The time has come for increased action on two fronts. First, we must continue, within the framework of our legal system, to give every citizen of the United States not only equality before the law but the right to utilize his talents and abilities in every area of life. Second, and of equal importance, Negro and white citizens alike must continue to be unswerving in their devotion to democracy.

We have reached a point in this great American revolution when the tactics used must be weighed in the light of the victory which is inevitable. We must be sure that the impatience and frustrations which still exist are not used to destroy the very things for which we fight: the responsibilities and privileges of democratic living.

Roy Wilkins, Executive Secretary of the NAACP

The civil rights crisis can be and will be resolved peaceably and justly. The alternative is chaos, revolution, and a racist dictatorship. Fortunately, our governmental system provides the means by which this crisis can be resolved.

We are now engaged in a massive effort to secure enactment of the President's civil rights bill. Negroes have been deprived of rights by legislative action. Legislation is required to restore those rights and to open up new vistas to Negro citizenship.

The National Association for the Advancement of Colored People has given top priority to enactment of a pending bill providing, among other items, equal employment opportunity, protection of the right to vote, acceleration of school desegregation, and equal access to public accommodations. To fail to pass such a law is to invite intensified turbulence in Main Street, U.S.A.

Court action, like legislation, has proved helpful in leveling racial barriers. The U.S. Supreme Court decision of 1954 in the school cases demolished the constitutional basis of racial segregation. Political action has also been productive of certain gains in civil rights.

Revival of the American tradition of seeking redress of grievances through public demonstrations has focused international attention on the evils of segregation and has helped to break down some racial barriers.

The NAACP has utilized all of these means and will continue to do so in the firm conviction that through them civil rights will be peaceably attained.

Senator Harrison A. Williams, Jr., of New Jersey

Americans have talked for many, many years about full equality for all citizens. This year, a full century after the signing of the Emancipation Proclamation, we certainly should realize that good intentions are not enough. Now we must act.

Congress has before it a legislative package sent to it by the President. We should get to work on this bill at the earliest possible date. It not only would end obvious injustices, such as the denial of public accommodations on the basis of race. It would also get at the economic injustices facing Negroes.

Vocational training for job opportunities may sound like the long way around to racial equality. But I think that the President's call for great increases in this program is a very necessary part of our all-out attack on discrimination.

Even if we in Congress do our job promptly, much more must still be done in every community, by every citizen. In my home State of New Jersey, many individuals are now at work finding their own local answers to such questions as unequal opportunity for education. The going is not easy. Good will is not enough. Much patience and skill are going into the effort, too. But these Americans have discovered that true equality will require involvement by every thoughtful citizen. And I am sure that includes you.

Senator Jacob K. Javits, of New York

That the civil rights struggle is the gravest emergency facing our country on an almost continuous basis right now everybody agrees.

I think everybody could agree, too, that the executive department—whatever may have been its failings—has done a great deal in the civil rights field. I've pointed out many of its insufficiencies but it's done a lot in suits and in the willingness to send troops, if need be, into areas like Mississippi and Federal marshals, etc.

Certainly our courts have done their full part in charting what ought to be justice to American Negroes—beginning, of course, with the famous 1954 school desegregation decision. Where we have had the lag has been in the Congress and that's where the battle is being fought now. I think the demonstrations which we have seen have on the whole been peaceful, though there have been incidents of violence—I think there's been more violence to prevent the demonstrations—by racists and by misguided police departments, working under statutes which have no business being on the statute books of any State or any municipality. The violence has been used more to repress the demonstrations than by the Negro demonstrators themselves. But nonetheless, there has been some violence. On the whole, however, the movement has been relatively peaceful and I think it has this great distinction, and I think it's been so effective for that reason.

Now no one wants to prevent our citizens from voicing their proper grievances and protests. What we want to do is to give those grievances and protests a sense of justice, a sense of being redressed, and that's where the Congress comes in. And that's why what happens in the Congress is the most important in getting civil rights legislation now; and the most important vote to be taken in the Congress on civil rights will be the vote in the Senate of the United States—which must be two-thirds, 67 out of 100 Senators—to close off debate and thereby end the southern filibuster against civil rights legislation which is inevitable and which has traditionally killed it off in the Senate when it became really meaningful. We have had civil rights laws in 1957 and 1960. They were all right, but they didn't fill the bill, as we can see from the present situation. When such legislation threatens to fill the bill, that's when the southerners feel a call to arms and when they really fight.

I believe that the President's civil rights package is an excellent beginning. The package, as you know, would give the Government the right to bring a civil suit to enforce a citizen's right to attend a nonsegregated public school. It would extend the life of the U.S. Civil Rights Commission for 4 years. Very importantly, it would help us with the voting right; and finally, it would include the much-controverted public accommodations section, which would give people—especially Negroes—the right to free access to hotels, motels, restaurants, and places of amusement which do a substantial business in interstate commerce.

I don't think that's enough. I think what has to be added is the general power of the Attorney General to seek injunctions in all cases involving the civil rights of Americans; and that, for example, involves cases in the administration of justice—the so-called police brutality cases and cases in which an effort has been made by police departments under illegal, unconstitutional statutes to suppress the rights of Negroes to peaceably assemble and seek the redress of their grievances. I think we need an FEPC (Fair Employment Practices Commission), as the denial of opportunity for a job is one of the most important rights which is often denied to Negroes in this country—including the right of serving as an apprentice.

I think we've got to make it mandatory that the President shall cut off any Federal funds to any State program in which racial discrimination occurs. And let us understand that this now occurs in hospitals, that it occurs in employment, that it occurs in housing, that it occurs in respect of the dearest equal opportunities to which a Negro is entitled.

I would also extend the Civil Rights Commission permanently.

This package of laws in my opinion is the minimum necessary. It would enable the Negro to move his protests against inequality from the streets into the court, and that is what we want. That is the function of law.

It is very, very important that all of us realize that this is going to be one of the toughest fights of the age—that every Senator and every Congressman needs the support of every articulate American who at last feel the stirrings of conscience that there must be justice to our Negro citizens, justice which can no longer be denied.

Senator Thomas J. Dodd, of Connecticut

We are in the midst of a great national crisis over the long-smoldering question of civil rights which has suddenly ignited and burst into flames in all sections of the country. How can we resolve this crisis peacefully and justly? I believe we can do this only by removing the injustices against which our Negro citizens so properly protest. And the way to remove these injustices, all else having failed for so long a period of time, is for Congress to enact legislation which will make the protections set forth in the Constitution a reality for every American.

We need not pioneer in the establishment of new rights or privileges. The Constitution has done that for us. We need only to pass legislation that will put the Constitution into effect for millions of our fellow citizens. And when we do this, the crisis will pass, the riots and demonstrations will cease, because justice will have been done.

Millions of Negroes are today being denied the right to vote, despite the express provision in the Constitution that no citizen be denied the right to vote because of his race. I and many others have introduced legislation to correct this dreadful situation by requiring that all local voting officials live up to the Constitution, and I believe we will succeed this year.

Millions of Negro children are presently denied the right to attend public schools on the basis of equality with white children. Almost ten years ago this business of segregated schools was stricken down by the Supreme Court as unconstitutional. Since then, progress in desegregation has been painfully slow and completely nonexistent in some areas. Again, the solution clearly lies in legislation which will bring the full power and prestige of the U.S. Government into the struggle to end this form of discrimination.

Another odious form of discrimination is the refusal to serve Negroes by restaurants, hotels, theaters, and other places of public business. I think you will all agree that to have Americans being refused service in places of public business solely because of their race is morally wrong and legally untenable. That is why those of us in Congress who oppose discrimination in all of its forms are moving to end this abuse.

It would have been better, of course, had the problem of racial discrimination been worked out in the hearts and minds of the American people, in their homes, their churches, their schools, and their communities.

But 100 years have passed since the Emancipation Proclamation and these problems have not been worked out. The precious rights of Americans can no longer be trampled upon without grave damage to our Nation and to the integrity of our national purpose. That is why the President's civil rights program must be enacted. The time has come for America to fulfill her promises.

Senator Allan J. Ellender, of Louisiana

I have been asked to comment briefly on methods for resolving the so-called civil rights crisis. Let me say that the issue is impregnated and embalmed in politics; it always has been, and no doubt always will be. Following Reconstruction, it became good politics to persecute the South. As

Negroes migrated to the North, minorities soon learned the value of bloc voting, and politicians became dependent on their support. As a result, legislation which is neither needed, desired, nor constitutional is introduced and pushed in the Congress.

I refuse to admit that the Nation is facing a crisis today. Additional legislation will merely serve to generate more hate between the whites and blacks. Current events have been contrived by a few misguided leaders. The means of dealing with the situation can also be contrived by men of patience, understanding, and good will.

Toward this end, I would suggest that the administration refrain from giving its support to the demonstrations which have occurred all over the Nation, and speak out strongly in favor of maintaining law and order.

Second, instead of concentrating their efforts in breaking down local law and custom, the Negro leadership should be encouraged to prepare their followers to assume the responsibility which is borne by good citizens everywhere. We hear much about civil rights, but little about civil responsibility. Negroes will share in the fruits of our economy only to the extent that they are willing to prepare themselves to undertake the task ahead.

SENATOR CLIFFORD P. CASE, OF NEW JERSEY

Federal action on civil rights is imperative. For one thing we should pass a public accommodations law. Nothing so affronts and strikes at human dignity as the refusal of services extensively held out to the general public. The concept of a public accomodations law is not new. It's as old as the common law of England. It's as old as the Bible. It's already the law in more than half our States. And this is only one of several measures which Congress must enact. More effective authority for the Attorney General to protect all citizens in the exercise of their constitutional rights, the outlawing of discrimination in employment, the denial of Federal funds for programs such as worker training when they are operated on a segregated basis. These, to me, are essential parts of meaningful civil rights legislation, and much more is also needed. Legislation alone, of course, won't solve the problem; but it is the necessary underpinning for the really great effort that we must make in all parts of the country at all levels of society. In the last few years the gap between the living standards of whites and nonwhites has been growing. This is a reversal of the trend during the war and postwar period, and it's fraught with danger. Unemployment at a rate far higher than among whites. Less schooling, less income, shorter life expectancy. These are the unhappy facts of life for nonwhite citizens. We must act to close this gap or the standard for all is threatened. Our nonwhite citizens represent a source this country has hardly begun to tap. They can and they want to contribute to building a stronger economy, a better society for all. We must meet the challenge that now confronts the country, not grudgingly, but affirmatively and resolutely. It's an opportunity to free in the true sense not only our fellow citizens but ourselves from the burden of a conscience too long uneasy with the knowledge of injustice too long condoned and wrongs too long unchecked.

MR. HYMAN H. BOOKBINDER, DIRECTOR OF ELEANOR ROOSEVELT FOUNDATION

Eleanor Roosevelt once asked: "Where, after all, do universal human rights begin?" and answered it thus: "In small places, close to home—so close and so small that they cannot be seen on any map of the world." The present civil rights crisis can be resolved peacefully and justly only if each of us, as Mrs. Roosevelt asked, makes it a matter of our own personal and local concern.

It is a sad fact of life, however, that few of us know just how to cope with the human rights crisis through which we are now going. If all of the tensions and sacrifices of the present revolution are not to be wasted, we must quickly develop the know-how, the skills, the special understanding which will bring lasting and meaningful results. In every local chamber of commerce, there is urgent need now for qualified, sympathetic, knowledgeable people. How do we motivate and train Negro workers for skilled jobs? How do we prepare the community for open occupancy? How do we achieve integrated schooling in a de facto segregated community?

These are the kinds of questions which cannot be fully answered on the picket line or the protest march—important as this direct action may be to get basic concessions. But for real, lasting gains we must develop people with skills in a variety of fields—education, psychology, sociology, human relations.

The foundation, created to carry on in Eleanor Roosevelt's tradition, will do what it can to develop skilled, knowledgeable leadership to help us through this difficult crisis and to assure permanent victory.

SENATOR PHILIP A. HART, OF MICHIGAN

What should be done to resolve the civil rights crisis? The most effective answer, of course, would be to change the minds and the hearts of men so that the Negro is simply treated like everyone else. Because that, basically, is what this struggle for equal opportunity is all about.

When a Negro approaches a school superintendent, a voting registrar, an employer, a restaurant owner or an innkeeper, he doesn't want to be judged while he is still 50 feet away.

That's why the civil rights legislation now before Congress—legislation in the fields of public accommodations, fair employment practices, voting rights, and school desegregation—is so important.

Will it change the minds and the hearts of men? In itself, of course not. These laws have been on the books for years in Michigan and other Northern States where discrimination certainly has not totally disappeared.

But they do have these effects: they open the doors to swifter progress.

Men find they can work together on an equal basis without disrespect. They find that schools can be integrated without a breakdown of educational standards, they find they can share a pleasant restaurant dining room without discomfort, they find they can go to a polling place together and share a common political purpose. They can find, in short, that it is possible to be decent to each other.

I am convinced that once we have established equal opportunities in these fields—education, voting rights, public accommodations, housing, and employment—the fear and distrust that breeds discrimination will begin to drain away.

So certainly, these civil rights bills are not ends in themselves. They are simply an essential first step toward the final solution I mentioned earlier: changing the hearts and the minds of men.

SENATOR PATRICK V. MCNAMARA, OF MICHIGAN

Within a few weeks the Congress of the United States will come to grips with the overriding, political, and moral issue of our time: the drive of the Negro American, for the equal rights promised all Americans under our Constitution.

Many people are wondering whether this civil rights crisis, coming a hundred years after the Civil War, can be solved peacefully and with justice. Now in connection with the civil rights crisis we have heard a great deal about rules and regulations, Supreme Court rulings, Presidential orders, Attorneys General's rulings, and Agency regulations. But it seems to me that what we have overlooked is the most important rule of all, governing human conduct. That is the golden rule. When it gets down to the basic issues that's what the civil rights fight is all about. Are we going to do unto others as we would have them do unto us? I believe that we can and that we must apply this Golden Rule of conduct to those American citizens who are seeking the equality promised them under the Constitution but denied them in practice. The civil rights program of President Kennedy and other legislation before the Congress would be implemented by the Golden Rule. I am particularly impressed with the emphasis the President's program places on education, job opportunities, and voting rights, because I believe these issues are the keystones to our civil rights structure. And I believe further that they can be enacted into law and thus become a just solution to the civil rights crisis that now confronts us.

GOV. NELSON A. ROCKEFELLER, OF NEW YORK

I appreciate greatly the opportunity to discuss the civil rights crisis and the peaceful and just solutions that every American wants to find.

I think we ought to start out by making it clear that this isn't a crisis that relates to today or this year alone. This is a crisis that has been going on for a hundred years in our country. It relates basically to our spiritual heritage of the worth and dignity of every individual and his freedom of opportunity, his equality of opportunity, his rights as an American citizen. As long as those rights are not realized by all Americans, as long as there are hurdles and barriers which prevent individuals in this country, for no cause of their own, from having that opportunity of equality, then this crisis will continue.

Now we go to the question of the solutions. Having worked all my life to try to further the cause of equality, it seems to me that one can break his down very simply into various facets.

First there is the question of the law, the law of our land, whether it is a State law or national law. I think that we have to—and as Governor of one of the 50 States I have worked very hard to—bar, by legal means, in statutes of the law passed by the legislature, all forms of discrimination. I am proud to say that even before my time New York State has been a pioneer in writing civil rights legislation. And at this last session in January, February, and March of this year, we completed in New York State the final measures necessary to legally bar discrimination and the measures necessary to give the executive branch the power to enforce those measures.

It seems to me that both nationally and statewide this is something that has to be done if we are going to make a reality of this American dream for all people. However, that doesn't mean, in and of itself, that one has accomplished the end result by simply passing legislation. That simply sets the legal and moral climate, although the moral climate is set by our belief in our heritage and faith in the Judeo-Christian philosophy.

There are really two major areas that one can break this down in certain parts of the country where the law has not been written that bars discrimination. There we have the aspirations of minority groups who seek to achieve equality of access and rights, whether it is in employment, whether it is access to places of public accommodation or private accommodation, whatever it may be. So that in those areas where this has not been achieved, the goals are immediate for the minority groups. They want to get legal right to access.

This, in my opinion, we, as Americans, in consonance with our heritage, must do.

In areas like New York State, where this action has been taken legally, everybody, regardless of race, creed, color, or national origin, has access.

But the big problem in our area here is opportunity for employment. This has two facets—one, the need for a full employment economy. This is true for the entire Nation. As long as there are men and women who want to work who cannot find jobs, we will not have a full employment economy. And as long as there are prejudices, then those in minority groups will find it even more difficult.

In the United States today the unemployment rate among Negroes, for instance, is twice as high as it is among whites. Therefore we have to go right to the heart of this question on employment, both in increasing and accelerating employment opportunities through an expansion of our economy and the rate of growth, and to eliminate these prejudices which exist. To do that we've got to go right back to the basic area of training—education in our schools. Without education today, the opportunities of employment are automatically limited. Then there is the question of training—the question of apprenticeship, free access to apprenticeship and admission to unions to remove vestiges of discrimination there. Then there is the vestige of discrimination in employment. That must be eliminated.

This can be done in a positive way by employers who seek to find the individuals to whom they can give opportunities for employment.

Only if we are consciously aware, as a nation—as, in my opinion, we are today as never before—that our moral responsibility and our legal responsibility is to insure equal opportunity, can we realize this goal. And we have got to take positive steps, conscientiously, as Americans, in every phase of our life—and particularly in employment—to remove these barriers in every step of the way through apprenticeship, through education, through training, through union membership, through employment, and through advancement. Through this opportunity, given to all, we can see the American dream become a reality for all Americans.

GOV. GEORGE WALLACE, OF ALABAMA

The so-called civil rights matter that has been bandied around by politicians (and it has been a political issue) has of course, in my judgment not helped the Negro citizens in this country at all. In fact, it has worked against their interests, and this, of course, I regret.

I, as Governor, am very sad to know and see the demonstrations that we have in the streets, the danger that has been brought to the lives of the citizens of those respected cities where the demonstrations occur. In my judgment, this is not in the interest of anyone. Politicians have so long misused the Negro citizen of this country by inviting him, for instance, to come to the largest cities of the United States above the Mason and Dixon Line, telling him it was the land of milk and honey, and when he arrived there he found unemployment and he is living stacked upon one another and he doesn't like it. And I think the politicians in those various cities and States who have misled him ought to be defeated themselves for office. And they ought to approach this matter in a practical, sane, commonsense plan and leave the politics out of it. I've heard so many politicians say that I must speak in this way because I have so many people who believe in this who voted in my area, but I don't believe in it. There has been so much hypocrisy in it. We people here in Alabama have not been hypocritical in the matter, we have practiced one system and practice the same system. We preached and practiced the same system; that has not been the case in many parts of the United States. I feel that the solution to the problem is a matter of expanded economy, a matter of educational approach, and that we are doing in this State.

We're providing more trade-training facilities for Negro and white students and providing additional funds for education at all levels for all races. We feel that this in itself is the answer to these problems. I have traveled all over this country and I have been talking to industries who are going to expand in the Southland and we have announced around $225 million worth of new industries in Alabama in the last 6 months. Hundreds and thousands of Negro and white citizens of this State will find industrial job employment as a result of these efforts on the part of myself as Governor of Alabama and other officials in this State, both local and State. Not a single one of the agitators such as Martin Luther King have an industrial development committee. I've never heard of an industrial development committee, of the NAACP, or CORE, or any organization of that sort, and if they spend as much time talking to people who are going to expand industries to bring their industries to the South where so many of the Negro citizens live, in order that there might be more opportunities for jobs in the Southland, it would do a lot more good than encouraging people in insurrection and guerrilla warfare in the streets. I'd like to give you one instance here. I see where they are having trouble getting jobs in other parts of the country. But for instance, in Alabama we are building two State buildings, next to the State Capitol, and you can go look for yourself, we have more Negro workmen working under contract with the contractors building those buildings than there are white, this is significant. But you can go to other parts of the country and you do not find this. Any skilled workman in Alabama, white or Negro, has no trouble finding employment because of his color. And this, we of course, are proud of. We shall continue to work for more jobs in Alabama and for more educational opportunities for both groups, because we shall continue in State government to provide additional and better care for the tubercular patients of both races and the mentally ill of both races because that has been the practice of our people here and shall continue to be so.

We feel that this is one of the great issues involved in this matter of so-called civil rights (and you know we have 18 pages of civil rights bills legislation already enacted.) We have the Constitution of the United States which itself guarantees the civil rights of our citizens. We don't need any more legislation. The so-called civil rights legislation pending now would destroy property rights in this country. It would also tell people who can work and who cannot. It will take jobs away from one group and give them to another. In my judgment, as Governor of Alabama, I see this as a dangerous precedent. We believe that local people should handle local problems particular and peculiar to that particular section. We feel that the people of New York and Pennsylvania should work to solve these problems within their own States and that we should solve them within the State of Alabama. This has been the practice and the custom for the last 100-odd years, and we feel that the Supreme Court and the Federal Government attempting to do away with local government is not in the interest of white or Negro citizens either.

Our hope and prayer is that God blesses all the citizens of Alabama of this Nation both white and Negro.

REPRESENTATIVE JOHN V. LINDSAY, OF NEW YORK

Your question is, What should be done toward a peaceful and just settlement of the civil rights question in the United States? A tough question. First of all it must be made clear that the chief responsibility is local. No matter what the U.S. Congress does or doesn't do, the fact remains that it is on the shoulders of the citizens of each community to examine his conscience to see to it whether or not he or she has done all that they possibly can do to make the necessary adjustments in their own communities, to satisfy these very legitimate pressures that have been building up. The No. 1 area of relief is jobs. Jobs is the first and foremost subject that must be taken up in order to solve this question. And job legislation is the first kind of legislation that we should have in the U.S. Congress. There are a great many areas where legislation can help, but none so great as in the area of job opportunities. This pertains to both management and labor, because if the labor market can be opened up to minority groups and particularly to the Negro population of the United States then we'll begin the solution to this nagging problem of equal opportunity under the American system. I predict that there will be legislation affecting jobs. FEPC is important and we will push for it in the House of Representatives and in the Judiciary Committee of which I am a member. We will be pushing for some other legislation too, but let's not forget that the legislative approach is only part of the answer. The rest of it is on the shoulders of each of us back home.

MR. STANLEY H. LOWELL, CHAIRMAN, NEW YORK COMMISSION ON HUMAN RIGHTS

America is going through a social revolution today and the struggle to achieve its objectives—equality and equality of opportunity—is the responsibility of every American, no matter his color or race.

Every one of us should ask himself—100 years after the Emancipation Proclamation and 180 years after the adoption of our historic Bill of Rights—whether any American receives less than his fair share of job opportunities, schooling, and housing solely and only because of the color of that man's skin, or his race or religion. To the extent that this is true, we are not living up to our own image of ourselves as a land of freedom and equality. This is where the achievement of equality of opportunity is the responsibility of all. At the New York City Commission on Human Rights of New York we are committed to this fight for freedom. How about you?

VERY REV. STURGIS RIDDLE, DEAN OF PROTESTANT CATHEDRAL, PARIS, FRANCE

Science, religion, and a basic human instinct in everybody who has not been taught falsely, all agree with a Bible truth: "God has made of one blood all nations of men for to dwell on the face of the whole earth."

Our problem is to enlighten and win over a minority in our country who do not yet recognize or who are not yet ready to practice this truth of science, religion, humanity, and Americanism, to show them that our country cannot hold up its head or keep its respect and leadership in the free world if we do not recognize and practice this truth.

Who is going to change heart and attitudes, more important than laws, who is going to turn on the spotlight of this truth?

Why, every parent, every teacher, every minister, every editor, every judge, every lawmaker, every employer, every neighbor, every community leader, every molder of public opinion, every decent American, white or black, practicing in thought, word, and deed what we have preached so long.

I believe that if every one of us will get into this act to enlightenment—and more and more are getting into it, this crisis in civil rights, this black mark on the American conscience and our world leadership, so long brewing and long overdue, will be resolved peacefully and justly.

I believe it will be, because most of us want it that way.

Mr. Benjamin Epstein, Executive Director of the Antidefamation League of B'nai B'rith

Our Nation urgently requires a new birth of freedom.

The civil rights crisis in which we find ourselves today must be solved in justice and can be solved in peace.

This is not a Negro or white problem, but an American problem.

The President's civil rights program is essential and urgent. It deserves our full and active support. We must have laws which will eliminate barriers preventing minority groups from developing their talents, and enjoying full citizenship.

However, laws will not be enough. We need an aroused citizenry, determined to overcome, once and for all, the cultural heritage of prejudice and discrimination. It is up to business, political, religious and community leaders to take the initiative. When demonstrations take place, it is an indication that community leadership has failed. It should not be necessary for demonstrations to be held. Activated by peaceful intent, we must recognize that they are in the great American tradition for the redress of grievances.

As we have seen, demonstrations have served an important purpose. Demonstrations which are planned and carried out peacefully to correct these injustices, are legal and constructive. But the evils of discrimination in our society should be eradicated before the picketing starts. Reason and justice demand that the deprivations of rights be corrected around the conference table, by the action of community leadership, and by passage and enforcement of laws. It should not be necessary to demonstrate in the streets.

The time to act, the President has said, is now! Let us act so that the dream of freedom will be realized for every man.

Mr. Leo Perlis, Director, AFL–CIO Community Service Activities

There has been some nonsense spoken and some mistakes made in the fight for civil rights. But this has always been the case. This has been the case in our early struggles for trade union organization. Still, unionism has prevailed and workers, as a result, have achieved a measure of dignity and security.

The same will happen with our Negro fellow citizens if they will continue to wage the good fight for dignity and security. Some nonsensical talk and a few errors in judgment are a small price to pay for first-class citizenship.

The heart of the matter is first-class citizenship. No democratic society can endure unless people of all races, colors, and creeds have equal opoprtunities to achieve first-class citizenship in employment, in housing, in education, in public accommodations, in social service, and right across the board in every phase of our national life.

But first-class citizenship can be achieved only by changes from within as well as by changes from without. By changes from without I mean legislative and social action to open the doors to first-class citizenship. And by changes from within I mean the burning desire to inform ourselves, educate ourselves, and to assume the responsibilities of first-class citizenship. This is not only the Negro's fight. It is our fight as well. It is a fight for a democratic America. Of course, we, in labor, will continue to wage this fight to help solve civil rights problems in our own house as well as in our national life.

Max J. Rubin, President of the New York City Board of Education

In striving to achieve integration, the school system has an important responsibility.

The objective must be genuine and sincere.

The limitation upon its efforts is that of feasibility.

No school system can singlehandedly overcome the factors that surround it, including segregated housing areas. Schools should be located in fringe areas wherever possible. Zoning should be more flexible.

Such programs as open enrollment should be expanded and encouraged. Greater effort must be made to attract minority group candidates to teaching.

The human relations unit must be expanded to work with local councils to adapt patterns offering integration opportunities. The curriculum should recognize more effectively the contributions made to our society by minority groups.

While these efforts are in process we must seek substantially to strengthen the educational quality in the schools of the disadvantaged neighborhoods. New ideas will be developed and all should be given earnest and sympathetic consideration. The New York City school system has pledged and will continue to fulfill its commitment to these objectives.

Mr. A. N. Sonnabend, President of the Hotel Corp. of America

The current crisis in race relations goes far beyond the crucial challenge of expanding opportunity for Negroes and other minority groups. At the present time there is no active organized force in the local communities concerned with the task of developing and enlarging job and housing opportunities.

Therefore, I now urgently propose that the Federal Government, in cooperation with local communities, set up throughout the country a system of local boards to expand opportunity for Negro and other minority groups. These boards, functioning like the local draft boards and war manpower commissions of World War II, should be made up of a cross section of community leaders and businessmen, Negro and white, who have the influence and resources to make possible the expansion of opportunity.

Such boards should have the full backing and support of Federal and State Governments in carrying out both short- and long-term programs. In each community these boards would seek to develop inventories of job opportunities. They would work to persuade employers to create new areas of job possibilities. They would take immediate practical steps to reduce the many barriers that stand in the way of Negroes and other minority groups and they would undertake arbitration of issues which create community tensions and conflicts.

I propose a number of other important steps to achieve full equality of opportunity.

1. A White House Conference on Race Relations, convened by President Kennedy, to bring together national Negro and white leaders who will develop means of coping with the race relations emergency.

2. The establishment of a Bureau of Intergroup Relations within the U.S. Department of Health, Education, and Welfare, to act as a national coordination service for intergroup relations agencies.

3. Initiation by the Federal Government of long-range psychological and social research into American race and group relations problems.

Americans hold dear the principle of equal rights for all. It is our task now to build a living reality out of the American promise of equal justice and opportunity for all men regardless of race or creed.

Mr. Gus Tyler, Assistant President of International Ladies Garment Workers Union

A first step in dealing with the present civil rights crisis is legislation guaranteeing equal access to voting, housing, jobs, education, and public accommodations. Reform through legal channels makes unnecessary revolt through extra-legal channels. The most crucial area is employment.

First, we need fair employment legislation and practice, judging a man by his brain or brawn and not by his skin or kin.

Second, we need full employment. An equal opportunity to be unemployed is no opportunity at all. If growing unemployment forces us to ask, "Who shall be thrown out of work, a white man or Negro?" we will sharpen rather than lessen racial tension.

Finally, as a greater job opportunity is created, Negroes must be prepared to qualify. Such preparation will require cooperation of three groups: Government, the white community, and the Negro community.

To the Government falls the responsibility of providing greater educational facilities to train and upgrade the less skilled. To the opinionmakers in the white community falls the responsibility of helping to correct the image of the Negro as an "inferior." A new image of the Negro as a worthy citizen will help stimulate the aspiration. That is a necessary prerequisite of self-development. Finally, the Negro himself must reach out to prepare himself for his new status—for opportunity and rights that will automatically carry with them challenges and responsibilities.

In all this, let's remember: The Negro has been patient for at least 100 years. The white community must also be patient.

Malcolm X, Eastern Minister of the Black Muslims

The Honorable Elijah Mohammed has the only peaceful solution. He says that 20 million ex-slaves must be permanently separated from our former slave master, and placed in a land that we can call our own. Then we can create our own jobs, we can control our own economy, and solve our own problems, instead of waiting for the white man to solve these problems for us. In our own land, we can set up farms, factories, and businesses. We can establish our own industry, and our own government, and become an independent nation in our own right. And once we are separated from the jurisdiction of this white Nation we can then enter into trade and commerce for ourselves with other independent nations. This is the only permanent solution to this cancerous race problem. In our own land, we can establish our own agricultural system. We can grow food to feed our people, we can raise cattle and use the hide, and the leather, and the wool to clothe our people. We can dig clay from the earth and make our own bricks to build homes for our people. And we can turn the trees into lumber and furnish the homes for our people. Once 20 million ex-slaves are back in our own homeland, we can stop begging the white man, we can stand on our own feet, because we will then have something to stand on. Trying to force ourselves into this white American society will lead to nothing but increased violence, bloodshed between the 20 million ex-slaves and their former slave master, and may even provoke a bloody race war which today could develop into international repercussions and involvements. So Mr. Mohammed said that if our pepole are not allowed to go back to Africa, to our own people, since we cannot get along here in peace with whites, then some of this American Continent should be separated and let us go there, where we can then stand on our own feet, solve our problems in that manner, and have separate territory for ourselves.

Mr. Frank E. Karelsen, Vice President, Public Education Association

To resolve the civil rights crisis the Congress must, of course, pass the civil rights legislation, inclusive of a Fair Employment Practices Act. This, however, will provide only a legal basis for meeting the problem. To effectively resolve the inequalities now existing it is above all things necessary to raise the economic level of the Negro American. His depressed economic status hinders every phase of integration and perpetuates slums. Jobs must be made available in all fields of gainful employment, including the professions. The Negro, however, must be equipped to take the employment when available. This requires education in primary and secondary public schools, including important technological training. Unfortunately, the facts are that in the slum areas of the cities, and in most rural areas as well, such education is not available. This condition exists because States and local governments are not supplying and in most instances cannot supply the necessary funds. To solve the problem, therefore, it is vital for the Federal Government to appropriate not less than $5 billion a year for Federal aid to education in order to correct this shocking deficiency in our democracy. These funds will not only help to solve the Negro American problem but will give to all of our citizens the educational opportunity necessary for the very survival of our Nation as a democracy in this era of ever-increasing automation and international competition.

Mr. Will Maslow, Executive Director, American Jewish Congress

A social revolution is now in progress in the United States. The spokesmen for 18 million Negroes, one-tenth of our population, are demanding that the pledge of full equality set forth in the 14th amendment at long last be redeemed. What this submerged 10th of our population demands is simply that discrimination against Negroes in employment, in housing, in education, in voting registration and in places of public accommodation end. The Negro demands equality now, not 20 years hence. He is fed up with the snail's pace at which his legitimate grievances are being redressed and his bitterness finds outlet in mass rallies, and sit-ins.

What is desperately needed at this moment is an immediate demonstration that America recognizes these legitimate grievances that demonstration can be best provided by the enactment of the Kennedy civil rights program without crippling amendments. While this legislation will not by itself undo decades of deprivation and will need to be supplemented by compensatory programs to enable Negroes and Puerto Ricans and Latin-Americans to take advantage of the new opportunities that may be created, it will be a signal that finally, 95 years after the 14th amendment was ratified, we are beginning to move in the direction of equality.

A stalemate in Congress of the enactment of token laws will result in further bitterness. It will undermine the position of those Negro leaders and Negro organizations who seek to focus Negro resentment upon constructive goals. It will shift the battles from the legislative halls to the streets and play into the hands of racist movements like the black muslims.

All Americans must therefore, in this moment of racial crisis, convince their Senators and Representatives in Congress that immediate enactment of the Kennedy program is our top domestic priority.

Dr. John Slawson, Executive Vice President, American Jewish Committee

On many occasions in the history of our country we have declared disaster areas in entire geographic regions.

Today we have a similar situation, not in a geographic area, but in a very important population segment of our country—more than 18 million American Negroes. For over 300 years Negroes have been deprived of their elementary rights. As a result of this cumulative disregard for his person, we are now faced with a situation that need to be similar.

This concentration has to be achieved by means of a crash program in behalf of the Negro. This is of particular importance in vocational training and education. Unless there is a mobilization of vocational training and educational facilities in the interest of the Negro, it will not be possible to place Negroes in skilled jobs. And, since the unskilled job market is rapidly contracting, the compelling need for intensive training for Negroes becomes a necessity. The same may be said for education. We need competent teachers able and willing to put forth the effort that will be needed to make up for the tragic losses caused by neglect and obstruction over many generations.

Training and education should receive priority. Just as we have developed a Peace Corps for service abroad, should we not initiate an equality corps of skilled teachers and technicians, who would work to expand opportunities for Negroes throughout the Nation? It is really more than a question of disaster or emergency; it is, in fact, a matter of morality.

POSSIBLE SOVIET BID FOR AMERICAN WHEAT

Mr. McGOVERN. Mr. President, today's New York Times carries a report that representatives of the Soviet Union have approached American traders with offers to buy wheat.

The same issue of the Times reports that Secretary of Commerce Luther Hodges favors a reappraisal of the U.S. policy, which in the past has hindered the sale of U.S. agricultural commodities to the Soviet bloc.

I have believed for some time that we are working against our own self-interest in discouraging the sale of our agricultural produce to any country willing to buy it. It is easy to understand why we might want to restrict the sale of strategic war materials but it would seem to me both in our interest and in the interest of the Soviet bloc for us to meet their needs for food imports, while at the same time meeting our own needs for agricultural markets.

I am pleased to note that at the recent White House Conference of more than 200 American businessmen called to consider expansion of exports, there was a strong consensus that the Government should reexamine our trade policy with reference to the Soviet bloc. As reported in the New York Times, one of the businessmen's committees pointed out that Western nations are now selling $5 billion worth of goods annually to the Soviet bloc, but that the United States is getting less than $200 million of this business.

In other words, Mr. President, at a time when we are faced with a serious balance-of-payments problem and an even more serious problem of agricultural surpluses, we are permitting other traders to capture enormous agricultural markets without competition from the United States.

The recent Canadian wheat sales to the Soviet Union have not only greatly stimulated Canadian agricultural markets, but they have set off a boom in the Canadian railroad, milling, and shipping industries that is having a favorable impact on the entire Canadian economy.

Mr. President, I earnestly hope that the Administration will give immediate and sympathetic consideration to the desirability of relaxing our present restrictive policy on trade with the Communist world.

Aside from the very real economic advantages that such trade could bring to us, it might prove to be another step in relaxing the dangerous tensions that threaten to plunge the world into a nuclear war. I think from every standpoint enlarged trade is in the best interest of the United States, and in the interest of a more peaceful world.

Mr. President, I ask unanimous consent that the articles appearing in today's New York Times relative to this matter be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

Soviet Bid To Buy Wheat From United States Is Reported Here—Grain Dealers See Way To Cut Surplus—White House Parley Asks More Trade

(By Philip Shabecoff)

Soviet representatives have approached American traders with offers to buy wheat.

A highly placed source said last night that although the Russians had not yet formally approached the U.S. Government, they were expected to do so soon. Reports of a possible transaction enhanced the prospect for reducing the wheat surplus here and generated excitement among wheat traders.

Meanwhile, 200 businessmen attending a White House Conference called on the Government to reexamine its restrictions on trade with Soviet-bloc nations. Secretary of Commerce Luther H. Hodges indicated that he supported such a reappraisal. U.S. policy now bans the export of any items that would contribute to the strength of Communist economies.

U.S. PERMISSION IN DOUBT

When the Canadian Government announced the sale of 228 million bushels of wheat and flour, valued at $500 million, to the Soviet Union Monday, wheat growers and exporters saw an opportunity to reduce the United States huge wheat surplus. One prediction was that sales to Western Europe and other nations might rise by 100 million bushels because of the Canadian transaction.

Wheat traders are now saying that exports could soar much higher if they were allowed to sell to the Soviet Union.

There is some question as to whether U.S. sales to the Russians would be permitted. Wheat sales to the Soviet Union are not precluded by Federal law, but they are discouraged by present Government policy, which frowns on sales of commodities such as wheat to unfriendly nations.

A decision to sell wheat to the Soviet Union is one that would have to be made at the Presidential level. It would mean a reversal of the present policy of prohibiting sales that might aid communism. This policy, however, does not extend to Poland or Yugoslavia. Both countries have been granted extensive foreign aid, including wheat.

A formal Soviet effort to make a wheat deal with the United States, it was said, probably will not come until after ratification by the Senate of the treaty for a limited ban on nuclear tests. This is expected at the end of this week or early next week.

The Soviet Union, which has been a net exporter of wheat since the end of World War II, has been purchasing wheat from a variety of sources recently. It bought $11 million worth of grain from Canada shortly before last week's purchase. Earlier, it had bought more than 1 million tons from Canada.

In addition, it was learned Tuesday that Moscow had repurchased nearly 4 million bushels from European countries and that it was negotiating with Britain to buy back wheat sold to flour mills there.

SIGNIFICANT FOR UNITED STATES

The Soviet purchases are significant for U.S. wheat growers and exporters because they follow heavy crop losses in Western Europe. The Soviet losses were caused by drought, the European ones by excessive moisture.

The situation is that Western Europe, like the Soviet Union, requires large wheat imports this year.

The only nations with wheat surpluses large enough to fill the demands of both Western Europe and the Soviet Union are the United States and Canada. Canada retains extensive wheat stocks even after her sale to Russia and her previous agreement to ship 187 million bushels to Communist China.

However, it is widely assumed that Canada will not be able to cope with the mechanical problems of any further substantial increase in wheat exports. The sales to the Communist countries, as one observer noted, will put a heavy strain on Canada's elevator, rail, and port facilities.

Thus, the way seems to be clear for large U.S. wheat sales to Western Europe this year. There may also be new export opportunities in many of the developing countries.

Large and unexpected sales would be a great boon to the United States, which is burdened by a vast wheat surplus. In addition to this year's wheat crop, estimated at a total of 1.1 billion bushels, the United States has carryover wheat stores of 1.1 billion bushels.

Reducing this surplus is a formidable if not insurmountable problem. The internal consumption of wheat amounts only to 600 million bushels a year. Exports have been running at more than 600 million bushels a year.

When the magnitude of the Soviet wheat purchase from Canada became known, trade circles began speculating that the Russian crop failure was more drastic than had been realized. It was predicted that the Russians would have to turn to the United States for further grain supplies. These predictions seem to have been borne out by yesterday's reports of Soviet overtures to wheat traders here.

Wider U.S. Trade With Reds Urged—Businessmen at White House Parley Asks Reappraisal

Washington, September 18—The White House conference of more than 200 businessmen, called to consider expansion of exports, spontaneously recommended today that the Government reexamine its policy on trade with the Soviet bloc.

The issue was not on the conference agenda, but at least four of the special committees into which the conference was divided took up the question and urged a new look at the trade policy.

Secretary of Commerce Luther H. Hodges told a news conference afterward that the Government would now have to decide whether to reappraise its policy. He indicated he favored such a reappraisal.

One of the committees of the conference pointed out that other Western nations were now selling $5 billion worth of goods a year to the Communist bloc but that the United States was getting less than $200 million of this business.

Present U.S. policy bans the export not only of strategic goods but also of any items that would contribute to the strength of the Soviet economy. Under both law and regulations, sales on credit are virtually ruled out. A large portion of the sales of the European nations and Japan is made on credit.

Mr. Hodges indicated that a change in the law might be required before the United States could sell on credit to Communist nations. The United States has an elaborate system of granting credit on exports, but only to buyers in non-Communist countries.

Mr. Hodges said he "doubted" that Canada's mammoth sale of wheat to the Soviet Union this week had prompted today's recommendations.

"What these hardheaded businessmen are saying, they wouldn't have said 2 years ago," Mr. Hodges said.

WORLD CHANGES CITED

One of the committees specifically cited changed world conditions as one of its reasons for advocating a reappraisal of Government policy.

In another spontaneous action, the conference unanimously adopted a resolution declaring "its conviction that continuation of a well-executed foreign aid program is indispensable under present world conditions to U.S. foreign policy goals and to our national security and, further, will contribute to American export expansion."

The recommendation on Soviet bloc trade was a surprise, but the 11 committees of the conference produced several other proposals aimed at increasing exports.

The most controversial was one for a special tax credit based on export expansion. It called for a deduction from the tax bill of 10 to 15 percent of any increase in export sales achieved by a corporation above current levels.

The committee that recommended this change conceded that it might violate the nonsubsidy rules of the General Agreement on Tariffs and Trade.

But the group said that the tax credit should only stay in effect until the deficit in the U.S. balance of international payments was eliminated, and that the credit could also be dropped if the nations of Europe assumed more of the Western World's defense and foreign aid burden.

Several other tax changes were recommended, including some that would merely require a change in administrative regulations.

Another committee urged a more liberal interpretation of the antitrust laws in cases involving export trade.

The committee was given assurances by Assistant Attorney General William H. Orrick, Jr., that the Justice Department was now prepared to give "advance clearance" to various combinations for export business, in the same way that clearance is given in merger cases.

Such clearance gives the companies involved assurance that they will not be prosecuted later.

Moscow Silent on Grain Buying—Citizens Not Told of Need for Purchases Abroad

(By Henry Tanner)

Moscow, September 18.—Soviet citizens have not been told about their Government's recent large grain purchases in Canada and Australia.

Pravda, the Communist Party newspaper, carried a one-paragraph announcement today that the Soviet Union had concluded a 3-year trade agreement, but it made no mention of grain. Other newspapers and the radio have also been silent.

The need to buy large quantities of grain abroad is attributed by foreign observers partly to unusually bad weather conditions, which have reduced this year's crops, but it is also viewed as evidence of basic inefficiency in agriculture.

Premier Khrushchev, in a major speech published yesterday, was critical of inefficiency and he indicated that crops in some areas were poor. He made the speech Monday during a visit to state farms in the Volgograd area.

PUBLIC IS WARNED

The threat of a wheat shortage has been impressed on the public for several weeks through a press campaign against the use of bread for feeding cattle and poultry.

In some cases citizens have been exhorted at meetings of local political organizations to practice greater economy in bread consumption.

While the shortage is thus no secret, observers feel that the Government may regard an announcement of big wheat purchases in capitalist countries as too humiliating an admission.

In recent days the Soviet Union has closed deals for the purchase of about 5 million tons of wheat from Canada and a million tons from Australia.

Western specialists here believe that the prime purpose of these imports is to enable the Soviet Union to maintain its obligations under trade agreements with Communist and other countries. Most of the Canadian and Australian wheat is expected to be reexported.

Last year the Soviet Union exported 4.8 million tons of wheat to Eastern Europe, Cuba, and some other areas. This year's export commitments are not known, but specialists assume that they are about the same as last year.

This belief here is that because of poor crops the Soviet Union was not able to honor these commitments out of its own production. It decided, therefore, to accept a large cash outlay in hard currency to buy foreign wheat.

SOME LEFT OVER

If Soviet export commitments for this year were about the same as last year's the recent purchases in Canada and Australia would leave about a million tons of imported wheat for internal consumption.

The purchases in Canada and Australia are termed "unprecedented" for the Soviet Union in normal times. The specialists say that only during World War II and the immediate postwar period was the Soviet Union compelled to rely on imported grain to a comparable extent.

Despite bad crops, most of the specialists do not seem to expect a major bread crisis in the Soviet Union. The current campaign indicates that the bread shortage is "more anticipated than real," one specialist said.

The Soviet agreement to buy grain from Canada, closed Monday, provides that Canada will deliver at her ports 198 million bushels of wheat and 29.5 million bushels of wheat flour by July 1964. From the ports, the Soviet Union has the responsibility of transporting the grain.

The agreement is worth $500 million—the largest single sale of grain for delivery in 1 year ever transacted. A large part of the grain will go to Cuba.

ADDRESS BY SENATOR MOSS AT UTAH HARVEST DAYS AND HOMECOMING PROGRAM

Mr. BURDICK. Mr. President, recently, the chairman of the Senate Interior and Insular Affairs Committee's Subcommittee on Irrigation and Reclamation, the junior Senator from Utah [Mr. Moss], addressed a homecoming celebration in his State of Utah.

A principal subject of his statement was the role of the Federal Government in the conservation and development of natural resources, including water.

The speech of Senator Moss contains material which I believe to be of significant interest to the Members of this body; and I ask unanimous consent for its insertion in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Speech of Senator Frank E. Moss, Democrat, of Utah, Harvest Days and Homecoming Program, Payson, Utah, September 1, 1963

It is with great personal satisfaction that I speak here today. I want to thank all who invited me to participate. I offer congratulations on this annual harvest and homecoming program. For me, this is a particularly appealing festival because it is a spiritual homecoming. What is represented by this festival is part of my faith and heritage. It has helped to shape my life and outlook and has sustained me through many personal crises.

To paraphrase Sir Walter Scott, "This is my own, my native State." Its outlook on freedom, the individual, and upon life and labor has molded my life and dreams. I am proud and honored to represent the State of Utah in the U.S. Senate.

In a deep, historic sense, I am there because the people of Utah are indissolubly joined with all the people of this Nation. And while I represent Utah, I am called upon to deal with problems that affect the whole Nation because it is the Senate of the United States. In the world of today, there is no problem—no matter how seemingly remote—that does not affect Utah and the town of Payson.

It is customary for the Speaker to refer to a community like Payson as an average or typical American town. Well, I suppose the streets are laid out in a fashion similar to those of other communities. And I suppose there are many other physical similarities. But Payson—in common with most other American communities—is unique because it has its own history and traditions.

Like most of this Nation, Payson and Utah were settled by refugees. Like earlier settlers in the East, ours were religious refugees. There was one difference between us and the earlier religious refugees. Our pioneers fled intolerance within this Nation. Most of us know the meaning of persecution because we are descended from men and women who braved the wilds to live and work together according to deeply held beliefs.

Most of us are proudly Mormon, but we have full religious freedom here as well as everywhere else in this Nation. We live by and we respect the Constitution of these United States because it offers us the shield of freedom. Without that Constitution, without the Government that has developed because of it, without the great tradition of English common law, we would again be subject to oppression. We fight oppression because it is morally wrong. We fight it lest we, too, become oppressed by an unseeing majority.

Who among us has not said proudly to himself, "I am an American." Who among us would voluntarily relinquish his U.S. citizenship? This, indeed, is valued almost above all else. In this, we are typical. Americans—refugees from hunger or oppression or descendents of refugees—are the envy of the world. I know this because I have gone abroad on Senate study missions to Africa, South America, and Southern Asia to look into problems affecting the people of this Nation, of Utah, of Utah County and of Payson.

The harvest we celebrate here today was originally that of an isolated local community. It was a community in which all shared the work and in which none were permitted to go hungry. Today the community is national. What is sown in Utah effects Massachusetts and the reverse is equally true. As never before, this is "one Nation indivisible."

A few days ago, I had a visit from an easterner who arrived in my office rested and tanned from a 2-week holiday spent at America's second national seashore—on Cape Cod in far off New England. This is in an area also viewed as typical of America, on the cape there still exist the lovely old New England communities settled as far back as the early part of the 17th century.

Cape Cod is beautiful beyond description in a way far different from the grandeur of our West. It has a sweep of a different order, but like the West it offers to the soul escape and freedom. The great beach on the lower cape still stretches unsullied for miles along the roaring Atlantic and along Cape Cod Bay. It was here that the great American philospher Thoreau came 125 years ago to seek renewal. He then declared that from the great beach a man could look out into the infinity of the ocean and put all of America behind him.

Things are much changed from the days of Thoreau but the need of man to escape into the vastness of nature remains. On Cape Cod, we have had an example of the evil which man can do to nature. In that part of the cape near the summer White House at Hyannis Port, the commercial jumble has become almost a jungle of neonlighted motels, amusements, restaurants and the like—with the beaches all but closed off to the thousands who come to seek the sun.

With commercial blight threatening the outer beach, it was necessary to act by law if this priceless national resource was to be saved for the whole Nation. As a member of the Senate Interior Committee, I became involved. I am happy to report to you in Utah that the great dream of a national shore in Massachusetts is becoming reality in the hands of the National Park Service.

We held hearings on Cape Cod a few years back before a bill was passed. Opinion was divided about the "big" Federal Government moving in to establish a park. But the massive Federal Government was a responsible Government which managed to reconcile property rights with national interest.

I learned from my visitor that already the National Park Service is planting beach grass to hold the dunes in place. I learned also that the new national park is attracting people from as far away as California. Those who felt that the park would hurt business have found otherwise. Those who feared a mass invasion have learned that property rights are being respected and that with the park there will be order and room instead of commercial jungle.

What's it to us here in Utah? In the first place, America grows ever smaller. Some of you, I hope, will visit Cape Cod National Seashore. But even if you do not, your children may well see this great national possession which now will remain intact for posterity. After all, this has become an America on wheels, and one where the supersonic plane of tomorrow promises a journey of an hour from Salt Lake to Boston.

But much more is involved. Here in Utah, we also have great resources for tomorrow's seeker of space and freedom and for those who will come to see our grandeur. There is sound economic reason to set aside a portion of this grandeur as a national park which, like a magnet, will draw tourists from all over to this State.

Utah will need the support of other States to make this dream come true.

I am pleased to be able to report to this harvest festival that the seed sown in Massachusetts will yet flower in Utah. This year again, the Senate has approved my Canyonlands National Park bill, and I am hopeful that we will get a bill in the House before we adjourn the present session. We are, indeed, "one Nation, indivisible."

One of our great songs is "America, the Beautiful." Here, the poet sings of our spacious skies, our purpled mountains, our alabaster cities, and our fruited plains. But there is a greater message within this beautiful ballad. I quote that message because I think it most fitting for this harvest and homecoming.

> "And crown thy good with brotherhood
> From sea to shining sea."

Here is the core of our American dream and our spiritual beliefs. Our greatest resource is our people. Without brotherhood and respect for each other, our harvests will turn bitter and sere. Without brotherhood, democratic nationhood cannot long endure. Without a strong and democratic America, our whole world will vanish, even unto Payson.

Without brotherhood, there would be no Utah and no Payson. The early pioneers who came here worked together for the common good. It was cooperative labor that built the first irrigation systems. Out of need, there grew common bonds. Out of these bonds, there grew our local communities and our State.

Perhaps, it is in time of great danger or need that people work most closely together. Payson is an excellent example. It was settled at the request of President Brigham Young in 1850 as a fort for the defense against the Indians. This was the kind of common action out of which modern democracy has grown.

Payson wasn't long isolated from the larger world outside. It had telegraph by 1866, the rails came in 1875, telephones were first installed in 1890 and in 1891 there came from the distant laboratories of Thomas Edison electric light and power. By 1900, Payson had schools, hospitals, banks and local industry. Golden Onion Days, the original name for this festival, celebrated the progress made each year.

Payson and Utah County have a great potential. As with so much of our West, the key is water. With adequate water, the independent and hard working people of this area can create here a new Zion—a land of bounteous agriculture and of industries based upon the products of the land. With water, recreation facilities can be built and tourism can be stimulated.

Completion of Strawberry and Deer Creek Reservoirs has given us a foretaste of what can be accomplished. But more water is needed to bring Utah County to full flower. That water is on its way, thanks to a practical but farsighted National Government dedicated to the belief that men are brothers who must work together for the common weal.

Those who fulminate against the Federal Government have forgotten the true meaning of nationhood. That meaning was expressed by Abraham Lincoln, the great and tragic father of the Republican Party. Government, Lincoln said, has the obligation to do for people what they cannot do for themselves.

Who among us has the resources to bring the waters of the upper Colorado to the rescue of our arid lands? What group among us here in Payson or in Utah County, or even in this Beehive State has the essential resources? What single State can take on the project which involves a river system that refuses to respect State lines?

Obviously, development involves the powers and the resources of us all—the power and resources of Federal Government. Here is need for an investment by all of the people to bring benefits to this area. Should the people of New York complain? Should the New Jersey taxpayer deny the concept of the Nation-State? Or is it true that what benefits Utah County will add to the store of the Nation's wealth and well-being?

Through the democratic process—sometimes painfully slow and sometimes found wanting—the representatives of the people of the whole Nation have authorized the upper Colorado River project, of which the central Utah project is part.

The central Utah project will bring great improvement to this area without radical upheaval. The project now in the planning stage, will capture and utilize fully Utah's share of Colorado River waters. The Bonneville unit alone, the first of four, will provide waters to irrigate several hundred thousand acres of now arid land. It will create beautiful recreation areas, add to our electric power potential, provide greater fire protection, improve our timber stands, add to our grazing lands, and increase our share of wildlife. With water, there will come more roads and improved access to our national forests.

Two years ago at a seminar at Provo, the U.S. Commissioner of Reclamation outlined the meaning of the central Utah project. He summed up in a single sentence which speaks volumes: "The availability of water for beneficial uses—municipal, agricultural, industrial, recreational, hydroelectric power—is the only ceiling to future growth and development in this area."

The future now is bright for Payson and for Utah County. It is brighter for Utah, and because of our gain, the Nation's horizon has been lifted. We can look forward to more and greener fields, better homes and communities, and greater opportunity for ourselves and our children. We have joined the world at large in the great and ongoing revolution of rising expectations.

There are some among us who nonetheless decry the rise of our modern democratic Nation. To hear these Jeremiahs, such works as the central Utah project are turning free Americans into wards of an all-powerful and omnipotent state. To listen to those who weep at yesterday's wailing wall, we have all sold out for a mess of pottage.

I point the finger of scorn at small minds who so lack faith in our Government by the people. I call their rantings and their ravings a calumny upon the American people and on the independent citizens of this State. I brand these bitter men false prophets and doomsayers.

More water for Utah means greater individual opportunity. It means a chance for higher living standards. It requires none among us to sell his soul for the opportunities gained.

Utah fought for the upper Colorado project and for central Utah. We did so in the expectation that some of our citizens would not agree. And each may speak his mind. He may oppose the project, he may call this Senator names if he is so inclined. There's not much I can do even if he verges on libel. And if he doesn't like President Kennedy, he may say so and suffer no reprisal. The benefits of the new water will come alike to critic and supporter.

It seems to me that in this case we are using the agency of government to create greater individual opportunity for all of us. The greater economic benefits ensuing mean better educations for our children. They mean that we will have greater freedom because there will be less cause for fear. No citizen can ask for more.

Modern democratic government has the obligation to establish a setting in which the individual citizen may reach out for the stars. This is what Abraham Lincoln meant. He asked only that government shall act to help people help themselves. This is the essence of modern democracy. The political party that denies this philosophy is doomed to sterility.

In one thing all Americans are typical. We believe that there must be ever greater opportunity for ever greater numbers of our people. We believe that action by government to establish the greatest good for the greatest number is consistent with freedom. Any government which fails to act accordingly will, in the longer run, fail its citizens and must ultimately fail freedom itself.

There is a price for freedom and in this modern day of H-bombs and massive defense, that price is not insignificant. The price is our taxes. In the ultimate, it is taxes about which the complainers grumble most—not any real loss of freedom. I say that if existing taxes are the price of maintaining this free Nation, the value received is well worth the tax.

Perhaps we complain because we are a free people. Griping, after all, is a great and wonderful American custom. But a look at our America reveals that we are not being taxed into destitution. Quite the reverse; our people are more prosperous than ever. Federal taxes indeed, may be too high for the best interests of the economy, but they take no more proportionately from our pocketbooks than they did a decade ago.

The statistics show that half of American families now have income of more than $6,000 annually. They show that more of us are finishing high school and going on to college—more in Payson, more in Utah, and more in America. America, indeed, has its poor—far too many—but we have entered the age of the affluent society. Few of us are rich, but more of us than ever enjoy a reasonable standard of living.

We have many problems because we are a great Nation. Unemployment cannot be denied. The arms burden that we carry tends to weight us down. Taxes were shaped by a war economy and because of the cold war they have remained high. I am among those Senators who seek a tax cut that will benefit chiefly the average citizen. I believe that such a tax cut will generate more business, more income than before, and ultimately more tax revenue. I am for this kind of tax cut because I feel that it will be good for America.

But we would be fools to believe that in this modern world we can abolish taxes and go back to the "good old days." Now, I am not one who sneers at the old days and old ways. They had honest values valid for their times. But the old days were not always so good. And sometimes in times past, our citizens failed the Nation when we placed the interests of the few over benefits for the many.

Let's return to yesteryear for a few seconds. Think back along with me to a hundred years ago. This land was then in the throes of the bloodiest Civil War the Western World has ever known. The days were dark and the Nation bled. A few made fortunes but the many paid hard for the war in sweat and in blood.

Let's go back only 50 years to a day when child labor was still the rule, when men still worked 60 hours or more every week and when the great Triangle Shirtwaist fire rocked the Nation. A few here may remember that fire which symbolized all that was evil in the sweatshop. Sewing machine girls were locked in a plant, and forced to work. When fire broke out, many were burned to death. This was part of the "good old days."

Fifty years ago—not long in a nation's history—the poet sang in bitter complaint:

> "The golf course lies so near the mill
> That almost every day,
> The working children may look out
> And see the men at play."

Few of us want to go back to that. In the past 50 years, we have wiped out child labor. Today, we still have problems of school dropouts and of youth unemployment. But thank the good lord, we no longer have 8-year-olds working as breaker boys in coal mines. Few workers or intelligent employers want to go back to such a yesteryear.

Let's travel back to a closer yesterday, only three decades ago. You need be only as old as I to remember. The song was "Brother can you spare a dime" and on the street corners of our cities the apple vendors stood helpless beneath the summer sun or in the freezing cold of winter.

In the good old days, the role of Government was passive. Yes, we subsidized the railroads from the national purse. But rarely did Government intervene to help the people—not even in the panic of 1907.

Things have changed and, on the whole, for the better. We now have a national commitment to full employment. We regard Government as a positive force through which we take enlightened action against adversity.

Enlightened Government that acts to provide opportunity for people to be free and independent is the real issue of our day.

We are faced abroad by the Communists of both Soviet Russia and Red China. The latter are still relatively powerless and their bellicose talk can be discounted. But the Soviet has become a major world power intent upon beating us in a peace race, or otherwise.

Internally, we face grave problems induced by a changing technology. The big question is whether we can master the plenty we can produce. The question is whether an increasingly urban world can be made livable for a fast-growing population. The question is one of jobs for a record number of youth who will enter the labor market in the next few years.

I am startled when I hear a call for the dismantling of our Federal Government. I cannot understand the small men of little faith who would reduce this Nation to an impotent confederation. I am even more startled when I hear these same men call for meeting the Communist challenge by destroying our time-tested institutions. I wonder sometimes whether they, like Alice, haven't gone through the looking glass into a world of never-never.

The call of these men of small faith for yesteryears' solutions to today's massive problems is like the yearning we, who have grown up, sometimes have for our lost youth. Yet we know that you cannot grow backward and most of us accept our maturity. Those who fail to accept manhood become pathetic creatures more worthy of our pity than our censure. I truly pity those Americans unable to accept the reality of today's world. I understand their search for a yesterday that existed mostly in lost dreams. But I deny the validity of their preachment of hatred that views even Dwight D. Eisenhower as "soft" on communism.

Anarchy is the alternative to responsible and strong democratic government of, by, and for the people, offered to America by the radical right. Worse, it is a denial of brotherhood. It holds that we are not our brother's keepers. It separates Americans, one from another. It will lead only to class hatreds and misery if its proponents are successful.

For myself, I have faith in this great modern America that we have created. I do not believe that the American people will be seduced by the small minded who would turn backward. I believe firmly that as a united people bound together by the democratic process we can move forward to an even better and freer America.

I believe that in this better America, the local community and State government will play key roles. I believe that the tie that must bind us all, however, is the Federal Government. I believe that it is the role of all government to increase opportunity so that freemen need not cower in fear. I hope, and I firmly believe, that the people of this Nation will be true to themselves and will not permit the ties that bind these United States of America to be cut asunder.

And so, in conclusion, let me emphasize again that we live in a day of rising expectations. The future is bright for Utah County, for the State of Utah, and for the Nation as a whole. A great Federal water project will soon bring more water for thirsty acres here in the heartland of Utah—here in Utah County. This means new farms and new farm income. We have the prospect of new recreation areas around the lakes to be formed back of the dams, and the prospect of a spectacular new national park in southeastern Utah—Canyonlands—which will bring many visitors and more tourist dollars into the State. Because of these gains in Utah, the whole Nation will benefit.

I am confident that in the years ahead the people of America will continue to act through enlightened government to provide greater opportunity for greater numbers of people—that we will continue to work together in brotherhood, and in nationhood, for the common good of us all.

EXECUTIVE COMMITTEE OF THE NATIONAL STUDENT FEDERAL AID TO EDUCATION CONFERENCE FAVORS PASSAGE OF THE COLD WAR GI BILL

Mr. YARBOROUGH. Mr. President, following a recent meeting of the executive committee of the National Student Federal Aid to Education Conference, Mr. Patrick C. Clary, a cochairman of the conference, addressed a letter to me on August 29, 1963, in which he expressed in the name of the National Student Federal Aid to Education Conference, support for the passage of the GI bill.

Mr. President, I ask unanimous consent that the letter from Patrick C. Clary, cochairman of the National Student Federal Aid to Education Conference, be printed in the RECORD.

The National Student Federal Aid to Education Conference was attended by delegates from 34 States, the Virgin Islands, and the District of Columbia, and was sponsored by 22 student organizations. The action of the executive committee of this conference in endorsing the cold war GI bill is yet another indication of the continuing and ever-increasing support for the cold war GI bill in colleges and universities across this country.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL STUDENT FEDERAL AID TO
EDUCATION CONFERENCE,
Washington, D.C., August 29, 1963.

Hon. RALPH W. YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR YARBOROUGH: Thank you for your letter of August 8, 1963, wherein you acknowledge receipt of a copy of the resolution on Federal aid to education adopted by the delegates to this conference from 34 States, the Virgin Islands, and the District of Columbia assembled here in Washington last April.

In order to make the policy position of the conference relevant to the current legislative situation in the Congress, our executive committee met this month for that purpose. We are certainly in favor of the cold war GI bill which you have cosponsored and which you were so kind to explain in your recent letter to us. In addition, however, the executive committee, on behalf of the conference, resolved to support the medical, vocational, and higher education bills, as passed by the House of Representatives.

Since the conference's participants—the members of our 22 sponsoring organizations—are college students, we are particularly concerned that H.R. 6143, providing aid for higher education facilities, be approved by the Senate. Therefore, we would be greatly appreciative if you, as a member of the education subcommittee, would take our views into account.

Thank you very much for your kind consideration.

Respectfully yours,
PATRICK C. CLARY,
Cochairman.

A SOVIET DIPLOMAT VISITS FAYETTEVILLE, ARK.

Mr. FULBRIGHT. Mr. President, in a recent visit to my hometown of Fayetteville, a young Soviet diplomat made speeches and met informally with citizens of the community. His purpose, I believe, was to inform the people of Fayetteville about many aspects of life in the Soviet Union. This is an altogether commendable purpose but, judging from press reports, the young Russian fell short of achieving it.

He failed of his objective because he taxed the credulity of his listeners. Instead of providing a factual description of Soviet life and foreign policy, he pictured the Soviet Union as an idyllic society of blissfully happy workers. According to this young diplomat, Russia is a country with no unemployment and no poverty, with freedom of religion and a free press, and with no strikes because—as the Communists have so often and so disingenuously explained—"all industry is owned by the working people and they would be striking against themselves." The Berlin wall was explained as nothing more than a border point and clearing station, like America's Ellis Island.

Direct contacts between Soviet and American citizens are a useful and desirable means of improving relations between our countries, but these contacts are of little value if they are used to promote stale propaganda which is easily discounted and tends to reinforce longstanding suspicions. Mutual understanding can only be brought about by free and candid discussion of both the success and shortcomings of the two societies. Certainly, neither country can claim to be completely free of shortcomings.

I hope that there will be many more visits to American communities by Soviet diplomats, and private citizens as well. I further hope that American representatives will be permitted to discuss life in the United States in communities throughout the Soviet Union. In both instances increased friendliness and understanding are far more likely to be achieved by candid explanations of conditions in the two countries as they really are than by vain boasts and transparent propaganda.

In no sense do I intend these remarks to reflect personally on the young Russian who visited Fayetteville. It is the whole dialog of the cold war that is at fault, the absurd language of deception, exaggeration, and half-truths that for 17 years has posed a formidable barrier to genuine communication between the Soviet and American people. Only when the two people are able to talk to each other with plain facts and commonsense will we have achieved a breakthrough toward genuine understanding.

Mr. President, I ask unanimous consent that there be printed in the RECORD at this point several articles regarding the Soviet diplomat's visit to Fayetteville which appeared on August 23 and 24 in the Northwest Arkansas Times. Fayetteville happens to be my hometown.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Northwest Arkansas Times, Aug. 23, 1963]

WELCOME, MR. SHAPKIN, WELCOME

(By Allan Gilbert, Jr.)

Georgi Shapkin, smooth-cheeked, smooth-talking young Russian diplomat, settled himself down in a chair at the Fayetteville Elks Club in the heart of one of the major poultry-producing areas of the world this week and ordered shrimp.

"I had chicken on the plane," he said, not locating any shrimp growers at the table and detecting, I felt sure, a slight stiffening of international relations on the part of his hosts.

"Oh, yes, we have chickens in Russia," he said. "Everyone has chickens. We grow many chickens and everyone eats chicken. We don't eat as much beef, however, as you Americans do."

Sporting a dark, undistinguished suit, a white shirt whose long collar reminded one of the ski jump at Berne, and a noncommital tie, Georgi was of the opinion that American haberdashery leaves something to be desired. He said he had looked all over Washington for something he liked, but all he found was the same sorts of material, the same styles and essentially the same colors. "You have a primitive communism in your clothing," he said matter of factly.

In the fashion of the headman back at the Kremlin, Georgi said he didn't dig this American jazz stuff. He added, however, that he found American folk songs and folk music very enjoyable. "I don't like my music to be too loud or busy," he said. He told me that he has purchased a tape recorder and player and has rerecorded some American folk music which he plans to take back to the old country with him.

Georgi, just 32, is third secretary of the Russian Embassy at Washington, D.C. His primary sphere of interest, contrary to what I had suspected, is not espionage, he said. Rather, he is interested in foreign policy, and will be involved with that in the Soviet Foreign Office when he returns to Moscow following his tour of duty in this country.

Quizzed on the Berlin wall, German unification, the Red menace, and other topical matters too numerous to mention, Georgi had a ready response and an earnestness that reminded one of nothing quite so much as fixing a kebab of peeled grapes.

"What," I asked him, "do the Russians think about Senator FULBRIGHT" whose home is here in Fayetteville.

"Your Senator FULBRIGHT," he said, "is a man of great responsibility in the Congress. He is a man we regard as thinking about the most critical and important aspects of relations involving our countries."

What, he was asked, are the most important matters involving present East-West relations?

Now that a partial test ban treaty has been evolved, Comrade Shapkin said, "It is time to look to other matters of mutual interest, concern, and benefit." These, he indicated, include disarmament and a broad exchange of economic and cultural ideas.

It all seemed so simple listening to him explain to Al Dawson of the Times and Jay Fulbright, a member of the informal party, that the Berlin wall was just the equivalent of America's Ellis Island * * * a border point and clearing station for those traveling east or west; and that a unified Germany had caused two World Wars, so why encourage a third, that one could not help but wonder why Berlin was an issue.

Wonder, that is, until one recalled the picture of a man butchered on the wall's barbed wire trying to gain nothing but his own freedom.

Georgi, who is a guest in Fayetteville through Sunday noon, is quite obviously a fine example of the educated, gifted, optimistic, and patriotic (a term as applicable to the Russia of today as to America) young Communist.

Mr. Shapkin explains the abominations of communism with a cool dogmatism that is frightening. Georgi and his countrymen must never be underestimated. They will make a frightening opponent in peace or war.

Yet, Georgi says what Russia wants is peace. He says Russia needs peace so that it may channel its resources not to the materials of war, but to improving the lot of the Russian people.

This, I had to admit, was a disarming sort of argument. And as I talked to him about such things as the Benny Goodman concerts in Russia and the ballet and folk dance groups from Russia who have toured triumphantly in the United States I recalled something Norman Cousins wrote recently:

"The ultimate question * * * has to do with one's basic faith and confidence in the ability of the United States to hold its own in the nonmilitary showdown coming up in the world. Those who know most about this Nation's history, its philosophy, and its institutions will find abundant nourishment for their optimism. As usual, those who know the least will fear the most."

With that thought, I welcomed Georgi to Fayetteville, and asked him to drop back any time he found it convenient.

[From the Northwest Arkansas Times, Aug. 23, 1963]

NO JOBLESS IN RUSSIA, SHAPKIN SAYS

In the Soviet Union there are high pensions without special taxes, no unemployment, 6- to 7-hour working days and expectations of reducing the working hours and of furnishing free medical care, free rent, and free lunches for workers.

G. Shapkin, third secretary of the Soviet Embassy in the United States, made these claims in a talk before Rotarians and their guests at the Mountain Inn Thursday noon. He said that in order to reach the goals set it is necessary to preserve peace and that this is the No. 1 foreign policy of his country.

Speaking on the subject "History of Communism," he noted that one-third of the population of the world lives under socialism and that many of the attainments have been won in the last 25 years. He pointed out that parts of the country where he lives were destroyed in two wars and that only in more recent years have advancements become possible. Production in 1 week now equals what was produced under the czars in 1 year, he said. An even greater expansion in industry and agriculture is planned, but it cannot come about if there is war, the Embassy spokesman declared.

"The basic policy of the Soviet Union is fighting for peace in the world," Shapkin asserted. "Russia knows what war is. A world war now would mean the complete destruction of countries and the goal must be to do the best possible to support peace."

He spoke favorably of a future disarmament agreement "which could improve the lives of people in the world, including those in underdeveloped countries." He said more needs to be done for the peoples in the have-not nations.

The test ban treaty signed in Moscow should help toward a future disarmament agreement, in his opinion.

"We hope to agree on stopping underground tests and to reduce armament budgets," he stated.

He suggested a goal should be reduction of armies in West and East Germany, and said this might be achieved by an agreement to post watchers in the two countries to see that no sudden attacks are possible.

He was introduced by Don Trumbo, Jr.

[From the Northwest Arkansas Times, Aug. 24, 1963]

MANY U.S. CONCEPTIONS IN ERROR, HE SAYS—RUSSIAN PAINTS BRIGHT PICTURE OF SOVIET LIFE

(By Al Dawson)

Soviet Embassy official Georgi Shapkin again extolled Premier Khrushchev's brand of communism last night in a public address on "coexistence" at the Methodist Student Center off the university campus.

The 32-year-old diplomat used most of his time to describe the U.S.S.R. as a rapidly developing country with no unemployment, a short working day, free schooling for everyone and closely-guarded civil liberties.

Crucial differences between Western thinking and what Shapkin called "socialism" were not emphasized until a question-and-answer period that followed.

Citing a statement that "reduction of the U.S.S.R.'s military budget would mean the Soviet Union could give more assistance to underdeveloped countries," one member of the audience asked about Moscow's "political influence" in such countries.

Shapkin told the questioner and about 100 other listeners that: "Our position in this question is that the political system is the business of the country * * *. We don't interfere."

Asked by another to defend his country's religious climate, the Washington-stationed third secretary said the belief that worship has been discouraged is untrue. "There is freedom of religion in our country * * *. We still have many people who belong to different religions."

Queried as to the economic status of the average Russian, Shapkin replied:

"Certainly the standard of living in the United States at the present time is higher than in the Soviet Union. Our goal at the present time is to have a standard of living like yours. And then, in a very short time, we will leave you behind."

Of freedom of the press in the U.S.S.R., he said "There is no country in the world who has more freedom." He explained that "a paper belongs to the organization of the working people," and is written by "specialists and political observers." He added, "These are working people."

Asked about the "suppression" of Boris Pasternak's Nobel prizewinning novel "Doctor Zhivago," Shapkin said the questioner's assumptions had led her to pose an "uncorrect question."

"It was published," he declared, but did not attain a wide audience among Russians because it "did not reflect the real situation in the Soviet Union."

Shapkin told another questioner that Russian workers have the freedom to organize and strike. But when asked if strikes actually occur in the U.S.S.R., he said, "No."

"You don't see the difference in systems," he protested to the audience. "There is no owner. In our country all industry is owned by the working people * * *. They would be striking against themselves."

The speaker was introduced by Jim Loudermilk and responded to many questions by referring to a copy of the Soviet Constitution.

Earlier in the day he was prepared to leave town in protest against "unfair" press notices, but was persuaded to stay and speak to the Chamber of Commerce. He later was taken on a tour of northwest Arkansas poultry plants.

Today's schedule, arranged by Don Trumbo, Jr., of the Fayetteville Jaycees, called for an appearance before the League of Women Voters and a dinner. The visit will end tomorrow.

[From the Northwest Arkansas Times, Aug. 24, 1963]

CONTRAST IN CONVICTIONS

At the same time a representative of the Soviet Embassy in Washington is in Fayetteville, where he is receiving a friendly welcome, listened to in speeches and entertained in homes, a labor union publication in Moscow has denounced American visitors who extol the U.S. way of life over the Russian.

Unlike the United States, Russia keeps a close check on what its newspapers say, and if they wander from the Communist line they are called to account. The story in Trud can be fairly said to represent the official viewpoint.

The newspaper said American tourists, artists, visiting businessmen and Congressmen were members of "an army of ideological saboteurs, working in the interests of American intelligence. * * * The organizers," said the article, "hope that they will be able to disarm the Soviet people ideologically."

Russia forbids tourists or resident foreigners from handing out publications—there have even been expulsions for this—and free-roaming conversations are discouraged.

The Embassy spokesman is here this week upon invitation, encouraged to present the Soviet way of life, the country's past, present and future plans.

If the Government of the United States feared its people might be sabotaged by the presentation of the Soviet cause to the extent that it denounced such appearances there would be cause for alarm. The fact that a comparison of the ways of life is possible speaks forcefully in favor of the "capitalistic" or democratic system.

Moscow fears "picturing the United States in the role of the leader of the free world and publicizing the U.S. way of life as an expression of a real democratic society." Denunciation of American visitors as working in the interests of American intelligence points up at least an inclination on the part of Russian officialdom to suspect the American way may look very good indeed to the people who hear about it. Their theme: It's better that the people don't know.

A ROSH HASHANAH MESSAGE

Mr. LAUSCHE. Mr. President, it is my pleasure to share with my colleagues the opportunity to read the beautiful Rosh Hashanah message from Rabbi David L. Genuth, of Temple Beth El, Shaker Heights, Ohio. It is most impressive and reveals genuine deep feeling and simplicity. I ask unanimous consent that it be printed in the body of the RECORD.

There being no objection, the message was ordered to be printed in the Record, as follows:

A Rosh Hashanah Message

(By David L. Genuth, rabbi)

We worshippers of Beth El together with all our fellow-Jews are members of the religion which first dreamed of social justice, whose Prophets preached the sanctity and dignity of human life, whose God decreed a single law for all His children. As our Torah states, "One law shall be to him that is home born, and unto the stranger that sojourneth among you," and whose sacred writings professed the brotherhood of man, regardless of race, creed or color. We, together, with all our fellow-Jews are proud of our heritage of justice and decency. We therefore applaud every effort of our President John F. Kennedy and our Government to insure the basic God-given law rights to all fellow Americans. At this moment of moral crisis in the life of our Nation, we extend a hand of brotherhood to our fellow Americans and proclaim "We are and will always be our brother's keeper."

Rosh Hashanah does not commemorate any historic event. It has to do with men, God's children and therefore only one who renders man nearer to man, who is deeply concerned with the welfare of his neighbor is considered a true American.

On our High Holy Days our hearts go out to all our fellow Americans who are fighting for civil rights in order that justice and truth shall triumph and America remain the home of the free and the land of the brave.

We extend our sincerest wishes to our members and friends of Temple Beth El and to the entire Jewish community of Cleveland a very healthy, happy, and prosperous New Year.

TRIBUTE TO THE LATE DR. JOSEPH E. SMADEL

Mr. HILL. Mr. President, several weeks ago, on the occasion of the death of Dr. Joseph E. Smadel, of the National Institutes of Health, I paid my tribute to him as a good and helpful friend and a great physician and virologist. In the August 9 issue of Medical Tribune, Mr. Gershon Fishbein, the Washington correspondent of the Tribune, paid a beautiful and richly deserved tribute to Dr. Smadel and I ask unanimous consent that it be published at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Dr. J. E. Smadel, Noted Virologist, Dies of Cancer

(The following appreciation of the late Dr. Joseph E. Smadel, of the National Institutes of Health, was written by Gershon Fishbein, Washington correspondent of Medical Tribune, who knew Dr. Smadel both as an unusually helpful professional source in checking scientific information and as a friend.)

Bethesda, Md.—Dr. Joseph E. Smadel, 57, one of the world's leading virologists, has died of cancer. He will be mourned by the humblest of peasants in Pakistan, where he gave much of his recent life to cholera research, no less than by the greatest of physicians, with whom he ranked.

He epitomized much that is noble in medicine and scoffed at what he considered its trivia and distractions. Although he won numerous awards, he always considered the title of physician good enough.

He never allowed personal burdens to intrude on his career. So it was that in 1962, when many of us knew he had cancer, he stood in New York to receive the Lasker Award for Clinical Research and delivered a characteristically thorough scientific paper.

He considered it a privilege to "fiddle"—to use his own favorite word—with viruses and drugs, never knowing exactly what the outcome might be. With his colleagues, he demonstrated the efficacy of chloramphenicol as the first therapeutic agent used successfully in treatment of rickettsial diseases. By serendipity, during therapeutic trials on patients with scrub typhus, he found chloramphenicol to be specific for typhoid fever.

He made the world his laboratory, and no corner of it was too remote for trials of a hopeful drug or vaccine.

He investigated epidemic and murine typhus in Mexico, scrub typhus and typhoid in Malaya, leptaspirosis in Puerto Rico, pneumonic plague in Madagascar, epidemic hemorrhagic fever in Korea, cholera in Pakistan.

In him was blended, to a degree rarely found among today's scientists, the special virtues of researcher and clinician, and he drew on both to complement each other.

Although he served as Associate Director of the National Institutes in charge of intramural research between 1956 and 1960, he scorned administrative details, detested bureaucracy, and longed for a return to the laboratory, which came in 1960, when he was named Chief of the new Laboratory of Virology and Rickettsiology in the Division of Biologics Standards.

He drove himself and his associates to the limit. Time stood still when he worked. He set the highest of standards for himself and exacted no less from his colleagues.

Although he rarely allowed anyone to quote him in an interview, he was a source of much news at NIH. He believed the medical profession and the general public had a legitimate and vital stake in research developments and was often called by newsmen to check the accuracy of a story.

Not long ago he spent several hours at dinner with a group of Washington science writers, giving background off-the-record information on developments in virology so that they could write more comprehensive stories when news broke in that field.

To the world, he was a great physician and virologist. To this correspondent, he was that and more—a friend and mentor.

LOUIS KOSSUTH DAY

Mr. HART. Mr. President, every great people who have fought for freedom and independence as a nation have a national hero, one whom the people venerate as the embodiment of their spirit and determination in their fight for freedom, and whose memory is cherished and honored in annual observances.

To the Hungarian people, such is Louis Kossuth. September 19 marks the anniversary of his birth in 1802; and Hungarians throughout the world—in Hungary and in the free world—will honor his achievements in the fight for Hungarian independence in 1848.

The observances in Hungary will, we may be sure, be clandestine, for in that unhappy country freedom, as Louis Kossuth conceived it, does not exist. But we may be equally sure that in the hearts of the people of Hungary, silent homage will be paid this man and the ideals of freedom, national independence, and democracy which have been religiously pursued by the Hungarian people.

Happily, in the United States, Americans of Hungarian background can, and will, once again commemorate the birthday of this great warrior in the cause of freedom. We proudly join Hungarians throughout the world in an observance which reaffirms our desire and determination that the Hungarian nation shall again stand as a free and independent democratic state.

MENTAL RETARDATION FACILITIES AND COMMUNITY MENTAL HEALTH CENTERS CONSTRUCTION ACT OF 1963

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1576) to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes, which were, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963".

TITLE I—CONSTRUCTION OF RESEARCH CENTERS AND FACILITIES FOR THE MENTALLY RETARDED

Short Title

Sec. 100. This title may be cited as the "Mental Retardation Facilities Construction Act".

Part A—Grants for construction of centers for research on mental retardation and related aspects of human development

Sec. 101. Title VII of the Public Health Service Act is amended by inserting immediately below the heading thereof "Part A—Grants for construction of health research facilities" and by changing the words "this title" to "this part" wherever they appear, and by adding at the end of such title the following new part:

"Part D—Centers for research on mental retardation and related aspects of human development

"Authorization of Appropriations

"Sec. 761. There are authorized to be appropriated $6,000,000 for the fiscal year ending June 30, 1964, $8,000,000 for the fiscal year ending June 30, 1965, and $6,000,000 for the fiscal year ending June 30, 1966, for project grants to assist in meeting the costs of construction of facilities for research, or research and related purposes, relating to human development, whether biological, medical, social, or behavioral, which may assist in finding the causes, and means of prevention, of mental retardation, or in finding means of ameliorating the effects of mental retardation. Sums so appropriated shall remain available until expended for payments with respect to projects for which applications have been filed under this part before July 1, 1966, and approved by the Surgeon General thereunder before July 1, 1967.

"Applications

"Sec. 762. (a) Applications for grants under this part with respect to any facility may be approved by the Surgeon General only if—

"(1) the applicant is a public or nonprofit institution which the Surgeon General determines is competent to engage in the type of research for which the facility is to be constructed; and

"(2) the application contains or is supported by reasonable assurances that (A) for not less than 20 years after completion of construction, the facility will be used for the research, or research and related purposes, for which it was constructed; (B) sufficient funds will be available for meeting the non-Federal share of the cost of constructing the facility; (C) sufficient funds will be available, when the construction is completed, for effective use of the facility for the research, or research and related purposes, for which it was constructed; and (D) all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the center will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), and will receive compensation at rates not less than the rates determined in accordance with and subject to the provisions of the Contract Work Hours Standards Act (Public Law 87-581); and the Secretary of Labor shall have with respect to the labor standards specified in this clause (D) the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"(b) In acting on applications for grants, the Surgeon General shall take into consideration the relative effectiveness of the proposed facilities in expanding the Nation's capacity for research and related purposes in the field of mental retardation and related aspects of human development, and such other factors as he, after consultation with the national advisory council or councils concerned with the field or fields of research involved, may by regulation prescribe in order to assure that the facilities constructed with such grants, severally and together, will best serve the purpose of advancing scientific knowledge pertaining to mental retardation and related aspects of human development.

"Amount of Grants; Payments

"Sec. 763. (a) The total of the grants with respect to any project for the construction of a facility under this part may not exceed 75 per centum of the necessary cost of construction of the center as determined by the Surgeon General.

"(b) Payments of grants under this part shall be made in advance or by way of reimbursement, in such installments consistent with construction progress, and on such conditions as the Surgeon General may determine.

"(c) No grant may be made under any provision of this Act other than this part, for any of the three fiscal years in the period beginning July 1, 1963, and ending June 30, 1966, for construction of any facility described in this part.

"Recapture of Payments

"Sec. 764. If, within twenty years after completion of any construction for which funds have been paid under this part—

"(1) the applicant or other owner of the facility shall cease to be a public or nonprofit institution, or

"(2) the facility shall cease to be used for the research purposes, or research and related purposes, for which it was constructed, unless the Surgeon General determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to do so,

the United States shall be entitled to recover from the applicant or other owner of the facility the amount bearing the same ratio to the then value (as determined by agreement of the parties or by action brought in the United States district court for the district in which such facility is situated) of the facility, as the amount of the Federal participation bore to the cost of construction of such facility.

"Noninterference With Administration of Institutions

"Sec. 765. Except as otherwise specifically provided in this part, nothing contained in this part shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over, or impose any requirement or condition with respect to, the research or related purposes conducted by, and the personnel or administration of, any institution.

"Definitions

"Sec. 766. As used in this part—

"(1) the terms 'construction' and 'cost of construction' include (A) the construction of new buildings and the expansion, remodeling, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not expanded, remodeled, or altered;

"(2) the term 'nonprofit institution' means an institution owned and operated by one or more corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual."

Part B—Project grants for construction of university-affiliated facilities for the mentally retarded

Authorization of Appropriations

Sec. 121. For the purpose of assisting in the construction of clinical facilities providing, as nearly as practicable, a full range of inpatient and outpatient services for the mentally retarded and facilities which will aid in demonstrating provision of specialized services for the diagnosis and treatment, education, training, or care of the mentally retarded or in the clinical training of physicians and other specialized personnel needed for research, diagnosis, and treatment, education, training or care of the mentally retarded, there are authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1964, $7,500,000 for the fiscal year ending June 30, 1965, and $10,000,000 for the fiscal year ending June 30, 1966. The sums so appropriated shall be used for project grants for construction of public and other nonprofit facilities for the mentally retarded which are associated with a college or university.

Applications

Sec. 122. Applications for grants under this part with respect to any facility may be approved by the Secretary only if the application contains or is supported by reasonable assurances that—

(1) the facility will be associated, to the extent prescribed in regulations of the Secretary, with a college or university hospital (including affiliated hospitals), or with such other part of a college or university as the Secretary may find appropriate in the light of the purposes of this part;

(2) the plans and specifications are in accord with regulations prescribed by the Secretary under section 133(3);

(3) title to the site for the project is or will be vested in one or more of the agencies or institutions filing the application or in a public or other nonprofit agency or institution which is to operate the facility;

(4) adequate financial support will be available for construction of the project and for its maintenance and operation when completed; and

(5) all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), and will receive compensation at rates not less than the rates determined in accordance with and subject to the provisions of the Contract Work Hours Standards Act (Public Law 87-581); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

Amount of Grants; Payments

Sec. 123. (a) The total of the grants with respect to any project for the construction of a facility under this part may not exceed 75 per centum of the necessary cost of construction thereof as determined by the Secretary.

(b) Payments of grants under this part shall be made in advance or by way of reimbursement, in such installments consistent with construction progress, and on such conditions as the Secretary may determine.

Recovery

Sec. 124. If any facility with respect to which funds have been paid under this part shall, at any time within twenty years after the completion of construction—

(1) be sold or transferred to any person, agency, or organization which is not qualified to file an application under this part, or

(2) cease to be a public or other nonprofit facility for the mentally retarded, unless the Secretary determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to continue as such a facility,

the United States shall be entitled to recover from either the transferor or the transferee (or, in the case of a facility which has ceased to be a public or other nonprofit facility for the mentally retarded, from the owners thereof) an amount bearing the same ratio to the then value (as determined by the agreement of the parties or by action brought in the district court of the United States for the district in which the facility is situated) of so much of the facility as constituted an approved project or projects, as the amount of the Federal participation bore to the cost of the construction of such project or projects.

Nonduplication of Grants

Sec. 125. No grant may be made under any provision of the Public Health Service Act, for any of the three fiscal years in the period beginning July 1, 1963, and ending June 30, 1966, for construction of any facility for the mentally retarded described in this part.

Part C—Grants for construction of facilities for the mentally retarded

Authorization of Appropriations

Sec. 131. There are authorized to be appropriated, for grants for construction of public and other nonprofit facilities for the mentally retarded, $12,500,000 for the fiscal year ending June 30, 1965, and $15,000,000 for the fiscal year ending June 30, 1966.

Allotments to States

Sec. 132. (a) For each fiscal year, the Secretary shall, in accordance with regulations, make allotments from the sums appropriated under section 131 to the several States on the basis of (1) the population, (2) the extent of the need for facilities for the mentally retarded, and (3) the financial need of the respective States; except that no such allotment to any State, other than the Virgin Islands, American Samoa, and Guam, for any fiscal year may be less than $100,000. Sums so allotted to a State for a fiscal year for construction and remaining unobligated at the end of such year shall remain available to such State for such purpose for the next fiscal year (and for such year only), in addition to the sums allotted to such State for such next fiscal year.

(b) In accordance with regulations of the Secretary, any State may file with him a request that a specified portion of its allotment under this part be added to the allotment of another State under this part for the purpose of meeting a portion of the Federal share of the cost of a project for the construction of a facility for the mentally retarded in such other State. If it is found by the Secretary that construction of the facility with respect to which the request is made would meet needs of the State making the request and that use of the specified portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this part, such portion of such State's allotment shall be added to the allotment of the other State under this part, to be used for the purpose referred to above.

(c) Upon the request of any State that a specified portion of its allotment under this part be added to the allotment of such State under title II, and upon (1) the simultaneous certification to the Secretary by the State agency designated as provided in the State plan approved under this part to the effect that it has afforded a reasonable opportunity to make applications for the portion so specified and there have been no approvable applications for such portion, or (2) a showing satisfactory to the Secretary that the need for the community mental health centers in such State is substantially greater than for the facilities for the mentally retarded, the Secretary shall, subject to such limitations as he may by regulation prescribe, promptly adjust the allotments of such State in accordance with such request and shall notify such State agency and the State agency designated under the State plan approved under title II, and thereafter the allotments as so adjusted shall be deemed the State's allotments for purposes of this part and title II.

Regulations

SEC. 133. Within six months after enactment of this Act the Secretary shall, with the approval of the Federal Hospital Council (established by section 633 of the Public Health Service Act and hereinafter in this part referred to as the "Council"), by general regulations applicable uniformly to all the States prescribe—

(1) the kinds of services needed to provide adequate services for mentally retarded persons residing in a State;

(2) the general manner in which the State agency (designated as provided in the State plan approved under this part) shall determine the priority of projects based on the relative need of different areas, giving special consideration to facilities which will provide comprehensive services for a particular community or communities;

(3) general standards of construction and equipment for facilities of different classes and in different types of location; and

(4) that the State plan shall provide for adequate facilities for the mentally retarded for persons residing in the State, and shall provide for adequate facilities for the mentally retarded to furnish needed services for persons unable to pay therefor. Such regulations may require that before approval of an application for a facility or addition to a facility is recommended by a State agency, assurance shall be received by the State from the applicant that there will be made available in such facility or addition a reasonable volume of services to persons unable to pay therefor, but an exception shall be made if such a requirement is not feasible from a financial viewpoint.

State Plans

SEC. 134. (a) After such regulations have been issued, any State desiring to take advantage of this part shall submit a State plan for carrying out its purposes. Such State plan must—

(1) designate a single State agency as the sole agency for the administration of the plan, or designate such agency as the sole agency for supervising the administration of the plan;

(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) hereof will have authority to carry out such plan in conformity with this part;

(3) provide for the designation of a State advisory council which shall include representatives of State agencies concerned with planning, operation, or utilization of facilities for the mentally retarded and of nongovernment organizations or groups concerned with education, employment, rehabilitation, welfare, and health, and including representatives of consumers of the services by such facilities;

(4) set forth a program for construction of facilities for the mentally retarded (A) which is based on a statewide inventory of existing facilities and survey of need; (B) which conforms with the regulations prescribed under section 133(1); and (C) which meets the requirements for furnishing needed services to persons unable to pay therefor, included in regulations prescribed under section 133(4);

(5) set forth the relative need, determined in accordance with the regulations prescribed under section 133(2), for the several projects included in such programs, and provide for the construction, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need;

(6) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

(7) provide minimum standards (to be fixed in the discretion of the State) for the maintenance and operation of facilities which receive Federal aid under this part;

(8) provide for affording to every applicant for a construction project an opportunity for hearing before the State agency;

(9) provide that the State agency will make such reports in such form and containing such information as the Secretary may from time to time reasonably require, and will keep such records and afford such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports; and

(10) provide that the State agency will from time to time, but not less often than annually, review its State plan and submit to the Secretary any modifications thereof which it considers necessary.

(b) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (a). The Secretary shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State.

Approval of Projects

SEC. 135. (a) For each project for construction pursuant to a State plan approved under this part, there shall be submitted to the Secretary through the State agency an application by the State or a political subdivision thereof or by a public or other nonprofit agency. If two or more such agencies join in the construction of the project, the application may be filed by one or more of such agencies. Such application shall set forth—

(1) a description of the site for such project;

(2) plans and specifications therefor in accordance with the regulations prescribed by the Secretary under section 133(3);

(3) reasonable assurance that title to such site is or will be vested in one or more of the agencies filing the application or in a public or other nonprofit agency which is to operate the facility;

(4) reasonable assurance that adequate financial support will be available for the construction of the project and for its maintenance and operation when completed;

(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the project will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a–5), and will receive compensation at rates not less than the rates determined in accordance with and subject to the provisions of the Contract Work Hours Standards Act (Public Law 87–581); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

(6) a certification by the State agency of the Federal share for the project.

The Secretary shall approve such application if sufficient funds to pay the Federal share of the cost of construction of such project are available from the allotment to the State, and if the Secretary finds (A) that the application contains such reasonable assurance as to title, financial support, and payment of prevailing rates of wages; (B) that the plans and specifications are in accord with the regulations prescribed pursuant to section 133; (C) that the application is in conformity with the State plan approved under section 134 and contains an assurance that in the operation of the facility there will be compliance with the applicable requirements of the State plan and of the regulations prescribed under section 133(4) for furnishing needed facilities for persons unable to pay therefor, and with State standards for operation and maintenance; and (D) that the application has been approved and recommended by the State agency and is entitled to priority over other projects within the State in accordance with the regulations prescribed pursuant to section 133(2). No application shall be disapproved by the Secretary until he has afforded the State agency an opportunity for a hearing.

(b) Amendment of any approved application shall be subject to approval in the same manner as an original application.

Withholding of Payments

SEC. 136. Whenever the Secretary after reasonable notice and opportunity for hearing to the State agency designated as provided in section 134(a)(1), finds—

(1) that the State agency is not complying substantially with the provisions required by section 134 to be included in its State plan or with regulations under this part;

(2) that any assurance required to be given in an application filed under section 135 is not being or cannot be carried out;

(3) that there is a substantial failure to carry out plans and specifications approved by the Secretary under section 135; or

(4) that adequate State funds are not being provided annually for the direct administration of the State plan,

the Secretary may forthwith notify the State agency that—

(5) no further payments will be made to the State from allotments under this part; or

(6) no further payments will be made from allotments under this part for any project or projects designated by the Sec-

retary as being affected by the action or inaction referred to in paragraph (1), (2), (3), or (4) of this section,

as the Secretary may determine to be appropriate under the circumstances; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments from such allotments may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurance or plans and specifications or to provide adequate State funds, as the case may be) or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

Nonduplication of Grants

SEC. 137. No grant may be made under any provision of the Public Health Service Act, for any of the two fiscal years in the period beginning July 1, 1964, and ending June 30, 1966, for construction of any facility for the mentally retarded described in this part.

TITLE II—CONSTRUCTION OF COMMUNITY MENTAL HEALTH CENTERS

Short Title

SEC. 200. This title may be cited as the "Community Mental Health Centers Act".

Authorization of Appropriations

SEC. 201. There are authorized to be appropriated, for grants for construction of public and other nonprofit community mental health centers, $50,000,000 for the fiscal year ending June 30, 1965, and $65,000,000 for the fiscal year ending June 30, 1966.

Allotments to States

SEC. 202. (a) For each fiscal year, the Secretary shall, in accordance with regulations, make allotments from the sums appropriated under section 201 to the several States on the basis of (1) the population, (2) the extent of the need for community mental health centers, and (3) the financial need of the respective States; except that no such allotment to any State, other than the Virgin Islands, American Samoa, and Guam, for any fiscal year may be less than $100,000. Sums so allotted to a State for a fiscal year and remaining unobligated at the end of such year shall remain available to such State for such purpose for the next fiscal year (and for such year only), in addition to the sums allotted for such State for such next fiscal year.

(b) In accordance with regulations of the Secretary, any State may file with him a request that a specified portion of its allotment under this title be added to the allotment of another State under this title for the purpose of meeting a portion of the Federal share of the cost of a project for the construction of a community mental health center in such other State. If it is found by the Secretary that construction of the center with respect to which the request is made would meet needs of the State making the request and that use of the specified portion of such State's allotment, as requested by it, would assist in carrying out the purposes of this title, such portion of such State's allotment shall be added to the allotment of the other State under this title, to be used for the purpose referred to above.

(c) Upon the request of any State that a specified portion of its allotment under this title be added to the allotment of such State under part C of title I and upon (1) the simultaneous certification to the Secretary by the State agency designated as provided in the State plan approved under this title to the effect that it has afforded a reasonable opportunity to make applications for the portion so specified and there have been no approvable applications for such portion or (2) a showing satisfactory to the Secretary that the need for facilities for the mentally retarded in such State is substantially greater than for community mental health centers, the Secretary shall, subject to such limitations as he may by regulation prescribe, promptly adjust the allotments of such State in accordance with such request and shall notify such State agency and the State agency designated under the State plan approved under part C of title I, and thereafter the allotments as so adjusted shall be deemed the State's allotments for purposes of this title and part C of title I.

Regulations

SEC. 203. Within six months after enactment of this Act, the Secretary shall, with the approval of the Federal Hospital Council (established by section 633 of the Public Health Service Act), by general regulation applicable uniformly to all the States prescribe—

(1) the kinds of community mental health services needed to provide adequate mental health services for persons residing in a State;

(2) the general manner in which the State agency (designated as provided in the State plan approved under this title) shall determine the priority of projects based on the relative need of different areas, giving special consideration to projects on the basis of the extent to which the centers to be constructed thereby will, alone or in conjunction with other facilities owned or operated by the applicant or affiliated or associated with the applicant, provide comprehensive mental health services (as determined by the Secretary in accordance with regulations) for mentally ill persons in a particular community or communities or which will be part of or closely associated with a general hospital;

(3) general standards of construction and equipment for centers of different classes and in different types of location; and

(4) that the State plan shall provide for adequate community mental health centers for people residing in the State, and shall provide for adequate community mental health centers to furnish needed services for persons unable to pay therefor. Such regulations may require that before approval of an application for a center or addition to a center is recommended by a State agency, assurance shall be received by the State from the applicant that there will be made available in such center or addition a reasonable volume of services to persons unable to pay therefor, but an exception shall be made if such a requirement is not feasible from a financial viewpoint.

State Plans

SEC. 204 (a) After such regulations have been issued, any State desiring to take advantage of this title shall submit a State plan for carrying out its purposes. Such State plan must—

(1) designate a single State agency as the sole agency for the administration of the plan, or designate such agency as the sole agency for supervising the administration of the plan;

(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) hereof will have authority to carry out such plan in conformity with this title;

(3) provide for the designation of a State advisory council which shall include representatives of nongovernmental organizations or groups, and of State agencies, concerned with planning, operation, or utilization of community mental health centers or other mental health facilities, including representatives of consumers of the services provided by such centers and facilities who are familiar with the need for such services, to consult with the State agency in carrying out such plan;

(4) set forth a program for construction of community mental health centers (A) which is based on a statewide inventory of existing facilities and survey of need; (B) which conforms with the regulations prescribed by the Secretary under section 203 (1); and (C) which meets the requirements for furnishing needed services to persons unable to pay therefor, included in regulations prescribed under section 203(4);

(5) set forth the relative need, determined in accordance with the regulations prescribed under section 203(2), for the several projects included in such programs, and provide for the construction, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need;

(6) provide such methods of administration of the State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Secretary shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as are found by the Secretary to be necessary for the proper and efficient operation of the plan;

(7) provide minimum standards (to be fixed in the discretion of the State) for the maintenance and operation of centers which receive Federal aid under this title;

(8) provide for affording to every applicant for a construction project an opportunity for hearing before the State agency;

(9) provide that the State agency will make such reports in such form and containing such information as the Secretary may from time to time reasonably require, and will keep such records and afford such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports; and

(10) provide that the State agency will from time to time, but not less often than annually, review its State plan and submit to the Secretary any modifications thereof which it considers necessary.

(b) The Secretary shall approve any State plan and any modification thereof which complies with the provisions of subsection (a). The Secretary shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State.

Approval of Projects

SEC. 205. (a) For each project for construction pursuant to a State plan approved under this title, there shall be submitted to the Secretary through the State agency an application by the State or a political subdivision thereof or by a public or other nonprofit agency. If two or more such agencies join in the construction of the project, the application may be filed by one or more of such agencies. Such application shall set forth—

(1) a description of the site for such project;

(2) plans and specifications therefor in accordance with the regulations prescribed by the Secretary under section 203(3);

(3) reasonable assurance that title to such site is or will be vested in one or more of the agencies filing the application or in a public or other nonprofit agency which is to operate the community mental health center;

(4) reasonable assurance that adequate financial support will be available for the construction of the project and for its maintenance and operation when completed, including staffing;

(5) reasonable assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction of the project will be paid wages at rates not less than those prevailing on similar construction in the locality as

determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), and will receive compensation at rates not less than the rates determined in accordance with and subject to the provisions of the Contract Work Hours Standards Act (Public Law 87-581); and the Secretary of Labor shall have with respect to the labor standards specified in this paragraph the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c); and

(6) a certification by the State agency of the Federal share for the project.

The Secretary shall approve such application if sufficient funds to pay the Federal share of the cost of construction of such project are available from the allotment to the State, and if the Secretary finds (A) that the application contains such reasonable assurance as to title, financial support, and payment of prevailing rates of wages and overtime pay; (B) that the plans and specifications are in accord with the regulations prescribed pursuant to section 203; (C) that the application is in conformity with the State plan approved under section 204 and contains an assurance that in the operation of the center there will be compliance with the applicable requirements of the State plan and of the regulations prescribed under section 203(4) for furnishing needed services for persons unable to pay therefor, and with State standards for operation and maintenance; (D) that the services to be provided by the center, alone or in conjunction with other facilities owned or operated by the applicant or affiliated or associated with the applicant, will be part of a program providing, principally for persons residing in a particular community or communities in or near which such center is to be situated, at least those essential elements of comprehensive mental health services for mentally ill persons which are prescribed by the Secretary in accordance with regulations; and (E) that the application has been approved and recommended by the State agency and is entitled to priority over other projects within the State in accordance with the regulations prescribed pursuant to section 203(2). No application shall be disapproved by the Secretary until he has afforded the State agency an opportunity for a hearing.

(b) Amendment of any approved application shall be subject to approval in the same manner as an original application.

Withholding of Payments

SEC. 206. Whenever the Secretary, after reasonable notice and opportunity for hearing to the State agency designated as provided in section 204(a)(1), finds—

(1) that the State agency is not complying substantially with the provisions required by section 204 to be included in its State plan, or with regulations under this title;

(2) that any assurance required to be given in an application filed under section 205 is not being or cannot be carried out;

(3) that there is a substantial failure to carry out plans and specifications approved by the Secretary under section 205; or

(4) that adequate State funds are not being provided annually for the direct administration of the State plan,

the Secretary may forthwith notify the State agency that—

(5) no further payments will be made to the State from allotments under this title; or

(6) no further payments will be made from allotments under this title for any project or projects designated by the Secretary as being affected by the action or inaction referred to in paragraph (1), (2), (3), or (4) of this section, as the Secretary may determine to be appropriate under the circumstances; and, except with regard to any project for which the application has already been approved and which is not directly affected, further payments from such allotments may be withheld, in whole or in part, until there is no longer any failure to comply (or to carry out the assurance or plans and specifications or to provide adequate State funds, as the case may be) or, if such compliance (or other action) is impossible, until the State repays or arranges for the repayment of Federal moneys to which the recipient was not entitled.

Nonduplication of Grants

SEC. 207. No grant may be made under any provision of the Public Health Service Act, for any of the two fiscal years in the period beginning July 1, 1964, and ending June 30, 1966, for construction of any facility described in this title.

TITLE III—TRAINING OF TEACHERS OF MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

Training of Teachers of Handicapped Children

SEC. 301. (a)(1) The second sentence of the first section of the Act of September 6, 1958 (Public Law 85-926), is amended by striking out "Such grants" and inserting in lieu thereof "Grants under this section" and by striking out "fellowships" and inserting in lieu thereof "fellowships or traineeships".

(2) Such section is further amended by inserting before the second sentence thereof the following new sentence: "He is also authorized to make grants to public or other nonprofit institutions of higher learning to assist them in providing professional or advanced training for personnel engaged or preparing to engage in employment as teachers of handicapped children, as supervisors of such teachers, or as speech correctionists or other specialists providing special services for education of such children, or engaged or preparing to engage in research in fields related to education of such children."

(3) The first sentence of such section is amended by striking out "mentally retarded children" and inserting in lieu thereof "mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education (hereinafter in this Act referred to as 'handicapped children')". Section 2 of such Act is amended by striking out "mentally retarded children" and inserting in lieu thereof "handicapped children".

(4) The second sentence of section 3 of such Act is repealed. Section 7 of such Act is amended to read as follows:

"SEC. 7. There are authorized to be appropriated for carrying out this Act $11,500,000 for the fiscal year ending June 30, 1964; $14,500,000 for the fiscal year ending June 30, 1965; and $19,500,000 for the fiscal year ending June 30, 1966."

(5) The amendments made by this subsection shall apply in the case of fiscal years beginning after June 30, 1963, except that deaf children shall not be included as "handicapped children" for purposes of such amendments for the fiscal year ending June 30, 1964.

(b)(1) The first sentence of subsection (a) of section 6 of the Act of September 22, 1961 (Public Law 87-276, 20 U.S.C. 676) is amended by inserting immediately before the period at the end thereof the following: ", and $1,500,000 for the fiscal year ending June 30, 1964".

(2) Subsection (b) of such section 6 is amended by striking out "1963" and inserting in lieu thereof "1964".

Research and Demonstration Projects in Education of Handicapped Children

SEC. 302. (a) There is authorized to be appropriated for the fiscal year ending June 30, 1964, and each of the next two fiscal years, the sum of $2,000,000 to enable the Commissioner of Education to make grants to State educational agencies, public and nonprofit private institutions of higher learning, and other public or nonprofit private research agencies and organizations for research or demonstration projects relating to education for mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education (hereinafter in this subsection referred to as "handicapped children"). Such grants shall be made in installments, in advance or by way of reimbursement, and on such conditions as the Commissioner of Education may determine.

(b) The Commissioner of Education is authorized to appoint such special or technical advisory committees as he may deem necessary to advise him on matters of general policy relating to particular fields of education of handicapped children or relating to special services necessary thereto or special problems involved therein.

(c) The Commissioner of Education shall also from time to time appoint panels of experts who are competent to evaluate various types of research or demonstration projects under this section, and shall secure the advice and recommendations of such a panel before making any such grant in the field in which such experts are competent.

(d) Members of any committee or panel appointed under this section who are not regular full-time employees of the United States shall, while serving on the business of such committee or panel, be entitled to receive compensation at rates fixed by the Secretary of Health, Education, and Welfare, but not exceeding $50 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

(e) The Commissioner of Education is authorized to delegate any of his functions under this section, except the promulgation of regulations, to any officer or employee of the Office of Education.

TITLE IV—GENERAL

Definitions

SEC. 401. For purposes of this Act—

(a) The term "State" includes Puerto Rico, Guam, American Samoa, the Virgin Islands, and the District of Columbia.

(b) The term "facility for the mentally retarded" means a facility specially designed for the diagnosis, treatment, education, training, or custodial care of the mentally retarded, including facilities for training specialists and sheltered workshops for the mentally retarded, but only if such workshops are part of facilities which provide or will provide comprehensive services for the mentally retarded.

(c) The term "community mental health center" means a facility providing services for the prevention or diagnosis of mental illness, or care and treatment of mentally ill patients, or rehabilitation of such persons, which services are provided principally for persons residing in a particular community or communities in or near which the facility is situated.

(d) The terms "nonprofit facility for the mentally retarded", "nonprofit community mental health center", and "nonprofit private institution of higher learning" mean, respectively, a facility for the mentally retarded, a community mental health center, and an institution of higher learning which is owned and operated by one or more nonprofit corporations or associations no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and the term "nonprofit private agency or organization" means an agency or organization which is such a corporation or association or which is owned and operated by one or more of such corporations or associations.

(e) The term "construction" includes construction of new buildings, expansion, remodeling, and alteration of existing buildings and initial equipment of any such buildings (including medical transportation facilities); including architect's fees, but excluding the cost of off-site improvements and the cost of the acquisition of land.

(f) The term "cost of construction" means the amount found by the Secretary to be necessary for the construction of a project.

(g) The term "title", when used with reference to a site for a project, means a fee simple, or such other estate or interest (including a leasehold on which the rental does not exceed 4 per centum of the value of the land) as the Secretary finds sufficient to assure for a period of not less than fifty years undisturbed use and possession for the purposes of construction and operation of the project.

(h) The term "Federal share" with respect to any project means—

(1) if the State plan under which application for such project is filed contains, as of the date of approval of the project application, standards approved by the Secretary pursuant to section 402 the amount determined in accordance with such standards by the State agency designated under such plan; or

(2) if the State plan does not contain such standards, the amount (not less than 33⅓ per centum and not more than either 66⅔ per centum or the State's Federal percentage, whichever is the lower) established by such State agency for all projects in the State: *Provided*, That prior to the approval of the first such project in the State during any fiscal year such State agency shall give to the Secretary written notification of the Federal share established under this paragraph for such projects in such State to be approved by the Secretary during such fiscal year, and the Federal share for such projects in such State approved during such fiscal year shall not be changed after such approval.

(i) The Federal percentage for any State shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States, except that the Federal percentage for Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 66⅔ per centum.

(j) (1) The Federal percentages shall be promulgated by the Secretary as soon as possible after the enactment of this Act on the basis of the average of the per capita incomes of the States and of the United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years in the period beginning July 1, 1964, and ending June 30, 1966.

(2) The term "United States" means (but only for purposes of this subsection and subsection (i)) the fifty States and the District of Columbia.

(k) The term "Secretary" means the Secretary of Health, Education, and Welfare.

State Standards for Variable Federal Share

SEC. 402. The State plan approved under part C of title I or title II may include standards for determination of the Federal share of the cost of projects approved in the State under such part or title, as the case may be. Such standards shall provide equitably (and, to the extent practicable, on the basis of objective criteria, for variations between projects or classes of projects on the basis of the economic status of areas and other relevant factors. No such standards shall provide for a Federal share of more than 66⅔ per centum or less than 33⅓ per centum of the cost of construction of any project. The Secretary shall approve any such standards and any modifications thereof which comply with the provisions of this section.

Payments for Construction

SEC. 403. (a) Upon certification to the Secretary by the State agency, designated as provided in section 134 in the case of a facility for the mentally retarded, or section 204 in the case of a community mental health center, based upon inspection by it, that work has been performed upon a project, or purchases have been made, in accordance with the approved plans and specifications, and that payment of an installment is due to the applicant, such installment shall be paid to the State, from the applicable allotment of such State, except that (1) if the State is not authorized by law to make payments to the applicant, the payment shall be made directly to the applicant, (2) if the Secretary, after investigation or otherwise, has reason to believe that any act (or failure to act) has occurred requiring action pursuant to section 136 or section 206, as the case may be, payment may, after he has given the State agency so designated notice of opportunity for hearing pursuant to such section, be withheld, in whole or in part, pending corrective action or action based on such hearing, and (3) the total of payments under this subsection with respect to such project may not exceed an amount equal to the Federal share of the cost of construction of such project.

(b) In case an amendment to an approved application is approved as provided in section 135 or 205 or the estimated cost of a project is revised upward, any additional payment with respect thereto may be made from the applicable allotment of the State for the fiscal year in which such amendment or revision is approved.

Judicial Review

SEC. 404. If the Secretary refuses to approve any application for a project submitted under section 135 or 205, the State agency through which such application was submitted, or if any State is dissatisfied with his action under section 134(b) or 204(b) or section 136 or 206, such State, may appeal to the United States court of appeals for the circuit in which such State is located, by filing a petition with such court within sixty days after such action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary, or any officer designated by him for that purpose. The Secretary thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Secretary may modify or set aside his order. The findings of the Secretary as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Secretary to take further evidence, and the Secretary may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this section shall not, unless so specifically ordered by the court, operate as a stay of the Secretary's action.

Recovery

SEC. 405. If any facility or center with respect to which funds have been paid under section 403 shall, at any time within twenty years after the completion of construction—

(1) be sold or transferred to any person, agency, or organization (A) which is not qualified to file an application under section 135 or 205 or (B) which is not approved as a transferee by the State agency designated pursuant to section 134 (in the case of a facility for the mentally retarded) or section 204 (in the case of a community mental health center), or its successor; or

(2) cease to be a public or other nonprofit facility for the mentally retarded or community mental health center, as the case may be, unless the Secretary determines, in accordance with regulations, that there is good cause for releasing the applicant or other owner from the obligation to continue as such a facility or center,

the United States shall be entitled to recover from either the transferor or the transferee (or, in the case of a facility or center which has ceased to be public or other nonprofit facility for the mentally retarded or community mental health center, from the owners thereof) an amount bearing the same ratio to the then value (as determined by the agreement of the parties or by action brought in the district court of the United States for the district in which the center is situated) of so much of such facility or center as constituted an approved project or projects, as the amount of the Federal participation bore to the cost of the construction of such project or projects. Such right of recovery shall not constitute a lien upon such facility or center prior to judgment.

State Control of Operations

SEC. 406. Except as otherwise specifically provided, nothing in this Act shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any facility for the mentally retarded or community mental health center with respect to which any funds have been or may be expended under this Act.

Conforming Amendment

SEC. 407. (a) The first sentence of section 633(b) of the Public Service Act is amended by striking out "eight" and inserting in lieu thereof "twelve". The second sentence thereof is amended to read: "Six of the twelve appointed members shall be persons who are outstanding in fields pertaining to medical facility and health activities, and three of these six shall be authorities in matters relating to the operation of hospitals or other medical facilities, one of them shall be an authority in matters relating to the mentally retarded and one of them shall be an authority in matters relating to mental health, and the other six members shall be appointed to represent the consumers of services provided by such facilities and shall be persons familiar with the need for such services in urban or rural areas."

(b) The terms of office of the additional members of the Federal Hospital Council authorized by the amendment made by subsection (a) who first take office after enactment of this Act shall expire, as designated by the Secretary at the time of appointment, one at the end of the first year, one at the end of the second year, one at the end of the third year, and one at the end of the fourth year after the date of appointment.

And to amend the title so as to read: "An act to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction of community mental health centers, and for other purposes."

Mr. HILL. Mr. President, I move that the Senate disagree to the amendments of the House, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HILL, Mr. YARBOROUGH, Mr. WILLIAMS of New Jersey, Mr. PELL, Mr. JAVITS, and Mr. TOWER conferees on the part of the Senate.

RESOLUTION OF FLINT HILLS RURAL ELECTRIC COOPERATIVE ASSOCIATION, INC., COUNCIL GROVE, KANS.

Mr. CARLSON. Mr. President, the Rural Electrification Administration is entitled to much credit for the splendid REA programs that are in effect in our Nation and the great benefits that have been given to rural people through the ever increasing use of electricity.

The Flint Hill Rural Electric Cooperative Association, Inc., of Council Grove, Kans., at a regular meeting of the board of trustees on September 11, 1963, unanimously adopted a resolution expressing its concern over language that places some restrictive conditions on future loans for development programs in this field.

I ask unanimous consent that the resolution be made a part of these remarks.

RESOLUTION BY FLINT HILLS RURAL ELECTRIC COOPERATIVE ASSOCIATION, INC.

Whereas the rural electrification program is a vital segment of the American economy, particularly in the rural and agricultural areas of the country; and

Whereas the stability and feasibility of such program suffers a constant threat because of either inadequate or uneconomical power supply or revocation or restrictions on capital for development; and

Whereas there is a constant and steady increase in the power demands of consumers in such areas, necessitating assurance of adequate and economical power supply for long range planning, making the necessity of generation and transmission facilities by the respective borrowers increasingly apparent; and

Whereas capital required for such facilities is not obtainable from operations nor accumulated reserves, making a source of such capital, in the form of loans, at rates and on terms which are reasonable taking into consideration all factors relative to the economic value of the program as a whole; and

Whereas it has been a historic precedent since the establishment of the rural electrification program that the Congress adopts the enabling legislation under which the program is to be administered and appropriates estimated funds required for the program on an annual basis; and

Whereas funds so appropriated are administered by the Rural Electrification Administration under the terms of the Rural Electrification Act; said act being sufficient in scope and concept without additional riders or amendments appended to congressional appropriations; and

Whereas further restrictions upon the functions and duties of the Administrator, Rural Electrification Administration, would hamper or be a deterrent factor to the entire program in general, jeopardizing its effectiveness in assuring the respective rural electrification borrowers of adequate capital for expansion of facilities to properly serve the growing demands for electric service in quantity and as a means of assuring adequate power supply to meet long-range needs at prices which are fair and reasonable: Now, therefore, be it

Resolved, That the board of trustees, Flint Hills Rural Electric Cooperative Association, Inc., Council Grove, Kans., feels that restrictive conditions placed upon it by the Senate Appropriations Subcommittee are detrimental to the rural electrification program, and endanger the future growth and development of the program in serving the long-range power requirements of rural America, and, that such restrictions materially affect or otherwise jeopardize the long-range feasibility and security of the rural electrification borrowers; and be it further

Resolved, That the congressional delegation, both Senators and Congressmen, by letter and a copy of this resolution, are urged and requested to oppose the inclusion of any unnecessary or unessential restrictions upon the loaning or the Administrator, Rural Electrification Administration, other than those presently included in the Rural Electrification Act.

ST. LOUIS POST-DISPATCH CALLS FOR INVESTIGATION OF POWER POOLING

Mr. METCALF. Mr. President, on August 20, 1963, I discussed on the floor of the Senate the plans of the Midcontinent Area Power Planners—MAPP—concerning transmission and pooling of power in the Midwest. I questioned exclusion of the Bureau of Reclamation from these plans. I noted the parties and press releases which attended MAPP's announcement, and discussed certain other matters. The distinguished junior Senator from Alaska [Mr. GRUENING] and the junior Senator from Utah [Mr. MOSS] also participated in this discussion.

On September 3, the St. Louis Post-Dispatch addressed itself to this same subject. The Post-Dispatch believes that Congress should go beyond my suggestion that the Committee on Interior and Insular Affairs take a look at the effect MAPP's plans would have on Bureau of Reclamation power marketing.

Said the Post-Dispatch:

> In our opinion the committee should go even further. There is too much of the Nation's future at stake in power pooling for it to be carried out to anything less than maximum effectiveness, undominated by private monopoly and therefore available to all who can make productive use of it.
>
> As the president of the Puget Sound Power & Light Co., Ralph M. Davis, says, "Whoever controls transmission lines these days, controls the works."
>
> The question for answer by Congressional investigation, by FPC and the Interior Department is: Is MAPP the opening gun in an attempt to control the works?

On September 8 the Post-Dispatch followed with another editorial, "Pattern for Power." In this editorial, the Post-Dispatch suggests that the Federal Power Commission be vested with and exercise authority to bring about power pooling that will be comprehensive in scope, integrated in design, and consumer-oriented in purpose.

On September 17 the Post-Dispatch returned to the subject in an editorial entitled "Missing from MAPP." The missing item, says the Post-Dispatch, is "a clear and simple statement that the members of MAPP propose to join in pooling with all Federal, municipal, and cooperative agencies on equal terms." Lack of such clarification suggests "that the old technique of spite lines to forestall public power is being magnified manifold into a multistate system of spite pooling to forestall a national grid."

Mr. President, I commend the Post-Dispatch for its surveillance of a tremendously important public policy now in process of formulation.

Mr. President, I ask unanimous consent to insert in the body of the RECORD the three Post-Dispatch editorials to which I have referred.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch,
Sept. 3, 1963]

MAPP TO WHERE AND FOR WHOM?

A $2¼ billion electric power pool for a 10-State area of the Midwest has been announced as in preparation by a group of 14 privately owned power companies, including Union Electric, together with 7 rural electric cooperatives, and the Omaha Public Power District. It is described as a combination of private and public power to utilize the revolutionary new technologies in long-distance transmission of electricity as part of the nationwide power pool being promoted by the Department of Interior and the Federal Power Commission.

As such, the pool would signalize peace between public and private power for the first time throughout a large area, the first major cooperative venture between them, and momentous new opportunities for midwestern development through lowering the cost of electric power. It could be the dawn of a new era to be brought about by maximizing the usefulness of all sources of power, as Secretary Udall has eloquently called for.

But is this what the plans of Midcontinent Area Power Planners (MAPP) portend? The first and so far the only attempt from outside MAPP to answer that question has been made by Senator LEE METCALF, of Montana, on the floor of the U.S. Senate.

Senator METCALF says that when the FPC started work on its national power survey, still in progress, which is to be used as the basis for planning a nationwide, integrated system of power pooling, certain organizations in the various areas were asked to serve as advisory committees and prepare reports which would provide the raw materials for the Commission's study.

Some of the organizations which prepared the report for the midwestern (or north central) area have subsequently become members of MAPP, formed early this year, and the raw materials report has become MAPP's plan for a pool of its own, Senator METCALF says. MAPP represents its plan as consistent with the objectives outlined by the Federal Power Commission and directed toward the development of integrated regional planning. Senator Metcalf says "the materials in the regional study * * * do not approach a final, formal plan for the midcontinent," have not yet been analyzed or evaluated by the FPC, and "do not have a hint of approval" by the Commission.

Senator Metcalf is concerned that MAPP, though proposing to plan for the whole area, does not include any municipal system besides Omaha, or a single rural electric cooperative in Montana, South Dakota, Nebraska or Illinois, or the area's largest transmission system, that of the Bureau of Reclamation. MAPP says it is considering taking in Kansas City, Milwaukee and other cities as "associate members," expresses a hedged intent to "coordinate * * * with Federal agencies," and says any supplier which agrees with its principles may join.

One of its principles is "strong opposition to * * * Federal domination of power supply or transmission." Senator Metcalf says "the Reclamation Bureau proposed a power pool to these people before the national power survey was started" but "has yet to get a reply to that offer." A person who attended a MAPP meeting told him it was "a revelation" to see "the apparent unanimity of purpose in opposition to Federal activity."

The Montana Senator supported his analysis with a dissent which a member of the North Central advisory group submitted to the FPC. V. T. Hanlon, manager of the East River Electric Power Cooperative of Madison, S. Dak., wrote that "the planning is unscientific and is not based on sound engineering and has had no real economic analysis." He expressed worry that the MAPP plan was designed only for "interconnection of the larger utilities," would be used "primarily to strenthen their control of the Nation's power supply system," and would "preempt the progress of the * * * municipals and cooperatives."

"We must know," he wrote, "if the large utilities intend to use it with common-carrier principles. Regardless of the ownership, the transmission systems should be available to all electric systems or the competitive influence of the public and cooperative systems will soon be destroyed."

Senator Metcalf concludes from all this that the proposed MAPP pool is "the beginning of an insidious program by the private power companies to take over, and leave out the very vital public transmission systems, so that the ratepayers of America will not enjoy the economies of new technology in the electrical field." He says he will propose that the Interior and Insular Affairs Committee, of which he is a member, "take a look at the effect these developments will have on Bureau of Reclamation power marketing."

In our opinion the committee should go even further. There is too much of the Nation's future at stake in power pooling for it to be carried out to anything less than maximum effectiveness, undominated by private monopoly and therefore available to all who can make productive use of it.

As the president of the Puget Sound Power and Light Co., Ralph M. Davis, says, "Whoever controls transmission lines these days, controls the works."

The question for answer by congressional investigation, by FPC and the Interior Department is: Is MAPP the opening gun in an attempt to control the works?

[From the St. Louis Post-Dispatch, Sept. 8, 1963]

Pattern for Power

With multi-State electric power pools in the making across the Nation, and many private companies already engaged in the effort to monopolize them, the time has plainly come for the Federal Power Commission to be given authority over the construction and operation of the transmission lines that will create them.

The issue is whether pooling shall realize the maximum effectiveness for the greatest good of the most people, or whether its effectiveness shall be sharply curtailed so that private companies can control it for the primary objectives of corporate profit.

Within the next few years a revolutionary new pattern of power supply and distribution will be taking shape, based on the new technologies which permit radical advances in the voltages that can be transmitted, the distances to which they can reach, the costs of transmission, and economies of production in larger and larger generating plants.

Whether this development is a promise or a threat will depend on what is done now to direct it—or what is not done. Under regulation it could lower prices to consumers, increase national purchasing power and open up new opportunities for regional progress. Unregulated, it could produce private interstate monopolies which state regulatory commissions would be inadequate to deal with, and which could rival if not exceed abuses of the old holding-company empires broken up by the Holding Company Act of 1935.

Private grabs for the new wealth which pooling will create, estimated at $300 million a year at the outset and increasing with the rapid rise in consumption of electricity, are already painfully evident on the Pacific coast and most recently in the 10-State Midwestern area including Missouri and Illinois, where Mid-Continent Area Power Planners (MAPP) is the syndicate seeking to preempt the new opportunities.

National direction is necessary to insure that these and other pools shall be open to all producers and distributors of power, for that is what is required to bring about maximum results. Pools of private companies exclusively or principally do not meet this essential standard; in the instance of MAPP, the largest transmission system in the 10-State area, that of the U.S. Bureau of Reclamation, is not included.

Whether the FPC possesses authority to supply the national direction is a matter of opinion. The Commission recently decided, on a divided vote, that it lacks authority to require certificates of necessity and convenience as a condition to the construction and operation of extra-high-voltage transmission lines.

We believe it is of the very first order of importance for the Commission to be vested with that authority, and to exercise it toward the end of bringing about power pooling that will be comprehensive in scope, integrated in design and consumer-oriented in purpose.

Senator Clair Engle and Representative John Moss, both of California, have introduced legislation requiring FPC certification of extra-high voltage lines in interstate commerce. This is a moderate measure, leaving out lines which, being of lower voltage, would operate only for intrastate or local transmission, and affecting only those which, running to distances of some 1,000 miles or more, would make up the national grid.

In our opinion it is the minimum essential to turn the new technologies in the generation and transmission of power to the service of the American people.

[From the St. Louis Post-Dispatch, Sept. 17, 1963]

Missing From MAPP

The 10-State power pool project of Mid-Continent Area Power Planners (MAPP) is described in Union Electric News, publication of one of its major participants, as "the very thing the Post-Dispatch advocated 2 years ago in urging investor-owned companies to join Government in an overall grid plan." The Post-Dispatch continues to advocate all-inclusive pooling of power, embracing not only agencies of the Federal Government but also municipal and rural electric cooperative and privately owned production and distribution systems, as first proposed on a nationwide basis by Secretary of the Interior Udall.

It is on this very account, that MAPP is not an overall grid plan, but to the contrary highly and one-sidedly exclusive, that we express serious misgivings. MAPP could indeed produce precisely the adverse effect, by setting up a rival pool, dominated by private companies, in advance, and preventing an overall grid from being accomplished, by keeping its members separate.

Union Electric's publication offers no facts to support its claim that MAPP is "an overall grid plan." Yet how can a pool be factually so described when it does not include the largest transmission system in the 10-State area, that of the U.S. Bureau of Reclamation; when it does not include more than a smattering of the rural electric cooperatives, and none at all in four of the States; when it does not include a single one of the many municipal systems or the numerous public utility districts in Nebraska or elsewhere with the lone exception of the Omaha Public Power District; and when it does not even include most of the private power companies, among them several of the largest?

MAPP's public announcements make much of its professed intentions to take in other members—but strictly on its own terms. These terms express "strong opposition to Federal domination of power supply or transmission," and a qualified desire to "coordinate with Federal agencies," leaving the uncritical reader to infer that in MAPP private companies are joining the Government in an overall grid plan.

But are they? MAPP's own statements do not say so. And Senator Metcalf of Montana says the Bureau of Reclamation "proposed a power pool to these people" before MAPP was conceived but has never received a reply to its offer.

Does this, in the opinion of the Union Electric Co., substantiate the claim that it and its associates in MAPP are joining the Government in an overall pool? Or does it suggest that the old technique of spite lines to forestall public power is being magnified manyfold into a multistate system of spite pooling to forestall a national grid? Clarification of these questions would be ease itself. It would require only a clear and simple statement that the members of MAPP propose to join in pooling with all Federal, municipal, and cooperative agencies on equal terms. Do we hear such a statement?

TRIBUTE TO SENATOR ANDERSON

Mr. METCALF. Mr. President, last May I had the privilege to be one of some three dozen Members of the Senate to attend a testimonial dinner sponsored by a dozen national conservation organizations which honored our distinguished colleague, the senior Senator from New Mexico [Mr. Anderson], and also Mrs. Anderson.

On June 13 of this year I introduced into the Record, starting on page 10769 several excerpts from remarks made by speakers at this dinner, and several editorials and articles which followed the event and which appeared in several national magazines.

I now wish to add to the testimony of the greatness of this distinguished colleague, an editorial by Carl W. Buchheister, president of the National Audubon Society which appears in the September–October issue of the Audubon magazine. I believe this editorial comes close to expressing in words what most of us feel in our hearts for this great leader, statesman, politician, and conservationist—this true American who is leading the fight to save our wilderness and natural resources from the encroachment of selfish man and his destructive machines.

Mr. President, I ask unanimous consent that this editorial entitled "The Pleasure and Honor Were Ours" be printed in the CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE PLEASURE AND HONOR WERE OURS

All agreed it was one of the most noteworthy occasions for conservations in the history of the Nation's Capital when some 600 persons turned out for the testimonial dinner to Senator CLINTON P. ANDERSON, of New Mexico, last May 20.

Among the diners were about 50 Members of Congress, three members of the Cabinet, representatives of President Kennedy's White House staff, and a virtual outpouring of admiring citizens. The dinner was sponsored by 12 national conservation organizations, the National Audubon Society among them. The purpose was to pay deserved tribute to the great Senator who is one of the finest examples of the kind of statesmen we like to think of as making up the Congress of the United States, a man of exceptional ability and extraordinary devotion to the public welfare.

Our purpose was to accord recognition to Senator ANDERSON, particularly for his leadership in behalf of needed laws and sound programs for the conservation of America's natural resources. The overwhelming Senate passage of the wilderness bill, of which he is the leading sponsor, is one measure of his effectiveness.

In truth, it is we—all of us who call ourselves conservationists—who are honored by the dedication and the career of a man like CLINTON ANDERSON.

And, like Theodore Roosevelt, who first made conservation a national purpose and a public cause, and later great ones we could name, Senator ANDERSON illustrates the truth that for the purpose of winning the battles we engage in, there is no substitute for having able advocates in high places, as at the head of a key committee of Congress, at the helm of an executive department, or in the White House itself. The Yankees win the most pennants because they have the best pitchers and the hardest hitters.

TRIBUTE TO SENATOR PASTORE

Mr. WILLIAMS of New Jersey. Mr. President, it is my very great pleasure to bring to the attention of the Senate an article which recently appeared in the Newark, N.J., Sunday Star-Ledger about one of our most distinguished colleagues, Mr. PASTORE, of Rhode Island.

We here are well aware of the qualities of diligence and ability which Senator PASTORE has been bringing to his duties in the Senate for nearly 13 years. While he is not always in the limelight or in the headlines, he is always to be found in the thick of the fight for substantive, progressive legislation.

This excellent article, commenting on his role as a truly effective legislator, is richly deserved, and Mr. President, I request unanimous permission that the text of the article be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Newark (N.J.) Star-Ledger, Sept. 15, 1963]

A LITTLE MAN MAKES GOOD IN A BIG WAY

(Senator PASTORE is a living symbol of an immigrant father's dream. The son of a tailor, the Senator from Rhode Island is cutting a big path for himself on Capitol Hill these days, riding herd on President Kennedy's priority legislation: Ratification of the nuclear test ban bill, the private accommodations phase of the civil rights bill, and the vital rail strike legislation. Senator PASTORE is a little man who is not afraid to tangle with some of the big figures in the Senate. He came out of a tangle with the late Senator Bob Kerr of Oklahoma, a big, bluff man who made an imposing, formidable opponent in a debate. Senator RICHARD RUSSELL, an astute Member of the upper House, has openly admired the little Senator from the Nation's smallest State. He once said that he wanted PASTORE as his lawyer if he ever got into trouble. This is not faint praise.)

(By John A. Goldsmith)

JOHN ORLANDO PASTORE is the Senate's smallest Senator from the Nation's smallest State. His story reads like the American dream.

Modern mythology alleges the Senate is run by men of towering seniority, generally from the South. Twenty-seven Senators have more seniority than the immigrant tailor's son who is the senior Senator from Rhode Island.

In recent weeks, however, Democrat PASTORE has been riding herd on three of President Kennedy's priority bills. No one else has had quite the same role in handling rail strike legislation, the nuclear test ban treaty, and the public accommodations civil rights bill.

True, it was something of an accident—illness of Commerce Committee Chairman WARREN G. MAGNUSON, Democrat, of Washington—that gave PASTORE a central role in consideration of the measures. But such accidents have been the making of many a congressional leader.

In PASTORE's case, presiding at daytime civil rights hearings and night rail hearings was public notification of the fact that he had arrived as a Senate leader. Actually, as chairman of the Senate-House Atomic Energy Committee and a member of the Senate Democratic policy committee, he already had moved into a leadership position in Senate councils.

In a broader sense, of course, he also had attained a position of political leadership when he was elected to the Senate in 1950, having served as Lieutenant Governor and then as Governor of his State.

Born in Providence in 1907, PASTORE ran errands for his fathers' tailor shop until the father died. Young PASTORE was then 8 years old. His mother went back to work as a seamstress to support the boy and his three brothers and two sisters.

PASTORE worked after school at a jewelry factory and graduated in 1925 from Classical High School. College was out of the question, although Brown University was conveniently close. Instead, PASTORE clerked for an electric power company and enrolled in night classes at the local branch of Northeastern University. He won a bachelor of laws degree in 1931 and was admitted to law practice in 1932.

Starting in Providence's seventh ward, he moved into politics. In 1935 he was elected to the State's general assembly. In 1937 he became an assistant State attorney general. He became Lieutenant Governor in 1944, then was Governor from 1945 until 1950.

During his tenure as Governer, the State adopted a fair employment practices law, and PASTORE pushed through an aid program for teachers' salaries and a sales tax needed to finance it. The sales tax, often a Governor's return trip ticket to private life, did not curb PASTORE's increasing margins at the polls.

It was something of a triumph, too, albeit one of another kind, when shortly after his election to the Senate he was made a member of the corporation—a trustee of Brown University.

PASTORE's Senate voting record places him with Democratic liberals on such issues as social welfare and civil rights. He has, however, split with the liberal group on such issues as the communications satellite bill for which, as chairman of the Senate Communications Subcommittee, he was floor manager.

In one of the Senate's most bitter personality disputes of recent years, he voted for the nomination of his friend, Lewis L. Strauss, to be Secretary of Commerce and against his Atomic Energy Committee colleague, Senator CLINTON P. ANDERSON, Democrat, of New Mexico, who was leading the fight against Strauss. He did not believe, with ANDERSON, that Strauss had been evasive and misleading in his dealings with the committee.

PASTORE has a broad and ready smile, and his bearing shows a bit of cockiness. From his small frame, however, there emanates a strong piercing voice which is lifted not infrequently in Senate debate.

PASTORE was, in fact, one of the few Senators to tangle periodically in floor debate with the late Senator Robert S. Kerr, Democrat, of Oklahoma, and emerge with arguments unblunted and spirit unchastened. Senator RICHARD B. RUSSELL, Democrat, of Georgia, one of the Senate's top orators and legal experts, has on occasion said he would like to have PASTORE as his lawyer if he were in trouble.

In the best tradition, however, neither the talented tongue nor the cocky bearing have any dampening effect on PASTORE's sunny disposition in which PASTORE is not always a matter of great seriousness to PASTORE.

Recently he was discussing the effects of nuclear fallout with newsmen. He did not, he made it quite clear, go along with the idea that changes or mutations caused by fallout might prove beneficial rather than harmful.

"Mutations," he said explosively, "perhaps they'll make PASTORE 6 feet tall."

THE JEWISH HOLIDAYS

Mr. KEATING. Mr. President, it is with a warm sense of personal pleasure that I extend my heartfelt greetings and good wishes to our Jewish citizens on the occasion of the Jewish New Year.

The ancient holiday of Rosh Hashanah and the Ten Days of Repentance culminating in Yom Kippur, the Day of Atonement, embody the solemnity with which the Jewish people hold the coming of a new year of responsibility. The sound of the shofar echoes as an affirmation of the joy of life but at the same time its strangely sad call reminds man that the coming year requires a serious reexamination of purpose. As we examine our past, praying for the understanding that will enable us to profit from our errors, we open the way to a richer and fuller existence.

The message of the Jewish New Year is a universal one which all men should heed. These are historic times, rife with social and political unrest both at home and abroad. In a time of confusion, and at times seeming chaos, the melancholy wail of the shofar goes out to provide a promise of order and hope to all citizens of the world.

It is my fervent hope that the coming year will mark the sunrise of a new and even richer era of spiritual vitality and growth in the age-old and distinguished history of a great people. America is a tapestry woven of many strands, and none is more golden than that represented by our fellow Americans of Jewish descent. From the earliest days of our history this Nation has counted among its richest nourishing forces the spiritual strength, the intellectual dynamism, and the dedicated energy of its Jewish sons and daughters.

As one who has been privileged to visit the fountainhead of Hebrew culture, as one who has witnessed with his own eyes the tremendous forward surge of history that Israel represents in the Middle East, I can understand whence came these high qualities of heart and mind and will that have been translated—here in America—into the national fiber and the material advancement of our beloved country.

Israel stands as a tribute to the indomitable spirit of the Jewish people just as the new year embraces an optimistic hope for the future side by side with a strong sense of the importance of looking back into history for future guidance. Particularly in the present moment of history, when new nations are emerging into the light of freedom, does the example of what Israel has accomplished stand as a living proof of the will and ability of a people to create its own destiny.

In keeping with the spirit of the occasion, then, I am privileged to echo the ancient words uttered in a solemn yet joyful affirmation of hope on this day. "May you be inscribed, once again, in the Book of Life for a good New Year."

The PRESIDING OFFICER (Mr. HART in the chair). Is there further morning business? If not, morning business is concluded.

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M—88th Congress, 1st session--the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

The PRESIDING OFFICER. The Senate is now in executive session. The question is on agreeing to the resolution of ratification of the treaty.

Mr. BYRD of West Virginia obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I yield to the majority leader.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, the time is now at hand for a final decision on the treaty banning nuclear weapons tests in the atmosphere, under water, and in outer space. On August 8, 1963, President Kennedy transmitted this treaty to the Senate, with the recommendation that we advise and consent to its ratification. He gave as his principal reason that, in his opinion, the treaty would advance world peace and inhibit the nuclear arms race. Since that time, the Senate Armed Services Committee, of which I am a member, the Senate Foreign Relations Committee, and the Senate members of the Joint Committee on Atomic Energy—along with other Senators—have been engaged in an intensive study of the merits of the treaty.

Knowing that the final responsibility for approving or rejecting the treaty lies in our hands, I have literally searched my soul for the correct decision. When our decision has finally been reached, whatever that decision may be—and of course there is no question that it will be that of approval—no American can be sure that it is the right decision. None of us can be sure, beyond doubt, that either ratification or rejection will ultimately be in the best interests of our country. Some persons have stated that, while it would be a mistake to reject the treaty, it may prove to be an even greater mistake to ratify it. So only history will be able to record the correctness or the incorrectness, the wisdom or the lack of wisdom, the success or the failure, of the action we take.

There is no question as to the objective we seek. All of us share the desire to advance the cause of peace and to strengthen the progress of peace. All of us would like to reduce the threat of nuclear war. All of us would like to see a complete termination of all nuclear tests in all environments, if both the East and West could agree upon a system of adequate and effective inspection, and if at the beginning of such cessation of testing the United States were, indeed, superior in nuclear weapons technology in all of the yield-weight ranges. All of us would like to live in a world in which weapons of war and destruction could be converted into instruments of peace and human progress. All of us would like to move away from the costly expenditures for armaments, and move in the direction of applying our financial and human resources toward the building of a better world for mankind. All of us would like to eliminate the tensions that for many years have plagued the free world. The question is, however, whether the proposed partial test ban moves us closer toward these goals, or leads us in the opposite direction.

The proponents of the treaty admit that it carries inherent military risks; but, in their view, these risks are outweighed by political and other advantages which are expected to accrue from the treaty's ratification. Those of us who oppose the treaty recognize that certain benefits may result therefrom, but feel that the risks involved are too great to assume in a situation which, at best, offers no positive guarantee that the hoped-for benefit will really materialize.

"Hope springs eternal in the human breast," and the proponents of the treaty base their position largely upon a hope that it will lead to a lessening of tensions, to a slowing of the nuclear weapons race, and to eventual peace. We opponents of the treaty, feeling that past hopes having proved to be false, are unwilling, in what is our view, to risk the security of this Nation in pursuing what may be another false and even more dangerous hope.

When the treaty was first announced, I was inclined to support it. The longing for peace which I share with other Americans naturally led me to see, in this proposal, a faint glimmer of hope. I thought it best, however, to withhold my judgment until I could have the opportunity to listen to the testimony and to weigh the evidence presented both for and against the treaty. If it were not for my membership on the Senate Committee on Armed Services, in all likelihood I would have supported the treaty, because otherwise I would not normally be exposed to the subject matter of the treaty as thoroughly as I have been as a member of that committee. Although the treaty is within the jurisdiction of the Foreign Relations Committee, in view of the military aspects the Armed Services Committee has participated in joint hearings with the Foreign Relations Committee. Moreover, the Senate Preparedness Investigating Subcommittee of the Armed Services Committee has held executive hearings independent of those joint hearings in which the parent committee participated. Although I am not a member of the Senate Preparedness Investigating Subcommittee, I did attend and participate, as did other members of the full committee, in the hearings of that subcommittee at the invitation of its chairman, the Senator from Mississippi, Mr. STENNIS. In addition to participating in the public and closed hearings, I have read and reread most of the testimony submitted in those hearings. I, therefore, feel that I can say, without being immodest, that there are few Members of the Senate that have been exposed to more of the evidence presented at the hearings than have I.

After weighing the arguments for and against the treaty, I have reached the conclusion that a greater risk to our country lies in accepting this treaty than in rejecting it. I have no doubt, as I have already indicated, that it will be ratified by the Senate, and I realize that the position I am taking will not be shared by a great many of my colleagues in this body. But, while it would be easy and pleasant for me to say "yes" to this treaty, it is my conviction that the security of this Nation demands that I say "no." In so doing, I recognize that those Senators who will vote to ratify the treaty have the same sincerity of purpose and the same dedication to their country as I have.

ARGUMENTS IN FAVOR OF THE TREATY

The following arguments are the principal ones, in my opinion, that have been advanced in favor of ratification:

First. The test ban treaty is desirable because further nuclear testing in the atmosphere is not necessary, the Soviet Union and the United States each having already acquired a capacity of overkill.

Second. The test ban will eliminate the danger of further fallout.

Third. The test ban will serve to deepen the rift between Russia and Red China.

Fourth. The test ban will contribute to a lessening of tensions and be a step toward other agreements and eventual peace.

Fifth. The test ban treaty will slow, or signal the end of, the arms race.

Sixth. The test ban will make it more difficult for Russia to catch up with the United States in the field of nuclear explosives.

Seventh. The test ban will slow down the proliferation of nuclear weapons.

Mr. President, I should like to analyze each of these arguments in brief detail.

1. THE TEST BAN TREATY IS DESIRABLE BECAUSE FURTHER NUCLEAR TESTING IN THE ATMOSPHERE IS NOT NECESSARY, THE SOVIET UNION AND THE UNITED STATES EACH HAVING ALREADY ACQUIRED A CAPACITY OF OVERKILL

As to the argument by some that the United States has acquired an overkill capacity, Secretary of Defense McNamara, who supports the treaty, made the following comment, which appears beginning on page 146 of the hearings before the Committee on Foreign Relations:

> Secretary McNamara. I don't believe that we have execessive armaments today. I don't believe we have excessive strategic forces, which I believe were those portions of our armaments that Senator McGovern was speaking about. As I tried to outline in my statement this morning, there are a number of uncertainties which we must recognize in evaluating the relative positions of the U.S.S.R. and the United States.
>
> It is not possible for us to eliminate those uncertainties from the equation. And because our knowledge is not complete and because it cannot be made complete in the near future, we must seek to offset those uncertainties with additional forces. This we have done. We have made every effort to hold the defense budget, which is presently being considered by Congress, at an absolute minimum. I think we have done so. I would not recommend that one dollar be taken out of it.

In responding to further questions regarding overkill, Secretary McNamara had this to say:

> I think it is possible to say that we have more weapons than would be utilized in a particular war situation, without concluding that our inventories are excessive. For example, were there to be a war at sea, and the war were limited to sea, presumably the weapons that had been designed for land warfare would not be utilized. Conversely, if there were a general nuclear war, it is possible that certain weapons, conventional or otherwise, that had been designed for less than a general nuclear war would be in excess supply. But in neither instance would it mean that our inventories were necessarily excessive. I do not believe they are excessive today. I think it is necessary to continue to increase them as we are planning to do in fiscal 1964.

Secretary McNamara had this additionally to say:

> One other major point raised was that we have more nuclear weapons than we could conceivably use in an allout war * * *. We must meet requirements for various kinds of limited and tactical nuclear contingencies; the great bulk of the nuclear weapons we "could not conceivably use" during an all-out war are low-yield weapons procured to meet requirements for tactical nuclear warfare.
>
> * * * * * *
>
> And, therefore, I am convinced that the kind of large cut in the strategic budget proposed by Senator McGovern's speech could not be adopted without substantial risk to our national security.

Gen. Thomas S. Power, Commander in Chief, Strategic Air Command, in his appearance before the Senate Preparedness Investigating Subcommittee was asked about overkill and he answered in this way:

> I do not agree with it. I think the overkill claim is often made by people who are not well informed and do not necessarily know what they are talking about.
>
> Now, there is such a thing as a programed bomb or weapon as against the delivered weapon. If you look at the programed weapons, that is, if you look at the weapons I have in the present war plan, you would say we are overkilling. But if you look at the weapons that I think will survive and arrive, then you will change your opinion.
>
> So a lot of these people look at our stockpile and they think that every bomb is going to be delivered. Now, do they think that every bullet that is bought for a rifle is going to kill an enemy soldier? No. We buy millions upon millions of bullets. I don't know the exact statistics, but maybe one in a hundred thousand bullets actually will kill an enemy. It is the same way with a shell or a cannon.
>
> Not every bomb is going to arrive at the target. Many of them will be destroyed on the ground before they are launched. Many will be destroyed by enemy action. Some will be duds. But we have figured this all out mathematically for every sortie and every weapon, and we have arrived at a confidence factor.
>
> You can have any confidence you want, but if you want to be, say, 90 percent sure that you will destroy a very sensitive target, and if you have a 50-percent confidence factor that a particular weapon will reach its target, then you will have to program somewhere in the neighborhood of six to seven weapons to hope to get one there, but there is still a 10-percent chance that none will get there. So it is a question of mathematics and how sure you want to be or how much you want to gamble.
>
> We write a war plan so that, if we are told to go to war, these prime sensitive targets will be destroyed, and I have a high confidence factor. I have a 90-percent confidence factor because I have programed many weapons and I have crosstargeted them, using different types of weapons from different areas to get a reliability factor that is acceptable.
>
> Now if they all got there, yes, we would be overbombing and overkilling. But again people forget that what we are really trying to do is to prevent war. We are trying to make this thing so sure that it will deter anyone. I think this is the real challenge, to try to prevent it. I think we can. We have done it and I think we can continue to do it if we make up our minds to do it.

Senator Jackson then interposed that:

> The critics make the fatal mistake of equating the number of weapons and their combined yield with delivery on the target.

General Power's final comment on this point was as follows:

> I know many of these people, and it is really easy to become an expert in a field that you have had no experience in and no responsibility for. You have to have overwhelming superiority, if you are really trying to deter. That is the key to it.

(At this point Mr. Nelson took the chair as presiding officer.)

Mr. BYRD of West Virginia. Mr. President, it is evident from the statements of Secretary McNamara, a supporter of the treaty, and General Power, an opponent of the treaty, that the argument which is being made by well-meaning people throughout the country that we have two or three times as many weapons as we need, so why not put a stop to their production, is a fallacious argument. This philosophy, of course, discounts the fact that it would be foolish for us to attempt to disarm unilaterally or even to halt, unilaterally, the production of weapons. It also discounts the possibility of progressive development of techniques and weaponry. General Curtis LeMay, Chief of Staff, U.S. Air Force, commented on this point, on page 390, by saying:

> True, we have got all of these weapons, and we think we can deliver them now. But the situation never stays static.
>
> The side that has the best yield-to-weight ratio has an advantage in their capability to put their weapons on targets sometime in the future.

2. THE TEST BAN WILL ELIMINATE THE DANGER OF FURTHER FALLOUT

As to this argument by the proponents, the question of fallout has been of concern to me as it has to most Americans, I am sure. There was virtual unanimity among the witnesses that the health risks from worldwide fallout due to past testing are very small. According to the experts, we receive far less radiation from fallout than we receive from naturally occurring sources, and some authorities maintain that a considerably larger amount would be acceptable to gain the benefits of peaceful uses of nuclear energy. The report of the Federal Radiation Council of May 1963 states:

> The revised estimates of the short-term per capita effective dose to the reproductive cells show that weapons tests conducted during 1962 will be about 47 millirems. All tests conducted through December 1962 will result in a per capita 30-year dose of about 110 millirems. This is about one-hundredth of the amount recommended by the National Academy of Sciences. These values are considerably less than the corresponding 30-year dose of 3,000 millirems from naturally occurring sources during the same period. Similarly, the variations in dose-rate from worldwide fallout in different parts of the country are less than the variations in dose-rate from naturally occurring sources in the inhabited parts of the world. Further, comparison with the 5,000 millirems per generation proposed previously by the Federal Radiation Council as a level of genetic risk that would be acceptable to gain the benefits of nuclear energy from normal peacetime operations and the 10,000 millirems per generation recommended by the NAS Subcommittee on Genetics as a "reasonable quota" for manmade radiation exposure of the general public indicates that present anticipated levels of fallout do not constitute an undue risk to the genetic future of the Nation.

Dr. Edward Teller, the noted nuclear physicist, had this to say about fallout, and his statement appears on page 489 of the hearings:

> The one point which is most often emphasized, worry about fallout, is one where we have clearcut evidence. We have increased the effects of natural radiation by 10 percent.
>
> These effects of natural radiation have never been proved to be harmful. From the present level of worldwide fallout there is no danger. The real danger is that you will frighten mothers from giving milk to their babies. By that probably much more damage has been done than by anything else concerning this matter.

Dr. John S. Foster, Jr., director, Lawrence Radiation Laboratory, Livermore, Calif., one of the most eminent and highly regarded young scientists in this country today, was asked the following questions by me during the hearings:

> Just how great a factor is fallout from the standpoint of its danger to the health of the human race?

Dr. Foster's answer, which appears on page 622 of the hearings, was as follows:

> One way to look at it would be to say that the fallout from all past tests affecting man for the next 50 to 100 years would be something like the same thing as deciding to live a few hundred feet higher above sea level.

I asked this question of Dr. Foster:

> I am wondering if this is a factor which we, from a scientific standpoint, might be able to disregard in our attempt to reach a decision?

Dr. Foster answered by saying:

> Yes, sir; from the technical point of view I believe it has no bearing on the major issue.

I then made this inquiry of Dr. Foster:

> If I may pose a hypothetical question, are you saying, in essence, that if you were a Senator with the knowledge that you possess in the scientific field, you would disregard entirely this factor in your reaching a decision?

Dr. Foster answered thusly:

> That is correct, sir; although it would be a very difficult position for me to put myself into. * * * For hundreds, millions of years, people have lived in this environment. We are talking about the fallout that is a few percent of that natural background, and we know that people have lived at a few thousand-foot altitude, under higher exposure levels over thousands and thousands of years, and we cannot decide whether this has hurt them or helped them or how it has affected them.

Dr. Glenn Seaborg, Chairman of the Atomic Energy Commission, and a supporter of the test ban treaty, made the following statement on the subject of fallout:

> I should add, although I think it is probably well known, that the total amount of radiation from fallout is only a small fraction of the radiation that we receive from natural background, from the radiation that is present everywhere.

The Senator from Iowa [Mr. Hickenlooper] asked the following question of Dr. Seaborg:

> Has science been able to pinpoint even one case where fallout can be scientifically attributed to radiation—that is, where one case of leukemia or bone cancer or things of that kind or mutation that can be scientifically attributed to fallout?

Dr. Seaborg answered the Senator from Iowa [Mr. Hickenlooper] like this:

> Excepting these one or two freak cases of local fallout * * * I know of no case where a particular case could be attributed to fallout.

On page 214 of the hearings the following colloquy occurred between the Senator from Georgia [Mr. Russell] and Dr. Seaborg:

> Senator Russell. Dr. Seaborg, I read in the paper, I believe the day before yesterday, that there is twice as much radiation in milk today as there was 3 years ago.
>
> Is that approximately right?
>
> Dr. Seaborg. That would depend on the section of the country that was being referred to. I would like to say that there are probably sections of the country where there is twice as much strontium 90 in the milk now as there was 3 years ago, yes, sir, Senator.
>
> Senator Russell. Has that yet reached a point where it is sufficient to endanger the human family?
>
> Dr. Seaborg. No, sir.
>
> Senator Russell. It is a long way from it?
>
> Dr. Seaborg. It is a considerable distance from it, yes, sir.

On page 219 of the hearings the Senator from Rhode Island [Mr. Pastore] and Dr. Seaborg had the following colloquy:

> Senator Pastore. As a matter of fact, you could bring about almost the same result by testing as you could through a nuclear war if you kept doing this promiscuously without any limitation, isn't that a fact?
>
> Dr. Seaborg. Well, I think the factor, the amount in a nuclear war, would be greater by something of the order of a hundred as compared to the high rate of testing in peacetime, even the rate of testing that you have indicated.

Although Dr. Seaborg's statements are not to be inferred as an endorsement of fallout, it is evident that he does not endorse the exaggerated fears that have been expressed by some people throughout the country.

On pages 222 and 223 of the hearings we find this testimony by Dr. Seaborg. The Senator from Alabama [Mr. Sparkman] asked the following question:

> Senator Sparkman. With reference to the fallout, you stated that you thought there had been some effect already on health and genetics particularly. Are there specific examples?
>
> Dr. Seaborg. Oh, no. There are no—I don't think that we could, I am sure that we can't identify any specific examples of effect of fallout on health or heredity up until the present time. We know, we have approximate information on the effects of radiation on health and heredity, approximate information. We can relate these effects to the amount of radiation.
>
> Senator Sparkman. In other words, you know that the effect can be produced provided there is a sufficient amount of radiation to produce it?
>
> Dr. Seaborg. And because of these approximate relationships that have been established, and I emphasize the word "approximate"—I can't emphasize that too much—relationships between radiation and certain effects on health, leukemia, bone cancer, heredity effects, and so forth, and because we know the amount of radiation present from fallout, we can make calculations that would indicate statistically how many people will in the course of time be affected by this small amount of radiation, and statistically these are very small figures, very small numbers of people.
>
> But I do want to emphasize we should avoid exposure to radiation as much as possible at all times.
>
> Senator Sparkman. We did have the examples of the contamination of fish and of the area in some parts of the Pacific where Japanese fishermen were affected, did we not?
>
> Dr. Seaborg. Yes. In some tests in the Pacific——
>
> Senator Sparkman. Of course, that was in a heavily infested or contaminated area.
>
> Dr. Seaborg. Yes; that was near an actual large weapons test, where the people were downwind from the fallout, and were subjected to a substantial amount of actual fallout on a small area. This is something that I am sure will never be repeated. This is what we call local fallout, that is in the immediate area of the tests. The local fallout is so well understood today that this would never be repeated in a weapons test situation, and that, of course, is the only situation in which local fallout would be a problem in a testing, in a peacetime situation.
>
> * * * * *
>
> There would be some hot spots because it is carried down by rain and various weather conditions, so that there is some spottiness in the level of fallout.
>
> Senator Sparkman. Some areas could become dangerous while others were safe?
>
> Dr. Seaborg. Yes, although I would hesitate to use the word "dangerous." I don't believe any area has become dangerous.
>
> Senator Sparkman. I am not talking about now but if testing should be carried on.
>
> Dr. Seaborg. Yes, in the future.

On pages 224 and 225 of the hearings, the Senator from Iowa [Mr. Hickenlooper] asked this question:

> Isn't it a fact that the most skilled scientific evidence of geneticists and others were brought out in those hearings and that their best estimate of the number of cases of, for instance, leukemia and bone cancer caused by natural radiation—not by the radiation of fallout or man-induced radiation, but by natural radiation—is in the case of leukemia zero to 84,000—that is between zero and 84,000 cases—and in the case of bone cancer between zero and 14,000 cases? The zero means they still can't necessarily trace even one case?
>
> Dr. Seaborg. Yes.
>
> Senator Hickenlooper. For sure?
>
> Dr. Seaborg. They can't say with certainty.
>
> Senator Hickenlooper. That is right.
>
> * * * * *
>
> Doctor, I am quoting from the Federal Radiation Council and they start with zero.
>
> Dr. Seaborg. Yes.
>
> Senator Hickenlooper. They don't start with a few numbers.
>
> Dr. Seaborg. Yes, I know.
>
> Senator Hickenlooper. They start with zero to a possible number. Doesn't zero mean that they don't have even one case that they can confirm?
>
> Dr. Seaborg. They don't have absolute proof.

On page 226 of the hearings, the Senator from Iowa [Mr. Hickenlooper] asked these questions:

> Isn't it a fact that throughout history we have had mutations, that we have had abnormalities in birth, even before anybody ever thought of letting off an atomic bomb. History is replete with countless instances of definite mutations.
>
> Dr. Seaborg. Of course.
>
> Senator Hickenlooper. Definite alterations.
>
> Dr. Seaborg. Oh, of course.
>
> Senator Hickenlooper. Definite deficiencies and so on.

> Dr. Seaborg. Yes. I think that is a known thing.
>
> Senator Hickenlooper. That has been going on as long as we have any history, hasn't it?
>
> Dr. Seaborg. Yes. But the question that is—a question that is—being vigorously investigated now by the biologists and the geneticists is how much of that is due to the natural background, how much of it is due to the cosmic rays, to the radioactivity that is present in small amounts everywhere including a little bit in this table here, and other sources.
>
> Senator Hickenlooper. Other unknown phenomena?
>
> Dr. Seaborg. Yes and X-rays, medical X-rays, and so forth.
>
> Senator Hickenlooper. These things occurred long before they ever heard of an X-ray.
>
> Dr. Seaborg. Yes, that is true, that is more recent. But the cosmic ray background and the natural radioactivity present essentially, in small amounts, present essentially everywhere, has been with us ever since there have been people on earth so this may have played a role——
>
> Senator Hickenlooper. Yes.
>
> Dr. Seaborg (continuing). Yet to be determined with any exactitude.

On page 230 of the nuclear test ban treaty hearings, Dr. Seaborg says:

> There is no doubt in my mind whatsoever that air pollution is a much greater hazard to the health of the people than is fallout.

Again, on page 243, Dr. Seaborg made reference to air pollution from exhaust contamination in this manner:

> Pollution of atmosphere in our country in terms of the number of people, where it has adverse effects on their health, is clearly more dangerous than the situation from fallout with respect to adverse effects on the health, in my mind, in my opinion.

Mr. President, none of these eminent witnesses would have you believe that no risk whatsoever exists from fallout. However, the small risk which does exist must be measured against the risk of Communist aggression which the free world may face if and when there comes a time when it no longer has nuclear superiority. The small risk from test fallout must be measured against the fallout which would result from a third world war launched by the Communists in the hope that they could wipe out the United States. It must be measured against the millions of deaths which would certainly occur if our nuclear deterent force were allowed to grow so weak that it failed to prevent war.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. RUSSELL. I dislike to interrupt the very excellent address that the Senator is making, but on the subject of fallout I wondered if he had studied the position of the President of the United States, President Kennedy, when he announced resumption of testing on March 2, 1962.

Mr. BYRD of West Virginia. I had read it but I had not included it in my prepared statement.

Mr. RUSSELL. This statement, of course, was a compendium of the opinion of all of the most eminent scientists in our Government. The President of the United States would not have made this statement unless it had been carefully checked with all of our most eminent scientists. If the Senator does not object, I should like to read it into the Record at this point. It is a very brief statement.

Mr. BYRD of West Virginia. I shall be delighted to have the distinguished Senator from Georgia read into the Record at this point the statement to which he has referred.

Mr. RUSSELL. This is the President's statement by television and radio on March 2, 1962:

> Natural radioactivity, as everyone knows, has always been part of the air around us, with certain long-range biological effects. By conservative estimate, the total effects from this test series will be roughly equal to only 1 percent of those due to this natural background. It has been estimated, in fact, that the exposure due to radioactivity from these tests will be less than one-fiftieth of the difference which can be experienced, due to variations in natural radioactivity, simply by living in different locations in this country.
>
> This will obviously be well within the guides for general population health and safety, as set by the Federal Radiation Council, and considerably less than one-tenth of 1 percent of the exposure guides set for adults who work with industrial radioactivity.

No one recommends radioactivity or fallout. We all wish to keep it limited to the lowest possibly degree, but the danger of fallout has certainly been overstressed, as stated by the President and by the report of the Federal Radiation Council as of May 4, 1963.

This is the official agency of the U.S. Government that surveys this matter to determine when there is a hazard to the health of our people. They conclude their report by saying:

> The Council concludes that the health risks from radioactivity in foods, now and over the next several years, are too small to justify countermeasures to limit intake of radionuclides by diet modifications or altering the normal distribution and use of food, particularly milk and dairy products.
>
> The presently estimated radiation dose to bone from all past (weapons) tests is about 465 millirem in 70 years, which is about one-twentieth (5 percent) the exposure from natural sources.

In other words, one gets more radioactivity by moving to Denver and living in that altitude than by conducting this comprehensive series of tests.

I thank the Senator and commend him for the great diligence he has manifested in preparing his excellent address.

Mr. BYRD of West Virginia. I thank the senior Senator from Georgia. I appreciate his having placed in the Record the statement of President Kennedy on natural radioactivity and test fallout.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to the Senator from South Carolina.

Mr. THURMOND. On the same point, I believe it is interesting to note what Dr. Teller said on this subject. I do not believe the Senator has referred to this specific statement.

Mr. BYRD of West Virginia. I was coming to the point of quoting Dr. Teller, but I shall be glad to have the Senator give the quotation.

Mr. THURMOND. Dr. Teller made this statement:

> This argument, while it sounds simple and plausible, is wrong. Fallout has so small an effect that nobody ever has observed it. And nobody knows either from direct observation, or from statistics, or from any valid theory whether the claimed damages in fact exist or do not exist. I want to talk about that a lot more, because talking about the effects of various doses of radiation leads us immediately into an interesting field of research which should be important for all of us. The plain fact is that we do not know what are the effects of small doses of radiation.
>
> We have heard that fallout produces a terrific genetic burden. To begin with, radiation from fallout is only 1 percent of the radiation which we are getting anyway.
>
> Fallout is not dangerous. But the fallout scare is. Many people know that a medical X-ray gives you 100 times as great a dose as fallout will give you in your whole lifetime. How many people have been scared away from X-rays? How many people have gone with their ailments unrecognized and untreated, only because there has been this needless and exaggerated fallout scare? I don't know. I don't know whether anybody has been killed by fallout, but I am sure that many have been killed by the fallout scare.

Further on that subject, it may be interesting to note what the former Secretary of Health, Education, and Welfare, who is now a distinguished Member of the Senate, had to say on September 9, 1963. The Senator from Connecticut [Mr. Ribicoff] said:

> We must face the fact that the land on which we live and work, the air we breathe, the water we drink and use in industry, agriculture and recreation have been altered over the past half century by a manmade fallout far more abundant and potentially more dangerous than the contamination of nuclear weapons testing.

I could quote many other authorities on the subject, but I thought it would be well for these two quotations to be brought in at this point.

I congratulate the distinguished Senator on the excellent address he is making. I shall have more to say as time goes on.

Mr. BYRD of West Virginia. I thank the distinguished Senator from South Carolina.

Dr. Teller had this to say, at page 428 of the test ban hearings:

> There is radioactivity in the air. The total amount is less than 10 percent in its effects, 10 percent of the natural radiation to which all of us have been exposed for millenia.
>
> Yet there is a point to not further increase this activity. Each year about 3 megatons worth of fission products decay. We could agree with the Russians not to release in any year more than 1 megaton fission products. Neither we release more than 1 megaton nor do they release more than 1 megaton.

On page 429 of the hearings, Dr. Teller said this:

> Under a ban of the kind that I describe, we could easily observe whatever the Russians or anybody else are doing. Under such a ban we would have the opportunity to acquire the knowledge we need about missile defense.
>
> Under that ban we would be permitted to do all the work that we need to do in the Plowshare program, in the peaceful uses; all of this becomes the more possible because we have developed clean explosives and we

> can make our experimentation with the release of little radioactivity.

At page 455 of the hearings, Dr. Teller said:

> Contamination in the atmosphere produces similar biological effects as a number of natural processes such as cosmic rays, radioactivity on the soil, radioactive potassium in the blood, in our blood. There are essentially no differences. The radioactivity in the atmosphere amounts in its worst biological effects over great numbers of people to 10 percent of the natural background.
>
> We have increased an effect, of which it has not been proven that it is a dangerous effect. We have increased that effect by 10 percent. Anybody who lives in Denver is exposed to a greater increase due to the fact that there is more uranium in the soil there and that it is higher and the cosmic ray intensity is greater. People in Denver are in greater danger than the increases to which we have been exposed due to the radioactivity in the atmosphere.
>
> Nevertheless, I have said and want to emphasize that it is reasonable to try to limit radioactivity in the air. We could do that by a special agreement drawn in a way proposed by Dr. Libby and myself 5 years ago, and we can make such an agreement without forgoing any of the tests or the developments which are needed for the military defense or which are needed for the peaceful applications.
>
> I claim that these two questions, the test ban and the fallout, are linked only by propaganda.

Dr. Teller, at page 500, sums up this question rather aptly by saying:

> Therefore, while fallout is no real problem from the point of view of health, it certainly is a great problem in connection with psychology and politics.

Dr. Austin M. Brues, Argonne National Laboratory, Lemont, Ill., had this to say during the 1957 hearings by the Joint Committee on Atomic Energy:

> It would be rash to claim that small radiation doses have no effect on humans in increasing bone cancer and leukemia. But it would seem reasonable to conclude that if there is any increase in the incidence of these diseases because of fallout, it is so slight as to be unnoticeable when compared with other suspected causes of bone cancer and leukemia.

During the 1959 hearings by the Joint Committee on Atomic Energy, Dr. Brues made the following statement:

> That we are on a reasonably secure basis can be illustrated if I rephrase the calculation I made at the earlier hearing, concerning the apparent hazard of cigarette smoking. In several countries of Europe it has been noted that the number of cigarettes consumed is in direct proportion to the incidence of lung cancer. If the radiation hazard at low levels is proportional to that at high levels, the same is possibly true of the cigarette. Taking into account the present fallout levels it would follow that they are about as likely to produce leukemia in an individual as two cigarettes a year to produce a lung cancer, using the worst guesses in each case.

At this point I should like to quote an interesting passage which appears on page 124 of "Our Nuclear Future," 1958, by Edward Teller and Albert L. Latter:

> We may summarize in this way: The fallout effect is below the statistically observable limit. It is also considerably less than the effect produced by moving from sea level to an elevated location like Denver, where cosmic radiation has a greater intensity. It is also less than having a chest X-ray every year. In other words, we know enough to state positively that the danger from the worldwide fallout is less than many other radiation effects which have not worried people and do not worry them now.

Of course, many nuclear tests have been conducted since Drs. Brues, Teller, and Latter made these statements in 1957, 1958, and 1959.

But current statements regarding fallout hazards reflect the same basic opinion as that which was expressed by well-informed people in earlier years.

For example, Dr. Willard F. Libby, University of California, has this to say about the biological effects of radiation in "Nuclear Ambush," 1963:

> Whatever the extent of our ignorance of the biological effects of radiation, we do know that these effects are not unexperienced by the human species, even from the genetic point of view, since it is clear now that persons living at high altitudes on granite rocks always have received extra radiation many times greater than is contained in radioactive fallout from the testing of nuclear weapons, and that even those living on certain sedimentary rocks at sea level always have received ten to twenty times the present fallout dose.

Earl H. Voss, author of "Nuclear Ambush"—the test ban trap—says some very interesting things about the dangers of radiation from fallout. On page 10 of the book, this statement will be found:

> Fallout radioactivity would have to deliver doses hundreds of times greater than the present dose to produce detectable effects.

On page 21 of his book, Mr. Voss makes this statement:

> Natural background gives the average individual a 7-roentgen radiation dose stretched over a period of 70 years. Fallout gives him 0.2 to 0.4 roentgen over the same 70-year period.

Mr. Voss continues on pages 22, 23, and 24 with these statements:

> This excursion into the basic science of radiation has shown that the hazard of nuclear test fallout is trifling—3 to 5 percent—compared to background radiation hazards the world accepts without question. How distorted the thinking has become can be made clear by comparing fallout with other hazards, using some popular statistical techniques.
>
> Over the past 20 years, in the United States, there have been six fatal accidents and a small number of injuries to atomic energy workers from ionizing radiation. For most of these 20 years automobile accidents have been causing more than 30,000 deaths per year. But each of the four radiation accidents that caused the six deaths among atomic energy workers has received worldwide publicity; the fact that over 100 nuclear-energy workers have been killed in automobile accidents alone during the same period has gone unnoticed.
>
> Smokestacks belch millions of tons of acid, silicone, beryllium, lead, and arsenic—all widely suspected to be cancer agents—while scientists are sifting the air for faint traces of radioactive fallout.
>
> Living in a brick house gives a person 20 times the radiation dose one gets from fallout. But world attention has been concentrated on limiting the strontium 90, not on finding a substitute for bricks. There is no known case of moving from a brick house to a frame house to avoid radioactivity.
>
> Luminous-dial wrist watches give off as much as 10 times the radiation dose that fallout produces.
>
> Science suspects automobile exhausts, as it suspects fallout, of producing cancer. But no one has suggested declaring a moratorium on automobile transportation, or even making a multimillion dollar investigation of auto exhausts.
>
> Principally because of the fallout problem, science has been stimulated to learn much more about radiation as a cause of cancer and other health problems than it knows about almost any other occupational or environmental hazard. Benzpyrene, for instance, was discovered in the early 1930's to be a powerful cancer-producing agent in mice. Combustion of petroleum by autos yields more than enough benzpyrene to produce a cancer hazard. In large American cities, there is so much benzpyrene in the air that it settles on windowsills in measurable quantities. But there has been no scientific investigation of the hazard of benzpyrene at low doses.
>
> On the east coast, the annual radiation from natural sources is about 0.1 roentgen per year, while Denver and other large Coloradan cities get about twice that amount from natural background sources. Denver is expanding despite this health hazard. And New York reports a higher rate of leukemia than Colorado, presumably from causes other than radiation.

Mr. Voss thus makes the point that it is misleading to urge that this recently discovered factor—fallout—is the sole cause, major cause, or minor cause of cancers, bone tumors, and leukemia when ranged against "a whole spectrum of causes and changes."

Mr. President, the Communists have shown by their detonation of huge bombs that they are not worried about fallout. However, they have been eager to build up our fear of fallout to establish momentum for a test ban treaty which would be to their advantage.

I do not advocate that additional fallout would be beneficial, but I regret that much of the support for this treaty has been generated by hysteria about distorted and exaggerated dangers of fallout radiation.

Referring to the explosion of nuclear bombs, Admiral Strauss said, at page 685 of the hearings before the Committee on Foreign Relations:

> Most of those which have been exploded in the intervening years, the fusion type of weapon has been involved with relatively less radioactive debris. The decay rate is not the same for all types of debris. Some of the fission products have very brief half lives; seconds and minutes. Some of them have many, many years. So that it is impossible for me as a layman to give you a clear picture of the totality. But of this I am assured, also on competent authority, that the total amount of radioactivity in the biosphere, that is to say, the air and the waters and the lands, which has resulted from nuclear testing since the first bomb was tested at Alamagordo, is about 5 percent of the radioactivity experienced by people in the world who live in the civilized part of the world where we have medical and dental X-rays, and about 10 percent of the radioactivity experienced by the population of the world generally.

At page 686 of the hearing before the Committee on Foreign Relations, Admiral Strauss said:

> As I understand it, there is a great divergence of opinion not only among the physicists, as was pointed out this morning, but among the geneticists. There are those who regard the most infinitesimal additions to

> the radioactivity in the atmosphere as deleterious. There are others who take the view that nothing, definitely nothing, has been proved in either human or animal experimentation that would warrant such an assumption.
>
> I read testimony, I read a newspaper account of testimony before this committee in which Dr. Seaborg, the Chairman of the Atomic Energy Commission, stated, if I recall correctly, that industrial pollution of the atmosphere was a far more serious threat than radioactive pollution. We accept that as a necessary component of modern life. I accept the radioactive contamination of the atmosphere to the extent that it exists as a necessary component of being prepared to defend ourselves.

Admiral Strauss was referring to industrial pollution of the atmosphere, a far more serious threat than radioactive pollution.

One final interesting reference to fallout is to be noted in a colloquy between General Power and Senator JACKSON appearing on page 38 of the released declassified testimony of General Power:

> General POWER. I am thoroughly familiar with the radiation problem as someone who writes a war plan and has to take this fallout into consideration. I believe I have available to me the opinions of all the experts. There is by no means agreement among all the experts, but I do feel that, as a general statement, in some areas the danger of fallout has been greatly overexaggerated. I think the type of testing that we have done or that we had contemplated doing is well within the acceptable risk limits.
>
> It would be negligible, in relation to the natural fallout you are subjected to at all times, and that is what they are referring to in the difference between Denver and sea level.
>
> Senator JACKSON. On this question of fallout it is well to mention too, General, that as a result of nuclear tests the country became conscious of practices that had been indulged in by the medical and dental professions, shoe salesmen, and so on. The knowledge of these practices resulted in corrections that have helped to safeguard people which would not have been made otherwise.
>
> I think that this is a very interesting point because, to my knowledge, more harm and more damage was being done by the careless practices, X-raying everybody for everything, shoe salesmen with the X-ray business for the feet, and dentists with the harm that many received as a result of poor practices in the handling of dental X-rays.
>
> If nothing else, we have made the country alert to some of these practices that have been definitely harmful.

Mr. THURMOND. Mr. President, will the Senator from West Virginia yield?

The PRESIDING OFFICER (Mr. BAYH in the chair). Does the Senator from West Virgina yield to the Senator from South Carolina?

Mr. BYRD of West Virginia. I am glad to yield.

Mr. THURMOND. The Senator from West Virginia is making an excellent case in refuting the statements of those who claim it is dangerous to continue to produce fallout; and I commend him.

If the Senator from West Virginia will permit me to do so, I should like to place in the RECORD the testimony of Dr. Foster, which appears on pages 632 and 633 of the hearings before the Senate Committee on Foreign Relations.

Mr. BYRD of West Virginia. Certainly.

Mr. THURMOND. It reads as follows:

> Senator THURMOND. Dr. Foster, on the question of the fallout to which Senator BYRD referred to a few moments ago, that seems to be the question that is disturbing a great many people today who tend to favor the treaty where otherwise they might be against it.
>
> On this question, if I recall correctly, last week or the week before some scientists made the statement that one would get more radiaiton from living in the mountains of Colorado than from fallout.
>
> Dr. FOSTER. That is correct, sir.
>
> Senator THURMOND. That is correct.
>
> I believe it is also true that one living in a brick house would get 20 times more radiation than he would get from fallout.
>
> Dr. FOSTER. Well, sir, there you are ahead of me. I do not know that because——
>
> Senator THURMOND. Mr. Earl Voss, I believe, brought that out in his book "Nuclear Ambush."
>
> Dr. FOSTER. Yes.
>
> Senator THURMOND. And one wearing a wristwatch with a luminous dial, as I have on here, would get 10 times as much radiation as he would get from fallout.
>
> Dr. FOSTER. I am familiar with the arguments, sir. I do not know that a wristwatch——
>
> Senator THURMOND. Does that sound reasonable? In other words, do those statements sound reasonable to you?
>
> Dr. FOSTER. It is true that natural background is large compared with the additional activity, radioactivity, associated with fallout from all past tests.
>
> Senator THURMOND. Isn't it a matter of fact that the fallout mentioned by some of those who favor this treaty, the propaganda that is being disseminated and the bugaboo that is being raised, that the fallout is imperceptible, and is of little consequence?
>
> Dr. FOSTER. I think, sir, that the problem or the question of fallout is of insignificance, of little significance, compared to the major issue with which the development of warheads is attempting to deal.
>
> Senator THURMOND. What people want to know is this: We have been reading about fallout, fallout in milk, and fallout in food and resulting injury to the future generation. Is it possible for this fallout to bring about sterility and various other reactions?
>
> I just want to ask you whether you feel that there is danger to people's health from the little fallout radiation resulting from the tests we have conducted?
>
> Dr. FOSTER. No, sir.
>
> Senator THURMOND. Your answer is "No"?
>
> Dr. FOSTER. My answer is no.
>
> Senator THURMOND. Thank you.

I thought it might be pertinent to add that to the citations the distinguished Senator from West Virginia has presented in the course of his excellent address.

Mr. BYRD of West Virginia. It is very pertinent; and I thank the Senator from South Carolina.

Mr. STENNIS. Mr. President, will the Senator from West Virginia yield?

Mr. BYRD of West Virginia. I am glad to yield.

Mr. STENNIS. I thank the Senator for yielding to me. In view of the fact that I am compelled to attend a meeting, I must interrupt him now.

During the hearings of the Preparedness Investigating Subcommittee, I noticed that the Senator from West Virginia attended most of the hearings, even at the expense of his work schedule, which already was very heavy, indeed. I observed there his intense interest in the subject; and now I marvel at the thoroughness and the completeness of the fine speech he has prepared and is delivering today.

I have had an opportunity to glance through the printed copy of his entire speech; and I find it both learned, interesting, and sound. I predict that it will not be, and cannot be, effectively answered during this debate.

I believe his speech is in keeping with the very best stature and tradition of the Senate in sitting as a special constitutional body to consider treaties. His speech is also in keeping with the very fine stature of the Senator from West Virginia, who is not given to idle talk; instead, when he brings a matter to the attention of the Senate, his statement is one of substance.

I wish especially to commend him, too, for the very effective way in which he has dealt with the fallout question. He has thoroughly demonstrated that even when considered at its worst, the question of fallout really has no bearing on the question of the Senate's approval of the treaty.

I believe the Senator from West Virginia has made that point more clearly and more conclusively than anyone else has; and I look forward with pleasure to hearing the remainder of his excellent speech. I thank the Senator from West Virginia for it.

Mr. BYRD of West Virginia. Mr. President, I am very grateful to the Senator from Mississippi.

THE TEST BAN WILL SERVE TO DEEPEN THE RIFT BETWEEN RUSSIA AND RED CHINA

Mr. President, most of the differences between the Soviet Union and Red China can be boiled down to one basic question: How should the further prosecution of the Communist revolution proceed? The basic threat is too often overlooked; the Soviets and the Chinese have one sacred and irrevocable goal: the destruction of capitalism, the destruction of any religion which acknowledges the existence of a Supreme Being, and the destruction of all systems of free government. The Chinese advocate brute violence as the means for advancing the revolution, while the Soviets are, at the moment, advocating more subtle approaches, through "peaceful coexistence," with emphasis on subversion, political machinations, and economic warfare.

The policy of peaceful coexistence does not simply mean "you live there; we live here." It is, in reality, a sophisticated doctrine of aggression, relaxation of tensions, retreat, and advance. By no means does it approach the state of genuine peace. Khrushchev, on January 6, 1961, described peaceful coexistence as follows:

> Peaceful coexistence is the high road of international relations between socialist and capitalist countries. The policy of peaceful coexistence * * * is a form of intense economic, political, and ideological struggle against the aggressive forces of imperialism in the international arena.

Thus, peaceful coexistence is to be construed as a continuation of the battle against our system of government and our way of life; and it does not mean that war has been discarded as an instrument of achieving victory.

The crux of the issue between the Soviets and the Chinese concerns the utility of war. Western observations may have magnified this dispute out of proportion, and may have reached hasty judgments concerning the Sino-Soviet split. Some commentators have gone so far as to predict that the Soviet desire for a détente with the West stems from the realization that the United States and the Soviet Union will have to join forces to contain Red China. However, we should remember that a few years ago Khrushchev and Tito were at each other's throats, whereas we have just witnessed 15 days of back-patting, folk dancing, and general joviality between Tito, the man who earlier was being denounced, and Khrushchev, the denouncer. This turnabout within the Communist world may occur again in the case of Red China. We cannot be certain that the quarrels will not be patched up and that Sino-Soviet cooperation will not begin again. As a matter of fact, in the absence of any inspection right to accompany this treaty, we will never be able to ascertain whether a nuclear test by China—which would not be a violation of the treaty, inasmuch as China has not signed it—was assisted by the Soviet Union.

The rapprochement we have just witnessed between Mr. Khrushchev and Mr. Tito may, indeed, signal a new and gigantic offensive to bring about more trade with the West. It was reported that one of the major interests of Khrushchev in his tour of Yugoslavia was the tangible benefits of Yugoslav cooperation with Western countries. It was reported that the Soviet leader toured factories operated under British and Italian licenses as well as a plastics and chemical factory built with funds from the U.S. development loan fund where he observed firsthand the fruits of cooperation with the West. Perhaps we will now find Khrushchev seeking goods from us that are in short supply in the Soviet Union, such as computers, data-processing machines, and other complex products. It would not surprise me to find the Communists seeking a loan to help the Soviet bloc's Council for Mutual Economic Assistance. Perhaps we will even find the Communists seeking to discuss a lend-lease settlement as a starting-point for obtaining aid from us. This is not improbable because the Soviet Union is one of the very few countries with whom a settlement on lend-lease accounts has not been reached. Or we may find that the Soviets will launch a different type of economic warfare, undermining Western export trade by flooding choice markets with low-priced goods, possibly even using Yugoslavia as a transshipment post.

Mr. President, I wish that the present rift between Russia and Red China could be considered deep, lasting, and irreparable. I doubt that the pages of history will reveal such to be the case. It may be quite possible, however, that, as a result of the treaty, Red China may feel the need to undertake hostile acts against the Indian subcontinent or other areas as a manifestation of her Marxist orthodoxy, and such hostile acts could, of course, involve Great Britain and the United States in the defense of these areas.

Admiral Strauss as shown on page 691 of the hearings, had the following to say about China and Russia:

> Admiral STRAUSS. Well, I have the feeling that the temporary breaches between dictators are like those between monarchs in the Middle Ages. They develop quickly and they heal quickly, and inexplicably. I pointed out—I don't know whether you were here, Senator—that I had seen photographs this morning in some of the daily press showing Mr. Khrushchev and Mr. Tito embracing. Not so very long ago they were with daggers drawn. Who would know on what day Mr. Khrushchev and Mr. Mao Tse-tung would compose their differences?
>
> It seems to me so flimsy a road upon which to base our foreign policy that I considered dropping it from my statement this morning.

Certainly, Mr. President, all that glitters is not gold, and the lessons of the past should long ago have taught us that the words of Lenin, the founder of the Soviet system, have never been deviated from by the Communists in their drive for world conquest:

> We have to use any ruse, dodges, tricks, cunning, unlawful method, concealment, and veiling of the truth.

General LeMay voiced the same opinion that was voiced by Admiral Strauss. The testimony appears on page 362 of the hearings. General LeMay said:

> General LEMAY. I think they probably have some differences of opinion. But I believe that they are mostly on how to advance world communism, and it is my opinion if there was any real trouble in the world we would find that very quickly Russia and China would get back together again. They do have a mutual defense pact, and I certainly think it would be invoked and operating efficiently if it was necessary.
>
> Senator AIKEN. If the United States had trouble with either one of them, you think they would get together again? If China becomes very aggressive toward India or other countries in southeastern Asia, do you think Russia and China would get together then?
>
> General LEMAY. I think they would; yes. As a matter of fact, China has a very vigorous program in southeast Asia now. Russia knows about it, and probably agrees with it.

THE TEST BAN WILL CONTRIBUTE TO A LESSENING OF TENSIONS AND BE A STEP TOWARD OTHER AGREEMENTS AND EVENTUAL PEACE

Those who advocate the treaty as a way of lessening tensions forget that the very nature of communism suggests that an atmosphere of tension is the desired political atmosphere in which to press Communist goals. Nathan Leites, in "A Study of Bolshevism," 1953, alerts us to the attitudes and methods of our adversaries as follows:

> To Bolsheviks, the high tension is the normal state of politics. They do not experience it as something that just cannot go on, but rather as something that necessarily persists. What Westerners call a real agreement seems to Bolsheviks inconceivable. It is often predicted in the West that if particular issues * * * could be settled with the Politburo, an easing of the overall tension might ensue. For Bolsheviks, this does not follow. There might be less noise, but the basic situation—the presence of two blocs attempting to annihilate each other—would be unchanged.

If the Soviets genuinely desired to relieve world tensions they could easily do so by tearing down the wall separating East Berlin from West Berlin. They could ease international tensions by permitting the reunification of Germany through free elections. They could relieve tensions by withdrawing their armies from the captive countries of Eastern Europe. They could even go so far as to withdraw their men and armaments from Cuba. These are but a few of the genuine causes of world tensions and the Soviets could easily show their good faith by promptly acting to remove these causes. And speaking of Cuba, may I, parenthetically, recall to mind that Andrei Gromyko, the Soviet Foreign Minister who signed the nuclear test ban treaty for the Soviet Union, falsely told President Kennedy on October 18, 1962, that the missiles which had been sent to Cuba were purely defensive. I quote from President Kennedy's broadcast of October 22:

> Only last Thursday, as evidence of this rapid offensive buildup was already in my hand, Soviet Foreign Minister Gromyko told me in my office that he was instructed to make it clear once again, as he said his Government had already done, that Soviet assistance to Cuba, and I quote him, "training by Soviet specialists of Cuban nationals in handling defensive armaments was by no means offensive," and that, "if it were otherwise," Mr. Gromyko went on, "the Soviet Government would never become involved in rendering such assistance."

That statement was false. In other words, the President meant that Mr. Gromyko was a liar.

It is less than a year since attention was publicly called to this falsehood, less than a year since the Soviet Union took the world to the very brink of nuclear war—less than a year since Senators were notified to attend briefings in various parts of the United States in connection with the Cuban crisis. Yet, we are called upon to consent to a treaty with the nation, which so recently demonstrated it still harbors the aim of world conquest, signed by the very man who lied to our President.

The free world has all too often been willing to accept at face value every apparent shifting of Soviet lines in the ideological arena. Yet, shifting Soviet positions have just as often simply confused the issue, compounded the complexities, and created a climate of crisis rather than a lasting lessening of tensions. Leites refers to the alacrity and purpose with which the Soviets are able to change position. He says:

> Westerners have often commented that there is, in negotiating with the Soviet Union, no common search for a solution to common problems, no discussion in the western sense of the term; the Soviet delegates elaborate or change their position in strict isolation and then present it in dogmatic fashion. They fairly take account of the views and objections of the other side.

We must ever be wary concerning what may appear to be a concession or a modification of position or retreat. In this connection, Lenin wrote:

> Revoluntionary parties must go on learning. They have learned how to attack. Now it is time for them to realize that this knowledge must be supplemented by acquiring a knowledge of how best to retreat. We have got to understand (and a revolutionary class learns this by bitter experience) that victory can only be won by those who have learned the proper method both of advance and retreat. (Works, Russian edition, vol. XVII, p. 121.)

Stalin, in one of his lectures in 1924, explained the purpose of such retreat in this way:

> The object of such strategy is to gain time, to scatter the forces of the enemy while consolidating our own for a future advance.

Mr. THURMOND. Mr. President, will the Senator yield at that point?

Mr. BYRD of West Virginia. I yield to the Senator from South Carolina.

Mr. THURMOND. Since the Soviets conducted tests in 1961 and 1962 and got ahead of the United States in high-yield weapons, I wonder whether they might not wish to gain time—to buy time—in order to develop the weapons in accordance with the knowledge they have gained. Therefore, they may be tendering the treaty for that purpose.

Mr. BYRD of West Virginia. I have no doubt that this is one purpose, if they are indeed ahead; and I do not doubt that they are.

Mr. THURMOND. From 1958 until September 1961, there was a moratorium on testing. During that time the Soviets prepared carefully and assiduously, then suddenly broke the moratorium and immediately went back to testing. They gained time to prepare for testing. They now have tested. It is highly possible that they wish to gain time to manufacture the weapons with which to try to destroy us during the pendency of the treaty.

Is there any doubt in the Senator's mind that as soon as the Soviets feel they are ready with their weapons they will take the next step? It is a Communist trick to take two steps forward and one back—two forward and one back—for so long as they are moving two forward and one back they are gaining. Does the Senator have any question at all that when the Communists are ready to proceed with their next step they will not hesitate to violate the treaty, abrogate the treaty, or pursue some course which would force the United States to abrogate the treaty?

Mr. BYRD of West Virginia. I have no doubt that the development which is predicted by the Senator from South Carolina will ensue, as I shall show later in my statement.

The Soviets have frequently sought release from international tensions in order to be able to solidify and increment their warmaking or defense capabilities. Many people view the present treaty as the first sign of dawn on the horizon of genuine peace. Peace, to be sure, is our strongest desire, and toward that goal we must continue to strive. But it may be timely to recall the Biblical admonition: "When a strong man, armed, keepeth his palace, his goods are in peace." It is equally necessary to remember that the Communists frequently do not interpret words as we interpret them, and this may be equally true of the word peace. As to the evolvement of peace from the signing of this treaty, I call the attention of the Senate to a reference, made by Admiral Arleigh Burke during his testimony on the treaty, to the statement of a Radio Moscow commentator on August 1, midway between the initialling and signing of the treaty. Admiral Burke quoted the Moscow commentator as follows:

> The argument that some newspapers and politicians are harping on more and more persistently is that Soviet policy is undergoing some changes. And some people even go so far as to make the ridiculous assertion that the Soviet Union has openly renounced Lenin's doctrine, and has actually stated that war is impermissible as an instrument of policy. Facts do not back up this absurd contention.

The Moscow commentator went on to say:

> The initialing of the treaty to ban nuclear tests in the three elements is therefore a direct result of the fight waged by the Soviet Union for many years, and it is certainly not a result of any change in Soviet policy, or departure from Lenin's principles.

Admiral Burke continued in his own words:

> Hence, it would appear to even the casual observer of Soviet reaction to the current state of affairs that the Soviets themselves view the test ban treaty as a "victory for the policy of peaceful coexistence."

Admiral Burke proceeded then to indicate, as I have already indicated, that "the interpretation of peaceful coexistence is crucial."

Peace, in the eyes of the Communists, is but a masquerade under which war is waged by new techniques. Infiltration and subversion, espionage, propaganda, the fear complex, group pressure, nuclear blackmail, all these and more, signify a peace that is not peace, a war that is not war.

Referring to the argument being advanced with reference to reduced tensions, Admiral Strauss, as shown on page 691 of the hearings on the test ban treaty, commented thusly:

> Reduction of tensions. I am not satisfied—I am not sure that the reduction of tensions is necessarily a good thing. Our tensions were very much reduced following the moratorium and I can give you at least one result of it. We abandoned our proving ground in the Pacific, that costly installation there which had involved an outlay of many millions of dollars, and a result was that when the President decided very properly to resume testing after the Russians had resumed, it was a matter of months, some 7 or more months, before we were able to pick up where we had left off.

And so, genuine peace, that bright crown for which mankind has so nobly aspired throughout the ages, is as elusive today as ever. Indeed, 2,000 years ago, a humble Nazarene warned us that the prize would continue to flee from our grasp when He said, as recorded in the 24th chapter of the gospel according to St. Matthew:

> And ye shall hear of wars and rumours of wars; see that ye be not troubled; for all these things must come to pass, but the end is not yet.
>
> For nation shall rise against nation, and kingdom against kingdom; and there shall be famines, and pestilences, and earthquakes, in divers places.

THE TEST BAN TREATY WILL SLOW, OR SIGNAL THE END OF, THE ARMS RACE

Mr. President, the treaty, in the words of Secretary of Defense McNamara, "will not end the threat of nuclear war. It will not reduce the existing stockpiles of nuclear weapons. It will not halt the production of nuclear weapons." Additionally, the treaty will not prohibit the use of nuclear weapons in war. It is unnecessary to state that it has equally no bearing whatsoever on the development, production, and use of conventional weapons.

The President of the United States in his message to the Senate said:

> This treaty advances, though it does not assure, world peace; and it will inhibit, though it does not prohibit, the nuclear arms race.
>
> While it does not prohibit the United States and the Soviet Union from engaging in all nuclear tests, it will radically limit the testing in which both nations would otherwise engage.
>
> While it will not halt the production or reduce the existing stockpiles of nuclear weapons—

The President said—

> it would be a first step toward limiting the nuclear arms race.
>
> While it will not end the threat of nuclear war or outlaw the use of nuclear weapons—

He went on to say that—

> it can reduce world tensions, open a way to further agreements, and thereby help to ease the threat of war.

Secretary Rusk, on page 13 of the hearings, stated:

> This treaty does not affect the use of nuclear weapons in war. It has to do with nuclear weapon testing in time of peace.

On page 28 Secretary Rusk said:

> There is nothing here that interferes with the production of nuclear weapons, for example, the deployment of nuclear weapons, the use of nuclear weapons in war.

Secretary Rusk said, as shown on page 29:

> This treaty itself does not reduce weapons in being or prevent their further production.

Mr. Khrushchev in his speech on July 2, in Berlin, expressed a similar understanding. After stating the willingness of the Soviet Government to conclude a limited agreement banning nuclear tests, he said this:

> Of course, an agreement on the ending of nuclear tests, notwithstanding all the importance of this major act, cannot stop the arms race, and cannot avert or even substantially weaken the danger of thermonuclear war.

Gen. Curtis LeMay, Chief of Staff of the U.S. Air Force, said this, as appears on page 371 of the test ban treaty hearings:

> I would think—

Referring to the treaty—

> it would have no effect on the production of weapons or the knowledge we now have. Certainly Russia is going to produce all the tactical weapons that it considers it must have, as we would, of the kind we now build. It may slow down the modernization of the stockpile, if we want to speak of it in that regard.
>
> It quite possibly would slow down the research and the advance in weapons of some types.

General LeMay went on to say, as appears on page 401:

> I don't think we are any farther or any closer to a nuclear war with or without the test ban treaty.
>
> Senator AIKEN. I don't think anyone can answer that, anyway.
>
> General WHEELER. I think you have to recognize this, Senator, that this test ban treaty doesn't lessen the number of weapons in stockpile, it doesn't change the production of weapons, and I think we would all agree that the threat is still the same. In other words, I believe the objectives of the Soviets are still world domination. So you have about six of one and a half dozen of the other, I would say.

I read from pages 404 and 405 of the hearings:

> Senator CURTIS. Well, now, the next question has to do with money and may I preface it so that the record will be clear.
>
> I think we have to have the top defense regardless of what it costs and I believe that the American people are of that opinion. Never in the history of the United States have they kept up the degree of preparedness we have and the people accept it gladly, whether it is an extension of the draft or heavy appropriations and the rank and file of people that I meet on Main Street of the towns of Nebraska, they want this country defended and they are not complaining about it.
>
> But just as a matter of information, if the safeguards that you favor are adequately carried out, is this test ban, would this test ban, then be a moneysaver?
>
> General WHEELER. On the contrary, I would say, Senator, if I may offer my opinion first. As I look at it, the military threat to our security from the Soviet Union specifically and from the Communist bloc in general, is not lessened in one degree by this particular treaty.
>
> The safeguards also, in my opinion, are going to cost sums of money over and above the sizable military budget that the chairman pointed out this morning.
>
> General LEMAY. I would agree that the military budget will probably go up as a result of the treaty, not down.

In view of what these witnesses have said, therefore, Mr. President, I cannot agree that this treaty will signal the end of the arms race.

Even if both sides were scrupulously to abide by the treaty, we are assured that the safeguards stipulated by the Joint Chiefs of Staff will, fortunately, be implemented. Consequently, we say, we will test underground aggressively; we will maintain our laboratories in a high state of readiness for the possible resumption of atmospheric testing; and we will improve our system of monitoring tests which may be conducted surreptitiously in violation of the treaty. I think we can be sure that the Soviets will attempt to exploit every advantage gained during the course of the post-moratorium atmospheric tests. They will exploit and press their lead in high-yield weapons. Both sides will do everything possible to develop and deploy an anti-missile-missile system. If, as it is said, we are ahead of the Soviets in tactical nuclear weapons, they will strive to overcome our lead while we strive to maintain it. As to the production of conventional weapons, this will continue unabated, and perhaps even be accelerated. The end of the arms race is nowhere in sight and, in all probability, will be as elusive as ever when the treaty becomes a fait accompli.

THE TEST BAN WILL MAKE IT MORE DIFFICULT FOR RUSSIA TO CATCH UP WITH THE UNITED STATES IN THE FIELD OF NUCLEAR EXPLOSIVES

Those who advance this argument say that underground testing is considerably more expensive than atmospheric testing and that, in view of the fact that this will be the only environment in which tests may be conducted under the treaty, the financial burden upon the Soviets will be such that they will be inhibited from progressing as rapidly as they would otherwise progress in catching up with the United States in the field of tactical nuclear weapons. It is also said that we are further along in the state of the art, insofar as underground testing is concerned, and that this will make it doubly difficult for the Russians to catch up. Of course, the very nature of the Soviet society makes it difficult for us to be absolutely positive that we are ahead of the Russians in the development of tactical nuclear weapons. It is possibly an assumption based on another assumption, to wit: That we have conducted more underground tests than have the Soviets and we have, consequently, made greater progress in this area of testing. Dr. Edward Teller, in his testimony before the Preparedness Investigating Subcommittee, said:

> It is by no means certain that the United States is ahead of the Soviet Union in the knowledge of producing and using nuclear weapons. In the field of big weapons, Russian lead has been demonstrated before the eyes of the world. In this category Russian tests decisively outnumber United States tests.
>
> In the category of smaller weapons, from a few kilotons to a megaton, the known Russian tests are somewhat fewer in number than the American tests. It is possible, however, that we may have missed quite a few Russian tests in this range. In the important subkiloton range (deleted). There is no objective justification to assume, as is usually done, that in this area we are ahead.

General LeMay had this comment, as appears at page 391 of the hearings, with reference to the oft-repeated statement that we are ahead in the field of low-yield nuclear weapons. His statement was prefaced by this question, which was put by the Senator from Rhode Island [Mr. PASTORE]:

> But I had asked you a question previous to that, and I asked you whether or not the balance of power, nuclear power, was in our favor overall against the Russians, and you said it was in our favor.
>
> Now, if that is true, if it is in our favor, and we stopped there, what have we got to lose?
>
> General LEMAY. Well, if it would stay there, probably we wouldn't have much to lose.
>
> But I wonder whether it is going to stay there or not, and, in addition to that, this is just our estimate of the situation. Our delivery capabilities, I think, at the present time are better than the Russians. That doesn't mean they are going to stay that way.
>
> I think we have more weapons and a greater variety of weapons now than the Russians have. That doesn't mean it is going to stay that way.
>
> The thing that worries me is that this preserves the uncertainties that we have in our mind now for as long as the treaty is going to be in effect [deleted].
>
> We just don't all know the things we would like to know about the vulnerabilities of [deleted] systems [deleted].
>
> Senator PASTORE. Can I interrupt you there, General? Do you think that the Russians know?
>
> General LEMAY. They may know a great deal more about it than we do, as a result of the last two series of tests that they have run. [Deleted.]
>
> This bothers me, and one of the things that I don't like is that if this is true and they do know more than we do, they may know something that is vital. They may have been able to pick up a weakness in our defense system that they can exploit.
>
> There is some reason for them wanting this treaty when they didn't want it on two occasions before. What is it?

General LeMay went on to say:

> These are the disadvantages that we see. They are possibilities and we certainly have tried to say that even with the safeguards that we have suggested that we have, that certainly ratifying the treaty is not without its risks.
>
> Now, I pointed out these other uncertainties, that we don't know. For instance, [deleted] that the Russians are ahead of us in the high-yield spectrum, we are about equal in the [deleted] megaton range, and we are ahead in the lower [deleted] range.
>
> Now, I can't prove otherwise, but I am very suspicious.

General LeMay here was expressing his suspicions as to the assumption that the United States is clearly in the lead in the field of low-yield nuclear weapons. He said:

> Now, I can't prove otherwise, but I am very suspicious, because we know [deleted] that the Russians were planning a test program [deleted] before they broke the moratorium and started testing. [Deleted.]
>
> Senator PASTORE. I agree.
>
> General LEMAY. They may have been preparing for it longer.
>
> Now, when they did break the moratorium and start their testing program, [deleted] the size of the program, and the comprehensiveness of it, this is an area where we could detect the explosions and learn something about it.
>
> I can't quite swallow [deleted] that they didn't do equally well in the lower ranges where [deleted] what they were doing.
>
> I am inclined to agree—

Again referring to the statement that we are ahead in the field of low-yield nuclear weapons—

> I am inclined to agree with it because I can't prove it otherwise. But I am suspicious, and there may be a possibility here they are ahead throughout the spectrum.
>
> Now I will admit [deleted] technicians say that the odds are against [deleted] but they also say there is a possibility.

Therefore, one of our key military men, Mr. President, as I have just read, questioned the statement, and indicated a strong suspicion that perhaps we are not really ahead in the low-yield nuclear weapons field.

At page 407 the Senator from Idaho [Mr. CHURCH] said:

> The area within which tests will continue under the treaty, as I understand your testimony, is in that field where we feel we have the greatest experience and have made the most advances; is that correct?

Of course, that is the low-yield nuclear weapons field.

General LeMay answered:

> We think; I am not sure of it. I am probably less sure than the other two Chiefs. But this is the general consensus of opinion, but one that I worry about particularly.

I, too, worry about it, Mr. President.

A point that should be emphasized is that the test ban will render it impossible for the United States to catch up with the Russians in the area of high-yield weapons because of the ban on atmospheric tests, while the Russians will be permitted, by the treaty's terms, to conduct underground tests and, thus, catch up with us in the tactical nuclear weapons field where we think we are ahead. In summation, we may be kidding ourselves when we depend upon our being ahead of the Russians in the field of small weapons, and I have no doubt that we are kidding ourselves when we argue that this treaty will make it difficult for the Russians to catch up in this field.

History will show that the Soviets have not been disconcerted when confronted with difficult problems. They produced the atomic bomb long before we thought they could produce it; they produced the hydrogen bomb long before we predicted; and they launched Sputnik I, to our consternation and amazement. Moreover, while our feats in putting astronauts in orbit have been remarkable, the Soviets have excelled us. Who will say that these achievements have not been difficult or expensive? It is obvious that they have required the marshalling of tremendous energy, brains, and money.

The Soviets have shown that they can make rapid advances in research and development when they contribute maximum effort and emphasis to the task.

Additionally, there is always the possibility that the Soviets will make a major breakthrough in nuclear technology which will permit them to achieve substantial reductions in cost.

Soviet national resources may be under heavy strain, but this does not mean that even greater stress cannot be put upon them. The Soviets repeatedly have put their national resources under great strain, but this has never interfered with their determination to secure supremacy, for example, in space research and exploration. Yet, the Soviet leadership evinced little apparent concern that the Soviet population was made to suffer through strictures on consumer goods. As a matter of fact, the people of the Soviet Union apparently have always been willing to make whatever sacrifices appeared to be necessary, and I am sure that they stand ready today to make whatever further sacrifices are required of them by their leaders.

There are those who said that Cuba would prove to be too expensive for the Soviet Union, but that theory has thus far proved to be false. As Adm. Arleigh Burke stated in his appearance before the Preparedness Investigating Subcommittee:

> Cost alone should not be the standard measurement for our attempting to explain what is and what is not in the best interest of any enemy nation. The use of criteria which normally we would apply in attempting to clarify a given course of action for the United States will be of little value when applied to the motives or desires of a totalitarian adversary. Far too often the Communists have defied reason and logic to pursue seemingly impossible objectives; and far too often we have made false assessments of their ability or willingness to pursue those impossible objectives.

Mr. President, I do not think that any of us can be absolutely sure that we are actually ahead of the Russians in overall nuclear technology. Yet, with few exceptions, one after another of the witnesses who appeared to support the treaty stated it as his opinion that the United States now enjoys technological superiority over the Soviet Union and will, through its participation in the proposed test ban treaty, maintain that superiority. According to this argument, parity between the Soviet Union and the United States does not now exist nor will it ensue in the foreseeable future. Secretary McNamara pointed out in his statement that:

> This prolongation of our technological superiority will be a principal direct military effect of the treaty on the future military balance.

He referred to our technological superiority and said it would be prolonged under the treaty. Yet at page 113 of the hearing Secretary McNamara had something interesting to note. The Senator from Rhode Island [Mr. PASTORE] had made this statement:

> I would like to pursue that just a little bit. You do concede in your statement that insofar as the extremely large yield weapons are concerned the Soviets do have superiority over us.
>
> Secretary MCNAMARA. Yes, sir; I do.
>
> Senator PASTORE. In the smaller tactical weapons, which can be tested underground, we have superiority over them?
>
> Secretary MCNAMARA. I believe so, although I can't state that with absolute certainty.

Therefore, Secretary McNamara could not say with absolute certainty—nobody can say with absolute certainty—that even in the smaller tactical weapons field we have superiority over the Soviet Union.

We are to believe, nonetheless, that the treaty will insure our continued superiority and the Soviets' inferiority for the foreseeable future. The Soviets appear, by this argument, to be willing to freeze themselves in a position of inferiority vis-a-vis the United States. If, in fact, they have resigned themselves to such a position of strategic inferiority, it would follow that they must have renounced their goal of world conquest and the destruction of our way of life. But, as Secretary of State Dean Rusk pointed out in his statement during the hearings:

> We have no basis yet for assuming a fundamental change in Soviet objectives.

Moreover, the statement of the Joint Chiefs of Staff emphatically points out that, "We must not for a moment forget that militant communism remains committed to the destruction of our society." It is hard to believe that the Soviet Union would agree to a treaty, which, if faithfully adhered to by all parties, would guarantee the long-range inferiority of Soviet strength and the concomitant failure to achieve Communist goals. It is interesting to note, in this connection, that on August 5, the day on which the treaty was signed in Moscow, the official Tass statement included this passage:

> Does conclusion of a treaty banning the tests alter the present balance of power? No; it does not. The Soviet Government would never have agreed to the conclusion of such a treaty if it placed us in an unequal position, if it gave unilateral advantage to the other side. All this does not require special proof.

As one can see, while we have been assured that we possess technological superiority, the Soviet Union claims itself to be superior in nuclear technology. This creates doubt in my mind that we possess facts which really assure us as to who is ahead of whom at this stage of the game. As Adm. Arleigh Burke, U.S. Navy, retired, stated, in referring to our vaunted technological superiority over the Soviet Union:

> This superiority has been claimed so often that I fear it has become automatically accepted as being fact. What is not generally realized is that this statement is not founded on hard evidence, but rather is the result of speculation. It is of interest to note that the Soviets claim to be ahead of us in nuclear weapons technology. Whereas this claim need not be accepted necessarily, neither is it possible to reject it unequivocally.

Our own military leaders and scientists state that the Soviet Union is, without doubt, ahead of the United States in the high yield range, and that the treaty will permit the Russians to retain the advantage in this field. At the same time it will permit the Soviet Union to make gains, through underground tests, in the development of tactical nuclear weapons, a field in which we are supposedly ahead. In other words, we will be prevented from catching up with the Russians where they are admittedly ahead, and they will be permitted to catch up with us where we are presumably ahead.

THE TEST BAN WILL SLOW DOWN THE PROLIFERATION OF NUCLEAR WEAPONS

Most persons will probably agree that the proliferation of nuclear weapons may be slowed as a consequence of the ban, particularly among law-abiding democracies which are friends and from which we have nothing to fear. Moreover, scores of the nations which have signed the treaty would probably never develop nuclear weapons or become nuclear powers in any event. The same cannot be said, however, for Communist countries and dictatorships which may have the potential and the motive and which can develop nuclear explosives secretly.

As Dr. Edward Teller stated before the Preparedness Investigating Subcommittee:

> The only technical comment which is relevant is the observation that the development of nuclear weapons is easy once nu-

> clear materials are readily available. Starting with the 1955 Atoms for Peace conference we have made it very sure that in the course of time nuclear materials will become available on every continent. Once a country is in the possession of a few kilograms of plutonium simple experiments that can be carried out in secrecy can produce a small nuclear explosion in less than 1 year. Such small nuclear explosions are sufficient to give the needed assurance and experience to a country which intends to use these explosives on a relatively small scale.

The treaty will indubitably not prevent the proliferation of nuclear weapons insofar as Red China and France are concerned. In fact, France is already a nuclear power. Red China is evincing the determination to become one. Neither of these nations has indicated a willingness to become a signatory.

What Russia will do when France progresses in the state of the art remains to be seen. One might venture to guess that this could furnish the pretext for Russia's abrogation of the treaty.

Furthermore, the treaty will not prevent nuclear weapons passing into the hands of additional nations by purchase, by loan, or by transfer. It will not prevent or prohibit one nation giving to another design or production knowledge. It will not prevent any nation from acquiring the means to produce plutonium—and possession of plutonium is the key to the atomic bomb.

In the final analysis, it will not prevent testing. In fact, the treaty tends to remove whatever moral restraints previously attached to weapons tests by essentially legalizing the testing of weapons underground. Let no one imagine that the treaty will frustrate the testing of weapons by any nation which has made a decision to become a nuclear power, and which has allocated the resources and expended them on the research, development, and production programs which must necessarily precede a weapon test.

ARGUMENTS AGAINST THE TREATY

Mr. President, I now proceed to the main arguments against the treaty, as I see them. I am opposed to the treaty mainly for the following reasons:

First. The treaty is difficult of exact interpretation.

Second. There is danger of clandestine testing by the Soviets.

Third. There is danger of surprise abrogation by the Soviets.

Fourth. The treaty will result in euphoria in the West.

Fifth. Military superiority will shift to the Soviets.

Now I shall attempt to elaborate upon each of these.

THE TREATY IS DIFFICULT OF EXACT INTERPRETATION

On July 26, 1963, a New York Times correspondent quoted a State Department source as having stated that the wording of the Nuclear Test Ban Treaty was "disturbingly imprecise." It is difficult to disagree. For example, under the terms of the treaty, what constitutes an "underground" test? Much depends on the interpretation of "underground." Must an "underground" test be one that is totally confined? Shallow tests conducted just beneath the surface may produce much more valuable information than tests at greater depths. Such shallow tests are also more economical. Yet, what is meant by "underground" tests may be open to question. In the report of the Senate Committee on Foreign Relations, September 3, 1963, page 22, Secretary of State Rusk is quoted as saying:

> Obviously this treaty permits a clear underground test where the explosion is underground, where the testing apparatus is based on that phenomenon, and I would think we would not think that it applied to a surface explosion which was christened by a few shovelfuls of dirt.

But even though venting accompanies a low-yield underground explosion it cannot necessarily be detected, identified, or verified. What then will be the Soviet definition of "underground" and will it be broader than the U.S. definition?

The question of what constitutes an "underground" test may, however, be purely academic. The pressure of world public opinion may be brought to bear as a reason for the cessation of underground testing even though permitted by the treaty. Already the Soviet Union has laid the groundwork for a psychological warfare campaign to keep the United States from carrying out what is provided for by the treaty. The official Soviet news agency Tass on August 30, 1963, stated that the recent underground test in Nevada violated the "spirit of the treaty." The Communists are quite aware of the esteem in which any treaty is held by the people of the United States. They understand that our respect for the law is such that we will live up not only to the words of a binding treaty, but will lean over backward in order to avoid violating even the spirit of a binding treaty. They understand the American penchant for thinking along legalistic lines and remember how much faith we placed in the Kellogg-Briand treaty for the renunciation of war. To the Soviets a disarmament treaty is a paper bullet, a technique of psychopolitical struggle. As President Kennedy has aptly said, the Soviet idea of diplomacy is:

> What's mine is mine, and what's yours is negotiable.

Several other ambiguities are sprinkled throughout passages of the treaty. Admiral Arleigh Burke, in his testimony, indicated that he is concerned lest the words "underwater, including territorial waters or high seas" might not be interpreted by the Soviets to include "internal waters." My own interpretation would be that "underwater" includes internal waters. But there is room for debate, argument, question, and misunderstanding.

According to Admiral Burke:

> Tests in internal waters, under the present wording of the treaty and under at least one interpretation of international law, would be regarded as underground tests and, therefore, permissible if radioactive debris is not deposited outside national boundaries. Otherwise, the treaty would need provisions for inspection to detect against inland underwater testing. And if testing underwater in an inland lake is permissible, in what other waters might it also be permissible?

Admiral Burke, on page 13 of his prepared statement, also raised a question concerning the interpretation of "territorial waters" as alluded to in the treaty:

> We have a meaning for "territorial waters," but it is doubtful that the Soviets would entertain the same meaning. In fact, a representative sampling of the writings of international lawyers would give evidence to the fact that they either refrain from using the term or disagree to its meaning when they do use it. We would probably agree with the definition that territorial waters are those included within a definite maritime zone or belt adjacent to a State's territory. The Soviets would also use this definition if it were clearly suitable to their purposes, regardless of their present intentions.
>
> But since the term is ambiguous, any party is free to adopt his own definition. There obviously cannot be, in the present case, a mutually agreed definition of the term "territorial waters," since we have been assured that this treaty constitutes the entire agreement.

Other important areas of misinterpretation are clearly in evidence as was manifested during the entire course of the hearings. Careful reading of the hearings will reveal that many Senators were not satisfied that the United States may be permitted to use nuclear weapons in war.

Even former President Eisenhower was not satisfied with the terminology of the treaty on this point.

Mr. President, my concern is that the United States will be overly cautious in its interpretation of the treaty. In actual practice, therefore, our progress under the treaty will be inhibited by the fear that we will be charged with a violation thereof, whereas the Soviets, on the other hand, will not suffer from such inhibitions. As a matter of fact, the very nature of a closed society, such as theirs, will encourage them to undertake violations of the treaty in the expectation that those violations cannot be detected, identified, and verified. Our past behavior reveals precedents of the exercise of excessive caution in interpreting agreements. As a matter of fact, we used excessive caution in observing the voluntary moratorium during the years 1958–61. That agreement was not even a treaty. In order to avoid alarming the Russians, however, we refrained from making adequate preparations for the resumption of nuclear testing. As a result, the Russian atmospheric explosions in the fall of 1961 caught us only weakly prepared.

2. THERE IS DANGER OF CLANDESTINE TESTING BY THE SOVIETS

Many who speak for the treaty do not deny that there are real risks of clandestine testing, but they find reasons to discount every risk, or to resolve every doubt in favor of the treaty. Secretary McNamara, for example, stated:

> While tests at extreme ranges are a technological possibility, they would involve years of preparation plus several months to a year of actual execution, and they could cost hundreds of millions of dollars per successful experiment.

Are we not forgetting the patience of the Communists, their skill in space, and their willingness to put as much of their resources as necessary into their efforts to achieve military supremacy over the United States?

Secretary McNamara then pointed out two more possible loopholes for cheating. He said:

> Over the U.S.S.R. or Communist China, only very low-yield tests, with quite limited objectives, could have a good chance of escaping discovery. These tests could not produce significant advantages.
>
> In certain remote parts of the world such as the South Pacific the threshold of evasion of geophysical detectors in the upper atmosphere will be somewhat higher and the chance of recovering a debris sample might be rather small. However, it is most unlikely that the Soviets will try to take advantage of this situation. An upper atmosphere test would be difficult to perform from shipboard and might require several vessels properly deployed around the test point. Preparations for such a test would be relatively easy to discover.

In other words, this treaty has known loopholes; but explanations, some of which are admittedly plausible, as to why the Soviets will not employ them, may be advanced. I think we are underrating Soviet cunning and the Soviet determination to outwit us. On the other hand, I think we are overrating the Soviet fear of being caught in a violation and the Soviet respect for world opinion.

The fact that the Soviets have no concern about the wrath of public opinion is amply demonstrated by the way they ended the moratorium on tests in the fall of 1961. The Soviets knew in advance that there would be loud protests throughout the world when they resumed testing after the moratorium which had lasted 34 months. Nevertheless, they did not hesitate to resume tests, because they knew it would catapult them ahead in their nuclear knowledge.

Even though the United Nations General Assembly passed, on October 27, 1961, by a vote of 87 to 11, with 1 abstention, a resolution appealing to the Soviet Union not to carry out its stated intention of exploding a 50-megaton bomb, 3 days later the Soviet Union detonated a bomb of 57 megatons, which the United States has not yet matched. World opinion, ergo, means nothing to the Soviet Union, except insofar as it may constitute a very useful tool against the United States.

As to our detection system, there is ample evidence that it leaves much to be desired. Even if a very expensive detection system is employed, we can have no assurance that the Russians will not devise a way to successfully shield tests from currently known detection methods. The entire question of outer space testing and detection is in the stage of infancy, and it is impossible to predict how it will develop.

As shown on page 106 of the test ban treaty hearings, Secretary McNamara said:

> Over the U.S.S.R. or Communist China, only very low-yield tests with quite limited objectives could have a good chance of escaping discovery. These tests, we believe, could not produce significant advantages.

And on page 109, we find that Secretary McNamara said:

> I do not pretend that this or any other agreement between great, contending powers can be risk free. Surely this one is not. I cannot guarantee that we will detect any single clandestine test the Soviets might attempt; but Soviet technical and military advisers cannot guarantee that we will not. I am convinced that even undetected clandestine tests will not alter the basic military balance.

Supporting witnesses have indicated, therefore, that there is not 100 percent assurance that we will detect violations; but, they added, neither is there 100 percent assurance for the Russians that we will not detect violations. In other words, we are to accept the minimum standards of adequacy. In effect, we are told that, so long as there is not 100 percent assurance that an attempted test in space will go undetected, we are adequately safeguarded. I contend that when dealing with the Communists, we must apply the maximum standards, and must allow no loophole for evasion, for so long as there is a single loophole, the Communists will find it and will use it.

Secretary McNamara said—as shown on pages 140 and 141:

> Secretary McNamara. I would be quite happy to go into it in length, but perhaps I can simply say now we have a very substantial capability through geophysical and other means of detecting nuclear explosions in the forbidden environments.
>
> I don't believe that we can say that the present capability will give assurance of detecting all such explosions or of identifying all such explosions.
>
> We, therefore, are considering augmenting the present capability. Even after that augmentation is made, if it is made, I don't believe that we can guarantee that we will be able to identify all possible violations of the treaty, but I do strongly believe that the violations that may not be identified by the present or augmented system will not shift the military balance of power.

So, in essence, we are told not to worry about violations which may go undetected, because they will not significantly alter the balance of military power.

As shown on page 673 of the test ban treaty hearings, Admiral Strauss made this statement with reference to the significance of even one test:

> A radical new weapon discovery or a breakthrough in countermeasure systems, suddenly tested and found workable, could put the possessor nation in command of world events.
>
> We ourselves were twice in that position, first with our invention of the fission bomb and later of the fusion bomb. Of course, we never considered making such use of our advantage, but what if in the future the situation is reversed, as well it may be?
>
> For instance, it has been said that the Soviets might elect cheating with a single test which might even escape detection; that we could surely detect a series of tests but that one test by itself alone would be of little significance. This unfortunately will not stand up in the light of history.
>
> We cannot forget, we should not forget, that only one single test proved the atomic bomb, and one test proved the principle of the H-bomb. If such radical invention is made on our side of the Iron Curtain, one that is provable only by testing it above ground, the treaty will firmly bind our hands. Thus paralyzed, we can only file the idea away in a safe and pray fervently that the same invention will not occur to scientists on the other side of the Iron Curtain. Unfortunately, there is a well-recognized and frequently experienced phenomenon known as simultaneous invention. It may operate against us.
>
> If the discovery—the breakthrough—is made on the other side of the Iron Curtain, is there anything upon which to base an estimate of the situation? Would the Soviets, in that circumstance, or other circumstances favorable to them, clandestinely breach the treaty?

On page 186 of the hearings before the Committee on Foreign Relations, the Senator from Georgia [Mr. Russell] made the following statement:

> DETECTING TESTS AT DIFFERENT ALTITUDES
>
> Senator Russell. Mr. Chairman, I only have one or two questions that I did not get to this morning. I hope they were not covered in my absence. If they were, Mr. Secretary, I hope you will tell me if the answers are in the record.
>
> On page 19 of your statement, in dealing with the subject of atmospheric tests, you said: "In the upper atmosphere—say above 6 miles [to 20 miles] high—the principal purpose of clandestine tests would be for determining weapons effects."
>
> Is there any difference in the ability to test in that area, from 6 to 20 miles, than on the surface of the earth, and still higher in the atmosphere
>
> Secretary McNamara. Yes, sir; there is a difference—not in the ability to test—because none of the parties are allowed to test there, but there is a difference in the ability to detect and identify clandestine tests. It is more difficult to detect and identify tests in certain bands of the atmosphere, particularly in this band I am discussing—say roughly from 6 to 20 miles, than it is to detect tests in the low atmosphere.
>
> Senator Russell. Of course, tests below the 6 miles I suppose you can detect through debris rather easily. That is our principal method of detecting them.
>
> Secretary McNamara. There are a series of methods used for that purpose. Perhaps Dr. Brown could speak of them very briefly.
>
> Senator Russell. Very well.
>
> Dr. Brown. The techniques that I think are of most interest in this regard are the acoustical signal, the electromagnetic signal, which is like a lightning flash essentially, and the debris. All of them are applicable below 6 miles.
>
> In the band from 6 to about 20 miles, the electromagnetic signal is suppressed somewhat, and therefore you do not have as many techniques, and therefore it is somewhat more difficult. Debris sampling is also harder to do, but it is not impossible. So that even for tests at, say, 10 or 15 miles, there is some chance of being able to detect debris. But it is a smaller chance. And that is why this region is of particular concern.

On page 274 of the hearings General Taylor referred to the risks and disadvantages in the treaty, and the fact that the disadvantages will be aggravated by illicit testing. He said:

> Such disadvantage as might accrue to the United States under conditions of honest fulfillment of treaty conditions would be further aggravated if the Soviets successfully tested by illicit explosions in the atmosphere, underwater, or in outer space.

On page 282 of the hearings before the Committee on Foreign Relations, the Senator from Georgia [Mr. Russell] asked the following question of General Taylor:

PRESENT DETECTION SYSTEM NOT ADEQUATE

> Senator RUSSELL. General, one of the very important elements involved is the art of detection by various methods of explosions. Are you satisfied with the devices that we have at the present time?
>
> General TAYLOR. No, sir. As indicated among the four safeguards, one of the areas where the Joint Chiefs feel additional effort should be expended is in improving our detection devices, and a review of our program is being conducted at the present time.

On page 324 of the hearings before the Committee on Foreign Relations, the Senator from Ohio [Mr. LAUSCHE] and General Taylor engaged in this colloquy:

RISK OF CLANDESTINE TESTING

> Senator LAUSCHE. You are also of the opinion that by clandestine tests, Russia could technologically aggravate these disadvantages under which we will be laboring in the event the treaty is adopted.
>
> General TAYLOR. That is correct. We would say they can do a certain amount of clandestine testing if they want to and if they are prudent enough to hold down the level, thereby they can make some gain——

On page 330 of the hearings conducted by the Senate Committee on Foreign Relations Senator YOUNG asked a question of General Taylor regarding detection devices:

> Senator YOUNG. And do you feel, General, that 2 years from now or a year from now, our detection devices probably will be more accurate?
>
> General TAYLOR. I am not an expert in the field. I doubt that we could do it quite that fast. But certainly in a few years we can do distinctly better.

On page 331 the following appears:

> General TAYLOR. Well, I don't dispute the logic of what you say, Senator. I don't think we military individuals can afford to assume anything other than the worst in this particular field, and we did take our position on the treaty with the assumption that the Soviets would attempt clandestine testing of some sort.
>
> The CHAIRMAN. Do you mean very minor, small tests which would be difficult to detect?
>
> General TAYLOR. Yes, sir. I would think the temptations would be in the atmospheric tests of small weapons, small tactical weapons, for example, or small tests which could be extrapolated to apply to the antimissile missiles. That would be the tempting area.
>
> The CHAIRMAN. So small it would be very difficult to detect. Is that what you mean?
>
> General TAYLOR. That is right.
>
> The CHAIRMAN. But it is in this field that you feel we are very well prepared ourselves, is it not?
>
> General TAYLOR. Well, it is in this field where I don't think the gains that might come from this kind of testing would have any great bearing upon our relative position.

On page 395 of the hearings before the Committee on Foreign Relations, the Senator from California [Mr. KUCHEL] asked the following question of General LeMay:

EFFECTIVENESS OF DETECTION METHODS

> Senator KUCHEL. General, just in lay terms, is our detection system with respect to atmospheric nuclear explosions sufficiently efficient so that we would know if there were an attempted clandestine breach by the Soviet Union?
>
> General LEMAY. The answer to that has to be "No," because I don't think we can detect every explosion that they may attempt in the atmosphere any place in the world.
>
> Now, we have some figures; I am sure you are familiar with them as well as I am, but we cannot guarantee to detect every explosion; no, sir.

On pages 418 and 419, Dr. Teller said the following:

> Most of us believed and the U.S. intelligence firmly and unequivocally predicted, that the Russians will not have a nuclear explosion for many years.
>
> The first Russian test in 1949 was a complete surprise. Some of us got worried. I got very worried about the next surprise that might be in store for us, and we started out on the next step which the majority of the scientists said could not be done, the thermonuclear explosion.
>
> You know that within a short time that succeeded, with an effect almost a thousand times as great as the first explosion, and that, in turn, was followed within a few months with the Russians producing something that looked very much like a thermonuclear explosion.
>
> Again, in contradiction to all expectations, to all predictions, to the explicit statements of the intelligence community.

On page 448 Dr. Teller, with reference to illegal and clandestine testing in space as not being a reasonable proposition for the Soviet Union, and as being something that we can protect ourselves against, said as follows:

> Dr. TELLER. I believe that this reflects the Secretary's great reliance on intelligence. I hope he is right. I fear he may not be.

Senator MUNDT, on page 241 of the hearings, asked questions of Dr. Seaborg concerning the detectability of an underwater test:

DETECTABILITY OF AN UNDERWATER TEST

> Senator MUNDT. Let me ask you a specific question in this field of detection. Several people who have made a lifetime study of geopolitics are concerned about the fact that while underwater testing in the interior waters of Russia in a lake as vast as Lake Baikal—which is so deep that you could use it for submarines and so vast that it is virtually an interior ocean—is barred by the treaty. Do we presently have the means of detection so that we could find out if they violate the treaty in this area by underwater tests, 3,000 or 4,000 feet under the surface of the water, in Lake Baikal in the interior of Russia?
>
> Dr. SEABORG. No. We don't have the means of detecting such a test by instrumentation, by the methods of detecting nuclear tests through physical means.
>
> Senator MUNDT. Does this mean that we simply have to rely on the unsupported veracity and word of the Russians that they are fulfilling their treaty in this area. We are told by Secretary Rusk that it is intended that the treaty prohibit underwater tests of that nature in Lake Baikal.
>
> Dr. SEABORG. Well, I think that more important than that is that we don't see any great gain that they could make by making such a test or tests and that the hazards to the Soviets themselves are considerable in contaminating the inland waters, and so forth.
>
> I think that I would be motivated more by that consideration, that it would be the sort of test that wouldn't bother me very much, that there isn't a great deal that they could learn there that would be of concern to us so far as our national security is concerned.
>
> Senator MUNDT. The fact that underwater tests are prohibited by the treaty would imply to me that they must have some value to somebody or they wouldn't be prohibited.
>
> Dr. SEABORG. Yes, they do, but the value is an order of magnitude less than the value, much, much less than the value of atmospheric tests.
>
> Senator MUNDT. They do have some value.
>
> Dr. SEABORG. They have some value, yes, very specific value, though, namely, the effect of the nuclear explosion on a ship or a submarine.

I think it is apparent, Mr. President, that, although we hope for compliance, we cannot discount the probability that the Soviet Union will violate the treaty. The frustrating problem which will confront us, in this regard, will be that of detecting and verifying the violation.

3. THERE IS DANGER OF SURPRISE ABROGATION BY THE SOVIETS

The fact that the Soviets brazenly broke the moratorium in 1961 demonstrates more than the fact that they have no regard for public opinion. It also warns us of another method in addition to clandestine testing by which the Soviets can use this treaty to get ahead of us. I refer, as I have already indicated, to surprise abrogation. On August 30, 1961, while the United States was offering various concessions at the Geneva Conference to get the Soviet Union to agree to a ban on all nuclear tests, the Soviet Government simply issued a statement announcing that it was going to resume tests, and 2 days later, it conducted the first of a long, extremely well-planned, highly advantageous test series. This ended a 3-year uninspected moratorium which the United States had unwisely observed in the futile hope that it would encourage the Soviet Union to accept an adequate inspection system. Almost 8 months passed, following the Soviet abrogation, before the United States was able to resume atmospheric testing.

Just before the announcement that the United States would resume atmospheric tests, William C. Foster, Director of the U.S. Arms Control and Disarmament Agency, pointed out the tremendous advantages which were reaped by the Soviet Union in its surprise resumption of tests in 1961. He wrote in a letter to the editor of the Washington Post on February 9, 1962:

> While the details would not be appropriate in this letter, it has become clear only in the last month that the Soviets achieved some substantial gains in their test series of last summer and fall. One more such advantage—that is, another long and intensive series, after a period of no testing on either side during which they extrapolated the results of these tests and, on that basis, secretly prepared for new tests—might actually give them a superiority in the antimissile or other strategic areas which their military interests would find hard not to exploit.

This treaty lays the groundwork for the exact same thing to happen again. After the Soviet Union has analyzed all its data from past tests and laid careful plans for a new series, after our guard has been let down and our efforts have relaxed, after the American scientists have performed all the work they can in the laboratories and through underground tests and have been stymied by the inability to conduct further tests, the Soviets will simply one day resume testing, leaving the United States far behind. It would not be out of character for them to ignore the 3-month withdrawal clause, because observance of the clause would give us an opportunity to prepare for a test resumption too.

The administration has contended that it will protect the Nation against the danger of surprise abrogation by keeping its scientists active in the laboratories and active in an underground testing program, and by maintaining a high state of readiness to conduct tests in the atmosphere at any time. I question whether we will be able to maintain such preparations indefinitely, no matter how good our intentions, especially after the treaty has gone on a few months or years and the Communists have succeeded in getting us to lower our guard.

Only a year and a half ago, on March 2, 1962, when President Kennedy announced that the United States also would resume atmospheric testing, he pointed out the difficulties of keeping scientists in a free society working on a test series which might never be conducted. He told a radio and television audience:

> We know enough now about broken negotiations, secret preparations, and the advantages gained from a long test series never to offer again an uninspected moratorium. Some may urge us to try it again, keeping our preparations to test in a constant state of readiness. But in actual practice, particularly in a society of free choice, we cannot keep topflight scientists concentrating on the preparation of an experiment which may or may not take place on an uncertain date in the future. Nor can large technical laboratories be kept fully alert on a standby basis waiting for some other nation to break an agreement. This is not merely difficult or inconvenient—we have explored this alternative thoroughly and found it impossible of execution.

Although the President was speaking of an uninspected moratorium on all tests, the same argument applies today to the uninspected treaty which awaits our decision, unless the American people are determined, and remain determined, not to relax in the effort to be prepared for any eventuality.

We should also know by this time that an intelligence community which was unable to detect in time the conduct of preparations, by the Russians, during the moratorium, for a resumption of atmospheric testing, and which was unable to detect the shipment of offensive weapons to Cuba until virtually the last minute, cannot be depended upon to detect Soviet activities in anticipation of a planned abrogation of this treaty.

With reference to the possibility of planned abrogation, I refer to Dr. Seaborg's statement, as shown on page 208 of the test ban treaty hearings:

> We must always remain alert to the fact that one side may try to acquire a superior advantage through violation or abrogation of the treaty. The effect of such an action on the other parties is decidedly less where underground testing is permitted and where an active program of worldwide nuclear test detection is continued.
>
> It does not seem possible to be forewarned against a surprise abrogation. Even if the 3 months' notice period for any country planning to withdraw is given, it would possibly have been accompanied by an earlier period of preparation.

General Taylor, as shown on page 274 of the hearings, referred to the possibility of an abrupt abrogation:

> The Joint Chiefs of Staff believe that the withdrawal provision requiring 90 days' notice following a unilateral U.S. decision provides a satisfactory means of escape in case we believe our national interest is being threatened. They are impressed, however, by the possibility of an abrupt abrogation by the Soviets, followed by a comprehensive series of atmospheric tests.

As appears on page 319, General Taylor further commented on the possibility of an abrupt abrogation by the Soviets:

> I doubt we will ever be sure that we can detect the preparations and not be surprised. We can hedge our stake, so to speak, by improving our own reaction time. But beyond that I would say it is impossible in my judgment to upset the relative balance of power quickly, as a result of something of this sort.

General LeMay, on page 375, said this:

> (The Russians) have already said they would abrogate the treaty if—at any time they thought it was necessary. And I firmly believe that they were conducting tests during the moratorium that we had. And I certainly have no faith that they will keep their word in this one if they feel it is to their advantage to do otherwise.

Secretary McNamara, on page 130, said this:

> It has led to the conclusion I just gave that they will not adhere to any treaty when they think it is contrary to their interest to continue to adhere to it. It is for that reason, among others, that I believe we must be prepared for surprise abrogation of the treaty by the Soviets.

At page 140, Secretary McNamara referred again to the likelihood of a Soviet abrogation:

> First, I think we must be prepared for surprise abrogation by the Soviets. As I testified, I don't believe they will adhere to this treaty one moment longer than they think it is in their interest to adhere to it, and I can't predict how long that will be. So, we must be prepared for surprise abrogation.

Admiral Strauss, as appears on page 674 of the hearings, had this to say about the planned abrogation of the voluntary moratorium:

> A distinguished scientist, who was a principal adviser to our negotiating team in Geneva, published an essay in August 1960. This is a quotation from it: "I had the doubtful honor of presenting the theory of the big hole to the Russians in Geneva in November 1959."
>
> May I interrupt there to say that the reference to the big hole is a method for reducing the seismic signal of an underground explosion by decoupling. I continue with the balance of the quotation:
>
> "I felt deeply embarrassed in so doing, because it implied that we considered the Russians capable of cheating on a massive scale. I think that they would have been quite justified if they had considered this an insult and had walked out of the negotiations in disgust."
>
> The Russian scientists for whose sensitivity our scientist had so admirable a regard were not so thin-skinned. At that very time they must have been engaged in the massive preparations for cheating on a massive scale. In barely 12 months after the article appeared, they staged a series of tests which, for length, and number, and size of weapons, astonished the neutral and free world, and I might interpolate here parenthetically that we might not forget that the Soviets got not so much as a slap on the wrist from the congress of neutral nations in whose very faces, as it were, this series had been exploded.
>
> This "contemptuous breach of faith," to use the President's appropriate adjective, seems already forgotten by many Americans. It took place 2 years ago, but we can shorten the focus in point of time.

On page 420 of the hearings, Dr. Edward Teller alluded to the surprise abrogation of the moratorium and to the test results which followed:

> RUSSIAN TESTS RESUMED—1961
>
> In the summer of 1961 the Russians resumed testing, in the late summer.
>
> We know now that this test series was by far the most powerful, we have reason to believe that it was the most powerful in the whole history of Russian preparations, and it was the most plentiful, the most repetitious, the most solid ever carried out by any nation.
>
> I don't think that any expert will disagree with me when I say that this test series had to be prepared for many months in advance, and that the preparations had to be expensive, widespread, and should have been open to intelligence information. It is possible, I would even say that it is probable that the planning of this abrogation took a time longer than a year.
>
> Yet on the day before Khrushchev made his announcement our Government still did not know that a test series was impending.
>
> Here is another surprise, another failure of us to predict what the future will bring and what the Russians intend to do.
>
> RUSSIAN ADVANCES—RESULT OF TESTING
>
> As a result of this test series the Russians made a big explosion. For one I can tell you this was no surprise. I wish I could talk about it more. It is interesting, it is slightly relevant, it is classified, but the Russians did have a surprise in store for us, and that surprise was their announcement and evidence supporting that announcement that they did make great strides toward missile defense.
>
> In 1961, and in the similarly impressive test series in 1962, the Russians had every chance in the world to make the observations in the atmosphere which are the firm basis of any plan for an effective or halfway effective missile defense, and I am saying halfway effective in the most serious way.

As to the amount of time that would be lost, in the event of a surprise abrogation by the Soviets, before we could proceed with atmospheric testing, Secretary McNamara elucidates, on page 157 of the test ban treaty hearings, as follows:

> Secretary McNAMARA. I will give you some rough approximations. I think they are sufficiently accurate to answer your questions.
>
> I think we could test within approximately, or could carry out within approximately 2 months, proof tests. By proof tests, I mean tests of previously developed weapons.
>
> I think we could test within approximately 1 month thereafter—that is, a total of 30 days—technical developments. I think we could carry out within approximately 3 months thereafter—that is, a total of 6 months, could carry out within that, extensive effects tests.
>
> Now, this latter answer applies from a period 12 months from now and thereafter—this because whether we have a test ban

> treaty or don't have a test ban treaty, an extensive period of time is required to prepare for complex effects tests.

Mr. President, if past actions of the Russians have any meaning whatsoever, this treaty is made to be breached, and I believe that it will be breached. There should be no doubt that its abrogation, which even the proponents generally anticipate, will be to our disadvantage militarily and possibly, politically.

4. THE TREATY WILL RESULT IN EUPHORIA IN THE WEST

Mr. President, with reference to my fourth point, that the treaty will result in euphoria in the West, may I say that the danger of euphoria has been alluded to by both friend and foe of the treaty. Secretary of Defense McNamara stated this fear as follows:

> Perhaps the most serious risk of this treaty is the risk of euphoria. We must guard against a condition of mind which allows us to become lax in our defenses.

The Joint Chiefs of Staff, in their position paper, presented during the hearings, echoed this fear:

> The most serious reservations of the Joint Chiefs of Staff with regard to the treaty are more directly linked with the fear of a euphoria in the West which will eventually reduce our vigilance and the willingness of our country and of our allies to expand continued effort on our collective security. If we ratify this treaty, we must conduct a vigorous underground testing program and be ready on short notice to resume atmospheric testing. We should strengthen our detection capabilities and maintain modern nuclear laboratory facilities and programs. Finally, we must not for a moment forget that militant communism remains committed to the destruction of our society.

Adm. George W. Anderson, U.S. Navy, retired, referred to "a public opinion which must not for any reason be lulled into an attitude of false security or complacency."

All scientific and military personnel, whether proponents or opponents of the treaty, urged that every precaution be taken to carry out underground testing aggressively, maintain the necessary capability of our laboratories, and sustain a high state of readiness to resume atmospheric testing in the event of abrogation, all of which precautions may be victimized if our people become complacent and let down their guard.

Dr. John S. Foster, Jr., said:

> People and skills cannot be stored for future use. In science just as in other specialties one must practice continually to be effective. Ultimately the present generation of weapons technologists must be replaced by younger scientists who, through experiments and theoretical studies, will also develop the required skills * * *. Without atmospheric tests, however, I doubt that we can develop and maintain the requisite skill in the important area of the effects of nuclear weapons. Even our theoretical effort in this area is likely to deteriorate without the incentive of meaningful experiments.

Secretary Rusk, as shown on page 30 of the test ban treaty hearings, referred to his fear of euphoria in this manner:

> Quite frankly we here are concerned, we and the free world are concerned, that this treaty not itself lead to the kind of euphoria we cannot afford in the present situation.

Secretary McNamara, on page 109 of the hearings, displayed a similar concern regarding euphoria:

> Perhaps the most serious risk of this treaty is the risk of euphoria. We must guard against a condition of mind which allows us to become lax in our defenses. This agreement is a product of Western strength—of the military buildup which I described to you earlier. Further progress in arms control arrangements with the Soviet Union—progress which we all want to make—depends critically on the maintenance of that strength.

Then, as appears on page 124, Secretary McNamara reiterated his concern:

> I want to mention again, however, the point I raised in the latter part of my statement when I emphasized the danger of relaxation of our security measures, the danger of euphoria, the danger that could easily lead to a reduction in military budget, and a reduction in our military strength—actions which I think at this time are quite undesirable.

Dr. Seaborg added his comment, as appears on page 208 of the hearings:

> Public recognition of the need for strong laboratories and of the contributions made by the scientists is necessary.

At page 273, General Taylor's warning regarding euphoria was voiced by him as follows:

> Finally, they believed that account must be taken of the dangers of any relaxed military effort by the United States and our allies; hence, that ratification of the treaty should be accompanied by evidence of a clear intent to maintain and improve the military posture of the West.

At page 275, General Taylor elaborated further regarding euphoria:

> The most serious reservations of the Joint Chiefs of Staff with regard to the treaty are more directly linked with the fear of a euphoria in the West which will eventually reduce our vigilance and the willingness of our country and of our allies to expand continued effort on our collective security.

General Taylor, at page 276 of the hearings, continued, with reference to euphoria:

> I think it may be a serious problem, Mr. Chairman. Certainly I am encouraged by the statement of the leaders of our Government at this time as to their determination to effect the safeguards that have been mentioned in my statement. As the years go by, however, I think we may lose sight of the fact that the Communist bloc has not changed its overall objective.

General LeMay, at page 379, referring to euphoria said:

> Well, we feel if we follow these courses that we recommend that we can reduce the risk to an acceptable proportion.
>
> But I am frank to admit that I do worry, considering my experience in this field, that we may get complacent and drop our safeguards programs down to a level that I would consider insufficient.

At page 403, General LeMay said:

> Well, certainly this isn't beyond the realm of possibility.

He was referring to euphoria.

> I think it is probably well known by Khrushchev as well as all the rest of us that we have a tendency to become complacent from time to time. And let down our guard. We have done that many times in the past. Whereas they—

The Russians—

> Whereas they can control things like that [deleted].
>
> This could be a deliberately planned program in that regard, to get us to drop our guard down and this is one of the things that the Chiefs have worried about, that we will get such a treaty and then become complacent about it and not maintain the necessary safeguards.

Mr. President, the candidly expressed fears of the witnesses whose statements I have just quoted may materialize, to our country's disadvantage, in the course of future events.

Eternal vigilance on the part of the Congress, the executive branch, and the people will indeed be the price if we are to retain our cherished liberty. The same vigilance will be required by the other Western Powers, because, if we ratify this treaty, there is cause to fear that the underlying sense of urgency which led to the creation of NATO and which sustains NATO today may suffer a gradual erosion which will lead to the final collapse of Western unity and the Western will to resist.

Of course, the Soviets may, for reasons unknown to us at the moment, live up to the provisions of this treaty, at least for a while, just as they faithfully observed their nonaggression pacts with Latvia, Lithuania, and Estonia for a while before committing acts of aggression against those countries. But we shall have to be all the more on our guard, lest we be enticed, by virtue of their doing so, to begin the descent into the maelstrom of, in effect, unilateral disarmament.

5. MILITARY SUPERIORITY WILL SHIFT TO THE SOVIETS

It is not a groundless fear that the treaty constitutes a risk to the continued military superiority of the United States. The following reasons are stated to substantiate this apprehension:

First. The United States will be unable to overcome Russia's lead in high-yield weapons.

Second. The door would be closed to a further identification of problems of which we may be entirely unaware at this time.

Third. We would be unable to proof test our weapons systems.

Fourth. We would be prohibited from acquiring information concerning weapons effects upon weapons systems.

A. THE UNITED STATES WILL BE UNABLE TO OVERCOME RUSSIA'S LEAD IN HIGH-YIELD WEAPONS

We have been told by expert witnesses during the hearings that the U.S. weapons laboratories are capable of developing and stockpiling weapons with yields greater than 50 megatons without further atmospheric experimentation. It goes without saying, however, that we would not be able to test such weapons, and "their weight and size would be incompatible with any existing or programed missile delivery vehicle." I think that military opinion, generally, in this country has heretofore ruled out the necessity of a weapon of this size. It is worth noting, however, that unanimity does not exist on this matter, and that it is undergoing a reevaluation.

Gen. Curtis LeMay, on page 350 of the hearings, answered the question as to whether he sees any military need for a 50- or 75-megaton bomb:

> Yes, sir; I do. The Joint Chiefs have already recommended we go ahead with the development work on a large-yield bomb.

General LeMay was then asked the question: Is this a new policy?

He answered by saying:

> It is not new as far as I am concerned. I asked for, the Air Force asked for, a high-yield bomb as early as 1954.

General LeMay then went on to indicate that his reference to "a high-yield bomb" meant "over 50 megatons."

General Power, commander of the Strategic Air Command, expressed a similar need for a big bomb:

> In the field of high yield weaponry, I feel that the Soviet Union now has a technical lead as a result of their tests in 1961 and 1962. They have a lead in their weight-to-yield ratio in the big bomb categories, and I feel that we should overcome that lead. You can only do this through testing in the atmosphere in my opinion.

* * * * *

> However, again as we discussed earlier, if we are going to build such a weapon and put it in our arsenal, I would like to test it. I would like to know that I can depend on it from an actual test rather than on the basis of a theory or an extrapolation. I think the stakes are much too serious to deal with theoretical information. I think what we need are cold hard facts.

In answer to a question as to whether or not, as time goes on, the requirement for high-yield weapons goes up, General Power replied thusly:

> It could. One of the things about strategic war planning is that you have to have flexibility. You cannot predict what something is going to be 4 or 5 years from now. You must be able to react to any situation. You must have the full spectrum of tactics covered and the full spectrum of weapons because ours is the role of retaliation, the most difficult role.

General Power, therefore, indicated the necessity of our having a flexibility of choice so that we might be prepared to deal with all foreseeable moves that an enemy nation might make.

B. THE DOOR WOULD BE CLOSED TO A FURTHER IDENTIFICATION OF PROBLEMS OF WHICH WE MAY BE ENTIRELY UNAWARE AT THIS TIME

Aside from the problems which we see inherent in this test ban, there are undoubtedly problems which will not come to our attention except through atmospheric testing. The Russians, in their very comprehensive atmospheric tests following the moratorium, may have identified such problems and may have acquired information, which we do not possess, leading to the solution of those problems, all of which could enable them to make a vital breakthrough in nuclear technology that would wrest superiority from us. Dr. John S. Foster, Jr., touched upon this during his testimony:

> In being specific we can deal only with those problems which have already been identified. Of equal concern to me in the long run are those problems which have not yet been identified and that will surely arise in the future. The way in which the test ban would affect our relative ability to solve these future problems is impossible to anticipate. The best we can do is to extrapolate on the basis of our experience, to examine what we have felt was essential in the past. * * * Moreover, we have to reckon with the fact that in an expanding technology, vigorously pursued, there frequently result abrupt increases in scientific knowledge—rapidly reflected in military capability—which could upset the balance of power. * * * The proposed treaty would limit not only our knowledge of the actual state of Soviet military development, but would also restrict our knowledge of what may even be technically possible. Specifically, this requires that the United States explore vigorously all areas of technology critical to our security. Failure to do this would add to the uncertainties concerning our relative strength, and force us to choose between either an increase in risk to our security or a further increase in our level of armament.

General Power, in referring to Russia's comprehensive test program following the moratorium, had this to say:

> And it was a very comprehensive test program. The magnitude of it showed their interest in these weapons.
>
> To me that was very significant, not the fact they had tests but the magnitude of these tests. It didn't indicate that this was information in which they were only slightly interested.
>
> They must have attached vital importance to it in order to have a test program of this magnitude.

In answer to a question as to whether the United States accomplished as much "in proportion" during our atmospheric tests as did the Russians in the course of their tests following the moratorium, General Power answered in this manner:

> No, I don't agree with that statement. We discovered things, but one of the most important things I think we discovered is the great void in our knowledge.

Admiral Anderson expressed the same fear in this way:

> I think that it is also prudent to caution that we do not know the precise extent to which the U.S.S.R. can advance in nuclear technology and in augmenting its overall nuclear capability as a result of the most recent series of tests conducted by them. * * * Further, with respect to the military aspects, I would caution against any suggestion that nuclear technology will remain static; that prevailing offensive or defensive balance of forces cannot change; or that nuclear parity with the U.S.S.R. could be acceptable in the security interests of the United States.

C. WE WOULD BE UNABLE TO PROOF TEST OUR WEAPONS SYSTEMS

Grave fears were expressed during the hearings with reference to our inability, under the treaty, to proof test our nuclear weapons. Dr. Foster's statement is an illustration:

> Perhaps the starkest of these other worries is that we will not be able to proof test our weapons systems. Missile systems for offense or defense are extremely complex, yet must function not only under the ideal laboratory conditions in which they are usually tested, but also under the most adverse conditions—those of nuclear war. I know of simpler systems which have not performed as expected—or which have actually failed—when proof tested in environments which are far better understood than that of a hostile nuclear situation. Technical people have had this experience not once but many times. That the exact nuclear environment for missiles, missile sites, and reentry vehicles probably cannot be completely duplicated even without treaty restrictions is not an argument for no-atmospheric tests whatever. We can obtain a much better understanding of the situation with nuclear experiments in the atmosphere than without them.

Admiral Strauss, at page 672 of the test ban treaty hearings, expressed the need for testing in this way:

> TESTING FOR COMPATIBILITY OF WARHEADS TO SYSTEMS
>
> There are, as you know, other purposes in testing besides the specialization and the improvement of weapons. We test to be sure that the weapon and its carrier—originally only the manned bomber and now also the missile—will function together as a dependable system. Even if weapon development should be frozen in its present state, there is no warranty for assuming that the carrier of the weapon may not be, and most probably will be, as revolutionary in the future as the guided missile and the Polaris submarine are today by comparison with the state of military art only 10 short years ago when neither of these existed.
>
> When these new devices are invented, they can only be dependably mated to the weapon by testing. Their theoretical compatibility with the weapon will be too uncertain to rely upon.

General Power alluded again and again to the necessity of proof testing our weapons:

> I have some * * * different types of nuclear weapons in the Strategic Air Command arsenal. None of them have been tested operationally from stockpile to detonation. I think this is a mistake. I think they should be tested.
>
> The only way you can prove a weapon system is to take it out of the stockpile in a random pattern and let the tactical unit take it out and detonate it. If you haven't done this, there is always a chance that something has happened that we won't discover until too late. * * * The point I am making is that, unless you test the very thing that is in your arsenal, you are never certain, and the stakes are so high I feel we must be certain.

* * * * *

> We have not tested any of the operational warheads in our inventory. That includes the missiles and the bombs.

* * * * *

> A certain amount of information can be arrived at in underground testing. * * * But you never know until you actually test in the environment full scale whether or not you have solved the problem. Maybe you have oversolved it and pay too heavy a penalty. The sensible way to do it is to test it in the nuclear environment.

* * * * *

> But with the RV coming back into the atmosphere, it depends whether you attack it outside of the atmosphere, you have a different heating problem. As soon as the RV enters the atmosphere, it is being subjected to additional terrific heat. Now if you add pressure under those conditions, what happens? And the only way you can really test it is in the real environment.

General Power further referred to testing as necessary "in order to get a higher confidence factor that you have a valid war plan for one thing, and that you have a credible military capability, and that you can react under all of the various conditions that you are faced with in retaliation, and not only that, but also that you can convince any potential aggressors that you have all this.

So it must be a proven capability. You can see the danger when you are speculating on a quality. You might think you have it. He might think you don't have it."

> Now we are talking about deterrence, and in deterrence it is not so much what we think of our capability. The important thing is what does the Soviet Union think of our capability, and that is an unknown.

D. WE WOULD BE PROHIBITED FROM ACQUIRING INFORMATION CONCERNING WEAPONS EFFECTS UPON WEAPONS SYSTEMS

Mr. President, the fact that this Nation has had military superiority has prevented the Soviet Union from overrunning the countries of Eastern Europe, the Middle East, and Africa, and has resulted in a world free from nuclear warfare. Our military superiority has underwritten and assured our own national security. I think the reason we have not had war with the Soviet Union is remarkably simple: we have had overwhelming superiority. And if any idea of attacking this Nation has been considered by anyone, the idea had to be rejected because of its ridiculousness. I believe that this is a sound position which we should continue to maintain, because I believe that our way of life is worth it and that our economy will sustain it.

Recently, we have been switching the emphasis, as far as our striking power is concerned, from the manned bomber to the ballistic missile. This means that our deterrent posture is going to rely more and more upon our missile system.

As stated by General Power, "In 1959 we had better than 2,000 bombers in the Strategic Air Command, and 10 years later, in 1968, we will have some 700," according to present programs. In the meantime, we will have added greatly to our ballistic missile complex. In other words, we are phasing out our manned bomber program and are replacing it with missile delivery systems. This means, then, that our missile system will become, more and more, the security lifeline of this Nation and the free world. It follows, therefore, that nothing must be allowed to eventuate which would neutralize the effectiveness of our missile delivery systems or permit the enemy to better penetrate our own defenses. Such an event would shift military superiority to the Soviet Union, and with it would go the deterrent which has heretofore guaranteed the security of America and the free world against attack.

It is my fear that the proposed treaty, if ratified—as I am sure it will be—will be the instrument through which and by virtue of which such an event will materialize. Why do I say this?

At the advent of the voluntary moratorium in 1958, this country had unquestioned superiority in nuclear weapons technology. Because the United States faithfully observed the moratorium, we conducted no atmospheric tests between October 30, 1958, and April 25, 1962—a period of 3½ years. The Soviet Union broke the moratorium by resuming nuclear tests in the atmosphere on September 1, 1961, having announced its intention to resume such tests only 2 days before, on August 30.

The caliber of tests conducted by the Russians following the moratorium was such as to necessitate elaborate preparations extending over a long period of time prior to the resumption of the tests. Well-informed witnesses have testified that at least 1½ years were required to propare for the high-altitude tests alone; and there are highly informed persons who estimate that the Soviets carried on their preparations, for the entire series of tests, from the very beginning of the 34-month moratorium. We, therefore, were not only unable to detect the activity, on the part of the Russians, in preparing for a resumption of the tests; but by our having observed the moratorium and, thereby, having failed to make preparations to resume nuclear tests, we were unable to conduct an atmospheric explosion of a nuclear device before April 25, 1962—almost 8 months after the Russians had resumed atmospheric testing. Our preparation for a resumption of atmospheric tests was therefore a hasty one; and our subsequent tests were not as comprehensive or successful as were those of the Russians. In other words, the Soviet Union, by deliberately planning to resume tests and by conducting preparations throughout the period of moratorium, as some think, was able not only to get the jump on us, by a period of 8 months, in the resumption of atmospheric tests, but also was able to conduct a much more elaborate, comprehensive, and productive series.

General LeMay, in referring to our possible loss of ground within the last 2 years, more specifically because of the preparations conducted by the Soviets during the voluntary moratorium and their planned and surprise abrogation of that moratorium, said—as shown on pages 363 and 364 of the hearings:

> General LEMAY. We have already lost, I think, in some aspects, the lead that we had at the end of the war. We certainly had a tremendous lead then. We have lost that to some extent, because particularly in the last couple of years the Russians have conducted a very vigorous nuclear program. Ours has not been of that magnitude. So we, in effect, have allowed the Russians to catch up in some fields and perhaps even surpass us in some.
>
> What we want to do is reverse this trend, at least to hold our own, and forge ahead if at all possible.
>
> Senator JACKSON. Is it not true that they made this big gain because they were able to use the element of surprise in abrogating, without warning, the moratorium?
>
> General LEMAY. I think this is a fair statement, yes, sir; that during the moratorium we were not preparing an enormous test program. The Russians, I think, were. And when they suddenly abrogated the moratorium and launched the test program they made very rapid progress.

On October 30, 1961, exactly 2 months after the Soviets had announced plans to resume nuclear testing, they detonated a 50-megaton to 60-megaton device. As late as August 5, 1962, the Soviet Union detonated in the atmosphere a nuclear device in the order of magnitude of 30 megatons. This was the first of some 40 tests continuing to December 25, 1962. The last atmospheric detonation by the United States was on November 4, 1962. Subsequent underground tests were, however, conducted by the United States. As recently as June 30 of this year, the Atomic Energy Commission reported evidence of events in the Soviet Union in recent weeks which may be nuclear tests of very low yields. Incidentally, our inability to know with certainty whether these detected events arose from nuclear explosions is an example of the kind of uncertainties which may well face the decisionmaking elements of our Government under the proposed treaty.

On July 2, Mr. Khrushchev, in a speech in East Berlin, agreed to negotiate on a nuclear test ban treaty limited to the atmosphere, outer space, and underwater. The commencement of negotiations on such a treaty began on July 15, 1963.

It is my fear, Mr. President, that the Soviet Union, during its elaborately planned, comprehensive postmoratorium tests, was able to acquire information concerning weapons effects which we have not been able to acquire because of our failure to explode a nuclear device in the order of magnitude of the Soviet nuclear explosions.

Mr. RUSSELL. Mr. President, will the Senator from West Virginia yield?

The PRESIDING OFFICER (Mr. SIMPSON in the chair). Does the Senator from West Virginia yield to the Senator from Georgia?

Mr. BYRD of West Virginia. I am glad to yield.

Mr. RUSSELL. I do not like to interrupt the very able and well-documented discourse of the Senator from West Virginia. I regret that I have not been able to be in the Chamber during all the time he has been speaking; but I have heard as much of his speech as I possibly could.

Does not the Senator believe that our obsession with our world image has something to do with the fact that we have fallen behind in some kinds of tests? As soon as other nations protest, we cut back the size of our tests, or abandon them altogether. We seem to believe that we cannot exist unless we strive ceaselessly, day and night, to create the proper kind of world image.

Of course we want people to like us. I wish all would admire us; I should like to see all the nations of the world emulate us; but I believe there is danger in carrying this policy too far.

Their world image has never disturbed the Russians. They were preparing to test for the high-yield warhead. As it turned out, I believe our scientists estimated that it was one of 60 megatons; but after it was actually tested, it was found that if it had had a different kind of jacket it would have been a 100-megaton bomb.

Even the United Nations overwhelmingly passed, as I recall, a resolution—although I do not recall the exact vote.

Mr. BYRD of West Virginia. It was passed by a vote of 87 to 11.

Mr. RUSSELL. Yes, 87 to 11—or 8 to 1. The United Nations passed that resolution; but it had no more effect on Russia's conducting of that test than if some person confined to a mental institution had written a letter to Mr. Khrushchev. He did not pay the slightest particle of attention to the resolution; instead, he proceeded with the tests.

How has that hurt the Russians? Instead, when they do such things, they seem only to increase our desire to appease them, to accord them every consideration in connection with treaties, and to abandon elementary safeguards for our Nation's security.

I have been disturbed about the overweening and compelling desire to yield almost everything to the world image. We hear about it here on the Senate floor. In the course of the speeches during this debate, very few Senators who have spoken in favor of approval of the treaty, have failed to state that a very poor impression of the United States would be created if we did not immediately advise and consent to ratification of the treaty. However, I believe that sometimes our willingness to lean over backward in our attempts to please everyone is mistaken for weakness.

If we would pursue a firmer policy, not only with respect to the Soviet Union and the Communist world in general, but also in protecting our interests throughout the entire world, I believe we would fare better than we do by sitting down, and holding our hands, or holding our heads, and being distressed almost to death about the kind of world image we are creating. It is a form of narcissism; we are so worried about looking "pretty" to the world that we abandon almost everything else, and give ourselves up to idolatry of the world image and to attempts to create the right kind of world image.

Of course, the world image has its place, and we must respect world opinion. So we try to make friends. Heaven knows that we have been generous enough in our efforts to make friends throughout the world. We have spent more than $100,000 million; we have given it away here, there, and everywhere. On the other hand, the Russians, who have made a few loans and some minor grants, apparently have fared about as well as we have. Certainly they have fared as well by looking after their own self-interest, when they thought it was involved, as we have by abandoning our own self-interest, at times, when we thought we would thus create the proper world image.

Mr. BYRD of West Virginia. Mr. President, I thank the senior Senator from Georgia for his very pertinent statement concerning the anticipated effects which our rejection of the treaty would have upon world opinion, and also concerning the fact that this is a factor which evidently has carried great weight with many Senators in reaching their decision to support the treaty.

The same factor of world opinion was reflected, I am sure, in the course of reaching decisions upon the treaty by members of the military.

Mr. RUSSELL. Our fear of world opinion has become almost a national disease.

Mr. BYRD of West Virginia. Yes. I shall refer to world opinion a little later in my statement. But I think it would be apropos of what the senior Senator from Georgia has said to refer, at this time, to a statement by General LeMay which appears on page 371 of the hearings of the Committee on Foreign Relations on the test ban treaty. General LeMay said:

> General LEMAY. I think the fact that it had been signed had an effect on me, yes. In other words, both administrations in the years since the war have been trying to make some gains in the general disarmament field. This may be a gain.

Consideration of world opinion must have had an effect upon General LeMay, or at least the fear of an adverse effect which rejection of the treaty would have upon other nations of our world and our relationship with those nations must have been a factor. It could not help but be a factor in General LeMay's thinking, in the thinking of others or, for that matter, in my own thinking.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I should like to continue briefly, and then I shall be happy to yield to the Senator from Louisiana.

On page 372 of the hearings, the Senator from Arizona [Mr. GOLDWATER] asked the following question:

> Senator GOLDWATER. My question was at this point that if it had not been signed, if it had not been initialed, if we were merely sitting here discussing the desirability or lack of desirability of a limited treaty like this, would you oppose it or support it?
>
> General LEMAY. I had not given any thought to that patricular one. This is an important question. I would think that I would have been against it.

On page 373, the Senator from South Carolina and General LeMay engaged in the following colloquy:

> POSITION IF TREATY WERE NOT YET SIGNED
>
> Senator THURMOND. Senator GOLDWATER asked a question similar to one I propounded in the Preparedness Subcommittee. That is this: If the proposed treaty had not already been signed, but was being considered in a proposal stage, would you recommend that the United States sign the treaty?
>
> General LEMAY. I haven't given any thought to the subject, Senator. I said I would—I thought I would not be in favor of it. But I wouldn't even want to give an unqualified "No" until I spent some time on it. Certainly this was a factor that influenced me in recommending that we ratify it. How much weight I would give to it—I would want to spend a considerable amount of time on this, and I have not done so.
>
> Senator THURMOND. I believe your answer in the subcommittee, and I quote, was this: "I think that if we were in a proposal stage that I would not recommend—that I would recommend against it."
>
> That is correct, is it not?'
>
> General LEMAY. I think I would. That is correct.

On page 399, General LeMay said:

> Well, I gave some weight to this psychological atmosphere that you were talking about, Senator, myself, in arriving at my conclusions. At this morning's session the other Chiefs said no, they didn't think it was very important. I do attach some importance to it because for a number of years we have been trying to reduce tensions, reduce armaments in this country, both administrations have been trying to do that.
>
> This is a step in that direction, I believe, and if we did not ratify it I don't know what our political loss would be, but I think there would be political loss.
>
> So I gave it some weight in arriving at my answer.

On page 399 General Wheeler said:

> I would agree that world opinion has built up to the point where there would be very sizable political implications if the United States were to dash these hopes. I am not prepared to say exactly what the effect of those political implications or the political effect would be, but I do not think it would be good.

Secretary of State Rusk, who supported the treaty, made a statement regarding world opinion which should guide us in our deliberations upon this treaty. I quote from page 55 of the hearings, where the following question by the Senator from Kansas [Mr. CARLSON], will be found:

> There could be, I am sure, no question as to the legal right to withdraw from a treaty, but I wonder if there is not another side to this. Once our signature is on this treaty, would it not be most difficult to withdraw from the treaty from the point of view of world opinion, even though there is positive evidence that the Soviet Union had violated it?
>
> What will our position be with other nations in that event?
>
> Secretary RUSK. So I think there would be very great regret if this treaty were to collapse.
>
> But, on the other hand, where we are dealing with a security matter that goes to the life of our own country I do not believe that world opinion can play a decisive role. We must do what has to be done, and I believe that the rest of the world will understand.
>
> I think that there would be general understanding, even if with great regret, there would be general understanding if we came to the conclusion that this treaty was not working and that our security required us to resume testing.

Of course, Secretary Rusk was talking about the possibility of our having to withdraw at some future time. It is easy to say now that in such a situation we could disregard world opinion. But we have not reached that bridge yet.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. RUSSELL. The Senator has certainly shown that he has done his homework. He has available a quotation of evidence for any question which might arise.

At that period, when we first started the hearings, nearly all of our attention was centered on the effects the treaty would have on the United States of America and Soviet Russia. We did not go very far beyond that point. Some questions were asked as to Chinese testing and French testing. But we did not realize that we would wind up with more than 100 countries signatory to the treaty. That was one of the things that finally persuaded me that the treaty was not in the best interests of our Nation.

Amendments will be proposed to the treaty by countries which have nothing to lose. If they receive one-third of the votes, a conference will be called, and if there were a large majority of votes in favor of an amendment, it would be difficult for us to say that we would not support the particular amendment.

That is as grave a danger to me as the implications of the treaty itself. Men of great ability, courage, and intelligence have risen on the floor of the Senate and said—

> We would shock the world if we did not sign the treaty. I myself have grave doubts and besetting fears about it. I fear it will endanger our country. But I shall support it because I do not wish to offend world opinion.

I must say that that argument almost persuaded me at the outset. I finally decided that nothing in human history would lead me to believe that any other country would sacrifice any of its vital interests on our behalf. So while I crave the good opinion of every people on earth, when it comes to a question of gaining world opinion at the expense of the vital interests of the United States, I must be counted out. I cannot go that far.

Much as I wish to be liked, and much as I wish to have my Nation admired, when it comes to a clash between world opinion and our vital interests, the world opinion will have to "go hang." I shall have to be counted out, for that will not enter into my calculations.

I do not believe any other country on earth has ever made the sacrifices which the United States has made since the end of World War II to build up a favorable world image. We have built up an image of people who will continue to tax themselves to take care of projects all over the earth. If the American people ever reach the point where they cannot maintain the tremendous foreign assistance program the image will be destroyed, and we shall have a bad world image, because next to a woman scorned "hell hath no fury" like that which results from taking away from a country some benefit which has been extended to it for a long period of years.

Mr. BYRD of West Virginia. Mr. President, I agree with the Senator from Georgia. It seems to me the sound position which has been expressed by the proponents of the treaty; namely, that if that moment ever comes when we must withdraw we should disregard world opinion in the interests of our own national security—should be applied here and now. I should like to apply that argument at this point.

The Senator from Georgia referred to world opinion. The Senator referred to the number of nations that have signed the nuclear test ban treaty. As of today, 97 nations have signed the nuclear test ban treaty. Since we are talking about world opinion, I should like to closely and meticulously scrutinize exactly what nations will constitute that world opinion insofar as signatures are concerned. I shall read the list of the nations:

The United States, the Union of Soviet Socialist Republics, the United Kingdom, Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Cameroon, Canada, Ceylon, Chad.

There are countries on this list I have never before heard of. There are countries listed which, I daresay, few Senators ever realized were in existence. Yet they are countries which are supposed to alter the course of world history.

Colombia, Chile, China—Taiwan—Congo, Léopoldville, Costa Rica, Cyprus, Czechoslovakia, Dahomey, Denmark, Dominican Republic, El Salvador, Ethiopia, Finland, Gabon.

I have no doubt that I shall mispronounce some of these names, because this is my first occasion ever to read them.

Mr. RUSSELL. Mr. President, if the Senator will permit me so to state, when I announced on the Senate floor my views with respect to this question, and incidentally stated that Gabon was the 91st state to sign the treaty, an eminent, able, well-educated, and intelligent Senator asked me how to spell "Gabon."

Of course, Gabon will have the same right to propose an amendment to this treaty that the representative of the U.S. Government will have.

Mr. BYRD of West Virginia. Certainly.

German Democratic Republic—East Germany—Federal Republic of Germany—West Germany—Ghana, Greece, Honduras.

Mr. LONG of Louisiana. Mr. President, will the Senator yield at that point?

Mr. BYRD of West Virginia. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. We are told in the committee report that the treaty will not forbid us from using atomic weapons to fulfill our treaty commitments in the event we must defend some nation.

Is it not true that any one of these little countries, some of which have hardly been heard of, would have the right to haul the United States before the World Court and have the World Court tell the United States that it is forbidden by the very clear language of the treaty to use its missiles or atomic weapons in the fulfillment of treaty commitments to defend some other country?

Mr. BYRD of West Virginia. I so interpret the treaty.

Mr. LONG of Louisiana. The treaty reads that among its purposes is a purpose to prohibit pollution in the atmosphere. That would give every country an interest. No matter where an atomic explosion occurred, whether over our Nation's own territory, over the high seas, or in space, every country would have an interest and could haul the United States before the World Court. We are a member of the Court. We do have the Connally reservation.

A majority of Senators who expect to vote for the treaty have been trying to get rid of the Connally reservation.

In such an event we would have to stultify ourselves and say that the treaty was not an international question, which would provide for jurisdiction of the World Court.

It is clear to me that any one of the countries which accept the jurisdiction of the World Court would have the right to haul the United States before the World Court, which could tell the United States that the treaty means exactly what it says.

As the Senator well knows, General Eisenhower, a former President of the United States, said we would not wish to be held to a commitment that we could not use these weapons for our own defense purposes or to fulfill treaty commitments. The administration tells us the treaty does not mean that at all, and that they have no such thing in mind. There has been a legal opinion written by some legal officer who was willing to put his name on it, which says the treaty does not mean that. But the Senator knows that the rule of statutory interpretation is that when the language is clear one does not look to legislative intent. Many people, who did not realize that if the language is clear the legislative intent is meaningless, have been put in jail.

Mr. BYRD of West Virginia. I thank the Senator. I agree with him.

I continue to call the roll of the signatories: Hungary, Iceland, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Korea, Kuwait.

Laos, Lebanon, Liberia, Libya, Luxembourg, Malaya, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway.

Pakistan, Paraguay, Peru, the Philippines, Poland, Romania, Rwanda, San Marino, Sierra Leone, Somali, Spain, Sudan, Sweden, Switzerland, Syrian Arab Republic.

Tanganyika, Thailand, Togo, Trinidad, and Tobago—there are two names, but only one country—Tunisia, Turkey, Uganda, United Arab Republic—Egypt—Upper Volta, Uruguay, Venezuela, Western Samoa, Yemen Arab Republic—Yemen—and Yugoslavia.

Mr. President, as has been stated, one of the arguments persistently suggested in favor of the Senate's consenting to the ratification of this treaty revolves around the consequences to U.S. prestige and its image as the leader of the free world, and the adverse reaction which could be expected from world opinion if our consent should be withheld.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. LONG of Louisiana. Is it not true that a great many of those nations—particularly the smaller and less well-known nations—signed the treaty because the United States sent its Ambassador to the country and asked that it be signed?

In nearly all those countries—all except the ones behind the Iron Curtain, with possibly one or two exceptions—there are U.S. aid programs in operation. My guess would be that the Ambassador merely walked in and asked them to sign. The people of those nations have no weapons; nevertheless, they would not be barred from testing atomic explosions underground.

I suppose the American Ambassador merely walked in and asked them to sign the treaty. They would sign, of course.

I have been informed that perhaps not more than seven countries have an atomic capacity, the ability to build an atomic weapon.

The American Ambassador would walk in. The nation would not have an ability to build a weapon, anyway. There would be a U.S. aid program in that nation. The Ambassador would say, "I would like to have you join in this treaty." And they would say, "We think that would be fine."

While I respect our President and feel very kindly toward him, and propose to help him in some of his legislative proposals, certainly with regard to this type of thing if the administration or the Government is worried about the embarrassment that may be caused, before we go that far out on a limb, it should withhold action until it ascertains whether the Senate is going to ratify the treaty.

Mr. RUSSELL. Mr. President, if the Senator will yield, the treaty is also important to certain ambassadors of most of those countries. It is a stimulation to their ego to sign the treaty. It puts them on a level with the "big boys." They can say, "Here we are all together. We are just as big as the U.S.S.R. and the United States and Great Britain or any other great nation, and we have the same right to offer amendments as anyone else; and while we have no nuclear weapons, if we can do anything to hamstring those who do have them and limit their use, it is in our interest, because 100 years from now we hope to be a mighty country. We may be able to dominate the earth, if we can stop those who have such weapons."

I think we can judge states pretty well by reactions within the human family. Anyone who remembers when he was a little boy knows how little boys like to play with big boys. What a hard time the big boys have keeping the little boys from playing with them. This treaty gives the emerging nations great prestige. A foreign minister can say, "I was in the United States and sat down by the Secretary of the United States and, in behalf of our country"—perhaps with a few hundred thousand population—"I took the same position on the ban on nuclear weapons as did the United States and Soviet Russia. We are all equals in the community of nations sponsoring the treaty."

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to the Senator from South Carolina.

Mr. THURMOND. Does not the Senator from West Virginia think this was a move on the part of the administration, from the psychological standpoint, so it could be placed in the position of saying, "Look at all the nations which signed the treaty. If this country fails to ratify the treaty, that will give us a bad image around the world?" Does not the Senator think a psychological play was made on that point?

Mr. BYRD of West Virginia. I do not presume to read the minds of other people or to look into their hearts or to know whether or not this may have been the purpose and plan of the administration. I merely say that we are confronted with the situation, and I do not believe that we should be overly persuaded by it.

I join with the Senator from Georgia in saying it is important that we enjoy favorable world opinion, and it is important that we project a favorable image before the world for ourselves; but I feel in a situation such as confronts Senators, they are voting on a question that is vital to the security of the United States of America, and Senators should subordinate the factor of world opinion, or our world image, to a secondary role in reaching a decision as to how to vote.

Mr. THURMOND. Does not the Senator feel that we would enhance our image if some of the very nations that seem offended by our action would not ask for foreign aid? I believe the record shows that we have provided foreign aid to 104 nations of the world, and this year there is a request to provide foreign aid to 100 foreign nations. The record shows that since World War II this country has provided $121 billion, including interest, in foreign aid. Would it not seem more in order if there were not requests from these countries for large amounts of aid? Would it not be more in keeping if they would first provide for their own means, and not call upon this country for aid and then turn around and criticize this country for anything that happens here?

Mr. BYRD of West Virginia. Mr. President, I thank the Senator for his comments. I appreciate them. To some extent, I share those sentiments, but I do not believe that they are pertinent at this time, so I do not wish to proceed to discuss the matter of foreign aid. I do not mean to say that the subject of foreign aid is entirely dissociated from the subject which is now under discussion. I cannot see the close relevancy of it however.

Mr. THURMOND. Except in this respect: Nations over the world want foreign aid. The same nations have been asked to sign the treaty; and many of those nations are the very ones which have criticized the policy of this country.

Mr. BYRD of West Virginia. I do not think there is any question about it; and I deplore the situation.

Mr. President, if we accept the argument concerning world opinion and if we agree that world reaction would be intolerable, the implications for future U.S. implementation of the withdrawal provisions of the treaty are ominous, as I have indicated.

But if we cannot refuse our consent now, before we are committed, how much more difficult will it be for us to withdraw, even with cause, after a few months or years have passed?

I am convinced that we cannot have the best of both worlds. We cannot bow to world opinion now, and emphasize its significance, and still argue that our withdrawal from the treaty would be precise and simple and dictated solely by this Government's own judgment of its security requirements.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Is it not true that if this Nation is compelled to fight a war with the Soviet Union over the Cuban question, for example, it is entirely possible that we shall not have a single ally that will make a major contribution, one way or the other, to the outcome of the conflict? The Senator well realizes, I am sure, that if there is to be a nuclear war, most countries that do not have nuclear weapons will count themselves out in the beginning.

Mr. BYRD of West Virginia. I think they would like to count themselves out if they could by so doing extricate themselves from the situation.

Mr. LONG of Louisiana. Can the Senator suggest what possible difference it would make in a struggle of this nature whether the smaller nations joined or stayed out? Would not the outcome be determined one way or the other by the devastating power of the two great nuclear powers?

Mr. BYRD of West Virginia. I do not think there is any question about it. The United States possesses 90 percent of the striking power of the free world. That 90 percent of the striking power of the free world is built around the Polaris submarine and the Strategic Air Command. I think this fact supports what the Senator from Louisiana has just said.

Mr. LONG of Louisiana. The point that strikes the Senator from Louisiana is that if we should let the strength and defenses of this country decline, as compared with the Soviet Union's, to the point where we would not be able to save ourselves, we would be so foolish that we should not expect anybody to save us, because we have that power today, and we ought to see to it that it is maintained.

Mr. BYRD of West Virginia. I agree.

Mr. President, we cannot argue that this Government will be the unchallenged master of its fate in connection with the withdrawal provisions of this treaty, and the servant of world opinion in connection with the treaty's ratification.

Our national security policies either are dictated by world opinion or they are not. If they are not, we can dismiss world opinion as a factor which looms large in our consideration of the treaty and confine ourselves to its security implications. If they are, we should recognize, then, that withdrawal will be complicated and difficult, and not the simple, straightforward announcement of decision and intent that the treaty and its advocates suggest.

I now return to my fifth point, the argument that we would be prohibited from acquiring information of weapons effects of tests.

General Power articulately voiced my fears before the Preparedness Subcommittee, when he said:

> Now there are great voids in our knowledge on such things as (deleted) shock wave propagation, blackout, communications, and command and control that, in my opinion, can be obtained only through atmospheric testing.
>
> If this information which we don't have should turn out to be valid information (deleted) I would say it is vital.

So, Mr. President, is there a possibility of unknown vulnerabilities in our intercontinental ballistic missile launch sites? Are our missiles truly survivable in a nuclear environment? Are our missile sites vulnerable to overpressure, shock, and thermal effects which flow from the explosions of high-yield weapons?

I ask these further questions, Mr. President: Is it possible that the Soviets, in exploding multimegaton weapons, may be able to render our missiles useless through weapons effects upon the highly sophisticated electronic systems? Will our nuclear warheads and reentry vehicles have the ability to penetrate and survive in a nuclear environment created by Soviet defenses? Will our radars be ineffective in the presence of "blackout" from multimegaton bursts, thus making it impossible to locate the incoming warheads and perhaps more importantly to discern between the incoming warhead and the decoys?

While I do not doubt that our deterrent missile systems will be able to perform their mission today and tomorrow, because of their complexity there are unresolved uncertainties that we need to determine and to rectify so as to assure ourselves that our deterrent capability will be maintained in future years. These uncertainties can be more fully resolved only through a series of atmospheric nuclear tests. Could it be possible that the Russians, through their post-moratorium atmospheric tests, have acquired valid information which will guide them in determining and resolving such uncertainties as far as their own systems are concerned?

This is the question the answer to which we may learn when it is too late.

General Power referred to some voids in our knowledge:

> This missile has never been operationally tested all the way through from stockpile to detonation, and we have never tested such things as the vulnerability [deleted] due to shock wave propagation, due to blackout, there are many voids in our knowledge as to the operational capabilities and vulnerabilities of this weapon system.
>
> In particular the RV, [deleted] thermal effects, blast effects—cannot really be tested from my point of view as an operator until you test it in the nuclear environment, and as I am responsible for writing the war plans of the free world, I have to deal with facts.
>
> I have to deal with proven data, and if too much of the data is extrapolated or theoretical, I do not have a high confidence factor that I have a sound plan. We are dealing with the security of the United States, and if facts can be obtained, I want to have them.
>
> Now, in writing a war plan, I have to assign a survivability factor to every one of these silos. I have to assume that the Soviet Union has missiles with a certain accuracy and a certain yield and that they land in a certain place. Then I have to extrapolate whether that particular silo is going to survive and give it a value. I have to do that for each weapon system.

Dr. Edward Teller referred to the possible vulnerability of our weapons sites:

> It is a fact fraught with danger that the ability of these sites to withstand the overpressures for which they have been designed has never been tested. * * * It is probable that under the test ban as proposed and interpreted at the present time these badly needed tests will not be carried out.

Dr. Foster spoke of the problem in this way:

> Regarding defense, one of the critical questions concerns the effect of blackout from defending missiles on the defense system itself.

Dr. Foster then went on to explore the problems which might confront our effort to penetrate Soviet defenses:

> On the opposite side of the coin, suppose that the U.S.S.R. were to develop a defense such that our ability to penetrate might depend on a saturation attack. For this application, specially designed hardened warheads might be required. Considerable progress on such warheads can be made with underground tests, but under the treaty again the crucial atmospheric experiments to determine if the warhead actually has the necessary hardness against combined radiation and shock effects would be prohibited. We might thereby be denied assurance of such a penetration capability.
>
> The disadvantages resulting from the treaty in restricting our knowledge of site vulnerability, penetration and defense, I believe, are very serious. Our current judgments are based on relatively few atmospheric tests. Wide margins of error are possible in weapon effects which we do not fully understand. Other effects, heretofore neglected as unimportant, could become dominant. Ignorance, ineradicable under the treaty, can thereby increase the uncertainty in technical-military judgments.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. I am sure the Senator is familiar with the fact that not only do we not know the information we should have if we are to be secure in our defense, and whether the hardened sites will withstand the shock and radiation of an enemy attack with atomic weapons; but, as the chairman of the Armed Services Committee pointed out in his speech, we do not know whether the overwhelming majority of the missiles we have in our inventory will actually work, because they have never been tested under the conditions under which they would be fired at a target.

I can illustrate that by the fact that in World War II the Japanese sank almost our entire Pacific Fleet, at least everything they could catch at Pearl Harbor, with torpedoes that we did not even know existed. They had tested their torpedoes against old ships, to make sure they would work.

On the other hand, during the first 18 months of World War II, time after time our submarine commanders would fire torpedoes at a Japanese ship, only to have the torpedoes bounce off the ship, or go under the ship in the case of magnetic torpedoes. The torpedoes would not explode, because we had never tested them under the actual circumstances in which they would be used. We had never determined whether they would work when they were fired. We had contented ourselves with putting them through a test course. We thought that if all the components checked out, they would work. That is what we assumed. Of course it was a false assumption, and it almost lost us the war.

Mr. BYRD of West Virginia. I thank the able Senator for his observation concerning the failure to test torpedoes during the early part of World War II. The Senator's comment is interesting and appropriate.

At page 182 of the hearings the Senator from Nevada [Mr. CANNON] asked a question with reference to weapons effects:

> Senator CANNON. Now, do you feel that we have sufficient evidence and information available to us in the areas of guidance, from the standpoint of weapons effects?
>
> Secretary MCNAMARA. I believe we have sufficient information available to us in relation to the effect on guidance of nuclear explosions properly to protect our force and insure that will be effective against the enemy. I want to emphasize that we don't know all there is to know about the effects of nuclear detonations on guidance. Much of what we don't know can be learned from underground tests.

There is considerable difference of opinion, of course, as to how much can be learned from underground tests, but there is unanimity of opinion that everything we need to know concerning weapons effects cannot be learned from underground tests.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. LONG of Louisiana. The Secretary's statement relies heavily upon the idea that we could test a warhead underground and find that it would explode; then test some other component and find that it would operate satisfactorily; which would lead to the conclusion that if the components were satisfactory when tested separately, and then were all assembled, desired results could be obtained.

What is wrong with that theory is that so often in actual operation the weapon will fail. That was what we learned about our torpedoes in World War II. Theoretically they worked; in practice, they were not worth the powder it took to blow them up.

When a weapon is as complicated as a missile, which is infinitely more difficult to explode than it is to fire a torpedo, the only way to learn whether it will work is actually to try it under the kind of conditions in which it is designed to function.

Another example is the orbiting of men in space. Every time a man was put in space—it has been done about 10 times—something has gone wrong. The first time the shield was not ejected as it was supposed to eject. There was fear that the man would burn up as he came out of space. I believe it was John Glenn whose shield burned. When another man was orbited, something else happened. Improvisations were made to overcome mechanical failures.

Intercontinental ballistic missiles—the ones we are building at this moment—can get through to an enemy. But only one has been tested successfully, so far as I know, under combat fire, a test in which a missile was actually fired to see if it would get near the target and explode.

I believe there was a successful test of a Polaris missile. That would give us reason to believe that that type of missile will work, because it was fired under actual test conditions.

Incidentally, that would be an instance in which everything was checked out under conditions more favorable than war conditions. But at least it would be a test to determine whether a weapon would actually work.

The Senator from West Virginia knows that many missiles in inventory have never been tried under similar conditions. As to those, the hope is that they would work, although we do not know whether they would or not.

Mr. BYRD of West Virginia. Exactly. General Power said there were *x* numbers of weapons in his arsenal, not one of which had been tested through the point of detonation.

Mr. LONG of Louisiana. Since our lives depend on the functioning of missiles, would not the Senator say it is rather dangerous to say that weapons which we rely on will work, not knowing whether they will work or not?

Mr. BYRD of West Virginia. I certainly would say so.

At page 214 of the hearings before the Committee on Foreign Relations, Dr. Seaborg said, with respect to weapons effects:

> This is a weapons effect question for which the Department of Defense has primary responsibility. I can say that we have obtained a good deal of information on blackout phenomena in connection with our already performed high-altitude tests.
>
> However, it would not be possible to obtain any substantial further information on blackout phenomena under the terms of this test ban treaty.

At page 245 of the hearings, Dr. Seaborg said, again with respect to the subject of weapon effects on our weapons system sites:

> Because this is the total effect in the atmosphere I am referring to here on the integrated system, the whole system. We can carry out component studies, that is, the effect of the radiation from an ABM on a warhead, and things of that sort, underground. We can do that underground. But in order to study the effect of an ABM and its kill radiation on an incoming warhead, under the conditions that you would encounter in actual use, you have to do it in the atmosphere where the use would—in the environment where it would take place, and that is what I mean by that statement.

At page 274 of the hearings, General Taylor said:

> There are other disadvantages which apply in varying degrees to both sides. For example, knowledge of weapons effects is incomplete at best and although knowledge could be gained from underground testing, knowledge which only testing in the prohibited media could provide would be denied. Also, there would be no opportunity to conduct environmental tests of current weapons or of those which might be acquired in order to verify their performance.

General Taylor, referring to the subject of weapons effects, said, at page 286:

> I am not a technical expert, Senator SPARKMAN, on this subject. Obviously, I have raised questions of a similar nature with the experts that we have. We know quite a bit about the general phenomenology of blackout effects from our own testing. I think that all of our experts would say, however, we certainly do not know everything, and we would like to know more.

General Taylor said further, at page 299:

> General TAYLOR. As the Joint Chiefs have pointed out, there are limitations in the sense that we can never have complete weapons effects tests which would involve atmospheric testing. That is a disability, but not a critical one. We can indeed develop, fabricate, and deploy an antiballistic missile system if we so choose.
>
> Senator HUMPHREY. In other words, the scientific work relating to the vehicle that would be needed to mount a nuclear warhead or to send it into outer space or into the high altitude or into any kind of defense position is not impaired by this treaty, is it?
>
> General TAYLOR. No, sir. That can be done and tested. It is primarily the absence of a complete weapons test, including the nuclear warhead, which is being made impossible.

The point made by the Senator from Louisiana has been well substantiated by statements of our military experts. The fear that I have, and that certain other Senators have, is that while we do not possess more information—and it may be vital information—with respect to weapons effects on our weapons sites and systems, the Russians may already have acquired such information as a result of their extensive, elaborate, comprehensive, effective, and successful atmospheric tests that were conducted subsequent to their abrogation of the moratorium.

Mr. LONG of Louisiana. Is the Senator familiar with the statement of Dr. Brown to the effect that we could design around the areas of American ignorance? Can the Senator say what Dr. Brown meant by "designing around" our ignorance of the answers to these problems? How do we "design around"?

Mr. BYRD of West Virginia. I assume, with reference to a blackout of our radars, that he meant that we would provide more radars, and that they would be spaced in such a way that even though there might be a blackout here or a blackout there, the radars in some other area would function. That would be one way of "designing around."

Mr. LONG of Louisiana. If there were a large explosion in the vicinity of a city which was the target of one missile, I would then assume that "designing around" probably would mean that we would try to have a radar several hundred miles away, or might have some remote control procedure, in the hope of guiding a missile against a succeeding weapon aimed at the same city.

Not having had explained in detail what the problems are—and I am sure some of them are classified—it seems to me that the idea of "designing around" areas of American ignorance rather than finding answers to the problem would be in the same general category as trying to kill elephants with broomsticks, because one would be prohibited by a treaty from developing a good elephant gun.

Mr. BYRD of West Virginia. It would certainly be costly, time consuming, and uncertain. I assume that another way of "designing around" the weapons effects problem would be in connection with control systems related to missiles. Instead of ground control systems being used for our missiles, we could develop airborne control stations.

Another way of "designing around" some of the defects would be to attempt to harden missile sites to a greater degree than they have been hardened in the past.

I agree with the Senator from Louisiana that while we might be able to overdesign or overcompensate for some of the defects, we are not certain, in the first place, of precisely what the uncertainties are, and we will not be able to fully identify the uncertainties until we can test in the atmosphere.

Secondly, we cannot be sure that we have adequately compensated for the defects.

Finally, it is important to remember that we are dealing with the security of the United States. When we deal with the security of the United States, we would like to deal with as few uncertainties as possible.

Mr. LONG of Louisiana. To say the least, if we should try to "design around" areas of ignorance, the weapons system adopted might be far less efficient than the one we would have if we actually had the answer.

Mr. BYRD of West Virginia. Yes. I thank the Senator from Louisiana.

Continuing on the point of weapons effects tests, I should like to quote General LeMay, as his testimony appears on page 365 of the hearings:

> General LEMAY. Well, from my personal standpoint, I haven't been too happy with our testing program in the past. I think we should have done more testing than we did, not only underground but in the atmosphere, too. I certainly haven't been happy with the situation which exists that we haven't been able to carry out full-scale tests on any of our missile systems.

Again I quote General LeMay, as his testimony appears on page 391 of the hearings:

> General LEMAY. Well, if it would stay there, probably we wouldn't have much to lose.

He was referring to the nuclear superiority we are supposed to possess.

Then he said:

> But I wonder whether it is going to stay there or not, and, in addition to that, this is just our estimate of the situation. Our delivery capabilities, I think at the present time are better than the Russians. That doesn't mean they are going to stay that way.
>
> I think we have more weapons and a greater variety of weapons now than the Russians have. That doesn't mean it is going to stay that way.
>
> The thing that worries me is that this preserves the uncertainties that we have in our mind now for as long as the treaty is going to be in effect [deleted].
>
> We just don't all know the things we would like to know about the vulnerabilities of [deleted] systems [deleted].
>
> Senator PASTORE. Can I interrupt you there, General? Do you think that the Russians know?
>
> General LEMAY. They may know a great deal more about it than we do, as a result of the last two series of tests that they have run. [Deleted.]

General LeMay and the Senator from Rhode Island were referring to the possible vulnerabilities of missile systems.

General LeMay, continuing, said:

> This bothers me, and one of the things that I don't like that if this is true and they do know more than we do, they may know something that is vital. They may have been able to pick up a weakness in our defense system that they can exploit.

There is some reason for them wanting this treaty when they didn't want it on two occasions before. What is it?

* * * * *

General LeMay. These are the disadvantages that we see. They are possibilities and we certainly have tried to say that even with the safeguards that we have suggested that we have, that certainly ratifying the treaty is not without its risks.

Now, I pointed out these other uncertainties, that we don't know. For instance, [deleted] that the Russians are ahead of us in the high yield spectrum, we are about equal in the [deleted] megaton range, and we are ahead in the lower [deleted] range.

Now, I can't prove otherwise, but I am very suspicious, because we know [deleted] that the Russians were planning a test program [deleted] before they broke the moratorium and started testing. [Deleted.]

In addition to the uncertainties affecting our strategic missile system, expert testimony has indicated that atmospheric testing is mandatory for the development of an optimum antiballistic missile and for establishing with certainty its ability to perform its mission under the extreme conditions to which it will be exposed if the occasion to employ it should ever arise. There has been much confusion about the relationship between atmospheric testing and the perfection of ABM systems. This is not a matter involving the development and testing of the warhead. It does involve the question of whether we have adequate information on what we require in the way of a warhead and what we require in the way of radar performance to give this Nation an ABM system with sufficient reliability to make its production and development and deployment worth the billions of dollars involved. The technical testimony leaves no doubt that we can design and produce an ABM system of unknown performance and reliability under the conditions in which it must perform its mission. However, the degree of confidence we can place in such a system and the extent to which we can provide a system which will give this Nation the greatest protection at the lowest cost are directly dependent upon our ability to conduct the necessary tests in the atmosphere.

Mr. President, regarding the need for atmospheric tests in the development and deployment of an antiballistic missile system, I read a statement by Admiral Strauss, which appears on page 692 of the test ban treaty hearings:

With this reservation, I would like to comment, in order to protect myself from attack. I am no technician but I have been present at the birth of many new weapons systems over a long period of years. No matter how well in theory the components of a weapon will behave on paper, there is no assurance that they will work dependably together until they are put together and tried, and an antiballistic missile system cannot be tested underground and, therefore, no nation, our Nation could not put one safely into production and stockpile it which had never been tested. This is a layman's opinion based on experience.

On page 103 of the hearings, the following statement by Secretary McNamara appears:

In designing an antiballistic missile system, the major factors are reaction speed, missile performance, traffic handling capacity, capacity for decoy discrimination, resistance to blackout effects, and warhead technology.

The last two of these items, resistance to blackout effect and warhead technology depends on nuclear testing.

At page 438 of the hearings, Dr. Edward Teller is recorded as saying:

I am in agreement with Secretary McNamara that under the present ban we can proceed with our antiballistic-missile defense. I do not agree that we can complete this development. Actually, Secretary McNamara did not say anywhere that he intends to deploy a system. Perhaps his lack of determination to deploy is due to some lack of knowledge. These are not black-and-white questions. I feel we need observation, traffic handling, the perfection of warheads, radar, all the points that the Secretary has made very effectively; I agree with all of them.

At page 452, Dr. Teller said, with reference to the necessity for atmospheric tests in connection with the development of an antiballistic missile:

On that point I will say that indeed we can do a lot in this development without atmospheric tests, we cannot bring the development to a reliable conclusion without atmospheric tests.

More than that, as we proceed in developing our defenses, we have to make choices. We have to decide at what altitude we want to shoot down the aggressor.

Senator Lausche. I think you have covered that.

Dr. Teller. What kind of rocket we need. A number of choices of that kind. This must be done often rather early in the game and to make choices without the knowledge that atmospheric testing could give us is a very distinct handicap.

SIGNIFICANCE OF POST-SEPTEMBER 1961 TESTS

Senator Lausche. When you state that in your opinion Russia occupies a superior position to ours in connection with the antiballistic missile, what significance do you attach to the extensive and large tests which were made after September of 1961?

Dr. Teller. I would guess that the Russians may have acquired the bulk of their knowledge in this field in 1961 and 1962, although it is quite possible that they may have acquired quite a bit of their knowledge even earlier. They have been pushing missiles, rockets, much earlier than we have, and every indication shows that their interest and confidence in ballistic missile defense is older and stronger than ours.

ATMOSPHERIC TESTING AND SOUND MISSILE DEFENSE

Senator Lausche. The statement is made by the Joint Chiefs further. I quote:

Both sides could achieve an antiballistic missile, but one with less desirable characteristics than would be the case if additional atmospheric tests were conducted.

May I have your comment on that statement, first as to its soundness and second as to whether Russia is ahead of us, because it has conducted these large-scale tests.

Dr. Teller. In general I agree with the statement. I consider it something of an understatement.

Senator Lausche. Will you give it in your light?

Dr. Teller. I would say that with atmospheric testing, there is a real chance to develop a sound antiballistic missile, a sound missile defense. Without such testing, it is my opinion that whatever we develop will be uncertain, imperfect, and that may not even be developed, because our doubts, together with the expenses, may persuade us from such a development.

The Senator from Louisiana [Mr. Long] then asked questions—which appear on page 467 of the hearings—as follows:

Senator Long. Doctor, you suspect, as I understand your earlier testimony, you suspect that in the last series of tests the Russians probably obtained the information that they would need to develop an antimissile missile, or to develop a ballistic-missile defense, to put it another way.

Dr. Teller. I do not know how perfect their information is, but I feel the probability is very common that they have developed very relevant knowledge which will be useful for them in installing their anti-ballistic-missile systems.

Senator Long. In the event they were able to develop a missile defense against our ballistic missiles, and then proceed to breach the treaty just long enough to prove it out, would there be time for us to do the same thing after we found out that they had violated the treaty?

Dr. Teller. I am virtually certain there would not be time enough. We would be lucky to get off to meaningful testing in 3 months, whereas they, if they have indeed perfected, installed, but not completely proven out their anti-ballistic-missile equipment, they could abrogate the treaty in a day, use the next week for 100 or 500 detonations, and if they then find the results unsatisfactory, they will have lost a treaty.

If they find it satisfactory, they will have won the world.

In addition to the need for weapons effects tests in our quest for an effective ABM system, I think it significant that we have conflicting testimony regarding our Nation's requirements for very high yield weapons on the order of 50 to 100 megatons. The problem has been under study for years, and clear and unequivocal decisions relating to our needs for such weapons and the techniques we would use in employing them still are not forthcoming. I can only conclude that our inability to make a firm military decision on this matter, perhaps, is the result of our lack of knowledge concerning the military effects of these weapons. It is unlikely that clear decisions will ever be forthcoming unless we are able to produce the device, to test it, and to measure and analyze its effects, as the Russians did nearly 2 years ago.

Mr. President, it seems to me that the crucial problem of weapons effects was epitomized by Dr. Foster in the course of a colloquy which is to be found beginning on page 628 of the hearings. I shall provide the following excerpts:

Senator Byrd of West Virginia. Dr. Foster, I have heard that we have as large a weapon as we could conceivably need. We can produce a 50-megaton weapon, and this would be as large as any country would ever have to have. It seems to me that this is really beside the point.

Am I correct, Dr. Foster, in saying that what should really concern us are the effects of the explosion of such a weapon upon our missile sites and upon our missile systems?

Dr. Foster. That is correct, Senator Byrd.

Senator Byrd of West Virginia. Dr. Foster, if we confirm the treaty we will have to confine our tests to underground tests.

Now, with the information we already have as a result of previous testing in the atmosphere, and through the medium of underground testing, can we acquire satisfactory and dependable and conclusive information with respect to weapons effects upon sites and systems?

Dr. FOSTER. No.

Senator BYRD of West Virginia. Dr. Foster, this is the dilemma in which I find myself. I, too, would like to hope that confirmation of the treaty would be a step toward peace and a step toward eventual disarmament. But I recall that the Russians were able to prepare for tests without our detecting such preparation, when they abrogated the moratorium.

I recall that they assured the President, to our great satisfaction and happiness, that weapons which were being moved into Cuba were defensive weapons and not offensive weapons, at the very time when he had in his own hands evidence to the contrary.

Now, it seems to me, in the light of the atmospheric tests which have been conducted and for which elaborate preparations were made, the equal of which we have not been able to conduct, that the Russians suddenly have come to a conclusion which they opposed heretofore, to wit, that they should enter into this kind of a test ban treaty.

Now, with the history of deceit that we have before us, I am afraid that they already have information which is vital to our security, and they may know what our own weapons systems and sites can stand by virtue of the tests which they have carried out, and if they presently intend or at some later date should decide to abrogate the treaty, then the additional disadvantage to which we would be put, I fear, might be very dangerous to our security.

So with these fears in mind, unless some scientist can tell me that we can indeed extrapolate information through underground testing which will satisfy our fears with regard to weapons effects upon sites and systems, I am not satisfied with the argument that we should take into consideration the political judgments, because I do not believe that the military leaders are prepared to weigh those political judgments, and I do not believe that the scientists are. But I do believe that the scientists can tell us whether or not we can extrapolate information from underground tests that will satisfy our fears in the other regard.

Dr. FOSTER. Sir, there is no existing experimental data or theory, or to our knowledge, future underground tests that can provide you with the complete assurance you want.

Senator BYRD of West Virginia. I would just like to carry Senator JACKSON's questions one step further, if I might, and tie them in with such a question I asked earlier.

Dr. Foster, I asked you earlier, if by using the information that we already have, and by conducting aggressively underground tests under the conditions of the treaty, we could acquire information which would satisfy our fears with regard to weapons effects upon sites and systems, and you indicated, I believe, that we could not.

Would your answer still be the same if I had framed my question differently to the extent that I had included the safeguards the Joint Chiefs of Staff have recommended?

Dr. FOSTER. Yes, it would have been the same. It is simply that the question of how hard anything is to electromagnetic phenomena, be it anti-ballistic-missile defense or hardness of silos, has to do with matters that, in my opinion, are not sufficiently well understood to be able to say with full confidence that they will function as designed in a nuclear environment and this nuclear environment cannot be created by underground experiments.

Senator BYRD of West Virginia. We are taking a great chance with the security of this country if we approve a treaty which prohibits our further testing in the atmosphere, and, consequently, learning by such testing important facts dealing with effects upon sites and systems?

Dr. FOSTER. You are taking a risk, and you cannot calculate it.

Senator BYRD of West Virginia. Regardless of these safeguards?

Dr. FOSTER. Regardless of these safeguards.

Senator BYRD of West Virginia. Even though they are implemented to the fullest?

Dr. FOSTER. That is correct.

(At this point Mr. METCALF took the chair as Presiding Officer.)

Mr. BYRD of West Virginia. Mr. President, with further reference to the vital issue of weapons effects on our sites and systems, and to the fact that we can acquire full information only through the medium of atmospheric tests, I should like to quote General LeMay, reading from page 370 of the test ban treaty hearing. General LeMay was asked the following question:

SURVIVABILITY OF MISSILE SITES

General LeMay, without tests on the hardness of our missile sites, can you be assured of the survivability of our second strike force?

General LEMAY. Well, we have overdesigned to a great extent on our missile sites, so that we are reasonably sure that they will stand an attack all right.

But you never can be positively sure until we test them under actual conditions, and this has not been done, of course.

On page 390 General LeMay said:

General LEMAY. Let us put it another way: There are things you can find out about atmospheric effects in underground tests, but I would say these are in the minority about what we would like to know about weapons effects.

Pursuing that same issue of weapons effect, I read from page 443, in the testimony of Dr. Teller:

But this test ban has nothing at all to do with how many missiles either side builds. This test ban has something to do with knowledge, and it does not have to do so much with knowledge concerning aggressive potentials. It has something vitally important to do with knowledge concerning missile defense, concerning the vulnerability of our retaliatory forces. I believe that the Russians have acquired this knowledge. I believe that, because they have acquired this knowledge, they don't need any more atmospheric tests, and I believe that is why Khrushchev is willing to sign the treaty at present.

In 1960, he wasn't willing to sign, but now he had these magnificent test series of 1961 and 1962. He now knows how to defend himself. He now knows, probably, where the weaknesses lie in our defense. He has the knowledge, and he is now willing to stop and prevent us from obtaining similar knowledge.

If the Russians want to build a big missile force with which to attack us, they can do so legally under the present testing. What they need is knowledge, and that is what they have. What we need is knowledge and that is what we don't have.

As shown on page 464 of the hearings, I asked Dr. Teller the following:

Is there information regarding overpressure effects upon our weapons systems resulting from the explosion of high-yield nuclear devices in the multimegaton range that can only be acquired through atmospheric testing?

Dr. TELLER. If you tried to make a nuclear explosion underground, then everything connected with overpressure is very strongly influenced by the surroundings and the effects of such testing cannot by any trick that I have seen so far constitute a sufficient substitute for simple and straightforward testing in the atmosphere.

Senator BYRD. Then is the absence of adequate and complete information regarding weapons effects upon our weapons sites and systems vital to the security of this Nation?

Dr. TELLER. I believe that it is vital.

Senator BYRD. If the safeguards recommended by the Joint Chiefs of Staff—and I am confident that you are familiar with the safeguards that were suggested in their position paper—are observed and carried out, will we be able to acquire the information we need to satisfactorily overcome what has been termed by you to be a weakness vital to our security?

Dr. TELLER. I believe that if these safeguards are observed, then the dangers which I have mentioned will disappear in part only. A lot of these dangers, a lot of these difficulties will remain.

Senator BYRD. Then your answer would be that we would not be able to acquire to our complete satisfaction the information that we need to overcome these vital weaknesses in our system?

Dr. TELLER. This would be my conclusion, uncertain as all such conclusions, but this would be it.

As shown on page 466, Dr. Teller had this to say with regard to weapons effects:

The main difficulty is just what you mention. We are probably, or quite possibly, at least, going to be faced with several missiles, and we should be able to shoot at all of them, and we should not be blinded by our first shot.

This means we must not make our first shot unnecessarily big. This means that we should know what is the probable right kill radius. This means that we should so design our missiles as to give it a maximum destructive effect at a minimum binding effect.

All these questions need testing and more testing, and after you have done it, you still need to test to see whether the whole thing works, whether there is no flaw in the actual operation.

On page 424 of the hearings it is shown that Dr. Teller said:

Secretary McNamara has told you, and he is right, that we can do a lot about missile defense. We can study the incoming missiles, we can study the decoys, and we can try to see the difference between them. We can perfect our radars, make them harder, more versatile, faster.

By underground testing we can develop the best kind of nuclear explosives by which to kill an incoming missile, because when you are shooting at such a fast and uncertain target as an incoming missile, you cannot hit it with a bull's-eye. You need a powerful counterforce, a small nuclear explosion.

Secretary McNamara has said rightly that we can do all that.

But there is one thing, one circumstance he did not explain. He did not explain to you that we must expect not 1 missile to come against us, but 5, and not to come alone but to come accompanied by 25 decoys. We have to discriminate between these, find out which are the dangerous objects and shoot them down, not some of them, but all of them. The first shot that we fire will blind us, and will make us less prepared to shoot against the second missile that comes hard on the heels of the first.

I quote Secretary McNamara on weapons effects tests, reading from page 104:

The problems of nuclear technology here relate to the vulnerability of the ballistic-missile warhead to kill by blast or by radiation. The latter vulnerability, as to radiation, can be tested underground, but the former cannot be fully tested underground.

> We have not, and we believe that the Soviet Union has not, explored by full-scale high altitude tests the vulnerability of reentry vehicles to blast.
>
> Atmospheric testing would enable us to confirm the enhanced resistance of new, hard-warhead designs to blast. Without the confirmation which dynamic tests of reentry vehicles would provide, we will have to rely on extensive extrapolations, and, therefore, there will be greater uncertainties than would otherwise exist.

I have attempted to indicate, by quoting from distinguished and eminent scientists and military experts who gave testimony during the course of the hearings conducted by the Committee on Foreign Relations and by the Preparedness Investigating Subcommittee of the Committee on Armed Services, that the matter of weapons effects can be vital to the security of our Nation.

Some of the witnesses expressed the fear that the Soviet Union may have acquired such vital information concerning weapons effects upon sites and systems during the comprehensive and effective postmoratorium atmospheric tests. If the Soviets have not so developed such information, the danger in our ratifying the treaty, and by so doing precluding ourselves from engaging in atmospheric testing, would not be so great. We cannot be sure, however, that the Soviet Union has not developed such information.

Certainly we must be suspicious of Mr. Khrushchev in regard to all things, and particularly in this situation, since he has upon at least two occasions rejected a somewhat similar treaty and then suddenly, in this year of 1963, has reversed his position and indicated a willingness to enter into this treaty.

I am no expert, but I have listened to the experts, as have other Senators. The Soviet Union carefully planned elaborate tests—such plans perhaps extended through the entire 34 months of the voluntary moratorium—and surprised us with their statement that they were going to abrogate the moratorium. Then, subsequent to the abrogation of the moratorium, they carried out a successful series of tests. Furthermore, they have had the opportunity and time, at least, to evaluate the information which could be extrapolated from such tests, and may have found that important discoveries are in their possession with reference to weapons effects upon sites and systems.

The possibility is very alarming to me, as it has been to Dr. Foster, Dr. Teller, General Power, Admiral Burke, General LeMay, and others. Since we cannot be sure, I fear the results of ratification of the pending treaty, because under the treaty we can never fully develop such information through underground tests alone. The case, therefore, in respect of weapons effects is simply this. The Soviets effected a planned abrogation of the voluntary moratorium. Through subsequent atmospheric tests, they may have acquired vital information which can only be developed by testing in the atmosphere. Having such information in their possession, and realizing that our failure to conduct atmospheric tests to the same degree following the moratorium leaves us in an inferior position, the Soviets may have every reason to be willing to sign a treaty which will freeze us in that inferior position.

THE NATURE OF THE SOVIET COMMUNIST THREAT

Support of the test ban springs largely, I believe, from an intense wish that the world were different than it actually is. It springs from viewing the world as we would like it to be, rather than as it is. It springs from a genuine desire for peace and is so sincere and so overwhelming that the nature of communism is forgotten. Let us remember that the Communists have only one purpose to which all their actions are geared. This purpose is world conquest.

The aims which the Communists seek and the methods they are willing to use have been vividly spelled out many times by the Communists themselves. On December 26, 1922, in his report to the 10th All-Russian Congress of Soviets, Stalin declared that the decision to form a union of Soviet republics was "another decisive step toward the amalgamation of the toilers of the whole world into a single world Socialist Republic." The handbook of Marxism states further the Communist objective in the section on the program of the Communist International. It says:

> Thus, the dictatorship of the world proletariat is an essential and vital condition precedent to the transformation of the world capitalist economy into Socialist economy. This world dictatorship can be established only when the victory of socialism has been achieved.

And Stalin supported this objection, for he said this:

> For the victory of the revolution in one country, in the present case Russia * * * is the beginning of and the groundwork for the social revolution.

And with the death of Stalin, Malenkov—notwithstanding his professions for a new order of coexistence—revealed his faith in Soviet destiny when he said:

> We know firmly that the victory of democracy and socialism throughout the world is inevitable.

Dimitri Manuilsky, active in the revolution, one-time chairman of the Council of People's Commissars of the Ukraine S.S.R., and a Communist representative at the United Nations, described, in a lecture at the Lenin School of Political Warfare, the tactics that the Communists would someday employ. He said:

> War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 or 30 years. To win we shall need the element of surprise. The bourgeoisie will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fist.

Lenin outlined the modus operandi for Communist domination of the world. He said:

> First we will take Eastern Europe, then the masses of Asia. Then we will surround America, the last citadel of capitalism. We shall not have to attack. She will fall into our lap like an overripe fruit.

Khrushchev, true to form, told Western diplomats at a reception in Moscow on November 18, 1956:

> Whether you like it or not, history is on our side. We will bury you yet.

Lest any person feel that Khrushchev's words were spoken in a moment of jocundity, they would do well to reflect upon what he said when, on June 2, 1957, he appeared before an American television audience:

> I can prophesy that your grandchildren in America will live under socialism.

Communist policies are firmed to unremitting war on non-Communist nations—war in the military sense at times; at other times, a war of doctrinal tactics, of infiltration and subversion, of economic piracy and the stimulation of moral chaos.

I do not wish to labor the point, but it is clear; and, irrespective of changes in leadership, the key objective of world domination has remained constant.

THE SOVIET RECORD ON TREATIES

We learned long ago that the Soviet leaders cannot be trusted and that their agreements are usually worthless. As a matter of fact, we have no less authority for our guidance than Stalin, Lenin's successor. Stalin was frank to say:

> Words must have no relation to action—otherwise what kind of diplomacy is it? Words are one thing, actions another. Good words are a mask for concealment of bad deeds. Sincere diplomacy is no more possible than dry water or iron wood.

The unfolding tragic history of the times in which we men have lived provides the stark and irrefutable evidence that the Communists keep only those agreements which are in their interests to keep, and that they will break those agreements which no longer serve their interests. And the fact should not escape us that "their interests," as used here, are not the interests of a free people whose rulers govern by the consent, freely expressed, of the governed; but, rather, they are the "interests" of the international conspiracy which has its roots in the Kremlin and which seeks to impose its ideological will upon other governments throughout the world so as to assure the final outcome about which Lenin, the high priest of Communist strategy, spoke in 1923, "the final victory of socialism (communism)."

The long list of pledges broken by the Soviet Union leads almost inevitably to the conclusion that many of the agreements were entered into without good faith and in accordance with the familiar Communist dictum:

> Promises are like pie crusts—made to be broken.

As long as we have an agreement which does not provide for inspection of Soviet territory, so that we can see for ourselves what the Soviet Union is doing, we are in effect relying upon trust that the Soviets will abide by the treaty. Yet, many are the instances in the past when the Soviet Union has demonstrated its disrespect for agreements solemnly entered into. At least a few of these are worth remembering at this time.

On September 28, 1926, Lithuania and the Soviet Union concluded a nonaggression pact. On June 15, 1940, Lithuania was invaded by Soviet forces.

On May 4, 1932, Estonia and the U.S.S.R. signed a nonaggression pact. Eight years later, on June 16, 1940, Soviet military forces invaded Estonia.

On February 5, 1932, Latvia and the Soviet Union signed a nonaggression pact. Eight years later, on June 16, 1940, Soviet military forces invaded Latvia.

At the Yalta Conference in February 1945, the United States, Great Britain, and the Soviet Union agreed to help the peoples liberated from Nazi control to solve their political and economic problems by democratic means. The U.S.S.R. flagrantly violated the letter and spirit of this pledge by installing Communist regimes in Bulgaria, Hungary, Poland, Czechoslovakia, and Rumania. Also at Yalta, the Soviet Union agreed that the Republic of China should retain full sovereignty in Manchuria. The Russians flouted this agreement by tactics of obstruction designed to deliver Manchuria to the Chinese Reds.

At Potsdam, in July 1945, the United States, the U.S.S.R., and the United Kingdom agreed that, subject to the requirements of military security, freedom of speech, freedom of the press, and freedom of religion would be respected in the occupation of Germany. As everyone knows, Soviet authorities in East Germany have curtailed genuine freedom of speech and press by imposing the totalitarian instruments of suppression, censorship, and secret police. Basic legal and political rights have been the victim of authoritarian edict and one-party control, with the inevitable result that a puppet regime has been installed.

Most fresh in our minds, of course, is the summit conference of the Big Four in Geneva in July 1955. This high-level parley in the diplomatic Alps engendered great expectations among the peoples of the free world.

The single most specific agreement made at Geneva was on the German question. The four powers declared it was their purpose to settle the German question and the reunification of Germany by means of free elections which shall be carried out in conformity with the national interests of the German people and the interests of European security.

As Mr. John Foster Dulles later said, the Soviet Union failed to keep this solemn pledge, and on November 16, 1955, the Foreign Ministers of France, the United Kingdom, and the United States stated that negotiations on the German question had reached a deadlock, because the Soviet Foreign Minister insisted on a German policy which would have involved the continued division of Germany as well as the eventual dissolution of the Western security system. In a letter dated February 28, 1958, Soviet Foreign Minister Gromyko tore up the final scrap of the Geneva agreement when he said the German question is a question of relations between the two existing German states.

To those who may suffer the illusion that the real nature of international communism can be changed by any new show of amiability and affability put on by the Russians in connection with the signing of this treaty, one might only point to the announcement, which came on the heels of the 1955 Geneva adjournment, that the Soviets were increasing their military forces in East Germany. Then, too, the Israeli plane disaster, in which more than 50 persons were shot down by the Bulgarian Communists, only conformed to the Russian pattern of committing overt, violent acts in order to demean the United States before the eyes of the world. "So sorry," said the Bulgarian Communists, and they felt that they had atoned for their trigger-happy brutality. One must not forget, too, that it was virtually on the eve of the Geneva Conference that the Russians shot down one of our American planes over international waters, inflicting severe burns upon American boys, scars which some of the victims will carry to their graves. In that instance, the Soviets quickly assumed the partial responsibility, a development, based upon past experience, that warranted the sound conclusion that they knew it was their full responsibility. Our State Department made a hasty agreement, accepting the Soviet offer to pay for the damages.

I mention these incidents at this juncture merely to point up the sorry standards of measurements we have too often used in our official dealings with the Russians and to stress the fact that our sincere desire for peaceful relations with the Communists will carry us into serious danger unless we base our reckonings and policies on realism.

SOME ADDITIONAL CONSIDERATIONS ON QUESTIONS RAISED BY THE NUCLEAR TEST BAN TREATY

First. A detente.
Second. The leopard's spots.
Third. Time and circumstance.
Fourth. Peace with justice.
Fifth. World opinion.
Sixth. The basic issue.

1. A DETENTE

Mr. President, as one explanation for Mr. Khrushchev's willingness to be a party to this treaty, the thought is advanced that he wishes to attain a detente with the West. I consider it to be merely another one of those cycles in which the Communists follow periods of tension with periods of seeming relaxations. The Soviets may desire, at this point, a period in which to consolidate gains and repair weaknesses.

It is impossible, of course, for us to know with certainty what the reasons are for the sudden change of Soviet position and the turn of events. But there is no evidence that Khrushchev has finally decided to work for a stable and lasting peace.

Many of us have asked, "Why did Khrushchev agree at this time to an agreement he had refused even to discuss in September 1961 and August 1962?" In answer, we have been told that in October 1962, during the Cuban crisis, the Russian leader "peered into the pit of the inferno," realized for the first time the horrors that a nuclear exchange could unleash upon the world, and became convinced that the real interest of the Soviet Union would best be served by a relaxation of world tensions as a prelude to control over world armaments.

Those who hold this view seem to forget that the immediate result of the Cuban crisis was a "hardening" of the Soviet position on onsite inspection at the 18-nation Disarmament Conference in Geneva, that the Soviet decision to participate in the pact did not come until the Soviet Union had completed its atmospheric test series, and that all the comments relating to the inferno into which world leaders peered during the Cuban crisis have come from officials of the free world. One is almost tempted to ask, "Who frightened whom?"

There is little evidence of any sincere effort on the part of the Soviet Union to correct or modify the real causes of world tensions. Soviet forces still occupy Cuban soil. The Berlin wall still stands. East Germany still cannot participate in free elections or in a referendum on reunification. The Soviet leadership continues to threaten the free world with bombs in orbit and 100-megaton nuclear weapons. Subversion and warfare continue under Soviet sponsorship around the periphery of the free world while the Soviet and Chinese heartlands remain relatively immune.

The Soviet leadership may have peered into the inferno last October, but I am not convinced that they were reformed by what they saw.

I feel that, as has been the case before, the Soviets desire a breathing spell for the purpose of regrouping forces and for reexamining strategy and tactics. As Adm. Arleigh Burke testified during the hearings:

> Based on the past actions of the Communists when they make a sudden about-face, as they have done in the case of this treaty the provisions of which they have rejected on several previous occasions, it would seem that they wish to seek some advantage over the United States.
>
> They never have been generous. They always have acted solely in their own interests to reach their own goal of domination.

James David Atkinson, Ph. D., associate professor of government at Georgetown University, in his book, "The Edge of War," 1960, includes an interesting chapter entitled "The Fusion of War and Peace." Dr. Atkinson, a West Virginian, discusses the Soviet purpose of seeking a "breathing space," from time to time, in the course of the Communist offensive:

> Furthermore, any disarmament concessions will be, on the part of the Soviet bloc, in the nature of a detente. But the democracies, by contrast, have in the past tended to consider such arrangements on a permanent or semipermanent basis.
>
> The new phase of Soviet strategy does not imply an abandonment of the ultimate goal of a Communist world. This is clearly spelled out by Khrushchev's statement immediately preceding his American visit: "We Communists believe that the idea of communism will ultimately be victorious throughout the world, just as it has been victorious in our country, in China, and many other states."

> The idea of a breathing space during which Soviet strategy will call for the struggle against the non-Communist countries to be conducted in a more sophisticated form was also pointed out in a Pravda editorial that laid down the line in these words: "Today we are living at a time when the historic transition from socialism to communism is taking place. * * * At the United Nations, Comrade Khrushchev put forward the principles of U.S.S.R. foreign policy and on behalf of the Soviet Government submitted proposals for universal and complete disarmament of all states, which opens up a new era in the struggle for world peace."
>
> A breathing space in the cold war between the Soviet Union and the NATO allies will also permit the Chinese Communist junior partner to step up cold war activity in the Far East while the U.S.S.R. regroups its forces in the other half of the globe.
>
> The apparent new phase in Soviet policy can be expected to last only as long as it offers advantages to the Kremlin leadership. Undoubtedly there will be those in the Soviet high command who will urge a harder policy against the West, for they will see signs that will confirm their belief that the capitalists are sufficiently decadent and weakened to be eliminated sooner rather than later. From time to time the non-Communist world will be threatened, and incidents will be manufactured to test its strength. The United States will remain the principal barrier to Soviet bloc aspirations. Nineteen hundred and fifty-eight saw the beginnings of a subtler policy by the Soviet Union to dissipate American determination to maintain this barrier. The decade to 1968, and especially the years from 1961, will be the crucial period in the development of Soviet strength and the attempted softening of the American will to resist and of the ingredient that chiefly supports that will, our military strength. Signs of weakness on the part of the United States will no doubt increase the momentum of the Soviet advance and lead the Kremlin to believe that it need not delay the last stage of the Communist offensive.

I believe Dr. Atkinson's words are prophetic.

2. THE LEOPARD'S SPOTS

Many of the attitudes and stratagems which mark the Communists' approach to negotiations are baffling in the extreme so long as we believe that they are seeking peace, or even a significant lowering of tensions. But they become understandable as soon as we realize that they are seeking only, in Lenin's phrase, "an agreement concerning war." Marxist-Lenin thinking in this regard has not changed from the idea of one-time Politburo member Grigori E. Zinoviev, who said on February 2, 1919:

> We are willing to sign an unfavorable peace with the Allies. * * * It would only mean that we should put no trust whatever in the bit of paper we should sign. We should use the breathing space so obtained to gather our strength.

Stated another way, if the other party to such a treaty believes that it is being signed in good faith, he is to be rated as a victim of his own naivete: what Lenin called petty bourgeois trustfulness.

History repeats itself. This is a common saying which we have all heard from our youth up. If, then, we refuse to understand the lesson of history, we are condemned to repeat the errors of the past. We shall suffer all the more if we insist upon closing our eyes to that inevitable history which Communist leaders, as did Hitler in Mein Kampf, write in advance.

If, indeed, "coming events cast their shadows before," we should long ago have taken warning from a commitment, grievously broken, of 30 years ago. Litvinoff's pledge to President Roosevelt is referred to on page 287 of "What We Must Know About Communism," by Harry and Bonaro Overstreet, 1958:

> Even the ideological outposts of empire rest on broken promises. Thus, on November 12, 1933, Litvinoff gave a four-point pledge to President Roosevelt—as a condition of the U.S.S.R.'s being officially recognized—guaranteeing that the Soviet Union would refrain from all propaganda and organized activity that had as its aim the overthrow of the U.S. Government or the undermining of our institutions. Five days later, however—with recognition accomplished—he released a statement which said, "The Third International is not mentioned in this document. You must not read into it more than was intended." A month later, the Comintern met in Moscow and adopted resolutions which instructed all parties—including the CPUSA—that there was no way out of the general crisis of capitalism other than the one demonstrated by the Bolshevik revolution.

In His Sermon on the Mount, Jesus uttered an oft-quoted truism: "Wherefore by their fruits ye shall know them." The Soviet record of deceit and duplicity, treachery and perfidy is clearly written. But that record is not complete, nor, in my judgment will it be complete as long as leaders in the Soviet Union subscribe to Communist ideology.

The words of the Prophet Jeremiah, heard above the din of the centuries, are as meaningful in our age as they were in his tempestuous day:

> Can the Ethiopian change his skin, or the leopard his spots? Then may ye also do good, that are accustomed to do evil.

That the leopard has not changed his spots should be evident from the following statement by Mr. Khrushchev—a statement arrestingly free from dissimulation. Khrushchev, who some appear to believe is somewhat less dangerous than was Josef Stalin for the United States, said on September 17, 1955:

> If anyone thinks that our smiles mean the abandonment of the teachings of Marx, Engels, and Lenin, he is deceiving himself cruelly. Those who expect this to happen might just as well wait for a shrimp to learn how to whistle.

3. TIME AND CIRCUMSTANCE

It has been suggested that we cannot now reject a nuclear test ban treaty since we advanced the same offer in 1959 and again in 1962.

The situation which now confronts the United States is quite different from the situation at the time of the previous offers. In 1961 and 1962, the Soviet Union carried out an extensive series of nuclear tests in violation of previous promises to refrain from testing. As is well known, much time is required in order to evaluate such a series of tests. The Soviet evaluation of the 1961–62 series was completed during 1963. The Soviets now have the opportunity to freeze us into an inferior technological position. Consequently, the situation as of today has clearly changed and, in prudence, we cannot be bound by offers made when quite different circumstances obtained. Proponents of the nuclear test ban treaty would quite clearly have a much stronger case had the Soviet Union refrained from conducting such an extensive series of nuclear tests in 1961–62.

4. PEACE WITH JUSTICE

It has been argued that if we reject the present treaty we will never be able to get the Soviet Union to sign another test ban treaty.

This argument ignores 46 years of Soviet diplomacy. From the Bolshevik seizure of power in Russia down to the present day, if there has been one constant in Soviet diplomacy it has been, above all, the constant of flexibility. As shown over the course of thousands of negotiations, the Soviets are quite willing to bargain endlessly at the diplomatic table. It is not they, but we who become restless and believe that some action must be taken now, some diplomatic agreement reached at once. And this flexibility on the part of the Soviets has consistently been tied to a keen appreciation of the balance of military power in the world. When the military power of the United States has been in the ascendancy the Soviets—being always flexible, as they are—have been inclined to be more reasonable. When the military power of the United States has begun even a slightly apparent decline, the Soviets have tended to become belligerent, bellicose, and intransigent.

Paradoxically, rejection of the treaty may eventually bring about a treaty embracing solid inspection safeguards—and which the Soviet Union would accept. How, one may well ask, could such a desirable end be achieved? If the United States tests—as we have not done—and realizes the full potential of of which we are capable, we can prove conclusively to the Soviet Union that they cannot compete with us in nuclear weapons. The Soviet record is clear. They are the hardest of hard negotiators. But they do respect power. Here again the record is clear. If faced with a continuing position of inferiority in nuclear technology, they would have every reason to accept a valid treaty providing sound rules of inspection. Unfortunately, it would appear that they accept our present desire for a treaty as a sign of weakness. By rejecting the treaty we can disabuse them of this notion. Then, patiently but purposefully, we can go forward to build an enduring peace. Not a tenuous peace which may expire as quickly as did Neville Chamberlain's "peace in our time." But an enduring peace based on power with purpose. Let us not timidly shrink from the atom, but, knowing that God is good, have faith that this "Nation under God" was given great power—from the atom—to be used in the pursuit not of peace alone, but of peace with justice.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. LONG of Louisiana. In line with what the Senator is saying, if we agree to the test ban treaty minus inspection, and the Soviets are able to victimize us in one way or another, as by testing on

Chinese soil and pushing ahead to the development of new plans based upon knowledge already obtained, would it not be likely that the Communists would have even stronger reason to believe that they might eventually be able to lure us into a disarmament treaty, under which we would forgo essential inspection or agree to the kind of inspection the Soviets might offer?

For example, they are proposing to have inspections at certain places which they would designate—a particular crossroads or railroad crossing that they would agree to. But if we agreed to such a plan, they would "route the train" the other way, so that it not pass the locations of the sites to be inspected, in an attempt to mislead or deceive us. Thus the seeds of our own undoing would be contained in such an agreement.

On the other hand, if we insisted that we would make no agreement until we were satisfied that such a treaty served our purpose equally with theirs, we would have executed an agreement under which we could automatically detect a violation.

If we obtained that kind of agreement, would it not be the basis for making the Soviets realize that eventually, at such time as disarmament came, it would have to be on a foolproof inspection basis?

Mr. BYRD of West Virginia. The suggestion is an interesting one.

Mr. LONG of Louisiana. If we entered into this treaty minus inspection, the Communists would be given every incentive to feel that if they held out long enough, they could get a disarmament agreement minus inspection.

Mr. BYRD of West Virginia. Earlier this week the distinguished chairman of the Committee on Armed Services [Mr. RUSSELL] lucidly and cogently presented a logical step-by-step hypothetical case precisely in point with what the Senator from Louisiana has just said. I thank the Senator.

5. WORLD OPINION

It is urged that so many nations of the world have already signed the nuclear test ban treaty that the United States risks the censure of world opinion if we refuse to approve the treaty. This is really one of the strongest arguments sustaining the decision, right or wrong—and only the future will reveal this—of those who will support the treaty. At least, it appears to be one of the major factors in their decision.

There seems to be a great fear of flying in the face of world opinion if we reject the treaty. Voss, in Nuclear Ambush, aptly puts this question into focus:

> Before the world is overcome with guilt for having produced the atomic age's brilliant mushroom cloud, it would do well to reflect how much more of this globe would be under the communistic cloud today were it not for the U.S. nuclear capacity.

I think we should pause and reflect about the matter of world opinion, as it has been injected into the issue before us. I, too, will agree that rejection of the treaty by the Senate would have an adverse psychological effect upon the countries that have signed the treaty. But is this to deter us from acting, even at this late hour, in our own best interests and in the best interests of those who might momentarily condemn us? It should give us pause to remember that the overwhelming majority of the signatories will never become nuclear powers. Many of these signatories could ill afford a modern battleship.

To allow world opinion to dissuade us from taking a course away from danger is to allow "the tail to wag the dog," if I may refer to a common expression. Let us not forget that when we talk about the striking power that is built around the Strategic Air Command and the Polaris submarine, we are talking, in General Power's words, "about better than 90 percent of the striking power of the free world." This being the case, why should the United States—a country which, in the event of all-out war, would be expected to deliver 90 percent of the striking power for the protection of the free world—hesitate to act in accordance with its own safety, and that of its allies, even if it means that we temporarily disappoint the portion of the free world complex which can supply only 10 percent of the striking power?

A large percentage of those who would condemn us for rejection of the treaty would be neutral states. Some of these have been more or less chronic critics, not only of our foreign policy, but of our domestic policies, as well.

In this trying hour we should heed the words of the Psalmist: "Be still, and know that I am God." Perhaps if we would but take a moment in this mad rush of life and "be still" to ponder and meditate upon the troublesome aspect of world opinion as it is involved in the momentous question before us, we would find an inner counsel and an inner strength that would enable us, not "to see through a glass darkly," but to come face to face with our destiny.

American is a great nation. It has long been a good neighbor to the countries that join its unwalled and unguarded borders. Its sons and daughters have shed their blood more than once in the cause of liberty. It has freely poured out its largess to other nations, small and large, throughout the earth. Many of the signatories of the treaty—in fact, virtually all of them—have, at one time or another, been the recipients, in one way or another, of our beneficence. America's good will again and again has been liberally demonstrated by the outpouring of her billions and by her other deeds of kindness. What more is needed to convince the world of the peaceful motives of the greatest nation in all the ages?

There are but few nations that have power to alter the course of world history. America is one of the few. The overwhelming majority of nations will be able in the future, as they have been able in the past, to contribute but little to the determination of human events and to the course of the stream of history.

Those who would condemn us lack the power to take "at the flood" that "tide in the affairs of men which leads on to fortune." But not so with America. She has the power and the resources to direct the path of events.

Along with this power, America has a duty, in this situation, to act so as to insure that communism will not be "the wave of the future."

But we cannot temporize, and we must not shrink from our oft-unpleasant responsibility. What really counts so much is, not world opinion in this era of confusion but, rather, what will preserve this Republic in all the years to come.

I refer again to "An Appraisal," a chapter in Nuclear Ambush:

> For the United States, it matters only to a minor degree—it is not even morally defensible—if neutrals complain about our sprinkling them with radioactive fallout that may possibly harm a very few of their people. Dysentery and influenza, which the complainers export to us, more than balance the grievance lists. If the safety of all America is at stake, however, one takes the risk of harming a few people, foreigners or fellow citizens. We can regret the injury—perhaps try to compensate in some way for it. But we cannot sacrifice our whole Nation's safety or our own very lives, out of deference to a vague fear that is more mystic than scientific——

Or real.

Voss clearly reflects the Soviet Union's disregard for world opinion on page 532 of his book:

> Test ban advocates said Russia could not afford to cheat, because she would be grievously embarrassed if she were caught. But the Communists dared to cheat on the Korean and Indochinese armistice agreements and seemed to bear up extremely well, if they suffered any embarrassment at all. The Russians later forced abandonment of the whole premise when they resumed testing in September 1961, boasted of it, and tried to intimidate the world.

The fact that "world opinion" has its curse as well as its blessing is articulately portrayed in this final excerpt from Voss' work:

> There are some lessons to be drawn from the history of the nuclear test ban issue. One of the first is that it is extremely dangerous to put off a showdown with "world opinion" over issues vital to the national security. The United States got involved in a nuclear test ban negotiation more because it "wanted to be nice" to the rest of the world than because it believed its own security interests would be served. It may or may not have been true that wiping out the danger of nuclear war would have been in the national interest, if it were even possible. But it was clearly perceived in the days before 1958 that a nuclear test ban alone could not possibly accomplish this. Later, the United States stumbled rather than walked into the test ban ambush, humoring the worriers of the world, who depended on the United States for protection, rather than leading them. Humoring the fainthearted, when confronted with a ruthless adversary like Soviet communism, has proved to be a dangerous game.

Indeed, if the question before us were not so sobering, one might, in being confronted with the argument that we should not fly in the face of world opinion—that of 97 nations—brush aside the thought, by simply referring to Thomas Carlyle, On Boswell's Life of Johnson.

> Aesop's Fly, sitting on the axle of the chariot, has been much laughed at for exclaiming: "What a dust I do raise."

In answer to those who urge that rejection of the treaty risks the censure of world opinion, it is a temptation to point out that the general peace—the freedom from a total war—enjoyed by the world since the end of World War II has not been brought about by world opinion. It results, as Sir Winston Churchill has reminded us, from the blunt fact that the United States has possessed such overwhelming power in nuclear weapons and their delivery capability as to insure a general peace.

Such an answer, I say, is indeed tempting, for it is true. But there is an even more compelling answer. The nuclear test ban treaty is before the Senate of the United States for serious and prayerful deliberation. It is to be hoped that the United States is not engaged in an international popularity contest. The compelling answer is, not how many Nations have ratified this treaty, but that the United States adopt the course of action that is right. British Prime Minister Neville Chamberlain returned from Munich with the plaudits of most of the nations of the world that he had brought peace in our time. The British press recorded that massive crowds hailed him in London on the night of his return from Munich, and that the cheering masses joined in singing "For He's a Jolly Good Fellow." But did he do what was right?

Mr. President, we come to a discussion of the basic issue of the nuclear test ban treaty.

THE BASIC ISSUE

The basic, the overriding, issue is whether the treaty constitutes a risk to the continued military superiority of the United States and, if so, whether the risk to that superiority is a risk to peace.

That the treaty constitutes a serious risk to the continued military superiority of this Nation is clear, as I think I have already shown. This is my judgment of the matter, but it is based upon a careful weighing of the evidence. And while I do not stand with the majority in this judgment, I do not stand alone.

The ultimate question, therefore, is this: Is the treaty a risk to peace?

Since the end of the Second World War the world has witnessed an uneasy peace which some have called the cold war. But there has been a general peace, an absence of general war. What has maintained this general peace? Not an American, as I have already indicated, but an Englishman has given the most cogent answer. Sir Winston Churchill has said that the overwhelming nuclear superiority possessed by the United States has kept the peace. Clearly, anything which diminishes this nuclear superiority is a step which diminishes the power to maintain this general peace. It is a step which may encourage any aggressor-minded nation to take a risk which it would otherwise be inhibited from taking, the risk of war.

Speaking in Yugoslavia on August 21, 1963, Soviet Premier Khrushchev said:

> You and we have mutual aims, the struggle to construct socialism and communism. You and we have a mutual enemy: imperialism.

Will the effects of the nuclear test ban treaty increase the risk of war by encouraging Khrushchev—or his successor—to take risks against the "enemy" which would otherwise not be taken? To answer this hard question easily in the name of the relaxation of tensions is tempting. It may even be momentarily popular. But a harder course of action is that enjoined by the admonition of the Bible to act with prudence. Using words so applicable to the question of trust today, to the spirit of the nuclear test ban treaty, the psalmist said:

> The words in his mouth were as smooth as butter, but war was in his heart.

CONCLUSION

Mr. President, I have reached my conclusion to vote against this treaty. I shall do this sorrowfully. Sorrowfully because it places me in opposition to the position of our President, a leader who has earnestly sought to find a path of hope in his pursuit of peace. I respect and honor our Commander in Chief. Yet, all men are fallible, and all may, therefore, err. As a Member of the Senate, upon whose shoulders rests an equal portion of the awesome responsibility of choosing the right course as we stand at what may be the last great crossroads, I feel it imperative that duty should rise above all things and that in the course of fulfilling my duty, I am bound to be true to my convictions. My convictions have led me to speak the words I have spoken today and they will lead me, if I live, to carry out my announced intention to cast my vote against confirmation of the treaty. For, as Robert E. Lee said:

> If we, only to please the people, stand for that which we disapprove, how, then, can we later defend our actions?

I hope that I am wrong in my apprehensions, because as the distinguished chairman of the Senate Armed Services Committee said earlier this week, if those of us who are against this treaty are wrong in our decision, then, we will all be the happier for it.

Paul the Apostle said: "Where the spirit of the Lord is, there is liberty." America's greatness has been, from the beginning, of the spirit. There have been times recently when I have thought that America's greatness had slipped from her grasp, but this cannot be right. Human destiny will still be influenced by an America that calls back again her greatness, because there is yet an America that, in this conflict of wills and ideologies and ways of life, can draw once more on her spiritual heritage with the call to action of the Prophet Isaiah:

> Strengthen ye the feeble hands, and confirm the weak knees. Say to the faint-hearted: Take courage, and fear not.

A people that thus recalls its heritage of courage may yet ensure that "the edge of war, like an ill-sheathed knife, no more shall cut its master."

Mr. President, I apologize to the other Members of the Senate who have been discommoded by my long and tedious statement. I recognize that those of us who take the position I have taken are assuming an unpopular position in this matter. I accord to those who support the treaty, however, as I stated in the beginning, the same sincerity of purpose and the same dedication to the security of our country as I claim to possess.

We have all examined the same testimony, the same evidence, on the question which we soon must decide. We have listened to the same witnesses. But, having weighed this evidence, having evaluated it, each of us has attempted to judge, in his own mind and in his own conscience, what his decision should be. And we shall not all agree.

Regardless of the decision of each of us, every Senator has conscientiously strived to wrest from this agonizing question the answer that will serve his country best. For, differ though we will, the consolation may be ours that we have labored in the spirit of the words engraved on a statue which stands in the State capitol at Atlanta, Ga.:

> He who saves his country saves all things,
> And all things saved will bless him.
> He who lets his country die lets all things die,
> And all things dying curse him.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to the Senator from South Carolina.

Mr. THURMOND. I congratulate the able Senator from West Virginia for the magnificent address he has made today against the ratification of the nuclear test ban treaty. It is one of the most scholarly addresses I have heard during my service in the Senate. It has been clear, forceful, and logical.

In his address he has raised the different arguments seriatim in favor of the treaty, discussed them, and successfully refuted them.

In his address he has discussed arguments against the treaty that should appeal to Members of the Senate, and I believe will appeal to the American people. These arguments are sound and they are logical.

In his address he has discussed the nature of the Soviet Communist threat, which we know is a most dangerous and vicious threat. Lenin said, when he took over Russia in 1917, that the aim of the Soviets was to be the gravediggers, the heirs, and successors to the governments of the world. The Communists have never departed from their goal. Their goal today is world domination.

The able Senator from West Virginia has discussed this topic with ability, the same as he has discussed the Soviet record on treaties. It is clear that the Soviets will not keep a treaty except when it is in their favor. The American Bar Association had a study made, and it found that the Soviets had broken 50 out of 52 major agreements. They had broken hundreds of other agreements. The Senator from West Virginia has shown clearly their perfidy, treachery, and lack of good faith in keeping agreements.

In addition, the Senator from West Virginia has discussed other questions that have been raised by the nuclear test ban treaty.

All in all, he has delivered a very comprehensive address. The address should be read by every Member of this body. I do not see how any openminded, fair, objective person could read the address and reach any conclusion other than that reached by the distinguished Senator from West Virginia—namely, that the treaty is unwise and that the Senate would walk the path of wisdom if it failed to ratify it.

Again I congratulate the able Senator for his fine address.

Mr. BYRD of West Virginia. I thank the Senator from South Carolina for his generous and kind remarks.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to the Senator from Georgia.

Mr. RUSSELL. I extend my hearty congratulations and strongest commendations to the Senator from West Virginia for this very remarkable presentation.

The Senator is a careful man. I have worked with him on committees. I know the care he exercises even in minor matters before reaching a conclusion. In this case, the remarkable statement he has made indicates a most thorough and exhaustive study of all the evidence that was available on the subject of the proposed treaty.

All of us have a pretty clear idea about the outcome of the voting on the proposal when the Senate takes it up next Tuesday morning under the unanimous-consent agreement.

However, I am willing to risk a prophecy—and that is always a dangerous thing to do—that the events of the next 12 months will completely justify the unstinted effort and the devoted patriotism which the Senator has put into his analysis of the treaty. He has documented it so thoroughly that if this country endures and some historians of the future decide to make a study of the subject, they will find most of the material they will need in the address of the Senator from West Virginia.

Let me say to the Senator that even if our numbers are small on Tuesday, his efforts have not been wasted. They will serve a very useful purpose in the days to come.

I am proud to be able to claim him as a friend, one who has shown such high motivation and such a distinguished effort in the preparation of the analysis.

Mr. BYRD of West Virginia. I shall always treasure the compliments of the distinguished senior Senator from Georgia. I consider him to be a great U.S. Senator, a great southerner, and a great American.

Mr. RUSSELL. I thank the Senator.

Mr. MONRONEY. Mr. President, I join my colleagues in the Senate, although I shall vote on the other side of the issue, in complimenting the distinguished Senator from West Virginia on his thorough and well documented and enlightened discussion of this very serious problem which all Members of the Senate face on next Tuesday in making their decision on how to vote on the test ban treaty.

Mr. BYRD of West Virginia. I thank the able senior Senator from Oklahoma.

Mr. GOLDWATER. Mr. President, I take this opportunity to thank and congratulate the distinguished Senator from West Virginia for what I believe to be one of the most forceful arguments against approval of the treaty that it has been my pleasure to hear on the floor of the Senate.

Mr. BYRD of West Virginia. I thank the Senator from Arizona.

Mr. President, I yield the floor.

Mr. President, I ask unanimous consent to have printed in the RECORD the first 14 pages of the interim report of the Preparedness Investigating Subcommittee of the Committee on Armed Services of the Senate.

The PRESIDING OFFICER. Is there objection to the request by the Senator from West Virginia? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a memorandum on significant dates in atomic weapons development and subsequent negotiations.

The PRESIDING OFFICER. Is there objection to the request by the Senator from West Virginia? The Chair hears none, and it is so ordered.

(See exhibit 2.)

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD "Alert No. 5, Soviet Treaty Violations," published by the Armed Forces Information and Education Institute, Department of Defense, November 5, 1962.

The PRESIDING OFFICER. Is there objection to the request by the Senator from West Virginia? The Chair hears none, and it is so ordered.

(See exhibit 3.)

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the Sunday Star of September 15, 1963, entitled "How the Soviets Are Observing Their Treaties."

The PRESIDING OFFICER. Is there objection to the request by the Senator from West Virginia? The Chair hears none, and it is so ordered.

(See exhibit 4.)

EXHIBIT 1

INTERIM REPORT ON THE MILITARY IMPLICATIONS OF THE PROPOSED LIMITED NUCLEAR TEST BAN TREATY

I. INTRODUCTORY STATEMENT

Since September 1962, the Preparedness Investigating Subcommittee has engaged in a comprehensive and extensive inquiry into the military and technical implications and aspects of the various nuclear test ban proposals.

Although the inquiry was originally directed to the entire field of nuclear test ban proposals from the standpoint of their potential impact upon our military posture and preparedness, the negotiation and signing of the three-environmental nuclear test ban agreement in Moscow caused the subcommittee to focus attention on the potential impact of that treaty upon the future of our Military Establishment and strategic forces.

This interim report is directed specifically to the partial test ban agreement. It deals with the military advantages and disadvantages to the United States which flow or might flow from the agreement. Political considerations, and matters involving foreign and international affairs, as such are not within the scope of this report.

In considering the impact and effect of the proposed test ban it is important to remember that for nearly two decades this Nation has been confronted by an adversary who has openly and repeatedly proclaimed that this dominant goal is to destroy the nations of the non-Communist world. Only because we have maintained clear military superiority and the ability to inflict unacceptable damage upon him has the would-be aggressor been deterred. The basis of our deterrence is military superiority which, in turn, is based on our nuclear weapons programs and nuclear retaliatory forces.

It is vital to our survival that no step be taken which in any manner would impair the integrity and credibility of our deterrence or degrade the ability of our military forces to protect our security if we should be challenged militarily by a hostile nuclear power.

II. BACKGROUND AND SCOPE OF REPORT

The chairman of the subcommittee, in opening the hearings on September 17, 1962, stated:

"The Senate Committee on Armed Services has legislative responsibility for the common defense generally and for matters affecting the size, composition, and equipage of the Armed Forces. It has a direct and legitimate interest in any and all activities which affect or may affect the development and procurement of weapons and the size and quality of our fighting forces."

He also said:

"Since weapons development and testing go hand in hand, we will inquire into the status of our nuclear test activities with respect both to weapons developments and weapons effects. Technical data now available on this question will be considered as well as information relating to our position in this field as compared with the progress of the Soviets."

In the months that have followed the subcommittee has made an exhaustive effort, on a scope and scale which is believed to be unprecedented as far as the Congress is concerned, to obtain complete and full information about the relationship of nuclear testing—in all environments—to the integrity of our deterrent forces and the ability of our retaliatory or second-strike forces to survive and respond to a nuclear attack. During the hearings thus far 2,800 pages of testimony were received from the 24 witnesses who are listed in alphabetical order in appendix A. Most of this testimony involved highly technical discussions relating to the needs and capabilities of our present and future nuclear weapons systems.

The overall objective of the subcommittee in this inquiry has been to develop as impartially, as objectively, and as fully as possible all available military and technical information bearing upon the subject matter so as to insure that the Senate would have available to it essentially the same body of military and technical evidence as is available to the executive branch of the Government in its formulation of nuclear test ban policies and in its weighing of their security implications. This objective has, we believe, been attained. The military, technical, and security problems associated with suspensions of nuclear testing have been identified, explored, and assessed. These problems will be discussed in this report with particular emphasis upon their relation to the treaty banning nuclear tests in the atmosphere, outer space, and underwater.

III. SUMMARY OF MAJOR FINDINGS

1. From the evidence we are compelled to conclude that serious—perhaps even formidable—military and technical disadvantages to the United States will flow from the ratification of the treaty. At the very least it will prevent the United States from providing our military forces with the highest quality of weapons of which our science and technology is capable.

2. Any military and technical advantages which we will derive from the treaty do not, in our judgment, counterbalance or outweigh the military and technical disadvan-

tages. The Soviets will not be similarly inhibited in those areas of nuclear weaponry where we now deem them to be inferior.

3. Admittedly, however, other important factors—such as foreign policy, international affairs, and relations with other countries—are relevant in an overall assessment of the treaty. These are not within the scope of this report. When they are considered, as they must be, each individual must reach his own judgment about the wisdom and desirability of the treaty on the basis of personal philosophy, past experience, current knowledge, and relative weight which he assigns to the various factors involved.

IV. COMPARISON OF U.S.–U.S.S.R. NUCLEAR WEAPONS PROGRAMS

In this section we will endeavor from the testimony we have received to compare the nuclear warhead knowledge and state of the art of the United States with that of the Soviet Union. This includes, of course, the important field of nuclear weapons effects.

The criteria we will use are the number of tests conducted within important yield ranges and the yield-to-weight ratio (the explosive energy released per pound of bomb) achieved in the test programs. We will compare the situation prevailing in 1958 prior to the moratorium and that prevailing today.

A. Multimegaton weapons capabilities

In 1958, at the onset of the 34-month nuclear test moratorium, the United States had conducted slightly more tests above 1 megaton in yield than had the Soviet Union. Of these U.S. tests, one-fifth were in yield ranges above 10 megatons. No tests had been conducted by the Soviet Union in this high-yield category. As a result of this experimental program, the United States held a clear superiority over the Soviet Union in the yield it could achieve in a given thermonuclear weapon throughout the range of deliverable weights.

Following the abrogation of the moratorium by the Soviet Union, the test and performance records altered drastically. In 1961 and 1962 the Soviet Union conducted in yields above 10 megatons twice the number of tests which had been conducted by the United States in that yield range throughout the history of its nuclear test program. The total number of Soviet tests above 1 megaton was approximately four times that conducted by the United States in the same period (1961–62). In terms of yield-to-weight ratios, the Soviet Union, as a result of its aggressive test program and its concentration on very large yield weapons, has demonstrated clearly superior performance in all yield classes above approximately 15 megatons where the United States has had no testing experience since 1954. It is also worth noting that the scientific witnesses were unanimous in expressing uncertainty about the particular designs employed by the Soviets, to achieve the results observed in their very high-yield experiments.

B. Low-megaton and submegaton weapon capabilities

Below a few thousand pounds in weight and a few megatons in yield the evidence available to us indicates that the United States continues to hold a lead in weapon design and performance.

For a variety of reasons the United States has chosen to concentrate its development efforts on weapons yielding from a few megatons down to fractions of kilotons. Consequently, it probably continues to hold some advantage in design techniques over the Soviet Union in these areas and in the ability to maximize the yield which can be achieved at a given weight and size or, alternatively, to package a given yield in a device of minimum weight and size.

However, the rate of testing below 1 megaton indicates that the Soviet Union is attempting to challenge seriously the U.S. lead in the lower yield weapon categories. Prior to the 1958–61 moratorium the United States had conducted somewhat more than twice as many tests at yields below 1 megaton as had been detected in the Soviet Union. By the end of 1962 this ratio had dropped significantly. More important, the 1961–62 Soviet test series included more tests in this yield range than had been conducted in its entire program from 1949 through 1958. Even accounting for tests to assess the effects of explosions and tests to confirm the yield of stockpiled weapons, this constitutes impressive evidence that the Soviet Union has no intention of permitting U.S. superiority in weapon design and performance at yields below 1 megaton to go unchallenged. It is in this range of yields that the testing underground permitted by the treaty can be accomplished readily.

Furthermore, there is a serious question about the adequacy of our knowledge of the nuclear devices employed in the Soviet experiments in the lower yield range. Detection, identification, and analytical capabilities are degraded at the lower end of this yield spectrum, particularly in the low and subkiloton area. Consequently, our confidence in any conclusions concerning the Soviet state of the art in weapons yielding up to a few kilotons is correspondingly low. While we believe that U.S. superiority extends to these very low-yield ranges, hard evidence on this point does not exist and, accordingly, we accept the judgment of our Atomic Energy Commission witnesses that "while some intelligence exists on which to base an estimate of U.S.S.R. tactical nuclear capability, the dearth of information [does] not permit a comprehensive United States-U.S.S.R. comparison. [For] future developments a credible U.S.S.R. development capability can be made by assuming a capability similar to ours."

C. Weapons effects programs

Important as are programs associated with the acquisition of new or improved types of weapons, the advent of the missile age and the adoption of a second-strike or retaliatory strategic policy by the United States has elevated to a first priority tests to determine the effects of nuclear explosions on hardened missile sites and control centers, on reentry bodies in flight, and on radar, electronic, and communications systems. Of equal importance have become tests to determine what unique effects are produced by nuclear explosions in space, the atmosphere, and underwater so that the knowledge gained might be exploited for defensive purposes or our own weapon systems designed to resist them.

From the testimony before the subcommittee, it is clear that neither nation has conducted a weapons effects test program of sufficient size and complexity to resolve whatever doubts may exist about the adequacy of the design and the survivability of their nuclear weapon systems; nor has either tested sufficiently to fulfill the needs of their system designers and military planners.

However, the necessity and the motivation to conduct such experiments is clearly greater for the United States than for the Soviet Union. Since the early 1960's, the deterrent strategy of the United States has been based substantially on second-strike missile systems, that is, missile systems which can survive a massive first strike by a nuclear-armed enemy and still retain the ability to retaliate in such force as to destroy the attacker. By the mid-1970's this Nation's nuclear deterrent will probably reside primarily in land- and sea-based missile systems designed to achieve that degree of survivability. To date, only Polaris has been subjected to a full-scale system test, including the explosion of the nuclear warhead. Minuteman, Atlas, and Titan have never been so tested, nor have models of the base complexes of the hardened underground Minuteman and Titan systems been subjected to close-in high yield nuclear explosions to prove the adequacy of their design. While all of the military witnesses expressed reasonable confidence in the ability of these systems to fulfill their missions, it is clear that some unresolved questions exist and that the absence of adequate design and vulnerability data has necessitated radical overdesign, redundancy, and excessive development and construction costs. Only by atmospheric testing, can needed answers be obtained to the important unresolved questions.

However, there is one area of weapons effects knowledge in which the Soviet Union probably holds a distinct lead. By virtue of its large, multimegaton weapon tests, it is prudent to assume that the Soviet Union has acquired a unique and potentially valuable body of data on high-yield blast, shock, communications blackout, and radiation and electromagnetic phenomena which is not available to the United States. Furthermore, due to the absence of comparable experiments, the United States is not now in a position to evaluate realistically the military effectiveness of the Soviet 50-to-100-megaton terror weapons.

In the field of weapons effects experiments related to the design and development of an effective antiballistic missile (ABM) system the evidence, although less conclusive, indicates that the Soviet Union in 1961 and 1962 conducted a series of complex high altitude operations which, if properly instrumented, could have provided substantial and important data on various types of radar blackout and nuclear effects. These Soviet experiments were clearly dictated by an ABM development program.

The United States has conducted no experiments comparable in complexity to those Soviet operations and a disturbing number of the United States high-altitude-effects experiments which were conducted were compromised either by considerations unrelated to the technical objectives of the test program, by inadequate or faulty instrumentation, or by operational inadequacies. Based on the testimony we have received, there can be little doubt but that the quantity and quality of information available to the United States on high altitude nuclear effects is inadequate for the Nation's military needs.

V. UNITED STATES NEEDS FOR NUCLEAR TESTS

In assessing the merits of the treaty which is now before the Senate for ratification, it is important to understand the kinds and objectives of certain nuclear test programs which, in the opinion of the subcommittee and based on testimony received by it, would be desirable or necessary in any future U.S. nuclear test programs.

The following chart summarizes the subcommittee's conclusions and distinguishes between selected test objectives which can be realized through underground test programs and those which could only be achieved through atmospheric testing.

Test objectives—can or cannot be done under treaty:

Survivability and responsiveness of hardened site missile launch complexes to high-yield nuclear explosions. No.

Response of hardened underground structures to blast and cratering from high-yield surface burst nuclear weapons. No.

Response of hardened underground structures to ground motion. Yes.

Determination of missile warhead and nosecone vulnerability to nuclear explosions during atmospheric reentry. No.

Reduction of missile warhead and nosecone vulnerabilities to nuclear explosions. Yes.

Study of atmospheric and high altitude radar blackout phenomena. No.

Study of communications blackout phenomena from high-yield nuclear explosions. No.

Full-scale operational tests of ABM systems. No.

Development of ABM warhead with maximum lethality and minimum blackout properties. Partially.

Development of very high yield warheads, equal to or surpassing Soviet achievements. No.

Determination of very high yield nuclear weapons effects. No.

Determination of underwater nuclear weapon effects for improved antisubmarine warfare (ASW) systems. No.

Development of weapons requiring less fissionable material than present designs. Yes.

Development of pure fusion warheads. Yes.

Development of reduced fallout weapons. Yes.

Full-scale performance and reliability tests of Minuteman and Titan missile systems. No.

Yield verification tests of stockpiled weapons up to approximately 1 megaton. Yes.

Yield verification tests of stockpiled weapons above approximately 1 megaton. No.

Troop and crew training tactical exercises using nuclear weapons. No.

VI. MILITARY IMPLICATIONS OF TREATY

The primary objective of the hearings held by the subcommittee was to determine whether or not a suspension of, or limitation upon, nuclear testing would or could result in overall military and technical disadvantage for the United States. While the evidence leads us to the conclusion that the net result of the proposed treaty would be a military disadvantage, there was considerable divergence of opinion among the witnesses on the question of whether the disadvantage was acceptable from the standpoint of the Nation's security and whether the risks involved were acceptable on balance.

A. MILITARY DISADVANTAGES

The military disadvantages associated with the treaty which were discussed in testimony before the subcommittee were as follows:

1. The United States probably will be unable to duplicate Soviet achievements in very high yield weapon technology: Though U.S. weapons laboratories are capable of developing and stockpiling designs yielding greater than 50 megatons without further experimentation, their weight and size would be incompatible with any existing or programed missile delivery vehicle. It is well within the capabilities of U.S. weapons laboratories to equal and to surpass the Soviet achievements, but to do so would require a number of atmospheric nuclear tests.

2. The United States will be unable to acquire necessary data on the effects of very high yield atmospheric explosions: Without such knowledge it is unlikely that a realistic assessment can be made of the military value of such weapons, or that plans can be formulated to protect military weapons systems against their use. The data possessed by the United States on high-yield weapons effects are inadequate to permit confident extrapolations to the higher yield categories.

3. The United States will be unable to acquire data on high altitude nuclear weapons effects: Such data are important to the design of antiballistic-missile-system warheads and radars. Again, this is an area in which Soviet experiments may have provided them with greater knowledge than that now available to the United States. Throughout our hearings there was considerable dispute on this point. The treaty proponents accurately observed that the ABM warheads could be developed through underground testing and that development of acquisition and tracking radars was an electronics problem not directly dependent upon nuclear tests. It is clear, however, that the characteristics or specifications upon which such warhead design and development should be based are not sufficiently known and cannot be determined with confidence without additional high altitude effects tests. As the Atomic Energy Commission observed:

"While our knowledge of * * * blackout phenomena provides some limited guidance in the determination of [ABM] warhead criteria * * * an optimized design could only be chosen after continued atmospheric testing. Whether or not significant gains will result, can be argued."

And again:

"The minimal [warhead] specifications * * * can be met within the framework of existing technology. [But, assuming that a minimal warhead will not be acceptable] testing both underground and in the atmosphere would be required to complete the development."

4. The United States will be unable to determine with confidence the performance and reliability of any ABM system developed without benefit of atmospheric operational system tests: An ABM system will be required to function in the nuclear environment created both by its own defensive warhead explosions and those of the attacking enemy. Under such circumstances it is important to be as certain as possible that no element of the system possesses unknown vulnerabilities to nuclear effects. All electronics components of the ground arrays and missiles must function; the missiles must be capable of operating in the presence of nuclear, thermal, and blast effects; the warheads must be resistant to nuclear radiations. It is apparent that unless a system of such complexity is tested in its operational environment, there will be a low level of confidence in its ability to perform the mission for which it was designed and produced. Many unknowns will arise in the course of the ABM development program which can only be explored and satisfied through the medium of atmospheric and high-altitude nuclear testing.

5. The United States will be unable to verify the ability of its hardened underground second-strike missile systems to survive close-in, high-yield nuclear explosions: (See the discussion under the heading of "Weapons Effects Program" on pp. 4 to 5 of this report.)

6. The United States will be unable to verify the ability of its missile reentry bodies under defensive nuclear attack to survive and to penetrate to the target without the opportunity to test nose cone and warhead designs in a nuclear environment under dynamic reentry conditions.

7. The treaty will provide the Soviet Union an opportunity to equal U.S. accomplishments in submegaton weapon technology: There can be no doubt that a treaty limiting testing to an underground environment will tend to favor experimentation at the lower end of the yield spectrum. Economic factors will play a part since costs rise significantly with relatively modest increases in yield for underground tests. There are also testing limitations arising from the type of strata, geological uncertainties, and engineering factors. Whether or not either the United States or the Soviet Union will choose to test underground at yields much greater than approximately 1 megaton is not known. In any case, it appears that the race for nuclear technological superiority will be confined to that area where the United States is believed to now hold a margin of superiority. The result, with time, will probably be the achievement of parity by the Soviet Union in this area without any equivalent opportunity for the United States to attain equality in very high yield weapon technology.

8. The treaty will deny to the United States a valuable source of information on Soviet nuclear weapons capabilities: The results acquired from the analysis of radioactive debris generated by nuclear explosions has long been a basic source of intelligence on Soviet nuclear weapons programs. By driving Soviet testing underground, this intelligence will be denied the United States with the result that with the passage of time knowledge of the Soviet state of the art in weapons undergoing tests will be seriously degraded. The effect of the treaty will be to reinforce the difficulties already imposed on the United States by Soviet secrecy.

B. Counterarguments

A clear majority of the witnesses agreed that the treaty would result in military and technical disadvantages when compared with the increases in performance confidence and in the quality of weapon systems which would be derived from unlimited atmospheric testing.

It was stated, however, that it is characteristic of the experimental sciences that enough data is never available to satisfy the scientific search for knowledge. The testimony was unanimous that, except in the field of very high yield weapons, the United States today holds a clear and commanding lead in nuclear weapons systems over any one or any combination of potential enemies.

This superiority was said to result from a larger and more diversified stockpile of nuclear weapons, by more numerous, varied, and sophisticated delivery systems, and by a greater capacity to produce nuclear materials, weapons, and delivery systems.

It was also asserted that a cessation of atmospheric nuclear testing would in no case prevent qualitative improvements being made in our weapons systems which would flow from a vigorous nonnuclear technology. Some witnesses noted that potential improvements in missile accuracy and reliability would continue to be exploited. Some noted that uncertainties in ABM radar performance when confronted with the various forms of blackout induced by nuclear explosions could be compensated by the deployment of greater numbers and wider dispersal of the radars.

Uncertainties concerning reentry vehicle warhead vulnerabilities could be reduced by a factor of 2 or 3, based on present knowledge and without further testing, by straightforward engineering improvements, it was said.

Some witnesses noted that so far as any uncertainties which might arise about the survivability of second-strike missile forces were concerned, these could be compensated by additional redundancy in missile systems, by greater numbers of missiles, and by greater dispersal. It was also noted that U.S. war plans tend to be conservative concerning the percentage of the second-strike force surviving a nuclear attack and in estimating the number of warheads capable of reaching enemy targets and so provide adequate margin for error.

In summary, it was the contention of witnesses who supported the treaty that it will tend to stabilize the advantages which the United States now maintains in military nuclear superiority over the Soviet Union. While recognizing that doubts concerning the quality of some of our weapons systems do exist, they maintained that these doubts can be compensated by "brute force" techniques by which quantity is substituted for quality at considerably greater cost to achieve approximately the same results in military system effectiveness.

It is interesting and sobering to note that, as we proclaim our nuclear superiority and our determination to maintain it, the Soviets do likewise. A dispatch from Moscow, dated August 30, 1963, quotes Red Star, the Soviet armed forces newspaper, as saying that Russia today possesses superiority in nuclear power "and has no intention of relinquishing it." Red Star also said that, while the United States intends to continue underground testing, the hopes of the Pentagon of attaining any "advantage in nuclear power by means of these explosions are illusory." And on September 3, 1963, Marshal Rodion Malinovsky, the Soviet Defense Minister, wrote in Komsomolskaya Pravda that the Soviet Union can "prove its complete military superiority over the United States."

VII. PROPOSED SAFEGUARDS

The Joint Chiefs of Staff in testimony before the subcommittee identified a number of military disadvantages which, in their collective judgment, would flow from the treaty. However, their assessment of the desirability of the treaty was not based on military considerations alone. Their conclusions on the matter also reflected their judgment of the political and foreign policy advantages and disadvantages which would result from it. Their joint conclusion was that, on balance, the political and foreign policy advantages to be derived from the treaty outweighed the limitations which the treaty would impose on the Nation's weapon systems programs.

However, the Joint Chiefs qualified their support of the treaty by making their approval conditional on the effective implementation of four "safeguards" designed to reduce to a minimum the adverse effect the treaty would have on our weapon programs. On the basis of these safeguards Senator JACKSON on August 14, 1963, offered a motion which was unanimously adopted by the subcommittee, and was subsequently approved by all members of the Senate Committee on Armed Services, requesting that the Joint Chiefs of Staff submit as soon as possible, and in any event prior to committee action on the treaty, a statement of the specific requirements to implement the safeguards proposed by the Joint Chiefs. Senator JACKSON's motion, which sets forth the proposed safeguards in full, is attached as appendix B.

By a letter dated August 15, 1963, Senator RICHARD RUSSELL, chairman of the Committee on Armed Services, transmitted the Jackson motion to the Secretary of Defense, and requested a statement in response to the motion.

Responses to the motion were received from the Joint Chiefs and the Office of the Secretary of Defense on August 24, 1963. These responses are attached as appendix C.

The subcommittee considers it to be vital that, if the treaty is ratified, the recommended "safeguards" be implemented fully and that detailed and specific programs to so implement them be presented by the executive branch.

The administration has expressed publicly its intent regarding the safeguards both in the responses to the motion by Senator JACKSON and in other statements by the President, the Secretary of State, and the Secretary of Defense. Such statements are set forth in appendix D.

To permit the U.S. Senate to monitor the treaty safeguards it is necessary that the expressed good intentions be supplemented by definitive programs against which progress can be compared. At this time, we have not received details of testing, preparedness, and detection improvement programs which will permit the safeguards to be monitored in an effective manner. If the treaty is ratified it is the intention of the Preparedness Investigating Subcommittee to monitor the implementation of the safeguards and it would also be our hope that other committees of the Congress having jurisdiction in these areas would cooperate in this important program.

However, we wish to emphasize that even the most rigorous and conscientious implementation of the JCS safeguards will not alter, modify, or reduce the military and technical disadvantages listed herein which will result from this treaty. No safeguards can provide the benefits of testing where testing is not permitted, nor can they assure that this Nation will acquire the highest quality weapon systems of which it is capable when the means for achieving that objective are denied.

VIII. DETECTION AND IDENTIFICATION

A brief word should be said about the problem of detection and identification in connection with the proposed treaty. "Detection" means a determination that an event has occurred without implying that it has been identified as a nuclear explosion. "Identification" means that an event is not only detected but that it is identified as a nuclear detonation.

During the previous negotiations on test ban treaties, the major controversy in this field has centered around the ability to detect, identify, and fix the location of underground explosions. The proposed three-environment treaty, by permitting underground testing, considerably reduces the problems involved in detection and identification but does not eliminate them entirely.

The capabilities of our verification system cannot be discussed in detail in an unclassified document. However, notwithstanding anticipated and programed improvements in the system, it will still possess both detection and identification "thresholds" below which clandestine testing is possible with a low probability of detection.

The yields at which clandestine tests may be conducted and probably escape detection will vary with altitude and geographical location, and some uncertainty exists in this field. There is also some controversy as to whether significant military advantages can be obtained by clandestine testing in the prohibited environments.

It is not the purpose of this section to explore these problems in detail. It is our purpose here to point out that, under the limited treaty, problems of detection, identification, and verification still remain although they are of a lesser order of magnitude than would be true of a treaty banning underground testing.

IX. CONCLUDING STATEMENT

From the extensive evidence presented to us, we have come to the conclusion that the proposed treaty banning nuclear testing in the atmosphere, underwater, and in space will affect adversely the future quality of this Nation's arms, and that it will result in serious, and perhaps formidable, military and technical disadvantages. These disadvantages, in our judgment, are not outweighted or counterbalanced by the claimed military advantages. At the same time, we are not convinced that comparable military disadvantages will accrue to the nuclear weapon programs of the U.S.S.R.

Looking at the matter from the military aspect and from the effect of the treaty upon our military preparedness and posture, we cannot escape being impressed with the testimony of Gen. Thomas S. Power, commander in chief of the Strategic Air Command, and Gen. Bernard A. Schriever, commander of the Air Force Systems Command, who addressed themselves to the problem exclusively from the military point of view. General Power, after stating that he did not think the treaty "is in the best interests of the United States," said:

"I feel that we have military superiority now, and I feel very strongly that this has resulted in a world that has been free from nuclear warfare. I have a lower confidence factor that we can and will maintain that military superiority under the test ban treaty."

General Schriever told the subcommittee that there "are definite military disadvantages" to the treaty and that, as a military man, he felt he could protect the country better without the treaty than with it.

Of course, the endorsement of the treaty by Gen. Curtis E. LeMay, Chief of Staff of the Air Force, was considerably less than enthusiastic, and he testified that he probably would have recommended against the treaty had it still been in the proposal stage.

From the evidence we have learned that the Soviets have overtaken and surpassed us in the design of very high yield nuclear weapons; that they may possess knowledge of weapons effects and anti-ballistic-missile programs superior to ours; and that under the terms of the treaty it is entirely possible that they will achieve parity with us in low-yield weapon technology. These things are not grounds for complacency. We believe very strongly that Soviet secrecy and duplicity requires that this Nation possess a substantial margin of superiority in both the quality and the quantity of its implements of defense.

Although we have concluded that there will be a net military disadvantage to us if the treaty is ratified, we recognize the existence of other factors which, while not within the scope of this report, are pertinent to a final judgment on the treaty. Among these are matters related to international affairs, foreign policy, and relations with other countries. When these are taken into consideration the question becomes one of weighing relative risks, and our hearings provide ample evidence that the overall assessment of the relative merits and demerits of the treaty is a complex and difficult matter on which equally patriotic, informed, and dedicated persons may and do disagree. In the final analysis, then, each individual must reach his own judgment on the basis of personal philosophy, past experience, current knowledge, and the relative weight which he assigns to the various factors involved.

ADDITIONAL VIEWS OF SENATOR STUART SYMINGTON

Since 1955, when I was appointed a member of the Joint Subcommittee on Disarmament, I have followed closely the activity of our Government in arms control, disarmament, and nuclear test ban proposals; and specifically have studied carefully the three-environmental test ban treaty signed by our Government in Moscow on August 5, 1963.

To the best of my knowledge, the factual data contained in the report of the Preparedness Investigating Subcommittee is correct. But I believe the findings and conclusions are overly pessimistic as to the effect of the treaty on our national security.

As a member of both the Foreign Relations Committee and the Preparedness Investigating Subcommittee, I listened to and questioned many responsible witnesses—both in and out of Government. Most of these experts testified that our national security would be adequately protected under the terms of the treaty.

Much of this testimony was before the Foreign Relations Committee and, therefore, is not emphasized in this report.

Based on the record, I am worried about the treaty, but more worried about the possibility of an all-out nuclear exchange some day in the future, particularly if there is a proliferation of nuclear weapons among more countries. This treaty, a very small step, nevertheless could be the first step toward bringing nuclear weapons under some form of satisfactory control, which action should promote the possibilities of a just peace under law.

Therefore, I plan to vote for the treaty.

This does not deter me from signing the Preparedness Investigating Subcommittee report. The record made by the subcommittee is, to the best of my knowledge, the most complete record ever made on this vital subject by anybody on the military and technological implications of nuclear test ban treaties as they relate to our national security. It is a record which should be of inestimable future value to the Congress and the country.

DISSENTING VIEW OF SENATOR LEVERETT SALTONSTALL

As one Senator who attended the hearings conducted by both the Foreign Relations Committee and the Preparedness Investigating Subcommittee on the proposed nuclear test ban treaty, I find that I cannot, as a member of the Preparedness Subcommittee, concur with its report because I feel that its general tenor and its specific findings and conclusions are unduly pessimistic as to the effect of this treaty, if ratified, upon our national security. As a U.S. Senator, I intend to consent to the ratification of this nuclear test ban treaty.

I believe that the factual data contained in the report of the Preparedness Subcommittee is accurately stated. However, the nature of the conclusions drawn from this factual data are, in my opinion, overly adverse. It must be remembered that responsible Government officials such as the Secretary of Defense, the Joint Chiefs of Staff, leading scientists, and many others, some of whom appeared only before the Foreign Relations Committee, testified that our national security would be protected under the terms of the treaty even though some important atmospheric nuclear tests could no longer be conducted. This testimony is not sufficiently emphasized in the report, although I realize that some of it was not necessarily given in the hearings conducted by the Preparedness Subcommittee.

The Congress must insist upon an active, constructive, and energetic implementation of the four safeguards suggested by the Joint Chiefs of Staff so that our security will be maintained while the cause of peace and the lessening of tensions in the world are advanced.

EXHIBIT 2

SIGNIFICANT DATES IN ATOMIC WEAPONS DEVELOPMENT AND SUBSEQUENT NEGOTIATIONS

DATES OF CERTAIN NUCLEAR WEAPONS EXPLOSIONS

July 16, 1945: First U.S. nuclear device test, Alamogordo, N. Mex.

August 6, 1945: First atomic bomb dropped on Hiroshima.

August 9, 1945: Second atomic bomb dropped on Nagasaki.

September 23, 1949: President Truman announced the first atomic explosion in the U.S.S.R.

October 1952: First nuclear bomb test by the United Kingdom in Australia.

November 1, 1952: Exploded hydrogen device fired at Bikini by United States.

August 21, 1953: First hydrogen device tested by U.S.S.R. detected by United States (Not included.)

October 30, 1958: Last U.S. test before moratorium. (Not included hereafter.)

November 3, 1958: Last Soviet test before moratorium. (Not included hereafter.)

February 13, 1960: First French atomic test. (Not included hereafter.)

September 1, 1961: Soviets resume atmospheric nuclear weapons tests.

September 15, 1961: United States resumes underground nuclear weapons tests.

April 25, 1962: United States resumes atmospheric tests.

DATES OF NEGOTIATIONS ON DISCONTINUANCE OF NUCLEAR WEAPONS TESTS

June 14, 1946: U.S. proposal for international control of atomic energy (Baruch plan).

June 19, 1946: U.S.S.R. proposed alternate plan including insistence on retention of security council veto power over any control system.

March 24, 1957: Bermuda Declaration—Joint declaration by United States and United Kingdom to conduct nuclear tests in such manner as to keep world radiation from rising to more than a small fraction of the level that might be hazardous, to continue to announce test series, also expressed willingness to announce tests to the U.N. and permit international observation if the U.S.S.R. would do the same.

November 14, 1957: General Assembly Resolution 1148 (XII): Regulation, limitation, and balanced reduction of all armed forces and all armaments; conclusion of an international convention (treaty) on the reduction of armaments and the prohibition of atomic, hydrogen, and other weapons of mass destruction. Among its provisions, this resolution urged the immediate suspension of testing of nuclear weapons with prompt installation of effective international control, including inspection posts equipped with appropriate scientific instruments located in the United States, the Soviet Union, and the United Kingdom and at other points as required.

December 10, 1957: Soviet proposal that U.S.S.R., United States, and United Kingdom discontinue all tests as of January 1, 1958.

March 31, 1958: Decree of the Supreme Soviet concerning the discontinuance of Soviet atomic and hydrogen weapons tests.

April 28, 1958: President Eisenhower by letter to Khrushchev proposed that both nations have the technical experts start to work on the practical problems involved in disarmament, particularly working toward the suspension of nuclear testing. President Eisenhower stated "I reemphasize that these studies are without prejudice to our respective positions on the timing and interdependence of various aspects of disarmament."

May 9, 1958: Letter from Khrushchev accepting Eisenhower's proposal of April 28, 1958, to have experts study the problems involved in an agreement on the cessation of atomic and hydrogen weapons tests as far as inspection and control are concerned.

July 1, 1958: Conference of experts from the West (United States, United Kingdom, Canada, and France) and East (U.S.S.R., Czechoslovakia, Poland, and Rumania) met in Geneva.

August 21, 1958: Conference of experts adopted a final report for consideration by governments. Conference of experts recommended the so-called "Geneva system" of detecting nuclear explosions. This system recommended a network of 180 control points. It should be noted that the American representatives, during this conference, had taken the position that 650 control points would be necessary to have adequate protection down to 1 kiloton. Through compromise with the Soviets, they settled on the 180 stations, but then had to point out the weakness between the area of 1 kiloton and 5 kilotons.

August 22, 1958: President Eisenhower announced that based on the conference of experts' report, the United States was prepared to negotiate an agreement with other nations which have tested nuclear weapons for suspension of nuclear weapons tests and the establishment of an international control system. The President also indicated that the United States would withhold further testing on its part of atomic and hydrogen weapons for a period of 1 year from the beginning of the negotiations unless testing is resumed by the Soviet Union.

October 31, 1958: First meeting in Geneva of the Conference on the Discontinuance of Nuclear Weapon Tests.

November 4, 1958: General Assembly Resolution 1252 (XIII): The discontinuance of atomic and hydrogen weapons tests. Among its provisions, this resolution urged the parties involved in the test ban negotiations not to undertake further testing of nuclear weapons while these negotiations are in progress. It expressed the hope that the Geneva Test Ban Conference would be successful and lead to an agreement acceptable to all. It also requested the parties concerned to report to the General Assembly the agreement that might be the result of their negotiations; and requested the Secretary-General to render such assistance and provide such services as might be asked for by the Conference commencing at Geneva on October 31, 1958.

November 7, 1958: President Eisenhower announced that the United States had detected additional tests by the Soviets subsequent to October 31, 1958.

December 28, 1958: The President appointed a panel on seismic improvement to review technical problems and to recommend methods of improving seismic detection.

January 5, 1959: United States released data showing many underground tests could not be detected by Geneva experts system recommended in 1958. Indicated Geneva system applicable at 20 kiloton rather than 5 kiloton threshold.

February 22, 1959: Macmillan meeting with Khrushchev.

March 2, 1959: During this meeting Macmillan and Khrushchev discussed the establishment of quotas for number of onsite inspections in countries where suspicious events have taken place.

April 13, 1959: United States proposed phased testing ban limited in first phase to atmospheric tests below 50 kilometers, with simplified control system, if Soviet Union continued to insist on veto for onsite inspections.

April 23, 1959: Soviets reject U.S. proposal to stop only atmospheric tests and said numerous onsite inspections would not be necessary for complete ban.

June 22, 1959: Technical Working Group No. I met in Geneva to study high-altitude-detection problems.

July 10, 1959: On July 10 Geneva Technical Working Group I proposed establishment of system of earth satellites and installation of additional equipment at control posts to detect high-altitude explosions.

August 26, 1959: United States extended unilateral suspension to end of 1959.

August 27, 1959: United Kingdom said it would not resume tests as long as Geneva negotiations showed prospect of success.

August 28, 1959: U.S.S.R. pledged not to resume testing unless Western powers did so.

November 21, 1959: General Assembly Resolution 1402 (XIV): Suspension of nuclear and thermonuclear tests:

Among its provisions this resolution expressed the hope that the countries involved in the test ban negotiations at Geneva would intensify their efforts to reach an agreement at an early date; it further urged the countries concerned in these negotiations to continue their voluntary ban on testing nuclear weapons; it also requested the countries concerned to report to the General Assembly the results of their negotiations.

November 25, 1959: Technical Working Group II met in Geneva with the Soviets and the British. This group met to consider data from the Hardtack series of nuclear explosions and the findings of the Berkner Panel. On December 18, 1959, at the conclusion of the meetings held by Technical Working Group II, U.S. members of Geneva Technical Working Group II reported that a large number of seismic events could not be identified without onsite inspection, even with improved techniques. The Soviet members of Geneva Technical Working Group II disagreed with U.S. findings.

December 29, 1959: United States said it was free to resume testing after end of 1959 but would not do so without giving advance notice.

February 11, 1960: United States proposed phased agreement, first phase to provide for cessation of tests in atmosphere, oceans, and outer space, to greatest height that could be effectively controlled; underground tests above 4.75 seismic magnitude (estimated by United States to equal explosion of about 20 kilotons) would also be covered; the 4.75 threshold would be lowered as capabilities of detection system were improved, 20 or 30 percent of unidentified seismic events above threshold should be inspected; U.S. experts estimated that this would mean about 20 inspections per year in U.S.S.R.

March 19, 1960: Soviets offered to conclude treaty on cessation of tests, together with moratorium on underground tests below magnitude 4.75, and to agree to joint research program on understanding that weapons tests would be halted during program.

March 29, 1960: United States and United Kingdom said they would agree to voluntary moratorium on underground weapons tests below magnitude 4.75 after treaty was signed and arrangements were made for coordinated research program.

December 20, 1960: General Assembly Resolution 1577 (XV): Suspension of nuclear and thermonuclear tests.

This resolution urges the countries involved in the Geneva test ban negotiations to seek a solution for the few remaining questions so that a test ban agreement can be achieved at an early date; it further urges the countries concerned in these negotiations to continue their present voluntary suspension of the testing of nuclear weapons; it also requests the countries concerned to report the results of their negotiations to the Disarmament Commission and the General Assembly.

March 21, 1961: First meeting under the new administration of the Geneva Conference on Discontinuance of Nuclear Weapons Tests. U.S. proposal presented by Ambassador Arthur H. Dean. Soviet Union introduced its Troika proposal on this date.

April 18, 1961: United States and United Kingdom introduced draft treaty to the Geneva Conference.

May 5, 1961: Statement by President Kennedy on the Geneva test ban negotiations made at his news conference. Mention is made of the new United States and United Kingdom proposals and the introduction of the Troika proposal by Russia.

June 4, 1961: Khrushchev delivers Soviet aide-memoire concerning disarmament and nuclear weapons tests to President Kennedy at Vienna. Insists that the question of control hinges on Western Powers accepting proposals on general and complete disarmament.

June 6, 1961: Kennedy reports to American people on his Vienna talks with Khrushchev.

June 16, 1961: Khrushchev reports to Russian people on his talks with President Kennedy. (Tass report) Topics covered: General and complete disarmament, banning of nuclear weapons, cessation of tests, question of control, Hammarskjold, the German question (peace treaty).

June 17, 1961: U.S. aide memoire to Soviet Russia concerning Geneva test ban negotiations. Repeated new proposals offered by the United States and the United Kingdom on March 21, 1961.

June 28, 1961: President Kennedy announces appointment of Committee of Scientific Experts to advise him on test ban problem.

July 15, 1961: Soviet note replying to U.S. note of June 17, 1961, concerning suspension of nuclear weapons tests. Says Soviet proposals have been distorted. Brings up again supervision of inspection and control by equal representatives of three basic groups: Socialist states, capitalist states in Western military bloc, and neutral states (troika).

July 15, 1961: U.S. note to Soviet Union referring to the Soviet note of July 5, 1961, on the Geneva test ban negotiations. Says Soviet note contains a multitude of irrelevant and unwarranted comments. Confines its reply to the central issue: Is the Soviet Union prepared to reach an accord which would halt nuclear tests under effective international control.

July 15, 1961: United States and United Kingdom request to U.N. to place on the agenda of the 16th General Assembly an item entitled: "The Urgent Need for a Treaty to Ban Nuclear Weapons Tests Under Effective International Control."

July 20, 1961: President Kennedy announces membership of nuclear test study group.

August 10, 1961: President announces he has reviewed report of Scientific Committee and is sending Ambassador Dean back to Geneva.

August 30, 1961: Soviets announce plans to resume nuclear testing.

Among the reasons cited by the Soviets for taking this step were the turndown of the "Troika" proposal, the nuclear tests carried out by the French beginning February 13, 1960, and the Berlin situation.

August 30, 1961: White House statement on the Soviet's announcement that they planned to resume nuclear testing.

This statement expressed concern and resentment in regard to the Soviet decision to resume nuclear testing. It added that the Soviet decision presented a threat to the entire world. It denounced the Soviet pretext for resumption of weapons testing by mentioning that the Berlin crisis was created by the Soviets themselves. It also mentioned that the Soviet Union bears heavy responsibility before all humanity for this decision which was made in complete disregard of the United Nations. It concluded by announcing that Ambassador Arthur Dean was being recalled immediately from his post as chief negotiator at the nuclear test ban meetings.

September 1, 1961: The White House reported that the Soviet Union had conducted a nuclear test in the atmosphere above central Asia. Authorities estimated that the device had a yield of 100–500 kilotons.

September 3, 1961: President Kennedy, in a joint statement with British Prime Minister Macmillan, proposed that the Soviet Union agree immediately to discontinuing testing nuclear weapons in the atmosphere. The note suggested that the United States, United Kingdom, and U.S.S.R. representatives meet in Geneva not later than September 9 to record the agreement to cease nuclear testing in the atmosphere and report it to the United Nations.

September 4, 1961: Soviet Union conducted its second nuclear test in the atmosphere over central Asia. This explosion was reported to be in the "low kiloton range."

September 5, 1961: Soviet Union detonated a third nuclear device. The yield of this detonation was in the low to intermediate range.

September 5, 1961: President Kennedy announced that the United States would resume nuclear testing. He ordered the tests carried out in the laboratory and underground "with no fallout." This decision was made after the Soviets set off their third nuclear test in the atmosphere in 5 days. President Kennedy, in referring to the Kennedy-Macmillan statement of September 3 on banning nuclear testing in the atmosphere, said the offer remains open until September 9, 1961.

September 15, 1961: The United States detonates its first underground nuclear device at the Nevada test site.

October 27 1961: The United Nations General Assembly adopted a resolution which "solemnly appeals to the Government of the Soviet Union" to refrain from testing a 50-megaton bomb. Premier Khrushchev has said such a bomb will be exploded before the end of this month. The vote was 87 to 11, with 1 abstention.

October 30, 1961: The Soviet Union detonated a 55–60-megaton device (per AEC release dated Dec. 9, 1961).

November 2, 1961: The President announces that the policy of the United States will be to proceed in developing nuclear weapons to maintain a superior capability for the defense of the free world against any aggressor. This statement indicated that the United States would make necessary preparations for testing in case it becomes necessary to test in the atmosphere.

December 22, 1961: A joint communique was issued by President Kennedy and Prime Minister Macmillan following a 2-day meeting in Bermuda. They agreed that it was necessary "as a matter of prudent planning for the future, that pending the final decision [to resume atmospheric testing]." Preparations should be made for atmospheric testing to maintain the effectiveness of the deterrent.

January 29, 1962: Geneva Conference on the Discontinuance of Nuclear Weapons Tests breaks up at 353d meeting. The United States proposed an adjournment, and Soviet negotiator Tsarapkin said, "This is the end."

February 7, 1962: President Kennedy and British Prime Minister Macmillan said they have proposed to Soviet Premier Khrushchev that another "supreme effort" to halt the nuclear arms race be made by raising next month's 18-nation general disarmament conference to the Foreign Minister's level.

February 14, 1962: President Kennedy urged Premier Khrushchev not to press his proposal for an 18-nation summit meeting on disarmament. However, he assured the Soviet leader that he was ready to participate "at any stage of the conference when it appears that such participation could positively affect the chances of success."

February 21, 1962: Premier Khrushchev replied to President Kennedy's letter of February 14 still insisting on a summit conference on disarmament.

February 24, 1962: Letter from President Kennedy to Premier Khrushchev. President Kennedy replied to Premier Khrushchev's letter of February 21, 1962, stressing that heads of state participation at the Geneva Conference should be reserved until a later stage in the negotiations after preliminary agreements have been reached at the Foreign Minister's level.

March 2, 1962: President Kennedy announced that he had ordered a resumption of nuclear tests in the atmosphere in late April unless the Soviet Union agrees before then to an ironclad treaty banning all tests. The President held out to Khrushchev the promise of a summit conference at which such a treaty could be signed, and also said that a satisfactory treaty would be offered by the West at the disarmament conference opening in Geneva on March 14, 1962.

March 4, 1962: The Soviet Government sent the United States a message delivered to the State Department advising that Foreign Minister Gromyko would go to Geneva. The Kremlin message was reported to have said that Khrushchev had "reluctantly" accepted the foreign minister proposal.

March 14, 1962: Seventeen-Nation Disarmament Conference opened in Geneva. (Originally 18-nation conference, but France did not attend.)

March 16, 1962: Premier Khrushchev announced that Soviet scientists had developed a "global rocket," invulnerable to antimissile weapons and that it rendered obsolete the early warning system of the United States.

April 10, 1962: The White House released a joint United States-United Kingdom statement on nuclear testing appealing to the Soviet Union to agree to a nuclear test ban with adequate safeguards including the principle of international verification. This statement indicated that if such an agreement was not successful then the test series scheduled by the United States for the latter part of April would go forward.

April 10, 1962: Prime Minister Macmillan added a personal message to the joint Anglo-American note to Premier Khrushchev on a nuclear test ban asking him to accept an inspection procedure and "fill all the peoples of the world with a new sense of hope."

April 12, 1962: Premier Khrushchev rejects the Kennedy-Macmillan joint statement on nuclear testing.

April 16, 1962: Eight neutral nations appealed to the nuclear powers to persist in their efforts to reach agreement on prohibiting nuclear weapons testing for all time. They suggested establishing a system for continuous observation and control on a scientific and nonpolitical basis, built on existing national network of observation posts.

April 18, 1962: United States offered a three-stage plan for disarmament, having as its goals general and complete disarmament and gradual replacement of the armed power of single nations by a strengthened United Nations. The disarming process would be balanced to prevent any state from gaining a military advantage, and compliance with all obligations would be effectively verified.

April 22, 1962: Joint Committee on Atomic Energy in summary analysis of 1961 Vela hearing, reports that nearly 3 years of research had brought no material progress toward an effective method of detecting clandestine underground tests.

April 25, 1962: First 1962 U.S. nuclear test in the atmosphere. This test was of an intermediate yield from a plane near Christmas Island. The President approved the resumption of nuclear testing after repeated unsuccessful attempts by the United States to get the U.S.S.R. to agree to a nuclear test ban treaty with adequate safeguards.

April 26, 1962: Secretary of State Rusk justified the new series of tests on the basis of refusal of the Soviet Union to accept the kind of international verification necessary for a test ban agreement. The Secretary of State referred to President Kennedy's address of March 2 in which he set forth the reasons why a certain number of tests would be necessary in the absence of an international agreement banning nuclear tests with adequate assurances; and, secondly, that it is a major objective of American policy to bring an end to testing immediately and permanently when we were assured that testing had been abolished.

May 1, 1962: France conducts underground explosion of nuclear device in Algerian Sahara.

May 2, 1962: Disarmament talks were resumed at Geneva. British Minister of State Joseph Godber said U.S.S.R. must change its attitude toward verification measures if the world is to have general and complete disarmament.

May 16, 1962: Premier Khrushchev confirmed U.S.S.R. determination to test. He based his decision on the fact that the United States had resumed testing in the Pacific.

June 14, 1962: The 18-Nation Disarmament Conference[1] recesses.

July 12, 1962: Secretary of State Dean Rusk reports that the preliminary Vela results, released by the Defense Department on July 7, offer some promising signs for detecting and identifying nuclear tests but emphasized the new findings cannot be considered a substitute for control posts or onsite inspections.

July 13, 1962: Soviet Union served official notice that it claims the right to be the last nation to carry out nuclear weapon tests.

July 16, 1962: The 18-Nation Disarmament Conference reconvenes in Geneva. The United States proposes discussion of scientific findings, particularly from Project Vela.

July 21, 1962: The Soviet Government announces its decision to resume nuclear tests.

August 1, 1962: President Kennedy stated at his news conference that on the basis of recent technical assessments, the United States can work toward an internationally supervised system of detection and verification for underground testing which will be simpler and more economical than the system which was contained in the treaty which we tabled in Geneva in April 1961. He emphasized that these new assessments do not affect the requirement that any system must include provision for onsite inspection of unidentified underground events.

August 5, 1962: The Soviet Union detonates a nuclear explosion in the atmosphere in the order of magnitude of 30 megatons. This is the first of some 40 tests, continuing until December 25.

August 8, 1962: U.S. Delegate Dean proposed reducing the number of control posts to something like 80—a reduction of more than half. He offered this concession in view of his contention that detecting devices have gone ahead rapidly. Thus, our techniques for detecting sneak tests are much better.

August 9, 1962: Ambassador Dean formally introduces a new proposal for a comprehensive test ban treaty based on a worldwide network of internationally supervised, nationally manned control posts. Provided the Soviets agree to the principle of obligatory onsite inspection, the numbers of control posts and onsite inspections would be substantially reduced from previous U.S. proposals. Ambassador Zorin immediately rejects the new proposal.

August 20, 1962: The U.S.S.R. rejected proposals for a partial nuclear test ban treaty. The idea of a half-way treaty was advanced by Brazil, Sweden, and Italy. The proposed treaty would stop atmospheric tests immediately to ease fallout dangers.

August 27, 1962: The United States and Great Britain offered the Soviet Union the choice of an internationally inspected total ban on nuclear weapons tests or an uninspected limited ban. The limited ban would cover tests in the atmosphere, in space and underwater pending further negotiations for a treaty to include underground tests, the most difficult to identify.

August 29, 1962: The U.S.S.R. submitted to the disarmament conference a formula for halting nuclear weapons tests that the United States and Britain have repeatedly termed unacceptable because of inadequate guarantees and safeguards for inspection of suspicious events.

August 29, 1962: President Kennedy welcomed a Soviet proposal that all nuclear testing cease by January 1. But he reiterated the Western position that an enforcible treaty, complete with inspection provisions, be signed first.

September 7, 1962: The 18-Nation Disarmament Conference recesses, but the test ban subcommittee remains in session.

October 24, 1962: At the United Nations, Brazil proposes denuclearization of Latin America and Africa which would include a ban on nuclear weapon tests in these continents.

November 4, 1962: President Kennedy announces the end of the current series of atmospheric nuclear tests, but states that underground tests will be continued in Nevada. The last atmospheric detonation was November 4, 1962.

November 6, 1962: The General Assembly adopts a two-part resolution on nuclear tests. Part (A), sponsored by 37 powers and approved by a vote of 75 to 0 with 21 abstentions, calls for the cessation of testing by January 1, 1963, and an interim arrangement with certain assurances if no final agreement is achieved by that date. Part (B), sponsored by the United States and the United Kingdom and approved by a vote of 51 to 10 with 40 abstentions urges the early conclusion of a comprehensive test ban treaty with effective international verification. The United States and the U.S.S.R. abstain on part (A), and the U.S.S.R. opposes part (B).

November 13, 1962: At Geneva, Ambassador Tsarapkin suggests that unmanned seismic stations be employed as an addition to existing national detecting stations to monitor a test ban.

November 26, 1962: The 18-Nation Disarmament Conference reconvenes for the third session.

November 28, 1962: In an attempt to end the deadlock at Geneva, Swedish Delegate Rolf Edberg proposed a moratorium on all nuclear tests while an international group of scientists works out underground control methods satisfactory to both the West and the Soviet Union.

December 3, 1962: The U.S.S.R. rejected the proposal for setting up a nuclear test ban put forth by the Indian-Swedish delegations.

December 4, 1962: The Soviet Union told the United States and Great Britain that as long as they insisted on on-site inspection there would "never be any agreement" to end nuclear testing. Joseph B. Godber, of Britain, declared the dismissal of the neutralist efforts to break the test ban stalemate was "not the action of a responsible government."

December 4, 1962: Arthur H. Dean told the Soviet Union that unmanned seismic stations—the so-called "black boxes"—cannot serve as sole guardian of a nuclear test ban.

December 10, 1962: In the 18-Nation Disarmament Conference, Ambassador Tsarapkin formally proposes the establishment of two or three unmanned seismic stations on the territories of states possessing nuclear weapons. Locations by zones for those to be placed in the Soviet Union are named. This proposal is conditioned on the abandonment by the West of its insistence on international control and obligatory on-site inspection.

December 19, 1962: Premier Khrushchev, in a letter to President Kennedy, states that the Soviet Union is now prepared to accept two or three onsite inspections per year on Soviet territory. In addition, he says there could be three unmanned seismic stations on Soviet territory. The final location of the stations is left open.

December 20, 1962: The 18-Nation Disarmament Conference recesses.

December 28, 1962: President Kennedy, in reply to Premier Khrushchev, indicates encouragement that the Soviets have now accepted the principle of onsite inspection, but states that the figure of "two or three" onsite inspections is not sufficient, nor are three unmanned seismic stations. He denies that the United States offered to agree on three inspections. The United States has reduced number of onsite inspections to 8 to 10.

January 4, 1963: Arthur H. Dean announced that he had submitted his resignation on December 27, 1962, as Chief U.S. negotiator at the Disarmament Conference at Geneva.

January 7, 1963: In a letter to President Kennedy, in further exchange on the subject of onsite inspection, Premier Khrushchev holds to his contention that an annual quota of two or three inspections is sufficient. He emphasizes that he considers agreement in principle a great unilateral concession, and he agrees to further discussion on the questions between United States and U.S.S.R. representatives.

January 14, 1963: United States and Soviet representatives meet in New York. The United States is represented by William C. Foster, Director of the U.S. Arms Control and Disarmament Agency; and the U.S.S.R. is represented by N. T. Fedorenko, Soviet Ambassador to the U.N., and S. K. Tsarapkin, chairman of the Soviet delegation to the 18-Nation Disarmament Conference. Discussions continue in New York until January 22 when they are moved to Washington.

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[1] 18-Nation Disarmament Conference now composed of 17 nations. France, an original member, withdrew at the beginning of the Conference.

January 26, 1963: President Kennedy orders that preparations for underground testing in Nevada be suspended in the hope that the Western-Soviet discussions presently taking place in New York and Washington would materially enhance the prospects for an effective agreement on a test ban.

February 1, 1963: The New York and Washington, D.C., discussions on a test ban are slated to be taken up at the 18-Nation Disarmament Conference scheduled to be resumed on February 12. In a press conference, Secretary of State Rusk expressed the disappointment of the United States that the position of the Soviet Union appeared to have hardened into a take-it-or-leave-it attitude on their offer for two or three onsite inspections per year. The Secretary states, "* * * the idea of onsite inspection is not simply a political question involving the acceptance of onsite inspection in principle, but is the practical problem of establishing arrangements which in fact do provide assurance that agreements are being complied with."

February 1, 1963: President Kennedy orders resumption of the preparations for underground testing in Nevada.

February 8, 1963: The scheduled series of underground tests is begun in Nevada.

February 12, 1963: The 18-Nation Disarmament Conference reconvenes at Geneva.

February 22, 1963: The ACDA announces in Washington that the United States is willing to consider possible acceptance of seven on-site inspections, providing the modalities of inspection can be agreed upon.

February 28, 1963: In a Moscow election meeting speech, Premier Khrushchev reaffirms his refusal to consider anything but three on-site inspections per year.

April 1, 1963: The United States and United Kingdom delegations table a memorandum of position concerning the cessation of nuclear weapons tests. This memorandum sums up the Western position on general principles of agreement, on-site inspection and automatic seismic station arrangements, and includes specific proposals submitted to date.

May 13, 1963: AEC and DOD announce cancellation of the three small subkiloton detonations which had been announced on May 8 would be conducted at the Nevada Test Site on the surface and one just below the surface.

May 27, 1963: Senator Dodd joined by 33 other Senators introduced a resolution that U.S. offer to the Soviet Union to agree to a ban on all tests that contaminate the atmosphere or the oceans.

June 10, 1963: President Kennedy, in his speech at American University, announced that: (1) he, Prime Minister Macmillan and Chairman Khrushchev had agreed that high level discussions will shortly begin in Moscow on a comprehensive test ban treaty; (2) the United States does not propose to conduct nuclear tests in the atmosphere so long as other states do not do so.

June 20, 1963: Memorandum of Understanding (between U.S. and U.S.S.R.) signed at Geneva to establish a direct communications link between the United States and the Soviet Union. (This was negotiated in arms control forum).

June 30, 1963: The Atomic Energy Commission reported that in recent weeks there has been evidence of events in the Soviet Union which may be nuclear tests of very low yields. (Newspaper articles referred to an event occurring in the Soviet Union on June 12.)

July 2, 1963: Chairman Khrushchev, in a speech in East Berlin, agrees to negotiate on a nuclear test ban treaty limited to atmosphere, outer space, and underwater. He also requested negotiations on a nonaggression pact between NATO and the Warshaw Treaty nations.

July 15, 1963: Commencement of three power (United States, United Kingdom, and U.S.S.R.) talks in Moscow to negotiate a limited test ban.

July 25, 1963: Negotiators for the United States, United Kingdom, and U.S.S.R.—Ambassador Harriman, Lord Hailsham, and Foreign Minister Gromyko—initial a treaty to ban nuclear weapons tests in other nuclear explosions in the atmosphere, in outer space, and underwater.

EXHIBIT 3

[Alert No. 5—Soviet Treaty Violations, published by Armed Forces Information and Education, Department of Defense, Nov. 5, 1962]

SOVIET TREATY VIOLATIONS

Officials of the Soviet Union, from the 1917 Bolshevik revolution onward through 45 years of Communist rule, have established an undisputed reputation for breaking their most solemn pledges.

The Soviet regime's consistent viewpoint on the relative unimportance of promises is not restricted to its dealings with other countries, but extends with equal force to its relationships with the Russian people and the various minority groups which comprise the U.S.S.R.

Only 3 days after the November 7, 1917, revolution placed it in power, the Communist regime abolished freedom of the press as a privilege too dangerous to be entrusted to the people. The people were promised, however, that the decree would be rescinded just "as soon as the new regime took root." This 45-year-old promise notwithstanding, the order still applies today.

Other instances in which the Soviet Republic has broken faith with its own people are legion. The revolution of 1917 was carried out in the name of democracy, and ever since "democracy" has been one of the most frequently used words in the Communist lexicon. But while the Communists have capitalized on the word, they have radically altered its definition—from "government by the people" to "government for the good of the workers." Since the Communists keep for themselves the right to determine what is "good" for the workers, the Soviet definition of democracy in fact has become "government by Communists."

After 1917, the Russian people wanted not only democracy but its specific institutions: a constitution, a parliament, elections, a secret ballot, trade unions, etc. They were given all these things, but in name only.

The Soviet Constitution is an interesting document to read. However, it is violated or ignored by the regime as a matter of course. The Soviet parliament meets regularly, but it possesses neither power nor function. Elections are held every 4 years, but the single-slate ballot gives the voters no choice. A "secret ballot" is provided, but its purpose is to identify dissenters rather than protect them. Trade unions flourish, but only to make the worker more subservient to his employer, the state.

A RECORD OF BROKEN PROMISES

That promises mean next to nothing to the Communist official mind has been admitted by Soviet leaders:

V. I. Lenin: "Promises are like pie crust, made to be broken."

"It would be mad and criminal to tie one's hand by entering into an agreement of any permanence with anybody."

J. V. Stalin: "Words have no relation to actions—otherwise what kind of diplomacy is it? Words are one thing, actions another. Good words are a mask for concealment of bad deeds. Sincere diplomacy is no more possible than dry water or wooden iron."

G. E. Zinoviev (first head of the Communist International): "We are willing to sign an unfavorable peace—it would only mean that we should put no trust whatever in the piece of paper we should sign."

The Soviet Communist regime has entered into hundreds of international agreements. The following list shows how well the Soviet leaders keep their promises when it no longer appears to be in their interest to do so.

THE AGREEMENT	THE RESULT
May 7, 1920: Soviet regime signs treaty with independent Georgian Republic, pledging no interference in Georgia's internal affairs.	February 11 and 12, 1921: Soviet troops invade Georgia, in step leading to absorption of republic into U.S.S.R.
March 16, 1921: In trade agreement with Britain, Soviet Union pledges not to engage in propaganda in that country.	May 26, 1927: Britain ends agreement because of Soviet violations, including failure to stop propaganda as promised.
June 5, 1922: Soviet Union concludes friendship agreement with Czechoslovakia.	June 29, 1945: U.S.S.R. compelled Czechoslovakia to cede Carpatho-Ukraine to the Soviet Union.
December 12, 1943: U.S.S.R. and Czech Government-in-exile sign treaty of friendship and mutual assistance.	February 25, 1948: Czechoslovak Government forced to accept Communist ultimatum, as Soviet Union completes arrangements to force country into its satellite empire. Ultimatum compels appointment of a cabinet of Moscow followers and climaxes Soviet postwar drive to absorb once-independent Czechoslovakia.
December 17, 1925: U.S.S.R. signs nonaggression and neutrality pact with Turkey.	March 20, 1945: U.S.S.R. denounces this pact, begins campaign to secure control of Black Sea straits.
August 31, 1926: Soviet Union concludes nonaggression pact with Afghanistan.	June 14, 1946: U.S.S.R. forces Afghanistan to cede border territory of Kushka.
September 28, 1926: Soviet Union makes nonaggression pact with Lithuania, later extending this agreement through 1945.	June 15, 1940: Soviet troops invade Lithuania. August 3, 1940: Lithuania is annexed by Soviet Union.
September 27, 1928: Soviet Union adheres to Kellogg-Briand pact for renunciation of war.	Soviet Union violates this pledge by 1939–40 invasions of Poland, Lithuania, Latvia, Estonia, Rumania, and Finland.
January 21, 1932: U.S.S.R. agrees to nonaggression pact with Finland.	November 30, 1939: Soviet military forces invade Finland.
February 5, 1932: Soviet Union signs nonaggression pact with Latvia.	June 16, 1940: Soviet troops invade Latvia. August 5, 1940: Latvia is forcibly incorporated in the U.S.S.R.
May 4, 1932: Soviet Union pledges nonaggression in agreement with Estonia.	June 16, 1940: Soviet military forces invade and occupy Estonia. August 6, 1940: Estonia is annexed by U.S.S.R.

THE AGREEMENT	THE RESULT
July 25, 1932: Soviet Union signs nonaggression pact with Poland. May 5, 1934: U.S.S.R.-Poland extend nonaggression pact for 10 years.	September 17, 1939: Soviet troops invade Poland. September 29, 1939: U.S.S.R. signs agreement with Nazi Germany to partition Poland.
June 9, 1934: U.S.S.R. recognizes Rumania, guarantees her sovereignty.	June 27, 1940: Soviet Army invades Rumanian Provinces of Bessarabia and Northern Bukovina. Soviet occupation of these areas completed in 4 days.
September 15, 1934: U.S.S.R. enters League of Nations, pledging thereby "the maintenance of justice and a scrupulous respect for all treaty obligations in the dealings of organized peoples with one another."	August 23, 1939: U.S.S.R. makes treaty with Nazi Germany, termed "a joint conspiracy" to deprive Poland, Estonia, Latvia, Lithuania, Finland, and Rumania of their independence and territorial integrity.
August 21, 1937: Soviet Union signs nonaggression pact with Republic of China.	October 2, 1949: U.S.S.R. breaks relations with Republic of China, after recognizing Communist Chinese regime it helped to gain power.
July 30, 1941: U.S.S.R. concludes agreement with Polish government-in-exile, pledging mutual aid and cooperation.	April 25, 1943: U.S.S.R. breaks relations with Polish government-in-exile on pretext of Polish request for Red Cross investigation of Katyn Forest massacre.
September 24, 1941: Soviet Union pledges adherence to Atlantic Charter, which provides that agreeing countries seek no aggrandizement, that the countries desire no territorial changes not made in accord with freely expressed wishes of the people concerned, and that they respect the right of all peoples to choose their own form of government.	Against these promises stands the Soviet Union's record of occupation and domination of Rumania, Estonia, Latvia, Lithuania, Czechoslovakia, Tannu Tuva, Afghanistan territory, Hungary, East Germany, Albania, Bulgaria, Poland, North Korea, Mongolia.
January 29, 1942: Soviet Union, with Iran and Britain signs treaty of alliance, providing for military use of Iranian territory only until end of military operations against Germany.	Soviet Union refused to withdraw its troops from Iran at the end of World War II.
February 4–11, 1945: At Yalta Conference, U.S.S.R. agrees on various postwar measures, including adoption of a resolution that the liberated peoples of Europe should have the opportunity to solve their economic problems by democratic means.	In violation of this agreement stands the U.S.S.R.'s record of domination in Bulgaria, Rumania, Poland, East Germany, Hungary, and Czechoslovakia, and other countries which were forced into postwar roles as satellites of the Soviet Union.
February 11, 1945: U.S.S.R., at Yalta Conference, agrees to declaration that Polish provisional government "shall be pledged to the holding of free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot."	January 5, 1947: Soviet Union refuses to participate in meeting with Britain and United States to secure compliance with the 1945 agreement pledging free elections in Poland. January 19, 1947: Communist-controlled fraudulent election carried out under conditions of Soviet military occupation.
April 11, 1945: U.S.S.R. signs 20-year treaty of friendship, mutual aid, and cooperation with Yugoslavia.	September 29, 1949: Soviet Union denounces this agreement.
June 14–18, 1945: President Truman and Premier Stalin agree, in an exchange of letters, to "free access by air, road, and rail from Frankfort and Bremen for U.S. forces."	April 1, 1948 to May 12, 1949: The Soviet Union imposes the Berlin blockade by severing all land and water routes between Berlin and West Germany. Western Allies supply Berlin by airlift. March 1962: Soviet Union harasses flights by Allied airplanes between Berlin and West Germany.
July 17 to August 2, 1945: At Potsdam Conference, U.S.S.R. agrees that there should be uniform treatment of the German people throughout Germany.	East Germany today continues to be a rigidly controlled Soviet satellite. Its people have been denied free elections, isolated from the people of West Germany, and victimized by the same kind of regimentation, police rule, and economic restrictions imposed on the peoples of all the Soviet bloc states in Europe.
August 14, 1945: The Soviet Union enters into treaty with Republic of China, containing these pledges: "Each high contracting party undertakes not to conclude any alliance and not to take any part in any coalition directed against the other high contracting party * * *. The treaty comes into force immediately * * * and shall remain in force for a term of 30 years."	February 14, 1950: These pledges were broken when the U.S.S.R. made a new agreement with the Communist Chinese regime it had helped create. The Soviets did not even bother to change the basic wording. The new treaty also pledges: "Both high contracting parties undertake not to conclude any alliance against the other high contracting party and not to take part in any coalition or actions or measures directed against the other high contracting party * * *. The present treaty will be valid for 30 years.
March 10, 1947: Council of Foreign Ministers, meeting in Moscow, agrees that all German prisoners of war should be repatriated by December 31, 1948.	August 3, 1955: Soviet regime furnishes West German Red Cross with data on the health and whereabouts of only 20 of the approximately 14,000 Germans known to be still held in the U.S.S.R.
May 4 and June 20, 1949: Four-power agreements of New York and Paris guarantee United States, British, French, and Soviet joint control of Berlin, all access routes to and from the city, and freedom of movement within the city.	September 20, 1955: U.S.S.R. unilaterally transfers Soviet control over all access routes to and from Berlin to East German regime.
July 27, 1953: Military armistice established between United Nations command and opposing Communist forces, assisted by U.S.S.R., of China and North Korea. Armistice agreement pledges signers to "cease introduction into Korea of reinforcing military personnel."	
January 14, 1956: U.S.S.R. signs agreement with Yugoslavia, pledging $110 million in credits for industrial construction. August 4, 1956: U.S.S.R. pledges an additional grant of $175 million, bringing total to $285 million.	
October 19, 1956: U.S.S.R.-Japanese joint declaration pledges the Soviet Union to refrain from interference in Japan's internal affairs.	

EXHIBIT 4

[From the Washington (D.C.) Star, Sept. 15, 1963]

HOW THE SOVIETS ARE OBSERVING THEIR TREATIES NOW

(By Dr. F. G. Lassner)

The following is a short study of selected Soviet treaty practices. It is not based on a comprehensive listing of all treaties; nor does this study contribute a complete analysis of how treaties fared at the hands of the Kremlin. However, a large enough sample of treaties was examined to permit a number of broad conclusions.

Economic treaties, in general, are being observed by the U.S.S.R. This is so because treaties of this sort operate to the advantage of the U.S.S.R. and because many of them are drawn with Communist bloc states; i.e., they are treaties within the same political entity. But where trade agreements conflict with the immediate political interests of the U.S.S.R., they are wholly or partially voided (viz, treaties with such dissident satellites as Albania, China, Yugoslavia, etc.).

Many treaties signed by the U.S.S.R., especially at the end of World War II, called for free elections or plebiscites. The U.S.S.R. presumably expected Communist and affiliated parties to win elections in Eastern Europe. When this hope was disappointed, despite systematic attempts to bring about electoral victories by skulduggery (e.g., outlawing of certain parties), political warfare and insurrectional methods were used to seize political power.

Treaties of strategic significance habitually have been violated by the U.S.S.R. whenever violation was in accord with the requirements of Soviet strategic operations. This will become apparent by reading, for example, the attached list of violated and observed nonaggression and friendship treaties.

A TREATY TECHNIQUE

The U.S.S.R., on occasion, attempts to play off one country against another through the negotiation or drawing of treaties, of which one set tends to be deceptive. In 1922, the U.S.S.R. negotiated with the Western Powers, only to sign the Treaty of Rapallo with Germany. In 1939, extensive discussions with France and England on mutual security were terminated through the signing of the Nazi-Soviet Pact. Agreements made in 1939 with Nazi Germany on the division of Poland were annulled 2 years later by treaty with the Polish Government-in-exile; in addition, the U.S.S.R. shortly thereafter drew agreements,

THE RESULT

August 13, 1961: Construction of Berlin wall completely prohibits free passage from the Soviet sector to the Western sectors.

July 11, 1955: U.N. command details long list of armistice agreement violations by Communist parties.

May 6, 1957: U.N. command, in another of series of official complaints, charges that Communists have sent troops in Korea's demilitarized zone six times in period of less than 4 months.

May 28, 1958: Yugoslav sources disclose that the Soviet Union has postponed for 5 years the grant to Yugoslavia amounting to $285 million. This represented an attempt to retaliate against Yugoslavia for its refusal to accept the Soviet Communist Party's ideological leadership.

1958: During the weeks preceding Japanese elections of May 22, Soviet radio beams propaganda at Japan violently opposing the reelection of Premier Kishus government.

1959–60: U.S.S.R. threatens Japan with the possibility of nuclear war if Japan ratifies United States-Japan security treaty, signed January 19, 1960.

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which were not mutually compatible with two different Polish exile governments.

The U.S.S.R. has signed agreements which have a purpose that differs from the objects stated in the treaty. The U.S.S.R., for example, joined the United Nations for many reasons connected with their strategy of revolution, but not for the humanitarian reasons stated in the U.N. Charter.

In summary, it may be concluded that in the Soviet scheme, treaties are a tool either to solve some practical problem (Danube River navigation or International Postal Union Treaties) or, more importantly, to further the offensive-defensive strategy of the U.S.S.R. More often than not, treaties are concluded with a particular country whose assent or benevolent neutrality is needed to carry out a particular strategic operation, or else the treaty partner is itself the intended victim, or target, of Soviet direct or indirect attack.

TREATIES VIOLATED

1. Treaties pertaining to repatriation and treatment of civilians and war prisoners. A whole series of such treaties was made after World War II. Examples are:

Joint declaration by the U.S.S.R. and Japan concerning political relations, October 19, 1956 (provisions on repatriation of Japanese nationals).

Agreement concerning repatriation of Japanese prisoners of war and civilians from the U.S.S.R. and from territories under Soviet control, as well as Korean nationals from Japan to Soviet-occupied North Korea, with two annexes. December 19, 1946.

2. Treaties between the RSFSR and certain bodies concerning establishment of autonomous republics within the RSFSR. Such autonomy on several occasions was unilaterally abrogated at a later date by the RSFSR.

3. Treaties of nonintervention: The U.S.S.R. frequently has violated such treaties outright, or has denied that activities in which it was engaged constituted an intervention within the meaning of the treaty. Intervention by the U.S.S.R. has constituted both of propaganda and political warfare, and of outright political or military activities. Examples are:

Exchange of notes between the U.S.S.R. and Rumania constituting an agreement concerning noninterference in each other's internal affairs, June 9, 1934.

Exchange of notes between the U.S.S.R. and France concerning Soviet adherence to the principle of nonintervention in the Spanish civil war.

Joint declaration by the U.S.S.R. and Japan concerning political relations October 19, 1956 (provisions on noninterference in internal affairs).

4. Treaties related to the International Labor Organization. U.S.S.R. has adhered to conventions on a variety of subjects: Child labor, right to unionize, annual holidays with pay, freedom of association, etc. Some of these agreements were first drawn in the early 1920's. Examples are:

CONVENTION ON SLAVERY

Convention concerning slavery of 1926–53, U.S.S.R. ratified August 1956. Several supplementary conventions of 1956 on abolition of slavery and slave trade "and institutions and practices similar to slavery" ratified by the U.S.S.R.

Convention concerning equal remuneration for men and women workers for work of equal value (ILO convention No. 100), ratified by the U.S.S.R. on April 4, 1956.

Convention concerning forced or compulsory labor (ILO convention No. 29) of 1930–46. U.S.S.R. ratified June 4, 1956.

5. Treaties pertaining to the control of narcotics. These are violated by the U.S.S.R. through proxies (China, Cuba). Examples are:

International Opium Convention, with annex and protocol, February 19, 1925. Soviet adherence, October 31, 1935.

Convention for limiting the manufacturing and regulating the distribution of narcotic drugs, with protocol of signature, July 31, 1931. Soviet adherence, October 31, 1935.

6. Treaties establishing certain rules or regulations, or prohibiting certain practices. These either have been or are being violated by the U.S.S.R.; they are antithetical to Soviet custom and observation of such agreements cannot be expected. The U.S.S.R. was not a signatory to some of these treaties before World War II, and went out of its way to act contrary to the spirit of many of the provisions. Examples are:

Geneva convention concerning the treatment of prisoners of war, with five annexes, 1949. Supersedes agreements of 1929.

Geneva convention concerning the protection of civilian persons in time of war, with three annexes, 1949.

Convention on the prevention and punishment of the crime of genocide, December 9, 1948.

Convention on the political rights of women, December 20, 1952, and March 31, 1953.

ARMISTICE AGREEMENTS

7. Armistice agreements and/or peace treaties after World War II contained many provisions violated by the U.S.S.R., especially in treaties with the present satellite countries. The U.S.S.R. also hampered Allied control commissions in carrying out their assignments. Examples of such provisions are: Free elections, noninterference in internal affairs, inspections, etc.

8. Some miscellaneous agreements wholly or partially violated by the U.S.S.R.:

Exchange of notes between the U.S.S.R. and the United States concerning establishment of diplomatic relations, with related documents, November 16, 1933. (Provisions of this agreement, especially those in which signatories promise to refrain from certain activities have been violated.)

Joint declaration by the U.S.S.R. and Japan pledging respect for the territorial integrity and inviolability of Manchukuo and the Mongolian Peoples Republic, April 13, 1941.

Agreement between the U.S.S.R. and the United Kingdom providing for limitation of naval armament and exchange of information concerning naval construction, with protocol of signature, July 17, 1937. Modification July 6, 1938. (U.S.S.R. never exchanged any information.)

November 16, 1937, (1) convention for creation of an International Criminal Court and (2) convention for prevention and punishment of terrorism.

Convention concerning privileges and immunities of the United Nations, February 13, 1946, U.S.S.R. accession September 22, 1953 (agreements on duties and privileges of diplomats frequently are violated by the U.S.S.R.).

Kellogg-Briand Pact, treaty of Paris, signed August 27, 1928, renunciation of war. Protocol concerning entry into force of the general treaty of August 27, 1928, for renunciation of war as an instrument of national policy (Litvinov protocol). February 9, 1929, U.S.S.R.-Estonia, Latvia, Poland, Rumania—later Lithuania, Danzig, Persia.

Commercial treaties with Albania and China have been abrogated by the U.S.S.R. to a greater or lesser degree as a result of the political disagreements with these countries.

Agreements between the U.S.S.R. and the United States regarding return of lend-lease naval vessels.

Agreements between the U.S.S.R. and other Allied Powers on establishment of provisional government, holding of elections, etc., in Korea.

Agreement by the Allied Control Council for Germany concerning establishment of three corridors for air travel between Berlin and West Germany, November 30, 1945.

Neutrality, friendship, mutual assistance, and nonaggression treaties between the U.S.S.R. and other countries

Where the U.S.S.R. had a strategic goal or some immediate or long-range political objective, these treaties have been violated. When this was not the case, if the other contracting party was geographically removed from the U.S.S.R., or where treaties were drawn with other Communist states, the treaties in general have been observed.

TREATIES NOT VIOLATED

Treaty of friendship and neutrality between the U.S.S.R. and Turkey, with three protocols, December 17, 1925.

Treaty of neutrality and nonaggression between the U.S.S.R., and Germany, with exchange of notes, April 24, 1926, extended 1931.

Treaty of neutrality and nonaggression between the U.S.S.R., and Afghanistan, with final protocol, August 31, 1926, extended 1931, 1936, and 1955.

Treaty of friendship, nonaggression, and neutrality between the U.S.S.R., and Italy, September 2, 1933.

Gentlemen's agreement between the U.S.S.R., and the Mongolian People's Republic, concerning mutual aid in case of attack by a third party, November 27, 1934.

MUTUAL ASSISTANCE

Protocol of mutual assistance between the U.S.S.R., and the Mongolian People's Republic, March 12, 1936. Converted into treaty of friendship and mutual assistance, February 27, 1946.

Treaty of nonaggression between the U.S.S.R., and Germany, August 23, 1939, and secret protocol concerning spheres of interest in eastern Europe.

Treaty of friendship, collaboration, and mutual assistance between the U.S.S.R., and Rumania, February 4, 1948.

Treaty of friendship, collaboration, and mutual assistance between the U.S.S.R., and Bulgaria, March 18, 1948.

Treaty of friendship, collaboration, and mutual assistance between the U.S.S.R., and Finland, April 6, 1948.

Treaty of friendship, alliance, and mutual assistance between the U.S.S.R., and the Chinese People's Republic, February 14, 1950.

Treaty of friendship, cooperation, and mutual assistance (Warsaw Pact), May 14, 1955, U.S.S.R., Albania, Bulgaria, Czechoslovakia, German Democratic Republic, Hungary, Poland, Rumania.

State Treaty for Austria, May 15, 1955, U.S.S.R., United Kingdom, United States, France, Austria. (Not an outright nonaggression treaty, but Austria's status guaranteed by U.S.S.R.)

Violated:

(NOTE.—The nonaggression pacts with the three Baltic countries were violated by the U.S.S.R. when the latter, in June of 1940, sent each country an ultimatum demanding formation of a new government and the entrance of Soviet troops into major cities.)

Treaty of nonaggression between the U.S.S.R. and Lithuania, with two exchanges of notes, September 28, 1926. Extended 1931, 1934, reaffirmed by treaty of October 10, 1939.

Convention between the U.S.S.R. and Lithuania concerning the definition of aggression, with annex, July 5, 1933.

Treaty of nonaggression and neutrality between the U.S.S.R. and Latvia, March 9, 1927, extended 1932 and 1934.

Treaty between the U.S.S.R. and Latvia on conciliation procedure, June 18, 1932.

Pact of mutual assistance between the U.S.S.R. and Latvia, October 5, 1939.

PACT WITH FINLAND

Treaty between the U.S.S.R. and Finland concerning nonaggression and the peaceful settlement of disputes, with protocol of signature, January 21, 1932. (U.S.S.R. expelled from League of Nations for violating this treaty.) Extended 1934.

Convention between the U.S.S.R. and Finland concerning conciliation procedure, April 22, 1932.

Treaty between the U.S.S.R. and Estonia concerning nonaggression and the peaceful settlement of disputes, May 4, 1932, extended 1934.

Convention between the U.S.S.R. and Estonia concerning conciliation procedure, June 16, 1932.

Pact of mutual assistance between the U.S.S.R. and Estonia, September 28, 1939.

Treaty of nonaggression between the U.S.S.R. and Poland, with two protocols of signature, July 25, 1932, extended 1934.

Convention between the U.S.S.R. and Poland concerning conciliation procedure, November 23, 1932.

Joint communique by the U.S.S.R. and Poland concerning diplomatic and commercial relations, November 26, 1938. Confirms 1932 nonaggression treaty.

Note from U.S.S.R. to Poland abrogating existing treaties between the U.S.S.R. and Poland, September 17, 1939. Reason: Polish Government has ceased to exist. Followed by joint declaration of friendship and mutual aid by the U.S.S.R. and the Polish government in exile, December 4, 1941.

Treaty of nonaggression between U.S.S.R. and France, November 29, 1932.

Convention between the U.S.S.R. and France, concerning conciliation procedure, November 29, 1932.

Treaty of mutual assistance between the U.S.S.R. and France, with protocol of signature, May 2, 1935.

Treaty of mutual assistance between the U.S.S.R. and Czechoslovakia, with protocol of signature, May 16, 1935.

Treaty of friendship, mutual assistance, and postwar collaboration between the U.S.S.R. and the Czechoslovakian government in exile, with protocol, December 12, 1943.

WITH YUGOSLAVIA

Treaty of friendship, mutual assistance, and postwar collaboration between the U.S.S.R. and Yugoslavia, April 11, 1945. (Denounced by the U.S.S.R. September 28, 1949; in October, Yugoslavia accused the U.S.S.R. of having broken the treaty. Most commercial treaties between U.S.S.R. and Yugoslavia violated by the U.S.S.R. after the break in relations.)

Treaty between the U.S.S.R. and the United Kingdom concerning alliance in the war against Germany and collaboration and mutual assistance after the war, May 26, 1942. Annulled by U.S.S.R. on May 7, 1955.

Treaty of alliance and mutual assistance between the U.S.S.R. and the French provisional government, December 10, 1944 (annulled by U.S.S.R., May 7, 1955).

Pact of neutrality between the U.S.S.R. and Japan, April 13, 1941 (denounced by U.S.S.R. on April 5, 1945).

Treaty of friendship, collaboration, and mutual assistance between the U.S.S.R. and Hungary, February 18, 1948 (violated as a result of Soviet actions in Hungary in 1956).

Treaty of nonaggression between the U.S.S.R. and China, August 21, 1937.

Agreement concerning the evacuation of Soviet forces from Chinese territory after the capitulation of Japan, July 11, 1945.

Treaty of friendship and alliance between the U.S.S.R. and China, August 14, 1945 (annulled by exchange of notes of February 14, 1950, between the U.S.S.R. and the Chinese People's Republic. Declared null and void by Government of Republic of China on February 25, 1953, the General Assembly of the U.N. accused the U.S.S.R. of violating this treaty).

Exchange of notes between the U.S.S.R. and China concerning relations between the U.S.S.R. and China, August 14, 1945. Supplements the above treaty, some clauses violated by the U.S.S.R.

Exchange of notes between the U.S.S.R. and China concerning Outer Mongolia, August 14, 1945 (calls for a plebiscite).

Additional agreements made about the same time (about Darien, Port Arthur, etc.), violated by the U.S.S.R. in fact or in spirit.

Exchange of telegrams between the U.S.S.R. and the Chinese People's Republic concerning establishment of diplomatic relations, October 1, 1949. (On same day, the U.S.S.R. informed Nationalist diplomatic representatives in Moscow that U.S.S.R. considered him to represent only the Province of Canton, and would break off relations. This appears to be how the U.S.S.R. rid itself of treaty obligations with Nationalist China.)

Mr. ANDERSON. Mr. President, on September 17 reference was made to General Power's concern that ICBM nuclear weapons systems have not been fully tested.

At that time I believe I had fully covered this point. However, I see that my distinguished colleague from West Virginia [Mr. BYRD] in his discussion today again has referred to General Power's concern and cites General Power's statements as one of the bases for his concern over the treaty.

For many years now the Joint Committee on Atomic Energy has had detailed information concerning the testing program by the AEC and the high degree of reliability that the AEC and the weapons laboratories attribute to their nuclear weapons. The details of this on file with the Joint Committee are classified. In order, however, to bring this matter to the attention of the public in a true light, the Joint Committee staff on September 17 requested Gen. A. W. Betts, Director of the Division of Military Application, to make available in an unclassified manner the details of the testing programs and the assurances as to the reliability of the nuclear weapons. This afternoon a response from General Betts was received at the office of the Joint Committee on Atomic Energy.

I ask unanimous consent that the letter of September 17 from the Joint Committee on Atomic Energy to General Betts and the reply from General Betts of September 19 be inserted in the RECORD.

I believe the Commissioner's letter signed by General Betts will once and for all put to rest any doubts that exist.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

SEPTEMBER 17, 1963.

Maj. Gen. A. W. BETTS,
Director, Division of Military Application, U.S. Atomic Energy Commission, Washington, D.C.

DEAR GENERAL BETTS: On August 19, 1963, General Power, in testimony before the Preparedness Investigating Subcommittee of the Senate Committee on Armed Services, testified:

"The only way you can prove a weapon system is to take it out of the stockpile in a random pattern and let the tactical unit take it out and detonate it. If you haven't done this, there is always a chance that something has happened that we won't discover until too late. * * *

"We have not tested any of the operational warheads in our inventory. That includes the missiles and the bombs."

The implications left by General Power's testimony is that the weapons systems and warheads developed are not assured of functioning properly when called upon to do so in an operational manner. From the knowledge available to the Joint Committee in following the weapons programs over the years, this appears to be contrary to the actual situation.

Most of the information on file with the Joint Committee on Atomic Energy regarding this matter is in classified form. It is very desirable, therefore, that an unclassified letter be furnished recounting the long history of looking at the need for operational systems tests, and the study efforts made on this problem together with the procedures now in practice which provide to scientists, engineers and to the military advisers in the Department of Defense the high degree of confidence they have in the assurance that complete weapons systems, when fired operationally, will result in nuclear warhead detonations as designed.

To the greatest extent possible in an unclassified communication, this letter should include information on tests of weapons systems that included warheads where the entire sequence of firing was actually tested except for the final nuclear detonation. Statistical tests and certification procedures involving more than just the original warhead designers should also be described.

Your cooperation in providing us this information is greatly appreciated.

Sincerely yours,

JOHN T. CONWAY,
Executive Director.

U.S. ATOMIC ENERGY COMMISSION,
Washington, D.C., September 19, 1963.

Mr. JOHN T. CONWAY,
Executive Director,
Joint Committee on Atomic Energy,
Congress of the United States

DEAR MR. CONWAY: I refer to your letter of September 17, 1963, regarding statements made by Gen. Thomas S. Power, commander in chief, Strategic Air Command, before the Preparedness Investigating Subcommittee of the Committee on Armed Services, U.S. Senate.

The matter of reliability of nuclear weapons has always been considered a matter of great importance by the Atomic Energy Commission and consequently a substantial technical effort has been devoted to insure that the nuclear weapons provided to the Department of Defense will function properly if used operationally. The required reliability for any particular nuclear weapon is established initially by the DOD in the nuclear weapon military characteristics. This required reliability is quite high and is verified by the extensive testing program discussed in the following paragraphs.

The accumulation of the necessary data upon which the reliability is based begins early in the development program of a weapon. Initially the nonnuclear components are subjected to many rigorous tests, under various environmental conditions which include acceleration, vibration, high and low temperature cycling, etc. Next, the complete nonnuclear weapon (either bomb or warhead) with depleted uranium or other material substituted for the fissionable material is tested under a variety of circumstances that include functional tests under simulated operational conditions. In these tests, the weapon is highly instrumented in order to obtain information that is of primary interest to the weapon designer; e.g., arming, fusing, and firing circuit operation. If the weapon is a bomb, it is carried by the same type aircraft that will employ it operationally and it is released on an AEC test range at Tonopah, Nev., where extensive ground instrumentation records all the various bomb functions.

In the case of a ballistic missile, the same type of tests are run in conjunction with the DOD on test firings from the Atlantic or Pacific missile ranges. These tests confirm the compatibility between the DOD and AEC portions of the weapon system and establish that the nonnuclear portion of the weapon will perform according to specifications. A sufficient number of these tests is performed so that a statistically significant amount of data is obtained thus allowing the reliability of the system to be certified as meeting the DOD requirement.

The above tests are generally performed on development quality material. After the results of these tests are analyzed and the designs are firmly established several complete nuclear weapons are produced by the production complex using production tooling. These nuclear weapons are again subjected to essentially the same sorts of tests as the development hardware, although no actual missile firings or aircraft drops are performed. After successful completion of these tests quantity production of a weapon is begun and it is introduced into stockpile.

During the production phase the quality and reliability of the product continues to be of prime importance. For this reason, weapons are withdrawn very early in the production phase in order to perform functional tests thereby establishing the quality of the new production. Additionally, throughout the stockpile life of the weapon, nuclear weapons are periodically withdrawn on a statistical basis and functional tests performed. In this way, the reliability of the stockpile is continuously verified and any degradation resulting from the passage of time is detected and corrected.

In regard to the nuclear portion of the system, the designer performs development tests on high explosive detonators, high explosive charges, initiators, and other components to establish reliability data. By the use of various testing techniques the nuclear weapon designer is able to predict with a high degree of confidence that the weapon would have performed in a satisfactory manner had the nuclear materials been present.

To supplement the extensive development tests of primarily nonnuclear components mentioned above, full scale nuclear development and proof tests are performed. The development tests lead to an optimum design that may be tested further by a proof test. The decision as to whether a proof test will be performed depends primarily on the design approach, the success of the development tests, and sensitivity of the system to variations in weapon yield. The designs of most of the weapons in stockpile have been proof tested.

In addition to the AEC tests the DOD performs operational suitability tests of the complete weapon system using weapons provided by the AEC. The weapons provided to the DOD for this purpose are essentially identical to stockpiled weapons (less the nuclear material). The operational suitability test is designed to evaluate the system from stockpile to target and generally culminates in a nonnuclear detonation of the weapon. Usually there are several of these tests performed for each weapon system. In some instances a passive (nontelemetered and recoverable) instrumentation package is installed in these weapons to provide a record of proper functioning of various weapon circuits. In other tests the data are telemetered.

In regard to operational tests of complete systems, this has been a matter primarily of concern to DOD, although AEC advice and assistance have been provided. As you know, the decision has been made in some instances to perform operational systems tests such as the Polaris weapons system test during Operation Dominic.

In summary we are confident that the nuclear weapons the AEC develops, produces, and provides to the DOD are highly reliable and that they will function properly if used operationally.

Sincerely yours,

A. W. BETTS,
Major General, U.S. Army, Director of Military Application.

Mr. LAUSCHE. Mr. President, since the treaty in a limited way to ban nuclear testing was submitted to the Senate, I, as well as other Senators, have been giving grave consideration to the course that should be followed by the Senate with respect to the proposal.

I approach this problem with the view that the achievement of peace and the maintenance of the security of the United States are our primary considerations. That is the premise upon which I have acted in attempting to decide what should be done.

Worthy people throughout the world do not believe in war, or the taking of the lives of citizens because of political differences, or in the practice of entering into a solemn agreement without intending to fulfill it. I believe that is the spirit of the people of our country. At least it is mine.

How are we to attain the peace we all want? It certainly cannot be attained by yielding to the inordinate demands of Red Russia about the communization of the world, or by following a course in which the military might of Red Russia reaches a comparative level, so that Russia can dictate to the people of the free world what should or should not be done, or by wishful thinking that into the minds of Communist leaders has come a new light, and that now they yearn for peace and the legitimate coexistence of people of different political, economic, and social leanings.

In September 1938, Neville Chamberlain, Prime Minister of Britain, announced to the world the result of the agreement he had made with Hitler and Mussolini. With joy and pride he proclaimed, "peace in our time." Neville Chamberlain was a sincere, honest, and well-intentioned person. He believed that by the agreement he made with Hitler and Mussolini, he served not only the people of Great Britain but also the people of the world. But peace was not the lot of the world; instead, there came but genocide, tortures, and devastating war.

Today we are faced with a similar situation. In the maintenance of peace, can we take the word of Red Russia? Can we believe that it will discontinue creating tensions around the world and will remain contented with the present distribution of the atomic bomb? In my judgment, we cannot. To the extent that communism has been contained and peace maintained, it has not been the result of the will of Red Russia but of the strength that we have had in the military. If our military power were not greater than that of Red Russia, peace would not now prevail throughout the world, even to the limited degree that it has. The Chiefs of Staff have said that if the treaty were signed, two things would happen: First, it would stop the proliferation of the bomb. Presently, two principal powers are in the process of achieving a bomb strength—France and Red China. Neither of those countries will sign the treaty.

The people of Ohio do not want the Senate to approve a compact with Red Russia that would endanger the future security of the United States; they do not want the honor of our country to be tarnished by agreeing to unreasonable and unjustifiable exactions demanded by any other government. They want peace with honor.

The other reason urged for signing the treaty is that it will stop tensions throughout the world. If we ascertain facts upon which we could conclude that tensions would be reduced, we find that every day Red Russia is provoking difficulties and tensions. What tensions have been reduced in South Vietnam, South Korea, in British Guiana, and in South America? What is Red Russia doing in Cuba, in Colombia, in Brazil, in Venezuela, and in Guatemala? Tensions are being provoked everywhere. Red Russia will abide by its commitments only so long as it is suitable and advantageous for it to do so. The moment that suitability and convenience come to an end, it will do with the treaty what it has done with 53 out of the last 59 important agreements that it has made. Only a year ago Russia promised to the United States inspection in Cuba. That commitment still has not been kept.

We cannot take the word of Red Russia. The treaty is not conducive to the maintenance of peace. It is not in the interest of our country. It will rise to plague us. The time may come when we shall have to ask to be excused from it. When that time comes embarrassment and distress will be much greater than that which we now would face if we said to the 91 nations, including Ghana, Mali, Togo, the Cameroons, Dahomey and other nations that we have never heard of, "We cannot join you in signing the treaty because it would result in creating a condition that would bring Russia to supremacy in power." When Russia achieves supremacy in power, I have grave misgivings as to what will happen to our country.

Russia destroyed 20 million Russians. Tito put to death 1 million Yugoslavs. Everywhere communism, when it gains control, shows no mercy. It kills without limitation. That hour may come in our country if Red Russia ever attains supremacy. I shall vote against the treaty because I do not believe it is in the interest of peace and in the interest of preserving high and secure our Government.

When I took my oath of office as a U.S. Senator I swore to uphold and defend the Constitution of the United States and to perform my duties to the best of my ability—that I contemplate doing and thus passing upon this important treaty unmindful of my own political consequences but thoughtful solely of the future life of my country.

ARE THE TERMS OF THE TREATY, IN VIEW OF EXISTING CONDITIONS—POLITICAL AND MILITARY, CONDUCIVE TO PEACE AND ALSO THE SECURITY OF OUR COUNTRY?

If this question is answered in the affirmative, of course, the treaty ought to be supported—otherwise, not.

In analyzing the facts I will take up first the military phases of the problem. Generally it is admitted that Red Russia is in possession of a much greater rocket thrust than we are. In the last few years it has been putting into orbit payloads as high as five times greater than that which the United States was and is able to project. In addition the statement made by General Taylor is directly to the effect that technologically Red Russia is more advanced than we are in the high-yield range.

We try to find solace in the belief that the Soviets have no missile at this time which will deliver a hundred megaton warhead to a distant point within the United States. We have no proof that such a rocket booster is not possessed by Red Russia. If speculation is to be done in this field, it ought to be done resolving the doubt in the direction that will offer the greatest security for our country and, that is, to assume that it does have or will have such a delivery system.

It is also practically conceded that under the terms of the treaty we will be stopped from developing large megaton weapons even though future disclosures indicate an absolute need for them.

Does anyone believe that if Red Russia does have the means of using a hundred-megaton bomb upon us that it will not do so and thus in one single salvo of scores of thousands of megatons lay our cities to rubble, lives to death, and rendering our second strike capability purely academic.

The Communist regimes to achieve their end adopt whatever tactics are needed—fair or foul; human lives are not spared. We have witnessed that course in Yugoslavia, Hungary, Red Russia, Red China, Cuba—20 million of humble Russians were put to death by Stalin and Khrushchev to maintain their political supremacy.

If and when the Communist regime of Russia believes that it has superiority of power over us, it will not hesitate to inflict the cruelest, the most inconsiderate, and devastating assault upon our country that has ever been perpetrated against any nation in the world.

The item of developing an antiballistic missile has been much in discussion in connection with the treaty. The Joint Chiefs of Staff testifying through Gen. Maxwell D. Taylor on this subject stated:

> In the antiballistic missile field development of the U.S. system does not depend on atmospheric testing, and, hence, this treaty will not significantly influence any imbalance that may exist.
>
> Both sides could achieve an antiballistic missile but one with less desirable characteristics than would be the case if the additional atmospheric tests were conducted.
>
> Under the treaty both sides could make about the same technical progress in the ABM field, although the Soviet may possess some information not available to the United States.

Dr. Edward Teller recently in a public appearance stated:

> In 1958, in 1959 I was in favor of an atmospheric ban because at that time I did not believe in nuclear defense; I thought it was too difficult. But in 1961 and 1962, the Russians put up a terrific show of atmospheric explosions, and during 1961 they said they had the nuclear defense.
>
> This together with many discussions on nuclear defense which followed have convinced me that I must change my mind; that nuclear defense, though extremely difficult, might be possible.

Dr. Edward Teller also has stated:

> When the offensive power of two belligerents is equal, defense becomes decisive. * * * The scientists who maintain that this ABM is an impossible or Gargantuan task are misleading us and selling science down the river.

What the position of Red Russia is regarding an antiballistic missile neither the military agencies nor any other agency is able to tell.

One important witness in discussing the alleged antiballistic-missile systems encompassing Leningrad stated that in his opinion: "It is a bluff."

Another witness supporting the treaty said that in his opinion the deployment of the alleged antimissile system around Leningrad came about because:

> Some of their scientists or engineers sold them a bill of goods. That happens here, too, I mean the situations are not all that asymmetrical.

The people of our country through the years have been told about the work that is being done in developing an antiballistic missile system in the United States. Our development of the system has not reached the point where it warrants deployment of the actual weapons. That has been specifically stated by officials of the Government.

Red Russia on the other hand claims that it has developed the system and is now deploying it.

Suddenly what was once considered to be the most important service to be rendered in the United States to our civilian population and our military personnel has become an insoluble objective. Manifestly, if Red Russia has an ABM system and we do not have it, a wide disparity in strength does exist to our disadvantage.

Red Russia believes in huge megaton weapons. Secretary McNamara and others believe that we can achieve great success by using two or three smaller weapons instead of one very large one. With regard to this issue it must be remembered that many factors enter into this equation—that is, the ability of our bases to withstand damage done by a hundred-megaton bomb and also the effects such a blast would have upon our weapons system and the blackout that it might impose upon our communications devices.

It is a fact that we have never tested the impact that a nuclear superweapon of the yield of a hundred megatons would have upon our operational sites.

If the large rocket boosters are not of special value, why are we striving so vigorously to develop them?

The question is also pertinent concerning the efforts that will be made by our Government to develop a 50- or 60-megaton warhead through the knowledge obtained in underground tests.

It is my hope that the course we are following is the right one. But, if we are wrong, I doubt very much whether we will be able to extricate ourselves as we did in the last war from mistakes that were made. It well may be that the possession of this super hundred megaton weapon with the necessary rocket boosters constitutes a commanding advantage for the Soviets.

For years our leaders discounted Russia's ability to cope with modern technology. They told us that:

It would take scores of years for Russia to develop the atomic bomb. Russia developed it in 4 years.

The Soviet technology was too backward to produce a hydrogen bomb. Russia dropped an operational nuclear bomb from an airplane 5 months ahead of us.

Russia would never be able to cope with the production of jet aircraft. She has hundreds of supersonic jet bombers.

Russia would never develop ICBM's. Russia designed and launched one a year ahead of us and put it promptly into production.

Russia would never be able to put a manmade satellite into space ahead of us. The Russian sputnik was the first to orbit the earth.

We would be the first to hit the moon. Russia hit the moon ahead of us, and has taken photographs of its unseen other side—an accomplishment we have yet to duplicate.

We would be ahead of the U.S.S.R. in putting man into space. They were the first to accomplish this feat.

It would take years for the U.S.S.R. to develop atomic submarines. These submersibles are rolling off Russian shipyards probably as fast as ours.

All of these claims were subsequently proved to be untrue.

WHAT WILL BE THE ULTIMATE COMPARABLE POSITION BETWEEN THE STRENGTH OF RED RUSSIA AND THE UNITED STATES HAVING IN MIND THAT IN THE FIELD OF LARGE NUCLEAR WEAPONS WHERE RUSSIA HAS THE UNDISPUTED LEAD, BOTH RED RUSSIA AND WE WILL BE PROHIBITED FROM TESTING?

In the low-yield weapons where we are in the lead and Russia is trailing, testing underground will be permitted to both Red Russia and the United States.

Obviously, our ability to either catch or surpass Red Russia in the development of large nuclear weapons will come to an end; while the ability of Red Russia to catch and possibly surpass our country in the development of low-yield nuclear weapons will become a distinct possibility.

Is it possible that here lies the very reason why Khrushchev has agreed to this treaty?

Since 1958 while the conferences for the achievement of a nuclear test ban have been in progress, Red Russia has adamantly been opposed to on-the-site inspection and, finally, under complicated conditions agreed to only three on-the-site inspections of suspected nuclear test explosions at the most. It never would budge a single bit from this position of a limit of three inspections.

In 1961 and 1962, as we all know, in violation of the moratorium against tests, it launched experiments excelling ours practically beyond belief. In those tests it acquired information that will aid it in solving the problem of blackout of communication systems, the strength required to have an adequately hardened missile site, the means that should be taken to eliminate the damage done to weapons and weapons mechanisms.

Certain phases of this research, of course, can be done by underground tests. The testimony, however, is entirely too weighty that there are certain aspects of the problem that can only be done by atmospheric testing.

Gen. Maxwell D. Taylor further in his presentation of the position of the Joint Chiefs of Staff stated:

> It is important to emphasize that the superiority under discussion in the preceding paragraphs refers essentially to technological superiority. It does not take into account such superiority as derives from number of weapons, variety of delivery systems, and the magnitude of the nuclear plant and the stockpile. Hence, technological superiority is only one aspect of the net superiority which must take into account all of these factors. As to net superiority and ability to inflict damage on the enemy, the Joint Chiefs of Staff consider that the United States at present is clearly ahead of the U.S.S.R. in the ability to wage strategic nuclear war and is probably ahead in the ability to wage tactical nuclear war; whereas the Soviets have developed a substantial mid-range ballistic missile capability.
>
> They (the Joint Chiefs of Staff) concluded that the United States would not be able to overtake the present advantage which the U.S.S.R. probably has in the high-yield weapons field; whereas, the Soviets by underground testing probably could retrieve in time any lead which we may presently have in the low-yield tactical field.

In the field where we are ahead, Russia will catch up; in the field where Russia is ahead, we will remain at our present fixed disadvantage.

It appears to me that from the standpoint of our ability to maintain the security of the country, the provisions of the treaty are distinctly to our disadvantage. Military gains are made available to the Soviets and denied to the United States.

If we are mistaken—and we well can be—about the advances that Russia has made in the development of an antiballistic missile system and the knowledge that it acquired in the tests made in 1961 and 1962, in breach of the 1958 moratorium, of the impact of a hundred-megaton nuclear explosion on missile sites, communications systems, and weaponry, the present signing of the treaty may place us in a most embarrassing position at a later date in the event we find it necessary to withdraw.

ARE THE POLITICAL ADVANTAGES THAT WILL BE GAINED OF A VALUE ADEQUATE TO REPAY THE UNITED STATES FOR THE MILITARY DISADVANTAGES THAT IT WILL SUFFER?

It is claimed by the proponents of the treaty that there are certain political advantages which flow from the treaty that warrant the Senate to approve the agreement. Contention is made that after the treaty is executed the proliferation of nuclear weapons will stop and that the causes of world tension will be reduced.

Let us take a look at these contentions. Red China and France are the only present potential developers of the nuclear bomb; they will not be signatories to this document. Thus at the very beginning the argument of the nonproliferation that will result from the execution of the treaty is negated.

If the United States attempts to induce France to abandon its objective of possessing a nuclear bomb, the result might very well be the disintegration of NATO—that we cannot suffer.

REDUCTION OF WORLD TENSIONS

The second argument given in support of the political advantages is that it will result in a "reduction of causes of world tension." With this argument I, likewise, cannot agree. Russia at this very time is provoking world tensions wherever the field is fertile and suitable.

Have world tensions been reduced in the following areas suffering from Communist infiltration, subversion, push-button precipitation of riots, sabotage, murder, and other Communist devices: Laos, South Vietnam, Korea, Cuba, Haiti, Nicaragua, Guatemala, Venezuela, Colombia, Brazil, British Guiana, and other places?

The Communist Party of Red Russia has not changed its long-range strategy. With its present problems with Red China—rooted merely in tactical operation with Red China and not in the long-range objectives of the Communists of Red Russia and Red China; in its need of providing consumers' goods for the people of Russia; and in its constantly disturbing problems among the exploited people of its satellite nations—a breathing spell is needed. But even with that need, no tangible action is taken by Communist Russia to relieve the tensions which the Communists are causing. The truth is that if we believe that the signing of this treaty will cause Red Russia to lessen the tensions of war that exist in the world, we are unpardonably mistaken. Red Russia contemplates no such result from the treaty. The efforts to destroy existing governments in the world will go on; communism will seek to be substituted everywhere for existing non-Communist governments.

CAN WE RELY ON RED RUSSIA TO KEEP ITS COMMITMENT IN THE EVENT WE SIGN THIS TREATY?

If we are to judge its conduct in the future by what its conduct was in the past, the answer is that the treaty will be breached if and when it suits the convenience of this Communist signatory.

During the hearings of the Foreign Relations Committee members on the treaty, I asked the Secretary of State certain questions about the breach of commitments made by Red Russia in the past. The questions which I put and the answers which I received were as follows:

> Senator LAUSCHE. Mr. Secretary, I will try to develop thoughts with respect to the life of the treaty. In the 10 minutes it may be a little bit difficult. I understood you to say this morning that in discussing article IV of the agreement concerning how it might be terminated that the Russian representatives took the position that renunciation is a matter of sovereign right, and therefore required no delineation in the treaty; is that correct?
>
> Secretary RUSK. Yes, sir; and that has been a rather general approach of theirs to this problem.
>
> Senator LAUSCHE. That is Red Russia takes the position that when it makes a treaty, in the absence of specifying a particular period of time that it is to endure, it has the inherent and sovereign right to terminate it whenever it pleases?
>
> Secretary RUSK. That is a general point of view, sir. I would not want to say that that is flat and comprehensive over every issue; I would have to be advised on that point.
>
> Senator LAUSCHE. If we approve this treaty I am quite certain that the Congress as well as the administration would contemplate executing it in the spirit and in the letter. May I have your opinion on that subject?
>
> Secretary RUSK. I think there is no question about that.
>
> Senator LAUSCHE. And if that is the fact, not only the Congress but the administration and the people of the country should weigh what the probability is of Russian attitude concerning the fulfillment of the promise.
>
> Secretary RUSK. All right sir.
>
> Senator LAUSCHE. With that premise laid, I want to recite here Russia's conduct of the past, and I begin on February 2, 1920, when it made separate peace treaties with Estonia, Latvia, and Lithuania, recognizing the independence and autonomy of these countries and renouncing voluntarily and forever all rights of Russia over these people.
>
> On June 16, 1940, in the face of that treaty, Soviet troops occupied Estonia, Latvia, and Lithuania.
>
> I go to Iran. There was a tripartite alliance on January 29, 1942, to which Red Russia was a signatory, and it promised to withdraw its forces from Iranian territory.
>
> In 1945 Red Russia equipped the rebels with Soviet arms and Red army uniforms. Iranian forces were neutralized by Red army troops.
>
> In January of 1946 Iran appealed to the United Nations charging the Soviet Union with violating the agreement and interfering with its internal affairs and nothing was done about it.
>
> I now go to Yalta. We heard so much about it. In the Yalta Agreement, Red Russia, the United States, and the United Kingdom agreed to assist liberated people to form interim government authorities broadly representative of all democratic elements in the population and pledged to the earliest establishment through free elections, and I want to repeat that, free elections, and

the right of self-determination of governments responsive to the will of the people.

Now, the violations: In Hungary, acting through the Hungarian Communist Party and its own agencies and armed forces in Hungary, Red Russia suppressed the will of the Hungarian people by installing the minority Communist dictatorship and denied Hungary fundamental freedoms. The same thing was done in Rumania and Bulgaria.

I now go to Poland. In 1932 on July 25 Red Russia signed an agreement that there would be no aggression of Red Russia on Poland and not by Poland on Red Russia. We all remember this stab in the back on September 17, 1939, when Poland was fighting Germany on the west and Red Russia attacked Poland on the east.

I now go to the United States. In 1933 when Red Russia was begging the United States to establish trade relations with Russia, just as Kadar is now doing, and Litvinov wrote a letter to our Government committing himself that on Russian soil no agency would be permitted to exist contemplating intruding communism upon other nations of the world.

In violation of that Litvinov letter undoubtedly about which you know, the Comintern was in existence and they were attempting to communize the world.

No. 10, Finland. There was an agreement that before Russia and Finland were engaged in war that the issue would be submitted to arbitration, and that in no event would resort be made to war until 3 months after the report of the arbitrators. On November 26, 1939, the Soviet Government attacked Finland.

I now come to Hungary of 1956. When those patriots took control of the government and Imre Nagy was in charge, Red Russia said, "We will remove the Red Russian troops. Pravda will tell the story."

The story was carried throughout the United States, but while we were relying upon that promise they were bringing in their tanks and their guns and their military men.

No. 12, German reunification. On July 23, 1955, the Foreign Ministers of the Governments of France, United Kingdom, the United States, and Red Russia stipulated, the heads of Government have agreed, that settlement of the German question shall be by means of a free election. That was repudiated and broken.

We now come to China, subject 13. The alliance between the Republic of China and the Union of Red Russia agreed to work together in close and friendly collaboration after the coming of peace following World War II, and to act according to the principles of mutual respect for their sovereignty. That treaty was broken.

Then we come to the very significant Potsdam agreement on Germany. It was promised that Germany would not be scalped and denuded of all its economy. The signatories to that promise kept it except Red Russia, and it carried out everything it possibly could causing us to pour huge sums of money into Germany to reestablish the economy. There were other commitments made in the Potsdam agreement that were broken.

I now come to the Kellogg-Briand Treaty, which is significant. The Kellogg-Briand Treaty outlawed war as an instrument of national policy. The Red army invaded Manchuria on October 12, 1929, 1 year after it promised to outlaw war. Here we are sort of outlawing the nuclear tests. I wonder how long we can rely on that.

Japanese war prisoners. It was agreed by Red Russia that it would return those prisoners. It still has not done it.

Korea, item No. 17. It was agreed on December 27, 1945, there shall be set up a provisional Korean Democratic Government. There shall be a joint commission to provide a four-power trusteeship of Korea for a period up to 5 years. From the very beginning, the Russian representative refused to collaborate and to act in pursuance to that agreement.

No. 18, the return of German prisoners of war from the concentration camps, it still has not been done. Then we have had the peace treaties with Hungary again and Rumania and Bulgaria also violated.

Now, may I ask, Mr. Secretary, which is the last agreement that Red Russia has violated? I have in mind the Cuban commitment that we would have the right to inspect and ascertain whether the missiles were removed. Am I correct in that or not?

Secretary Rusk. That was a basis for the exchange, basis of the exchange between the President and Khrushchev during the week beginning October 22.

Senator Lausche. That promise was not kept.

Secretary Rusk. That is correct, sir. As you recall, Castro would not accede to that.

Senator Lausche. Yes. That is, the commitment was made that neutral nations would be permitted to go in and see whether the missiles were removed. That commitment was not executed, is that correct?

Secretary Rusk. That is correct, sir; but there were certain alternative arrangements that were made, as you remember.

Senator Lausche. I have a letter here from the State Department saying that we are not bound by the promise not to invade or any of the other promises that we made because the commitment of Khrushchev was not kept to allow us to inspect.

Now, I ask you, in the face of this fragmentary recitation of breeches of commitments, if we are to judge Red Russia in the future by what it has done in the past, what can we expect?

Secretary Rusk. Senator, I am quite familiar with this somber story. I think myself that we should consider whether or not it is the present intention and purpose of the Soviet Union to comply with this treaty without necessarily at this stage trying to guarantee to ourselves that this will be their attitude forever into the future.

I believe that there would be no particular reason for them to enter into this treaty unless they had a present intention of living up to it, for two reasons. One is that violations of this treaty are highly subject to detection, and the cost to the Soviet Union throughout the world in terms of quick signature, and a quick violation would be very high.

Second, they have paid a significant price in their terms for this treaty, because this has precipitated in the sharpest possible form the attack by Peiping on the Soviet Union based upon this treaty, and this has created even deeper divisions and more hostile divisions within the Communist world than had occurred before. But we can't ignore the record that you have exposed here this afternoon.

Therefore, we must ask ourselves whether the interests of the United States are adequately protected in the event of violation. I think that answer is "Yes," but I think this is an answer that the Senate has to find out for itself.

The Chairman. The Senator's time is up.

Senator Lausche. Just one-half minute.

For 5 years in the Foreign Relations Committee, behind closed doors and to questions put to you since you have become Secretary, I argued that there never can be a consortium between the 700 million Chinese and the 240 million Russians. Red China is looking for lebensraum, and its eyes are directed into Russia, and that was inevitable in my judgment, as it will grow worse as time goes on.

Mr. President, I have tried to bring myself to the judgment of approving this test ban treaty. My reasoning, however, simply prevents me from doing so. I am convinced that the treaty is not in the interests of the security of our country. It imposes military disadvantages upon the United States while it grants to Russia positions of favor to which it is not entitled. The treaty will be adopted. It would have been more comfortable for me to have followed the crowd. To have done so, however, would have required an abandonment of an honest judgment and the adoption of a course which I deeply believe is neither in the interests of peace nor the security of the United States. Whatever deterrents have come to the efforts of Red Russia to expand its boundaries have been the consequence of Russia's understanding that while we wanted peace, we did have the might and the will to maintain the honor and the security of our Nation. Peace will prevail in the world so long as the United States retains that position of strength, but not any longer.

On the basis of the facts as I understand them as herein set forth, I will cast my vote against this treaty.

Mr. ROBERTSON. Mr. President, I am happy to hear the Senator from Ohio say that he will vote against the treaty. I hope that he does not have as much difficulty in being quoted on that statement as I have had in being quoted to the effect that I shall vote against the treaty.

I read an article in the newspaper today stating that all but five Senators will be for the treaty. I made a speech of over and hour in which I said that I would be against the treaty. First, I found a piece on the front page of a newspaper which stated that the distinguished Chairman of the Foreign Relations Committee had said that I had lied. Of course, he had not. But the article indicated we were about to fight a duel over the treaty.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ROBERTSON. Then the Associated Press sent out that story. I do not know why they did. As soon as I could get the floor, I denied the statement.

A District of Columbia newspaper published the story under the heading of "Loud Speakers in the Senate." At the conclusion of the article there appeared the statement that I had denied the charge, and then there was printed what actually occurred. All right. Then the Associated Press—and I know that it is a fine agency and did not mean to misrepresent me—transmitted a story to the effect that I had said that I was going to violate my conscience by voting for the treaty. I have received telegrams and letters which expressed the feeling that the writers were shocked that a man would violate his conscience by voting for the treaty.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. HUMPHREY. I read the story in the Washington Post, to which the Senator referred, about microphones in the Senate. This morning I have noted no need for such microphones. The Senator from Minnesota has seldom been accused of needing a microphone. The Senator from Ohio speaks with such eloquence and clarity that he does not need a microphone.

Mr. LAUSCHE. And brilliance.

[Laughter.]

Mr. HUMPHREY. And brilliance, yes, and persuasive eloquence. The Senator from Virginia if the Associated Press will misquote him, will never need a microphone. Nevertheless, I wish to come out for microphones. Once again I shall support a resolution that would modernize the Senate Chamber. I do not believe we ought to go too far because we might upset some of the old traditions. But at least we can go so far as doing what our fellow Members of Congress do in the other body. We might install microphones so that the people in the galleries and the reporters in their gallery might be able to hear at least the official deliberations that go on in the Chamber.

Mr. ROBERTSON. We might at least go down to a well, as is provided in the House, and there have a microphone through which we could address our colleagues. Then those in the gallery could also hear.

Mr. HUMPHREY. Such an arrangement would eliminate any trouble about where a Senator should stand. The present rule requires that he stand at his desk.

Mr. ROBERTSON. The Senator from Virginia does not suffer from any throat trouble. He is sure that the representatives of the fine news agency called the Associated Press can hear him when he reads a copy of a telegram that he sent yesterday to the managing editor.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. LAUSCHE. How will the Senator vote on the treaty?

Mr. ROBERTSON. The Senator from Virginia thought that he had made crystal clear that he would vote against the treaty. I shall read a telegram which I sent to the newspaper which published the statement that I would violate my conscience by voting for the treaty. I know that the publisher did not intend any double entendre or double meaning. I said that I would violate the dictates of my conscience if I did not vote against the treaty.

It is all in this telegram.

Mr. HUMPHREY. Mr. President, will the Senator yield at that point?

Mr. ROBERTSON. I yield.

Mr. HUMPHREY. I know the distinguished junior Senator from Virginia is not really worried about that misquotation, because there is not a living mortal in Virginia or outside Virginia who would ever believe that the Senator from Virginia would vote against his conscience and what his conscience directs him to do. There are times when I wish the Senator's conscience would lead to a little different point of view, but the Senator is always true to his conscience, and the Associated Press was only having a joke. There is no doubt about that. It really made a sort of humorous mistake.

Mr. ROBERTSON. I do not think the Associated Press would try to perpetuate a joke on a Member of the Senate. Somebody has engaged in some proliferation of words about the treaty. It is a bit difficult, in writing it all up, to see exactly how anyone could misconstrue it.

I will tell the Senator what happened. I will read the telegram.

MANAGING EDITOR,
Los Angeles Herald Examiner,
Los Angeles, Calif.:

On page A–2 of your issue of Monday, September 16, 1963, you carry an Associated Press story quoting me as saying that I would violate the dictates of my conscience to support the test ban treaty. I said in my speech that I will vote against the treaty because it would violate the dictates of my conscience to support it, in view of information I have received about the dangerous military consequences if it is ratified. I am receiving mail from your readers expressing outrage that I intend to violate my conscience in order to support the treaty, which is what the erroneous sentence says but is the exact opposite of my stand. Please publish a correction making it clear that I oppose the treaty, that I am going to vote against it, and that I said so in my floor speech Monday, September 16.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. LAUSCHE. It is a strange coincidence that in my mail today I received a letter containing the following:

DEAR FRANK: The gist of the attached clipping is that somebody put one over on Congress, and as a result, millions of our tax dollars are being wasted by the Area Redevelopment Administration.

Senator ROBERTSON, Democrat, of Virginia, is mentioned as one who is getting wise.

That is in a letter from a constituent in Ohio.

For the grief which the Senator has suffered from the misquotation by the newspapers, I hope this will be some balm to him, that the sincerity of his work is spreading into our State.

Mr. ROBERTSON. That is encouraging. I admit that I have gotten more national publicity from a story that a man called me a liar than anything I have done in the Senate in 17 years. That is the ways these news items are built up.

Mr. THURMOND. Mr. President, Adm. Chester Ward, U.S. Navy, retired, former Judge Advocate General of the U.S. Navy, has prepared a very interesting article for next week's issue of the American Security Council's "Washington Report." It is entitled "Beyond the Ban: the 'Destruction Gap.'" So that the Members of the Senate might have an opportunity to read this material prior to the final vote next week, I ask unanimous consent that Admiral Ward's outstanding article be printed in the body of the RECORD at the conclusion of these remarks.

Mr. President, I also ask unanimous consent that at the conclusion of these remarks an article written by the distinguished military correspondent of the Baltimore Sun, Mr. Mark S. Watson, entitled "Side Effect of A-Blast Worries Foes of Ban," be placed in the body of the RECORD. This article appeared in the Sun on September 14, 1963.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Washington Report, American Security Council]

BEYOND THE BAN: THE "DESTRUCTION GAP"—JOINT CHIEFS OF STAFF WARN TREATY GUARANTEES SOVIET SUPERIORITY

In the new era opened by the Treaty of Moscow and envisioned by President Kennedy in his address to the U.N. General Assembly—the United Nations, regardless of how much it may be strengthened as an instrument for maintaining world peace, will not have the power to restrain the Soviet Communists from world conquest. Nor will the United States.

Momentous testimony by the Joint Chiefs of Staff reveals: (1) that the Soviets have a 3-way lead in the only type of weaponry sufficiently powerful to control the world; (2) that U.S. adherence to the Moscow Treaty will guarantee continuance of the Soviet lead; and (3) that Soviet superiority in strategic high-yield weaponry is of a type which renders irrelevant or impossible of execution, the so-called unqualified and unequivocal assurances against the treaty's operating to imperil American security.

It reveals also that Secretary of Defense McNamara's claims of vast U.S. "nuclear superiority" will soon depend upon our striking first (which we will never do), with manned bombers (which we will no longer have). His claims of "missile superiority" are based on numbers alone, and ignore the fact that Soviet weapons exceed ours in explosive power by from 30 to 100 times. His claims of "technological superiority" sound as if they covered the entire spectrum of weaponry, but actually refer primarily to what Joint Chiefs of Staff call very-low-yield tactical weapons, which run to less than one-thousandth of the power of the range in which the Soviets hold guaranteed supremacy.

Would you be willing to stake your life—and the lives of your children—on the accuracy of the administration's assurance that the Treaty of Moscow will not imperil the security of the Nation?

You would be dead now—if your life had been staked on the accuracy of the administration's assurance last September, that there was no substantial danger of Soviet offensive weapons in Cuba.

You would be dead now if your life had been staked on the accuracy of the administration's assurance, up until September 1961, that adhering to the first test ban did not imperil U.S. security.

The September 1961, strategic miscalculation of risk cost us—as has just been officially conceded for the first time—our superiority in the only nuclear weapons powerful enough to control the world—those with the explosive power of tens of millions of tons of TNT.

The September 1962, strategic miscalculation of risk needlessly and uselessly exposed scores of millions of Americans to nuclear incineration; and we were saved from the threat of a nuclear surprise attack only by the grace of God and an aerial photograph.

The September 1963, strategic calculation of risk has been made. President Kennedy has assured the Senate, by letter of September 11, 1963, that the Treaty of Moscow is "safe and necessary." It was only last September, however, that he assured the public that the "increasing numbers" of Soviet shipments of arms to Cuba were "under our most careful surveillance," and that "I will repeat * * * that these shipments do not constitute a serious threat to any other part of this hemisphere." Then, in less than a month came the U-2 aerial photographs. Later, he was wrong also about the Soviets keeping their promise of on-site inspections.

This September, your life has been staked on the administration's assurance that the risks involved in this third deal with the Soviets are small, and that our national security can be fully maintained in the new era opened by the Treaty of Moscow. The survival of the United States is also at stake.

If the administration is wrong again in its calculation of risks, you may lose your life in a nuclear Pearl Harbor—or lose your way of life as a result of Soviet ultimatum demanding surrender.

There is hard evidence that the administration is wrong again. It can not be photographic evidence, of course—but like the U-2 photograph that saved us last time, it is evidence more factual than opinionative in nature. Also, like the aerial photograph, its warning can be understood only through subjecting the facts revealed, to an analysis to develop their strategic meaning.

The import of the warning is so momentous as to overshadow the conclusion of the Senate Preparedness Investigating Subcommittee Report, issued on September 10, that the Treaty of Moscow will result in "serious, perhaps even formidable, military and technical disadvantages to the United States."

The source of the warning is a comprehensive "JCS Position Paper." It was prepared with reference to "this particular treaty at this particular point in time." The Joint Chiefs of Staff adopted it only after extensive deliberations and consultations with the Department of State, the Atomic Energy Commission, the Central Intelligence Agency, the Office of the Secretary of Defense, and others "with particular competence and responsibilities in the field." It was submitted to the Senate committees by the Chairman of the Joint Chiefs of Staff, testifying under oath. None of its statements, therefore, can be discounted.

Here are the key assertions of the JCS position paper. They are phrased in the most unsensational of technical language. They offer, however, a still timely warning of the most horrendous danger ever to threaten the national existence of the United States.

1. The Soviet Communist objective: "Militant communism remains dedicated to the destruction of our society."

2. Soviet capability of carrying out our destruction: "The USSR is ahead of the United States in the high-yield—tens of megatons—technology, in weapons-effect knowledge derived from high-yield explosives, and in the yield/weight ratios of high-yield devices."

3. Treaty of Moscow guarantees permanence of Soviet superiority in weapons of tens of millions of tons explosive power: "If * * * both sides faithfully observe its provisions * * * the United States would not be able to overtake the present advantage which the U.S.S.R. probably has in the high-yield weapons field, whereas the Soviets, by underground testing, could probably retrieve in time any lead which we may presently have in the low-yield tactical field."

The military Chiefs were not, of course, free to explain the meaning of these stark and somber facts. An objective strategic analysis, however, on the basis of those facts will assign to the Treaty of Moscow a significance unprecedented in all history: The most powerful nation in the world, with a present vast superiority of strategic military power in-being is: (1) abdicating its position of world supremacy, and (2) is guaranteeing to its enemy the capability—without challenge and without time limit—of developing overwhelming strategic supremacy sufficient to destroy the formerly most powerful nation, without risking devastating retaliation.

How can the Moscow Treaty operate to guarantee the Soviets the capability of developing overwhelming strategic nuclear power, if the United States holds such a vast supremacy in such power now?

The Joint Chiefs' position paper supplies the facts which provide the answer to that pivotal question. The same JCS facts provide the answer also to the equally significant question: How can Secretary of Defense McNamara's claims of U.S. "missile superiority" and "nuclear superiority"—under cover of which he is scrapping all U.S. manned bombers—be at least partially or even technically true, and still be grossly deceptive to Senators and citizens?

Here is how it works. The JSC, referring to the Soviet superiorities in "high yield devices"—meaning both bombs and missiles—and to the "probable" U.S. superiority in the field of very-low-yield tactical weapons, explain:

"It is important to emphasize that the superiority under discussion * * * refers essentially to technological superiority. It does not take into account such superiority as derives from numbers of weapons, variety of delivery systems, and magnitude of nuclear plant and stockpile. Hence technological superiority is only one aspect of the net superiority which must take into account all these factors.

"As to net superiority in ability to inflict damage on the enemy, the JCS consider that the United States is clearly ahead of the U.S.S.R. in the ability to wage strategic nuclear war, and is probably ahead in the ability to wage tactical nuclear war, whereas the Soviets have developed substantial midrange ballistic missile capability."

This necessarily sounds—superficially—as if it is backing up the McNamara claims. It had to sound that way, or JCS could not have said it. Actually, strategic analysis is necessary to reveal what it really means.

More than 90 percent of our present nuclear striking power—that is, "ability to inflict damage on the enemy" has to be delivered by manned bombers. These bombers are capable of carrying about 30,000 million tons of explosive power. McNamara's "more than 500 missiles" can deliver a total of about one-thirtieth of the bomber load. Thus our net superiority, which is our present "nuclear superiority" depends on the SAC bomber force being in existence and being operational.

A Soviet surprise missile strike with less than 15 minutes warning—such as from Cuba or by missile submarine—could destroy about 90 percent of our bombers in their soft bases. Thus our superiority (and the overkill which even Mr. Kennedy has referred to) depends upon the United States striking first.

President Kennedy has officially declared that we will not strike first. Hence the statements of our "net" superiority based on our striking first, are deceptive. So also are such statements as "We have enough nuclear power to kill 300 million people in 60 minutes. How many weapons do we need?"

Even without a Soviet no-warning surprise attack, however, our net superiority and our lead in "ability to inflict damage on the enemy," will soon vanish. McNamara is far advanced in his program of scrapping U.S. bombers, and has killed all programs for their replacement by advanced type bombers. As soon as his scrapping program is complete, we will have abandoned more than 90 percent of our total nuclear striking power, and all of our massive nuclear striking power. His program contemplates cutting down our capability from between 30,000 and 40,000 million tons of explosive power based overwhelmingly on bombers, to 2,000 million tons depending almost exclusively on missiles. U.S. Navy aircraft carriers have a substantial delivery capability, but McNamara's programs contemplate cutting them also, and reducing the number of strike aircraft the remaining ships may carry.

As soon as the U.S. SAC bombers are taken out of operational status, missile superiority will control the world.

When missile superiority controls the world. The Soviets have both technological and operational superiority in missiles now, and the Treaty of Moscow will guarantee the continuance of their superiority in the future. This is the meaning of the JCS statement. "The U.S.S.R. is ahead of the United States in the high-yield—tens of megatons—technology * * * and in the yield/weight ratios of high/yield devices. * * * If the treaty goes into effect * * * the United States would not be able to overtake the present advantage which the U.S.S.R. probably has in the high-yield weapons field."

This concedes to the Soviets an existing and guaranteed for the future capability of opening a massive "missile-explosive power gap." This gap already amounts to thousands of millions of tons of TNT explosive power. The Soviets have the capability of opening the gap by orders of magnitude each year, if the United States remains bound to McNamara's low-powered missile program and the Moscow Treaty. As soon as the U.S. bombers vanish, the "missile gap" will become a "destruction gap" because it will give them the greater power to inflict damage on the enemy. When the "destruction gap" becomes massive enough, it will amount to a "deterrent gap" because our retaliatory strike capability will no longer be relatively powerful enough to deter the Soviets from a surprise attack or delivering an ultimatum.

The new missile gap will result not from numbers, but from warhead power. Warhead power in turn depends upon yield/weight ratio and the warhead weight which the missile can deliver, which depends on the rocket thrust power. The Soviets are substantially ahead in both factors. Destructive effect of missiles (on a target which will not be "overkilled" by one hit) goes as two-thirds of the power of the warhead. That is, increasing the explosive power of the warhead by a factor of 3 is the same as doubling the number of weapons. The CEP factor of accuracy of guidance is also crucial. An improvement of 20 percent is considered as equivalent to doubling the yield of the warhead, but only for the purpose of destroying hardened military targets the location of which we know exactly. Both Soviet and United States accuracy is so good now, there is little room left for improvement. Both are known to be accurate within a half a mile—and it is not considered too much of an exaggeration to say that "We can hit an airfield—but the Soviets can hit a football field."

These statistics may seem boring now, but the survival of the United States and the lives of scores of millions of Americans depend upon an understanding of them.

Without them, it is impossible to understand how much—or how little it means, for McNamara to claim: "The U.S. force contains more than 500 missiles * * * and is planned to increase to 1,700 by 1966. * * * The Soviets are estimated today to have only a fraction as many ICBM missiles. * * * Between now and 1966, it is estimated that our ballistic missile numerical superiority will increase both absolutely and relatively."

The Soviet "fraction" of 500 could, of course be 400 or more—but it would be ridiculous to credit them with less than 120 ICBM's. Even Newsweek does (August 5, 1963), and the news "leaked" to it is generally close to U.S. estimates. The Soviets claim about 1,000.

Our missiles now probably average 3 megatons of explosive power: theirs, 30 megatons. Our number 500 times 3 megatons=1,500 megatons. Taking a low number for them, 120 times 30 megatons=3,600 megatons. This would give them a net missile explosive power gap of already 2,100 megatons, that is, 2,100 million tons of TNT equivalent. This gap will widen with extreme rapidity in the near future as the United States phases out its liquid-fueled Atlas and Titan I missiles which carry 5 or 10 megatons, and concentrates production on the 1-megaton Minuteman and Polaris.

McNamara plans a total missile force by 1966 of 950 Minuteman, 656 Polaris, and 54 Titan II. The explosive power in the total of their warheads would probably equal about 3,496 megatons. If the Soviets should build one-fourth as many, the explosive power of their warheads would equal 14,525 megatons. The explosive power gap in their favor would amount to some 11,029 megatons. The "destruction gap" would amount to 7,352 megatons. We would thus need more than 7,000 more Minuteman missiles to fill the gap.

We aren't going to get them—not in McNamara's programs. Yet investing in 8,000 missiles would not be too high a price to pay for the survival of the United States. The realistic answer, however, is not such large numbers of missiles, but an increase in their explosive power. Leading nuclear strategists have recommended an increase by a factor of 5 or 10. To attain this, as verified by the JCS paper, we need atmospheric testing. Under the Moscow Treaty, we have signed away our right to take this measure required for our national self-preservation.

Thus, just as the Cuban deal gave a U.S. guarantee against invasion, to assure Soviet Communist control of Cuba, the Moscow deal gives a U.S. guarantee of continuing Soviet nuclear power to control the world.

The controlling strategic factor in the world balance of power during the new era opened by the Moscow Treaty, will be the massive missile gap. Life will be different, for you and your family, and for all Americans. As then-Senator John F. Kennedy prophetically asserted in 1958, America would soon become the "underdog"—as the result of the "gap" or "missile-lag" period. This he defined as a period "in which our own offensive and defensive missile capabilities will lag so far behind those of the Soviets as to place us in a position of great peril."

The JCS position paper establishes the fact that the Soviets have now, and that the treaty guarantees them for the future, the capability of creating exactly such a gap.

Ironically, the missile gap which John F. Kennedy attributed to the Eisenhower administration was imaginary—whereas the gap created by Kennedy administration policies is so real it will shape the future of the world. And it has been made permanent by treaty.

What will be the strategic results? The Kennedy predictions, which were completely wrong for the indicated period of 1960–63, are completely right for the period 1964 to the end of the McNamara defense policies and the termination of the Moscow Treaty. They are even much more accurate, because in the new area there will be no U.S. SAC manned-bombers to more than fill the destruction gap. Here are some extracts from one of his series of articles entitled "Years of the Gap," published nationally by the Hearst Headline Service, and carried in the Los Angeles Examiner of August 24, 1958. Using the same substance, he made the missile gap a major issue in the 1960 presidential campaign.

1. The "coming years of the gap will present us with a peril more deadly than any wartime danger we have ever known."

2. "As the missile striking power of the Soviet Union increases, and our own retaliatory power lags * * * the deterrent ratio might well shift to the Soviets so heavily during the years of the gap as to open to them a new shortcut to world domination * * *. A direct Soviet attack may be our greatest danger throughout the years of the gap."

3. "We are about to lose the power foundation that has long stood behind our basic military and diplomatic strategy. We have possessed a capacity for retaliation so great as to deter any potential aggressor from launching a direct attack on us. This premise will soon no longer be correct."

4. "The Soviet * * * missile power will be a shield from which they will slowly but surely advance * * * through the vicious blackmailing of our allies. The key areas vital to our security will gradually undergo Soviet infiltration and domination. Each such Soviet move will weaken the West—but none will seem significant enough by itself to justify our initiating the nuclear war that might destroy us."

The developments pictured by Kennedy, including the direct Soviet attack on us, will not wait until McNamara has scrapped the last U.S. bomber. Khrushchev's huge investment in his present antiaircraft missile program proves he does not intend to wait that long. Effective deterrence depends on our having enough bombers to saturate his air defenses. This we will lose as soon as McNamara scraps enough of them, so that the Soviet surprise missile salvo, plus air defenses, can take care of the rest. Our 1-megaton missile retaliatory capability, blunted by his growing and treaty-guaranteed high-yield missile superiority, is not sufficient to deter him.

What can be done? The most urgent step is to scrap McNamara's policies of no bombers and small missiles, before they scrap us.

Until we attain missile superiority in destructive power as well as numbers, we need more bombers. We can get them by resuming production of B–52's until we can rush mass production of RS–70's. We must increase our airborne alert, and arm our bombers with 60-megaton bombs. We must mount Polaris missiles on surface ships.

For the future, we must develop a reasonably invulnerable missile force capable of delivering 20 kilomegatons of big-warhead retaliation. Its command, control, and communications systems must be proof against knockout by Soviet superweapons. This force, not the United Nations, is the only power which can secure both world peace and the survival of the United States.

To build this U.S. force for peace and survival, we have tremendous assets. Our program for 54 powerful Titan II missiles can be trebled. Our huge new peaceful space program rockets can be converted to the more realistic peaceful purpose of effectively deterring war. We can develop more powerful warheads for our missiles.

For in missiles—as in planning effective strategy for national defense—it's what's up front that counts.

Rear Adm. Chester Ward,
U.S. Navy, Retired,
Associate Editor.

[From the Baltimore (Md.) Sun, Sept. 14, 1963]

Side Effect of A-Blast Worries Foes of Ban—Scientists of Air Force Point to Byproduct Affecting Electronic Equipment

(By Mark S. Watson)

Washington, September 13.—Despite the public spanking administered to the Air Force Association by Eugene M. Zuckert, Secretary of the Air Force, for its bold opposition to the nuclear test ban treaty, numerous nuclear scientists of the Air Force continue in opposition.

Their concern about cessation of tests, it now appears, stems principally from the mystery surrounding a phenomenon of which the public now knows little but of which it is certain to hear more and more as research into EMP becomes more intensive.

AFFECTS ELECTRONIC DEVICES

EMP is the accepted abbreviation for "electromagnetic pulse," one of the byproducts of nuclear explosion. Its power is unmistakably such as to affect electronic equipment of every sort, including instruments for fire and guidance of our own ballistic missiles, that is, threatening the value of the ICBM itself, which now constitutes our chief war deterrent. The question is of how strong is the EMP's effect and how far does it reach.

Even the term is dealt with cautiously, and its use has repeatedly been censored out of official statements, including expert testimony before congressional committees, even though on many other occasions ranking officials have spoken or written of their concern over U.S. science's uncertainty about the electromagnetic pulse.

CENSORED BY POWER

Fundamentally their chief concern is that Russian military science, benefiting from the 1961 nuclear tests, may know much more than we do about EMP and its effect upon radio, radar, and other electronic processes. That concern helps explain reluctance on the part of the Air Force to block off American tests aimed at catching up with Russia.

Quite certainly this is one of the subjects originally touched on by Gen. Thomas S. Power, Chief of the Strategic Air Command, in his much-censored speech of yesterday before the Air Force Association. After censoring was completed his speech still said: "There are uncertainties concerning effects of high-yield nuclear weapons on our missile sites which will have to ride out the initial attack."

That suggests that, in theory, a Russian ICBM, sent against one of our ICBM missile-site complexes, even if unable to incapacitate any large number of the widely dispersed ICBM's by blast effect, could incapacitate the missiles themselves by EMP whose effect reaches much further, and conceivably deeper below ground, than the blast.

Viewed in its worst aspects, this could provide second thoughts about the U.S. present "second-strike" policy. That policy, frequently stated this past year, contemplates accepting an enemy's first strike in the confidence that surviving U.S. resources could "ride out the initial attack" in Power's phrase, and then launch a mighty counterstrike against the enemy, sufficient, as asserted by Robert S. McNamara, Defense Secretary, to wipe out the enemy's military resources.

QUESTION RAISED

The question now raised against the treaty (without effect on the Senate vote, it appears) is over the ability to "ride out" not only the blast power, which can be pretty well calculated but the Emp power, which at present is not computable at all and will not be without test.

A General Electric expert has surmised that a 1-megaton explosion could have effect upon electronic devices within a radius of 100 miles. It is understood that the pulse radiation from one of Russia's high-yield 1962 tests did in fact black out a U.S. satellite much farther off.

Also it has been reported that a mere 20-kiloton test on the Nevada nuclear test site affected power lines circuit breakers 100 miles away. It was this latter disclosure which lately spurred new U.S. Army Signal Corps efforts to develop electronic equipment less sensitive to radiation.

Emp works both ways. If its powers are such as to enable Russian ICBM's (in theory) to inactivate ours, it is certain that American ICBM's might do the same thing to Russia's—but only if they are used first, which is contrary to U.S. policy, and only if their powers are tested and proven, which is not in sight.

Whether military disadvantages outweigh political advantages, as contended successfully, it is not for the military to say. But it is manifest that there is little public knowledge of what the military disadvantages really are.

VETERANS OF FOREIGN WARS RESOLUTION OPPOSING NUCLEAR TEST BAN TREATY

Mr. STENNIS. Mr. President, the Veterans of Foreign Wars of the United States, at its 64th National Convention, gave its attention to the nuclear test ban treaty now under debate. This fine organization includes within its membership many of the foremost thinkers and leaders of our times who are thorough and painstaking and are prompted by the highest consideration of security for our Nation and the free world.

I have before me the resolution 258 of the V.F.W. in opposition to the approval of the nuclear test ban treaty, to give the Congress and the people of the Nation the benefits of the logic and reasons set forth in the resolution, I ask unanimous consent that it be included in full in the body of the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution 258, Opposing Proposed Limited Atomic Test Ban Treaty

Whereas the Soviet Union has broken over 1,000 treaties and agreements since 1917 as attested to by Senate Internal Security Document No. 125; and

Whereas the Soviet Union has signed treaties of nonaggression with neighboring states and then absorbed the states and has signed promises to refrain from revolutionary activities inside these countries with which it sought friendship and then cynically broke these promises; and

Whereas since that time we have seen nothing but a continuance of treaties broken by the Soviet Union, including the Soviet violations of the nuclear test ban moratorium; and

Whereas the proposed limited atomic test ban treaty, as other Soviet agreements, could be broken—this time with the nuclear vaporization of humanity: Now, therefore be it

Resolved, by the 64th National Convention of the Veterans of Foreign Wars of the United States, That we recommend that the U.S. Senate, in light of the previous treaty violations of the Soviet Union, do not approve the proposed limited atomic test ban treaty.

LET US STOP THE POISONOUS RADIOACTIVE FALLOUT

Mr. GRUENING. Mr. President, I wish to make a few brief remarks on the limited test ban treaty now before the Senate.

Almost 4 months ago—on May 27, 1963—I joined 32 of my colleagues in cosponsoring a resolution offered by the able and distinguished senior Senator from Connecticut [Mr. Dodd] to achieve precisely the result sought by the treaty now presented to the Senate. The operative portions of that resolution provided as follows:

Resolved, That it is the sense of the Senate that the United States should again offer the Soviet Union an immediate agreement banning all tests that contaminate the atmosphere or the oceans, bearing in mind that such tests can already be monitored by the United States without onsite inspections on Soviet territory.

That if the Soviet Union rejects this offer, as it has in the past, on the grounds that it wants a ban on all tests or nothing at all, we should not bow to this rejection but should, on the contrary, reiterate our offer and pursue it with vigor, seeking the widest possible international support for our position;

That if the Soviet Union refuses to accede to such a first-step agreement, we commit ourselves before the world to conduct no nuclear tests in the atmosphere or under water so long as the Soviet Union abstains from them; and

That, in committing ourselves to such a moratorium, either unilaterally or by agreement, we keep the Soviet record of deceit and bad faith in mind, and maintain our testing facilities in a state of constant readiness so that the United States will never be caught unprepared should the Soviet Union suddenly resume nuclear testing in the atmosphere or under water.

I have listened to and read carefully the arguments advanced against the Senate's giving its unreserved advice and consent to this treaty. While I appreciate the ability and sincerity of those who are advancing these arguments against unconditional ratification of the test ban treaty, I cannot agree with their arguments.

True, we cannot trust the Soviet Union—that we have been taught through bitter experience.

True, the masters of the Kremlin have a long record of breaking treaties.

True, Khrushchev announced their purpose to "bury the United States."

True, they have invaded Alaskan waters, torn up the crab traps of Alaskan fishermen and taken fish in our waters forbidden them by international law.

True, they have been guilty of a variety of unjustifiable acts. They have never hesitated to practice deception, nor is there any evidence of any change of heart or purpose.

Even though we recognize these truths while not condoning them, even though we fully appreciate the perfidiousness of the men in the Kremlin and the need to be constantly on our guard against treachery, nevertheless we can, on the basis of all the testimony, safely enter into this treaty because the advantages to our own Nation in taking such a step far outweigh any possible disadvantages.

Those of us who sponsored Senate Resolution 148 last May were fully aware of these realities. Nevertheless we sponsored the resolution because we firmly believed that whatever risks remained could be safely averted by maintaining a constant state of readiness to resume testing—which the President has promised to do—and that it was essential for something to be done—and done promptly—to avoid further contamination of the atmosphere.

The proximity of the State of Alaska to the Soviet Union has made Alaskans particularly exposed to the dangers of radioactive fallout. My able colleague, Senator Bob Bartlett, has repeatedly stressed the poison from radioactive fallout that has stricken our Alaskan Eskimos. It has poisoned the lichens on the arctic tundra. The lichen is a rootless plant which absorbs its nourishment from the atmosphere, and it has absorbed the radioactive fallout generated by the tests in Siberia and carried eastward by the winds. It is on the lichens and moss that the vast herds of caribou in northern Alaska feed. They have taken the radioactive fallout into their bodies. Caribou meat is one of the principal foods on which the inland Eskimo depend. They in turn have been poisoned.

On September 12, in a major speech on the floor of the Senate, my colleague [Mr. Bartlett] went into the whole subject exhaustively, ranging far beyond the effects in Alaska and citing in detail the findings of a number of distinguished scientists—Canadians, Americans and others—who have testified in their scientific publications to the increased incidences of congenital deformities, leukemia, and cancer, clearly attributable to the nuclear testing in the atmosphere and in the space above the earth's atmosphere. My colleague has rendered a great service.

I consider Senator Bartlett's scholarly research made available to the Senate and the public—perhaps for the first time—to present an unanswerable factual presentation of the necessity of stopping all nuclear testing in the air and sea.

The test ban treaty before us is the first imperative step. Can we decently fail to take that first step? Can we, by abstention or opposition, sanction the daily malformation, agony, and lingering death of some of this generation and of countless numbers of succeeding generations? Hardly.

Mr. President, despite the arguments so eloquently advanced by the able and distinguished chairmen of the Senate Armed Services Committee and the Preparedness Subcommittee, whose views I deeply respect, I am convinced we can enter into this treaty for a limited ban on atmosphere or ocean contaminating tests without endangering the security of the free world.

We can do so safely by remaining alert and ready at all times to resume testing if this agreement is breached, though I hope and pray that this need will not arise. I am convinced that we can overcome by preparedness any sudden resumption of testing on the part of the Soviet Union. That being so, then the advantages to the United States—and to all the peoples of the world—of a cessation of the constant pollution of the atmosphere and the contamination of mankind are great, indeed.

Mr. President, I am not sanguine about the future actions of the Soviet Union in the light of its willingness to enter into this limited test ban treaty. I would like to see some evidence of a new attitude, of a new purpose. But I refuse to peer into any crystal ball to determine whether this action on the part of the Soviet Union indicates an easing of the tensions of the world in the future. We can hope so, but that is all. We must judge each future action of the Soviet Union on its own merits, warily, and with a full realization of the intentions of that country as shown by its past history. But on balance, without interpreting the Soviet Union's willingness to enter into this treaty as the hoped-for beginning of an era of lessened tension and peace, it is my sincere belief that, for the sake of future generations, the United States can and must enter into this treaty.

I shall therefore vote in favor of giving the Senate's advice and consent to this limited test ban treaty.

Mr. HRUSKA. Mr. President, in his address to the Nation announcing the conclusion of the treaty which now lies before us for ratification, the President called for "a historic and constructive debate." That debate is now nearing the time of decision. It has been conducted in committee rooms, on the floor of this Chamber, in homes and halls across America, and in all the public media. We can congratulate ourselves that it has been conducted responsibly and with a keen regard for the gravity of the issues involved.

TREATY HIGHLIGHTS

Mr. President, stated in simple terms—and perhaps in oversimplified fashion—the treaty has for its objective a pledge by the three major signatories—the Soviet Union, the United Kingdom, and the United States—to stop testing nuclear weapons in space, in the atmosphere, and in the common waters of the oceans. Duration of this pledge is set out as that period of time until one of these three nations serves 90-day notice that it will resume testing.

The treaty will not do certain things. It will not stop signatory nations from making nuclear weapons of any kind; nor maintaining their present or increased arsenal of nuclear weapons; nor use of such weapons in defense of any signing nation or its allies against aggression. It will not halt preparation for any of the prohibited test explosions right down to the point of pressing the button; nor will it stop underground test explosions. It will not totally prevent further poisoning of the atmosphere by radioactive fallout because neither France nor Red China are parties to it and both are engaged in active nuclear weapons development and testing programs.

DURATION OF TREATY

It is provided that any party to the treaty has a right to withdraw from it upon 3 months' notice if it decides that its supreme interests are jeopardized. A more likely method of termination, however, is a summary and unceremonious breaking of the treaty by the Soviet Russians the very minute such action suits their purpose better than continuing under its terms. This point will be developed at greater length later in my remarks.

The treaty was agreed to by the three major nations in July of this year. However, the idea of a limited test ban agreement was first advanced to Soviet Russia in April, 1959, by President Eisenhower, with British support. His letter proposal called for a prohibition on atmospheric tests up to 50 kilometers, without on-site inspections being required. The Soviets rejected the Eisenhower proposal.

FACTORS UNDERLYING HRUSKA DECISION TO FAVOR RATIFICATION

Without exaggeration, Mr. President, the ultimate issues raised by this debate go to the existence of this Nation and the principles for which it stands. They go to the very existence of our civilization which it is our purpose to preserve against all obstacles and all enemies. Also they go to the aspirations of men of good will everywhere in the world, that the far prospect of eventual peace—however dim—is something more than a cruel deception; and that the immediate cessation of further radioactive fallout—however small—is a substantial gain for humanity for whatever period it lasts, however long that may be. It is in the spirit of hope, matched by an alertness to every potential danger and a determination to keep ready our massive military power and to take other safeguard steps, that I will cast my vote in favor of ratifying this limited test ban treaty.

This decision has been reached against a background of some doubt and brutal realism. It was reached with difficulty. This decision has been shaped by all the participants in this historic debate—a debate that has indeed been constructive, informative, and exhaustive.

Chief among these participants is President Kennedy, whose letter of September 10 set out eight "unqualified and equivocal assurances to the Members of the Senate, to the entire Congress, and to the country." These eight points verified much of the testimony of Secretary of State Rusk and others who appeared in person before the Foreign Relations Committee, and who gave interpretations of language and outlined our Nation's intended course of action under the treaty.

My decision has also been greatly influenced by the testimony of the Joint Chiefs of Staff, and by their considered judgment that—on sober balance—the strengths of the treaty outweigh its weaknesses, that the benefits exceed the risks. Our military posture will unquestionably be affected by the test ban. But it will not be compromised.

And I would be gravely remiss if I did not acknowledge, as well, my debt to those who have in dedicated fashion conducted and participated in the committee hearings and who have engaged in the debate in this Chamber. This includes those who have opposed the treaty outright; and those who will, in the end, cast their votes against it. To cite just one example, the questions so well posed and the arguments so eloquently advanced by my colleague, Senator CURTIS. He, like every Senator recognizing many vulnerabilities in the treaty, is also concerned about the paramount issue of our national safety and security. In speaking out forthrightly, he has served the Nation's best interest. In fact, all the voices of doubt and opposition have been articulate and responsible. They bespeak the convictions of dedicated patriots. One may disagree with their final judgment—as I do—but their sense of high obligation cannot be faulted. I pay them sincere and grateful tribute.

But beyond all else, Mr. President, my decision has been shaped—my thoughts supported and sustained—by the most important of all the participants in the debate: the American people. Never, in my years of public service, has such an outpouring of thoughtful, reasoned letters reached my desk as those relating to the issue before us. About half favor ratification; about half oppose it; but all of them reflect, in every considered word, the same deep concern.

Taken together, they have helped to cut through the infinite complexities of this issue to what is simple and essential. The writers of these letters seek a just peace and, more particularly, desire an end to the continued contamination of the atmosphere by radioactive debris. That the menace to future generations is yet unknown serves merely to heighten the sense of dread. But these letters both for and against express, at the same time, a second theme: a practical reliance on a strong right arm of national defense—powerful and ready.

On this issue, the prerequisites of public policy correspond to the American character itself: a surefooted idealism guided by practical and prudent commonsense.

This is the precise balance that I have tried to strike in my own thinking. It has not been easy. Ease of mind craves certainties. And in this matter there are many uncertainties. The effect of the treaty on weapons development, on maintaining our present superiorities, on closing existing gaps, on the peaceful uses of nuclear explosions, on the progressive expansion of human knowledge itself—in all these vital areas of concern, unequivocal assurances are not forthcoming. There are only questions and doubts, only tentative and limited judgments, virtually all of which predated initialling of this treaty, and none of which are solved or made final by it.

INITIAL MISGIVINGS ON TWO KEY POINTS

When the treaty was first submitted, this Senator's preliminary study led to grave doubts on two key points which I publicly expressed at that time.

The first was this: In the event of a major nation breaking the treaty, whether we would be bound to wait out the 3 months before being freed from the terms of that document. During the hearings and in the President's letter it was made clear that in case the Soviet Union conducted tests in violation of the treaty, these United States retained the right to resume testing forthwith. It is also pledged that this country will maintain a posture of constant readiness for such resumption of testing.

The second point upon which this Senator declared keen misgivings was the same as that raised by former President Eisenhower: Does the treaty impose any inhibition on the use of nuclear weapons by us in case of war or aggression against us or any of our allies? The answer was a clear "No," clear to the Senate, clear to the American people, and perhaps most important of all, clear to the Soviet Union. This clarity was expressed in point 4 of President Kennedy's letter by his statement that "the treaty in no way limits the authority of the Commander in Chief to use nuclear weapons for the defense of the United States and its allies, if a situation should develop requiring such a grave decision."

Thus, the essential interpretations applied to each of these two points are now a part of the legislative history of the treaty. They are a part of the formal record. They are now in every practical sense a part of the substance of the treaty. On both scores, therefore, my initial concern has been relieved.

PRESIDENT KENNEDY'S EIGHT POINTS OF ASSURANCE

Each of the eight points set out in President Kennedy's September 10 letter addressed to the majority and minority leaders of the Senate, are likewise a part of the legislative history and of the formal record. They clear up a great many questions and objections placed on this subject. Mr. President, I ask unanimous consent that the text of these eight points contained in that letter be printed at this point in the RECORD.

There being no objection, the excerpt from the letter was ordered to be printed in the RECORD, as follows:

> 1. Underground nuclear testing, which is permitted under the treaty, will be vigorously and diligently carried forward, and the equipment, facilities, personnel, and funds necessary for that purpose will be provided. As the Senate knows, such testing is now going on. While we must all hope that at some future time a more comprehensive treaty may become possible by changes in the policies of other nations, until that time our underground testing program will continue.
>
> 2. The United States will maintain a posture of readiness to resume testing in the environments prohibited by the present treaty, and it will take all the necessary steps to safeguard our national security in the event that there should be an abrogation or violation of any treaty provision. In particular, the United States retains the right to resume atmospheric testing forthwith—if the Soviet Union should conduct tests in violation of the treaty.
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> 3. Our facilities for the detection of possible violations of this treaty will be expanded and improved as required to increase our assurance against clandestine violation by others.
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> 4. In response to the suggestion made by President Eisenhower to the Foreign Relations Committee on August 23, 1963, and in conformity with the opinion of the legal adviser of the Department of State, set forth in the report of the Committee on Foreign Relations, I am glad to emphasize again that the treaty in no way limits the authority of the Commander in Chief to use nuclear weapons for the defense of the United States and its allies, if a situation should develop requiring such a grave decision. Any decision to use such weapons would be made by the United States in accordance with its constitutional processes and would in no way be affected by the terms of the nuclear test ban treaty.
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> 5. While the abnormal and dangerous presence of Soviet military personnel in the neighboring island of Cuba is not a matter which can be dealt with through the instrumentality of this treaty, I am able to assure the Senate that if that unhappy island should be used either directly or indirectly to circumvent or nullify this treaty, the United States will take all necessary action in response.
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> 6. The treaty in no way changes the status of the authorities in East Germany. As the Secretary of State has made clear, "We do not recognize, and we do not intend to recognize, the Soviet occupation zone of East Germany as a state or as an entity possessing national sovereignty, or to recognize the local authorities as a government. Those authorities cannot alter these facts by the act of subscribing to the test ban treaty."
>
> 7. This Government will maintain strong weapons laboratories in a vigorous program of weapons development, in order to insure that the United States will continue to have in the future a strength fully adequate for an effective national defense. In particular, as the Secretary of Defense has made clear, we will maintain strategic forces fully insuring that this Nation will continue to be in a position to destroy any aggressor, even after absorbing a first strike by a surprise attack.
>
> 8. The United States will diligently pursue its programs for the further development of nuclear explosives for peaceful purposes by underground tests within the terms of the treaty, and as and when such developments make possible constructive uses of atmospheric nuclear explosions for peaceful purposes, the United States will seek international agreement under the treaty to permit such explosions.

Mr. HRUSKA. Mr. President, it is plain that these assurances are stated in an "unqualified and unequivocal" fashion. My reliance upon them is implicit in their being made sincerely and with the President's firm determination to follow through unswervingly. It is to be hoped that he will be more steadfast and undeterred in this instance than he has been in some other areas of foreign policy in which he has engaged, but which he has not been able to bring to successful conclusion.

U.S.S.R. AS CHAMPION TREATY BREAKER

Many of those speaking to the matter of ratification of this treaty have pointed out that we cannot trust the Soviet Union to abide by its terms. This Senator is in full agreement with that view. The U.S.S.R. on innumerable occasions has proven itself utterly incapable to abide by treaties it has undertaken.

If this treaty were dependent upon Soviet good faith, then I would vigorously oppose it; I would vote against it in that case. But after careful and lengthy consideration I am persuaded that the treaty does not depend upon trusting the Russians. This is so because of the safeguards provided in the President's letters, and our ability to implement them.

In fact, my own expectation is that sooner or later the Soviet's abrogation of the treaty in a way not provided by its terms, will terminate its tenure. All past history counsels us to anticipate such violation. Being thus forewarned, we are forearmed. All text of Communist doctrine, put us on clear warning that according to the perverse course of Communist thinking, no treaty or international obligation can ever take precedence over the imperatives of world Communist imperialism. They hold that those things alone are good which advance the goals of the so-called Socialist commonwealth. If a treaty solemnly signed becomes burdensome or undesirable, the obligations contained in it are forthwith disregarded and not observed.

In 1955, the Senate Subcommittee on Internal Security, in Senate Document No. 85, published a study entitled "Soviet Political Agreements and Results." Nearly a thousand treaties and agreements, both bilateral and multilateral, entered into by the U.S.S.R. with countries all over the world were examined. The Senator from Mississippi [Mr. EASTLAND], chairman of the subcommittee, wrote in the preface:

> The staff found that in the 38 short years since the Soviet Union came into existence, its Government had broken its word to virtually every country to which it ever gave a signed promise * * * it keeps no international promises at all unless doing so is clearly advantageous to the Soviet Union. I seriously doubt whether during the whole history of civilization any great nation has ever made as perfidious a record as this in so short a time.

In fact, treatybreaking has been an instrument of national policy with the U.S.S.R. since it came into existence. Bainbridge Colby, who was President Woodrow Wilson's Secretary of State, declared:

> The responsible leaders of the regime have frequently openly boasted that they are willing to sign agreements and undertakings with foreign powers while not having the slightest intention of observing such undertakings or carrying out such agreements.

As long ago as 1919 one of Lenin's lieutenants, Zinoviev stated:

> We are willing to sign an unfavorable peace. * * * It would only mean that we should put no trust whatever in the piece of paper we should sign. We shall use the breathing space so obtained in order to gather our strength so that the mere continued existence of our Government would keep up with the worldwide propaganda which Soviet Russia has been carrying on for more than a year.

Later this was updated by Joseph Stalin who put the Communist diplomatic philosophy even more bluntly, and in this fashion:

> Words must have no relations to actions * * * otherwise what kind of diplomacy is it? Words are one thing, actions another. Good words are a mask for concealment of bad deeds. Sincere diplomacy is no more possible than dry water or wooden iron.

Senate Document No. 85 of the 84th Congress was brought up to date in Senate Document No. 125 in the year 1959. When the treaty now before us was initialed, this Senator requested Chairman EASTLAND of the subcommittee to have that second printing to be brought up to date, which was done.

This 1963 "Supplement No. 1" shows the U.S.S.R. record of perfidy in the matter of treaties is consistent with the 38 years of broken promises reported in Senate Document No. 85.

Quite often we hear of "a new spirit" which comes about over the U.S.S.R. So it is "the spirit of Geneva" in 1955; or the "spirit of Camp David" at a later time, and so on. These spirits are supposed to denote a change of heart, a new direction, a mellowing, or a maturing to a point where there are evidences that the U.S.S.R. wants to become a respectable, law-abiding member of the family of nations.

Such thoughts and hopes have been expressed here on the floor of the Senate during this current debate.

In truth and in fact, however, there is no such change. There has always been and there is right now a steadfast resolution and obsession in the minds and in the program of the Soviets. It is geared to the eventual domination by the Communists of the entire world.

Chairman EASTLAND in his foreword to Senate Document No. 125 of 1959 stated:

> Communism is not an evil thing only because it has been controlled by evil men since it first rose to power in 1917.
>
> It is organically evil. You must renounce bourgeois morality, you must become an evil man before you can become a good Communist. You must be a liar, a cheat, and probably a spy, before you can represent a Communist nation in international diplomacy. You must have no more regard for honor when you sign an agreement on behalf of your country than a forger does when he puts a name on a check.

In 1958, the book "Masters of Deceit" was published. Its author is J. Edgar Hoover, widely considered as the foremost authority upon the subject of communism—its nature and its ways. Here is a declaration on the point which we are now considering, taken from his book:

> The Red Fascists have long followed the practice of making use of democratic liberties: Elections, lawful adjudication and propaganda and free speech, press and assembly. Their basic premise: reap every advantage possible. However, if it will help, don't hesitate to use illegal methods, such as underground operations, terrorism, espionage, sabotage, lying, cheating. "We have never rejected terror on principle, nor can we do so. Terror is a form of military operation that may be usefully applied," wrote Lenin. Morality is strictly a bourgeois device. To the Communists everything that promotes the revolution is moral, legal, and beautiful.
>
> Many people are confused by the party's abrupt twists and turns, such as denouncing the United States as an imperialist nation, from 1939 to 1941. Then overnight, after Russia's entrance into the war, hailing America as a great ally. Communists often look like frightened rabbits chasing back and forth.
>
> But in reality these changes in the party line are merely shifting tactics all designed to promote the ultimate goal of world revolution. They are not changes in heart.

In their splendid book, entitled "What We Must Know About Communism," authors Harry and Bonaro Overstreet state in regard to Communist doctrine:

> As for treaties signed and broken, we must again take stock of a basic difference of viewpoint. Having signed these treaties in good faith, we feel that the Communists, by violating them, have clearly manifested bad faith. But they have never conceived of good faith as possible between Communists and non-Communists. Bad faith, therefore, is an equal impossibility. The signing of a treaty across the division line prescribed by the Marxist-Leninist aversion of the class struggle is an act of expediency. The breaking of it is also precisely that—and nothing more.

Many more citations and examples could be cited. Those which have been set out should be quite conclusive in their own right. With most of the people of America they are reminders and refreshers of what the Nation has long been aware.

This Senator has gone into this phase of the unreliability of the U.S.S.R. in the field of treaties to make certain without fail that the Senate in voting ratification of this treaty has been thoroughly and completely aware of untrustworthiness of one of the major signers of this historic document.

I repeat, this record of perfidy leads me to one overriding conclusion: Were the test ban treaty dependent, in any degree, on Soviet good faith—if it were contingent upon our trusting the Soviets—then I would flatly oppose it. But we know that it is not. We have the testimony of our military and scientific chiefs, the Secretaries of State and Defense, and the assurance of the President, to the effect that our national safety and security rest on two foundations, and two alone: Our effective detection systems and our state of instant readiness, over and above our basic posture of massive military power.

I do not question the sincerity of these assurances. I accept them. I take pride and comfort from such evidence of American might, and of the skills and devotion of our Nation's scientific personnel. More pride perhaps—and certainly more confidence—than was shown by the President himself as recently as March 2, 1962. These were his words to the Nation on that occasion:

> But in actual practice, particularly in a society of free choice, we cannot keep topflight scientists concentrating on the preparation of an experiment which may or may not take place on an uncertain date in the undefined future. Nor can large technical laboratories be kept fully alert on a stand-by basis waiting for some other nation to break an agreement. This is not merely difficult or inconvenient—we have explored this alternative thoroughly, and found it impossible of execution.

Let me stress that final sentence: "We have explored this alternative thoroughly, and found it impossible of execution." And as for the extent to which this treaty or an uninspected test ban can be truly and effectively self-policing, these were the President's views as expressed at his news conference of February 7, 1962:

> We will support the passage of an effective treaty which provides for effective inspection, but we cannot take less in view of the fact of our experience of the past months where it takes us many months to prepare for tests in the atmosphere. The Soviet Union prepares in secret. Unless we have adequate protection against a repetition of that incident, any such test agreement obviously would be extremely vulnerable.

Do we now, as evidently we did not then, have adequate protection? Have the basic conditions, the irreducible essentials of national security, somehow changed? Are the two situations in some critical way incomparable—as some administration spokesmen have tried, with more bravery than logic, to argue? I am not persuaded by these attempts to evade the embarassing consequences of their own previous supersalesmanship. Nor am I persuaded, today, by the new version of the hard sell by which some of these same partisans are attempting to minimize the risks imbedded in the treaty before us.

This is, indeed, no time for salesmanship of any kind. It is, rather, a time for cool reason and hard logic. This is what I have looked for in the considered testimony of the Joint Chiefs—for example, in the official brief filed at the behest of the junior Senator from the State of Washington [Mr. JACKSON], specifying the criteria for a truly ready alert and for a state of instant preparedness to resume profitable tests. Reason, logic, and the judicious balancing of risks is what I have looked for, Mr. President. And this is what I have found in the official record—sufficient, in my judgment, to deem these risks acceptable.

But from this disturbing evidence of contradictions and of uncertainties, in the President's own words, let us draw the appropriate conclusions. No one who is sincerely dedicated to this Nation's enduring interests—no one, surely, in this Chamber—can take pleasure simply in recitations which may be embarrassing to the administration's highest officers. But let no one shrink from the duty of holding them to their words and their solemn assurances. Under the terms and the inherent risks of this treaty, let these officials be on notice: They—no less than the Soviets—are on trial.

They have given us assurances that our detection system will be rigorously maintained and constantly improved; that all the arts and skills of underground testing, for both military and peaceful purposes, will be developed to the limits of our resources; that our experimental facilities and our scientific manpower will be sustained in a state of maximum capability and instant readiness. And so I repeat and reemphasize: By making these assurances, they have entered into a solemn pact with the American people on the vital question of our national security. The Nation will hold them to their word.

This, finally, has been the lasting strength of the "historic and constructive debate" for which the President originally called. Never has this Senate, this Congress, or this Nation been more fully in a state of alert. Never have the risks of a limited test ban been more widely or more deeply understood. We may once again fall victim to duplicity—but not soon again to our own delusions.

And because we now comprehend the risks, we may judge them to be—on balance—acceptable.

Without deluding ourselves as to the purposes other nations might have in signing this limited treaty, it is nevertheless clear that our support of it will assure, at least for a limited time, a reduction of radioactive contamination of the seas, the atmosphere and outer space.

Should we withhold our approval, the likelihood of continued atomic testing seems inevitable. It may yet be resumed for reasons of compelling national security, but mankind is due a breather. This is an opportunity, in other words, to test intentions rather than bombs as we keep our powder dry.

Thus, in ratifying this limited treaty, we do hope that we may finally have embarked on the perilous road toward a just and lasting peace. No one can say in certainty that we have done so. I do not. But I do say that we venture forth in the name of all that is most worthy in the human spirit. Sustained by that conviction, I am prepared to support the treaty.

THE RUSSELL UNDERSTANDING

Having made that determination, Mr. President, we nonetheless must take all prudent steps to reduce any risks which may be incurred.

One very practical way in which we can reduce the risks is to approve the proposal of the Senator from Georgia [Mr. RUSSELL] which would reserve to the Senate the right to ratify or reject future alterations in the treaty.

This is simply a reasonable precaution to restate, reaffirm, and protect the constitutional right of the Senate to advise and consent to international treaties. It would reaffirm the national policy of having a branch of the Congress, representing the people, pass on the merits of amendments to the treaty after due and widely publicized disclosure and debate. It would be a warning against the use of executive agreements in which the people through the Senate have no voice and sometimes no knowledge till long after the fact.

Those who oppose the Russell amendment protest that it is not necessary; that the Secretary of State has testified that any amendment will be subject to Senate approval. If that is the case, Mr. President, how can they object to having it spelled out? Surely it can do no harm. And it would have the simple virtue of saying what we mean and what the fact is.

As the Senator from Georgia has pointed out, his language is identical to that in the International Atomic Energy Act. It was deemed important then; surely it is equally important now.

It is my hope, Mr. President, that the Senate will support the Russell understanding. Armed with such an understanding, the treaty would be significantly strengthened.

"A FIRST STEP TOWARD PEACE"

Often during this current debate reference has been made to this treaty as a first step toward peace. However, repeatedly our attention has been called to the fact that it is not a widely encompassing measure; that not too much is covered by it nor can too much be expected from it. After all, it is very limited in its scope. Nevertheless, this first step would bring about benefit to the world by not having the air polluted with radioactive poison, no matter how brief the respite may be.

But in ratifying this treaty, the Senate endorses only the content of this treaty and nothing more. It surely does not commit itself to approve further steps which the President may make.

All of us can hope that the treaty is indeed a first step toward peace. But most emphatically it does not follow that the treaty is a first step toward approval of all other treaties and foreign policy changes which the President may see fit to lay before the Congress and the country.

This Senator will most emphatically hold to this foregoing thought. He will consider himself totally free to consider any amendment of the present treaty or any sequel to it altogether clear and separately from their ratification of the treaty.

GAINS OUTWEIGH RISKS

Mr. President, I have attempted to spell out as carefully as I can not only the reasons for voting for the treaty, but the risks and dangers which accompany such a decision.

From the time the treaty was initialed at Moscow, it has been apparent that the problem confronting the Senate was to weigh the advantages against the risks and thus arrive at its decision.

This has been done in the kind of free and open discussion which characterizes our system of government. All points of view have been heard. The result is clear: the advantages, not only to our Nation, but to the world, justify our ratification. We can do no less.

Mr. BYRD of Virginia. Mr. President, no man wants peace in the world more than I do. I abhor war. I know the horrible destructiveness of nuclear conflict. My highest purpose in the Senate of the United States is to preserve the sovereignty and the system of this Nation.

I attribute the same motives to all Members of Congress. I am aware of the proposed treaty's objectives as they have been stated by the President. The treaty itself says the purpose is to ban nuclear tests in the atmosphere, outer space and underwater.

I have never given a matter before the Senate more thoughtful study and consideration than I have given this treaty. I wish I could vote for its ratification in the belief that it would be in the best interest of the country.

But I do not believe entering into such a treaty—as it stands—with the Soviet Government would serve our national security. I am fearful that it will weaken, if not undermine, our defense. I cannot conscientiously consent to ratification as it is proposed.

Before reaching this decision I listened to the testimony, participated in the discussions, and studied the hearing transcripts; and I have called on my 30 years of experience in the Senate observing world affairs and our position in them.

Through these years I have served on the Armed Services Committee and its predecessor, the Naval Affairs Committee; I helped write our atomic energy control legislation; and I was an original member of the Joint Committee on Atomic Energy.

It is contended that the proposed treaty is a "small step" toward world peace and relieving cold war tensions, and perhaps toward disarmament. From experience I have learned that proposals in the name of peace do not always lead to peace.

We have Neville Chamberlain's "umbrella" experience with Hitler in the prelude to World War II, if a reminder is needed. The proposed treaty may tend temporarily to lessen international tensions, but the vital question is its ultimate effect on our security.

Ratification of the treaty in its present form would give me great concern. The Soviet Union would be one of three principal parties to it. We know that destruction of our system is a primary requirement in the Soviet aim for world conquest.

Soviet Chairman Khrushchev, himself, has said he intends to "bury" us. There is just reason to assume that the Russians think this treaty will work to their advantage, or that it can be turned to that end. Why would they be interested in it otherwise?

There is nothing in Soviet history which would serve as a basis for faith that the Kremlin would enter into a treaty with us at this time and keep it if they did not think it would serve their objectives to our disadvantage.

Secretary of State Dean Rusk, testifying on the treaty proposal, before the Senate Foreign Relations Committee, August 12, 1963—page 18 of the hearings—said:

> We have no basis yet for assuming a fundamental change in Soviet objectives.

We can expect Soviet Russia to disregard the treaty when breaching it would serve Soviet purposes. Former President Truman has told us that the Soviet Union has violated 50 of the last 52 or 53 treaties it has entered into.

A State Department memorandum on this subject, dated August 22, 1963, cited conventions of convenience—such as the Universal Postal Convention—to which the Russians are adhering, but beyond these, it said:

> It is perfectly clear that the Soviet Union has violated a large number of major international agreements and treaties. Their record is well known.

We have already been victimized by the Soviets under one nuclear test ban, and there is reason to suspect that our position with respect to nuclear weapons, as compared with the Russian position, suffered. This fact cannot be overlooked.

Under unilateral "statements of intent" the United States and Great Britain entered into a so-called "moratorium" with the Soviets in 1958. As might have been expected the Soviets exploited the moratorium while we and the British honored it.

For more than 2 years the Russians used the moratorium secretly to build up their experimental and test devices, and when they were ready, in September 1961, they exploded them—the tri-party moratorium notwithstanding.

On March 2, 1962—only about 18 months ago—President Kennedy, in a nationwide broadcast—CONGRESSIONAL RECORD, volume 108, part 3, page 3427—said:

> On September 1 of last year, while the United States and the United Kingdom were negotiating in good faith at Geneva, the Soviet Union callously broke its moratorium with a 2-month series of more than 40 nuclear tests. Preparations for these tests had been secretly underway for many months. Accompanied by new threats and new tactics of terror, these tests—conducted mostly in the atmosphere—represented a major Soviet effort to put nuclear weapons back into the arms race.
>
> * * * * *
>
> Many of their tests were aimed at improving their defenses against missiles—others were proof tests, trying out existing weapons systems—but over one-half emphasized the development of new weapons, particularly those of greater explosive power.

And in that same speech to the Nation President Kennedy said:

> I must report to you in all candor that further Soviet series, in the absence of further Western progress, could well provide the Soviet Union with a nuclear attack and defense capability so powerful as to encourage aggressive designs. Were we to stand still while the Soviets surpass us—or even appear to surpass us—the free world's ability to deter, to survive, and to respond to an all-out attack would be seriously weakened.

The President also said:

> The fact of the matter is, we cannot make similar strides without testing in the atmosphere as well as underground. For in many areas of nuclear-weapons research we have reached a point where our progress is stifled without experiments in every environment.

The purpose of the President's 1962 speech was to advise the Nation that since the Soviets had violated the moratorium, it was necessary for the United States, to protect its own security, to conduct further tests in the atmosphere as soon as necessary preparations could be made.

Months later these U.S. tests were made, and able man that he is, Gen. Thomas S. Power testified on September 6, 1963, before the Armed Services Preparedness Subcommittee—page 46 of transcript—that:

> One of the most important things I think we discovered is the great void in our knowledge.

President Kennedy, in his March 1962 speech, said he was ordering further testing by the United States after:

> Having observed the Soviet Union's refusal to accept any agreement which would inhibit its freedom to test extensively after preparing secretly.

What has happened with respect to our confidence in the Soviets since the President made that statement 18 months ago? Apparently not very much. Secretary Rusk told the Senate Foreign Relations Committee last month—August 12, 1963, page 19 of the treaty hearings—that:

> Although we hope for compliance, we cannot discount the possibility that the Soviet Union may violate the treaty. We shall be on the alert for any violations, and we have a high degree of confidence in our ability to detect them.

We have proposed control of atomic weapons repeatedly—in one way or another—since Bernard Baruch's first proposal in 1946, but with two exceptions we have always insisted on effective inspection. The Russians have opposed effective inspection.

The two exceptions to our effective inspection rule are the 1958 "moratorium," and the treaty now proposed. We know what happened under the moratorium, without inspection. Now we are asked to forgo meaningful inspection again and rely on other "means of detection."

The State Department memorandum of August 22, 1963—page 968 of the hearings on the pending treaty—says:

> As the President and the Secretary of State have made clear, the United States, in entering into the test ban treaty, is not relying upon the good faith of the Soviet Union, or upon Soviet respect for treaties and international law.
>
> The United States will rely for its protection upon its own ability to detect Soviet violations and to maintain a military and scientific posture that will deny to the Soviet Union any gains that might accrue from a violation of the treaty—

According to the State Department memorandum.

In that statement the State Department seems to be saying it expects the Soviets to violate the treaty, and if they do we are to rely on our ability to detect violation and deny them any gains from the violations.

But the product or use of our detection and intelligence to date does not reassure me. I am not sure whether the deficiencies lie in the absence of vital information, its evaluation, or its use, or whether we are deficient in all three.

The President, himself, said Soviet preparations for the tests that shattered the moratorium had been "secretly underway for many months." If we had early information about missiles on Cuba—90 miles from Florida—we were very deficient in its use.

This is part of the recent public record of detection and intelligence on which we are to rely. For security reasons little can be said on the subjects of intelligence and detection, and discussion of detection and identification of nuclear tests is necessarily technical.

But on these subjects I quote one of the "safeguards" on which the Joint Chiefs of Staff conditioned their approval of the treaty—page 24 of the September 9, 1963, report by the Armed Services Preparedness Subcommittee. The Joint Chiefs said we need—

> Improvement of our capability within feasible and practical limits, to monitor the terms of the treaty, to detect violations, and to maintain our knowledge of Sino-Soviet nuclear activity, capabilities, and achievements.

The Joint Chiefs of Staff amplified the criteria they wanted as follows:

> (a) The current capability of the United States to detect and identify nuclear tests conducted by the Sino-Soviet bloc must be improved to the extent it is both feasible and remunerative. (Special proposals for this purpose are currently under consideration.)
>
> (b) A vigorous research and development must be pursued in order to improve equipments and techniques for nuclear test detection and identification.
>
> (c) Conventional intelligence sources must continue to complement the scientific intelligence techniques.

We are asked to rely on "our ability to detect Soviet violations," when, according to the Joint Chiefs of Staff, our detection capabilities are still so far short of requirements. How long will it be before these promised safeguards are developed?

The fact that the Joint Chiefs of Staff conditioned their approval of the proposed treaty on the effective implementation of "safeguards" designed to reduce its military "disadvantages and risks" caused the Preparedness Subcommittee deep concern.

After the subcommittee heard Gen. Maxwell D. Taylor. Chairman of the Joint Chiefs, Senator HENRY M. JACKSON, a very distinguished Member of this body, moved that:

> The Joint Chiefs of Staff submit to the Senate Armed Services Committee * * * a statement of the specific requirements to implement the safeguards proposed by the Joint Chiefs reducing the risks and disadvantages of the limited test ban treaty, which safeguards are set forth in the statement presented by the Chairman of the Joint Chiefs of Staff to this committee on August 14, 1963, as follows:
>
> Recognizing the * * * disadvantages and risks, the Joint Chiefs of Staff believe that they can be reduced through certain safeguards. These safeguards include:
>
> (a) The conduct of comprehensive, aggressive, and continuing underground nuclear test programs designed to add to our knowledge and improve our weapons in all areas of significance to our military posture for the future.
>
> (b) The maintenance of modern nuclear laboratory facilities and programs in theoretical and exploratory nuclear technology which will attract, retain and insure the continued application of our human scientific resources to these programs on which continued progress in nuclear technology depends.
>
> (c) The maintenance of the facilities and resources necessary to institute promptly nuclear tests in the atmosphere should they be deemed essential to our national security or should the treaty or any of its items be abrogated by the Soviet Union.
>
> (d) The improvement of our capacity, within feasible and practical limits, to monitor the terms of the treaty, to detect violations, and to maintain our knowledge of Sino-Soviet nuclear activity, capabilities, and achievements.

Roswell Gilpatric, Deputy Secretary of Defense, and General Taylor responded to this committee motion with assurances that safeguarding steps have been—or will be—taken; and subsequently the assurances were repeated by the President.

The effect of this recognition that such comprehensive safeguards are required confirms my fear that military disadvantages to the United States are associated with the treaty. Some of the disadvantages considered by the subcommittee—pages 7 and 8 of subcommittee report of September 9, 1963—included:

> 1. The possibility that the United States could be left "unable to duplicate Soviet achievements in very high yield weapon technology."
>
> 2. The possibility that the United States would be made "unable to acquire necessary data on effects of very high yield weapon atmospheric explosions."
>
> 3. The possibility that the United States would be made "unable to acquire data on high altitude nuclear weapons effects."
>
> 4. The possibility that the United States would be made "unable to determine, with confidence, the performance and reliability of any ABM (antiballistic missile) developed without benefit of atmospheric system tests."
>
> 5. The possibility that the United States would be made "unable to verify the ability of its hardened underground second-strike missile systems to survive close-in high-yield nuclear explosions."
>
> 6. The possibility that the United States would be made "unable to verify the ability of its missile reentry bodies—under defensive nuclear attack—to survive and to penetrate to target, without the opportunity to test nose cone and warhead designs in a nuclear environment, under dynamic reentry conditions."

7. The possibility that the "treaty would provide the Soviet Union an opportunity to equal U.S. accomplishments in submegaton weapon technology."

8. The possibility that the "treaty would deny to the United States a valuable source of information on Soviet nuclear weapons capabilities."

I am not a member of the Armed Services Preparedness Subcommittee, as such, of which Senator JOHN STENNIS is chairman; but I am a ranking member of the full Armed Services Committee, of which Senator RICHARD RUSSELL is chairman.

In this capacity I was privileged to participate in the subcommittee's exhaustive inquiry into the military aspects of the proposed test ban treaty; and because of my deep concern over the treaty I did participate in the hearings.

And the subcommittee report of September 9, 1963, pages 4 and 5 found that:

> Since the early 1960's the deterrent strategy of the United States has been based substantially on second-strike missile systems which can survive a massive first strike by a nuclear armed enemy and still retain the ability to retaliate in such force as to destroy the attacker.
>
> By mid-1970's this Nation's nuclear deterrent will probably reside primarily in land-and-sea-based missile systems designed to achieve that degree of survivability.
>
> To date, only Polaris has been subjected to a full scale test, including the explosion of the nuclear warhead. Minuteman, Atlas, and Titan have never been so tested.
>
> Nor have models of the base complexes of hardened underground Minuteman and Titan systems been subjected to close-in high yield nuclear explosions to prove the adequacy of their design.

Nothing impressed me more in the long hearings held than the testimony of Gen. Thomas S. Power. General Power is not only Commander of the U.S. Strategic Air Command; he is also director of the Joint Strategic Target Planning Staff.

In these capacities, General Power is the man responsible for writing war plans under which we would retaliate if attacked. He did not equivocate. His testimony was forthright, clear, and to the point. I quote directly from General Power, as follows. He said:

> I am not in favor of the test ban treaty.
>
> I do not think it is in the best interests of the United States.
>
> I feel that we have military superiority now, and I feel very strongly that this had resulted in a world that has been free from nuclear warfare. I have a lower confidence factor that we can and will maintain that military superiority under the test ban than I have under a condition in which we do not have a test ban.

Along the same line, later in his testimony, General Power answered one of my questions with these statements:

> I think the reason we haven't had a war is simple. We have had overwhelming superiority, and whenever somebody examined the feasibility of attacking the United States, they immediately had to reject it because it was ridiculous.
>
> I think that is a sound position to hold if you can.
>
> Overwhelming capacity to retaliate is one of the chief deterrents to war.

General Power, in those portions of his testimony released by the subcommittee, made these statements:

> We have never completely tested any of the nuclear weapons in SAC's arsenal. We have not tested any of the operational warheads in our inventory. That includes the missiles and the bombs.
>
> The only way you can prove a weapon system is to take it out of stockpile in a random pattern and let the tactical unit take it out and detonate it. * * * Unless you test everything that is in your arsenal, you are never certain, and the stakes are so high I feel we must be certain.
>
> I have to deal with proven data; (if it is not available) I do not have a high confidence factor that I have a sound plan. We are dealing with the security of the United States, and if the facts can be obtained I want to have them.

General Power took the position that the fact that we are not full testing now is voluntary; and that this is something far different from being foreclosed from obtaining vital data under a multipower treaty.

As the man responsible for writing our strategic war plans, General Power has access to all of the intelligence available in this country with respect to the Soviet Union; and much of his testimony necessarily must be classified.

I greatly regret it was necessary to delete from the transcript of testimony some of the most startling things he said.

When a man of his knowledge, responsibilities, and courage says this treaty is not in the best interests of the United States, as a Member of the U.S. Senate, I cannot take such professional advice lightly.

I am mindful also of my duties as a member of the Armed Services Committee, which has legislative responsibility for the Nation's common defense. The function of the subcommittee is to oversee the state of our preparedness. The adverse effect on the strength of our defense which could arise from the military disadvantages of this treaty must be considered.

The subcommittee took 2,800 pages of testimony on the proposed test ban treaty from 24 highly qualified witnesses in order that the Senate might have the best information on the military aspects involved.

While the subcommittee did not have primary jurisdiction over the treaty in the Senate, five of its seven members, without reservation, reached these conclusions:

> 1. From the evidence we are compelled to conclude that serious—perhaps even formidable—military and technical disadvantages to the United States will flow from ratification of the treaty: At least it will prevent the United States from providing our military forces with the highest quality of weapons of which our science and technology are capable.
>
> 2. Any military and technical advantages which we will derive from the treaty do not, in our judgment, counterbalance or outweigh the military and technical disadvantages. The Soviets will not be similarly inhibited in those areas of nuclear weaponry where we deem them to be inferior.
>
> 3. Admittedly, however, other important factors—such as foreign policy, international affairs, and relations with other countries—are relevant in an overall assessment of the treaty.
>
> 4. These are not within the scope of this report. When they are considered, as they must be, each individual must reach his own judgment about the wisdom and desirability of the treaty on the basis of personal philosophy, past experience, current knowledge, and relative weight which he assigns to the various factors involved.

In arriving at my own decision with respect to this proposed test ban treaty I found no practical justification for believing it would lead to any reduction in the arms race in the foreseeable future; there is more reason to think it may be expanded.

Adm. Arleigh Burke, former Chief of Naval Operations and member of the Joint Chiefs of Staff, testifying before the Preparedness Subcommittee on August 27, 1963, took the position that:

> Under circumstances which make it more difficult for us to determine Soviet progress, the treaty might serve to "heighten, rather than reduce, tensions and suspicions if growing uncertainty develops."

President Kennedy, in a letter of September 10, 1963, to Senators Mansfield and Dirksen—page 16791, CONGRESSIONAL RECORD, September 11, 1963—said:

> We will maintain strategic forces fully insuring that this Nation will continue to be in a position to destroy any aggressor, even after absorbing a first strike by a surprise attack.

The Secretary of State, testifying before the Foreign Relations Committee on August 12—page 18 of the hearings—said:

> We are still engaged in a contest between free choice and coercion.

Senator JACKSON, although announcing he would support the treaty—speaking from experience on both the Armed Services and Atomic Energy Committees—told the Senate on Friday, September 13—page 16962 of the CONGRESSIONAL RECORD—that:

> Efforts to limit the spread of nuclear weapons deserve our serious attention. But I believe the role of the treaty in inhibiting proliferation has been generally overestimated.

General Power told the Preparedness Subcommittee that he didn't see "how you can arm and disarm at the same time." Admiral Burke told the same committee that in essence the treaty is self-contradictory, in that the—

> Discussions of it imply a mutual sincerity of purpose, and yet demand that we take proper safeguards to protect against a lack of sincerity.

I am aware of the widespread uneasiness over radiological fallout, but I do not profess to be an authority on the subject. For purposes of considering this treaty, I rely again on the testimony of General Power. I quote directly from his statement of August 19, 1963. He said:

> I am thoroughly familiar with the radiation problem as one who writes a war plan and has to take fallout into consideration. I

believe I have available to me the opinions of all of the experts.

There is by no means agreement amongst all the experts, but I do feel that, as a general statement, in some areas the danger of fallout has been greatly overexaggerated.

I think the type of testing that we have done or that we had contemplated doing is well within acceptable limits.

I fully realize the responsibilities of our position of leadership in the free world. I join in the hope that other nations which are not now free and democratic might find merit in our example. There is no doubt in my mind as to our high purposes.

I realize also that part of the Soviet technique is to use their propaganda to make us look bad, and to have us regarded in certain areas of the world as imperialistic warmongers. This has been going on for years; and we may expect its continuation whether we ratify the treaty or not.

Our record speaks for itself. States worthy of national status know we are not going to use nuclear weapons for imperialistic purposes. Ours are mature and moral motives. I am fearful of anything tending to relax our defense so long as the Soviets have such weapons, and continue to make them.

The first concern of our foreign policy should be the protection and preservation of our sovereignty, our freedom, and the integrity of our territory. No responsible nation could have a legitimate quarrel with this. This national responsibility is universal.

The Government of the United States owes it to the people of this country to formulate and pursue a foreign policy designed to use its resources first for the survival and well-being of the Nation and its citizens.

These are fundamental national interests. They come before consideration of the friendship of others, and certainly before consideration of the possibility that some nations may call us names or damn us otherwise. None of these is comparable to the loss of freedom inherent in our sovereignty.

Let me emphasize that I do not impugn the motives of any responsible officer of this Government in his consideration of the proposed test ban treaty. To be for it or against it under present world conditions is a most difficult decision. I wish I could approve it.

But under all of the circumstances I have described I cannot within my conscience and my duty, as I see it, vote to ratify the treaty, without effective inspection, while the Soviets are in possession of such vast nuclear power.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. LONG of Louisiana. I congratulate the Senator on what I believe to be a truly magnificent statement of his position. I am compelled to agree with the Senator, that the net effect of the treaty as between the United States and the Soviet Union will be that the Soviet Union will gain a great amount of leadtime on us in the development of new weapons. I suspect that that nation will gain, at the minimum, 1 year of leadtime in developing the most modern weapons.

The Secretary of Defense made a very fine statement to the effect that our Nation is very strong today. We are strong because we have stayed ahead of our adversaries in these matters. I believe that statements such as that of General Power indicate that the result of the treaty will be that, by virtue of developing the information the Soviets already have and manufacturing in large numbers the weapons which that information will make possible, and by cheating in one manner or another under the terms of the treaty, under a code of morality which exists there, as compared with the code of morality under which we are required not to cheat, the Soviets will gain great advantages that will imperil our security.

Mrs. SMITH. Mr. President, on September 16, 1963, I raised certain questions with respect to the wording of the nuclear test ban treaty. Very promptly and voluntarily and without prompting or request from me, the Secretary of State sent to me the answers of the Legal Adviser of the State Department to those questions.

Because I believe the Members of the Senate will be interested in those answers, I ask unanimous consent that the letter of the Secretary of State to me, dated September 18, 1963, and the memorandum of the State Department Legal Adviser, dated September 17, 1963, be printed at this point in the body of the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

HON. MARGARET CHASE SMITH,
U.S. Senate.

DEAR SENATOR SMITH: The questions concerning the language of the test ban treaty that you raised during the debate in the Senate Monday, and are printed at page 17086 of the CONGRESSIONAL RECORD for September 16, were called to my attention yesterday morning. I asked the Legal Adviser of the Department to prepare a memorandum dealing with these questions. I am pleased to send you that memorandum which represents the position of the executive branch on these points of law. I am also sending a copy of the memorandum to Senator FULBRIGHT.

Sincerely yours,

DEAN RUSK.

SEPTEMBER 17, 1963.

Memorandum for the Secretary.
From: The Legal Adviser.
Subject: Questions raised by Senator SMITH concerning the test ban treaty.

You have asked me to prepare a memorandum responsive to the questions raised by Senator SMITH concerning the language of the test ban treaty and printed at page 17086 of the CONGRESSIONAL RECORD for September 16, 1963. Senator SMITH has grouped her questions under Roman numeral headings. For convenience, the same format is adopted here.

I

The first three questions raised by Senator SMITH relate to the phrase, in article I, "at any place under its jurisdiction or control." This phrase was inserted in article I by the United States to qualify the obligation of parties "to prohibit" and "to prevent" nuclear tests in the three environments. Without this qualifying phrase, parties to the treaty would have been obligated to prohibit and prevent all nuclear explosions prescribed by the treaty, no matter where they occurred or by whom they were conducted. A party obviously could not prohibit or prevent a nuclear test explosion unless it had either jurisdiction or control over the carrying out of the explosion. For this reason, the obligation was limited to tests occurring "at any place under its jurisdiction or control."

For the purposes of the test ban treaty, a party is considered to have temporary control over any place in which it conducts a nuclear test explosion during the time that the explosion is being conducted. Each control is distinguished in the treaty from jurisdiction by the use of the disjunctive "or." It was precisely to avoid the problems to which Senator SMITH calls attention that the words "or control" were inserted in article I.

Thus, the answer to Senator SMITH's first question is that a party could not justify carrying out a nuclear explosion in the atmosphere above an uninhabited island not claimed by it. Although the explosion would not occur at a place under the jurisdiction of the party conducting the explosion it would occur at a place under its control for the purposes of article I. Such an explosion would also violate paragraph 2 of article I which prohibits parties from "causing, encouraging, or in any way participating in" the carrying out of the proscribed explosions "anywhere." This is one of a number of cases in which the obligations imposed by the two paragraphs overlap.

Similarly with respect to Senator SMITH's second question, any party conducting a nuclear weapon test in outer space would be considered to have temporary control over the place in outer space where the test was conducted, although it would not have jurisdiction over outer space or any portion thereof. Such a party would also have control over the area on earth from which it directed the explosion.

The same analysis applies to Senator SMITH's third question. For the purposes of article I, and party conducting a nuclear weapon test explosion in the high seas would be considered to have temporary control over that portion of the high seas. An opinion of the legal adviser, dealing in part with the high seas, is attached.

Senator SMITH's fourth question is:

"4. Does the ban on any other nuclear explosion prevent us from operating atomic energy plants for the production of electricity, the steamship *Savannah*, or any atomic submarine, all of which are operated by means of controlled atomic explosions?"

The answer is "No." An explosion is the release of large quantities of energy in a very short period of time—on the order of a few millionths of a second. Nuclear power reactors such as those for producing electricity or propelling steamships or submarines release energy comparatively slowly—over periods of many hours, weeks or months. No explosions take place within the meaning of the treaty. Chairman Seaborg told the Senate Committee on Foreign Relations:

"The treaty will, of course, not inhibit the peaceful uses in any of the fields that do not have to do with nuclear explosives; that is, the field of civilian nuclear power, and the use of nuclear energy for propulsion and auxiliary power in space and the use of isotopes in medicine and industry and research, and so forth" (p. 239, hearings).

Senator SMITH's fifth question is:

"5. Will we be branded as a violator of the treaty if we have an accidental explosion at one of our atomic energy plants?"

The answer is "No." The obligations of the treaty are concerned with the intentional conduct of the parties. It could not reasonably be maintained that a party had "carried out," "caused," "encouraged," or "participated in" a nuclear explosion if the explosion occurred by accident. Nor could the obligation to "prevent" and "prohibit" nuclear explosions be violated by an accidental explosion occurring against the will of the party and despite its best efforts to prevent it.

II

The analysis of the first three questions under Roman numeral I above applies in large measure to the two questions raised under Roman numeral II. As noted earlier, paragraphs 1 and 2 of article I of the treaty overlap to some extent. Paragraph 2 of article I is intended in part to prevent a party from giving assistance to another nation in carrying out the proscribed tests, and thus doing indirectly what paragraph 1 would prohibit it from doing directly. However, by virtue of the words "causing" and "in any way participating in"—deliberately chosen because of their broad scope—paragraph 2 also outlaws direct action by the parties. To use Senator Smith's examples, the Soviet Union would be prohibited both by paragraph 1 and by paragraph 2 from carrying out an atmospheric explosion anywhere. It would also be prohibited by paragraph 2 from "causing, encouraging, or in any way participating in" a nuclear explosion by the Communist Chinese regime in the atmosphere above Mainland China. Paragraph 2 is not limited by the phrase "under any place under its jurisdiction or control" because it does not obligate the parties "to prohibit" or "to prevent" nuclear weapon tests, as does paragraph 1.

III

With respect to Senator Smith's final question, an opinion of the Legal Adviser of August 12 was prepared on this point. It concludes that the United States would not be compelled to wait 3 months before resuming nuclear weapons tests if the Soviet Union violated its obligations under the treaty. A copy of that opinion is attached. The President's letter of September 11 to Senators Mansfield and Dirksen also points out that the "United States retains the right to resume atmospheric testing forthwith if the Soviet Union should conduct tests in violation of the treaty."

Abram Chayes.

Mrs. SMITH. Mr. President, I wish to make very brief observations and comments on the answers of the Legal Adviser of the State Department.

I

The answers to, and observations concerning, the first three questions under the heading "I" depend for their validity upon the parties to the treaty being in agreement with the Legal Adviser's views concerning the meaning of the term "control," as used in paragraph 1 of article I of the treaty. The term "control" is not defined in the treaty and the doctrine of temporary control with respect to outer space and the high seas expressed by the Legal Adviser appears to be novel. It is reassuring to know that the Legal Adviser believes that paragraph 2 of article I of the treaty, which does not contain the term "at any place under its jurisdiction or control," would apply with respect to explosions of the type dealt with by the first three questions.

The answers to, and observations concerning, questions 4 and 5 under the heading "I" likewise are dependent for their validity upon the parties to the treaty being in agreement with the Legal Adviser's view that the term "any other nuclear explosion" does not include either the process by which heat is obtained from fissionable material in a nuclear reactor or an accidental nuclear explosion.

II

As indicated before, it is reassuring to know that the Legal Adviser construes paragraph 2 of article I of the treaty to be applicable with respect to both direct and indirect acts of the parties to the treaty and is therefore not compelled to rely upon any questionable definition of the term "control," as used in paragraph 1 of article I, for the purpose of finding that explosions over unclaimed territory, in outer space, and under the high seas are barred by the treaty.

III

In connection with the question which was posed under this heading, it is assumed that the President's statement in his letter of September 11 to Senators Mansfield and Dirksen that the "United States retains the right to resume atmospheric testing forthwith if the Soviet Union should conduct tests in violation of the treaty" means that we are prepared under those circumstances to have others brand us as a treaty violator and that we would not feel compelled to follow the procedure adopted with respect to our denunciation of the extradition treaty with Greece—see page 4, opinion of the Legal Adviser of the State Department, dated August 12, 1963, with respect to the right of the United States to withdraw from the nuclear test ban treaty in the event of violation by another party.

Mr. CARLSON. Mr. President, for 15 years we have sought agreement with the Soviet Union on some formula that would slow down and perhaps eventually halt the nuclear arms race.

I believe the real end sought by these efforts is not solely a halt in the development of more destructive weapons—or even a gradual cutting down of those already produced. I believe our real purpose has been and should be the prevention of a devastating nuclear war from which no nation would emerge as the victor.

We must remember that a nuclear arms race between two major world powers cannot ultimately be won by either side. Both nations must eventually face destruction or compromise. Neither the United States nor Soviet Russia believes in the promises of the other. This mutual distrust builds an endless, vicious circle and makes that first small step toward nuclear compromise a difficult but necessary one to make.

This treaty is the first concrete result of 18 years of effort by the United States to impose limits on the nuclear arms race.

To most people—I imagine—the reasonable aim of preventing a nuclear war should not be difficult to attain. But, Mr. President, we are negotiating with an enemy who for years has stated its primary goal was to destroy our form of democracy and replace it throughout the world with an alien Communist dictatorship. In promoting this aggressive policy, the Soviet Union has seen fit to use in its relationships with other nations every means—diplomatic and nondiplomatic—available, including deception.

Their historic pattern of secrecy at home and duplicity abroad makes it almost impossible to put trust in their signature upon any international agreement, including this most important treaty.

But, Mr. President, we should carefully note this is not a treaty of trust—it is a treaty the adherence to which may establish trust.

This treaty is self-enforcing in that it prohibits nuclear weapons tests in the three environments where our scientists tell us we can detect significant violations without onsite inspections. It carries within it neither provisions nor promises for any disarmament at all. More than that, the treaty provides that we can withdraw from it whether or not another signatory violates its provisions if we decide "extraordinary events" have "jeopardized" the security interests of our country.

In my opinion, the biggest danger is not in the terms and risks of the treaty itself, but in the obvious efforts of the Soviet Union to lull us to sleep while they prepare for another move in the cold war.

The Senate has been assured that our military readiness and vigilance will not be slowed down. Surely history has taught us to be skeptical and wary of the Communists. With history as our guide, we can turn this treaty into a victory for the free world. In the area of peaceful purpose, I feel we have much to gain or lose. To reject the test ban treaty would be a rejection in the eyes of the world of this small step away from the brink of nuclear war.

Mr. President, I consider this withdrawal provision extremely important and with regard to its implementation Secretary Rusk, in answer to my question during the hearings stated:

> I think, Senator, world opinion would certainly make a difference in terms of our adopting any casual or frivolous or lighthearted approach to this question, but I have no doubt that the security interests of the United States would take highest priority here, and that these matters of passing opinion would not be a decisive factor.

Mr. President, there is another matter that I consider extremely important with which this treaty deals and that is the peaceful uses of nuclear materials—the so-called plowshare program initiated by President Eisenhower.

The treaty's language is such that plowshare explosions in the atmosphere, underwater, and in outer space are prohibited as are underground plowshare explosions where resultant radioactive debris leaves the territorial limits of the country in which the explosion takes place.

Here is a firm example, Mr. President, where our negotiators were unwilling to make this treaty dependent upon trust. By eliminating all explosions, including peaceful ones, they prevented the Soviets from carrying out tests—without onsite inspection—which could be used for weapons development but hidden under the guise of peaceful uses experiments.

Because of this lack of trust, our negotiators placed language in this treaty that inhibited the Plowshare program. How much has that program been inhibited? This question bothered me and I asked Dr. Glenn Seaborg, Chairman of the Atomic Energy Commission, about it. He answered by noting that the treaty would not inhibit the peaceful uses program in the fields of nuclear power, nuclear energy for propulsion and the use of isotopes in medicine, industry, and research.

As for the field of nuclear explosions, Dr. Seaborg said that within the United States certain excavations could be undertaken along with work in the areas of mining and development of underground water resources.

Larger projects, such as canal and harbor building and mountain moving, Dr. Seaborg noted, depend upon development of nuclear explosives and associated excavation technology which were not presently available. It is my understanding that the administration foresees needing the next few years to develop our capabilities in this large scale excavation area and then plans to approach other treaty signatories on a project-by-project basis as each one becomes feasible. By then, perhaps, if the treaty has been adhered to, we may have built up enough trust between the Soviets and ourselves that they will permit us to observe their peaceful explosion experiments and we—as we have offered in the past—will invite them to observe ours.

It had been my hope that the approval of this test ban treaty would give us some assurance of a reduction in arms and armament. The Secretary of State and members of the Defense Department testified that even though the treaty is approved, we cannot expect any immediate reduction in our defense efforts. As a matter of fact, it could well increase, instead of decrease, our military expenditures for years to come.

This matter was forcibly called to the attention of the committee in the testimony of our Secretary of State, Mr. Rusk, which appears on page 29 of the hearings. On direct interrogation by the Senator from Alabama [Mr. SPARKMAN], the Secretary stated:

> This treaty itself does not reduce weapons in being or prevent their further production.
>
> This treaty is aimed only at the question of nuclear explosions. I regret myself that it has not been possible to make greater headway in some actual physical disarmament measures consistent with our own security.
>
> But this treaty is not a step in that direction—this treaty is not itself dealing with that problem. It may turn out to be one small step that opens up some possibilities in this field but that has not yet become apparent.
>
> Senator SPARKMAN. It is a treaty of hope so far that is concerned.
>
> Secretary RUSK. So far as actual disarmament is concerned, it is a treaty of hope. It is a treaty of a fact insofar as explosions in those three environments are concerned.

Mr. President, the distinguished minority leader [Mr. DIRKSEN], in his impressive statement in support of this treaty last week, pointed out that our party went to the electors in 1960 with a platform that included the statement:

> We advocate an early agreement by all nations to forego nuclear tests in the atmosphere, and the suspension of other tests as verification techniques permit. We support the President in any decision he may make to reevaluate the question of resumption of underground nuclear explosions testing, if the Geneva Conference fails to produce a satisfactory agreement.

This is not a partisan matter but I cannot help noting the treaty before the Senate meets almost exactly the 1960 pledge of our party, and in fact follows initiatives begun by President Eisenhower.

As a member of the Senate Foreign Relations Committee, I attended practically every hearing on the proposed nuclear test ban treaty. These hearings lasted 3 weeks and contained volumes of testimony which was given in open and executive sessions.

After hearing the testimony, I have reached the conclusion that it is in the interests of our Nation and the peace of the world to vote for the ratification of this treaty. This had to be a choice not between right and wrong, but rather a choice of the greatest gains toward world peace and the fewest risks to our national security.

Mr. GOLDWATER. Mr. President, after reviewing the remarks made in this Chamber, and the testimony regarding the proposed limited nuclear test ban treaty, I am impressed by three arguments—one in its favor, two in opposition.

In favor of it, after all is said and done, is a hope, usually described as a faint glimmer, that this may be the first step toward easing tension in the world. It is difficult, if not impossible, to argue with a hope. It is an emotional thing; and in its soft and gentle glow, arguments appear harsh. The more fragile an illusion, the more rude must seem the attempts to shatter it.

I have warned, and will continue to warn, that nuclear weapons are not the cause of tension in this world; that if all were to disappear magically overnight, the tension would remain, so long as world communism remains dedicated to aggression and obsessed by its irrational vision of man as a mere cog in the machine of history.

But hope heeds only itself. How does one remind hope that, hitherto, on-site inspection has been the qualification of our trust of any arms control scheme? How does one remind hope that the technology of remote detection still has not developed fully to a point where it can replace such inspection? Or how does one tell hope, sprung from fear, that fallout is less a present threat than smog and fumes of everyday life? If we say these things, hope—revulsed—shrinks from our harsh words. One who says these things stands alone, a sad, somber, and unwelcome guest in a house of celebrants.

We are, apparently, well past arguing with hope. The future will shatter the hope and will sober the celebrants. But we must wait.

For my part, and the part of the other few who must heed other voices in their conscience, there is only the time now to say why we will vote, as we must, to oppose approval of this treaty. I perceive two reasons, basically; and I have based my decisions upon one.

First, there is the reason that this treaty is a political ambush, baited by the necessity of the Soviet to ease the many pressures upon its tyranny. This has been discussed on this floor. The argument impresses me; and I share, with those who have made it, bewilderment at why freedom is aided by putting salve on the wounds of tyranny. But that is not the argument which, alone, moves me to vote as I must and as I will.

I will vote "no," because of how I read history and perceive the future. I see in our history, in this nuclear age, that what peace we have had has been possible because of our strength. I see in our history the clear course of Soviet aggressions and breaches of the peace: They have poured through gaps in our strength. They have been stopped when those gaps closed or were precluded when our guard remained high.

I see no change in the future until or unless the objectives of communism, not merely their weapons, change. And not even hope has spoken to us so far of a change in those objectives. Rather, all say that the objectives remain unchanged. But hope, it seems, can hear that truth and still proceed, whistling past the graveyard of experience.

Thus, if strength is the shield of peace and weakness the way to war and defeat, it is the impact upon our strength that concerns me most.

What is that impact? Have we not heard assurance after assurance that our strength will be upheld under this treaty? We have, indeed.

But assurances are not facts, promises are not performances and I do not feel that freedom's strength, in a time of freedom's peril, can be armored by either. Such strength is a matter of here and now, not of "if and when." Real hope must be founded upon real strength.

There is a catalog that has been laid before us of the price in strength we will pay under this treaty. Have we seen a similar catalog of a Soviet price? Hope may see such a catalog; reality does not.

The major heading of this catalog of America's price, America's strength, is that the treaty, perhaps gently but nonetheless firmly, closes the door of knowledge.

Now the Senate must pardon me for speaking of real weapons in the real world. As I have said, the words sound harsh in the glow of hope. Truth often does.

There has been work underway in our laboratories toward the design, development and test of a device with a yield of 80 to 100 megatons. Now the door will close on that, if this treaty is ratified. Does it close on similar knowledge for the Soviets? We only know that they have tested—tested, mind you, not just conjectured—devices with yields approaching that range, and we have not, and we will not under this treaty.

We have never tested fully the stamina of our hardened missile emplacements. The treaty will close the door against such tests. Will it close such a door for the Soviets? We only know that there is evidence that they have tested—have tested, not theorized—hardened structures.

Not knowing whether our missile emplacements or missile sites will withstand a severe blast, how can we be sure of our great deterrent, which is a second-strike capability? How can we even be sure that any missiles will leave their sites with the lack of knowledge that we have of the environments to which they will be subjected?

Through the eyes of hope, of course, we see tests of major weapons and systems as unnecessary. Hope says that what we have is enough, that these high-yield devices are of minimum military efficiency. Lapsing only for a moment into the language of harsh fact, it is asked if several 20-megaton devices are not far better than one 60- or 100-megaton device. Again, the answer must be along the horizons of knowledge and not along the edges of the statisticians ledger sheet.

It is the knowledge of the effect, the environmental effect, of high-yield explosions, the sort we have not tested and will not test under this treaty—it is in such knowledge that we will be weakened by this treaty.

Prompt gamma pulses from high-yield explosions are known devastatingly to distort electronic circuitry.

We know very little about that subject. We know that megaton yields of which the enemy is capable could render unusable our entire communications system. It would even render unusable our entire domestic electric systems at astonishingly high distances. Since my colleagues have not been too well informed in that field, at the end of my remarks I shall ask consent to have printed in the RECORD some information that I have gathered on that subject, but I shall not offer it now.

Interference with electronic triggers is an area of grave concern. So is the effect upon missile guidance systems. So grave is the concern, that our military men must ask if the Soviets do not have the capability, with the knowledge gained in their exclusive high-yield tests, of thoroughly disrupting our retaliatory missile systems. They must ask if their systems can survive the melt-down of fissionable materials by neutron impact, the effect of X-rays, the disruption of communications and radar blackout from beta rays, from gamma rays, from fireball effects.

Ask the men who must man the missiles and they say tests are needed. Ask if the Soviets have not already tested in this area and we find that we do not know—but there is ample evidence upon which to presume that they have.

Ask the man upon whose command rests 90 percent of the strategic striking power of this Nation: ask General Power the impact of this treaty upon the strength about which he knows as much as any man. We have all heard his answer. This treaty is not in the national interest.

Ask the man whose job it has been to work with the most advanced weapons system: ask General Schriever the impact of this treaty. We all have heard his answer. He felt he could protect his country better without the treaty.

And what of the Joint Chiefs of Staff altogether? Remember now, if you will, only that they finally supported the treaty because of many safeguards, many promises, and political advantages of which others had spoken. But remember every other day of your life, every day that the time bomb of Communist treachery ticks closer to detonation, that they spoke and spoke clearly of military disadvantages under this treaty.

Pray God that we do not have to remember that under attack, weakened and unprepared.

Remember also their warning that a state of euphoria would be the most deadly consequence of the treaty. Remember that as we now officially study increased trade with the Soviets. Remember it when the next steps are taken, the pacts proposed, the agreements signed. It is not too late to remember those things now, but other, more popular tunes seem to dance in the air.

I shall not recite the page after page of cataloging of the U.S. price in strength that this treaty exacts. Senators know of them; they have heard or read them. They can restudy them. Let me just sum up the price: Under this treaty we close the door on sure knowledge of the survivability of our second-strike capability, the very capability which, until now, has been the shield of peace in this world. We halt the search for the widest span of nuclear know-how at a point where the total test yields of the Soviet are a full third greater than our own.

If I had no knowledge of weapons and of the enemy, then I would wish also to vote for this treaty and share the brief illusion that it brings. But I have lived too long with reality, too long with the men who are dedicated to our defense, too long with the facts of the enemy's dedication, to discard all that I am and all that I know.

I will vote against this treaty because it will erode our military strength. I will vote against this treaty because it preserves the enemy's advances in high-yield weaponry while freeing them to overtake our lead in low-yield research. We pay a price; they do not.

I do not vote against the hope of peace, but only against the illusion of it. I do not vote for war, but for the strength to prevent it.

I have been told, as have others, I am sure, that to vote against this treaty is to commit political suicide.

I will vote against this treaty because in my heart, mind, soul and conscience, I feel it detrimental to the strength of my country.

If it means political suicide to vote for my country and against this treaty, then I commit it gladly. It is not my future that concerns me. It is my country—and what my conscience tells me is how best I may serve it.

Mr. President, I ask unanimous consent that the first 7 pages of the introduction to a paper prepared by Dr. V. W. Vodicka, technical director, Joslyn Electronic Systems Division, and John A. Kuypers, of Stanford University, may be printed in the RECORD following my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The immediate electromagnetic effects of an atomic explosion are massive and diverse. These effects can wipe out critical weapons and communications systems in a few seconds time although the same facilities may survive in the so-called conventional part of the attack environment.

There is more to a nuclear explosion than a spectacular visual display, ground and atmospheric shock waves, heat, and atomic radiation. These are only part of the nuclear attack environment.

Some of the electromagnetic effects (viz., Argus) are trans-hemispheric. All are relatively instantaneous. Some effects are more localized, with a facility damage radii of 100 to 200 miles.

Our strategic and tactical defense/offense systems are required to survive in periods of nuclear attack. Some of our facilities have been designed to withstand tremendous physical shock and radiation levels. As now implemented, these same systems (missiles, ground electronics, command/control and communications) may not dependably survive the electromagnetic nuclear environment.

Nuclear electromagnetic effects have been noted since the advent of nuclear explosion testing. Overwhelming verification of their existence and scope has been built up by correlation of shot times (most accurately defined in foreign technical papers) with concurrent working system outages and damages. This correlation effort by the authors began in 1952 with notations of electromagnetic effects in the vicinity (200 mile radius) of the test grounds.

In August 1958 the Argus test series in the South Atlantic Ocean caused dramatic and unpredicted transhemispheric electromagnetic disturbances. A low-yield shot at 200 miles altitude caused the undersea coaxial cable across the North Atlantic Ocean to intermittently fail in function. Correlated outages existed in critical defense systems at this time but were not published due to classification of facilities logs.

Soviet instrumentation of our test efforts defined our shot times to the second. The times were published in unclassified technical papers.

The effects of the Argus test series on commercial and military communications gave additional verification of the existence of highly significant nuclear electromagnetic effects. A preliminary paper on the subject was prepared in 1960 and distributed by the authors to those who should have been concerned. Since that time, much additional material has been uncovered. More effects have been defined and a good amount of quantitative data observed and derived. Foreign unclassified data continues to be a major source of information. Our systems design and implementation remains in the horse and buggy stage with respect to nuclear electromagnetic effects.

Many tactical and strategic weapons, communications, and command systems are not hard electrically. These systems as now implemented may not survive electronically to the same degree that they will survive mechanically. Catastrophic electrical and electronic failures can be expected in most military facilities which are combined with commercial facilities as now installed to a radius from ground zero as follows if not properly protected:

	Miles
1 MT fusion, low altitude	20
10 MT fusion, low altitude	72
50 MT fusion, low altitude	120

The catastrophic failures are defined as: Vaporization and explosion of electrical conductors (power distribution and communications), equipment component burn out (especially solid state devices) and massive insulation failures due to both conductor overheating and electrical stress (over voltage) and ionization of dielectric.

Lesser systems failures can be expected outside of the radii specified above. Both calculations and actual experience show that our systems are vulnerable to a lower order of damage in this extended area. These troubles are on the order of: component failure, blown fuses, damaged or blown circuit breakers, grounded protectors, computer confusion caused by unexpected ground loops, transient pulses, and unprogramed events and instructions, disturbance of data transmission facilities. Disruption of radio frequency transmission paths has been partially recognized but unduly minimized.

Systems troubles are created daily by natural and manmade electromagnetic phenomena. The natural effects include lightning and lesser random static discharges, aurora, magnetic storms, telluric (earth) current pattern changes. The manmade effects include power systems switching transients, and electrical interferences caused by arc welding, electric shoe arcing, and electrical power faults which at times cause radical local ground potential changes.

The electromagnetic effects associated with fusion activity have been partially sorted out. The list includes:

1. Argus effect: This aurora-like mechanism has been noted in every high altitude test (United States and Soviet) since August 1, 1958. This effect can create a manmade aurora at any desired location equal in electrical disturbance to any recorded sun-spot storm.

2. Electromagnetic pulse effect: This effect has demonstrated its power in every nuclear test shot.

Early low-yield fission test activity caused concurrent outages on powerlines passing the general area. Circuit breakers on main feed lines opened due to over voltage conditions induced at distances in excess of 80 miles. This extremely powerful effect has been observed from the beginning of nuclear test activities. It contributed to most of the instrumentation failures experienced in early test efforts. This effect continues to cause instrumentation trouble because it is neither recognized nor understood by many instrumentation systems design engineers. The effect causes potential changes on conductors in excess of 10,000 volts with rise times in the order of 20 to 100 nanoseconds and durations of 1 second or more. This affects buried cable in the vicinity equally with any aerial facilities that may be left standing. Insulation breakdown from voltages, several orders in excess of design stress are followed by extremely high currents. The result is conductor burnout in the immediate vicinity and high voltages passed down the line to the distant terminal or other electrical/electronic facility.

3. Neutron flux effect: This effect is often masked by effect No. 2, since it takes place relatively close to the nuclear activity. The end result of this mechanism is the development of abnormal voltages in electrical conductors accompanied by insulation breakdown due to heat, chemical change, and electrical stress plus initiation of secondary radiation along the flux path.

4. Static discharge effect: This is similar in appearance and occurrence to lightning. It is applicable to radio antennas and other above-ground facilities which may have survived the mechanical stresses outside of but close to a nuclear fireball. These facilities invite massive electrical discharges from the fireball edge much as a lightning rod. The currents that would be experienced are sufficient to melt the structural components and collapse the facility.

5. Radio frequency transmission effects: This area has been covered qualitatively in papers and reports by others but more quantitative data correlation work is required. This is especially true in the low frequency and ultra low frequency transmission area. Categorical statements minimizing or pointing out the absence of vulnerability of these transmission media are unrealistic. Large outages in low frequency and ultra low frequency transmission systems have been experienced in connection with nuclear testing activity and are to be reckoned with when examining systems' reliability in the nuclear environment.

The vulnerability of existing facilities (and future systems) can be reduced without resort to exotic methods. Knowledgeable application of systems design and installation fundamentals and attention to detail in interface areas is a must. Systems designers and operations personnel must be apprised of the electromagnetic effects mechanisms and quantitative results of same. Existing knowledge must be used and all known techniques brought to bear on this problem. The use of fast response, self-healing circuit protection devices will materially reduce the aforementioned damage radii. Certainly, R. & D. design of new transmission systems should proceed. Unique though not necessarily oversophisticated new systems have been proposed which are far more immune to the electromagnetic environment than the transmission techniques now used.

There is a definite need for a focal point for information regarding the various electromagnetic effects on weapons, command, and communications systems. The sources of information are diverse and not always in themselves knowledgeable as to the "practical results in working systems" aspect. The large range of sources can be realized by a perusal of the bibliography. Some of the most significant data available is from unclassified technical journals from the U.S.S.R., France, and England. Another group of sources are private industry with no government ties, and government agencies who are systems operators out of the realm of the defense effort. Definitive studies and practical analysis of electromagnetic effects versus defense systems have been urgently required since before nuclear weapons became available for use by others than the United States. As of this time there is not so much as a handbook which can be used by systems designers as an information source. The present Mil-Spec series is completely inadequate to meet the total reliability requiremnts of communications and weapons systems facilities. At present the Mil-Spec series does not recognize the real integrated EMP problem.

Where some of the effects are recognized but systems solutions not readily apparent, the problem is classified and withheld from personnel who must have the information in order to design systems that will accommodate the problem.

Mr. THURMOND. Mr. President, will the distinguished Senator from Arizona yield?

Mr. GOLDWATER. I yield.

Mr. THURMOND. I commend the able Senator from Arizona for his magnificent statement. The distinguished Senator from Arizona is a major general in the Air Force Reserve. In performing his duties in that capacity he has had occasion to learn a great deal about missiles, rockets, bombers, and nuclear weapons. His statement today on this subject should bear great weight with the Senate. He has made a fine contribution, which I am sure will be helpful to the Senate.

Mr. GOLDWATER. I thank my distinguished friend from South Carolina, whose military knowledge I respect highly.

I implore my colleagues in the Senate to read the excerpt from the paper I have asked to have printed in the RECORD, when the RECORD becomes available tomorrow. It covers a subject we have not discussed, which is of vital interest to our survival.

As these scientists conclude, catastrophic electrical and electronic failures can be expected in most military facilities which are combined with commercial facilities.

We are not talking about a direct hit. We are talking about the electromagnetic impacts, which some scientists say can travel 1,100 miles and which some scientists agree can have an effect of 1 megaton of fusion in a low altitude burst at 20 miles. In fact, as a result of a low-yield shot at 200 miles altitude the undersea coaxial cable across the North Atlantic Ocean was caused to intermittently fail to function.

We know enough about effects to know that all modern circuitry—all circuits in radios, all circuits in radars, all circuits in inertial guidance systems, as well as the electronic triggers which cause the missiles to travel—is now in the process of being redesigned, because we do not know enough about the effects of the electromagnetic pulse to defend and protect the systems we now have.

This one item alone should cause the Senate to pause before approving this treaty, at least until a time is reached when we have an opportunity to find out how to protect our own systems.

Mr. THURMOND. Mr. President, will the Senator yield further?

Mr. GOLDWATER. I yield.

Mr. THURMOND. Is it not true that the only way we would be able to acquire the knowledge about which the Senator has spoken is by testing in the atmosphere? It is impossible to acquire that knowledge by testing underground, is it not?

Mr. GOLDWATER. We could acquire much of the knowledge by testing underground. We could study the effects of gamma rays underground.

Mr. THURMOND. We could acquire a portion of the knowledge from underground testing.

Mr. GOLDWATER. Yes. I have yet to meet a scientist who will categorically say we can acquire the information needed in this way. It cannot be said to the people of the United States, "We have a device which we guarantee will work in the atmosphere—through a nuclear environment, through gamma rays, through fireball blackout," unless it is tested in the atmosphere.

We can develop the theory. We can do a great deal of experimentation. We can do much extrapolation from underground testing. But no man can guarantee that any weapon will work without testing it in the environment in which it must be used.

Mr. THURMOND. The weapon must be tested in the environment in which it is to be used in order to determine actually what results will be obtained.

Mr. GOLDWATER. Yes.

Mr. THURMOND. Under the treaty, if ratified, that would be impossible.

Mr. GOLDWATER. The Senator is absolutely correct. I recall that shortly after our entry into World War II we tried a torpedo which the scientists told us would end all naval warfare. We had never tested it. It did not work. We spent a long time getting the old torpedoes ready to go.

I wish it were possible for me to vote for the treaty. I should like to vote for it. Knowing the scientific and military facts of life, I think we are asking for real trouble if we ratify the treaty.

Mr. THURMOND. I know the great respect the able Senator from Arizona has for General Power. I should like to read a statement General Power made a few days ago:

> In my personal opinion all sensible people in this world desire peace and freedom from a nuclear war. But there are two different theories of how to get there.
>
> One theory is through military superiority and through deterrence, which is the philosophy of the strategy we have used. There is another one through disarmament.
>
> I personally think the two theories are diametrically opposed. I don't see how you can arm and disarm at the same time. I have studied previous disarmament measures and in my opinion disarmament is a proven concept to get you into a war. I think history will prove that the surest way to cause a war, nuclear war or any war, is to disarm.

I wonder if the Senator from Arizona is in accord with that statement by General Power.

Mr. GOLDWATER. History would make me be in accord with it, even if I were not inclined to be. The general is absolutely correct in that statement.

Mr. MONRONEY. Mr. President, the choice we face here is not easily defined or described, but many Senators have participated in this discussion, and in going over the record I was deeply impressed with the depth of the study which the Senate has made of this treaty. It is now quite clear that the Senate will ratify this treaty by a substantial margin above the required two-thirds majority. One cannot review the many thousands of words that have been said in the Senate concerning the treaty without concluding that the decision to support it is sound.

In the simplest terms, what we face is a choice of risks. Or, to put the matter in positive terms, a choice of hopes. We cannot be sure of the benefits which this treaty offers mankind. On the other hand, we cannot be certain of the safety and security of mankind without it. With the treaty, we hope that the relentless increase in poisonous radioactivity in the atmosphere will be halted. With the treaty, we hope that the rush of nations to arm themselves with nuclear weapons which threaten annihilation of civilization will be halted, or at least slowed. With the treaty, we hope the world can move into an era of mutual trust and confidence based on performance. Not until we see how the Soviet Union performs under this treaty will such trust and confidence in it be merited, but we can well afford the risk of a probationary period, in my opinion.

To refuse to ratify the treaty will mean an end to the long-drawn-out negotiations which we initiated in 1946 and have pressed in various conferences ever since.

Now that we have reached an agreement at long last, limited as it is, we can be sure that, if we refuse to go through with the initialed treaty, we face a prolonged period of unlimited testing, without hope of another open outer door for limiting the dangerous effects that will result.

If the limited test ban is violated, we will only face the condition we face today and for years to come without any treaty. Nations would again resume contaminating our soil and polluting the world's atmosphere and space.

This decision can and perhaps will play a vital part in changing the course of the cold war. On it certainly ride the hopes and fears of millions of the world's people, who pray for some cessation of tensions that build up in the present nuclear arms race.

There are both certainty and uncertainty about the ratification of this treaty. No treaty is foolproof or has built-in guarantees of success.

There is certainty, however, among the neutral and uncommitted nations, numbering more than a billion of the world's peoples, that this crossing of the outer threshold with a limited treaty is in their best interests. These are the innocent bystanders who know that they would suffer along with the industrial powers should a nuclear exchange take place.

They see in this pause in the acceleration toward greater and more terrible weapons a chance for a cooling off period that may—repeat may—lead to other agreements resulting in further easing of tensions among the atomic powers.

There is certainty also among the smaller but more industrialized nations, many of them our allies, who have not yet entered the field of atomic armament but who feel that they must soon make a fateful decision. This decision will tax their industrial and scientific capabilities and thrust them into the maelstrom of atomic weapons development. If they enter, they will be a part of the acceleration toward more terrifying weapons.

This proliferation of atomic power to many smaller nations, the neutral, the friendly and those who lust for power over their neighbors, raises an international danger. A worldwide atomic war could be triggered when the grave responsibility of possessing atomic weapons rests with the irresponsible. War by miscalculation or by blackmail multiplies the threat we face. If great danger lies in having these weapons in the hands of three atomic powers, it will be magnified many times when new nations acquire even a modest stockpile of weapons.

I believe it is evident that the nations who have already signed the pact are certain that it is in the best interest of their security. It will allow them the privilege of abstaining from the arms race, and being spared the great expense and attendant dangers of entering into the atomic club.

They feel, I am sure, that the hope for negotiations is better if the possessors of such weapons are few in number, and if even these are seeking to limit the dangers inherent in the arms race.

We cannot avoid the knowledge that more than 90 nations already have subscribed to the treaty. We cannot avoid being aware that all these other nations acted with knowledge that this treaty is useless without the approval of at least 67 Members of the U.S. Senate.

The overwhelming support which the treaty has engendered around the world was clearly evident to Members of the Senate and House of Representatives who attended the 52d Conference of the Interparliamentary Union starting last week in Belgrade. Previously, the Senate's attention has been directed to news dispatches sent to this country from Belgrade emphasizing the treaty's transcendental importance in the minds of the 500 elected lawmakers, representing nearly 70 national governments, in attendance there. The U.S. delegates heard speaker after speaker praise the treaty. At every hand, day and night, we were told that the treaty offers new hope for enduring peace.

One U.S. journalist cabled to his readers:

> It is evident to every Senator and Congressman attending this global gathering of parliamentarians that if the U.S. Senate turns its back on the test ban, world opinion will turn its back on the United States in agony and disappointment.

I heartily agree with this journalist's appraisal of the common viewpoint held by the delegates at Belgrade. Peace remains the great unifying motive of all mankind, and leaders of more than 90 nations have already recognized this treaty as a step in the direction of peace, or as a step backward and away from the horrible possibility of a nuclear war.

I am very much aware, however, that Members of the Senate must not let this worldwide display of fervor for the treaty to be the controlling factor in their deliberations. Instead, we must keep in mind that this phenomenal enthusiasm is the direct result of the leadership which the United States has provided along the path of peace. We must remember that this treaty was our idea in the first place, and that we are now engaged in testing the courage of our own convictions. The record of American efforts to secure a workable limitation on the testing of nuclear weapons dates back to 1946, the year after weapons of this dimension were employed by this country to conclude a war that this Nation had been forced to fight. The report of the Committee on Foreign Relations recites the details of these efforts, year by year, through the administrations of President Truman and President Eisenhower.

This has never been a partisan issue with the American people. In 1960, both President Kennedy and his Republican opponent for the Presidency, the then

Vice President, Mr. Nixon, repeatedly expressed their hopes that the negotiations with our allies and with the Soviet Union, started in 1958 at the urging of President Eisenhower, would prove fruitful.

The bipartisan support which this treaty has won speaks well for the guarantees which it embodies.

The limited test ban treaty, however, is challenged by its opponents, who assert that it casts a grave doubt on our continued and continuing superiority in atomic weapons. We have been advised, and I believe properly so, that today we are the world's strongest atomic power, both in technology and in the quantity of our weapons.

Doubt has been raised, however, that this limited ban will cause us to lose our advantage. From all the evidence I have read, the treaty offers us an opportunity in which the dangers are minimized. The values of such a ban, so eagerly desired by the world, offset the uncertainties which are bound to exist in any such agreement.

As the Preparedness Investigating Subcommittee has declared in its concluding paragraph:

> The question is one of weighing relative risks.

The fear derives from exposure on four principal points. These points are:

First. The significance of the 60- to 100-megaton bomb exploded by the Soviets.

Second. The question of the superiority of smaller nuclear weapons.

Third. The development of the antimissile missile.

Fourth. The survivability of our deterrent force.

The record is filled with testimony on both sides of these questions. However, with the strong testimony from the Joint Chiefs of Staff, numerous scientists, our own leaders on the Joint Atomic Energy Committee, and our own distinguished Senate chairmen, Senator PASTORE and Senator ANDERSON, who are experts in this field, I feel that the advantages of the limited test ban treaty outweigh the fears expressed on these four points by opponents of the treaty.

On the question raised about Russian superiority because of testing of the 60-megaton bomb, I believe the judgment of our military and civilian leaders is convincing. We were free to explode all the giant bombs we chose during this recent period of uncontrolled testing. We made a decision, based on our knowledge and strategy, that such weapons were not necessary. We based this decision on the fact that our present arsenal contains more effective bombs for selected targets, rather than terror bombs of widespread range.

I am further assured by the testimony that the present state of our art would be sufficient to quickly produce such giant bombs without additional atmospheric testing, if such weapons were later needed.

On the second point, the versatility and quantity of our smaller nuclear weapons, with existing instruments of delivery for strategic bombing, give us great security. True, these weapons have lower yields, but they still have the power to wipe out any known military or industrial targets contained in our strategic plans. The versatility and selectivity of all types of weapons in our arsenal make us the world's strongest atomic power. Our superiority in this field of quantity and types more than offsets any of the giant bombs the Soviets may produce.

Further, the provision permitting all kinds of underground testing enables us to continue, as has been promised by innumerable witnesses, to upgrade and update our weapons capability to any extent necessary.

On the third point, the development of the antiballistic missile, several challenges have been made. The testimony is conclusive that the Joint Chiefs and atomic experts believe that the problem here lies in the field of delivery, guidance, and selectivity of targets, rather than in the field of explosives. Underground testing of explosives is still possible and the testing of the intercepting missile itself is one that is permitted since it would not require atmospheric blasts.

Whatever protection against blackout or other exotic effects is needed, this must at all events be built into the missile and not into the explosive it is designed to carry.

On the fourth and last point, the vulnerability of our hardened missile sites has been discussed. Here again our experts are strong in their opinion that the Russians have gained no more knowledge in this field than we already possess. The large yield tests conducted by the Russians were not effects tests upon such sites, and there is no evidence that they gained this type of data from their recent explosions.

Thus the evidence I believe we have from our own leaders, who have spent years in specializing in this field, would indicate that both sides will be equally restricted by the treaty and that neither would gain a substantial advantage over the other.

One danger that could exist has been dispelled by assurances from the President and from agencies in charge of our development program that we will expand and improve our capabilities to detect atmospheric and underwater explosions to even a greater degree than we now possess.

The chance of cheating by illegal explosions will be even further reduced by continued improvement in our vast detection facilities.

Also reassuring is the guarantee that our laboratory facilities will be held in a state of readiness so that if the treaty is breached, we can immediately resume atmospheric testing on the finding by others. This ever-ready mobilization for further atmospheric testing not only guarantees our readiness but also keeps together the experts who have been so successful in weapons development in the past. It will also discourage those who might be inclined to cheat.

This team could be used promptly should it be deemed essential for our national security, or should the treaty or any of its terms be abrogated by the Soviets.

These were the requirements demanded by the Chiefs of Staff.

Their assurances were spelled out in detail by our military leaders in testimony before the Subcommittee on Defense Appropriations when on August 20, 1963, the Deputy Secretary of Defense, Mr. Gilpatric, summarized in these words:

> We do have in this year's budget funds that would support the kind of an underground test program, the kind of nuclear effects test research program that would meet the conditions that the Joint Chiefs put upon their approval of the partial test ban.

Those opposed to ratification of the treaty have charged that it will commit the United States to a process of disarmament without preserving the principle of inspection, which has been the cornerstone of U.S. disarmament policy. As a number of Senators have pointed out, this is a false and misleading premise.

Dr. Harold Brown, director of Defense Research and Engineering, told the Foreign Relations Committee:

> It does not limit arms development. It does not reduce armaments but it does reduce arms development. I believe that unless we get some kind of arms limitation as well as maintaining our own military capability the next 10 years are going to see further degradation in everyone's security as other nations obtain nuclear weapons, less responsible ones than have them now, I think that will make everyone less secure.
>
> I don't say this treaty is going to solve that or produce the millenium but I think in the absence of this treaty, which has represented the first step, no one can go on to anything else.

We have been reminded continually during the course of this most worthwhile debate that the U.S. Senate must take into account, not only the hopes and aspirations of the American people, but public opinion throughout the world as it considers this limited nuclear test ban treaty. We will, of course, give first consideration to the security and welfare of the United States.

As a signatory to this treaty, we have no absolute guarantee that the United States can maintain its present security. We have the solemn word of the Secretary of Defense and the Chairman of the Joint Chiefs of Staff that the treaty offers the United States clear and indisputable advantages.

General Taylor said:

> The Joint Chiefs of Staff have reached the determination that while there are military disadvantages to the treaty, they are not so serious as to render it unacceptable * * * it is the judgment of the Joint Chiefs of Staff that, if adequate safeguards are established, the risks inherent in this treaty can be accepted in order to seek the important gains which may be achieved through a stabilization of international relations and a move toward a peaceful environment in which to seek resolution of our differences.

In the same vein, the Secretary of Defense, Mr. McNamara, declared:

> The risks under the treaty are either small or under control, and the values of the treaty are substantial even if we consider only the military area. The scales are clearly tipped in favor of the treaty, Mr. Chairman. It has my unequivocal support.

The risk, well recognized though not clearly defined, that this treaty promises to reduce is the hazard that mankind will suffer for generations to come if atmospheric testing is not stopped. This is the risk that is recognized. This risk we assumed in the interest of national security when the development of weapons required it. It is a risk which can now be reduced.

Most of the people who have written to ask me to vote for ratification have been concerned primarily with the danger of radioactive fallout from continued atmospheric testing. A letter from a 26-year-old resident of Norman, Okla., is fairly typical. She said:

> I am 26 years old, the mother of two small children. This is my first letter to a legislator. I was nudged into action by a recent news story which quoted the Public Health Service as saying the amount of radioactive strontium 90 in the Nation's milk this May was almost twice that of a year ago. I want to make it absolutely clear that I am totally in favor of the pending test ban treaty, and of any further steps taken to reduce the threat of nuclear war or of radioactive poisoning from the current arms race.

This writer went on to express her concern that the Federal Radiation Council has not established firm standards regarding the hazards of radioactive exposure to human health. I share her feelings, and I urge my colleagues who are members of the Joint Committee on Atomic Energy to keep pressure applied to this problem. In June of this year, I noted, the Subcommittee on Research, Development, and Radiation of this Committee held extensive hearings on this subject. At the conclusion, the council promised to provide such guidelines.

This subcommittee was told that after tests were started by the Soviet Union in 1961, the fallout rate rose sharply. By the end of 1962, more fission products were put into the atmosphere than in all preceding years of testing—and the Soviets were largely to blame.

The contamination of space and of the atmosphere by past tests has been a danger to all forms of life on this planet. Carried by rain and by air currents, no one is exempt from its dangerous effects. For peculiar reasons, the deposits collect irregularly in certain areas. But sooner or later, the fallout that is shot into space or air will reach the earth. What is the point at which, in our efforts to be secure, we contaminate the very elements which sustain life?

Of this we can be sure: Unlimited atmospheric and space explosions of bigger and bigger yield bombs will bring us closer to the time when the testing can be dangerous to life and can contaminate the food supplies of wide areas of the world. The prevention of such contamination, through limiting atmospheric and space testing, is vital to our very existence.

The commonsense and common hopes of the American people have been asserted once more in unmistakable terms. Since the founding of our Nation, we have sought peace and understanding among men. It has been a risky road, but is one we willingly take. It can lead all humanity to a better world.

EFFECTS ON NUCLEAR WEAPONS AND COMMUNICATIONS OF CERTAIN PHENOMENA INDUCED BY NUCLEAR BLASTS

Mr. SPARKMAN. Mr. President, an article appearing in the September 16, 1963, issue of Missiles and Rockets, carrying the title "Soviets May Have Ultimate ABM," contains a number of substantial inaccuracies in the form of errors of fact and misleading statements, which should be corrected.

At the outset, the Missiles and Rockets article notes concern over the possibility that the electromagnetic pulse created by exploding very-high-yield nuclear weapons could deactivate U.S. missiles in their silos. It is stated that this concern is behind the opposition by many high military officers and nuclear scientists to the nuclear test ban treaty. The article fails to state that the overwhelming majority of both the military leaders and leaders in the field of nuclear science have registered support for the treaty. These include the Secretary of Defense, his Director of Defense Research and Engineering, the Joint Chiefs of Staff, and the Chairman of the Atomic Energy Commission. These are the men who are primarily responsible for the military security of the United States, and also the ones who have access to all available information upon which to reach a judgment concerning the existence or nonexistence of certain vulnerabilities in our retaliatory nuclear forces.

Possible uncertainties concerning the effects of electromagnetic pulse on U.S. missile systems, as well as other uncertainties, were in the mind of Secretary of Defense McNamara when he addressed the problem of missile-site survivability, in testifying before the Senate Foreign Relations Committee on August 13, 1963. The Secretary of Defense stated:

> Our missile force is deployed so as to assure that under any conceivable Soviet first strike, a substantial portion of it would remain in firing condition. Most of the land-based portion of the force has been hardened, as well as dispersed. Minuteman silos are designed to withstand thermal and pressure effects and ground motion effects of typical Soviet weapons detonated at relatively close quarters.
>
> The Minuteman control posts are protected by extreme hardening. In addition, we have duplicative facilities which will in the future include the capability of launching each individual Minuteman by a signal from airborne control posts.
>
> Uncertainties * * * will continue to be compensated for by conservative designs, wide dispersal and large quantities of missiles.

Dr. Harold Brown, in testimony before the same committee on August 21, 1963, added the following:

> In the future we expect we will be able to fire advanced U.S. missile systems on the basis of a signal sent out from an aircraft without requiring survival of the launch control centers, which presently send the signal to launch the missile, and without requiring survival of their cable connections to the missile site.
>
> This will eliminate any effect of vulnerability of launch control centers or of control cabling.

Therefore, those who are best qualified to judge have concluded that any uncertainties regarding EMP—electromagnetic pulse—do not constitute an unacceptable risk to the Nation's security in entering into the nuclear test ban treaty.

The Missiles and Rockets article has indicated that the "ultimate" ABM may be one which de-activates missiles in their silos. The statement is made that:

> Achievement by the Soviets of the capability of using their first strike offensive weapons simultaneously as defensive weapons that would destroy the electronics of U.S. silo-based missiles would wipe out the ability of the United States to retaliate.

This statement is imprecise and inaccurate in several important respects.

First, the U.S. retaliatory capability is derived from large numbers of weapons of various yields, capable of being delivered on target by a variety of means—the "weapons mix." Our strategic retaliatory forces consist today of land-based missiles, such as Minuteman, Titan, and Atlas; sea-based missiles, such as the submarine-launched Polaris; and long-range aircraft, primarily B-52's. The sea-based and aircraft-deliverable weapons which today constitute the great bulk of the U.S. retaliatory force would be unaffected by any possible EMP vulnerability pertaining to the land-based missiles.

Second, with regard to the ability of our land-based missiles, and, in particular, our hardened Minuteman systems, to survive a Soviet surprise attack, Secretary McNamara has stated:

> We know, and the Soviets know, that in the event of a surprise Soviet first strike, at least a substantial proportion of our Minuteman missiles will survive.

On the question of a possible EMP vulnerability of our land-based missiles, the Missiles and Rockets article cites Gen. Thomas S. Power, commander of the Strategic Air Command, as having expressed "fear * * * in depth." General Power is an outspoken critic of the nuclear test ban. However, during the course of hearings before the Preparedness Investigating Subcommittee, headed by the Senator from Mississippi [Mr. STENNIS], General Power was asked the question:

> Concerning the Minuteman system, do you have confidence in the ability of this system to perform its assigned mission?

General Power replied:

> Yes, I do. I have a high confidence factor.

General Power, whose testimony before the Stennis subcommittee is frequently referred to in the Missiles and Rockets article, may disagree with the Secretary of Defense on the degree of uncertainty that is acceptable to him; but there seems to be no apparent disagreement with respect to the conclusion that our Minuteman system is one upon which the United States can justifiably rely.

It would also be well to clear up some of the confusion created by the Missiles and Rockets article in categorizing as an antiballistic missile a possible Soviet weapon designed to knock out U.S. missile silos. The popular conception of an ABM is one which is designed to intercept and destroy incoming missiles. A weapons system with the assigned mission of destroying enemy missiles prior to being launched is generally referred to as a counterforce weapon. However, the Missiles and Rockets article has, unfortunately, lumped the two different concepts together in such a way as to misinform the reader.

For example, the article contains the statement:

> The Soviet lead in antiballistic missile development has been acknowledged even by administration supporters in the test ban debates. It is based on the long range ability of strong electromagnetic pulses to cripple the electronics system of a missile so that it cannot be fired.

The view as to the relative capabilities of the United States and the U.S.S.R. in the ABM field, as considered by the administration officials in the test ban debates, was based on the generally accepted notion of a defense against incoming warheads that had already been launched. The question of electromagnetic pulse raised in the article is irrelevant to this generally held conception of an ABM system. Concerning the substance of whether the United States or the Soviet Union is ahead in the development of an ABM system, Secretary McNamara has stated:

> The best present judgment is that our design efforts are comparable in magnitude and success with those of the Soviets. Any deployed system which the Soviets are likely to have in the near future will probably not be as effective, almost certainly not more effective, than the Nike-Zeus system. It should be noted that the United States decided not to deploy the Nike-Zeus because its effectiveness was inadequate.

Dr. Brown has expressed his view of the relative capabilities of the two sides, as follows:

> I think we are roughly comparable (the United States and U.S.S.R.). If I were forced to say one side or the other is ahead on knowledge, I would say that we were, but I don't think that is a very firm statement on my part.
>
> A better judgment, I think, is that we are about equal.

In the Missiles and Rockets article, we also find, in reference to the Preparedness Subcommittee report, the following:

> It noted that the character of the recent Soviet high-yield tests indicated they were centered upon antiballistic missile development.

This statement, like the statement previously discussed, is misleading in implying a connection with electromagnetic phenomena, and is similarly irrelevant. Moreover, it confuses Soviet high-yield tests with high-altitude experiments. The Stennis subcommittee report referred to a series of high-altitude operations which, if properly instrumented, could have provided substantial and important data on various types of radar blackout and nuclear effects relevant to the solution of various problems in connection with ABM development. As to relative knowledge in the field of these nuclear effects, Dr. Brown has stated:

> With respect to high altitude tests carried out for the purpose of determining the effects of nuclear bursts on communications blackout, radar blackout, and nuclear weapons vulnerability, Soviet and United States experience appear to be comparable.
>
> Each side has had about the same number of tests, over yield ranges and altitude ranges which are comparable though not identical, the number of nuclear tests carried out by related missile tests appears to be about the same although different techniques for making the measurements were used by the two countries.

Finally, the thrust of the Missiles and Rockets article is contained in the statement that:

> EMP, however, might be capable of incapacitating a great number of missiles at once.

Secretary McNamara, in reference to missile site vulnerability, stated—

> The most pessimistic view * * * suggests a vulnerability ratio for our hardened, dispersed Minuteman sites of less than two sites killed on the average by a single very-large yield Soviet missile.

The numbers of missiles on each side are such that a 2-for-1 kill ratio would leave the United States with the capability to destroy the Soviet Union, after absorbing a Soviet first strike.

REPLY TO KENNEDY TAX SPEECH

Mr. MILLER. Mr. President, last evening, the President of the United States went before the American people on television and radio to seek, as is his prerogative, to build up public opinion in support of his position that his tax cut bill is in the national interest.

We trust that equal prime time will be given by the television and radio stations to enable the other side of the argument to be heard by the American people. And in order that public opinion will have a fair chance to be fairly developed, we trust that the other media of the press will see to it that equal coverage in an equally prominent place is given to the opposite viewpoint. For example, I note that front page coverage was given by several newspapers to the President's speech. It would be only fair to have an equal amount of front page coverage given by these newspapers to those of us who wish to rebut the President's argument. This is particularly so, in light of the President's own evaluation of the tax cut bill, when he said:

> No more important legislation will come before the Congress this year.

Let everyone understand that all of us agree with the President that the high wartime and postwar tax rates we are now paying do not leave in private hands enough money to keep this country's economy growing and healthy; that they have helped to cause recessions in previous years; that unless they are reduced they can cause recessions again; that we must create more than 10,000 new jobs every day in the next 2½ years, to meet the demands of a growing work force and to reduce unemployment to acceptable levels; that we cannot effectively attack the problems of teenage crime and delinquency until we attack teenage unemployment; that we cannot effectively solve the problems of racial injustice until we create more jobs for all; that we cannot effectively tackle the challenge of automation until there are more jobs for the men who are being thrown out of work by machines; that recession means high unemployment and high budget deficits; that of all kinds of waste, unemployment is the worst; that 7 million more young people are coming into the labor force in the 1960's than in the 1950's, and that today's children will be aware of this when it is time for them to seek work; that if we cannot create more jobs—if we permit unemployment to grow—then no worker can be sure of his job, and no businessman can be sure of his future; that in recent years our loss from excessive unemployment has been almost 20 times as great as our loss from strikes; that recessions are not inevitable; and that there are as many men and women out of work now as there have been in some recession years—and this notwithstanding the last that as a result of the actions of the President and his Democratically controlled Congress, 165,000 more employees have been added to the Federal payroll and over $15 billion has been added to our national debt, for future generations to pay.

For the President to say all these things is merely to state the obvious. One wonders why he took so much time to do so.

The real point he should have spent all his time discussing is whether or not his tax cut bill, accompanied—as it will be—by billions of dollars of more deficit spending and billions of dollars of more inflation, will contribute to solving all of the problems by getting our economy moving again. He thinks it will. I say it will not.

The President may talk all he wishes about the stability of our wholesale price index. He may claim that retail prices have held remarkably steady. The point he misses is that almost all our people buy at retail prices—not wholesale prices; and that since he took office, the retail Consumer Price Index has gone from 214.5 to an alltime high of 221.3, while the purchasing power of our dollar has dropped from 46.6 cents—compared to a 1939 dollar worth 100 cents—to an alltime low of 45.2 cents.

For 1961 and 1962, while our Federal debt was increasing nearly $14 billion, due to deficit spending, inflation reduced the purchasing power of our people's money by $14 billion. This is inflation at the rate of $7 billion a year—equivalent to a 10 percent income tax increase. The tragic fact is that the American people do not yet realize what has hit them; but they have been hit. And under the spending proposals of the President, they will be hit just as bad, or worse, in 1963 and 1964. This is what is wrong with the President's tax cut bill.

Everyone wants a meaningful tax cut. But to be meaningful, the tax cut must be in terms of stable dollars. Surely the President should realize that no one wants to have more dollars to spend if all the dollars are worth less. The President's refusal to ask the Democratically controlled Congress to cut back spending so as to make room for the reduction in revenue due to a tax cut, really means that he is asking the American people to fool themselves into believing they can get something for nothing—that they can have a meaningful tax cut and can continue to go billions of dollars deeper into debt.

Oh, I realize there may be some taxpayers who would come out ahead, because their increased purchasing power due to a tax cut would more than offset the reduced purchasing power due to inflation. But there are millions who would not. Worst of all is the plight of the millions of our senior citizens who pay no income tax, and will have no increased purchasing power due to a tax cut, but will continue to have the purchasing power of their savings, their pensions, and their retirement annuities reduced by inflation.

The President was careful to use two examples of how his tax-cut bill is supposed to work, in order to give millions of typical families more extra money to spend. A factory worker with a wife and two children, who earns $6,000 a year, will, according to the President, have in his taxpayments a cut totaling 25 percent of $600, or $150. One year of Kennedy inflation alone has cut this worker's purchasing power by $60, since the value of our money has been going down 1 percent a year. It may be answered by saying that this still leaves $90 of increased purchasing power left over. The answer is that millions of other taxpayers who will not receive as much of a tax cut, and millions of our senior citizens and others whose incomes do not require them to pay income taxes, will make up the difference. There always are some people who benefit from inflation; but most people, particularly those who can least afford it, are hurt by inflation.

If we were in a position of a reasonably balanced budget, no one would object to a tax cut, because then it would be meaningful; we would have a stable dollar; the extra money taxpayers would have to spend would mean an overall increase in purchasing power for them; and this would, indeed, stimulate the economy.

The President may say that we cannot cut Federal spending; that his so-called frugal budget of almost $100 billion represents the last word in trimming out fat, extravagance, and waste; that it includes no new programs or no expanded programs which are not absolutely essential to our national interest. This just is not so. Even after he presented his budget, the President voluntarily cut his proposed spending for foreign aid by half a billion dollars, to make his budget more frugal. And under the Clay Committee guidelines, it is likely that foreign aid will be cut back to at least what it is for the current fiscal year. The average cost per year per enrollee in the Youth Conservation Corps will be at least $4,000, if this ill-conceived bill ever gets by the House. That is more than enough to send an enrollee to Harvard and to have a paid summer vacation on top of it. Numerous other examples of sound budget cutting could be cited. I am afraid the President does not understand the meaning of hard-earned money, much less the meaning of the word "frugal."

The President says we should not be partisan about this tax-cut bill. Unfortunately, we must, because the Democratic Party, under his leadership, has identified itself with a false theory of economics, with which the Republican Party must part company if it is to keep trust with the American people and play fair with their hard-earned money. This will be a fundamental issue in the 1964 campaign; and since the issue is all with the Republican Party, I trust that the President will not object too violently if we make full and effective use of it.

Mr. MONRONEY. Mr. President, I observe the absence of a quorum.

The PRESIDING OFFICER (Mr. Burdick in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETING DURING SENATE SESSION

Mr. WILLIAMS of New Jersey. Mr. President, I ask unanimous consent that the Senate Committee on Labor and Public Welfare be authorized to meet during the session of the Senate tomorrow to consider the bill S. 2056.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of New Jersey. I understand that the request has been cleared with the leadership on both sides of the aisle.

WHAT IS NEW ABOUT A PUBLIC ACCOMMODATIONS LAW? SUCH A LAW HAS BEEN ON THE BOOKS FOR 12 YEARS, AND EXPRESSLY APPROVED SIX TIMES BY THE U.S. SENATE

Mr. WILLIAMS of New Jersey. Mr. President, Justice Learned Hand once warned those who judge constitutional issues to "be aware of the changing social tensions in every society which will disrupt it, if rigidly confined." The great social tension disrupting American society today stems from our failure to provide the American Negro with the rights and privileges accorded citizens under the Constitution.

Real barriers exist and must be surmounted before the Negro can enjoy full citizenship. One aspect of this overall civil rights problem—the right of Negroes to have access to restaurants, theaters and other commercial enterprises on the same basis as white Americans—is covered by title II of the proposed civil rights bill, S. 1731, and has been the subject of extensive hearings in Congress. During these hearings, some have gone so far as to call this provision unconstitutional.

The opponents of the public accommodations provisions frequently ground their argument upon the civil rights cases of 1883. These hoary decisions, they say, support the inference that title II has no constitutional efficacy.

This inference is patently absurd. Without going into an extended analysis or discussion of this decision, let me merely emphasize the following remarks from the Court's opinion, which clearly indicate that the Court was not dealing with the power of Congress, under the commerce clause, to enact legislation to provide all persons with full and equal enjoyment of public accommodations:

> Of course, these remarks (which denied the authority of Congress under the 13th and 14th amendments to enact the Civil Right Act of 1875) do not apply to those cases in which Congress is clothed with direct and plenary powers of legislation over the whole subject * * *, as in the regulation of commerce. * * * In these cases Congress has power to pass laws for regulating the subjects specified in every detail, and the conduct and transaction of individuals in respect thereof" (109 U.S. 3, 18 (1883)).

In conclusion, the Court noted:

> On the whole we are of the opinion that no countenance of authority for the passage of the law in question can be found in either the 13th or 14th amendment of the Constitution; and no other ground of authority * * * being suggested, it must be declared void.

The Supreme Court decided only the questions before it; as noted above, the power of Congress, under the commerce clause, was not at issue.

Those who oppose title II not only rely upon this inapplicable decision, but also upon the theory that the public accommodations provision, if enacted, would deprive a businessman of a property right—namely, the right to run his business as he sees fit.

The Constitution does not recognize that the right of an individual to run a business is a matter of absolute, uncontrollable liberty. The operation of business has, in each stage of its development, had its unique history and has been subject to regulation by State and Federal Governments.

To eliminate the evils which menace the health, safety, morals and welfare of the people, the right to control one's property has necessarily been tempered by regulation, provided it is reasonably adopted to the common good. Business has been regulated by minimum wage and hour laws, child labor laws, antitrust and monopoly laws, labor relations laws, and the like. These laws circumscribe the right of an individual to run his business. As Justice Cardozo emphasized:

> Property, like liberty, though immune from destruction, is not immune from regulation essential for the common good. What that regulation shall be, every generation must work out for itself.

Ownership then does not imply absolute dominion. It would seem apparent, moreover, that the more an owner, for his profit or advantage, opens up his property to the general public, the more his rights become circumscribed by the rights of the general public.

II. THE IRREFUTABLE PRECEDENT FOR PUBLIC ACCOMMODATION

Paradoxically, many of the Senators who are apprehensive about public accommodations have voted six times in the last 12 years in favor of an operative public accommodations provision that is even more comprehensive than title II in the President's civil rights bill, S. 1731.

The public accommodations provision given such strong support for so long by the Congress is authorized by Public Law 78, a law establishing a program to import Mexican farmworkers. This provision, known as article 8 of the 1951 migrant labor agreement, has been called an irrefutable precedent for title II of the pending civil rights bill and has actually been enforced in numerous instances and is still in effect today. This provision reads:

> Article 8
>
> PROHIBITION AGAINST DISCRIMINATION
>
> Mexican workers shall not be assigned to work nor permitted to remain in localities in which Mexicans are discriminated against because of their nationality or ancestry. Within a reasonable time after the effective date of this agreement and from time to time thereafter, the Mexican Ministry for Foreign Relations will furnish the Secretary of Labor a listing of the communities in which it considers that discrimination against Mexicans exists. If there is concurrence by the Secretary of Labor that there is such discrimination in any such area, he will not issue, or where appropriate will withdraw, the authorization provided for in article 10.
>
> If the Secretary of Labor does not concur, the appropriate Mexican consul may request a statement signed by the chief executive officer or officers or the chief law enforcement officer of the community in which the Mexican workers are to be employed, pledging for the community that:
>
> (a) No discriminatory acts will be perpetrated against Mexicans in that locality; and
>
> (b) In the event that the Mexican consul reports the existence of acts of discrimination against any Mexican because of ancestry or nationality, the local governmental officers who signed the statement will have such complaints promptly investigated and take such community and individual action as may be necessary to fulfill the community pledge.
>
> The Mexican Government will permit employment in such areas if such pledges are furnished.
>
> If, notwithstanding the foregoing, the Mexican consul reports that discriminatory acts have been committed against Mexicans because of their nationality or ancestry in a locality where Mexican workers are employed, the Mexican consul having jurisdiction in the locality may request the representative of the Secretary of Labor to join the Mexican consul in a joint investigation in which event the procedure prescribed in article 30 of this agreement will be followed.

The use of the word "authorization" is simply an editorial change to conform the language in this provision with the appropriate terminology contained in articles 1 and 10.

> Joint interpretation and amendment of March 1954: The Government of Mexico will not include counties under article 8 of the agreement in the list of towns, communities, localities, and places where it is considered that discrimination exists against Mexicans on account of their nationality or of their ancestry.

Under this provision an agency of a foreign government, the Mexican Ministry for Foreign Relations, may impose severe economic sanctions against local American communities, which discriminate against Americans of Mexican ancestry or Mexican citizens. This is not only a situation where a foreign government can impose hardships on American property owners to protect foreign nationals; this is a situation where the foreign government can act directly on a local American community to prevent discrimination against American citizens.

Before the American community may obtain braceros, under Public Law 78, and benefit by this source of labor, the agent of the Mexican Government must be assured that the community will not discriminate against braceros.

Where the Mexican consul does not concur with a nondiscrimination finding by the Secretary of Labor, the Mexican consul may bypass the Secretary of Labor and deal directly with the chief law enforcement officers of the community and request an antidiscrimination pledge. This pledge would bind the members of the community to provide accommodations to Mexicans and Mexican Americans in the same manner provided to other American citizens. Once given, this pledge would bind the community to a policy of nondiscrimination and would require local officials to investigate complaints regarding discrimination made by the Mexican consul. The law expressly requires "such community and individual action as may be necessary to fulfill the community pledge."

Despite such assurances, where Mexican nationals or Americans of Mexican ancestry are, in fact, subjected to discrimination, the braceros covered by this law will be withheld, or if already employed, will be withdrawn from the community.

These antidiscrimination provisions have been enforced many times. For instance, in Slaton, Tex., in the summer of 1960, the Labor Department investigated and found that there was discrimination at restaurants, bowling alleys, and the city swimming pool. At that time, the matter was satisfactorily concluded without the necessity of removing the Mexican nationals under contract in the area.

In the summer of 1961 a formal complaint was made alleging that the Slaton city swimming pool was being operated on a "white only" basis and that American schoolchildren of Mexican ancestry—not merely Mexican nationals—were denied the use of the swimming pool. Negotiations with city officials followed the investigation in an effort to eliminate this discrimination.

The Mexican Government requested the immediate removal of all Mexicans working in the Slaton area. Through negotiations with Slaton city officials the situation was eventually resolved in 1962 when the city of Slaton opened its swimming pool to all members of the public.

This is but one instance; similar nondiscrimination cases have involved restaurants, movie theaters, and barbershops. In fact, a significant number of Texas counties have been declared ineligible for braceros by the Mexican Government.

On the basis of these facts, it would appear that article 8 of Public Law 78 goes far beyond the public accommodation proposals in the President's civil rights legislation. Unlike the public accommodations provision of the civil rights bill, which only prohibits discrimination by businesses that affect interstate commerce, Public Law 78 prohibits discrimination regardless of whether interstate commerce is involved.

As mentioned earlier, Mr. President, some Members of the Senate have argued that the public accommodations provisions in the pending civil rights bill would prohibit a businessman from serving whomever he pleased, and would therefore deprive him of a property right. It is indeed ironic that many of the people who take this position with respect to public accommodations have expressly affirmed the more stringent nondiscrimination provisions of Public Law 78 for more than 12 years. Here is strong precedent of long tenure.

If the public accommodations provisions of the civil rights bill, S. 1731, are unconstitutional, it would seem clear that the nondiscrimination provisions of Public Law 78 are equally unconstitutional. For under both provisions, businessmen would not be allowed to discriminate among customers without being subject to governmental sanctions.

In fact, Mr. President, the sanctions in Public Law 78 to prevent discrimination are even more severe than the sanctions in title II of the civil rights measure in that Public Law 78 sanctions are imposed on innocent third parties who claim complete dependency on bracero labor. Thus, the discrimination of a few businessmen against Americans of Mexican origin or Mexican nationals may have the effect of depriving the entire grower community of its labor supply, and, consequently may, as some assert, impose severe economic hardships on other innocent businessmen and persons, who depend on the income or services of the braceros.

Surely, Mr. President, the learned Members of the Senate are not disposed to argue that it is unconstitutional to tell a businessman he must serve a Negro who is a citizen, but that it is constitutional to tell a businessman that he must serve a Mexican. Certainly, the constitutionality of a public accommodations law cannot turn on the ancestry or the color of the particular customer.

In conclusion, Mr. President, I think those Members of the Senate who have reservations about the public accommodations provisions, might well reevaluate their thinking in light of the public accommodations provisions of Public Law 78. After such consideration, I would expect many of my colleagues to candidly admit that their reservations about title II have little merit either in fact or in law and should therefore be abandoned.

Under this arrangement with the Mexican Government, when communities have expressed a need for braceros to supplement the work force during the fruit or vegetable harvest season, when restaurants or other public places have discriminated against Mexican or people of Mexican ancestry complaints have been made. The restaurants, the swimming pools—even the beauty parlors—have had to cease the discrimination before the braceros were permitted to be brought to the community. The Mexican Government has been very alert. When such discrimination has been found it has moved in and stopped it.

In my judgment this is a clear precedent for what we would do in title II of the civil rights bill. This is what is being done in areas where the Mexicans are used under the bracero program. The precedent is available. The Constitution is being honored by this kind of prohibition against discrimination.

Those who feel that private property gives unlimited license to use only need look at all the regulations property owners now face to know that property ownership, as with liberty, does not give unlimited license to immorality.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. WILLIAMS of New Jersey. I am happy to yield.

Mr. KUCHEL. The Senator has made a very interesting series of comments in the address he has given to the Senate. The Senator and I, from both sides of the aisle, are joined as sponsors of the so-called title II. As I have listened to our colleagues, I have been inclined to the belief that the provisions of the Constitution, with respect to the amendments which were adopted after the War Between the States, remove any question of the constitutionality of title II, at least so far as I am concerned.

As my friend knows, the legislation we have introduced grounds its constitutionality not only on the amendments to the Constitution, but also on the commerce clause.

Mr. WILLIAMS of New Jersey. Exactly.

Mr. KUCHEL. My friend makes an excellent point. I congratulate him.

Mr. WILLIAMS of New Jersey. I appreciate the statement made by our distinguished friend from California. I am proud indeed that from the Atlantic, where I am proud to reside in New Jersey, to the Pacific, the great State of California, represented by the senior Senator from California, our hands extend across the country united on this fundamental principle of justice.

A family weary after a long ride through the day and through the night who cannot find a bed in which to sleep, even though there are vacancies on the way, certainly is receiving one of the greatest wrongs and injustices I can imagine. If that family cannot eat, it multiplies forever the sin.

I thank my friend again.

ADJOURNMENT TO TOMORROW AT 10 A.M.

Mr. WILLIAMS of New Jersey. Mr. President, in accordance with the previous order, I move that the Senate adjourn until tomorrow at 10 a.m.

The motion was agreed to; and (at 6 o'clock and 24 minutes p.m.) the Senate adjourned, in executive session, under the previous order, until tomorrow, Friday, September 20, 1963, at 10 o'clock a.m.

CONFIRMATION

Executive nomination confirmed by the Senate September 19, 1963:

COMMODITY CREDIT CORPORATION

George L. Mehren, of California, to be a member of the Board of Directors of the Commodity Credit Corporation.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 19, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Romans 16: 19: *I would have you be wise unto that which is good and guileless as to what is evil.*

Almighty God, grant that we may be impelled by noble and altruistic motives in every plan that we are proposing and considering for the solution of our national and international problems.

Our own conscience severely rebukes us that there are frequently such variances and inconsistencies between our profession and our practice, between our promise and our performance, and between our creed and our conduct.

Inspire us daily to validate and authenticate the reality and glory of democracy by our loyalty and desire to manifest the splendor of its ideals and principles.

May we be numbered among those, who, in these perilous and troubled times, are seeking to orientate their minds and hearts to the spirit of our blessed Lord, who went about doing good and sought the welfare of all mankind.

Bless us now as we pay tribute to one of our colleagues who dwells with Thee in the eternal home.

Hear us in His name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

THE LATE HONORABLE LEON H. GAVIN

The SPEAKER. The Chair recognizes the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Speaker, the Honorable LEON H. GAVIN, Representative in Congress from the 23d District of Pennsylvania, was a fine Congressman and a fine citizen. He will not be with us in person anymore. But his good works and good influence will last.

LEON was a man who cared. He believed in many things. And when he believed he did not equivocate. He spoke out boldly, earnestly, and clearly. Once he had made up his mind it was not necessary to ask him twice where he stood nor why he had taken that position. He cared and he dared.

Our friend was a diligent worker. From the time he was first elected to Congress November 3, 1942, just about 21 years ago, he was always on the job in his committees, on the floor, on inspection trips and back in his district reporting and learning.

And our late Congressman was a successful man. He may have personally been most proud of his activities on the Armed Services Committee and Conservation Commission, but he will be best remembered by a grateful citizenry for his labors in behalf of flood control, clean water, and recreational areas. No man living or dead did quite so much as he did to promote these fine objectives all up and down the Allegheny River basin. I know perhaps as well as anyone how intensely he felt on these matters and how diligently he worked to achieve them. People throughout western Pennsylvania and all down the Ohio River can be thankful that he lived and worked successfully to prevent floods, to reduce water pollution, and to provide at the resulting installations good recreational facilities.

Long after he may be forgotten millions will live secure from the fear of devastating floods, millions will enjoy the benefits of better water, and millions will enjoy wholesome beauty and recreation because he cared and worked for these ends. As one of the beneficiaries I say to him a solemn, "Thank you," on behalf of all of us.

To LEON's immediate family and relatives I say only what they know and feel. They can well be proud that LEON H. GAVIN was one of them. They knew him and loved him better than we did only because they knew him better than we did. We bid him a prayerful farewell, proud, and happy that he was one of us—a splendid colleague. You, his kin, can be even prouder and happier that he was one of you—a fine citizen, a fine father, a fine husband, and a fine man. God be with you.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I will be very happy to yield to the chairman of the Committee on Armed Services.

Mr. VINSON. Mr. Speaker, I was deeply shocked to learn of the tragic loss of our colleague and my close personal friend, LEON GAVIN.

The Nation can ill afford to lose men of LEON GAVIN's caliber. He possessed attributes of character that every man can envy.

He was loyal; he was sincere; he was courageous; and he was dedicated to the security of the Nation.

He was elected to the House of Representatives on November 3, 1942. When he passed away on Saturday, September 14, he was the dean of the Pennsylvania delegation.

He was a man who believed in his convictions, and never deviated from them. When the Armed Services Committee was formed in January of 1947, he became a member of that committee. I soon learned that the security of our

Nation and the welfare of our Armed Forces came uppermost in his mind. There was not a single tinge of partisanship in his approach to national security matters.

I relied heavily upon his advice and counsel in the many matters of legislative concern that came to our attention during the past 16 years. He met his responsibilities in the committee and on the floor of the House in an outstanding and conscientious manner.

I can say with sincerity that LEON GAVIN contributed greatly to the building up, and the maintenance of the greatest military force for the preservation of peace that the world has ever known.

He knew from personal experience the futility of war, but he also knew the urgency and wisdom of being constantly prepared for war, so that it can be prevented. He knew that our strength, and the maintenance of peace, went hand in glove together.

The men and women who serve in our Armed Forces will be forever indebted to him, for he was one of them.

He knew the rigors of military life, having served in the 51st Infantry, 6th Division, during World War I.

And I think he would want me to repeat his concern for the men who live in the mud and dust, and are exposed to the rain, the heat, and the snow, while they are performing the never-ending task of defending our Nation.

He served his congressional district, his State, and his Nation with distinction, with honor, with enthusiasm, and with wisdom.

He also found time to be active in wildlife preservation, and to become a great student of the War Between the States. Hardly a week went by that he did not come into my office with a book in hand about some incident of that tremendous conflict.

The Congress of the United States is a greater institution because of LEON GAVIN; but it is poorer today because of LEON GAVIN's passing.

I extend my most sincere sympathy to Mrs. Gavin and her family. They have lost a husband, a father, and grandfather—the Nation has lost a champion of the American way of life, and a loyal son.

I have lost a close, personal, true friend.

It is indeed appropriate that LEON GAVIN was laid to rest in Arlington National Cemetery among those with whom he served and loved so well.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, with the passing of LEON GAVIN we have lost not solely a colleague. We have lost someone who cannot be replaced. He has left a void in our hearts that no one can fill. He was a man of determination and drive, of conviction and courage, an ardent advocate of what he believed; and so vigorously would he argue his case that he would impress one as being wholly unyielding.

But underneath this seemingly bluntness there was a humility, a compassion, and a heart of gold. He was endowed with a deep affection for his fellowmen. His generosity and kindliness was without limits. He was always thinking of others.

One of the pages remarked to me a few weeks ago that the page boys considered Mr. GAVIN one of their favorites. He was never demanding but always understanding. He always expressed an interest in them personally, treated them as members of his family and not simply messenger boys in his hire. It is my understanding that periodically he would instruct the cloakroom lunch counter to give all the pages some kind of a treat.

All this bespeaks the man who is no longer with us. It says more than I can possibly say as to the kind of man he was—kindly, generous, compassionate, unselfish.

LEON took justifiable pride in having been an infantry sergeant in World War I, and I would guess that he was one of the best sergeants that Army had. When one reflects on it, LEON typifies what we generally consider a good sergeant as being. He had a commanding appearance. He had a bombastic way of speaking. He could be austere and determined. But beneath all this there was a deep affection for his men.

The distinguished gentleman from Pennsylvania served over the years with me on the Armed Services Committee. He occupied the seat next to me. No one was more regular in attendance at committee meetings. His assistance to me personally and his contribution to the work of our committee is beyond measure. His contribution to the deliberations of the House as a whole is beyond measure.

Mr. Speaker, we have lost a truly fine and a truly great man. I have lost one of my best friends. I extend my very real sympathy to his family.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the majority leader [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I join my friend from Pennsylvania and his colleagues from his State, and our colleagues on the Committee on Armed Services and all Members of the House, in expressing my personal sense of loss over the death of our late and beloved colleague, LEON GAVIN. The House of Representatives will not be the same any more since LEON has left us.

Over the years he endeared himself to every Member of the House. He was a man of singular characteristics—great ability, independent mind, deep convictions. Strong in his views, he nevertheless had a deep sense of humor. At times he was a regular actor. He was an outstanding and dedicated Member of the House. He was a Christian gentleman. He was my friend.

LEON GAVIN was a fine Congressman who served his country well. He worked tirelessly toward the development of the resources of his own State and district, but he worked even harder for a strong and free America. We shall long remember him and his good deeds.

I extend my deepest sympathy to Mrs. Gavin and his children. May his soul rest in that peace of God which passes all understanding.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, when one loses a close and dear friend, a colleague with whom he has been associated for 21 years, it is difficult to find the words one wishes to use to pay tribute to that fallen brother. So I find it difficult today to say the things I would like to say about LEON GAVIN who traveled this way and stayed awhile and made this House of Representatives a greater legislative body, and this country a better Nation, because of his having been here.

LEON GAVIN was a man, not only of great courage, as he demonstrated in World War I and in his service here, but also one of very strong convictions, a man who would not do anything his judgment or his conscience told him was not in the best interests of those he represented and so well served.

I recall many things, as they flood back across my mind, of the days gone by and of our association together.

Mr. Speaker, I remember LEON taking the floor of the House and making many a statement on behalf of legislation in which he believed, or in opposition thereto, as the case might be. I also recall his more human side, his ability to do something most of us could not do, of how he made his annual address every year to make famous his district as the home of the groundhog at Punxsutawney, if I can pronounce the name correctly. That particular groundhog became a national symbol, if you please, so everyone in America not only knew of him, but also knew of LEON GAVIN and his great and deep sense of humor. Perhaps those annual talks he made on Groundhog Day showed to us one side of LEON GAVIN that most people did not know and did not see. His deep sense of humor, as I said a moment ago, his ability to express himself in a homely way about common things that mean so much to a great many people, who might hear his talk quoted on the air, or read about it. Yet his abilities went further.

Mr. Speaker, as a member of the Committee on Armed Services, as has been said here by the gentleman from Georgia [Mr. VINSON], the chairman of that committee; and by the minority leader on that committee, the gentleman from Illinois [Mr. ARENDS], LEON GAVIN contributed much to the strengthening of the defenses of America.

Mr. Speaker, he served here through difficult times, and two wars. His experience in World War I made him a better legislator, the type of legislator to whom all of us could turn, and did turn, from time to time for information and for advice in connection with those things so vital to the defense of America.

So I say, Mr. Speaker, that Leon GAVIN, while he will be missed from among our midst, will live on in the memory of all of us, in the history of this great Chamber, and in the annals of the forward march in this great Republic.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS of South Carolina. Mr. Speaker, in the death of LEON GAVIN the House has indeed sustained an irreparable loss. He was my friend, and he was my colleague on the Committee on Armed Services. It was a great privilege to serve with him on the great subcommittee of which I have the great honor to be chairman. He was the ranking minority member of that subcommittee.

Mr. Speaker, LEON GAVIN was one of the great Americans in every sense that this word connotes. He was a man who was keenly interested in the welfare of our American fighting men. He jealously guarded their rights, and he fought tirelessly for their welfare. LEON GAVIN fully earned the confidence and respect of every one of the Members of this great body. His passing will leave a void that will not be filled in the distant future.

I am certain, however, Mr. Speaker, that LEON GAVIN needs no words of praise from me. His life and the words of his deeds will be amply documented on the pages of history of this great body. The monuments that are his and the monuments erected through and by his magnificent service in this Congress are now built into the very fabric of our way of life and the freedoms with which we are endowed.

Mr. Speaker, he was an authority on the history of the War Between the States. He knew practically everything about this unfortunate event in our history. One of the great characters in this struggle was a favorite of LEON GAVIN—Stonewall Jackson.

Mr. Speaker, when Stonewall Jackson lay mortally wounded he is alleged to have said these words:

> Let us cross the river and rest in the shade.

Mr. Speaker, it is fitting that LEON lies in Arlington Cemetery, that he rests on the other side of the river in the shade with other heroes of another era and of another day.

Mr. Speaker, in the words of Robert Louis Stevenson:

> Here he lies where he longed to be;
> Home is the sailor, home from sea,
> And the hunter home from the hill.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Speaker, LEON GAVIN was my friend. He was a man of sterling worth, he was a great patriotic American and a gentleman of the highest order. I remember well when he came to the Congress. I had been here a few years. I learned to know LEON GAVIN as a hard hitter, yet a man with a big, good heart. I learned to know his heartbeats.

I spoke to LEO on last Thursday right here in the House. We had a nice visit. Little did I suspect he would leave this life just a few days thereafter.

LEO was the kind of fellow who never complained, yet we know how he had many days of suffering during the past few years. He was a brave soldier, a top sergeant in World War I. I always called him the "top soak," which he liked.

I shall miss LEO, as will all of my colleagues on both sides of the aisle. I join with my colleagues in the fine things that have been said about this great and good man.

May the same God who took LEO GAVIN to his heavenly home give his family strength to bear the great loss they have sustained.

God rest his soul.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. It is my pleasure to yield to our distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, for 21 years LEON GAVIN served with distinction, with ability, with courage, and with sincerity in this great body. By designation of this great body he held several important public positions of trust, getting experience which he quickly developed into expertness in the use of the machinery of the House of Representatives in the considerations both in committee and on the floor of the House.

During those years a very strong, close, and personal friendship developed between my dear late friend, our colleague, and myself, a friendship which I valued very much. It was only a day or two before his untimely death that we were chatting and engaging in a pleasant conversation, such as anyone always had when talking with LEON GAVIN.

In any cause to which he was dedicated and interested in, he was intense in fighting for the things in which he believed. For example, in the field of conservation he made and leaves behind him an outstanding record.

In 1954 the Izaac Walton League, the National Park Association, the National Wildlife Federation, the Wilderness Society, and the Wildlife Management Institute, jointly gave LEON a plaque for his championship of the National Park System. He was the second ranking man on the Republican side on the important Committee on Armed Services. During the period he served, many serious questions came before this committee, and the Congress of the United States in connection with the national interest and with the national defense of our country, and with reference to holding back and rolling back the vicious and evil forces of international communism. History will show that LEON GAVIN was always fighting and voting for those bills and those appropriations that made America strong, and that will enable our great country to take its position of leadership during this trying period in the world's history.

He was a man of independent views, a man of strong convictions, a man who voted as his judgment and his conscience dictated.

He leaves behind him a record that has now become an integral part of the history of this great body. He also leaves behind him a record that will be a great consolation to Mrs. Gavin, their two sons, and their daughter.

We come here and we serve for a period of time, in accordance with the will and the wishes of our constituents. We represent a spirit, each and every one of us, and we leave, whether by retirement or, as in the case of our late friend, through death. The spirit of our service is left behind and becomes a part of the atmosphere and the history of this body, and the spirit of LEON GAVIN's service has enriched this body and enriched the history of this body.

He leaves behind him a contribution that will always be recorded in the legislative pages of the Congress of the United States. He was a man who thought directly and talked directly, who expressed his views. You knew where he stood. He was a man possessed of nobility of character, a man who evidenced by his utterances and his actions his intense love of his fellow human beings.

I have been enriched in my life by knowing LEON GAVIN. I am sure all of my colleagues who served with him either in this Congress or in past Congresses have also been enriched. We are better men and women because we knew and served with such a noble-minded gentleman. Physically he has left us, but the spirit of LEON GAVIN remains with us. He will always be an integral part of the atmosphere and the history of this great Chamber.

Mrs. Gavin and her sons and daughter derive consolation from the knowledge that he believed in the truth, spiritual and otherwise, and that LEON lived up to what he believed in. I know they will derive great consolation from the knowledge that he dedicated himself to God and country, and that it will be a solace to them in the years that lie ahead.

To Mrs. Gavin and her sons and daughter, Mrs. McCormack and I extend our profound sympathy in their bereavement.

Mr. CORBETT. Mr. Speaker, I ask unanimous consent that the minority leader, the distinguished gentleman from Indiana [Mr. HALLECK], be permitted to extend his remarks at this point in the RECORD.

The SPEAKER pro tempore (Mr. ALBERT). Without objection, it is so ordered.

There was no objection.

Mr. HALLECK. Mr. Speaker, it was not until Monday morning, when I arrived at the Capitol, that I learned of LEE GAVIN's death on Saturday.

My reaction was one of disbelief. This just could not be.

And yet I realized in the next moment that this tragic news must be accepted and that a fine friend and great American was suddenly no longer with us.

It was my pleasure not so very long ago to speak in Oil City, LEE GAVIN's hometown.

On that occasion it was evident to me that the people he represented in the Congress so diligently and ably for so many years held him in highest esteem and had for him the deepest affection.

For those of us who knew him here, this was not hard to understand.

Our departed colleague is reported to have described himself as a "sort of maverick." I cannot vouch for the accuracy of that report. But I can say that, if this was the case, he was the most helpful maverick I ever knew.

The short biography LEE GAVIN offered for the Congressional Directory speaks volumes for his inherent modesty. It tells us that he was a Republican, an Army sergeant in World War I, that he was married and had a family, and that he served continuously in the House of Representatives from the 78th Congress to the present.

He must have been a great sergeant: tough, two-fisted, but with the most wonderful sense of humor a man could possibly possess.

He carried these same fighting qualities to his career in the Congress—and that same genius for rib-tickling comments that endeared him so very much to all of us on both sides of the aisle.

LEE GAVIN was a man genuinely loved by all who knew him, and he was held in highest regard here in the House of Representatives for his significant contributions as an experienced, dedicated, hardworking member of the Committee on Armed Services.

His presence in this Chamber will be sorely missed, and to his wife and family I offer my deep sympathy in their sudden bereavement.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, the State of Pennsylvania has suffered two losses within the last several months, one a Democrat and one a Republican, both distinguished Americans; first the dean of the delegation, Tad Walter, whom we on our side of the aisle all loved, and now LEON GAVIN, whom all of us on both sides of the aisle loved.

For nearly 20 years it was my privilege—and a great personal pleasure—to know, to work with, to admire and to respect LEON GAVIN.

He was, as we in this body say, "a Congressman's Congressman." He typified, in carrying out his responsibilities, the best in our congressional traditions. His unceasing diligence, his fairness and courtesy to all regardless of party, his eternal questing for the truth, his jealous regard for the prerogatives and the prestige of the House of Representatives—these qualities won him the respect and the high regard of all the Members of this House.

And these qualities also endeared him to the people of the 23d District of Pennsylvania. Time after time they sent him back to Washington with overwhelmingly majorities. They knew a good man when they saw him, they selected him as their spokesman, and they backed him up year after year. He never let them down.

We, and the people of his district, will miss LEON, but as we say our farewell, we remember that service—service to one's generation and service to one's country—is the noblest crown of life. Service—dedicated, unselfish service—certainly was LEON GAVIN's crown.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. CURTIN].

Mr. CURTIN. Mr. Speaker, it is with a heavy heart that I arise to join in the tributes being paid to our beloved colleague, LEON H. GAVIN. He was elected to the House of Representatives in 1942 and has served his State and Nation well and continuously since that date. His 21 years as a legislator attest his devotion to our great Nation and well-being of its citizenry. He was motivated by the highest principles of representative government, of which he was a part. He translated his belief in the fundamental principles of democracy into actions which benefited his Nation, his State, and his constituency.

I express my deepest and most heartfelt sympathy to his devoted wife and to his children for the irreparable loss which they have sustained. With a sad heart, I join them in mourning his passing and extend to them my sincerest condolences and prayers that the good Lord may lighten their heavy burden of sorrow and that they may get much comfort from the remembering of his dedication to those principles of good government, to which he was such a firm adherent.

Pennsylvania has suffered the loss of a famous son, and the people of his congressional disrtict have suffered the loss of a devoted and forceful advocate in the halls of this great body.

It is my devout prayer that he may find peace, rest, and eternal reward in his heavenly home.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. GOODLING].

Mr. GOODLING. Mr. Speaker—

The clock of life is wound but once,
  And no man has the power
To tell just when the hands will stop—
  At late or early hour.

Now is the only time you own:
  Live, love, work with a will.
Place no faith in tomorrow, for—
  The clock may then be still.

Little did any of us realize when we last saw LEON that his clock of life would be stilled so soon.

I was not privileged to know him as a younger man, but from what I have learned from colleagues, here was a man who actually did "work with a will." Pugnacious in the cause of right, he simply refused to take "no" for an answer. The highest tribute I could pay to LEON would simply be to say he was a good public servant, rendering devoted services to his congressional district, his State, and his Nation.

All of us want to remember him as a true friend, a man of courage, a two-fisted fighter but always displaying the human touch, an open mind and a warm heart.

No man is indispensable. The earth will continue to revolve on its axis, the sun will rise and set, the tide will ebb and flow but every Member of this House will miss the influence of LEON GAVIN.

My sincere sympathy to Mrs. Gavin and the family.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from Virginia [Mr. HARDY].

Mr. HARDY. Mr. Speaker, it was my privilege to serve with LEON GAVIN on the Armed Services Committee for a number of years. Ours was a pleasant personal friendly relationship, which enabled me to observe in him the many fine and unusual qualities which endeared him to his colleagues and to his constituency and earned his repeated reelection. LEON was a sincere man of strong character, intense conviction, and of great tenacity in his pursuit of those convictions. He will be especially missed by those of us on the Armed Services Committee, and I join with my colleagues in expressing a feeling of personal loss and my sympathy to his family.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Speaker, it is my sad privilege to join in this tribute to the memory of LEON GAVIN. LEON and I came to Congress at the same time. He was a genuine and honest person and was endowed with an especially keen sense of humor. His true character, however, I think is pointed up in his biographical sketch in the Congressional Directory. It was his modest choice to have it contain less than five sentences and yet it includes the words as has been referred to here many times today: "during First World War served as sergeant in the 51st Infantry." One knows how proud of that service as a sergeant he was. As my sons have reminded me—"sergeants have more authority." Certainly not that LEON wanted to dominate—except for justice and fairness and progress and Godliness and the good of all of us. He will always be all that a real and lovable "old sarge" means in its true sense. May God receive him and bless his soul forever. My wife and Mrs. Gavin have been friends for many years and she joins me in extending our deepest sympathy to Mrs. Gavin, their two sons, their daughter, and the entire family.

Mr. CORBETT. Mr. Speaker, I am happy to yield to the gentleman from Louisiana [Mr. HÉBERT].

Mr. HÉBERT. Mr. Speaker, in one of the great eulogies of history it has been said that the evil which men do lives after them, the good is oft interred with their bones. This could not apply to LEON GAVIN. There was no evil in him to live after him. The good that he did certainly was not interred with his bones but lives after him to remind us of the person who did live and who contributed so much to his country.

His booming voice has been silenced, but the beat of his great heart will continue to echo in the ears of those of us who now live and who are privileged to have known him. Those of us who were privileged to know him and to serve with him shall never forget him. For many years LEON GAVIN served on the Subcommittee for Special Investigations of the House Committee on Armed Services of which I was chairman. For the last 4 years he sat at my left hand as the ranking minority member of that committee. Wherever LEON GAVIN was present there was electricity in the air. He was stimulating, dynamic, and most effective. You could never forget having known LEON GAVIN.

The additional words I could utter now could in no way enlarge upon that which has already been said about him today in this body, so I merely pause to pay this simple and humble tribute to the memory of a man who had no evil but who had great capacity for good.

To Mrs. Gavin and his family and to his loyal Pennsylvania constituency may I express my deepest sympathy.

Mr. CORBETT. Mr. Speaker, it is my pleasure to yield to the gentleman from Pennsylvania [Mr. Dague].

Mr. DAGUE. Mr. Speaker, the Commonwealth of Pennsylvania stands bereft today of one of her most stalwart sons, this House has lost one of its most distinguished Members, and our delegation has witnessed the passing of a dynamic figure whose place in our midst can never be filled.

Our uncertain world of today has seen too few of his fearlessness and there are too few among us who care to invite the attacks of predatory interests by standing for the right as our late colleague was wont to do, even if he had to stand alone. Beneath the bluff exterior of this dedicated public servant you found a heart of gold and an infectious sense of humor that drew to his side a host of friends who never had to apologize for or explain his legislative or private actions.

It was my great privilege to enjoy Leon Gavin's confidence and he often reviewed with me his plans and aspirations which centered largely in the betterment of his district and the welfare of his friends and loved ones. Thus it was that when he came under recent attack by certain newspapers because of his stand for what he felt was right he displayed a sensitiveness that bordered on bewilderment that his years of service should be so quickly forgotten.

We shall mourn the loss of this good friend and in the years that may be left to us we shall recall our association with this shining exemplar of courageous public service based on honest convictions. His belief in a life beyond this vale was firmly established and we are divinely persuaded that he rests in a sunnier place where we shall all meet again those who have traveled on ahead. To his beloved wife Susan we extend our heartfelt condolences and to her and the other members of his family we offer our solicitude as they face a way ahead now darkened by this sad event.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from Texas [Mr. Mahon].

Mr. MAHON. Mr. Speaker, I wish to join with my colleagues in paying tribute to the memory of our departed friend, Leon Gavin.

Mr. Speaker, I have listened to these tributes and I have been struck by the fact that so many in the remarks have captured the personality of the real Leon Gavin. He was a forceful man, he was a fearless man. He was a just and capable man. He made a tremendous contribution to the welfare and security of our country.

Mr. Speaker, Leon Gavin did a good job on the committee of which he was a member, one of the most powerful and most important in this body, the Committee on Armed Services. His interests ranged beyond that. In my work on the Committee on Appropriations, and especially on the Defense Subcommittee, I found him always helpful, always interested, and always concerned about the problems of our Nation.

Mr. Speaker, it is a sad day for us all, but we can take pride in the fact that this man has left a heritage to the House of Representatives and to his family which will endure into future days.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. Whalley].

Mr. WHALLEY. Mr. Speaker, it is with great sadness that I rise to pay respects to our departed friend and colleague, Leon H. Gavin. I feel privileged to have been able to have had him as my personal friend.

Leon Gavin served his district and his Nation for many years with honor and distinction. His influence, and the warmth of his friendship extended far beyond the borders of his congressional district.

We shall feel his loss keenly, but can take comfort in the realization that, during his 70 years on this earth, Leon Gavin lived a rich and full life, characterized by unselfish service to others.

I join my colleagues on both sides of the aisle in extending deepest sympathy to his widow and to the members of his family.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from California [Mr. Bob Wilson].

Mr. BOB WILSON. Mr. Speaker, I would like to join my colleagues in a final tribute to a very great and distinguished American—a man who served with honor in the House of Representatives and commanded the respect of every Member of this body. With the passing of Leon H. Gavin, Mr. Speaker, I find that there is a void in the U.S. Congress which will be difficult to fill. During my few years in this body, as compared with the 21 years that Leon Gavin served his Nation in these halls, I have never found a more honorable friend or a more devoted public servant. He was devoted completely to his Nation, his State, his district, and to his family.

I served with Leon Gavin on the Armed Services Committee, where he was second ranking minority member—and outstanding champion of the enlisted men of the U.S. armed services. The military posture of this country today is the better for his dedication and hard work.

On many occasions, he and I would hold friendly feuds concerning the respective qualities of our home States—California and Pennsylvania. But I never once lost respect for this man who was a giant among men—both physically and mentally.

He led the fight for his constituents and his untimely death came before the completion of an important project he had championed for his district, the Allegheny River Reservoir Dam. We here in Congress will long remember Leon Gavin. We will miss him. And, the Nation will miss his clear-sighted knowledge and devotion as a public servant.

Mr. CORBETT. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. Bonner].

Mr. BONNER. Mr. Speaker, I learned with inexpressible shock of the death of my good friend and neighbor, Leon Gavin. We lived in the same neighborhood here in Washington and saw each other quite often. Our service in this great House has paralleled more than two decades. Naturally, I came in contact with him at home and here on the floor of the House.

Over the years we have served together I learned to recognize him as a Member of this body who had a deep interest in the welfare and preservation of this Nation. He stood quietly but firmly for the security of our country as a ranking member of the Committee on Armed Services. He carried forth the principles of other Members of Congress from his great State of Pennsylvania in recognizing the need and fighting for the preservation of our natural resources. He was a man of great influence.

Mr. Speaker, I found Leon Gavin to be a man of splendid character, interesting and jovial to be with. I shall miss him, as others in this body shall miss him.

Mr. Speaker, I express my deep sympathy to his family and his friends on the sad occasion of his passing.

Mr. BATES. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Massachusetts.

Mr. BATES. Mr. Speaker, I consider it a great honor to join my colleagues today in paying tribute to a man who served with me on the Committee on Armed Services for some 14 years and with my father on the same committee for several years prior to that time.

I have traveled all over the world with Leon Gavin. He was a diamond in the rough, a man who gave and asked no quarter in debate. On many occasions I know of the tremendous defense he made of the U.S. Army in the Committee on Armed Services to make certain that the mistakes made in World War I would not be repeated in the event that our country was engaged again in armed conflict.

Although he gave and asked no quarter, Mr. Speaker, I do not know of any man who had a bigger heart than Leon Gavin. He was a pleasant man to travel with, he was an understanding individual. I considered him a real friend, not only on these trips but also as we sat together during my eight terms in the Congress on the Committee on Armed Services.

The country has lost a forceful representative, all of us have lost a good friend. I extend to his wonderful family, in whom he had such pride, a heartfelt expression of condolence.

Mr. LIBONATI. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Illinois.

Mr. LIBONATI. Mr. Speaker, Congressman Leon Gavin was a man of solid personality—a strong, determined advocate in debate and a stanch supporter of legislative program proposals in the field of conservation and public improvements in depressed areas.

He was faithful to his party and yet made his own determinations in matters affecting the public interest.

He was a realist, practical and understanding of the problems of his people. He was kind and considerate of the rights of others and fought for principles to protect their interests.

He was a fighter at heart and loved to enter into spirited debate. His whole life interest was centered in his legislative work. As a dedicated Member of the House in the 20 years of his service he developed superb faculties of discernment and strongly voiced his position in the simple terms of the philosophers of old, colored by the earthy experiences of life itself. He spoke straight out, mincing no words and sparing none once he made up his mind that he was right.

He was a fearless public servant whose high integrity bespoke his honesty of purpose to service his district with a deep sense of loyalty to their needs and attitudes.

A great man has left us—the void he left is great—we of the Illinois delegation lost a loyal friend, a true statesman, and a powerful leader in our support.

The State of Pennsylvania has lost a great personage of high statesmanship and influence in this body. The Nation has lost a great patriot and public servant.

We send our heartfelt condolences to his lovely widow, Mrs. Susan Gavin, and his beloved family. May the Lord bless him and reward him with heavenly bliss.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. CORBETT. I yield to the gentleman from Indiana.

Mr. BRAY. Mr. Speaker, I first became acquainted with Leon Gavin shortly after I came to Congress about 13 years ago. About 11 years ago I became a member of the Committee on Armed Services and from that time on had been very closely associated with him. I found him to be a dedicated man, a man who never compromised on his principles, who always fought for what he believed to be right.

There are many fine things I could say about Mr. Gavin, but one of the greatest is we have never had a man in this Congress who showed a more continuing interest in the welfare of the enlisted man in our armed services. I do not recall any legislation coming before the Committee on Armed Services where he did not take a special and leading interest in the welfare of the enlisted man. He could be compared in many ways with Ernie Pyle, the great writer of World War II, who glorified the enlisted man in the service. That was an outstanding characteristic of Leon Gavin.

We who knew him well knew that with all of his seriousness that he had a keen sense of humor.

He was a very dear friend of mine. He was held in the very highest of respect by his colleagues. He was a man of character and a fighter for America.

We in the Committee on Armed Services will miss him in committee and all of us will miss him on the floor of the House. While I never knew his family intimately, I do know of his great devotion to them and know that they knew they had a very devoted husband, father, and grandfather.

All of us will miss Leon for a long, long time.

Mr. CORBETT. Mr. Speaker, I ask unanimous consent that the following gentlemen may have permission to extend their remarks at this point in the Record: Messrs. Fulton of Pennsylvania, Milliken, Schweiker, Kunkel, Weaver, McDade, and Auchincloss.

The SPEAKER pro tempore (Mr. Albert). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a real feeling of personal loss to learn of the passing of my good friend, Congressman Leon Gavin, of Pennsylvania. I join with my other Pennsylvania colleagues in paying tribute to our longtime friend and outstanding dean of the Pennsylvania Republican delegation. We are all sorry to learn of the sudden passing of Leon Gavin, who has faithfully served the Congress and his district for 21 years.

Leon Gavin was an example for those of us who worked with him, as a man strong in his beliefs, dedicated, patriotic, and determined in his convictions.

Not only have we Members of the Pennsylvania congressional delegation lost a close friend and colleague, but the whole Congress will miss Leon Gavin, who had attained the second ranking position on the Armed Services Committee of the House of Representatives where he had served so patriotically and effectively. As a veteran of World War I and who served during World War II in the Congress, and continuously since that time, Leon Gavin worked and fought for a strong defense of our good country.

I express especially to Mrs. Susan Gavin, as well as her two sons, William G. Gavin of Falls Church, Va., and Attorney John R. Gavin of McCandless Township, Allegheny County, Pa., and daughter, Mrs. Gordon Gudmestad of Seattle, Wash., my sincere sympathy in their sorrow and my deepest personal regards.

We friends will certainly miss Leon Gavin, and his cheery, hearty greeting as he entered any delegation or committee meeting, "At ease, men, I was a private once myself." Such warm hearted and loyal friendships are really worthwhile, and Leon was a fine Congressman and a fine friend.

Mr. MILLIKEN. Mr. Speaker, it was with great shock and a profound sense of loss that I learned of the sudden death of my colleague from Pennsylvania, the Honorable Leon H. Gavin.

During my years in the House of Representatives I came to admire and respect "Lee" Gavin as one of the outstanding members of the Pennsylvania delegation. His life was one of dedicated public service—to his district, his State, his country, and the Committee on Armed Services on which he served so ably.

The people of the 23d Pennsylvania District have lost a real public servant and a friend in "Lee" Gavin. He will be sorely missed by them, as well by his many colleagues on both sides of the aisle in the House where he served so many years. To Mrs. Gavin and to his family I offer my sincere sympathy.

Mr. SCHWEIKER. Mr. Speaker, it was with a deep sense of sorrow that I learned of the death of my distinguished colleague from Pennsylvania, the Honorable Leon Gavin. His constituents, his many friends in the Congress, and the people of Pennsylvania have suffered a great loss in his passing.

His unfailing devotion to duty and his dedicated service to his district, his State, and his Nation will be sorely missed. The intelligent guidance and helpful advice which he willingly gave to his younger colleagues have endeared him to many.

Leon Gavin's unselfish leadership as head of the Pennsylvania Republican delegation will not soon be forgotten. For me, it has been a distinct honor to serve as delegation secretary under his able chairmanship.

His family and countless friends may always take comfort in knowing that Leon Gavin has left a deep mark on the world he served so well. Claire and I extend our deepest sympathies to Mrs. Gavin and her family.

Mr. KUNKEL. Mr. Speaker, never have I been more deeply shocked and grieved than when the news of the sudden death of my tried and true friend, Leon H. Gavin, was flashed on the television last Sunday afternoon.

We had been good friends ever since Leon's first election—to the 78th Congress. In all that time, I can never remember any disagreement with him on any subject other than the friendly arguments one has here in the House in respect to differing viewpoints on legislation. But Leon was a broadminded man. You could differ with his views and opinions without fear of marring your personal relationship in even the slightest degree.

Leon was a sturdy individualist. He studied legislation carefully. He reached his own independent conclusions. He always acted for what, in his judgment, were the best interests of the Nation and the State and his district. Few people have ever worked more strenuously for the welfare of a district than did Leon for his. There are many memorials to his efforts now dotting the 23d District of Pennsylvania. In any projects or matters affecting the welfare of the State of Pennsylvania, Leon was always a leader in the battle to obtain them.

Leon was the dean of our delegation on the Republican side. He was the eighth ranking Republican in the House. For many years he had been a distinguished and valuable member of the great Committee on the Armed Services. At the time of his death, he was the second ranking Republican member. He took a tremendous interest in his committee work. He contributed greatly to the building and maintenance of the defense of our Nation in many ways through his activities on that committee.

Leon was always ready to assist a friend. I can recall many instances when he willingly and enthusiastically cooperated with me in helpful ways. He had unbounded energy and a keen sense of humor. I will always remember the way he would come into our delegation meetings with the announcement, "At ease, I was a private once, myself."

The Nation, the Congress, the State of Pennsylvania, and in particular, the 23d District and his countless friends have suffered a great loss.

I am saddened by the loss of his warm and understanding friendship, but I am thankful for having once possessed it.

To his wife and family, I extend my deepest sympathy.

Mr. WEAVER. Mr. Speaker, in the death of Mr. Gavin the Pennsylvania delegation, the Commonwealth of Pennsylvania, and the Nation have lost a distinguished leader who ably served his country.

His loss will be particularly felt in northwestern Pennsylvania. We of Pennsylvania have closely observed his concern for the welfare of his constituents and the conscientious manner in which he handled problems facing the Nation.

He was a sincere, dedicated public servant whose election to the House 11 times indicates strongly the confidence and faith his constituents placed in him.

Mr. Gavin, through his long tenure in office, gained a thorough knowledge of the operations of Government. His advice and counsel since I became a Member of Congress have been invaluable to me.

Mr. Gavin had a deep interest in conservation work. He consistently fought for adequate funds for the development of forests and the fish and game resources on public lands. For his interest in this field he was presented a national award for distinguished service.

In his services as a member of the House Armed Services Committee he championed a strong America and showed a sympathetic interest to the problems and welfare of members of the armed services and veterans.

Who could forget his pride in being a sergeant of World War I. Many times when he would stride into the Pennsylvania delegation meetings where he served as dean and chairman, his top sergeant voice would boom out: "At ease men—do not stand up; I was once a private myself."

The warmth and vitality of this long-term Congressman was and is an inspiration to all of us who follow in his footsteps.

It is with deep regret that I express my sympathy to Mrs. Gavin and the members of her family.

Mr. McDADE. Mr. Speaker, I join with my colleagues in the House to extend my deepest sympathy to the family of Congressman Leon Gavin.

Knowing Leon was to me a great privilege. He demonstrated qualities of leadership and a tireless devotion to his district, to the Congress, and to the Nation. Perhaps more important than all of these, Leon possessed rare qualities of kindness. This, more than the tremendous record of his accomplishments, will remain with me always.

Leon "fought the good fight, he finished the course, and he kept the faith." We shall all miss him deeply.

Mr. AUCHINCLOSS. Mr. Speaker, I am much saddened by the untimely death of our colleague, Leon Gavin, who represented the 23d District of Pennsylvania. He came to Congress the same year that I did and I always had a deep respect for his judgment and was honored by his friendship.

He called himself a sort of a "maverick" and indeed it is a fact that he asserted his independence not only in his thinking but in his actions. However, there is no doubt that people admired him for this quality and although he may not have agreed with you, he bore no ill will and there was no rancor in his heart. He was blessed with a constructive and keen sense of humor which he used on occasions to emphasize an argument and it would make a definite impression on his hearers. His remarks on Ground Hog Day were looked forward to by his colleagues and although his subject was always the same, there was nothing trite or repetitious about what he said and it was a delight to listen to him.

There were few men that I have known who had a greater spirit of patriotism or love for America than Leon Gavin. He was a devoted citizen and had no patience or tolerance for any theory of government or ideology which would weaken the fundamental principles on which our Nation was founded. He was an inspiration to all with whom he came in contact and an example for all Americans in the honor and respect he gave his country.

His death leaves a void in the Congress which will be hard to fill but the memory of this great man will linger long in the hearts of those who knew him and the effectiveness of his unselfish and ardent spirit will last through the ages.

I extend my sincere sympathy to the members of his family who suffer greatly in this bereavement and I bid them take heart and comfort in the knowledge that he was a "true and faithful servant" who has attained a rich reward.

Mrs. KELLY. Mr. Speaker, today I join my fellow Members of Congress in paying tribute to the memory of a most esteemed colleague, Leon Gavin.

In his long and distinguished career of public service, Leon Gavin was notable for his dedication and perseverance. Determined to achieve that which he believed to be right, he worked hard and successfully for the welfare of his home State, and the Nation as a whole.

My deepest, heartfelt sympathy is offered to his family. May God's blessings sustain them in their loss.

Mr. SIKES. Mr. Speaker, I share the regret that has been expressed by my colleagues over the death of our colleague, Leon Gavin. It is a very genuine regret. Here indeed was a man. His service was outstanding. We served together for a longtime. I knew him better than most. I think he was absolutely fearless in his approach to the problems before the Congress.

Here was a man who gained and held the respect of his colleagues even when he differed with them. We knew that he spoke, in his vigorous and straightforward manner, from the heart; that he was sincere. Here was a man who loved his America, who stood up for it, who fought to preserve and protect its institutions, and who gained a great name by his devoted and unselfish service. A strong voice is gone; a strong leader is gone; a sincere and devoted American is gone. In Leon Gavin's death, the Nation has lost an able and articulate spokesman for good and sound government.

Mr. PHILBIN. Mr. Speaker, it is with a very heavy heart indeed, as well as with a sense of shock and deepest grief that I learned of the sudden, unexpected death of my very dear friend and esteemed and admired colleague, Congressman Leon Gavin, of the great State of Pennsylvania.

Only a few days ago I talked with him at some length in the House and in the House restaurant, but as usual, he appeared to be hale and hearty, extremely vigorous, and in good health. He looked exceptionally well, and in his characteristically lively, forceful manner, exchanged views with me on a number of pending public questions and controversies presently before the Congress.

When I left him, little realizing it was our last talk, he cheerfully wished me a good weekend and remarked that he looked forward to seeing me Monday. So I repeat, Mr. Speaker, I am shocked almost beyond expression, and touched as I have seldom been by word of his truly untimely and unanticipated demise.

Leon Gavin was one of the greatest Americans I have ever known. He was a patriot in the best sense of the word—dedicated to his country, and to the cause of free, democratic government. In war and in peace, he enthusiastically and courageously demonstrated his loyalty and devotion to the principles of our Nation and the American way of life.

He was a man of very strong convictions which he did not hesitate to express. He was a man of great humane quality who had deep feelings for his fellow man and the people of the rank and file of our citizenry. He was the true friend of the people, their stalwart champion and eager servant.

In his work on the House Armed Services Committee, which he performed with great diligence, sincerity, and high purpose, time and time again he made it clear beyond any doubt that he was not only very well informed concerning the needs but absolutely committed to meeting them promptly and efficiently in the interest of the national security and a well rounded, effective national defense. As a fellow member of the committee, like all colleagues, I greatly admired him.

His extensive experience in military action during World War I, in which he made a distinguished record, gave him a deep insight into the problems of the armed services and enabled him to make particularly valuable contributions to the deliberations and work of our committee.

Endowed with great natural ability, impeccable character, high ideals, devotion to lofty principles and an eagerness to serve his district, State and country, Leon Gavin has left us all a legacy of able, devoted public service which will long remain an inspiration.

He will long be remembered in this historic Chamber for his rugged Americanism, his profound love of freedom, his able, dedicated service, his outstanding patriotism, and the depth of his compassion for the inarticulate, the poor, helpless, and the needy.

In the passing of Leon Gavin, a devout and God fearing soul, I have lost a dear and valued friend. The House has lost one of its most able and zealous Members. His district has lost an outstanding representative, and the Nation has lost a loyal and devoted patriot and public servant.

My heart goes out to his bereaved family whom he loved so dearly—his gracious helpmate and wife, Mrs. Gavin, his loving sons, their families and all his dear ones, whose loss is so great, so poignant and so deeply felt.

I hope that in this great sorrow that has come to them with such crushing suddenness that the good Lord will bring them true reconciliation, strength, consolation and peace, and I hope and pray that our beloved and cherished friend, Leon, may find everlasting surcease and rest in his heavenly home.

Mr. SCHNEEBELI. Mr. Speaker, the dean of our Pennsylvania Republican delegation, Leon Gavin, was a friendly, lovable, and dedicated legislator. Since the beginning of this year, when he was elected our delegation chairman, Leon brought our group together much more closely as a unit by his sympathetic leadership and we shall certainly miss him on the floor and as presiding official at our biweekly meetings. He worked hard at building our group into a harmonious unit and he was most cooperative with each of us in the delegation.

Leon took his legislative responsibilities most seriously and he was ever trying to determine his proper course of action. He was dogged in his objectives, as was noted in his recent success in having secured approval for authorization for the Kinzua Dam project in his congressional district. He had many odds and disadvantages to overcome in achieving this success but he was relentless and driving until he finally succeeded.

Leon enjoyed tremendously his work as a Congressman and he was rightfully proud of his many accomplishments in behalf of his ideals. We shall miss him and his beneficial guidance and counsel in the future. Mrs. Schneebeli and I extend our deep sympathy to Mrs. Gavin in her grief and sorrow resulting from Leon's sudden and tragic passing.

Mr. MURPHY of Illinois. Mr. Speaker, it was a great shock to me, and to my staff, on learning of the untimely passing of Congressman Leon H. Gavin.

Mr. Gavin was in his 21st year as a Representative of the 23d District of Pennsylvania. He was second ranking minority member of the House Committee on Armed Services, and dean of the Republican delegation from Pennsylvania.

Mr. Gavin was deeply interested in flood control and devoted his untiring efforts toward the completion of an important project for the construction of the $100 million Allegheny River reservoir dam in Warren County, Pa. His great interest in wildlife was indicated by his acceptance as a House representative on the National Migratory Bird Conservation Commission.

Leon Gavin was one of the first Members I met when I became a Member of the 86th Congress. Because our offices are adjacent, a close friendship and warm relationship developed between us and members of our staffs. He was helpful to me in setting up my office and his staff has been very cooperative with mine.

Leon was not only my colleague, but a close personal friendship existed between us. His loss will be keenly felt by not only his constituency but by the entire membership of the House of Representatives.

Mrs. Murphy joins me in extending our heartfelt sympathy to Mrs. Gavin, his lovely daughter, and two sons for the great loss they have sustained. May God grant him peace everlasting.

Mr. MORGAN. Mr. Speaker, we are all saddened by the sudden death of our colleague, Leon Gavin, who was dean of the Pennsylvania Republican congressional delegation.

I knew Leon through the years of our service in the Congress as a sincere friend and gentleman who, although on the opposite side of the aisle, was always ready to cooperate whenever he thought the case was just or whenever the action would be of benefit to our country and State.

He represented the 23d District in northwestern Pennsylvania with conscientious ability. He was elected by comfortable majorities for 11 terms, which is evidence of the esteem in which he was held by his constituency.

He was the second ranking minority member of the House Armed Services Committee. He served that committee and this Congress with distinction.

He was a good man, a sincere, earnest, able, and hard-working legislator. He will be missed, not only by this Congress but by the State of Pennsylvania and the Nation. To his widow and his children who survive him, I extend my deepest sympathy.

Mr. LANGEN. Mr. Speaker, once more we gather in the hushed atmosphere of this room to speak softly but sincerely of a colleague whose voice has been stilled by the firm hand of our Maker. There is a certain amount of regret in our hearts as we rise in eulogy; regret that our departed colleague is not present to hear what we say; regret that many of our words were not uttered long ago.

Leon Gavin walked up to me in this very Chamber the Thursday before his death. We had our usual friendly chat and the subject turned to the problems of maintaining good health. I was pleased to hear that Leon apparently had none of the problems that face others. He remarked that he had never felt better. His words were sadly recalled 3 days later as the flags were lowered to half-mast in his memory.

We will miss Leon Gavin's dedication to the principles of good government. We will miss his devotion to his country and to this legislative body. We will miss his vast experience as a lawmaker.

Ground Hog Day will never be quite the same without his pertinent remarks on the subject.

We will long remember his forceful and persuasive voice as he faced this body, a voice that could and often did put a certain amount of fear into the hearts of his listeners. Unless you knew Leon Gavin well, you might not perceive the quiet, thoughtful personality within.

Our sincere sympathy is extended to his family in their hour of sorrow. We, too, will miss Leon Gavin, an American statesman who gave his full measure to the preservation of the freedoms he held so dear.

Mr. SAYLOR. Mr. Speaker, with the death of Leon Gavin, the House of Representatives has been deprived of a dedicated, able, and conscientious Member.

The State of Pennsylvania and his Congressional district have lost a public servant whose entire political career was distinguished by the highest sense of duty and service.

Those of us in this House who were privileged to know him well have lost a valued friend and a wise colleague.

His family, to whom we all extend our heartfelt sympathies, have lost a devoted husband and father.

Leon Gavin was his own man. His stand on public issues was dictated by his head, his heart, and his conscience. This independence was an inspiration to all of us and a source of the profound respect in which we all held him.

Leon Gavin is dead, but he has left us a rich heritage.

He has left this House a better place as a result of his 20 years of service here.

He has left his country a stronger nation, especially as a result of his keen interest in conservation and his work on the Armed Services Committee.

And he has left to each of us a noble gift indeed—the memory of a man whose life exemplified the highest ideals of honor and integrity.

Mr. HALEY. Mr. Speaker, I rise to join our colleagues on this sad occasion in paying tribute to our departed friend, the late Leon Harry Gavin, Representative from Pennsylvania.

It was my privilege to meet Leon soon after I became a Member of the 83d Congress. We represented different regions of this great Nation. We were members of different political faiths and we never served together on a committee of the Congress, but we became good friends and I cherished this friendship.

This was a man who was dedicated in the service of his State and his country. I had the deepest respect for his ability, for his knowledge and for his long and effective service in the House of Representatives.

I know that the people of Pennsylvania have lost a noble son. Our Nation has lost one of her finest citizens and most able legislators.

To Mrs. Gavin and her children, I express my deepest sympathy.

Mr. KIRWAN. Mr. Speaker, it is with deep regret that I note today the passing of one of our dear friends and colleagues from Pennsylvania, Leon Gavin.

It was my privilege to have served with him during his 21-year career in the House, and I shall long retain fond memories of our association.

Over the years Leon Gavin earned the respect and esteem of every Member of this body. He was a man of immense character; more so, he was a man of his word. His dedication and determination were well known to his colleagues as well as to his constituents who reelected him on 10 consecutive occasions. He was an ardent partisan, but an independent voter, and he cherished his independence.

It is said that a man is best judged by those with whom he works. I think I can speak for the whole House when I say that in the estimation of his colleagues, Leon Gavin was a fine man.

We are all a little poorer with the loss of any valued item, but we are poorer still with the loss of a good friend.

Mr. McCLORY. Mr. Speaker, in expressing admiration for the life and works of our late colleague, Leon H. Gavin, I want to recall that during this—my first term—it was my privilege to have my office next door to his in the Longworth House Office Building.

Mr. Gavin was cordial and friendly to me as well as to others with whom he came in contact. A legislator of courage and conviction, he expressed his considered views articulately, both on and off the floor of the House of Representatives. He gave modestly the benefit of his wisdom, gained from a lifetime of experience and adherence to the highest principles.

The spirit and the wisdom of Leon H. Gavin, esteemed and long-time Member of Congress from the 23d District of Pennsylvania, will live on—in the Halls of Congress and in the memory of his colleagues. The respect and praise expressed on this occasion can attest in only a small measure to the high esteem in which we have always held him.

In joining in these expressions of respect for my friend and colleague, the late Leon H. Gavin, I want also to communicate my deep and heartfelt sympathy to his beloved widow and children.

Mr. O'HARA of Illinois. Mr. Speaker, today there is a void in this historic Chamber and in our hearts is the pang of a personal grief. It is difficult to understand the pattern of life. Only on last Thursday as I was coming through the tunnel to the Capitol I was charmed, as I have been on many occasions during many years, by the heart-warming voice of Leon Gavin in greeting of a colleague and a friend. He seemed in the full vibrancy of life and there was no indication in his manner or his appearance that it was the last time I was to hear a voice that long association and warm friendship had endeared to me. I was shocked when I heard of his passing in a radio news broadcast on Sunday.

Leon Gavin was genuine in everything that he did and he was genuine in every word that he uttered. There was nothing artificial about Leon Gavin. Affectation was foreign to his nature. I shall always remember him as a great American who in high public office lived up to the tradition that a public official is a public servant.

I shall always remember his speeches from the well of the House, his ringing voice, his employment of plain and understandable words, his ardor, his so apparent sincerity in his convictions. In the seven Congresses in which I have served with him I cannot recall a single occasion when the Speaker had to call the House to order because the Members were not listening.

In his passing I have lost a beloved friend and I shall miss him sadly. I share in the grief of his wife and children, and to them I extend my deepest sympathy.

Mr. McINTIRE. Mr. Speaker, the passing of our colleague and good friend Leon Gavin touched me with deep sadness.

It was my privilege to have his friendship and counsel during my entire service in the House of Representatives, and this association is one that I will always treasure.

Leon Gavin was always an eager and able participant in the legislative proceedings of this Chamber, and he was held in the highest regard by the Members of this body. As both a person and a legislator he will be sorely missed.

Mrs. McIntire joins with me in extending heartfelt sympathy to the members of the Gavin family.

Mr. HEMPHILL. Mr. Speaker, it is with sadness today that I join other Members of the U.S. House of Representatives in paying tribute to the life and the service of the late, the honorable, and the beloved Leon Harry Gavin, who so ably represented the 23d District of Pennsylvania in the U.S. Congress. To his family and his legion of friends, Mrs. Hemphill and I extend our deep and continuing sympathy.

It was not my privilege to know Congressman Gavin intimately. Like so many others, I only knew him through his appearance and his work here on the national scene. He was a man of honor, and a source of aggressiveness. He was determined and he was dedicated. All of us recognize that he strictly attended to the business of the Congress, especially the business of the Armed Services Committee on which he was so valuable a member for so many years.

We can take example from him. Example of service and dedication and dignity. I would hope that his family and friends find comfort in the reflection of a useful life lived by a man who was truly a great American.

Mr. KEOGH. Mr. Speaker, it was with sadness that I learned of the sudden passing of our distinguished and beloved colleague, Leon H. Gavin of Pennsylvania, for he was my good and old friend.

For 21 years, Leon Gavin served faithfully and well in the House. He represented a mixed industrial and farming area in northwestern Pennsylvania and, unfortunately, died before the completion of a project in which he was greatly interested and which consumed much of his interest and effort—the $100 million Allegheny River reservoir dam now being constructed in Warren County, Pa. He was the second ranking Republican member of the Armed Services Committee and the dean of the Pennsylvania delegation. He was a sincere, hardworking Member whose bright bits of levity occasionally lightened the arduous proceedings of this body.

Leon Gavin was a kind and friendly man without malice who devoted himself to the interests of the people of his home community and to the welfare of our country. He will be greatly missed by all of us who were privileged to know him and to serve with him. I extend to Mrs. Gavin and to his sons and daughter my deep and heartfelt sympathy on their great loss. I hope that they will find consolation in the thought that Leon had a long and active life and leaves behind a rich heritage of public service.

Mr. RHODES of Pennsylvania. Mr. Speaker, I was saddened to learn of the death of my respected colleague, Representative Leon Gavin, of Pennsylvania's 23d District.

Representative Gavin was dean of the Republican delegation from Pennsylvania and was highly respected by all Members of Congress of both political parties.

I have known Leon as a very good friend ever since I came to the Congress. His cordiality, good humor, and dedication to public service made him a justly revered friend and an outstanding Congressman.

I join all of his colleagues in offering my condolences to Representative Gavin's family.

Mr. COHELAN. Mr. Speaker, I join with our colleagues in expressing deep sorrow and regret over the passing of a revered and valued Member of the House.

It was my great privilege to serve with Leon Gavin on the House Committee on Armed Services. There, and on the floor of the House, I came to know and respect this man as a loyal and distinguished public servant; as a courageous American dedicated to the ideals of our country and to those policies which he believed would enable us to achieve and maintain our greatness.

"Sarge" Gavin, with his voice and bearing, brought the image of the first sergeant to the Halls of Congress. He was proud of his well-earned nickname and responded to it with zest. His comrades of World War I and his colleagues seldom could remember Leon—it was always "Sarge," and it stuck. The U.S. Army has lost a devoted and loving advocate. His support of the "GI" was unceasing. "Sarge" Gavin's colorful presence in the House where he served so faithfully for so long leaves an enormous void. But the legend of "Sarge" will be remembered wherever "dogfaces" and "doughboys" get together.

Mrs. Cohelan joins with me in extending our heartfelt condolences to Mrs. Gavin and their children.

Mr. DORN. Mr. Speaker, in my 15 years of service in the Congress, I have never known a more conscientious, more dedicated, hardworking Congressman than Leon Harry Gavin. He gave his life in the service of his country. From the time he was a soldier in World War

I, he fought for a strong national defense; he was a great statesman, and America is a more secure nation as a result of his dedication, patriotism, and outstanding service.

Mrs. Dorn joins me in deepest sympathy to his devoted family.

Mr. GROSS. Mr. Speaker, I feel a real sense of personal loss in the death of my friend, LEON GAVIN.

He was a dedicated, working Member of the House. Beneath his brusque exterior and his readiness to fight for what he believed to be right, all of which led me to affectionately address him as "Scrap Iron," there was a warm and friendly heart. Members of the House will miss his presence and will not soon forget him.

I join with my colleagues in extending sincere condolences to Mrs. Gavin and the other members of his family.

Mr. RIEHLMAN. Mr. Speaker, I was shocked, along with other Members of Congress, to learn of the death of LEON H. GAVIN.

Ever since I have been a Member of Congress I have known him quite intimately. Through the years I have appreciated the assistance and advice he has so generously given me.

I was particularly fortunate in obtaining his advice on matters dealing with the Military Establishment. He devoted so much time and energy to this field and was truly expert in it.

His loss will be deeply felt in the House of Representatives, his community, and in our country.

I offer my heartfelt sympathy to his family.

Mr. WINSTEAD. Mr. Speaker, I was shocked and grieved to learn of the passing of my friend and colleague, the Honorable LEON H. GAVIN. The State of Pennsylvania, as well as the entire Nation, has lost one of its most outstanding citizens.

It was my privilege to serve with LEON on the House Armed Services Committee for many years. I have never known a more dedicated and patriotic American and I am certain that, through his effective and untiring efforts as a member of the committee, he made many lasting contributions to the defense of the country he loved so well.

LEON GAVIN will be greatly missed by his colleagues in the House and I know the people of his congressional district will find the task of replacing him a difficult one indeed.

To his devoted wife and other members of the family, I extend deep and sincere sympathy.

Mr. DERWINSKI. Mr. Speaker, I join my colleagues this afternoon in paying my deep respect to our distinguished former colleague, LEON GAVIN, whose sudden death last Saturday night was a great shock and loss to all of us.

LEON was a hard-working and conscientious Representative, an outstanding citizen, and a credit to his State and to the Nation. Since his election to Congress in 1942, his service to the people of his district won for him their utmost faith and confidence, which was evidenced by the overwhelming majorities with which he was continuously returned to Congress.

LEON GAVIN was particularly interested in conservation, and had been honored nationally by the National Parks Association, the Izaak Walton League, and other organizations and societies, for his great work in this field.

We shall miss him greatly, and I join my colleagues in extending deepest sympathy to his family.

Mr. STRATTON. Mr. Speaker, I rise to express my deep sadness in the loss of my good friend, our colleague, LEON GAVIN. Since coming to the Congress 5 years ago I have had the privilege and pleasure of serving with LEON on the great Committee on Armed Services. I had come to have a high regard for his integrity, for his outspoken courage, for his independence, and for his dogged persistence in behalf of those causes in which he deeply believed.

As one who had served in the Army in World War I, LEON GAVIN was always an effective spokesman in our committee for the Army, indeed more particularly for the hard-working, plodding, unsung rank-and-file infantryman who really wins the battles and wins the wars, even in this mechanized and computerized age of ours. Even with the growing complexity of sophisticated and automated weapons systems, LEON GAVIN never let our committee or those representing the Department of Defense who appeared before us forget that after all we needed to look out for the men whose courage and whose willingness to run risks really provided the core of our military preparedness.

Mr. Speaker, GI Joe lost a real friend and champion in the passing of LEON GAVIN, and we too in this Congress have lost a dear and a thoughtful and a devoted colleague. I only hope that as a result of my own years of association with LEON GAVIN perhaps something of his concern for the man who wears the pack, the man who carries the rifle, the man who walks and climbs instead of riding—the so-called little man, whether it be in military operations or in any other field of human endeavor—has rubbed off on me and that in that committee which LEON loved so devotedly and which he served so effectively we can all join together in the months ahead to carry on the fight that he had come to make so distinctively his own.

Mr. HALL. Mr. Speaker, I join in expressing the sense of loss that the Congress and the Nation have suffered in the death of LEON GAVIN. It was my privilege to serve with LEON on the Armed Services Committee.

As the second ranking minority member of that committee, he made a lasting contribution to the security and well-being of our country. He had a great sense of responsibility both to his constituents and to the Nation as a whole, and he always applied his vast experience toward the solution of the difficult issues before our committee.

He will be missed by all of us, and I want to express my sympathy to his family, even while assuring them that the impact of his dedication to principle will always remain among us.

Mr. PELLY. Mr. Speaker, the sudden passing of our colleague, LEON GAVIN, deprives the Congress and the House of one of its most effective Members. Likewise it deprives the Nation of one of its most devoted and patriotic citizens.

LEON GAVIN was always in the forefront of any legislative issue involving the defense of our country and he was an ardent and vigorous debater. Also in matters of interest to his country, his State, and his legislative district he never failed to actively fulfill his responsibilities. Mr. Speaker, all Members on both sides of the aisle respected LEON GAVIN and held him in real esteem and affection.

Certainly, our departed colleague will be greatly missed and fondly remembered in the years to come.

His death is a real loss and I join his friends and colleagues in expressing profound regret. A great legislator, a good citizen and a genuine and good man has gone to his reward.

Mr. EVINS. Mr. Speaker, I wish to join with my colleagues from Pennsylvania and others in paying a brief but sincere tribute to the memory of our late colleague, LEON H. GAVIN, the gentleman from Pennsylvania, whose sudden death has saddened us all.

Congressman GAVIN has had a long and distinguished career of service as a Member of this body. He was an important and well respected and esteemed member of the Committee on Armed Services. He was a gentleman of integrity and character who served honorably and well his district, State, and Nation.

I knew LEON GAVIN as a warm friend and colleague. During my early years of service in the House, I lived in the same apartment building with Congressman GAVIN and we began a friendship at that time which continued through the years.

I know of his great fight to secure approval of appropriations to have built in Pennsylvania the great Allegheny Dam. He fought tirelessly for the things he believed to be best for his district and State—and I admired him for his great work and dedication. He was a great American and will be greatly missed.

I extend to Mrs. Gavin and to the other members of his family an expression of my most sincere sympathy in their loss and bereavement.

Mr. CONTE. Mr. Speaker, it is with a great sense of loss that I join with my colleagues in mourning the death of LEON H. GAVIN. His death on Saturday at the age of 70 was a severe blow to me, and he will be sorely missed in this House where he served so long and so notably.

Not only was his death a shocking blow to all who knew him but also to those whom he served in the greater State and Nation. I say this because LEON GAVIN spoke for the entire Nation as well as for the district he represented in northwestern Pennsylvania.

A distinguished Republican in the House, and the second ranking Republican member of the Armed Services Committee, LEON GAVIN was not a rubber stamp for any man, and often voted against the wishes of his party if he felt that a particular issue was not in the best interest of the Nation.

Congressman Gavin impressed his colleagues in many ways, Mr. Speaker, and was a great source of inspiration to the younger Members of this body.

A dedicated wildlife expert, and the House representative on the National Migratory Bird Conservation Commission, Leon Gavin fought diligently for a sound national wildlife program. I personally benefited from his warm and gracious advice on numerous occasions.

On a working basis, it would be hard to imagine a more genuine man, and daily meetings with him were a thing of great joy. His wit was precious, and he was a serious man. This is a rare distinction in times like these. He will be greatly missed, and I want to extend my deepest sympathies to his wife and three children.

Mr. CHENOWETH. Mr. Speaker, I was greatly saddened last Sunday when I learned of the passing of our colleague, Leon Gavin. I wish to extend my sincere sympathy to our colleagues from Pennsylvania on this great loss, which all of us share with them.

I recall when Leon Gavin came to the House. We had mutual friends in my hometown of Trinidad, Colo., who had known Leon in Pennsylvania. This gave us a common interest and I soon learned to appreciate his many sterling qualities. We had many pleasant visits and I always enjoyed talking to him.

Leon Gavin was a sincere and dedicated public servant. He was most diligent in looking after the interests of his people. He was enthusiastic about any work in which he was engaged. There was never any question as to where Leon Gavin stood on issues considered by the House.

I liked Leon and I am going to miss him. His passing is a distinct loss, not only to his district, but to his State and the entire Nation. He was an able and efficient legislator, and served in this body with great distinction. Leon Gavin was a patriotic American, and a champion of constitutional Government.

I extend my deep personal sympathy to Mrs. Gavin and the children.

Mr. FISHER. Mr. Speaker, Leon Gavin was elected to the 78th Congress. He and I entered Congress together and I have known him quite well throughout the time he served in this body. For a number of years both of us have been members of the House Armed Services Committee. These associations have given me an opportunity to become well acquainted with him and to understand and appreciate his many outstanding qualities.

Leon Gavin was an honorable man. He was an uncompromising enemy of graft and corruption in any form and was one of the leaders in the House in opposition to waste and extravagance in the operation of the Federal Government.

Leon was a fighter and a very articulate advocate of principles of good government which he espoused. At the same time, he was very humble and took more than a passing interest in the little things in the lives of the people with whom he was associated. He was indeed a beloved character who fought the good fight and achieved and deserved the plaudits, the admiration and respect of all his colleagues. I extend to the family my deepest sympathy in their bereavement.

Mr. MILLER of California. Mr. Speaker, Leon Gavin was my friend and I shall miss him. All of us shall miss him and that makes our sorrow all the more poignant.

I have many enjoyable memories of association on the Committee on Armed Services and although our political views differed we were drawn together by virtue of the fact we were both World War I veterans. This was a strong tie.

It was my good fortune to travel to Europe on more than one occasion with Mr. Gavin. We were both interested in history, particularly that of World War I. We visited several of its battlefields and cemeteries together.

Like you, I shall miss Leon Gavin but I am the better for having known him and to have considered him a personal friend.

Mrs. Miller joins me in extending our heartfelt sympathy to Mrs. Gavin and his family.

Mr. GOODELL. Mr. Speaker, I rise to express my grief at the loss of a friend. Leon Gavin, of Pennsylvania, who so ably represented the 23d District, which adjoins mine in New York State, is gone from this Chamber.

Lee Gavin served in the 6th Division in the First World War. He was always a "top sergeant" who exhibited a bulldog tenacity to his principles which were so greatly admired in this House. His was a deep commitment to his district. Few Congressmen can match his record of devotion to public works. He worked tirelessly to advance the development of his area, searching out and grasping onto those ideas which could help the people of the 23d District. It was with a sense of duty, for example, that he opposed to the Area Redevelopment Administration amendments this year, and he was tortured by the necessity to vote "no" on this program which might have brought some superficial assistance but which, in the long run, he felt, was unwise.

As this House knows well, he was an energetic and dynamic proponent of the Kinzua Dam project on the Allegheny River in Pennsylvania. I was against the construction of the dam until all possible alternatives were explored. Lee Gavin was a stalwart and worthy opponent. On several occasions Congress heard his impassioned plea for Kinzua. I can hear his voice rising now in righteous indignation.

Lee Gavin was a strong and vigorous legislator. Perhaps more important, he was an effective Representative.

To us who were his colleagues, he was a warm and generous friend, with a gentle and wry humor. He is gone but his district and this House cannot forget what he has done, and what he was.

May God give his family the strength to endure their loss. They have our sympathy. May God also grant this House more men like Leon Gavin.

Mr. ROONEY. Mr. Speaker, it was a great shock to me to learn of the sudden and unexpected passing of my longtime friend and colleague, the Honorable Leon Gavin, of Pennsylvania.

It is with a heavy heart that I join my colleagues in paying tribute to him. He long will be remembered in these Halls of Congress for he was, indeed, a man of deep convictions, a man of courage and determination. As second ranking minority member of the House Committee on Armed Services, he continually worked for the welfare of the enlisted men of the U.S. Armed Forces.

Leon Gavin's life was dedicated to public service. The people of his district, of his beloved State of Pennsylvania, and of the entire country will surely miss the able leadership of our departed friend. To his wife, his sons, and his daughter, I extend my heartfelt sympathy upon their great loss.

GENERAL LEAVE TO EXTEND

Mr. CORBETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the Record following the remarks of the gentlemen referred to above.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

LEGISLATIVE PROGRAM FOR WEEK OF SEPTEMBER 23

Mr. BATTIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. BATTIN. Mr. Speaker, I take this time to inquire of the majority leader if he can give us the program for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. BATTIN. I yield to the gentleman from Oklahoma.

Mr. ALBERT. In response to the gentleman's inquiry, Mr. Speaker, the program for next week is as follows:

Monday is District Day. There are no bills from the Committee on the District of Columbia to be considered on that day.

However, there will be taken up five travel authority resolutions from the Committee on Rules, as follows:

House Resolution 510, Committee on the Judiciary.

House Resolution 514, Committee on Agriculture.

House Resolution 515, Committee on Merchant Marine and Fisheries.

For Tuesday and the balance of the week, H.R. 8363, the Revenue Act of 1963, which will come up under a closed rule with 8 hours of general debate.

Mr. Speaker, we have finished the legislative business for this week.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 23

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore (Mr. LIBONATI). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

VICE PRESIDENT LYNDON B. JOHNSON

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD and include a newspaper article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, it is very fortunate, particularly at this time of the world's history, that we have as Vice President of our country, the Honorable LYNDON B. JOHNSON. The Members of both branches of the Congress are very proud of the Vice President, who has served in both branches of the Congress, beginning his public career on the national level in the National House of Representatives. He ably cooperates with President Kennedy, with great ability and loyalty, in the conduct of our country's affairs. On several occasions, he has represented our country abroad, as an ambassador of goodwill; there is no one who surpasses him from the United States.

Vice President JOHNSON has just returned from a trip abroad, during which time people of the several countries he visited received him with enthusiasm and friendship. His recent trip abroad was a great success in the national interest of our country.

In my remarks I include a splendid and interesting article entitled "Johnson Again Able Ambassador," written by Gould Lincoln, and appearing in the Washington Evening Star of September 17, 1963.

JOHNSON AGAIN ABLE AMBASSADOR

(By Gould Lincoln)

Vice President LYNDON JOHNSON'S goodwill tour of the Scandinavian countries, from which he returned today, has been a major success, judging by the warm receptions accorded him, Mrs. Johnson, and their daughter, Lynda Bird. The tour, which was proposed by Secretary of State Dean Rusk with President Kennedy's approval, came at an excellent time. The nuclear test ban treaty had been negotiated and hailed as a step—a first step—toward lessening of world tension, particularly between Communist Russia and her satellites and the nations of the West. It was part of the Vice President's mission to stress again the need of the West to keep its guard up—to maintain unity of purpose and defense against any possible Communist aggression. This meant a strengthening of NATO—not a weakening, not a time for complacency and letting the guard down.

Not since the Vice President's historic and successful trip to West Berlin in August 1961, a week after the Communists had sealed off, with wire and wall, East Berlin from West Berlin, have the Vice President's talents been used more effectively. At that time the West Berliner's morale was at a low ebb, and so was that of all West Germany, fearing that Britain, France, and the United States might be lessening their determination to maintain the freedom of West Berlin. Mr. JOHNSON gave them the reassurance they needed, along with a pledge that this country would live up to its promises to the people of West Berlin. And at the same time President Kennedy sent the Vice President to West Berlin, he ordered 1,500 additional U.S. troops to join the 11,000 already in that city. A million West Berliners turned out to welcome and to cheer the arrival of the Vice President. At one point, he hopped out of his automobile and walked briskly along for five blocks, shaking hands with the West Berliners and stopping to kiss babies.

RENEWS U.S. PLEDGE

It was with the same friendly handclasps that the Vice President met the thousands of Swedes, Norwegians, Finlanders, and Danes who greeted him on his arrival in their countries on the last trip. His last visit was to Iceland before his final flight back to the United States. The tall Texan has an attitude for making friends, and winning the confidence of people. While the trip was not made under such dramatic conditions and during such stress as was his visit to West Berlin 2 years ago, it nevertheless had its value, at a time when there has been much suggestion that United States and Britain were inclined to ease off, to let the nations of Western Europe look to themselves. As he did in West Germany and West Berlin, the Vice President pledged again and again the willingness of the United States to fulfill 100 percent its obligations.

Geographically, these Scandinavian countries border or are close to Soviet territory to the north and west of Russia. Their cooperation, in case of need in any crisis with the Communists, would be valuable. They are in position to block the straits leading into the Baltic Sea, Russia's way out by water to the North Sea and far reaches of the Atlantic. In the past, these countries have not had an opportunity to see and welcome a Vice President of the United States, and it was a good stroke, diplomatically as well as realistically, to send Mr. JOHNSON among them.

SAMPLE OF REACTION

A sample of how the Swedes felt about his visit is contained in an editorial appearing in Ny Tid (Social Democratic) published in Goteberg, which reads in part: "The Swedes can feel proud now that for the first time they are paid a visit by a Vice President of the United States. The Gotebergers also feel proud as the program provides room for a quick visit to their city. Since we are not allied with the United States (Sweden remained neutral in the last World War) there are hardly any urgent reasons for either President Kennedy or his alternate to control on the spot the tenure of our relations. When, nevertheless we receive a visit it probably is because we mean, or are considered to mean, something in the world. LYNDON JOHNSON has been given a much better reception in the Swedish press than Nikita Khrushchev, both when the latter cancelled his visit after the press attacks and when some newspapers now want him to cancel it anew." The editorial spoke highly of Mr. JOHNSON'S abilities.

In Denmark, the Vice President called for continued NATO defense efforts, and he voiced the same plea in Norway. He impressed on their leaders the need for being on guard in periods of relative relaxation—such as that which may follow the ratification of the test ban treaty. He received assurance on their part.

The Vice President discussed many other questions of interest, like shipping and trade. He still has his report to make to the President, which he is expected to do promptly.

MARCH ON THE STATE CAPITOL IN MONTGOMERY, ALA.

Mr. GRANT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GRANT. Mr. Speaker, last night I called upon the President and the Attorney General, in their conference today with Martin Luther King of Atlanta, to request that the ill-conceived and contemplated march on the State capitol in Montgomery be abandoned.

The morning press reports that members of the so-called Student Nonviolent Coordinating Committee is arriving in force in Birmingham. This is a time for outside agitators to stay out of Birmingham and out of Alabama.

Practically everyone in Alabama deplores the deaths caused by the recent bombings in Birmingham. The Governor of Alabama and all law enforcements officers of the State, county, and city governments are doing everything within their power to bring those guilty of these crimes to justice. All of these agencies are diligently working with the FBI in an all-out effort to solve the crimes. Generous rewards have been offered by the Governor of the State, by other local governmental agencies, as well as by organizations and individuals.

It is most regrettable that there are some who will exploit this unfortunate and tragic occurrence. Looking for a scapegoat is going to do no one any good. Some of the Negro leaders are criticizing Governor Wallace and charging him indirectly—by his actions—with the responsibility for these crimes. He has, of course, been no party to such, and I am sure he deplores this occurrence as much as anyone in the State. The Governor's fight for segregation in the schools has never advocated violence in any form; and, if responsibility is to be placed, it can be placed more on the continual influx of outside agitators to Birmingham and to the whole State.

In the city of Montgomery, the capital of the State of Alabama, the two races are living in peace and harmony, and the citizens of both races there do not approve of this senseless march.

CIVILIAN EMPLOYMENT

Mr. JOHANSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, sometimes a statement can be technically accurate and yet totally misleading.

I regret to say that the President of the United States made such a statement last night in his address to the Nation on pending tax legislation.

I quote the President's statement:

> In fact, there are fewer Federal civilian employees today than there were 10 years ago.

That statement is technically accurate.

As of July 31 of this year, there were 112,088 fewer Federal civilian employees than on January 31, 1953.

As a member of the Manpower Utilization Subcommittee let me relate the rest of the story which the President did not tell.

At the low point of Federal civilian employment during President Eisenhower's administration, the figure was 315,267 below the 1953 total when Mr. Eisenhower took office.

At the end of Mr. Eisenhower's term in January 1961, the net reduction in Federal civilian employment for his 8 years in office was 280,667.

As of July 31 of this year, after 2½ years of Mr. Kennedy's New Frontier, Federal civilian employment has increased 168,579 to the total of 2,537,353.

President Kennedy did not tell the American people that last night.

Let us keep the record straight.

JUSTICE DEPARTMENT INTERVENTION IN THE NORTHEAST AIRLINES CASE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, it is of more than passing interest to note that the Civil Aeronautics Board has told the Justice Department to get out of the Northeast Airlines case.

Justice Department intervention in this case has all the earmarks of the improper type of interference with independent regulatory agencies that was deplored by various Democrat political figures, notably in the Sherman Adams-Goldfine case, the problems of personal contacts with FCC Commissioner Richard Mack, as well as similar activity in other regulatory agencies.

Congress deplored that activity, and properly so. We should be even more concerned now that Justice Department power should be used in the manner it is being used in this case.

It is understandable why some New England legislators would be interested in the future of an airline based in that area. However, it seems incredible that Justice Department intervention would be sought or that Attorney General Kennedy would permit Justice Department intervention. We can hope that the CAB action stops it.

BRACERO CASUALTIES IN CALIFORNIA

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from California [Mr. TALCOTT] is recognized for 20 minutes.

Mr. TALCOTT. Mr. Speaker, a horrible, tragic accident occurred in my district, just outside my hometown of Salinas, 2 days ago. Twenty-nine men lost their lives, four more may die; a number more were seriously injured.

The accident was so stunning and so grievous that people in my district could do little more than convey genuine, although almost totally inadequate, condolences to the bereaved families, friends, and associates of these men. Of course, no reference hereinafter made by me applies to or refers to a colleague. I certainly do not impugn the motive or interest of any colleague for being concerned with this accident. Many Members of Congress have demonstrated a genuine concern and appreciation for the individual bracero.

However, there will be ghouls and demagogs outside of Congress, so crass, so insensitive, so depraved, they will attempt to make personal, political capital out of this tragedy. Even while some men hover perilously near death, while some men still cling tenaciously to life, while others are dying; these base exploiters will stoop to misrepresentations, false claims, and distortions concerning the accident, to achieve their miserable goals. When a cause lacks merit, the advocates often resort to misrepresentations of facts and distortions of the issues. If an objective is so weak, if arguments are so unpersuasive that a terrible accident, death, and grief must be wrenched into the debate, all decent people will have cause to be ashamed, if not nauseated by the methods.

The only circumstance of this particular accident which distinguishes it from other such horrendous accidents is that most of the dead, dying, and injured are braceros—Mexican nationals working temporarily in this country under Public Law 78 as supplemental farmworkers. This simple, singular circumstance may be an open sesame for some evil minds to exploit the sudden death, misery, and grief for political and economic profit, without scruple or decency. Such crass reaction would be unthinkable if the dead were schoolchildren, football players, Boy Scouts, GI's, or art dilettantes.

In a belief that all of my colleagues in the House want to make their decisions on fact rather than emotion, that they seek the truth and abhor taking advantage of death, pain and sorrow, I want to report my findings concerning this shocking accident. I know the area where the accident occurred. I have talked with reputable reporters who were on the scene, the TV photographer who took the ghastly pictures you have seen, officials of the California Highway Patrol who worked this assignment, the county coroner and some others. Reconstruction of the events leading up to the accident and the facts of the accident itself, with absolute certainty, is humanly impossible, but the consensus now is as follows:

The farmworkers were returning from work in a celery field; some were domestics, most were braceros. Their bus, not a truck, accommodated 69 passengers—although only 60 were aboard. The bus was a late model, well constructed, properly equipped, in good condition and met all the rigid California State safety regulations. Although I have not read the regulations of all other States relating to labor buses, I believe no other State has more rigid safety and comfort requirements than California.

The bus was being driven by a legal resident of the United States—a "greencarder"—not a bracero. The driver held a valid California chauffeur's license and was duly qualified to drive the vehicle.

The bus was approaching U.S. Highway 101 about 8 miles south of Salinas, on a private grade crossing of the Southern Pacific Railroad at 4:27 p.m. The weather was clear and daylight. The windows of the driver's cab appeared to have been open.

There may be a conflict of evidence regarding whether the bus stopped momentarily or stopped completely and then proceeded onto the railway tracks.

The diesel engine of a northbound Southern Pacific freight train struck the bus midcenter of the the passenger section, at an approximate speed of 65 miles per hour. The tremendous impact draped the bus over the front end of the train, dragging it a half mile before screeching to a stop. Debris and bodies were strewn the distance. The train was not derailed. There was no fire.

Twenty-two were found dead at the scene; four more were dead on arrival at nearby hospitals in Salinas; two died during the first night; one succumbed yesterday; four are still critical.

The driver, miraculously, was uninjured. He is being held in the county jail charged with felony manslaughter. As gross as his negligence may have been, I have only the greatest pity for him. His punishment has already been enormous. His remorse cannot be measured or appreciated by any other man.

What more can a person say about such a sad, horrible event. My pity for the driver, my grief and condolences for the survivors and the families and friends of the deceased is exceeded only by my anger and contempt for those who may attempt to use this accident for their mean political or economic purpose or benefit.

In my district where the farmworker, whether domestic or bracero, is appreciated, respected, treated decently, and fairly paid, we are just as sorry and sad for the Mexican as for the American citizen.

I am disgusted to nausea to report the following remark—not by a Congressman or public official—relating to the multiple deaths: "Well, there will be at least 28 more jobs for Americans." The blatant crudeness and falseness deserves no comment. Another remark: "This ought to scare some of those 'wetbacks' from coming to this country." This is a shamefully crass remark, which I loathe to repeat, but which needs to be reported.

Many of us who know something about these labor buses want to refute the accusations that they are unfit for men and that the passengers are treated like animals. These are the same buses which are often borrowed to transport our Boy Scouts, Little Leaguers, church students. We have as much concern for the safety of our Boy Scouts, our Little Leaguers, and our church students and our farm workers as any other community.

In spite of a myriad of general and specific laws and regulations of the governmental agencies and of the practices of the farming and food processing industries, designed to insure the safety and comfort of all farm workers, some accidents are certain to occur. In spite of the most diligent efforts, the most prudent conduct, the best equipment, and the most modern safeguards, accidents will occur involving airplanes, trains, school buses, and labor buses. We are grateful that the number is small.

Any future argument that we should abandon the bracero program because of one unfortunate accident, even though caused by the gross negligence of one man, will employ the most tortured and wretched logic.

Any such demagogic logic, exploitation of grief, or wrenching of profit from tragedy, would have outlawed soccer in England—some 20 players—a whole team—died in an airplane crash in Yugoslavia—football in California—where our own San Luis Obispo Cal-Poly football team was killed in an airplane accident in Toledo, Ohio, in 1961—and where perhaps even more negligence was involved—public schools in Greeley, Colo.—where some 26 youngsters were killed in an almost identical accident just 2 years ago—U.S. Army—where some 16 POW's were killed in a bus returning from work in a sugar beet field in Michigan in 1945—the Atlanta, Ga., Art Association—where over 100 Americans were killed when an Air France charter crashed in Paris less than 2 years ago.

I do not recall anybody being so perverted, so insensitive, so crass as to exploit these other tragedies. I am certain that every Member of Congress will reject and shun any future attempt to convert this tragic accident into an argument against an extension of the bracero program.

If this great tragedy had to occur, and I do not pretend to understand God's will, perhaps it is well that it occurred in my district. Adequate hospital facilities, three; ambulances, many; blood, free—American Red Cross—doctors, nurses were available. Doctors, nurses, aids worked around the clock. The grim work of the California Highway Patrol required doubling of many assignments. The officers and deputies of the sheriff and coroner performed admirably. The news media discharged their obligations well. I believe the governmental agencies which investigate and evaluate this accident will report that the community responded magnificently to the worst tragedy in California bus history. Lives were saved, grief was cushioned, pain was alleviated. Not every rural, farming area in America could respond so adequately, professionally, or sympathetically.

This is the worst tragedy for our community since our National Guard unit—one of the first to be called to active duty in World War II—was almost completely annihilated at Bataan.

Regardless of this horrible tragedy, in spite of the future mouthings of demagogic ghouls, and even though the true facts of this accident will be intentionally and wilfully distorted and misrepresented, the bracero will still be eager to return, to work and live temporarily, in the Salinas Valley where the climate and working conditions are good, wages are high, facilities, food, and lodging are excellent, and the farm laborer is appreciated and respected for his work and for himself.

"Slave law" is an expression often seen in some newspapers which is false and maliciously inflammatory. Show me where or when in the history of mankind that free men knowingly and willingly, time after time, climb fences, swim rivers, risk imprisonment, to work at wages of one-half of what we pay in California for only a few months of the year. Facts refute the mean charges. Reiteration should not give credibility to erroneous statements.

"Indenture servitude" is another such misused expression. "Indenture" means an agreement in writing. There is little practical difference between a Public Law 78 contract and an agreement by organized labor with management—except that the agreement pursuant to Public Law 78 requires that the wages be increased whenever the domestic wage increases—not simply at the end of a term. We all enter into agreements of employment. Public Law 78 is not servitude or bondage—because these men can return whenever they wish—some do.

Most of them, however, want to return to California, year after year. The Mexican Government has no problem of recruiting—only of selecting and allotting. There have been riots in Mexico by applicants who were denied the right to come here as braceros.

The words have an emotional, inflammatory ring, but they are false by definition, fact, and practice. It is a travesty that the mere repetition of falsities give them currency.

In some areas there is an adequate supply of domestic farm labor—in some places there is a surplus, perhaps. No proponent of Public Law 78 denies this. But another more obvious fact is that in many places, especially at harvest time, there is a great shortage of domestic farm labor—such a shortage that enormous amounts of crops would spoil without a supplemental supply. My area is one of the latter. We welcome the domestics from other areas—we do everything practical to recruit them. We hire every single jobseeker. Nevertheless we still have a desperate undersupply of domestic farm labor—and have had since the 1870's.

We look forward to the time when we will no longer need the bracero or any other imported worker. In spite of yeoman effort, that time has not yet come in our area, nor in many other areas of major agricultural production in the United States.

Public Law 78 provides nicely and fairly for both areas and situations. Where there is an adequate supply of domestic labor—there are no braceros. If a single domestic wants a job—bump the bracero. But where it is impossible to obtain adequate domestic farm labor—then permit the bracero to enter temporarily under close supervision. To most persons who analyze the facts and conditions, this seems fair and reasonable.

Incidentally, inventions and developments by the farming industry in our area have permitted other areas to mechanize and eliminate the bracero.

If the farmers in any area of the United States do not need braceros, they are not required to use them. Such area should be glad for itself, but should not try to deny the program to farmers in other areas who need them desperately.

For months I have been soliciting suggestions for a practical, reasonable substitute for the bracero program. One suggestion is that we permit all of the braceros to immigrate to the United States, without restriction, as permanent immigrants and residents. I am unashamedly opposed to this suggestion. We need temporary, supplemental labor in agriculture only. In other industries, we have much unemployment, underemployment, and borderline between employment and unemployment especially in the unskilled and low-skilled jobs.

These employed, underemployed and unemployed do not transfer to stoop labor on farms for many reasons. However, the bracero is a bright, energetic, industrious, ambitious worker and, after the first harvest, he would very quickly transfer to another industry—service, building, manufacture, or transportation—and would create the worst panic imaginable among the present workers in these industries.

Furthermore, I believe we should revise our immigration laws, but not just in favor of the Mexican nationals.

One other point which I really do not need to make. Sometimes the underdog needs defending even if by a friend. The braceros who come to our area, and I doubt that they are different from the braceros who come to other districts, are not ignorant. They might not speak English when they arrive, but this is not the only manifestation of ignorance. They have many of the characteristics which we most admire—a deep religious faith, devotion to their families, industry, ambition, brightness, honesty.

I recognize that it is difficult for the United States and Mexico to prevent Mexican nationals from coming into the

United States illegally without the bracero program. The reason is simple—the natural, economic and social demands on both sides of the border are so great that unrealistic laws invite breach. Another virtue of Public Law 78 is that it practically eliminated the illegal Mexican entrant or "wetback."

I have taken this time—not to criticize—only to present some facts and to urge all of my colleagues not to permit an unfortunate, tragic accident to affect their judgment until the official reports are available. We should be extending our genuine condolences rather than ghoulishly digging around lifeless or anguishing bodies for mean political propaganda.

All the circumstances of this accident are being thoroughly investigated by six separate agencies. Nothing will escape these local, State, Federal, and international investigators. I request unanimous consent to include the official reports of these agencies, when completed, in the body of the Record.

FAR EAST POLICY

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Harvey] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. HARVEY of Michigan. Mr. Speaker, in an editorial in the Washington Post on July 28, 1963, that newspaper accused our colleague from Michigan [Mr. Broomfield] of appointing himself Assistant Secretary of State for the Far East.

What aroused the ire of the Washington Post editorial writers was an amendment offered by the gentleman from Michigan to cut off foreign aid to Indonesia unless the President declared that such aid was in the best interests of the United States.

It seems that we now have a third Assistant Secretary of State for the Far East.

This morning the Washington Post published another editorial on the subject of Indonesia. The Post proposed that the Government of the United States recall its Ambassador from Indonesia, suspend all foreign aid to Indonesia, lay plans for "forceful and immediate responses to the present situation" by related agencies of our Federal Government and, in essence, get ready for a possible war in that troubled part of the world.

It is interesting to note that the Post is now advocating exactly the same policy for which it so harshly criticized the gentleman from Michigan [Mr. Broomfield] less than 2 months ago.

Perhaps the Post's "September Song" reflects a greater maturity and a greater understanding of world affairs than was present during the "Lazy, Hazy, Crazy Days of Summer." Let us hope so, and let us hope that the Department of State attains the same realistic evaluation of a serious situation.

For the benefit of my colleagues, the editorials which appeared in the Washington Post on July 28 and September 19 follow:

[From the Washington Post, Sept. 19, 1963]

Indonesian Aggression

In a generation more given to order, the behavior of the Indonesian mob that burned the British Embassy in Djakarta would have been regarded as just occasion for the severance of diplomatic relations if not for a declaration of war.

Disregard of the properties and decencies and amenities of international conduct has been repeatedly forgiven and condoned in new countries where the maintenance of order seemed genuinely beyond the power or genius of the Government. It can hardly be passed over lightly in a country which has had every opportunity to establish order and which now has every capacity to enforce order in its own capital.

The British would be right to summon home their Ambassador. They will be justified if they sever diplomatic relations. The Government at Djakarta either countenanced this disorder, and is thereby guilty of a calculated offense, or it occurred in spite of it, in which case the Government is convicted of a degree of incompetence so great as to make the maintenance of normal relations impracticable.

The Indonesian Government commenced with the high hopes and support of much of the free world. An exceedingly rich economy, an amiable and industrious people, great natural advantages for a maritime power all combined to make it likely that the new country would be viable economically, progressive socially, and stable politically. These hopes and expectations have been increasingly disappointed by a regime that has done its best to sabotage its own interests and to conceal its gross incompetence by external military adventures clothed in clouds of sheer demagoguery.

The outcry against Malaysia puts a powerful case into the hands of those who said at the time of the West Irian dispute that in Indonesia there was arising an aggressive, expansive, insatiable military power bent on constructing a new colonialism in its own area of the world. That new colonialism now seems likely to have all the evils of the old colonialism plus an inability even to confer order upon the hapless people who fall under its tyranny.

Whatever Great Britain does, the Government of the United States ought to call its own Ambassador home and restudy its own relations with a regime that grows less and less responsible. In the meantime our aid program should be suspended. And while our Ambassador is in this country for consultation, the related agencies of government ought to lay their plans for other forceful and immediate responses to the present situation and to prepare contingently for military measures which alone seem to hold any prospect of containing Indonesian aggression. We seem to have largely solved the problems of the old colonialism, put in train solutions to the problems of neocolonialism, only to founder on the challenge of a new colonialism as odious as its predecessors.

[From the Washington Post, July 28, 1963]

Showing Sukarno

Representative William S. Broomfield, a Michigan Republican, has appointed himself "Assistant Secretary of State for the Far East." He is annoyed with President Sukarno, of Indonesia, and has decided that the House Foreign Affairs Committee should declare war by stopping all military and economic aid to that country. Initially, the committee voted down Diplomat Broomfield, but in an unfortunate reversal the House unit tacked on the amendment that would require President Kennedy to make an invidious finding before any help went to Indonesia.

Mr. Broomfield's views on southeast Asia policy are interesting, and deserve to be heard. But the results of congressional dictation of foreign policy, which has already caused so much mischief in our relations with Poland and Yugoslavia, demonstrate the wisdom of our Founding Fathers in making the conduct of diplomacy an Executive function, carried out with the advice and consent of the Senate. The first virtue of a diplomat is patience, a trait not in excessive supply on the House floor, and a kick at Sukarno at the very moment when there is more moderation in Djakarta is not in the national interest.

NORTHEAST AIRLINES—VICTIM OF A GOVERNMENT-CREATED MONOPOLY

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, free enterprise is the essential basis of our entire economic system. To protect it from the abuse of monopoly we have antitrust laws, and we have a Justice Department charged with their enforcement. It is not only the best interests of business that are served by the prevention of monopoly and the encouragement of healthy competition, but also the best interests of the public.

The danger of monopoly becomes no less great when it is created by decree of a Federal agency. But the CAB has done just that in its recent decision to remove Northeast Airlines from its south-of-New York routes and leaving vital air corridors in the hands of only two airlines. Worse yet, when the Department of Justice petitioned to intervene, stating that "the traffic statistics, the decision of the Board, the clear intent of Congress, the firm policy of the Federal Aviation Act, all clearly demonstrated that the east coast Florida market, one of the richest in terms of profits and the largest in terms of passengers, must be serviced by at least three carriers," the CAB refused to let them participate in the arguments over reconsideration.

The Justice Department's statement that the immediate monopolistic value if a third carrier is not allowed to continue in the east coast market would be worth $4 million in profit to National and $6 million to Eastern—clearly more than adequate to support any third carrier in this market—apparently did not interest the CAB either.

Mr. Speaker, this is a ridiculous situation—one agency acts in direct violation to a Federal law and the department responsible for the enforcement of that law must ask permission to intervene, and then stand idly by when the permission is denied. A situation such as this, with two agencies of the Federal Government in head-on collision creates confusion and impairs confidence in good government.

I have therefore introduced legislation providing that the Attorney General may intervene or take an appeal from a final order of any U.S. agency if the agency's decision would reduce competition or create a monopoly. Mr. Speaker, I cannot emphasize strongly enough the importance of immediate action of this legislation to avoid the dire effects of monopoly and reduce competition on Northeast's southern routes.

The principle involved is a vital one to our free enterprise system and the practice is of vital importance to the economy of New England. If Northeast is knocked out of competition by the CAB decree and if there should be another strike on Eastern, people in New England would be virtually unable to travel to Philadelphia, Washington, and Florida. Congress might then be faced with another situation such as the railroad strike when we were forced to legislate a solution in violation of the principles of free collective bargaining.

FREEDOM OF THE PRESS OR GOVERNMENT CONTROL?

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. HOSMER. Mr. Speaker, there are several bills pending before this body, including two of my own, to prohibit the Federal Government from competing with private wire services engaged in dissemination of news or other information.

My bill, H.R. 8341, is directed specifically to the Department of Agriculture, which already is engaged in such an activity through its New Marker News Service, established last August 1 without any statutory authority, as far as I have been able to determine. This bill has been referred to the Committee on Agriculture.

My other bill, H.R. 8214, would prohibit any department, agency, et cetera, from disseminating news by wire in competition with private wire services. It has been referred to the Committee on Interstate and Foreign Commerce.

The Agriculture Department news service is being vigorously opposed by the American Newspaper Publishers Association, and many individual newspapers throughout the land have voiced their editorial opposition to it. They consider it an unwarranted and highly improper intrusion by the Government into a field which always has been, and should continue to be, reserved to taxpaying American free enterprise.

The objections which have been raised quite properly warn that the entry of the Government into the news wire business could lead to complete Government control and censorship of the news. As has been pointed out by ANPA, such a development is inherent in the Agriculture Department's own statement that it will deny its market news service to any subscriber at any time for alleged "misrepresentation of reports, or for any other reason when in its sole judgment such cancellation is desirable."

In commenting on the market news service, Editor & Publisher, the trade magazine of the newspaper publishing business, said in an editorial:

> This is a dangerous precedent and should be suspended immediately. A Government, or official, news agency is the last thing we want in this country. It would lead to attempts by other Government agencies to enter the same area and this particular endeavor would put the Government in the censorship business in odious form.
>
> The Government has no more business in this area of news dissemination than it has in the ownership of a newspaper, radio, or television station.

The Secretary of Agriculture has stated that the new Market News Service makes available "public information on commodity markets through a system of leased wires linking over 200 farm markets and marketing regions." Then he went on to say that "the Government receives no revenue for this, nor does it add to the budgetary costs of the service."

Even if it were possible for such an activity to be carried on without cost to the taxpayer, the Secretary has unwittingly underscored the very objections which have been made to his new project. He is supplying Government-source news to private subscribers without cost to them; they get it "for free" from Orville Freeman. All they have to pay is the wire charges of the American Telephone & Telegraph Co., whereas they have to pay the Associated Press, United Press International and other wire services for their news gathering services. Certainly the private subscriber would like to receive news for nothing, but where does that leave the private enterprise wire services which pay reporters to gather this news, which pay taxes, which go about their business at no expense to the taxpayers?

If there are some who see nothing sinister about the Government being in the news-dispensing business, who do not fear the establishment of an American Tass, let them consider the Department of Agriculture's own defense of its new wire service. In a printed brochure, USDA stated that:

> All circuits carry a variety of additional marketing information, as it is available, on crop and livestock production, storage holdings, meat production, and various USDA news releases of importance to marketers.

This is a clear acknowledgment that the Department has embarked on a program of spoon feeding its news to the public—news as the Department of Agriculture sees it. Commenting on this, the American Newspaper Publishers Association has said:

> This clearly provides the apparatus whereby Government officials will select the information they want to make available, put it in the form of news releases and move it on the Government-leased news wire. This apparatus becomes a propaganda agency and, instead of promoting greater access to public information, as the Secretary of Agriculture has claimed it will, it stifles inquiry of Government officials who, as public servants, are supposed to answer inquiries from members of the public who are paying the cost of operating the Department of Agriculture.

To those who see nothing sinister about the Agriculture Department's trial balloon news wire service, let them also consider a recent proposal by Commissioner Loevinger of the Federal Communications Commission. In a speech made soon after the balloon was launched, he complained that the Nation's private wire services are not geared to production of the spoken word, only to that of the written word and that, as a result, radio and television stations are not being properly served by them. He further complained that the broadcast stations are not devoting sufficient time to broadcasting news and implied that this was due to the poor quality of the news as received from the private wire services.

And what was Mr. Loevinger's solution for this "problem?" He proposed that FCC licensing authority be used to force the radio and television stations of the country to establish a news service of their own to replace the Associated Press and United Press International. Let it not be forgotten that the Federal Communications Commission, of which Mr. Loevinger is a member, holds life and death power over the Nation's radio and television stations through its licensing and relicensing authority. Its proposed new wire service could become a sort of kissing cousin to Agriculture's new Market News Service. Of course, we would not dream of thinking that FCC would deny relicensing of any radio or TV station which failed to utilize the proposed new wire service, or which did not devote as much time to news broadcasts as FCC would like, or which failed to include in its newscasts stories in which the FCC or some other department or agency of Government had a particular interest in pushing. It is unthinkable that at relicensing time the FCC would consider how favorably or how unfavorably to the political administration in power the station handled its newscasts—or is it?

Another development with some relation to Agriculture's news wire venture is the application pending before FCC by Western Union and the American Telephone & Telegraph Co. for approval of an increase in the rates they charge the wire services and the Nation's press. In the course of recent hearings on this application, executives of the American Newspaper Publishers Association, the Associated Press, United Press International and other news organizations predicted that higher rates would bring curtailment of service and widespread cancellation of service. They said that newspapers in many communities stand to lose services they can barely afford now. This, they said, would constitute a curb on the free flow of information.

Of course, the rate increase application may be expected to receive FCC consideration solely on its merits. But if it is approved and, as is contended, many newspapers will be forced to cancel their wire service contracts, we may fully expect the Government to step into the breach and provide news on its own wires without cost.

If Agriculture's "trial balloon" is permitted to remain aloft, there will be a headlong rush by other departments and agencies of the Government to get into the act. In the words of Editor & Publisher:

> The excuses of "public demand" and "precedent" can be used to justify any excursion into this field. What about all the businessmen who want more and faster reports from the Department of Commerce? Financial institutions want better information from the Treasury, don't they? Shouldn't Health, Education, and Welfare have better contact with public and private health officials? All of these agencies, and others, could justify their own "news service" on the same grounds as the Department of Agriculture.

Once all the departments and agencies have their own wire services, the probable next step would be to coordinate them into a Department of Information, or, more realistically a Department of Propaganda.

Exactly 3 weeks after the "trial balloon" went into ascendancy, on August 21, President Kennedy ordered the establishment of "a unified governmental communications system—NCS. It shall be established and developed by linking together, improving and extending on an evolutionary basis the communications facilities and components of the various Federal agencies."

Could this be the forerunner of the Department of Propaganda?

If the President's sole motive in issuing this order is to provide communications facilities for all the many Government agencies at maximum efficiency and minimum cost, it is a laudable move. However, in the words of the American Newspaper Publishers Association:

> This step emphasizes a point we have made earlier in our objections to entry of the U.S. Department of Agriculture into the news wire business; that is, future expansion of the service could easily lead to a complete national news wire. When the USDA wires are unified with wires of the Departments of Commerce, Labor, Health, Education, and Welfare, etc., it is then a short step to a national news agency of the type which exists in some other countries, including Russia's Tass.

Mr. Speaker, Secretary of Agriculture Freeman stated in a recent news conference that he was "very confused" by the controversy that has arisen over his New Market News Service. I suggest that the committees of the House to which prohibitive legislation has been referred conduct hearings, which I am sure will clear up the confusion in Mr. Freeman's mind. Let the House and Mr. Freeman be given the opportunity to hear the representatives of America's great free press and its wire services on this subject. Let the threat to press freedom and the American people's "right to know" which is implicit in the Governments' growing influence in the preparation and distribution of news be spread on the records of this body, and let the Congress be given a chance to deal with such threats in appropriate manner.

SOCIAL SECURITY BENEFITS

Mr. BATTIN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. MATHIAS. Mr. Speaker, I have introduced today a bill which would remove the limitation upon the amount of outside income which an individual may earn while receiving social security benefits.

At present each beneficiary may earn as much as $1,200 per year without any reduction in old-age survivors insurance benefits. If a beneficiary exceeds this limit, his benefits are reduced by $1 for every $2 of annual earnings between $1,200 and $1,700, and by $1 for every $1 of annual earnings in excess of $1,700.

Retention of the maximum permissible income provision keeps many older people from working, thereby stifling their initiative, and depriving the Nation of valuable skills and productivity. Thus, the stultifying effect of present social security income restrictions sadly prevents many of our older citizens from bettering their own situations and leading more satisfying lives.

In addition the current statutory provisions cause real hardship for those individuals over 65 who must work to supplement their social security benefit payments. And perhaps the most practical reason for eliminating the maximum income requirements stems from the fact that it is complicated and very difficult for the ordinary person to understand.

Seventeen of our colleagues in the House are cosponsoring this bill. Thus, while the Congress has as yet taken no action in removing the income limitation requirements, perhaps the strong and concerted interest shown by an increasing number of House Members in this regard should prompt favorable consideration of the measure at an early date.

MINE SAFETY AND ECONOMIC DISTRESS IN COAL REGION AREAS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. RHODES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RHODES of Pennsylvania. Mr. Speaker, I wish to join with my distinguished colleague and friend from Pennsylvania, Congressman JOHN DENT, in discussing the question of mine safety and problems in coal region areas.

I commend him on his excellent presentation on this subject on the House floor yesterday. I agree that mine safety is of major importance. I feel, too, that related problems also require the attention of the Congress as well as the local communities.

It was my privilege to accompany Mr. DENT and two other distinguished colleagues of the General Labor Subcommittee on an inspection tour of several small coal mine operations in the anthracite region of eastern Pennsylvania, including the site of the Sheppton mine disaster. The other two Representatives on the inspection tour were the gentleman from Illinois, ROMAN PUCINSKI, and the gentleman from New York, CHARLES GOODELL.

The purpose of the inspection was to evaluate firsthand the advisability of making the Federal Coal Mine Safety Act applicable to mines employing 14 or fewer workers.

The General Subcommittee on Labor is currently considering legislation to amend the Coal Mines Safety Act and the gentleman from Pennsylvania [Mr. DENT] and other Members spoke at greater length on this important matter yesterday. As Representative to the Congress from the area where miner Louis Bova lost his life and where David Fellin and Henry Throne narrowly missed losing theirs, I am quite concerned about the problem of mine safety. Saving human lives is a matter of major importance to every Member of this Congress.

But just as important as the problem of safety regulations for small mines is the need for congressional action in attacking the basic causes of economic distress in the coal regions, and the cause of some of many mine accidents.

It is the lack of jobs and opportunity in the coal regions that causes men like Bova, Thorne, and Fellin to risk their lives in unsafe mine holes in order to eke out a living. Unemployment in the coal regions of our Nation is the highest in the country. It has run above 10 percent of the work force in the two coal-area counties I represent, Northumberland and Schuylkill, for many years. It is even higher in some coal counties in West Virginia and Kentucky.

These conditions exist because local and State governments—and the Congress—in times past did not take the necessary steps to insure against the senseless exploitation of land and resources that has produced the current problems.

Experts in these matters point out that coal areas have declined for two reasons: the discovery and utilization of new energy fuels, and automation. New machines which do the work of 10, 20, or 100 men, have taken the place of those men in the mines remaining in production.

These economic changes, in coal as in hundreds of other areas, have had revolutionary effects on our social fabric. They have drastically changed educational and skill requirements for employment. Today's worker must be a skilled worker, able to handle the machines that the age of automation is producing with more and more abandon. No longer can a young worker expect to find a secure and respected position unless he has earned at least a high school diploma.

Adjustments flowing from automation and the revolutionary changes in American technology have exacted a heavy toll in hardship and dislocation. More than 4 million Americans are at this moment facing the misery and anxiety of unemployment, parttime employment, and substandard existence on inadequate income.

And this toll will grow heavier as the technological revolution accelerates unless we develop and put into effect without delay a comprehensive program to deal with these radical changes in our economic and social life.

I urge the Congress to give serious attention to expanding existing programs and enacting additional needed legislation to combat the serious economic problems existing in the coal region areas.

Existing programs, already approved by the Congress, which require additional support include the area redevelopment, manpower development, and training, water pollution control and small business administration programs.

Of unique interest to the coal industry and the millions who depend on it for a livelihood, are efforts by the U.S. Office of Coal Research to revitalize the industry by research on new uses for coal. Secretary of Interior Udall's recent announcement of a $9.9 million contract to a Pittsburgh Coal Co. to determine if it is economically feasible to produce gasoline from coal on a large-scale basis, is a hopeful sign.

Congress should continue giving its support to such research. Although automation has eaten away many coal industry jobs, new commercial uses for this important mineral could result in needed employment in coal-producing areas. Not only would mine employment increase, but thousands of new jobs would be created in new processing and related industries.

These efforts have been successful in bringing new hope, new industry and new jobs to coal region areas. Measures currently before the House to increase ARA funds and liberalize the Manpower Training Act will be even more helpful in providing the economic stimulus that long-neglected areas of the country require.

Congressman JOHN BLATNIK's legislation, H.R. 7351, to provide an additional $900 million for the emergency public works program is also needed. Emergency public works grants to coal region communities in my congressional district have not only built needed public facilities and performed such useful services as controlling water pollution, they have created hundreds of jobs. Local citizens have told me, time and time again, that emergency public works grants to build sewer systems, for instance, have been essential in bringing new industries to their communities.

Although there are several proposed pieces of legislation to stimulate economic growth in the country and coal region areas, two deserve special mention. One, of course, is President Kennedy's tax bill, which the House will consider next week. The other is legislation introduced by the gentleman from Maryland, Congressman SICKLES. This is H.R. 7935, a bill creating a Joint Federal-State Commission on Appalachia, whose function will be to formulate a comprehensive plan of resource and economic development for the entire Appalachian region, which includes Pennsylvania, Alabama, Georgia, Kentucky, Maryland, North Carolina, Ohio, South Carolina, Tennessee, Virginia and West Virginia.

President Kennedy has already recognized the regional nature of the problem of economic distress in coal areas with his creation of the joint Federal-State committee for the Appalachian region last spring. Franklin D. Roosevelt, Jr., who was appointed Under Secretary of Commerce in March, is chairman of this study committee which is in the process of drafting legislative recommendations to help alleviate the chronic economic distress in Appalachian States. Under Secretary Roosevelt's comments on the problems of the region are worth repeating:

> This chronically underadvantaged economy dramatically demonstrates why Appalachia looms so large as the Nation's key developmental problem area. There is need for urgency in grappling with the vexing problems that beset this region. With the full-scale cooperation of private business, State governments and the many resources of the various branches of the Federal Establishment, I am sure we can marshal the wisdom and sound counsel needed to bring forth a plan of action that will point the way toward reversing the recent trends and give the people of Appalachia new hope and new promise for strong growth in the decade ahead.

I am looking forward to the recommendations of the President's Committee as, I am sure, are the representatives from all distressed coal region areas.

So far, I have talked exclusively of the Federal programs needed to combat the problem of lost productivity and wasted manpower. But the States have not sat still, waiting for the Federal Government to move. I am especially proud, of course, of Pennsylvania's efforts to stimulate economic growth.

Under the administration of Gov. David Lawrence, Pennsylvania created an Industrial Development Authority to attract new industry to the State. In conjunction with community and regional development authorities, PIDA has successfully helped finance the construction and settlement of hundreds of new businesses in the Keystone State, producing thousands of jobs.

Governor Lawrence also proposed a far-reaching land and water resources development program, designed to reestablish Pennsylvania as one of the major tourist attractions in the Northeast. Governor Scranton has made this a bipartisan program by supporting efforts to gain public approval for the $70 million bond issue that this project, known as Project 70, will require. State voters will cast their ballot on the measure in a November referendum.

If approved Project 70 will preserve and improve Pennsylvania's notable landscape by helping finance local and regional parks, and water conservation and wildlife protection programs. Assisted by Federal funds, Project 70 money will be used to acquire and convert land into new opportunities for outdoor leisure and recreation. The project will not only increase Pennsylvania's already ample attraction as a tourist goal, it will help attract more industry and more jobs to the State.

My visit to the Sheppton mine and my experience in dealing with coal region problems have convinced me that Congress must not delay in facing its responsibilities to the unemployed there and throughout Pennsylvania and the Nation. Our Nation is the wonder of the world because of our great wealth and unsurpassed standard of living. A country that can afford to stockpile billions of dollars of excessive nuclear weapons and foodstuffs, must not neglect the very real problems of poverty, wasted natural resources, lost manpower and productivity.

The Nation cannot afford to continue this senseless waste in real wealth that runs into untold billions of dollars.

With permission of the House, Mr. Speaker, I include with my remarks an excellent editorial on this subject which was printed in a recent issue of the Shamokin (Pa.) Citizen.

The editorial follows:

IMAGINATIVE REMEDIES FOR COUNTY PROBLEMS

Many people in the local area seem to be giving a lot of thought to the problem of redevelopment in the coal regions and in the county, and they have suggested some remedies which lie within the realm of the possible.

Some years back, Dr. John Linnet began his public campaign to create a tourist site in the coal regions by utilizing the Glen Burn Colliery and mines as the central attraction. Taking off from that point, some other local residents have suggested to the editors of this newspaper some tie-in possibilities concerned with outdoor recreation and the tourist industry—it ranks emphasis because of the multimillion dollar income that Pennsylvania derives from tourists.

Arguing that the concept of a collapsible dam on the Susquehanna River may become a reality in the Sunbury area, some county residents believe that a residential and recreational area is just waiting to be developed in the area from the end of Sunbury, down through Snydertown and Elysburg, to Catawissa and up to Riverside. What these people envision is the development of a ski slope and winter sports area along the ridges and mountain slopes in this valley, an area which would tie in with the existing fine facilities for summer recreation already built in this area. These people argue that the county thus has a natural unit to develop from the Glen Burn Colliery right up to the river, making our land a year-around mecca that could make money.

Added to this grand idea of a tourist area in this county is another plan which many of these same people believe would rebuild the stripped out land and produce another future source of income. Since the coal region was in the past also a site for a rather thriving lumber industry, the idea is that the stripped land could be reforested and become the source of woodpulp and low-grade lumber, both of which are now in great demand and will continue in limited supply for decades to come. Proponents of this plan maintain that the reforestation project would not only restore the beauty of the now blighted landscape, it would also create a resource which, through scientific management, would be a source for many new jobs.

In this respect, they point out that there is a distinct possibility that lumber, pulp, or paper industries could or would locate in the county if the wood growth stock were improved. Estimates place the volume of wood resources in the county at a yield of about 60,200,000 board feet and approximately 550,000 cords of poletimber material. This isn't as much good timber for lumber as may be desired, but putting emphasis on the development of timberlands could double this potential in the next 5 to 10 years, the argument runs.

How could this be done?

Well, local initiative and effort are the first two ingredients required to get anything stewing. Grants from the ARA for technical studies of wood resources and soil are a real possibility, as is financial assistance in the development of recreational facilities on public lands.

Right now, several counties related to the Susquehanna Economic Development Association (SEDA) are developing overall economic development plans which inventory resources of the county as a whole and which outline the problems and the solutions to problems which can be developed on a communitywide and on a countywide basis. This type of county plan is being urged by Federal officials in charge of economic development as the model for future planning.

And there is need of real thinking on the part of our citizens which sees the potential of this great county. There are riches and resources that surround us which not too many of us really see as tangible assets.

One of these assets, according to some imaginative local residents, is the deep strip pits which could be used as a possible site for a manmade lake. These people claim that one or two of these deep pits could be located which are fed by springs that could be the source of water for a lake. Careful planting of the area around the manmade lake then could make a picnic area, and the lake could be used for boating, swimming, and water skiing. Those who advance the plan point out that this solution has been used effectively in certain soft coal areas and has restored the natural beauty of the land.

That there are great natural assets in this county is beyond question, but what gives us hope for the future is the fact that many people are now taking the first imaginative steps to find ways to put those countywide assets to use.

THE TRAGEDY'S AFTERMATH

Mr. ALBERT Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. ANDREWS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ANDREWS. Mr. Speaker, charges are being made that law and order are breaking down in Alabama. Nothing is further from the truth.

The recent bombing is deplored by the people of Alabama, probably, more than by any other people in the world. Prayerful Alabamians hope that the despicable, recent, brutal attack of a church in Birmingham will end in the apprehension, prosecution and punishment of those who are guilty.

I can assure you that Governor Wallace is using every means at his command to see that the guilty are apprehended. Ridiculous charges are being made that Governor Wallace is responsible for the dastardly bombings. Nothing is further from the truth.

I assure you Governor Wallace is a Christian who believes in law and order. I ask unanimous consent to include an editorial from the Montgomery Advertiser, Montgomery, Ala., dated September 17, 1963.

THE TRAGEDY'S AFTERMATH

It is all but impertinent to remark the appalling thing that has happened in Birmingham, because the crime speaks for itself with such eloquent hideousness. The murder of children at Sunday worship is beyond the adequacy of words.

We trust that whoever is responsible for this tragedy hates Alabama and its people, black and white. For he has done them an injury that will not heal in a long time and which is almost certain to generate evil complications.

Unfortunately there are those who will be able to exploit the event from a variety of motives, ranging from money to political advantage.

The one thing above all others that would prove most effective in averting more tragedy is the apprehension of the murderers. That would instantly reduce the fiery pressures.

Fortunately there is some hope that this will come to pass. For every available agency and influence is at work.

A squad of FBI bomb experts is at work. They have been welcomed to the State and are as one working with State, county, and city police in the crucial manhunt. Generous rewards for information have been posted.

Meanwhile local and State authorities have made it plain that all necessary forces will be made available to maintain order.

This, we believe, is all that could possibly be done at this point. Dillinger himself did not have the honor of a more generously equipped and determined posse than the Birmingham bombers.

In the course of this many wild things are going to be said about Alabama by fanatical agitators and eastern politicians of the kind to which Truman alluded.

They are more interested in Alabama violence than that in North Carolina or Illinois for certain obvious reasons.

The floor of Congress is the most potent of platforms for defense against such slanders and distortions. We trust that our Congressmen and Senators will be heard from when the JAVITS and POWELLS get going.

BRACERO DEATHS IN CALIFORNIA

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, a disaster is a strange thing. Sometimes we get excited and concerned when some spectacular accident or great calamity takes place, but sometimes we do not. I suppose that in this tense world there is a limit to the number of things one can be excited about because otherwise we might all go insane.

This week there occurred the greatest and most tragic highway accident in the history of California. I have not detected much excitement about it. Maybe highway disasters are so common that this is one of the things that we relegate to the category of clucking our tongues and saying, "Too bad."

Twenty-eight Mexican braceros were killed in that accident, and another 35 were injured, about half of them critically so. Yet despite the awful magnitude of what happened, we restrict ourselves to saying, "too bad, but these things will happen." There is no demand for tighter safety regulations, no demand for better drivers for bracero transports, and I guess not even a demand for safety devices at the railroad crossing where the transport was struck by a freight train.

Why is there no outcry?

Perhaps it is because nobody really cares about those 28 dead men, because nobody knew them, at least nobody in this country. They will not be missed except back some place in Mexico that we will never see.

We do not care about those dead men at all, because they were not really even men, but only commodities. They show up on the rolls of the importing association as being 28 short today. Since the inventory of this human commodity is short, no doubt orders will soon go out for replacements from the wholesaler at the border.

In the 18th century there were slave ships that crossed the oceans regularly, bringing in cargoes of laborers. They say that you could smell a slaver before you could see it, but I do not know about that. Naturally some of these slavers would be lost from time to time, driven on the shoals by some vagary of the winds, or drifted there through some human error, just as that truck drifted in front of the train this week.

But nobody got excited when a slaver hit the shoals or went down with all hands aboard, because nobody knew or cared about the humans who died. Lost slaves were just a lost cargo, a lost commodity that required replacement as soon as possible.

Nobody knows or cares too much about those dead and maimed braceros, either, because they are—or were—just another commodity lost in transit.

This is the evil of the bracero system. Those were not men out there on that railroad track, but just another shipment of slaves lost in transit. Who is to care? They are easily replaced.

Perhaps, Mr. Speaker, there is no outcry about this accident because nobody really cares, and nobody really cares because the bracero program is just another form of indentured service.

But some of us care, and we want to see the traffic in human lives ended. If we need more laborers to harvest our crops, then let us bring in men, not commodities. Let us not import indentured servants, but let us admit freemen.

SAVING RAILROAD PASSENGER SERVICE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I have today introduced a bill intended to save railroad passenger train service in this country by repealing section 13a of the Interstate Commerce Act. While this proposed legislation would apply to passenger trains throughout the Nation, I have taken this step because of developments this week in my own district of Rhode Island, where action by the New York, New Haven & Hartford Railroad in seeking to eliminate passenger train service required by hundreds of commuters has brought forcefully to my attention the serious lack of adequate protection for the public interest which now exists in Federal legislation dealing with railroad passenger train abandonments.

Section 13a of the Interstate Commerce Act, which Congress enacted in 1958, now permits any railroad to discontinue any train on its own initiative and with but token regard for the interests of the public using it. In fact, under this law, all that a railroad has to do in order to eliminate a passenger train—even if it has been ordered to keep that train running by the State regulatory bodies concerned—is merely to post a notice, and if the Interstate Commerce Commission does not act to stay that discontinuance within 15 days, that train, no matter how necessary, is automatically eliminated. Prior to the 1958 enactment, the regulation of passenger train service was left entirely in the hands of the State railroad commissions, who were close to the problem and were able to better determine the true extent of the need for trains in the circumstances prevailing in the areas affected. My bill would return control over passenger trains to the State agencies.

Since the enactment of section 13a of the Interstate Commerce Act in 1958, the Interstate Commerce Commission has permitted the elimination of no less than 246 passenger trains and allowed the curtailment of service on 10 others. Most of the trains involved in these applications were either trains which the railroads had been ordered by State commissions to continue, or were trains which they believed the State commission would deny them permission to discontinue and so the application was filed under section 13a which preempts the rights of the State commissions in this matter.

The New Haven Railroad, which on Monday filed notices with the Interstate Commerce Commission that it would end three more passenger runs on October 21 under the section 13a provisions, has not hesitated to abandon other trains previously. No less than 18 trains have been abandoned by the New Haven as the result of previous actions under this provision of law, which has now been in effect for 5 years. Certainly that is a long enough time for any railroad which might have been unfairly prevented from taking off a train for which there was no longer a justifiable need to have acted. In my opinion, the kind of discontinuance the New Haven is now seeking in annoucing plans to eliminate train 508, which runs from New London to Boston and is the morning commuter train across southeastern Rhode Island into Providence, is an abuse of the section 13a provisions of the Interstate Commerce Act. I am sure that Congress never intended that it should be an instrument to deprive businessmen and commuters of a means they have used for more than 70 years of getting to work in the morning. But that is exactly what the elimination of train 508 as proposed by the New Haven management would mean to the hundreds of commuters who use this train weekly.

Protests by State railroad commissions against this kind of abuse since 13a was enacted have been of no avail. In view of the fact that the railroad industry as a whole is now trying to seriously curtail many aspects of railroad service through mergers and other means, I believe that the public inevitably will continue to suffer from the lack of adequate protection which section 13a affords to consideration of its need for continued passenger train service. Under this provision, for example, the public is denied a right to appeal a train's discontinuance to the courts, although the right to appeal an order to continue a train is nevertheless reserved for the railroads. Section 13a, while permitting such unappealable discontinuances to take place, does not even require a public hearing before a train may be eliminated, since whatever hearings are held are left solely to the discretion of the Interstate Commerce Commission, an agency in Washington which has long been accused of being "railroad management minded."

Even if a hearing is held, however, the railroad seeking to remove a train does not have to justify such action. Rather, under section 13a, the public must prove that the continuance of the train would not be an undue financial burden on the railroad, although such proof can only be secured from the books of the railroad itself. Moreover, if a hearing is held, section 13a permits the railroad to withhold from interested parties all material needed to prove that continuing the train would be an "undue financial burden" until the day of the hearing. In view of these provisions which favor the railroads at the expense of the public using the passenger trains, experience has shown that section 13a makes it virtually impossible for the public or even the ICC to prevent a railroad from eliminating a passenger train it is determined to discontinue.

Section 13a also places unreasonable time limits upon the ICC in dealing with proposed passenger train discontinuances. For example, the Commission must render a final order in each case within 4 months of the original discontinuance date set by the railroad or the operation of the train or trains involved will cease automatically. Such an arbitrary and unreasonable time limitation prevents the ICC from giving adequate consideration to the public's side of the case.

The National Association of State Railroad and Utility Commissioners has regularly, at each of its conventions since section 13a was enacted, adopted a resolution calling upon Congress to repeal this provision of the 1958 Transportation Act. In some years, the resolution has been adopted unanimously. I point out that the men who took this action are the commissioners in each of our 50 States who day in and day out are concerned firsthand with railroad problems in their area. When every one of these commissioners thinks section 13a should be repealed, Congress should certainly heed their warning.

I am particularly disturbed that the New Haven Railroad, which is now in bankruptcy—not because of inadequate use of its facilities, but because of gross mismanagement, as ICC studies have shown—should seek to eliminate a daily commuter train which clearly is still being used heavily by the public. Because of its weakened financial condition, the New Haven in recent years has been a railroad which has been given far more than its share of special concessions and outright aid by the State and Federal Governments. More than $6.5 million in tax relief and maintenance assistance has been given to this railroad in recent years by the States of New York, Massachusetts, Rhode Island, and Connecticut, and the Federal Government has been a rich benefactor of this carrier. Within the last 10 years, the U.S. Treasury—meaning the general taxpayer—has had to pay off a total of $26,481,000 in loans it guaranteed for the New Haven on which the railroad defaulted. The first big payment was $11,781,000 in 1961, which represented the U.S. Government's guarantee of a loan made in 1955 under the Defense Production Act. Since that time, the carrier has had additional loans in a total amount of $35,659,400 guaranteed under the Transportation Act of 1958, and of this amount, there has already been a total default of $14,700,000 paid by the U.S. Government to meet its loan guarantee obligations.

Thus, it is clear that the amount of State and Federal aid which the New Haven Railroad has received in recent years is very substantial. This aid was forthcoming because the State and Federal Governments recognized that the passenger and commuter services provided by the New Haven are indispensable and must be continued. In fact, a committee representing the Governors of the four States I have previously mentioned and Mayor Wagner of New York City in 1961 warned the New Haven trustees that the carrier could lose the tax relief it has been granted if its contemplated abandonments of trains are "of such magnitude as to curtail service or otherwise jeopardize the railroad's financial position." The committee, formed in 1960 to help the New Haven with its financial problem, referred with "apprehension" to an announcement by the trustees that they were even then studying plans to eliminate branch lines and passenger service.

Thus, there can be no question of the fact that the New Haven management has accepted State and Federal aid in a very substantial amount with a clear understanding that essential passenger and commuter train operations must be continued. Yet, despite the huge subsidy it has accepted, it now seeks to abandon train 508 on the very flimsy ground, it seems to me, that it allegedly lost $48,000 on its operations last year. I am quite frankly skeptical of that claim, and I am particularly skeptical of the figure on the amount involved. Railroad accountants are granted tremendous latitude in the allocation of expense items between passenger and freight operations, and I am aware that many railroads in applications to abandon a train have cited figures which usually include overhead and maintenance costs which continue even after that train is abandoned. In any case, a loss of even the full $48,000 claimed on this particular train would be a small amount for the railroad to absorb in recognition of its obligation to provide the public with service it needs in return for the more than $26.4 million which the Federal Government alone has paid this railroad outright to keep such commuter service running. Any train like 508, which hauls more than 100 passengers a day, is still capable of meeting expenses under proper management, and it still is needed by the public.

Mr. Speaker, the Providence Journal of September 18 carried an editorial in which it pointed out that train 508 is more than just a train. It is, the editorial declared, "a state of mind." I ask unanimous consent to conclude my remarks by having this editorial printed in the Record at this point in the hope that it may induce a different "state of mind" in the New Haven's trustees and that they will reconsider their ill-advised move to deprive the public of railroad passenger service which clearly is so much in demand.

There being no objection, the editorial referred to follows:

THE OLD 508 IS MORE THAN A TRAIN

The New Haven Railroad will make a big mistake if it abandons train 508, not because of inconvenience to its passengers—and, goodness knows, it will cause inconvenience—but because it will deprive the road of its best publicity gimmick in Rhode Island.

In the trying years before trusteeship, the most accurate barometer of public feeling about the New Haven was "Old 508." When its morning arrival in Providence was delayed 66 minutes by a hot box north of East Greenwich, the road got more condemnation than if the Merchants Limited hadn't run at all. But when 508 ran on time, God was in His heaven and all was well with the world.

Train 508 is a state of mind as well as the last commuter train in Rhode Island, and all because of the special breed of passenger it carries. They are mostly residents of South County, which also is a state of mind. Their fraternity in adversity from riding the 508 has been a wondrous development to watch. In late summer and fall, they stepped off 508 onto Union Station with marigolds in their lapel, the flowers having been dispensed by a fellow passenger as they got on the train a station or two down the line.

They have suffered great adversity together. They have shivered at Kingston Station on winter mornings waiting for the train that could drop behind schedule by 30 minutes between New London and Westerly without half trying. They have seen it overshoot the station at East Greenwich, then back up to pick up the passengers its engineer nearly forgot. They have complained, griped, and cussed its service—but now they are up in arms because New Haven says it loses money on the 508 and wants to take it off. They protest probably because nothing could be just a little bit worse than the 508.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Pucinski.

(The following Members (at the request of Mr. Battin) and to include extraneous matter:)

Mr. Fino.

Mr. Lindsay.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Brown of California.

Mr. Roush.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 9 minutes p.m.), under its previous order, the House adjourned until Monday, September 23, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1220. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 3, 1963, submitting a report, together with accompanying papers and an illustration, on an interim report on Grand River, Grandville, Mich., requested by a resolution of the Committee on Public Works, House of Representatives, adopted August 16, 1950 (H. Doc. No. 157); to the Committee on Public Works and ordered to be printed with one illustration.

1221. A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting the semiannual report for the Department of the Navy relating to military construction contracts awarded on other than a competitive bid basis to the lowest responsible bidder for the period January 1 through June 30, 1963, pursuant to Public Law 87–554; to the Committee on Armed Services.

1222. A letter from the Comptroller General of the United States, transmitting a report on unnecessary costs resulting from the noncompetitive procurement of aeronautical replacement spare parts by the Department of the Navy; to the Committee on Government Operations.

1223. A letter from the Secretary of Commerce, transmitting the report of all claims paid by the Department of Commerce during fiscal year 1963 pursuant to section 404 of the Federal Tort Claims Act (28 U.S.C. 2675); to the Committee on the Judiciary.

1224. A letter from the Assistant Secretary of the Treasury, transmitting a certified copy of amendments to the regulations governing the numbering of undocumented vessels, promulgated by the Commandant of the U.S. Coast Guard and submitted for publication in the Federal Register, pursuant to the Federal Boating Act of 1958 (46 U.S.C. 527d); to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. House Joint Resolution 724. Joint resolution to provide additional housing for the elderly; with an amendment (Rept. No. 754). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: House Resolution 527. Committee on Rules. A resolution providing for the consideration of H.R. 8363, a bill to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes; without amendment (Rept. No. 755). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 510. Resolution to grant additional travel authority to the Committee on the Judiciary; without amendment (Rept. No. 756). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 514. Resolution to grant additional travel authority to the Committee on Agriculture; without amendment (Rept. No. 757). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 515. Resolution to grant additional travel authority to the Committee on Merchant Marine and Fisheries; without amendment (Rept. No. 758). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON:

H.R. 8499. A bill to amend the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, and the Investment Company Act of 1940, as amended, to provide for the regulation of collective investment funds maintained by banks, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BELL:

H.R. 8500. A bill to prohibit departments, agencies, and instrumentalities of the Federal Government from participating in activities which are in competition with private news services engaged in dissemination of news or other information; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H.R. 8501. A bill to provide for a parkway connection between Mount Vernon and Woodlawn Plantations, in the State of Virginia, and for other purposes; to the Committee on Public Works.

By Mr. FOGARTY:

H.R. 8502. A bill to repeal section 13a of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

By Mr. HERLONG:

H.R. 8503. A bill to provide for the tariff classification of certain particleboard; to the Committee on Ways and Means.

By Mr. JONES of Alabama:

H.R. 8504. A bill to amend the Government Employees' Training Act in order to eliminate the requirement contained in regulations pursuant thereto which prohibits the selection for training purposes of certain non-Government facilities; to the Committee on Post Office and Civil Service.

By Mr. KILBURN:

H.R. 8505. A bill to amend the Federal Reserve Act in order to enable the Federal Reserve banks to extend credit to member banks and others in accordance with current economic conditions, and for other purposes; to the Committee on Banking and Currency.

By Mr. MATHIAS:

H.R. 8506. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. ROBERTS of Alabama:

H.R. 8507. A bill for the relief of certain medical and dental officers of the Air Force; to the Committee on the Judiciary.

By Mr. ROGERS of Texas:

H.R. 8508. A bill to amend section 336 of the Communications Act of 1934, to permit cargo ships on voyages between Hawaiian ports to carry radiotelephone in lieu of radiotelegraph installations; to the Committee on Interstate and Foreign Commerce.

By Mr. SICKLES:

H.R. 8509. A bill to provide for the establishment and operation of an analytical research experiment station at Frederick, Md.; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H.R. 8510. A bill to amend the Uniform Code of Military Justice, and for other purposes; to the Committee on Armed Services.

By Mr. KYL:

H.J. Res. 745. Joint resolution to provide that the District of Columbia shall pay court costs and reasonable attorney's fees in any proceeding to acquire land for highways and urban redevelopment; to the Committee on the District of Columbia.

By Mr. SCHWEIKER:

H.J. Res. 746. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. WESTLAND:

H.J. Res. 747. Joint resolution authorizing and requesting the President to proclaim November 19, 1963, as Gettysburg Address Centennial Day; to the Committee on the Judiciary.

By Mr. WAGGONNER:

H. Res. 524. Resolution providing an additional stationery allowance for the 1st session of the 88th Congress; to the Committee on House Administration.

H. Res. 525. Resolution providing an additional allowance for telephone and telegraph service for the 1st session of the 88th Congress; to the Committee on House Administration.

H. Res. 526. Resolution to provide additional postage for the 1st session of the 88th Congress; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII:

The SPEAKER presented a memorial of the Legislature of the State of Massachusetts memorializing the President and the Congress of the United States to enact legislation providing for a 200-mile offshore limit for taking fish off the New England coast by fishing vessels of foreign countries, which was referred to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FINO:

H.R. 8511. A bill for the relief of Giovanni Altobello; to the Committee on the Judiciary.

By Mr. JENSEN:

H.R. 8512. A bill for the relief of Mr. and Mrs. Christian Voss; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 8513. A bill for the relief of Jechiel Shulkes; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 8514. A bill for the relief of Mrs. Rebecca Shavitch; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.R. 8515. A bill for the relief of Dr. Adil Sokmensuer and his wife, Ulku Sokmensuer; to the Committee on the Judiciary.

H.R. 8516. A bill to provide for conveyance of certain mineral interests of the United States in real property situated in Florida to the record owners of the surface of that property; to the Committee on Interior and Insular Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

305. By Mr. O'NEILL: Petition of the City Council of the City of Cambridge, Mass., requesting the Congress to amend the Constitution of the United States to allow reading of sacred Scripture in the public schools, etc.; to the Committee on the Judiciary.

306. By the SPEAKER: Petition of Gibson Gayle, Jr., secretary, American Bar Association, Chicago, Ill., relative to approving in principle the provisions of S. 1061 and H.R. 4700, now pending in the Congress; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

My Skyscraper City: A Child's View of New York

EXTENSION OF REMARKS
OF
HON. JOHN V. LINDSAY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 19, 1963

Mr. LINDSAY. Mr. Speaker, most people who do not come from Manhattan think that no one lives there. Just the reverse is true—all kinds of people live in Manhattan, and surprisingly enough many children are brought up there and are very happy about it.

In fact, in my opinion, boys and girls brought up in Manhattan are usually better adjusted than those who have the blessings of green grass and trees.

I was thrilled when one of my constituents, Katrina Thomas, aided by Penny Hamond, published a book—via Doubleday & Co.—entitled "My Skyscraper City: A Child's View of New York."

It is a wonderful book, and it is full of excitement and fun. It is a picture story of Apwick, a little boy who lives in Manhattan and who loves the city. From Apwick's point of view we see the skyscrapers, the glass wall buildings, the museums, the snow on the trees in Central Park, the tugboats on the river, the pigeons, the animals in the zoo, the streetcleaners, and the mounted policemen.

He is a very busy little boy in a very busy city, and he is doing fine.

Katrina Thomas, who also loves New York City, has given all city folk a lift by her beautiful book.

New Jersey: The Gamblers' Paradise

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, September 19, 1963

Mr. FINO. Mr. Speaker, today, I would like to tell the Members of this House, more particularly the New Jersey congressional delegation, about gambling in that State. New Jersey is one of those 24 States that has had the sense to legalize, control, and profit from parimutuel betting. But, as in most other States so acting, only a half step has been taken. Illegal gambling—the logical result of bluenosed governmental attitudes—is keeping the crime syndicates fat and happy in New Jersey. A covert coalition of hypocrites and mobsters is keeping gambling illegal—and bleeding the State in the process.

In 1962, New Jersey ranked fourth in the Nation in parimutuel betting. Almost $325 million was wagered on the State's racetracks. The public treasury of New Jersey made about a $30-million profit from this turnover.

However, most of the money gambled in New Jersey is doing nothing to swell governmental coffers. Instead, the revenues of illicit gambling are financing the underworld crime syndicates.

New Jersey's share of the estimated figure for national off-track betting presented to the McClellan Committee came to almost $1.7 billion last year. When it is realized that off-track betting constitutes less than one-half of the total illegal gambling, the full and stunning extent of illegal gambling becomes apparent.

In New Jersey, Mr. Speaker, the total amount wagered illegally each year may approach $3½ billion. This figure represents the turnover. The gambling syndicates retain only 10 percent of the turnover as profit. But this is enough to make New Jersey a gangland gravy-train.

The gambling rings contribute much of their take to the financing of syndicated crime. The gross profit which may reach $350 million a year in that State is diminished by expenses such as bribes and payoffs to corrupt law enforcement.

We all know that gambling cannot be eradicated, and so long as it is outlawed, but tacitly allowed to flourish in criminal hands, it will continue to spin a vast web of evil. Only Government control and regulation of gambling—best exemplified by a Government-run lottery—can make it work for the people rather than against society. When are we going to remove our heads from in the sand?

John Pickett Displays Selfless Dedication

EXTENSION OF REMARKS

OF

HON. GEORGE E. BROWN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 1963

Mr. BROWN of California. Mr. Speaker, every engineering, chemistry, or physics student is familiar with the name "Pickett" in relation to his use of the slide rule. John Pickett has a most admirable history of service in the education of these future scientists in the use of this most rudimentary tool of their trade.

The following sketch will, I am sure, give you a better insight into Mr. Pickett's beliefs. I am proud to have Pickett Industries in the 29th Congressional District of California, and I recommend the reading of Mr. Pickett's story below, to all of my colleagues:

The adjective Communists most often apply to capitalism is "selfish" or one of its synonyms. This appeal is based upon a depiction of capitalists as monomaniacal, self-seeking, in depicting communism as the only political system which encourages civic responsibility and selfless dedication.

There are, of course, marvelous examples of American citizens who disprove this ridiculous charge. However, I feel it worthwhile to bring to this estimable body the example of a constituent of the 29th Congressional District, since his selfless contribution directly effects a good percentage of our college, secondary, and vocational school students and directs them along the lines of scientific and advanced intellectual learning, areas essential to the eventual victory of capitalism over communism in peaceful competition.

This man, in spite of the tremendous extent of his contribution, is only 36 years old. John Pickett began his career as a teacher. He lectured for 5 years at the University of Southern California and in that period found that there was a dangerous educational gap among many students in that they were unfamiliar with one of the rudimentary tools of science—the slide rule. Although an educator by trade he became a manufacturer by necessity.

Six years ago, John Pickett assumed the presidency of Pickett Industries and directed the primary manufacturing and sales orientation toward interesting American students in the use of the slide rule. He pioneered and blazed the trail in supplying our Nation's schools with the most modern and scientific means of teaching the use of this instrument, so symbolic of scientific learning.

Mr. Pickett has donated more than 70,000 slide rule teaching guides to educators throughout the Nation and has placed more than 30,000 wall-demonstrator slide rules on permanent loan in classrooms across the country. It is estimated that more than 2½ million students each day are aided in the learning of slide rule technique through the teaching aids he has donated.

Further, in his pursuit of raising the level and degree of education for American youth, he has inaugurated three yearly college scholarships which are presented to outstanding members of the Junior Engineering Technical Society—JETS—and contributes freely to many local and national competitions designed to encourage interest in science and mathematics.

In this, the age of the electronic computer, the slide rule remains the basic computing tool and the channel through which the eager young minds of our Nation are directed toward the future.

John Pickett has not left his chosen field—education. He has merely expanded the scope of his impact upon our Nation's youth and, in so doing, has demonstrated the strength of democratic capitalism—that individual enterprise and generosity of a free populace is more than a match for the institutionalized "benevolence" of a totalitarian government.

Which Road Will We Take?

EXTENSION OF REMARKS

OF

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 1963

Mr. ROUSH. Mr. Speaker, I applaud our President on his statement made last evening to the American people on the tax bill. I am especially pleased with his recognition that tax reduction is preferred to public expenditures for the purpose of stimulating the American economy. I agree.

Our colleague, the gentleman from Arkansas [WILBUR MILLS], the distinguished chairman of the Ways and Means Committee, pointed out on Monday last that the purpose of the bill is to loosen the constraint which the present Federal taxation imposes on the American economy, but that in passing the legislation we are making a choice.

That we are choosing to stimulate the economy by reducing taxes and not by Government expenditures for that purpose. In a free enterprise society such as our own we prefer doing that which will result in greater economic activity—not on the part of Government but rather on the part of the private sector of our economy. By releasing these constraints which a heavy tax burden imposes it will be private enterprise not the Government which will solve our unemployment problem, which will make us more competitive, which will help our balance-of-payments problem, which will produce revenue to run the necessary functions of Federal, State, and local governments and which will produce a bigger, more prosperous, and more efficient economy.

Minority Staffing

EXTENSION OF REMARKS

OF

HON. HUGH SCOTT

OF PENNSYLVANIA

IN THE SENATE OF THE UNITED STATES

Thursday, September 19, 1963

Mr. SCOTT. Mr. President, Representative FRED SCHWENGEL is chairman of the House Republican conference subcommittee on minority staffing. With his usual energy and eloquence, Representative SCHWENGEL is calling to the attention of the country the importance of increasing minority staffing in the Congress.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a thoughtful letter from Representative SCHWENGEL which appeared in the New York Herald Tribune on September 10, 1963.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONGRESS NEGLECTS ITS MINORITY

(By Representative FRED SCHWENGEL)

For all the talk about minorities, a shocking situation exists in the Halls of Congress which is receiving remarkably little attention. The majority party (Democrats) outnumbers the minority (Republicans) 3 to 2 in the House of Representatives and 2 to 1 in the Senate. Yet professional committee staff members responsible to the majority outumber staff responsible to the minority 10 to 1 in the House and 12 to 1 in the Senate.

Much of the important work of Congress is done in the committees. Their professional staffs do research, draft bills, arrange for witnesses to attend hearings and do other tasks for which Congressmen have neither the time nor, in some cases, the specialized knowledge. Most of them are hired, promoted and assigned work by the chairman—a member of the Democratic majority—of each committee. Naturally their allegiance is to the majority. Minority projects and reports tend to be neglected.

This weakens the two-party system—the basis of our Government. The "loyal opposition" must present clear, constructive alternatives to majority legislation. Without adequate staff it cannot do this and the distinction between the parties blurs in the public mind as the two sides of an issue fail to be presented forcefully to the voters.

This situation makes it impossible for Congress to adequately check the work of the executive branch—its constitutional task. The executive branch today is the Nation's largest pressure group. Each department and agency has a vested interest in acquiring more and larger appropriations. Executive staffs unavoidably reflect this bias, especially when, as now, the Presidency and both Houses of Congress are controlled by the same party.

The present situation is a tremendous waste of the taxpayer's money. Without adequate staff the minority cannot pare all the "fat" of the executive budget, nor can it conduct necessary investigations to expose inefficiency or prevent another Billie Sol Estes scandal.

The relatively small cost of more professional staff responsible to the minority would soon be repaid by savings in proposed and existing programs.

Only Republicans in Congress are taking steps to remedy this abuse. We have formed the House Republican conference and Senate-House joint ad hoc committees on increased minority staffing. Also we have proposed measures in both Houses to provide an equitable solution.

Yet minority staffing should not be a partisan issue. Republicans will not always be the minority and Democrats the majority. Regardless of which party is the minority, it is in the public interest that the minority position have sound research behind it and be clearly presented. It is strange that the Democrats, who claim to speak for all minorities, neglect so sadly the cause of the minority in Congress.

Address by Senator McIntyre

EXTENSION OF REMARKS
OF

HON. EDMUND S. MUSKIE

OF MAINE
IN THE SENATE OF THE UNITED STATES
Thursday, September 19, 1963

Mr. MUSKIE. Mr. President, two of the most outstanding junior Members of the Senate are the able senior Senator from Indiana [Mr. Hartke] and my good neighbor from New Hampshire [Mr. McIntyre].

Both these men have devoted their efforts to analyzing the challenges of the future and to developing methods of meeting those challenges. They are not afraid of entrenched opposition; in fact, their past careers demonstrate that they thrive on it.

Last month, New Hampshire's junior Senator spoke at a meeting in Bristol, Ind. Since I believe his thoughtful observations on the future of our country merit the consideration of the Members of the Senate, I ask unanimous consent that his remarks be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

An Address by U.S. Senator Tom McIntyre, Democrat, of New Hampshire, at the Democratic Party Rally, Eby Pines Picnic Grounds, Bristol, Ind., Friday, August 16, 1963

I am delighted to be here with all you good Indiana Democrats this evening. I'm told that when delivering a speech, the speaker should start off with a bang, make a ringing declaration that will bring applause and cheers and set the tone of his address. Well, I think I can accomplish all that with just two words—Vance Hartke.

I am here tonight to tell you Indiana Democrats some things that a good many of you may already know. But they are things I have wanted to say for some time, and I have wanted to say them in Indiana.

They are about a young man who rose through the party ranks, was a brilliant prosecuting attorney, served ably as mayor of Evansville and at the age of 39 became the first Democratic Senator from Indiana in 20 years. In short, I want to talk about Vance Hartke.

As you all know, Vance was not in the Senate more than 2 years when he became chairman of the Democratic senatorial campaign committee, one of the highest positions in the majority leadership. In this important post, Vance Hartke's organizational genius came into play. There is no better way to gage his success than to recite the results of the 1962 off-year elections. A total of 23 Democrats—more than two-thirds of those running—were elected to the Senate. Of the 23, 6 took seats formerly occupied by Republicans. I was one of these, and I can tell you that these victories were in no small measure due to the help of the campaign committee under Vance Hartke's leadership.

In June of 1962, some of my good friends in New Hampshire were urging me to run for the U.S. Senate seat left vacant by the death of Styles Bridges. Naturally, as you might suspect, I was somewhat hesitant to take on again the Republicans in a State that had been so long dominated by Republicanism.

At any rate I promised them I would give it my consideration and I came down to Washington to talk it over with the national committee leaders. While here I met and talked with your distinguished Senator Vance Hartke. Vance was most encouraging. He told me of his plans to help Democratic candidates all across the country. He assured me of research assistance, he promised to send an experienced staff man to New Hampshire to help out in the heat of the campaign. And all of these promises that he made, he lived up to. Before I left to return to New Hampshire that day, Vance did a TV script with me for campaign purposes. Then to top it all off, at about 11:30 on election night Vance called me long distance from Washington at my headquarters in New Hampshire to congratulate me on my great victory. The funny thing was that as I talked to him on the phone, I said, "How do you know, when right now I am running behind some 3,000 votes?" Vance said, "Tom, believe me, you are in, I know." And he was right.

Vance's help to me did not end on election night. When I came down to the Senate, I naturally started seeking a good committee assignment. Here I needed advice and counsel. The first man I went to was your Vance Hartke. In typical Hartke style he said, "Tom, come with me." And off we went directly to the office of Democratic Majority Leader Mike Mansfield. Vance told Senator Mansfield of my wishes concerning committee assignments and said to the majority leader: "I want you to do all you can to give Tom McIntyre a good committee assignment." And what happened? You guessed it, Mike did. So that is the kind of Senator you have. Not only an outstanding representative of the great State of Indiana, but a man who is a friend to his fellow Senators and who is respected among them; and today numbers among its members, freshmen like myself who will always be grateful to him for his kindness, his interest, his encouragement, and his wonderful help in the election of 1962.

Vance and I sit side-by-side in the Senate, and I have had the opportunity to get to know this man better and better. He is a working Senator, fiercely loyal to the tenets of his party and completely dedicated to the principles of this democracy. He is plainspoken and outspoken. The range of legislation he has sponsored runs the gamut from international affairs to the problems of the man in the street.

I am proud to be a cosponsor with Senator Hartke of such major legislation as the area redevelopment administration extension, hospital care for the aged, and the civil rights program. But Vance Hartke is also interested in the little problems of the men and women of Indiana and the Nation.

A perfect example of this is his bill in the Senate which would exempt from the excise tax musical instruments purchased by parents or children for use in school bands and orchestras. He told his Senate colleagues that there is inequity in a law which exempts musical instruments purchased by schools but taxes instruments which parents purchase for their children to use in schools.

There is a companion to this bill in the House of Representatives, sponsored by the young and very able Congressman from his district, John Brademas. And may I say now, while I am in his district, that when the names of outstanding young Members of the House are mentioned in Washington, always among them is John Brademas.

Tonight I also want to salute you—the Democrats of Indiana. You have done a magnificent job. In a State that hadn't elected a Democratic Senator in two decades, you have by your teamwork in the short space of 4 years, sent to Washington two Democratic Senators—not only Vance, but the popular, young, aggressive legislator—Birch Bayh.

You have also managed, through organization and drive, to help elect a fine Chief Executive—Gov. Matt Welsh.

Your Democratic congressional delegation of the able Congressmen Madden, Denton, Roush, and Brademas, have compiled excellent records in the House of Representatives. With this team and with your solid help, I know they will be returned to office next year by greater majorities than ever before.

But make no mistake, the challenge of the election year of 1964 is just as great as ever. That is why you must be busy with the immediate problem at hand—the city elections this fall. I am told that 76 of the 108 mayors currently are Democrats, and this includes 25 of the 26 largest cities. This is a fine record, but one upon which you can still build. Speaking as a former mayor of my home city, Laconia, N.H.—and I know Senator Hartke will bear me out on this—it's impossible to overestimate the importance of electing Democrats to the key local positions. It's at the local level that the strength of a party organization begins.

This meeting tonight should deepen the dedication of you Democrats to work harder on the problems of today on behalf of the citizens of tomorrow. Our party draws strength from our commitment to the promise of youth, just as our organization draws strength from the lively and vigorous hard work of the Young Democrats. Without them, we cannot succeed, and it is their future upon which success depends for its meaning.

As a nation moving toward maturity, we no longer meet simple problems. These our dynamic, our inventive people, solve easily for themselves. The problems facing us today are difficult ones and there are no easy answers.

For the first time, we as a nation which has historically suffered from a shortage of labor, have had to face the problem of chronic unemployment. Since 1957, the rate of joblessness has been over 5 percent for every month but one.

For the first time, we as a nation of abundant land and rich resources have had to face problems of congested cities, contaminated water, and polluted air.

Newly independent nations have arisen all over the world with claims which our economic system is not yet well suited to satisfy. New needs demand new responses. But because the programs we propose are new, we are told that they are unneeded. Because they involve the spending of funds, we are told that they are unwise. The prophets of doom and disaster wring their hands and cry of the paternalistic state. They charge that we are coddling the citizens from cradle to grave. They warn that we would destroy that independence and self-reliance upon which America was founded.

In reply I need only ask—

Who is the more independent—the consumer who is victimized by false packaging and misleading advertising? Or the consumer who can choose from a variety of goods, secure that he will get that for which he pays, and safe from harmful or damaging merchandise?

Who is the more independent—the elderly citizen who must rely upon public charity to pay the costs of hospital care? Or the citizen who has saved through social security for such an emergency and thus can pay with his own earnings?

Who is the more independent—the unemployed, hat in hand who must beg for work where none exists? Or the employed, who through retraining have learned useful skills and secured productive jobs?

I for one, and I think that you as Democrats will agree, feel that these human needs are the proper province for Government concern. And we must make sure that these changes represent blessings rather than burdens. If we are to assure this, we must allow ourselves the freedom, and demand of ourselves the creativity and initiative to deal with social and economic problems as they arise.

Our settled determination is toward progress on public needs even when this invites bitter denunciation from the cave-dwelling rightwing. As Harry Truman used to say, "If you can't stand the heat, get out of the kitchen." But we are in the kitchen and the future's in the stew. Our will must be unbending toward doing the right, as it is given us to see what is right, to meet our needs for social justice, expanded economic opportunities, and a just and secure peace for the world.

It is particularly appropriate to reaffirm before this audience the dedication of the Democratic Party and its leaders to progress. My generation, which has accepted public responsibility in these days, could easily limit its vision to obvious realities, could easily disregard the awesome changes in the world, and could easily balance the books in a mood of bland contentment with things as they are. Many would urge this course upon us. If we were to relax into the mediocrity of complacent satisfaction, we would leave an ugly legacy of insuperable problems to youth and deny to the next generation the resources it will need in leaving its own mark on national affairs.

I am proud to be a Democrat because our party has resolved not to throttle change, but to master it. We have never claimed to have final answers to the problems of the world, and our dogmas are few. We resolve to create opportunity for youth rather than self-righteous certainty for those who have tired of challenge. But it takes capable leadership to meet challenge and to master change. Indiana has been giving such leadership to the Nation, and again and again in the Senate I have been grateful for it. Let me say only that I share in the excitement of this wonderful meeting, which demonstrates how your organization supports the men our party will need if it is to keep faith with the future.

This meeting shows me again how we depend upon you, the party workers, not only for the support and hard work we so often need, but for the sense of purpose which makes the Democratic Party a redeeming element in the affairs of the Nation and in all our lives.

Our assignment is clear. Our task will be difficult. But we have a candidate who came up through the ranks of Congress, who has a sense of history. We have a candidate who has the courage to demand enactment of civil rights legislation, the compassion to seek a hospital care program for our elderly. We have a candidate who is dedicated to the search for peace, vigilant enough to support a strong defense posture and with foresight enough to advance our space program. We have the man who, with the aid and support of each and every one of us Democrats, will be returned to the White House next year by an overwhelming majority of the voters of Indiana and the Nation. We have the man who has built a magnificent record in his first term and who will continue to push forward the New Frontier in his second term—John Fitzgerald Kennedy.

And as sure as I'm talking to you tonight—the President will have at his side that hardworking, sincere and able Hoosier and American—U.S. Senator VANCE HARTKE.

Attorney General Robert F. Kennedy's Address at the Polish National Alliance Convention

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 19, 1963

Mr. PUCINSKI. Mr. Speaker, the 34th Quadrennial Convention of the Polish National Alliance, which is now in session in Philadelphia, Pa., on Wednesday of this week gave Attorney General Robert F. Kennedy a tumultuous welcome when he arrived to address the delegates.

Those attending the convention represented Polish National Alliance councils in 38 States of America. The reception given to Mr. Kennedy was one of the most enthusiastic of the entire convention.

The Attorney General reminded his audience that while the U.S. foreign policy is to encourage greater contact with those now living behind the Iron Curtain, "our Nation will never retreat from our conviction that there can be no lasting justice in the world until people everywhere have the right to self-determination."

The Attorney General's inspiring message was interrupted repeatedly with enthusiastic applause. I am happy to include Mr. Kennedy's address in the CONGRESSIONAL RECORD today, for it spells out a program of hope for the unfortunate victims of communism behind the Iron Curtain.

REMARKS BY ATTORNEY GENERAL ROBERT F. KENNEDY AT THE POLISH NATIONAL ALLIANCE CONVENTION, BENJAMIN FRANKLIN HOTEL, PHILADELPHIA, PA., SEPTEMBER 18, 1963

Poland was an old country when the United States was born, but our two national destinies have been interwoven ever since.

Poles were among the earliest, hardiest, and most democratic settlers of the New World; and no account of the American Revolution would be complete without the names of Casimir Pulaski and Thaddeus Kosciuszko.

Pulaski gave his life in our war for independence, after serving with gallantry at Brandywine and Valley Forge.

Kosciuszko lived on to work and fight for the cause of freedom, both here and in Poland, for many years.

His close friend, Thomas Jefferson, wrote of him that "he is as pure a son of liberty as I have ever known—and of that liberty which is to go to all, and not to the few."

Money and land were settled on Kosciuszko by a grateful Congress after the war—but it was typical of the man that he never used this bounty for himself.

Instead, he placed his will in Jefferson's hands—and in that will, anticipating the Emancipation Proclamation by more than half a century, he directed that the whole of his American fortune be used to buy slaves and set them free.

Today, the herioc statue of Kosciuszko that stands opposite the White House in Washington is a lasting symbol of our friendship with the people of Poland.

And it is appropriate, too, that the monument was built with funds of the Polish National Alliance, for surely there is no organization more truly dedicated to furthering that friendship than yours.

I think we can all agree that it has been a mutually rewarding friendship through the years—though we must acknowledge that America has had the best of the bargain.

The millions of Poles who followed Pulaski and Kosciuszko to this country as immigrants brought a rich and vital strain into our national character: we would be a poorer and weaker nation today without them.

If I set out to read a list of all the Polish-Americans who have earned places of leadership and honor, in war and peace and in all walks of life, it would take all day—so I'll settle for mentioning only one whose name is currently in the news, the distinguished John A. Gronouski, our new Postmaster General.

Within 12 years after the United States won its independence, Poland lost hers; and nearly all of her modern history has been a valorous and continuing struggle to regain it—a struggle with which Americans have always been deeply concerned.

During the First World War, the United States was a leading advocate for reestablishment of the Polish State. And was influential in providing for its formation at the Treaty of Versailles.

And time and again since then, we have been inspired by the courage of the Poles in fighting for freedom in their homeland.

We can never forget how Polish cavalrymen charged their horses against invading Nazi tanks.

Nor can we ever forget General Bor's uprising in occupied Warsaw, which held out for 63 days against the overwhelming forces of the German Army.

Several years ago, I climbed the rocky hillside at Monte Cassino—the scene of a hard-won Allied victory in one of the bloodiest battles of the Second World War—and there, on the monument to the Polish dead, is one of the most moving inscriptions I have ever read:

"We Polish soldiers, for our freedom and yours, have given our souls to God, our bodies to the soil of Italy, and our hearts to Poland."

The fate of Poland after the war, when the Communist regime came into power, opened still another dark chapter in her troubled history.

But the Communists didn't reckon on the stubbornness of the Polish spirit. They soon found out that nobody can make a collectivist out of a Polish farmer—and they still are discovering, more clearly every year, that nobody can stifle a Polish imagination; nobody can bend a Polish will.

Since 1956, the barriers have begun to come down.

The Polish people have won greater freedom to travel abroad, and to receive visitors from other countries. Many Americans, including some of you here today, have been able to welcome Polish friends and relatives to this country.

During 1962, an estimated 10,000 Americans visited Poland, and the figure will undoubtedly be even higher this year.

Under an extensive cultural exchange program, Polish scholars have come here to lecture at our universities, and a lively student exchange program has developed between the two countries.

American athletes now compete with Polish teams, and such renowned Polish performers as the Mazowsze Folk Dance Group and the Posnan Boys' Choir have toured American cities.

American newspapers and magazines are on sale at Polish newsstands, and American broadcasts are received without interference in Polish homes.

In the field of international trade, too, the barriers have been slightly lowered. The United States has sold large quantities of agricultural surplus to Poland, and Polish exports to this country have increased.

We hope to see a steady widening of these economic relations, and for that reason this administration is in favor of retaining authority to grant "most favored nation" treatment to Polish commodities entering our ports.

The United States has made it clear that we will continue to welcome those actions of any country, Communist or otherwise, which respond to the basic needs of the people of that country and which seek to improve relations with us.

Our foreign policy is to encourage such developments, and to show our approval of any progress made along those lines.

But this in no way suggests a weakening in our fundamental position—and the Communists know it.

We as a nation will never retreat from our conviction that there can be no lasting justice in the world until people everywhere have the right to self-determination. And the cause of justice demands equal vigilance here at home.

We will never retreat from the belief of our fathers—the belief for which Pulaski died and Kosciuszco lived; the belief that lives today in every Polish heart, no less than in the hearts of all Americans—the belief that all men were made to be free.

Thank you.

SENATE

Friday, September 20, 1963

The Senate met in executive session at 10 o'clock a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Father of Light, whose universe is all law, yet all love, in a world that lieth in darkness, swept by the fitful winds of doubt and despair, blighted by suspicion and intrigue, we pause in this sheltered sanctuary to make sure that Thy light is not shuttered from our inner lives.

By Thy kindly light, as we follow it patiently and obediently, lead us and all men to a realm where, as a harvest of good will, peace will reign; to a kingdom of regnant human rights, where mouths shall not cry for bread; where hands and feet shall not be shackled; where speech shall not be silenced; where eyes shall not be bandaged, or minds darkened by falsehoods which hide the light of truth.

We ask it in the Redeemer's name. Amen.

TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, as in legislative session, there be a morning hour, and that statements in that connection be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 19, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on September 17, 1963, the President had approved and signed the following acts:

S. 495. An act for the relief of Evanthia Christou;

S. 506. An act for the relief of Panagiota Makris;

S. 657. An act for the relief of Dr. Mohammed Adham;

S. 909. An act for the relief of Marija Lovsin;

S. 1154. An act to provide for the sale of certain mineral rights to Christmas Lake, Inc., in Minnesota;

S. 1185. An act relating to the exchange of certain lands between the State of Oregon and the C. & B. Livestock Co., Inc.;

S. 1230. An act for the relief of Carlton M. Richardson; and

S. 1489. An act for the relief of J. Arthur Fields.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

COMMITTEE MEETING DURING THE SESSION OF THE SENATE ON MONDAY NEXT

On request of Mr. Magnuson, and by unanimous consent, the Merchant Marine and Fisheries Subcommittee of the Committee on Commerce was authorized to meet during the session of the Senate on Monday next to consider three maritime bills.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Military Construction Contracts Awarded on Other Than a Competitive Bid Basis

A letter from the Assistant Secretary of the Navy (Installations and Logistics), transmitting, pursuant to law, a report on military construction contracts awarded on other than a competitive bid basis, for the 6-month period ended June 30, 1963 (with an accompanying report); to the Committee on Armed Services.

Amendments to Regulations Governing Numbering of Undocumented Vessels

A letter from the Assistant Secretary of the Treasury, transmitting, pursuant to law, amendments to the regulations governing the numbering of undocumented vessels, promulgated by the Commandant of the U.S. Coast Guard (with an accompanying paper); to the Committee on Commerce.

Report of National Advisory Council on International Monetary and Financial Problems

A letter from the Secretary of the Treasury, transmitting, pursuant to law, a special report of the National Advisory Council on International Monetary and Financial Problems, concerning a proposed increase in the resources of the International Development Association, dated September 1963 (with an accompanying report); to the Committee on Foreign Relations.

Provision of Certain Basic Authority for U.S. Information Agency

A letter from the Director, U.S. Information Agency, Washington, D.C., transmitting a draft of proposed legislation to provide certain basic authority for the U.S. Information Agency (with accompanying papers); to the Committee on Foreign Relations.

Report on Excessive Cost to the Government for Leasing Certain Computer Systems

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the excessive cost to the Government for leasing instead of purchasing analog computer systems for use under negotiated defense contracts by the Martin Marietta Corp., Orlando, Fla., Department of Defense, dated September 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Review of Economic Aspects of Loan for Construction of Water Supply System in Saigon, Vietnam

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of economic aspects of loan for construction of water supply system in Saigon, Vietnam, Development Loan Fund (succeeded by Agency for International Development, Department of State), dated September 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Undue Increases in Maximum Federal Contributions Resulting From Method of Financing Off-Site Community Facilities for Low-Rent Housing Projects

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on undue increases in maximum Federal contributions resulting from method of financing off-site community facilities for low-rent housing projects, Public Housing Administration, Housing and Home Finance Agency, dated September 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Ineffective Programing, Delivery, and Utilization of Aircraft and Related Equipment Furnished to Portuguese Air Force Under Military Assistance Program

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on the ineffective programing, delivery, and utilization of aircraft and related equipment furnished to the Portuguese Air Force under the military assistance program (with an accompanying report); to the Committee on Government Operations.

Report on Unnecessary Costs Resulting From Noncompetitive Procurement of Aeronautical Replacement Spare Parts

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs resulting from the noncompetitive procurement of aeronautical replacement spare parts, Department of the Navy, dated September 1963 (with an accompanying report); to the Committee on Government Operations.

Report on Contracts Negotiated for Experimental, Developmental, or Research Work

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report on contracts negotiated for experimental, development, or research work, during the 6-month period ended June 30, 1963 (with an accompanying report); to the Committee on Government Operations.

Establishment of Analytical Research Experiment Station at Frederick, Md.

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the establishment and operation of an analytical research experiment station at Frederick, Md. (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Certification of Adequate Soil Survey and Land Reclassification, Fryingpan-Arkansas Project

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that an adequate soil survey and land classification has been made of the lands in the Fryingpan-Arkansas project (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Report on Tort Claims Paid by Department of Commerce

A letter from the Secretary of Commerce, transmitting, pursuant to law, a report on tort claims paid by that Department, during fiscal year 1963 (with an accompanying report); to the Committee on the Judiciary.

PETITION

The PRESIDENT pro tempore laid before the Senate a resolution of the Senate of the Commonwealth of Massachusetts, which was referred to the Committee on Commerce, as follows:

Resolution Memorializing the Congress of the United States To Enact Legislation Providing for a 200-Mile Offshore Limit for Taking Fish off the New England Coast by Fishing Vessels of Foreign Countries

Whereas the taking of fish by certain foreign countries off the shores of New England constitutes a serious economic threat to the fishing industry of the Commonwealth, an industry which has been the traditional lifeblood of our State's economy; and

Whereas the present territorial limitation as to fishing off the coast of the United States is totally inadequate to protect the fishing fleets of the Commonwealth from such irreparable loss, a situation which can be remedied by appropriate legislative enactment: Therefore be it

Resolved, That the Massachusetts Senate respectfully urges the Congress of the United States to enact legislation providing for a 200-mile offshore limit for taking fish off the New England coast by fishing vessels of foreign countries; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the State secretary to the President of the United States, to the Presiding Officer of each branch of Congress, and to the Members thereof from the Commonwealth.

Adopted by the senate September 5, 1963.

THOMAS A. CHADWICK,
Clerk.

Attest:

KEVIN H. WHITE,
Secretary of the Commonwealth.

AMENDMENT OF RAILROAD RETIREMENT, RAILROAD RETIREMENT TAX, RAILROAD UNEMPLOYMENT INSURANCE, AND TEMPORARY EXTENDED RAILROAD UNEMPLOYMENT INSURANCE BENEFITS ACTS—REPORT OF A COMMITTEE (S. REPT. NO. 510)

Mr. MORSE. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, without amendment, the bill (H.R. 8100) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes, and I submit a report thereon.

The PRESIDING OFFICER (Mr. CARLSON in the chair). The report will be received and printed, and the bill will be placed on the calendar.

Mr. MORSE. Mr. President, I am pleased to report to the Senate the bill, H.R. 8100, which was approved unanimously by the House Committee on Interstate and Foreign Commerce, the House of Representatives and the Senate Committee on Labor and Public Welfare.

I should like to emphasize at the outset that principal credit for the handling of S. 2056, the Senate counterpart of H.R. 8100, should go to Senator QUENTIN BURDICK who is sponsor of the bill and who was chairman of the Railroad Retirement Subcommittee of the Senate during most of the period when this bill was pending before the subcommittee.

The bill is supported by the Association of American Railroads, the American Short Line Railroad Association, and the Railway Labor Executives Association and is endorsed by the Railroad Retirement Board, the agency which administers the railroad retirement and railroad unemployment insurance systems. Both of these systems are in dire need of more adequate financing and because of this, the President has requested that the financial deficit of these systems be corrected.

This the bill would do.

The Treasury Department and the Bureau of the Budget are concerned that the provisions in the bill for a 3 percent minimum guarantee and for immediate conversion of the 3 percent special obligations in the railroad retirement account into obligations bearing the new interest rates would be a precedent for other trust funds administered by the Government such as the social security and civil service systems. But there is no basis for this concern.

The railroad retirement system is unique among retirement systems administered by the Federal Government. It covers only the railroad industry and, for the most part, constitutes the entire pension system for the railroad employee. It is entirely distinct from other retirement systems and reflects the special public interest in the highly regulated railroad industry.

Of major significance is the fact that the financial impairment of the retirement system is because of the severe contraction in the railroad payrolls, resulting from the employment and manpower problems which have plagued the industry for so many years.

In view of these considerations the committee believes that the railroad retirement system is entitled to special consideration. Thus the provision for the guaranteed floor in the interest rate and an immediate conversion of the special obligations in which the reserve funds are invested into obligations bearing the new interest rates provided in the bill need not and does not in the opinion of the committee serve as a precedent for similar treatment of other systems. Because of these factors, the committee believes that the apprehensions of the Bureau of the Budget and the Treasury Department are not well founded.

For the same reasons the concern of the Department of Labor about certain restrictive provisions in the bill for the Railroad Unemployment Insurance Act is equally without basis.

It is not the intention of the committee that the revisions of the act with respect to qualification restrictions should be regarded as establishing a precedent for other unemployment insurance systems. These provisions are recommended in view of the need for finding a feasible, practical, and acceptable way of restoring the railroad unemployment insurance system to a sound financial basis. In approving these modifications, the committee has taken note of the fact that the railroad unemployment insurance system provides superior protection to career railroad employees with the consequence that railroad carriers in general contribute more to the system than do employers generally in other industries. In contrast in many instances State systems provide such limited protection that supplementary plans financed privately are found necessary.

The railroad unemployment insurance system shares the unique qualities of the companion railroad retirement system. The changes in the railroad unemployment insurance system do not set a pattern for other unemployment compensation systems and are not intended to serve as a precedent.

Mr. BURDICK. Mr. President, the senior Senator from Oregon has been very generous in his comments on my role in the development of the railroad retirement bill which he has just reported to the Senate. And in turn I should like to express my gratitude to him for the skillful and vigorous way in which he has carried this bill forward.

It was my good fortune to serve as a member of the Committee on Labor and Public Welfare for the past few years and as chairman of its Subcommittee on Railroad Retirement until recently. The most acute problem which we faced in the subcommittee during this period is that which would be cured by this bill.

The annual actuarial deficit in the system became pronounced during the past few years largely because of the declining payrolls in railroading, and finally in 1961 the President directed the Railroad Retirement Board to reexamine the financial structure of the system in order to develop legislation to correct this deficiency. By this point the deficit had climbed to a peak of $77 million per year. Equally alarming was the fact that the railroad unemployment insurance system was no longer capable of meeting the demands upon it. It found it necessary to borrow from the railroad retirement account in order to meet its current obligations and as of this time has developed a debt in excess of $300 million. It now lacks the capacity to repay this sum without the measures provided by the bill which has just been reported.

The bill is a third in a series of bills which I introduced on this subject and represents a most careful and detailed examination of the problems on the part of all parties in our effort to develop the most effective measures to restore each of these systems to good health. The noteworthy fact is that the railroad carriers, the Railroad Brotherhoods and the Railroad Retirement Board, the Federal agency responsible for administering this program are all in agreement that this bill represents the most feasible method for handling this grave problem at this time.

It should be noted also that H.R. 8100, which is identical to S. 2056, was unanimously reported out by the House Committee on Interstate and Foreign Commerce and was enacted by the House without a dissenting vote. In the hearings which the Senate Subcommittee on Railroad Retirement held, not a single dissenting voice was heard in opposition to the bill. Both the subcommittee and the full committee thereafter reported the bill out without dissent.

I should like to endorse the remarks of the Senator from Oregon with respect to the unique and special nature of these railroad retirement and unemployment insurance programs and join with him in his assurances that the measures which this bill now provides are not to be taken as a precedent for any other pension or unemployment compensation system. The problems are uniquely a result of the manpower and employment issues which have been facing the railroad system and require special consideration in view of the character and significance of this industry, so strongly earmarked by the interest of the public in maintaining a sound and effective system of transport.

The bills will reduce the actuarial deficit in the railroad retirement system by $61 million per year and will improve the financial condition of the unemployment system by about $20 million per year. Under its terms financial health should be restored to each of these systems and the men in railroading who so heavily rely upon the security which they afford can be assured that their reliance is well placed. I urge the Congress to enact this bill at the earliest possible moment.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCARTHY:

S. 2160. A bill to prohibit States, in the administration of State aid-to-the-blind programs established pursuant to titles X or XVI of the Social Security Act, from imposing as conditions of eligibility for aid thereunder residence requirements which discourage blind persons from changing their residences from one State to another, thereby enabling such persons to enroll in rehabilitation programs located outside of their present State of residence; to the Committee on Finance.

By Mr. SPARKMAN:

S. 2161. A bill to amend the Federal Credit Union Act to allow Federal credit unions greater flexibility in their organization and operations; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (for himself, Mr. Clark, Mr. Dirksen, Mr. Ervin, Mr. Hickenlooper, Mr. Humphrey, Mr. Javits, Mr. Jordan of North Carolina, Mr. Keating, Mr. Kuchel, Mr. Saltonstall, and Mr. Scott):

S.J. Res. 120. Joint resolution providing for the recognition and endorsement of the 17th International Publishers Congress; to the Committee on Foreign Relations.

(See the remarks of Mr. Fulbright when he introduced the above joint resolution, which appear under a separate heading.)

GREATER FLEXIBILITY IN ORGANIZATION AND OPERATIONS OF FEDERAL CREDIT UNIONS

Mr. SPARKMAN. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Credit Union Act to allow Federal credit unions greater flexibility in their organization and operations. I ask unanimous consent to have printed in the Record a letter from the Assistant Secretary of the Department of Health, Education, and Welfare, relating to the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 2161) to amend the Federal Credit Union Act to allow Federal credit unions greater flexibility in their organization and operations, introduced by Mr. Sparkman, was received, read twice by its title, and referred to the Committee on Banking and Currency.

The letter presented by Mr. Sparkman is as follows:

Department of Health,
Education, and Welfare,
September 12, 1963.

Hon. Lyndon B. Johnson,
President of the Senate,
Washington, D.C.

Dear Mr. President: I am enclosing for your consideration a draft of a bill to amend the Federal Credit Union Act to allow Federal credit unions greater flexibility in their organization and operations. The four amendments proposed by the draft bill, explained below, together with the two amendments to the act embodied in H.R. 4842, as passed by the House of Representatives on August 19, 1963 (one, to provide greater flexibility in the time for holding annual meetings of credit unions, and the other to delete the requirement that the treasurer of a credit union be its general manager) would provide greater flexibility and otherwise improve the operation of Federal credit unions.

EXPANSION OF INVESTMENT POWERS

Section 1 of the bill would expand Federal credit union investment powers to allow Federal credit unions to invest in obligations issued by Federal land banks, Federal intermediate credit banks, banks for cooperatives, the Federal Home Loan Bank Board, and the Federal National Mortgage Association even though they may not be guaranteed by the United States. Some of these securities were guaranteed by the United States until their soundness and marketability were fully established. They generally provide a slightly higher yield than securities guaranteed or issued directly by the United States. Allowing Federal credit unions to invest in them would provide a wider market for the issuing agencies, thus aiding their programs also.

INCREASE IN SUPERVISORY COMMITTEE MEMBERSHIP

Section 2 of the bill would allow Federal credit union boards of directors to appoint from three to five members to their supervisory committees. Section 12 of the Federal Credit Union Act now prescribes three members, and it is felt that allowing two additional members to be appointed will help to insure that supervisory committees will be large enough to enable them to adequately perform their audit and control functions. At the same time, limiting such committees to a maximum of five members would prevent the responsibilities of each committee member from becoming overly attenuated.

INTEREST REFUNDS PERMITTED SEMIANNUALLY

Section 3 of the bill would allow Federal credit unions to make interest refunds with respect to any period for which dividends could be paid. The present law permits interest refunds annually, while dividends may be paid semiannually. The two kinds of payments are interrelated; and credit unions would be better able to determine what portion of their earnings should go to each category of payments if they could make interest refunds each time they could pay dividends.

INSURANCE UNDER TITLE I OF NATIONAL HOUSING ACT DEEMED SECURITY

Section 4 of the bill would provide that insurance obtained under title I of the National Housing Act for home improvement loans would de deemed adequate security, subject to regulations of the Director of the Bureau of Federal Credit Unions. The amendment would clarify any doubt as to whether such insurance may be considered adequate security by Federal credit unions and would thus allow them to take full advantage of the FHA Title I programs.

We are advised by the Bureau of the Budget that there is no objection to the submission of this proposed legislation to the Congress from the standpoint of the administration's program.

Sincerely,

WILBUR J. COHEN,
Assistant Secretary.

SEVENTEENTH TRIANNUAL CONGRESS OF THE INTERNATIONAL PUBLISHERS ASSOCIATION

Mr. FULBRIGHT. Mr. President, I introduce, for appropriate reference, along with Senators CLARK, DIRKSEN, ERVIN, HICKENLOOPER, HUMPHREY, JAVITS, JORDAN of North Carolina, KEATING, KUCHEL, SALTONSTALL, and SCOTT, a joint resolution welcoming the International Publishers Association to the United States for its 17th triennial congress.

For the first time since its organization in 1896 the association will meet in the United States, 2 years from now. Several hundred book and music publishers from Western Europe, Latin America, the Middle East, Asia, and Africa will be meeting in Washington from May 30 to June 5, 1965, to discuss common problems and the free international exchange of published materials. The hosts will be the American Book Publishers Council, Inc., and the Music Publishers Association.

It is an honor to welcome to this country an organization which throughout its history has had as its primary purpose upholding freedom of thought in expression and in print. Article I of the basic statutes of the association is a stirring affirmation of this fundamental purpose:

> Freedom of thought, both in speech and in print, is the nerve center of the spiritual life of man and of his mental activity. Without that freedom the whole of literature—the recorded fruits of that activity—would suffer to the detriment of human growth in character and in knowledge. All, therefore, who understand the value of freedom in thought, speech, and writing, and not least the publishers and distributors of books, should unite in securing that freedom, and should stand firmly together in opposing its restriction, wherever attempted.
>
> The International Publishers' Association has the essential task of upholding and defending the right to publish and distribute the works of the mind in complete freedom, both within the frontiers of each country and between the nations. Furthermore, its duty is to oppose steadfastly every restriction of that freedom wherever attempted or threatened.

We are happy to extend to the members of the association our sincere wishes for a fruitful meeting in Washington, and to invite them to take this opportunity to become better acquainted with the United States and its people and institutions. We hope the visiting publishers will not limit themselves to a few days' attendance at their conference but will come early and stay late. Professionally, we trust that out of the meeting will come an increased interchange of books both in their original languages of publication and in translation. Even in this day of easy international travel the book remains a basic means of understanding between countries, as well as an instrument of educational, technical, and economic development.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 120) providing for the recognition and endorsement of the 17th International Publishers' Congress, introduced by Mr. FULBRIGHT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. JAVITS. Mr. President, it is with great pleasure that I join the Senator from Arkansas [Mr. FULBRIGHT] and a number of distinguished colleagues in sponsoring this joint resolution to extend an official welcome to the book and music publishers from abroad who will be attending the 17th Congress of the International Publishers' Association, which will meet in Washington, D.C., from May 30 to June 5, 1965, under the able leadership and sponsorship of the American Book Publishers Council, Inc., and the Music Publishers Association, Inc. The publishing industry in the United States has played an important role in the cultural growth of this country. The industry may well be proud of its leadership in expanding its activities into the international field and in its participation in the challenges and opportunities of international book and music publishing.

In May 1962 the 16th Congress of the International Publishers' Association was held in Barcelona, Spain, and was attended by some 800 delegates, representing 24 countries. Forty delegates from the United States attended the congress. With respect to the coming 17th congress, the U.S. planning committee of the book publishers' congress has suggested that a variety of subjects be discussed by the international group of publishers during the five or six scheduled work sessions, including first, present and future publishing in the emerging countries; second, the position of copyright; third, the problem of translations; fourth, the relation of publishing to the newer media in education; and fifth, the area of graphic arts. The planning committee of the congress has also prepared a tentative program of activity for the visiting publishers.

I take particular pride in joining my colleagues in extending welcome to the International Publishers' Congress in view of the fact that the State of New York, which I have the honor of representing, is considered by many the publishing center of the world and has contributed greatly to the cultural and economic development of the publishing industry. I am certain that the meeting of the 17th International Publishers' Congress will result once again in a successful and constructive contribution to the publishing world and to those who benefit from its work.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT OF AGRICULTURE DEPARTMENT APPROPRIATION BILL, 1964

Mr. MUNDT submitted the following notice in writing:

> In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes, the following amendment; namely, on page 38, between lines 5 and 6, insert a new section as follows:
>
> "SEC. 608. Notwithstanding any other provision of law the Secretary of Agriculture is authorized to extend until December 31, 1965, any conservation reserve contract (authorized under subtitle B of the Soil Bank Act) which is scheduled to expire either on December 31, 1963, or December 31, 1964, if the producer concerned makes application for such extension in accordance with such regulations as the Secretary may prescribe."

Mr. MUNDT also submitted an amendment, intended to be proposed by him to House bill 6754, making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

Mr. MUNDT. Mr. President, the amendment is cosponsored by the senior Senator from Colorado [Mr. ALLOTT], the junior Senator from Delaware [Mr. BOGGS], the senior Senator from Kansas [Mr. CARLSON], the junior Senator from Nebraska [Mr. CURTIS], the junior Senator from Colorado [Mr. DOMINICK], the senior Senator from Nebraska [Mr. HRUSKA], the junior Senator from Idaho [Mr. JORDAN], the junior Senator from Iowa [Mr. MILLER], the junior Senator from Wyoming [Mr. SIMPSON], the senior Senator from North Dakota [Mr. YOUNG], and the senior Senator from Iowa [Mr. HICKENLOOPER].

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared, setting forth exactly what the Senators have in mind and their reasons for proposing the amendment as legislation on an appropriation bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

> WASHINGTON, D.C.—Senator KARL E. MUNDT, Republican, of South Dakota, today introduced an amendment which would permit farmers to extend soil bank conservation reserve contracts now due to expire December 31 of this year. Eleven Senators joined as cosponsors of the amendment.
>
> The Mundt amendment, submitted to the Department of Agriculture appropriations bill, would authorize the Secretary of Agriculture to extend the present program for 2 years.
>
> He said the measure would also permit contracts which expire at the end of 1964 to be extended.
>
> MUNDT said the Senators cosponsoring the proposal include ALLOTT and DOMINICK, of Colorado; BOGGS, of Delaware; CARLSON, of Kansas; CURTIS and HRUSKA, of Nebraska; JORDAN, of Idaho; HICKENLOOPER and MILLER, of Iowa; SIMPSON, of Wyoming; and YOUNG, of North Dakota.
>
> The South Dakota Senator said congressional approval of the amendment will give the Secretary of Agriculture authority to extend contracts for 7,400,000 acres of land now in the conservation reserve.
>
> "Unless Congress takes action," MUNDT said, "contracts on these 7,400,000 acres expire December 31, and this land will come

back into production next year adding further to our problems of overproduction."

Mundt noted that his amendment would not change the present program nor permit the soil bank acres to become involved in the controversy over a proposed House bill which has been the subject of argument for a number of weeks.

He said the House bill has been "bogged down" because it contains a provision to permit grazing of livestock on soil bank acres.

Mundt said because opposition to the grazing provision has deadlocked the House measure, "the wise course of action is to merely extend the present program and let the grazing proposal be considered as a separate measure."

"This would permit the grazing suggestion to stand or fall on its own merits and not hinder the continuation of a program which already is law and requires only extension," Mundt said. "Unless we make such an extension very promptly, these idled acres with their increased fertility will be adding greatly to our stored surpluses after next year's harvest. The delay in congressional action has already resulted in many of these acres being plowed under in readiness for next spring's planting."

Mr. MUNDT. Mr. President, the extension would in no way change contracts which now exist, from the standpoint of the controversial issue which has arisen; that is, whether soil bank acreage should be permitted to be used for the grazing of livestock. The extension would definitely prohibit such grazing. It would leave for future deliberation and consideration a new soil bank program or an extension which might evolve into a different utilization of idle acres.

OPPOSITION TO ASSISTANCE TO SOUTH VIETNAM—ADDITIONAL COSPONSORS OF RESOLUTION

Under authority of the order of the Senate of September 12, 1963, the names of Mr. Anderson, Mr. Brewster, Mr. Edmondson, Mr. Hartke, Mr. McIntyre, Mr. Metcalf, and Mr. Walters were added as additional cosponsors of the resolution (S. Res. 196) opposing conditional continuation of military and economic assistance to the Government of South Vietnam, submitted by Mr. Church (for himself and other Senators) on September 12, 1963.

NOTICE OF HEARINGS ON SENATE JOINT RESOLUTION 118

Mr. SPARKMAN. Mr. President, I would like to announce that the Subcommittee on Housing of the Banking and Currency Committee will hold hearings on Senate Joint Resolution 118, which would increase the authorization for direct loans for housing for elderly persons, and S. 1170, a bill to assist in the provision of housing for elderly persons. These hearings will be held on October 1 and 2, in room 5302, Senate Office Building, beginning at 10 a.m. each day.

All persons wishing to testify should contact Mr. Carl A. S. Coan, staff director of the subcommittee, room 5228, Senate Office Building.

ANNOUNCEMENT OF SHOWING OF "AFRICA TODAY"

Mr. ELLENDER. Mr. President, I again announce that on next Monday, September 23, as well as on Tuesday, September 24, there will be two showings of a series of motion pictures I took on my recent trip to Africa. The showings will take place at 2 p.m. and 7:30 p.m. each day, Monday and Tuesday, in the New Senate Office Building Auditorium.

The public is invited to attend, as are all Senators and Representatives in Congress and their staffs. I hope they will take advantage of this opportunity.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. RANDOLPH:

Addresses by Hon. Hulett C. Smith, Mr. Eugene M. Mortlock, Hon. Cecil H. Underwood, and Senator Randolph at 46th Annual Convention of the West Virginia Savings and Loan League, September 12–14, 1963, the Greenbrier, White Sulphur Springs, W. Va.; and list of member associations of the West Virginia Savings and Loan League.

Address by Senator Vance Hartke, Democrat, of Indiana, before the Minnesota Retail Hardware Association Convention, Grand View Lodge, Echo Lake, Minn., August 27, 1963.

Editorial entitled "$2.3 Billion Should Go Into the Ocean," published in Life magazine of August 30, 1963.

THE GRAVE SITUATION IN VIETNAM

Mr. MANSFIELD. Mr. President, we are confronted with a grave situation in Vietnam. It is costing American lives and an enormous expenditure of public funds. There are no simple solutions. It is by no means an open-and-shut matter of going in and cleaning up the mess in quick order, or just packing up and leaving. In the first instance, "the quick order" could easily run to many years and thousands of American lives. In the second instance, we would be taking, in present circumstances, incalculable risks with respect to the whole future of the western Pacific.

And yet to do nothing, to permit our relationship to the situation to go on as usual, to continue to whistle in the dark as the darkness closed in on us, would have been to intensify the likelihood of one or the other of these extreme solutions—of all the way in or all the way out—which, in reality, are not solutions at all. What has been indicated for many months, Mr. President—clearly indicated has been the desirability of an attempt at modifications of our past policies, not only those with respect to Vietnam, but also those with respect to all of southeast Asia.

Some such modifications have obviously already been tried without very much success in Vietnam. It is likely that still others will be tried in the future. The success of any attempt is by no means automatic. Indeed, the prospect for any sort of successful modifications is very dim.

But it is clear, Mr. President, that whatever prospects there may be will be lost unless there is an administrative discipline, coupled with a capacity to readjust rapidly to change, among the agencies and responsible officials directly involved in carrying out such policies as may be directed by the President, through the Secretary of State.

There are probably in excess of 15,000 Americans now in Vietnam in a variety of agencies—mostly in the military services, but also in the Embassy, the aid-programs, the USIS, or whatever. Unless they function—all of them, both those mentioned and those unmentioned—as a unit, in prompt response to such modifications of policies as may be laid down by the President and the Secretary of State—and these two leaders alone—we will suffer the gravest consequences in Vietnam.

Mr. President, if this large contingent of Americans is so to function, there can be in Vietnam only one channel through which direction can flow. The President and the Secretary of State cannot set up headquarters in Saigon; but they do have in that tortured city an eminently qualified man who does speak for them—and is the only man who should speak for them—with their paramount authority in this matter. That is the Ambassador, Mr. Henry Cabot Lodge, our former colleague, and an outstanding American in every respect.

Mr. Lodge has the capacity, the wit, the experience, and the determination to provide overall direction and control—if any man can—for this vast, dangerous, and delicate operation. But he cannot do it alone. He must have the cooperation of all involved. I am disturbed, therefore, by press reports which suggest that he is not securing that cooperation. May I say, Mr. President, that it is not his function to beg that cooperation. It is his authority to require it in the name of the President of the United States.

Mr. President, it is obvious that we cannot control the behavior of the Vietnamese Government. But if we cannot control our own official behavior, if we cannot insure that the man who bears the responsibilities on the spot will have the prompt and full support of all others involved, if bureaucratic inertia or reticences or whatever tie his hands, we are face to face with a disaster in Vietnam. And may I say that it does not matter whether this ugly inadequacy in our administrative behavior occurs in Washington, in Saigon, or anywhere else. It is reprehensible at all times, but it is especially so at a moment of crisis.

So, Mr. President, I repeat that if there is any hope of a satisfactory solution in Vietnam, it must depend in the first instance on the ordering of our own bureaucratic house. It must be clear that the line of direction of American policy runs from the President to the Secretary of State to Ambassador Lodge, and all else must fit into this line. And if, to insure this ordering of our own house, certain individuals must be removed from it, then the sooner they are removed the better.

Mr. CARLSON. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. CARLSON. I compliment the majority leader for his very timely and, I believe, necessary statement, in view of our most difficult situation in South Vietnam. This problem has been of concern to many Members of Congress, who have been briefed session after session.

I sincerely hope that the statement just made by the majority leader will reach the attention of those in power and authority, not only in order that we may thus protect our position and help to establish there a sound and honest government with which we can have sincere and honest connections, but also in order that our officials there will follow the channels they should.

I thank the distinguished majority leader for his statement.

Mr. MANSFIELD. I thank the Senator from Kansas.

Mr. KUCHEL. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. I wish to say to the distinguished majority leader that obviously the responsibility for the crisis which has existed, continues to exist, and is enlarging, in South Vietnam, is one which runs to the President of the United States. That is why I say to the Senator that although some Senators have joined in sponsoring a resolution with respect to the crisis in Vietnam, I have declined to take that position, for it seems to me that, as the majority leader has suggested, this is a time when a crisis is brewing and when the responsibility rests, not in the Senate, but in the White House, in the State Department, and in the representation which this Government today maintains in South Vietnam. Under those circumstances, I believe the comments made this morning by the distinguished majority leader are to the point.

Mr. MANSFIELD. Mr. President, I appreciate the comments of the distinguished acting minority leader.

I wish to say that so far as this administration is concerned, orders did go out, 2 years ago, to the effect that our Ambassador to any country would be the head of all our activities in that country.

Speaking of our former colleague, Ambassador Henry Cabot Lodge, who also has served with distinction as a Senator from Massachusetts and as our Ambassador to the United Nations, and whose nomination was reported unanimously from the Committee on Foreign Relations, and was confirmed unanimously by the Senate, I point out that his job is difficult enough, without having factions or frictions develop among our officials in the country to which he has been assigned.

I should like to see these frictions done away with. We ought to give every possible cooperation to this man, in whom we have great confidence, because the job he has at the moment is in many respects one of the most difficult diplomatic jobs in the world.

Mr. KUCHEL. The Senator is correct.

THE PRESIDENT AND LYNDON JOHNSON

Mr. MONRONEY. Mr. President, although the American people are fully aware of the tremendously vital and consummate leadership skills of Vice President LYNDON B. JOHNSON, each day and each week he adds to his superb record of accomplishment. It is both heartwarming and reassuring to have these laurels documented through honest journalism. Recently, the nationally syndicated columnist Max Freedman provided another such documentation, and his column deserves our attention and recognition as a constructive and timely bit of reporting. Therefore I ask unanimous consent that Mr. Freedman's column, as it appeared in the Houston, Tex., Chronicle on September 3 under the heading, "The President and LYNDON JOHNSON," be printed in the RECORD at this point.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

[From the Houston Chronicle, Sept. 3, 1963]

THE PRESIDENT AND LYNDON JOHNSON—AT FIRST WARY OF EACH OTHER, THEY NOW SHARE DEEP, ABIDING TRUST

(By Max Freedman)

WASHINGTON.—Vice President LYNDON JOHNSON is in Europe as the representative of President Kennedy on a mission to the Scandinavian countries this week. Thus, this is a good occasion for discussing the relations, both personal and official, between the two men.

Those relations are marked by a friendly trust not often seen in politics. The highest tribute any Vice President can receive comes when his advice and judgment are respected by the President. Those who know most about the inner history of the Kennedy administration are the first to testify that the Vice President has earned and long held this special relationship. Such quiet cooperation at the summit of the administration is more important than his public services, useful and varied as they are.

Very early in the administration, when the memories of the election campaign had not yet faded, Mr. JOHNSON used to tell his friends that his ambition was to be the kind of Vice President that he would have liked to have if he had been elected to the Presidency in 1960. What was once his aim has now become his accomplishment.

This has not been easy. At first some of the men near President Kennedy were skeptical and cautious. They remembered Mr. JOHNSON's immense power as majority leader in the Senate, and they wondered how he would behave in his new role. These doubts were wholly natural, and they bring no discredit on those who held them. But the period of suspense would have lasted much longer if the President had not shown such complete confidence in the Vice President.

Mr. Kennedy in the White House was for Mr. JOHNSON a leader of astonishing knowledge and resource. This was a very different man from the junior Senator of Massachusetts with whom he used to deal while he led the Senate. In the presence of his closest friends, where he could speak with absolute frankness, a note of profound admiration gradually crept into his voice as he talked about the President. That admiration has continued and has deepened.

During Mr. JOHNSON's years of leadership in the Senate the charge was often made that he was more interested in the manipulation of votes than in the settlement of issues. His critics forgot that his duties as majority leader compelled him to develop an almost proprietary interest in legislation, even when he personally did not agree with it.

At all events, this charge can no longer be made with any validity. He has a new concern for ideas and a much greater freedom in discussing them.

It is quite wrong, however, to think that his mind has moved in a totally new direction on civil rights; and it is an insult to think that his speeches in the racial crisis are the cynical products of political expediency.

Of course, he has been taught many valuable lessons by the racial upheavals of recent months. He thinks other people might have profitably heeded these lessons also. Sometimes it is necessary to reform in order to preserve. He still puts his trust in reason and abhors violence as a self-defeating weapon. Even now, as in 1957 when he brought the Senate to pass its first significant civil rights legislation since Reconstruction days, he thinks that the Negro's best protection is his own political power. That is why he is so eager to see full voting rights used by the Negro in every part of the South.

But the accumulated political power of the Negro takes time to express itself. The ballot will not give the Negro a job, nor get him out of a slum, nor into a desegregated school. The ballot does not take into account what Martin Luther King has called "the fierce urgency of now." Mr. JOHNSON, like other members of the administration, is not ashamed to admit that the Negro campaign for equal citizenship, with its appeal to the American conscience, has transformed the old problem of civil rights and given it an altogether new setting.

Vice President JOHNSON's journeys have already taken him to many far places. He has always been a faithful and impressive spokesman for the American tradition of freedom with responsibility. Now he goes to Europe when there is more than a hint of change in world affairs, and when America's racial problems are being anxiously watched everywhere. He can be trusted to be a persuasive spokesman for the Kennedy administration and an effective emissary of the American people.

THE BIRMINGHAM CHURCH BOMBING

Mr. GRUENING. Mr. President, crime may be on the increase in the United States and its occurrence is always deplorable. Regrettably it has been evoked by the determined and proper effort of our colored fellow-Americans to secure for themselves the full enjoyment of the rights presumably guaranteed to all Americans by the Constitution of the United States. But perhaps never has a more shocking atrocity in the annals of domestic violence, a more monstrous crime in the history of our land, been committed than the bombing last Sunday of the 16th Street Baptist Church during its Sunday school hour with the resulting death of four young colored girls and the grave wounding of a score of others. It is indeed a tragic sacrifice of these innocent young victims and their bereaved parents incidental to the legitimate efforts of our colored citizens to seek the equality and fairplay long denied them and long overdue. Coming on top of the cold-blooded assassination of William M. Moore, a Baltimore postal clerk—whose assassin will not be brought to justice—and of Medgar Evers on the steps of his home—in both instances because these men, one white and one colored, were peaceably seeking justice for a minority, long victims of discrimination—one may well wonder what kind of people some Americans have revealed themselves to be, and what the rest of the world must begin to think of us. What is the effect of these tragic occurrences on our Nation's efforts to lead the world toward peace with justice? What are the consequences of such failures of examples—for it is by example that has long lain our best hope to guide this troubled world into a better order? Can we hope that this shameful spectacle will rouse us to enact the long delayed legislation which will help to validate our national professions of belief in a government of laws in a land of equal opportunity and even-handed justice for all?

A characteristically thoughtful and appropriately moving column on the subject by Drew Pearson appeared in this morning's Washington Post. President Kennedy who has exhibited fine leadership in this battle for civil rights might well have added Drew Pearson to the two distinguished military men whom he appointed to try to secure peace, justice, and decency in that Alabama city. No contemporary journalist has more consistently espoused these desirable objectives at home and abroad than this widely syndicated and influential columnist.

I ask unanimous consent that Drew Pearson's column entitled "Wallace and the 16th Street Church" be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 20, 1963]

WALLACE AND THE 16TH STREET CHURCH

(On Feb. 9, after interviewing Govs. Donald Russell of South Carolina and George Wallace of Alabama, Drew Pearson reported: "There was one important deduction I drew from talking to these two Governors—leadership in the South can tip the balance for or against law and order. Governor Russell of South Carolina called for law and order at Clemson, and there was law and order. Gov. Ross Barnett called for resistance in Mississippi, and there was resistance. And as long as Governor Wallace calls for resistance at the University of Alabama, there is certain to be trouble there next September.")

(By Drew Pearson)

Three contrasting pictures are before me as I write this column. One is the recollection of a handsome young man, with an almost boyish face and smoking a long black cigar, sitting in my living room and telling me of his plans as Governor of Alabama.

The second is the mental picture of little girls in white dresses, neatly ironed, pigtails tied in ribbons, going to Sunday school in Birmingham.

The third is the final picture of those same little girls, dresses crumpled, bodies bloody, one with her head blown off, being carried away on stretchers.

It was the Lord's day in Birmingham, supposed to be a day of peace. And it was children's day at the 16th Street Baptist Church. The theme was forgiveness—the story of how Joseph forgave his brothers when they were jealous of him and sold him into bondage.

The people of that church have a lot to forgive now, especially the fathers and mothers of those little girls in crumpled white dresses. The Rev. John Cross, their pastor, took the lead in urging forgiveness when he seized a megaphone minutes after the bombing and shouted an anguished appeal: "Please go home. The Lord is our shepherd. We shall not want."

WALLACE LAST WINTER

Gov. George Wallace sat in my living room last winter, handsome, serene, confident, puffing his cigar. He'd been Governor of Alabama about 3 months and expected no problems. He had been the friend of the "nigra," he said, had served on the board of directors at Tuskegee, attended meetings with the Rockefellers in New York, smoked their dollar cigars, but refused to follow their ideas on the race problem.

That problem, as far as the schools were concerned, was to permit no integration.

"What are you going to do about the University of Alabama?" I asked, knowing that integration was due shortly. "Are you going to let it become another University of Mississippi?"

"We are not going to retract 1 inch" he said. "I don't care what the other States do. I have announced that I would draw a line in the dust, and I shall stand in the door to block the entry of Federal troops or Federal marshals or anyone else. They will have to arrest me before they integrate the University of Alabama."

"But you have been a judge," I said, "and you know the importance of respecting the authority of the courts. If you set an example of opposition, you undermine the courts and give a cue to everyone who believes in violence."

"I'm against violence," repeated the Governor, puffing his cigar, "but I'm also against integration."

"But you are the highest executive in Alabama," I said in the last plea to a man I had known long before he was elected. "The pattern you set of opposition will be a hunting license for violence to all the rabble-rousers and the White Citizens Councils and all the Kluxers in Alabama."

My pleas fell on deaf ears. The Governor insisted he would stand in the door and draw a line in the dust to the very end.

The Governor must suffer sleepless nights this week—nights haunted by the specter of those four little girls who were sent to study forgiveness on the Lord's day and were carried out of Sunday school on stretchers.

A SUGGESTION

Governor Wallace has offered $5,000 of the State's money as a reward to catch those guilty of this, the 21st bombing in Birmingham. His offer is like locking the stable door on violence after the spirit of violence has galloped through the streets of Birmingham. Instead, I suggest he go to that shattered church and kneel before that lone stained-glass window with the headless Christ and beg what the Reverend Cross asked his flock to grant—forgiveness.

Furthermore, let the Governor lead a drive to rebuild the 16th Street Baptist Church.

The chances are slim, I know, that he will do this. So I suggest that every church in the Nation, regardless of its denomination, regardless of whether it is white or Negro, take up a collection to rebuild and repair the church in Birmingham wrecked by the hatemongers. Let this church, when rebuilt, be a monument to forgiveness and tolerance and better understanding in a city that needs sorely to heal its wounds.

AN IMPROVED DAIRY PROGRAM

Mr. McCARTHY. Mr. President, I testified this week before the Dairy Subcommittee of the House Committee on Agriculture in support of an improved dairy program. I recommended a program of surplus reduction payments which could increase the net income of dairy farmers by $150 million, cut the estimated surplus in half, and still reduce Government costs by $37 million compared to expenditures which will be required this year under the existing program.

I believe that the summary of the current dairy situation given by Mr. Chester W. Smith, a witness at the House committee hearing today, is worthy of careful consideration. Mr. Smith, an economist, spoke as the representative of the Mutual Federation of Independent Cooperatives with headquarters at Syracuse, N.Y. He represented about 7,000 dairy farmers in 56 local cooperatives in New York and Pennsylvania who sell under the New York-New Jersey Federal order.

The greater part of Mr. Smith's testimony was in support of the class I base plan, which is the proposal in the Senate committee bill, S. 1915. This plan, of course, is of particular concern to producers in Federal order markets. He did state, however:

> In regard to pending bills for incentive payments to encourage reduced surplus on a national basis, the Mutual Federation has no objection to such a program if kept on a basis of voluntary signup by individual producers and the bill does not lower the minimum of 75 percent of parity dairy support level in the Agricultural Act of 1949.

The conclusion of his statement, I believe, reflects the seriousness of the present dairy situation. He said:

> No dairy legislation this year may leave the Secretary with no alternative but to reduce class I prices in many markets. This is not justified on the basis of the present low net income level of dairymen, particularly in the Northeast.
>
> Such action would encourage radical action by some dairy farmers that could easily lead to physical strife and violence. The need for legislative action is now: 1964 may be too late. Please give us the two-price legislation this year, so we can at least have a chance to prove to you and the Nation next year how it will help reduce dairy surpluses, improve dairy income and save taxpayers millions of dollars in the dairy support program.

I would only add that the need of dairy farmers outside Federal order markets is equal, if not greater, than that of the dairy farmers for whom Mr. Smith was speaking. These dairy farmers outside Federal order markets make up the majority of the dairy producers in the Nation and they do not not have the benefit of the premium price for class I type of milk.

Mr. President, I have also received a copy of the resolution recently adopted by the board of directors of the National Farmers Union. It sets forth their reasons for supporting the surplus reduction payments program which I and other Senators plan to offer as an amendment to the bill reported by the committee. I ask unanimous consent that a summary of the bill, S. 1961, Mr. Smith's testimony, and the resolution be printed in the RECORD at this point.

There being no objection, the summary, testimony, and resolution were ordered to be printed in the RECORD, as follows:

SUMMARY OF PROVISIONS OF THE MCCARTHY DAIRY BILL—S. 196

(1) The program is voluntary.

(2) It retains the present general price support level of 75 percent of parity.

(3) It incorporates the class I base plan. This permits producers to amend their Federal market order so as to cut back on production of "surplus" milk (used for manufacturing purposes) without losing their share of the premium-priced, fluid-use sales.

(4) Producers under Federal orders who agree to cut production 10 percent or more would be paid reduction incentive payments of up to $2.50 per hundred on the amount they reduced marketings. This provision would be effective until April 1, 1965.

(5) The Secretary would be authorized to establish a program of direct payments for dairy producers outside of Federal market orders who agree not to expand production. The maximum direct payment would be 50 cents per hundred on their marketings of milk for manufacturing purposes. The Secretary could make one level of payments for producers who hold the line and a higher level for those who agree to cut production by 5 percent. This program would be effective until April 1, 1965.

Senator MCCARTHY requested the Department to make estimates and the Department chart is attached. It shows that the McCarthy bill compared to the present program could cut surpluses in half, reduce Government costs by $37 million, and increase net income by $150 million.

Estimated program results of S. 1915 and McCarthy program (S. 1961) for 1963–64, compared to present program

Item	Unit	Present program		S. 1915 compromise class I base plan	McCarthy program with 20- and 40-cent payments [1]
		1962–63 marketing year	1963–64 marketing year		
	(1)	(2)	(3)	(4)	(5)
Support level, by purchases	Hundredweight	3.11	3.14	3.14	3.14
Milk production	Billion pounds	125.5	125.5	124.9	120.9
Marketings (M.E.):					
Fluid milk and cream	do	54.0	54.4	54.4	54.4
Manufacturing milk and cream	do	64.0	64.0	63.4	59.4
Total	do	118.0	118.4	117.8	113.8
Commercial demand (M.E.):					
Fluid milk and cream	do	54.0	54.4	54.4	54.4
Manufacturing milk and cream	do	55.1	55.2	55.2	55.2
Total	do	109.1	109.6	109.6	109.6
Surplus [2]	do	8.9	8.8	8.2	4.2
CCC purchases:					
Butter	Million pounds	355	350	320	113.5
Cheese	do	140	140	145	180
Nonfat dry milk	do	1,270	1,200	1,150	848
CCC purchase price:					
Butter	Cents per pound	58.0	58.0	58.0	58.0
Cheese	do	34.6	35.6	35.6	35.6
Nonfat dry milk	do	14.4	14.4	14.4	14.4
CCC net expenditures: Purchases (gross)	Million dollars	511	484	458	296
Reduction payments: [3]					
Quantity (M.E.)	Billion pounds				2.0
Rate per hundredweight	Dollar				2.00
Total	Million dollars				40
Production payments: [4]					
Quantity (M.E.)	Billion pounds				37.3
Rate per hundredweight	Dollar				0.20–0.40
Total	Million dollars				111
Total outlay	do	511	484	458	447
Sales proceeds	do	31	31	31	31
Total net program expenditures	do	480	453	427	416
Dairy farm cash receipts:					
From marketings	do	4,836	4,871	4,865	4,775
Payments	do				151
Total receipts	do	4,836	4,871	4,865	4,926
Effect on net producer income	do		0	+7	+150

[1] 20-cent payments to manufacturing milk producers who do not exceed their base period marketings and 40-cent payments to those who reduce 5 percent. This estimate assumes 50 percent of manufacturing milk producers participate with 20 percent reducing 5 percent to receive the higher payment. Variations in the percentage of producers reducing do not significantly affect program cost though larger participation would significantly increase net producer income.

[2] Milk equivalent milk fat basis.

[3] Payment on reduction below base in Federal order markets.

[4] Payment on manufacturing grade milk.

TESTIMONY BEFORE THE DAIRY SUBCOMMITTEE OF THE HOUSE OF REPRESENTATIVES COMMITTEE ON AGRICULTURE IN SUPPORT OF THE DAIRYMEN'S CLASS I BASE PLAN, SEPTEMBER 18, 1963

(By Chester W. Smith, economist, Mutual Federation of Independent Cooperatives, Inc., 205 Harrison Street, Syracuse, N.Y.)

Representing about 7,000 dairy farmers, in 56 local cooperatives in New York State and Pennsylvania under the New York-New Jersey Federal order, Mutual Federation strongly favors the class I base plan, or two-price plan. Our organization has been extremely active for several years, along with other dairy cooperatives throughout the country, in developing this type of legislation. It would help solve our major problem of surplus milk production which is a millstone around the neck of the entire dairy industry.

The principal advantage of a base plan is the freedom it would give dairy farmers to gear their production voluntarily to normal fluid milk demands in their local market. This would break the current vicious circle of the single blended price feature of milk orders. The single blended price forces all producers to engage in an uneconomic production race in order to keep on a par with each other. The result is an increase in surplus milk production which lowers blended prices. Everybody loses. A two-price plan will enable individual dairymen to produce for normal market needs without being injured by the surplus produced by other producers.

The two-price plan bills now pending contain adequate safeguards to prevent insulation of producers in any one market from normal competition of milk supplies in other parts of the country. The Secretary of Agriculture would be required to establish order provisions, based on public hearings, to carry out his responsibility under the law to make sure that fair interregional competition is maintained. For this reason the manufacturing milk production areas of the country need not fear that these plans would operate to exclude them from a fair opportunity to compete for market outlets in other parts of the country. On the contrary, the surplus reducing effect of local two-price plans under milk orders would indirectly benefit manufacturing milk areas.

A research report just released by USDA[1] shows that the cost of increasing milk production in 1962 was $4.35 per hundredweight in the Central Northeast, $3.25 on eastern Wisconsin grade A dairy farms and $3.19 on Wisconsin grade B dairy farms. This marginal cost is higher than the surplus class price of about $3.00 in all areas (and very substantially higher in the Northeast). For this reason two-price plans with excess milk priced no lower than current surplus class prices would discourage production because the cost of producing excess milk would exceed available returns.

Another advantage of voluntary two-price plans on a local market basis is desirable flexibility. Dairymen supplying a given market could adopt this plan or not adopt the plan, as they saw fit. Each market would have the opportunity to fit the plan to the market's degree of surplus (a wide range now prevails among markets). In view of this feature of the proposed legislation, it seems unfair and unjust for dairy organizations or cooperatives in certain markets, or general national farm organizations, for that matter, to oppose this type of enabling legislation. If such opposition prevails it would deny producers in any market from having the opportunity to even vote on what many of them believe to be an equitable solution to their burdensome surplus problems.

The two-price plan is not regarded as a temporary or emergency stopgap solution to the present large total national dairy surplus. It would be a permanent improvement in the Agricultural Marketing Agreement Act of 1937. Experience in recent years with mounting surpluses indicates that two-price plans can be expected to cure the major defect noted above which threatens to discredit the Federal milk order program. Such discredit would be tragic in view of the fact that milk orders for the most part have been one of the most successful of all Federal farm programs.

In regard to pending bills providing for incentive payments to encourage reduced surplus on a national basis, the Mutual Federation has no objection to such a program if kept on a basis of voluntary signup by individual producers and the bill does not lower the minimum of 75 percent of parity dairy support level in the Agricultural Act of 1949.

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[1] "Implications of cost and price relationships on typical dairy farms" by David Cummins, Dairy Situation, Economic Research Service, USDA, August 1963.

Of the three bills pending (H.R. 7120, Olsen; H.R. 7261, Johnson; or H.R. 8357, Stratton), we prefer the Stratton bill. Its two-price plan title is practically the same as the Proxmire bill (S. 1915) which contains the maximum degree of voluntary application, as well as clarity of wording, and administrative provisions which would minimize opportunities to evade the intended effect of the plan. This latter feature of the two-price plan part of the Stratton bill is its principal advantage over the Olsen bill.

The Johnson bill contains two features not in the Stratton or Olsen bills which we feel are unnecessary. These are: (1) the provision for discounting the return to dairymen on excess milk below the lowest class price in the order (sec. H(ii)3) and (2) the specification that the Secretary of Agriculture shall hold a hearing on any order whenever "he has reason to believe" that an unnecessary surplus exists, coupled with a mandate to hold a further hearing to consider reducing the class I price if a base plan is voted down in a referendum (sec. H(viii)). The first of these features is not needed on the basis of USDA research findings noted above. The second feature is unnecessary because the act now and always has contained basic authority for the Secretary to call hearings whenever "he has reason to believe" that amendment of any provision of an order is needed (sec. 608c (1) and (3)).

Regarding the incentive payment features of the three bills, the Stratton bill contains desirable safeguard against evasion not present in the other two bills (last sentence of sec. 202). It also provides a desirable limit beyond which the Secretary cannot go (25 percent) in inducing reduced production. It also avoids an element of confusion contained in the other two bills by providing only one basis of payment rather than a rate for one type of dairyman on what he does produce and a rate for another type of dairyman on what he doesn't produce.

If any incentive payment type of law is to be enacted, we favor the feature of all three bills which provides for voluntary signup by individual dairymen rather than a more rigid, mandatory, or restrictive type of program.

In conclusion, the two-price plan legislation is needed to enable some Federal order markets to get their milk supplies in balance with demand. No dairy legislation this year may leave the Secretary with no alternative but to reduce class I prices in many markets. This is not justified on the basis of the present low net income level of dairymen, particularly in the Northeast. Such action would encourage radical action by some dairy farmers that could easily lead to physical strife and violence. The need for legislative action is now: 1964 may be too late. Please give us the two-price plan legislation this year, so we can at least have a chance to prove to you and the Nation next year how it will help reduce dairy surpluses, improve dairy income and save taxpayers millions of dollars in the dairy support program.

RESOLUTION BY BOARD OF DIRECTORS OF NATIONAL FARMERS UNION—MCCARTHY DAIRY AMENDMENT

The board of directors of the National Farmers Union hereby resolves that the provisions set forth in the Proxmire dairy bill, S. 1915. class I base plan alone will not provide a solution of the present crisis confronting the dairy industry; however, in order to increase the chances of bringing about much-needed dairy legislation Farmers Union supports the class I base plan in conjunction with the program for dairy farmers in manufacturing milk areas as provided in S. 1961 introduced by Senator Eugene McCarthy, Democrat, of Minnesota.

Farmers Union cannot support the bill introduced by Senator Proxmire as the answer to the need for a national dairy program since it would affect only those producers inside marketing order areas who wish to be included in the plan.

The bill introduced by Senator McCarthy—S. 1961, section I of which is identical to Senator Proxmire's bill—goes further to include the necessary provisions in section 2 which would include those producers outside Federal marketing order areas. Section 2 would include manufacturing milk producers and would offer a support price which would bring about a reduction in the production of milk by offering supply-adjustment incentives.

The surplus reduction payment feature in S. 1961 would overcome a serious shortcoming of the class I base plan. Under this provision dairy farmers in both Federal marketing order areas and manufacturing milk areas would have sufficient incentive to curtail production.

Farmers Union's support of a program for producers of manufacturing milk to work in conjunction with a class I base plan is based on four underlying principles:

(1) Producers of manufacturing milk who receive prices based on a support of $3.14 are in serious need for a program which will substantially raise their net income.

(2) To deal with surplus milk in market order areas while ignoring surplus production in manufacturing milk areas constitutes a piecemeal approach to the need for supply adjustment nationally.

(3) A program solely for producers of class I milk in which bases are established discriminates against producers of manufacturing milk.

(4) The class I base plan would go into effect only on the amending of market orders through referendum. Therefore, such a proposal would have little immediate effect on excess production.

(5) Price support payments authorized in section 2 of the McCarthy bill would make possible movement of processed dairy products to the consumer at fair and reasonable prices and is expected to stimulate consumption.

A dairy program which includes both the Proxmire (S. 1915) and McCarthy (S. 1961) provisions would result in reduction of surplus, lower Government cost, and increased net farm income to milk producers.

The board of directors of National Farmers Union does therefore urge the Senate of the United States of America to adopt section 2 of the McCarthy bill (S. 1961) as an amendment to the Proxmire bill (S. 1915) and to give favorable consideration to the proposal.

TWENTY-FIVE MILLION WORKING WOMEN HONORED

Mrs. NEUBERGER. Mr. President, in June, President Kennedy signed the equal-pay-for-equal-work law in behalf of working women of America. The law, to go into effect on January 1, requires that where women do the same work as men they shall be paid the same money. We now have nearly 25 million women in jobs, who represent 37 percent of all women over 14 years of age in this country. It is clear that they are more than just an important part of the labor force; they are an indispensable part.

Labor Day—recently past—is often thought of as a day that Dad does not have to work and the family can plan an outing, but William F. Schnitzler, AFL–CIO secretary-treasurer, has pointed out in his Labor Day message that this is now an important day for women, too. More than half of the working women are married and most have families. Their income makes up an important part of their household budget—very often the difference between a decent life and a marginal existence.

Mr. President, I ask unanimous consent that a portion of Mr. Schnitzler's Labor Day broadcast of September 2, 1963, be printed in the Record.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

> This Labor Day finds our country deeply engaged in a great, comprehensive effort to secure equal rights and equal opportunity for all Americans.
>
> Most of the emphasis and nearly all the attention with respect to equal rights and equal opportunity has been centered on racial discrimination. This is entirely proper, since the abuses perpetrated against Negroes are infinitely worse and more widespread than those directed at other groups. Yet this is not the only form of discrimination.
>
> Another form—which except for a few interested organizations, such as the AFL–CIO, and for those victimized by it, has attracted little public notice—is discrimination against women.
>
> Hearings conducted by Congress in 1962 produced startling proof that in a wide range of occupations—in factories, in offices and in the service trades—women workers were paid considerably less money than men in the same establishment, doing the same jobs.
>
> In any number of factories, for instance—most of them in the lower-paid industries—there are terms like this: "Starting rates: men, $1.60; women, $1.45." And these are for the same jobs, performed by mixed crews of men and women, with no other differences but wages.
>
> In offices, women bookkeepers often are paid less than the men who work beside them. In banks, it is the same story with tellers. In restaurants, waiters customarily command a higher base rate than waitresses.
>
> Bear in mind that there is no question here of men being paid more because they are required to exert more effort or apply greater skills. What we are talking about are jobs that in every respect are comparable—every respect, that is, except the sex of those who fulfill them.
>
> The worst differentials, of course, were found in nonunion enterprises. But there were far too many instances where even collective bargaining had failed to overcome the practice.
>
> Sometimes—and we have to admit it—the men in the union have accepted the idea of a differential. They say to themselves that a woman's income is likely to be a supplement, rather than the primary support of a family. Some of them even say that "woman's place is in the home." They forget that none of this has anything at all to do with trade union principles. Our goal in the labor movement is fair pay for workers for the job they hold—regardless of race, creed, national origin—or sex.
>
> The congressional hearings made it clear that women workers have not fully been included in that goal.
>
> In April of this year, after carefully reviewing the evidence, the President's Commission on the Status of Women—headed, until her death, by Mrs. Eleanor Roosevelt—formally endorsed Federal legislation to establish by law the principle of equal pay for comparable work. As a member of the Commission, I joined in that report.
>
> This is one area of discrimination in which a legislative victory has already been won.

A bill providing equal pay for women was enacted by Congress and signed by the President early in June.

It is not a perfect bill. On behalf of the AFL–CIO, I had urged a stronger and more effective one. But at least the principle has been established, and an enforcement procedure created and assigned to the Department of Labor.

The law's provisions go into effect next January. They will have far-reaching effects, for the number of women in the Nation's workforce is large and growing. It is estimated that by 1970, 30 million American women will be gainfully employed. Even today, there are more than 2½ million women in AFL–CIO unions.

Let us leave aside the union members. Let us just consider the unorganized.

In little factories, in thousands of offices, in any number of banks and in countless stores and restaurants, women will be legally entitled to the same pay as the men who work beside them.

How many will get wage increases as a result? No one really knows; but the number may run to many millions.

In that respect, this piece of legislation may have a greater economic impact than the broader coverage of the Federal wage-hour law.

Mostly, these wage increases will be quickly spent. In most cases a woman at work—depending upon her age—is building up funds to help furnish a home when she marries; is bolstering the living-standards of her parents, or is making possible a higher standard of living for for her own household. Very few indeed are working to give an extra margin of luxury to a household that is already in comfortable circumstances.

Many of these working women are members of minority groups. This legislation will not protect them against discrimination based upon race; but it can and will protect them against discrimination based upon sex, regardless of their race. It is not hard to imagine circumstances in which this would be an effective weapon for the achievement of economic justice.

The women of America can be proud that the AFL–CIO and the Congress of the United States, both of which are overwhelmingly made up of men, undertook a successful campaign to eliminate job discrimination against women.

This is evidence of our sincere devotion to the principle of equal opportunity; and it is a portent of things to come. There may be a long road to travel before equal rights and equal opportunity, with no ifs, ands or buts, are established beyond question, as they ought to be. But we are moving with increasing speed in that direction.

Thus, even at this stage, the Nation has taken one long-needed step in the fight against discrimination. Like the much greater strides that remain to be taken, this will correct an ancient injustice. But like the measures still pending, it also will have a healthy impact on the economy by raising the wages of millions of working women.

The AFL–CIO will, as always, continue to fight for what is right, knowing that what is right is also best for workers and for the Nation.

FREEDOM OF INFORMATION

Mrs. NEUBERGER. Mr. President, on June 4, 17 Senators, including me, joined with the Senator from Missouri [Mr. LONG] in introducing Senate bill 1666, the freedom of information bill. Hearings on the bill will be held on October 28–31.

The need for prompt action on this proposed legislation was outlined in a recent excellent article by Mr. Creed Black, chairman of the Freedom of Information Committee, of the American Society of Newspaper Editors. I commend this article to the attention of all of my colleagues, and ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Bulletin of the American Society of Newspaper Editors, Sept. 1, 1963]

SENATOR LONG'S BILL S. 1666

(By Creed C. Black)

If and when congressional activity picks up enough to create a shuffle, there is one piece of legislation American editors shouldn't lose in it.

This is S. 1666, introduced June 4 by Senator LONG, of Missouri, and signed by 17 other Senators from both parties. Formally, it's called "a bill to amend section 3 of the Administrative Procedure Act." Informally, it's being referred to as a freedom of information bill.

It deserves that designation—and the support of the press.

To refresh your memories, the Administrative Procedure Act was passed in 1946 to establish some uniform rules for Federal regulatory and executive agencies. It followed more than a decade of work by the American Bar Association and was unanimously adopted in Congress.

Section 3 of that act is entitled "Publication of information, rules, opinions, orders, and public records." In the words of ASNE's good friend Representative JOHN E. MOSS, of California: "This is the nearest thing we have in law to a Federal public information statute."

Unhappily, however, experience has confirmed the truth of Senator LONG's observation that "time and interpretation have shown that it is woefully inadequate today."

In fact, Representative Moss has said that "the so-called public information section is so shot through with exceptions, qualifications and limitations that it actually has served throughout Government generally to suppress information rather than make it available." His own amplification of that indictment will serve admirably here as an analysis of the weaknesses of section 3:

"In it we will find a remarkable collection of phrases and exceptions that add up to a claim of authority for withholding from the public practically anything and everything. The first clause reads:

" 'Except to the extent that there is involved (1) any function of the United States requiring secrecy in the public interest or (2) any matter relating to the internal management of an agency.'

"Now, what is meant by the phrase 'secrecy in the public interest'? We could not quarrel with the protection of defense information properly classified under executive order or statute. We could not quarrel with trade secrets or other information specifically protected under any of the many laws authorizing withholding information both from Congress and the public. Reasonable men do quarrel, however, with the language presently in the law. The 'Manual on the Administrative Procedure Act' issued by the Attorney General's Office puts it up to each agency to determine what functions require secrecy in the public interest.

"The next phrase in the present law I would call to your attention is 'internal management.' The Attorney General's manual suggests that such items might include budget procedures, among other things. I cannot think of a subject more properly the concern of the citizen than the plans for spending taxpayers' money. We know of the concern shared by many about indiscriminate exposure of personnel information, but what about disclosing salaries? Does the public have a right to know how much its employees, by name, are being paid? In short, the phrase 'internal management' is capable of being—and has been—construed to cover the withholding of everything not already covered by the requirements of 'the public interest.'

"The final two paragraphs of the public information section contain additional qualifications that further vitiate any notion that the section is truly a public information law. The first paragraph attempts to limit the kinds of people to whom information may be given in the phrase 'persons properly and directly concerned.' Again the Attorney General's manual advises that each agency 'is the primary judge of whether the person's interest is such as to require it to make its official records available for his inspection.' It would appear that this rules out the inquisitive citizen, the industrious reporter, the concerned taxpayer. Just who is 'properly and directly concerned'? Ask the agency. And if the particular information is especially embarrassing or controversial, we must expect that few persons, if any, will be found to be both 'properly and directly concerned.'

"Finally, I will cite the catchall phrases in 5 U.S.C. 1002—'required for good cause to be held confidential' and 'held confidential for good cause found.' In effect, the law provides that if none of the other broad exemptions and qualifications work, a bureaucrat may decide that his reason for withholding information from the public is a good one. As interpreted by the Attorney General, 'good cause' can be either an agency rule issued in advance, or it may be an ad hoc determination in a specific case. What more could a secrecy-bent person want in the way of authority for withholding?

"In practical operation every bureau, division, agency, and Government office decides for itself which of many grounds it may cite to keep information from the public. The choice is large; in fact, the public information section makes it difficult to provide information to the public. This is the situation as of this moment."

So much for the act as it now stands. What would Senator LONG's bill do to change it?

Generally, he says, the measure is intended to curtail agency discretion by circumscribing and delineating "areas in which secrecy will be permissible." Specifically, here's his explanation of how that would be accomplished:

"Briefly, the bill would require each agency to publish in the Federal Register descriptions of its organization, general policy statements, and the text of its rules or statements on courses and procedures through which it operates.

Second, all agency opinions, orders, policy statements, and interpretations would be available for public inspection. Indexes of opinions, rules, and orders are to be required. Specific times, locations, and procedures for inspection are to be designated. Further, each agency member's vote on all issues would be open for public scrutiny.

"Third, other agency records would be available for inspection except when (a) exempt by statute, (b) they involve national defense, or (c) when they constitute internal memorandum of members and employees of an agency relating to the consideration and disposition of adjudicatory and rulemaking matters.

"Moreover, provision is made for court proceedings under S. 1666. District courts are granted authority to order the production of improperly withheld records. The court is directed to determine such matters de novo, the burden of proof resting on the agency."

Senator Long does not claim perfection for his bill, and suggestions for improving it will be sought when his Subcommittee on Administrative Practice and Procedure conducts hearings now tentatively scheduled for some time in September.

It can be expected that the Federal bureaucracy will oppose the measure. Similar bills have died quietly in the past. But sponsors of the current legislation believe prospects are brighter now.

Not the least of the reasons for believing they may be right is the fact that these sponsors are not only numerous but represent a wide range of Senate opinions. In addition to Senator Long, they are Senators Bartlett, Bayh, Boggs, Case, Dirksen, Gruening, Hart, Keating, Kefauver, Metcalf, Morse, Nelson, Neuberger, Proxmire, Ribicoff, Smathers, and Symington.

If they are to succeed, they'll need help from ASNE members. One way to provide it is to send to Senator Long the details of any instances in which your reporters have been denied information under the Administrative Procedure Act. Another is to let your own Senators (and your Representatives) know how your paper stands on this measure. And still a third is to help build public support for it.

Congress, Senator Long said when he introduced the bill, can hardly complain about bureaucratic secrecy if it fails to amend the law which makes that secrecy possible. The American press, in turn, can hardly complain if it fails to support the attempt to enact such an amendment.

A LETTER TO THE WOMEN OF BIRMINGHAM

Mrs. NEUBERGER. Mr. President, among the lesson illustrated by the recent savagery in Birmingham is that violence and hatred are fueled as much by the silence and passivity of the "good people" as by the lawlessness and polemics of the racists.

It was in the attempt to implement this lesson that on July 9 President Kennedy formed the National Women's Committee for Civil Rights. And it was in recognition of the truth of the lesson that, last Wednesday, the committee sent to the women of Birmingham an open letter which read in part as follows:

> The women of America are roused by your distress. * * * We have too long accepted passively the fact of racial bigotry. The privileged among us took good fortune as their right. The underprivileged accepted deprivation as their fate. But this has changed since we have seen that children, women's special care, have now become the victims of our apathy.

The committee, under the leadership of Mrs. Douglas Horton, former president of Wellesley College and former head of the WAVES, and Mrs. William B. Harris, assistant professor, Howard University Law School, spoke for 300 major women's organizations representing 50 million American women.

The letter ended on a note of hope, which all of us must share:

> Let it be comfort that your tragedy has been a clarion call to women everywhere to rouse themselves to build that better world.

Mr. President, I ask unanimous consent that the letter be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

> To the women of Birmingham—in memory of September 15, 1963: It is not only you who grieve that your strong city was besmirched with blood of innocent young girls and boys. From east to west and north to south the women of America are roused by your distress.
>
> Perhaps your children died that we might see the tragic folly of our hate. Perhaps they died to make us know that women, blessed with motherhood, must rise in might to safeguard youth from bombs and guns and awful weapons of brute force.
>
> We have too long accepted passively the fact of racial bigotry. The privileged among us took good fortune as their right. The underprivileged accepted deprivation as their fate. But this has changed since we have seen that children, women's special care, have now become the victims of our apathy.
>
> The time has come to care about the kind of world we want for children—white or yellow, red or black. The time is now to build that kind of world.
>
> It must be built in genuine respect for all mankind, not scorn or condescension, but respect. It must be built on trust in freedom as the right of men, regardless of their race. It will require laws to guarantee this right. It will require effort to adjust our lives to new relationships with people previously unknown. It calls for courage to speak out for justice and for love.
>
> Let it be comfort that your tragedy has been a clarion call to women everywhere to rouse themselves to build that better world.

AN EARNED ACCOLADE FOR A GREAT TEXAS REPRESENTATIVE

Mr. YARBOROUGH. Mr. President, it is fitting that the Honorable George H. Mahon, Democrat of Texas, has been named as recipient of the American Political Science Association's 1963 Congressional Distinguished Service Award. The purpose of these awards is to call attention to effective legislative service and to underscore the role of free elections of such individuals as George Mahon, possessing extraordinary abilities and talent.

George Mahon has stood four-square for America and for a sound, adequate national defense. As subcommittee chairman of the Defense Appropriations Committee he serves in one of the most responsible national leadership roles. Representing one of the most productive agricultural districts in the world, he has also sought sound farm economy.

These bipartisan awards are given each year to two outstanding Members of each House of Congress. In presenting the award to Congressman Mahon, the American Political Science Association stated in part:

> His zealous concern for the national defense is tempered by concern for the Nation's economy. His respect and friendship for the military establishment is tempered by a commitment to civilian control. Sympathetic to every proof that more money is needed for military security, his questions and relentless demands for facts are quieted only by proof. An acknowledged expert in his field, he commands the attention and respect of all his colleagues.
>
> The American Political Science Association takes great pleasure in presenting this Congressional Distinguished Service Award to George H. Mahon, Democrat, of Texas—soft spoken, hard working, and with a soundness of judgment and steadiness of purpose that have made his legislative career an outstanding example of dedicated public service.

As one who has known and worked with this distinguished Texas Representative for many years, I am pleased that he has been accorded this richly deserved honor by the American Political Science Association.

Representative Mahon has brought honor to his district, his own State, to his country, and to the Congress in which he serves. His district is to be commended for having returned George Mahon to the Congress for 14 consecutive terms. He has grown in years and wisdom—his good judgment has kept pace with his seniority.

The Fort Worth Star Telegram, in an editorial of September 17, 1963, captioned "An Honor for Congressman Mahon" stated:

> It is good to see him so recognized by a national organization which itself commends high respect.

I ask unanimous consent that the editorial be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Fort Worth (Tex.) Star Telegram, Sept. 17, 1963]

An Honor for Congressman Mahon

Texans who have watched his career in Washington are aware that Representative George H. Mahon of Lubbock is a Congressman of more than ordinary stature, and it is good to see him so recognized by a national organization which itself commands high respect.

Along with three other Members of Congress, Representative Mahon has just received the Distinguished Service Award of the American Political Science Association, an organization not given to bestowing its accolades lightly. The other recipients of this honor are Senator Clinton P. Anderson, of New Mexico; Senator Leverett Saltonstall, of Massachusetts, and Representative Thomas B. Curtis, of Missouri.

Mr. Mahon is best known as chairman of the House Subcommittee on Defense Appropriations. In that position he is a key figure in the spending of multiplied billions for national security. It is a job that calls for diligent study and expert knowledge of the defense needs of the country, exercise of the soundest of judgment, and concern for the Nation's taxpayers. Most of it is work behind the scenes, in the quiet of a committee room rather than in the public limelight. A great deal of such work never comes to public attention, and the less so if it has been well and conscientiously performed.

Few persons or organizations are better able to determine that than the scholarly, nonpartisan, nonpolitical American Political Science Association. That is why we are especially pleased to have Mr. Mahon cited by the association as one whose congressional performance serves to exemplify the "crucial role of a freely elected legislative body in maintaining the values and processes of our democratic society."

MRS. JOY E. DOVE, NATIONAL PRESIDENT OF THE GOLD STAR WIVES OF AMERICA, INC., APPROVES THE GI BILL

Mr. YARBOROUGH. Mr. President, following the national convention of the Gold Star Wives of America, Inc., held in Oklahoma City this year, Mrs. Joy E. Dove, the national president of the Gold Star Wives of America, Inc., addressed to me a letter on August 30, 1963, in which she supports the passage of S. 5, the cold war GI bill.

I ask unanimous consent that the letter from Mrs. Joy E. Dove be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GOLD STAR WIVES OF AMERICA, INC.,
Minneapolis, Minn., August 30, 1963.

Senator RALPH W. YARBOROUGH,
Chairman, Subcommittee on Veterans' Affairs, Washington, D.C.

DEAR SIR: First my sincere thanks for your cooperation and prompt response in supplying requested information on cold war GI bill, S. 5, for use at our national convention in Oklahoma City.

The bill was discussed at our meeting as a matter of legislative interest and importance. It received favorable reaction by the assembly but since we limit ourselves to legislation dealing directly with Gold Star Wives or Gold Star Sons and Daughters no official action was taken. We are much aware of the need and importance of the education of our youth; need that they have the professional, technical, and vocational skills which are so important to the preservation and promotion of our civilization.

Since S. 5 will do much to provide the above, I speak for Gold Star Wives of America, Inc., in the wish for its early passage.

Sincerely,

JOY E. DOVE,
National President,
Gold Star Wives of America, Inc.

VOICE OF AMERICA OPERATIONS

Mr. EASTLAND. Mr. President, Morris Cunningham, the brilliant and industrious chief of the Memphis Commercial Appeal's Washington bureau, has recently completed a study in depth of the operations of the Voice of America.

The result of his research appeared in a series of six articles in the Memphis Commercial Appeal.

Citing the book and page, he establishes the fact that the end result of the broadcast activities of the Voice of America presents everything but "a balanced and comprehensive projection of significant American thought and institutions."

The seriousness of the indictment laid by Mr. Cunningham is far reaching. By its own admission the officials of the Voice of America are free to construct and transmit their broadcasts without any check or balance from either an executive agency of the Government or the Congress of the United States.

The editors of the Commercial Appeal in penetrating editorial comment on Mr. Cunningham's series conclude:

Our investigation convinces us that Congress needs to correct the situation. The latitude given the VOA bureaucracy permitting it to be a propaganda outlet for the White House rather than for the people is contrary to the purpose and principles of the agency. The casual approach to accuracy is deplorable. The slanting of public opinion creates for the world a false image of this country.

Mr. President, both the Members of this Senate and those of the other body should give serious and considered attention both to Mr. Cunningham's series and to the editorial comment of this great newspaper. I also suggest that both the Foreign Relations Committee of the Senate and the Senate Appropriations Subcommittee for the Departments of State, Justice, and Commerce carefully review the detailed study of transgressions that has been perpetrated by this agency. If the American taxpayer is to be saddled with the cost of this vast operation the least the agency can do is to achieve its stated purpose of presenting a balanced and comprehensive projection of significant American thought and institutions.

I ask unanimous consent to have printed in the RECORD the text of the series of articles and the editorial comment which appeared in the Commercial Appeal of September 18, 1963.

There being no objection, the articles and editorial were ordered to be printed in the RECORD, as follows:

[From the Memphis (Tenn.) Commercial Appeal, Sept. 8, 1963]

GOVERNMENT EARS CLOSED AS VOICE OF AMERICA TALKS

(By Morris Cunningham)

WASHINGTON, September 1.—Hour by hour, 7 days a week, a group of Federal employees here fashion what goes out over the world's radio waves as the Voice of America.

The Voice is on the air 789 hours and 15 minutes a week in 36 different languages, including English.

Listeners who hear the Voice around the world are taught to accept it as an authentic echo of American views.

An official VOA publication states that "these principles will govern VOA broadcasts:

"1. VOA will establish itself as a consistently reliable and authoritative source of news. VOA news will be accurate, objective and comprehensive.

"2. VOA will represent America, not a single segment of America. It will therefore present a balanced and comprehensive projection of significant American thought and institutions.

"3. As an official radio, VOA will present the policies of the United States clearly and effectively. VOA will also present responsible discussion and opinion on these policies."

Laudable objectives? Certainly. Particularly the second one. It will be with this objective that this series of articles, primarily will deal. For the sake of emphasis, let us repeat it:

"VOA will present America, not a single segment of America. It will therefore present a balanced and comprehensive projection of significant American thought and institutions."

Here it is clearly stated that VOA will present to the world all shades of American opinion—on the race question, on the Cuban question, on our African policies, on our mixed views toward the United Nations, and on all of the other issues and questions on which Americans have opinions.

To get this job done, VOA has been established as the radio arm of the U.S. Information Agency at an annual operating cost of about $22 million.

This does not include the millions invested in broadcast facilities, the newest of which is the $23 million transmitter at Greenville, N.C.

USIA is headed by Edward R. Murrow, the former radio-TV newscaster. The program manager of VOA is Alex Klieforth. Both have offices in Washington.

In a recent interview with Mr. Klieforth and his associates, a question was posed as to how VOA went about correcting a factual error once it was discovered.

The question was based upon a presumption that errors do slip in and that an outfit as dedicated as VOA would be quick to correct them.

Mr. Klieforth and his associates were surprised. They looked at each other in wonderment. None could remember VOA ever making a mistake. Finally one was recalled, several years ago, and of no consequence.

Any experienced newsman, who has wrestled repeatedly with adds, inserts and corrections, will find such a record hard to believe. Some will say it speaks of inadequate supervision and double-checking.

Mr. Klieforth was asked about this. Who monitors VOA programs? The FBI? CIA? State Department? A congressional committee? How does the American system of checks-and-balances operate in respect to VOA?

The answer was that it does not operate at all. VOA, other than its ties to USIA, operates independently.

No other agency of the Government—executive, judicial, or legislative—regularly receives transcripts of VOA broadcasts, or regularly assigns someone to monitor them.

Congress has a joint committee overseeing the Atomic Energy Commission. Another joint congressional committee oversees the Internal Revenue Service. Regular Senate and House committees ride herd on other important executive agencies.

But no congressional panel, with any degree of frequency, checks on VOA. Only once a year, when USIA appears before appropriations committees to ask for and justify funds, does Congress regularly interest itself in VOA's farflung operations. And then the emphasis is more on dollar cost than program content.

Mr. Klieforth dismissed the necessity for a monitoring system. He insisted VOA has a "built-in" system of checks-and-balances. This, he said, is inherent because VOA programs are heard abroad by American citizens overseas, members of American missions in foreign countries, our armed forces abroad, and other Americans who happen to tune them in.

To a newsman, this offered at least a partial explanation of why Mr. Klieforth and his associates had such difficulty in recalling any errors by VOA.

Russian foreign propaganda experts in Moscow are not likely to be depending upon such an elastic system of monitoring VOA programs. Chances are Russian experts pay VOA very close and consistent attention.

Indeed, it may well be that VOA is monitored and double-checked more closely in Moscow than in Washington.

[From the Memphis (Tenn.) Commercial Appeal, Sept. 9, 1963]

ADMITTED "GOOF" BY VOICE CATCHES SAFETY SWITCH OFF

(By Morris Cunningham)

WASHINGTON, September 8.—Voice of America officials had difficulty recalling any factual error ever made by the Voice when they were interviewed by this writer.

Finally, VOA program manager Alex Klieforth and his top associates vaguely recalled an error some years back, and in so doing implied that VOA is practically error proof.

Last week this self-ascribed reputation blew up in headlines on page 1 of the New York Times and other newspapers. This was the story:

VOA, in an English-language broadcast beamed to Vietnam, reported from Washington the United States was considering cutting off aid to Vietnam unless President Diem fired police officials responsible for attacks on Buddhist leaders.

Since VOA calls itself a consistently reliable and authoritative source of news, Vietnam officials in Saigon naturally assumed the VOA broadcast was an accurate report on U.S. policy.

The report created a stir in Saigon, and it also raised the eyebrows of military officers, newsmen, and others in Washington.

The United States has invested billions of dollars in a years-long effort to prevent South Vietnam from being overrun by the Communists. Only recently the American effort was stepped up and expanded.

Everyone knows South Vietnam cannot survive without American aid. Yet here was the Voice of America reporting that this aid might be cut off. This would mean the whole American effort would be washed out, and South Vietnam turned over to the Communists.

This was news of tremendous significance, not only to the Vietnamese but also to the Communists, the Russians, and Red Chinese, the American fighting men in South Vietnam, and to all nations of the world.

The State Department was asked for clarification. Was the VOA report true?

No, said State Department spokesman Richard I. Phillips, it was not. He said VOA had erred—that no decision had been made about cutting off aid to Vietnam.

VOA officials lamely explained its report was a "goof" by the VOA staff. They said the item had been culled from among the several news services VOA receives—and had been broadcast without checking with the State Department for policy guidance.

In the interview with the Commercial Appeal, Mr. Klieforth had said VOA had a "built-in" monitoring system that was a check against error.

Yet the unverified VOA broadcast to Vietnam was an error of great magnitude, one that conceivably could have affected the course of the war and vital American interests in southeast Asia.

The size of the error raised a question about the reliability, not only of VOA but of its "built-in" monitoring system.

It suggested the need for more reliable restraints on VOA, and greater assurance that it is truly "the voice of America."

[From the Memphis (Tenn.) Commercial Appeal, Sept. 10, 1963]

VOICE DROPS TO WHISPER WHEN SOUTHERNERS SPEAK

(By Morris Cunningham)

WASHINGTON, September 9.—The Voice of America, which you help finance with your tax dollars, promises to "represent America, not a single segment of America."

It promises to "present a balanced and comprehensive projection of significant American thought and institutions."

So how is VOA presenting America's most perplexing domestic problem—the race question?

A diligent study of VOA's program content has convinced this writer that VOA's presentation of this problem falls considerably short of its high-minded principles.

Here is an example:

On June 12, Senator RICHARD B. RUSSELL, Democrat of Georgia, leader of southern Senators, emerged from a meeting of southern Senators and made, in detail, a statement attacking the civil rights proposals President Kennedy had endorsed on nationwide television the preceding night.

The Russell statement, coming as it did after a meeting of southern Senators, was highly significant because it reflected the southern Senators' first concerted reaction to the President's new civil rights program.

Wire services, newspapers, radio and television networks across the United States gave the Russell statement the treatment it deserved. In some instances, the text was published.

What did VOA do with it? Practically nothing. At this writer's request, Albert Hamilton, press information officer for VOA, made a careful search of VOA's reports during that time. What he turned up was a 70-word report on VOA's news wire at 11 a.m., June 13, and a 63-word report on the same wire 2 hours later. Nothing more. No mention of the meeting of southern Senators was made.

This is how, in this instance, VOA carried out its promise to "represent America, not a single segment of America," and to "present a balanced and comprehensive projection of significant American thought and institutions."

VOA's cavalier treatment of the Russell statement was, of course, quite different from its earlier, fulsome coverage of President Kennedy's TV speech backing his civil rights bill.

Here is another example:

On July 12, James Kilpatrick, editor of the Richmond News-Leader and eloquent southern spokesman, testified before the Senate Commerce Committee against the President's civil rights bills.

A VOA reporter with a tape recorder asked Mr. Kilpatrick to make a statement to be taped, for use on VOA radio. A bystander remembers Mr. Kilpatrick agreed to do so only after he had been promised his statement would be used. Mr. Kilpatrick himself does not remember an "explicit" promise, but he says that "at the least it was an implicit promise."

VOA was asked what use was made of the Kilpatrick statement. The answer: None whatsoever.

Here is another example:

On July 19, on VOA's program, "The Week in Review," feature treatment was given to a Louis Harris poll, published in the Washington Post, reporting that 91 percent of Americans favor Negro voting rights legislation, 86 percent favor a Federal law assuring equal employment opportunities, and three out of four Americans favor a Federal law to guarantee Negroes access to public accommodations.

No point will be made here of the validity of these findings by a pollster who, in the 1960 presidential campaign, worked for Candidate John F. Kennedy and his associates. It merely will be observed that the findings surprised many people here when published by the Washington Post.

A point will be made, however, of VOA's omission in its July 19, "The Week in Review," of a Gallup poll, published here July 17, reporting that 60 percent of all Americans believed that mass demonstrations were doing the Negro cause more harm than good.

Why did VOA in its news roundup of July 19 give feature treatment to the Louis Harris poll and ignore the Gallup poll?

Was this in keeping with VOA's promise to "represent America, not a single segment of America," and to "present a balanced and comprehensive projection of significant American thought and institutions"?

[From the Memphis (Tenn.) Commercial Appeal, Sept. 12, 1963]

VOA CIVIL RIGHTS REPORTS FOLLOW ADMINISTRATION LINE

(By Morris Cunningham)

WASHINGTON, September 10.—On July 15, Larry LeSueur of the Voice of America staff went on VOA's powerful transmitters and reported to the world that "the administration's civil rights program is now making headway through the U.S. Congress."

Mr. LeSueur was presented as a "Voice of America political commentator." His topic was "Behind the Scenes of the Civil Rights Movement."

With all due respect to Mr. LeSueur, he could not have been very far behind the scenes. Or perhaps he was too far.

The point is that on July 15, the administration's civil rights program had made no headway through Congress. Even as this is written, it has made none. No subcommittee, no committee, and neither the House nor the Senate has approved it. It is still in Senate and House committees.

To report, as VOA did on July 15, that the program was making headway through Congress was simply not true.

While the July 15 VOA report mentioned that "there are some members of Congress who are not convinced that such additional Federal laws are really necessary or desirable," the thrust of the report was that President Kennedy had rallied the Nation for the program and that it was "making headway" through Congress.

On July 16, Harold Courlander of the VOA staff went on the air with a discussion of a Louis Harris poll of American thinking on President Kennedy's civil rights program.

"We have known all along, of course," Mr. Courlander told the world, "that the main resistance to integration is in the Southern States, and that there are elements of resistance throughout the Nation. We have known that Court decisions and Federal actions are in tune with national majority sentiments."

These, of course, are controversial statements. Recent difficulties in the North raise a question as to where the main resistance to integration lies. Also, none other than Attorney General Robert F. Kennedy has said the North poses a more difficult problem than the South.

Moreover, do we really know that court decisions and Federal actions are in tune with national majority sentiments? This is a sweeping statement that covers many court decisions and many Federal actions. How do we know they have majority support? There have been no national referendums. And Congress, which is supposed to be representative of the people, repeatedly has refused to enact legislation backing even the 1954 school desegregation decision.

However, a study of VOA transcripts by this writer indicates that VOA is following the straight administration line in reporting civil rights developments in the United States.

For instance, Mr. LeSueur began his comments of July 15 with these words:

"President Kennedy introduced his civil rights program to the Nation with a moving, even impassioned broadcast appeal to the conscience of all Americans, an appeal to face up to all the remaining problems of this country's racial heritage in their communities, their homes, and in their hearts."

Many will find such choice of words somewhat less than objective, and not in keeping with VOA's promise to keep its news reports "accurate, objective, and comprehensive."

Some critics of VOA do not understand why VOA is so zealous about reporting the American racial problem to the world. It is argued the practice cannot improve the American image abroad, or help this country in any way whatsoever.

VOA spokesmen answer that VOA must report the bad as well as the good in the country, if it is to retain the respect and credence of its listeners. VOA's promise to make a comprehensive report is also cited.

[From the Memphis (Tenn.) Commercial Appeal, Sept. 12, 1963]

GLANCE AT DIXIE NEWSPAPERS BACKS UP VOICE'S PROMISE

(By Morris Cunningham)

WASHINGTON, September 11.—Where does the Voice of America get the news for its radio reports to the world?

Inquiries reveal that it receives Associated Press and United Press International wire services, employs reporters and correspondents of its own, and receives and scans newspapers and periodicals.

A spokesman reported, after checking, that VOA receives 70 American daily newspapers—of which only four are published in the South.

The four are the Chattanooga Times, Atlanta Constitution, Miami Herald and Houston Post.

So in the course of providing the world with the "balanced and comprehensive" reports on the news, including racial developments, there are four Southern newspapers to which VOA subscribes.

It receives no newspapers published in Virginia, North Carolina, South Carolina, Alabama, Louisiana, Mississippi or Arkansas.

A spokesman goes on to say that the newspapers upon which VOA relies the most are the New York Times, New York Herald Tribune, Washington Post, Washington Star, Christian Science Monitor, Wall Street Journal, Baltimore Sun, and Philadelphia Inquirer.

Yet VOA officially promises the American people and the taxpayers that it will "represent America, not a single segment of America."

In this connection, what balance does VOA achieve in selecting individuals to air their views over VOA's facilities on controversial issues—civil rights, for instances?

Inquiries by this writer recently produced information that since President Kennedy sent his civil rights program to Congress last June 11, not a single Southern Senator or Representative opposing the program had appeared on VOA facilities to express his views.

Not Senator RICHARD B. RUSSELL, Democrat, of Georgia, leader of the Dixie Senators who will determine the program's ultimate congressional fate.

Not Senator SAM J. ERVIN, JR., Democrat, of North Carolina, one of the most articulate of southern Senators who has been in the news day after day as he questioned Attorney General Robert F. Kennedy at Senate Judiciary Committee hearings.

Not Senator JAMES O. EASTLAND, Democrat of Mississippi, chairman of the Senate Judiciary Committee.

Not Representative HOWARD SMITH, Democrat, of Virginia, chairman of the powerful House Rules Committee, which is a widely recognized obstacle to House consideration of the program.

Not Representative EDWIN E. WILLIS, Democrat of Louisiana, the able and high-ranking member of the House Judiciary Committee.

A VOA spokesman said Senator ERVIN had been invited but could not accept. Jack Spain, Senator ERVIN's administrative assistant, was asked about this. He reported Senator ERVIN accepted a general invitation, then was asked to appear on a particular day at a particular time. He had another engagement and could not appear.

VOA has carried, a spokesman said, a statement by Senator Russell Long, Democrat, of Louisiana, a brief statement by Senator Olin D. Johnston, Democrat of South Carolina, and excerpts from the testimony here of Gov. Ross Barnett, of Mississippi, and Gov. George Wallace, of Alabama.

But on the other side of the controversy, Rev. Martin Luther King and Senator JOHN SHERMAN COOPER, Republican, of Kentucky, have appeared as guests on VOA's feature program, "Press Conference U.S.A." In addition, VOA has carried statements by Representative Emanuel Celler, Democrat, of New York, Labor Secretary Willard Wirtz and Senator Clifford Case, Republican, of New Jersey.

[From the Memphis (Tenn.) Commercial Appeal, Sept. 13, 1963]

TONE OF MODERATION NOTED IN MOST VOA NEWS PROGRAMS

(By Morris Cunningham)

WASHINGTON, September 12.—Many Americans abroad must be displeased with the Voice of America's news reports and programs.

Except on civil rights, where VOA takes the Kennedy administration line, VOA might be called "the voice of moderation."

This moderate tone is particularly noticeable in a transcript of a VOA broadcast to Latin America on July 10, explaining American "freezing" of Cuban dollar assets in the United States.

"The move toward Cuba," the VOA reported, "is only a logical projection of long-established U.S. policy toward the Castro regime—notably, the total embargo on all exports except food and medicine—and there is no inclination to exaggerate its potential effectiveness. Cuba's trade is known to have been very largely reoriented toward the Soviet bloc, on a barter basis, and the funds involved in the new 'freeze' probably are not decisive to the island's economy. Nevertheless, there are grounds for belief that denying dollars to Castro may be a particular handicap to him—and especially to his financing of subversive activities elsewhere in Latin America."

Few will find this language harsh or critical. Some may find it almost apologetic—Castro has been a bad boy and we must punish him, but not much.

Later in the same broadcast there appeared these words:

"He (Castro) is not considered dangerous, of course, simply as a revolutionary; the nations joined together in the Alliance for Progress, with the assistance of the United States, are fully committed to achieving the same revolutionary social and economic goals that Castro originally professed, before he betrayed his own revolution. Nor is Cuba now viewed as an overt military threat to the security of the hemisphere, despite the continued presence of Soviet troops on the island."

Again, on July 24, in a VOA broadcast to Latin America entitled "What Does the 26th of July Mean to Cuba?" the VOA demonstrated its moderate tone.

The VOA told its listeners that after his July 26, 1953, attack on the Moncada Barracks in Santiago, Castro became quite a hero in Cuba and elsewhere.

"His (Castro's) activities and pronouncements made him a popular hero in the United States and throughout the world—a sort of St. George engaged in deadly combat with a dragon—a sort of Robin Hood who was the champion of the oppressed in Cuba and therefore a symbol for oppressed humanity throughout the world. Indeed, when Castro came to power in 1959, it seemed as though he were going to live up to his promises * * * the people of the United States found much to sympathize with in the ideals proclaimed by the Castro revolution; there was warm response in the press and elsewhere."

Here VOA, which says it represents "America, not a single segment of America," ignored the fact that many Americans were highly skeptical of Castro even in 1959.

The July 24 VOA broadcast went on to relate, in moderate language, "the executions of former Batista army men," and Cuba's rapid changeover to a Soviet satellite.

It recalled Castro's speech of December 2, 1961, proclaiming himself a Marxist-Leninist, and continued: "In the months since then, Cuba has increasingly become another typical Soviet satellite, with its economy badly damaged, with the lives of its people increasingly restricted by the regime."

In a true spirit of moderation, the broadcast, while giving a history of the Castro regime, completely ignored the eyeball-to-eyeball confrontation last October, after Soviet missiles had been sneaked into Cuba, and the United States was prepared to blow the Cuban island off the map.

Perhaps mention of these stirring events would have violated VOA's moderate theme. On the other hand, VOA promises to "present a balanced and comprehensive projection of significant American thought and institutions."

And a lot of Americans are still giving thought to the events of last October.

[From the Memphis (Tenn.) Commercial Appeal, Sept. 18, 1963]

THE OFF-KEY "VOICE"

Would you, as a citizen and taxpayer, say that the Voice of America should be a "voice" for a political administration, or for the diversity of opinion that goes to make up this Nation?

The question is not rhetorical. Obviously there are two conceptions and the one now holding sway is that which favors the New Frontier.

This is not the stated principle of the Voice of America, our foremost world propaganda organ. The specific objectives of the VOA, which is operated by the U.S. Information Agency, are to be authoritative, objective, accurate and comprehensive, representing all American thought and institutions rather than a single segment. As an official radio, VOA promises to "present the policies of the United States clearly and effectively" and also to "present responsible discussion and opinion on these policies."

Too often the shades are drawn on these estimable principles. The Commercial Appeal's Washington bureau chief, Morris Cunningham, recently explored the workings and methods of this "voice" that carries each week a total of 789 hours of radio broadcasts in 36 languages to East Europe, Latin America, southeast Asia, Russia, China, the Middle East and Africa. He found outrageous manipulation of true American public opinion—a kind of news management which all but silences the voice of the South so far as distant listeners are concerned.

The civil rights issue is the focal point of both the people and the Congress today, but the side which is given by VOA is that of the Kennedy administration and supporters of its bill. Misinformation, suggesting that the bill is breezing through Congress, has been broadcast. This propaganda line is underlined by an approving comment in a recent issue of the New York Times whose reporter Tad Szulc said that VOA broadcasts have been "emphasizing the achievements in integration against the background of the unfinished job." The goal of President Kennedy and USIA boss Edward R. Murrow in managing the Voice of America, reports Mr. Szulc, is "to be more sophisticated, universal minded and detached."

Mr. Murrow is quoted by Mr. Szulc as saying that at the VOA "we allow, even encourage dissent. Variety is our hallmark."

But the Commercial Appeal learned, on investigation, that of the 70 newspapers and periodicals received by the VOA for perusal and culling of news and opinion, only 4 are published in the South. A spokesman acknowledged that VOA relies mostly on newspapers from New York, Washington, Baltimore, and Philadelphia—hardly a cross section of America.

Mr. Cunningham also discovered that since the President sent his civil rights bill to Congress June 11 "not a single Southern Senator or Representative opposing the program has appeared on VOA facilities to express his views." Americans know how strong the opposition of these lawmakers is, and how conceivable it is that they will defeat much of the Kennedy-sought provisions. But the "voice" being broadcast to Africa or southeast Asia is that of Martin Luther King, Kennedy Cabinet members, and Congressmen from the urban Northeast.

Probing further, Mr. Cunningham also found that despite mistakes (such as the blunder of broadcasting to South Vietnam a report that American aid might be cut off) there is no watchdog in Congress to keep up with VOA, no monitoring to prevent errors—just bland assumption that VOA cannot err.

Our investigation convinces us that Congress needs to correct the situation. The latitude given the VOA bureaucracy, permitting it to be a propaganda outlet for the White House rather than for the people, is contrary to the purpose and principles of the agency. The casual approach to accuracy is deplorable. The slanting of public opinion creates for the world a false image of this country.

This is the cue for the proper persons in Congress to do some investigating of their own. Considering the importance of the Voice of America to our cold-war strategy it would appear that Congress has failed to attach brakes to this machine before putting it in motion.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapon tests in the atmosphere, in outer space and underwater.

Mr. TOWER obtained the floor.

Mr. TOWER. Mr. President, I yield to the distinguished majority leader with the understanding that I will not lose my right to the floor.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be disposed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

MODIFICATION OF UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, with the full approval of the distinguished minority leader [Mr. DIRKSEN], the distinguished acting minority leader [Mr. KUCHEL], and the author of the proposal, I wish to bring to the attention of the Senate a situation which the leadership did not envisage at the time the unanimous-consent agreement was entered, and to make a unanimous-consent request affecting the agreement.

The rule provides that a preamble to a resolution is to be considered after the resolution itself is acted upon. In regard to the test ban treaty, this would mean that the Russell preamble would ordinarily be considered under a 1-hour limitation after the resolution of ratification had been agreed to at 10:30 a.m. on Tuesday; that is, from about 11 a.m. to 12 noon. In view of this fact, I ask unanimous consent that the preamble to be offered by the distinguished Senator from Georgia [Mr. RUSSELL] may be considered on Monday, after all reservations, understandings, and amendments have been disposed of.

Mr. KUCHEL. Mr. President, reserving the right to object—and I shall not object—let the RECORD clearly show that the request which our able friend the Senator from Montana now makes to the Senate has the concurrence of the minority leader [Mr. DIRKSEN], and of the Senator from Georgia [Mr. RUSSELL], the sponsor of the proposal. A few moments ago, during the quorum call, our minority staff consulted the junior Senator from Arizona [Mr. GOLDWATER] and the senior Senator from Nebraska [Mr. CURTIS]. They were told of the intention of the majority leader to ask for this unanimous-consent agreement. They interposed no objection.

Speaking for myself, it seems to me it is in the interest of orderly procedure that the unanimous-consent request be approved. In the absence of the Republican leader, I wished to have a quorum call, to give Senators who might conceivably raise objections an opportunity to express their views.

Mr. TOWER. Mr. President, reserving the right to object—and I do not intend to object—I should like to ask the majority leader how many reservations he anticipates will be called up on Monday.

Mr. MANSFIELD. So far as I know, there will be one by the distinguished Senator from Arizona [Mr. GOLDWATER]. Two were announced yesterday by the distinguished Senator from Texas [Mr. TOWER], who is now addressing the question to me. I believe one has been submitted by the distinguished Senator from Louisiana [Mr. LONG]. Perhaps there will be one by the distinguished Senator from Iowa [Mr. MILLER], which I think coincides with one by the Senator from Texas. That is all I know of at the moment.

Mr. TOWER. I thank the majority leader.

Mr. MANSFIELD. This also has been cleared with the distinguished Senator from South Carolina [Mr. THURMOND], the distinguished senior Senator from Vermont [Mr. AIKEN], the distinguished Senator from Texas [Mr. TOWER], the distinguished Senator from Alaska [Mr. GRUENING], and other Senators.

The PRESIDING OFFICER. Is there objection to the modification of the unanimous-consent agreement, as requested by the majority leader? The Chair hears none; and, without objection, the modification is agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum with the understanding that the Senator from Texas [Mr. TOWER] will not lose his right to the floor.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TOWER. Mr. President, I rise reluctantly to state my opposition to the ratification of the test ban treaty.

Debate on the treaty is rapidly drawing to a close. Shortly we shall be asked to cast one of the most important votes of our lifetime. Before that time comes I want the RECORD to reflect my unalterable opposition, and the reasons therefor.

I want to say at the outset, Mr. President, that I do not regard this as a partisan matter. I do not believe we should approach it along party lines, and indeed I am most happy that such is apparently not the case. I believe the Senators who make up the membership of this historic body should, and will, make up their minds as responsible guardians of our Republic and its institutions. It is my hope that the thing which will weigh most heavily on their minds as they cast their vote on this treaty will be the peace and security of our beloved land, and, indeed, of the whole free world.

And I want to say also, Mr. President, that I do not doubt the sincerity of or impugn the motives of my colleagues who disagree with me on this. To voice another hope, it is my hope that those who disagree with me will afford me the same respect.

I know full well that many jurors can view the same evidence and come up with differing verdicts. In this case I have viewed the evidence; I have read and I have listened. The verdict I have reached is that this treaty is guilty. It is now guilty of having created false hopes for peace while we are threatened with destruction. It will shortly be guilty of aiding and abetting the decline in American nuclear superiority. It may well prove to be guilty, within a few short years, of causing an unfavorable rearrangement of world political forces.

First, Mr. President, this treaty does not provide for onsite inspections, a principle to which, through the long and disappointing history of our negotiations with the Communists, we have been irrevocably committed. Without that, this treaty cannot be effectively policed on earth, in the atmosphere, or in outer space.

There never has been any scientific claim, even during the Geneva negotiations, that atmospheric explosions of less than 1 kiloton can be effectively detected without onsite inspection. Thus by this treaty we admit that there could be atmospheric testing in Russia about which we would know nothing.

Our primary inspection and detection method under this treaty would necessarily rest upon sampling of the atmosphere outside the Soviet Union. That means we are limited to the hope of detecting radioactivity in the air should the Reds test clandestinely.

Finding radioactivity is pretty well possible after a fission, or A-bomb, blast. It is more unlikely after a fusion, or H-bomb, blast.

We have said that nuclear weapons, because of the use of fusion devices, are becoming cleaner and cleaner; giving off less and less radioactivity. And, we might as well admit that the Russians are going to test—when they cheat—the cleanest fusion device they have or can build.

Among other preeminent figures in this treaty controversy, the Chairman of our Joint Chiefs of Staff has told the Senate that "we can anticipate clandestine testing on the part of the Soviets."

Thus, we accept in this treaty the strong possibility that the Soviet Union will be able to cheat on atmospheric tests without detection by the United States.

And they can cheat, too, in outer space. It was agreed in 1959 talks of the United States, United Kingdom, and Soviet Union that tests of nuclear weapons in distant space are feasible and that such tests could be conducted in absolute secrecy even if police satellites were sweeping the skies.

Tests of up to 500 kilotons could be hidden, for instance, behind a satellite-implaced lead shield that would absorb the telltale X-rays.

There is no way to guarantee policing of this test ban and, in addition, this treaty also lacks any provision for inspection of preparations for testing—such as preparations for a major test series designed to abrogate the treaty unilaterally.

We are asked to ratify it despite the President's words of last year, on March 2, 1962, when he said:

> We know enough about broken negotiations, secret preparations, and the advantages gained from a long test series never to offer again an uninspected moratorium.

It was offered to the Soviet Union and is offered to the Senate today, as an uninspected and unenforceable, legal gentlemen's agreement, despite the President's words August 29, 1962:

> We must have workable international agreements. Gentlemen's agreements and moratoriums do not provide the type of guarantees that are necessary.

But despite the President's words of less than 18 months ago, which made sense then and make sense now, before the Senate is this treaty, with no guarantees at all.

Now, Mr. President, if past is prologue, our experience with this treaty would parallel our experience with the gentlemen's agreement which the Communists broke in 1961.

Suppose that the Russians again test secretly, prepare for larger tests—still secretly—and then break the treaty unilaterally by testing and we do discover the fact. Legally, the United States would have to wait 90 days before matching the tests. What might happen?

A nuclear breakthrough might happen. Should the Soviets be so fortunate, or so skillful, the United States could find itself months behind. Those months could be fatal for freedom.

When the Soviet Union broke a test moratorium unilaterally the last time, it was not many months before the Reds emplaced missiles pointed at America from 90 miles away. The next time that happens, as the test ban treaty would allow it to happen, those missiles might be so powerful or so radically new and different that the United States would face the crushing choice of capitulation or incineration.

I am among Senators and citizens who question the wisdom and judgment of whoever directed the drafters of this treaty to abandon the principle of inspection—a principle immutable to this point in time in our negotiations with the Communists.

There is but one way to rectify this situation—revise the treaty to provide for the American principle of inspection.

Second. The treaty's prohibitions of certain types of experimentation limits future developments and the acquisition of advanced knowledge. That is, it limits learning, as Dr. Edward Teller pointed out.

Mr. President, some days ago Dr. Teller honored my request for a personal discussion concerning the security of the Nation, with particular attention to the instant treaty proposal, and among the points he made which so impressed me was the following:

Progress through experimentation is one of the pillars on which our civilization rests; one of the things that has made America great, and men free. Future results and developments are necessarily difficult, uncertain, and unexpected. Yet, God willing, they occur—unless their occurrence is forbidden.

We cannot tell what benefits for peace lie undiscovered beyond the threshold of our nuclear experience. Likewise, we cannot know what military advantages might accrue to us through reasonable, controlled testing.

Future applications of nuclear power in space challenge the imagination. We are committed to continued space research; yet, by this treaty, we are pledged to eliminate a vital part of that research: controlled nuclear testing in space.

Thus, this treaty would condemn to stillbirth these unborn ideas of potential benefit to mankind, in our own time and beyond. And as the distinguished senior Senator from Mississippi has said, in dealing with this treaty, we must face facts and deal with facts.

I might add that while dreams at times motivate the aspirations of mankind, the man who continually lives in dreams will see the world shaped by men and by nations who know that day by day we must face facts and deal with facts.

Knowledge in this day and age, and speaking particularly of the subject under discussion, comes largely by the addition of the facts of today to the history of yesterday.

And, as Dr. Teller said in his testimony before the Foreign Relations Committee:

> Disparity of knowledge today means a disparity of power tomorrow.

May I quote a statement in this connection made by the famous columnist and commentator Eric Sevareid, who observed that "goodness without power is impotent."

Third. The test ban would allow the Communists legally to overtake the United States in some nuclear fields; and it guarantees their lead over the United States in other fields. Thus, only the Soviet Union is positioned to achieve world nuclear superiority if this treaty gains the consent of the Senate.

By restricting space, atmospheric, and underwater testing, the treaty paralyzes the United States in a status of inferiority in the field of multimegaton explosives.

Yet, in the matter of tactical weapons and low-yield explosives where we now lead the Russians, the treaty permits underground testing so they can catch up or surpass us.

Worse yet, the United States is paralyzed in a position of ignorance. We do not know what the big blast will do. Khrushchev does. This is fact, Mr. President, and no one has denied it, including the administration and its proponents of this treaty.

Our experts can speculate, though, on what the big blast might do and here are some of their speculations:

The superbomb, exploded in the skies above the United States, might blur our radar, knock out or confuse command and control systems, perhaps fuse or destroy our electrical circuits, thus preventing the launching of deterrent missiles. In addition, many or all of our retaliatory missiles launched against the Soviet Union might be destroyed or their fissionable warheads neutralized by the blast and radioactivity.

I repeat, Mr. President, we do not know the results of high-altitude, high-yield tests. No nation in the free world does. The Communists do.

Fourth. Excessive caution in interpretation of the treaty by the United States could lead to severe inhibition of our underground testing while allowing the Soviet Union to gain testing advantages through shallow tests.

We should define that word "underground." Is that 10,000 meters under, or 100 meters, or 1 foot, or 1 inch? The treaty does not say.

Thus, it is possible for a testing nation to define as "underground" a test in which the explosive is set in a shallow hole. That is a position from which the blast effect will create not just underground blast characteristics, but certain characteristics of a surface blast in the atmosphere.

We in the United States may understand that "underground" means the fireball must not breach the surface. But, there is nothing in this treaty to indicate the Soviet Union will understand that. From past history we can expect the United States to be literal in interpreting legality, and we can expect the Communists to be liberal, to strain legality to the limit.

The treaty in no way specifically prohibits shallow underground blast with some characteristics of an atmospheric blast, so long as no detectable radioactivity drifts out of the boundaries of the testing nation.

What is "detectable" radioactivity?

This treaty does not say.

That means detectable radioactivity is whatever the testing nation will admit it to be. We may find that the Russian Geiger counters are not nearly so sensitive as ours.

And, let us remember that it is admittedly possible now to produce relatively clean nuclear explosives. Thus, using a clean bomb, shallow set, a nation can create many effects of an atmospheric blast so as to partially test missile silos and antiballistic missiles.

Fifth. Fear of covert testing would inhibit any peaceful uses of nuclear explosives.

By its language this treaty forbids any peaceful nuclear blasts in the prohibited environments. But, even if some amendment could be worked out to permit peaceful blasts, it is doubtful either the United States or the Soviet Union could chance ratification.

It is a blunt fact that any nuclear explosion can be a weapons test explosion if testing facilities are either openly or covertly present.

Thus, if we blast out a canal in Central America, the Russians will have to assume that we arranged to obtain full testing benefit from the explosion. Certainly, if the Soviets were to "peacefully" blast a canal from Lake Baikal to the sea, we should be forced for security reasons to assume that the blasts were at least partial tests. And off would go the testing race again.

So, under this treaty, there can be allowed no blasts above the ground anywhere. Ratification of the treaty dooms Project Plowshare. We could not take a chance on it.

Sixth. The ban is not the only way, nor the best way, to deal with the problem of fallout.

Scientists agree that a much more simple and limited treaty could be negotiated providing for a limitation on the amount of radioactivity released into the atmosphere in 1 year than would decay in 1 year.

Under such a fallout limitation treaty, nations would be free to conduct essential tests to assure their national security, and Project Plowshare explosions would be allowed within the limits.

This instant test ban treaty is not the only possible answer to the fallout question. A much simpler and infinitely safer treaty could solve that problem.

It appears also that the so-called dangers of fallout have been greatly overstated by proponents of this treaty.

During the hearings, Dr. John S. Foster, Jr., director of the Lawrence Radiation Laboratory, was asked to state the dangers from fallout for the health of the human race. He said:

> The effect on the human being is so small compared with his background environment that we have not even been able to measure it, and it will take many years to measure it. One way to look at it would be to say that the fallout from all past tests affecting man for the next 50 to 100 years would be something like the same thing as deciding to live a few hundred feet higher up above sea level.

However uncertain its effects, fallout can be dealt with, and we do not need a militarily dangerous treaty to deal with it.

National security, Mr. President, in great measure is a combination of scientific, political, and military strength. I have discussed some of the scientific aspects of this treaty. I now turn to some of the military aspects of the treaty.

First. The ban will accelerate the arms race.

We have heard that this test ban would slow down the arms race, and yet that argument already has been refuted on its face. We have seen an increase in the arms race just while these discussions about the proposed treaty have been going on. In fact, the administration has used the treaty as a reason for calling for the restoration of multimillion dollar cuts made in the Defense Department appropriation bill by the House of Representatives.

I quote Deputy Defense Secretary Roswell Gilpatric's remarks before the Senate Committee on Appropriations:

> Failure to restore the $437 million would, in Mr. McNamara's and my considered judgment, make it impossible for us to carry out the required defense program. * * * The test ban treaty does not alter our assessment of the military threat facing us now or likely to face us in the future, and it may well sharpen the differences between us and the Chinese Communists.

Mr. President, it seems crystal clear that additional expenses would be incurred under the treaty in order to provide for increased underground testing and for instant readiness of men and facilities for resumed atmospheric testing—a readiness the President told us some months ago that it was impossible to maintain.

The President has now promised the Nation those same impossible safeguards of readiness and testing if the treaty is ratified. Thus, the treaty would cause increased, not decreased, spending for defense. It would cause acceleration, not deceleration, of the arms race—since we can be sure the Soviets will react exactly as we.

Now, what about the proliferation of nuclear weapons? It probably is true that among law-abiding democracies the treaty might lead to a slowdown in development of nuclear weapons. This is in no wise true for dictatorships, which characteristically develop weapons illegally and in secrecy. Further, this treaty, to outlaw nuclear weapon development, in fact rather creates a condition encouraging nonnuclear countries to adopt policies of rigorous secrecy leading in the direction of a police state.

From a technical point of view it must be remembered that development of nuclear weapons is easy once nuclear materials are available. Starting with the 1955 Atoms for Peace Conference, we have made it very sure that, in the course of time, nuclear materials will be available in every nation. Indeed, under the treaty, we and other nations can continue to provide such materials so long as they are used underground.

Once a country is in possession of a few kilograms of plutonium, simple experiments carried out in secrecy can produce a small nuclear explosion in less than 1 year. Result: proliferation of weapons; accelerated arms race.

Second. The treaty will inhibit attempts of the United States to verify the hardness of our missile sites.

Mr. President, historically the United States has followed the policy of peace or retaliation in international affairs. In this contemporary period we continue to practice this policy and have expressed our determination not to be the nation which starts nuclear war. We have chosen to insure the safety of the free world by building a massive force which we think would deter a first strike upon us by an enemy.

For this strategy to be effective, it is imperative that our retaliatory power be superior to, not equal to, the power of our antagonists, and that the enemy at all times be certain of the fact. We have accepted the responsibility of preserving world peace, and upon our retaliatory force rests our ability to meet that responsibility.

What this amounts to is simple. Either we can keep the peace, or we cannot. Either we have that retaliatory force, or we do not.

Today more than 1,000 Minuteman missile sites constitute the backbone of our power to guarantee a peaceful world. So that these will be safe from a surprise first strike by an enemy, we have placed them in hardened bases beneath the ground.

It is a frightening fact to contemplate, but the ability of these hardened sites to withstand the overpressures of a superbomb blast never has been tested. If the test ban treaty is signed, we pledge ourselves never to adequately test these sites.

Third. The treaty will impede development of U.S. missile offense and defense.

Development of a defense against ballistic missiles is one of the relatively few things that can upset the strategic balance of force between the United States and the U.S.S.R. I have studied the testimony, and have had the benefit of personal discussions. They convince me that either the Soviets are ahead of us in this field, or that we are so unsure about this relative standing that we must assume—for the sake of the national security—that the Soviets are ahead.

The Russians' advantage could be increased by the illegal, relatively undetectable atmospheric and space tests experts have conceded possible. Their advantage could be increased even more substantially if they choose to perform shallow underground tests while we refrain from doing so. Such tests, detonated clandestinely in the heart of the huge Soviet heartland, could be used to study the distance at which incoming missiles can be destroyed by defensive nuclear explosions and to study the effects of nuclear explosions on the radar which is positioned to find incoming missiles.

Of course, we have heard it stated in this Chamber that the difficulty in missile defense and offense is not a lack of test explosions, but rather the complex questions connected with the functioning of radars and the hydrodynamics of incoming missiles. We have been told such key complexities can be studied without nuclear test blasts.

However, recognized scientific and military experts have told us they are convinced that the complexity of the technology of this missile interception business is so great that all factors of a systems test interact and mesh vitally—almost indiscernably—with each other. Those who would deny the need to test the complete system under practical conditions are, in essence, arguing that they can test a baseball without a bat.

The study of nuclear explosives and their effects is an absolutely integral part of a missile system. If this study is omitted, the whole operation could be misdirected and its conclusion invalidated. The American people cannot be asked to have total faith in an offensive or defensive missile system on which complete operational tests have not been carried out. This is not a gamble they should be asked to take with their lives or freedom.

There is a related problem area in this missile field—penetration aids, decoys. If our study of missile systems should be deficient, we will not be in a position to design the most effective penetration aids for our own counterattack missiles. Under such conditions it may be possible for the Reds to shoot down the great majority of our retaliatory missiles, particularly if a Soviet first strike has substantially weakened our Minuteman sites and other strike facilities.

Should this situation develop it might provide the Communists with sufficient assurance of success that they might be willing to chance an attack against us, relying upon a calculated measure of safety for their homeland—a measure deemed worthwhile in terms of the price to be paid in achievement of the main Marxist-Leninist objective—control of the world.

Fourth. The treaty erects a barrier severing cooperation of the United States and its allies in the area of preparedness, particularly in missile defense.

We already have noted the inhibitions this treaty places on development of missile defense by the United States. It so limits our allies individually, of course. In fact, the provisions of article 1 neutralize all nations of the free world, and specifically that means the key alliances for freedom and world security, such as NATO.

In my opinion, it is lamentable and dangerous that we of the NATO alliance have not developed and deployed antiballistic missile weapon systems. Our pooled scientific efforts in this area could continue to outstrip the Russians, extending the margin of free world security at both the strategic and tactical levels. I am among those Senators and citizens who are acutely aware that our European and other allies face the same menace of intermediate-range Soviet missiles that this homeland faced—and I think still does—from Communist Cuba. The solution of the missile defense problem is a priority matter in allied deterrence of Russian risk taking.

But the much-praised simple wording of the treaty precludes any joint development or sharing of such defensive nuclear weapons systems among the Western allies. Indeed, it binds us to "discourage" any nuclear blasts anywhere in the prohibited environment at anytime, by anyone, friend or not.

Thus, we are asked, apparently, to abdicate the nuclear defense of Europe, Africa, the Mediterranean, the Middle East, the Near East, and the Far East, insofar as cooperation with our tried and trusted allies is concerned. Still, for these many postwar years, we have been told that militarily and politically the safety of Europe is the key to the safety of America, and we have heard like pronouncements pertaining to the other world areas.

Fifth. The language of the treaty prohibits the immediate use of nuclear explosives in limited armed conflicts outside the United States, inhibiting prompt response to aggression.

I quote the language of the treaty in article I, section 1, one of the simple provisions in this simple treaty which, Senators and citizens are assured, contains no traps or hidden meanings:

> Each of the Parties to this Treaty undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion, at any place under its jurisdiction.

Let us mark well those key words:

> Or any other nuclear explosion.

They are repeated again in article I, section 2, and specifically enjoin us to discourage any of our allies or friends, such as France, from providing for the common defense of the free world.

Mr. President, we have been assured by administration spokesmen that the treaty does not prohibit the use of nuclear explosives in case of war upon us, or of conflict otherwise deemed by us to affect our national security—although we have been warned not to put that assurance in writing as an amendment or reservation to this treaty.

I do not question the assurance that a surprise Pearl Harbor type of nuclear attack directly upon the United States or her oversea forces would automatically break this treaty.

On the other hand, I associate myself most emphatically with Senators who feel that the treaty, as so simply written, lacks substance on such critical points as U.S. nuclear weapon aid to an ally subjected to nuclear attack or, more likely, subjected to overwhelming conventional attack by the Communist enemy in one or more of his many forms; or a case in which the employment of nuclear weapons is necessary in a neutral land in the interests of the United States, her allies, friends, or the free world.

Even though he cautions us not to put it in writing as a reservation, the President says we can protect our allies. He does not say anything about the fate of neutrals or uncommitted nations. Those nations are left to fend for themselves, even if the safety of the United States depends upon their safety.

The letter of the treaty prevents us from exploding any nuclear devices in space, in the atmosphere, underwater, or on the surface.

Chief American negotiator W. Averell Harriman says:

> It is a straightforward treaty. The words speak for themselves.

Indeed they do. And the words are:

> Or any other nuclear explosion.

Mr. President, the treaty, as it now stands, straightforwardly outlaws the use of nuclear weapons by the United States in limited conflict involving an ally or involving a neutral nation or involving an uncommitted nation.

Let us note that it long has been accepted military fact that the West cannot defend Europe, by conventional means alone, against Soviet attack. By ratifying the treaty, the Senate would serve notice on Europe that we will not defend Europe—because we would not be able to defend Europe.

In addition, by the treaty, we turn completely into the hands of our enemy the decision as to whether a war will be conventional or nuclear. Can the Senate have any doubt about what the enemy's decision will be? The Communists know they can win conventional war in Europe; and perhaps elsewhere, too.

Oh, yes; we can give 3 months' notice, withdraw from the treaty, and then use nuclear weapons. Then where would the conventional Communist blitzkrieg stand, after 90 days' march? on the Rhine? at the Channel? London? Singapore? Pusan, again? Alaska?

In the past, and to this moment, the United States has assured NATO that a Soviet attack on Europe means, at the minimum, tactical nuclear reaction.

The instant treaty, as written, challenges that pledged promise.

The matter is of such import as to require clarity.

In my opinion, the reservation reportedly proposed by the distinguished junior Senator from Louisiana [Mr. LONG] offers that clarity, and I would support it.

Mr. President, I have commented at length upon some of the military and scientific aspects of the treaty. To me there is no question that the weight of the evidence is on the side of opposition to the treaty. In matters of such import we should not be swayed by Utopian hopes nearly so much as by the cold, hard realities of our times—and the realities point to our regretting this as surely as we give it our approval.

I should like now to address myself to one more aspect of the treaty; that is, What will it accomplish in the present death-struggle with international communism, strictly in the realm of politics? I am speaking here, Mr. President, of politics in the international sense, not in the domestic sense. I am speaking of world politics as it relates to our position in the cold war, as it relates to our position of leadership in the free world.

I believe the treaty, if enacted, will have the effect of weakening the Western Alliance. I believe it will weaken our position of leadership in that alliance, and encourage Russia to engage in experimentation, in thrusts and sallies, in intrigue and subversion, around the world.

Mr. President, I know there are many seeming paradoxes in the treaty and the consideration of it. As an aside, I might point out that this strange situation extends beyond debate on the treaty and permeates the world of the mass media. We are told, for instance, that pollsters find sentiment throughout the Nation to be overwhelmingly in favor of this treaty. We are told that those of us who stand against ratification are out of touch, and do not reflect the will of the people. Yet we also find certain of our cartoonists and editorial writers castigating us as playing politics with this proposal. Obviously it cannot be both ways. If the people of America are completely sold on the treaty, then we who now stand against the treaty could hardly be accused of doing so in the hope of reaping political benefits.

I assure you, Mr. President, that I, for one, do not stand against this treaty in the hope of reaping political benefits. I do so because I am convinced that the treaty is not in the best interests of the United States, and I am sworn to uphold those interests.

Before I go further, Mr. President, I should like to counter one argument which has been advanced in favor of the treaty. In answer to questions about why Russia has suddenly turned to sweetness and light, we are told that she is now in some sort of trouble with Communist China, and therefore must seek some sort of accommodation with the West.

Does it stand to reason, Mr. President, that Communist Russia, when faced with a belligerent and expansionist Communist China, would suddenly decide the time has come to begin steps toward disarmament, particularly in the face of adequate evidence that China does not intend to join any such move? It flies in the face of logic to assume so.

We are told, Mr. President, that ratification of this treaty would lead to a "reduction in international tensions." This is a phrase the Communists have been using for many years. They have long sought a so-called reduction in international tensions. It is their hope, of course, that America will let its guard down. Since they do not intend for one moment to abandon their efforts to subvert every free government in the world, it should be obvious why they seek "a reduction in international tensions." It would make their work that much easier.

I do not discount the great desire on the part of the American people for a relaxation of world tensions. Most of us, I am sure, would like to return to the good old days when we could be content and secure in our strength and our oceans—to the days when the governments of other powers sought merely to outbid us in world markets, and did not seek constantly to destroy our way of life, to deny our God, to "bury" us with an alien system. But those days are gone. They will not return as long as communism remains a threat. And as long as that situation remains, the people of America are going to have to live with tensions, if they want to keep their freedom.

Mr. President, I find somewhat of a parallel between the present situation and the one which existed immediately after World War II. At that time this Nation had just won a great war; and its soldiers, sailors, and airmen were tired—and I was one of those tired sailors. They wanted to go home, and quickly—and I was one of those who wanted to go home, and quickly. Their mothers wanted them home, and quickly. All that was perfectly natural and justifiable.

But a few men, who knew what this Nation was to face in the years to come, warned that it would be a good idea to keep our troops in place until the world settled down. They warned that although Russia, had been one of our allies in the war, she was not of our faith, and that she could be counted on to stir up trouble in the vacuum that would be created when our troops left. Even as we were demobilizing our troops, Winston Churchill—when speaking in somber tones in the State of Missouri, in March of 1946—warned us about the Iron Curtain in Europe. But such warnings were extremely unpopular. A mother whose son was overseas did not take kindly to advice from a general or a politician who was safely ashore in the States. She knew only that the war was over and that she wanted her son home.

She got her son home posthaste; but history has proven the wisdom of those who took the unpopular position, and warned against what was surely to come.

In this regard, Mr. President, I ask unanimous consent to have printed in the Record a résumé of some of the pacts and treaties that history has recorded, beginning with the peace of Philocrates and ending with Munich. I believe Members of the Senate are so familiar with the details that I need not go into them here.

There being no objection, the résumé was ordered to be printed in the Record, as follows:

The Peace of Philocrates

ATHENS, 346 B.C.

The fall of Olynthus in 348 drew the two parties at Athens closer together, and a joint attempt was made to enlist the help of the other states to check Philip's alarming progress. The result was not encouraging, and meanwhile Philip intimated his desire to negotiate. Early in 346, on the motion of Philocrates, the first embassy, which included Demosthenes and Aeschines, was sent to treat with Philip. They returned with the offer of peace; each party was to retain its possessions, but two of the allies of Athens were expressly excluded—the little town of Halos in Thessaly, now being beseiged by Philip, and the Phocians, against whom he was conducting the sacred war at the invitation of the Thebans. The Athenians lent a too ready ear to Philocrates and Aeschines, who assured them of the benevolent intentions of Philip. The Peace of Philocrates was sanctioned, and the second embassy started on its dilatory tour to administer the oaths to Philip, now actively completing his conquests in Thrace. On its return, Demosthenes denounced his colleagues to the council, but the assembly shouted him down and eagerly accepted the renewed assurances of his rival. Athens was bound by terms of peace and alliance with Philip and his descendants.

Demosthenes warning: "With regard to his repeated promises to you of substantial benefits, he complains that I am slandering and defaming him in the ears of the Greeks, for he says that he has never made you any promises at all. Such is the shamelessness of the man who stated in his letter, which is still to be seen in the council house, that if peace was made he would confer such benefits on you as would stop the mouths of us, his opponents, benefits which he said he would put down in writing, if he were sure that the peace would be made. The inference was that all the good things that we were to enjoy on the conclusion of peace were ready for immediate delivery. Peace has been concluded, but all the good things that we were to enjoy are still to seek, and upon the Greeks has come such ruin as you well know."

SUBJECTION OF NORTHERN BRITAIN TO ROMAN RULE, MOUNT GRAUPIUS, 83 A.D.

Gnaeus Julius Agricola, Roman Governor of Britain under Domitian, conquered various British tribes and territories between 77 and 84 A.D. The engagement at Mount Graupius marked the farthest north penetration of the Roman arms. Though the Roman victory was complete, the occasion is now best remembered for the defiant address to his troops made by the British general, Calgacus.

The warning of Calgacus:

"Submission and subsequent loyalty to them afford no security from oppression by them. They make the whole world their prey, create universal havoc, and now, when they have traversed every land, they scour the seas. The rich they assail to satisfy their rapacity, the poor to glut their lust of power. They have engulfed the East, and it is not enough: the West, and remain insatiate. Upon them, alone of all men, poverty exerts as powerful an attraction as wealth. Their words are counterfeit: to robbery, murder and pillage they apply the name of government, and when they make a solitude, they call it peace."

CLAYTON-BULWER TREATY, APRIL 19, 1850

"A compromise arrangement resulting from the conflicting interests of Great Britain and the United States in Central America. * * * (The treaty) provided that the two countries should jointly control and protect the canal which it was expected would soon be built somewhere on the isthmus. The introductory article, drafted by Clayton with the aim of ousting the British from Central America, pledged the two countries not to 'occupy, or fortify, or colonize, or assume or exercise any dominion over Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America.' The agreement was ratified July 4, 1850."

* * * * *

"At best the treaty was a compromise, a compromise to which the United States adhered loyally if uncomfortably during the life of the bargain. In the long run, it proved to be a compromise against the best interests of the United States."

Though historians state that there was much opposition to this treaty in the Senate, consideration was in executive session, and we find no record of remarks in opposition.

In 1853, the injunction of secrecy having been removed, a debate was held in the Senate, covering both the provisions of the treaty and their alleged violation by Great Britain. In a speech on February 14, 1853, Senator Stephen A. Douglas thus refers to his opposition to the ratification of the treaty in 1850:

"I did not desire then, nor do I now, to annex any portion of that country (Central America) to this Union. I do not know that the time will ever come in my day when I would be willing to do so. Yet I was unwilling to give the pledge that neither we nor our successors ever would. This is an age of rapid movements and great changes. How long is it since those who made this treaty would have told us that the time would never come when we would want California or any part of the Pacific coast? * * * I think it the wiser and safer policy to hold the control of our own action, and leave those who are to come after us untrammeled and free to do whatever they may deem their duty, when the time shall arrive."

ACQUISITION OF THE PHILIPPINES BY THE TREATY OF PARIS, DECEMBER 10, 1898

Treaty between Spain and the United States, ratified by the Senate February 6, 1899. This treaty included the cession of the Philippines to the United States in return for a payment of $20 million. The Philippine leader, Aquinaldo, and the revolutionists under his command, had reason to expect the United States to support their legitimate aspirations for freedom.

Protest of Senator Joseph LaFayette Rawlins, of Utah:

"Is the ratification of the treaty to end one war to be the inception of another, the end of which no man can foresee, and against people who are absolutely guiltless in sin as against us, who have expressed their gratitude for the aid which we have rendered them—guilty of no crime under the sun except the desire and aspiration which moved our ancestors, the desire and aspiration to be free? Ah, Mr. President, that is the condition and it is a serious problem, and I confess that while I should like to end one war, I do not want that to be the inception of another under those circumstances and without any excuse or justification under the sun."

Confirmation of Senator Rawlins' prophetic words came only 4 days after they were spoken, and even before the Senate action in ratifying the treaty. On February 4 the Filipinos broke out in armed revolt against U.S. rule. Their uprising required, for its suppression, an American Army of 70,000 men. The organized revolt lasted until the end of 1899, and guerrilla warfare continued to the middle of 1902.

WASHINGTON NAVAL ARMAMENTS TREATY, FEBRUARY 6, 1922

Treaty between five powers (United States, Great Britain, Japan, France, and Italy) providing a 10-year holiday in the building of capital ships, and the scrapping of ships built or building. This treaty established the ratio of naval power at 5–5–3–1.67–1.67. Ratified March 29, 1922.

LONDON NAVAL TREATY, APRIL 22, 1930

Treaty between the United States, Great Britain, and Japan, on limitation of armaments, ratified July 21, 1930. France and Italy, intended to be among the signatories to the treaty, did not ratify. This treaty modified the provisions of the treaty of 1922, altering the ratio for some classes of ships.

Senator Tasker L. Oddie, of Nevada, spoke in opposition:

"Mr. President, the London naval treaty as drawn contains serious errors and inconsistencies which, if allowed to remain uncorrected, would weaken our national defense to a material extent, jeopardize our means of protecting our foreign commerce, and lessen our prestige in the eyes of the world by forcing us to a position of inferiority.

"Since the beginning of our Government we have maintained a strong naval policy in the interest of peace and in the protection of our foreign commerce. This has upheld our national defense, welfare, and honor, and we dare not now place in jeopardy our national prosperity and progress, which the ratification of this treaty in its present form would do."

THE PACT OF MUNICH, 1938

Peace treaty made by Neville Chamberlain, Prime Minister of Great Britain, and Adolf Hitler. It permitted the annexation of the Sudeten region of Czechoslovakia to Germany in return for a pledge by Hitler that the independence of the remainder of Czechoslovakia would be respected. Chamberlain believed that "peace in our time" had been achieved, but Hitler's pledge was not kept. The Munich agreement indirectly strengthened Hitler for his later aggression against Poland (September 1939), which brought about World War II.

Winston Churchill's warning:

"I venture to think that in future the Czechoslovak state cannot be maintained as an independent entity. I think you will find that in a period of time which may be measured by years, but may be measured only by months, Czechoslovakia will be engulfed in the Nazi regime.

"The Prime Minister desires to see cordial relations between this country and Germany. There is no difficulty at all in having cordial relations between the peoples. Our hearts go out to them. But they have no power. But never will you have friendship with the present German Government. You must have diplomatic and correct relations, but there can never be friendship between the British democracy and the Nazi power, that power which spurns Christian ethics, which cheers its onward course by barbarous paganism, which vaunts the spirit of aggression and conquest, which derives strength and perverted pleasure from persecution, and uses, as we have seen, with pitiless brutality the threat of murderous force.

"I do not grudge our loyal, brave people, who were ready to do their duty no matter what the cost, who never flinched under the strain of last week—I do not grudge them the natural, spontaneous outburst of joy and relief when they learned that the hard ordeal would no longer be required of them at the moment; but they should know the truth. They should know that there has been gross neglect and deficiency in our defenses; they should know that we have sustained a defeat without a war, the consequences of which will travel far with us along our road; they should know that we have passed an awful milestone in our history, when the whole equilibrium of Europe has been deranged, and that the terrible words have for the time being been pronounced against the Western democracies: 'Thou art weighed in the balance and found wanting.' And do not suppose that this is the end. This is only the beginning of the reckoning. This is only the first sip, the first foretaste of a bitter cup which will be proffered to us year by year unless, by a supreme recovery of moral health and martial vigor, we arise again and take our stand for freedom as in the olden time."

Mr. TOWER. Mr. President, the hope held out to us by the proponents of this treaty is enormously appealing. A beautiful picture of a world free of tensions is painted in glowing colors. But it just is not so; and under present circumstances, it will not be so.

In the first place, many proponents of the treaty seem to labor under the assumption that weapons cause tensions. Therefore, they urge, remove weapons and the tensions will be gone.

But, Mr. President, the truth of the matter is—in the context of recent developments—that tensions cause weapons; weapons are not the cause of tensions. The tensions in this world, in this age, are caused by the announced aim of the Soviet Union to completely destroy all existing governments in what we like to call the free world. If Communist Russia would show by just a few deeds around the world that she wants genuine peace—not just the kind of peace that gives her a free hand to carry on subversion and propaganda—we would see a very quick reduction in tensions. For example, if she would remove the Berlin wall, if she would allow the reunification of Germany, if she would allow free elections in the countries she now dominates by force of arms, if she would remove her troops and missiles from Cuba, if she would recall her underground plotters from Latin America and, indeed, from our own country—if all this were to happen—we would, indeed, have achieved a state in which we could beat our bombs into plowshares.

It is not we of the free world who create world tensions. Very often the Soviet Union has intentionally precipitated crises in order to accomplish an objective. We are not aggressors in this world. We do not seek to impose our system of politics or economics upon anyone who does not want it. So let the Russians show by deeds that they are willing to coexist with other nations on a basis of mutual respect and trust, and in an atmosphere of tranquillity.

But that has not happened; and today the peace in this world is kept by the force of arms in the United States, not by some nebulous thing called "world opinion."

Indeed, were it not for the military superiority America has held since World War II, Europe would today be divided between the legions of Moscow and those of Peiping, in the same manner that Poland was divided between the legions of Stalin and those of Hitler.

In my opinion, rather than beat our breast and tear our hair in some sort of guilt orgy over the fact that we possess nuclear weapons, we should be very thankful that we have them.

There are those who say that we cannot fight communism with nuclear weapons. But surely we can fight Communists with nuclear weapons.

Mr. President, in 1922 this body debated and approved the Washington Naval Armaments Treaty, which I have already mentioned. Senator Joseph I. France, of Maryland, was the only Senator to vote against approval of that treaty. I shall close my remarks by quoting his concluding remarks in opposition to the approval of that treaty:

> I shall vote against the treaty if I vote alone, and I shall wait for the patient years to vindicate my vote; and I know that the majority of the American people fully realize that this policy, which is indeed a sudden reversal of a well and long considered policy—this policy of scrapping so much of the great American Navy at the very moment when that Navy was coming to a position where it would have held supremacy of the seas—is a grave mistake.
>
> As far as I am concerned, I can vote "nay" with perfect confidence that my vote is the proper vote, and if that unhappy time shall ever come, which I pray God may not be, when we shall be menaced by a combina-

> tion of the empires which hate us, if we shall be unprepared, the blood, the havoc, the destruction shall not be charged to me nor to my record as a Member of the Senate of the United States.

Then came Pearl Harbor, and the Philippines. We were unprepared, Mr. President. It took years and the expenditure of so much of our blood and treasure to recover and to win the war.

The next time, Mr. President, we will not have years, or even days. Instead, the sands of time will have run out for the free world.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. TOWER. I yield to the Senator from South Carolina.

Mr. THURMOND. I commend the able and distinguished Senator from Texas for the very eloquent address he has delivered against the test ban treaty. I should like to ask him if he does not feel that, as the President has said, and as Dean Rusk said on March 11, 1963, the treaty will be a first step, and that all information points to the fact that it will be a first step toward disarmament?

Mr. TOWER. It would appear from the language of the treaty itself that its objective is complete disarmament. It is rather naive for us to suppose that a dictatorship and militaristic power of the character of the Soviet Union ever would volunteer to disarm while it maintains suzerainty over captive people by force of arms. It is folly to think that the Soviet Union would disarm, and it would be folly for us to disarm ourselves. I thank the Senator for his kind remarks.

Mr. THURMOND. As the distinguished Senator has said, the preamble to the treaty proclaims as its principal aim the speediest possible achievement of an agreement on general and complete disarmament under strict international control, and so forth. In other words, there is set out the aim and the goal to which we are being driven, and the nuclear test ban treaty is the first step in approaching that goal. In addition, I am certain the Senator has read of Mr. Gromyko's invitation to lure our negotiators back to Moscow to consumate the plans which the Soviets have to disarm the American "imperialists," as they call us.

Mr. TOWER. The Senator is absolutely correct. I thank him for his remarks.

Mr. President, I yield the floor.

Mr. THURMOND obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. THURMOND. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THURMOND. Mr. President, the military disadvantages of the test ban treaty are such as to place in serious jeopardy our continued capability to maintain the overwhelming superiority of strategic nuclear power which is absolutely essential to deter and prevent nuclear war. To accept these disadvantages is to accept willingly a blindfold during our future attempts to travel the difficult obstacle course to peace with liberty.

The political considerations, on balance, also weigh against the ratification of the treaty. The proponents of the treaty have been able to express the political considerations only in the vaguest generalities, based mostly on the remotest type of speculation and subjective evaluation. Seeking peace through accommodation, rather than superior strength, is like licking one's lips over dreams of "pie in the sky."

In addition to the military and security risks, and the absence of any realistic political advantages, there is another consideration which weighs against ratification—the gross and significant ineptitudes appearing in the language of the treaty.

The ambiguities of the language of the treaty are so numerous and of such consequence that the Senate cannot possibly know precisely what it is that the Senate is being asked to ratify. If the Senate acts favorably on this draft, we will, in effect, be buying the proverbial "pig in a poke."

The first and most patent language defect arises from the fact that the State Department interprets the phrase "or any other nuclear explosion," which appears in sections 1 and 2 of article I of the treaty, in a way which expressly contradicts the obvious and explicit phraseology of the language of the treaty itself.

Article I, section 1 reads in part:

> Each of the parties to this treaty undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion at any place under its jurisdiction or control.

Article I, section 2 says:

> Each of the parties to this treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the environments described, or have the effect referred to in paragraph 1 of this article.

The executive branch of the U.S. Government has taken the position that the words "or any other nuclear explosion" do not include nuclear explosions during actual hostilities between nations. The verbiage of the treaty, itself, is obviously not so limited.

The preamble of the treaty states as one of the principal aims of the treaty, "to put an end to the contamination of man's environment by radioactive substances."

The interpretation placed on this verbiage by the executive branch of the U.S. Government not only contradicts the language itself, but also supplies a limitation on the verbiage of the treaty which, if so intended, could have been easily expressed by the insertion of the word "peacetime," or a qualifying phrase "except during actual hostilities" or except to repel or defend against aggression."

It is particularly significant that the executive branch now seeks to render a unilateral interpretation of this language, rather than having insisted on clarifying, or more precise, language in the treaty. In 1955, at a party congress in Moscow, 65 national Communist parties signed a manifesto which established as a priority target a ban on the use of nuclear weapons. Since it is an announced Soviet purpose to achieve a ban on nuclear weapons under all circumstances, why did not the U.S. participants in the drafting of this treaty specifically insist on language which clearly showed that the United States and the other parties to the agreement were not acceding to this Communist objective?

The State Department has taken the position that this treaty would not be binding on us in time of war. Even if this contention were well taken, Mr. President, this verbiage would still constitute a severe inhibition on the use by the United States of nuclear weapons to repel aggression against some of our allies under situations where the United States might not be, legally speaking, in a state of war. For 3 years, we sought to repel the aggression against South Korea—without using nuclear weapons, incidentally—but at no time during the Korean conflict did the Congress of the United States declare war. From a legal standpoint, we were never at war.

Today, we are engaged in an armed conflict in South Vietnam in an effort to prevent the Communists from overrunning all of southeast Asia. So far, the aggression has not been of such a nature as to make the use of nuclear weapons militarily feasible. But it does not take much imagination to foresee the future developments of these hostilities in southeast Asia taking the form of a massive attack by Communist forces, in which event it would be, not only militarily feasible, but absolutely essential, to use nuclear weapons to repel the invading masses. As was the case in Korea, it might be that the Congress would not declare an official state of war. If we used nuclear weapons, or made them available to our allies for such use under these circumstances, it seems unavoidable that we would be in violation of the language of this treaty.

I realize, of course, that under press of extreme circumstances, or in cases of dire necessity, the United States might ignore the consequences of charges of violation of the treaty, and use nuclear weapons under such circumstances, notwithstanding the language of the treaty. Such a step could be justified with a unilateral interpretation of the phraseology "or any other nuclear explosions." The language of the treaty, nevertheless, creates one more inhibition against so doing.

We have had examples of the effects of such inhibitions already. Last year the Congress directed by legislative act that the President withdraw favored nations status from Yugoslavia and Poland as soon as practical. Such action has not even yet been taken by the President, and the State Department attempts to explain the refusal to do so on the grounds of a provision in a treaty negotiated, signed, and ratified in pre-World War II days.

This defect in the language of the treaty cannot be cured or resolved by a unilateral declaration from the executive branch of the U.S. Government, no matter how high the official level from which the unilateral interpretation is issued. The language is fatally defective.

There is other phraseology in the treaty which, when considered in conjunction with the phrase "or any other nuclear explosions," constitutes an additional defect. I refer in this instance to section 2 of article I, and specifically, the language which says that the parties to the treaty undertake: "to refrain from causing, encouraging or in any way participating in, the carrying out of any nuclear weapons explosions or any other nuclear explosions."

If we subscribe to the treaty, and thereby, agree to refrain from "causing, encouraging, or in any way participating in the carrying out of any nuclear explosions," we are making ourselves vulnerable to a major Soviet propaganda offensive against the creation of NATO nuclear forces.

We know full well that one of the principal objectives of Soviet foreign policy is to prevent, inhibit, and destroy to the maximum extent possible any steps toward a NATO nuclear force, either multilateral or unilateral in nature.

We have made a proposal to our NATO allies to create a multilateral NATO naval force. Our proposal, of course, has met with less than total enthusiasm by some of our NATO allies. It is quite conceivable, however, that the United States could make such improvements in its proposal as to merit the enthusiastic cooperation of all our NATO allies, including France. The Soviets could well charge the United States with violation of the treaty, should we implement even a NATO multilateral force, since the United States would thereby surrender, at least in part, control of the explosion of such nuclear weapons.

Should the circumstances so warrant in the future, the United States might well find it desirable and even essential to transfer nuclear weapons outright to our allies in order to prevent Communist aggression and in order to deter a surprise attack. One of our principal NATO allies is France, and France has not signed the treaty, nor is there any indication that she will sign this treaty. It is quite reasonable to assume that France would desire to test her stockpile of nuclear weapons, including those received from the United States.

I realize, of course, that the United States has not followed a policy of testing weapons from its nuclear stockpile to assure that they are not duds, but it would not be unreasonable to assume that France would adopt a more prudent policy. Under such circumstances, the United States would quite clearly be in violation of the treaty under any reasonable interpretation of the language.

Mr. President, some of the official witnesses before the Foreign Relations Committee, including Mr. McNamara, Secretary of Defense, and Dr. Harold Brown, his chief scientific adviser, have testified that the treaty will not prevent us from developing an effective ABM system. I have great faith that we can design a very effective system, although I am convinced that it could not be given a complete weapons systems check if we ratified this treaty. Should we develop an ABM system, however, which Mr. McNamara, and even Dr. Jerome Weisner would agree to deploy, it could be of overriding importance to equip all of our NATO allies, including West Germany, with such a weapons system—at their own expense, of course. We could equip West Germany, for instance, with such a weapons system in a way to insure that the nuclear warheads which we furnish could be used, and only used, to defend against incoming missiles. The weapons system, under those circumstances, would be totally, completely, and exclusively defensive, but it would constitute one of the strongest deterrents to nuclear war which one can imagine, if it were deployed throughout the countries of our NATO allies. Under this treaty, we could not furnish such a weapons system to our allies without subjecting the United States to a charge of violation of the treaty.

We can be assured that Mr. Khrushchev and his Kremlin cohorts will be on constant alert to make the most of any propaganda issue that this treaty places in their hands. The fact that the Soviets have withheld external propaganda operations on the treaty against the United States until after Senate action—at the request of the State Department—should deceive no one as to the course the Soviets will follow, once the Senate has voted on the treaty.

Mr. President, the third defect of the treaty lies in the ambiguity of the language employed to precisely identify which tests conducted underground are permitted under the treaty.

The treaty itself does not mention underground tests, of course, and the specific prohibition extends primarily to nuclear explosions in the atmosphere, outer space, and under water. The treaty also prohibits nuclear explosions, however—and I quote—"in any other environment if such explosion causes radioactive debris to be present outside the territorial limits of the state under whose jurisdiction or control such explosion is conducted."

Mr. President, the language of the treaty itself leaves a great deal of uncertainty as to whether the construction placed on this language by the United States and by the Soviet Union will be identical. A nuclear device which is covered by an inch of soil and detonated would not literally be an explosion in the atmosphere. It would be an explosion underground. Both the United States and the Soviet Union have demonstrated capability of testing remarkably clean nuclear devices, and it is quite possible to detonate a clean nuclear device either on the surface, and very near the surface, without creating sufficient radioactive debris to be detectable beyond the national boundaries of the nation detonating the device. We received signals from the explosion of nuclear devices in the Soviet Union in June of this year. While we cannot, or will not, say with certainty whether the explosions which we detected in the Soviet Union in June were surface shots or shallow underground shots, they were either one or the other, as indicated by the fact that they were detected from acoustical signals and not by seismic signals, as would have been the case had they been large underground detonations. From none of these shots were we able to detect radioactive debris outside the boundaries of the Soviet Union.

From indications in the testimony, it seems probable that the executive branch of the U.S. Government will conclude, at least for the present, that the treaty permits only those underground detonations which are totally confined, that is, explosions which neither crater nor vent the surface of the ground. Such a narrow construction on the tests which are permissible under the treaty considerably limits the technological advances which can be made by testing underground. A very shallow test of a clean weapon could disclose information for which one would normally test in the atmosphere; but under a "totally confined" interpretation of permissible tests, such information would be denied to the United States.

Since the Soviets have demonstrated their capability of detonating a surface, or shallow underground, explosion of clean nuclear devices from which no debris is detectable beyond the borders of the Soviet Union, we can only assume that the Soviets will construe the area of permissible tests with the widest possible latitude and, thereby, gain a distinct advantage.

The evasiveness of the language on this point is a material defect and could result in serious disadvantages to the United States.

Mr. President, another defect in the wording of the treaty revolves around the language in section 1(a) of article I which prohibits nuclear explosions "under water, including territorial waters and high seas." The nature of this defect, which involves some highly technical points, was the subject of most enlightening testimony by Adm. Arleigh Burke, former Chief of Naval Operations. At this point, since it has apparently not been considered in debate previously, I will read to the Senate that portion of Admiral Burke's testimony relating to this significant defect. Admiral Burke testified as follows:

> One important area of potential misinterpretation of the treaty has not been discussed to date. The problem was raised in connection with an article which was called to my attention. The article, "Soviet Attitudes and Practices Concerning Maritime Waters," was written by Mr. William Harben, a Foreign Service officer of the Department of State. The treaty, while applicable to nuclear explosions "underwater, including territorial waters on high seas," does not make specific mention of "internal waters." The explanation of what that may come to mean is complex and hard to follow, but

it is for these very reasons that the point needs to be thoroughly analyzed for someday it will most likely be used to our disadvantage.

Tests in internal waters, under the present wording of the treaty, and under at least one interpretation of international law, would be regarded as underground tests and, therefore, permissible if radioactive debris is not deposited outside national boundaries. Otherwise, the treaty would need provisions for inspection to detect against inland underwater testing. And if testing underwater in an inland lake is permissible, in what other waters might it also be permissible?

Three important considerations must be mentioned: First, underwater testing per se is not illicit; such tests would be possible for all parties under this treaty. However, because of oceanographical advantages and certain other technical circumstances which I will discuss shortly, such tests would be feasible for the Soviet Union and perhaps a few other states, but not for the United States; the seond point is that not all underwater tests can be detected; the Soviet Union could conduct, under this treaty, nuclear test explosions in such a manner, and in such areas, that our existing underwater test detection capabilities would be of questionable utility; third, clandestine underwater nuclear tests would appear to be worth the risk if they hold promises of scoring technical advantages. Underwater testing, even in the very low kiloton range, could lead to improvement in the design of Soviet submarines and to the possible development of effective means of destroying, or countering, our Polaris submarines.

Your attention is invited to article I, paragraph 1A of the treaty. It describes, as one of the prohibited environments, "underwater, including territorial waters or high seas." When one compares that language with the language of the draft treaty which the United States tabled at Geneva in August 1962, and upon which the present treaty is said to be based, one will note that it read: "in territorial or high seas."

During 1958 and 1960, historic and productive conferences on the law of the sea were held at Geneva. These conferences resulted in agreement upon four valuable conventions, two of which are controlling here. The Convention on the High Seas has received the required 22 ratifications, including those of the United States and the U.S.S.R., and it is now in effect. Article 1 of that convention provides: "The term 'high seas' means all parts of the sea that are not included in the territorial sea or in the internal waters of a state."

Neither in that article or elsewhere does this convention mention "territorial waters." In fact, its only reference other than to the three categories of waters listed is to the "contiguous zone." But that is not a fourth category of waters because, as clearly spelled out in the next convention I shall mention, the contiguous zone comprises a certain portion of the high seas contiguous to the territorial sea.

The Convention on the Territorial Sea and the Contiguous Zone, also ratified by both the United States and the U.S.S.R., lacks only one additional ratification before becoming effective. It is a certainty that it will become effective. Article 1.1 of this convention defines the territorial seas as follows: "The sovereignty of a state extends, beyond its land territory and its internal waters, to a belt of sea adjacent to its coast, described as the territorial sea."

We have a meaning for "territorial waters," but it is doubtful that the Soviets would entertain the same meaning. In fact, a representative sampling of the writings of international lawyers would give evidence to the fact that they either refrain from using the term or disagree to its meaning when they do use it. We would probably agree with the definition that territorial waters are those included within a definite maritime zone or belt adjacent to a state's territory. The Soviets would also use this definition if it were clearly suitable to their purposes, regardless of their present intentions.

But since the term is ambiguous, any party is free to adopt his own definition. There obviously cannot be, in the present case, a mutually agreed definition of the term "territorial waters," since we have been assured that this treaty constitutes the entire agreement.

The conventions which I have mentioned deal with three categories of waters: high seas, territorial seas, and internal waters. The latter are defined in article 5 of the Convention on the Territorial Sea and the Contiguous Zone as follows: "Waters on the landward side of the baseline of the territorial sea form part of the internal waters of the state."

In everyday language, internal waters customarily include inland lakes, rivers, harbor waters enclosed by the outermost harbor installations, and certain historic bays. These are bays long regarded by other nations as the exclusive property of a particular nation. U.S. examples are Chesapeake and Delaware Bays.

The U.S.S.R. has turned the "historic bay" practice to its own unilateral purposes. It has assumed the right to designate "new" historic bays never so regarded by other nations and without consulting other nations. Consequently, as shown on the map attached, most of the Soviet coastline is bounded by what they describe as "historic bays" or "historic seas" of vast extent which are treated by them as internal waters. Moving clockwise around the Soviet Union, these bays and seas are as follows: Sea of Azov, White Sea, Kara Sea, Laptev Sea, East Siberian Sea, Chukotsk Sea, Sea of Okhotsk, and Peter the Great Bay.

It is clear that if the treaty prohibited underwater nuclear tests in the territorial or high seas, as proposed in our 1962 draft treaty, it would, by excluding internal waters from the prohibition, permit underwater nuclear tests in such waters. And under the Soviet view of internal waters, testing would be legal in all of the seas and bays depicted by the shaded areas on this map. The only restriction would be that radioactive debris must not be present outside her territorial limit. In this instance that limit would be, again in the Soviet view, a line 12 miles beyond the outer boundary of the historic sea, since the U.S.S.R.-claimed, 12-mile, territorial sea would naturally lie immediately beyond the historic sea or bay. These shaded areas, in our view of the law of the sea, are properly high seas open to reasonable use by all nations.

I suspect that the ambiguous term "territorial waters" was used deliberately so it can have two meanings: to us it means the same as "territorial seas," that is, the 3-mile belt of sea around our coasts; to the Soviets it means all waters they claim as being within their sovereign territorial boundaries, and therefore includes historic seas plus a 12-mile outer belt of territorial sea. If our view is the true meaning, then underwater tests may be said to be prohibited everywhere except in inland lakes, and tests in them are to be regarded as underground tests. However, if the Soviet interpretation is correct, then they can test in all of their internal waters, which are high seas to everyone but the Soviets. If the term has a twofold meaning, where is it spelled out? It isn't—and I doubt if it could have been spelled out without jeopardizing the chances for Soviet acceptance of this treaty. Neither the United States nor any other free world nation valuing, as we do, the maximum freedom of the seas, could accept, or lend any semblance of dignity to, the Soviet claims that these vast expanses of open oceans belong exclusively to the Soviet Union.

Therefore, if we ratify this treaty, we should express the reservation that any underwater nuclear test conducted in the Sea of Azov, the White Sea, the Kara Sea, the Laptev Sea, the East Siberian Sea, the Chukotsk Sea, or the Sea of Okhotsk will be a violation of this treaty for the reason that we regard those bodies of water as high seas.

Of course, even with such a reservation, there would remain at least two significant, and thus far unanswered problems: First are our existing underwater test detection facilities capable of assuring us with requisite confidence that no clandestine testing is taking place in such areas as the Sea of Okhotsk or the Kara Sea? I mention those two areas advisedly. The Sea of Okhotsk is approximately 590,000 square miles in area. The largest warning area declared by the United States in the Pacific Ocean for our test purposes there was many thousands of square miles smaller, and it had a large fallout safety factor included. Now look at the Kara Sea. The Soviet 50 megaton device was exploded in the vicinity of Novaya Zemyla, the island bordering the Kara Sea on the northwest. With prevailing winds blowing eastward, it would not seem likely that radioactive debris from a low-yield underwater nuclear explosion in the Kara Sea would carry beyond what the Soviets may claim as the national boundaries of the Soviet Union. Consequently, the Soviets could undertake underwater nuclear testing upon an initial and a fallback basis. The test could be tried clandestinely with the thought that it would not be detected. The absence of U.S. naval vessels on these Russian seas is some assurance for them that they might succeed. If detected by other means, and we objected, they could claim that tests are permitted in internal waters, are in the same category as underground tests, and therefore need not be announced. The arguments would be interesting, interminable, and perhaps indecisive.

Second. Underwater testing in internal waters will be permitted. The United States would not find this feasible. Our largest such body of water, the Chesapeake Bay, is but 20 miles wide at its widest part. Would the U.S.S.R.? If they have developed a clean weapon, they might find such tests feasible. This is quite a risk we may take.

I have here a copy of the map to which Admiral Burke referred, if any Senator wishes to see it. Unfortunately, it cannot be reproduced in the CONGRESSIONAL RECORD.

Mr. President, another serious implication arises by virtue of the language in article I, section 1, which prohibits testing by any nation "at any place under its jurisdiction or control, including outer space."

From this language, there is a clear implication that the atmosphere and outer space are places under the jurisdiction or control of nations.

In 1961, the United States concurred in a unanimous United Nations declaration that space was free for exploration and not subject to national appropriation.

It is quite conceivable that the Soviet Union could seize upon this language to support a contention that space above the extensive land mass in the Sino-Soviet bloc is within the national jurisdiction of the nations within the bloc. Under such a pretention, the Soviets could find legal justification to deny the use of such space to U.S. satellites for either peaceful use or for military purposes, such as early warning and reconnaissance satellites. Freedom of space may soon be more important to U.S. survival than was ever our great tradition of freedom of the seas.

The size and location of the U.S.S.R., even without including the other nations of the bloc, are such as to make it virtually impossible to orbit a satellite which does not pass through the space over the Soviet land mass.

If it were not the intention of the drafters of the treaty to imply that space over the land mass of a nation was subject to national appropriation, it would have been quite simple to employ language and punctuation which would have clearly contradicted any such implication. As the language stands, the clear and only construction supports the proposition that space above the land mass of a nation is subject to national jurisdiction and control. In the future, this language could prove of serious consequence to the security of the United States.

Another defect in draftsmanship of the treaty lies in the language of section II, article 2, pertaining to amendments to the treaty.

The first sentence of this section states:

> Any amendment to this treaty must be approved by a majority of the votes of all the parties to this treaty, including the votes of all of the original parties.

This language is obviously ambiguous. Under a literal construction, amendments must be approved by a majority of parties to the treaty when all votes of all parties are counted, including the votes of the three original parties to the treaty. This construction is the grammatically correct one, since the final phrase which reads: "the votes of all the original parties" is the object of the preposition "of" following the word "majority."

The interpretation which has been generally advanced, however, is to the effect that each of the original parties has a veto on any amendment and that, therefore, an amendment must be approved by each of the original parties and a majority of all the parties to the treaty. If, indeed, this was the intention of the drafters, the first sentence of this section could have been "any amendment to this treaty must be approved by each of the original parties to the treaty."

Under the language of the treaty, when given the correct grammatical construction, an amendment could be added to the treaty, despite the negative vote of the United States, and we would be bound thereby.

(At this point Mr. BURDICK took the chair as Presiding Officer.)

Mr. THURMOND. Mr. President, the State Department and the executive branch of the U.S. Government have gone to great lengths to assure the Senate and our allies that our position on nonrecognition of the East Germany satellite of the Soviet Union will in no way be affected by this treaty or by the announced intention of the East German puppet regime to adhere to the treaty. Despite all the assurances, the language of the treaty makes it clear that, by several steps, the East German puppet regime can, in fact, assert U.S. de facto recognition, by virtue of this treaty, and particularly by virtue of the East German puppet regime's action, which can be taken under the terms of the treaty.

Article IV expressly provides:

> Each party shall in exercising its national sovereignty have the right to withdraw from the treaty.

Thus, by simply adhering to the treaty, the East German puppet regime can assert its national sovereignty. It can assert its national sovereignty again, if it chooses to withdraw from the treaty. The phrase "in exercising its national sovereignty" is excess verbiage to the treaty, in the first place. It should not have been included if it was not our intention to provide the East German satellites with some basis for a claim of de facto recognition by the United States of its nonexistent national sovereignty.

There is another serious defect in article IV, the withdrawal section of the treaty. The withdrawal section reads as follows:

> Each party shall in exercising its national sovereignty have the right to withdraw from the treaty if it decides that extraordinary events, related to the subject matter of this treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other parties to the treaty 3 months in advance.

The requirement that 3 months advance notice of withdrawal must be given is not set forth in such a way as to constitute a condition precedent to the act of withdrawal, which, according to the language used, is in the exercise of national sovereignty.

We should be assured that when the Soviets find it to their advantage to abrogate this treaty, they will give no notice until after the act of abrogation—to wit, a nuclear explosion in one of the prohibited environments. We may anticipate with confidence that at that time the Soviets will seek to justify their failure to give advance notice by the interpretation that the requirement for notice was not a condition precedent to withdrawal, under the language of article IV.

The defects in the language of the treaty are of such nature that they might well be the basis for increased international tensions.

If the treaty is subjected to unilateral interpretation by each of the nations or regimes which professes to adhere to it, bitter differences are certain to arise. Since the national interests of the numerous nations which would subscribe to the treaty are widely divergent, the interpretations of the language by those nations would be correspondingly divergent.

It should be pointed out that interpretation of the treaty, in the event of a controversy concerning the meaning of the language used in it, falls within the jurisdiction of the World Court. All nations have not submitted to the jurisdiction of the World Court, but many of the nations which would subscribe to the treaty have submitted to it. The United States has, insofar as this treaty is concerned, submitted to the jurisdiction of the World Court, for no area of the treaty would enable the United States to claim—pursuant to the Connally Reservation to the World Court treaty—that it gave rise to an issue primarily domestic in nature, rather than international.

As to most of the issues which could arise under the treaty, of course the nature of the defects in the wording is such that differences would lead directly to the issue of abrogation; and, at most, the World Court could do no more than pass judgment, after the fact, on what were the merits of the controversy. This is not an unduly alarming prospect.

On some issues, however, the World Court's role might be highly significant, as in the case of a controversy as to the procedure for adoption of amendments.

Let us consider an example: We are all aware that the majority of nations and regimes which would subscribe to the treaty fall into the combined categories of "neutralist" and Communist nations. Both would obviously agree to an uninspected comprehensive ban on testing, if past attitudes are an indication of present and future attitudes. If an amendment were offered to the treaty to expand to all environments, including underground, the prohibition against nuclear testing, a majority of nations which have indicated their intention to adhere to the treaty would support the amendment. Only the veto of the United States, and possibly that of Great Britain, would stand in the way of adoption of the amendment. Should the neutralist and the Communist nations take the position that the grammatically correct meaning of the amendment clause controls, neither the United States nor Great Britain would have a veto. This question might well end up before the World Court; and under such circumstances, considering the makeup of the World Court, there is little doubt that the Court would decide against the United States position.

Under such circumstances, of course, the United States would still have the right of withdrawal from the treaty; but with a World Court decision providing a takeoff point for Communist propaganda, that would place the United States in an even more awkward position than the one it has heretofore faced.

Under such circumstances, there is a serious question, to my mind, as to whether the executive branch—with the support of Senators who are willing to throw security considerations to the wind and to partake of complete and total disarmament—would attempt to cease all testing, and would adhere to the treaty as thus amended. Even should the Senate attempt to force the executive branch to submit the amendment to the Senate, for its advice and consent, the Executive might well argue that the amendment was already de facto adopted and binding as a result of the World Court decision, and that rejection of the amendment would destroy our position in the United Nations and our image in the eyes of the world.

As was pointed out by the chairman of the Foreign Relations Committee, we must keep in mind the fact that the Senate has no means of forcing the executive branch to test nuclear weapons.

The defects in the draftsmanship of the treaty are of serious potential consequence to both the military preparedness of the United States and the foreign relations of the United States.

Ratification of the treaty will be ratification of all its defects and ambiguities. Senators should keep this point in mind when the vote on the question of advising and consenting to the treaty comes.

(At this point Mr. BAYH took the chair as Presiding Officer.)

Mr. THURMOND. Mr. President, it is quite probable that there are those who, although quite concerned about the disadvantages and risks which will result from the treaty, are of the opinion that the power of withdrawal can cure all possible risks.

There are many factors which make the power of withdrawal less than absolute, from a practical standpoint.

In the first place, the power of withdrawal is no more effective, as an instrument for the protection of U.S. security, than our intelligence collection and evaluation. Therefore, even if we were to assume that the executive branch would give notice of withdrawal, in the event of any occurrence which adversely affected the security of our Nation, we must keep in mind that we must first obtain information that such an event did, in fact, occur.

This condition applies not only to the detection and identification of nuclear explosions prohibited by the treaty, but also to events other than nuclear explosions which could have a crucial consequence to the security of the United States.

The Soviets can now develop weapons, including weapons of new designs, based on knowledge gained in their 1961–62 series of tests. For example, the Soviets may develop and produce—if they have not, in fact, already begun to do so—a missile capable of delivering a 100-megaton bomb from the Soviet Union to the United States. I would think any substantial production of such a weapon would be sufficient to convince even the more dubious Senators that the Soviets did, in fact, make substantial gains in technology in their recent series of tests. The same considerations would apply if the Soviets began deployment of a follow-on ABM system to supplement the one they now have deployed.

For either nuclear or nonnuclear developments in the armaments field, however, we obviously would make no move to withdraw from the treaty until we had indisputable proof; and one only needs to recall the events last fall in Cuba to know how hard it was to obtain this kind of proof. We got the indisputable proof in Cuba at the last minute, and managed to make our move, but we still do not know for sure if all the missiles are gone. Certainly the Russian troops and armaments are not all gone. That was in Cuba. Compared to Russia, Cuba is an open book. Access to developments in the Soviet Union is far more limited and often impossible to obtain.

The record of U.S. intelligence estimates for accuracy and timeliness is not impressive. Consider a few examples:

Our official intelligence estimates were wrong as to when the Soviets would be able to detonate an atom bomb.

Our official intelligence estimates were wrong as to when the Soviets would get the thermonuclear bomb. They missed it by a mile.

Our official intelligence estimates were wrong in predicting that the Communists would not invade South Korea, and were again caught unprepared.

Our official intelligence estimates were wrong about Soviet capabilities to put a satellite in orbit, and Sputnik I caught us by surprise.

Our official intelligence estimates were wrong about the Soviets keeping the 1958 test moratorium, and we were caught by surprise when they suddenly began overtly testing.

Our official intelligence estimates were wrong in creating a ficticious missile gap in 1959, when in fact there was no missile gap.

Our official intelligence estimates were wrong about the influx of Russian missiles and troops into Cuba in the spring and summer of 1962, and as late as September 19, 1962, our official intelligence estimate concluded that the Soviets had not introduced and would not introduce offensive missiles into Cuba. The Soviet missiles were in Cuba when the estimate was issued.

This, then, is the tenuous basis on which we must rely as a condition precedent for any protection which might be available to us from the withdrawal clause of the treaty.

There is yet another factor which mitigates against the effectiveness of the withdrawal clause. Almost any withdrawal action initiated by the United States, as contrasted to a Soviet abrogation, must be predicated on information developed by intelligence resources. This, in itself, is an inhibiting factor of severe degree.

Intelligence acquisition involves sources which are perishable if the nature of the information developed is disclosed. In any given instance, when the occasion arises that makes it desirable to make public information from intelligence sources, there must be a process of weighing the potential loss of a source or sources of information which may be quite valuable, against the gains hoped for from the release of the information. Almost any disclosure of information, such as could be the basis of a withdrawal action from the treaty, could seriously degrade our intelligence collection capability thereafter.

We have had experience with this precise difficulty. The treaty provisions concerned where sections 13 (c) and (d) of the Korean armistice agreement, which we did finally abrogate. But before we decided to make public our case for abrogation, there were lengthy and heated debates within the executive branch over the costs in intelligence resources which would flow from a public disclosure of the facts that showed the abrogation was essential, and the necessity for disclosing the facts underlying our abrogation of these sections of the treaty.

Needless to say, the entire official intelligence community vigorously opposed the revelation of the information on which our abrogation was based. The political considerations, in that instance, required that if we did abrogate, we also give the facts which led to our abrogation.

We can rest assured that such considerations will limit the usefulness of the withdrawal provision of the treaty made in Moscow.

Judging from past experience, it is difficult for me to conclude that the United States will ever initiate a withdrawal notice, unless the Soviet Union overtly breaks the treaty. We will not move until we have indisputable proof, and then only over the opposition of the intelligence community.

We have shown timidity before about challenging Soviet actions. We did not challenge, or even ask for an explanation for, the nuclear tests conducted by the Soviet Union in June of this year, at the very time the test ban was being negotiated. How timid can our Government get?

These factors all weigh heavily against ratification of the treaty. They have not been debated on the floor of the Senate to any appreciable extent, and some of these adverse considerations of the treaty have not even been mentioned in the Senate debate prior to this speech. I urge Senators to examine these factors with care before the vote, and make their own investigations of these aspects of the treaty, for I have had the time only to point them out. They should each be studied and debated in depth.

Certainly, when all the adverse factors, disadvantages and hazards are taken together, the treaty made in Moscow should be rejected.

Mr. President, in the course of the debate over the Moscow test ban treaty a number of editorials have been placed in the RECORD, both in support of and in criticism of the treaty. I call to the attention of my colleagues several excellent editorials which I commend to the reading of every Member of this body. They are as follows:

"If I Were a Senator," from the St. Louis Globe-Democrat, St. Louis, Mo., September 13, 1963.

"Disadvantages of the Treaty," from the Charleston Evening Post, Charleston, S.C., September 16, 1963.

"Last Stand for U.S. Safety," published in the Augusta Herald, Augusta, Ga., on September 10, 1963.

"Test Ban Treaty: Trick or Treat?" published in the Greenville News, Greenville, S.C., on September 19, 1963.

"Treaty or Travesty?" published in the Lynchburg News, Lynchburg, Va., on September 13, 1963.

"Wrong Step on Test Ban Treaty," from the Easley Progress, Easley, S.C., September 18, 1963.

"Politics and Test Ban Treaty," published in the Columbia Record, Columbia, S.C., on September 18, 1963.

I ask unanimous consent that at the conclusion of these remarks these editorials be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the St. Louis Globe-Democrat, Sept. 13, 1963]

If I Were a Senator

The conscience of the Nation is on the 100 U.S. Senators as they prepare to take the most fateful vote of this decade on the nuclear test ban treaty.

Each Senator must look deep into his own heart and mind in determining his vote. Each thoughtful citizen must decide what he would do "If I Were a Senator," and should communicate these views to his Senator.

Supporters of the treaty include former Presidents Eisenhower and Truman, Director John McCone of the Central Intelligence Agency, some members of the Joint Chiefs of Staff—with reservations—and a number of leading Senators, though chiefly those generally associated with Kennedy administration policies.

Opponents include Dr. Edward Teller—our most knowledgeable scientist in this field and one whose previous predictions have unfailingly been correct—a number of military leaders now retired and not under the thumb of the President, including Adm. Arleigh Burke and Adm. Lewis Strauss, former Chairman of the Atomic Energy Commission, and General Power of the Strategic Air Command, and the two most knowledgeable Senators in this field, Senator Russell, of Georgia, and Senator Stennis, of Mississippi.

The chief argument for the treaty is that it will be a first step toward reduction of nuclear tensions. We concur in this only to a superficial extent.

The treaty itself is a triumph of Madison Avenue techniques, whereby dozens of nations—including many whose main offensive potential is throwing coconuts at each other—have agreed not to build nuclear weapons, whereas the two actual, or potential, members of the nuclear group—France and Communist China—have made no such commitment.

It is very easy for nations to forgo things which they have never had and have no possibility of obtaining.

The proponents also state that rejecting the treaty would put us in a bad light in world opinion. For what it is worth, this is probably true—though not nearly so bad a light as if the world were eventually lost for lack of U.S. strength.

If we now reject the treaty, we unquestionably shall be accused of being warmongers. This is a dreadful position for President Kennedy to have placed us in, in the first place. Yet, we are there.

Air Force General LeMay, for example, states that he would oppose the treaty if we were not already committed to it by our President.

These, then, are the most substantive arguments made for the treaty. No proponent has yet said that it will add strength to America.

It has only been a question of how much it will subtract, and whether the political considerations of the subtraction of strength will outweigh the very real disadvantages of this loss of present and future deterrent power.

Against the treaty is, first, the fact that the Russians undoubtedly will cheat on this treaty, as they have in everything else throughout the entire history of the Bolshevik regime. No one seriously believes that they will, this once, keep faith.

This pact allows the Russians to progress in those areas where we lead—and restrains us in fields where they lead, because we have always kept the sanctity of treaties.

Further, there is the deep-seated conviction—despite disclaimers—that there are more to these negotiations than meet the eye.

The continuing suspicion of a deal involving a nonaggression pact and recognition of the satellites of Eastern Europe, and especially East Germany, which would cut the heart out of the pledges we have made from the very beginning of World War II for the self-determination of peoples, and for liberty and freedom of the captive nations, persist despite disclaimers.

Of equal importance is the great suspicion that this treaty may be not so much the first step toward peace, but the first step toward disarmament as planned by the misty-eyed dreamers and unrealists of the Kennedy palace guard, who are convinced that the future of the United States lies not in strength—as the lessons of history have taught us—but in getting away from deterrent strength, which they term provocative, down to a level of assumed weakness with the Russians.

This effort to buy peace by trying to appease the unappeasable, and satiate the insatiable, has failed every time we have ever tried it—starting with Tehran and Yalta up to the very present moment.

The Kennedy administration is trying to sell the treaty on the basis that its weaknesses are compensated by the political gains made. We could agree if any political gains—other than ephemeral world opinion, for which the Russians themselves have never striven—were apparent.

For example, if—as a collateral of this treaty—the Russians would honor their pledge to withdraw their weapons, technicians, and armed forces from Cuba, or tear down the Berlin Wall, or cease their provocations in southeast Asia or their subversion of peaceful governments throughout the world, then we could easily understand that the risks involved in this treaty would be compensated by the real gains toward eventual world peace and disarmament in good faith, consonant with security.

Not a single shred of evidence points to this conclusion.

On balance, we think the treaty is dangerous for the United States, in that the loss of strength is very real—and the gains, outside the will-of-the-wisp of world opinion, are undiscernible.

At the very least, the treaty raises a reasonable doubt, on the basis of learned testimony, as to its value. Reasonable doubts of this sort should be resolved in favor of strength and safety for America, not possibly reckless gambling with our future.

World opinion is the most overrated commodity today. We have spent over $100 billion essentially to build a favorable climate of world opinion for us—and we are universally mistrusted, our motives scorned.

World opinion follows the strong and the correct—not the weak and vacillating.

Every lesson of history has taught us that only the strong remain free. Yet, this treaty panders to weakness and abjures strength.

It breeds suspicion of the future, not confidence.

It leads us down the road to accommodation, with its dangerous pitfalls of being caught unprepared and unwary, without any compensating advantages to the United States and to those—whatever they may say today—who have owed, and will continue to owe, their survival to one factor, and one factor alone, the ability of the United States to deter aggression.

For all these reasons—acknowledging the good intentions of those who think otherwise—we urge the Senate to reject the treaty until such time as Russian commitments to peace are more meaningful and more realistic, in the light of past performances and future hopes.

[From the Charleston (S.C.) Evening Post, Sept. 16, 1963]

Disadvantages of the Treaty

If some Spengler or Gibbon is around years from now to chronicle the decline and fall of the West, the report of a Senate Armed Services subcommittee on the test ban treaty may figure as one of those unheeded warnings that could have altered the course of history.

Like Churchill after Munich, the Preparedness Investigating Subcommittee takes a sobering view of the toll the free world is seemingly prepared to pay for "peace in our time." Its report makes plain that the military disadvantages for the West are far and away more serious than most Americans have been led to believe. It makes for sleepless nights as the treaty heads toward overwhelming approval in the Senate.

"It is vital to our survival," the report begins, "that no step be taken which in any manner would impair the integrity and credibility of our deterrence or degrade the ability of our military forces to protect our security if we should be challenged militarily by a hostile nuclear power."

This much would appear to be self-evident, even among those who favor the test ban wholeheartedly. And having thus agreed to that much, the question becomes simply whether the proposed treaty will hobble our defensive and offensive striking forces. The Senate can take little comfort from the answers provided by its Preparedness Investigating Subcommittee.

"From the evidence, we are compelled to conclude that serious—perhaps even formidable—military and technical disadvantages to the United States will flow from the ratification of the treaty," the report warns.

More specifically, the report adds that "the United States will be unable to acquire necessary data on high altitude nuclear weapons effects" if the treaty is approved. "Such data," the report points out, "are important to the design of antiballistic missile (ABM) system warheads and radars."

Again: "The United States will be unable to determine with confidence the performance and reliability of any ABM system developed without benefit of atmospheric operation system tests."

And again: "The United States will be unable to verify the ability of its hardened underground second-strike missile system to survive close-in, high-yield nuclear explosions."

The report adds significantly that it is of "first priority" that the United States test the ability to withstand attack of its second-strike—that is, retaliatory—missile system because, obviously, the enemy can be expected to strike the first blow. If his first blow paralyzes our second-strike weapons, we are at his mercy.

There is more—much more. None of it is too favorable to the test ban, and it is interesting to note that even the two members of the subcommittee who either refused to sign the report (Senator Saltonstall) or who signed it with reservations (Senator Symington) agreed that "the factual data" was "correct" (Symington) and "accurately stated" (Saltonstall).

[From the Augusta Herald, Sept. 10, 1963]

Last Stand for U.S. Safety

A small band of men, devoted to the survival of their country, stand this week on the floor of the U.S. Senate, fighting to the last ditch to prevent delivery of our safety into the hands of the Kremlin.

They will be reviled as obstructionists as they oppose the authoritarian administration's demands for rubberstamp action on the nuclear testing ban treaty with Soviet Russia. They may be overwhelmed by votes drummed up by propaganda and political maneuvering.

If so, note well the names of those who would hold back the sweep of worldwide Communist aggression, and remember it in future years when their warnings have been ignored and we flounder deeper in the morass of Soviet treachery and danger. Remember those who led the fight for national survival: Senators Richard B. Russell, of Georgia; Strom Thurmond, of South Carolina; Barry Goldwater, of Arizona; John Tower, of Texas; Robert C. Byrd, of West Virginia; and John Stennis, and James O. Eastland, of Mississippi.

Remember, too, the military leaders of the Nation who dissented from the reluctant treaty support of the Joint Chiefs of Staff, and reflect carefully on the fact that the greatest opposition came from those who are retired from direction of our defense and hence less vulnerable to the White House pressure.

It looks very much as if the treaty will be ratified by the Senate. Ratification requires approval by two-thirds of those voting, and if all 100 Senators vote that means it would take 34 "no" votes to block it.

This likely approval will be in the face of testimony that the ban will prevent American development of missile defense, and that Russia apparently is ahead of us in that field. It will ignore the fact that of 52 treaties with the United States the last quarter of a century, the Reds have broken 50 including 1 moratorium on atomic testing which was shattered with a 100-megaton bomb explosion.

Had not the Kennedy administration maneuvered the treaty drafting and signing in such an atmosphere that the world looks on U.S. approval as an accomplished fact, there would be real hope that calmer and saner judgment would prevail, and that the Senate would reject this most dangerous treaty. Too many men who sit in the Senate, however, think more of the political results of their vote than of the ultimate consequences to the Nation.

They are impressed by a poll which the administration flourished, purporting to show—if polls really can show anything—that 73 percent of our people want treaty ratification. They forget that if these dubious polls are to dictate national decisions, we would not need a Congress—only an Executive and a polling bureau.

As this week's debate proceeds, therefore, keep in mind that those opposed to the treaty are our last defense against the folly of placing our trust and our future in the bloody hands of the man responsible for the slaughters in the Ukraine and in Hungary.

[From the Greenville News, Sept. 19, 1963]

TEST BAN TREATY: TRICK OR TREAT?

"This may be cynical, but, unfortunately, it is true," Gov. Donald Russell said in a recent address at the dedication of Spartanburg's new National Guard Armory.

The cynicism to which he referred was in respect to an earlier portion of the same address, in which he stated, "The prestige of America is not based on good will or the amount of foreign aid we hand out, but on the strength of our military might. Our foreign policy is contained in a maze of frustration, and our influence abroad is based on the strength of the United States as a military power."

Governor Russell, unlike a number of chief executives of the various States, has a background in national governmental affairs which gives him the right to speak authoritatively on such matters as U.S. policy and the Nation's position in the world.

What makes his words doubly important at this time is the fact that he warned the signing of a treaty on limited nuclear tests, banning them from atmospheric, space or underwater testing, will not guarantee world peace.

He spoke as a citizen with specialized knowledge of world affairs and as one who shares the grave doubts of key Senators. He simply took a public occasion to express his private fears about the treaty.

The President of the United States, members of his Cabinet, and many influential Members of the Senate on both sides of the floor have indicated they are supporting the ratification of the treaty with all the prestige of their offices and their position in the Government.

However, many who have spoken publicly in favor of the test ban treaty have let it be known that they have reservations about its effectiveness or about the effect it will have on relations with the U.S.S.R.

Still other influential Members of the Senate, particularly Georgia's Richard Russell and South Carolina's Strom Thurmond, both members of the Armed Forces Committee, have let it be known that they fear the treaty will probably do more to benefit the Communists than it will help the free world.

There seems to be little doubt that the Senate will ratify the treaty substantially as it is now. Perhaps none of the pending reservations will be approved. Senators Thurmond, Russell, and Stennis are opposing it with might and main because classified testimony from defense experts before the Armed Services Committee showed that the treaty is to the military disadvantage of the United States.

True, Senator Symington, a former Secretary of the Air Force and a member of the committee which heard the testimony which placed the others in opposition, favors the treaty. But even he and others who intend to vote for it seem to recognize these military disadvantages and accept them as a calculated risk.

There is an admitted fear that the treaty actually will prevent the United States from developing certain types of weapons, while the Soviets somehow will be able to go ahead and add to an advantage many of our scientists believe they already have.

This is aside from the general recognition of the Communists' record for keeping treaties, Russia having broken almost every one of any importance it has ever made.

Governor Russell noted in his Spartanburg speech that the United States "tends to operate under a false sense of security, forgetting the importance of a strong national defense."

He is ever so right, and even advocates of the treaty, from the President and the Secretary of State on down, have warned against the Nation's being lulled into that false sense of security.

The idea of a lasting, nuclear-fear-free peace is a wonderful and desirable thing. But it appears from here that the partial test ban treaty is aimed more at domestic and international politics and the hope for a further accord with Russia than at maintaining conditions under which the free world can continue to deter the Soviets from starting a nuclear war by the only possible means—superior might.

Yes, Governor Russell may have sounded, as he said, a bit cynical of the American attitude towards defense, but he spoke of things of which his fellow South Carolinian, Strom Thurmond is speaking not cynically but realistically. The public should heed both.

[From the Lynchburg (Va.) News, Sept. 13, 1963]

TREATY OR TRAVESTY?

"In considering the impact and effect of the proposed test ban it is important to remember that for nearly two decades this Nation has been confronted by an adversary who has openly and repeatedly claimed that his dominant goal is to destroy the nations of the non-Communist world.

"Only because we have maintained clear military superiority and the ability to inflict unacceptable damage upon him has the would-be aggressor been deterred. The basis of our deterrence is military superiority which, in turn, is based on our nuclear weapon programs and nuclear retaliatory forces.

"It is vital to our survival that no step be taken which in any manner would impair the integrity and credibility of our deterrence or degrade the ability of our military forces to protect our security if we should be challenged by a hostile nuclear power."

No American who puts welfare of this country ahead of that of other nations will dispute these passages quoted from the report of the Senate Preparedness Investigation Subcommittee of the Armed Services Committee. The life of the Nation is bound up in them.

And yet, this warning has virtually been ignored in favor of the pious pronouncements of the administration and its handpicked spokesmen who sound more and more each day like Neville Chamberlain pleading for "peace in our time."

No one wants or values peace more highly than those of us who served in the last war and spent years overseas and months in the lines and saw men we had come to know well so casually killed. The loneliness, deprivation, fear, and revulsion of that experience never leaves a man. It gives him a yardstick by which to measure the true value of peace.

But the security of peace comes from being strong, not weak. And any treaty which puts the United States at a military disadvantage in its struggle to survive can be disastrous.

Listen to Senator John Stennis, of Mississippi, chairman of that Senate subcommittee:

"From the testimony which the subcommittee heard it was abundantly clear that the ratification of the treaty would result in some military and technical disadvantages and risks for this Nation. Indeed there is little controversy on this point. There was, however, considerable divergence of opinion among the witnesses as to the extent and effect of the risks and disadvantages and as to whether they are acceptable on balance. Some of the witnesses viewed the risks and disadvantages as being of a minor nature and as being fully acceptable from the standpoint of our Nation's security. Others assessed them as being of serious and major proportions."

The subcommittee report enumerated eight major disadvantages in this first step toward peace:

1. The United States probably will be unable to duplicate Soviet achievements in very high yield weapon technology.

2. The United States will be unable to acquire necessary data on the effects of very high yield atmospheric explosions.

3. The United States will be unable to acquire data on high altitude weapons effects.

4. The United States will be unable to determine with confidence the performance and reliability of any ABM system developed without benefit of atmospheric operations systems tests.

5. The United States will be unable to verify the ability of its hardened second-strike missile system to survive close-in, high-yield nuclear weapons.

6. The United States will be unable to verify the ability of its missile reentry bodies under defensive nuclear attack to survive and to penetrate to the target without the opportunity to test nose cone and warhead

designs in a nuclear environment under dynamic reentry conditions.

7. The treaty will provide the Soviet Union with an opportunity to equal United States accomplishments in submegaton weapon technology.

8. The treaty will deny to the United States a valuable source of information on Soviet nuclear weapons capabilities.

STENNIS said his subcommittee had learned from the evidence that the Soviets have overtaken and surpassed the United States in the design of very high yield nuclear weapons.

It also learned that they may possess knowledge of weapons effects and anti-ballistic-missile programs superior to ours, and that under the terms of the treaty it is entirely possible that they will achieve parity with us in low-yield weapon technology.

"Thus the effect of the treaty is to legalize testing in the area where we deem the Soviets to be inferior—that is, low-yield weapons—and deny to us the benefits of desirable testing in the high-yield areas where the Soviets are or may be superior," STENNIS added.

The subcommittee report was signed by STENNIS, and Senators STUART SYMINGTON, of Missouri, HENRY M. JACKSON, of Washington; STROM THURMOND, of South Carolina; MRS. MARGARET CHASE SMITH, of Maine; and BARRY GOLDWATER, of Arizona. Senator LEVERETT SALTONSTALL, of Massachusetts, refused to sign and filed a dissenting view.

Mrs. SMITH went further and raised the question as to why the Russians suddenly considered this treaty acceptable after turning down a similar treaty at Geneva a year ago.

"I consider it more than mere passing strange that suddenly the Soviet Union found this limited agreement to be so vital to her national interests that it was negotiated, initialed, and signed with remarkable expedience and haste," she said recently on the Senate floor. "The poor draftsmanship of its provisions, and the utter lack of definition of its terms not only reflects this haste but defeats its very purpose through the varied interpretations to which it is subject."

It has never been spelled out to our satisfaction where the benefits to be obtained from this treaty outweigh the possibility of placing this Nation in a position of military inferiority to the Soviet Union.

It's not even a treaty in the first place. It is a travesty. For a treaty is only as good as the word and intent of those who sign it. The Russians have tricked us, betrayed us, lied to us, subverted us, bullied us, threatened us, insulted us, and attacked us at every turn since we saved their hides in World War II. Soviet spokesmen have stated over and over again in the forums of the world that they are bound only by what is good for the Soviet Union.

And what is good for the Soviet Union in this treaty could mean the death of us.

The Russians broke fast from the barrier in this nuclear race and got a headstart before we realized we were in a race. Then we caught and passed them, and, in danger of losing the race, they cast around for a way to stop us until they could catch their wind and catch up. That's their reason for this travesty of a treaty. And we doubt that if they ever open a substantial lead again they will run the risk of letting us draw even.

[From the Easley Progress, Sept. 18, 1963]

WRONG STEP ON TEST BAN TREATY

Is the United States making a profound blunder in entering into the treaty with the Soviet Union on banning future atmospheric testing of nuclear weapons?

The answer, in our opinon, is a reluctant "yes."

It's a baffling, perplexing issue, dealing with a problem of greater dimension and ramification yet faced by man. There are not only the known horrors of possible nuclear holocaust, but the imponderables of enemy intent, future development, and testing danger to future generations, all wrapped up in one thorny package of present world problems.

Because of these elements, we find division of opinion among our more capable and most highly informed leaders.

The President of the country, on one hand, accepts the measure as sound and progressive, but on the other hand, reservations are expressed by such a respected leader as Georgia's Senator RICHARD RUSSELL.

An opposition party leader, Senator GOLDWATER, blatantly opposes the measure—but in his same party, minority leader Senator DIRKSEN is among the forefront of supporters.

There are many other instances of expressed reservation, including an apparently reluctant military. And, paradoxically, there are many other cases of strong support among military and civilian leadership, all of them representing knowledgeable and informed men.

In the face of this contradiction and divergence of opinion among individuals who have access to far more information than is made available to the public, we acknowledge that no intelligent decision on the matter could be reached by such relatively uninformed persons outside the sphere.

Opposition from here stems not from knowledge of technical aspects of the problem, but from the demonstrated qualities of the party with which the United States is dealing.

It is a matter of record that the Soviet Union has broken 50 of 52 agreements which we so trustingly entered into with them during the past quarter of a century or so.

How many years ago was it that the same power so flagrantly thrust aside a prior testing agreement with the abrupt disclosure that immediate testing would resume? That series of tests, incidentally, enabled the same Soviet to chalk up great strides in nuclear weaponry and brought advancements which unquestionably placed them in a commanding position in various fields of super arms.

We tend to overlook, also, that for all these years, the United States has endeavored to bring about some end to the arms race, and some degree of disarmament through an enforced, onsite inspection. We apparently are giving the Russians what they want, again.

On the basis of past experience, it seems a reasonable conclusion that a nation whose leaders have time and again proclaimed intent at world domination would not for an instant accept such an agreement if it were not for their best interests.

If this assumption is correct, if the Soviet has suddenly found itself wanting to participate in such a treaty because of political consideration or domestic problems, it would have been better for the United States to have continued that demand for onsite inspection.

It has already been conceded that the treaty is but a prelude to further disarmament negotiations * * * and if we have been willing to give up the inspection demand on this count, who knows what concessions come on the next round.

Perhaps Mr. Khrushchev, in his words, has again pushed his sword into the belly of the enemy and found it soft and yielding because of an overwhelming desire for peace.

[From the Columbia Record, Sept. 18, 1963]

POLITICS AND TEST BAN TREATY

The nuclear test ban treaty with the Soviet Union is designed to help reelect John F. Kennedy as President in 1964. If one had been concluded before 1960, we might have a Republican in the White House now instead of a Democrat.

John Foster Dulles, the late Secretary of State under Eisenhower, foresaw the political possibilities. Here is what he said:

"Since a test ban treaty is what the Russians want, it wouldn't be difficult to come up with one which would look good on the surface. We would include in it all the fuzzy language of diplomacy—and believe me, I know some of the phrases—and present it to the world as a great achievement for peace. All of this would result in a relaxation of world tensions, generate a feeling of international good will, and probably elect a Republican President in 1960.

"But we're not going to do it. If we signed such a pact with the Soviets, there would develop a tremendous pressure to cut back on our defenses, reduce the size of our Armed Forces, and curtail our armaments. And we'd have only the word of the Russians that they were doing the same. Our NATO, SEATO, and other alliances would be endangered, perhaps to the point of deterioration. As a result, within a few years we could be a sitting duck for the Communists to pick off whenever they felt the time was ripe."

His words were prophetic in many respects. One exception in particular is that the Russians wrote the fuzzy language. Even many proponents of the treaty admit that it is a sort of pig in a poke and that the Soviets have most to gain from the agreement, whether or not they keep their word.

It becomes a matter of political expediency. President Kennedy is committed to it. His party is committed to his support, right or wrong. And many Republicans are afraid of the political repercussions if they oppose what looks on the surface to be a positive move toward peace.

Senator THURMOND, of South Carolina, is one of the few in high political position who dare to expose what is beneath the surface. President Kennedy, on the other hand, has warned against the professional advice of military and scientific experts.

The treaty is regarded by both East and West as a steppingstone to additional agreements. That is spelled out in the preamble of the treaty, which begins, "Proclaiming as their principal aim the speediest possible achievement of an agreement on general and complete disarmament."

The Soviet concept of what this means was cited by Senator THURMOND, who quoted the following from Khrushchev's remarks in East Germany last January:

"Disarmament primarily means dismantling the gigantic war machines of the highly developed countries. General disarmament does not mean disarming the peoples fighting for national liberation. On the contrary, it would deprive the imperialists of the means to halt progress and crush the struggle for independence."

While seeking an accommodation in the nuclear field Khrushchev notes that he can continue to fight the West through what he calls wars of liberation while the free nations voluntarily weaken themselves. His next move will be to seek a nonaggression pact between the NATO and Warsaw Pact nations, thereby achieving his primary purpose of rendering the Western Alliance impotent.

He learned a costly lesson from the Nazis. Russia and Hitler's Germany signed their notorious nonagression pact in August 1939. By the treaty, Hitler was able to invade Poland without fear of opposition. The treaty hastened the outbreak of World War II instead of impeding it, and Russia 2 years later became the victim of its own naivete.

Ignoring the lessons of history, and the many examples of Soviet fraud and duplicity, is a high price for the United States to pay for political expediency. It is no less dangerous now than it was when John Foster Dulles rejected the clamor for a suspect agreement.

Mr. ROBERTSON. Mr. President, all Members of the Senate undoubtedly have decided how they will vote next Tuesday on the test ban treaty. Those of us who plan to vote against it know that we will be in a small minority. And, according to newspaper comments and national polls, the people of the Nation are overwhelmingly for the treaty.

It distresses me, however, to get letters from honored ministers of the gospel who seem to think we are dealing with a religious issue. I realize that certain members of certain religious faiths are called conscientious objectors. I can respect, of course, the sincere faith of any man who is unwilling to participate in a fighting war but the test ban treaty is not an issue of whether we are for or against war.

We once had a treaty to outlaw war, which was called the Kellogg-Briand Pact. That pact, my distinguished predecessor, Hon. Carter Glass, warned, "would confuse the minds of many good and pious people who think that peace may be secured by polite professions of brotherly love."

Again, some sincere ministers seem to think that it is immoral for us to continue testing nuclear weapons in the atmosphere. With all due deference, may I ask them from a moral and religious standpoint what is the ethical difference between testing in the atmosphere and testing underground?

Again, Mr. President, many sincere people seem to think that the test ban treaty is on a par with treaties that we have previously approved relating to an international wheat agreement; an international coffee agreement, and so forth. The truth of the matter is that the test ban treaty deals solely with a military problem, namely, the future development of the most terrific means of mass destruction yet developed by man's ingenuity. Of course, all nations in the world are interested in that problem and quite naturally all nations who do not have nuclear weapons will gladly sign an agreement that will limit their use by nations who now possess them. So, the situation actually boils down to the fact that we have the largest stockpile in the world of nuclear weapons, that our possession of those atomic weapons, and our power, mainly through manned bombers to deliver them, has, as Sir Winston Churchill once said, "maintained an uneasy peace," and that we are now asked to forego further development of nuclear missiles which all of our military experts favor because in doing so, it is assumed that tensions of the cold war will be relaxed, the Soviet Union, which is willing to take this first step will be willing to take further steps in behalf of peace that would really be substantial, and, last but not least, we will receive the plaudits of all the nations of the world who do not now have nuclear weapons.

The true answer to whether or not the political advantages outweigh the military disadvantages will be found on page 17059 of the CONGRESSIONAL RECORD of September 16, wherein the distinguished chairman of the Foreign Relations Committee acknowledges that he had publicly endorsed the treaty before hearing one word of testimony either for or against it by military experts.

Mr. KEATING. Mr. President, preparatory to making a statement of my reasons for supporting the partial nuclear test ban treaty, it might be of interest to have a brief rundown of the trend of mail on this subject. It is a matter of some surprise to me that before the treaty was negotiated, my mail ran 10 to 1 in favor of it. Since then, the evidence of support has dropped gradually until opinion became evenly divided about the first of September. And since that time, my mail has reflected a slight edge for the opposition. Cumulatively, it amounts to over 10,000 letters, and is a little over 3 to 1 pro.

I mention this point not because I or any other Senator, I am sure, feels that it is his responsibility to vote on all issues exactly in accordance with percentage breakdowns of mail from his constituents, but rather to point out how difficult, not to say how completely impossible, it would be for any Senator to be guided entirely by the response of his constituents.

Most of the mail I have received in opposition to the treaty makes the point, which, in other circumstances, is a very valid one, that the Russians have broken 50 out of 53 treaties, so why should we trust them now.

Others write—and I quote a typical letter:

> Wasn't the stumbling block to a test ban treaty our insistence on onsite inspection? True, each year we were ready to accept fewer inspections, but we did insist on some. Now we are offered a no-inspection treaty and we are supposed to be thrilled with it.

That is a fair question, but the answer to it lies in the treaty itself and in the tremendous advances in the technology of test detection. The treaty only bans atmospheric testing and every single expert that I am aware of has indicated his belief that no significant nuclear tests can take place in the atmosphere without detection by the United States. If underground testing were included, that would be a valid objection and the whole treaty would be something very different indeed. But as of now, I am convinced by the expert testimony that we can inspect and monitor this ban very effectively with the equipment and techniques that we now operate from the United States and overseas, as opposed to a ban on underground testing which would require onsite inspection.

It is perfectly true that the Soviets cannot be trusted to abide by treaties that we are not able to enforce ourselves. That we have learned to our sorrow, not only from Yalta and agreements on access to West Berlin, but most recently from the agreement last year to neutralize Laos. But we do not have to trust them in this treaty because the Russians simply cannot conduct any kind of testing under the treaty that will make a serious difference in weapons development without our being immedately aware of it.

So I feel that the question of trust is altogether beside the point.

If the question of trust were the point involved, I would have quite different views about this treaty.

Another point made in my mail which I believe also deserves to be explicitly dealt with is the possibility of Soviet use of Red Chinese territory in testing. The so-called Kremlinologists tell us this is impossible—and at the moment I entirely agree. They say that one of the reasons the Soviets signed the treaty was to embarrass the Red Chinese, and that reconciliation is impossible.

That point of view looks reasonable today, but then, who would have thought that Tito and Khrushchev would ever be embracing one another the way they did not long ago? The fact is that times change, policies change, and peoples, especially national leaders, change. In Communist countries a change in leadership can mean a totally new orientation. But there can be no question under the express terms of this treaty that if the Soviets should patch up their differences and start testing on Red Chinese soil or if, indeed, the Red Chinese should start testing in the air, then this would be considered as one of the extraordinary developments justifying U.S. abrogation of the treaty.

Some of the other arguments made against the treaty seem to me considerably less weighty. One opponent writes:

> Being in favor of that nuclear treaty is another step in the wrong direction. I for one much prefer nuclear war at once.

Another writes:

> If you vote for this treaty, we'll never vote for you again, not even if you run for dogcatcher.

Well, let me make it perfectly clear that I have no plans to run for dogcatcher. It is an honorable office, but it is not my present intention to be a candidate for dogcatcher. It is not my intention to run for any office on a "nuclear war now policy." Anyone who wants nuclear war now or any other time, had better vote for someone else for Senator or dogcatcher.

The great bulk of the mail I have received opposing or favoring the treaty, I am sure represents the reasoned and sincerely held convictions of the writers. Although I certainly do not agree with all of the arguments of treaty supporters, I entirely reject the explanation one correspondent sent me. She wrote:

> I'm sure you realize the people who are against it are a little lazy and don't all get to write to you. The people who are for it are encouraged by the Communist fronts and are pushed into writing to you.

This effort to equate support of the treaty with Communist sympathy is the last resort of those who have run out of valid arguments.

Out of all the thousands of letters I received, however, there is one that really puzzles me. It is from a civil defense official who warns:

> The microscopic amount of fallout from an airburst bomb would cause several orders of magnitude less possible birth defects than the custom of men wearing underwear and trousers which keep the temperature of the body higher than nature intended.

That makes it sound as if the most constructive thing any of us could do is take off our clothes and stay on the beach.

So much for the mail. I am supporting the test ban treaty because in my own considered judgment it is a useful measure and in the interest of the United States. In sum, what the treaty provides is basically that the United States and the Soviet Union do not intend to undertake any further nuclear tests in the atmosphere, in outer space, or under water, unless something should occur to cause either power to change its mind. It is not a binding, ironclad commitment, since the withdrawal clause in the treaty would make it possible for any signatory to withdraw should extraordinary events jeopardize the supreme interests of the country. In something of an understatement, the Senate Foreign Relations Committee report terms this "a remarkably flexible provision." That, it undoubtedly is.

Moreover, even though this treaty has been widely hailed as a "first step," there is considerable variation of opinion as to what it is a first step toward. The preamble asserts the principal aim of the United States, Great Britain, and the Soviet Union as being "the speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations."

Even though I recognize that this catch phrase has been adapted part and parcel from Soviet propaganda and in effect means virtually nothing, I think it is unfortunate—I concede this—that it should have a place in a serious treaty of this type. The fact of the matter is that if the United States, Britain, and the Soviet Union actually wished to achieve such an agreement, it could have been achieved 10 years ago.

It is, I very much fear, this kind of language which has found its way into this treaty as well as other government publications, that does have the effect of alarming many people and filling the coffers and ranks of some of the organized groups who oppose this treaty. The virtue of the treaty is that it is realistically limited to what can be accomplished today that is within the realm of the shared interests of the United States, the Soviet Union, and Great Britain. It is not only the John Birch Societies that become incensed when the treaty is depicted as the first step in general disarmament, but also a lot of quite serious and responsible and conscientious Americans who would oppose general and complete disarmament. In fact, I have not yet met any responsible person anywhere who believes such a course is possible. This language in the treaty, therefore, only encourages the opponents and confuses the basic issues that are involved.

Besides not being a step toward general and complete disarmament, there are a lot of other things both desirable and not desirable that the treaty does not do. For instance, over the long run, considering all areas of the world, the treaty will probably not, at least in the short run, reduce existing political tensions.

Let me be very specific on this point. I believe there is already some evidence that in Europe the treaty has heightened tension. Combined, as it has been in many people's minds, with the possibility of a nonaggression pact or some agreement on the status of Berlin, it has aroused very deep fears not only in Germany, but also in France and Britain, of some kind of a private United States-Soviet deal. Should we accept in any kind of juridical document the status quo of the satellite countries of Europe, we would be greatly strengthening the hand of the Soviet Union in its international relations, and we would be weakening NATO. The more these questions are discussed, the more such matters as access to Berlin, inspection of key transportation junctions, are discussed, the more nervously will we be viewed by our European allies, the more will we be strengthening the hand of General De Gaulle in his efforts to dominate the European continent. In short, although this treaty itself has been welcomed everywhere except in France, it clearly puts the United States on its mettle.

In Asia the treaty has undoubtedly heightened Soviet prestige at the expense of Red China. But it would be most unrealistic to expect the Chinese to take this lying down. The Chinese are now engaged in an ideological dispute with the Russians as well as long-term hostilities with the United States. They may well feel that the best way to strengthen their hand is to stop talking and to start acting perhaps by renewing their warfare against India or seeking to move directly into southeast Asia. In any case the treaty is a challenge which I would not expect them to take lightly. Certainly the last 2 months has heightened tension throughout Asia from Pakistan to South Korea, and there is well justified fear that the end of the monsoon season will mark the beginning of the military season for Peiping.

In other parts of the world, such as Africa and Latin America, the test ban treaty gives the Soviets the opportunity to pose as worldwide peacemaker. The treaty of Moscow can be a trump card if local Communist groups play it right.

In short, all over the world the test ban treaty may well create unforeseen difficulties for the United States and make a lot of trouble for our policymakers.

In discussing this matter and in expressing my support for the treaty, I think we would be unrealistic not to recognize the difficulties that are posed by the signing of the treaty and its ratification.

Let me make it perfectly clear, however, that I do not think rejection of the treaty would eliminate these tensions, but only urge, in referring to these matters, that we see the situation as it is and be prepared for the next set of challenges.

What is more, if the pledges solemnly given by the President and Secretary of Defense to maintain U.S. readiness are to be redeemed, the treaty will require stepped up expenditures on surveillance techniques and devices for measuring nuclear radiation. It will put our military and intelligence people in the position of having to study and evaluate even more carefully the even less readily accessible results of underground Soviet testing. The pressure will not be off, it will merely be turned in a different direction; and I think it is very important that all of us recognize that the pressure will not be off.

In the development of antimissile missiles, the test ban will probably offer some disadvantages, but undoubtedly in the years to come, the problems of missile defense will increase in geometric progression to the advances in the art of missilery itself. There is no ultimate weapon and we may find it is a better defense to make our missiles superior to Soviet defense, than to try to perfect a missile defense. In short, instead of an antimissile missile, what we may really want in the long run is an anti-antimissile missile. There is no evidence that the lack of further atmospheric testing will significantly hamper that development at all.

As to large 50- to 100-megaton weapons, our Government has already made the decision not to proceed with further development of these weapons. If that decision was wrong, we may suffer, but the fault will not be the test ban, but rather the conclusion reached before the ban was even considered.

In short, we must see the treaty for what it is, a very limited agreement. It has two important advantages that outweigh the, to my mind, hypothetical and never successfully proved disadvantages. These are, first, the end to radioactive fallout. Although this menace may indeed be exaggerated, there seems little doubt that increased radioactivity in the atmosphere could eventually have a serious effect. No one can be certain that additional cancers or birth deformities have not resulted from higher levels of fallout. The fact of the matter is that as long as we do not know precisely what causes a birth deformity or what makes a cancer grow, it is the better part of wisdom to end the contamination of the air that has, by statistical study, at least, contributed to them.

Recent studies have very clearly pinpointed the increased incidence of childhood cancer in cases of prebirth X-rays. Although we do not know nearly as much as we would like to about birth deformities, and in fact about the many and subtle ways in which radiation can affect living and future generations, the fact remains that no one has been able to show any benefits from a general increase in radiation levels, and medical studies are indicating, with increasing impact, the possible dangers.

So I look upon this as the first basis for support of the treaty.

Secondly, the treaty is important in hampering—though not, of course, fully preventing the proliferation of nuclear weapons—atmospheric testing on the part of other nations. Although this treaty clearly does not prevent other nations from proceeding if they are ready to undertake underground tests, the inconvenience and expense may well apply a brake—a brake which would be in the interest of the Soviet Union as well as the United States. In short, the treaty represents a limited effort to reduce what has been one of the most conspicuous, if perhaps not actually one of the most serious, threats to world peace in the postwar decade. It is a limited vehicle to achieve a limited, but certainly desirable, result.

For that reason, I believe it would be a very serious mistake to attach to the treaty any of the reservations or understandings that have been proposed to date. There is nothing I personally would welcome more, and nothing I feel would be more in the national interest at this time, than the withdrawal by their sponsors of each and every one of these reservations or understandings.

One of the understandings, for instance, provides that U.S. participation in the treaty does not involve any degree of recognition of the East German Government. What about North Korea and North Vietnam, if they should ever desire to accede? What about Outer Mongolia, which we do not recognize but which has acceded? Should they not also be specifically mentioned? To raise this issue formally as an understanding to the treaty adds nothing substantive to our determinations on East Germany, but it might well confuse the situation with regard to other countries. And a vote of rejection of such an understanding would cloud the East German issue.

Another understanding, with regard to U.S. right of withdrawal immediately in the event of Soviet violation, has been thoroughly clarified by the Secretary of State. We would abrogate the treaty, we have made it clear, if the Soviets cheat.

Another understanding with regard to peaceful nuclear explosions brings a wholly new element into the actual treaty, and in my view could open a loophole for Soviet and other testing that we might later regret. In any case, in my judgment, it deserves a lot more study and attention before being incorporated in this document.

The issue of use of nuclear weapons in the case of armed hostilities has similarly been clarified beyond doubt.

Also, the desire to insure that any and all amendments to this treaty be submitted to the Senate is important and worthwhile. Such a requirement is basic constitutional law. The President and Secretary of State have already assured the Senate they would comply with such a requirement. If the Senate voted to add specific language to this treaty to that end, it might seriously imply that amendments could be made to other treaties, in which such language does not appear, without the advice and consent of the Senate. If the Senate voted not to add specific language, it would leave the issue as regards this particular treaty, up in the air. It is my hope, therefore, that the assurances of the President will be accepted and no effort made to complicate the situation by such an amendment of the resolution of ratification.

Every one of these points has been answered satisfactorily time and again by the President, the Secretary of State, and the Secretary of Defense. To include them in the treaty would add nothing but confusion and ill feeling for other signatories. To vote not to include them might leave these very questions up in the air. It seems to me it would be very unwise for the Senate to be put in the position of having to vote on any of these points, which to my mind are perfectly clear now and would only be confused by a Senate vote.

Another reservation recently introduced would require that the treaty not come into effect until all the delinquent Soviet assessments to the United Nations are paid. Nothing, it seems to me could be more extraneous to the subject matter of the treaty, and in fact, no more germane than would be a reservation postponing the effective date of the treaty until the United States balances its budget. Needless to say, I favor a balanced budget for the United States, and for the United Nations, and I favor all nations paying their debts and obligations, but I do not see what that really has to do with a limited test ban agreement.

Certainly we are right to be concerned about Soviet delinquency in the United Nations and to do everything we appropriately can to encourage them to pay up. Soviet actions in this session of the United Nations, including the question of paying their share, will be a good test of how much the Soviets really mean in their new peace offensive. It will be a good indication of what we can expect in the future, but it is no test at all of the validity of a ban on atmospheric nuclear explosions. It would be extremely unfortunate if the Senate were to meander down this byway and lose sight of what we are really here to ratify and secure.

Finally, with respect to the reservation that Soviet military personnel be required to leave Cuba before the treaty comes into effect, I doubt there is any Member of Congress that has for so long expressed greater concern than I have over the Cuban situation. If I thought such a reservation would encourage the Soviets to withdraw from Cuba, I would back it, but I am not such an optimist as to believe that this is a constructive move toward getting the Russians out of the Caribbean.

They are going to leave Cuba, and other points only when we make things so tough for them, by economic and political and other pressures that it does not pay them to remain there any longer. We are not going to talk them out of Cuba—any more than we talked them out by passing a tough resolution last September, a resolution to which the Soviets paid no attention and which the executive branch has largely ignored.

It is surprising to me that anyone in this country expects mere negotiations to get the Russians out of Cuba. It is even more surprising that those who advocate this course—at least among my constituents—are the same people who warn that we cannot trust the Russians in any treaty. If that is so, I do not see any value whatsoever in bringing in additional complication into the treaty which we would not expect the Russians to abide by and in which it would be a lot harder to discover and confirm cheating than in some purely scientific area such as nuclear fallout.

In my view, it would be a most serious mistake for the Senate to accept any of the unnecessary or extraneous proposals that have been offered as additions to the resolution of ratification.

With the clear understanding then that this treaty is a limited commitment, that it does not even bind the United States to further negotiations of any sort on any issue that we would not otherwise wish to discuss, and that it is interpreted by the United States in accordance with the points that are made in the report of the Senate Foreign Relations Committee, I support the treaty. What the treaty provides is in our interest and that of the whole free world. What it does not provide, both good or bad, should not be the object of present decisions, and should not be brought into the discussion to mislead or alarm our citizens.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. KEATING. I yield to the Senator from California.

Mr. KUCHEL. The Senator makes an excellent point in indicating to the Senate that the treaty should be voted up or down on its merits, with no extraneous material being attached to it, by way of reservations, which are printed and are lying on our desks.

My recollection is that approximately 2 years ago the distinguished Senator from New York was one of the successful sponsors of an amendment to pending legislation with respect to interdicting trade with Cuba. Cuba remains a problem. The question before the Senate is whether an agreement to prohibit testing by way of nuclear explosions, except underground, is in the interest of the American people and in the interest of the people of the world.

I commend the Senator for stressing the fact that in his opinion, and in my opinion, the treaty merits the support of the Senate and of the people of this country, but that no extraneous material ought to be attached to it when the Senate votes on it next Tuesday. I hope it will vote overwhelmingly in favor of it. I congratulate the Senator for the points he has made.

Mr. KEATING. I thank the Senator for his statement. It is extremely important not to complicate the situation by attaching reservations or amendments which might or might not require renegotiation, but certainly would require notice to the other signatories to the treaty.

People have written to me to ask, "Why do you want to be for a treaty that helps the Soviet Union?"

That is not the question. The question is, Does it help the United States? Does it help to prevent the continued pollution of the atmosphere? Does it help to prevent the proliferation of nuclear weapons by other countries? Certainly its ratification is in the interest of the people of both nations. If, incidentally, it also helps the Soviet Union, certainly we should not be against it for that reason. I do not believe that the fact that it provides incidental benefits for the Soviet Union should be a basis for opposing the treaty.

Mr. KUCHEL. The Senator is correct. Human beings, black or white, free or slave, whether they live in America or on the other side of the Iron Curtain, breathe the same air.

Competent scientists who testified before the committee stated that at one point in the testing of nuclear explosions in the atmosphere the danger to mankind becomes inevitable, regardless of the level at which that point is reached.

In my opinion, the Senator is also completely correct with respect to the problem of the proliferation of nuclear nations, about which we read in the press several weeks ago. The Senator from New York made some comments in the Senate to the effect that the United Arab Republic, having obtained some scientific brainpower, was on its way to creating a rocket arsenal, one step away from being a nuclear power in the Middle East. Think of the hazard to the peace of the world that would occur from countries in the Middle East being nuclear powers. Such an event could plunge the whole world into an abyss.

As the Senator from New York speaks in support of the test ban treaty, on which the Senate will vote next Tuesday, what a wonderful thing it is that 100 nations all around the globe, in every hemisphere, have said, "We want to join in this agreement."

The Senator's points are well taken. In my judgment, he speaks with impeccable logic.

Mr. KEATING. I am grateful to the Senator from California.

ANNIVERSARY OF 1962 CUBA RESOLUTION

Mr. KEATING. Mr. President, I should like to refresh the memory of Senators that today marks an anniversary. One year ago today the Senate passed, with only one dissenting vote, a resolution expressing the determination of the Congress and the country with regard to the presence of a Soviet military establishment in Cuba. The resolution was signed by the President on October 3, 1962.

The controlling language of the resolution after the preamble provided as follows—and I stress that it was adopted with only one vote against it:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the United States is determined—
>
> (a) to prevent by whatever means may be necessary including the use of arms, the Marxist-Leninist regime in Cuba from extending, by force or the threat of force, its aggressive or subversive activities to any part of this hemisphere;
>
> (b) to prevent in Cuba the creation or use of an externally supported military capability endangering the security of the United States; and
>
> (c) to work with the Organization of American States and with freedom-loving Cubans to support the aspirations of the Cuban people for self-determination.

We all remember that the resolution was worded with great care. A number of resolutions were introduced, but this is the one that was adopted. It was the expression of determination by the United States in formal language stated by Congress.

Now, a year later, the Marxist-Leninist regime in Cuba has extended its subversive activities to every corner of the hemisphere and is working 24 hours a day in the effort to overthrow existing governments throughout Latin America. That relates to paragraph (a).

Although there is no threat to the territory of the United States itself right now, there is a very real threat to our continued hemispheric security in the efforts Castroist forces are making to overturn the Governments of Venezuela, Peru, and Colombia and to infiltrate through the Jagan regime in British Guiana directly into Brazil. Surely the threat to U.S. security is just as real and a great deal closer than the threat in South Vietnam, where we are spending $1½ million a day to defeat communism.

As to paragraph (c), it is true that the United States has worked with the Organization of American States.

Instead of working with freedom-loving Cubans to achieve self-determination for Cuba we have thwarted their efforts at many points. A State Department spokesman, in fact, recently told the American Legion Convention, in Miami, that the Cuba question was basically one that had to be solved by the Cubans—ignoring the thousands of Soviets in Cuba who are forcibly keeping the Cubans from doing just that.

In short, not one point of this resolution, which was debated and favorably reported by two Senate committees—the Committee on Foreign Relations and the Committee on Armed Services held joint hearings—passed with near unanimous approval by both Houses of Congress, has been effectively implemented in the last year. Today, 1 year from that time, the resolution is virtually unimplemented, except for the fact that the United States has been working with the Organization of American States. Meanwhile there is mounting evidence of Latin American concern over the Castro regime and over Castro's deliberate campaign to incite insurrection and violence in other countries.

Mr. President, I ask unanimous consent to have printed, following my remarks, a series of newspaper articles written by reliable reporters to document this trend of the increase in the inciting of insurrection and violence in other Latin American countries.

There being no objection, the articles were ordered to be printed in the RECORD. (See exhibit 1.)

Mr. KEATING. Mr. President, the memories of some of us are short. The resolution passed by the Senate exactly a year ago today should serve to remind us all of the very wide gap that still exists between our objectives, our stated policies, our adopted resolution, and the hard realities in Cuba. There is still, as there was last fall, a pressing need to enforce policies we have already enunciated, before we find not only a Communist Cuba, but also a Communist Guiana, a Communist Haiti, a Communist Brazil, a Communist Colombia, a Communist Venezuela, or other Communist countries on our very doorsteps.

EXHIBIT 1

[From the Washington (D.C.) Post, Sept. 20, 1963]

FEAR OF MILITARY COUP ALARMS VENEZUELANS

(By George Matanson)

CARACAS, September 19.—The threat of an imminent military uprising hangs heavily over Venezuela. People in the streets talk of little else and Caracas publications are expressing their concern with banner headlines.

Terrorist activity has mounted steadily in recent weeks. The armed forces, angered at the Government's apparent inability to halt the attacks, is widely believed to be planning to take matters into its own hands.

This view was bolstered today when the pro-Castro terrorists attacked an American-owned factory in downtown Caracas.

Six men armed with submachineguns, who identified themselves as members of the Armed Forces of National Liberation (FALN), destroyed by fire the plant and warehouses of the Du Pont Co. in an area ringed by other business houses.

EIGHT ESCAPE PRISON

Earlier in the week the Government proudly announced the capture of two FALN leaders, but this was quickly offset by the escape of eight FALN figures from a maximum security prison.

The escape, together with a daring FALN attempt on the life of Venezuela's defense minister, 2 weeks ago, is said to have infuriated the military.

Until recently the armed forces had stayed out of politics, but now they are thought to be considering steps to rid the country of terrorism.

In the process, it is felt, they would take over the Government.

Ranking Venezuelan military officers have held several closed meetings. After one of these it was confirmed that the military had met with President Betancourt. Newspapers reported Betancourt had been given an ultimatum to act strongly against the terrorists or accept the consequences.

The Government admitted that Betancourt had conferred with the officers but only on "routine matters." It also has said that Betancourt will soon address the country, spelling out strict measures to hold the terrorists in check. To date, however, there has been no speech.

NO DANGER

Meanwhile, the Minister of Defense declared that there is no danger. He said that although the military had resolved to protect democratic processes, it would take no steps that would threaten the upcoming elections.

The statement is being received with reservations. Observers admit that many officers wish to remain outside political activities. But they feel that a group of younger officers is putting pressure on their superiors to take action.

It is believed that if the FALN continues its attacks on military installations, the armed forces will move.

UNDECLARED WAR

Jovito Villalba, a leading opposition presidential candidate, said today that Venezuela is in "a state of undeclared war," and that the threat of a military uprising cannot be overlooked.

"Venezuela is too young a democracy," Villalba said. "We are only 5 years old in this respect and we have no traditions to help carry us through this trying period."

Villalba, who heads the far-left Republican Democratic Union Party (URD), said "I have called upon all political parties, including the Communists, to join in signing a mutual pact to condemn terrorism," he said.

But observers point out that it is the Communists who are the prime movers behind the terrorism.

The Reds hope to provoke a coup, a military one would suffice, after which the moderates would be forced to join the extreme left to regain control. From here the relatively small extreme left wing would move from a position of influence to complete power.

[From the New York Times, Sept. 18, 1963]

LATINS AT U.N. DISTURBED AS CUBA INCREASES EFFORTS TO STIR REVOLT

(By Henry Raymont)

UNITED NATIONS, N.Y., September 17.—Latin American delegates to the General Assembly are disturbed over what they describe as a new impetus in Cuba's efforts to incite a hemispherewide Communist revolution.

The belief is that never before has the regime of Premier Fidel Castro been so blatant in promoting armed uprisings in Latin American countries, most of which are politically and socially restive.

The chief Cuban delegate, Dr. Carlos M. Lechuga, said in an interview that Dr. Castro and other leaders who recently spoke out in favor of greater revolutionary militancy in Latin America were merely expressing their political beliefs, "and surely there is no law against that."

WASHINGTON POLICY BLAMED

The more aggressive tone of the Cuban statements, he contended, was "a direct result" of what he termed Washington's "policy of subversion and harassment" against Cuba.

Many Latin American representatives here, especially those from the nations of Central America and the Caribbean area, which are most exposed to Cuban propaganda, are eager to determine if the new situation poses any threat to their security that may require collective action by the inter-American system.

Daniel Oduber Quirós, Foreign Minister of Costa Rica, suggested that the heads of the Latin American delegations meet during the Assembly session to discuss Communist subversion and propaganda emanating from Cuba.

One difficulty the inter-American system has encountered in dealing with Cuba has been the absence of substantial evidence that Cuba was shipping arms to support insurrections in other Latin American countries.

Lately, however, some diplomats have become convinced that the Organization of American States should take more forceful action to deal with Cuban subversion.

Juan Bautista de Lavalle, Peruvian delegate to the Organization of American States and an international jurist, has been working on a formula that envisions collective sanctions against the Castro regime for inciting and encouraging violence in other countries.

"In criminal law a man who inspires someone else into committing a crime is as guilty as the person who fires the weapon," the Peruvian diplomat said recently. "There is no reason why this principle should not apply in international law to governments inciting insurrection and violence in other countries."

Dr. Castro and his aids have been giving unconcealed encouragement to rebel movements in Latin America, especially to the pro-Communist underground in Venezuela, the Armed Forces for National Liberation.

REBELS URGED TO CONTINUE

In a recent speech, the Cuban Premier urged the Venezuelan rebels to continue their struggle against the left-of-center government of President Romulo Betancourt. He said Cuba did not need to ship them weapons because they were imitating the tactics he used to overthrow President Fulgencio Batista—equipping his forces with weapons seized from the regular army.

One Cuban statement that particularly alarmed some Latin American diplomats was an article by Maj. Ernesto Guevara urging other countries to engage in the same guerrilla tactics that proved successful in Cuba. The article, which appeared in the monthly Cuba Socialist, was broadcast September 9 over the Peiping radio.

Its basic premise was that U.S. efforts to isolate Cuba had made other revolutions in Latin America necessary.

[From the Christian Science Monitor, Sept. 6, 1963]

CARACAS: TERROR STEP-UP TRACED

(By Bertram B. Johansson)

The extent to which Venezuelan Castro-Communist terrorists have taken matters into their own hands is demonstrated by their executing four of their own number recently in disciplinary sessions in the hills.

The men were executed by the pro-Communist mountain guerrillas after they had tried to desert, according to a fifth guerrilla who escaped and reported the executions to officials at Barquisimeto.

A Venezuelan news agency said the fifth guerrilla told authorities the four men were lined up before a firing squad in the mountains of Lara State about 2 weeks ago.

The executions coincide with a marked increase in terroristic violence in several areas of Venezuela, aimed at three targets:

1. The downfall of the Betancourt government before it leaves office constitutionally early next year.
2. Prevention of the December 1 presidential elections which would insure constitutional succession in the Presidency for the first time in decades.

PUBLICITY SOUGHT

3. Laying the groundwork for a development of chaos in Venezuela in which, as in Cuba, Communists would be ready to step in or take advantage of any openings that might develop toward a greater concentration of power in Castro-Communist hands.

Within the past few days Castro-Communist fomenters of violence attacked the home of a presidential guard captain, killing one soldier and wounding another; attacked a Maracaibo police post; and perpetrated two bomb blasts at east coast oil pipelines.

Last week the terrorists catured Alfredo di Stefano, an international soccer star, and held him for 56 hours before releasing him.

Through such stunts, stealing valuable French paintings recently, and hijacking ships, the terrorists seek to obtain maximum publicity for their cause and to embarrass Venezuelan police forces.

LEADER IDENTIFIED

The problem of the Venezuelan police is that they are not highly trained. Most of them had to be changed when the Marcos Pérez Jiménez dictatorship fell, and it is only in recent months that professional police instructors have been teaching Caracas police in crime detection and prevention methods.

Leader of the Castro-Communist terrorists has now been identified by the Interior Ministry as Máximo Canales, a Cuban Communist, who engineered the spectacular hijacking of the Venezuelan freighter *Anzoátegui* last February.

Venezuelan authorities consider the most recent flurry of violence and terrorism as a sign of desperation, but Caracas citizens are concerned about the apparent ineffectiveness of police to handle these political juvenile delinquents.

[From the Panama City (Fla.) News, Aug. 21, 1963]

THE MEANING OF AGUILLA KEY

(By Seymour Freidin)

The arrogant Castro Cuban raid on a little Bahama islet the other day was a dry run for bigger combined operations to come. It involves a future Soviet technique aimed at all underdeveloped areas and tempting soft spots.

Actually, it is based on the most mammoth intelligence program in history. Organized carefully, plotted cogently, the Russian aim is to pick off the immense potential in the markets of the underdeveloped world.

They cannot achieve—so they have apparently decided—dominance in these markets with the euphemism of competitive coexistence. In short, their policymakers have decided that the vast and cumbersome Soviety heavy industrial machine cannot compete with that of the United States. Therefore, the answer is planned upheaval, directed by highly skilled agents who build up the apparatus for a takeover in a given territory.

This is not the synthesis of some exile committee, bitter and burdened psychologically with no future. It is the hard-headed assessment, based on what they claim are indisputable fact, statistic, and operation, of important men who try to advise on the course of policy for this government.

Nobody, including the dedicated men involved, can pretend to say whether their unemotional, surgical presentations can affect the present course of U.S. policy. This is an epoch, somewhat schizoid, in which the quest for power accommodation with the Russians has become obsessive. The plangent bells of caution keep the pace, at least outwardly, rather dignified and measured.

Soviet policy isn't deferred by our approach. It has been made up and implemented abroad for some time now. Let's get down to a few cases, as the men who make these assessments would say dryly. Take the wretched episode at Aguilla Key. Castro gunboats sealed off and invaded the heat-seared British-administered islet.

Our planes watched. Under orders, they did nothing. Onto Aguilla Key stormed a landing party. Their comrades trained antiaircraft guns on watching U S. aircraft. They even sent in a helicopter from one of the little warships.

So, 19 exiles from Cuba were forcibly repatriated after a bald invasion of foreign territory. The incident—so melancholy in its utter insensitivity to human dignity and right—was Soviet conceived. The U.S.S.R., around the world, never ceases to try and bring back citizens who fled and want no more of the Soviet system.

The act at Aguilla Key, while successful from the Soviet operational point of view, was small potatoes. It proved one most useful point, though, to the vast and recast Soviet intelligence methods: That Cuba under its present regime is of untold value as a jumping-off spot for Latin America.

The biggest, proportionately, Soviet intelligence operation abroad is in Cuba today. Access is easier and more direct, as a result, with Soviet missions throughout Latin America. Every Russian mission in Latin America today is headed by a highly experienced intelligence officer.

The grim, old joke that the chauffeur in a Russian Embassy really ran the show has long since been interred with Stalin. Instead of using intelligence agents in covert and lower echelon levels, deliberate Soviet decision has placed them in No. 1 spots.

And not just in Latin America. This is now true in most of Asia and Africa. The objective is the same: seizing by subversion the regimes and, thereby, the markets of new countries. An underground apparatus and disaffected, ambitious politicians are all paydirt in the targets marked out by Soviet policy.

Some ultrasophisticated people may say, loftily, that it doesn't sound very new. Well, it is and had better be recognized, because the Russians never before used intelligence operations on such a high level to strike for a given objective.

Maybe this remark from a highly gifted man, who holds glittering credentials, has a little impact:

"It's a life-and-death competition for the markets," he said, dry-smoking a filter cigarette. "There ought to be a lot more said about it. But that's not up to me."

Obviously, it's up to the top to see and shed some light on this deadly phase of coexistence.

[From the Christian Science Monitor, Aug. 6, 1963]

JAGAN CALLS CONFERENCE TURNING POINT

(By Bertram B. Johansson)

British Guiana's Prime Minister Cheddi Jagan, with a wide-ranging ambivalence, is warning Britain his colony must soon obtain independence—or else.

The self-admitted Marxist Prime Minister told a press conference this past weekend that the territory conference expected to be held in London in October—where British Guiana independence may be considered—will determine whether the colony goes "a la Khrushchev, a la Mao Tse-tung, a la Castro, or a la Jagan."

CUBAN INCLUDED

Prime Minister Jagan is already showing a great attachment for Cuba's Premier Fidel Castro, who last week said the duty of revolutionaries is to "make" revolution all over Latin America.

Mr. Jagan told a press conference in Georgetown Saturday it was unrealistic for West Indian leaders to think of Caribbean unity without including Cuba, the biggest country in the region. "Such a large area cannot be ignored for long," he said.

On July 24, the Jagan government borrowed $1,700,000 from the Guiana Import-Export Corp., a business concern which recently has done a brisk trade with Cuba and other Communist countries.

Government officials, according to Reuters, refused to comment on the purpose of the loan, as have officers of the corporation, which is dominated by Marxist Prime Minister Jagan's People's Progressive Party.

Sir Ralph Grey, British Guiana Governor, inspected the balance sheets of the corporation to ascertain its financial position after the Jagan government ignored his suggestion it first await possible British Government aid.

SOVIET GOODS IMPORTED

During the recent 11-week general strike staged by the Labor Confederation against a bill Mr. Jagan was trying to push through Parliament, the Prime Minister began importing Soviet oil from Cuba, on Soviet tankers, and Cuban rice. Much propaganda was made about the commodities saving British Guiana from chaos.

During the strike, two Cuban student organizers, of the type that have been deported from several Latin American countries, were extremely active in the Georgetown area among student groups.

Just as the strike was ending, 18 more Cubans, identified as aviation experts and technicians arrived to render what was termed assistance to widen activity of British Guiana Airways, which is alleged to have one 7-passenger plane.

There is concern in Washington circles about the possibility British Guiana may become a sluice gate for Castroite subversive traffic into South America and the rest of the hemisphere.

Havana radio has announced British Guiana has given landing rights to Cuban planes. The announcement followed shortly after the United States had complained to Britain about Cuban planes unloading potential subversive agents in the British-owned Grand Cayman Islands, 200 miles south of Cuba, for transfer to other airlines proceeding to Latin American points.

[From the New York Times, July 27, 1963]

CASTRO PLEDGES SOVIET SUPPORT FOR REVOLTS IN LATIN AMERICA

HAVANA, July 26.—Premier Fidel Castro called today for Cuban-style revolutions in Latin America.

"What has happened in Cuba could happen exactly the same way in many Latin American countries," he told a mass rally in Havana on the 10th anniversary of the attack on the Mowcada Barracks that ultimately put him into power in 1959.

He asserted that "all peoples who do what Cuba has done will have the support of the Soviet Union and Socialist [Communist] countries."

"More and better things which have been done in Cuba, can be done in Latin America," he added. "A million workers and peasants look to Cuba for hope and encouragement."

PEACE IS RULED OUT

Premier Castro asserted that Latin American revolutionaries insisted that "revolution could not be made by peaceful means."

He stressed that the way to revolution "will not be opened by itself" and that revolutionaries themselves must open the way.

"Revolutionaries must not only learn theory," he advised. The Cuban leader attacked the United States-sponsored Alliance for Progress program of aid to Latin America, calling it "an aggressive instrument against Cuba destined to fail from the beginning."

He mentioned insistently Argentina, Peru, Colombia, and Guatemala as countries ripe for revolution. He described as a farce the recent election in Argentina and sent "a fraternal message of admiration to Venezuelan patriots who are fighting against reaction."

Dr. Castro called President Romulo Betancourt of Venezuela "an imperialistic puppet" and predicted victory for the pro-Castro forces in Venezuela "sooner or later, as in Algeria."

He proclaimed also "our fraternal salute" for pro-Castro groups in Guatemala.

However, Dr. Castro denied—as he has in the past—that Cuba was exporting its revolution.

In the case of Venezuela, he asserted, "when patriots needed money and arms they took them away from the soldiers and imperialists."

He added that ideas cannot be stopped and that Cuba was a "source of light for Latin American Indians and peasants."

UNITED STATES ACCUSED OF RENEGING

MIAMI, July 26.—Premier Fidel Castro charged today that the United States had reneged in the deal to obtain the freedom of the Bay of Pigs invasion prisoners.

"We accuse the American Government of not complying with its agreement and that it owes us $10 million," the Cuban Premier told a mass rally in Havana.

Dr. Castro said in a broadcast heard here that the price agreed upon for the more than 1,000 prisoners taken in the 1961 invasion was $53 million but that only $43 million in goods had been paid.

The final installment was delivered to Cuba last month by the American Red Cross. The U.S. Government approved the deal but did not sponsor it.

[From the Citizens Committee for a Free Cuba, July 20, 1963 (Free Cuba News)]

COLOMBIA RIVALS VENEZUELA AS CASTRO TARGET

Colombia appears to be rivaling Venezuela as an embattled target of Castro-Communist subversion, judging by increasing guerrilla activity in that Andean country.

On July 15, a group of Colombians who had recently returned from indoctrination courses in Cuba launched guerrilla attacks at Jamundi and El Cerrito, Department of Valle. A Colombian Army patrol engaged the guerrillas, killed five and wounded two, and confiscated considerable material of a revealing character.

Included in the confiscated matter were "Che" Guevara's guerrilla warfare manual; a mimeographed "10 Commandments of Guerrilla Warfare" abbreviated from the manual; instructions for making bombs capable of destroying bridges and trains; and a rubber stamp with the legend, "Chief of Staff of the Revolutionary Army. Victory or Death." Also found were Cuban newspapers; Colombian pro-Castro magazines; a book called "We Organize the Revolution in Colombia," by the Communist Party head, Gilberto Viera White; and maps of western Colombia and other regions (where new guerrilla actions are evidently planned).

[From the Christian Science Monitor, July 12, 1963]

CUBAN FRICTIONS RUB UNITED STATES, BRITAIN

(By Bertram B. Johansson)

There is a fascinating bit of byplay in the Caribbean involving United States-British relations.

Cuban subversives and British Guiana are two points of friction.

The United States Wednesday asked Britain publicly to stop allowing "potential subversives" from Cuba to land on Grand Cayman Island, a British island north of Cuba.

Richard I. Phillips, State Department press officer, said some 15 to 20 persons had landed in Grand Cayman in three Soviet-made Ilyushin planes, and immediately transferred to other lines taking them to points in the Caribbean and Central America.

The British Government Thursday conceded that Fidel Castro's Cuba may be using the British-owned island to get subversives into Latin American countries, and said authorities were investigating.

PURPOSE CLOUDED

It is difficult at this stage to determine whether the United States made the Grand Cayman announcement to chide the British in public for alleged laxity with Cuban "subversives," or simply to demonstrate that U.S. intelligence services were well aware of the movement of subversives around the Caribbean.

The issues would appear to boil down to U.S. impatience with Britain over issues of Marxism and communism in the Caribbean.

The U.S. announcement followed by only a few days the earlier statement that the Kennedy administration was refusing financial aid to Marxist Prime Minister Cheddi Jagan in British Guiana on South America's northern coast, sandwiched between Venezuela, Dutch Guiana, and Brazil.

LEADERS CONSULTED

On Thursday in London, the Daily Herald, a Labor newspaper, declared that President Kennedy "is not being helpful over British Guiana. If the British Government takes their line from him, the same mistakes will be made in this strife-torn colony that the Americans made in Cuba.

"British Guiana desperately needs foreign aid. Only America is in a position to give it on a massive scale. She has refused," the Daily Herald continued.

"Why? Because the Americans suspect that Dr. Jagan, the Premier of British Guiana, is following Castro's example and drifting into the Communist camp. But the best way to make sure that the drift goes on is to leave British Guiana to stew in her own juice. If the West will not help, the Communists will. It is as simple as that," the Daily Herald said.

CONTRASTING MOVES

Duncan Sandys, British Commonwealth and Colonial Secretary, is in British Guiana now, conferring with government and opposition leaders. He waited before going there until the 80-day general strike concluded last week.

Two weeks ago, the diplomatic correspondent of The Times (London) wrote, in its June 29 issue, apparently after a Foreign Office briefing, that "it is understood that the U.S. Government has been urging the British Government to suspend the constitution under which British Guiana enjoys internal self-government and revert to direct colonial government, while British ministers are asking for a substantial increase in economic aid for British Guiana from the United States.

"The critical situation in British Guiana, which, according to several reports, is on the brink of civil war, has arisen from the strike."

[From the Christian Science Monitor, June 20, 1963]

Castro Broadens Western Targets

(By Bertram B. Johansson)

Premier Fidel Castro's warning to the French and British not to allow their Caribbean islands to be used for Cuban exile attack bases is being weighed in Washington in the light of a new cockiness the Cuban leader has shown since his Soviet visit.

While there is a tendency to discount his remarks as mere bravado—they were made June 18 at the dedication of a new fleet of Soviet and other fishing vessels at Cárdenas—there are indications the Cuban leader is broadening his attack on imperialism to include countries other than the United States.

Premier Castro referred to reports that Cuban exiles allegedly were negotiating with President de Gaulle of France for deploying from French islands in the Caribbean. He warned that he would seek whatever means necessary to defend Cuba. This was taken to mean further Soviet aid.

HAITIAN DETOUR?

There have been reports, also, that French-speaking Haitian exiles have offered to join forces with Cuban exiles in destroying the Duvalier dictatorship and then taking on Cuba, using Haiti as a base.

Ever since the Cuban leader's return from his 40-day trip in the Soviet Union, he has displayed new confidence in his "secure" position.

His June 4 radio and television interview in Havana, texts of which are not available, are most revealing of this confidence of complete Soviet backing, his assertion that Cuba was the victor in the October 1962, missile confrontation, his conviction of the economic superiority of the Socialist camp, and his high impression of Premier Khrushchev as a political and economic genius.

Referring to the possibility of talks with the United States to "normalize" Cuban-United States relations, Premier Castro says he will accept no preconditions to the talks but would set several himself, because, after all, he asserted, the United States was the loser in October and November.

"They [the United States] prepared subversions," he said in his June 4 interviews, "and we combated them. We crushed them. They prepared counterrevolutionary bands supplied with arsenals of weapons; and we put them out of action. They prepared invasions, and they have been obliged to pay a modest indemnity for all that [in the prisoner exchange].

SOVIET IMPRESSIONS

"They persisted in their plans for aggression, and they found themselves on the brink of destruction as a result. Discredit, headaches, and now hundreds of millions in currency [in higher sugar prices that must be paid by Americans] as a result of their aggressions against us.

"Is their policy not bankrupt? Yes, it is. Who failed? They have. Who won? We have won. Ah. The defeated are going to impose conditions on the victors. What a policy."

Premier Castro, engaged in constructing a monolithic Communist Party in Cuba, was impressed with the unity which the party instilled in the Soviet Union.

He was impressed with Soviet subways and said "I know the New York subway, and really it does not even approach the Kiev subway."

ON PEACEFUL SIDE

He was impressed with Soviet development of its "immense resources of Siberia. But," he adds, "they are not developing it as the United States West was developed—by cowboys, shots, dead people, assaults, and dead Indians. No, they are developing with extraordinary order. These are not people killing others, but closely united and organized."

Premier Castro observed that organization in Cuba was in the "toddler stage."

Asked about what conditions might be like when all political revolutions were finished, Premier Castro told his interviewers:

"At times I wonder what I would like to be if I were not a revolutionary, or even while being a revolutionary, what I would like to be. I would like to be an investigator [or researcher]. Why? Because one can revolutionize nature, and to a small degree create a variety of plants, animals, anything in the field of agriculture, and also in the field of physics and chemistry. A perpetual revolution must be waged by man in all matters. * * *"

For Premier Nikita S. Khrushchev, the Cuban Premier reserved special praise.

He said he had a "magnificent impression" of him.

PERSONAL VIEW

"In reality," said Premier Castro, "Comrade Khrushchev dedicated an amount of time to us that can be said were the full 40 days we were there [in the Soviet Union]. * * * His was a special attention, affectionate toward our entire delegation. * * * The thing that impressed me most was the extraordinarily human character of Comrade Khrushchev. * * * He has an extraordinary mental energy, and a complete, complete, complete, mental lucidity. He is without doubt one of the most brilliant intellects that I have ever known. That is the opinion I formed after entire days spent conversing and discussing with him. * * * He showed a great preoccupation for all the problems connected with today's situation, the domestic tasks in the Soviet Union, the national problems, and politics and the international Communist movement. I can say that I saw Khrushchev really preoccupied, really worried about all the problems related to the problems of the unity of the Socialist camp * * * great leader and a serious adversary of imperialism.

[From the Miami (Fla.) News, June 3, 1962]

Cuba Ships Arms for Latin Revolts

(By Hal Hendrix)

Communist Cuba has established a secret weapons arsenal in Matanzas Province and is exporting surplus U.S. arms from it to guerrilla forces in Central and South America, President Kennedy has been advised in a hard intelligence report.

Weeks of probing, including undetected cloak-and-dagger surveillance of one recent shipment of weapons smuggled from Cuba into Nicaragua, went into preparation of the report, the Miami News learned yesterday.

The highly classified document, written especially for President Kennedy, pinpointed clandestine movements of rifles, pistols, and automatic weapons and ammunition from four Cuban dispersal centers to nine Latin American nations—Nicaragua, Honduras, Venezuela, Brazil, Colombia, Peru, Ecuador, Paraguay, and Bolivia.

Accompanying the smuggled arms have been hundreds of copies of a manual written by Maj. Ernesto (Che) Guevara, entitled "La Guerra de Guerrillas," a handbook on Communist-style guerrilla warfare.

The Argentine-born Guevara is a key strategist for international communism in Cuba.

The presidential intelligence report noted that the arsenal in Matanzas was set up last February on orders of Guevara.

Its sole mission was to serve as a collection center and reconditioning depot for surplus U.S.-made weapons in Cuba, and shipping point for Latin American subversion.

Since the depot-arsenal began operations nearly all the U.S.-made weapons and ammunition Fidel Castro inherited from the Batista regime have been moved into the facility for reconditioning and packing for shipment to pro-Castro elements abroad.

ALSO GET BRITISH, DOMINICAN GUNS

Along with the U.S. armaments, the Castro forces have rounded up all available weapons of British manufacture and rifles from the San Cristobal arms factory in the Dominican Republic and processed them through the closely guarded arsenal.

Batista's armed forces operated almost entirely with U.S.-made weapons. During Castro's 2-year hit-and-run guerrilla war against the Batista forces, most of his rebel arms also came from the United States.

When the Batista regime was toppled, his weapons warehouses are reported to have contained about 9,000 M-1 Garand rifles, 2,500 Thompson submachineguns, 1,500 carbines, 8,000 automatic pistols (.45 caliber), 1,000 Dominican San Cristobal rifles and a relatively small number of British Enfield rifles.

Cuba got the U.S. weapons under hemispheric mutual defense pacts, supervised by the Inter-American Defense Board.

The United States formerly maintained a military mission in Cuba to instruct the armed forces in uses of the armaments. The mission was withdrawn at Castro's request shortly after he came to power in January 1959.

Until Castro received large shipments of rifles from Belgium in 1959 and subsequent heavy supplies of Soviet bloc arms, particularly automatic weapons from Czechoslovakia, the U.S. weapons that fell in his hands were used by his armed forces and early militia units.

Cuba's military muscle now has been standardized with all Soviet and Czech firepower, functioning under a Czech-style table of organization created late last year with the guidance of an imported Spanish-born Communist military strategist, "Gen." Enrique Lister.

NEXT TO ARSENAL FOR INSPECTION

Upon completion of the standardization, Castro and Guevara ordered all "foreign" weapons delivered to the new Matanzas Arsenal for "repairs, inspection, and storage." The word "foreign" in Cuba today is synonymous with the United States.

The storage phase of the directive has been brief, according to the intelligence findings.

From the arsenal-depot the revitalized U.S. weapons are shipped directly to other Latin America points or moved first to terminals in Havana, Cienfuegos and Santiago.

Oceangoing launches are the principal means of transportation for the weapons destined for Castro's subversive agents. Some have gone by air.

Shipments usually are small, sometimes packed carefully among general cargo and hidden between bags of exported sugar.

U.S. Navy destroyers and destroyer escorts still maintain an arms smuggling patrol off the Caribbean coast of Central America.

Some of Castro's smuggling boats are known to have eluded the patrol. A few others have been allowed to "escape" for surveillance purposes.

Last month U.S. intelligence agents observed one shipment of U.S. weapons from Cuba secreted into a secluded Pacific coast area of Nicaragua.

A Cuban ship in the 3,500-ton class, working its way down Mexican west coast ports with general cargo, one dark night slipped into the Gulf of Fonesca, a deepwater harbor which touches the coasts of Honduras, El Salvador, and Nicaragua.

Three small motorboats drifted alongside the Cuban ship and boxes were lowered into them. The shipments weighed close to a ton. Each small boat eased away bearing loads weighing between 600 and 700 pounds.

Manning the small unlighted boats were fishermen from the tiny Salvadorean island of Meanguera, where the Cuban packages were hidden until colleagues set up transfer of the weapons to the Nicaraguan coastal town of Chinandega.

Once in Chinandega the shipment was taken over by about 20 men who smuggled it into the mountains for distribution to peasant supporters.

Intelligence sources learned that this particular shipment, typical of others reaching the Central American area from the Matanzas Arsenal, was about 100 U.S. M–1 rifles, a small number of .45-caliber automatic pistols and submachineguns, a substantial number of boxes of .30- and .45-caliber ammunition, and an undetermined number of cases of grenades.

In Central America, as elsewhere along the Castro subversion path, the idea appears to be that the U.S.-made weapons provide an almost perfect cover from detection by Latin American authorities.

Smuggling of Cuba's Czech-made arms would be a certain giveaway to the source of supply.

On the Caribbean side of the Central American coastline, the report notes that the most probable relay point for the Cuban smuggling is a tiny key near the island of Cozumel, just south of the eastern tip of Mexico's Yucatan peninsula.

PERU INFILTRATED WITH SMALL ARMS

U.S. intelligence also has gathered information about clandestine shipments of small arms into Peru recently by way of Bolivia and Brazil smuggling networks.

Close study is being given to reports reaching the intelligence analysts that occasional small arms shipments are being delivered by Soviet bloc ships putting in at Mexican, Colombian, Ecuadoran and Brazilian ports and at Georgetown, British Guiana, after sailing from Havana.

So far there has not been a hard confirmation of the Soviet involvement.

The violent but short-lived rebellion against the Venezuelan Government of President Romulo Betancourt last month at Carupano was linked to Castro's spreading subversion operations.

It is believed by Venezuelan and United States intelligence that the weapons used by the pro-Castro-Communist forces against the Betancourt regime probably came from the Matanzas arsenal. The anti-Betancourt forces were well stocked with U.S.-made weapons.

Guerrilla forces operating in southern and eastern Venezuela also are believed to have been supplied with armaments from Castro's "surplus" stockpile.

Some of the weapons are said to have been smuggled into Venezuela from Cuba by way of British Guiana, whose Premier Cheddi Jagan is an ardent supporter of Castro and Communist Cuba.

Also linked to the Cuban arms exporting activities are guerrilla fighters harassing the backlands of Colombia.

[From the Christian Science Monitor, May 31, 1963]

CASTRO THESIS: REDS TUG AMERICAS

(By Bertram B. Johansson)

An increasing Communist threat to Latin America is ominously indicated as an end result of Premier Fidel Castro's visit to the Soviet Union, now coming to a close.

Texts of speeches and communiques now available disclose specifically how the two Communist countries intend to support so-called national liberation movements in Latin America.

An examination of Premier Castro's speeches in the Soviet Union indicates he has been completely won over to the thesis, if he had not been before, that communism is in the ascendancy in the world today and that capitalism's decay is inevitable.

Soviet Premier Nikita S. Khrushchev, dilating on the theme, promised military weapons to such "liberation" movements.

In his May 23 speech in Moscow, the Soviet Premier said that "the Soviet Union and all socialist countries see their international duty in rendering all-out support and comprehensive help to the national liberation movement.

ATTEMPTS REPORTED

"What does it mean to render help to the national liberation movement?" Premier Khrushchev asks proceeding then to answer his own question.

"It means, first of all, to struggle against the interference of imperialism in the internal affairs of peoples of the liberated countries, to lend all-out support, including supply of arms, to the peoples who are waging a just struggle against the foreign yoke. Second, it means to oppose any form of neocolonialism, to help the peoples of the young states develop the economy of their countries, to lend all-out support to these countries in the international arena."

As an indication this has already begun, there have been three reports by correspondents on the scene in the Dominican Republic of insistent and persistent attempts by Communists to infiltrate the democratically oriented government of President Bosch.

One correspondent asserts that some of these attempts may, indeed, have already succeeded, though others report that rightists have been supporting Communist strikes and then charging the Bosch government has been too tolerant of such strikes.

STRIKE CALLED

In Peru this month, a group of young revolutionaries, including Javier Heraud Pérez, a promising poet from a wealthy family, who had all been trained in Cuba in subversive guerrilla techniques, infiltrated back into Peru with weapons, funds, and guerrilla supplies.

When they attempted to shoot their way through a hotel lobby in the jungle village of Puerto Maldonado near the Bolivian border, two were killed and the others captured and killed in the next few days.

In British Guiana where Marxist Prime Minister Cheddi Jagan has attempted to rush through legislation giving the government the power to choose labor unions that would negotiate with employers, democratically oriented labor unions have called a general strike which now enters its seventh week.

PRISONER ESCAPES

Thus far, Prime Minister Jagan has shown no signs of yielding on the issue. Garbage has begun to pile up in the streets of Georgetown, the mails are going awry, foodstuffs are in short supply, and the British Marines are on hand to head off torrid riots such as occurred there last year.

In Caracas, Venezuela, where Communist terrorists have carried on a campaign to destroy confidence in the Betancourt government, another instance of what police have to deal with occurred Tuesday.

Winston Bermudez Machado, a pro-Communist student, held for stealing $500,000 worth of French impressionist paintings from a French Government exhibit in Caracas, obtained permission to enter a courthouse bathroom, before his trial, disguised himself there as a woman, and camly walked out past his guards to freedom.

[From the Christian Science Monitor, Mar. 8, 1963]

CASTRO STIRS REVOLUTION

HAVANA.—Cuba's leaders are predicting that all Latin America will fall under the red banner of communism before long. For one, they believe the days of President Betancourt of Venezuela are numbered.

But their course of action has run into resistance from other Latin-American Communists who prefer peaceful coexistence for the moment.

In the words of the Cuban leaders, the times call for action, not theories. As Premier Fidel Castro's newspaper Revolución put it:

"The situation (in the hemisphere) is not for sitting to ruminate brilliant concepts, but to make revolutions."

ACTION URGED

It was commenting on a speech by Premier Castro, urging more action and less talk in the drive for revolution. He also asked his admirers to "create subjective conditions" which would trigger the upheavals in Latin America, which he feels is ripe for them.

Marxist-Leninist theoreticians claim the working classes of a nation will eventually overthrow their exploiters and establish a dictatorship of the proletariat. These creeds were developed in the days of the European industrial revolution, giving little or no thought to Latin America.

There being no large proletariat in Latin America, the shortest way to a Red future is revolution, Cuban leaders feel.

BETANCOURT ASSAILED

Most followers of Premier Castro appear confident President Betancourt soon will fall. The armed forays of the "National Liberation Front" of Venezuela are prominently featured in the Havana press. The reader is left wondering what keeps President Betancourt in power.

Deputy Premier Raúl Castro has said "the Cuban revolution is the revolution of 200 million Latin Americans."

What Cuba is doing to export revolution in Latin America was indicated in a statement by John A. McCone, head of the U.S. Central Intelligence Agency, made public in

Washington last week. Mr. McCone said from 1,000 to 1,500 went to Cuba in 1962 for training as guerrillas and more went this year. Mr. McCone said most came from Venezuela, Uruguay, Peru, Ecuador, Argentina, and Bolivia.

Many Western diplomats believe the Cuban leaders have told Communist parties in Latin America: either share Havana's revolution view and count on Cuban support or fall back on peaceful coexistence and lose Premier Castro's favor.

Premier Castro has already censured some unnamed parties who ignored his "Second Declaration of Havana," a document described as the "Castro-Communist manifesto of the Americas."

A diplomat illustrated it this way: "The future of the Cuban revolution depends on the fact that Cuba, 'first socialist country in the Americas, does not become the last one.' "

CAUTION INDICATED

Another one said that although voicing admiration for his movement, not many Latin American Communist Parties feel like following the Castro example. They prefer to live in peaceful coexistence with other parties, frequently forming "popular fronts."

It was noted last week that while Brazilian Peasant League leader, Francisco Julião, said there was "no other exit but armed struggle" in Latin America, Luis Prestes, secretary of Brazil's Communist Party, also in Havana at the time, chose to remain silent.

CALLED ANARCHISTS

Said a visiting Communist: "Since Stalin's death the Communist Parties in the Americas have worked to attain a political respectability. Most have been successful. Why change now?"

He mentioned the Venezuelan case, saying the Communists there stood in danger of being outlawed because of their identification with terrorists. He added quickly: "The Venezuelan party is not really Communist but anarchist. It lacks leadership."

Premier Castro was at odds with the Soviet Union on the handling of the Cuban crisis. The Russians could now be trying to avoid a collision on a question which could be discussed further on.

"Communists obey Moscow, and with their 40 years of experience in political matters will not follow blindly Havana's ism," said a visiting South American lawyer.

[From the Miami (Fla.) Herald, Jan. 13, 1963]

HALT GUERRILLAS, HONDURAS ASKED

MANAGUA, NICARAGUA.—The Government of Nicaragua has informally called on Honduras to eliminate what it described as a Castro guerrilla force there awaiting a chance to invade.

Nicaragua made no formal demand, but the statement reminded Honduras of its obligation. The communique said the Castro groups are distributing antigovernment propaganda in Nicaragua and using a small plane to sabotage canefields in Carazo Province.

Meanwhile, the head of the political party opposing the government criticized U.S. support of dictators such as President Luis Somoza, of Nicaragua.

Dr. Fernando Aguero said such support is partly to blame for the leftist inclinations of many university students.

Earlier this week, the Inter-American Human Rights Commission of the Organization of American States issued a statement which said it deplores Nicaragua's refusal to let the commission meet there this month.

The commission message added that it intended to determine whether human rights are being violated in Nicaragua, and that it particularly would keep an eye on the February elections.

[From Cuban Newsletter]

Castro is sending arms to the frontier regions of Brazil and Venezuela, for delivery to Red guerrillas, according to Scripps-Howard Editor Richard Boyce. The dispatch, datelined Georgetown, British Guiana, said 18 known airfields were receiving the hardware from Cuba, and many more are scattered in recondite jungle areas. American submachineguns, issued to Batista forces in 1958, showed up in the recent disturbances in British Guiana. They could only come from Cuba. This is precisely what President Kennedy said that the United States would not tolerate in the hemisphere. But there he is, tolerating.

TRIBUTE TO SENATOR KEATING

Mr. JORDAN of Idaho. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. JORDAN of Idaho. I congratulate the distinguished junior Senator from New York for his clear, concise statement in support of the ratification of the treaty.

I also wish to congratulate him on the anniversary, today, of the passage by Congress of the joint resolution on Cuba. We are all aware of the diligence and persistence with which the junior Senator from New York pursued this subject until the purpose was accomplished.

I also wish to commend him for ably filling the role of Chaplain yesterday morning, when he opened the Senate with prayer. The Senator from New York is an outstanding and worthwhile statesman.

Mr. KEATING. I am most grateful to my dear colleague for his kind remarks. They mean much to me.

FOREIGN SHIPMENTS TO CUBA

Mr. MAGNUSON. Mr. President, I have spoken several times since the beginning of this session of Congress about our problems in this hemisphere as they relate to shipments to the island of Cuba. At one time, the U.S. Government enforced a strong blockade, following the October 1962, incident with Cuba. Then there was a relaxation, and an attempt was made to discourage ships of the free world from trading with Cuba. I must suggest it has been a serious attempt, with some progress made on the part of the administration, the Department of State, and the President. In many cases, the contracts for delivery had previously been made, and the ships were making deliveries.

The United States has notified the governments of the free world which allow their ships to enter Cuba that those ships would not be allowed to enter American ports and discharge or load American cargo.

This has had an effect on some nations and on some of the ships that had been entering Cuba. However, it does not affect all of them, because in many cases the ships do not come, or do not care to come, to United States ports. Some nations have joined with the United States in the attempt to discourage shipping to Cuba, and there has been a gradual enclosure of maritime activities into and out of the island by the nations of the free world, although not sufficient, so far as I personally am concerned, in accordance with my views. In all fairness, however, I must say that some progress has been made.

In many cases, the nations involved have little or no control over the ships that may be flying their flags. Sometime a ship may fly the flag of Panama, of Greece, or of another country, yet never touch any of the ports of the country whose flag they fly or the country in which the ship is registered. So there are complexities.

However, I am hopeful that the nations of the free world will continue their efforts to discourage such shipping to the point where there will be a complete economic blockade, with perhaps only the rare exception of a shipment of medical supplies or similar shipments.

Some of the unions and union leaders, whom I mentioned in previous remarks concerning agreements that have been made for future relations in the maritime industry, have been urging their fellow workers in other parts of the world not to load ships destined for Cuba. There have been some memorable examples of refusal to load such ships. Nevertheless, the practice is still occurring.

Occasionally, I have placed in the RECORD, when the information has been made available to me, lists of ships from the free world that have been plying into and out of Cuba. I have listed the names of the ships, their gross tonnage, and the flags they fly. This information has been supplied not only for the benefit of Congress and the American people, but also for the benefit of representatives of those countries in Washington. Our hope has been that much more might be done to improve the situation than is being done.

Today I wish to place in the RECORD a list of free world and Polish-flag ships that have entered and departed from Cuba since January 1, 1963. The list contains the names of the ships, their tonnage, and their flag registry.

The total number of ships, of all flags, is 175. Great Britain leads the field with 53. Greek-flag ships are right behind, with 52. Ships flying the Lebanese flag are not far behind, their number being 31.

Italian-flag ships numbered 10, Polish-flag ships 8, Yugoslavia ships 6, Norwegian-flag ships 5, Spanish-flag ships 3, Moroccan-flag ships 2, Swedish-flag ships 2, Finnish-flag ships 1, French-flag ships 1, and Japanese-flag ships 1.

Thus it can be seen that flags flying the British, Greek, and Lebanese flags account for more than 90 percent of all the ships that are trading with the Communist country of Cuba.

I ask unanimous consent that the statement entitled "List of Free World and Polish Flag Vessels Arriving in Cuba

Since January 1, 1963," be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[From Department of Commerce, Maritime Administration, Report No. 16]

LIST OF FREE WORLD- AND POLISH-FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

SECTION 1. Pursuant to the national security action memorandum No. 220, dated February 5, 1963, addressed to the Secretary of State; the Secretary of Defense; the Secretary of Agriculture; the Secretary of Commerce; the Administrator, Agency for International Development; and the Administrator, General Services Administration, concerning U.S. Government shipments by foreign-flag vessels in the Cuban trade, the Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through September 6, 1963, exclusive of those vessels that called at Cuba on U.S. Government-approved noncommercial voyages and those listed in section 2:

Flag of registry and name of ship	*Gross tonnage*
Total, all flags (175 ships)	1, 391, 301
British (58 ships)	490, 273
Ardgem	6, 981
Ardmore	4, 664
Ardrowan	7, 300
Arlington Court	9, 662
Athelcrown (tanker)	11, 149
Athelduke (tanker)	9, 089
Athelmere (tanker)	7, 524
Athelmonarch (tanker)	11, 182
Athelsultan (tanker)	9, 149
Avisfaith	7, 868
Baxtergate	8, 813
Cedar Hill	7, 156
Chipbee	7, 271
Dairen [1]	4, 939
East Breeze	8, 708
Fir Hill	7, 119
Grosvenor Mariner	7, 026
Hazelmoor	7, 907
Ho Fung	7, 121
Inchstaffa	5, 255
Ivy Fair (now Cosmo Trader)	7, 201
Kirriemoor	5, 923
Linkmoor	8, 236
London Confidence (tanker)	21, 699
London Glory (tanker)	10, 081
London Harmony (tanker)	13, 157
London Independence (tanker)	22, 643
London Majesty (tanker)	12, 132
London Pride (tanker)	10, 776
London Spirit (tanker)[1]	10, 176
London Splendour (tanker)	16, 195
London Valour (tanker)[1]	16, 268
London Victory (tanker)	12, 132
Lord Gladstone	11, 299
Maratha Enterprise	7, 166
Oceantramp	6, 185
Oceantravel	10, 477
Overseas Explorer (tanker)	16, 267
Overseas Pioneer (tanker)	16, 267
Redbrook	7, 388
Shienfoon	7, 127
Silverforce	8, 058
Silverlake	8, 058
Stanwear [1]	8, 108
Suva Breeze	4, 970
Thames Breeze	7, 878
Tulse Hill	7, 120
Vercharmian	7, 265
Vergmont	7, 381
West Breeze	8, 718
Yungfutary	5, 388
Yunglutaton	5, 414
Zela M.	7, 237
Greek (52 ships)	403, 577
Aegaion	7, 239
Agios Therapon	5, 617
Akastos	7, 331
Aldebaran (tanker)	12, 897
Alice	7, 189
Americana	7, 104
Anacreon	7, 359
Antonia	5, 171
Apollon	9, 744
Armathia	7, 091
Athanassios K	7, 216
Barbarino	7, 084
Calliopi Michalos	7, 249
Capetan Petros	7, 291
Despoina	5, 006
Efcharis	7, 249
Eftychia	7, 223
Embassy	8, 418
Everest	7, 031
Flora M [1]	7, 244
Galini	7, 266
Gloria	7, 128
Hydraios III	5, 239
Istros II	7, 275
Katingo	7, 349
Kostis [1]	7, 264
Kyra Hariklia	6, 888
Maria de Lourdes	7, 219
Maria Santa	7, 217
Maria Theresa	7, 245
Maroudio	7, 369
Mastro-Stellios II	7, 282
Nicholaos Frangistas	7, 199
North Empress	10, 904
North Queen	9, 341
Pamit	3, 929
Pantanassa	7, 131
Paxoi	7, 144
Penelope	6, 712
Perseus (tanker)	15, 852
Polaris	9, 603
Pollux	9, 956
Polyxeni	7, 143
Propontis	7, 128
Redestos	5, 911
Seirios	7, 239
Sirius (tanker)	16, 241
Stylianos N. Vlassopulos	7, 244
Timios Stavros	5, 269
Tina	7,362
Vassiliki (tanker)[1]	10, 507
Western Trader	9, 268
Lebanese (31 ships)	209, 222
Aiolos II	7, 256
Akamas	7, 285
Alaska	6, 989
Anthas	7, 044
Antonis	6, 259
Areti [1]	7, 176
Astir	5, 324
Aristefs	6, 995
Carnation	4, 884
Dimos	7, 187
Giorgos Tsakiroglou	7, 240
Granikos	7, 282
Ilena	5, 925
Ioannis Aspiotis	7, 297
Kalliopi D. Lemos	5, 103
Malou	7, 145
Mantric	7, 255
Merainidi	6, 782
Mousse	6, 984
Noelle	7, 251
Noemi	7, 070
Olga	7, 199
Panagos	7, 133
Parmarina	6, 721
Razani	7, 253
St. Anthony	5, 349
St. Nicholas	7, 165
San John	5, 172
San Spyridon	7, 260
Lebanese—Continued	
Tertric	7, 045
Vassiliki	7, 192
Italian (10 ships)	76, 816
Achille	6, 950
Airone	6, 969
Annalisa	2, 479
Arenella	7, 183
Aspromonte [1]	7, 154
Cannaregio	7, 184
Linda Giovanna (tanker)	9, 985
Nazareno	7, 173
San Nicola (tanker)	12, 461
Santa Lucia [1]	9, 278
Italian (10 ships)	76, 816
Baltyk	6, 963
Bialystok	7, 173
Bytom	5, 967
Chopin	6, 987
Chorzow	7, 237
Kopalnia Miechowice	7, 223
Kopalnia Siemianowice	7, 165
Piast	3, 184
Yugoslav (6 ships)	42, 810
Bar	7, 233
Cavtat	7, 266
Cetinje	7, 200
Dugi Otok	6, 997
Promina	6, 960
Trebisnjica	7, 145
Norwegian (5 ships)	54, 502
Kongsgaard (tanker)	19, 999
Lovdal (tanker)	12, 764
Ole Bratt	5, 252
Polyclipper (tanker)	11, 737
Tine (now Jezrell)	4, 750
Spanish (3 ships)	5, 564
Castillo Ampudia	3, 566
Sierra Madre	999
Sierra Maria	999
Moroccan (2 ships)	19, 140
Atlas	10, 392
Toubkal	8, 748
Swedish (2 ships)	14, 295
Dagmar	6, 490
Atlantic Friend	7, 805
Finnish (1 ship): Valny (tanker)	11, 691
French (1 ship): Circe [1]	2, 874
Japanese (1 ship): Meishun Maru	8, 647

See footnote at end of table.

See footnote at end of table.

[1] Added to report No. 15 appearing in the Federal Register issue of August 30, 1963.

SEC. 2. In accordance with the provisions of national security action memorandum No. 220 of February 5, 1963, the following vessels which called at Cuba after January 1, 1963, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance that no ships under their control will, thenceforth, be employed in the Cuba trade so long as it remains the policy of the U.S. Government to discourage such trade:

(a) Since last report: None.

(b) Previous reports:

Flag of registry:	*Number of ships*
British	2
Danish	1
German (West)	1
Greek	1
Norwegian	1

SEC. 3. The ships listed in sections 1 and 2 have made the following number of trips to Cuba in 1963, based on information received through September 6, 1963:

Flag of registry	Number of trips									
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Total
British	5	8	8	17	13	15	14	11	1	92
Greek	4	6	8	8	17	12	17	6		78
Lebanese	1		2	8	8	9	8	3	1	40
Norwegian		2	4		1	2	1	2		12
Italian	1	1	1	2	3	2	2	1		13
Yugoslav		2	2	1	1		1	1		8
Spanish			2				1	1		4
Danish			1							1
Finnish						1				1
French									1	1
German (West)					1					1
Japanese	1									1
Moroccan			1			1	1	1		4
Swedish				1		1		1		3
Subtotal	12	19	29	37	44	43	45	27	3	259
Polish	2	1	1	2	2	2	1	1		12
Grand total	14	20	30	39	46	45	46	28	3	271

NOTE.—Trip totals in this section exceed ship totals in sections 1 and 2 because some of the ships made more than one trip to Cuba.

Dated: September 10, 1963.

GEORGE R. GRIFFITHS,
Acting Deputy Maritime Administrator.

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

Mr. JORDAN of Idaho. Mr. President, I rise today to take myself out of the ranks of the "uncommitted," with reference to the question of Senate approval of the test ban treaty, and to announce that I intend to vote "nay" on this question.

I take this position with great reluctance, because I have sincerely hoped that in good conscience I could support the treaty. No one is more eager than I for a relaxation of world tensions and for a step—however small—toward peace with honor. And I would gladly vote for approval of this treaty if it provided for adequate inspection.

Even though the vote, as always, will be determined by the yeas and nays, the doubts and the uncertainties and the hopes and the prayers do not lend themselves to a clearcut decision. All we can hope for is that the weight of the decision will best be borne by each Senator as his own conscience dictates. Even though this issue divides us, our common objective is an enduring peace.

For more than a week the Senate has been engaged in debate on the question of Senate approval of this treaty—perhaps the most important and far-reaching question to be before this body since World War II. Both the proponents and the opponents of the treaty have been heard; many speeches have been made, and many pledges, either for or against the treaty, have been given.

Many Senators who have taken the Senate floor to speak either for or against the treaty have eminently more knowledge than I have about the present military posture of our country, how it compares with that of the Soviet Union, and the effect the treaty could have on its future.

Not having served on any Senate committee which dealt directly with the treaty, I found myself in a position comparable in many ways to that of a layman who would be called upon to make a decision as to how to cast his vote. To compensate for this, I have done what I am sure all other Senators have done—read all the testimony available to me; spoken at length with men such as Ambassador Averell Harriman, an avid supporter of treaty; and talked as much as possible with men such as Dr. Edward Teller, a dedicated and sincere opponent of the treaty in its present form.

Because I always like to approach a problem positively, I began making a list of all the reasons why this country should, with the advice and consent of the Senate, become a party to this treaty. That was—and still is—an almost impossible job, although not for the reason some may think—namely, that the list is long and involved with many explanations. On the contrary, the list is extremely short; and the advantages involved almost defy definition in plain English, and are qualified time after time. For the most part, even those who espouse these reasons seem to have grave doubts about their credibility.

My list was gleaned primarily from the testimony given before the Foreign Relations Committee. Incidentally, I would venture to guess that out of some 1010 pages of testimony and statements, not more than 75 widely-scattered pages are devoted to reasons why we should approve this treaty. All the rest deal with refuting, examining, explaining away, and delineating the many disadvantages that could accrue to this country. This fact alone is quite significant. We have had no problem of finding out what the treaty does not do; the problem has been in pinpointing just what it does do.

Here is my list of the things its proponents say it does:

First. The treaty will help contain the spread of nuclear weapons.

Second. The treaty will help slow down the arms race between the United States and the Soviet Union.

Third. The treaty will ease tension in the world and create a better atmosphere that would be conducive to the establishment of peace, in contrast to a nuclear war; or—as stated differently by some proponents, but essentially the same thing—the treaty will open up new paths toward future agreements between the free world and the Communist world.

Fourth. The treaty must be approved by the Senate, because its rejection at this point would cause world opinion to turn violently against the United States. It is practically impossible to find this reason stated in plain language by any backers of the treaty. But, in my opinion, it is one of the most important of all the threads which run throughout all the proponents' thinking.

Fifth. The treaty will reduce the radioactive pollution of the planet.

Mr. President, let us examine, one by one, the five points put forward by the proponents.

I ask my colleagues to bear in mind that each time I shall quote a statement in regard to these five points, it will be a statement made by a proponent of the treaty. If I had wanted to refute these five points, I could have found many statements to do that. I could have turned to what the distinguished senior Senator from Georgia [Mr. RUSSELL] has said. As the highly respected and eminently capable chairman of the Armed Services Committee for many years, his opinion in U.S. military matters is seldom challenged. Or I could have quoted another great Senator, the junior Senator from Mississippi [Mr. STENNIS], who, as chairman of the Preparedness Investigating Subcommittee, has for many months been holding hearings on the whole realm of a test ban treaty. Also, I could have leaned on the many sound statements made by a member of my own political party, the Senator from Arizona [Mr. GOLDWATER], who, as a major general in the Air Force Reserve, is also knowledgeable in such matters.

I did not do this.

My intent is to be as objective as possible. So I turned to the testimony of high-ranking officials, competent scientists, and dedicated military leaders who, I knew, favored this test ban treaty. I wanted to see what they thought the treaty really would do—what they listed on the "pro" side of the ledger. I shall now proceed to state what some of these proponents say in reference to the five things the treaty is purported to do:

The first argument of the proponents is that the treaty will help contain the spread of nuclear weapons.

Mr. President, let us examine the record.

Secretary Rusk said:

> We cannot guarantee it. Most of the countries with the capacity and the incentive to develop nuclear weapons over the next decade or so have already announced that they will accept the self-denying ordinance of the treaty. These countries do not include, by the way, mainland China or France.

Mr. Rusk was evidently not completely convinced.

Secretary McNamara said:

> The treaty does not cover the subject of proliferation. That is clear. The treaty relates to nuclear tests and certain prohibited environments.

If the treaty does not cover the subject of proliferation of nuclear weapons, how could it even begin to deal effectively with this problem?

General LeMay said, in answer to a question about what influence the treaty would have on the stoppage of a proliferation of nuclear weapons:

> I think it possibly would, among the countries that have no serious programs on them. I don't think it is going to stop the Chinese from going on with their program. Certainly it is not going to stop the French from going on with their program.

So I believe this interpretation to be something less than wholehearted support on a most significant point.

Other articulate proponents of the treaty have said they believed the role of the treaty in inhibiting proliferation has been generally overestimated. They have pointed out that most of the countries who have signed the test ban have neither the capacity nor the desire to develop nuclear weapons.

My conclusion on this point had to be that if, indeed, the treaty would have any effect on the further proliferation of nuclear weapons, such an effect would be so small as to be almost negligible—so small that the proponents had not been able to support the statement beyond reasonable doubt.

The second argument of the proponents is that the treaty will help slow down the arms race between the United States and the Soviet Union.

Mr. President, if that is true, this indeed would be an admirable objective.

Secretary Rusk said:

> This treaty itself does not reduce weapons in being or prevent their further production.
>
> This treaty is aimed only at the question of nuclear explosions. I regret myself that it has not been possible to make greater headway in some actual physical disarmament measures consistent with our own security.
>
> But this treaty is not a step in that direction—this treaty is not itself dealing with that problem. It may turn out to be one small step that opens up some possibilities in this field but that has not yet become apparent.

Secretary McNamara said, in almost the same breath when he was talking about more money for defense and the continued military preparedness of our country:

> This treaty * * * will not reduce the existing stockpiles of nuclear weapons. It will not halt the production of nuclear weapons. It will not prevent qualitative weapons improvement of many kinds.

The testimony on this point leaves little more than a slender hope.

The third argument of the proponents is that the treaty will ease tension in the world and create a better atmosphere that would be conducive to the establishment of peace in contrast to a nuclear war; or, stated differently by some proponents, this treaty will open up new paths toward future agreements between the free world and the Communist world.

Secretary Rusk, this Nation's highest ranking diplomat, said:

> If it should work to reduce those tensions, as I think that it well might, and if it makes it possible to consider additional points of agreement carefully considered and thoughtfully worked out on both sides, then I think that there could be a reduction in the real danger of nuclear war. But I do want to say, sir, that we are not over the divide on this, and anything that we say on this could be wrong tomorrow morning at 9 o'clock.

Again, later in his testimony, he said:

> But I might have misled the committee a little bit in my earlier remarks, because when I said that I thought they [the Russians] were ready to explore the possibility of agreement on other points, that still is subject to the great reservation: On what terms.
>
> And I must say that I do not see ahead of us in the immediate future agreements on some of these major and dangerous issues on terms that could really be agreed by the two sides * * *.
>
> The gap is very wide.

General LeMay, in answer to whether or not we would be closer to or further from nuclear war if the treaty were not ratified, said:

> I don't think we are any farther or any closer to a nuclear war with or without the test ban treaty.

Later, the general continued:

> If it leads to additional steps to reduce tension, then I think you would have to say that we withdraw from the possibilities of war.
>
> But in itself alone, I don't think it is enough of weight to say it has changed the situation at all.

Again, I find the testimony hanging on a thread of hope.

We do not create the tensions. The Soviets do. They have taken not even one small step to relax tensions. It is even possible that, under the treaty, tensions might be increased rather than diminished. Are we not pledged to continue the perfection of our weapons system under limitations imposed on us by the treaty—not knowing when or where other signers—or nonsigners—will, by their deceit or aggression, force us to withdraw?

The fourth point of the proponents is as follows: This treaty must be ratified by the Senate because its rejection at this point would cause world opinion to turn violently against the United States.

Secretary Rusk said:

> I think there would be very great regret if this treaty were to collapse.
>
> But, on the other hand, where we are dealing with a security matter that goes to the life of our own country, I do not believe that world opinion can play a decisive role. We must do what has to be done, and I believe that the rest of the world will understand. * * *
>
> I think that there would be general understanding, even if with great regret, there would be general understanding if we came to the conclusion that this treaty was not working and that our security required us to resume testing.

General Wheeler, in response to a question as to whether or not his decision to back the treaty had been influenced by the fact the treaty had already been signed, said:

> It undoubtedly introduces a new factor. On the other hand, insofar as affecting the overall military security of the United States, it has no bearing whatsoever. And the primary concern of the Joint Chiefs of Staff is to point out dangers to our security—those which are acceptable, and those which are not.

In later testimony, he took a slightly different tack:

> I would agree that world opinion has built up to the point where there would be very sizable political implications if the United States were to dash these hopes. I am not prepared to say exactly what the effect of those political implications or the political effect would be, but I do not think it would be good.

General LeMay had a somewhat different opinion about the importance of what the rest of the world thought regarding ratification. This evidently had colored his own ultimate decision on the test ban treaty. At this point, so that it cannot be said that I am quoting the general out of context in any way, I would like to repeat a dialog between him and the able Senator from South Carolina [Mr. THURMOND]:

> Senator THURMOND. Thank you, Mr. Chairman.
>
> General LeMay, Senator GOLDWATER asked a question similar to one I propounded in the Preparedness Subcommittee. That is this: If the proposed treaty had not already been signed, but was being considered in a proposal stage, would you recommend that the United States sign the treaty?
>
> General LEMAY. I haven't given any thought to the subject, Senator. I said I would—I thought I would not be in favor of it. But I wouldn't even want to give an unqualified "No" until I spent some time on it. Certainly this was a factor that influenced me in recommending that we ratify it. How much weight I would give to it—I would want to spend a considerable amount of time on this, and I have not done so.
>
> Senator THURMOND. I believe your answer in the subcommittee, and I quote, was this: "I think that if we were in a proposal stage that I would not recommend—that I would recommend against it."
>
> That is correct, is it not?
>
> General LEMAY. I think I would. That is correct.

I do not like the suggestion of outside pressures. My feelings on this are expressed for me much better than I myself can do by a recent column written by David Lawrence entitled "Too Late for Senate To Advise."

Mr. President, I ask unanimous consent to have this article included in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Evening Star, Washington, D.C., Aug. 20, 1963]

TOO LATE FOR SENATE TO ADVISE

(By David Lawrence)

The Constitution says the President "shall have power, by and with the advice and consent of the Senate, to make treaties."

There is no evidence that the text of the limited nuclear test ban treaty signed in Moscow recently was ever submitted in advance to the Senate so that it could tender its advice before the document was signed.

There is no evidence, either, that the text was shown to all the members of the Joint Chiefs of Staff before it was initialed and then signed at Moscow. Gen. Curtis LeMay, Chief of the U.S. Air Force, told a Senate committee yesterday that "I think I would have been against" the treaty if it had not already been signed. He added that "the fact that it has been signed had an effect on me, yes," because "there might be some political disadvantage if we don't ratify it."

This frank observation indicates clearly that, once the signature of the executive branch of the Government has been affixed to a treaty, there is really no opportunity to render advice. The Senate, for instance, can only ratify or reject. There is no chance to amend or modify the terms except by a new negotiation, which, of course, is difficult and often impractical.

So Senator BARRY GOLDWATER, of Arizona, Republican, was right in his speech last Friday night at the University of Wisconsin when he characterized the support of the Joint Chiefs for the nuclear treaty as a political evaluation. He said:

"And what they (the Joint Chiefs of Staff) have to say, and have said, must be weighed independent of the political decision which guided the formal statement of the Joint Chiefs. Why do I say that a political decision guided that statement? Aren't the Joint Chiefs supposed to be free of political pressure? I submit, in answer, the summation of their own report. It flatly says: 'There are military disadvantages to the treaty.' But they conclude by saying that 'the risks inherent in this treaty can be accepted in order to seek the important gains which may be achieved through a stabilization of international relations and a move toward a peaceful environment in which to seek resolution of our differences.'

"The mention of risks, I say, is a conscientious military evaluation. The decision that the risks are acceptable is not. It is an echo of a State Department evaluation and not of one that necessarily sounds very deeply the real evaluations of our professional military men."

The official statement of the Joint Chiefs of Staff says pointedly that the risks inherent in the treaty can be accepted "if adequate safeguards are established." Now the debate has begun as to what the "safeguards" are and where the responsibility for providing them is to be placed. General LeMay testified that no one has said as yet what safeguards would be provided. Two Senate committees have asked that the administration provide a "bill of particulars."

Senator RICHARD RUSSELL, of Georgia, chairman of the Armed Services Committee, also asked the chiefs of the Army, the Navy, and the Marine Corps whether they would have approved the treaty "in the absence of these safeguards," and each replied that he would not have done so. In answer to a question from Senator BOURKE HICKENLOOPER, of Iowa, Republican, General LeMay said that "if you automatically cut off the political factors, there are net disadvantages from a military standpoint" to the United States.

While the Joint Chiefs are reported to have been kept informed in a general way from time to time about the course of the test ban negotiations, General LeMay testified that he was surprised at the administration's speed in hastening the final agreement toward the end. As for voicing objections, General LeMay declared that once the pact was initialed or about to be, he doubted very much "that any of us would have gone to the President at that stage of the game."

Secretary of State Rusk, at a news conference last Friday, was asked whether there wasn't "an unresolved difference in this Government" on the treaty, and he replied:

"I'm not sure that I would call such a difference unresolved. After all, the executive branch is headed by the President of the United States."

This is tantamount to saying that, despite the military expertness of the members of the Joint Chiefs in their respective fields, they can be and are overruled by the President and by his civilian advisers who can place political experimentalism in international affairs above the necessary safeguards against nuclear advances by an adversary state.

The Senate is today presented with a "take it or leave it" proposition. The upper House of Congress, which is a joint partner with the President in treatymaking, wasn't afforded an opportunity to give its advice before the treaty was signed. Now the treaty will have to be ratified, or else the Senate will be placed in the position of taking full responsibility for the consequences in the field of diplomacy. If, on the other hand, Russia chooses to cheat or abrogate—as General LeMay says might happen—it will be too late to argue about political factors or net military disadvantages of a treaty which may have put the United States behind in the nucelar-arms race.

Mr. JORDAN of Idaho. The next point of the proponents is as follows: This treaty will reduce the radioactive pollution of the planet.

This consideration weighs heavily on my mind and conscience. This is the real purpose of the test ban treaty, at least as far as our country and the free world is concerned.

Mr. President, I want the record clear on this one point. For many years I have been concerned about the question of fallout, as have people all over the world. One thought I have always had in mind is this: It is bad enough that we might possibly endanger the lives of our own future generations here in America with our atmospheric nuclear testing, but what is worse is the fact that we, at the same time, could be endangering the lives of future generations in other countries which have no control over what the United States does. Somehow, this has never seemed quite fair to me, and it still does not seem equitable.

This is quite a consideration to weigh on any pair of scales—even if it is being balanced against all the risks involved in our entering into this test ban treaty.

I agree that the most compelling argument of the proponents is this contention that radioactive fallout will be reduced by the treaty. With six grandchildren under 7 years of age, how could I fail to be moved by this argument? I readily admit a deep and abiding concern on this issue.

My one reservation here—and it is very grave—is this:

In order to obtain a temporary relief from fallout, are we jeopardizing the perfection of a weapons system that will prevent the surprise attack?

Are we jeopardizing the perfection of a weapons system that all the world will recognize as one which could survive such an attack to retaliate with the complete annihilation of our attacker?

The essence of the Preparedness Investigating Subcommittee interim report is very significant. It is:

> No safeguards can provide the benefits of testing where testing is not permitted, nor can they assure that this Nation will acquire the highest quality weapons systems of which it is capable when the means for achieving that objective are denied.

Mr. President, on Wednesday of last week, after we had listened to the distinguished minority leader [Mr. DIRKSEN] make a most persuasive and, as always, eloquent speech, in favor of ratification, the Senator from Nebraska [Mr. CURTIS] posed this question to the Senator from Illinois:

The Senator asked, would "it not be possible for another Senator to attend the same meetings, hear the same testimony, read the same documents, possess an equal sincerity of purpose, and yet arrive at a different conclusion from that reached by" another Senator?

The distinguished Senator from Illinois answered thusly:

> Absolutely. That is what makes the world the great world that it is. We can listen to testimony, come to different conclusions about it, and do so honestly and sincerely.

During this week, a great deal of the debate here in the Senate has centered on this one situation—that two Senators can take the same facts and come up with opposite conclusions. The positions taken by the seven members of the Preparedness Investigating Subcommittee are examples of this situation. Three of those seven Senators have declared against the treaty; three others have declared in favor of it; and if my facts are still accurate, the seventh is still uncommitted.

In all the testimony that has been heard and in all the speeches that have been made—

First. No responsible official has based his recommendations on the view that basic Soviet purposes have changed. To the contrary, we have heard constant references to statements by Khrushchev that he will bury us, and even the President has warned that this treaty should in no way make us think that the goal of communism has changed.

Genuine fear has been expressed that the so-called rift between the Soviet Union and Red China may be, by and large, a hoax. As our beloved minority leader said earlier when the treaty was first initialed in Moscow, "What has Khrushchev done besides smile?" He has not withdrawn his troops from Cuba; he has not relaxed the Berlin situation; he has not made concessions toward free elections in satellite countries like Hungary and Poland.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. JORDAN of Idaho. I yield to the Senator from Wyoming.

Mr. SIMPSON. I should like to ask the distinguished Senator from Idaho a question with respect to the so-called rift between the Soviet Union and China, which may be a hoax, to which he has addressed himself in his last remark. The Senator said, referring to Khrushchev:

> He has not withdrawn his troops from Cuba; he has not relaxed the Berlin situation; he has not made concessions toward free elections in satellite countries like Hungary and Poland.

Is it not true, in spite of all this, that Russia has maintained its aggressiveness, even in the form of this treaty?

Mr. JORDAN of Idaho. It has. It has increased tension, rather than relieved it.

Mr. SIMPSON. Does the Senator agree that the Russian Government has kept its aggressiveness and has not lost any of its activity with the people of the world, so far as the image of Russia is concerned?

Mr. JORDAN of Idaho. I fully agree with my distinguished colleague. I thank him for his question.

Mr. President, we are talking about Khrushchev.

What has he done?

He has boasted to his friend Tito that this treaty is a victory for the Communists. Perhaps we are entering a new era of togetherness, but the goals of communism have not changed. How, then, can a victory for the Communists be at the same time victory for the United States? I do not think it can.

Second. No responsible official has disputed the view that in the future, as in the past, our national security will depend on, among other things, a favorable military position. And with whom does the responsibility lie for assuring this Nation a favorable military position?

Not with Russia; not with Great Britain; not with any other country in the world. If we are to maintain a favorable military position, it is the responsibility of only our Government and our country. If we do not look after ourselves, surely none of us, in our weakest or most optimistic moments, would expect anyone else to look out for us.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. JORDAN of Idaho. I am happy to yield again to the Senator from Wyoming.

Mr. SIMPSON. I invite the attention of the Senator from Idaho to the fact that we have depended upon our military strength, throughout all the years since the inception of what I call the "United Slave States of Russia." We have depended on our military superiority and our military experts to keep us free from communism and to prevent the domination of the world by communism.

Does the Senator feel that the treaty would do that, in the light of the testimony by the Joint Chiefs of Staff and many others that there are military disadvantages involved in it?

Mr. JORDAN of Idaho. I wish I could say that I believe the treaty offers that solace and that protection, but I regret that I cannot say it about this treaty.

Mr. SIMPSON. I have arrived at the same conclusion. It seems fantastic that we should disregard the entire history of military preparedness and military containment of the Communist threat to the whole world, in a matter of such importance as this, by suddenly deciding that the political advantages outweigh the military advantages. To me that is arriving at the wrong conclusion. How does the Senator feel about it?

Mr. JORDAN of Idaho. I agree. I could not agree more with my distinguished friend. I have arrived at the same conclusion.

Mr. SIMPSON. I thank the Senator.

Mr. JORDAN of Idaho. Mr. President, I continue my remarks.

Third. No responsible official has rested the case for the treaty on a belief that the Soviet Government can be trusted. Senator after Senator has taken the floor to point out the number of times treaties with the Soviet Union have been broken by the Soviets when it best served their purposes to do so. How can anyone believe that, in this one isolated instance, the Soviet Union can be trusted to keep its word?

Are we not all, deep down in our hearts, approaching this treaty with one thought in mind—the treaty will only be in effect until the time comes when the Russians find it to their advantage to break it? Is there really a man in this Senate Chamber who does not feel that it will be the Russians—in their own good time—who will finally abrogate this treaty? And when they do, what will be our military posture at that time?

Fourth. Secretary of Defense McNamara and the Joint Chiefs have testified that the balance of military power is in our favor at the present time. This is the consensus. Would we have it any other way?

Would we ever put our Nation in the position of being second to Russia—or second to any other nation—in military power? Or would we ever even put our Nation in a position where this could possibly happen? I do not think that, knowingly, any of us would.

Pearl Harbors do not happen to nations which are prepared.

Pearl Harbors do not happen to nations which are vigilant.

Pearl Harbors happen to nations which have allowed themselves to be lulled into a false complacency.

Time was on our side then. The 18 months required to tool up our great industrial plants to an all-out war effort will not be available to us in this modern age.

More than likely, this 18 months will have shrunk to 18 minutes or less.

It is a good thing—it is a vital thing—that both opponents and proponents of this treaty, almost down to the very man, have chosen to warn us of that newly recognized state known as "euphoria."

Fifth. When we come to the question of what effects the treaty will have on the future balance of military power—I repeat: on the future balance of military power—there we enter a more controversial area. Secretary McNamara assures us that nothing in the treaty will shift the present balance. However, the Joint Chiefs are on record as seeing net military disadvantages—but in the long run none so serious as to render the treaty unacceptable.

How disadvantageous does a disadvantage have to be before it is "unacceptable"?

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. JORDAN of Idaho. I am happy to yield to the distinguished Senator from Georgia.

Mr. RUSSELL. I shall be compelled to leave the Chamber soon. If the Senator will permit, I wish to extend to him my hearty commendations on his decision and on his very able explanation of his reasons for reaching that decision.

It takes a high degree of moral and political courage to breast the stampede which is taking place in this country today, led by practically all the leaders of both political parties who are nationally known.

It not only is led by those officials and former officials whose names are recognized in every household, but it has the support of most of the commentators, columnists, and newspaper editorialists of the great metropolitan press.

I share the Senator's feeling when he says he hopes events will prove that he is in error. I hope and pray that the future will show that I have been in error in taking the position that has placed me with the small group with which the Senator from Idaho has alined himself today.

I could not but be concerned with the fact that yesterday in the United Nations Mr. Gromyko again brought forth his program for disarmament, with self-inspection, reducing and finally abolishing all nuclear weapons, without suggesting any way of inspection to establish performance. The Russians have not changed their position. We become exhausted and gradually accept theirs.

It is sad to reflect that in 1946 we had a complete monopoly in atomic material and nuclear weapons, and we offered all of those weapons, the results of all of the great expenditures we had incurred in their production into the hands of an international agency, if the other nations of the earth would agree not to make atomic weapons and would agree to a system of inspection.

Seventeen years later, we have not only lost our monopoly but the Senate is considering a treaty that would tie our hands to achieve equality that surrenders any pretense of inspection within the confines of our potential enemy that has already surpassed us in many aspects of the development of nuclear weapons, and sets the stage for the final tragedy of disarmament by agreement without any inspection, and depending alone on the good faith of nations to monitor themselves.

It is a sad commentary on the statesmanship of this country that within these few years we have fallen from a complete monopoly to the point where we now see a national stampede to accept a treaty that does not even provide for any inspection, but gives to our only dangerous potential enemy, the only nation we have to fear, and freezes for it, the advantages that nation has over us, and enables that nation to carry on programs to overcome the slight advantages we have over it in the area of tactical weapons.

I hope and pray that the Senator from Idaho and the Senator from Georgia are completely in error; but my study of history, my knowledge of human nature; and what I know about the aims of international communism, all lead me to the sorrowful conclusion that the minority in this body today will be proved to be right in the future.

I commend the Senator for his fine statement.

Mr. JORDAN of Idaho. I thank the eminent and distinguished Senator, the chairman of the Armed Services Committee, a man who no doubt commands as high a regard as any Member of this body, if not a higher regard. I am pleased indeed to have the Senator's gracious remarks. I am in full accord with the statement he has just made and with the very comprehensive argument he presented on the floor of the Senate several days ago.

IN SUMMARY

In summary—and anything I would say at this time would be an anticlimax after listening to the very fine statement of the senior Senator from Georgia—I wish to say that in the scales of global affairs, our Nation must function with certain political handicaps which are widely acclaimed throughout the world:

First. We will not strike the first blow.

Second. We do not break treaties for expediency.

Third. It is well known to other nations that ours is an open society. On the contrary, the Iron Curtain protects a closed society.

To counterbalance these political handicaps, I must conclude:

First. Test bans or armament reduction negotiations can only be acceptable to us under full inspection guarantees.

Second. Without full inspection our best chance for survival as a Nation is to maintain a competent weapons superiority and a national determination to annihilate any aggressor who dares to strike the first blow.

Third. This military competence and this national will must be understood by all the world. This message must go out to them loud and unmistakably clear.

I can only hope and pray that, with the passage of time, the doubts and apprehensions that impel me to vote "No" on this treaty will prove to be groundless and unwarranted.

Mr. CURTIS. Mr. President, will the distinguished Senator from Idaho yield?

Mr. JORDAN of Idaho. I yield to the Senator from Nebraska.

Mr. CURTIS. I want to say to the Senator from Idaho that never in my almost 25 years in the Congress of the United States have I heard a better and more reasoned speech. The Senator has approached this matter objectively and with an open mind. He has quoted the testimony of the proponents in a light that is fair to them and that truly reflects their statements and he has concluded not to support the treaty.

In a sense, this is a unique speech. I read it, and I listened to every word. It is a convincing speech. It is a clear demonstration of the qualities of mind and character of the Senator from Idaho in approaching this question with one paramount desire, and that is to arrive at the right answer.

I congratulate the Senator on the position he has taken and his position on the vote on the treaty. I think he has resolved all doubts in favor of the United States. He is right. He should be commended for it. I question nobody else's motives, but that is the only question at stake in this whole proceeding—What is best for our own country?

I congratulate the Senator on his statement.

Mr. JORDAN of Idaho. I thank the Senator. His words are more than I deserve. His own remarks at an earlier time have been a most constructive feature of the debate on this issue.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. JORDAN of Idaho. I yield to the Senator from Wyoming.

Mr. SIMPSON. I wish to associate myself with the remarks of the distinguished Senator from Nebraska [Mr. CURTIS]. The speech of the Senator from Idaho is one of the outstanding speeches that have been delivered in the Senate during this debate.

We have been told by the military that we have a so-called second-strike concept in America and have rested secure in this knowledge over the years. As the Senator so ably pointed out, we are committed to no aggression and to not making the first strike, ourselves. We have been told for many years, under the tutelage of the military, which has protected us from the threat of communism abroad, that we have had a second-strike capability. In other words, if Russia should loose upon us nuclear weapons, we would counterattack and hit before she could deliver a second strike, and we could annihilate her before she could get in a second strike, and have enough left over to annihilate Red China, too.

Does the Senator believe that under this treaty we are jeopardizing the second-strike concept?

Mr. JORDAN of Idaho. I fully agree with the Senator that we are jeopardizing the second-strike concept.

I think there is a danger about which I did not speak in my prepared address.

There is the danger that the first strike might be of such a nature as to immobilize our ability to retaliate.

Mr. SIMPSON. The Senator is entirely correct. Does the Senator recall reading an article published in "Rockets and Missiles," wherein experts revealed to us that the so-called electromagnetic pulse or EMP could paralyze or deactivate all of our Minutemen and Titan and other missiles in one massive strike?

Mr. JORDAN of Idaho. I recall the article. It was so frightening that I did not feel competent to enter into a discussion in that scientific field.

Mr. SIMPSON. I was interested in the remark of the Senator from Georgia when he said that he hoped he was wrong. I join him and the Senator from Idaho in that hope. I believe that the Senator from Idaho and I are undoubtedly two of the closest personal friends in the Senate. I join in the prayerful hope that we are entirely mistaken. It would be little solace to us if we were proved to be right, because no history may survive to record our being right. I would not want to be recorded right under those circumstances. I hope we are wrong. I share the misgivings of the Senator from Idaho, and I share his fear of entering into a treaty into which no safeguards have been written.

The Senator knows that the preamble to the treaty calls for total demobilization or disarmament. That statement is contained in the preamble itself.

I am discouraged by the prospect of our entering into such a treaty, with no safeguards of the kind that should be written into it.

I commend the Senator for the very able address he has delivered. He has not challenged the right of any other Senator to disagree with him. He and I are in the minority, as the Senator from Georgia has said. I share the Senator's misgivings, and I again compliment him on the ringing warning he has delivered to the people of America.

Mr. JORDAN of Idaho. I thank the distinguished Senator from Wyoming for his statement and for the contribution he has made to the debate in two excellent speeches against the ratification of the treaty.

Mr. THURMOND subsequently said: Mr. President, I wish to commend the able Senator from Idaho [Mr. JORDAN] for the outstanding address he has delivered on the nuclear test ban treaty. The Senator from Idaho has a penetrating mind. He has listened carefully to the debate. He has spoken with opponents and proponents of the treaty and has been classed in the so-called uncommitted group.

After much consideration and careful deliberation, he has concluded that the treaty is not in the best interests of this Nation and has decided to vote against its ratification.

In this connection, I wish also to commend the able Senator from Ohio [Mr. LAUSCHE], a member of the Committee on Foreign Relations, which reported the treaty. The Senator from Ohio has listened to the debate and has studied the record carefully. After reading the testimony, he has concluded, since the reporting of the treaty by the Committee on Foreign Relations, that the treaty is not in the best interests of the Nation, and yesterday made on excellent address opposing its ratification.

Both the Senator from Idaho and the Senator from Ohio are objective, learned scholars. I am sure their position is well worth noting by Members of the Senate. Their addresses are well worth reading by Senators. I especially commend a reading of the addresses by Senators who did not hear them delivered. These addresses are logical and practical and contain much wisdom.

Mr. MAGNUSON. Mr. President, I support and will vote for ratification of this treaty as one small step toward fulfillment of a universal hope for eventual arms control and peace.

This hope has been nourished by leaders of both parties through two administrations.

This hope was expressed in both 1960 party platforms.

As stated in the Democratic platform: "A fragile power balance sustained by mutual nuclear terror does not—constitute peace."

Our platform declared it a primary task "to develop responsible proposals that will help break the deadlock on arms control," and that "such proposals should include means for ending nuclear tests under workable safeguards."

Scientists advise us that atmospheric, surface, and underwater tests—which are those tests included in the treaty—can now readily be detected.

The Republican platform states specifically, and I quote:

> We advocate an early agreement by all nations to forgo nuclear tests in the atmosphere, and the suspension of other tests as verification techniques permit.

Failure to ratify the treaty would, as the Baltimore Evening Sun stated Monday in a lead editorial "be a repudiation of hope that it is within the power of this generation to bring about a limitation or control of armaments."

Mr. President, such hope does exist.

Eighty-five nations have to date signed the treaty. Three of these nations, the United States, Great Britain, and Soviet Russia are nuclear powers. Eighty-two of the nations do not have nuclear weapons and have no expectation of becoming nuclear powers. Yet these 82 nations have the hope, and they must also have faith, that the 3 nations which do have vast arsenals of nuclear weapons, either in inventory or available, will abide to the provisions of the treaty, at least during the immediate future.

Otherwise there would have been no reason for them to sign the treaty. The treaty itself, as long as it is observed, will bring a respite from the fears and dread that will increasingly afflict the peoples of the world if atmospheric and underwater testing are continued.

Two nations which have not signed the treaty have aspirations to become nuclear powers, Red China and France. France already has made a small beginning in the field. Red China has not yet achieved a nuclear device.

Red China and France have isolated themselves from the world accord in approving this initial step in the cause of peace; from the consensus of world opinion.

The United States will be similarly isolated if this treaty is not ratified.

Inevitably the good relations which we have developed throughout the free world, in diplomacy, in trade, in educational and economic development, would in some degree be replaced by misgivings and apprehension.

Our failure to agree to this treaty could not but provide an incentive to our principal competitor in the nuclear field to resume testing. It would further speed Red China's effort to develop nuclear weapons of her own, and in my opinion it would impel France to expedite her nuclear program for what she would consider self-protection.

Further atmospheric testing by any nation will inevitably add to the dangerous pollution and add to the cumulative threat against the health of peoples throughout the world. Underwater nuclear explosions pose a similar threat to pollution of the oceans.

A nuclear war, we are told, could exterminate the human race.

Unchecked nuclear testing could in time bring about humanity's slow suicide.

Mr. President, I shall vote for ratification of this treaty as a step to uphold our Nation's just influence on the world.

I waited to digest every bit of testimony before speaking on this matter before committees.

I wanted to be sure that this would not in any way weaken our defense, now or in the future.

We need to be the strongest military power in the world—this is our great weapon against communism.

Mr. FONG. Mr. President, I regret very much that I was not present in the Chamber to hear the entire speech of the distinguished Senator from Idaho [Mr. JORDAN] who spoke against approval of the test ban treaty. I was able to hear only the conclusion of his remarks. I felt that it was very well reasoned.

Although I have some misgivings about the test ban treaty, I do not have as many misgivings about it as does the distinguished and able Senator from Idaho; and I will vote for approval of the treaty.

I hope that the many misgivings of the Senator from Idaho will not materialize; for, if they do, we may find ourselves in serious difficulty.

Although I disagree with the distinguished and able Senator from Idaho, I respect him for his very sincere stand and for the excellent reasons he has advanced for the position he has taken.

Mr. President, for the past few weeks I have carefully studied all aspects of the treaty suspending thermonuclear testing in the atmosphere, in outer space, and underwater.

I have read carefully the extensive testimony before the Foreign Relations Committee, and also the Committee's report. I have also read the interim report of the Armed Services Preparedness Investigating Subcommittee. I have studied all of the President's messages, and have followed the speeches Senators have made and the debate on this very, very important matter.

While I have long advocated a moratorium on atmospheric nuclear testing, and while I have been favorably inclined toward the treaty from the time when it was first negotiated, I have withheld final judgment until I have carefully studied all the evidence and all the views of our Nation's most knowledgeable persons.

In arriving at my decision, I have been impelled by one paramount consideration, and one consideration only: Is this treaty in the best interests of America?

Many factors—military, diplomatic, economic, scientific, sociological, medical, and others—enter into the decision as to what constitues the best interests of America. After evaluating all these factors and after weighing their relative importance, each Senator must render his own judgment and must make his own decision in the light of his knowledge, his own experience, and his background.

As a representative of our Nation's mid-Pacific Island State, whose people are, perhaps more than the citizens of any other State, acutely sensitive to the frightening dangers of nuclear holocaust and the increase of radioactive fallout, I have long been deeply concerned that means be devised to halt atmospheric and underwater nuclear tests.

It was in the Pacific basin, in 1945, that two atomic bombs were dropped—the first, on the inhabitants of the city of Hiroshima; the second, on Nagasaki. Because of our geographical proximity to, and our close cultural relationships with, the people of these two cities, the swath of destruction and the terrible toll of lives caused by these two atomic bombs left an indelible imprint on the people of Hawaii.

Since then, more than 100 thermonuclear devices have been tested near Hawaii. Between 1946 and 1962, in the Bikini, Eniwetok, Johnston, and Christmas Island areas, the United States conducted a series of 92 thermonuclear explosions in the atmosphere and 6 thermonuclear explosions under water. In addition, between 1953 and 1958 the British tested 21 thermonuclear devices—all of them in the atmosphere—in their South Pacific proving grounds. Altogether, 118 thermonuclear devices were tested in the air or under water between 1946 and 1962, in the South Pacific area near Hawaii.

As a result of these Pacific tests and tests conducted by other nations during the same time, worldwide radioactive fallout has increased.

During the 1954 experimental high-yield detonations, when a 15-megaton device was exploded on the ground at the Bikini test site, unexpected shifts in the Pacific wind patterns caused heavy radioactive fallout to irradiate the inhabited Marshall Island atolls, just a few hundred miles downwind from the detonation. Two hundred and sixty-seven Marshallese were seriously injured by nearly fatal doses of radiation exposure. Fortunately, all 267 survived, although the long-term ill effects will not be known for several generations.

But 23 fishermen aboard the Japanese fishing trawler *Lucky Dragon* were not so fortunate. The vessel accidentally sailed within 100 miles of the thermonuclear explosion. As a result of the heavy fallout which blanketed the vessel, all 23 of the Japanese fishermen suffered serious injuries, and were hospitalized. One fisherman died as a result of irradiation.

The 1954 test resulted in other economic and social dislocations. First, the injured Marshallese could not be returned to their home islands until radiation subsided—over 3 years later. Second, the Japanese seafood market suffered a sharp depression, after it became known that 16,500 pounds of tuna and shark aboard the *Lucky Dragon* had been exposed to radioactive fallout.

Then, on August 1, 1958, the first high-altitude American test of a missile carrying a thermonuclear warhead of undisclosed megaton range was launched from the Johnston Island area, just 800 miles east-southeast of Honolulu. Detonated at night, without forewarning or preannouncement, the missile exploded in a fireball so intense and brilliant that it alarmed and thoroughly frightened the people of Hawaii, when it bathed the entire State in light as bright as daylight.

During the United States 1962 test series, on July 9, Hawaii was again bathed in awesome light, when a 110,000-pound Thor booster rocket, with a thermonuclear warhead capable of an explosive force of between 1 and 2 million tons of TNT, was launched, at night, from Johnston Island.

In addition to these detonations, the Russians have been test-firing their long-range missiles into the Pacific. Some of these missiles, launched from the area of the Aral Sea, near Iran, landed in an impact area southwest of Honolulu—only 1,200 miles away.

The destruction of Hiroshima and Nagasaki, the thermonuclear tests conducted at our back door, the Marshallese and *Lucky Dragon* fallout casualties, the two fireball explosions bathing Hawaii, in the night, in awesome nuclear light, the Soviet test-firing of missiles into the Pacific, and the increase in radioactive fallout in our atmosphere—all these have made the people of Hawaii acutely sensitive to the dangers of radioactive fallout, and have given them an understanding of the vast, destructive power of thermonuclear explosions.

We in Hawaii also know that, with our vital and strategic military installations at Pearl Harbor Naval Base and Shipyard, Schofield Barracks, Hickam Field, Kaneohe Air Base, and with many other military establishments, Hawaii—like many other important areas elsewhere in the United States—is a primary target for enemy missiles with thermonuclear warheads.

Acutely sensitive as we are to these dangers, we in Hawaii are also acutely mindful that American superiority in thermonuclear weapons and delivery systems has successfully deterred nuclear war. I am confident that the people of Hawaii strongly support the President and the Congress in their determination to maintain nuclear superiority.

Nevertheless, it is most natural that the people of Hawaii, like their fellow Americans everywhere, desire a lessening of radioactive fallout, and hope that, some day, mankind will be delivered from the threat of a nuclear holocaust.

Mr. President (Mr. McGovern in the chair), it is clear to all that this limited test ban treaty will not lessen the danger of nuclear war. But it is also clear that this limited test ban treaty will lessen radioactive fallout.

According to the Atomic Energy Commission and the Federal Radiation Council, radioactive fallout is composed of three primary chemical elements—strontium 90, a deadly radioactive element, which is highly injurious to bone and bone marrow; cesium 137, another fallout product, which can cause serious genetic damage; and iodine 131, a radioactive element which attacks the thyroid.

Figures released by the Atomic Energy Commission, the Federal Radiation Council, the U.S. Weather Bureau, and the Agriculture Department, who have conducted joint studies of radioactive fallout, estimate that the fallout levels of these products of thermonuclear fission would increase about 90 percent over 1963 levels by 1965, if thermonuclear testing were continued at 1962 rates.

The same Federal agencies have estimated that the accumulated deposition of strontium 90 in Hawaii is now well over 100 millicuries per square mile. A millicurie is a measurement showing the degree of human exposure to beta and gamma radiation. The deposition of cesium 137 in Hawaii is about 170 millicuries per square mile. These figures are far above the natural levels for Hawaii but are not considered dangerous by experts in the Atomic Energy Commission. They show, however, that Hawaii is one of the prime fallout areas in the world. They also reflect a steep escalation of radiation fallout since the 1962 American tests and the heavy Russian testing of many high-yield thermonuclear devices in 1961 and 1962.

The precise level at which fallout radiation is injurious to human life is a question not yet settled. Studies are still being conducted by scientists the world over to determine whether or not the threshold of injury to human life can be pinpointed.

The noted scientists who prepared the 1962 report of the United Nations Scientific Committee on the Effects of Atomic Radiation expressed their deep apprehension of the somatic and genetic damage growing out of the fallout from tests already conducted. The overwhelming weight of the world's scientific opinion has also expressed this deep concern.

These scientists point out that the devastating effects of fallout on human life "may not be fully manifested for several decades in the case of somatic disease, and for many generations in the case of genetic damage."

Dr. Herman J. Miller, winner of the Nobel Prize in 1946 for discovering that X-rays cause changes in our genes, has figured that the fallout radiation resulting from aboveground testing of a single 100-megaton bomb would be likely to induce more than 100,000 cases of leukemia, bone cancer, and other fatal illnesses to the present world population and a million harmful mutations in the next generation.

If this were true, it would be a staggering toll, especially considering that it does not even take into account the threat of damage to the genetic integrity of the human family through the generations to come.

The possibility that suspension of atmospheric thermonuclear testing would greatly diminish this hazard renders ratification of the treaty an affirmative gain of the most significant consequences to the human race.

Apart from genetic considerations, the reduction of radioactive fallout from the suspension of atmospheric thermonuclear testing would still render ratification of the treaty an affirmative gain, since we know from our experiences with the casualties of Hiroshima, Nagasaki, the Marshall Islands and the *Lucky Dragon* that an overdose of radioactive fallout is harmful to human health.

I have no illusions about the limitations and risks of the treaty. Nor have I any illusions as to the trustworthiness of its chief cosigner, the Soviet Union, whose long history of treaty violations hardly evokes our faith and trust. Our approach to the Soviet Union is imbued with caution, wariness and watchfulness.

The treaty is not a panacea to the problems of the cold war. It will not patch up American-Soviet differences. It will not end the threat of Communist aggression. It will not necessarily usher in a new era of lasting world peace.

It will not even bring about a complete cessation of atmospheric or underwater thermonuclear testing. Nonsignatory nations such as France will not be bound by the treaty. Under the terms of the treaty, underground testing is permitted and is expected to continue.

The weight of military, scientific, and diplomatic authority, balancing the risks against the benefits to be gained from the treaty, favors ratification. Some military authorities have urged strong safeguards so as to render the military risk acceptable.

Senate ratification of the treaty will not, we are assured, bring on a euphoric relaxation of our defensive strength and our vigilance.

Our Nation's Commander in Chief, the President, has issued a list of safeguards to protect America against the risks involved in the treaty.

Our "posture of readiness" will be maintained and indeed strengthened.

We will carry forward a vigorous program of underground testing and continue to maintain strong weapons laboratories.

The United States would withdraw from the treaty if our interests are seriously jeopardized.

Our detection facilities for possible clandestine violations of the treaty will be "expanded and improved."

The treaty does not alter our relationship with regimes we do not recognize.

It "in no way limits the authority of the Commander in Chief to use nuclear weapons of the defense of the United States and its allies" if the situation so required.

We will "take all the necessary steps to safeguard our national security," including the resumption of atmospheric testing, if the treaty is violated.

These safeguards, we are assured, will render acceptable the risks that first, the alleged Soviet lead in knowledge of radiation and blackout effects on communications and missile control systems may be widened; second, our lead in tactical nuclear weapon technology may be wiped out by the Soviets; third, we will not have a chance to test the effectiveness of an antimissile defense system we may develop; and fourth, the Soviets may have superior know-how to immobilize the delivery capability of our missile sites and systems.

I am satisfied that, in the light of all these firm assurances, America's defense posture and military strength will be maintained and our security safeguarded.

With these assurances, I support the treaty because I believe it will help safeguard the people of the world against harmful radioactive fallout.

I support the treaty because it forbids the testing of thermonuclear devices in the atmosphere, in outer space, and under water.

I support the treaty because, on balance, it is good for my country, good for my State, and good for all the people of the world.

This is surely a far cry from settling East-West tensions. But to me, it may be a tentative first step to the easing of world tensions. Though it does nothing to inhibit the manufacture of thermonuclear weapons, the treaty is an imperative preliminary step without which we could not go on to anything else.

The limited test ban is in a sense an experiment in trust which might produce sufficient mutual confidence to lead eventually to a total ban on all forms of thermonuclear testing with adequate inspection and other safeguards, and we hope some day to a limitation of the thermonuclear arms race.

Because I believe the treaty will lessen thermonuclear radioactive fallout and may prove to be a faint step toward the road to peace for the common good of the world, I am willing to give it that chance.

Mr. SPARKMAN. Mr. President, I commend the able Senator from Hawaii for a fine and forceful presentation. He has made one of the best, most concise presentations heard during the course of the debate.

Mr. FONG. I thank the Senator from Alabama.

Mr. SPARKMAN. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, when the nuclear test ban treaty was ordered favorably reported to the Senate by the Foreign Relations Committee on August 29, I cast the single vote against reporting the treaty.

I do not want my lone vote at that time nor my subsequent expressions on the subject to convey any sense of disrespect for the other members of the Foreign Relations Committee.

On the contrary, I have the greatest admiration for my fellow committee members. I feel privileged to serve on this important committee with truly outstanding Members of the Senate under the distinguished leadership of the Senator from Arkansas [Mr. FULBRIGHT]. I believe the decisions of the committee members in favor of this treaty have been motivated, without exception, by deep and sincere convictions that what they have done is right. However, my respect for their position does not alter the course I feel I must take.

This is a decision that could spell our doom. If that is overly pessimistic, then let me go a step further and say that this is one of a very few mistakes which almost certainly would mean the end of our independence as a nation, the end of freedom as we have known it, and the end of the lives of most of us.

To show the problem, it is necessary for me to work from certain assumptions to their conclusions.

Suppose that the Soviets in their last series of tests were able to assure themselves that they have the information necessary to mount an attack on this country which could destroy much of our offensive capabilities and so disorganize our retaliatory power that better than 80 percent of our offensive power could never be hurled at our opponent.

Suppose that our adversary has acquired the information which would enable him to devise and construct almost foolproof defenses against our bombers and our missiles.

Suppose further that he knows that we do not have the information, the knowledge that we need to offer more than moderately effective resistance to his attack and that we are badly lacking in the means to penetrate his defenses, as a result of our inability to test our offensive weapons against the kind of defenses that they will encounter.

We know that our adversary plans to control and dominate this planet.

Then suppose our adversary signed a treaty with us which would preclude us from testing our radar against the blackouts which would result from atomic explosions created by our own defensive missiles as well as those created by our enemy's missiles.

Suppose the treaty would prevent us from determining what the atomic explosions would do to our communications on which our continued defense as well as much of our retaliation would depend.

Let us suppose further that our adversary had learned how he could prevent us from striking back from our missiles presently resting in hardened sites, possibly by blasting the area near the sites sufficiently close with atomic weapons.

Let us suppose that our adversary could effectively predict the positions of a substantial portion of our Polaris submarines, and depend upon limiting the damage to be expected from such submarine missiles as he could not destroy in home ports or elsewhere.

Then would not the following course be logical: First, he would develop his weapons and produce them in large numbers. This would take several years. Second, he would break the test ban to be sure that they worked. Third, he would embark upon a course of international conduct which would compel us to gradually surrender to his overwhelming power or start a war which we could not hope to win if we permitted him to strike first. In the latter event, would he not plan to strike you the moment he concluded that we had elected that we would rather take our chances fighting than surrender?

It is my judgment that each of the assumptions that I have made cannot be dismissed. Some of them are already true. Others are reasonable probabilities.

Thus far, this Nation has been safe because it has been so strong that it could face any showdown with a confidence that we could rain so much more destruction upon an enemy than he could hurl at us that only a madman would persist in engaging our Nation in an allout war.

This overwhelming preponderance has preserved large and small nations in the era which we choose to call the Pax America, or the era of world peace protected by America. Since Nagasaki, atomic weapons have not been used for purposes of warfare. They have been used only to maintain peace and as a threat to potential aggressors.

But the balance is shifting. The Soviets have gone ahead in space. They are abreast of us in atomic weapons. Under the proposed treaty, the Soviets could continue underground testing in areas of relatively small nuclear explosions where we feel we are ahead. We would be barred from testing in the high-yield ranges where they are ahead.

We fear that the Russians have learned much that we do not know in testing atomic weapons and the effects of explosions on the radar, the communications, and the warheads themselves which would be a part of an intercontinental ballistic missile system on the one hand and as the various components of an effective defensive antiballistic missile on the other hand.

If this should prove true, then time is running out on us rapidly. If Russia is ahead of us in the knowledge necessary for both the offense and the defense of tomorrow, then this treaty may prove to be national suicide.

Under this treaty, America will be prevented from building an efficient missile defense. It is said that we can design around our areas of ignorance. This is like planning to kill elephants with sticks because a treaty prevents us from developing an elephant gun.

Under this treaty, America will be prevented from developing weapons as large as the Soviets'. It is said that we do not need them. That is like saying that we do not need large cannons, because two smaller shells can do what one large one will do.

Under this treaty, we will be prevented from testing weapons that we already have in inventory, weapons that may prove to be billions of dollars of goose feathers so far as our offensive power is concerned.

Let it be remembered that during the first year of World War II the Americans were fighting with torpedoes that would not work, while the Japanese were fighting with torpedoes that did work. They sank most of our Pacific Fleet with torpedoes that had been tested against ships, while we bounced harmlessly against Japanese hulls torpedoes that had been tested only under simulated test runs.

If I may be pardoned a personal example, this Senator would not be here today if a projectile fired by a large Nazi railroad gun had not failed to explode.

For all we know, 75 percent of our ballistic missile power may prove to be duds for the reason of a minor adjustment which would be discovered under a live test. When we ratify this treaty, we tie our hands and bind ourselves not to conduct the tests which would prove that our weapons either work or do not work. As a matter of fact, it is criminal folly to enter into this treaty without at least testing the missiles already in inventory. Surely our adversary has done at least that much.

When we ratify this treaty we bind ourselves to a code of moral conduct by which our adversary will not abide. That we will not cheat is clear from our record. That the adversary will cheat is as obvious as the fact that a cat will scratch. We will be in a contest with one hand tied behind us.

Why do we do these things?

The best I can make of it is that this kind of thing results from impractical, well-meaning people—some of them magnificently educated. There are many sincere patriotic and religious people whose hearts instantly surge to the thought that we may someday capture the Communists with Christian love and forbearance. In other lands there are many more such Christians in their graves who nourished the same hope. It is Communist teaching that this element of devotion to the glory of God and the good of mankind is one of the weak points among capitalists which Communists must never overlook an opportunity to exploit.

There are people who like to think that the Communist leaders at heart are not a lot different from our own leaders. The principal difference is that Communist leaders will not abide by the results of a free election; our difference therefore becomes irreconciliable. No other answer remains except war, or stalemate until one can overthrow the other by subversion or revolution unless with time there can be a gradual acceptance of the views of one by the other.

Some of our best people are convinced that the Russian Communist leaders want peace. The Soviets do in fact want peace on terms which surrender the world to their absolute control. No other terms will suffice.

Many of our people are worried about pollution in the atmosphere. This worried me greatly until I learned that I have been exposed to radiation all my life as a result of cosmic rays, mineral deposits, X-rays, phosphorescent wristwatches, television tubes, and other such devices.

If a person is living in Denver, he is exposed to 70 percent more radiation than at Washington. In the State of Kerala, India, people are exposed to 1,000 percent more radiation than in Washington, and nobody ever thought much about it.

The explosions of nuclear devices by all nations have increased radiation by 10 percent, and that increase will gradually decay and dissipate itself. Furthermore, the nuclear devices are becoming much cleaner.

A real danger to America, I regret to say, can be those people in the Disarmament Agency and elsewhere in Government and out of Government who believe genuinely in disarmament, either partially or totally, on a unilateral basis. When I voted for the Disarmament Agency, I did not fully realize the danger.

A man like William Foster is a hardheaded, practical person, but his views are necessarily affected by the one-worlders, Quakers, and "peace-at-any-price" types who gravitate toward such an agency. If these people cannot make an impression on Bill Foster, then they will impress at least some persons in the Senate, the House, the White House, the great universities, the press, or at some other point where they may influence our national decisions. I fear that these people are making headway in all of these places—the Congress, the White House, the universities, the press. The Pentagon can properly be expected to be the last bastion to fall prey to the siren song of disarmament, but the key to that fortress is held at the White House. The President is the Commander in Chief. He makes and breaks both the civilians and the brass who run the Pentagon.

Now the so-called military support of this treaty should be measured against the facts of life. The defense policy of the United States is set by the President, with the advice of the Security Council, with the advice of the Joint Chiefs of Staff, with the advice of the Members of the Congress or whomever he may choose to consult, but, in the last analysis, by the President.

The President may, and frequently does, make decisions that are a disadvantage militarily when he believes that other advantages should prevail.

The decisions in Korea not to use atomic weapons, not to bomb beyond the Yalu, not to engage in hot pursuit of enemy planes, not to bomb near the Russian border, not to use troops of Chiang Kai-shek, to dismiss General MacArthur, were all debatable, to say the least, from the military point of view.

It should be noted that concerning our strategy in Korea hardly a word of criticism—none comes to my mind—came to the surface from an officer on active duty, save General MacArthur himself who was being relieved of command and who felt such deep resentment and disagreement that he was willing to risk court martial if the President had dared to go so far with a popular national idol.

When General MacArthur closed his speech before the joint session of Congress, there was not a dry eye in the military, yet not a responsible officer in charge of the Military Establishment rose to criticize the President nor the restraints that had been imposed upon General MacArthur.

In the thousands of pages of testimony that occurred during the investigation, the Joint Chiefs backed the President implicitly and other officers were no more critical than merely to point out that, when military and political decisions are mixed, the decision is not theirs to decide. In the closeness of his fireside, an officer on active duty will sometimes give a confidential friend an answer which utterly devastates the logic of the Executive decision; however, he will not do that in public.

Those whom the President chooses for his Chiefs of Staff have always appeared to me to move from a sense of duty to support the President's decision as their own once he has made it. In fact, it has always appeared to me that this was the unwritten code of general officers.

Now when Curtis LeMay stated that he would not have recommended signing this test ban treaty, it seemed to me as one who has been on committees hearing such men testify for 15 years, that General LeMay was going as far as the rules of the game would permit even with the so-called clearance that had been granted by the Executive.

When General Power, Chief of the Strategic Air Command, General LeMay's choice for the Chief's old job, said that he would not advise ratification of a treaty signed by the President, he was all but turning in his uniform and offering to sacrifice himself for national survival as he saw it. That is what this testimony meant to me, regardless of what kind of clearance this man was supposed to have.

Before anyone leaps to the conclusion that General LeMay advises this treaty, let him note that the Secretary of the Air Force cancelled the Secretary's acceptance at a mere social event given by the Air Force Association out of resentment that the Association had resolved as General Power recommended and as General LeMay said he would have recommended except for the fact that the executive had already approved the treaty.

No, the fact is that for these officers to have gone any farther against this treaty would have required that they consider offering their resignations first, no matter what kind of clearance they were supposed to have had.

If this Nation should perish, it will be because we will not listen to these men who have gone as far as their positions and circumstances will permit to advise us to rely upon the best weapons we can acquire and to let nothing prevent us from being best in weaponry if we care to survive.

In the past these men have advised that we proceed with missiles while others were dragging their feet. They have advised even faster, better aircraft, better equipment. Had we listened to them, we would have been in far better shape to face every crisis from the first Berlin blockade to the Cuban threat today.

Some years ago, I served on the Select Committee on Disarmament and on the Disarmament Subcommittee of the Committee of Foreign Relations. These were forerunners to the Disarmament Agency, and, in some respects, forerunners of this treaty. Let me say that my colleague, the Senator from Minnesota [Mr. HUMPHREY], is as devoted a patriot as any man in this Chamber, although our views on this treaty are as different as night and day. He was chairman of that select committee and that subcommittee.

When we were serving on the Disarmament Committee, the Joint Chiefs told us that, if we wanted to disarm, we should arm first because their resources had been cut back until they had nothing that they could afford to give up. This was under the Eisenhower administration.

Subsequently, we did proceed to arm this country under President Kennedy. Today we are in position to talk disarmament because we are very strong. But we should not talk disarmament without foolproof inspection. Until our adversary is ready to disarm and let us inspect to see for ourselves, we should continue to build and maintain great strength. This is the only way that we will ever have an honorable peace with freedom. However long it takes, this we must insist upon.

Now, Mr. President, one of the biggest dangers in this treaty, in my opinion, is the fact that Red China is not bound by it. I think that the distinguished Senator from Georgia [Mr. RUSSELL] and many others have indicated their great apprehension over this fact.

All have indicated the fear that in years to come Russia will use Chinese territory to conduct clandestine tests in the atmosphere. It is all too easy for some to discount this possibility at this particular time because of the alleged poor relations between Russia and China. But who is to say that these relations might not take a very sudden turn for the better—just as they took a sudden turn for the worse during these past 3 or 4 months. Who is to say that Mao Tse-tung, who is well into his seventies, might not die the very next week after next and that his successor might not bring China back under Russia's wing. Or who is to say that in any number of ways China and Russia might not suddenly become true allies once more—even under their present leadership.

I remember only too well, Mr. President, the conclusion on this very subject reached only 3 or 4 years ago by the Subcommittee on Disarmament of the Senate Foreign Relations Committee. I and several others who are still members of the Foreign Relations Committee served on that subcommittee, which in a number of ways led us to establish the present Disarmament Agency.

For some time we studied the matter of nuclear test bans and came up with numerous conclusions on this subject and others.

During that period, in August 1958—5 years ago—my friend from Minnesota brought to us a document warning that no disarmament agreement with Russia would be in this Nation's interest unless subscribed to fully by Communist China. The possibility of Communist perfidy by way of using China as a tool or as cover for a Russian operation was specifically spelled out in the subcommittee's report. It reads as follows:

> Communist China is still a formidable military power and every indication is that this power is being augmented. As the subcommittee has evaluated events in the area of China and within China itself which are directly related to disarmament, it has concluded that there is a real possibility that the exclusion of China from a first step disarmament agreement might provide the Soviet Union a significant loophole through which to evade such an agreement. Obviously, whether this loophole would exist would depend on the nature of the agreement. The subcommittee notes in this connection that an agreement which involved the suspension of nuclear weapons tests with inspection and which did not include inspection in Communist China might present an opportunity for evasions on the part of the Soviet bloc. The United States must not contemplate signing a disarmament agreement which would permit its security to be jeopardized. The subcommittee is of the opinion, therefore, that greater attention must be paid to the question of including Communist China in any disarmament agreement which would provide for the suspension of nuclear weapons tests with inspection.

This subcommittee included a number of the Senators who voted to favorably report this measure to the Senate.

Now we are presented a treaty that drops the requirement of inspection. I am advised that it will be impossible to prove cheating under all circumstances, even in Russia or at sea. For example, when an explosion occurs in the south Pacific, how will anyone know who created that explosion at sea? No one except those who were there would know. The south Pacific is the high sea; it is available to everyone. The treaty certainly does not block the cheating with China as the cover.

If we make this treaty minus inspection, I predict that we will never persuade Russia to agree to foolproof inspection in all other respects. This will be the precedent. It will be said among Communists that if we will agree to a treaty so clearly against our security interests as this one, we will eventually seal off whatever chance we have of prevailing on this earth by agreeing to disarm under circumstances wherein our adversary will remain armed to the teeth.

In the Cuban crisis, only last year, these selfsame Communists—in fact, one of them also initialed this treaty—lied to us about missiles in Cuba until they were almost in position to blast us from this planet with Cuba as the base before we finally moved. Even now we do not know whether the missiles are in Cuba or not. The inspection to which Russia agreed at the showdown never came to pass because our leadership softened its resolve when the immediate crisis passed.

I respect our President as a person, a former naval officer, a former Senator, and as an able Chief Executive. He says that this treaty enables all people to be free from fears of radioactive fallout. I say that you had better be worried about the fallout from the bombs aimed at you if you are lucky enough to escape the blast, more than the infinitesimal amount of radiation from tests conducted under conditions carefully arranged to protect life and health. Insofar as this treaty frees you from fear, it is a sense of false security.

Our President says this treaty furnishes a small hope that war can be averted. I say that this treaty dashes that hope in that it will shift the relative power of the two great protagonists in favor of the one which refuses to renounce world domination under police state rule as the only answer.

This treaty will help to shift military superiority from the law-abiding God-fearing, peace-loving, truthtelling Government that is the United States. This treaty will serve to retard the development of our defenses and our offensive power. This treaty will limit but slightly the development of the military might of our adversary and he will cheat whenever he finds the restraint to be important.

This treaty will result in a stronger Communist military power compared to that of the United States and the free world. This treaty will hasten the day when Soviet Russia and Communist China will be ready to risk war with us.

Many years ago, Patrick Henry said:

> Gentlemen may cry peace, peace, but there is no peace. What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God. I know not what course others may take, but, as for me, give me liberty, or give me death.

Many of the arguments that have been made for this treaty would place our lives, our safety, our hope for better health and cleaner air ahead of our love of liberty. This treaty would do just that. I do not care to survive to a day when this Nation is no longer free, and I am prepared to pay the price of a free America whatever that price may be. The price of preparedness is small indeed compared to the consequences of defeat.

This treaty should be rejected and I shall so vote.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. THURMOND. I presume the Senator from Louisiana has read in the news today that Mr. Gromyko, the man who initialed the treaty on behalf of the U.S.S.R., the man who was at the White House and talked to President Kennedy last fall concerning the missiles in Cuba, and denied there were any missiles there, at the very time President Kennedy had pictures in his desk showing they were there, is now stating that he wants to have a disarmament meeting with the President in Moscow next year. I presume the Senator read those news accounts.

Mr. LONG of Louisiana. What the Russians have in mind for us, in my judgment, is exactly what they had last time. Mr. Gromyko is going to meet the President and propose that the United States and Russia both disarm, on a self-inspection basis. That is a fine proposal for one nation that does not believe in truth to make to another nation that does. If this country made such an agreement, we would be bound to disarm. Mr. Gromyko went before President Kennedy and said, "You can depend on it, Mr. President, that there are no Russian missiles in Cuba"—at the very time the President had in his desk pictures of missiles in Cuba. If we do business with those people, and disarm, all they have to do is lie to us that they are disarming and in that way destroy our country. One thing can be said for this treaty—we would not have to fear war, because we would not be able to fight if we wanted to.

Mr. THURMOND. The distinguished Senator has brought out the question of disarmament. As President Kennedy has said, this is the first step. Mr. Rusk has also said it. Now it looks as though Mr. Gromyko is getting ready to skip several steps and go on to an agreement on disarmament.

I commend the Senator for the penetrating attention and care he has given to this question, and the soundness with which he has approached it and arrived at his conclusion. He is making a very able and fine address, and I extend my hearty commendations to him.

Mr. LONG of Louisiana. I thank the Senator. I appreciate his compliment. I listened with great interest to the speech of the Senator from South Carolina. The Senator brought to me much good, solid thought, knowledge, and information that he had learned, both as a general in the armed services and as a member of the Armed Services Committee, when he spelled out, in chapter and verse, information that was not before the Foreign Relations Committee when it voted on the question—not that it would have changed the votes, but the information the Senator had made available to me made a compelling case as to why the treaty should not be ratified. I said so at the time.

Mr. THURMOND. I thank the Senator. I congratulate him for his courage in being the only member of the Foreign Relations Committee to vote against reporting the treaty favorably to the Senate floor. Since that time the Senator from Ohio [Mr. LAUSCHE] has given earnest study and consideration to this matter, and I was pleased to learn yesterday that he has decided to vote against the treaty. I likewise commend him for his dedicated study and his courage in deciding to stand with our small band of opponents.

Mr. LONG of Louisiana. As the Senator well knows, at the time the Foreign Relations Committee met, it did not have available to it the information that was presented to the Preparedness Investigating Subcommittee of the Committee on Armed Services. The Senator from South Carolina is a member of the Preparedness Investigating Subcommittee. He is also a member of the Committee on Armed Services.

The Senator from Ohio [Mr. LAUSCHE] wanted to wait until the Armed Services Committee, through its Preparedness Investigating Subcommittee, could give us the information it now has made available. There is no doubt in my mind that if the Senator from Ohio [Mr. LAUSCHE] had had such information available to him when members of the Foreign Relations Committee insisted on voting on this matter, he would not have voted as he did. If he had had an opportunity to study this information, some of which was based on the most responsible type of courageous testimony by persons who have a direct responsibility to defend this country in the event of atomic war—information that was not made available to the Foreign Relations Committee—I have no doubt that the Senator from Ohio would have voted just as I did. If the Senator from Louisiana had had such information at that time, there would have been no doubt about his vote, whereas at the time he had some doubt as to whether he should vote for or against the treaty.

Mr. THURMOND. I feel confident that the Senator from Ohio would have voted just as the Senator from Louisiana said he would have voted if that information had been made available to him. I regret that the Foreign Relations Committee acted before the Senator from Ohio and other members of the committee had the opportunity to study the report of the Preparedness Subcommittee. I also believe that the Senator from Ohio or another member of the committee requested that General Power be allowed to testify before the Foreign Relations Committee, and that that request was denied.

I am sorry that General Power was not permitted to appear before the committee, because he is the one man who would have to press the button to have the bombers take off and have the missiles fired in the event an exchange should occur. He has been giving a great deal of attention to this subject as chairman of the strategic targeting group. He is an expert on nuclear weapons and an expert on planes, including bombers. Merely because he is a military man induces some people to feel that perhaps he is not a scientist, and therefore should not go into these matters, or that he does not know anything about these subjects. He does. General Power has given a great deal of attention and study to these matters. No one could have heard the testimony of General Power before the Preparedness Subcommittee and not be convinced that he knows what he is talking about—that this dedicated officer knows his job and the enemy we face in the cold war.

Mr. LONG of Louisiana. I do not know whether General Power requested that he be heard before the Foreign Relations Committee.

Mr. THURMOND. He did not request that he be heard, but I believe the Senator from Ohio or another member of the Foreign Relations Committee told me that he had requested that General Power be allowed to appear before the committee.

Mr. LONG of Louisiana. Mr. President, if I had had to vote for or against the treaty when it was first brought to the Senate and before I had heard the witnesses, particularly before I had heard Dr. Teller on this subject, I would have voted for the treaty. I was prepared to go along and approve the treaty, feeling that to do so would be in the interest of my country. However, after I had heard what Dr. Teller had to say about it, after I had had made available to me the testimony of General Power, after I could read what the Senator from South Carolina had developed on the subject, after I had heard the statement of the man who in my judgment is the best authority on the floor of the Senate on the problem of defending America, the Senator from Georgia [Mr. RUSSELL], I changed my mind. The Senator from Georgia has been a member of the Armed Services Committee and the predecessor committee from the day he came to the Senate, probably 24 or 26 years ago. Many consider him to be the best qualified man to be President.

I supported him for President at the Democratic Convention, but refused to walk out of the convention when a majority of the Louisiana delegation wanted to walk out, on the theory that we came to support a Senator from Georgia, and that we should remain and fight for him. In the opinion of former President Truman he was the best qualified man to be President of the United States. When he made the compelling case against the treaty that he made, I was left with no alternative but to vote to reject the treaty, as he had said he was left in no doubt about rejecting the treaty, because it fails to protect the survival of this country.

The treaty could be the key to our destruction, or our demise as an independent nation. I cannot vote for it knowing that that might be the result.

Mr. THURMOND. The announcement by Mr. Gromyko, which was published in the papers today, bears out the prediction of the Senator from Louisiana, the senior Senator from Georgia [Mr. RUSSELL], and other Senators that the nuclear test ban treaty is the first step to disarmament.

Mr. LONG of Louisiana. The prophetic judgment of the Senator from Georgia [Mr. RUSSELL] about the treaty being a step that is in the wrong direction from the standpoint of this Nation's interest, included a prediction by the Senator from Georgia that some other nation, among the community of nations, would propose that now that we have agreed to cease atmospheric testing and testing in space and testing under water, we should now agree to stop all underground testing.

Today, within a week of when the Senator from Georgia made his speech, a delegate from Brazil in the United Nations has proposed that the smaller nations should take the lead in seeking to make us agree that we will not do any underground testing.

The Senator knows that Communist China can serve as the testing ground for the Soviet Union. The only real argument between the Communists in China and the Communists in Russia is how better to destroy us. Communist China says, "Let us use these weapons to do it." Russia says, "No, let us not do it that way. If we use them, they might use them back on us."

The question is whether they should cheat, should lie, should deceive and force us to our knees in abject surrender by any means short of destruction. Those two nations do not disagree about anything else. They can resolve their differences tomorrow if they wish to. Russia could resume testing in Red China if it wished to do so. The only difference between them is as to what the best way is of destroying us.

Mr. THURMOND. Does not the Senator from Louisiana feel that the only thing that has prevented a war with Russia since World War II, in view of her goal of world domination and enslavement, has been the overwhelming nuclear power of the United States?

Mr. LONG of Louisiana. It is my judgment that that is what has maintained the peace. Some may disagree with me, of course. They say the Russians do not want war. I am sure they do not want war, provided it fits in with their terms, which means that they would dominate the world, including the United States. There is no doubt in my mind that it has been the nuclear deterrent of the United States which has been maintaining the peace over the years since World War II. Incidentally, Winston Churchill, one of the greatest statesmen of our time, at Fulton, Mo., made that statement a few years ago, on the occasion of his visit to President Truman.

Mr. THURMOND. I thank the Senator.

Mr. McCARTHY. Mr. President, the Senate will soon act to fulfill an important constitutional responsibility which it shares with the President of the United States. We have been asked by the President to approve ratification of the test ban treaty, and thus to share with him this responsibility. The Constitution requires, for the ratification of any treaty, the advice of the Senate and the consent of two-thirds of the Senators who are present and voting. In a formal sense, it is the Members of the Senate who offer the advice to the President; but, in a broader sense, the Senate is the medium through which the whole country should be expected to give its advice.

In the same manner, the vote of the Senate will be the means by which the country will give its consent.

Oftentimes, the advice given in regard to a treaty is highly technical, and the consent which is given involves a limited or confined scientific or rational judgment. But the advice and consent with reference to this particular treaty involve much more than that. They involve our advice based on the general judgment of the Senate and—if the Senate speaks for the country—the judgment of the people of this country. So our decision also involves a moral commitment, in connection with which we rely on the intellect and the will of people of this land when we act either to affirm or to reject the treaty—as a result of which we shall be subject to the interpretation of historical judgment as to the movement of events in the year 1963.

Mr. President, neither advice nor the consent of the Senate on matters as serious as those involved in this test ban treaty should be given lightly. The Senate has proceeded most cautiously and most carefully. It has sought the advice of representatives of the President, principally the Secretary of State. It has sought the advice of the Joint Chiefs of Staff and of other military experts. It has sought the advice of former Presidents and former public officials experienced in international affairs. It has sought the advice of scientists and historians, and has heard from the general public.

In considering the test ban treaty, the Senate has conducted a thorough review of our military policy and our foreign policy, and has considered both our strength and our weaknesses. It has examined carefully the language of the treaty itself, and has attempted to weigh the immediate implications and the immediate significance of the treaty.

The Senate has also judged the treaty against the background of history and the movement of history, and has considered both the discouraging record of the past and the risks and the uncertainties of the future.

Most treaties are instruments of limited objective and also limited achievement. Sometimes their declared purposes are relatively limited and almost trivial. Sometimes their declared purposes have expressed hopes beyond the reasonable expectations of prudent men. Some treaties have been formed and drawn in good faith; and others have been designed to deceive. Some treaties have been signed and ratified as instruments of mutual defense; others, as a seal of mutual aggression. The record of performance on treaties is as mixed as the history of mankind.

This test ban treaty is one of limited objectives. The heart of it is the agreement that each of the parties will undertake the following:

> 1. Prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion at any place under its jurisdiction or control;
>
> (a) In the atmosphere, beyond its limits, including outer space, or underwater, including territorial waters or high seas; or
>
> (b) In any other environment if such explosion causes radioactive debris to be present outside the territorial limits of the state under whose jurisdiction or control such explosion is conducted. It is understood, in this connection, that the provisions of this subparagraph are without prejudice to the conclusion of a treaty resulting in the permanent banning of all nuclear test explosions, including all such explosions underground, the conclusions of which, as the parties have stated in the preamble to this treaty, they seek to achieve.
>
> 2. Each of the parties to this treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion anywhere, which would take place in any of the environments described, or have the effect referred to in paragraph 1 of this article.

The rest of the articles of the treaty deal with procedures for ratification, the admission of additional signatories, and within—in article IV—the conditions and terms under which the parties may repudiate and withdraw from the treaty arrangement.

Some Senators have criticized the treaty because it will not establish universal peace and full victory for the United States and for the free world. These are some of the questions that have been asked about it:

First. Will the treaty get the Russian troops out of Cuba?

Second. Will the treaty rid Cuba of the despotism of Communist domination?

Third. Will the treaty stop the sabotage in Venezuela?

Fourth. Will the treaty eliminate the Communist subversion and espionage in Peru and Ecuador?

Fifth. Will the treaty stop Communist agitation in Africa?

Sixth. Will the treaty free any of the people now enslaved in eastern European countries? How many?

Seventh. Will the treaty tear down the Berlin wall, so that more people may express with their feet their antagonism to Communist despotism?

Eighth. Will the treaty cause the Soviets to abandon their espionage rings in any free world nation?

Ninth. Will the treaty end the constant irritations on the Korean truce line, or prevent future killings of American troops?

Tenth. Will the treaty prevent the shelling of Quemoy and Matsu in the future?

Eleventh. Will the treaty cause the Communists to cease their attacks on non-Communists in Laos, or to mitigate their efforts to take over that country?

Twelfth. Will the treaty cause the North Vietnamese and the Chinese to cease trying to take over Vietnam?

These are questions to which answers have been demanded.

Obviously, the answers must be in the negative. One could recite a long list of other questions. Some persons would seem to demand that the treaty somehow solve all the problems which face the United States, both at home and abroad. This would be to demand much more of this treaty—or any treaty—than anyone has a right to demand.

Some Senators have charged that the treaty is the first step in a series which may lead to general and complete disarmament, involving total surrender of the sovereignty of the United States. This, too, of course, is to charge more or to promise more or to prophesy more than is warranted by the limited text of the treaty itself.

In dealing with the test ban treaty, we cannot act upon the fears and the apprehensions of some Members of the Senate or of any Member of the Senate, because to do so would preclude action by the Senate on this issue, as well as on most of the other controversial issues which come before this body.

We cannot act on the basis of the prophecies—for many things said about the treaty have been in the area of prophecy, even though the speakers have denied that they possess prophetic gifts.

The record of treaties in relation to their stated objectives is a mixed one. We cannot expect absolute certainty of success, even with reference to the limited objectives set forth in this treaty. On the other hand, we should not be wholly pessimistic—by assuming that the terms of the treaty will in no way be respected or honored.

A treaty is an instrument of foreign policy and—like all such instruments—it operates without the full support of power that can be used when the full sovereignty of one's country is being exercised.

The declarations of the administration and the very record made in the course of the Senate committees' inquiries have demonstrated clearly that no one is being falsely optimistic about the possibilities of the treaty. On the other hand, the possible good that may come from the treaty has not been exaggerated.

No one can know with absolute certainty what interests motivated the Soviet Union in signing the test ban treaty at this time, although some have suggested rather strongly what that motivation may be. We do not have any guarantee that the Soviet Union will not break the treaty, even without cause, in the future. We are not proceeding, however, as though we had these absolute guarantees. There are no intentions on the part of the United States to proceed with any kind of unilateral disarmament, once the treaty is signed. We have been assured by the Joint Chiefs of Staff that although testing in the atmosphere would be useful in developing our military power, the restrictions which the treaty would set up would not be such as to prevent adequate development of our defenses.

We retain our freedom to continue underground tests without violation of the treaty, and we intend to pursue such testing.

We are free—and are resolved to remain prepared to do so—to resume nuclear testing in the atmosphere if the treaty is violated.

We shall go on continuing to improve our system and methods for detecting all kinds of nuclear testing, and to develop our own anti-ballistic-missile program.

There is every reason to believe that our nuclear laboratory facilities will continue to develop and attract the best scientists in the free world.

The treaty would ban certain forms of testing but it will not outlaw use of nuclear weapons. It involves no compromise in the ideological war with communism, nor does it bear upon the general cold war with communism, nor does it bear directly upon the limited small wars between Communists and anti-Communists that go on today.

It does not change the fact that both we and the Soviet Union have a stockpile of nuclear weapons. It may prevent some nations from entering the nuclear arms race, but it has not yet been accepted by France and Red China, the two nations which are pressing the hardest in the effort to develop their own nuclear weapons.

The treaty cannot properly be described as a step forward, nor as a step backward, but rather as a kind of halt.

It is enough to judge the treaty for what it clearly it—an agreement to prohibit nuclear weapons testing in the atmosphere, outer space and underwater. This is an achievement to be judged in its own right. It may turn out to be the first of many steps toward the objectives of peace and justice. Whether it will or not remains unknown.

If the treaty is honored, in my opinion, it should open the possibility of further action to reduce the threat of nuclear war or to limit the use of nuclear weapons.

It is a fact that agreements and understandings regarding poison gas seem to have been successful in the 20th century. In any case, this destructive power has not been used, whatever the reason may be.

Leaving out all consideration of the use of nuclear weapons in time of war, the limited consideration of the contamination of the environment by radioactive materials alone is one deserving serious international attention.

The testing of nuclear weapons brings risks to all the people of the world. The uninvolved and uncommitted citizens of the other nations, as well as those citizens of the major powers producing and controlling nuclear arms. It creates risks not only for people living, but risks for those who are yet unborn. The effects on the health of citizens and the genetic effects of radioactive materials are not fully known or understood. But it is generally known and accepted that radioactive materials can cause a serious hazard to health and to life.

Because the dangers both in war and in peace arising from nuclear power are great, we must be willing to take some limited risks within prudential limits.

This test ban treaty involves limited risks. Its ratification is dictated by prudent consideration. It should therefore be ratified by the Senate.

Mr. JOHNSTON. Mr. President, the debate on the test ban treaty has now been in progress in the Senate for 2 weeks.

I have listened with utmost care to the intense debate that has been waged in the U.S. Senate over whether or not we should ratify the test ban treaty. This treaty ratification has given me great concern because of the charges and countercharges concerning the possible effect that this treaty might have upon the security of our Nation. As in most matters which have come before this body, this treaty has received neither unanimous approval nor objection by the Senate. As in most proposals that I have faced in the Senate during my 19 years of service, the contents of this treaty are not unanimously acceptable to me. There are weaknesses in the treaty which I disapprove of but there are many strong points—points upon which the very future of civilized life as we know it on this planet may hinge. We ought to realize that any amendment to the treaty would necessitate negotiation of a new treaty by all of the 89 countries that have already signed the treaty.

Whether we realize it or not, the test ban treaty debate is one of three great debates of our century. The first great debate concerned the involvement of the United States in the League of Nations. The second great debate of the 20th century concerned our participation in the United Nations.

I look back to the years following the creation of the League of Nations, when the United States as the most powerful nation on earth stood outside of the League, voiceless and helpless to stop the world from spinning recklessly into World War II, even after thousands of Americans had died in World War I, the war to end all wars. We were powerlessly isolated, because of the failure of the U.S. Senate to endorse Woodrow Wilson's program to make the United States a part of the League of Nations.

We saved no money; we saved no face; and we saved no lives. We merely weakened our Nation instead of providing it with security as some Senators had hoped. When World War II came, we found ourselves again playing the role of savior of the free world—a job we were pitifully unprepared to do. World War II bitterly taught us the lessons of the futility of isolation. As a result we became a part of the United Nations, perhaps reluctantly because of the possibilities of losing our national identity in a world organization. Again, in that great debate, the security of our Nation versus the hopes of peace became the issue. This fear of losing the identity of the United States in the bigness of a world organization still remains with many of us, but we would not withdraw the United States from the United Nations, because there still remains the hope that we can find lasting peace through this organization.

Today, we distrust the Russians, and rightfully so. However, we cannot morally permit this distrust to move us into a new form of isolation. We recognize Russia and the Communist world as the arch enemy of democracy and freedom. But we would smash into a thousand pieces the hopes of humanity for peace if we should reject this treaty. Our Nation and the world cannot afford another mistake like we made after World War I.

Mr. President, on the one hand there is the threat of nuclear extinction for the great mass of our people as well as our enemy, and quite possibly the entire world, if we reject this treaty and move into an unbridled nuclear armaments race.

In this connection, there are also increased hazards to the earth's population, not only to people who are living today but also to unborn generations.

Medical science is practically unanimous in the opinion that additional radiation from continued atmospheric nuclear testing will cause significant human suffering as a result, with increased risks of cancer and other physical deformities and mental deficiencies. It has been estimated that 50,000 children, as of this date, will be born into the world with gross mental or physical defects because of the genetic damage of fallout from nuclear tests. These defects will include such things as muscular dystrophy, cancer, blindness, dwarfism, and other major deformities. Unlimited and continuous nuclear testing in the atmosphere obviously will increase these threats to our civilization.

On the other hand, there is the possibility, if this treaty is ratified, that our enemies would not act in good faith and would violate the treaty, possibly giving them a military advantage over us. These points constitute the very essence of this debate. It has been stated by the scientists that any nuclear test which amounts to anything would be known a few minutes thereafter. Little harm could be done by at least entering into the agreement at this time.

We must profit from the lessons and experience our past has given us and accordingly our answer to the world must be ratification of this treaty. If we reject it now, we are saying that we have given up all hope for peace and we are telling the world it must look forward only to an endless dark age of cold war and ever-threatening nuclear attack.

If possible, I should like to get rid of the cold war—or at least a part of it. I want no accusing finger of history pointing at this Senate and at me to say that we failed humanity because we rejected this treaty. Our faith in ourselves and in God Almighty must be greater than this fear or there will never be peace, and we shall never rid ourselves of the cold war.

We have lived with the cold war and within the shadow of H-bomb attacks for nearly 20 years, fruitlessly edging toward another world war. This treaty essentially changes nothing except to open the door of possibility for just and lasting peace.

As a nation we must continue to be prepared for any eventuality and to do anything necessary to preserve our Nation.

We must remain prepared at all times. In this connection, we must accept the word of our Joint Chiefs of Staff who have stated that we will not be weakened by the signing of this treaty.

In addition, the Joint Chiefs of Staff and the Secretary of Defense have assured the Nation that we would be prepared to resume testing should the Soviets violate the treaty, and they have stated that the United States would be able to detect any violations having any significance or any military value. If we cannot accept their authority on this subject, what can we depend upon in our military setup? In all of this, we owe it to the Creator of mankind and the world to do everything in our power to bring peace on earth. This treaty is within our power. This treaty contains the hopes for world peace and the way to achieve this without sacrificing our honor and freedom.

Mr. President, this is why I have no other choice except to vote for the ratification of this treaty. I do so without fear and without apology. The world must emerge from the night of distrust and into the light of peace. I want the United States of America to boldly and fearlessly lead the way, by signing and becoming a part of the peace treaty now before the Senate.

Mr. SPARKMAN. Mr. President, I commend the Senator for a clear, concise, and positive statement. It is a wonderful contribution. I commend the Senator for it.

Mr. JOHNSTON. I thank the Senator.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JOHNSTON. I yield.

Mr. MANSFIELD. I commend the distinguished senior Senator from South Carolina for the speech he has made this afternoon. It was to the point. I think the Senator made his position quite clear and quite understandable.

Mr. JOHNSTON. I thank both the Senator from Alabama and the majority leader for the remarks they have made. After studying the problem, this is the only way I can cast my vote.

Mr. THURMOND. Mr. President, the Young Americans for Freedom, which is one of the finest and most patriotic organizations in the United States, has presented to me, for the Senate, a petition which bears the names of about 15,000 people, from every State in the Union, who are opposed to ratification of the nuclear test ban treaty by the Senate.

I should just like to read what the petition states:

> Young Americans for Freedom, the Nation's largest conservative youth organization in the land, has presented this petition:
>
> "Whereas the U.S.S.R. has broken 50 or 52 major treaties or agreements with the United States; and
>
> "Whereas no scientific evidence has been produced which assures the United States of detecting nuclear tests in the atmosphere by the U.S.S.R.; and
>
> "Whereas history has recorded that disarmament proceedings by the United States have encouraged the enemy to increase aggression; and
>
> "Whereas the treaty will maintain the Communist U.S.S.R. superiority in the field of multimegaton weapons and antimissile weapons; and
>
> "Whereas any agreement between the Soviet Union, Great Britain, and the United States will imply our trust in the Communist leadership, thus rendering our anti-Communist efforts worthless; and
>
> "Whereas scientific evidence concludes that radioactive fallout from testing is not a danger in the immediate or foreseeable future: Therefore be it
>
> "*Resolved,* That the undersigned petition the U.S. Senate to defeat President Kennedy's nuclear test ban treaty with the Union of Soviet Socialist Republics."

Following that petition are the names of the various persons who signed, from various States. As I have stated, there are petitions signed by persons from every State in the Nation.

I take this opportunity to commend the Young Americans for Freedom for their activity in this connection. I had the pleasure of addressing the Young Americans for Freedom last spring. There must have been 18,000 to 20,000 of them present in New York City at that time.

It is most encouraging to find that thousands of young people on our college campuses and elsewhere are standing so strongly for freedom and the preservation of a national defense posture to insure the maintenance of our freedoms in this country. After all, Mr. President, the future of our country belongs to our young people of today.

I feel that this organization is rendering America a great service, and I am proud that the high caliber membership contained in the organization has seen fit to oppose the nuclear test ban treaty, even though it may not be the popular thing to do, and even though the propaganda of all the networks and most of the news media in the United States—not all, but most of them, and most of the larger ones, are taking a contrary position.

Again, I commend the Young Americans for Freedom. I congratulate them for the great service they are rendering to our country; and I especially commend them for obtaining this petition against the nuclear test ban treaty.

Mr. COOPER. Mr. President, several weeks ago, after the conclusion of the hearings on the test ban treaty, I stated that I intended to vote for its ratification. The debate throughout the hearings, which I attended, in the testimony, and on the floor of the Senate has been comprehensive and, it seems to me, has examined every argument that can be adduced for or against the treaty. In speaking today, I do not intend to dwell in detail on these arguments but, rather, state the conclusions which lead me to vote for ratification of the treaty.

I know that the treaty represents the culmination of efforts that have been made in various forms since World War II, beginning in a very broad way under the administration of President Truman. Under the administration of President Eisenhower negotiations were aimed directly toward a ban upon nuclear tests. These efforts have been continued under the administration of President Kennedy. The result of all these negotiations and efforts is manifested in the treaty before the Senate.

I am glad also that this effort has been truly nonpartisan. The effort has been made by Democratic and Republican administrations and Members of both parties, and in particular, Senators who serve on important committees, such as the Joint Committee on Atomic Energy, the Foreign Relations Committee, and the Armed Services Committee, have made great contributions.

The minority leader of the Senate, Senator DIRKSEN, and the ranking member of the Republican Party in the Senate, Senator AIKEN, have referred in their speeches favoring the treaty to the provision of the Republican platform of 1960 expressing the position of the party on this subject. This part of the plank reads:

> We are similarly ready to negotiate and to institute realistic methods and safeguards for disarmament, and for the suspension of nuclear tests. We advocate an early agreement by all nations to forego nuclear tests in the atmosphere, and the suspension of other tests as verification techniques permit. We support the President in any decision he may make to reevaluate the question of resumption of underground nuclear explosions testing, if the Geneva Conference fails to produce a satisfactory agreement. We have deep concern about the mounting nuclear arms race. This concern leads us to seek disarmament and nuclear agreements. And an equal concern to protect all peoples from nuclear danger, leads us to insist that such agreements have adequate safeguards.

I had the honor to serve as the chairman of the subcommittee on foreign policy of the platform committee at the 1960 convention. Our subcommittee consulted with leaders at the convention. I talked to Secretary of State Herter to make certain that this plank represented the policy of President Eisenhower's administration. I consulted with President Eisenhower by telephone about certain of its clauses. Our subcommittee then approved this section of the platform, and it was adopted by the full platform committee and the convention.

I point these facts out not to say that the circumstances under which we adopted our plank at Chicago in 1960 were the same as today, or that the treaty before us is in exact accord, nor to attempt to say what the position of President Eisenhower or former Secretary of State Herter would be on this treaty—but simply to point out that the administration of President Eisenhower and the Republican Party had as their policy negotiations toward a safeguarded ban on nuclear testing.

In examining the treaty, I felt that it was my prime responsibility to determine its effect upon the security of our country. Even the fact that many nations have acceded to the treaty cannot diminish this duty, for only the United States has the power to protect its people and its free institutions.

Today I have no doubt that certain risks attend the ratification of the treaty. I do not believe that such risks can be removed by reservations, understandings, or interpretations of the treaty. The risks lie either in the provisions of the treaty itself or in external facts regarding the relative nuclear capabilities of the United States and the Soviet Union.

There is a risk that the Soviet Union may breach the treaty by clandestine testing. If it does, the testimony has indicated that any significant tests would be discovered. The United States could immediately abrogate the treaty, whether the breach of the Soviet Union was direct or indirect, through the agency of other countries.

Article IV provides that "if any extraordinary events related to the subject matter of this treaty" jeopardize the supreme interest of this country, we could withdraw after 3 months' notice. I would go further. It is my belief that if any event occurred which, in the opinion of the President or Congress, threatened the security of the United States, the United States would have the right under international law, and the duty under the obligation of self-defense, to abrogate the treaty immediately and take whatever steps might be necessary for our security. The chief risk of the treaty, as such witnesses as Dr. Teller and General Power testified, and which has been argued forcefully by respected Members of the Senate, is that the Soviet Union has acquired from recent testing information not available to the United States, information which enables it to develop an anti-ballistic-missile system, or systems, which could neutralize our communications and thus render useless our "second strike," which is the deterrent against any Soviet nuclear aggression.

In response, I point out that Dr. Harold Brown, the director of Defense Research and Engineering for the Department of Defense, and the leading scientific adviser in the present administration, who stated that he has full access to all information—military and scientific—testified categorically that our recent tests provide information comparable to that of the Soviet Union with respect to communications blackout and anti-ballistic-missile systems.

Other leading scientists, such as Dr. York and Dr. Kistiakowsky of President Eisenhower's administration supported Dr. Brown, and testified that the United States possesses superior nuclear power and can maintain this power.

I also heard the Joint Chiefs of Staff, including General LeMay, in closed session, hold that the risks were manageable if we maintain our scientific and military capabilities, and, while raising the question of the risks, as they should do, they approved the treaty.

President Kennedy, in his message to the Senate on August 8, made this statement:

> According to a comprehensive report prepared by the responsible agencies of government for the National Security Council, the tests conducted by both the Soviet Union and the United States since President Eisenhower first proposed this kind of treaty in 1959 have not resulted in any substantial alteration in the strategic balance.

I believe that the ultimate issue is whether it is a greater risk not to take this first step, whose chief purpose is to secure settlements of the situations in the world which create the danger of war, and to break the cycle of the nuclear arms race which overshadows the world, and if not halted may destroy it. President Kennedy has called the treaty a first step toward agreements which would tend to prevent the possibility of a nuclear war. President Eisenhower, in his recent letter to the Foreign Relations Committee, said:

> But the greatest anticipated advantage is the hope—almost universally held by the earth's populations—that the consummation and meticulous implementation of the agreement might open the way to better relations between the cold war opponents and, by small steps, bring about enforceable agreements for the reduction of the costly armaments race and progress toward the rule of law in the world. These promises and these hopes represent the major portion of advantages of the treaty.

If we agree that the risks which we assume in ratifying this treaty are manageable—and I have made up my mind on the basis of the testimony that they are—then I believe the true test of this treaty lies ahead. For its true and explicit purpose, in my view, is that it looks forward to two things. One is the accomplishment of further agreements which will reduce the extension of the nuclear arms race, such as an enforceable ban on underground testing. This, of course, would be the necessary step along the route toward nuclear disarmament by all countries. The second purpose, it seems to me, is to create an atmosphere of some trust, in which the United States and the Soviet Union can proceed toward the just settlement of issues which the Soviet Union has created, which cause our confrontation with the Soviet Union, and produce the danger of war. I need not name all of these situations of confrontation, but two are apparent—Berlin and the presence of Soviet troops in Cuba. The presence of Soviet troops in Cuba is an extension of the status quo which Khrushchev has contended should be maintained in Eastern Europe. It is the first extension of Soviet force in the Western Hemisphere. It gives authority to Castro's regime, and support to subversion and aggression in the hemisphere. Its danger will continue until the Soviet military presence is ended.

I give these examples to reinforce my statement that the true test is ahead. If the Soviet Union will not, after the ratification of this treaty, make any advances toward a just settlement of these situations of confrontation, such as Berlin and Cuba, if it will not come to any agreement upon an enforceable ban on underground testing, then our country will have the duty to inquire again as to the purposes of this treaty and whether it benefits our security or the security of the world. And after a reasonable time, if no advances toward true settlements are made, then I believe it would be the duty of the United States to take whatever action our security demanded. We cannot know whether these advances toward settlements, toward nuclear disarmament, are possible unless we take this first step.

Mr. President, risks are inherent in the ratification of the treaty, but they are risks which the President and most of our military and scientific leaders, charged with responsibility, have told us categorically are manageable and are less dangerous than the failure to ratify the treaty.

As long as our issues with Russia remain unresolved, we shall have to live in an armed state under the threat of war. We have never thought very much about managing our own lives, our government, and our industrial economy during a long period of such danger, for we have never lived on the brink of a thermonuclear war.

Our system is distinguished from that of the Soviet Union, for we believe in a moral order. We must maintain our defenses, and we will protect at whatever cost necessary the security and freedom of our country.

I believe this is a first step. The Senate must make the determination whether the risks, not wholly known, are as great as the refusal to take the first step—a step which may lead to other agreements—a step which may lead to ending the nuclear arms race. For the nuclear arms race always holds the possibility of nuclear war, whether planned or by mistake, in which there would be no victor—only the destruction of mankind.

Mrs. SMITH. Mr. President, this morning I received from the Secretary of Defense answers of the General Counsel of the Department of Defense to the legal questions I raised in the Senate on September 16, 1963, on the wording of the nuclear test ban treaty. Because of their striking similarity to answers of the Legal Adviser of the State Department, which I placed in the RECORD yesterday, I shall not comment on these answers of the chief legal officer of the Defense Department but rather will observe that the comments I made yesterday on the answers of the State Department's Legal Adviser apply equally to these which I now ask unanimous request be placed in the body of the RECORD at this point.

There being no objection, the answers were ordered to be printed in the RECORD, as follows:

ANSWERS BY THE GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE TO LEGAL QUESTIONS RAISED BY THE WORDING OF THE NUCLEAR TEST BAN TREATY

I

Question 1: Could a party to the treaty carry out a nuclear explosion in the atmosphere above an uninhabited island not claimed by it and justify its action upon the ground that the explosion did not occur at a place under its jurisdiction or control?

Answer: No. The words "at any place under its jurisdiction or control" in the first paragraph of article I of the treaty apply only to that paragraph and are necessary as a legal matter since a party to the treaty would have no authority to prohibit or to prevent nuclear explosions at places not under its jurisdiction or control and accordingly would not be able to fulfill any treaty obligation to prohibit or to prevent nuclear explosions at such places. It should be noted, however, that a party would be construed temporarily to have control over any place where it conducted a test, and therefore paragraph 1 would prohibit a party from conducting a test in the circumstances hypothesized. In any event, the second paragraph of article I prohibits a party, itself, from conducting a nuclear test in the three environments anywhere.

Question 2: What nuclear explosions in outer space are banned by this paragraph in view of the fact that outer space, and particularly the more remote regions thereof, is not considered to be within the jurisdiction or control of any nation? If Russia explodes a nuclear device in outer space and we claim that such action is prohibited by this paragragh, are we placed in a position where we must simultaneously admit that Russia has jurisdiction over or controls the particular region of outer space in which the explosion occurs?

Answer: No. As was the case in question 1, a party is prohibited by paragraph 2 from conducting tests in the three environments without regard to the question of "jurisdiction or control," and by paragraph 1 by virtue of the temporary control.

Question 3: Would a nuclear explosion underwater in the middle of the Pacific Ocean be barred by this paragraph in view of the fact that the high seas are not considered by nations to be within the control or jurisdiction of any particular nation?

Answer: Yes. Such a test would be barred by article I for the reasons given in answers 1 and 2.

Question 4: Does the ban on "any other nuclear explosion" prevent us from operating atomic energy plants for the production of electricity, the steamship *Savannah*, or any atomic submarine, all of which are operated by means of controlled atomic explosions?

Answer: No. Atomic energy reactors, which release energy slowly, do not produce a nuclear explosion within the meaning of the treaty.

Question 5: Will we be branded as a violator of the treaty if we have an accidental explosion at one of our atomic energy plants?

Answer: No. An accidental explosion of one of our atomic energy plants would not constitute a violation of the treaty; the treaty is aimed at intentional acts.

II

Question 1: Does paragraph 2 apply to direct acts of the parties or only to indirect acts of the parties? For example, does it apply to a nuclear explosion by Russia in the atmosphere above Russian soil or is it intended to apply only to such a situation as a nuclear explosion by the Communist Chinese regime in the atmosphere above China which is caused, encouraged, or participated in by Russia?

Answer: Paragraph 2 of article I is intended to bar a party from conducting tests itself in the three environments (direct acts) and from giving materials for use in nuclear weapons, or information relating to their design or manufacture to any other state whether or not a party, if that state was engaged in, or proposed to engage in, nuclear weapons tests in the three environments (indirect acts).

Question 2: If paragraph 2 does apply to direct acts of the parties, how do you resolve the conflict between its provisions, which are not limited by the phrase "at any place under its jurisdiction or control," and the provisions of paragraph 1, which are limited by such phrase?

Answer: As shown by the answer to the preceding questions, there is no conflict between the provisions of paragraphs 1 and 2. The two paragraphs overlap to some extent. The words "jurisdiction or control" do not limit paragraph 2 because paragraph 2 does not impose an obligation to prohibit or to prevent.

III

Question: If the United States decides to withdraw from the treaty because it has irrefutable evidence that Russia has violated it, would we not be compelled to wait 3 months before resuming nuclear testing unless we were willing to risk being branded as treaty violators?

Answer: It is clear under international law that the United States would not be compelled by the treaty to wait 3 months before resuming nuclear testing if Russia violates the treaty.

DEPARTMENT OF DEFENSE,
Washington, September 19, 1963.

Hon. MARGARET CHASE SMITH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SMITH: As I explained to you over the telephone last evening, I am extremely sorry that I did not see your letter of September 10 relative to the 16 questions on the test ban and I am particularly sorry that I did not see or sign the outgoing letter.

I agree with the answers to your questions given by Secretary Rusk, and I am in full agreement with the statements made by the President in his letter to Senators MANSFIELD and DIRKSEN—some of which deal with matters raised by your questions. Nevertheless, I would like to take this opportunity to offer some further comment on a few of the questions which you posed on September 9. Specifically, I refer to your questions 2, 9, and 11.

Your second question was: "Are we reasonably confident and secure in the knowledge that our ballistic missile retaliatory second strike force will survive and operate in a nuclear environment?" This is of course a very important matter. You have the information concerning missile-site survivability contained in my earlier remarks, referred to by Secretary Rusk. I would like to add a few comments on the ability of our missiles to penetrate enemy defenses.

Present penetration capability, as you know, depends upon saturation of defenses—upon numbers of weapons, decoy design, salvo techniques, and nuclear technology. The limited test ban treaty does not affect the first three of these factors. It is relevant only to the last of them. Ballistic missile reentry vehicles and warheads are susceptible to both blast and radiation. The latter can be tested sufficiently underground. Although blast cannot be tested underground, we have information from which to extrapolate blast effect and are able to build around uncertainties. Furthermore, we have every reason to believe that the Soviet Union has had no more experience in the testing of relevant blast effects than have we.

Because of the extremely large number of U.S. missiles and penetration aids available for saturating Soviet defense, I am confident that, in any event, sufficient U.S. striking power not only can survive attack but can penetrate to destroy the Soviet Union.

In your ninth question, you asked: "Can we, in fact, maintain an adequate readiness to test in those prohibited environments in the event the treaty should suddenly be abrogated?" You are familiar with the testimony on this point and with Deputy Secretary Gilpatric's letter to Senator RUSSELL, in which he dealt with the Joint Chiefs of Staff safeguard (c). I am convinced that we can maintain a state of readiness such that we will be ready to perform proof tests within 2 months, development tests within 3 months, and (by a year from now) effects tests within 6 months. We are, now, improving test support facilities, which include preparation and maintenance of off-continent support bases and test sites. We are obtaining diagnostic aircraft, instrumented ships and aircraft, weapon drop aircraft, and sampler and other support aircraft; and we are preparing operating bases on Johnston Island and in the Hawaiian area. Also, the Atomic Energy Commission and Department of Defense test organization is being kept strong and ready.

Your 11th question was: "Will we be restrained from ever determining feasibility, developing and deploying any defense whatever against ballistic missile attack?" In my testimony, I addressed this point quite fully, but two points are worth repeating: First, we should bear in mind that, while an antiballistic missile system might be very important, it is unrealistic to expect any foreseeable antiballistic missile system to be effective enough to save a nation from great harm in the event it is attacked. Second, the nonnuclear aspects (capacity for decoy discrimination, traffic-handling capacity, reaction speed, and missile performance) dominate the problem of developing an effective antiballistic missile system. The nuclear aspects involved are warhead development and the nuclear effects problems of self-kill and blackout. The treaty, as you are aware, has no bearing on the nonnuclear features. Warhead development can continue through underground testing, and some of the important questions of self-kill can also be resolved by underground testing. Questions relating to blast, as in the case of incoming warhead kill, referred to on the previous page, cannot be solved by underground tests, but we have information from which to extrapolate blast effect and are able to build around uncertainties. And atmospheric testing would be needed to provide either side further understanding of the blackout phenomenon—a phenomenon which has been probed in different ways, with what I believe to be comparable success, by both the United States and U.S.S.R. We believe that our latest atmospheric tests revealed the approximate limits of the blackout problem. If the antiballistic missile problems unaffected by this treaty could be resolved, the uncertainties caused by gaps in our understanding of blackout could be circumvented through conservative design. Those responsible for the U.S. antiballistic missile program believe that the Nike-X system can be developed and deployed without further atmospheric testing. Moreover, it is their judgment and the judgment of those responsible for making intelligence estimates on Soviet capabilities that our efforts in developing an antiballistic missile system are comparable, if not superior, to those of the Soviets.

I note that on September 16 you asked eight legal questions about the treaty. I asked my General Counsel to prepare answers to the questions. His answers are attached for your information.

If I can be of further assistance to you, please let me know.

Sincerely,

ROBERT S. MCNAMARA,
Secretary of Defense.

Mrs. SMITH. I also ask unanimous consent to place in the body of the RECORD at this point the answers submitted by the Secretary of State and the Secretary of Defense to the 16 questions I raised in the Senate on September 10, 1963.

There being no objection, the answers were ordered to be printed in the **Record**, as follows:

THE SECRETARY OF STATE,
Washington, September 18, 1963.
Hon. **Margaret Chase Smith**,
U.S. Senate.

Dear Senator Smith: In answer to your letter to me dated September 10, I am pleased to enclose a memorandum prepared at my request responding to the 16 questions on the test ban treaty which you asked in your address to the Senate on September 9. I hope the enclosure will prove helpful to you.

Sincerely yours,
DEAN RUSK.

RESPONSE TO 16 QUESTIONS ON THE TEST BAN TREATY ASKED BY SENATOR SMITH

1. Has the Soviet Union, through its most recent atmospheric test series, now achieved a nuclear advantage over the United States of a military or scientific significance?

In his message transmitting the treaty to the Senate, the President said: "According to a comprehensive report prepared by the responsible agencies of Government for the National Security Council, the tests conducted by both the Soviet Union and the United States since President Eisenhower first proposed this kind of treaty in 1959 have not resulted in any substantial alteration in the strategic balance. In 1959 our relative nuclear position was strong enough to make a limited test ban desirable, and it remains so today."

See also the statement of Secretary McNamara at pages 97–109 of the hearings before the Committee on Foreign Relations and his statement at page 191, where he concluded that "The Soviet tests of 1961–62 definitely did not reverse the superiority of the United States in the technology of strategic nuclear warheads."

Attention is also called to the testimony on this topic by Mr. McCone before the Committee on Foreign Relations in executive session.

2. Are we reasonably confident and secure in the knowledge that our ballistic missile retaliatory second strike force will survive and operate in a nuclear environment?

Testimony by Secretary McNamara in support of his conclusion that "The U.S. strategic missile force is designed to survive, and it will survive," appears at pages 102–103 of the hearings before the Committee on Foreign Relations. Additional testimony to the same effect is referred to at pages 17–18 of the report of the Committee on Foreign Relations.

3. In seeking to slow down the arms race as a purported advantage of this treaty, will we adopt nuclear parity as the basis for deterring thermonuclear war rather than nuclear superiority?

As Secretary Rusk testified before the Committee on Foreign Relations on August 12, 1963:

"I believe that the United States must maintain in its own security interests a very large overall nuclear superiority with respect to the Soviet Union. This involves primarily the capacity to demonstrate that regardless of who strikes first, the United States will be in a position effectively to destroy an aggressor." (Hearings, p. 45.)

Secretary McNamara testified as follows on August 13:

"The United States has nuclear superiority. We are determined to maintain that superiority.

"I regard as essential to our national security the maintenance of a military posture such that we can absorb any initial surprise attack and strike back with sufficient power to destroy the aggressor." (Hearings, p. 98.)

And AEC Chairman Seaborg testified as follows on August 14:

"I feel convinced that we can maintain our overall nuclear weapons superiority over the Soviet Union for a longer period under this nuclear test ban treaty than would be the case in the absence of the treaty." (Hearings, page 221.)

4. Will the treaty, as claimed, prevent the proliferation of nuclear weapons when France and Red China refused to be bound and when underground testing is sanctioned for all nations whether they sign or not?

In his message of August 8, 1963, transmitting the test ban treaty to the Senate, the President wrote:

"While it cannot wholly prevent the spread of nuclear arms to nations not now possessing them, it prohibits assistance to testing in these environments by others; it will be signed by many other potential testers; and it is thus an important wedge in our effort to 'get the genie back in the bottle.'"

Over 100 nations—including everyone except France and the Chinese Communists which appears to have any serious prospect of becoming a nuclear power—have now either signed the treaty or indicated publicly that they would do so. Each of these signatories is not only undertaking to deny itself the right to conduct tests in three or four possible environments, but also agreeing not to cause, encourage, or in any way participate in such tests by others. Moreover, the treaty will prevent any power—whether a signatory or not—from receiving such help or encouragement from any signatory. Secretary McNamara indicated some of the effects of these restrictions when he said:

"With testing limited to the underground environment, the potential cost of a nuclear weapons development program would increase sharply for all signatory states. And, since testing underground is not only more costly but also more difficult and time consuming, the proposed treaty would retard progress in weapons development in cases where the added cost and other factors were not sufficient to preclude it altogether." (Hearings, page 108.)

Reference is also made to pages 976–77 of the hearings before the Committee on Foreign Relations; page 20 of the report of that committee; and the testimony of Secretary Rusk before that committee in executive session on August 28, 1963.

5. How is one to define or interpret that which shall constitute an underground test within the meaning of article I, section 1, subsection (a) of the treaty?

The views of Secretary Rusk on this question are set forth at pages 34–35 and 44 of the hearings before the Committee on Foreign Relations, excerpts from which are quoted at page 22 of the report of that committee. See also the testimony quoted in response to the eighth question, below.

6. Do we possess the capability to detect all nuclear detonations occurring in the three environments prohibited by the treaty?

The agreed statement of the Joint Chiefs of Staff at page 274 of the hearings dealt with this question as follows:

"The dangers of detection and the cost and difficulty of testing in outer space would tend to impose severe restrictions upon such clandestine testing. Other clandestine tests in the atmosphere or underwater, depending on their size, would involve a fairly high probability of detection by our conventional intelligence or our atomic energy detection system."

This conclusion is supported by the information with respect to our detection system brought out by Mr. McCone and Dr. Northrup in executive session. Your attention is also called to the following point made by the President in his letter to Senator **Mansfield** and Senator **Dirksen** appearing at page 16791 of the **Congressional Record** for September 11, 1963:

"Our facilities for the detection of possible violations of this treaty will be expanded and improved as required to increase our assurance against clandestine violation by others."

7. Can any significant advances in nuclear technology be achieved by clandestine testing in those three environments at yields which may possibly be below our ability to detect?

The conclusion of the Joint Chiefs of Staff with respect to clandestine testing appears at page 274 of the hearings, immediately following the testimony quoted above with respect to the probability that such tests could be detected:

"Moreover, the Joint Chiefs of Staff consider the resulting progress which the Soviets might make clandestinely to be a relatively minor factor in relation to the overall present and probable balance of military strength if adequate safeguards are maintained."

This conclusion is supported not only by the other expert testimony specifically referred to at page 18 of the report of the Committee on Foreign Relations, but also by the testimony of Mr. McCone and Dr. Northrup before that committee in executive session.

8. Will we be able to differentiate between a shallow underground explosion and an atmospheric burst detonated close to the surface of the earth?

It is believed that the testimony of Dr. Harold Brown in the printed hearings before the Committee on Foreign Relations is responsive to this question:

"A third type of clandestine tests which might be tried is surface bursts or very near surface bursts. These are very detectable." (Hearings, p. 535).

"From the technical point of view, I think what I can say is that any test, any large test, that is not underground will be detected as not being underground. * * * I would view a test that put most of its energy into the atmosphere as an atmospheric test and it would be detected as such, and so I would assume, as the Secretary of Defense said, that a clearly atmospheric test is illegal, even if there is a foot of dirt over it. But from the technical point of view, I have said all I can say on an expert basis." (Hearings, p. 551.)

For more detailed information with respect to our detection capabilities, see the testimony of Mr. McCone and Dr. Northrup before the Committee on Foreign Relations in executive session.

9. Can we, in fact, maintain an adequate readiness to test in those prohibited environments in the event the treaty should suddenly be abrogated?

The director of the Los Alamos Scientific Laboratory testified as follows on this point at page 582 of the hearings before the Committee on Foreign Relations:

"I believe, with a reasonable expenditure, it could be possible to resume the airdrop type of nuclear atmospheric test almost immediately upon notice to proceed provided current normal preparations are continued and somewhat amplified."

In addition to the other testimony on this point summarized at pages 18–20 of the report of the Committee on Foreign Relations, attention is called to the letter dated August 23, 1963, from the Deputy Secretary of Defense to Senator **Russell** set forth at pages 16964–16966 of the **Congressional Record** for September 13, 1963.

10. Will our scientific laboratories and the interest of our scientists deteriorate under a treaty which permits only underground testing?

The Director of the Los Alamos Scientific Laboratory testified as follows at page 582 of the hearings:

"If we do, indeed, vigorously prepare for atmospheric test resumption; if we do, indeed, continue an active program of underground testing, then I believe that the Los

Alamos Scientific Laboratory can maintain a vigorous, enthusiastic, and productive group of scientists engaged in weapon development.

"We have met this challenge, and harder, before when we did not test at all for the 3 years after 1958."

Other reassuring testimony on this point (excerpts from which appear at pages 19–20 of the report of the Committee on Foreign Relations) was given by Chairman Seaborg and by a former director of the Lawrence Radiation Laboratory. For the plans to implement Secretary McNamara's pledge to "maintain the vitality of our weapons laboratories," see the letter from the Deputy Secretary of Defense to Senator RUSSELL set forth at pages 16964–16966 of the CONGRESSIONAL RECORD for September 13, 1963.

11. Will we be restrained from ever determining feasibility, developing and deploying any defense whatever against ballistic missile attack?

In concluding his testimony on this subject at pages 103–104 of the hearings before the Committee on Foreign Relations, Secretary McNamara said: "Thus, with or without a test ban, we could proceed with the development of an ABM system." Other testimony on this question is referred to at pages 12–15 of the report of the Committee on Foreign Relations.

As for deployment, Secretary Rusk pointed out at page 28 of the hearings: "There is nothing here that interferes with * * * the deployment of nuclear weapons."

12. Will this treaty permit the Soviet Union to achieve equality in the low-yield tactical weapons where it is generally acknowledged that we have an advantage and yet, preclude us from ever achieving equality in the high-yield weapon where the Soviet Union is unquestionably superior?

Secretary McNamara testified that:

"There is no question in my mind but that without a test ban the Soviets would be able to advance more rapidly and at lesser cost in the field of tactical nuclear weapon technology than they will be able to under the test ban. (Hearings, p. 152.)

As for high-yield weapons, reference is made to Dr. Teller's statement (quoted at p. 11 of the report of the Committee on Foreign Relations) that: "It is not clear to me that these very big yields will result in a substantial advantage for the Russians * * *. In evaluating the consequences of the test ban, I do not place very great importance on the lead which the Russians enjoy in this particular field"; to his similar testimony at pages 470–471 of the hearings before that committee; and to the other testimony on this subject referred to at pages 10–11 of the report of that committee.

13. To what extent can we satisfy, through underground testing, the military and scientific requirements which were to have been investigated by atomspheric tests planned for next year?

A number of possible test objectives by the United States are listed at page 6 of the interim report of the Preparedness Investigating Subcommittee issued on September 9, 1963. The extent to which certain of these objectives can be met by underground testing or otherwise compensated for was discussed by Dr. Howard Brown at pages 557 et seq. of the hearings before the Committee on Foreign Relations. Questions as to the significance of a number of the listed test objectives are discussed at pages 10–18 of the report of the Committee on Foreign Relations and in Chairman Seaborg's testimony at pages 207–208 of the hearings before that committee, which he concluded by pointing out that "where there are limitations on our testing program, there are also limitations on the Soviets and on the other signatories."

14. What is the human tolerance for radioactivity and what is the truth about the danger of atmospheric contamination, even at previous rates of testing, in causing genetic damage and leukemia to the living and yet unborn?

The difficulties of giving any precise answer to this question have been brought out not only in the test ban hearings before the Committee on Foreign Relations, but also, much more fully, by the hearings on "Fallout, Radiation Standards, and Countermeasures" before the Subcommittee on Research, Development, and Radiation of the Joint Committee on Atomic Energy. For a fairly succinct statement of these difficulties and of the probabilities of genetic and somatic effects from fallout from nuclear weapons tests conducted through 1961, see the report of the Federal Radiation Council printed at pages 403 et seq. of the printed hearings before that subcommittee conducted in June 1963, which includes the following statements:

"Much available evidence indicates that any radiation is potentially harmful * * *. It is virtually certain that genetic effects can be produced by even the lowest dosages. These effects in children of exposed parents and all future generations may be of many kinds, ranging from minor defects too small to be noticed to severe disease and death.

"Estimates of two kinds of somatic effects, leukemia and bone cancer, are given in table III. As mentioned earlier, it is not known whether or not there is a threshold dose below which these diseases are not produced."

When asked whether the radioactive fallout from the unrestricted testing which could occur if the treaty were rejected was a matter of concern, former AEC Commissioner Libby replied:

"Yes, sir. We ought to consider it was one of the factors involved, one of the important factors."

Some additional materials on the subject appear at pages 16532–16538 of the CONGRESSIONAL RECORD for September 9, 1963.

15. What will be the effect of ratification upon our plowshare program—a project designed to deepen harbors, dig tunnels and canals, or otherwise cause beneficial changes to the topography through controlled and contained nuclear explosions?

AEC Chairman Seaborg's statement on this subject, appearing at pages 210–211 of the hearings before the Committee on Foreign Relations, included the following:

"Device development and the program for scientific studies planned for the immediate plowshare program can clearly proceed under the terms of the treaty. This is also true of applications for mining and water resource developments which would be carried out deep underground and involve the release of very little, if any, radioactivity.

"In the excavation application, however, some radioactivity will reach the atmosphere and a careful determination will have to be made that a given project is permissible."

In addition to the other testimony on this point referred to at pages 20–21 of the Report of the Committee on Foreign Relations, attention is called to the following paragraph of the President's letter to Senator MANSFIELD and Senator DIRKSEN (quoted at page 16971 of the CONGRESSIONAL RECORD for September 11, 1963):

"The United States will diligently pursue its programs for the further development of nuclear explosives for peaceful purposes by underground tests within the terms of the treaty, and as and when such developments make possible constructive uses of atmospheric nuclear explosions for peaceful purposes, the United States will seek international agreement under the treaty to permit such explosions."

16. Will the participation of East Germany in this treaty constitute even so much as a tacit, implied, or suggestive recognition of that Communist regime as a sovereign national entity?

No. The reasons for this answer are indicated at pages 14–18 of the printed hearings before the Committee on Foreign Relations. The President reemphasized this answer in his letter to Senator MANSFIELD and Senator DIRKSEN printed at page 16790 of the CONGRESSIONAL RECORD for September 11, 1963.

Mrs. SMITH. I shall comment briefly on these answers together with the answers given by the President of the United States and by the able and distinguished junior Senator from Alabama [Mr. SPARKMAN]. I group all four sets of answers because of their similarity and their various obvious coordination in preparation and presentation.

I would first take note of that statement of Senator SPARKMAN that:

> There are no single factual answers available to most of the questions posed. There are only speculative answers, but answers with high probabilities.

This was the predicate for the detailed statement of Senator SPARKMAN. It set the tone for his answers to my questions. It was the foundation and keystone of his detailed answers.

Any structure is no firmer than its foundation, than its footings. And I do not find the foundation and footings for Senator SPARKMAN's answers to have the degree of reassurance and confidence that I had hoped for. He observes that "there are only speculative answers." I had hoped for far more than speculation on this matter which so seriously involves our national security.

My questions were an attempt to resolve the widespread conflict of opinion and disagreement among the military specialists and nuclear scientists over the probable military consequences to us if the treaty is ratified. Clearly, answers that are only "speculative" do not resolve that conflict. Nor does the contention that foreign policy or international political considerations outweigh the military disadvantages.

I am disappointed in the suggestion made by some proponents of the treaty that the only way in which the appropriate data can be acquired is to engage in an all-out nuclear war with the Soviet Union. This is defeatist talk. This is dangerous extremism.

Surely it is not unreasonable for a Senator to request some reasonable degree of factual assurance that our reliance upon a complicated ballistic-missile, second-strike force is not misplaced before being called upon to support a treaty which will so restrict our freedom of action that we may never be able to gain such requisite factual assurance.

Nor do I think that it is in the interest of constructive debate in which light, rather than heat, is sought to resort in answers to questions by implying that if a Senator will only take the time to read the testimony of a witness he will find the absolute truth. This is no more constructive than to imply that a Senator's thinking has been misled by the testimony of a witness, particularly if the party making the implication himself is relying upon opinion, as distinguished from facts, in offering his speculative answers.

I am deeply appreciative of the answers offered by Senator Sparkman, Secretary Rusk, Secretary McNamara, and President Kennedy. They are helpful. But they do not remove doubts. They only partially answer questions—they only partially resolve doubts. They fall far short of making an ironclad, airtight case for ratification of the treaty. They are no more convincing to me than the arguments thus far made against ratification of the treaty.

My more detailed observations with respect to some, but not all of the answers submitted to the questions follow.

Question 1. We are certain of the Russian advantage in the high-yield weapon. Its possession by the Russians is of military significance to the United States—even though we still apparently cannot decide whether we want them in our own arsenal—in its impact upon increasing even more the uncertainties or suspected vulnerabilities in our ballistic-missile systems—whether that of launch sites or penetrating warheads over target. The blast and thermal effects were lightly touched upon but nothing was said of the probable radiation and electromagnetic phenomena associated with such a high nuclear yield. Dr. Brown does not believe that the Soviet high-yield shots were instrumented for effects data but one has to assume that whatever knowledge they gained of blast, thermal, and radiation effects, it is 100 percent greater than ours and this disparity will be perpetuated once atmospheric testing is denied to us by treaty ratification.

Question 2. The survivability of a second strike force through "mix" or variety of back-up systems has merit. The theory is that if the landbased missile force should happen to be unexpectedly vulnerable to particular effects phenomena, the Polaris system or the B-52's will not be.

Yet, each has its peculiar uncertainties and vulnerabilities whether in deployment of the system or in the operation of the system. Warhead testing under dynamic conditions of reentry is as fully important as electromagnetic pulse testing for determining actual hardness of launch sites. In the absence of knowledge of what one is trying to harden against, it seems that "designing around" the unknowns is a catchy phrase which has been given too much prominence in the debate.

Question 3. Nuclear superiority for deterrence must be measured both quantitatively in terms of deployed weapons systems and qualitatively in terms of superior scientific knowledge manifesting itself in superior weapon design. The treaty will still permit further quantitative deployment of weapons systems, but its ratification will acknowledge Soviet superiority in critically important areas of nuclear technology having military qualitative significance

Question 4. The treaty will not prevent the spread Secretary Rusk and Mr. William Foster said that a comprehensive ban would prevent the spread of nuclear weapons but it should have the effect of retarding the rate at which other nations, apart from France and Red China, might have otherwise acquired a nuclear capability.

Question 5. Secretary Rusk and Dr. Brown would view an explosion which, although within the legal letter of the treaty, releases most of its energy into the atmosphere as a treaty violation. "Underground" has not been sufficiently defined.

Questions 6 and 7. The worry here is the fact that we cannot detect low kiloton yields in the atmosphere. According to Dr. Teller, exposure of radars and communications devices and other electronic gear could upset the nuclear balance, although these are nonnuclear devices, in discovering ways to make them operate efficiently in a nuclear environment, that is, overcoming blackout for example.

Question 8. Question 8 is related to the definition of underground. If, as is contended, we will abrogate the treaty upon detecting a test which, though shallowly buried and the radioactivity from which is confined to Soviet territorial boundaries, then there would be no need to differentiate. One can, however, visualize some heated arguments arising over the contention by the Soviets that they conformed to the letter of the treaty in whatever they did. Differentiation then, between shallow burial and atmospheric, is important.

Question 9. One can accept the data given as to time periods of readiness for different types of tests. The question is whether they are acceptable from the standpoint of national security in the face of another sudden abrogation by the Soviets. We are told that this is a large risk.

Question 10. Both laboratories and scientists deteriorated under the moratorium for lack of any testing. If the other disadvantages inherent in the treaty can be accepted, it would seem that permitted underground testing, if vigorously implemented, should prevent deterioration in nuclear weapons research.

Question 11. The discussion of an anti-ballistic-missile defense has been confined to systems of the Nike-Zeus and Nike-X type. It may well come to pass in the years ahead that an effective ballistic missile defense will take the form of maintaining above one's country a highly charged atmosphere of rays emitted by enhanced radiation devices which will exploit the vulnerabilities and uncertainties in warhead design of penetrating reentry vehicles. Discrimination of warhead from decoy, traffic handling, reaction and radar blackout are problems which would be eliminated by this concept and it is one of the unresolved questions concerning the sophisticated nature of the Soviets recent tests and their sudden willingness to sign the treaty.

Question 12. True, without a treaty, the Soviets could overtake our alleged advantage in low-yield weapons more readily. The answers do not mention the fact that the U.S. position in high-yield weapons and knowledge of their effects is committed to inferiority in comparison to the Soviets.

Question 13. The chart appearing on page 6 of the Preparedness Subcommittee's report, while more far reaching than just next year's planned test, more accurately answers the question.

Question 14. Elsewhere in the debate other facts, figures, statistical studies and opinion have appeared. The truth of the matter is—we do not know. My question was designed to emphasize in the debate that the propagandized emotionalism on this point is so highly exaggerated.

Question 15. Plowshare, despite claims to the contrary, is generally prohibited by the treaty and the administration has admitted that it must be negotiated out. Senator SPARKMAN properly introduced as part of his answer, President Kennedy's letter of September 10, 1963.

Question 16. The excerpt from the testimony of Secretary Rusk appearing on page 7 of the Foreign Relations Committee report and the State Department answer are that the answer is no and that even when asserting privileges of participating and voting on amendments, and so forth, we would reserve the right to object.

Mr. HICKENLOOPER. Mr. President, the proposed test ban treaty pending before the Senate is a remarkable document; remarkable not so much for what it does, but for the questionable hopes it may have aroused not only in this country, but throughout the world.

At the outset, I want to point out that this proposed treaty is the outgrowth of some unclear origins. I will try to point out later how it is different from the proposals of the Eisenhower administration—but in any event the speed with which this document was accepted and signed can well promote inquiry.

It is intriguing to consider why the Russians, after 4 or 5 years of adamant refusal to get down to business on any serious discussion of the basic principles involved in this proposed agreement, suddenly, early this past summer apparently, sent word that they were ready to talk and we rushed a delegation to Moscow, went through a few ceremonies, obligingly inserted the antiplowshare provision in the treaty and initialed it with very little, if any, negotiation.

I sincerely regret that the President has seen fit in effect to claim executive privilege over the exchange of correspondence between the United States and the U.S.S.R. preliminary to the signing of this treaty. Under the Constitution, the Senate is a coequal partner with the President in the act of making a treaty.

Even if it should be acknowledged that the claim of executive privilege might properly lie in some areas of executive-congressional relations, certainly it cannot rationally be held to lie in the field of treaties, where surely the Senate is entitled to full access to all facts surrounding the negotiation of a treaty, including examination of pertinent documents, when called upon to carry out its constitutional duty of giving or withholding consent to the ratification of that treaty.

The very act of exercise of executive privilege is bound to plant seeds of suspicion and mistrust in the mind of the public and to affect public confidence. I regret that the majority of the Senate Foreign Relations Committee chose not to support the effort of members, including myself, to obtain this information regarding the test ban treaty in accordance with the constitutional powers and prerogatives of the Senate.

Although the treaty prohibits nuclear tests in the atmosphere, in outer space, and underwater, and this is significant, the President of the United States found it necessary, when he submitted the treaty to the Senate, to emphasize what the treaty does not do. He said:

> It does not prohibit the United States and the Soviet Union from engaging in all nuclear tests;
>
> It will not halt the production or reduce the existing stockpiles of nuclear weapons;
>
> It will not end the threat of nuclear war or outlaw the use of nuclear weapons;
>
> It cannot wholly prevent the spread of nuclear arms to nations not now possessing them;

And finally he said:

> It does not assure world peace.

Mr. President, I emphasize these negative aspects of the treaty because in the last 6 weeks the American people have been overwhelmed with statements, official and otherwise, which have tended to blunt our critical faculties.

Compared to the things the treaty does not do, its positive aspects are rather thin. The treaty does, as the chairman of the Foreign Relations Committee stated recently, represent a small step. However, I am not sure that I agree with the distinguished chairman that the step is a positive one in the right direction. It does represent, however, some break with the past; and, as such, it may open possibilities in the future—some favorable, some perhaps unfavorable.

THE HAZARDS OF ACCEPTANCE

Approval of this treaty by the U.S. Senate will subject the security of this Nation to political, scientific, and military hazards. Among the hazards which must not be overlooked are the following:

First. There is the hazard that the Soviet Union, in its test series of 1961 and 1962 may have gained knowledge to enable the Soviet to make a great leap forward, either in the development of multimegaton bombs or the creation of an effective anti-ballistic-missile system. We do not know how much they may have learned and it is possible that the Soviet Union only seeks time to go into production on devices of military potential that may ultimately give the Soviet a preponderance of nuclear power.

Second. There is the hazard of clandestine testing. Although American detection devices are extremely good, the area of the Soviet is vast and techniques for secret prohibited testing may make it possible for the Soviet to increase its nuclear competence without our knowledge.

Third. There is the danger that the Soviet Union will overtake the United States in nuclear developments by underground testing which is permitted by the treaty. There is no doubt but that at the present time the United States is ahead in the field of underground testing, but since the Soviet will be permitted to test in this environment, it may be expected that in time they will learn as much in this area as we now know.

Fourth. There is the danger of a vast ruse. Suspicious as I always am of Soviet declarations of intent, there is always the possibility that the Soviet Union and Communist China have agreed to disagree—each to pursue its own path—the hard line by Peiping and the soft line by Moscow—with the assurance that when the time is right the forces of international communism will coalesce to the everlasting detriment of the free world. Certainly Soviet duplicity in the past gives us no reason in precedent to believe that the word of Khrushchev is any more reliable than the word of Stalin.

THE HAZARDS OF REJECTION

One must balance against the hazards of accepting the treaty, the hazards of rejection. Both are speculative. And in the final analysis each Member of this body must reach his own judgment as to whether he believes the national security of this Nation justifies acceptance of this agreement.

First. One of the hazards of rejection which bothers me greatly is the effect which Senate rejection would have upon our posture throughout the world. Once the President authorized Under Secretary of State Harriman to sign this agreement on behalf of the United States it became most difficult for the Senate to express its independent judgment on the treaty. Certainly, rejection of the treaty at this point would dash the hopes—many of them unjustified I believe—of the more than 90 nations which have already indicated their willingness to accept its terms.

Second. There is the hazard that rejection of this treaty might tend to heal the rift which has opened between the Chinese Communists and the Russian Communists. If this rift is real, if it has substance, then rejection of the treaty might force Khrushchev to align himself once again with Peiping and one-third of mankind would be drawn together in support of international communism.

Third. A further hazard of rejection might be a consequence of developments within the Soviet Union itself. Undoubtedly, there are those in that society who believe that the United States is not willing to risk nuclear war to defend its interest. We must not forget that it was only last October that under the cloak of a deliberate and calculated falsehood Khrushchev himself was willing to challenge us in Cuba and remains ever ready to exploit our weakness there. If Khrushchev is not able to reach an agreement now on a nuclear test ban treaty, one result may well be to strengthen the hands of the most extreme elements in the Kremlin.

Fourth. There is a hazard that nuclear weapons may be proliferated if we do not accept this treaty. At least eight nonnuclear powers now have the capacity to develop weapons on their own. Rejection of this treaty might invite them to do so and thus multiply the chance of planned or accidental precipitation of nuclear exchanges. Certainly a rejection would necessitate the immediate resumption of atmospheric tests by the nuclear powers.

Mr. President, I have given careful consideration to the hazards that will face this Nation if we approve the treaty or if we reject it. On balance and in view of the whole spectrum of circumstances, it seems to me that we have no firm choices—that we must, even though with misgivings, consent to the treaty.

I listened with greatest of care to the many witnesses who appeared before the joint committees holding hearings on the treaty. It was apparent to me that many of those witnesses were torn by strong doubt. The Chairman of the Joint Chiefs of Staff, and the Joint Chiefs themselves, left me with the impression that if the treaty were to be accepted or rejected solely upon the basis of its military implications, that they would have been forced to recommend its rejection. When they took into account, however, the political implications of the treaty, they were willing to accept the military dangers in the expectation of receiving overall political benefits for the United States.

I am consenting to the treaty, although I am thoroughly convinced that the Kremlin will breach it if such breach seems to its advantage. At the moment I believe the Kremlin finds certain advantages in the treaty, but we should be under no misapprehension that this treaty will be anything but a scrap of paper at any moment it serves the interest of the Soviet Union to so regard it.

The second concern I have about the consequences of approving this treaty is that I fear a gradual erosion of our determination to maintain our defenses in a state of readiness. In other words, we could be lulled into a false feeling of security and let our guard down. This Nation in the past has easily been lulled into a sense of false security. Indeed, our swings of public opinion are phenomenal. It is hard to believe that only a year ago when the Russians put missiles in Cuba and the Chinese Communists attacked India, we were concerned that international communism might make war inevitable. And yet today we find in our country a wave of propaganda suggesting that we should have confidence in the word of the very man who put missiles in Cuba a year ago, destroyed the test moratorium in 1961, and refused to meet with Eisenhower a few years earlier, shortly after he had come to the United States allegedly to proffer a hand of friendship.

It is essential that in subscribing to this treaty we do so, maintaining ourselves in a constant state of readiness to renew tests, determined that we will continuously modernize our detection devices, determined to keep our laboratories in operation, and that we proceed with an expanded program of underground testing.

A great deal of misinformation has been bandied about concerning this three environment test ban treaty. One frequent statement is that it is the same proposal which was submitted by President Eisenhower during his administration and which was endorsed by the Republican Party in its platform of 1960.

This is definitely not true. Even without considering the change of circumstances and of the relative position of the world powers concerning nuclear technology between the date of the proposal of the Eisenhower administration and the present, the proposals are dissimilar.

To mention some of the differences, the Eisenhower proposal did not take into its purview nuclear testing in outer space where techniques had not been developed to permit verification of violations; nor did that administration propose to enable the Soviet Union to veto each and every project by the United States or any other treaty-signatory for the peaceful use of atomic devices for such purposes as diverting hurricanes, digging channels and canals; in other words, the plowshare program.

Again, the Republican platform in 1960 stated:

> We are similarly ready to negotiate and to institute realistic methods and safeguards for disarmament and for the suspension of nuclear tests. We advocate an early agreement by all nations to forgo nuclear tests in the atmosphere, and the suspension of other tests as verification techniques permit. We support the President in any decision he may make to reevaluate the question of resumption of underground nuclear explosives testing if the Geneva Conference fails to produce a satisfactory agreement. We have deep concern about the mounting nuclear arms race. This concern leads us to seek disarmament and nuclear agreements. And an equal concern to protect all peoples from nuclear danger leads us to insist that such agreements have adequate safeguards.

The present treaty bans nuclear weapon tests in outer space, an environment in which verification will be very difficult because, notwithstanding anticipated and programed improvements in our verification system, the system will still possess both detection and identification thresholds below which clandestine testing will be possible with low probability of detection. Furthermore, the draft of the limited test ban treaty tabled in Geneva, August 27, 1962, by the United States and United Kingdom delegations prohibited only nuclear weapon tests and would have permitted explosion of nuclear devices for peaceful purposes; however, the present treaty, by prohibiting all nuclear explosions in the three environments, prohibits in perpetuity—unless amended—and amendment would require the unanimous consent of the three major originating powers, which would give the Russians a veto over any amendment which might be proposed to the treaty—many peaceful uses of nuclear explosive devices where any radioactive debris can escape to another nation. Thus, if the treaty is ratified, nuclear devices can be used only for the pursuit of war and death, and only in a most limited way for peaceful purposes.

Although I am worried about the extension of the test ban into environments in which we have limited verification capability at this time, I have great confidence in the ability of our scientists and technicians to develop expeditiously systems which will prevent significant clandestine testing. However, I have very serious misgivings about the long-run wisdom of agreeing to prohibit in perpetuity the most promising use of explosion of nuclear devices for peaceful purposes, which will foreclose the plowshare program. I am convinced that, if Russia really wants a treaty, then continued and persistent negotiation would have achieved an agreement which would have permitted peaceful use of "clean" nuclear explosive devices subject to reasonable controls, such as prior notice to the treaty signatories and opportunity for observation, enabling science to explore fully the exciting potentials of this nuclear age and enabling the world to exploit fully its economic and humanitarian possibilities. The failure to provide for this is in my opinion the greatest demonstrable defect of the treaty.

ADVICE AND CONSENT

I should like now to discuss for a moment the question of advice and consent in connection with the treaty.

In recent years, Mr. President, we have witnessed a gradual erosion of an important article of the Constitution—article 2, section 2. That section provides that the President shall have:

> Power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

Thus, it appears to be clear that the President has no "power" to make treaties prior to Senate action and it would therefore follow that he has no power to bind us in advance of authorization by the Senate.

However, as in the proposed test ban treaty now before us, we find that, from a practical standpoint, the President negotiates proposed treaties, and then submits them to the Senate for its advice and consent. Up to this point the document is no more than a tentative executive agreement.

I submit that this procedure involves seeking the "consent" of the Senate, but it does not technically carry out the constitutional mandate to obtain the "advice" of the Senate. It is difficult indeed, if not impracticable, to advise after the act, especially under the circumstances which we face now when we have encouraged some 90 nations to sign the proposal before we have finalized it under our constitutional process.

As a practical matter, when the President or one of his agents signs a solemn instrument such as that now before us, it becomes most difficult for the Senate to do anything but give its consent, especially under the pressures of domestic and worldwide propaganda that have been built up. The Senate in the case now before us is not being asked to give its advice. The Senate as a practical matter can only consent to this treaty, or reject it.

There was a time when Presidents seriously sought the "advice" of the Senate prior to the negotiation of treaties.

This subject is discussed in the Foreign Relations Committee report in 1946 on acceptance of the compulsory jurisdiction of the International Court—Senate Report No. 1835, 79th Congress 2d session.

At that time the constitutional question was raised as to whether—and I quote from the report:

> It is proper procedure to obtain the advice and consent of the Senate prior to deposit of the declaration by the President.

The answer of the committee, which deserves the most careful consideration, is as follows:

> With respect to the second issue, the answer may be found in the Constitution itself. Article 2, section 2, provides that the President shall have "power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur." It is evident that the advice and consent of the Senate is equally effective whether given before, during, or after the conclusion of the treaty. In fact, President Washintgon approached the Senate for its advice and consent prior to the negotiation of treaties, and this practice was followed on occasion by other Presidents. While the practice of prior consultations with the Senate fell into disuse after 1816, a recent precedent may be found in the convention of 1927, extending the General Claims Commission, United States and Mexico, of 1923. The treaty was signed on August 16, 1927, pursuant to a Senate resolution of February 17, 1927. A similar example is the convention of 1929, again extending the life of the Commission. The convention was signed on August 17, 1929, pursuant to the Senate resolution of May 25, 1929.

I suggest, Mr. President, that the kinds of hazards involved in the negotiation and signing of treaties on such important subjects as that now before us makes it vitally important for the Senate, the President, and the scholars of this Nation to explore once again the feasibility of obtaining the advice and consent of the Senate prior to the signature of important treaties.

It is not enough for the executive branch of this Government to come to the Senate with general drafts of treaties, and occasional consultations. The Senate and the Committee on Foreign Relations in particular need to participate more actively in the negotiations as they near the point of consummation.

It is my recollection that at the time the North Atlantic Treaty was being negotiated the Committee on Foreign Relations had opportunity to go over semifinal drafts, article by article, and that as a result of that meticulous work a number of drafting changes were made in the treaty. The same was true with respect to the peace treaty with Japan.

I cannot help but believe that had the pending treaty been submitted to the close scrutiny and unhurried dissection by the Committee on Foreign Relations prior to its finalization by the Executive, we would not now be confronted with such ambiguous language as that which has created serious doubts as to whether the treaty may prohibit the use of nuclear weapons in the event of hostilities and other serious questions which have been stated.

I believe the executive branch should take clear warning from the questions that have been raised during consideration of this treaty. It must rethink its approach to the Senate in connection with any future negotiations looking toward any limitation upon the defensive armaments of this country. I seriously doubt if the necessary two-thirds vote could be obtained for another treaty on this general subject if such treaty were negotiated in haste and submitted to the Senate on a take-it-or-leave-it basis, somewhat in the fashion of this treaty and the situation in which we find ourselves.

There is no reason in law or in our Constitution why the Senate should not be asked formally to give its advice and consent to a draft treaty prior to the signing ceremonies. Such a practice in the case of our most important treaties may on occasion in the future save the President not only from the embarrassment of repudiation—as happened in the case of the Treaty of Versailles—but it would protect this Nation from situations such as that with which we are now confronted—situations in which the military, scientific, and political judgments of the Senate are in danger of being warped by the argument that all we can do is to advise and consent to ratification, or we will be repudiating the President, embarrassing the Nation, and compromising our leadership.

In the last analysis, we probably find ourselves in a position where we must accept this treaty with a certain degree of cautious hope, but at the same time with the determination and increased vigilance for our own security and that of the free world. The treaty itself provides no steps for the creation of increased posture for peace or for diminishing the threat of war. I am not greatly worried about the suggestions that the treaty may bar us from using atomic weapons in case our security is acutely threatened, because I think it is inherent in the sovereign rights of nations to use whatever means are available for their protection in time of great danger. The administrative branch of our Government and the legislative branch are both committed to this philosophy irrevocably. By the same token, so is the Kremlin.

I have little patience with the argument that we must make this treaty or that we must take various other steps to establish our devotion to the cause of peace and freedom.

The whole record of the United States is one of continuous devotion of life and treasure to the cause of peace and freedom in the world. We gave much in World War I and it was our strength and sacrifice that preserved free institutions in Europe and protected them elsewhere. We asked nothing from that victory except a peaceful world.

We led in the disarmament conferences of the 1920's; we constantly gave our good offices in the interest of settling international disputes. The life and treasure which we expended in World War II and the more than $100 billion of our substance which we have poured out since to help troubled and groping nations reestablish themselves or move toward the forms of freedom surely can not be forgotten or disregarded.

Following World War II, when we were the sole possessor of the atomic bomb and the means of production, we did what no other country, to my knowledge, has done in the history of the world—we offered to turn over to the United Nations all atomic weapons, atomic materials, and the means of processing them for international control, provided other countries would do the same. This was generally referred to as the Baruch plan. I say this was unique because I know of no other time in history when a nation possessing the means and the weapons to conquer any or all other nations on earth, voluntarily offered to give up this exclusive means in the interest of civilization and peace.

We have constantly conferred, attempted to negotiate and put forward countless fair and equitable proposals that would diminish the chances of war.

We have proved over and over our sympathy with and devotion to peace and human betterment.

On the other hand the Kremlin has constantly blocked every effort and refused every realistic offer that would promote peace with reasonable and mutual safeguards. Is it any wonder then that we want proof of good will by deeds on the part of international communism, and that we fear new promises which can, and no doubt will be, broken with the same cavalier attitude that we have seen so frequently in the past? It cannot be argued persuasively that Premier Khrushchev is different from Stalin, because both have been instruments of international communism and it is the voice of international communism that speaks through them, and it is the philosophy of international communism which they implement and not the personal philosophy of either of them or any one man.

If the policy of international communism says break the agreement, the previously given word of the individual means nothing.

There are many ways in which international communism could by deeds show its good faith. The Kremlin could keep its agreement for free elections in the Iron Curtain countries; it could restore freedom to the Latvian States, which it aggressively took over not much more than a year after it had made solemn treaty agreements to respect their sovereignty and freedom.

The Kremlin could remove its heel of conquest from East Germany and by action remove the threats to Berlin and the peace of Europe.

The Kremlin could cease its false propaganda and active subversive threats in Africa, Latin America, and other areas of the world.

If the Kremlin really believed in the basic rights of the people it could withdraw from the arena of international conquest and devote its energies and resources toward the betterment of the Russian people.

They know that we would welcome, with rejoicing, news of this kind that would bring proof through deeds that they were sincere in their protestations for peace, but it is in the light of past experiences that we must examine our course and future and that we must explore and determine the vigilance which we must exercise. The world knows that we have no designs hostile to any other country, but I think the world also knows that until international communism alters it adamant course away from world dominion and by action adopts policies of genuine consideration and respect for the rights of others, that our own security and that of the free nations of the world must regrettably depend upon superior strength and realism.

In closing I wish to recite a little story which was written to me the other day in a letter by a constituent from Iowa. He said that in dealing with the Russians we should always keep in mind the story of the hunter and the bear.

The hunter went to the woods one day, and deep in the woods he saw a bear approaching. The hunter raised his gun and aimed it at the bear. The bear suddenly stopped and said, "Wait, hunter. What do you want? We will negotiate." The hunter said, "I want a fur coat." The bear said, "Good. I want a good meal. Let us negotiate." So they sat down and negotiated; and, after a while, the bear walked away. The hunter had his fur coat and the bear had a good meal.

In our dealings with the Russians in the past too often the bear has walked away with a good meal and we have had a fur coat of sorts. It is a situation caused by naivete which should not be permitted to exist very long. We should bear in mind that we are dealing with a ruthless, expert group of manipulators to whom morals as we apply them do not appeal and by whom they are not accepted.

We must bear in mind that our interests and those of the free world still must rely on our constant ability to defend ourselves and the interests of freedom under all circumstances. In accepting this treaty we must recall that it is the deeds which may follow which will determine whether the treaty has a modicum of sincerity on the part of the Kremlin or whether it is a sham and a subterfuge.

I shall vote for the treaty because I think the alternative of refusal is less acceptable under all the circumstances. I shall vote for the treaty not with enthusiasm but because, on balance, and with "eternal vigilance"—which is still the price of liberty—I think it can create another opportunity under which future deeds may produce the arena for steps toward peace, which we all so earnestly desire.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement by the executive branch concerning executive branch consultations with the Senate on a limited nuclear test ban.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF THE EXECUTIVE BRANCH ON CONSULTATIONS WITH THE SENATE ON A LIMITED NUCLEAR TEST BAN, SEPTEMBER 16, 1963

The Senate's advice concerning a three-environment test ban treaty was sought on repeated occasions before the treaty now before the Senate was signed by Secretary Rusk. Consultations between members of the executive branch and the Senate occurred in a variety of forms, including formal committee hearings, personal visits, written correspondence, telephone calls, and breakfast briefings.

The present nuclear test ban treaty had its genesis in the United States-United Kingdom proposal of August 27, 1962, for a ban on nuclear tests in the atmosphere, outer space, and underwater. This proposal was substantially the same as that contained in the treaty now before the Senate.

Hearings at which a three-environment ban was discussed with appropriate committees of the Senate, have occurred on frequent occasions beginning prior to the August 27, 1962, proposals. Mr. William C. Foster, Director of the Arms Control and Disarmament Agency appeared on July 23, 1962, before the Joint Committee on Atomic Energy, and on July 25, 1962, before the Disarmament Subcommittee of the Committee on Foreign Relations to discuss the status of the nuclear test ban negotiations then being conducted in Geneva at the Eighteen Nation Disarmament Conference.

The Senate's advice was sought from the outset. As stated by Mr. Foster to the Disarmament subcommittee:

"The purpose of this meeting with you, Mr. Chairman, is to put before you before the decision has been made some of the alternatives which are being considered for recommendation to the President for his decision. And that decision has not yet been taken."

Mr. Foster outlined four possible positions to both committees. One of these positions was to draft a treaty banning nuclear tests in the atmosphere, outer space and underwater. Members of the committees discussed the advantages and disadvantages of this proposal with Mr. Foster at some length. On August 2, 1962, Ambassador Arthur H. Dean, U.S. representative to the Geneva Disarmament Conference, accompanied by Mr. Foster appeared before the Joint Committee on Atomic Energy and the Disarmament Subcommittee of the Committee on Foreign Relations. The purpose of these appearances was to inform the committees about the contents of Ambassador Dean's instructions regarding the nuclear test ban prior to his return to the negotiations at Geneva. Both the comprehensive test ban proposals and those for a ban on tests in the atmosphere, outer space and underwater were discussed.

On September 17, 1962, the Preparedness Investigating Subcommittee of the Armed Services Committee initiated a series of hearings focused on the nuclear test ban. On that day, Mr. Foster and Mr. Paul H. Nitze, Assistant Secretary of Defense for International Security Affairs appeared before the subcommittee. On September 18, discussions with Mr. Foster continued and on September 19 the subcommittee heard testimony from Secretary of State Dean Rusk.

During the course of this series of hearings a wide range of arms control and disarmament matters were discussed, including the status of the August 27, 1962, proposal for a limited nuclear test ban.

Between March 5 and March 12, 1963, the Joint Committee on Atomic Energy held hearings on developments in technical capabilities for detecting and identifying nuclear weapons tests (Project Vela). During the course of these hearings, U.S. detection and identification capabilities relative to nuclear tests in the atmosphere, outer space, and underwater, in addition to underground, were discussed in detail. The August 27, 1962, proposal for a limited treaty was also referred to and its status discussed. Officials of various executive branch agencies including Mr. Foster and Dr. Franklin A. Long of the Arms Control and Disarmament Agency, Mr. Jack P. Ruina, Director of the Department of Defense Advanced Research Projects Agency, and Maj. Gen. A. W. Betts, Director of the Division of Military Application of the Atomic Energy Commission, as well as numerous other Government and non-Government technical witnesses, testified during these hearings.

On March 11, 1963, the status of the test ban negotiations, including a ban on tests in the atmosphere, outer space and underwater, was discussed with the Disarmament Subcommittee of the Committee on Foreign Relations by Secretary Rusk accompanied by Mr. Adrian S. Fisher, Deputy Director of the Arms Control and Disarmament Agency.

On May 7, 1963, hearings on the nuclear test ban before the Preparedness Investigating Subcommittee of the Armed Services Committee were resumed with the appearance of Mr. Foster. During succeeding months a long list of military and technical witnesses appeared before the subcommittee including representatives of the Arms Control and Disarmament Agency, the Atomic Energy Commission, the Defense Atomic Support Agency, the Air Force Technical Application Center, the AEC Weapons Laboratories, and the Joint Chiefs of Staff. The initial focus of these hearings was upon the U.S. proposal for a comprehensive treaty banning all nuclear weapons tests. However, repeated discussions of a limited test ban were included, and the focus of the investigation was shifted to the limited treaty once it had been initiated in Moscow.

As previously indicated, the specific series of negotiations, which finally achieved agreement on the limited treaty now before the Senate, began in Moscow on July 15, 1963. Key Members of the Senate were advised informally of the status of the negotiations and asked for advice during their course. On July 23 and 24, 1963, Secretary Rusk, accompanied by Mr. Foster, appeared before the Armed Services, the Foreign Relations, and the Joint Atomic Energy Committees to report on the status of the negotiations and secure the advice of those present on the draft as it then stood. These hearings occurred prior to the initialing of the treaty by Under Secretary Harriman in Moscow on July 25. The draft treaty which was discussed with the committees at that time still had not been agreed, and the outstanding differences, as well as the nature and effect of the agreed parts of the text, were pointed out and discussed.

On August 5, 1963, following initialing of the text of the treaty on July 25 and prior to signature of the treaty in Moscow by Secretary Rusk, Under Secretary Harriman, accompanied by Mr. Foster, appeared before a joint session of the Armed Services, Foreign Relations and Joint Atomic Energy Committees. The purpose of this appearance was to receive the advice of the members present before the treaty was signed.

Thus, the views of the Senate were formally solicited prior to reaching a decision within the executive branch concerning the predecessor proposal of the present treaty of August 27, 1962. The appropriate committees were also consulted before the treaty was initiated and before it was signed.

In addition to formal hearings, numerous informal contacts with various Senators and their staffs on the subject of the nuclear test ban negotiations in general and a three-environment ban in particular have occurred. A particular effort has been made to keep Senators who were members of the committees having an interest in arms control matters fully informed. In addition to individual contacts, a series of breakfasts specifically to discuss arms control and nuclear test ban matters were held. All members of the Armed Services, Foreign Relations and Joint Atomic Energy Committees were invited to attend one or more of these breakfast briefings. The views of Senators who have expressed an interest in the subject have also been sought on an informal basis.

The only possible conclusion from the foregoing is that the advice of the Senate was repeatedly sought by the executive branch before and during the course of the negotiations which culminated in the treaty before the Senate.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 23, 1963, AT 10 A.M.

Mr. MANSFIELD. Mr. President, is there further business to come before the Senate?

The PRESIDING OFFICER. Is there further business?

Mr. MANSFIELD. Mr. President, if not, I move that the Senate stand in adjournment until 10 o'clock on Monday morning next, in accordance with the unanimous-consent agreement entered into on Wednesday, September 18, 1963.

The motion was agreed to; and (at 4 o'clock and 29 minutes p.m.) the Senate adjourned, in executive session, under the order of Wednesday, September 18, 1963, until Monday, September 23, 1963, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate, September 20, 1963:

In the Marine Corps

The following-named officers of the Marine Corps for temporary appointment to the grade of lieutenant colonel, subject to qualification therefor as provided by law:

Barton, LeRoy C.
Carlson, William C.
Culp, William E.
McKitrick, Rodney D.
Morris, Roger A.
Shanks, William, Jr.
Fraser, Robert M., Jr.
Salser, Charles A.
King, Robert, Jr.
Fine, Dail D.
Bryant, William W.
Poppa, Chester J.
Cobb, Thomas L.
Kirkland, John W.
Dempster, Donald R.
Heywood, Ralph A.
Rixey, Palmer H.
Persac, Walter L.
Oltmer, Lavern J.
Stoneman, Russel H.
Keller, Gordon H., Jr.
Millette, Eugene
Van Campen, Hiel L.
Lewis, Robert, Jr.
Landrum, James, Jr.
Taub, Samuel, Jr.
McArthur, Raymond
Maloney, John H.
Wilder, Charles S.
Harrison, Joseph B.
Glenn, Jack
Kerr, Melvyn H.
Pomeroy, William D.
Von Der Heyde, Henry A. F., Jr.
Beer, William J.
Hickman, Edwin L., Jr.
Nelson, Arthur A., Jr.
Hart, Lawrence P.
Selleck, Lawrence M., Jr.
McPherson, Gordon D.
Stott, Harry D.
Heflin, Bruce A.
Beal, Samuel G.
Cook, Bertram E., Jr.
Christopher, Willard N.
Ksycewski, Casimir C.
Boulware, John C.
Evans, Robert C.
Reese, Robert V.
Harris, William D.
Tunnell, Robert J., Jr.
Van Dalsem, Robert R.
Dillon, James W.
Kelly, Walter C.
Hall, Clifford D.
Hoch, Kurt L.
Haynes, Albert B., Jr.
Burch, Carrol B.
Metcalfe, Robert B.
Shelby, Alfred C., Jr.
Bonds, William E.
Hunter, Glenn R.
Wann, Charles M., Jr.
Usher, Edward G.
Dayvault, Nevin E.
Fox, Jean T.
Harpe, Lilburn L.
Rumble, Gerould M., Jr.
Weber, Raymond J.
Pates, Bruce A., Jr.
Groome, Roland C.
Cunard, Earl M., Jr.
Novak, Anthony
Crowley, John F.
Anthony, William S.
Roberts, Clyde R.
French, Harry D.
Unger, William T.
Riggs, Thomas W.
Stone, Earnest H., Jr.
Walker, Emerson A.
Ziegler, Paul E.
Leeseberg, Phillip K.
Johnson, Corbin J.
Brierton, Thomas J., Jr.
Terry, John M., Jr.
Chambers, George G., J
Little, Eldon L., Jr.
Whitehead, Arthur T.
George, Marshall E.
McClanahan, Paul G.
Wilson, James J.
Moisberry, Dale M.
Waryek, Henry
Will, Kenneth E.
Hill, Twyman R.
Solze, Robert L.
Burns, Edwin A.
Hollier, Louis S., Jr.
Kane, Douglas T.
Mitchell, John F.

Carrubba, Harry D.
Schoen, James R.
Baker, Edward S., Jr.
Butner, John C., III
Spicer, Raymond B.
Dowd, John J., Jr.
Mosher, Charles M.
Rann, Louis A.
Peck, William H.
Westcott, Charles T.
Kletzker, Robert L.
Meyers, George F.
Cummings, James M.
Esslinger, Dean E.
Dzialo, Edward W.
Porter, Robert H., Jr.
Overmyer, Gerald D.
Gelzer, Edward D., Jr.
Hayes, James M.
Lahr, Robert J.
Hagarty, Patrick J.
Hargett, Ernest C.
Powell, David D.
Clark, Allen B.
Lewis, Elmer M., Jr.
Cashman, James G.
Breckinridge, James T.
Walden, Denzil E.
Keith, John H., Jr.
Johnson, Russell E.
Dindinger, Jack W.
Jones, Edward H.
Roothoff, John J.
Merrill, George A.
Hicks, Norman W.
Harmon, Autrey B.
Smith, Robert A.
Winn, Robert D.
Dresbach, Earl C., Jr.
Dillard, Jack N.
Harris, Robert G.
Killian, Edwin W.
Morin, Donald E.
Miles, Jack L.
Wood, Ralph C.
Spencer, Donald E.
Johnston, Howard J.
Jones, David G.
Green, Melvin K.
Badger, Guy O.
Russ, Donald M.
Selvitelle, Benjamin B., Jr.
Thomas, John C.
Worley, Kermit M.
Owens, Thurman
Derning, Edmund G., Jr.
Warshawer, Alan J.
Mader, John F.
Dixon, Frank L., Jr.
Kleppsattel, F. M., Jr.
Critchett, Edward W.
May, Donald L.
Buchanan, Fitzhugh L., Jr.
Meeker, Ermine L.
Wachter, John A.
Showalter, Charles E.
Stephens, Reuel W., Jr.
Eschholz, Theodore S.
Coon, Elvin R., Jr.
Hillmer, Donald F.
Rump, William S.
Beverly, Arthur C.
Reese, Howard E.
McNicholas, Robert J.
Baeriswyl, Louis, Jr.
Taylor, Roma T., Jr.
Macklin, William H.
Webb, Lewis R.
McClelland, William A.
Hickman, William T.
Flood, James H. A.
Selmyhr, Garlen L.
Martin, Lee D.
Blyth, Charles W.
Montague, Paul B.
Ludwig, Verle E.
Owens, Owen L.
Wildey, Robert L.
Coffman, John W.
Wessel, Wallace
Fegley, James E.
Stowers, Robert M.
Corn, Clifford D.
Grier, Samuel L.
Witkowski, Henry J.
Leidy, Alfred L.
McCain, Gene M.
Brent, Joseph M.
Miller, Richard R.
Harris, William A.
Marusak, Andrew V., Jr.
Wilson, Harold B.
Stephenson, Charles R., III
Gilman, Donald E.
Blaha, Herbert J.
Patton, William C.
Moak, Stanley T.
Rapp, David A.
Walker, William T.
Coffman, Raymond P., Jr.
Wilson, Robert H.
Eastman, Robert E.
Edwards, Roy J.
Woodruff, Paden E., Jr.
Ives, Merton R.
Peabody, Clifford J.
Rogers, Harry L., Jr.
Hall, William D.
Markham, Edward J., Jr.
Richards, Wayne E.
Meyer, Edward B.
Parrott, Robert E.
Arford, Jack O.
Plaskett, William, Jr.
McCarty, Stewart B., Jr.
Discus, William A., Jr.
Hanifin, Robert T., Jr.
Hecker, James S.

The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel, subject to qualification therefor as provided by law:

Amos, Raymond L.
Valentour, James V.
Wahrer, Maurice S.
Stamps, Clyde H.
Keenan, Lawrence W.
Yezierski, Peter P.
Leach, Robert D.
Lindfelt, Haldon E.

EXTENSIONS OF REMARKS

West Virginia Above National Average in Homeownership—Progress in Other Areas Cited—State Savings & Loan League Holds 46th Annual Convention

EXTENSION OF REMARKS
OF
HON. JENNINGS RANDOLPH
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Friday, September 20, 1963

Mr. RANDOLPH. Mr. President, savings and loan institutions comprise a vital and respected segment of the financial strength of the United States. More than 35 million thrift-conscious Americans take advantage of their convenient facilities which extend credit to 45 percent of all homebuyers, and now record nearly $85 billion in mortgages. In West Virginia the individual ownership of homes is at the rate of 64.2 percent, with the national average being 62.8 percent. Assets of savings and loan organizations have increased 12 times since World War II. During 1962, they financed the purchasing of 757,000 existing homes, and the construction of 429,000 others. In the same year they paid dividends to savers totaling $3 billion, and created 700,000 jobs for American craftsmen.

These figures indicate that savings and loan institutions have become an integral part of the community, and a welcome partner in the acquisition of homes for millions of our citizens.

September 12, 13, and 14, 1963, the West Virginia Savings & Loan League held its 46th annual convention at the Greenbrier, White Sulphur Springs, W. Va. It was my privilege to participate in the first general session, on Friday morning, September 13, and was attended by representatives of the 28-member associations in the Mountain State. Presiding was the president of the West Virginia Savings & Loan League, Robert F. Griffith. Also on the program were: Hon. Hulett C. Smith, Commissioner of the West Virginia Department of Commerce; Eugene M. Mortlock, vice president of the U.S. Savings & Loan League; and Hon. Cecil H. Underwood, vice president of the Island Creek Coal Co.

Mr. Mortlock, in addressing the attentive audience, commented on the steadfast service performed in the public interest by savings and loan institutions, and illustrated their widespread acceptance by quoting figures reflecting the expansion noted in West Virginia. He indicated that since 1948, assets of savings and loan institutions in West Virginia have grown from $52 million to near the $300 million mark; the number of savers has increased from 23,000 to approximately 100,000; homeownership has jumped from 43.7 percent in 1940, to 64.3 percent in 1962—this figure comfortably exceeding the national percentage of 62.8.

Mr. Mortlock also pointed out that this undeniable success should not impel us to slacken efforts to bring forth a more rewarding way of life for our citizens.

He continued:

> Surely we cannot afford success if it must be an anesthetic for initiative or a formula for retreat from the competitive arena. We must reserve an open mind, an ability to see things through the eyes of our opponents, a skill for understanding the motives and the thoughts of those whom we oppose. Yet we must act in the light of the best knowledge and reason available to us at the moment. This is a wildly imaginative, technical world in which we find ourselves * * * a world where managers should not sleep too easily at night unless they accept the fact that there is a better way to do everything. We must be determined to engage in disciplined, effective research to obsolete our own ways and methods.

Mr. Mortlock states here not only a worthy creed for lending organizations, but a worthwhile reminder to West Virginians who have seen the progress achieved in recent years, but who must remain dedicated to the struggle for a more balanced economy and an improved standard of living.

Commissioner Hulett C. Smith, of the West Virginia Department of Commerce, spoke realistically of the challenges which have been met, and those which still demand the attention and energies of responsible individuals. He enumerated advances recorded in the location of new industry, in expansion of existing facilities, in providing additional employment opportunities, and in enhancing the overall commercial climate. Commissioner Smith declared that:

> At the end of the first 8 months of 1963, we had helped to bring 82 new plants to West Virginia. Ninety-three expansions of existing industries had been accomplished. These developments brought a total investment of $145 million—and only manufacturing is included in this count.
>
> Our growth is even more impressive if we consider coal mines and coal preparation plants; electric power installations; transportation and communications; Government expenditures through the accelerated public works program; national investments in flood control projects through the Corps of Engineers; the National Science Foundation's Radio Astronomy Center at Green Bank; and research, warehousing, and retail establishment construction. * * * All of these accomplishments contain the reflection of great efforts and the elements of great challenge.

Mr. President, I concur with Commissioner Smith in the thought that citizens of the Mountain State can be justifiably proud of these fruits of their struggle toward a parity with progress. Yet we cannot relax in this attempt; rather, new approaches and new resources must be called into play if we are to attain our goal.

Concluding participant in the first general session of the convention was Hon. Cecil H. Underwood, former Governor of West Virginia, who spoke effectively of rethinking and restructuring—new approaches and solutions to the problems which confront this Nation in the space age.

> It seems logical, then—

Said Mr. Underwood—

> that true scientific investigation will thrive best if a proper climate exists—I speak of such things as understanding, appreciation, and support from government, society, and industry.
>
> To remain in a competitive world position, America must advance its research and exploration at a rate far greater than anything we have known. The patterns of these new demands are so different from our familiar past that pioneering will be exceedingly difficult. For this reason, I believe an important share of scientific research leadership must fall to those parts of our country where dynamic change and growth are welcome and possible. Among all States of our country, I think of none more peculiarly fitted to become the center of modern scientific research than West Virginia—a young Mountain State with its rich deposits of natural resources, a compelling desire to grow, a favored geographic position, and a people dedicated to individual freedom and performance.

Featured speaker at the second general session was Mr. George R. Parker, president of the Federal Home Loan Bank, of Pittsburgh, Pa.

Instrumental in the success of the 46th annual convention of the West Virginia Savings and Loan League were the purposeful officers of the group, who gave much in time and toil so that the meetings might go forward smoothly. Serving along with President Robert F. Griffith, of Wheeling, were John H. Thomas, of Charleston, first vice president; and R. Deane Blair, Moundsville, second vice president. Special recognition should rightfully go to Executive Vice President Joseph P. Condry, of Charleston, whose efforts in behalf of the West Virginia league were felt not only at the convention, but throughout the entire year. Mr. Condry is a gifted administrator and one whose talents are reflected in the organized flow of convention activity.

The Board of Directors includes Kermit E. McGinnis, Huntington; James D. Wood, Bluefield; W. W. Wagner, Logan; James F. Brown, III, and Ivor F. Boiarsky, both of Charleston, W. Va.

Mr. President, I request that excerpts from the addresses of Hon. Hulett C. Smith, Mr. Eugene M. Mortlock, and Hon. Cecil H. Underwood, at the annual convention of the West Virginia Savings and Loan League be printed in the CONGRESSIONAL RECORD, together with my own remarks, and a list of the member institutions in West Virginia.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

LIST OF MEMBERS OF THE WEST VIRGINIA SAVINGS AND LOAN LEAGUE

Beckley: Beckley Federal Savings and Loan League.

Bellaire, Ohio: The Buckeye Savings and Loan Co.

Bluefield: First Federal Savings and Loan Association.

Charleston: Charleston Federal Savings and Loan Association, Empire Federal Savings and Loan Association, First Federal Savings and Loan Association, West Virginia Building and Loan Association.

Chester: Hancock County Federal Savings and Loan Association.

Clarksburg: First Federal Savings and Loan Association.

Fairmont: Fairmont Building and Loan Association, First Federal Savings and Loan Association, Marion County Building and Loan Association, Standard Building and Loan Association.

Fayetteville: Fayetteville Federal Savings and Loan Association.

Huntington: Huntington Federal Savings and Loan Association.

Lewisburg: Blue Grass Federal Savings and Loan Association.

Logan: First Federal Savings and Loan Association.

Moundsville: Citizens Savings and Loan Co., First Federal Savings and Loan Association.

New Martinsville: Doolin Federal Savings and Loan Association.

Parkersburg: First Federal Savings and Loan Association, Traders Federal Savings and Loan Association.

Point Pleasant: Point Pleasant Building and Loan Association.

Ravenswood: Farmers Building and Loan Association, First Federal Savings and Loan Association.

Sistersville: First Federal Savings and Loan Association.

Wheeling: Peoples Federal Savings and Loan Association, Union Federal Savings and Loan Association.

ADDRESS OF HULETT C. SMITH, COMMISSIONER, WEST VIRGINIA DEPARTMENT OF COMMERCE, BEFORE WEST VIRGINIA SAVINGS AND LOAN LEAGUE, WHITE SULPHUR SPRINGS, W. VA., SEPTEMBER 13, 1963

Thank you for the chance to be with you today. I am happy to share in your program and grateful for the opportunity to speak about progress in West Virginia—the beginning of a dynamic era of growth—and I believe, the awakening of a "sleeping giant" as we West Virginians are becoming more and more aware of the opportunities that lie within our State for economic growth and the general development of ourselves and our resources.

It is a privilege to join with Senator RANDOLPH and former Governor Underwood at this annual meeting of the West Virginia Savings and Loan League.

All of us in West Virginia have important reasons to be proud of the way our State has moved forward in recent years—1962 was a year of progress and our citizens are beginning to recognize the "acres of diamonds" in our own back yard.

Do you realize that as a State, West Virginia had the 25th highest rate of economic growth in the Nation last year? Our growth in manufacturing was greater than that of Michigan, Indiana, New York, Illinois, Pennsylvania and Ohio, to mention only a few. Our growth rate exceeded the national average by approximately 5 percent.

Increased employment has helped push personal income to new levels—an annual rate of $3.4 billion in July—and has supported rising retail trade, particularly in the sale of new cars.

At the year's half-way mark, the gross State product—total output of goods and services (as determined by the statisticians of the C. & P. Telephone Co. of West Virginia) had risen to an index of 112 based upon a scale of 100 for 1957–59; and 1957 was the best economic year for West Virginia prior to 1962—this according to the West Virginia Chamber of Commerce records. The index was only 102.3 in January of 1961 when Governor Barron took office.

The average daily output of coal has reached its highest rate in years. Coal tonnage has increased almost 5 percent over year-earlier levels.

Production from our chemical plants has increased 8 percent since December of 1962.

At the end of the first 8 months of 1963, we had helped to bring 82 new plants to West Virginia. Ninety-three expansions of existing industries had been accomplished. These developments brought a total investment of $145 million, providing more than 11,000 new job opportunities with payrolls adding up to $48 million—and, only manufacturing is included in this count.

Our growth is even more impressive if we consider coal mines and coal preparation plants; electric power installations; transportation and communications; Government expenditures through the accelerated public works program; national investments in flood control projects through the Corps of Engineers; the National Science Foundation's Radio Astronomy Center at Green Bank; and research, warehousing, retail establishment construction. Add the programs of the Area Redevelopment Administration, including a new investment in a complex of tourist and recreation facilities amounting to over $24 million; add a stepped-up road construction program (which is now moving into high gear under the able leadership of State Road Commissioner Burl Sawyers). All of these accomplishments contain the reflection of great effort and the elements of a great challenge.

We have only begun—we have only made a start—we realize that the job is by no means finished * * * and we recognize that we in this generation have been given an opportunity to continue this progressive surge.

We recognize that even with the new tools for financing industrial growth that have been provided by the actions of the 1961 and 1963 West Virginia Legislatures in establishing the West Virginia Industrial Development Authority and the Industrial Development Revenue Bond Act and the West Virginia Forest Industry Development Corp.—we have the real challenge to do more—to move faster—to accelerate the pace of progress.

But, we must still think about the other needs of West Virginia—industrial development and tourism are but two of the areas which must be expanded.

What about other major sectors of employment? The task of the West Virginia Department of Commerce is to help provide job opportunities for West Virginians and to foster economic development of the State. We must look to the entire scope of State development, not just isolated segments.

What does it take to gain full employment in West Virginia?

Shouldn't we guide ourselves by looking toward the recommended full employment pattern of the entire United States?

Looking at this pattern of nationwide employment and projected growth, we can easily see that our State once had a higher percentage of employment in mining and agriculture. We are now dropping to near the national average. We were low in manufacturing employment and now are gaining because this has been the focal point of our attack on unemployment in the past few months. Despite the general decline in manufacturing employment throughout the Nation as a percentage of the work force, I'm proud to report that in West Virginia that percentage is increasing. Our State grew in the number employed in manufacturing in the past 2 years—from 21,000 to nearly 25,000 employees. This increase of about 3,000 came in the face of a national decline in those employed in manufacturing—a loss attributed to automation.

But, we are not making the gains in construction, education and research, and resource development classifications needed. It is to these areas that we must turn our attention in planning for the future.

We have long recognized our needs in housing, new homes, new schoolrooms, more teachers to reduce the size of classes * * * meeting these needs will provide the wages to stimulate other sections of the economy and the demand for services and consumer goods will increase.

If we emphasize construction-housing-community facilities, schools, resource development, and education as we look toward the future * * * what can it mean to us?

Nationally, it is estimated that doubling the number of teachers and doubling their salaries would add to the national total outlay for education from around $10 billion a year to $40 billion a year. This would mean for the Nation's economy a direct increase in the demand for food, clothing, housing, automobiles, etc., and the related production facilities estimated to expand the gross national product by some $120 billion. What would it mean to West Virginia? The effects stagger the imagination.

It is stated also that we are spending a much smaller part of our total income on education than our grandfathers did 75 years ago, and we certainly know that a great part of our school facilities are inadequate and unacceptable.

In the Nation today, it is estimated that we are building only one-half the number of new homes needed to replace those becoming obsolete, those required to take care of our expanding population, and those needed to provide proper housing for our less prosperous citizens. It is also said that if we build these homes that are needed, our national employment figure would increase in construction classifications by 1.25 million. This vast expansion would also be felt in West Virginia.

Some of the initiative for industrial financing has been taken by State government to provide for a dynamic industrial expansion in the sixties. Results indicate that this move has encouraged the growth of West Virginia manufacturing.

Should the initiative for encouraging this construction growth in homes and schools come from your State government—or should it come from you as leaders in home financing? What do you think?

In any case, these fields of growth and the solution to the problems of employment in West Virginia continue to be a challenge. It is the great challenge of this generation. We must meet it. We shall meet it. With your cooperation as leaders of the financial industry we shall make available for all West Virginians a richer, more rewarding life.

ONE HUNDRED BILLION DOLLARS STRONG

(Excerpts from an address by E. M. Mortlock)

Ours is truly a success story. A story of big business born and bred out of a very basic need—a "poor" man's bank, grown $100 billion strong in 132 years of service—from $500 to $100 billion—from 1 association to 6,300.

This great American achievement has been made possible by 35½ million thrift conscious citizens, who have saved to have—and to invest—in a better America. This has been our mission—to spread the gospel of modest savings, performing a great service to our Nation.

As home financing institutions, we have made our most dramatic contribution to national prosperity, by extending credit to 45 percent of all homebuyers, now recording $85 billion in our mortgage portfolios. We have capitalized on an era of favorable financial legislation, post war housing demand. We have pioneered the GI home loan program, and stimulated people's propensity to save. We have wooed the public with appealing advertising campaigns, tailormade savings programs, investment safety and high dividend rates. We have set the pace in luring and lending funds—until we are now the logical choice for investors at almost every level of sophistication.

Such a history would indeed be far less astounding, had it not been for three great events which altered the nature of our economy and reshaped the role of the savings and loan movement:

1. The depression of the thirties which laid the framework for sweeping legislation designed to strengthen the operations of all financial institutions, and encourage the development of financial intermediaries offering specialized skills, later on, the regional home loan bank system, and the insurance corporation became the foundation of uniform, nationwide standards of sound operation.

2. The World War II economy, with full employment and high earning capacities gave birth to the thrift habit in its fullest force, enabling savings and loans to attain stature and win their contest for savings growth.

3. The postwar real estate boom clinched our role as the nation's mortgage lending specialists. This identification has been virtually unchallenged up until now as other financial factions have begun to recognize the investment appeal of the mortgage instrument.

To sum up a program of progress, facts and figures illuminate our story—a story of the largest and fastest growing savings media in the country:

Assets increased 12 times since World War II from $8.747 to $100 billion.

Gross mortgage loan recordings—current, 12 months, August 1963, $23 billion.

Net savings gains, 12 months, August 1963, $11 billion.

Dividends to savers, 1962, $3 billion.

Financed for purchase, 1962, 757,000 existing homes.

Financed for construction, 1962, 429,000 new homes.

Total, 1,186,000.

We produced 700,000 jobs for American craftsmen.

Since 1945 we have financed 5 million of 21 million new homes built.

Since 1945 we have provided credit for another 9 million families.

WEST VIRGINIA STATISTICS

Assets 1948, $52 million; now, to 1962, $300 million.

Number of savers, 1948, 23,000; now, approximately 100,000.

Percent of homes occupied, 64.3 percent; up from 43.7 in 1940.

This compares with a national average of 62.8 percent.

So much for a proud past. Too often, yesterday's recordbreaker is soon forgotten in tomorrow's world. Now it is our turn to blaze a new trail, to set the pace, to shape the future. Now it is our job to build this business * * * bigger, better, and broader in scope, service, and significance.

But where do we start? Has this $100 billion business been a result of careful planning or an outgrowth of its own accord? Are we the industry leaders who can underwrite a future greater than the past, or are we content with admiring old trophies?

Surely we cannot afford success if it must be an anesthetic for initiative or a formula for retreat from the competitive arena. We must preserve an open mind, an ability to see things through the eyes of our opponents, a skill for understanding the motives and the thoughts of those whom we oppose. Yet we must act in the light of the best knowledge and reason available to us at the moment. This is a wildly imaginative, technical world in which we find ourselves * * * a world where managers should not sleep too easily at night unless they accept the fact that there is a better way to do everything. We must be determined to engage in disciplined, effective research to obsolete our own ways and methods.

Successful enterprise is rarely accidental. Usually it is the result of careful planning, courage, and dogged persistence in making the plan work. The future that we study and plan for begins today. How well we execute these plans is important, but the value of them rests in their usefulness as yardsticks of performance. We must have long-range goals to keep from being frustrated by short-range failures.

We must reaffirm our belief in growth and show our faith by a program of participation, wherein we can continue to make further contributions to the full and exciting life ahead. For this is a new frontier, with new demands and new responsibilities—the time to move into a hardheaded reappraisal of management goals and operating methods. A successful business requires planning to make it that way. The present is always tugging at us, but tomorrow—that is a dreamer's paradise. Everything is possible with tomorrow: No dream too foolish—no goal too high.

It is absolutely necessary that a business justify its existence through economic performance. It must be able to innovate or create change and it must obtain adequate profits to meet the costs of the necessary risks which it generates. The balance sheet is the record of an association's past—not a guide to its future. The earnings statement proves nothing but that the association still has momentum from what has gone before. Our financial statement reflects our past, but how much does it tell of the future—or the men whose actions today determine tomorrow's profits. A good balance sheet is like the foundation of a house. It is important, but nobody lives in it. Everything that counts happens above that level. Our officers must be managers of people, not monitors of work. We must concern ourselves not only with the question of financial solvency, but with that of human solvency as well.

We have grown ourselves into a rugged test of managerial skill, where analysis, foresight, and risk of misjudgment will play leading roles. We must act now for a better future. We cannot afford to keep our eyes closed and fingers crossed, hoping for the best; nor can we afford to ignore the economic evolution taking place under our very nose—giving lipservice to market research while continuing to operate by the seat of the pants. The hour of luck and guesswork is over. The amateur must surrender to the professional in the management of finance.

We are knee deep in an age of acute competition. We must face the hard, cold facts of the earnings squeeze, discretionary consumer spending and inadequate investment outlets. The sleeping giants have been shaken out of their lethargic atmosphere by the arrival of the trojan horse. But if we are to maintain our prominence, it is obvious that we must develop new techniques, methods, and thinking processes.

We must recognize the need for forward planning in order to pinpoint areas of weakness and keep pace with running objectives so that we can adjust policy before it is too late. We must set standards of job performance and measure the effectiveness of managers. We must evaluate the total job being done, and at the same time accomplish a better communication among those concerned with a particular job. Management must create and arrange organization conditions and methods of operation so that people can achieve their own goals best, by directing their efforts toward organization objectives. We must develop men who have the capacity to live in all dimensions, who shift easily from one to another. We must create and develop voluntary cooperation among those people whom we supervise. A manager must concern himself with the new, and with creative initiative. He must devote his principal interest to the different, the rare, the significant. He must have imagination to innovate, capacity for judgment, and an inclination to persevere. He must think, ponder, and frequently reconsider. He must decide and he must act.

Clarity of objective and organized planning through deliberate study of future conditions can prepare us for change and at the same time help us adjust to it. It is so much more important for us to look forward than to look back, in order to insure our survival and progress.

The secret of our continued success is to set high goals, expecting nothing—but to work as though you expected everything.

For we, as industry leaders, are men with a big job—the job of keeping vitally alive more than a century long precedent of serving America. As we raise the banners "100 billion strong," let them be our inspiration, our incentive to forge ahead toward a business twice in size in half the time.

Excerpts From an Address by Cecil H. Underwood, Vice President, Island Creek Coal Co., Huntington, W. Va.

As West Virginia begins its second century, we must accept the fact that welfare demands of our State will remain a heavy drain on Government revenues for yet some time. With about 16 percent of our population receiving welfare payments (excluding social security), the State will be hard pushed to find necessary money to support these programs. Revenues which are needed for schools, roads and other services often will be channeled into the welfare budget. As important as welfare services are, they do not create wealth, generate growth or conserve resources; they merely represent humanitarian holding actions.

In reality, our problem—immediate and long range—is how to adjust the State's vast human resources with the manpower needs of industries based in our mineral resource complex. While moving through this kind of readjustment, planning minds and administrative genius must be based solidly in the long-range future. The State must find a way to lead rather than follow economic cycles.

Long-range planning is complicated by the lingering threat of "cold war." Will our resources be needed for military mobilization? Or, can we use them for peaceful advancement? I believe that West Virginia is uniquely situated to serve the needs of our Nation in the years ahead in either event: to create a new economic base for peacetime prosperity; or to conserve the economic and military strength of America in a cold war.

Any future plan must be based in the rapidly emerging realities of our time. Coal and oil from our region are just beginning to feel the competitive thrust of Russian oil as it moves into the world markets. Unquestionably, this competition will become more serious as the Soviets rely in greater degrees on oil as an instrument of their foreign policy. The Russian oil threat is not so much a market fight as it is a competitive exercise in functional flexibility.

America must constantly evaluate its relative capability to interchange a varied range in the form of energy matter. To meet the Soviet challenge, the coal and other mineral concentrations of our Appalachian heartland must be functionally mobilized to provide a free and flexible flow of energy to all parts of our continent and throughout the free world.

If our region can develop the capability to provide energy in the form and quantity needed to meet constantly shifting combinations of world needs, we will help our Nation to hold all competition for world control in effective balance.

The making of synthetic fuels from coal has been the subject of research in this country since the days of World War I. Its concept has broadened to the interchangeability of energy forms and its tempo increased since World War II.

Since it was first mined, coal has enjoyed a position as one of America's basic fuels. For many years it dominated the energy market; now it supplies only 22 percent of our energy needs.

Greater horizons beckon beyond these limits. Scientific research already has proved that any product manufactured by the chemicals and synthetic industries can be made from coal if it can be converted to usable forms. The only barriers standing between current research findings and these ultimate usages are the economics and techniques of conversion. Once this scientific breakthrough is realized, coal will become a base for manufacturing.

While West Virginia depended on coal to support its single-industry economy, coal has looked to research to stay alive competitively within the limits of the energy market. Now it is moving into a position where it can generate research for new uses, new products, and new scientific techniques. Once it becomes a manufacturing base, coal will lead economic cycles rather than follow them.

If West Virginia is to profit from this new world of scientific economics, it must welcome the new century with new vision. We need to discover or to create new uses for our coal, petroleum, chemicals, sands, timber, and other resources. From new uses will come new industries, new products and new jobs based on the needs of an automated society. Scientific research and economic intelligence will accelerate industrial development.

Leadership for this new life demands concentration of knowledge and dedication of research efforts. The college and university campuses must provide the focal point for this research and generate the brainpower to reach our goals. The colleges cannot fulfill their obligations, unless they can depend on a steady flow of well-trained and curious-minded students from the public school system.

The mountaineer of 1863 found his freedom in a new State. The new mountaineer of 1963 must find his freedom in a new world of research.

Our contemporary scientific advancement was attained only through years of painstaking research. The world today is alive with scientific revolution and daily pronouncements remind us of its extraordinary speed and sweep.

From an obscure amount invested 50 years ago, American industry and Government will spend well in excess of $60 billion in research during this decade. Reviewing the past half century, we can see clearly the practical relationship between the explosive expansion of research in industry, Government, academic and institutional environments, and the equally explosive growth of our material and intellectual civilization. These two form a unit, and we will continue to advance only so long as each feeds upon the other in mutual growth.

Historically, science has been a practical way to get things done. Now, we Americans recognize it as a way of life. It is rapidly becoming the common denominator of modern nations in international affairs. Through the great unities of approach and preparation which bind those dedicated to the scientific way, we may perhaps find that thus far elusive path to peace.

From the ideology expressed in the Declaration of Independence, the American concept of political freedom has been based squarely on the individual citizen. Scientific research extends to the very extreme its demands on individual effort in the search for scientific truth. Think of the intense personal efforts it requires in preparation, dedication, imagination, and originality.

It seems logical, then, that true scientific investigation will thrive best if a proper climate exists—I speak of such things as understanding, appreciation, and support, from Government, society, and industry.

To remain in a competitive world position, America must advance its research and exploration at a rate far greater than anything we have known. The patterns of these new demands are so different from our familiar past, that pioneering will be exceedingly difficult. For this reason, I believe an important share of scientific research leadership must fall to those parts of our country where dynamic change and growth are welcome and possible. Among all the States of our country, I think of none more peculiarly fitted to become the center of modern scientific research than West Virginia—a young mountain State with its rich deposits of natural resources, a compelling desire to grow, a favored geographic position, and a people dedicated to individual freedom and performance.

Speech by Senator Jennings Randolph, of West Virginia

Federal Government involvement in savings and loan affairs dates from the depression years of the 1930's when the economy of the United States received a crushing blow. But it is plausible to forecast that Congress will maintain a continuing interest in the welfare of the Nation's savings and loan associations.

The depression in large part was triggered by wholesale failures in the Nation's banking and financial system. Inherent weaknesses were suddenly revealed when the strain and pressure of the business slump was brought to bear on financial institutions. Banks and savings and loan associations were caught up in the chain reaction of failure, and a vital and important segment of our national economy was literally laid low. However, we are aware that the depression reached into every facet of our national life and every phase of commerce.

The Congress realized that the lifeblood of the economy was in the financial resources available to it for expansion, for a ready source of credit, and for the services financial intermediaries could provide. It therefore moved to meet the challenge by enacting two meaningful legislative measures which have become pillars of strength for the entire savings and loan industry. I refer to the creation of the Federal Savings and Loan Insurance Corporation and the Federal Home Loan Bank System. The extension of Federal insurance for participating associations and the guarantee it afforded savers did much to restore confidence in financial institutions.

With the inception of the Federal Home Loan Bank System, savings and loan associations for the first time had available to them a ready source of liquidity for use in emergency situations when short-term demands dictated. They could also avail themselves of long-term credit to meet economic ebb and flow. The Federal Government thus has become an active partner in the destinies of the savings and loan business. A Federal system of savings and loan associations really grew out of the depression, and from acts of Congress to overcome the depression.

But there was an underlying, and in many respects, a more important reason for Congress to take keen interest in savings and loan affairs. It was the realization that the savings and loan business itself was a key part of one of the largest industries in the United States; namely, the homebuilding industry. Without an adequate and proper financing of housing, it was rationalized that the homebuilding industry would fall back and retrench, and would not be able to finance the homes under construction. This, too, was a major element in the decision of the Congress to move ahead with legislation which was to enable the savings and loan business to become stronger and better stabilized.

In intervening years since the depression much legislation has been passed which has broadened and extended the lending authority and financing ability of savings and loan associations. I am speaking here of Federal associations to which only Federal Government legislation could apply. But it is generally recognized that as Federal legislation is enacted and put into use the respective States take parallel action to give parity to State-chartered institutions.

There are some who hold that the Federal Government is more of a drawback than an asset in the fortunes of the savings and loan business and that your organizations would be much better off if the Government would permit associations to operate in a more unrestricted climate. The Federal Government isn't infallible.

Certainly our democracy has made its share of mistakes. On the other hand, I have seen the Central Government act with wisdom in times of stress. As proof, look back to the years of the depression once again and reflect on the two major items of legislation that were passed by the Congress that still serve as a bedrock for your industry.

Your associations are $100 billion strong, or at least are expected to be sometime this month. More than ever, your industry is a giant economic force that finances more than 45 percent of the Nation's homes. It is clear that the Congress is interested in the well-being and future success of the savings and loan business simply because it exerts such far-reaching influence in the economic progress of our country.

What's happening in the 88th Congress? Are savings and loan associations meeting success with their legislative program? To understand the progress made thus far it is useful to note that an unusual volume of complex legislation has been brought before the Congress. The administration's tax bill was introduced early in the session—probably the most difficult measure to come before the House this year. Further complicating the progress of the Congress are several unusually controversial items on the calendar, such as the civil rights bills, the railroad crisis settlement, and, in the Senate, the ratification of the test ban treaty. All of these contribute to delay of hearings on legislation of specific interest to your industry.

In late May of this year, a bill was introduced by Representative WRIGHT PATMAN, chairman of the House Banking and Currency Committee, that would raise the insurance ceiling for both insured banks and savings and loan associations from the present $10,000 figure to $25,000. At the time of introduction, industry leaders tell me that they estimated there was a better than 50–50 chance that this item would be passed by the end of this year. The primary bill had been introduced by Chairman PATMAN and thus carried the endorsement of a committee chairman; identical bills had been introduced by committee members on both the Democratic and Republican side, indicating bipartisan support; both insuring corporations, the Federal Deposit Insurance Corporation and Federal Savings and Loan Insurance Corporation had publicly endorsed this legislation.

During consideration of the measure, the White House Committee on Financial Institutions, known as the Heller Committee, released its long-overdue report. The committee made a number of recommendations concerning the operation of savings and loan associations. Shortly thereafter, a new administration bill was introduced in the House, and was referred to the Banking and Currency Committee. This proposal included higher insurance ceilings. Also it provided for more rigid liquidity requirements and authority for the Federal Home Loan Bank Board to exercise dividend controls over savings and loan associations at the option of the Board. Although no hearings have been held on the administration proposal, it is a reasonable assumption that the original bill endorsed and supported by the savings and loan business will not be reported until the administration measure has been a subject for further hearings.

Later this month the House Banking and Currency Committee will hold hearings to consider proposals to broaden and liberalize lending powers of financial institutions. Commercial banks, savings and loan associations, and credit unions will be concerned with these hearings, and all have indicated an interest and a willingness to give testimony. I am informed that the savings and loan industry has forwarded to the committee a legislative package that would increase lending powers of Federal institutions and would grant authority for expansion into new areas of lending that are related to home financing but have heretofore been restricted.

Probably one of the most important of these powers would be authority for Federal institutions to deal in State and municipal securities. Numerous legislators who are expert in this field believe this to be a necessary adjunct to the basic home lending function of the savings and loan association because State and municipal securities finance those elements of the community that are vitally necessary to the environment of the home itself. This means that savings and loan associations for the first time would be able to help finance schools, streets, waterworks, sewage disposal systems and other municipal facilities that help to make the home complete.

Another key provision would give to Federal associations the authority to finance home furnishings and appliances, in addition to the basic mortgage. I understand also that your leaders are urging legislative authority to permit your associations to finance a relatively new type of home or residence that has been spawned since post-war years—the mobile home.

These proposals incorporate a philosophy that is rapidly gaining favor among not only savings and loan organizations, but also among other elements of the financial community, as well as among those in Government charged with supervision. The objective is to provide greater freedom and flexibility to meet new markets as they develop.

We have seen a trend toward freer investment and lending policies, not only for savings and loan firms, but also for national banks and Federal credit unions. The prevailing sentiment seems to be that more adaptable regulation of these institutions can be consistent with protecting the interests of savers and investors.

Stated another way, the central thrust of the new philosophy seems to be the encouragement of a greater range of competition between various Federal financing institutions by permitting banks to invest more heavily in mortgages, and savings and loan associations to make more extensive investments outside the area of single family homes.

The rationale for this new trend of thought is that the public can be better served by increased competition between the various credit extenders and lending institutions.

In light of this trend, I predict that the Congress will be much more receptive to new ideas in legislation relating to finance than it would have been 5 years ago—more willing to accept innovation and pioneering.

And there is reason to believe that this more original thinking is necessary to meet emerging trends in the increasingly urban American society. Here is but one example of change: Apartment construction and apartment living have skyrocketed over the past several years. In 1962, apartment construction accounted for 30 percent of total construction efforts in the country. In large metropolitan areas, over 50 percent of new construction was registered in apartment building. As these figures indicate, apartment living is a vital part of our economy and these units must be financed.

Congress, in the closing days of the last session, passed legislation that accorded recognition of this development and authorized Federal associations to utilize an additional 10 percent of assets for lending on apartment units. This change to permit financing of more apartment buildings will probably have less significance to us in West Virginia than to our counterparts in large metropolitan centers such as Chicago, New York, or Los Angeles. However, we must be responsive to regional needs as well as national ones in meeting the challenge of our growing urbanization.

Congress must be alert to comprehend and to meet the problem of the housing needs of the American people as requirements shift from one form to another. As needs vary, so should the capacity of the savings and loan association expand to meet the demands of the American consumer. I am not suggesting, however, adjustments to accommodate the short-lived trends of housing that emerge from time to time and die overnight. Nor am I implying that you or the Congress should move imprudently in trying to keep pace with all types of living patterns. But, as a solid, unmistakable and long-term living pattern develops, this area probably should be opened to your institutions as well as others.

But, in the quest for and investigation of new markets and additional business, I am confident that savings and loan associations will not overlook their time-honored and essential function—that of promoting homeownership through the financing of the individual home.

The New Oceanic Age

EXTENSION OF REMARKS

OF

HON. WARREN G. MAGNUSON

OF WASHINGTON

IN THE SENATE OF THE UNITED STATES

Friday, September 20, 1963

Mr. MAGNUSON. Mr. President, Life magazine, in its August 30 issue, published a significant full page editorial titled: "$2.3 Billion Should Go Into the Ocean."

The editors of Life have rendered a timely and conspicuous public service by publishing this concise and convincing editorial pinpointing reasons why this Nation should pursue a broad and extensive long-range oceanographic program. I commend it to my Senate colleagues, a majority of whom I feel have long held similar views.

Expansion of the Nation's oceanographic research is not a new interest on the part of Time-Life publishers. The need also has been indicated in several other of our leading publications. Unfortunately, however, there has only been a partial and piecemeal response on the part of Government and the Congress. Planning has exceeded performance and studies of inner space invariably yield precedence to those of the far reaches of the universe.

Life's editorial, which I will request be placed in the Record at the conclusion of my remarks, will, I am convinced, stimulate wide national recognition of the need to explore, scientifically, the 72 percent of earth's surface occupied by the oceans.

This is, as Life magazine so aptly puts it, an "oceanic age," and three-dimensional knowledge of the seas around us, their contents and the dynamic forces within them has become increasingly vital not only to our commerce and economy but also to our national security.

Mr. President, in addition to the editors of Time, Life, and those of several other publications of wide circulation which for several years have indicated support for an expanded oceanographic program—although none perhaps as impressively as Life in its August 30 editorial—it is appropriate that I state at this time that the Senate Committee on Commerce and the Senate as a body have advocated and supported a national long-range program of oceanographic research, surveys and education for almost 5 years.

As early as July 1959, after several months of study, the Senate passed by unanimous consent Senate Resolution 136 endorsing the recommendations of the National Academy of Sciences' Committee on Oceanography, forerunner of all plans for a coordinated, long-range program of expanded oceanographic research. This resolution, previously reported unanimously by the Committee on Commerce, and which had been introduced by myself earlier in the session, was cosponsored, I am proud to say, by every member of the committee.

That same year, 1959, the Senate passed and sent to the house S. 2482, removing limitations on the Coast and Geodetic Survey and enabling it to conduct oceanographic research and surveys beyond the Continental Shelf, one of the recommendations of the committee on oceanography in presenting its 10-year program.

Later in the 1959 session, 14 Members of the Senate, including myself and with strong representation from both parties, cosponsored S. 2692 designed to implement the entire report and recommendations of the National Academy of Sciences' Committee.

Time-Life shared this early interest in oceanography. The fine editorial in Life magazine's August 30 issue is no related inspiration but the culmination of long and thorough study of how this Nation must prepare for the new oceanic age.

S. 2692 passed the Senate on June 23, 1960, by unanimous consent and was referred to the House of Representatives which throughout the remainder of the 86th Congress took no action.

Early in the 87th Congress, on February 3, 1961, to be precise, I introduced, as was necessary in view of the death of S. 2692, a new bill, S. 901, which again proposed to implement the long-range oceanography program recommended by the Committee on Oceanography. This committee, I need not remind my colleagues, is composed of many of our most eminent marine scientists, none of whom are connected with any Government agency and all of whom are completely objective.

Hearings were held, the Committee on Commerce favorably reported the bill, and it was passed by the Senate on July 28 of that year and referred to the House of Representatives.

The bill authorized a coordinated, national oceanographic program and the expenditure over a 10-year period of $651 million for the construction of research ships, laboratories, and other necessary facilities; the design and procurement of new and advanced instruments and equipment, and the education and training of prospective oceanographers and technicians.

The House for more than a year took no action on this Senate-passed measure but in August of last year considered an alternative. The House bill, in lieu of proposing a specific program or a specific time period, endorsed oceanography in principle and proposed that an oceanographic program be developed by the Office of Science and Technology. The House bill also contained a provision and language to which several administrative agencies directly concerned with the proposed legislation objected.

The House, when these measures were brought to the floor, substituted the House version for the Senate bill, retaining only the Senate number. The House version was passed and subsequently vetoed.

This does not mean that Congress made no progress in the 87th Congress in constructive legislation to advance our oceanographic research capabilities. On the contrary several worthwhile bills were enacted.

Early in 1961 Representative George P. Miller of California and I introduced similar bills in the House and Senate respectively authorizing the U.S. Coast Guard to conduct oceanwide oceanographic research, the Coast Guard then being limited to such research in connection with its ice patrol.

Each of these bills passed the branch of Congress in which it had been introduced, minor differences were readily resolved in conference, and the legislation was promptly approved by President Kennedy.

This is extremely helpful legislation because it has made possible the wide expansion of marine research on or from existing ships. I wish to credit the Eastern Pacific Oceanic Conference, representing the western coastal States, for initially proposing this utilization of existing facilities by a highly qualified Government agency in broadening our oceanographic program.

In the 87th Congress also my distinguished colleague from the State of Washington [Mr. Jackson] and I introduced a bill to enable the geological survey of the Department of the Interior, then limited under its organic act to the national domain, to conduct research into the geological structure and mineral resources wherever such research might be in the national interest which, of course, includes the oceans.

Life magazine, in its editorial, appropriately calls attention to this offshore mineral potential.

Senator Clinton P. Anderson, of New Mexico, then chairman of the Committee on Interior and Insular Affairs, likewise championed this legislation in committee. It was reported favorably, passed the Senate without opposition, and subsequently the House of Representatives.

I comment on these matters, Mr. President, as evidence that the Congress is aware of the needs for expanding the Nation's oceanographic program and the facilities for three-dimensional marine research.

A question remains as to how this program may best be coordinated among the 20 separate Government agencies now participating in some phase or phases of the program, each necessarily jealous of its particular interest or activity.

Difficult as this problem is, the national interest requires that it be resolved and two Government groups, the Interagency Committee on Oceanography and the Office of Science and Technology are giving it close attention.

I think the comment is justified that we have not yet attained what might be considered a balanced program, although overall significant advances have been made. These advances have been somewhat of a piecemeal nature. Some agencies, perhaps better funded than others, are progressing rapidly, particularly those responsible for our military security.

Those primarily concerned with basic research, which is fundamental, do not appear as yet to have received the support given those engaged principally in applied research, although several of the latter have suffered also. The greatest lag, however, may be in advancing the education and training program recommended by the National Academy of Science Committee on Oceanography and other science groups.

The administration, Mr. President, is concerned that a long-range coordinated program move ahead.

Several months ago—June 1963—the Office of Science and Technology, headed by that extremely able scientist Dr. Jerome B. Wiesner, issued its projection of a national oceanographic plan for the 10 years ahead, a plan based on more than a year of interagency discussion.

This is the program which Life magazine refers to in its excellent, and as I stated previously, timely editorial. In effect, Life endorses this program, and the editorial undoubtedly will quicken public interest in what many of us in the Congress consider to be, in this oceanic age, a national necessity.

Mr. President, our responsiveness to this problem will, I suggest, be important when we consider the proposed 10-year oceanographic program so ably outlined in Life magazine's recent editorial.

I ask unanimous consent that this editorial, titled "2.3 Billion Should Go Into the Ocean," be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

$2.3 BILLION SHOULD GO INTO THE OCEAN

Why has the administration announced a new program to spend $2.3 billion during the next 10 years on oceanographic research?

Why does the administration want to parcel out this sum among the U.S. Navy and 14 agencies—with 56 percent of it allocated for the kind of "basic research" once defined as finding out what questions to ask?

Why should the U.S. Congress and the U.S. public tolerate, let alone support, such a vaguely defined, long-range and perhaps open-ended exercise in Federal spending?

The answers lie in the very character of American geography. Even as the United States thrusts into space it does so from a continent that is in fact a large island enveloped by massive oceans. Whoever knows most about those oceans holds the advantage in the struggle for command of the seas, holds the lead in reaching for the fabulous unknown resources of the ocean floor. "Because we're such a big island the public doesn't realize this," says one of the most famous oceanographers in the United States, Roger Revelle, of the Scripps Institution of Oceanography at La Jolla, Calif. "We have to show the flag in oceanography all over the world."

The administration's new program, which Congress and the public should endorse, means coming to grips with oceans of ignorance just as vital as the far reaches of space.

In fiscal 1964 the United States is spending just $156 million on searching and probing the seas that cover 71 percent of the earth's surface, provide the rain, decide the climate, swirl the currents that help make a nation in Britain and a wilderness in Labrador at equivalent latitude. In the same fiscal year the United States is spending $4 billion in space. But the new administration oceanographic campaign, without prejudice to the space effort, will launch the kind of research fleet—cruisers, floating laboratories, submarines capable of exploration 18,000 feet below, a new bathyscaphe for 36,000 feet below—that can perform the critical mission. Some reasons for coming to grips with the oceans:

Defense: The United States least vulnerable strategic weapon is the Polaris-bearing nuclear submarine, 41 of which have been programed to date. Polaris sweeps enemy coastlines, invulnerable because it is undetectable. But the U.S. Navy's own antisubmarine warfare planning against the U.S.S.R.'s 450 or so submarines aims to make all submarines just as detectable and just as vulnerable as surface craft. "There isn't an ocean in the world big enough to lose the sound of a pistol fired at the right depth," said Columbus O'Donnell Iselin II of the Woods Hole Oceanographic Institution on Cape Code, and already the Navy has batteries of hydrophones installed on the edges of the continental shelves and mid-ocean islands to locate submarines hundreds of miles away. It is essential to protect Polaris through the shifting states of the art of sea war by exploring jetstream currents submarines can ride and thermal layers and sea-floor mountains they can hide behind, also by mapping navigational landmarks in the deep. As of now only 3 percent of the ocean floor is mapped.

Food: By 1980 the United States will need perhaps as much as an added 3 billion pounds of seafood to maintain its protein diet. The needs of undeveloped nations run much higher. But the U.S. fishermen have been humbled by Russians, Japanese and Peruvians and the proud old Yankee fishing banks off Cape Cod sometimes look like a Soviet lake. The Russians are even boasting about new floating fish factories in which automation navigates the vessel, searches out the fish, hauls in the catch, freezes it and packages it for the long journey home. In this situation the administration wants to increase the United States present annual catch of 3½ million tons by 1972—among other processes, by cultivating undersea "fish farms" along the Continental Shelf.

Mining: The fabulous success of the U.S. offshore oil industry points the way to establishment of an underwater mining industry within 5 to 10 years. Most realistic projects are the mining of placer deposits of precious metals in shallow waters offshore, diamonds off South Africa, gold off Alaska, etc. Fifteen thousand feet beneath the Pacific near the Taumotu Islands manganese nodules and other minerals litter the sea floor at a potential value of $1.5 million per square mile. In the administration's 10-year plan the Bureau of Mines even talks about sending an underwater "Lewis and Clark expedition" to find more metals resources. But this type of program has a deep-blue-yonder tone that bewilders inland Congressmen.

The U.S. oceanographers, a glamorous lot aboard their weather beaten survey ships, are going after all these prizes with unusual intramural advantages. By and large they are satisfied with the current administration budgets and they are not inaugurating the program with shouts and intrigue for "more." They also seem fairly satisfied with their loose, almost casual grouping under the Interagency Committee on Oceanography (ICO) of the Federal Council for Science and Technology. There seems remarkably little duplication and interagency bickering and there is no demand for an oceanography czar assigned to determine priorities, wipe out confusion, obliterate red tape McNamara-style. The $2.3 billion, if approved, will therefore be parceled out amicably among the Navy (36 percent), the National Sicence Foundation (22 percent), the Bureau of Commercial Fisheries (15 percent), the Coast and Geodetic Survey (12 percent) and 11 other agencies ranging from the Atomic Energy Commission to the Public Health Service.

"The day a Russian Polaris-type submarine surfaces off New York City and waves its red flag, you bet we'd have a crash program," the Navy oceanographers add, just in case. The Navy gets unfailingly agitated about oceanography when the Russians turn five ships loose to research the Gulf Stream off the U.S. coast, which they did last summer. And the Navy is never more effective than when storming ahead on such quiet oceanographic projects as mapping the bottom of the Gulf of Siam, which it is doing right now. But the administration's program sets the Nation on course into its new oceanic age in an orderly manner that will probably render a crash program unnecessary.

What the oceanographers do want is more attention—from Congress, from the public, from places far from the sea—as they set forth on the new venture. They are getting some. Already more than 5 million skindivers are questing. Already family-type submarines are on the market. Hundreds of thousands or more Americans remember the Link trainer, that instrument of torture in which they were flung about blindly while learning to fly in what now seems like the age before last. Where was Link last week—Edwin A. Link, the inventor, that is? Now 59 years old, he was busy on the oceanography ship *Sea Diver* in Chesapeake Bay putting mice through pressure tests equivalent to pressures found at 2,000 feet below as a prelude to indoctrinating humans. The quest for knowledge changes environments, but its spirit remains the same.

Senator Vance Hartke Advocates Enactment of Quality Stabilization Law as Necessary Aid to Business and the Consumer

EXTENSION OF REMARKS

OF

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, September 20, 1963

Mr. RANDOLPH. Mr. President, quality stabilization legislation pending in both Houses of Congress is designed to provide a necessary curb to a serious malady in our national economic welfare.

Many Americans are being confused by the use of slogans and unresearched decisions in reference to the measure S. 774.

There are over 70 national trade organizations, representing virtually every brand-name retailer and every consumer product of quality name, joined in urging such a law to strengthen their economic status.

There is a malady—that our small independent businessmen are going out of business at an alarming rate, and that our entire commercial system is endangered.

The 11 Senators who sponsor the quality stabilization bill do not contend that its enactment is panacea or cure-all. It can bring some order out of chaos. It cannot hurt, it can help. It will not raise prices. It is elective on the part of the manufacturer, distributor and retailer of a brand name. It removes Government control. It is simple. It is sound. It is needed.

A review of the meaning of a brand name in our economy is important. Recently my esteemed colleague, VANCE HARTKE, of Indiana presented a documented and knowledgeable address on this subject.

I request that the address of Senator HARTKE be printed in the CONGRESSIONAL RECORD believing that the many facts should be studied.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF SENATOR VANCE HARTKE BEFORE MINNESOTA RETAIL HARDWARE ASSOCIATION CONVENTION, GRAND VIEW LODGE, ECHO LAKE, MINN., AUGUST 27, 1963

It certainly seems there is no group in the United States who less requires a lesson on quality stabilization than the fine members of the Minnesota Retail Hardware Association. Your National Association, whose headquarters are in Indiana, was first to endorse this bill—and has probably done as much as any of the 75 national trade organizations who followed in backing it. The quality stabilization can be won this year—but only because those who need and want it most, have been fighting more for what they want than knocking what they are against.

In this fight, there would be far less chance of victory—perhaps no chance at all—were it not for such as the Minnesota Retail Hardware Association and the Minnesota delegation to Congress, led by Senators HUMPHREY and MCCARTHY.

I said the quality stabilization can be enacted into law. It is well on its way, but it still has very far to go. This is, then, an excellent and necessary time to review what it is, how far it has gone, and what more there is to do.

Now, the problems of small businessmen are not now, have never been, and never will be defined by State lines and boundaries. The problems of small business are largely national problems. What matters far more—the importance of small business is and will always be national, not regional, not merely local.

We may differ among ourselves on many questions of national policy. Whether those differences be political or philosophical, reasonable and responsible Americans recognize that such differences and debates are an essential part of our system. They can be one of its strengths.

We may not always agree on what is best for our American system of free private enterprise. Businessmen will differ with public officeholders—and public officeholders will differ with businessmen—on what should be done or what can be done to support and strengthen our basic economic system.

We can, however, agree that the best economic system for our country is the free competitive system of private and profit-making businesses in which Government is the referee but not the signalcaller.

There is another important point on which we all should agree—that is the point that our system cannot survive and flourish unless it is built upon the strong and solid foundation of small business in every field: manufacturing, wholesaling, retailing, and even services.

Small business is what keeps free enterprise free.

Even the most absolute totalitarianisms of the 20th century—including the totalitarian tyranny in Soviet Russia today—has big business in the form of monopolies and cartels, combines and syndicates. But genuine freedom has been missing from those systems at least in part because there was an absence of genuine opportunity for competition by small businessmen who could expect growth to be the reward of their success.

This is a fundamental concept. But it has always been a fragile concept. Over the past 100 years, as the United States has matured as an industrial Nation, we have been faced again and again with the necessity for governmental action to preserve the competitiveness of our economic system—and to preserve the place and influence of small business as the principal source of such competition.

Attacks upon the deadhand of monopolies and trusts and unfair business practices are not—and have never been—something alien to the American philosophy. On the contrary, such efforts are peculiarly American in concept, purpose and results. It was a distinguished Republican President, Theodore Roosevelt, who recognized that trusts were stifling the growth and development of this country—and he pioneered in doing something about the problem. A great President from my own Democratic Party, Woodrow Wilson, carried forward this work vigorously in his administration. These joint efforts loosened the tight bonds of oppressive monopolies and set off the decades of growth and prosperity, which culminated in the "good times" of the 1920's.

But that prosperity did not endure because it was undermined by the resurgence of speculators and manipulators who did not respect the essential strength of the American enterprise system. We reaped a sad and tragic harvest in 1929—and through the depression years which followed. Again, it was necessary for the national political leadership to intervene to restore the proper perspective and order of our marketplace. Once again it was true that when competition was restored we began another long continued rise upward culminating in the prosperity we have known during recent years.

Today—much as I dislike to say it and much as some may dislike to face it—the simple truth is that the basic competitive strength of the American enterprise system is once again being challenged, undermined and eroded.

It has been predicted that within the coming 5 to 10 years, 75 to 90 percent of total retail drug volume will be divided between corporate and independent drug chains; 75 to 90 percent of total retail hardware volume will be divided between corporate and independent hardware chains. The same for the furniture outlet—all major forms of general merchandise retailers.

It will also mean that more and more manufacturers of presold brands will find that tiny handfuls of corporate and independent chains will account for 90 percent of the manufacturers' total volume. In a rapidly growing number of instances, from 50 to 150 giant chains—corporate and independent—will account for 75 to 90 percent of total volume on manufacturers' presold brands of mass-consumed merchandise in practically all categories.

This is exactly what has happened in food. E. B. Weiss, vice president of Doyle Dane Berbach, Inc., in his study, published in 1963 and entitled "Marketing's Stake in the Low-Margin Retail Revolution," predicted that by 1966 about 50 giant retail organizations will control 50 percent of the Nation's total retail volume in practically all major merchandise classifications.

A United Press International article in the Washington Post of June 7, 1961, quotes discount stores as saying "their movement is going to take over lock, stock, and barrel 80 percent of the retail business of the country before 1970. That would doom not only most smaller neighborhood stores of all kinds, but most of the old line department stores and force the supermarkets to cease devoting themselves exclusively or even primarily to the food and grocery business."

We all know that one of the most basic and essential ingredients of the success of the great common market of America has been that intangible and indefinable ingredient of quality. Since the earliest days of colonial America, proud and self-respecting American craftsmen and American merchants have been known the world over for maintaining a high level of quality of the products manufactured in their plants and sold from their shelves.

Craftsmen's marks are ancient ways of marking quality.

One of the most treasured exhibits at Smithsonian Institution is a piece of lead pipe. Crude, ugly, nothing but a battered piece of lead pipe—except for one thing—an inscription. Reliably translated, that inscription is a brand name and the date is near the time of Christ's birth.

The use of trademarks is very ancient. They were used by the brickmakers of ancient Egypt, the lampmakers of old Athens, and the helmetmakers and armorers of medieval England. There isn't a schoolboy of today or any day who hasn't heard of a Toledo blade as the sword of champions—not by television commercials either. That was community production, I suppose. Were there better swords? We shall not know. But if two were offered for your possession now as relics, one marked "Toledo," the other with no name—both beautiful if ancient, clumsy and slightly ridiculous—which would you choose?

The intended function of a trademark is to distinguish the goods of the proprietor from the goods of others in the marketplace. While a trademark might be just one word, it is an emblem, a symbol, a slogan, or other device. The expressions "trademark," "brand name" or simply "brand" or "mark" are synonymous.

The stamp on a product "Made in U.S.A." has come to be recognized in even the most remote corners of the globe as a guarantee of high quality. I am told there are parts of the world—half a globe away from us—where the ultimate status symbol among young teenagers in so-called underdeveloped nations is to own and possess something bearing that stamp of "Made in U.S.A." Quality is the most universal synonym—the worldwide identification badge—of the American enterprise system and its products.

Far more important, however, than the effect of quality in the world is the effect quality has had among Americans at home. If ever you have traveled in foreign lands, you know how local people will advise you not to shop at this store or that store because, while the prices may be attractively low, the commodities and products sold are merely junk. Here at home, we have been spared this element of doubt and question and suspicion. When an American goes into any retail store anywhere in America—whether in Iowa or Indiana, in New York or New Orleans, in Connecticut or California—he can and does expect to find on the shelves familiar products, bearing familiar labels, which he can buy with absolute confidence and trust in the quality of the product for which he spends his money.

The American consumer, more than any other consumer in the world, is privileged to trust what he is sold. He is privileged by experience to believe that the merchant who opens his doors to the public is a self-respecting businessman, eager and anxious as we all are to make a profit, but equally eager and anxious that each of his customers received dollar for dollar value on each purchase.

As every retailer knows, where other factors are equal, goods identified with brand names or trademarks outsell the "unknowns" 9 times out of 10. And as every buyer knows, bargain shopping is done for the best known brand name at the least cost.

The very fact that a company identifies itself with the goods or services it sells, however, is only the beginning of a story. Especially in this country, the public looks at a trademark as a symbol of high quality, dependability, and full value, although technically and legally the insignia stands only as an identification of the maker.

This basic trust in the quality of the products offered in America's great marketplace has been basic to the growth and expansion of the American economy through all the years. Today, it is this basic fundamental which is most directly under attack by those who would thoughtlessly and shortsightedly sacrifice the element of quality to gain a monopolistic hold over the lifeblood of our competitive system.

Product quality has been and continues to be the indispensable ally of small businessmen. If you will look back through the history of small American manufacturers who have grown large, you will find—virtually without exception—that the basis of their growth was their ability and willingness to produce a product of superior quality. If you look at the growth history of America's greatest retailing businesses—in any field—the same pattern holds true. America's success stories have not been written in the retail field by predatory operators who misled or deceived the American consumer.

If the vitality and prosperity of the American marketplace is to be protected, it is fundamental that we must protect the integrity of the American marketplace. If we are going to have the highest quality life in the world—for businessmen and for laborers, for farmers and for professionals—we cannot afford to be indifferent to the measurement of quality in the operation of our economy.

Price cutting hurts the small hardware dealer as it hurts all established and representative brand name retailers.

The "hurt" to small business by price cutting is not theoretical. It is real.

The crushing effect on the small retailer and the manufacturer, when there is a breakdown in effective price stabilization, is documented in the complaints of *Sunbeam Corporation* v. *R. H. Macy*.

The percentages of "Mixmasters" sold by the largest competitors in New York City during the normal period preceding the price war triggered by the Supreme Court decision on fair trade laws were Macy, 3.3 percent; Gimbel Brothers, 0.5 percent; Bloomingdale Brothers, 0.4 percent; Wanamaker, 0.2 percent. The total of these was 4.4 percent of the entire sale of "Mixmasters" in New York City during the period before the price war. The balance of the business in the area was done by approximately 1,500 other Sunbeam retailers who were located in New York City.

During the 10-week price war these competitors' percentages changed as follows: Macy, 56.2 percent; Gimbel Brothers, 15.3 percent; Bloomingdale Brothers, 2.6 percent; and Wanamaker, which refused to participate in the price war, zero. Thus, in 10 weeks, these three retailing giants were able to corner 74.1 percent of the market, with Macy's share of the market leaping from 3.3 percent to 56.2 percent.

The small businessmen whose share of the market dropped from 95.6 percent to 25.9 percent were indeed hurt. As to Sunbeam company? Its annual report to stockholders disclosed that "factory sales in the area fell off 17.68 percent for the year while our national business was off 6.79 percent."

In 1952, Argus cameras sold its products nationally under the fair trade acts of various States. Following the Michigan Supreme Court decision that year, invalidating the State Fair Trade Act's nonsigner clause, the retail market in Michigan became chaotic. By January 1954, price cutting of Argus cameras by retailers had become widespread. At the end of July 1954, Argus found that sales in Michigan and the Detroit area declined 37 percent in the period from January through July 1954, as against the same period of 1953. In the same period, national sales showed a 33 percent increase.

The brand name is essential to price cutters.

For the discounter, the ability to advertise national brands at a discount price has long been the most important part of his hard goods operation. The big brand at a low price conveys value and establishes a true "discount" identity.

We have seen that quality of products is a tradition in our competitive private enterprise system as old as our country itself. If we are to protect that system and its strength, we must protect the right of conscientious, self-respecting manufacturers and retailers to maintain that quality which is so unalterably American. This is exactly what the proposed legislation in both Houses of Congress would do—and this is all that it would do.

Quality stabilization is not a price-fixing law.

Quality stabilization is not an anticonsumer law.

Quality stabilization is not a protection for the inefficient or the ineffective. On the contrary, it is just the opposite—it is legislation which would protect the vital incentive necessary to keep quality products flowing to our consumers.

Quality stabilization is not an effort to prevent progress and modernization in American business. Again, I say it is just the opposite—quality stabilization will assure the continuing progress and modernity of American enterprise.

All of us who have worked closely on quality stabilization have heard the opponents speak glibly and freely about the revolution in distribution, the revolution in retailing, the revolution in pricing. But those who know and understand the small business field know that the small businessmen of this country are not suffering from genuine progressive revolutions of invention and innovation. On the contrary, they are being made the victims of a reactionary philosophy of caveat emptor—"let the buyer beware."

There are great tides of invention and innovation running in our economy and our society today. The use of automated techniques, better communication, better transportation—and many such other elements—can and will bring beneficial gains for consumers and producers alike. Quality stabilization in no way interferes with such authentic progress. But the mere cheapening of standards of ethics and morality by the predators of today's marketplace does not constitute a revolution and does not represent progress. Those who willingly and knowingly and deliberately pirate the reputation of a manufacturer or a retailer for quality products in order to lure customers in to their displays of junk merchandise are turning back the clock, rather than turning it ahead.

I do not believe we can afford to be indifferent to this effort to pervert the character of American enterprise by destroying the proud and honorable tradition of universal quality.

Today in the world in which we all live, we recognize that we are presented with clear-cut choices. We, in America, enjoy the highest standards in the world—the highest standards of living, the highest standards of pay for our workers, the highest standards of stable profit for capital investment, the highest standards of medicine and education and opportunity. The adversaries of our system—the totalitarians of the Communist world—are bent and determined to comprise and bring down those standards.

As a result, the choices before us are simple. Either we help the world to come up to our standard or else we shall fall with them to lower standards which will reduce the meaning of our freedom—if indeed we can keep our freedom at all.

Every American from the highest to the lowest, from the richest to the poorest has a vital stake in maintaining quality as a symbol and synonym of American enterprise. If we do not maintain the American standard of quality and excellence in our products, the results inevitably will be a flooding of the world with just the kind of junk, low-quality, virtually worthless products that all of us have seen coming into our markets in recent years. This is a direction which we cannot afford to follow in our national life.

Your success has been built on your individual initiative. It is being undermined. It is being destroyed by abuses and misrepresentations of your established brand names. It is leading to a mass merchandising by big business. In many cases, big business is vital and necessary to our economy—but where does big business and monopoly begin? You are today learning that answer. Increasingly, manufacturers are eliminating the wholesaler and retailer by selling directly to the consumer. Grocery stores are selling drugs, clothing, paint, hardware, radio sets. If they desire, they can use these items as leaders since they are merely sidelines of their basic business. As they grow larger, such store or combines can "loss leader" such items to lure customers into the store. By so doing, they are, of course, destroying that brand name and the entire chain of distribution which has laboriously and expensively developed a desired brand name.

I believe, therefore, that it is wise for us to adopt in this country those measures necessary to maintain the standards of quality and preserve the incentive of manufacturers, wholesalers, and retailers to keep quality on the shelves for our consumers. That is why in both Houses of the Congress there is strong and growing support for the quality stabilization bill which you and many other retail merchants like you in many fields have so long and so steadfastly supported.

You hardware dealers know you have a self-interest—a survival interest—in the success of the quality stabilization bill. Much of the American public does not. And many of my fellow Members in Congress, I believe, must be reminded of its importance to you.

In the House, the bill has cleared subcommittee and been voted out of the full committee. The report has been made and the Rules Committee should any day clear it for vote on the House floor.

We are well underway with Senate hearings. I hope to complete them next month.

Probably most important of all is the team you have working for you. No Senator has ever been more able or dedicated than your great Minnesota leader, HUBERT HUMPHREY, ably assisted by another great Minnesota leader, EUGENE MCCARTHY. His talk before your National Retail Hardware Association in Montreal last month was the most concise and indisputable argument yet for the bill. I'm sure those of you here today who heard Senator MCCARTHY will agree.

As majority whip of the Senate, HUBERT HUMPHREY, has working closely with him on passage of the bill, the minority whip, Senator TOM KUCHEL. A Democrat and Republican, teamed in dedication. Your Congressman, ANCHER NELSEN, is truly an anchor as with 24 other House signers of the bill they have with them the whip over there—HALE BOGGS; and the powerful chairman of the Commerce Committee, OREN HARRIS; the strong Rules Committee member, RAY MADDEN; the close friend of the President, TORBERT MACDONALD; the majority leader, CARL ALBERT.

They can, I believe, bring this bill in this year—if you increase your support * * * if you can increase the flow of factual commonsense about the plight you are suffering, and the need for arrest of the disease now.

And I think, too, by an even greater demonstration of sincerity and commonsense, you will have performed the greatest service to your country—that you must survive if our system is to survive.

HOUSE OF REPRESENTATIVES

Monday, September 23, 1963

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, the gentleman from California [Mr. Moss].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

The Speaker's Room,
September 23, 1963.

I hereby designate the Honorable John E. Moss to act as Speaker pro tempore today.

John W. McCormack,
Speaker of the House of Representatives.

PRAYER

The Reverend David O. Trauger, rector, Church of the Good Shepherd, Philadelphia, Pa., offered the following prayer:

Almighty God, our heavenly Father, whom to know aright is life eternal, whose laws are perfect truth, we beseech Thee to send upon these Congressmen here assembled a portion of Thy wisdom and power and love so that they may enact laws which are pleasing in Thy sight and for the welfare of all of our people.

To this petition we add our unfeigned thanks for all the blessings that Thou hast bestowed upon us as a nation and individually. Give us grateful hearts and a firm resolve to serve Thee and our fellow men. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, September 19, 1963, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate insists upon its amendment to the bill (H.R. 5555) entitled "An act to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Russell, Mr. Cannon, Mr. Ervin, and Mr. Saltonstall to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 1576) entitled "An act to provide assistance in combating mental retardation through grants for construction of research centers and grants for facilities for the mentally retarded and assistance in improving mental health through grants for construction and initial staffing of community mental health centers, and for other purposes," agrees to the conference requested by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Hill, Mr. Yarborough, Mr. Williams of New Jersey, Mr. Pell, Mr. Javits, and Mr. Tower to be the conferees on the part of the Senate.

The message also announced that the President of the Senate, pursuant to section 10, Public Law 474, 81st Congress, had appointed Mr. Mechem to be a member of the Joint Committee on Navajo-Hopi Indian Administration.

The message also announced that the Vice President has appointed Mr. Carson and Mr. Johnston members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the U.S. Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 64-4.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE AND RELATED AGENCIES APPROPRIATION BILL, 1964

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 5888, making appropriations for the Departments of Labor and Health, Education, and Welfare and related agencies for the fiscal year ending June 30, 1964, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island?

Mr. GROSS. Mr. Speaker, reserving the right to object, I understand that this is the bill, H.R. 5888, which, as enacted by the other body, contains an amendment known as amendment 25, to be found on page 25 of the amended bill. It provides that 150 supergrades, that is, grade 18's, in the Department of Health, Education, and Welfare would be increased, if the amendment were adopted, from salaries of approximately $20,000 a year to $30,000. In other words, it would be approximately $10,000 annual increases for these 150 supergrades.

I will say to the gentleman that this would disrupt the entire pay schedules of the Classification Act if it were to be adopted. It is my understanding that the distinguished Senator from Delaware, Mr. Williams, has obtained an agreement from the chairman of the Appropriations Subcommittee dealing with this bill in the other body that the amendment will be stricken in conference.

My question to the gentleman from Rhode Island is, Will this be concurred in or can the gentleman tell me whether this will be concurred in by the managers on the part of the House—the striking out of this amendment No. 25?

Mr. FOGARTY. It is my understanding that the Members of the other body have already agreed to strike it out and therefore it will not be a point in conference, because it was not in the House bill. As the gentleman from Iowa knows the House has never tried to legislate in this way on an appropriation bill.

Mr. GROSS. The managers on the part of the House certainly would not insist upon an amendment of this nature that the House never even considered.

Mr. FOGARTY. No, it would not.

Mr. GROSS. I thank the gentleman. One other question I should like to ask the gentleman. I call the gentleman's attention to the fact that the last amendment to the bill as it left the House was one which I had the privilege of introducing and which was adopted. It provided that none of the funds appropriated under the act could be used to promote such things as a Domestic Peace Corps or any similar organization. I note this amendment has been stricken from the bill by the other body. I would hope that the managers on the part of the House would exercise their power and put that amendment back in the bill.

Mr. FOGARTY. As the gentleman knows, I did not oppose the gentleman's amendment at the time.

Mr. GROSS. The gentleman did not oppose it at the time and therefore acquiesced in the amendment.

Mr. FOGARTY. It was accepted by a practically unanimous vote of the House at that time. Offhand I would be constrained to stay with the House's position on it. Of course, I would not want to tie the hands of all the conferees.

Mr. GROSS. I thank the gentleman for the responses he has given. I am sure he understands that my objective has been to make legislative history and I appreciate his cooperation.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Rhode Island? The Chair hears none and without objection, appoints the following conferees: Messrs. Fogarty, Denton, Cannon, Laird, and Michel.

There was no objection.

FREE WORLD SHIPPING TO CUBA AND U.S. ACTIVITY TO PREVENT IT

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, news that four French ships have entered the Cuban trade clearly indicates how ineffectual the U.S. State Department has been in securing economic isolation of Cuba.

In April, six free world countries permitted their ships to go to Cuba. In May, seven were represented, and in June and July the total was eight. In August the number reached nine nations trading with Cuba. And now the addition of France.

During the period January–July, the number of trips to Cuba by these ships increased from 12 to 45. Total trips numbered 259 in the last Maritime Administration report.

The American people have been given assurances on the one hand, and excuses on the other. We were told this shipping was not increasing, and that it would decrease further. It was on the increase at the time the State Department news release was being issued, and is still on the increase.

The report about France getting in on the profitable Cuban trade said that the State Department, "in a subdued, diplomatic way," had taken the matter up with the French Government.

The American people are impatient with subdued, diplomatic activity which does not produce results. They are tired of hearing that ships are under charter, or otherwise out of the control of the country whose flag they fly. We have been witnessing flags of convenience for years—now we have a new approach, contracts of convenience.

The State Department is either unwilling or unable to carry out the announced policy of this Government to isolate Castro economically.

U.S. maritime leaders have branded these State Department efforts a "failure" and have demanded tougher measures. Ralph Casey, president of the American Merchant Marine Institute and Joseph Curran, head of the National Maritime Union, have joined together in a call for action. Joseph Curran, Jr., has suggested American picketing of all ships from countries permitting their ships to go to Cuba. I believe economic pressures such as this would be most effective, and express a grassroots American feeling to the foreign governments and shipowners which they fail to grasp through the "subdued" efforts of an ineffectual State Department policy.

I have proposed legislation which would forbid interstate transportation of any goods imported into the United States on ships from countries in the Cuban trade. Today I have requested the chairman of the House Interstate and Foreign Commerce Committee to begin hearings on this bill. It is my hope that we can display to the international shipowners, and to our own State Department, that we want action, not excuses.

NIKOLA PETKOV, BULGARIAN PATRIOT

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, today we in the House of Representatives of the Congress of the United States, pause in our legislative work to pay tribute to the memory of a gallant Bulgarian patriot who died a martyr to the cause of freedom 16 years ago this day.

The Bulgarian nation has had a devastatingly bleak history of subjugation and oppression with intermittent glimpses of freedom. They are a proud people, brave people, outstanding people who have given much to Europe and the world. On September 23, 1947, just 16 short years ago, their present oppressors—the Communists—killed the patriot, Nikola Petkov.

Before I pay tribute to this fine man, permit me, Mr. Speaker, to say just a word or two about the valiant, brave but ofttimes unfortunate efforts of the Bulgarian people to breathe the fresh air of freedom. It was only 85 years ago, in 1887, that the Bulgarian people were freed by czarist Russia after 500 years of oppression. Less than 60 years later, on September 8, 1944, the Russian Army invaded and conquered Bulgaria. It is one of the sad ironies of history that the very country which had given this nation its freedom should in the following century become its oppressor.

Because Americans of all generations have been dedicated to freedom and justice, and because Americans always honor those who die for these same beliefs, it is fitting that we here in the U.S. Congress note Bulgarian National Day, 1963, and the role of the father of that day, Nikola Petkov.

Born in 1894 in Sofia, Nikola Petkov spent the later years of his life fighting for freedom for his country against the tyrannical Communist oppressors. Approximately a year after the Communist army subdued the country, the Communists temporarily relaxed their oppression, and allowed an opposition party to operate openly. As we know now, the Communists did this for three reasons: First, to deceive the Americans into thinking there was a true democracy in the country; second, to gain the diplomatic recognition by the Western Powers; and third, to get the U.S. Senate to ratify the pending peace treaty.

During the time the Communists tolerated the opposition Agrarian Party led by Petkov, the opposition party won the substantial support of the people. In October 1946, Petkov and 101 other Bulgarians took their seats in the Grand National Assembly. In the Assembly Petkov never relaxed his efforts to show to the world the godlessness of communism. On the day after the U.S. Senate ratified the treaty, the Communists disbanded the opposition party and arrested Petkov and others of the Agrarian Party. Eventually all those who were active in the opposition movement, which the Communists had allowed to exist as a show for the West, were liquidated in some way. Petkov was charged with high treason, to which he refused to confess, and on September 23, 1947, he was hanged in secret. Because he was so loved and admired by his people it took this act on the part of the Communists to make formal and final their mastery over the Bulgarian people.

By his death this great patriot joined a long list of Bulgarians who have died with hope that someday their country would be free. I consider it a privilege to say on behalf of all Americans that we share that same long hope. The Communists offered him his life if he would confess to treason, but he refused and made it clear to them and to his countrymen that he would gladly die if it meant eventual freedom for his people.

I think of the life of this great democrat as a manifestation of the spirit of the Bulgarian people throughout their history. He is a reminder not only to the people of Bulgaria, but to all Americans, that freedom must continually be rewon.

I happily join with all Americans and other members of the Congress in expressing the hope that someday the people of Bulgaria will live in the freedom for which Nikola Petkov died.

CERTAIN ALLEGATIONS ABOUT THE FOREIGN AID PROGRAM

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SNYDER. Mr. Speaker, on Tuesday, August 20, 1963, the gentleman from Minnesota [Mr. BLATNIK] alleged—page 15471 of the RECORD—that I had made certain allegations about the foreign aid program, which allegations were not substantiated, and he inserted in the RECORD what purports to be the complete or partial explanation of certain expenditures which I had previously listed.

Mr. Speaker, had the gentleman not indicated that these statements were made without substantiation, I would not have been inclined to have replied. But, in view of the fact that the gentleman was referring to my remarks of March 4, 1963, wherein I gave the source of each of the allegations that I made, it is a little difficult for me to understand how the gentleman could indicate that these remarks were made without substantiation. I am willing that these remarks be corrected on those items where correction is proper and I would think that the gentleman would be rendering a service in showing to the House whatever errors are contained in my statements. In the same fashion, I question whether or not the gentleman rendered a service in making the blanket statement that these allegations were made without any substantiation in view of the fact that many of the allegations are substantiated by the gentleman's own so-called explanations.

I will try to go over those items which the gentleman from Minnesota has enumerated and will do so in the same order in which he has found it proper to list his so-called explanations or justifications.

First. I alleged that an untold amount had been spent to construct a solar-powered ship to win friends and influence people along the rivers of Surinam. If the amount is in truth and in fact $28,625, I am willing to accept that figure. However, it is to be noted that the gentleman does not say that this is the total amount but rather he says that this is the amount indicated in the reference which was shown in my remarks. It is the amount indicated in the reference and I would appreciate it very much to know definitely that this is the total amount. If it is, I can hereafter cite that as the total amount. This project was so questionable, according to the gentleman's own explanation, that AID canceled the plans for the test in Surinam and is now going to have the test conducted by the U.S. Army Electronic Research and Development Laboratories at no cost to the AID program. As indicated by the gentleman's so-called explanation, this project was so questionable that the General Services Administration had suspended the contact with the Hoffman Corp. prior to March 1, 1963. I must admit that on March 4, 1963, I was not aware of the fact that AID had requested GSA to rescind its suspension and complete the contract. Had I known it, I might have been a little more violent in my opposition to this as an AID program. Do you not see, Mr. Speaker, that if this is a program for the U.S. Army, which is now inferred by AID, then it is being financed out of the wrong funds. If it is a program for our foreign aid people, then I continue to deplore the expenditure of these funds.

Second. I alleged that 1,000 television sets were ordered for use in community education programs in underdeveloped countries overseas at the cost of $400,000 for areas where there was no electrical power supply.

Mr. Speaker, this statement is correct. It is gratifying to see that AID has canceled this contract and is in the process of settling with the contractor. I would have thought that the gentleman might have been a little more full in his explanation if he had indicated to the House that the agency had received a settlement proposal from the contractor for about $57,000. If the gentleman from Minnesota would refer to House Report No. 2436, dated September 19, 1962, he would find, first, that AID did not utilize competition to obtain the best price available for the TV sets, and second, that there was no real urgency for the sets, as stated by AID, but rather a desire to obligate the funds by June 30, 1962, the end of the fiscal year. This information is contained in a letter dated August 14, 1963, from the Comptroller General to the Honorable A. Willis Robertson, Senator from Virginia, the full text of which letter may be found in the Congressional Record of Thursday, August 15, 1963, beginning at page 15170.

Third. I made an allegation that funds were spent for troughs for camels and this is not denied by the gentleman from Minnesota. He merely says that this is a new variation of an old thing—that a similar charge had been made in 1958. I would refer the Members of this House to the hearings before the subcommittee of the Committee on Appropriations of the 87th Congress on page 289 where the gentleman from Louisiana [Mr. Passman] has set forth that allegation as it was taken from the Arizona Republic, a daily newspaper with a daily circulation of 140,146. The gentleman from Louisiana [Mr. Passman] was directing his comments to Secretary G. Mennen Williams, Assistant Secretary of State for African Affairs, and he indicated to Secretary Williams that he was making the statement so that the Secretary might be able to do a little bit of research. It might be noted that the hearings were held during the month of June 1962 and that so far as I have been able to determine from reading these hearings, as best I can, and I might have missed it because there are four volumes, Secretary Williams never replied to the charge. It would seem to me that, if the charge is so fantastic, the Assistant Secretary of State would have had a response to this.

Fourth. I alleged that foreign aid funds were used in Kenya, Africa, for the purchase of extra wives for government officials. Now, Mr. Speaker, on this I would like to say that the words "government officials" could be incorrect. It would depend upon the connotation that you put upon the Associated Press report which appears in the Congressional Record, volume 108, part 6, page 8124; but, whether it be for government officials or whether it be for businessmen, I still think that the crime is just as great if we use American taxpayers' funds for the purchase of extra wives for people in Kenya, Africa. And let me say this, I would not normally dispute what the gentleman from Minnesota has to say because I know he is a very learned gentleman, having been a schoolteacher and having much education. However, I believe that Mr. Fred Okuma, general secretary of the Kenya African Chamber of Commerce, might know just almost as much about the internal affairs of Kenya as the gentleman from Minnesota. Mr. Okuma circulated a letter to all members declaring:

> You are undermining our efforts by not using this money to develop your business. That is what the money is loaned to you for—and not just for buying more wives.

It is interesting to note that one African businessman retorted that wives were an investment, particularly if they produced girl children who would later bring in the money suitors pay for brides.

I would suggest to the gentleman from Minnesota that he make reference to the May 10, 1962, issue of the Congressional Record and the headline which appeared on that article, "American Loans for Business, Not for More Wives."

Fifth. The next allegation which the gentleman takes me to task for is the allegation which I made that foreign aid funds were spent to build superhighways in countries where there are few if any automobiles. The justification or explanation by the gentleman from Minnesota for this is that the statistics show that the rate of increase in passenger cars and commercial vehicles in newly developing countries is an impressive one. With this I find no quarrel, but I would point out to the gentleman that I think that our American taxpayers' money must be put on a priority basis. I have never had the pleasure of driving from Washington to Minnesota but I do drive from Washington to Kentucky, and have on a good many occasions during this session, and I would submit to the gentleman that I believe that statistics will show that the rate of increase in passenger cars and commercial vehicles in this country is also an impressive one.

I would further submit that if the gentleman from Minnesota would rather see his constituents' money used to build roads in foreign countries where there are few if any automobiles, but admittedly an impressive increase, in the commercial and passenger vehicles coming into those countries—if he would rather see his constituents' money used to build the roads there rather than in Minnesota, I would not disagree with him. That is his privilege, but as for me, I would rather see this money used to build roads in America and particularly in the Commonwealth of Kentucky.

Sixth. The next allegation for which I am taken to task is that this country furnished a luxury yacht complete with air conditioning and gold wallpaper to a millionaire emperor at a cost of $3 million. I did not allege $3,100,000 as the gentleman says I did, but I am willing to accept his figure of $3,100,000 as being correct. In this instance my only error was that I was $100,000 too low—and for this I am not willing to make an apology to the gentleman from Minnesota or to the foreign aid officials. It may be that I owe some sort of an apology to the taxpayers who think it only cost $3 million rather than $3,100,000. I would say that I do not know the value of this ship but if it costs the American taxpayers $3,100,000 to remodel and renovate it for Mr. Selassie, then the value of this ship must be an astronomical figure. I suppose this gets down to a sense of values but I would like to point out to the gentleman that the average family in America consists of 3.65 people. The average income for a male in America is $4,372; for a female it is $1,342. If you would use the figure of $5,000 as the average income for a family in this country, and bear in mind that this is more than it really is—I think $5,000 is more representative of my district and I hope of the gentleman's district—that this average family earning $5,000 a year pays $416 Federal income tax alone. If you divide $400 into $3 million you find that it takes approximately 7,750 American taxpaying families just to renovate Mr. Haile Selassie's yacht. I consider that this is an improper use of taxpayers' money and am willing to accept the fact that the gentleman from Minnesota does not consider it improper.

Seventh. I alleged that the Greek Government appealed to its wheat-growers to curb the growing of wheat to spur U.S. aid and then suggested that an increase be placed in cotton, competing with U.S. cotton. It is important to note that the gentleman in repeating my allegation left off the last half of the allegation and makes no reference in his answer to the fact that they suggested that this acreage be put into cotton to compete with U.S. cotton. He only deals with the wheat factor, indicating that the kind of wheat which the Greeks are most interested in, to be purchased under Public Law 80, is a type not grown in Greece and must be imported regardless of the size of the Greek wheat crop. I might suggest to the gentleman that he get his AID friends to answer the rest of the allegation, for the answer which they have given says nothing, except to charge that the U.S. Government acts in the interest of the United States, and I would say that I and many other Americans quite often wonder whether or not this is true. The following from the New York Times, June 11, 1962, may be helpful.

Greece Asks Curb on Wheatgrowing To Spur U.S. Aid

> Athens, June 10.—The Government appealed to farmers today to limit wheatgrowing on the ground that it deprived Greece of substantial U.S. aid in agricultural surpluses.
>
> The appeal came as the Government announced a reluctant decision to continue its wheat price support policy this year by guaranteeing growers $90 a ton. Imported wheat costs less.
>
> At the same time the Government announced a 5-percent increase in the price of bread. Bread now will cost the equivalent of 13 cents a kilogram (about 2.2 pounds).
>
> The Government has been trying to induce farmers to switch to crops such as cotton which is more profitable and would also aid Greek exports.
>
> This year's wheat harvest is expected to yield 1,600,000 tons. A third of the total arable land in Greece is in wheat.
>
> The Government statement said that the wheat price support policy was costing Greek consumers about $27 million a year. It added: "Because of this policy Greece cannot absorb American aid in surplus agricultural supplies, which consist mainly of grain. This aid would not only insure cheaper bread for people but would yield considerable revenue to the budget. Suffice it to say that in the current year Turkey received American wheat worth $87 million, Yugoslavia $63 million, and Egypt $76 million."
>
> U.S. wheat aid to Greece in the current fiscal year will be 30,000 tons valued at $1,900,000. Total U.S. agricultural surpluses being shipped to Greece in the fiscal year are valued at $10,200,000. They include large quantities of feed grains and barley.
>
> The statement warned farmers that drastic measures would be adopted next fall to insure the success of the Government's crop reform policy by limiting the area devoted to wheat cultivation.

Eighth. My next allegation is that, of the 24 countries sending delegates to the so-called neutral Belgrade Conference in September 1961, 23 were receiving U.S. economic assistance and 13 military assistance in the fiscal year 1962. The gentleman very carefully refers to the 10 major recipients of U.S. aid, but I would like to refer this House to page 206 of part II of the hearings before the subcommittee, chairmaned by the gentleman from Louisiana [Mr. Passman]. The Honorable Fowler Hamilton, Administrator of the AID program, furnished the following information:

> Of the 24 countries sending delegates to the Belgrade Conference in September 1961, 23 are receiving U.S. economic assistance and 13 military assistance in fiscal year 1962. In fiscal year 1963 economic assistance is programed for 22 countries and military assistance for 13.

U.S. Aid to Countries Attending Belgrade Conference, September 1961

> Delegations: Afghanistan, Algeria, Burma, Cambodia, Ceylon, Cuba, Cyprus, Ethiopia, Ghana, Guinea, India, Indonesia, Iraq, Lebanon, Mali, Morocco, Nepal, Saudi Arabia, Somali Republic, Sudan, Tunisia, United Arab Republic, Yemen, and Yugoslavia; observers, Bolivia and Ecuador.
>
> Total U.S. economic and military assistance, fiscal year 1962, $671 million (does not include observers).
>
> Total U.S. economic and military assistance, fiscal year 1963, $813.5 million (also does not include observers).

I think the gentleman, in fairness, could have said that my allegation is true or that Mr. Hamilton, the Administrator of the AID program, was in error—and not leave the inference that I was in error. I suggest to this House that I am in error only if Mr. Hamilton was in error in the testimony which he furnished the gentleman from Louisiana's [Mr. Passman] subcommittee. Now remember that section 112 of last year's Appropriations Act said:

> It is the sense of Congress that in the administration of these funds great attention and consideration should be given to those nations which share the view of the United States of the world crises.

Ninth. My next allegation is that Mr. Chester Bowles, President Kennedy's roving ambassador, spent $600,000 on an 18-day jaunt around the world, meeting ambassadors and their wives, and I would submit that the explanation given by the gentleman from Minnesota indicates that this must be true. It is also indicated that there were some other people who went along on this trip to so-called conferences, including Mr. Edward R. Murrow, Director of the U.S. Information Agency, and Mr. George Weaver, Assistant Secretary of Labor for International Affairs. I would say that I do not know who went along on the trip and that I could not care less. I am concerned that this excursion cost the American taxpayers $600,000 in expenses for 18 days—and since the gentleman does not dispute this, I will belabor the point no further.

Tenth. The next allegation I make is that an FHA aid, fired for gambling, is rehired by the Alliance for Progress and sent to Caracas, Venezuela, at a salary of $17,030 per year. Again the gentleman from Minnesota does not deny that this is true. His explanation is that the man in question was hired because of an outstanding record in the field of housing and I can only say in response to that, that if there is any area of Government where they need men who have outstanding records in the field of housing, that it would be in the Federal Housing Administration. I would say further that apparently in the thinking of the people in the Federal Housing Administration, the man's record was not so outstanding as to cause them not to dismiss him for whatever reason they did dismiss him and I understand it had to do with gambling. It is extremely puzzling to me that a man's record can be so good in an area where a particular agency is supposed to be dealing but yet not good enough for them to overlook the circumstances that caused his dismissal. Yet in the same fashion another agency, which is not dealing in housing as a speciality, alone finds he is so outstanding.

Eleventh. The next allegation I made is in regard to $200,000 allocated for a center in the African region together with $139,000 for translation services to translate African technical publications into French. I think the justification for this, as given by the gentleman, is such justification as makes this expenditure a little bit more ridiculous than it seemed before. The justification is that this project is to translate technical publications—a high percentage of which are U.S. publications, many prepared by AID and its predecessors. I might suggest to the gentleman that I and a good many other people question the necessity of having AID publications translated for foreign friends. I think they already know what saps we are in regard to our AID program and I see little sense in spelling it out for them any more than we already do and have. The gentleman says additional services have been performed, such as dubbing in film narrations in French. I would hope that the Frenchmen could do their own film dubbing in, as I am confident that they are quite fluent in French.

Twelfth. I stated that "no controls can be exercised over the $9 million of aid funds for Libya." I am confident that the gentleman would not want the House to be misled by his answer to the next charge. The gentleman indicates that this is not aid money but a flat rental for a strategic base site which is a major link in our defense. So let us look at the record, the testimony beginning on page 836 of the subcommittee's hearings above referred to:

> Question, Mr. Andrews: "What is the status of the Wheelus Base?"
>
> Answer, Mr. Hutchinson: "So far as I know, sir, it is an airfield that we hope to continue to operate indefinitely. Have you any information on that?"
>
> Answer, Mr. Troxel: "No, sir."
>
> Question, Mr. Andrews: "Is there any danger of our losing it?"
>
> Answer, Mr. Hutchinson: "I have not seen any indication."
>
> Question, Mr. Andrews: "What are the terms of occupation?"
>
> Answer, Mr. Troxel: "I am not prepared to give a very complete statement on the terms, but we have it under an arrangement which, in fact, we expect to be indefinite."
>
> Answer, Mr. Hutchinson: "I would certainly want to emphasize that what we are doing in Libya is related to this base. We would not be doing this kind of program in Libya if it were not for that."
>
> Question, Mr. Andrews: "In other words, this aid is more or less rent for the use of that base?"
>
> Answer, Mr. Hutchinson: "Yes, sir; the agreement specifically provides for the cash grant of $10 million and the obligation to give serious consideration to other assistance to them. So we are in a negotiating process constantly on this score, sir."

Later on, on the same page, 837, Mr. Ford asked the question as to whether or not there was any control over the $10 million and Mr. Hutchinson replied that we have in effect no control over $9 million. Now, Mr. Speaker, I recognize that the gentleman from Minnesota is not, according to his biography, as shown in the Congressional Directory, a lawyer, but rather a professional educator and I am well aware of the fact that so many of our educators do not deal in realities but rather in the field of the nebulus and that not being a lawyer he probably is not aware of the fact that this testimony would not substantiate his charge that this was a flat rental fee—that is, unless the situation has changed since that testimony, in which event, I am sure the gentleman, in fairness, to me would have so indicated. I would just submit that either I am correct in my assertion or that Mr. Hutchinson, the AID man, is in error, because this is his testimony as its official representative.

Thirteenth. The next allegation is in regard to Vietnam and other countries where I alleged that U.S. goods, being received as gifts, are taxed by the Government of Vietnam and other countries. This the gentleman admits with the explanation that it is from these revenues that the Vietnamese Government must defray the very large defense security expenditures needed to repel the Communist aggression. It would seem to me that, since these taxes are paid by the importers in the recipient countries, that the Vietnamese Government and the other governments have the taxpayers who pay this particular money into the treasury under their control and there is no need to extract the money from them through this source; that is, the taxing of our gifts to these particular governments. It seems to me that the explanation given is not just full of holes but just one big hole. I might comment in passing that I question whether or not the Vietnamese Government is worried today about fighting Communists but rather Buddhists.

Fourteenth. The next allegation I made about which the gentleman has commented is that AID is spending $120,000 for orientation courses for employees going overseas together with their wives and adult dependents. Since the answer to this is so evasive, I would question whether or not I have alleged enough money. Nevertheless, I make the positive statement that the charge is not denied in the gentleman's explanation.

Fifteenth. The next allegation is that the Cambodian highway, paid for by the United States, which was supposed to have cost $15 million, was so badly planned and built that it resulted in a cost of $32 million and must now be repaired at an additional cost of $2.7 million. The gentleman admits that this highway did cost us $32.1 million and a reference to the hearings, part III, page 636, before the subcommittee of the gentleman from Louisiana, indicates that the AID people testified that the original contemplated cost was $15 million. I think it is interesting to note that in the gentleman's explanation, while he does not admit that it is going to be repaired at an additional cost of $2.7 million, he admits that it is now necessary to spend between $14 and $15 million to repair the highway. This is one-half of the original cost and as much as the project was supposed to cost in the first place. I think it is also interesting to note that the Bureau of Public Roads, according to the gentleman's explanation, has indicated that the primary cause of failure was a lack of stability in the base course. Now, in my practice before I came to the Congress, as an attorney, I represented a road district or two and a small municipal government at one time and we built roads and I know what he means when he says "a lack of stability in the base course." This means either that the wrong type of material was used for the base course or not enough of it consistent with the type of soil upon which it was put, in order that it might remain stable. This only goes to verify what I said in my original allegation, that a lousy job was done at twice what it was supposed to cost and that it was done with foreign aid funds.

Sixteenth. The gentleman from Minnesota disputes my allegation that in Taiwan a sawmill was built in the mountains with U.S. aid and then it was learned that it would not saw the types of logs produced there.

He may well be right for I have never been to Taiwan to try to find out. I only reply on the testimony of Mr. Seymour J. Janow, Assistant Administrator, Bureau for Far East, AID, and Mr. Rutherford M. Poats, Special Assistant, Bureau for Far East, AID. On page 714, part III, of the hearings herein referred to, both of these gentlemen were asked about this project in the following words by the gentleman from Louisiana [Mr. PASSMAN]:

> Are you familiar with the sawmill that was started in Taiwan, and after we got the mill set up, we found out it would not saw the logs which they produce out there?

Both of the witnesses indicated that they did not have the papers on the project with them but both of the witnesses, together with Mr. Edward F. Tennant, Acting Comptroller of the AID program, admitted that it was a project, that they had all heard about it, but that they did not have the details with them.

This project was approved in April 1956 and it involved the procurement of logging equipment and the construction of a sawmill in the Ta Shu Shan area of Taiwan. The House Committee on Foreign Affairs began an investigation of the project in January 1958 and requested that the implementation of the project be deferred until the investigation was completed. In January 1959 the committee completed its review and reported its findings. The committee found that the long delay in implementing the project was caused by administrative mishandling by the International Cooperation Administration and recommended that action be taken to prevent this mishandling in other projects. The committee also authorized ICA to proceed with the project. The logging equipment was delivered to Taiwan and placed in operation and ICA contracted with an American engineering firm to prepare general engineering specifications for the proposed sawmill which were completed in 1960. In view of the gentleman from Louisiana's [Mr. PASSMAN] statement in the official hearings and in view of the fact that none of the three officials of the AID office indicated in early August 1962 that this project had been canceled, I think it was a fair assumption that Chairman PASSMAN's allegation was correct. It seems to be a second thought that they now deny this contract.

Seventeenth. The next allegation is an allegation that contingency funds are transferred to aid for foreign countries. The gentleman admits this is true and says it is legal—Congress has authorized it; and let me say this, that I do not deny that it is legal. I only think that it must be pointed out to the taxpayers that these contingency funds are transferred for this purpose and that the total amount appropriated for foreign aid then is somewhat enhanced by this amount. I might even say that I do not think most of the taxpayers of this country are aware of the fact that the Public Law 480 program is actually an additional foreign aid fund. While it is in the agricultural appropriation bill, these products and surpluses are sent overseas and sold for local currency and the local currencies are then distributed by the foreign aid people over and above what they are appropriated in their normal foreign aid appropriations bill. The latest figure that I can get on this indicates an American dollar value of 1 billion, 66 million additional in the last year reported—which I believe was 1962—which the AID people had to spend in local currency over and above their regular appropriation. I want to point out this, that in setting forth this allegation, the gentleman again used only one-half of the allegation, only one sentence of two. I would query as to whether or not his AID people have any dispute with the fact that I said in addition, "even British possessions are considered for aid programs." If they do, I would refer then to part II of the hearings, page 486.

Eighteenth. The next allegation I made with which the gentleman wants to take issue is that "many foreign aid plans are initiated by the United States, not by the recipient countries." The gentleman attempts to twist the connotation of what I said by saying that a formal application must be made by the recipient countries. With this I do not find any error, but I would refer the gentleman to part II of the hearings, page 237, where Mr. Andrews asked Mr. Hamilton who takes the initiative in suggesting these plans, the recipient countries or our people. Mr. Hamilton answered:

> Sometimes we do it, where we think it is in the interest of the United States to try to help a country along economically and try to strengthen it.

Again on page 444, the following:

> Mr. ANDREWS. In connection with the project discontinued, which I believe was in Libya, referring to schoolbooks—who originated that project?
>
> Mr. HUTCHINSON. The project would have been originated in the field.
>
> Mr. ANDREWS. By our people?
>
> Mr. HUTCHINSON. I don't know the specific answer to the question as to whether this one was originated by our people or by the

Libyan Government. Fundamentally it can happen either way, although the basic procedure is for the government to propose those things which they feel are worth doing.

I submit that my allegation is 100 percent correct according to the testimony of the AID people.

Nineteenth. The next allegation which I made is that "because of commitments made on foreign aid projects, Congress is losing control of the aid program amounting to billions of dollars." On this I would prefer the gentleman to page 264 of part II of the hearings wherein he will find the following statement by the gentleman from Louisiana in reference to what he is being told by the AID people:

> You can refer to the record and find where these people said we made a better program through our reductions. Now we are getting into the position where we are told that we cannot reduce funds because commitments have been made.

Now if the gentleman from Minnesota objects to my wording of this, I would be glad to take any wording which he wants to prepare for me for this allegation which connotes what the gentleman from Louisiana said he, as chairman of the subcommittee on appropriations for foreign operations, was being told by the AID people.

Twentieth. The next allegation which I made and with which the gentleman takes issue is that "countries are buying jetplanes with AID money without proper facilities or business. Ghana has its own airline standing dead at the airport." I would refer to gentleman to page 327 of the hearings, part where the gentleman from Massachusetts [Mr. CONTE] says:

> I hope you are right. I thought that there was a glut on the market in Africa with regard to jet airlines. Ghana had its own airline and they were all standing dead at the airport.

Further skipping down to the end of the page, the following quote:

> Mr. PASSMAN. It is my understanding that with relation to most of these newly formed independent nations, about the first thing they want is a national airline. Is that a statement of fact?
>
> Mr. WILLIAMS. Airlines are a prestige item, but in this respect I would like to point out that the Brazzaville powers are joining together to have a joint airline. They have subordinated their individual interests toward setting up a viable airline.

And it requires another page or so of reading with which I will not burden the RECORD but I wish only to point out to the other Members of the House that this charge is not at all unsubstantiated in reading the testimony of the subcommittee and I would suggest that the gentleman from Minnesota read this testimony.

I might say that I am a little bit fearful as I go down these items and attempt to show my justification that perhaps the gentleman from Minnesota did not read the sources which I gave on March 4 but rather referred the item to the AID office where his answers were prepared for him. I do not charge this, I only say that I wonder if this could be true.

Twenty-first. I alleged that teachers, claimed to be in short supply in the United States, are all over the world in the Peace Corps and in AID, some of them in the same building. The gentleman from Minnesota indicates that this is not true with two exceptions, one in Liberia and one in east Africa. I quite frankly do not know in how many cases this is true, but I would submit for the consideration of the House and in substantiation of what I had to say, the transcript of the hearings, part II, page 320, the following:

> Mr. PASSMAN. There is another sacred word around here. We are supposed to stand at attention when you speak of the Peace Corps. What do you do with that organization, which may save the world, when you have a classroom teacher in the Peace Corps and you have one in the adjacent room, teaching under this program? Do they get along all right?
>
> Mr. HUTCHINSON. We don't get ourselves in a situation where we have Peace Corps and AID-furnished teachers in the same schools so far as we can help it.
>
> Mr. PASSMAN. You keep them separated if you can. When they start teaching, they do the same type of teaching, do they not?
>
> Mr. HUTCHINSON. The secondary school teachers in east Africa particularly do the same type of teaching.
>
> Mr. PASSMAN. As the Peace Corp teachers?
>
> Mr. HUTCHINSON. As the Peace Corps teachers, yes.
>
> Mr. PASSMAN. Do they teach in the same buildings?
>
> Mr. HUTCHINSON. I wouldn't want to testify that there are no buildings in which we have the same teachers.
>
> Mr. PASSMAN. I asked whether you tried to keep them separated?
>
> Mr. HUTCHINSON. We try to keep them separated.
>
> Mr. PASSMAN. For what reason?
>
> Mr. HUTCHINSON. Because we feel it would create some problems if you had two agencies carrying on the same kind of program side by side.

I submit to the Members of this House, is not it plain enough when Mr. Hutchinson says we do not get ourselves in a situation where we have Peace Corps and AID-furnished teachers in the same school so far as we can help it.

Twenty-second. I alleged that in southern Rhodesia there is an agricultural school with 9 to 11 pupils as part of an AID program and it has something like 5 professors and plenty of buildings. The gentleman from Minnesota alleges that this is not true. In furnishing his explanation, he in fact infers that nothing even near to it can possibly be true. In this regard, my source of information is indicated in the statement which I made March 4 at page 326 of part II of the hearings. Now I would say to the gentleman from Minnesota that according to the statement of the gentleman from Massachusetts [Mr. CONTE] he saw the school and the pupils and the professors and the buildings, and his statement is as follows:

> Mr. CONTE. I hope you are firm on this because in that part of the world that you just mentioned, Kenya and Tanganyika, I believe I visited an agriculture school in Southern Rhodesia. I believe they had something like 9 to 11 students; there were about 5 professors, buildings, and everything else. I might want to correct the record but I am quite sure it was Southern Rhodesia. This upset me because I thought it was a waste of money. We should have a good regional school for that entire region.
>
> Mr. WILLIAMS. I could not speak directly to that point.

I would suggest that if the gentleman from Massachusetts said he saw the school that I really believe that he did and I would say further that I would not expect AID people to admit it. Whether it was in southern Rhodesia or another nearby country is rather immaterial.

Twenty-third. In regard to the items "splendid new sports stadium built in African country with primitive roads to get to it" and "a strikingly modern air terminal building constructed for a few planes while fertile land is left without irrigation in an African country," I attributed this allegation to a speech made by Eugene R. Black, September 18, 1962. The AID people have said that I was wrong in assuming that Africa was the proper continent and further that U.S. aid was involved.

Mr. Black was discussing the International Finance Corporation investments of more than $6 billion in countries of Latin America, Africa, and Asia and the U.S. aid program—see page 7 of his speech—and on page 12 of his speech had the following to say:

> My most serious criticism of bilateral aid programs, however, is their susceptibility to political influences, whether overt or otherwise. At its worst, aid is offered or exacted as a price in political bargaining that takes no account of the actual economic requirements of the recipients. But even at best, there is always the risk that political influences may misdirect development aid, since they may bring in considerations that are irrelevant to the real needs. I have known cases where, as a result, a splendid new sports stadium has been built, while the highway system remains primitive; or where the national airport has acquired a strikingly modern terminal building, while parched but fertile land is left without irrigation. Economic priorities are inevitably confused when economic objectivity is lost and economic objectivity is not easy when aid is influenced by political ends. Moreover, the problem goes deeper than the simple waste of a given amount of money. Aid directed to a government that is unwilling to meet the real needs of a country has one consequence that is pernicious. The most obvious result of some of the bilateral lending of the past decade has been to make it possible for countries to put off undertaking needed reforms; because well meant but ill judged offers of aid have been forthcoming, governments have been able to postpone such essential but disagreeable tasks as the overhaul of systems of taxation or essential currency reforms.

Perhaps Mr. Black was speaking of one of the other two continents, but regardless of which continent he was speaking about, I do not want the American taxpayers' money used as a political tool in the hands of foreign rulers. How in the world the gentleman from Minnesota could indicate that Mr. Black was not referring to U.S. aid being used on these projects is beyond me because a direct reference is made where Mr. Black indicates that he has known cases where, "as a result" of political influences misdirecting development aid, these things have happened. All of this in a speech is about U.S. private investments abroad

UNIVERSITY OF MICHIGAN LIBRARIES

and the U.S. development aid program. His speech is not about Russian aid or Russian investment as might be inferred from the gentleman's statement.

Twenty-fourth. The next allegation is that this country spent $458,000 bringing Japanese labor leaders to this country.

The gentleman's explanation admits that this is true and, as for me, I think more of my constituents' tax money than to want to see it spent in this way.

Twenty-fifth. The next allegation is that in Lebanon at the stock breeding farm furnished by U.S. funds there were nine stalls to each bull. Lebanon is one of the wealthiest countries in that area.

The gentleman states that the bulls were all over the country most of the year and gives this as an explanation as to why the stalls were not occupied. I quite frankly would wonder if some of them were not in the foreign aid offices around Washington spreading their product. The gentleman makes no mention of the fact that I alleged that Lebanon is one of the wealthiest countries in that area.

Let me say further that the distinguished gentleman from Louisiana saw this project and his comment appears beginning on page 278, part III of his hearings above referred to.

> Mr. Passman. Mr. Gary mentioned a chicken project. I visited a bull yard in Lebanon. They have about as much use for that bull and cow barn out there as I have for a cork leg. There were about nine stalls for each bull. Admittedly, it was supposed to be a sort of pilot project. They had a nice looking cow and a couple of bulls out there but a lot of empty stalls. Are you familiar with the bull barn?
>
> Mr. Gaud. I have heard of it.
>
> Mr. Gary. I went to that bull farm too. The great trouble they have out there with cattle is that 9 percent of the cattle have tuberculosis.
>
> Mr. Gaud. The stock is run down.
>
> Mr. Gary. They were trying to bring in some noninfected stock. That was not as good an operation as the chicken farm.
>
> Mr. Passman. It was supposed to be a pilot plant. Look at the cost of it and you will really get a shock. Did you get the figures for us?

In the Comptroller General's letter above mentioned to the Honorable A. Willis Robertson, dated August 14, 1963, it is indicated that this bull project cost a total of $186,000 and the U.S. Government contributed $100,000 of this amount. I assume the gentleman from Minnesota approves of this operation as described in the hearings. I do not.

Twenty-sixth. The gentleman from Minnesota again very carefully drops part of the statement which I made on March 4 and so that the record might be complete, I stated:

> No feasibility or engineering studies completed on many projects for foreign aid running into millions of dollars, yet not the smallest American flood control or drainage project would be authorized a penny until such plans and costs were completed.

The testimony of Mr. Hamilton, pages 229 and 230 of part II of the 1963 appropriations hearings for foreign operations, makes it very plain that this Agency asked for the authorization and appropriation for projects before any feasibility study had been conducted—this for the inhabitants of foreign countries but in truth and in fact in this country where our taxpayers will be directly benefited, money is not appropriated for the smallest of flood control or drainage project unless first feasibility studies have been completed and you get an authorization and you pin it down almost to the penny and then you come in and ask the Appropriations Committee for the money. This was well stated by the gentleman from Louisiana [Mr. Passman] on page 230 of the hearings.

I, for myself, am sick and tired of two standards being adopted, a high standard for something that helps American taxpayers and a loose standard for something that helps the foreigners.

Twenty-seventh. I alleged that air-conditioned Cadillacs would be eligible under the foreign aid program. Mr. Hutchinson, Assistant Administrator of the Bureau for Africa-Europe AID, admitted that there were circumstances under which they would be eligible. I deplore the eligibility of American taxpayers' money for such items. While I did not allege it on March 4, I question what kind of money King Hassan recently used when he went on his buying splurge in New York City and when he threw a party in Washington to the tune of $30,000 to entertain the executive branch and AID officials.

Whether he used his own money which was released because of the fact that we were giving aid to his country or whether he used the aid funds directly would be immaterial. The responsibility would be American aid money.

Twenty-eighth. The gentleman says that $185,000 for an airline training project is false. Mr. Hutchinson originally denied the project and then two questions later on page 975 of part II of the hearings indicated the truth of the matter. The testimony is as follows:

> Mr. Passman. You have an airline training project, $185,000, for Tanganyika?
>
> Mr. Hutchinson. No, sir.
>
> Mr. Passman. This could be anywhere.
>
> Mr. Hutchinson. Yes, sir, we do.
>
> Mr. Passman. You do what?
>
> Mr. Hutchinson. We do have such a project for 1963. This is an airline which would be internal to Africa and one we would hope would be effective in getting some cooperation among the countries in having a single airline rather than each having its own individual airline.

Now the gentleman indicates that this proposal has been dropped and quite frankly, I am glad that it has been dropped, if in truth and in fact it has—and I am curious as to whether or not the AID people would consent to put the money back into the U.S. Treasury. Our taxpayers need it.

Twenty-ninth. The next allegation which the gentleman disputes is that we spent $330,000 for the purchase of textbooks for the Libyan Government which books were refused by Libya because of its sensitiveness over American technicians editing them from French into Libyan texts. The gentleman states that the textbooks were not printed but either he is mistaken or Mr. Edmund C. Hutchinson, Assistant Administrator, Bureau for Africa-Europe AID, is mistaken because his testimony on page 444, part II of the hearings is very definite, as follows:

> Mr. Andrews. You first thought it was a good program and bought $365,000 worth of books?
>
> Mr. Hutchinson. Yes, sir, because we thought * * *

I used the figure $330,000 as the lesser of the figures referred to in the hearings. I refer the House also to page 398 of part II of the hearings where it is indicated:

> At the time of the preparation of the fiscal year 1962 congressional presentations materials, the project was delayed by the problems concerning Libyan sensitivities over American technicians editing Libyan texts.

Thirtieth. I indicated an estimated obligation of $167,000 for fiscal 1963 for helping tourism in Tunisia. This allegation is from Mr. Hutchinson's direct testimony, page 952 of the hearings.

I am glad to have the information that this project has been canceled and I would hope the gentleman from Minnesota can tell me how much was spent on the project before it was canceled—$13,000 was obligated in fiscal 1962 and there was unliquidated $5,000 at the end of fiscal 1962. Mr. Hutchinson estimated obligations of $167,000 for fiscal 1963. I would also appreciate it if the gentleman from Minnesota or the AID people can tell me whether or not they are willing for this $167,000 which was estimated for fiscal 1963 to be put back into the Treasury since they did not spend it for the purpose for which they estimated the need.

Thirty-first. I alleged that a new project for the survey of a water supply system for the city of Libreville at a cost of $150,000 was made without congressional approval. This is admitted and explained by the assertion that individual projects do not require congressional approval and I again point to this as evidence of the two standards on which we operate—a hard standard for our own people and an easy standard for foreigners.

Thirty-second. I alleged that in Liberia, which incidentally has been independent since 1847 and where there is a great deal of poverty and misery, that a $10 million palace is being built for the President, despite the fact that the present palace practically equals the U.S. White House and I further alleged that through fiscal year 1962, Liberia had received over $40 million in foreign aid and around $250 million for development loans—Newsweek of September 16, 1963, page 38, indicates a cost of $12 million for the palace.

I see that the AID people nor the gentleman from Minnesota disputed this. They merely say that no grants or loans to the Government have gone to the building of the mansion, but I submit that whenever we give foreign aid to a country, we thereby release other of their funds for whatever projects they might want to put them to.

I might also point out that the September 16, 1963, issue of Newsweek, page 38, indicates that the Ivory Coast recently built a $10 million marble palace and it is interesting to note that they have received $9.4 million in grants and loans from the United States during fiscal years 1961 and 1962.

Thirty-third. In regard to the allegation that in Cambodia enough rifles were given so that each man had two rifles apiece, the gentleman from Minnesota indicates that this is the result of an error in the congressional presentation document for the country in question. He indicates that it showed that the total cumulative program included 1,947 rifles for a MAP-supported force of only about 1,200 men but the latter figure should have been 2,200 men. It would seem that such information should have been in the possession of Rear Adm. L. C. Heinz, U.S. Navy Director, Far East Region, OASD (ISA), when he testified on Tuesday, March 27, 1962, and tried to justify the excess weapons by saying:

> There is a loss of this equipment over a period of years. If you recall, sir, they have about 58.4 percent overall in the Far East of usable equipment.

This testimony appears on page 493 of part I of the hearings heretofore referred to. Thereafter, the admiral was asked this question by the gentleman from Louisiana [Mr. PASSMAN]:

> Actually, have you not provided more rifles than there are men to use them, if you had assigned one per man?

The answer by Admiral Heinz:

> That is correct.

Thirty-fourth. The next allegation was "India, which has received a total of about $4 billion in U.S. aid is now negotiating to buy a Russian MIG aircraft plant."

The gentleman admits that according to press reports that this is correct.

Thirty-fifth. I alleged that the AID agency requested information from the Library of Congress to compile and supply information to ascertain nations which have or have not received aid from the United States in order to answer questions by House Committee on Foreign Operations Appropriations.

This charge is basically admitted by the gentleman from Minnesota and substantiated at page 254 of part III of the hearings herein referred to and I doubt that there is any Member of this body who did not see the news stories that were carried by virtually every newspaper in the country indicating the truth of this allegation. It is also to be noted that the gentleman from Minnesota indicates that in any Government research project a doublecheck with the Library of Congress is routine. While I am a newcomer here, I had the impression that the Legislative Research Service of the Library of Congress was for the benefit of Members of Congress rather than the bureaus, but I could well be wrong on that score—and for those who might have forgotten, let me remind them that we have given foreign aid to 101 of the 113 nations—and I cite the authority for that as being the same authority, that is, page 254 of the Foreign Operations Appropriations Committee hearings.

Thirty-sixth. I alleged that "increased funds for Kenya, a British possession, home of Mau Mau, to $3.2 million for fiscal year 1962," and this is not denied in the gentleman's so-called explanation.

Thirty-seventh. I alleged that $2½ million in aid for Mali with a very large element in the Government taking an anti-Western stand and I see that the gentleman does not deny this charge.

Thirty-eighth. "Nigeria, gaining independence October 1, 1960, from Great Britain, received a grant-in-aid of $20.5 million for 1962 in addition to U.S. loan commitments of $225 million. Among projects is a TV educational program at a cost of $343,000 for 1963 although Nigeria has only two TV stations and very few TV sets." After reading what the gentleman has to say, I conclude that this allegation is not denied.

Thirty-ninth. It was alleged fraudulent invoices from Laos for generators and sawmill equipment of $207,500 were paid for by the United States when actual cost was $44,000. No recovery was made of the money expended.

I assume that this charge is basically admitted in view of the fact that the gentleman admits we picked up a bill for $160,000 for $12,450 worth of equipment and that a refund had beeen requested from the Laotian Government. The fact that a refund has been requested, I would assume verifies my charge that no recovery has been made. I imagine the refund will be forthcoming whenever the United States gives Laos the money from which the refund can be made. In regard to the sawmill equipment, it is indicated by the gentleman from Minnesota that the material did not justify the charges of $42,000, but he does not say what charge it does justify—and since he does not deny the charge as I have quoted it from the hearings, I assume that it is admitted.

Fortieth. In regard to the allegation "U.S. Government is lending $27 million to Ghana to build the Volta River Dam in addition to other projects," this is admitted as being an AID loan for $27 million at 3½ percent interest repayable in dollars—which is not in disagreement with what I had to say.

Forty-first. I alleged that many Latin American nations have taken their dollars and have bought U.S. gold. Argentina, for instance, insisted on gold dollars and in 1961 bought over $150 million worth despite the fact that the United States was paying interest on the dollars.

Cyprus, which received $679,000 in aid in 1962 from the United States bought up $2 million of our gold at the end of 1961.

Iran, in the last quarter of 1961, purchased $16.1 million of U.S. gold, yet that country is under the mutual security program for $54.4 million exclusive of military aid.

Iraq, which has, through fiscal year 1962, received a total of $67.5 million in U.S. aid, bought a total of $29.8 million of U.S. gold in 1960.

Cambodia, to whom we gave $24 million in fiscal 1961, turned around and bought $12 million worth of U.S. gold.

Indonesia, to whom the United States gave $44 million in aid in the last half of 1960, bought up $24.9 million of U.S. gold in 1960.

Laos also bought $1.9 million of U.S. gold while taking $24 million in aid since 1961.

Not a one of the above allegations is denied by the gentleman. He indicates the reason nations buy gold relates to what each considers necessary for its own reserve as well as its requirements of participation in the International Monetary Fund. I might advise the gentleman that it is about time that we be concerned about what our Nation needs for its own reserves and I say here and now that in my own personal opinion, any country that has surplus funds with which to buy gold from us—to deplete our gold supply—is not, in my humble opinion, a fit subject for our AID dollars.

Forty-second. I alleged "Agreement between Morocco and the United States gives Morocco the United States bases worth millions of dollars by the end of 1963. One base now occupied by Russian personnel and Russian Mig planes." The gentleman goes a long way around the barn to admit that this is true.

Forty-third. I alleged "$10 million loan to textile mill in Sudan; $500,000 for textile mill in Ethiopia while our textile mills are suffering." In the gentleman's explanation, he admits that these two loans were made.

Mr. Speaker, I will leave it to those within the sound of my voice and those who might read these remarks in the RECORD to make a decision as to whether or not my allegations of March 4 were totally without substantiation as indicated by the distinguished gentleman from Minnesota.

OUR AID PROGRAM IN BRAZIL

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SNYDER. Mr. Speaker, earlier this year a missionary newsletter came to my attention which indicated that in the little town of Carnauba in northeastern Brazil, more than 1,000 old, sick, and crippled people labored in the hot sun for 10 hours each day to receive 45 cents per week, plus beans, rice, and flour. This letter went on to point to the shocking fact that the food the people received, as wages, was given to the Brazilian Government by the American people under Public Law 480—food for peace. The missionary newsletter said the Brazilian officials of the Government organization do not distribute this food to the needy, but use it as pay for people to work for them, thus these officials pocket the true wage of the people, paying them with food for peace items. The missionary stated that millions are starving in this huge land and the awful fact remains that very little of the money from "Alliance for Progress" is getting to the people who are in extreme need.

This alarmed me somewhat and I wrote to the missionary and asked if he could verify what he had to say.

The missionary responded with some other facts. Then on June 28, he sent me a clipping from Brazil's largest magazine—O. Cruzerio entitled "Scandal in Sudene." This article contains pictures in keeping with the article's allegations. I sent the article to the Library of Congress for their translation and their translation follows:

[Translation]

Scandal in Sudene (Administration for the Development of the Northeast)

(Text by Glauco Carneiro; Photos supplied by Diário de Pernambuco, Elias Nasser and Indalecio Wanderley)

In the factual account which O. Cruzeiro published on the "Sudene Power and its Activity in the Northeast," we mention that in the "labor fronts" started by that organization in the interior of Pernambuco the same old and greatly deplored "barracao" (company store) process exists under which the "flagelado" (the whipped one) is forced to accept in kind a goodly part of the meager wages he receives for his efforts. Now another, even sadder report has come to us from that state: The workers receive, as part of their pay, foodstuffs donated by the United States to Sudene for free distribution in the northeast.

This situation which was widely publicized in the Pernambucan press was discovered when a businessman working in the electric (appliance?) field, Mr. Jose Correia de Siqueira, of Afogados de Inàzeiras, was asked by friends to visit one of the Sudene "fronts" working on the construction of the Afogados-Carnaúba Highway near the Paraíba border. There, Mr. Siqueira, who is very well liked and who never was in politics, found a thousand dirt farmers—men, women, and children, ricket-ridden oldsters and sick persons—working 10 hours a day including holidays and religious feast days, under the heel of inhuman overseers who torment the women with coarse jokes and cut the wages of any of them if they dare to spurn their attentions. Over a 20 kilometer area, on inclement soil, with water rationed, the "flagelados" were digging up the hardened ground, hoe in hand and completely submissive to the sometimes absurd orders of the overseers.

Any disobedience—and the "flagelados" are liable to lose their weekly pay. And what is the pay? Only 1,200 cruzeiros, of which barely 300 cruzeiros is in cash and the rest in rotten merchandise, including corn donated under "Food for Peace" program and packed in bags that are marked: "Corn—Furnished by the People of the United States of America and Distributed in [sic—"by"] Brazil—Not to be Sold or Exchanged."

Furthermore, the dried beef, beans, flour, and coffee given to the "flagelados" by way of wages were in deplorable condition, some being rotten and all looking bad. Severino Barbosa, a correspondent for the Diario de Pernambuco, in a report published on June 17 of this year, revealed all these facts with the greatest possible repercussions being felt in the northeast. That traditional Pernambucan press organ said in an editorial: "The Federal Government receives substantial American aid in foodstuffs for distribution to the needy, and the agencies which implement the aid policy of the Government have converted this donation into a medium of payment to complement the shameful hunger wages paid the worker who is, this way, the victim of even more torpid exploitation, which is more inhuman, more abject, and more sordid because it is being perpetrated by the Government" (June 17, 1962).

In the pretended justification of the facts denounced by Mr. Jose Correia de Siqueira through reporter Severino Barbosa, Mr. Cleso Furtado pleads the traditional excuse stating that "everything comes from the desperation of the drought merchants." He does not accept, however, the challenge of the accuser that he prove that there are such "merchants," "no pain of having your accusations considered frivolous, which have served solely to justify the inaction of Sudene."

This is one more fact which proves the efforts of Mr. Celso Furtado and his leftist team to "save the northeast."

[Picture and caption]: (1) Sudene has paid the "Flagelados" [dirt farmers] who worked in Afogados de Ingàzeiras with American corn donated by the American people. Clearly to be seen is the legend "Not To Be Sold or Exchanged." Mr. Correia de Siqueira is showing the American bag which he picked up on the site.

2. Oldsters, women and children were working on the inclement soil in the "front" set up through Dnocs by Sudene on the Afogados-Camauba highway when a businessman, Mr. Correia de Siqueira, arrived there with a reporter for the Diário de Parnámbuco, who witnessed the wretched conditions of the "flagelados" and the rotten foodstuffs furnished to them by Sudene.

I requested that the Agency for International Development comment on this article and I received the following reply under date of August 28, 1963:

Department of State,
Agency for International
Development,
Washington, D.C., August 28, 1963.

The Honorable M. G. Snyder,
House of Representatives,
Washington, D.C.

Dear Congressman Snyder: We appreciate the opportunity to comment on the article "Escandal Na Sudene" from the Brazilian magazine O. Cruzeiro which you enclosed with your letter of July 25. Our comments will also apply to the earlier report you received on this subject from Mr. Art Carter, Jr., an American missionary in Brazil, which we promised to investigate in our interim reply of May 15.

For many years, as you know, this Nation has shared the abundance of its agricultural production with the needy peoples of the world to alleviate hunger and poverty, and to help meet emergency food needs of victims of droughts, floods, earthquakes, and other extraordinary emergencies. In recent years our sharing of this abundance has emerged as an important and highly effective tool in our efforts to promote world peace through relieving hunger in the newly developing countries and, at the same time, contributing to their economic development.

This agency has been seeking ways to make more effective use of our food-for-peace commodities abroad. One result of this effort is increased emphasis on promoting self-help economic development programs, especially in the less developed countries, utilizing surplus agricultural commodities available on a grant basis under title II, section 202 of Public Law 480, the Agricultural Trade Development and Assistance Act of 1954, as amended. Normally, such programs are undertaken through the governments of the countries requesting assistance. They may also be undertaken through U.S. voluntary relief agencies such as CARE, Catholic Relief Service, Church World Service, or through intergovernmental organizations.

Self-help economic development programs undertaken to date cover a wide range. For example, title II, section 202 commodities may be used as partial payment in kind of wages for work performed by unemployed or underemployed persons on public works projects which generally require a high labor component. The cooperating country government contributes essential project materials, tools, equipment, and the cash portion of the wages. Programs of this nature are operating successfully in Tunisia, Morocco and Taiwan. Food-for-peace commodities may also be used for grubstaking needy farm families to assist a country in carrying out desirable resettlement and land reform objectives. Such programs are underway in the Dominican Republic, Bolivia and Brazil.

Or again, our agricultural abundance will provide a substantial portion of the daily food ration of 6,400 camp enrollees in support of a reforestation program in the Philippines. This program, just recently approved, is patterned after our U.S. Civilian Conservation Corps program of the thirties and is designed to give constructive employment to out-of-school, unemployed youths and to provide them with vocational training and basic education. At the same time, it is contributing to the economic development of the country. The use of our surplus feed grains to stimulate sound livestock and poultry feeding programs to increase the availability of animal protein foods is also being encouraged. One such program is underway in the Dominican Republic and is directed specifically toward assisting needy small farmers over an 18-month period to expand their poultry flocks up to 300 birds and to maintain up to 20 head of swine.

At the present time, economic development programs utilizing U.S. surplus agricultural commodities available under title II, section 202 of Public Law 480 are under way in the following countries in Latin America: Bolivia, Brazil, Dominican Republic, Ecuador, Mexico, and the Island of St. Lucia. Programs are under consideration for Chile, Colombia and Peru. In addition to the programs in Latin America, food-for-peace commodities are also being utilized in self-help economic development programs in 13 countries in Africa, the Far East, and the Near East and South Asia.

In the foregoing paragraphs we have discussed briefly the types of programs being undertaken, within the authority granted by the Congress under title II, section 202 of Public Law 480, to promote economic development in underdeveloped areas through more effective use of our food-for-peace commodities. U.S. surplus commodity furnished under title II, section 201 of Public Law 480, in response to requests from foreign nations for emergency assistance to meet famine or other urgent or extraordinary relief requirements may also be used as part payment in kind of wages to needy disaster victims employed on work relief projects in the affected area. This use of our food-for-peace commodities can and does contribute to economic development, although the immediate need is to relieve suffering and hardship resulting from the particular disaster. To the extent that relief recipients are capable of doing manual work, we strongly believe that it is desirable to put them into constructive work situations rather than into the bread line.

With respect to the "work fronts" mentioned in the O. Cruzeiro article, and in the Carter Newsletter, these appear to be part of a drought relief program undertaken by the Government of Brazil through Sudene, its agency responsible for the development of the northeast. In the early part of 1962, the Government of Brazil requested U.S. assistance in meeting a critical food shortage in the northeast region resulting from a prolonged drought affecting several thousand families. Acting within the legislative authority cited above, the U.S. Government agreed to ship some 25,000 tons of surplus foodstuffs consisting chiefly of yellow corn and beans. Agreement was reached with the Government of Brazil that the food would be used as part payment of wages in kind on work relief projects, with the Brazilian Government providing supplementary cash wages, additional food requirements, and essential project materials, supplies, and equipment. Our mission in Brazil reports that as of December 31, 1962, more than 10,000 workers have been employed on 112 work projects in the States of Pernambuco, Paraiba, Bahia, and Rio Grande de Norte, for a total of 185,000 man-weeks. These projects included construction of small reservoirs and dams, access roads, farm-to-market roads, bridges, water storage facilities, and other projects of direct benefit to the rural communities in the respective project areas. The immediate family impact from these 185,000 man-weeks of employment, which would not have been possible without the food for peace assistance, is between 50,000 and 75,000 persons.

We note Mr. Carter's statements in his letter of April 15 to the effect that food for peace nonfat dry milk could be purchased in public markets, and that "40,000 bags of beans deteriorated in the customs warehouses." Without more information on the specific instances and locations to which he refers, it is difficult to give a complete answer. Our mission does report that some irregularities occurred with milk distribution in Fortaleza and in Recife but that these have been resolved and distribution has been going on normally the past several months. As for the alleged deterioration of beans, inspections by our mission authorities of food for peace shipments on arrival at Brazilian ports have turned up no evidence that would indicate more than normal breakage and spoilage in unloading at the port and during the time the commodities must remain in the customs warehouse to effect clearance. The latter usually requires 15 days but in some instances, due to delay in receipt of the shipping documents from the United States, the commodities may have to remain in the customs warehouse for as long as 30 days.

As stated in our earlier letter, reports on the improper use of our food-for-peace commodities are of real concern to us and to our missions overseas. Our end use and program staffs in the field are continually checking on the distribution and utilization of our U.S. surplus commodities and wherever irregularities are found appropriate action is taken.

For your further information on food-for-peace activities which are being carried out under Public Law 480, we are enclosing copies of a bulletin entitled "Food for Peace" and the President's 17th Semiannual Report to the Congress. In the latter, we believe that pages 49 through 54 will be of particular interest.

Again, we appreciate your interest in this program and hope that you will let us know if we can be of further assistance.

Sincerely yours,

CRAIG RAUPE,
Director, Congressional Liaison.

It is interesting to see how our American taxpayers' funds are being used in Brazil as reported by the Brazilian's own magazine and to see the justification given by the Agency for International Development people.

The magazine article with the three pictures mentioned in the translation above referred to are in my office for examination by any Member who desires to see them.

A NATIONAL DEFENSE PROBLEM

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, I rise to call the attention of the House to a situation that has arisen not only in my district but in a wide area of southern California. I refer to the current status of negotiations between the Communications Workers of America of the AFL–CIO and the General Telephone Co. of California affecting nearly 9,000 employees of that company.

Briefly, the situation is that the Communications Workers of America has just concluded, as a result of intensive and responsible collective bargaining, a general pattern agreement for the workers in the communications industry. This agreement calls for a wage increase that is in line with the economic trends in the country, a revision of the pension system to make it more equitable, a vacation schedule providing for a 3 weeks' annual vacation after 10 years of service, and some provision against the economic hazards of illness.

It was the expectation of the CWA, and I think a quite justified one, that General Telephone of California would agree to a new labor contract that would at least match the provisions of the contract prevailing in the industry. It is something of a surprise to learn that General Telephone of California is unwilling to do this, that it is apparently content to allow its employee morale to suffer the deterioration that must occur when its workers compare their status with that of the men and women working next to them performing identical jobs. And it is a matter of concern to all Americans in view of the fact that General Telephone of California serves not only the Vandenberg Air Force Base, the "Cape Canaveral of the West," but a number of other vital defense installations.

This is not a poor, struggling company. Its recent financial reports and statements by its officers make it perfectly clear that General Telephone & Electronics, of which General Telephone of California is an important subsidiary, is a prosperous concern. It is, as a result of defense contracts and other factors, one of the Nation's 50 largest concerns.

The seeming refusal to grant its employees in General Telephone of California the wage and working conditions prevalent in the industry seems to be a matter of principle though I confess to an inability to understand either the moral, social, or economic basis for this principle. It is the same principle which led to labor strife, to economic instability, to unhealthy hostility between employees and management.

In this situation, touching the nerves of our national security as it does, it is a matter of great concern to me and, I believe, to the Members of this House all of whom regard our national security as deserving the highest priority.

The Communications Workers of America is, I know and Members of the House know, one of this country's most responsible and reasonable labor organizations. I am sure they will continue to refrain from any acts that would in any way impair the effectiveness of the defense establishments served by General Telephone of California. I believe the attitude of the union in this situation should be matched with equal concern by officials of our Defense Establishment and that inquiry should be instituted into the effect of such labor policies as those being displayed by General Telephone of California on its ability to carry out its contracts as they relate to our Defense Establishment.

In past instances, Mr. Speaker, we have exerted our weight and authority against unions which have been charged with actions affecting our defense installations. It is time we exerted equal weight and authority with companies whose attitudes and policies may create situations which adversely affect our defense installations.

EXPECTED VISIT OF TITO TO THIS COUNTRY

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, within the next few weeks Yugoslavia's dictator, Josip Bros Tito, is expected to arrive in this country and to visit at the White House.

It is my every hope that he will not be given the privilege to address Congress. How can we, as elected officials, sit and listen to a man who has forbidden his people to have the right of free elections?

I feel that a letter I received recently from the Serbian National Committee expresses fully the sentiments of many Americans.

The letter, dated September 16, 1963, follows:

SERBIAN NATIONAL COMMITTEE,
Chicago, Ill., September 16, 1963.

GENTLEMEN: We hope that you will pardon us for addressing you in this manner. But we have, in this case, a very important petition which, we feel, would be most effective if presented in the same way to all responsible political leaders in the United States.

The subject of this petition is the invitation extended to Yugoslavia's dictator, Josip Bros Tito, to visit the White House and Congress.

The facts of Tito's seizure of power and of his metamorphosis as a political dictator are well known to both the White House and Congress. Many memorandums on this subject have already been presented by Yugoslavian emigrants, especially representatives of Serbians. We do not wish to discuss Tito's policy of dictatorship here, nor the economic and financial disorder of his government, nor the strategic uselessness of the Yugoslavian army in any future war; we wish only to make a few general points.

Tito's expected visit to Washington doubtlessly has provoked Serbian emigrants from Yugoslavia and has caused concern as to how much disturbance it will arouse, while the people in Yugoslavia feel that they have received one more blow from a nation from which they have expected help in being liberated from Tito's dictatorship.

These people know what kind of man Tito is, how he snatched power with the support of Soviet bayonets; how he has never given the people the right to free elections, a free press, or free meetings; how he has killed or oppressed all the proponents of a democracy, beginning with Gen. Draza Mihailovic; how he has imprisoned without judge or court more than 7 million voters only because they were for a real democracy.

That this man who does not represent the people of Yugoslavia should be received with the same warmth and sincerity as if he did in a real democratic sense represent the people is a great paradox.

Ordinary people must ask themselves: "Where are those ideals for which we must sacrifice?" If the principles and ideals of democracy are destroyed, has not communism achieved a very big success? And if we need these people in the final and inevitable struggle between democracy and communism, by what ideals shall we urge them to revolt and fight?

From a short-range point of view, Tito's visit may be politically reasonable, but its long-term effects will be far-reaching in the political life of these people, for their souls will harbor an eternal wound.

Tito is known as an advocate of peaceful coexistence, but, practically speaking, if democratic nations accept peaceful coexistence on his terms, Yugoslavia will remain in perpetual slavery under communism. Thus, although Tito is a conspirator against liberty, justice, and democracy, he will be received by the White House and Congress.

What can Tito, courier and spy for Comintern between two wars, do for the biggest and richest Nation in the world? He can give nothing except a spy's smile and secret contempt for a very brilliant reception. What can he receive? Even if he receives only a very nice reception, he will obtain more political and ideological benefits for Cominterm than, in a military sense, he would obtain through a gift of the entire Sixth American Fleet with all its war potential.

Only 2 weeks ago, Khrushchev visited Yugoslavia. He and Tito made plans for Tito's visits to Washington, Mexico, and South America. This meeting between the two dictators shows that Tito's politics, ideology, and destiny are very closely linked to Moscow, and that his parrot's declarations about good relations with the West are calculated only to gain the financial help without which Tito cannot survive and which he receives and disperses without question or control. Tito's government finds itself in an economically and financially impossible situation, but Tito, himself, with his estates, palaces, and special resorts, is without example even in feudal times.

Tito enjoys being in the center of international problems. There is not a day in the week without foreign visitors to Yugoslavia; chiefs of state, general secretaries, other functionaries and administrators arrive daily in Belgrade. The cost of their receptions, dinners, round trips, etc. is without control, but the mass of the population is short on even the basic necessities of life.

The incompatibility between democratic principles and cooperation with dictators is demonstrated by the invitation to Tito by Mr. Thant, General Secretary of the U.N. to be speaker of this session of the General Assembly. Should Tito, who has refused to pay Yugoslavia's part in the U.N. budget for the Congo and the Middle East be speaker in the General Assembly?

We present this petition in the name of the Serbian National Committee, political representative for exiled Serbians of democratic Yugoslavia and also the free voice of those oppressed in Yugoslavia today by Tito and the Communist Party. We appeal in the name of all the great principles of democracy, justice, and morality and in the common interest of all men of good will who respect the right, live truly, and believe in God that Tito not be received in Washington.

Our children are already in the jaws of the Communist dragon. We pray to God for your children that they have not the same destiny as ours.

Respectfully yours,

Stevan D. Trivunac,
President.
Branislav M. Stanisic,
Secretary.

CONGRESSMEN MAHON AND CURTIS SIGNALLY HONORED

Mr. EVINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS. Mr. Speaker, I know that I speak the sentiments of every Member of the House when I express gratification that two of our colleagues—the Honorable George H. Mahon, of Texas, and the Honorable Thomas B. Curtis of Missouri—recently have been signally honored by the American Political Science Association. They have been awarded the Congressional Distinguished Service Award in recognition of their long and distinguished service in this body.

These biennial awards, which were presented to the 1963 recipients on September 6, serve a highly useful purpose. They not only accord recognition and deserved honors to individuals who have made notable contributions in the legislative field; but even more importantly, they also help acquaint the public with the broad and varied range of services that go into the making of effective congressional government.

The Washington Evening Star, in commenting on these awards in its issue for September 13, noted a particular timeliness in this year's citations. They came, it was observed, at a time when the practice of "kicking Congress around, an old America sport," was attaining new popularity.

The Star went on to state its full agreement with the view of the American Political Science Association "that recognition, not ridicule, is more likely to inspire Members of Congress to fulfill the responsibility the Founding Fathers laid upon them."

I concur with these sentiments that Congress should be strengthened, better understood, and its outstanding Members should be recognized and honored. I want to take this opportunity to extend publicly my congratulations to our distinguished colleagues—the gentleman from Texas and the gentleman from Missouri—on being selected for this award.

The citations and this editorial comment follow:

Political Science Awards

Mr. Mahon. Discharging with quiet distinction one of the Congress' most difficult and important tasks (he is chairman of the House Defense Appropriations Subcommittee), Mahon exemplifies the best traditions of legislative service. * * * His zealous concern for the national defense is tempered by concern for the Nation's economy. His respect and friendship for the Military Establishment is tempered by a commitment to civilian control. * * * (He is) an acknowledged expert in his field.

Mr. Curtis. By articulating and advancing policy alternatives, he has elevated the discussion of economic issues in the Congress and elsewhere. * * * He speaks with a compelling voice in the development of his party's approach to the problem of full employment in a rapidly automating economy. A student of Congress, he is in the forefront among his colleagues in working for alteration of rules and procedures to meet the needs of a changing society in a changing world.

[From the Washington Evening Star, Sept. 13, 1963]

Congressional Honors

Kicking Congress around is an old American sport and one which has reached new popularity this year. The humorists and the reformers have all been working over their favorable targets on Capitol Hill.

It is refreshing—and genuinely useful—for the American Political Science Association to break into this chorus of catcalls and jeers to honor several members of Congress with Distinguished Service Awards.

The biennial honors were presented last Friday to Senator Clinton P. Anderson, Democrat, of New Mexico; Senator Leverett Saltonstall, Republican, of Massachusetts; Representative George H. Mahon, Democrat, of Texas; and Representative Thomas B. Curtis, Republican, of Missouri.

We join the political scientists in saluting them. The variety of their political views and their styles of operation bear out one theme of the awards: That Congress offers scope to men of many talents. Senator Anderson has been as aggressive in pushing the causes in which he believes as Senator Saltonstall has been skillful in contriving the compromises that permit legislation to go forward. Representative Mahon, the chairman of the Defense Appropriations Subcommittee, is a symbol of dogged, effective committee work. Representative Curtis has become perhaps the leading champion of effective floor debate.

The Congressional Distinguished Service Awards were suggested by former Senator William Benton, of Connecticut, not just to honor individual lawmakers but "to dramatize the crucial role of a freely elected legislative body in maintaining the values and processes of our democratic society."

We share with Mr. Benton and the American Political Science Association the view that recognition, not ridicule, is more likely to inspire Members of Congress to fulfill the responsibility the Founding Fathers laid upon them.

TAX CUT MUST NOT BE CONTINGENT ON AN INDEFINITE FUTURE

Mr. HECHLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Speaker, I have received an excellent letter from the president of the Appalachian Power Co., Mr. Donald C. Cook, which sets forth very cogent arguments in support of an immediate tax cut which is not tied to some uncertain future development. Under permission granted, I include President Cook's letter at this point in the Record:

Appalachian Power Co.,
New York N.Y., September 10, 1963.

The Honorable Ken Hechler,
House of Representatives,
Washington, D.C.

Dear Mr. Hechler: I am writing this letter both as chief executive officer of American Electric Power Co., the parent company of one of the largest investor-owned electric utility systems in the country, and as a private citizen. My purpose is to urge most strongly your support for the proposed tax reduction in the bill now before the House

Ways and Means Committee which, I understand, is expected to be considered shortly by the House of Representatives and thereafter by the Senate.

I believe that our Federal tax structure is now at the point where it represents a material obstacle to further economic growth and is in large part responsible for the present high level of unemployment. I believe that the proposed tax reduction is of vital importance as a stimulus to the national economy which will help to reduce our unemployment problem, strengthen our competitive position with other industrial nations, and advance the future financial health of our economy.

I would also like to see a reduction in governmental expenditures; but I believe it would be most unfortunate and unwise to regard a reduction in governmental expenditures as an absolute condition precedent to the tax reduction. It seems to me that such an approach might well result in the defeat of the proposed tax reduction, which would not only be materially hurtful to the economy but, in addition, might well operate to defeat the objective of achieving reduced governmental expenditures.

In short, I strongly believe (1) the proposed tax reduction should be approved, without any condition precedent, to provide an essential stimulus to our national economy; (2) the resulting loss in revenue will, I believe, be largely or wholly made up within a relatively short time by reason of the stimulus to the economy provided by the tax reduction; (3) to the extent that, and in the period in which, there is a loss in revenue, this will, more than any other factor, exert pressure on the administration and the Congress to reduce expenditures in order to lessen—or at least not widen—the gap between revenues and expenditures.

For all of these reasons, I hope that you will lend your strong support to the tax reduction.

Sincerely,

DONALD C. COOK,
President.

WHY WE NEED A TAX CUT NOW

Mr. HECHLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Speaker, we need a tax cut now. Under unanimous consent, I include the text of President Kennedy's nationwide address of September 18:

[From the Washington (D.C.) Evening Star, Sept. 19, 1963]

The President's Address: Tax Cut Bill Must Not Be Diluted

Good evening, my fellow citizens.

Peace around the world and progress here at home are the hopes of all Americans. In the next 7 days, Congress will make crucial decisions in both areas.

The U.S. Senate will vote on the treaty outlawing tests in the atmosphere. It is the first concrete limitation on the nuclear arms race since the bomb was first invented. It enables all men and women—East and West, free and slave, now and in the future—to be free from the fears of radioactive fallout. It affords us a small sign of hope that war can be averted, that the terrible destructive power of nuclear weapons can be abolished before they abolish us, that our children can inhabit a world in which freedom is secure and the air is pure. I have no doubt that the nuclear test ban treaty will be approved by the Senate by a margin large enough to show the world that the American people want a just peace.

TAX CUT BILL AFFECTS ALL

The other crucial vote, which is in the House of Representatives, affects every individual and every business in the United States—and the taxes we pay to the Federal Government.

No more important legislation will come before the Congress this year than before the House next week to reduce Federal taxes. In fact, no more important domestic economic legislation has come before the Congress in some 15 years. It is urgently needed—and I hope you will support it in the national interest.

The Federal income tax is one of those subjects which for years nearly everyone has complained about but hardly anyone has done anything about. Perhaps we have too long heard of the certainty of "death and taxes." Perhaps other national and international issues have seemed more pressing. Yet the fact is that the high wartime and postwar tax rates we are now paying are no longer necessary. They are, in fact, harmful. These high rates do not leave enough money in private hands to keep this country's economy growing and healthy. They have helped to cause recessions before in previous years—including 1958 and 1960—and unless they are reduced they can cause recessions again.

FIVE FACTORS FOR TAX CUT

The bill on which the House will vote next week is a sound bill—and we need it for many reasons.

First. A tax cut means more jobs for American workers. More aftertax money means buying power for consumers and investors—and this means more production and the jobs our Nation needs. Merely to reduce unemployment to a more acceptable level in the next 2½ years, we must create more than 10,000 more new jobs every day.

We cannot effectively attack the problems of teenage crimes and delinquency until we attack teenage employment. We cannot effectively solve the problems of racial injustice until we create more jobs for all. We cannot effectively tackle the challenge of automation until there are more jobs for the men who are being thrown out of work by machines.

Second. A tax cut means new protection against another tragic recession. I do not say a recession is inevitable without a tax cut or impossible with one. But, excluding war years, we have had a recession on the average of every 42 months since World War II—or every 44 months since World War I—and by next January, it will have been 44 months since the last recession began. Recession means high unemployment and high budget deficits. Of all kinds of waste, they are the worst. We need a tax cut to keep this present drive from running out of gas.

Third. A tax cut means new markets for American business. American citizens will spend an overwhelming percentage of the extra aftertax dollars left in their pockets; and this spending will broaden the markets of businessmen—put idle machines back to work—and require new machines and new factories to be built. The multiplied effect of these new private consumption and investment expenditures released by the tax cut will create a new market right here at home nearly equal to the gross national product of Canada and Australia combined.

Fourth. A tax cut means higher family incomes, higher business profits and a balanced Federal budget. Every taxpayer and his family will have more money left over after taxes, for a new car, a new home, new conveniences, education, and investment.

Every businessman can keep a higher percentage of profit in his cash register or put it to work expanding or improving his business. And as the national income grows, the Federal Government will ultimately end up with more tax revenues. Prosperity will balance our budget. Our tax rates are so high today that the growth of profits and paychecks in this country has been stunted, our tax revenues have been depressed, and our books for 7 of the last 10 years have been in the red.

By lowering tax rates, and increasing jobs and incomes, we can expand tax revenues and bring our budget into balance; and to assist further in this effort, we have pledged an ever-tighter rein on Federal expenditures, limiting our outlays to only those activities which are fully essential to the Nation. Spending will be controlled and our deficit will be reduced.

Fifth and finally. A tax cut means new strength around the world for the American dollar and freedom. A tax cut can help us balance our international accounts and end the outflow of gold by helping make the American economy more modern, efficient, and productive—by enabling our goods to compete more successfully with those of the most efficient foreign factories—and by making investment in America more attractive than investment abroad. And a tax cut will help us convince other nations of the advantages of freedom by helping to end the tragic poverty of long-term unemployment and the waste of idle men and machines.

KEYSTONE BILL NEEDED NOW

For all these reasons, this bill deserves your support. I do not say that it will solve all our economic problems. No single measure can do that. We need to advance on many other fronts—education, retraining, area redevelopment, youth employment, and all the rest. But this bill is the keystone of the arch. Of course, it is always possible to find fault with any bill, to suggest delays or to attach reservations. It is always possible for someone to say: "I am for a tax cut if other conditions are met—or when certain changes are made—or some other version or at some future time."

But if we are to make the most of what this bill has to offer in creating jobs, fighting recession and balancing our international payments and internal budgets, it must not be diluted by amendment or conditions. It must not be sent back to the House Ways and Means Committee. It must not be put off until next year. This Nation needs a tax cut now—not a tax cut "if"—not a tax cut "when"—not a tax cut in the future or a tax cut for the few. This Nation needs a tax cut now that will benefit every family, every business, and every part of the Nation.

Some of you may not be fully aware of the problems we face in unemployment. Most families are doing better than ever. Another recession, or the pains of economic insecurity or deprivation, seem very far away. But they are not so far away, if you would only look around you. If you live in a growing community or a prosperous neighborhood, see for yourself the conditions of those who cannot find work who live in depression. If your son is in high school or college, take a look at those who dropped out, at the millions of young people pouring into the labor market.

MILLIONS MORE JOINING LABOR FORCE

Seven million more young people are coming into the labor force in the 1960's than in the 1950's—and children will be aware of this when it is time for them to seek work. Life looks rosy now to those with highly trained skills that are in widespread demand, and you forget about the less-trained and the less-skilled who are not in demand. But if we cannot create more jobs—if we permit unemployment to grow—then no worker can be sure of his job, and no businessman can be sure of his future.

So I ask you to consider the hopes and fears of the unemployed in your own community—whether they are the very young or the very old, Negro or white, in need of training or retraining. A tax cut will help them find jobs—it will help everyone increase his income—and it will help prevent the spread of unemployment in another serious cession.

There are, in fact, as many men and women out of work now, in a prosperous year, as there have been in some recession years. We get properly excited about a labor dispute which idles thousands of workers—but our loss from excessive unemployment in recent years has been almost 20 times as great as our loss from strikes. And in the next 2½ years we will need more than 10,000 new full-time jobs every day, for a total of some 10 million jobs.

That is what a tax cut can help to give us; that is why this problem affects every citizen; and that is why this bill provides for a top-to-bottom, across-the-board tax rate reduction—on both personal and corporate income. Under this bill, every wage-earner in the country will take home more money every week, beginning next January 1. Every businessman will pay a lower tax rate. Low-income families and small businessmen will get special tax relief. And the unemployed worker who gets a new job from all this will gain thousands of dollars a year.

HOW TAX CUT WILL HELP MANY

Here is how it will work:

A factory worker with three dependents earning $90 a week will have his taxes reduced by one-third.

The typical American family—a father, mother, and two children—earning about $6,000 a year now pays an annual income tax of $600. This bill will cut that tax by 25 percent.

A salaried employee with a wife and two children, who earns $8,000 a year, will receive a tax cut of more than 20 percent that will enable him to pay the installments on a new dishwasher for his wife.

These individual benefits are important. But the most important benefits go to the Nation as a whole, as these typical families and millions like them spend that extra money on a new dishwasher, or a new spring wardrobe, or a washing machine, or an encyclopedia, or a longer vacation trip, or a downpayment on a new car, or a new home. The businesses which serve them need to hire more men. The men who are hired have more money to spend. The companies who sell these items have more incentive to invest, to improve, and to expand their operations. More young people out of school will find work. And the danger of recession is less.

Recessions in this country are too harmful and too frequent—and becoming more so. Between the first and second postwar recessions, we had 45 months of upturn. Between the second and third we had 35 months—between the third and fourth, 25 months. We have now had 31 months of steady upturn. I would like to see us skip a recession. I would like to see us release $11 billion of extra after-tax purchasing power into the private economy before another downturn can begin. That is why this bill is both insurance for prosperity and insurance against recession.

Recessions are not inevitable; someday we may wipe out this kind of malady, like yellow fever. We already have the ability to reduce their frequency, their impact and their duration; and this tax cut is the singlemost effective weapon we can now add.

TAX CUT BILL NOT PARTISAN ISSUE

The support in this country for a tax cut crosses political lines—it includes small businessmen, workers and farmers, economists and educators. Very few are openly opposed to cutting taxes. But there are those who, for one reason or another, hope to delay this bill—or to attach ruinous amendments—or to water down its effect.

They want to deny our country the full benefits of tax reduction because, they say, there is waste in Government. There may be, and we are working to get rid of it—but let us not forget the waste in 4 million unemployed men and women, with the prospect of still more unemployment if this bill does not pass.

Those who are opposed talk about inflation when, in fact, prices have been remarkably steady for 5 years—our record of wholesale price stability in an expanding economy is unmatched in modern history—and when persistent slack in our economy is far less likely to lead to inflation than to recession.

Those who are opposed talk about the Federal debt when the actual burden of that debt on our economy is being steadily reduced. Since World War II the national debt has gone up only 11 percent while our national output has nearly tripled, in contrast to the debt of State and local government, which has risen 400 percent in the same period.

Those who are opposed to this bill talk about skyrocketing Federal employment when, in fact, we have steadily reduced the number of Federal employees serving every 1,000 people in the country. In fact, there are fewer Federal civilian employees today than there were 10 years ago. We have reduced waste and improved efficiency at the Pentagon, in the Post Office, in the farm program, and in other agencies throughout the Government.

Section I of this bill, as Chairman MILLS, of the House Ways and Means Committee, has pointed out, makes clear that voting for this bill is a choice of tax reduction instead of deliberate deficits as the principal means of boosting our economy.

PLEDGED TO FISCAL RESPONSIBILITY

No wasteful, inefficient or unnecessary Government activity will be tolerated on the grounds that it helps employment. We are pledged to a course of true fiscal responsibility, leading to a balanced budget in a balanced full-employment economy.

My fellow citizens, let us not be petty or partisan on matters such as this. We are not talking politics—we are talking about more jobs and fewer recessions. We are talking about the future of our country—about its strength and growth and stability. We are talking about helping people—people who have been looking for work for a long time, whose families do not enjoy what every American should enjoy. We are talking about a tax cut in your own pocket that will help create jobs and income for everyone.

We are talking, as I said to you at the start, about one of the most important pieces of legislation to come before the Congress this year—the most important domestic economic measure to come before the Congress in 15 years. But that bill is in danger of being weakened or deferred. It needs your help, your voice. This is not a question of party—it is a question of jobs and growth. It is a question of whether our taxpayers and businessmen and workers will get the break they deserve. As the Congress prepares to vote on this issue, I strongly urge you to support this bill for your family's sake and for your country's sake.

Thank you and good night.

SUBCOMMITTEE NO. 5 OF THE JUDICIARY COMMITTEE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that Subcommittee No. 5 of the Committee on the Judiciary be permitted to sit for the balance of the week during general debate on the floor of the House.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

SUBCOMMITTEE NO. 4 OF THE HOUSE SMALL BUSINESS COMMITTEE

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 4 of the House Small Business Committee be permitted to sit today during general debate.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

THE PROPOSED TAX CUT

Mr. HALEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend his remarks.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, last week the President of the United States went on a national television hookup and asked the people of the United States to inform their Congressmen as to how they felt about a tax cut.

I would like to say this: I have heard from a good many of the people of the Seventh Congressional District of Florida which I have the honor to represent. As of this moment the average against a tax cut is 12 to 1, unless similar reductions are made in the expenditures of Government.

Mr. Speaker, I hope that this is the attitude of a good many people who still in this Nation hope to have some fiscal responsibility in this great Government of ours.

CRIME IN THE DISTRICT OF COLUMBIA AND ELSEWHERE IN THE UNITED STATES OF AMERICA

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, a day of reckoning may soon be upon us, hence our President should now set aside a day of mourning for the hundreds upon hundreds of fine law-abiding American citizens who are stabbed, raped, and murdered every year of our Lord in Washington, D.C., and elsewhere in the United States of America.

On that day every law-abiding Christian and Jew would pray for the day when good people would be safe in their own homes, on the streets, and in public places, be it daylight or dark, and that speedy justice be imposed on all criminals.

Mr. Speaker, every American must understand that to be worthy of all our inherent American benefits, each and every one of us must be willing to accept the responsibilities of good citizenship in this blessed land of ours.

MEXICAN LABOR

Mr. TEAGUE of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, uninformed or misinformed people in and out of Congress continue to refer to braceros as slave labor and talk about 50 cents or 60 cents per hour in wages.

I would like to call to the attention of the Members of the House some facts printed by the U.S. Department of Labor.

The U.S. Department of Labor reports the following figures for California for farm wages paid braceros:

	Per hour
Load carrots	$2.80
Prune strawberries	2.03
Thin celery	2.01
Pick watermelons	1.70
Pick dates	1.67
Pull-top rutabagas	1.61
Thin-hoe multicrops	1.58
Pick peaches	1.57
Pick peppers	1.55
Thin miscellaneous vegetables	1.52
Harvest raisins	1.49
Bag dates	1.46
Spinach	1.44
Pick tangerines	1.40
Pick oranges	1.18
Thin lettuce	1.33
Load peaches	1.68

The above earnings are statewide averages and include housing, utilities, to-job transportation and meals at $1.75 per day. Same conditions were available to domestics.

This completely refutes any charge that this is slave labor brought in here at cheap rates.

RUSSIAN STORE TO OPEN HERE, TASS REPORTS

Mr. YOUNGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. YOUNGER. Mr. Speaker, we have another example of our program of coexistence with the Russians. It was announced yesterday in the Washington Star as a message from Moscow.

I will read this article in its entirety:

> RUSSIAN STORE TO OPEN HERE, TASS REPORTS
>
> MOSCOW.—A Russian department store will open in Washington, probably in October, the Soviet News Agency, Tass, said tonight.
>
> Tass said a three-story building has been rented in downtown Washington and workers are putting it in shape.
>
> The agency said Soviet department stores are now operating in Warsaw, Prague, London, Athens, Rome, and Beirut, featuring Soviet modern appliances as well as traditional Russian goods.
>
> (Igor D. Bubnov, second secretary of the Embassy in Washington, said he had not heard of the store project but it would be in accord with the trend of current Russian-American relations.)

INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, was, by unanimous consent, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

Pursuant to the provisions of the Mutual Educational and Exchange Act of 1961 (Public Law 87-256, the Fulbright-Hays Act), I transmit herewith the annual report on the international educational and cultural exchange program for the fiscal year 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *September 23, 1963.*

(Enclosures: (1) Two copies of the annual report, (2) two copies of the list of American grantees and of the directory of foreign grantees for fiscal year 1962, (3) two copies of the list of American grantees and of the directory of foreign grantees for fiscal year 1961.)

REFORM OF EMINENT DOMAIN PROCEDURES LONG OVERDUE

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I would like to call attention to an article entitled "Bulldozers at Your Door," which was published in the September 1963 issue of Reader's Digest. This article was condensed from the publication, National Civic Review, and was written by Sidney Z. Searles, chairman, Subcommittee on Condemnation, Association of the Bar of the City of New York.

Mr. Searles makes a strong case for reform of the eminent domain procedures, and suggests that a starting point could be the adoption of laws similar to some in England, Canada, and a number of States, including Wisconsin, Florida, Wyoming, and Oregon.

The Reader's Digest article points out that our eminent domain procedures are, in the words of a 1962 American Bar Association report, the product of "rules laid down in a bygone, comparatively uncomplicated age" when land was plentiful and government property seizures were few.

Mr. Searles states that—

> In the last decade the conditions these old rules govern have been transformed by the explosion of our population and technology. We have begun to crowd the land for living space and, simultaneously, for everything from airports and rocket bases to reservoirs and cemeteries. In the process the formerly little-used power of eminent domain has been given to so many different public agencies, and even private corporations, that today literally tens of thousands of them are condemning private property.
>
> Over 500 separate local agencies have the light of eminent domain for urban-renewal projects, and in the next decade will dispose of $2 billion worth of land, five times the amount received from all sales of the public domain between 1785 and 1956. The interstate highway program will by 1972 take $6 billion worth of land: 730,000 parcels in all, on which it is impossible to estimate how many millions of people are presently living.

We are in the midst of a Federal-aid building program which, for sheer size, dwarfs any engineering project ever undertaken by any other government in history.

Mr. Searles says that the two major components of the building program—highways and urban renewal—presumably will bring enormous social and economic benefits, "But unless the laws are changed soon, these benefits will be achieved at the expense of millions of us who happen to be in the bulldozers' path."

Mr. Speaker, in any Government project involving potential condemnation, whether it is public housing, urban renewal, or highway development, the property owners live in a state of economic blight until the bureaucratic plan is completed. They suffer indefinitely—through plan changes, amendments, personnel reorganizations, the unending search for developers, and all kinds of bureaucratic difficulties.

The mere announcement of an urban renewal study involving an area can create hardships. Property owners, for example, have difficulty, both in renting, particularly on a lease basis, or in selling their properties. At the same time that these properties are being assessed at their most profitable use, as conceived in the urban renewal plan, their owners in all probability are being faced with a decline in real estate market values. As a result, properties are left unimproved, and real estate speculation of the worst type is encouraged.

At the same time, there is no way that property owners can obtain a quick decision. They know that in the indefinite future their property will be taken, but when, and for how much, they have no idea. In the meantime, there is no compensation available for the immediate losses the property owner is suffering.

This clearly is an area which deserves investigation if we are to provide our citizens with adequate protection of their property rights, and avoid the possibility that the economic cost of public improvements may outweigh the benefits these improvements are supposed to provide.

Published in the Wilmington, Del., Morning News on September 20, 1963, was the Associated Press report that Howard Evans, an official of the U.S. Chamber of Commerce, said in a speech in Richmond, Va., on September 18 that an investigation of the urban renewal program by Congress will develop "the greatest single scandal the United States has ever had."

Mr. Evans, formerly with the Federal Urban Renewal Administration, told the Richmond Junior Chamber of Commerce the present urban renewal program is going "to make millionaires out of slum landlords."

He said it is using tax money from 35 poorer States to finance projects in big cities where wealth already is accumulated. In his Richmond address, according to the Associated Press, Mr. Evans was developing one segment of a theme already stated by the U.S. Chamber's new president, Edwin P. Neilan, who has been speaking out strongly against the urban renewal program.

Mr. Neilan's central argument is that most Federal-aid programs contribute to a breakdown of national political morality, with the people and their representatives vying for more and more Federal money.

I would certainly hope that far-reaching reforms of the eminent domain procedures will be one of the major results of the upcoming study of the urban renewal program by the Special Housing Subcommittee of the House of Representatives. This study, too, is long overdue.

The Reader's Digest article follows:

Bulldozers at Your Door

(By Sidney Z. Searles)

One afternoon in 1957, a truck came to the home of Harold McPhee, in Minnetonka Village, Minn. In a scene that is becoming more and more familiar throughout America, surveyors began tramping over his two acres with their transits and sighting poles. The State was preparing to take his land. Today a broad strip of highway—Interstate 494—sweeps across the spot where McPhee's house stood.

McPhee, now living a few miles away, has no complaint about the fact of his having been forced to sell out to the State. But he bitterly resents the way it was done. And well he might, for though the State paid him a fair price for his property the eviction cost him more than $4,000, for which he has no hope of recompense.

In buying a new home, he was forced to give up a 5-percent mortgage on his old house and take on one at 6 percent; the extra interest, plus fees for refinancing, will cost him about $1,000. Litigation with the State over the value of his property cost $3,000 in legal and appraisal fees. As an added irritant, when he finally moved, the State paid him only $130 of his more than $200 moving costs.

These charges are, in effect, McPhee's penalty for owning a house where the government wanted to put a road. Unfortunately, there is nothing unusual about his experience. The same kind of thing is happening everywhere with increasing frequency.

Take the case of Joseph Corso, a New York City pharmacist, who in 1946 bought the Tenney Pharmacy, which operated in a rented store on Columbus Avenue. By 1952 he was grossing $250,000 a year, and had turned down an offer of $50,000 for the business.

Later that year the city began taking over Corso's neighborhood for an urban renewal project. The building in which he was a tenant was condemned, the Tenney Pharmacy was evicted; the total that Corso was able to salvage from his $50,000 business was the $4,500 he received for his fixtures. Though the city was required to pay the building's owner the fair market value of his property, Corso as a renter got nothing for the enforced uprooting. Still, Corso was relatively lucky; he had enough money to reopen his pharmacy at a new location in 1953.

Several months ago, however, Corso was notified that he was again being evicted for a public project. He stands to lose just as much money this time. A recent survey by the University of Connecticut of 21 urban renewal projects in 14 cities showed that 25 percent of such dislocated businesses never reopen their doors.

We Americans are in the midst of a government-sponsored building program that for sheer immensity dwarfs any engineering project ever undertaken by any government in history. The Interstate Highway System, for example, now only one-third finished, by 1972 will have leveled, graded, drained and paved 41,000 miles of right-of-way—enough to cover an area half again as big as Rhode Island. And when the urban renewal program is completed, an acreage equal to that of Atlanta and Louisville combined will have been emptied of its population, leveled, rebuilt, and repopulated.

These two major components of the building program—highways and urban renewal—presumably will bring enormous social and economic benefits. But unless the laws are changed soon, these benefits will be achieved at the expense of millions of us who happen to be in the bulldozers' path.

The power to take private property in the public interest—the so-called right of eminent domain—is inherent in Government. Under the fifth amendment to the Constitution, government may exercise this power as long as it pays the owner just compensation for the property it takes; the owner must, in the legal term be "made whole." Over the years, however, the courts have interpreted property to mean physical, tangible real estate. Only in special cases must the condemning authority pay for incidental or consequential losses—that is, indirect losses as a consequence of taking the property.

In Austin, Tex., for example, when the State building commission condemned an apartment house to make way for a State office building, the tenants, anticipating eviction, moved out 4 months before the State took title to the building. But the court of civil appeals ruled that the owner could not collect $9,650 for the State-caused loss in rents during the period he owned (and continued to pay taxes on) a tenantless building. The State had not made, in the court's words, a "physical invasion of the property."

"That is the law," said a New Jersey judge in a similar case. "It works hardships. The remedy is with the legislature. The court cannot relieve."

Our eminent domain procedures are, in the words of a 1962 American Bar Association report, the product of "rules laid down in a bygone, comparatively uncomplicated age," an age when land was plentiful and Government property seizures were few, and when most of such seizures—for roads, railroads, canals—skirted cities and bypassed farms. Consequential damages were relatively insignificant. It is the laws and court decisions made during this period that bind us today. In Colorado, most eminent-domain decisions have been governed by laws passed in 1887. The basic Arizona law is more than 60 years old.

But in the last decade the conditions these old rules govern have been transformed by the explosion of our population and technology. We have begun to crowd the land for living space and, simultaneously, for everything from airports and rocket bases to reservoirs and cemeteries. In the process the formerly little-used power of eminent domain has been given to so many different public agencies, and even private corporations, that today literally tens of thousands of them are condemning private property.

Over 500 separate local agencies have the right of eminent domain for urban-renewal projects and in the next decade will dispose of $2 billion worth of land, five times the amount received from all sales of the public domain between 1785 and 1956. The interstate highway program will by 1972 take $6 billion worth of land: 730,000 parcels in all, on which it is impossibe to estimate how many millions of people are presently living.

The Association of the Bar of the City of New York compiled a digest of fewer than half the State's condemnation statutes; it covered 69 single-spaced pages. Of the State's 40-odd public authorities, all but one or two have condemnation powers. In New Jersey a recent compilation showed 246 grants of eminent-domain power for purposes as varied as building war memorials, schools and mental hospitals; conserving historic sites; distributing gas and electricity; widening roads; removing fire hazards; building parks, abattoirs, airports, post offices, parking lots, stadiums, incinerator plants, broadwalks, tunnel approaches, railroad sidings, industrial terminals. (The Port of New York Authority alone has 12 separate grants of seizure power in New Jersey.)

The flood of lawsuits is beginning to overwhelm the courts. Former Presiding Judge Fred Young, of the New York State Court of Claims, recently reported that eminent-domain cases increased from 52 percent of the court's calendar in 1960 to "the truly alarming proportion" of 68 percent 2 years later. Last year a single New York Supreme Court Justice, A. David Benjamin, tried more than 5,000 cases involving upwards of $42 million.

Reform is obviously essential. Fortunately we have good models on which to base this reform: eminent-domain practices in England and Canada, as well as the scattering of reforms already adopted by a few States and some Federal agencies. Here are some of the specific changes most urgently needed:

Business losses such as those suffered by Pharmacist Corso should be compensated, as has long been done in England and Canada. In Canada, court awards are made to cover the cost of dismounting and reassembling machinery, notifying customers of the new address, time lost in finding a new location. The loss of "goodwill" is also compensated, since a business that has built a clientele in a given neighborhood and is then forced to start over again elsewhere has obviously suffered a serious setback.

Moving expenses and other personal losses clearly identifiable as stemming from the eviction should be paid. In England, Canada and a small minority of U.S. States (Wisconsin, Florida, Wyoming, and Oregon), highway builders would have had to shoulder part or all of the cost of Harold McPhee's increased mortagage, legal fees and moving expenses.

Compensation should be complete and prompt. Though in Federal takings and in a few States (such as Idaho and Washington) the full appraised value must be paid before the condemning authority can take title, in many others (such as New York) there is no such requirement, and full payment is often delayed for months, even years, while the case drags through the courts. Homeowners thus find themselves evicted from their old house without money to buy a new one.

Compensation should take into consideration the losses caused by the mere announcement that the government intends to take property. Twenty-three years ago the New York City Planning Commission included in its master plan for downtown Manhattan a wide swath of property for the projected lower Manhattan expressway, and 3 years ago it gave final approval of the expressway layout. During the area's period of government-created limbo, hundreds of commercial tenants vacated buildings along the route. Today some of the buildings are boarded up, even though the city has virtually abandoned the expressway plan. There is no provision in the law to compensate the owners for the rentals lost. Furthermore, if the city reactivates the project, the owners will be paid not the value at the time of the official announcement of the project but the rundown value at the time the city takes title.

Finally, a model code should introduce uniform procedure into the present maze of conflicting laws. If a highway department were to take your property tomorrow for a new road, it might (but need not necessarily) pay you up to $3,000 for the cost of moving a business; but if the same building is taken for an urban-renewal project you might (but won't necessarily) get up to $25,000 for business moving costs. If the National Park Service takes it, no moving costs are allowed.

Some authorities are required to notify you in writing that they have taken your property, but many others need not tell you at all; they simply file a map with the county clerk. In many cases, bulldozers can legally start carving up your land before the State has even taken title, while you still own it.

Highway and government officials can only follow the law. So it is obvious where the solution lies. Said an Oregon judge, after refusing consequential damages in a highway condemnation, "It may be that in strict justice such damages should be allowed. But that is a matter for the legislature."

As government seizures spread with increasing speed from coast to coast, it is high time we insist that our State and Federal legislatures inject some sense and justice into the laws of eminent domain.

THE HONORABLE JOHN W. BYRNES, OF WISCONSIN

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Harvey] may extend his remarks at this point in the Record and include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HARVEY of Indiana. Mr. Speaker, I include with my own remarks an editorial from the September 22 issue of the Washington Post. I wish to call attention of the House to the tone of this editorial which is vindictive and even questions the integrity of the gentleman from Wisconsin [Mr. Byrnes]. Of course, the Post has a right, if they so believe, to oppose Mr. Byrnes' position with respect to a tax cut, but as a responsible publication it should not resort to such cheap tactics in an effort to enhance its position.

Mr. Byrnes' Twin Devils

Representative John W. Byrnes, the senior GOP member of the Ways and Means Committee, appeared on television for the ostensible purpose of discoursing critically upon the administration's bill for tax reduction. What emerged was a soliloquy for a medieval morality play in which the gentleman from Green Bay, Wis., exorcised the twin devils of fiscal deficits and inflation.

Mr. Byrnes says that he favors tax reduction, but not unless it is linked with a ceiling on Federal expenditures. Without that ill-defined and unworkable ceiling, the Nation must move down the primrose path to bankruptcy and ruin. Listen to the Congressman's plea:

"There, in your home, on your job, in your business, you know that day after day you have to keep a close check on how much you earn, how much you spend, and how much you owe. It is certainly not news to you that you can't spend more, take in less, and pay off your bills and mortgage—all at the same time. It is no different in government. If we don't recognize that simple truth, the whole Nation is in for financial disaster."

Mr. Byrnes has served in the House since 1940 and on the Ways and Means Committee for the past 16 years. He has participated in the creation of much larger deficits than any that would result from tax reduction. Then why the invocation of fear? The answer, it would seem, is embodied in the second devil, inflation.

"Persisting deficits," he warns darkly, "are, unavoidably a recipe for exploding inflation." A reasonable person will ask what evidence there is to support this assertion and he will find none. Deficits have been incurred in every year save one since 1958, and if an inflationary explosion did occur, Mr. Byrnes appears to be the only person who heard it.

What Representative Byrnes did not tell the listeners, he was trying to frighten by conjuring up hobgoblins, is that the administration's tax bill is supported by a host of respected and conservative businessmen in his own Republican Party. His performance was premised on the assumption that a substantial number of Americans are so simple as to believe that a sovereign Central Government will collapse under the weight of a national debt, so simple that they cannot distinguish between price stability in a time of substantial unemployment and "exploding inflation." He has grossly underestimated the sophistication and intelligence of his fellow citizens, who know better than this and he has disappointed many of his friends who pay him the compliment of thinking that he knows better.

NIKOLA PETKOV

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, September 23 marks the 16th anniversary of the murder by Soviet-directed Bulgarian Communists of Nikola Petkov, who in the postwar period was one of the leaders of the Bulgarian opponents of the Communist takeover of his country.

Nikola Petkov still is a great source of inspiration to Bulgarians who remain dedicated to the reestablishment of a free and independent government in their country, and it is important for us to make note of the fact that the Communist smiles of today are nothing more than an effort to obscure their bloody mark upon the pages of history.

There is a tremendous fear among the people of Bulgaria and the other Iron Curtain countries that we are moving in a position of accommodation to the Soviet Union, which would make permanent establishment of Communist regimes. We must remember that the major colonial power in the world today is the Soviet Union, and their control of Bulgaria and the other Eastern European satellites must never be accepted as final.

For this reason, I urge Bulgarian leaders in exile and the brave people of Bulgaria to maintain their efforts and faith in the eventual triumph of justice over tyranny, and the restoration of freedom, and a truly independent government of their homeland.

ANALYSIS OF THE ADMINISTRATION'S "GAP" THEORY

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CURTIS. Mr. Speaker, the administration's program to cut taxes and increase spending in order to stimulate the economy is based upon the theory of the growth or output "gap." This theory which was originally put forth in 1959–60 in the Joint Economic Committee's study, "Employment, Growth, and Price Levels," was taken up and adopted by the President's Council of Economic Advisers and formed the basis of much of the Council's statement before the Joint Economic Committee on March 6, 1961.

In brief, the theory behind the administration's program is that the Nation has been suffering from chronic slack, that inadequate growth rates have characterized the economy during much of the 1950's and that the extent of the slack is represented by the "gap" between what the economy could produce, operating at 4 percent unemployment, and what it actually is producing. The administration believes that closing the "gap," which it estimates at between $30 and $40 billion, requires the stimulation of tax reduction and more Federal spending designed to increase aggregate demand.

It is remarkable that the alleged existence of the "gap" and the administration's prescription of how to close it has been so widely accepted in the absence of thorough public debate and analysis. Whether the "gap" theory is valid or not has been debated by economists and statisticians—and even some politicians—but for all the attention it has received in the press, one would think that there was a unanimity of agreement on the "gap" theory.

This general acceptance is in the face of the Council's own warning that its estimate of potential output and slack "are at best hazardous and uncertain." My purpose today is to examine the theory and, by citing expert authority, call attention to the foundations upon which the administration's economic case rests.

In the first place, the "gap" is derived by using GNP as a measure of true economic growth. While GNP is a valuable statistical tool, it is not a measure of true or meaningful economic growth. It is a measure of economic activity. Who, for example, would say that the large increase in GNP registered during war is a sign of meaningful economic growth?

GNP includes economic mistakes, such as faulty distribution and production, poor planning, and unused surpluses. On the other hand, many indicators of real economic growth are reflected not at all or only imperfectly in the overall GNP figures.

Meaningful economic growth is found in new and improved goods and services available on the market; in more and better transportation, communication, power and its availability; in a more mobile labor force and in the shift of employment from manufacturing to the distribution and service sectors; in more training, better health, better housing, better recreation, more leisure time, greater longevity; in more and better education; and in stepped-up research and development activities. Meaningful economic growth is found in all those things which meet the needs of technological progress and increase the standard of living of more of our people.

By all of these indicators, ours is a dynamic and rapidly growing economy that has made enormous economic progress since the end of World War II.

Prof. Fritz Machlup, of Princeton University, has pointed out in a new book, "The Production and Distribution of Knowledge in the United States," that—

> Increases in productivity in the performance of intangible services cannot be measured; indeed, most of them are in the form of improvements of quality, defying all attempts at quantification. No matter how "real," how substantial, how important they are, they need not be reflected in any increased money values of input—their only measure. As we have seen in the discussion of research and development, an increase in the efficiency and productivity of these activities may eventually result in increased productivity in industries producing physical goods, but the production of knowledge does not exhibit an increase on that score.

Professor Machlup himself has undertaken the pioneering task of trying to assess the growth that has taken place in some 30 knowledge-producing activities. The results of his study show impressive gains in knowledge production which are not fully reflected in the GNP figures, but upon which healthy economic growth depends.

Further recognition of the limitations of GNP as a measure of economic growth is provided by Sylvia Porter in a column in the Washington Star of July 19. The Morgan Guaranty Survey, of September 1962, also makes clear that the GNP is strictly an estimate and that there is a good deal of concern among professional analysts "that public reception of their statistical creature may be based on superficial understanding, or even misunderstanding, of its true nature."

The survey also discusses what GNP fails to include and says that—

> For the layman, the chief significance of the numerous technical disagreements over the philosophy and procedures of national accounting may be to serve as a reminder that GNP is a theoretical concept rather than a definite, measurable quantity. To emphasize this is not to disparage the concept's usefulness, but to caution against excessive reliance on the resultant figure as the one true indicator of how things are going with the economy.

I ask unanimous consent that the Sylvia Porter article and the article on GNP from the Morgan Guaranty Survey be included in the RECORD at the conclusion of my remarks.

The Federal Statistical Users Conference, in a paper presented earlier this year to the Joint Economic Committee, has also cautioned on excessive reliance upon GNP. The conference noted in its paper:

> There is a tendency on the part of some users both in and out of the Government to find easy mechanistic relationships among the components of the gross national product and to make easy assumptions about the effect of this or that possible public or private policy on the overall total GNP.
>
> Nothing could be more dangerous. There is no substitute for penetrating analysis of GNP in detail. The very popularity of GNP should cause us all to be concerned about changes taking place within the economy which are reflected in the components of GNP but which are slow to make an impact in the overall GNP figure.

Certainly one indication of real growth is the amount of new and improved goods and services on the market, a factor which is only imperfectly measured by dollars alone as in the gross national product computations.

A recent McGraw-Hill survey shows that as a result of new discoveries in the laboratories, manufacturers expect that by 1966, 13 percent of their sales will be in new products not now known. The survey also points out that manufacturers as a whole said that 25 percent of their 1962 sales were in new products not made 10 years ago. Here, Mr. Speaker, is proof of the real and significant economic growth which is taking place in our society.

Finally, an article which appeared September 9, 1962, in the Wall Street Journal points out that the American standard of living has grown twice as fast in the last 8 years as in the first 8 years after World War II. There is no index of the standard of living, but the figure which comes closest to the mark is per capita disposable income adjusted for changes in the levels of prices. This great growth in real buying power has bettered the lives of our citizens and provides a dramatic example of a vigorous and dynamic economy at work. As the Journal points out, analysis of per capita disposable income shines through the fog of Federal statistics in an era of much fretting over "slow growth" in the Nation's economy.

Looking to the future, the $50 billion spent in the United States on research and development during the past 4 years is nearly double the sum spent in the previous 4 years and lays the groundwork for further betterment in living standards. Under unanimous consent, I include this article from the Wall Street Journal in the RECORD at the conclusion of my remarks.

Even if we were to accept gross national product as a valid measure of economic growth, the techniques used by the administration to project our growth potential and thus to derive the magnitude of the "gap" are questionable. The earliest and the most devastating critique of the administration's analysis was made by Dr. Arthur F. Burns, former Chairman of President Eisenhower's Council of Economic Advisers and president of the National Bureau of Economic Research. Dr. Burns' two articles discussing the so-called new stagnation thesis have been inserted in the issues of the daily CONGRESSIONAL RECORD of April 27, 1961, page A2885, and the CONGRESSIONAL RECORD of January 28, 1963, page 1161.

In his critique, Dr. Burns illuminates some of the hazards of "growthmanship." For example, by starting from different postwar years, but using the same logic and technique as the administration, one can measure potential and actual output and get results which differ significantly from those reached by the Council. In one case, the results showed a level of actual output above potential output.

Dr. Burns has also pointed out that since 1947 our economy has always operated below its potential, with the exception of the Korean war years and a few months in 1955. Under the Council's theory, therefore, aggregate demand was lagging even in the boom years of 1947 and 1956. If the Government had followed policies to close the "gap" then, Dr. Burns believes that the pace of inflation might have been very much faster, without appreciably lowering the average rate of economic growth over the entire postwar period.

Other competent analysts have also expressed doubt about so-called full employment growth. Henry W. Briefs and Joseph L. Tryon, of the Department of Economics of Georgetown University, have commented in a paper on "U.S. Economic Growth: Issues and Prospects," in National Security: Political, Military, and Economic Strategies for the Decade Ahead," as follows:

> Taking growth to be a cyclical, uneven process has as a consequence that the economic system does not necessarily oscillate around a full employment growth trend no matter how that is defined. At times, activity will tend to utilize resources less fully, and this may be followed by periods in which demands are excessive on balance. It all depends on the specific developments taking place, their interactions and the leads and lags involved. There is little reason to expect, that with this process, even a sophisticated mix of public policy measures can produce a reasonable approximation to growth along a full utilization ceiling. The requirements, in terms of economic forecasting and flexibility as to policy actions, appear to go beyond foreseeable capabilities.

One of the most outstanding contributions to a better understanding of economic growth has been provided by Edward F. Denison in his study, "The Sources of Economic Growth in the United States and the Alternatives Before Us," published in January 1962 by the Committee for Economic Development. Dr. Denison points out that in making growth comparisons the choice of time periods is highly important. It was on this very point that I was so critical of the Joint Economic Committee's study of "Employment, Growth, and Price Levels"—directed by Otto Eckstein, of Harvard University. In order to show a slowdown in growth under the Eisenhower administration, the year 1953 was picked as the starting point from which to measure—1953, of course, was the peak of Korean war spending. Unemployment was only 2.9 percent of the labor force, and the business cycle reached a top in July of that year. If

1953 had been compared to another peak year, the analysis might have been defended. As it was, 1959—a year in which the economy was recovering from recession—was selected as the terminal year. Those who have chosen 1957–61 in order to prove the theory of the "slowdown" run into the same problem. As the Wall Street Journal commented on September 19, 1963:

> A business expansion was reaching its crest in 1957, while 1961 marked the low of a recession. So to say that the economy wasn't making headway during that period is a little like saying that a man who, in crossing the Alps, has moved from one mountain's crest to the bottom of another hasn't made much upward progress. It's quite true, but hardly significant.

The "gap" analysis, as developed by the administration, runs into another serious difficulty. You can prove little about the economy and the growth of its potential by comparing short time periods. As Denison comments in his study:

> These facts alone would dictate the use of a fairly long time period to measure the rate at which the economy's ability to produce has grown. They also make it quite impossible, unless differences are very marked, to discern quickly any change in the rate at which capacity is growing, even if such a change is actually occurring, or to compare growth rates as between short periods of time.

To prove the economy has been lagging in recent years, the "gap" theorists often point to the faster increases in GNP in the 1947–57 period. As Denison says:

> The cautious, and probably the proper, interpretation of the faster postwar rate is that the 1929–48 growth rate was retarded by deep depression and war, and that the 1948–57 rate was abnormally large as the lag was made good.

In further commenting on the same point, Dr. Denison says:

> This interpretation gains support from examination of other years. The exceptional height of the postwar growth rate is entirely due to inclusion of the early postwar years, when the presumption that a rapid catching-up process was underway is particularly strong. When the 1929–57 period is broken at 1951 rather than 1948 the growth rates in the 1929–51 and 1951–57 periods are the same, 2.9 percent. Indeed, if any date after 1951 (except the recession year 1954) is used to make the division, the growth rate in the later period is lower than that in the earlier period. This remains the case if any later date is substituted for 1957 as the terminal year. But to deduce from such comparisons a slackening in the growth of productive capacity would be wrong because of the cautions already given about short-period comparisons, the impact of the Korean war, and the incompleteness of cyclical recovery in 1960.
>
> My judgment from all these data, supplemented by the fact that the 1929–57 growth rate is evidently about the same as that for the longer period 1909–57, is that a pronounced change in the underlying, long-term growth rate did not occur within the 1929–57 period, and that the rate of 2.9 percent for the period as a whole describes fairly well the underlying trend throughout the period.

A recent outstanding critique of the administration's theory of slack and slowdown has been made by Clayton Gehman, of the staff of the Federal Reserve Board. In an article entitled "Measuring and Analyzing Economic Growth," which appears in the August 1963 Federal Reserve Bulletin, Mr. Gehman conducts a scholarly examination of the fashionable proposition that there has been a "slowdown" in the rate of growth in the U.S. economy in recent years.

Among the implications which the author draws from his study is that:

> There is less slack in the U.S. economy than is generally supposed. If the growth in physical output and in consumption has been faster than the deflated gross expenditure totals suggest then margins of unused capacities are not so large as often thought.
>
> Another implication of the inquiry is that focusing attention solely on aggregate measures of economic activity with little attention to the end products of economic activity and to the improvement of national productive efficiency creates an unwarranted impression of sluggish performance.

The author also draws the conclusion that upward price pressures and speculative activities may result, if expectations become too exuberant, in the process of stimulating the economy. He says:

> The present character and location of plant and equipment facilities and the existing limited supplies of skilled and professional labor may provide fewer safeguards against such developments than is indicated by the view that a slack economy exists. Increased emphasis on expanded educational and occupational training opportunities would help reduce unemployment rates and would provide wider margins of available, effective resources.

I urge my colleagues to read and study this important analysis. It should also be "must" reading for the members of the press and economists in government and in the academic community. I ask unanimous consent that the study as well as a recent column by J. A. Livingston and an editorial from the Wall Street Journal of September 19, 1963, discussing the Gehman study, be included in the Record at the conclusion of my remarks.

Michael E. Levy, of the National Industrial Conference Board, has written a study entitled "Fiscal Policy: Cycles and Growth," which also explores the concept of potential GNP and tries to provide some understanding of its meaning and limitations. In specifically commenting upon the estimating method used by the Council of Economic Advisers, Dr. Levy said:

> The CEA selected mid-1955 as the base period for which actual and potential GNP were assumed to have been identical. A 3.5 percent real growth rate was then applied to this GNP of mid-1955 in order to derive the constant dollar potential GNP series for 1956–62.
>
> Arthur F. Burns, in his critique of the CEA's stagnation thesis, was quick to point out that there is nothing holy about mid-1955 as the base period, or 3.5 percent as the real growth rate.
>
> Alternative base periods, such as the second quarter of 1947 or the second quarter of 1957, also would have satisfied the "full-employment criterion" of a 4-percent unemployment rate. But a 3.5-percent growth rate extrapolation from these bases yields very different figures for potential GNP.
>
> Moreover, the particular merit of a 3.5-percent growth rate is also subject to questioning. In fact, when the 3.5-percent growth rate is extrapolated backward to the early postwar years, it leads to exceedingly large positive GNP gaps at times when unemployment was below the 4-percent full employment rate, which of course is absurd. Therefore, the CEA has emphasized that the appropriate rate of growth applicable to 1947–53 was 4.3 percent rather than 3.5 percent without, however, providing a real explanation of why a much higher rate of growth of potential GNP should have been appropriate for the earlier postwar years.

Mr. Speaker, these remarks and the supporting material which I have placed in the Record should demonstrate that the theory of the economic "slowdown" and the "gap" between our actual and potential production is far from incontestable. There are many competent economists—even those who accept the theory—who understand its serious limitations as a guide to policy. Yet the theory is being used not only as a guide to policy but as the essential foundation upon which the administration's entire case of planned deficits rests.

Fortunately, recognition of the dangers of accepting uncritically as the basis for policy untested theories is beginning to grow. Even the Washington Post, which has been in the forefront of the growth-at-any-price advocates, has been having second thoughts. In an editorial of September 17, 1963, the newspaper suggests editorially that there may be reason for thinking that our economic performance of late "has not been as poor as the GNP data suggest." It goes on to admit that "economists are developing doubts about the justification of growth as a goal in a market economy" and that a "new and more balanced view of growth as a national objective is to be welcomed." Under unanimous consent, I include the editoral from the Post in the Record at the conclusion of my remarks.

There is hope for this country, Mr. Speaker, if the scholars will pursue honest scholarship and if the politicians will listen to honest scholars. There is no better place to advance the national welfare by observance of this rule than in the current debate on the economic course we shall follow in the coming years.

[From the Washington Star, July 19, 1963]

STATISTICS IGNORE LEISURE LABOR

(By Sylvia Porter)

We now have a road opening up some of the woods behind our country home for the first time since the original settlers cleared the land. It cost nothing. My do-it-yourself husband simply got on his 1962-bought bulldozer, his 1960-bought tractor, and those other mechanical monsters he keeps in sheds he built around here and moved earth, rocks, brush, and trees until a road emerged.

Had he hired men to clear the road, the cost would have run into hundreds of dollars and what he spent would have duly added to our Nation's total output of goods and services (gross national product). But since Sumner Collins did it entirely on his own with machines bought in the past and paid no one, nothing counts. Neither the new road nor the value it adds to our property will show up in any statistical measurement of 1963 production.

A friend a few miles away invited us last weekend to the "inaugural" of his new bar—

a sturdy, handsomely designed, beautifully finished thing. It cost next to nothing, for he's another weekend do-it-yourself fanatic with sheds loaded with tools. He built the bar with tender loving care, permitting no one to help.

Had he bought that bar, he would have spent a minimum of $500 and this would have duly added to GNP in 1963. As it is, the only dollars that will be counted are the few he spent on wood, nails, varnish, and the like.

PEAK OF SEASON

This is the peak do-it-yourself season, when tens of millions of men and women from coast to coast are finding a substitute for a psychiatrist's couch in the use of their leisure hours to create things ranging from an ashtray to an extra wing on the house.

How grossly are we understating our GNP because of the omission of this labor? A recent estimate by Stanford's Prof. Karl Brandt, a member of the Council of Economic Advisers during President Eisenhower's administration, is that we may be understating it by as much as 20 percent a year.

A couple of decades ago this omission was understandable. The Department of Commerce was just starting to calculate the gross national product (it wasn't until 1947 that the Government began publishing the estimates every quarter), and it was trying to eliminate as much guesswork as possible. The do-it-yourself movement was in its infancy.

The United States was so busy filling shortages pent up during World War II that overtime, not leisture time, dominated our society.

INVESTMENTS MOUNT

But do-it-yourself now is a way of life. The leisure time workshop is commonplace in millions of homes. The investments of the American public in do-it-yourself machines and tools run into enormous sums, and great industries have come into being because the do-it-yourselfer is a compulsive buyer of equipment.

Moreover, do-it-yourselfers will add even more to the Nation's output in the years ahead. As the workweek shortens and vacations lengthen, this increasingly will be their escape and their hobby.

Perhaps excluding from GNP totals the services that tens of millions of housewives perform within their homes must be tolerated because a dollar figure cannot be placed on their production. But with computers and new techniques to help us gather statistical data, excluding the value of the do-it-yourselfers' labor is no longer tolerable. The billions of dollars they contribute to the GNP are real and can be seen.

Not even trying to make a guess on the do-it-yourselfer's contribution is like pretending the foundation of a house is the whole house.

[From the Morgan Guaranty Survey, September 1962]

THE CONTENT OF GNP: ? + ? + ? = $519 BILLION

In an economy as large and complex as that of the United States, the layman groping for some sense of what is going on is likely to be grateful for the statistical invention called gross national product. In one tidy figure it caters to his wish for a simple, single measure of the Nation's total economic achievement. He can watch it go up or down, memorize and quote its latest reading, check the accuracy of predictions that experts and others have made as to its course.

The popular preoccupation with GNP troubles some professional analysts. Their dismay is not that of craftsmen disturbed at seeing the tools of the trade fall into unlicensed hands. Indeed, the economists most involved in developing the GNP concept are pleased that their work has generated such wide general interest. At the same time, there is concern that public reception of their statistical creature may be based on superficial understanding, or even misunderstanding, of its true nature.

Certainly few laymen have any detailed grasp of how the gross national product figure is calculated. It would be interesting to discover, for instance, how many realize that a given year's published GNP, even after revisions that may go on for a decade or more, is strictly an estimate and in no meaningful sense an actual counting-up of things produced. A committee of economists who studied the whole field of national economic accounts for the Bureau of the Budget in 1957 remarked, in recommending steps to improve public understanding: "* * * a large part of the public does not understand the meaning of the national income and product statistics, and * * * only a few technicians are familiar with the details of their shortcomings."

Dispelling some of the general innocence about GNP and other big-big-picture economic statistics might lessen the layman's tendency to take them without question, but familiarity is hardy likely to breed contempt. While gross national product as posted is not the full-fleshed reality many take it to be, observation of changes in it from quarter to quarter and from year to year does contribute to understanding of what is happening to overall economic activity. Thus the figure is a useful tool both for business planning and for the formulation of national policy.

The tool is of comparatively recent design—surprisingly recent in view of the place it already has managed to win in the working kits of most economists. The Department of Commerce, whose National Income Division is the source of the official GNP estimates, brought out its first ones just 20 years ago last March. They covered the years 1939, 1940, and 1941. In May 1942, estimates for the years back to 1929 were presented. Regular quarterly publication of estimates, expressed at annual rates, was started in 1947.

HOW IT BEGAN

The earliest origins of national product accounting go back much farther. The antecedents of GNP can be found in a series of attempts—in different countries at various times over a span of nearly three centuries—to put a size on a nation's economic achievements. Usually the investigator's focus was expressed as "income" rather than "products"; even today the statistical framework of which GNP is the best-known part is referred to as the national income accounts.

The beginning was in 17th century England, where a versatile physician named Sir William Petty (1623–87) set out to prove that his country was richer than its leaders thought. Seeking a gage of annual national income, he started by assuming that it was equal to total spending. He then proceeded to work out the dimensions of the latter. He estimated the total population of England and Wales at 6 million, and multiplied that by what he reckoned as the average annual expense per man, woman, or child for "food, housing, clothes, and other necessities"—6 pounds, 13 shillings, and 4 pence, later revised to 7 pounds.

Sir William went on to apportion the calculated national income of some £40 million among classes of earning factors. He assigned £15 million to property as earnings chiefly in the form of rents and profits. The rest he attributed to labor. Assuming half the population was gainfully employed, he derived an average income for workers of sevenpence per working day. He recognized income differences among workers by dividing them into six brackets, earning from twopence per day in the lowest-paid to a shilling in the highest. He assumed an equal number of workers in each category.

From such computations he moved to a set of broad conclusions, including what may have been the first recorded "gap" estimate. Among them:

"That the power and wealth of England, hath increased above this 40 years.

"That there are spare hands enough among the King of England's subjects, to earn 2 millions per annum, more than they now do, and there are employments, ready, proper, and sufficient, for that purpose.

"That there is money sufficient to drive the trade of the nation.

"That the King of England's subjects have stock, competent, and convenient to drive the trade of the whole commercial world."

While there is no way of checking Sir William's figures, it seems safe—considering that he had to work in an almost total absence of dependable statistical material—to assume that they contained inaccuracies. The methods he used, however, are not without parallels among techniques used by national income and product estimators today.

FIRST U.S. ESTIMATE

The development of national income study was slow and intermittent; some further work was done in England during the 1700's, and attempts were made in France and Russia. It wasn't until 1843 that the first estimate was made for the United States. The author was Prof. George Tucker, an economist and for a while a Member of Congress. He had studied the data of several censuses; and, when the 1840 count was broadened to inclued a substantial amount of economic information, he took advantage of the results to construct an estimate of annual income, which he also called "product of the country."

He shrank the income concept by limiting his estimate to material production. Perhaps he did so because of lack of data concerning services; he gave no reason. For the year 1840 he gaged the annual product to have a value of slightly over $1 billion. After the 1850 census he made an estimate for that year of nearly $2 billion.

The Tucker method, within its narrower scope, was closer to a straight count of things produced than is today's product accounting, which relies heavily on such indirect guides as income tax returns and social security data as well as on direct reports and estimates of output. He regarded as his most difficult problem the assigning of prices to the goods units reported in the census. To make some provision for regional differences, he did his pricing on a State-by-State basis.

Professor Tucker dealt somewhat arbitrarily with the problem of eliminating from his count of final products those goods used as raw materials or components—a task still challenging to product estimators. He simply deducted one-third from the gross value of manufactured goods to account for raw materials; he based this on reports indicating that among manufacturers in New York, two-thirds of selling price as an average went to wages and profits. In the case of household manufacturing, he increased the proportion for raw materials to one-half, this adjustment on doubt reflecting the reasonable assumption that earnings (whether called wages or profits) were slimmer in home industry than in factories.

Over the half-century following the Tucker work, the amount of statistical information available in the United States increased tremendously. The first scholar to make use of the new data for income estimating purposes was Dr. Charles B. Spahr, who published in 1896 an estimate of national income for 1890. His work turned back in the direction of measuring income, rather than product. His prime concern, actually, was income distribution among various groups in society.

A couple of decades later, Dr. Willford I. King developed income estimates for the census years from 1850 through 1910. When the National Bureau of Economic Research was established in 1920, the first project undertaken was an extension of Dr. King's research to cover the years 1909–19, published in 1921 and 1922. The Bureau continued active in the national income field, publishing in 1930 Dr. King's estimates for the years 1909–28.

As the late Prof. Paul Studenski noted in a review of the history of national income study, the work began and for a long time continued as a strictly private enterprise, commanding only such resources as individual scholars or their sponsoring organizations could muster. Governments showed little interest in the findings until well into the twentieth century. Problems of reconstruction after World War I and later of Worldwide depression brought the statisticians' ledgers to the tables where policy decisions were being made.

In the United States, Congress in 1932 directed the Department of Commerce to prepare studies showing how the Nation's income was divided as to point of origin and also as to means of payment (whether in wages, dividends, rents, etc.). Commerce enlisted the aid of Prof. Simon Kuznets, who had joined the team of national income scholars at the National Bureau. He organized and directed the study, the first Government-sponsored look at income in the United States, which culminated in 1934 in publication of estimates for the years 1929–32. His work on this project and in subsequent studies at the National Bureau was a major influence in shaping the official approach to national accounting as adopted and currently employed by the Commerce Department.

ENTER GNP

Income estimates, including a modest amount of subsidiary data, were published annually by the Department through the late 1930's. Meanwhile, scholars working independently in the field were experimenting with a concept broader than that of national income. The latter, which had become the chief focus of economic measurement, was thought of as the earnings of labor and property used in production. This was also expressed as the total value of goods and services produced for final consumption, plus additions to inventory, plus additions to the supply of capital, minus the value of capital needed for replacement. In 1934, Dr. Clark Warburton presented estimates he had made for the odd-numbered years 1919 through 1929, showing a quantity he called value of the gross national product, the first appearance of the term in published discussion. It was used to signify a quantity that was larger than national income—chiefly because it reflected no deductions representing replacement of depreciated capital or taxes included in market prices.

Professor Kuznets also developed national product estimates on a gross basis. The Commerce Department gave GNP official status with publication of its estimates in the spring of 1942. The immediate reason for the innovation was the belief that it provided a more meaningful basis than did the smaller national income figure for relating the volume of war production to total output.

In the first full-dress exposition of their GNP approach, Commerce economists conjectured modestly as to possible uses it might have beyond the special needs of wartime and postwar policy planning that had led to its development. "The estimates," they said, "should also prove useful in other capacities, both to businessmen and to private economists seeking a summary picture of the economic process as background for special studies and policies." They could hardly have been expected to foresee that the statistical artifact they were unveiling would become the general public's favorite yardstick for measuring economic performance.

What GNP actually measures—or, more accurately, estimates—is the market value of the Nation's output of good and services, excluding those which go into the production of other goods and services. For instance, steel used in building construction is counted only once—as part of the value of the finished building.

The seemingly all-inclusive reach of GNP doubtless has had something to do with its popular acceptance. Comprehensiveness can have statistical advantages, too—for instance, the enhanced validity of a total whose calculation does not involve estimating the amount of depreciation, a quality on which reliable information has always been difficult to obtain.

Forming the GNP concept was only the beginning of a task that has no foreseeable conclusion—the job of bringing the estimate constantly closer to the reality it is supposed to express. Progress has been impressive, thanks to improvements in the thousands of statistical compilations which the estimators use as raw material and in the art of estimating itself. But the job is far from finished. Even the beginning—defining GNP—appears to have no end. Debate as to the proper content and the most meaningful presentation of gross national product has been continuous virtually since the original concept was introduced.

A LAYMAN'S LOOK

The colloquy is likely to continue, for there is much to discuss. The annual laying out of the official income and product accounts involves some 75 statistical tables, with crisscrossing and interlocking references that add up to a highly detailed panorama of the economy. Behind the published details, the worksheets of the estimators who prepare them are crowded with underlying data many times more detailed. Tying the whole together is an accounting scheme so complex that even the technicians most intimately involved sometimes find it hard to communicate with each other about it. For the layman, a look at the system is best obtained through the summary tables published each year by the Department of Commerce.

These appear in the annual national income issue of the Department's monthly "Survey of Current Business." The first and most basic of the tables for 1961 is reproduced with cross-referencing symbols omitted and certain accounting details not shown. The arrangement in two columns reflects the fact that the economy's output of goods and services is being looked at in two ways. On the left side it is viewed as a flow of income payments to various parties, adding down to the subtotal "national income." Several further items are then attached to result in the grand total "gross national product." On the right side the same grand total is achieved as the simple sum of what has been spent for goods and services by four large groups of buyers: consumers, business (investing in capital goods and inventory), foreigners as net purchasers (exports minus imports), and government (including Federal, State, and local).

"Statistical discrepancy" in the left column is a balancing item. It recognizes that the alternate methods of adding up GNP shown in the two columns don't cover precisely the same ground. It doesn't mean that one is accurate while the other is inaccurate by the exact amount of the discrepancy. Rather, both methods are inaccurate, but in differing degrees. The difference between their respective errors is the amount of the discrepancy; the exact amounts of the errors—the amounts by which the two estimates miss GNP as it really exists—are impossible to know. The estimators believe they have reduced the possibility of error in their total figure to about 1 percent. The discrepancy item in recent years has been as low as $0.6 billion and as high as $3.4 billion.

National income and product account, 1961

[Billions; figures may not add because of rounding]

Compensation of employees:	
Wages and salaries	$278.8
Employer contributions for social insurance	12.0
Other labor income	11.4
Proprietors' income	47.8
Rental income of persons	12.3
Corporate profits (before tax)	45.6
Inventory valuation adjustment	.0
Net interest	20.0
National income	427.8
Business transfer payments	2.1
Indirect business tax and nontax liability	48.2
Current surplus of government enterprises less subsidies	−1.7
Capital consumption allowances	45.3
Statistical discrepancy	−3.1
Gross national product	518.7
Personal consumption expenditures	338.1
Gross private domestic investment	69.3
Net exports of goods and services:	
Exports	27.3
Imports	23.3
	4.0
Government purchases of goods and services	107.4
Gross national product	518.7

The table does not look at output in the way that might seem most natural—as a stream of commodities and services flowing from the bountiful cornucopia that is the U.S. economy. Such a view, of course, is impossible through the eyes of accounting, which can add up the diverse fruits of production only in the common denominator of dollars. National product must be thought of, in Professor Kuznets' words, as a "sum of values" rather than "a congeries of specific commodities and services."

There is, to be sure, a great deal of tallying of specific goods and services in national product accounting. Production figures issued by industries or compiled by Government agencies, used in connection with price data, play an important part in the building up of the dollar totals, or in cross-checking the validity of totals arrived at from other directions. But nowhere in the published tables of the income and product accounts is there reference to the number of automobiles or television sets produced, the loaves of bread baked, the number of coats and trousers drycleaned. The denomination is always dollars.

As a result, gross national product is sensitive to changes in price. To permit year-to-year comparisons free of the effect of price changes, the Commerce Department issues gross national product and subsidiary figures in "constant" dollars as well as the more commonly cited current-dollar ones. The "deflated" gross national product, as the price-adjusted estimate is often called, was added to the official statistics in 1951, with 1947 prices used as the base. Subsequently 1954 was adopted as base.

Insofar as is possible, the deflation of current-dollar gross national product is performed on a product-by-product basis. This permits careful assignment of weight to individual price changes according to the proportion of total output they affect in a given year. For appraising economic growth and improvement in living standards, the constant-dollar figure is, of course, more meaningful.

The expression of GNP in monetary terms comports with the general rule of national accounting that only goods and services exchanged for money in market-type transactions are counted. This criterion produces some ironic results. The do-it-yourselfer who spends a weekend finishing off a room of his house does no more for the gross national product than if he had stacked his purchase of lumber in the corner and gone golfing. Buying the materials and tools was a contribution to GNP; but his labor, although it has added value to his house, does not swell the official national output by a single dollar. If he hires a carpenter, however, his whole payment for the job is an addition to GNP.

The most substantial excluding of productive effort from the formal accounts by reason of the money-payment criterion is the ignoring of the work of housewives in their own homes. Here, too, is a paradox. In terms of national income and product, the woman caring for her home and family is considered nonproductive; the girl working in a factory or office is productive. If they trade places—the houswife taking the factory or office job and hiring its former holder to take care of her home—both are than performing services for money and their work gets into GNP, which shows an increase although exactly the same amount of production is occurring as before.

Distortions like these are tolerated in the national accounting system because there is no statistically sound way to work into the accounts a value representing the services rendered. Any attempt to assign a dollar value to the aggregate of American hometending would involve guesswork, which is a quite different thing from estimation.

The housewife has found a way, if inadvertently, to make the GNP figure more reflective of true output. She has done this by shifting to outside helpers a growing portion of the work once done in the home. The purchase and use of labor-saving devices, the serving of prepared foods that reduce kitchen work, more frequent taking of meals in restaurants, the sending of clothes and linens to the laundry are all changes that bring what was once uncounted housework into the market area as bought services or as an added element of value in bought goods.

Changes in a nation's living habits, in other words, can affect the national income and product totals in the absence of any change in the actual volume of goods or services produced and consumed. A nation in process of transition from a predominantly barter economy to a market economy, for instance, is likely to find its annual increases in income and product greatly overstated in relation to actual improvement in national welfare. A shift out of agriculture into industry normally brings a similar result.

Conversely, countries where economic development has lagged tend to look worse off in their national accounts than they really are, especially when their figures are compared with those of more advanced nations. Where a high proportion of activity goes on outside the market economy, the money-payment criterion for counting goods and services results in understatement of the level of national well-being. International comparisons of national income or gross national product are rendered further dubious in many cases by significant differences from country to country in underlying statistical concept.

The U.S. accounting basis makes exceptions to the money-payment rule in several cases where the basis exists for a reasonably sound assignment of monetary value—through a process called "imputation." The principal use of this device is in the case of homes occupied by their owners. Since the rent on rented dwellings goes into GNP, the comparable service enjoyed by homeowners from their own dwellings must also be included if the total is not to be subject to variation resulting merely from changes in the proportion of homeownership. The imputation is made by regarding homeowners as landlords who rent to themselves at going local rates. In this useful accounting fiction they are considered to be spending as tenants and receiving income as landlords.

Imputation is used, also, in the case of employees who receive all or part of their pay in kind—for example, in food. They are assumed to have received the equivalent in cash and to have spent it on the items received in kind. Food and personal clothing provided to members of the Armed Forces are treated in this manner and thus included in the income and product accounts. Food and fuel produced and consumed on farms likewise receive an imputed cash value and appear as sales made by the farmer as producer to himself as consumer.

WHAT THE VINTNERS SELL

The business of estimating the value of the Nation's output involves many decisions of inclusion and exclusion that stir controversy among the experts and are likely to strike the layman as being, at best, arbitrary. Beyond the ironies occasioned by application of, and exceptions to, the standard of money payment, a number of oddities result from the introduction of legal criteria.

The official accounting excludes from national income and product all economic activity which violates the law. Thus the official estimates for the years when prohibition was in effect include no allowance for nonmedicinal personal consumption of alcoholic beverages. The estimate for 1933, the year the prohibition amendment was repealed, includes $626 million for alcoholic beverages; for 1934, the first full year of legalized drink, expenditures are put just above $2 billion.

In large part these additions to gross national product must be considered attributable to arbitrary accounting rather than to a changed pace of economic activity. Dr. Warburton's estimate of 1929 gross national product, not distinguishing between legal and illegal activities, had assigned a market value of $3.75 billion to alcoholic beverages consumed.

The statistical difficulty of keeping the gross national product legally pure did not end with repeal. There can hardly be a reliable way to exclude from current accounting liquor that finds its way to illicit ultimate sale in local option areas. Nor is there a means of counting out goods sold in violation of fair trade price-maintenance laws. Rigorous application of what has been called the "Caesar's wife" approach to national accounting would demand elimination—even retroactively—of transactions involving fraud, antitrust violations, breach of contract, or legal taint of any kind.

The obvious impossibility of such sifting has led some critics of the present system to urge that lawfulness be dropped altogether as a criterion for inclusion of activity in GNP. They argue that attempts to apply it discriminatingly can only end in basing in-or-out judgments on personal views as to morality or social desirability. Better, say the holders of this view, to rely on the simple test of marketability—can it be sold for a price?—to determine what is a part of the national output.

QUESTIONS IN THE PUBLIC SECTOR

Another area of extensive disagreement among GNP technicians is the treatment of government's (Federal, State, and local) large role in the economy. Government business enterprises (public power projects, municipal water works and transit lines, Army post exchanges and commissaries) are included in the "business" sector along with privately owned concerns. Interest payments by government, however, are treated not as income to the recipients but as transfer payments—a term applied generally to payments for which there is no return in goods or services (e.g., gifts, social security benefits, charitable donations, relief). Thus such interest payments do not add to the statistical total of GNP. Government purchases, on the other hand, including compensation paid to government employees, are regarded as being for final consumption; thus, as indicated in the table, they swell the total of gross national product.

Critics argue that interest payments by government, no less than those by business concerns, should be included in income and product. Until 1947, they were. The National Income Division defends their exclusion since then on the grounds that the bulk of government debt was incurred to finance wars and current expenditures rather than income-producing assets, and that therefore the interest on it should not be treated as representing the purchase of a service (money use) at the time of payment. The National Income Division further argues that comparisons of the value of prewar and postwar output would be distorted by the inclusion of continuing interest payments on war-created debt.

It can also be contended that noninclusion of Government interest is inconsistent with the official treatment of Government-owned buildings, roads, parks, and other fixed properties. These are not treated as service-producing capital assets having a long life; instead, they are considered to have been consumed in the year they were purchased. Thus interest on the debt incurred to pay for the facilities cannot be related to currently produced services.

Dissenters from the official view hold that such Government facilities do in fact perform useful services on a current basis, which should be reflected in the national accounts as imputed rent. Commerce's answer is that there is no basis for assigning realistic value to services rendered by Government property and that imputations made without adequate basis would hurt the integrity of the accounting system.

This point of difference involves more than a mere quibble over a fine point of national income accounting. It leads directly to the whole controversial question of whether the Federal Government should have a capital budget, distinguished from the current-expenditures one, in order to play down the size of the deficit.

Not all criticism of the official treatment of the Government sector is to the effect that present rulings in that area tend to understate GNP. One of the chief complaints from the start has been that some of the services performed by Government (and represented in the product total as wage payments to Government employees) are actually intermediate to the production of end-goods by business and therefore should be eliminated from final product count just as raw materials and fuel used in production are. Police protection and law enforcement in general, for instance, might be considered in this view as partly directed to providing conditions necessary for the conduct of business.

Dividing the salaries of G-men and judges, the cost of highway upkeep, or the Nation's defense expenditures, between final and nonfinal purposes would involve many hairline distinctions, some of them more metaphysical than mathematical. The National Income Division has stood by its view that such separations cannot be meaningfully made, but has in effect held the door open for anyone wishing to propose a practical way of doing the job. Mr. George Jaszi, chief of NID, calls the whole question of possible duplication between intermediate and final products "one of the most difficult subjects of national income theory."

For the layman, the chief significance of the numerous technical disagreements over the philosophy and procedures of national accounting may be to serve as a reminder that GNP is a theoretical concept rather than a definite, measurable quantity. To emphasize this is not to disparage the concept's usefulness, but to caution against excessive reliance on the resultant figure as the one true indicator of how things are going with the economy.

As single figures go, GNP is the most comprehensive that the statistical art has yet devised in the economic realm. But no single figure can tell all—or even very much—about how well an economy is functioning, how well it is serving its people, how soundly it is building for the future.

A few years ago, Prof. T. C. Schelling of Yale University, in the course of a discussion of national accounting, ventured the opinion that "The fetish for a 'single best estimate of the economy's performance' has already gone too far." With electronic computing enormously enhancing not only the Government's ability to use data but also the private economy's capacity to originate them, the tendency to add up is likely to maintain its dominance over economic research. Pre-Keynesian theorists were wont to concentrate on the economic behavior of one man or one firm and weren't greatly concerned with what current study calls "the aggregates." As today's investigators click off their tapes and sharpen their imputations, they are contributing useful insights that were impossible to obtain in the nonstatistical days. It must be hoped, however, that their involvement with grand totals will not lead to neglect of the "little picture" in economic study—a focus also suitable to the capabilities of the computer.

[From the Wall Street Journal, Oct. 9, 1962]

Economic Growth—U.S. Living Standard Rises Twice as Fast as in Early Postwar Era—Personal Income After Taxes Gains 16 Percent in Past 18 Years—9 of 10 Homes Have TV—Flaw in Growth Comparison

(By Alfred D. Malabre, Jr.)

The American standard of living has grown twice as fast in the last 8 years as in the first 8 years after World War II.

This fundamental fact shines through the fog of Federal statistics in an era of much fretting over slow growth in the Nation's economy.

There is no index of the standard of living. Measuring it precisely is impossible. But one figure comes close to the mark. This is per capita disposable income adjusted for changes in the level of prices. The "disposable" means it's after all personal taxes.

Since late last year this figure has held about $2,000 for the first time. Latest tally puts it at $2,030 in terms of 1961 prices. That's an upward bounce of 16 percent in less than 8 years. In the 8 years ended with 1954 it rose less than 7 percent.

The $2,000-plus figure on the statistically average American's ultimate ability to buy the goods and services of life is now nearly double the $1,212 of prewar 1939. (The 1939 total, to make it comparable despite price changes, is in terms of 1961 dollars. In 1939 dollars it was only $537.)

EVIDENCE IN HOMES, GOLF COURSES

Evidence of how this great growth in real buying power has bettered the lot of the citizen is abundant. It's found in homes and on highways, in bowling alleys, and on golf courses. It shows in book stores and concert halls. And—for the sick—in hospitals.

The 48 million new U.S. autos made in the last 8 years alone add up to twice as many cars as there are today on all the roads of Europe (including Russia). Once-a-week bowlers in the United States, now at 36 million, double the total of 1955. The golfing army has grown 25 percent.

The leap of living standards goes beyond the enjoyment of material things. Columbia Records reports the recording of classical music is the fastest growing part of its business—up 80 percent from the year earlier period in the first half of 1962. Book sales, over $1.2 billion yearly, are twice the 1955 total. The number of persons now entering hospitals is nearly half again as large as in the mid-1950's.

Growth of consumer products has accelerated sharply in recent years.

The table below shows U.S. production of some familiar goods. The postwar years, starting with 1947, have been divided into two 8-year periods to match recent output against that in the supposedly fast-growing early years. Totals for 1955–62 include full-year estimates for this year. Figures are in millions of units:

	Output in 1955–62	Output in 1947–54
Autos	48.4	40.6
TV sets	51.9	37.7
Washing machines	30.8	29.0
Air conditioners	12.6	3.2
Clothes dryers	10.6	3.3
Dishwashers	3.9	1.6

The quantity of goods produced in the more recent 8-year span, in every case, exceeds the earlier output. In two instances—air conditioners and clothes dryers—1955–62 production is more than three times the 1947–54 total.

And the list doesn't include many items not even produced in the early years. Examples: Washer-dryer combination appliances (100,000 units sold by manufacturers last year), electric can openers (1.7 million), electric knife sharpeners (500,000) and tape recorders (500,000).

OUTSTRIPS POPULATION RISE

The great burst of consumer goods production in recent years far outpaces the population rise. Since 1955, the U.S. population has increased 12 percent. But the number of motor vehicles in use, for example has, climbed 24 percent. Some 8 million families own more than 1 auto now, nearly double the 1955 total.

Witness the rise of television in recent years: 9 of 10 homes have sets today up from 7 in 10 in 1955.

Or clothes dryers: Nearly a quarter of U.S. households are now equipped with them, up from 6 percent in 1955.

Or, beef consumption: Per capita, Americans ate 67 pounds of it last year, a 12-pound jump from the 1955 average.

The home-building surge—over 10 million new homes in less than 8 years—has reduced doubling up among families. In 1955 about 1.5 million married couples were without homes of their own and had to live with relatives or others. The total now is close to 900,000.

And homes are getting bigger. Floor space in a new single-family house averages about 1,500 square feet, a third more space than the average new home contained in 1955.

DEPRESSING DEMAND?

Paradoxically, the great boom in things for consumers has caused some fears that consumers now possess so many items there is little room for continuing strong demand.

Many economists, however, believe such concern is unwarranted. Norris O. Johnson, vice president and economist of First National City Bank, New York, puts it this way:

"Human wants are insatiable. If the old worries about people having everything were valid, our economy would still be in the horse-and-buggy stage."

Living standard growth through access to more so-called services has been sweeping.

A dramatic example: U.S. hospitals last year handled a record 25.5 million admissions. That's about 40 percent above the mid-1950's level.

To supply the growing wants of Americans, U.S. industry has carried out a vast expansion in recent years. Industry's massive ability to produce has prompted some concern about "excessive" capacity. But it also has paved the way for fast growth in the years just ahead, many experts contend.

ELECTRICITY TO SPARE

Note the gigantic growth in facilities to generate labor-saving electricity. The country's generating capacity now exceeds 180 million kilowatts; that's nearly 70 million above the 1955 level.

"We have the capacity now to handle a 25-percent jump in demand," says an official of Edison Electric Institute, a trade group representing electric utility companies. In the mid-1950s, he estimates, generating capacity was only 15 to 20 percent higher than demand.

To increase and otherwise improve production, the Nation's manufacturers have pumped $101.3 billion into new plant and equipment projects since 1955. That's some $17 billion more than they spent for plant and equipment in the entire previous postwar era.

One result of such spending has been a 30-percent leap in production capacity in basic industries (metals, chemicals, petroleum, textiles, lumber, and cement) in the past 8 years. These industries as a whole are now using some 80 percent of their capacity, according to Government estimates, down from about 85 percent in 1955.

Rapidly rising research and development spending in recent years has laid the groundwork for further betterment in living standards. The $50 billion so spent in the United States in the past 4 years is nearly double the sum spent in the previous 4 years. This spending has increased yearly, through recovery and recession, since totals first were compiled in 1954.

Much of the concern over slow growth in the United States centers in comparisons between the increase of gross national product (the market value of all goods produced and services performed) in the United States and in other lands.

GNP in the United States has risen only 2.7 percent annually since the middle of the last decade (after allowing for price increases), far below the comparable rise in some other lands.

But such comparisons can be misleading. Many foreign economies were smashed by World War II. All are expanding from levels far below the U.S. postwar base.

Japan's GNP, for instance, has soared over 130 percent since the mid-1950s, far steeper than the comparable rise of GNP in the United States. In absolute terms, however, the gap between the two nations has widened. U.S. GNP, at the year's start, was $491.4 billion greater than that of Japan. Eight years ago, the U.S. lead was only $342.6 billion. At last count U.S. GNP was more than 10 times Japan's.

"It's impossible to say for certain how fast we should expand—there's a tendency to pick a figure out of the air," asserts F. L. Simmons, vice president and economist of Morgan Guaranty Trust Co., New York. "The statements made, moreover, often reflect the political underpinnings of the speakers."

[From the Federal Reserve Bulletin, August 1963]

Measuring and Analyzing Economic Growth

(By Clayton Gehman)

Economic reports both here and abroad have often indicated that the U.S. economy has been growing at a slower rate in recent years. This slowdown has been reflected in many proposals to modify Government economic policies.

Several developments contributed to the belief that a slowdown did occur. First, there was the fact that the business expansion in 1958–60 was relatively brief—with the role of the steel strike and its repercussions on both the expansion and the subsequent decline in activity hard to assess. Second, was the leveling off in industrial production in the second half of 1962 and the fact that unemployment increased again only 18 months after the early 1961 low point in production.

How well alternative standards and measurements of economic activity support the widely held view of a slowdown in the U.S. growth rate is the concern of this paper. Several conclusions have emerged from this examination: (1) Growth in U.S. economic activity in recent years has been close to long-time rates; (2) increased productive efficiency in the use of labor and materials has been achieved; (3) as a result, there has been more unemployment and less demand for materials than there would have been otherwise.

In considering postwar trends in growth in the United States one must determine whether in fact there has been a persistent slowdown and how much of an acceleration in growth should be sought to attain the desired rate of resource use. The latter evaluation involves many broad economic judgments, standards of performance, and questions of taste that are outside the scope of this paper. However, a review of the evidence usually presented to demonstrate that there has been a slowdown in growth may throw some light on the problems involved in stimulating growth.

This article considers first the basis of the growth rate calculations for particular time periods and components of the economy that have been used by various analysts. These calculations are examined in the light of probable biases in the price series available to deflate expenditure data. Allowance for such biases—particularly those introduced by technological improvements in the manufacture of capital goods—may lead to differences in measurement. And related to this are the special problems of measuring some types of rapidly growing investment, such as commercial equipment. Finally, changes in output and productivity indicated by Federal Reserve industrial production indexes are presented, and some of these are compared with changes based on broadly similar components of the Department of Commerce gross national product data in constant dollars.

RECENT CYCLICAL SHIFTS

A review of the behavior of U.S. growth trends for the whole postwar period makes it clear that there was a decided interruption in industrial and total economic expansion during 1956–58. But since then expansion has been resumed at a rate about in line with earlier average long-run trends.

Several major shifts, of a nonrecurring nature in the general economic situation before and during the 1958 recession contributed to the extended interruption. There was, in 1955–56, a reemergence of inflation accompanied by speculative activities; later the inflationary spiral terminated. These had varying impacts on business and consumer attitudes and on buying trends. Concurrently, there was a pronounced shift in the general demand-supply situation in world markets and a sharp drop in demands for U.S. merchandise exports, which had been temporarily boosted by the Suez crisis.

Since then the interruption has been more than made up in some production sectors such as consumer goods, but not for some kinds of private investment. And Federal defense spending has been rising, but not so rapidly as it did during the Korean war in 1950–53. Although the rate of industrial expansion has recovered since the beginning of 1959, the economy has been left with larger margins of unutilized plant and labor resources. The larger margin of unutilized resources has helped to forestall general inflationary tendencies and encouraged conditions favorable to sustainable expansion in production.

The rapidity of the industrial expansions of 1958–60 and 1961–62 has not been generally appreciated, partly because of the failure of unemployment to decline to earlier levels. Nor has it been sufficiently recognized that such rapid expansions could not be expected to go on indefinitely without output leveling off or declining for a time as imbalances in output-inventory relations—both short run and structural—were corrected.

Even at the 1961 low point, the Federal Reserve index of industrial production was 18 percent above the cyclical low reached about 3 years earlier. And by mid-1962 the index was already 15 percent above the first quarter of 1961 and 9 percent above the advanced level prevailing 2 years earlier, as shown in chart 1 [not printed in RECORD]. The increase in total industrial production during the first half or 1962 occurred despite a cutback in steel output of about one-fourth from the peak reached early in the year. Mainly because of inventory readjustments, total production showed no net change in the second half. It was also held down at the yearend by severe weather and extended strikes. In the first half of this year it rose by 5 percent.

Part of the recent rise reflected accumulation of inventories because of fears of a steel strike. But since late 1961 there has been a strong demand for autos and a broad expansion in purchases of other consumer goods. Retail sales of nonautomotive goods increased by 12 percent in the 18 months ending in March, during a period when many analysts were questioning the strength of consumer demands for goods other than autos. In constant dollars the expansion in nonautomotive retail sales was the largest since the Korean war period.

The November 1962 Securities and Exchange Commission-Commerce survey of business investment anticipated a leveling off after the third quarter of last year and then some decline in purchases of plant and equipment early this year. Exports and total sales of equipment were interrupted by major dock strikes in October and December–January. Present business investment plans for the rest of 1963, however, and the renewed expansion in manufacturers' orders and shipments of machinery and other goods since January now indicate that the earlier leveling off was an extended pause in production during a period of general expansion. Growth in final takings of goods has continued over the whole period with some brief interruptions.

GROUNDS FOR BELIEF IN SLOWDOWN

The statistical approach used to indicate a slowdown has usually taken 1953 or some later date as the dividing point for measuring trends in U.S. economic developments. In some recent comparisons the year 1957 has been taken as the dividing point to contrast the average rates of expansion in employment and expenditures in 1947–57 with the period from the beginning of 1957 through 1961 or 1962.

It should be noted here, however, that the expansion during the 1947–57 period reflected some unusual conditions. Growth then was more rapid than in most earlier periods back to 1900 and more rapid—especially in the Korean period, 1950–53—than could reasonably be expected to continue. For the whole period from 1962 back to 1899 the average rate of growth in industrial production was about 4 percent per year.

To begin with 1947 rather than the end of World War II, 16 months earlier, increases the differences in growth rates between the two postwar periods if the deflated final expenditure series of gross national product is used; these are the data generally cited as evidence of stagnation since 1957. But this is not true if industrial production data are used, as indicated in chart 2 [not printed in RECORD].[1] Apparently one of the reasons that the constant dollar gross national product series did not rise from 1946 to 1947 was that Federal price controls were lifted in 1946, and it was difficult to measure the actual amount of price rises by the indexes available to deflate the expenditure series.

A dividing point of 1957 provides an average growth rate of 3 percent per annum from 1957 to 1962 in the total constant dollar gross national product, in contrast to 3.8 percent over the previous decade.[2] However, the terminal years chosen for these comparisons of rates of change are important, even if least squares trends are used, partly because calculations of growth rates are influenced by the effect of cyclical fluctuations in the data. Thus, it makes considerable difference in the calculated changes whether 1957, 1958, or 1959 is used as either the ending or beginning year, and whether the final date is 1961 or 1962, or if there is an allowance for developments in 1963.

Chart 2 [not printed in RECORD] shows that if one starts with 1959 and compares increases in either GNP or industrial production over the next 3 years, the rate of expansion in each has been at least as rapid as in similar business expansions starting with 1946 or 1955. This holds true even though the latest period includes the 1960–61 recession.

Analyses of the U.S. slowdown since 1957 often attribute the slackening to a slower growth in the production of goods than in the earlier postwar period, because then backlogs of demand and holdings of liquid assets were regarded as strongly stimulating output of most consumer and capital goods. In one such recent comparison made by the "Manpower Report of the President," new GNP annual data by industry of origin were combined to show that growth in the total of the goods-producing industries of the economy declined from 3.4 percent in 1947–57 to 1.5 percent in 1957–61.[3] The 1957–58 period, however, is part of the 1955–58 cycle, and the whole 1957–61 interval provides questionable terminal years because it begins with a year that includes the crest of an expansion and ends with a year that includes the low of a recession. The results are quite different if data for 1962 and an estimate for 1963 are included.

MANUFACTURING AND RELATED ACTIVITIES

The "Manpower Report" observed that production in the manufacturing sector "grew at a rate of 3.6 percent annually between

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[1] In chart 2 and subsequent charts (except chart 7) lines for groups of years are drawn at the end of the year for each of the major postwar recessions—1949, 1954, and 1958—on a 4–5–4–5-year basis, and the small circles show the average of seasonally adjusted data for the second quarter of 1963. The 1960–61 recession was so shallow that it shows up only as a slower increase in the annual averages used in these charts.

[2] These figures are compounded rates using terminal years as calculated from the revised gross national product data published in July 1963. The corresponding least squares rates—plotted on chart 2—are 3.2 and 4.0.

[3] See "Manpower Report of the President," Mar. 11, 1963. On pp. 82–83 of that report, agriculture, contract construction, manufacturing, and mining industries are classified as goods-producing sectors. It is pointed out there that the total economy rose at a rate of 2.9 percent from 1957 to 1962, compared with 2.3 percent from 1957 to 1961.

1947 and 1957, somewhat below the rate of growth of total output." This rate for manufacturing was based on the new industry gross product data compiled by the Office of Business Economics and shown in chart 3[4] [not printed in RECORD]. These data were also used in the Report as a basis for noting that "in the more recent years 1957–61, the rate of increase dropped sharply to 1.9 percent, lagging even more behind the growth in the total economy."

The manufacturing component of the industrial production index, however, rose at a 2.1 percent rate (compounded, using terminal years) over the 1957–61 period. Then it increased by 8.2 percent from 1961 to 1962. For the whole 1957–62 period the rate was 3.3 percent. For 1947–57, using terminal years, the rate was 4.3 percent, in contrast to the 3.6 percent figure cited above for manufacturing in the gross product series.

The two output measures shown in chart 3 [not printed in RECORD] differ most in level after 1955. For the period 1947–54 the difference would be only about 1 percent if weights for 1954, which are used in the gross product measure, were also used in the Federal Reserve index. The Federal Reserve index uses 1947 weights for the 1947–52 period, and these are linked to series with 1957 weights in January 1953. It is believed that such a weighting system is more appropriate than a single weight year for the whole postwar period, which has seen substantial shifts in price relationships.

Since the gross product measure excludes intermediate purchases by manufacturers, its smaller rise than the Federal Reserve index seems to be inconsistent with evidence from other sources of greater efficiency in the use of materials by some major industries in recent years. For the utility sector alone—and here per unit cost and receipts data are reasonably trustworthy—the OBE net output index shows about a 5-percent greater rise from 1947 to 1960 than the Federal Reserve utility index based on gross output series. In the mining sector, where the OBE used the Federal Reserve physical volume series with national income weights, the results are similar to the published Federal Reserve annual index for mining.

For manufacturing, it is clear that the deflated gross product results are more dependent on the accuracy and the appropriateness of available wholesale price indexes than the Federal Reserve production index, which makes greater use of physical volume measures.

Also on the basis of these OBE data, the "Manpower Report" observed that gross product in the service-connected industries—which in its classification includes trade, transportation, and utilities—grew at a rate of 3.1 percent in the 1957–61 period. This was noted to be a lower rate than earlier, but not so much lower as the rate of growth in the goods-producing area cited above.

This classification of utilities as services may be questioned. For some time international standards have appropriately provided that residential utility series be classified as goods rather than services in the national income accounts and that total industry output of utilities be combined with manufacturing and mining in industrial production indexes.

The practice followed in the "Manpower Report" of excluding commodity transportation and the wholesaling and retailing of goods from calculations of the goods-producing sectors of the economy is even more important. In calculating final expenditures for the gross product series, goods are not measured currently, except for inventories, until they are sold to final users. But to attribute the slowdown in economic growth mainly to a less rapid rate of increase in final demands for goods while at the same time excluding from the calculation the output of the utilities and the activities involved in the distribution of goods confuses the measurement problem.

OUTPUT OF MAJOR PRODUCTS

Analysis of growth in manufacturing and other industries is facilitated by an examination of data on output of major products as shown by the GNP series and the production indexes. Changes in the regularly published total GNP in constant dollars can be compared in a summary fashion by using a three-way split of final expenditures for major types of product—goods, services, and construction. The annual data beginning in 1946 are shown in chart 4 [not printed in RECORD]. These series have been published on a quarterly basis since November 1962 as a part of the regular GNP tables in the Survey of Current Business.

Services: Growth in total services, including both consumer and Government purchases, as measured by the GNP accounts, has not slackened from the 4-percent rate prevailing in the 1947–57 period; for consumer services alone the rate has also been about 4 percent in recent years. If an allowance could be made for the probable upward bias in the price indexes used to calculate these constant dollar figures—such as the indexes on medical care—the rate of growth would be higher.

Some analysts seem to suggest that growth in services is of less economic significance than growth in goods. It is true that such growth may involve considerably less expansion in production of steel and other industrial materials than does growth in final demands for goods. On the other hand, an increase in services is probably a more sustainable force in the economy than an expansion in industrial activity. Oné reason for this is that services are seldom accumulated in the way that business or consumer stocks of goods can be. Some of the uptrend in services is solely the consequence of an expanding population, but an important segment reflects better living conditions.

Construction: In contrast to the continued uptrend in services, the GNP data show a marked downward shift since 1957 in the rate of growth in construction activity. Part of this shift reflects the adjustment of the current dollar series for advances in wages and in prices of materials without allowance for increases in the efficiency with which labor and materials are used.[5] These price-reducing forces have probably been accentuated in recent years by increased competitive pressures. Consequently, the rate of physical construction has probably continued to rise faster than chart 4 would indicate.

The series on construction activity before 1959 is currently being revised upward to provide a level more comparable with the data since that time. This will reduce the growth rate from that now shown for the earlier postwar years.

Various developments in the economy are responsible for the less rapid growth in construction in recent years, especially of privately financed nonresidential building. For example, new plant for such industries as chemicals and utilities requires much less building per unit of potential output than used to be needed. The growth of television broadcasting has reduced the need to build more theaters, and part of such growth as there has been in new motion picture facilities has been in outdoor theaters. Although there are many other factors involved in an appraisal of such differences, the expansion of television, too, has resulted in large savings in the use of labor and material resources.

As for residential construction, new housing starts and residential construction activity have been as high or higher since 1959 as they were in the previous decade. Although this may not involve an equivalent amount of total real output—because the proportion of multifamily residential construction has increased in the past several years—here, too, a lessened use of resources presumably has been achieved. The volume of lumber, furnaces, and other building components used per unit of residential output is considerably less for the average apartment than for the average single-family dwelling. There are also savings in street, waterline, and other supporting construction activity.

Goods: The goods component of GNP is larger than construction and services combined, so that trends in this segment weigh heavily in any analysis of growth trends. Any underestimate of growth for this segment would show up strongly in rates for the economy as a whole.

Growth in both total output and output of goods as measured by various series may differ for several reasons. The most important of these are that the compilation methods and coverage of the GNP series and the production indexes are different. Consequently, it seems advisable to discuss some of these differences—together with any adjustments that are possible—and their effects on the rates of growth obtained.

Type of measure: There are a number of conceptual and practical differences between GNP and the production indexes. Exact data are not available, however, to indicate to what extent these differences average out in the broad results for the total output of goods.[6] Because the production indexes are compiled by a different approach from that used for the GNP and because they permit more detailed comparisons of changes by industry and market groups, it is believed that they provide useful alternative measures of the growth in output of goods.

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[4] The results were published by the Department of Commerce, Survey of Current Business, October 1962. In these OBE series for gross product originating in manufacturing and 15 other major industry sectors, the basic annual data, in current dollars, were derived from previously published national income and product figures. For the manufacturing sector, gross product in constant dollars was calculated by use of specially developed net output deflators for the years 1947 through 1958. These deflators were obtained by converting census value of output data for standard industrial classification four-digit industries to 1954 dollars by means of special price series based on Bureau of Labor Statistics price indexes. From these were subtracted the cost of materials consumed, converted to 1954 dollars by means of other special BLS price series.

The resulting value added in constant dollars was aggregated to the two-digit level and divided into value added in current dollars to yield the net output deflators. These deflators were then applied to the gross product figures for manufacturing. For the years 1959–61, the data were carried forward by use of changes in the BLS index for gross product in manufacturing, as noted in a descriptive pamphlet published by the OBE, "GNP by Major Industries," p. 12.

[5] These limitations have been noted in the descriptive material on the deflated GNP data as, for example, on p. 10 of the October 1962 Survey.

[6] Note, for example, that the GNP allocates 17 percent of passenger automobiles to producers' equipment and the remainder to consumer expenditures, while the industrial production index classifies all auto output as consumer goods; this subdivision, however, cancels out in the goods total. On the other hand, series for some products such as food produced and consumed on farms and flowers, seeds, and potted plants are included in GNP goods but not in industrial production. For the purpose of this analysis series for residential gas and electricity, oil and

The production indexes published by the Federal Reserve are based on detailed product and manhour series reported by factory, mine, and utility establishments, and the indexes are adjusted to census benchmark data for 1939, 1947, and 1954. They have also been checked on a preliminary basis against the comprehensive 1958 Census of Manufacturers and the annual surveys of other recent years. Detailed adjustments to annual levels have generally not been carried through for the period since 1957. Continuing comparisons, however, are made to see whether historical relationships between changes in the total index and its major categories remain consistent with changes in other independently compiled data on electric power, railroad freight loadings, manufacturers' shipments, and employment and hours for part of industry.

Changes in the current GNP series in constant dollars for personal consumption expenditures on durable and nondurable goods depend to a considerable extent on the level and the representativeness of the retail sales data published by the Department of Commerce, and on the accuracy and appropriateness of the BLS consumer price indexes for deflating these data. The current dollar figures for the consumption series are checked against the detailed Census Annual Survey of Manufactures.

In addition, changes in the GNP total goods series depend on the accuracy of the available wholesale price indexes for equipment, which are now in process of improvement; on the representativeness of the data from SEC—Commerce plant and equipment surveys, which were last fitted to benchmark data for 1947; and on the adequacy of the nonresidential construction estimates subtracted to derive the equipment component. The GNP goods data were fitted to benchmarks for 1939 and 1947 by the commodity flow method of adding estimated transportation costs, trade markups, taxes, and adjustments for exports, imports, and inventory changes to Census producers' values, while some departures were made for the calculation of these data for 1954.

In appraising the accuracy of current and recent records it may be noted that historical revisions of both the GNP and industrial production series have typically resulted in raising the levels of the figures.

Final products: Changes in industrial output of final products are more representative of trends in final demand than total industrial production, and the production measure for final products has been expanding almost as fast since the beginning of 1959 as during the 1947–57 period. As chart 5 [not printed in RECORD] shows, there was an acceleration in total output of these goods during the Korean war period, mainly because of defense production. The chart also shows growth in output of final products other than defense products, which is equivalent to the total for business equipment and consumer goods. Growth in this total was interrupted in 1957–58, but by 1962 and early 1963 total output of these goods was expanding at a rate consistent with the rate from 1947 to 1957. As noted later, some of these goods were produced for sale as defense products both before and after the Korean war.

For most analyses a period as short as that since the beginning of 1959 might be too short to permit generalizations, but in this instance it seems permissible because at the beginning of that period industrial production was back close to its 1957 prerecession high, as shown in chart 1 [not printed in RECORD]. Of considerable importance in appraising the expansion in this period will be developments for the whole of 1963. Output of consumer goods has generally risen since last autumn, and business equipment has increased again this year. Retail sales of autos and other goods have been running about 5 percent higher than they were last year. This is likely to be the fifth year in a row when industrial output of final products has expanded, and except for 1961 the rate has been 4 percent or more.

Consumer goods: The apparent slowdown in the goods sector has often been attributed to the satisfaction by 1953, 1955, or 1957 of the large consumer demands accumulated during World War II for appliances and other durable goods. However, the course of output data based largely on physical volume figures does not support this conclusion. It is true that there was a slowing down in total production of consumer goods in the 1956–57 period as prices advanced on a broad front following record levels of auto sales and credit extension in 1955. Consumer credit terms had eased in 1954–55 when maturity standards for new auto financing shifted from a 2-year to a 3-year maximum. Some observers thought that this shift in credit terms was about the last possible major stimulus to auto sales in the postwar period and that the levels of auto production in 1955 would not soon be reached again.

Apart from the longer period of leveling off and of decline in consumer goods output in 1956–58, the persistent growth in this dominant sector of the economy has been a striking feature of the postwar period, as chart 6 shows. Although there has been some uneasiness about the slower rate of expansion in the deflated GNP expenditure series for consumer durable goods in recent years, the industrial production indexes for these goods do not show any persistent slackening.

In the production indexes published regularly the indexes for the home goods and apparel groups are combined and are contrasted with separate groups for automotive products and staples for better analysis of cyclical changes. For analysis of growth, however, it is more pertinent to use the combination of automotive and home goods to provide a consumer durable goods total, and the combination of apparel and consumer staples to provide a nondurable goods total. This second category includes residential utilities.

Chart 6 [not printed in RECORD] shows that although the rate of expansion in the indexes for automotive and home durable goods has been far more irregular than that for apparel and staples, production has continued to grow at about the same rate—4 percent per year—as for nondurable goods and for the total index of consumer goods.

Equipment series: Another component of the goods sector cited as accounting for a major part of the retardation in growth after 1957 is private investment. A portion of the indicated retardation here reflects greater national productive efficiency, resulting to a small extent from a decline in average business inventory-sales ratios. If the economy can operate with a smaller relative growth in inventories, less capacity is required than would otherwise be needed. This is a gain from the viewpoint of national efficiency, unless the resources released are simply added to the total of unused resources.

Likewise, there is a gain in efficiency if chemical plants can be built in the South without much external structure. And recently there has been a marked shift in Federal programs to space and other types of activities that involve a smaller relative base of industrial materials than before. If growth in output of industrial materials is less because of these shifts and because of a decline in material usage per unit of output of final product, this is a gain in national efficiency that should be taken into account in appraising the net increase in the national output of goods.

One reason that the private investment segment of GNP has appeared to grow more slowly than in earlier years is that the deflated expenditure figures are probably understated more for the later period. The results of intensified research and competitive pressures on the design and performance of capital equipment have not been adequately reflected in the price indexes used to deflate the expenditure series. This has been strikingly illustrated by the data for electric generators and related power equipment. Also, a large amount of new machinery and aerospace equipment has been developed and produced that is not being priced at all in the present indexes.

Even some of the current dollar estimates have been outmoded by the rapid growth of new technology. For example, over the past 5 years no increase has been allowed for in the GNP investment accounts for privately purchased noncorporate business equipment, and the combined total for noncorporate and nonprofit sectors has risen only a few percent per year. Yet there has been amazingly rapid growth in the use of computers and other new office equipment and medical and other institutional uses of commercial equipment.

In the industrial production index the total business equipment component is up about one-fifth from 1957 or considerably more than the increase shown by the gross national product series in constant dollars for producers' durable equipment as shown in chart 7. The gross national product component shows such a small expansion from 1947 to 1957—about 1 percent per year—that it is hardly meaningful to refer to a retardation in growth since 1957 although the recent level shown is only slightly above the 1957 peak.

Precise comparisons are difficult because of the conceptual and statistical problems involved. For chart 7 the producers' equipment component of the gross national product in constant dollars was adjusted to eliminate some of its main differences from the business equipment index in industrial production.[7] The series are still not strictly comparable because the production indexes relate mainly to work done rather than to expenditures for final products and are generally based on total industry activities. These would include some defense equipment output at plants that produce business equipment primarily a fact that accounts for

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gas well drilling, and construction materials have been added to the GNP goods total, and a series for farm gross product has been subtracted, to make the results more comparable with industrial production. There remain still the differences between the weight systems and weight years employed in the two sets of data.

[7] The gross national product figures were adjusted to include data for Federal, State and local government purchases of nonmilitary equipment and of equipment for oil and gas well drilling and for exports of equipment. Series for imports of equipment noncorporate business purchases of autos and capital outlays charged to current account have been excluded. A test using gross value weights rather than value-added weights to combine the business equipment series in the production index showed little difference in results since 1947 except for a downward shift of about 4 percent from early 1948 to late 1949 in the gross value results as compared to the value-added measure. The adjustments were developed by Peter Gajewski of the board's staff.

part of the rise in the equipment index at the time of the Korean war.

It is possible that the production indexes are overstated as indicators of business-type equipment produced for all buyers, public as well as private, foreign as well as domestic. But comparisons of the indexes with financial and other data suggest that whatever the exact nature of the differences shown between these two series, the deflated gross national product series, which is based largely on the SEC-Commerce surveys of domestic expenditures for business plant and equipment, is understated.

Some evidence is being developed from the producers' side which indicates that the current monthly reports on manufacturers' sales have been overstated by the available sample figures. For example, the presently published figures for manufacturers' sales of machinery are expected to be revised noticeably downward for recent years as a result of an adjustment now underway to the Census Annual Survey figures. This revision may foreshadow some reduction in the level of the production indexes for machinery unless it appears that actual prices have been declining rather than remaining stable. No final conclusion can be reached until the census benchmarks for manufacturing production for 1958 and 1963 are calculated.

Any evidence of a decline in capital-output ratios—the relation of fixed capital used to units of goods produced—is difficult to develop without reliable estimates of changes in stocks of physical capital. Manufacturing output and capacity have risen about one-fourth since 1957 while deflated capital expenditures by manufacturers have remained below earlier levels, but this is not conclusive.

Total nonfarm goods: The "Manpower Report" cited earlier stated that "In the early postwar years, economic activity was stimulated by backlogs of demand for consumer and capital goods resulting from restricted production for nonessential goods during the war." These backlogs of demand doubtless were more of a fact than the GNP output figures indicate for the early postwar period since, as shown in chart 8 [not printed in Record], there was little net increase over the 4 years from 1946 to early 1950 in the GNP series for total nonfarm goods. This stability in the constant dollar series may have reflected in part the difficulties of price deflation at that time.

Much of the more rapid average growth rate shown by the GNP series in the first postwar decade came in the 1950–52 period when Federal defense expenditures rose by $35 billion in current prices and both business and consumer buyers, remembering World War II shortages, went on a buying spree. During the autumn of 1950 about 10 percent of industrial production was going into the accumulation of business inventory. Such an imbalance in output relations and the inflationary uptrend in prices were not conducive to sustained growth.

There appear to be two main reasons for the broad divergence shown by the two lines on nonfarm goods output in chart 8. One is the possible difference between the production index and the GNP series in their measurement of output in the industrial sector. The production index represents output through the mining, utility, and manufacturing stages of all goods except farm products. If output of farm products were added to both series shown in the chart, they would both show less rise. But the differences in recent years would not be appreciable.

The other main reason for the divergence may be the difference between the movement of the distribution allowances in the GNP series and the movement based on an assumption that distribution tends to move generally with production. There would also be certain cyclical differences in behavior and various other discrepancies, for example, such as those reflecting the handling of farm products.

The GNP total for goods production includes allowances for trade and for commodity transportation, but the industrial production indexes do not. Yet if business inventories are not being accumulated in excessive volume, then presumably goods are being transported and sold in a volume broadly consistent with their output. If an expansion in output and distribution is being accomplished with fewer employees—in the railroad and trucking industries and in retail and wholesale outlets, as well as in industrial establishments—then the economy is performing more efficiently than before.

Industrial production accounts for about half the GNP nonfarm goods total. The relatively large differences in the trends of industrial production and the GNP nonfarm goods total—with the former showing more increase in the 1946–48 period and then again from the end of 1949 to late 1951—are perplexing if one considers (1) that the postwar growth in output of consumer goods was relatively steady, (2) that such goods require more distribution activity per unit than either business or defense equipment, and (3) that they make up a large part of the GNP nonfarm total. A comparison of the quarterly fluctuations of the two series also indicates some puzzling differences. These differences necessarily have implications for such related measures as productivity and changes in inventories, as well as for the output and price indexes involved.

GROWTH IN PRODUCTIVITY

The upper half of chart 9 [not printed in Record] shows an annual productivity index beginning with 1946 for manufacturing activity alone. This index is based on the manufacturing component of industrial production and on BLS data for average hours worked by all employees in manufacturing. The lines are connected for all years except the 3 recession years of 1949, 1954, and 1958. According to this index, productivity in manufacturing has expanded in the past several years to a rate of 3.5 percent compared to 3 percent in the previous 9 or 10 years. The increase accelerated last year, and the higher rate has continued into 1963.[8] An adjustment of the employment series to a more recent benchmark, to be available this summer, is expected to narrow the difference slightly, but the pattern of acceleration would still be evident.

For the period since 1957 manufacturing productivity would probably show an additional rise of 2 or 3 percent if based on hours actually worked rather than those paid for. Census reports indicate that paid vacations and other paid-for nonworking time have increased.

Although data on manhours paid-for are suitable for analysis of changes in labor costs, they are not so appropriate for measuring changes in labor requirements. Similarly although data on output per man-hour worked are suitable for analysis of productivity, they are for some purposes less adequate indicators of employment needs than a measure of output per employee.

If only the final products of industry were considered, the indicated growth in production and productivity in the recent period would be even greater than that shown by total manufacturing. Over the past several years industrial output of final products has been 5 percent higher than output of materials when compared with average levels of the earlier postwar period.

If this sort of output comparison is broadened to include the total nonfarm goods-producing sector, as shown in the bottom panel of chart 9 [not printed in the Record], a definite acceleration in output per employee is shown in the past several years. These results, based on industrial production as the output indicator and the view that movements in trade and commodity transportation are broadly similar to trends in industrial production, involve some inconsistencies of comparison as noted earlier. Although these inconsistencies limit long-run comparisons, they probably do not materially affect the patterns of change shown for annual intervals.

CONCLUSIONS

The conclusion that the economy has achieved an accelerated rate of productive efficiency over the past several years is consistent with two developments that have been cited as evidence of a slowdown in the U.S. economy. One is the lower average rate of use of manufacturing capacity and other resources. This can be accounted for partly by the less rapid expansion in demands for heavy equipment and nonresidential construction, both of which depend more on output of steel and other industrial materials than do consumer goods, services, or Government space activities. The second development relates to the abatement in recent years of upward price pressures which were much in evidence earlier in the postwar period.

One implication of this inquiry is that studies of growth should give more attention to the end products of economic activity and to the improvement of national productive efficiency. To focus attention on aggregate measures of activity may, because of increased efficiency in the use of resources, create an unwarranted impression of sluggish performance by the U.S. economy. Programs to stimulate economic growth should give more attention to the adequacy and

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[8] The independence of the productivity results shown in chart 9 may be questioned on the grounds that about half of the monthly movements and the annual levels for the past several years of the total industrial production index are influenced by the extrapolated adjustments for output per man-hour for the series based on production worker man-hours. The adjustments for these man-hour series are continually reviewed and compared with a variety of other data by the Federal Reserve, but in revisions of the production index the industrial series have individually been subject to considerable further revision.

In combination, however, after benchmark and other revisions, the pattern of annual changes in output per man-hour for the man-hour area as a whole has been close to the changes implied in output per man-hour by the part of the index based on the physical product series. Consequently, for current and recent periods this pattern is used to modify the adjustment factors for the man-hour series, as discussed on p. 22 of the 1959 Revision publication and as demonstrated in the accompanying tabulation. This shows for the major periods delineated in this paper how similar the allowances for changes in output per man-hour—for production workers—in the total industrial production index are to the productivity changes implied in the physical product area of the total (annual averages, 1947=100):

	Total index	*Physical product area*
1947–49	106	106
1950–54	125	125
1955–58	152	153
1959–62	180	179
1963, first half	198	198

sustainability of the expansion in private consumption of final products and in public services rather than stressing general national expenditures. This is especially true if needs for business inventories and plant and equipment are declining relative to growing final demands.

Another implication of the inquiry is that there is less slack in the U.S. economy than is generally supposed. If the growth in physical output and consumption has been faster than the deflated gross expenditure totals suggest, then margins of unused capacities are not so large as often thought.

An accelerated rate of expansion in overall activity would increase final demands and investment requirements; and with this increased investment, incomes and consumer demands would doubtless rise faster. How much increase would be sustainable is another question. If expectations became too exuberant in the process of economic stimulation, this might increase upward price pressures and encourage speculative activities. The present character and location of plant and equipment facilities and the existing limited supplies of skilled and professional labor may provide fewer safeguards against such developments than is indicated by the view that a slack economy exists. Increased emphasis on expanded educational and occupational training opportunities would help reduce unemployment rates and would provide wider margins of available effective resources.

[From the Washington Post, Sept. 1, 1963]

J.F.K. Challenged on Lag

(By J. A. Livingston)

Have we become a nation of growth addicts?

The August Federal Reserve Bulletin suggests we have. A staff paper by Clayton Gehman, an experienced, studious economist at the Reserve Board, directly challenges the thesis of President Kennedy's Council of Economic Advisers that in recent years economic expansion has fallen far short of the long-term trend line and the Nation's potential.

The contention has important political connotations. Perhaps the President is using a false conclusion to push policies of taxation and spending to achieve the unattainable.

Gehman argues that a false base—a poorly chosen period—fosters the melancholy conclusion that "U.S. growth has been lagging."

The conclusion—this point of view—dominated the 1963 Report of the Council of Economic Advisers and influenced Presidential policy.

The Council said: "The 1957–62 period (of economic development) matches neither our own record of performance between 1947 and 1957, nor gains achieved by other free nations. The annual growth rates of output, income, and productivity all run about 1 percent lower in the most recent period (1957–62) than in the previous decade (1947–57)."

Not once does Gehman mention the Council's report, but his rebuttal is unmistakable:

"The 1947–57 period reflected some unusual conditions. Growth then was more rapid than in most earlier periods back to 1900 and more rapid especially in the Korean period, 1950–52—than could reasonably be expected to continue. For the whole period from 1962 back to 1899 the average rate of growth in industrial production was about 4 percent per year."

Gehman has a case. When economic activity was slackening in 1949–50, the Nation retooled for the Korean war. Munitions production soared, consumers overstocked in fear of shortages. This overstocking resulted in a letdown, which depressed the subsequent rate of growth.

Gehman emerges with these conclusions:

"1. Growth in U.S. economic activity in recent years has been close to long-time rates.

"2. Increased productive efficiency in the use of labor and materials has been achieved.

"3. As a result, there has been more unemployment and less demand for materials than there would have been otherwise."

These observations are underlined by this statement:

"If one starts with 1959 and compares increases in either the gross national product or industrial production over the next 3 years, the rate of expansion in each has been at least as rapid as in similar business expansions starting with 1946 or 1955. This holds true even though the latest period includes the 1960–61 recession."

If Gehman is correct, then how is it possible that so many economists have accepted the slow-growth theory? In addition to the poor choice of years, Gehman suggests several reasons.

Growth trends have been calculated on the basis of gross national product estimates of the Department of Commerce. These estimates are exactly that—estimates—and can be underestimates.

Gehman thinks the Commerce Department underallowed for expansion in recent years in noncorporate purchases of capital goods. Instances: Your doctor buys an X-ray machine, or a lawyer purchases copying equipment, or a dentist high-speed drills, or accounting and brokerage firms computers. These are not directly included in the estimates.

Further, gross national product estimates are in dollars. They have to be deflated—price changes have to be removed. Gehman politely suggests that in recent years the price deflations have been overadequate. They've understated growth.

The study is presented in the Reserve Bulletin as a staff paper. It is not endorsed by the Federal Reserve Board. But you can be sure it was gone over carefully by the economists and statisticians in the Board and that the governors knew about it. They'll have to bat back the political brickbats.

Caution: It would be a mistake to assume that Gehman is satisfied with the rate of growth. Who is?

He'd like to see it greater than 4 percent. Who wouldn't? What a boon to employment that would be.

Yet his message is unmistakably clear. Let's not sulk or despair because statistically the Soviet Union or countries in Western Europe have exceeded America's rate of growth in recent years.

We haven't really deviated from past trends. Our economic zest hasn't lessened. On the contrary, productivity has increased. We are using fewer men and less material to get the same rate of growth as earlier. That's why, unfortunately, we have unemployment.

Therefore, we have to question whether—by forced effort, by dint of Federal deficits or hurry-up tax cuts—we can sustain a rate of growth beyond the historic 4 percent.

[From the Wall Street Journal, Sept. 19, 1963]

A Dangerous Diagnosis

For a good while now the administration's economic doctors have had a simple diagnosis for many of the Nation's ills: We've just lost our old zip. If the economy could only regain its old growth rate, unemployment would dwindle and Federal budgetmakers could go back to using black ink.

Proceeding from this analysis, the Government prescribes and applies such supposed zip-producers as ever-easy money and ever-rising Federal spending. Strangely, the ills they talk about refuse to go away.

What's wrong? One of the clearest answers to the question comes, oddly enough, from an economist within the Government itself. Writing in the current Federal Reserve Bulletin, Federal Economist Clayton Gehman explains that the original diagnosis is faulty. Not only that; it can be downright dangerous.

In the past half dozen years the economy has been doing a lot better than its critics claim. In fact, says Mr. Gehman, "growth in U.S. economic activity in recent years has been close to longtime rates."

How can this be? Mr. Gehman would seem to be flatly contradicting the recent Manpower Report of the President, which noted that the annual growth rate of the Nation's goods-producing industries fell from 3.4 percent in the 1947–57 decade to 1.5 percent in the period from 1957 to 1961.

The answer chiefly lies in the way some statisticians use statistics. For one thing, this 1947–57 period reflected some unusual conditions, such as the Korean war buildup, that could not reasonably be expected to continue.

But that's not all; the 1957–61 period is a peculiar choice for economic comparisons, too. A business expansion was reaching its crest in 1957, while 1961 marked the low of a recession. So to say that the economy was not making headway during that period is a little like saying that a man who, in crossing the Alps, has moved from one mountain's crest to the bottom of another hasn't made much upward progress. It's quite true, but hardly significant.

For the fact is that the economy, after 1961, moved a long way toward a second crest. Extending economic statistics through 1962 and into 1963 makes the recent period look far better. Our growth rate then comes much closer to matching that of the postwar decade despite the special circumstances present in that earlier period.

If the economy has been doing so well of late, someone is sure to ask, why does it have surpluses of materials, productive capacity and—most painful of all—manpower?

The reason, as Mr. Gehman explains, is that the economy has not only been growing bigger but has been getting more efficient. This stems from more than the introduction of new automated equipment. It also results from such factors as improved control of inventories and more systematic scheduling of production. No longer are unneeded materials and products allowed to pile up so high in warehouses.

In this more efficient economy, some resources are not only unemployed. Old factories, to find a place, may have to be rebuilt; some workers will have to be retrained. Easy money and big budget deficits are likely to be of little help. In any circumstances, there's a poor prescription for solid economic growth; its failure in the 1930's should have made that clear.

In the current circumstances, the prescription may only lead to increased trouble. For it is the economy's stock of unemployed resources that the Government is always citing as our protection against sharp inflation. The inflated demand, so the reasoning goes, will be easily absorbed by the unused supply of materials, manpower, and factories. But the idle supply of usable, effective resources is simply not as big as it's cracked up to be; sooner than some people think, these resources can be stretched past their limit.

Still, the Government goes on administering its inflationary monetary and fiscal remedies for our ills. And things are never too hopeful for a patient whose doctor starts out with a faulty diagnosis.

[From the Washington Post, September 17, 1963]

TIRED OF GROWTH

Economic growth as a national objective seems to be losing some of its glamour. No longer can one open the morning paper with the reasonable assurance of encountering a stirring call to faster growth. President Kennedy at his news conference finds the state of the economy "good" although growth has been unspectacular. There may be reasons for thinking that it has not been as poor as the GNP data suggest, but it has fallen far short of earlier promise. Why this disengagement from a much touted objective?

One answer is that concern with unemployment seems to be taking the place of concern with growth. This is not surprising, since unemployment is of today, while growth belongs to tomorrow. In fact, preoccupation with growth never materialized until during the early 1950's, when fears of postwar unemployment had evaporated. A cure for unemployment will of itself raise GNP by some tens of billions of dollars, although it would be wrong to label as growth the process of catching up with existing economic capacity. Growth means growth of that capacity.

A second answer is that economists are developing doubts about the justification of growth as a goal in a market economy. Accelerated growth means some sacrifice in present consumption in order to provide the investment, the research, and the schooling that would spark that acceleration. If people and enterprises do not want to pay the price for growth, why should government make them do it?

Finally, growth seems to have fallen between two political chairs. Before 1961, the slowing of growth was a fine stick with which to belabor the administration in power. Meanwhile, it has become clear that many of the tax and other measures needed to speed growth would mainly help business. Coupled with the fact that measures taken so far have not yet produced much effect, this has cooled the enthusiasm of erstwhile growth addicts.

The new and more balanced view of growth as a national objective is to be welcomed. Nevertheless growth remains important. The history of three legislative sessions since 1961 has shown that Congress will not readily change the existing balance of expenditures. In economic terms, it is unwilling to reallocate resources. The best way, then, to get more funds for what needs to be done, from education through defense, is to increase rapidly the GNP and with it the revenues of the Government. In this sense, at least, growth is likely to remain a primary objective of national economic policy.

THE ALLIANCE FOR PROGRESS MUST BE SAVED

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Texas [Mr. WRIGHT] is recognized for 60 minutes.

Mr. **WRIGHT**. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **WRIGHT**. Mr. Speaker, I have taken this time today in order that we may have a full and frank discussion of one of the most ambitious programs on which our Government has ever embarked—the Alliance for Progress.

A few weeks ago, the House of Representatives, caught in a crossfire of annoyance against other foreign aid projects, reduced by $150 million the proposed authorization for the Alliance. Following as it did a $50 million cut by the Foreign Affairs Committee in the executive asking, the House thereby reduced by more than 30 percent the total Alliance for Progress request.

This is a more severe financial curtailment than almost any other governmental program has been forced to suffer. Ironically, the Alliance is one of the most popular of our foreign programs—both with the public generally and with the Congress. I am convinced that it also is one of the most urgently necessary and one of the most useful.

The purpose of this discussion today, however, is not to chastise those who voted for the recommital motion which somewhat incidentally contained this drastic cut in funds for the Alliance. I recognize the sincerity of the concern felt by many of our colleagues toward the AID program generally.

It is my firm conviction that, if the Members of this House had been afforded an opportunity for a separate vote on the proposed debilitation of the Alliance, this individual reduction would have been soundly defeated. In fact, on the day preceeding that vote, the membership had decisively rejected an amendment to reduce the Alliance authorization when this was the only issue at stake, and many of our colleagues who voted for the recommital motion have expressed to me their sense of individual frustration in not having had the opportunity of a separate vote on the Alliance.

NOT A PARTISAN PROGRAM

Nor is there any partisan purpose to be served in this discussion today. Without detracting in any sense from the vision of President Kennedy in enunciating the great goals of the Alliance, it is fair to point out that these had an important beginning in earlier administrations. It was following an exchange of correspondence with President Eisenhower in the summer of 1958 that Brazilian President Kubitschek outlined his proposal for a grand hemispheric design. His eight objectives have been embodied and implemented in the Alliance.

Moreover, it was at President Eisenhower's request that Congress in 1960 authorized $600 million for establishment of the Inter-American Social Development Fund, and it was in his administration that the Act of Bogota was adopted, and the seeds planted for the broad, cooperative hemispheric program which has come to flower in the Alliance.

So, whatever our party affiliation may be, we can take justifiable pride in the achievements so painstakingly begun by the Alliance. All of us can feel a proprietary interest in its future. The Alliance for Progress is not a partisan program. It is an American program. Its success is vital to the future of our country.

The purpose of these remarks, therefore, is to call attention to the state of crisis which exists in much of Latin America, to the international Communist conspiracy aimed at this hemisphere, and to the indispensable necessity that the Alliance for Progress be enthusiastically supported by the Congress of the United States.

As has been pointed out by the U.S. Chamber of Commerce, the Alliance for Progress is "the most ambitious program of regional development ever undertaken in this hemisphere." It "differs from any aid program of the past. It is not a unilateral U.S. program. It is not a grant program." Coordinator Teodoro Moscoso stressed in an interview published yesterday by the Washington Star that 72 percent of all assistance funds to Latin America last year were on a loan basis—not on a gift basis. And 80 percent of the total amount loaned is spent right here in the United States.

A MONUMENTAL TASK

In order to appreciate the truly formidable task undertaken by the Alliance for Progress, we need to get a broad picture of the conditions with which it seeks to cope in that long stretch of the hemisphere which lies to the south of our national borders.

Long neglected in our international priorities, Latin America today is more necessary to us than any other group of nations in the world. Its friendship is essential to our military security. The expansion of its economy holds for us a greater potential commercial promise than does any other part of the world. It contains a latent reservoir of good will. But it also is a continent in ferment. Held down by centuries of grinding poverty, its people are stirring to new ideas and determined by one means or another to build a brighter manana for their children.

Let us make no mistake about it—change is coming in the 20 Republics of Central and South America and the Caribbean. It is only a question of what sort of change. It is not a question of preserving a threadbare status quo. The status quo is already on its way out. People, aware through modern communications that there is a better way, will no longer tolerate conditions in which their children are doomed to live out their lives as tenants, without opportunities for education, without rudimentary medical care, without a chance.

In the vacuum of hopelessness, in the rat-infested slums and on the poverty-ridden farms, the Communist conspiracy has marked Latin America as its next target. Russia is pouring almost as much money into Cuba alone each year as we have earmarked for the entire continents of Central and South America. Radio Havana is broadcasting a steady daily stream of propaganda. Even Red China is promoting a broad exchange program attempting to lure Latin American opinionmakers with expense paid tours of that country.

The people of Cuba followed Castro not because they were Communists, but because they had given up hope of ever achieving anything better than the despair and desolation which had been their lot for generations ad infinitum. They had despaired of ever owning a home, of ever having a decent job, of sending their children to school, of ever seeing any development through the slow and orderly processes of government.

This is the test: Unless it can be demonstrated that their legitimate economic and social objectives can be realized without the sacrifice of their political liberties, the Republics of Latin America will remain a cluster of ripe plums vulnerable to the swarming and infesting insects of communism.

And this is our task: To demonstrate that economic democracy can be attained, in fact best attained, through the framework of political democracy.

It was to this task that the Alliance for Progress addressed itself. It was a task which could not be accomplished overnight. It was a far more difficult task than that undertaken by the Marshall plan. The Marshall plan assayed only the rebuilding of an economic structure ravaged by 6 years of war. The Alliance undertakes to build, largely from the ground up, a social and economic structure ravaged by 500 years of a cruel history.

It was a monumental undertaking, attempting to compress into a decade the development which has taken other civilizations generations and even centuries to achieve. But time would not stand still. Already we were late. We knew we could never hope to achieve the result unilaterally. The United States with all its resources could not do this work unassisted. The best we could hope to do would be to provide a spark of inspiration, a beacon of hope, enough water to prime the pump, enough seed to plant one row in order that from its harvest a field could grow. It had to be a cooperative endeavor, and Latin Americans themselves had to provide the lion's share of the effort.

A COOPERATIVE EFFORT

So we explained in the beginning that the Alliance for Progress was not to be just another aid program supported primarily by the U.S. taxpayers. The total program would require a composite investment of at least $100 billion in Latin American development during the decade of the 1960's. Of his amount, four-fifths—or $80 billion—must be put up by the Latin American countries themselves—by their governments and their private investors. Of the remaining $20 billion required from external sources, only about one-half was to come from the U.S. Government. The remainder would be in private investments.

Each dollar in U.S. taxpayers' funds would have to generate at least $9 from other sources. To reduce our participation by $200 million in a single year, then, would be to curtail the leaven which was expected to foment almost a $2 billion loaf.

Criticism has been offered that the Alliance has been slow in getting off the ground. To some extent this may be true. But we do not speed its ascent by withholding the wind from its wings.

Like others, I have been impatient for this vast program to take hold and begin to exercise its full effect. Yet it was never intended that the entire course of 5 centuries would be completely reversed in only 2 years. To have anticipated so sudden and dramatic a change would have been unrealistic in the extreme. If Rome was not built in a day, surely the traditions, outlooks, and customs of more than 200 million people cannot be revolutionized in a mere 24 months.

Certainly it took a while for the leaders of Latin America to adjust themselves to the realization that we meant business when we said that assistance could be available. It took time in turn for them to convince their respective lawmaking bodies that a new day truly had dawned.

THE SELF-HELP PROGRAM

But the important thing is that Latin American countries are rising to the challenge. The majority of them have instituted long-range planning, adopted internal land and credit and tax reforms as suggested by our country, appropriated funds of their own for social and economic development of their countries.

Look at the scoreboard to see what activity has been stimulated by this self-help program in only 2 years: 140,000 new homes or family dwelling units have been constructed in Latin America; 8,200 new classrooms have been built, and more than 4 million textbooks have been printed and distributed in the drive for educational improvements; 160,000 agricultural loans have been made to Latin American farmers for the purchase of individually owned farms, for improved seeds and broodstock, for modern agricultural implements; 700 communities for the first time have sanitary water facilities, and 900 hospitals and health centers have been established in a part of the world where disease traditionally has snuffed out the life of one child out of every four before he reached adolescence and held average life expectancy to a level 20 years below our own.

However you may value it, this is progress. It is not enough, but it is movement in the right direction. To a large extent it has been inspired by the hope held out through the Alliance for Progress. Are we now to snuff out that candle of hope or dim its glow just as its light has begun to be seen in the darkness?

To illustrate the improving prospects for the Alliance in 1964, before the House voted its cut in the fund authorizations, we might consider some recent changes that have occurred in Latin America, fostered by the Alliance.

Peru has recently returned to constitutional government, under the reform-minded direction of President Fernando Belaunde Terry. He already has submitted a sweeping new program, approved unanimously in principle by the Peruvian Congress.

In Argentina, President-elect Illia offers a great challenge. Previously hampered by military-civilian clashes, Argentina now seems ready to proceed on a new road to stability and progress. The Government through improved collection machinery is increasing its tax revenues by 15 percent above last year and has reduced excess Government employees by almost 250,000 below the 1958 figure. The Government-owned bus lines have been transferred to private operations, and the Government is embarking on a farm-road program as well as housing and agrarian reforms.

Bolivia, torn by revolution as recently as 1952, has made marked economic and self-help progress during the past 2 years. An increase in the per capita gross national product is 5 percent above 2 years ago. A better attitude toward private enterprise investment has emerged. Bolivia's first private industrial bank has opened and is making loans available for the first time to individuals of moderate means.

Colombia, as an early leader in the Alliance for Progress, has taken action in each of the most important lines of self-help. Its economic growth rate has been at least 5 percent each year.

Ecuador, through a combination of unfortunate circumstances, was deposed of its constitutional government. But the eventual outcome seems encouraging. The previous administration, rocked by drunken and irresponsible leadership, has given way to a temporary caretaker government pledged to reform and progress. Competent experts are being brought into the Government to direct the reform program, and people believe that rapid change is coming.

Venezuela has instituted numerous reforms aimed at giving the average people a better break, and 56,000 families have been able to take up land of their own. Exports have increased by 15 percent over the past 2 years, and the Government has maintained its popular support in spite of vicious Communist terrorism.

PSYCHOLOGICAL INITIATIVE

No one of these improvements in itself is enough. All of them put together are not enough. The winds of change are sweeping over the ancient lands of the Incas, the Mayas and the Aztecs. Like a sleeping giant, awake from a long siesta, Latin America today is hungrily reaching out to satisfy the long-suppressed wants of its people.

Through the Alliance for Progress, the forces of freedom seized the vital initiative away from the Communists. But we must hold the initiative until the full force and effect of orderly democratic development can make itself felt.

This is not the time to raise doubts as to the firmness or the durability of our intentions. This is not the time to hand over to our adversaries a weapon with which to destroy confidence in the budding Alliance. The $150 million cut inadvertently voted by the House in the Alliance authorization has already had a destructive effect on the rising spirit of democratic Latin American cooperation.

Fidel Castro, who has long seen the formidable threat which the Alliance has posed to his type of revolutionary takeover, gleefully chortled over Radio Havana:

> The North American Congressmen have cut in half certain funds which the administration has asked for the Alliance for Progress. Of course, that famous Alliance was always conceived on a false basis, as an instrument of aggression against the Cuban

revolution. It was from the beginning doomed to failure.

Let us analyze what he really meant. Did he actually believe that the Alliance was doomed to failure because it could not compete with international communism in Latin America? Not at all. The very vehemence of the Communist attacks on the Alliance from its inception has betrayed their fear that the Alliance is indeed offering a successful alternative to communism. By replacing despair with hope, it has greatly reduced their popular appeal.

But if he can make his Latin American audience view this drastic reduction voted by the House as evidence that we are fickle in our resolve, that we are weakening in our determination and abandoning our 10-year promise to them after only 2 years, then he will have accomplished some measure of his obvious propaganda objective to divide and conquer.

Unfortunately, it is difficult for the average Latin American to understand our process of authorizations and appropriations. Hearing of the House action, many are prone to jump to the conclusion that it was final and irrevocable. They do not realize that the Senate will act, and then a conference committee will meet, and that after the authorization bill is enacted, an appropriation will be passed.

EDITORIAL REACTION

I should like to bring to your attention a number of recent editorial comments appearing in Latin American newspapers relative to the reduction voted by the House in the Alliance for Progress authorization. These editorials reflect a broad spectrum of comment by conservative, moderate, and leftist elements in Latin America.

In Chile, the influential moderate newspaper, Mecurio, commented in one editorial:

> The attitude of the House of Representatives will mean a hard blow for the program of the Alliance for Progress at a time when the U.S. Government as well as principal leaders of Latin America are trying to perfect its mechanism and give it greater effectiveness.

The Communist journal of Chile, El Siglo, crowed in its Sunday editorial of August 29:

> The $2 billion annual aid promised 2 years ago was mere propaganda and was actually reduced to $600 million. The result has been stagnation, even retrogression instead of predicted growth, since in this period North American monopolies have withdrawn from Latin America more than AID furnished. With the House cut to $450 million, the Alliance has died. May it rest in peace.

The Communist editorial suggested that the demise of the Alliance will perhaps permit local financial brains to discover that the world offers other alternatives. It added:

> Neither Chile or any Latin American country can go on any longer tying its lot exclusively to the tottering U.S. economy.

El Tiempo, the moderate newspaper of Colombia, headlined its editorial with a statement: "Foreign Aid Has Received a Mortal Blow." The editorial continued:

> This imprudent action is dangerous because communism is always ready to take advantage of any breach into which to introduce itself silently and cunningly. This common fight to benefit better living standards for underdeveloped countries requires (an effort) from those that can finance final success of the battle (so that) we all will come out ahead.

Another Colombia newspaper, Espectador, said in an editorial of August 27:

> The reduction is a serious political setback that can have the most grave repercussions, above all in how it affects the position of the biggest power of the globe with respect to countries like those of Latin America, which each day see frustrated the hopes that were reborn with the enunciation and approval of the Alliance for Progress. * * * If it were possible for the Members of the U.S. Congress who have dealt such a grave blow to the foreign policy of President Kennedy, to see at close hand the realities of Latin America that they so completely insist in not knowing, perhaps there would still be time to rectify the error they committed.

One of Colombia's leading columnists, Augusto Calderon, wrote, on the 24th of August, in the newspaper Republica:

> President Kennedy has reason to be concerned. * * * One should not play with the price of liberty of Asia, Africa, and Latin America and particularly not in a situation whose actual characteristics present the choice of but two roads: Communism or Democracy, Russia or West. For example, which will Latin America choose on not finding the loans it requires for its development and industrialization? * * * Kennedy has suffered defeat. But his adversaries have obtained a pyrrhic victory.

The generally pro-U.S. Buenos Aires daily, Clarin, commented on August 25:

> What would be the result of the Latin American countries in financial difficulties and needing assistance compare meager U.S. funds ($500 million) for the entire area with $360 million in Soviet aid to Cuba alone?

The conservative newspaper Estado de São Paulo, of Brazil, said on August 27:

> Joao Goulart is disturbed and pessimistic over the decision of the U.S. House of Representatives which has reduced the funds for foreign aid and cut $150 million of grants for the Alliance for Progress in the next year. He feels that the reaction in this country will contribute to the radicalization of ideological position and a deterioration of our relations with President Kennedy's government. The President (Goulart) feels that reaction will be immediate and that the House of Representatives cut could not come at a worse time just as every effort is being made to stop the leftists from their increasing demands and provocations.

Paulo Francis, the extreme left columnist for the newspaper Ultima Hora, of Brazil, said on the same day:

> The House of Representatives in the United States has cut more than $150 million from funds planned for the Alliance for Progress. By means of the remainder (still subject to restitution by the Senate) what the United States gives for all of Latin America amounts to less than what the U.S.S.R. gives to Cuba alone.

WE MUST NOT FAIL

My purpose in bringing to the attention of my colleagues these editorial comments from leading Latin American newspapers is twofold:

First, we need to realize that every action and every statement made by us in the Congress of the United States is watched closely, analyzed, and debated by the molders of public opinion in Latin America.

Second, we need to take note of the enormous importance the Alliance has assumed in the minds of our friends and the friends of freedom throughout this entire hemisphere. It has lifted hearts with hope. It has inspired others to renewed effort. It has been the cement of a new cohesiveness which expressed itself in unanimous support of our position last October in our showdown with Russia over the Cuban missile sites.

Happily, there is time for us to rectify what damage may have been done by the tentative inadvertent cut below our pledged participation in this titanic multilateral effort. Above all, we need to take a new, long-range look at this Alliance for Progress—its problems, its prospects, and the promise it holds forth.

In spite of temporary setbacks here and there, the Alliance has indeed sparked progress. It is the very best approach we have.

The Alliance has not failed us. We must not fail it.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. Mr. Speaker, I yield with pleasure to the distinguished gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman.

Mr. Speaker, the gentleman from Texas who is in the well of the House at this time always makes an outstanding contribution to the understanding and information of the House when he addresses the House. His speech today is no exception. I do not know of any Member of the House who has taken a more active role in trying to advance better relations between the United States and Latin America and in trying to accomplish by his legislative work a betterment of the economic base of the people of Latin America. I know from experience with the gentleman on the Committee on Public Works of the keen interest which he has taken in the Inter-American Highway and in its early completion. I know of the rather hazardous trip that the gentleman took down to Central America and the very fine report which he brought back to our committee after making that trip.

Mr. Speaker, in this instance I certainly would agree with the gentleman thoroughly that the Alliance for Progress is today at a crossroads and that it is imperative that those of us who support it and believe in it rally to its defense.

Mr. Speaker, people who have been critical of the Alliance for Progress have been expecting far too much in far too short a period of time. It seems to me, in view of the monumental task which has been undertaken in this great project that this is true. I am particularly pleased that the gentleman is making available for the information of all of the Members of the House some of the concrete steps that have been taken across the length and breadth of Central and South America to provide a finer economic foundation and a better opportunity for the people. In my opinion these are the most significant aspects of the work of the Alliance for Progress. Certainly they represent milestone achievements for the administration of President John F. Kennedy.

Mr. Speaker, I want to commend the gentleman from Texas for his leadership in this area and for the outstanding speech which he has delivered here today.

I hope the information which he brings to the House will cause a reconsideration of the position that has been taken by this body when the appropriation bill on this subject reaches the floor of the House.

Mr. WRIGHT. I thank the gentleman for his remarks, which are, as always, timely and very greatly appreciated.

Mr. UDALL. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Arizona.

Mr. UDALL. Mr. Speaker, I want to commend the gentleman from Texas for taking this time today to discuss what I consider to be one of the most important foreign policy objectives that our country has; that is, to prevent the spread of communism here in the Americas.

Mr. Speaker, time is running out in this country and in Latin America. I think we bear a special responsibility—and not just for reasons of national security—to those 200 or 300 million human beings in Latin America who are afflicted with desperate hunger and shocking poverty, and who live with disease and with illiteracy which make it impossible to break this chain from one generation to the next. We sit in great prosperity high on a hill in one of the wealthiest countries the world has ever known. Down in the valley for the great masses of our neighbors there is a far different picture.

Mr. Speaker, many of us have two cars and nearly all Americans have comfortable homes and yet there are people in this country who are unwilling to spend one-tenth of 1 percent of our $600 billion annual gross national product to help our fellow human beings in the other part of this hemisphere to find something on which to base some hope for a better future. We worry about whether we are going to buy a roll-on or a spray deodorant. The people in Latin America worry about the stench of human wastes in most of their villages and cities where there is no sewerage, and where there is not even clean, decent water to drink. We worry about which brand of mattress or carpet to buy for our home. Yet the head of the family in these countries, must worry about where they will sleep at night and whether or not they can get a blanket to cover their shivering children in order to keep them from freezing to death.

Mr. Speaker, we worry tonight whether we are going to have fish or steak on the table when we get home. The head of a family in Latin America in many instances is worried about ever getting a decent meal for his children, most of whom will never see fresh milk and fresh vegetables and rarely have meat.

Mr. Speaker, you and I might worry about where we are going to send our children to school. Yet if you were the father of six children in Latin America, the odds are that three of your six children would die before they were 5 years old because of the kind of diseases they would have and the lack of decent medical care.

Mr. Speaker, for a person in this situation and there are millions and millions of them in Latin America, if this person has no hope, then communism might look pretty good.

It offers at least the possibility of some change. We in this country must give the people of Latin America a reason to hope. The Alliance for Progress is that reason.

I say today there are a dozen potential "Cubas" in Latin America. We have had enough trouble with one. We can head these "Cubas" off if we will take intelligent action, but the time is now, and time is running out.

I know many of those who voted for the drastic cuts in foreign aid would be ready to support a billion dollars for invasion, conflict, or military action to get rid of a Castro. But we can avoid that, in my opinion, if we will spend the small amount of money that our President has committed us to through the next decade to the Alliance for Progress. This cut of $150 million comes at a most unfortunate time.

This is a long-range program, not a crash project to save Latin America in 1 year. This is a 10-year program just getting off the ground. If we make this cut at this psychological time it will indicate to the people of Latin America that we do not have good intentions to follow through with this program.

Mr. Speaker, I ask unanimous consent to insert at this point an editorial appearing in the Washington Evening Star of Thursday, September 19, in which the editors of this newspaper are particularly critical of the cut in the Alliance for Progress funds.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The editorial referred to follows:

[From the Evening Star, Sept. 19, 1963]

AID TO THE ALLIANCE

Events in Latin America seem to be confirming the belief that the House of Representatives made a bad mistake when it cut $150 million from the annual $600-million aid authorization for the Alliance for Progress.

We are sympathetic to the idea that foreign aid in general needs skeptical congressional scrutiny. But the House action on Latin America has dealt a psychological blow to the Alliance at the worse possible moment. For the first time in the 2-year life of the program, governments all over the southern continent are beginning to implement badly needed—but costly—basic reforms. Our coordinator for Alliance affairs, Teodoro Moscoso, has just returned, for instance, from an inspection tour of Ecuador and Peru with enthusiastic reports about concrete moves on tax, land, and administratve reforms which are at the heart of the Charter of Punta del Este.

But Ecuador and Peru are not alone. Farther south in Chile the Senate is putting the finishing touches on an important new income tax law. Next door in Argentina a newly elected and reform-minded civilian government is preparing to take office after a year and a half of chaos and veiled military rule. Even Brazil—too often considered the incorrigible reprobate of Latin America—has introduced stricter tax collecting methods which have netted a 23 percent increase in real tax revenues for the first 6 months of this year compared to the same period last year.

No one should mistake these first glimmerings of progress for the finished product. It is also understandable that many Congressmen may have endorsed the aid cut out of exasperation with Latin American tardiness in carrying out reform promises. But now that those reforms are beginning, it would be inexcusable for the United States to renege on its commitment to help share the heavy financial burden. Predictably Communists and extreme nationalists throughout Latin America have already launched a loud campaign using the House action to prove North American insincerity.

The Senate can undo this damage by restoring the $150 million when the foreign aid authorization bill comes before it in the next few weeks. We hope not only that the Senate will cancel the cut but also that in the subsequent conference action, the full $600-million authorization limit for Latin American aid will be maintained.

Mr. UDALL. Mr. Speaker, I want to make several other observations. It has been said that foreign aid has no constituency; that if you want to be popular and be reelected you should vote to cut foreign aid. Yet I think this is one program of foreign aid that has broad support in this country.

Earlier this year I sent out a questionnaire to my constituents, as do many of our colleagues here. I asked the 3,000 or 4,000 people who replied to give me their opinion on foreign aid. Of those responding, 60 percent checked a response to this question:

> Foreign aid is a tool in the cold war struggle against communism; it should be used whenever the President and Congress think it will contribute to our national security and strength in the free world.

Sixty percent of the people selected this answer within the multiple-choice answers.

A separate question on Alliance for Progress was as follows:

> One part of our foreign aid program is the Alliance for Progress, a 10-year program to help Latin American countries head off communism by improving living standards and broadening democratic government. In general, do you favor or oppose the Alliance for Progress?

Seventy-eight percent of the people in the Second Congressional District of Arizona said they favored Alliance for Progress.

There are those who say you cannot trust the answers to questionnaires of Congressmen. Only your friends who are sympathetic to your point of view, and so forth, reply.

I have an interesting cross-check on this poll to which I would like to call your attention. There is a newspaper in Phoenix, Ariz., called the Arizona Republic. It is probably one of the most conservative newspapers in America, critical of the United Nations, critical of foreign aid, critical of the Kennedy administration. This newspaper printed my questionnaire and asked its readers to send their replies, not to me, but to the newspaper. It had about 3,000 replies. On this question about Alliance for Progress, 52 percent said they favored it. And to give you an idea of the kind of people who favored this, these same people were 70 percent for getting out of the United Nations, 50 percent against the Peace Corps, 62 percent against a Domestic Peace Corps, 78 percent against medical care under social security, 77 percent against Federal aid to education. Yet, the same people who took all of these positions were 52 percent in favor of the Alliance for Progress.

I think this indicative of the broad public support there is in this country for the Alliance for Progress.

I would hope that the drastic cuts in this program will be restored and that the House will have an opportunity to vote again.

Finally, I want to remark that my colleague from the Third District of Arizona was one of those who recently supported the cuts in foreign aid. He has prepared a statement supporting a move to add the $150 million back into the Alliance for Progress authorization. I ask unanimous consent that the statement of the gentleman from Arizona [Mr. Senner] follow my remarks and be inserted in the Record at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SENNER. Mr. Speaker, I recently supported a cut in foreign aid. My convictions indicated to me that economy in this program was a necessary must. We have to stop waste and stop a program designed to attempt to buy friends.

In the motion to recommit the foreign aid bill, $150 million was cut from Alliance for Progress funds. I had no opportunity to support a reduction in foreign aid and also cast a separate vote concerning the Alliance for Progress. Had I been able to do so, I would have opposed the Alliance for Progress authorization cut.

This program is an excellent example of self-initiative and self-help. I support it and my constituents also support it as indicated in a recent questionnaire which I sent to the people of my Third Congressional District of Arizona. Their support is evidenced by a ratio of 56.6 percent in favor of either increasing or maintaining the Alliance for Progress program as is, as opposed to 43.4 percent who prefer a reduction.

This program is built on a concept of self-help. It is through this means of help that we will best be able to fight communism in the Western Hemisphere. It is, in my opinion, a way of building the citadel of democracy within the members of the Organization of American States. It is the one avenue to stop Fidel Castro's regime and communism in our part of the world.

Mr. UDALL. Mr. Speaker, I thank the gentleman from Texas for yielding.

Mr. WRIGHT. I thank the gentleman from Arizona.

Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] the gentleman from Michigan [Mr. Broomfield] and the gentleman from Iowa [Mr. Schwengel] be permitted to extend their remarks serially at this point in the Record.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MORSE. Mr. Speaker, I was disturbed by the reduction in funds for Alliance for Progress loans and grants voted by the House. This cut, from $600 to $450 million in AID's participation in the Alliance, if sustained, will necessitate serious cutbacks in vital Latin American projects.

The Alliance is a principal hope for peaceful development in Latin America. Dr. Milton Eisenhower, who was a special representative to Latin America during the previous administration, has just pointed out in a very fine book, that revolution is inevitable; the only question is whether it will be peaceful or violent. Needless to say, the United States has a tremendous stake in the peaceful development of our neighbors to the south. This will require large sums of money, and to cripple our effort now, when the program is beginning to show results, is not in our best interests.

For example, this cut may require the abandonment of a number of important health projects. Expenditures for surplus food distribution, textbooks, and health clinics are now in jeopardy. In emphasizing the need for economic development we must remember that this can only be carried forward by a healthy population. It is staggering to realize that Latin American nations have in some instances an infant mortality four times that of the United States and Western Europe. This statistic is, of course, preventable. It is false economy to permit this terrible drain to continue. Where will we find the leaders of tomorrow if not among the children of today?

New opportunities for development are opening up in Latin America every day. We are encouraging private investment through our investment guarantee program. This investment cannot bear fruit, however, unless the countries involved are assisted in developing the essential resources that support strong business enterprises. Power, roads, water supplies, and capital are as essential now as they were 2 years ago. It may be a few years before we see the kind of results we hope for in Latin America, but we cannot stop now with half measures.

It is my hope that the reduction in Alliance for Progress authority can be restored.

Mr. BROOMFIELD. Mr. Speaker, if the Communists were in control of Mexico, if Brazil were under the direct control of Red China, if Venezuela were under the thumb of the Kremlin, there is no doubt that all of us in the House of Representatives would vote overwhelmingly to face this threat.

We would provide the arms, the men, the means for our Nation to face this threat, no matter what the cost and no matter what the sacrifice.

We would do these things because we would have to for our very survival.

We would do these things because Latin America is close to our shores, because control of Latin America would mean a great deal to our future strategically and logistically.

We would be faced with the threat of control of the Panama Canal by an enemy dedicated to our destruction.

We would be faced with the threat of being cut off from vital raw materials, materials necessary to keep our plants in production so that we would have the means to win this battle.

We all know that Mexico is not under the control of the Communists. We well realize that Brazil is not dominated by the Red Chinese. We are aware that Venezuela is most certainly not under the thumb of the Kremlin.

But we are also aware of the fact that the Communist world would do anything to place these countries under their domination.

Unfortunately, the Communists have had ample room for subversion in Latin America. They are attempting to exploit the foothold they have obtained in Cuba, to spread communism and its message of monotony and despair in every corner of this great continent.

To some degree, they have been successful. They have Cuba and they have Castro. They are sending their agents by the thousands throughout Latin America, stirring up dissension, preaching chaos and anarchy and attempting to bring down governments so that the climate for communism can be created.

We are fighting a war in Latin America, whether we realize it or not. Our adversaries are not only the Communists. They are also hunger, poverty, ignorance and despair.

The success we and the Latin Americans have in winning this battle will, to a greater degree than many of us realize, determine the success and security of our own Nation in years to come.

Recently, the House of Representatives voted to cut the budget to carry out this war just when we were beginning to have some success.

All of us, I am sure, wish that the Alliance for Progress were not necessary. We wish that the countries and the people of Latin America enjoyed economic prosperity, that all the problems pressing down upon that important area were

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either solved or well on their way to solution.

Such simply is not the case.

Many countries in Latin America would be in trouble even if there were no such thing as a Communist in the world.

For a great many reasons, the countries of Latin America, while they have possessed the material and human resources, simply have not been able to put the ingredients together to form a growing, dynamic economy with better living standards for all their citizens.

Some of these countries suffer from too much wealth, both personal and real, in the hands of too few. Others suffer from a lack of an adequate school system. Still others are tied to one product or one crop and consequently find their economies going up and down like an express elevator, depending upon world price conditions and demand for their particular commodity.

In many instances, these countries have had grandiose plans, enormously detailed analyses and steps to take to bring about economic progress, but somehow they have been unable to transform these glowing generalities and broad outlines into the specifics which bring about a better life.

With our help, they are learning. But we must continue to help, we must continue to convince these countries that economic progress is possible.

When we consider the alternatives, Alliance for Progress assistance is economical.

If we do not continue to provide Alliance funds then we can count on some Latin American countries going the way of Cuba, not because they want it that way, but because they would consider they had no choice.

The Soviet Union is pouring some $360 million to keep Cuba afloat, and if it could get its foot in the door in another major Latin American country, I am sure Russia would spare no expense in opening that door all the way.

Our own military budget would once again bulge, and we would have to build new defense lines at billions of dollars in cost to face southward to meet this new threat.

We are asked to restore a cut of some $150 million in Alliance for Progress fund authorizations, an amount which would just about equal the cost of the new Rayburn House Office Building now under construction only a short block away.

The restoration of this cut would be used to help the underprivileged of a continent and a half, to give them hope for a better life, to help them find freedom and opportunity.

I do not think this is an unreasonable request nor a wasteful investment.

Further, these funds would be used to help Latin America help itself, along the lines of free enterprise, local participation, and responsibility.

It may interest my colleagues to know that the first steps toward a new approach in foreign aid to Latin America has already begun. Later this week, a group of community officials from the Cauca Valley, Colombia, will be visiting Oakland County, Mich.

Earlier this year, a similar group from Oakland County visited Cali and the Cauca Valley to explore municipal administration, local taxation, industrial development, and regional planning to find out what steps the Cauca Valley could take at the local level to help itself.

The results of this survey were amazing, and they hold great hope for the future.

During the next 2 weeks, the officials from the Cauca Valley and Oakland County will draw up plans on ways and means by which Oakland County can assist this area in the future.

If we are to have more progress than we have had to date in the Alliance for Progress, then we have to have the means to bring about economic growth. We most certainly are not going to bring about this growth, which I am firmly convinced is necessary, by cutting these funds and crippling this program.

For the benefit of my colleagues, an editorial which appeared in the Vision Letter and its weekly analysis of Latin American affairs, follows. This editorial shows clearly that the reason these funds are needed is because of the successes in the Alliance program, successes which all of us should applaud and support.

DEFAULTING ON THE ALLIANCE

The annual numbers game over foreign aid is now going on in Washington. The House trims, the Senate reluctantly restores, the President pleads, and a last-minute compromise produces—or has in the past—just about what everyone expected in the first place. This time, however, it is widely recognized that a major departure from this tribal ritual is in the works. For a variety of reasons—concern over the balance-of-payments deficit, sloppy parliamentary tactics on the part of the administration, and the civil rights struggle prominent among them—the cuts are going unusually deep. The final compromise figure will be probably well below what Presidents of both parties have called in the past the "irreducible minimum."

At issue here is not the foreign aid bill or the sweeping arguments for and against it, but a straight question on hemisphere relations: Is the United States about to default on the promises of the Alliance for Progress?

The question is raised because last week's House vote reducing the foreign aid authorization bill to $3.5 billion, included a slash in AID funds for the Alliance—from a requested $500 to $350 million. At least some of the money, it can be assumed, will be restored. But, whether this will be enough to continue the program even at its present inadequate level is seriously in doubt. And to give a rough idea of what an appropriation of $350 million would mean to the Alliance in simple financial terms, AID sources reveal that it will force a 30-percent across-the-board cutback in its entire program. It is impossible to believe at this critical juncture in Alliance history that this is the Congress aim.

Foreign aid, for good and bad reasons, has a poor reputation with the majority of the American people. From an arm of foreign political and economic policy, it has come to be seen as an international pork barrel. To judge whether or not this is true in the specific case of the Alliance for Progress, a few basic facts need to be reexamined.

The Alliance is intended to be a cooperative venture between the world's richest and most powerful nation and its struggling, semideveloped neighbors. The demands it makes on the Latin American side are immense. These countries are expected to forge, virtually overnight, a sweeping popular revolution that alters the very fabric of their national societies, while at the same time squeezing out a level of capital investment in the public sector at least $8 billion a year.

The United States, in hopes of achieving a peaceful and profitable trading partner and to dike its hemisphere walls against predatory communistic incursion, has promised a general level of governmental aid of $1 billion a year with private investment, funds from international agencies, and aid from other developed nations, raising the total to $2 billion a year.

The lion's share of the burden, and properly so, falls upon the Latin American States. As much as their freedom and prosperity is in our interest, it is doubly so in their own. Nonetheless, the fuel that makes the Alliance run is U.S. support.

In the first 2 years Washington either met or came close to meeting its $1 billion obligation, depending on how the figures are juggled. This year, Food for Peace, the Eximbank, the Social Progress Trust Fund, and smaller sources are expected to make up about half the total, with AID providing the other half. Thus, the $500 million asked by AID was not an inflated request designed for later compromise, but close to bedrock needs for meeting our Alliance promises. The $150 million cut, which cannot possibly be made up from other sources, would clearly put us way below the $1 billion mark.

The program does not deserve such treatment. Slow and fumbling in getting off the ground, it is now beginning to show achievements. Almost every Latin American State has already or is in the process of overhauling its tax structure. Land reforms are moving ahead. Roads, schools, hospitals, sewage nets are being built. Small businessmen are receiving Alliance loans for expansion. At the same time, other fortuitous signs of Latin American advancement are appearing—the regional economic integration movements and the slowly rising prices of major commodities.

Of course there is disappointment and grumbling—over the slowness of reform on the one hand, and the slowness of money on the other—but on the balance it is widely accepted that the program is providing a real stimulus to progress. The United States must remember that the $1 billion a year promised by Washington is not the Alliance for Progress, but only a small part of it. Its chief importance is to provide a catalyst which will set off a much larger and purely Latin American reaction. By trimming its commitment, Washington at a very minimum will do irreparable harm to a burgeoning Alliance spirit that only now is beginning to take hold.

The call on Alliance funds will be greater in the coming year than ever before. Peru and Argentina will be back in the program with their return to democratic rule. Major commitments to Chile and Colombia must be continued. If the dust settles in Brazil, new projects will rise again there. After setting rigidly high standards for development aid, Washington is hardly in a position to default once its demands have been met.

The $350 million authorization for AID, which still would face the menace of the appropriations bills to follow, cannot stand. Nor can a simple halving of differences between the Senate and House estimates. At the very least, we submit, $100 million must be restored to the AID request. If this is not achieved, the United States will have reneged on the Alliance for Progress.

Mr. SCHWENGEL. Mr. Speaker, when we discuss questions like the Alliance for Progress, we are discussing propositions that are dealing with foreign affairs. The Alliance for Progress is another plan, as I see it, to help a country or a continent to help itself improve conditions for its people with the view of creating an atmosphere where the forces that desire peace can have a better opportunity for success.

Mr. Speaker, I am not against the Alliance for Progress for South America or an alliance for progress for any country. I am not against foreign aid if it can be made to serve a desirable purpose and if it can be made to contribute to the great desire we all have for peace in the world.

But, Mr. Speaker, I think it is clearly evident that our foreign aid programs, our mutual security programs, and our alliances for progress have not served the purpose they were intended to serve nor have they brought the result that the people of our country have a right to expect of them. Many of the programs in which we have participated on the foreign front, especially the programs that involve financial underwriting, have failed because there was great misunderstanding both by us, the extender of the helping hand, and by those who were the recipient. This is so, in my opinion, because there is a lack of understanding of what our foreign policy is. I have said, and I believe, that the greatest trouble with our foreign policy is that we have no foreign policy that is clearly discernible either by us in the Congress, the American people, or the people on the world front.

It is my belief that the Revolutionary forces of America, dating back to 1776, would not have been successful without a Declaration of Independence. This was a policy statement of a new struggling nation that made clear our objectives and then made crystal clear the reasons for the Revolution. It could be understood by the people, it was clear to our adversary, and it developed sympathy all over the world where they were following this revolution, particularly in France. It gave the Revolutionary forces conviction and determination and served to develop a spirit that was unbeatable.

The Civil War objective and purpose was not crystal clear until the President issued the Proclamation of Emancipation. This became the policy and position of the Federal Government. It stated a goal to be achieved and it made a contribution toward the successful preservation of the Union and the removal of a social and economic cancer—slavery.

World War I we know was fought to make the world safe for democracy.

World War II was fought to establish the four freedoms and to advance them.

Now we are in a cold war. We in the United States, a nation which has received so much foreign aid in the form of ideas and ideals brought here from many nations and taken from many cultures and a nation which still benefits from these ideas and ideals; we, the beneficiaries of the greatest immigration to a continent in all history—over 42 million people, Mr. Speaker, have immigrated to this great land—a nation that has received so much foreign aid in dollars and cents, cannot ignore our responsibilities on the foreign front.

It is for these reasons that I have a sympathetic interest in all our foreign aid programs, but unless we make them more effective and unless we make them better understood both here and abroad they are not only doomed to fail but they will be closed out. The American people will not long stand for the ineffectiveness caused by the inefficiencies in the program.

It is for this reason that I have said repeatedly that just as a Declaration of Independence was important for the Revolution, a proclamation was necessary for the Civil War, an assurance that we were fighting to protect representative government was needed in World War I, and as the four freedoms were important in World War II, so it is important today for us to have a policy statement on foreign affairs that is clear, that is understandable by the American people who have to support it and by the people in the foreign lands who are the recipients. Mr. Speaker, our foreign policy statement should be based upon our experience in freedom and should clearly indicate that we are carrying on our programs to gradually extend all of the basic freedoms that we know—they are reflected in our Constitution beginning, "We the People," and in the first amendment to the Constitution; they are spoken of in the famous four freedoms statement and they are inferred in the freedom of movement that we have always had here. If all of these could be put into a well-worded, Gettysburg-like statement and held out as the purpose and objective of our foreign policy; if this policy could be constantly referred to and repeated among ourselves and on the foreign front; if it became the prime purpose of our foreign policy program, then I predict the Alliance for Progress, which is the subject of our immediate consideration, would have a better chance for success. Then our efforts on the foreign front would be more appreciated and, more than that, our people would have a foreign aid program they would gladly support.

Mr. Speaker, we are committed to the Alliance for Progress. South America is important not only to us but to the world. A bastion of freedom can and must be built there. Certainly we need to do what we can to get them to help themselves.

The Alliance for Progress attempts to do this but unless we make clear the ideal we want to represent, the ideal of freedom we know in America, it cannot be as successful as we want it to be or as they had hoped it would be.

When and if the people catch the spirit of freedom that our forefathers had and that is central in the American ideal we will make the kind of progress with an alliance such as this that they deserve and that we want.

Mr. GILL. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Hawaii.

Mr. GILL. Mr. Speaker, the recent action of this House in cutting $150 million from the appropriation for the Alliance for Progress has been roundly applauded, not only by those who worship the goddess of economy, but also by Castro in Havana. It is one of the interesting ironies of national politics that some of those who rail the most about the menace of Cuba and the need to abolish Castro and his minions, not only in Cuba but throughout Latin America, should be so roundly applauded by the object of their disaffection.

Certainly Castro's gloating reaction to the cut imposed on the Alliance in the House by some of his loudest critics should give those Members pause. Did they really know what they were doing?

The great danger to this country in Latin America is not so much Castro or Castroism, whatever that may be at any given moment. Our danger lies in the incredible conditions within the various Latin American countries which lead to political, economic, and social instability. Castro's greatest ally in a given country is not the Communist cadre but the landlord who milks the economy, keeps land from the ordinary citizen, and puts his money in foreign banks; it is not the bombthrower but the dishonest bureaucrat, the rich who evade their taxes, the government which refuses to educate its people, which tear down the fabric of a stable society in Latin America.

The greatest blow we can strike against Castro is to patiently but effectively nudge the governments and ruling groups in these countries along the road to social reform and economic solvency. This is the job of the Alliance; this is the job we hindered by the slash.

A few dollars goes a long way in Latin America. Let us look briefly at some of the projects and what they cost: $1.5 million can expand our surplus food distribution to feed 6 million new children now in school for the first time; $75 million could put 175,000 people in new low cost housing; $500,000 can give 2 million children new textbooks, and help raise the literacy rate in Central America, which is now less than 50 percent; $50 million could build 10,000 classrooms and affect half a million schoolchildren who hope to go to school next year; $10 million could fund loans for 10,000 small farmers to improve their equipment and production and escape the bonds of subsistence level farming; $2 million could support 60 mobile medical units in the villages of Central America; $11 million would provide low interest loans for 6,000 small businessmen in Latin America whose energies and skills must be harnessed if some of these nations are to build the private enterprise economy that most of us hold in such high regard.

All of these amounts total $150 million—the amount this House cut from the Alliance for Progress funds. Certainly a failure to restore this amount will jeopardize these and similar projects; certainly failure to restore will give Castro an unfailing source of propaganda about "Yankee bad faith."

This pitifully small investment in the future of Latin America and its people can help forestall an incredibly larger and perhaps fruitless investment in military support after the societies in some of these countries have collapsed.

Ben Franklin said, "a stitch in time saves nine." Let us tend to our knitting.

Mr. WRIGHT. I was quite interested in the remarks of the gentleman concerning what could be done to promote and expand the development programs with the amount of money that has been cut from the program. I was interested in the comments of Teodoro Moscoso printed yesterday in the Washington Star. When asked what would have to be dropped from the program if this cut were to hold, Mr. Moscoso replied that among other things a $75 million cut in housing construction would mean that 175,000 people would go without new low cost homes next year; that the United States would be prevented from expanding the distribution of surplus food designed to feed 6 million Latin American children now in school for the first time; and that 2 million children would not get new textbooks in Central American schools. He stated that another $2 million cut would end support for 60 mobile medical units in 600 villages in Central America where 2 million people are receiving medical treatment for the first time. Certainly, this is not the kind of thing we are attempting to curtail.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman.

Mr. SNYDER. Earlier today I received unanimous consent to extend my remarks in the RECORD and I would like to commend those extensions to the gentleman in the well of the House. Included in my remarks was an article from Brazil's largest magazine. I have that original article in my office with the pictures which I would be very glad to show the gentleman. This has to do with the use of American foreign aid in Brazil, whether it is under the Alliance for Progress or Public Law 480, I am not really sure at this stage. I also inserted in the RECORD AID's answer to this article to give the whole picture. It concerns me very much, when our aid and assistance properly labeled "not to be sold or exchanged" is used in payment of wages by big landlords and property owners and so forth. Workers get 45 cents a week plus a lot of these commodities—which may be within the law, don't you see—but are labeled "not to be sold or exchanged" and it gives us a very bad image in Brazil. This article from this magazine, puts us in a very bad light and I would like to show it to the gentleman sometime. As I say, I have the pictures and the article in my office just around the corner from yours. This concerns me a whole lot, this type of project. I am also concerned about some of the publicity we get about employees being fired from their FHA jobs because of certain activities—extracurricular activities which are not particularly good and then being hired by the Alliance for Progress. When you ask the Alliance for Progress why they hired this gentleman who was fired from FHA, they say, "because of his outstanding record in housing." They fail to say he was fired, after many years in the FHA, where his outstanding knowledge of housing apparently was not sufficient to keep them from dismissing him. When in truth and in fact, they are the people who should be looking for people experienced in the housing problem to a greater extent than the Alliance for Progress. So I think while perhaps some of us who voted for the recommittal motion to cut the Alliance for Progress funds might need to do some soul searching, I think it is a two-way street. I think the Alliance for Progress could do a little soul searching too. I thank the gentleman for yielding.

Mr. WRIGHT. I am delighted to yield to the gentleman, and I am glad to have his comments as a part of this general dialog and discussion. You know the newspapers are always full of these things that our Government fails to do and full of the things that we have done wrong. Almost any day you can pick up a newspaper which headlines some sensational error that some agency of our Government has committed.

There are mistakes in all areas of government to be sure. This will be true so long as the Government is composed of fallible, mortal human beings. Undoubtedly there have been some errors of judgment in the administration of the Alliance for Progress.

But if the roof of your house springs a leak, you do not abandon the house; you repair the leak.

If rough spots develop in the surface of a usable highway, we do not abandon the highway; we repair the chug holes.

If one of the cylinders is not operating smoothly in our new automobile, we do not junk the car; we let the garage mechanic tune it up.

Similarly, the kind of things the gentleman points out in the Alliance should be corrected. But they certainly do not call for abandonment or curtailment of the Alliance itself.

When a battlefield general discovers a weak spot in one sector of his defense, he will try to strengthen that sector. Certainly he does not abandon the war and give up.

One is almost drawn to the conclusion from reading many of our periodicals that our Government consists of nothing but blunderers and mistake-makers and fools, but surely this is not true. I do not think we should cover up the evidences of error. Certainly the Alliance for Progress, as any other program this vast, will make some mistakes. I think we need to search out those mistakes. I do not think we can possibly hope to have a successful program if we cover them up, if we attempt to whitewash the errors in judgment that occur.

Yet I think if we look at the broad sweep of this program, we must conclude that it has been successful in the whole. I think we have made some mistakes in the past in some of the countries of the world, including countries in Latin America where, for example, our aid has been used to shore up shaky regimes and dispense our aid as the largess of the local government rather than what it is, the help and friendship of the American taxpayers. But I think that, too, is coming to an end.

It is the exact purpose of the Alliance for Progress to bring an end to some of the practices mentioned by the gentleman, to bring a new day into Latin America, a day in which the average people at long last will have the opportunity to make their voices heard, a day in which corrupt governments no longer for the exclusive benefit of the few will ride herd on nations of apathetic, indigent, hopeless people, a day in which democratic means of election will be assured. Many of the desired changes in fact are coming about by the means of this particular program which has demanded that in return for our assistance these governments must reform their archaic procedures and reform their land-tenure programs and their tax programs and their credit progams and institute self-help of their own. By these means I think we have begun little by little to bring some light into the dark and musty corners of the hemisphere.

Instead of brooding in complete preoccupation over our occasional errors, it might be well to see them in perspective alongside our successes. There are literally hundreds of individual success stories spawned by the Alliance for Progress.

The little mountain village of Toabre in Panama, isolated from civilization for generations, has been brought into the 20th century by means of a pioneer road built at a cost of only $5,000 a mile under the Alliance for Progress, connecting with the Inter-American Highway at Penonome, 30 miles distant. Whereas previously it took 3 days to walk down the mountains with only the oranges a native could carry on his back and for which he could not get sufficient return to justify the journey, now they are brought by carts and vehicles over the road, and a profitable industry has developed.

For generations the women of that village had rubbed fibers between their palms to make thread. The Alliance for Progress has introduced simple hand looms from Costa Rica at a cost of less than $1 each and has revolutionized the weaving industry of that area. This is truly grassroots progress.

Recently I visited with a good friend of mine, a native Texan named Jim Boren, who is associated with the Alliance for Progress. Jim Boren is a truly dedicated public servant, the type of whom we all would be proud. He gave up a much more lucrative career to serve our Government. He has just returned from 2 years in Peru. With unbounded enthusiasm, he tells hundreds of individual success stories of the new spirit of hope and the new pride in self-help which the Alliance has introduced in the remote pueblos and barriadas of that country.

Many of the Andean villages are participating in the Peruvian Government's literacy program. The adults are attending night classes in the village schools, he explains. But there have been no electric lights in the adobe schools. It is difficult to see the small blackboard and to write when the only light is from candles, or at best a single kerosene lamp. Jim Boren discovered a small 12-pound generator, manufactured by an American firm, which will light seven 50-watt bulbs and operate for 5 hours on 1 gallon of gasoline. The total cost of each generator, including transportation and two extra spark plugs, is $85. So we are not talking about a great deal of money. The generators are not simply being given to the villages. They are part of a special self-help agreement whereby the community agrees to do certain things for itself in return, including the construction of larger blackboards. Thus are they developing the sense of being "partners" in this Alliance for Progress.

To see and understand the impact of the Alliance, we must see it not as a few, huge, grandiose projects detached from day-to-day lives of people. We must see it instead as literally hundreds of small self-help programs which touch the average people in their daily pursuits and help them individually to climb the next rung up the ladder of individual and community progress.

For the people of the Pampa de Comas barriada, a slum near Lima, the galvanizing and energizing force of the Alliance was introduced in the prosaic form of a cement mixer. The members of this barriada had organized a development committee through which they have been working to build a community center and a series of low-cost housing units. The cement mixer and some simple instructions in its use by a Peace Corps volunteer have speeded up their work, given them fresh hope and a new outlook of pride in themselves as they see their community center, into which they have put their own labor, nearing completion.

In the Peruvian Andes, the community of Yauli has observed a sewing institute. The young women are being trained to sew and make marketable sweaters from local wool. The Alliance has helped this progressive community to help itself by providing materials for a knitting machine.

These success stories are built around simple things, devices which we long have taken for granted. In the village of Cuyo Chico, high in the Andes, the people have been working with rudimentary pick and shovel to build a simple irrigation system. There it was a jackhammer, and the assignment of a young man from the Peace Corps, which have speeded completion of their irrigation works and will soon be helping to extend that system to a neighboring village, so that those who live so close to the rocky soil will be able to increase their production of food crops and thus enjoy a better life.

This, then, is the Alliance for Progress. This is the stuff of which it is made. It is working in hundreds of different localities throughout Central and South America on a local level.

I thank the gentleman for his contribution. I think in the past we have made many mistakes. But there also are many more far less publicized successes. We will make some mistakes in the future. May they be mistakes of the head and not of the heart.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Illinois.

Mr. PUCINSKI. I certainly would like to associate myself with the remarks of my colleagues who have today taken the floor to commend the gentleman from Texas [Mr. WRIGHT], for taking this special order and calling to the attention of the House the great injustice that was committed here when we reduced the Alliance for Progress appropriation. I voted against the motion to recommit along with many of my colleagues not because I am against reducing the cost of the foreign aid program. I said in the well of the House at the time the foreign aid authorization was being debated that I think there should be reductions in the program. And I continue to believe the program should be cut. It is my intention to support the Committee on Appropriations when it comes to the floor with its recommendations for further reductions in the foreign aid appropriation, but the objection that I had to the motion to recommit was that it was a "meat cleaver" approach which cut across the board; very much like a similar action which is going to be attempted here next Wednesday when the minority offers another across-the-board motion to recommit the tax cut proposal.

I do not think this sort of helter-skelter legislative procedure serves the best interests of America. I think we in Congress are responsible Members who rely on the committees who study respective legislation. The committees, after a great deal of work and deliberation, come before the Congress with their recommendations. The recommendation by the responsible committee was to leave the Alliance for Progress appropriation intact. I think the gentleman from Texas [Mr. WRIGHT] performed a noble service today in explaining to us why these funds are necessary. I agree that great things are happening in South America. The gentleman is correct when he states that too often authors emphasize the negative and ignore the positive. Last October when our Nation was faced with a very serious crisis, one that is even difficult at this late date fully to comprehend, when we were, as Secretary of State Rusk put it, eyeball to eyeball for a show-down with the Communists, when we were on the verge of seeing this world plunged into a nuclear holocaust, our South American neighbors stood firmly with us in denouncing the presence of offensive weapons in Cuba and in demanding their immediate withdrawal. Our South American allies, acting within the framework of the Organization of American States, stood side by side with us even at the risk of nuclear war in demanding the immediate removal of these weapons from Cuba. It was because our South American allies, through the OAS, stood solidly by our side during this crisis that both Castro and the Soviet Union suffered their most disastrous diplomatic defeat since World War II when Khrushchev had to order the removal of his missiles from Cuba. These are the positive results of our long and costly effort in South America but surely we can all agree, all Americans had cause to be proud of our South American allies for their conduct; for their determination to defend freedom; during this grave crisis last October.

Too many of our colleagues have been quick to criticize the Alliance for Progress, completely ignoring the fact that it was under Mr. Eisenhower, if my memory serves me correctly, and I think it does, that the Organization of American States was organized. The Organization of American States has served, indeed, a very useful purpose. The Organization has been working with the United States very closely in building up hemispheric solidarity on the side of freedom.

Mr. Castro has been making all sorts of efforts to export his communism from Cuba into the South American countries. He has made some progress. This is understandable. But I think for the most part, the South American countries have been doing a magnificent job in resisting the tremendous effort being made by Communists to take over the South American hemisphere.

Four years ago I helped organize the Cuban Freedom Committee which today is broadcasting on standard wave band broadcasts, messages to the people of Cuba telling them the truth about Castro and communism. Our broadcasts cannot help but reach other parts of the South American hemisphere. I am very much encouraged by the mail we get back in response to these broadcasts from people throughout South America, commending us for the good job we are doing in bringing to the people of Cuba the full ugly truth about communism. These are responses from people who understand and believe in our form of freedom. I think that the Alliance for Progress, although it has had many problems, has taken on a monumental task of breaking through decades of shortcomings, trying to restore confidence in the people of South America. It deserves our help. I intend to support cuts in the foreign aid program but I do not intend to support cuts in the Alliance for Progress appropriation because, as the gentleman from Texas [Mr. WRIGHT] has quite properly stated, time is running out on us in South America.

It is no surprise that Castro has refused to sign the limited test ban treaty. He is still smarting from the setback he suffered last October when the United States, with the help of the entire free world, including the South American nations, forced the Soviet Union to withdraw its missiles from Cuba. Mr. Castro saw that it was the might and the influence of America that made possible that decision.

There is another reason why Mr. Castro is hesitating to sign the test ban treaty. He cannot quite make up his mind whether to align himself with the Soviet Union or with Red China. This is a subject we will discuss at some future date. But the fact remains that we have been able to hold the line for freedom in South America through the Alliance for Progress, working with the Organization of American States. I cannot think of anything that would set back our efforts faster and more decisively than for this country now to cut back on our effort in South America. I am for tightening up the program. I think Mr. Moscoso has said he is trying in every way he can to eliminate the very things the gentleman from Kentucky mentioned a moment ago. Mistakes will be committed. Our job is to try to keep them to a minimum. I do not think we should roll back this program merely because of some mistakes. The history of its successes far outweighs its failures.

Let us look briefly at its record.

Two and a half years ago, President Kennedy proposed the Alliance for Progress:

> A vast cooperative effort, unparalleled in magnitude and nobility of purpose, to satisfy the basic needs of the American people for homes, work and land, health and schools.

A few months later, the Latin American countries, taking up the President's proposal, joined with us in the Charter of Punta del Este, which became the basic document of the Alliance. They committed themselves to the harnessing of their own resources and to basic reforms and changes in favor of democracy and freedom in their societies. We committed ourselves to help finance this unprecedented effort to swing 19 countries with a population of 200 million people from various stages of underdevelopment into thriving modern nations.

In the Charter, signed by us and our Latin American partners, it says:

> The United States will provide from public funds, as an immediate contribution to the economic and social progress of Latin America, more than $1 billion during the 12 months which began on March 13, 1961, when the Alliance for Progress was announced.

It says further that, beyond the first year:

> The United States will provide a major part of the minimum of $20 billion, principally in public funds, which Latin America will require over the next 10 years from all external sources in order to supplement its own efforts.

Then, the Charter spells out the commitment of the Latin Americans when it says:

> For their part, the countries of Latin America agree to devote a steadily increasing share of their own resources to economic and social development and to make the reforms necessary to assure that all share fully in the fruits of the Alliance for Progress.

During the first 2 years, the United States met its commitment. The Latin American countries started out very slowly, but are moving with increasing speed now. Eleven countries are making significant changes in their tax collection and their fiscal laws to collect more revenue and distribute the burden more evenly. Under sensible and United States-aided land reform programs, based on the system of the family homestead, tens of thousands of families today own their own plot of land and get credit and technical assistance to till it effectively. More than 8,000 classrooms, more than 140,000 homes and 700 wells and water system have been built. We are helping to feed 9 million children—an increase of 6 million over 1 year ago.

On the political side, Latin America has made headway, too. Argentina and Peru were ruled—directly in one case, somewhat more indirectly in the other—by military regimes a year ago. Today they have elected governments and a period of political stability and reform-minded action seems to lie ahead. Ecuador has a military junta bent on Alliance—designed reforms and on the earliest return of the government to constitutional and elected authority. Venezuela is moving ahead with economic and social progress despite mounting subversion and sabotage by Castroite elements.

In short, as Mr. Moscoso, the Alliance coordinator said a few weeks ago, there is reason for some satisfaction—"the satisfaction of builders who have dug the foundation and begun to pour the footings.

The question is whether now that Latin America's movement toward Alliance goals is picking up speed, we in the United States shall continue to back this movement which we initiated—or whether we shall back out on our friends who are counting on our continued support.

Mr. Speaker, in conclusion, I want to congratulate the gentleman from Texas. He has performed a great service today by bringing this subject out into the open. I cannot help but feel that many of those who voted for the motion to recommit and trim the appropriation for the Alliance for Progress the last time will now support efforts to restore this very important appropriation.

Mr. WRIGHT. I thank the gentleman for his comments.

Mr. REUSS. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Speaker, I, too, want to congratulate the gentleman from Texas [Mr. Wright] for the leadership he is showing here this afternoon in praising the Alliance for Progress. I had the pleasure, about 9 years ago, of hearing the maiden speech in this Chamber of the gentleman from Texas [Mr. Wright], and an inspiring maiden speech it was, on the problem of conserving our soil. I remember it very well. Today he is in a sense speaking about conserving the soil of our entire hemisphere, conserving the soil in which the seeds of freedom were first planted, and I commend him for it.

Mr. Speaker, a few months ago I had the opportunity to inspect at first hand the early operations of the Alliance for Progress in many of the lands to the south of us. Wherever I went I was struck by the quickened sense of reciprocal obligation, the notion of moving forward, which has inspired and invested the program.

Mr. Speaker, I am sure, as the gentleman from Texas and the gentleman from Illinois [Mr. Pucinski] and others have pointed out, there are problems with the Alliance for Progress program. If it were not a problem-laden area, we would not have been in there in the first place. But I think the accomplishments and the prospect for future accomplishment far outweigh those problems.

I note that there are some who are having second thoughts about the fundamental theory of the Alliance for Progress program, the theory that only by making basic peaceful reforms in social institutions, only by improving the system of land tenure, by improving methods of tax collection, by improving the administration of government, can the developing peoples of Latin America truly help themselves. I always thought that was a very valid and fundamental point in the Alliance for Progress, the notion that self-help included the idea of peaceful reform. Thus, I am disturbed by the voices that are now raised which in effect say, "Why don't we let the wealthy landowners continue in the same way that they have conducted themselves for the last 200 years. Why don't we let their tax administration continue to be a shambles?" These suggestions to me strike at the very heart of the Alliance for Progress.

Mr. Speaker, I hope these voices will not be heeded. I think we were right the first time when we set up the Alliance for Progress program, based upon the idea of self-help, based upon the idea that archaic institutions could be subject to the erosion of peaceful change. When we erected those elements in our platform for the hemisphere, I think we did right, and I would hate to see us depart from them now.

I want to second the point that has been made here this afternoon that this body acted improvidently a few weeks ago when it made the drastic cut that it did in the funds being authorized for the Alliance for Progress. I associate myself with the hope here expressed that before the conference is over, before this body has another chance to act on it, the untimely cut will have been restored, so that this country can once again signal to the freedom-loving people throughout the hemisphere that we intend to stick by our guns, and that we look upon our responsibility to help our fellow men on this continent to help themselves as a very serious and a continuing responsibility.

Mr. Speaker, I know that the gentleman from Texas [Mr. Wright] and others who have spoken will join me in the firm belief that in the long run the people of Cuba will dislodge communism from the tormented island of Cuba through the sword of freedom and prosperity which is the great weapon of the Alliance for Progress.

As we make the freedom-loving countries of Latin America stronger by helping to give them the economic underpinnings without which freedom cannot thrive, I think we thus increase the security of our own beloved country.

So, Mr. Speaker, I thank the gentleman from Texas for bringing to the well of the House this afternoon the constructive discussion which he has brought to us.

Mr. WRIGHT. I thank the gentleman from Wisconsin, who has made an important and constructive statement today.

Mr. HANNA. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from California.

Mr. HANNA. I thank the gentleman from Texas. I speak here as a freshman, one with little real experience in foreign aid legislation. Perhaps I can, because of that, look as one who sees the forest and not the trees.

I am reminded that the reason for foreign aid is today what it was when begun—a combination of caring for the security of our country, and of serving our tradition for helping others less fortunate than are we. These two principles underlie all foreign aid, past and present.

Is there anyone here or anyone absent who would rise now and say that a great portion of our current strength is not garnered from the economic recovery made in Western Europe with the help of American foreign aid? Has their improved posture in the world not been a great deterent to the advance of communism and a defense of the free world? The answer has to be in the affirmative, and it is an expression of approval for our sound, bipartisan approach to foreign aid in the past.

There is no difference in the present situation in Latin America. Our neighbors to the south face the same alternatives Europe did after World War II. They can remain weak economically, and provide an easy target for communism, or they can become the growing strength of the free world.

Let us remember, Mr. Speaker, that the march of mankind does not come in nice even treads, it comes in surges on major tides. Such tides are surging now in Latin America. There will be only this one chance to catch this tide—the wave of rising hopes for a better life, strong currents of desires and aspirations to move ahead. The most urgent question is this: Will this tide be caught by the leaders of the free world, the United States, or will we allow these waves to launch new crafts for the Communist cause? Our approach to the Alliance for Progress may very well be the determining answer.

It seems to me that although we can very well find there are weaknesses in the program, it is well to remember there are desperate, dangerous, and foolish men on the highway who create accidents in rather large numbers. But we do not tear up the highway on that account because of the actions of these persons. We try to minimize them.

The highways of life are opening up to the people of Latin America and we know, too, that we will have to help them build those highways. It seems to me there is a stew cooking in the affairs of men, and we have reached the point where somebody is going to put in a very important ingredient or flavor. Let us hope it is our flavor and that when this stew is finished it will be mutually palatable to Latin Americans and to our way of life.

It seems to me that we can at this point be a little philosophical and look at this cooking situation as a great, modern philosophy. Tennessee Ernie Ford said: "There is no mistake a cook can make that cannot be covered up with gravy."

We made a mistake when we cut aid to Latin America, and we have tried to cover that mistake with a gravy made of the problems involved. That gravy is not going to stick. We made a mistake we cannot afford. We were applauded for reducing foreign aid. We have appalled all knowledgeable persons by wrecking it.

My great hope and my reason for speaking here is that when we finish the next decade we will find emerging on this continent an American way of life that applies to all Americans. And let us remember there are other Americans on this continent other than we within the United States.

We Americans have a common destiny. We Americans have a common interest in security. Let us have a common effort and let us give to people who are worthy. We may make mistakes along the way, but let us correct them and move ahead.

I thank the gentleman from Texas for allowing me to state my views, and I want to associate myself with all the better remarks that have been made by my colleagues here in the House before me.

Mr. ASHLEY. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Ohio.

Mr. ASHLEY. Mr. Speaker, I am pleased to participate in this discussion. The gentleman from Texas has certainly contributed much by bringing the specific question of the need of the Alliance for Progress in the years ahead to the floor of the House of Representatives and, I would hope, to the Nation at large.

The goal of American foreign policy is one that is agreed upon by all American citizens: the achievement of a just and lasting peace. Surely we are agreed, too, that a just and lasting peace cannot be achieved or maintained by arms alone. Surely we can agree that the foundations of such a peace are economic and political stability, not just in the United States, not just in the countries which may have identical ideological attitudes, but in fact in countries in every area of the world, the developing countries, the countries newly emerging in the community of nations.

It seems very strange to me, Mr. Speaker, that Congress and the people of our country should be so willing to spend $50 billion each year for military hardware to maintain our national security, and at the same time so unwilling to expend in the neighborhood of $3 billion for economic assistance, largely in the form of loans, which is clearly necessary if we are to help—and I emphasize the word help—eliminate the very conditions upon which communism and other alien ideologies thrive.

If there is one good way to guarantee that we will be obliged to continue enormous annual military expenditures ad infinitum into the future, it is to take the blind view that foreign aid has not bought us friends and therefore should be eliminated. This philosophy can lead to only one result—total reliance upon our armed might to maintain what inevitably will be a more and more tenuous peace.

How strange it is, Mr. Speaker, that the very patriots who cry loudest for action against Castro are the ones who would thwart efforts to bring about economic and political stability in other Latin American nations. They cry loud for elimination of communism from Cuba and in the same breath curse the expenditure of U.S. funds that seek to improve living conditions and encourage free enterprise in the rest of the hemisphere. They would eliminate Castro with American troops but not the causes of communisum with American dollars.

This is the kind of misguided patriotism, Mr. Speaker, that may save the average taxpayer 50 cents a week for a year or two, then cost him and his progeny the frightful consequences of revolution and armed conflict.

All of us are well aware that there have been serious shortcomings in the administration of our foreign aid program but no one can say that this problem has not been faced squarely by this administration or the previous one. Constant effort has been directed to improving the program. Its policies, procedures, and personnel have been changed to bring about greater efficiency and effectiveness and to provide needed safeguards. But this does not make any difference to professional detractors of foreign assistance. They continue to point to shortcomings which admittedly have existed in the past to obscure the broad policy objectives which the Nation seeks to achieve and which are of such fundamental importance to our own future as well as the future of developing nations throughout the world.

To listen to these critics, one would be led to believe that these countries look to the United States as the sole means of acquiring the capital investment needed for developing viable economies and improved social conditions. Nothing could be further from the truth.

Let us look at the short history of the Alliance for Progress to date. The Declaration to the Peoples of America, a part of the Charter of Punta del Este, contains this illuminating sentence:

> The United States will provide a major part of the minimum of $20 billion, principally in public funds, which Latin America will require over the next 10 years from all external sources in order to supplement its own efforts.

Opponents of foreign aid protest the 10-year, $10-billion commitment of the United States to the Alliance which has evolved from this declaration. But their attacks never contain any reference to Latin America's $80 billion investment in the Alliance goals. They never mention that roughly 65 percent of this $80 billion will come from Latin American private enterprise, with the other 33 percent from their public sector.

We hear much of the $1.2 billion which the United States provided the Alliance in its first year but very little of the $800 million supplied by other industrialized nations and international credit institutions—and even less of the $8 billion put up by the Latin American nations themselves.

Mr. Speaker, here are just a few examples of how our external contribution is stimulating Latin American investment—investment which has been translated into hundreds of thousands of jobs and the formation of permanently improved economic, social, and political conditions:

In northeast Brazil, the United States agreed to provide the equivalent of $521,000 for a total of 97 new or renovated health units to serve a population of 2,300,000. Brazilian agencies are providing the equivalent of $1,140,000.

In Chile, the Social Progress Trust Fund of the Inter-American Development Bank, a mechanism of U.S. aid, made a credit of $2 million to help build 1,900 homes in the Province of Valparaiso. The local contribution is equivalent to $5,642,857.

In Mexico, the United States has authorized a $20 million credit for loans to small farmers. Mexican sources say that Mexico's own contribution to this program will be equivalent to $185 million.

In Argentina, $30.5 million AID credit, supplementing a World Bank loan, will be used to construct or improve 1,200 miles of highways. Argentina itself will provide the equivalent of $160 million for other highways in its 10-year roadbuilding program.

A $310,000 contract with the Credit Union National Association for technical assistance in the formation of credit unions in Latin America has resulted already in stimulus to and formation of some 500 credit unions. New credit unions are being formed at the rate of about 60 a month.

In Central America, a $2,925,000 Social Progress Trust Fund loan to the five Central American universities to improve their training of technical and professional personnel is being matched by an equal amount from the countries themselves, and the total cost of the program is estimated at nearly $11 million.

In Brazil, a $2 million AID loan to a privately owned company which will produce carbon black is matched by the equivalent of $4,140,000 from the company itself.

Mr. Speaker, these are just a few examples of the purposes to which our foreign aid dollars are being put. There is no alternative for these programs or for our participation in them. Our security and the stability of this hemisphere and other areas of the world depend upon their success. We must face the fact that their failure and Communist success are different sides of the same coin. The time has come to stop being defensive about foreign aid and to recognize it for what it is—the most dynamic and constructive weapon available to the forces of freemen in the struggle against international communism.

Mr. EDMONDSON. Mr. Speaker, there are a number of Members of the House still waiting to be heard in support of the remarks of the gentleman from Texas, and his time is about up. I ask unanimous consent that all Members who wish to speak on the Alliance for Progress may be permitted to extend their remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROYBAL. Mr. Speaker, 2 years have transpired since 20 American Republics joined together in the greatest experiment in the history of the Inter-American system. The Alliance for Progress was established by the special meeting of the Inter-American Economic and Social Council, at the ministerial level, on August 17, 1961. This meeting culminated the attempts by leading North American and Latin American statesmen to establish a long-range development program for Latin America, sought as far back in time as the days of the Marshall plan. The passage of the Act of Bogotá in August 1960 represented the beginning attempt to establish this program. President Kennedy insured its application when he announced the Alliance for Progress in January 1961.

The Alliance is a revolutionary movement fomenting change—radical change which will divide the great landholdings among the many who have never profited in their daily toil; it will provide equitable tax systems in areas where graft, corruption, and exploitation have prospered, and allow all peoples to share the wealth and freedom of democracy. The Alliance for Progress is a program for the masses in Latin America. Its basic drive presupposes the elimination of illiteracy and poverty, with the involvement of all peoples into the economic life of their countries.

In 2 years the Alliance for Progress has had to overcome many obstacles placed in its path. As President Kennedy remarked last month: "We have a long, long way to go, and in fact in some ways the road seems longer than it was when the journey started." To date, 140,000 new homes have been built, 8,200 classrooms have been added to educational facilities, and 4 million textbooks have been printed and distributed in Latin America under the U.S. contribution to the Alliance for Progress.

These achievements represent 2 years of struggling on behalf of the Alliance. They are commendable, but represent only the initial effort. The eventual success of this endeavor must, naturally, lie with the Latin Americans themselves, and it must be their physical and psychological accomplishments which will decide the success or failure of this program.

The optimism which was demonstrated at the beginning of the Alliance for Progress has been tempered by cold reality. The Alliance was envisaged as the immediate answer to the problems that have been besieging Latin America for the past 400 years. Throughout the hemisphere, individuals voiced their wholehearted support for this program. The Alliance has had to face the difficult problem of transforming this vocal approval into positive gains.

In the beginning, the glaring headlines announcing the Alliance hid the hard work which had to follow its advent. Like other grandiose schemes, some did not take it seriously. Few recognized the revolutionary goals which the Alliance sought as it attempted to transform societies ravaged by history into societies of change. Reforms have not, and will not, come easily to Latin America, despite U.S. assistance and inducements. The task of inducing Latin America to revise and reform their economic and social patterns is not an easy one. These efforts have and will continue to meet resistance from the oligarchs from the right and sabotage of the Communists from the left. Aid can never be totally effective when it is forced to battle elements within the societies it is attempting to assist. For this reason, although those accomplishments that have occurred are commendable, the task ahead is long and arduous. If the Alliance for Progress is to succeed, it must have the willingness and support of both the governments and the peoples of Latin America, as they join together for their mutual betterment.

The first 2 years of the Alliance for Progress, difficult as they have been, may be easy compared to what lies ahead. The next few years are the crucial years that will decide the fate of this mighty endeavor for hemispheric development—for now that the Alliance for Progress has established a beachhead in Latin America, the resistance of the powerful minorities of the left and right will be even greater than it has been these first 2 years. However, the difficulties that lie ahead cannot discourage us from pursuing this wonderful concept to the utmost. Rather, we must intensify our efforts, and press harder for reform and development, while at the same time use our aid to a greater extent as a lever to induce action—not words.

In the same manner, we must encourage the participation of private enterprise in the Alliance for Progress. Sixty-five percent of the total investment in the Alliance must come from private investors in Latin America. We all realize what opportunities will be available through the increased participation of private enterprise in the bold endeavor.

At this time I think we should all join in our appreciation to Ted Moscoso for the fine job he has done so far. No one knows better than he the problems facing the Alliance in these next few years. I read the other day a memorandum which he sent the members of his staff as they marked the second anniversary of the Alliance for Progress. Let me read a few sentences now, so that you might know, as he does, what the Alliance holds in store:

> We have reason to observe our anniversary this year—not with the hoopla that marks a triumph, but with the satisfaction of builders who have dug the foundation and begun to pour the footings. As yet, nobody can take any long vacations. Let's remember that we have been handed one of the

> toughest assignments ever given to a group of people.

Mr. SICKLES. Mr. Speaker, 80 percent of the foreign aid dollar spent comes back to the United States in the form of purchases of U.S. goods. In the case of Latin America, the percentage is higher, since normal trade patterns of Latin America in recent decades have been with the United States, so that economic growth in Latin America as a whole has a residual benefit for U.S. business.

Alliance officials here in Washington have clearly recognized the vital role of private enterprise in the program. No one has been more outspoken—both here and in Latin America itself—on this point than Teodoro Moscoso, the U.S. coordinator. He said in Mexico last October that:

> Private capital—both Latin American and foreign—must play a key role in the financing of development programs and in the accumulation of the total investment that the Alliance projects.

He warned his Mexican audience that:

> Completely nationalized economies have failed consistently in modern times to provide an adequate supply of even some of the most essential consumer goods.

And he added:

> Incentives for private capital—both foreign and domestic—and a healthy climate for investment of private funds are absolutely essential to the success of the Alliance.

Mr. Moscoso has acted on these convictions. Close to $150 million have been loaned to intermediate credit institutions in Latin America—development banks, savings and loan associations, and other institutions designed to make credit available to the businessman, the farmer, and the homeowner. Loans to private companies have been made to build industrial plants. Expanded investment guarantee agreements covering the whole gamut of risks faced by a U.S. investor have been signed with Argentina and Ecuador within the last 6 months. And of course, there is the AID agency's overall program to attract private U.S. investment.

I am referring to investment surveys, dollar loans, and local currency—so-called Cooley loans.

Latin America, which has been in the grip of a nationalist wave, has not shown undivided sympathy for these private enterprise and foreign investment concepts. But the facts of life—the need for foreign private capital and for a healthy private domestic sector—along with a realization of U.S. policy in this area, are beginning to have a healthy and sobering effect.

Conversely, in our country, the gloomy view of things in Latin America is beginning to give way to a realization that it is not all that bad. A survey by Vision Inc., a respected organization with long experience in Latin American affairs, recently made a survey of the investment situation and came up with a pamphlet titled "A Positive View." It showed in facts and graphs that a vast opportunity beckons to American business in Latin America, and found definite signs that an upturn in confidence is about to occur or has already occurred on the part of U.S. business with regard to Latin America. Vision expects plant and equipment spending of U.S. business in Latin America to climb somewhere around 10 percent this year, and it quotes some experts as predicting "a $200 million net capital flow into Latin America by 1964."

And the Chamber of Commerce of the United States, has just issued its appraisal of the Alliance for Progress, in which it says:

> The National Chamber in its 1963-64 policy declaration has underscored its prior support for Latin American self-help efforts toward economic and social development.

It ends its analysis by taking up and answering a series of criticisms of the programs, and by acknowledging the difficulties under which it has to work. The chamber of commerce concludes with these words:

> In the face of these difficulties, the Alliance for Progress stands as a bold program calculated to make at least a start toward the long range solutions of Latin America's diverse problems and toward assurance of social and economic progress in the years ahead.

Mr. HAWKINS. Mr. Speaker, first, Latin America is the second most important trading partner for the United States—exceeded only by Western Europe. The Latin American nations take 20 to 25 percent of our total exports, and we buy 40 to 45 percent of all the goods they export.

Second. In 1962, total U.S. exports to the 19 Republics were $3,278 million, and imports from the area totaled $3,440 million. This produced a trade deficit of $162 million for the United States. But in 1961, the United States had a favorable balance of $210 million, and $22 million in 1960.

Third. A further major element in the balance-of-payments picture with Latin America is income from private investment. In 1962, the United States received $866 million from Latin America.

Fourth. The U.S. Government itself received $113 million in income from its investment in Latin America, and $179 million in repayments.

Fifth. So on the total inflow side—from trade, services, and income—the U.S. balance of payments benefited by a net figure of $879 million, favorable to the United States.

Sixth. But U.S. transfers of capital to Latin America must be deducted from the $879 million. In 1962, this figure amounted to $775 million, as compared with $998 million in 1961 and $356 million in 1960.

Seventh. A further deduction must be made for transfers of private U.S. capital and remittances, including direct new investments, new issues of foreign securities, redemptions, and private remittances, among others. These items totaled $227 million in 1962, as compared with $462 million in 1961 and $700 million in 1960.

Eighth. So if we subtract the debit items from the credit items for the United States in the balance of payments, the United States in 1962—in its trade with Latin America—was $83 million in the red.

Ninth. But on a global basis, the deficit in the U.S. balance of payments was in excess of $2 billion.

Tenth. I think there are a number of lessons to be appreciated from these rather dry figures I have related: First, the deficit for the U.S. balance of payments in 1962, attributable to Latin America, was only a minor part of the whole; second, the income U.S. private and governmental entities received from investments in Latin America in calendar 1962 is very close to the total amount of U.S. assistance given to Latin America in fiscal 1963; and third, if it were not for an unusual deficit in the trade balance, the United States in its balance of payments with Latin America—and despite long term capital the vast bulk of which was loans—credits of $620 million, would have been in the black.

Eleventh. While I do not wish to suggest that we can or should compartmentalize our assistance by areas, I think it is clear from the above that in terms of the U.S. balance of payments, Latin America is not a major problem.

Mr. FRASER. Mr. Speaker, with mistaken zeal, the House has cut foreign aid appropriations by over one-half billion dollars. My fellow colleagues, I join in this special order today in the firm conviction that this House has deeply wounded our one real hope for the democratic development of this hemisphere—the Alliance for Progress. And I am confident that, as a result of today's efforts, you will realize the severity of our actions. In the midst of a growing disaffection with foreign aid, our action has foolishly damaged the one component of foreign aid that has the most to offer us in this vital hemisphere, and whose demise shall bring only chaos to our doorstep.

The Alliance for Progress is not just one more foreign aid program. We are not turning to these countries and saying, "Here, take." Instead, we are developing a $100 billion program for this decade. Of this amount, $80 billion must come from the recipient countries themselves. Only one-half of the remainnig $20 billion will come from our Government, one-third will come from American private investment, and the remainder from major European nations. So we are truly dealing with a major international program of assistance, yet one whose keystone is self-help. This program will provide the stimulus and the means for the Latin American peoples to undertake vigorous national development. The necessary U.S. contribution to this effort is really only a small fraction of the total aid. Public economic aid is being provided through loans, grants and technical help. Private U.S. assistance is available through direct long-term investment. Our actual commitment over the next 10 years totals $11 billion in public funds and about $6 billion in United States and European private capital funds.

When we compare these figures with previous foreign aid activities in other parts of the world, realizing the enormous objectives of the Alliance, it becomes quite obvious that our authorized figures simply must not be reduced as they have been in this latest appropriation. In the 4 years of the Marshall plan, U.S. aid to Europe exceeded $13 billion. Now this is more than the 10-year total for the Alliance. And the differences are immense. Then, we were dealing with Europe—an area that had a strong industrial base. Now, we are dealing with Latin America—an area with no industrial base, and still we allot less to Latin America for national development over 10 years than we did to Europe in a 4-year period. The money we have pledged is a minimum amount. If it is cut as drastically as the House bill requires, then there will be little if any national growth. If we forsake our historic position in this hemisphere, who will contribute the needed funds? If we show no concern for our neighbors, who will? The frightening answer lies just 90 miles off our shore, in Cuba. It is in our interest, both public and private, to insure a strong and vibrant Latin America.

The American public realizes this even though some of my colleagues might not. Only recently, the chamber of commerce prepared an outstanding report on the Alliance. Its strong support for the program's objectives is indicated in the report's title, "A Hemispheric Response to a Global Threat." I strongly urge my fellow colleagues to read this report and see how promisingly the Alliance is regarded among leading businessmen.

The opinion polls show the public's favorable reaction to the Alliance. Time and again, it has received overwhelming support from all areas of our country. Even those who oppose our overall foreign aid program, still urge continued U.S. participation in the Alliance for Progress.

Nowhere is this more genuinely seen than on the community level. In my own State, I have been truly encouraged by the growth of the "sister-city" idea. The inhabitants of a Minnesota town such as Montevideo have a yearly celebration and informative exchange with people from Montevideo, Uruguay. And just last week the Chilean Ambassador was in Minneapolis attending the people-to-people benefit international ball. Yesterday, the leaders of the Minneapolis people-to-people organization came to Washington to attend the "Image of Chile" inaugural ceremonies at the State Department.

This popular support for our Latin American neighbors indicates the concern and desire of the American people to aid our neighbors and to be counted among their friends. Can we here in Congress do less? Are we to face our own citizens and say, "Sorry, but, you see, we are not as concerned as you are for other people's welfare"? We are abdicating our responsibility to our own citizens and to the peoples of Latin America if this cut is sustained.

Let me give you another example. A recent New York Times article points up the nature of the funds our Government is sending to Latin America. The article itself is titled "Panama Develops Through U.S. Help." It tells of road construction in this mountainous land. Roads are being built 4 to 10 miles long, surfaced with gravel. They are cheap and simple. Yet to the people of isolated villages—now able for the first time to sell oranges in nearby towns and to transport their ill and dying to medical centers—these roads are as important as any superhighway is to us in America.

New schools are being built in Panama at a cost to the United States of $755,000. The people of a community build the school with materials we send them and the technical assistance of their own government. Because of the self-help concept, these people are able to build several school buildings at less cost than we can build just one building.

I ask my colleagues, Where is the extravagance, where is the waste? Can you find it in the gravel roads, or the schools built by the communities themselves, or the new self-help housing program where workers build their own homes and then make monthly payments on them?

These are the projects that typify the Alliance for Progress. The funds that we have cut were to go to similar projects throughout Latin America, each one embedded with the concept of self-development. Can we in good conscience look at so vital and promising a program and still remain unconcerned, and still withhold our full support?

Mr. MATSUNAGA. Mr. Speaker, I too wish to commend the gentleman from Texas [Mr. WRIGHT] for the great contribution he has made toward the thinking of Members of this House on the important subject of aid to our South American nations. It is my hope that the discussion here this afternoon will lead those who voted to slash the Alliance for Progress program to reconsider their action and that when the Senate restores the cuts made by the House they will agree to the Senate's action.

An important point to remember in our foreign aid program is that by helping other nations to stand on their own two feet we are contributing to our own security. With Cuba now within the communistic sphere, it becomes highly important that we halt Castroism from spreading to the South American Continent. The Cuban dictator has avowed that he will do all in his power to spread communism in Latin America. We certainly cannot stand still while he is on this fanatical campaign. We would be foolish to allow the spread of communism in our own backyard without a challenge, while we spend billions of dollars to keep communism from spreading further in Europe, Africa, and Asia.

It is also important to remember that our foreign aid program is helping to develop our own economy. Eighty percent of our foreign aid money is spent right here in our own United States, buying American products. Many of our farming and manufacturing industries are kept in operation because of our foreign aid program. In Birmingham, Ala., for example, a steel mill was about to close down for lack of orders last summer. At the 11th hour the company obtained an order to produce 56,000 tons of railway tracks and fastenings for Pakistan. This saved an estimated 1,100 persons from losing their jobs at the mill or in the railroads and factories that service the mill.

American farmers have long known that were it not for food-for-peace shipments their surpluses would be larger and their incomes smaller. American shipping industry, too, has recognized the direct benefit to them from foreign aid. In the case of the Alabama steel mill alone, American-flag lines obtained shipping revenues amounting to $1.4 million.

It has been estimated that our foreign aid program now accounts for 700,000 jobs in the United States, and business and labor are beginning to realize that they have a stake in our aid program. As the assisted nations become developed and the standard of living of their populations are raised, new markets for American goods will be opened, further to add to our own economy.

Mr. Speaker, the Alliance for Progress is a joint venture in which we must share fully and effectively if we are to reap the benefits which it has in store for us and our good South American neighbors.

THE INFLATIONARY THREAT OF TAX CUTS WITH MORE FEDERAL SPENDING AND LARGER BUDGET DEFICITS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Missouri [Mr. CURTIS] is recognized for 35 minutes.

Mr. CURTIS. Mr. Speaker, the administration contends that its economic program of tax cuts, more Federal spending, and larger budget deficits would not be inflationary. The inflationary fires, it says hopefully, have been dampened, and the economy's idle plant and equipment and unemployed manpower will provide insurance against renewed price advances. Large budget deficits would be financed in such a way, it claims, as to neither cause inflation nor offset the stimulus of tax reduction.

Mr. Speaker, for the country's sake I hope the administration is right if its view prevails. A renewal of inflation not only would work severe hardships on our low-income and fixed-income citizens, but it would also lead to a serious worsening of our already critical balance-of-payments situation. The administration expects that our balance-of-payments deficit and the gold outflow problem will be corrected by price stability at home and rising prices abroad. That would suppose the European countries would not take steps to curb their own inflationary forces and that we would. The opposite seems to be what is coming about. European countries are taking action to stem inflation, the Kennedy administration is promoting policies that would increase inflationary forces. Should these hopes prove barren, there is no doubt whatsoever that our balance-of-payments deficit will worsen, possibly leading to eventual devaluation of the dollar and a world financial crisis.

In analyzing the administration's position, it should be noted that inflation has not been stopped. While it is true that the wholesale price index has remained steady in recent years, the consumer price index is of more concern to the American consumer. That index has been rising steadily. Since President Kennedy took office, the CPI—which tells us about the purchasing power of our dollar—has increased by 3.3 points, or from 103.8 in January 1961 to 107.1 in July 1963. The 0.9-point rise in the index in June and July of this year was the largest 2-month increase in over 4 years. This makes clear again the fact that because of bottlenecks and scarcities of goods and productive factors price increases are generally felt long before an economy reaches full employment.

Many economists foresee a renewal of price pressures this year even without the stimulus of a tax cut. The U.S. News & World Report said on May 6, 1963, that among leading economists in business and universities whom it interviewed, "a heavy majority looks for a revival of inflationary pressures during the months ahead—particularly toward the end of the year." The economists believe that:

> If taxes on incomes are reduced, adding to the Federal Government's deficit, then those pressures are expected to grow even more.

Here is what some of our leading economists are saying:

Ira Ellis, Economist for E. I. du Pont de Nemours and Co., said:

> Inflation problems will be more severe next year. * * * The threat in 1964 will be greater than at any time since the Korean war.

Jules Backman, Economics professor at New York University, said: "What really worries me is the virtually callous disregard of large deficits." If proposed spending programs are continued, "inflation is bound to grow as a problem."

According to Emerson Schmidt, research director of U.S. Chamber of Commerce:

> Government budget policies pose a real danger of inflation for the future. Except for a small surplus in 1960, we have had deficits ever since 1957, and * * * we are in for several more.

As Arthur Rosenbaum, business-research director for Sears, Roebuck, noted, wholesale prices for manufactured goods will show a "moderate rise." From now on, "even modest wage increases are likely to be reflected in higher prices."

According to Paul McCracken, economics professor at University of Michigan, "Prices are going to edge up." We forget that the quiescence in prices may have been just the other side of the coin of a rather unsatisfactory business situation.

Wilson Wright, chief economist for Procter & Gamble, said:

> In the past few months I have found more knowledgeable people concerned with the prospect of inflation than in any time during recent years.

The U.S. News summed up the views of the majority of the economists it interviewed as follows:

> Put it all together, and the majority of the economists seem to agree on the following:
>
> A rise in prices, now getting underway in key industries, is seen slowly gathering momentum as the year wears on. By the yearend, it is felt, prices will be edging up on a broad front.
>
> Renewed inflation is expected to be mild, restrained for some months to come, by fierce competition at home and abroad.
>
> Inflation threat, many economists believe, will be more serious in 1964 than in this year.
>
> Single biggest inflation force is said to be the large—and continuing—deficits in the Federal budget.
>
> All in all, there is a significant change in attitude. Deflation had been the big worry among economists for many months.
>
> Now inflation is beginning to cause concern.

Coming on top of the current economic expansion, a tax cut—unless accompanied by a tight rein on Federal spending—clearly would add fuel to the inflationary threat. The idle plant and equipment which the administration says is an insurance against inflation is being rapidly diminished in the current expansion. McGraw-Hill reported the rate of utilization for manufacturing in July at 87 percent of capacity. This compares to a preferred operating rate of 92 percent. The utilization rate has not stood this high since December 1955 when it registered 92 percent.

McGraw-Hill shed additional light on the nature of the excess capacity in its "16th Annual Survey of Business Plans for New Plant and Equipment," released April 24, 1963. For the first time, McGraw-Hill asked companies to provide some information on how technologically out of date they thought their facilities were. All manufacturing reported 22 percent of its stock of plant and equipment was technologically outmoded. Thus, with 78 percent of manufacturing facilities considered technologically up to date, the utilization rate for manufacturing is 87 percent. Manufacturing, in other words, is already operating its high cost, obsolescent facilities. An additional stimulus to economic activity arising from tax reduction and increased Federal spending would force business to operate additional high cost facilities and thereby add to price pressures.

In his recent study of our economic growth published in the August 1963 Federal Reserve Bulletin, Clayton Gehman has said:

> Another implication of the inquiry is that there is less slack in the U.S. economy than is generally supposed. If the growth in physical output and consumption has been faster than the deflated gross expenditure totals suggest, then margins of unused capacities are not so large as often thought.

Wilson Wright, economist for Procter & Gamble Co., also questions the reliability of figures on industrial capacity. U.S. News & World Report quotes him as saying:

> I don't believe that we have any considerable volume of excess capacity in a large number of industries.
>
> These companies actually have a shortage of capacity when it comes to new, efficient facilities and equipment.

The administration's claim that a sharp upturn in economic activity would be noninflationary because of idle manpower is also questionable. While the unemployment rate—seasonally adjusted—was 5.5 percent for August 1963, the rate for teenagers was 14.1 percent. However, the rate for married men was 3 percent or well below the administration's interim target of 4 percent for the labor force as a whole. In contrast to married men, women 20 years and older had a higher unemployment rate than the average, standing at 5.7 percent. As the Department of Labor's "Monthly Report on the Labor Force" said in its August issue:

> The jobless rate for married men has virtually returned to the 1957 level and that for all adult men is down to one-half percentage point above the 1957 level. However, the rates for adult women and for teenagers are both substantially higher than in 1957.
>
> The current unemployment problem is therefore more heavily concentrated among women and teenagers than at any other time since before the 1958 recession. Although their rates have not entirely returned to 1957 levels, the primary breadwinner group is much closer than are other workers.

There is an urgent need for improvement in the Nation's unemployment situation. A substantially faster increase in the real or adjusted gross national product would ease the problem of finding jobs for that segment of our labor force—teenagers, women, Negroes, and other minorities which make up the bulk of our current high level of unemployment. It is always easier to deal with frictional and structural unemployment during period of cyclical upturn as opposed to periods of downturn. But it would be folly to think that a rapid expansion in economic activity would lead automatically to the immediate employment of these people. Aside from the difficult problems arising from discrimination which face many Negroes, most of the hard-core unemployed lack the education and skills required in our modern and rapidly advancing economy. Time and application will be required to teach those skills as well as to locate the new jobs.

A general rise in economic activity, while helpful to the hard-core unemployed, would put increased pressures on the existing labor force and lead to upward wage demands and renewed inflation. As the Gehman study says:

> If expectations became too exuberant in the process of economic stimulation, this might increase upward price pressures and encourage speculative activities. The present character and location of plant and equipment facilities and the existing limited supplies of skilled and professional labor may provide fewer safeguards against such developments than is indicated by the view that a slack economy exists.

Aside from these inflationary aspects of the administration's policy, it is necessary to look at the problems of financing the additional Federal debt which will result from cutting taxes while increasing spending. Budget deficits though inflationary do not necessarily break through to produce what we call inflation. Much depends upon how they are financed and what the state of the economy is at the time. If deficit financing is done through the commercial banking system by creating new money, this will tend to provide inflation because the pace of monetary expansion would probably be greater than the increase in the economy's growth. On the other hand, if financing is through the savings of individuals with no increase in bank reserves provided by the Federal Reserve, this will net out as noninflationary primarily because it will tend to dampen economic expansion.

The problems of debt management arising from the administration's tax and spending program thus are critical in assessing its stimulative and inflationary effects. It really is impossible to separate tax problems from debt problems as the administration seems to be trying to do. The administration denies that it follows a deliberate policy of running deficits to stimulate the economy. But the administration reliance on planned deficits was laid bare by the following exchange between Senator Paul Douglas, chairman of the Joint Economic Committee, and Dr. Walter Heller, Chairman of the Council of Economic Advisers, at the committee's 1963 annual hearings:

> Chairman DOUGLAS. Many people are saying that they would favor a tax cut only if it were compensated for by an equal cut in expenditures.
>
> The question I would like to ask is this: If this were done, would it not take away much of the stimulative effect upon which you count?
>
> Mr. HELLER. Senator, it would take away almost all of the stimulative effect. * * * The deficit is the inevitable part of the stimulus that arises from the tax reduction. It isn't the object of the exercise, but it does necessarily occur under present circumstances if you are going to cut taxes.

The committee also got into some of the problems of financing the deficit at its annual hearings. In the following statement, Dr. Heller made clear the key role played by the Federal Reserve in determining the economic impact of financing large budget deficits:

> The impact of the financing of a deficit that would grow out of the present economic situation, plus the tax program, will depend in considerable part, on what the Federal Reserve System does to the reserves of the banking system.

Senator Douglas brought out in questioning Dr. Heller that financing the budget deficits out of savings, which is generally a noninflationary method, would tend to offset the stimulus of tax reduction. His exchange with Dr. Heller follows:

> Chairman DOUGLAS. If the Federal Reserve Board insisted that the deficit must be met out of the savings of individuals, would not this divert capital from industry and result in no net increase in monetary purchasing power and consequently no net increase in demand?
>
> Mr. HELLER. If the policy were—and I do not for a moment believe that Mr. Martin would intend this—to raise interest rates to a point where private spending, capital spending in particular, were depressed by as much as the tax cut expanded spending, surely it would be a self-defeating proposition.

How does William McChesney Martin, Chairman of the Federal Reserve Board, feel about financing the deficit through savings as opposed to financing by the inflationary method of bank-created money? While Mr. Martin has made clear that he never said there should be no monetary expansion in a year in which the Federal Government is incurring a deficit, his concern over inflationary methods of deficit financing is evident from the following exchange with Senator DOUGLAS:

> Chairman DOUGLAS. What you are saying is that Government borrowings coming as a result of deficits should be financed through savings of individuals and corporations not by the creation of additional bank credit; is that right?
>
> Mr. MARTIN. That is right.

Mr. Martin, therefore, clearly believes the deficit should be financed in a noninflationary manner—or through savings—but this is the very method Dr. Heller believes would be self-defeating in the light of the administration's desire to stimulate the economy.

Two possibilities exist: economic stimulation accompanied by inflation arising from too rapid a monetary expansion, or little or no stimulation accompanied by little or no inflation. Either way one wonders about the soundness of a policy which poses such a dilemma.

Mr. Speaker, the inflationary threat posed by the administration's economic program has been dismissed all too lightly by the assertion that excess plant and capacity as well as unemployed manpower provide a safe margin for economic expansion without inflation. Careful analysis of the facts does not bear out this contention. Likewise the inflationary potential of financing large budget deficits is dismissed too lightly. I hope that these remarks will point out some of the inflationary dangers of the President's economic program and thus stimulate genuine debate on some of the real and pressing issues which tax cuts with more spending pose for the Nation.

SENATOR PAUL H. DOUGLAS' ADDRESS TO THE RETAIL CLERKS INTERNATIONAL ASSOCIATION CONVENTION IN CHICAGO

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, recently Chicago was host to the 75th anniversary celebration convention of the Retail Clerks International Association. This memorable event was attended by people from every corner of America and it was a distinct honor for me to share the speaker's platform with some of the outstanding men and women of our Nation.

Many of the speeches delivered at this fine convention have been put in the RECORD to enable all our colleagues and, indeed, all America, to acknowledge and better understand how highly respected is the Retail Clerks International Association and its dynamic president, James Suffridge.

One speech, however, I considered particularly significant and noteworthy. It was straightforward, warm, and inspiring, just as the man who delivered it. The great convention hall grew silent when this unique American began to speak because he is a brilliant testament to all that is the best in America—Senator PAUL H. DOUGLAS, of Illinois.

Because I feel so strongly that his remarks at this diamond jubilee convention should be preserved for others in our country, both in labor and in management, I am taking the opportunity today of placing the text of his speech in the CONGRESSIONAL RECORD. Mr. Speaker, Senator DOUGLAS' remarks and the fine introduction by Mr. Suffridge follow:

> President SUFFRIDGE. Will the convention kindly be in order. Will the escort committee, composed of Victor Reysa, Jack Falk, and William J. Dryer kindly escort Senator DOUGLAS to the rostrum.
>
> [The audience arose and applauded.]
>
> President SUFFRIDGE (continuing). Members and delegates, it is a distinct pleasure for me at this time to have the opportunity to present to you again one of the gold card members of the RCIA. The 21st convention in session in 1951, in Washington, D.C., presented to Senator PAUL DOUGLAS one of our coveted gold card memberships, and I might state that if my memory is right there are only four people who possess these gold card memberships at the present time.
>
> I have taken the liberty of preparing a delegate's badge which we will place on the lapel of our very good friend, rather than the guest badge and any other visitor or speaker would be entitled to. So, Senator, I would like to have you at this time step forward so I can place this official delegate's badge on your lapel. [Applause.] There is nothing more that can be said. It's all yours.

ADDRESS OF THE HONORABLE PAUL DOUGLAS

> Mr. Suffridge and friends it is both an honor and a pleasure to be permitted to appear before you this afternoon. I am very happy to be accompanied by three of my very close associates in the Congress of the United States.
>
> Up in the balcony is the great Senator from Hawaii, Senator INOUYE. [Applause.] He will be introduced later, but may I say that he is the hero of the latter part of James Michener's long-distance novel, "Hawaii," and he is not only the hero of that novel but he was one of the heroes of the great 442d Combat Battalion, composed of Japanese-American citizens, which fought with such distinction in World War II. [Applause.] This was the battalion which had more casualties, received the Presidential Unit Citation more times, and had more men individually decorated for bravery than any other unit of its size in the U.S. Armed Forces. In fact, it made the best record of any combat unit in the service of the United States, and even excelled my own division, the 1st Marine Division. [Applause.]
>
> Senator INOUYE made one of the most splendid records in that marvelous aggregation.
>
> I am also very happy that one of the great Congressmen is here this afternoon—ROMAN PUCINSKI—who is a great fighter for the right cause, and that I am shortly to be followed by my old friend, HUBERT HUMPHREY of Minnesota [applause], one of the greatest battlers in the U.S. Congress.
>
> Now, let me say that in addition to being proud to be accompanied by these splendid colleagues of mine, I am also very happy in speaking under your auspices. This meeting is presided over by my old friend, Jim Suffridge. You have made a fine record and have increased your membership, I am told, to 400,000. You have brought protection to one of the groups of people, both women and men in our country, who in the olden days, were most overworked and underpaid—the retail clerks of the country, and you have helped us in all progressive legislation.
>
> I am especially pleased that we have leaders like Vic Reysa and others—Mr. Falk and

Mr. Dryer—here in the State of Illinois. I was very pleased to have them precede me on the platform.

Let me also say that I am very proud not only of Jim Suffridge but of your general counsel, Sol Lippman, because back in the prehistoric days he was a student of mine at the University of Chicago, and I never knew a man to work harder than Sol did. I am very happy that he is more prosperous and better fed now than he was in those days when he was a poverty-stricken student. [Laughter and applause.]

Let me say that I have an especial pleasure at being with you and helping you celebrate your diamond jubilee, because 50 years ago when I graduated from college and went down to New York to study at Columbia, I was for a brief period of time an unpaid organizer for the Retail Clerks International Union. [Applause and cheers.]

Those were the days when the shopgirls in New York and in other places over the country would work a 12-hour day and a 6-day week, and get the magnificent pay of $6 to $7 a week or less. Those were the days also when O. Henry and Reginald Wright Kaufman were writing their stories of what happened to these girls—how under the pressure of low wages and under the pressure of the cadets who thronged the streets of New York, hundreds of them were forced into lives of shame. And here in the city of Chicago there was a young Lieutenant Governor who put the magnates of State Street on the stand and traced the fact that some of these girls who were getting less than 10 cents an hour were being forced into prostitution. That young Lieutenant Governor of 50 years ago is now the distinguished Congressman from the second district, my Congressman, Barratt O'Hara.

And the exposé which O. Henry and Reginald Wright Kaufman and Mary Dale Harris started made possible the first State minimum wage laws in this Nation which, in the States where there were not many present for protection under their wages, have put some ceiling on their hours.

But we could not get these laws passed in the States where there was any considerable number of retail clerks, and it remained for Roosevelt in 1939 to pass the Fair Labor Standards Act for the first time. This they did in 1938.

But we never had enough strength until last year to extend this to retail trades, and it was not until the Democratic Party and John F. Kennedy came into power in 1961 that we were able to accomplish that. [Applause.] That was when we were able to extend this act to the retail establishments of any magnitude, although naturally we left out the "papa and mama" stores and the stores which only have a small volume of sales.

And I want to say unless it had been for the work of your union and the labor movement, together with the work of the Democratic Party, we never would have extended that protection to the retail clerks of America. [Applause.]

That brings up some of the things I want to talk to you about. I am delighted that your membership has risen to 400,000. I am delighted that we have put a floor under wages which will shortly rise to $1.25 an hour and $50 for a basic week.

I am delighted that you have been able to obtain in your union contracts conditions much better than this. But we want to extend these protections to the American people. And I want to say that your union has always been considerate, not merely of its members, but of the broader constituency which it has tried to represent.

In 1961 we made a great deal of progress. We passed the extension of the Fair Labor Standards Act to retail trade. We passed the Area Redevelopment Act. We passed other measures which were of great importance to the working people and to the citizens of the United States.

But I think it is true that this year we have somewhat bogged down and people ask, Why is it? Why is it, with 67 Democrats in the Senate to only 33 Republicans, how is it with the ratio of 60 to 40 percent in the House, you are unable to pass much legislation.

And I want to tell you the reason. It is this: When we divide up in the presidential election, there are two parties, the Republican Party and the Democratic Party. But when we get down in Congress, there are not two parties, but four parties. There are the progressives and the liberal Democrats of the North and the West and of Hawaii, and of Alaska, and they number in the Senate about 40 to 42; there are the conservative Democrats, primarily from the South, numbering 20 to 22, with an occasional one from the North; then there are the conservative Republicans numbering nearly all the Republicans. [Laughter.]

And then there are the liberal and progressive Republicans, a small but gallant band, confined primarily to the Northeast, but with a few sprinkled elsewhere in the Senate.

Now the coalition which has governed Congress ever since the Fair Labor Standards Act passed in 1938, has been the coalition of the conservative Democrats and the conservative Republicans. This is called, and very properly, the bipartisan coalition. I call it the "Unholy alliance." [Applause.] Whether for the Republicans or the Dixiecrats. Now, if you ask me what a Dixiecrat is, I will give two definitions. A Dixiecrat is a man who runs on the Democratic ticket and after he gets in, votes like a Republican. Or, a Dixiecrat can be defined as a political ichthyornis. That makes everything clear. A ichthyornis is a prehistoric fossil found in the rocks. It has claws and scales and a tail and resembles a lizard. It also has wings. It is the missing link between a reptile and a bird.

Now, that is the coalition, the "unholy alliance," which has dominated Congress and which still actually dominates Congress. This is the group which has opposed the fair labor standards for workers, which has foisted the Taft-Hartley law upon us and which refuses to amend it and which stands in the way of virtually all progressive legislation.

The implicit agreement between these two groups, conservative Democrats and conservative Republicans, is that the conservative Democrats of the South (largely representing the same economic groups as the conservative Republicans from the North) will help the conservative Republicans defeat progressive labor legislation and then the conservative Republicans of the North will help the conservative Democrats of the South to defeat civil rights. And I mean just that.

They do it not so much by voting against civil rights legislation, if it is brought to the floor of, say, the House. In the Senate, protecting the southern filibuster, they talk against civil rights. The Senate is a body which cannot close debate by a majority vote. We cannot bring an issue to a vote by moving the previous question. It requires a two-thirds vote to limit debate, and thereafter each person is restricted to 1 hour, which ought to be enough even for a Senator. [Laughter.]

And what our southern friends do is to engage in interminable discussion, not intended to enlighten us on the question, but to prevent a vote from ever being taken; discussion, not for the purpose of enlightened discussion, but continuous discussion to prevent the majority from having its way. And we need a two-thirds vote to break that and to limit discussion to 1 hour per person. One hundred hours in all.

And when we try to move limitation of debate or cloture, as it is technically termed, we have the 22 votes from the 11 States in the Confederacy plus their allies, their allies from the Southwest, from the Mountain States, from the old border States, and their secret sympathizers from the North, who would not vote against civil rights, but will vote to prevent cloture.

And this is what is going to make it very difficult for the President's program to come through.

Now, I know many of you people are on the firing line in this question. Many of you come from the South. Many of you come from the border States and probably many of you have the same feelings and opinion as many of those in the Southern States. I understand that.

But let me say this: This country was founded on the principle that all men were created free and equal. [Applause.] Not necessarily equal in ability, certainly not equal in worldly goods, but equal in human dignity, equal in the sight of God. And if we are to be true to the faith of our founders, if we are able to be true to the Constitution of the United States, we should see to it that people are not degraded because of their color, because their grandfathers or great grandfathers in times past were slaves.

America is under judgment—under judgment of God, under judgment of our moral consciousness, under judgment of the world. And I appeal to you as members of the great labor movement, be true to your historic principles, stand for human rights and stand for human dignity, whatever the cost. [Applause.]

Now, in closing, and it is closing, let me mention two matters that you know about and for which I hope we can have your help. Namely, let us protect the consumers for a change. The people of the country have rallied behind your cause. Now give the consumers and the purchasers a break.

There are two bills that I invite your attention to. One is the bill chiefly sponsored by my great colleague from Michigan, Philip Hart—truth in packaging—so that the goods which you sell may correctly describe on the label the contents of the articles within. If there are 14 ounces passing as a pound, say it is 14 ounces and not pass it off as a pound. If there is a pint and a half masquerading as a quart, show it that it is a pint and a half and try to get away from some of the fancy language of Madison Avenue with a truthful description of the contents.

Who need fear truth? I think you will feel much more self-respecting if you stand for that principle than if your employers use you as a catch boy to foist off on the public things which are not so.

And now may I modestly mention a bill I am interested in. Phil Hart's bill is called Truth in Packaging. I call my bill Truth in Lending. And it bears the number of S. 750.

All that this requires is to provide that those who sell on the installment plan or who lend money to individuals should tell the buyers and the borrowers the truth about the finance charges; what these amount to in dollars and what they amount to as a true annual rate upon the outstanding unpaid balance. And I think those of you who work in department stores know what I mean. [Applause.] Or those of you who work in mail-order houses know what I mean.

You know, they have developed something that is called revolving credit. Revolving credit—this means that you are only charged 1½ percent a month on the amount that you owe after 30 days. Well that 1½ percent sounds fine, but if you carry through a little multiplication you know that with 12 months in the year, 1½ percent a month is 18 percent a year.

All we want to have is to have that monthly rate made into a yearly rate.

Something else again. I don't know whether any of you have ever bought a secondhand car or not. Jim, I suppose your people are so prosperous now that they don't buy them. But if any of you have bought a secondhand car, how often have you run into this: "How much does it cost?"

"Oh, the only cost is $50 a month for 24 months."

You see the ads in the papers all the time. They never tell you how much of that is for the car and how much is for the interest. But I say this, after taking a lot of testimony on this subject, we have found that the real rate of interest seldom goes below 24 percent a year, is commonly from 26 to 30 percent. We have found frequently interest rates of 60 percent, occasionally an interest rate of 100 percent, and once we found an interest rate of 180 percent a year.

And then there is another phase of this racket. People buy a car or a refrigerator or a television set or a set of furniture and then they have found they have not only bought this, but they have bought life insurance, too, on the installment plan, not to protect their families, but to protect the seller, and that the hidden premiums on this life insurance are two, three, four times the ordinary rate or that there are filing charges for papers that are never filed, and so on.

And finally—even the best banks do this—the interest rate is quoted on the original amount of the obligation and not upon the amount sold. Let's go back to the automobile. Let's say you do find out that the cost of the automobile is $1,000 and the interest charge is $200 for 2 years, 24 months, $100 a year. You say, "Well, that is only 10 percent."

But is it? You are paying off the principal gradually during this time and the average indebtedness is only half the original amount, so what seems to be a 10-percent interest, and sometimes it is hard for you to find out, is really a 20-percent interest, because you are paying interest on amounts which you have already repaid.

Now, as I have said, the Senate bill 750 has a very modest aim. We are not trying to fix a maximum rate of interest. We are not trying to put in a new usury law. We are merely trying to provide that those who buy on the installment plan or who borrow for personal purposes know the truth about what they are paying. The truth in two terms—as a total amount and as a true annual rate upon the outstanding unpaid balance.

We have had this bill up now for 4 years. We have never been able to get it out of committee. We have never been able to hold hearings outside the city of Washington. We have against us the usual opponents, the National Association of Manufacturers—Oh blessed memory—the Chamber of Commerce of the United States, the American Bankers Association, the automobile dealers. I am sorry to say we have the American Retail Merchants against us. They ought to be in better company because I think they are good fellows myself.

The personal finance people are against it, and we shortly expect that the battalion of death will be completed by the opposition of the American Medical Association and the American Farm Bureau. [Laughter and applause.]

We are going to have a big struggle to get this through. You, as retail salesmen and saleswomen, know something about the issues at stake. They are tremendous. The $63 billion worth of consumer credit outstanding and the $168 billion of home mortgages outside the farm total $231 billion. It is growing at the rate of $10 billion a year. It shortly will exceed the national debt and there are tremendous abuses connected with it.

We cannot pass this without the help of the working men and women of the United States who frequently, commonly, are on the receiving end of these high interest charges.

Now, what are the objections? There are two. One, it is said that it is too difficult to compute. That is not true. We have little slide rules—I wish I had brought them here. They cost a cent and a half. And on them you can figure this out.

We have a circular slide rule developed by the credit unions of this country which tells you the result down to a tenth of a cent. It is easy to compute. You no more have to know the formula and work out the details than you have to know the principles of the internal combustion engine to drive an automobile.

The other objection is that it can hurt business. If people knew how much the interest rate was, they would not buy. Now, you know, this reminds me of the objection that was advanced to the Securities and Exchange Act when that was first proposed. I sat in the hearing room of the Senate Banking and Currency Committee of which I am now a member, but at that time I used to be a bystander, and I heard the president of the New York Stock Exchange say, "If you compel issuing houses to tell the truth about the stocks and the bonds which they sell, it would ruin the securities business."

That seemed to me an extraordinary statement. It reminded me of what the Canadian humorist, Stephen Leacock, who was also an economist, once said. He said, "My friend, a professor said that a knowledge of Greek has made him what he now is. This is a very grave charge if it is true."

And I thought, if to tell the truth about the stocks and bonds business would ruin the securities business, that was a very grave charge if true.

I didn't believe it. We have passed the Securities and Exchange Act. It has helped the security business, it has helped segregate the decent dealers from the crooks.

Every year I go down on La Salle Street before the elections and tell the brokers how we have improved their character, which I know they value more than money, and ask for contributions because of the improvement in their morals, which I know we have affected. To date, however, I have not received any contributions from them. [Laughter.]

Now, let me say I don't believe it is going to hurt business at all. Quite the contrary, it will protect the decent salesmen, and people will save money on interest which they can then devote to purchasing more goods, and sales will go up. You will need more clerks and, Jim, there will be more members in the Retail Clerks International Union.

(The audience arose and applauded.)

PUBLIC ACCOMMODATIONS AND THE BRACERO LAW

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, it is not easy to find a good thing in something as evil as Public Law 78, but there is one thing in that law that is remarkable. Public Law 78 provides a strict antidiscrimination measure for the protection of the braceros—a public accommodations law, if you will.

Now, Public Law 78 has been approved by this Congress six times, so we know that the antidiscrimination measures called for in article 8 of the international agreement are given hearty approval by the proponents of the bracero program. Curiously enough, many of these same men are much concerned about the constitutionality of public accommodations provisions in the current civil rights legislation. It seems clear that if the provisions of the bracero program are constitutional, then so must be title II of the civil rights bill.

Therefore, I would urge my colleagues who are hesitant about endorsing the public accommodations provisions of the civil rights bill to be not afraid, especially if they have endorsed the bracero law—and many of them have, repeatedly.

Mr. Speaker, we often hear disparaging remarks about those politicians who say one thing one day and another the next, depending on to whom they are speaking. If a man votes for Public Law 78 and against title II of the civil rights bill, he is doing precisely that. He is saying on one day that you cannot discriminate against a person on account of his race or ancestry—and even authorizing a foreign government to help carry out the letter of that law—and on the next day deny the same rights to his own countrymen as he voted for in extending Public Law 78.

A man cannot be two things; he must be one or the other. If he votes to extend Public Law 78 and its antidiscrimination provisions, he must also vote in favor of the civil rights bill.

I would urge my colleagues who want to extend Public Law 78 to search their consciences. To be honest with themselves and with their constituents. They must support the civil rights bill if they support extension of Public Law 78.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HOSMER, until October 4, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CURTIS (at the request of Mr. BROMWELL), for 35 minutes, today; and to revise and extend his remarks.

Mr. ELLSWORTH (at the request of Mr. BROMWELL), for 20 minutes, on September 24.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. O'HARA of Illinois.

Mr. CELLER and to include extraneous matter.

Mr. BURKE.

(The following Members (at the request of Mr. BROMWELL) and to include extraneous matter:)

Mr. FINO.

Mr. ALGER.

Mr. KNOX.

(The following Members (at the request of Mr. EDMONDSON) and to include extraneous matter:)

Mr. POWELL.

Mr. COOLEY.

Mr. MONTOYA.

ADJOURNMENT

Mr. EDMONDSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 24 minutes p.m.) the House adjourned until tomorrow, Tuesday, September 24, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC,

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1225. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to extend the provisions of the act of August 11, 1959, Public Law 86–155, as amended (74 Stat. 396) to provide improved opportunity for promotion for certain officers in the naval service; to the Committee on Armed Services.

1226. A letter from the Chairman, Federal Home Loan Bank Board, transmitting a draft of a proposed bill to amend section 5 of the Home Owners' Loan Act of 1933, as amended; to the Committee on Banking and Currency.

1227. A letter from the Comptroller General of the United States, transmitting a report on overcharges by Westinghouse Electric Corp. for propulsion machinery for the aircraft carrier U.S.S. *Enterprise*, the contract under which this machinery was purchased having been awarded on February 27, 1957, by the Bureau of Ships, Department of the Navy; to the Committee on Government Operations.

1228. A letter from the Comptroller General of the United States, transmitting a report on procurement of defective rocker arm assemblies for combat vehicle engines from Hawk Tool & Engineering Co., Clarkston, Mich.; to the Committee on Government Operations.

1229. A letter from the Comptroller General of the United States, transmitting a report on excessive cost to the Government for leasing instead of purchasing analog computer systems for use under negotiated defense contracts by the Martin Marietta Corp. at its plant in Orlando, Fla.; to the Committee on Government Operations.

1230. A letter from the Assistant Secretary of the Interior, relative to a proposed amendment to the concession contract with Best's Studio, Inc., relating to providing a general art and photographic business for the public within Yosemite National Park for the period October 1, 1952, through September 30, 1963, pursuant to 67 Stat. 271, as amended by 70 Stat. 543; to the Committee on Interior and Insular Affairs.

1231. A letter from the Chief Commissioner, Indian Claims Commission, relative to reporting that proceedings have been finally concluded with respect to the claims of certain Indian tribes, pursuant to section 21 of the Indian Claims Commission Act of August 13, 1946 (60 Stat. 1055; 25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

1232. A letter from the Chief Commissioner, Indian Claims Commission, relative to reporting that proceedings have been finally concluded with respect to the claims of certain Indian tribes, pursuant to section 21 of the Indian Claims Commission Act of August 13, 1946 (60 Stat. 1055; 25 U.S.C. 70t); to the Committee on Interior and Insular Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE:

H.R. 8517. A bill to amend section 401(d) of the Federal Aviation Act of 1958 to provide for the issuance of certain certificates of public convenience and necessity; to the Committee on Interstate and Foreign Commerce.

By Mr. FOUNTAIN:

H.R. 8518. A bill to amend the Internal Revenue Code of 1954 to provide that charitable contributions to museums by individuals shall be deductible for income tax purposes under the 30-percent limitation of adjusted gross income; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 8519. A bill to provide that news reporters shall not be required to disclose confidential communications in Federal courts or before committees of Congress, and for other purposes; to the Committee on the Judiciary.

By Mr. KARSTEN:

H.R. 8520. A bill to extend the benefits of the Federal Employees' Group Life Insurance Act of 1954 to certain retired employees reemployed under conditions not terminating title to annuity; to the Committee on Post Office and Civil Service.

By Mr. HEMPHILL:

H.R. 8521. A bill to amend title V of the Federal Aviation Act of 1958 to provide that the validity of an instrument the recording of which is provided for by such act shall be governed by the laws of the place in which such instrument is delivered, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PATMAN:

H.R. 8522. A bill to amend title VII of the Public Health Service Act in order to make students of optometry eligible for student loans thereunder; to the Committee on Interstate and Foreign Commerce.

By Mr. RIVERS of Alaska:

H.R. 8523. A bill to authorize the conveyance of certain lands to the city of Saxman, Alaska; to the Committee on Interior and Insular Affairs.

By Mr. ROBERTS of Alabama:

H.R. 8524. A bill to amend the Uniform Code of Military Justice, and for other purposes; to the Committee on the Armed Services.

By Mr. WIDNALL:

H.R. 8525. A bill to amend the Internal Revenue Code of 1954 to provide an accelerated amortization deduction in certain cases for industrial or commercial plants and facilities constructed or established in economically depressed areas; to the Committee on Ways and Means.

By Mr. WILLIS:

H.R. 8526. A bill to amend the act of December 22, 1928, relating to the issuance of patents for lands held under color of title, to liberalize the requirements for the conveyance of the mineral estate, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WHITE:

H.R. 8527. A bill to provide for the disposition of judgment funds on deposit to the credit of the Kootenai Tribe or Band of Indians, Idaho; to the Committee on Interior and Insular Affairs.

By Mr. QUIE:

H.J. Res. 748. Joint resolution to authorize the President to issue annually a proclamation designating the first week in March of each year as "Save Your Vision Week"; to the Committee on the Judiciary.

By Mr. COLMER:

H.J. Res. 749. Joint resolution to authorize the President to issue annually a proclamation designating the first week in March of each year as "Save Your Vision Week"; to the Committee on the Judiciary.

By Mr. GATHINGS:

H.J. Res. 750. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. SLACK:

H.J. Res. 751. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. RAINS:

H. Res. 528. Resolution to provide additional funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 153; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Massachusetts urging the United States to convey the U.S.S. *Massachusetts* to the Commonwealth of Massachusetts as a State memorial, which was referred to the Committee on Armed Services.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DERWINSKI:

H.R. 8528. A bill for the relief of Zivko Zagradjanin; to the Committee on the Judiciary.

By Mr. HOSMER:

H.R. 8529. A bill for the relief of Mrs. Eugenie Ishkanian; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 8530. A bill for the relief of Robert Hunt; to the Committee on the Judiciary.

By Mr. QUILLEN:

H.R. 8531. A bill for the relief of Mrs. Kap Kyung Kim; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 8532. A bill for the relief of Ivan D. Beran; to the Committee on the Judiciary.

By Mr. THOMPSON of Louisiana:

H.R. 8533. A bill to permit the vessel SS *Sokna* to be documented for use in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

307. By Mr. SHRIVER: Petition of the Executive Committee of the Kansas Junior Chamber of Commerce opposing the passage of the domestic peace corps bill; to the Committee on Education and Labor.

308. By the SPEAKER: Petition of Burr Vail, manager, Stowe Area Association, Inc., Stowe, Vt., going on record as favoring the continued service of Northeast Airlines from New England and New York to Florida; to the Committee on Interstate and Foreign Commerce.

309. Also, petition of Robert W. Meserve, president, Boston Bar Association, Boston, Mass., relative to approving the civil rights bill pending in the Congress, including the provision relating to public accommodations, and urging the Senators and Congressmen from Massachusetts to support passage; to the Committee on the Judiciary.

310. Also, petition of Henry Stoner, Canyon Station Wyo., asking Congress to pass a resolution praising Secretary of State Dean

Rusk for his recent speech before the American Legion convention in which he pointed out that governments should be derived from the consent of the governed; to the Committee on Foreign Affairs.

311. Also, petition of Henry Stoner, Canyon Station, Wyo., relative to adopting a resolution requesting the Committee on Foreign Affairs to reexamine the advisability of having the United States at the United Nations to continue efforts to keep Red China out of U.N. membership, in view of the imminence of their development of nuclear warheads; to the Committee on Foreign Affairs.

312. Also, petition of Henry Stoner, Canyon Station, Wyo., relative to the Congress requiring to be published as a House document a study to be entitled "U.S. Federal Subsidies and Special Concessions to Big Business and Financial Institutions Throughout the Nation"; to the Committee on House Administration.

313. Also, petition of Henry Stoner, Canyon Station, Wyo., relative to Congress adopting a resolution to condemn the church bombing in Birmingham, Ala.; to the Committee on the Judiciary.

314. Also, petition of Henry Stoner, Canyon Station, Wyo., relative to Congress holding an inquiry to determine the constitutional eligibility of Mexican-born Gov. George Romney, of Michigan, for the Presidency of the United States; to the Committee on the Judiciary.

315. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting Congress to pass legislation requiring a permanent commemorative postage stamp for Yellowstone National Park; to the Committee on Post Office and Civil Service.

SENATE

MONDAY, SEPTEMBER 23, 1963

The Senate met in executive session at 10 o'clock a.m., and was called to order by the Vice President.

Dr. Morris Silverman, rabbi emeritus, Emanuel Synagogue, Hartford, Conn., offered the following prayer:

Father and Ruler of all mankind: In these days of confusion, conflict, and crisis, we turn to Thee for wisdom and guidance. Upon the President of these United States, the Vice President, and the Members of the Senate, we invoke Thy blessing. In the words of Thy Prophet Isaiah, may there rest upon them and upon all who exercise just and rightful authority

ונחה עליו, רוח יהוה רוח חכמה ובינה
רוח עצה וגבורה רוח דעת ויראת יהוה:

"ru-ah A-do-nai, the spirit of the Lord; ru-ah hokh-mah u-vi-na, the spirit of wisdom and understanding; ru-ah e-tzah ug-vu-ra, the spirit of counsel and might; ru-ah da-at v'yir-at A-do-nai, the spirit of knowledge and the fear of the Lord."

O Thou, who hast created man in Thine own image, let us never forget that Thou art the Father of all, that we are all Thy children, and we are therefore all brothers. Help us then to realize that we all bear a measure of responsibility for the lawlessness and tragedies that have brought shame and sorrow to our beloved land.

O Lord, open the eyes of those blinded by hate and prejudice. Implant within them a new heart and a new spirit, so that every one of Thy children will be given the opportunity to live in dignity and freedom.

Grant us courage equal to our responsibility, and wisdom equal to our strength. Under Thy guiding spirit, may the world which, through the advance of technology, has become a close neighborhood, now, through spiritual and moral forces, become a true brotherhood.

We pray, O heavenly Father, that the test ban treaty, if accepted by this august body, will mark the first step in world disarmament and will lead to universal peace, a peace based on justice and understanding, a peace that will bring freedom and security to all mankind throughout the world. Amen.

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

Mr. MANSFIELD. Mr. President, am I correct in understanding that the Senate is now operating under limited time?

The VICE PRESIDENT. The parliamentarian informs the Chair that the Senate will be doing so when morning business is concluded.

Mr. MANSFIELD. Mr. President, I thought the order was that the Senate would resume its consideration of the treaty at 10 o'clock. I do not intend to ask for a morning hour.

The VICE PRESIDENT. The order reads "at the conclusion of routine morning business."

Mr. MANSFIELD. Mr. President, I do not intend to ask for a morning hour.

The VICE PRESIDENT. Then, if there is no morning business, morning business is closed.

Mr. MANSFIELD. Mr. President, I yield myself 5 minutes on the resolution of ratification.

The VICE PRESIDENT. The Senator from Montana is recognized for 5 minutes on the resolution of ratification.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, first, I ask unanimous consent that the Committee on Post Office and Civil Service be permitted to meet during the session of the Senate today.

The VICE PRESIDENT. Without objection, it is so ordered.

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

Mr. MANSFIELD. Mr. President, I wish to use the remainder of my time to have a brief quorum call. I now suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I yield to the distinguished Senator from Connecticut [Mr. DODD] 20 minutes on the resolution of ratification.

Mr. DODD. Mr. President, almost 4 years ago I began a study of the question of nuclear testing, a study which has absorbed more time, energy, soul searching, and anguish than any other enterprise during my term in the Senate.

This inquiry led me into many controversies: first, in opposition to the unpoliced test ban moratorium under the past and present administrations; then in opposition to some of the extreme proposals of ban-the-bomb groups; and then in opposition to the comprehensive test ban agreement which our Government was attempting to negotiate with Great Britain and the Soviet Union.

These positions, in turn, led inevitably to a long series of speeches, debates, panel discussions, exchanges of correspondence, disputations with newspapers, discussions with our leading scientists and military figures—all of which made me painfully familiar with the arguments, philosophies, mysticisms, and opinions of all sides.

My opposition to previous test ban proposals was based upon one defect in these proposals—the absence of any real assurance that the Soviets would not test in secret, thus gaining critical advantages over us.

Clear vindication seldom comes in any dispute of this kind, and I do not claim it in these cases. But throughout the hearings and the floor debate on this treaty, it has been rather generally conceded that during the period of the moratorium, we lost our nuclear supremacy to the Soviets in important areas. In retrospect, I think few would deny that the moratorium was a grave mistake.

And the comprehensive test ban treaty has been abandoned. One of the reasons for its abandonment was the certain knowledge that such a treaty could not be confirmed by the Senate, because of its hazard to our national security.

The posture of being opposed to nuclear disarmament measures has always been an unhappy one. Like others in opposition, I was an object of the epithets, the cartoons, and the lampoons which the militant pacifists, in their supreme confidence of moral superiority, like to visit upon those who disagree with them. And, of course, there was the more venal abuse from Communist and pro-Communist sources.

But that was the least of the problem. The worst of it was the nagging inner conflict arising from a surface contradiction between the requirements of national security and the common wishes and aspirations of humanity.

To protect life, we are engaged in a grim race to perfect the means of destroying it; to preserve peace, we are engaged in a deadly competition to improve the means of waging war; to safeguard our security, we have plunged into an era of military technology which threatens to make security a meaningless term for everyone.

I was able to resolve these contradictions then, and can resolve them now, because of my conviction that the security and the survival of the United States constitute the indispensable precondition for the preservation of all the human values which we cherish.

Yet, from the beginning, I felt a heavy responsibility to seek an approach to nuclear disarmament which would reduce the specter of nuclear annihilation, would give expression to our highest national purposes, would meet our obligation for moral leadership, would give relief to the troubled millions of the world, and would do all these things without endangering our national security.

For 3 years, I have been advocating the prohibition of nuclear testing in the atmosphere and underwater. On May 27 of this year I restated this proposal in the form of a Senate resolution and introduced it with the cosponsorship of 33 other Senators.

The treaty before us today resembles that resolution in that it prohibits nuclear tests that contaminate the atmosphere or the oceans; it differs from that resolution in that it also prohibits testing in space, and it cripples the development of programs for the peaceful uses of atomic energy.

The virtues, defects, and limitations of this treaty are by now well known to all who have followed this debate.

Its virtues are that it hinders the development of superweapons of destruction; it substantially reduces the danger of radioactive fallout; it impedes, somewhat, the spread of nuclear weapons; it demonstrates our peaceful purposes and thus robs the Communists of an effective propaganda weapon; and it opens an avenue toward further negotiation which could bring us a little further along the path to peace.

Its defects are that it gives certain advantages to the Soviets in that it prohibits testing in those areas where they are slightly ahead of us and it allows testing in those areas where they are slightly behind us; it permits testing in outer space, testing which is technically possible but which at present is undetectable, thus opening us to the danger of secret Soviet violations; and it prohibits the kind of testing necessary to develop the peaceful uses of atomic energy.

Its limitations are that it does not prohibit the spread of nuclear weapons to those nations most likely to produce them; it does not reduce nuclear stockpiles; it does not halt the production of nuclear weapons; it does not restrict their use in time of war.

After weeks of balancing the virtues, defects and limitations of this treaty against each other, against the needs of our national defense, and against the hopes and fears of mankind, I have decided to vote for the treaty. I believe that the good in it outweighs the bad.

The precondition of my support is my belief that this treaty does not seriously endanger our national security. If I felt otherwise I could not support the treaty under any circumstances.

I am influenced to support the treaty for many reasons, in addition to the virtues I have described above.

Our national position as the leader in the struggle to preserve the values of Western civilization compels us to accept certain risks, disadvantages and dangers as the price of moral leadership.

In the great struggle to determine whether man will live in freedom or in slavery, we are right and the Soviet Union is wrong. Being right is a source of infinite strength to us and will be the reason for our ultimate triumph. Being right is also a source of grave disadvantage in the mortal combat which the Communists have forced upon us.

We cannot employ the ruthless, treacherous, conscienceless tactics of our enemies.

We must conform our national policies to the higher moral purposes which form the foundation of our country and our civilization.

We must, if we are to prevail, make our appeal to the higher instincts of men; to their compassion, to their charity, to their love of justice, to their belief in the sacredness of human life. And we must, because we believe in these things, carry many burdens and take many risks that our professed enemies are not required to undergo. It is this that distinguishes us, in the final analysis, from the Communists and we must bear witness to that distinction even though by so doing we incur certain dangers.

The risk, of course, must be reasonable; but we will be always in the position, both in what we must do and in what we must refrain from doing, of carrying burdens and running risks out of our adherence to the right.

Another reason for supporting this treaty is that there is no practical alternative to ratification. To reject the treaty would disable us in many ways:

The administration would be estranged from the Congress on this issue and would doubtless turn to unilateral moratoriums, or else return to the 75 percent moratorium which characterized the pre-treaty period. This would be worse than the treaty.

The disarmament extremists, who have been temporarily neutralized by the treaty proposal, would gain control of the test ban movement and would launch a violent assault against our nuclear preparedness which might paralyze our whole program.

The Senate is confronted with three other situations which ought to have no part in our deliberations, but which must have a part because of the way the treaty was presented to the Senate as a virtual fait accompli.

If we reject it now, the Communists would launch a tremendously effective propaganda war against us as hypocrites and warmongers; the stature and leadership of the President, so important to the free world alliance, would be undermined by such a crushing rebuff; and the moral posture of our country and thus, in a sense, our capacity to lead, would be badly tarnished.

Beyond the advantages of ratifying the treaty and the disadvantage of rejecting it, there are a series of unqualified pledges that have been made by the President which have made it possible for me to support this treaty. They are of two kinds: pledges of future action on our part which reduce the risks to acceptable proportions; and pledges which clarify the disturbingly vague wording of the treaty on a number of points.

The President has made the following solemn guarantees to the Senate which I believe are essential to the ratification of this treaty:

First, that there will be a vigorous underground test program; second, that our atmospheric facilities will be kept in a state of standby readiness; third, that we will take measures to assure the maintenance and vigor of our nuclear laboratories; and fourth, that we will move as rapidly as possible to improve our ability to monitor the terms of the treaty and to detect violations in the atmosphere, in space, and underwater.

The President and the State Department have also issued the following clarifications:

First, that the treaty involves no degree of recognition of the East German Government; second, that it will not prevent immediate recourse to nuclear arms in the event of hostilities; and third, that 90 days' notice of withdrawal will not be required if the Soviets should violate the treaty.

Two weeks ago I circulated among my Senate colleagues a series of understandings which I proposed to attach to our resolution of ratification. Three of these understandings sought to achieve what the President has since guaranteed. I, therefore, consider it unnecessary to offer them on the floor of the Senate, and I withdraw them.

A fourth understanding seeks the same objective as that sought by the distinguished senior Senator from Georgia [Mr. RUSSELL], who has drafted an amendment to guarantee the right of the Senate to pass on any amendment to this treaty.

I know that the Senator from Georgia [Mr. RUSSELL] is attempting to work out an agreement on this point, acceptable to all. I support him in his effort and shall not press my own amendment.

There is one final protection we have, and that is our right to withdraw from the treaty if we decide that extraordinary events have jeopardized the supreme interests of our country.

It is, of course, more difficult for a democratic country, with all its sensitivity to world opinion, to withdraw from such a treaty than it is for a totalitarian government. Nevertheless, let us keep in mind that the administration requested the insertion of this clause, on the recommendation of the Joint Chiefs of Staff. What this signifies to me is that the administration and the Joint Chiefs both recognize the possibility that some future combination of circumstances may make our withdrawal from the treaty imperative for reasons of national security. I believe that we should keep this affirmation in mind; and I believe that the Senate, once it consents to the ratification of the treaty, has the moral duty to reevaluate our position under the treaty at periodic intervals.

Mr. DOMINICK. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator yield?

Mr. DODD. I am happy to yield to my friend the Senator from Colorado.

Mr. DOMINICK. I should like to add to the statement the Senator is making as one of those who strongly support the Senator's understandings. It seems to me, in the process of considering the treaty, that the U.S. Senate is faced with a choice between evils. We do not face a choice between good and bad. We do not face a choice which permits a clear-cut decision either way.

I had hoped that the Senator would continue to press for his understandings, in order to write into the document itself what the Senate believes to be necessary in the process of endorsing the treaty.

Since Senators are not faced with a clear-cut decision, it seems to me, considering what the distinguished Senator from Georgia [Mr. RUSSELL] and the distinguished Senator from Mississippi [Mr. STENNIS] and the committee have said, that if we ratify the treaty we shall put ourselves in a posture of net military disadvantage. There is an evil on that side, which concerns people throughout the Nation. Yet, as the Senator has properly said, if we do not ratify the treaty we shall place into the hands of the international Communist conspiracy a weapon to use throughout the world which might be insurmountable so far as the free world effort to contain or to inhibit communism is concerned.

It seems to me we face a choice between evils. The question is, which is worse?

I have come to the conclusion—and I have made a public statement previously to this effect—that the greater evil would be not to ratify this treaty. I say that because the Communists have been gaining throughout the world, and particularly in the past 2 years, at enormous speed in various sections of the world, in the face of a clearly superior nuclear force in our possession. They have been doing this by infiltration and subversion, by propaganda, and by terror. They have been doing it in Cuba, throughout Latin America and South America, by these means.

I am sure the Senator is aware of the statements which have been made on the floor of the Senate as to the necessity for doing something about the Cuban situation, and doing it rapidly, before the same infiltration occurs throughout this hemisphere. For this reason it seems to me that a failure to ratify would be the greater of the two evils, but I am perfectly willing to concede that this is not necessarily the right conclusion, nor is it necessarily the opinion which many Senators will entertain.

I should like to ask the Senator a couple of questions, if he will yield for that purpose. Does not the Senator think that before the treaty was signed we should have insisted that the Russians live up to their agreement to remove their troops and weapons from Cuba? Does the Senator not think we should have insisted, before any other nation could sign the treaty, that the treaty be approved by the U.S. Senate?

Those are two questions on which I should like to have the opinion of the Senator.

Mr. DODD. I shall try my best to answer the questions.

I appreciate the support the Senator has given to the understandings I have submitted. I am sure the Senator understands my reasons for withdrawing them, which I have explained.

With respect to the question as to whether we should have insisted that the Russians withdraw their troops from Cuba before we agreed to this treaty, I am inclined to say "No." I think this is one matter which we have to take up on its own merits. I have not favored dragging in the Cuban situation, because I think it would not cure the Cuban trouble. It would only confound our problems with respect to a ban on nuclear testing in the atmosphere, in the oceans, and in outer space.

Would the Senator restate his second question?

Mr. DOMINICK. The second question was whether the other nations should have been permitted to join in on the treaty prior to approval by the U.S. Senate.

Mr. DODD. I fear that if we prevented other nations from signing, we would have put ourselves in an unfavorable light with the people of the world. It seems to me it would be presumptuous, and we might even be suspected of being arrogant if we announced we would not allow anyone else to agree to the treaty until we made up our minds.

I fear—I say to my friend from Colorado in all earnestness—that we would not look very good in the eyes of others if we followed such a course.

My view of this problem has been that we ought to look at it in the light of trying to reach an agreement, if possible, on the substance of the treaty, and not confuse the issue with extraneous questions.

I do not believe this is the best of all treaties, by any means. I do not believe anybody else does.

I summed it up about as well as I could when I said that the good in it outweighs the bad.

Mr. DOMINICK. I thank the Senator. Will the Senator yield further?

Mr. DODD. I am happy to yield. I do not have much time remaining, unless the majority leader will yield to me a few more minutes.

The VICE PRESIDENT. The time yielded to the Senator from Connecticut has expired.

Mr. FULBRIGHT. Mr. President, I yield the Senator 5 more minutes from the time on the treaty.

The VICE PRESIDENT. The Senator from Connecticut is recognized for 5 additional minutes.

Mr. DODD. I thank the Senator from Arkansas. I am happy to yield to the Senator from Colorado.

Mr. DOMINICK. I thank the Senator. It seems to me that what we are not doing in this treaty is perhaps more important than what we are doing. I hope we are not fooling ourselves or any of the people of the United States into believing that this is a step toward peace, because I cannot see how this is a step toward peace.

I had the opportunity, as I am sure most other Senators had, to talk with Mr. Harriman at breakfast one morning after he had come back from the negotiations. I specifically asked him a question on that particular point. I am not going to try to quote Mr. Harriman's reply exactly, because my memory is not that good, but his reply was to the effect that Mr. Khrushchev himself said at the meetings during the negotiations that no one should concede that this was a step toward peaceful coexistence within the terms of which we think, that it was merely a method of stopping the testing, and that the ideological conflict would continue worldwide.

It seems to me this is quite important and must be emphasized.

Mr. DODD. I am grateful again to the Senator for his contribution. We might agree, however, whether Mr. Khrushchev admits it or not, that if we can get a valid, effective and trustworthy ban on testing in the atmosphere, in the water, and in outer space, it will be a step toward peace. Mr. Khrushchev can call it anything he wishes, but in my view of things it is a step. As we all agree, it is not a great step, but a step nonetheless.

Mr. JAVITS. Mr. President, will the Senator yield very briefly to me?

Mr. DODD. I am happy to yield to the Senator from New York.

Mr. JAVITS. Mr. President, I wish to ask the Senator a question because of his colloquy with my distinguished friend, the Senator from Colorado.

There will be before the Senate a reservation with respect to the withdrawal of troops from Cuba, to be offered by the Senator from Arizona [Mr. GOLDWATER], which will raise the question of tying the treaty in to all of the cold war issues.

I should like to ask the Senator a question in this regard, because he has had to think through his position so thoroughly in taking the stand he did this morning, to remove from the argument the question of understandings and to rely upon the commitments—we are now talking as lawyers—made by the President and our Government.

Is it not a fact that the minute we open up the cold war issues, such as the withdrawal of troops from Cuba, we put the Russians in a position that they perhaps will have to take some of the Communist Chinese positions in respect to things about which the Communist Chinese have been "beating them over the head" every day? The Communist Chinese are saying, "You should make a condition that bases be closed in Turkey." "You should make a condition that U.S. troops be withdrawn from Germany." "You should make a condition that there be a nuclear free zone between Western Europe and Eastern Europe."

Would we not be putting ourselves in the danger that Khrushchev, if we did not pick up his bid, might find himself forced into making a stronger alliance with the Communist Chinese?

Mr. DODD. Yes; I think this is a definite hazard and a danger. More importantly, I think, if it was in our interest to include the other cold war questions, it should have been done before we got into the finalities of the treaty. Maybe that was not possible. I do not know. It should have been possible. I am only suggesting that our negotiators, sometime before we even agreed to discuss this problem, might have included those questions. The important thing is that if all parties will live up to the agreement, I do not see how any man of reason can say it is not progress, that it is not moving ahead. It is moving ahead in a limited way, but it is moving ahead in some way.

Finally, if the Senate should adopt such reservations, my understanding is that the treaty would have to be renegotiated. This might be fatal to prospects of arriving at an agreement.

Mr. JAVITS. The least one could say as to the cold war questions is that we would have a slightly better prospect of arriving at some agreement with this step than we would if we had made no step at all.

Mr. DODD. That is correct.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The time of the Senator has expired.

Mr. MANSFIELD. Madam President, I yield 5 additional minutes to the Senator from Connecticut.

Mr. DODD. I thank the Senator from Montana.

Madam President, I hope that it will never be necessary for the Senate to recommend that the administration withdraw from the treaty in the manner prescribed in article IV. But if it becomes clear after the passage of time that the treaty is not one that restricts both sides equally and serves both sides equally, and that it is, on the contrary, progressively weakening the relative position of the United States, then the duty of the Senate will be clear; it will have no alternative but to recommend withdrawal.

The Senate Preparedness Subcommittee is charged with the responsibility of examining our military preparedness in all its aspects, so that the Senate may act with its guidance and assistance on all matters relating to our military preparedness and our national security. It falls naturally within the purview of the subcommittee's mandate to monitor the conduct of our future test program and to reassess at periodic intervals the impact of the treaty on the defensive posture of the free world.

It is my intention to introduce a sense resolution calling upon the Senate Preparedness Subcommittee to submit to the Senate at periodic intervals reports on the status of our underground test program, on the status of our laboratories, on the observance of the treaty, and on the impact of the treaty from the standpoint of our national security.

The debate is almost over. The decision is at hand. Ratification is assured. If our decision is in error, history will judge us harshly.

Yet, that judgment should be tempered with mercy. For we are ordinary men who have been forced by circumstances to attempt to foretell the future. We are required to choose between two sets of imponderables.

It is not in our power to improve the treaty. We can only accept it or reject it. Either we grasp at this frail hope, or we let it pass, perhaps forever.

We have surrounded this treaty with safeguards. We have dedicated ourselves to be honest in our observance of it, and to be vigilant in our insistence that others observe it.

I do not know what more we in the Senate can do. Our ratification of this treaty is one sense an act of faith; not of blind faith, not of heedless faith, but rather of a larger faith in human destiny.

We have reached out of the maelstrom in an attempt to assure the future of humanity.

Acting in good faith, acting with noble purpose, our tradition encourages us to hope, and to believe, that this enterprise will be touched by the hand of God.

INCREASED PAY FOR MEMBERS OF THE UNIFORMED SERVICES

Mr. MANSFIELD. Madam President, I yield 1 minute to the Senator from Nevada [Mr. CANNON].

Mr. CANNON. Madam President, I ask unanimous consent that, as in legislative session, a message from the House of Representatives on H.R. 5555 be laid before the Senate.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 5555) to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CANNON. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL, Mr. CANNON, Mr. ERVIN, and Mr. SALTONSTALL conferees on the part of the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 5888) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FOGARTY, Mr. DENTON, Mr. CANNON, Mr. LAIRD, and Mr. MICHEL were appointed as managers on the part of the House at the conference.

ORDER OF BUSINESS

Mr. MANSFIELD. Madam President, I yield 20 minutes to the Senator from Utah [Mr. MOSS], but I wish to state it is the intention of the leadership to try to divide the time on the treaty as nearly eqally as possible between the proponents and the opponents.

Mr. DIRKSEN. Madam President, will the Senator from Utah yield 2 minutes to me so that I may yield to the Senator from New York [Mr. JAVITS]?

Mr. MOSS. I yield.

ANTI-JEWISH DISCRIMINATION IN THE U.S.S.R.

Mr. JAVITS. Madam President, I have taken the time of the Senate only because of an act that is about to be carried out in the Soviet Union. It is proposed to execute a rabbi of the Jewish faith for a so-called economic crime. As has so eloquently been said, in a civilized nation it is inconceivable to set capital punishment as a penalty for dealing even in illegal currency exchange.

The tragic fact of government-inspired anti-Jewish acts is showing itself again in the Soviet Union and the steady succession of confirmed news reports about arrests, trials and executions presents an increasingly dangerous situation for the 3 million Jews of the Soviet Union.

The scope and intensity of recent Soviet discriminations against Jews should remove any remaining doubts that the Jews have been singled out for such special attention by the Kremlin.

An aroused world must find ways and means to stop this evil design; our generation has lived through enough horrors to be very sensitive to such anti-Jewish manifestations notwithstanding that Soviet law which makes anti-Semitism a crime. Within the last 2 years at least 83 Jews have been executed out of a total of 140 persons condemned for alleged economic offenses. Mass trials in many cities have been markedly anti-Jewish and Soviet newspapers while loudly denying any prejudices have conspicuously played up the names of rabbis—a special Soviet favorite—and the Jewish connections of the accused.

The campaign of vilification is widespread in the rigidly controlled Soviet press which has been describing Russian Jews as un-patriotic, disloyal, and subversive. Such an effort to build up anti-Jewish stereotypes in provincial Soviet newspapers, particularly in the Ukraine, White Russia, and other regions known for historic anti-Semitic feelings is not a happenstance in a government-controlled press like that of the U.S.S.R. A number of Jewish religious leaders have been sentenced to long terms of imprisonment on charges of communicating with the Israel Embassy in Moscow in an obvious effort to discourage any hope any Soviet Jews may have had of emigrating to Israel.

It is an irony of history that Jews who once were driven out of Russia in vast numbers should now be deprived of the right of emigration and held captive in this way. Along with these measures, the Soviet anti-religious drive has been stepped up against all religious groups but hitting especially hard at Jews, alleging the use of synagogues for black market profiteering and other subversive activities. Synagogues have been padlocked on flimsy pretexts; and just this week, on the eve of the high holy days, the only remaining synagogue in

Minsk, once a great Jewish cultural center, was shut down permanently. Burial in the Jewish cemetery in Minsk has been prohibited. A similar order was issued in Moscow to shut down Jewish cemeteries in that city.

This campaign of oppression includes a ban on the last remaining kosher butcher shop in Moscow which Soviet police closed recently because of alleged unsanitary conditions. The baking of matzos for Passover has been prohibited for the last 2 years, and just 2 days ago the appeal was rejected of three elderly Jews who had been in prison for baking matzos in their own home and selling them.

Countless other vicious measures are being employed by the Soviet Government to break down Jewish religious loyalty and cultural identification. No communication with Jews outside the U.S.S.R. is permitted; religious teaching is forbidden; no Jewish books or periodicals are permitted; no theater, no vestige of Jewish culture is allowed to exist.

Let us make no mistake about Chairman Khrushchev's determination to weaken Jewish life in the Soviet Union. Russian Jews are cut off from the rest of the world; they cannot speak for themselves because they live in a closed society where free speech does not exist. They dare not show their interest in Israel, because of fear of reprisals. On their domestic radio they can hear only the voices of pro-Arab propagandists parroting the cruel and flinty anti-Israel line.

The world must protest loud and long if there is to be any hope for the captive Jews of the Soviet Union. Past experience shows that Chairman Khruschev is sensitive to any charge of anti-Semitism. The Soviets pride themselves on having made anti-Semitism a criminal offense—even though this law is seemingly honored more in the breach than in the observance. In view of the insistent and reliable reports which continue to come out regularly, the Kremlin owes the world an explanation which should be clear, unequivocal, and backed by action to show it means to implement its anti-Semitic law.

Quiet protests even on a high level apparently will not work. President Eisenhower in 1959 told Chairman Khrushchev of the great concern of Americans about the treatment of Soviet Jews during the Camp David discussion period. This was followed up by former Secretary of State, Christian Herter, who again expressed our concern this time to Soviet Foreign Minister Gromyko and by others. Efforts in the United Nations have so far not proved effective. Worldwide protest is needed.

The ghastly history of Germany's Jews in the 1930's and 1940's, and of Stalin's "Jewish doctor's" terror, are a constant reminder to the world that timely vigilance and protest are demanded of us all. We must do everything in our power individually and collectively to sound the alarm and speak out against the grave danger to Jews in the U.S.S.R. A great surge of indignation—the determined protests not only of Jews but of all free peoples who treasure the rights of the individual must sweep across the world powerfully enough to stop the deadly progression of Soviet anti-Jewish actions.

I ask unanimous consent to have printed at this point in the RECORD an editorial from the New York Herald Tribune of today, entitled "Executing the Rabbis," and an article from yesterday's New York Times.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune, Sept. 23, 1963]

EXECUTING THE RABBIS

Russia, we know, is a land of contrasts, but some of the contrasts being provided by a prominent Soviet citizen, Nikita Khrushchev, give cause for considerable concern. On the one hand, he is credited with having relaxed the iron grip of previous Russian rulers. But on the other, he is about to commit a barbarous act of which not even his inhumane predecessor, Stalin, had been accused.

We refer to the sentencing of a Russian rabbi to death on charges that he had committed "economic crimes." No one in the civilized world can possibly accept capital punishment as a penalty for engaging in currency exchange, even if the rabbi were guilty of that offense. If Mr. Khrushchev carries out the sentence, we shall have to conclude that the only way he finds it possible to exterminate Judaism in the Soviet Union is by executing its rabbis.

[From the New York Times, Sept. 22, 1963]

U.S. JEWS PROTEST TO SOVIET ON RABBI SENTENCED TO DEATH

(By George Dugan)

The Rabbinical Council of America, representing more than 850 Orthodox rabbis, has lodged a formal protest with the Soviet Embassy over the death sentence imposed on a rabbi last month by a Soviet court for alleged speculation in foreign currency and gold.

In a letter to Anatoly F. Dobrynin, Soviet Ambassador to the United States, Rabbi Abraham N. AvRutick, president of the council, charged that the sentence "leaves us with a feeling that a campaign is being waged against religious Jewry in Russia."

The letter dated September 6, continued: "We feel that it is indispensable that the Soviet authorities grant full civil, religious, and communal recognition to the rights, guarantees, and privileges of their Jewish citizens. Surely, a great country like Russia should not have to persecute a small minority of dedicated people. It hardly adds to the dignity of your country or its reputation in the council of nations."

ONE OF THREE CONDEMNED

The rabbi condemned by the Soviet court was identified by the Russian Republican newspaper, Sovetskaya Rossiya, as B. Gavrilov. The newspaper reported that the sentence was handed down after a 4-week trial in the Caucasus spa of Pyatigorsk.

The rabbi was one of three persons condemned for so-called economic crimes. He was said to have set up a "real money-changing office" at his home according to the Soviet newspaper. It did not indicate whether he headed a congregation.

Rabbi Bernard Twersky, press officer for the Rabbinical Council, said that if no answer was received "in a few days" the U.S. Government would be asked to intervene with the Russian delegation at the United Nations.

Dr. Nahum Goldman, president of the World Jewish Congress, reported on September 12 a slow but steady deterioration in the position of Jews in the Soviet Union. He said he believed the entire Soviet Jewish community was being dismantled and spoke of the exceptional ferocity that was applied to Jews convicted of economic offenses. Quoting figures in the Soviet press, he said 140 persons had been condemned between July 1, 1961, and July 1, 1963. He also proposed reviving a campaign to mobilize world opinion to bring about a more tolerant Soviet attitude. His report was submitted to members of the international conference on the situation of the Jews in the Soviet Union.

PENALTY CALLED EXCESSIVE

In his letter to the Soviet Ambassador, Rabbi AvRutick said that while the council cannot comment on the nature of the charge against Rabbi Gaurilov because of lack of information, "We do feel that the penalty far exceeds the alleged crime." A similar protest was voiced last week by Rabbi Yitzhak Nissim, chief rabbi of Israel.

Meanwhile, the rabbinical assembly, an international association of conservative rabbis, has asked its members to devote their Yom Kippur sermons to the plight of Jews in Russia. Yom Kippur, the Day of Atonement, begins at sundown on Friday.

The request was issued by Rabbi Theodore Friedman, president of the assembly.

"All reliable observers agree," he said, "that unless some significant shift in the Soviet position vis-a-vis Jewish religious and cultural life in Russia takes place within the next decade or so, that once great reservoir of Jewish life is doomed to extinction.

"There is no more suitable occasion for bringing this situation to the attention of our people as effectively as we can, than on the high holy days, when we discuss the fate and future of our people."

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

Mr. MOSS. Madam President, I shall vote to approve the nuclear test ban treaty. I will do this in soberness and after full and deep study and reflection. I will not seek sensationalism by claiming motives which override threats of political oblivion.

This is a time to do one's duty and to forget political advantage. This is the time to reaffirm the bipartisan nature of our dedication to basic foreign policy. The vote of the Foreign Relations Committee and the support given by the distinguished minority leader and the distinguished assistant minority leader encourages me to believe the Senate majority in favor of ratification will be overwhelming.

The signing of a nuclear test ban treaty is a continuation of a policy consistently followed by previous Democratic and Republican administrations. We were reminded of this forcefully by my colleague, the junior Senator from Illinois, last week when he so eloquently emphasized statements in the Republican platform of 1960. It stated:

> We advocate an early agreement by all nations to forgo nuclear tests in the atmosphere, and the suspension of other tests as verification techniques permit. We support the President in any decision he may make to reevaluate the question of resumption of underground nuclear explosions testing.

Senator DIRKSEN added:

> I do not subscribe lightly to party platforms. I have served on the platform committee of my party when such solemn words were indited. We advocate an early agreement by all nations to forgo nuclear tests in the atmosphere. This is what we seek in the treaty today.

My colleague also said he regarded platform commitments "a covenant made to be kept."

In like manner, the Democratic platform of 1960 stated:

> Our primary task is to develop responsible proposals that will help break the deadlock on arms control. Such proposals should include means for ending nuclear tests under workable safeguards.

My colleague, the senior Senator from Idaho [Mr. CHURCH], reminded us in his statement that U.S. efforts for international control date back to less than a year after Hiroshima and Nagasaki, when in the United Nations our spokesman offered the original proposal in words which I believe will be immortal:

> We are here to make a choice between the quick and the dead. That is our business.

I am extremely hesitant to rephrase that solemn observation, but the fact remains that we today are here to make a choice between the quick and the dead tomorrow. This is our business.

Our strivings for some international formula to govern the use of atomic energy have continued since we first took the initiative with Mr. Baruch speaking for us. Those efforts have borne fruit in the nuclear test ban treaty before us.

No matter of this significance should be ratified without the most careful consideration—and this the treaty has had, from several committees and from Members on both sides of the aisle.

Most of the attention in these deliberations has gone to the effect of the treaty on the military defense of the free world. And it is inevitable that such military considerations come first.

Regardless of the dangers in continued nuclear testing, we should not discontinue if the military risks are too great.

The development of superweapons—and the means of delivering them—has put the civilian population of our Nation on the frontline. We can no longer separate combatants from noncombatants.

The risks are great, but certainly no greater than now.

I understand that the great weight of military, scientific, and diplomatic opinion is that the treaty is acceptable—that it is in fact a gain for our military security.

The terms of the treaty were most carefully negotiated.

The Secretary of Defense and the Joint Chiefs of Staff have testified in favor of ratification.

More than 40 Nobel laureates have made public their approval of the test ban treaty and subscribe to the belief that this treaty "marks a significant if minimal first step in reducing tensions of a continued nuclear arms race thereby enhancing the security of the United States."

Our President has spoken to all the world, before the United Nations, pledging America to continue our search for peace. However, it is not to the military but rather to the treaty's other aspect—the need to limit radioactive fallout—that I shall direct most of these brief remarks.

In the present instance, Madam President, the Greeks do not have a word for it. We must turn to the Japanese for the best description—shi no hai, ashes of death—and history has made the Japanese the best knowing to father that phrase.

Members of this body face a choice. They can favor conserving the first "small ray of light" to pierce the deepening gloom of many years. Or they can condone an intensification of that darkness, regardless of how more densely flecked it becomes with ashes of death.

If that expression is too blunt for the sensibilities of any of my colleagues, they are free to substitute for it the synonym—radioactive fallout.

To my mind, an end to the production of more ashes of death in an already contaminated atmosphere is the heart of the question before us. It is the principal reason why approval of the nuclear test ban treaty has my stanchest support.

What have been the injurious effects in this country of radioactive fallout to date? Geneticists can only theorize. It will take generations in all likelihood to confirm their theories.

As the world-renowned authorities on radiation, Drs. Schubert and Lapp, warned us several years ago when they discussed radiation hazards:

> We are now some 60 years separated in time from that historic moment when Dr. Roentgen discovered X-rays and gave to his fellow man the priceless gift of radiation. With it science has been granted the power to explore the unknown and to penetrate into the subtle mysteries of living cells. The witless cells seem to have resented this intrusion into their private life. The cells and genes—man's structural entities and the patterners of his future—tolerate so much radiation and then they revolt.
>
> Man's understanding of the gene and its role in the building of a complex biological organism is exceedingly primitive. But poor though this knowledge is, we know enough to foresee dreadful consequences if radiation hazards multiply and are uncontrolled. How fortunate it is that our discovery of radiation is paralleled by our knowledge of its deleterious effects upon the gene. Otherwise, ignorance of the consequences of irradiating man might induce great recklessness. Some may say that man adjusts to all things and that some day he may learn to live with radiation too. If man emulated the fruit fly in his breeding habits, perhaps this optimism might be justified and the earth would eventually be peopled with radiation-resistant individuals strong enough to survive. But man is no fruit fly. If he learns to live with radiation, it will be only through mastering its use and controlling its hazards.

The new figures on the quantities of radioactive iodine to which my State of Utah has been subjected provide shocking evidence of the terrible unknowns that can exist in the nuclear field.

A new study by the U.S. Public Health Service has been prompted by the fact that Utah and Nevada have been exposed to high levels of radioactive iodine.

While we are aware of the role of large amounts of radiation in causing leukemia and other forms of cancer, much more must be learned about the effect of low-dose radiation such as that imposed by fallout. For these reasons, among others, we must limit or cease atmospheric, water, or soil contamination.

Through the treaty discussions this question has frequently been put: What has caused Mr. Khrushchev to change his mind?

Some claim to fear that this apparent change of heart means possession by the Russians of an unrevealed advantage in weaponry.

The distinguished chairman of the Foreign Relations Committee gave attention to the question in his opening remarks on the treaty. Both the President and Secretary Harriman have included it in their discussions.

On September 12, the Washington Post suggested that the hazard to the world's health may have had much to do with Mr. Khrushchev's decision, saying:

> As early as December 1961, N. P. Dubinen, of the Institute of Cytology and Genetics, wrote in a Soviet scientific journal an article on the "Analysis of the Effect of Radiation on Cellular Nuclei of the Culture of Embryonal Human Tissues." He concluded: "The effect of ionizing radiation in the range of small doses, starting with fractions of roentgens and higher, acting on humanity as a whole, represents a real danger to future generations and threatens the irradiated individuals themselves as possible causes of malignant tumors."
>
> The weight of the world's scientific opinion is that radioactive fallout from testing has increased (and future testing would further increase) the hazards due to natural radiation; that any increase is likely to cause some additional somatic and genetic damage.

It is well known that Americans and Russians working in scientific and technical fields have been able to talk to each other freely and fruitfully. Our cultural exchanges have been most successful and our exchange of knowledge in fields of production has brought benefits to both countries. I speak from personal experience.

In 1959, I headed a special subcommittee of the Senate Committees on Public Works and Interior and Insular Affairs to Russia. Our mission was to compare Russian hydroelectric development with ours. We traveled 18,000 miles in the Soviet Union making the inspections upon which our report was based. We were cordially received. The subject of our visit was freely discussed.

The private power industry has also sent inspection teams to Russia. I understand that they, too, were well received and dealt with frankly. Since our visit, the Russians have sent power ministry officials here to view our electric power projects. Similar exchanges have taken place in other fields of interest.

Surely it is a reasonable assumption that the Russian scientists and industrialists and most certainly the people are quite as concerned as ours with limiting the poisoning of the atmosphere, and have made this point with the Russian Government. Even a dictatorship is subject to pressures of its people.

In their public statements, treaty opponents have stressed the fact that the atmospheric content of radioactive pollutants is well below what is believed to be tolerable levels.

Yet closer examination shows this to be one of the strongest arguments in favor of ratification of a test ban treaty here and now.

Let us remind ourselves that the contamination of the environment of which we are the creatures is a problem which our generation is the first to face.

As we continue to unlock the secrets of the universe, as we put to work more and more of the earth-stored energy that is our common heritage, we must begin to fashion safeguards against contamination of our environment.

The problem which forces our consideration of the nuclear test ban treaty today is but one manifestation of the growing power of man. It is but the most dangerous aspect of a problem which, to an evergrowing degree, must demand our attention.

In the weapons field, and in others, we have unleashed forces which we must learn to control.

The report of the Senate Select Committee on National Water Resources and the water pollution abatement legislation we are even now considering have made us aware of the contamination of our waterways.

The dangers of new pollutants such as pesticides and herbicides have recently received much publicity.

In the Public Works Committee we have just been holding public hearings on the air pollution that is a growing menace to our large cities.

And the committee has this year created a new Subcommittee on Air and Water Pollution.

If we are wise, we will take steps in time to meet the dangers of which I speak.

And we are fortunate that we have this opportunity to consider the treaty while radioactivity remains at tolerable levels. Were the radioactive pollution of the atmosphere as far advanced as the contamination of our waterways or the air over our cities, we should have no choice but to ratify. Because it is less is no reason to delay.

In ratifying this treaty we do not abandon military consideration, for we can vote, secure in the knowledge that, if this treaty does not succeed we can at once begin to conduct more atmospheric tests.

But surely it is of the greatest importance that we do try, that we do take what may be only a first step toward that goal which must be reached if the race is to survive.

The question of proliferation of nuclear powers is one which the opponents of the treaty have almost completely ignored.

If several nations begin testing, a dangerous increase in the atmospheric content of ashes of death is almost sure to occur.

Few countries, it is true, now have the means to develop nuclear weapons. But many have the knowledge. With the speed of change in our world we have no way of knowing how soon technological advancement and human ingenuity may bring an atomic or a nuclear capability within the means of many nations.

We must hope this treaty—in combination with overwhelming world opinion—will prevent proliferation. Otherwise we may face the gravest decisions on how we can impose on sovereign nations controls for which there are no precedents or sanctions in international law or experience.

My correspondence indicates that many of our countrymen seem to assume that invoking the 90-day abrogation clause would be a breach of the treaty.

I do not so regard it. And I believe this point must be made clear.

It is perfectly proper for us to cancel the treaty with notice. The document itself so provides. Such action would be in no way a breach of faith. We must be prepared to invoke this clause if it ever appears that the balance of nuclear power is changing against us under the treaty. It is to give us that protection that the clause is there.

And we must be prepared for Russia's invoking this clause if she believes it to be in her interest to do that.

To my mind, the fact that we can legally end our treaty obligation is a strong argument for ratification of a document that permits continued testing underground.

As the Washington Post editorial of September 12 concluded:

> Events may disappoint the hopes and expectations of those who have proposed this treaty. It does not, by itself, and for all time, automatically preclude the resumption of atmospheric testing, but it may well result in that most desirable end. And if it does, its adoption may spare unnumbered thousands of our own countrymen, and perhaps millions around the world, the pain and sorrow of terrible, wasting, lifelong injury. And it may lift from mankind the dread menace and dire threat of damage to the genetic integrity of the human family that would cast its dark shadow forward through the generations down to children born 20,000 years from now.

As of last week, 99 nations had signed the treaty. This indicates the overwhelming sentiment among the community of nations in favor of this first step toward limiting a menace of unknown proportions to all mankind. The magnitude of world commitment to this step demonstrates the depth of humanity's desire for order and peace.

As citizens of the Nation historically bound to the leadership of the world in seeking that order and peace, we cannot refuse to join in this first step when we are assured that it is consistent with our national security.

Madam President, I shall cast my vote to ratify the limited nuclear test ban treaty before us, firmly convinced that such a vote is in the interest of my native land and in the interest of all mankind.

Mr. FULBRIGHT. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Mr. WALTERS in the chair). Without objection, it is so ordered.

Mr. DIRKSEN. Mr. President, I yield to the Senator from New York [Mr. KEATING] 2 minutes on the resolution of ratification.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I am glad to yield.

Mr. MANSFIELD. The Senate is operating under controlled time, is it not?

Mr. DIRKSEN. Yes.

Mr. President, I suggest the absence of a quorum.

Mr. GOLDWATER. And with the understanding that the time required for the quorum call will not be charged to the time that has been yielded to me.

The PRESIDING OFFICER. Then the time required for the quorum call will be charged to the 3 hours available on the resolution of ratification.

The absence of a quorum has been suggested; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GOLDWATER. Mr. President, I call up my reservation, Executive Reservation No. 7, and ask that it be read.

The PRESIDING OFFICER. The reservation will be read.

The legislative clerk read as follows:

> Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation, which is hereby made a part and condition of the resolution of ratification, that the instrument of ratification of the treaty by the United States shall not be deposited as provided by paragraph 3 or article III thereof until the Union of Soviet Socialist Republics has removed all nuclear weapons, all weapons capable of carrying nuclear warheads, and all Soviet military and military technical personnel from Cuba, and until arrangements have been made for inspection within Cuba by the United Nations to determine and confirm such removal, and confirmation of such removal has been given by the United Nations.

Mr. GOLDWATER. Mr. President, I allot myself such time as I may need. I believe I have a total of 30 minutes. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. GOLDWATER. Mr. President, having called up my proposed reservation to the resolution of ratification of the limited nuclear test ban treaty, I ask that my colleagues consider it solely upon its merits and upon the contribution that it can make to the security of this Nation.

The reservation would—to state very simply its effect—postpone the effective date of the U.S. ratification to such time as the Soviet Union, in keeping with its own past statements and our continuing and undiminished demands, removes from Cuba its nuclear weapons systems and military and military-technical personnel.

Last year, the President of the United States said we would take every step short of war to accomplish exactly this sort of removal. I am proposing a step far short of war. The proposed reservation asks, in fact, for a step which would move the world far closer to peace than even the nuclear test ban treaty itself would.

I remind the Senate, most particularly, that this proposed reservation is in no way an amendment of, or a reservation to, the proposed limited nuclear test ban treaty. It does not touch the treaty. It does not change a single word of the treaty. It is a reservation, purely and simply, to the Senate's resolution of ratification. It would add merely a few words to that resolution of ratification, but those few words would serve the cause of our Nation's security and the peace of the world far better than would volumes of abstract and generalized language.

It has been said that the reservation which I propose is not germane to the treaty. I say that the comment is not germane to my reservation.

The reservation regards the Senate's work, the Senate's prerogatives, and the Senate's responsibilities.

The reservation applies to the Senate's resolution, not to treaty wording of the executive branch.

What would the reservation do? Would it require renegotiation of the treaty? Not at all. It would simply withhold the effectiveness of our agreement to the treaty, until the Soviet removes its weapons and military from Cuba. It would involve no other nation. It would not even involve the Soviet signature to the treaty. It should be clearly understood and, therefore clearly discussed, as a reservation only to our participation in the treaty. The reservation does not provide that we will not; it merely provides that we will when the Soviet has demonstrated its responsibility to the cause of world peace in a way clearly, easily, and honorably open to it. And it only withholds the effectiveness of our participation in the treaty until we have seen fulfilled an action that we have called nonnegotiable—an action in which the sympathy of the majority of the nations of the earth should be firmly on our side.

Are we so afraid of our position on Cuba that we dare not put it to the test? Are we so convinced that the Soviet will never honor that position? Are we actually saying that they have, in fact, no intention of truly seeking to ease tension? Then why this treaty at all?

Are we so unsure, so that we will not at this moment of maximum opportunity even press our minimum demand for resolution of the one peril to peace that is closest to us, most accessible to solution, most desired by the people of this Nation?

But if we seek peace in our hemisphere—if we seek to ask this one demonstration, this one price—will we not encourage others to make their participation in the treaty conditional? We are asked if Egypt will not demand that Israel quit the Middle East, that we remove our troops from Germany, and so forth.

For the nations who have signed the treaty already, the answer is clear. They have signed. They have asked no such condition. And why? Because there would be no justification for such demands. Israel exists by lawful process and lawful recognition. Our troops are in Germany by lawful treaty. No, that argument is not germane to the reservation. It is an evasion, not to be considered by those seriously aware of the situation in Cuba and its perfect and clear relevance to the cause of peace, the easing of tensions, and the responsibilities of the United States and the Soviet Union.

Do I exclude Cuba unjustly? Should not Cuba be consulted? Should not we ask Castro's permission before proposing this reservation? Let someone else in opposition to this reservation ask the question if he will. I find the question unworthy and the answer obvious.

Castro could not prevent the Soviet from removing its weapons and personnel. They are not in Cuba by the demand of any treaty that is binding in this hemisphere. No. We must not talk to Castro about this proposal, any more than we talked to Castro when we blockaded Soviet ships during the missile crisis.

But is the proposal somehow totally remote from the situation of the test ban treaty? From the treaty, yes. From our resolution of ratification, no—not at all.

The pertinency of this reservation to the resolution of ratification is to be decided by the Senate. If the Senate feels that Cuba is pertinent to peace, then it will be pertinent. If the Senate decides that America should, in honor and conscience, expect a quid pro quo from this treaty negotiation, then America will get that quid pro quo, or the Soviet will stand exposed as shallow in their peaceful intent, insincere in their talk of easing tensions, dishonorable in their behavior, and dedicated far more to maintaining a base of aggression than in trying to build a base of understanding.

We might recall that the present distinguished Speaker of the House of Representatives once thought that the severance of diplomatic relations with the Soviet was so pertinent to an appropriations bill that he suggested it as an amendment to the bill, and one which failed by only three votes in 1940. He wisely saw that pertinency of Soviet intent and actions may be considered in every action we take. His colleagues obviously felt his case a strong one.

Now, surely, there is more obvious pertinency of this Cuba reservation to our resolution of ratification than between diplomatic relations and an appropriations bill.

If we study the precedents of treaty reservations we find other striking proofs of the justification for this proposal. We also lay to rest any fears that the procedurally minded may have in regard to the parliamentary propriety of this reservation.

Quite emphatically, in recent years, presiding officers have ruled that reservations are open before the Senate itself, following the close of Committee of the Whole. Vice President Coolidge did so during the debate on the treaty of peace with Germany, October 17, 1921, 67th Congress, 1st session, RECORD, page 6438. Vice President Barkley did so during the debate on the North Atlantic Treaty, July 15, 1949, 81st Congress, 1st session, RECORD, pages 9534 to 9537. The Senator from Oklahoma [Mr. MONRONEY] did so while presiding over the debate on the United States-Republic of China Treaty, CONGRESSIONAL RECORD, volume 1, part 1, page 1411.

This procedural order is not mentioned by name in the rules. But it is so well established that I do not think it can be arguably challenged. More plausible, on its face at least, would be a claim that what was being offered was not a "reservation," but in reality an amendment.

Such a challenge should be capable of being defeated by pointing out that the problem is functional, rather than one of nomenclature. Not merely proposals bear the talismanic name "reservation" which are open before the Senate itself, but instead any proposal which is addressed to the resolution of ratification, rather than to the treaty itself. If this be deemed a mechanical test, the reason for dividing presentation between the Committee of the Whole and the Senate itself is entirely mechanical. The idea that a reservation may be so drastic as to be "in substance" an amendment is refuted (a) by the precedents, which make no attempt at such distinction; (b) by the basis for distinguishing between them, which is the mechanical test of whether they apply to the language of the treaty or to the language of the resolution of ratification; and (c) by comparing some of the various drastic reservations that have been proposed, and on occasion adopted, without challenge to their character as reservations. For example, the reservations proposed to the Versailles Treaty on November 18 and 19, 1919, 66th Congress, 1st session, RECORD, page 8759 and those that follow; the reservation reserving the right to control immigration attached to the resolution of the United States-German Commercial Treaty of 1923 (44 Stat. 2132) as compared with some of the rather mild amendments that have been proposed and adopted without challenge to their character as amendments, such as the amendment proposed by Senator Pittman to the proposed Japanese-

American Treaty on February 28, 1922, 67th Congress, 2d session, Record, page 3137.

There may be a very fine line between "reservations" and "conditional ratifications," and between "reservations" and "understandings." Such blurring raises, a procedural problem, however, since all three go to the resolution of ratification, and are therefore equally in order before the Senate itself.

There is one unfortunate, confused precedent cited in the work "Senate Procedure" which appears, from the text of the manual, to support the position that amendments to the resolution of ratification—reservations, and so forth—may not be proposed from the floor of the Senate. This stems from an incredibly confused situation in the Senate during the debate on the Treaty of Versailles, when a resolution to ratify the treaty had just failed by a vote of 39 to 53. A motion to reconsider was then made and carried by a vote of 63 to 30. At this point Senator Hitchcock sought to propose an amendment to the resolution. Senator Poindexter objected that the rule stated no amendments were in order. Vice President Marshall overruled the objection, and was in turn overruled by a narrow margin by the Senate itself on the appeal of Senator Lodge.

Even assuming this decision to govern, its rule is so clouded by the confusion resulting from the passage of the motion to reconsider that it is not sound authority for the proposition cited. If the resolution of ratification may not be amended by offering reservations to it, there is no time at which reservations may be offered and debated. The language of rule 37 providing that at this stage "no amendment shall be received except by unanimous consent" must refer to amendments to the treaty itself. Any other result would be wholly inconsistent with the Senate's tradition of free debate.

I should like to close these remarks with one personal observation. I said at one time that this reservation might make the treaty acceptable even to its harshest critics. Later I explained that I could not vote for the treaty with or without the reservation.

My reason is as follows: My objection to the treaty basically is not political, not diplomatic, but simply is based upon the tragic impact it can have upon the strength of this Nation—a strength which I see as the only sure shield of peace in the world today.

To make my position absolutely clear, and to follow the dictates of my conscience, I must vote against the treaty with or without this reservation.

But I know that there are others of my colleagues who find the military risks of the treaty acceptable, and others who find the political risks acceptable. I also know that these men, sincere and good willed, are not blind to the nature of the enemy and to the unchanged nature of the challenge to our and the world's freedom.

It is to them that I offer this reservation to the resolution of ratification, with a single plea: "If you must vote for this treaty then, in your Nation's name and in the name of the trust your Nation has placed upon you, demand at least this single, honorable, appropriate, and meaningful price."

Such a moment may not be ours again. God help us if we cannot claim it now, in the cause of peace and the name of freedom.

I ask unanimous consent that a copy of the Harris poll, which appeared in the morning Washington Post & Times Herald, may be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Harris Survey: Public Backs Firmness on Cuba, but Few Would Favor Invasion

(By Louis Harris)

When Senator Barry Goldwater attacked President Kennedy for his handling of Castro and Cuba, the Arizona Republican touched a sensitive political nerve end.

Public opinion about Mr. Kennedy's leadership on the Cuban issue has been easily more volatile than any other: highly critical after the abortive Bay of Pigs invasion, soaring in praise after the showdown over Russian missiles last October, and mixed since then.

Part of the public's uneasiness over Cuba is the widespread feeling that the security of the hemisphere is breached as long as the Communists have a bridgehead 90 miles from the United States. Part is also due to the fact that Russian troops have not yet been removed from Cuba.

The American people would like to see a more decisive stand taken against Russian troops remaining in Cuba. A firm majority would favor reinstating the blockade of last fall if the Soviets did not respond to such a U.S. ultimatum. By the same token, however, militancy about communism in Cuba is not so high that it has aroused the American people to back an invasion of the Communist island. To the contrary, no more than 34 percent of the public would support an invasion with U.S. troops.

Our latest cross-section of the American people recorded these levels of approval over the Kennedy record on the Cuban issue:

PEOPLE ASSESS KENNEDY CUBAN RECORD

	Percent approval
Bay of Pigs invasion	27
October 1962 showdown	94
Action since October 1962	56
Overall handling of Cuba	46

The root of continuing concern over Cuba today is the failure of Russia to remove its troops from the island. While the President has announced that intelligence reports indicate further withdrawal of Soviet troops, nonetheless the vast majority of the American people believes Mr. Kennedy should be even more insistent that the last vestige of Russian armed forces be removed:

ON PRESIDENT INSISTING THAT RUSSIANS REMOVE TROOPS FROM CUBA

	Total Nation percent
J.F.K. should insist	77
Should not insist	11
Not sure	12

However, when probed in depth to find out how far the people would be willing to see this country go to back up such an insistence, a majority would support reinstatement of last October's blockade. But a majority emphatically is not now prepared to support an actual invasion with U.S. troops:

WHAT UNITED STATES SHOULD DO IF RUSSIA DOESN'T REMOVE TROOPS

	Total Nation percent
Blockade	
Put back blockade	67
Don't blockade	13
Not sure	20
Invasion	
Should invade	34
Don't invade	35
Not sure	31

If the public is ahead of the President on Cuba, it is in its desire to see this country take a tougher stand on Russian troops still stationed on the island. However, if Mr. Kennedy's Cuban critics give the impression they favor an invasion by U.S. troops, they will surely find public support for such a position wanting. The people want Russian troops out of Cuba and above all want Castro eliminated. But they do not take the prospect of war lightly either.

Mr. GOLDWATER. Mr. President, I also ask unanimous consent that briefs on the United States-German commercial treaty of 1923, the treaty with Germany of 1921, and the treaty with Japan, which I mentioned; and the remarks of the now Speaker of the House on the proposal about which I mentioned his activity in 1940, be printed in the Record at this point.

There being no objection, the briefs and remarks were ordered to be printed in the Record, as follows:

United States-Germany Commercial Treaty, 44 Stat. 2132 (1923)

Treaty between the United States and Germany of friendship, commerce and consular rights.

Signed at Washington, December 8, 1923; ratification advised by the Senate, with reservations and understandings, February 10, 1925; ratified by the President, October 6, 1925; ratifications exchanged at Washington, October 14, 1925; proclaimed, October 14, 1925.

And whereas, the Senate advised and consented to the ratification of the said treaty subject to certain reservations and understandings, as follows:

"First, that there shall be added to article I of said treaty the following: 'Nothing herein contained shall be construed to affect existing statutes of either country in relation to the immigration of aliens or the right of either country to enact such statutes'.

"Second, that the fifth paragraph of article VII and articles IX and XI shall remain in force for 12 months from the date of exchange of ratification, and if not then terminated on 90 days' previous notice shall remain in force until Congress shall enact legislation inconsistent therewith when the same shall automatically lapse at the end of 60 days from such enactment, and on such lapse each high contracting party shall enjoy all the rights which it would have possessed had such paragraph or articles not been embraced in the treaty."

And whereas, the said treaty and the said reservations and understandings have been duly ratified on both parts and the ratifications of the two governments were exchanged in the city of Washington on the 14th day of October 1925;

Now, therefore, be it known that I, Calvin Coolidge, President of the United States of America, have caused the said treaty to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof, subject to the reservations aforesaid."

December 8, 1923, p. 2158.

TREATY WITH GERMANY, OCTOBER 18, 1921

SIXTY-SEVENTH CONGRESS, FIRST SESSION, OCTOBER 18, 1921

Presiding Officer (Mr. STERLING). The treaty having been read the third time, the question is upon agreeing to the resolution of ratification with the reservations already agreed to as in Committee of the Whole and in the Senate, which the Secretary will read.

The Assistant Secretary read as follows:

"*Resolved* (*two-thirds of the Senators present concurring therein*), That the Senate advise and consent to the ratification of the treaty between the United States and Germany signed at Berlin August 25, 1921, to restore the friendly relations existing between the two nations prior to the outbreak of the war, *subject to the understanding* [emphasis added] which is hereby made a part of this resolution of ratification, that the United States shall not be represented or participate in any body, agency or commission nor shall any person represent the United States as a member of any body, agency, or commission in which the United States is authorized to participate by this treaty unless and until an Act of the Congress of the United States shall provide for such representation or participation; and subject to the further understanding, which is hereby made a part of this resolution of ratification, that the rights and advantages which the United States is entitled to have and enjoy under this treaty embrace the rights and advantages of nationals of the United States specified in the joint resolution or in the provisions of the Treaty of Versailles, and which this treaty refers."

Result: 66 yeas; 20 nays; not voting, 9.

(CONGRESSIONAL RECORD, volume 61, part 6, page 6438.)

TREATY WITH JAPAN

SENATOR PITTMAN'S AMENDMENT, ARTICLE II OF TREATY

The United States and its nationals shall receive all the benefits of the engagements of Japan defined in articles 3, 4, and 5 of the aforesaid mandate, notwithstanding the fact that the United States is not a member of the League of Nations.

(3) Existing treaties between the United States and Japan shall be applicable to the mandated islands (p. 3137).

Mr. PITTMAN. Mr. President, I send forward a proposed amendment to article 2.

The PRESIDING OFFICER. The amendment proposed by the Senator from Nevada will be stated.

The ASSISTANT SECRETARY. At the end of section 3 of article 2 it is proposed to strike out the semicolon and to insert a comma and the following words: "and the rights and privileges therein guaranteed to the respective nations therein referred to shall not be limited or abridged by any of the provisions of the treaty." (Page 3137.)

Mr. PITTMAN. There is no doubt that section 3 does extend the existing treaties to all of the mandated islands except the island of Yap, but with regard to the island of Yap there are special limitations placed upon our nationals. I desire to clarify that. If their contention is right, if there are no special limitations with regard to our nationals in the island of Yap, then the amendment which I proposed makes it clear. In other words, article 3 says in relation to the landing of cables that our citizens shall have equal rights. Article 4 says insofar as they relate to electrical communications, our citizens shall have certain rights. (Page 3141.)

Pittman's amendment was rejected 23 yeas; 50 nays.

(CONGRESSIONAL RECORD, February 28, 1922, page 3145.)

STATE, COMMERCE, JUSTICE, AND THE JUDICIARY APPROPRIATION BILL, 1941

FEBRUARY 7, 1940, 76TH CONGRESS, 3D SESSION, PAGE 1172.

Mr. MCCORMACK. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. McCormack: Page 6, line 10, after the word "Turkey", strike out the words "Union of Soviet Socialist Republics."

* * * * *

Mr. MCCORMACK. (Offered two other amendments)

The first amendment simply reduced an amount in the bill.

The second amendment stated: "Page 17, after line 14, insert '*Provided,* That no appropriation contained under the caption "foreign intercourse" shall be used for the maintenance of an embassy of the United States in the Union of Soviet Socialist Republics or any character of expense, other than salaries, for the maintenance of any officer or officer of the United States State Department in the Union of Soviet Socialist Republics.' "

Mr. CALDWELL. I may say to the gentleman that this is not the place for the matter to be taken up, nor should it be considered here. This is not the bill under which we should discuss whether we are going to recognize or fail to recognize Russia. (Page 1173).

* * * * *

Mr. MCCORMACK. Mr. Chairman, this is a very important and a very serious matter. In offering these amendments I do so only after profound consideration.

The purpose of the pending amendment is to prevent any money appropriated in this bill being used for the payment of the salary of the Ambassador to the Soviet Union, the nation which we all know is more commonly described as Communist Russia. The chairman of the subcommittee has suggested that this is not the proper place to consider this question. He let out his argument in response to a question from the gentleman from New York [Mr. FISH]. This is the proper place. We have the responsibility of appropriating money. True, the question of diplomatic relationship in itself rests with the executive branch of the Government, but under the Constitution we have the power of expressing our own views as a body when appropriation bills are under consideration. In rare cases, such as in the case of the Soviet Union, we are justified in exercising our constitutional power.

The argument that this is not the place for this question to be discussed certainly is irrelevant if advanced from a constitutional angle, because the framers of the Constitution left it with Congress to appropriate money. If Congress has the power to appropriate money, Congress has the power not to appropriate money for any particular purpose.

What are the circumstances which prompted me? In 1933 the Soviet Union was recognized in a semidiplomatic manner, as a result of the so-called Litvinov agreement. In this agreement the Soviet Union as a government gave its express and solemn promise to the Government of the United States and to our people that they would not permit "the formation or residence on territory of the Soviet Union of any organization or group, and that they would prevent the activity on that territory of any organization or group or any representatives or officials of any organization or group which has as an aim the overthrow or preparation for overthrow or the bringing about by force of a change in the political or social order of the whole or any part of the United States, its Territories, or possessions."

This is a promise made by the Soviet Union to our Government. This promise was broken within 1 month after it was made. This promise has been repeatedly broken ever since it was made. The gentleman from New York [Mr. Fish], who was chairman of the special committee that investigated subversive activities, brought out evidence of direct connection between the American section of the Communist Party and the Third International and the Communist Party of Russia, which is the backbone of that Government, and found that Russia was injecting itself directly into the internal affairs of the United States by furnishing money and contributing in every way possible to that which they hope for, the ultimate overthrow of our Government. The committee of which I was chairman uncovered the same type of evidence of the activity directly in our country of the Third International and the Soviet Government, collaborating with the American section of the Communist Party in their effort to obtain their ultimate objective, of the overthrow of our Government by force and violence. (P. 1186.)

Mr. MCCORMACK offered the amendment marked in pencil on the previous page.

Mr. Chairman, the vote taken on a similar proposition to this a short time ago was very close—105 to 108. I am serving notice now that if I can get the floor I shall move to recommit the bill, with instruction to report the bill back forthwith, amendments adopted.

Mr. Chairman, the very fact that 105 members in the committee voted in favor of this proposition indicates a very strong feeling in support of the effort that I am making on this occasion. (P. 1192.)

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. MCCORMACK) there were ayes 38, noes 95.

Mr. JAVITS. Mr. President, will the Senator answer a question?

Mr. GOLDWATER. I shall be happy to try.

Mr. JAVITS. I am interested in the question which the Senator's reservation would seem to imply. Does the Senator feel that he is asking for the biggest single issue in the cold war to be resolved; namely, the presence of Soviet troops and technicians in Cuba? In other words, does the Senator put a qualitative evaluation upon that as being the prime consideration in the cold war, or is that not the basis for his picking this one?

Mr. GOLDWATER. No. I picked this one, as I mentioned, because it is a threat in this hemisphere. It is an immediate threat to us. I certainly do not look upon it as the only threat to the world in the cold war. There are other threats, all over the world. This happens to be very close to the United States, 90 miles away. I know it is of great concern to all Americans and particularly of great concern to Members of this body.

Mr. JAVITS. So the Senator chooses this issue really because of its geographic contiguity, rather than because he places this as the top issue in the cold war.

Could the Senator tell us what he considers to be the prime issue in the cold war, the one entitled to the highest of priority?

Mr. GOLDWATER. I think it is the entire subject of communism and its spread across the world. This involves the question of whether the free peoples of the world will be able to stop the threat, so that it will be possible to allow democratic processes to operate in the countries which desire them. The general spread of communism, as we see it in Cuba among many other places, is the issue facing the world today. One might say that peace is wrapped up in it, and many other subjects which are pertinent to the cold war.

Mr. JAVITS. Does the Senator feel that if the Senate should agree to the reservation, by the required vote, the Russians would accept it and, based upon our action as to the reservation, actually withdraw their troops and technical personnel from Cuba?

Mr. GOLDWATER. I like to believe that they would, because they have said on at least two occasions that they would do so. They told the President last October they would do it. Earlier this year they said that the troops would be out by March, I believe.

If I did not feel that there was a possibility of Russia going through with this operation, I would not offer the reservation. I have offered it because I am convinced that Mr. Khrushchev wants the treaty quite badly. I do not know why he wants it. I have some personal feelings as to reasons he might favor, both military and scientific, as I have stated on this floor.

But if Mr. Khrushchev really wants the treaty, all he will have to do is go through with the word he gave to our President on at least two occasions.

Mr. JAVITS. Does the Senator feel that if Khrushchev took this reservation because we imposed it and implemented it he would then damage himself so heavily in his own ideological struggle with the Communist Chinese that he could not possibly accept this from us?

Mr. GOLDWATER. I do not believe that would have any bearing on the argument that the Russian Communists are having with the Red Chinese Communists. This involves promises Khrushchev has already made. I think that those promises weakened his position, long before this.

We would not be asking Khrushchev to do something unusual, something of which he has not heard before. We would merely be saying to him, "Keep your word. When you keep your word and after the United Nations has verified that it has been kept, then we will agree to have the treaty deposited."

This would in no way affect the language of the treaty. It would require no renegotiation at all. It is merely a reservation. As I have pointed out, on previous occasions reservations have been adopted to treaties.

Mr. JAVITS. I have no quarrel whatever with the Senator in regard to the parliamentary situation or the deep sincerity of the Senator in proposing the reservation. Indeed, it is his duty to do so in response to the dictates of his conscience. I have no question about that whatever.

I wish to ask the Senator another question. I am grateful to the Senator for his patience and his willingness to debate the subject, something he has always been willing to do. He is very mettlesome. I admire that a great deal.

Is it not a fact that the Senator would consider the breach of faith with respect to Poland, Czechoslovakia, Hungary, and on Rumania of the same quality as the Russian breach of faith with respect to Cuba—which is what the Senator in essence charges?

In other words, there has been subversion in all of central Europe, notwithstanding the solemn promises made at the conclusion of World War II.

Mr. GOLDWATER. Absolutely. As I said, I single out Cuba because it is a problem in this hemisphere. I believe we could include, with equal vigor and with equal right, all of the countries which the Soviet Union or communism itself has taken over by force or by subversion.

I say again that Cuba is a clear threat to the United States and to this entire hemisphere, and that is why I singled it out. I do not believe it is unreasonable to ask Mr. Khrushchev to do this. We should remind him that he has already promised our President to do this. It would ease tensions. Certainly, it would ease tensions throughout the Western Hemisphere. One of the purposes of the treaty is to ease international tensions.

The only creator of tensions in this world, to my mind, is the Soviet Union. Of course, the Red Chinese now are stepping up their activities in this field.

This is an opportunity for Mr. Khrushchev, in what I sense is a "dove-like period" of his life, to come through and convince the world that he really wants to ease tensions, and that he is sincere in participating in a treaty which has as its basic point the easing of tensions by stopping nuclear testing in the atmosphere.

Mr. JAVITS. The Senator is aware, is he not, of the fact that the Soviets regard—it is quite wrong, but they nonetheless do so regard it—our position in Berlin and in Germany as being as illegal as we regard their position in Cuba? Would not Khrushchev, as the Communist Chinese are pressing him to do, turn around to say, "Of course, if this is to be the deal, then I demand that you take your troops out of West Germany and that you cease pressure upon me in East Berlin," and so on?

Mr. GOLDWATER. I do not think there is any comparison between the two situations. I readily admit that the Soviets would probably try to make the cases appear to be similar. We are in Germany by treaty. We are in NATO by treaty. Wherever we are, we are there by treaty or agreement. They are in Cuba at the behest of a government we do not recognize, at the behest of a government the Cuban people themselves do not recognize. I do not believe there is any comparison. They are not in Cuba by treaty, but we are in Europe by treaty.

Mr. JAVITS. They do not recognize the West German Government, and they say that their treaties with East Germany are as good as our treaties with West Germany.

Be that as it may, I should like to conclude, thanking the Senator for his patience, by again asking the Senator if he really believes that the Russians would take this reservation and nonetheless go through with the treaty? I should like to ask the Senator whether the issue is whether the reservation would kill the treaty.

Mr. GOLDWATER. I think the reservation is worthy of a try. I do not offer it capriciously. It offers an opportunity to negotiate on a subject which the President recognizes as not being accessible to negotiation.

This presents an opportunity to test a potential enemy. Is it really going through a period when it would like to ease tensions? Is it in a period of better relations with the remainder of the world?

I suggest that this would be a good way to find out. If it turns out that the Soviets will refuse to accept this proposal, there is nothing to prevent this body from meeting again and considering what action it wishes to take. We could take whatever action is necessary with regard to the resolution of ratification.

Mr. JAVITS. Does the Senator feel that that opportunity would be open to us? Does he not feel that if we made the reservation the Russians would consider it the death knell of the treaty and would consider that the pro-Communist Chinese element was correct, and that we really did not mean to go through with this?

Mr. GOLDWATER. No; I cannot buy that. I think it is worthwhile taking the chance to see if they will keep their word. If they will do that, it will put the Soviet Union in a better light around the world. If she wants to do it, this is an opportunity for her to do it, and to keep her word.

Mr. JAVITS. I appreciate not only the Senator's sincerity, but his desire to arrive at what is best for our country. The reservation proceeds on the assumption that we can get something out of it and that the Soviet Union is going to go along with it no matter what conditions we affix. I do not think so. I think the situation points exactly the other way. I think if we press the reservation the Senator puts forward, it could have the very grave effect of driving Khrushchev back into Mao Tse-tung's arms. If we approve the treaty without reservation, what we shall have sealed can be helpful to the nations of the world. I respect the Senator's viewpoint, and I am sure he respects my viewpoint.

Several Senators addressed the Chair.

Mr. GOLDWATER. Mr. Presdent, how much time have I left?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. MILLER. Mr. President, will the Senator yield for a question?

Mr. KUCHEL. Mr. President, if the Senator will yield, I think it would be more fair to the Senator from Arizona if he could take the time reserved to him and have other Senators yield time for the asking of questions.

Mr. DIRKSEN. Mr. President, I will yield time to the Senator.

Mr. KUCHEL. How much time does the Senator from Iowa desire?

Mr. MILLER. Only a short time.

Mr. KUCHEL. I yield 3 minutes to the Senator from Iowa.

Mr. MILLER. Mr. President, with respect to the Berlin situation, the President of the United States has not promised Mr. Khrushchev to get American troops out of there; has he?

Mr. GOLDWATER. No; he could not do it without consent of this body, I assume.

Mr. MILLER. But Khrushchev has promised to get his troops out of Cuba; has he not?

Mr. GOLDWATER. Yes.

Mr. MILLER. I cannot see any similarity between the two situations.

Does the Senator from Arizona not feel that world opinion, 99 nations having signed the treaty, would weigh heavily on the Soviet Union and it would "knuckle under" to follow Mr. Khrushchev's promises to our country?

Mr. GOLDWATER. I would think that if world opinion put any pressure on any nation, it would be responsive to the other signatory nations who urged that the Soviets go through what they promised the United States twice.

Mr. MILLER. So the Senator feels the Soviet Union would follow through with its promises to the United States, so that the treaty would be operative?

Mr. GOLDWATER. I cannot speak for Mr. Khrushchev, but I think the opportunity is ripe. After all, what I suggest does not point to the specifics of the treaty. All I have sought to do is by way of reservation, without changing the wording of the treaty. My language would merely postpone the effectiveness, until we were satisfied that all troops, equipment, and so forth, had been removed from Cuba.

Mr. KUCHEL and Mr. CURTIS addressed the Chair.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. KUCHEL. I have some questions to ask.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FULBRIGHT. How much time has the Senator left?

The PRESIDING OFFICER. The Senator from Arizona had 30 minutes. He has 5 minutes remaining.

Mr. FULBRIGHT. Does he wish to give up the 5 minutes?

Mr. GOLDWATER. No; the minority leader agreed to yield for questions.

Mr. FULBRIGHT. That time would come out of the time on the treaty. I have control of the time in opposition to the pending question.

Mr. KUCHEL. Mr. President, will the Senator yield me 10 minutes?

Mr. FULBRIGHT. I yield——

Mr. MANSFIELD. Mr. President, the Senator from Arizona still has the floor.

Mr. GOLDWATER. Mr. President, I would be happy if the Senator from Arkansas yielded some time.

Mr. FULBRIGHT. Mr. President, I yield 5 minutes to the Senator from California in order that he may interrogate the Senator from Arizona.

Mr. KUCHEL. I thank the Senator. I said earlier that I considered this issue the most important thus far during my Senate tenure I will have had to cast my vote on in this Chamber. I recognize that men of good will in this Chamber, judging the same set of facts, may decide differently. That is the right of each of us. Indeed, it is our duty to decide as we see. I am sure my friend knows of my respect for him. I want to put several questions to him.

In his prepared statement, the Senator from Arizona says, in part, as shown on page 2:

> What would the reservation do? Would it require renegotiation of the treaty? Not at all.

And, on page 4:

> For the nations who have signed the treaty already, the answer is clear. They have asked no such condition. And why? Because there would be no justification for such demands.

Is it the point of the Senator from Arizona that, if his reservation were adopted, it not would affect the commitments of the other 100 nations which have already approved the treaty?

Mr. GOLDWATER. No, I would not say so. It would merely postpone our time of effectiveness. That is all it does. It does not change the language.

Mr. KUCHEL. Would the Senator argue that it would not postpone the time of effectiveness for the other nations that have signed?

Mr. GOLDWATER. It would postpone the date of effectiveness on the part of the United States.

Mr. KUCHEL. And no one else?

Mr. GOLDWATER. Let us look at it this way: Suppose we did not ratify the treaty—which I do not suppose will happen—and the signatory nations, other than ourselves, wanted the treaty to continue in force. It would.

Mr. KUCHEL. Is it the position of the Senator from Arizona that, if his reservation were adopted, every other nation that had already signed it would be bound by the treaty immediately?

Mr. GOLDWATER. No; if they wanted to get out of it at any time, for any reason, they would. So would we.

Mr. KUCHEL. I understand the 3 months' notice provision; but where the Senator has said that his reservation does not require renegotiation, and they have asked for no such condition, is it the Senator's opinion that it would be in immediate force with respect to all other nations that signed it, but that we would not abide by it until the terms of the reservation had been met?

Mr. GOLDWATER. No. My understanding is it would not be in force until we ratified it and deposited it. This reservation does not require renegotiation; it merely postpones the date of effectiveness. Let us assume that Mr. Khrushchev said, "Fine. We will do it next week" or "next month." The date of effectiveness would be delayed until then.

Mr. KUCHEL. If we adopted the Senator's reservation, would it postpone the time of effectiveness of the treaty for the nations which as of today have approved it?

Mr. GOLDWATER. In my estimation, it would.

Mr. KUCHEL. It would postpone the time?

Mr. GOLDWATER. Yes. I say that because we do not become a part of the treaty until we have deposited it.

Mr. KUCHEL. So when the Senator says, as he did in his statement, "For the nations who have signed the treaty already, the answer is clear. They have signed. They have asked no such condition," we must read that to mean that, in his opinion, if the reservation is adopted, the time of effectiveness for each signatory nation will be postponed until the conditions of the reservation are met?

Mr. GOLDWATER. That is correct. I think the Senator is reading something from my statement without reading what was said before. When I said they have asked for no such condition, that does not mean they could not have. They could have asked for any condition before signing. I was pointing out that I was not agreeing that if we put this reservation into effect there could be a demand made, for example, that Israel quit the Middle East or that we remove our troops from Germany. That is what I was referring to.

Mr. KUCHEL. Mr. President, I turn to page 5 of the Senator's prepared text, where he says:

> We might recall that the present distinguished Speaker of the House of Representatives once thought that the severance of diplomatic relations with the Soviet was so pertinent to an appropriations bill that he suggested it as an amendment to the bill, and one which failed by only three votes in 1940.

Let me ask my friend from Arizona whether he favors severance of diplomatic relations by the United States with the Soviet Union.

Mr. GOLDWATER. Yes; I have expressed myself on that point since 1934.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. I yield 3 additional minutes to the Senator from California.

Mr. KUCHEL. So that we can properly make up our minds with respect to the reservation, which is offered in good faith and will be voted on by our colleagues in the Senate in good faith by both those who favor and those who oppose it, let me ask the Senator whether this is a correct statement of what he said the other day in the State of California:

> I don't give a tinker's dam what the rest of the world thinks about the United States, as long as we keep strong militarily.

Mr. GOLDWATER. The Senator has read what I said. I meant it. I have been chastised for using the word "dam."

Mr. KUCHEL. Not by me for using it. I asked this question of Dr. Teller, for whom I have the most profound respect:

> Dr. Teller, when you were the adviser to President Eisenhower, and President Eisenhower announced that this country by itself, unilaterally, was entering into a self-imposed moratorium on nuclear testing in space and in every environment, did you approve of it?

He said, "No."

I ask my friend from Arizona whether he approved of President Eisenhower's moratorium.

Mr. GOLDWATER. I did not at that time. I said I did not think it was wise to do that. I believe the Senator from California was not present in the Chamber when I said that perhaps I have been too close to the military and perhaps lean too heavily on that direction. However, I am very much concerned about the lack of knowledge we possess on nuclear effects. The point I was talking about was the electromagnetic pulse; and I do not believe we have sufficient knowledge to overcome it.

I said I thought most of it could be done by underground testing, but that when the time came to decide whether or not we had the ability to do it, we would have to test in the atmosphere.

Mr. KUCHEL. The Senator from Arizona has a distinguished service record in both war and peace. He need not apologize for saying that he leans heavily in the direction of the military. But is it not a fact that every member of the Joint Chiefs of Staff approved the treaty?

Mr. GOLDWATER. That is true. It is also true that other members who have military responsibility for the operation of systems and the development of systems have not approved it. It is true that some scientists disagree. Opinion is divided on both sides of the question. The Joint Chiefs of Staff, on June 26, appeared before the Subcommittee on Preparedness. I admit it was a different type of treaty that was being considered. However, under oath, to a man, including the Chairman, they disapproved of a test ban treaty. I am the first to recognize that it was not the treaty we are considering today.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KUCHEL. I thank the Senator from Arizona.

Mr. DIRKSEN. Mr. President, on the treaty, I yield 2 minutes to the Senator from Nebraska.

Mr. CURTIS. Mr. President, I commend the Senator from Arizona on his reservation. We have been repeatedly told that Khrushchev wants this treaty. The Secretary of State in his testimony said that it offers mutual advantages. Mr. Khrushchev wants this treaty. Certainly to have him comply with a promise already made is not too great a price to put on the ratification of the treaty. Does the Senator agree?

Mr. GOLDWATER. That is precisely the reason why I have offered the reservation. I believe that Mr. Khrushchev wants the treaty. I believe he wants it badly enough so that he will accept approval of the reservation. I have not talked with him about it, of course.

Mr. CURTIS. About 11 or 12 months ago the country was terrified by the existence of nuclear warheads, which could be fired to reach the Southeastern United States, and perhaps reach as far as Washington and St. Louis. The country was terrified. We were promised their removal, and we were promised inspection. The Senator's reservation seems a fair price to exact in these circumstances.

I should like to point out another angle. If the Senate votes down the Goldwater reservation, what will be the effect, not only on our own people, but also on the freedom-loving Cubans? It will mean that they realize we have entered into an era of cooperation with Russia, freezing the status quo for enslaved people not only in Cuba but also around the world. Does the Senator agree?

Mr. GOLDWATER. I agree with the Senator.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GOLDWATER. Mr. President, I ask for the yeas and nays on the reservation.

The yeas and nays were ordered.

Mr. FULBRIGHT. Mr. President, I yield myself 3 minutes.

I should like to say to the Senator from Arizona, at the outset, that no question of any kind has been raised on the point of his reservation not being in order as a procedural matter. That is a point that we need not even discuss. I believe his reservation to be inappropriate, unwise, and irrelevant. It is quite similar to a suggestion with respect to the nonaggression pact made by the Soviet Union, which was turned down, quite properly, by our negotiators, as going beyond the terms of a nuclear test ban treaty.

It is unwise and irrelevant as a subject matter to be included in the treaty. The attempt to commercialize, in a sense, the treaty, or to demand a price for its ratification, is quite unjustified.

The Secretary of State did not state, and no one else, either, that Chairman Khrushchev was eager to have the treaty go into effect. He said it was mutually desirable, that both sides have an interest in this particular subject matter. We ourselves excluded the other suggestion by the Russians. I have no doubt that the Russians would laugh at us if we attempted to put this kind of bargaining factor into the treaty.

There are many other issues the Senator has raised. I recall that the Russians agreed to do something, which they failed to deliver. It was an agreement for onsite inspection, to see whether the nuclear weapons had been removed from Cuba. They said, whether or not it was in good faith, they would try to persuade Castro to do it. Castro would not do it. They were therefore faced with a dilemma of either using force or withdrawing aid whatever, which would embarrass them as far as their own policy goes. They were in a difficult situation in their effort to conciliate Cuba, not only with respect to this hemisphere, but also with respect to China.

I do not minimize the importance of the objective of the Senator from Arizona. I only say that it is quite inappropriate and unwise to go about it in this way, because in my opinion—and I believe the majority of Senators feel the same way—it would clearly destroy the treaty.

Mr. AIKEN. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield to the Senator from Vermont.

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. FULBRIGHT. Mr. President, I yield myself 3 additional minutes.

Mr. AIKEN. It was Russia that made the proposal in the United Nations to have a U.N. inspection team visit Cuba. The proposal was accepted by the United States, and that became the formula for settling the question of nuclear arms in Cuba. Then, as the Senator from Arkansas has stated, Castro told the United Nations where they could go, told Russia where it could go, and told the United States where we could go; and we all backed down. Someone should have been a little more forceful at the time. However, the Russians did agree at that time to inspection.

I suppose the Senator will also point out that none of the 101 countries that have approved the treaty can become a part of the treaty until the instrument of ratification by the United States has been deposited.

Mr. FULBRIGHT. That is quite clear. The treaty will not become effective until all three of the original parties have deposited their instruments of ratification with each other. So this is not a question merely of affecting the United States. There will not be a treaty until those instruments of ratification have been deposited.

Mr. AIKEN. I do not know whether the proposal made by Russia that an inspection team of the United Nations go to Cuba was made with tongue in cheek or not; but the fact is that Russia made the proposal; it was not our request. We acceded to Russia's request.

Mr. FULBRIGHT. The difficulty of dealing with one's allies to whom one is giving military assistance is not unique. The United States is having difficulty with Vietnam. We do not like what is taking place there; yet we do not find the Government of Vietnam entirely responsive to what we would like to have it do.

I do not know how aggressive were the efforts of the Russians to make the Cubans do what the Russians wanted, but I can well understand, knowing Castro as we do from reports of his activities, that they may not be able to get the Cubans to do it.

I hope the Senate will not adopt the proposed reservation, even though its objective is worthy, because it is irrelevant and would clearly subject the United States to the accusation—and, I believe, with good cause—that we simply are rejecting the treaty; that we do not take it seriously. It would be a great tragedy if that were to happen. If the Senate does not wish to have a treaty, the proper way to reject it would be to vote against it when the time came to vote.

Mr. AIKEN. I should like to remind the Senator from Arkansas that when Averell Harriman and Dean Rusk came before the Committee on Foreign Relations on July 23 to submit the proposed treaty, before it had been initialed or signed, while the committee approved the treaty in general—although informally, I believe, at the time—we gave Mr. Harriman and Mr. Rusk to understand that that approval applied only to the test ban treaty as it applied to the atmosphere, and that we were not approving and were not expecting them to offer any other adjunct whatsoever to the treaty.

Mr. FULBRIGHT. That is correct.

Mr. AIKEN. That was the instruction they received from the committee on July 23.

Mr. FULBRIGHT. We were assured that they would not accept such a thing as a nonaggression pact.

Mr. AIKEN. At the time, the Russians were trying to interest the United States in a nonaggression agreement to be incorporated in the treaty, and we completely refused it. I believe it was on July 24 that Mr. Rusk and Mr. Harriman appeared before other committees.

Mr. FULBRIGHT. Mr. President, I yield 10 minutes to the distinguished majority leader.

The PRESIDING OFFICER (Mr. Inouye in the chair). The Senator from Montana is recognized.

Mr. MANSFIELD. Mr. President, I was concerned about a statement made by the distinguished Senator from Nebraska [Mr. Curtis] to the effect that 11 months ago the people of the Nation were terrified. I do not believe they were. We were all concerned, but I saw no indication of terror as I traveled up and down the Nation during that precarious weekend. I do not think we are a terror-stricken people.

I must differ with the Senator from Arizona when he says that other nations would not seek reservations comparable to the one which he is suggesting, if we insisted upon its inclusion in the treaty.

They have asked no conditions because we have not asked any conditions; indeed, we have insisted that there be no conditions, as has just been stated by the distinguished Senator from Vermont [Mr. Aiken] and the distinguished chairman of the Committee on Foreign Relations [Mr. Fulbright].

Once we change our mind on this insistence, once we begin to seek solutions to other problems beyond this pact of limited nuclear testing, there is every reason to expect that others, as a condition of acceptance of the treaty, or of remaining in the treaty, will do likewise. Our good faith and consistency are at stake in the rejection of this reservation. I repeat we have insisted that all negotiation affecting this treaty be limited to the one problem of limited nuclear testing. The Russians, as the Senator is well aware, sought to go beyond this and into the realm of a nonagression pact to cite a specific example. We refused. We were determined to hold the treaty to this one issue. Israel signed this treaty, Egypt signed this treaty, West Germany signed this treaty, and all of the other nations who have signed it have done so on the assumption that it would be confined to this one issue. So I repeat what I said earlier to the Senator from Arizona:

> If we accept this reservation, in the end about half the world will ask reservations of one kind or another to the effect that the other half withdraw from the earth, and since the feeling will be mutual, we will be back where we started from—with each half urging the disappearance of the other, even though a nuclear disaster will provide for the extinction of both.

There is not a Member of this body who does not wish to get the Russians out of Cuba. The Senator from Arizona [Mr. Goldwater], in expressing that wish in his proposed reservation, carries the Senate with him 100 to 0. I am sure he would carry the American people by something of the same percentage.

In its good intentions, Mr. President, this proposed reservation sounds most plausible. Who does not wish to get the Russians out of Cuba? The only difficulty is that the Senator's reservation would not get them out. The world is not that simple. The truth is that the reservation if adopted would kill the treaty and have no effect on the Cuban situation whatsoever, except perhaps to intensify the difficulties there. And in killing the treaty the reservation would have an adverse effect on the health and hopes of the people of the United States. It would insure the continuance and the increase in the exposure of the population of this Nation—men, women, and children—to radioactive damage to health through fallout from nuclear testing. It would pin down the foot of American foreign policy so that it could not even essay this small first step toward a saner and more mature approach to the great threats to the peace and security of the Nation and the world.

The Senator from Arizona [Mr. Goldwater] is a man of great sincerity, deep conviction, and unquestioned integrity. I respect him for these qualities and for his unwillingness to be influenced in the slightest by political considerations in his attitude toward this treaty.

The Senator made clear some time back that he could not support this treaty. He made clear that he could not support it even if the reservation which he seeks were accepted by the Senate.

That, in itself, seems to me to be a conclusive argument against the reservation. For if the Senator from Arizona cannot accept the treaty even if he were permitted to rewrite it as he wishes by his reservation, how much less can we expect the treaty to be accepted by other nations, some of whom may have a somewhat different view of the world than his?

The Senator's position is such that if the Russians, by some fantastic quirk, were to accept the treaty with the Senator's reservation attached, the Senator would still be opposed to the revised treaty. In other words, if the Russians were to agree to get their people out of Cuba by the terms of this treaty the Senator from Arizona would find himself opposed to the Russians getting out. Now, Mr. President, I cannot believe that the Senator from Arizona really wants to see the Russians stay in Cuba. Yet that is what he is saying when he insists on the inclusion of this reservation to get them out and then insists he will not vote for the treaty even if the reservation is accepted.

In these circumstances, the purposes of the Senator's proposed reservation is transparent. It is clear that its purpose is not to build the treaty but to bury it, to bury not directly and cleanly but indirectly and obscurely. It seems to me that the Senator from Arizona should be given every opportunity to do what he really seeks to do in a fashion more in accord with his character, which is bold and fearless and always to the point. He should be given an opportunity to reject this treaty, as is, on final passage. He should not be confronted with a treaty, blurred and confused by his proposed reservation. I think we owe it to the Senator from Arizona as well as to the Nation to reject his proposed reservation.

Mr. MILLER. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am glad to yield.

Mr. MILLER. I wonder whether the Senator will be kind enough to repeat what he said about the threat to nuclear fallout.

Mr. MANSFIELD. I shall be delighted to do so. I said:

> In killing the treaty the reservation would have an adverse effect on the health and hopes of the people of the United States. It would insure continuance and the increase in the exposure of the population of this Nation—men, women, and children—to radioactive damage to health, through fallout from nuclear testing.

Mr. MILLER. I thank the Senator from Montana.

Mr. MANSFIELD. I have never yet seen anyone prescribe radioactivity as a prescription for bodily health. I remind the Senator from Iowa that if the treaty is rejected, we can expect resumption of tests in the atmosphere, with the consequent results, both genetic and physical, to our children.

Mr. MILLER. I think the Senator from Montana is well aware of the fact that he is proposing that Senators vote in favor of approval of the treaty. At the same time, I wish to make clear to the Senator from Montana that I very much object to the inference that any Member of the Senate who sees fit in his conscience to vote against Senate approval will, therefore, vote to have, as the only alternative, a new fallout problem for the people of the United States.

If I recall correctly, the President stated in June, in his commencement address at American University, that the policy of this country was that it would not be the first to resume testing in the atmosphere. I understand that that policy still holds good, regardless of what happens to this treaty.

Mr. MANSFIELD. Then the Senator from Iowa understands a great deal more than I do. In my 11 years in the Senate, I have never attacked the integrity of any Senator or questioned his motives. Second, no one knows whether our country would be the first to resume testing if the treaty should fail, because the end result, as I see it, of Senate rejection of the treaty would be that the burden of making that decision would be placed on the two great nuclear powers—the United States and Russia; and in that event, I believe the end result would be a resumption of nuclear testing in the air—as both our military experts and some of our scientists have advocated.

Mr. MILLER. Would the Senator from Montana think the end result—which would be of equally great concern, if not even greater concern, to us—would be an attempt to secure a comprehensive test ban treaty?

Mr. MANSFIELD. I would not.

Mr. MILLER. Does the Senator from Montana think we would redouble our efforts in that connection?

Mr. MANSFIELD. The Senator has asked a question. In my opinion, we might then continue our efforts to obtain a comprehensive test ban treaty. But it is my further opinion that if the treaty were to be rejected, those efforts would not be any more successful than past efforts have been. I am also of the opinion that the end result would be a resumption of atmospheric testing and testing under water.

Mr. MILLER. Is the Senator from Montana of the opinion that we would be the first to resume testing in the atmosphere?

Mr. MANSFIELD. I think we would be free to do so if we so desired. Perhaps the circumstances then existing might compel us to do it.

The **PRESIDING OFFICER.** The time yielded to the Senator from Iowa has expired.

Mr. MILLER. Mr. President, will the Senator from Illinois yield another 2 minutes to me?

Mr. DIRKSEN. Yes, I yield 2 minutes more to the Senator from Iowa.

The **PRESIDING OFFICER.** The Senator from Iowa is recognized for 2 more minutes.

Mr. MILLER. I thank the Senator from Illinois.

Let me inquire whether the Senator from Montana feels that the President's statement at American University would not continue to stand if this treaty were not approved by the Senate?

Mr. MANSFIELD. No one can see into the future and be able to state an opinion with absolute assurance. All one can do is conjecture. I believe I have conjectured enough to indicate to the Senator from Iowa what my thoughts are.

Mr. MILLER. Mr. President, I should like to conclude by expressing the hope that the Senator from Montana will recognize that his conjecture that Senate rejection of the treaty would expose our people and people throughout the world to more radioactive fallout is only a conjecture on the part of himself; certainly he does not mean to imply that the conjecture of any other Senator might not differ from his.

Mr. MANSFIELD. In view of the fact that the Senator from Iowa has repeated his statement of his view, I now repeat my previous statement;—namely, that at no time during my 11 years in the Senate have I ever questioned the integrity or good faith of any Senator on either side of the aisle, and I am not starting to do so now.

Mr. THURMOND subsequently said: Mr. President, I ask unanimous consent to have the portions of the record to which I shall now make reference printed at the conclusion of the remarks of the Senator from Iowa, who responded to the majority leader's statement. First, I refer to the colloquy appearing on page 633 of the hearings of the Committee on Foreign Relations:

> Senator THURMOND. What people want to know is this: We have been reading about fallout, fallout in milk, and fallout in food and resulting injury to the future generation. Is it possible for this fallout to bring about sterility and various other reactions?
>
> I just want to ask you whether you feel that there is danger to people's health from the little fallout radiation resulting from the tests we have conducted?
>
> Dr. FOSTER. No, sir.
>
> Senator THURMOND. Your answer is "No"?
>
> Dr. FOSTER. My answer is "No."
>
> Senator THURMOND. Thank you.

I now refer to the questions and answers which appear on page 214 of the hearings before the Senate Committee on Foreign Relations:

> RADIOACTIVE FALLOUT
>
> Senator RUSSELL. Dr. Seaborg, I read in the paper, I believe the day before yesterday, that there is twice as much radiation in milk today as there was 3 years ago.
>
> Is that approximately right?
>
> Dr. SEABORG. That would depend on the section of the country that was being referred to. I would like to say that there are probably sections of the country where there is twice as much strontium 90 in the milk now as there was 3 years ago, yes, sir, Senator.
>
> Senator RUSSELL. Has that yet reached a point where it is sufficient to endanger the human family?
>
> Dr. SEABORG. No, sir.
>
> Senator RUSSELL. It is a long way from it?
>
> Dr. SEABORG. It is a considerable distance from it, yes, sir.
>
> Senator RUSSELL. I must express my surprise that you did not refer to any advantages to be gained from lessened fallout. Some of our practicing politicians have been predicating their vote on this treaty on what they call very cynically and irreverently the "mother vote," because the treaty would lessen the dangers of increasing the fallout.
>
> But I commend you for being frank and honest with the committee and not bringing in an objection that is captious and not genuine.

Mr. SYMINGTON. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield.

Mr. SYMINGTON. Let me call to the attention of the Senate the fact that the Joint Chiefs of Staff are on record as stating that testing in the atmosphere would be necessary under present conditions. In other words, as I understand, if the Soviet Communists were not prevented by this treaty from testing in the atmosphere, the Joint Chiefs of Staff believe that testing in the atmosphere would be resumed.

Mr. SALTONSTALL. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am glad to yield.

Mr. SALTONSTALL. The Senator from Montana has just answered a number of questions by the Senator from Iowa. However, is there not a very important point which he has not mentioned? If the treaty is rejected by the Senate what will be the psychological effect on the 99 nations which already have signed it? Will not that effect be a very bad one?

Mr. MANSFIELD. The Senator from Massachusetts is correct. I have stated only one effect. Of course, there are many others.

Mr. JAVITS. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I am glad to yield if I have any time left.

Mr. DIRKSEN. I yield 1 minute to the Senator from New York.

The **PRESIDING OFFICER.** The Senator from New York is recognized for 1 minute.

Mr. JAVITS. I am interested in the Senator's statement that Senate adoption of the reservation would kill the treaty. I have to agree with him. But can he give us any assurance that other proposals, such as the preamble to the resolution, as proposed by a Senator who is opposed to the treaty, would not have the same effect?

Mr. MANSFIELD. I certainly can; it would not have the same effect. It will be in order, and I think it is a good preamble.

Mr. JAVITS. I thank the Senator.

The **PRESIDING OFFICER.** The time of the Senator from Montana has expired.

Mr. GOLDWATER. Mr. President, how much time have I remaining?

The **PRESIDING OFFICER.** Five minutes.

Mr. GOLDWATER. Probably I shall not use all of it.

Mr. President, after listening to the objections which have been voiced to my reservation, I have reached the conclusion that they are based entirely upon the alleged inappropriateness of the reservation. But I point out that the same argument has been used against proposed reservations on many occasions when the Senate has considered proposed treaties. For example, I recall, in that connection, the reservation offered to our treaty with Japan and the reservations proposed to the Treaty of Versailles. One of those reservations provided, as I recall, denial by the United States of its participation in any organization which might be formed among the other nations associated with that treaty. Similarly, when the Senate was considering the 1923 commercial treaty between the United States and Germany, the same argument of inappropriateness was made against a reservation which provided that nothing contained in that treaty was to be construed as affecting the existing rights of either country in relation to the admission of aliens or the right of either country to enact statutes in that connection.

In my opinion, any reservation offered to a treaty is appropriate and germane. The Senate is charged by the Constitution with giving its advice and consent to treaties. Heretofore, I have tried to point out to the Senate that if it is merely to receive proposed treaties from the State Department and the executive branch, and is not really to give its advice and consent, but merely is to pass on them pro forma, the Senate will not be doing its duty.

No Senator has denied to any other Senator the right to propose reservations. I think this debate has, on the whole, been one of the finest to which I have listened. I take this opportunity to compliment the chairman of the Foreign Relations Committee, who conducted the hearings in a very courteous, gentlemanly, and sincere way; and I enjoyed very much sitting with him.

It has also been argued that we should consider what other nations might think if we even proposed a reservation. But only two countries in the world, other than the treaty signers, seem to have any possibility of the creation of a nuclear weapons capability—although the scientists tell us that any nation can develop nuclear power. However, whether they can use it as a weapon is doubtful.

I do not care what the 99 nations think about us; I think we must maintain a strong military capability. I will vote against Senate approval of the treaty because of my fear that by its ratification of the treaty, the United States would weaken itself.

I remind Senators that the treaty would require our country to pay a high price. Although the future may prove the treaty to be worth that price, at the moment I have my doubts.

In 1961 and 1962, the Russians conducted tests which our scientists believe yielded to the Russians information that we do not have.

So, Mr. President, both from the military standpoint and from the scientific standpoint, I believe it would be wrong for the Senate to approve the treaty. If, instead, we had continued the efforts to obtain a full ban on all onsite testing, even though that might have taken some time, I believe that would have been the better way to proceed.

Mr. President, I have offered the reservation in good faith. I have not offered it with any intention of killing the treaty, because I do not believe it would kill the treaty. I believe that the opponents are merely conjecturing as to what Khrushchev might do. I am also conjecturing as to what he might do. I believe he wants the treaty. It is to his military and scientific advantage to have the treaty. Therefore, I am of the opinion that he would go quite a way to get the treaty, because if he has the information that our scientists and military experts feel that he must have, he now has a decided advantage in the field of nuclear physics and in the possibilities of developing stronger weapons and defenses than our own. For that reason, and that reason alone, I shall vote against the treaty.

I urge that consideration be given to my reservation. It would not affect the language of the treaty. It would merely ask our enemy to do that which he has promised twice to do, namely, to get out of Cuba.

Mr. KEATING. Mr. President, will the Senator from Illinois yield me 2 minutes for the purpose of interrogating the Senator from Arizona?

Mr. DIRKSEN. I yield 2 minutes to the Senator from New York.

Mr. KEATING. I recognize the objective which the distinguished Senator is seeking. As the Senator from Montana said, I believe that is the objective of every Senator. I wish the Senator could see his way clear to withdraw his reservation. I make that statement for the following reason. Many Senators are dedicated to the removal of Russian troops and weapons from Cuba. We look upon their presence in Cuba as a menace to the security of the Western Hemisphere. I shall feel compelled to vote against the reservation because it is my judgment—and apparently it is the judgment of other Senators—that such a reservation would kill the treaty. I know that the Senator from Arizona is sincere in opposing the treaty, but many Senators who favor the treaty do not wish to see it killed by attaching a reservation of the character of the one proposed.

If the Senator does not see fit to withdraw his reservation, let it be clear that if the reservation is defeated—and I believe it will be defeated by a rather overwhelming vote—defeat is not to be construed as meaning that we are ready to accept a continuation of Russian troops and weapons in Cuba.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. GOLDWATER. Mr. President, will the Senator yield 1 minute to me so that I may answer the Senator from New York?

Mr. DIRKSEN. I yield 1 minute to the Senator from Arizona.

Mr. GOLDWATER. I cannot in good conscience withdraw the reservation. I wish to make it perfectly clear that I do not consider a vote against the reservation as indicating a desire on the part of any Senator to see the status quo continue in Cuba. I also recognize that no Senator has been more accurate and diligent in his forecasting of what is going on in Cuba than has the distinguished Senator from New York. I believe this reservation is a price that we ought to exact from our enemy in payment for the military disadvantage in which we are placed. That is my reason for offering the reservation.

Mr. SCOTT. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield 1 minute to the Senator from Pennsylvania.

Mr. SCOTT. I believe it is well known that I share the views of the Senator from Arizona with regard to the menace presented by Cuba, his grave concern at our failure to do anything about it, and his feeling about the remarkable inaction which pervades the administration in its apparent firm resolution to take no action whatever at any time, now or in the future, with regard to Cuba. If missiles are still in Cuba, they should be removed, and the troops there should be removed. So I am totally in sympathy with the sentiments expressed by the Senator from Arizona. However, I am rather reluctantly drawn to the conclusion that the Senator's reservation would not accomplish the purpose which he has in mind. If I thought it would, I would vote for it. Feeling that it would not, I am constrained to be against the reservation.

Mr. ALLOTT. Mr. President, will the Senator yield 1 minute to me?

Mr. DIRKSEN. I yield 1 minute to the Senator from Colorado.

Mr. ALLOTT. I am in accord with my friends the Senator from New York [Mr. KEATING] and the Senator from Pennsylvania [Mr. SCOTT]. Many of us have tried to call to the attention of the Senate repeatedly the fact that, in the foreign policy of our country, we cannot forget Cuba. For Senators who feel so strongly about Cuba, to vote against the reservation will be a most difficult task. I merely wish to make it clear that when I vote against this reservation, I shall not have changed my feelings concerning Cuba.

Last week the Senator from Arizona rejected my thought that the time when we should have insisted on such a reservation was before the treaty was signed. I still believe that to be true.

But I also believe that if a Senator has come to the same conclusion that I have—though somewhat reluctantly—that he will vote for the treaty, then a vote on behalf of this reservation would vitiate a vote for the treaty itself. For that reason I shall vote against this reservation. But I shall not relinquish my hope that we may impress upon the State Department and the President the absolute necessity that we do something immediately and positively in relation to Cuba.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from New York.

Mr. JAVITS. Mr. President, I think the important thing we must remember is that the Cuban people are a part of the human race, too, and that while they live in Cuba, they are not part of the human race. They will be as affected in relation to the object of the treaty as will all the rest of us.

What about the East Germans and the central Europeans? How about the 99 nations that have already signed the treaty? They would feel extremely bad if we killed the treaty by voting for the reservation. In my judgment, that is exactly what we would be doing. In addition, we would be driving Khrushchev into the arms of Mao Tse-tung by saying that we cannot do a thing with Khrushchev.

Mr. President, while I am on my feet, there are two things we must nail down. We cannot approve the treaty on the theory that the Soviet Union will not get anything out of it. We are not children. Of course they will get something out of it. Nor can we fail to ratify the treaty because Khrushchev wants it. We want it, too. We have our reasons; he has his reasons. The margin may be slim, but I think it is in favor of ratification and decisively in favor of rejecting reservations which would kill the treaty.

Mr. FULBRIGHT. Mr. President, I yield 1 minute to the Senator from New Mexico [Mr. ANDERSON].

The PRESIDING OFFICER. The Senator from New Mexico is recognized for 1 minute.

SAM GILBERT BRATTON

Mr. ANDERSON. Mr. President, just a week ago I reported to the Senate the death in New Mexico of our former colleague, Carl A. Hatch. Now today I rise again to announce the passing of another former colleague, also a former Senator from New Mexico, Sam Gilbert Bratton. Sam Bratton, who served in the U.S. Senate from March 4, 1925, to June 1933, died 1 week after his former law partner Senator Hatch. Sam Bratton was born in Kosse in Limestone County, Tex., August 19, 1888. He was admitted to the Texas bar in 1909 and moved to Clovis, N. Mex. in 1915 to practice law. From 1919 to 1922 he served as judge of the Fifth Judicial District of New Mexico. In 1922 he was elected an associate justice of the New Mexico Supreme Court, serving on the highest bench in New Mexico for 21 months until he resigned to accept nomination to the U.S. Senate. He was elected in 1924, and served in the Senate until his resignation in 1933 to accept appointment as a judge of the 10th Circuit Court of Appeals. Judge Bratton retired in 1962 and made his home in Albuquerque, where he was a member of the Methodist Church and a 32° Mason and Shriner. He was a highly regarded member of the court, and his passing will be mourned by many of those to whom he was a friend.

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

The PRESIDING OFFICER. All time on the reservation has expired.

The question is on agreeing to the reservation offered by the Senator from Arizona [Mr. GOLDWATER]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARLSON (when his name was called). On this vote I have a pair with the senior Senator from Nebraska [Mr. HRUSKA]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. MANSFIELD (after having voted in the negative). On this vote I have a pair with the distinguished Senator from Louisiana [Mr. LONG]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. HUMPHREY. I announce that the Senator from Tennessee [Mr. Gore], the Senator from Ohio [Mr. Lausche], the Senator from Louisiana [Mr. LONG], and the Senator from Rhode Island [Mr. PASTORE] are absent on official business.

I also announce that the Senator from California [Mr. ENGLE] is absent because of illness.

I further announce that, if present and voting, the Senator from Tennessee [Mr. GORE], the Senator from Ohio [Mr. LAUSCHE], the Senator from Rhode Island [Mr. PASTORE], and the Senator from California [Mr. ENGLE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. HRUSKA] is necessarily absent and his pair has been previously announced by the Senator from Kansas [Mr. CARLSON].

The result was announced—yeas 17, nays 75, as follows:

[No. 162 Ex.]

YEAS—17

Bennett
Byrd, Va.
Curtis
Dominick
Eastland
Goldwater
Jordan, Idaho
Mechem
Mundt
Robertson
Russell
Simpson
Stennis
Talmadge
Thurmond
Tower
Williams, Del.

NAYS—75

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Church
Clark
Cooper
Cotton
Dirksen
Dodd
Douglas
Edmondson
Ellender
Ervin
Fong
Fulbright
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Keating
Kennedy
Kuchel
Long, Mo.
Magnuson
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Morse
Morton
Moss
Muskie
Nelson
Neuberger
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Smathers
Smith
Sparkman
Symington
Walters
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—8

Carlson
Engle
Gore
Hruska
Lausche
Long, La.
Mansfield
Pastore

So Mr. GOLDWATER's reservation was rejected.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the reservation was rejected.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MUNDT. Mr. President, I send to the desk an amendment to the resolution of ratification, and ask that it be read for the information of the Senate.

The PRESIDING OFFICER. The amendment offered by the Senator from South Dakota will be read.

The legislative clerk read as follows:

> At the end of the resolution of ratification add the following new paragraph:
>
> "It is the sense of the Senate that in the negotiation of any future treaty or amendment to a treaty (including any amendment to this treaty) which becomes effective only when ratified by certain specified parties, it should be the position of the United States that no other country should be permitted to sign or accede to such treaty or amendment until it shall have been ratified by such specified parties."

Mr. MUNDT. Mr. President——

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. DIRKSEN. In addition to the time allowed under the amendment, I yield to the Senator 15 additional minutes under the treaty.

Mr. MUNDT. Mr. President, in the 46 days since President Kennedy transmitted to Congress the treaty banning nuclear weapons tests in the atmosphere, underwater, and in outer space we have witnessed throughout this Republic a true demonstration of democracy at work through the attention being given by citizens individually and in groups to the effect which the provisions of this treaty will have on the future peace of the world, and more especially on the future of this country which we all love and cherish.

During the past 46 days I have, as one of the more recently appointed members of the Senate Foreign Relations Committee, engaged in intensive studies of all the ramifications of this treaty. Knowing that the final responsibility for approval or rejection of this proposed treaty lies in the hands of the 100 Members of this great deliberative body, I have searched diligently in all areas of activity on this treaty for the full information behind the treaty and what its provisions will mean to the world. I have attended the hearings of the Foreign Relations Committee, listening to the testimony of the expert witnesses before that committee and after listening to them I have gone back to the record and reread their analysis of the treaty.

I have, in addition, attended many secret executive sessions during which significant reports were heard and relevant factors were discussed. I have listened to the speeches which have been delivered on the floor of the Senate on the subject. I have sought out and visited with other Senators and with defense experts in an effort to obtain their knowledgeable opinions on the provisions of this treaty and their effect on the future of America. All of us in this great body have the same objective—to advance the cause of peace and freedom. I know that all of us hope that we can cast our vote with all of the wisdom we can command and with respect for the judgments of all others in their decision—each with the same hope that, whatever our vote may be, it will advance the cause of peace with freedom for all areas of the world.

Forty-six days ago when debate started throughout the country on this treaty there was confusion in many minds as to just what the language of the treaty implied. I myself was amazed and disappointed at the loose and ambiguous language which was used in the drafting of this treaty. It was difficult to reach agreement with anyone on just what the provisions of this treaty meant. However, after 46 days of debate throughout the country and after extensive hearings by at least two Senate committees and through legal memorandums submitted for the official record there has now evolved a much better understanding of what the meaningful provisions of the treaty really are. We know that this treaty prohibits nuclear weapon tests as well as all other nuclear explosions in peacetime in three environments: the atmosphere, underwater, and outer space. Underground explosions are permitted so long as the radioactive debris remains within the country where the explosions take place. Peaceful experiments and uses in which we are interested can be conducted underground within the limits of the treaty.

The treaty does not end the arms race. It does not necessarily even ameliorate it. It does not reach the essential goal of controlling nuclear weapons testing or of safeguarding the world against their use. In fact, I am one who feels there is more that this treaty does not do than that which it actually accomplishes.

There is an old Arabian proverb which says:

> Four things there are which never return; the sped arrow, neglected opportunity, time spent, and the spoken word.

It is my firm belief that in the development and presentation of this treaty there is a vast element of neglected opportunity. There is for me more of tragic disappointment than of real significant achievement. It is possible, but I hope not necessarily so, that this treaty could become a disastrous setback to the world's hopes for nuclear disarmament, the outlawing of nuclear warfare, and the provision by treaty for adequate and positive mutual onsite inspection in all nations to insure that the threat of nuclear war is forever eliminated. Let us all hope and pray that in our zeal to settle for this second best arrangement and agreement that we did not miss the world's best opportunity to attain the real objective of a complete and comprehensive nuclear weapon test ban treaty with full and unrestricted onsite inspection by all parties combined with the outlawry of nuclear war and the orderly but total disarmament and destruction of all nuclear weapons.

We have been told by our President and by our Secretary of State that "changed conditions" of some type—they have never been able or willing specifically to define those changes or conditions—have in some way given Khrushchev and the Russians an urgent desire to join us in some type of treaty discouraging nuclear testing, armament, and war. Perhaps this is true since for so long Russia has resisted so vigorously any such treaty not tied in with other considerations completely unacceptable to the United States. However, assuming the truth of this report and the fact that Russia confronts changed conditions—be they economic, political, or because of difficulties with their Communist Chinese cohorts—it was all the more imperative that our leaders endeavor to achieve the big success and accomplish the significant goal of inducing Russia to sign a comprehensive nuclear treaty which would: first, outlaw nuclear war; second, prevent all forms of nuclear testing other than for peaceful pursuits; third, provide for the orderly and complete disarmament of all existing nuclear weapons; and fourth, include safeguards and provisions for on-site mutual inspection—completely without restrictions or limitations—so that all parties concerned would be positive in their knowledge that all terms of the treaty would be met and continued in compliance.

That, Mr. President, is the type of nuclear treaty for which I would like to vote. That would have been a real breakthrough for peace—a genuine step forward—a mighty "first step on a long journey" the destination of which would be permanent peace and clear to all.

During the hearings I asked the Secretary of State and others how hard we tried at the treaty-formulating meeting to win this real victory for humanity—to get a wholly effective nuclear treaty. I was assured an effort had been made. But when we asked for the transcripts of the discussions; for a record of what was asked and offered and denied; for a detailed statement on the terms we carried to the meeting and the reasons why a more comprehensive and complete treaty including mutual onsite inspections, we were met with the hoary old argument of Executive privilege and the denial of our request that those background papers be made public. Likewise, the public is to be kept in darkness concerning the details of the Kennedy-Khrushchev correspondence. All of this I resent and deplore but most especially I deplore and resent the fact that if indeed changed conditions forced Russia to alter its position and sign a treaty devoid of extraneous considerations, our country muffed its greatest opportunity by settling for far less than what a more determined, talented, and persistent approach could have provided at the meeting prior to the initialing of the treaty text.

I hope I am wrong, but I fear that this golden opportunity to move the Communists in our direction on nuclear disarmament may not come soon again. I am sorry and worried that we settled so quickly and so easily for something second best if it is indeed that good.

I also recognize that now that we have initialed the text of the treaty and to all intents and purposes thereby given Executive agreement to the treaty that it could well be that to fail to ratify this second best treaty now might make further progress or future understandings not only improbable but perhaps impossible. To do nothing in this area of importance to world survival is to invite an acceleration and proliferation of the nuclear armament race—to continue indefinitely and without restraint the rival and unfriendly competition in building and testing weapons of annihilative destructive power is to invite ultimate nuclear war. This is an unthinkable alternative—nuclear war—a death knell for the blessings of civilization and freedom as we know them and enjoy them today.

The discussions of the past 46 days have cleared up many points of distress in the minds of all of us on the effects of the provisions of this treaty. We have now been assured by Dr. Glenn Seaborg, Chairman of the Atomic Energy Commission, and by Dr. Edward Teller that the commercial and domestic pollution of atmosphere in our country has more of an adverse effect on the health of our people than does existing radiation fallout. In fact, these experts established that fumes caused by the exhausts of cars and trucks are more inimical to our national health than all the accumulated radiation from the atmosphere.

I will not duplicate the facts which were inserted in the CONGRESSIONAL RECORD by Senator BYRD of West Virginia, on September 19. Senator BYRD of West Virginia placed in the RECORD all of the excerpts from the testimony of all the hearings which completely proved the falseness of the assumptions which have been made that "we need this treaty to protect our people from the disastrous effects of nuclear fallout." I would like to insert in the RECORD at this point in my remarks, however, some additional evidence coming to me in a letter from Dr. John H. Lawrence, director of Donner Laboratory, University of California, Berkeley.

I believe that Dr. Lawrence's testimony on this point is significant, albeit it reaches us so late in the consideration of the treaty. He writes:

> DEAR SENATOR MUNDT: I am taking the liberty of writing to you regarding the discussion of radiation and fallout in the test ban treaty debate. My purpose is not to argue the larger merits of the treaty but rather to express the view that the fallout fear has been overemphasized, with potential harm to our future security and to our future peaceful use of atomic energy. I have been increasingly alarmed by newspaper reports in which men of high position in our Government repeatedly argue that testing must be stopped because of possible present and future damage to the population of the world from radiation fallout.
>
> I have worked in the field of biological and medical uses of atomic energy since 1935, when the first radioactive isotopes and the new nuclear radiations were available from the first cyclotrons, and having been active in the research and practical aspects of radiation protection since those early days I have concluded from my work that any risk from a slight increase in background radiation resulting from nuclear testing is negligible compared with the risks of modern living incurred routinely and with little public concern: smog, cigarette smoking, chemicals in industry and agriculture, automobile driving—these and other modern risks are greater than those from the fallout of nuclear testing. When viewed in perspective, the very small relative risks of fallout from testing are of little consequence in evaluating this treaty. The real questions are whether the treaty enhances our national security and whether it reduces the risks of nuclear war, this latter being the real danger of radiation damage. Terrorizing our people about fallout now is not only using the wrong argument for the treaty but it may very well inhibit us in performing future weapons tests when such tests may be vital to our security. Moreover, the fear thus engendered may have inhibiting effects on our rapid development of nuclear power, which is essential to maintain a high standard of living for a growing population. I urge that we keep radiation in perspective.
>
> I am sending on to you a copy of a statement I made on this subject in the summer of 1958. It was during that summer the United States sent to Geneva three scientists, one of whom was my brother, Prof. Ernest O. Lawrence, to discuss with the Russians cessation of testing. No one was more interested in making every effort to bring this about than was my brother, if it could be done without endangering the future of this country and the free world. By emphasizing danger from fallout we are neglecting other more important dangers.
>
> Very sincerely,
>
> JOHN H. LAWRENCE, M.D.

So speaks Dr. John Lawrence, who works in this field and who is the brother of Dr. Ernest Lawrence, of South Dakota, the Nobel Prize winner who directed the work in splitting the atom at the University of California, thus enabling this country to move forward in the nuclear field. I am proud to state that the father of these men was the president of one of our fine State teachers' colleges in South Dakota for many years, and the Lawrence brothers are true South Dakota products.

We learned from Secretary of Defense McNamara and other Defense Department spokesmen such as the Joint Chiefs of Staff that this is not a step toward disarmament. In fact, Secretary McNamara strongly urges that not just the United States but the nations of the West continue to maintain their military strength as a foundation for future negotiations with the Soviet Union, and which I hope will continue.

In a memorandum inserted in the RECORD dealing with a speech which had suggested arms cuts and complained about America's having an overkill capacity, Secretary McNamara indicated he was convinced that large cuts in the strategic budget could not be adopted without substantial risk to our national security. He insisted we should become stronger rather than weaker in our military posture, and with this statement from our Secretary of Defense I completely agree.

During the consideration of the treaty we have been assured in testimony by the experts in the Defense Department and the scientists involved in getting the job done that there would be no cessation of testing underground or of arms development. We were assured by Dr. Bradbury, director of the Los Alamos Scientific Laboratory, that with underground testing we can develop and test whatever type of warhead may be required for an antiballistic-missile system. He further stated:

> Small weapons, cleaner weapons, tactical weapons to the extent that any of these are needed and practical, can be worked on and improved. We can investigate many of the effects of nuclear detonations or other detonations on other nuclear wearheads; information which is useful in connection with the study and design of system requirements for both offensive and defensive nuclear warheads and their delivery systems. Much knowledge already exists here, but much more can be found.

With this assurance from the experts—and we must rely on their testimony and their advice, we know we can remain nuclearly strong and capable of meeting any threat which might be posed by the Communist world if the treaty is abrogated. It is up to all of us to make sure that we maintain this capacity and strength.

MISSILE GAP

The sworn testimony before our two committees has also refuted for all time the partisan charge that during any period of our history America has suffered from a missile gap. We now have it direct from the Secretary of Defense himself that there has never been a missile gap which at any time enabled the Russians to excel us in this field. Secretary McNamara assures us, too, that he will never permit one to develop under his jurisdiction and administration. He tells us categorically the United States leads the rest of the world combined—including Russia—in our missile power and might. If this treaty is ratified we place a solemn and unending responsibility upon President Kennedy, upon Secretary McNamara and upon their successors to maintain that lead so long as nuclear weapons form a part of the arsenal of any country in the world. They have accepted this responsibility. We in Congress have the corresponding responsibility to hold them to it.

Further, we have been assured by one and all who have appeared before the committee and by documents of legal interpretation inserted in the printed record that if the treaty is abrogated by the Soviets we can and will immediately activate our plans for continued testing where it would be prohibited by the treaty. In fact, I was assured in my questioning of Mr. McNamara that within a very short period of time we could and would carry out extensive and effective tests. We were assured that if Congress provides the funds, the necessary equipment, scientists, and laboratories will be maintained for immediate atmospheric testing if that time ever comes to pass when the treaty is abrogated.

A BASIC QUESTION TO BE ANSWERED

Now let us look at the other side of the coin. We know that failure to ratify this treaty would actually settle nothing. Just as ratification of the treaty fails to end the peril of potential nuclear war and leaves more of the problems posed by nuclear weapons unsolved than it seeks to solve, so too the rejection of this treaty would do nothing to end the potential of nuclear war or to settle the problems or eliminate the dangers of our time and era of history. In support of ratification of the treaty it can be said, however, that it moves in the direction of solving one of the great problems which challenges our country in this atomic age. That problem stated simply is: "What will the future hold and what will be our situation if no restrictions are imposed against the proliferation of nuclear armed might beyond the countries now considered nuclear powers?"

Mr. President, that is a question which has plagued my mind and caused me many sleepless hours as I have devoted myself to an analysis of the factors involved in trying to determine how to cast my own vote on this matter of treaty ratification. If we reject the treaty and if by rejecting it we create an international climate in which no future and no more comprehensive treaty can be negotiated, what happens to our hope for survival if as time moves on we find not 3 or 4 countries with capacity to either start or wage a nuclear war but confront instead a world map on which 8 or 10 or 12 countries have developed that capacity? Who in all this world and what conceivable international mechanism can then insure civilization against the awesome consequences of a nuclear holocaust ignited by design or through accident by any of these countries? Does anyone anywhere believe such action would not escalate into worldwide nuclear war and destruction? This treaty at least has the merit of limiting and discouraging other nations from entering this mad race toward disaster and if despite such a worldwide expression of policy some nation violates its prohibitions we revert at worst to a resumption of the pagan rivalry in nuclear destruction in which we are now engaged.

A FACTOR LARGELY OVERLOOKED IN THIS DEBATE

I turn now to a factor which, very strangely, has largely been ignored in the debate. When we stop and look at the situation which exists today we must realize that the inhibitions of this treaty place no greater restrictions upon us than upon the other nations of the world.

There have been far fewer new restrictions proposed for us in fact than those proposed for imposition upon the other nations of the world. From a careful study of all the evidence presented, I cannot convince myself that ratification of this treaty creates any vast new changes in our present security programs or nuclear weapons testing programs that are likely seriously to jeopardize our defense capacities or our abilities to carry nuclear war to the enemy should such an eventuality occur.

It has been largely overlooked in this debate but actually a proper evaluation of our policy today finds that our current American policy of nuclear testing is that we will not test in the atmosphere and thus no significant changes are involved in the ratification of the treaty except that it would also prohibit the testing underwater. We are advised that underwater testing has value only insofar as determining the effect of a nuclear blast on ships but has no value on improving the efficiency of an overall nuclear weapons system.

All of us as responsible legislators know that under our Constitution and separation-of-powers concept of government the President, as the Commander in Chief of our Armed Forces, and the focal point of our foreign policy, has the plenary authority to effectuate certain decisions on national policy. One of these decisions which the President has made is whether to test nuclear weapons under certain conditions or whether not to test; whether to utilize or not to utilize atmospheric testing in our nuclear arms development program. Perhaps I can be corrected but I know of no congressional action whereby we, as Members of the U.S. Senate, can compel the President to proceed with a weapons testing program at a time when he specifically opposes it and has in fact publicly announced a program which bars such tests.

On June 10, 1963, in an address at American University, Washington, D.C., President Kennedy stated:

> I now declare that the United States does not propose to conduct nuclear tests in the atmosphere so long as other states do not do so. We will not be the first to resume.

President Eisenhower had declared such a moratorium on testing which was broken by Soviet testing in 1961. Now President Kennedy, through his statement and decision of June 10, has placed in effect the vital and most significant provisions set forth in the treaty now before us. In my opinion, it is therefore necessary that any consideration given to the defense implications of this treaty must be made with relationship to that public establishment of American policy by the President on June 10, 1963.

Thus, Mr. President, whether or not we ratify this treaty actually makes very little difference today—technically—on our testing procedures. We are barred by the self-imposed restrictions in that Presidential proclamation from atmospheric testing. The Russians are not so bound. Thus this treaty actually extends to Russia—so long as she conforms with its provisions—and to all other signatory nations the prohibitions and restrictions against atmospheric testing which President Kennedy imposed on the United States on June 10. It clearly imposes upon Russia, therefore, far more inhibitions than it adds to our prevailing policy in the United States.

We must keep in mind that this treaty bars testing in three areas: In the atmosphere, in outer space, and underwater. Basically the restrictions on testing above ground have been in effect in the United States since June 10, and as I pointed out earlier in my remarks, no case has been made by any scientific or military authority for the imperative importance of underwater testing. Since it is inconceivable that any President would pledge this country to refrain from atmospheric testing while secretly ordering tests in outer space, this means this treaty actually changes the status quo of our American policy on nuclear weapons testing primarily by including the prohibition of underwater testing. Underground testing will be continued regardless of whether this treaty is ratified or rejected. And—I repeat—underwater testing is of minimal importance according to all testimony.

I am certain that we could develop another 46 days of debate over the wisdom and the desirability of the President's proclamation whereby such specific self-imposed restrictions were prescribed for the United States so long as no other nation held nuclear tests or conducted nuclear explosions above the ground.

Speaking for myself, I regret President Kennedy's announcement and feel that both our national defense posture and our treaty bargaining power would have been much stronger had he not made such a proclamation. Unfortunately that is now "a spoken word" which cannot be recalled. However, Mr. President, it does not appear realistic to believe that since this is today our policy, we have so much to lose that we should reject extending this prohibition to other nations by treaty since a violation by one nation frees all nations from all of the restrictive provisions of the treaty. Further this treaty does not in any way change our capacity or inhibit our activities in underground testing.

Therefore if we consider this treaty in the perspective in which it was negotiated with the knowledge of our prevailing policy of banning our own atmospheric testing, I am convinced that it is in our best national interest and the better choice for the preservation of world peace to ratify this treaty. I shall so cast my vote in the treaty rollcall during Tuesday's session of the Senate. In so doing I readily acknowledge, however, that strong and persuasive arguments can be made against such ratification, and I respect the individual judgment of every Senator who votes either "aye" or "nay" on that important rollcall. All of us will be voting with the realization that only the passage of time, and perhaps the ultimate verdict of history, will determine who was right and who was wrong in this decision.

Mr. President, like other Senators I have received a great volume of correspondence and counsel on this subject. All of it has been valued, has been evaluated, studied and considered. I regret my secretarial facilities are so limited that I could not undertake to answer anything more than a very small fraction of the mail and messages received from outside the boundaries of South Dakota. To all South Dakota communications, I have of course replied by personal letter. The letters from my home State reflected the divided opinion which prevails among us all, although it is simply honest to report that by a comparatively narrow margin more communications reached me from home against the measure than were received supporting ratification. In both instances, however, there was reflected an awareness of the seriousness of our decision, of its confusing and sometimes contradictory aspects, of the imponderable and the unpredictable elements involved, and in most cases a prayerful admonition that in the final analysis I call upon all the sources of information and reason at my command and vote my conscientious judgment. This of course is what each of us must do in a matter of this importance and potentiality. Consequently, that is what I shall do tomorrow.

ARGUMENTS AGAINST THE TREATY

Among the arguments heard during the testimony on the treaty and from those counseling us from their homes and offices were specific expressions of genuine concern on specific aspects of the treaty's consequences and implications. Again only history will determine the ultimate replies. Let me list a few of these points of opposition which give me great concern, however, primarily to emphasize and reiterate once again the necessity of maintaining an American policy—hammered out and implemented by both the executive and the legislative branches of our Government—which will help to minimize if not to eliminate the dangers and the problems suggested by those favoring rejection of the treaty.

First. The Communists will never keep a treaty once their own best interests lead them to favor its violation, and their record of perfidy and treaty violations is both long and notoriously bad.

This point states an admitted truth, and the Russian record clearly supports it. I have heard no prominent witness in the hearings deny or try seriously to minimize this fact. What then is the purpose of a treaty with an adversary who knows no God, is bound by no conscience, and who has no respect for veracity? The hope for success of the treaty—and with many of us, including myself—it is far more of a hope than it is an expectation—rests on the calculation that this is one treaty the Communists will find it in their own interests to continue in compliance.

If this calculation proves correct, it could result from a variety of reasons. Even the Communists realize a nuclear war would mean for them greater and more complete destruction than it would for the free world. They have no desire to die; sense no satisfaction to be derived from national suicide; recognize that a proliferation of nuclear armaments among the important nations of the world might readily create a greater balance of power against them than they would be able to establish in their favor. Too, the Communists have their economic problems. Their discontented subjects are deprived of standards of living much of the rest of the world enjoys. They seem unable to match the West in being able to equip their defenses and develop their forward striking capacity while at the same time supplying their own agricultural needs, their required and desired consumers' needs, and their nonmilitary industrial growth and capacities.

The Russians are having admitted problems with their Communist cohorts in Red China and to a lesser degree in other areas of the world. They are losing their prestige and their popularity with some of the neutral and uncommitted areas around the globe. They may be suffering serious second thoughts about their delusion that they can outstrip us in peaceful competition. Divisions of opinion are developing within their own Red empire. Problems and difficulties are not the exclusive inheritance of self-governing communities. And, if the Red Communist leaders break their word again, violate the terms of the treaty, return to prohibited areas of testing, they will stand condemned before the entire world for having shattered what has become a global hope—and in some areas a serious expectation—that this treaty might lead to more adequate and effective steps to protect the world against the calamities of nuclear war. Their consequent loss in stature and prestige around the world would be prodigious.

Second. Why sign a treaty that Red China has vowed to violate and that our honored friend and ally, France, rejects?

True, China may in all probability engage in atmospheric testing at such time as she develops the capacity to do so. If so, who knows by then whether such a violation will appear a greater and more dangerous threat to neighboring Russia or to the far distant United States? It might well develop that a Red China capacity to build and explode a bomb at nearby points without a delivery system which is effective more than 6,000 miles away could be of far greater concern to Russia than to us since she faces a neighbor with a population explosion far beyond that country's ability to feed. Conceivably—here again is more the expression of a hope than of an expectation—such a development could do far more to force a bitter cleavage between the Russian and the Chinese Communists than it would do to reunite them and to cement their unity. After all many wars have been fought between countries in which communism has no authority, and conflict between countries embracing communism is not beyond the realm of possibility especially when differences of culture, color, race, history, and the immediate necessities of expansion, food, clothing, and economic opportunities are involved.

However, assuming the worst, and granting a termination of the treaty caused by nuclear activity in Red China under conditions which find the two Communist giants still functioning as ideological partners and united in their desire to "bury us," we again could reap a real dividend from world opinion which finally and clearly would know America's desire for peace, and that treachery, trickery, aggression, duplicity, deceit, avarice, and a mad desire to conquer the whole globe were the ingredients of communism in both countries so that close cooperation of the United States of America and the free world was the free world's only chance for survival and success.

The propaganda defeat for the Communists and the publicity weapon they would be handing us could, in the field of winning the hearts and minds of men in neutral and uncommitted countries, rival in that important area of the cold war the explosive and destructive capabilities of the atomic bomb in a shooting war.

Third. How can we be sure our leadership in the White House and the Pentagon will faithfully and energetically promote our national defenses, keep in readiness our capacity to test in the atmosphere again should it become necessary, reject any tendency toward appeasement of communism, and be depended upon not to propose a second step and a third step which might weaken freedom at home or abroad?

The answer is simply and directly—we cannot be sure. We must depend in large part upon the patriotism, the good judgment, and the Americanism of whoever sits in the White House, or runs the Pentagon, at any given interval of history, combined with the determination, the good sense, and the courageous determination of Congress to function properly and to fully meet its constitutional responsibilities.

That is the process of democracy. It has served us well for a century and three quarters. We must believe it will continue to serve us well, because we are agreed it is the best system of government ever evolved by the mind of man. As a proud American, I have confidence in that system and in the ability and determination of our citizens generally to make it function properly and well. Under that system, certain constitutional powers are vested in each branch of Government. Treaty or no treaty; bad leaders, or scoundrels, or traitors could let freedom down and permit America to perish. Any suspected negligence; or ineptitude; or indifference to our defense and security needs at home and abroad; or any unreasoning program for appeasing communism would be as equally disastrous to our future and our security without a treaty as with one.

In matters of this type, we must place our faith in a system which has served so many, so mightily, for so long. We must not permit partisanship or distrust or disappointment to induce us to anticipate that our leaders will fail in their responsibilities as set out in the understandings, the interpretations, and legislative history, and the promises all now clearly made a part of this treaty-ratifying procedure. If we embrace such misgivings and use them as a basis of decision on the merits or demerits of this treaty, or its probabilities of success or failure, we could derive no solace from such opposition, since rejection of the treaty would leave us with our same system, our same leaders, the same inherent authorities available to the same men to protect or to weaken the processes and the defense of our constitutional freedoms.

Mr. President, I have grouped into the three foregoing categories some of the criticisms and most of the intense objections frequently evidenced against ratification. Except for the question of whether the treaty per se could jeopardize our security by giving the Communists some type of advantage to grow stronger while we remain static or grow weaker, these three areas of opposition are most frequently reflected in my mail.

Even the points emphasized by the highly constructive and informative report of the Senate Preparedness Subcommittee dealing with our defense postures, however, are placed in a different perspective and carry less significance when we reflect upon the fact that since last June the 10th, we have by Presidential proclamation imposed upon ourselves, unilaterally, the most significant and effective inhibitions and restrictions relative to atmospheric testing that are reflected in this treaty.

Since the United States is an honorable nation, these restrictions now inhibit us from above-ground testing for all realistic purposes. Most of the points raised in the Preparedness Subcommittee report can be answered only by the continued atmospheric testing which President Kennedy's proclamation now prohibits.

To propose by treaty that these same inhibitions and restrictions, plus the comparatively unimportant addition of the other restraints, also be imposed upon Communist Russia and ourselves, and all other treaty signers, does not appear to me to create problems and challenges severe enough to justify at this hour, and under these circumstances, the rejection of a treaty already signed by over 90 different nations of the world.

Surely if those 90 nations will all go as far by treaty as our President has proclaimed the United States will do by independent action, the potential gains should exceed the disadvantages of the prospective treaty.

OUR TREATY RATIFICATION PROCEDURE SHOULD BE CORRECTED

One final point, Mr. President. I deeply resent the implications and the precedents which might be established by one of the arguments frequently repeated for ratification of the treaty. It is on the basis of this resentment and this disappointment that I have sent to the desk a proposed amendment to the resolution of ratification. Some enthusiastic and uncritical supporters of this treaty argue that since so many nations have already signed the treaty, the United States must necessarily "go along with the crowd," taking its place in the long procession of adherents, and express our ratification of the treaty as a matter of course, or run the risk of losing prestige in the eyes of many countries and many areas of the world, most of which have no realistic potentiality for either building or testing a nuclear weapon.

While it must be admitted that under existing circumstances there is some small element of validity in this contention because of the manner in which this whole treaty process was handled, I want to go on record today as one Member of the Senate by saying that I resent a procedure which has the possibility of destroying the free choice of the United States in a matter of this consequence, and the "pistol-at-the-head-of-the-Senate" situation which it creates.

I protest against it strongly and serve notice now that so long as I am a member of the Senate Committee on Foreign Relations, or so long as I have such authority in another important committee dealing with foreign relations; namely, on the State Department Subcommittee of the Senate Committee on Appropriations—so long as I sit in positions of this importance, Mr. President, I shall argue and act and urge as best I can to prevent a repetition of a procedure of this type. Should the present procedure become the accepted pattern for multilateral treaties of this consequence, a precedent conceivably could be established which in some situations would virtually destroy the constitutional power of the U.S. Senate to exercise its right to advise and consent in the treaty-making process.

A SUGGESTED CORRECTION

To all this, Mr. President, there is a positive and easy correction which should be made. The alternative to the current procedure is as clear as it is sound. A more careful draftsmanship of the test ban treaty, or a more considerate and cooperative Chief Executive could have and should have established a procedure whereby this treaty would not have been opened to the signatures of other nations until it had been finally approved and completely ratified by each of the three major parties which participated in its drafting, and affixed to its original text the initials of each such country's foreign policy officials.

I submit, Mr. President, that the ratification process should be completed before the treaty itself is opened up to other countries who had no part in developing its original text. The purpose of my proposed amendment is exactly that. I ask unanimous consent that the full text of the amendment be printed at this point in the Record.

There being no objection, the amendment proposed by Mr. Mundt was ordered to be printed in the Record, as follows:

> It is the sense of the Senate that in the negotiation of any future treaty or amendment to a treaty (including any amendment to this treaty) which becomes effective only when ratified by certain specified parties, it should be the position of the United States that no other country should be permitted to sign or accede to such treaty or amendment until it shall have been ratified by such specified parties.

Mr. MUNDT. Mr. President, the procedure of requiring full ratification by the countries originating the treaty, before it is opened for the signatures of others desiring to participate, would permit the U.S. Senate and the ratifying bodies of other countries to proceed with their constitutional duties to advise and consent free from the propaganda and pressure involved in the argument that to reject a treaty already signed by so many would virtually be considered by them as an act of bad faith and a breach of international understanding. Surely our constitutional forefathers, who reposed in the Senate this important responsibility in the treatymaking process, envisioned for us something far more significant and serious than a ceremonial consideration and a decision under international pressures when treaties are involved which involve the very essence of survival.

The treaty itself wisely and properly provides that no amendments can be made to it which are not acceptable to each and all of its three original participants. This same procedure; this same safeguard; this same consideration should also be provided as a protection to the treaty-ratifying authority of the Senate in all future treaties in which a few principals agree upon a tentative program which, if acceptable to them, they hope will also prove acceptable to nations less directly affected by its terms. Until future treaties are completely ratified by the countries proposing them, no other country should be offered the opportunity to sign such treaties.

I shall vote to ratify this treaty on the basis of the reasons and considerations set forth here by my presentation this afternoon. In so doing I, however, give no assurances of support for a second step, or a third, and I do so in the full realization that this is both a hard and a close decision.

This same procedure, this same safeguard, and this same consideration should also be provided as a protection to the treaty-ratifying authority of the Senate in all future treaties in which a few principals agree upon a tentative program which, if acceptable to them, they hope will also prove acceptable to nations less directly affected by its terms. Until future treaties are completely ratified by the countries proposing them, no other country should be offered the opportunity to sign such treaties. I repeat: That process of ratification includes a vote by the Senate of the United States.

I shall vote to ratify this treaty on the basis of the reasons and considerations set forth here by my presentation this afternoon. In so doing I, however, give not assurances of support for a second step or a third, and I do so in the full realization that this is both a hard and a close decision.

Good arguments can be made and have been made on either side. Good Americans of equally fine patriotic motivations are divided on the wisdom of the treaty. On balance I cannot escape the conviction that the problems and the challenges to our peace and freedom flowing from a rejection of the treaty are greater than those stemming from its ratification, in view of the exceedingly small degree of extra inhibitions placed upon our defense developments compared with those which were established by Presidential action on June 10.

I do so also in the hope that all nations may find it to their own best interest to respect the treaty and to move forward to a workable, realistic, mutually inspected comprehensive nuclear treaty which will outlaw war and place in operation effective and enforceable procedures of complete nuclear disarmament.

In closing, may I say this treaty should stimulate rather than restrain us in this body to move effectively in the direction of winning the cold war so that a shooting war may never eventuate. Let us develop a freedom academy to train effectively those serving America overseas. Let us being a reappraisal of our aid and assistance programs in foreign areas so that consistency rather than expediency may govern them. Let us provide leadership to move the free world toward greater and more successful cooperation in diplomatic, economic, and defense activities.

And let us finally insist, as Senators who sit here in the great tradition of the Senate, that in future treaty deliberations we develop a formula of cooperation with the White House and the State Department whereby our constitutional rights to advise and consent are not limited by circumstances to the narrow choice of saying "Yes" or "No" because to dare to advise or to share our combined counsel with the executive department through changes or reservations in the treaty might be construed by early and only slightly affected or involved signatories as either a repudiation of our President or a rebellious endeavor to reject and repel conciliatory and cooperative attitudes as expressed by these countries through their ceremonial signatures.

Mr. President, I have not been a Member of Congress for 25 years without learning some of the practical realities of parliamentary life. I recognize that in a debate of this kind at this late hour, when a presentation is not in print or when it is proposed as a reservation, amendment to the treaty, or an understanding, at a time when more Senators are absent from the Chamber than can possibly be present, it would be indeed recalling the age of miracles for such an amendment or proposal to be approved.

Consequently, as a result of having had an opportunity to talk about my proposed amendment to the resolution of ratification, and having had an opportunity in the past few days to discuss with people of importance in our Government the validity, the soundness, the logic, and the constitutionality of the proposal contained in my amendment, I have great hope that, through areas of understanding developed between the executive and legislative branches of the Government, with general agreement on the part of many Senators that we should protect our constitutional right, that we can bring about in future treaties or in amendments to the present treaty the kind of procedures recommended in my amendment. My amendment could have no effect upon the present treaty. Those more than 90 nations which have already signed this treaty have already signed it. It would, however, have an effect upon amendments to it and upon new treaties.

In this nuclear age it appears we are entering into a sort of uncharted sea so far as treatymaking is concerned. Normally, treaties have been bilateral or multilateral in nature. Normally, they have either been treaties of that kind or wholly international in character, as in the establishment of the U.N. or League of Nations. It is seldom that a treaty is proposed by a few great powers that have specific problems and responsibilities, and then after an agreement has been reached, the other countries of the world are called in to concur and to support those agreements. If we are to proceed toward the preservation of peace, if we are to develop what I believe is the mandatory ultimate of having a treaty someday which will outlaw nuclear war, disarm nuclear weapons, and provide the full degree of mutuality of inspection essential to survival, the nuclear powers will have to meet, talk, argue, and, I hope, arrive at an agreement.

When and if that day or those times come, if we approach the procedure step by step, I wish to preserve the right of the U.S. Senate to operate unfettered by advance commitments ceremonially entered into by other nations. I wish such treaties and future amendments to the present treaty to include a provision that before other nations are asked to sign the treaty, the principals with most at stake should complete the procedures of ratification, so that what other nations will be asked to sign will be a treaty that is fully ratified by all those responsible for its making, instead of a piece of paper, which could conceivably be torn up in front of the eyes of the world if any one of the ratifying bodies decide to reject it.

Mr. President, to me this proposed change in procedure makes good sense. It is sound constitutional procedure. It makes good sense; enough so that I am willing to rely on fighting out the battle on a second front, at another time and in another area, when I believe we can win the cooperation of the Secretary of State on that kind of proposal. If we are disappointed in that hope, we are still not without weapons at our command.

Other treaties will have to be brought before this body for ratification. Other proposals and amendments will have to be brought before the Senate. Those responsible for foreign policy will still have to come before this body for the wherewithal with which to finance a foreign policy.

If in fact, instead of in theory, what they have done here is to attempt to downgrade the Senate, sidetrack us, sidestep us, sabotage our powers in treaty consideration, I am prepared to wage that fight and resist that attack upon our constitutional prerogatives at another time and on another front. On this date of history I do not believe that is their intent and their desire. I hope it is not. But the way to demonstrate that it is not, is so clear, and so simple, that it is set out for all to see in the simple words of my proposal. The future attitude of the White House and the State Department in this matter will be such, of course, that history will disclose precisely what is their desire.

I do not propose to ask for a vote on my amendment at this time, because I do not wish to have it defeated by Senators who have not heard the arguments.

I do not wish to have it acted on by Senators who are met at the door by party tellers who say, "Vote 'no'," and who do not even know on what they are to vote, or the basic arguments in support of affirmative action.

I should like for the country and the Congress, as well as the executive department to have an opportunity to consider this proposal on its merits and to refute the suggestion with logical arguments, if they can be developed.

There will be another time, another day, here on the Senate floor or somewhere else, to allow Members of the Senate to vote their convictions and demonstrate their desire, if they have it—as I hope and believe they have—to maintain the proud tradition of the Senate; the right to exercise the constitutional treatymaking authority of the Senate in an atmosphere unclouded and unaffected by a situation in which 95 or 96 countries have already signed what for them is a treaty, which we are then asked, at the end of the parade, to consider for ratification or rejection.

Mr. President, I yield back the remainder of my time, and I withdraw my amendment.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. MUNDT. I am happy to yield to the Senator from Iowa.

Mr. MILLER. I commend the able Senator from South Dakota for presenting the amendment to the Senate and calling attention again to the almost unfair situation in which the Senate has been placed.

I believe it is wrong for any proponent of the treaty to use as a basis for arguing in support of the treaty the fact that 96 other nations already have joined on it. The logical result of such an argument is that in the future we might be presented with a treaty contrary to the national interest, and merely, because 96 other nations had signed the treaty, to save the United States some embarrassment or to save the President of the United States some embarrassment, it would be argued that the Senate should ratify a bad treaty. That does not make sense. I hope that in the future our negotiators will see to it that we are not again placed in such a situation.

I feel almost equally strong about another unfair situation in which the Joint Chiefs of Staff were placed.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MILLER. Will the Senator from Alabama yield me a couple of minutes?

Mr. SPARKMAN. Mr. President, I yield 2 minutes to the Senator from Iowa.

Mr. MILLER. I thank the Senator from Alabama.

The Joint Chiefs of Staff were directed to consider not only military angles to the treaty, but also politics. At least one member of the Joint Chiefs of Staff testified that had it not been for all the other nations ratifying the treaty he would have opposed it. That tipped the scales for at least one member of the Joint Chiefs of Staff. I do not know whether it tipped the scales for the others, but it did for at least one.

It is wrong to put the Joint Chiefs of Staff into that position. I hope that in the future our negotiators will see to it that the Senate is not again placed in such a situation, and that the Joint Chiefs of Staff are never again placed in such a situation.

I believe the treaty is above and beyond the arena of partisan politics. I recognize that it would be quite embarrassing for the President of the United States to have the Senate fail to ratify the treaty. I do not wish to see any President of the United States embarrassed in the eyes of the world.

But I point out that the President is in this position due partially at least to his own course of action, by reason of the failure of our negotiator in Moscow to see to it that the treaty had in it the safeguards the Senator from South Dakota seeks to have in treaties of the future.

The able Senator from South Dakota has presented the case well; and I hope that in the future our negotiators in the executive branch of the Government will take heed of the arguments, because I do not wish to see the Senate placed in the position of having to vote with consideration being given to the fact that 99 nations have already signed the treaty.

Mr. MUNDT. Mr. President, I express my appreciation to the Senator for his thoughtful and helpful remarks. I point out that we are now in a situation such as the one discussed at one time by Grover Cleveland, who said, "It is a condition that confronts us—not a theory."

We are in this case confronted with a condition prevailing.

I do not wish to be unduly harsh in my criticism of the administration for having put us in this position and for having been so thoughtless and inconsiderate of the Senate's treatymaking function, because we are entering into a new era of treatymaking. This point has not been pressed, and it was not raised before in time to have it considered as part of the preliminary procedures leading to this treaty.

In this business fair notice is fair warning. We should not be brought into this situation a second time under similar conditions and have the plea that "now it is too late to make a change or to make an alteration" still be persuasive. I give notice now in my capacity as a Senator that there are U.S. Senators who resent this kind of treatment from the executive in what should be a partnership procedure, involving the treatymaking power of the U.S. Senate. I shall pursue this further in the days to come.

The PRESIDING OFFICER. The time of the Senator has expired.

The resolution of ratification is open to reservation.

Mr. SPARKMAN. Mr. President, do I correctly understand that the Senator from South Dakota has withdrawn his amendment?

The PRESIDING OFFICER. The Senator is correct.

Mr. SPARKMAN. Mr. President, I am glad the Senator has withdrawn the amendment. His discussion has been good and helpful. There is merit in the proposal the Senator has advanced. I do not believe such an amendment should be attached to the pending treaty. I realize that the Senator was not trying to affect the treaty, but instead, treaties of the future.

Of course, all treaties do not require certain specified countries to sign before becoming effective.

Mr. MUNDT. As I have said, this is an unusual treaty.

Mr. SPARKMAN. It is unusual.

Mr. MUNDT. There are likely to be others with a similar arrangement of select nations reaching an agreement they desire to be made available to all nations.

Mr. SPARKMAN. The Senator may be correct.

Mr. MUNDT. History has provided that three or four nations now have something called nuclear power which other nations do not have. They have a responsibility.

Mr. SPARKMAN. I wished to make certain that the RECORD was not left in such a way as to indicate that this was a usual course rather than an exceptional course.

Mr. MUNDT. I am glad the Senator has pointed that out. I believe I said that in my discussion. It is certainly true.

I am thinking ahead. What is unusual now is likely to be established by precedent as a pattern for the future unless we move to correct and safeguard the procedures.

Mr. SPARKMAN. It could be, of course.

Mr. MUNDT. I would resent having that kind of pattern dealing with a unique situation established. Because of the scientific developments of certain powers, which have control of the death-dealing annihilating nuclear weapons, such powers are likely to meet again and discuss things in an endeavor to reach an agreement. I hope that can be done. Barring that, we shall be in serious trouble, if we must face up to a nuclear war.

The originators and participants of future international agreements who have the responsibility, should be granted all the constitutional procedures which should be concluded before a treaty is placed in effect and opened to the ratification and signature of other nations. Then we can go constructively to the other nations of the world and say, "This is now a completed treaty. We hope all other countries will go along."

Mr. SPARKMAN. The Senator has set forth his proposal. We may discuss it with the State Department, the Secretary of State, and other officials. It could result in the laying down of some guidelines for future negotiations.

Mr. MUNDT. I thank the Senator. I hope so. Knowing the Senator from Alabama as I do, I am sure he shares with me desire to retain for the Senate—and it will be a retention on behalf of the people of the United States—full control of the treatymaking responsibility which is ours.

Mr. SPARKMAN. I believe in that policy.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The resolution of ratification is open to reservation.

Mr. MILLER. Mr. President, I call up my reservation, Executive Reservation No. 9, and ask that it be read.

The PRESIDING OFFICER. The reservation offered by the Senator from Iowa will be read.

The legislative clerk read as follows:

Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation, which is hereby made a part and condition of the resolution of ratification, that the instrument of ratification of the treaty by the United States shall not be deposited as provided by paragraph 3 of article III thereof until the Union of Soviet Socialist Republics has paid all of its delinquent assessments to the United Nations".

Mr. MILLER. I yield myself 12 minutes.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. MILLER. Let me say at the outset that I shall not ask for the yeas and nays on this reservation, but I offer it because I think it ought to be discussed. A few points ought to be made that have a bearing on the way the treaty is viewed so far as the free world is concerned.

The Soviet Union, unfortunately, is not a good member of the United Nations. It is a "deadbeat" member of the United Nations. It is a "deadbeat" member of the United Nations because of cold, calculating intentions to bankrupt the United Nations.

The Union of Soviet Socialist Republics, as of August 31 of this year, is paid up on its dues to the United Nations Regular Budget. But it is in arrears a total of $46,271,050 for United Nations peace keeping operations, which includes: emergency force special account, $14,218,288. This amount includes various items, starting from the first of January to June 30, 1962, and going clear back to the year 1957.

The emergency force special account relates primarily to maintenance of United Nations forces in the so-called Gaza strip in the Middle East.

The Soviet Union is in arrears in the Congo operations account in the amount of $32,052,762. This amount includes some $11 million for the period November 1, 1961, to June 30, 1962; some $13 million for the previous year; and approximately $6½ million for the year before that.

The total arrearage of members of the United Nations as of August 31 of this year came to $104,798,433. This includes $5.6 million for the regular budget. The other delinquent accounts are in the amount of $27.2 million for the emergency force in the Middle East and $71.9 million for the Congo operations account.

If the Union of Soviet Socialist Republics paid its emergency force arrearages, this debt would be cut by more than half, to $13,050,000. If the Union of Soviet Socialist Republics paid its Congo account arrearages, the debt could be cut almost in half, to $39.8 million.

Although the Soviet Union has paid its regular budget assessments in full—that is, her regular dues—she has indicated that in the future she will not pay any part of the cost of retiring the United Nations bond issue, which totals $145 million, and a number of other expenditures listed in the budget.

The idea is that it will withhold its allocable portion of the annual dues representing the portion that would otherwise go to pay for the United Nations bond issue. If this threat is carried out, it will not only add to the United Nations deficit, but will establish a precedent which could lead to more headaches in the years to come.

From the United Nations "Annual Report of the Secretary General on the Work of the Organization," for the period June 16, 1962, to June 15, 1963, I cite the following points which I think ought to be made:

First. At its 17th regular session the General Assembly had adopted resolution 1854 (XVII) in which it (a) accepted the advisory opinion delivered by the International Court of Justice on July 20, 1962, to the effect that the expenditures authorized, in certain Assembly resolutions for peacekeeping operations constituted "expenses of the organization" within the meaning of article 17, paragraph 2, of the charter; and (b) established a working group of 21 members to study special methods for financing peacekeeping operations involving heavy expenditures, including a possible special scale of assessments.

Second. Certain delegations, including that of the U.S.S.R., maintained that, while it was true that the operations in the Congo had originally been authorized by the Council, they had subsequently been conducted in a manner contrary to the intention of its members.

Third. Most of the other delegations participating in the general debate accepted that the expenditures authorized by the General Assembly for UNEF and ONUC—Congo—were expenses of the organization within the meaning of article 17, paragraph 2, of the charter. Accordingly, the costs of the latter operations, and of United Nations peacekeeping activities in general, were the collective responsibility of all member states, to be apportioned among them by the General Assembly in the same manner, although not necessarily by the same scale, as the expenses provided for under the regular budget.

The delegations holding these views based their position on one or more of the following premises:

First. The principle embodied in article 17, paragraph 2, of the charter that all member states have a collective responsibility to bear the expenses of the Organization.

Second. The advisory opinion of the International court of Justice of July 20, 1962, accepted by the General Assembly in its resolution 1854 A (XVII) of December 19, 1962, that the expenses authorized by the General Assembly for UNEF and ONUC constitute expenses of the Organization within the meaning of article 17, paragraph 2, of the charter.

Third. The competence of the General Assembly, under the charter, to initiate peacekeeping operations and to authorize and apportion expenses for such operations, including those initiated by the Security Council.

Delegations supporting the principle of collective responsibility stressed that the maintenance of peace and security was the principal activity of the United Nations under the charter. All member states were therefore under an obligation to share in the costs of peacekeeping operations in the same manner, although not in all cases in the same proportion as they contributed to other expenses of the Organization. Disagreement with some aspects of the adoption or implementation of decisions relating to peacekeeping operations was not sufficient to relieve members of this responsibility. Any other interpretation would be to the serious detriment of the effectiveness and solvency of the United Nations.

One reason why I shall not press this reservation is that there is a remedy in the United Nations to take care of "deadbeat" nations, and that remedy is to deprive the delinquent country of its right to vote.

I am not so sure whether the United Nations would be able to deprive it of its right to speak, and I presume Mr. Khrushchev could still come into the United Nations and thump the table with his shoe; but so far as the right to vote is concerned, the Charter of the United Nations provides only that a nation that is 2 years behind in its combined obligations, dues and special assessments, shall lose its right to vote.

This will require the adoption of a special resolution by the General Assembly of the United Nations. The World Court has already ruled on the point. It has ruled contrary to the Soviet Union's position. The United Nations has already adopted a resolution affirming the ruling of the World Court. The Soviet Union, as I understand, within another year, will probably become far enough behind in its total obligations to be in the position of losing its right to vote. At that time all that would be required would be to have the General Assembly adopt a resolution depriving the Soviet Union of its right to vote.

There is that remedy.

It is unfortunate that the United Nations should be put in the position of having, in effect, to deny the right to vote to any of its members. It is most unfortunate that our negotiators on the treaty did not make any points about the Soviet Union getting "right" with the United Nations.

I read the press accounts from Moscow on the signing of the treaty. I followed the treaty's movements very carefully. At no place did I read a report of any initiative being taken by our negotiators with respect to these other matters.

Mr. Khrushchev was not in the least reluctant to point out, for the world to see and for the United States in particular to note, that he expected—I use that word advisedly—that the followup on the treaty would be negotiating, between the NATO countries and the Warsaw Pact countries and agreement of nonaggression.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MILLER. I yield myself 4 additional minutes.

What did our negotiators have to say in Moscow? What did our representatives have to say anywhere on that subject. Mr. Rusk, our Secretary of State, said that we might talk about it, but that we would naturally have to talk about this subject with our allies before we could make any commitments.

I have no quarrel with that reply. The only trouble is that no one said anything about what we wanted to have done. When it came to getting the Soviet troops out of Cuba, as Mr. Khrushchev had promised the President of the United States, when it came to onsite inspections in Cuba, as Mr. Khrushchev had promised would take place under United Nations auspices, when it came time for the Soviet Union to pay up its obligations in the United Nations, as it should, our representatives stood silent. I do not know why. Perhaps they did not wish to make Mr. Khrushchev angry with us. Perhaps they were afraid it might change his smile to a frown.

This is not the kind of negotiation that is becoming to a great nation, particularly the leader of the free world. Therefore, I believe it well for the Soviet Union and the other countries to note that if the executive branch of our Government does not see fit to take a little initiative along these lines, at least some members of the legislative branch will speak up about it. I hope this message gets across to some of our negotiators on future treaties.

The PRESIDING OFFICER. The Senator from Iowa has 14 minutes remaining.

Mr. TOWER. Mr. President, will the Senator yield me 5 minutes?

Mr. MILLER. I am happy to yield 5 minutes to the Senator from Texas.

Mr. TOWER. Mr. President, I thank my distinguished friend from Iowa for offering his reservation and for arguing so ably and incisively for compulsion of some sort on the Soviet Union to pay its obligation.

I should like to point out a few facts. This is a very pertinent reservation because the treaty itself uses the words "in accordance with the objectives of the United Nations." For 18 years the Soviet Union has done its best to sabotage the United Nations by several means. It has done so through 101 Security Council vetoes, by refusing to pay its assessments for peacekeeping operations, for proposing the infamous troika plan for three Secretaries General, and by using the United Nations as a propaganda forum.

The Soviet Union is in arrears to the United Nations. As of July 31, 1963, they owe the United Nations for the maintenance of the Emergency Force, the sum of $15,638,166; for the United Nations operations in the Congo, the Soviet Union owes $36,984,971. That makes a total of outstanding obligations on the part of the Soviet Union to the United Nations of $52,623,137.

I should like to point out a few facts about U.N. finances. The United Nations now is approximately $140 million in debt. The United States pays 46.8 percent of the U.N. costs, and has one vote. The Soviet Union pays 3.6 percent of the U.N. costs, and has one vote. The Communist bloc nations pay less than 5 percent of the cost of U.N. operations, and have 11 votes.

Mr. MILLER. Mr. President, when the Senator says that the Soviet Union "pays," does he mean that they have actually paid, or that they are supposed to pay?

Mr. TOWER. I thank my friend from Iowa. The use of the word "pays" is inadvisable in this case. That is their obligation. They have not met that obligation, as the Senator well knows.

In 1962, the United Nations spent $213.6 million. It took in $109.3 million. The bond issue of 1962 brought in $136 million, which has already been used up.

It should be noted, too, that the Russians pay the United Nations only in Russian rubles, which can be spent only for Russian equipment and for the paying of Russian personnel.

Last year, after the Cuban missile crisis, in a letter to Secretary General U Thant, Mr. Khrushchev said that he "passionately wished the United Nations to develop as an instrument of strengthening peace and of organizing cooperation between states."

It would be altogether reasonable for us to provide Mr. Khrushchev a means for venting the passion which he has expressed by adopting the reservation proposed by the Senator from Iowa.

I point out again that the treaty which Mr. Khrushchev has signed contains the clause, "in accordance with the objectives of the United Nations."

If the Russians are serious about furthering the objectives of the United Nations, let us give them an opportunity to live up to their obligations to the United Nations.

I yield back the remainder of my time.

Mr. SPARKMAN. Mr. President, I understood the Senator from Iowa to say that he would not insist on a yea-and-nay vote on his reservation. Will the Senator insist on a vote on it, or is he merely making his point and then withdrawing his reservation?

Mr. MILLER. I stated that I did not wish to proceed with a yea-and-nay vote on the reservation, but felt it was desirable to bring it up, just as the Senator from South Dakota [Mr. MUNDT], who preceded me, had done with his reservation, for the purpose of giving me an opportunity to say something on this point. I would appreciate a response from the Senator from Alabama.

Mr. SPARKMAN. I expect to respond.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. MILLER. I yield.

Mr. TOWER. I have submitted a reservation similar to that offered by the Senator from Iowa. He did not intend to press his to a vote. I intend to call mine up, but I do not plan to debate it, because Senators are debating the merits of it in the debate on the reservation offered by the Senator from Iowa. Therefore, I will not debate my reservation when it is called up, but I will ask for a yea-and-nay vote on it.

Mr. SPARKMAN. I suppose it becomes almost trite to use this expression; but I am in sympathy with the objective of the Senator from Iowa. As the Senator from Iowa and the Senator from Texas have said, we all know that Russia is indebted to the United Nations. I well recall that that situation was debated at length last year, when the Senate was considering the United Nations bond measure. Russia has stubbornly refused to pay those peacekeeping obligations. I continue to hope that she will pay, although the likelihood is not good now.

We must remember that our representatives were negotiating in a narrow field. When the Senator from Iowa says that the subject is in keeping with the United Nations, I call his attention to the following statement in the preamble of the treaty:

> Proclaiming as their principle aim the speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons, including nuclear weapons.

That is the only reference to the United Nations. I hold that our representatives were negotiating in a rather limited field. Naturally, they were interested, as we all are, in the financial welfare of the United Nations. We could think of scores of things that might very well have been placed on the table, as to which we might have said to Russia, "We want consideration of all these items." But I think it was agreed by all concerned that the negotiation in this instance would be confined to a limited field.

While it is true that Mr. Khrushchev said that he would have liked to have a nonaggression pact between NATO countries and Warsaw Pact countries, we refused to discuss that proposal at all. In effect, we held that it was improper to bring other matters into the discussion. We said—and Secretary Rusk has said so on many occasions—that we hoped that after the treaty had become effective, we might meet and negotiate on other questions. I should be pleased to see proposed any plan that would effectively collect Russia's debt to the United Nations; but I do not believe it ought to be a part of this treaty. This treaty was limited to a narrow field. I do not believe that the Senator's reservation ought to be attached to this treaty.

Mr. MILLER. Mr. President, I know that the Senator from Alabama is among those who sincerely desire to have the United Nations function and that all members of the United Nations pay their just dues and assessments, so that the organization will be able to function in a viable manner.

Perhaps where the Senator from Iowa and the Senator from Alabama part company, regrettably, is in our methods of achieving this objective. I believe we should do more than merely express a hope that Russia will fulfill her financial obligations to the United Nations. We should do more than talk about some of these problems. Granted that our representatives were in Moscow to negotiate a treaty, and granted many things we would like to have done, but which were not even raised as a relevant part of the negotiating process; nevertheless, when Mr. Khrushchev, at the conclusion of the negotiations, and more particularly at the signing of the treaty in Moscow, talked about the next step, which he expects will be an East-West nonaggression pact, it seems to me that the least our representatives could have done would have been to say, "We will be glad to talk about that, but, incidentally, we think the next steps ought to be thus and so." Specifically, our representatives might have mentioned some of the things on which Mr. Khrushchev has reneged; for example, onsite inspection in Cuba; the removal of troops from Cuba; and, to sweeten the "kitty" a little, that Russia might "get right" with the United Nations, if it really desires the United Nations to succeed.

The main objection I have to the conduct of our negotiators in Moscow is their failure to take the initiative, as Mr. Khrushchev was quite ready and willing and able to do with respect to what he desired to have follow the ratification of the treaty.

Mr. TOWER. Mr. President, will the Senator from Iowa yield 2 minutes to me?

Mr. MILLER. Mr. President, I yield 2 minutes to the Senator from Texas.

Mr. TOWER. The question of the disarmament pact and the subject of United Nations financial obligations in connection with the treaty are not analogous situations. The disarmament pact is a new idea.

I suggest that the financial obligations of the Soviet Union to the United Nations are not negotiable; they are a sacred commitment. We are acceding to them under the treaty. We are recognizing mutual commitments. If we are to accept their word that they will live up to their commitments under the treaty, I do not see why we should not first insist that they show their sincerity by living up to the commitments they have already made but have consistently refused to honor.

Mr. MILLER. Mr. President, I yield back the remainder of my time. I withdraw my reservation.

The PRESIDING OFFICER. The reservation of the Senator from Iowa is withdrawn. The resolution of ratification is open to reservation.

Mr. TOWER. Mr. President, I call up my reservation No. 11, and ask that it be read.

The PRESIDING OFFICER. The reservation will be stated.

TOWER RESERVATION RE U.S.S.R. PAYMENTS DUE UNITED NATIONS

The legislative clerk read as follows:

Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation, which is hereby made a part and condition of the resolution of ratification, that the instrument of ratification of the treaty by the United States shall not be deposited as provided by paragraph 3 of article III thereof until the President shall have determined and certified to the Senate that all assessments for the financing of peace and security operations of the United Nations, heretofore made by the United Nations upon the Union of Soviet Socialist Republics, have been fully paid".

Mr. TOWER. Mr. President, I intend to ask for the yeas and nays on the reservation; therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOWER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Ribicoff in the chair). Without objection, it is so ordered.

Mr. TOWER. Mr. President, on the question of agreeing to my reservation, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. TOWER. Mr. President, since my amendment is the same, in substance, as that of the Senator from Iowa, and since this question has already been debated, I am prepared to yield back the remainder of my time, so that the Senate may proceed to vote, provided the Senator from Arkansas is prepared to do likewise.

Mr. FULBRIGHT. The Senator from Vermont [Mr. Aiken] would like 2 minutes. Does the Senator from Texas have any objection?

Mr. TOWER. I have no objection.

Mr. FULBRIGHT. Then I yield 2 minutes to the Senator from Vermont.

The PRESIDING OFFICER. The Senator from Vermont is recognized for 2 minutes.

Mr. AIKEN. Mr. President, I do not see the advantage of having the United States set itself up as an agency to collect dues for the United Nations, or for any other purpose. The United Nations has its own rules and regulations regarding overdue assessments; and if Russia should get behind in its total dues in an amount equal to the total assessments for the last 2 years, she would automatically lose her vote in the General Assembly—although she would not lose her place on the Security Council or her membership in the United Nations.

Further than that, let me say that probably 80 out of the 110 members of the United Nations have, by this time, paid their dues. For a long time the number of those in arrears was much greater; but I would guess that now from 75 to 80 have paid their dues in full; and all of them have endorsed the test ban treaty.

By adopting a reservation of this kind, we would be saying to them that they could not have such a treaty until Russia had paid its dues to the United Nations. I believe that the nations which have paid their dues to the United Nations and also have approved the test ban treaty would not appreciate our effort, should we adopt this reservation.

Mr. TOWER. Mr. President, I yield back the remainder of my time.

Mr. FULBRIGHT. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time is yielded back.

The question is on agreeing to the reservation of the Senator from Texas [Mr. Tower]. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPARKMAN (when his name was called). On this vote I have a pair with the Senator from Louisiana [Mr. Long]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Louisiana [Mr. Ellender], the Senator from Tennessee [Mr. Gore], the Senator from Louisiana [Mr. Long], and the Senator from Rhode Island [Mr. Pastore] are absent on official business.

I also announce that the Senator from California [Mr. Engle] is absent because of illness.

I further announce that, if present and voting, the Senator from Tennessee [Mr. Gore], the Senator from Rhode Island [Mr. Pastore], the Senator from California [Mr. Engle], and the Senator from Louisiana [Mr. Ellender] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Hruska] is necessarily absent and, if present and voting, would vote "nay."

The result was announced—11 yeas, 82 nays, as follows:

[No. 163 Ex.]

YEAS—11

Bennett
Byrd Va.
Curtis
Dominick
Goldwater
Jordan, Idaho
Mechem
Russell
Simpson
Thurmond
Tower

NAYS—82

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Dirksen
Dodd
Douglas
Eastland
Edmondson
Ervin
Fong
Fulbright
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Keating
Kennedy
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Saltonstall
Scott
Smathers
Smith
Stennis
Symington
Talmadge
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young. N. Dak.
Young, Ohio

NOT VOTING—7

Ellender
Engle
Gore
Hruska
Long, La.
Pastore
Sparkman

So Mr. Tower's reservation was rejected.

The PRESIDING OFFICER. The resolution of ratification is open to reservation.

Mr. TOWER. Mr. President, I call up my reservation No. 12 and ask that it be stated.

The PRESIDING OFFICER. The reservation will be stated for the information of the Senate.

TOWER RESERVATION RE ON-SITE INSPECTIONS TO DETECT ANY VIOLATIONS

The Legislative Clerk. Before the period at the end of the resolution of ratification it is proposed to insert a comma and the following:

> subject to the reservation, which is hereby made a part and condition of the resolution of ratification, that the instrument of ratification of the treaty by the United States shall not be deposited as provided by paragraph 3 of article III thereof until such treaty has been revised by the original parties so as to provide for a system of onsite inspections adequate to detect any violation thereof, and advice and consent to the ratification of the treaty as so revised has been given by the Senate.

Mr. TOWER. Mr. President, I ask for the yeas and nays on the reservation.

The yeas and nays were ordered.

The PRESIDING OFFICER. How much time does the Senator from Texas yield?

Mr. TOWER. I yield myself 10 minutes.

The PRESIDING OFFICER. The Senator from Texas is recognized for 10 minutes.

Mr. TOWER. Mr. President, the reservation which I have offered would make the effectiveness of the treaty conditional on a system of on-site inspections adequate to detect any violation. I believe this is eminently reasonable.

All we are seeking to do is to reach some effective means of insuring that the Soviet Union will act in good faith. The Soviet Union has a long record of having failed to act in good faith.

The hypocrisy of the Soviets is apparent when they sign a treaty subscribing to the objectives of the United Nations and then will not even pay their financial commitments to the United Nations. If they are big enough hypocrites to sign a treaty containing that language, when day after day they are refusing to support the objectives of the United Nations, I do not see how we can trust them to accede in good faith to the provisions and conditions set forth in this treaty—unless some means of making sure they are doing so are provided.

There never has been any scientific claim, even during the Geneva negotiations, that atmospheric explosions of less than 1 kiloton can be effectively detected without on-site inspections. Nuclear weapons, because of the use of fusion devices, are becoming cleaner and cleaner, giving off less and less radioactivity.

We might as well admit to ourselves that the Russians are going to cheat if they can.

The chairman of the Joint Chiefs of Staff said to the Senate:

> We can anticipate clandestine testing on the part of the Soviets.

That is what the chairman of the Joint Chiefs of Staff said.

I believe that testing of nuclear weapons in distant space—in violation of the treaty—is feasible, when one reasons that tests of up to 500 kilotons could very possibly be hidden, perhaps behind a satellite-implaced lead shield that would absorb the telltale rays.

Mr. President, time after time prominent, important, able men in this country, who have been intimately involved in the business of negotiating with the Soviets and intimately involved in the whole question of armaments and testing, have said that we should have some system of inspection. I should like to go through a few of these statements in chronological order.

U.S. PRINCIPLE OF REQUIRING ADEQUATE INSPECTION—BRIEF HISTORY

In 1946, Bernard Baruch said, in respect to a proposed international control of atomic energy:

> Adequate ingress and egress for all qualified representatives of the Authority must be assured.

In 1950, President Truman said, in an address to the United Nations General Assembly:

> The plan must be foolproof. Paper promises are not enough. Disarmament must be based on safeguards which will insure the compliance of all nations. The safeguards must be adequate to give immediate warning of any threatened violation. Disarmament must be policed continuously and thoroughly. It must be founded upon free and open interchange of information across national borders.

In 1956, Mr. Harold Stassen, then the special assistant to the President for disarmament, said:

> History shows that any time you make an agreement that you cannot inspect, the agreement itself becomes a source of doubts and rumors, suspicions, charges, countercharges, and actually increases the dangers of war, instead of improving the prospect of peace.

In 1957, Mr. Henry Cabot Lodge, who was at the time our Ambassador to the United Nations, stated:

> Deeply as we are convinced of the desirability of a reliable agreement and of the dangers in the absence of agreement, we have nonetheless concluded that a bad agreement is worse for the cause of peace than no agreement. An uninspected agreement or an inadequately controlled agreement, or a one-sided agreement would be a bad agreement. It would not serve the objective of peace.

President Eisenhower stated, in 1955:

> No sound and reliable agreement can be made unless it is completely covered by an inspection and reporting system adequate to support every portion of the agreement.
>
> The lessons of history teach us that disarmament agreements without adequate reciprocal inspection increase the dangers of war and do not brighten the prospects of peace.

President Kennedy, in 1961, in an address to the General Assembly of the United Nations, described the United States Disarmament proposal as one which "would assure that indispensable condition of disarmament—true inspection—and apply it in stages proportionate to the stage of disarmament."

Then in 1962, in February, at a press conference, the President was questioned as follows:

> Mr. President, would the United States be willing, without further nuclear tests in the atmosphere, to sign a formal agreement with the Soviet Union banning such tests?

Here, verbatim, is the answer the President gave to that question:

> Well, I have stated that our concern would be—I stated before, since and as I said afterwards, that we would sign an agreement which provided for adequate inspection system, that is correct * * * but adequate inspection in regard to preparations as well as testing.

Further, in the same press conference, the President of the United States, Mr. Kennedy, said:

> Unless we have adequate protection against a repetition of that incident—

And he referred to the Soviet Union's secret preparations for testing—

> any such test agreement obviously would be extremely vulnerable.

I think the whole weight of history, the whole weight of opinion from those most intimately connected with this problem, would indicate that this reservation should be adopted.

Mr. FULBRIGHT. Mr. President, I make the point of order that this reservation is not in order. It is in essence an amendment to the treaty itself, and should have been made, if at all, while the Senate was acting as a Committee of the Whole. In addition, under the unanimous-consent agreement, I submit it is not germane and was not printed on September 18, when the order was entered. Therefore, on two grounds, it is not in order.

The PRESIDING OFFICER. The point of order is sustained. The reservation was not offered before the agreement was entered into, and there is nothing in the treaty referring to onsite inspection.

Mr. KUCHEL. Mr. President, since earlier in the debate, my able friend the Senator from Texas told me he did not intend to pursue the matter at great length. I wonder if the Senator from Arkansas would withdraw the point of order so the Senate could proceed directly to a rollcall and dispose of it in that way?

Mr. HOLLAND. Mr. President, I hope the Senator from Arkansas will withdraw his point of order for various reasons. I would dislike for anyone outside this Chamber to think that any Senator is not ready, willing, and able to vote on every proposal in this field.

Mr. FULBRIGHT. I withdraw the point of order. I yield back my time on it.

The PRESIDING OFFICER. Does the Senator from Texas yield back his time?

Mr. TOWER. I do.

The PRESIDING OFFICER. The question is on agreeing to the reservation of the Senator from Texas. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INOUYE (when his name was called). On this vote I have a pair with the Senator from Louisiana [Mr. LONG]. If he were present and voting he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Tennessee [Mr. GORE], the Senator from Arizona [Mr. HAYDEN], the Senator from Louisiana [Mr. LONG], the Senator from Rhode Island [Mr. PASTORE], are absent on official business.

I also announce that the Senator from California [Mr. Engle] is absent because of illness.

On this vote, the Senator from Arizona [Mr. Hayden] is paired with the Senator from Nebraska [Mr. Hruska]. If present and voting, the Senator from Arizona would vote "nay" and the Senator from Nebraska would vote "yea."

I further announce that, if present and voting, the Senator from Tennessee [Mr. Gore], the Senator from Rhode Island [Mr. Pastore], the Senator from California [Mr. Engle], and the Senator from Louisiana [Mr. Ellender] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Hruska] is necessarily absent.

On this vote, the Senator from Nebraska [Mr. Hruska] is paired with the Senator from Arizona [Mr. Hayden]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Arizona would vote "nay."

The result was announced—yeas 16, nays 76, as follows:

[No. 164 Ex.]

YEAS—16

Bennett
Byrd, Va.
Curtis
Goldwater
Jordan, Idaho
McClellan
Mechem
Mundt
Robertson
Russell
Simpson
Stennis
Talmadge
Thurmond
Tower
Williams, Del.

NAYS—76

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Dirksen
Dodd
Dominick
Douglas
Eastland
Edmondson
Ervin
Fong
Fulbright
Gruening
Hart
Hartke
Hickenlooper
Hill
Holland
Humphrey
Jackson
Javits
Johnston
Jordan, N.C.
Keating
Kennedy
Kuchel
Lausche
Long, Mo.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Morse
Morton
Moss
Muskie
Nelson
Neuberger
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Smathers
Smith
Sparkman
Symington
Walters
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—8

Ellender
Engle
Gore
Hayden
Hruska
Inouye
Long, La.
Pastore

So Mr. Tower's reservation was rejected.

Mr. FULBRIGHT. Mr. President, I move that the Senate reconsider the vote by which the reservation was rejected.

Mr. MANSFIELD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The resolution of ratification is open to reservation.

Mr. TOWER. Mr. President, at the request of the distinguished junior Senator from Louisiana [Mr. Long], who was unavoidably detained in his home State today, I call up his reservation No. 8 and ask that it be stated.

The PRESIDING OFFICER. The reservation will be stated.

LONG RESERVATION ON USE OF NUCLEAR WEAPONS IN ARMED CONFLICT

The legislative clerk read as follows:

Before the period at the end of the resolution of ratification insert a comma and the following: "subject to the reservation that the treaty does not inhibit the use of nuclear weapons in armed conflict".

The PRESIDING OFFICER. How much time does the Senator from Texas yield himself?

Mr. TOWER. Mr. President, I yield myself 5 minutes.

In the excellent statement which the distinguished Senator from Louisiana intended to deliver to the Senate today in advocacy of his reservation, he ends with the following statement:

Any question of whether the United States can explode a nuclear weapon in the defense of an ally or in its own defense in time of war may well come before the existing international tribunal, the International Court of Justice. That Court need only look to the wording of this treaty which forbids "any other nuclear explosion" to rule that the United States is prevented by the treaty from protecting itself or any of its friends with nuclear weapons. No committee reports, department reports, nor Senate speeches would be of any bearing on the Court's decision.

That is why I feel it absolutely necessary to have attached to the resolution of ratification the reservation I have introduced. This reservation states what the treaty should have stated. It adds to the resolution of ratification 18 words: "subject to the reservation that the treaty does not inhibit the use of nuclear weapons in armed conflict."

Mr. President, I ask unanimous consent to have the statement of the Senator from Louisiana [Mr. Long] printed in its entirety at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Long of Louisiana in Support of His Reservation to the Test Ban Treaty Concerning the Use of Nuclear Weapons in Armed Conflict

The treaty before us today prevents the United States from using nuclear weapons to defend itself or to defend its allies. Nothing in the treaty says that we may use our nuclear weapons in a time of armed conflict. The key words, in article I, say just the opposite, that we are prevented from using nuclear devices for repelling aggression. That article reads, "Each of the parties to this treaty undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion, at any place under its jurisdiction or control."

Again, in that same article, "Each of the parties to this Treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion."

"Any other nuclear explosion" means any other nuclear explosion. Peacetime, wartime, any time, you cannot explode nuclear material other than underground.

The wording of the treaty in this regard has brought forth the call for a reservation from a number of reasonable, informed people.

Dr. Teller said: "I would like to see that it is clearly understood by everybody, including our people, our allies, and other countries, that we are going to use promptly or that we may use promptly and without any delay, the right instruments, including nuclear explosives, in the defense of a country against aggression."

Adm. Lewis Strauss suggested: "A reservation stating that it will not be construed by the United States as preventing employment of whatever weapons we deem appropriate should any of our allies or any of the free nations be subjected to armed aggression; and further, that in such circumstances, we should not be bound by the '3 months' advance notice' provision of article IV."

President Eisenhower wrote: "The reservation that I suggest would provide that in the event of any armed aggression endangering a vital interest of the United States this Nation would be the sole judge of the kind and type of weaponry and equipment it would employ as well as the timing of their use."

With men of this caliber on record in support of such a reservation and with the purpose of making sure that all of us here in the Senate, everyone across the country, and, yes, people throughout the world know exactly how the United States interprets this treaty, I have introduced a reservation which should make it crystal clear that nothing in this treaty prevents anyone from using nuclear weapons in any sort of hostility.

This is no small difference of opinion to be compromised easily. It is a matter of whether the United States will be permitted to save itself or its sister states should war come. There can be no room for equivocation when our survival is at stake. The document must speak for itself. I contend it does not. I say we must insert the language by way of reservation that will make this treaty say, "I do not keep you from using your H-bombs and A-bombs when war or other military conflicts beset you."

If we do not, no amount of eloquent expressions on this floor or by any of our officials will be of any use.

It is an undisputed rule of law that, when an act is clear on its face, the courts will not look any further for legislative intent.

This rule was clearly set forth by the U.S. Supreme Court in the case of *Caminetti* v. *United States*, 242 U.S. 470 (1916). The Court said:

"It is elementary that the meaning of a statute must, in the first instance, be sought in the language in which the act is framed, and if that is plain, and if the law is within the constitutional authority of the lawmaking body which passed it, the sole function of the courts is to enforce it according to its terms.

"Where the language is plain and admits of no more than one meaning the duty of interpretation does not arise and the rules which are to aid doubtful meanings need no discussion."

Again, in Caminetti, the Court stated:

"Still, the name given to an act by way of designation or description, or the report which accompanies it, cannot change the plain import of its words. If the words are plain, they give meaning to the act, and it is neither the duty nor the privilege of the courts to enter speculative fields in search of a different meaning.

"Reports to Congress accompanying the introduction of proposed laws may aid the courts in reaching the true meaning of the legislature in cases of doubtful interpretation * * *. But, as we have already said, and it has been so often affirmed as to become a recognized rule, when words are free from doubt they must be taken as the final expression of the legislative intent, and are not to be added to or subtracted from by considerations drawn from titles or designating names or reports accompanying their introduction, or from any extraneous source. In other words, the language being plain, and not leading to absurd or wholly impracticable consequences, it is the sole evidence of the ultimate legislative intent."

This is the language of the U.S. Supreme Court in a leading case, but that decision is reinforced by the rulings of almost every jurisdiction in this country. For example, American Jurisprudence cites literally hundreds of such cases to support the principle that where the meaning of a statute can be obtained from the words of the statute, one need not and cannot resort to any other materials.

American Jurisprudence puts it this way:

> "A statute is not open to construction as a matter of course. It is open to construction only where the language used in the statute requires interpretation, that is, where the statute is ambiguous, or will bear two or more constructions, or is of such doubtful or obscure meaning, that reasonable minds might be uncertain or disagree as to its meaning. Where the language of a statute is plain and unambiguous and conveys a clear and definite meaning, there is no occasion for resorting to the rules of statutory interpretation, and the court has no right to look for or impose another meaning. In the case of such unambiguity, it is the established policy of the courts to regard the statute as meaning what it says, and to avoid giving it any other construction than that which its words demand. The plain and obvious meaning of the language used is not only the safest guide to follow in construing it, but it has been presumed conclusively that the clear and explicit terms of a statute expresses the legislative intention, so that such plain and obvious provisions must control. A plain and unambiguous statute is to be applied, and not interpreted, since such a statute speaks for itself, and any attempt to make it clearer is a vain labor and tends only to obscurity. In accordance with these rules, frequent references may be found in judicial opinions to the clear, definite, distinct, evident, exact, explicit, express, obvious, plain, positive, simple, unambiguous, unequivocal, or unmistakable language of the statutes under consideration. However, where the language of a statute is ambiguous, and there is doubt as to the meaning intended to be expressed thereby, resort may be had to various rules and sources, hereinafter considered, for determining such meaning."

While this relates to statutes, the same is true for treaties as has been pointed out by the distinguished Senator from North Carolina [Mr. ERVIN]. If the language of the treaty is clear and unambiguous on its face, no background materials can be resorted to for its interpretation. And even were there to be such background materials to be used to interpret the treaty, the materials would have to be the fruits of the efforts of all the parties to the treaty. The meaning of a treaty can never be obtained from one country's interpretation of it. Regardless of what we say the meaning of this test ban treaty is, that is not how the treaty necessarily will be construed by any international tribunal passing on the treaty.

Any question of whether the United States can explode a nuclear weapon in the defense of an ally or in its own defense in time of war may well come before the existing international tribunal, the International Court of Justice. That Court need only look to the wording of this treaty which forbids "any other nuclear explosion" to rule that the United States is prevented by the treaty from protecting itself or any of its friends with nuclear weapons. No committee reports, department reports, nor Senate speeches would be of any bearing on the Court's decision.

That is why I feel it absolutely necessary to have attached to the resolution of ratification the reservation I have introduced. This reservation states what the treaty should have stated. It adds to the resolution of ratification 18 words: "Subject to the reservation that the treaty does not inhibit the use of nuclear weapons in armed conflict."

Those 18 words may mean the difference between the continuation and the destruction of the United States, as we know it.

I urge the Senate to vote for this reservation.

Mr. TOWER. Mr. President, this is a reasonable reservation. It provides, in effect, that if the United States is involved in a war in defense of ourselves or in the defense of our friends, we may use nuclear power. It further provides that if we went to the defense of any neutral or uncommitted country, we would still not be denied the use of nuclear weapons.

The omission of such a provision from the treaty is a serious oversight, so far as the wording of the treaty itself is concerned. I do not believe the reservation does violence or damage to the treaty. It is merely a clarification of our understanding of the terms of the treaty. I believe this is the understanding of the President. Therefore, I do not see any reason why the Senate should reject a reservation which would express our understanding that we will not be denied the use of nuclear weaponry if we are involved in a war.

Mr. FULBRIGHT. Mr. President, I yield myself 3 minutes.

This question has been discussed at considerable length. The minority leader, especially, discussed it when he referred to his conversation with General Eisenhower. The Senator from Vermont [Mr. AIKEN] has made several statements on this point. We believe the reservation to be utterly unnecessary. If we seriously considered it or adopted it, the implication would be left that perhaps the treaty did deal with a restriction of the use of nuclear weapons in warfare; in other words, that the treaty would be considered a ban-the-bomb treaty, which it is not. Members of the Soviet Government have publicly stated that this is not a ban-the-bomb treaty. The treaty would not inhibit the use by the Soviet Union of nuclear weapons in a war. There is no question about it.

The reservation is unnecessary. If adopted, it would raise the implication I have just stated. The reservation is unsound and injurious. I hope the Senate will not accept it.

I am in entire agreement with the Senator from Texas that the treaty does not inhibit the use of nuclear weapons in warfare. We have no intention of seeking to inhibit such use; but to include such a provision in the treaty would be a source of confusion.

Mr. LAUSCHE. Mr. President, will the Senator from Texas yield 3 minutes to me?

Mr. TOWER. Mr. President, I yield 3 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, in my opinion, the treaty, in the language used, specifically prohibits the explosion of nuclear bombs or weapons either in peace or in war. I call attention to what the treaty provides:

> Each of the parties to this Treaty undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion, at any place under its jurisdiction or control.

The words are: "any other nuclear explosion."

The words in paragraph 1, article I, specifically state that there shall be no explosions by way of tests or any other nuclear explosion. There are no qualifying or modifying words following the words: "any other nuclear explosion."

I now direct attention to paragraph 2, article I:

> Each of the parties of this Treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the environments described, or have the effect referred to, in paragraph 1 of this article.

Thus, in the two paragraphs of article I, nuclear explosions are prohibited.

I know that Khrushchev has stated that he does not consider this language to mean that he would not be permitted to use nuclear bombs in case of war. The President of the United States has similarly stated what he contemplates this language to mean.

However, I respectfully submit that the language of the document is clear and specific. Senators who are lawyers know that when words are clear, definite, and specific in the interpretation of a legal document, there cannot be ascribed to the document an "intent" or "purpose" that is in conflict with the words.

It is on that basis that I will support the reservation offered by the Senator from Texas on behalf of the Senator from Louisiana.

Mr. TOWER. I thank the Senator from Ohio for making that point. I dwelt on it at length in my remarks the other day. I appreciate his emphasizing this important point.

Mr. President, before I yield to other Senators, I ask for the yeas and nays on the reservation.

The yeas and nays were ordered.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. TOWER. I yield 3 minutes to the Senator from Nebraska.

Mr. CURTIS. The negation that the ban on nuclear explosions takes place when a state of war exists is a negation that comes too late. Superior weapons in the hands of the United States are weapons in the hands of a mature, moral force. The availability of those weapons, the ability to use them, and the readiness to use them are forces for peace, to prevent armed conflict. At that point our hands are tied, and we are not assisted by the statement that if war comes, the ban is off. The ban is there, so far as our use of superior weapons as a force for peace, to prevent a state of war, is concerned.

I thank the Senator for yielding to me.

Mr. ALLOTT. Mr. President, will the Senator from Texas yield 3 minutes to me?

Mr. TOWER. I yield 3 minutes to the Senator from Colorado.

Mr. ALLOTT. I have clearly indicated my intent to vote for the treaty. However, this is one reservation for which I shall vote, and I shall try to give my reasons in a clear, concise manner.

The Senator from Ohio has already pointed out that article I refers to nuclear test explosions, and then provides "or any other nuclear explosion, at any place under its jurisdiction or control."

I believe that all the Senators know the purpose of the treaty. We understand that it is intended to ban atmospheric tests and certain underwater tests, but not underground tests. However, the words the President has spoken and written and those that Khrushchev has spoken will quickly be forgotten. All that will remain for the future will be the cold words of the treaty, "or any other nuclear explosion."

I predict that the day will come when, if ever we are forced to use nuclear weapons in time of war or in time of armed conflict, this treaty will be waved in our faces and we will be told we have violated it; because in it we agreed not to carry on "any other nuclear explosions," and this claim will be made without regard to our present understanding or Khrushchev's present understanding of the treaty.

I give the President all credit for trying to forewarn the American people; and my colleagues in the Senate have also given forewarnings, but for the benefit of those who may be lulled into a feeling of security, let me recount one of the developments at the recent meeting, in Belgrade, of the Interparliamentary Union. The present Presiding Officer, Mr. RIBICOFF, and I attended that meeting. At that time, which was before the Senate had had an opportunity to approve this treaty, the Polish delegation—acting, I am sure, on behalf of the Russian delegation—submitted a resolution which would have the effect of bringing about the resumption of the cold war, to the maximum extent to which that war, in all its aspects, has ever existed. And would also have the effect of weaving into the ratification of this treaty, specific terms requiring worldwide disarmament; the establishment of denuclearized zones, particularly in the NATO countries; and the banning of the use of nuclear weapons in any part of the world where such weapons did not exist. But if that were done, and if the use of nuclear weapons was thereby outlawed, how would it be possible for us—or, for that matter, for our friend, Canada, which at present does not possess nuclear weapons—to prevent the hordes of Red Chinese from pouring into India, Burma, or Thailand?

I am happy to be able to state that at Belgrade, we were rather successful in defeating most of the parts of that resolution. But, Mr. President, even before the ink on the treaty was dry, the delegations from behind the Iron Curtain—the Poles, the Slavs, and the Russians—attempted to read into it provisions which clearly are not in it, and which both the President and Khrushchev say are not in it. I can have no faith in the Russians and their friends or in anything they do or will do after seeing this.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. TOWER. Mr. President, I yield 2 more minutes to the Senator from Colorado.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 2 more minutes.

Mr. ALLOTT. So, Mr. President, I am sure that if this reservation is not adopted, the time will come when the words "or any other nuclear explosion" will be used as the basis of a charge that by this provision of the treaty we agreed never to use a nuclear weapon in our own defense or in the defense of our allies.

Therefore, I join in supporting this reservation; and I urge all other Senators to do the same.

Mr. HOLLAND. Will the Senator from Texas yield?

Mr. TOWER. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. I thank the Senator.

Mr. President, I believe all of us have the same objective. The Senator from Arkansas said he understands that our use of nuclear weapons in time of war is by no means banned. I have carefully examined the treaty and the proposed reservation; and it seems to me that we would agree to the reservation if the word "reservation," as stated in the proposal of the distinguished Senator from Texas, were changed to the word "understanding."

Mr. TOWER. Then it would read: "subject to the understanding that the treaty does not inhibit the use of nuclear weapons in armed conflict."

Mr. HOLLAND. I believe that before that change in the amendment can be made by the Senator from Texas, he must obtain unanimous consent. If he could not get unanimous consent, I would propose that change as an amendment, because if we all understand at this time that that is the case, I believe there is no reason why we should be mealy-mouthed about saying so. Therefore, let us make that change and thus end for all time any question that when the Senate approves the treaty—and I propose to vote for its approval—the Senate clearly understands that when war comes the United States will have the entire right to use any nuclear weapons in its arsenal at that time, either to defend itself, or its friends, or to attack its enemies, in the event it is attacked.

So, Mr. President, I hope the distinguished Senator from Texas will modify his amendment in that way, if he is permitted to do so. If he is not permitted to do so, I shall offer such an amendment, but only as a friendly amendment.

Mr. TOWER. I thank the distinguished Senator from Florida. I see no objection to such a change; and I now ask unanimous consent that I be allowed to modify my amendment by striking out the word "reservation," and substituting therefor the word "understanding."

Mr. FULBRIGHT. Mr. President, reserving the right to object——

Mr. MUNDT. Mr. President, a point of order: Unanimous consent is not required when a Senator wishes to amend his own amendment.

The PRESIDING OFFICER. Unanimous consent is required after the yeas and nays have been ordered.

Mr. FULBRIGHT. I do not know that I shall oppose this proposal; but I point out that such an amendment or reservation is not final, at all. It does not matter whether it is called an "understanding" or a "reservation."

If it actually has some bearing upon the substantive provisions of the treaty, it could be called an "understanding" from now until doomsday, but still it would not be such if it altered the terms of the treaty. The other parties to the treaty have the capacity to say how this provision would affect the treaty; and regardless of whether this proposal is added to the resolution of ratification or is added to the treaty itself, its meaning will be determined by the other parties to the treaty, if they wish to regard this provision as an effort to change the meaning of the treaty.

We have had the opinion of the legal advisers, and the other day the majority leader made a very fine statement about this matter; and there are many other considerations.

I did not anticipate that this proposal would be taken so seriously, or else I would have said more about it at the beginning. I do not believe such a reservation or understanding is at all wise. Ninety-nine countries have now signed the treaty or acceded to it. Most of them are nonnuclear powers. Merely on grounds of policy itself, I believe it would be very unwise for us, the greatest power in the world, to say to them, "We will, in time of war, use nuclear power on you if we want to; and this treaty does not at all inhibit us from doing so."

It is true that no such inhibition is provided by the treaty. Everyone who has studied the treaty, including the legal authorities in the State Department and the Senator from Illinois, has stated that the treaty does not apply in time of war and was not intended to apply in time of war. The treaty has nothing to do with the measures our country will take to deal with an act of war against it. This is a test ban treaty; its title says so.

The phrase which disturbs some Senators originated in our own suggestion.

The U.S. Government inserted that provision in order to close a loophole. The loophole was a possible claim by the Russians that they were testing for peaceful purposes. We would call it the plowshare program. I do not know what they call it. We insisted on inserting the language referred to in order to close that loophole so that any kind of explosion for test purposes would be prohibited. We did not want to enable the Russians to say, "Yes, we were only testing under a plowshare program." As I stated, no one believes that that has anything to do with the pursuance of war. I have the report of the committee which sets forth the cases, which are limited on the subject that the treaty is incompatible with the carrying on of war.

In the case of Techt against Hughes, before the U.S. Court of Appeals, which appears on page 6 of the committee report, Judge Cardozo ruled:

> International law today does not preserve treaties or annul them, regardless of the effects produced. It deals with such problems pragmatically, preserving or annulling as the necessities of war exact * * *
>
> Intention in such circumstances is clear * * * provisions compatible with a state of hostilities, unless expressly terminated, will be enforced, and those incompatible rejected.

Very clearly that would be incompatible with a state of hostilities. There is not the slightest doubt in the minds of any of the persons who had anything to do with the treaty or with international law that the treaty would not apply in time of war. It is a test ban treaty only.

Mr. President, I hope that we will not load down the treaty with understandings. As the Senator from New York stated a moment ago, I regret that we had to vote on some of these amendments. We are all for the objectives stated in the amendments, but they should not be offered to the treaty. Excluding the original parties, the treaty is with 96 foreign countries. I know that some of them would be confused and would misunderstand that sort of action no matter how laudable the purpose or how sound its reason. It would be a mistake to load down the treaty with our understandings.

The Senator from Vermont made a telling point when he said that if we should agree to such amendments, we would leave the treaty open to the implication that perhaps it did and was intended to influence the control of arms.

I shall not object to the Senator's modification because I do not believe that changing the term from "reservation" to "understanding" would alter in the slightest the meaning of the proposal.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield 5 minutes to the Senator from California.

Mr. KUCHEL. Mr. President, when the President of the United States sent the proposed test ban treaty to the Senate, he said:

> While it will not end the threat of nuclear war or outlaw the use of nuclear weapons, it can reduce world tensions.

When the Secretary of State sent the treaty to the President, he clearly pointed out:

> The phrase "any other nuclear explosion" includes explosions for peaceful purposes. Such explosions are prohibited by the treaty because of the difficulty of differentiating between weapon test explosions and peaceful explosions without additional controls.

The language would not prohibit the use of nuclear weapons in time of war, nor would it restrict the exercise of the right of self-defense recognized in article 51 of the charter of the United Nations.

Mr. President, I and every Senator who was present at the time the hearings took place listened to the Senator from Arkansas [Mr. FULBRIGHT] inquire specifically of the intention of the parties. There is no question at all as to the intention of the parties.

Then, because that great, gallant American leader, General Eisenhower, in his letter endorsing the treaty, used the word "reservation," the minority leader spoke directly with General Eisenhower, and the word "reservation," which, as the Senator from Arkansas [Mr. FULBRIGHT] pointed out, is a word of art, was withdrawn by General Eisenhower.

As the minority leader indicated, it would be a tragedy if by the use of the word "reservation" or the word "understanding" the Senate should now begin to toy with something that ought to be crystal clear by the statements and asservations of those in a position of responsibility who came forward.

Mr. TOWER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. YOUNG of Ohio. Mr. President, reserving the right to object——

The PRESIDING OFFICER. Does the Senator object?

Mr. YOUNG of Ohio. The junior Senator from Ohio will not be mealy-mouthed about it. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HOLLAND. Mr. President, I send to the desk an amendment to the reservation offered by the Senator from Texas, changing the word "reservation" to the word——

The PRESIDING OFFICER. Before the amendment would be in order, the time must first be used on the reservation of the Senator from Texas. The yeas and nays have been ordered.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. When my amendment is offered, what will be the time limitation on it?

The PRESIDING OFFICER. The Senator from Florida will have an hour on his amendment.

Mr. HOLLAND. I shall not need any such period of time. I thought we could dispose of the whole subject under the present limitation. But if the Chair has made the necessary ruling under the parliamentary situation, of course, I shall accede to it.

The PRESIDING OFFICER. Do the Senators controlling the time yield back the remainder of their time?

Mr. TOWER. Mr. President, as soon as every Senator who desires to speak on the amendment has spoken, I shall yield back the remainder of my time.

Mr. ALLOTT. Mr. President, will the Senator from Texas yield 15 seconds to me?

Mr. TOWER. I yield 30 seconds to the distinguished Senator from Colorado.

Mr. ALLOTT. Mr. President, I heard the remarks of the Senators who have spoken. The message of the President, the statement of General Eisenhower, and the statements of others will not become a part of the historical record of the 90 or more countries who have approved the treaty. The document that will become one of the historical records of those countries is the treaty. The language of the treaty is "No other nuclear explosions." In order that we may be under no mistake as to what we are saying or doing, I think we must make that point clear. Perhaps in the Senate we are clear. I know what I wish to believe the treaty provides, but I am not sure other countries believe or agree. I ask unanimous consent that I may have printed at this point a resolution introduced by the Polish delegation at Belgrade, which I offered at the conclusion of my former remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

DRAFT RESOLUTION SUBMITTED BY THE POLISH GROUP

> The following draft resolution was submitted by the Polish group with the request that it be included on the agenda of the Council and of the Conference:
>
> "The 52d Interparliamentary Conference,
>
> "Noting with profound satisfaction that in Moscow on July 5, 1963, Great Britain, the U.S.S.R., and the United States signed a treaty on the cessation of nuclear tests in the atmosphere, in outer space, and under water and that this agreement received general popular approval,
>
> "Convinced that the Moscow agreement constitutes an important step forward in lessening international tension and strengthening confidence in relations between states, and that it gives proof of the possibility of settling international problems by means of an understanding based on the principle of peaceful coexistence between states whatever their political or social regimes,
>
> "Considering that the Moscow agreement created favorable conditions for the realization of new records leading to a detente in international relations and looking toward general and complete disarmament, an indispensable condition for the consolidation of peace among peoples."

Mr. TOWER. Mr. President, if what has been said is true that it is the consensus that the treaty would not bar us from using nuclear weapons in a situation of armed conflict, there should be no serious objection to enacting the reservation or understanding, as it might be. I think it is important, when it comes time to construe our intent after ratification of the treaty, that we be on record, so that there will be no doubt as to what our intent and understanding of the treaty was. On that basis I urge Senators to agree to the reservation.

Mr. COOPER. Mr. President, will the Senator yield 2 minutes to me?

Mr. FULBRIGHT. I yield 2 minutes to the Senator from Kentucky.

Mr. COOPER. I oppose the understanding or reservation. If the treaty had been negotiated for the purpose of prohibiting the use of nuclear weapons in warfare—as conventions and treaties that have been negotiated barring the use of poison gas—then there would be some substance to the argument for the understanding. But as the committee chairman and others have said, we are dealing with a treaty which was negotiated for the sole purpose of imposing a ban upon certain types of nuclear test explosions. Article 4 of the treaty makes it clear that the treaty was not intended to prevent a signatory from defending itself. It strengthens the case against such an interpretation as has been advanced in support of the understanding. Article 4 of the treaty provides that if extraordinary events should occur which would jeopardize the supreme interests of our country, the treaty could be abrogated upon 90 days' notice. And, as has been pointed out, if there is a breach by the Soviet Union, the treaty could be abrogated immediately by the United States.

If there can be an abrogation upon 90 days' notice for some extraordinary event relating to the subject matter of the treaty, or upon a direct breach by the Soviet Union, surely it is reasonable that it was never contemplated that it could not be abrogated in wartime.

If our country should find itself in war, or threatened, I hold that under international law and the immutable right of self-defense, this treaty could not limit in any way the use of whatever means, including nuclear weapons, the President determined necessary to protect the sovereignty and the security of the Nation.

The PRESIDING OFFICER. The time yielded to the Senator from Kentucky has expired.

Mr. FULBRIGHT. Mr. President, I yield the Senator another minute.

The PRESIDING OFFICER. The Senator from Kentucky is recognized for an additional minute.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. FULBRIGHT. The Senator has not the slightest doubt, has he, that the President, under his duties as President, would take whatever means were necessary for the defense of the United States or its allies? Is there any question about that?

Mr. COOPER. Not the slightest doubt. That the President has such power, is primary and fundamental. The President of the United States, or the Congress of the United States could take action, if any event of any kind threatened our security, no matter what the treaty provided. Whatever means were necessary could be taken and would be taken to protect the security of this country.

Even article IV, which provides a means of abrogating the treaty in lesser circumstances, confirms in the context of the treaty itself, if there is any doubt, that it was never intended to be applicable in time of war. It could not limit the use of nuclear weapons in war. That power resides in the President, as Commander in Chief, and is a right of defense.

Mr. MILLER. Mr. President, will the Senator yield for a question?

Mr. COOPER. I yield.

Mr. MILLER. Recognizing that there is no question about the right of self-defense, so far as the United States is concerned, what about the right to engage in a war to prevent aggression against one's allies? As I recall, that is not covered by the Charter of the United Nations. Would the Senator put that in the same category?

Mr. COOPER. I understand the issue. It was raised by the senior Senator from Nebraska [Mr. CURTIS] the other evening. He gave as an example the dispatch of troops by President Eisenhower to Lebanon, and expressed the view that the treaty would deny our ability to apply power in such situations, or to support our action with nuclear weapons.

The PRESIDING OFFICER. The time yielded to the Senator from Kentucky has again expired.

Mr. COOPER. May I have 1 additional minute?

Mr. FULBRIGHT. I yield the Senator another minute.

Mr. COOPER. I believe our right to take action if a situation arose any place in the world which threatened the security of the United States, could not be limited by the treaty. The President of the United States, or the Congress in appropriate cases, could do whatever was thought necessary for the security of our country. I cannot see that there would be any inhibition. These are the reasons I oppose the reservation or understanding. In my opinion the treaty language shows clearly that it applies only to nuclear test explosions. And in no case can this treaty limit the right and the duty of the President, supported by the Congress, to protect the security of the United States—and by nuclear weapons, if required.

Mr. TOWER. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Texas is recognized for 1 minute.

Mr. TOWER. I have no doubt that the President would actually use nuclear weapons if he thought it necessary to do so in a critical situation, but we do not wish to be pilloried in the court of world opinion. That is one thing which many of our friends often worry about. This language is to be construed by an international court. We had better let them know our intent.

Mr. President, I yield 2 minutes to the Senator from Virginia [Mr. ROBERTSON].

The PRESIDING OFFICER. The Senator from Virginia is recognized for 2 minutes.

Mr. ROBERTSON. Mr. President, I spoke on this subject on the 16th of this month. At that time I said that this language clearly prohibited us from the use of atomic weapons in our defense and prohibited us from using atomic weapons in defense of NATO, and that that perhaps was why it was put in the treaty.

I asked the distinguished chairman of the Committee on Foreign Relations whether a disagreement as to what the language meant would go to the International Court for a solution. What did the Senator from Arkansas reply to that? Would this go to the Court for construction, or not?

Mr. FULBRIGHT. I do not think so. We could say that this is a domestic matter and none of the Court's business, under the Connally reservation. Since that Court was created, I do not believe this country has ever engaged in an action before the Court.

Mr. ROBERTSON. We could say it was a domestic matter.

Mr. FULBRIGHT. The Russians are members of the Court; are they not?

There is no issue with the Russians there.

Mr. ROBERTSON. The United States is a member of the Court. We did not join the League of Nations; but we did join the Court.

The language would go to the Court, and the Court would construe the language of the treaty. Now let us go to the next question.

There has been proposed a reservation that we could use these weapons in an armed conflict. That would be an amendment. That perhaps will be voted down. Very well, then; if there were any question of construction it would be held the Senate had voted against using the weapons in our own defense. That reasoning is an established point of law.

The PRESIDING OFFICER. The time yielded to the Senator from Virginia has expired.

Mr. ROBERTSON. Will the Senator yield me 1 more minute?

Mr. TOWER. Mr. President, I yield 2 more minutes to the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Virginia is recognized for 2 more minutes.

Mr. ROBERTSON. The Senator from Florida will offer an amendment by which the Senate will "go on record" as saying that we can use such weapons after we are attacked, in our defense. The distinguished chairman of the committee says, "Oh, do not do that. That would offend Russia. Russia has to pass on what this language means."

We are told not even to say as a matter of policy that, when we are being attacked by nuclear weapons, we favor using them in our defense.

I wish to read the Senate what my predecessor, Carter Glass, said about the Briand-Kellogg pact. It outlawed war, and all nations signed it. This is what Carter Glass said about that pact:

> Mind you, it would confuse the minds of many good and pious people who think that peace may be secured by polite professions of brotherly love.

The opposition says we should not even stand up and be counted as determined to use atomic weapons in our own defense.

Mr. TOWER. Mr. President, I yield 3 minutes to the Senator from North Carolina [Mr. ERVIN].

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 3 minutes.

Mr. ERVIN. Mr. President, it seems to me that the Senate should go on record as saying that this treaty would not inhibit the United States from the use of atomic weapons in defense of itself or its allies in case of war.

Under the decisions of the Supreme Court of the United States, a treaty is to be interpreted like any other legal document; that is, according to the language in which it is expressed. This treaty, according to its language, applies in time of war as well as in time of peace.

There is some confusion in international law on the subject of whether a war between two countries which have agreed to a treaty suspends that treaty. There are some decisions to that effect, but there is confusion on the subject.

If Russia has gone on record as saying that this treaty would not apply in time of war; if the President of the United States has gone on record saying that this treaty would not prohibit the United States from using atomic weapons in its own defense and in defense of its allies in time of war; then why in Heaven's name should not the Senate of the United States be allowed to go on record accordingly?

Mr. ROBERTSON. Amen.

Mr. FULBRIGHT. Mr. President, I yield 2 minutes to the Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. Mr. President, I did not intend to speak on this subject, but I am moved to speak because one thing seems to have been overlooked in the debate so far. If the Senate adopts this reservation it will apply to the Russians as much as it applies to us, even though they do not make the reservation. That is an accepted principle of international law. If we adopt the reservation, it will be just as effective for them as for us. They will have adopted it, for all practical purposes. It would be a similar reservation—namely, that they, too, would be free to use nuclear weapons in the event of armed conflict.

Where would that get us? Exactly nowhere, except to make the small step an even smaller step than now.

That is the sum total of the argument. We seem to be oblivious to the fact that another great nation is a contracting party, and that the reservation would apply to it just as much as it would apply to us. That is a Hornbook principle of international law.

Since that is the case, the reservation would nullify itself. The only thing the treaty would say would be, "We are talking about trying to get somewhere, but we all know we are not going to get somewhere, because we must keep our powder dry in case of some contingency; and armed conflict is the likely result."

I wish to say no such thing myself, and therefore I shall vote against the reservation.

Mr. FULBRIGHT. Mr. President, I wish to yield 3 minutes to the Senator from Vermont [Mr. AIKEN].

Mr. AIKEN. Mr. President, this is the most dangerous reservation which has been offered to the treaty. It not only puts a different meaning on the treaty than was intended by the original signatories to the treaty, but it opens the door to every other country in the world to interpret this treaty as it desires.

It is extremely dangerous. It would be better to kill the treaty by voting against it than to do this to it, when we never could be sure of its precise meaning any time thereafter.

There was no misunderstanding among the original signatories as to what it meant. Russia publicly has stated that it means a country can use nuclear weapons in the event of war. Why should we concede now that it does not mean we can use nuclear weapons in the event of war? Why should we say that we are casting international law out the window when, under international law, if I am correctly informed, any country whose security is in danger or is at war can use whatever weapons are necessary to protect itself.

Further than that, if any signatory violates this treaty, it is immediately inoperative, without any notice.

So I say it would be far better to kill the treaty by voting against it than to cloud its meaning this way, because adoption of this reservation opens the door to any signatory nation in the world to put any interpretation on it, after the meaning of the treaty has been given to the whole world, and understood thoroughly by the three principal signatories to this treaty. I have respect for any Senator who thinks this treaty is bad and wants to vote against it, but I do not think we should obscure its meaning by adopting this reservation.

Mr. HOLLAND. Mr. President, will the Senator yield to me?

Mr. AIKEN. I yield.

Mr. HOLLAND. I am addressing my question now to the Senator from Texas.

Mr. TOWER. Mr. President, the Senator from New Hampshire [Mr. COTTON] asked me to yield first. I yield 2 minutes to the Senator from New Hampshire first. Then I shall yield to the Senator from Florida.

Mr. COTTON. Mr. President, I did not intend to comment on any of these reservations. After careful study and much soul searching I determined to support the treaty and gave my reasons on this floor several weeks ago. I do not intend to cast a vote which will result in killing it.

I shall vote, however, for the insertion of the amendment of the Senator from Texas as an "understanding."

Mr. President, I have been utterly amazed, in the last few minutes, to hear the Senator from New York suggest that if we adopt this amendment we may, in some way, permit the Soviets or other signatories the use of nuclear bombs in armed conflict in a manner they would not be allowed under the terms of this treaty.

Mr. President, if there is anything in this treaty that hampers our enemy in the use of nuclear weapons then it hampers us. I cannot believe the Senator from New York really means what he said and I am convinced the treaty could not be interpreted to preclude our full and free use of all weapons in our arsenal in any armed conflict, but I can see no reason why this Senate should not nail it down and make it crystal clear.

I shall vote to insert this clear "understanding" in the treaty.

Mr. TOWER. I yield now to the Senator from Florida.

Mr. HOLLAND. Mr. President, I think we are all trying to go the same place. I think we are making one mistake. We are thinking that the good will, decency, and willingness to proceed by gentlemen's agreement and understanding that prevails on this floor prevails throughout the world and is going to prevail regardless of what is said in advising and consenting to this treaty.

Mr. President, we are not advising and consenting to the report of the able committee. We are advising and consenting to this treaty, in the very few words in which it is stated on pages 7 and 8 and a little of page 9, of the message from the President of the United States.

All Senators know that at two places in the treaty it is not left clear by the words of the treaty itself that we do have the right to use nuclear weapons in our defense or that of our friends if we have to do it. Those two places are in article I. The first part of it reads:

> Each of the Parties to this Treaty undertakes to prohibit, to prevent, and not to carry out any nuclear test explosion, or any other nuclear explosion, at any place under its jurisdiction or control—

Covering both test explosions and other explosions.

Then, in subsection 2 of that same article:

> Each of the Parties to this Treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion.

Every Senator here understands that we intend to preserve our right to defend ourselves by the use of our nuclear arsenal. But the world is looking at our action in advising and consenting to the wording of this particular treaty, and not to what is in the record, not to what is in the record of testimony of eminent citizens, and not to what is in the hearts of good men and women here on the floor of the Senate, every one of whom operates under an understanding which, unfortunately, does not prevail in most of the rest of the world.

The record, this last hour, shows that there is a difference of opinion in the Senate as to what the treaty means. The able Senator from Virginia, great lawyer and certainly a fine legislator of long experience, says that in his judgment it would ban the use of nuclear weapons in time of war. Other Senators say with equal force that, in their judgment, the treaty would not so ban. I am inclined to agree with the latter group, but I see no point in the world in our being unwilling to make the matter clear in the RECORD, particularly in view of the fact that this debate has taken place and the RECORD shows that difference of opinion.

Further, everyone knows this question has been raised from one corner of this country to the other. I have in my own file telegrams, not only from fine citizens of my own State, but from a great many other States of the Union, on this particular point, asking, "Is it not true that we would bind ourselves against the use of nuclear weapons in event of war?"

No, in my opinion, we would not. Yet, to look at the wording of the treaty, can anyone determine that fact with certainty? It is for that reason that I feel we should make clear in the RECORD our understanding of this provision of the treaty.

It is rather amusing to have those who say it does not apply to use of nuclear weapons in time of war refer to the words of the Soviet Union to show that it is their understanding. Of course, it is their understanding. Of course, that is our understanding. But why not leave it in this imperishable Record to make sure that the whole world, the unfriendly part of the world as well as the friendly part, knows it? Why not say in unqualified words, that our understanding is that we have the right to use nuclear weapons if someone proceeds against us, making our defense necessary?

There is nothing wrong about that. There is nothing in the way of a reservation if that is done. There is nothing that requires future action by anyone else. There is nothing that flies in the face of what the Soviet Union has said, if that is what concerns Senators greatly, although it does not concern me greatly, because they have already said that they retain that right. Why should we not, when we are being asked to cast our sacred vote, as representatives of nearly 190 million people, to advise and consent to this treaty, say that our understanding is that we do not yield our right to use our own nuclear arsenal in event war forces us to do so?

We should take that action in view of all the confusion in the country. If we fail to do it, it may well be argued, with stronger effect than it could otherwise be, that we are unwilling to state in the Record that we preserve the right to use nuclear weapons if that sad necessity is thrust upon us.

Mr. TOWER. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 3 minutes remaining.

Mr. CANNON. Mr. President, will the Senator yield to me?

Mr. TOWER. I yield a minute and a half to the Senator from Nevada.

Mr. CANNON. Mr. President, I would like to ask the distinguished Senator from Florida if it is not a fact that a "nay" vote on the pending proposal, as an understanding, would indicate grave doubt to others reading the action of the Senate as to whether we intend to reserve the right to use nuclear weapons in time of armed conflict?

Mr. HOLLAND. The Senator is absolutely correct. It is for that reason that I am supporting the philosophy of the Senator from Texas, to try to make it clear that we are stating our own understanding as to what our right is, instead of adopting a reservation, which requires submission to anyone else.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. TOWER. I yield a half minute to the Senator from Nevada.

Mr. CANNON. I should like to make a further point. The opinion of the legal adviser, which has been referred to, is only a legal opinion. We know that lawyers are often proved to be wrong in their statement of a legal opinion. Furthermore, the question has been raised whether the words "or any other nuclear explosion" impose any limitation on the use of nuclear weapons by the parties in war. The answer is "No."

The proposed understanding provides that the treaty does not inhibit the use of nuclear weapons in armed conflict. History shows that we have had many armed conflicts short of a declared war. In such a case the legal opinion of attorneys might well differ from the language of the understanding.

Mr. HOLLAND. I thank my distinguished friend for his comment.

Mr. FULBRIGHT. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator has 5 minutes remaining.

Mr. FULBRIGHT. I yield 2 minutes to the Senator from Kentucky.

Mr. COOPER. Mr. President, so long as Senators have entered into a discussion of the constitutional interpretation of the language, my position is that we must look at the whole substance of the treaty. The purpose of the treaty deals with a test ban.

Suppose we try to write into the treaty an understanding or reservation to define the situation in which we would have the right to use nuclear weapons. We start with this basic principle. International law recognizes the right of citizens, through the President of the United States and through Congress, when it becomes its duty, to determine the circumstances under which they can use whatever means are necessary, including the use of nuclear weapons. If the Senate should try to change this language, in doing so we could limit the capacity and ability of the President if the need should come to make such a determination.

When could we use nuclear weapons? It is stated "in war." That means that war would have commenced. Would we limit the President to use whatever weapons were necessary to be used if it were necessary to protect the life of this Nation to use them before war actually began? I do not believe Senators mean that. Yet we would have limited the powers of the President, which are broad and comprehensive, to do anything necessary to protect this country.

Mr. FULBRIGHT. Mr. President, I yield myself 3 minutes. I did not anticipate that this question would be taken so seriously, especially after the discussion during the earlier debate on the same subject, and especially in view of what the Senator from Illinois has said. The treaty does not restrict the making of weapons. It is not intended to do so. No one has suggested that it does. It deals with testing. That fact is reflected in the title of the treaty. Everything in it is intended to apply to nuclear testing. The language that has been referred to is intended to eliminate the loophole of testing for peaceful purposes. The purpose of the treaty is clear. It is not intended to control the use of weapons in wartime. We all know that the Commander in Chief of this country determines such questions as this. Even under the McMahon Act the power to direct the use of nuclear weapons is restricted to the President. He orders the use of such weapons, or any other weapons. No one could possibly or reasonably interpret the treaty as undertaking to limit the President, as the Commander in Chief of all the Armed Forces, in the use of his discretion.

I did not anticipate that this question would be taken so seriously. The situation is generally well understood. We all understand the plain meaning of the treaty. I regret that this matter has assumed the import it has. I hope that the Senate will not, at the last moment, throw in this reservation or understanding and thereby open the way for the Russians or any other member to raise a question as to what it means, or to suggest a counter proposal. A great many nations have no nuclear weapons at all, and do not expect to have them; but they would like to say, "We would like to further restrict the use of nuclear weapons, so that they cannot be used under any circumstances. Let us outlaw them." Then we would get into the kind of "ban the bomb," situation which so upset Great Britain in the past year or two.

The Russians would be greatly tempted for propaganda purposes to say, "the Americans have presented their treaty, and we have accepted it. Now they come along and add an amendment to their own treaty. They are so eager to use their weapons upon the defenseless people of the world that they cannot resist putting in their own treaty, which has been negotiated and accepted, this reservation or understanding." It would give them an opportunity that could prove irresistible.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield 1 minute to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I support what the distinguished Senator from Arkansas, the chairman of the Foreign Relations Committee, has stated. It is what the President has said in his letter to the distinguished minority leader and the majority leader, and what was pointed out in the testimony by both the Secretary of State and Counsel for the State Department. If we adopted the proposal, we would be doing an act contrary to what is, in effect, our treaty. The purpose of the treaty was advanced by President Eisenhower and continued by President Kennedy. It is not a Russian treaty. It is not a Russian proposal. The initiative lies with us. If we adopt the proposal before us we shall undertake to nullify the treaty and bring about renegotiation; and the Lord only knows what will result. I hope the proposal will be rejected.

Mr. DIRKSEN. Mr. President, I yield myself 5 minutes on the resolution of ratification.

When the distinguished Senator from Vermont indicated that there are elements of danger in this language, he was not overstating the case. If Senators will read the reservation, it is:

> Subject to the reservation that the treaty does not inhibit the use of nuclear weapons in armed conflict.

Whose armed conflict? Our armed conflict, when we declare war? Would a conflict in Korea that might be grave enough to call for nuclear weapons be our conflict? Would a conflict in Vietnam, where we have some 14,000 military personnel, under the euphemistic title of instructors, be one of our armed conflicts? How would we establish that a conflict was our armed conflict?

The distinguished Senator from Arkansas put his finger on the problem and on the language dealing with the use of nuclear weapons by saying that the decision lies in the hands of the Commander in Chief. This language would be meaningless if it were not for the fact that it could cause mischief in interpretation abroad. Those were specific points which former President Eisenhower raised in his letter to the committee on August 23. The only question he raised was: Is there an interdiction on the use of nuclear power by this country in time of need? He inadvertently used the word "reservation." It was that point that I had straightened out, so that I might explain publicly that that was what was in mind. He was thinking only of using our arsenal of nuclear weapons if the time ever came when they were needed.

That question I raised specifically with the majority leader when we conferred with the President. So I refresh the recollection of the Senators again about the language in item 4, of the President's letter—and I have the original letter—to this effect:

> In response to the suggestion made by President Eisenhower to the Foreign Relations Committee on August 23, 1963, and in conformity with the opinion of the legal adviser of the Department of State, set forth in the report of the Committee on Foreign Relations, I am glad to emphasize again that the treaty in no way limits the authority of the Commander in Chief to use nuclear weapons for the defense of the United States and its allies.

That statement goes infinitely further. If anything, the language in the reservation is an inhibition on how far the Commander in Chief of the United States gave assurances to the Senate.

The President continued:

> Any decision to use such weapons would be made by the United States in accordance with its constitutional processes and would in no way be affected by the terms of the nuclear test ban treaty.

I do not know what clearer statement is necessary to indicate what would be done, but I call attention to the nicety of the language, because it does not inhibit or limit the authority of the Commander in Chief, who is the only one who can give the "go" sign and the order for the use of nuclear weapons. In the President's letter, the situation is properly put. In the reservation, it is carelessly put, and under interpretation abroad could do nothing except to create mischief and make some trouble before we got through.

Therefore, I hope the reservation will not be adopted.

Mr. TOWER. Mr. President, will the Senator yield me 1 minute?

Mr. DIRKSEN. I yield 1 minute to the Senator from Texas.

Mr. TOWER. Perhaps the "winter of our discontent" over the word "reservation" might be made a glorious summer if we were to adopt the amendment proposed to my reservation by the Senator from Florida [Mr. HOLLAND], which would strike out the word "reservation" and substitute therefor the word "understanding."

Mr. DIRKSEN. Mr. President, I yield myself 1 minute.

Using the word "understanding" would not make a change in the interpretation of whatever is said on the floor of the Senate today or will be said tomorrow. Call it a reservation, if we will; call it an understanding, if we will. It must be interpreted in light of the solemn and unequivocal assurance of the President of the United States in his capacity, not as President, but as Commander in Chief. I do not want to see that function complicated, with respect to our allies, by questions of what constitutes armed conflict or where it might take place. Such language would ultimately cause us trouble.

I hope that whether the proposal be called an understanding or a reservation, it will be rejected by the Senate.

Mr. HOLLAND. Mr. President, I send forward an amendment to the pending reservation to change the word "reservation" to "understanding."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, line 2, it is proposed to strike out "reservation" and insert in lieu thereof "understanding."

Mr. HOLLAND. Mr. President, this question is before the Senate, whether we want it to be here or not. The question was raised in earlier portions of the debate as to what the wording of the treaty itself—and that is what we are being asked to advise and consent to—means in this regard.

Senators who are lawyers have stated unequivocally that they are fearful that the words appearing in two places in the treaty—"or any other nuclear explosion," which does not include the word "test"—may be so broad as to jeopardize our right to use nuclear weapons in the event of an armed conflict.

The proposal of the Senator from Texas provides that the words "armed conflict" would, as suggested by the distinguished Senator from Nevada, include not only a fully declared war, in which Congress would have exercised its right under the Constitution to declare war, but also such situations as existed after the Pearl Harbor bombing, before Congress could be assembled, or after the Korean invasion. My recollection is that we did not even declare war at all in the matter of the Korean fighting.

So the question is whether, after the President has said that his understanding is that he would have the right, as Commander in Chief, to use nuclear weapons in war, although that is not stated in the treaty; and after the Soviets have stated that they have the understanding that they have the right to use nuclear weapons in armed conflict, and after the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT], in the committee report has assured the Senate that the treaty in no way inhibits our use of nuclear weapons in time of crisis—the question is whether the Senate should state its understanding of this provision of the treaty.

Mr. President, I read this paragraph from page 6 of the committee report:

> The Senate should be assured that the committee, in recommending approval of this treaty, is entirely satisfied that the treaty in no way impairs the authority and discretion of the Commander in Chief in time of crisis to employ whatever weapons he judges the situation may require, in accordance with our constitutional processes.

It appears that everyone else has the right to state his understanding, but that it is not desirable for the Senate, which must advise and consent before the treaty can become the action of this country, to state its understanding as to what is meant by the treaty's words, which by themselves do not limit nuclear explosions to test explosions only.

I do not think that the slightest disruption of our relations with anybody would be occasioned by our adopting the amendment in the changed form which I now suggest; that is, that we insert in lieu of the word "reservation," as contained in the amendment proposed by the Senator from Texas, the word "understanding." I believe that is the understanding of every Member of the Senate. If it is not the understanding of any Member of the Senate, he ought not to vote for the ratification of the treaty.

I feel certain that no Member of the Senate would want to inhibit our country or its Commander in Chief from the use of all weapons within its arsenal in the event there is armed conflict, in which our future would be at stake, or in which the future of our friends to whom we are bound by treaty would be at stake.

So, Mr. President, it seems to me that the Senate is asked to give its advice and consent to a treaty which contains a provision—as set forth at two points in the treaty—which has led to differences of opinion among Senators as to the meaning intended. I think the Senate is clearly within its right in stating its understanding—and I believe this is the understanding of all Senators—that the United States is not to be precluded from the use of nuclear weapons in time of conflict. I know that all signers of the treaty intend that nuclear weapons may be used in time of conflict. However, I believe that hundreds of thousands of the American people are fearful that by approving the treaty as it now stands, we would be leaving a gap at this point. Certainly, anyone who reads the debate which has occurred in the Senate will be entitled to be fearful that the Senate has left such a gap and that Senators fear that the use of these words will limit our country's use of nuclear weapons at such times.

So, Mr. President, in my judgment the pending proposal will go far to stilling the doubts of many good Americans, many Americans just as patriotic as Senators, about the treaty. The pending proposal will bring our understanding out into the open, just as the President has stated his understanding, and just as the Soviets have stated their understanding. By this means we shall state openly that our understanding is that in the event of armed conflict, the United States will have the right to use its nuclear weapons in its defense or in the defense of its friends.

Mr. President, how can there be objection to such a statement? There is no question that even Senators who oppose approval of the treaty say that is what it means. Other Senators are doubtful that the wording used in the treaty will lead to that interpretation, and they have so stated on the floor of the Senate, and their statements of doubt now appear in the imperishable record of the Senate debate, which will be available as long as our country endures—which I hope will be from now until the end of time.

Mr. President, can it be correctly said with any degree of authority or persuasiveness at all that a Senator must vote to have the Senate give its advice and consent to a treaty which he believes or which other Senators believe is not clear in dealing with this vital point? How can there be valid objection to a statement of understanding of the Senate at this time?

I listened with complete understanding, but with regret, to the statement made by the Senator from Vermont, in which he indicated that he thought Senators who were making this proposal were trying to kill the treaty.

Mr. President, I am not trying to kill the treaty. In fact, I have been "under the gun" in connection with the treaty; I have discussed it in the city of Miami, the largest city in Florida, and also in the city of Pensacola, and in the area of Orlando. I may say that the reactions to my statements have not been all unmixed; there have been many expressions of opinion in regard to the statements I made.

This is the only matter in connection with the treaty that has bothered me. How can Senators properly refrain from expressing their understanding in regard to this critical matter, when it is so clear that many Senators have doubts as to just what this part of the treaty does mean.

I listened to the remarks of the Senator from Virginia [Mr. BYRD], who for many years was a distinguished official of his State, and who has held many important positions in the Senate for many years. He stated his doubt as to what is meant by this portion of the treaty.

I listened to the remarks of the distinguished Senator from North Carolina [Mr. ERVIN], for many years a great judge on the supreme court of his State. He stated his doubt as to the meaning of this provision in the treaty.

Similarly, I listened to the statements made by other Senators, for whom I have equal respect, and who also question the meaning of this portion of the treaty. I have equal respect for Senators who hold a contrary view.

However, Mr. President, this difference of opinion makes it necessary for the Senate to state its understanding in regard to this matter. If that is not done, either we leave room for the conclusion that we were willing to have others express their understanding, but we would not claim the right to express ours, in connection with our action in advising and consenting to the treaty; or, if the amendment is rejected, the conclusion that a considerable number of Senators believe the treaty is not as clear on this point as it should be, even though the treaty be approved by the Senate and subsequently be ratified. Mr. President, neither of those conclusions in regard to the treaty would be a happy one.

Mr. President, I shall vote for approval of the treaty. During the debate I have engaged in colloquy which has clearly shown how I feel about some of the important objections to the treaty. But I insist that the Senate is duty bound, when dealing with the matter which is the subject of controversy among Senators, to take the action now proposed. I believe all Senators are patriotic and are trying to do the best they can for their country and for the peace of the world. On the other hand, in this case there is a grave difference of opinion.

There is only one way to settle it, and that is by having a majority of Senators vote to make clear that we believe we have a perfect right, after we give our advice and consent to the treaty, and after it becomes operative on the United States and on the other original signatories and on the more than 100 other nations which subsequently have joined in the treaty—a complete right, whether in time of war or at any other time, to use our nuclear weapons.

So, Mr. President, I hope we shall now vote to insert, in place of the word "reservation," the word "understanding."

Certainly there is no valid basis for objection to having the Senate state its understanding of a matter as vital as this one. The inclusion of this proposed change will not at all prevent the cessation of nuclear testing, but it will, instead, make more settled the minds of many of our fellow citizens, and also will make clear the fact that the Senate stands firm in stating that our country does have this continuing and important right, which at some time may have a vital effect on the survival of the United States as a free nation.

Mr. President, therefore I hope the proposal to substitute the word "understanding" for the word "reservation" will be adopted.

Mr. MUNDT. Mr. President, will the Senator from Florida yield to me 3 minutes, to enable me to speak in support of this proposal?

Mr. HOLLAND. Mr. President, I yield 3 minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 3 minutes.

Mr. MUNDT. Mr. President, in my opinion the Senator from Texas [Mr. TOWER] and the Senator from Florida [Mr. HOLLAND] have, by their combined efforts, made a constructive contribution to the debate and to the Senate's consideration of the treaty.

Certainly there is much validity in the question raised by the Senator from Florida that if the Russian leader and the President of the United States and individual spokesmen for the State Department have a right to express their understanding, what in the world has put the Senate down to such a low level that it is not entitled to express its understanding?

All we are asked to do today in this amendment is express our understanding.

I shall vote for approval of the treaty; but I shall be able to do so with much more confidence and peace of mind if, by vote of the Senate, the clear understanding of the Senate or the clear understanding of the Senators who vote in favor of this proposal is recorded, so as to show that we retain for ourselves the right to use these nuclear weapons in time of war.

It is all very well to say that other nations will understand this because of a Foreign Relations Committee report or a statement from the White House; but it should be pointed out that even the preceding President of the United States, even after 8 years of experience in the White House and even after many years of experience in the Army, Dwight Eisenhower, still did not understand this aspect of the treaty—so much so that he requested, by letter, and subsequently obtained, a special explanation, which was given to him in order to demonstrate that this can be done.

If there is such lack of understanding or if there is such misunderstanding in high places in the United States, consider, Mr. President, the very great amount of misunderstanding which could develop in other countries.

If there can be that degree of misunderstanding in such high places in America, what great misunderstandings can surely develop in foreign countries in which a different language is spoken and where an altogether different form of parliamentary procedure is practiced. It is important that Senators be given an opportunity to register their individual understanding in a yea-and-nay vote, and to decide for themselves in the yea-and-nay vote what type of understanding they wish to hammer home in connection with this important area of doubt and uncertainty as expressed by many. The proposal is not a reservation. It would not change the fact that those who sign the treaty would have signed a treaty which read exactly as it appeared at the time it was signed.

I think this proposal also points up the criticism I made during my earlier remarks today in reference to how important it is that we develop a procedure whereby the principals who prepare a treaty complete the procedures of ratification before other nations are invited to sign it.

The PRESIDING OFFICER (Mr. BAYH in the chair). The time of the Senator has expired.

Mr. MUNDT. Mr. President, I ask for 2 additional minutes.

Mr. TOWER. I yield the Senator 2 additional minutes.

Mr. MUNDT. I pointed out how important it is that we develop a procedure for treaty ratification which would not put the Senate at the tail of the ratification line where we come in almost as an afterthought. We should develop a procedure that would not bring us into the discussion after 96 other countries sign it and widely publicized reports have been circulated announcing these ceremonial signatures. Then the administration comes to us for advice and consent? Oh, no. They come to us for consent and threaten us with the dire consequences of a negative vote. We are not asked for any advice until after the fact and our constitutional rights and duties are downgraded and ignored by such an unwise and unfortunate procedure in exercise of our treaty-ratifying responsibilities and authorities. It is precisely this type of situation the amendment I discussed earlier today is designed to eliminate.

With the proposed device of an understanding however, we can advise as to what we in the Senate mean individually from the standpoint of restrictions on the treaty, insofar as the wartime procedures of America are concerned.

I was impressed with what the Senator from Colorado [Mr. ALLOTT] said about what is being done at the Interparliamentary Conference in Belgrade now. Already they are interpreting the action as being some kind of restriction on the warmaking capacity of the United States should we be compelled to fight for survival. I welcome the opportunity in a yea-and-nay vote to write in my understanding of what the treaty means.

Mr. HOLLAND. Mr. President, I ask for the ayes and nays.

Mr. FULBRIGHT. Mr. President, if the Senator will allow me, I did not object to his amendment. I am personally quite willing to accept the modification because it is quite clear in our memorandum and all of our studies that what the Senator calls the proposal—whether it is a reservation, interpretation, or understanding—is not controlling. What it actually is, is what the other parties mean it to be.

In order to save time, and to accommodate the Senator from Florida, I am quite willing to accept the modification, and then have a yea-and-nay vote on the proposal of the Senator from Texas [Mr. TOWER], upon which Senators are ready to vote now. This quibbling about whether it is an "understanding" or a "reservation" is purely meaningless.

As the Senator knows, a moment ago when he offered his modification I did not object. There is no use having a vote on that question unless the Senator insists. I think it ought to be changed, and then we should have a vote on the proposal of the Senator from Texas.

Mr. HOLLAND. Mr. President, that course would be completely agreeable to the Senator from Florida. He understood that a Senator objected to the modification.

Mr. TOWER. The Senator from Texas is prepared to accept the modification.

The PRESIDING OFFICER. Do both Senators yield back the remainder of their time?

Mr. FULBRIGHT. Mr. President, I shall yield back the remainder of my time.

Mr. HOLLAND. Perhaps it would expedite the business of the Senate if there could be a voice vote on my amendment.

The PRESIDING OFFICER. Does the Senator yield back the remainder of his time?

Mr. JAVITS. Mr. President, before the Senator yields back the remainder of his time, will he yield for a question?

Mr. TOWER. I yield for a question.

Mr. JAVITS. I wish to ask the Senator from Arkansas [Mr. FULBRIGHT] a question. In view of the statements made by the Senator from South Dakota [Mr. MUNDT], the RECORD should be made clear by the Senator in charge of the bill that if the Senate votes down the proposed understanding, and if the Senate ratifies the treaty upon the distinct commitment by the President that the President's hands are free to use nuclear weapons in the event that the President determines that the security of the country is jeopardized, that is the broadest possible definition; and I do not believe there should be any question about it.

Mr. FULBRIGHT. I think that is quite correct.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HOLLAND. That is exactly the purpose of the amendment. The purpose is to write that understanding into the formal giving of our advice and consent, and if we are that close together, by all means let us go ahead and write in that provision.

Mr. FULBRIGHT. Mr. President, there are many things that we understand and agree upon that ought not to be in the treaty. If a poll were taken on the question, we might agree that Khrushchev is a dictator, but I do not think that language should be included in the reservation. There are a great many things we could agree upon in relation to our international policies that ought not to be in a treaty. The treaty is restricted to a certain area of testing. It is not because there is any disagreement about the content of the Senator's amendment or the Senator's thesis; it is not appropriate to be included in the treaty. As the Senator from Illinois has said, we ought to get on with the business. I was only suggesting that the difference between "understanding" and "reservation" is meaningless, and I am prepared to accept that amendment of the proposal and go on and vote on it.

Mr. MILLER. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I yield for a question.

Mr. MILLER. In view of what the Senator has been saying about writing that language into the treaty or into a resolution of ratification, I wonder if it would be possible to resolve the problem by having the provision written in as a part of the preamble.

Mr. FULBRIGHT. We will meet that possibility when we come to consider the preamble. At this point I would not care to make a commitment on that subject.

Mr. HOLLAND. Mr. President, while I am perfectly willing to follow the suggestion of the leader of the debate, the Senator from Arkansas [Mr. FULBRIGHT], I realize all time has elapsed on the amendment originally offered by the Senator from Texas. Therefore, I yield now to the Senator from Ohio as much time as he may require.

Mr. LAUSCHE. Mr. President, I have listened to the various statements that have been made about the right of Khrushchev and the right of our distinguished President to interpret the meaning of the language in the treaty. It has been said that while the Russians have given their interpretation, the Senate ought not to do so. I merely wish to point out that in the decision as to whether or not the treaty shall go into effect, the Senate is the ultimate power. Without approval by the Senate, the treaty cannot become effective. The ultimate power in Russia has spoken. The ultimate power in the United States will not have spoken on the meaning of the language unless the Senate makes a declaration.

Arguments have been made about the twofold possible meaning of the words used. The Senator from Florida rather magnanimously has said that the language can be interpreted in two ways. From my own standpoint the language is clear that all nuclear explosions, whether in peace or in war, would be barred. It is only because of the force of the language that these differences of opinions have risen as the various conclusions suggest. If Khrushchev, the ultimate power in Russia, has the right to state what he understands the language to be and the President of the United States feels impelled to give his interpretation, I submit to the Senate the following question: By what force of reason shall there be denied to the ultimate power in the approval of the treaty the opportunity to declare what it means? There can be no reasons.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HOLLAND. Mr. President, I reserve the remainder of my time.

Mr. FULBRIGHT. I yield to the majority leader as much time as he desires.

Mr. MANSFIELD. Mr. President, I have listened to the debate with great interest, and most especially to the remarks of the distinguished Senator from Ohio [Mr. LAUSCHE]. He speaks about ultimate power and says that it rests in this body. I point out to him that our Government is operated on a tripartite basis, with powers equally divided between the judicial, legislative, and executive branches of the Government.

Under the Constitution, the man who is the President of this country is also the Commander in Chief. We have been extremely fortunate, throughout our history, in having the type of men at the head of this country whom we have had.

Our idea should be not one of ultimate power, but one of equal partnership.

We charge the President, whoever he may be, with initiating policy. He comes to us under article II, section 2 of the Constitution. He comes to us under the advise-and-consent clause. Two-thirds of the Members of this body present and voting must vote in support of any treaty before it becomes fully ratified.

I would hope that we would give to the President of the United States—to any President of the United States—the necessary authority he must have to carry out what we agree to in this body.

I point out that this is our treaty. This is not a treaty initiated by the Soviet Union. This is a proposal first initiated by President Eisenhower and fostered, in succession, by President Kennedy. I do not distrust President Eisenhower. I do not distrust President Kennedy. I hope that this body today will give its support to the President of the United States in the long, arduous, and complicated negotiating job he and his predecessor have carried on over the past several years.

Mr. HOLLAND. Mr. President, I wish to reply briefly to my dear friend the majority leader.

The purpose of this amendment is to make it clear that the Chief Executive—either the present Chief Executive or anyone else who may be the Chief Executive—has complete power in good faith in the eyes of the world to use our nuclear weapons in the event there should be a declared war, or other kind of war, to which we have been too frequently subjected.

No Senator is trying to declare when nuclear weapons shall be used or shall not be used. We are only trying to say that this President or any President has a right of freedom of action in the defense of our country for the salvation of our country if it should depend on the use of nuclear weapons.

The Senator from Vermont was not in the Chamber a while ago when I adverted to his earlier comment. I want the Senator from Vermont and all other Senators to understand that I am supporting the treaty. I have supported it in my own State, and in the open, and over television, where everybody could see. I have had plenty of reaction from that—reaction which I think is fair.

There is a difference in understanding between the minds of some Senators and the minds of other Senators on the point as to whether we are withholding from this or any other President the right to use nuclear weapons under conditions which might require their use. Every Senator knows that there is no such intention. We are all sure that the President had no such intention in the framing of the treaty.

Instead of using the words "or any other peaceful nuclear explosion" in the two places where this phrase appears he used, or those who formulated the treaty used, "or any other nuclear explosion," which does not apply solely to a peaceful explosion but applies equally to all kinds of nuclear explosions.

This has caused concern on the part of some military leaders, on the part of some civilian leaders, and many other fine citizens.

I believe we would make a grave mistake, which would come back to haunt the Senate, if we did not make it clear that when the Senate gives not only its consent but also its advice, the Senate shares the understanding of the President that explosions in time of war are not banned, and also that the determination as to when and whether such explosions should be used in the defense of our country is left where it should be left—to our President.

It is very clear that the words used in the treaty are not exclusive, but leave it in such a situation as to bring about the implication that they might apply either in time of peace or in time of war to any nuclear explosion other than the test explosions.

Every Senator can look at the treaty for himself. Every Senator is an educated man or woman. Every Senator knows that these words are susceptible of two interpretations. Every Senator knows that distinguished former judges—such as the Senator from Ohio [Mr. LAUSCHE], who has been both a judge and a Governor of his State for 10 years; the distinguished Senator from Virginia [Mr. ROBERTSON], who has been a judicial officer and has served in the Congress for many years; and the distinguished Senator from North Carolina [Mr. ERVIN], who has been a member of the supreme court of the great State of North Carolina—and equally distinguished Members on the other side of the aisle, are all doubtful about this matter and think we should, within our own right, state our understanding, which I am sure every Senator has, that we are not committing ourselves forever to restrict the use of nuclear weapons, regardless of what the need for them may be in the defense of our country.

Our words are spoken in support of the President. They are spoken in support of the treaty. They are spoken in support of this country, its security and its survival.

I am sure the distinguished Senator from Vermont was not intimating that Senators who take this position are trying to scuttle the treaty. That thought is furthest from our minds. I intend to vote for the treaty. I intend to vote for it even if this necessary and helpful provision is not written into the resolution of ratification.

I am surprised that Senators who are handling the treaty have not accepted this, because they say with one breath, "That is our understanding," and with another breath, "Notwithstanding the fact that there is a difference of opinion on the floor of the Senate, we do not want a majority of the Senate to state that it is the Senate's understanding, also."

I do not believe that is a tenable position. I believe that the majority of Senators should express their understanding. I believe that the Senate unanimously has such an understanding. Why in the name of all reason is it not proper for the Senate to say it has that understanding, and preserve the right clearly, so that not only it may be used by the President, but also may be used without cavil from other nations of the earth or pacifists within our own country, or others who apply a different meaning to the treaty from that which is stated by the President in this particular regard?

I think we shall be fair to ourselves, to the country and to the President, as well as to all other signatories, if we take this action. Therefore, I ask for a voice vote on the amendment.

Mr. ROBERTSON. Let us have the yeas and nays.

The PRESIDING OFFICER. Does the Senator from Arkansas yield back his remaining time?

Mr. FULBRIGHT. Mr. President, what is the parliamentary situation?

Mr. HOLLAND. My understanding was that the Senator from Arkansas was willing to have a voice vote on this amendment, and then a yea and nay vote on the reservation, as modified.

Mr. FULBRIGHT. I never thought there was any distinction. I am perfectly willing to yield back the remainder of the time on the question, which relates to an understanding rather than a reservation.

The PRESIDING OFFICER. The Senator from Arkansas has 28 minutes remaining, and the time of the Senator from Florida has expired.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

Mr. FULBRIGHT. I yield to the Senator.

The PRESIDING OFFICER. The Senator from Montana will state his parliamentary inquiry.

Mr. MANSFIELD. Is the Tower proposal before the Senate at the moment, or the Tower proposal as proposed to be amended by the amendment of the Senator from Florida?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Florida to the reservation of the Senator from Texas.

Do Senators yield back their remaining time?

Mr. HOLLAND. Mr. President, if the Senator will indulge me a moment——

Mr. FULBRIGHT. There can be a voice vote on this question.

Mr. HOLLAND. My understanding is that the Senator prefers a yea-and-nay vote.

Mr. FULBRIGHT. That is correct.

Mr. HOLLAND. The Senator is willing to have a voice vote on this amendment, and then a yea-and-nay vote on the Tower proposal.

Mr. FULBRIGHT. The Senator is correct.

Mr. President, I yield back the remainder of my time.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. Is it not a fact that if the Holland amendment is agreed to by a voice vote, the Tower amendment will then be set aside and the Senate will vote on an understanding instead of on a reservation?

The **PRESIDING OFFICER.** The Tower amendment, as amended with the word "understanding" included therein, would be before the Senate.

Mr. **CLARK.** Mr. President, a further parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. **CLARK.** Would that not in effect require a yea-and-nay vote on the same question on which there will have been a voice vote only a minute or two previous, in substance?

The **PRESIDING OFFICER.** With the exception of one word.

Mr. **CLARK.** The one word is the big word.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Florida to the reservation of the Senator from Texas.

The amendment was agreed to.

The **PRESIDING OFFICER.** The question now is on the reservation of the Senator from Louisiana [Mr. Long] offered by the Senator from Texas, as amended.

Mr. **MANSFIELD.** Mr. President, I move to table the pending reservation.

The **PRESIDING OFFICER.** The question is on the motion of the Senator from Montana to table.

Mr. **HOLLAND.** Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. **HOLLAND.** Has all time on the proposal offered by the Senator from Texas [Mr. Tower] been exhausted?

The **PRESIDING OFFICER.** That is correct.

The yeas and nays on the motion have been requested.

The yeas and nays were ordered.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk called the roll.

Mr. **MANSFIELD** (after having voted in the affirmative). Mr. President, on this vote I have a pair with the Senator from Louisiana [Mr. Long]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withhold my vote.

Mr. **HUMPHREY.** I announce that the Senator from Tennessee [Mr. Gore], the Senator from Louisiana [Mr. Long] and the Senator from Rhode Island [Mr. Pastore] are absent on official business.

I also announce that the Senator from California [Mr. Engle] is absent because of illness.

I further announce that, if present and voting, the Senator from Tennessee [Mr. Gore], the Senator from Rhode Island [Mr. Pastore], and the Senator from California [Mr. Engle] would each vote "yea."

Mr. **KUCHEL.** I announce that the Senator from Nebraska [Mr. Hruska] is necessarily absent and, if present and voting, would vote "nay."

The result was announced—yeas 61, nays 33, as follows:

[No. 165 Ex.]

YEAS—61

Aiken
Anderson
Bartlett
Bayh
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Carlson
Case
Church
Clark
Cooper
Dirksen
Dodd
Douglas
Edmondson
Fong
Fulbright
Gruening
Hart
Hartke
Hayden
Humphrey
Inouye
Jackson
Javits
Johnston
Keating
Kennedy
Kuchel
Long, Mo.
Magnuson
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Monroney
Morse
Morton
Moss
Muskie
Nelson
Neuberger
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Smathers
Sparkman
Symington
Williams, N.J.
Yarborough
Young, Ohio

NAYS—33

Allott
Beall
Bennett
Byrd, Va.
Cannon
Cotton
Curtis
Dominick
Eastland
Ellender
Ervin
Goldwater
Hickenlooper
Hill
Holland
Jordan, N.C.
Jordan, Idaho
Lausche
McClellan
Mechem
Miller
Mundt
Robertson
Russell
Simpson
Smith
Stennis
Talmadge
Thurmond
Tower
Walters
Williams, Del.
Young, N. Dak.

NOT VOTING—6

Engle
Gore
Hruska
Long, La.
Mansfield
Pastore

So Mr. Mansfield's motion to table the reservation of Mr. Long of Louisiana, offered by the Senator from Texas [Mr. Tower], was agreed to.

Mr. **MANSFIELD.** Mr. President, I move that the Senate reconsider the vote by which the reservation was tabled.

Mr. **FULBRIGHT.** I move to lay that motion on the table.

The motion to table was agreed to.

Mr. **DIRKSEN.** Mr. President, I would like to ask the distinguished Senator from Arkansas whether he knows of any other amendments to be offered, and how he calculates the time.

Mr. **FULBRIGHT.** I know of no other amendments to be offered. The Senator from Iowa [Mr. Miller] had indicated that he would like to offer an amendment to the preamble, which is to be considered last under the unanimous-consent agreement. I know of no other proposals to be offered to amend the resolution of ratification.

Mr. **JAVITS.** Mr. President, can the Senator from Arkansas state when he expects the preamble questions to be taken up?

Mr. **FULBRIGHT.** Immediately, if no further reservations or understandings are to be proposed.

The **PRESIDING OFFICER.** Are there further reservations to be proposed to the resolution of ratification? The Chair hears none.

Mr. **RUSSELL.** Mr. President, I desire to call up my amendment in the nature of a preamble to the resolution of ratification and ask that it be stated.

The **PRESIDING OFFICER.** The proposal will be stated.

The Legislative Clerk. It is proposed to add the following preamble:

> Whereas the President has submitted a limited nuclear test ban treaty, providing a method of amendment, to the Senate for its advice and consent in accordance with article II, section II of the Constitution; and
>
> Whereas the Constitution in article II, section II, provides "He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur"; and
>
> Whereas amendments to treaties are subject to this constitutional provision: Now, therefore, be it

Mr. **RUSSELL.** Mr. President, I yield myself 10 minutes.

This amendment is not proposed merely to be captious or to undertake to affect the resolution of ratification. I well know that all the cards are assembled, sorted out, and counted to ratify the resolution of ratification. However, after I became engaged in a study of the treaty, I noted some distinct differences between this treaty and others of a similar nature to which our country has been a party.

Mr. President, I ask unanimous consent that the statement of the purposes of the pending treaty be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

> The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, hereinafter referred to as the "Original Parties",
>
> Proclaiming as their principal aim the speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons, including nuclear weapons,
>
> Seeking to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end, and desiring to put an end to the contamination of man's environment by radioactive substances,
>
> Have agreed as follows:

Mr. **RUSSELL.** Mr. President, I ask unanimous consent to have printed at this point in the Record article II of the treaty, which deals with the subject of amendments.

There being no objection, article II was ordered to be printed in the Record, as follows:

ARTICLE II

> 1. Any Party may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to this Treaty. Thereafter, if requested to do so by one-third or more of the Parties, the Depositary Governments shall convene a conference, to which they shall invite all the Parties, to consider such amendment.
>
> 2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to this Treaty, including the votes of all of the Original Parties. The amendment shall enter into force for all Parties upon the deposit of instruments of ratification by a majority of all the Parties, including the instruments of ratification of all of the Original Parties.

Mr. **RUSSELL.** Mr. President, as I stated the other day, the treaty provides a unique procedure for amendment, such as I have not found in any other international understanding in which our country has ever been engaged.

I am aware that the present President of the United States has said that he would not undertake to ratify any amendment by executive agreement but would submit such a proposal to the Senate. This treaty by its express terms is a permanent treaty. We cannot be too careful in considering the matter of amendments. Senators are aware that the advice and consent provision of the Constitution and the veto power vested in Congress are the main provisions that assure that Congress shall be equal and coordinate with the executive branch and the judicial branch of the Government.

A treaty is not to be taken lightly. Senators know that under article VI of the Constitution, a treaty is the supreme law of the land.

When a treaty is ratified, it takes its place with the Constitution of the United States in importance. I shall read that provision, not for the benefit of Senators, but for the benefit of others who may peruse these remarks:

> This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land.

This is the instance in which the Senate is the only branch of Congress which participates in formulating the supreme law of the land, in coordination with the efforts of the Executive.

Mr. President, this portion of the treaty presented to Congress an entirely new idea, and it would be a welcome boon to certain of our very active political groups in this country who are constantly seeking to relegate the Congress to a secondary position and exalt the executive power of the Government.

I was not surprised to read in the New York Times last Sunday where the president of the Americans for Democratic Action had assailed the preamble amendment as some kind of limitation on the power of executive agreement. Limitations certainly should be imposed. Amendment to this or any other treaty should never be made or ratified by executive agreement.

I said that this treaty posed something new. I read from the Charter of the United Nations, article 108, and I ask Senators to heed this language:

> Amendments to the present charter shall come into force for all members of the United Nations when they have been adopted by a vote of two-thirds of the members of the General Assembly—

Listen to this significant language—

> and ratified in accordance with their respective constitutional processes by two-thirds of all members of the United Nations, including all the permanent members of the Security Council.

Article 109, subsections 1, 2, and 3, provide for a change in the charter of the United Nations, and in every instance it says, "ratified in accordance with their respective constitutional processes," language that was omitted from the treaty when it was submitted.

Mr. President, I ask unanimous consent that these sections from the charter of the United Nations may appear in the RECORD as a part of my remarks.

There being no objection, the sections were ordered to be printed in the RECORD, as follows:

CHARTER OF THE UNITED NATIONS

CHAPTER XVII

Amendments

Article 108

Amendments to the present charter shall come into force for all members of the United Nations when they have been adopted by a vote of two-thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two-thirds of all members of the United Nations, including all the permanent members of the Security Council.

Article 109

1. A general conference of the members of the United Nations for the purpose of reviewing the present charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council. Each member of the United Nations shall have one vote in the conference.

2. Any alteration of the present charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two-thirds of the members of the United Nations including all the permanent members of the Security Council.

3. If such a conference has not been held before the 10th annual session of the General Assembly following the coming into force of the present charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.

CHAPTER XIX

Ratification and signature

Article 110

1. The present charter shall be ratified by the signatory states in accordance with their respective constitutional processes.

Mr. RUSSELL. Mr. President, when we proceeded to draft the North Atlantic Treaty, to formulate that powerful organization, we were not careless; we did not leave this question of amendment suspended in midair, like Mohammed's coffin, attached neither to the earth nor to the heavens. We provided in the North Atlantic Treaty that this treaty shall be ratified in its provisions and carried out by the parties in accordance with their respective constitutional processes.

Let me read from article 11 of the North Atlantic Treaty:

> This Treaty shall be ratified and its provisions carried out by the Parties in accordance with their respective constitutional processes. The instruments of ratification shall be deposited as soon as possible with the Government of the United States of America, which will notify all the other signatories of each deposit. The Treaty shall enter into force between the states which have ratified it as soon as the ratifications of the majority of the signatories, including the ratifications of Belgium, Canada, France, Luxembourg, the Netherlands, the United Kingdom, and the United States, have been deposited and shall come into effect with respect to other states on the date of the deposit of their ratifications.

That language does not appear in this treaty, although it has appeared in almost all of the other treaties and engagements that this country has ever made with a number of other countries, particularly providing for amendments. This amendment provision provides for a majority vote, and heretofore we have required a two-thirds vote in the United Nations. It requires unanimous approval in the North Atlantic Treaty Organization before a new member can even be approved. But in this treaty we risk all of these amendments. They are prepared to take us down the path of total and complete disarmament on a majority vote of 100 nations, and I dare say, in my old-fashioned feeling, Mr. President, we have more to lose than 95 of the other nations combined.

Mr. JAVITS. Mr. President, will the Senator from Georgia yield for a question?

Mr. RUSSELL. Yes; I am glad to yield.

Mr. JAVITS. It is a fact that the United States must consent even if it is a majority.

Mr. RUSSELL. Of course, we have that both in the United Nations—we reserve it in the United Nations and in this charter, but, Mr. President, the Senator referred to the power of the executive branch. Where will the Congress have any right to withhold its consent when this group of nations assembles to consider amendments? We will have no representative there. The executive branch of the Government will have its representative there, but the Congress will not be represented, and this is the only chance that Congress has to make it clear that we consider that amendments, even though proposed in the method set forth in article III of this treaty, must be submitted to the Senate for its advice and consent, as in section 2 of article II of the Constitution.

Mr. JAVITS. Mr. President, will the Senator from Georgia yield further? I do not wish to interrupt his train of thought.

Mr. RUSSELL. Yes; I am glad to yield.

Mr. JAVITS. I do have very serious concern about this matter. I wish to ask the Senator this question, rather than make a speech about it directly, because I believe the Senator should have the right to answer it. The particular understanding that we will be able to pass on any amendment without any question is solemnly contained in the letter with which the President transmitted the treaty to the Senate. He says so in unequivocal terms. In item 4 of the letter of transmittal, he says, "It cannot be amended without consent of the United States, including the consent of the Senate." The Foreign Relations Committee, in its report under the description of article II says, "This means that any amendment to the treaty must be submitted to the Senate for approval before it can take effect."

My question is this: I have just voted against the understanding of the Senator from Louisiana, as brought in by the Senator from Texas and as amended by the Senator from Florida, because I wanted to rely upon every commitment of the President including this——

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. RUSSELL. I yield 5 additional minutes to the Senator from New York.

Mr. JAVITS. I wish to rely on every commitment of the President as to the plan or the way in which we should ratify this treaty. The very distinguished Senator, the chairman of one of the most important committees, and one of the most important and respected Members of this body, asked us—and I ask this in all humility because I think it is important to get the Senator's view—why therefore should we pick out this one thing which certainly—I repeat in all honesty—is no more nor less important than the fact that the President will use atomic weapons in the defense of the United States and write this anywhere in the treaty, the preamble or anywhere else?

Mr. RUSSELL. Mr. President, I cannot speak as to other reservations and understandings that have been proposed, but the answer to make to the Senator from New York is the simplest one of all time. It is this: I place complete faith and credit in any assurance that the President, John Fitzgerald Kennedy, gives to the Congress, but when the Congress relies upon the word of any man who is mortal and may pass from the scene tomorrow, instead of passing laws by congressional action, we have abandoned a government of law and we are approving a government of men. We cannot accept the words of any man, however exalted he may be. It would have been wrong for the Congress to approve any oral assurance made by George Washington or Abraham Lincoln with respect to a matter that is vital to the future life of the American people.

This is not any reflection upon the President. It is not any reflection on any signatory to the treaty. It is not any reflection on the Foreign Relations Committee because I gave up any idea of offering the understanding, because the distinguished Senator from Arkansas and others thought that that might be submitted to some of the other signatories and cause great confusion. I did not think it would, but I finally agreed to make it as a preamble. It would not even be submitted to the other nations of the earth. This proposal is so domesticated that it cannot get out of the United States. It will not even be submitted to any signatory, but it is a reaffirmation of the right of Congress to play its constitutional role in the amendment of this treaty.

Senators, make no mistake. There will be amendments here within the next few years that will be much more far reaching in their consequence and in their effect upon the security of the United States than this pending document, for it is truly limited in scope as has been reiterated. There will come proposals to destroy the atomic stockpile and then to limit the number of men you have in the Army, and then to limit the size of howitzers and artillery pieces, to strip them from 240 millimeters to perhaps 80 millimeters.

A long series of proposals will be made, because most of the countries that are parties signatory are not able to maintain any considerable military establishment. They are looking after their own interests. Most nations in the world are much better at that than is the United States. In their enlightened self-interest they will seek to reduce the armaments of all nations of the world. If they should succeed, they would be in a better position.

Without regard to who is President of the United States, we should neither shirk our duty nor absolve ourselves of our responsibility to advise and consent to amendments.

Mr. ALLOTT. Mr. President, will the Senator yield for a question?

Mr. RUSSELL. I am glad to yield.

Mr. ALLOTT. I shall support the preamble. As the Senator has said, we must not depend upon the President, because, as a result of circumstances, the President may not be with us tomorrow.

I am sure that the Senator was present in the Chamber when the Senator from Colorado advanced his argument with respect to the term "or any other nuclear explosion." We understand what the President has said about "any other nuclear explosion." We understand what the Secretary of State, the Secretary of Defense, and the distinguished chairman of the Committee on Foreign Relations have said about it. We believe it. But why should the question which the Senator has raised with respect to his amendment that the President might pass away or that something unforeseen might happen to him, apply more forcibly, or be any more important than our right to use nuclear arms in the event of war?

Mr. RUSSELL. Mr. President, I do not know that it is any more important, but to me it has considerably more appeal. I have no control over the President's orders for the use of nuclear weapons. His responsibility is spelled out in the Atomic Energy Act. The President of the United States is the only living human being in our land who has the power to release our nuclear power in the event of war. However, that is not a power that is in John F. Kennedy; thta is a power that is in the Office of the President. It resides in the Presidency itself. President Eisenhower had it, and President Kennedy's successors will have it.

The proposal relates to the functions of the Senate in respect to a series of amendments that will follow. The Congress has no function in ordering the use of nuclear weapons. The President alone can do it. But we have a function and a sworn duty with respect to amendments to the treaty that will vitally affect our security.

The PRESIDING OFFICER. Does the Senator wish to yield himself more time?

Mr. RUSSELL. Mr. President, how much time have I remaining on the amendment?

The PRESIDING OFFICER. Fifteen minutes have expired; 15 minutes remain.

Mr. RUSSELL. Mr. President, I yield myself an additional 5 minutes.

Mr. ALLOTT. Mr. President, will the Senator yield further?

Mr. RUSSELL. I yield.

Mr. ALLOTT. I have heard that the amendment to the preamble will be accepted. I shall be very much interested in watching the vote, because I have been one of those who have said that the legislative branch of the Federal Government must reassert its authority and its equal place with the other branches of the Government, which I am not sure it is doing at the present time. I cannot see how the subject of the right of amendment, which is also in the treaty, in the President's letter, and in everyone's mouth, can take a more important position in being accepted or rejected by the chairman of the Committee on Foreign Relations than the question as to whether we should preserve our right to use atomic weapons in a war or armed conflict.

Mr. RUSSELL. When the Senator complains about the Congress surrendering its prerogatives, if my friend from Illinois were present in the Chamber, I would say, "Thou canst not say I did it; never shake thy gory locks at me."

I have fought for the past 30 years, in and out of season, to maintain the dignity and self-respect of the legislative branch of the Government in all of its power.

Mr. ALLOTT. Ever since I came to the Senate, I have also endeavored to preserve the dignity of the Congress. I have heaped garlands on the head of the distinguished Senator from Georgia for his actions in that respect, not only privately, but on the floor of the Senate.

Mr. RUSSELL. The Senator is crowning me with thorns now.

Mr. ALLOTT. No; I am not crowning the Senator with thorns; I am merely wondering whether the proposal will be accepted, while the right to use nuclear weapons in a war has been rejected.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the distinguished majority leader.

Mr. MANSFIELD. The distinguished Senator from Georgia has explained the nuclear aspects of the question. I am in complete accord with the proposed preamble which is now pending, and which bears his name. I hope that if and when a vote is taken, the result will show that the Senate is unanimously in favor of the preamble. What has been done has been to reemphasize a power which the Senate has. We do not have the ultimate power in everything, but in this respect we have. Under article II, section 2, of the Constitution, the advice and consent of the Senate on treaties is to be sought by the Executive. Any treaty, to become effective, must be approved by two-thirds of the Senators present and voting.

The proposal is an excellent preamble. It fits in well with the treaty. It reaffirms that amendments to treaties must be under article II, section 2, of the Constitution; and no one can find any fault with that.

Mr. RUSSELL. I thank the Senator. As I stated at the outset, the reason that the proposal was offered as a preamble instead of as an understanding was because of insistence on the part of the Senator from Arkansas, who did not desire to have the resolution of ratification cluttered up with anything other than the barebones verbiage of ratification, in order that it would not confuse any of the other signatories to the treaty. That plea was not too impressive to me, but I did not think it was worth standing out against on this question when we could put the language in the preamble. The preamble will not go to the other signatories to the treaty. So, from a parliamentary standpoint, there is a very great difference between action on a preamble, which would not accompany the resolution of ratification, and a reservation or understanding that would become a part of the amendment of ratification, and some other type of amendment.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. FULBRIGHT. The Senator has already explained exactly the most significant part. The preamble would not give either the Russians, the British, or any other signatory an opportunity to say, "The language has changed or altered the understanding and therefore we would like to consider it, and perhaps offer a counterproposal or something of that sort." The proposal has great merit. It is an understanding among the Senate, the executive branch of the Government, and also the people of the country. We would reaffirm a provision of the Constitution.

I do not think it is necessary for anyone to say that he relies on the word of the present President or any other President. I rely on the provision of the Constitution which requires the procedure we are undertaking.

The effect of the proposal, in my view, is merely to call attention to that provision. It would reaffirm it. In all fairness, I do not see how it could be any more binding that the present provision of the Constitution.

I have made specific inquiries of authorities on our history. I have inquired of the best we have in our Government. I have asked the question, "Has a treaty ever been amended by anything less than another treaty; that is, by requiring the approval of two-thirds of the Members of this body?"

The answer is, "No."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. FULBRIGHT. Mr. President, I yield myself an additional 5 minutes.

An executive agreement is another question. But treaties have never been amended in any other way. I subscribe to the reasoning of the Senator. We do not wish them to be amended in any other way. The preamble will not be sent to other governments, thus giving them an opportunity to say, "This is a reservation, and, therefore, we wish to reopen the matter." Some captious country might do that. The proposal would avoid that possibility. That is the principal reason why the proposal is acceptable, and, so far as I am concerned, I am prepared to accept it.

Mr. SALTONSTALL. Mr. President, will the Senator yield for an observation? Will the Senator from Arkansas yield 1 minute?

Mr. FULBRIGHT. I yield a minute to the Senator from Massachusetts.

Mr. SALTONSTALL. Am I not correct in my understanding that the preamble submitted emphasizes that an amendment to the treaty would become a part of the treaty and be subject to the same processes as is the treaty?

Mr. RUSSELL. That is what I hope to achieve by the preamble.

The reason I offered the proposal is simple. I offered it first as an understanding, and now as a preamble, because of the unusual language of this treaty in article II, which provides for its amendment. If the treaty had had the same language as that in the United Nations Charter or in the NATO document, it never would have occurred to me. When that language was omitted from the treaty, I thought the Senate should reassert its right to consider amendments.

The Senator from Arkansas is completely correct, so far as I know, in stating that there has been no case in which a treaty has been amended which was not submitted to the Senate; but I submit that there has never been a treaty amended under the exact language of article II of this pending treaty.

Mr. SALTONSTALL. I asked the Senator the question because that was my interpretation of the preamble.

Mr. RUSSELL. I would never have offered any suggestion with reference to the language, if the treaty had carried the language which is in the United Nations Treaty or the document establishing the North Atlantic Treaty Organization.

Mr. SALTONSTALL. An amendment to a treaty would become a part of the treaty, and it should follow the same practices so far as ratification is concerned.

Mr. RUSSELL. The Senator is correct.

Mr. FULBRIGHT. Mr. President, I think the drafters of the treaty were so aware of the invariable practice of this country since it was first started that they assumed, as I assumed, that the instrument of ratification meant an instrument approved by the Senate.

The Senator has a point. It was not spelled out as it might have been.

Mr. RUSSELL. I thank the Senator. I go back to the Constitution of the United States. The word "ratification" does not appear in the Constitution of the United States. I prefer to have the express language which assures the right of the Senate to consider amendments.

Mr. MORSE. Mr. President, will the Senator yield me 5 minutes?

Mr. FULBRIGHT. I yield 5 minutes to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized for 5 minutes.

Mr. MORSE. Mr. President, last Thursday in my speech in support of the treaty, setting forth my reasons for voting for the treaty, I also set forth my reasons for opposition to the amendment of the preamble proposed at this time. I shall quickly summarize my reasons.

I shall vote against this preamble, because I consider it to be completely surplusage. In my judgment, it will have no constitutional effect, because the constitutional effect is already embodied in our law.

When the test ban treaty was signed and submitted to the Senate, it specifically required that it could only be amended upon deposit of instruments of ratification. That carries with it all the constitutional processes made binding upon the White House and upon the Senate by the Constitution itself.

The position of the Senator from Oregon is that the treaty cannot be amended by executive agreement. Any President who sought to amend this treaty by executive agreement would be subject to the checks of the Constitution against him, including the check of impeachment. He might attempt to do it, but I assume that if he attempted to do so the Senate, as well as the House of Representatives, would not sit mute. We can be sure the American people would not. If a President attempted to do that, it would be the clear constitutional duty of this body to proceed to exercise the constitutional processes against him.

As the Senator from Arkansas [Mr. FULBRIGHT] has pointed out, careful research of this has been made, and it is not possible to find even any evidence that any attempt has ever been made by any President to amend a treaty by executive agreement, because Presidents know that would be exceeding their constitutional power.

But if the language does mean to imply that the word "ratification" must be defined in order to make it mean what the Constitution provides, then we throw into doubt all those treaties in force that do not carry the definition. There is no word from any advocates of this language as to whether a resolution with this in it means something that all other resolutions omitting it do not mean.

As I mentioned last week, we have ratified and have in effect some 600 treaties. No one has indicated whether putting a definition in this resolution means that all the other treaties can be amended by executive agreement even if they require ratification.

If the sponsors do not intend to cast any aspersion upon past or future treaties that lack this definition, then what they are adding is meaningless and serves no purpose but to obfuscate.

I shall oppose the amendment this afternoon, because I think it is bound to give rise to confusion. It will give rise to doubts. In my judgment, it will tend to weaken the position of the United States in respect to the treaty.

If there were any substantive part of the treaty which needed to be changed from the standpoint of our national interest, I would be urging it be changed; but we have reached the point of ratification, the time when obviously two-thirds of the Senate are in complete agreement with the substance of the treaty. It is an empty gesture, and engaging in surplusage by way of addition to the preamble, to add language to the preamble which could in no way change its legal effect. The constitutional processes are clearly written into this treaty, when it requires the approval of the United States to amend it by ratification.

I do not know why we should encumber this treaty with what I consider to be an unnecessary adding of language to the preamble which could in no way change the meaning of the treaty.

Furthermore, if we wish to reassert what in my judgment constitutional scholars all recognize to be the case, anyway—to call attention once more to the fact that treaties must be ratified in accordance with our constitutional processes—Senators should introduce a resolution to that effect, and pass it. Why hitch it to this treaty?

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I wish to make it very clear, because it apparently is not clear, that this is not an amendment to the preamble of the treaty. This is a preamble, and there was not any before. The Senator from Georgia has offered this. This is a preamble to the resolution of ratification. It will not become a part of the preamble to the treaty, which is a separate instrument. This is the distinction I was trying to make.

I do not understand why the Senator should take this too seriously. I could go along, in a sense, with the thought that it is surplusage, since I believe it is generally understood—certainly it is so understood by me—that any amendment to the treaty must have the approval of this body.

I want to make it clear that this is not an amendment to the preamble of the treaty itself. That stage has passed. It is no longer in order to do that. This is simply a preamble in itself, self-contained, offered by the Senator from Georgia, which will not become a part of the treaty. It will not be sent to any foreign country.

In a kind of curbstone opinion, I say that this is a treaty between the U.S. Senate and the Executive Office of the Presidency, as our understanding of the Constitution.

I hope the Senator from Oregon will not really vigorously oppose this. It will not do any harm, even though it only reiterates the provision of the Constitution.

Mr. MORSE. Mr. President, will the Senator yield me another 2 minutes?

Mr. FULBRIGHT. I yield 2 more minutes to the Senator from Oregon.

Mr. MORSE. I say to my good friend the Senator from Arkansas that I meant every word I said last Wednesday—and I repeat them all by incorporation by reference at this time—about the great leadership of the Senator from Arkansas in taking this treaty through the Senate, which is one of the most masterly performances in the handling of legislation I have seen in my many years in the Senate.

However, that does not make it necessary for me to agree with the Senator, when I respectfully believe he is wrong. I believe the Senator from Arkansas is wrong in this regard. The Senator believes this would not have to go to the other countries. I tell the Senator that as soon as the vote is taken, in a few minutes, it will go around the world to every country. We cannot control the interpretations which will be made of our actions this afternoon, because this will go to many countries which do not understand our legislative process. So far as many parts of the world are concerned, interpretations will go around the world that we have changed the treaty, because we did not take the treaty in exactly the form in which it came to the Senate, but adopted language in what we call a preamble.

In my judgment, it is surplusage. It is not necessary. I will tell Senators where the language ought to be included. It should be included in a separate resolution in no way connected with the debate on this treaty. If what Senators wish is a reaffirmation in the year 1963, a repledging to the constitutional process with regard to treaties, I am willing for the Senate to make the pledge, but I do not consider this a proper vehicle for the pledge. It is unfortunate that it is being voted upon in connection with any vote involved in the ratification of the treaty, and I shall vote against it.

Mr. DIRKSEN. Mr. President, there was a discussion of this matter with the distinguished Senator from Georgia, and it was agreed that this was proper procedure.

I could say to the Senator from Oregon that if there is any fault to be found, it is the fault of this continuing body, in some distant period, for failure to take action in the form of resolutions expressing the sense of the Senate; that any treaty ought to carry these little safeguards, in the kind of language that lets our constitutional processes take effect.

The Senator has submitted for the Record the fact that the NATO treaty carries the language "by our constitutional processes" and the United Nations treaty carries the language "by our constitutional processes." There has been no inconsistency about it. If the fault lies anywhere, it lies in the Senate for not having done something about it in a treaty, if it contained a preamble, to make clear to all the world that our constitutional processes shall be followed.

I have agreed to this. I think it is all right. The preamble has a proper place. I have grave doubts that there can be a misinterpretation of it, for after all, other countries know a good deal of our legislative and constitutional processes. So I think it is proper that it is here proposed.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MORSE. It was not necessary to have the language in the United Nations Charter Treaty that the Senator referred to. It was not necessary to have the language in the NATO Charter Treaty. The constitutional process provides for whatever steps would have to be followed, anyway. So far as the language is concerned, it is surplusage to these treaties.

The fact is that the treaty before the Senate did not come before the Senate with that language in it. Now when we go through the exercise of devising some language to add to a preamble, we are bound to raise the question, "Why did they do it?" If the desire is to repledge ourselves to the processes of the Constitution, let us do it by a separate resolution. Why hitch it to this treaty?

Mr. DIRKSEN. The Senator from Oregon need not argue that point with me. I was not in this body when the U.N. Charter was ratified. I was not here when the NATO Charter was ratified. That was done by the Senate before my time, but a precedent, a pattern was set. Of course, in the schools of law—the Foreign Service schools and elsewhere—the professors look at it and say, "It was done before. Why is it not done now?" The Senator from Oregon, being an erudite law professor, knows that.

Mr. MORSE. Mr. President, will the Senator yield further?

Mr. DIRKSEN. I yield.

Mr. MORSE. I have never argued, and never will, that surplusage creates a precedent.

Mr. DIRKSEN. I do not argue that. It is only by way of being consistent with other important treaties. That is the only thing we sought to accomplish in agreeing to a modification.

Mr. MORSE. Mr. President, will the Senator yield further?

Mr. DIRKSEN. I yield.

Mr. MORSE. There is no basis for an argument on consistency unless we are talking about a matter of substance that justifies consistency. There is no matter of substance involved. Therefore, there is no argument for consistency because the Senate added surplusage to a previous treaty. We ought to do it by separate resolutions.

Mr. DIRKSEN. I point out to the Senator that this proposal does not add language to the treaty. The Senator from Oregon makes that mistake. The Senator from Arkansas, who is handling this bill, has pointed out that this is a preamble to the resolution of ratification, and not to the treaty.

Mr. MORSE. Then I would respectfully suggest to the Senator that we avoid the confusion that is going to be created in country after country as a result of this exercise. I suggest the Senator introduce a separate resolution—which will not have to do with this treaty in particular—and submit it to the Senate some time in the future, repledging ourselves that we will always make certain that a President of the United States follows the constitutional processes in connection with the ratification of a treaty.

Mr. DIRKSEN. In all good grace, I am not confused, but I suggest that the Senator is trying to compound confusion with another resolution. Let us get this one out of the way. Then if the Senator feels it necessary to offer a resolution, I am sure the very committee on which he sits will give it consideration.

Mr. MORSE. We will eliminate all the confusion if the Senator will just eliminate the preamble to the resolution.

Mr. KEATING. Mr. President, will the Senator yield to me?

Mr. DIRKSEN. Yes; I yield.

Mr. KEATING. With the utmost respect for the Senator from Georgia, it strikes me that this is an extreme example of works of supererogation.

Mr. DIRKSEN. Supererogation?

Mr. KEATING. Yes.

Mr. DIRKSEN. Will someone look that up? [Laughter.]

Mr. KEATING. I will endeavor to explain that word to the Senator. It means superfluity or surplusage. I had always supposed it was basic constitutional law that if any change was made, the change would constitute a new treaty and would have to come before the Senate for ratification.

But now I address myself to the distinguished Senator from Oregon: I find myself in complete agreement with his analysis of the situation except I do not really see any great harm in putting this language into the resolution of ratification as a preamble. It does not worry me as much as it seems to worry the Senator from Oregon, even though I am in complete agreement regarding his views on the lack of necessity for any such preamble. Will the Senator address himself to that point?

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Oregon [Mr. Morse].

Mr. MORSE. I sought to make clear why it was a mistake. I think it is an unnecessary exercise of adding surplus language to the debate and the ratification of the treaty, and I think it would be confusing elsewhere in the world. I do not think we ought to do it. I think we ought to pass the treaty without a preamble to the resolution. Then if the Senator wants to offer a resolution on the basis of what the Senator from Georgia has stated, let him go ahead and do it. I do not agree that there is no harm in connection with the ratification of the treaty.

Mr. KEATING. We are dealing here with a resolution of ratification, and it is not something that will go back to the other signatories to the treaty. The treaty will go back to them, and we shall not have touched the treaty in any way. This is our way of saying we approve of the treaty. Therefore, I am not sure that we are not overly worried about the preamble.

I have opposed all other proposals because I did not think they were needed, and I think some of them might be harmful, but this seems to me to be of a somewhat different character.

Mr. DIRKSEN. Mr. President, I think I should point out, because we checked this matter in our discussions with the distinguished Senator from Georgia, that the preamble is not circulated as a part of the treaty. Obviously, it receives press coverage, but officially it is not circulated. Therefore, I doubt very much that the confusion the Senater from Oregon envisions would ever take place.

Mr. KEATING. Mr. President, with reference to the "whereas" clause—and this is a whereas clause—when I served in the Judiciary Committee in the other body, we always struck out the whereas clauses because they do not mean a thing. They are not a part of the operating resolution or of the treaty.

This is the reason for my relative lack of concern about it. I am concerned because the Senator from Oregon is concerned, because he is a distinguished lawyer; but I am not sure that I share the extent of his concern because it is not really a part of the treaty to be ratified.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MORSE. I tried to make clear that I realize this language does not have to go back to the signatory nations, but the issue before us is simple: Two-thirds of the Members of this body agree to the substance of the treaty. We think this treaty in substance should be ratified. We know two-thirds will do so. I think we ought to ratify the treaty without adding anything to it, even though I recognize that we are not adding anything to the substance of the treaty, and even though I recognize that we are not adding to the preamble of the treaty. But we are taking action that will be interpreted differently in many parts of the world, particularly in nations that may not be friendly to us, who do not like us, and who will say, "Oh, yes; they could not ratify it without making some changes.

"They could not take it along with the other hundred signatories; they had in some way to pass some language that made some difference to them in regard to the treaty."

I do not believe that is good psychology so far as our international relations are concerned. If we think it is a good treaty, we should adopt it without adding any resolutions or amendments, or any additional language in the nature of a pre-preamble to a preamble.

Mr. DIRKSEN. I am informed that "superarrogation" means to behave with excessive arrogance. I have promised to yield 5 minutes to the Senator from New York.

Mr. JAVITS. I promise in what I have to say I will not be excessively arrogant. I shall vote "no" on the pending proposal. I realize that an arrangement has been made, and that undoubtedly it will carry.

I do not intend to dwell on the question of how many angels can dance on the point of a needle, but, rather, on the fundamental, substantive question involved in the proposal before the Senate. I have a clear idea on it. In good conscience I believe the Senate should understand why I believe it is making a mistake.

There is a pattern of organization in anything we do. The pattern here, apparently in the whole Senate was committed in a series of votes on the question of whether it will take the treaty as it is or leave it. Even the distinguished Senator from Arkansas, who is in charge of the treaty, said, "I hope this resolution will not be loaded down with understandings, or anything else."

The essence of my argument is that it is agreed by all that the President of the United States can use nuclear weapons in defense of the United States, that he will agree to continue underground testing, that he will maintain our ability to test in the atmosphere, and that he will maintain that ability in a state of readiness. That right is not prohibited by the treaty.

Furthermore, we have the constitutional right and duty to approve any amendment. If any President does not send such a reservation to us, he is a tyrant, and should be impeached.

In fairness to the 33 Senators who voted to include an understanding about the use of nuclear weapons for the defense of the United States, which I believe to be as important as the proposed restatement of constitutional power, I cannot say to them, in good conscience, "I voted 'no' on your understanding, but I will vote 'yes' on this understanding."

At the very least, this is not more important. The important point is that we all realize that the Constitution is the supreme law of the land. It is superior to the law that is a treaty. We understand that. Therefore whether we accept what we do about constitutional processes in respect to the treaty, or do not, it is the Constitution which is superior to the treaty, although the treaty is domestic law in the United States as well as being a binding commitment in our relations with other nations.

That is the total scheme before us.

The Senate has agreed, in vote after vote, that this is one case in which we should not try to write understandings into it.

The President has said to us, "Consider this treaty and vote 'yes' on it, as it is." We should not give anyone any ground for saying, "The Senate is acting as it did with the League of Nations; it is attaching something to it." Let us take it flatly as it is. Let us not change it in any way. We have gone along with it up to this point. Why change it now in a preamble, which, everyone agrees, does not mean anything anyway?

It would be a great mistake to adopt the proposal, and it would certainly be a disservice to the sincere Senators who voted as they did in proposing other understandings, which the Senate rejected. I see no difference between this proposal and the others. Some of the others went to the fundamental question of the preservation and survival of the Nation. To adopt the pending proposal would mean that we were writing something into it which defied the scheme under which we agreed with the President.

The President has said to us, "This is one treaty on which I want you to say 'Yes.' I will give you all the solemn assurances that can be given by the Presidency."

We took them all, except this one, apparently. I cannot see the difference. If the President is right, we should turn this proposal down. If he is wrong, then we should have adopted almost every one of the other proposals in the form of understandings which were proposed today.

The Senator from Georgia [Mr. Russell], with his customary candor and breadth of mind, has said he does not care what happened to the others; this is the one he wants to tie down.

Mr. RUSSELL. The Senator should not misquote me. I did not say that. I supported the others.

Mr. JAVITS. I accept whatever the Senator says. The others are no precedent, but the Senator from Georgia is interested in this one. He first had it in the form of an understanding. The Senator in charge of the treaty said he would take it as a preamble. Therefore, it is now before us in the form of a preamble. The juridical act of depositing, wherever it needs to be deposited, will not change the notice it will give to the world of the resolution and what it contains.

I predict that it will give the Russians, in a few days, a few months, or a few years, the opportunity to shake this provision in our face at the U.N. and say, "We are allowed to do what we propose, because the U.S. attached this preamble, this understanding, this reservation to the resolution of ratification of that treaty."

Therefore, the preamble should be rejected by the Senate.

Mr. FULBRIGHT. Mr. President, I yield myself 5 minutes.

I do not know that I can do any more than I have. First, when this matter came up I consulted the best authority in the Government on this subject. I was advised that a preamble to the resolution is not circulated; it does not give to Mr. Khrushchev or anyone else an opportunity to respond by saying, "We want a reservation or understanding."

This is not an understanding or a reservation to the resolution itself. The best authorities in the State Department, Mr. Bevans and Mr. Chayes, have assured us that this would not give the Russians an opportunity to say that we have in any way weaseled or changed the meaning of the treaty.

The reason why I objected to an understanding is that it goes to the body of the resolving clause of the resolution of ratification. The Senator from New York is a good lawyer, certainly a much greater lawyer than I am; he has been the Attorney General of his great State; he has had long experience. I am basing my position not on my views, but on the opinions I sought from the best authorities in our Government in the treaty field. That is why I believe it is quite different. This is not circulated officially. Of course, they will read about it in the newspapers, but it is different. It does not provide the opportunity or the occasion to respond by saying, "We say this is not merely an understanding; it is a reservation." That is what could be said about any of the other proposals offered today, dealing with the resolution itself. This is a distinction which is recognized by our own Government. We therefore do not circulate it. That is why I believe it is acceptable. It is an understanding between us, as the Senate, and the Presidential office. I do not deny what the Senator from New York and the Senator from Oregon said about surplusage, because I accept the Constitution. However, I do not see that it does any harm.

The Senator from New York [Mr. Keating] said he did not see any great harm in it. The Senator from New York [Mr. Javits] should not take it so seriously. This is not an amendment to the preamble to the treaty. This is a preamble of its own. It is not unlike the separate resolution suggested by the Senator from Oregon. It is attached here because we could see no harm in it. The authorities in the State Department that I have consulted see no harm in it, or as giving an opportunity for any other member of the treaty—there are some 99 now—to raise any question about the wholehearted and unqualified endorsement of the treaty by the Senate.

Mr. JAVITS. What motivates or concerns me—and I am not impassioned about it; if I seem to be, it is because, as the Senator knows, I always throw myself into how I feel about what I am doing—is the equality of reliance upon the various things upon which we are relying.

My whole argument is based upon the fact that, speaking for myself, I want the same equality of reliance upon every particular commitment made in the name of the President—and there are quite a few, apart from this one.

The President said in his letter of transmittal that, of course, amendments would be submitted to the Senate. He said a great many other things in his letter to the Senator from Illinois [Mr. Dirksen]. I shall rely upon all those statements in casting my vote on the treaty. I do not wish to pick out one and say, "I shall write this in somewhere, but not the others." I want to place equal reliance upon every commitment the Presidency has made with respect to the treaty.

Mr. FULBRIGHT. Would not the Senator agree that this provision as a recitation of what is provided in the Constitution is different from any other proposal?

Mr. JAVITS. No; and I will tell the Senator why it is not. Especially in the last provision, as to the use of nuclear weapons and definite action, we are dealing with the power of the President who, as Commander in Chief under the Constitution, has power of the same quality as that of the Senate, which has the power to advise and consent to treaties proposed by the Executive. Whatever may be the analogy as to other understandings, certainly the analogy is clear as to the one understanding that was offered and got the biggest vote in the Senate—and a very respectable vote, I must say.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HICKENLOOPER. The proposal now before the Senate, the preamble to the resolution of ratification is not only a completely proper declaration of the powers that most of us believe to be lodged already in the Senate under the Constitution; it is a perfectly proper declaration of principle at this time. It does nothing whatsoever to the sensibility of the treaty. It does not affect it in the least.

Some of us believe profoundly that the President has no more authority in the final complex of the accomplishment of the treaty than has the Senate. I said a few days ago that, so far as my view is concerned, the President has no authority to bind this country under the treaty until he has received the advice and consent of the Senate. That makes the Senate at least an equal partner in responsibility. The Senate has not only a perfect right but also the duty, if it believes it to be a safeguard of the constitutional principles, to make this declaration clear, in case there should be any doubt that any future amendment to the treaty which the Senate might be called upon to authorize in the first place, prior to its execution, is just as fundamental and sound and goes just as deeply to the principles involved in the treaty. It is a safeguard that any amendments will be submitted for the advice and consent of the Senate. The Senate has equal responsibility with the President. I am not willing to say that the President's authority in the treaty-making field rises any higher than the authority of the Senate, because the Constitution places that authority there.

Not only do I see nothing wrong with the proposal; I think it is added assurance in the instrument of advice and consent. It is added assurance that amendments to this very document, which will be approved and will be accomplished, will be given the same treatment as the Constitution contemplates for the original document itself. Therefore, I hope the proposal of the Senator from Georgia will be adopted. It is sound and proper.

Mr. HOLLAND. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. How much time does the Senator desire? Three minutes?

Mr. HOLLAND. Three minutes.

Mr. FULBRIGHT. I yield 3 minutes to the Senator from Florida.

Mr. HOLLAND. First, I strongly commend the distinguished Senator from Georgia for having proposed the inclusion of the preamble. He is on sound ground in his effort to make certain that the rights and responsibility of the Senate are recognized and are called to the attention of other signatories to the treaty.

Not all of us have the advantage that distinguished former deans of law schools and distinguished former attorneys general of our great States have, but most of us have considerable contact with people.

I believe it will be assuring to the people of the country to know that, instead of leaving article II, as it now is, to provide that amendments shall come into force when the instruments of ratification are filed, the constitutional responsibility of the Senate will be properly discharged before an instrument of ratification is executed and deposited.

Every Senator knows that there are in the country people who think Executive agreements have been too much used and Executive orders are being too much used. Every Senator has received letters on this subject.

We are not legislating in a goldfish bowl, in the sense that we completely insulate ourselves from others, for we are aware that the whole Nation and the world can look at us. It will be comforting to our own people to know that a commanding voice in the Senate has been upheld by a strong majority of Senators who insist that at this time the jurisdiction of the Senate shall be called to the attention of the world. Full consideration must be given to the Senate's position on all amendments—any amendment, no matter how small or how great—before ratification occurs. I am sorry that we did not adopt the previous amendment, which was submitted by the Senator from Texas [Mr. TOWER], because it would have helped to clarify public understanding, not only in our own country, but also on the part of the rest of the world, with reference to the use of nuclear weapons in time of war, or in our defense if need be. We have that right, regardless of whether we exercise good judgment in calling it to the attention of our people and the rest of the world, or whether we put ourselves in the strongest position, by adopting the amendment—which I think we should have done.

I congratulate the Senator from Georgia. I also congratulate the leaders on both sides of the aisle, and particularly for having accepted the preamble. It strengthens public confidence. I congratulate the chairman of the committee. I only wish he had been so affable in respect to the other matter the Senate considered a little while ago. But I hold no grudge. I think the Senate would have been in a stronger position if it had adopted the previous proposal; but I am glad it is acting as it is on this one, so that all the world will know that the Senate now calls attention to the fact that it will be a coequal partner in approving any amendment, whatever it may be, that in the future may be submitted to this particularly meaningful treaty.

Mr. FULBRIGHT. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Arkansas has 8 minutes remaining; the Senator from Georgia has 10 minutes remaining.

Mr. FULBRIGHT. Mr. President, I yield 5 minutes to the Senator from Kentucky.

Mr. COOPER. Mr. President, I suppose I could be charged with supererogotion, after the full discussion of the Senator from Georgia's preamble. I do so for the reason that it has been suggested by several Senators that there might be something contradictory in having voted against the understanding offered by the Senator from Florida [Mr. HOLLAND] and the Senator from Texas [Mr. TOWER] and in voting for the preamble offered by the Senator from Georgia [Mr. RUSSELL].

I do not believe there is any conflict at all. The Senator from Georgia has stated the case very clearly. The understanding offered by the Senator from Texas [Mr. TOWER] and by the Senator from Florida [Mr. HOLLAND], dealt with the constitutional powers of the President—his wartime powers. We cannot add to or diminish his power, and the treaty cannot. In this case we are dealing with the powers of the Senate, and that is all; and I see a clear distinction.

I have made up my mind about the treaty, and have assured myself, but I cannot assure myself about any future amendments; and if I felt that the Senate could not pass on future amendments in the same way, I could not vote for the treaty. The preamble confirms the right of Senate to do so.

Mr. MORSE. Will the Senator from Kentucky yield?

Mr. COOPER. I am glad to yield.

Mr. MORSE. The Senate cannot add to or detract from the constitutional power of the Senate, either. It is already provided in the Constitution, and is implied in the treaty.

Mr. COOPER. The President has expressed his view as to what he would do with his powers as Commander in Chief. We express our views about the power of the Senate to advise and consent to any amendments.

The PRESIDING OFFICER (Mr. EDMONDSON in the chair). The time of the Senator from Kentucky has expired.

Mr. KEATING. Will the Senator yield time to me? I wish to clear up a question.

Mr. RUSSELL. Mr. President, how much more time do I have?

The PRESIDING OFFICER. The Senator from Georgia has 10 minutes remaining.

Mr. RUSSELL. I am glad to yield to the distinguished Senator from New York. I believe we can even clear up the supererogation. [Laughter.]

Mr. KEATING. Mr. President, the word "supererogation," as used in relationship to the remarks of the Senator from Georgia, is spelled "s-u-p-e-r-e-r-o-g-a-t-i-o-n," not "s-u-p-e-r-a-r-r-o-g-a-t-i-o-n."

The distinguished Senator from Illinois would understand that distinction, because "supererogation", as I used that word, means "the act or fact of supererogating"; and to "supererogate", as that term is defined, means "to perform in excess of what is required, or to expend above or in addition." I state to the Senator from Georgia that it was in that sense that the word was used, and certainly not as relating to any form of arrogance.

Mr. RUSSELL. I understood the Senator to use the word in the way all the intelligentsia do—to designate something surplus or not necessary.

Mr. KEATING. That is correct.

Mr. RUSSELL. That is the way I understood the Senator to use it; and I am glad in that my understanding of the use of that word comes close to its use by the intelligentsia.

Mr. President, I wish to proceed for 2 or 3 minutes. The Senator from Oregon and the Senator from New York have said this preamble could only have the effect of confusing other countries. But, Mr. President, if there is in the minds of the officials of any of the approximately 100 countries that have signed the treaty any doubt that the Senate will have an opportunity to pass on these amendments, this is the time to clear up any such misunderstanding, rather than to wait until after they have followed the amendment process of article II and have approved the amendment by majority votes, and the instruments of ratification by the majority have been deposited with the depositories, and then have the Senate say "We demand the right to advise and consent." Instead, we should act now to clear up any such misunderstanding of the constitutional function of the Senate with respect to treaties and with respect to all amendments to treaties.

We need not do this for the benefit of students of our constitutional system, many of whom are to be found in the chancellories of all the nations of the earth, particularly those interested in our mutual-assistance or foreign-aid programs. All students of that subject study our constitutional division of powers; they know the requirement of the "advice and consent" clause. However, it would be best for the Senate to clear up this question now.

I do not agree with Senators—although I appreciate their indulgence and support—who say this preamble is meaningless in any degree, because if there ever were in a treaty language that is subject to confusion, I submit to the Senate that article II of the treaty providing the methods of amendment, which are entirely different from any other amendment provision we have ever had, in the United Nations, in NATO, or anywhere else, is more likely to confuse, and we had best clear it up now.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MORSE. There is nothing that needs to be cleared up. We have the constitutional power and have made reference to it in connection with the treaty. We are the ones who are going to create the confusion among people. They do not understand our constitutional processes. We have the power. We stand by the power. We should make it perfectly clear when this treaty is amended, if it ever is, we should make it clear that the President, if he has any doubt about it, that it has to come here for ratification.

Mr. RUSSELL. I submit that the Senators from New York in their remarks used the words "confusing other countries" or "the way other countries will interpret this"—no less than four times. I believe we had better clear this up right now.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second, and the yeas and nays are ordered.

Mr. MILLER. Mr. President, I have an amendment to the preamble at the desk and I ask that it be read.

The PRESIDING OFFICER. I would respectfully request the Senator from Iowa to delay his remarks until we ask the proponents and opponents to the preamble of the Senator from Georgia to yield back their time.

Mr. RUSSELL. Mr. President, I yield back my time.

Mr. FULBRIGHT. Mr. President, I yield back my time.

The PRESIDING OFFICER. All time is yielded back and the Senator from Iowa is recognized.

Mr. MILLER. Mr. President, I ask that the amendment be read.

The LEGISLATIVE CLERK. Amendment to preamble proposed by Senator RUSSELL, by striking the last two lines and inserting in lieu thereof the following:

Whereas amendments to treaties are subject to this constitutional provision; and

Whereas the Secretary of the Senate following ratification of the treaty by the Presidium of the Supreme Soviet is instructed to return this resolution to the President of the United States for appropriate action: Now, therefore, be it

Mr. MILLER. Mr. President, I yield myself 7 minutes. For the convenience of Senators, let me point out that this is an amendment to the preamble proposed by the Senator from Georgia [Mr. RUSSELL].

Mr. President, we have a wedding in store. At least we think we do. The wedding date has been set for 10:30 tomorrow, and the wedding feast has been arranged, and the frosting is being put on the cake this afternoon. The trousseau has been bought, the best man and the maid of honor have been selected, the preacher and the church have been named, but the big question still remains: Is there going to be a wedding?

Two weeks ago today I asked the distinguished chairman of the Foreign Relations Committee some questions on this point. I pointed out that article III of the treaty, section 2, provides that the treaty shall be subject to ratification by signatory states, and instruments of ratification and instruments of accession will be deposited with the governments of the original parties. I pointed out that section 3 provides that this treaty shall go into force after its ratification by all the original parties, and with the deposit of the instruments of ratification. As of September 9 we were advised that in the Soviet Union all of the appropriate committees had given their unanimous approval to the treaty, but the Presidium of the Supreme Soviet had not yet ratified it. Here we are on September 23, and the Presidium has not yet ratified it. Obviously the Presidium is not in any great rush to do so. I believe that most of us expect that the Supreme Soviet Presidium will ratify the treaty. There are some present who believe that there is not a chance in a thousand but what the Supreme Soviet Presidium will ratify it.

But, Mr. President, there are weddings in which the bride has been left at the church, or the bridegroom has been left at the church, and I do not wish to see this happen here. I believe we should nail it down.

All my amendment to this preamble provides is that after the Senate ratifies the treaty the Secretary of the Senate will return the ratified treaty to the President of the United States after the Presidium of the Supreme Soviet has ratified the treaty. The treaty still will not be in effect because it will have to be deposited. I am not particularly interested in whether we deposit our treaty in Moscow first or they deposit their ratified treaty in the United States first. That is a question for the executive branch of the Government to decide. But I am not so sure that we ought to release the ratified treaty until the Presidium of the Supreme Soviet has ratified it.

I should like to ask the Senator from Arkansas [Mr. FULBRIGHT] how long we shall have to wait? We hope and trust that the treaty will be ratified by the Presidium tomorrow. But if a month or 2 months go by and there has been no ratification by the Presidium of the Supreme Soviet, what shall we do? I grant that there will be no great chance that this will happen. But we do not know, and when we are dealing with the Soviets we had better be very sure to nail things down. It is not very difficult for me to envision a situation in which, after the lapse of a month or two, a certain amount of anxiety around the world might have grown up over the failure of the Presidium of the Supreme Soviet to ratify the treaty. About that time, perhaps, a little pressure would be exerted by some of the spokesmen for Mr. Khrushchev about possibly getting into some serious negotiations about an East-West pact, which he has said he expects to follow on this treaty.

How long will that condition continue? Will it continue until next spring? Thirty days? Sixty days? Will the treaty be "on" or "off"? It would not be exactly "on", because it would not have been ratified. But would the President of the United States ask for a deposited copy of the treaty to be returned to us merely because the Presidium had not ratified the treaty within 30 or 60 days? Would we ask the President to return it to the Senate because it had not been ratified by the Presidium? What would happen with respect to the Joint Chiefs of Staff "safeguards" in the meantime? Would they go into effect as soon as the treaty was ratified by the Senate, even though it had not been ratified by the Presidium of the Supreme Soviet? Those are questions that need answers. I do not believe there is a Senator who knows the answer,

There is one way to provide an answer, and that is to insert the language contained in my amendment to the preamble of the Senator from Georgia. The treaty would be approved first. We do not care whether the Presidium ratifies it tonight or tomorrow. We will approve it first. But we wish to see them ratify the treaty next, before we place our documents on deposit in Moscow. I cannot see anything wrong with that procedure at all. I believe that such a provision should have been written into the treaty at the time of the negotiations.

Any Senator who has ever been interested in disposing of property knows that he would not leave an open-end deal for somebody to accept. We say, "We offer to sell this property to you for so much, and you had better accept the proposal within 30 or 60 days."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MILLER. Mr. President, I yield myself an additional 2 minutes.

The law may provide generally that the offer is not a continuing offer, but must be accepted within a "reasonable time." That is fine. What is a "reasonable time"? I do not believe we ought to have to figure that one out when we can write a safeguard into the preamble.

Mr. President, I support the preamble of the Senator from Georgia. At the time I offered my reservation, I was concerned about the very thing that the Chairman of the Committee on Foreign Relations was concerned about, and that is cluttering up the Resolution of Ratification with something else. I do not think it should necessarily confuse other countries, but if that is the feeling of the best minds on the subject, I certainly do not wish to confuse the situation.

Obviously the Senator from Georgia felt the same way. He devised the preamble approach. I think that is the approach which I ought to use on my proposal because, as has been pointed out, it would be merely a sort of contract between the executive branch and the legislative branch with respect to the way the treaty, once ratified, would be handled. We would send the treaty back to the President when the Presidium of the Supreme Soviet ratified it. What the President would do with the treaty would then be entirely up to him.

Mr. President, I reserve the remainder of my time.

Mr. RUSSELL. Mr. President, will the Senator yield 5 minutes to me?

Mr. FULBRIGHT. I yield 5 minutes to the Senator from Georgia.

Mr. RUSSELL. The Senator from Iowa was kind enough to discuss the subject with me. I regret that he has seen fit to offer his proposal in the nature of an amendment to the preamble that I have proposed to the treaty. It could only confuse and endanger the prospects of adoption of the preamble that I have suggested. I do not see that adding that language to the preamble would add anything to the strength of his proposal. The distinguished Senator knows he can make his offer tomorrow after the treaty has been ratified and under the normal processes, that is, when the preamble would be offered.

The only reason the amendment is offered at this time is that the distinguished majority leader, obtained unanimous consent—and Senators will find it on their copies of the executive calendar—that the preamble to be offered by the Senator from Georgia may be considered on Monday after all reservations, understandings, and amendments have been disposed of. Ordinarily such an amendment to the preamble as I have offered would come up following approval of the resolution of ratification. I hope that the distinguished Senator will not endanger the adoption of the preamble that I have proposed by insisting on his amendment.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MILLER. Certainly the Senator from Georgia does not expect the Senator from Iowa to try to endanger something that the Senator from Iowa endorses. But I suggest that the Senator from Georgia might secure even a little more support for his preamble if my amendment were adopted, because the Senator from Oregon [Mr. MORSE] and the Senator from New York [Mr. JAVITS] have indicated that in their judgment the preamble offered by the Senator from Georgia is meaningless; whereas my amendment is not meaningless at all. It is a matter of substance. It is strictly germane.

Mr. RUSSELL. It may be germane, but I am sure that the Senator from Iowa is not deluding himself with any idea that the Senator from New York [Mr. Javits] or the Senator from Oregon [Mr. Morse] had the slightest idea of supporting my proposal or any other amendment that would dot one "i" or cross one "t" in the treaty or in the resolution of ratification.

I wish the distinguished Senator would withdraw his proposal and offer it as an independent amendment to the preamble after the treaty has been ratified.

Mr. MILLER. Mr. President, will the Senator yield so that I may ask the majority leader a question?

Mr. RUSSELL. Mr. President, I yield the floor.

Mr. FULBRIGHT. I yield 2 minutes to the Senator from Montana.

Mr. MANSFIELD. Mr. President, that time was promised to me when the Senator from Georgia had concluded. I intended to make a motion. I yield to the Senator from Iowa for a question.

Mr. MILLER. I would appreciate it if the Senator would do so. It might save some time.

Mr. MANSFIELD. I intend to move to table the amendment of the Senator from Iowa to the preamble. I should like to say, in all honesty, that this is the only time that the Senator from Iowa will have an opportunity to offer his proposal.

Mr. MILLER. Will the Senator please repeat his statement?

Mr. MANSFIELD. This will be the only time that the Senator from Iowa will have an opportunity to obtain action on his proposal. Under the procedure which is now in force, once the instrument of ratification is voted upon, that will be the end.

Mr. MILLER. Mr. President, I should like to ask the distinguished Senator from Georgia whether or not he concurs in that statement, because I understood him to ask me to relinquish my amendment so that action could be taken on it tomorrow. Now the majority leader tells me I cannot do so.

Mr. MANSFIELD. The Senator is correct.

Mr. MILLER. I wish this question could be cleared up so that I would know what to do.

Mr. RUSSELL. Mr. President, as an ordinary proposition a preamble can be offered only after the resolution of ratification has been adopted. I had not given consideration to the possibility that, under parliamentary procedure, if a preamble were adopted it would not be subject to later amendment. I have no precedents before me on that question. I would have to address a parliamentary inquiry to the Chair.

The PRESIDING OFFICER. Once the preamble is agreed to, like a resolution, it is no longer subject to amendment.

Mr. RUSSELL. Mr. President, I have misinformed the Senator. Usually a preamble is offered after the resolution of ratification has been agreed to.

Mr. MILLER. Mr. President, I am sure the Senator from Georgia knows that I ordinarily would be happy to cooperate with him, because I would not wish to do anything which he thinks would endanger his preamble; but it appears that I have no choice in view of the ruling of the Chair. I observe that the Senate will be asked to table my amendment. I shall not push for a yea-and-nay vote. I hope that 2 or 3 months from now I shall not meet some of my colleagues in the corridors who will then be saying. "We wish we had put it in."

Senators have an opportunity to do so now. I hope it will never have to be used, but an opportunity is presented now to nail this principle down so that we shall not be faced with pressures from Khrushchev or others, which need never arise if the Senate adopts my amendment.

Mr. FULBRIGHT. Mr. President, I yield back my remaining time.

Mr. MILLER. Mr. President, I yield back my remaining time.

Mr. MANSFIELD. Mr. President, I move to table the Miller amendment to the Russell preamble.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

Mr. JAVITS. Mr. President, I move to table the preamble of the Senator from Georgia [Mr. Russell] and on that motion I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion by the Senator from New York to table the preamble of the Senator from Georgia. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Legislative Clerk called the roll.

Mr. METCALF (after having voted in the affirmative). On this vote I have a pair with the Senator from Louisiana [Mr. Long]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. McGovern (after having voted in the affirmative). On this vote I have a pair with the senior Senator from Missouri [Mr. Symington]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Pennsylvania [Mr. Clark], the Senator from Tennessee [Mr. Gore], the Senator from Ohio [Mr. Lausche], the Senator from Louisiana [Mr. Long], the Senator from Rhode Island [Mr. Pastore], the Senator from Alabama [Mr. Sparkman], and the Senator from Missouri [Mr. Symington] are absent on official business.

I also announce that the Senator from California [Mr. Engle] is absent because of illness.

I further announce that, if present and voting, the Senator from Tennessee [Mr. Gore], the Senator from Ohio [Mr. Lausche], the Senator from Rhode Island [Mr. Pastore], and the Senator from Alabama [Mr. Sparkman] would each vote nay.

On this vote, the Senator from Pennsylvania [Mr. Clark] is paired with the Senator from California [Mr. Engle]. If present and voting, the Senator from Pennsylvania would vote "yea," and the Senator from California would vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Hruska] is necessarily absent and, if present and voting, would vote "nay."

The Senator from New Mexico [Mr. Mechem] is detained on official business.

The result was announced—yeas 8, nays 79, as follows:

[No. 166 Ex.]

YEAS—8

Douglas
Hart
Javits
McCarthy
Morse
Neuberger
Pell
Young, Ohio

NAYS—79

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Edmondson
Ellender
Ervin
Fong
Fulbright
Goldwater
Gruening
Hartke
Hayden
Hickenlooper
Hill
Holland
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kennedy
Kuchel
Long, Mo.
Magnuson
Mansfield
McClellan
McGee
McIntyre
McNamara
Miller
Monroney
Morton
Moss
Mundt
Muskie
Nelson
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Stennis
Talmadge
Thurmond
Tower
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—13

Byrd, Va.
Clark
Engle
Gore
Hruska
Lausche
Long, La.
McGovern
Mechem
Metcalf
Pastore
Sparkman
Symington

So Mr. Javits' motion to table Mr. Russell's preamble was rejected.

The PRESIDING OFFICER. The question is on agreeing to the preamble offered by the Senator from Georgia. The yeas and nays have been ordered, and the Clerk will call the roll.

The Legislative Clerk proceeded to call the roll.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. What question is before the Senate?

The PRESIDING OFFICER. The question is on agreeing to the preamble offered by the Senator from Georgia [Mr. Russell.]

The Clerk will continue the rollcall.

The Legislative Clerk resumed the call of the roll.

Mr. McGOVERN (when his name was called). On this vote I have a live pair with the senior Senator from Missouri [Mr. Symington]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. METCALF (after having voted in the affirmative). On this vote I have a live pair with the Senator from Louisiana [Mr. Long]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore I withhold my vote.

Mr. HUMPHREY. I announce that the Senator from Virginia [Mr. Byrd], the Senator from Pennsylvania [Mr. Clark], the Senator from Tennessee [Mr. Gore], the Senator from Ohio [Mr. Lausche], the Senator from Louisiana [Mr. Long], the Senator from Rhode Island [Mr. Pastore], and the Senator from Missouri [Mr. Symington], are absent on official business.

I also announce that the Senator from California [Mr. Engle] is absent because of illness.

I further announce that, if present and voting, the Senator from California [Mr. Engle], the Senator from Tennessee [Mr. Gore], the Senator from Ohio [Mr. Lausche], and the Senator from Rhode Island [Mr. Pastore] would each vote "yea."

On this vote, the Senator from Pennsylvania [Mr. Clark] is paired with the Senator from Virginia [Mr. Byrd]. If present and voting, the Senator from Pennsylvania would vote "nay" and the Senator from Virginia would vote "yea."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Hruska] is necessarily absent and, if present and voting, would vote "yea."

The Senator from New Mexico [Mr. Mechem] is detained on official business.

The result was announced—yeas 79, nays 9, as follows:

[No. 167 Ex.]

YEAS—79

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Edmondson
Ellender
Ervin
Fong
Fulbright
Goldwater
Gruening
Hartke
Hayden
Hickenlooper
Hill
Holland
Humphrey
Inouye
Jackson
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kennedy
Kuchel
Long, Mo.
Magnuson
Mansfield
McClellan
McGee
McIntyre
Miller
Monroney
Morton
Mundt
Muskie
Nelson
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tower
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—9

Douglas
Hart
Javits
McCarthy
McNamara
Morse
Moss
Neuberger
Pell

NOT VOTING—12

Byrd, Va.
Clark
Engle
Gore
Hruska
Lausche
Long, La.
McGovern
Mechem
Metcalf
Pastore
Symington

So Mr. Russell's preamble to the resolution of ratification was agreed to.

Mr. FULBRIGHT. Mr. President, I move to reconsider the vote by which the preamble was agreed to.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Is it the understanding of the leadership that this is the last vote prior to voting on the instrument of ratification?

The PRESIDING OFFICER. According to the agreement, that is correct.

Mr. MANSFIELD. The next vote will be tomorrow morning at 10:30 on the instrument of ratification. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. MANSFIELD. After that vote is taken there will be no further votes, on preambles or anything else, in connection with the treaty. Is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. The vote tomorrow is at 10:30, and the Senate convenes at 10 o'clock. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. SPARKMAN. I thought the vote would come at 11 o'clock.

Mr. MANSFIELD. That was changed later because of circumstances. I remind Senators that a photograph of the Senate will be taken at 10:15 a.m.

The PRESIDING OFFICER. The Senate will be in order.

Mr. FULBRIGHT. I yield 1 minute to the Senator from Connecticut.

Mr. RIBICOFF. Mr. President, this debate has consumed millions of words. I will add only 100 more. We are called upon to make a fateful decision, to weigh the prospect of benefits for all mankind against the possibility of uncertain danger. We cannot foresee the future. The ultimate judgment about this treaty will be made by history. Our judgment now must strike the balance as best we can, based on what we know, what we believe, and what we hope. This treaty is in the best interests of our country, our children, and all who seek a peaceful world. It will have my vote.

Mr. FULBRIGHT. Mr. President, I yield half a minute to the Senator from Wyoming [Mr. McGee].

Mr. McGEE. Mr. President, as the Senate approaches the vote on the test ban treaty, I would like to acquaint this body with two views on that treaty that appeared in two Wyoming newspapers. Both hold the view, which I too believe, that this treaty represents a step in the right direction and that we are fully capable of protecting ourselves from any risks involved.

I ask unanimous consent that these two editorials, from the Laramie Boomerang and the Wyoming Eagle, be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Laramie Daily Boomerang, Sept. 5, 1963]

It's Worth a Try

No one now expects that the U.S. Senate will give anything but overwhelming approval to the partial nuclear test ban treaty with the Soviet Union.

In the Senate Foreign Relations Committee's nearly unanimous endorsement of the treaty, there is a clear assessment that whatever risk is involved is one this Nation can take without grave danger to its freedom and security.

It is a judgment which says in effect that if we are not willing to take some risk in order to test Russia's purposes at this stage, we are saying that negotiation is now and perhaps forever a futile device of diplomacy in the cold war.

Obviously we are not prepared to take so adamant and seemingly final a stance.

Soviet motives, in the nature of things, can seldom if ever be entirely clear to us. But we are now measuring motive. We do not have to know all that goes on between the Kremlin and Red China in order to take this test ban chance.

We will be watching Soviet action. There is a strong conviction that if Russia breaks the treaty we will speedily know it and be able to act on our own to prevent Moscow from gaining a critical nuclear military advantage.

It is we who have the great advantage today, and we do not propose to yield it. We will have our guard up, prepared to test in the atmosphere again should the Russians resume.

And beyond doubt, we shall be constantly alert to assure that our massive stockpile of nuclear weapons—called by President Kennedy sufficient to kill 300 million people in 1 hour—remains an effective shield for us and the free world.

This means, of course, keeping the weapons in usable condition—and deliverable over targets.

Military men disagree on ways of assuring this effectiveness. But there would seem to be ample support for the idea that it can be done, notwithstanding the test ban treaty.

Not all our military and nuclear specialists like the treaty. But the Senate Foreign Relations Committee is a sober and responsible body. It listened to the doubts and reservations and yet decided to approve the document. At worst, the committee might in time be proved wrong. At best, this group, the full Senate and all associated with the treaty must recognize that it is not a guarantee of peace, but only a small beginning step down that road.

Up to now there has been almost no traffic on that road. We are simply making ready to try it. We may have to turn back. But, with the stakes so high, the try is one our sanest Senate leaders think we ought to make.

Unwise, Irresponsible

Chairman J. William Fulbright, Democrat, of Arkansas, of the Senate Foreign Relations Committee, has warned that any Senate reservations to the nuclear test ban treaty would be unwise and irresponsible.

On the basis of the vast amount of information made available to the public before and during the Senate committee hearings on the treaty, we agree.

The treaty is designed to ban nuclear tests in the atmosphere, in outer space, and underwater. If it can accomplish that, it will be, in President Kennedy's words "an important first step" toward peace and reason and away from war.

There are, of course, risks of cheating and abrogation of the treaty. But President Kennedy and his administration, the Congress and, indeed, the people of the United States are aware of those risks and we will not be caught napping.

Senate action tacking reservations onto the treaty, such as Senator Barry Goldwater's proposal that ratification of the pact be contingent upon Russia's withdrawal of troops and weapons from Cuba, would seem to be unwise and unrealistic for a number of reasons:

1. It would send the treaty back to be renegotiated, giving Russia an excellent opportunity to reject the whole thing and blame it all on the United States.

2. It almost certainly would result in propaganda designed to cast doubt as to our

> sincerity in wanting a test ban, even though a test ban has long been sought by President Kennedy and by former President Eisenhower before him.
>
> 3. It might be interpreted as an admission of weakness. In fact, Republican Leader Everett M. Dirksen used almost those words earlier this week when he announced he would vote for ratification of the treaty. He described Senator Goldwater's proposed treaty reservation as ungermane to the pact and a confession of weakness.
>
> 4. It would indicate lack of confidence in the diplomatic and military strength of the United States.
>
> 5. While our Government's intention is to force the Russians back out of the Western Hemisphere, it is extremely doubtful this could be accomplished with a no withdrawal-no treaty ultimatum. In fact, such an ultimatum would appear to be based upon the premise that Russia, alone, wants a nuclear test ban treaty. That, of course, is not true.
>
> The test ban treaty has been sought by both Republican and Democratic administrations as being in the best interest of these United States.

Mr. HARTKE. Mr. President, I should like to address a question to the distinguished chairman of the Committee on Foreign Relations, of whom I asked a number of questions the other day.

On a visit to my State the other day, one question was uppermost in the minds of my constituents: "Will it be the continuing policy of the United States to do everything it can to eradicate communism and its influence from the Western Hemisphere, including Cuba?"

Mr. FULBRIGHT. There is no question about that whatever. That is the declared policy of all members of the administration, and I am certain it is the sentiment of the Senate. The treaty is in no way affected by it.

Mr. HARTKE. I thank the distinguished Senator from Arkansas.

Mr. BENNETT. Mr. President, tomorrow the tumult and the shouting will die, and everyone of us in the Senate must face and discharge the responsibility toward which we have been marching since the test ban treaty was initialed in Moscow on July 25. Each of us will have come to his "moment of truth" by a different path. Each of us will have developed different interpretations of the ocean of facts and testimony that have been poured out upon us over these weeks. Some had their minds made up before the inked initials were dry. To them, the decision must seem both easy and uncomplicated. Others will still be torn in their minds at the very moment their names are called.

WILL BE RATIFIED

By now the result of the vote can safely be predicted. The treaty will be ratified. But it is fortunate for America that this answer will neither be lightly given, nor will it be unanimous. As one who will vote with the minority in opposition to the treaty, I take comfort in the wisdom of my good friend, Senator Mike Mansfield, whose vote will cancel mine tomorrow. He was expressing a deep insight when he said:

> Of course, there are diverse views in this body. I am glad there are. If every Senator were in favor of a treaty of this magnitude, I would then be truly worried.

Unanimity would give the whole world a false impression of America in this time of crisis. There is a great feeling of uneasiness in the hearts of nearly all Americans, including those who most want the treaty ratified. Without the "no" votes that will be cast tomorrow, the existence of these doubts and fears could not be made known to the world.

THEME OF RISK

There is one central and somber theme that runs through this whole experience—the recurring theme of risk. The President introduced this motif in his early speeches; and it has been developed, with variations, in all the testimony, all the interpretitive comments, and in the debate in this body. It certainly is the central theme of this brief statement of mine. Everybody acknowledges that there are great risks involved in this decision. Those who will vote for the treaty seek ways to play these down. Those who will vote no, as I will, have assessed the risks as being greater than the potential benefits.

To me, these inescapable risks fall into five broad areas. I will have time to touch only briefly on each.

First, we must face the many risks inherent in any dealings with Communist Russia—risks which stand out in bold relief against a frightening record of nearly 50 years of ruthless international duplicity. Woven into that record are such threads as these: a godless philosophy; a tragic string of broken treaties which reveal an unswerving policy of opportunistic immorality; a unique approach to negotiation which seeks victory at every conference table rather than the achievement of a common goal through mutual sacrifice; a devious foreign policy built on guile, probing always for weakness, executing over and over again the classic maneuver—two steps forward and one step backward.

ABOUT FACE

In spite of all the contrived atmosphere of new-found cordiality, never have the Russians said one word that could be taken as a retreat from or abandonment of their ultimate goal of world conquest. They quarrel with their Chinese allies as to how best it can be accomplished, and some of us wishfully read into this quarrel an indication of weakness. If weakness there be, it can only be a manifestation of the truth contained in the old couplet:

> When the devil is sick, the devil a saint
> would be;
> When the devil is well, the devil a saint
> is he.

To me the very speed of the Russian about face on the test ban idea and the unseemly haste with which we rushed to Moscow in response make the risk of this particular deal loom greater than any other we have made and later seen repudiated.

Our second risk is in the field of science—the risk that we are consenting to the end of progress in the development of new scientific knowledge which can make nuclear explosions more useful in peace as well as war.

Here I want to quote Dr. Teller's testimony on this point, even though it has been referred to by others. I feel it is so basic to this problem that it cannot be overstressed. He has said:

> This test ban has something to do with knowledge * * *. It has something vitally important to do with knowledge concerning missile defense, concerning the vulnerability of our retaliatory forces. I believe that the Russians have acquired this knowledge. I believe that, because they have acquired this knowledge, they don't need any more atmospheric tests, and I believe that is why Khrushchev is willing to sign the treaty at present.
>
> He has knowledge, and he is now willing to stop and prevent us from obtaining similar knowledge.
>
> What we need is knowledge and that is what we don't have. To try to build up our missile defense forces without proper and complete experimentation * * * that can be performed faithfully and in a relevant way only in the atmosphere, to do without this experimentation is most hazardous.

No underground tests can take the place of the actual tryout.

SHARP CONTRAST NOTED

The rebuttal offered by the President and others, instead of reassuring me, only increases my fears. It assumes that both we and the Russians have come to the end of this road anyway—that the use of nuclear power in developing an antiballistic missile is, to use the President's own words, "probably beyond us, technically."

These words of the President contrast sharply with his position of a little over a year ago, on March 2, 1962. At that time, he indicated that we would not close the doors of scientific inquiry when he said:

> If we are to be alert to new breakthroughs, to experiment with new designs—if we are to maintain our scientific momentum and leadership—then our weapons process must not be limited to theory or to the confines of laboratories and caves.

I agree with the sentiment expressed by the President in 1962. I feel that there is an implied defeatism in his new post-treaty stand. Still, such pessimistic words are not surprising; we have heard their like before.

In 1933, Lord Rutherford, discoverer of the atomic nucleus, said:

> Anyone who looks for a source of power in the transformation of atoms is talking moonshine.

In 1945, Dr. Vannevar Bush informed a Senate committee that an intercontinental ballistic missile was "impossible."

ANTIMISSILE IS POSSIBLE

The claim that the H-bomb could not be built is perhaps the most pertinent illustration, because it directly involved Dr. Teller. He is now insisting, with the same fervor that brought victory in the H-bomb controversy, that an antimissile system is possible.

I was interested to note, in this connection, that Dr. Teller himself has often been wrong, by his own admission—but almost always when he said something could not be done. His score is much better when he has predicted that something could or would be done—which is precisely the point at issue.

But what of the Russians? Have they given up? Do they believe that it is beyond them too, or did something they learned—and they think we have not—

trigger their sudden change of attitude toward the test ban? Do they feel now that they have the key to military superiority regardless of our existing stockpile of nuclear weapons? Do they believe that they can prevent our delivery or explosion of these weapons? This is another area of knowledge to which we may be closing the door at great risk to ourselves.

The third risk grows naturally out of the other two. This is the military risk. To me, the testimony of our military leaders was very significant. When they were questioned about the military risk, most of them took refuge behind an idea whose expression seemed strange coming from their lips—the idea that possible political gains overshadowed the military dangers. We were asked to take comfort in the promise of safeguards, whose list continued to expand as new questions were raised. This promise of safeguards does not reassure me. It only throws into clearer relief the risks it is supposed to conceal.

RISKS OUTLINED

To make a compete list of military risks would mean almost a complete review of all the testimony; but among them I see these: the fallacy of depending on total nuclear megatonnage as a measure of relative strength and ignoring the factor of technical weapons improvement; the risk of giving up the chance for an antiballistic missile breakthrough; and the potential danger to our second strike capabilities. In spite of reassuring words, these risks just will not go away, particularly when we realize that the political arm of the administration apparently did not bring its defense arm into full consultation about the treaty and its risks until after the terms had been agreed upon, leaving the military men to do the best they could with a bad bargain.

This reminds me of the story of the glass of beer. When the bartender asked the proprietor if a customer's credit was good for a glass of beer, the proprietor's question was, "Has he had it?" When answered in the affirmative, the proprietor said, "Then he has to be good for it." The application here is too obvious to require further comment.

The fourth area—and the one with the greatest emotional appeal—involves the risk of fallout. In this case, my feelings regarding risk are reversed. Those who play upon the fears of our people and ignore actual experience are like the blind leading the blind. Dr. Teller and Admiral Strauss have both pointed out that it is possible to test in the atmosphere and still control the fallout.

UNIVERSITY SCIENTIST WRITES

In this connection, I would like to quote from a letter written by a scientist at the University of Utah who compiled data on radio-iodine exposures in Utah. This letter was written because some of his findings have been introduced into this debate in support of the treaty. Since it was circulated to all of Utah's Congressional Representatives, I feel free to quote from it. One paragraph reads as follows:

> The use of our data to support the adoption of a nuclear test ban treaty is disturbing to me, and I feel compelled to protest and discourage such use. My opinion is that these data cannot be properly used to either support or oppose this treaty. In a more lengthy article concerning our evaluation of the I^{131} incident of last summer (which will appear in the December 1963, issue of the Health Physics Journal) methods are discussed by which future exposures from weapons testing can be adequately controlled. One of these recommendations is not that weapons testing be suspended.

To some Senators, this treaty may seem to be a great and welcome breakthrough in man's age-old search for peace. I wish I could see it that way; but, to me, the fifth and greatest risk the treaty will create is the effect it will have on our attitude. In the end, our hope for peace may actually be set back. We are being warned against "euphoria," but that is only a pleasant sounding word which few people understand. Even before the treaty has been approved, words are being written and spoken about the great relief we will feel. We are being encouraged to make plans to spend, on peaceful programs, the money we are told will be saved because of the relaxed tensions.

HAVE TO SPEND MORE

Actually, unless all of the safeguards promised by the President are just window dressing, we will have to spend more, not less, in our nuclear laboratories to remain alert. But in the newly created atmosphere, we may not be able to maintain these safeguards; and peace will be jeopardized as a result.

In short, the treaty may prove to be like an exercise in self-delusion. We want peace; we want an end to the risks of nuclear war. But some of us want these so badly that we are blithely—yes, even blindly—ignoring all warnings, even those of the President.

To recapitulate, there are to me five areas of risk that this treaty will enhance, rather than eliminate: First, the risk of dealing with Russia, made clear by history; second, the risk of pinching out our scientific knowledge in this important field; third, the heightened military risk created by the first two risks just mentioned; fourth, the risk of basing a potentially tragic decision on an emotional reaction to the imagined danger of fallout while ignoring the possibility of controlling it; and fifth, the ultimate risk to permanent peace if Russia can develop military strength to match her desire for world domination, while we relax.

LET US NOT IGNORE HISTORY

As we prepare to vote, the lessons of history should bear heavily on our minds, and we should not ignore them. As men and Senators, we have an obligation to see the world as it is, not simply as we would wish it to be. We must realize that, terrible as nuclear weapons are, this awesome source of power held in our hands has helped keep the peace, however shaky. Our nuclear superiority—at worst, our nuclear parity—has purchased time and provided hope, albeit dimly seen, for a world one day to be ruled by peace and justice. Literally, this power has saved and preserved us a Nation, in the face of peril created by those who acknowledge no God, abide by no moral precepts, and follow no dream save that of world conquest.

Because I fear that by approving this treaty we are grasping for the shadow of peace and closing our eyes to the risk of actually losing its substance, I shall vote against consent.

Mr. SALTONSTALL. Mr. President, on September 9, the opening day of debate over ratification of the nuclear test ban treaty, I gave my reasons for deciding to consent to the treaty. Since that time, the debate has defined and circumscribed the basic issues in a far more objective light than was previously possible in an emotional atmosphere.

The difficulty in evaluating this treaty rests in the fact that we have been confronted throughout by conflicting interpretations and conclusions given by persons of equal stature, prominence, and integrity in the military and scientific communities.

Now the basic issues of a military nature are as follows:

1. HIGH YIELD WEAPONS

Military and scientific witnesses agreed that the accuracy of the missile is of far greater significance in achieving target destruction than is the yield of the warhead. There is doubt whether we would seek to develop this type of device even in the absence of a test ban treaty and the extent to which underground testing would permit us to close the "yield gap" is a matter of public record—up to 60 megatons for aircraft delivery and 35 megatons for ballistic missile delivery.

2. EFFECTS PHENOMENA OF HIGH YIELDS

It has been suggested that we run the most serious military risk by preventing ourselves from investigating nuclear phenomena because our missiles and launch sites might be vulnerable to them. However, those responsible for the design of these systems have stated that they were overly cautious and therefore, have a high degree of confidence in the ability of these systems to survive and operate in a nuclear environment. Moreover, we have devoted a tremendous amount of talent and treasure to the deployment of a wide variety of strategic retaliatory weapons systems so that if one particular system should experience a peculiar, unanticipated vulnerability, we will still possess a sufficient quantity of weapons of a different type in reserve which would not be similarly affected.

3. THE ANTI-BALLISTIC-MISSILE SYSTEM

The technological problems associated with the anti-ballistic-missile system are staggering.

It is extremely doubtful whether any defensive system can ever hope to cope with the tremendous variety of options available to the offensive systems.

Moreover, in this nuclear age, an anti-ballistic-missile system which is even 99 percent effective is still not good enough. It has to be 100 percent efficient in its protection because of the destructive force of a single warhead which might slip through.

4. VULNERABILITY OF WARHEADS

The various witnesses testified that some, although not all, uncertainties in warhead vulnerability can be resolved by underground testing. For those which cannot be resolved, we will rely on an overwhelming saturation of the defenses.

Our military leaders are highly confident that a sufficient number of our warheads would reach their targets.

5. CLANDESTINE TESTING

We can neither detect nor identify all suspicious events occurring within the large landmass of the Eurasian Continent, within the huge expanse of the seven seas, nor the vastness of space.

One of the four safeguards of the Joint Chiefs of Staff is designed to improve even more our detection and monitoring system of Soviet nuclear activities in all environments.

Moreover, the saving feature of the treaty is the fact our decision to withdraw from the treaty lies solely within our own discretion and cannot be blocked or delayed by requirements for consultations, negotiations, or vetoes.

6. POSITION OF JOINT CHIEFS OF STAFF

The Joint Chiefs of Staff have conditioned their approval of the treaty upon the four safeguards of vigorous underground testing, maintaining modern laboratories, maintaining a readiness to test in the atmosphere and improving our capability to detect violations. We have been assured that these safeguards will be forcefully implemented, and I am certain that the Preparedness Investigating Subcommittee of the Senate will maintain an alert watchfulness over the entire program.

Finally, in my opinion, there is far greater danger to our national security in continued, unrestrained testing of nuclear weapons than there is in the ratification of this treaty. True, this treaty represents a very small step and may, in the final analysis, be of little value, but it is a step which we must take in an attempt to achieve a more peaceful world.

By voting to consent to this treaty, let us earnestly work toward that goal.

Mr. McCLELLAN. Mr. President, until now I have not taken part in this debate, nor have I previously announced my position—how I shall vote—on the issue of approving the test ban treaty.

Since this debate began, I have been occupied with other senatorial duties, possibly matters of lesser importance but which nevertheless, required my attention. These other duties have precluded me from being present in the Chamber as much as I desired during the course of this debate. But, I have read most of the RECORD and much other material, both in support of and in opposition to the treaty. My preoccupation with other duties, however, is not the principal reason why I have not heretofore made my position known. In fact, I could not make it known, since I only came to a firm decision less than 72 hours ago.

For me, as for many of my colleagues, no doubt, this was not an easy judgment to make. It has been the hardest of any that I have experienced at any time during the 25 years that I have been a Member of the Congress. I can say unqualifiedly that it was my personal desire—my wish—to reach a different conclusion from that which I finally made. I tried faithfully, I struggled purposely, hoping that I could in good conscience vote the other way.

When the treaty was negotiated and announced, except for one reservation only, I had a completely open mind about it. I had no preconceived notion about its merits—whether on that basis it should be ratified or rejected. I approached my consideration of it objectively and diligently, weighing all of the pros and cons, as studiously and conscientiously as my opportunities, intellect, and wisdom would permit.

From the beginning, there were two basic and dominant factors that gave me grave concern. The first was the significant and formidable military advantage which Russia would gain; the second, the harmful propaganda or unfavorable worldwide consequences that might result from the Senate's rejection of the treaty.

If we do not recognize, or at least indulge the strongest assumption, that the Soviets have a positive technical and military advantage in this treaty we will disregard reality and proceed on a completely false and, I believe, dangerous premise. The Soviets unequivocally believe that this treaty is in their interest and that it places the United States at a disadvantage. Otherwise, they would not have signed it. In my opinion, the treaty imposes many disadvantages on us and creates risks that prudence and concern for our national interest compel us to reject.

We all know that Russia possesses today the largest, most powerful, and most destructive weapon ever developed by the resourcefulness and ingenuity of man. She has produced and tested this weapon—a hydrogen warhead of up to possibly a hundred-megaton capacity. This, we have not yet done. In that respect, Russia is ahead of us; she has that important advantage. In testing this weapon, she gained technical knowledge and information that we do not now possess and which we may sorely need, but which, under this treaty, we may never be able to acquire. How valuable that information is—how well and to what extent it can be used to the Soviet's advantage—I cannot say. I do not know. Our experts do not know. They have opinions and make guesses, but they do not agree among themselves, and this is an area of peril where I feel we cannot rely upon or trust our security to guesses and to "rough judgments."

I do not think that anyone will seriously question that Russia will continue to have a marked advantage in the field of high yield nuclear testing, while we, without the essential knowledge that such testing would give us, will have to struggle along under a decided handicap.

Furthermore, because we do not have the knowledge and information that high yield nuclear testing would provide, we will restricted to limited and wholly inadequate intelligence as to what the immobilizing and destructive consequences of high-yield megaton explosions may be on the EMP of our missile weapons system.

Thus, without knowing the extent of the damage that can be inflicted on our installations by a high yield nuclear strike, and without having provided the protection that our system would require to withstand such an attack, we take the risk of having our counter or retaliatory striking ability completely immobilized or destroyed. Moreover, our inability to test in the atmosphere could be critical in our efforts to develop and to deploy a successful and effective antiballistic-missile system, which system may become vital and indispensable to our defense, security, and survival.

In smaller weapons—the low yield field—it is contended that we have superiority, both in quantity and quality. It is also maintained that by underground testing, which the treaty permits, we can continue to make improvements and technological progress in that field and thereby retain the advantage we now hold with respect to these weapons. That may be true. But what is to keep Russia from catching up with us? She, too, can conduct unlimited experiments by underground testing. Therefore, under the treaty, she is afforded a full opportunity to develop further and to catch up in the category of weapons where she is now behind; while we, under the terms of the treaty, will be barred from testing the high yield nuclear weapons, the category in which we are behind.

I am not at all unmindful, Mr. President, that there are strong and persuasive arguments in favor or ratification of the treaty because of undesirable consequences that may result from its rejection. The United States was one of the original signers of the treaty. Since then, some 100 nations have subscribed to it. If we now refuse to approve ratification, confidence in our world leadership may be temporarily weakened or impaired. Our international prestige may suffer for a while. Rejection will afford Russia a propaganda weapon of which she can make good use.

These and other significant reasons, together with the President's stirring appeal and the strong support for the treaty evidenced in this body, weighed heavily with me throughout my deliberations on this most challenging issue. These considerations were neither forgotten nor disregarded. They were taken fully into account, but I found them inadequate to overcome the compelling objections that have been interposed to the acceptance of this treaty and the manifest risk that we incur by becoming a party to it.

It would be most pleasing and highly satisfying, if I could find it consistent with national safety and security to vote for ratification. But any arrangement or commitment with Communist Russia that requires us to lower our guard or to forgo actions that may be indispensable to our maintaining a military posture and readiness sufficiently imposing to provide a deterrent to her ambitious threat of aggression, most certainly is not in the national interest.

Such obligations and restrictions as this treaty imposes on us are not conducive to peace and to the safeguarding of freedom under the conditions that today prevail in the world. We cannot long survive in this struggle if we ever permit Russia to gain a decided overall military superiority. We still have, I believe, the measure of strength and supremacy necessary to provide a deterrent and to afford protection from aggression to us and the free world. I do not want to surrender or lose that position. I want to keep it and to make it even more secure. We cannot and we will not long maintain it if we misplace our trust in those who are avowedly dedicated to our destruction.

Can we trust Russia to keep this treaty? Based on her past performance, the answer must be "No." Nothing in her past actions recommends her to the confidence and esteem of the freedom-loving and peace-loving nations and peoples of the world. Her record with respect to broken treaties and unkept promises is treacherous and sordid, indeed.

I wish every citizen of this country might study and ponder that record. Although the recitation of breaches of trust and commitments which the Senator from Ohio [Mr. LAUSCHE] placed in the RECORD last Thursday is only "fragmentary," it is to me overwhelming in probative force and persuasiveness.

In my opinion, Russia will cheat on the fulfillment of her treaty obligations wherever and whenever she chooses. When she deems it to be in her interest, she will violate this treaty without any warning or compunction of conscience whatsoever.

Nothing in this treaty will prevent the Soviets from secretly making extensive preparations for a series of nuclear tests such as those the treaty is intended to prohibit. Having done that, she can resume testing at will.

We could not do that if we in good faith conform to the letter and spirit of the treaty, which we certainly would do. But Russia, on the basis of Communist standards of morality and integrity, would be under no such restraint or compulsion. According to the testimony of our experts, and on the assumption that we would spend hundreds of millions of dollars to keep in a substantial state of readiness for a resumption of testing in the prohibited environments, it would still take from 2 to 6 months after violation of the treaty by Russia for us to make our first test.

There are still other aspects of this issue, and many more facts and arguments which I have not mentioned in these brief remarks, that further demonstrate impressively the wisdom of Senate rejection of the treaty, and project strong reasons why the Senate should reject it. Most of them, however, have already been ably and eloquently presented in this debate by other Senators who share the concern and the views I have expressed. For this reason, I shall not extend my discussion of the question before us by repeating them. Therefore, I wish to close with emphasis on two facts and two conclusions that had much influence on my decision.

First, Mr. President, conceding the "little glimmer of hope" and the "small shaft of light" that others profess to see in this treaty for the reduction of armaments and the lessening of world tensions, these still do not have sufficient force and power to lift this venture above the realm of an unacceptable and dangerous risk which we cannot afford to take.

Second, and finally, Mr. President, if this treaty were between the United States and friendly nations, whose conduct and history warranted our full faith and confidence, we might well make a judgment on the issues involved with fewer apprehensions and with much less caution than we must now exercise under the attending circumstances. I do not regard Russia as a friendly nation. Her announced goals of subjugation and conquest are inimical to, and threaten, the future peace and security of the world. We know that in the past the Communist Soviet Government has broken many promises and has repeatedly betrayed international confidence. This should be a lesson and a warning to us. Sometimes I wonder when we are going to learn the true facts of life about communism.

We are here attempting to deal with a government that is so lacking in integrity and honor that she cannot safely be trusted. We cannot rely upon her sincerity of purpose and good faith, and thus be sure that she will keep and perform the solemn obligations of this treaty. There is simply too much at stake for us to take that risk.

Mr. President, I am therefore compelled, most regrettably, to withhold my "advice and consent." I shall vote against Senate approval of the treaty.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am happy to yield to the Senator from Mississippi.

Mr. STENNIS. I commend the Senator for the very fine presentation of his ideas with reference to this problem. It is a problem for all of us. His speech is full of logic, commonsense, and proper final analysis. I reached the same conclusion, but I had before me considerable testimony that never has been released. I do not know whether the Senator had an opportunity to read much of it.

Mr. McCLELLAN. I did not have an opportunity to read the testimony that was taken in executive session, but I have studied much of the material about the treaty.

Mr. STENNIS. The Senator certainly has analyzed it well.

Mr. McCLELLAN. I struggled with this decision. I spent two or three sleepless nights trying to bring myself to support the treaty; I say that in absolute candor. I wanted to go along with the majority of Senators, with the President, and with the other great leaders of this Nation who have faith in this treaty and in this arrangement. I wish I could; but I cannot and I do not. So I have no alternative course except to vote my convictions.

Mr. STENNIS. I commend the Senator from Arkansas for his approach and also for his conclusion.

Mr. McCLELLAN. I thank the Senator.

Mr. THURMOND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The time of the Senator from Mississippi has expired.

Mr. MANSFIELD. Mr. President, I yield to the Senator from South Carolina 1 minute.

The PRESIDING OFFICER. The Senator from South Carolina is recognized for 1 minute.

Mr. THURMOND. Mr. President, I commend the able and distinguished Senator from Arkansas for the clear, concise, and able statement he has just made.

Mr. McCLELLAN. I thank the Senator.

Mr. THURMOND. The distinguished Senator from Arkansas understands the dangers of communism; and I am pleased that he has made such a fine statement this evening.

Mr. McCLELLAN. I thank the distinguished Senator from South Carolina.

Mr. President, I yield back the remainder of my time.

Mr. THURMOND. Mr. President, proponents of ratification of the treaty have repeatedly brought out in debate that the testimony of the witness, particularly Secretary McNamara and General Taylor, was to the effect that the Joint Chiefs of Staff attach no military significance to the development of a very high yield nuclear warhead.

Testimony of General Taylor and Secretary McNamara does support the implication that the military chiefs have found no military requirement for the development of the big bomb. This testimony was given before the Foreign Relations Committee.

As I have pointed out in debate previously, the Joint Chiefs of Staff have approved a military requirement for a very high yield warhead.

This is stated in general terms in the testimony of General LeMay before the Foreign Relations Committee. At page 350 of the printed record of those hearings, the following appears:

> Senator PASTORE. Well, that leads me to this question, of course.
>
> We will be able to test underground, and so will the Russians, and we have superiority in small tactical weapons whereas it is quite admitted they have superiority in the larger yield weapons where atmospheric testing, of course, would be necessary in order to develop them.
>
> Do you see any military need for a 50- or 75-megaton bomb?
>
> General LEMAY. Yes, sir; I do. The Joint Chiefs have already recommended we go ahead with the development work on a large-yield bomb.
>
> Senator PASTORE. Is this a new policy?
>
> General LEMAY. It is not new as far as I am concerned. I asked for, the Air Force asked for, a high-yield bomb as early as 1954.
>
> Senator PASTORE. When you talk of high yield you mean over 50 megatons?
>
> General LEMAY. Yes, sir.

In the executive hearings of the Preparedness Subcommittee, the fact that the Joint Chiefs had concurred in a formal military requirement for the big bomb is spelled out in unmistakable detail. Since this matter came up in debate a week ago today, the Preparedness Subcommittee has been attempting to get the Department of Defense to remove the security classification from this testimony. The Department of Defense has done nothing but procrastinate.

A false impression has been created by publicly released testimony as to a very important issue in the debate on the ratification of the treaty of Moscow.

Testimony which contradicts this false impression remains classified, and all attempts to get clearance from the Department of Defense have failed. The time for the vote is almost upon us, and the Department of Defense is still stalling.

Under the circumstances, one can only draw the conclusion that the Department of Defense is deliberately withholding information in order to perpetuate the false impression created by the testimony before the Foreign Relations Committee. Since the testimony of the Foreign Relations Committee has been released the Preparedness Subcommittee testimony on this point should be released by the Department of Defense and not suppressed under the pretense of security.

This is unconscionable conduct. It is an example of a "coverup" of the facts. Sooner or later, such duplicity will surely come home to haunt the Secretary of Defense.

This is a direct responsibility of Secretary of Defense McNamara. It is not the first such occurrence, and it will probably not be the last unless Mr. McNamara is taught, once and for all, that the Senate will not tolerate such conduct. Only the Congress can teach this lesson.

Everyone, but particularly the Nation, suffers when the issues on national questions are framed and twisted through such antics.

It now appears inevitable that the Senate will advise and consent to the Treaty of Moscow. I am not unaware that debate rarely determines the outcome of issues before the Senate. Since the debate on the treaty so far, and the presentation of facts in the debate, have failed to turn the Senate's judgment against advising and consenting to the ratification of the treaty, the possibility is extremely remote that anything said now will influence the outcome of the vote.

Nevertheless, the outcome can never be absolutely certain until the vote has been taken. Because of the degree of the risks involved, and the fact that the consequences, should the hazards of this treaty materialize, are so conclusive and final, however, the probability of futility cannot outweigh the demands of my conscience to offer one last plea for rejection of the treaty.

THE STAKES

Contrary to some assertions, this treaty is of major substantive consequence, in and of itself, and entirely over and above its significance as a "first step" to some new, and as yet, unlighted path.

In so stating, I do not mean to mitigate the role of the treaty as a preliminary, but direction-setting action, the sequences of which may, and probably will be, ventures in the perils of accommodation more obvious than those embodied in this treaty. The very preamble of this treaty suggests further steps toward national disarmament and the vesting of determinative, if not all consequential military power in the United Nations. In immediate prospect, there seems to be such talked-of Chamberlainisms as an East-West nonaggression pact; cutbacks—by the United States, at least—in the output of nuclear reactors; transfers of nuclear materials on some unknown ratio by the United States and the U.S.S.R. to the United Nations; and even agreements, on some as yet undisclosed formula, on the German and World War II questions. It is hard not to conclude that the next, or second, step constituted by increased trade between East and West, whereby the United States relieves, initially, the foremost deficiency of the Communist rule—its inability to produce the minimum requirements of food for the population under its control—has already been agreed upon, either subsequent to, or as a part of, the test ban negotiations.

Whatever may be the judgments of the degree of comparative risks as between the test ban treaty and the steps which follow, the stakes involved in the Treaty of Moscow are greater. In fact, they could be total.

If the proponents of the treaty are correct in their assessment, we could, at most, have more relaxed tensions, greater international stability and a peaceful international environment.

If the proponents are wrong, and the risks materialize, we could be faced with the alternatives only of surrender or nuclear war.

The stakes riding on this treaty could prove to be freedom and slavery, life or death.

THE CHOICE: REALISM OF FINITE DETERRENCE OR IDEALISM OF DISARMAMENT

Our goal—and on this I have confidence that the Senate would vote unanimously—is liberty and peace, for ourselves and for all men.

It is not a new goal for Americans; it was a cornerstone of our Nation's emergence.

The methods followed by the United States in pursuit of this goal have varied, as has the degree of vigor with which any particular method has been pressed.

Since World War II, the United States has been faced with a constant, intense and serious threat from communism to our goal of liberty and peace. The threat has taken many forms, simultaneously, and our methods of countering the varied forms of assault on liberty and peace have varied and fluctuated in degree of successfulness.

As to one element of the threat from communism—nuclear war—we have achieved total success. We have prevented the threat of nuclear war from materializing, while at the same time, we have largely prevented the threat, itself, of nuclear war from being successfully used to diminish our liberty or the liberty of others.

The method which we have followed to maintain our goal of liberty and peace, and to avoid the destruction of our goal by nuclear war or the threat of it from the forces of communism, is a policy of deterrence.

The policy of deterrence is not a mere strategy for winning a nuclear war; it is a method of preventing the occurrence of a nuclear war and of preventing aggression under the cover of the threat of nuclear war.

The policy of deterrence has three essential elements: the maintenance of overwhelming military power; the will to use the finite deterrence upon occurrence of events sought to be deterred; and the belief by those sought to be deterred that the superior power exists and would be so used.

It has been suggested that there is a better and less burdensome method to achieve our goal of liberty and peace—disarmament.

It seems an unavoidable conclusion that the premise which must underlie the faith in disarmament as a method to achieve peace is the presumption that armaments are the cause of war. The premise is false. Wars are caused by the power lusts of men. The actions of Communist leaders have demonstrated beyond their ability to erase with words that they are possessed by an ideology founded on lust for power.

It is human to hope the Communist leaders have changed.

It is idealistic and unrealistic to believe they have changed.

A finite deterrence is a method of realism.

Disarmament is a method of idealism.

The Treaty of Moscow is a step away from the method of finite deterrence and a step toward disarmament. The distance of the step is measured by the degree of risks which the treaty comprises to our ability to maintain a large margin of superiority in strategic nuclear forces.

PREREQUISITE OF A DETERRENT FORCE

Since our strategic nuclear forces are designed to serve as a deterrent force, they must be overwhelmingly superior to those of our potential enemies.

As we have no intention of violating our goal of peace, we have decided and announced that not only will we not strike first with our nuclear weapons, but also we will not anticipate a nuclear strike from others. Our strategy contemplates that we shall not strike back at an enemy until his first blow has actually landed.

We have deliberately announced our intention to permit the enemy the first blow; and should it come, that first blow will undoubtedly fall on our nuclear forces.

Our superiority must, therefore, be so great, that even after we lose all the weapons system that any enemy can destroy or neutralize with the first and heaviest blow the enemy can deliver, we will still have remaining sufficient nuclear power to destroy the enemy. So great must be the margin of our nuclear forces that would survive the first blow of an enemy, that the enemy knows in advance, beyond question, regardless of what he can muster for his first strike, our surviving forces will be so strong as to do our enemy far more damage than he could do to the United States, even with the first strike.

To constitute a deterrence, our margin of superiority in strategic power must be overwhelming.

THE RISKS: IDENTIFICATION AND MEASUREMENT

The risks in the treaty to our ability to maintain the necessary margin of superiority of strategic nuclear power can be identified and measured by considering the facts relevant to a chart included in the report of the Preparedness Subcommittee. This chart lists the highest priority objectives for which the United States would or could conduct nuclear tests in the absence of any restrictions, and indicates as to each of these test objectives whether it could be met under the terms of the treaty.

In order to measure the risks, there are several additional factors which must be considered in relation to each of these test objectives.

First, do the Soviets also need to test for this objective?

The Soviets do not have a second strike strategy. They have no plans to absorb a first blow. For this reason, they possibly do not have as many priority test objectives, and as to some of those objectives which are common to the United States and the Soviet Union, there is a lesser priority for the Soviets to meet the specific objective.

Second, will the Soviets be able to achieve the particular objective when the treaty is in force?

Third, from what point of level of knowledge do the United States and the Soviet Union begin?

No accurate measurement of the degree of risks involved can be made without considering, to the extent we have such knowledge, what each of the powers knows or probably knows with regard to the particular phase of nuclear technology when the treaty goes into effect.

In so examining each of these test objectives as to measure the risks to our capability to maintain a deterrent force, it is necessary to be ever conscious that a deterrent requires a considerable margin of superiority. Parity is not enough.

These objectives are stated in terms of technology or knowledge. These objectives do not affect the status of our forces at present, nor the margin of our superiority in deployed weapons systems. The degree to which these objectives are met will determine the quality of what we can have in the way of finite weapons systems in the future.

There are 19 priority test objectives listed by the subcommittee. These objectives are established, not speculative. Of the 19, 6 objectives could be satisfied by underground testing permitted under the treaty, 1 could be partly accomplished, and 12 objectives could not be accomplished.

These objectives, the tests for which would not be prevented by the treaty, are:

First. Response of hardened underground structures to ground motion.

Second. Reduction of missile warhead and nose cone vulnerabilities to nuclear explosions.

Third. Development of weapons requiring less fissionable materials than present designs.

Fourth. Development of pure fusion warheads.

Fifth. Development of reduced fallout weapons.

Sixth. Yield verification tests of stockpiled weapons up to approximately 1 megaton.

The objective for which necessary tests will be partially inhibited is the development of an ABM warhead with maximum lethality and minimum blackout properties.

Those priority objectives which cannot possibly be achieved under the terms of the treaty are:

First. Survivability and responsiveness of hardened missile launch complexes to high-yield nuclear explosions.

Second. Response of hardened underground structures to blast and cratering from high-yield surface burst nuclear weapons.

Third. Determination of missile warhead and nose cone vulnerability to nuclear explosions during atmospheric reentry.

Fourth. Study of atmospheric and high-altitude radar blackout phenomena.

Fifth. Study of communications blackout phenomena from high-yield nuclear explosions.

Sixth. Full-scale operational tests of ABM systems.

Seventh. Development of very high-yield warheads, equal to or surpassing Soviet achievements.

Eighth. Determination of very high-yield nuclear weapons effects.

Ninth. Determination of underwater nuclear weapons effects for improved antisubmarine—ASW—systems.

Tenth. Full-scale performance and reliability tests of Minuteman and Titan missile systems.

Eleventh. Yield verification tests of stockpiled weapons above approximately 1 megaton.

Twelfth. Troop and crew training tactical exercises using nuclear weapons.

These priority objectives must be pursued vigorously if we are to have, in years to come, the best weapons systems of which we are capable. Since a very large margin of superiority of strategic power is essential to an effective deterrent, preclusion of any priority objective weakens our deterrent capability for the future. The treaty would preclude achievement of approximately two-thirds of our highest priority test objectives.

What will be the effect of the treaty on the Soviets as to these objectives?

The Soviets will be unaffected, as will we, in their capability to test for the six objectives in the first category. Presumably, the Soviets do not have the objective as to response to hardened underground structures to ground motion on as high a priority as do we, for they do not rely on a second strike strategy.

With respect to the 12 priority objectives for nuclear testing, which would be precluded under the treaty, the following factors are significant:

The Soviets probably have a lesser priority on the two objectives relating to vulnerabilities of hardened missile launch complexes, because of their first strike strategy. To the extent that they do have priority objectives of determining the vulnerabilities of our hardened missile complexes, it is possible that a part of these objectives was achieved in their weapons effects tests in the 1961–62 series.

One of our priority test objectives is the "development of very high-yield warheads, equal to or surpassing Soviet achievements." From the very statement of the objective, it is obvious that the Soviets achieved this objective, and that we cannot, on the basis of our current knowledge, duplicate their very high-yield warheads.

The Preparedness Subcommittee found that—

> By virtue of its large, multimegaton weapons tests, it is prudent to assume that the Soviet Union has acquired a unique and potentially valuable body of data on high-yield blast, shock, communications blackout, and radiation and electromagnetic phenomena which is not available to the United States.

A comparison of this finding with the 12 priority test objectives, which are precluded by the treaty, reveals that this finding of a Soviet lead in technology applies to 5 of the 12 objectives.

The Preparedness Subcommittee report also states:

> In the field of weapons effects experiments related to the design and development of an effective antiballistic missile (ABM) system the evidence, although less conclusive, indicates that the Soviet Union in 1961 and 1962 conducted a series of complex high altitude operations which, if properly instrumented, could have provided substantial and important data on the various types of radar blackout and nuclear effects. These Soviet experiments were clearly dictated by an ABM development program.
>
> The United States has conducted no experiments comparable in complexity to those Soviet operations and a disturbing number of the U.S. high-altitude-effects experiments which were conducted were compromised either by considerations unrelated to the technical objectives of the test program, by inadequate or faulty instrumentation, or by operational inadequacies.

This finding leaves no alternative but to assume that the Soviets have partially or totally achieved 2 other of the 12 priority objectives which would be precluded by the treaty.

Considering the number and yield of Soviet tests during 1961 and 1962, we must assume that their stockpiled weapons above 1 megaton have been tested for yield verification.

The United States has not engaged in troop and crew training using nuclear weapons, but the Soviets have so engaged. This is a continuing objective, but the Soviets have a virtual monopoly of experience.

Our two latest and most relied-on weapons systems, Minuteman and Titan, have not been subjected to full-scale performance and reliability tests. Deployed Soviet weapons systems have undoubtedly been so tested during the 1961 and 1962 series of tests. The weapons systems which they may design, based on information from the recent series of tests, could not have been proof tested, and could not be proof tested without violation of the treaty.

As to the two remaining priority objectives, we have little knowledge on which to base judgment of the Soviet progress to date. We are in the dark.

Of the 12 high-priority test objectives which the United States now has, but which would be completely precluded by the treaty, the Soviets probably have a lower priority on two. They positively have totally achieved one objective; they probably have achieved most, if not all, of nine other of these objectives; and they possibly have at least partially achieved the other two objectives.

In the 12 high-priority areas, where our priority test objectives will be thwarted by the treaty, there is not one area in which we have any assurance that the Soviets have not already achieved or partially achieved the objective.

A breakthrough on even one or two of these objectives could provide the key to superior strategic power in the future for whoever makes the breakthrough. We have no assurance that the Soviets have not already acquired such a breakthrough. The breakthrough could be in an ABM system, electromagnetic phenomena, gamma rays, or some effect which is still totally unknown to the United States.

Even a partial breakthrough, when converted to weaponry and used in a first strike, could provide the Soviets with enough to persuade them that the risks of nuclear war were acceptable. Even a parity in quality of weapons, combined with a free first blow, might weight the scale for nuclear war.

These are the risks to our deterrent. They are serious and formidable. They are not certain to materialize, but the odds are substantial that they will.

NONMILITARY CONSIDERATIONS

Against these serious and formidable risks must be weighed certain nonmilitary considerations.

Unlike the risks to our deterrent, the nonmilitary considerations are not finite.

Like the risks to our deterrent, whether the nonmilitary considerations will materialize is not certain.

In contrast to the risks to our deterrent, the consequences of the nonmilitary considerations are far less than total, and their weight negligible.

INHIBITING PROLIFERATION

Proponents of ratification of the treaty of Moscow alleged the treaty will inhibit the proliferation of nuclear weapons. The degree of inhibition is slight, at best.

The danger of proliferation varies substantially as between the nations to which nuclear weapons are, or might be, proliferated. The acquisition of nuclear capabilities by one of our NATO allies creates no major danger for the United States. The greatest problem of proliferation, from the standpoint of the United States, is China's achievement of a nuclear capability. This the treaty will not prevent nor inhibit in any way.

The probability of proliferation is not so great as might appear at first glance. Many small nations do not have the economic capacity to undertake a nuclear weapons program; for in addition to the warhead program, they must also undertake the heavy burden of delivery systems. Many small nations which might have the economic capability would probably, even in the absence of the treaty, decide against acquisition of a nuclear capability. Prior to the advent of the treaty, nations in South America had already established a nuclear-free zone on that continent.

More important, the treaty will at most inhibit, if at all, only one of several means of proliferation—that means of acquisition which lies in internal development, including testing. As to this means of acquisition, it should be stressed that the treaty will at most inhibit, but not prevent, the acquisition of nuclear weapons by other nations; for nations could obviously acquire a nuclear capability through development with underground testing only.

Since the initial acquisition of a nuclear weapons capability solely by research and testing by the United States, self-development has not only not been the only means of proliferation, it has not been the principal means of proliferation.

Other means of proliferation include transfer of weapons themselves, or the nuclear technology, from an existing nuclear power. The transfer could be by sale or gift, as a result of an alliance. The acquisition of essential knowledge could be by means of espionage or theft. Testing for initial and crude weapons development, if necessary, could be done underground. The treaty would inhibit none of these means of proliferation in the slightest.

The nuclear capability of Great Britain resulted in no small part from transfer of information and material from the United States.

The initial capability of the Soviet Union in the nuclear weapons field resulted in no small part from the theft of knowledge and acquisition of fissionable materials from the United States.

Red China's current nuclear potential is a direct result of admitted assistance by the Soviet Union. The Communist Chinese nuclear laboratories were set up by the Soviets. The Soviets gave the Chinese Communists very essential assistance in mining and refining the essential raw materials for nuclear weaponry. The Soviets assisted the Red Chinese in constructing production facilities for fissionable materials.

Much has been made of the nuclear potential of Israel. Israel's current potential resulted largely from acquisition of financing and knowledge by Israel from France.

It has been pointed out that the Soviets share the United States concern about proliferation of nuclear weapons. It should also be pointed out that the primary concern of the United States is proliferation of nuclear weapons to Communist China, while the direction of proliferation which most concerns the U.S.S.R. is quite clearly Germany, now that France has a nuclear capability.

The proponents of the treaty claim that the treaty will not inhibit the establishment of a NATO multilateral nuclear force. This is a form of proliferation which will cause concern to the Soviets.

We have no means of knowing that the Soviets will not establish a multilateral nuclear force in the east European satellites, which, since the Soviet Union controls the foreign policy of the satellites, is equivalent, from a practical standpoint, to proliferation of nuclear weapons to the Communist satellite countries.

The treaty will accomplish precious little toward inhibiting proliferation of nuclear weapons.

One thing is certain; the treaty does not affect proliferation of a nuclear weapons capability to Red China, the most dangerous aspect of proliferation to the United States and the free world.

It will inhibit, at most, only one of several means of proliferation, and that but slightly.

As a factor to be weighed against the risks to our deterrent capability, inhibitions of proliferation of nuclear weapons by the treaty is a featherweight.

RADIOACTIVE FALLOUT

The hazards of radioactive fallout from nuclear testing have been greatly exaggerated. The best scientific testimony is to the effect that the effects of radiation from fallout resulting from nuclear testing is less than the level of radiation from natural background sources.

Radiation from all testing so far has not reached a level which could be harmful or dangerous. Both the Soviets and the United States have made great progress toward the development of "clean" nuclear devices, which are more effective from a military standpoint. Thus, future testing in the atmosphere by either side would probably result in even less radioactive fallout per unit of yield tested than has been the case in the past.

Undoubtedly, there exists rather widespread fear of fallout, however unfounded or exaggerated. Other factors permitting, it is desirable to remove all basis for such exaggerated and ungrounded fears and to eliminate any remote possibility of danger from radioactive fallout resulting from nuclear testing.

This objective pales in significance, however, when compared to the risks to our deterrent capability, and the consequences of not accomplishing this objective are slight in relation to the total consequences of the military hazards. Dr. John Foster, the director of the Lawrence Radiation Laboratory at Livermore, Calif., came to virtually this same conclusion when testifying before the Senate Foreign Relations Committee. He said:

> I think, sir, that the problem or the question of fallout is of insignificance, or little significance, compared to the major issue with which the development of warheads is attempting to deal.

Also, in the Foreign Relations Committee hearings, Dr. Glenn Seaborg, Chairman of the Atomic Energy Commission, made the point, in answer to a question by Senator RUSSELL, that fallout "is a considerable distance" from endangering the human family.

IMAGERY

Much has been made of the fact that many nations of the world have already signified their intention to officially subscribe to the terms of the Treaty of Moscow after it is ratified. Most of these countries have lauded the treaty as a step in the direction of a peaceful environment. If the U.S. Senate should now decline to advise and consent to the ratification of the treaty, it would cause damage to the image of the United States as a champion of peace in the eyes of the world.

It is, of course, unfortunate—to be charitable—that parties other than the original three were invited to sign up prior to consideration by the original parties of the question of ratification. This anticipation shows either a poor sense of diplomatic timing or a proclivity for intimidation. It is a fact, however, that the countries of the world are quite well aware that the treaty cannot bind the United States without the advice and consent of the U.S. Senate. Action by the U.S. Senate on the League of Nations Treaty served to impress this fact indelibly on the diplomatic personnel throughout the world. Their signification of intent to become parties to the Moscow Treaty, if ratified, was done in full knowledge of this fact, and they should be prepared to face the decision of the Senate, whatever it is.

This, of course, does not alter the fact that the image or prestige of the United States, whatever it now is, would be impaired to some unascertainable extent should the United States now decline to ratify the treaty.

Prestige, or as the orientals call it, face, is at best an illusory and transient quantity, of some significance, but impossible to measure. Its consequences are rarely, if ever, determinative of issues. Popularity is desirable and flattering to the ego of both individuals and nations, but it is not nearly as important as respect, and never so valuable as to warrant purchase at a price of sacrifice of principle or substance.

With the proper public relations expressed in terms of the protection of the lives of mankind, and turned toward the other peoples of the world, for a change, the United States could minimize any loss of face and make it temporary, at most.

As a counterweight to the risks to our deterrent capability, the relatively inconsequential risks from damage to the image of the United States are not materially significant. Dr. Edward Teller eloquently summed up the answer to the international imagery question when he warned the Senate Foreign Relations Committee that:

> If you reject the treaty this will be a small mistake. * * * If you ratify this treaty, I think you will have committed an enormously bigger mistake. * * * You will have given away the future safety of this country.

A DECISIVE QUESTION

There is one underlying and overriding question on which judgment as to the advisability of ratification of the treaty by the United States must turn.

The question is: Did Khrushchev make a decision in the spring of 1963 to abandon reliance on nuclear weapons as one means by which he could or would attempt to achieve his goal of world domination?

There can be no serious question of the fact that Khrushchev still adheres unswervingly to the resolute aim of Communists to dominate the world. Without exception, the witnesses who testified on the question of ratification of the Treaty of Moscow concurred on Khrushchev's continued pursuit of this dangerous, and war-pregnant purpose.

Prior to the spring of 1963, there is no dearth of evidence, in both actions and words, which demonstrate beyond any doubt that Khrushchev placed a primary reliance on the Communists' capability to develop and use nuclear weapons, in the form of either nuclear war or the open threat of nuclear war, to achieve their goal of world domination.

The series of nuclear weapons tests conducted by the Soviet Union in 1961 and 1962 was a major effort to which the highest priorities and preciously scarce resources were devoted by the Soviet Union in quantity. When these tests were planned and executed, Khrushchev clearly intended to rely on nuclear weapons as a means of conquest.

In 1962, Khrushchev made an attempt to upset the balance of nuclear strike power by putting nuclear missiles in Cuba where they could strike at the major military control centers of the U.S. nuclear retaliatory forces by the back door, where we had no warning net. It is now clear that Khrushchev was attempting to set the stage on which he thought he could force a nuclear showdown and either demand our surrender or pull the holocaust string. Whether he would have chosen to deliver an ultimatum or to unleash a sneak attack, we neither know, nor, in all likelihood, will ever learn. Khrushchev's actions in Cuba last fall do prove unequivocally, however, that at that time Khrushchev placed heavy reliance on nuclear weapons as a means of conquest of the world, and particularly, the United States.

In mid-1962, the Soviets published a book entitled "Military Strategy" which is edited by Marshal V. D. Sokolovskii, who until 1960 was, among other things, Chief of the Soviet General Staff. This is the first comprehensive work on Communist or Soviet military strategy since 1923. The theme of this enlightening work is unmistakable: The Soviets believe unquestionably that the war of the future will be nuclear and total. In the opinion of the Soviets, the initial phase of nuclear war will be decisive. And the Soviet strategy comes through loud and clear, both from emphasis and repetition: "Preemptive strike," which in the context it is used means "surprise attack." This book, the most authoritative words one can get from the Communists, shows that the Soviet strategy for conquest of the world, in 1962, lay in the nuclear weapons field.

In late 1962, there can be no question of Khrushchev's reliance on nuclear weapons as one potential means of conquest of the world. If such reliance has been abandoned by Khrushchev, the change could not have come before 1963.

The question as to Khrushchev's intent, as of 1963, is raised by the fact that in 1963, Khrushchev reversed his previous position in opposition to a three-environmental test ban treaty, and negotiated, with appearances of relish, the Treaty of Moscow.

Two fundamentally contradictory theories as to Khrushchev's motivation, causing his flip-flop in position, have been advanced.

The theory has been advanced that Khrushchev decided in 1963 that he could never hope successfully to challenge the United States with nuclear weapons. The theory is premised on the speculation that Khrushchev was badly shaken by the close brush with nuclear war which his missiles-to-Cuba effort precipitated. The possibility is also advanced that the results of the Soviet series of tests in 1961 and 1962 were disappointing to Khrushchev, and persuaded him that nuclear weapons competition with the United States was hopeless. To this is added the premise that Khrushchev is afraid of the possibilities of China's nuclear potential.

The alternate, and an incongruous rationale, is that Khrushchev, far from abandoning nuclear weapons as a means of global conquest, reversed his position, under changed circumstances, precisely for the purpose of enhancing his chances for attaining nuclear superiority. It is possible, even probable, that the Soviet evaluation of their series of nuclear weapons tests in 1961–62, produced new knowledge in nuclear techniques. This new knowledge, in the opinion of the Soviets, might provide the basis for design of new weapons systems which would give them nuclear superiority or sufficient nuclear strength to make acceptable the risk of a showdown ultimatum or a surprise attack on the United States and the free world. If a breakthrough in technology did result from the Soviet series of tests, it would logically be to their advantage to secure a freeze or the maximum inhibition on the acquisition of nuclear technology by the United States and the free world in those areas of technology in which the Soviet achievements were attained. Since Soviet productive capability for weapons systems is substantially inferior to that of the United States and other free nations, a freeze or inhibition on new technological advantages in nuclear weaponry in the free world would increase the probability that the Soviets could manufacture and deploy radically new weapons systems sooner than could the United States. The three-environmental test ban treaty would accomplish such an objective.

In view of the long history of adherence by Khrushchev and the other leaders of communism to their overriding aim and goal of world domination, together with Khrushchev's clearly evidenced reliance on nuclear weapons as one means to accomplish that aim and goal, mere words from Khrushchev and other Communist leaders are hopelessly inadequate to overcome the strong presumption that Khrushchev's reliance on nuclear weapons continues. Unfortunately, insufficient time has lapsed since Khrushchev's apparent reversal of position for the more idealistic in the free world to observe Communist actions from which to derive a conclusive judgment as to his intentions with regard to future reliances on nuclear weapons.

It is rather difficult to conclude that Khrushchev's reaction to the developments in Cuba last fall did not partake more of disappointment than fright.

His actions in Cuba, as well as others, indict him as a calculating man. His reactions attest to the fact that his missiles-to-Cuba operation was undertaken only after due consideration of, and preparations for, any consequence or development.

It is just as improbable that Khrushchev abandoned his reliance on nuclear weapons as a means of conquest because of the Soviet evaluation of the 1961–62 series of tests. Although we have insufficient knowledge of the Soviet tests to accurately and precisely measure the Soviet gains in technology, we do have ample knowledge to know that the Soviets made substantial relative gains as compared to the nuclear state of the art in the United States. Only with the aid of gullibility as a lubricant could one swallow the proposition that Khrushchev, at the very time when he had succeeded in making substantial gains on U.S. nuclear technology, and outstripping the United States technologically in certain areas, had suddenly abandoned his reliance on nuclear weapons as a means of conquest.

Neither, in the light of known facts, can the premise that Khrushchev is afraid of China be given any substantial credence. Despite the evidence of a power struggle between the Communist leadership in the Kremlin and the Communist leadership in Peiping, the fact remains that Red China is still militarily, and to a major degree, economically, dependent on the Soviet Union. If Khrushchev is really afraid of Red China, why does he not cut the trade strings from the Soviet Union and the Communist bloc to Red China, and thereby bring down the present Communist government and leadership in China, as he surely could?

There are, of course, a number of facts known, derived from actions controlled by Khrushchev in the last few months, which weigh heavily against any premise that Khrushchev has abandoned reliance on nuclear weapons.

In July 1963, even at the time the Treaty of Moscow was being negotiated, the Soviet Union was conducting nuclear tests.

It is also significant that Khrushchev did not agree to a ban on underground testing, accompanied by on-site inspections. If he had contemplated ending his reliance on nuclear weapons, it would logically seem to his advantage to have included in the treaty a ban on underground testing. It was also somewhat more than significant that the Soviets have been, and even now are, making extensive preparations for underground testing.

To these actions can be added the admittedly boastful and exaggerated claims by the Soviets that they now have nuclear superiority over the United States, and that their nuclear superiority will be perpetuated by the Treaty of Moscow.

As late as September 3, 1963, Marshal Malinovsky, the Soviet Defense Minister, wrote in Pravda that the Soviet Union can "prove its complete military superiority over the United States."

Witnesses for the administration have stated that this treaty is not based in any part on trust of the Communists or trust of Khrushchev. Technically, the witnesses are correct. The word "trust" implies some basis in fact or experience for faith. Yet, the opinion that Khrushchev has abandoned his reliance on nuclear weapons as a means of achieving his aim and goal of world domination can have no such basis in fact or experience, for both facts and experience support a contrary and incompatible conclusion exclusively. Such an idealistic opinion can have no foundation in mere "trust"; such an opinion can derive from nothing more substantive than naivete, gullibility, and mental gyrations, stimulated by wishful thinking.

The choice between these alternative motivations, which are attributed to Khrushchev, can be decisive—not just as to the question of whether the Senate will advise and consent to the ratification of the treaty of Moscow, but also to the issues of freedom and slavery, life and death.

SUMMARY OF ISSUES

What should be the decision on ratification?

The stakes, or consequences, could prove to be total: freedom or slavery; life or death.

The Senate is faced with a choice between the realism of finite deterrence and the idealism of disarmament.

The prerequisite of a deterrent force is nothing less than overwhelming superiority of strategic nuclear forces, the maintenance of which is a severe challenge even in the absence of any self-imposed limitations on our ability, whether such limitations be undertaken unilaterally or by treaty.

Against those risks must be weighed the nonmilitary considerations: The slight contribution to some inhibition of proliferation of nuclear weapons; the desire to eliminate the diminutive, but exaggerated hazards of fallout, and the emotion-based fear of it; and our reluctance to jeopardize to some degree the image of the United States, to the extent we have such an image, as a leader in the idealistic quest for a disarmed world. When brought down from the clouds and weighed in scales set firmly on the ground, these nonmilitary considerations cause the scales to record some weight, but the measurement is, on, so slight.

In the final analysis, one must choose between incongruous alternatives as to Khrushchev's fundamental motivation to decide the fundamental question: Has Khrushchev abandoned reliance on nuclear weapons as a means to achieve his goal of conquest? An affirmative answer can draw for support on nothing more substantial than gullibility, naivete, and wishful thinking.

CONCLUSION

The situation in which the Senate now finds itself is illustrated by a story of a hunter and a bear: A hunter took careful aim at a huge bear. About to pull the trigger, the hunter heard the soothing, beguiling voice of the bear: "Is it not better to talk than to shoot? What do you want? Let us negotiate—let us talk about this."

Lowering his rifle, the hunter said: "I want a fur coat."

"Good," said the bear. "That is negotiable. I only want a full stomach. Let us negotiate a compromise."

They sat down and negotiated. After a time, the bear walked away alone.

The bear had his stomach full, and the hunter had his fur coat.

Before the final vote is taken on the treaty, and before the Senate undertakes to play the role of the hunter in this story, I would again remind my colleagues of Rudyard Kipling's words in his poem, "The Truce of the Bear":

> When he stands up as pleading, in wavering,
>   man-brute guise,
> When he veils the hate and cunning of his
>   little, swinish eyes;
> When he shows as seeking quarter, with
>   paws like hands in prayer,
> That is the time of peril—the time of the
>   Truce of the Bear.
> Eyeless, noseless, and lipless, asking a dole
>   at the door,
> Mantun, the old blind beggar, he tells it
>   o'er and o'er;
> Fumbling and feeling the rifles, warming his
>   hands at the flame,
> Hearing our careless white men talk of
>   the morrow's game;
> Over and over the story, ending as he
>   began:—
> There is no truce with Adam-zad, the Bear
>   that looks like a Man.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. PEARSON in the chair). Without objection, it is so ordered.

Mr. STENNIS. Mr. President, will the Senator from Montana yield me 12 minutes?

Mr. MANSFIELD. I am delighted to yield to the Senator 12 minutes.

Mr. STENNIS. Mr. President, I thank the Senator from Montana for his fine courtesy in suggesting a quorum call.

The PRESIDING OFFICER. The Senator from Mississippi is recognized for 12 minutes.

Mr. STENNIS. Mr. President, I shall not long delay the Senate in these closing hours of the debate on the question of whether it will consent to the ratification of the nuclear test ban treaty. I wish to comment briefly, however, on three matters with respect to this subject.

First, let me say that I concur wholeheartedly in the statements made earlier today by the distinguished Senator from South Dakota [Mr. MUNDT] with respect to the methods and tactics used in negotiating and presenting this treaty. I agree wholeheartedly that it has been presented to us as an accomplished fact which some Senators feel they are almost compelled to approve. A repetition of procedure of this type with respect to future treaties can serve only to downgrade the role of the Senate in the constitutional advice and consent process. The administration's commitment of our Nation to this treaty before all the world and the subsequent strong reliance on the "we have gone too far to turn back now" argument have very clearly handicapped us in passing upon the merits of the treaty. I shall be pleased to join the Senator from South Dakota and any other Senators in taking such effective action as may be necessary to prevent a recurrence of this procedure.

Second, I wish to refer briefly to the question of the very high yield nuclear bomb. During the course of the debate there has been much discussion as to whether there is or is not a military requirement for it and whether such a requirement has been stated. Let me say to the Senate that information in the record of the hearings of the Preparedness Investigating Subcommittee would serve to lay this question to rest once and for all and to establish very clearly that a military requirement for the development of a very-high-yield bomb has been both laid down and approved by high military authority and high civilian authority. Although direct testimony upon the same subject was released to the public in the hearings of the Foreign Relations Committee, for some reason the testimony on the same subject before the Preparedness Investigating Subcommittee was marked "classified," after security review. I have very strongly insisted that this information be declassified promptly, so that I might be able to present it fully to the Senate. However, I have not yet been successful, and therefore I am not in a position to furnish the testimony for the RECORD.

Mr. President, I ask unanimous consent to have printed in the RECORD a telegram sent by me on September 16 to to the Secretary of Defense. In it, I urge that this matter be declassified; and I point out the testimony, and urge that it be declassified as soon as possible.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SEPTEMBER 16, 1963.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Washington, D.C.:

In view of open testimony on subject of military need for large-yield bomb before foreign relations and discussions on Senate floor, I urgently request that testimony on subject before Preparedness, including your memorandum of September 9, be declassified for public release without delay.

JOHN STENNIS,
Chairman, Preparedness Investigating Subcommittee.

Mr. STENNIS. Mr. President, I doubt that this matter came to the personal attention of the Secretary of Defense. I intend no personal criticism of him; but this case illustrates how the legislative branch of the Government is the victim of those who administer on these subjects.

I hold in my hand, and can show to any Senator, the classified testimony we had on this very subject; and it is contrary to that of the witness whose testimony was released.

I am sure the testimony showed that there is no military requirement for such classification. The testimony was honest; but it was directly contradicted by the testimony of other military witnesses of equal reputation. The first testimony—that such a bomb is not required—was released, whereas the other testimony—that such a bomb is required and is needed now—was held to be classified.

I am bringing up this matter now, not so much for the debate, because it is over, but because we were promised a report on this matter as early as possible, and were told we might get it by last Friday; but it did not come. Then a report on the release of this testimony was promised to be given today—if at all possible, this morning; but it did not come. Then it was promised for this afternoon, if possible; but it did not come; and none has come yet.

In making this statement, I emphasize our intention to follow up this matter and determine the extent to which information of this kind is classified and is not given to the public.

Our subcommittee intends to follow up this matter, not only in connection with this case, but also in connection with others. I say here and now that I will continue to press vigorously for the declassification of this information and other information which was presented to the Preparedness Investigating Subcommittee, but has not been cleared for public release, according to our records, although the testimony before the Foreign Relations Committee was cleared for public release.

Mr. President, more than two-thirds of the Senators have declared that they will vote for ratification of the treaty now pending before us.

I believe that a number of Senators who will cast such an affirmative vote will do so with the understanding that it is the intent of this Government to undertake certain measures which have come to be known as safeguards. These safeguards were proposed by the Joint Chiefs of Staff in their formal statement. The Joint Chiefs concluded that the military risks inherent in this treaty can be accepted only if these measures are implemented fully and effectively.

It is my opinion that the Senate has a unique responsibility in connection with this treaty and the specified safeguards. The general assurances we have received from the executive branch were specifically requested in a motion submitted to the Preparedness Subcommittee by the Senator from Washington [Mr. JACKSON]; and subsequently the motion was approved unanimously by the Senate Committee on Armed Services. If the Senate consents to ratification of the treaty, it will share with the executive branch responsibility for its impact upon the security of this Nation. Therefore, our responsibility cannot end with the vote. We must follow through on our insistence that the safeguards be fulfilled; that a comprehensive, aggressive, and continuing program of underground nuclear testing will be conducted; that modern nuclear laboratory facilities and programs will be maintained; that standby facilities and resources for renewed atmospheric tests will be prepared and maintained; and that our capability to monitor the terms of the treaty will be improved.

It was this consideration that impelled the Preparedness Investigating Subcommittee in its interim report on the military implications of the proposed limited nuclear test ban treaty to state:

> To permit the U.S. Senate to monitor the treaty safeguards it is necessary that the expressed good intentions be supplemented by definitive programs against which progress can be compared. At this time we have not received details of testing, preparedness, and detection improvement programs which will permit the safeguards to be monitored in an effective manner. If the treaty is ratified, it is the intention of the Preparedness Investigating Subcommittee to monitor the implementation of the safeguards and it would also be our hope that other committees of the Congress having jurisdiction in these areas would cooperate in this important program.

As chairman of the Preparedness Investigating Subcommittee, I wish to announce at this time that if the treaty is approved, the subcommittee plans to follow through on this matter and to monitor and maintain surveillance over the manner in which the safeguards are implemented. It is our intention to report to the Senate periodically on how successfully the requirements necessary for the safeguards are being fulfilled, how effectively our military security and preparedness programs are protected, and upon other important matters in connection therewith.

We propose to acquire detailed information about the planned underground testing program, together with the proposed test schedules and the objectives. We hope to develop specific information on the amounts to be budgeted for improvements to our nuclear weapons laboratories and the projects associated with these expenditures. We will request a schedule for the availability of diagnostic, delivery, and sampling aircraft; completion dates for Johnson Island test facilities; commitments on the availability of rocketry and specialized instrumentation for high-altitude and anti-ballistic-missile systems tests; information on plans for the acquisition and use of testing ranges; and a clear indication of effective planning for the conduct of annual exercises by the joint task force to perform and to perfect high-altitude and anti-ballistic-missile experimentation, if the need and the opportunity should arise. We will also seek to obtain information about the program and schedule for the contemplated improvements to our atomic energy detection system.

With this information, the subcommittee will then be in a position actually to evaluate the effectiveness of the safeguards program and the extent to which the assurances we have received from the executive branch are being carried out, and to report our findings to the Senate. I believe it is essential that this be done.

Let me say again, Mr. President, that I believe this treaty has brought us, for better or for worse, to a momentous and significant crossroad. While my concern for the security and survival of our great Nation and my understanding of the facts do not permit me to join with the majority in voting for approval of the treaty, I hope and pray that the high hopes of its sponsors are fulfilled and that it does lead us toward a brighter and more peaceful world.

After the consideration of all this testimony—as we stated originally in the report of the Preparedness Investigating Subcommittee, with reference to this phase of our hearings—we concluded solidly that this treaty would deny us the necessary opportunities to test fully and fully meet our military requirements, and that any of the prospective positive and constructive gains resulting from the treaty did not overcome those losses or disadvantages and did not justify our giving up what we are having to surrender and what we will surrender under the terms of the treaty.

Therefore, Mr. President, I remain of the opinion and the final conclusion that the treaty does jeopardize our security and should not at this time be approved and ratified.

I wish especially to commend the distinguished majority leader [Mr. MANSFIELD] although others deserve commendation, too—for the very fine way in which he has handled this extensive and very important debate preceding what perhaps will be the most important vote in the Senate in many years. So I commend him very highly for the very fine way in which he has performed his duties and carried out his obligations. Certainly he continues to have the greatest confidence and respect of the Senator from Mississippi and of all the other Members of this body. I thank him for yielding this time to me.

Mr. MANSFIELD. Mr. President, I yield myself 20 minutes.

The PRESIDING OFFICER. The Senator from Montana is recognized for 20 minutes.

Mr. MANSFIELD. First, Mr. President, I wish to thank the Senator from Mississippi for his kind word and for his unfailing courtesty, consideration, and graciousness during the many difficult days we have had while the Senate has been considering the treaty. It is true that this has not been one of the great debates of the century; but I believe that in many respects it has been of more fundamental significance and of greater importance, because in my opinion no other treaty in which this country has been involved has been gone into so deeply and so thoroughly and by so many Senators, as is evident from the fact that three Senate committees held hearings on the treaty for several weeks, and from the further fact that the Senate Preparedness Investigating Subcommittee, under the chairmanship of the able and distinguished Senator from Mississippi, held hearings for an even longer period of time on the military aspects of this program.

Now we have been told, if we can believe the news tickers, and I believe the statement is true—that, as of now, approximately 100 nations have formally ratified or signed the test ban treaty. We know that six nations—France, Communist China, Albania, North Vietnam, North Korea, and Cuba—have given no indication that they will sign the treaty.

In fact, I believe exactly the opposite will be the case—that they will not sign the treaty.

Now the hour of decision is at hand. Tomorrow, at 10:30 a.m., the Senate will vote on this most momentous treaty, which will mean so much in the lives of the people of this Nation and in the lives of the peoples of the world.

Mr. President, that the record may be straight, let me say that it should show that this treaty reflects the judgment not only of this Democratic administration but of its predecessor Republican administration. It is a tribute to the persistence for peace on the part of Mr. Eisenhower no less than Mr. Kennedy.

The RECORD should show, too, that Members of this body have played an immense role in the conception of this treaty, and in shaping it and in bringing it to this moment of ultimate decision. In this connection, I think of the work of the Senator from Minnesota [Mr. HUMPHREY], the distinguished whip and chairman of the Senate Subcommittee on Disarmament, of the work of the Senator from Tennessee [Mr. GORE], the Senator from Alabama [Mr. SPARKMAN], the ranking Republican member of the Foreign Relations Committee, the Senator from Iowa [Mr. HICKENLOOPER], the senior Senator from Vermont [Mr. AIKEN], and others who have observed the actual process of negotiation over the years, on behalf of the Senate and made significant contributions. I think of the work of the Senator from Idaho [Mr. CHURCH], and the Senator from Connecticut [Mr. DODD], whose creative conceptions were in accord with the modifications which ultimately produced agreement.

I think of the bipartisan contribution of the Senators who journeyed to Moscow to witness the signing of the treaty—Mr. AIKEN, Mr. SALTONSTALL, Mr. PASTORE, Mr. SPARKMAN, Mr. FULBRIGHT, and Mr. HUMPHREY.

I think of the Senator from Georgia [Mr. RUSSELL], the Senator from Arizona [Mr. GOLDWATER], the Senator from Mississippi [Mr. STENNIS], the Senator from South Carolina [Mr. THURMOND], and the Senator from Maine [Mrs. SMITH], all distinguished experts in military matters, whose penetrating questions have compelled all of us to sharpen our understanding of this step. The RECORD should reflect their contributions.

And it should reflect, too, Mr. President, the work of the great chairman of the Committee on Foreign Relations [Mr. FULBRIGHT]. In considering this treaty, he guided not only the members of that committee but the Senators of the Armed Services Committee and the Joint Committee on Atomic Energy in one of the most profound, impartial, and thorough studies ever conducted by an agency of the Senate. I can recall of no other occasion in which the Senate was better equipped by the work of its committee to proceed, fully informed and with due deliberation to decision.

Finally, Mr. President, I wish to allude to the contribution of the great American who sits across the aisle, to the Senator from Illinois, the distinguished minority leader [Mr. DIRKSEN]. He withheld his judgment until he had fully informed himself on this treaty, until he had pondered its implications, not to his party, not to himself but to the Nation and to the living generations and those yet to come. When he knew in his mind and in his heart that it was right, then and only then, did he decide. And once having decided, he was as a rock of granite, impervious to the storms of criticism which beat about him.

The Senator from Illinois is a great American. And, Mr. President, he could not be a great American unless he were also an understanding and compassionate human being. His guidance, his reassurance, his wisdom, in this instance, increases the debt which the leadership owes to him, and which the Senate and the Nation as a whole owe the Senator from Illinois for his high patriotic public service.

Mr. President, shortly we will vote on the question of advice and consent to the ratification of the nuclear test ban treaty. What needed saying on this treaty has been said again and again in committee and on the floor. It ought to be clear by this time that not a single Senate proponent favors the treaty because he believes that the Russians have signed it out of love for the United States. There are no dupes in the Senate on that score. The Russians have their own reasons for signing this treaty. They are not necessarily reasons of military advantage at all although that possibility has been discussed thoroughly. Indeed, one does not have to search far for plausible reasons for the Russian signature.

Mr. Khrushchev has his share of internal difficulties. The Soviet-Canadian wheat deal of Canadian wheat for $500 million is one example. The Russian people are consumers, too, and nucleonics is not yet a substitute for nutrition. The race to the moon is not yet producing edible green cheese. Missiles are not yet delivering milk. Nuclear fallout does not drop as the gentle rain on parched agricultural lands.

And if internal difficulties are insufficient to explain the Russian acceptance of this treaty, we may find other reasons in Mr. Khrushchev's external difficulties and, particularly, in the Soviet relationship with China. The Soviet Union is confronted with a militant and hostile ideological challenge from the Chinese. It is confronted with a China which lays great stress on its racial affinity with all Asians as against European Russia. It is confronted with growing Chinese territorial pressures in Central Asia. In this connection it should be noted that the Sunday papers carry the reports from Moscow that Russia charges that its frontier was violated by China 5,000 times in 1962. And also in this connection I ask unanimous consent that there be printed at the end of my remarks an editorial appearing in the New York Herald Tribune dated September 23 and a statement which I made on September 6 referring to the Sino-Soviet border issue as, possibly, a major motivation in the Russian interest in the nuclear test ban treaty.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. MANSFIELD. In short, Mr. President, quite apart from military matters, there are any number of plausible reasons for the Soviet Union to want this treaty with the United States. But that is the business of the Russians. It is not ours.

From our point of view, there are similar valid reasons for seeking this treaty. We do not have to love the Russians to see the advantages of this treaty. We have only to recognize what unrestricted testing of nuclear weapons, let alone nuclear warfare itself, may do to the civilization we know and to the health of the people of the United States, particularly to younger generations here and on the way. Is that in itself not sufficient reason for seeking this treaty?

Let no Member forget that this treaty was proposed and pursued, not by Mr. Khrushchev, but by President Eisenhower and by President Kennedy in succession. And let no Member suggest that they pursued it—and none has—because they are fools or careless or not as wise or as well informed as Senators in these matters. And let no Member suggest—and none has—that these Presidents pursued the treaty for any reason other than that they were convinced that, on balance, it is in the interests of the United States, first and foremost.

Now, it is possible to disagree with the judgment of two Presidents in succession. That is what the constitutional practice of ratification is designed to permit, and I question no Senator's motives if, in his judgment, he votes in the end for the rejection of this treaty.

But I would plead with those who are so inclined to consider one last time what the failure to ratify this treaty would mean.

It would mean the resumption of tests in the atmosphere and on the sea, not only by the United States but by the Soviet Union as well, with consequent rise in the exposure to radiation-induced sicknesses of our people as well as others.

It would insure a marked increase in defense expenditures and, hence, in the already heavy burdens of the U.S. taxpayer. For, if we cannot take this step toward security by an instrument of peace, then it follows that we had better put more of our resources into the instruments of war. For that is precisely what others will also be doing, as the fears and antagonisms multiply in the fertile soil of a sanctioned international nuclear anarchy.

To reject this treaty would be to precipitate a worldwide revulsion among the dozens of nations who have followed the leadership of this Nation for many years and who have already signed this treaty in good faith.

To reject this treaty, Mr. President, will be to snuff out that flicker of light which for a brief moment lit the rational and reasonable hopes of the Nation and the world.

It will, in short, bring an end to the hope for a more reliable peace through negotiations, and properly so. For it will make clear that while the President does not fear to negotiate, the Senate fears the consequences of negotiations which are finally successful. It will make clear that we reject these consequences even when they are most circumscribed, even when we have taken all possible steps to guard against the risks.

These are some of the considerations which I would hope the Senate will bear in mind as we proceed to the final vote on tomorrow morning. And may I say, Mr. President, that the responsibility for this decision is not assignable to any scientist or military or civilian official of the Government. This moment is for elected Senators alone. It is for us to decide to join with or to refuse to join with an elected President to safeguard through the treaty the interests of the people and the States which we represent.

Will we consent to put this very limited but firm brake upon the headlong race toward the nuclear inferno? Can we afford to take this chance? Indeed, Mr. President, can we afford not to take it?

Mr. President, I yield back the remainder of the time.

EXHIBIT 1

[From the New York Herald Tribune, Sept. 23, 1963]

SPARKS ON THE SINO-SOVIET BORDER

Of all the former imperialist powers which had helped themselves to slices of Chinese territory during the open door free-for-all period, only one remains with extensive holdings on the Asian mainland. It is Russia.

Ideological debates are one thing, but they are largely verbal and intellectual. Real estate is quite another. It is something to which all good Communists, like the capitalists they denounce, attach great value.

Peiping may or may not be sincere in its ideological debate with Moscow. But there is now little doubt that it is deadly serious about its claims to Chinese territory which the czars had conquered and which the present Communist rulers of Russia had inherited.

The Chinese have embarked on a course which, if continued, could lead to a denunciation of the Peiping treaty of 1860, extracted from the Manchu emperor by a wily Russian envoy of the czar. The treaty fixed the present Sino-Soviet frontier—a frontier which the Chinese refuse to honor.

This is proved by the disclosure, in an official Soviet Government statement, that the Mao Tse-tung regime has attempted "to appropriate individual sections of Soviet territory" and had violated the border 5,000 times during 1962 alone.

There have been border clashes between Russians and Chinese throughout their history. It is not unlikely, in the light of the extraordinary Soviet disclosure, that these clashes have been resumed and have grown to serious proportions during 1962 and 1963.

The renewal of physical conflict (as distinct from ideological conflict) goes a long way toward explaining the sudden Soviet interest in coming to an understanding with the Western Powers. We may now have an opportunity to extract concessions which previously were beyond our reach. Let's hope President Kennedy and his Secretary of State make good use of it.

EXHIBIT 2

STATEMENT BY MR. MANSFIELD ON SEPTEMBER 6, 1963

Mr. MANSFIELD. Mr. President, there are obvious reasons of health and skyrocketing costs of armaments which provide common or parallel motives for the Soviet Union and the United States to have sought the test ban treaty. Beyond the obvious, other interests have undoubtedly entered into the search for agreement by each nation. These are not necessarily shared interests but nevertheless they are a part of the calculations of the balance of benefit on which the treaty rests.

It seems to me that the Senate should explore all of these factors in an effort to understand fully what is at stake in the act of ratification. Reference, for example, has already been made in the hearings before the Foreign Relations Committee to the growing estrangement between Russia and China. That the question has been raised suggests an awareness of what may be a most significant factor in the Soviet position on the nuclear test ban treaty. Yet our knowledge of the Russian-Chinese estrangement is too limited to permit a full comprehension of its implications either for Soviet policy or our own. For one thing, our reportorial coverage of the U.S.S.R., particularly east of the Urals, is extremely limited and spasmodic. For another, our knowledge of what is transpiring in China comes to us largely second or third hand.

It is understandable, therefore, that the Sino-Soviet estrangement has been analyzed in the press and elsewhere largely in theoretical terms. Scholars, journalists, and intelligence technicians pore over the documentation and statements and reports which emanate from Russia and China. And in this fashion, the estrangement is interpreted to the Nation almost wholly in terms of ideological differences and the struggle to claim the high priesthood of orthodoxy in the international Communist movement and with it, I suppose, the right to preach the eulogy at the burial of capitalism.

These ideological factors are undoubtedly deeply involved and I would not for a moment underestimate them. But if I may be so bold as to suggest it, it seems to me that the great emphasis which is given to them in the information which reaches the Government and the public may produce a serious distortion of our concept of the actual situation. We may see the problem largely as a clash of Marxist theories or Communist personalities which is destined to disappear as soon as the theories are straightened out or the present leaders, in time, go the way of all leaders.

I should like to suggest that other, more mundane and enduring considerations are involved in present Sino-Soviet difficulties, considerations which will not easily be exercised either by new theories or new leaders.

It is to one of these considerations that I direct the attention of the Senate today. It may well be the most significant factor in the Russian-Chinese estrangement, largely overlooked in the overwhelming emphasis which has been given to the ideological differences between Moscow and Peiping. I refer to the geographic and cultural convergence of Russia and China in the inner recesses of the Asian continent.

This convergence, Mr. President, has been a source of intermittent friction between the two countries for a very long time. It has persisted irrespective of the ideological inclinations of Moscow and Peiping at any given time in history. It long predates the advent of communism in China and even Russia. Indeed, it predates the birth of Karl Marx by at least a century.

The first recorded clashes between Russians and Chinese go back to the 17th century. Three hundreds years ago, Russian traders and Cossacks first made contact with the outposts of Chinese-Manchu imperial power in the region north of Manchuria. The early zone of Russian influence and authority in this desolate northeast corner of Asia, as against China, was established by a series of treaties beginning with that of Nerchinsk in 1689, and followed by Bur and Kiakhta in 1727, Kiakhta in 1768, and the Kiakhta protocol in 1792. A half century later the Russian press southeastward was resumed under Count Nikolai Muraviev-Amursky, the Governor General of eastern Siberia, and his chief military aide, Capt. Gennadii Ivanovich Nevelskoi. Again there followed a consolidation of the Russian position, in the Treaty of Aigun of 1858. This agreement brought into Russian possession large areas of northeast Asia which had previously been under Manchu control.

Subsequently, Russia as well as other European powers and Japan exacted by guile, bribery, or naked power, special economic privileges and territorial concessions from weak and corrupt imperial officials of China. By this process, the Russians penetrated south into Manchuria, establishing themselves at Dairen and Port Arthur on the Yellow Sea by the end of the 19th century and penetrating Korea which had been for a long time in a tributary relationship with Peiping.

Since that high water mark, Russian influence in northeast Asia at the expense of China has fluctuated. In the face of a Japanese advance and the weakness of the early Soviet state, it receded. Under the communism of Stalin it advanced once more at the end of World War II. And under the communism of Khrushchev it receded once more after the Chinese Communists came to power in Peiping.

Our sources of information are insufficient to provide a clear delineation of where the present line of convergence may lie, as between Russian and Chinese influence in northeast Asia. We are not even sure of what the precise situation in this connection may be in Korea where we are deeply involved, let alone in Manchuria, of which we know very little. One thing is reasonably certain, however, the actual Russian-Chinese conversion does not bear much relationship to the border demarcations as shown on ordinary maps. It is also clear, in any event, that the convergence in the northeast is still much further south and east of any line which would have been recognized by a Ching emperor of the Manchu dynasty in the 17th century, the 18th or early 19th century.

The recent history of the Chinese-Russian convergence in northeast Asia has been affected, of course, by the appearance of Communist ideology in Russia and China. But sufficient experience is now accumulated to suggest that the future history of the region will hardly be dominated by this factor.

And the history of the northeast, a history of Russian advance and recession and advance—sometimes warlike and imperious and sometimes peaceful and conciliatory—finds parallels elsewhere in central Asia. During the last century, for example, Mongolia was entirely under nominal Chinese sovereignty. It was largely the efforts of Russians under the czars coupled with the weakness of the later Manchu-Ching Emperors which brought about a loosening of Chinese control over the vast stretches of land now identified as the Outer Mongolian People's Republic. And it was largely the same combination of Soviet strength and Chinese weakness under the Chinese National Republic which resulted in 1922, in the establishment of an Outer Mongolia, not only independent of China but brought progressively into a relationship, apparently in the nature of a protectorate, with the U.S.S.R.

South and west of Outer Mongolia we find in Sinkiang the same flow, ebb and flow of Russian influence. Here, as elsewhere there was for a centuries a tradition of Chinese suzerainty over small principalities of tribal peoples. But here as elsewhere this suzerainty has been quite devoid of significance in the absence of strong Chinese central power to assert it. Thus, in the last century, the southwest edges of Sinkiang were chipped away and added to what is now the contiguous territory of the U.S.S.R. And even as recently as World War II the Russians exercised for a time something close to indirect domination over principal trading centers and caravan junctions in Sinkiang.

Especially, since the advent of Chinese Communist control over the mainland, the line of convergence as between Russia and China in the Sinkiang area has appearently been pushed back westward once again. But how far and how firm this recession of Soviet influence has been, we do not really know with any degree of accuracy.

To recapitulate, Mr. President, I have sought to point out to the Senate, that, historically, there has been not a fixed but a shifting and uncertain line of convergence between Russia and China in the inner recesses of the Asian Continent. This line, Mr. President, is not necessarily the border as shown on contemporary maps but rather the changing extremity of the eastward and southward reach of Russian influence and the westernmost and northernmost extension of enforcible Chinese control.

Further, history indicates that while there have been periods of stalemate and recession, the overall pattern in the region for several centuries was that of Russian advance. It was an advance which paralleled roughly the spastic but steady decay of the Manchu-Ching dynasty through the reigns of a number of Emperors. And it drew strength from the debilitation of the successor Chinese Republic in World War II and the collapse of the Japanese intrusion on the Asian mainland in that conflict.

What prompts me to make these observations at this time, Mr. President, is that they may be of more than historic interest in the light of the present Sino-Soviet estrangement. This break comes at a time when there has emerged in Peiping once again, a strong centralization of Chinese power. To be sure, the government which wields this power proclaims its Marxism. Indeed, it claims to be more Marxist than Moscow. Yet insofar as Chinese Marxism is expressed in practice on the borders of China. it appears to bear a remarkable resemblance to classic Chinese dynastic policy.

There are strong indications, for example, that the present Chinese Government is not disposed to regard any of its borders—at least none fixed after the time of the advanced decay of the Ching dynasty—as permanently constricting on the outward extension of its power. That such is the case is indicated by the Chinese assertion in Korea, in Vietnam, in Laos, in Tibet, and beyond Tibet into Ladakh and the Northeast Frontier Agency at the two extremities of the Indian subcontinent.

What, then, of the Sino-Soviet border regions? Are these, too, to be affected by the reassertion of Chinese power? I have already referred to the recession of Soviet influence in Manchuria and Sinkiang, although to what extent and how voluntarily it has occurred, we do not know with any degree of precision. But whatever its extent, it would be a relatively minor recession should the Chinese assertion against the U.S.S.R., in time, parallel its policies with regard to Korea, southeast Asia, and the Chinese-Indian border region. If there is this parallel then the Chinese claim against the U.S.S.R. could conceivably extend out of Sinkiang, through the Soviet Pamire to Afghanistan. It could also embrace all of Outer Mongolia and the Soviet Maritime Provinces along the Pacific. For these areas fell within the reach of Manchu China in the heyday of the dynasty.

It is interesting to note in this connection, Mr. President, that when Mr. Khrushchev, late last year, taunted the Chinese Communists for accepting the presence of colonialists in Taiwan, Hong Kong, and Macao while urging him to act against the United States, he was answered in an editorial on March 8 in the Chinese People's Daily and Red Flag which reads in part as follows:

"During the hundred or so years preceding the victorious Chinese revolution, the colonial and imperialistic powers—the United States of America, Great Britain, France, czarist Russia, Germany, Japan, Italy, Austria, Belgium, the Netherlands, Spain, and Portugal—became unreservedly engaged in a campaign of aggression against China. They imposed on the various regimes of the old China numerous unequal treaties: The Treaty of Nanking in 1842; the Treaty of Aigun in 1858; the Treaty of Tsientsin in 1858; the Treaty of Peiping in 1860; the Treaty of Ili in 1881; the Convention for the Extension of Hong Kong in 1898; the Treaty of 1901; etc. By virtue of these unequal treaties, they annexed Chinese territory in the north, south, east, and west; or they caused territories to be ceded to them on lease along the coast of China and even in the Chinese hinterland. When the People's Republic of China was founded in 1949, our Government clearly stated its intention of eventually reexamining all the treaties concluded by previous Chinese regimes with foreign governments and, according to their respective texts, either recognizing, denouncing, revising or renegotiating them at the appropriate time."

Note, Mr. President, the reference in this catalog of unequal treaties to the Treaty of Aigun which fixed the present-day boundaries in Manchuria at China's expense and to Russia's advantage. And note in conjunction therewith this paragraph in the same editorial:

"Certain persons (an obvious reference to Mr. Khrushchev) would like us to raise the question of the unequal treaties here and now * * *. Have they realized what the consequences of this might be?"

The implication is clear, Mr. President. The Chinese regard certain Soviet territories, no less than Hong Kong and Macao and Formosa, as having been taken inequitably from China and subject, therefore, to Chinese claim.

Now, Mr. President, I do not wish to leave the impression that China is about to embark upon a general war with Russia to bring back into the historic embrace of Peiping, certain lands along the inner Asian borders. But I do suggest that the arrow tips of Chinese influence are already pointed outward from Peiping into these sparsely inhabited regions whose predominant population is neither Chinese nor Russian but Mongol and other tribal peoples. Many techniques are already apparently operating to this end, including the Chinese aid programs in Outer Mongolia and the organization of autonomous tribal groupings on Chinese territory. Certainly, such limited information as we have with respect to the region hints at the likelihood that the Chinese arrows have begun to prick the Russians in these remote regions.

I would suggest further, Mr. President, that Soviet foreign policy is not formed in ignorance of these recent developments or the history which I have just recounted, or of the actions of the Chinese in southeast Asia and on the Indian border. And there is no reason to assume that, because it is Communist, Russian foreign policy is concerned any less with such considerations than might be the case with the foreign policy of any other nation.

I would suggest, finally, that it is becoming apparent that we have been in error in assuming for so long that the iron hand of Moscow was so unshakeably fixed on Peiping that it had superseded all other factors for all time in the considerations of the Communist leaders in China. Theoretical Communist world unity, whatever its weight, has not replaced certain enduring factors in the relationships of Russia and China as they are indicated to us by history.

And one of these factors, perhaps the most significant, as I have tried to explain to the Senate today, is the convergance of Russian and Chinese influence in the vast inner recesses of Asia. The problems which are posed by the convergance are not essentially those of Marxist theory. Any they certainly are not those of a common border dispute, that is, whether to move the markers a few yards or a few miles in one direction or the other. What is involved is the ultimate disposition and utilization of a reserve of millions of square miles of territory largely devoid of human habitation.

This land and its contents constitute an enormous and largely unexplored and unexploited resource. Heretofore, it may have been of minor importance because of the inadequacies in techniques of modern development and transportation, particularly in that part of the world. But with the rapid dissemination and multiplication of these techniques, the region grows rapidly in significance to the two great peoples which converge upon it. And it grows, too, in significance as the population of China, already in the vicinity of 700 million, and growing at the rate of 13 to 15 million a year, expands explosively and presses ever more heavily on limited resources even for a bare minimum of food, clothing, and shelter.

So, Mr. President, if we wish to understand fully the motives of the Soviet Union in seeking a nuclear test ban treaty, we ought not to overlook the factor of the Sino-Soviet convergence, a factor which is clearly indicated by history but which cannot be weighed accurately without a better understanding of what is presently transpiring in interior Asia.

In any event, it would be unwise to dismiss the likelihood of a growth of tension at various points of contact along the thousands of miles of this vague frontier. Some might anticipate with relish the prospects of these clashes, even if they were nuclear. That prospect might be bent and twisted, I suppose, into an argument against the proposed treaty to ban nuclear tests.

But that, Mr. President, would be a most distorted view of nuclear realities and contemporary international relations. For if the flames of a great nuclear conflagration are lit, it will matter little who holds the match or where in the world it is struck. Even the vastness of central Asia would be insufficient to contain the holocaust or to confine it to the two massive Communist powers of Eurasia. No, Mr. President, the probability of increasing tension in the Sino-Soviet convergence, as in the case of all significant international tensions, is one more reason for seeking to bring about rational control over the growth and spread of the immense destructive power of nuclear weapons.

Rather than an argument against this treaty, then, this probable tension in Sino-Soviet relations is an argument for this Nation to seek to improve its comprehension of the actual situation which exists in central Asia. For that region and what transpires in it is likely to have a most profound significance in a world in which the peace and security of this Nation is closely interwoven with that of all others.

[From the Baltimore (Md.) Sun, Sept. 6, 1963]

Peiping Accuses Moscow of Plot To Stir Uprising in China Area, Sees Two Nations on Brink of Split

Tokyo, September 6.—The Chinese Communists accused the Soviet Union today of trying to foment an uprising in Red China with the aid of tens of thousands of Chinese in a remote Sinkiang-Soviet borderland. They said Soviet-Chinese relations have reached "the brink of a split."

The Chinese reported the alleged Soviet Trojan horse plot against Red China in broadcasts which said differences in the international Communist movement have reached "a new stage of unprecedented gravity."

A broadcast monitored here said the Russians admitted tens of thousands of Chinese into Soviet territory last year in an attempt to overthrow the Chinese local government at Ili, a district bordering the Soviet Union in northwest Sinkiang Province. The area in central Asia was occupied by Imperial Russia in 1861–1870.

FIRST MENTION

The accusation was the first mention of incidents along the thousands of miles of border separating the squabbling giants of communism.

The radio said the Chinese were "allured" or "threatened" to induce them to join a plot by Soviet officials in Sinkiang under order of the Soviet Communist Party. It gave no other details of the alleged plot except to say that the Chinese Government had made several protests to the Russians for the return of the Chinese and had been refused.

The matter has not been settled, it added. Peiping accused the Kremlin of fostering a "two Chinas" policy. In the new massive verbal attack on the Soviet leadership the Chinese also took the credit for the crushing of the Hungarian revolt in the fall of 1956.

SOVIET TAUNT

From the Moscow side of the verbal barricades came a taunt from Ilya Ehrenburg, Soviet writer, that the Chinese are bent on instigating a global nuclear conflict which they would sit out as spectators and hope to survive as victors.

Peiping's charges were in broadcasts of a statement published in both the official People's Daily and the Communist Party's theoretical journal, Red Flag. The statement was in answer to Moscow's July 15 accusation that China was trying to set up new world headquarters for communism in Peiping and split the world along racial lines.

The Chinese charged that in 1956, "at the critical moment when the Hungarian counterrevolutionaries had occupied Budapest," the Soviet leaders for a time "intended to adopt a policy of capitulation and abandon Socialist [Communist] Hungary to counterrevolution."

"We insisted on the taking of all the necessary measures to smash the counterrevolutionary rebellion," the Chinese said.

Soviet tanks and troops crushed the revolution with an attack on Budapest in November 1956.

The Chinese claimed Premier Khrushchev proposed 4 years ago that they accept the "two Chinas" theory and acknowledge the rule of the Nationalists on Formosa. As far as the record shows at the United Nations, however, Russia has violently opposed the "two Chinas" formula for resolving the question of Chinese representation.

The Chinese charge was contained in a little-noted section of Peiping's reply Sunday to Soviet charges August 21 that Communist China's enmity resulted from a Soviet refusal to give that country atomic weapons.

The statement also repeated claims that Soviet leaders had raised the quarrel from the Communist Party to Government level. The border troubles, recall of Soviet specialists and tearing up of hundreds of contracts proved this, it said.

It also repeated charges of "great power chauvinism"—another way of writing, "Do what I say because I'm stronger than you"—against the Russians and accused them of otherwise violating the norms of interparty relations.

There was no immediate Soviet reply to the Chinese charges and the grave assessment of relations.

The official Government newspaper Izvestia, however, kept up the drumfire of Moscow's propaganda against China. It spoke of the "empty talk of the Chinese leaders" and alleged their view was that "Communist society will be made up of people who have lofty ideals but empty stomachs."

"It is difficult to conceive a greater mistake," Izvestia wrote.

A WHOLE SERIES

The Chinese editorial said the Soviet "errors are not just accidential, individual and minor errors, but a whole series of errors of principle which endanger the interests of the entire Socialist camp and international Communist movement."

It said they dated from Khrushchev's denunciation of Stalin at the 20th Congress of the Soviet Communist Party in February, 1956, and his simultaneous proclamation of a new Communist dogma—that war is no longer inevitable.

After boasting of how hard their own leaders had tried to avoid a split, the core of the Chinese article said:

"Nevertheless, the CPSU (Communist Party of the Soviet Union) leaders are determined 'to go our own way' and have pushed Sino-Soviet relations to the brink of split and have carried the differences in the international Communist movement to a new stage of unprecedented gravity."

RENEGADE TITO

The article bitterly accused the Soviet Union allying itself "with the United States against China" and also with the "renegade Tito" (President Tito of Yugoslavia).

One of the ways the Kremlin tried to curry favor with the United States, Peiping's Sunday statement said, was recommending acceptance of the Nationalist regime on Formosa.

The Chinese Government said Khrushchev made his suggestion in October 1959, following his visit to the United States. Shortly after his return he went to Peiping for secret talks with Mao Tse-tung, Chinese Red boss, during Red China's 10th anniversary celebrations.

Such a Khrushchev proposal could account for the extraordinary chill which descended on the Peiping visit and the absence of a formal communique when it ended.

Khrushchev is said to have compared Formosa to the Far Eastern Republic which existed between 1920 and 1922 after the Russian Revolution, and to have noted that Lenin had recognized it. It eventually was taken over by Russia.

China Builds Defenses on Its Russian Border

Hong Kong, September 5.—Communist China has sent 900,000 students to build defenses in Sinkiang Province bordering the Soviet Union, the South China Morning Post reported today.

The British-owned, English-language paper quoted a refugee from Red China as saying the volunteers included more than 30,000 students from Shanghai who responded "to have something to do." Most were junior middle school students who couldn't get into senior middle schools because of limited accommodations, he said.

[From the Washington (D.C.) Post, Sept. 6, 1963]

Peiping Sees Split With Russia Near After Border Plot

Tokyo, September 6.—Communist China said today that its relations with the Soviet Union have reached "the brink of split," in part because the Russians have been "provoking troubles on the Sino-Soviet border."

A Peiping broadcast monitorted here charged that last April and May there was a Soviet plot to overthrow a local Chinese district government in the Ili district in Sinkiang Province, which borders on the Soviet Union.

The Peiping radio broadcast the charge in a long statement that declared that differences in the Soviet-Chinese relationship have reached "a new stage of unprecedented gravity."

The broadcast also charged that the Soviet Union wanted to "adopt a policy of capitulation" in the 1956 Hungarian revolution, but gave up the idea under strong Chinese pressure.

FIRST REVELATION

The border row, the first to be formally revealed by either nation, involved tens of thousands of Chinese who were admitted into Soviet territory, it was alleged, in April and May 1962.

The radio said the Chinese were "allured" or "threatened" to induce them to join a plot by Soviet officials in Sinkiang under order of the Soviet Communist Party. It gave no other details of the alleged plot except to say that the Chinese Government had made several protests to the Russians for return of the Chinese and had been refused.

The matter has not been settled, it added.

The radio quoted an article jointly published by the editorial departments of the official People's Daily and the theoretical journal Red Flag.

The statement answered Moscow's July 15 accusation that China was trying to set up a new world headquarters for communism in Peiping and split the world along racial lines.

FLIGHT WAS REPORTED

The Washington Post reported last June that between 50,000 and 70,000 refugees from Communist China had fled into the Soviet Union in the spring of 1962. At the same time, groups of Chinese clamored in front of the Soviet consulate at Kuldja, in Sinkiang Province, demanding arms to fight the Peiping regime, but apparently none were given them. Kuldja is the main city in the Ili District.

The border district of Ili was occupied by Imperial Russia for 10 years, 1861–70, and then reverted to central Asia somnolence. The district was attached in 1944–50 to a makeshift East Turkestan Republic. The main town, Kuldja, home of about 150,000 people, trades in tea and cattle, has industries such as tanning and textiles, and there are iron and coal mines about.

The Chinese article also claimed that for a time during the 1956 Hungarian revolt, the Russians "intended to abandon Socialist Hungary to counterrevolution.

"The Chinese Communist Party at that time resolutely opposed these erroneous methods and advanced correct suggestions," it said.

The Russian leaders, it said, adopted these suggestions, "but subsequent events showed that they nursed rancor against the Chinese Communist Party."

"CHAUVINISM" CHARGED

It said the Soviet Party had also committed "the error of great-power chauvinism" in handling "incident in Soviet-Polish relations" in the same period.

During the Hungarian revolt, the Soviet Union for a time did appear to be trying to come to terms with the regime of Imre Nagy by sending Deputy Premier Anastas I. Mikoyan to Budapest for secret talks. But after Nagy said he would take Hungry out of the Warsaw Pact, Red army tanks were sent into the country and the revolt was crushed in a blood bath. Nagy later was executed.

In Poland, however, Wladislaw Gomulka, then as now the No. 1 Communist, reportedly threatened to go on the air and call for an uprising against the Red army. Premier Nikita S. Khruschchev apparently backed down and permitted the Gomulka regime, which had come to power in the October revolt against former Stalinist rulers, to remain in office.

The article said Khrushchev "took the lead in organizing a large-scale surprise onslaught on the Chinese Communist Party" at the Rumanian Communist Party congress at Bucharest in 1960.

The Chinese delegation there signed a communique after the meeting "for the sake of the larger interest," but distributed a statement saying the future of communism "will never be decided by the baton of any individual."

CRITICISM REPORTED

At the Soviet Party congress in 1961, the article said, when Soviet leaders attacked the policies of the Albanian Party, Chinese Premier Chou En-lai "frankly criticized the errors of the leadership of the Soviet Communist Party in subsequent conversations with Khrushchev."

But Khrushchev flatly turned down these criticisms and advice, and openly said: "We shall go our own way."

The Chinese warning of a possible break between Moscow and Peiping was the most somber picture painted yet of relations between the two Red giants.

In its latest article, Peiping also accused the Russians of enlarging the Soviet-Chinese quarrel to government level.

"Having failed to subdue the Chinese Communist Party, the leaders of the Communist Party of the Soviet Union took a series of steps to extend the ideological differences between the Soviet and Chinese Parties to the sphere of state relations—the recall of all the Soviet experts in China, the tearing up of hundreds of agreements and contracts, and the provoking of troubles on the Sino-Soviet border," the article said.

It also said "the past 7 years have amply proved that the road taken by the leadership of the Communist Party of the Soviet Union is the course of allying with imperialism against socialism, allying with the United States against China, allying with the reactionaries of all countries against the people of the world, and allying with the renegade Tito (President Tito of Yugoslavia) clique against fraternal Marxist-Leninist parties."

DANGER SEEN WIDE

Peiping said the Soviet "errors are not just accidental, individual and minor errors, but a whole series of errors of principle which endanger the interests of the entire Socialist camp and international Communist movement."

It said they dated from Khrushchev's denunciation of Stalin at the 20th congress of the Soviet Communist Party in February 1956, and his simultaneous prociamation of a new Communist dogma—that war is no longer inevitable.

After boasting of how hard their own leaders had tried to avoid a split, the core of the Chinese article said:

"Nevertheless, the CPSU (Communist Party of the Soviet Union) leaders are determined 'to go our own way' and have pushed Sino-Soviet relations to the brink of split and have carried the differences in the international Communist movement to a new stage of unprecedented gravity."

TAIWAN MOVE NOTED

One of the ways the Kremlin tried to curry favor with the United States, was recommending acceptance of the Nationalist regime on Taiwan, the article said.

This charge was contained in a little-noted section of Peiping's reply last Sunday to Soviet charges August 21 that Red China's enmity resulted from a Soviet refusal to give China atomic weapons.

In the Sunday reply, Peiping said Khrushchev made his "two-China" suggestion in October 1959, after his visit to the United States. Shortly after his return, he went to Peiping for talks with Mao during Red China's 10th anniversary celebrations.

Such a Khrushchev proposal could account for the extraordinary chill that descended on the Peiping visit and the absence of a formal communique when it ended.

Khrushchev is said to have compared Taiwan to the Far Eastern Republic that existed between 1920 and 1922 after the Russian revolution, and said that Lenin had recognized it. It eventually was taken over by the Soviet Union.

The Far Eastern Republic was a buffer state that had a semiautonomous existence from late 1920 until it was merged into the Russian Federated Republic in November 1922. It was under Soviet control and had the closest possible relations with the Soviet Union before the formal merger.

SUNDAY STATEMENT

Peiping's Sunday statement said:

"We have not forgotten and will not forget what the Soviet leader, Khrushchev, said about the question of Taiwan after his visit to the United States in October 1959.

"He said the question of Taiwan was an incendiary factor in the international situation and that because the United States supported Chiang Kai-shek and the Soviet Union supported China, there resulted the atmosphere of an imminent great war. But what the Soviet Union stood for was the creation of all conditions to ease international tension and eliminate war.

"He further said that there was more than one way to solve every complicated question, depending on what basis you took. For example, after the October revolution, there was established in the Soviet Far East the Far Eastern Republic, and Lenin recognized it at the time; this was a temporary concession and sacrifice, but later on it was united with Russia.

"The meaning of this statement by the Soviet leader was quite clear. To put it bluntly, this was to ask China to agree to the U.S. scheme of creating two Chinas.

"This absurd view, of course, was rebutted and rejected by China, whereupon the Soviet leader made a series of speeches hinting that China was 'craving for war like a cock for a fight, and, like Trotsky, wanted neither peace nor war.' "

The statement then charged that "in accordance with the procedure mutually agreed upon by the Soviet Union and the United States," Chiang Kai-shek's Nationalist China has signed the nuclear test ban treaty "and is swaggering as if it were a sovereign state."

The Chinese further charged that not only had Khrushchev asked Red China to sign the treaty, which it has refused to do, "thus to create a situation of two Chinas," but "he also has threatened that if the Chinese Communist Government opposed this treaty and refused to be bound by it, the United States would help the Chiang Kai-Shek clique to manufacture nuclear weapons. It turns out that in order to 'save millions of Chinese from nuclear death,' one China has to become two Chinas."

[From the New York Times, Sept. 6, 1963]

Peiping Accuses Moscow of Plot

Tokyo, September 6.—Communist China accused the Soviet Union today of having marshaled tens of thousands of Chinese in a plot to overthrow the regional government of a district along the Soviet border.

The Peiping radio, reporting a new attack on Soviet policies by the Chinese Communists, said that the Soviet Union's actions had brought the relations between the two countries to the brink of a split.

The differences in the international Communist movement, the broadcast said, have reached a "new stage of unprecedented gravity."

The Peiping radio said the Russians admitted thousands of Chinese into Soviet territory in the spring of 1962 in an attempt to overthrow the local government at Ili, a district in northwest Sinkiang Province.

The broadcast quoted an article published by the Peiping newspaper Jenmin Jih Pao and the magazine Hung Chi, both official organs of the Chinese Communist Party.

The article was in reply to a Moscow accusation, published July 15, that China was trying to set up new world headquarters for communism in Peiping and split the world along racial lines.

In the border incident, the Russians were said to have lured or threatened the Chinese to join the plot.

The broadcast gave no other details of the alleged plot except to say that the Chinese Government had made several demands to Moscow for the return of the Chinese and had been rebuffed.

[From the New York Times, Sept. 6, 1963]

Article Denounces Moscow

Hong Kong, September 5.—Communist China accused the Soviet Union today of deliberate policies to aggravate relations between the two countries.

The charge was made in an article jointly prepared by the newspaper Jenmin Jih Pao and the magazine Hung Chi, organs of the Central Committee of the Chinese Communist Party.

Hsinhua, the Chinese Communist press agency, reported that the article was the first in a series commenting on the Soviet Communist Party's open letter, published July 14, attacking Chinese Communist policies.

The first article in Peiping's reply, Hsinhua said, consists of more than 20,000 Chinese characters and "cites a vast number of documents and irrefutable facts to show that since the 20th Congress of the Soviet Communist Party (1956) the process in which Soviet leadership has gone further and further down the road of revisionism and "splittism" is the very process that has widened and aggravated the differences in the international Communist movement."

The facts of the last 7 years have amply proved, the article continued, that the Soviet leadership has taken the course of "allying with imperialism against socialism, allying with the United States against China * * * and allying with the renegade Tito clique against fraternal Marxist-Leninist parties."

The Chinese Communists said that the widening breach in the international Communist movement had begun at the 20th congress. It was at this meeting of the Soviet Communist Party that Premier Khrushchev exposed to the delegates the extent of Stalin's repressions and abuses of power.

From the outset, the article added, the Chinese have held that a number of the views advanced at the congress, "particularly the complete negation of Stalin and the thesis of 'peaceful transition' are gross errors of principle."

Hsinhua said the article exposed the "error of great power chauvinism" committed by the Soviet leadership in attempting to suppress the liberalization movement in Poland in the face of 1956. At that time, Premier Khrushchev and other Soviet leaders made a hasty flight to Warsaw in an attempt to prevent Wladyslaw Gomulka, a nationalist, from taking over the leadership of the Polish Communist Party.

CAPITULATION CHARGED

The article accused Moscow of capitulation in its shortlived acceptance of the Imre Nagy regime set up during the Hungarian revolt in 1956. After several days the Russians violated their pledge to negotiate an agreement, crushed the rebellion and arrested Mr. Nagy. He was executed in 1958.

"With regard to the counterrevolutionary rebellion in Hungary," the article said, "for a time Soviet leadership intended to adopt a policy of capitulation and abandon Socialist Hungary to counterrevolution." The Chinese Communist Party at that time resolutely opposed these erroneous methods and advanced correct suggestions."

The article said the Soviet leaders had accepted the Chinese suggestions "but subsequent events showed that they nursed rancor against the Chinese Communist Party and regarded its perseverance in proletarian internationalism as the biggest obstacle to the Soviet party's wrong line."

The article was the first indication by Peiping that it had urged the use of force to put down the Hungarian rebellion.

The latest attack on the Soviet leadership by Peiping repeats many of the accusations made in the course of the deterioration of relations between the two countries, but it did give a few new glimpses of behind-the-scenes developments.

ISSUES DISCUSSED IN 1961

Referring to the Soviet party's 22d congress in 1961, at which the Albania Communist regime was first publicly attacked by Soviet bloc leaders, the article said that Premier Chou En-lai, who defended the Albanians, had "frankly criticized the errors of the leadership of the Soviet Communist Party in subsequent conversations with Khrushchev."

"But Khrushchev flatly turned down these criticisms and advice," the article added, "and openly stated that 'We shall go our own way,' showing not the slightest intention of mending their ways."

The Chinese press agency said the article listed 10 main facts to show that since the 22d congress the Soviet leadership had become "more unbridled in violating the principles guiding relations among the fraternal parties and countries and in pursuing policies of great power chauvinism, sectarianism and splittism to promote its own line of revisionism."

The article appealed to the Soviet leadership to "correct its errors and return to the path of Marxism-Leninism."

[From the New York Herald Tribune,
Sept. 6, 1963]

Battling Red Giants—At the Brink

Tokyo.—Communist China harshly accused the Soviet Union yesterday of pushing the two Communist giants "to the brink of split" by committing "a whole series of errors of principle."

Couching its charges in the peculiarly stilted language of Marxist vituperation, Peiping broadcast a detailed and lengthy indictment of Moscow and warned that differences within the international Communist movement have reached "a new stage of unprecedented gravity."

The 2-hour radio broadcast, monitored in Tokyo, was an English translation of a 20,000-character editorial statement printed simultaneously yesterday by Peiping's official People's Daily and the theoretical journal Red Flag.

As news of the double-barreled attack on the Kremlin reached the West, there were also reports of an unprecedented anti-Chinese demonstration in front of Peiping's Embassy in Moscow.

Heading the list of Chinese grievances against the Soviets was the charge of "provoking troubles on the Sino-Soviet frontier." This was the first official acknowledgment of incidents along the thousands of miles of shared border between the two countries.

But there have been rumors of trouble in China's Sinkiang Province, and Peiping yesterday accused Moscow of attempting to overthrow the local government at Ili, a district bordering the Soviet Union in the northwestern corner of Sinkiang.

The radio said tens of thousands of Chinese were admitted to Soviet territory in furtherance of the plot in April and May of 1962. Peiping's request for the return of the Chinese had been refused, it added

In Hong Kong yesterday, the English-language South China Post published a report from a Red Chinese refugee that 900,000 students have been sent to Sinkiang to build defenses.

But the Sinkiang question was only one point in a bill of particulars stretching back to 1956. The joint article yesterday was the first of a series catchily entitled "The Origin and Development of Differences Between Ourselves and the Communist Party of the Soviet Union."

Moscow's "errors of principle" began, according to the Peiping broadcast, as long ago as 1956, at the 20th Congress of the Soviet Communist Party. "From the very outset," it said, China opposed "the complete negation of Stalin and the thesis of 'peaceful transition'" as "gross errors."

Yesterday's broadcast also charged that Soviet Premier Khrushchev was ready to compromise with the rebels in Hungary in 1956 but yielded to Chinese insistence that the uprising be put down: "The Chinese Communist Party at that time resolutely opposed these erroneous methods and advanced correct suggestions."

The broadcast continued: "The past 7 years have amply proved that the road taken by the leadership of the Communist Party of the Soviet Union is the course of allying with imperialism against socialism, allying with the United States against China, allying with the reactionaries of all countries against the people of the world and allying with the renegade Tito clique against fraternal Marxist-Leninist parties."

The entire sweeping denunciation of Soviet policy was a counterchallenge to Moscow's open letter of July 14, which accused Peiping of trying to split the Soviet bloc and submovement. Since then, of course, Premier Khrushchev has gone out of his way to mend his fences with the "renegade" President Tito of Yugoslavia.

"Having failed to subdue the Chinese Communist Party," yesterday's broadcast continued, the Russians moved "to extend the ideological differences * * * to the sphere of state relations." Besides the border provocations, this stage included the withdrawal of Soviet experts in China and the "tearing up of hundreds of agreements and contracts."

The broadcast also gave broader emphasis to a charge the Chinese first made last Sunday—that Premier Khrushchev proposed 4 years ago that Peiping settle for "two Chinas" and acknowledge Nationalist control of Formosa. The proposal was made, the Chinese said, after Mr. Khrushchev visited the United States in 1959.

In Moscow, where there was no reply to the Chinese propaganda fusillade, the Chinese Ambassador's limousine was parked outside the Soviet Foreign Ministry yesterday. The Chinese earlier had protested a demonstration at the Embassy by a score of Moscow University students urging the Chinese to sign the partial nuclear test ban treaty. The Chinese labeled the demonstration an "organized provocation."

AUTHORIZATION FOR PRINTING A SPEECH IN THE RECORD TOMORROW

Mrs. SMITH. Mr. President, I ask unanimous consent that I may be permitted to have printed in the Record tomorrow, Tuesday, September 24, my statement on the test ban treaty.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

By unanimous consent, the following routine legislative business was transacted:

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Miller, one of his secretaries.

REPORT ON INTERNATIONAL EDUCATIONAL AND CULTURAL EXCHANGE PROGRAM—MESSAGE FROM THE PRESIDENT

The **VICE PRESIDENT** laid before the Senate the following message from the President of the United States, which, with the accompanying documents, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the provisions of the Mutual Educational and Exchange Act of 1961 (Public Law 87-256, the Fulbright-Hays Act), I transmit herewith the annual report on the international educational and cultural exchange program for the fiscal year 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *September 23, 1963.*

(Enclosures: (1) Two copies of the annual report, (2) two copies of the list of American grantees and of the directory of foreign grantees for fiscal year 1962, (3) two copies of the list of American grantees and of the directory of foreign grantees for fiscal year 1961.)

EXECUTIVE COMMUNICATIONS, ETC.

The **VICE PRESIDENT** laid before the Senate the following letters, which were referred as indicated.

PLANS FOR WORKS OF IMPROVEMENT IN CERTAIN STATES

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Mud Creek, Ark.; Cane Creek, Ga.; Crooked Creek, Minn.; Joe River, Minn.; Little Shenango River, Pa.; Marsh Creek, Pa.; and Weatherford-Bear Creek, Tenn. (with accompanying papers); to the Committee on Agriculture and Forestry.

IMPROVED OPPORTUNITY FOR PROMOTION FOR CERTAIN NAVAL OFFICERS

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to extend the provisions of the act of August 11, 1959, Public Law 86-155, as amended (74 Stat. 396) to provide improved opportunity for promotion for certain officers in the naval service (with an accompanying paper); to the Committee on Armed Services.

AMENDMENT OF SECTION 5 OF HOME OWNERS' LOAN ACT OF 1933

A letter from the Chairman, Federal Home Loan Bank Board, Washington, D.C., transmitting a draft of proposed legislation to amend section 5 of the Home Owners' Loan Act of 1933, as amended (with accompanying papers); to the Committee on Banking and Currency.

REPORT ON OVERCHARGES BY WESTINGHOUSE ELECTRIC CORP. FOR PROPULSION MACHINERY FOR AIRCRAFT CARRIER U.S.S. "ENTERPRISE"

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on overcharges by Westinghouse Electric Corp. for propulsion machinery for the aircraft carrier U.S.S. *Enterprise*, Department of the Navy, dated September 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON PROCUREMENT OF DEFECTIVE ROCKER ARM ASSEMBLIES FOR COMBAT VEHICLE ENGINES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the procurement of defective rocker arm assemblies for combat vehicle engines from Hawk Tool & Engineering Co., Clarkston, Mich., Department of the Army, dated September 1963 (with an accompanying report); to the Committee on Government Operations.

PROPOSED AMENDMENT TO CONCESSION CONTRACT WITHIN YOSEMITE NATIONAL PARK, CALIF.

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed amendment to the concession contract with Best's Studio, Inc., within Yosemite National Park, Calif., (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT OF FINAL SETTLEMENT OF CLAIMS OF CERTAIN INDIANS

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, on the settlement of the following claims of certain Indians (with accompanying papers); to the Committee on Interior and Insular Affairs.

Michigan Ottawa and Chippewa Indian Tribes, Petitioners, v. *The United States of America, Defendant,* Docket No. 4.

Henry Jackson, Telford Adams, John Caldwell, Peter Nadjoon, Andrew Ritchie, Elijah Tabobondung, Fred Tory, James Smith, Gabriel Walkhouse, Petitioners, v. *The United States of America, Defendant,* Docket No. 6.

Saginaw Chippewa Indian Tribe of Michigan, A Federal Corporation, and James Strong, William Robert Warren, Margaret Arvold, Julia Potter, Stanley A. Nordwall, Betty Ann Nordwall, Edwin Carl Lerche, Jr., Elmer B. Simonds, et al., as representatives of all members by blood of the Chippewa Tribe of Indians, Petitioners, v. *The United States of America, Defendant,* Docket No. 13.

James Strong, Elmer B. Simonds, William Robert Warren, Margaret Arvold, Julia Potter, Betty Ann Nordwall, Edwin Carl Lerke, Jr., et al, as representatives and on behalf of all members by blood of the Chippewa Tribe of Indians, Petitioners, v. *the United States of America, Defendant,* Docket No. 13-B.

James Strong, Elmer B. Simonds, et al, as representatives and on behalf of all members by blood of the Chippewa Tribe of Indians, Petitioners, v. *the United States of America, Defendant,* Docket No. 13-D.

The Prairie Band of the Pottawatomi Tribe of Indians, Petitioner v. *the United States of America, Defendant,* Docket No. 15.

The Bois Forte, Fond Du Lac, Grand Portage, Lac Du Flambeau, Band River, Red Cliff, Lac Court O'Reilles, Mole Lake and St. Croix Bands of Chippewa Indians, known and constituting the Lake Superior Bands, the Minnesota Chippewa Tribe, Pillager, Pembina Bands, the Keweenan Bay Indian Community, acting for and on behalf of itself, and the L'anse, Lac Vieux Desert and Ontonagon Bands of Chippewa Indians, all members of the Chippewa Tribe of Indians, Petitioners, v. *the United States of America, Defendant, and Red Lake Band of Chippewa Indians and Saulte Ste. Marie Band of Chippewa Indians, including Bay Mills Indian Community, Intervenors,* Docket No. 18.

The Minnesota Chippewa Tribe, Petitioner, v. *the United States of America, Defendant,* Docket No. 20.

The Apache Nation, et al, Petitioners, v. *the United States of America, Defendant,* Docket No. 22.

Hannahville Indian Community, Wilson Michigan, and Forest County Pottawatomi Community, Crandon, Wisconsin, Petitioners, v. *the United States of America, Defendant,* Docket No. 29.

PLANS FOR WORKS OF IMPROVEMENT IN CERTAIN STATES

A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Middle Oconee Walnut Creek, Ga.; Baker River, N. H.; Lower Clar Boggy Creek, Okla.; Salt Camp Creek, Okla.; and Upper Bosque River, Tex. (with accompanying papers); to the Committee on Public Works.

REPORT ON FEDERAL VOTING ASSISTANCE PROGRAM

A letter from the Secretary of Defense, transmitting, pursuant to law, a report on the Federal Voting Assistance Program, for the period September 1961, to September 1963 (with an accompanying report); to the Committee on Rules and Administration.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution adopted by the Seventh Guam Legislature; to the Committee on Interior and Insular Affairs:

"PETITION RELATIVE TO RESPECTFULLY PETITIONING THE MEMBERS OF THE U.S. SENATE TO FAVORABLY CONSIDER THE ENACTMENT OF S. 1495, THE GUAM TYPHOON REHABILITATION BILL

"Whereas the island of Guam was the only inhabited part of the United States that was permanently occupied during the Second World War, especially during the protracted and bloody liberation of Guam in July-August 1944; and

"Whereas since that date, although the sacrifices and patriotism of the people of Guam were more than adequately recognized by the U.S. Congress which in 1950 extended to the residents of the island of Guam U.S. citizenship and limited self-government, for which the people of Guam will be forever grateful, no really permanent effort was made to properly rehabilitate the island from the ravages of the war, most of the public buildings being built on a temporary, quonset hut basis, and most of the people of Guam similarly living in temporary and flimsy structures, the local government being without sufficient funds to finance the necessary permanent public construction; and

"Whereas as a result, when Typhoon Karen—one of the greatest storms in the history of the Pacific, having struck Guam with winds in excess of 200 miles an hour during the month of November 1962—devastated the territory, the flimsy, temporary buildings which were erected during and following the Second World War were leveled and the government of Guam faced an impossible task in trying to rebuild Guam on a permanent, long-term basis, it being unanimously agreed that to merely replace demolished temporary buildings with new temporary buildings would not be in the best interests of either the government of Guam or the Government of United States; and

"Whereas accordingly, there was introduced, at the request of the administration into the U.S. Senate, S. 1495, under the sponsorship of Senator HENRY M. JACKSON, for the purpose of providing the long-term rehabilitation the territory needed, a companion bill H.R. 6225 having also been introduced in the House of Representatives; and

"Whereas on August 29, 1963, the House of Representatives passed its bill, following the adoption of amendments recommended by the House Committee on Interior and Insular Affairs, and the Guam rehabilitation bill is now therefore in the sole hands of the U.S. Senate, the Interior and Insular Affairs Committee of which has already had hearings thereon at which time appeared representatives of both the executive and legislative branches of the government of Guam; now therefore

"We the undersigned members of the Seventh Guam Legislature, do hereby respectfully petition and request, on behalf of the people of the territory of Guam, the Members of the U.S. Senate to favorably consider the passage of S. 1495, the Guam typhoon rehabilitation bill, which bill or its House equivalent, is of such inestimable importance not only to the future welfare of the American citizens resident in the territory of Guam but also to the national interests; and we do hereby

"Further express the unanimous belief of the people of Guam that the passage of S. 1495 is in the best interests not only of the territory of Guam but also of the United States since Guam serves as the nearest outpost of the American Flag to the emerging nations of the Far East and is therefore the showplace of American democracy in the Orient, which showplace, it is respectfully suggested, deserves the opportunity to rehabilitate itself and to take its place as a modern American community with permanent public facilities in keeping with American traditions."

In witness whereof, the members of the Seventh Guam Legislature have hereunto subscribed their names in the city of Agana, territory of Guam, this 6th day of September 1963.

J. M. Acfalle, J. L. Anderson, G. M. Bamba, V. B. Bamba, R. J. Bordallo, A. L. Cristobal, A. S. N. Flores, W. D. L. Flores, F. G. Lujan, M. U. Lujan, J. C. Okiyama, P. D. Palting, C. A. Quinata, F. T. Ramirez, J. Q. Sanchez, J. C. Santos, E. S. Terlaje, J. U. Torres, J. T. M. Toves, A. B. Won Pat, and F. C. Wusstig.

RESOLUTIONS OF MASSACHUSETTS GENERAL COURT

Mr. KENNEDY. Mr. President, on behalf of my colleague, the Senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I present a certified copy of a resolution entitled: "Resolutions Urging the United States to Convey the U.S.S. *Massachusetts* to the Commonwealth of Massachusetts as a State Memorial," adopted by the Senate of the Commonwealth of Massachusetts on September 9, 1963.

I ask that this resolution be appropriately referred.

There being no objection, the resolution was referred to the Committee on Armed Services, and, under the rule, ordered to be printed in the RECORD, as follows:

RESOLUTIONS URGING THE UNITED STATES TO CONVEY THE U.S.S. "MASSACHUSETTS" TO THE COMMONWEALTH OF MASSACHUSETTS AS A STATE MEMORIAL

Whereas the U.S.S. *Massachusetts* was built in the city of Quincy in 1942, and was immediately commissioned and put into battle without the usual shakedown cruise; and

Whereas the battleship *Massachusetts* fired the first 16-inch shell in the European offensive, and distinguished itself in both the Atlantic and Pacific, participating in 35 engagements in 3 years and sinking or damaging 5 enemy ships and destroying 18 enemy aircraft; and

Whereas the U.S.S. *Massachusetts* in 1962 was declared to be in excess of current Navy needs and was stricken from the Naval Vessel Register, and since that time has been retained in the Reserve Fleet; and

Whereas whenever a ship is stricken from the Naval Vessel Register, the maintenance of such ship is no longer authorized, and it is then subjected to deterioration by the elements until disposed of or salvaged; and

Whereas the battleship *Massachusetts* will be disposed of at the end of this year unless the Commonwealth formally requests the U.S. Navy Department to donate the battleship to the Commonwealth where it may serve as a fitting State memorial and as an inspiration to all; and

Whereas it is fitting that the battleship *Massachusetts* be returned to Massachusetts and be docked alongside the U.S. frigate *Constitution*, where both ships, the *Constitution* and the *Massachusetts*, the first and the last battleships of the U.S. Navy to be built in the State, will be an inspiring naval museum and a permanent historic shrine: Therefore be it

Resolved, That the Massachusetts State Senate respectfully urges the Congress of the United States and the Department of the Navy to take such action as may be necessary to insure that the U.S.S. *Massachusetts* will not be sold for scrap or otherwise disposed of, except by donating said battleship to the Commonwealth of Massachusetts, as a State memorial, upon formal request being made therefor by the Governor of the Commonwealth; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, to the Secretary of the Navy, to the presiding officer of each branch of the Congress and to each Member thereof from this Commonwealth.

Senate, adopted, September 9, 1963.

THOMAS A. CHADWICK,
Clerk.

Attest:

KEVIN H. WHITE,
Secretary of the Commonwealth.

The VICE PRESIDENT laid before the Senate resolutions of the Senate of the Commonwealth of Massachusetts, identical with the foregoing, which were referred to the Committee on Armed Services.

AUTHORIZATION OF PHOTOGRAPH OF CHAMBER OF U.S. SENATE—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 201); which was placed on the calendar, as follows:

Whereas the United States Capitol Historical Society, an educational organization incorporated under the laws of the District of Columbia and counting among its membership some 250 Members of the Congress of the United States, has as its stated purpose the fostering of an informed understanding of the inspiration and promise of American history with the Capitol edifice itself as the focal point of its program; and

Whereas said Society engaged in the compilation of an illustrated historic guide to the United States Capitol for sale to the public at a minimum cost, which publication will complement and be comparable in format to the extraordinary historic guide to the White House recently developed and published by the White House Historical Association; and

Whereas said Society in the public interest has pledged to make available for public use negatives of all photographs which it has collected or newly processed for its historic guide; and

Whereas to complete and lend authenticity to its historic guide, said Society has requested official permission to make for inclusion therein a color photograph of the United States Senate in actual session, which action would be contrary to long-established Senate precedent and is expressly prohibited by rule IV of the Rules for the Regulation of the Senate Wing: Now, therefore, be it

Resolved, That rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol (prohibiting the taking of pictures in the Senate Chamber) be temporarily suspended for the sole and specific purpose of permitting the United States Capitol Historical Society to photograph the United States Senate in actual session.

SEC. 2. The Sergeant at Arms of the Senate is authorized and directed to make the necessary arrangements therefor, which arrangements shall provide for a minimum of disruption to Senate proceedings.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. JOHNSTON, from the Committee on Post Office and Civil Service:

John A. Gronouski, of Wisconsin, to be Postmaster General.

BILLS INTRODUCED

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN:

S. 2162. A bill for the relief of Pietro Castellan; to the Committee on the Judiciary.

By Mr. TOWER:

S. 2163. A bill for the relief of Alexa Daniel; to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 2164. A bill for the relief of Polly Ann Mutz Kampouris; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 2165. A bill to prohibit the inclusion of certain printed matter on stamped envelopes sold to the public by the Post Office Department; to the Committee on Post Office and Civil Service.

By Mr. HARTKE:

S. 2166. A bill for the relief of Dr. Bong Oh Kim; to the Committee on the Judiciary.

RESOLUTION

AUTHORIZATION OF PHOTOGRAPH OF CHAMBER OF U.S. SENATE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 201) authorizing the taking of a photograph in the Chamber of the U.S. Senate, which was considered and agreed to.

(See the above resolution printed in full when reported by Mr. JORDAN of North Carolina, which appears under the heading "Report of a Committee.")

DEPARTMENT OF DEFENSE APPROPRIATION BILL, 1964—AMENDMENTS

Mr. SALTONSTALL submitted an amendment, intended to be proposed by him, to the bill (H.R. 7179) making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. PROXMIRE submitted an amendment, intended to be proposed by him, to House bill 7179, supra, which was ordered to lie on the table and to be printed.

EXECUTIVE AND LEGISLATIVE PROGRAM—PHOTOGRAPH OF SENATE

Mr. DIRKSEN. Mr. President, I should like to inquire of the majority leader with respect to the legislative program after the vote on the treaty tomorrow morning.

Mr. MANSFIELD. In response to the question raised by the distinguished minority leader, it is anticipated that at the conclusion of the vote on the treaty tomorrow the nomination of Mr. Gronouski as Postmaster General will be considered.

Following that, the Senate will then take up H.R. 8100, a bill to amend the Railroad Retirement Act.

Following that, the Senate will take up the defense appropriation bill.

Following that, the agricultural appropriation bill will be considered.

It is anticipated that the Senate may reach the agricultural appropriation bill around 3 o'clock on Wednesday next.

Also, if the distinguished minority leader will indulge me, and if the Senate will do so, I should like at this time to request the distinguished chairman of the Committee on Rules and Administration to offer a resolution which is of interest because of a photograph that will be taken tomorrow of the Senate in session, not for commercial purposes, but for historic purposes. This has been agreed to by the distinguished minority leader, and the resolution has been reported unanimously by the Committee on Rules and Administration.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DIRKSEN. I should like to inquire of the chairman of the Committee on Rules and Administration whether this refers to a photograph of the Senate while it is voting on the treaty, for insertion in what is known as the Capitol Guide Book, to be issued by the Capitol Historical Society?

Mr. JORDAN of North Carolina. That is correct. It will not be taken while the Senate is voting, but while Senators are in the Chamber, either before or after the vote is taken on the treaty, whichever the majority leader desires.

Mr. DIRKSEN. I gather that those in charge of taking the photograph would like to have Senators in their seats, and not walking around, so that a good photograph can be made for historical purposes.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. DIRKSEN. Probably the best time would be while the vote is being taken.

Mr. MANSFIELD. I point out that the Senate will convene at 10 o'clock, and that it will vote at 10:30. This is purely coincidental, but there would be a quorum call between 10 and 10:30, and so long as this is being done, that would be a good time for a photograph to be taken.

Mr. KEATING. I wished to interrogate the distinguished majority leader on this point. In outlining the program——

Mr. MANSFIELD. I anticipate the Senator's question. He is a bulldog. I must say that while he has not yet reached the seat of my pants, he has come pretty close to tearing them. We are now looking into the matter the Senator has in mind. I would like to discuss it privately with the Senator later this afternoon.

Mr. KEATING. I am sure the Senator refers to the proposal for the extension of the life of the Civil Rights Commission.

Mr. MANSFIELD. Yes.

Mr. KEATING. It happens that my interrogation was on another subject, but I am very grateful to the Senator for that information.

Mr. MANSFIELD. I am sorry.

Mr. KEATING. I will probably ask the Senator about that, too. In the course of outlining the program, the Senator said he thought the Senate would probably reach the consideration of the agriculture appropriation bill about 3 o'clock on Wednesday. I wonder if he intended to give the impression that there would be no vote on the defense appropriation bill until Wednesday.

Mr. MANSFIELD. No. If possible, there will be a vote on the defense appropriation bill tomorrow.

Mr. RUSSELL. Mr. President, there are no great issues involved in the defense appropriation bill. We hope to be able to complete action on it tomorrow afternoon or early in the evening, provided it can be brought before the Senate by 12:30 or 1 o'clock. I did not know that other bills would precede the defense appropriation bill, and I do not know anything about the length of time their consideration will require. If the Senate can reach the defense appropriation bill at a reasonable time, action on it can be completed soon.

Mr. JORDAN of North Carolina. The resolution, which was reported by the Committee on Rules and Administration, and which I would like to have adopted this evening, is for the purpose of taking a photograph tomorrow in color, of the Senate in session. This is desired by the Historical Society, which desires to produce a book comparable to that which is being produced at the White House and being sold at the White House. The Senator from Pennsylvania [Mr. CLARK] knows about it.

This is one phase of the book. This is the book that would be sold by the guides in the Capitol. It would bring up to date the history on the Capitol of the United States, which has not been done thoroughly for many years. The National Geographic Society will take the picture. The majority leader, the minority leader, and all the members of the Committee on Rules and Administration have unanimously approved the plan. It is their desire that the Senate adopt the resolution, so that the photograph can be taken tomorrow while the Senate is in session and as many Senators as possible are present.

If the resolution is agreed to, it has been asked that all staff members be off the floor when the picture is taken, so that the Senate Chamber may not be cluttered up with too many people who are not wanted in the photograph. That is not my wish, but that has been the request.

Mr. JAVITS. Is a specific time to be fixed? Some Senators have been asked to be present at the signing of a bill tomorrow morning at the White House.

Mr. JORDAN of North Carolina. It would be between 10 and 10:30 o'clock, or at whatever other time might be agreed to, when the Senate was in session.

Mr. MANSFIELD. Would 10:15 be satisfactory?

Mr. JAVITS. I think it would be good if a specific time were set.

Mr. JORDAN of North Carolina. Ten-fifteen tomorrow morning is satisfactory.

Mr. JAVITS. Mr. President, some other Senators are also interested in the extension of the Civil Rights Commission. I hope the Senator will apprise us of the earliest possible moment when that bill will be called up.

Mr. MANSFIELD. That will be done.

Mr. RUSSELL. Mr. President, will the Senator from North Carolina yield?

Mr. JORDAN of North Carolina. I gladly yield.

Mr. RUSSELL. All Senators like to have their pictures taken. When I look around and see some of my colleagues and then view my own physiognomy in the mirror, I sometimes wonder why. But that is a weakness of mankind.

I am not too enthusiastic about the picture-taking proposal scheduled for tomorrow. I should like to ask the Senator from North Carolina whether he regards this as a precedent, whereby the Senate would be opened for the taking of pictures from the gallery or elsewhere. A rule prohibiting the taking of pictures in the Senate has been in effect for at least the past 3 decades.

Mr. JORDAN of North Carolina. It is not to be considered a precedent. The resolution specifies that the picture taking is to be limited to this occasion only. It would be necessary to have the Senate adopt another resolution if another picture were to be taken in the future. Permission is sought for this one time.

Mr. RUSSELL. "Vanity, vanity, all is vanity," says the preacher. So I suppose I shall not object. I shall probably be in my seat, to let my constituents know that I was not absent from the Senate, but was on the job on that day.

But there should be a footnote to the picture in the publication, to the effect that "This was the only time in the session of 1963 that every Senator was in his own seat." [Laughter.]

I am happy that the Senator from North Carolina has made it clear that the taking of the picture tomorrow will not be considered a precedent, but is for the express purpose set forth in the resolution.

Mr. JORDAN of North Carolina. It is for this express purpose only.

Mr. RUSSELL. A Member of the House came over to discuss the proposal with me. Someone told him that I was somewhat cantankerous at times. After we discussed it, I decided that I would not object to the resolution. I am glad the Senator from North Carolina has made it clear that the taking of the picture tomorrow will not constitute a precedent, but that further action would be required by the Senate if it were desired to take pictures in the future.

Mr. JORDAN of North Carolina. That is correct. Two hundred and fifty Members of Congress are now members of the United States Capitol Historical Society. This proposal did not originate with the chairman of the Committee on Rules and Administration.

Mr. RUSSELL. I assure the Senator from North Carolina that I am aware of that.

Mr. CLARK. Mr. President, I could not hear the majority leader from where I was standing in the rear of the Chamber. Did I hear him say something about bringing up proposals, before the end of the week, certain to change the rules of the Senate?

Mr. MANSFIELD. To put it charitably, the Senator from Pennsylvania misunderstood me.

Mr. MORSE. Mr. President, will the Senator from North Carolina yield?

Mr. JORDAN. I yield.

Mr. MORSE. I am tempted to offer an amendment to the resolution, but I shall forgo it. However, it would be a great public service if it were brought up. I understand an early report will be made by the chairman of the Committee on Rules and Administration—I hope it will be an early one. If I do not offer my amendment to this resolution, I shall offer it to the next. I refer to my antisaloon amendment, which I shall offer to the first resolution that the Committee on Rules and Administration reports to the Senate.

Mr. JORDAN of North Carolina. Mr. President, I ask for the immediate consideration of the resolution.

The PRESIDING OFFICER (Mr. EDMONDSON in the Chair). The resolution will be stated.

The legislative clerk read the resolution (S. Res. 201) as follows:

Whereas the United States Capitol Historical Society, an educational organization incorporated under the laws of the District of Columbia and counting among its membership some 250 Members of the Congress of the United States, has as its stated purpose the fostering of an informed understanding of the inspiration and promise of American history with the Capitol edifice itself as the focal point of its program; and

Whereas said Society is currently engaged in the compilation of an illustrated historic guide to the United States Capitol for sale to the public at a minimum cost, which publication will complement and be comparable in format to the extraordinary historic guide to the White House recently developed and published by the White House Historical Association; and

Whereas said Society in the public interest has pledged to make available for public use negatives of all photographs which it has collected or newly processed for its historic guide; and

Whereas to complete and lend authenticity to its historic guide, said Society has requested official permission to make for inclusion therein a color photograph of the U.S. Senate in actual session, which action would be contrary to long-established Senate precedent and is expressly prohibited by rule IV of the Rules for the Regulation of the Senate Wing: Now, therefore, be it

Resolved, That rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol (prohibiting the taking of pictures in the Senate Chamber) be temporarily suspended for the sole and specific purpose of permitting the United States Capitol Historical Society to photograph the United States Senate in actual session.

SEC. 2. The Sergeant at Arms of the Senate is authorized and directed to make the necessary arrangements therefor, which arrangements shall provide for a minimum of disruption to Senate proceedings.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 201) was considered and agreed to.

The preamble was agreed to.

Mr. JORDAN of North Carolina. Mr. President, I desire to make an announcement. Senators should be in their seats at 10:15 o'clock tomorrow morning. The photographer will set up his equipment tonight. If Senators are not present at the scheduled time, it will not be the fault of the Committee on Rules and Administration.

NOTICE OF HEARING ON NOMINATION OF CHARLES H. TENNEY TO BE U.S. DISTRICT JUDGE, SOUTHERN DISTRICT OF NEW YORK

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, October 3, 1963, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of Charles H. Teeney, of New York, to be U.S. District Judge, Southern District of New York, vice Alexander Bicks, deceased.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from New York [Mr. KEATING], and myself, as chairman.

NOTICE OF HEARING ON NOMINATION OF DAVID RABINOVITZ TO BE U.S. DISTRICT JUDGE, WESTERN DISTRICT OF WISCONSIN

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, October 9, 1963, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of David Rabinovitz, of Wisconsin, to be U.S. District Judge, Western District of Wisconsin, vice Patrick T. Stone, deceased.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Michigan [Mr. HART], the Senator from Illinois [Mr. DIRKSEN], the Senator from Nebraska [Mr. HRUSKA], and myself, as chairman.

ELIGIBILITY REQUIREMENTS, RENTS, AND OCCUPANCY STANDARDS OF FEDERALLY ASSISTED LOW-RENT HOUSING PROJECTS

Mr. SPARKMAN. Mr. President, a few months ago, the Comptroller General of the United States submitted a report to the Congress on its review of eligibility requirements, rents, and occupancy standards of federally assisted low-rent housing projects. This report contained two important items which are fundamental in the operation of the public housing program.

One of the items involves the income level in determining occupancy of low-rent public housing projects. The report made particular reference to families of low income who had substantial assets and who, according to the GAO, should not be considered as eligible for occupancy in these projects because the law requires occupancy by families in the lowest income group.

The other point made by the GAO refers to rent levels in public housing projects. The GAO expressed the opinion that, in some projects, rent ceilings were so low that families were encouraged to remain in the projects instead of seeking private housing.

The above subjects have been under consideration a number of times by the Congress and, in fact, in 1959 the Congress made changes in the law which placed the responsibility for establishing income limits and rents on local officials subject to the existing law that eligible families be in the lowest income group, and be unable to afford decent housing built by private enterprise in that community. The GAO report is the first comprehensive report on these subjects since passage of the 1959 legislation.

Upon receipt of the GAO report, I requested the Commissioner of the Public Housing Administration to look into the GAO criticisms and submit a report to the Housing Subcommittee.

The agency's reply expressed a deep concern that the GAO report will give the public a false impression about the income level of low-rent housing tenants. The agency felt that the true low-income character of its program is reflected more truly by the average income for all of its tenants of only $2,418 per year.

I ask unanimous consent that excerpts from the GAO report together with excerpts from the PHA report to the Housing Subcommittee be included in the RECORD at the end of my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXCERPTS FROM THE COMPTROLLER GENERAL'S REPORT TO THE CONGRESS ON ELIGIBILITY REQUIREMENTS, RENT AND OCCUPANCY OF LOW-RENT HOUSING PROJECTS

Some local housing authorities had established occupancy eligibility policies that permitted families with incomes in excess of the median family incomes in their communities, and families with substantial assets, to reside in the low-rent projects. In this regard, we are recommending that the Commissioner, Public Housing Administration, establish guidelines for use by the local housing authorities in determining families who are in the lowest income group in order to maintain the low-income character of the projects. Further, we are recommending that the Congress consider amending the U.S. Housing Act of 1937 to provide that the Public Housing Administration require the local housing authorities to establish limitations, subject to approval by the Public Housing Administration, on the amount of assets that may be owned by a family that is to be considered eligible for admission to and continued occupancy of low-rent projects.

Some local housing authorities had established low rent ceilings which provided incentives for families with relatively high incomes to remain in the low-rent housing projects instead of seeking private housing. We are recommending that the Commissioner, Public Housing Administration, instruct the agency's regional directors to make periodic reviews of local housing authority rent schedules to assure that they do not provide rent ceilings at such low levels that families with relatively high incomes will have an incentive to remain in the low-rent housing projects instead of seeking private housing.

EXCERPTS FROM THE REPORT BY THE PUBLIC HOUSING ADMINISTRATION TO THE SENATE SUBCOMMITTEE ON HOUSING IN ANSWER TO THE COMPTROLLER GENERAL'S REPORT ON ELIGIBILITY REQUIREMENTS, RENTS, AND OCCUPANCY OF PUBLIC HOUSING PROJECTS

With respect to the GAO's conclusions and recommendations we present at some length our disagreement with both their conclusions and recommendations:

1. In the summary of the first finding on page 3 (of the GAO report), the statement is made that many families with relatively high incomes were occupying project dwelling units. This statement can be variously interpreted depending on the reader's interpretation of what proportion constitutes many and what incomes constitute relatively high incomes. This statement can easily give the impression that on the whole the program is not serving low-income families. Unless the reader goes beyond the summary of findings into the detail of the report he does not discover that the median income of families reexamined in 1961 was only $2,418.

2. In support of the first finding on page 3 the statement is made that about 8 percent of the families living in low-rent housing in 1962 had incomes in excess of $5,000. This statement implies that no families with incomes above $5,000 should be served by the program, no matter how large the family and no matter what the location. But the GAO does not say that no families with incomes above $5,000 should be served. Therefore, it is not clear why the statement is made, at least without giving the full facts about all families living in public housing. This statement is repeated on page 14; however, in this context, it is followed by a statement that the median income of all families was $2,418. In other words, the GAO in its summary at the beginning of the report brings out only that part of the facts which it feels support its case.

GAO, in criticizing the program on the basis of 8 percent of the families with incomes over $5,000, does not bring out that $5,000 is below the median income of all urban families in the United States ($5,199—1960 census) but later used the median income in various localities as a test of whether or not public housing is serving low-income families.

3. In the summary of finding No. 2 GAO states that a number of local authorities with NHA approval had established occupancy eligibility policies which had the effect of permitting families with total incomes greater than the median family incomes in their communities to occupy low-rent housing. The GAO also states that, except in unusual circumstances, a family with total income greater than the median family income in the community should not be considered eligible to occupy low-rent housing. Dismissing for the moment whether the median income in a community is a valid test, we would like to point out certain weaknesses in GAO's analysis:

(a) In the detailed discussion of this finding, beginning on page 29, the GAO presents on page 30 a table showing "that 37 out of 202 local authorities had maximum income limits greater than the median income of families living in their community," but it is not until one reads the discussion following this table that one discovers that, in arriving at the 37 authorities, GAO has used the maximum income limit for the largest size families. Higher income limits are set for larger families for reasons that are obvious. Even if one accepts the median income test as having validity it certainly would not be reasonable in making the test to apply the median income of families of all sizes against the income limit for the largest families.

When, later, the GAO applies the test to the income limit for the smallest families the reader finds that on this basis only 6 out of 202 local authorities had income limits above the median income of all families in the community. This clearly shows that the selection of income limits for comparative purposes must be related to family size to permit valid comparison. In view of this it would have been logical to use the income limit for the average size family to compare against the median income of all families, rather than comparing the highest with an average.

(b) In presenting the data about the number of local authorities with maximum income limits above the median family income in the community, the GAO does not mention that it has used maximum income limits for continued occupancy rather than maximum income limits for admission. We feel that failure to bring this out is misleading. Maximum limits for admission determine whether the family ever gets to live in public housing and are usually about 20 percent lower than income limits for continued occupancy. Income limits for continued occupancy are set somewhat higher than admission limits in order that families admitted near the admission limits would not be required to move because of a modest increase in income.

In support of its finding concerning families having incomes above the median community income the GAO (beginning on page 23) cites several cases where certain individual families were considered eligible because all of the income of certain family members was not included in determining eligibility. In only two of the cited cases—these being the two highest—does the GAO give the full family circumstances as a basis for judging whether it was reasonable for these families to be permitted to continue to live in public housing (bottom of page 24).

The detailed family circumstances were supplied by PHA in commenting on a draft of the audit report. After we had furnished the GAO with the detailed circumstances of these families there was added a comment that the local housing authority considered most of the minors' earnings as available for family use because most of the minors income earnings were included in the computations for rent-determining purposes. This, to us, indicates a complete failure on the part of GAO to consider this matter in any terms other than figures alone. In fact, the action of the local housing authorities in both cases was completely in accordance with congressional policy. The Congress, up until the time it eliminated specific standards from the act, had specifically authorized exemption of all of the income of minors in determining eligibility for continued occupancy but had not authorized exemption of all such income in determining rent.

The reason for this congressional policy is obvious; namely, that families should not be required to move out of public housing when their children obtain employment, pending the time they either leave the family or reach majority, but that it would be reasonable to consider that some of their income would be available in meeting family living expenses, including rent. Obviously, if the family wished to buy a house it could not count on the income of minor children to obtain the necessary mortgage.

In any case, we do not feel that the median income of all families in a community is a valid criterion for establishing maximum income limits even though limited to an average size family. The proportion of families which have insufficient income to enable them to obtain adequate housing in the private market varies greatly among different communities. It is apparent that the vast majority of local authorities have set limits below the median. The median income limit for admission for all local authorities for 1960 for an average size family was $3,100 and the median limit for continued occupancy was $3,875, as contrasted with the median income of all urban families in the United States of $5,199. But we do not think this should preclude those local authorities in communities where the facts so warrant from setting limits above the median. The GAO seems to ignore the including of the phrase "except in unusual circumstances" in its own finding.

We think one of the best tests we have been able to make of the general level of income limits in public housing against an objective standard was a comparison we made in 1960 of income limits against a city worker's family budget, issued by the Bureau of Labor Statistics. The budget was prepared for 20 of our largest cities and reflects a level of income described as "modest but adequate." The budget was for a 4-person family and the income limits for admission for a 4-person family in each of the cities was compared with the budget for that city. In every case the income limit for admission was substantially below the city worker's family budget. The average budget figure was $6,083 and the average income limit was $3,620. Thus, the budget issued by the

Bureau of Labor Statistics was, on the average, about 68 percent higher than the income limit.

4. One of the findings is that low rent ceilings provide an incentive for families with relatively high incomes to continue occupying low-rent housing. This finding is based on the fact that some local authorities have established rent ceilings which permit some families to pay a smaller proportion of their incomes for rent than other families. (Page 7.) Here again, the phrase "relatively high income" is used to imply that the families referred to should not be living in public housing but in any project there are bound to be some families, no matter how low their incomes, which from a literal standpoint have relatively high incomes in relation to other families in the project. The report does not recognize that the families referred to have incomes below the established income limits, and, therefore, cannot afford adequate private housing.

The GAO recommendation on this finding is that the PHA Commissioner instruct the PHA regional directors to make periodic reviews of FHA rent schedules to assure that they do not provide rent ceilings at such levels that families with relatively high incomes will have an incentive to remain in the low-rent housing instead of seeking private housing. Since the families in question have incomes below the established income limits and are, therefore, families of low incomes, this recommendation ignores the congressional mandate that PHA, in approving rent schedules, take into account only the maintenance of the low income nature of the projects and their financial stability and solvency. (See page 49 of conference report on the Housing Act of 1959, Rept. No. 566, 86th Cong., 1st sess.).

Having frankly stated our disagreement with and objections to certain aspects of the GAO report, we want also to state that we have found the GAO reviews helpful in assessing and evaluating our own procedures and performances as well as local operations. We have and will continue to make constructive use of them.

U.S. median family income, median income limit for average-size family, and median net income of families admitted

Year (1)	U.S. median family income [1] (2)	Median admission limit, average size family [2] (3)	Col. 3 as percent of col. 2 (4)	Median net income of families admitted (5)	Col. 5 as percent of col. 2 (6)	Col. 5 as percent of col. 3 (7)
1960	$5,657	$3,100	54.8	$2,215	39.2	71.5
1959	5,417	3,000	55.4	2,201	40.6	73.4
1958	5,087	2,900	57.0	2,143	42.1	73.9
1957	4,971	2,800	56.3	2,135	42.9	76.3
1956	4,783	2,900	60.6	2,081	43.5	71.8

[1] Current Population Reports, Series P-60, Bureau of the Census.
[2] 222 report, Statistics Branch, PHA.
[3] 226.1 report, Statistics Branch, PHA.

BENEFITS OF TOURISM

Mr. MOSS. Mr. President, America's expanding population and its increasing mobility has heightened interest in many areas of the Nation in tourism as an economic resource.

Dr. Osmond L. Harline, head of the Bureau of Economic and Business Research of the University of Utah, has devoted much time to studies on the economics of tourism. And a recent column by William A. Dunn, financial writer for the Deseret News of Salt Lake City, reports Dr. Harline's views on the overall economic value which increased tourism may contribute to a region.

I am sure that many Members of the Senate will be interested in the facts in Mr. Dunn's report, and I ask unanimous consent that a copy of it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Motel Owner, Baker—All Benefit From Tourism

(By William A. Dunn)

Today we hear a great deal about tourists and recreation, what proper development of this tremendous potential will do for the economy of the State.

And almost everyone agrees that a growing tourist and recreation industry holds great promise for the motel and hotel owner, the ski lodge and lift operator, the service station owner, the restaurant operator, and all those directly associated with the trade.

But, wonders Bob Smith as he goes about his work at the Kennecott smelter, what does tourism have to do with me? His job is certainly not dependent upon tourism, in fact, the only time he really knows what it means is that time each year when he himself becomes part of it .

Dr. Osmond L. Harline, director of the Bureau of Economic and Business Research, University of Utah, is quick to point out that tourism affects everyone in the State, whether directly or indirectly.

The value of tourism is measured in new dollars coming into the State, new jobs and additional taxes pouring into State coffers.

NEARLY FOUR AND ONE-HALF MILLION TRAVEL TO UTAH

"During 1962 it was estimated that 4.5 million visitors traveled to Utah and spent approximately $135 million while in the State," he said. "These expenditures represent new dollars brought into the State."

Dr. Harline says although it is difficult to know exactly the number of jobs created by tourist expenditures it is estimated that in 1962 the tourist dollar furnished a base for total direct employment of almost 13,000 workers.

"With expenditures of $135 million and employment of 13,000, the tourist industry may be compared with other important Utah industries. It employs about two-thirds of the number in agriculture, about five-sixths of the number in mining, and about one-fourth of the number employed in manufacturing," he says.

TOURIST BENEFITS SPREAD

Dr. Harline points out that it doesn't stop there. Through the multiplier effect—that is, for every person directly employed in a tourist-oriented industry—the foundation is formed for one additional person in a secondary industry. Consequently, in Utah a total of 26,000 jobs can be attributed directly or indirectly to tourism.

"This multiple effect, of course, answers the contention of many individuals not directly connected with the tourist industry who state that tourists merely pass through the State, or, if tourists do stop, they have no economic impact on the well-being of firms not related to tourism," Dr. Harline explains.

He cites examples:

Tourists from out of State spend dollars at a service station. The service station operator hires an additional employee. The new employee takes his check and buys new clothes at the local department store.

FARMERS PROVIDE FOOD

Or, a tourist buys meals in a local restaurant. The restaurant operator buys vegetables, fruit, and meat from the farmers of the region.

Or the tourist stays overnight in a motel. The motel operator hires a college girl home for the summer. The college student is enabled to use her tourist-derived earnings to further her college education or for a new hairdo or a new fall outfit.

And the multiple effect goes on and on, even though on a much smaller scale, for successive rounds.

In addition to new jobs and new dollars generated by the tourist dollar, the State reaps additional tax revenues.

BENEFITS THROUGH TAXES

"We estimate that in 1959 property taxes attributable to the tourist trade amounted to $1.2 million, gasoline taxes, $2.9 million; sales tax, $1.9 million; cigarette and beer taxes, and liquor profits, $0.1 million totaling over $6 million in taxes to State and local government. No attempt was made to estimate State income tax attributable to the industry," Dr. Harline says.

Dr. Harline contends that the tourist and recreation industry is everyone's business and has four suggestions for building the industry: (1) developing facilities and activities; (2) creating a better informed public; (3) providing more advertising; and (4) development of a statewide tourist and outdoor recreational plan.

"If the steps are taken, I believe it is entirely realistic to predict the doubling of Utah's tourist and recreational industry by 1970," he predicts.

THE WILDERNESS BILL

Mr. MOSS. Mr. President, I ask unanimous consent to have printed in the Record an editorial of KSL-TV in Salt Lake City.

There being no objection, the telecast was ordered to be printed in the Record, as follows:

Wilderness—KSL Editorial of September 2, 1963

With Labor Day behind us and the major workload in Congress still largely untouched, it is obvious that little attention is going to be paid this session to the long-debated wilderness bill. Nor, judging from past stalemates, does there seem much likelihood of action next year or even the next.

But time and population pressure aren't waiting. Overuse and misuse are marring and threatening with permanent damage some of the most precious parts of our scenic outdoor grandeur.

It is becoming increasingly obvious that we can't wait for some future wilderness system to protect what we already have. It's time for an intensive drive against littering, contamination, and abuse of primitive back-country areas.

Take the middle fork of the Salmon River, for instance. This sparkling gem—where deep, clear emerald pools alternate with exhilarating stretches of white water—may be the only river left in America big enough to float a boat and where a man can safely dip a cup over the side for drinking water. It won't be safe much longer. A recent survey of the middle fork area showed dismaying evidence of litter and lack of sanitation at the few sandbar campgrounds the river affords.

The problem is widespread. A recent report from the High Uintah primitive area showed even worse conditions. And 45 volunteer sportsmen recently hauled 3 tons of tin cans, foil, glass, and other debris out of one area of the Sierra Nevadas after a weeklong cleanup there. In Ontario, Canada, the problem has reached a point where forest officials are considering limiting the number of canoeists by issuing permits on a quota basis.

It may have to come to something like that in our own western forests, unless education and enforcement can turn the tide. We need more regular patrols such as have now been established in the Uintah Mountains. We need more cleanup efforts, supervised by Forest Service personnel, but manned by the many volunteers who would be willing to help. We need to make more arrests and levy more fines against the people who won't cooperate.

America's unspoiled primitive areas constitute a great heritage for the replenishing of our spirits and the renewing of our strength. Surely this generation is sensitive and intelligent enough to pass the heritage on unspoiled to the next generation.

THE TEST BAN TREATY

Mr. MOSS. Mr. President, I ask unanimous consent to have printed in the RECORD four editorials, two each from the Salt Lake Tribune and from the Deseret News, both great daily newspapers in Salt Lake City, Utah.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Deseret News, Aug. 15, 1963]

GUIDELINES FOR MAKING TREATIES

Back in 1959, when there was other talk of a nuclear test ban agreement with Russia, Secretary of State John Foster Dulles listed the reasons he opposed it:

"If we signed such a pact with the Soviets, there would develop a tremendous pressure to cut back on our defenses, reduce the size of our Armed Forces, and curtail our armaments.

"We would have only the word of the Russians that they were doing the same. Our NATO, SEATO, and other alliances would be endangered, perhaps to the point of deterioration.

"As a result, within a few years we could be as a sitting duck for Communists to pick off whenever they felt the time was ripe."

That warning deserves review today, as our diplomats seek a logical "next step" from the ban on testing in the atmosphere, underwater or in space.

Wednesday, our chief negotiator at the 17-nation disarmament conference proposed the next step might be an agreement with Russia to stop making fissionable material and to transfer large amounts of stockpiled uranium to peaceful purposes. He made no mention of an inspection system to be sure the provisions are carried out.

Maybe there is a possibility here. We must continue to seek, with open mind every possible avenue for easing world tensions and increasing world security.

But we will ignore the past and betray the future if we make any agreement that relies solely on good faith on the part of the Soviets.

The record is so painfully clear on this subject. In 1955 the Senate Committee on Internal Security released a carefully-documented analysis of nearly a thousand Soviet treaties. The record showed, in the report's words, that the U.S.S.R. "had broken its word to virtually every country to which it ever gave a signed promise."

Nor is Khrushchev's record significantly better than that of his hated and feared predecessor. In all his denunciation of Stalin, Khrushchev has never questioned, let alone repudiated, his record of duplicity in international affairs.

As for his own actions, consider the following:

Last October, when we already had proof to the contrary, Foreign Minister Andrei Gromyko solemnly assured President Kennedy there were no Soviet missile installations in Cuba.

The Berlin wall, whose infamous second anniversary we note this week, was built in complete violation of solemn four-power agreements guaranteeing unimpeded movement of inhabitants between Eastern and Western Zones of the city.

In 1961, in complete defiance of the agreed-upon moratorium on nuclear testing, Russia launched a massive series of tests.

During the bloody Hungarian revolt in 1956, General Muleter was induced to come to a truce talk to discuss the promised withdrawal of Soviet troops. He was seized and executed; the troops stayed, grinding the revolt to bits under Soviet tanks. Imre Nagy, the country's legal president, was lured from his asylum in the Yugoslav Embassy with a clear pledge of safe conduct out of the country. He was seized and executed.

All this was under the leadership of the man with whom we signed the test ban agreement and with whom it is now proposed that we negotiate further agreements.

Surely we have learned by now to sign no agreement that does not meet the following conditions:

1. It must be self-enforcing, not relying on trust; violations must be immediately detectable.

2. It must stand on its own feet, not tied to any other condition, and be based on the mutual self-interest of both parties. We can expect Russia to keep no agreement that its leaders believe is not in their best interests.

3. It must represent steps small enough that any violation would not endanger the security of the United States.

The present test ban agreement seems to meet these criteria. Perhaps other next step agreements may also. We should certainly try.

But if we forget Secretary Dulle's warning about psychological disarmament or history's grim lesson about Soviet reliability, the civilization we lose may be our own.

[From the Deseret News, Sept. 3, 1963]

HOLES IN THE NUCLEAR SHIELD

One main objection to the nuclear test ban treaty is that Russia's testing may have enabled it to develop an effective missile defense so that we ought to continue testing in order to catch up.

The idea is that the Soviets may have discovered that by setting off nuclear explosions in outer space they can protect themselves against intercontinental ballistic missiles. Not that the outer space nuclear blasts would destroy attacking missiles. Rather, it is thought, such blasts could deflect missiles from their intended targets by fouling up their guidance systems.

This line of thinking, however, raises a number of questions that need to be explored.

First, even those who espouse this point of view admit that low-trajectory missiles would not be affected since they go under the "protective" nuclear blasts in outer space. To bring these blasts down to a lower level would be self-defeating, since they would rain radioactivity down upon those they were designed to protect. Consequently, the Polaris submarine would still be an effectual deterrent.

Second, suppose the Soviet Union blanketed itself with a "protective" nuclear covering in outer space. Wouldn't the same blanket that prevents incoming missiles from hitting Russia with any degree of accuracy also throw outgoing missiles off their course?

Third, the knowledge that incoming missiles would not necessarily hit their selected military targets but might instead fall upon the population at large seems small comfort to a nation relying on such a method of "protection." One doubts whether leaders of even such a dictatorship as Russia could get away with such a plan.

Finally, even if deflected missiles merely fell in open country, the radioactivity they would spread would still cause widespread destruction.

Nothing has changed the fact that the mere existence of nuclear weapons makes this, potentially, a dangerous world to live in—not just for the nuclear nations but for everyone. The test ban treaty is an attempt to minimize that danger by providing a safe first step that could lead to ultimate world control of such weapons.

[From the Salt Lake Tribune, Aug. 28, 1963]

BEWARE RESERVATIONS TO TEST BAN PACT

Present forecasts are that the Senate will ratify the test ban treaty. (Columnist Marquis Childs reported yesterday that 68 Senators—one more than the necessary two-thirds—are already committed in its favor.) Ratification, however, could be so diluted by reservations as to make the action meaningless.

A reservation has already been suggested by one of the country's most highly respected elder statesmen.

Former President Eisenhower announced his support of the treaty.

But at the same time he called for a reservation making clear the right of the United States to use nuclear weapons to repel aggression.

This seems to be completely outside the scope of the treaty, which is confined to ending nuclear testing in the atmosphere, in outer space and under water. Moreover, as Chairman FULBRIGHT, of the Senate Foreign Relations Committee pointed out, "It is a basic right of every nation to defend itself."

Another reservation was proposed Tuesday by Admiral Burke, former Chief of Naval Operations. Burke wants the Senate to demand some system of verification or limited inspection of Soviet nuclear facilities. Since the matter of inspection blocked negotiation of a full scale test ban treaty, the Burke proposal, if accepted, would kill the pact.

General Eisenhower is apparently worried by section II of the treaty which includes the phrase "any other explosion." Last week, Admiral Strauss, former Chairman of the Atomic Energy Commission and an outright opponent of the pact, said he feared this phrase could be interpreted to prohibit the use of nuclear weapons by the United States in repelling aggression against an ally or any other free nation.

Strauss is brandishing nuclear defense with a vengeance.

The Senate certainly should consider every question raised as to the meaning and effect of the treaty. During the current hearings a wide variety of opinion has been heard, ranging from full indorsement (the majority) through various scientific and military qualifications to complete opposition.

If the Senate believes specific interpretations are necessary, then it can clarify the U.S. position by adopting a simple statement.

But only under the most extreme conditions should the Senate tack on reservations. We do not believe that any of the witnesses heard so far have made a case for that.

If reservations should be adopted, it might mean the treaty would have to be renegotiated. And that probably would kill the treaty altogether.

That could well be the strategy of treaty foes who, unable to muster enough votes against ratification, will try to gain the same end by more devious means. The Senate should turn back any such attempt.

[From The Salt Lake Tribune, Sept. 1, 1963]

AN ACCEPTABLE TREATY WITHIN ITS LIMITS

The 16-to-1 vote by which the Senate Foreign Relations Committee approved the test ban treaty indicates that the big hurdles—Senate ratification—will be cleared with ease. Some supporters predict that fewer than 20 of the 100 Senate members will vote to reject the pact.

The Foreign Relations Committee wisely decided against tacking on reservations. For reservations might require renegotiation and in the process the treaty could be lost altogether.

Instead, the committee will prepare a report explaining the Senate's interpretation of the agreement. This, according to Committee Chairman FULBRIGHT, will include a statement that the treaty does not prevent the United States from using nuclear weapons in the event of war. The statement will also include assurances that this country will be prepared to resume atmospheric testing if the Soviet Union violates the treaty.

These two points are important since the first answers a question raised by former President Eisenhower and other witnesses while the second provides the "safeguards" demanded by members of the Joint Chiefs of Staff.

Debate on the treaty will begin soon after Labor Day, with final action expected by mid-September. And during that time implications of the agreement will be explored at even greater length than was the case in the 12 days of committee hearings.

Certainly no one should be able to say, when the vote on ratification is taken, that the Senators are not fully aware of what they are doing.

Sharply conflicting opinions were presented at the committee hearings. In his message submitting the treaty, President Kennedy emphasized its limited nature and the hope it will prevent the proliferation of nuclear weapons. Underground testing is permitted; testing in the atmosphere, in outer space and under water is forbidden.

Other proponents—Secretary of State Rusk, Secretary of Defense McNamara and General Taylor, chairman of the Joint Chiefs of Staff—made the case that the treaty, on balance, is to America's advantage. Admitted risks, it was argued, are outweighted by positive gains.

Opponents dealt at length with the risks. Dr. Edward Teller, the nuclear scientist who played a key role in development of the H-bomb, declared Russia was far ahead on antimissile weapons and that the United States could not hope to catch up without testing in the atmosphere. Other eminent scientists did not agree with Dr. Teller.

There was a similar sharp split in the opinion of military men. General LeMay, Air Force chief of staff, had serious misgivings, fearing that we may get complacent and drop our safeguards program down to a level I consider insufficient. Admiral Strauss, former Chairman of the Atomic Energy Commission, was totally opposed. The treaty is not in the best interests of the United States, he said.

Such wide differences of opinion are puzzling to the ordinary citizen.

They may be just as puzzling to Senators. If scientists and military men cannot agree, then who is right?

The answer is that the treaty is a diplomatic, not a military or scientific, instrument and that all factors must be considered in reaching a decision. Scientists and military men often are not able to see beyond their specialties.

This is a limited treaty. It has limited objectives. It certainly will not bring peace in our time. But the consensus, as overwhelmingly expressed by the Foreign Relations Committee vote, is that the treaty is acceptable within its limitations.

The Senate debate, now about to begin, will be enlightening. We do not believe that it should lead to rejection of the treaty.

ADDRESS BY SENATOR CHURCH

Mr. MOSS. Mr. President, last Thursday in Salt Lake City, the senior Senator from Idaho [Mr. CHURCH] delivered a stirring keynote address for the Western States Democratic Conference assembled in that city. With clarity, insight, and with great eloquence, the Senator from Idaho pointed to the path which a large part of the Republican Party is taking in following the junior Senator from Arizona [Mr. GOLDWATER]. Senator CHURCH stated clearly for the Democrats the action which our party must take if it is to meet this modern-day reversion to the 18th century. I feel that every Member of Congress should read the words of my colleague from Idaho, whom I commend most highly for his great service in articulating his views for the western Democrats. Therefore, I ask unanimous consent that this speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

STEMMING THE GOLDWATER FLOOD: A WESTERN RESPONSIBILITY

(Keynote address for Western States Democratic Conference, Salt Lake City, Utah, Sept. 19, 1963, by Senator FRANK CHURCH, Democrat, of Idaho)

I am pleased and honored to be your speaker today at the opening of this western regional conference of the Democratic Party. Western conventions have been very much in the news lately. The Young Republicans met noisily in San Francisco where they were bludgeoned under by the radical right. The Young Democrats held a regional meeting in Berkeley where they yielded to resolutions which were apparently authored by the radical left.

The notoriety resulting from both of these conventions led the President to observe: "I don't know what is happening with the Young Democrats and Young Republicans, but time is on our side."

I don't think we need to be overly disturbed when young people adopt extremist views. These are the only kind that can supply the uncompromised answers they crave. They want to see the world sharply defined in black and white; their idealism prevents them from accepting the broad, gray area, where all people and nations actually live. Doubtlessly, it was this consideration which once caused an eminent conservative father to say: "If my son were not a Socialist at 20, I would think there was something wrong with his heart; if he were still a Socialist at 30, I would think there was something wrong with his head."

No, we needn't be surprised or crestfallen when young people behave like young people. But when a great segment of the senior Republican Party refuses to grow up—when it—

Stares into a Goldwater pot
To see the world as the world is not—

then we have reason indeed to become concerned. The western and midwestern segments of the Republican Party seem never to have wanted to grow up. The republicanism of the Mountain and Prairie States has never gotten over its nostalgic romance with the lawless, trigger-happy days, the careless exploitation, the get-rich-quick temperament of the old frontier. Neither has the western branch of republicanism ever managed to shake off its addiction to oversimplification. Politics, like any western shoot-em-up, is divided between the good guys and the bad guys. Republicans are good; Democrats are bad. State and local governments are good; the Federal Government is bad. Spending for warfare is good, spending for welfare is bad. All foreigners who side with us are good; all who do not are bad.

This is their prescription. It affords an easy sanctuary for those who prefer not to face up to the complexities of our time. It is a prescription which leads inevitably to extremes. How else could it happen that so broad a segment of the Republican Party could seriously espouse, glorify, and thrust up a man for the Presidency of the United States, who has said: "I fear Washington and centralized government more than I fear Moscow."

My friends, this is not the calm voice of conservativism; it is the frantic voice of fanaticism. It does not represent the mainstream of Republican tradition. It is, rather, a repudiation of responsible Republicanism and all for which it stands.

Walter Lippmann, the dean of American journalists, brilliantly contrasts the Goldwater doctrine with the historic role of the Republican Party in national affairs. The core of the Senator's philosophy, Lippmann writes:

"Is opposition to the Federal Government as a guarantor of personal freedom and as protector of the national welfare. To the Senator the Federal Government is a kind of foreign power which must be reduced and distrusted. Senator GOLDWATER regards himself as a Republican. But to be the kind of Republican he professes to be, he must disavow and disown the whole heritage of Hamilton, Lincoln, and Theodore Roosevelt. For Hamilton was the principal founder of the Federal Union. Lincoln was the preserver of the Federal Union and Theodore Roosevelt was the first President to see that the United States would be involved as a world power and that the Federal Government would have to become the regulator of an industrial society. These men, the greatest of the Republicans, stood for a strong and evolving Federal power, not for a loose and impotent confederation of States."

You may wonder why I have chosen to discuss the candidacy of Senator BARRY GOLDWATER, a man with whom I differ politically, but who is personally my friend. The reason is simple enough. It is the Goldwater brand of Republicanism against which we western Democrats must prepare to wage the coming campaign. We must examine its tenets with care, and prepare ourselves for the political spookshow with which it hopes to frighten voters into the Republican column in 1964.

For in the campaign ahead, the Goldwater Republicans will say of us:

"The do-gooders are at it again. They want the Federal Government to act as wet nurse for the whole population, from the cradle to the grave, insuring that every want is uniformly satisfied, and that the shiftless, the improvident, and the lazy are taken care of at the expense of the steady, the foresighted, and the energetic.

"They are extracting, through ever-higher taxes, the good citizens' hard-earned money, and they are doling it out to bad citizens. In the process, the Government has become insolvent, the Nation has been brought to the brink of bankruptcy, and a monstrous bureaucracy has arisen which engulfs Congress and stretches its tentacles around the 50 States, slowly squeezing them to death. This bureaucracy is dedicated to socialism, determined to destroy free enterprise and undermine the liberties of the people."

Now, for those who really believe this to be the plot and purpose of the Democratic Party, words are wasted. But for those who would rather pull the sheets off hobgoblins than quail before them, let's take a look at the facts.

To begin, what accounts for the big Government we have in Washington today, and for the relatively high level of Federal taxation needed to support it? The Federal budget for the current fiscal year (starting July 1) makes the answer at once evident. Big Government on the Potomac is chiefly the product of the warfare state, not of the welfare state which we Democrats are accused of fostering. More than half the total budget goes directly to the Armed Forces.

But, before I am accused of telling only half the story, let's turn the Federal tax dollar over and have a look at the nonmilitary side. Surprisingly enough, most of the spending once again relates to warfare requirements, past and prospective, not to welfare programs. Our space technology, Atomic Energy and Central Intelligence Agencies are all directly linked to our national security. The swollen cost of diplomacy and foreign aid, including military assistance to our allies, also relate to the security needs of the United States.

Add these, along with the continuing cost of our involvement in past wars, veterans' benefits, and interest payments on the war debt, to what we spend each year on the Armed Forces, and the grand total accounts for a staggering 80 percent of all Federal spending. It is these tremendous costs which we have had to sustain almost without letup for almost 20 years that mainly account for big Government in Washington today.

Would the Goldwater Republicans apply the meat ax to these expenditures? On the contrary, the cuts they call for in foreign aid are far outweighed by the expanded military weapons programs they advocate. A recent analysis of their announced position, balancing the cuts they ask against the new costs they would assume, shows that between $6 and $10 billion would be added to the national security sector of the Federal budget.

Of your Federal tax dollar, the National Government spends only 7 cents on all the welfare programs it supports. The Goldwater attack, stripped to its essentials, is really a campaign against these programs.

What are these welfare programs? They include Federal grants-in-aid to the States for aged, blind, and disabled citizens, and dependent children; Federal grants, usually given on a matching basis, for public health, hospital construction, control of water and sewage pollution, and food and drug administration.

Also included are all forms of Federal aid to education, Federal impact funds, the school-lunch program, vocational rehabilitation, and the special assistance to schools and students made available through the National Defense Education Act—and the costs of administering unemployment compensation, and financing research for medical cures of cancer, heart disease, infantile paralysis, multiple sclerosis, and a host of other diseases of mind and body.

On all of these programs combined, we spend a smaller proportion of our gross national product than we did 25 years ago.

Let's examine another hobgoblin. What about the monstrous Federal bureaucracy we hear so much about? Actually, Federal employment no longer keeps pace with the growth of the country. In 1952, there were 16 Federal employees for every thousand of population. By 1958, this number had dropped to 14, and it will be 13 in fiscal 1964. In the decade from 1952 to 1962, total Federal civilian employment fell 3 percent, while employment by State and local governments increased by 63 percent. If "creeping socialism" is measured by the rising tide of Government employees, the sentinels would do better to station themselves closer to home.

What then of the hobgoblin of fiscal irresponsibility? Right after World War II, our national debt was nearly 130 percent of our gross national product. Today it is just under 50 percent. In 1947, the national debt per person was $1,900; today it is $1,600. While the total debt of the Federal Government has increased by 15 percent since 1947, the aggregate debt of State and local governments has increased an astonishing 332 percent, in the total amount of $56 billion. Private-business debt has increased, in this same period, by 271 billion, reflecting the tremendous expansion in all business activity.

If debt accumulation is the measure of fiscal irresponsibility, as GOLDWATER Republicans would have us believe, then the Federal Government, managed by Democrats, is coming off far better these days than either State and local government or private business itself, managed largely by Republicans.

We Democrats must carry these indisputable facts to the people. We must dispell the myths and the quackery. And when the opposition then shifts ground to mount an emotional charge that the liberal policies of the Democratic Party are wickedly destroying freedom in America, let us have the fortitude to say, as BILL FULBRIGHT recently said on the floor of the Senate:

"Liberalism stands for such wickedness as social security, which has destroyed the freedom of the aged to be destitute or dependent; rural electrification and farm price supports, which have destroyed the freedom of the farmer to live in poverty and deprivation—by candlelight; public housing and urban renewal, which have destroyed the freedom of many of our people to live in rural shacks and urban slums; public works and Government fiscal policy, which have destroyed the freedom of most—but not all—of our people to be blissfully unemployed; and Federal aid to education—the most diabolical plot of all—which threatens to destroy our freedom to be ignorant and unemployable."

And we Democrats might raise a few questions of our own about the state of freedom in America. Let's not allow those who speak most piously about preserving freedom to get away with taking positions which make a mockery of it.

Why not challenge them to reconcile their self-styled defense of individual freedom with their attacks upon the Supreme Court. The letters I receive from them complain, not that the Court's decisions confer too little freedom on the individual, but too much. I have noticed also, that while they seldom complain about the denial of civil rights to the Negro citizens of the United States; they bewail the curtailment of the States license to deny these rights, which the Constitution confers.

The preservation of freedom in America is our issue, not theirs. We must not let them steal it away.

I see these stickers: "GOLDWATER in '64." To what century do they refer? Certainly not 1964. GOLDWATER's program—if such it can be called—has no relevancy at all to the problems of our times, either at home or abroad. Certainly they do not refer to 1864, for the primacy of the Federal Union was in that year established in the War Between the States. 1764 comes closest, for the basic tenets of the Goldwater philosophy of Government were then in lively controversy. They could not be defended, even then. The debate was finally resolved, in the years that followed, by the establishment of one great country, one Federal Union, the United States of America.

But this Goldwaterism, which is not relevant to the domestic situation in 1964, loses all contact with reality when placed in context with the problems which confront us in the outside world.

Recall, if you will, our predicament abroad as John F. Kennedy found it in January 1961. Southeast Asia, Berlin, the Congo, and Cuba—all were aflame. Our new President was confronted with rampant crises on four fronts, each one of which threatened us with the most serious reversals.

In southeast Asia, the Communists were on the point of achieving a complete takeover in Laos. Moreover, it was clear that the immediate Communist objective included not only overrunning Laos, but generating in the process a momentum which would bring about the speedy collapse of South Vietnam, and lead to the envelopment of neighboring Cambodia and Thailand. In short, President Kennedy found the whole of southeast Asia in jeopardy.

In Berlin, the dread condition of ultimata between nuclear powers standing muzzle to muzzle had been reached. Khrushchev had defined his objective there, and had announced a deadline for the West to yield or face the consequences. Here, there could be no shrinking from the reality that the vital interests of the United States were at stake. For Berlin is a special symbol. It stands, in sharp focus, as the place above all others outside our homeland, where we have said, "Here you shall not pass. This ground shall not be abandoned." The war clouds had become a towering thunderhead over Berlin by the time John F. Kennedy took his oath as 35th President of the United States.

In the Congo, all was chaos. The Balkanization and further impoverishment of central Africa, which is precisely what the Katanga defection threatened, offered new victims for the Communist incubus. The problem was to forestall a Soviet military presence there, and thus to avoid an ultimate choice between confrontation in the heart of Africa, or dreary and indecisive engagement with the special brands of subversion readily practiced wherever people live in primitive conditions and stable nations have not yet been born.

Finally, in Cuba, the President inherited the burden of coping with the first Communist regime to secure a beachhead in the Western Hemisphere. Castro, was firmly entrenched in Cuba long before Kennedy took office.

Hence, the President, from his first day in the White House, was confronted with a fact of an accomplished Marxist revolution virtually on our doorstep, which had already been delivered into the hands of Communist professionals, but which still enjoyed a large measure of sympathy from our neighbors to the South, many of whom persisted in the naive belief that Castro was an authentic revolutionary, bold enough to assert himself against "the colossus of the north."

Even those of high station in Latin governments, who knew Castro for what he was, were afraid to speak out publicly against him—for Castroism had become a surging force throughout South and Central America, and many a legitimate government trembled before it.

These were the eruptions abroad, which had reached the crisis stage when President Kennedy took office. Less than 3 years have passed. Let us return to the scenes of most acute crisis, and see how the defense of freedom has fared.

The kingdom of Laos, for the present, has been neutralized as an avenue for Communist expansion in southeast Asia. South Vietnam still seethes in the agony of war and oppression, but elsewhere the Asia battlements are better manned, and even the sleeping giant of India wakens to the dangers of Red China, and moves apace into the real life world.

More important still, the war clouds have dissipated over Berlin. At Vienna, President Kennedy and Chairman Khrushchev met face to face, each determined to make clear to the other his intentions, each forming a judgment as to the other's will and character. There followed an abandonment of the Soviet initiatives which had generated the Berlin crisis and brought it to white heat. Talk of a deadline has ceased; the war drums rattle no longer; in their place, a stark wall stands, signifying to all the watching world that communism is a prison, not a panacea. And Berlin remains an emblem of freedom, a token to friend and foe alike that Americans honor their commitments.

In the Congo, a miracle is in the making. The Tshombe secessionist movement, despite clever and unscrupulous support from the rear guard of European colonialism, is discredited and defeated. The United Nations has proved beyond all doubt its dextrous utility as an instrument for peace, as the Congo reaches for life and liberty.

And what of Cuba? Before the events of last October, the President had clearly recognized the ways in which Cuba was a threat to our security, and had mapped out a course of action to deal with them. Cuba threatens us as a seedbed for subversion of the hemisphere. It poses the threat that other revolutions, indigenous in origin, may be penetrated by agents of the Communist conspiracy, and sold out to a philosophy alien to the traditions of the Latin people against their will and beyond their control. This threat can be met by encouraging far-reaching and fundamental changes in the conditions which make revolutions seem necessary. The Alliance for Progress was conceived for exactly this purpose. Through this Alliance, with the help of the enormous shock wave that traveled from the Caribbean to the Strait of Magellan when the true nature of the Cuban revolution was at last revealed, the hemisphere has closed ranks against the outsiders. Cuba remains a thorn in our side, but no longer a dagger at our throat.

The presence of long-range Russian missiles and bombers in Cuba, which we uncovered last October, was an entirely different matter. Some time last summer, cold eyed and deadly, the Kremlin planners decided to risk a major gamble in Cuba. Its purpose was to topple, at one stroke, the whole structure of our defense and deterrent systems, by exposing the heartland of America to almost instantaneous destruction, from an unexpected quarter, without warning and without mercy. To borrow an analogy from chess, it was as if a major fighting piece had suddenly been moved to a commanding square in the center of our position, placing our queen of battles en prey, and threatening checkmate in two moves. The thrust was brazen, and it had to be met with absolute precision, on very short notice.

This was chess for keeps. On that fateful chessboard, the President countered with a move so skillfully executed, that Khrushchev was left with but two alternatives: he had either to withdraw his piece or lose it, on the one hand, or suffer the loss of the whole board, through a nuclear war, on the other. He chose the only rational course left open to him, dismantled his bases and promptly withdrew both the missiles and the bombers from Cuba, under circumstances that made it plain to all the world that the Soviet Union had backed down and the Communists had suffered their most serious defeat since the end of the Second War.

Those days of danger last October may well be recorded by historians of the future as a time when the wheel of destiny took a decisive turn for the whole human race. For they led directly, almost inevitably, to those reversals of policy in the Kremlin which made possible the partial banning, by treaty, of nuclear tests. Khrushchev learned that terror weapons would not bring him victory, for he dared not use them, and we would not yield to nuclear intimidation. So the fortitude of an American President won for us another chance to harness the nuclear monster, or, as Kennedy himself has put it, to stuff the genie back into the bottle, before it is too late.

Only a handful of Senators oppose the treaty partially banning nuclear tests which is now before the Senate for ratification. GOLDWATER is one of these. His opposition surprised no one, and, so far as I have been able to observe, persuaded no one. But it was necessary for him to oppose the treaty, because he is committed to a policy of initiating the use of force in the struggle with communism. Let me read you the key sentences from the concluding chapter of a book by BARRY GOLDWATER entitled "The Conscience of a Conservative":

"Our strategy must be primarily offensive in nature * * * we must always try to engage the enemy at times and places, and with weapons, of our own choosing * * * we should withdraw diplomatic recognition from all Communist governments including that of the Soviet Union. We must—ourselves—be prepared to undertake military operations against vulnerable Communist regimes."

Referring to the Hungarian revolt of 1956, GOLDWATER writes:

"In such a situation, we ought to present the Kremlin with an ultimatum forbidding Soviet intervention, and be prepared if the ultimatum is rejected, to move a highly mobile task force equipped with appropriate nuclear weapons to the scene of the revolt. The Kremlin would also be put on notice, of course, that resort to long-range bombers and missiles would prompt automatic retaliation in kind."

Later GOLDWATER declares that this is hard counsel, because, he writes, "it frankly acknowledges that war may be the price of freedom."

Read GOLDWATER's books, and I venture you will reach some self-evident conclusions.

The first is that anyone who is fully informed about the consequences of thermonuclear war—as Senator GOLDWATER is—and is nevertheless capable of saying such a war may be the price of freedom, simply doesn't live in the real world. In the real world nuclear war can only guarantee death of freedom.

The second self-evident conclusion is that any man who clearly mistrusts all means except violence to advance the cause of freedom is ill qualified to be the leader of a free society. In human history, the power of ideas has always been greater, ultimately, than the fist, the club, or the gun.

The third conclusion is the peril to which we will all be exposed if the helm of the Nation is entrusted to a man of such temperament in these precarious times.

When I consider our predicament today, I recall the tragedy which befell an Idaho hunter who became separated from his party, and lost, in rugged mountain country, while hunting deer in the late autumn. Others of the party, knowing approximately where he was, searched for him until dark. When he could not be readily located, they decided to wait until the next day to continue the search. Although it isn't pleasant to be lost in the mountains, his companions agreed that there was no reason to be seriously concerned. He was a seasoned hunter, perfectly able to take care of himself in the woods.

After the first night had passed, members of the party renewed their search. They found the lost hunter. He was dead of exhaustion. Retracing his tracks in the snow, his companions learned with amazement that he had begun to run shortly after losing his bearings. Up hill and down, through brush and across rocky ledges, crossing and recrossing his own tracks, faster and faster as the snow fell in the gathering gloom, without stopping to build a fire or to take thought of his predicament, in blind unreasoning panic, this man had run himself to death in approximately 8 hours.

Men who know this story still ask themselves why a seasoned hunter and woodsman would allow himself to perish so painfully and unnecessarily—but I think there is an answer. A member of the group expressed it this way: "It might have happened to any of us. There was a part of him which knew better. Deep down, he knew that he could get out if he kept his head, remembered all he had learned about survival in the woods, and disciplined himself for a prolonged and difficult effort. But he knew, also, that he would be cold, alone, frightened, hungry, and exhausted, perhaps for days, before the end of his ordeal, and that final escape was not, even then, absolutely certain."

There was a part of him which feared the woods, dreaded to be lost, and refused to be disciplined; which preferred, in the last analysis, a quick and final answer to the long twilight struggle whose outcome was uncertain but whose price was pain and effort for many days and nights. And so, in panic, he ran himself to death. In a sense, he chose to die rather than to pay the price for life.

I wonder if such a tragedy might not befall our country. Are not those who say, in effect, "Nulear weapons may have to be used; the Communists will always back down if we just have leaders who force them into a corner. After all, we're the good guys, they're the bad, and the good guys always win out in the end"—aren't those who say this really playing upon our reluctance to pay the price which must be paid if freedom is to survive? No rational leadership can promise us quick and easy escape from the problems which demand prolonged, costly, dedicated effort for solution. All that can honestly be promised is what President Kennedy has given us—steady, patient, unremitting, constructive work—with some advances and a hopeful breakthrough, but with the outcome uncertain for many years to come. Against this prospect weigh warily the siren song of quick and easy victory by ultimatum. Beware of a leadership which has nothing to offer but reaction at home and jingoism abroad.

One man, in this day and age, clothed with the power of the Presidency, can deliver us into fiery oblivion—foolishly, needlessly, and finally, by just one error of judgment. An American President who mistrusts the winds of freedom, and tampers cavalierly with the delicate balance of terror upon which the peace presently depends, might well be the last American President.

This is a chance I don't want to take.

That's why I'm here. We westerners bear a special responsibility for BARRY GOLDWATER. As matters now stand, he is the West's gift to the country. He has presumed to claim that this is Goldwater territory. I'm here to say that Western Democrats had better organize for the 1964 campaign, beginning now, in such a way as to surmount the tide of nonsense which threatens to engulf us. And while we're at it, let's sharpen the issues, right here in Utah, between the mossbacks and the Moss backers. Let's make certain that the wind blowing from Wyoming to Washington is a gale and not a dust storm. Above all, let's let the country know that most westerners have staying power; we're confident that we can win over communism because we have faith in the strength of freedom. Let's let the country know that the Western tradition means more than trigger-happy gunmen black jack dealers, and the flash of gold in the pan; it also means good farms where the land is loved and cared for, great cities built brick by brick, and kids who can look forward to a life worth living. There was a high price tag on this Western country. It wasn't easy to get here, when our ancesters came, and it hasn't been easy to stay. It's taken a lot of time, and a lot of faith, to make it the sweet land it is. Let's not forsake it for fool's gold when history calls us to account.

CREATION OF A NATIONAL SEASHORE AT FIRE ISLAND, N.Y.

Mr. KEATING. Mr. President, on April 25, my colleague, the senior Senator from New York [Mr. JAVITS] and I proposed legislation to create a national seashore at Fire Island, N.Y. This unique barrier beach will be a place of recreation and scenic beauty for the millions of people who live in the New York metropolitan area. We also hope that the 20 percent of the population of the country concentrated within a day's journey of Fire Island will be able to use the beach and enjoy its facilities.

Because the beach is, in fact, a sand bar off the shore of Long Island, it is in constant danger of erosion, particularly now that the hurricane season is about to begin.

It is gratifying, therefore, that the chairman of the Public Lands Subcommittee, the distinguished Senator from Nevada, has assured me that the subcommittee will begin hearings on the bill this fall.

The September–October edition of Audubon magazine contains an article calling for prompt congressional action on the national seashore, so that the Federal Government can take action to protect the beach. Mr. President, I ask unanimous consent that the text of that article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DELAY CAN RISK A GREAT OPPORTUNITY

It is heartening to see responsible public debate and discussion hammer out a consensus for the solution of a conservation problem. This has happened among, and through, the press and civic and political leaders in New York on the issue of how best to preserve the extraordinary scenic, recreational and biotic resources of Fire Island. Such progress could not have been made, of course, had it not been for the determined and intelligent work and close cooperation of local conservation and civic groups.

Now there is general agreement locally and in the State, as well as among national conservation organizations, that this remarkable barrier beach, offering so much so close to the Nation's greatest concentration of human population, must be made a national seashore and placed under the protective management of the National Park Service.

Fire Island flanks booming Long Island. Its western end is a scant 50 miles from the towers of Manhattan. The pressures on it are relentless and the subdividers have not been idle. There is still time in this prolonged session of Congress to enact the necessary legislation.

The longer the delay the more the necessary land acquisition will cost the public, and the greater the risk of losing a priceless opportunity. Fire Island is the last seashore area of its kind and quality that can be salvaged on our North Atlantic coast.

LONG ISLAND ARTS FESTIVAL

Mr. KEATING. Mr. President, during the past summer, the citizens of Long Island undertook to establish an annual Long Island Arts Festival. It was my pleasure to be present at the opening event—an exhibition of paintings—early in the season; and today I am proud to advise my colleagues that the first season of this festival has been an enormous success.

More than 35,000 people, largely from Long Island, attended weekend performances, which included appearances by the New York City Ballet, the stars of the Metropolitan Opera, concert artists, conductors, and dance companies. More than 10,000 people visited the art exhibition alone. The committee which organized the festival hopes eventually to construct a music shed in a wooded area, and will in the future present in the theater lectures on music, in addition to concerts, opera and plays.

This ambitious undertaking will bring the arts to thousands of Long Islanders, and also will provide an additional attraction to the many people who visit the New York metropolitan area each summer. I know that many of my colleagues will be interested in this arts festival; and I hope its success will give impetus to similar programs in other States.

Mr. President, I ask unanimous consent that an article concerning the festival, which appeared in the Long Island Commercial Review, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INITIAL LONG ISLAND ARTS FESTIVAL SEASON IS TERMED "UNQUALIFIED SUCCESS"; PERMANENT FESTIVAL SITE SOUGHT

Officials of the Long Island Arts Center Inc., which presented the first annual Long Island Festival of the Arts this summer described the festival, which ended on August 30, an unqualified success.

The concluding performance by the Broadway matinee cast of "Who's Afraid of Virginia Woolf?" was staged at the Hofstra University Playhouse. Other performances during the season, which was launched July 12 with an art exhibition at the Jacob Swirbul Library of Adelphi University, were held in a tent on the campus of C. W. Post College.

In announcing future plans of the art center, President Norman E. Blankman pointed out that more than 35,000 people, largely from Nassau and Suffolk, turned out for the weekend performances which included appearances by the New York City Ballet, Metropolitan Opera stars, Pianists Lorin Hollander and Jose Iturbi, Conductors Morton Gould, Carlos Chavez, and Laszlo Halasz, and the Paul Taylor Dance Company.

More than 10,000 people visited the art exhibition alone, the greatest number to attend any art show on Long Island. Early in August, four additional performances of "Who's Afraid of Virginia Woolf?" were added to the schedule to answer an unprecedented demand for tickets.

According to Blankman, the summer arts festival with the cooperation of Nassau and Suffolk Counties will become a permanent institution and will be housed in a Tanglewood-type shed on one of three sites on the North Shore under consideration by the architecture and site committee of the center. The North Shore has been selected as a summer location because of its natural beauty and because of its comparative lack of airplane traffic, according to officials.

"It is our plan to enlarge next summer's program to the point where it will include every art form available," Blankman emphasized, "We visualize, for instance, a wooded area where people can stroll along shaded paths and admire sculpture that can be displayed to its best advantage in an atmosphere of natural beauty. In addition, we hope to offer demonstration lectures on music and theater by outstanding artists, and our big hope for the future is to establish a high school of music and art at the winter site."

Eventually, Blankman said, the festival will exceed those now offered throughout America and Europe. The summer location will take over outdoors where the winter program ends at a planned site on Mitchell Field, which it is hoped, will also be operated by the Long Island Arts Center Inc., along similar cultural lines, on a contractual basis with the county.

The initial festival this summer attracted national attention and gave impetus to similar programs planned elsewhere. The Saratoga Westbury House, the former John Phipps home, is open regularly from May through October and is furnished, as if the family were still living there, with fine antique furniture, beautiful oriental rugs, paintings by such masters as Sir Thomas Gainsborough, Sir Joshua Reynolds, Sir Henry Raeburn, and John Singer Sargent; hand painted wallpapers, exquisite wood and marble carvings, silver and crystal chandeliers, and tapestries.

The 70-acre gardens are currently in bloom with late summer flower favorites such as zinnias, marigolds, hibiscus, tuberous begonias, and hundreds more. About September 25, the chrysanthemum display for which the gardens are noted will be coming into bloom.

KITTATINNY-SHAWANGUNK SKYLINE DRIVE

Mr. KEATING. Mr. President, on August 2, I submitted a resolution, which was cosponsored by six other Senators, which calls for a study by the Department of the Interior of the feasibility of a scenic highway to be built along the Kittatinny-Shawangunk Mountain range, in Pennsylvania and New York.

All of us have enjoyed the beauty of the Skyline Drive, near Washington; and I believe a similar highway would be a fine thing for the people who live near New York City. A recreation area to be constructed at Tocks Island, in the Delaware River Basin, has also been proposed, and it would, I think, go hand in hand with the construction of this new scenic highway.

The Lions Club of Port Jervis, N.Y., has passed a resolution in conveying their complete endorsement of both proposals. I ask unanimous consent that their resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION BY PORT JERVIS LIONS CLUB

Whereas population growth in the great metropolitan centers of the Northeast is

> causing a race for open space and the exhaustion of areas and facilities for outdoor recreation; and
>
> Whereas our public officials recognize the need for planning now for open space for recreation and have proposed the establishment of the first national recreation center east of the Mississippi at Tocks Island in the Delaware River Basin; and
>
> Whereas the planned Delaware River Marine Park can be extended and complimented by a scenic parkway system on the ridge of the Kittatinny-Shawangunk Mountain Range, being an extension as proposed some 30 years ago of the Appalachian Parkway System; and
>
> Whereas such a parkway would be of great scenic beauty and attractive to lovers of nature and would provide for outdoor recreation, particularly for pleasure driving in a manner that is so highly appreciated by the public as shown by their patronage of the Blue Ridge—Skyline Drive—Great Smoky Mountain Parkways, all of which now have no counterpart in the Northeast, and
>
> Whereas such a recreation area and parkway would compliment the great hotel and resort industry of the area and would add to the economic welfare and development of the several States affected, as well as provide healthful and beneficial pleasure to all: Therefore be it
>
> *Resolved,* That the Lions Club of Port Jervis, N.Y., endorses the Tocks Island plan with its proposed National Marine Park; and be it further
>
> *Resolved,* That our public officials and civic organizations be requested to support actively the proposal of the National Park Service first advanced in 1930, to extend the Appalachian Parkway through the Kittatinny-Shawangunk Mountains, or in any other appropriate manner to create a national recreation area in these mountains.
>
> ROCCO J. MELOI,
> *President.*

RESOLUTION TO CONFER LEGISLATIVE AUTHORITY UPON COMMITTEE ON SMALL BUSINESS

Mr. KEATING. Mr. President, at the very opening of the 88th Congress, the able Senator from Vermont [Mr. PROUTY], in behalf of himself and other Senators, introduced a resolution (S. Res. 30) to confer legislative authority upon our Small Business Committee. I am pleased to have been one of the original cosponsors of this resolution, and am gratified that as of the present time a total of 54 Senators have lent their names and thereby pledged their support to this measure.

Mr. President, I intend no criticism of our Rules Committee, to which this resolution has been referred, or of any of its members—who, as has every other Senator, have been working hard and diligently on pressing legislative tasks—when I say that it always strikes me as anomalous to see any bill or resolution which has been declared for in advance by a majority or more of the Senate, languish in committee for so long without the taking of action. This resolution is not a sensitive measure which would provoke regional passions or would raise difficult constitutional questions. It is simply a proposal to augment the powers of one of the Senate's own committees—to be sure, at the expense of existing power of other committees; but, nevertheless, a proposal which surely can be settled one way or another "within the family," without breaking any heads. I like to think always that Senators are reasonable persons who should be given a chance at least to debate and pass on such measures.

Since the very beginnings of the Republic, Congress has been subjected to much criticism, most of it exaggerated, but still some of it well founded. However, I can think of fewer things which reflect as adversely upon the Senate as its inability to debate, on its merits, a resolution sponsored by a number of Senators more than sufficient to adopt it.

As a firm believer in the committee system, I urge the Rules Committee to take action on Senate Resolution 30 at its earliest opportunity, in order that at least faith in that system may be nourished, and in order that we may get a chance, before this session draws to a close, to consider this measure, which is of great importance to unified, coordinated legislation affecting the lives and destinies of the small businesses and their employees, who constitute a vital segment of the American economy.

WEST VIRGINIA'S NEW MAIL SERVICE IMPROVEMENTS PROVIDE STATEWIDE OVERNIGHT DELIVERIES

Mr. RANDOLPH. Mr. President, I am privileged to commend the Post Office Department for having instituted new mail service improvements in West Virginia.

It is interesting to note that West Virginia played a prominent role in one of the most far-reaching and significant of all developments in the American Postal Service—rural delivery. In October 1896 rural delivery was introduced in Charles Town, W. Va. This daring new service was enormously influential in unifying the rural and urban population.

Now, approximately 67 years later, there has been developed a statewide, overnight mail service in West Virginia. And it has been accomplished with an actual reduction in postal expenditures.

Since the inception of rail service during the closing decades of the last century, West Virgina has experienced unique postal service. An unusual pattern of transportation, coupled with widely diversified commercial and business influences, acted to decentralize rather than knit together the Mountain State. The nature of transportation and business has served to create problems in the inauguration of a statewide overnight mail service. The transportation pattern, prior to July 1, was the result of several historical developments. West Virginia is traversed by three major railroad companies, each serving a rather distinct area. One railway traverses the northern section from east to west; another line crosses the central part; and the third borders the State on the south and west. Very little inbetween transportation was available. North-south connecting links were almost nonexistent. Consequently, in many instances, mail originating in West Virginia destined for another portion of the State was required to go outside our borders to either the eastern or western termini of these railroads for rerouting back into the State.

The business factors affecting postal delivery are perhaps even more difficult to reconcile. The western area of West Virginia is closely linked to the State of Ohio for commercial reasons; the northern portion has strong industry ties in western Pennsylvania; southern counties have important interests in Virginia; and the eastern "panhandle" is vitally concerned with Washington, D.C., Maryland and eastern points.

It was apparent that a mail service pattern providing overnight delivery from any point in West Virginia to any other point, required a complete departure from the old established arteries and an exhaustive analysis of modern needs.

The system now in effect is part of a "sectional center" approach. This proposal was discussed with me by Regional Director A. E. Newton, of the Washington Postal Region, and his staff prior to its initiation. Careful planning and studies were conducted to determine feasibility. Twenty-two major cities in West Virginia were selected as sectional center or distribution offices, and all other post offices in the State were linked to one of these as satellites.

The advantages of this system are principally these: The satellite offices are linked directly to the sectional centers and receive and dispatch their mail directly through these sectional centers in almost all cases. The sectional centers are linked together by fast highway service which, by eliminating numerous stops, makes it possible to traverse the entire State in approximately 15 hours. For example, a letter posted at Martinsburg by 5 p.m. will be in Williamson at 6:15 a.m., and will receive first business delivery. Similar service is possible from any office in the State to any other. Examples follow:

A letter mailed in Wheeling by 5 p.m. will arrive in Lewisburg at 7:15 a.m. A letter processed in Welch by 5 p.m. will arrive in Petersburg at 6 a.m. Charleston has statewide coverage overnight. The basic aim is to provide service which will enable a patron to mail a letter at the close of the principal mail dispatch in any office in West Virginia, and expect delivery the next morning at any other post office in the State.

Improved service has likewise been initiated to major out-of-State centers of Pittsburgh, Baltimore, Washington, Richmond, Cumberland, Philadelphia, and New York.

New highway service has been instituted between Washington, D.C., and Parkersburg via Elkins, Buckhannon, and Clarksburg; between Pittsburgh and Charleston via Sutton, Buckhannon, Clarksburg, Fairmont, and Morgantown; between Welch and Charleston via Bluefield and Beckley; and between Charleston and Martinsburg via Buckhannon, Elkins, and Winchester, Va.

Regional Director Newton has informed me that:

> The improvement in mail service for West Virginia has been accomplished at a savings of about $200,000 per annum. For the most part the new routes are operated by West

Virginia citizens, a direct result being increased revenues to the State.

The new service, in order to work flawlessly, requires precision in makeup and dispatch of mails by postal employees; however, as postal personnel increase their efficiency under the new system, postal service unexcelled anywhere in the Nation should result. This is a remarkable achievement when considering West Virginia's rugged terrain.

A letter in Post Office annals tells something about the severe winter weather of the West Virginia hills, and the problems of the early stage drivers. The Post Office Department has complained to the J. A. Trotter & Brothers' Stage Coach film about not maintaining schedules from Greenbrier County to Clarksburg. Mr. Jim Trotter wrote the following reply to the Postmaster General:

> DEAR SIR: If you knock the gable end out of hell and back it up against Cheat Mountain and rain fire and brimstone for 40 days and 40 nights it won't melt the snow enough to get your damned mail through on time.

Experienced star route and highway post office drivers are assigned to the various routes in the State and, barring unusual conditions, we will enjoy the convenience of and profit by overnight delivery of the mail throughout West Virginia.

I am pleased as a member of the Senate Post Office and Civil Service Committee, to have this opportunity to inform other Senators of the accomplishments of the Washington region, Post Office Department in providing this service to our constituents. I commend Regional Director A. E. Newton, assistant to Director Howard R. Barker, and Distribution and Traffic Manager James B. Arnsberger for their energetic and effective response to a challenging problem. The citizens of West Virginia are grateful for their efforts.

NAVAJO AND CIVIL RIGHTS

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an address entitled "Navajo and Civil Rights," delivered recently by Raymond Nakai, chairman of the Navajo Tribe, before the Junior Chamber of Commerce of Phoenix, Ariz.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NAVAJO AND CIVIL RIGHTS

(By Raymond Nakai, chairman of Navajo Tribe)

It is an honor to speak to you, Junior Chamber of Commerce members of Phoenix, Ariz.

As we look ahead to the general welfare and goals of my people, one of the great aims toward which we must constantly strive is the full realization of our civil and political rights, the discharge of the responsibilities that go with them, and the enlightenment and education necessary to both.

The road ahead will be one of our great and continuing challenges; it will not be an easy road—but the road of the Indian is not and has not been an easy path at all times.

In terms of our general welfare we must constantly seek improvement of our physical condition: we cannot for a moment ignore the sickness and disease which troubles our people in far greater proportion than the American population as a whole.

However, these are conditions which our own continuing education and the wonders of medical science will eventually eradicate.

But in the field of social and political rights we face other great problems for which we cannot—like medical problems—hope for a precise solution from a laboratory.

The laboratory of our social problems is life itself.

Let us examine our situation: the median family income for Indians on reservations last year was one-fourth of the median income of U.S. families.

Indians seek remedies; they leave the reservations in search of outside opportunities, jobs, and housing. However, about one-third of all the Indians who leave the reservation to seek jobs and futures in the cities return to the reservation disillusioned and disappointed by the lack of opportunity and the problems they encounter.

Our plight is worsened because on the reservation unemployment is seven times as great as elsewhere. The fact is that only the bravest or the most talented of our people make successful relocatees.

These difficulties play a major role in the plight of nonacceptance which many an Indian experiences.

Like any minority, the Indians must and have realistically adjusted and reconciled themselves to certain problems created solely because of race. But Indians are keenly aware of and closely watching the most significant social-political event of the year: the assertion by American Negroes of their quest for civil rights.

The Navajo Tribal Council is aware of 8,000 to 10,000 Navajos who are heads of families, with immediate responsibility for providing the necessities of life for those who are dependent upon them. These Navajos, both men and women, are without formal education and their employment opportunities are therefore limited. Nevertheless, they have endeavored to create jobs and job opportunities for these Navajos, and while they are by no means satisfied with the results obtained, substantial progress has been made thus far.

We must never lose sight of the fact that there are fundamental social and cultural differences between the two races which must not, and cannot be overlooked.

Using the Negro experience of 1963 as an example, we may well ask ourselves what path we pursue in seeking fulfillment of our civil rights.

History demands that we measure the Negro mass effort against similar movements of the past; in so doing we must realize that while efforts of such mass proportions do benefit the group and create an awareness of the problem, they also breed their own problems.

A situation can be created where, all too easily, thousands acting from a sincere motive may become easy prey for insincere persons, false leaders who can manipulate the sincere people for their own ulterior motives whether mercenary, political, financial, or otherwise. These false leaders playing politics or seeking personal gain who would exploit the unhappy masses will, at the expedient moment, sell out the honor of their brethren for whatever political belief they can gain leaving the group in the lurch and diluting any benefits that have been previously achieved.

Without proper and sincere guidance mass demonstrations can lead to mass hysteria, in which the real object of the movement becomes secondary and sometimes is all but forgotten. Ultimately, a greater sense of frustration results and can lead to violence.

History teaches the inevitability of such events, in varying degrees, dismal as they are.

We must remember that the American Indians are a proud people with a rich heritage and culture. Over the centuries, in the face of physical adversity and hardship, our strength has flowed from our patience and faith. As we face the future in seeking a better position for our people in the field of civil rights, let us not forget that in a world of fast-moving events and shifting moral values, the real challenge is to remain moderate in the face of emotion and to resist being stampeded by persons with ulterior motives into mass acts which could backfire upon us. Let us remember that we will accomplish our goals and improve our lot through faith, reason and law and the knowledge that time is with us in our striving.

"THE LONGER SHADOW" BY ELMER D. WEST AND ROBERT FARRELL FROM THE JUNIOR COLLEGE JOURNAL

Mr. MORSE. Mr. President, a study entitled "The Longer Shadow," written by Elmer D. West and Robert Farrell, which appeared in the May 1963 issue of the Junior College Journal is of interest to members of the Education Subcommittee in that it portrays most favorably the impact of the junior and community college upon the college enrollment problem.

The growth and strength of the junior and community college program is, I am sure, apparent to each one of us in our own States. However, it may very well be that many Senators are unaware of the national picture with respect to these institutions of higher education. I therefore request unanimous consent that this excellent article to which I have alluded be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE LONGER SHADOW: JUNIOR COLLEGES ARE BECOMING PIVOTAL IN THE OVERALL ENROLLMENT PICTURE

(By Elmer D. West and Robert Farrell)

Among the changes occurring in the field of higher education, probably none are more dramatic than those in the junior and community colleges. One illustration: although the increase in first-time students, fall of 1962 over fall of 1961, in all institutions including junior colleges, was 12,533, the increase in junior colleges alone was 16,191.[1] This could be a significant change in the overall enrollment picture in which the junior college apparently is becoming pivotal.

The most recent directory[2] of higher education by the U.S. Office of Education listed 2,100 institutions. In the preceding year, only 2,040 institutions were listed. The total number of institutions listed increased by 3 percent in 1 year. Category I, which is defined as offering "2 to 4 years beyond the 12th grade," contained 628 institutions. The year before the number was 593. Thus, of the 60 additional institutions in 1 year, 35, or more than one-half, were in the "2- but less than 4-year" category. Although there are always problems of definition and classification, it seems safe to describe these as, in general, junior or community colleges, and to conclude that, as of the most recent directory,

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[1] Edith Huddleston, "Opening College Enrollment, Fall 1962," Higher Education, U.S. Office of Education. February 1963. Pp. 7–10.

[2] Education Directory, 1962–63 (pt. 3), Higher Education), U.S. Office of Education.

30 percent of all institutions listed fall in this classification.

Is this increase unusual? Is it the "wave of the future"?

As has been pointed out, in the fall of 1962, the first-time opening enrollment of degree-credit students in all institutions was 12,533 above the year before. The increase occurred in the junior colleges; in fact, 4-year institutions showed a decrease in first-time enrollments from the year before.

The U.S. Office (then Bureau) of Education first collected data for the academic year ending in 1870. It reported 563 institutions with an estimated enrollment of 52,286 students of college grade,[3] all resident students and practically all at the undergraduate level. The junior colleges in existence in 1962 enrolled more than 10 times as many as all students in higher education in 1870.

It was not until 1917–18 that the Office of Education attempted to collect statistics on the junior colleges.[4] At that time there were 46 junior colleges with a total resident college level enrollment of 4,504, or 98 per institution. The report points out that, as a rule, college level enrollment was not the entire enrollment; there were subcollegiate students in most junior colleges, as well as in some of the institutions granting the bachelor's degree. In 1919–20, the total number of resident students in all of higher education was given as 597,880, or 4.7 percent of the total of 12,830,000 persons in the 18–24 age group.

TABLE 1.—*Indexes of 1st time enrollment*[1] *growth*

[Fall 1954 equals 100]

Fall of	Junior colleges	4-year institutions	All institutions
1939	62	60	60
1946	91	115	110
1947	83	97	94
1948	80	93	90
1949	88	89	88
1950	82	82	82
1951	73	75	75
1952	85	85	85
1953	97	89	91
1954	100	100	100
1955	108	107	107
1956	125	112	115
1957	129	112	116
1958	135	121	124
1959	140	129	131
1960	165	143	147
1961	188	156	163
1962	201	155	165

[1] Degree-credit students only.

ONE HUNDRED-PERCENT INCREASE

Figure 1 (not printed in the RECORD) and table 1 show trends in first-time enrollment of degree-credit students for the aggregate United States based upon Office of Education figures.[5] The 1962 index of 201 for junior college enrollment is substantially above that of 165 for all institutions combined. Expressed another way, first-time opening enrollment has increased by 65 percent since 1954; but in junior colleges the increase is over 100 percent.

With 1954 as the base year, indexes for first-time opening enrollment of degree-credit students for 1962 are shown in table 2. Indexes above 200 appear only for total junior college enrollment, for men in junior colleges, and for public junior colleges. These indexes are shown more clearly in figure 2 (not published in the RECORD.)

First-time degree-credit enrollment in all public institutions had a 1962 index of 179 as compared with an index of only 143 for private institutions. But the corresponding index for public junior colleagues was 207, and that for private junior colleges, 169. Thus private junior colleges increased by 69 percent over 1954, but all private institutions (including junior colleges) increased by only 43 percent (index 143) and 4-year institutions by only 41 percent (index 141). In fact, the index for 1962 decreased (from 146 in 1961 to 143 in 1962) for all private institutions; and for all private 4-year institutions from 145 to 141.

IMPRESSIVE PERCENTAGE

The percentage of first-time degree-credit students enrolled in 4-year institutions represents almost three-fourths (74.8 percent) of the total, leaving to the junior colleges 25.2 percent. However, as recently as 1954, junior colleges enrolled only 20.7 percent of the total first-time degree-credit students, a change for one in five to one in four.

Obviously when total enrollment (instead of first-time enrollment) is considered, the percentages are less, but even here the growth is impressive. In 1954, 11.5 percent of total enrollment was in junior colleges (and, of course, 88.5 percent in others); in 1962 the percentages were, respectively, 14.1 and 85.9. Table 3 and figure 3 (not printed in the RECORD) offer some comparisons of total opening enrollment indexes for fall 1962.

TABLE 2.—*First-time enrollment indexes, fall 1962 (fall 1954=100)*

All institutions	165
Men	156
Women	179
Public	179
Private	143
Four-year institutions	155
Men	144
Women	173
Public	168
Private	141
Junior colleges	201
Men	203
Women	197
Public	207
Private	169

In numbers, of the 4,206,672 degree-credit students in all institutions in 1962, only 592,328 were in junior colleges. This, however, is approximately the same number reported as total resident degree-credit enrollment in 1919–20, 43 years ago. It corresponds to 43 percent of the total enrollment in 1939; and to 24 percent of the total enrollment only 8 years ago. Comparisons are only approximate because of differences in methods of data collection. For example, fall data for 1962 included extension students, but for 1939 they were excluded. In 1919–20, data were for the academic year, excluding summer and extension students.

OTHER CHANGES

The rise in junior college enrollments in actual numbers, in relation to other segments of higher education, and as a proportion of the total enrollment, is marked.

Changes are also occurring in higher education in relation to level of offering. The decline, relative to 1954–55, in the number of public institutions in the classification "offering bachelor's and first-professional degrees only" has been mentioned elsewhere.[6] In the last 5 years, the number of institutions offering the doctorate has increased by 15.5 percent. The increase in the junior college classification was 14.6 percent; for "bachelor's and first professional only," 5.9 percent; and for "master's and second professional" only 3.6 percent. Thus the growth in number of institutions is seen to increase at the extremes. The decline in first-time enrollment in 4-year colleges may be temporary; or it may not be.

Changes in classification are also occurring. The last directory shows that six institutions moved from the junior college classification to the "bachelor's and first professional" classification in the past year. Changes of this type might become accelerated and result in a modification of the present picture.

SOME QUESTIONS ON THE FUTURE

Prediction is a hazardous occupation, and trends in data do not necessarily indicate what will occur in the next few years. Perhaps, however, one may ask questions. If the increase in junior college enrollment, both in numbers and in percentage of total first-time enrollment, continues, will it change to a substantial degree the organization of higher education? Will present 4-year institutions (excluding those offering master's degrees and above) be caught in a squeeze between the junior colleges and the more complex university? Is there a possibility that these 4-year institutions will become "3-year" colleges by shortening the current four-year program through various means such as advanced placement, acceleration, or changes in curriculum—changes now occurring? Will junior colleges then "meet the challenge" by also attempting to become 3-year institutions? Will educational institutions become organized on a "two plus three-more" basis, with community colleges offering a 2-year program, the next level offering a 3-year program leading to the master's degree, and the next level giving doctorate and post-doctorate education?

The questions are speculative. The answers would be even more so. Yet it might be worthwhile to indulge in such speculation. The force of numbers is an impelling one in producing change. Will figures (themselves the result of forces) compel developments which may or may not be good? What is the significance of the changes which are now occurring and which may occur at an accelerating rate?

If the changes in enrollment and in organization of higher education, are not "good," should they be resisted? If they are good, should they be deliberately speeded up?

Or has the answer already been given? "Coming events cast their shadows."

TABLE 3.—*Total opening enrollment indexes fall 1962 (fall 1964=100)*

	Index
All institutions	170
Men	165
Women	180
Public	189
Private	147
Four-year institutions	165
Men	159
Women	176
Public	183
Private	146
Junior colleges	208
Men	212
Women	201
Public	216
Private	166

PROPOSAL TO CHANGE LUMBER STANDARDS

Mr. MORSE. Mr. President, on September 17 the Secretary of Commerce advised me that the Department is revising the procedure that will be used to determine what is to be done with the proposal by the American Lumber Standards Committee for a change in lumber standards. I am deeply pleased that the Secretary of Commerce and the Assistant Secretary of Commerce for

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[3] Biennial Survey of Education in the United States, 1954–56, "Statistics of Higher Education," 1955–56, ch. 4, sec. 1, p. 4.

[4] Ibid., p. 17.

[5] "Fact Book on Higher Education," office of statistical information and research, American Council on Education.

[6] Elmer D. West, "Trends in Highest Level of Offering Within Higher Education," College and University Journal, vol. 1, No. 2, spring 1962, pp. 42–43.

Science and Technology have decided to give this matter further consideration, and I ask unanimous consent that material submitted to me by the Department of Commerce be made a part of the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, last April I advised Secretary Hodges of the concern that had been expressed to me by producers in Oregon over the question of lumber standards. I told the Secretary then that some producers were urging immediate adoption of new proposed standards and others were urging that the entire matter be given further and careful review. I suggested to the Secretary at that time that he should have the National Bureau of Standards enlisted in making the determination.

My specific suggestion was that the Secretary should ascertain "whether the procedures being used to arrive at lumber standards are based on sound technical views fully supported by sufficient research conducted under standards approved and prescribed by the National Bureau of Standards." The procedure which the Secretary is using now appears to fulfill my suggestion of last April on this point.

In addition, I urged that the Secretary "determine whether the standards being promulgated will be of material assistance in enlarging and improving the market for lumber." As I understand the procedure, the Secretary intends to insure that careful consideration will be given to this aspect before any new lumber standard is adopted. It would not do our lumber industry any good to have a new lumber standard promulgated which was harmful to a substantial segment of the industry.

It is my hope that the Senate will soon have a new tax bill under consideration. This legislative proposal is designed to spur the economic growth of the Nation. It would be inconsistent with the administration's policy if another action were taken which would unwittingly disrupt the important lumber industry which is the foundation of Oregon's economy. In fact, it would be inconsistent with the efforts the administration has already taken—which I point out again have immeasurably improved the production and benefit situation in the lumber industry—for any recommendation to be adopted on lumber standards that would wash out or destroy the impressive gains that have been made.

On September 5, I wrote again to Secretary of Commerce Hodges and explained my concern over the effect that the proposed lumber standards would have on lumber mills not in a position to produce dry lumber because they lack the necessary kilns. A great part of the lumber produced in the West and particularly, in western Oregon, is produced for green use and it has long served satisfactorily in this manner.

On September 13, the Department of Commerce advised me that they would give full attention to my suggestion that provision be made for a transition, before any new lumber standards are adopted, to enable producers to install the necessary kilns and associated equipment and to utilize the services of the Small Business Administration for loans to the extent that private capital might prove unable to meet the expansion opportunity. This point, too, was also a part of President Kennedy's six-point lumber program announced last July 26, and I am pleased that the administration is showing a consistent pattern of careful review and assistance for this important industry.

It is my hope that in the period that lies ahead, those in the lumber industry and those who use lumber will work cooperatively so that whatever course may be deemed feasible, the result will be to increase lumber use and lumber markets.

Mr. President, the National Lumber Manufacturers Association has issued two press releases on the subject I have just discussed. The comments contained in the press releases are important and I ask unanimous consent that the NLMA press releases of September 18 also be included in the RECORD following the Department of Commerce materials I inserted previously.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXHIBIT 1

THE DEPUTY TO THE
SECRETARY OF COMMERCE,
Washington, D.C., September 17, 1963.

Hon. WAYNE MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: Secretary Hodges has asked me to reply to your letter which we received September 11 concerning proposed lumber standards revisions. You requested that consideration be given the views expressed in copies of letters you enclosed which you received from Mr. Roy Backus, the Chaney Lumber Co., Mr. Robert B. Martin and Mr. Hershal Tanzer commenting on the proposal to change American lumber standards.

Tomorrow this Department is releasing the procedure which we intend to follow in processing and considering the proposed revision of softwood lumber standards. Since we know you are concerned about this matter, I am enclosing copies of this information before it is released to the press. We would be happy to furnish you and additional copies you need for your constituents who may be interested.

I believe you will find that the procedure we have outlined is fair and that it gives all segments of the lumber industry the opportunity to present their views before the Department decides whether or not to publish the proposal as a revision to the lumber standard.

Sincerely yours,
JOHN S. STILLMAN,
Deputy for Congressional Relations.

U.S. DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, D.C., September 18, 1963.

ASSISTANT SECRETARY HOLLOMON ANNOUNCES PROCEDURE FOR REVIEWING PROPOSED LUMBER STANDARD

J. Herbert Hollomon, Assistant Secretary of Commerce for Science and Technology, announced today the procedure that will be followed by the U.S. Department of Commerce in its handling of a proposed revision of softwood lumber standards recently submitted by the American Lumber Standards Committee.

The proposed revision has been forwarded to the Department by that committee under the commodity standards program, a service which provides a means for an industry to develop national standards voluntarily. A proposed standard acceptable throughout an industry and in the public interest may be published by the Department of Commerce for recommended nationwide use. Standards for many commodities such as nails, boxes, roofing materials, valves, glass containers, as well as softwood lumber, have been developed and issued in this way.

The current softwood lumber standard, issued in 1953, requires graded lumber to be of standard size when it leaves the mill. The proposed revision seeks to establish uniformity of lumber sizes when the product reaches the consumer, and it seeks this result by relating lumber size to moisture content.

Dr. Hollomon said that when the proposed revision is in good form and otherwise satisfies the procedures, it will be widely circulated to a representative cross-section of the lumber industry and other interested groups for acceptance, opposition or comment. After analyzing the responses and considering the total national interest, the Department will decide whether or not to publish the revision as a standard to be followed voluntarily by the industry. The Department has no regulatory or enforcement powers with respect to commodity standards.

PROCEDURE FOR CONSIDERING AMERICAN LUMBER STANDARDS COMMITTEE PROPOSAL FOR SOFTWOOD LUMBER STANDARDS

The U.S. Department of Commerce has recently received from the American Lumber Standards Committee, a proposed revision to Simplified Practice Recommendation 16–53 on softwood lumber standards. The proposal was submitted under the commodity standards procedures of the Department through which standards and simplified practices can be developed on a voluntary and cooperative basis within an industry through the help of the Department of Commerce. Because of the great interest throughout the lumber industry in the proposed revision, the Department is issuing this statement of procedures which sets forth the steps the Department will take in determining whether or not the proposed revision should be published as a voluntary simplified practice recommendation to replace the existing standard.

This specific procedure which conforms with previously published general procedures will be followed by the Department before any decision is reached in order to afford all segments of the lumber industry and all other interested persons a full opportunity for expression of their views. It is emphasized that the commodity standards process is voluntary and is not mandated or enforced by the Department. It is an effort to cooperate with the industry to achieve agreement on those standards which are both beneficial to and supported by industry. Under the program, the Department also has the responsibility of determining whether standards issued are in the total public interest.

1. After editorial review, the Department will return the proposal to the American Lumber Standards Committee with editorial suggestions which will put the proposal into the form customarily used for commodity standards. In addition, the Department will request the committee to furnish a clear statement giving the supporting reasons for the committee's proposal and a second statement representing the views of any members of the committee who may oppose the proposal. These two statements would be circulated with the text of the proposed revision.

2. The Department will obtain a technical review and report on the proposal by the Forest Products Laboratory of the Department of Agriculture and by the Building

Research Division of the Bureau of Standards.

3. When the Department has received the proposal in proper form with the majority and minority statements from the committee, the proposal and statements will be circulated throughout the industry to a representative cross section. The proposal will also be offered for publication to trade journals and other appropriate news media. The cross section of the industry will be compiled by the Department after canvassing the trade associations for nominations. Each trade organization will be requested to furnish a list, that is truly representative of its industry interest and that does not exceed 200 names or 20 percent of the membership, whichever is less. Each organization will also be asked to set forth the criteria by which the selection of names was made in order to assure balanced representation of region, of size, and of activity. The list will include persons and firms who have specifically requested to be placed on the list.

4. The circulated proposal will contain a response form which will offer any person or firm receiving it opportunity to state acceptance or objection to the proposal, and will invite the respondent to indicate the reasons for his position. The response form will also ask whether, if accepted, the standard would be used by the firm or individual.

5. The Department has assigned to the National Bureau of Standards the responsibility of circulating the proposal and preparing the analysis of the responses. This analysis will be published before the Department makes its conclusion.

6. Based upon the analysis by the National Bureau of Standards and such other factors as may be appropriate, the Department will decide whether or not the proposed revision is to be published as a simplified practice recommendation.

SEPTEMBER 17, 1963.

THE ASSISTANT SECRETARY OF COMMERCE,
Washington, D.C., September 17, 1963.
Mr. J. H. CARR, JR.,
Secretary, American Lumber Standards Committee, Washington, D.C.

DEAR MR. CARR: We have received the revision to simplified practice recommendation 16–53 on lumber standards which is proposed by your committee. In accordance with our usual procedures, the Department has reviewed your proposal for technical form and we are returning it with editorial suggestions which we think would make the proposal more in keeping with the form customarily used for simplified practice recommendations.

As you know, the revision proposed by your committee has prompted much interest throughout the industry. I believe it would be very helpful in circulating the proposed revision to have a clear statement of the reasons in support of your committee proposals which would accompany the text of the proposed revision. I understand that your committee was not unanimous in proposing this revision, and therefore, I also request a statement of the views of the minority on your committee which can also be circulated with the text of the proposed revision.

When we have received the editorially revised proposal with these additional statements from your committee, we will then proceed to circulate throughout the industry the text of the proposed revision together with the statement of the majority and minority views.

Enclosed for your information is a copy of the procedure which the Department will follow in processing the proposal of your committee. In response to questions during the recent past, I have emphasized and wish to emphasize now that the officials of the Department of Commerce have not made any judgment with respect to the desirabiltiy of this proposed revision, and we intend to follow to the best of our ability a procedure designed to accord to all segments of the lumber industry and other interested persons a full opportunity for expression of their views.

As explained in the procedures, the circulation of the proposal and the analysis thereof will be handled by the National Bureau of Standards where the Commodity Standards Division is now organizationally located. In general charge of this activity is Dr. I. C. Schoonover, Deputy Director, Technological Standards and Services. In the future, communications on this subject should be addressed to him.

Sincerely yours,
J. HERBERT HOLLOMON.

RESPONSE TO PROPOSED REVISION OF SIMPLIFIED PRACTICE RECOMMENDATION R16–53 FOR SOFTWOOD LUMBER (AMERICAN LUMBER STANDARD)

(NOTE.—This sheet properly filled in, signed, and returned will record the position of your organization either as accepting this simplified practice recommendation or objecting to it. A file copy is attached to the proposed revision.)

Date --------------

NATIONAL BUREAU OF STANDARDS,
U.S. Department of Commerce,
Washington, D.C.

SIRS: We believe the revision of Simplified Practice Recommendation R16–53 for Softwood Lumber, SP–4685, which is proposed by the American Lumber Standards Committee (mark one):

( ) Constitutes a useful standard of practice.

( ) Does not constitute a useful standard of practice.

If the proposal is published as a SPR (mark one):

( ) We individually would utilize the revised standard as far as practicable.

We reserve the right to depart from this standard as we deem advisable. We understand that only lumber which actually complies with the standard in all respects can be identified or labeled as conforming thereto. Please advise us if and when this proposal is published as a SPR.

( ) We would not necessarily utilize the revised standard.

(The reasons for your position may be stated concisely on one page to be signed and attached to this form.)

During calendar year 1962 our ( ) production, ( ) distribution, ( ) use, ( ) other (mark one) of softwood lumber totaled -------------- board feet.

Signature of authorized officer (in ink) --------------------------------

(Kindly typewrite or print the following lines)

Name and title of above officer ----------
Organization ---------------------------
Street address---------------------------
City, State, and zip number ------------

(Separate responses should be filed for all subsidiary companies and affiliates. In the case of related interest, such as trade associations, trade papers, etc., desiring to record their general support or opposition, the words "general support" or "general opposition" should be added after the signature.)

U.S. DEPARTMENT OF COMMERCE,
NATIONAL BUREAU OF STANDARDS,
Washington, D.C., September 1963.

GENTLEMEN: As you undoubtedly know, the Department of Commerce has recently received from the American Lumber Standards Committee a proposed revision of Simplified Practice Recommendation 16–53, American Lumber Standards for Soft Wood Lumber.

There is widespread interest throughout the lumber industry in this proposed revision, and enclosed is a statement of procedure which the Department of Commerce will follow in circulating this proposal, and in later analyzing responses and making a determination as to whether the Department will publish the proposed revision in accordance with the practice of the Department on Commodity Standards generally.

The Department desires to circulate this proposal to representative members of the lumber industry, and we desire to have as representative and objective reaction from individual firms, companies, and persons in the industry as we can get.

In order to compile our mailing list of individual firms and companies, we are asking the trade associations and other interested organizations in the industry to furnish us the names and addresses of members constituting a representative cross section of their organization.

We would appreciate having such a list from your organization, and request that this list not exceed 20 percent of your membership, or 200 names, whichever is less. We also request that you furnish a brief explanation of the criteria you use in selecting this cross section of your membership, with particular reference to the factors of geographical region, size of company, and the particular industry interest represented such as producer, wholesaler, retailer, etc.

Your cooperation in furnishing us this representative list of members of your organization will be greatly appreciated.

Sincerely yours,
A. V. ASTIN,
Director.

The press releases presented by Mr. MORSE are as follows:

LUMBER INDUSTRY APPLAUDS ASSIGNMENT OF SIZE BALLOTING TO JURISDICTION OF NATIONAL BUREAU OF STANDARDS

WASHINGTON, D.C., September 18.—A spokesman for the Nation's lumber manufacturers said today the Commerce Department has acted "in the highest traditions of our democratic process" by announcing the Bureau of Standards will administer industry balloting on proposed new lumber size standards designed to improve the economic condition of the industry and benefit consumers.

Commenting on this morning's announcement of the change by Assistant Secretary of Commerce J. Herbert Hollomon, M. B. Doyle, executive vice president of the National Lumber Manufacturers Association, declared:

"The lumber industry applauds the removal of this issue from the political arena. By assigning to the Bureau of Standards the responsibility for conducting a fair and impartial survey of the industry's reaction to the proposed lumber standards, Dr. Hollomon has acted in the highest traditions of our democratic process.

"The lumber industry is eager to move ahead with the new standards as expeditiously as possible in order to offer the specifier, buyer, and consumer a meaningful standard for softwood lumber giving assurances of value, performance, and quality."

LUMBER INDUSTRY APPLAUDS COMMERCE DEPARTMENT MOVE TOWARD NEW SIZE STANDARDS

WASHINGTON, September 18.—The Commerce Department today announced the ground rules for polling producers and consumers on proposed new lumber size standards, and the action was hailed by the lumber industry as being "in the highest traditions of our democratic process."

Assistant Commerce Secretary J. Herbert Hollomon released a list of more than 200 organizations whose membership will be asked to take a position on the new size proposals. For the actual balloting, each trade organization will be asked to furnish a list of 200 names, or 20 percent of its membership, whichever is less. The organizations involved range from the National Association of Home Builders to the National Broom Corn & Supply Dealers Association. Most of the group are representative of major manufacturers, distributors, specifiers, and users of lumber and wood products.

The National Bureau of Standards has been given responsibility for circulating the proposed size standards among interested groups and individuals and for preparing an analysis of the responses.

Based upon the analysis by the National Bureau of Standards, and such other factors as may be appropriate, the Department will decide whether or not the proposed revision is to be published as a simplied practice recommendation, the Commerce Department disclosed.

Mortimer B. Doyle, executive vice president of the National Lumber Manufacturers Association, greeted the Commerce announcement with this statement:

"The lumber industry applauds the removal of this issue from the political arena. By assigning to the Bureau of Standards the responsibility for conducting a fair and impartial survey of the industry's reaction to the proposed lumber standards, Dr. Hollomon has acted in the highest traditions of our democratic process.

"The lumber industry is eager to move ahead with the new standards as expeditiously as possible in order to offer the specifier, buyer, and consumer a meaningful standard for softwood lumber giving assurances of value, performance, and quality."

Organizations and individuals to be polled by the Commerce Department for their reaction to the new size proposals will be asked to stipulate:

1. Whether the proposal does, or does not, constitute "a useful standard of practice."

2. Whether the person or firm polled would, or would not, utilize the new standards.

3. The extent—by board feet—to which the respondent was involved in the production, distribution, use or other aspects of softwood lumber during 1962.

The ballot to be mailed by the Commerce agency also will give respondents an opportunity to include a one-page explanation of their position for or against the new size standards.

As a preliminary to the upcoming balloting procedure, Hollomon wrote to J. H. Carr, Jr., secretary of the American Lumber Standards Committee, asking for additional information relative to the new size standards. Specifically, Hollomon asked:

1. That the ALSC incorporate "editorial suggestions which we think would make the proposal more in keeping with the form customarily used for simplified practice recommendations."

2. That the ALSC develop "a clear statement" of the reasons why the majority recommended the new size standards.

3. That the ALSC develop a statement by the minority indicating the reasons for its opposition.

"When we have received the editorially revised proposal with these additional statements from your committee, we will then proceed to circulate throughout the industry the text of the proposed revision together with the statement of the majority and minority views," Hollomon advised Carr.

Hollomon also sought to assure Carr that Commerce officials had not yet made a judgment as to the desirability of the proposed standards revision, adding:

"And we intend to follow to the best of our ability a procedure designed to accord to all segments of the lumber industry and other interested persons a full opportunity for explanation of their views."

Future questions and communications on the issue, the Commerce official explained, should be directed to Dr. I. C. Schoonover, Deputy Director, Technological Standards and Service, National Bureau of Standards.

In addition to polling industry producers and consumers for their reaction to the new standards, the Commerce Department will obtain "a technical review and report" on the proposal from the U.S. Forest Products Laboratory and from the Building Research Division of the Bureau of Standards.

Another part of the procedure will be to offer the standards proposal for publication to trade journals and "other appropriate news media."

When organizations submit the names of members to be polled about the new size standards, they will be expected to set forth the criteria by which the names were selected, "in order to assure balanced representation of region, of size, and of activity," the Commerce Department stated. The list of persons to whom ballots will be mailed will include individuals who have specifically requested placement on the list, it was announced.

While the Commerce Department made no announcement of the dates by which it hopes to complete the various steps in its standards procedure, informed sources indicated that a tentative timetable calls for ballots to be mailed to the acceptor list by the second or third week in October and for a final decision to be reached by next January 1, original target date for completion of the program.

Following are some of the organizations whose members will be sent ballots by the Commerce Department:

American Forest Products Industries, Inc.; American Forestry Association; American Institute of Architects; American Institute of Timber Construction; American Road Builders Association; American Savings & Loan Institute; American Standards Association; Architectural Woodwork Institute; Associated General Contractors; Association of American Railroads; Building Officials Conference of America; Chamber of Commerce of the United States; Consumers Union of United States, Inc.; Furniture Design Association; General Contractors Association; Home Manufacturers Association; Middle Atlantic Lumbermen's Association; Mobile Home Manufacturing Association; National Academy of Sciences-National Research Council; National-American Wholesale Lumber Association; National Association of Commission Lumber Salesmen; National Association of Lumber Salesmen, Inc.; National Association of Manufacturers; National Association of Plumbing Contractors; National Building Material Distributors Association; National Lumber and Building Material Dealers Association; National Lumber Manufacturers Association; National Savings & Loan League; National Woodwork Manufacturers Association; Northeastern Retail Lumbermen's Association; Outdoor Advertising Association of America; Philippine Mahogany Association; Producers' Council, Inc.; Red Cedar Shingle Bureau; Southern Pine Association; Southern Pine Inspection Bureau; U.S. Savings & Loan League; West Coast Lumber Inspection Bureau; West Coast Lumbermen's Association; Western Pine Association; and Wooden Box Institute.

CREDIT GIVEN THE BUREAU OF LAND MANAGEMENT

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the Record at the conclusion of my remarks, an editorial from the Portland Reporter regarding the Bureau of Land Management, which is entitled "A Neck Keeps Sticking Out."

This editorial touches on several aspects of the Bureau of Land Management's program in Oregon. I wish to discuss one of these in particular and so express my appreciation to the Reporter for its recognition of the pioneer conservation work being conducted in the Vale District.

In 1961, Congressman Ullman and myself expressed our concern over the level of range management programs on Bureau of Land Management lands. We were subject to criticism from a number of people who misinterpreted our concern and our interest. Working with the Bureau's personnel, the local advisory board members, such as Bill Ross, Jack Joyce, and others, and with members of the State and local grazing board, and members of the national grazing board, Henry Gerber, and Jim Weber, a positive program of range improvement was developed. The Congress was persuaded to appropriate the necessary funds and the program was put into effect.

Now, 2 years later, it is widely applauded and acclaimed as a step forward for conservation. I am deeply pleased that it has this recognition. As in so many other things in this world, it is necessary that there be controversy and debate in hammering out a program, but after it is underway and working well, many tend to forget the difficulties. It is my understanding that later this fall the Bureau's national grazing board, whose members cover all facets of conservation with an interest in the public lands, will meet in Oregon and will inspect this project. In my judgment they will be extremely well pleased with the conservation gains that can be achieved through range improvement and sensible livestock management.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Portland (Oreg.) Reporter, Sept. 2, 1963]

A Neck Keeps Sticking Out

Some Government agencies are like some Government people—both are satisfied that they are doing all they are supposed to be doing by getting started at 8 a.m. and getting through at 4:30 p.m. and getting in nobody's hair. Such an agency was the old U.S. Land Office which was custodian of vast natural resources in the West, but was content to be policeman rather than gardener over them. Its Government people were policemen, concerned only with trespassers, not with making a land of milk and honey in the public domain.

Congress kept this "dead" agency alive, session after session, through all the good old days when fleecing the Government of timber and land was a privilege of railroads, real estate speculators, and others. But the time came after World War II that Congress realized the American people were no longer satisfied with policemen sleeping on the public lands.

From all over America came demands for better use of public lands, as well as some claims from stockmen that the public domain belonged to them. Congress proceeded to liquidate the policemen—the old U.S. Land Office—and the American people should ever be grateful this exit was followed by birth of the U.S. Bureau of Land Management.

Like the U.S. Forest Service at the turn of the century, the U.S. Bureau of Land Management was created for a lofty purpose—to give the American people better use of their natural resources which were being neglected where they were not exploited by special privilege prey. A high sense of public service inspires both agencies.

Started from scratch, the U.S. Bureau of Land Management has the great advantage of getting a fresh start at a great task with a young and dedicated crew. It is free of deadheads in personnel and in its missions. The Bureau is all business—all public business. This devotion of course means it sticks its neck out in the public interest and gets it bloodied.

In the last year or so, the Bureau in Oregon has stuck its neck out on three great occasions.

It stuck its neck out to promote scientific range improvement despite the intense pressure on public rangeland and we have the pioneer Vale project, a model for the entire West; it stuck its neck out against the timber interests to defeat their scheme to have the Bureau's fine timber cruising method changed and we continue to enjoy conservation in forestry; and it stuck out its neck to seek access to the public lands in Deschutes Canyon which are denied the public because of private club barriers and lack of roads. And now there's money in sight for a breakthrough road into the lower Deschutes.

This newspaper finds it most satisfying to lend what editorial support it can for these Bureau causes. We are touched by the deep concern for public interest with which the Bureau stuck out its neck.

It is hardly necessary to point out that no public agency is more eager to put its case before the people it serves than the Bureau of Land Management.

Its advisory committees are the most distinguished organizations of their kind in our democratic Government. Every phase of a neck-sticking-out program is worked up through the public. It starts with the public. It is prepared in cooperation with the public, and its promotion depends on the public.

ADDRESS OF ROBERT MOSES AT TESTIMONIAL DINNER OF ST. LAWRENCE VALLEY ASSOCIATION

Mr. MORSE. Mr. President, on September 16, 1963, the incomparable Robert Moses delivered a speech at a banquet held by the St. Lawrence Valley Association at Schine Inn Massena. It is an able account of the stewardship of Mr. Moses in connection with the aim of the New York Power Authority.

I wish unanimous consent that it be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF ROBERT MOSES AT A TESTIMONIAL DINNER OF THE ST. LAWRENCE VALLEY ASSOCIATION, SCHINE INN MASSENA, MONDAY EVENING, SEPTEMBER 16, 1963

Mr. Stever, Governor Poletti, President Bewkes and friends, when we began power construction in 1954, in the face of much local misunderstanding, I told the people of the north country that it was the aim of the New York Power Authority to be respected and not to be instantly popular. I believe that by now we have your friendship as well as your respect.

Construction of the St. Lawrence River started in August 1954. After 4 years of intensive construction the pool was raised and water backed up for 35 miles to create Lake St. Lawrence. First power was produced in July 1958 and all facilities were completed in July 1959, 2 years ahead of the original 7-year schedule. Financing involved approximately $350 million of revenue bonds sold without Federal or State credit. Construction was carried on in cooperation with the U.S. St. Lawrence Seaway Development Corporation, the Hydro Electric Power Commission of Ontario, and the Canadian St. Lawrence Seaway Authority.

We approached the St. Lawrence task, especially in the International Rapids section, with humility. It seemed at first almost like an affront to nature. It looked like arrogance for, as I said when Governor Dewey made me chairman, we pitted against the rush of a mighty stream, clogged with ice in winter, little more than the audacious brains and brawn, the antlike men and toy machinery and the vaulting ambitions of two democracies.

In any event, we subdued the rapids so that the St. Lawrence might again run unimpeded to the sea. As promised, we restored and enhanced the scenery of the river and provided for recreation for masses of visitors. We insured a seaway navigable by large ships, bringing the ports of the Great Lakes to the Atlantic, and gave our two countries a new seacoast of 7,000 miles.

We forced a mighty stream into the penstocks which turned the turbines of a burgeoning industrial empire unimagined by Cartier and Champlain. We joined the pioneers who bridged the gap between the age of steam and the age of atomic energy.

It was said that only strictly private enterprise, in this case the utility companies, subject of course to regulation and taxes, could build the international St. Lawrence power, seaway, park and conservation complex. That was sheer nonsense. Surrender to the utilities here and at Niagara could only have been at the sacrifice of inalienable basic public rights and of higher planning objectives. Beyond these basic rights I have no prejudices. I am no Socialist. I am a pragmatist. Whichever agency or combination of agencies, public, private, or quasipublic, can do the job best in my book is the one to do it. The cooperative arrangement which we adopted is hailed today by all but a few right and leftwing fanatics. The leftwingers I fear have closed minds. As to the far right, there are various tycoonish friends of mine who once thought we had horns, hoofs and tails, but now allow that we are pretty good fellows and not beyond salvation.

This St. Lawrence power, seaway and park undertaking has transcended engineering. We celebrated it in the presence of a British Queen as a symbol of our North American unity, of our common language and traditions, and as a tribute to more than a century of unbroken peace between two great democracies in a troubled and divided world. It is a pity that since then so many unnecessary, illogical and frustrating differences between Canada and the United States have arisen.

Let me repeat what I have said before. Canada is even younger than we, with vast and as yet untapped resources, and a relatively sparse population. We are alike in temperament, equally youthful in spirit, free from the disillusionment and bone weariness of the exhausted civilizations and great cultures of Europe, from its obsession with the past, and from the ancient wrongs, feuds and sullen rivalries of the Old World which have proven such fertile ground for Communist blandishments. The St. Lawrence is not the Rhine or the Danube. We need no Prussian watch here, no racial barriers, no border patrols.

Let us not forget that the Power Authority of New York and Ontario Hydro jointly constructed the St. Lawrence power project at a cost of $650 million without a signed contract or agreement. It sounds incredible, but so it was. This project stands as a monument to American-Canadian accord. It should serve as an example to all the world that loyalty and mutual trust cross all borders, surmount all barriers and foreshadow an era of international goodwill.

Let us get back to our old friendship without qualifications and reservations. It is high time. Only our common enemies can profit from our differences. Annually, in the olden days, they celebrated with colorful pomp and panoply the wedding of Venice and the Adriatic. In this spirit and with this example, we should declare a holiday and celebrate here each summer the Union of the St. Lawrence Valley and the St. Lawrence River, and raise on the banks of this continental stream the standard of American brotherhood.

We did not build this river complex by metaphors, but metaphors help to explain our problems to laymen not versed in the language of hydrographic charts. The simplest conception is that of a moving water road which we were blocking and bypassing. Our obstacles were not merely physical. They were human in the sense that we had to move people, and build plants and transmission lines. They included obscure laws, unusually complex, overlapping administrative agencies, conflicting personalities, private selfishness, and the stilted terminology of diplomatic usage.

When questions of lake and lawsuit levels and divisions of cost of dredging and whatnot reached the rarified atmosphere and sublimated surroundings of our national capitols, those of us who were mucking around in cofferdams and worrying about material shortages, strikes, and the acts of God and the Queen's enemies, found ourselves repeating with the Rabbit in Alice in Wonderland, "My ears and whiskers, how late it's getting." Somehow we survived and in the process, beyond the fascination of the job itself, we formed lasting friendships with the best engineers, the boldest contractors and the most loyal construction workers. We asked no sympathy for our toil and trouble. We were lucky indeed to have such an opportunity at so propitious a time.

I suppose you expect me to say something significant about the future of the Adirondacks, the north country and the St. Lawrence Valley. I wish I could honestly predict a big industrial empire here, but even with the seaway, it is not in the cards. I still believe the Power Authority is the best agency to represent the State in the coming field of atomic energy, that an economic combination of atomic, hydraulic and steam power with more powerful transmission facilities is in the offing and that the State's efforts should not be confined to byproducts. Ontario Hydro, across the river, is launched in the atomic business.

When we sold our bonds to prudent investors, it had been decided that it would be 30 years before atomic power was competitive with energy from falling water. By that time, with our private debts extinguished and no profits to share, the price of our kilowatts will be very low. All in all, a public power authority, properly led and staffed, with the incidental benefits no private utility company, however affected with a public purpose, could have provided, has been a boon to all the people of our State, and it should not be allowed to languish and become a mere bureaucracy.

For the future major attractions and prosperity of the north country, I would look not so much to farming and industry—although both are important—as to scenery, tourism and vacationing on a much larger and even year-round basis. I can remember when Switzerland and the Alps were frozen in winter, when skiing was an almost unknown sport, when even young people went south and the natives stoically prepared to be isolated for 5 months in the year, when half the houses were not weatherproofed and were boarded up against ice, wind and snow, when superstition ruled out winter gaiety—long before the mountainsides and lakes echoed the shouts of vigorous youth, and banjos, guitars and mouth organs enlivened the evenings and silenced the old wives' tales of hidebound local armchair philosophers.

Prosperity, better access, the longer span of years and the rising enthusiasm for sports have wrought immense changes. The Adirondacks must be opened to reasonable year-round usage. It is high time that the fanatics who chatter "forever wild" in their clubs and parlors, and pretend to a monopoly of interest in nature, the conversational hunters and fishermen who never set foot in the remote wilderness, and the sporting goods sportsmen, were put in their places, and that those who speak for millions who could easily be accommodated and offered magnificent vacations at low cost, were listened to. You have acres of diamonds buried in your Adirondack backyards.

I urge you to have a new, shrewd, hard, practical look at your resources. Bring to bear the same ingenuity, ambition and daring which drew the rural folks to the big cities. You have plenty of talent coming along. Encourage it. Give it scope. Don't drive it away to distant cities where the opportunities are great for an exceptional minority of very smart or very lucky youngsters and the lot of average folk not nearly as pleasant and promising as right here at home.

I know how many of you must have felt when the ghostly army of builders had stolen away, when solitude descended once more on the valley, and it seemed almost as if the great, solid, enduring dams and dikes, locks and plants, like Solomon's Temple, had risen by magic without the sound of hammer or ax or tool of iron. But energy remains, electric and human, and your people, with this example before them, will not go to sleep.

I should hardly rate as much of a salesman if I did not embrace this opportunity to urge you to save your dimes and dollars for visits to the World's Fair at Flushing Meadow in 1964 and 1965. There will be a St. Lawrence Niagara and tieline power exhibit in the New York State pavilion and a thousand other sights to remember. You will find much there to enlarge your pride as Americans and to stimulate your curiosity as citizens of a new world.

Well, that's enough sage advice for one evening. I am most appreciative of the good will of my friends in this valley and in the vast romantic north country. Keep the latchstring out for an occasional return visit and don't forget me altogether, for I shall never forget you.

ALLIANCE FOR PROGRESS

Mr. MORSE. Mr. President, on August 23, the Honorable Teodoro Moscoso, U.S. Coordinator of the Alliance for Progress program, made a very penetrating speech before the Commonwealth Club of California, San Francisco, Calif., on "Results of the Alliance for Progress in Latin America."

As chairman of the Senate Subcommittee on Latin American Affairs, I recommend highly to the Members of Congress a reading of Mr. Moscoso's speech before the Commonwealth Club of California. It is a very able defense of the importance of our cooperating with our Latin American neighbors in carrying out the objectives of the Alliance for Progress consistent with their willingness in turn to do their share in bringing about the necessary reforms within their own countries necessary to making the Alliance for Progress a success.

I ask unanimous consent that the speech be printed in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

RESULTS OF THE ALLIANCE FOR PROGRESS IN LATIN AMERICA

(Address by the Honorable Teodoro Moscoso, U.S. Coordinator of the Alliance for Progress, before the Commonwealth Club of California, San Francisco, Calif., August 23, 1963)

It is no longer necessary today to give a reason for discussing the problems of Latin America. Events there in the past 3 or 4 years have had a powerful impact on the American public. The area has moved from virtual oblivion to the front pages of our newspapers. The image of the sleepy Latino, of the tourist paradise, of the fiesta that yields good pictures for home movies, has radically and rudely changed. Now we think of Latin America as a hotbed of Castro—communism, of feudal rule and unreasonable reluctance to go along with us in policies that we believe are good for the region. The trouble is that these current notions are just as oversimplified as the superficial romanticism that colored our thinking about Latin America in the past. The one thing that is unquestionably true is the simple but immensely meaningful statement President Kennedy made a few months ago: "I regard Latin America as the most critical area in the world today."

I hope today to trace some of the reasons why this is so, to analyze what we are doing about it, and what more we can do.

I

The Latin America with which we deal today is 19 different countries, with 19 different sets of problems and opportunities. Most of the people speak Spanish. The single largest nation—with a third of Latin America's population—Brazil, uses Portuguese. But millions of people in these countries don't speak either of these languages. Guarani is the Indian language of Paraguay, Quechua and Aymara are the major languages of the Andean countries, and many other dialects are spoken by smaller groups of indigenous people, most of whom do not figure in the money economy and hardly are aware that they are citizens of the countries in which they live.

Some of the Republics have long traditions of constitutional democracy, while others are only now emerging from a succession of strongman dictatorships. Some have firmly rooted private and public institutions, which need reshaping under the impact of social ferment and economic pressures. Others have as yet no firm institutional base. Some are industrially developed, thanks in large measure to immigrants from Europe—from the same countries who sent us millions of people that helped build our Nation—Italy, Germany, England, Spain, and Portugal. Most are essentially agricultural—with too many people working too hard to produce too little. A few Latin American countries boast highly developed educational systems, with literacy rates comparing favorably to our own. Most are struggling to reduce the waste resulting from mass illiteracy and to give their people the skills so vitally needed for modern development work. Some have gone through deep political and social revolutions. Most are now at a prerevolutionary stage, bent on massive change, and challenging their own leaders and us to help them do the job in freedom and with a minimum of violence. But changes they want and they will get—either with us, or without and, in that case, possibly against us. The man with the hoe will make his voice heard.

II

Since the early years of our Republic, the United States has had a deep and unique commitment to the struggle of our fellow Americans to the south for political independence, economic growth and social justice. This commitment has been embodied in the Monroe Doctrine, the Pan American Regional Organization and the good neighbor policy. It symbolizes the brotherhood of the Western Hemisphere—the common interest of the American peoples for building societies capable of providing solutions to popular demands.

But since World War II, none of these policies have been adequate to deal with the rapidly growing problems of Latin America. An industrial ferment which began in the postwar years—a ferment induced in part by the near stagnation of rural economies—brought new millions of unskilled workers to the burgeoning cities. Since the end of the war. São Paulo's population has doubled. Mexico City's population increased by 58 percent between 1950 and 1960. City after city has grown and in the cities, the process of the "revolution of rising expections" has accelerated. The back windows of some plush apartment houses in Rio de Janeiro open out on a hillside of huts—the favelas, homes without water, light or sewers. The favela dwellers as well as more fortunate citizens with a social conscience, began to ask "Why?" The answer: "Because this has always been so"—no longer is good enough.

III

Political and economic thinkers in Latin America have understood the seriousness of the problem for a good many years. The United Nations Economic Commission for Latin America, under Dr. Raul Prebisch, proposed comprehensive approaches to the problems of social and economic development in the hemisphere early in the fifties. In 1954, the Latin American countries proposed to the United States the establishment of an Inter-American Development Bank—a regional equivalent of the World Bank—to concentrate on planning and financing the modernization of Latin America. We said "no." It took the disastrous events of the Nixon trip 4 years years later to change our attitude. The Bank became a reality in 1960 and has done a fine job ever since.

But the Bank was only a partial answer. In 1958, President Kubitschek of Brazil proposed a comprehensive program of social and economic development under the title "Operation Pan-America." Again, we failed to pick up a plan of action that a Latin American leader who knew the urgency of the situation offered us. Another 2 years later, reacting to the incidents involving the then Vice President Nixon we moved ahead another step, with the Act of Bogotá, in which we committed ourselves to a major attack on Latin America's social ills. But it was not until 1961, when John F. Kennedy became President, that we faced up to the problem in all its complex and deep-rooted aspects.

On March 13, 1961, in an address to the Latin American ambassadors in the White House, the President proposed "that the American Republics begin on a vast new 10-year plan for the Americas, a plan to transform the 1960's into a historic decade of democratic progress." He called it the Alliance for Progress. August 17, 2 years and a week ago, 19 Latin American Republics and the United States signed the Charter of Punta del Este to give birth to the Alliance.

The Alliance represents a totally new approach to U.S. cooperation with our Latin American neighbors. It is not a projection of the bilateral technical assistance programs which were initiated during World War II under the Coordinator of Inter-American Affairs and continued under point 4. These former activities were programs designed to transmit technical know-how through demonstration projects and training of Latin American technicians.

The Alliance calls for major development efforts by all the Latin American countries in which national and international financial, technical and moral resources are committed to attack the causes of economic underdevelopment, social injustice, and political instability. It is an attempt to change the status quo, and to make change itself the hallmark of a new way of life.

Under the Charter of Punta del Este, the primary responsibility for such basic development is placed on the Latin American countries themselves. Each country has agreed to improve and strengthen democratic institutions through the principles of self-determination of its people, to carry out social and economic reform programs and to accelerate the integration of Latin America, and to provide the bulk—an estimated four-fifths—of the total resources required.

IV

The progress achieved during the 2 years since the charter was signed shows more action by the Latin Americans in the enactment of basic reforms than in the preceding half century. The picture of tax, agrarian, administrative, and other reforms is encouraging. But it is also uneven. Some countries have made giant strides while others have only made superficial efforts. In many cases reform laws have been adopted in good faith, but the countries do not have the trained administrators and specialists to implement them and make them effective.

To help the Latin American governments do this job, we assist them in such areas as national planning, improved revenues collection and better public administration. To this technical assistance we add development loans under terms which they can afford. But we cannot do the job for them. Only the governments of Latin America can bring about the basic reforms which, soundly conceived and implemented, will ultimately help to make democratic government secure.

Unfortunately, the history of Latin America is full of unhappy experiences with corrupt and irresponsible government, which have bred disillusionment and cynicism among the people, and especially the youth. Lack of confidence in their government has made it doubly difficult for Latin Americans to modernize. In less than 2 years, the Alliance could not possibly reverse the trend which has such deep historical roots. But a beginning has been made.

In the 2 years since Punta del Este planning for development has got underway in every member country of the Alliance. Seven countries have submitted blueprints for marshaling their internal resources and effectively utilizing external assistance.

In 11 Latin American countries, tax reforms are underway. In many cases, income and property taxes are being applied for the first time in a country's history. We have made it a policy to work with Latin American governments in generating internal sources of financing for government programs rather than seek from us nonproductive budget support.

In this context an agreement between our Agency for International Development and the Internal Revenue Service warrants special mention. The IRS is undertaking not only to train Latin American officials here but also to provide technical assistance on the spot in improving tax administration. Cooperation between AID and IRS has already achieved some notable results. Tax administrators from Chile who were trained by the IRS were instrumental in increasing that country's revenues under existing laws and in bringing two tax evaders to justice—the first such cases in Chile's history.

In the last 2 years, land holding problems have received more attention than at any time since the wars of independence of Latin America. Prior to the signing of the Alliance charter, only Mexico, Boliva, and Venezuela had basic agrarian reform legislation. Since its signing, five more countries have adopted laws and started on land redistribution schemes. Five other countries are now studying the most effective and appropriate method to raise both productivity and living standards on the land. We do not look on land reform as the splitting up of large estates and the distribution of the land to peasants per se. We see it as a complex problem. Aside from changes in landholding patterns—and these need not necessarily be changed in every case—adequate and supervised credit, marketing facilities, technical assistance and many other elements go into the development of a healthy agricultural economy which can produce abundant food for fast growing populations.

Perhaps the most fundamental series of reforms carried out in Latin America during the past 2 years has been in education. The Latin American countries have substantially increased their budget allocations to education and have taken other significant stages to develop their most valuable resource: people.

All of the hemisphere's resources could be poured into primary education without coming to grips with its need for qualified engineers, economists, professionals, and technicians needed to staff government and industry, to draft and execute national plans and to develop a productive agriculture. Latin America has an estimated 50,000 engineers and technicians in a population larger than our own, while we have over a million and feel we suffer from a shortage.

In husbanding national and inter-American resources for education under the Alliance, we are seeking a balance between primary and higher education. In the first 2 years of the Alliance, more than 8,000 new classrooms have been built—and teachers trained to use them. Nearly 4 million textbooks have been distributed—often the first books of their kind ever received by the children. We are supporting technical training programs for workers in a score of countries, ranging from apprenticeship in El Salvador and industrial training in Chile to vocational education in Brazil and Ecuador. Some 40 major U.S. universities are working with 60 institutions in Latin America to help prepare the future professional, technical, administrative, academic and political leadership of Latin America.

V

Basic reforms and sound public administration of those reforms are essential building blocks of the Alliance. But the success of the Alliance will depend not only on governmental action but also on involving the people of Latin America directly and intimately in the development process.

Within the AID program, special efforts are being made to this end. Individual projects in community development are underway in many countries to make the people themselves protagonists in social, economic and political development. In Central America and Panama, the rural mobile health project combines minimum medical care for 600 villages with community development efforts. The health teams, made up of local personnel, traveling by jeep, boat and muleback, collect a nominal and voluntary fee of 25 to 50 cents for treatment and cost of medicine; the fees collected are turned over to committees in each community which invests these fees in community projects of the villagers' choice. The possibilities for involving the people in their own development under such a project is unlimited, and the response of the people so far has been most encouraging.

On a hemispherewide basis, AID has also set in motion programs which harness the resources of U.S. private enterprise, the leading U.S. unions, cooperatives, and voluntary agencies to work on a people-to-people basis.

The Alliance cannot succeed without a healthy and vigorous private sector in Latin America. This is so, not for reasons of verbal convention, but because our economies prove the point pragmatically. An effective market economy must be created and preserved, and the forces of individual initiative allowed to play their creative role in Latin America as they have in Europe, North America, and Japan. Thus, Latin America business must feel that it has a stake in the Alliance.

U.S. investment has not moved into Latin America of late at the rate at which it is needed. But things are not as bad as some have recently suggested. U.S. firms and investments are already playing a role in the development programs of the Alliance, especially in the key area of manufacturing. But we are not satisfied. AID has developed a number of programs to assist the private sector to play its due role in the development effort. These include direct loans, loans to intermediate credit institutions, investment guaranties, and proposed tax credits on investments in developing countries. Particularly promising are joint ventures of U.S. companies with local businessmen.

Such joint ventures can be mutually advantageous to the business partners themselves, as well as helpful in knitting closer ties among the individuals working together in such firms.

On the labor side, the AFL–CIO has lent its support through the Labor Advisory Committee for the Alliance for Progress. Under its guidance, AID has contracted with the American Institute for Free Labor Development to carry out a hemispherewide effort to combine United States and Latin American union resources in training democratic union leaders and in developing social projects needed by workers to raise their living standards. In little more than a year of operations, the Institute has helped establish labor leader training centers in four countries as well as a regional training center in Washington; it is now setting up centers in seven other countries. In the social projects area, the Institute is working with unions in a score of countries on housing, cooperative, and other activities.

Another area of people-to-people action is in the field of cooperatives. In collaboration with the Credit Union National Association, a center for training credit union technicians is being set up in Peru and will be working with groups in 16 countries to develop credit unions which will provide the common people of Latin America with the means to save and to borrow at reasonable rates. In cooperation with the National Farmers Union, a people-to-people exchange of 75 farm leaders from 6 Latin American countries has been started to provide agricultural and cooperative leadership training.

One program that has given us particular satisfaction and that has opened up a whole new field for people-to-people participation in the Alliance is the association formed between this State and Chile. As you know, your State government and leaders in key sectors of California's economic life—especially in agriculture—are doing pioneering work today. They are exploring the possibility of making the accumulated experience and the research and development resources of California available to Chile, which is confronted with problems and opportunities of geography, soil and climate similar to those that California faced long ago and has solved so successfully. There are also some special historical ties between these two west coast frontier regions—going back all the way to California gold rush days when Chileans came north to this State to work as miners and settle here.

Success in these California-Chile ventures would undoubtedly lead to other such associations between States or regions of the United States and our Latin American sister Republics under the Alliance. It would be another large field for people-to-people action—for the involvement of individuals in this country and in the Latin American countries in a program that must be rooted in understanding and cooperation among our peoples and not just an agreement of governments if it is to have lasting effects.

VI

Today, 2 years after the signing of the Alliance charter, it is safe to say that the Alliance has grown roots. Throughout Latin America, the housing projects, hospitals, water systems and schools that have been built under its banner are tangible evidence that it has got underway. More importantly, the Alliance has made its impact on political, economic and social discussion and conduct in the hemisphere.

Elections have been held where, without the influence of Alliance objectives and charter principles, they might not have been held. Constitutional governments are more secure from coups d'etat today—though far from inviolate as yet—because the subtle pressure of the Alliance charter and of the policies it imposes on all its signers is making would-be strongmen think twice before they roll their tanks up to the presidential palace. And even where unconstitutional changes have occurred, the new rulers are likely to pledge new elections and support for economic and social reform when in the not too distant past they could not have cared less.

Gentlemen, this represents the real progress that the Alliance has made. Men and women in Latin America today are arguing about policies and programs when in the past they dismissed such subjects as political responsibility, economic growth, and social reform as ivory tower debates.

Our free system of life and government precludes the imposition of social and economic change from above. We have to act within the framework of consent, of change through acceptance rather than fiat. This is a long-term process. But not as long as to be endless. I believe that by 1970 much of Latin America will be sustaining its own growth, equipped with the institutions and human resources to transform itself into a modern society.

But the job will by no means be finished by 1970. The political, economic, and social transformation of a continent is not accomplished overnight. What we must seek to provide rapidly is evidence of progress which can sustain the hopes of the people and thus provide the opportunity to complete the long-term task.

The impatience with which some of us view the realization of this program is sometimes inspired by an excessive sense of panic, or by unrealistic expectations of what is possible even in the best circumstances. On the other hand, impatience designed to keep up the pressure is healthy and welcome. Working with the dedication that people connected with this program have displayed in the first 2 years, I am confident that we shall accomplish what we set out to do.

Thank you.

THE CANADIAN WHEAT SALE TO RUSSIA—WHAT NEXT?

Mr. MUNDT. Mr. President, much has been said and written about the Canadian wheat sale to Communist Russia since the announcement of that transaction which came as such a surprise to Secretary of Agriculture Freeman after he had spent a month in Russia and as such a shock to the rest of the free world.

Some Senators and some writers have started advocating that the United States abandon its self-imposed restrictions against sales to communism and that we enter a pagan race for profit by trying to outsell and outmaneuver other free nations in seeking gold for goods even though by so doing we strengthen our enemy and reduce the relative capacity of our friends to resist aggression. Mr. President, to that philosophy of capitulation to either greed or communism, I offer a dissent.

To set out my own views on this subject and its consequences, I prepared a news release for yesterday's release in response to a wire received from the South Dakota Daily Plainsman inquiring about my views. I ask unanimous consent that this news release appear at this point in the body of the Record.

There being no objection, the news release was ordered to be printed in the Record, as follows:

The Canadian Wheat Sale to Russia—What Next?

(Following is statement Senator Karl E. Mundt, Republican, of South Dakota, released today to the Huron (S. Dak.) Daily Plainsman in response to the newspaper's request for his reaction to Canadian sale to Russia and possible program for selling American surplus wheat to Communist countries):

Large Cuban sale of wheat to Communist Russia dramatically illustrates need for a consistent new American foreign policy toward Communist countries and for a workable, effective, realistic foreign aid, trade, and cold war program.

Some points seem crystal clear. A one-nation blockade of communism will not succeed. Canadian wheat supplies will greatly strengthen Communist economy in Russia and enable her to take steps to win back friendship of Chinese communism and to shore up and strengthen faltering Castro economy in Communist Cuba. It is highly significant a substantial shipment of Canadian wheat to Russia is already designated for Communist Cuba. Much will also go to her other restless satellites.

We should either exercise effective world leadership to induce other countries to follow our example in restricting Communist trade which will strengthen alien communism, prolong the cold war, and make more probable a shooting conflict; or admit our failure in such efforts and develop a consistent trade and cold war policy of our own which neither penalizes our producers nor compels our taxpayers to add to the hundred billion dollars of foreign aid already provided additional countless billions recruited to strengthen the fere world against communism while other results of our foreign policy strengthen the Communist capabilities to outstrip and subdue the free world.

Clearly, the more we enable Communist Russia to feed, supply, and strengthen her satellites and to woo the neutral nations, the greater will become our economic and military burden in trying to weaken our adversaries and to support friendly and neutral nations.

A new look at the entire cold war picture is imperative as a result of persistent and shortsighted policies of our friends to feed and supply our enemies. Consistent and effective leadership is required from the White House lest we spin our wheels in all directions while depleting our gold supply, increasing our deficit, and perpetuating a prohibitively costly foreign aid program upon our taxpayers.

SOUTH DAKOTA LADY JOINS NATIONAL GOP COMMITTEE

Mr. MUNDT. Mr. President, Mrs. Clare B. Williams, assistant chairman of the Republican National Committee, has announced the appointment of three outstanding Republican women to key positions in the women's division at the Republican National Headquarters. This is the first major step to augment the strength of the women's division as the Republican National Committee begins to gear up for the forthcoming 1964 campaign.

Mrs. Janet Green—Mrs. George B. Green—of Sioux Falls, S. Dak., will head up the public relations program as director of public relations; Mrs. Elly Peterson—Mrs. W. Merritt Peterson—of Charlott, Mich. will serve as executive director; and Mrs. Elizabeth Willcox—Mrs. O. Blake Willcox—of the District of Columbia will serve as special staff assistant.

In announcing these three appointments, Mrs. Williams said:

> We have selected women whose broad experience in related fields will greatly strengthen GOP women's activities across the country. They are dedicated to a GOP victory in 1964 and will add vital stimulus to all facets of our women's campaign activity. Their energies will be utilized to the fullest in mobilizing woman power from precinct to national level—nationwide.

Mr. President, I know from my personal knowledge of the exceptional capability of Janet Green in working in our South Dakota campaigns and I know these three women will play a key role in electing a Republican President and Republican Congress in 1964. I am including herewith Mrs. Green's biographical sketch which I ask unanimous consent to have printed in the Record.

There being no objection, the biographical sketch was ordered to be printed in the Record, as follows:

Biography of Mrs. George B. Green, Director of Public Relations, Women's Division, Republican National Committee

Mr. George B. Green has been appointed director of public relations, women's division, Republican National Committee, effective September 23, 1963.

Mrs. (Janet) Green brings to the headquarters staff a varied background of experience in the publicity, public relations, and journalistic fields. She has been associated with a number of civic and philanthropic organizations. Born in Austin, Minn., she is the wife of Dr. George B. Green, of Sioux Falls, S. Dak. Dr. Green is on the Staff of the American Red Cross in Washington, D.C., and they reside presently at 2716 North Nelson Street, Arlington, Va.

A resident of the metropolitan Washington area since the 1930's, Mrs. Green was with the Columbia Broadcasting System in Washington prior to her marriage. She has served as director of publicity, British child aid program of the Save the Children Federation in Washington and New York City; assistant to the Washington director of Hill & Knowlton, public relations counsel. She has done freelance writing and went to England, France, and Germany as a war correspondent in 1945.

Mrs. Green assisted in the organization of a Junior Board of Managers for the National Symphony Orchestra Association in 1941 and was their junior manager. While working for George Dixon (King Features Syndicate) Mrs. Green was a member of the Senate and House Press Galleries and accredited to cover the Department of State, Defense and other Government agencies. She covered the Mexico City conference on problems of the war and peace (forerunner to the establishment of the United Nations). As a journalist, she was affiliated with the Northern Virginia Sun as assistant women's editor. A member of the American Newspaper Women's Club, Mrs. Green is also a member of the Motion Picture and TV Council of D.C., Riverwood Citizens Association; past president and member of the Board of the National Society of Arts and Letters (Washington chapter); active member of the National Trust for Historic Preservation, South Dakota State Society; Association for the Preservation of Virginia Antiquities, a founding member of the Wives' Wing of the Aero Medical Association, the Friends of the National Zoo, and the recently organized U.S. Capitol Historical Society.

She is an associate member of the Air Force Officers Wives Club of Washington and a past officer and member of the Riverwood Women's Club. She served as a vice chairman of the Women's Committee, Eisenhower-Nixon Inaugural Committee in 1957, and worked on the White House Conference on Children and Youth. She has been active in South Dakota Republican politics. At present she is a member of the Arlington County (Va.), Cultural Heritage Commission.

Prior to joining the national committee, Mrs. Green held a real estate broker's license in the District of Columbia and the State of Virginia.

IMPOSSIBLE JOB IN SOUTH VIETNAM

Mr. SIMPSON. Mr. President, today secretary of Defense, Mr. McNamara, and General Taylor will arrive in South Vietnam to review the critical military situation that exists in that war-torn country. I am most pleased that the President has sent these two representatives to that country. If we are going to pursue the policy "of winning the war" we should have a complete understanding of the situation. These two men, I am sure, will recognize the weakness of our military effort in South Vietnam and recommend the appropriate corrective action.

Something must be done immediately. I am glad the Commander in Chief has acted. Too many American lives have been lost in an effort which has brought freedom to no one.

Lt. Robert Shepard, of Wyoming, has written me from Fitzsimons Army Hospital in Denver, where he is recuperating. Lieutenant Shepard, a helicopter pilot, left part of his leg in a rice paddy of South Vietnam. He has called to my attention a column written by Richard Starnes, which states that the miasma of confusion and contradiction that has enveloped American aims in South Vietnam has all but obscured disquieting military developments in that beleaguered nation. Mr. Starnes points out that two district capitals in the Camau Peninsula were overrun because military support did not come until many hours later even though an American helicopter base was located less than 100 miles from the two captured towns. Why this delay?

My friend and constituent who flew helicopters in Vietnam suggests that the problem is lack of command authority. The fighting forces cannot act until the rulers of this south Asian country decide that action should be taken. When this decision is made it then must be handed down through several command levels. This uncalled for delay costs American lives and blood that should not be lost.

Mr. President, I am confident that Secretary McNamara and General Taylor will apply their organizational ability and military knowledge so that the wrong will be remedied and victory will be ours.

Mr. President, I ask that the newspaper clipping be inserted in the RECORD at this point.

There being no objection, the clipping was ordered to be printed in the RECORD, as follows:

Impossible Job in South Vietnam

(By Richard Starnes)

The miasma of confusion and contradiction that has enveloped American aims in South Vietnam has all but obscured disquieting military developments in that beleaguered nation.

Early this week Communist guerrillas overran two district capitals in the Camau Peninsula south of Saigon in well-coordinated attacks. One district chief was killed, another was captured, and losses by defending Government forces were heavy.

Stinging defeats of this nature are all too familiar, but what is considered ominous in the operations at Cainuoc and Damdoi was the size of the Vietcong assaults and the tardiness of Government countermeasures.

Relief forces did not reach Cainuoc until 16 hours after the attack started. Reinforcements did not reach Damdoi until fighting had been going on for nearly 11 hours.

This laggard response is particularly disquieting in view of the fact that a large American helicopter base is situated at Soc Trang, less than 100 miles from the two towns. Observers familiar with helicopter troop lift point out that it should have been possible to launch a counterpunch at dawn, 3 or 4 hours after the attacks began.

Why this was not done at Cainuoc and Damdoi is not known, but whatever the reason the successful Vietcong attacks showed that the Communist guerrilla forces can engage in prolonged battalion-strength operations under the noses of the once-feared American helicopters.

The twin defeats in the rich delta of the Mekong River demonstrate once again that Hohchi Minh's savagely efficient forces can strike at will anywhere in South Vietnam despite tremendous American military aid, and despite the presence of 15,000 American military advisers.

Apart from the woefully slow countermeasures taken by President Ngo Dinh's armed forces, the Vietcong attacks emphasize how poorly the American-sponsored Government of South Vietnam has fared in winning support of the peasants.

Guerrillas in the Camau Peninsula are far removed from their sanctuary in North Vietnam. Food, weapons, ammunition, and medical supplies must be hand-carried nearly 500 miles through hostile territory and over terrain that is among the world's most rugged.

The American officers sent to Vietnam are the cream of our professional officer corps, picked men from whom will come the Eisenhowers and Marshalls a decade or two hence.

There is a growing abundance of gloomy evidence that the job they have been given may well be impossible.

SOUTH VIETNAM —EDITORIALS

Mr. CHURCH. Mr. President, during recent months, the editorials published in the Christian Science Monitor on South Vietnam have been among the most enlightened appearing on that subject. I would like to point out the following passage from the editorial on South Vietnam which appeared in the September 5 issue:

> If the repression drags on, there is every reason to suppose that Mr. Kennedy would move on to the next step; the cutting of U.S. aid to the regime. Unless there is an improbable reform of the Ngo family there is no acceptable alternative and he should.

I also wish to call attention to the following portion of the editorial which appeared in the September 12 issue:

> The Communists must be on the rack. President Diem is, ironically, their best friend. His perverse form of arbitrary anticommunism is helping the Communists win the guerrilla war. Surely they know that a new, popular government in Saigon would probably lose them the war.

The Christian Science Monitor has also been doing an excellent job in covering recent news developments in South Vietnam. As an example of their coverage I call attention to the story published in the September 16 issue of the Monitor by Takashi Oka, the Monitor's east Asia correspondent.

Mr. President, I ask unanimous consent to have these three articles from the Monitor inserted at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Sept. 5, 1963]

Deceptive Quiet in Saigon

Events are proceeding toward a change of government in South Vietnam. The trend could be arrested but the arrows are pointing that way. The Diem regime has temporarily come out on top and an outward semblance of order has been restored in Saigon. But on two major counts the Ngo family is worse off than before.

It has taken on a new opponent—the United States. And it has achieved a brief calm at the cost of tightening the repression drastically. This will deepen its unpopularity.

It might be argued that Messrs. Diem and Nhu could survive even these new handicaps. Repression has succeeded before. Government by a few is a tradition in this part of the world.

This might be the case except for one thing—the war. South Vietnam on its own behalf, and the United States in behalf of the independent world, are barely managing to hold the Communist guerrillas at bay. Even Washington now understands that the political repression and the rapidly extended unpopularity of the regime—both of which are now intensified—are the chief causes of failure to make progress in the war.

This war, this holding operation, is like the defense of Berlin. It is too important to lose. So President Kennedy already has taken the first step toward forcing a solution. He has given the signal to all the opposition groups in South Vietnam—the Army, the students, the Buddhists, the disaffected public servants, etc.—that the United States no longer stands in their way.

Unless one of these takes over, and if the repression drags on, there is every reason to suppose that Mr. Kennedy would move on to the next step—the cutting of U.S. aid to the regime. Unless there is an improbable reform of the Ngo family there is no acceptable alternative and he should.

[From the Christian Science Monitor, Sept. 16, 1963]

U.S. Arms Still Guard Diem Rule

(By Takashi Oka)

Saigon, Vietnam.—At this moment there is a ship on the high seas bound for Saigon with a cargo of shotgun ammunition for the South Vietnamese police. The ammunition is part of U.S. aid to South Vietnam.

American aid helps the South Vietnamese Directorate General of Information to make propaganda film extolling the government of President Ngo Dinh Diem.

That Government has been locked in a controversy with the United States since it crushed the Buddhist protest movement and imposed martial law 3 weeks ago.

American aid also supplies the police trucks in which high school and university students demonstrating for freedom have been carted away to detention centers.

PURPOSES DISTORTED

Three months ago an American aid official watching what were then Buddhist demonstrators being hauled away in these trucks ordered that the clasped hands symbol denoting that the trucks came from the United States should not be stamped on future police truck imports.

In a different category, so far as aid is concerned, is a $3 million annual payment to the Vietnamese special forces under Col. Le Quang Tung, now believed to be the most powerful man in Saigon next to the President and his brother, Ngo Dinh Nhu.

Colonel Tung's men were specially picked and trained to go on guerrilla missions to North Vietnam. But they are now being used to control Saigon's pagodas and schools.

The original and continuing purpose of American aid to South Vietnam, both military and economic, is to help the Vietnamese people in their fight against Communist guerrillas seeking to detach South Vietnam from the Western bloc.

ADVANTAGES ADMITTED

But it has long been obvious to observers here that the immediate objectives of President Diem and his family diverge significantly from those of the United States and that, as long as this divergence exists, aid given by the United States for one purpose may be used by the South Vietnamese Government for quite another purpose.

The U.S. purpose is to keep South Vietnam "free." President Diem agrees with this goal, but to this he adds another: in order to keep South Vietnam from falling under Communist domination it is essential that his own personal rule and that of his family be retained.

Because of this overriding concern, he has turned South Vietnam into a police state under which increasing numbers of ordinary citizens chafe under mounting restrictions.

[From the Christian Science Monitor, Sept. 12, 1963]

Students Take Over in Vietnam

The students have taken over from the Buddhists in Vietnam.

Just when the Government thought it had clamped the lid back on, rebellion broke out in new and peculiarly awkward places. For the students express, in their own exuberant and reckless way, the discontents they sense and learn from their elders. The fact that so many groups of students assault the Government authority and the special police with such extraordinary fervor is one more sign of how deep the revolt burns in Vietnamese society.

It is also a sign that this is no mere religious conflict. Too many people in the West suddenly discovered the tyranny of the Ngo family regime when it recently opened a power struggle against the Buddhists. In actual fact the repression is primarily political in nature and had been deepening for years before the Buddhist phase took the spotlight.

To what extent are Communists behind the students' rage? One must always assume they are present and doing their devious best. But the Communists must be on the rack. President Diem is, ironically, their best friend. His perverse form of arbitrary anticommunuism is helping the Communists win the guerrilla war. Surely they know that a new, popular government in Saigon would probably lose them the war.

The United States, meanwhile, is playing iceberg. The visible outlines of its policy are bound to be misleading. President Kennedy has publicly rebuked the Diem regime and called for changes of personnel and then appeared to draw back a little, and to ward off talk of cutting American aid. He has to say these things. It is the course of maneuver in Saigon, now, that will tell the story. The Diem regime was in trouble enough 6 months ago. Since then it has made open, active opponents of the Buddhists, the United States, and now the students. This is double trouble and more.

The threat of a cut in American aid has already been applied. If this is not enough, the cut itself will have to come.

TIME OF DECISION FAST EBBING FOR DIEM

Mr. CHURCH. Mr. President, the Salt Lake Tribune lives up to its description as "one of America's great newspapers." In Washington, the Tribune is served by a fine correspondent, Frank Hewlett. In Salt Lake, the Pulitzer-Prize-winning Tribune news staff is complemented by an excellent editorial division. The latest top-flight Tribune editorial that I have noticed is an editorial entitled "Time of Decision Fast Ebbing for Diem." I wish to call attention to the concluding paragraphs which I find particularly pertinent:

> But the United States should not remain in South Vietnam to fight a war that cannot be won. And the war is not going to be won as long as the present situation continues.
>
> Withdrawal from South Vietnam would be a defeat for the United States. But it would not be nearly as disastrous as continuing a hopeless struggle to help those who will not help themselves.
>
> The Diem regime's time of decision is running out.

I ask unanimous consent to have this excellent Salt Lake Tribune editorial inserted at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Salt Lake Tribune, Sept. 14, 1963]

Time of Decision Fast Ebbing for Diem

In reply to a question about South Vietnam at his press conference this week, President Kennedy said, "We've got a very simple policy in that area. * * * And in some ways I think the Vietnamese people and ourselves agree we want the war to be won, the Communists to be contained and the Americans to go home."

That, however, is a general policy. And the President was very careful in talking about a specific policy for handling the current political troubles growing out of the Diem government's repressive actions against the Buddhists.

As the President said, no useful purpose would be served by publicly discussing steps to be taken in meeting the crisis. Matters of such complexity have to be handled with the greatest of skill—and too much talk usually does more harm than good. Two weeks ago, for example, in a television interview, Mr. Kennedy warned the Vietnamese Government that it must regain popular support. His remarks were interpreted as a hint to President Ngo Dinh Diem to get rid of his brother and sister-in-law, Mr. and Mrs. Ngo Dinh Nhu. Last Monday, U.S. Ambassador Henry Cabot Lodge told Mr. Diem that Washington regarded Nhu's removal as necessary.

Yet Nhu is still head of the secret police. And his wife, in Yugoslavia for an international conference, continues to denounce everyone with whom she disagrees. According to her, the Buddhist affair is being exploited by those who want to sabotage both the Diem and Kennedy administrations.

But if President Diem will not—or cannot—heed warnings, what would he do if faced with the threat of stern action by the United States?

Twenty-two Senators, headed by Frank Church, of Idaho, have introduced a resolution calling for termination of American aid and the withdrawal of American forces unless the Vietnamese Government abandons its cruel repressions. The resolution is aimed directly at Nhu as head of the secret police. At his press conference, Mr. Kennedy implied agreement with the resolution.

It is, however, one thing to talk about withdrawing aid and quite another to convince the Diem regime the United States means business.

For one great assumption of U.S. policy is that South Vietnam must be held to save all southeast Asia from falling to the Communists. And that assumption may delude President Diem into believing he holds the whip hand.

He would do well to note the rising tide of criticism of his Government, both in Washington and elsewhere. Secretary General U Thant of the United Nations has denounced the regime for its oppressive acts. Another brother of President Diem, Archbishop Ngo Dinh Thuc, recently visited Rome, where he was told by the Vatican to refrain from issuing political statements. The archbishop, sensing the rebuff, cut short his visit and came to New York.

President Kennedy says he wants to win the war against the Communists. President Diem says that is his goal, too.

But the United States should not remain in South Vietnam to fight a war that cannot be won. And the war is not going to be won as long as the present situation continues.

Withdrawal from South Vietnam would be a defeat for the United States. But it would not be nearly as disastrous as continuing a hopeless struggle to help those who will not help themselves.

The Diem regime's time of decision is running out.

DOWN WITH WASTE

Mr. CHURCH. Mr. President, the Twin Falls Times-News is one of the most widely read newspapers in my State. On September 15, the Times-News ran an editorial attacking waste in foreign aid spending generally, and criticizing American policy in South Vietnam. I ask unanimous consent to insert this editorial, entitled "Down With Waste" at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DOWN WITH WASTE

It would be interesting to know what percentage of Federal Government expenditures could be classed as sheer waste. The total would be staggering because waste in Government expenditures takes so many twists and turns and shows up in so many different places. Needless purchases, excessive personnel and Government employees who are not qualified, job featherbedding and myriads of similar items are waste just as certainly as blind financial support of a cruel and corrupt government in South Vietnam.

Idaho's Senator FRANK CHURCH has taken up the cry to cut aid to South Vietnam until the government stops its cruel repression of Buddhists. Previously, Senator CHURCH has criticized continued U.S. financial help to such nations as Japan and Germany where the economy is growing and expanding at a much faster rate than the U.S. economy.

Senator CHURCH is right. No U.S. money should be handed to any nation when its economy reaches the point where help is no longer needed. Neither should hard-earned U.S. tax dollars go to help any nation where the Government indulges in persecution of a minority. There are other nations besides South Vietnam in that category.

Actually, the foreign aid program of the United States has continued so long that it's high time to work over the whole project. It's no longer sufficient to contend foreign aid is necessary to combat communism. The United States can get far more for its money than it is getting now. The foreign aid program is just like any other Federal project—the longer it continues, the chance for graft is greater while the value decreases.

A drive to eliminate waste in Government expenditures is long overdue. The overburdened U.S. taxpayer deserves the same kind of break the United States has been giving foreign nations. Let's cut out all the waste and reduce taxes accordingly instead of a phony tax cut that will merely result in higher debt and higher taxes eventually.

THE VIETNAMESE PROBLEM

Mr. CHURCH. Mr. President, the task of placing news in perspective seems to me the most important function of a good news magazine. We can get the raw news through the daily media; we depend on a magazine like Newsweek to remind us how one news story relates to another. Newsweek's insight has been particularly noteworthy on the current Vietnamese problem. Two articles, "Ngomanship at Home and Abroad," and "Vietnam: Crisis of Indecision" appeared in the September 23 issue. I ask unanimous consent to have these articles printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Newsweek, Sept. 23, 1963]

NGOMANSHIP AT HOME AND ABROAD

The old showman, P. T. Barnum, would have loved it. Like a pair of fiery comets, Mme. Ngo Dinh Nhu and her brother-in-law, Archbishop Ngo Dinh Thuc, barnstormed across the world last week in a performance that had the crowds cheering, frowning, and gasping.

The archbishop, a cherubic 66-year-old, arrived in Rome where he told Italian newsmen that the United States had spent $20 million trying to overthrow the regime of his brother, President Ngo Dinh Diem in South Vietnam. This brought a stern reproof from the Vatican which put a papal veto on any further political announcements by the archbishop while he was outside his diocese. The Vatican also dispatched a letter from Pope Paul to the Vietnamese people (part of which was censored in Saigon) expressing "apprehension and anguish" over events in Vietnam. Forthwith, an audience for Friar Thuc with the Pope was coldly shelved.

HAMMER BLOWS

Undaunted, the archbishop flew off to New York where he got around the papal veto by releasing a statement which he said he had drafted before the ban of silence was imposed. The statement claimed that Buddhist monks in Hué, the archbishop's diocese, had drugged and beaten their own members in order to force them to become human sacrifices. "In Hué," the statement declared, "we heard the screams of the bonze destined to be burned * * * the bonze refused to die, and the other bonzes overwhelmed him with hammer blows—this was the reason for the terrifying screams." Archbishop Thuc had hoped to meet Cardinal Spellman—one of President Diem's original sponsors—in New York, but the cardinal was out of town and unavailable.

As usual, however, it was Mme. Nhu in all her tempestuous beauty who put on the real show. On her way to attend an Interparliamentary Union Conference in Belgrade, she stopped off in Lebanon long enough to be photographed gazing pensively under a dainty parasol at the ancient ruins of Byblos. She would not answer questions because she was "saving her breath" for Belgrade.

True to her word, she treated the 61-nation conference to a blistering speech, delivered in a 10-minute cascade of French, in which she claimed that "an international campaign of blackmail and terror" had been mounted against South Vietnam—as, she added, it once was against Yugoslavia. The speech won her a thunderous ovation from the assembled delegates. Mme. Nhu then went on, outside the conference hall, to call President Kennedy an "appeaser," to say the Pope was "easily worried," and to lambaste the press for all she was worth. "President Kennedy," she said, "is a politician and when he hears a loud opinion speaking he tries to appease it."

As for the newsmen covering the war and the political crisis in Vietnam, they were "spoiled children," "horrible," "terrible." "I am a good girl," she exploded, striking the table at a news conference with a white-gloved fist. "I do not know why the press is so horrible to me."

One reason, perhaps, was the continuing repression in South Vietnam where heavily armed combat police spent the week breaking up students' demonstrations, and throwing the students, more than 2,500 of them, into detention camps, which is presumably why the Government felt safe enough to announce the lifting of martial law. The regime also cracked down on professional men, arresting among others former Education Minister Tran Dinh Thao, and some Americans in Saigon claimed that they had been warned that they were on "assassination lists."

It was in this atmosphere that U.S. Ambassador Henry Cabot Lodge had a 90-minute meeting with President Diem in which he suggested, in language which one source described as "just short of a demand," that Diem get rid of his brother, Ngo Dinh Nhu, and Mme. Nhu. Diem listened coldly, and let it be known later that he was "angry."

OLD MANDARINS

Local American wits were still betting that in the long run "our old mandarin (Lodge) will beat their old mandarin (Diem)." But in the meantime the Communist Vietcong launched two heavy, and highly significant, attacks, temporarily seizing two district capitals at Cai Nuoc and Dam Doi in An Xuyen Province at the southern tip of Vietnam. Government paratroopers dropped into the area and soon regained control of the two towns, killing an estimated 100 Vietcong, but it was the first time that the Communists, who attacked in battalion strength, had been able to overrun and hold, if only for a few hours, a district capital.

In Belgrade, Mme. Nhu's eyes filled with tears when she was taxed with reports the United States might cut, or even terminate, its aid to South Vietnam. "The countryside is in our hands. Vietnam is so near victory," she said.

This was not the judgment reaching President Kennedy who last week received a confidential report from a noted guerrilla warfare expert which said that the military situation in South Vietnam had deteriorated rapidly in recent weeks. There was no immediate danger of a Communist takeover, the report added, but it hardly bore out Mme. Nhu's contention that victory was just around the corner.

[From Newsweek, Sept. 23, 1963]

VIETNAM: CRISIS OF INDECISION

Even its political opponents admit that the Kennedy administration has the look of a smooth, well-oiled machine. Its component parts seldom grate, at least in public, and when gears are changed there usually is a feeling—or at least an illusion—of controlled power. Yet last week the administration's gears were grinding badly. On the vital issue of Vietnam—where the United States faced the possibility of grim defeat—it was hard to tell whether the machine was running in forward, neutral, or indeed, if anyone's hand was on the controls.

The problem is how to handle the stubborn refusal of South Vietnam's President Ngo Dinh Diem to reform his repressive regime. To meet it, the State Department is pulling in one direction, and the Pentagon, backed by the CIA, in the other.

The State Department, sensitive to diplomatic and political implications, insists that the war against the Communist Vietcong, which is costing the United States $1.5 million a day, cannot be won in the company of Diem's hated brother, Ngo Dinh Nhu, and his tempestuous wife. The new U.S. Ambassador to South Vietnam, Henry Cabot Lodge, shares this view, and some high officials at State believe that even Diem himself must go. They argue that the U.S. alliance with his regime is costing the Nation goodwill throughout the Asian world.

SABOTAGE?

To the contrary, many in the Pentagon insist there is no need for a change. In fact, military men charge that U.S. attempts to reform Diem are having adverse effects on the war against the Communists, which had been going well enough to inspire plans for withdrawal of 1,000 U.S. troops in December. Moreover, they fear that any tampering with the Diem regime will lead to sabotage of supply lines which are in the hands of civilian Vietnamese loyal to the regime.

The result is a crisis of indecision. Though it is taking place behind the scenes in Washington and South Vietnam—and the President has now ordered strict official silence—signs of the administration's confusion have surfaced all too clearly in the last 2 weeks.

The President's first public words on the problem, in a TV interview, sharply rapped the Saigon regime and all but invited Diem to get rid of his brother Nhu by declaring that the adverse trend in Vietnam might be reversed "with a change in policy, and perhaps personnel." But last week, in another TV interview, he backtracked, noting that the United States planned no cutback in

Vietnamese aid. Then came another turn: Saigon dispatches reported that Lodge had demanded the ouster of the Nhus. Not so, insisted the State Department. The role of the CIA in South Vietnam has also generated confusion. In Saigon, correspondents reported the Agency was financing the secret police units that had raided pagodas and was, in effect, making its own policy. On television, the President assured an interviewer that the Central Intelligence Agency coordinated policy with State and Defense—but he ducked a question about the financing arrangements.

At last week's news conference, the President summed up the U.S. objective in Vietnam by saying, "we want the war to be won, the Communists to be contained, and the Americans to (come) home."

Just to state this aim was enough to emphasize the tragic dimensions of the American dilemma in Vietnam. By its actions and its words, the administration, or at least its diplomatic arm, had made it clear that it did not believe the 9-year guerrilla war could be won with Diem and his tightly knit family oligarchy. Yet there was no guarantee, and indeed no likelihood, that Diem could be diplomatically nudged into mending his ways and those of his autocratic family. Nor did there seem to be any prospect of a takeover by another South Vietnamese regime more acceptable to its own people.

That appeared to leave the United States with an ugly choice: to keep fighting an ultimately futile war, which has already exposed some 14,000 U.S. "military advisers" to ambush, landmines, and surprise attack, costing in the process more than 100 American lives; or by pulling out of the country, to open the way for a takeover of South Vietnam by North Vietman's crafty and indomitable Ho Chi Minh.

ANGER

Americans were getting angry about this frustrating plight. The mood was reflected in a resolution placed before the Senate by Idaho's Democratic Senator FRANK CHURCH, and supported by 22 other Senators. It stipulated that unless Diem's "cruel repressions" ceased, and particularly the repression of the Buddhists, all U.S. aid to Vietnam should be ended. "Such grisly scenes," said CHURCH, "have not been witnessed since the Christian martyrs marched hand in hand into the Roman arenas." In an eloquent speech on the Senate floor, he added: "It is urged upon us that the Communist presence in South Vietnam requires us to support the Diem regime, regardless of how repugnant it becomes, and irrespective of its contemptuous refusal to respond to our entreaties. To accept such an argument is to concede that the great American Republic * * * has become the servant of the mandarin autocracy which governs there."

CHURCH's resolution had the private backing of President Kennedy and U.S. Secretary of State Dean Rusk, who hoped to use it as a diplomatic lever on Diem. But it also gave vent to a mounting feeling in Congress that the United States was being made to look futile, tyrannical, and faintly ridiculous. Such a mild-mannered man as Republican Senator FRANK CARLSON of Kansas expressed the feelings of many when he told the Senate: "Mme. Ngo Dinh Nhu * * * stated yesterday, with scorn, that the United States does not dare stop aid to South Vietnam. I, as one Member of the Senate, say let us accept that challenge; let us once and for all serve notice on the Diem regime that we will have no further truck with a government that practices religious persecution and has no respect for human life and human rights."

The wounded national pride was understandable enough—particularly since the wound was kept freshly salted by Mme. Nhu, who at long range lectured the President on the dangers of appeasement (and gave her wisdom at firsthand to his brother Senator EDWARD KENNEDY in an encounter at the Interparliamentary Union in Belgrade).

ANOTHER COURSE?

But all the eloquence in the Senate could not conceal the fact that the United States faced a bitter decision in Vietnam. An immediate pullout would mean handing the area to the Communists. Yet there was conceivably another course: negotiated neutralization of Vietnam as suggested by French President Charles de Gaulle. Officials in both State Department and Pentagon camps were inclined to dismiss De Gaulle's call for a neutral, reunified Vietnam, as "a bit of romantic play acting by the general." They cited the "domino" theory of John Foster Dulles to back up their argument that a Communist takeover of South Vietnam would lead to the fall of Laos, Thailand, and eventually all of southeast Asia.

In private, though, some policymakers conceded that the De Gaulle solution might be the only answer in the longrun. Ho Chi Minh's regime, like most Communist parties in Asia, is split between Soviet and Chinese factions, and even though Ho is largely dependent on Chinese equipment for his guerrilla forces, there is good reason to believe that he is almost as anxious as the West, on political and historical grounds, to keep the Chinese out of Vietnam. The creation of a neutral, buffer state (as envisaged by the 1954 Geneva Conference on Indochina which partitioned Vietnam along the 17th parallel) might well be in the interest of both the United States and the Soviet Union.

But this type of solution, laden with domestic political dynamite, lay well in the future—if it could ever be achieved at all. The immediate prospect was that the United States would soldier on in Vietnam, swallowing distaste for the regime as best it could, and hoping Micawberlike that something would turn up.

THE LADY DEFENDS HERSELF TOO WELL

Mr. CHURCH. Mr. President, the Lewiston, Idaho, Morning Tribune is acknowledged by journalists to be one of the finest newspapers in the West.

Much of the reason for the Tribune's excellence can be attributed to the enlightened ownership of the Alford family. The Alfords do not run their newspaper purely to make money; they give first priority to journalistic excellence and public service. The Alfords, including the present publisher, A. L. "Bud" Alford, have always been working journalists, men highly knowledgeable in the arts of reporting and commentary. Because of their high journalistic standards, the Tribune has always managed to maintain an excellent news and editorial staff.

One of the foremost journalists in the West is the Tribune's managing editor, William F. Johnston. In addition to directing news coverage and representing the newspaper, Johnston often writes the editorials. Despite this daily demand for copy, Johnston always succeeds in writing interesting and well-reasoned editorials; sometimes he produces masterpieces, a rarity in newspaper editorial writing. Johnston's abilities have been recognized by other journalists; his editorials have been reprinted in the St. Louis Post-Dispatch and other leading American newspapers. I ask unanimous consent to have one of Mr. Johnston's recent editorials on Vietnam which appeared in the September 15 issue of the Tribune inserted at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE LADY DEFENDS HERSELF TOO WELL

The beauteous Mrs. Ngo Dinh Nhu is impaled upon the horns of an inescapable dilemma: The more logic, wit, and feminine wiles she employs to disprove the charges against her, the more convincing those charges become.

Mrs. Nhu has been regarded widely as the real power behind the Government of South Vietnam. She reportedly calls the tune at home, and her husband in turn is said to be the controlling influence over his brother, President Ngo Dinh Diem.

Mrs. Nhu contends these are lies spread by her enemies. Her husband recently insisted that he was not the real ruler of South Vietnam. Mrs. Nhu has repeatedly declared during her current visit to Belgrade that the press and other foes are picking on her. "I am a good girl," she exclaimed Thursday. "I do not know why the press is so horrible to me."

She may be a very good girl indeed, but she also keeps proving repeatedly that she is a smart, decisive, and commanding girl. Yesterday, for example, she handled skillfully a press conference question about the crisis in South Vietnam. She said she was sure her brother-in-law would welcome a United Nations inquiry into charges that his government is persecuting Buddhists.

"I think it would be good," she said, "Vietnam has nothing to hide. To the contrary, it is in the interest of Vietnam to show."

A few minutes later, she turned to tears. "You have no right," she told American reporters, "to cut off U.S. aid to Vietnam. You will lose the confidence of the world."

She added that, "just now when victory is so near, these voices (demanding a cessation of U.S. aid) increase."

Senator FRANK CHURCH, Democrat, of Idaho, and 21 Senate colleagues Thursday introduced a resolution calling for an end to aid to South Vietnam unless it abandons its policies of repression and seeks popular support.

Mrs. NHU steadfastly denies her government has practiced repression, but she does not deny that she called the immolation of Buddhist monks a barbecue. She firmly denies that she is the real ruler of her country, but simultaneously demonstrates that she can speak for her government instantaneously and without consultation. She contends that the United States will lose the confidence of the world by exercising its right to withdraw aid to South Vietnam, but closes her eyes to the plain fact that her regime is the one which has lost the confidence of the world.

Mrs. Nhu is seeking popular support, all right—by trying to influence the Western press in Belgrade. The real problem of her government—and indirectly of the U.S. Government—is that the South Vietnam regime has no substantial popular support at home. That is what is needed. That is what the talented and lovely lady, for all her tears and wit, cannot seem to supply.

ALASKA, OUR NATION'S FOOT IN THE ARCTIC DOOR

Mr. BARTLETT. Mr. President, the United States is a nation which faces not only east and west, on the Atlantic and Pacific Oceans, but also north on another great ocean and region, the Arctic. I confidently predict that in time the Arctic will come into its own and we will all realize and be grateful for the supreme advantage our verging on it gives our Nation.

Earlier this week a symposium on the Canadian Arctic was held in Montreal, sponsored by McGill University and the Arctic Institute of North America. The principal address, given at a dinner meeting attended by more than 200 scientists, educators, administrators, and others dealing with the Far North, dealt not with the Canadian Arctic but with our own—with Alaska.

The speaker was George Sundborg, who is administrative assistant to my colleague, the distinguished junior Senator from Alaska, Senator Gruening. I have known Mr. Sundborg for 25 years, which is the length of time he has lived in Alaska. He has worked as a newspaperman—including service as editor of the farthest north daily newspaper in the world, the Fairbanks Daily News-Miner—as general manager of the Alaska Development Board, as executive assistant to the Governor of Alaska, and as a delegate to the Alaska Constitutional Convention where the constitution of our State was drafted. He is also the author of two books, "Opportunity in Alaska" and "Hail Columbia."

Mr. Sundborg's remarks at the Montreal symposium, in addition to pointing up the importance of Alaska's unique position in the Arctic, comprise a very useful report on the status of industry, government, commerce, and research in Alaska today. I ask unanimous consent that his address be printed at the conclusion of my remarks.

There being no objection, the address was ordered to be printed in the Record, as follows:

Alaska as an Example of Development in the North American Arctic

(Address by George Sundborg at a symposium on the Canadian Arctic, McGill University, Montreal, Sept. 16, 1963)

Canada shares the Arctic with only a select few nations. They number just 5, which is not very many in this age in which the number of sovereign nations on earth exceeds 100. To the east around the circle you have Greenland, which of course is not a nation all by itself but rather a part of the Kingdom of Denmark; narrow slivers of Norway, Sweden and Finland; the great reaches of the U.S.S.R., and finally your nearest neighbor Alaska.

Not all of Alaska is in the Arctic any more than all of Canada is in the Arctic. In fact somewhat less than one-third of the land area of the 49th and northernmost (and westernmost) of the States of the United States lies north of the Arctic Circle. But all of Alaska is northern, either arctic or subarctic in character, and I will speak this evening of all of Alaska.

We of the United States feel that Alaska's dimensions are respectable. While Canada is 6½ times as large, Alaska is the largest of the States of your southern and western neighbor nation. This vast State, equivalent in area to your largest Canadian Province of Quebec, might fairly be compared from the standpoint of latitude, basic geography and resources with Canada's Yukon Territory and Northwest Territories.

Alaska's total land and inland water area of 586,400 square miles compares with a total of 1,512,000 square miles in the Yukon and Northwest Territories. Your northern territories are to Alaska in area as Alaska is to Texas—roughly 2½ times as large. Texas, which was the largest State in our Union for more than 100 years, and whose citizens missed no opportunity to call attention to the fact, lost that distinction with the admission of Alaska approximately 5 years ago. You can understand then why we modest residents of Alaska are fond of using Texas now as a yardstick of area.

We have no yardstick in the United States with which we may compare Alaska on most other grounds. Alaska is incomparably smaller than any of her sister States in population, industry, development, miles of railroad and highway, commerce, and most other measures of progress. So it is something of a new and welcome experience for an Alaskan to be able to compare development in his State, as I will tonight, with that in what would appear to be an even less well utilized land.

Nine-tenths of Alaska lies between 60 and 70 degrees of north latitude. So does nine-tenths of Canada's Yukon and Northwest Territories. Alaska has an extensive coastline on the Pacific Ocean, Bering Sea, and the Arctic Ocean. In fact most of the coastline of the United States is in Alaska, as most of Canada's coastline is that of your northern territories fronting on the Arctic Ocean, Beaufort Sea, Baffin Bay, Hudson Bay, and Davis Strait.

Alaska's population today is slightly over 230,000. Population in the Canadian arctic and subarctic reaches represented by the Yukon and Northwest Territories is only 40,000. So perhaps the United States is measurably ahead of Canada in developing the Arctic. Let me hasten to say though that we are not proud of or satisfied with our accomplishment in these latitudes. We intend, as I am sure Canada does also, to do better in the future.

The approach of the United States to development of Alaska has, from the historical standpoint, been essentially different than that of Canada with respect to her Arctic. Alaska is not contiguous with the rest of the United States. This circumstance has interposed a physical barrier to continuous development. More important perhaps it has erected a psychological barrier also. Had U.S. sovereignty extended uninterrupted from Puget Sound to the Bering Sea it is difficult to imagine that our transcontinental railroads would have terminated at Seattle or that a highway route to Alaska would have waited so many years for realization.

But Alaska is noncontiguous. It lies, moreover, in latitudes in which the people of the United States have had no useful experience or particular talent for development. What Americans have learned in the lower 48, as we call the smaller States to the south of Canada, has been of little utility in attacking the problems of developing Alaska. More often than not the lessons learned as the American frontier unrolled ever westward from the Atlantic to the Pacific have had to be painfully unlearned in Alaska.

Our last frontier in the North is a frontier which differs in many important respects from the frontier of the Old West. Its climate is harsher, its mountains higher, its soil thinner, its rivers swifter and more treacherous. Because its population is sparse and the distance great to sources of supply, Alaska has to contend with many brutal facts of economic life. Costs are high. Economic pursuits which elsewhere, given the same resources, would be remunerative are in Alaska unrewarding because of these costs, the absence of a substantial local market, and the expenses of transportation to other markets.

I am sure I am not spelling out a set of problems unfamiliar to you. The same conditions prevail in your Canadian northland. We have some advantages over you and suffer from some disadvantages. Among the advantages are all-year-round water transportation on the ice-free North Pacific, entree without tariff restrictions to what is still the greatest free market in the world, that of the United States, a resource in the Pacific salmon on which a substantial industry was built, valuable timber of good size on the mainland coast of southeastern Alaska and the Alexander Archipelago. Among Alaska's relative disadvantages, vis-a-vis the Canadian north, are the noncontiguity with the rest of the Nation earlier mentioned, a somewhat higher base of wages and costs of doing business, no overland transportation connections aside from the Alaska Highway of recent advent and, we think we have reason to believe, mineralization which is somewhat less rich than that of neighboring areas in Canada.

Recently I heard for the first time a story reputedly from history which could even be true. This account has it that when negotiations were about completed for fixing precisely the boundary between Alaska and Canada, the U.S. negotiators were found to have prevailed with respect to most of the issues in dispute. They had been able to demonstrate that the 10 marine leagues inland which has been the agreed-on demarcation between the British and the Russian possessions in northwestern America should rightly be measured from the heads of the bays of the deeply indented coast instead of from the mouths of these same bays. They had been able to prove from the context of old understandings that the long north-south dividing line between the lands of the Queen and the lands of the Czar should be at the 140th meridian. At this point, according to the story, Her Majesty's plenipotentiaries pleaded with the Americans for some small bone, something they could take home to demonstrate they had not lost on every issue; so the Americans, with typical open-handedness, cooperation, and accommodation, volunteered to move the line of demarcation over one degree to the west to the 141st meridian. Whether or not the story up to here is apocryphal, the rest is undeniably true. Most of the valuable mineral discoveries in the Yukon, including part of the great gold discovery of the Klondike, were made along the batholith lines between 140 and 141 degrees of west longitude, just across the boundary from what is now Alaska. In modern times these discoveries continue. They include copper, iron, lead-zinc, and asbestos, Canadian all.

So never let it be said we Yankees haven't been awfully good to you.

There is another circumstance, this one having to do with timing, which has made the development of Alaska slow and which still handicaps us. We are trying to settle Alaska 75 to 100 years after the rest of the American West. The world has moved considerably since the hardy pioneers headed their covered wagons across the plains. Americans, accustomed to the easy and abundant life of the 20th century, are by and large not prepared to rough it in quite the way their grandfathers did. They want to be pioneers in Alaska, to be sure, but of course not without flush toilets, television and wall-to-wall carpeting.

Alaska has had to contend too with some of the whiplash of heavyhanded Federal control resulting from a rather unfortunate history of exploitation of the great resources of the American West. When the American people finally awoke to find that they had practically wiped out the buffalo, eliminated the passenger pigeon, driven other wildlife into the remotest reaches, given much of the valuable public domain away to the railroads, denuded most of their forests, mined out their hills, polluted their lakes and streams, lowered the water table dangerously in many parts of the West and allowed fertile areas to degenerate into dust bowls by reason of unwise agricultural practices, they hit upon an obvious solution. What was left of the national bounty had to be vigorously protected from such desecration. The only trouble, from the standpoint of trying to develop Alaska, was that practically the only area left on which to practice unrelenting conservation policies was the great undeveloped territory north and west, Alaska. The result is that anybody who tries to plow some land, shoot a bear, cut down a tree, catch a fish, scratch for minerals, harness a waterfall or blaze a trail will have to contend with some Federal law or regulation which will say him nay. We are doing altogether too good a job of conservation in Alaska.

Then we face the frustrations of coping with many laws and requirements which are perfectly fine to regulate a mature economy such as that in the Lower 48 but which just don't encourage or permit the out-of-phase development effort in Alaska. Our tax laws are a good example. The homestead act, devised to settle the prairies 100 years ago amid circumstances which could hardly differ more, is another. The merchant marine act, designed to protect domestic shipping from foreign competition in a different era, has clamped the dead hand of an outmoded and now unneeded control on the only coastwise trade left to the United States, that between Puget Sound and Alaska, to our detriment.

Alaska has developed slowly and painfully. It has developed by fits and starts. Even as recently as 25 years ago when I first went there, the territory was inhabited by more bears than people. It had more Indians and Eskimos than whites. It had only 70,000 people in all, less than one-third as many as today. Present day Alaska is the product mainly of a set of economic and historic events which affected the nations, including Russia, Great Britain and the United States, which jockeyed for control in the farthest northwestern portion of North America.

Discovered in 1741 by the Russians who, unlike all other voyagers from the old world, sailed from west to east, Alaska was developed first for its fur seal and sea otter skins. When the abundance of these sea mammals dwindled under 120 years of exploitation, Russia was willing to close out her American adventure and dispose of Alaska to the United States in 1867 for $7,200,000. The new landlord showed no ready intention of really moving in and setting up housekeeping. Population and activity declined in the three decades following the purchase.

Then in 1896 an event which occurred not in Alaska at all but in Canada gave the district its first sizable infusion of new blood from the United States. The event was the discovery of gold on a rill leading into Bonanza Creek, a tributary of the Klondike which in its turn was a tributary of the Yukon. The gold rush which followed in 1897 and 1898 brought thousands of adventurers to and through Alaska. Communities along the coast almost overnight acquired population dimensions which they have not been able to equal again to this day. The census of 1900 showed Alaska to have a population of 63,592, with for the first time more whites than natives in the total.

Subsequent discoveries at Nome, Fairbanks, and in the Iditarod kept the fever high and the new blood circulating, but by 1910 the population had begun to ebb away again.

World War I caused further hemorrhaging of Alaska's population as new industries lost their peacetime markets, and young men were called to the colors. The canned salmon industry which had its beginnings in Alaska around the turn of the century was one steadily developing activity. Unfortunately for the territory, most of the men who found employment as fishermen or shoreside workers were not residents of Alaska but rather itinerants who were shipped north by the canneries each summer for a brief season of feverish activity and then out again in the same vessels that carried the salmon to market. Copper and coal were mined, along with gold, so that the 1920's and 1930's began to reflect a slow recovery and growth. A railroad was built by the Government from Resurrection Bay to Fairbanks in the interior, agriculture gained a tentative foothold, fur farming flourished briefly, the halibut fishery recovered from heavy depletion brought on by earlier overfishing, sawmills appeared along the coast. A slow but steady growth began.

The event, or rather chain of related events, mainly responsible for the Alaska of today, again occurred outside of the territory's borders. World War II, exploding in Europe and approaching in the Pacific, caused the United States to look to her northern defenses in an age in which all the maxims of war were rewritten by the airplane. Military development began slowly with the location of a cold weather experimental flying field near Fairbanks, soon burgeoned into a complex of Air Corps, Army, and Navy bases around the edges of Alaska and included the forced draft construction of the Alaska Highway to connect a series of military flying fields which were built from Alberta through British Columbia and the Yukon to Alaska mainly for the purpose of ferrying aircraft to our new ally, Soviet Russia.

When this friendly bear began to show his teeth and claws to the Western World after the end of the war, the military buildup in Alaska began in earnest. The headland of East Cape, Siberia, is only 52 miles distant from the Alaska mainland at Cape Prince of Wales. By 1950 the population of Alaska was 128,643 and by 1960 had grown to 226,167. While the beginning of the shift from manned aircraft to missiles has slightly deemphasized Alaska in the North American defense picture, the military remains the single greatest developmental force in Alaska.

On two new industries we set great store. Alaska's first pulp plant, a $75 million investment, began production in 1954 at Ketchikan. A $70 million plant at Sitka followed in 1959. Interestingly, and we think significantly, the Sitka plant was the result of Japanese enterprise and joint United States-Japanese investment. There is sufficient operable timber for two or three additional large pulpmills in southeastern Alaska, where the forest will be logged forever on a basis of sustained yield cropping.

The other industry new to Alaska, so new that nobody was even dreaming of it a dozen years ago, is petroleum production and refining. The discovery well on the Kenai Peninsula south of Anchorage yielded the first oil in 1957. There are now more than 60 producing wells in that field, many others being drilled elsewhere, several gas wells in production, a recent offshore oil and gas discovery, a 30,000-barrel-per-day-capacity oil pipeline carrying crude from the production area to tidewater and a new $10 million refinery which went into operation last month. Oil and gas companies are spending more than $25 million annually on exploration. Production reached the $25 million level last year. The state treasury has benefited to the tune of more than $50 million from oil and gas lease rentals, production royalties and bonuses and production taxes.

Minerals, including gold, coal, mercury, platinum and antimony, account for about $20 million in annual production from our mines. Known deposits of tin, copper, uranium, silver, iron ore, berylium, gypsum, limestone and great quantities of coal, including high grade bituminous coking coal, await more favorable market conditions and Alaska's further development to make their mining economic.

Alaska's fisheries account for more than $100 million in production annually. Salmon and halibut remain in the lead, but king crab, other crab and shrimp are increasing in importance while some herring are taken each year for oil and meal. The seas surrounding Alaska are full of species of fish as yet unutilized.

Furs account for about $4.5 million annually in income for Alaskans, mainly Indian and Eskimo residents of the remote wilderness. Agriculture has grown steadily to where it now produces $6 million worth of milk, meat, eggs, grain and vegetables annually. Sawmills cut more than 100 million board feet of lumber annually, much of it for export to Japan. Finally, in the list of industries based on Alaska's natural resources, the scenery and attractions of the State are bringing tourists whose total number each year exceeds Alaska's resident population.

Out of all this Alaska has put together a somewhat fragile and rudimentary basic economy. We think, however, it is an economy on which we can continue to build and grow.

A great aid to growth was the coming in 1959 of self-government under statehood. In the few years since, Alaskans have seen many impediments to development removed and many evidences given of the willingness of capital to invest in an area where the rules are made by the people who live there instead of by distant and too often only semi-interested overlords. With Alaska now firmly a part of the Union with voting representation in the Congress, development proceeds from a stronger and self-renewing basis.

Some of the measures of Alaska's economic and social status are given not by production statistics but by evidences of educational, social, and and research progress. Our new State is operating on what we feel is a fiscally sound basis. Increased Federal financing has been one of statehood's concomitants. The total value of real and personal property in our 33 incorporated cities and 10 independent school districts (property is not taxed in the State at large) was $1,265,908,000 as of February of this year. We had 57,000 pupils in our tax-supported schools last spring and the promise of many more to come. Alaska has the highest birth rate of any State of the Union. Our two universities have on-campus enrollment totaling in excess of 1,500 while another 2,700 are taking college-level instruction at community colleges and in special courses given at military installations. Personal income of Alaskans totaled $667 million last year. Though we have only a single railroad 482 miles long, we have 6,200 miles of highway and airlines which carried 500,000 passengers, 20,000 tons of cargo, and 18,000 tons of airmail last year. Commercial bank deposits in Alaska exceed $2000 million. Our six daily newspapers have circulation exceeding 55,000, while eight weeklies are delivered to more than 10,000 readers.

"Research" is a word with special significance in modern-day Alaska. When I speak of research tonight, I speak, if not with humility, at least, I hope, with care, because I realize I am in the presence of men who are in charge of important research programs in Alaska. The northern location of the 49th State has given Alaska growing importance in worldwide communications, especially as an excellent satellite tracking, weather, and other data acquisition point. Research programs take advantage of Alaska's unique location as the sole U.S. territory in the Arctic and sub-Arctic, with accessibility to the oceans from the Pacific to the Arctic. Its glaciers, permafrost areas and auroral zone, the region which receives the maximum effects from the bombardment of the earth by charged particles from the sun, will make it the center for much future research.

As much of the weather affecting Canada and the lower 48 initially forms in and around Alaska prior to moving eastward and southward, the number and quality of Alaska's weather stations are being rapidly increased and improved to meet the needs of aviation and commerce.

Alaska is important as a receiving station for data sent from polar orbiting satellites. The State's favorable location led the National Aeronautics and Space Administration to install the first of a series of minitrack stations adjacent to the University of Alaska campus at College, near Fairbanks. The station, operated by the University Geophysical Institute under contract with the National Aeronautics and Space Administration, is currently engaged in tracking eight civilian satellites which include Bell Telephone's Telstar, RCA's Relay, State University of Iowa's Injun III, United Kingdom's Ariel, NASA's new Explorer XVII, the Canadian S-27 Allouette used to study the ionosphere, as well as Tiros V and Tiros VI which shoot pictures back to earth for weather forecasting purposes.

In addition to its main site at the University of Alaska, the Geophysical Institute operates another National Aeronautics and Space Administration site which is equipped with an 85-foot-diameter dish antenna capable of tracking a satellite in two planes simultaneously. This is one of three such stations around the world. The only other completed facility is situated in Greenland and one more is planned for England. These units, whose overall supervision is handled by the Electronic Systems Division of the Air Force Systems Command, will furnish warning data on any future IRBM or ICBM attack on the free world. Antennas of the Ballistics Missile Early Warning System (BMEWS), three of which are at Clear, Alaska, are each the size of a 40-story building tipped on its side. The Alaskan facilities were the first to report the initial Russian-manned satellites to the free world. These and other installations are being greatly enlarged to better serve the increasing demands of space activity. Devoted to scientific research in Arctic natural phenomena, the Geophysical Institute has grown rapidly in size and importance by providing advanced knowledge in the fields of physics of the earth with special emphasis on geophysics as it is related to the Arctic.

Under a joint agricultural research program, the University of Alaska and the U.S. Department of Agriculture conduct experimental agricultural and fur-farming experiments at stations scattered throughout potential farming areas in cooperation with the State's homesteaders and farmers.

Another noteworthy research project currently in progress in Alaska is under the Institute of Marine Sciences whose purpose is the advancement of the knowledge of seas in the northern region. The program is one of education and research in biological, physical, and chemical oceanography. The Arctic Research Laboratory of the Office of Naval Research, located at the northernmost extreme of the State at Point Barrow, maintains laboratory facilities for scientists from many of the leading universities of the world as well as U.S. Government personnel engaged in Arctic research problems.

Other research agencies operating in Alaska include the U.S. Geological Survey, which conducts a program of geological exploration, mapping, evaluation of metallic, nonmetallic, coal, and oil deposits, as well as regional studies of structure and stratigraphy. The USGS is also making studies of selected type-areas, the application of geology to engineering and related problems and research in the use of new geological methods. A State Highway Testing Laboratory, operated in conjunction with the Department of Civil Engineering of the University of Alaska, provides data on highway materials and other research. The U.S. Bureau of Mines is developing programs for the natural resources in the State. The State division of mines and minerals also maintains assay offices which provides miners and prospectors with information by identifying and sampling ores.

The U.S. Coast and Geodetic Survey is involved in the continuous registration of magnetic elements of earth tremors. Stations of the U.S. Forest Service conduct research in forest management, fire and entomology to insure proper growth, protection and exploitation of timber crops. These and other present or projected research projects have led to the development of a research complex at the University of Alaska which is rapidly being expanded under a $43 million building program. Construction programs in progress include a biological service center, enlargement of the existing Geophysical Institute facilities, a biological research unit, and a water pollution laboratory.

All in all, the University of Alaska has 75 research projects active this year. Some 110 researchers are involved in these undertakings whose total cost is about $4.3 million. This basic research is mainly in the field of physical sciences, though the life sciences, social sciences, and engineering are also represented.

An Institute of Arctic Biology, whose work should be of as great interest to Canadians as it is to other Americans, is in process of being organized at our university. Modern transportation, expanding populations, increased pressures on natural resources, considerations of national security, and international relations, and, not the least, the curiosity of man concerning his universe have enhanced conspicuously the importance of the Arctic. Research on biological problems of these cold regions will certainly contribute extensively to the knowledge which will permit man to live more successfully in the Arctic environment and to use its resources with greater wisdom. Moreover, the commonness of these problems will almost certainly lead the northern countries of Eurasia and North America to greater cooperation in research, thus providing an avenue for improvement of international understanding.

Off the campus of the University of Alaska, other significant research is being conducted in our State. The Corps of Engineers of the U.S. Army has a station near Fairbanks for permafrost studies. The Air Force conducts an Arctic Aeromedical Laboratory at Fort Wainwright near Fairbanks. The U.S. Public Health Service maintains at Anchorage an Arctic Health Institute. This last will in time be moved to the university campus where new quarters are in the planning stage.

Man, because of his mental capabilities, and through his technology, is endowed with tremendous power over his environment. But it is demanded of man that he preserve and utilize rationally all natural resources. We have become aware that sovereignty over land carries the moral obligation of wise utilization so that future generations will not accuse us of irreparable damage of our and their heritage. This is particularly important in the case of new and insufficiently known environments, such as the Arctic, which man conquers with his technology. Even though an almost explosive increase in interest in the Arctic has developed during the past quarter century, there is still a great lack of understanding of its biology in comparison with our understanding of the biology of temperate environments.

The increase in interest in the Arctic is ultimately a reflection of the pressure of increasing population and the tendency of mankind, and particularly Western civilization, to inhabit as much livable area as possible and to make maximum wise use of renewable and nonrenewable resources wherever they may be. It is also a manifestation of basic human curiosity, the major motivation in exploration and scientific inquiry. Interest has been facilitated and catalyzed by improved transportation which now makes the Arctic readily accessible. The Arctic is now traversed by air routes which interconnect the principal Western countries. The sharply enhanced military interest and activity, which had its origin during World War II, is now based primarily on the strategic position of the Arctic with respect to these air routes. The Arctic and Antarctic environments impose extremely rigid conditions on the existence of man; successful existence can come only with a thorough comprehension of the environment in both its physical and biological aspects.

Alaska is ever more persistently being looked to by the United States as a place for important scientific and technological development. So much for research, the key to utilization of the Arctic.

Take special note of the word "Rampart." It is the name of a project which is foremost today in Alaskans thoughts as they plan their future. To give Alaska a dependable, basic statewide economy, sadly lacking today, the development of a large block of very low-cost electric energy at Rampart Canyon on the Yukon River has been proposed. There are no dams across the Yukon in Alaska, or bridges either. You have done better in Canada in turning this great waterway to account for man's benefit than have we. Rampart Dam would have installed capacity of almost 5 million kilowatts. Studies by the Corps of Engineers which are nearing completion after 3 years of effort and the expenditure of about $1 million indicate that Rampart power can be produced at a cost of 2 mills per kilowatt hour at the bus bar or not to exceed 3 mills transmitted to tidewater. This is said to be the largest block of low-cost power remaining to be developed in the free world. The Russians have dams as large under construction, and in one case already in operation, in comparable latitudes. We think that Rampart will be the making of a new and more vigorous Alaska and therefore of a stronger free world.

Such is a picture of Alaska today and of the Alaska developing for tomorrow. Are there lessons in any of this which could be applied to advantage in northern Canada? Undoubtedly. There is much in the Canadian experience from which conversely we can profit. For example we Alaskans have long felt that your land and mineral policies are more friendly to development than ours. As early as 50 years ago a civil engineer in Alaska contrasted Canada's successful experience in her frontier provinces with U.S. policy by saying: "It is all based on a policy of encouragement and aid. They make the homesteader feel that he is of importance, that they are as interested in his success as he is himself, and without that interest there cannot be any development."

The truth is we can probably learn a good deal from one another. Alaska has a very considerable joint border with Canada. Its 1,300-mile unguarded length separates, but we hope does not divide, two friendly peoples.

Four years hence in 1967 we will be celebrating centennials on both sides of that boundary. Canada's 100th year as a nation coincides with Alaska's 100th year under the American flag. May we apply wisdom on both sides of the 141st meridian so that in the next 100 years—indeed in the next 50, 25, or 10—we will justify that responsibility which our respective nations reposes in us to bring the Arctic and sub-Arctic fully into the service of man.

SCIENTISTS ARE BUT HUMAN BEINGS WHEN THEY LEAVE THEIR FIELD OF COMPETENCE

Mr. BARTLETT. Mr. President, when we evaluate the testimony that has been presented on the test ban treaty, it is important that we remember always who is speaking as well as what is being said.

Scientists, when they speak upon the particular aspect of science which is their interest, speak with authority. We cannot ignore their testimony. The statement of Dr. Harold Brown, Director of Defense, Research, and Engineering, Department of Defense, is an example.

When scientists speak of fields other than their own, they do so with no more authority than has any other man.

An atomic physicist should be listened to as an expert when he speaks of atomic physics. His views on military strategy, the biological hazards of fallout, Russian diplomacy, and the like may be relevant but they are not expert.

Such comments are not expert and in cases they may be actually seriously misleading.

It is, after all, understandable that an atomic physicist whose life has been devoted to building bigger and better bangs should oppose any move which would restrict however slightly his endeavor. A perfect example of this has come to my attention. I ask unanimous consent that two articles from the New York Times be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BARTLETT. Mr. President, the first is taken from the Tuesday, November 6, 1956, issue. Senators will remember that November 6, 1956, was election day. The second article is taken from the June 13, 1956, edition. In the November 6 article Dr. Edward Teller and Dr. Ernest Lawrence are quoted as follows:

> The radioactivity produced by the testing program is insignificant. The most authoritative report on this subject is the study of the National Academy of Sciences, completed earlier this year, in which it was shown that past tests have not put into the atmosphere an amount of radioactivity which is harmful in any manner.

The June 13 article summarizes the report to which Drs. Teller and Lawrence refer. According to the Times' story on the National Academy of Sciences report:

> Scientists term radiation a peril of future to man. Even a small dose can prove harmful to descendants of victim, the report states. A safety limit is urged.

I ask Senators to draw their own conclusion.

EXHIBIT 1

[From the New York Times, Nov. 6, 1956]

TWO SCIENTISTS BACK TESTS OF H-BOMBS—RADIOACTIVITY INSIGNIFICANT, COAST EXPERTS DECLARE—CALL DETECTION UNSURE

BERKELEY, CALIF., November 5.—Two of the country's top nuclear scientists are convinced radioactivity from atomic tests is insignificant. They believe atomic tests should continue lest this country lose its military superiority.

Dr. Edward Teller, so-called father of the H-bomb, and Dr. Ernest Lawrence, head of the University of California Radiation Center, expressed their views in a joint statement.

They said they had offered their opinion in response to many inquiries from newspapers and magazines.

Dr. Teller and Dr. Lawrence said it was not true that detection instruments could record an atomic test anywhere in the world.

"We have no sure method of detecting nuclear weapons tests," they said.

During the presidential campaign, Adlai E. Stevenson urged a study to determine if atomic and hydrogen bomb tests could be halted. President Eisenhower has insisted the tests were necessary to the Nation's defense.

The statement of Dr. Teller and Dr. Lawrence said:

"1. We have no sure method of detecting nuclear weapons tests. The widely held belief that our detection methods are infallible is an unfortunate misconception.

"2. We cannot maintain a fast-moving scientific technical nuclear weapons program without tests. The possible development of weapons of all kinds—defensive, offensive and tactical—are many. We are never sure a device will work until it is tested; and we cannot take a new forward step until we know that our last idea works. In our opinion we could fall far behind technically without a continuing test program.

"3. The radioactivity produced by the testing program is insignificant. The most authoritative report on this subject is the study of the National Academy of Sciences, completed earlier this year, in which it was shown that past tests have not put into the atmosphere an amount of radioactivity which is harmful in any manner.

"4. We are convinced that no matter who is elected President, tests will continue to be carried on with scrupulous regard to public health."

[From the New York Times, June 13, 1956]

SCIENTISTS TERM RADIATION A PERIL TO FUTURE OF MAN—EVEN SMALL DOSE CAN PROVE HARMFUL TO DESCENDANTS OF VICTIM, REPORT STATES—A SAFETY LIMIT IS URGED—EXPOSURE CHECK OF ALL ASKED—CURB BACKED ON DENTAL AND MEDICAL X-RAYS

(By Anthony Leviero)

WASHINGTON, June 12.—A committee of outstanding scientists reported today that atomic radiation, no matter how small the dose, harms not only the person receiving it but also all his descendants.

The report was part of a survey produced by six committees of the National Academy of Sciences, a private nonprofit organization. It was the most comprehensive U.S. effort to determine how the future of the human race might be affected by the unleashing of nuclear power.

(In London, the British Medical Research Council issued a report on fallout. It said present external danger was negligible, but saw the possibility of future internal damage.)

The U.S. scientists warned that all-out nuclear war conceivably could make the earth uninhabitable. They also suggested a reasonable safety limit of exposure to radiation by which man might avoid undue harm to posterity.

A CUMULATIVE EFFECT

Shock and surprise were expressed by one of the six groups, the committee on genetics, in its finding that the American public was using up about one-third of the safety limit in medical and dental X-rays. Its members called on the medical profession to reduce use of X-rays to the lowest limit consistent with medical necessity.

This committee also urged a national system of personal records whereby every American would know his total amount of exposure. The effect of radiation is cumulative, it said, no matter how long the period over which it is experienced.

The six committees studied the radiation problem in the fields of genetics, pathology, meteorology, oceanography, and fisheries, agriculture and food supplies, and disposal and dispersal of radioactive wastes.

Overshadowing all others because of its implication for mankind was the report of the genetics panel. This was headed by Dr. Warren Weaver of the Rockefeller Foundation. It was this foundation that provided the funds for the year-long survey.

SUMMARY OF REPORTS

A summary of the other committee reports follows:

Pathologic effects, Dr. Shields Warren, chairman.—Recommendations will be made in the future. The committee concluded in agreement with geneticists that radiation, no matter how small the dose, shortens life in some degree.

Meteorology, Dr. Harry Wexler, chairman.—The evidence of a decade, while not conclusive, indicates that nuclear explosions have no effect on weather.

Oceanography and fisheries, Dr. Roger Revelle, chairman.—Test of atomic weapons can be carried out in and over the sea without serious damage to fisheries. There is insufficient information for predicting the effect of disposing of radioactive wastes in the sea. International agencies should collaborate in studying the problem.

Agriculture and food supplies, Dr. A. Geoffrey Norman, chairman.—Radiation may help in developing better crops, but is not so likely to be useful in improving animal breeds. The radioactive content of foods has increased and though the increase is "extremely small" it "is measurable and inescapable." The material causing most concern is strontium 90, which accumulates in bone tissue and may cause tumors. It is not known at present at what level food becomes unwholesome because of radioactivity and long-range research is urgently needed.

Disposal and dispersal of atomic wastes, Dr. Abel Wolman, chairman.—The complete vaporization of the core of an atomic reactor is the type of accident that could be catastrophic in the spread of radioactive materials. In a properly designed reactor, however, the chance of this is "extremely small." Sealed buildings should be required of all buildings housing reactors until technological advances reduce the hazards of accidental contamination of populated areas. The U.S. Atomic Energy Commission does seal its reactor buildings.

Dr. Weaver's genetics committee recommended as a general population safety limit that exposure to radiation should be held down to 10 roentgens for the first 30 years of a person's life. A roentgen is a unit for measuring the harmful gamma ray from medical and dental X-ray equipment, nuclear weapons explosions and from natural causes like cosmic rays and natural radium.

The Weaver committee, however, specified that the limit of 10 roentgens applied only to radiation from controllable sources such as atomic plants and X-ray machines and would be in addition to the so-called background radiation from natural causes.

TEST LEAST HARMFUL

This panel made it clear that the least harmful source of radiation from the individual's point of view was the nuclear weapons tests. The committee estimated the degree of radiation from the three general sources affecting the population as follows:

Background radiation: This radiation in man's environment due to cosmic rays and other natural sources will produce in each person an average total accumulated dose of about 4.3 roentgens over a 30-year period. At high altitudes the dose is greater, so that in some places in the United States it is 5.5 roentgens.

Medical X-rays: Each person in the United States receives on the average a total accumulated dose to the gonads, or sex glands, about 3 roentgens in 30 years. Of course some persons get none at all; others may get a good deal.

Fallout from weapons testing: U.S. residents have on the average been receiving over the last 5 years a dose that would produce one-tenth of a roentgen in 30 years, assuming the tests are continued at the same rate. The committee cautioned, however, that it could not make an estimate of high precision, despite the technical competent and socially conscientious job of measuring fallout being done by the Atomic Energy Commission. But allowing an accuracy factor of five, it might be better to say "that the 30-year dose from weapons testing if maintained at the past level would probably be larger than 0.02 and smaller than 0.50 roentgens."

The committee chairman appeared at a news conference called by Dr. Detlev W. Bronk, president of the National Academy of Sciences. Dr. Weaver declared it was "stupid genetically" to use X-ray for the fitting of shoes. He was referring to the X-ray devices that have become common in shoe stores and into which children often stare with awe and sometimes without regard to time at the shadows of their foot bones.

Dr. Weaver also condemned obstetricians who make X-ray pictures of pregnant mothers merely to show them how beautifully formed is the skeleton of their babies without realizing the hazards of the dose of 3 or 4 roentgens that are being administered.

In addition to six long summary reports of the committees, the scientists also issued a report to the public in the simplest language possible. Here the layman may read how radiation damage inevitably results from exposure, no matter how small the dose.

Radiation causes mutations or harmful changes in the genes or germ cells of the reproductive organs. Damage manifests itself in the shortening of the lifespan, reduces ability to produce children, and sometimes but not often produces deformed or freakish children.

Even if the mutation is in one gene, there is some harmful effect and that mutation will go on through every generation until the line that bears it becomes extinct.

The report explained how "every cell of a person's body contains a great collection, passed down from the parents, the parents' parents, and so on back, of diverse hereditary units called genes."

The layman's report went on to explain:

"From the point of view of the total and eventual damage to the entire population, every mutation causes roughly the same amount of harm. This is because mutant genes can only disappear when the inheritance line in which they are carried die out. In cases of severe and obvious damage this may happen in the first generation; in other cases it may require hundreds of generations.

"Thus, for the general population, and in the long run, a little radiation to a lot of people is as harmful as a lot of radiation to a few, since the total number of mutant genes can be the same in the two cases."

But damage to future generations due to radiation will be difficult to identify. The study of genetics damage has only just begun, with a report due in August on genetic effects observed in the populations of Hiroshima and Nagasaki, the Japanese cities destroyed by American atomic bombs in World War II.

SUPPORTING DATA OFFERED

The committee on pathologic effects, however, offered this data to show some life shortening in radiologists:

Average age at death	
Physicians having no known contact with radiation	65.7
Specialists having some exposure to radiation (dermatologists, urologists, etc.)	63.3
Radiologists	60.5
U.S. population over 25 years of age	65.6

The committee said the radiologists "may well receive doses in the course of their occupation ranging from very slight to about 1,000 roentgens."

In fixing a reasonable safety limit of 10 roentgens, the Weaver panel commented, "not harmless, mind you, but reasonable." Of this safety limit, the panel said, "We are now using on the average some three or four roentgens for medical X-rays."

"This is roughly the same as the unavoidable dose received from background radiation," the Weaver panel added. "It is a really very surprising and disturbing to realize that this figure is so large, and clearly it is prudent to examine this situation carefully. It is folly to incur any X-ray exposure to the gonads which can be avoided without impairing medical service or progress."

While there exists no way of measuring a dose of radiation sustained by sex organs, the Weaver committee said that unless shielding was used some part of every dental or medical X-ray reached these organs. They said a dental X-ray would deliver about 0.005 roentgen to the gonads, and a general fluoroscopic examination two or more roentgens.

LET'S GET THE RECORD STRAIGHT

Mr. BARTLETT. Mr. President, in the debate of September 19, statements were made on fallout which may prove misleading to Senators.

Page 24 of "Nuclear Ambush," a book by Earl H. Voss, was quoted:

> Luminous dial wristwatches give off as much as 10 times the radiation dose as fallout produces.

This is just not so.

The dose to the reproductive cells of each and every American from the 1962 series of atomic testing alone has been estimated by the Federal Radiation Council to be 24 millirems.

Dr. Gordon Dunning, of the Atomic Energy Commission, tells me the yearly genetic dose from a luminous watch face can be as high as 8 millirems; as low as 0.5 millirem; with the average dose estimated to be 2 millirems.

Thus, the fallout from the 1962 tests alone produced for every American 12 times the radiation of the wristwatches.

Mr. Voss was quoted:

> Natural background gives the average individual a 7-roentgen radiation dose stretched over a period of 70 years. Fallout gives him 0.2 to 0.4 roentgen over the same 70-year period.

Thus, Mr. Voss states that fallout is but from one-seventeenth to one-thirty-fifth of natural background levels.

Again, this is not so.

The Chairman of the Federal Radiation Council, Paul C. Tompkins, said, in testimony before the Joint Atomic Energy Committee this summer:

> If testing continues indefinitely (at the 1962 rate), the genetically effective dose would be equivalent to a 70-percent increase in the natural background rate, while the dose to the skeleton would be two to three times the natural background rate.

I would wish to emphasize yet again, Mr. President, the concern I have expressed repeatedly over the hazards of fallout is not primarily directed to the above stated nationwide average dose levels.

I am concerned about the hot spots.

I am concerned that officials of the State of Utah say that 250,000 children in their State have received in their first 2 years of life as much radiation as is considered permissible for a 30-year period by the Radiation Council.

I am concerned that children in Salt Lake City received in 1 day, in 1 quart of milk, over four times the permissible yearly dose of radiation.

I am concerned that reputable scientists estimated that the 1962 atomic tests may—and I emphasize may—lead to a 2.5- to 10-percent increase in childhood cancer for children born in 1962.

The following figures are perhaps relevant: Background levels approximate 0.1 rad/year; wristwatch levels approximate 0.0002 rad/year; 1962 testing nationwide levels approximate 0.024 rad/year; hot spot levels in Utah 5 to a possible 100 rad.

This is intolerable.

MURDER OF NIKOLA PETKOV—16 YEARS AGO TODAY

Mr. KEATING. Mr. President, 16 years ago today, Nikola Petkov was hanged by the Communists for denouncing Communist tyranny in Bulgaria. Before his execution, Nikola Petkov was the leader of the opposition in Parliament and had used his position of leadership to criticize freely the Communist exploitation of property in Bulgaria and the cruel repression of the Bulgarian people.

Mr. President, the memory of Nikola Petkov symbolizes the spirit of freedom which still exists in this country. Although their Soviet masters are continually trying to silence this dedication to freedom, the spirit remains very much alive in the hearts of the Bulgarian people—people who have experienced the cherished liberties of a free society and who will never be fully satisfied until foreign domination is cast aside and Bulgarian independence is once again restored.

Mr. President, on this day which has been proclaimed the Bulgarian National Day of the Fight for Freedom, Independence, and Democracy by the Bulgarian National Committee, we Americans join the Bulgarians of the world in paying a solemn tribute to Nikola Petkov—the courageous man who gave so much in the name of freedom. Let us also take this occasion to extend our hand of friendship to the Bulgarian people and once again to remind them that we are working and praying for their eventual liberation.

THE NATIONAL ECONOMY

Mr. BYRD of Virginia. Mr. President, the lead editorials in the Wall Street Journal in its past three editions have been entitled: "A Dangerous Diagnosis," September 19, 1963; "The Urgent Need," September 20, 1963; and "The Flexible Reins," September 23, 1963.

These three editorials contain facts and views which are pertinent to fiscal legislation now before the Congress, which should be of interest to both Members of Congress and the general public.

For this reason I ask unanimous consent to have them printed in the body of the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Sept. 19, 1963]

A DANGEROUS DIAGNOSIS

For a good while now the administration's economic doctors have had a simple diagnosis for many of the Nation's ills: We've just lost our old zip. If the economy could only regain its old growth rate, unemployment would dwindle and Federal budgetmakers could go back to using black ink.

Proceeding from this analysis, the Government prescribes and applies such supposed zip-producers as ever-easy money and ever-rising Federal spending. Strangely, the ills they talk about refuse to go away.

What's wrong? One of the clearest answers to the question comes, oddly enough, from an economist within the Government itself. Writing in the current Federal Reserve Bulletin, Federal economist Clayton Gehman explains that the original diagnosis is faulty. Not only that; it can be downright dangerous.

In the past half dozen years the economy has been doing a lot better than its critics claim. In fact, says Mr. Gehman, "growth in U.S. economic activity in recent years has been close to long-time rates."

How can this be? Mr. Gehman would seem to be flatly contradicting the recent Manpower Report of the President, which noted that the annual growth rate of the Nation's goods-producing industries fell from 3.4 percent in the 1947–57 decade to 1.5 percent in the period from 1957 to 1961.

The answer chiefly lies in the way some statisticians use statistics. For one thing, this 1947–57 period reflected some unusual conditions, such as the Korean war buildup, that could not reasonably be expected to continue.

But that's not all; the 1957–61 period is a peculiar choice for economic comparisons, too. A business expansion was reaching its crest in 1957, while 1961 marked the low of a recession. So to say that the economy wasn't making headway during that period is a little like saying that a man who, in crossing the Alps, has moved from one mountain's crest to the bottom of another hasn't made much upward progress. It's quite true, but hardly significant.

For the fact is that the economy, after 1961, moved a long way toward a second crest. Extending economic statistics through 1962 and into 1963 makes the recent period look far better. Our growth rate then comes much closer to matching that of the postwar decade despite the special circumstances present in that earlier period.

If the economy has been doing so well of late, someone is sure to ask, why does it have surpluses of materials, productive capacity and—most painful of all—manpower?

The reason, as Mr. Gehman explains, is that the economy has not only been growing bigger but has been getting more efficient. This stems from more than the introduction of new automated equipment. It also results from such factors as improved control of inventories and more systematic scheduling of production. No longer are unneeded materials and products allowed to pile up so high in warehouses.

In this more efficient economy, some resources are not only unemployed. Old factories, to find a place, may have to be rebuilt; some workers will have to be retrained. Easy money and big budget deficits are likely to be of little help. In any circumstances, there's a poor prescription for solid economic growth; its failure in the 1930's should have made that clear.

In the current circumstances, the prescription may only lead to increased trouble. For it is the economy's stock of unemployed resources that the Government is always citing as our protection against sharp inflation. The inflated demand, so the reasoning goes, will be easily absorbed by the unused supply of materials, manpower and factories. But the idle supply of usable, effective resources is simply not as big as it's cracked up to be; sooner than some people think, these resources can be stretched past their limit.

Still, the Government goes on administering its inflationary monetary and fiscal remedies for our ills. And things are never too hopeful for a patient whose doctor starts out with a faulty diagnosis.

[From the Wall Street Journal, Sept. 20, 1963]

THE URGENT NEED

Hardly anyone, we would suppose, will disagree with President Kennedy's observations the other evening on the desirability—even the "urgent need"—of lowering the Nation's tax burden.

The weight of that burden is not only a senseless injustice to the people but, as the President said, is economically harmful in that it oppresses savings and investment, raises cost of production, narrow markets and in general deprives the people of the resources "to keep this country growing and healthy."

But there are a good many people, including ourselves, who do not think the burden of taxes can be separated from the burden of the Government's spending, since this is the sole cause of the tax burden. Therefore it is not possible to deal with the one and not the other. To pretend that the Government can reduce taxes without reducing the burden that causes them is to perpetuate a fraud upon the people.

Bernard Baruch put it aptly many years ago: "Whatever is done in one direction inspires some counterbalancing action by other parts of the economy. Many acts of Government intervention in the field of economics fail for just this reason: Because they are taken as isolated, piecemeal moves instead of being fitted into the whole economy."

In this instance, if the Government reduces taxes while it has a $9 billion deficit (or more) that $9 billion must be taken out of the hide of the economy in some other fashion. In practice the Government will simply print up 9 billion paper dollars. The resulting inflation will take back from the people the relief which the Government professes to give by "lower" tax rates.

Moreover, it is not true that every tax bill that offers "lower" rates is all to the good. Individual parts of the bill itself cannot be taken as isolated, piecemeal moves. And the whole of this particular tax bill is by no means an unqualified boon to the public weal.

For example, it is wrong to imply that every wage earner and every businessman will find his taxes lower as a result of this bill. The effect of the changed rules on the particular situations of some people will be increased taxes. What is true is that something like a million taxpayers will be removed from the Federal tax rolls entirely.

This, no doubt, is a political blessing for these million voters. But it is no boon for the country. First of all, it is this total forgiveness of some taxes that accounts for the greater part of total revenue loss to the Government. More importantly, it means that some million or so citizens, reaping the benefits of Government, will contribute nothing toward its support. So they will hereafter be little concerned whether the cost of that Government be high or low. A worse example of irresponsible politics would be hard to find.

It is all these things—and not the desirability of lower taxes—that is at issue. And it is all these things—and not a whimsical desire to continue higher taxes—that impels the Republican Members of the House to link the tax bill to the achieving of curtailed spending. They would make tax cuts dependent upon next January's actual budget.

President Kennedy, let it be said, is not unmoved by these arguments. That is why he has now pledged a tighter rein on Federal expenditures, reducing his deficit estimate for the current year and promising to keep next year's deficit to a handful of billions instead of bucketsfull. He has even pledged a course leading eventually to a balanced budget.

We are not unmoved either by these welcome assurances. But unfortunately such Presidential pledges have themselves been devalued by inflation. President Truman and President Eisenhower both spoke of their devotion to fiscal responsibility; neither achieved it. Indeed, the grave threat to the dollar which now so harasses President Kennedy is largely a heritage of such broken pledges, both those of his predecessors and his own.

So if there is a certain cynicism in the Congress, that is understandable. And if there is an effort to forge some solid link between tax reduction and spending reduction, that is desirable. For the real cause of the country's economic problems, including the shameful plight of the U.S. dollar, is not just the years of high taxes but the wasted years of almost total economic irresponsibility.

Curing that—not piecemeal tinkering—is the Nation's truly urgent need.

[From the Wall Street Journal, Sept. 23, 1963]

THE FLEXIBLE REINS

Once again Federal budgetmakers are getting down to their annual task, and once again there's a lot of talk of economy. Specifically, President Kennedy, eyeing the fiscal year that begins next July 1, promises an "ever-tighter rein" on Federal spending.

One way or another, administration officials assert, the fiscal 1965 deficit will be held below this year's expected $9.2 billion. Such determination may seem admirable, but the cold figures—and past history—make the Nation's fiscal prospects seem something less than encouraging.

There was, for example, Mr. Kennedy's remark of last January that he was going to "limit severely" his proposals for spending in this fiscal year. Translated into statistics, this turned out to mean he was planning to lift outlays by $4.5 billion to a record high of $98.8 billion. And it develops that an "ever tighter rein" on spending next year is expected to lead to another new high—of close to $102 billion.

In such circumstances, some people may wonder how the budgetmakers think they can achieve a smaller deficit next year, especially in view of the fact that the budget will be based on the assumption that Congress will finally OK a sizable tax cut. In reality their thinking is simple enough. They'll just figure that the tax cut will instill so much zip in the economy that revenues will rise more than spending.

Clearly, a tax cut under the right conditions is desirable, to lessen an oppressive burden on the economy. Yet its exact economic impact is not easy to measure. Though administration economists seem to believe the tax cut will unleash a giant wave of new spending, the fact is that a lot of people are likely merely to stash away more in savings or settle up some old bills.

Amid such uncertainties, it is really impossible to be sure that, after the tax cut, there will be any revenue rise at all—much less the gain of $3 billion or more that the budgetmakers will be counting on. This castles-in-the-air approach to Federal budgeting is no more encouraging now than it ever was.

Its even less encouraging when you realize that, even if all the optimism on revenues should somehow prove well founded, we'll still be saddled with yet another deficit of close to $9 billion. This cannot help but store up new fuel for inflation, create new doubts about the dollar's stability, and further postpone any truly meaningful attack on our balance-of-payments difficulties.

All this, however, is not to say that the new "economy" drive is entirely without its bright aspects.

For one thing, it's a sort of lefthanded recognition by the administration that some of its earlier economic theories were a bit addled. Any effort to hold down Federal spending, for instance, seems to depart from the idea that Washington can solve all the Nation's problems merely by spending more money—on urban renewal, public works, or whatever happens to come to mind.

Then, too, any effort to keep the deficits from ballooning ever bigger appears to reflect rejection of the oft-expressed notion that such deficits and the resulting increases in Federal debt are nothing at all to worry about. It's true that the restraint talked of now clearly does not go far enough, but at least it's a move in the proper direction.

In part, we suspect, this stems from a recognition of political realities. By now, the administration obviously realizes that there is in the Nation no galloping demand for a tax cut tied to ever-rising spending; otherwise, there would be no need for even the illusion of spending restraint.

It may be that the economic ideas of such men as Senators BYRD and GOLDWATER, so often dismissed as reactionary, have had their impact on the people. Or it may be that the public simply has too much commonsense to believe that anyone, either an individual or a government, can go on forever spending more than is coming in.

However that may be, we suspect that a good many people are going to be a little dubious about the Government's tight budget reins. Especially when those reins seem to be made of rubber.

QUESTIONS AND ANSWERS ON THE NUCLEAR TEST BAN TREATY

Mr. HUMPHREY. Mr. President, in the closing hours of debate upon the question of ratification of the nuclear test ban treaty, it would be well briefly to review the arguments which have been advanced in opposition to the treaty and the answers which have been made to those arguments. I offer this review in order that both proponents and opponents of the treaty may have one more opportunity to reflect on this question which all admit is one of the more momentous to come before the Senate in recent years.

ARGUMENTS STEMMING FROM THE TERMS OF THE TREATY

First. Concern was expressed that the terms of the treaty might limit the right of the President to use nuclear weapons in time of war.

Answer. The President, the Secretary of State, the Secretary of Defense, and the Soviet Government itself—in a statement replying to a similar criticism of the treaty voiced by the Chinese—have all denied that the treaty will have the effect of curtailing the powers of any party in time of war.

Legal opinions of the Legal Adviser to the Department of State and the General Counsel of the Department of Defense conclude that the treaty cannot be so interpreted since the treaty is inconsistent with a state of war and does not expressly provide for its application in wartime.

Second. Concern has been expressed for the possibility that the procedures for accession to the treaty will involve recognition of the East German regime.

Answer. The assurance of the Secretary of State based on the opinion of the Legal Adviser is that recognition is not involved because no intent to recognize East Germany has been expressed by our Government and because article III of the treaty provides for accession procedures which do not involve any dealings between the United States and the East German regime from which an intent to recognize the regime might be implied.

Third. The argument has been made that the treaty may conflict with U.S. commitments to our allies for defensive purposes.

Answer. The Foreign Relations Committee was satisfied and the Secretary of State gave his assurance that the treaty will not affect any existing commitments for defensive purposes with allies of the United States.

Fourth. Concern has been expressed that the treaty will significantly inhibit the U.S. plowshare program for the peaceful use of nuclear explosions.

Answer: The Chairman of the Atomic Energy Commission, Dr. Seaborg, testified that a great many of the presently proposed plowshare projects can be conducted underground under the terms of the treaty while others for which we are not yet technologically ready can either be conducted under the terms of the treaty or made the subject of future amendments.

Fifth. The question has been raised as to the effect of accidental violation of the treaty either by "a little venting" in connection with an otherwise permitted explosion or by some other occurence.

Answer: Secretary Rusk stated that the venting problem is one for the future and that it was his understanding that the small accidental breach would not abrogate the treaty.

The problem of differentiating larger accidental explosions from intentional tests would be a factual matter of no great difficulty which could be resolved, if any uncertainty existed and if any danger to our security was feared, by withdrawal from the treaty.

Sixth. The question has been raised whether the definition contained in the treaty of an underground test is sufficiently precise.

Answer. The Secretary of State made the point that a more detailed definition would have been unwise in view of the contingencies which may be created by future technical advance; that obvious criteria exist to differentiate underground from other tests; and that in the event unresolved uncertainty develops threatening our security, the United States may withdraw from the treaty.

Seventh. The argument has also been made, with respect to the treaty's terms, that the treaty contains no assurance that amendments thereto will be subject to the advice and consent of the Senate prior to their entering into effect.

Answer: The treaty makes clear provision for U.S. ratification of amendments to the treaty which, under our Constitution, cannot be obtained without the advice and consent of the Senate.

Eighth. The argument has been made that the terms of the preamble of the treaty commit the United States to eventual nuclear disarmament pursuant to the principles upon which the United Nations was founded.

Answer: No preamble, even to the U.S. Constitution, has ever committed anyone to anything. At most, a preamble can suggest the hopes with which a step was taken.

Ninth. Concern has been expressed that the treaty may have been made contingent upon some undisclosed agreement with the Soviet Union.

Answer. The President of the United States has given his absolute assurance that such is not the case.

Tenth. The argument was made that the treaty might, under its terms, become effective as to the United States prior to its ratification by, and entering into effect with respect to the Soviet Union.

Answer: Under the treaty's terms the treaty cannot enter into effect as to any nation until all three original parties have ratified the document and deposited their instruments of ratification.

Eleventh. Concern has been expressed that in the event of violation of the treaty the United States will be prevented from testing under the treaty's terms for the 90-day period specified in the treaty's withdrawal clause.

Answer: In the event of violation of the treaty by the Soviet Union, the United States may immediately declare itself no longer bound by the treaty and resume testing. The privilege of withdrawal after 90 days' notice exists in addition to the rule of international law just stated.

ARGUMENTS RELATING TO THE SPIRIT BEHIND THE TERMS OF THE TREATY

First. The argument has been made that the treaty is the first in a series of steps into which the United States will be inevitably drawn against its best interests.

Answer: Nothing in the terms of the treaty, in the amendment procedure or elsewhere, has committed the United States to anything to follow this treaty. The present debate in the Senate is evidence that the spirit of the country with respect to future dealings with the Soviets is one of caution and independent thinking.

Second. The argument has been made that the Soviets cannot be trusted because of their past history of treaty violations.

Answer: There is reason to believe that maintenance of the treaty is considered by the Soviets to be in their best interests based on considerations which should apply for some time to come.

In the event of significant violations, the committee has been assured that our detection facilities are adequate and that this Government will be in a position to resume its own atmospheric test program without significant delay.

Third. The fact that the Soviets have determined that the treaty is in their best interests has been urged as an argument against the treaty.

Answer: The interests of the Soviet and United States Governments are not mutually exclusive in every respect. Common interests or a coincidental uniting of different interests in a common step is the basis for any bilateral or multilateral agreement.

Fourth. The argument has been made that the United States may not succeed in maintaining its guard against the Soviet military threat.

Answer: The answer to this argument lies in the will of the American people and its Government which has been expressed with specific reference to the threats posed by the treaty by the assurances of the President of the United States to the majority and minority leaders and by the safeguards of the Joint Chiefs of Staff endorsed by the Foreign Relations Committee in its report and by the President and the chief governmental witnesses.

The safeguards include: First, continuation of a comprehensive, aggressive, underground nuclear test program; second, maintenance of the vitality of our nuclear laboratory facilities and weapons programs; third, the maintenance of a state of readiness to resume atmospheric nuclear testing in the event of violation or abrogation of the treaty; and fourth, the improvement of the multiple system of detection and identification of foreign nuclear activity.

ARGUMENTS RELATING TO THE RATIFICATION PROCESS

First. The argument has been made that the Senate was not consulted for its advice prior to the signing of the treaty.

Answer: Both the Disarmament Subcommittee of the Foreign Relations Committee and the Preparedness Subcommittee of the Armed Services Committee were consulted throughout the years 1962 and 1963 on the terms and substance of the limited test ban treaty. The full Committee on Foreign Relations reviewed the final text of the treaty prior to its signing.

Second. The argument has been made that the statement of the Joint Chiefs of Staff before the Foreign Relations Committee was not entitled to much weight because they gave their opinion subject to pressure.

Answer: The argument was answered by a categorical denial from each of the Chiefs under oath. Their background and position, quite apart from the oath, entitles them to be believed on this point.

Third. The argument was made that the Joint Chiefs were asked to give an opinion based on political considerations which they were incompetent to judge.

Answer: Since the acceptability of the treaty is not simply a military question, the Joint Chiefs could not testify on that subject without taking into account political considerations. The Chiefs did not in any way minimize the military considerations to be taken into account in reaching their conclusion as to the overall acceptability of the treaty.

Fourth. The argument has been made that the Committee on Foreign Relations did not hear certain witnesses known to oppose the treaty: specifically, that General Power was not called and that Dr. Teller did not appear, as he requested, in executive session before the committee.

Answer: General Power's superiors who were aware of his views and of the facts upon which they were based appeared before the committee. Dr. Teller's qualifications, while great in some fields, did not make him the most competent, or even a very valuable witness, on the particular field concerning which he offered to testify in executive session before the committee. Both men testified at length before the Preparedness Subcommittee.

Fifth. The argument has been suggested that the report of the Preparedness Subcommittee is entitled to great weight because it is based on classified material which could not appear in the report.

Answer: The material upon which the report was based is available to all Senators. Members of the Preparedness Subcommittee had an opportunity to bring out any conflict of testimony based on classified data in executive sessions of the Foreign Relations Committee to which they were invited.

Sixth. The argument has been made that the Committee on Foreign Relations has made its determination based upon the number rather than the quality of the witnesses.

Answer: In number, the witnesses did, indeed, favor the ratification of the treaty. The qualifications of the opposing witnesses, while undeniable, tended to be confined to areas of knowledge which were somewhat more limited than the subjects on which they testified.

ARGUMENTS BASED ON MILITARY AND SCIENTIFIC CONSIDERATIONS

First. The argument was made that the Joint Chiefs were not adequately represented in the development of policy relating to and the terms of the treaty.

Answer: The evidence is that General Taylor participated in the formulation of the treaty as a member of the Committee of Principals transmitting the Joint Chiefs' suggestions, for example, to revise the withdrawal clause, to the President and communicating the substance of the negotiations to the Joint Chiefs for their consideration throughout the period during which the treaty was in the making.

Second. The argument was made that clandestine tests are a serious risk under the treaty.

Answer: The evidence of the Secretary of Defense on this point was that the Soviet Union could obtain no major results by testing in the atmosphere and deep space or under water without incurring high costs and high risk of detection. Dr. Brown and the Joint Chiefs agreed with the Secretary on this point.

Third. The argument was made that cooperation among Communist countries entails a high probability of successful cheating under the treaty's terms.

Answer: While the treaty expressly prohibits the parties from causing, encouraging, or in any way participating in prohibited explosions whether or not within their own territorial limits, the chief safeguard against this risk lies in the withdrawal clause which permits the United States to resume testing if explosions anywhere in the world, whether or not carried out by a treaty signatory, are deemed to threaten the country's security.

Fourth. The argument was made that the treaty will involve a serious risk for the continued capability of U.S. missiles to penetrate a Soviet defensive system.

Answer: As has been ably stated by Senator ANDERSON the problems of maintaining the reliability of our weapons systems have little to do with the atmospheric tests prohibited by the treaty. Our complex procedures for determining reliability plus the variety and size of our penetration system will remain under the treaty the basis for repeating in this context the oft-expressed view that it is much easier to rely on an offensive than on a defensive weapons system.

Fifth. The argument has been made that the treaty would seriously affect our development of an effective anti-ballistic-missile system.

Answer: It is the conclusion of the best informed expert in the field, Dr. Brown, together with most of the competent scientific and military witnesses, that United States-Soviet ABM development efforts in resolving the problems of an effective ABM system are comparable in magnitude and success and that future U.S. development will, regardless of the ratification of the treaty, be concerned chiefly with difficulties largely unrelated to the relatively simple nuclear component of the system.

Sixth. The argument has been made that the Soviets may have bested us in developing an effective counterforce threatening the survival of our second-strike capability.

Answer: The variety and dispersal of our land, sea, and airborne second-strike force, including in the near future airborne command and control posts, plus the extreme hardening of the land-based portion of that force based on our own experience as to its vulnerability from tests conducted in the past, provide strong assurance that Secretary McNamara is right in asserting that "the U.S. strategic missile force is designed to survive and it will survive."

Seventh. The argument has been made that the Soviets may have bested us in developing knowledge of the effects of high-altitude nuclear weapons tests.

Answer: The evidence with respect to high-altitude tests carried out for the purpose of determining the effects of nuclear bursts on communications, radar, and on nuclear weapons is that Soviet and United States experience is roughly the same.

Eighth. The argument has been made that, irrespective of our national willpower, our scientific laboratories will inevitably deteriorate as a result of the test ban.

Answer: The test ban relates to what is a relatively small part of the scientific and technological problems which confront us in this area which no doubt explains why, during the 3-year moratorium, laboratory personnel grew by some 50 percent and why little fear was expressed with regard to this argument by the witnesses.

Ninth. The argument has been made that irrespective of our right of immediate resumption of testing in the face of any violation of the treaty, we may be left behind because of the gains experienced in the series of tests violating the treaty.

Answer: The Secretary of Defense and other military witnesses have denied that any absolute advantage could be conferred on the Soviets simply from one series of tests while the scientific witnesses assured the committee that the United States could be ready to conduct proof tests within 1 month and weapons effects tests within 6 months following any violation.

A YOM KIPPUR GREETING

Mr. **HUMPHREY**. Mr. President, Yom Kippur, the day of atonement, is beyond question the holiest of Jewish holy days. It is therefore, in many respects, a solemn occasion, on which the Jewish people of the world reflect upon the past and plan for the future, with the object of self-improvement foremost in their minds.

Many prayers are recited on this day, in which much is made of prayer, itself, repentance and charity, the three pillars of the Yom Kippur service. Wrongs are admitted, prayers are sent up beseeching the assistance of the Almighty in the search for purity of heart, and promises are made to assist the less fortunate people of the world in their heartrending pursuit of happiness.

All America can understand the meaning of Yom Kippur, because Americans, as a people, are inclined to follow the same policies, involving prayer, repentance and charity; and all Americans have the responsibility by their national heritage, to indorse the cause of the unfortunate and the downtrodden in every corner of the globe.

On this occasion, in the midst of the Jewish holy days let all of us pray together—Jews and Christians alike—that the time will come when mankind everywhere will truly enjoy the blessings of dignity, security, freedom, and justice. For herein lies the meaning of the Yom Kippur spirit, and the spirit of America, as well.

WELL-DESERVED TRIBUTE TO VICE PRESIDENT JOHNSON

Mr. **WILLIAMS** of New Jersey. Mr. President, a most interesting column by Gould Lincoln appeared in the Washington Star recently commenting on the great success of Vice President Johnson's visit to the Scandinavian countries. The warmth and charm of the Texas statesman obviously captured the hearts of our Scandinavian friends, just as he has won the admiration of his fellow Americans. Besides demonstrating to the people of Scandinavia the continuing loyalty of this country for our European friends, I am sure that the Vice President's conversations with governmental leaders on questions of common interest will be most fruitful and helpful. The column pays a well-deserved tribute to the diplomatic abilities of the Vice President and I know it will be of interest to my colleagues. I ask unanimous consent that the column be printed in the Record.

There being no objection, the column was ordered to be printed in the Record, as follows:

[From the Washington Star, Sept. 17, 1963]

Johnson Again Able Ambassador

(By Gould Lincoln)

Vice President Lyndon Johnson's goodwill tour of the Scandinavian countries, from which he returned today, has been a major success, judging by the warm receptions accorded him, Mrs. Johnson and their daughter, Lynda Bird. The tour, which was proposed by Secretary of State Dean Rusk with President Kennedy's approval, came at an excellent time. The nuclear test ban treaty had been negotiated and hailed as a step—a first step—toward lessening of world tension, particularly between Communist Russia and her satellites and the nations of the West. It was part of the Vice President's mission to stress again the need of the West to keep its guard up—to maintain unity of purpose and defense against any possible Communist aggression. This meant a strengthening of NATO—not a weakening, not a time for complacency and letting the guard down.

Not since the Vice President's historic and successful trip to West Berlin in August 1961, a week after the Communists had sealed off, with wire and wall, East Berlin from West Berlin, have the Vice President's talents been used more effectively. At that time the West Berliner's morale was at a low ebb, and so was that of all West Germany, fearing that Britain, France and the United States might be lessening their determination to maintain the freedom of West Berlin. Mr. Johnson gave them the reassurance they needed, along with a pledge that this country would live up to its promises to the people of West Berlin.

And at the same time President Kennedy sent the Vice President to West Berlin, he ordered 1,500 additional U.S. troops to join the 11,000 already in that city. A million West Berliners turned out to welcome and to cheer the arrival of the Vice President. At one point, he hopped out of his automobile and walked briskly along for five blocks, shaking hands with the West Berliners and stopping to kiss babies.

RENEWS U.S. PLEDGE

It was with the same friendly handclasps that the Vice President met the thousands of Swedes, Norwegians, Finlanders, and Danes who greeted him on his arrival in their countries on the latest trip. His last visit was to Iceland before his final flight back to the United States. The tall Texan has an aptitude for making friends, and winning the confidence of people. While the trip was not made under such dramatic conditions and during such stress as was his visit to West Berlin 2 years ago, it nevertheless had its value, at a time when there has been much suggestion that United States and Britain were inclined to ease off, to let the nations of Western Europe look to themselves. As he did in West Germany and West Berlin, the Vice President pledged again and again the willingness of the United States to fulfill 100 percent its obligations.

Geographically, these Scandinavian countries border or are close to Soviet territory to the North and West of Russia. Their cooperation, in case of need in any crisis with the Communists, would be valuable. They are in position to block the straits leading into the Baltic Sea, Russia's way out by water to the North Sea and far reaches of the Atlantic. In the past, these countries have not had an opportunity to see and welcome a Vice President of the United States, and it was a good stroke, diplomatically as well as realistically, to send Mr. Johnson among them.

SAMPLE OF REACTION

A sample of how the Swedes felt about his visit is contained in an editorial appearing in Ny Tid (Social Democratic) published in Goteborg, which reads in part: "The Swedes can feel proud now that for the first time they are paid a visit by a Vice President of the United States. The Goteborgers also feel proud as the program provides room for a quick visit to their city. Since we are not allied with the United States (Sweden remained neutral in the last world war) there are hardly any urgent reasons for either President Kennedy or his alternate to control on the spot the tenure of our relations. When, nevertheless we receive a visit it probably is because we mean, or are considered to mean, something in the world. Lyndon Johnson has been give a much better reception in the Swedish press than Nikita Khrushchev, both when the latter canceled his visit after the press attacks and when some newspapers now want him to cancel it anew." The editorial spoke highly of Mr. Johnson's abilities.

In Denmark, the Vice President called for continued NATO defense efforts, and he voiced the same plea in Norway. He impressed on their leaders the need for being on guard in periods of relative relaxation—such as that which may follow the ratification of the test ban treaty. He received assurance on their part.

The Vice President discussed many other questions of interest, like shipping and trade. He still has his report to make to the President, which he is expected to do promptly.

NIKOLA PETKOV, FIGHTER FOR FREEDOM

Mr. **WILLIAMS** of New Jersey. Mr. President, Bulgarians are rightly proud of their many brave and outstanding warriors and dedicated leaders. Among these the late Nikola Petkov holds a high place. For his intrepid ways, for his honesty, for his devotion and dedication to the general welfare of the Bulgarian people, and above all for the courageous and stout-hearted stand he took against the foes of freedom, he is considered one of the most eloquent and outspoken champions of freedom in the Balkans from the late 1930's until his death at the hands of the Communists on September 23, 1947.

The political history of the Bulgarian people has had its ups and downs, but during most of this century the Bulgarians have been victims of many misfortunes which they could do little to prevent. They were drawn into both World Wars, and in both they suffered irretrievable losses. During the last one they were forced to yield to the Axis side. Then late in that war they turned around and fought the Nazis to regain their freedom. As we all know, they did not regain their well-earned freedom because the men in the Kremlin had decided that the Bulgarians must be taught, much against their will, to live under a Communist government. Of course, neither the government of this country nor the British approved of Stalin's way of disposing the fate of the

Bulgarians, but Stalin's views and decision prevailed in the end because his forces were in control of the country while we and the British had no force there.

In the ensuing conflict within Bulgaria, the issue at first was whether there should be real national freedom, or mere dependence on some major power. In this the Communists obviously preferred and advocated close alliance and dependence on the Soviet Union. Opposing the Communists were the Socialists, Democrats, and the Agrarians, who held the view that their freedom and independence should not be compromised. The Bulgarian Agrarian Union was the strongest party, in fact. Its veteran leader, Guichev, known to be the most uncompromising opponent of communism, was put in jail at the outset. Nikola Petkov and other Agrarian leaders felt at the beginning that it might be possible to work in coalition with the Communists. But as events turned out, he had to fight not only against his political adversaries within the country, but he was also fighting Soviet ideology, and, as such, waging a losing war against the Soviet Union. By early 1947, as the Communists consolidated and strengthened their position through rigged elections, it seemed clear that Petkov and the remnants of his loyal supporters were doomed. But this was done by astute Communists in stages, in a mockery of due process of law.

In the several coalition governments formed from 1944 to 1947, Petkov had a place, often as Minister without portfolio, for the Communists did not dare to exclude him before signing of the peace treaty. And from his Cabinet position he could see the working of people's democratic systems as understood and practiced by the Communists. He criticized and condemned the Communists for their inhumanity, for their callousness, and for their disinterestedness in the welfare of the Bulgarians. In and out of Parliament, he was then the most outspoken critic of the wrongdoings. As these criticisms became damaging to the Communists, Petkov was arrested while speaking in Parliament on June 6, 1947. He was tried on charges of conspiring to overthrow the government, found guilty, and was hanged on September 23, 16 years ago. Today we honor the memory of this dauntless, and daring, and devoted champion of real freedom in Bulgaria.

BUSINESSMEN'S PEACE CORPS

Mr. JAVITS. Mr. President, I want to call to the attention of the Senate a very important proposal made by David Rockefeller, president of the Chase Manhattan Bank, at the opening session of the 13th International Management Congress in New York.

In his speech Mr. Rockefeller proposed the establishment of a business counterpart of the Peace Corps, to be privately financed, to help firms in underdeveloped countries. Volunteers, drawn from the managerial ranks of firms in industrialized countries, would serve for 2 to 3 years in units assigned to plan and organize special industrial projects in countries that invited their assistance. Volunteers would be on leave and continue to receive their salaries from their companies.

Mr. President, this plan deserves serious attention particularly at a time when foreign aid is under pressure in Congress. Private enterprise is eminently qualified to assist developing countries with the complex knowledge required in modern production, distribution, and financing.

I ask unanimous consent that the article which appeared in the New York Times on September 17 on this subject be printed in the Record at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From The New York (N.Y.) Times, Sept. 17, 1963]

Peace Corps Plan Given to Business—David Rockefeller Pictures Volunteer Task Force of Free Enterprise—Members To Keep Pay—Service Aimed at Developing Countries—Invitations Would Be Required

(By Brendan M. Jones)

A business counterpart of the Peace Corps was proposed yesterday by David Rockefeller in a keynote speech that opened the 13th International Management Congress at the New York Hilton Hotel.

Mr. Rockefeller, president of the Chase Manhattan Bank, envisioned a volunteer "managerial task force of free enterprise" drawn from companies in industrial countries.

Members would serve from 2 to 3 years in units assigned to plan and organize special projects in countries that invited their assistance, Mr. Rockefeller said. Their services would be available primarily to developing countries, he added.

INVITATION TO BE NEEDED

"Under no circumstances," Mr. Rockefeller stressed, "would they be forced upon a nation against its will." They would go only by invitation and would work on projects deemed essential to that country's economic development, he said.

Under the task force plan, which Mr. Rockefeller said was sketched in broad terms, members would continue to receive full salary and fringe benefits from their companies.

He proposed that the initiative for the program be private and come from such a worldwide body as the Committee International de I'Organisation Scientifique.

THREE THOUSAND ATTEND

This organization is the sponsor of the week-long triennial management congress, which was attended by more than 3,000 persons from about 70 countries yesterday.

The host for the meeting is the Council for International Progress in Management, the U.S. affiliate of the worldwide body.

Mr. Rockefeller, chairman of the advisory committee of the Management Congress, was one of several leading executives who addressed plenary sessions of the conference yesterday.

Other speakers were Frederick R. Kappel, chairman of the American Telephone & Telegraph Co.; Enrico Bignami, managing director of the Nestle Alimenetana Co. of Switzerland, and Ralph J. Cordiner, chairman of the General Electric Co.

A paper prepared for the opening session by Louis Armand, former president of the French National Railways, was read at the opening session by Pierre Mayeaux, president of the French National Management Association. Mr. Armand was unable to attend the Congress because of his health.

The opening session also heard a message from U Thant, Secretary General of the United Nations, and an address of welcome by Mayor Wagner.

Prompted by the Congress theme of "Human Progress Through Better Management," most speakers emphasized business responsibilities in rapidly changing social and technical conditions throughout the world.

Many speakers related these responsibilities to the worldwide surge for prosperity, to the benefits and limitations of automation and economic planning and to the need to maintain individuality and inventiveness.

COOPERATION URGED

"While we compete as businessmen," Mr. Rockefeller declared, "we must collaborate as managers and public-spirited citizens of the world in carrying forward the historic revolution of our time in the way people everywhere desire—the way of higher living standards, greater individual liberty, closer cooperation among nations in maintaining peace."

Mr. Rockefeller also said, "One thing that automation cannot do is solve the problems it is creating. This is something that only human brains can accomplish.

"The manager's prime opportunity, as I see it, is to match technological advance with the kind of social inventiveness that will take the pain out of human progress."

APPROVAL GIVEN

Mr. Rockefeller's proposals received general approval among Congress participants. He said after his speech that further development of the plan would depend on the reaction from private companies.

Albrecht M. Lederer, president of the Comité International de l'Organisation Scientifique, said the organization's board would give formal consideration to the plan. He indicated a probable favorable action.

Management officials said some seminars and projects had been carried out by management organizations to help developing countries, but nothing had been attempted on the large scale proposed by Mr. Rockefeller.

Mr. Rockefeller commented after his speech that his plan was a counterpart of the Peace Corps.

"Suppose, for example, that a country's development plans called for a major textile mill. One unit of volunteers might be assigned to get this project underway and oversee its operations through the difficult formative period."

He cited other examples of possible task force work as aid to schools through business courses, management institutes, manager-training programs and similar activities.

Mr. Rockefeller acknowledged that his plan involved difficult problems of procedure as well as Government and corporate policies, but he said the concept merited examination of its potential usefulness.

Mr. Kappel, discussing the partnership of business and science, stressed that the free market system was the best hope for "proper selective use of science and technology in the public interest."

The force of free-market competition, he said, acts to keep technology in touch with human needs as well as the "harsh discipline of profit and loss that has no patience with the fantastic and is always at war with waste."

Mr. Bignami said that one of Western Europe's problems was the rise of superplanning spurred by the Common Market. He said such "superorganizations" threatened to make politicians of businessmen and held "inherent dangers of uniformity and lack of imagination and flexibility."

"We must never allow ourselves to become a new race of technocrats," the Nestle executive declared, "like a race from another planet with no links and ties with our past and our traditions."

Mr. Cordiner stressed the need for top management to have "a vision of the business," or what it will be in 15 or more years, as well as its state of development.

He said there would be a great many more highly diversified enterprises on an international scale, where only a few exist today.

Mr. Armand developed in his paper the history of enterprise in Europe and the United States to the present, concerning itself with business responsibility to the community. He said that, even in Communist countries, this sense of "accountability" had been showing itself.

He concluded that management would have to grow more on lines of "collective authority" or teamwork that inspired rather than compelled cooperation. He added that modern management would have to reflect the mentality of younger personnel, geared to seminar work in college, and the development of more communications.

The Congress will begin a series of specialized symposiums today along with its major sessions.

FIRST ANNIVERSARY OF LINCOLN CENTER OF PERFORMING ARTS—NEW YORK

Mr. JAVITS. Mr. President, the Lincoln Center for the Performing Arts in New York City is celebrating its first anniversary and it gives every evidence of fulfilling the high hopes held out for it.

Last night a brilliant audience in Philharmonic Hall heard and saw a great anniversary concert previewing the companion New York State Theater of the Performing Arts now rising in the center which will be a companion institution to the Metropolitan Opera and Philharmonic Hall and Fordham University Law School—the Benjamin A. Javits Halls of Law named for my brother—and other great edifices rising there. The great stars who performed during a 1-hour CBS anniversary telecast and thereafter included Ethel Merman as master of ceremonies, Sally Ann Howes, Veronica Tyler, Robert Merrill and the New York City Ballet under the choreography of George Balanchine and with a whole galaxy of stars. John D. Rockefeller III and Dr. William Schuman, chairman and president of Lincoln Center spoke. The great composer Richard Rodgers and commentator Alistair Cook introduced the different parts of the program.

Also, it underlines the need for a Federal program for the arts throughout the Nation. Although there is little likelihood at present that Congress will act at this session on bills to establish a Federal program of aid to the arts, communities throughout the country are moving ahead with their own local resources to develop their cultural assets. Hearings held last year by the Committee on Labor and Public Welfare on my bill to create a U.S. Arts Foundation and other bills clearly established the need for a program to aid the arts, and the bill was favorably reported out by the committee. The report of August Heckscher, the President's special adviser on the arts, strongly emphasizes the challenge that the Nation faces in this field. The visual and performing arts are a dynamic force in the American community, and the need for Federal aid to make American artistic resources available in areas of the country not now reached will continue to grow more urgent. The forthcoming appointment of the President's Advisory Council on the Arts is an important forward step, but it only makes more evident the need for an instrument like the proposed U.S. Arts Foundation to provide the necessary assistance.

I ask unanimous consent to have printed in the Record, the report by Dr. William Schuman, president of the Lincoln Center, entitled, "Have We Culture? Yes—and No," with its emphasis on the development of U.S. artists and arts, which appeared in the New York Times magazine, September 22; and an analysis of current State and community progress in the arts by Daniel Millsap, entitled "Appraisal: U.S. Arts Movement," which appeared in the Washington International Art Letter, July–August 1963.

There being no objection, the report and analysis were ordered to be printed in the Record, as follows:

[From the New York (N.Y.) Times magazine, Sept. 22, 1963]

Have We Culture? Yes—and No: The Positive Aspects, Says the Head of Lincoln Center, Are Evident in Our Multitude of Creators and Performers; the Negative, in Our Confusion of Popularity With Merit

(By William Schuman)

Our country's interest and activity in the performing arts is clearly on the rise. Scores of centers for the arts are underway. Culture, as we like to refer to all these enterprises, is now a household word—well, almost. But I wonder whether we are generally aware of the considerations which alone can make of our centers more than the real estate ventures they are sometimes accused of being. These considerations raise questions which are apposite as today we celebrate the first anniversary of Lincoln Center.

To begin with, what is culture? It is a word we use in a variety of ways and for a variety of meanings. We use it in reference to soil, pearls, blood, beauty, penicillin, milk, and in myriad other combinations to describe sociological and anthropological states of being. But in its broadest meaning culture delineates the entire gamut of our moral, spiritual, esthetic, and intellectual nature; in short, the measure of our civilization. While this broad meaning of culture includes our political institutions and, indeed, nothing less than our social mores in general, history has bestowed upon it a quite specific reference to the arts.

Culture, then, is a word that commands respect. When we use it in relation to the arts, we have a sense of elevation. We fancy that we are above the mundane, materialistic considerations of everyday life and have entered the realm of pure esthetic sensibilities. In a very real sense this is so, yet any examination of the state of our culture as a nation will reveal that, far from escaping the verities of economic, social and political institutions and customs, culture is an integral part of them. Culture—the arts—like problems in plane geometry, must deal with the given.

What is the given? Accurately to define it would entail a complete description of life in 20th century America. Stated in capsule form and no doubt oversimplified, it is the economic and social conflict between the democratic ideal (the common man) and the basic autocracy of artistic standards imposed by works of art, by the artist (the uncommon man). This conflict is at once our greatest problem and most inspiring opportunity.

Democracy—majority rule—cannot exist as such in the actual practice of the arts. A play is not created by a committee. A symphony orchestra is not a democratic institution—if it were, each player would be given a chance to conduct and give his interpretation of the composition being performed. No, of necessity the orchestra is and must be an absolute monarchy—the conductor is king. And yet the arts in our society enrich life, not because of the limitations imposed by criteria for mass acceptability, but rather by the opportunities offered by mass exposure and education. A society which, for all its shortcomings, has the potential to insure accessibility to all of the riches of art and, at the same time, guarantee artistic freedom, is a dynamic society.

This is the key to true democracy of the arts. And I believe that this is the direction in which America has been moving. But what of now? Are we in fact a cultured nation? The answer is to be found in a series of yeas and nays, somewhere between the inflated cries of a "cultural explosion" and the counterclaims of a "cultural wasteland."

That we are making headway is, to my mind, beyond dispute. The performing arts have a place in our consciousness astonishingly different from that of only a decade or two ago. While this difference can be gaged in the tangible evidence of the facilities we are erecting all over the country to house our artists, the true measure of our advance stems from the reasons we are building such facilities. Over the years our composers, choreographers and playwrights have been producing the works which alone can form the basis of a national culture in the performing arts.

Without the creation of new works, the performing arts would become the exclusive domain of the past; there would be a lack of nourishment at the source and in consequence no expression from the men of our time. In America, we have, in this respect, reason for increasing satisfaction. The creative aspect of our artistic life, despite many problems, is one of health. In music, the theater, the dance, the film, we have our high-level creators who can take their places with the most gifted of the world and, what is more, whose diversity of styles, techniques, esthetics are paralleled in no other country.

In music, our composers have long since established themselves as master craftsmen. This is even more impressive when one realizes that the arrival on the scene of the American composer no longer subservient to the European master is wholly of this century and, for all practical matters, a development since the twenties. To be sure, there were gifted American composers before that time, but not in any sense comparable with the riches we have today. American composers range from the most conservative, through the middle-ground creators, all the way to those employing the most advanced experimental techniques.

In education we have our great professional music schools and centers of high-level instruction in drama and dance. But our interest in education in the arts is not limited to professional training. Nowhere in the world are the arts so much a part of general education as in this country—from elementary school through the university. To be sure, the quality of instruction varies. At its best, and its best is on the rise, there is recognition that the arts are the stuff of general education, that instruction in their practices and exposure to their wonders is rightfully the domain of liberal education. There is conviction, despite the understandable emphasis these days on the sciences and mathematics that the arts are meaningful in ways only to be discovered through direct experience.

In the choreographic world, we have our "modern dance" choreographers who have developed styles of their own, unprecedented in the world of dance "vocabulary." We also have our traditional ballet masters. And we have created jazz works that are wholly fresh. Our dance encompasses an enormous range, from the popular and inventive developments in our music theater to experiments that try the most liberal eyes (and ears).

In the theater and in the production of films, it is clear that only a small percentage of our efforts can be considered other than routine, commercially motivated enterprises. Yet America has produced some outstanding films and plays. In our theater, while our national literature is still limited, its best is of an extraordinarily high quality. Furthermore, we do have gifted writers today who are adding to this heritage. It is to be expected that as our interest in serious art continues to develop, efforts in the theater and in films of high artistic order will increase.

The skill of American performers is taken for granted, which is perhaps the greatest compliment that we can pay them. Yet we should realize that in music and dance, at least, our superb artists are of recent vintage. As for our leading symphony orchestras, they have few peers; the extent of our activities and developments in this phase of music is nothing short of sensational.

For all our progress, however, we often tend to assume that the grass is greener elsewhere. When we compare our achievements and institutions in the arts with those of other countries, we are liable to fall into two kinds of provincialism: the negative provincialism of the pseudosophisticate expatriate variety, on the one hand, and the excessive and chauvinistic claims that come from 100-percent Americanism on the other. We still look to Europe in ways unjustified by the facts of our artistic life. We must realize that our country, which for so many years looked abroad for its artists, has now become, artistically speaking, an export nation. Not only are American artists in every field highly regarded the world round, but large numbers of students from abroad now come to this country for their art education.

Yet we still reveal feelings of inferiority in the discrimination we often practice in this country against our own artists. Such discrimination—when it exists, for example, with the American conductor or performer who feels obliged to impress foreign audiences before he can be accepted at home—is not only unjustified, but inimical to the development of indigenous art.

One asks no special favor for the native artists, especially in a day when, more than ever before, we are seeking to minimize national barriers. (Certainly the arts have proved to be particularly well-suited to hasten this process.) However, the first responsibility for the development of artistic life begins in one's own community. And such recognition is in no way incompatible with an international point of view. We should compare our achievements with those of other nations, not in a sense of competition but for the enlightenment such comparison can shed To be meaningful, this comparison must preclude emotional judgments. And this is exceedingly difficult because the arts are ammunition in the world's ideological struggle.

Because the arts have been injected into the cold war, we have a particular interest in comparing our own achievements with those of the Soviet Union and its satellites. We are struck immediately by the fact that in the Soviet Union the art is official and therefore controlled. This concept is abhorrent to us. We don't believe in official art or in official anything else. We believe that it is a terrible price to pay for artistic riches. We would all rather function within the limitations of our own constantly developing and emerging society than be given all the material support required for an abundant artistic life minus its most precious ingredient—freedom of expression.

Knowing that the riches of artistic life in totalitarian countries carry a price tag of control which we would never pay should not, however, blind us to the achievements of that art. Let us recognize that in the Socialist totalitarian countries the arts controlled by the state are also handsomely enriched by the body politic.

The artistic life is abundant and the opportunities in the major cities, at least, for the populace at large to attend artistic events at reasonable prices has been widely reported as far exceeding anything that we have in this country. The arts have an enviable place in the scheme of national importance. Paid education is guaranteed for all talented youngsters, as is employment for all artists, young and old. If we could, for a moment, overlook artistic control, all of this would seem paradise to any American artist—no economic problems and a place of honor in society.

But there are negatives attendant to artistic control which affect the arts themselves in a fundamental way. While the technical achievements of the Iron Curtain artists have been widely admired in this country and elsewhere, knowledgeable observers have all remarked on the lack of variety, the ignorance of movements, techniques and new forms flourishing in the healthy artistic turmoil existing in free societies.

If there are negatives in the Socialist totalitarian countries, we certainly are not without our own. Our finest achievements have come about despite a basic artistic problem that runs counter to our national thinking. For the arts require of democracy a freedom in addition to those we all cherish: the freedom to fail.

What an un-American thought. The free enterprise system was built on success, not failure. Why, therefore, should the arts require special consideration in our scale of things? But curiously, it is not special consideration, but similar consideration, which would give the arts freedom to fail. If we compare artistic life with corporate life we see at a glance the similarity and the discrepancy. Our great corporations operate research divisions and even the smallest business seeks to develop new avenues of exploration. In business research, as in artistic creation, there is the same cycle of experimentation, frustration and, often, failure before ultimate success. But in business the product is not marketed until success can reasonably be predicted.

Here is the difference. The arts need a public laboratory (an audience) which does not evaluate every effort solely in terms of box office returns. And what, one may ask, is wrong with the box office as a barometer? If the art being produced doesn't have a large enough audience to support it, why bother?

We must bother because our present circle is a vicious one. The new play is provocative, but a production cannot be arranged because there is scant chance of dollar success. The new symphony is by a brilliantly talented composer, but it better not be programed because the audience might become restive. Why engage the fine string quartet when a name soloist in a conventional program will be safer? But, wait a minute. What are we suggesting here: that the arts must be "far out," must lose money, need not please audiences? Yes and no. The parallel between the arts and business marketing procedures is valid but only up to a point.

Just as business exists on staples consistently in demand, so do the arts have a great treasure house of widely acclaimed works and performers. But, as in business, there must be constant research for new products. In art, the new products may please (as some of the best do and always have) or may outrage (as some of the best do and always have) but, in any case, there must be ample opportunity for exposure. And, unlike the procedures of manufacture and distribution of new products which, having been carefully pretested, give promise of success, the arts can only be evaluated through actual performance.

This is a dilemma which is basic to the functioning of art in a society which does not forgive failure. There must be the courage to face even predictable failure if there is conviction of artistic worth. There are precious few artists, managers or laymen who are willing to meet this dilemma or who can afford to. Part of the problem stems from the show-business pychology which reaches into every facet of American life.

As everyone knows, "There's no business like show business." What is the problem? The problem begins when the criteria of show business are applied to activities which canont be adjusted to such limiting requirements. The problem lies in the practice of evaluating worth in terms of mass acceptability. That this is so often the case in our entertainment-saturated society is no fault of our superb showmen, but of those who adopt its methods and judgments in enterprises extrinsic to its particulars.

In show business, the audience is the undisputed master. If the show doesn't go, there is no second chance, not this year or any other year. You either make it or you don't. The aim is quite simple: to give the audience what it wants. You can experiment to your heart's content, but if you go beyond pleasing your patrons you close. Some remarkable men and women have managed to produce works of astonishing originality and artistics worth within these terms—notably our gifted theater composers, choreographers and designers and several of our playwrights.

But compare this minority with the preponderance of the lowest common denominator appeal to which most mass entertainment is addressed. We do not realize, I believe, the extent to which constant exposure to the cheapest elements of the entertainment world has colored our national psyche, and the confusion of values it brings to the arts, not to mention education and even worship. By show business standards we cannot justify the arts.

If the standards of the artist were always limited to those of the show-business world he would, perforce, have as his ultimate goal entertaining his audience through the selection or creation of nonprovocative works which would titillate rather than challenge, produced with techniques which would dazzle rather than probe. But, you ask, are not the serious performing arts entertaining—do not their techniques dazzle and are not their audiences pleased? Yes, of course. But there is a vast difference.

The goal is to supply more than entertainment, more than mere pleasure. The stuff of the performing arts, at their highest level, involves artists and works dedicated to nothing less than the exploration of every conceivable nuance of man's capacity for revelation through the unique worlds of music, theater, and dance: worlds which cannot be geared solely to the values of show business entertainment, for they encompass far more.

These worlds take us where the artists choose to lead, and whether this be comfortable or pleasing or even entertaining is beside the point. What matters is the integrity of the expression—the dictates of one man's imagination as expressed through the disciplines of his craft. As an audience we are free to accept or reject his work, but never to modify the creative act through preconditioning, through prior insistence, real or implied, that it must at all costs please, at all costs be a success. This is the realm of the artist.

Although there is, then, the undeniable dichotomy between commerce and art, we can, to a large extent, solve the problem through more imaginative reliance on individual initiative and responsibility.

The most pressing need for our institutions of the performing arts is broader lay leadership. While it is true that we have always enjoyed the devoted services of men and women interested in the arts, we now increasingly require others. We must have the most influential and respected leaders of our communities—in business, labor, education, law and, in fact, all principal areas—whether or not such persons are themselves devotees of the arts. These leaders will respond. They will understand the importance of the arts to their communities and they alone can command the support required from all segments.

The management of artistic enterprises would gain immeasurably from the guidance of experienced businessmen. If there is a minor shortcoming in the management of a profitmaking endeavor, the resultant reduction in the profit, while regrettable, isn't fatal. A management mistake, however, in the deficit-financed, money-raising world of the arts can result only in an increase of red ink.

Too few men of affairs are actually involved in the running of our art institutions. That this is so is perhaps an offshoot of the not-distant past when the arts were considered not quite manly, when the kid on the block did better to carry a football than a fiddle case. Something of this psychology persists, but it won't for long.

In planning the development of our institutions of the arts, we must recognize that even though their support be essentially that of private patronage and responsibility, they are nevertheless, by the nature of their functioning at least quasi-public institutions. Governmental bodies at all levels must increasingly support the arts.

We are awakening to the realization that there can be Government concern and responsibility in the arts without loss of the advantages of private enterprise and patronage, of individual initiative and responsibility. We have awakened to the fact that the argument of Government control of the arts in this country is academic. No activity of the Government thus far in the arts (and there has been more than most of us are aware) gives the slightest reason to fear interference. And if artistic control ever were threatened by the Government, we would change it. We are the Government.

For the Government in this country to become involved at all in the arts, it is imperative that its activities be kept apolitical. This is just what is happening. There is no monopoly on the part of either major political party in pleading the cause of the arts. We know that, as with the last, the present administration wishes to foster the arts and that there is in formation the Federal Advisory Council on the Arts. We know, too, that no fewer than 15 States have formed or are in the process of forming councils on the arts. Increasingly, local governments are accepting responsibility in this field.

Never before in our history has there been a more hopeful climate for the flowering of our performing arts. Those of us who are in positions of leadership in our art centers and other institutions must point the way by bold programs that maintain the highest standards, yet seek constantly to increase accessibility of the arts to all. While we have hardly begun to scratch the surface of the possibilities in such matters as the expansion of seasons, the diversity of offerings and economic support, we can note marked progress and much activity.

What does it all add up to, this increased awareness of the arts—the interest of business, of foundations, of patrons, the stirrings of government, the scores of art centers? Do they make it possible for us now to say that we are a cultured nation?

I hope that we never reach the day when we so proclaim ourselves. To be cultured is to recognize a process which, like education, is never ended. What we have achieved is a greater understanding of our potential, of our weaknesses and our strengths. This means that if we continue to move forward our opportunities will multiply and we will cope with our problems. Ultimately, we can demonstrate that there is no discrepancy between artistic excellence and the democratic ideal; that, on the contrary, no form of societal organization relies more heavily on the full development of the talents of its citizens than democracy.

[From the Washington International Art [Letter, July–Aug. 1963]

APPRAISAL: U.S. ARTS MOVEMENT

We are sitting here in Connecticut, the State which has taken the most recent official action to establish a State arts council, and thinking what this means in terms of its relationship to current governmental activities in the arts in Washington and other parts of the country; what it means in relationship to the local, private, and nonprofit organization efforts in the States.

Reflecting a national heightening of interest, Connecticut is the 14th State of the Union to move to raise artistic standards and increase public exposure to the arts through the creation of arts councils. A 15th, Illinois, has also established an advisory committee to work with the Governor to set up such an organization. To take Connecticut as an example may be useful in some ways but not in others. The chairman of the Arts Commission of Connecticut is a nonartist, Charles C. Cunningham, director of the Wadsworth Atheneum in Hartford but most of the members are practitioners of the various arts. Among the graphic artists on the commission are Hugh Donnell, painter; Mrs. Eugene Bertolli, illustrator; and Mrs. Florence Petit, designer. The Governor appointed the chairman and two others to the commission; the State's house and senate each made six appointments. This pattern has not been followed in other States but it may work for Connecticut. No money was appropriated initially, and the commission is to do a survey, making recommendations to the legislature in 1965.

Right next door, New York State has a functioning body with nearly one-half million dollars of appropriated money to work with. The board of the council on the arts, as that State calls it, is composed primarily of nonartists. It was started in 1960 with a $50,000 appropriation for initial surveys and studies. Because of the availability of money New York has moved rapidly ahead and already has achieved tangible benefits. Perhaps such survey money is not necessary for other States, since the New York council has published a general outline based on its own experiences. Yet conditions are different in the various areas of the country.

Connecticut could well have afforded to appropriate a sum to give substance to its commission. For example, the State contributed $3 million to its development commission to keep old industry in Connecticut and to entice new industry to come in. Additionally, it now gives its historical commission $10,000 a year; ironically, one of the reasons for this appropriation, is the fact that those working to get authority for the arts commission pointed out the beneficial effects of the past work of the historical commission.

In two towns in this State of Connecticut—not 5 miles from each other—we note there are two fine art galleries showing original contemporary art. One is a "hootenany gallery" with sings on Sunday afternoons; the other a more sedate salon on the main street of an historic town which draws many tourists during the summer months. It shows works by local artists and those from other States and countries. It is fast on its way to becoming on institution where the local society and the growing summer colony take their guests as a matter of routine—a part of the tour of old homes, antique shops and historic monuments. This strictly fine arts gallery survived its first full year of operation without any financial loss—a feat in itself.

If considered as nothing more, both the galleries we observe here are new industry for this part of Connecticut, and some of the Development Commission's $3 million could well be spent on enticing good artists to come here and encouraging more art dealers with knowledge and sensitivity to set up shop. Perhaps the new arts commission will look into this aspect.

But what does all this State activity mean in terms of Presidential Art Adviser Heckscher's recent report; the establishment of the President's Advisory Council on the Arts? What does it mean in relation to the pending legislation which would make matching grants available to States with arts councils and programs? We think it means that there is a movement "from the people up."

Some of the States which have already begun to move toward setting up such programs are powerful politically and can pull a great deal of weight in getting Federal legislation through if it means financial help to themselves. Although some of these are States rights States where many of the people feel the Federal Government has no right to enter the arts picture, it is nevertheless our opinion that the inevitable outcome will be a matching grants plan of some sort; therefore other States which have not taken action in support of the arts, even those today considered as "cultural dustbowls," should work actively toward establishing their own commissions or councils in order to benefit from the legislation.

LOCAL AND STATE PROGRAMS

Thirty-six States now have organized tax-exempt bodies working as councils on the city or county level. These are mostly supported by private contributions but in many cases there are city or county and sometimes State appropriations which assist them. The Letter is currently surveying these councils as to their attitudes about such tax-money assistance. Many of these councils conduct united fund drives for the arts in their communities; they coordinate festivals and other activities and in a number of ways give impetus to the growing arts movement.

Here is a list of States showing where such recognized, nonprofit councils are located and (when in brackets) which States have already taken or are about to take official action on the State level:

Alabama, 5; Alaska, 0; Arizona, 2; Arkansas, 3; [California], 3; Colorado, 1; [Connecticut], 3; Delaware, 0; Florida, 4; Georgia, 1;

[Hawaii], 0; Idaho, 0; [Illinois], 3; Indiana, 2; Iowa, 0; Kansas, 2; Kentucky, 1; [Louisiana], 2; Maine, 1; Maryland, 1; Massachusetts, 4; [Michigan], 2; [Minnesota], 1; Mississippi, 1; [Missouri], 0; Montana, 0; [Nebraska], 1; Nevada, 1; New Hampshire, 0; [New Jersey], 3; New Mexico, 0; [New York], 17; [North Carolina], 13; North Dakota, 0; [Ohio], 8; Oklahoma, 1; Oregon, 1; Pennsylvania, 6; Rhode Island, 0; South Carolina, 2; South Dakota, 0; Tennessee, 4; Texas, 4; Utah, 1; Vermont, 0; [Virginia], 4; Washington, 5; West Virginia, 0; Wisconsin, 0; Wyoming, 0.

(The numbers are taken in part from the "Arts Council Handbook," published by the Community Arts Council, Inc., a membership body which acts as a clearinghouse and leadership body for the local and city councils themselves. Complete copies of the handbook, just published, may be had from Philip Hanes, Jr., Box 749, Winston-Salem, N.C. Mr. Hanes is the body's vice president and a strong leader in the movement.)

(Note.—As we go to press we have learned that the Ohio legislature failed to approve its State council.)

The community arts council "movement" started in 1945 when the first council was formed; today there are around 133 such groups here and in Canada. The ones having only private support, while they are fighting valiantly to extend it, cannot do an adequate job, and it seems more apparent as the months go by that government at all levels must take a further interest.

These statistics of course have nothing to do with the quality of art being encouraged and it is much too early to say what the results of this activity will be so far as esthetic growth and development are concerned.

FEDERAL OUTLOOK

The U.S. Senate, even as it arranges hearings on the legislation calling for funds for the arts, is divided as to whether passage of such authority can be obtained any time soon. While it is not drawn altogether on party lines, some Democrats close to the administration feel that to get permanent authority for the President's Advisory Council on the Arts is enough for this year; others with a more realistic approach to the actual needs constantly lay stress on financial as well as advisory support.

The history of bills which would give financial assistance to the arts (and not, we might add, merely handouts to individual artists) is long and varied. We cite one example of which we particularly know. Under the Eisenhower administration, after the President had called for Federal recognition of the arts, a courageous Congressman introduced a bill which embodied almost every facet of the Government support of the visual arts which Mr. Heckscher took so many months to explore and analyze and the money amount needed to start the program off, even for the segment of the arts, was placed at $1.5 million. This was in 1955—8 years ago. The Congressman was Usher L. Burdick, a Republican, working under a Republican administration. There were many bills presented that year and every other year in the recent past. None have gotten to first base in the House.

No one can predict with any certainty the outcome of efforts to pass legislation this year which would carry any appropriations. The new Presidential Advisory Council will certainly not have time to do enough work to make recommendations for money bills. But even without these recommendations by a body so new it will probably be timid in any event, the fact remains that if there is no money attached to our national efforts in support of the arts, there will be little or no benefits derived from what has gone on recently in Washington or elsewhere, such as here in Connecticut, on the State level, or in communities on the city and county level.

WHY HELP REDS WIN?

Mr. PROXMIRE. Mr. President, any actions by the Department of Commerce to permit trade with the Soviet Union in strategic agricultural products would substantially strengthen the economic position of Russia and Cuba.

I am very concerned about recent reports suggesting that negotiations may soon occur between United States and Russian representatives for the exchange of our agricultural products for Soviet gold. This would be an inexcusable case of "trading with the enemy" for the enemy's benefit in our cold war with the Soviet Union.

We must recognize that in this cold war struggle economic forces are one of the most powerful weapons in our arsenal. The United States must demonstrate that our free enterprise economy is stronger and more efficient than Soviet collective control. Russian farm production has dropped off substantially this year. Now is precisely the time not to bolster their weakened position in farm products.

The striking fact about the Russian requests for trade, such as the recently negotiated wheat deals with Canada and Australia, is that the agricultural products are not for Russian domestic consumption. Rather the products will be resold to the Soviet satellites. The Soviet Union is the main supplier of wheat and other agricultural products to its satellites. Agricultural sales by the United States will help the Soviet leaders maintain their domination over their captive countries. The products will also be used to aid Cuba, the Communist outpost within our own hemisphere.

At present there is apparently no legislation to prevent these U.S. sales to Russia. The Commerce Department has a list of strategic commodities which cannot now be sold. Therefore, all that is necessary to permit such sales is for the Secretary of Commerce to remove particular products from the restricted list. In view of the inadequate Soviet agricultural production this year, I would deplore any action to remove these strategic products from the restricted list.

Mr. President, in case anyone thinks that this is merely speculation, I ask unanimous consent that an article entitled "U.S. Voices Interest in Soviet Grain Deal," by Tad Szulc, published in the New York Times on September 20, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S. Voices Interest in Soviet Grain Deal

(By Tad Szulc)

Washington, September 19.—The administration and wheat producers showed considerable interest today in possible grain sales to the Soviet Union.

But both the State Department and the Department of Agriculture said that no approach had been made by the Russians.

Interest in such sales and in general, a broadening of trade with the Soviet bloc came as an aftermath of this week's Soviet agreements to buy wheat from Canada and Australia.

Meanwhile, it was reported that Poland had advised the United States last week that she was eager to obtain at least a million tons of wheat here this year because of her own bad harvest and a short Soviet crop.

Poland would like to get some of the wheat under a new Excess Commodities Act loan and the rest in cash and under normal credit practices.

It was expected that the subject of broader United States-Soviet trade would be discussed by Secretary of State Dean Rusk and Soviet Foreign Minister Andrei A. Gromyko when they meet next week at the United Nations.

The Soviet wheat agreements have created new pressures in Congress and the business community for a review of the U.S. policy on trade with the Communist bloc.

The feeling is being voiced that at a time when the U.S. balance-of-payments difficulties are mounting, this country is eliminating itself from profitable Eastern European markets.

It is pointed out that Western Europe's commerce with the Communist bloc now runs at an annual rate of $2 billion, while that of the United States was less than $250 million last year, exclusive of trade with Yugoslavia.

The point was stressed today in speeches by the assistant majority leader, Senator Hubert H. Humphrey, of Minnesota, and Senator Frank Carlson, Republican of Kansas, a major wheat State.

Officials pointed out today that there was no legal ban against sales of grain to the Soviet, although there might be a problem in interpreting a 2-year-old amendment in the Mutual Security Act that declares that no subsidized foods may be sold to "unfriendly countries." Wheat is subsidized at about 50 cents a bushel.

NO PLANS BEING MADE

Earlier in the day Robert McCloskey, State Department spokesman, said that while there were no plans for an immediate increase in Soviet trade, "we approve peaceful trade with the Soviet bloc."

However, administration sources indicated that several basic problems must be solved before Soviet trade could be increased.

They cited the need for settling the wartime lend-lease accounts, complicated by the fact that the Soviet has not returned a number of leased U.S. merchant ships, and for negotiating a patent agreement.

Without a patent agreement it was said, American manufacturers would fear to sell their machinery to the Soviet Union because it could be simply copied without royalty payments.

It was believed, however, that these specific points would come up in discussions between Mr. Rusk and Mr. Gromyko.

INTEREST IS RECALLED

Diplomats recalled that the Soviet interest in trading with the United States—and especially in purchasing fertilizer and chemical machinery—was raised by Premier Khrushchev in talks last July and August with Under Secretary of State W. Averell Harriman and with Mr. Rusk.

Among other safeguards that the United States may seek, some diplomats here suggested, is that the Soviet join the General Agreement on Tariffs and Trade. This, they said, may prevent the Soviet from dumping excess products in world market, and apply notably to petroleum.

Soviet oil exports, considerably below world prices, have been sharply undercutting U.S. markets in Western Europe.

DOMESTIC MARKET BUOYED

The wheat market was buoyed yesterday by reports of Soviet interest in buying U.S. grain. Commodity brokers were enthusiastic about the possible new opportunities in wheat.

An official of the commodity department of E. F. Hutton & Co. said that the Russian wheat needs had had a decidedly bolstering effect on the market and could have long-range implications.

Export activity in wheat yesterday was described as "frantic" by a leading grain exporter. Britain, the Netherlands, Belgium and West Germany made large purchases, exporters said.

Wheat futures scored a good advance, rising from three-quarters of a cent to 2¼ cents a bushel. Cash prices rose to 225⅝ cents a bushel from 223⅛ cents on Wednesday.

Robert C. Liebenow, president of the Chicago Board of Trade, said yesterday that the Soviet Union's purchases from Canada would "certainly help rid the market of wheat surpluses and should help find additional markets for U.S. grain."

Traders said the recent Soviet purchases in Canada and elsewhere and the reports of possible purchases from this country have set an entirely new tone for the wheat market, he said.

Mr. PROXMIRE. Mr. President, I also ask unanimous consent to have printed at this point in the Record a very perceptive and hard-hitting column entitled "The Breadbasket for Communism," by Milburn P. Akers.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Chicago Sun-Times, Sept. 20, 1963]

The Breadbasket for Communism

(By Milburn P. Akers)

Canada, our unpredictable neighbor to the north, has now achieved the somewhat dubious distinction of being the breadbasket for international communism.

That Canada has been able to acquire this distinction may point up the agricultural failures of Communist bloc nations. Also pointed up, however, is the fact that Canada, in addition to being a weak link in the free world's common front against communism, delights in being a minor hindrance to American policy in the Caribbean.

Canada's sale of 198 million bushels of wheat to Soviet Russia, with the provision that 16,500,000 bushels will be diverted to Fidel Castro's Cuba, follows the sale of 187 million bushels to Red China.

The canny Canadians, who seldom miss a chance to make a dollar, no matter what else may be involved, have insisted that Soviet Russia pay in dollars. Castro is short of dollars. So Soviet Russia, which has been selling gold, is coming to the aid of his tottering economy directly, as Canada is indirectly.

Canada has, of course, a legal right to sell her wheat where she will. And the fact that she has chosen to be the breadbasket for international communism—making up food deficits for those lands—is her own business, insofar as international law is concerned.

It isn't however, the cause for general rejoicing throughout the United States that Canada has again knowingly taken steps to thwart American objectives in the Western Hemisphere. From the outset of the Castro regime Canada has followed a course which indicates she is out of sympathy with U.S. efforts to keep communism out of this hemisphere. That was true of the Tory government which was recently defeated at the polls. It now appears equally true of the coalition government—Liberal Party-headed—which has taken its place. That Washington has not lodged a protest to the triple play—Canada to Russia to Cuba—doesn't alter the view of many people that it is an unfriendly act on the part of the Canadians, legal or not.

Castro's economy, largely dependent on the sale of sugar, has steadily worsened as production of that crop has fallen off drastically. Foodstuffs are in short supply. Consequently, discontent with the Castro regime increases on the island. With that discontent, the chances for the overthrow of the regime are enhanced. This is in line with American policy. It has been the intention of the United States to rid the Western Hemisphere of Castro in this manner rather than by invasion. Canada, in effect, has again seen fit to ally itself with Castro.

Canada has found a market for some of its surplus wheat, and the United States can go hang as far as Canadians are concerned.

When President Kennedy proposed a tax on the sale and purchase of Canadian securities by U.S. citizens, Canada, trotting forth all the "hands across the border" malarky which she employs so effectively in seeking consideration south of the border, projected the picture of a cooperative neighbor, one entitled to privileges and treatment reserved for favored nations. Canadian wailing over the Kennedy proposal resulted in the Kennedy administration dropping, at least for the time being, that suggestion. Perhaps it should be revived. Congress might be inclined to pass it in the wake of the wheat deal.

The United States can take care of its enemies. In doing so, it has saved many of its friends, as well, from being overrun by Communist nations. But heaven save the United States from its "friends," friends such as Canada, whose primary concern appears to be that of making a dollar, no matter the damage done to this Nation's overall objectives.

What is behind Canada's so obvious desire to maintain Castro and his Communist regime in power? That desire has long been evident. The only reasonable explanation is that Canada, afflicted with an international inferiority complex, obtains some sort of satisfaction in attempting to frustrate American policy. Such acts feed its ego. And, simultaneously, acts such as selling wheat to Russia for Cuba provides it with dollars, the principal Canadian concern nowadays, so it seems.

It might not be amiss for Americans, for whose policies Canadians evidence little concern, to be a bit more sympathetic to the aspirations of the French Canadians in Quebec. Those people have become "fed up" with Ottawa, too. They increasingly talk of seeking independence from the Dominion. Maybe they should be permitted to go their own way, even as Canada, in effect, insists that Cuba be allowed to do. An independent Quebec might provide a market for some surplus U.S. wheat.

PROFESSIONAL TRIBUTE TO JOINT ECONOMIC STUDY

Mr. PROXMIRE. Mr. President, during the last few weeks I have given a series of speeches here on the Senate floor concerning reform in the Federal budget document. These speeches have been based on a report issued first by the Subcommittee on Economic Statistics, of which I am chairman, of the Joint Economic Committee. This report was subsequently endorsed unanimously by the full committee and issued as a committee print.

A copy of this report was sent to each of the members of the House and Senate Appropriations Committees. I have received, as have other members of the committee, a number of letters from members of the Appropriations Committees indicating general endorsement for the recommendations in the report.

Now we are beginning to receive letters from outside professional experts supporting the recommendations. I ask unanimous consent to have printed at this point in my comments a letter from Prof. Ray O. Werner, professor of economics at Colorado College, indicating complete endorsement of these recommendations.

There being no objection, the letter was ordered to be printed in the Record, as follows:

The Colorado College,
Colorado Springs, August 27, 1963.

Senator Paul H. Douglas,
Chairman, Joint Economic Committee,
U.S. Senate, Washington, D.C.

Dear Senator Douglas: Senate Report No. 396, The Federal Budget as an Economic Document, reached me yesterday. I have completed the reading of it and want to endorse the Joint Economic Committee's recommendations completely.

The proposed modification in budget structure and the adoption of a thoroughly indexed program budget are, in my opinion, major improvements long overdue. I feel certain the usefulness of the budget data will be increased immeasurably both for governmental officials and for persons interested in research in Government finance. Your efforts to implement the proposals are commended and supported.

Sincerely yours,

Ray O. Werner,
Associate Professor of Economics.

Mr. PROXMIRE. I think it is a striking testimony to the merit of the proposals included in this report that we have yet to receive a single word of criticism of this report.

I hope, therefore, that all the Members of the Senate who are interested in budgetary matters will take a look at this report. We look forward to comments from the Bureau of the Budget indicating their views on these recommendations.

ADJOURNMENT UNTIL TOMORROW AT 10 A.M.

Mr. MANSFIELD. Mr. President, I move that the Senate stand in adjournment in executive session until 10 o'clock tomorrow morning, in accordance with the unanimous consent agreement entered into on Wednesday, September 18, 1963.

The motion was agreed to; and (at 8 o'clock and 22 minutes p.m.) the Senate adjourned, in executive session, under the order of Wednesday, September 18, 1963, until Tuesday, September 24, 1963, at 10 o'clock a.m.

EXTENSIONS OF REMARKS

American Jewish Committee Honors Dr. Louis L. Mann

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 1963

Mr. O'HARA of Illinois. Mr. Speaker, in the autumn of 1960, one of the Nation's outstanding spiritual leaders wrote:

> God has no stepchildren. Both humanity and freedom are one and indivisible. The artificial, arbitrary, manmade distinctions between men must not be allowed to obliterate the God-made resemblances between them.

The words were written for the special brochure which marked the centennial of Chicago Sinai Congregation. They were written by Dr. Louis L. Mann, now honorary rabbi of the temple and the man who held its pulpit from 1923 until his retirement in 1962.

The philosophy expressed in that paragraph epitomizes, too, the human relations appeal of the American Jewish Committee: "One purpose pervades our entire program—to advance man's understanding of his fellow man."

AWARD TO DR. MANN

The American Jewish Committee has selected Dr. Mann as the honoree of the dinner it will sponsor on Wednesday evening, September 25, in the Pick-Congress Hotel in Chicago. On that occasion he will receive the committee's first Human Rights Award for his work, both in the pulpit and in the community-at-large, to combat bigotry.

Among his colleagues, Dr. Mann is looked upon as a courageous preacher in line with the tradition of the Hebrew prophets. He was known to accept the challenge of unpopular causes or, as he preferred to put it, the not-yet popular causes which had to struggle against the forces of superstition, ignorance, cowardice, and timidity.

Both the scholarly Dr. Mann and the American Jewish Committee believe that research and education are the most powerful tools at man's command to achieve the goal of security and dignity for all peoples.

In the centennial brochure, Dr. Mann also wrote: "Every generation has been called upon to reinterpret, to modify and qualify, and to enrich our faith." This recognition of contemporaneousness in religion, combined with respect for an honored heritage, is the foundation, too, of one of the continuing programs of the American Jewish Committee, that of helping Jews to preserve and enrich their heritage while participating fully in the life of America.

The American Jewish Committee and its honoree are virtually contemporaries themselves. The organization was established in 1906, about the time that the future Dr. Mann was a studious teenager.

SCHOLAR AND SPIRITUAL LEADER

Louis L. Mann was born in Louisville, Ky., the son of David and Frieda Mann, on January 25, 1890. His education at Johns Hopkins University, the University of Cincinnati, Ohio, the Hebrew Union College, Cincinnati, and Yale University brought him two bachelor's degrees, a master's, a doctor of philosophy and, in 1914, his ordination as a rabbi.

That year he became rabbi of Congregation Mishkan Israel in New Haven, Conn., where he was to hold the pulpit until his call to Chicago Sinai Congregation in 1923.

A year after he was ordained, he went to Cincinnati to claim a bride, the former Ruth Cohen, daughter of Senator and Mrs. Alfred M. Cohen. The Manns' daughter, Mary Louise, now is herself the wife of a rabbi, Dr. Richard C. Hertz, of Temple Beth El in Detroit, Mich. Their son, Arthur H. Mann, a stockbroker, resides in Highland Park.

LECTURER AT TWO UNIVERSITIES

The intellectual energies of Dr. Mann have extended beyond the pulpit for many years, beginning in 1920, when he began a 3-year term as a lecturer in comparative ethics at Yale University. From 1924 to 1955, he was a professorial lecturer in the Department of Oriental Literature at the University of Chicago.

In the course of his career, Dr. Mann has received a number of honorary degrees, including a doctorate of divinity from Hebrew Union College in 1944; the doctorate of sacred literature, Northwestern University, 1949; the doctorate of literature, Ripon College, 1952; and the LL.D., Chicago Medical College, 1963.

Academic and other honors have been heaped on Dr. Mann through the years. Northwestern University, at the time of its centennial in 1951, bestowed on him the Distinguished Service Award. The Hillel Foundation, campus organization for Jewish students of which he was a founder, conferred its Distinguished Service Cup in 1953. Phi Beta Kappa in the Chicago area, whose president he became, awarded him the Distinguished Service Medal in 1954.

HIGHEST HONOR OF BOY SCOUTS

The highest honor of the Boy Scout organization, the "Silver Antelope," was granted to Dr. Mann in 1960. And the National Conference of Christians and Jews, which he founded in 1928 with Charles Evans Hughes, Newton D. Baker and Dr. S. Parkes Cadman, in 1960 honored Dr. Mann with a silver plaque.

The French Government decorated Dr. Mann with the title, "Member of the French Academy," in 1931 for his academic achievements.

The breadth of Dr. Mann's interests in his world are reflected in the organizations, institutes, committees, conferences and other bodies of which he has been an active part.

In 1947, he was one of the conferees for the Rollins College Institute on World Government and the Atom Bomb. He also has been a member of the board of trustees of the Church Peace Union, established by Andrew Carnegie, since 1926.

During World War II, Dr. Mann served as an arbitrator for the U.S. Labor Board, wage-and-hour division, for the textile industry. Also, during this period, he served in the department of psychological reconditioning at Gardner Hospital in Chicago.

Dr. Mann has also been a member of the executive committee of the Eugenics Commission of the United States and was one of the founders of the American Birth Control League, now known as Planned Parenthood. He also has been a member of the executive committee of the National Crime Prevention Institute.

A former vice president of the National Big Brothers and Sisters Association, Dr. Mann also was president of the Chicago Big Brothers Association.

APPOINTMENTS BY TWO PRESIDENTS

Herbert Hoover, when President, appointed him to the National Conference of Child Welfare, and Dwight D. Eisenhowever, during his Presidency, named Dr. Mann to the Traffic Safety Commission of the United States.

The National Association of Manufacturers selected him as a member of its ethics committee and the American Library Foundation named him a member of its advisory council. He is a former vice chancellor of the Jewish Chautauqua Society.

Dr. Mann also has been a member of the executive committee of the Chicago Commission on Reconstruction.

Dr. Mann is as well recognized for his ability as a writer as he is for his sermons and his spiritual leadership. He is a contributing editor to the World Book Encyclopedia and a collaborator for the New Thorndike Dictionary.

He was a contributor to "The Greatest Sermons on Peace" and "World's Best Sermons," published in 1944, as well as to "Message of Israel Sermons." He also is editor of the department of ethics of the Universal Jewish Encyclopedia and the author of "In Quest of the Bluebird."

Arkansas: The Gamblers' Paradise

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 1963

Mr. FINO. Mr. Speaker, today, I would like to bring to the attention of the Members of this House, more particularly the congressional delegation from the State of Arkansas, the extent to which organized crime benefits from gambling in that State—thanks to bluenose morality.

Arkansas is one of the many States which allows parimutual betting and the turnover last year came to over $24 million with the State collecting almost $1.4 million in revenue. However, the bookies handle the lion's share of Arkansas gambling boom. This lucrative tax-free industry has made Little Rock and Hot Springs well-known gambling centers on a national scale

According to the estimates of nationwide off-track betting that were presented before the McClellan committee, almost $500 million was gambled illicitly on the horses in Arkansas in 1962. Of course, as revealed before that committee, off-track betting represents only one-half of the illegal betting in the Nation. So on that basis, total gambling in Arkansas may well approach a billion dollars a year. A neat tax-free monopoly.

No wonder the crime syndicates are prosperous. They take 10 percent of this gross turnover—$100 million as profit—and use this money to finance a lot of narcotics, prostitution, and other illegal activities. But in order to stay in business, organized crime spends about 15 percent of these profits to corrupt public officials and the processes of law enforcement.

Because of its failure and refusal to control and regulate gambling, the State of Arkansas is guilty of subsidizing the forces of organized crime and permitting the crime syndicates to continue to fatten its criminal treasuries and expand its nationwide web of dirt.

The simple solution, Mr. Speaker, is the establishment of a national government-run lottery which would not only clean out the crime syndicates and wipe out corruption in law enforcement but pump into our own treasury billions of dollars in additional much needed revenue.

Foreign Currency Loans to Private Business

EXTENSION OF REMARKS

OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 1963

Mr. COOLEY. Mr. Speaker, in 1957 I sponsored an amendment to Public Law 480 providing that not to exceed 25 percent of the local currencies received from the sale of agricultural commodities under title I of that act should be reserved for loans to private American business firms or their affiliates for commercial development in the purchasing country and for loans to any private firm, foreign or domestic, for the construction in such country of facilities which would assist in the sale of American agricultural commodities.

I am happy to say, Mr. Speaker, that this has been one of the most popular and, I believe, one of the most constructive uses being made of the local currencies generated by the sale of our agricultural surpluses.

The authority for making these loans was originally placed by the committee in the Export-Import Bank and this organization did an excellent job of administering the program. In January 1962, the responsibility for administering the program was transferred to the Agency for International Development and the report I am submitting herewith is a listing, by countries, of the loans which have been made by AID since that time. I think it shows an excellent record of utilization of these funds and I commend both the agency and the private firms which have borrowed the money for their combined initiative in developing economic opportunity in these countries which have purchased our surplus agricultural commodities:

AGENCY FOR INTERNATIONAL DEVELOPMENT—REPORT ON LOCAL CURRENCY LENDING ACTIVITIES, COOLEY LOANS, JANUARY 1, 1962 THROUGH JUNE 30, 1963

Local currency (Cooley) loans stimulate economic activity by providing long-term capital to private enterprise in friendly less-developed countries through the lending of U.S.-owned foreign currency received in payment for surplus agricultural commodities. Under title I of Public Law 480, loans may be made to (a) qualified U.S. firms to develop business and expand trade or (b) U.S. or foreign companies if the loan will result in expanded markets for, and consumption of, U.S. agricultural products. These loans are available only in countries where local currencies have been allocated for this purpose under Public Law 480 sales agreements. The loans are made and are repayable in local currency without maintenance of value. Interest is usually comparable to that charged by local development banks and maturities are related to the purpose of the financing.

The uses for which Cooley loans have been made are extremely varied. The local currency loan proceeds may be used by the borrower to finance local costs such as expansion of plant and equipment, land acquisition, and other normal costs of operation, including working capital. The loan must be acceptable to the host country government. Cooley loans may not be made for the manufacture of products which would be exported to the United States in competition with U.S.-made products or for the manufacture or production of commodities or the products thereof.

The Cooley loan program is one of the principal points of AID's contact with the American business community. In the year and a half since the inception of AID's administration of the program, AID has approved 68 Cooley loans (including 31 in the last 6 months) totaling the equivalent of $61,239,000.

These loans, broken down by region, are as follows:

AID

	Number of loans	Percent of loans	Dollar equivalent	Percent of dollar equivalent
			Thousands	
Latin America	10	15	$4,270	7
Far East	8	12	3,563	6
Africa and Europe				
Near East and South Asia	50	73	53,406	87
Total	68	100	61,239	100

During the first 4½ years of the Cooley program, the Export-Import Bank of Washington (which administered the program during that period) approved 162 loans totaling the equivalent of $95,168,000 as follows:

Export-Import Bank

	Number of loans	Percent of loans	Dollar equivalent	Percent of dollar equivalent
			Thousands	
Near East and south Asia	82	51	$64,085	67
Latin America	49	30	15,488	16
Far East	15	9	3,766	4
Europe	16	10	11,829	13
Total	162	100	95,168	100

In many cases AID has sought to make the Cooley loan program more attractive to potential American investors by not requiring a guaranty from the U.S. investor or a local bank. For example, of the 50 loans made by AID in the Near East-South Asia region, only 17, or 34 percent, have been guaranteed by either a U.S. firm or local bank or made directly to a U.S. firm. Of the loans previously approved by the Export-Import Bank in the NESA Region, 83 percent were guaranteed by either a U.S. firm or a local bank or made directly to a U.S. firm.

Attached is a list of the Cooley loans approved by AID from the inception of the AID administration of the program on January 1, 1962, to June 30, 1963.

Cooley loans approved by AID, Jan. 1, 1962, through June 30, 1963

Region and country	Number of loans	Percent of total	Dollar equivalent	Percent of total
Latin America:			*Thousands*	
Colombia	7		$2,790	
Ecuador	2		650	
Paraguay	1		830	
Subtotal	10	15	4,270	7
Far East:				
China	5		1,463	
Korea	1		150	
Philippines	1		1,410	
Vietnam	1		540	
Subtotal	8	12	3,563	6
Africa and Europe				
Near East and south Asia:			*Thousands*	
Greece	5		$2,846	
Egypt (UAR)	1		244	
Iran	2		429	
Israel	7		1,846	
Turkey	7		14,633	
Pakistan	9		6,788	
India	19		26,620	
Subtotal	50	73	53,406	87
Total	68	100	61,239	100

Cooley loans approved by AID, Jan. 1, 1962, through June 30, 1963

Country and loan No.	Borrower	U.S. affiliate	Purpose	Amount of loan contract	Dollar equivalent	Interest rate	Repayment terms		Authorized or approved	Loan agreement signed
							Years	Grace		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
LATIN AMERICA										
Colombia:				*Thousands*	*Thousands*	*Percent*				
C-14-11/A	Hogares Colombianos, S.A.	World Homes	Housing	$5,000	570	4	15	1	Apr. 12, 1962	Apr. 17, 1962
C-14-12/A	Productora de Papelas, S.A.	W. R. Grace	Pulp, paper	6,000	540	9	5	1½	do	Nov. 29, 1962
C-14-13/A	Goodyear de Colombia, S.A.	Goodyear Rubber	Tires, tubes	2,000	180	9	5	1½	do	Apr. 26, 1963
C-14-14/A	Gillette de Colombia, S.A.	Gillette Razor	Razors, blades	4,000	360	9	5	1½	do	Jan. 6, 1963
C-14-15/A	Owens-Illinois International, S.A.	Owens-Illinois	Glass manufacturing	4,500	410	9	5	1½	do	Jan. 2, 1963
514-E-023	General Electric de Colombia, S.A.	General Electric	Electrical products	5,000	450	9	5	1½	Nov. 16, 1962	May 15, 1963
514-E-208	Productos Quaker, S.A.	Quaker Oats	Foodstuffs	2,800	280	9	7	1	June 26, 1963	
Ecuador:										
518-E-018	Industria Cartonera	W. R. Grace and International Paper.	Cardboard box manufacturing.	5,754	260	9	6	½	Apr. 8, 1963	
518-E-020	Automatic Electric Co. of Colombia, S.A.	General Telephone and Electronics International.	Telephone systems	8,500	390	9	10	1	Apr. 26, 1963	
Paraguay:										
526-E-010	Pan-Western Enterprises, Inc.	Pan-Western Enterprises, Inc.	Cattle, quebracho black palm.	104,000	830	9	10	3	May 10, 1963	May 8, 1963
Latin America subtotal (10 loans).					4,270					
FAR EAST										
China:										
484-E-033	Atlas Taiwan	Atlas Chemical	Explosives	24,000	600	12	9	2	June 29, 1962	Dec. 28, 1962
484-E-032	China Manmade Fibre Corp.	None	Cellophane	5,940	150	12	4	1	July 9, 1962	Apr. 11, 1963
484-E-031	Procter & Gamble Taiwan.	Procter & Gamble	Detergents	3,400	85	12	5	1	May 7, 1962	Oct. 9, 1962
484-E-037	Joys Inter-Associates	None	Popcorn	300	8	12	3½	1	June 11, 1963	
484-E-038	Procter & Gamble Taiwan.	Procter & Gamble	Working capital; purchase assets of local firms.	24,800	620	12	6	2½	June 21, 1963	
Korea: 489-E-017	Shinhan Flour	None	Foodstuffs	20,000	150	8	6	1	Sept. 7, 1962	Dec. 13, 1962
Philippines: 492-E-015.	White Rose Packing Corp.	Francis H. Leggett	Fish canning	5,500	1,410	7½	10	1½	Feb. 26, 1963	Apr. 15, 1962
Vietnam: 430-E-007.	Foremost Dairies Vietnam, S.A.R.L.	Foremost Dairies, Inc.	Dairy manufacturing	40,000	540	6	5½	½	June 10, 1963	
Far East subtotal (8 loans).					3,563					
AFRICA AND EUROPE [1]										
NEAR EAST AND SOUTH ASIA										
Greece:										
C-40-9	Wood Industry Xelopan.	Pappas & Skouras	Construction of fiber board plant.	18,000	600	6	6½	1½	May 7, 1962	Sept. 19, 1962
240-E-023	Dow Hellenic	Dow Chemical	Construction of plastic plant.	20,000	667	6	8½	3	June 27, 1962	Feb. 28, 1963
240-E-025	Mobil Oil Hellas	Socony Mobil	Construction of service stations and bulk fuel oil terminal.	17,500	580	6	9	2	June 25, 1962	Dec. 5, 1962
240-E-027	Izola, S.A.	Rheem Manufacturing	Working capital for home appliance manufacturing.	20,000	666	6	7	2½	Oct. 31, 1962	
240-E-026	Vaktas Feeds	None	Expansion of poultry raising facilities.	10,000	333	6	5½	1½	Dec. 6, 1962	Jan. 17, 1963

See footnotes at end of table.

Cooley loans approved by AID, Jan. 1, 1962, through June 30, 1963—Continued

Country and loan No.	Borrower	U.S. affiliate	Purpose	Amount of loan contract	Dollar equivalent	Interest rate	Repayment terms		Authorized or approved	Loan agreement signed
							Years	Grace		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Egypt (United Arab Republic):				*Thousands*	*Thousands*	*Percent*				
C-62-2	Pfizer Egypt	Pfizer Co	Construction of pharmaceutical plant.	$107	244	5	10½	1	Apr. 20, 1962	Aug. 17, 1962
Iran:										
C-65-1	International Dairy	Foremost Dairy	Working capital for dairy products.	7,500	100	8	5	1½	May 7, 1962	Aug. 29, 1962
265-E-018	Pars Cotton Ginning & Oil Mill Corp.	None	Construction of bulk storage terminal.	25,000	329	5	5¾	¾	June 27, 1963	
Israel:										
C-71-23	Haifa Silos, Ltd	do	Expansion of grain storage facilities.	[3] 175	58	10	8	1	Feb. 21, 1963	Mar. 22, 1963
271-E-078	Samson Tire & Rubber Co.	General Tire & Rubber Co.	Expansion of rubber tire and tube plant.	900	300				May 3, 1963	
271-E-075	Dagon-Batey-Mamguroth/Le Israel Ltd.	None	Expansion of grain storage facilities.	800	267				do	
271-E-077	Sefen	American Israel Corp.	Expansion of plastics plant.	710	237	8	8	2	do	June 18, 1963
271-E-076	Gadot Chemical tankers & Terminals.	Stanalchem, Inc	Expansion of bulk storage terminals.	500	167	8	8	2	do	
271-E-079	Israel Alabama Wire Corp., Ltd.	Alabama Wire	Construction of aluminum wire and cable plant.	450	150	8	8	2	do	June 10, 1963
271-E-085	KLIL Non Ferrous Metals, Ltd.	Rusco Industries	Construction of integrated aluminum extrusion and fabrication plant.	2,000	667	10	10	2	June 27, 1963	
Turkey:										
C-77-11	U.S. Royal Lastik	U.S. Rubber Co	Construction of rubber tire and tube plant.	48,350	5,372	7	9½	1	May 20, 1962	Apr. 6, 1963
277-E-038	Turk Maadin Sirketti	Metallurg	Working capital for chrome ore mine.	7,000	775	7	6½	1½	June 25, 1962	Feb. 26, 1963
277-E-034	Wyeth Laboratuvartori	American Home Products	Construction of pharmaceutical plant.	10,600	1,178	7	9½	2	July 23, 1962	Oct. 22, 1962
C-77-10	Goodyear Lastik	Goodyear	Construction of rubber tire and tube plant.	[3] 14,000	1,550	7	9½	1½	Oct. 23, 1962	Feb. 5, 1963
277-E-039	Chrysler Sanyani	Chrysler	Construction of truck assembly plant.	35,000	3,875	7	12	3	Nov. 2, 1962	June 18, 1963
277-E-040	Yarimca Starch & Glucose.	None	Working capital for starch and glucose producer.	3,000	633	7	6	2	Jan. 11, 1963	June 5, 1963
C-77-12	U.S. Royal Lastik	U.S. Rubber Co	Construction of rubber tire and tube plant.	11,250	1,250	8	9½	1	Jan. 24, 1963	Apr. 6, 1963
Pakistan:										
C-91-10	General Tire & Rubber Co. of Pakistan.	General Tire & Rubber Co.	do	7,113	1,503	6	15	1½	Feb. 27, 1962	Apr. 18, 1963
C-91-12	Pakistan Fabric Co	Belton Bagging	Construction of jute warehouse and milling facilities.	1,000	211	6	5½	1	May 17, 1963	Aug. 14, 1962
C-91-9	Pakistan Services	Intercontinental Hotels	Construction of hotel in Karachi.	2,759	583	6½	20	2	June 25, 1962	(5)
391-E-076	Pakistan American Liberty Tank Terminals.	American Liberty Tank Terminals.	Construction of bulk storage terminal.	476	100	6½	12	2	Nov. 26, 1962	
391-E-075	Pakistan Services	Intercontinental Hotels Corp., Dacca.	Construction of hotel in Dacca.	4,477	940	6	17½	3	Mar. 6, 1963	
391-E-064	Merck Sharp & Dohme of Pakistan.	Merck Sharp & Dohme	Construction of pharmaceutical plant.	1,500	317	6½	12	2	Apr. 24, 1963	
391-E-063	Phelps Dodge, Ltd	Phelps Dodge	Construction of copper and aluminum wire and cable manufacturing facilities.	7,140	1,500	6½	10	4	May 15, 1963	
391-E-074	Intercontinental Hotels Corp.		Financing IHC's equity in Dacca hotels.	2,740	579	6½	18	3	May 29, 1963	
391-E-050	Singer Sewing Machine Co.	Singer Manufacturing	Working capital for distribution of locally manufactured sewing machines.	5,000	1,065	6	9½	4	May 17, 1962	Sept. 29, 1962
India:										
C-86-16	Madras Rubber	Mansfield Tire & Rubber Co.	Construction of rubber tire and tube plant.	2,500	528	6½	7	2	(4)	May 23, 1962
C-86-17	Synthetics & Chemicals	Firestone Tire & Rubber Co.	Expansion of synthetics rubber plant.	15,000	3,162	6½	3½	1	Feb. 20, 1962	Aug. 20, 1962
386-E-074	Wyman-Gordon Chemicals.	do	Construction of steel forge plant.	2,500	527	6½	9½	3	May 7, 1962	Feb. 5, 1963
386-E-075	Precision Bearings India.	Norman-Hoffman	Construction of ball bearing plant.	3,000	633	6½	10	5	June 25, 1962	May 17, 1963
386-E-072	Victor Gasket	Victor Manufacturing	Construction of auto gasket manufacturing plant.	750	158	6½	7	1	do	Dec. 6, 1962
386-E-078	Harig-Malik	Harig Manufacturing	Construction of machine tool plant.	285	60	6½	10	1	Sept. 17, 1962	Do.
386-E-085	Arbor Acres India	Arbor Acres	Establishment of poultry-breeding farms.	2,500	527	7	6½	1½	Oct. 23, 1962	Aug. 7, 1963
386-E-080	McNally-Bird	McNally Pittsburgh	Construction of coal washery plant.	5,000	1,054	6½	11½	5	do	Dec. 4, 1962
386-E-079	Mysore Cement	Kaiser Corp	Expansion of cement plant.	4,500	949	7	10	3	Nov. 2, 1962	
386-E-083	Union Carbide India	Union Carbide	Expansion of chemical and plastic manufacturing facilities.	21,600	4,557	7	10	3½	Nov. 26, 1962	
386-E-088	Mandya Paper	Parsons & Whittemore	Refinancing of debt and expansion of paper plant.	15,000	3,150	7	10	3	Jan. 24, 1963	
C-86-17	Synthetics & Chemicals	Firestone Tire & Rubber Co.	Expansion of synthetics and rubber plant.	[3] 18,000	2,100	7	10	6	do	Mar. 19, 1963
386-E-089	Kirloskar Cummins	Cummins	Construction of diesel engine plant.	12,500	2,630	7	12½	2½	May 16, 1963	
386-E-090	Napco Bevel Gear	Napco Industries, Minneapolis.	Construction of bevel gear plant.	4,000	2,300	7	3	2½	May 14, 1963	

See footnotes at end of table.

Cooley loans approved by AID, Jan. 1, 1962, through June 30, 1963—Continued

Country and loan No.	Borrower	U.S. affiliate	Purpose	Amount of loan contract	Dollar equivalent	Interest rate	Repayment terms		Authorized or approved	Loan agreement signed
							Years	Grace		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
India—Continued				*Thousands*	*Thousands*	*Percent*				
386-E-095	Chochin Pvt., Ltd.	Atalanta Trading Corp.	Expansion of shrimp processing facilities.	$2,365	500	7	10	2	June 21, 1963	
386-E-096	Frick India, Ltd.	Frick Co.	Construction of refrigeration equipment plant.	2,500	520	7	8	2	do.	
386-E-093	Hindustan Aluminum Corp., Ltd.	Kaiser Corp.	Construction of aluminum fabricating facility.	10,000	2,080	7	10	3	do.	
386-E-092	Elpro International, Ltd.	General Electric	Construction of electrical equipment plant.	4,000	833	7	9	1	June 27, 1963	
386-E-094	Gabriel India, Ltd.	Gabriel	Expansion of automatic shock absorber plant.	1,400	292	7	8	1	do.	
Near East and south Asia subtotal (50 loans).					53,406					

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[1] None.

[2] Increase.

[3] To be administered by Export-Import Bank.

[4] Approved by Export-Import Bank in November 1961. Loan agreement drafted and executed by AID.

Refutation of Charges of Illegal Gambling in New Mexico

EXTENSION OF REMARKS

OF

HON. JOSEPH M. MONTOYA

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 1963

Mr. MONTOYA. Mr. Speaker, it was with a great deal of interest that I read the remarks on widespread illegal gambling in New Mexico as they appeared in the CONGRESSIONAL RECORD of Monday, September 16, 1963. I, too, have been very interested in the findings of the McClellan committee upon which the remarks were ostensibly based.

However, I have been unable to find any mention of New Mexico in either the testimony or the detailed committee report. I have, therefore, been forced to draw my facts and conclusions from other accurate sources and based upon these and an unbiased interpretation of the committee report I wish to present my findings, lest there be some confusion on the matter, as I expect there may very well be.

Now, Mr. Speaker, it is quite correct, as asserted, that $37 million were involved in legal parimutuel betting in New Mexico during 1962, and from this the State treasury did indeed receive approximately half a million dollars in revenue. With these facts I am in total agreement.

It was estimated by an expert committee witness, Mr. John Scarne of Fairview, N.J., that on a national average, about $16.50 is wagered offtrack for every dollar legally placed in parimutuel betting. However, the figure placed in the CONGRESSIONAL RECORD, apparently based on this ratio, set New Mexico's illegal offtrack betting at $265 million for last year. By my calculations, using the same ratio, should such conditions exist, the amount spent on illegal offtrack wagering would equal $610,500,000, not the quoted $265 million.

Moreover, Representative FINO in his remarks applied this $16.50-to-$1 ratio to all forms of gambling. This, in spite of the fact that the source of this figure, Mr. Scarne, in his testimony said, "$16.50 is bet off track for every dollar bet legally at the track." This ratio is an estimate quite clearly related then to horse racing alone. Additionally, the witness intended only this interpretation since such a ratio could not be applied to any other form of gambling because New Mexico, like most States, permits only parimutuel betting; thus, in no other form of gambling is there a corresponding $1 legal sum bet.

Obviously, Mr. Speaker, the foregoing are but technical and mathematical errors made in the assertion. As far as fundamental inaccuracies are concerned, suffice it to say that no such conditions as those described by Mr. FINO exist in New Mexico. Had the gentleman meant to refer to New York rather than New Mexico, as I suspect he did since New York was frequently referred to in the committee report, I might have some basis for agreeing with him. But, as the error was made and New Mexico was most improperly characterized, I must vigorously disagree.

In order to approach the astronomical sum of $610,500,000, it would be necessary for every man, woman, child, and baby in New Mexico to illegally gamble approximately $650,000 annually. The incongruity of this increases when we recognize that, unfortunately, there are many New Mexicans who have an annual income of less than $1,000. Surely, we are not to believe that these people are betting 65 percent of their annual income on horses or anything else.

Mr. Speaker, I will gladly compare any county in New Mexico against any county in this great Nation. This is not imprudent. This is not a rash gesture for I can guarantee that in New Mexico there exist no such gross conditions. There is no flaunting of the law; there is no coddling of transgressors. Illegal gambling is not to be found. As further demonstration of my accuracy in this regard, I urge that any individual having evidence of illegal gambling or the sale of lottery tickets in New Mexico immediately notify the attorney general of that State and/or district attorney in any county concerned.

I am proud of my State. It ranks among our finest States. Its contributions to the wholesome American way of life, which we want all men to enjoy, are myriad. Let there be no mistake about it; I deeply resent anyone terming New Mexico as "a vice-ridden gamblers' fiesta land." It is a land of enjoyment, a land of health, and a land of productivity. It is a celebrated example of all that is good and legal.

Walter G. Pratt, Stoughton, Mass., 90 Years Young

EXTENSION OF REMARKS

OF

HON. JAMES A. BURKE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 1963

Mr. BURKE. Mr. Speaker, on September 7, 1963, I visited the Stoughton post office in my congressional district, and also visited the Stoughton townhall. It was my pleasure to attend an impromptu birthday party for Stoughton's Town Assessor Walter G. Pratt, who was celebrating his 90th birthday. Walter was born September 7, 1873. He married Emma A. Lowe. Walter is the father of two children, grandfather of three children, and great-grandfather of one child. He has had a career as a shoeworker from 1889 to 1931, fence viewer—town of Stoughton—part time from 1915 to 1956, private surveyor—part time from 1915 to 1956, served on the board of assessors from May 1, 1931, and as chairman of the board of assessors from 1945 to the present.

Walter is 90 years of age but very young at heart. He enjoys the love and respect of all the townspeople. Dedicated to his work he has set an example for the young folks in the town. I know I echo the sentiments of all who know him when I say: "Walter Pratt represents all the fine things that can be expected of a public official."

Robert Smales, Stoughton's town manager, was high in his praise for the great work done by Walter Pratt in behalf of the town of Stoughton. Employees at the townhall were warm in their praise of Walter and it is very evident that Walter has a special place in their hearts.

I told Walter that I will want to be one of those who will be present when he celebrates his 100th birthday. I hope he continues having the same bright sunny outlook on life. It is like a breath of spring.

Independence Day of the Federal Republic of Germany

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 1963

Mr. POWELL. Mr. Speaker, on September 21, the Federal Republic of Germany celebrated the 14th anniversary of her independence, and we wish to take this opportunity to send warm felicitations to His Excellency, the President of the Republic, Dr. Heinrich Luebke; His Excellency, the Chancellor, Dr. Konrad Adenauer; and His Excellency, the Republic's Ambassador to the United States, Mr. Heinrich Knaptstein, on this memorable occasion.

It was on September 21, 1949, that the United States, France, and the United Kingdom brought the new Republic into being. The journey to independence had begun just a year earlier when a West German Parliamentary Council, which was, in fact, a constituent assembly, met in Bonn to draft a constitution for Germany. Since Soviet-occupied eastern and central Germany were not represented, the council limited itself to drafting a basic law for the German Federal Republic, until such time as an all-German Constituent Assembly could replace it with a constitution agreed on by the entire German people. By the end of May 1949, this basic law had been drawn up by the Parliamentary Council, adopted by most of the 11 land parliaments, and formally promulgated.

After a general election in September, followed by the choice by the Bundestag—the popularly elected chamber—of Dr. Theodor Heuss as Federal President and of Dr. Konrad Adenauer as Chancellor, the Western Allies were willing to see the Federal Republic actually launched. The Allies had in the meantime worked out three related instruments: First, an occupation statute, which defined the residual powers of the Allies in the Federal Republic; second, a Trizonal Fusion Agreement, which set up an Allied High Commission for Germany; and third, a charter for this Commission defining its organization and procedure. After the acceptance of these Allied instruments by the President and Chancellor of the German Federal Republic at Petersberg on September 21, the German Federal Republic came formally to existence.

During the first years of the Republic, its sovereignty was considerably limited under the Occupation Statute of 1949. Step by step, these limitations were reduced until the Paris Agreements of 1955 made the Federal Republic a sovereign nation, limited only by a few remaining restrictions on nuclear and other special armaments. The Republic also became a member of the North Atlantic Treaty Organization and the Western European Union. Even before gaining complete independence, West Germany had taken part in establishing the European Coal and Steel Community and had joined the Organization for European Economic Cooperation, the Council of Europe, and three specialized agencies of the United Nations.

The most startling development in postwar West Germany was the Wirtschaftswunder, or economic miracle. Industry was rapidly reconstructed and the country began to experience prosperity after 1949. By 1955, the net national income was 179 percent of that of 1936. A good part—20 to 25 percent—of this income went into new investments, but per capita consumption, too, by 1953 had reached 114 percent of the 1936 level. It was not surprising, therefore, that West Germany, by then the leading economic power of Europe, became a charter member of the European Economic Community in 1957. She has played a major role in the success of that great experiment in economic integration.

During the postwar period the German Federal Republic regained for the German people something that many Germans had always deeply desired—a respected and honored place in the family of nations. It is for this outstanding achievement above all that we salute the West German people and their government on the 14th anniversary of the Republic's establishment.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 1963

Mr. ALGER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following Newsletter of September 21, 1963:

THE TAX BILL—H.R. 8363

(By Congressman BRUCE ALGER, 5th District, Texas, Sept. 21, 1963)

Tax cuts would amount to $11.1 billion over a 2-year period; $8.8 billion in individual and $2.3 billion corporate. Corporate taxes will be cut from 52 percent to 48 percent. Individual rate changes, lowest bracket 20 percent drops to 14 percent, top 91 percent to 70 percent, changes equaling 30 percent and 20 percent, respectively, while middle income brackets average 15 percent. Twenty-three structural changes in the bill increase taxes selectively by $1.1 billion, although the minimum standard deduction at the taxpayers' choice, alleviates further the taxload of the lowest brackets and eliminates 1.5 million taxpayers in the lowest brackets from paying taxes.

Everyone wants a tax cut. Though some Members of Congress, like the President, will only depict the blessings of a tax cut, which everyone wants, others will sensibly ask, "Then where do we get the money to pay Government bills we continue to run up?"

REPUBLICAN POSITION

The Republicans, unlike the Democrat leadership, will demand a limitation on spending so that the tax bill will not become effective unless current fiscal year 1964 expenditures are held to $97 billion and fiscal 1965 budget will not exceed $98 billion. True, these figures are high since they represent the culmination reached after the 1962 spending level exceeded 1961 by $6 billion; 1963 exceeded 1962 by $4.8 billion; 1964 exceeded 1963 by $5.5 billion. However, the Republican position draws the line against further increases. Surely this is not asking too much. And yet, the big spenders, including the President, though always talking economy, will continue to increase spending even as we cut taxes. This course leads to inflation, the worst tax of all, a hidden tax on savings, pensions, and buying power, the devaluation of the dollar, increasing outflow of gold, and destruction of our competitive position in world markets and financial leadership of the free world. Indeed, any such weakening of the United States economically would make us extremely vulnerable to a final Communist takeover. Our greatest defense against the Communist world conspiracy is a strong, healthy, growing economy which is not possible through planned deficits.

The glowing predictions of the feedback, or increasing Government revenues because of the stimulating effect of a tax cut does not obscure the horrible truth, that the President and his congressional leaders are asking Congress to approve deficit spending and so secure the money to pay our bills by borrowing and charging it all to our children and later generations.

My conviction is that we should balance the budget, as we have done before in two Republican Congresses, cut the debt, and then cut taxes—in that order. Further, it seems to me we should move steadily toward a flat percent tax, the same percent for everyone regardless of income level. Finally, the best kept secret of our day is that it isn't someone else who pays—it's each of us. As taxpayers we pay, particularly the low and middle income groups who necessarily bear the cost—84 percent of the total tax comes from the tax brackets under $10,000 liability. We also pay when Government deficit finances and charges the cost to us through reducing the buying power of the dollar. Forgotten, for the average wage earner (1) tax cut at best will be $1 to $2 per week, (2) social security taxes go up next January.

WEEK'S ACTIONS

The civil defense bomb shelter amendment to the existing act, embarks us on another great Federal subsidy of $2.3 billion over 5 years, beyond existing civil defense programs. Simultaneously we cut back our offense, the development of the antimissile missile, because of the test ban treaty, which ultimately may invite enemy attack. We seem to forget the best defense is a good offense. (2) The CAB examiner conducted Washington hearings on Love Field. I testified on the need of the southwest area for all present aviation facilities and all those to be made available in the future. (3) I asked the President for his views on the status of the Dallas Federal Building and the removal of the VA office, suggesting corrective action emphasizing (1) merit not politics, and (2) a spending priority.

The Tragedy at Babi Yar and the Continued Oppression of the Jews by the Soviet Government

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 1963

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the Record, I include an address I made before the Association To Perpetuate the Memory of Ukrainian Jews at the memorial services for the victims of Babi Yar, at the Hotel Commodore, New York, N.Y., and broadcast over radio station WEVD, Sunday, September 22, 1963. My remarks follow:

"Over Babi Yar
There are no memorials"—

Says the young Russian poet, Yevgeny Alexandrovich Yevtushenko—

"Over Babi Yar
Rustle of the wild grass.
The trees look threatening, look like judges.
And everything is one silent cry.
Taking my hat off
I feel myself slowly going gray.
And I am one silent cry
Over the many thousands of the buried;
Am every old man killed here,
Every child killed here."

What happened at Babi Yar that makes the poet weep and rage? On the eve of Yom Kippur, in 1943, the Nazis murdered 100,000 Ukrainian Jews. Though not of the Jewish faith, Yevtushenko identified himself with the victims of the Nazis. Twenty years have passed and let it not be said that we have forgotten. The young Russian poet spoke for the dead.

In World War I, the American poet, Alan Seeger, speaking for all the dead, of wars and massacres and terrorisms, cried out "to you we throw the torch." And so the 100,000 in the mass grave at Babi Yar, over which no memorial rises, cry out to us, "to you we throw the torch." We will carry the torch in which burn the flames of liberty, enlightenment, and equality for all people regardless of race, religion, or national creed. How can we loosen our grasp when hatred still stalks the world and casts its ominous shadow on the future? It is the cruelest of ironies that the young Russian poet, Yevtushenko, should have written "Babi Yar" in a land where today the Jews are singled out, as a religious group, for oppression and denial. He was brave to have written that poem but not brave enough, for while he did, in his poem, depict the antisemitism in the Soviet Union, he, under official pressure, subsequently changed the text when Shostakovitch set the words of "Babi Yar" to music.

Today, the Soviet Union boasts that its Constitution guarantees religious freedom and explicitly forbids "any restriction of the rights of citizens on account of their race or nationality" as well as "any advocacy of racial or national hatred and contempt." But the words are not worth the paper upon which they are written for the Soviet Union has committed itself, in practice, to wiping out the religious and cultural rights of the Jews and singling them out, as Jews, for special cruel and unusual punishment.

In May of 1961, the Soviet Union enacted decrees which set forth the death penalty for such economic offenses as pilfering public or state property, counterfeiting, currency speculation, and bribery. The world was shocked by such uncivilized, excessive, and inhumane punishment, but the Soviet Union has proven itself, again and again, immune to world opinion. Within 2 years, from May 1961 to April 1963, 141 persons were sentenced to death for such offenses. Of those sentenced to death, nearly 60 percent were Jews. If one examines the record carefully, it becomes dismayingly clear that this is a part of a systemic plan, not only to incite the Russian people against the Jews, as a minority group, but also to deny, to the Jews, their religious heritage and to put them outside the pale of the Soviet Union society. When we realize that almost two million Jews reside in the Soviet Union, we are then aware of the extent of this tragic campaign. For example, in one of the trials, 24 defendants were accused of manipulating the price of apples. Though the majority of defendants were not Jewish, only the Jews received the death sentence. In another trial, a Jew was sentenced to death though he was only an employee of some trade organizations involved; the top officials received only short prison terms.

In all of this campaign, the Soviet press makes certain to implicate the synagogues and rabbis in the alleged offenses. Beyond that, we find the arrest of congregation leaders, the ousting of congregation Jewish officials, and the closing of synagogues. While we cannot deny that all religions are subjected to restrictions in the Soviet Union, only Judaism is singled out for very special denials. While other religions can form national or regional associations, Jewish congregations may not. Religious leaders cannot receive permission to leave the country or to study abroad or to make pilgrimages as other religious leaders make. The Jews are forbidden to manufacture any religious articles such as prayer shawls and phylacteries. Only a very few are permitted to print religious calendars. Training for rabbis has been curtailed until now, in Moscow, only three or four are permitted to attend a rabbinical academy. No Hebrew can be taught nor can any prayer book or Bible be printed in Hebrew. However, the Moslems may use their Arabic for religious purposes as may other ethnic and religious groups use their respective languages. The baking of matzah is forbidden. Without the matzah, no Passover can be properly observed. All Yiddish journals are forbidden; no expression of cultural interest in the Jewish language is allowed. Thus the theaters and the dramatic schools and the publishing houses which use the Jewish language are closed. The old Jewish songs are forbidden. The Soviet encyclopedia, which had devoted 116 pages to the cultural achievement of the Jews, now gives only 2 pages to the Jews. The Jews have been eliminated from the Soviet Union political life. They are excluded from the diplomatic service and from the armed services. A study of the status of Jews in the Soviet Union concludes that the Jews are "deprived of their national and religious rights as a group, and of full equality as individuals."

Soviet oppression and denial of equal rights to its Jewish population has been called "spiritual strangulation."

Yet, withal, the Jews are not permitted to leave the Soviet Union to seek freedom from religious persecution. They are forced to remain while the Soviet Union seeks every way of denuding them of their tradition, of their culture, of their faith in God.

We are gathered today in memorial to the 100,000 who perished at the hands of the Nazis 20 years ago. But it is not enough to mourn the dead; our responsibility now, today, is for the living. Indifferent as the Soviet Union may appear to be to world opinion, such indifference cannot remain if the protests are large and loud enough. Let it not be said that the world condones by silence. The Jews of the Soviet Union will not relinquish their religion, their heritage, their culture. Hence, the Soviet Union has placed itself directly on the road that leads to genocide.

The Russians make much of their fear of the Germans. In what degree are they different? The Russians have sought to pervert history and, in so doing, have paid service to it because what one seeks to pervert, one cannot forget. History has proven, and proven again, that tyranny bears within itself the seeds of its own destruction for the heart and mind of man, once awakened, finds the bans of oppression intolerable. From Pharoah, to Hitler, to Khrushchev, the lessons of history loom large. The consequences of tyranny Khrushchev should know will bury him.

We offer prayers for the dead, but we do not forget the living. Let no one forget—whatever his race, his religion, his creed—oppression is a way of life; it feeds on itself yet remains insatiable. When it is aimed at one group, it reaches out to embrace another and yet another. This, too, is a lesson of history none of us can ignore, and I mean, none of us.

Let the religions of the world take note that, in the march of oppression, it is only a matter of on whom it feeds first. There are always the second, and the third, and the fourth, and the fifth until all are engaged. Then it may be too late.

Together we vow there shall be no more "Babi Yars."

The Tax Reduction Bill

EXTENSION OF REMARKS

OF

HON. VICTOR A. KNOX

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 23, 1963

Mr. KNOX. Mr. Speaker, under leave to extend my remarks in the Record, I include the speech that was presented to the Nation on Saturday evening, September 21, 1963 by the Honorable Thomas B. Curtis, of Missouri. Mr. Curtis has adequately and effectively given a sound viewpoint on the question of tax reduction which will be before the House tomorrow.

I hereby include this address by my worthy colleague Mr. Curtis:

REMARKS OF HON. THOMAS B. CURTIS, OF MISSOURI, SEPTEMBER 21, 1963

Good evening, fellow citizens. In one sense I want to apologize for displacing the regular program you were looking forward to enjoying this evening. In another sense I really have no right to apologize. I am here serving the very basic and vital function in our system of representative government of presenting to you the other side of one of the great issues now facing our country. President Kennedy on Wednesday night presented one side of this issue for your consideration.

Just as President Kennedy spoke to you without regard to narrow political partisanship, so shall I. This great issue of our country's basic fiscal and economic policies, which was brought to a head by the tax cut bill now approved by the Ways and Means Committee, transcends this kind of narrowness. I have the responsibility of presenting as fairly, and yet as forcefully as I can, a point of view in which I deeply believe. Although this viewpoint is almost unanimously held by Republicans in the Congress, in fairness I must say that it is shared by many Democrats as well. Certainly the vast majority of our people, whether Democrats, Republicans, or Independents, want to hear the reason for a position, not simply what political party or what individual person is for or against it.

The President stated that this tax bill, H.R. 8363, is the most important domestic measure to be considered by the Congress in 15 years. I cannot share this view, as important as I think the tax bill is, unless it is intended to change the basic fiscal and economic policy which our country has adhered to since its foundation. If this basic change is intended, then the tax bill is probably among the most important bills which the Congress has ever considered in its 174 years of history.

The President presented his arguments for the tax bill as if the opposition were opposed to cutting taxes. This is not the case. Those who are leading the opposition to H.R. 8363, as presently written, have been arguing the urgent need to reduce Federal taxes long before President Kennedy decided last August to promote a tax cut. He proposed a tax cut as a solution to the problem of unemployment and the flow of gold from our country—the problems which he has not yet been able to solve by any other means. He has been unable to solve these problems in spite of the normal cyclical upturn which our economy took a few days after he was inaugurated and months before the Congress was able to take action on any of his legislative proposals which were supposed to pep up the economy.

Many of the leading opponents of the proposed Federal Revenue Act of 1963 have been long-time promoters of what many of you probably have heard of as the Baker-Herlong tax cut bill, bearing the name of Congressman BAKER of Tennessee, a Republican, and Congressman HERLONG of Florida, a Democrat, both of them respected colleagues of mine on the Ways and Means Committee. In contrast to the administration approach, the Baker-Herlong bill ties tax cutting to expenditure reform.

The question then, is whether there is agreement between the people who think as I do, and the President on the great need for a tax cut to help our economy grow, to ease the unemployment problem, and to provide jobs for the increasing number of young people who are and will be looking for jobs. What is the fuss?

The President should have told you what the fuss was all about instead of evading the central issue. Actually much of the fuss is unfounded. Certainly it is not over any disagreement about wanting our country to be better and stronger and our people to have a better and more abundant and more peaceful life.

All of us want these things just as deeply as the President does. The fuss is over whether we move toward these goals by cutting taxes while increasing spending. Can we really move toward these goals if we cut taxes and if, at the same time, we do not reduce our increasing Federal expenditures? The Kennedy administration is spending more money than it is taking in from Federal taxes. It has been doing so ever since 1960 when the Nation last had a balanced budget. But lest my statistics convey erroneous impressions, as I believe those used by the President did in his address Wednesday night, let me add that we have had unbalanced budgets more often than not under both the Truman and Eisenhower administrations. These deficits were not good then—and I said so at the time. They are not good now.

Spending more money than is being taken in at the Federal level is becoming a serious and dangerous habit. And, mind you, the Federal taxes have been doing a manful job of getting money out of the pockets of our people. We collected $39.7 billion in 1946; $67.9 billion in 1956; $77.7 billion in 1961; $81.4 billion in 1962; $86.4 billion in 1963; and it is estimated that the amount will be $88.8 in 1964.

Now even President Kennedy agrees that this tax system is taking too much from the pockets of the people and businesses, even when it is proving inadequate to meet the cost of our ever-increasing Federal Government.

But the Ways and Means Committee, on which I serve, has more than the distasteful task of writing the tax laws. When we find that the taxes do not bring in enough revenue to take care of our bills, we have to figure out how to sell Government bonds to make up the difference. We have to determine what the impact on our economy and on the purchasing power of the dollar will be from selling these bonds and to whom. These are the problems involved in what we call debt management.

It was in the field of debt management that I directed my questions to Dr. Heller, the Chairman of the President's Council of Economic Advisers, when he testified before the Joint Economic Committee last July regarding the possibility of the President's asking for a "quickie" tax cut. The idea then was to cut Federal taxes by $10 billion. I said, Dr. Heller, to whom will we sell these bonds that will result from our budget deficits and what will be the economic consequences of these sales? Dr. Heller stated that he agreed with me that, if we asked the people and the businesses to buy the bonds, it would take away the benefits sought from the tax cut. Of course this was so. The purpose of the tax cut, according to the President, is to give the people more money to spend. This will stimulate the economy. But what happens if we go right back to the people and say, "Give us back this money we gave you and take these bonds instead?" Of course then they wouldn't have any additional money to spend. There would be no stimulus. Dr. Heller said he thought most of these bonds should be taken up by the system charged with keeping our money supply and the purchasing power of the dollar in good order, the Federal Reserve System. I asked Mr. William McChesney Martin, the Chairman of the Federal Reserve Board, when he appeared before the committee a few days later, "Well, what about the Federal Reserve System taking up these bonds?" Mr. Martin replied that if that were done it would let loose inflationary forces which could not be controlled.

Now if Mr. Martin's appraisal is correct, and I believe it is, this would diminish the purchasing power of the dollar. Not just the purchasing power of those who are fortunate enough to make enough money to be required to pay Federal income taxes but of everyone from the lowest pensioned widow on up.

Inflation is more unfair than any tax ever devised by government. In effect it is a tax on the consumer's dollar and, therefore, it taxes those who can afford it the least at the highest possible rate, 100 percent. It taxes those who can afford it the most at the lowest rate. Indeed, if one is fortunate enough to have money to invest, he can make more money through inflation by buying real estate and common stocks, which go up in dollar value as the real dollar, the purchasing dollar, goes down in value.

Aside from this fact, inflation, contrary to some diehard believers, does not produce prosperity. Quite the contrary, it produces misery and greater unemployment and, if carried far enough, the ruin of the Nation.

Let me illustrate what would happen. President Kennedy talked about the person making $6,000 a year. He estimated that this family would be paying about $600 a year in Federal taxes. He said the proposed tax bill would give him a tax cut of about 20 percent. This is $120. However, suppose the Consumer Price Index, which is one way to estimate inflation or how much the dollar will buy, goes up 6 points that same year, or in the 2 years during which the full effect of the tax cut is to be felt. Then that family would lose $360 in purchasing power—every dollar buys 6 cents less than it did before. Apply this loss of purchasing power to all consumers in the Nation and there is a loss of $27 billion in overall purchasing power. This is a strange way to increase purchasing power to stimulate the economy. Give back $11 billion in tax cuts and take away $27 billion through inflation.

I am not just picking a number out of the air when I suggest that the Consumer Price Index might go up 6 points. In the last month for which we have the figures, July of this year, the index went up one-half a point; the greatest 1-month rise in nearly 4 years. If the next 12 months were to continue at this rate, the total would be 6 points in a year. I don't think the rise will be this great, particularly if we reduce our spending and budget deficits, but let me point out that the index has risen 4 points since President Kennedy took office 32 months ago. This has already cut consumer purchasing power by $18 billion.

President Kennedy boasted about what he called great price stability in the last few years, but did you catch it when to prove his point he said—the wholesale price index has remained almost constant? He tripped over the word wholesale a little bit and well he might have. Who buys wholesale? Almost all of us have to buy retail, and the Consumer Price Index about which I am speaking is the retail price index.

Why has the retail price index gone up so much when the wholesale price index has remained steady? Primarily because items like insurance and medical bills and what are called services are included in the Consumer Price Index but have little to do with the wholesale price index. You don't get hospital service wholesale.

Now the President and his advisers advocate this novel fiscal and economic theory of planned deficit financing. That theory is to deliberately overspend your income in the hope of promoting economic growth and jobs from which the Government will derive more revenue to eventually catch up with the increased spending. Those who advocate this theory have to answer the contention which I have advanced that tax cutting without expenditure control will cut in on the purchasing power of the dollar and destroy any stimulus to the economy. They claim that this will not increase prices. Or put another way, they claim it will not cheapen the purchasing power of the dollar because inflation comes only when there are more dollars than there are goods and services available to be bought. Too many dollars chasing too few goods is the way some economists like to put it. They say that these new printing press dollars which they plan to give our people will put our idle plants back into production and that this, in turn, will put the unemployed back to work to produce the goods that the new dollars are anxious to buy.

It is a shame the President didn't tell you about this theory Wednesday night so you could evaluate it and better understand the arguments against it. The arguments against it point out that most of this so-called idle plant is unwanted, obsolete, and inefficient plant. The biggest unused plant are our farms. We surely don't want to put more land into agriculture production. Furthermore, the unemployed are largely among the unskilled and semiskilled, or those whose skills have been rendered obsolete by automation. The decline in agricultural employment has been 42 percent in the past 10 years. These unemployed people would not be put back to work unless they had been trained in the needed skills first. This takes time and locating the new jobs among other things. Furthermore, the price increases are not occurring primarily in the area of goods, but rather in services where there already is a shortage of workers and where jobs are going begging. Employment in services increased almost 42 percent during the 10 years in which agricultural employment declined. More dollars will shoot the prices for services up even higher.

You are hearing some of the fact and arguments that we in the Congress who have been digging into this serious matter for the past 12 months have to weigh and consider in reaching a conclusion as to what is the best course of action for our Nation.

The issue is now sharply drawn. Both sides want to reduce taxes because both have concluded that taxes are so high that they are damaging our economy. One side, my side, says we must earn a tax reduction before it will do any good. An unearned tax cut, we believe, could do serious harm.

What do we mean by "earn" a tax reduction? By that we mean that we must cut back our expenditures so that our Government doesn't have to print and sell bonds to make up the difference between its income and its expenses.

Incidentally, a Government bond is really a deferred tax. It is something the taxpayers of a later day will have to pay. In a sense, deficit financing is tax evasion. It is passing on to future taxpayers the cost of things the present generation wants to have but is not willing to pay for. We're paying interest on it, but nothing toward paying off the principal.

President Kennedy and his advisers have tried to allay the fears of our people about the tremendous Federal debt we have today. It amounts to over $305 billion in bonded indebtedness, but the Federal Government has over a trillion dollars in potential obligations to pay. The President said, among other things, that the debt is a smaller percentage of our economic output than it was in 1946.

Well, I should hope it would be; 1946 is the year right after World War II. Everybody agreed we had to spend vast sums of money over and above our income to win the war. We said then that we should pay this money back as soon as the Nation got back to peacetime operation. Now here it is 17 years later, and the Federal debt is still not down to anywhere near the ratios of any one of our peacetime periods, whether in the thirties, the twenties, the nonwar teens or in the 1900's or in the entire 19th century. The main way the debt was reduced as a ratio of our economic output was through juggling the value of the dollar. The heavy inflation right after the war cut the purchasing power of everyone's dollar in half—bread which once sold for 10 cents a loaf went up to 20 cents a loaf or more. A home which cost $4,000 in 1940 cost $10,000 in 1950. The debt remains fixed in the same dollar amount while the economic output doubled when measured in the inflated dollar. Yes, people who bought war bonds for $18.75 to help the war effort got $25 back in 10 years, but these new dollars bought less than $12.50 of groceries. Who got the difference? The Government and a cagy investor here and there.

We have moved ahead alright but not because of inflation. We have moved ahead in spite of it. But we have done so at the sacrifice of the standard of living and the dignity of millions of our low-income people, including those on retirement and pensions and on other fixed incomes. The cutting of the ratio of the Federal debt to gross national product by inflation instead of by honest taxation and reductions in expenditures is nothing to boast about.

The President seeks to allay our fears about the national debt by pointing out that businesses go into debt and so do individuals. That is true, but when businesses or individuals go into debt, they usually have assets to show for it, a plant and machinery, or a home and a car. The Federal Government spends, however—as it should—most of its money for military goods which have no book value. A fighter plane or a rocket must go on the books at $1, not at the millions of dollars it costs. It is an expendable item, not a productive asset. It is wrong to compare government debt, particularly Federal debt, with private debt.

It costs us today over $10 billion in taxes each year just to pay the interest on this debt. This is more than the entire Federal budget in the 1930's.

In his address Wednesday night, the President had two sentences on the subject of expenditures. He said he would maintain "an even tighter control over expenditures." Well, this has little meaning to those of us in Congress who look at his record and see no tight control to start with. President Kennedy has been spending around $6 billion more during each year that he has been in office. This is twice the rate of increase which occurred in the preceding years. In fiscal year 1961, which was partly under President Eisenhower, we spent $81 billion. In fiscal 1962, we spent $87 billion; in 1963 $93.6 billion. For the current fiscal year, the President says he intends to spend $98.8 billion, although he is asking in this budget for $108 billion additional authority to spend. At this rate, unless Congress does something to check it, he will spend $105 or $106 billion the next year. Incidentally, at the peak of World War II, in 1946, we spent $98.6 billion, the greatest sum in history up to that point. Hence, President Kennedy's expenditure estimate this year will break all our spending records. And this is during a period of peace and during a normal economic upturn.

The tax bill has written in it that it is the sense of the Congress that the President exercise expenditure control. But there are no teeth in this statement. It is a pious hope. The Republican proposal would require the President to exercise expenditure reform. We insist on deeds not words. If the requirement that the President must cut Federal expenditures in the 2 years during which the tax cut goes into effect is incorporated into the tax bill as an amendment on the floor of the House, then many Republicans and Democrats, who will vote against the bill as it now stands without effective expenditure reform, will vote for the bill and it will pass.

I do not wish to mislead anyone. I myself would not vote for the bill even with the amendment. I think that holding expenditures to $97 billion in fiscal 1964 and to $98 billion in fiscal 1965—which is what the amendment proposes—would still create too large a deficit and so create hazards that would overbalance any stimulative effect of the tax cut. It will require the selling of too many additional billions of bonds, not to create a serious loss in the dollar's purchasing power.

In writing the Republican views on the President's economic report to the Congress of January this year, my colleagues and I suggested that in order to make a tax cut meaningful and to really stimulate our economy's growth and to create more jobs we should hold the expenditure level to the level of fiscal 1963—the year ending last June 30—which then was estimated to be about $94 billion—still $13 billion more than fiscal year 1961. We suggested that this level of $94 billion be held not just for 1 year, but for 3 years. Then, indeed, economic growth would increase our tax revenues so that the budget would balance out in about 2 years.

Under the President's own theory the budget would not balance until 1967 or 1968. But this theory is predicated upon many questionable assumptions. Many economists and fiscal experts think 1972 is a more realistic estimate. Secretary of the Treasury Dillon refused to estimate what the additional Federal debt would be by then—let alone its consequence on the purchasing power of the dollar.

It is clear that the President does not intend to exercise expenditure reductions. He has carefully hedged his words every time he mentions expenditures. He talks not in terms of dollars but in terms of essentiality. But the level of spending which he believes is essential turns out to be much more than what any other President believed necessary. It certainly turns out to be much more than our anticipated revenues. Indeed, Dr. Heller and his economic advisers have stated that as far as their new theory is concerned, a reduction in Federal expenditures would take away the desired impact of the tax reduction. These men believe this theory. But they will not publicly argue for it. Dr. Heller has been put under wraps for the time being. The President himself would not argue for it last Wednesday night. He left the impression that he, too, agreed with the Puritan ethic that we should not cut taxes unless we exercised expenditure reform. Yet he balks at the modest control which Republicans seek to place in the tax bill.

The President's actions, if not his words, demonstrate beyond doubt that he is advancing a new and untried fiscal theory for the United States, the theory of deficit financing, the theory of planned deficits. The President, with all his talk, has not submitted a revised budget to the Congress for this fiscal year. He is still asking for $108 billion in new authority to spend money, and he is putting all the pressure on Congress possible to get it. His budget estimate for the current year—$98.8 billion in spending with only $88.8 billion in revenues—remains unchanged.

The people surely remember how just a couple of weeks ago the President chastised the Congress, particularly the Republicans, although we can do nothing in this Congress without being able to persuade many Democrats of the wisdom of our point of view, for cutting the foreign aid bill a mere $300 million below the sizable $3.9 billion expenditure of last year.

Next week the President is forcing onto the floor of the House the costly area redevelopment bill, which the House rejected a couple of months ago as wasteful and ineffective in coping with the problem of unemployment. He is continuing to place pressure on the Congress to pass all of his expenditure requests. There is little question that the President intends to increase expenditures, not reduce them if permitted. He has bought the new planned deficit theory of Dr. Heller and his Council of Economic Advisers which claims that we must spend ourselves into prosperity by, in effect, printing more money. This is all the deficit financing proposal really means when it is stripped of all its fancy economic terminology.

Why else does the President fight the very modest expenditure control that will be presented for consideration by the House next Tuesday and Wednesday? All that is asked is that expenditures for this year be held to $97 billion, instead of the $98.8 he says he will spend, and to $98 billion for the next year, instead of the $104 to $105 billion, which many of us are afraid he intends to try to spend.

I think the most difficult thing for the people of this country to understand, myself included, is why the President doesn't forthrightly argue for his new theory of deficit financing, if he really believes that it is for the benefit of our country. Then let us who disagree with him present our arguments as to why we believe that balanced budgets and lower expenditures and lower taxes are in the best interests of our country, as well as in line with our noble traditions. I believe our country became great through following the Puritan ethic, which is no more than saying that we should spend less than we take in so we can pass on greater assets to our children than we received from our forebears. Let us debate the issue and out of this debate can come firm policy. But there can be no debate when the President shies away from supporting his theories.

We all want a tax cut. We badly need it. But, my fellow citizens, we must earn it. The process of expenditure control is not just cutting out wasteful programs, as the President said. This is really the easiest part of expenditure control. The tough part is when you get into the business of assigning priorities to good programs. It is tough for a person, particularly one in politics, to say "no" to a desirable program because we can't afford it and all the other desirable programs this year. We must have the courage and integrity to say: "Let's keep it on the list of desirable projects for the day when we have earned the right to have it, by paying for it ourselves." Perhaps if we start this business of self-discipline with our tax moneys, just as we all must exercise this discipline in running our families, we can be certain that the Government our children will be paying for will be their own Government, not part of ours.

Mr. Speaker, during the television broadcast, Congressman CURTIS referred to a memorandum from the U.S. Department of Commerce, Business and Defense Services, addressed to assistant administrators, office directors, division directors, and staff officials. I think it would be helpful if this were included in the RECORD and under unanimous consent, I include it in the RECORD:

U.S. DEPARTMENT OF COMMERCE,
BUSINESS AND DEFENSE SERVICES
ADMINISTRATION,
Washington, D.C., September 6, 1963.

To: Assistant Administrators, Office Directors, Division Directors, Staff Officials.

From: Paul W. McCann, Assistant Administrator, Industrial Analysis.

Subject: The Tax Reduction and Reform in 1963.

It is essential for sustaining an adequate economic growth in the United States that there be a reduction in personal income tax rates and corporate income tax rates this year. The House Ways and Means Committee has completed many months of careful review of the administration's proposal for tax reduction and tax reform. Customarily the House as a whole does not analyze and debate in detail such a conclusion of the committee. The most that the House does is accept, reject, or send back for further study. To send this bill back for further study would simply be a subterfuge for rejection. It is essential that this bill not be rejected either directly or surreptitiously. The reasons for acceptance of the bill were spelled out in several pages of the President's report to the Congress (January 1963), and may be summarized as being essential for the maintenance of a growth rate sufficient to permit positive growth of profits and to reduce U.S. unemployment.

A major reduction of Federal expenditures would almost eliminate the stimulus effects of the bill. Nothing would be gained except a significant reduction of defense and space expenditures; that is, at best, consumer expenditures would be substituted for most of our reduction of defense posture. Other major Government expenditures are either tied and provide very little scope for reduction, such as interest expenditure, or cannot be effectively separated from individual Congressman support, such as public works. It is evident that Congress will not reduce expenditures materially, and proposals to reconsider on these grounds means that such supporters do not want the economy stimulated.

The need to stimulate the U.S. economy is a lesson which can be learned now while there is still time to extend the present recovery or the Nation can go through one more unnecessary recession which will hurt business more than any other sector of the economy. If the gross national product does not grow rapidly, profits do not grow at all. This has been the unfortunate experience of the U.S. economy (in constant dollar terms) since 1958. It would be remarkable if the business community would want this condition continued indefinitely with the share of profits steadily falling. There is great urgency that the tax reduction be achieved now because the recovery is already 30 months long and very few recoveries have gone beyond 30 months under their own power. If Congress passes the tax reduction bill, the results will be to extend greatly the length of the recovery and to place the economy on a more rapid growth rate for some years to come. The personal income tax has a tendency to become increasingly progressive as real incomes per capita increase and as price levels increase. That is why this tax reduction is necessary at this time to correct the accumulated stagnating effect of the structure of U.S. taxes. Every business has a keen personal interest in maintaining a high rate of growth. The only way to be assured of sustained growth at this time is to have a reduction in tax rates now.

SENATE

TUESDAY, SEPTEMBER 24, 1963

The Senate met in executive session at 10 o'clock a.m., and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Father of all, whose righteous laws condemn and will at last break whatsoever bars Thy children from abundant life: In these days freighted with destiny, for whose decisions the future will judge us, by Thine enabling might may Thy servants here in the ministry of public affairs maintain their integrity unsullied by personal animosities, prejudices, or selfish ambitions.

And now as there looms the hour when for men and nations comes the moment to decide, to whatever decision come those who here speak for this free land, this day in a choice between frowning risks on either side, may those who give their consent and those who withhold it alike be sustained by the supreme satisfaction that, in a grave crisis, they have done their full duty, and that in the face of trembling and fearful humanity their vote represents their patriotic judgment deserving well of the Republic.

We ask it in the Redeemer's name. Amen.

TRANSACTION OF ROUTINE LEGISLATIVE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, as in legislative session, there be a morning hour for 5 minutes, at the end of which time I should like to suggest the absence of a quorum.

The VICE PRESIDENT. Without objection, it is so ordered.

THE JOURNAL

On the request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, September 20, 1963, and Monday, September 23, 1963, was dispensed with.

DEATH OF TILLMAN B. HUSKEY, CHIEF CABINETMAKER IN THE SENATE

Mr. DIRKSEN. Mr. President, on August 24, just 1 day before his birthday, Tillman B. Huskey, Sr., who was the chief cabinetmaker on the Senate side, passed away.

Mr. Huskey served this body for nearly 30 years. I wish to take note of his passing, because he was among those whom the public never sees, but who so faithfully serve the Senate.

QUESTIONS AND ANSWERS ON THE TEST BAN TREATY

Mr. SYMINGTON. Mr. President, last week, after the completion of my remarks on the test ban treaty, the distinguished Senator from South Carolina [Mr. THURMOND] placed in the RECORD 36 questions he would have asked me with respect to this treaty if he had been on the floor when I concluded.

Inasmuch as it was necessary for me to leave, to go back to Missouri for the remainder of the week, in order to fulfill several longstanding engagements, I was not in a position to answer.

Upon my return to town yesterday, however, I worked on answers to these questions; and I ask unanimous consent that they be printed, together with the questions, at this point in the RECORD.

I take this opportunity to commend the Senator from South Carolina for the many long hours he has spent in studying this matter. We agree on many points; on others, we do not. I wish we could agree on all, especially inasmuch as I know of the complete sincerity of his position.

Mr. President, the distinguished Senator from South Carolina also put in the RECORD the transcript of a television program of April 28 in which I participated. That program was conducted at a time when the Preparedness Subcommittee was giving consideration to the so-called comprehensive treaty—one far different from the treaty that is under consideration today, in that it involved an onsite inspection agreement to supervise underground testing.

There being no objection, the questions and the answers were ordered to be printed in the RECORD, as follows:

1. Question. The Senator is in a unique position, since he is a member of both the Foreign Relations Committee and the Preparedness Subcommittee, and signed the reports of both committees. I believe the Senator from Missouri has attested that the factual data in the Preparedness Subcommittee's report is accurate. Is that correct?

Answer. As I stated in my additional views that are included in the Preparedness Investigating Subcommittee report, "To the best of my knowledge the factual data contained in the report of the Preparedness Investigating Subcommittee is correct. But I believe the findings and conclusions are overly pessimistic as to the effect of the treaty on our national security."

2. Question. Does the Senator subscribe to the opinion of the Foreign Relations Committee, stated in its report, that, and I quote: "But exclusive, or excessive, reliance on military considerations could undermine national security by encouraging comparable military efforts by others, thereby strengthening the destabilizing forces adrift in the world, possibly creating new ones."

Answer. Everyone agrees that military considerations are very important. However, no one believes that military factors are the sole considerations. For example, I have expressed concern particularly because of the likely proliferation of nuclear weapons capabilities in the world. While I do not believe that this treaty by itself will stop such proliferation, I do believe that the treaty could be a small step in that direction.

3. Question. I notice that the Senator states that "unless there can be some understanding among the growing number of nations that will have the weapon, a nuclear holocaust is only a question of time." Does the Senator mean to imply that armaments, rather than human weaknesses, cause wars?

Answer. Both armaments and human weakness are required for war. It is unfortunately true also that armaments and human strength are both required to maintain a just peace. It is the kind and proliferation of armaments, not the existence of armaments, that are now in issue.

4. Question. The United States has maintained a level of armaments over recent years unequaled in all history. Would the Senator not agree that these armaments have been the very factor that has prevented nuclear war?

Answer. They have been a mighty important factor. I believe that these armaments have been important in causing the Soviet withdrawal of missiles from Cuba and in preventing many other Communist adventures, especially in Europe and perhaps the Far East. The existence of U.S. military power, known to the Soviets, has in my opinion prevented Soviet conduct which might well have led to war.

5. Question. Would the Senator not agree that the only way in which one can be sure of preventing nuclear war, so long as the Communists maintain their goal of world domination, is to keep an overwhelming superiority in strategic military power?

Answer. It is vital that the United States maintain its capability to destroy the Soviet Union if a retaliatory strike is required.

6. Question. The Senator from Missouri has correctly pointed out that the military disadvantages of the treaty to the Soviet Union must also be considered, along with the military disadvantages to the United States. Would not the Senator from Missouri agree that in assessing the relative military disadvantages of the treaty, that the starting point, in terms of technology, of both the United States and the Soviet Union, is largely determinative of the degree of disadvantage from prohibition of testing in a particular environment?

Answer. As I understand the question, I agree that the degree of disadvantage imposed on a nation by the treaty is determined, to some extent, by where that nation is now as compared with the other in terms of nuclear technology. There is a tendency for progress to come harder to the nation ahead—breaking new ground. For example, advancements in yield-to-weight ratios become more difficult as one approaches the theoretical limits. Thus the Soviets—behind in medium- and low-yield weapons—could, if unlimited testing were allowed, be expected to make relatively rapid progress in those areas. Under the treaty, however, Soviet progress in these areas can be expected to be slower.

7. Question. The Senator has pointed out that the Soviets will be unable to test for blackout phenomena after the treaty goes into effect, just as will the United States. Isn't it a fact, however, that the Soviets specifically tested for blackout phenomena, and particularly as it applies to ABM systems, in the 1961–62 series, but that the United States has made no comparable test?

Answer. The Joint Chiefs of Staff said that the Soviets may possess some information not available to the United States. Dr. Brown, in his testimony added: "Yes, and we have some data that they may not have." Dr. Brown has stated that our tests were comparable to theirs—particularly in that they provided a much broader range of data from which extrapolation can be made with more confidence; that each side has had about the same number of tests, over yield ranges and altitude ranges which are comparable though not identical; that enough has been learned in the United States to verify the existence, nature, and rough dependence of blackout characteristics on yield and altitude, although important details still have not been explored; that the same is probably true in the Soviet Union; that enough is now known in the United States to determine for example how blackout enters, with other factors in the anti-ICBM problem, in determining the optimum radar frequency; and that both sides have done several tests with very extensive instrumentation. Both Dr. Brown and Dr. Bradbury testified that blackout tests were conducted by the United States in 1958 and 1962 and that we have learned enough about the problem to be able to take measures to design around it. Senator SPARKMAN on September 16 dealt with the matter. He referred also to the testimony in executive hearings of Mr. John McCone. I refer the Senate to the same source.

8. Question. Another factor which bears heavily on the relative military disadvantages of the treaty, as I am sure the Senator will agree, is the different strategies of the United States and the Soviets. Since the United States must rely on second strike capabilities, it must test to determine every possible vulnerability in its weapons systems, for to leave one that is unknown could spell disaster in the event of any enemy first strike. Since the Soviets rely on the strategy of a first, or preemptive strike, they do not have to test for the purpose of insuring the invulnerability of their own weapons systems, but can concentrate on ferreting out one or two vulnerabilities of our weapons systems and the proper weapons design to exploit our weapons systems vulnerabilities that they have found. Does this factor not require, in effect, far more comprehensive nuclear testing for weapons effects and proof tests by the United States to maintain its second strike force than is necessary for the Soviets to advance their first strike force?

Answer. Without regard to what the Soviet strategy actually is, prudence requires the United States to maintain strategic forces capable of surviving any Soviet surprise attack and delivering a devastating counterblow. In this connection, it is important to understand, with as little uncertainty as possible, the phenomena which may bear on the survivability of our systems. As I said on September 17, "While I regret * * * that the United States did not, before now, find the answer to more of the gnawing vulnerability questions, I am convinced that the Soviets, limited as they are by the terms of this treaty, will not be able to change the elemental facts of the strategic nuclear power balance." Our systems are many in number and involve great redundancy in command and control. This being the case, it is most unlikely that any one or two vulnerabilities will be critical. And, it should be noted that, hampered by the test ban, the Soviets will have difficulty estimating the nature of any weaknesses in U.S. systems which may exist.

9. Question. The Senator states that the Joint Chiefs of Staff have seen no need for a 100-megaton bomb. Is the Senator not aware that the Joint Chiefs of Staff have, in fact, recommended that we go ahead with the development of the big bomb?

Answer. The Secretary of Defense, in his testimony before the Senate Foreign Relations Committee, assured that "the United States, without any future testing, can develop a warhead with a yield of 50 to 60 megatons for B–52 delivery." This size and type weapon, I understand, falls within the range of interest expressed by the Joint Chiefs of Staff in the recommendation referred to. The Joint Chiefs of Staff in their statement of position on the limited test ban treaty said that "The Joint Chiefs of Staff have not regarded as important the attainment of weapons in the 100-megaton range from which the United States will be debarred by the treaty. They feel that the types and numbers of megaton yield weapons available to us now or in the future could give us an adequate capability in the high-yield weapon range." As the report of the Foreign Relations Committee points out: "Even Dr. Edward Teller, a critic of the treaty, recently commented: 'It is not clear to me that these very big yields will result in a substantial advantage for the Russians. * * * In evaluating the consequences of the test ban, I do not place very great importance on the lead which the Russians enjoy in this particular field.'" He has also agreed that we do not need atmospheric testing in order to construct larger bombs.

10. Question. Isn't it also a fact that General LeMay recommended the development of a big bomb as early as 1954, but that he was refused?

Answer. General LeMay testified: "I asked for, the Air Force asked for, a big yield bomb as early as 1954." Testimony also brought out this was a bomb of over 50 megatons.

11. Question. Isn't it a fact that one of the reasons that the recommendation of the military for development of a big bomb has never been approved lies in the fact that the defense policy of the Nation is based on a shift in reliance from manned aircraft, which could deliver a very high yield weapon, to ballistic missiles, in which we do not now have a capability of delivering the necessary weight to achieve the very high yield?

Answer. I am told that the reasons for no decision to develop a very big bomb are many. The principal one is the absence of a military role in which such a weapon was superior to smaller weapons. It must be borne in mind that, as weapons to use against military targets in a retaliation role, larger numbers of smaller weapons are to be preferred on a cost-effectiveness basis, and also because the smaller delivery systems are easier to harden or make mobile. With respect to the shift in emphasis to missile delivery, it should be remembered both that manned aircraft will have an important role in the foreseeable future and that, without atmospheric testing, larger warheads could be developed and stockpiled for our bombers as well as our future missile systems.

12. Question. The Preparedness Subcommittee report, in which the Senator from Missouri attests as to the accuracy of the facts reports as a fact that, and I quote: "The United States will be unable to acquire necessary data on the effects of very high yield atmospheric explosions. Without such knowledge it is unlikely that a realistic assessment can be made of the military value of such weapons." Would the Senator not agree that the Soviets have a distinct lead over the United States in this area, and that we do not now have the necessary information from which to assess the military potential of the 100-megaton bomb when used against us.

Answer. This part of the subcommittee report was a conclusion, and by the testimony a disputed fact. Dr. Harold Brown, Director of Defense Research and Engineering, stated that "although they have done more high yield tests, those were not effects tests. Their geography, and the associated activity does not indicate to me that they are effects tests." Here again, I refer the Senate to the testimony in executive hearings by Mr. John McCone, Director of the Central Intelligence Agency. With respect to the adequacy of information at our disposal, I repeat my regrets, stated to the Senate on September 17, that we did not, before now, take more steps to reduce our uncertainties relating to the survivability of our missile force. But I am advised that we do have a great deal of information from which to assess the military potential of a 100-megaton bomb used against us; and that the Soviets know no more than we do about any vulnerabilities that may exist.

13. Question. Would the Senator not agree, that regardless of whether the United States would decide, after acquisition of sufficient information on which to make a realistic evaluation, to build a 100-megaton bomb for its own arsenal or not, that it is a major disadvantage for the enemy to have a major weapon of which he knows the military potential, and for the United States to know existence of the weapon, but to be precluded from ascertaining with some degree of certainty its military potential?"

Answer. There is no reason to believe that the Soviets know more than we do about the military potential of a 100-megaton bomb. Neither side has tested one. The 60-megaton test by the Soviets was a weapons, not effects, test. As for the implication of a Soviet technological lead in the very high yield range, the Joint Chiefs of Staff have testified that technological superiority is only one aspect of the net security which must take into account the number of weapons, variety of delivery systems and the magnitude of nuclear plant and stockpile: "As to net superiority in ability to inflict damage on the enemy, the Joint Chiefs of Staff consider that the United States at present is clearly ahead of the U.S.S.R. in the ability to wage strategic nuclear war." We have data from which we can estimate the effects of very large weapons.

14. Question. The Senator is quite pessimistic about the ability of either the United States or the Soviet Union to develop an effective ABM system. According to the information we now have, the Soviets have deployed an ABM system in one location to which we attribute significant effectiveness in defending against IRBM's, including the Polaris, which incidentally are not missiles which can be salvoed, but we attribute very little effectiveness to this system against ICBM's. In view of the fact that it is possible that the vulnerabilities of our missiles in silos could possibly be exploited by some weapons effects of which we are not now fully knowledgeable, to say the least, would the Senator not agree that under some circumstances the present Soviet technological capabilities in the ABM field are of large significance?

Answer. The problems which face us, and presumably the Soviets, in any attempt to develop an ABM system are concentrated, primarily, in nonnuclear areas—in areas unaffected by the treaty (reaction speed, missile performance, traffic handling capacity, and capacity for decoy discrimination). So the question asked is one largely unrelated to the test ban. Nevertheless, with respect to the Soviet ABM position, the Preparedness Investigating Subcommittee's report did not find that the Soviets have deployed an ABM system which has significant effectiveness in defending against IRBM's. Dr. Brown stated that he does not believe that the Soviets have deployed any installation as good as, certainly not better than, Nike-Zeus. Moreover, with respect to the Polaris missile, it would be mistaken to conclude from the fact that a missile is not salvoed that it has no penetration capability against an ABM system. As the Foreign Relations Committee report points out, penetration capability includes such techniques as multiple warheads, varied trajectories, the use of heavy and light decoys, and so forth. With respect to relative positions in ABM technology, the testimony of Dr. Seaborg, Dr. Brown, and Dr. York is that the relative strength of the United States and the U.S.S.R. in the ABM field is comparable and that the United States may be ahead. Further, it must be remembered that even the most ardent ABM supporters did not testify that an ABM system could be counted on to save a nation from lethal harm.

15. Question. As the Senator correctly stated, the Soviets could not, if they abide by the treaty, obtain any more information from ABM testing than could the United States while the treaty was in effect. Is it not true, however, that the Soviets have already performed tests dictated by ABM considerations specifically on the blackout problem, to which the United States had made nothing comparable?

Answer. See my answer to question 7.

16. Question. The Senator stated that "specifically, apprehensions in the ABM field were not borne out, at least to me, in the highly classified intelligence briefings we received." Is it not true that the briefings to which the Senator refers included a specific description of Soviet ABM tests, to which we have performed nothing comparable?

Answer. Dr. Brown compared the United States and U.S.S.R. ABM tests as follows: "The Soviets have said that they have intercepted a missile with a missile. We have intercepted a missile with a missile on numerous occasions. The Soviets have not said—and on my examination of all the available evidence I believe that they have not intercepted a missile with a missile at ICBM ranges, that is at ranges of many thousands, several thousand miles, 4,000 or more. It is not a firm conclusion but it is what I believe. We have intercepted a missile at ICBM ranges, at our test site at Kwajalein. Second, the Soviets have not said that they have intercepted a missile with an interceptor carrying an exploding nuclear warhead. Again, on investigation of the relevant facts, I conclude that they have not. We have not, either, and I conclude from that that neither we nor they feel that is the most vital part of an antimissile development."

17. Question. Is it not true that the highly complex ABM tests performed by the Soviets could have, and probably did provide valuable information on the ability of an ABM system to operate in a nuclear environment, including radar and communications blackout, and that we do not know the precise results, or the thrust of the knowledge that the Soviets gained thereby?

Answer. The Soviets obviously obtained important blackout information from their tests, as did we from ours. We do not know the precise results of their tests, nor do they know the precise results of ours. It is likely that both sides understand the thrust of the knowledge gained by the other. In this connection, see my answers to questions 7 and 14.

18. Question. Will the Senator from Missouri tell us whether the Joint Chiefs of Staff, when they made their assessment of the treaty, had all of the details of the Soviet ABM tests in their possession, or whether certain significant facts about the tests had never been disclosed to them?

Answer. After reading this question, I checked with the Department of Defense, and am advised by the Department of Defense that the Joint Chiefs of Staff had full access to all the information available on Soviet testing.

19. Question. In discussing the question of vulnerabilities of our missile sites, the Senator points out that the Soviets will not be able to make tests to determine vulnerabilities any more than will the United States under the treaty. Once again, we must go back and examine the point from which each side starts if we are to reach an objective evaluation. The U.S. reliance on a second strike strategy, together with the Soviet reliance on a first strike strategy, makes it incumbent on the United States to have a broader spectrum of knowledge on the vulnerabilities of missile sites than the Soviets. Is it not a fact that the Soviets have demonstrated in their tests that they know more about exotic radiation effects than does the United States?

Answer. See my answer to questions 8 and 12.

20. Question. Is it not true that the magnitude and residuality of some electromagnetic phenomena varies substantially according to the time when the nuclear explosion takes place?

Answer. If the phenomena referred to is blackout, I am advised that it probably does vary substantially according to the time of day and magnetic latitude.

21. Question. Is it not true that the United States has generally tested for weapons effects in the atmosphere only at periods when such effects were at a minimum, while the Soviets have tested for the maximum of such effects?

Answer. I am advised that most weapons effects are not sensitive to the time when the explosion takes place. With respect to blackout, it is true that U.S. tests have been conducted at a time of day when the effect would probably be lesser and that the Soviet tests have been conducted at that time of day when the effect would probably be greater. I am also advised, however, because of the physical manifestations of blackout and the methods used to record those manifestations—that is, the instrumentation of the tests—the information gained from a test is likely to be greater if the tests are performed as the United States has scheduled them.

22. Question. Is it not also true that the Soviet tests of very high yield weapons over the Soviet Union demonstrated a very long-range effectiveness of some electromagnetic phenomena against communications circuits?

Answer. As was predicted, high-yield, high-altitude Soviet explosions did affect some communications circuits for a limited period of time.

23. Question. Is it not true that although the time of explosion of the nuclear warhead substantially affects the level of electromagnetic phenomena, even in the same medium where the warhead is detonated, that we have attempted to test the effects of this

phenomenon only underground, not even in the medium where the weapon would presumably be detonated, with a very small yield explosion and attempted to extrapolate the results?

Answer. Our experiments directed at blackout and electromagnetic pulse have been conducted in the atmosphere. Certain yield and altitude extrapolations have been required—as would be the case for the Soviets as well.

24. Question. Would the Senator not agree that the Soviets have demonstrated a capability for producing the maximum level and residuality of exotic radiation effects with a very high yield warhead, and that, if their tests were properly instrumented, they had the opportunity to learn much about the effects of these phenomena?

Answer. There is no indication that the very high yield Soviet warhead was exploded at an altitude which would optimize exotic radiation effects. Furthermore, Dr. Brown testified that the test was not instrumented for effects purposes.

25. Question. Would the Senator not agree that in these exotic radiation effects of nuclear explosions could possibly and even probably lie vulnerabilities to our missile sites and the communications and control circuits, as well to our early warning systems?

Answer. It is possible but not probable that radiation effects could render any given missile site, communication and control circuit, or some portion of our early warning system vulnerable in some unassessed way. Secretary McNamara addressed this problem at length in his statement before the Foreign Relations Committee as follows:

"Our missile force is deployed so as to assure that under any conceivable Soviet first strike, a substantial portion of it would remain in firing condition. Most of the land-based portion of the force has been hardened, as well as dispersed. In addition, we have duplicative facilities which will in the future include the capability of launching each individual Minuteman by a signal from airborne control posts. The United States now has a substantial amount of information in this area of hardened missile-site vulnerability. Our knowledge of the Soviet testing program leads us to believe that their uncertainties are at least as great as ours. Uncertainties of this kind, and others—into which we must count uncertainties of the accuracy of Soviet missiles—will continue to be compensated for by conservative designs, wide dispersal and large quantities of missiles.

"Furthermore, the most pessimistic view of these uncertainties suggests a vulnerability ratio for our hardened, dispersed Minuteman sites or less than two sites killed on the average by a single very large-yield Soviet missile. It is clear that the Soviets do not have anything like the number of missiles necessary to knock out our Minutemen force, nor do they appear to have any present plans to acquire such a capacity."

I understand also that, with respect to our early warning system, blackout from a very high yield nuclear explosion would itself be a form of warning.

26. Question. Would not the Senator agree, as is stated in the Preparedness Subcommittee's report, that the Soviets now enjoy a lead in knowledge of high yield weapons effects?

Answer. On this point, the report of the Preparedness Investigating Subcommittee used the words "probably" and "prudent to assume." With respect to the merits of the point, see my answers to questions 8 and 12.

27. Question. Would not the Senator agree that the knowledge of weapons effects, particularly the exotic radiation effects, and knowledge of the vulnerabilities of our missile silos and communications and control circuits are so closely related that they are for all practical purposes inseparable?

Answer. Yes; and all of these areas are related inseparably to factors such as numbers, diversity, accuracies, and yields of weapons, redundancy of command and control, national strategies, and so on.

28. Question. The Senator from Missouri has quoted the concluding paragraph of the presentation of Gen. Maxwell Taylor for the Joint Chiefs of Staff which states: "It is the judgment of the Joint Chiefs of Staff that, if adequate safeguards are established, the risks inherent in this treaty can be accepted in order to seek the important gains which may be achieved through a stabilization in international relations and a move toward a peaceful environment in which to seek resolution of our differences." Does the Senator believe, as is implied by the statement he quoted, that the treaty will lead to a stabilization of international relations?

Answer. I believe that the treaty could be a step toward, rather than away from, a more stable order in international affairs and a more peaceful environment. No one has suggested that the treaty by itself will lead inevitably toward firm, peaceful international relations. See also my answer to question 33.

29. Question. Does the Senator believe, as this same quotation implies, that the treaty is a move toward a peaceful environment?

Answer. See my answer to question 28.

30. Question. Does the Senator believe that this treaty will cause the Berlin wall to be torn down, so that this unstabilizing factor on international relations will disappear?

Answer. No.

31. Question. Does the Senator believe that this treaty will improve the situation in Vietnam caused by Communist aggression?

Answer. No, at least not in the short term.

32. Question. Does the Senator believe that this treaty will eliminate the Communist regime in Cuba, or reduce the all-out efforts of the Communists to subvert Latin America?

Answer. The treaty will not solve the problem of the Communist attempt to penetrate Latin America.

33. Question. In what way, if any, will this treaty lead to the stabilization of international relations and a peaceful environment?

Answer. In my statement to the Senate on September 17, I said that, after advising and consenting to the treaty, the Senate, "together with the other arms of the U.S. Government, should gird for the contest in the new situation. We must do our part, not only to ensure that the four safeguards listed by the Joint Chiefs of Staff are effectively implemented, but also to maintain the vigilance and strength of the Nation while the small first step which this treaty represents finds its way into the complex of conditions from which the future will be made." I concluded: "With our eyes open, therefore, let us give weight to the fact that this treaty might point the way toward bringing nuclear weapons under some form of satisfactory control; and thereby furnish hope that a just and lasting peace will move out of the shadows into more of the light."

34. Question. Would not the Senator agree that the principal power from whose acquisition of nuclear weapons the greatest danger of nuclear war arises is Communist China?

Answer. Proliferation of a nuclear weapons capability to Communist China will be very unfortunate and dangerous, as would proliferation to certain other nations. China, I would think, would be the most dangerous.

35. Question. This treaty will not prevent the development of nuclear weapons by Red China, will it?

Answer. This treaty alone cannot prevent Red China from developing nuclear weapons. However, in two respects, it may retard that development. By its provisions the treaty prevents the signatories from assisting any nation in carrying on nuclear testing in the prohibited environments. Furthermore, as I see it, no country which is fighting for leadership in the Communist and uncommitted world can be totally oblivious to the sentiments of the over 100 signatories who have already signed this treaty.

36. Question. Is it the understanding of the Senator from Missouri from the testimony of official witnesses that the United States will withdraw from the treaty if Red China tests nuclear weapons in one of the three environments in which testing is banned by the treaty, although Red China will not be a party to the treaty?

Answer. I understood witnesses to say that whether the United States will withdraw from the treaty if and when Red China tests a nuclear device in the prohibited environments will depend upon a number of factors that cannot be determined at the present time. To me the important point would seem to be the fact that we have retained the right to withdraw, in this or any other case, if we think withdrawal advisable in our own national interests.

THE LATE CARL A. HATCH, OF NEW MEXICO

Mr. CARLSON. Mr. President, former U.S. Senator Carl A. Hatch, of New Mexico, who passed away last week, was born in Kansas, and was one of the Senate's truly great statesmen.

I think it appropriate to mention the fact that he was the author of the Hatch Act, which Congress first passed in 1939, and a year later enlarged in scope. This legislation was timely, in that the Federal employees had been pressured to make contributions to political organizations. The situation became so bad that there was a general uprising against it. The late Senator Hatch wrote the legislation known as the Hatch Act, which was to prevent these abuses.

As we now approach another political campaign, there are rumors that the Federal employees may again be pressured to participate in raising funds for COPE, the political arm of the AFL–CIO. I hope this is only a rumor, for I think it would be most unfortunate if the Federal workers were again subjected to the pressures of political groups and organizations.

In the Wednesday, September 18, issue of the Topeka Daily Capital there was published an editorial entitled "Father of Hatch Act." I ask unanimous consent that it be printed in the RECORD, as a part of these remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FATHER OF HATCH ACT

The death of former U.S. Senator Carl A. Hatch, of New Mexico, recalls his vigorous efforts to bring about political reforms through the Hatch Act which Congress first approved in 1939 and, a year later, enlarged the scope of the act.

Senator Hatch sought to restrict and control the political activities of members of the Federal civil service and at the same time protect them from intimidation or coercion in voting at elections.

The first Hatch legislation was designed primarily to prevent abuses such as had been reported by the Sheppard Senate committee in connection with the congressional campaign of 1938, when great numbers of people were on relief rolls.

Besides forbidding intimidation or coercion of Federal employees during election campaigns, the act prohibited solicitation or receipt of political contributions from relief workers or persons receiving Federal relief. Nor could relief funds be used to coerce voters, and it became unlawful for any person to promise any employment or other benefit as a reward for political activity.

The second Hatch Act, approved in 1940, extended the ban on partisan coercion, campaign assessments, and political activity to cover employees of State and local governments if engaged in full-time activities financed wholly or in part by Federal funds. This affected large blocs of highway department employees, for example, in the various States.

Drastic changes were also made in regulations governing campaign funds. Any political committee operating in more than one State was required to limit its expenditures to $3 million in any calendar year. At the same time individual contributions for use in campaigns to nominate and elect Federal officers were restricted to $5,000 each in any calendar year.

The first test of the law in the 1940 elections showed the law relating to contributions and expenditures to be full of loopholes, arising from vague phraseology which made it difficult to enforce. Committees acting independently of regular national committees collected and spent sums far in excess of the maximum allowed by the Hatch law. The 1944 presidential campaign provided additional evidence, historians note, of the ineffectiveness of the Hatch Act.

Perhaps the Hatch Act could be included in the same category or could be classed as another noble experiment in Government but it did give some of the politicians pause and made them more circumspect in their operations.

If the Hatch Act has not been as effective as Senator Hatch hoped it would be, it in no wise dims the Senator's efforts to curb corruption and establish politics on a higher plane.

Aside from a notable career in the U.S. Senate, Senator Hatch was learned in the law and eventually became a Federal district judge in New Mexico. One of his colleagues on the Federal bench has described him as a "sound, upright man—constructive in every way."

He was also a kindly man, possessed of great good humor even after his eyesight began to fail and he retired from the Federal judiciary. Probably it was not well known in Kansas that the Senator from New Mexico, who fathered the Hatch Act, was a native Kansan, born at Kirwin in 1889. His career was a creditable one and he served the public well.

CIVIL RIGHTS IN ALABAMA

Mr. MORSE. Mr. President, an editorial, entitled "They That Take the Sword," which was published this morning in the Washington Post, is a timely warning to the Negro leaders of America that in their legitimate fight for their constitutional rights, there is no place for violence or, as is pointed out in the editorial, for taking up the sword. The Post editorial includes the admonition, "Put up again thy sword into his place, for all they that take the sword shall perish with the sword."

Mr. President, I yield to no one in my support of the right of the Negroes of America to peaceably demonstrate and in my support of the right of the Negroes of America to participate in the mass program that is characterized by their struggle to date for their constitutional rights. But, as is pointed out in the Washington Post editorial, there is no place for disobedience of law, for resort to violence, or for taking up the sword.

I say that, Mr. President, as I ask unanimous consent to have printed in the Record the editorial and an article—also published this morning in the Washington Post—covering the President's conference with several Birmingham civic leaders. It is with great regret that I read in the article the statement that Mr. Hamilton, one of the Birmingham civic leaders, afterward is reported to have said that—

> He would be less than frank if he did not say that a large proportion of the people of Birmingham, including many Negroes, believe in the separate but equal doctrine.
>
> The majority of the people are firmly, deeply dedicated to the principle of segregation.

Mr. President, that does not augur well, let me say, for an amicable settlement of the dispute in Birmingham. The people of Alabama need to be told that, after all, segregation is unconstitutional. They have no right to maintain their separate but equal policy. If Mr. Hamilton's defense of race discrimination in Alabama represents the civic leadership of Birmingham, then, Mr. President, in my judgment, there will be very little hope of a friendly settlement of the dispute in Birmingham. Furthermore, those who take the position—which was taken yesterday by the Birmingham leaders—that outsiders, such as Martin Luther King, are not welcome in Birmingham cannot lead the way to a fair settlement of Birmingham's race problem. These men must be made to understand that they have neither the moral right nor the legal right to perpetuate a South African apartheid social and economic system in Alabama. The U.S. Constitution must supplant race prejudice in Alabama.

It is clear that the Birmingham leaders—as stated in this great editorial of the Washington Post—should not follow a course of action that causes suffering people to resort to violence.

I hope the Post editorial will be read carefully both by the white leaders of Birmingham and the Negroes.

There being no objection, the editorial and the article were ordered to be printed in the Record as follows:

[From the Washington Post, Sept. 24, 1963]

They That Take the Sword

Concern for civil rights and sympathy with Negroes in their struggle to realize those rights dictate a blunt, candid warning to Negro leaders. They are being urged by the organization known as the Student Nonviolent Coordinating Committee to change their strategy from peaceful protests, demonstrations, and litigation to an organized and widespread campaign of civil disobedience and disruption of the economy. They will be under strong temptation and pressure to pursue such a course. It is a course, we are convinced, which can lead only to destruction and disaster.

The proposal of the student group calls for a massive, uniformed army trained and prepared to obstruct the use of Government buildings, airports, highways, railroad tracks and other public facilities. This army would be unarmed and nonviolent; it would anticipate arrests in great numbers for the purpose of filling up jails and overtaxing the police. Although the proposed army would neither attack nor resist and would make a principle of nonviolence, it would, of course, inevitably invite and foment violence.

In places such as Alabama and Mississippi and Louisiana, where progress in recognition of their rights seems unbearably slow, this strategy must be appealing to Negroes as a means of dramatizing their plight and expressing their sense of moral outrage. As things are, they suffer violence at the hands of the police and others and so suppose that they have little to lose. And many of them, no doubt, have lost faith in the efficacy of courts or the morality of the white community.

But in the end it is upon courts and upon the rule of law that Negroes must rely. It is folly—ruinous folly—for those who depend upon the law to deride and defy it.

Let the Negro leaders make no mistake about it; however non-violent their intentions, if they obstruct public business, the public will have to end the obstruction. No government worthy of the name can permit any minority to block access to public places or to frustrate the majority in its lawful activities.

It is a mistake to suppose that civil disobedience can work for Negroes in the United States as it worked for Indians against British rule in India. Negroes in the United States are a minority; Indians in India were a vast majority.

The strategy of militant civil disobedience for Negroes in the United States would impose upon them an absolute and damaging separation from the white community—when the real goal of the civil rights movement is full integration. It would end with the alienation of all who believe in the rule of law—of all who have faith in the ultimate triumph of justice and morality in America.

Civil disobedience, whether it be called violent or nonviolent is not the Negro's most powerful weapon. "Put up again thy sword into his place," Jesus said; "for all they that take the sword shall perish with the sword." If Negroes can retain a faith in American ideals and American institutions and in their fellow-Americans, that faith, in good time, will be vindicated.

J.F.K. Holds Alabama Racial Talks—Willing To Let Local Groups Work for Solution

(By Carroll Kilpatrick)

President Kennedy last night expressed confidence that the racial difficulties in Birmingham may be settled on the scene by local white and Negro leaders working together.

After meeting with two groups of Birmingham white leaders, the President conferred with former Secretary of the Army Kenneth C. Royall and Earl H. Blaik, former West Point football coach, whom he named last week to cooperate with Birmingham leaders.

They are flying to Birmingham today to help restore "good communications between the white and Negro communities in that city and in easing the racial tensions which now exist," the President said in a statement.

"We have now had expression from all the major elements in the city that this committee will be welcome and I ask everyone to cooperate with them," Mr. Kennedy said.

LOCAL LEVEL STRESSED

"All the groups have expressed confidence that these matters can be settled on a local level. That is also my strong belief. I am hopeful that all groups will work vigorously to that end in the coming days."

Royall and Blaik, who conferred with the President from about 7:45 p.m. to 8:15 p.m., made no statement on leaving the White House.

The President met for an hour and a half earlier in the day with a five-man group representing Birmingham's Mayor Albert Boutwell.

Declaring that they welcomed the Royall-Blaik mission, they appealed to the President to use his influence to prevent demonstrations and outside intervention in the coming days.

Late yesterday, the President conferred with six clergymen representing Catholic, Protestant and Jewish churches in Birmingham.

The Reverend George Murray, bishop coadjutor of the Episcopal Diocese of Alabama and spokesman for the group, said:

"We have assured the President, as have city officials and Negro leaders in Birmingham, of our desire to cooperate with these men (Royall and Blaik) in seeking to improve racial harmony in our city."

Bishop Murray was reluctant to discuss the Alabama situation, but he made it clear he favored vigorous action to improve race relations. The earlier group representing the mayor, made it clear they favored a peaceful solution on the basis of segregation.

The President said all the persons in yesterday's meetings expressed a desire to meet Birmingham's problems within the city itself, and to make progress on the problems which confront that troubled city.

Following the meeting with the mayor's representatives, William C. Hamilton, executive secretary to Boutwell, said the group told the President the city needed at least 2 weeks of peace and quiet to work out its problems.

The group asked for an end of all outside interference.

Hamilton implied that the city also would like to work out its problems without help from Alabama's Gov. George C. Wallace. However, Hamilton said the presence of State police had been requested last week and proved to be helpful. He defended their activities.

Asked to explain what he meant by peace and quiet, Hamilton said no bombings, no fights, no demonstrations, no bitter, angry arguments, just quiet talk and quiet work.

Don A. Hawkins, chairman of Birminghams' Community Relations Council and a member of the city council, when asked if the group considered the Reverend Dr. Martin Luther King as an outsider, replied in the affirmative. Dr. King now lives in Atlanta.

Hamilton said he would be less than frank if he did not say that a large proportion of the people of Birmingham, including many Negroes, believe in the separate but equal doctrine.

"The majority of the people," he said, "are firmly, deeply dedicated to the principle of segregation."

Hamilton said the President listened attentively to the group's presentation and promised to do all he could to help.

"His response was certainly one of attention and interest and sympathy," Hamilton said. "We laid before the President what we believe is the real and total picture of Birmingham."

Hamilton insisted that Birmingham had been mistakenly pictured as a city of violence. It has had a good history of race relations, he said.

Recent troubles, he said, have been brought on by the temper of the times.

The Reverend Landon Miller, president of the Birmingham Interdenominational Council and pastor of the Ruhama Baptist Church, said his purpose was to express to the President "the moral concern of our city."

"The city is heartbroken over the variety of recent incidents, particularly the bombing of the church," said the Baptist minister, a member of Mayor Boutwell's delegation.

The group delivered a letter to the President from Boutwell thanking the President for the meeting.

Their duty, Boutwell said, was to lay before the President "the facts of our problems and our future potentials as an American city.

"It is our purpose to bring to your office no added burden but a better understanding so that the solutions we locally devise may promote both peace and credit for Birmingham and for this Nation we love as dearly as any citizens anywhere."

The VICE PRESIDENT. All time has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may have an additional minute and one-half, in order to yield 45 seconds to the Senator from Kentucky [Mr. MORTON] and 45 seconds to the Senator from Arkansas [Mr. FULBRIGHT].

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. I now yield to the Senator from Kentucky.

QUALITY STABILIZATION LEGISLATION

Mr. MORTON. Mr. President, there now seems no doubt that a heavily financed campaign to defeat the quality stabilization bill is underway.

The campaign against this bill is vicious. It is irresponsible. It is baseless.

The quality stabilization bill is a commonsense, practical solution to critical problems now facing this country in the distribution of brand-name products. It is 100 percent consistent with our free, competitive enterprise system. It is long overdue of enactment.

The Nation's press unwittingly is being "used" by the opponents of this bill. The propaganda appearing in the press is clever. It has emotional appeal. But, in truth, the propaganda of the opponents of the quality stabilization bill is distortion. It is falsehood. It is the half truth.

The campaign against this bill reflects the worst tricks of the professional propagandist: "Tell a lie—keep repeating it—until finally it is accepted as the truth. Or use semantics that twist or handicap analysis. Or use front groups that have emotional support—the soldier, the Department of Defense, the senior citizen, the poor family with a house full of children."

Mr. President, I must confess that when I cosponsored the quality stabilization bill, I had no feeling whatsoever about the discount house, as such. I knew this bill was not directed at it; that when the bill became law, it would not result in discrimination against the discount houses. My personal feeling was that if the discount house could "make a buck" fairly and squarely, then more power to it. I knew that the quality stabilization bill did not protect anyone—including the discount houses—from rigorous but fair competition—which is the way the situation should be.

But in the light of this vicious and very expensive campaign against the quality stabilization bill, I wonder whether I really understand the discount house. What prompts this massive campaign of deception against the quality stabilization bill? I, too, had heard the statement that the discount house was out to destroy all competition. I thought the statement was extreme. But, as I have said, now I wonder.

Is the operation of the discount house in fact so tricky that it would collapse if it could not use honored brand names as loss leaders for baiting and switching purposes? Is that the source of the discounter's concern—a concern so great that it motivates this shameful campaign against the quality stabilization bill? Frankly, I do not know.

But someone has organized this vicious, high-priced campaign against the quality stabilization bill. A sharp hatchet is being wielded.

Consider, Mr. President, the September issue of Exchange & Commissary News. Hold your breath, because this publication, in its lead story on page 1, says the Department of Defense believes passage of the bill would add billions of dollars to the country's defense budget for the 1964 fiscal year.

Can one imagine that the Department of Defense would drop down to a corner hardware store, to buy some missiles and tanks? Let us hope the Department of Defense is mainly interested in another kind of hardware.

But let us not laugh too quickly. Ridiculous as is the statement about the impact of the quality stabilization bill on the Department of Defense, in only a few days Senators will be receiving some letters, written in a serious vein, telling them to vote against the quality stabilization bill because it would add billions of dollars to the cost of the country's defense.

The Exchange & Commissary News buries deep in its story, after it does considerable damage to the quality stabilization bill, a qualification:

> Even though the bill exempts the Federal Government from its provisions, the Defense Department feels it would get caught up in a maze of legalistic gray areas since it is the country's largest consumer and its activities take in every phase of daily life.

This qualification is typical of the baseless allegations about the quality stabilization bill being served to the public by the Nation's press.

The article says the "Defense Department feels it would get caught up in a maze of legalistic gray areas."

Let us study those legalistic gray areas by examining the wording of the bill itself.

Paragraph 16 of the quality stabilization bill says:

> The following transactions shall be exempt from paragraphs (7) to (15), inclusive, of this subsection—(D) Sales to or by the Federal, State, or municipal governments or their political subdivisions or agencies.

How explicit can one be in the drafting of language?

This publication further said:

> The Pentagon also sees the bill as an oblique attempt to chip away at fringe benefits now enjoyed by military personnel and their dependents, because of the strong national brand policy followed by exchanges and commissaries in the items they stock.

Here, again, is a deliberate attempt to sway the emotions by making a baseless charge. And it is even more despicable in this particular instance, because the publication was advised, before it printed its story, that government exchanges and commissaries were obviously exempted from the operation of the quality stabilization bill.

The Senator from Minnesota [Mr. HUMPHREY], a militant supporter of the quality stabilization bill, also is concerned with the malicious, intemperate, and unreasoned attacks on the quality stabilization bill. I cannot state better the thoughts he expressed so eloquently on the floor on August 26. He made these points:

> It is the concern that many Members of Congress feel over the increasingly large number of vacant stores throughout the country that has prompted their support for the quality stabilization bill pending in both Houses.
>
> While there has been a considerable attack on the bill, I have not found anyone who has proposed a better alternative with respect to the difficult situation confronting the independent retailer merchant in America, who is the victim today of high interest rates, of monopolistic competitions, and of discounters. Until some of the editors of the large newspapers and some of the governmental officials can point out a better alternative than the quality stabilization bill, I think they would be well advised to be a little more moderate in their condemnation.
>
> I am keenly interested in the survival of our private enterprise economy. Mere pleasant-sounding words about the value of an independent free enterprise economy are not adequate. There must be some kind of remedial action, some kind of legislative protection. One of the purposes of the quality stabilization bill is that legislative protection.

In recent days, I have discussed with other sponsors of the quality stabilization bill the repeated charges in the press that Senators and Members of the House have been blindfolded by a price-fixing lobby that is quietly hustling the bill through Congress. Of course we resent this charge—one of the more charitable of the accusations being made against us. Other attacks on us question, in effect, our morality, our ethics, and our intelligence.

Here are the names of some Senators who are actively working for passage of the quality stabilization bill: Senators HUMPHREY, KUCHEL, MCCARTHY, SCOTT, PROXMIRE, MUNDT, RANDOLPH, CARLSON, INOUYE, and YOUNG.

Among the supporters on the House side are Representatives HARRIS, MADDEN, HORAN, NELSEN, TOLLEFSON, MAY, PELLY, TOLL, CEDERBERG, HOLIFIELD, DENT, FRIEDEL, ROUDEBUSH, STINSON, O'KONSKI, BRAY, GLENN, STUBBLEFIELD, CLARK, JARMAN, HARVEY, BATTIN, and WYMAN.

It is my belief and firm conviction, Mr. President, that these "immoral, unethical, blind, and stupid" Members of Congress, including the present speaker, the junior Senator from Kentucky, will not run in this fight, but in fact will continue to do everything possible to have the quality stabilization bill enacted into law.

We will do so for one reason: The quality stabilization bill is in the public interest.

TREATIES AND OTHER INTERNATIONAL AGREEMENTS

Mr. FULBRIGHT. Mr. President, as pointed out in the comprehensive work—sponsored by the Hoover Institution on War, Revolution, and Peace—on "The Theory, Law, and Policy of Soviet Treaties," covering all Soviet treaties through 1957, the U.S.S.R. had entered into more treaties with the United States than it had entered into with any other nation.

A list, prepared by the Assistant Legal Adviser for Treaty Affairs, of the U.S. Department of State, includes 128 treaties and other international agreements now in force between the United States and the U.S.S.R.

Of this list, 70 are treaties—that is, formal instruments which have been entered into by the United States, with the advice and consent of the U.S. Senate.

The significant fact that emerges from an examination of the 70 treaties to which the United States and the Soviet Union are parties is that only 6 of them are viewed as having been violated by the Soviet Union. And of the six violated by the Soviet Union, one is the Kellogg-Briand Pact of 1928, which was a renunciation of war as an instrument of national policy. Another is the Charter of the United Nations, which, according to the Department of State, the Soviet Union has violated in various of its terms. Three of the other treaties are treaties of peace with Hungary, Rumania, and Bulgaria. The final one is the Convention on Prisoners of War of 1949.

Fifty-eight other, less formal, international agreements to which the United States and the Soviet Union are parties are included in the list. Of these 58 other agreements, the Department of State views the Soviet Union as in violation of 21. Included among the other international agreements the Soviet has violated are the Roosevelt-Litvinov agreements establishing diplomatic relations with the Soviet Union, certain lend-lease agreements, the Yalta agreements relating to prisoners of war and civilians, the Atlantic Charter, a series of armistice agreements, the Potsdam agreements, and various others. It should be noted that none of the agreements in the latter category was a treaty, in the formal sense of having to be approved by the Senate. Perhaps they should have been, but they were not.

I ask unanimous consent to have printed in the RECORD at this point the list to which I have referred.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

[Prepared by the Assistant Legal Adviser for Treaty Affairs, Department of State]

LIST OF TREATIES AND OTHER INTERNATIONAL AGREEMENTS BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS, WITH INDICATIONS OF THOSE WHICH IT IS CONSIDERED THE SOVIET UNION HAS VIOLATED

ABBREVIATIONS

TIAS, TS, and EAS: Treaties and other International Acts Series, Treaty Series, Executive Agreement Series, respectively, published by the Department of State.

GENERAL NOTES

Although, in a generic sense, it may be appropriate to refer to any definitive agreement between nations as a treaty, the term "treaty" is understood, for the purposes of this list, in the United States constitutional sense to be an international agreement which is brought into force for the United States after approval thereof by the Senate in accordance with customary treaty procedures.

This list is divided into two major headings; namely: I. Pre-Revolution treaties and agreement; II. Post-Revolution treaties and agreements. Under each major heading, there are A and B subheadings for bilateral and multilateral, respectively. Under each of these subheadings is a further division into "1. Treaties" and "2. International agreements other than treaties."

With respect to violations by the Soviet Union, a parenthetical comment is included in each case where the U.S. Government has taken the position that the Soviet Union has violated the treaty or other agreement in whole or in part. For details, see the analysis prepared by the Department of State at the request of the chairman of the Committee on Foreign Affairs of the House of Representatives concerning the activities and conduct of the Soviet Union in the international arena and published by that committee during the 87th Congress, 1st session, under the date September 27, 1961, as a committee print bearing the title "Background Information on the Soviet Union in International Relations." That analysis includes not only references to agreements between the United States and the Soviet Union but also to many agreements which were made between the Soviet Union and other countries and to which the United States was not a party.

I. PREREVOLUTION TREATIES AND AGREEMENTS

NOTE. Certain treaties and other agreements which were in force with respect to czarist Russia are considered as having continued in effect with respect to the Union of Soviet Socialist Republics following the Russian revolution of 1917. The United States accorded recognition to the Soviet regime in November 1933. A bilateral treaty such as the 1867 convention by which Alaska was ceded to the United States by Russia was necessarily considered as continuing to be binding on the Soviet regime, even during the period of nonrecognition. Multilateral treaties and agreements to which Russia was a party at the time of the revolution were considered, in general, as continuing to be applicable to the Soviet Union.

A. Bilateral

1. Treaties

Convention regarding navigation, fishing, and trading on the Pacific Ocean and along the northwest coast of America, signed at St. Petersburg April 17, 1824. (Art. 3 obsolete; art. 4 expired.) (TS 298.)

Convention relating to the rights of neutrals at sea, signed at Washington July 22, 1854. (TS 300.)

Convention ceding Alaska, signed at Washington March 30, 1867. (TS 301.)

Agreement regulating the position of corporations and other commercial associations, signed at St. Petersburg June 25/12, 1904. (TS 526.)

Treaty for the settlement of disputes, signed at Washington October 1, 1914. (TS 616.)

2. International Agreements Other Than Treaties

Declaration concerning the admeasurement of vessels, signed at Washington June 6, 1884. (TS 304.)

B. Multilateral

1. Treaties

Convention concerning Cape Spartel Lighthouse, signed at Tangier May 31, 1865. (Terminated March 31, 1958.) (TS 245.)

Convention concerning the creation of an International Office of Weights and Measures, Regulations and Transient Provisions, signed at Paris May 20, 1875. (See 1921 amending convention.) (TS 378.)

Convention for the establishment of the right of protection in Morocco, signed at Madrid on July 3, 1880. (Extraterritoriality provisions terminated.) (TS 246.)

Convention for the protection of submarine cables, signed at Paris, March 14, 1884. (TS 380, 380-2, 380-3). (Together with Paris Declaration of December 1, 1886, respecting the interpretation of articles II and IV and the Paris Final Protocol of July 7, 1887, fixing May 1, 1888, as the date of effect of the convention.)

General act for the repression of the African slave trade, signed at Brussels July 2, 1890. (TS 383.)

Convention concerning the formation of an International Union for the Publication of Customs Tariffs, regulations of execution, and final declarations, signed at Brussels July 5, 1890. (TS 384.)

Agreement for the repression of the trade in white women, signed at Paris May 18, 1904. (No longer in force.) (TS 496.)

Convention for the exemption in time of war of hospital ships from the payment of all dues and taxes, imposed for the benefit of the state, signed at The Hague December 21, 1904. (TS 459.)

General Act of the International Conference of Algeciras and an additional protocol, signed at Algeciras on April 7, 1906. (Relating to Morocco; extraterritorial jurisdiction terminated.) (TS 456.)

Convention and protocol for the amelioration of the condition of the wounded in time of war, signed at Geneva July 6, 1906. (Superseded by 1929 conventions.) (TS 464.)

Convention revising the duties imposed by the Brussels Convention of June 8, 1899 on spirituous liquors imported into certain regions of Africa, signed at Brussels November 3, 1906. (TS 467.)

Convention for the pacific settlement of international disputes, signed at The Hague October 18, 1907. (TS 536.)

Convention respecting the limitation of the employment force for the recovery of contract debts, signed at The Hague October 18, 1907. (TS 537.)

Convention relating to the laws and customs of war on land, signed at The Hague October 18, 1907. (TS 539.)

Convention relating to the opening of hostilities, signed at The Hague October 18, 1907. (TS 538.)

Convention concerning bombardment by naval forces in time of war, signed at The Hague October 18, 1907. (TS 542.)

Convention for the adaptation to maritime warfare of the principles of the Geneva Convention, signed at The Hague, October 18, 1907. (TS 543.)

Convention concerning the rights and duties of neutral powers in naval war, signed at The Hague, October 18, 1907. (TS 545.)

Convention respecting the rights and duties of neutral powers and persons in war on land, signed at The Hague, October 18, 1907. (TS 540.)

Arrangement for the establishment of the International Office of Public Health, signed at Rome, December 9, 1907. (TS 511.)

Convention for the unification of certain rules with respect to assistance and salvage at sea, signed at Brussels, September 23, 1910. (TS 576.)

Agreement for the suppression of the circulation of obscene publications, signed at Paris, May 4, 1910. (TS 559.)

International Sanitary Convention, signed at Paris, January 17, 1912. (TS 649.)

International Radiotelegraph Convention, signed at London, July 5, 1912. (No longer in force.) (TS 581.)

2. International Agreements Other Than Treaties

Universal Postal Union Convention, signed at Washington, June 15, 1897. (Superseded.) (Post Office Department Print.)

Final protocol of settlement of matters growing out of the 1900 Boxer uprising in China, signed at Peiping, September 7, 1901. (No longer in effect.) (TS 397.)

Agreement between China and certain powers for the Whang-Pu Conservancy, signed at Peiping, September 27, 1905. (No longer in effect.) (TS 448.)

II. POST-REVOLUTION TREATIES AND AGREEMENTS

A. Bilateral

1. Treaties

None.

2. International Agreements Other Than Treaties

Roosevelt-Litvinov agreements (arrangements relating to the establishment of diplomatic relations, nonintervention, freedom of conscience and religious liberty, legal protection and claims), effected by exchange of notes at Washington, November 16, 1933. (Department of State Publication 528.) (Comment: It is considered that the Soviet Union has violated various terms of these arrangements.)

Agreement relating to the procedure to be followed in the execution of letters rogatory, effected by exchange of notes at Moscow, November 22, 1935. (EAS 83.)

Lend-lease agreement (preliminary agreement relating to principles applying to mutual aid in the prosecution of the war against aggression) between the United States and the U.S.S.R., signed at Washington, June 11, 1942. (EAS 253.) (Comment: It is considered that the Soviet Union has violated terms of this agreement.)

Agreement relating to prisoners of war and civilians liberated by forces operating under Soviet command and forces operating under United States of America command, signed at Yalta February 11, 1945. (EAS 505.) (Comment: This was a part of the understandings reached at the Yalta Conference; it is considered that the Soviet Union has violated terms of these understandings.)

Agreement relating to a change of boundary lines between the American and Soviet zones of occupation in Germany, signed at Wanfried September 17, 1945. (TIAS 3081.)

Agreement relating to the disposition of lend-lease supplies in inventory or procurement in the United States, signed at Washington October 15, 1945. (TIAS 3662.)

Agreement on the organization of commercial radio teletype communication channels, signed at Moscow May 24, 1946. (TIAS 1527.)

Agreement on dates and procedures for return of certain vessels of the U.S. Navy received by the U.S.S.R. under the Lend-Lease Act, signed at Washington September 27, 1949. (TIAS 2060.)

Agreement on dates and procedures for return of certain vessels of the U.S. Navy received by the U.S.S.R. under the Lend-Lease Act, signed at Washington March 26, 1954. (TIAS 2990.)

Agreement on dates and procedures for return of certain vessels of the U.S. Navy received by the U.S.S.R. under the Lend-Lease Act, signed at Washington December 22, 1954. (TIAS 3168.)

Agreement on dates and procedures for return of certain vessels of the U.S. Navy received by the U.S.S.R. under the Lend-Lease Act, signed at Washington May 26, 1955. (TIAS 3384.)

Protocol defining the location of the boundary of Greater Berlin, with annex, signed at Berlin June 25, 1955. (TIAS 3378.)

Agreement relating to the exchange of medical films, effected by exchange of notes at Washington March 17 and September 5, 1955. (TIAS 3409.)

Agreement relating to the reciprocal waiver of visa fees to nonimmigrants, effected by exchange of notes at Moscow March 26 and August 11 and 20, 1958. (TIAS 4134.)

Agreement on exchanges in the scientific, technical, educational, cultural, and other fields in 1960-61, signed at Moscow November 21, 1959. (Also an implementing memorandum for cooperation in the field of the utilization of atomic energy for peaceful purposes, signed at Washington on November 24, 1959, by officials of the U.S. Atomic Energy Commission and the U.S.S.R. Main Administration for Utilization of Atomic Energy.) (TIAS 4362.)

Agreement on exchanges in the scientific, technical, educational, cultural, and other fields in 1962-63, signed at Washington March 8, 1962. (TIAS 5112.)

Memorandum of understanding regarding the establishment of a direct communication link (the "hot-line" agreement), signed at Geneva June 20, 1963. (TIAS 5362.)

B. Multilateral

1. Treaties

Treaty recognizing the sovereignty of Norway over Spitzbergen, done at Paris February 9, 1920. (TS 686.)

Convention amending the convention relating to weights and measures, dated at Sevres October 6, 1921. (TS 675.)

Convention to suppress the slave trade and slavery, concluded at Geneva September 25, 1926. (TS 778.)

Convention revising the international sanitary convention of January 17, 1912, signed at Paris June 21, 1926. (TS 762.)

International Radiotelephone Convention, signed at Washington November 25, 1927. (Superseded.) (TS 767.)

Treaty providing for the renunciation of war as an instrument of national policy (the Kellogg-Briand Pact), signed at Paris August 27, 1928. (TS 796.) (Comment: It is considered that the Soviet Union has violated this treaty.)

International convention for the safety of life at sea, signed at London May 31, 1929. (Superseded by the 1946 convention.) (TS 910.)

Convention for the amelioration of the condition of the wounded and sick of armies in the field, dated at Geneva July 27, 1929. (Superseded by the 1949 Geneva convention.) (TS 847.)

Convention for the unification of certain rules relating to international transportation by air, concluded at Warsaw October 12, 1929. (TS 876.)

Treaty for the limitation and reduction of naval armaments, signed at London April 22, 1930. (All provisions of this treaty with the exception of part IV, which relates to rules of international law in regard to the operations of submarines or other war vessels with respect to merchant vessels, expired on December 31, 1936. Under the terms of article 23, part IV "shall remain in force without limit of time.") (TS 830.)

Convention and protocol for limiting the manufacture and regulating the distribution of narcotic drugs, concluded at Geneva July 13, 1931. (TS 863.)

International Load Line Convention, signed at London July 5, 1930. (TS 858.)

International Telecommunication Convention, with radio regulations, signed at Madrid December 9, 1932. (Superseded.) (TS 867.)

Convention (ILO No. 58) fixing the minimum age for the admission of children to employment at sea (1936 revision), adopted at Geneva October 24, 1936. (TS 952.)

1936 modification of Annex II (6)(a) of the international load line convention of July 5, 1930. (Modification entered into force for United States August 23, 1938.) (TS 942.)

International Sugar Agreement, signed at London May 6, 1937. (Expired May 5, 1954.) (TS 990.)

Radio Regulations (Cairo Revision 1938), signed at Cairo April 8, 1938. (Superseded by 1947 Atlantic City Regulations.) (TS 948.)

Protocols prolonging the International Sugar Agreement of May 6, 1937, signed at London, July 22, 1942 and August 31, 1944. (These two protocols expired together with the 1937 agreements.) (TS 990.)

Charter of the United Nations, signed at San Francisco, June 26, 1945. (TS 993.) (Comment: It is considered that the Soviet Union has violated various terms of this charter.)

Protocol prolonging the International Sugar Agreement of May 6, 1937, signed at London, August 31, 1945 and August 30, 1946. (These two protocols expired together with the 1937 agreements.) (TIAS 1523 and TIAS 1614.)

International Whaling Convention and schedule of whaling regulations, signed at Washington on December 2, 1946. (TIAS 1849.)

(Amendments to the schedule were adopted on June 7, 1949, TIAS 2092, on July 25, 1950, TIAS 2173, on July 27, 1951, TIAS 2486, on June 6, 1952, TIAS 2699, on June 26, 1953, TIAS 2866, on July 23, 1954, TIAS 3198, on July 23, 1955, TIAS 3548, on July 16–20, 1956, TIAS 3739, on June 28, 1957, TIAS 3944, on June 23–27, 1958, TIAS 4193, on June 22–July 1, 1959, TIAS 4404, on June 24, 1960, TIAS 5014, on June 23, 1961, TIAS 5015, on July 6, 1962, TIAS 5277, and on July 5, 1963, TIAS —.)

Protocol amending the agreements, conventions, and protocols on narcotic drugs concluded at The Hague on January 23, 1912, at Geneva on February 11, 1925, and February 19, 1925, and July 13, 1931, and at Geneva on June 26, 1936, with annex, signed at Lake Success, N.Y., on December 11, 1946. (TIAS 1671.)

Treaty of Peace with Italy, signed at Paris February 10, 1947. (TIAS 1648.)

Treaty of Peace with Hungary, signed at Paris February 10, 1947. (TIAS 1651.) (Comment: It is considered that the Soviet Union has violated this treaty.)

Treaty of Peace with Rumania, signed at Paris February 10, 1947. (TIAS 1649.) (Comment: It is considered that the Soviet Union has violated this treaty.)

Treaty of Peace with Bulgaria, signed at Paris February 10, 1947. (TIAS 1650.) (Comment: It is considered that the Soviet Union has violated this treaty.)

Protocol prolonging the international sugar agreement of May 6, 1937, signed at London August 29, 1947. (Expired together with the 1937 agreement.) (TIAS 1755.)

International telecommunication convention and radio regulations, signed at Atlantic City October 2, 1947. (Superseded.) (TIAS 1901.)

Convention of the World Meteorological Organization, signed at Washington October 11, 1947. (TIAS 2052.)

Convention on the Intergovernmental Maritime Consultative Organization, signed at Geneva March 6, 1948. (TIAS 4044.)

Convention on safety of life at sea, signed at London June 10, 1948. (TIAS 2495.)

Protocol prolonging the international sugar agreement of May 6, 1937, signed at London August 31, 1948. (Expired together with the 1937 agreement.) (TIAS 1997.)

Protocol bringing under international control drugs outside the scope of the convention of July 13, 1931, for limiting the manufacture and regulating the distribution of narcotic drugs, as amended by the protocol signed on December 11, 1946, done at Paris November 19, 1948. (TIAS 2308.)

International Convention for the Northwest Atlantic Fisheries, dated at Washington February 8, 1949. (TIAS 2089.)

Protocol amending the agreement for the suppression of the circulation of obscene publications of May 4, 1910, with annex, signed at Lake Success, N.Y., May 4, 1949. (TIAS 2164.)

Telegraph Regulations (Paris revision 1949), signed at Paris August 5, 1949. (Superseded.) (TIAS 2175.)

Convention relative to the treatment of prisoners of war, dated at Geneva August 12, 1949. (TIAS 3364.) (Comment: It is considered that the Soviet Union has violated this convention.)

Convention relative to the protection of civilian persons in time of war, dated at Geneva August 12, 1949. (TIAS 3365.)

Convention for the amelioration of the condition of the wounded and sick in armed forces in the field, dated at Geneva August 12, 1949. (TIAS 3362.)

Convention for the amelioration of the condition of the wounded, sick, and shipwrecked members of Armed Forces at sea, dated at Geneva August 12, 1949. (TIAS 3363.)

Protocol prolonging the international sugar agreement of May 6, 1937, signed at London August 31, 1949. (Expired together with the 1937 agreement.) (TIAS 2114.)

Convention on road traffic, with annexes, done at Geneva September 19, 1949. (TIAS 2487.)

Protocol modifying the convention of July 5, 1890, relating to the creation of an International Union for the Publication of Customs Tariffs, done at Brussels December 16, 1949. (TIAS 3922.)

Protocols prolonging the international sugar agreement of May 6, 1937, signed at London August 31, 1950, August 31, 1951, and August 30, 1952. (All three of these protocols expired together with the 1937 agreement.) (TIAS 2525, 2526, and 2862.)

International telecommunication convention, signed at Buenos Aires December 22, 1952. (Superseded.) (TIAS 3266.)

International sugar agreement of 1953, done at London October 1, 1953. (Expired December 31, 1958.) (TIAS 3177.)

Customs convention on the temporary importation of private road vehicles, done at New York June 4, 1954. (TIAS 3943.)

Convention concerning customs facilities for touring, done at New York June 4, 1954. (TIAS 3879.)

State treaty for the reestablishment of an independent and democratic Austria, signed at Vienna May 15, 1955. (TIAS 3298.)

Protocol to the international convention for the Northwest Atlantic Fisheries, done at Washington June 25, 1956. (TIAS 4170.)

Statute of the International Atomic Energy Agency, done at New York October 26, 1956. (TIAS 3873.)

Protocol to the international convention for the regulation of whaling of December 2, 1946, done at Washington November 19, 1956. (TIAS 4228.)

Protocol amending the international sugar agreement of 1953, done at London December 1, 1956. (Expired December 31, 1958.) (TIAS 3937.)

Interim convention on conservation of North Pacific fur seals, signed at Washington February 9, 1957. (TIAS 3948.)

Modifications of the first paragraph of Annex II of the international load line convention of July 5, 1930, communicated on October 27, 1947 (entered into force for United States July 13, 1957). (TIAS 4266.)

Convention on the high seas, done at Geneva April 29, 1958. (TIAS 5200.)

Telegraph Regulations (Geneva Revision 1958), signed at Geneva November 29, 1958. (TIAS 4390.)

International sugar agreement of 1958, done at London December 1, 1958. (TIAS 4389.)

Modifications of the fifth paragraph of annex II of the International Loadline Convention of July 5, 1930, communicated on September 19, 1949 (entered into force for United States, Aug. 7, 1959). (TIAS 4550.)

The Antarctic treaty, signed at Washington December 1, 1959. (TIAS 4780).

International Telecommunication Convention, signed at Geneva, December 21, 1959. (TIAS 4892.)

International wheat agreement, 1962, opened for signature at Washington, April 19–May 15, 1962. (TIAS 5115.)

2. International Agreements Other Than Treaties

Universal Postal Union Convention, signed at Stockholm, August 28, 1924. (Superseded.) (TS 708–A; 49 Statutes at Large 2741.)

Universal Postal Union Convention, signed at London, June 18, 1929. (Superseded.) (46 Statutes at Large 2523.)

Universal Postal Union Convention, signed at Cairo, March 20, 1934. (Superseded.) (49 Statutes at Large 2741.)

Universal Postal Union Convention, signed at Buenos Aires, May 23, 1939. (Superseded.) (54 Statutes at Large 2049.)

Atlantic Charter of August 14, 1941 (Declaration of principles, known as the Atlantic Charter, by the President of the United States of America and the Prime Minister of the United Kingdom), as reaffirmed in the Declaration by United Nations (see below) to which the U.S.S.R. adhered. (EAS 236.) (Comment: It is considered that the Soviet Union has violated the principles affirmed in this charter.)

Declaration by United Nations, signed at Washington January 1, 1942. (EAS 236.) (Comment: See above; it is considered that the principles of the Atlantic Charter as reaffirmed by this declaration have been violated by the Soviet Union.)

Moscow agreements of November 1, 1943 (declarations of joint policies, United States, United Kingdom, U.S.S.R., Conference of Foreign Ministers). (Department of State Bulletin, Nov. 6, 1943, pp. 307–311.) (Comment: It is considered that the Soviet Union has violated understandings relating to Germans charged with certain crimes.)

Cairo Declaration of December 1, 1943, to which the U.S.S.R. adhered August 9, 1945, pursuant to the Potsdam Protocol (see below):

Statement of joint understandings on future military operations against Japan; statement of purpose that "Korea shall become free and independent."

Department of State Bulletin, December 11, 1943, pp. 412–413. (Comment: It is considered that the Soviet Union has violated understandings set forth in this declaration.)

Teheran Declaration of December 1, 1943 (declaration on cooperation in war and peace, United States/United Kingdom, and U.S.S.R., with declaration regarding Iran. (Department of State Bulletin, Dec. 11, 1943, pp. 409–410.) (Comment: It is considered that the Soviet Union has violated understandings set forth in this declaration.)

Protocol on the zones of occupation in Germany and the administration of Greater Berlin, signed at London September 12, 1944, United States, United Kingdom, U.S.S.R., and France. (Also amendments signed Nov. 14, 1944 and July 26, 1945.) (TIAS 3071.) (Comment: It is considered that the Soviet Union has violated understandings set forth in this protocol.)

Armistice agreement with Rumania, signed at Moscow September 12, 1944. (EAS 490.) (Comment: It is considered that the Soviet Union has violated this agreement.)

Armistice agreement with Bulgaria, signed at Moscow October 28, 1944. (EAS 437.) (Comment: It is considered that the Soviet Union has violated this agreement.)

Agreement on control machinery in Germany, signed at London November 14, 1944, United States, United Kingdom, U.S.S.R., and France. (Also amendment signed May 1, 1945.) (TIAS 3070.) (Comment: It is considered that the Soviet Union has violated this agreement.)

Armistice agreement with Hungary, signed at Moscow January 20, 1945. (EAS 456.) (Comment: It is considered that the Soviet Union has violated this agreement.)

Yalta agreements (protocol of the proceedings of the Crimea Conference), signed at Yalta February 11, 1945. (Department of

State press release 239, March 24, 1947; "Foreign Relations," the Conference at Malta and Yalta, 1945, p. 975 ff.) (Comment: It is considered that the Soviet Union has violated understandings set forth in the Yalta protocol.)

Act of military surrender (terms between the United States and other Allied Powers and Germany), signed at Rheims May 7, 1945, and at Berlin May 8, 1945. (EAS 502.)

Declaration regarding the defeat of Germany and the assumption of supreme authority with respect to Germany by the Governments of the United States, the United Kingdom, and the U.S.S.R., and the Provisional Government of the French Republic; declaration made and released at Berlin June 5, 1945. (Department of State Bulletin, June 10, 1945, pp. 1051–1055.) (Comment: It is considered that the Soviet Union has violated this Declaration.)

Potsdam agreements (protocol of the proceedings of the Berlin (Potsdam) Conference, United States, United Kingdom, and U.S.S.R., and proclamation defining terms for Japanese surrender, United States and United Kingdom, with later U.S.S.R. concurrence); protocol concluded August 2, 1945; proclamation signed July 26, 1945. (Department of State press release 238, March 24, 1947 (protocol); Department of State Bulletin, July 29, 1945, pp. 137–138 (proclamation); Foreign Relations, Conference of Berlin (Potsdam) 1945, vol. II, p. 1478 ff.) (Comment: It is considered that the Soviet Union has violated these agreements.)

Agreement for the prosecution and punishment of the major war criminals of the European Axis, signed at London August 8, 1945. (EAS 472.)

Four-Power agreement on certain additional requirements to be imposed on Germany, done at Berlin September 20, 1945. (Department of State Bulletin, Oct. 7, 1945, pp. —.) (Comment: It is considered that the Soviet Union has violated this agreement.)

Constitution of the United Nations Educational, Scientific, and Cultural Organization (UNESCO), concluded at London November 16, 1945. (TIAS 1580.)

Moscow agreements of December 27, 1945 (report of the Foreign Ministers meeting, United States, United Kingdom, and U.S.S.R.), signed at Moscow December 27, 1945. (Department of State Bulletin, Dec. 30, 1945, pp. 1027–1032.) (Comment: It is considered that the Soviet Union has violated these agreements.)

Constitution of the World Health Organization, opened for signature at New York July 22, 1946. (TIAS 1808.)

Instrument for the amendment of the constitution of the International Labor Organization, dated at Montreal October 9, 1946. (TIAS 1868.)

Moscow agreements of April 23, 1947 (report of Council of Foreign Ministers regarding German prisoners of war), done at Moscow April 23, 1947. (See Department of State Bulletin, June 26, 1949, p. 824.) (Comment: It is considered that the Soviet Union has violated these agreements.)

Universal Postal Union Convention, signed at Paris July 5, 1947. (Superseded.) (TIAS 1850.)

Regulations for preventing collisions at sea, approved by the International Conference on Safety of Life at Sea, London, April 23-June 10, 1948. (TIAS 2899.)

World Health Organization Regulations No. 1 regarding nomenclature (including the compilation and publication of statistics) with respect to diseases and causes of death, adopted at Geneva July 24, 1948. (TIAS 3482.) (Also amendments to these regulations adopted June 30, 1949, TIAS 3482, and May 21, 1956, TIAS 4409.)

Quadripartite (Berlin Blockade) agreement of May 4, 1949 (agreement relating to the lifting of restrictions imposed since March 1, 1948 on communications, transportation, and trade with Berlin), dated at New York May 4, 1949. (TIAS 1915.) (Comment: It is considered that the Soviet Union has violated this agreement.)

Council of Foreign Ministers communique regarding communications, transportation, and trade between Berlin and Western Zones of Germany and between Eastern and Western Zones, made and released at Paris, June 20, 1949. (Department of State Bulletin, July 4, 1949, pp. 857–858.) (Comment: It is considered that the Soviet Union has violated the understandings set forth in this communique.)

International sanitary regulations (WHO regulations No. 2), adopted at Geneva, May 25, 1951. (TIAS 3625.)

Universal Postal Union Convention, signed at Brussels, July 11, 1952. (Superseded.) (TIAS 2800.)

Instrument for the amendment of the constitution of the International Labor Organization, dated at Geneva, July 25, 1953. (TIAS 3500.)

Resolutions by the General Conference of the UNESCO amending the constitution of the Organization, adopted at Montevideo, November 22 and December 8, 1954. (TIAS 3469.)

Additional regulations amending the international sanitary regulations with respect to yellow fever, adopted at Mexico, May 26, 1955. (TIAS 5156.)

Additional regulations amending the international sanitary regulations with respect to the form of international certificate of vaccination or revaccination against smallpox, adopted at Geneva, May 23, 1956. (TIAS 4420.)

Additional regulations amending the international sanitary regulations with respect to the sanitary control of pilgrim traffic, adopted at Geneva, May 23, 1956. (TIAS 4823.)

Resolution by the General Conference of the UNESCO amending the constitution of the organization, adopted at New York November 10, 1956. (TIAS 3889.)

Universal Postal Union Convention (with final protocol, annex, regulations of execution, and provisions regarding airmail, with final protocol), signed at Ottawa October 3, 1957. (TIAS 4202.)

Resolutions by the General Conference of the UNESCO amending the constitution of the organization, adopted at the 2d–7th and 10th (1959) sessions. (TIAS 4230.)

Amendments to articles 24 and 25 of the World Health Organization constitution, adopted at Geneva May 28, 1959. (TIAS 4643.)

Additional regulations amending the international sanitary regulations with respect to the health part of the aircraft general declaration, adopted at Geneva May 19, 1960. (TIAS 4896.)

Declaration of understanding regarding the international convention of February 8, 1949 for the Northwest Atlantic Fisheries, opened for signature at Washington April 24, 1961. (TIAS 5380.)

Recommendations relating to the furtherance of the principles and objectives of the Antarctic Treaty, adopted at Canberra July 24, 1961. (TIAS 5094.)

Declaration and protocol on the neutrality of Laos, signed at Geneva July 23, 1962. (TIAS.)

Recommendations relating to the furtherance of the principles and objectives of the Antarctic Treaty, adopted at Buenos Aires July 28, 1962. (TIAS.)

THE NUCLEAR TEST BAN TREATY

The Senate resumed the consideration of Executive M (88th Cong., 1st sess.), the treaty banning nuclear weapon tests in the atmosphere, in outer space, and underwater.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, in accordance with the suggestion advanced by the distinguished chairman of the Committee on Rules yesterday, I suggest to the Chair that the attachés of the Senate, except those who are authorized to be present in the Chamber, be excused.

The VICE PRESIDENT. The attachés of the Senate, except those whose duties require them to be present at this moment, are requested to retire from the Chamber. The Sergeant-at-Arms will please see that the attachés of the Senate, except those required to be present, retire from the Chamber. Senators will take their seats. The Senate will be in order.

Mr. MANSFIELD. Mr. President, I believe that all Senators are present or accounted for.

I suggest the absence of a quorum.

The VICE PRESIDENT. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, the hour of 10:30 having arrived, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER (Mr. RIBICOFF in the Chair). Without objection, it is so ordered.

Mrs. SMITH. Mr. President, the vote on ratification of the nuclear test ban treaty is one of the most difficult votes that I have ever cast as a U.S. Senator—or even in my 23 years in Congress. The difficulty is not with respect to my single vote having any effect on the outcome of the final vote by the Senate. That outcome was a foregone conclusion from the very start—overwhelmingly for ratification.

During the debate I have raised several questions. I had hoped that the answers to these questions could be definite and clear—at least enough for the resolution of any doubts that I had about the treaty. But they have not been. Admittedly, the answers have been speculative.

This issue is not only dominated by speculation. It is dominated by emotions. Those who support the treaty have been called pro-Communists. They have been charged by some extremists with treason and with selling out to Khrushchev. How ridiculous can one get with these charges? The charges are so ridiculous that no sensible person would take them seriously.

They remind me of those tragic days in the early fifties when articulate courage was almost eliminated by the techniques of "guilt by association" and "trial by accusation." The extremists of the right did our country a great disservice by those unsubstantiated charges. The damage was irreparable. What it did to our scientists and the way that it shackled our free scientific effort was revealed in the later fifties when Russia's sputnik revealed how tragically we were lagging behind Russia in science and technology.

I know—because I was a target of the extremists of the right. They called me "pro-Communist" and a "fellow traveler" because of my declaration of conscience.

But many, many of those who, back in the early fifties, decried the "guilt by association" and "trial by accusation" tactics of the extreme right are today guilty of the same abuses and excesses on the extreme left of the ideological spectrum.

For too many of the extreme left now charge those who oppose the treaty of being "murderers" and of deliberately poisoning the milk for children with lethal doses of strontium 90. At the outset of this debate, the press quoted one Senator as saying that any Senator who voted against ratification of the treaty should have his head examined.

Have we lost all sense of reasonableness? Cannot Members of the U.S. Senate have honest differences of opinions without being charged with mental deficiency or treason or crassly poisoning milk and killing babies or being "pro-Communist" by those who so emotionally disagree with them—both on the extreme right and on the extreme left?

What does the majority of the American people want? Ratification or rejection of the nuclear test ban treaty? The Gallup poll and the Harris poll report that an overwhelming majority of the American people want the treaty to be ratified.

But that is not what my mail shows—and it is the heaviest mail that I have ever received in all of my entire service in Congress. More than that, it is not just organized pressure mail. Instead, it is individual mail in personal handwriting—not just printed or mimeographed mail—or printed cards distributed in great volume for persons just to automatically sign without thinking.

This mail is individually composed. It is highly emotional and often inflammatory—but equally so on both sides, whether for or against the treaty. Nevertheless it is clear that the people are expressing themselves with deep feeling—not just merely echoing what someone has told them to write. And the mail is from every section of the Nation.

Were I to be guided by what the mail indicates is the wish of the majority of Americans, I would have to vote against the treaty. For by better than an 8-to-1 margin the senders of letters and telegrams and postal cards to me have registered vigorous opposition to the treaty.

Yet, the pattern varies when just the Maine mail is taken—for the Maine mail has favored the treaty by a 2-to-1 vote. But even with Maine the expression of feeling has changed. Prior to Labor Day and during the summer season, the Maine mail was better than 3 to 1 in favor of the treaty. But after Labor Day the Maine mail has turned in the other direction with a majority registering opposition to the treaty. It would be difficult to conclude with any certainty what a majority of year-round Maine residents feel—since obviously a great deal of the Maine mail prior to Labor Day came from out-of-State summer visitors.

The totals of my mail run heavily in contradiction to the reports of the Gallup poll and the Harris poll. The only reconciliation that I can conclude is that if the Gallup poll and the Harris poll accurately reflect the position of a majority of Americans, then those who support the treaty apparently are not sufficiently enthusiastic for it and will not take the time or effort to write—or those who are against the treaty have such a high degree of intensity in the opposition to the treaty that they will take the time to write and express themselves.

One thing is quite clear. Regardless of whether the majority is for or against the treaty, the degree of articulated intensity of those against the treaty is much greater than those who are for the treaty.

Another thing is clear—that the polls and the mail—and the seasonal factor in the Maine mail on this issue—are too contradictory for me to let the mail have any significant influence on my final decision.

In trying to arrive at a conscientious decision, I have considered what would happen if the Senate did reject the treaty. First, it is clear that Khrushchev would spew vitriolic propaganda charging that the United States had thus proved that it did not want peace and that we were "warmongers," intent on poisoning the air with strontium 90. Even though he is guilty himself of having broken the last test ban agreement with the multi-megaton open-air test nuclear explosions that Russia set off, his false propaganda would be believed by some and we would lose significant ground in the psychological war.

But Senate rejection of the treaty would not be the act that started the United States to resume open air nuclear testing. It would not for the very simple reason that President Kennedy has taken the position that the United States would refrain from open air testing as long as Russia refrained from open air testing.

Now let us face reality and the truth on this point. The Senate vote on the test ban treaty will neither stop open air testing if the treaty is ratified—nor start it if the treaty is rejected. It will not stop open air testing because it has already been stopped by President Kennedy in agreement with Khrushchev's keeping Russia from open air tests. By the same token, Senate rejection of the treaty will not start open air testing again.

I think Khrushchev feels that it is to the military advantage of Russia to keep us from resuming open air tests in the belief that Russia is significantly ahead of us in the high-yield weapons and will stay ahead as long as we do not make open air tests that are necessary if we are to close the high-yield weapons gap that so heavily favors Russia.

And he does not need a treaty to do this. All he needs to do is to refrain from conducting such open air tests. He knows that by the simple expedient of restraint, he will stop the United States from open air testing because of the expressions made by President Kennedy. Consequently, I believe it would be most unlikely that Khrushchev would order resumption of open air testing if the Senate were to reject this treaty.

Perhaps my conclusion in this regard can be criticized as being "speculative." But it is no more speculative than the answers given to the questions that I have raised in this debate—answers that even those providing the answers have admitted were "speculative." I believe that my conclusion in this regard is far less speculative.

So that in the final analysis, my decision must rest on whether the political and psychological disadvantages stemming from rejection of the treaty would be greater than the obvious national security disadvantages stemming from ratification of the treaty. Fortunately, the political and psychological disadvantages of treaty rejection have been very ably and fully presented out in the open to the public. And make no mistake about it, they are tremendously impressive arguments—almost compelling arguments.

Unfortunately, the national security disadvantages stemming from ratification of the treaty have not been as fully presented out in the open to the public. They have not because of the secrecy that has been invoked on key aspects that indicate the grave threat that the treaty can create to our national security. The public cannot be told.

But it can be told enough of the implications—implications so grave that even the enthusiastic proponents of the treaty unreservedly admit that the treaty is a calculated risk.

In the questions that I have asked in this debate, I have tried very hard to find a basis for which I could conscientiously vote for ratification of the treaty. I regret to say that the answers have not supplied such a basis.

On the other hand, it has been argued with sincerity and conviction that one could not conscientiously vote against the treaty because such a vote would be a vote against peace—or at least a first step toward peace. I cannot challenge that argument with complete certainty in my own mind. But in equal degree, I cannot challenge with complete certainty the argument made that the treaty may be a first step toward the undermining of our national security.

There have been several speeches expressing the gravest of misgivings about the treaty—only to be concluded with the announcement by the speakers that they would vote for the treaty.

I conclude my statement by saying that I have very grave misgivings about the harmful effects of rejection of the treaty—but by stating that in my opinion the jeopardy that the treaty imposes on our national security is a more compelling argument against the treaty than the political and psychological disadvantages that would stem from rejection of the treaty.

That is why I shall cast a very troubled vote against the treaty.

The PRESIDING OFFICER. The question is on agreeing to the amended resolution of ratification of the nuclear test ban treaty.

Mr. MANSFIELD. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY (when Mr. ENGLE's name was called). Mr. President, the Senator from California [Mr. ENGLE] is ill and necessarily absent. I have been asked to announce that if he were present and voting, he would vote "yea."

The rollcall was concluded.

The yeas and nays resulted—yeas 80, nays 19, as follows:

[No. 168 Ex.]

YEAS—80

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bible
Boggs
Brewster
Burdick
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Dirksen
Dodd
Dominick
Douglas
Edmondson
Ellender
Ervin
Fong
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Javits
Johnston
Jordan, N.C.
Keating
Kennedy
Kuchel
Long, Mo.
Magnuson
Mansfield
McCarthy
McGee
McGovern
McIntyre
McNamara
Metcalf
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Nelson
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Saltonstall
Scott
Smathers
Sparkman
Symington
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—19

Bennett
Byrd, Va.
Byrd, W. Va.
Curtis
Eastland
Goldwater
Jordan, Idaho
Lausche
Long, La.
McClellan
Mechem
Robertson
Russell
Simpson
Smith
Stennis
Talmadge
Thurmond
Tower

NOT VOTING—1

Engle

The VICE PRESIDENT. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification, as amended, is agreed to.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the resolution of ratification, as amended, was agreed to.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I move that the President be immediately notified of the action of the Senate.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

Mr. PROUTY subsequently said: Mr. President, earlier in the day I voted to ratify the nuclear test ban treaty.

It was at once the most momentous and difficult decision I have had to make since I first came to Congress 13 years ago.

A million thoughts go through a man's mind when he must help decide an issue that may affect the lives of millions of people not yet born.

I thought of the Soviet Union—its record of broken promises—its alternating promises of peace and threats of war.

I thought of a whole generation of Americans that have never known peace—complete and total peace—and I wonder whether they ever will.

I thought of the security of this country and of the risks we must take as a free people—whether the treaty be a shaft of light or merely a mirage.

All of these things were in my thoughts as I took the only course of action my conscience would allow me to take.

The treaty does not mean the end of the cold war that has haunted us night and day for 18 years. Perhaps it is not even the beginning of the end.

Yet to reject the treaty and to look back one day and find that this was the one chance for the beginning—a chance that would never appear again—that would be the greatest tragedy of all.

As a nation and as a people, our hopes for peace should never be higher than our ability to defend the freedom and safety of man.

We love liberty and would rather die than lose it and no treaty in the world will alter that resolve.

Mr. President, on Friday, September 20, the Senator from New York [Mr. KEATING] recalled for us the first anniversary of the passage by the Senate of Senate Joint Resolution 230, the so-called Cuban resolution. In his remarks, he recalled that that resolution had been passed with one dissenting voice in the Senate.

That one dissenting vote was mine.

I found fault with that resolution primarily because it did not go to the seriousness of the Cuban situation as it then existed.

I thought then, as I think now, that we must establish a firm policy with respect to the Communist position in the Western Hemisphere as in all areas of the world. Had we established such a policy of will and of resolution, there would not be thousands of Soviet troops on the island of Cuba today—and perhaps missiles as well.

Now, as a year ago, an ad hoc foreign policy, treating Communist infiltration as localized "brush fires," accomplishes little to preserve the security necessary for the maintenance of the American way of life.

The Senator from New York also placed in the RECORD several newspaper articles relating to .increased violence and tension in various Latin American countries. A reading of those articles indicates their connection in each instance with Castro's Cuba. There is some doubt that actual arms deliveries can be traced to Cuba, but the inspiration and doubtless much of the action is a Cuban import.

It seems to me now, as it did on September 20, 1962, that our concern should be as much with the nonmilitary activities in this hemisphere from Cuba as with military threats which could emanate from that island. I voted against the Cuban resolution last year. I think that vote was justified. I think, also, that the justification for that vote has been made even more secure with the passage of this last year and the events which have occurred in the Western Hemisphere.

Mr. President, I earnestly hope that time will prove that my vote to ratify the test ban treaty will be as meaningful as I think my vote was against the Cuban resolution a year ago.

PHOTOGRAPHERS IN THE GALLERY

Mr. MORSE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MORSE. I assume I am correct that the official photograph, authorized by the adoption of the resolution yesterday, has been taken. If so, will the Sergeant at Arms be instructed to notify the photographers to clear their cameras out of the gallery?

Mr. MANSFIELD. The pictures have been taken. However, whether they have or not, I second the suggestion of the Senator from Oregon that the gallery be cleared of photographers as soon as possible.

The VICE PRESIDENT. The Sergeant at Arms will proceed to act accordingly.

POSTMASTER GENERAL

Mr. MANSFIELD. Mr. President, the Senate is still in executive session. I ask that the nominations on the Executive Calendar be stated.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Walter E. Craig, of Arizona, to be U.S. district judge for the district of Arizona.

By Mr. DIRKSEN, from the Committee on the Judiciary:

Abraham L. Marovitz, of Illinois, to be U.S. district judge for the northern district of Illinois.

By Mr. KEATING, from the Committee on the Judiciary:

Thomas James Donegan, of New York, to be a member of the Subversive Activities Control Board; and

Edward D. Re, of New York, to be a member of the Foreign Claims Settlement Commission of the United States.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nomination on the Executive Calendar. The nomination will be stated.

The legislative clerk read the nomination of John A. Granouski to be Postmaster General.

Mr. PROXMIRE. Mr. President, I shall be very brief. I support the nomination of John A. Gronouski, of Wisconsin, to be Postmaster General of the United States. The nomination was reported unanimously by the Committee on Post Office and Civil Service.

Mr. Gronouski has a distinguished record as a professor, as an economist, and as an excellent administrator of the tax department of the State of Wisconsin. Mr. Gronouski is an unusually intelligent man, and very hard working. He has demonstrated ingenuity as administrator of the tax department. He has been extraordinarily fair in a position in which his fairness was severely tested.

One of the questions asked of Mr. Gronouski at the hearing yesterday was whether in his job he would be primarily a Democrat or an administrator. Mr. Gronouski answered quite frankly that in his view his job is one of administration, and that he would administer his job in a nonpartisan fashion. It should be recognized that as a Cabinet officer, John Gronouski will be free to champion the President's cause and he will do so I am sure very ably indeed.

I have known John Gronouski for many years. He has an excellent reputation in Wisconsin. He will do a thorough, competent, and intelligent job as Postmaster General.

As a topflight economist he will be able to give the President invaluable advice as a member of the Cabinet. I enthusiastically support the nomination of John Gronouski to be Postmaster General.

Mr. MAGNUSON. Mr. President, I join the distinguished Senator from Wisconsin in supporting the nomination of John Gronouski. I had an opportunity, about a week ago Sunday, to have quite a long conversation with Mr. Gronouski, following the announcement that the President had selected him for the nomination to be Postmaster General.

I probably had a better chance to get his views than most of those who have known and respected him for a long time. I have never found a man so knowledgeable about the job that he was about to take over, and so knowledgeable about the Government and administration in the Government, and how it should be handled.

I second what the Senator from Wisconsin has said about Mr. Gronouski.

Mr. PROXMIRE. I thank the Senator from Washington.

Mr. HART. Mr. President, the people of Michigan, particularly in the academic field, have come to know and respect Mr. John Gronouski. As a member of the faculty of Wayne State University, he has distinguished himself in the academic field. The President has indeed made a wise selection, and I am proud to second his nomination.

Mr. RANDOLPH. Mr. President, during the consideration of the nomination of Mr. Gronouski by the Post Office and Civil Service Committee, all of its members were intensely interested in the viewpoints expressed so lucidly by Mr. Gronouski. He well understands the problems he will face. This effort entails for exacting duties. There are almost 600,000 civilian workers in the Department which he will head.

I was impressed with his earnestness. I believe the vigor of his body and the keenness of his mind will help Mr. Gronouski to discharge his obligations in the Department.

Mr. PROXMIRE. I thank the Senator from West Virginia. I was most impressed at the hearing, which was an unusual hearing, by the fact that every member of the Post Office and Civil Service Committee was present. Few hearings have unanimous attendance for any purpose. It was a great tribute to John Gronouski.

Mr. JOHNSTON. Mr. President, at the committee hearing yesterday, all the members of the committee—and I am sure I can speak for all of them—were very much impressed by the way John Gronouski answered all the questions that were put to him. He impressed the committee with his frank statement:

> I have not had experience in this particular field but I am going to give it close study before I act in that particular field.

The Senator from Wisconsin brought out the fact that Mr. Gronouski is a Democrat, when the Senator from Wisconsin introduced Mr. Gronouski to the committee. However, in the discussion, Mr. Gronouski made it plain that he would abide by the civil service laws now on the statute books.

I realize that when I say that it means a great deal to everyone. It does not mean that a Postmaster General will do anything that is not right. The laws on the statute books protect individuals in the civil service. There are a great many positions that are not in the civil service. In certain instances, in the policymaking field, there exists the right to appoint outside the civil service laws. Some people do not realize that fact. At least to a certain extent that has something to do with party lines.

I have not forgotten that when the Republicans were in control they established regional offices throughout the United States. Prior to that time they had maintained that it would be necessary to enact a law before regional offices could be established. However, it was done in this way. Accordingly, many persons who were not civil service employees were blanketed into positions. They are still in those positions. The appointments to policymaking positions ought to be left entirely to those who are in charge of the administration at the time.

There are some things that an administrator has a right to do and still live within the laws of the United States. I was impressed by Mr. Gronouski's statement.

Mr. MONRONEY. Mr. President, throughout the years the Senate has confirmed the nominations of many men for positions in the Post Office Department. I was especially impressed by Mr. Gronouski's views, because his will be a difficult office to fill.

I was impressed by the cut of his jaw; and even more deeply impressed by his experience as a member of the Tax Commission of Wisconsin. I have no doubt that he will be an excellent administrator.

Mr. Gronouski is also an economist and professor, well grounded in the facts of the American economy. As Postmaster General, he will have an obligation to use his knowledge of the way our economy works.

He has a proper viewpoint of the function of the Post Office Department as not only a business institution, but a service institution, as well.

His ideas concerning modernization and mechanization, which afford great benefits, are that modernization and mechanization should not take place merely for the sake of gaining of a "tag line." He impressed every member of the committee.

I am heartily in favor of the confirmation of the nomination of Mr. Gronouski. I am sure the Senate will approve his nomination unanimously.

Mr. CARLSON. Mr. President, I would not wish to let this opportunity pass, when so many members of the committee from the majority side are speaking in behalf of the newly appointed Postmaster General, without speaking on behalf of the Republican side of the committee, whose membership voted unanimously to report his nomination.

I was impressed with Mr. Gronouski's knowledge of the administration of State operations, which should be helpful to him in his administration of the Post Office Department. After all, the Post Office Department, an administrative agency, is a huge operation. I feel that Mr. Gronouski will be an outstanding Postmaster General. Senators on this side of the aisle will be glad to work with him. I was pleased when he stated that although he was appointed as a Democrat, he expected to conduct his office as an administrator. I appreciate that statement very much.

Mr. GRUENING. Mr. President, this administration has had a wonderful record in its handling of the mails. It has greatly increased the efficiency and quality of service of the Post Office Department. No one could have observed the work of the predecessor of Mr. Gronouski, Postmaster General Ed Day, without being impressed with his dedication, ability, cooperativeness, and constant striving to increase the efficiency of the postal service, which he succeeded notably in doing.

Mr. President, I have, for half a century, variously as a newspaperman and as a Government official, observed the conduct of our postal service. There have been some outstanding Postmaster Generals. But, it is my reasoned opinion that none of the men who preceded Mr. Day exceeded him in ability and accomplishment. He has set a high standard for those who will follow him and left a challenge to equal his superlative performance.

I am confident that Mr. Day's successor, Mr. Gronouski, will strive to continue the fine record of service and performance which has characterized the Post Office Department during this administration, and I wish him all success.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). The question is, Will the Senate advise and consent to the nomination of John A. Gronouski, of Wisconsin, to be Postmaster General?

The nomination was confirmed.

Mr. MORSE. Mr. President, I ask that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MORSE. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on September 23, 1963, the President had approved and signed the following acts:

S. 330. An act to amend chapter 35 of title 38, United States Code, to provide that after the expiration of the Korean conflict veterans' education and training program, approval of courses under the war orphans' educational assistance program shall be by State approving agencies; and

S. 1952. An act to extend and broaden the authority to insure mortgages under sections 809 and 810 of the National Housing Act.

REPORT OF HOUSING AND HOME FINANCE AGENCY—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Banking and Currency:

To the Congress of the United States:

Pursuant to the provisions of section 802(a) of the Housing Act of 1954, I transmit herewith for the information of the Congress the 16th Annual Report of the Housing and Home Finance Agency covering housing activities for the calendar year 1962.

JOHN F. KENNEDY.

THE WHITE HOUSE, *September 24, 1963*.

APPOINTMENT BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair announces the appointment of the Senator from California [Mr. KUCHEL] as an alternate delegate to attend the 1963 NATO Parliamentarians' Conference, to be held in Paris, France, on November 4-9, 1963.

REPORT OF FINAL SETTLEMENT OF CLAIMS OF CERTAIN INDIANS

The VICE PRESIDENT laid before the Senate a letter from the Chief Commissioner, Indian Claims Commission, Washington, D.C., reporting, pursuant to law, on the settlement of the following claims of certain Indians, which, with the accompanying papers, was referred to the Committee on Interior and Insular Affairs:

The Kaw Tribe of Indians on the relation of Keenan Pappan and Felix McCauley, petitioners, against the United States of America, defendant, Docket No. 36.

Robert Dominic, Waunetta Dominic, Levi McClellan, and Grace Mulholland, as the representatives and on behalf of all members by blood of the Ottawa Tribe of Indians, petitioners against the United States of America, defendant, Docket No. 40.

Robert Dominic, Waunetta Dominic, Levi McClellan and Grace Mulholland, as the representatives and on behalf of all members by blood of the Ottawa Tribe of Indians, petitioners, against the United States of America, defendant, Docket No. 40-A.

Robert Dominic, Waunetta Dominic, Levi McClellan, and Grace Mulholland, as the representatives and on behalf of all members by blood of the Ottawa Tribe of Indians, petitioners, against the United States of America, defendant, Docket No. 40-B.

Robert Dominic, Waunetta Dominic, Levi McClellan, and Grace Mulholland and on behalf of all members by blood of the Ottawa Tribe of Indians, petitioners, against the United States of America, defendant, Docket No. 40-C.

Robert Dominic, Waunetta Dominic, Levi McClellan, and Grace Mulholland, as the representatives and on behalf of all members by blood of the Ottawa Tribe of Indians, petitioners, against the United States of America, defendant, Docket No. 40-D.

Robert Dominic, Waunetta Dominic, Levi McClellan, and Grace Mulholland, as the representatives and on behalf of all members by blood of the Ottawa Tribe of Indians, petitioners, against the United States of America, defendant, Docket No. 40-E.

Robert Dominic, Waunetta Dominic, Levi McClellan, and Grace Mulholland, as the representatives and on behalf of the members by blood of the Ottawa Tribe of Indians, petitioners, against the United States of America, defendant, Docket No. 40-G.

The Cherokee Nation, et al., petitioners, against the United States of America, defendant, Docket No. 43.

The Uintah Ute Indians of Utah, petitioners, against the United States of America, defendant, Docket No. 44.

The Uintah Ute Indians of Utah, petitioners, against the United States of America, defendant, Docket No. 45.

PETITION

The VICE PRESIDENT laid before the Senate a resolution adopted by the Board of City Commissioners of Fargo, N. Dak., relative to the death of the late Senator Estes Kefauver, of Tennessee, which was ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 1287. A bill for the relief of John Joseph (also known as Hanna Georges Youssef) (Rept. No. 511);

S. 1838. A bill for the relief of Hannah Robbins (Rept. No. 512);

S. 1881. A bill for the relief of Lydia Anne Foote (Rept. No. 513);

H.R. 1280. An act for the relief of Jan Koss (Rept. No. 514);

H.R. 2303. An act for the relief of Elizabeth Kolloian Izmirian (Rept. No. 516);

H.R. 3648. An act for the relief of Fiore Luigi Biasiotta (Rept. No. 515);

H.R. 3762. An act for the relief of Anna C. Chmielewski (Rept. No. 517);

H.R. 4075. An act for the relief of Noriyuki Miyata (Rept. No. 518); and

H.R. 7022. An act for the relief of Marguerite Lefebvre Broughton (Rept. No. 519).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 1096. A bill for the relief of Mrs. Susanna Grün (Susanne Roth) (Rept. No. 520);

S. 1341. A bill for the relief of Gabriel Kerenyi (Rept. No. 521); and

S. 1488. A bill for the relief of Alessandro A. R. Cacace (Rept. No. 522).

REMOVING CERTAIN LIMITATIONS ON WAR RISK INSURANCE UNDER TITLE 12, MERCHANT MARINE ACT, 1936—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 523)

Mr. BARTLETT. Mr. President, from the Committee on Commerce, I report favorably, with an amendment, the bill (S. 927) to remove certain limitations with respect to war risk insurance issued under the provisions of such title, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the individual views of the Senator from Ohio [Mr. LAUSCHE].

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Alaska.

PROBLEMS OF THE DOMESTIC TEXTILE INDUSTRY—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 524)

Mr. PASTORE. Mr. President, I submit a report of the Committee on Commerce, made by its Special Subcommittee to Study the Textile Industry, on the problems of the domestic textile industry, together with the supplemental views of the senior Senator from New Hampshire [Mr. COTTON].

I ask unanimous consent that the report be printed, together with the supplemental views.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Rhode Island.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. JOHNSTON, from the Joint Select Committee on the Disposition of Papers in the Executive Departments, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States, dated September 16, 1963, that appears to have no permanent value or historical interest, submitted a report thereon, pursuant to law.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BURDICK:

S. 2167. A bill to amend the provisions of title 18 of the United States Code relating to offenses committed in Indian country; to the Committee on the Judiciary.

(See the remarks of Mr. Burdick when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA:

S. 2168. A bill providing for the negotiation of international agreements limiting the exportation of beef and veal to the United States; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Hruska when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 2169. A bill to amend the act of February 26, 1944, as amended (16 U.S.C., sec. 631a et seq.) for the purposes of aiding in the administration of the Pribilof Islands, in Alaska, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND:

S. 2170. A bill for the relief of Mary Lane Laycock; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 2171. A bill for the relief of Dr. Richard A. Lim; to the Committee on the Judiciary.

By Mr. WILLIAMS of New Jersey:

S. 2172. A bill to authorize the issuance of a special postage stamp in commemoration of the 200th anniversary of Rutgers, the State university; to the Committee on Post Office and Civil Service.

By Mr. DOMINICK:

S. 2173. A bill to amend the Tariff Act of 1930 and the act of February 13, 1911, to eliminate those provisions which require payment to the United States for overtime services of customs officers and employees; to the Committee on Finance.

(See the remarks of Mr. Dominick when he introduced the above bill, which appear under a separate heading.)

By Mr. MANSFIELD (for himself and Mr. Metcalf):

S.J. Res. 121. Joint resolution to designate the lake to be formed by the waters impounded by the Canyon Ferry Dam, Mont., "Lake Townsend"; to the Committee on Interior and Insular Affairs.

RESOLUTION

PUBLIC ADDRESS SYSTEM IN SENATE CHAMBER

Mr. JAVITS (for himself, Mr. Williams of Delaware, Mr. Smathers, Mr. Humphrey, Mr. Clark, Mr. Randolph, and Mr. Boggs) submitted a resolution (S. Res. 202) to provide a suitable electrical public address system in the Senate Chamber, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Javits, which appears under a separate heading.)

AMENDMENT OF PROVISIONS OF TITLE 18, UNITED STATES CODE, RELATING TO OFFENSES COMMITTED IN INDIAN COUNTRY

Mr. BURDICK. Mr. President, I have today introduced, for appropriate reference, a bill to amend section 1153 of title 18 of the United States Code to make statutory rape of girls under 16 a crime on Indian reservations when Indians are involved.

John O. Garaas, U.S. attorney, Fargo, N. Dak., has alerted me to a defect in the law which should be corrected.

Section 1153 of title 18, applying only to Indians on reservations, lists rape as one of the major crimes. However, as a result of several Federal court interpretations, the definition of rape involves only common law rape, requiring force and no consent.

On the other hand, section 1152 of title 18, making the general law of the United States applicable to Indian country, takes in statutory rape as a crime, but it excludes offenses committed by one Indian against another Indian.

The effect is that an Indian, charged with having relations with a non-Indian girl under 16, can be charged with statutory rape, which could lead to a punishment of up to 15 years. For the same offense involving an Indian girl under 16, an Indian, subject to the jurisdiction of the tribal courts, could not receive a sentence exceeding 6 months.

My bill, in correcting this inconsistency, would give Indian girls the same protection under the law as non-Indian girls receive on reservations.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2167) to amend the provisions of title 18 of the United States Code relating to offenses committed in Indian country, introduced by Mr. Burdick, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first paragraph of section 1153 of title 18, United States Code, is amended by inserting immediately after "rape," the following: "carnal knowledge of any female, not his wife, under sixteen years of age,".

MEAT IMPORTS AND THE AMERICAN CATTLE INDUSTRY

Mr. HRUSKA. Mr. President, on several previous occasions it has been necessary to protest against the impact of the rising volume of meat imports on domestic livestock prices.

On March 14 of this year I called the attention of the Senate to the high level of imports and the collapse in cattle prices which had occurred since the beginning of the year. Since then, the volume of meat imports has continued to grow. During the first 6 months of this year, imports of red meat reached an alltime high of 651 million pounds, compared with 552 million pounds during the corresponding period of 1962, an increase of 18 percent.

This upward trend of imports is nothing new. The increase to date this year is merely a continuation of a consistent trend of many years' standing. Annual imports of all meat were an average of 329 million pounds during the period 1951 to 1955, and 613 million pounds during 1956 to 1960; in 1962 they amounted to 1,253 million pounds. In other words, they have been doubling about every 5 years.

In the past when we have protested these rising imports, we have been told by the Secretary of Agriculture that imports of meat have had very little effect on domestic livestock prices. As evidence, it was pointed out that during the very period when imports were increasing last year, fed-cattle prices were also rising.

That argument can hardly be used this year. As imports increased, prices fell. The monthly average price for choice steers in Chicago fell from $30.13 a hundred in November of last year to $22.61 in May. They recovered a little during the summer; the monthly average for July was $24.72, but they have trended down again since then.

In fact, prices so far this month—September—have been lower than for any other September, except one, since price controls on cattle were taken off in 1946. According to the latest figures I have, choice steers in Chicago averaged only $24.19 during the first week in September and $24.20 during the second week, the week ending September 12.

At these prices, cattle feeders are certainly still losing $25 or $50 a head.

Imports are no longer merely a minor irritant; they have come to provide a steadily increasing share of our beef supply. In 1962 imported cattle and beef added up to the equivalent of more than 10 percent of domestic production. Secretary Freeman has contended that these imports, being primarily manufacturing beef, have no significant effect on fedcattle prices, but it is well known that substitution by consumers of one meat product for another has important effects on the prices of both.

No amount of explanation can escape this striking relationship—that prices have fallen to near postwar lows, while imports have climbed to record heights. It would seem that it is time for some changes to be made in our Government policies on meat imports.

Last year Congress enacted Public Law 87–488 to deal with the problem of disruptive imports of cotton textiles. By that act the President was given broad authority to impose quotas on imports of various textile products in connection with international agreements controlling the trade in textiles. At that time the senior Senator from South Dakota [Mr. Mundt] and I proposed an amendment mandating similar agreements regulating the importation of beef and certain other products. The Hruska-Mundt amendment was rejected because of administration pressure, but the discretionary authority remains in the President to do what the Hruska-Mundt amendment would have made mandatory. The authority is contained in section 204 of the Agricultural Act of 1956, which provides:

> The President is authorized to negotiate agreements with foreign governments in an effort to limit the export to the United States of agricultural commodities or products.

It is clear that much of our problem is directly traceable to our liberal trade policy, our policy of low tariffs and no quotas. On the principal classification of meat imports—beef and veal, fresh, chilled, or frozen—we slashed the duty in half in 1948. The rate is now only 3 cents a pound, a nominal figure, and there are no quotas or other quantitative restrictions.

The National Livestock Feeders Association has formally called upon Ambassador Christian Herter, the President's Special Representative for Trade Negotiations, to initiate negotiations for an international agreement governing the trade in meat. This request is contained in letters and memoranda from Mr. Don F. Magdanz, executive secretary-treasurer of the National Livestock Feeders Association, to Ambassador Herter, which were inserted in the RECORD on August 23—pages 15713–15718. When the bill which became Public Law 87–488 was before the Senate last year, we received many assurances that assistance similar to that given to cotton textiles would be forthcoming for the livestock industry when the time of necessity arrived. That time has now arrived. The livestock industry needs help. We are entitled to expect the same consideration that other industries here received.

Such an agreement might involve quantitative limitations and it may be argued, of course, that quantitative limitations and such devices are in conflict with the beautiful dream of a world in which all trade is free from restraint and all nations prosper thereby. The trouble with that argument is that such a dream world seems to recede farther and farther from us.

The fact is that while we have been relaxing our controls over competitive imports, other countries have been tightening theirs. And in most cases, other countries have not limited themselves to the use of simple tariffs; they employ all manner of nontariff barriers—quotas, licensing systems, variable import fees, and the like—to regulate the volume of imports.

That statement can now be documented in statistical terms. The Department of Agriculture has just completed a study entitled "Agricultural Protection by Nontariff Trade Barriers." This study makes careful measurements, for each of the principal commercial nations of the free world, of the extent of nontariff trade barriers on agricultural products, and of the value of the farm production that is protected in each of the countries by the use of such methods of regulating imports.

The press release accompanying this publication states:

> The study shows that all our major trading partners practice a higher degree of agricultural protectionism through nontariff barriers than does the United States.

That is particularly true with respect to meat and livestock products. Of the countries analyzed, only the United States and Canada refrain entirely from the use of all protective devices, other than tariffs, on livestock and meat.

All the other countries use some form of nontariff trade barrier against at least part of their livestock and meat imports—generally almost all of such imports. Thus, Italy, Greece, Austria, Denmark, Portugal, and New Zealand exercise nontariff controls to protect 100 percent of their domestic livestock and meat production. For France, West Germany, Netherlands, Norway, and Switzerland, the corresponding figure is about 95 percent. For Australia and Japan, it is over 50 percent; for Belgium, 46 percent; and for the United Kingdom, 34 percent. As previously stated, only the United States and Canada, among the countries studied, refrained from the use of that type of trade controls on imported meat and livestock.

One fact is particularly striking. Even such countries as Australia and New Zealand, larger exporters of meat themselves who presumably would like to have other countries remove their trade barriers, do not hesitate to provide sweeping protection against imports for the benefit of their own producers.

One thing is clear enough from this study. No other country is anxious to permit imports of livestock and meat which would inflict injury on its own domestic producers. If we were finally to give our cattlemen some protection, we would not be peculiar. On the contrary, we are peculiar in the fact that we do not.

As a matter of fact, our rising imports may be partly because meat export surpluses produced by such countries as Australia have virtually no place else to go. They are virtually excluded from most other potential foreign markets by quotas, variable import fees, and the like. Partly as a result, the American market has become a sort of international dumping ground for any meat, particularly beef, which is not permitted into any place else.

At least, it is a fact that during the last few years U.S. imports of meat have bounded upward while the imports of most other countries have not. During the period from 1956 to 1960 our average annual imports of all meat, converted to a carcass weight basis, amounted to 890 million pounds. In 1962, this figure was 1,850 million pounds, just more than double. For all the rest of the world comparing the same dates the increase was only from 5,138 million pounds to 5,496 million pounds, a gain of less than 7 percent.

In a recent publication of the Department of Agriculture, the following significant sentences appear:

The United States has become the major market for Australian beef. Large exportable supplies of beef, lamb, and mutton should be available from Australia for the next few years as the result of increasing livestock numbers there.

So we are threatened in effect that imports will grow still larger during the next few years.

Just why should it always be the United States which accepts the duty of providing a market for the export surpluses of foreign countries? We certainly have the feed grains and surplus grasslands to produce enough beef to fill our own needs completely, if we were allowed to. Many other countries have greater need and use for imported beef than we do.

It seems time to begin applying a rule of reason to the regulation of our international trade in meat. Our farmers have been told repeatedly that if we hold down or reduce our barriers against imports, other countries can be persuaded to do likewise and thus foreign markets for our surpluses can be developed. That is not so important for the cattle industry, but it could be of great importance for our producers of wheat, feed grains, and various other products. The plan does not seem to be working. Foreign markets for farm products are closing down, not opening up.

With respect to meat, it is clear that other countries have not been persuaded to abolish the protection they give their own producers against foreign competition. I believe it is time that we begin to give the American cattle industry the same kind of protection that livestock producers in other countries receive from their own governments. Our cattle feeding industry has suggested that this be done through the instrumentality of an international agreement, just as was done for the cotton textile industry.

The mechanics are simple. The President would instruct the State Department to collaborate with the Secretary of Agriculture to determine practical and definite quotas or limits on the quantity of meat and livestock that we would permit to be imported. These instructions would necessarily be by way of a firm and strict mandate, Mr. President. It is well known that Secretary of Agriculture Freeman has maintained right along that such imports, even at the annual rate of 1¼ billion pounds, have no harmful effect on the market. For example, during a Senate Appropriations Committee hearing on March 21 of this year, in answer to a question from me, he said:

> I would not want to overstate this, but it would be our best judgment that the imports have not had any significant impact at all on the present price situation.

Such an unsympathetic attitude can be overcome only by orders from the President who appointed him and whom he serves.

A similar reluctance may be expected from the State Department, which is likewise openly and notoriously of the same general attitude—against protection for our domestic cattle industry.

However, both Departments and their respective Secretaries should be instructed to set their technical staffs to work, to determine, by study and by consultation with livestock men and others in the meatpacking industry, the practical bases for an international agreement with other countries limiting the quantities of meat that will be shipped to our shores. The major meat exporting nations would hardly be in position to oppose a reasonable agreement, since they know we have the ultimate power to regulate our own international commerce in meat, if we choose. Similar agreements limiting our imports of cotton textiles were effected with most of the low-wage nations which were abusing the right of entry for their products into the United States by pricing their wares far below the prices for American products based on American wage scales.

As to any nation which might refuse to enter into such an agreement governing meat, quotas should be placed on imports from such nation by executive action. That is exactly what was done for cotton textiles last year through enactment of Public Law 87-488 to which I have already referred. When that law was under consideration, Senator MUNDT and I were assured by Senators from cotton-raising and cotton-processing States of their sympathy and support for similar action to apply to livestock, meat, and meat products imports. Thus, we are assured of legislative backing if only the executive department through the President and his proper Cabinet officers will take the lead that is necessary.

If the administration does not consider that the best way, then let us find some other way, but let us address ourselves to this serious problem promptly.

At the conclusion of my remarks I ask unanimous consent that there be printed in the RECORD statistical tables to illustrate the points made, including the following: An article from Foreign Agriculture of September 2, 1963, a publication of the Department of Agriculture, entitled "U.S. Meat Imports Continue Above 1962," which includes a comparison of imports during the first 6 months of 1962 and of 1963; a table showing imports by annual averages or years from 1951 through 1962; average prices of choice steers during August and September from 1946 to 1963; a table comparing imports of cattle and beef, lambs and mutton, with domestic production; a table showing the extent of protection given the livestock and meat industries by other principal countries; and a table showing the trend in imports and exports of the principal countries.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

[From Foreign Agriculture magazine, Sept 2, 1963]

U.S. MEAT IMPORTS CONTINUE ABOVE 1962

U.S. imports of nearly all types of red meat were higher in the first 6 months of 1963 than during the same period in 1962. Beef and veal imports, at 491 million pounds, were 21 percent above the first half of last year; the major beef item (boneless) was 20 percent above the previous year at 407 million.

Pork imports for the first 6 months were up about 3 percent, with a 6 percent gain in canned ham imports being partially offset by declines in other types of pork.

Imports of both mutton and lamb were up sharply in the month of June and for the first 6 months showed increases of 18 and 95 percent, respectively.

Although wool imports showed some decline in the month of June, total dutiable and duty-free wools were 15 percent higher for the January-June period.

There was some increase in imports of bovine hides and skins in June; however, imports for the first 6 months were generally below last year. Sheep and lamb and goat and kid skin imports continued below the previous year in June and in the first 6 months. Both Morocco and India have placed restrictions on the exportation of certain types of goat skins.

Imports of live cattle were down sharply in June, but for the year as a whole thus far, are down just 3 percent.

TABLE 1.—*Livestock products: U.S. imports of selected items, June 1963, with comparisons*

Commodity	June		January-June	
	1962	1963	1962	1963
Red meats:	*1,000 pounds*	*1,000 pounds*	*1,000 pounds*	*1,000 pounds*
Beef and veal:				
Fresh and frozen, bone in	1,220	1,136	7,830	9,571
Fresh and frozen, boneless	57,485	68,502	339,660	407,339
Canned, including corned	9,306	7,435	36,799	51,846
Pickled and cured	74	67	301	288
Veal, fresh and frozen	991	1,437	9,244	9,148
Other meats [1]	3,055	1,585	13,364	12,915
Total, beef and veal	72,131	80,162	407,198	491,107
Pork:				
Hams and shoulders	12,148	9,392	66,093	70,297
Other pork [2]	5,629	5,070	38,182	37,189
Total, pork	17,777	14,462	104,275	107,486
Mutton	2,517	4,912	35,342	41,677
Lamb	445	1,170	5,597	10,894
Total, red meat	92,870	100,706	552,412	651,164
Variety meats	136	169	1,065	1,236

Commodity	June		January-June	
	1962	1963	1962	1963
Wool (clean basis):	*1,000 pounds*	*1,000 pounds*	*1,000 pounds*	*1,000 pounds*
Dutiable	8,800	8,376	66,168	69,290
Duty free	13,164	11,160	65,867	83,185
Total, wool	21,964	19,536	132,035	152,475
Hides and skins:	*1,000 pieces*	*1,000 pieces*	*1,000 pieces*	*1,000 pieces*
Cattle	23	40	297	207
Calf	106	118	347	383
Buffalo	34	49	438	323
Kip	54	95	369	553
Sheep and lamb	2,782	1,608	19,160	15,571
Goat and kid	1,278	1,127	8,165	7,541
Horse	55	58	289	245
Pig	58	20	868	534
	Number	*Number*	*Number*	*Number*
Live cattle [3]	45,521	32,394	537,753	520,951

[1] Other meat, canned, prepared, or preserved.

[2] Fresh or frozen; hams, shoulders, bacon not cooked; sausage, except fresh; prepared and preserved.

[3] Includes cattle for breeding.

NOTE.—Data on meat and meat food products inspected when offered for importation by the Meat Inspection Division, U.S. Department of Agriculture, show, for July of 1963, 114,000,000 pounds for all meats, compared with 100,000,000 pounds for July of 1962, a year-to-year increase of 14 percent for that month.

Source: U.S. Department of Commerce.

TABLE 2.—*Livestock, meat, and meat products: U.S. imports, product weight basis; averages 1951–55 and 1956–60; annual, 1958–62*

Commodity	Averages		1958	1959	1960	1961	1962 [1]
	1951–55	1956–60					
	Million pounds	*Million pounds*	*Million pounds*	*Million pounds*	*Million pounds*	*Million pounds*	*Million pounds*
Beef and veal:							
Fresh or frozen, carcass beef	39.8	30.1	58.9	39.1	14.7	25.1	18.8
Fresh or frozen, carcass veal	1.9	10.0	13.5	16.1	15.3	16.5	25.5
Fresh or frozen boneless beef and veal	18.2	232.8	285.9	469.2	383.9	527.5	819.1
Pickled or cured beef	33.4	6.6	6.1	7.1	.9	.9	.5
Canned beef	109.3	90.5	113.4	94.7	76.5	95.2	84.0
Other beef and veal, prepared or preserved	4.2	55.9	[2] 141.4	[2] 96.2	21.3	23.9	23.1
Total, beef and veal	206.8	425.9	619.2	722.4	512.6	689.1	971.0
Pork:							
Fresh or frozen	27.2	38.8	51.1	48.4	38.4	36.6	40.5
Hams, shoulders, and bacon [3]	84.2	105.9	111.1	108.8	118.5	119.4	137.0
Other pork, pickled or salted	5.9	14.1	19.2	15.8	12.7	15.2	24.6
Sausage, except fresh	.6	1.3	1.3	1.9	1.7	1.7	1.8
Total, pork	117.9	160.1	182.7	174.9	171.3	172.9	203.9
Lamb, mutton, and goat:							
Fresh or frozen lamb	3.4	6.2	6.8	9.5	12.4	10.9	13.1
Fresh or frozen mutton and goat	.7	20.8	17.2	47.3	37.3	44.9	65.0
Total, lamb, mutton, and goat	4.1	27.0	24.0	56.8	49.7	55.8	78.1
Total, red meat	328.8	613.0	825.9	954.1	733.6	917.8	1,253.0
Variety meats, edible: Fresh or frozen	1.5	1.3	2.1	2.3	1.8	2.0	3.1

See footnotes at end of table.

Table 2.—*Livestock, meat, and meat products: U.S. imports, product weight basis; averages 1951–55 and 1956–60; annual, 1958–62*—Con.

Commodity	Averages 1951–55	Averages 1956–60	1958	1959	1960	1961	1962 [1]
	Million pounds	*Million pounds*	*Million pounds*	*Million pounds*	*Million pounds*	*Million pounds*	*Million pounds*
Casings:							
Sheep, lamb, and goat	5.0	5.0	4.9	4.9	5.1	4.6	(4)
Other, natural	8.6	10.5	11.4	10.1	10.6	11.9	(4)
Lard	1.4	(5)	------	------	(4)	(4)	0.1
Tallow and greases [6]	3.0	2.6	1.9	2.4	.2	1.0	2.0
Hides and skins:	*Million pieces*	*Million pieces*	*Million pieces*	*Million pieces*	*Million pieces*	*Million pieces*	*Million pieces*
Cattle, calf, and kip [7]	3.2	2.1	1.6	3.1	2.1	2.2	2.6
Goat and kid	29.5	22.2	19.5	25.4	19.2	14.7	14.4
Sheep and lamb [8]	23.4	28.3	26.6	34.3	27.7	27.9	27.5
Horse	.4	.4	.5	.5	.4	.4	.5
Pig [9]	.5	.8	.8	1.3	.8	.7	1.6
Total, hides and skins	57.0	53.8	49.0	64.6	50.2	45.9	46.6
	Million pounds	*Million pounds*	*Million pounds*	*Million pounds*	*Million pounds*	*Million pounds*	*Million pounds*
Wool (clean basis):							
Apparel	180.6	84.8	67.2	100.6	74.3	90.3	125.8
Carpet	114.9	146.3	122.5	191.5	153.9	157.4	143.5
Total, wool	295.5	231.1	189.7	292.1	228.2	247.7	269.3
	Thousand head	*Thousand head*	*Thousand head*	*Thousand head*	*Thousand head*	*Thousand head*	*Thousand head*
Livestock:							
Cattle	195.6	682.3	1,152.4	708.8	663.2	1,042.7	1,250.0
Sheep and lamb	4.9	37.2	39.8	75.5	49.8	1.0	20.8
Hogs [10]	12.3	3.8	9.1	2.4	1.2	3.2	3.3

[1] Preliminary.
[2] Mostly cured and salted boneless beef from Argentina.
[3] Includes canned hams and shoulders.
[4] Not available.
[5] Less than 50,000 pounds.
[6] Includes edible and inedible tallow, oleo oil and stearin, animal oils and fats n.e.c., stearin acid, animal fats and greases n.e.c. and animal oils.
[7] Includes buffalo hides.
[8] Includes hair sheep and cabretta skins.
[9] Includes wild pig skins.
[10] 200-pound equivalent.

Source: Foreign agricultural circular, "Livestock and Meat," FLM 8-63, July 1963, Foreign Agricultural Service, U.S. Department of Agriculture.

Table 3.—*Slaughter steer prices: Average cost per 100 pounds of sales out of 1st hands of choice grade steers, Chicago, August, September, and annual, 1946–63*

Year	August	September	Annual	Year	August	September	Annual	Year	August	September	Annual
1946	$20.73	$19.58	$19.32	1952	$33.02	$32.53	$33.18	1958	$26.11	$26.70	$27.42
1947	28.27	29.43	26.22	1953	25.28	25.87	24.14	1959	27.56	27.62	27.83
1948	36.02	34.49	30.96	1954	24.08	25.00	24.66	1960	25.07	24.80	26.24
1949	26.50	28.22	26.07	1955	22.43	22.69	23.16	1961	24.13	24.34	24.65
1950	29.97	30.32	29.68	1956	25.81	27.27	22.30	1962	28.19	29.85	27.67
1951	35.85	36.68	35.96	1957	25.63	24.98	23.83	1963	24.60	[1] 24.20	[2] 24.28

[1] Week ended Sept. 12.
[2] Average for 1st 8 months.

Source: "Livestock and Meat Statistics, 1962," U.S. Department of Agriculture, and various issues of Livestock-Meat-Wool Market News, 1963, U.S. Department of Agriculture.

Table 4.—*U.S. imports of cattle and beef, lambs and lamb and mutton compared with production, 1950–62*

CATTLE AND CALVES AND BEEF AND VEAL

Year	Imports: Live animals: Number	Imports: Live animals: Meat equivalent [1]	Imports: Meat	Imports: Total [2]	Meat production [3]	Imports as a percentage of production
	1,000 head	*Million pounds*	*Million pounds*	*Million pounds*	*Million pounds*	*Percent*
1950	438	157	348	505	10,764	4.7
1951	220	91	484	575	9,896	5.8
1952	138	47	429	476	10,819	4.4
1953	177	62	271	333	13,953	2.4
1954	71	35	232	267	14,610	1.8
1955	296	93	229	322	15,147	2.1
1956	141	43	211	254	16,094	1.6
1957	703	221	395	616	15,728	3.9
1958	1,126	340	909	1,249	14,516	8.6
1959	688	191	1,063	1,254	14,588	8.6
1960	645	163	775	938	15,835	5.9
1961	1,023	250	1,037	1,287	16,341	7.9
1962	1,232	280	1,445	1,725	16,311	10.6

LAMBS AND LAMB AND MUTTON

Year	Imports: Live animals: Number	Imports: Live animals: Meat equivalent [1]	Imports: Meat	Imports: Total [2]	Meat production [3]	Imports as a percentage of production
	1,000 head	*Million pounds*	*Million pounds*	*Million pounds*	*Million pounds*	*Percent*
1950	97	3	3	6	597	1.0
1951	14	(5)	7	7	521	1.3
1952	(4)	(5)	6	6	648	.9
1953	1	(5)	3	3	729	.4
1954	1	(5)	2	2	734	.3
1955	8	(5)	2	2	758	.3
1956	3	(5)	1	1	741	.1
1957	18	1	4	5	707	.7
1958	40	1	41	42	688	6.1
1959	76	2	104	106	738	14.4
1960	50	1	87	88	768	11.5
1961	1	(5)	101	101	832	12.1
1962	21	1	143	144	809	17.8

[1] Estimated at 53 percent of the live weight of all dutiable imports of cattle and for lambs an average 30-pound carcass.
[2] Canned and other processed meats have been converted to their carcass weight equivalent.
[3] Total production.
[4] Less than 500 head.
[5] Less than 500,000 pounds.

TABLE 5.—*Livestock and meat: Proportion of the value of domestic production protected against imports by nontariff trade barriers selected countries*

[In millions of dollars]

Country	Total value	Protected value	Percent	Country	Total value	Protected value	Percent
France	2,479	2,355	95.0	Portugal	102	102	100.0
West Germany	2,349	2,231	95.0	Switzerland	242	232	95.9
Netherlands	475	452	95.2	United Kingdom	1,355	456	33.7
Italy	1,136	1,136	100.0	Canada	854	0	0
Belgium	341	156	45.7	Australia	531	383	72.1
Greece	109	109	100.0	New Zealand	312	311	100.0
Austria	310	310	100.0	Japan	618	355	57.4
Denmark	560	560	100.0	United States	9,255	0	0
Norway	112	106	94.6				

Source: Compiled from data in "Agricultural Protection by Nontariff Trade Barriers," ERS–Foreign–60, September 1963, U.S. Department of Agriculture. See that publication for precise statements of coverage and of use of terms, limitations of the data, and original sources.

TABLE 6.—*All meat: Principal exporters and importers; average, 1951–55 and 1956–60; and annual, 1960, 1961, and 1962*

[In millions of pounds]

	Average, 1951–55	Average, 1956–61	1960	1961	1962
Exporting countries:					
Australia	[1] 471	726	591	867	1,149
Argentina	802	1,369	983	980	1,197
Denmark	772	913	1,032	1,043	1,134
New Zealand	794	954	1,060	1,043	1,062
France	127	163	266	352	451
Netherlands	271	374	454	382	373
Yugoslavia	22	127	198	251	301
Ireland	158	181	241	309	292
Uruguay	136	103	153	113	152
Mexico	68	58	112	92	107
United States	140	145	115	112	163
Others	577	862	1,067	980	916
Total	4,338	5,975	6,272	6,524	7,237

	Average, 1951–55	Average, 1956–61	1960	1961	1962
Importing countries:					
United Kingdom	2,743	3,414	3,512	3,290	3,385
United States	462	890	1,048	1,327	1,850
Germany, West	129	245	253	284	367
Italy	84	280	360	144	275
U.S.S.R	544	342	212	139	169
Canada	54	75	90	131	131
Spain	12	5	39	26	127
Belgium-Luxembourg	42	58	69	84	94
Others	573	719	820	1,052	948
Total	4,643	6,028	6,403	6,477	7,346

[1] Year ending June 30.

NOTE.—All meat converted to carcass weight equivalent. Includes beef and veal, pork, mutton and lamb, goat and horsemeat, except live animals; edible variety meat, lard, rabbit and poultry meat. Figures for individual years 1960-62 are preliminary.

Source: Publications of the Foreign Agricultural Service, U.S. Department of Agriculture.

Mr. HRUSKA. Mr. President, I also introduce, for appropriate reference, a bill "providing for the negotiation of international agreements limiting the exportation of beef, veal, mutton, and lamb to the United States", and I ask that the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2168) providing for the negotiation of international agreements limiting the exportation of beef and veal to the United States, introduced by Mr. HRUSKA, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and directed, pursuant to section 204 of the Agricultural Act of 1956, as amended, to initiate negotiations for an agreement or agreements with foreign countries in an effort to limit the export to the United States of beef, veal, lamb, and mutton and products thereof, and for that purpose to exercise the powers granted to him by the said section 204.

ADMINISTRATION OF PRIBILOF ISLANDS

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference a bill to amend the act of February 26, 1944, as amended (16 U.S.C., sec. 631a et seq.) for the purposes of aiding in the administration of the Pribilof Islands, in Alaska, and for other purposes. I ask unanimous consent to have printed in the RECORD a letter from the Assistant Secretary of the Interior, requesting the proposed legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2169) to amend the act of February 26, 1944, as amended (16 U.S.C. sec. 631a, et seq.) for the purposes of aiding in the administration of the Pribilof Islands, in Alaska, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

U.S. DEPARTMENT
OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., September 3, 1963.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "to amend the act of February 26, 1944, as amended (16 U.S.C., sec. 631a, et seq.) for the purposes of aiding in the administration of the Pribilof Islands, in Alaska, and for other purposes."

We request that this bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

The Pribilof Islands situated in the Bering Sea approximately 300 miles off the Alaska coast are a special Government reservation set aside in 1869 for the protection of the Alaska fur seal herd and for other purposes. Under the provisions of the act of February 26, 1944, as amended (16 U.S.C., sec. 631a, et seq.), popularly known as the Fur Seal Act, the Secretary of the Interior through the U.S. Fish and Wildlife Service, administers these islands primarily to conserve and manage the fur seal population and to provide for the welfare of the native inhabitants. There are approximately 650 Aleuts residing on the islands of Saint Paul and Saint George. Most of these natives are descendants of Aleutian Islands' natives transported to the Pribilof Islands by the Russians during the period of Russian ownership of Alaska to exploit the fur seal herd which inhabits the rookeries of the islands.

Since the act of July 1, 1870 (16 Stat. 181), the United States has long recognized an obligation to provide for these native inhabitants. This obligation is recognized and continued in the present Fur Seal Act. Section 7 of the act provides that in harvesting the fur seals and curing the skins the Secretary shall employ the native inhabitants at a fair rate of compensation to be fixed by the Secretary. In addition section 8 of the act provides:

"The Secretary shall have the authority to establish and maintain depots for provisions and supplies on the Pribilof Islands and to provide for the transportation of such provisions and supplies from the mainland of the United States to the islands by the charter of private vessels or by the use of public vessels of the United States which may be under his control or which may be placed at his disposal by the President; and he likewise shall have authority to furnish food, shelter, fuel, clothing, and other necessities of life to the native inhabitants of the Pribilof Islands and to provide for their comfort, maintenance, education, and protection."

This congressional authorization in section 8 of the Fur Seal Act does not stem from any treaty, or tribal right, but is merely a gratuity based upon moral and humanitarian considerations. In carrying out this obligation, this Department has constructed and presently maintains schools, homes, public buildings, stores and shops, recreational facilities, water, sewer and electric facilities, and a hospital. Education, medical and dental services, and welfare assistance are also provided. In short, the Pribilof Islands Reservation has been administered as a virtually autonomous community under the supervision of the Secretary of the Interior.

In addition to providing for the native inhabitants of these islands, section 6 of the Fur Seal Act provides: "The Pribilof Islands, including the islands of Saint Paul and Saint George, Walrus and Otter Islands, and Sea Lion Rock, in Alaska, are declared a special reservation for Government purposes. It shall be unlawful for any person other than natives of the said islands and officers and employees of the Fish and Wildlife Service to land or remain on any of those islands, except through stress of weather or like unavoidable cause or by the authority of the Secretary."

Under this section this Department has occasion to furnish supplies, fuel, lodging, and other services to contractors and other persons, including tourists.

Previously, it has been the practice to withhold payment for rent, food, supplies, and other services from the pay of the Aleut natives in Government employ. The wage plan also included provision for allowances to the natives in kind. However, we are now converting the jobs in the fur seal industry to regular classified and wage board positions and eliminating the make-work jobs which were a part of our welfare program. The volume of groceries and other services provided the natives on a payroll deduction basis has been reduced, because of the limited tenure in the number of the full-time positions caused by this change in the employment policy. Consequently, a greater volume of cash transactions has resulted. Accordingly, we must be authorized to credit the cash receipts to our appropriation in order to offset the cost of purchasing the merchandise delivered to the islands for resale. In the case of seasonally unemployed natives and other persons, the supplies and services are furnished for cash and as provided in section 3617 of Revised Statutes (31 U.S.C., sec. 484) the moneys are covered into the Treasury as miscellaneous receipts and are not available for this continuing program activity.

Our proposal is designed to permit the Secretary to credit the amounts received for the furnishing of goods and services to the natives and other persons to the appropriation which is made for the execution of the fur seal program and the management of the Pribilof Islands. It is estimated that the amount of such repayments for fiscal year 1964 will be approximately $60,000 and will increase in succeeding years to approximately $100,000. The enactment of this proposal, however, will not create a need for an additional appropriation.

The Bureau of the Budget has advised that there is no objection to the presentation of this draft bill from the standpoint of the administration's program.

Sincerely yours,

FRANK P. BRIGGS,
Assistant Secretary of the Interior.

AMENDMENT TO THE TARIFF ACT OF 1930 AND THE ACT OF 1911

Mr. DOMINICK. Mr. President, I introduce, for appropriate reference, a bill to amend the Tariff Act of 1930 and the act of 1911. This amendment would allow private aircraft flyers, and transport vehicles engaged in foreign commerce, such as airlines, steamships, and railroads, returning to the United States on weekends, holidays, and at night to receive regular custom service without extra charges.

I have always been at somewhat of a loss to determine why people traveling by automobile, ferry, train, or even on foot, receive regular custom service without extra custom charges, but people who travel by private aircraft, commercial airline, steamship, or railroad must pay special charges on weekends and holidays, and after 5 p.m. For this reason, I am introducing this remedial legislation.

The Customs law under the Tariff Act of 1930, provides that no merchandise, baggage, or passengers arriving in the United States from any foreign port shall be unloaded on a Sunday, a holiday, or at night, except under a special license granted by the Collector of Customs. Before any such license to load or unload is granted, owners of private or commercial aircraft, vessels, and other vehicles must agree to pay the compensation of Customs officers assigned to duty on Sunday, a holiday, or at night. The Bureau of Customs estimates that payments to customs employees of the Government by the private flyers and the U.S. transport industry in 1962 amounted to $6 to $8 million. We think the extra charges are unjust and inequitable, and in many cases excessive.

The Bureau of Customs justifies these extra customs charges on the ground that people traveling by private aircraft, commercial airline, steamship, or railroad are not specifically exempt persons; that it has no discretionary authority in the application of the statute; that its job is to enforce expressed congressional intent. The legislative history behind the Tariff Act of 1930, however, shows no congressional intent to require extra customs charges of people traveling by private and commercial airline, steamship, or railroad. On the contrary, the legislative history is such that the possible exemption of such people was not even considered by Congress. These overtime laws were enacted in an era when the small aircraft's future as a common means of transportation was unknown. They were enacted in an area when the future significance of transportation and foreign commerce to our Nation's economy probably was not fully visualized. In fact, current customs overtime requirements are based on a statute which is over 50 years old. Today, when more and more people are flying and utilizing small aircraft as a common means of transportation; when approximately 80 percent of today's total aviation travel in the United States is conducted by private aircraft; and when more and more people are using commercial airlines, steamships, and railroads for transportation and foreign commerce, it seems to me the law should be amended to meet the need for full-time inspection services without special charges. This travel and commerce will undoubtedly increase as time goes by, and it seems to me that it is inequitable to require only one group to pay for the cost of necessary governmental services.

The existing tariff law was enacted in a day and age when travel by private aircraft was not a common mode of transportation. In that day and age, Congress did not comprehend that the private flier would become as commonplace as the automobile driver.

The existing tariff law was also enacted in order to discourage foreign commerce transactions at other than so-called regular 8-to-5 business hours then established, and because inspection personnel work schedules could not be predicted in view of the unpredictable operating schedules of transport companies then in operation. Our trade policies, public service demands, and transportation systems and techniques have changed in the last 50 years.

Many public service functions of both private industry and our Government are now required 24 hours a day, 7 days a week. In light of what I have said, this is particularly true with regard to private aircraft travel and the transportation business. Although the 40-hour week is the general rule for employees of both private industry and Government, both have found it better and desirable to rotate and schedule employees on work shifts covering days, nights, weekends, and holidays. We have all seen such scheduling work, and our country prosper under it.

Presently, we find the Bureau of Customs closed down 60 days a year and at night in many cases unless private parties enter labor contracts with Government custom employees for what is considered a special service. This condition is allowed by laws which assume that private aviation travel and our international transportation system can likewise shut down and stop on Sundays, holidays, or at night. It is inferred from these laws that our Government has no public service obligations and duties with respect to private aviation travel or foreign commerce except during so-called regular business hours, Monday through Saturday. The truth of it is that the public services which the Bureau of Customs provides are necessary 24 hours a day, 7 days a week for the benefit of the people returning to the United States by private aircraft, commercial airline, steamship, or railroad. This inspection service is performed in the national interest, and not in the interest of one portion of the public. We are all affected by foreign travel and commerce. It seems fair that we should all bear such an inspection expense just as we do for returns to the United States by automobile, ferry, train, or by foot, on a Sunday, a holiday, or at night. It seems to me that remedial legislation has been long overdue.

I ask that the bill be appropriately referred, and be printed at this point in the Record, and also that the bill be held at the desk until the close of business on October 1, to enable other Senators who may wish to join in cosponsoring the bill to do so.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record and held at the desk, as requested by the Senator from Colorado.

The bill (S. 2173) to amend the Tariff Act of 1930 and the act of February 13, 1911, to eliminate those provisions which require payment to the United States for overtime services of customs officers and employees, introduced by Mr. Dominick, was received, read twice by its title, referred to the Committee on Finance and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 451 of the Tariff Act of 1930 (19 U.S.C. 451) is amended to read as follows:

"Sec. 451. Same—Exceptions; Extra Compensation for Certain Overtime Services.

"(a) The provisions of sections 450 and 452 of this Act shall not apply to the owner, operator, or agent of a highway vehicle, bridge, tunnel, or ferry, between the United States and Canada or between the United States and Mexico, nor to the lading or unlading of merchandise, baggage, or persons arriving in or departing from the United States by motor vehicle, trolley car, on foot, or by other means of highway travel upon, over, or through any highway, bridge, tunnel, or ferry. At ports of entry and customs stations where any merchandise, baggage, or persons shall arrive in or depart from the United States by motor vehicle, trolley car, on foot, or by other means of highway travel upon, over, or through any highway, bridge, tunnel, or ferry, between the United States and Canada or between the United States and Mexico, the collector, under such regulations as the Secretary of the Treasury may prescribe, shall assign customs officers and employees to duty at such times during the twenty-four hours of each day, including Sundays and holidays, as the Secretary of the Treasury in his discretion may determine to be necessary to facilitate the inspection and passage of such merchandise, baggage, or persons. Officers and employees assigned to such duty at night or on Sunday or a holiday shall be paid compensation in accordance with existing law as interpreted by the United States Supreme Court in the case of the *United States* v. *Howard C. Myers* (320 U.S. 561). As used in this section the term 'ferry' shall mean a passenger service operated with the use of vessels which arrive in the United States on regular schedules at intervals of at least once each hour during any period in which customs service is to be furnished as above provided.

"(b) Upon a request made by the owner, master, or person in charge of a vessel or vehicle, or by or on behalf of a common carrier or by or on behalf of the owner or consignee of any merchandise or baggage, for overtime services of customs officers or employees at night or on a Sunday or holiday, the collector shall assign sufficient customs officers or employees if available to perform any such services which may lawfully be performed by them during regular hours of business. Any customs officers or employees so assigned shall be entitled to rates of compensation fixed on the same basis and payable in the same manner and upon the same terms and conditions as in the case of customs officers and employees assigned to duty in connection with lading or unlading at night or on Sunday or a holiday.

"(c) Nothing in this section shall be construed to impair the existing authority of the Treasury Department to assign customs officers or employees to regular tours of duty at nights or on Sundays or holidays when such assignments are in the public interest."

(b) Section 5 of the Act entitled "An Act to provide for the lading or unlading of vessels at night, the preliminary entry of vessels, and for other purposes", approved February 13, 1911, as amended (19 U.S.C. 267, 261), is amended—

(1) by striking out the second sentence thereof, and

(2) by striking out ", the said extra compensation to be paid by the master, owner, agent, or consignee of such vessels" in the third sentence thereof.

Sec. 2. The amendments made by this Act shall take effect at twelve o'clock noon of the first Monday following the 30th day after the date of the enactment of this Act.

PUBLIC ADDRESS SYSTEM FOR SENATE CHAMBER

Mr. JAVITS. Mr. President, I submit, for appropriate reference, on behalf of myself, the senior Senator from Delaware [Mr. Williams], the Senator from Florida [Mr. Smathers], the Senator from Minnesota [Mr. Humphrey], the Senator from Pennsylvania [Mr. Clark], the Senator from West Virginia [Mr. Randolph], and the junior Senator from Delaware [Mr. Boggs], a resolution to provide for the installation of a public address system within the Senate Chamber. The resolution, a revival of a similar effort which I made in 1957, would locate a microphone at the desk of the Presiding Officer and of each Senator.

A debate which took place on Monday of last week, in which a Senator claimed to have been misquoted by the press because his remarks on the Senate floor were not heard, highlighted an issue of Senate procedure which has long been of interest to me: the fact that, unlike the House of Representatives, which for many years has had a public address system in its Chamber, the Senate has no such system. The result is that often interesting and vigorous debate on the Senate floor is completely missed by the many visitors in the Visitors' Gallery and even heard only partially, if at all, by members of the working press in the Press Gallery. In this age of electronics, it is anomalous that the Senate should labor under such a disadvantage.

Certainly there is room for a small microphone at each Senator's desk, and the controls could be easily applied. One place that readily comes to mind is the little used inkwell, which recalls the days when quill pens were still used on the Senate floor. The inkwells are ornamental but not useful now.

When I first came to the Senate in 1957, as a member of the Committee on Rules and Administration, I made an effort to bring about the institution of a suitable public address system in the Senate Chamber. The committee asked the Architect of the Capitol to study the feasibility of the plan. The staff of the committee made a survey of the then 96 Members of the Senate and found that a considerable number were interested in the change; also, a considerable number were opposed to any change, principally because of technical difficulties which I think, with the greatly improved state of the art of electronics, can now be entirely eliminated.

This would be a helpful small step forward to bring Senate procedures more into line with the space age. I hope the support with which the idea was greeted on the Senate floor a week ago will result in early action by the Committee on Rules and Administration.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 202) was referred to the Committee on Rules and Administration, as follows:

Resolved, That (a) to insure that debates of the Senate may be heard in all parts of the Senate chamber and in the galleries thereof, the Committee on Rules and Administration is authorized and directed to take such action as may be required for the installation and operation within the Senate chamber of a suitable electrical public address system, including a microphone placed at the desk of the presiding officer and at the desk of each Senator.

(b) To the extent authorized by law, the expenses incurred for the installation and operation of such public address system may be defrayed from the contingent fund of the Senate.

Mr. JAVITS subsequently said: Mr. President, I ask unanimous consent that the resolution I submitted earlier today to provide a suitable electronic public address system in the Senate Chamber may lie on the table until the close of business on Friday, September 27, for cosponsorship by other Senators.

I take the opportunity to call the attention of the Senate to the fact that the resolution has been submitted, and to say to Senators who are interested in this modernization of the Senate, so that we may be heard—which is a pretty simple modernization—that I was stimulated to submit it by the situation in which the Senator from Virginia [Mr. Robertson] found himself, in which he was not heard. The resolution is cosponsored by Senators Williams of Delaware, Smathers, Clark, Humphrey, Randolph, and Boggs, and I hope that other Senators will join in the sponsorship of the resolution. It does have extensive sponsorship, and therefore there is hope that it may receive early action. It is the kind of resolution which should have the interest and sponsorship of Senators who are interested.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT OF AGRICULTURAL APPROPRIATION BILL

Mr. JAVITS submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes, the following amendment; namely:

On page 33, line 2, delete the period and insert a semicolon and the following:

"*Provided further,* That no part of the funds appropriated under this title for the Farmers Home Administration shall be used in any State in which the participants in, or beneficiaries of, the programs of the Farmers Home Administration are segregated, or otherwise discriminated against, on account of race, creed, or color."

Mr. JAVITS also submitted an amendment, intended to be proposed by him to House bill 6754, making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment to, see the foregoing notice.)

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL, 1964—AMENDMENT

Mr. RIBICOFF submitted an amendment, intended to be proposed by him, to the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes, which was ordered to lie on the table and to be printed.

PROTECTION OF RIGHTS OF PUBLIC TO INFORMATION — ADDITIONAL COSPONSORS OF BILL

Mr. SMATHERS. Mr. President, I ask unanimous consent that the name of the junior Senator from Utah [Mr. Moss] be added as a cosponsor of S. 1666, a bill to clarify and protect the rights of the public to information.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF HEARING ON NOMINATION OF FRANK KOWALSKI TO BE A MEMBER OF THE SUBVERSIVE ACTIVITIES CONTROL BOARD

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, October 3, 1963, at 10:30 a.m., in room 2228, New Senate Office Building, before the Subcommittee To Investigate the Administration of the Internal Security Act and other internal security laws, on the nomination of Frank Kowalski, of Connecticut, to be a member of the Subversive Activities Control Board, for term expiring August 9, 1966.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

REA INTEREST RATES

Mr. LAUSCHE. Mr. President, there is pending now on the Senate Calendar H.R. 6754, the Department of Agriculture and related agencies appropriation bill for 1964, which I assume will be called up for consideration in the very near future. I note that this bill contains a loan authorization for the Rural Electrification Administration in the sum of $495 million. This exceeds the 1963 appropriation by $15 million. Frankly, in view of the fact that more than 98 percent of the rural homes in this country already have electric service, I cannot see the need for this large sum. I would like to see it substantially reduced and believe that this is one place in which the President could reduce his budget. In the hearings held in the House committee on this bill and when it was considered by the Senate committee, there were brought to light numerous occasions where the Rural Electrification Administration made loans in substantial sums for purposes of questionable nature and legality. It is my opinion that if the REA would confine its activities to the program intended by the Congress, this authorization of $495 million could be substantially reduced.

Hidden behind this $495 million authorization is a very substantial windfall to the REA in that the Federal Government will be paying approximately 4 percent on its long-term borrowings and at the same time will be loaning this $495 million at a rate of 2 percent, which amounts to an approximate $10 million subsidy to the REA for this particular appropriation alone. The interest paid and to be paid by the Government on money borrowed during the same fiscal year that the money was advanced to REA borrowers, computed on the basis of the same number of years as the advances with interest at the average annual rate paid by the Government on marketable securities having a maturity of 10 years or more, exceeds the interest received and to be received by the Government from the REA borrowers during the period of their loans by $863,613,000. Adding to this amount the administrative cost of making and supervising the electrification loans approved from the creation of the REA in 1935 through June 30, 1962, which amounted to $112,957,000, gives a total loan subsidy of $976,570,000 on advances made through June 30, 1962. This loan subsidy is presently increasing at a rate of approximately $100 million a year, and has now passed the billion-dollar mark.

Recently in an address supporting the pending tax cut bill, which is anticipated to increase our current $7.4 billion deficit by an additional $2.2 billion for fiscal 1964, the President pledged a tighter rein on Federal expenditures reducing the deficit estimate for the current year and promising to keep next year's deficit to a handful of billions instead of bucketfuls. I commend the President for this attitude and wish him complete success. I will support him on reduction and curtailment of unnecessary expenditures; I point out that here is an opportunity in this bill to substantially reduce Federal expenditures in a method that should have been taken long ago.

A moment ago, I stated that the loan subsidy for the REA since 1936 has passed the billion-dollar mark. I ask unanimous consent that there be inserted in the RECORD at this point a table showing the interest subsidy accruing to REA borrowers during the period of their loans.

On Monday, September 16, and Wednesday, September 18, I filed with the Senate two different motions to suspend the rules in order that I might introduce and call up amendments to H.R. 6754 dealing with interest rates for REA loans. It is my intention to request consideration of at least one of these two motions and amendments when the bill is called up for consideration.

It has been said by some and questioned by many more that an increase in the interest rate charged the REA on its borrowings from the Treasury would place the REA program in great jeopardy. I want to point out that this fear is greatly exaggerated. The increased interest payable due to increasing the rate on new loans to REA borrowers from the subsidy level of 2 percent per year to a rate equal to the cost for the money to the Government could be absorbed by most of the REA borrowers without financial hardship. The effect of the increase on individual borrowers would vary as does the effect of increases in any of the borrowers' other expenses, such as labor and materials.

The 1961 Annual Statistical Report of Rural Electrification Borrowers, REA Bulletin 1-1, the latest issue available, contains a table of composite revenues and expenses reported by REA borrowers for the calendar year 1961. This table shows that 962 borrowers paid $52,578,598 in interest on their long-term debt. It also shows their operating revenues as $707,477,112 and net margins as $93,684,695 for the calendar year 1961.

From these official data, it can be computed that only 7.43 percent of the operating revenues of the REA borrowers was used to pay interest on long-term debt, and that after interest payments and all other expenses the REA borrowers had net margins, "profits," equal to 13.24 percent of their operating revenues, which is more than 1¾ times their interest payments.

It is worth noting that if the borrowers could expand their services and improve their financial positions from 1941 through 1943 when they were paying from 21.52 to 16.61 percent of the operating revenues as interest, they certainly should be able to continue to give good service and expand, and, at the same time, pay the Government an interest rate comparable to what the Government pays for its borrowings.

Even if my equalization interest rate amendment is adopted, rural electric cooperatives would still enjoy a tremendous tax subsidy. According to information from the 1961 Annual Statistical Report of Rural Electrification Borrowers, U.S. Department of Agriculture, and the 1960 Statistics of Electric Utilities in the United States—Privately Owned—issued by the Federal Power Commission, the rural electric cooperatives' tax per dollar of revenue amounted to 3.2 cents, while the tax per dollar of revenue paid by privately owned class A and B electric utilities was 22.8 cents, resulting in a tax subsidy differential in favor of the REA of 19.6 cents per dollar of revenue.

Mr. President, in conclusion, I reiterate that I think that the REA has been a great benefit to our Nation and its economy. I would like to see it continue, but since its principal mission has been fulfilled, it should now carry its own weight. It can do so and it should do so.

I have filed two notices indicating that I contemplate offering amendments to the Department of Agriculture appropriation bill. One amendment would raise the interest rate charged by the Rural Electrification Administration from 2 to 3 percent. The other amendment, if adopted, would raise the interest rate from 2 percent to a sum equal to the average rate paid by the Federal Government for borrowing money.

The argument is being made that as a prerequisite to cutting taxes, expenses should be reduced. In my opinion, this is one field in which that can be done.

I repeat my statement: I have filed two notices with the Senate, indicating that I contemplate offering amendments to change the substantive law through an appropriation bill. One amendment, if adopted, would raise the interest rate charged by the Federal Government to Rural Electrification cooperatives from 2 percent to a level equal to the average rate paid by the Federal Government for borrowing money. If I am unsuccessful in having that amendment adopted, I shall then press for a second amendment, which would raise the interest rate from 2 to 3 percent. This is one field in which we can effect a saving and thus justify a tax reduction.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD tables revealing operating revenues and interest on long-term debt as reported by REA borrowers for the calendar year 1941 through 1961, inclusive.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE A.—*Interest subsidy accruing to REA borrowers during the period of their loans*

Fiscal year	Advances to REA borrowers	Interest rate charged by REA	Interest rate paid by Government	Interest subsidy
	Thousands	*Percent*	*Percent*	*Thousands*
1936	$823	3.00	2.77	$6
1937	11,042	2.77	2.88	443
1938	48,176	2.88	2.73	1,100
1939	62,297	2.73	2.69	2,105
1940	98,949	2.69	2.46	2,668
1941	75,108	2.46	2.48	3,248
1942	58,221	2.48	2.57	2,827
1943	14,537	2.57	2.67	742
1944	18,478	2.67	2.25	871
1945	39,736	2.00	2.25	2,205
1946	87,253	2.00	2.375	7,312
1947	190,086	2.00	2.375	15,929
1948	246,236	2.00	2.375	20,635
1949	321,287	2.00	2.375	26,923
1950	286,659	2.00	2.375	24,021
1951	268,131	2.00	2.375	22,469
1952	227,574	2.00	2.375	19,070
1953	207,634	2.00	3.25	0,075
1954	181,529	2.00	3.25	52,522
1955	156,742	2.00	3.00	35,862
1956	154,740	2.00	3.00	35,404
1957	185,978	2.00	3.00	42,551
1958	205,332	2.00	3.50	71,838
1959	211,717	2.00	4.00	100,593
1960	222,621	2.00	4.25	120,161
1961	183,413	2.00	4.25	98,999
1962	195,807	2.00	4.00	93,034
Total	3,960,104			863,613

SOURCES AND NOTES

Advances to REA borrowers: Rural Electrification Administration.

Interest rate charged by REA—rate charged borrowers on loans, as provided for in Rural Electrification Act: Fiscal year 1936–44, computed by Rural Electrification Administration. Fiscal year 1945–62, 2-percent rate specifically provided for in Rural Electrification Act, as amended.

Interest rate paid by Government—average rate paid on marketable securities having a maturity of 10 years or more; does not include bonds issued for advance refundings: Fiscal year 1936–44, Treasury Department. Fiscal year 1945–57, Treasury Department, rounded to nearest ⅛ of 1 percent. Fiscal year 1958–60 and 1962, computed from Treasury Department data and rounded to nearest ⅛ of 1 percent. Fiscal year 1961, no bonds having a maturity of 10 years or more were issued during fiscal year 1961 for cash or in refunding maturing securities; accordingly, the average interest rate paid during the preceding fiscal year (1960) was used.

Detail may not add to total due to rounding.

TABLE B.—*Operating revenues and interest on long-term debt as reported by REA borrowers*

Calendar year	Operating revenue	Interest on long-term debt [1]	Percent of operating revenue required to pay interest
1941	$35,022,071	$7,535,165	21.52
1942	46,927,322	8,784,262	18.72
1943	55,587,614	9,232,811	16.61
1944	64,042,574	8,750,278	13.66
1945	73,102,430	7,507,266	10.27
1946	89,089,822	8,675,204	9.74
1947	114,787,798	11,053,861	9.63
1948	151,434,599	14,803,674	9.78
1949	196,717,304	20,132,708	10.23
1950	241,342,540	26,110,181	10.82
1951	285,113,614	30,828,444	10.81
1952	321,407,348	35,194,683	10.95
1953	362,977,101	38,060,539	10.49
1954	408,144,564	40,397,061	9.90
1955	449,625,847	42,339,282	9.42
1956	491,184,729	43,561,023	8.87
1957	523,783,014	45,283,356	8.65
1958	563,204,367	46,814,538	8.31
1959	617,730,445	48,702,279	7.88
1960	663,788,978	50,938,764	7.67
1961	707,477,112	52,578,598	7.43

[1] For the years 1941–51 this item was reported as "Interest expense".

Source: Annual statistical reports "Rural Electrification Borrowers" published by Rural Electrification Administration.

RESOLUTION ON DEATH OF SENATOR KEFAUVER

Mr. DODD. Mr. President, all Senators in the Senate were deeply saddened by the sudden death of our esteemed colleague, Senator Estes Kefauver.

I understand that a date will soon be set aside by the majority and minority leaders on which we may pay tribute in the Senate to the memory of Senator Kefauver and I, therefore, shall not speak at length today.

A very moving tribute to Senator Kefauver was adopted earlier this month by the Fifth Constitutional Convention of the Connecticut Labor Council, AFL–CIO, and I believe one part of this resolution sums up very well the impact his life and his death has had on so many of us:

> All of America and all of the organized labor movement of this country is both the richer because of his lifetime service to the United States and the poorer because of his sad and untimely death.

On behalf of my distinguished colleague from Connecticut, Senator RIBICOFF, and myself, I ask unanimous consent to have this resolution printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ON ESTES KEFAUVER

Whereas death has taken from our midst Senator Estes Kefauver, of Tennessee, a man who served his country with unusual dedication, tremendous devotion, and unequalled patriotism; and

Whereas Estes Kefauver was a true humanitarian, a firm disciple of democracy, a defender of consumer interests, and a warm and abiding friend of labor; and

Whereas all of America and all of the organized labor movement of this country is both the richer because of his lifetime service to the United States and the poorer because of his sad and untimely death: Now, therefore, be it

Resolved, That this Convention of the Connecticut State Labor Council express its great admiration for the contribution which Estes Kefauver made to the commonwealth of the American people, and to the level of performance of the U.S. Senate, and its sorrow at the foreshortening of his illustrious career; and that copies of this resolution be sent to the family of Senator Kefauver, and to our two Senators from Connecticut for transmittal to the U.S. Senate.

GEN. FRANCIS S. GREENLIEF, DEPUTY CHIEF, NATIONAL GUARD BUREAU

Mr. HRUSKA. Mr. President, the recent appointment of Brig. Gen. Francis S. Greenlief, of Hastings, Nebr., as deputy chief of the National Guard Bureau is a well-merited recognition of this fine officer's service to the National Guard.

He follows another Nebraskan, Maj. Gen. Butler B. Miltonberger into the top ranks of the Guard. General Miltonberger, who is now retired and living in North Platte, Nebr., was the first chief of the National Guard Bureau after World War II.

Interestingly, General Greenlief who began his military career as a private 23 years ago, served under General Miltonberger's command in that war and won a Silver Star for gallantry at St. Leo France.

Mr. President, I ask unanimous consent to have printed in the RECORD some biographical notes on General Greenlief's career.

There being no objection, the biographical notes were ordered to be printed in the RECORD, as follows:

General Greenlief began his military career in Company G, 134th Infantry as a private in July, 1940, and entered active Federal Service with that company on December 23, 1940. He completed the Infantry Officer Candidate School at Fort Benning, Ga., and was appointed a second lieutenant on August 25, 1942. His first assignment as an officer was with the 2d Student Training Regiment at Fort Benning, Ga., and he was promoted to first lieutenant on July 18, 1943, while in that assignment. In February 1944, he was assigned as a platoon leader in Company L of the 134th Infantry at Camp Butner, N.C., and left with that unit for the European Theater of Operations in May 1944. On July 30, 1944, he became commanding officer of Company L and was promoted to captain on August 21, 1944. His combat service was with that unit and he participated in the Normandy, Northern France, Rhineland, and Ardennes campaigns. In July 1945, he was assigned as commanding officer, Company D, 422d Infantry. In August, 1945, he arrived back in the United States and was released from active duty at Fort Benning, Ga., on January 5, 1946.

Following World War II, General Greenlief was in business in Hastings, Nebr., for 2 years. He remained a Reserve officer unassigned, until November 3, 1947, when he rejoined the 134th Infantry Regiment, Nebraska Army National Guard. From February 1948 to February 1949 he was S–3 of the regiment. During this time from June 1948 he served as assistant adjutant general of Nebraska until appointed staff assistant for the 34th Infantry Division in 1949. On February 12, 1949, he was promoted to major and was assistant chief of staff and assistant G–4 of the 34th Infantry Division, promoted to lieutenant colonel on September 21, 1953, and to colonel on July 1, 1957. He successively filled the positions of G–4 and chief of staff of the 34th Infantry Division until he returned to active duty in the National Guard Bureau.

In addition to the Silver Star, General Greenlief was awarded the Bronze Star, the Purple Heart with three oak leaf clusters, the Combat Infantry Badge, the Croix de Guerre Avec Etole de Vermeil, and the European-African-Middle Eastern Campaign Medal with four bronze stars.

While a student at the University of Nebraska, he was a guard on Nebraska's 1940 Rosebowl football team.

General Greenlief, who is a graduate of the Army's Command and General Staff College at Fort Leavenworth, Kans., has dedicated all his adult life to the professional career of a soldier, both in active Federal service and a full-time guard status.

General Greenlief was born in Hastings, Nebr., on July 27, 1921, the son of a World War I guardsman, now deceased. He married Miss Mavis Burt in 1941. They now have six children and reside at 5101 North 10th Street, Arlington, Va. His mother, Mrs. Florence Prewett, lives in Hastings, Nebr.

PRESIDENT KENNEDY OWES NATION CANDOR IN FEDERAL EMPLOYMENT FIGURES

Mr. HRUSKA. Mr. President, if the President of the United States has one overriding obligation it is to be candid with the American people.

President Kennedy has been considerably less than candid in his repeated assertion that Federal civilian employment has been growing at a rate slower than the national population.

He made this statement at a press conference last April 24. At the time I pointed out that since he took office the population growth had been 3.36 percent while civilian employees in the executive branch had increased by 5.65 percent.

Now, Mr. President, in last week's radio and television plea for support of the tax bill, Mr. Kennedy again said:

> Those who are opposed to this bill talk about skyrocketing Federal employment when, in fact, we have steadily reduced the number of Federal employees serving every 1,000 people in the country. In fact, there are fewer Federal civilian employees today than there were 10 years ago.

The President is correct in the last statement, but he improperly takes credit for the fact that in each of the Eisenhower years, there was a reduction in the number of Federal civilian employees. In all, the Eisenhower administration reduced the number by 201,000.

Mr. Kennedy, in 2½ years, has come close to wiping out that reduction; he has added, as of July 31, the last date for which figures are available, 166,383 new jobs.

But it will not be long before the Kennedy administration will have surpassed the record set by President Truman. In his appropriations request for this fiscal year, the President is asking for a total of 2,582,320 Federal civilian employees in the executive branch. This represents 28,000 more jobs than were filled when Mr. Truman left office, and 230,000 more than when General Eisenhower left office.

President Kennedy argues that a growing population requires and justifies a growing Federal payroll. In the Eisenhower years, this country had a population increase of more than 20 million, but nonetheless, the Republican administration was able not only to hold the line, but actually to reduce the total civilian employment by more than 200,000 jobs.

Instead of talking about what has happened in the past 10 years, President Kennedy should confine himself to what has happened in his administration. The facts are not hard to determine. Each month the Joint Committee on the Reduction of Nonessential Federal Expenditures publishes a complete report, based on information supplied by Mr. Kennedy's own departments and agencies.

Taken with Census Bureau estimates, these figures show that the population growth since Mr. Kennedy came to office has been 3.9 percent while civilian employees in the executive branch have increased by more than 7 percent.

As to the President's comparison of the number of employees per 1,000 population, the actual facts are these: When he came to office, there were 1.29 employees per 1,000. Now, the figure is 1.33 per 1,000.

These figures are available to the President. In addressing the Nation, he should not blur the facts. Mr. Kennedy talks about the past 10 years instead of the period for which he is responsible. The American people have a right to expect more of him.

ADDRESS BY SENATOR MOSS BEFORE UTAH RETIRED TEACHERS ASSOCIATION

Mr. METCALF. Mr. President, my colleague the distinguished junior Senator from Utah [Mr. Moss] since coming to the Senate has consistently supported programs recognizing the need for improvements in education. Last Tuesday in Salt Lake City he addressed the Utah Retired Teachers Association with remarks I believe should be called to the attention of all and I therefore ask unanimous consent that his speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH OF SENATOR FRANK E. MOSS, OF UTAH, ANNUAL MEETING OF UTAH RETIRED TEACHERS ASSOCIATION, SALT LAKE CITY, UTAH, SEPTEMBER 17, 1963

It is with great personal pride and satisfaction that I speak to you here today—as the son of Jimmy Moss, who dedicated his life to the highest ideals of your teaching profession—and I thank you for inviting me to participate in your annual meeting.

I have only the highest praise for the retired teachers who have contributed so much to the building of fine citizens, in a role second only to that of the parent, and at so little pay.

I know most of you must struggle now to make both ends meet. I hardly think this is the way a great nation should treat its retired teachers. Among the problems facing you and all other retired citizens is the high cost of medical care which skyrockets year by year.

We must provide a program of health insurance under social security—a pay-as-you go plan—so that our retired citizens will not be haunted by the specter of medical and hospital expenses that could exhaust their income and rob them of the dignity of self-support.

In the Senate last week we passed the Health Professions Education Assistance Act of 1963. Opponents of the health insurance legislation did not fight this bill. I feel it is inconsistent for an organization to say "We take Federal money to aid us in building our medical schools but oppose hospital care for the aged," which is one of the largest costs in retirement.

Social security is just like the hospitalization which we propose—it is financed through a national pool. At the time social security was provided by act of Congress, its opponents said grass would grow on Broadway. I was on Broadway a short time ago and if Broadway needs anything today it is a blade of grass.

From the Broadway of today let me flick back the pages of history and remind you it is most appropriate that you meet here on this 17th day of September, when we mark the 176th anniversary of the signing of the Constitution of the United States.

The delegates to the Constitutional Convention, in a period from May to September 1787, forged a system of government which has been—and is—the beacon light of freedom to the people of the world.

Here in Utah most of us are proudly Mormon, but that Constitution gave us full religious freedom here as well as throughout the Nation. We live by and we respect the Constitution of these United States because it offers us the shield of freedom.

Without that Constitution, without the Government that has developed because of it, without the great tradition of English common law, we would again be subject to oppression. We fight oppression because it is morally wrong. We fight it lest we, too, become oppressed by an unseeing majority.

To paraphrase Sir Walter Scott: "This is my own, my native State." Its outlook on freedom, the individual, and upon life and labor is my heritage and has molded my life and dreams. I am proud and honored to represent the State of Utah in the U.S. Senate.

In a deep, historic sense, I am in the Senate because the people of Utah are indissolubly joined with all the people of this Nation. And while I represent Utah, I am called upon to deal with problems that affect the whole Nation because it is the Senate of the United States. In the world of today, there is no problem—no matter how seemingly remote—that does not affect Utah.

Like most of this Nation, Utah was settled by refugees. Like earlier settlers in the East, ours were religious refugees. There was one difference between us and the earlier religious refugees. Our pioneers fled intolerance within this Nation. Most of us know the meaning of persecution because we are descended from men and women who braved the wilds to live and work together according to deeply held beliefs.

Who among us has not said proudly to himself, "I am an American"? Who among us would voluntarily relinquish his U.S. citizenship? This, indeed, is valued almost above all else. In this, we are typical Americans—we are either refugees from hunger or oppression, or descendents of these refugees—and we are the envy of the world. I know this because I have gone abroad on Senate study missions to Africa, South America, and southern Asia to look into problems affecting the people of this Nation—of the State of Utah.

Originally Salt Lake City was an isolated local community. It was a community in which all shared the work and in which none was permitted to go hungry. Today the community is national. What is sown in Utah affects Massachusetts and the reverse is equally true. As never before, this is "one nation indivisible."

A few days ago, I had a visit from an easterner who arrived in my office rested and tanned from a 2-week holiday spent at America's second national seashore—on Cape Cod in far-off New England. This is in an area also viewed as typical of America; on the Cape there still exist the lovely old New England communities settled as far back as the early part of the 17th century.

Cape Cod is beautiful beyond description in a way far different from the grandeur of our West. It has a sweep of a different order, but like the West it offers to the soul escape and freedom. The great beach on the lower cape still stretches unsullied for miles along the roaring Atlantic and along Cape Cod Bay. It was here that the great American philosopher Thoreau came 125 years ago to seek renewal. He then declared that from the great beach a man could look out into the infinity of the ocean and put all of America behind him.

Things are much changed from the days of Thoreau but the need of man to escape into the vastness of nature remains. On Cape Cod, we have had an example of the evil which man can do to nature. In that part of the cape near the summer white house at Hyannis Port, the commercial jumble has become almost a jungle of neon-lighted motels, amusements, restaurants and the like—with the beaches all but closed off to the thousands who come to seek the sun.

With commercial blight threatening the outer beach, it was necessary to act by law if this priceless national resource was to be saved for the whole Nation. As a member of the Senate Interior Committee, I became involved. I am happy to report to you in Utah that the great dream of a national seashore in Massachusetts is becoming a reality in the hands of the National Park Service.

We held hearings on Cape Cod a few years back before a bill was passed. Opinion was divided about the big Federal Government moving in to establish a park. But the massive Federal Government was a responsible Government which managed to reconcile property rights with national interest.

But what is this to us here in Utah? In the first place, America grows ever smaller. Some of you, I hope, will visit Cape Cod National Seashore. But even if you do not, your children may well see this great national possession which now will remain intact for posterity. After all, this has become an America on wheels, and one where the supersonic plane of tomorrow promises a journey of an hour from Salt Lake to Boston.

But much more is involved. Here in Utah, we also have great resources for tomorrow's seeker of space and freedom and for those who will come to see our grandeur. There is sound economic reason to set aside a portion of this grandeur as a national park which, like a magnet, will draw tourists from all over to this State.

Utah will need the support of other States to make this dream come true. I am pleased to be able to report to you that the seed sown in Massachusetts will yet flower in Utah. This year again, the Senate has approved my canyonlands national park bill, and I am hopeful that we will get a bill in the House before we adjourn the present session. We are, indeed, "one Nation, indivisible."

One of our great songs is "America, the Beautiful." Here, the poet sings of our spacious skies, our purpled mountains, our alabaster cities, and our fruited plains. But there is a greater message within this beautiful ballad. I quote that message because I think it most fitting for this annual meeting:

"And crown thy good with brotherhood
From sea to shining sea."

Brotherhood—this is the core of our American dream and our spiritual beliefs. Our greatest resource is our people. Without brotherhood and respect for each other, our harvests will turn bitter and sere. Without brotherhood, democratic nationhood cannot long endure. Without a strong and democratic America, our whole world will vanish, even unto Utah.

Without brotherhood, there would be no Utah. The early pioneers who came here worked together for the common good. It was cooperative labor that built the first irrigation systems. Out of need, there grew common bonds. Out of these bonds, there grew out local communities and our State.

Utah has a great potential. As with so much of our West, the key is water. With adequate water, the independent and hard working people of this area can create here a new zion—a land of bounteous agriculture and of industries based upon the products of the land. With water, recreation facilities can be built and tourism can be stimulated.

Completion of Strawberry and Deer Creek and Wanship and Echo Reservoirs, to name a few, has given us a foretaste of what can be accomplished. But more water is needed to bring our State to full flower. That water is on its way, thanks to a practical but far-sighted National Government dedicated to the belief that men are brothers who must work together for the common weal.

Those who fulminate against the Federal Government have forgotten the true meaning of nationhood. That meaning was expressed by Abraham Lincoln, the great and tragic father of the Republican Party. Government, Lincoln said, has the obligation to do for people what they cannot do for themselves.

Who among us has the resources to bring the waters of the upper Colorado to the rescue of our arid lands? What group among us in this Beehive State has the essential resources? What single State can take on the project which involves a river system that refuses to respect State lines?

Obviously, development involves the powers and the resources of us all—the power and resources of Federal Government. Here is need for an investment by all of the people to bring benefits to this area. Should the people of New York complain? Should the New Jersey taxpayer deny the concept of the Nation-State? Or is it true that what benefits Utah will add to the store of the Nation's wealth and well-being?

Through the democratic process—sometimes painfully slow and sometimes found wanting—the representatives of the people of the whole Nation have authorized the upper Colorado River project, of which the central Utah project is part.

The central Utah project will bring great improvement to this area without radical upheaval. The project, now in the planning stage, will capture and utilize fully Utah's share of Colorado River waters. The Bonneville unit alone, the first of four, will provide waters to irrigate several hundred thousand acres of now arid land. It will create beautiful recreation areas, add to our electric power potential, provide greater fire protection, improve our timber stands, add to our grazing lands, and increase our share of wildlife. With water, there will come more roads and improved access to our national forests.

The future now is brighter for Utah, and because of our gain, the Nation's horizon has been lifted. We can look forward to more and greener fields, better homes and communities and greater opportunity for ourselves and our children. We have joined the world at large in the great and ongoing revolution of rising expectations.

There are some among us who nonetheless decry the rise of our modern democratic Nation. To hear these Jeremiahs, such works as the central Utah project are turning free Americans into wards of an all-powerful and omnipotent state. To listen to those who weep at yesterday's wailing wall, we have all sold out for a mess of pottage.

I point the finger of scorn at small minds who so lack faith in our Government by the people. I call their rantings and their ravings a calumny upon the American people and on the independent citizens of this State. I brand these bitter men false prophets and doomsayers.

More water for Utah means greater individual opportunity. It means a chance for higher living standards. It requires none among us to sell his soul for the opportunities gained.

Modern democratic government has the obligation to establish a setting in which the individual citizen may reach out for the stars. This is what Abraham Lincoln meant. He asked only that government shall act to help people help themselves. This is the essence of modern democracy. The political party that denies this philosophy is doomed to sterility.

In one thing all Americans are typical. We believe that there must be ever greater opportunity for ever greater numbers of our people. We believe that action by government to establish the greatest good for the greatest number is consistent with freedom. Any government which fails to act accordingly will, in the longer run, fail its citizens and must ultimately fail freedom itself.

There is a price for freedom and in this modern day of H-bombs and massive defense, that price is not insignificant. The price is our taxes. In the ultimate, it is taxes about which the complainers grumble most—not any real loss of freedom. I say that if existing taxes are the price of maintaining this free Nation, the value received is well worth the tax.

Federal taxes, indeed, may be too high for the best interests of the economy, but they take no more proportionately from our pocketbooks than they did a decade ago. Perhaps we complain because we are a free people. Griping, after all, is a great and wonderful American custom.

Taxes were shaped by a war economy and because of the cold war they have remained high. I am among those Senators who seek a tax cut that will benefit chiefly the average citizen. I believe that such a tax cut will generate more business, more income than before, and ultimately more tax revenue. I am for this kind of tax cut because I feel that it will be good for America.

But we would be fools to believe that in this modern world we can abolish taxes and go back to the "good old days." Now, I am not one who sneers at the old days and old ways. They had honest values valid for their times. But the old days were not always so good. And sometimes in times past, our citizens failed the Nation when we placed the interests of the few over benefits for the many.

Let's go back only 50 years to a day when child labor was still the rule, when men still worked 60 hours or more every week and when the great Triangle Shirtwaist fire shocked the Nation. A few here may remember that fire which symbolized all that was evil in the sweatshop. Sewing machine girls were locked in a plant, and forced to work. When fire broke out, many were burned to death. This was part of the "good old days."

Fifty years ago—not long in a nation's history—the poet sang in bitter complaint:

"The golf course lies so near the mill
That almost every day,
The working children may look out
And see the men at play."

Few of us want to go back to that. In the past 50 years, we have wiped out child labor. Today, we still have problems of school dropouts and of youth unemployment. But thank the good Lord, we no longer have 8-year-olds working as breaker boys in coal mines. Few workers or intelligent employers want to go back to such a yesteryear.

Let's travel back to a closer yesterday, only three decades ago. You need be only as old as I to remember. The song was "Brother Can You Spare a Dime" and on the street corners of our cities the apple vendors stood helpless beneath the summer sun or in the freezing cold of winter.

In the good old days, the role of Government was passive. Yes; we subsidized the railroads from the national purse. But rarely did Government intervene to help the people—not even in the panic of 1907.

Things have changed and, on the whole, for the better. We now have a national commitment to full employment. We regard Government as a positive force through which we take enlightened action against adversity.

Enlightened government that acts to provide opportunity for people to be free and independent is the real issue of our day.

We are faced abroad by the Communists of both Soviet Russia and Red China. The latter are still relatively powerless and their bellicose talk can be discounted. But the Soviet has become a major world power intent upon beating us in a peace race, or otherwise.

I am startled when I hear a call for the dismantling of our Federal Government. I cannot understand the small men of little faith who would reduce this Nation to an impotent confederation. I am even more startled when I hear these same men call for meeting the Communist challenge by destroying our time-tested institutions. I wonder sometimes whether they, like Alice, haven't gone through the looking glass into a world of never-never.

The call of these men of small faith for yesteryear's solutions to today's massive problems is like the yearning we, who have grown up, sometimes have for our lost youth. Yet we know that you cannot grow backward and most of us accept our maturity. Those who fail to accept manhood become pathetic creatures more worthy of our pity than our censure. I truly pity those Americans unable to accept the reality of today's world. I understand their search for a yesterday that existed mostly in lost dreams. But I deny the validity of their preachment of hatred that views even Dwight D. Eisenhower as "soft" on communism.

Anarchy is the alternative to responsible and strong democratic government of, by, and for the people, offered to America by the radical right. Worse, it is a denial of brotherhood. It holds that we are not our brothers' keepers. It separates Americans, one from another. It will lead only to class hatreds and misery if its proponents are successful.

For myself, I have faith in this great modern America that we have created. I do not believe that the American people will be seduced by the smallminded who would turn backward. I believe firmly that as a united people bound together by the democratic process we can move forward to an even better and freer America.

I believe that in this better America, the local community and State government will plan key roles. I believe that the tie that must bind us all, however, is the Federal Government. I believe that it is the role of all government to increase opportunity so that free men need not cower in fear. I hope, and I firmly believe, that the people of this Nation will be true to themselves and will not permit the ties that bind these United States of America to be cut asunder.

As a member of the special Senate Committee on Aging, and as chairman of the Subcommittee on Housing for the Elderly, I take special pride in your Wasatch Manor undertaking to provide housing for retired teachers and other senior citizens.

Last year the Subcommittee on Housing for the Elderly examined the adequacy of the supply of decent housing suitable for older persons, held hearings and reported that of the 17 million Americans over 65 years of age (and they expect this figure to be 24.5 million by 1980) several million have unsolved critical housing problems, that the incomes of the elderly are low, and that the elderly have limited liquid assets.

Your association is to be commended for recognizing this critical need and for mobilizing community resources to meet the problem. Today I had hoped to be able to report to you final approval of your amended application by the community facilities administration. As most of you no doubt know, your original application could not be approved.

After conferences which I had with officials in Washington, suggestions were made as to how the plans might be altered to make the project feasible. The revised plans are now in the regional office undergoing engineering and technical review. If the revised plans meet the former objections, I am certain the project will be approved quickly when it reaches Washington again.

In the meantime, I am delighted to report to you that those familiar with your application have mentioned frequently to me that they are pleased with the type of organization and the people behind this project. They are impressed with your sincerity and want to be helpful.

The president of your Salt Lake group recently made inquiry of me regarding the possibility of establishing and maintaining a counseling center—possibly at the University of Utah—where senior citizens might go for financial and legal advice. I was indeed happy to report to him that bills have been introduced in both the House and Senate which would do precisely that—provide grants establishing counseling centers for the aged—and House hearings are being held this very week in Washington for 3 days on this legislation.

I am honored to be before a gathering of people like you who have devoted your lives to making better citizens, and I consider it disgraceful that teachers are so little appreciated in this country that they have to fight so hard for adequate pay.

We have special problems in Utah—yes. But these problems do not stop at the borders of Utah. It is a problem in Wyoming; it is a problem in North Carolina; it is a problem in Maine. This problem sooner or later must be looked upon as a national problem.

I am proud to tell you that I have consistently supported Federal aid to education. I assure you there is no Federal attempt to take control of local school boards. But I believe our teachers must have a voice in that control. Somehow we must equate local control and cost sharing. I understand you do not want to control the schools—you only want better schools. In this respect I think Utah teachers are exercising initiative in the good old American way.

I intend to continue to fight for better teachers, better schools, and better pensions for retired teachers. You should have not only better pensions for those who retire in the future, but there should be some means of adjusting present pensions so that as living costs increase your pensions will not buy less.

Despite the claims of those who are trying to frighten us with the threat of inflation, prices have remained stable for the last several years. The fact is that since 1957 overall prices have risen only 7 percent—and much of that 7 percent reflects the increasing cost of medical and hospital care.

Those in retirement are rightly concerned with inflation as it hits them hard. If I see any indication of inflation becoming a threat, I shall call for an investigation into service charges.

And so, in conclusion, let me emphasize again that we live in a day of rising expectation. The future is bright for the State of Utah, and for the Nation as a whole. A great Federal water project will soon bring more water for thirsty acres here in the heartland of Utah. This means new farms and new farm income. We have the prospect of new recreation areas around the lakes to be formed back of the dams, and the prospect of a spectacular new national park in southeastern Utah—canyonlands—which will bring many visitors and more tourist dollars into the State. You who are retired will have the leisure to enjoy these features. Because of these gains in Utah, the whole Nation will benefit.

I am confident that in the years ahead the people of America will continue to act through enlightened government to provide greater opportunity for greater numbers of people—that we will continue to work together in brotherhood, and in nationhood, for the common good of us all.

WHITE HOUSE CONFERENCE ON MENTAL RETARDATION

Mr. RIBICOFF. Mr. President, the White House Conference on Mental Retardation held last week at Airlie House, in Warrenton, Va., brought together some of the Nation's leading experts in this field. Over 225 delegates designated by Governors of all 50 States, attended the 2-day conference, the main objectives of which were to explain Federal mental retardation programs, to stimulate statewide planning for mental retardation programs, and to encourage interagency cooperation.

I ask unanimous consent to include in the RECORD at this point a release from the office of the Special Assistant to the President for Mental Retardation together with the text of an address, delivered at the conference by the Honorable Wilbur J. Cohen, Assistant Secretary, Department of Health, Education and Welfare.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

MENTAL RETARDATION

The Nation's leaders in mental retardation programs, including over 225 delegates designated by the Governors of 50 States, are due to attend the 2-day White House Conference on Mental Retardation which begins Thursday morning, September 19, at Airlie House in nearby Warrenton, Va.

The main objectives of the conference will be to explain Federal mental retardation programs, to stimulate statewide planning for mental retardation programs, and to encourage interagency cooperation.

The conference was announced by the President in a telegram sent to the Governors last July in which he stated that "a meeting to coordinate and plan a concerted attack on the problem of mental retardation would seem to me desirable and of great benefit to the whole Nation." It has been organized by Dr. Stafford L. Warren, the President's special assistant on mental retardation.

Most of the delegates have major responsibilities for mental retardation programs and services at the State level. They represent State agencies with mental retardation programs such as State agencies of public health, mental health, education, vocational rehabilitation, labor and employment, welfare, and institutions.

Dr. Warren, referring to the unanimous response of the Governors to his invitation to appoint delegates to the conference, termed it "an appropriate tribute to the significance of the conference," and an indication of the Nation's determination to act in such a way that the long tradition of neglect of the mentally retarded will be replaced by forceful programs.

The conference will open on Thursday morning with statements by Dr. Stafford L. Warren, and by the Honorable Anthony J. Celebrezze, Secretary of Health, Education, and Welfare.

Conferees will hear addresses by Sargent Shriver, executive director, Joseph P. Kennedy, Jr., foundation; by Dr. Leonard W. Mayo, chairman, President's Panel on Mental Retardation; by the Honorable Terry Sanford, Governor of North Carolina, and by Dr. George Beadle, president, University of Chicago.

They will attend a panel discussion on "The National Program to Combat Mental Retardation," at which the Honorable Wilbur J. Cohen, Assistant Secretary of Health, Education, and Welfare, will speak, and group meetings discussing the roles of State agencies in serving mentally retarded persons and their families, and the importance of agency and professional teamwork in mental retardation.

Dr. Luther L. Terry, Surgeon General of the Public Health Service, will be chairman of the final session of the conference at which five scientific papers will be presented on "The Goal of Prevention," on Friday afternoon, September 20.

The National Program To Combat Mental Retardation

(By Wilbur J. Cohen, Assistant Secretary of Health, Education, and Welfare)

One of President Kennedy's earliest commitments to the American people was for a national action program to combat mental retardation. It has been a memorable experience to me to see so much enthusiasm, so much zeal on the part of so many people brought to bear on one common cause.

THE NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

The first step in this overall program was the establishment of the National Institute of Child Health and Human Development within the National Institutes of Health. This new institute was recommended to President Kennedy by the special task force on health and social security he appointed shortly after he was elected.

This recommendation was greeted with strong support and some doubts in a few quarters because it was designed to "have a profound impact on the medical care and practice in this Nation by emphasizing the care of the whole individual rather than the fragmentation of the patient into particular diseases."

It took 21 months to touch all the bases necessary to obtain enactment of the necessary legislation. In October 1962, President Kennedy approved the legislation establishing the new institute.

The new institute has officially been in operation since early this year. Its director is Dr. Robert A. Aldrich who was, until the beginning of this year, the chairman of the Department of Pediatrics of the Medical School, University of Washington. He will provide the bold and imaginative leadership necessary to make the institute a dynamic force in advancing our understanding of the factors that affect normal and abnormal human development.

The program of the new institute will provide the opportunity for investigators from a variety of disciplines to make studies that will advance our understanding of basic life processes and the biology of reproduction, development, and senescence. It will stimulate and provide assistance to investigators from universities and other research settings who wish to study such problems as congenital malformations, mental retardation, and prematurity, and the processes of aging. The sciences which underlie such studies are represented in medical, biological, and behavioral and social sciences.

An initial staffing of NICHD has been accomplished. This nucleus has identified projects which are being supported by other institutes of NIH which could be given a more meaningful focus within a larger program of research on human development. The research areas being considered involve:

1. Problems relating to human reproduction and fetal development. In this area NICHD will support studies of reproductive physiology, embryogenesis, gestation, placental and uterine physiology, and the growth, development, and physiology of the reproductive organs.

2. Factors involving the birth process, adaptation of the newborn to an external environment, and problems of the mother and newborn. Here, support will be given to studies on the initiation of labor, obstetrical delivery, perinatal care, prematurity, respiratory distress of the newborn, physiologic adaptation of the newborn infant, obstetrical problems in the mother attendant upon birth, toxemia of pregnancy, lactation, and maternal and infant behavioral relationships.

3. Normal human growth and development and special child health problems. The study of normal aspects of human growth and development will be encouraged. Included will be studies on the growth and differentiation of the infant and child; maternal and paternal factors affecting child growth and development; factors causing abnormal conditions such as mental retardation, congenital malformations, inborn errors of metabolism; normal development of physiologic systems; intellectual development; nutrition and body composition; and the process of maturation. Studies of intellectual development and of the determinants, including maternal attitudes, which produce both intellectual deficit and intellectual excellence will be supported.

4. The final research area will be the investigation of the root processes of aging in early life. Primary emphasis will be placed on the basic biological, behavioral, and medical aspects of aging.

During this fiscal year—1964—the institute proposes a number of other activities. It plans to establish a number of specialized information centers designed to provide focal points for informational and consultant services related to research in maternal health, child health, mental retardation, and the field of aging.

In another major activity, the professional staff of the institute will utilize scientific consultants to identify neglected areas of research. This will be accomplished by extensive review of specialized problem areas, and, on this basis, future program development will be recommended.

During the fiscal year 1964 several other program areas also will be expanded. Receiving foremost attention will be research training. The support of research training in developmental biology (including both pre- and postdoctoral programs) will be enlarged. This is a basic field for the execution of research in human development, and, as pointed out by the President's Panel on Mental Retardation, it is a crucial field for research in mental retardation. It also is planned to enlarge the postdoctoral research training in obstetrics, pediatrics, behavioral development, and teratology, with emphasis on fundamental investigations. Cross-disciplinary research training, such as pediatric training for neurologists, behavioral science training for pediatricians etc., to deal with the special childhood problems (i.e., congenital disorders, prematurity, mental retardation) will be encouraged.

In the research grant area, high priority will be given to the support of research in the following four programs:

1. A program of research relating to premature labor and the development of premature infants. The problem of prematurity is intimately related to the occurrence of mental retardation.

2. A program on the biological and behavioral factors associated with the mentally retarded.

3. A research program correlating the interrelationships of the maternal environment, physical environment, the placenta, and the fetus.

4. A research program in developmental pharmacology.

Finally, in 1964, the NICHD will initiate the development, in conjunction with outstanding universities, of a small number of major centers for research and research training in human development. Initially, these centers will provide a focus for the broadly based research and training activities involving a number of scientific disciplines. Emphasis will be on developmental abnormalities that result in mental retardation and on perinatal biology.

THE REPORT OF THE PRESIDENT'S PANEL

This has been an exciting and productive period in the Department of Health, Education, and Welfare. We immediately activated and strengthened the Departmental Committee on Mental Retardation to review all the Department's programs. We helped set in motion a nationwide search for the outstanding persons to become members of the President's Panel on Mental Retardation. We allocated staff to work with Dr. Leonard W. Mayo and the Panel as the report evolved.

Consequently, we were ready to move ahead when the Panel's report was submitted to the President. It was studied intensively by Secretary Celebrezze and by all the key officials in the Department.

The report recommended a broad attack on all aspects of the problem focusing not only on research in specific causes of mental retardation but on root problems in social, economic, and cultural environments which have damaging implications. Altogether, more than 90 recommendations were made—nearly all of them, in one way or another, involving responsibilities of the Department of Health, Education, and Welfare.

THE PRESIDENT'S MESSAGE

The development of the legislative proposals involved a tremendous number of people—within the Department, in the executive branch, in Congress, and in voluntary agencies. But within a matter of weeks we had welded together all interests of the Department and a comprehensive program had been developed and was presented to the President for his consideration.

The President's ringing call for action in his unprecedented message to Congress of February 5, 1963, dealing with mental retardation, the progress of the ensuing legislation—these are part of the history of 1963, a most significant year in mental retardation progress.

And now new pages in the American history book are about to be recorded—a new story of better prospects for the millions of men, women, and children who are mentally retarded.

After I review some of the highlights of the new program, I will introduce to you my distinguished colleagues who will tell you about the impact of the President's program in areas of their specific concern—health, education, welfare, and vocational rehabilitation.

S. 1576—THE HILL-HARRIS BILL

We are very optimistic about the passage of the Mental Retardation Facilities Construction Act of 1963, S. 1576, now awaiting conference action. It contains four major provisions:

First, grants would be provided for the construction of centers for research on mental retardation and related aspects of human development. This would be a program to establish at first three and eventually several more great research centers where interdisciplinary collaboration of investigators would cover a wide range of subjects. Up to 75 percent Federal matching funds for a center would be available within the total amount authorized and appropriated. The ultimate goal of this research effort can be stated simply and dramatically: The prevention of mental retardation.

It is anticipated that in the new research centers there would be interdisciplinary collaboration of investigators working in such fields as genetics, biochemistry, neurophysiology, brain chemistry, biology, embryology, epidemiology, virology, neurology, and psychology. Their efforts would range, for example, from studies seeking a greater understanding of the processes in cell division that cause abnormalities to clarification of the effect of specific neurohormones on brain function and studies of the effect of drugs on fetal development.

Second, grants would also be provided for the construction of university-affiliated facilities for the mentally retarded which would (1) provide, as nearly as practicable, a full range of inpatient, and outpatient services; (2) aid in demonstrating provision of specialized services for diagnosis, treatment, training, or care; and (3) aid in the clinical training of physicians, and other specialized personnel needed for research, diagnosis, treatment, training, or care.

A third provision calls for the construction of facilities to serve the mentally retarded. This, too, would be a program to help the States construct, expand, and equip the kind of community-oriented facilities now so desperately needed. They would be especially designed for the diagnosis, treatment, education, training, or custodial care of the mentally retarded, including facilities for training specialized personnel. And they would be designed to meet the diverse and changing needs of the mentally retarded at all stages in their lives—their physical, mental, social, educational, and vocational needs.

A fourth provision of S. 1576 would provide a special program for the training of teachers of the mentally retarded and other handicapped children. Because of a lack of qualified teachers, only about one-fourth of our 1½ million school-age mentally retarded children have access to the special education they need if they are to progress. Altogether, the President's panel estimated, about 75,000 special teachers are needed to meet the distinctive educational problems of the mentally retarded—and at present we have only 20,000 of these teachers.

A fifth provision also would provide opportunities for us to reach new goals—one that would provide funds for research and demonstration projects in the education of mentally retarded and other handicapped children. These are particularly needed in urban slum areas and in depressed rural areas.

Culturally deprived children, growing up with little if any help from their home and neighborhood environment, must look to their schools for the help they need, for the hand-up to productive lives as adults. These children need all the help our society can give them—and in many new ways we are trying to improve their lot and help them get off to a better start in life. But the plight of a child who is both culturally deprived and mentally retarded is particularly heartbreaking, and I am hopeful that this research and demonstration program will give us new insights and educational goals.

Let us all hope that S. 1576 will soon become the law of the land, for this nationwide, three-pronged drive involving research, treatment, and education would represent a tremendous forward thrust in our efforts to combat mental retardation.

H.R. 7544—THE MILLS-RIBICOFF BILL

I am optimistic, too, about the passage of the Maternal and Child Health and Mental Retardation Planning Amendments of 1963, which passed the House on August 27, and are now pending in the Senate Committee on Finance. These amendments contain five proposals: (1) Grants to the States for planning comprehensive action to combat mental retardation; (2) project grants for maternal and infant care; (3) increases in maternal and child health services; (4) increases in crippled children's services, and (5) funds for research relating to these last two programs.

The proposal to provide grants to the States for planning comprehensive action to combat mental retardation would authorize a one-time appropriation of $2.2 million for grants to assist the States to plan for and take other steps leading to comprehensive State and community action to combat mental retardation. Such grants would be used to determine what action is needed to combat mental retardation in the State, to assess the resources available, to develop public awareness of the problem and of the need for combating it, and to coordinate State and local activities relating to prevention, treatment, and amelioration.

To be eligible for grants a State would be required, among other provisions, to assure consideration of all services essential to planning for comprehensive State and community action, including those in the fields of education, employment, rehabilitation, welfare, health, and the law, and services provided through community programs for and institutions for the mentally retarded. Grants would be awarded on a selective basis to States agencies presenting acceptable proposals for this broad interdisciplinary planning activity.

The project grants for maternity and infant care would authorize the Secretary of Health, Education, and Welfare to carry out a 5-year program to assist the States and communities in providing necessary health care to prospective mothers who are unlikely to receive such care, either because they are from families with low income or for other reasons. These grants would be available to the State health agency or, with the consent of such agency, to the health agency of any political subdivision of the State. The grant would not exceed 75 percent of the cost of any project.

The grants would enable health departments to provide comprehensive maternity care to selected high-risk patients and to improve greatly the quality and adequacy of care for these mothers and their babies by paying for their care in hospitals equipped and staffed to provide services of high quality for mothers suffering from complications of pregnancy.

This program would help to reduce the incidence of mental retardation caused by complications associated with childbearing. Of paramount importance would be efforts to decrease the number of premature births among which there are notably larger numbers of children born with handicapping conditions, including mental retardation.

Other provisions of the maternal and child health amendments would be a raising to $50 million over a 7-year period of the present $25 million ceiling on both the maternal and child health and crippled children's programs. Additional funds under these programs would support more services to mentally retarded children. The bill also would provide grants for research relating to maternal and child health and crippled children's services.

THE VOCATIONAL REHABILITATION ACT AMENDMENTS OF 1963—THE HILL-GREEN BILL

The amendments to the Vocational Rehabilitation Act (S. 968, H.R. 5194) include several proposals to assist in the rehabilitation of additional numbers of the handicapped to productive and satisfying lives. Of particular interest to the field of mental retardation is one that would extend the period of time that a vocational rehabilitation agency would be allowed to establish vocational rehabilitation potential.

In the case of mentally retarded persons and other persons with disabilities especially designated by the Secretary, the period could be extended to 18 months. During this time a more adequate evaluation of the real capacity of the mentally retarded could be undertaken. Their eligibility for more and complete help toward self-sufficiency and employment could be determined.

Another amendment to the Vocational Rehabilitation Act would authorize a 5-year program involving Federal assistance to plan, build, equip, and initially staff rehabilitation facilities and workshops.

SUMMARY

These, then, are the highlights of the President's bold new approach to the problems of mental retardation.

As we embark upon our important work now and in the years ahead, I think we cannot emphasize too much the urgent need that we coordinate all mental retardation activities. There is need at all levels of government—local, State, and Federal. There is great need for all the professions—obstetrics, pediatrics, neurology, psychiatry, education, rehabilitation, and many other disciplines to define their own roles and to work together to contribute most effectively to what the President's panel has called the continuum of services.

And, as we go along, let us do everything we possibly can to generate more public awareness and interest in the problems of mental retardation. Whenever possible, let's do a real selling job not only on our national program but on the problems that make this program a necessity for America.

How many people, do you think, are aware of the great variations that lie between profound retardation and moderate retardation? And how many people are fully aware that in many ways, the mentally retarded require help throughout their lives—through childhood, adolescence, adulthood, and old age—that their special needs change according to their age and degree of retardation. And the needs are many: for education, rehabilitation, employment, health, legal protection, family and residential care, and a variety of community services.

Let's talk about these things. When the true dimensions of the problem are fully understood, when the opportunities for creative and rewarding careers in this field are apparent, we will be in a better position to attract bright young men and women as teachers and other professional workers so urgently needed. And mentally retarded people will undoubtedly become the beneficiaries of the services of more volunteer workers in communities throughout the Nation. They, too, are needed.

Another thing that needs to be emphasized is that mental retardation and mental illness in most instances are separate problems. There is, I am sure, much misunderstanding on this point, and we are making every effort to make the difference crystal clear. It would benefit our efforts to combat both mental illness and mental retardation if we can get more general public understanding that mental illness, involving problems of personality and behavioral disorders, usually manifests itself in young and older adults after a period of relatively normal development, whereas mental retardation is usually a condition resulting from prenatal abnormalities and manifests itself during the newborn or early childhood period.

There is always a deficit in intellectual function in mental retardation, but mental illness may or may not involve such a defect. If there is such an involvement, it is not usually of the nature and degree found in mental retardation.

These two problems are related in that they frequently occur in the same patient and frequently involve some of the same kinds of professional skills to diagnose or assist the patient. On the other hand, each problem does occur independently of the other, and adequate professional skill to deal with one problem does not assure competency to deal with the other. The ability to clearly distinguish between these problems in a given patient and deal with each appropriately is often the crux of good care.

What we have been able, in the past, to accomplish for the mentally retarded is but prolog to the great accomplishments we can attain in the years ahead. Let us accept with pride and humility our new and more responsible roles in the great human drama now unfolding as our society embarks upon a new highroad for the mentally retarded.

I want to emphasize again the vigorous determination of this administration to find the causes of mental retardation, to advance programs of prevention, and to provide more and better services to all mentally retarded persons and their families. In our efforts, we trust that councils and associations such as yours will gain encouragement and that your hopes will in turn lend strength to our determination and help us achieve our common goals.

These goals have been established, and the actions necessary to attain them have been painstakingly measured and defined.

Now it is up to all who care about the mentally retarded to be steadfast, to be persistent—and we shall be successful.

SHOULD AMERICA'S FARM ABUNDANCE SERVE COMMUNISM OR FREEDOM?

Mr. MUNDT. Mr. President, yesterday in a short statement to the Senate, I expressed myself as having grave misgivings about the wisdom of current comments which in summary say, "since Canada is supplying Communist Russia, Castro, and the rest of the Communist world with wheat, why should not the United States also lift its self-imposed restrictions against trading with the enemy and seek to make a profit on our surplus food stocks by selling them to Communist countries?"

Some metropolitan newsmen and commentators have been suggesting that there is a great demand in the Farm Belt to ship our foodstuffs to Red Russia and Red China. They have tried to picture the American farmer as a selfish Shylock desiring to get his pound of flesh while the getting is good, regardless of the consequences to peace and freedom. Mr. President, I suggest these urbanized reporters and editorializers take another look at both the heart and the heartland of the United States.

Our farmers recognize the inconsistency of a free world policy whereby we alone attempt to blockade the Communist world and refrain from supplying it with the sinews of war—one of the most important of which is still an abundance of food—but they expect something better from our President and our State Department than a capitulation to greedy motives that induces some of our allies to play for the quick profit instead of to plan for the ultimate success and security of freedom. They expect positive leadership from high places in America which will induce our friends in the free world to follow our example in restraint of trade to Communist countries.

In other words they expect the United States to lead the world rather than to follow every wrong policy practiced by our associates. Appeasement of communism will bring no better dividends for peace and freedom today than it did to Chamberlain and the free world while appeasing Hitler and Nazi Germany. Certainly all the lessons of recent history cannot have been forgotten by President Kennedy, Secretary Freeman, and Secretary Rusk.

There was an era of our American history when the international bankers of New York and the manufacturers of munitions were described as America's "merchants of death." They were accused at times of putting their desire for personal gain and temporary profits above the desire to protect America from war and to preserve continuing peace and freedom. It is most refreshing, therefore, to note in the September 23 issue of Barron's Financial Weekly a front page editorial in opposition to the resumption of American trade with the Communist bloc. It is headed "Trade With the Bear?" I ask unanimous consent that it appear at this point in the body of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From Barron's Financial Weekly,
Sept. 23, 1963]

Trade With the Bear?—In Dealing With Moscow, the United States Must Not Sell Freedom Short

Ottawa last week sent economic and political shock waves around the globe by joining Moscow in one of the largest grain transactions on record. By next July, the Dominion promised to deliver at its ports 228 million bushels of wheat and flour, valued at $500 million. The Soviets, in turn, agreed to make payment in dollars; they also undertook to ship the grain, some to their bearded comrade in Cuba, the bulk to their homeland. For Canada, which in recent years has sold large amouts of wheat to Red China, the latest deal—if the Russians honor its terms—represented a giant step toward closing the gap between imports and exports. For the United States, sitting on a huge surplus of wheat and pondering its balance-of-payments dilemma, it appeared to open sweeping new commercial vistas. Before the week was out, many an influential voice was raised, in the Senate and elsewhere, urging that this country also step up its trade with the bear.

The commercial prospects are glittering. Before embarking on any such course, however, the administration should think long and hard. For the Russian purchase of grain is a momentous development indeed. To begin with, despite the glowing eyewitness accounts of recent naive Western visitors (including some who should have known better), it is a sorry commentary on the state of Soviet farming. Historically an exporter of wheat, the U.S.S.R. has been compelled to seek its bread from those whom it has threatened to bury. Moreover, the Kremlin's bitter harvest—the fifth in a row by the way—demonstrates once again that no matter how rich a nation's resources, its agriculture can flourish only in a free climate. Finally, if the United States decides to come to the aid of its enemies, it should at least be hardheaded enough to exact a heavy political price. In the global struggle between freedom and slavery, gold or dollars are inadequate coin.

The magnitude of the Soviet plight is dramatized by the impact which it has had upon world markets. Wheat and rye futures on the Chicago board of trade moved up strongly last week in the belief that earmarking so much of the Dominion supply may open other export outlets to U.S. grain. Ship charter rates rose almost overnight by as much as one-fourth, brightening the outlook of tramp operators in Britain, Holland, Scandinavia and Greece. The Canadians, for their part, are likely to find the capacity of their flour mills taxed, the traffic load of their railroads doubled and port and storage facilities tied up for months to come. The most awkward bottlenecks of all will probably show up when the flood of wheat begins to pour into the U.S.S.R. For that country's rail network is geared mainly to handle domestic traffic; its milling facilities are located mostly at interior points, close to farming areas. When the Communists start shuttling cargoes of wheat to and fro, something is bound to give. As to the quid pro quo, never before has the Kremlin had to pay for food imports on such a scale—a fact which the London gold market already has begun to reflect.

That the news of the Soviet Union's staggering shortfall came as such a bolt from the blue reflects little credit on many a supposed expert in the United States, or on Washington officialdom. Just 6 weeks ago, Mr. Roswell Garst, breeder of hybrid corn, onetime host to Premier Khrushchev and frequent visitor to the U.S.S.R., asserted that since 1955 Communist farmers had cut the lead of their U.S. counterparts from 30 years to a mere 8. "The world," he said, "may be startled at the crop yields in eastern Europe this year." Secretary Freeman, no critic of the managed farm economy, on his recent return from an 18-day tour of the Soviet Union, concluded brightly that "total production has risen considerably. They have the ability to feed their people." Days later came the bombshell of the Canadian deal.

The notable intelligence failure suggests that Agriculture Department officials comprehend the evidence of their own eyes no better than they do the true roots of productive capacity, whether at home or abroad. The truth is that Soviet agriculture is badly, and chronically, undernourished. Even Nikita Khrushchev, who year after year promises his people that food shortages soon will be a thing of the past, complains that his underlings are proving inefficient and urges all those who till the soil to redouble their efforts. To be sure, this year's crops were set back by summer weather which, even by Russian standards, was unusually hot and dry. Yet far more significant were mismanagement and misdirected energies, the hallmark of communism.

The Premier's exhortations for an all-out drive to improve production down on the farm will yield little fruit until the faithful party members in charge learn a few things about modern agriculture. Much of Moscow's farm machinery, for instance, today is idle for lack of spare parts. The Soviets, too, still are notoriously backward in the output and use of fertilizers. Nor have they kept pace with the growing U.S. practice of using ground water and portable systems of aluminum and plastic pipe to irrigate individual farms. What the Soviet man with the hoe lacks, above all, is the education and initiative of his American counterpart, and aggressive manufacturers and salesmen to tell him what technical ingenuity has wrought for his benefit. American farming, in short, is a vital part of the free enterprise system; the Soviet version is just another deadly aspect of a sterile slave society.

Under the circumstances, the West clearly has the superior bargaining power. Yet those industrialists, Cabinet officers, and Congressmen who last week called on America to be realistic about "changed world conditions" apparently are quite willing to yield that advantage without seeking a quid pro quo. The impulsive Senator HUMPHREY, Democrat, of Minnesota, was the first to urge that the United States revise its "outdated" export policies. Senator MCGOVERN, Democrat, of South Dakota, promptly echoed his sentiments: "We desperately need to broaden our markets, and this is an opportunity to do so." On both sides of the aisle, other legislators (a majority from wheatgrowing States) took up the cry. Barron's emphatically disagrees. If this country wants to do business with the Communists, in grain or in any other commodity, it should insist on getting something of value in return—the razing of the Berlin wall for example, or the evacuation of Red troops from Cuba. Addressing himself to a different question, Senator GOLDWATER, Republican, of Arizona, stated the principle eloquently: "The argument impresses me, and I share with those who made it, a bewilderment at why it aids freedom to salve the wounds of tyranny."

More than a century ago, certain basic differences between the contrasting ways of life were pointed up with uncanny prescience by that keen observer, Alexis de Tocqueville: "The American battles the obstacles of nature; the Russian those of man. The former combats the wilderness and savagery; the latter, civilization with all its implements. American conquests are won with the laborer's plowshare; the Russian triumphs with the soldier's sword. To attain his ends, the American relies upon personal interest and allows free scope to the unguided energy and commonsense of individuals. The Russian somehow concentrates the power of society in one man. The method of the former is freedom; of the latter, servitude." Surely this critical moment in history is no time for Americans, in pursuit of a quick dollar, to strengthen the cause of servitude and betray the freedom which is their birthright.

Mr. MUNDT. But, Mr. President, it is not only Barron's Financial Weekly which now sounds a stern note of caution to those who would engage us in a race with the free world to see which nation might most effectively stoke the fires of war and supply Communist Russia and China with the supplies they most badly need. From the very heart of America's farm belt an editorial appeared last week in a newspaper dedicated to our farming interests and serving a great farming population which carried the self-explanatory heading, "No Justification for Selling Wheat to Russia or Bloc Nations." It was written by the editorial staff of the Daily Plainsman of Huron, S. Dak., a great newspaper published in the tradition of a great newspaper family in our State. It appeared under a two-column heading on the editorial page of the September 20 issue of the Daily Plainsman. I ask that this editorial also appear in the body of the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Huron (S. Dak.) Plainsman, Sept. 20, 1963]

NO JUSTIFICATION FOR SELLING WHEAT TO RUSSIA OR BLOC NATIONS

Some may turn to the Holy Bible for justification of the sale of wheat by the United States to Russia and the Soviet bloc nations—"If thine enemy hunger, feed him."

Others consider the prospect of such sales in terms of hard dollars, dollars which the United States sorely needs in the face of a deteriorating balance-of-payments picture: The deficit for 1962 was $2.2 billion and, at the current rate, the balance-of-payments deficit is $3.2 billion annually.

And then there are those who shout that the United States should not help mend the Soviets' Achilles' heel—when Khrushchev has declared "I will bury you."

Agriculture is the admitted No. 1 problem that has confronted Nikita Khrushchev since he took over as master of the Communist world a decade ago.

This same problem is also given as one of the reasons Khrushchev has sought the test ban treaty.

Russia needs a breather in its drive to military supremacy. It needs a breather to devote a greater portion of its national resources to domestic needs—and certainly the greatest domestic need is food.

Harrison Salisbury, a New York Times Russian affairs expert, wrote after a study of the Soviet agriculture last year:

"On the domestic front, Mr. Khrushchev has one great weakness—the failure to solve the Soviet food problem. Despite his most energetic efforts and the investment of enormous funds, energy and time, Soviet agriculture has not responded. There are periodic meat queues, milk shortages and egg famines."

Under Khrushchev's 7-year plan for agriculture, unveiled in 1958, agriculture production was to rise 70 percent by 1965. To meet this schedule, production should have risen 20 percent by 1961.

But what has really happened on the Russian farms since 1958?

The 1961 and 1962 wheat harvests in Russia were 115 million tons, up from the 100 million tons harvested in 1959 and 1960. Indications are, according to Department of Agriculture estimates, that less than 100 million tons will be harvested this year. If this is an accurate estimate, then it means that for 5 consecutive years the Soviets have had poor harvests. The last good crop year was in 1958 when the harvest was 125 million tons.

The flutter over prospective sale of wheat to Russia came about after Canada announced this week a half-billion-dollar sale of wheat to Russia. Canada will sell to Russia over a 3-year period 198 million bushels of wheat and the flour equivalent of 29.5 million bushels. The Russians in turn will ship to that thorn in the side of the Western Hemisphere, Cuba, 16.5 million bushels.

Jolly good friends those Canadians are.

One of the ridiculous factors about this talk of selling wheat to the Russians is that no query has been received by the United States about such trade. Is is possible that this deal, which the New Frontier can be expected to start promoting, is a part of a plan by the Kennedy administration to get the Russians out of Cuba before the 1964 elections? There is a rumor in Washington that Kennedy and his New Frontiersmen are considering a $10 billion loan to the Russians (with doubtful repayment) in exchange for the removal of Soviet troops from the Caribbean before November 1964.

Trouble on the farms in Russia—and underproduction or hunger means trouble on the farms—is trouble for Khrushchev. Hunger dims Khrushchev's popularity and darkens the enthusiasm for communism. The roly-poly Russian leader himself has said: "A dry spoon scrapes the tongue."

Khrushchev has some problems to fulfill—promises he made to the peasants and the city folks—about what Russians would be eating in the 1960's. These promises have sounded hollow to the Russians who must pay allegiance to Khrushchev—Russians who have learned to depend upon a bread and potatoes diet.

In 1958 Khrushchev boasted that by 1970 the average Russian would have 50 percent more food than the average American—a boast that, based on Soviet agricultural accomplishments in the past 5 years, makes Khrushchev look like a phony braggart.

But what better way to increase Khrushchev's popularity with his people, what better way to inject new life into the Soviet citizenry's acceptance of communism, than to help fill their stomachs?

Observers of the Soviet agricultural scene have said that the real reason the farm problem has been chronic in Russia is that not enough capital investment has been directed to the farms.

Edward Crankshaw, British commentator on Soviet affairs, wrote in the New York Times magazine about a year ago: "Not enough capital investment has gone into agriculture, either in cash or in brains. And the reason for this is that it cannot be spared. It is needed for other things—above all, the development of Russia's war economy."

And is there any reason to think that in 12 months things have changed? Does the signing of the test ban treaty, which possibly may become the loop that will go around the free world's defense neck, indicate a lessening of defense preparation in Russia?

Khrushchev needs food to satisfy the people. He needs food to get maximum performance from his industrial workers—for can an undernourished worker maintain the tempo of a modern-day production line?

There is no evidence that the Russians have veered from their 20-year plan which places emphasis on the production of steel, coal, and oil, all necessary to wage war. There is no evidence that the Russians have reduced their headlong drive for space supremacy. And there is no evidence that the agriculture sector of the Soviet economy is receiving the capital nor brains to make it produce what is needed for a fully powerful nation.

Khrushchev has some of the fates of nature against him when it comes to solving the agriculture problem. The greater part of the Soviet Union's 504 million acres of tilled land lies farther north than Nova Scotia. In areas of Russia where the growing season is long, moisture is insufficient; and in areas where moisture is sufficient, the growing season is short. Russian farmers are lucky, observers say, to get two bumper crops out of five plantings.

With such an unpredictable agriculture, Khrushchev and his friends in the Presidium certainly welcome the Canadian gesture—the sale of wheat.

Three midwest Senators—Senator GEORGE MCGOVERN, Senator HUBERT H. HUMPHREY of Minnesota and Senator MILTON R. YOUNG of North Dakota—all urged this week a new look at U.S. policy on wheat exports to Russia.

"I'm for feeding the people, even if they read Karl Marx," HUMPHREY said.

With the Canadians and the Australians already selling to the Soviets and their bloc nations, the arguments runs that the United States might as well get a chunk of the wheat business.

But is it right, when the United States is footing the bulk of the defense bill for all of the free world, that allies like Canada and Australia should undercut the defense effort with wheat sales to the Communists?

Proponents of the sale of wheat argue that the sale of wheat has no bearing on the defense efforts of either the free or Soviet world, but this argument is hardly acceptable.

No nation ever fought a war on an empty stomach. Russia would be ill-prepared to fight a war with its food problems. If the United States helps fill those Russian and bloc nation stomachs, then our enemies can only be stronger.

Dealing with the Russians and their bloc friends would be an easy way to solve two pressing problems facing the New Frontier—the problem of farm surpluses, and the problem of dollar deficiencies in the world trade.

But this expedient solution would certainly be costly to the freedom and security of the United States and the Western World in the long run.

DEATH OF SENATOR KEFAUVER—RESOLUTION

Mr. BURDICK. Mr. President, the mayor and Board of City Commissioners of Fargo—North Dakota's largest city—recently adopted a resolution expressing their heartfelt sympathy at the untimely passing of Senator Estes Kefauver.

As Mayor Lashkowitz said in his letter:

> We, here in Fargo, N. Dak., felt particularly close to Senator Kefauver because of his many visits over the years in which he established strong and enduring friendships. We also recall with deep appreciation the efforts that he exerted in behalf of our city in 1957 when our community was stricken with the great tornado disaster that year.

Mayor Lashkowitz went on to say in his letter transmitting the resolution:

> Senator Kefauver has left an indelible mark upon those who were privileged to know him. American history will record him as one of the genuine humanitarians of our time, a man who placed principle above political expediency in all of his public actions.

Mr. President, I ask unanimous consent that the resolution be inserted at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Death of Senator Kefauver—Resolution

President Lashkowitz offered the following resolution and moved its adoption:

"*Be it resolved by the Board of City Commissioners of the City of Fargo:*

"Whereas the Honorable Estes Kefauver, distinguished senior U.S. Senator from the State of Tennessee, has passed on to his eternal rest, unexpectedly shocking and saddening the entire Nation and freemen everywhere; and

"Whereas the Honorable Estes Kefauver, during his lifetime, distinguished himself as the foremost fighter for good clean government and was renown as a fighter for the rights of the individual human being without regard to race, color, or creed; and

"Whereas the Honorable Estes Kefauver waged a courageous lifelong battle against injustice and human suffering and fought continually for a better society for all mankind; and

"Whereas the Honorable Estes Kefauver, during the course of his distinguished career visited the city of Fargo, N. Dak., on many occasions and had earned the admiration, respect, and friendship of many citizens of our city including Mayor Herschel Lashkowitz, who in 1952 earnestly fought to advance Senator Kefauver to the Presidency of the United States and received the Honorable Estes Kefauver at a historic gathering in the Red River Valley near Buxton, N. Dak., at which nearly 30,000 people were in attendance, at which time Senator Kefauver convinced the people of this area of his knowledge and understanding of our problems and of his deep interest and concern for the well-being of this area; and

"Whereas in the year 1957, Senator Estes Kefauver earnestly and devotedly took the floor of the U.S. Senate championing the cause of disaster-stricken Fargo in its recovery efforts following the tornado disaster of 1957; and

"Whereas Senator Estes Kefauver at all times responded to the needs of those in distress wherever the call may emanate and served nobly, courageously, and at great sacrifice to his own health and personal comfort; and

"Whereas it is the considered feeling of the Fargo City Commission that Estes Kefauver has earned himself a secure niche in the history of our country as a great American statesman who served his beloved Nation and the cause of mankind with rare devotion and was indeed the very embodiment of the essence of American patriotism and was rightfully recognized as a friend of all mankind in the continuing human struggle for a better society for each and every individual human being no matter where he lives: Now, therefore, be it

"*Resolved,* That the Fargo City Commission does hereby express their deep and profound sorrow and sadness upon the untimely passing of that great American statesman, the Honorable Estes Kefauver, who had endeared himself to the people of this area and the city of Fargo by his many acts of friendship and loyalty as manifested throughout the years; and be it further

"*Resolved,* That this expression of sorrow upon the passing of our beloved friend, the Honorable Estes Kefauver, be spread upon the permanent minutes of the Fargo City Commission, and that certified copies be forwarded to the family of our dear friend, the Honorable Estes Kefauver, and that copies be furnished to the presiding officer of the U.S. Senate, the congressional delegation of the State of North Dakota for introduction into the Congressional Record, and also to the Governor of the State of Tennessee and the two U.S. Senators from the State of Tennessee, with the request that this resolution be called to the attention of the Tennessee Legislature and the press, radio, and television of the State of Tennessee."

Second by McCannel. On the vote being taken on the question of the adoption of the resolution Commissioners Markey, Oakey, Lashkowitz, and McCannel all voted aye.

Absent and not voting: Commissioner Hagen.

The acting vice president declared the resolution to have been duly passed and adopted.

Herschel Lashkowitz,
Mayor and President, Board of City Commissioners, Fargo, N. Dak.

Attest:

M. C. Fremstad,
Deputy City Auditor.

ORGANIZATION AND OPERATION OF THE SENATE

Mr. STENNIS. Mr. President, recently the Senator from Georgia [Mr. Talmadge], and the Senator from Pennsylvania [Mr. Clark] appeared on the NBC–TV Network Show, "Today." In a very fine and lively fashion they discussed the organization and operation of the U.S. Senate, the committee assignments and the seniority system. Their timely discussion is worthy indeed and should have wider circulation.

I ask unanimous consent that a copy of these remarks be inserted in the Record as in the morning hour.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Organization and Operation of the Senate

Hugh Downs. The U.S. Senate has repeatedly been described as the most exclusive club in the world—in fact, to some it is known as the club, or the inner sanctum. Last February, Pennsylvania's Democratic Senator Joseph Clark rose on the Senate floor to denounce this group. He defined it as the bipartisan Southern Democratic Republican and conservative coalition, which he alleged ran the Senate—he called it the establishment. The Senate establishment, he said, is almost the antithesis of democracy, what might be called a self-perpetuating oligarchy. Well, some of Senator Clark's colleagues insisted the establishment exists only in the mind of the Senator from Pennsylvania—and not in reality.

Georgia's Senator Herman Talmadge takes this stand, and our Washington correspondent, Martin Agronsky, has asked Senator Clark and Senator Talmadge to examine the establishment concept for us this morning. Martin?

Mr. Agronsky. Good morning, Hugh. Senator Talmadge, let's begin with your examination of the establishment. Does it exist—or how do you think of it?

Senator Talmadge. No, it doesn't exist. It reminds me of an old song or poem that I heard many years ago—"The other day upon the stair, I saw a man who wasn't there; he wasn't there again today—gee, how I wish he would go away."

Of course, we have 100 Members of the Senate. We're all paid the same salary. We have the same opportunity to speak; we have the same opportunity to vote; we have the same opportunity to make motions, and every Senator has an equal voice in the Senate. Now that's not to mean that some Senators do not have more influence than others. The Senate, of course, is like everything else. The more your judgment or your integrity is respected, the longer your length of service, the greater your knowledge—that Senator is likely to be more influential than the Senator who has been there a very short period of time. And I would suspect that it varies from issue to issue. In the Senate, for instance, perhaps Chairman Fulbright of the Foreign Relations Committee would probably be the most influential Senator with reference to treaties. I would suspect that Senator Russell would be the most influential Senator with reference to matters relating to the armed services. And to matters relating to urban affairs in the cities, I would suspect that our friend here, Senator Clark, is one of the most influential Members of the Senate.

Senator Clark. Herman, I'm interested at what you say, and of course, needless to say, I disagree with it. I'm reminded of what Paul Douglas said about the establishment. He reminded us of the medieval king who was said to have a very fine suit of clothes, and everybody was supposed to say to the king, "My, what a magnificent suit of clothes." One day a little boy stood up and said, "Why the king is naked—he hasn't got any clothes on at all." And I feel that way about the establishment. When you give it visibility, it becomes clear that it exists. Who is it—it's largely the chairmen of the most important committees, all Democrats, of course, and the ranking Republican members—the senior members. They come pretty close to running the important committees of the Senate—Appropriations, Finance, Armed Services, Foreign Relations. They're losing their control, because through the Democratic steering committee, which makes the committee assignments, and the Republican committee on committees which makes the assignments of the Republican Senators, they can put their dwindling troops where they'll think they'll do the most good, but they haven't got enough strength any more to control all of the committees, so those of us who are Kennedy men, or liberals, and there are some fine liberals in the Republican Party, are gradually creeping up on the establishment, and taking over.

But it still rules the roost in those important areas where it can kill the program of the President of the United States, through its undemocratic action, which ignores party platforms, which to my way of thinking ignores the wishes of the constituents of many of the members of the establishment, and thus creates what I have called an oligarchy with slight overtones of plutocracy.

Mr. AGRONSKY. All right, Senator CLARK, could we make it a bit more visible? Who are they?

Senator TALMADGE. I would suspect, if I may have a word at this point——

Mr. AGRONSKY. Yes, indeed, Senator TALMADGE.

Senator TALMADGE. I would suspect that Senator DOUGLAS is also gazing upon the stair. Now the foremost exponent of this philosophy which my friend JOE espouses, and he wrote some remarks in JOE's book, "Senate Establishment," is the great liberal professor, James MacGregor Burns. He appeared on "Meet the Press" last December, and he said the basic thing wrong with our political system is that our Government was set up to be a divided Government with internal checks. On that same program, he says today it is imperative that we have a strong national government, but we still have the old constitutional checks.

Finally, when Professor Burns was asked bluntly if he wanted to give all power to the President, his reply was that he wanted to improve the Congress. In other words his idea was Congress should not say, "No," it should only say, "Yes." It should not be called an equal; it should be subordinate and amenable. Now the legislative power is vested in the Congress of the United States, and I think that is where it properly belongs, and I favor the retention of that power in the Congress, and I think that this attack is an attack against constitutional and representative government itself.

Senator CLARK. I have no quarrel with the first part of your statement, HERMAN, but my good friend, my point is that if you are going to have a system of checks and balances, and whether we like it or not, we've got it under the Constitution, each of those checks should be reasonably democratic, at least the legislature. And my quarrel with the establishment is that it has destroyed democracy in the Senate, and it has substituted oligarchy. Now, Martin, you asked me a minute or two ago who is the establishment—we have to distinguish between the establishment and the bipartisan coalition, which in many—but not all—instances have the votes for the measures which they propose. The establishment, to my way of thinking, are the leaders of the bipartisan coalition. I suppose the most outstanding one is my good friend, and HERMAN's colleague, RICHARD RUSSELL. He is really the uncrowned king of the establishment.

Mr. AGRONSKY. How does he exercise his powers—an uncrowned king?

Senator CLARK. Well, DICK is on pretty nearly all the important committees in the Senate. He is on the Steering Committee, he is on the Policy Committee, he is on the Appropriations Committee, he is on the Armed Services Committee, and then he sits in, in this very informal way, which we have in the Senate—there is nothing overt, there is nothing in writing, but they all confer together, to agree on sort of a policy. I am on the Steering Committee.

Mr. AGRONSKY. Well, doesn't he use his influence then, to persuade the other Senators, and if they wish to reject his influence, couldn't they?

Senator CLARK. Yes, of course, they could. But he has with him a number of people—most of them from the South—in the Republican Party, many of them from the Middle West, who have the same philosophy which he has. This is a philosophy which glorifies the status quo. This is a philosophy which is opposed to change. This philosophy has brought together with it through the device of seniority in the one-party States, a group of very conservative people who feel the way he does. My objection to it is, not that they feel that way—that's their right—not that they get reelected, if they get reelected, God bless them—but that they exercise an undue influence on the practices, the rules, the procedures of the Senate, so that the weight of their vote is vastly more than the weight of mine.

Senator TALMADGE. What JOE's saying in effect is that the Senators don't exercise good judgment. Now each Senator votes his convictions on a particular issue. The so-called coalition changes every time there's a new issue before the Senate. I don't recall any time that the Democratic Party has ever voted as a unit in the Senate except on the organization of the Senate. I don't recall that at any time the Republican Party has voted as a unit in the Senate except in the area of civil rights. And they've done that on two different occasions. Now if there is an establishment in the Senate, JOE must be the chairman of the board, because he's on six different committees, Banking and Currency, Labor and Welfare, Rules and Administration, Special Committee on the Aged, Joint Committee on the Library, and the Steering Committee. Now I don't know another Member of the Senate that's on six different committees—there may be, but I don't recall offhand. Now, I agree with what Senator CLARK has said with reference to my distinguished colleague, Senator RUSSELL, in part. He's been in the Senate 30 years. He's made it his life's work; he's dedicated, he studies all the time; he works at his job—he knows the rules of the Senate better than anyone. He doesn't speak idly when he gets on the floor of the Senate. I think people have confidence in his judgment, and he has great persuasive powers.

But to have persuasive powers in the Senate doesn't mean that you are chairman of an oligarchy. It means that Senators accept your judgment to a greater degree than they do other Senators.

Senator CLARK. Let me make two comments, if I may, HERMAN. In the first place you can't vote your convictions unless you get a chance to vote, and Senator RUSSELL and your colleagues who are opposed to the whole civil rights program have been very effective through the use of the filibuster, to prevent us, who would like to vote on that question, from ever really voting on the merits. You just talk and talk and talk until we give up. Now earlier this year, 56 Senators went on record as being in favor of changing that filibuster rule which the establishment uses to prevent a vote on the merits, and yet because of peculiar rules of the Senate, for which the establishment is largely responsible, we never got a chance—we 56 to change that rule.

Now let me say another word, more or less in a lighter vein, about your suggestion that I'm the chairman of the board. These committees I serve on are what I think are known in the local argot as turkeys—nobody really wants to serve on them.

Senator TALMADGE. Not by any means.

Senator CLARK. Please, I know you're going to let me finish here. When we came to the steering committee this year, we couldn't get anybody to volunteer to go on Banking and Currency—it was a vacancy—we had to shanghai young TOM MCINTYRE and put him on there. He wouldn't volunteer. Nobody wanted to go on Labor and Public Welfare; we had to take the President's brother, TEDDY KENNEDY, by the ears and say you're going to go on where your brother used to serve. Rules and Administration is a place nobody wants to go. The Special Committee on the Aging I'm resigning from, because, frankly, I don't think I can help very much, and the Joint Committee on the Library—boy, boy, boy, that sure influences national policy.

Senator TALMADGE. You are still extremely—I think those are very important committees. Now we have had an opportunity to vote on your philosophy in the Senate. You've made a series of speeches, critical of the Senate to face matters up in the Democratic conference, and even on the floor of the Senate. And in the early part of the year when we were organizing the committees, you had a resolution to pack the Finance Committee, to increase the number from 17 to 21. Your vote lost on the floor of the Senate by 68 to 17. In other words, 75 percent of the Democrats voted against you, and 90 percent of the Republicans. You had a resolution to pack the Appropriation Committee—your point of view lost 70 to 12. Eighty-nine percent of the Democrats voted against you—89 percent of the Republicans voted against you. Now that, I think, clearly indicates that the Senate itself, both Democrats and Republicans, certainly don't accept your view on this matter.

Senator CLARK. What you say, HERMAN, is factually and entirely correct. I don't like that word "pack" because it goes back to the Supreme Court controversy. I prefer the word "unstack." I wanted to unstack those committees which are presently stacked, against the President of the United States and his programs. What I proposed in terms of increasing the size of the committees is to restore them to a size which they had a good many years ago when they were unstacked, and where the President had a fair shake.

However, I must say this. You're quite right about the vote. I took a bad licking. I like to think of it as the first battle of Bull Run.

Mr. AGRONSKY. Senator CLARK, may I ask you this. You said in your first speech, you referred in your first speech, to the 1913 so-called revolution of the U.S. Senate, in which a majority of the Members of the Senate overturned the seniority system, got rid of all the committee chairmen that they didn't like, restacked the committees—if you want to put it that way—and ran the Senate as they wished. What is there to prevent you this afternoon, going to the Senate of the United States, finding men of minds like your own, and doing exactly that this afternoon, if you could convince a majority.

Senator CLARK. One very important thing, Martin. I haven't got the votes. Some day I will have, and it may come as early as January of 1965, when in my opinion, President Kennedy, having been reelected, will find that he must intervene in this Senate fracas, in order to assure that his program gets a fair shake, else he will go down in history as the President who couldn't get his legislative program through. All we need to win is the leadership—not the establishment. We need the majority leaders—we've got the whip. It would be useful if we could get——

Senator TALMADGE. That's Senator HUMPHREY——

Senator CLARK. Yeah. If we could get the President pro tempore, but I'm afraid we won't—if the leadership had been with me, in January, I would have won. I'm distinguishing between the leadership, but MANSFIELD opposed me.

Mr. AGRONSKY. You are separating the President pro tempore, who is the Vice President of the United States, LYNDON JOHNSON, from the liberal——

Senator CLARK. No, CARL HAYDEN.

Mr. AGRONSKY. I see what you mean.

Senator CLARK. That is a separate office, Martin.

Senator TALMADGE. Of course what JOE was saying, in effect, the seniority system is all wrong. We ought to disregard it, after almost 200 years in the history of our Republic. I disagree with that. The seniority system of course is not perfect, but it is the best system we have. I think the longer a man serves in the Senate, the more knowledgeable and the more influential he becomes. I think that is true if he is working in a business. I do not think a man that takes a job for

NBC today is as qualified to run the business as the man who has had the job for 30 years. I think a man who has lived in a community for a long period of time is probably more influential than one who moves in there tomorrow. It is not perfect by any means, but there is no system that could be devised that would be perfect.

Senator Clark. I think that you have—I am sure inadvertently somewhat misstated my views about the seniority system. I have no serious objection to the seniority system. Actually the establishment ignored it nine times in January, in order to put junior Senators, most of whom were in favor of the filibuster rule against cloture, in important committee positions, and ignored an equal number of Senators who had voted for cloture, who needed the positions for their reelection campaigns, but they did not get the jobs. Now, seniority, I think is fine, in the ordinary course, but I say seniority ought to be disregarded when those who would benefit by it are not really Democrats at all, in the sense that they follow the national platform, in the sense that they will support the successful Democratic candidates for Presidency, but who either opposed him in the election, or refused to support his program when they got back to the Senate.

Senator Talmadge. May I quote a famous liberal, at this point—chairman of the Democratic conference, majority leader of the U.S. Senate. When Senator Clark concluded his series of speeches, the majority leader said, "The Senator from Pennsylvania is within his rights when he tilts his lance and charges at the windmill of evils he perceives which exist in the Senate."

Mr. Agronsky. Well, gentlemen, I am afraid we are going to have to continue this debate on the floor of the Senate, and thank you both very much. Hugh?

Mr. Downs. Thank you, Martin, and gentlemen.

THE SLEEPING BEAR DUNES STORY

Mr. HART. Mr. President, the Public Lands Subcommittee of the Senate Interior Committee will soon take up in executive session the Hart-McNamara bill (S. 792) to establish in Michigan the Sleeping Bear Dunes National Lakeshore.

Particularly timely, therefore, is a series of three carefully documented articles on this proposal by News Photographer-Columnist Doug Fulton of the Ann Arbor, Mich., News. In these three articles the author does a brilliant job of summarizing the facts, giving the pros and cons, and managing it all in highly readable fashion. I am delighted that other Booth newspapers have seen fit to carry these articles in our State. In so doing they are performing a real public service. For many of their readers, this will be the first time that they have had access to the full story.

May I call to the attention of my colleagues two or three points which bear underlining. First of all, the author tells us that "many of those opposing S. 792 are still fighting the original bill, and have only a hazy idea of the elaborate safeguards written into this latest version." He points out that these safeguards against condemnation are much more strictly drawn and are more liberal—for the homeowner—"than with any of the other seashore laws passed by Congress." Significantly, Mr. Fulton notes that it is impossible to say how many people within the area favor the proposal "for most of them hesitate to speak up against the vocal and militant opposition of the Citizens Council. Some who have done so have been subject to ostracism and boycott."

Do we need the Sleeping Bear area?

The thought of the thousands of acres already under State or Federal control in Michigan causes many people to wonder if taking another area is justified at all. But if these lands are examined, the question answers itself.

Mr. President, I believe it is important for all the Members of the Senate to have the information contained in this comprehensive series, and I therefore ask unanimous consent that the articles which appeared in the Ann Arbor News on September 16, 17, and 18, 1963, be inserted in the Record at this point.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Ann Arbor (Mich.) News, Sept. 16, 1963]

New Wind Swirls Through Sleeping Bear Country

(Editor's note.—As it has been for some years, the proposal to create a national lakeshore recreation area in northern Michigan's Sleeping Bear country is making news and stirring controversy. In a three-part series of articles starting today, Ann Arbor News Photographer-Columnist Doug Fulton provides detailed information regarding the proposals, the background, and the controversy. Prior to making his report, Fulton spent 3 days "prowling around" the Sleeping Bear area, talking with residents and looking at the country. He also read all of the 435-page official report of the Washington and Frankfort hearings on the issue.)

(By Doug Fulton)

Since the last glacier melted and moved northward, the winds of change have blown and swirled over the Sleeping Bear country.

Today these winds continue to work their magic over this magnificent dune which towers 460 feet above the waters of Lake Michigan at the base of the Leelanau Peninsula, the "little finger" of Michigan.

There is a new wind swirling around the Bear today. It is also a wind of change. But this wind is manmade. It is the wind of controversy.

There are, at present, several bills before Congress to turn Sleeping Bear and its environs into a national lakeshore recreation area to be administered by the National Park Service.

One of these bills (S. 792), introduced into the Senate by Senators Hart and McNamara (an identical bill in the House, H.R. 4201, is sponsored by Representative Neil Staebler), would encompass 77,000 acres of land, including not only the Bear, the Lake Michigan shoreline surrounding it, and the offshore island of South Manitou, but also Glen Lake and the surrounding high ridges which overlook some of the most beautiful scenery in the whole of Michigan.

This bill is the third revision of the Hart-McNamara proposal. The original bill caused such consternation among the people of the area and such resentment toward the National Park Service that it has been hard to get fair consideration of this proposal.

Many of those opposing S. 792 are still fighting the original bill, and have only a hazy idea of the elaborate safeguards written into this latest revision.

Another bill, H.R. 2400, was introduced this year by Representative Robert Griffin. He represents the district in which the recreation area would be located.

At first, under heavy pressure from his constituents, Representative Griffin was unwilling to admit the necessity for any kind of Federal project within the area. Gradually, however, he came to realize the necessity of preserving at least a portion of the area and introduced a bill of his own.

The Griffin bill would encompass an area of 37,000 acres, principally along the Lake Michigan shoreline adjacent to the Bear. He would not take in any of the inland lake area, but in order to provide more land and shoreline, he would include North Manitou Island. This island, less spectacularly scenic than South Manitou, has about 14,000 acres and a shoreline of 22.5 miles.

Both Senator Hart and the Park Service agree that North Manitou would be a welcome addition, but not at the expense of the inland areas.

It is the inclusion of these inland areas which has stirred the winds of controversy and provided the basic difference in the two opposing bills. This is a difference not only of area, but of philosophy. To understand it one must look at the history of the National Park Service.

The national park system in this country began with the desire to save for posterity some of our most beautiful scenery so that all of the people of the United States could enjoy it. This was a new concept in 1872, when Yellowstone National Park was dedicated and it was unique with the United States. Since then many other countries have studied the system and copied it.

Basically, these parks were areas of great beauty and were there only to look at. A few essential services (roads, camps, nature trails, naturalist-guides, etc.) have been added, but 95 percent of the total area is land left in its natural condition.

Some of these parks were established after men had already made inroads into the territory. Some of them had private holdings within the boundaries.

Because the concept of the national parks required that they be in their natural condition, it has been the policy to eliminate these inholdings whenever and by whatever means possible.

(The Park Service has not always been gentle in this respect, and as a result has incurred in some quarters a reputation as a land-grabbing bureaucracy. As a result of this reputation, a blue-ribbon committee of well-known conservationists has been appointed to an advisory board to help formulate policy for the National Park Service. Vice chairman of the committee is Dr. Stanley A. Cain, of the University of Michigan, who is also chairman of the Michigan Conservation Commission.)

Another category of lands administered by the Park Service is historic sites and monuments. These are small units and include buildings—such as Independence Hall—and historic sites—such as the Mesa Verde cliff dwellings.

In the last few years, necessity has forced the National Park Service to adopt a new category with entirely different rules.

It has long been recognized we have remaining few wilderness areas of the caliber of our national parks. But our population is expanding, our leisure time increasing, and our whole pattern of vacation and recreation is changing because of our new expressways and increased mobility. The demand for recreational facilities grew far faster than at any time in our history. And a look into the future suggested this need would increase.

In 1957, in the Eisenhower administration, Secretary of the Interior Fred Seaton authorized the National Park Service to conduct a nationwide survey of seashore areas. This operation was financed, not by the Government, but by the private donation of $1 million from the Mellon Foundation.

The purpose of this survey was to pinpoint areas of national significance which might be developed for recreational purposes. Shorelines were emphasized in this survey because they had long been neglected as recreational sites and were rapidly disappearing into private ownership.

(The report of the Outdoor Recreation Resources Review Commission, authorized by Congress to study the entire recreation problem in the United States, estimated that 90 percent of our shoreline is in private control and only 5 to 7 percent is available to the general public.)

The preliminary report of the Park Service designated 12 remaining shoreline opportunities, of which three (Sleeping Bear, Pictured Rocks, and the Huron Mountains) were in the State of Michigan.

This preliminary report recommended the further study of the Sleeping Bear area to include "nearly 30,000 acres and a shoreline of 35 miles." This survey was taken from the air, and that the report was made primarily from the results of aerial mapping.

A more detailed investigation, also made possible through private donation, showed the desirability of enlargement of the area from the original 30,000 acres to about 92,000 acres. This additional acreage made possible the inclusion of many extremely valuable natural features of the land and geological remnants which told the story of the effects of the glaciers on Michigan. It also allowed sufficient room for development of subsidiary features, such as roads, camp and picnic grounds, etc.

As the Park Service noted in its final report, "It is the unusual combination of scenic, scientific, and recreational features that gives national significance to the Sleeping Bear region."

The reports on these shoreline areas, however, while detailing their scenic and recreational features, outlined a few disadvantages. Some of the best areas had extensive developed areas within them. They were not wilderness areas, and were unsuitable for development as true national parks. But they were so valuable that a means had to be found to preserve them.

Out of all this came the concept of the seashore (or lakeshore) recreational area. Several of these areas already have been approved by Congress—Cape Cod, Point Reyes, and Padre Island. All presented problems with inholdings of one kind or another.

Most of the arguments and denunciations heard about the Bear area project were also heard in the Cape Cod dispute. It was a "land grab"—"the Park Service wants to take our homes"—"the inalienable right of a man to own private property is being abolished."

Fortunately the Cape Cod bill was given bipartisan support in both the State and national legislature (something that seems impossible to obtain, even on the smallest issues, in the State of Michigan), and the bill passed.

There has been little grumbling on the Cape after a year of operation as a seashore recreation area. Safeguards built into the bill have allowed people to keep their homes. And, with the Federal Government to enforce the provisions of local zoning, many residents apparently feel they are more adequately protected against overdevelopment than before.

The safeguards built into the Hart bill are even more stringent. The second paragraph of the bill specifically states that "In developing the lakeshore, full recognition shall be given to protecting the private properties for the enjoyment of their owners."

Senator HART has compromised on the original 92,000-acre proposal of the Park Service. Some individuals and organizations feel that even the 77,000-acre Hart bill will be too small, and have recommended more than 100,000 acres. Representative GRIFFIN, meanwhile, has introduced his bill calling for 37,000 acres.

But there is more than just an acreage difference in the bills.

Representative GRIFFIN's bill would be more in the line of a small national park, even though he calls it a lakeshore recreation area. It would carefully avoid taking in most of the developed areas, even though this would mean the loss of valuable portions of the landscape. He feels the problems of administration of large areas of private homes would be too great. He believes that local zoning can hold the line against increased commercialization.

Senator HART, on the other hand, believes that private homes and public use areas can exist together if the total area is of adequate dimension. He is also concerned about the protection and development of the high ridges, the scenic overlooks, which surround the area.

One of these in particular, privately owned Miller Hills, has already been subject to repeated trespass and is in danger of uncontrolled erosion because of inadequate access roads.

Of the 10 scenic overlooks provided for in the Hart bill, only three are included in the Griffin proposal. Proponents of the Hart bill place great emphasis on these overlooks, pointing out that the whole landscape is dominated by them, and high-intensity commercialization of them would change the character of the whole area. The Park Service plans, if the overlooks are included within the boundaries, to build scenic drives to them.

Senator HART also fears the loss of important scientific and education features of the land if these are not included within the boundaries. One swipe of a bulldozer, he points out, could destroy evidence of glaciation that had been built for thousands of years.

Senator HART also points out the example of commercialization on the fringes of tourist areas such as has occurred in other parts of the country, and the futility of local zoning ordinances in coping with pressure from commercial interests.

[From the Ann Arbor (Mich.) News, Sept. 17, 1963]

DUNES ISSUE OBJECTIONS NOTED, ANSWERS OFFERED

(By Doug Fulton)

What are the objections to a recreation area at the Sleeping Bear Dunes and how do the people of the affected area (at the base of the Leelanau Peninsula) feel about it?

It seems to be axiomatic, in our civilized world, that people, while desiring progress, resist change.

The people of the Bear are resisting this change, a change they know is coming and are powerless to stop, with all the resources at their command.

A citizens' council of area residents has spent more than $25,000 to defeat the bills.

Many of the homeowners in the area (and the people who have summer homes on the inland lakes but are not resident the year round) are against any kind of Federal project.

Some of these residents feel that if there has to be a bill at all, they would rather have the Griffin proposal for 37,000 acres.

Others, concerned about their status if they are on the immediate outskirts of an area such as is proposed, would prefer the Hart bill, for 77,000 acres, to protect their homes against honky-tonk encroachment.

There are other residents who would like to see a Federal recreation area at the Bear. It is impossible to say how many are in this category, for most of them hesitate to speak up against the vocal and militant opposition of the citizens' council. Some who have done so have been subject to ostracism and boycott.

Those who favor the national lakeshore area point to the pressure already evident in the area of increased tourist business. Many of these people would prefer the status quo of an uncrowded tourist community, but they look ahead 20 or 40 years from now, when transportation will be even more swift and cities to the south more crowded, and wonder just how long they can hold out before the onslaught.

They also point to the advantages of a planned increase in tourism. Speakers before the Subcommittee on Public Lands of the Senate spoke of unemployment in the area and the increased dependence of the economy on the tourist dollar.

But to get to some of the objections raised by the citizen's council and others testifying against the bill.

1. "It is the policy of the Park Service to eliminate all inholdings—our property will be condemned."

2. "We don't need a park here. Michigan already has thousands of acres of State forest and national forest and State-owned lands of all kinds which nobody is using. (At this point a highway map of Michigan is displayed showing large green areas designating public-owned land.) Why isn't this land developed for parks?"

3. "It will be too expensive. Estimates are that it will cost $17 million."

4. "It's too far from the people."

5. "We already have a national park in Michigan and only 6,000 people visit that in a year."

6. The State of Michigan can do the job just as well without bringing the Federal Government into it."

7. "What about our schools and government units? If you take all this property off the tax rolls, how are we going to pay for our schools and services?"

8. "New construction in the area is almost at a standstill because of all the confusion about the park. You can't build a cottage on the lake because anything built after July 1, 1961, is subject to condemnation."

9. "People have the inalienable constitutional right to own property and to use it as they see fit."

All of these points have been answered in Senate hearings and elsewhere, but they are still being brought up whenever discussions of the bill occur. Taking them up in order:

1. It is true the policy of the Park Service is to eliminate all inholdings within the boundaries of the true national parks, but this would not be a national park. It would be a national lakeshore recreation area. And there is quite a difference in the two concepts. If only "lakeshore recreation area" had a shorter, or catchier, title, most of the confusion would die out.

Condemnation is severely limited in the Hart bill and is spelled out in detail.

To begin with, two separate areas are recognized within the boundaries. One of these is called the "inland lakeshore residential area." This is carefully plotted in the bill and includes about 2,500 acres (this could be increased to 3,500 by an advisory commission), primarily around Platte Lake, Little Platte Lake, Glen Lake, and Little Traverse Lake. This is the area in which most of the present development is concentrated.

The other area is simply called "lakeshore" and refers to the rest of the land within the boundaries of the Sleeping Bear Dunes National "Lakeshore."

Improved property within the "lakeshore" area, and any property within the "inland lakeshore residential area" is exempt from condemnation (and this is specifically stated in the bill) if it conforms to properly set up local zoning ordinances, or in the absence of such ordinances, if it conforms to the zoning standards set up in the bill. These zoning regulations are intended to protect the character of the lakeshore as it now is, and to prevent destruction of scenic values.

This private property which is exempted from condemnation can be deeded to one's heirs or sold to another party, subject only to the zoning laws. There is no time limit on this—it is in perpetuity.

Furthermore, in all cases of suspected violation of zoning, the burden of proof shall be on the Park Service. Even if violation is proved, the violator must be given 60 days to conform to zoning before condemnation can be instituted. If he conforms, the property cannot be condemned.

These safeguards against condemnation are much more strictly drawn and are more liberal than with any of the other seashore laws passed by Congress. In fact, the Park Service feels some of them are too liberal and would like more power left in the hands of the director of the Park Service.

However, it should be remembered that Congress determines the limits under which the Federal agencies act, and the Park Service would be bound by the act as it eventually passes Congress.

2. The thought of the thousands of acres already under State or Federal control in Michigan causes many people to wonder if taking another area is justified at all. But if these lands are examined, the question answers itself.

Most of the State-owned land in question (about 80 percent) is acreage turned back to the State by individuals who could not or did not want to pay taxes on it. In other words, it was not worth keeping. Most of this tax-reverted land is marginal in worth and has little or no mass recreational value. Very little of this land, for instance, has water access.

Much of it is good for hunting, and some of it is used for timber production. It looks impressive on a State map, but only a large-scale map shows the true picture, for most of this land has extensive inholdings of privately owned acreage.

3. The cost of a project is of primary consideration, and when the figure $17 million is raised, eyebrows go up with it.

But this figure is the total value of all the land within the boundaries of the proposed development. Obviously if you allow residences and commercial establishments (value of which is much greater than that of raw land) to remain, and buy only the unimproved land available within the area, the cost will be much less. It is estimated that the total appropriation for the purchase of these unimproved lands will not exceed $5 million.

4. In order for a recreation area to be used, and thus be worthwhile, it must be close to those who will use it. For many years this was not true of Sleeping Bear. It was a long way from the centers of population.

But distances have become "shorter" in travel time in this modern age and there is every indication they will become shorter still. Twenty million people live within 300 miles (less than a day's drive) of the area, and this figure is increasing at a rapid pace. Already the new expressways hustle people northward at a clip undreamed of just a few years back.

5. Yes, Michigan does have a national park, Isle Royale, situated about 30 miles out into Lake Superior (a 5-hour ferry ride or an expensive air hop) is a true national park. It is primarily a wilderness area. There are no roads on the island, and it is primarily for those who can walk into the area and live off what they can carry on their backs, or boat around the edges. The season is short, and there are only two lodge hotels there. It is valuable for what it is—a wilderness area—but it is in no way comparable to the proposed development at Sleeping Bear.

6. Anyone who proposes to "let the State do it" just hasn't been reading the record.

Last year our State parks turned away an estimated 100,000 campers because there was not enough room for them.

Eleven States have bonding programs in excess of $50 million for parks and park improvements. Michigan was able to wheedle the legislature into approving a $5-million bond issue a couple of years ago, and there are hopes that another $5 million may be forthcoming. But this cannot put the State where it should be in the parks program, since only $1 million of this could be spent for land purchase.

State Representative Reimer VanTil, Republican, of Holland, chairman of the interim committee on State parks and public lands, estimated in a report issued in June of 1963 that Michigan needs a total of $84,475,175 in park appropriations for the next 5 years.

Meanwhile the Province of Ontario in Canada beckons to the entire Midwest in its quest for the tourist dollar.

Ontario has been able to provide many services in its provincial parks that Michigan admires and would like to emulate. Almost every park has a nature museum, two or three full-time naturalists who lead guided nature walks (Michigan has a total of three naturalists for the entire State), evening nature films and lectures, and well laid out and spacious campsites.

All of these attractions have made Canada a vacationer's paradise and drawn many potential tourists away from Michigan. Most of these desirable services are not now offered in any Michigan park, but would be at Sleeping Bear under the National Park Service.

7. Actually the problem of removal of taxable property and the lowering of the tax base would not be as serious as it might appear. Only unimproved property would be bought by the Park Service, and this has the lowest value for taxes. But it might do harm, especially to the school district, until property values take the expected upturn that the impetus of a Federal recreation area should provide.

A section of the Griffin bill, however, provides that the Federal Government make payments to the local subdivisions in lieu of taxes for property removed from the tax rolls until the bonded indebtedness contracted before the area was established is paid off. This provision gives needed protection to the school district and suggests one area of compromise between the Hart and Griffin bills.

Many of the services now provided by the townships and the counties, such as roads, fire protection, and public safety, would be the responsibility of the Park Service. And it is expected that disbursements for these services by local government would lessen.

8. It is true that new construction in the Sleeping Bear area has dropped off considerably of late. People are waiting to see what Congress will do and which bill, if any, will be passed.

This cutoff date of July 1, 1961, in the Hart bill refers only to construction of unimproved property outside of the inland lakeshore residential area. New construction would be allowed on the inland lakeshore area under the provisions of the Hart bill as it now stands, but there is apprehension in the Bear country that this provision might be changed in the final draft of the bill by the Senate committee.

This fear has caused many people who were about to start construction in the area to hold off until the whole matter is settled.

This cutoff date, harsh as it seems at the present time, was put into the bill for a purpose. Cape Cod had no such cutoff date, and this cost the taxpayers millions of dollars of additional money when land speculators platted subdivisions in the area between the time the bill was proposed and the final time of passing by Congress.

9. The "inalienable right of the people" argument has been bandied about in this country for a long time, and has caused more arguments per square word than any other phrase in history.

We like to think we are a people with almost unlimited freedom, but if we stop to ponder it, this is not the case. The more civilized we become, the more individual freedom we give up in order to exist in our complicated society. The good old days when every man's home was his castle, unimpregnable from without, has disappeared. We have accepted the constitutionality of condemnation of private property for the public good in such areas as highways and urban renewal.

We have also accepted the limitations on use of our property by zoning and the laws of our community. Thus, we cannot make a bordello or opium den of our property, or start a glue factory in a residential area.

This is really all which is involved with the zoning principles set up in the Hart bill. Many people have commented about the clean appearance of the Sleeping Bear area and the total lack of honky-tonk commercialization in the area. The proposed zoning is directed toward keeping the area the way it is now.

[From the Ann Arbor (Mich.) News, Sept. 18, 1963]

SENATE UNIT HAS SAY ON DUNES

(By Doug Fulton)

Where does the Dunes project stand now? What is happening to the various bills? How soon will we know if we will have a Sleeping Bear National Lakeshore and, if we do, what sort of area will it be?

The answer to this lies at the present time in a Senate subcommittee. It is called the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs.

The chairman of the subcommittee is Senator Alan Bible, Democrat, of Nevada. Members are Senator Clinton P. Anderson, Democrat, of New Mexico; Senator Ernest Gruening, Democrat, of Alaska; Senator Frank E. Moss, Democrat, of Utah; Senator Lee Metcalf, Democrat, of Montana; Senator Carl Hayden, Democrat, of Arizona; Senator Gordon Allott, Republican, of Colorado; Senator Len B. Jordan, Republican, of Idaho; and Senator Milward L. Simpson, Republican, of Wyoming.

This subcommittee has been holding hearings on the Sleeping Bear proposals ever since the introduction of Senator Hart's first bill in 1961. The latest hearings took place in Washington, D.C., in March and April of this year. Later, the subcommittee toured the Sleeping Bear area and held a full day's hearing in Frankfort in July. The full report of these hearings is contained in a 435-page booklet issued by the committee.

From the testimony these men have heard, and the communications sent to them, they will recommend one of several courses of action: (1) that S. 792 (the Hart bill) be reported out to the floor of the Senate without change; (2) that the bill be reported out with certain changes recommended by the committee, or (3) that the bill be killed in committee.

The chances of passage on the floor of the Senate and a concurring vote in the House are good if debate can be scheduled. This might turn out to be quite a problem this year because of the anticipated filibuster of the civil rights bill and a flood of priority legislation already scheduled for debate.

Another roadblock to passage may lie in the reporting priority of bills by the subcommittee. It is understood the subcommittee is planning to report out the Canyonlands Recreation area bill before the Sleeping Bear bill, and this may have an adverse effect from a budget standpoint.

There is always a danger in trying to guess in what final shape a bill will emerge from committee. These committees are subject to many pressures, both from within and without.

It is known that one of the Senators on the subcommittee is dead set against the Sleeping Bear bill.

Senator Simpson, of Wyoming (a former Governor of that State), was recently elected to the Senate and put on the Public Lands Committee. He is against Federal intervention of any kind and is a strong critic of the National Park Service. At many times in the hearings conducted on Sleeping Bear he voiced his prediction that "once the Park Service gets into the area, they'll take over. They will make—the Park Service will make—the most vexatious regulations in the area determined to procure the privately owned property. And eventually they will get it."

Senator Simpson stated in the hearings in Frankfort, "I hope the Congress will refuse to pass this bill * * * In fact, I would be against the passage of the Griffin bill. You don't need either one of them."

And yet Senator Simpson gave his support on the floor of the Senate (and even allowed his name to appear as cosponsor) to a bill introduced by Senator Metcalf to "provide for the establishment of the Big Horn Canyon National Recreation Area" in Montana and Senator Simpson's own State of Wyoming. This was on August 15, more than a month after the hearings on Sleeping Bear.

On the other hand, Senator Metcalf appears to be very much in favor of the Sleeping Bear bill. He stated in the hearings that "it would be better to have protection such as is provided in this bill (the Hart bill) for a large buffer zone rather than just take a strip of land along the lakeshore and then have all sorts of entertainment establishments such as are developing around our national parks—and I am not critical, but West Yellowstone is an example of what develops on the fringes of a park." West Yellowstone is in the Senator's own State of Montana.

The other members of the subcommittee have not committed themselves in any way publicly. From their line of questioning in the hearings one can tell that some of them are critical of certain portions of the Hart bill and that some changes probably will be made in the final draft.

It is extremely unlikely that the bill will be killed in committee. This same subcommittee has indicated its approval of the new Lakeshore and Seashore Area concept by reporting out the bills on Cape Cod, Point Reyes, and Padre Island.

What will undoubtedly come out to the floor of the Senate is some sort of compromise between the Hart and Griffin bills. One compromise almost certain to be made is Representative Griffin's proposal of payment to school districts and local government units on lieu of taxes.

The question of size—whether 37,000 or 77,000 acres (or even larger)—is the most ticklish and will cause the most trouble in solving.

This problem, unfortunately has become tied up with politics. While the subcommittee was holding hearings in Washington, the Michigan Legislature, in what appears to be a straight-party vote, pushed through a resolution that "the proposed Federal recreation area * * * should be confined to that general area described in the National Park Service Report of 1959, 'Our Fourth Shore'." (This report, as pointed out earlier, was made from aerial photographs and called for a park of about 30,000 acres.)

Many Republicans, however strongly support the larger area bill of Senator Hart, and are openly critical of the manner in which the resolution supporting the smaller area was passed in the Michigan Legislature. They point out that the resolution was read by title only and that their is a good possibility many members of the legislature did not know the exact provisions of the resolution. It has been noted, furthermore, that the resolution passed late at night and was one of a number of laws and resolutions put through hurriedly during a marathon session.

The issue has also become clouded by the insistence of many people that it be regarded as a battle between liberal and conservative—between the "little man at the local level" and the "power of the mighty Federal bureaucracy." This undoubtedly will have an effect on the final form of the bill.

Most of the State and National conservations organizations have filed statements in support of the larger area bill.

These include the Michigan United Conservation Clubs, the Michigan Parks Association, the Michigan Natural Areas Council, and the Michigan Audubon Society on the State level, and the National Wildlife Federation, the Wilderness Society, the Sierra Club, and the National Parks Association, all national organizations.

Most of these point out the national significance of the area.

Roland Clement, staff biologist of the National Audubon Society, stated in his report, "I know of nothing else like it in the Eastern United States or Canada. The bluffs are much higher than the famous Martha's Vineyard, Mass., bluffs that have been great tourist attractions for years."

Statements against the proposal have been largely filed by area residents and the Citizen's Council.

It will be up to the Public Lands Subcommittee to sift through the testimony, the statements, and all the other evidence they have been given and report out to the floor what, in their considered judgment, is a bill that will best serve the interests of Michigan and the United States.

One "compromise" was suggested by Dr. Ira Gabrielson, president of the Wildlife Management Institute and one of the outstanding conservation figures in the United States.

He suggested that the citizens of Michigan accept all the land proposed in both the Hart and Griffin proposals. "No matter how much you set aside," he said, "it won't be enough 25 years from now."

ANOTHER VIEW OF COMMUNISM

Mr. SIMPSON. Mr. President, on this final day of test ban treaty debate—the day on which the United States becomes bound by this pact with communism—it seems appropriate that there be entered in the Record the views of a highly regarded expert on Communist affairs.

A current issue of U.S. News & World Report carries the text of a discussion with Zbigniew Brzezinski, head of Columbia University's Research Institute on Communist Affairs. The brief interview is most illuminating in that this acknowledged authority on the Soviet bloc regards the test ban treaty as much less than a "fundamental change in our relations" with the Soviets.

He also casts a jaundiced eye on the so-called Sino-Soviet dispute and feels that in some respects we have "swallowed the Soviet line." Although I personally do not concur in all of the speaker's postulates regarding the so-called Cuban crisis last October, I am nevertheless impressed with his candor and his departure from the customary stereotyped views of the Communist menace.

I recommend this article to my colleagues' attention, and I ask that it be printed in the body of the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

With Test Ban Treaty, Has Khrushchev Changed His Ways?—Interview With an Authority on Communist Affairs

(Note.—Why did Khrushchev suddenly make a nuclear deal with the West? Is he on our side now?

(In this exclusive interview, one of America's leading students of communism takes a close look at Russia's motives behind the test ban treaty. He also puts the Russia-China dispute in perspective, and tells what it means to the United States.

(Zbigniew Brzezinski is head of the Research Institute on Communist Affairs at Columbia University. His writings and lectures have made him a widely recognized authority on communism. He has been denounced by Moscow, most recently for an article on Russia which the Reds called "brazenly impudent.")

Question. Dr. Brzezinski, with this new nuclear test ban treaty, do you think that Khrushchev now will be taking a softer line?

Answer. I am hopeful that the test ban agreement will somewhat stabilize the situation, and that the Soviets will commit themselves to a more pacific policy. But this doesn't happen overnight.

We ought to realize that the Soviet Union has a certain continuity of purpose, and certain long-range interests, and certain underlying assumptions which don't change from day to day. And they don't change suddenly as a result of the signature of any treaty.

Question. Does that mean they never change?

Answer. They change over a longer period of time, to be sure, just as everything changes in the world.

Yet we in this country keep going through these phases in which we talk first about the Soviets being revolutionary, then about "good old conservative Uncle Joe," then Uncle Joe becomes a tremendous menace in retrospect, Khrushchev was a good guy, then he was an adventurer in Cuba, now he's a good guy again.

I must say, to anyone who works professionally in this field it's pretty discouraging to see these wild swings of public and press opinion in this country.

Question. Do you mean that this treaty won't bring with it a basic change in relations between the United States and the Soviet Union?

Answer. I think we ought to understand that the Soviet Union operates in long-range terms, that signing of the treaty involves a reassessment by the Soviets of the present world situation, and that this reassessment will have certain binding consequences for the next 3 or 4 years. But it does not represent a fundamental change in our relations.

I feel I ought to make it very clear that the Soviets think of the world as changing in terms of phases. There are revolutionary phases and there are quiescent phases.

Question. Are we now in a quiescent phase?

Answer. Yes, that's the Soviet assessment of the world scene, an assessment that imposes on them a certain broad strategy, that of peaceful coexistence.

Question. Why?

Answer. The crucial factor is the relative balance of power. If, in their judgment, that balance of power changes in their favor, that in itself would put us in a new phase, another revolutionary phase.

Changes come about like this: Khrushchev, I think, overestimated what he thought was a very effective—for him—balance of power last year. Ever since 1957, Khrushchev had felt that Soviet rockets, our overestimation of those rockets—the so-called missile gap—plus his effectiveness on the political-diplomatic front, would force us to yield.

In Cuba, he found that he had overextended himself, and he pulled back. Now, after that very painful reassessment, he's adopting this very different posture.

Question. Do you think the dispute with the Chinese was an important reason for the Russians getting into this treaty?

Answer. No. I think that by far the most important reason was the confrontation in Cuba, which forced the Soviets to realize that their military power was inadequate to the tasks which Khrushchev has set before the Soviet Union.

But I should add that I think the Chinese business did play a minor part in Khrushchev's decision. I would argue that the conflict with the Chinese closed off an alternative course of action for Khrushchev. It kept him from choosing the policy of what is called the national-liberation struggle—that is stirring up revolutionary struggles in Asia, Africa, and Latin America. The reason he didn't do that is the row with the Chinese. The national-liberation struggle is what the Chinese emphasize, and to have adopted it would have been to subordinate himself to the Chinese.

Question. Do you mean that it would have meant accepting the Chinese version of the world?

Answer. That's right. And, for that strategy, the Chinese are a better model. In this sense, the Chinese problem enters into the test ban decision in a secondary way, but not as a factor of prime importance.

Question. Are the Chinese really more offensive-minded than the Soviets?

Answer. Both are really offensive and revolutionary-minded. At the present moment, the Soviets, because they've accepted the quiescent phase, are less revolutionary than the Chinese. But, on the other hand, only a year ago in Cuba, the Soviets proved themselves more adventurous than the Chinese. So I think that we should not accept unquestioningly the Soviet labeling of the Chinese as warmongers. I think the Chinese have been very cautious.

Question. In what way?

Answer. In their handling of the Quemoy-Matsu situation, and again in their attack on India. There, China showed a rather uniquely successful combination of military power subordinated to political ends and subject to very effective political control. And the Chinese were quite right in arguing that their way is far more sophisticated and less dangerous in the world sense than adventures of the sort the missiles in Cuba involved.

Question. Have we actually been swallowing a Soviet line about the Chinese being so bloodthirsty?

Answer. Yes, to an extent. The Soviets have been dishing that out and the Chinese have, in a sense, made it easier for them by adopting rather crude and bloodthirsty formulations in some of their public statements. And it's true that the U.S. public has, by and large, swallowed this Soviet line, which does not, in fact, correspond entirely to reality.

Question. Will Khrushchev use this quiescent phase to try to alter the military balance of power in his favor?

Answer. He may do several things all at the same time. He will probably hope that the knowledge gained in recent tests will improve the Soviet military posture. There's always the unknown factor of a technological breakthrough on either side. But, beyond that, since he does not seem to be undertaking a crash program of military development, he may hope that diplomatic and political opportunities will open up, particularly in Europe, which would create new advantages for the Soviet Union.

Question. What, specifically, does he want to accomplish?

Answer. I think the danger is that Khrushchev is trying to maneuver us into guaranteeing the division of Europe, into recognizing Soviet hegemony east of the Elbe. He wants to maneuver us into more or less overtly favoring this division, thereby alienating our Western European Allies.

IF THE WEST RELAXES

Question. Speaking of Western Europe, is there now likely to be a military letdown on the part of our allies?

Answer. I think if the Soviets could achieve a relative weakening of NATO (North Atlantic Treaty Organization) defense forces, or of the American commitment to the defense of Europe, particularly because of European-American tension, they would be happy. But, by and large, what bothers me so much about our attitude toward European problems is our failure to understand that the defense problem is no longer the primary problem.

Question. If it isn't defense, what is it?

Answer. There isn't any likelihood in the foreseeable future of the Soviet Union's launching an attack on Western Europe. The Soviets realize that such an attack would be tantamount to signing their own death warrant. Consequently, no one in Western Europe is preoccupied with that problem any more. But Europeans are preoccupied with their future political relationships with us and with the Russians. And here the United States, since the middle of the 1950's, has had nothing to offer.

Question. Is that what accounts for General de Gaulle's attitude in France?

Answer. I think De Gaulle is slowly and in a deceptive fashion—and you might remember he has said that deception is the art of leadership—moving in the direction of becoming the exponent of the new European policy. His very vague and misleading slogan of "Europe to the Urals" is not yet a policy, but at least it's a guideline indicating where Europe might head in the future. And he has suggested that America now is, in effect, a copartner with the Soviet Union in the division of Europe and that at some future point, Europe—under De Gaulle's leadership, of course—will have to move forward with proposals of its own.

Question. Do you think De Gaulle really believes he can bring Khrushchev into a European community—in effect, to change sides?

Answer. I think what De Gaulle has in mind is a very long-range historical process. In it, the Soviets, being repulsed by the Chinese, would have no choice but to become associated with Western Europe—they and the East Europeans, both.

Much would depend, of course, on the policy of the United States. If we would seem to be joining the Russians in defending the partition of Europe, that would create opportunities for the Russians to exploit Western European frustration with us.

Question. In this quiescent phase, is it necessary for the United States to maintain its military superiority over the Soviets?

Answer. Yes. I think it follows that, in the nuclear age, the defensive power on the world scene has to be stronger than the offensive one simply because the defender has to be able to absorb the first blow, and then respond.

In the past, in terms of military strategy, the defender could be weaker, because the cost of an offensive in casualties tended to be higher for the attacker than for the defender.

Question. There's no question that the Soviets remain in an offensive role—

Answer. If we look at some of the recent confrontations between the United States and the Soviet Union, such as Berlin, Cuba, and, indirectly, Laos, none of them was a matter of the expansion of our sphere of influence. It's the other way around. And, after all, it was less than a year ago that the Soviets forced us to the brink of war, "eyeball to eyeball."

Question. Would you expect that Khrushchev would now shy away from foreign adventures of the Cuba type?

Answer. Yes, I would be inclined to think that the Soviets will avoid a direct confrontation with the United States. But this does not mean that, if a favorable revolutionary situation arises—be it in British Guiana, elsewhere in Latin America, Africa—that the Soviets would not exploit it. They would—and they are exploiting such situations right now.

KHRUSHCHEV'S ERRORS

Question. Do you believe it's true that Khrushchev is the best Soviet leader from our standpoint, that we should go along with him because any successor is sure to be worse?

Answer. I think there are some things we should be grateful to Khrushchev for. We ought to be grateful for his mishandling of his relationship with the Chinese. We should be grateful to him for very effectively weakening Soviet control over Eastern Europe. We should be grateful for his introducing disarray into international communism by a lot of quite bumptious and sudden initiatives.

More seriously, though, I think it's very dangerous to conduct a foreign policy on the assumption that you have to help your opponent, especially since we know very little about internal politics among the Kremlin leaders. If there were open debate there, it might be different.

Also, I have never personally subscribed to the idea that, in recent years, there was a Stalinist alternative to Khrushchev. By and large, his policies have been endorsed by the party apparatus, and are favored by those most likely to succeed him.

SMALL BUSINESS ADMINISTRATION HELPS ALASKA TOURISM

Mr. BARTLETT. Mr. President, the Small Business Administration performs an important service. Many farms and communities across the country have benefited from its loans and studies.

As an example of the SBA at its best, Senators will be interested in an article entitled "How SBA Helps Vacation-Travel Business," published in the periodical the Travel Agent. In the article, Harold Brown, Special Assistant for Area Redevelopment, SBA, refers to most helpful studies the Administration has financed on the development of Alaska's great, unused vacation resources. Here is an example of how SBA has been helpful to the communities and business of my State and of how bureaucratic delay and redtape were not allowed to reduce the effectiveness of the vital SBA program.

I commend Mr. Brown for his article. I urge SBA to work with equal efficiency and skill in all its areas of endeavor.

Mr. President, I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW SBA HELPS VACATION-TRAVEL BUSINESS: ADMINISTRATION IMPROVES SERVICES TO AGENCIES AND FACILITIES FOR CLIENTS BY TECHNICAL, FINANCIAL ASSISTANCE

(By Harold D. Brown, Special Assistant for Area Redevelopment, Small Business Administration)

Every now and then a travel agent asks us at the Small Business Administration, "How can you help the vacation-travel business when so much of it is big business?" My answer is that SBA helps a great deal because lots of the business, including travel agencies, is small.

The efficient travel agent strives to arrange for vacation clients comfortable journeys with pleasant scenery, appetizing meals and restful sleep en route to destinations that provide refreshing recreation. Such services, when obtained at prices within the clients' budgets, bring repeat or reference business.

By research, technical and financial assistance, SBA helps improve and expand both the services of travel agencies and the facilities their vacation clients use.

Since most travel agencies subsist on commissions from airlines, railroads, steamship lines and hotel and motel chains, which are big business, many assume that the SBA has no concern with their clients' comfort. More than once, I have heard a travel agent say, "But surely you can't help improve railroad travel!" Actually, SBA has arranged redevelopment loans for two small railroads, one in an area of a vanishing industry, another in a Great Lakes region of unspoiled natural beauty. While this help may not have improved railroad service greatly, it did provide travel agents having rail-fan clients with two more vacation attractions to which these clients can be referred.

As the older vacation resorts grow more crowded and more expensive, demand rises for the moderate-priced, off-trail vacation with a hobby interest. But as population grows, such retreats become scarcer. This poses for the travel agent a problem whose dimensions the Recreation Resources Review Commission has explored.

In a report to President Kennedy last year, the RRRC estimated that the 4.4 billion occasions on which Americans took part in outdoor activity in 1960 will, by 1975, have swelled to 6.9 billion. There remain spaces vast enough to accommodate the vacation throngs, Alaska, for example. One-fifth the size of all other States combined, with magnificent mountains, awe-inspiring rivers and forests and a fascinating Eskimo culture, the newest State, as a territory, was a place to which travel agents frequently referred discriminating clients.

But the cold war made Alaska a military bastion and statehood has intensified its economic problems. The vacation resources remain but the travel facilities are geared to the tastes of free-spending expense account executives, military personnel and highly paid seasonal workmen, "captive visitors," not vacationers.

Only after SBA awaded the University of Alaska a $40,000 grant to research the State's unused vacation resources did operators of travel facilities become fully aware of a neglected opportunity. Now, slowly, with SBA financial help, facilities are being reoriented in a way that may make Alaska one of the greatest vacation States within a generation.

At Juneau, the capital, the Franklin Hotel has applied an $85,000 SBA business loan to an expansion and improvement; at Valdez, the Beals Hotel employed a $20,000 SBA loan for the same end. SBA makes these long-term, low-interest loans available for modernizing, converting and expanding small travel facilities, the research showing places of need.

SPORTS AND BRACING CLIMATE

Juneau, situated in one of the State's most beautiful settings, offers the vacationer fresh- and salt-water fishing in a climate no less bracing in winter than summer. Valdez, at the head of a fjordlike arm of Prince William Sound, offers similar sports and the Western Hemisphere's most northerly ice-free port.

The SBA-supported research concluded that if Alaska is to gain the higher business income, tax revenues and employment locked up in its unused recreational resources, its travel facilities must provide not alone for the "captive visitors" but for more modest vacation budgets.

As travel agents know, competition is the surest means of bringing down prices. Loans of the type SBA approved for the Juneau and Valdez hotels help bring this about.

Some travel agents may also long for new careers but in SBA's experience the dedicated ones are content to serve travelers. To plan a memorable recreational vacation for a client, then inspire the client to take it also requires creativity. But the growth of vacation travel, the spread of installment sales, the need for competitive advertising and the need for more working capital, generate problems. Available at SBA's 61 field offices are SBA-published aids which many travel agents have found helpful on these. Titles include: "Are You Selling Enough Service?"; "Can You Afford Installment Selling?"; "Improving Your Collections from Credit Sales"; "Using Weather Services in Your Business"; "Direct-Mail Advertising for Small Retailers"; "Advertising for Prestige and Profit"; "Gift and Art Shops"; "Bookstore Operations"; "Are You Making the Most of Your Store Windows?" and, most important: "Creative Thinking: a Common Sense Approach."

And for agents with gross yearly receipts not exceeding $1 million who need funds to modernize or expand, or for working capital, there are available loans for a maximum of 10 years at 5½ percent yearly interest (4 percent in the more than 900 redevelopment areas). A number of agents have availed themselves of this help in solving problems of growth.

A married couple operating an agency and greeting card business in a Kansas City suburb opened two branches. A spurt of net sales from $325,000 in 1958 to $428,000 in 1960 left them short of working capital to finance installment collections. A 5-year, $15,000 SBA loan, of which their bank took 25 percent, eased their difficulty. The couple pledged store fixtures and supplies as loan collateral. The business continues to expand.

Another, larger, Detroit agency operated by two brothers had net sales close to $1 million and 1962 net profits of $35,000. But airline requirements of semimonthly remittances left them also short of working capital. Their bank loaned them $35,000 for 5 years, SBA agreeing to advance 70 percent of the loan balance whenever the bank requested; they pledged accounts receivable and property as collateral. Their sales have increased.

SBA does not act alone in financing facilities. Banks participate in about two-thirds of the SBA loans and the agency also lends funds to State and local development companies for their use in helping finance travel facilities. Also, SBA makes loans for these purposes in concert with other Federal agencies. The help is not limited to hotels and motels.

SBA HELPS TRAVEL

Ski lifts at Grand Rapids in the Sawtooth Mountains of northern Minnesota and at Sand Point in the Idaho Rockies are among recreational facilities recently built with this assistance. A unique vacation monument to the assistance is a redeveloped 25-mile steam railroad in Michigan's upper peninsula, skirting Lake Superior's wooded southern shore.

A $150,000 SBA loan to a local development company made possible the Minnesota ski facility and on the $150,000 financing of the Idaho ski installation, SBA was joined by the Rural Electrification Administration; a bank took a 25 percent share of each loan. The Area Redevelopment Administration largely financed the railroad's redevelopment, SBA investigating the project's feasibility and negotiating bank and other participations in the ARA loan.

On most of its own loans SBA charges interest of 5½ percent yearly, but this is reduced to 4 percent in redevelopment areas. Since all of the foregoing projects are in redevelopment areas, SBA's share in the ski lifts earns the lower, 4 percent, which was also ARA's rate on the railroad loan. REA charges only a 2-percent rate but banks participating in these as in all such loans charged their regular rate.

Citing the low Federal rates, some critics call such financing "spending for the sake of spending," a charge that overlooks the fact that the loans are well secured, must be repaid, and that the financed projects benefit underdeveloped areas much in need of commerce and industry.

AGENTS HELP BUILD AREA'S STRENGTH

Travel agents may not realize it but every time they route a client to a vacation redevelopment area, they help build the area's and the Nation's economic strength. The Chamber of Commerce of the United States maintains that of the three means of economic development—industrial, agricultural and recreational—the third is the easiest and quickest. The National Association of Travel Organizations estimates the average tourist spends about $10 daily, a figure which, in Alaska, mounts to $17. Thus, as the University of Alaska study found, an Alaskan community which attracts only a few dozen vacation-travelers daily throughout the year has the equivalent of a manufacturing industry with a $100,000 yearly payroll.

In a State with a highly developed vacation-travel industry such as New Hampshire, the industry's contribution to the economy becomes vitally important. An SBA-financed study by Dartmouth College into the New Hampshire vacation-travel industry showed that in 1960 it was responsible for $249 million or 20 percent of the State's income, employing 30,000 persons at the summer peak and as many as 5,000 even in winter.

Another SBA-financed study, by the University of Maine, showed, however, that even in this highly developed vacation State recreational facilities may not be entirely adequate. Polled by the study's authors, Maine vacation visitors said that while they delighted in its scenery, ocean beaches, the friendly courtesy of its people and the flavor of its lobsters, they felt a lack of evening entertainment, perhaps due to a waning of the Maine summer theater.

SBA helps finance amusements also in vacation-travel regions, for example, drive-in film theaters in New England. It does so, not under a policy of "spending for the sake of spending," but because it knows the vacation-travel industry's potential for stimulating economic growth.

SMALL BUSINESS REMAINS WELLSPRING OF CREATIVE IDEAS, NEEDS AS MUCH OR MORE COMPETENCE THAN BIG BUSINESS

Travel facilities here and there may presently be overexpanded but, as the RRRC found, those for outdoor recreation generally are inadequate even for present requirements. Income as well as population is rising, vacations lengthening, and the demand for facilities surging. The RRRC forecasts that by 1975 highway travel will be doubled, air travel tripled, and facilities correspondingly burdened. The SBA loans help the small business sector of the vacation-travel industry prepare to carry the load.

If, then, there is little merit in the charge that SBA financing of vacation facilities is wasteful there is even less in the claim sometimes made that these loans to small operators subsidize the uncreative and incompetent. Actually, as SBA's experience has shown, small business remains, as always, a wellspring of creative ideas with the small firm that competes with big business needing as much or more competence than its big competitor.

But modernization and expansion, the best evidence of a facility operator's creative competence, takes long-term financing and, as the Dartmouth study of New Hampshire's small vacation-travel facilities found, this is often lacking when he is small.

In filling the lack, the SBA and other Federal loans often release creative energies that develop vacation-travel resources which might otherwise lie idle but which, when developed, add attractions to which travel agents' clients can be referred.

The decline of anthracite mining in central Pennsylvania left the borough of Ashland in need of new industry. The flourishing vacation business in the nearby Poconos gave Ashland's business leaders an idea. But an abandoned mine and the two streaks of rust that remained of the mine's three-quarter mile, narrow gage steam railroad were the town's only possible tourist assets.

However, walk-in anthracite mines are becoming rare, mine railroads even rarer. Banded together in the nonprofit Ashland Community Enterprises, the borough's business leaders approached ARA for a $30,000 loan to help restore the two properties to operating condition as a vacation attraction. As ARA's fiscal agent, SBA was obliged to warn them that the project would first have to be proved feasible, security be pledged and other funds raised. Owning nothing but their idea, ACE members set to work.

Their search of nearby scrap-metal yards turned up a broken-down locomotive, snatched up at $1,200, and the remaining vertebra of five mine cars, cajoled as a donation. Man-to-man interviews by ACE members with the owners of the mine and railroad right-of-way secured leases of the ground at nominal rents. Then, in a truly creative move, ACE announced that earnings from the enterprises would be dedicated to park and playground improvements, thus enlisting the community's wholehearted support.

Skilled foundrymen and machinists, hand-cast, and machined parts from which the locomotive was rebuilt, from the driving wheels up, to Pennsylvania's rigid safety specifications. Businessmen wheedled rails, ties, and spikes from dealers at cost or less on credit and cleared the right-of-way with borrowed bulldozers, then laid track, and spiked the rails.

When the line was completed in the summer of 1962, and its property valued to determine whether, as collateral, it would adequately secure the ARA loan of $30,000, the locomotive alone rated an appraised market value in excess of that amount.

On the short opening runs of a brief 8-week season last autumn, the train carried about 15,000 passengers, nearly three times Ashland's population. The earnings went to reopen and restore the mine to the same high safety standards as the railroad and this summer it, too, is open and drawing vacation tours.

Here is an exhibit to which travel agents, seeking attractions of interest to educators and their charges, can refer clients without hesitation; the Pennsylvania Travel Development Commission, Harrisburg, has descriptive leaflets. Can anyone doubt the creativity and competence of the ACE promoters? We at SBA never have.

Group thinking readily generates such creativity but how does an individual travel agent achieve it? For a Boston widow, an advertising writer and travel agent, the process occurred during a week's cruise aboard the 70-ton two-masted schooner, *Alice S. Wentworth,* off the Maine coast two summers ago.

The salty breeze, the sun-drenched decks and occasional cozy nights at anchor in snug harbors—almost everything about the cruise delighted her except the plain, seafarer meals and the infrequency of the nights at anchor. Cooking was her hobby and she dreamed of longer voyages in more familiar Massachusetts waters where the ports are closer spaced. But the schooner's owner-master, content with his earnings from a 12-week season, laid up the vessel each Labor Day for the winter. Content with the table fare also, he showed no inclination to employ a chef.

This summer, the *Wentworth* will be cruising the Cape Cod and Nantucket Sound waters of his lady passenger's preference for a longer, 15-week season and, if her plans go through, will spend the winter on windjammer voyaging in the Caribbean; also, the *Wentworth's* menu has improved. A little dissatisfaction sparked her to some creative thinking and a talk with the schooner's skipper; her savings and an $11,000 SBA loan enabled her to meet his $20,000 price for the vessel. He and his crew still man it but she is now not only its cook but its owner. The dissatisfaction and the loan created a new career for her.

A growing population, rising income and lengthening leisure confront the vacation-travel industry with a tremendous challenge. The Nation's continued health and strength depend on the ability of the industry, including its smaller elements, to provide enlarged recreational needs. From the record of SBA's operations, as here indicated, the agency has been alert in researching small business sectors requiring development and, where financial help is needed, in providing it.

WHO SHALL GUARD THE GUARDIANS?

Mr. GRUENING. Mr. President, an editorial "Who Shall Watch the Watchmen?" relating to an issue which should concern all Americans and particularly our Federal legislators, appears in the October 5 issue of the Nation. It alludes to the strictures which Senator Paul Douglas, our able and distinguished colleague from Illinois, and I have made concerning the Federal Maritime Commission and the Maritime Administration, which in our view had on different counts failed grossly in protecting the public interest.

I am happy to report, however, that as a result of our criticisms, the President has made a change—if not in the personnel at least by a shift of command. He has replaced Thomas E. Stakem, the former Chairman who was the only man on the Board with any experience in maritime affairs, and apparently dominated his colleagues on the Board, with Adm. John Harllee, another member of the Board. There are gratifying evidences that this change of command is producing a new outlook in the Federal Maritime Commission, and it is my sincere hope that this change will be thoroughgoing and will result in bringing about in these two agencies—the Federal Maritime Board and the Maritime Administration—the type of performance which was clearly envisioned by President Kennedy in his reorganization plan No. 7.

While it is too early to judge how effective this change is going to be, I feel encouraged by certain steps that have been taken in the last few weeks. I shall watch with interest, as will my fellow Alaskans and many other of our fellow Americans, to see whether this change for the better continues.

In my judgment, the performance of the regulatory agencies has an important bearing on the character of an entire administration. The regulatory agencies are supposed to be the vigilant guardians of the public interest.

I ask unanimous consent that the editorial from the Nation to which I have referred be inserted in the Record at this point in my remarks:

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Who Shall Watch the Watchman?

A seasoned observer of the American political scene recently asked: "Do the regulatory agencies protect the public interest, or have the foxes been set to guard the chickens?" Senators Paul H. Douglas and Ernest Gruening would certainly answer the first part of the question in the negative, particularly insofar as the actions of the Federal Maritime Commission and the Maritime Administration are concerned. Mr. Douglas (Congressional Record, July 15) noted that the balance-of-payments deficit for the first quarter of 1963 amounted to $700 million, corresponding to an annual rate of $2.8 billion (subsequently it has risen to about $4 billion). He noted further that the U.S. trade balance on steel has declined by almost $800 million since 1955, our imports having doubled and our exports having fallen to one-quarter. In part, this is the result of discriminatory maritime freight rates, a field which is under executive jurisdiction. While he is conferring with business executives on how to increase U.S. exports, the President might well look into this bizarre situation.

He will find that it costs $33.35 to ship a ton of iron or steel pipe from a U.S. west coast port to Japan, but only $18 in the reverse direction. The corresponding figures for angles, beams and girders are $31.10, westbound, and $15.50, eastbound. Eastbound between U.S. North Atlantic ports and West Germany the freight on pipes is $51.25 per ton, westbound on the same route, $18.75. In the case of 26 commodities other than steel which the Department of Commerce has designated as having substantial export potential, outbound rates are approximately 34 percent higher than inbound. There are also differentials in the other direction, examples being automobile shipments between West Germany and the United States and electrical goods between Japan and the United States; evidently a good deal of international conniving is going on, of which the American public knows next to nothing.

But the public is paying the freight, and not just figuratively. Maritime freight rates are set by international shipping conferences dominated by foreign flag lines, some of which are U.S.-controlled but prefer to pay their crews the lower wages permitted by the countries of registry. The Maritime Subsidy Board, which is under the Maritime Administration, which is under the Department of Commerce, has adopted as a general principle that subsidized lines should "comply with established applicable conference rates in any trade in which the subsidized lines engage." This applies whether or not the line is a member of the conference. Departures from this practice may be sanctioned, but the Maritime Subsidy Board will require the line to justify its noncompliance. Nonconformity would appear to invoke the risk of nonsubsidy.

Backing Senator Douglas, Senator Gruening not only found "negligence, indifference to the public interest, and shameful performance" in this particular situation, but also argued that the whole question of regulatory agencies "is one of the most vital issues which confront the American people." To which Senator Douglas added: "I think there is a general tendency for the regulatory agencies * * * to become regulated and controlled by the very interests they were set up to regulate and control, because the institutions whose rates and services they control have great economic interests involved." If the New Frontier is doing anything about that, the results are scarcely visible with the unaided eye.

VON STEUBEN DAY—SEPTEMBER 17

Mr. WILLIAMS of New Jersey. Mr. President, it is to New Jersey's great credit that in 1783 it gave one of the Revolutionary War's greatest generals a country house and land near Hackensack as a reward for his superlative military services in the cause of freedom. The gift was a life estate in the property, and Von Steuben later bought a fee simple interest. He was forced to sell it to the former owners when overwhelmed by the debts he had incurred in serving the Revolutionary cause. He had proposed to the Continental Congress that only his bare expenses should be paid while he served as a volunteer, that if his services should contribute to the eventual success of the American cause he would then be recompensed for his sacrifices in leaving Europe, but that if the cause should fail, or if his services should not prove beneficial, he would make no claim whatever. Eventually, in June of 1790 the new Federal Government granted him a pension of $2,500 per year instead of the lump sum which he had expected.

What was the nature of the contribution made to the Revolutionary cause by Gen. Frederick William Augustus von Steuben? General Washington was so favorably impressed by his practical knowledge and experience that he asked him to serve as acting inspector general and to undertake the training of the Army. This involved great difficulty since Von Steuben spoke no English and was therefore obliged to act through interpreters. There was no time for the preparation and publication of a complete new drill manual. He therefore prepared his drill instructions in brief installments. These were translated into English and issued to the regiments as the drill progressed. He had the great good sense to rely additionally on the power of example. He formed a model company under his own skilled instruction which made such rapid progress that the imagination of the entire Army was fired by the example of its proficiency. Drill became the fashion, and within a few weeks the new drill, imparted day by day to the model company, spread throughout the Army.

It was perhaps the most remarkable achievement in rapid military training in our history. The value of Von Steuben's instruction was soon shown on the battlefield of Monmouth. There and thereafter throughout the war the Continental Army proved itself the equal in discipline and skill of the best British regulars.

When Von Steuben was preparing the installments of his famous drill manual he needed someone to illustrate it in order that there might not be the slightest doubt as to the meaning of his directions. He chose a young Frenchman who had been occupying himself at Valley Forge by drawing crayon portraits of officers and their wives. This was Pierre Charles L'Enfant, and Von Steuben's assignment to him was the first real work he did as an American officer. One day L'Enfant would design forts and emplacements; later he would be New York City's principal Federal architect; finally he would create, as his permanent monument, his city in the wilderness, Washington, D.C. It was Von Steuben who first recognized his abilities.

Through his influence in converting the American Army into an effective and highly disciplined military force Von Steuben was an indispensable figure in the achievement of American independence. He performed an essential service that none of his contemporaries in America was qualified to perform.

On Von Steuben Day each year, I think that every American should once again be reminded of the name and achievements of this fine soldier and citizen.

AID FOR HIGHER EDUCATION—THE STUDENT PROGRAM UNDER THE NATIONAL DEFENSE EDUCATION ACT

Mr. JAVITS. Mr. President, the student loan program under the National Defense Education Act has made it possible for thousands of needy students to attend the college of their choice. Without this help they would not have been able to continue their studies. Increasing enrollments, however, have outstripped the total amount authorized by Congress in 1958. In the bill now before the Committee on Labor and Public Welfare, the total for conventional loans under NDEA would be increased from $90 million a year to $125 million for fiscal 1964, $135 million for fiscal 1965, $145 million for 1966, and $150 million for 1967. It is anticipated that loan repayments may be of sufficient volume after 1966 to remove the necessity for fuller increases in the authorization. Aid for institutions of higher education, even beyond extension of NDEA, is very badly needed in the face of mounting enrollments, and I firmly believe that Congress must take positive action at this session.

I ask unanimous consent to have printed in the RECORD the newspaper article by Susanna McBee entitled "Drop in U.S. Student Loans Hits Area Universities Hard," which appeared in the Washington Post, September 22.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DROP IN U.S. STUDENT LOANS HITS AREA UNIVERSITIES HARD

(By Susanna McBee)

Washington's colleges and universities have been hard hit by a cutback in funds they receive from the U.S. Office of Education for their federally supported student loan program.

At least some students have been unable to attend college because of the Government's involuntary reduction in the loan funds, which local institutions have been getting under the National Defense Education Act program, which started in 1958.

Other students have been directed by local colleges to State and private loan programs. A few, ineligible for such aid, are continuing their education "under extreme hardship," one official said.

The cutback, which has affected hundreds of other colleges across the Nation, results from the fact that loan requests for the first time have exceeded the $90 million available each year under the terms of the act.

INCREASE ASKED

This year requests have come to $121,955,470. The administration, anticipating the increased demand, asked Congress this year to raise the $90-million ceiling to $135 million and to eliminate the current $250,000 limit on loans that students at any one institution may receive.

Congress has not acted, but a House education subcommittee has approved the administration request. A Senate education subcommittee has voted to raise the student loan ceiling to $125 million this year and $135, $145, and $150 million in the next 3 years. Also, the Senate unit raised the institutional ceiling to $800,000.

Loan requests are up nationally because more students are going to college—4.4 million this year compared with 4.2 million last year—and because more colleges are participating in the program.

Seventeen more colleges entered the program this year as a result of the repeal of the controversial non-Communist affidavit which has been required of college students seeking Federal loans. The 17 colleges were among 32 which had quit the program in protest against the affidavit.

DISTRICT DEMANDS

Nine District colleges and universities this year asked for $1,464,609 in National Defense Education Act loan funds, a sum representing the gross needs of their students. The institutions got $815,878, or 55.7 percent of what they sought. Last year these nine and two others that did not seek loans this year received $1,078,154.

All colleges and universities in Maryland and Virginia received either what they requested, or the $250,000 institutional maximum. However, three which received $250,000 had asked for more. The University of Maryland sought $426,600; Morgan State College, a predominantly Negro school in Baltimore, requested $297,509, and Virginia State College, a Negro school in Petersburg, asked for $351,561.

In Washington, dean of students, Armour J. Blackburn, of Howard University, said he knew of more than a handful of students who would have come to the university but could not because we did not have the loan funds for them.

Howard asked for $247,198 in loan funds and received $137,706. Last year it got $181,904. Blackburn said Howard has directed some students to other loan funds.

GWU CUTBACK

George Washington University asked for $178,314 in National Defense Education Act funds and received $99,333. Last year it got $147,850. Assistant Treasurer Maurice Heartfield said no student has been forced to quit school because of the cutback. (National Defense Education Act loans are repayable to 10 years.)

Georgetown University asked the Government for $426,642 and received $237,660 compared with $250,000 last year. The Rev. Joseph A. Haller, university treasurer, said no student unable to get a National Defense Education Act loan has been forced out of school. Other loan funds and university resources have been taxed, however. The National Defense Education Act cutback came as a "bombshell," Father Haller said.

GWU has referred students to the United Student Aid Fund and to State loan programs, such as those in New York and New Jersey, which, like the National Defense Education Act, require only 3-percent interest and are repayable in 6 years.

Tom W. Sills, director of Student Aid of American University, said he called four local banks but could not get them to offer needy students long-term loans. He did refer them to the other loan sources used by other local institutions after AU received only $133,261 of the $239,220 it requested in National Defense Education Act funds. Last year it got $191,596.

This year the average National Defense Education Act loan at AU is $770, which is more than the $478 national average loan last year. "It costs about $2,500 a year to go to AU; so a student with a National Defense Education Act loan still has to cough up a lot," Sills said.

Here is the way other District institutions fared:

District of Columbia Teachers College: Asked for $5,400, received $3,009; last year it got $3,545.

Catholic University: Asked for $317,685, received $176,971; last year it got $250,000.

Dunbarton College: Asked for $6,856, received $3,820; last year it got $8,581.

Gallaudet College: Asked for $13,500, received $7,520; last year it got $16,408.

Trinity College: Asked for $29,794; received $16,598; last year it got $26,809.

Since the beginning of the National Defense Education Act program in 1958, about 490,000 students in 1,534 colleges and universities have borrowed about $330 million. For each $9 the Government contributes, the institution adds $1 to its National Defense Education Act fund.

AMENDMENT OF THE RAILROAD RETIREMENT ACT OF 1937, THE RAILROAD RETIREMENT TAX ACT, THE RAILROAD UNEMPLOYMENT INSURANCE ACT, AND THE TEMPORARY EXTENDED RAILROAD UNEMPLOYMENT INSURANCE BENEFITS ACT OF 1961

Mr. MORSE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 489, H.R. 8100.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8100) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961, so as to provide an increase in the creditable and taxable compensation, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. MORSE. Mr. President, the bill provides for an urgently needed repair of existing financial inadequacies in both the railroad retirement system and the railroad unemployment insurance system. The railroad retirement system, because a sharply contracting work force over the past decade has resulted in a contracted payroll, has developed an annual actuarial deficiency of $77 million per year. This deficiency has been getting more pronounced as each year has gone by and has now reached a point where immediate steps must be taken to remedy it.

The factors which have caused these financial difficulties in the railroad retirement system have precisely the same effect upon the railroad unemployment insurance system with the result that it too has been suffering from a deficit over the past few years. It has found it impossible to meet its current obligations out of its current revenues with the result that it has now developed a debt in excess of $300 million and it lacks the means to repay this sum unless the measures provided in this bill are enacted.

In 1961 the President, recognizing the financial difficulties which were developing in these systems, directed the Railroad Retirement Board to reexamine the financial structure of the systems with a view to recommending legislative changes to overcome the deficiencies. The bill, H.R. 8100, is the result of an intensive effort over a long period of time to develop suitable and adequate means by which these systems can be restored to financial health.

For the railroad retirement system the bill would increase the taxable and creditable monthly compensation to $450, revise certain military service provisions of the act, and increase interest rates on railroad retirement funds held by the Federal Government from its present obsolete level of 3 percent to a more realistic level of current market yield. All such obligations would be immediately converted to the higher rate. In addition the bill would retain the present 3-percent rate as a minimum guarantee or floor. In this connection it should be noted that for the past 7 or 8 years the Federal Government has gained at the expense of the railroad retirement system from paying only 3 percent on the special obligations in the railroad retirement account when it paid more than that on funds borrowed through general obligations.

For the railroad unemployment insurance system, the bill would improve the financial condition of the system by about $20.3 million a year. This will soon eliminate the need for further borrowing of funds by this system and permit it gradually to liquidate the indebtedness of over $300 million. This would be accomplished by increasing the maximum contribution rate to 4 percent without an increase in the taxable compensation and by certain provisions that would restrict somewhat the eligibility of employees only casually attached to the railroad industry as well as voluntary quits.

Mr. President, the bill was reported unanimously by the Committee on Labor and Public Welfare. The terms of this bill are the result of months of careful work by all of the interested parties, including the carriers and the brotherhoods and the Railroad Retirement Board. The bill was endorsed by the Railroad Retirement Board, was reported unanimously by the House committee and passed the House without a dissenting vote.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Ohio.

Mr. LAUSCHE. Do I correctly understand that at present the moneys of the Railroad Retirement Fund which are held by the Federal Government receive a rate of 3 percent interest?

Mr. MORSE. That is correct.

Mr. LAUSCHE. This bill, passed, contemplates raising that rate of interest to a level of the present average rate paid by the Federal Government, does it?

Mr. MORSE. That is correct. In other words, one of the contributing factors to the present distressed financial condition of the fund is that the Government is making money at the expense of the fund.

Mr. LAUSCHE. How much is the annual loss to the railroad retirement fund because of failure to get the going rate of interest?

Mr. MORSE. The annual actuarial deficit is $77 million a year.

Mr. LAUSCHE. Does that include only the interest, or does it include other items?

Mr. MORSE. Contraction of employment in the industry has, of course, been one of the major factors contributing to the deficit.

Mr. LAUSCHE. To depart from the subject immediately before the Senate, let me say that I do not know whether the Senator heard my statement, of a moment ago, that I am offering to the appropriation bill an amendment changing the substantive law under which the Rural Electrification Administration is loaning money at 2 percent when the Federal Government is required to pay 4 percent. My question is: Is not the principle the Senator from Oregon is seeking to apply to the railroad fund the same as the principle I want applied to the rural electrification loans?

Mr. MORSE. In all frankness, I cannot answer the Senator's question until I make a study of the history and policies involved in the rural electrification fund. I would not give a curbstone reply to that question; it requires study.

Mr. LAUSCHE. Does the Senator from Oregon urge that the railroad retirement fund be paid the same rate of interest on the money the Federal Government borrows from it?

Mr. MORSE. That is my main reason for supporting this bill.

Mr. LAUSCHE. If my amendment to the Rural Electrification Act is based on the same principle, will the Senator from Oregon see any weakness in it?

Mr. MORSE. Not if it is based on the same principle; but the Senator is asking me to assume that it is based on the same principle, without my taking time to ascertain the public policy problems in connection with the rural electrification program. It may very well be that when we consider the history of the rural electrification program and the basis for the policy behind the 2-percent interest rate, I might think it is still a sound interest rate. But I am not going to commit myself in advance of that study.

Mr. LAUSCHE. I contemplate supporting the bill, because I believe that when the Federal Government borrows from the railroad retirement fund, it should pay that fund the same rate of interest that it pays on all the other money it borrows; but I believe that if the principle is applicable when the Federal Government is paying interest, it is likewise applicable when the Federal Government is collecting interest. It is for that reason that I will press for the adoption of my amendment.

I thank the Senator very much.

Mr. DIRKSEN. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I am glad to yield.

Mr. DIRKSEN. I should like to ask whether the Treasury Department opposes this provision.

Mr. MORSE. As I was about to explain, the Treasury Department is opposed to the immediate conversion of the special obligations to the new market yield rate, as provided by the bill. It wants a 10-year period over which it will gradually roll over these obligations to the rate provided for in the bill, and it also wants to remove the 3-percent minimum-guarantee provision. The views of the Treasury Department have been thoroughly considered by the committee, and have been thoroughly considered by the House.

Let me tell the Senator from Illinois why our committee rejected the position of the Treasury. In the first place, on the question of whether, at the present time, the Government is making money at the expense of the railroad retirement fund, the answer is yes. I believe that procedure is wrong; I believe the railroad retirement fund should receive fair and adequate interest at the present time. As for removal of the 3-percent floor, the position of the Treasury is that at some time in the future the economic situation may be such that a 3-percent interest rate may be too high. Our answer is that we will cover that point when the time comes. However, there was a public-policy purpose for establishing the 3 percent in the first instance. When the railroad retirement bill was passed in 1937, it was passed, in recognition of the responsibility of the Federal Government, to help stabilize the railway industry of this country, because—as was brought out in our committee discussion of the bill—the railway industry is not merely a private industry; it is a private industry vested with a public interest, and all of us have a stake in maintaining a stable, and sound railway industry.

I need not point out to the Senator from Illinois, who comes from the hub of the railway industry, in Illinois, the great potential value of a going railway system to the defense of this country in time of national emergency. The Railroad Retirement Act was passed, in the first instance, to carry out what the Government considered a part of its obligation to maintain a stable railway industry. The minimum 3-percent interest rate was established from the very beginning as a necessary element in the development of a financially sound railroad retirement program.

We do not believe that this is the time for us to "take out the crystal ball" and prophesy what the situation on the minimum rate may be 10 or 15 years from now. If it ever should develop that there is any problem as to the minimum rate, it should be the responsibility of the Congress which is sitting at that time; and, therefore, we do not propose in any way to modify the 3-percent floor.

Mr. DIRKSEN. Was there any testimony to the effect that the fund is unsound from an actuarial standpoint?

Mr. MORSE. Oh, yes. The Chairman of the Railroad Retirement Board presented in detail the facts on that matter, and representatives of the carriers and representatives of the brotherhoods presented detailed reports and evidence that bore out the recommendations of the Railroad Retirement Board. These facts are not disputed by the Treasury. There is no question about the urgent and immediate need to get more money into this fund.

Mr. DIRKSEN. Then can there be any reason for Treasury opposition, other than that it does not want this impact on the budget to come in a single year, instead to spread it over a 10-year period?

Mr. MORSE. Treasury apparently fears that immediate conversion of the railroad retirement special obligations to the new interest rate will become a precedent for the readjustment of the obligations of other systems such as social security. We considered this point carefully in committee and rejected it. The committee's view—which appears at page 10 of the report—is that the procedures developed in this bill for the railroad industry are not applicable to the other systems and are not to be regarded as a precedent. The special factors characterizing the railroad retirement system as unique are clearly spelled out in the report.

Mr. DIRKSEN. One reason for raising this rate is set forth in an article—published in this morning's Washington Post. The article, which is entitled "The Uneconomy Bloc," was written by Rowland Evans and Robert Novak.

Mr. MORSE. I am familiar with the article.

Mr. DIRKSEN. They make it appear that no economy voices were raised with respect to this bill, because of the immediate impact on the budget. By that, I mean that in the article it is stated, "The fund is now actuarially unsound."

I have some difficulty following the logic of the article, because if a private company operated in this way, it would soon be haled before a court, or before the insurance commissioner of the State, to show cause why its operations should not be suspended.

Mr. MORSE. The article is inaccurate on three main grounds: It is inaccurate in its statement that no so-called economy voices have been raised in connection with consideration of this bill; and it is also wrong in its assertion that the bill sets a precedent in the conversion formula in the Social Security and civil service funds; and finally it is wrong in its conclusion that it would be sound economy not to enact this bill.

I assure the Senator from Illinois that this matter was worked over on both sides of the committee table. The Senator from Illinois—until recently a member of our committee—knows that in the Senate Labor and Public Welfare Committee there is always full discussion, on both sides of the table, of any controversial matter.

The Treasury position was thoroughly analyzed. We came to the unanimous conclusion that we had to reject it because of the actuarial unsoundness of the fund, and also because it was not fair to impose the loss upon the Railroad Retirement Fund. We feel that the beneficiaries under the fund are entitled to the protection we are seeking to give them in the bill by making it actuarially sound.

Mr. DIRKSEN. If the Senator has no objection, in connection with my part of the colloquy I should like to have that article printed in the RECORD.

Mr. MORSE. I join in the request to have it printed at this point in the RECORD.

Mr. DIRKSEN. I ask unanimous consent that the article referred to be printed at this point in the RERORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE UN-ECONOMY BLOC

(By Rowland Evans and Robert Novak)

The congressional economy bloc, a noisy flock that keeps its good eye on the Treasury, was notably silent last week when, over administration protests, it voted to add $55 million to the Federal budget for fiscal year 1965, starting next July.

The 1965 budget is the one now being prepared in the Budget Bureau. It is the budget that House Republicans and conservative southern Democrats are trying to force President Kennedy to pare to $98 billion. The amendment to the tax bill by Representative JOHN BYRNES (Republican, of Wisconsin), now being debated in the House, would void the proposed $11 billion tax cut unless the administration limits the 1965 budget to $98 billion.

Granted $55 million is the merest fraction of $98 billion, but violent congressional debates have broken out over administration proposals that would spend far less than that. The House has haggled for hours, for example, over a puny few millions for the Voice of America or the foreign aid program.

The curious thing about the two bills that swept through the House last Tuesday without audible protest is that the administration was strongly on record against both of them. One dealt with the interest rate paid by the Treasury Department on money borrowed from the railroad retirement fund, the other with nursing-home care for veterans.

The first of these, in fact, may now have set a precedent for an extra $33 million budget increase in the near future. This is the story:

For years, the interest rate paid by the Treasury on borrowings from the retirement fund has been 3 percent. The fund is now actuarially unsound. To help cure its deficiency, the administration proposed raising the interest rate to the going market rate on Treasury securities—now 3⅞ percent. The conversion would take place over a 10-year period, to minimize its effect on the Treasury—and the new budget.

What the House did, without a single administration Democrat or economy-bloc Republican raising a whisper of opposition, was to decree an immediate conversion to 3⅞ percent. The cost, automatic and unrecoverable: $25 million.

If Congress now applies this immediate-conversion formula to the social security and civil service retirement funds, the 1-year cost to the Treasury would come to some $330 million. The interest rate paid by the Treasury on borrowings from these two giant funds is now gradually rising to the going market rate, over a 10- and 15-year period respectively.

The other bill that slipped through the House under the nose of the economy bloc—or, more properly, with its enthusiastic help—was a $42 million nursing home program for war veterans. Except for the merest handful, the veterans who will profit from this congressional good will have disabilities totally unconnected with their wartime service.

The background on this bill is as follows: Under pressure from the politically potent veterans' lobby, the administration approved a $12 million nursing care program limited to an additional 2,000 beds in existing Veterans' Administration hospitals.

The House Veterans' Committee doubled this and threw in for good measure a higher Federal subsidy to the States for State nursing care programs and extra outpatient care for veterans with non-service-connected disabilities.

Total cost: $42 million, or $30 million over the spending level recommended by the administration.

When these two bills came to the floor of the House and whisked through on a voice vote, only one question was raised about cost. The question-asker was Representative DURWARD HALL, a penny-pinching rural Republican from Missouri and an authentic economizer. But even HALL made no effort to stem the spending tide.

Last Tuesday's events in the House prove once more that Congress finds it easier to preach than practice economy. Although the economy bloc loves to admonish Presidents for "fiscal irresponsibility," it just can't bring itself to vote against an extra $55 million—particularly if it profits railroad workers and veterans.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Along the lines of what the Senator from Illinois stated, if the amount of the interest rate were not raised, would not the difference come from the taxpayers through a larger deficit in any event? It would come from them in one way or another.

Mr. MORSE. Eventually we would be required to replenish the fund or ask the retirees to take drastically reduced pensions, which would be unconscionable. The Senator from Massachusetts and I both know that no Congress would ever do that. Now is the time to plug the hole.

Mr. SALTONSTALL. The Government would pay in one way or another.

Mr. MORSE. That is the opinion of the Senator from Oregon.

I now yield to the Senator from Nebraska [Mr. HRUSKA].

Mr. HRUSKA. Mr. President, the amendments to the Railroad Retirement Act represented by H.R. 8100 deserve the support of the Senate. They are in the interest of the Nation's railway employee, railroad management, and most importantly, the American taxpayer.

It is good to note that the Senate is taking such prompt action on this bill. All of the parties concerned in the negotiations leading toward H.R. 8100 and the companion bill, S. 2056, are to be commended. The House of Representatives passed H.R. 8100 on September 17. Three days later it was reported to the Senate by the Committee on Labor and Public Welfare.

Officials representing the many unions whose members are employed on the Nation's railroads support prompt enactment of these amendments. As evidenced by the testimony, this legislation resulted from extensive conferences and meetings attended by representatives of the Association of American Railroads, the American Short Line Railroad Association, and the Railway Labor Executives' Association.

Several important changes were made to eliminate certain practices which tended to weaken the unemployment compensation part of the law. Additionally, the retirement fund was strengthened. The Railroad Retirement Board has indicated that the fund is now running on a basis which involves an actuarial deficit of approximately $77 million a year. Under the terms of the bill, the deficit will be reduced to about $16 million a year, which is within acceptable limits of actuarial tolerance.

For several years the unemployment insurance system has borrowed money from the retirement account to make payments for benefits under the unemployment insurance system. The retirement system has advanced, through such borrowing, funds exceeding $300 million. Under the proposed changes in the law such borrowings would not be necessary, and repayment of the amount utilized by the unemployment system could begin.

The proposed changes are somewhat technical in nature. At this time I want to state that this legislation has my wholehearted support. These amendments will bring financial stability to the fund and put it on a more businesslike basis. They recognize that there was a need to eliminate certain practices which were detrimental to, and caused a drain on, the unemployment compensation fund. It is for these sound reasons that the bill should be passed.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. COOPER. I understand that the bill has the approval of the railway employees' organization.

Mr. MORSE. And the carriers. I should like to put it in this way: The details of the bill were developed with great care over a long period through the cooperation of all of the parties concerned. The representatives of the carriers and the brotherhoods cooperated fully with the Railroad Retirement Board. Each is now satisfied with the bill as unanimously passed by the House and as reported by the committee. As I said in my opening statement, the action was taken because the President of the United States called upon the Railroad Retirement Board to proceed to make a report in regard to the condition of the railroad retirement fund.

Mr. COOPER. The bill would increase the amount of compensation to the railway workers.

Mr. MORSE. It would increase the taxable and creditable compensation base from $400 to $450 per month.

Mr. COOPER. It would also increase the amount of interest that the Treasury would pay upon its obligations.

Mr. MORSE. That is correct. So that the record will be clear, I wish it clearly understood that the Treasury wanted to accomplish that result over a 10-year rollover rather than through immediate conversion and that plan was rejected.

Mr. COOPER. The bill would protect the payments which have been prescribed for the railroad employees.

Mr. MORSE. That is correct.

Mr. COOPER. I should like to make one further statement, and then I shall close. I had the privilege of serving for 3 years on the subcommittee with the Senator from Oregon when I was a member of the Committee on Labor and Public Welfare. I remember that for 3 years we struggled with the problem of bringing the fund into as sound a condition as could be done at that time. I am sure that since that time the problem arose as a result of the growing number of railroad employees who are out of work through automation and technological changes. I commend the Senator. I remember that when I had the opportunity to serve with him on the committee how diligently he worked to keep the fund sound in the interest of the employees and employers as well.

Mr. MORSE. The Senator from Kentucky was one of my colleagues on the Railroad Retirement Subcommittee of the Committee on Labor and Public Welfare. I thanked him then for the great help that he was to me. It is a matter of great regret to the senior Senator from Oregon that the Senator from Kentucky left the Committee on Labor and Public Welfare to accept another assignment in the Senate. I wish the RECORD to show again today that in my judgment, even though the Railroad Retirement Fund needs the improvement proposed in the bill before the Senate today, it is in as good condition as it is because of the many contributions that the Senator from Kentucky made to keep it sound.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LAUSCHE. On page 7 of the bill I notice a provision that—

The rate of interest on such obligations shall in no case be less than 3 per centum per annum.

Why has an exception been made to the going rate of interest? Is it proposed to compensate for past inequities?

Mr. MORSE. It was necessary to insert that interest rate at the beginning in order to provide a fund which would make it possible to meet the obligations that the fund had in the early days of the history of the act. But, further more—and I should like to be very frank with the Senator from Ohio—as I said to the Senator from Illinois a few minutes ago, it was also recognized at the time the Railroad Retirement Act was passed that the entire country had an obligation to the railroad industry because of compelling considerations of the public interest in its service, to set up a Railroad Retirement Fund to help stabilize the labor relations of the industry and to provide inducements to young men to enter into the railroad industry. As the Senator from Ohio knows, I am sure, since he comes from a great railroad State, the railroad industry has had manpower and automation problems facing young men who must make a decision as to whether or not they will go into that industry. The industry has had some problems in inducing qualified young men to go into the industry.

The railroad retirement fund has been one of the inducements that has made it possible for the carriers and the brotherhoods to obtain the necessary employees for the industry. It has been felt that the 3 percent floor was essential in order to guarantee to the workers and the carriers that they would have a sound fund.

A moment ago, in my discussion with the Senator from Illinois [Mr. DIRKSEN], I pointed out that the Treasury wants to remove that condition. Our answer to that proposal is that if the time comes when the 3 percent floor creates a problem that would justify any change in it, that subject ought to be taken up by the Congress at that time. We should not in future seek to take action today in regard to a set of facts that we know nothing about, that may arise 10, 15, or 20 years from now. However, there is no question that at the present time the 3 percent interest is not adequate and will not be adequate for quite some time.

Mr. LAUSCHE. The Treasury Department is saying that if we require the Government to pay the going rate of interest, that principle ought to apply all the way through, and that the floor of 3 percent ought not to be set as the minimum.

Mr. MORSE. The Treasury Department has made that statement from the standpoint of Treasury policy at the present time, but the Treasury Department is not taking into account the other consideration that the committee is emphasizing, namely, that throughout the history of the law the Congress has always considered a public policy question in saying that in any event it is going to pay the interest necessary to keep the fund sound. I should also emphasize the fact that had the Treasury been paying the going rate of interest since 1956, the railroad retirement account would be $230 million better off than it now is. The Treasury has gained these special benefits at a time when the railroad retirement account has been undergoing financial difficulty. The bill fairly remedies this situation.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. LAUSCHE. Mr. President, I send to the desk an amendment which, on page 7, lines 11 and 12, would strike from the bill the word "That the rate of interest on such obligation shall in any case be less than 3 percentum per annum."

The PRESIDING OFFICER. The amendment of the Senator from Ohio will be stated.

The LEGISLATIVE CLERK. On page 7, lines 11 and 12, it is proposed to strike the language appearing on lines 11 and 12, as follows: "That the rate of interest on such obligations shall in no case be less than 3 percentum per annum."

Mr. MORSE. Mr. President, we all understand the amendment. I have already spoken against the amendment. The Committee on Labor and Public Welfare unanimously recommends against the amendment. It would be disruptive at this time. I urge that it be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. LAUSCHE].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 8100) was ordered to a third reading, read the third time, and passed.

Mr. MORSE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

LEGISLATIVE PROGRAM—EXTENSION OF CIVIL RIGHTS COMMISSION

Mr. MANSFIELD. Mr. President, in behalf of the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], and myself, I send to the desk an amendment the purpose of which is to bring about, at the appropriate time—later in the week, not before Thursday—the extension of the life of the Civil Rights Commission.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JAVITS. I am glad to observe that the leadership has taken notice of the situation involving the expiration of the life of the Civil Rights Commission, which will occur on September 30. I am hopeful that acton may be taken in time. The Commission has done extraordinarily fine work in alerting the country to the problems and in giving authoritative facts upon which to deal with them, making most intelligent recommendations. Its work is indispensable. I express my appreciation to the leadership for this action.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KEATING. May I inquire when the amendment is to be considered?

Mr. MANSFIELD. Possibly Thursday of this week, but not before.

Mr. KEATING. It will be this week?

Mr. MANSFIELD. That is the anticipation of the leadership.

Mr. ELLENDER. What was that statement about?

Mr. MANSFIELD. The extension of the life of the Civil Rights Commission.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SALTONSTALL. I join my colleagues in stating that I am glad the majority leader and the minority leader have submitted the amendment. I understand that without question it will be debated this week.

Mr. MANSFIELD. That is my understanding. Whenever I make flat commitments, I hope Senators will remember that circumstances may arise over which I have no control; but that is our intention.

Mr. KEATING. Is the bill to which the amendment will be offered programed for Thursday?

Mr. MANSFIELD. It is hoped and anticipated that it will be considered on Thursday.

Mr. KEATING. Will the Senate have completed consideration of the Defense Department appropriation bill and the Agriculture Department appropriation bill?

Mr. MANSFIELD. Yes.

Mr. KEATING. May I inquire whether the bill will be the first bill considered after action is completed on those appropriation bills?

Mr. MANSFIELD. All I can say is that it will be the first or one of the first.

Mr. KEATING. I express my gratitude to the distinguished majority leader, as well as the minority leader, for this action. It is imperative that action be taken this week. I hope that nothing will interfere with such action being taken.

Mr. MANSFIELD. I hope so, too.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ELLENDER. To what bill is the Senator referring?

Mr. MANSFIELD. I have submitted an amendment to a bill which will be considered, which amendment seeks to extend the life of the Civil Rights Commission, scheduled to expire at the end of this month.

Mr. ELLENDER. To what bill would that be attached?

Mr. MANSFIELD. A private bill, H.R. 3369.

Mr. ELLENDER. What would that bill do?

Mr. MANSFIELD. It is titled "An act for the relief of Mrs. Elizabeth G. Mason." It is H.R. 3369.

Mr. ELLENDER. What is the importance of calling up that particular bill?

Mr. MANSFIELD. It is the only bill to which an amendment of this sort can be attached at this time. The life of the Commission expires on the 30th of this month.

Mr. ELLENDER. Mr. President, I have been planning for 3 weeks to be in my State on Friday. I hope the leadership will take that into consideration, because I am greatly interested in this matter.

Mr. MANSFIELD. We will. I understand and appreciate the Senator's concern.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PROXMIRE. Before the debate on the nuclear test ban treaty began, there was some talk, at least, that S. 1915, to amend the Agricultural Adjustment Act, to encourage reduction of excess marketings of milk, might be considered. Consideration of the bill was postponed until after the nuclear test ban treaty was disposed of.

The bill was reported on August 23, 1963. There is a great deal of interest in the bill all over the country, on the part of dairy farmers.

I wonder if the majority leader can give me any indication as to when that bill may be considered by the Senate.

Mr. MANSFIELD. I am delighted that the distinguished Senator from Wisconsin has raised that question. I have given some thought and consideration to it, along with the distinguished minority leader. It is anticipated at the moment that the bill will be considered during the second week of October.

Mr. PROXMIRE. The second week of October?

Mr. MANSFIELD. Which would be the week after next.

Mr. PROXMIRE. I appreciate that. It is good to have a specific date. I hope, if there is any possibility of moving it up for earlier consideration, that will be done. I would be grateful for that. All of us would like to have action as soon as possible.

Mr. MANSFIELD. If there is any possibility, I assure the Senator it will be done; but that is the plan at the moment.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CARLSON. It will be necessary for me to be out of the city on Thursday, Friday, and Saturday of this week. Should the extension of the Civil Rights Commission be considered by the Senate, for action, I wish to have the RECORD show that, if present, I would support it.

Mr. MANSFIELD. I appreciate the remarks of the Senator from Kansas.

Mr. KEATING. Mr. President, I realize the problems the majority leader faces. He is very kind in trying to protect all Senators, so far as he can, with respect to votes; but this is typical of what is likely to happen when consideration of an important measure is left until the eve of a deadline. I hope the protection of Senators will not go so far as to cause delay in acting on the extension until after the life of the Commission has expired. The Commission deserves a vote of confidence for the work it has done and a green light for its future activities. It would be tragic if we allowed the Commission to go out of existence while there is still so much it can contribute to our efforts to deal with the civil rights problems confronting our Nation.

Mr. MANSFIELD. I would hope not. That is not the intention of the leadership. It is hoped to have it considered as early as possible, on Thursday, to allow sufficient time for debate and disposition.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. I am obliged to be in California on Thursday. I should like to have the RECORD indicate that my vote in this Chamber has been consistently in favor of, first, the creation of the Commission and, second, the continuance of the Civil Rights Commission.

Mr. MANSFIELD. There is no question about that. The Senator's record is well known.

Mr. KUCHEL. I appreciate the Senator's statement. I believe the overwhelming majority of Senators in both parties favor a continuation of the Civil Rights Commission—indeed, making it permanent. Unless extended debate by a few Senators should intervene, I have no hesitation in saying to my friend the majority leader that the Commission will be continued in a matter of moments.

Mr. MANSFIELD. There will be debate.

Mr. KUCHEL. If there is such a problem, I say to the majority leader that I will cancel my trip and return to Washington.

Mr. MANSFIELD. I would not advise that.

Mr. KUCHEL. I thank my able friend.

VISIT TO THE SENATE BY GERMAN FOREIGN MINISTER GERHARD SCHRÖDER

Mr. FULBRIGHT. Mr. President, the Senate is honored today by having as its guest the Foreign Minister of West Germany, Gerhard Schröder, one of the leading members of the Government, a man in whom we all have great hope and confidence. It is an honor to have him visiting us. He is a member of the German Parliament as well as of the Cabinet.

Mr. Schröder is one of the rising lights of the new German Government. As all Senators know, there will be a transition, since the great leader of Germany since the war, Chancellor Adenauer, has announced he will retire on the 15th of next month.

We are happy to have Mr. Schröder with us. I know we are all pleased to see him. I hope all Senators will have an opportunity to meet him.

[Applause, Senators rising.]

Mr. JAVITS. Mr. President, I have had an opportunity to visit with the Foreign Ministers of the German Federal Republic in Bonn, and have met with Mr. Konrad Adenauer, Mr. Gerhard, and others. I take the floor to note it is a historic event when the Foreign Minister of a great part of Germany can be received in the Senate Chamber, considering our history, which we all understand. It is symptomatic of the great feeling we have about the essentiality of receiving Germany fully into the community of nations and for our hopeful confidence that, under her leadership, Germany will play the role, not of destruction but of construction, which is so adaptable to the power, spirit, and determination of our people. I think it is uniquely symptomatic of the feeling of our people that Herr Schröder is received in the Chamber of the Senate of the United States.

The PRESIDING OFFICER. The Chair extends a hearty welcome to our distinguished visitor, in behalf of the Senate.

DEPARTMENT OF DEFENSE APPROPRIATION, 1964

Mr. MORSE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 481, H.R. 7179, making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 7179) making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with amendments.

REPORTED VISIT BY TITO OF YUGOSLAVIA WITH PRESIDENT OF THE UNITED STATES

Mr. LAUSCHE. Mr. President, I received a letter from a constituent in Ohio. In part the letter deals with a reported visit of Tito to the United States. In the letter are contained statements so appropriate that I feel they ought to be read into the RECORD of the Senate. The Ohioan writes as follows:

> The newspapers report that Tito will visit our President in Washington or New York in October.
>
> For the Democrats in Yugoslavia and Americans of Yugoslav origin who believe in and love America as the protector and defender of human rights and democracy this will be again a dark event. Why honor a man who murdered his people, after the war in peacetime, only because he considered them actual or potential political adversaries? Why honor him now when he is one with Khrushchev again? Is this really necessary for the defense of the interest of the United States? These and similar questions will torture many loyal citizens and friends of America.

Those words are soundly spoken. I do not subscribe to the visit of Tito to our country, knowing that peremptorily after the war for political reasons he put to death Mihailovitch and put to death more than a hundred thousand Croats, Serbs, and Slovenes. He is not the type of man whose character and morality fit him to be honored by our country and especially not by our President.

Mr. MORSE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SMATHERS. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1964

The Senate resumed the consideration of the bill (H.R. 7179) making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes.

Mr. RUSSELL. Mr. President, before making a statement with respect to the bill, I send to the desk an amendment to a committee amendment, which I ask to have stated, and on which I ask for action.

The **PRESIDING OFFICER.** The amendment to the amendment will be stated.

The **LEGISLATIVE CLERK.** It is proposed, on page 16, line 9, in the committee amendment to strike out the figure "$2,962,794,000" and insert in lieu thereof "$2,931,094,000".

Mr. RUSSELL. Mr. President, this amendment would reduce the appropriation for procurement of equipment and missiles, for the Army, by $31,700,000. Since the Committee on Appropriations considered the bill, information has come to me that a review of the Army's aircraft requirements most likely indicated that the $31 million requested for obligation during the fiscal year 1964 would not be required.

In the event it should develop that this sum is required, of course the matter can be adjusted in conference, but I should like to have the amendment agreed to before the bill is perfected.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the committee amendments, as perfected, be agreed to en bloc, that the bill as thus amended be considered as original text for the purpose of amendment, and that no points of order be considered waived.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The amendments, as perfected and agreed to en bloc, are as follows:

On page 2, line 10, after the word "addition", to strike out "$125,000,000" and insert "$100,000,000", and in line 12, after the word "and", where it occurs the second time, to strike out "$65,000,000" and insert "$50,000,000".

On page 2, at the beginning of line 23, to strike out "$37,000,000" and insert "$30,000,000"; on page 3, line 1, after the word "from", to strike out "the Navy stock fund and", and at the beginning of line 2, to strike out "$110,000,000" and insert "$90,000,000".

On page 3, at the beginning of line 20, to strike out "$175,000,000" and insert "$20,000,000"; in line 21, after the word "from", to strike out "the Air Force stock fund and", and in line 22, after the word "and", to strike out "$35,000,000" and insert "$10,000,000".

On page 4, line 8, after the word "to", to strike out "maintain an average" and insert "attain an end".

On page 5, at the beginning of line 14, to strike out "$240,300,000" and insert "$242,800,000", and in line 18, after the word "to", to strike out "maintain an average" and insert "attain an end".

On page 7, line 15, after the word "Government", to strike out "$3,361,000,000" and insert "$3,375,643,000".

On page 8, line 19, after the word "exceed", to strike out "$7,400,000" and insert "$7,800,000", and in line 24, after the word "Government", to strike out "$2,905,000,000" and insert "$2,919,200,000".

On page 9, at the beginning of line 16, to strike out "$191,000,000" and insert "$191,650,000".

On page 10, line 23, after the word "Government", to strike out "$4,341,000,000" and insert "$4,370,000,000".

On page 12, line 20, after "(including aircraft)", to strike out "$176,600,000" and insert "$180,800,000".

On page 16, at the beginning of line 9, to strike out "$2,958,894,000" and insert "$2,931,094,000".

On page 16, line 21, after the word "plants", to strike out "$2,877,445,000" and insert "$2,928,845,000".

On page 17, at the beginning of line 10, to strike out "$2,080,089,000" and insert "$2,068,089,000".

On page 19, at the beginning of line 2, to strike out "$3,328,900,000" and insert "$3,395,075,000".

On page 19, line 18, after the word "things", to strike out "$2,129,490,000" and insert "$2,141,990,000".

On page 20, line 11, after the word "amended", to strike out "$871,299,000" and insert "$878,299,000".

On page 21, line 16, after the word "law", to strike out "$1,363,141,000" and insert "$1,391,141,000".

On page 22, line 6, after the word "law", to strike out "$3,416,146,000" and insert "$3,483,376,000".

On page 43, line 6, after the word "of", where it appears the first time, to strike out "25" and insert "20".

On page 43, after line 7, to strike out:

"SEC. 539. Of the funds made available in this Act for repair, alteration, and conversion of naval vessels, not to exceed $352,752,400 shall be available for such repair, alteration, and conversion in privately owned shipyards."

And, in lieu thereof, to insert:

"SEC. 539. Of the funds made available in this Act for repair, alteration, and conversion of naval vessels, at least 35 per centum shall be available for such repair, alteration, and conversion in privately owned shipyards: *Provided,* That if determined by the Secretary of Defense to be inconsistent with the public interest based on urgency of requirement to have such vessels repaired, altered, or converted as required above, such work may be done in Navy or private shipyards as he may direct."

Mr. RUSSELL. Mr. President, in its consideration of H.R. 7179, the Department of Defense appropriation bill for fiscal year 1964, the Senate Appropriations Committee recommends an appropriation of $47,371,407,000: This is an amount that is $289,398,000 over the House allowance of $47,082,009,000; it is $1,642,830,000 under the budget estimates of $49,014,237,000 for fiscal year 1964; and is $978,675,500 under the appropriation of $48,350,082,500 for fiscal year 1963.

The funds recommended do not include appropriations for military construction, family housing, military assistance, civil defense, nor for the increase in pay of military personnel, all of which will be considered subsequently. In regard to the military pay raise, it can be stated that funds are included in this bill for the pay of military personnel. When the act authorizing this increase becomes law, it will be possible to pay personnel from these funds. However, at a later date, it will be necessary to consider a supplemental request to provide a sufficient amount to implement the pay increase during the latter part of the fiscal year.

It is estimated that $900 million will be required to meet the increase for the remainder of fiscal year 1964.

Broken down by organizational component, the funds in this bill will provide—

For the Army, $12,148,806,000.

For the Navy, $14,424,088,000.

For the Air Force, $18,547,840,000.

For defense agencies, $2,250,673,000.

Mr. President, I ask unanimous consent that there appear at this point in the RECORD, a tabulation giving a breakdown of the appropriation for fiscal year 1963, the budget estimates for 1964, the House allowances and the Senate Committee recommendations by appropriation title and by organizational component.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Summary of appropriations

Title	Appropriations, 1963 (to date)	Budget estimates, 1964	Recommended in House bill, 1964	Amount recommended by Senate committee	Increase (+) or decrease (−), Senate bill compared with—		
					Appropriations, 1963	Budget estimates, 1964	House bill
Title I—Military personnel	$12,992,690,000	$13,235,200,000	$12,848,200,000	$12,850,700,000	−$141,990,000	−$384,500,000	+$2,500,000
Title II—Operation and maintenance	11,688,724,500	11,792,237,000	11,678,337,000	11,741,030,000	+52,305,500	−51,207,000	+62,693,000
Title III—Procurement	16,647,110,000	16,724,800,000	15,666,472,000	15,795,447,000	−851,663,000	−929,353,000	+128,975,000
Title IV—Research, development, test, and evaluation	7,021,558,000	7,262,000,000	6,889,000,000	6,984,230,000	−37,328,000	−277,770,000	+95,230,000
Total, titles I, II, III, and IV	48,350,082,500	49,014,237,000	47,082,009,000	47,371,407,000	−978,675,500	−1,642,830,000	+289,398,000
Distribution of appropriations by organizational component:							
Army	11,637,874,000	12,579,628,000	12,095,563,000	12,148,806,000	+510,932,000	−430,822,000	+53,243,000
Navy	15,176,832,000	14,966,300,000	14,369,838,000	14,424,088,000	−752,744,000	−542,212,000	+54,250,000
Air Force	19,482,917,000	19,178,400,000	18,365,935,000	18,547,840,000	−935,077,000	−630,560,000	+181,905,000
Defense agencies	2,052,459,500	2,289,909,000	2,250,673,000	2,250,673,000	+198,213,500	−39,236,000	0
Total, Department of Defense	48,350,082,500	49,014,237,000	47,082,009,000	47,371,407,000	−978,675,500	−1,642,830,000	+289,398,000

Mr. RUSSELL. Mr. President, for the Army, the funds provided are to support a military end strength of 975,000, of which 960,000 are for the 16 combat-ready division force structure and 15,000 are for testing the air mobility concept. That is better known as the report of the Howze committee. For the Army Reserve components, the authorized strength is 700,000, although latest indications are that this figure will be very difficult to achieve. The Army's active aircraft inventory includes 6,323 aircraft—3,428 helicopters and 2,895 fixed-wing aircraft. Funds recommended will procure approximately 1,600 additional aircraft to further increase the Army's mobility concept.

For the Navy, the funds provided will support 670,000 active duty personnel and 190,000 Marines, plus about 171,000 Naval and Marine Reserves in paid drill status. An active fleet of over 870 ships and more than 7,400 operating aircraft are programed. The bill also contains funds for the construction of 31 new ships, plus 203 service and landing craft and 36 conversions of vessels. Funds for the construction of six Polaris submarines are included. When these are completed, 41 ballistic missile-firing submarines will be included in the fleet, each carrying 16 missiles. Over 600 new aircraft will be bought in 1964.

For the Air Force, the funds provided will support 860,000 active duty personnel, plus 133,000 in the Reserve components in paid drill status. In addition, approximately 12,500 aircraft and 53 missile squadrons will be maintained. Over 960 new aircraft will be purchased in 1964. The acquisition of large planes to improve airlift capability is emphasized. Our strategic retaliatory capabilities include 650 manned bombers on 15-minute ground alert, and over 200 operational Atlas, Titan, and Minuteman missiles on launchers. This force is rapidly expanding as additional Minutemen enter the operational inventory. The 1964 program includes another 150 Minuteman missiles, raising the total in inventory and production to 950.

I should like now to discuss the more important changes the committee has made in the bill as it came to us from the House.

TITLE I. MILITARY PERSONNEL

For title I, military personnel, the committee recommends appropriations totaling $12,850,700,000. This is $384,500,000 under the budget estimates and $2,500,000 over the House allowance.

The only major change in this title is the committee's recommendation dealing with transfer authority from working capital funds. The budget requested transfer authority of $300 million and the Senate committee has recommended approval of that request. The House had provided an additional $247 million in such authority in lieu of new obligational authority. Thus the committee's action makes $247 million less available in these appropriations. It is hoped that the Services can absorb all of this reduction, but, if this is not possible, the requirements for pay of military personnel may necessitate a later review. I wish to stress, however, that the action of the committee does not in any manner affect the proposed military strengths, as contained in the President's original budget.

The increase of $2,500,000 over the House is to enable National Guard personnel to attend various Army training schools.

TITLE II. OPERATION AND MAINTENANCE

For title II, operation and maintenance, the committee recommends appropriations totaling $11,741,030,000 which are $51,207,000 under the budget estimates; and $62,693,000 over the House allowances.

For "Operation and maintenance, Army," the committee restored $14,643,000—$3,500,000 for maintenance of noncombat vehicles; $1,500,000 for field exercises, which the Chairman of the Joint Chiefs emphasized as of the highest importance; and $9,643,000 for unspecified House reductions, for which the Department indicated real need because of a variety of price increases and other new requirements since the formulation of the budget.

The only increase over a budget estimate in this title is for "Operation and maintenance, Army National Guard," for which the subcommittee recommends $180,800,000, an increase of $4,200,000 over the budget estimate. Of the increase, $3,200,000 is for the National Guard technician program, which was substantially cut during the budget review, and $1 million is for the procurement of repair parts required for the equipment National Guard units are receiving from the Army on an "as is" basis.

For "Operation and maintenance, Navy," the committee recommends a restoration of $14,200,000—$3 million for the correction of design deficiencies on operating ships related to surface missile and equipment rework, and $11,200,000 of unspecified reductions made by the House and needed by the Department to finance new requirements since the budget was submitted.

For "Operation and maintenance, Air Force," the committee restored $29 million—$5 million for the maintenance of noncombat vehicles and $24 million for unspecified House reductions. Of this latter, $7.2 million is to finance a classified project which was not included in the original budget request.

TITLE III. PROCUREMENT

For title III, procurement, the committee recommends appropriations totaling $15,795,447,000 which are $929,353,000 under the budget estimates; and $128,975,000 over the House allowances.

The major increases over the House allowances are: First, $3,900,000 for the procurement of instrument trainer helicopters for the Army; second, $51,400,000 for the procurement of Navy aircraft; third, $66,175,000 for the Air Force aircraft procurement program; fourth, $12,500,000 for the Air Force missile procurement program; and, fifth, $7 million for other Air Force procurement.

In addition, in "Shipbuilding and conversion, Navy," the committee recommends a net reduction of $12 million from the House allowance. This is made up of a restoration of $8,500,000 in labor and material cost increases, and the disallowance of $20,500,000 for the construction of a roll-on/roll-off vehicle and cargo ship. The requirement for this ship is presently being evaluated, and the committee believes funding should be deferred pending the results of the study.

TITLE IV. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For title IV, "Research, Development, Test, and Evaluation," the committee recommends appropriations totaling $6,948,230,000 which are $277,770,000 under the budget estimates; and $95,230,000 over the House allowances.

A major portion of the decrease in the budget estimates reflects a 3-percent general reduction in all research appropriations made by the House. The committee has recommended concurrence in this reduction, with one exception involving $7,230,000 for a classified secret project.

The major increases over the House are: First, restoration of $5 million for the Army's LANCE missile systems; and, second, restoration of $23 million of the House reduction of $59,600,000 in "Research, Development, Test, and Evaluation, Army," based on the utilization of fiscal year 1963 funds appropriated for the Advent communications satellite program. It is the recommendation of the committee that the Department be authorized to use $23 million of these carryover funds for the Department of Defense communication satellite program, and that the balance of $36,600,000 be used to finance a portion of the fiscal year 1964 Army research program.

Mr. President, I ask unanimous consent to have included at this point in the RECORD an excerpt from the committee report pertaining to the Department of Defense communication satellite program.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF DEFENSE SPACE COMMUNICATIONS SATELLITE PROGRAM

Following the cancellation of the Advent space communications satellite program the Department of Defense established the Department of Defense space communications satellite program, which has as its objective the establishment of a communication system using orbiting satellites in space working electronically with surface stations to provide a worldwide system that is not dependent upon ground relay points or long-haul radio links. The present plan calls for a space component, for which the Air Force is responsible, of 24 to 30 satellites in circular polar orbits at an altitude of 5,000 to 12,000 miles. This component is referred to as the "medium altitude random orbit system." The Army has the responsibility for the development of the related ground

> facilities. The Defense Communications Agency (DCA) is responsible for coordinating the program. The funding of the program is set out in the following tabulation:

Appropriation	Department of Defense request, original	Department of Defense request, alternate	House allowance	Senate committee recommendation
R.D.T. & E., Army	$20,200,000	$20,200,000	$19,594,000	$19,594,000
R.D.T. & E., Air Force	52.300,000	52,300,000	50,731,000	50,731,000
R.D.T. & E., Defense agencies	3,500,000	3,500,000	3,395,000	3,395,000
Total, new obligational authority	76,000,000	76,000,000	73,720,000	73,720,000
Utilization of fiscal year 1963 advent funds	59,600,000	44,600,000	None	23,000,000
Grand total, fiscal year 1964 program	135,600,000	120,600,000	73,720,000	96,720,000

> In authorizing the use of $23 million of available fiscal year 1963 Advent funds the committee does not take a position on the advantages of the presently planned medium altitude random orbit system over a synchronous orbit system. The determination as to the type of system to be developed is a matter for the Department of Defense.

Mr. RUSSELL. Mr. President, the third item of increase is $60 million for the mobile medium range ballistic missile. The budget estimate for this item was $143,100,000, of which the House allowed only $43,100,000. The Department of Defense did not seek restoration of the House reduction of $100 million. However, the Chairman of the Joint Chiefs of Staff, in his appearance before the committee, indicated that the Joint Chiefs felt that the development of this weapon should proceed. The committee concurred in the views expressed by the Chairman of the Joint Chiefs of Staff, but felt that a total of $103,100,000—an increase of $60 million over the House allowance, would be adequate for this program during the remainder of the current fiscal year.

Mr. SALTONSTALL. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. SALTONSTALL. I believe I am correct in saying—I think the Senator from Georgia will agree—that the Department of Defense did not ask for this $60 million, or any part of it. Nevertheless, when General Taylor asked for it, the Secretary of Defense wrote the chairman, the distinguished Senator from Georgia [Mr. RUSSELL], a letter saying that if the money were appropriated, he would spend it.

Mr. RUSSELL. That is substantially correct. It should be said that the Department asked for the money in the first instance, in the original budget. It asked for the entire $143.1 million. But after the House reduced that amount by $100 million, the Department of its own accord did not include this item in its appeal. When the Secretary was asked whether he would use the money for this purpose, and for this purpose only, if it were restored to the bill, he stated he would use it. Acting on that statement, the committee restored $60 million of the $100 million reduction made by the other body.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Michigan.

Mr. McNAMARA. The Senator referred to an item of $5 million in title IV, under Army Research, Development, Test, and Evaluation.

The Defense Appropriations Act, as passed by the House, recommended under this title a reduction of $5 million for the development of the Lance missile system.

This missile system presently is under development by Ling-Temco-Vought Co. at a Government-owned plant in Warren, Mich.

However, in its report on the bill, the House committee stated that the evidence "did not entirely convince" it that costs at the Warren plant would be equal to or less than those at other facilities of this company.

I was pleased to observe that the Senate Appropriations Committee, in considering the Department of Defense appropriations bill, recommended restoration of the $5 million for the Lance system.

The Senate report notes:

> The committee was advised that this reduction would result in stretching the period of development of this weapon which would involve a cost increase of $11,500,000.

From the information available to me on comparative costs and the effect of a $5 million cut in appropriations, I believe the Senate committee has acted wisely in recommending restoration of the funds.

I sincerely hope the Senator from Georgia will be able successfully to defend the Senate's position on this item in conference.

Mr. RUSSELL. Let me say to the Senator from Michigan [Mr. McNAMARA] that witnesses on behalf of the Department of Defense earnestly insisted that to do this work in Warren, Mich., would result in very substantial savings in time and money. That is what prompted the action of the committee; and I shall, of course, undertake to represent the position of the Senate to the best of my ability in conference with the House.

Mr. McNAMARA. I thank the Senator from Georgia very much.

Mr. HAYDEN. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I am very glad to yield to the distinguished chairman of the Committee on Appropriations.

Mr. HAYDEN. Mr. President, the distinguished senior Senator from Georgia has referred to the committee's recommendation with respect to funds for the continuation of development of the mobile medium range ballistic missile. As he stated, the President's budget included $143,100,000 for this weapons system. The House bill included only $43,100,000, and the Senate committee has recommended $103,100,000, an increase of $60 million over the House amount.

Mr. President, in the Department of Defense Subcommittee I offered the amendment to restore these funds. I am happy that both the subcommittee and the full Committee on Appropriations have adopted my amendment. I offered this amendment, because, first, the mobile medium range ballistic missile will provide the United States with an extremely accurate nuclear weapon to fill the range gap now existing between the Army's 400-mile Pershing and the Navy's 2,500-mile Polaris. Its mobile concept will present any potential enemy with a most difficult weapon to defend against. The value of this weapon has been emphasized by the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, speaking for the Joint Chiefs; the Supreme Allied Commander in Europe; the U.S. commander in chief, Europe; the U.S. commander in chief, Pacific; and the U.S. commander in chief, Alaska. It has been clearly established, Mr. President, that there is a need for this weapon.

My second reason for offering this amendment stems from my responsibility as a member of the legislative branch of the Government. I have always felt that the Constitution imposes on the legislative branch the real responsibility of providing for the common defense. In recent years, Congress has indicated its desire to meet this responsibility by providing substantial funds for the continuation of long-range manned bombers and the development of a manned strategic system to replace our aging force of B-47, B-52, and B-58 bombers. I regret that the executive branch has not seen fit to utilize funds the Congress has specifically provided for these purposes.

After voting for ratification of the nuclear test ban treaty, I think Congress must be especially aware of its constitutional responsibility in the field of national defense. Mr. President, we all hope that this treaty will be the first step toward a more peaceful world; but I submit that now is not the time to slow down our defenses. Mr. President, the history of our great country provides us with some advice that is most appropriate at this time, which is—simply stated—"Keep your powder dry."

Mr. President, I ask uanimous consent to have printed in the RECORD a letter I wrote to the Secretary of Defense on the matter, and his reply.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
August 27, 1963.

Hon. ROBERT S. McNAMARA,
Secretary of Defense,
Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: On August 20 the Deputy Secretary of Defense, Mr. Gilpatric, and the Chairman of the Joint Chiefs of Staff, General Taylor, appeared before the Department of Defense Subcommittee of the Senate Committee on Appropriations in support of the Department's request for restoration of certain reductions made by the House of Representatives in the Department of Defense Appropriation Act, 1964 (H.R. 7179).

Secretary Gilpatric, in discussing the impact of the pending nuclear test ban treaty, said:

"Clearly, this is not the time to relax our defense effort, to stretch out needed defense programs, or to delay essential defense legislation."

General Taylor, in commenting on the Department's failure to request restoration of the House reduction of $100 million of the $143.1 million requested for the mobile medium range ballistic missile system (MMRBM), said:

"If the $100 million reduction is now restored, it will make possible the availability of an operational MMRBM as planned. If the Senate confirms the reduction, it will mean the loss of approximately 12 to 18 months in the ultimate operational readiness even if next year the decision is taken to proceed with the development of the missile."

As I read General Taylor's statement it would seem that we are stretching out a needed defense program—the very thing that Secretary Gilpatric said we should not do at this time.

I would appreciate your providing answers to the following questions with respect to the mobile medium range ballistic missile program (MMRBM):

1. Was the decision not to proceed with phase II development based solely on the House reduction of $100 million in the request for funds?

2. If the Congress provided the full amount requested in the budget for the MMRBM, would the Department of Defense proceed with phase II development?

Inasmuch as the Department of Defense Subcommittee is expected to take action on the pending Department of Defense appropriation bill in the very near future, I would like to have the answers to these questions as soon as possible.

Yours very sincerely,

CARL HAYDEN,
Chairman.

THE SECRETARY OF DEFENSE,
Washington, September 6, 1963.

Hon. CARL HAYDEN,
Chairman, Committee on Appropriations, U.S. Senate.

DEAR MR. CHAIRMAN: In your letter of August 27, 1963, you requested answers to the following two questions in regard to the mobile medium range ballistic missile (MMRBM) program:

1. Was the decision not to proceed with phase II development based solely on the House reduction of $100 million in the request for funds?

2. If the Congress provided the full amount requested in the budget for the MMRBM, would the Department of Defense proceed with phase II development?

The answer is "yes" to both questions.

I would like to assure you that if the $100 million is restored to this program, it will not be reprogramed to other activities. An early indication of likely congressional action is required in order that we can determine whether we should continue the long leadtime developments as currently planned or initiate phase II development.

Sincerely,

ROBERT S. MCNAMARA.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, at a later date I shall offer an amendment to cut the amount for the mobile midrange missile back to the House figure level; but at this point I should like to ask the distinguished Senator from Georgia, who is in charge of the bill, whether it is true that the reason the letter was written as it was by the Department of Defense was that a prime reason given by the House for reducing the requested amount to $43,100,000 was that—as stated in the House committee report:

> Testimony indicated, and the committee believes, that if the $143,100,000 requested for the MMRBM were to be appropriated, efforts would be made to reprogram much of the money to other functions.

So the House position was that, in view of the recent history of this matter, if the full amount were appropriated, it would not be used. The answer was that at least they would not use it for another purpose. However, the objection originally made by the House still applies, to the extent that it has validity—namely, that at the present time the Defense Department does not seem to be prepared to spend all of this money in this particular area, on the development of this particular weapon.

Mr. RUSSELL. I am sure the Senator from Wisconsin read correctly from the report of the committee of the other body.

The Department did not very enthusiastically request the committee to restore this item. I read from the letter we received:

> I would like to assure you that if the $100 million is restored to this program, it will not be reprogramed to other activities. An early indication of likely congressional action is required in order that we can determine whether we should continue the long leadtime developments as currently planned or initiate phase II developments.

As I recall, the reduction made by the House eliminated all funds except those to be used for the guidance, command, and control system of the missile. If the Senate, in its wisdom, sees fit to increase the House item, it would extend the research development beyond the command control and guidance system of the missile.

Mr. PROXMIRE. Yes, indeed. The only point I wish to make now is that the House did take the position that, on the basis of its experience, the money probably would not be used, and would be reprogramed. The action of the Defense Department clearly knocked out the reprograming objection, but may have left the possibility that the money will be spent.

Mr. RUSSELL. It did leave that possibility; but the latter part of the paragraph I read very clearly indicates that they will proceed with the program if Congress increases the appropriation.

Mr. PROXMIRE. I thank the Senator from Georgia.

Mr. RUSSELL. I may add that the Secretary of Defense did not commit himself in any way as agreeing that he would put it into procurement; but he did testify that he would put it into research and development.

Mr. HAYDEN. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I am very glad to yield to the distinguished chairman of the Appropriations Committee.

Mr. HAYDEN. I wrote the Secretary of Defense a letter in which I specifically asked him about this matter. I read his reply:

THE SECRETARY OF DEFENSE,
Washington, September 6, 1963.

Hon. CARL HAYDEN,
Chairman, Committee on Appropriations, U.S. Senate

DEAR MR. CHAIRMAN: In your letter of August 27, 1963, you requested answers to the following two questions in regard to the mobile medium range ballistic missile (MMRBM) program:

1. Was the decision not to proceed with phase II development based solely on the House reduction of $100 million in the request for funds?

2. If the Congress provided the full amount requested in the budget for the MMRBM, would the Department of Defense proceed with phase II development?

The answer is yes to both questions.

I would like to assure you that if the $100 million is restored to this program, it will not be reprogramed to other activities. An early indication of likely congressional action is required in order that we can determine whether we should continue the long lead time developments as currently planned or initiate phase II development.

Sincerely,

ROBERT S. MCNAMARA.

Mr. PROXMIRE. I thank the Senator from Arizona very much. I think the reprograming statement is clear. The other one is confused; or, at least, at best it is not as clear.

Mr. RUSSELL. Mr. President, I recur to the items involved in research development. The last restoration made by the committee was as follows:

Fourth. Restoration of that portion—$7,230,000—of the House general reduction of 3 percent applicable to a classified project, to assure that a classified project would not be hampered by the 3-percent reduction.

LANGUAGE CHANGES

The committee has recommended only three significant changes in the language of the bill.

The first deals with the strength of the Army Reserve Components. The Defense Department Appropriation Act for 1963 and the President's budget for 1964 included provisions stating that the Army Reserve and the Army National Guard "shall be programed to attain an end strength" of 300,000 and 400,000, respectively. However, the House version of the bill altered these provisions to read "to maintain an average strength" of these numbers. Since the committee does not believe that the Army Reserve or the Army National Guard could possibly maintain an average strength of 300,000 and 400,000, the two provisions were amended so as to restore the language of last year's act. We therefore restored these provisions in the exact language that was used in last year's bill to achieve an end strength of the respective numbers stated.

Mr. President, the second language change recommended by the committee involves the allocation of repair, alteration, and conversion work on Navy vessels between the Navy and privately owned shipyards. The Department of Defense Appropriation Act, 1963, and the President's budget for fiscal year 1964 included a provision whereby at least 35 percent of such work was to be allocated to private shipyards. This provision included the required flexibility to meet any emergencies. The House bill provides that "not to exceed $352,752,400" shall be available for such work in privately owned shipyards. The sum is 35 percent of the total included in the budget for repair, alteration, and conversion work. While the provision places an absolute ceiling on the amount of work which can be allocated to privately owned shipyards, the House committee, in its report and in the debate on the floor of the House, indicated that it was the intent of the committee that the provision be administered in the same manner as the Navy had administered the 1963 provision. For this reason, and the fact that the House provision does not provide complete flexibility, the subcommittee recommends the deletion of the House provision and the insertion of the 1963 provision.

That provision includes the necessary flexibility to enable the Secretary of Defense to deal with any emergencies. An escape clause is provided which would permit the Secretary, as a practical matter, to utilize that provision.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield.

Mr. KEATING. I wish to discuss that very point with the Senator, if this is an appropriate time to do so.

Mr. RUSSELL. Now would be satisfactory as any other time.

Mr. KEATING. As the Senator perhaps knows, more than 12,000 workers are employed at the Brooklyn Navy Yard. From what might be termed a parochial point of view, it is a subject of great interest that nothing be done to interfere with the operations of that shipyard to any greater extent than has taken place to date.

From a wider national point of view, the need for the Navy yards to continue in their unhampered and undiminished operations is also a serious one. The Navy yards have the necessary skilled workers, and it is almost impossible to get these people together again once they are scattered.

The section as it has been changed from the House language by the Senate committee causes me some concern. The first part of the section would establish virtually what has become known as the 35–65 formula. I wish to inquire of the Senator from Georgia what is intended by the proviso. Is it intended that we should give to the Secretary of Defense the power to go beyond the provision in the law for giving work to the public yards if the national interest so requires? In other words, what is the purpose of the proviso as it is stated in the bill?

Mr. RUSSELL. Mr. President, it is very evident from reading the language of the bill that the Secretary of Defense could go either way. He could either go above the 35 percent for the private yards or below the percentage provided for the shipyards that are operated by the Department of the Navy. But the purpose of the language and the understanding that we have with the Department of Defense is that it will not exceed the stated 35 percent to be utilized in the private yards unless there is some emergency in which the Navy yards could not handle the work.

As the distinguished Senator from New York knows, the point has been a subject of controversy, study, and discussion for a number of years. A great many studies have been conducted over the years.

It has been concluded that the work can be done about 10 percent cheaper in the private shipyards than in the Navy yards. That is a great tribute, in a way, to our competitive system of private enterprise. Ships—and in some cases better ships—are built in the private yards for 10 percent less than it would cost to build them in the Navy yards. It is not much of a tribute to bureaucracy and efficiency that that record has been achieved all down the line, but it would reflect very favorably when compared with other instances of Government construction.

We need the Navy yards. No one wishes to close the Navy yards. As the Senator from New York has pointed out, in the case of a great national emergency we would have a fine reservoir of trained skill and talent to embark on such a shipbuilding program as might be necessary. I do not believe the Senator from New York need entertain any great fears that the provision will adversely affect the Brooklyn Navy Yard or any other yard operated by the Department of the Navy. The bill for the fiscal year 1964 contains almost $100 million more for ship repair, alteration, and conversion than the bill for 1963. So there is only a remote possibility that there would be any reduction in the work that is done at the Brooklyn Navy Yard during fiscal year 1964.

Mr. KEATING. I am glad to have that assurance. I wish the distinguished Senator from Georgia were sitting in the Department of Defense and could give that assurance as an executive of that Department. We would miss him here, but we have not been able to get from the Secretary of Defense or those in authority any assurance remotely comparable to what the Senator has just indicated. There has been a falling off in employment at the Brooklyn Navy Yard over the years. It has been gradual, but there has been quite a drop in employment. It is a subject that naturally concerns us.

Will the Senator yield so that I may address a parliamentary inquiry to the Chair with regard to the section to which I have referred?

Mr. RUSSELL. Before the Senator propounds his parliamentary inquiry, I should like to say that while I was convinced that the language does not require it, there would not be any misunderstanding between the Appropriations Committee and the Department of Defense with respect to that item.

I point to the history of 1963, in which year that provision was not utilized. The Department thought at the time of the preparation for the Cuban crisis that it might be necessary to utilize that provision, but even in that emergency it did not go above the 35 percent set forth in the language of the bill for the current year.

Mr. KEATING. I am a little concerned with the reverse of that situation; namely, to what extent the provision would set a ceiling on the operations in the navy yard. I would like to address an inquiry to the Chair.

Mr. RUSSELL. I am glad to yield for that purpose.

Mr. KEATING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KEATING. Would section 539 of the bill be subject to a point of order as being legislation on an appropriation bill? I refer to page 43 of the bill.

Mr. RUSSELL. Mr. President, before the Chair rules, I point out that the amendment deals with the explicit language which comes to us from the House of Representatives. If there is any one well-established rule, it is that if the other body deals with any subject in any legislative respect, that opens up the entire subject so that the Senate can deal with it. There can be no question about the first part of section 539.

I do not think that anyone—not even the Senator from New York—would insist that the language was not pertinent and legislatively correct. The other language is germane to it, because it raises a question as to the method whereby the Secretary of Defense could enforce the provisions of the first part of the section.

I hope the Senate will not be diverted from consideration of the bill for a long discussion of the parliamentary aspects of this matter.

Mr. KEATING. If the Senator will yield further, I am inclined to agree that the first part of the language, prior to the proviso, is covered by existing legislation, and probably would not be subject to a point of order. But the proviso is new matter and not covered by existing law, and might be subject to a point of order. That is not to say that I would wish to press the point of order until I had interrogated the distinguished Senator further. I feel, however, that in order to know what is the proper procedure to follow, I ought to have guidance from the Presiding Officer as to whether the portion following the word "provided" would be subject to a point of order.

The PRESIDING OFFICER. If the question raised by the Senator from New York is as to germaneness, that would have to be submitted to the Senate for a vote, without debate.

Mr. KEATING. The point of order would have to do with the question of whether it involves legislation on an appropriation bill.

Mr. RUSSELL. Mr. President, I think the ruling by the Presiding Officer is eminently correct, from my knowledge of parliamentary procedure. This has to do with the method of controlling the limitation. I think it is germane. Such a question would be submitted to the Senate, and the Senate would vote. In my opinion, it is definitely germane.

The PRESIDING OFFICER. Has the Senator from Georgia raised the question of germaneness?

Mr. RUSSELL. I certainly would raise it, if the Senator submitted a point of order. If the Senator submits a point of order, I shall certainly raise the question of germaneness.

Mr. KEATING. Do I correctly understand that it is the ruling of the Chair that if the question of germaneness were raised that would dispose of the question of the point of order, made on the ground that there is no basic legislation?

The PRESIDING OFFICER. It would take precedence over it.

Mr. KEATING. So only if the Chair ruled that the language is germane would there be a question of whether it was legislation on an appropriation bill?

The PRESIDING OFFICER. That is not correct.

Mr. RUSSELL. No; it is the other way around. If the Senate voted it was not germane, the Presiding Officer would rule it out of order, very properly. If the Senate voted that it was germane, the point of order would fall.

Mr. KEATING. Let me put it another way. If the question of germaneness were raised, would that mean that the question of whether it is legislation on an appropriation bill could not be pursued?

The PRESIDING OFFICER. If the language is germane, it is in order. That is the simplest way to state it.

Mr. KEATING. If it is in order, then no point of order can be raised that it involves legislation on an appropriation bill?

The PRESIDING OFFICER. That is correct.

Mr. RUSSELL. That is correct.

Mr. SALTONSTALL. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I shall be glad to yield, but I do not know whether the junior Senator from New York has concluded his inquiry.

Mr. KEATING. That is perfectly all right.

Mr. RUSSELL. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, both Senators from New York are realistic. They wish to get business for the Brooklyn Navy Yard, I believe. I am in the position of having a Navy yard and a private shipyard in my State.

Mr. KEATING. New York also has private shipyards.

Mr. SALTONSTALL. New York also has a private shipyard.

As a practical matter, the provision, as it was written by the Senate committee, was put in after careful consideration a year ago. This year, the Senate committee, under the leadership of the distinguished Senator from Georgia, has modified the language provided by the House, to put it back on the exact percentage basis provided last year.

It is my understanding that the Secretary of Defense did not exercise his privilege of changing the work, as the Senator from Georgia has said. This was worked out last year practically on a 35 percent basis. We eliminated the figure, because we thought the percentage basis was more fair, in view of changing amounts. It is easier to figure on a percentage basis than on the basis of an exact number of dollars.

I recommend sincerely, from a realistic point of view, that the question not be pursued as to whether the language is or is not germane. I would wholeheartedly support the Senator from Georgia in the statement that it is germane as a proviso to the language, stating how the money should be spent.

I hope that both Senators from New York believe this is the best provision that can be devised, from the point of view of the division of work as between the Navy shipyards and the private shipyards.

Last year Admiral Anderson, from the Navy, said that he personally took an interest in this problem, and that he personally believed the Navy could work under the provision. The Navy did work under the provision and allowed practically a 35 percent limit.

Mr. RUSSELL. I interpolate the comment that there are other reasons why the language should be approved by the Senate. It was quite satisfactory last year—so satisfactory that it was included in the budget sent to the Congress this year by the Department of Defense. When the Department made up its program for the year, it included the language which was provided last year. The Senate is asked to concur not only with its own language, evolved by the Senate committee last year, but also the language in the budget.

If section 539 had not been in the bill as it came from the House, the point of order against the entire provision undoubtedly would be a good one. The House moved into this area. That, therefore, gives us, as an equal legislative body, the right to provide language with respect to the use of the funds.

Mr. KEATING. We have heard the ruling on the question. The House report refers to it as legislation. We have heard the preliminary ruling. I shall have to decide later whether to pursue that question.

Is the language in italics in the Senate bill the language which was in the bill passed last year?

Mr. RUSSELL. It is identical, word for word, letter for letter, "i" for "i" and crossed "t" for crossed "t."

Mr. KEATING. With the existing law?

Mr. RUSSELL. That is correct. That is the law under which we are operating at the present moment.

Mr. KEATING. In the hearings on this language, was there evidence as to what was meant by "inconsistent with the public interest based on urgency of requirement"?

Mr. RUSSELL. I do not know that we went into that question in detail this year. I must confess that I was not able to attend the hearing on the one day when this item was heard in detail. There are contenders on both sides—and there have been since the building of *Old Ironsides*—on the question of whether to build such ships in the Navy yards or to build them by contract. There are always witnesses on both sides.

There is no question as to the tacit understanding between the committee and the Secretary of Defense that he will not give more than 35 percent to the private yards unless in case of an emergency, when the public interest is involved.

Mr. KEATING. I am disturbed that the Senator stresses that they will not give more than that percentage to the private yards.

Are there conditions under which less than that could be given to the private yards?

Mr. RUSSELL. No. At least 35 percent shall be available for the private yards unless the Secretary of Defense decides it is in the public interest, based on urgency or requirements, to have the work done in a Navy yard. We have tried to arrive at an agreement on the basis that 35 percent of the work will be done in private yards and 65 percent in the Navy yards. A figure like that cannot be frozen down to the last dollar, as the House undertook to do, when it provided exactly but much more money must be spent in private yards. There must be some administrative leeway and flexibility. It is in this bill.

I do not think the Senator can point out where revolutionary action has been taken that affected either the private or the Navy yards.

From my standpoint, and, I dare say, from the standpoint of a majority of Senators, we would like to see more than 35 percent done in the private yards, because the work is done so much more economically there.

It has been stated that work of an equal or better quality, in the repair alteration and conversion of ships, can be done for about 10 percent less in the private yards than in the Navy yards. So this provision is really in the interest of the Navy yards.

Mr. KEATING. My understanding is that it is more of a geographical matter than a question of private or public yards.

Mr. RUSSELL. I do not think that is true. Last year the Senate approved a provision, which was supported vigorously by the Senators from New York, eliminating the 6-percent differential for the west coast, as I recall, in the construction of ships there.

Mr. ELLENDER and Mr. JAVITS addressed the Chair.

Mr. RUSSELL. The Senator from New York has been on his feet for some time. I yield to him first. Then I shall yield to the Senator from Louisiana.

Mr. JAVITS. Mr. President, I am devoted to the private enterprise idea, as the Senator knows. It is a fact that a differential in economy exists. It is also true that the Navy yard personnel are absolutely indispensable as a standby. They are the support for the whole system in the effort in which we are engaged.

My colleague from New York [Mr. KEATING] has stated the case with considerable justice. Though there is an added cost to a standby operation, it is partly due to the fact that occasionally the Navy yards have to do jobs which are "gold plated" of particular delicacy, and therefore their costs are increased.

The way the Navy calculates cost of Navy yards—which is a big point—is such that if a court of inquiry, as it were, were to investigate it, that differential would be eliminated.

However, what the Navy yard people are always worried about is not so much that their share is to be increased, but that their share will go down in the choice jobs which keep employment at a stable number. Their morale is always being shattered by the rumor that there are to be cuts or that the operation is to close down. Therefore, there is a good deal to be said for fixing a percentage of allocation of the work.

But what my colleague has given voice to, to which I add, is that the flexibility which has been provided should be a recognition of the function of the Navy yard and its essentiality in the maintenance of work skills, which are as essential as the physical equipment. Officials in the Department should be aware that the committee has in mind an allocation of 65 percent of the work for the public yards as a ceiling, rather than a floor.

That is what is inherent and implicit in what we are trying to project on the Senate floor today—the feeling that the 35 percent, having been arrived at as a rough measure of justice, is really a ceiling in the sense that the Secretary must worry more over whether those yards are to be given more than 35 percent, rather than less than 35 percent.

Mr. RUSSELL. I doubt that conclusion. As I said at the very outset, I think it is realized by all that while the Navy yards show a higher cost, they are an indispensable reservoir of skilled manpower that the Nation might be called upon to use at a critical time in the Nation's security. Nobody wishes to lose skilled workers. Nearly $100 million more is provided for conversion for fiscal 1964 than there was for 1963. That should be somwhat reassuring to those who work in the Brooklyn Navy Yard.

Moreover, the Brooklyn Navy Yard has no monopoly on rumors that the installation is to be closed down. Such rumors prevail throughout the entire country. Someone will start the gossip, not only in construction plants and facilities, but in our own military posts, that they are all to be moved out, and the installation is to be closed down. Such rumors occur periodically. Occasionally the lightning strikes. A few years ago a post was closed in my State. I am still receiving mail criticizing that rather drastic action.

Mr. JAVITS. What the Senator has stated today is very fair, in an effort to state the ground rules, which on the whole will be effective. I did not want my remarks to be taken as critical; but we wanted to make a case on the basis that when the Secretary has to decide the question, he will decide it, and the appropriate officials should know how we feel about it.

Mr. RUSSELL. I understand how the Senators from New York feel. Involved in the bill are 12,000 constituents who depend on the yard for their bread and butter.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Louisiana.

Mr. ELLENDER. As the distinguished Senator from Georgia has said, I have been very much interested in this provision. Last year extensive hearings resulted in an agreement to the proviso now in the bill. Some time ago Ernst & Ernst, a national certified public accounting firm, was employed by private shipyards to make a study of comparative costs between private shipyards and naval shipyards. The firm concluded in its report that shipwork performed in Navy shipyards was determined to be 20 percent to 28 percent more costly than at private shipyards.

The Navy, too, was concerned about this and appointed Arthur Andersen & Co., a certified public accounting firm, to make a similar study. This national firm concluded that for three main categories of Navy shipwork, private shipyard costs are below those of naval shipyards by the following differentials: Conversions, 8.3 percent; repairs, 10 percent; new construction, from 15.2 percent to 31.4 percent.

All the evidence produced by these two surveys indicated that work can be done more cheaply by private enterprise.

I would be inclined to go further than what the committee has done. Yet I can see the necessity for keeping Government yards open and having skilled workers available at all times, in the event of need.

It will be recalled that over the years we have maintained our merchant marine through the use of subsidies. We are today paying heavy subsidies for the construction of ships to sustain our merchant marine. Through this provision in the bill we have an opportunity to do so, whereby we can keep some of these shipyards open and busy and at the same time save the Government a great deal of money.

I would be the last Senator to vote to do away with any Government-owned shipyards. I know they are necessary. However, it strikes me that the proviso which has been put in the bill protects both private and naval shipyards. I am sure it also protects the American taxpayer. I do not want to go into too many details, but let me say to my good friend from New York that he will remember that the Navy canceled a contract which had been awarded to the Brooklyn Naval Shipyard. It caused quite a furor. When the contract was canceled and let to a private concern, it saved the Government from $30 to $35 million. That sort of thing should be done wherever possible. The leeway given to the Secretary of Defense in the bill is salutary. It is up to him to see to it that these things are done properly. In my opinion, he should be permitted to withhold the award of contracts when the amount would be such as to be injurious to some of the large Navy yards. I believe everyone is protected by the provision which has been included in the bill.

Mr. KEATING. Mr. President, I must comment on the remarks of the distinguished Senator from Louisiana. The figures he has given on the cancellation of the contract and the saving to the Government have been challenged by the Brooklyn Naval Shipyard. It is claimed there that a great many charges were made against it which should not properly be the subject of a charge for ship construction.

The Senator has referred to the Arthur Andersen Co., which I understand to be a very reputable concern. What I am about to say is not intended in any way to cast any aspersions on the reputation of that firm. They were employed by the Navy to make a survey. It has been charged that they were at the same time paid a retainer by the Newport News Shipbuilding & Dry Dock Co., a private shipyard. I made inquiry of the Secretary of the Navy whether that was true. I received the rather astonishing reply that the Bureau of Ships did not know whether the Arthur Andersen Co. was paid such a retainer.

The reputation of this firm is very high. I am told that the Andersen firm recognized the problem and was reluctant to take on the assignment for the Government. This undoubtedly reflects credit upon them. However, I do believe that it leaves in the minds of many the question of its ability to reach an objective analysis if in fact—and we do not know—at the same time the firm was being retained by private yards to make the survey.

Mr. ELLENDER. That might have been the case. However, as I understand, the Navy employed that firm, and no charges were made against it to the effect that any of the figures were faked.

Mr. KEATING. Oh, no.

Mr. ELLENDER. Their report indicates the finding that I have quoted. The quotation is from the report itself. The report is verified and confirmed by the report of Ernst & Ernst. It strikes me that the reports are not very far apart, when we consider all three differentials that were mentioned in connection with the Arthur Andersen Co. report. The average saving to the Government would probably be about 20 to 28 percent. The conclusions do not differ greatly.

Mr. KEATING. All of them are based on the question of what is charged against a job or as a part of the general expense of operating a shipyard. This is a naval installation. I am not an accountant, but much depends on how much is charged against admirals and other personnel who may have duties there but also have duties in other operations of the Navy.

These are things that I am unable to evaluate. And incidentally the General Accounting Office has also refused to evaluate them. They were forcefully brought to my attention by those who operate the shipyard as being factors which have not been properly taken into account by the accounting firms.

Mr. ELLENDER. I do not want to criticize any particular shipyard, but we do know that individual officials, like the Under Secretary of the Navy, Hon. Paul B. Fay, have spoken on this subject. The Under Secretary, on July 13, was very critical of the Boston Naval Shipyard, at Boston, Mass. That is of record. He said:

> Boston is among the highest costing of the east coast naval shipyards. I want to get this message across to you. This yard's workload is not going to stand unless productivity is up.

This lends credence to reports made by the Andersen Co. and by Ernst & Ernst. That is all I am trying to put before the Senate. It strikes me that the language which was drafted by the committee last year was fair. When the committee met this year I offered the amendment, so that there would be the same provision in the pending defense bill as was in the bill last year. As the Senator from Georgia has said, it is very fair. I hope the Senate will retain it in the bill.

Mr. KEATING. As I understand the Senator from Georgia, it was the feeling of the committee that to use specific figures, as the House did in its language, was not desirable, because it was not known what might be spent in connection with a particular item. Is that correct?

Mr. RUSSELL. That is one aspect. I may also say that where there are bids, anyone would be rather hard put to try to come out even with $352,752,400. We did not think it was reasonable to place the operation on a dollars-and-cents basis, because such a requirement would make it exceedingly difficult to administer the law. We felt that the provision that was put in the bill last year had been fairly satisfactory. It will not please all people, but we thought it was a wise provision to have in the bill.

Mr. KEATING. Was the figure based, in general, upon the 35- to 65-percent formula?

Mr. RUSSELL. I believe it was, because last year the House did the same thing. It was exactly 35 percent. That is about right, because the total in the bill is $1,007,864,000 for ship repair, alteration, and conversion this year. One of the staff members advices me that that is 35 percent.

Mr. KEATING. I am under no illusions as to what would happen if the question of germaneness were submitted to the Senate on the basis of the unanimous report of the Committee on Appropriations on this measure. I shall not pursue the subject in that manner, because I am certain that such an effort would not be successful.

Mr. RUSSELL. I would hope the Senator from New York would not be successful in such an undertaking.

Mr. KEATING. The Senator from Georgia has been most courteous and gracious in answering questions, and has made it clear that this situation was seriously considered by the committee. I hope the colloquy will be useful if the Secretary of Defense, or more specifically the Bureau of Ships, has any problem in the future. I hope also that this proviso will not be used for the purpose of depriving public yards of a fair share of employment. This they rightly should have, both from the standpoint of the people employed there and also from the standpoint of the national interest, to keep the Navy yards functioning at all times as an integral and effective part of our national defense.

Mr. RUSSELL. This problem has been an issue ever since I first came to Congress. When I came here, I was assigned to the old Naval Affairs Committee, prior to the Unification Act. The question has been discussed from year to year ever since I became a Member of Congress. I am sure it was hoary with age before I came here.

I have been in a position to view the problem objectively. Georgia has some coastline, and has some yards that work on private shipping; but we have no private yards that have contracts with the Navy or yards operated by the Navy.

I feel that this arrangement is the fairest possible, until a clear example of abuse is brought before us. If the practice is abused, I am quite confident that the Senate will not be kept in ignorance. It will be kept in ignorance only until the Senators from New York can come to the Chamber and give notice. I hope the Senate will be put on notice if Senators feel that their State has been badly injured and its people relegated to second-class citizenship. Because they have a vested interest in the Brooklyn Naval Shipyard, if it is affected we will know about it.

This provision has been in effect for 15 months, including the 3 months of the present fiscal year that have already expired. Until there is some abuse that is quite evident, I think it is the part of wisdom to stay with this provision, because it has been tried, and we know how it works.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. JAVITS. I think the problem has been well clarified. I thank the Senator again. I appreciate the graciousness with which he has handled the matter.

I refer to the memorandum of amendments which is furnished to the Committee on Appropriations. At the bottom of page 276, a statement was made by Representative FORD, in the debate in the other body, as follows:

> As the chairman, the gentleman from Texas [Mr. MAHON], indicated, we have the assurances from the Secretary of the Navy that the Navy will live up to the 35–65 split. There is no mistake about these assurances.

Representative FORD then went on to say that the best thing to do, therefore, was to set the figure at $352 million, because the House had problems of parliamentary procedure about setting the percentage, and that these funds are important. He said:

> Under section 539, as it passed the House, under no circumstances can the allocation to private yards exceed $352,752,400.

Since the item has come to the Senate, we have, possibly, an escape clause. The point my colleague from New York and I have tried to make to the Senator from Georgia—and he has been very helpful—is that, notwithstanding the fact that perhaps a little flexibility is given to the Secretary to take care of grave problems, national emergencies, and so forth, the fundamental intent remains the same: that the proviso will not be used for the purpose of trying to expand the 35 percent, but that the House feeling as to how this problem ought to be handled remains the feeling in the view of the Senate.

Mr. RUSSELL. I said earlier, I believe in the first statement I made on this subject, that there exists a tacit, not an explicit, understanding with the Department of Defense that this procedure will be followed, except in most extraordinary circumstances.

Mr. JAVITS. The Senator from Georgia has a custom of telling interesting stories. I should like to tell him one from my experience.

There was a great Federal judge in Wilmington, Judge Neilds, who has gone to his reward. I tried many cases before him. He was famous for looking at a lawyer and saying, "Counselor, if you stop now, I am with you."

Mr. RUSSELL. I assure the distinguished Senator from New York that if he refers to me as the counselor, I am willing to stop.

Mr. JAVITS. No; I am the counselor.

Mr. KUCHEL. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. KUCHEL. I should like to cite to the able Senator what the House committee, in part, reported:

> The legislative history clearly indicates that the intent of section 539 is to continue the 35–65 formula of allocating repair, alteration, and conversion work between the private and Navy shipyards with the necessary flexibility to cover those emergency situations requiring immediate repair and alteration of naval vessels in Navy shipyards.

The Senator has been scrupulously accurate in his description of the situation.

I should like to ask him if it is the intention of the distinguished Senator from New York to pursue this subject any further than this interesting colloquy?

Mr. KEATING. No; it is not the intention of the Senator from New York to press the point of order.

Mr. KUCHEL. I thank the Senator.

PRIVATE SHIPYARDS AND NAVAL SHIP REPAIRS

Mr. McINTYRE. Mr. President, I regret that section 539 appears in the bill. That section has been eagerly sought by the private shipbuilding interests of this country to guarantee them 35 percent of conversion, alteration, and repair work required on naval vessels. This requirement is not in the best interests of the private shipyards or our national system of naval shipyards or the sound administration of the Department of Defense.

THE DECLINE OF AMERICAN SHIPBUILDING

Section 539 is bad medicine for the ills of our domestic shipbuilding industry. No matter how good its intentions, they are the sort that pave the road to oblivion. It is anticompetitive in effect, guaranteeing the commercial yards that no matter how slipshod their work, Government will continue to send work to them. Its impact upon quality control, overall competitiveness, and the alertness of management is easy to foresee.

Our shipyards are already woefully far from the competitive strength which the realities of international trade require. The United States, which once built ships for the world, now sends its shipping in foreign vessels and buys its merchant ships from overseas. In a time of acute concern for our international balance of payments this is an intolerable situation. The Congress must not permit this industry to degenerate into an even more flabby condition by spoonfeeding it a fattening guaranteed subsidy diet of naval repairs.

NAVAL SHIPYARDS AND NATIONAL READINESS REQUIREMENTS

A moment's reflection will confirm my belief that seapower was a critical element in resolving the Cuban confrontation last October and in exerting the influence of the United States in southeast Asia. These actions required maximum flexibility and readiness. It is therefore astonishing to me that we should come so close to overlooking the critical role of the naval shipyards in maintaining the readiness the times so urgently require. When work is not in fact urgent, or the close tolerances and exacting specifications of the naval shipyard establishment need not be met, or when the stability of a work force is not important, then let us turn to the commercial yards by all means. The naval shipyards are integrated into the system of command and stand in readiness to meet the exceptional demands of modern defense. These are vital ingredients of the national security which should not be sacrificed to keep any domestic commercial interest happy.

ADMINISTRATIVE FLEXIBILITY IN THE DEPARTMENT OF DEFENSE

At the end of the Second World War, the private yards received about 10 percent of naval repair and conversion work. During the Eisenhower years that figure was raised to 25 percent without any statutory requirement. Last year, with what I consider to be lamentable shortsightedness, the private shipbuilding interests secured a 35-percent level. This figure was not set in response to an assessment of defense needs but reflects instead some judgment as to what the commercial shipyards require in order to stay solvent. That seems to me to bypass the authority of the Defense Department and the Secretary of the Navy. In the event of a serious labor stoppage, for example, work simply could not be assigned to the commercial yards. I can see no useful purpose in so severely circumscribing the authority of the Secretary of Defense and the Secretary of the Navy. Consequently, Mr. President, I wish to record my opposition to section 539.

Mr. RUSSELL. Mr. President, if we have exhausted the debate on this item, I shall proceed to the third language change made by the committee.

Mr. COOPER. Mr. President, I do not wish to delay the Senator, but may I ask him two or three questions?

Mr. RUSSELL. I am glad to yield to the Senator from Kentucky.

Mr. COOPER. Today the Senate gave advice and consent to the nuclear test ban treaty. The Senator from Georgia well knows, because he attended all the hearings, that the Joint Chiefs of Staff gave approval to the treaty, but placed certain conditions on their approval. Among the conditions were: that research and development facilities be maintained; that adequate funds be provided for underground testing; and that nuclear capabilities be maintained and expanded.

Mr. RUSSELL. Most important, that the effort be undertaken to perfect detection devices. That is one area in which we are proceeding at the present time.

Mr. COOPER. I assume funds are made available in the bill for the Atomic Energy Commission to fulfill a part of these requirements. Does the pending bill contain funds sufficient to carry out the operations in accordance with the conditions set forth by the Joint Chiefs of Staff?

Mr. RUSSELL. I could not state categorically that funds are available in the bill in amounts that were regarded by the Joint Chiefs of Staff as being completely adequate for all these purposes; but the bill provides substantial amounts for each of such purposes.

Funds are provided for the nuclear detection program and the satellite program. Two items have been referred to, for which funds are provided in the bill.

Funds are included for the Defender antimissile systems and the Nike-X, which is called Sprint by some of the agencies of the Department of Defense.

Of course, we have it.

Mr. COOPER. Is it the one which was discussed in closed session?

Mr. RUSSELL. That is correct. I could not say categorically that there is provision of an amount equal to the one the Joint Chiefs of Staff said they would need; but there is a provision for a substantial sum with which to pursue the completion and perfection of the four safeguards that the Joint Chiefs have laid down. Funds for the operation of laboratories carried in the Atomic Energy Commission appropriation.

Mr. COOPER. I am sure the Senator has expressed his position many times; but it would help if we were assured that these funds would be provided.

Mr. RUSSELL. If any responsible person in the Department of Defense or any responsible scientist could show where any additional funds can be profitably expended in the pursuance of any one of these four safeguards, which I regard as essential to our security, in view of the military implications of the treaty, I would not wait on a budget estimate, but I would undertake, in connection with the first supplemental appropriation bill that came along, to make a fight for them—regardless of whether we would win it.

Mr. SALTONSTALL. Mr. President, will the Senator yield for an observation?

Mr. RUSSELL. I am glad to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I hope it will be of assistance.

Mr. RUSSELL. I am sure it will be.

Mr. SALTONSTALL. I would say that, according to my memory, not 1 cent was cut from any of the space or atomic energy program items. There was a cut in research funds—which we carried through, because the Secretary of Defense stated he could get along with it, and that he would do his best to get along with the amount we gave him for research.

I am advised that the Executive has submitted a supplemental estimate for funds with which to maintain these preparations for testing, so there would not be unwarranted delay in the tests if resumption became necessary.

Mr. COOPER. As I understand, the House voted to appropriate $1,932,228,000 less than the budget estimate; the Senate committee voted $1,642,830,000. Does the Senator from Georgia consider this, then, an actual continuing cut in the estimates, or a postponement which will have to be made up later, in the supplemental bill?

Mr. RUSSELL. Complete frankness requires that I inform the Senator from Kentucky that $247 million was provided by the House by transfers in lieu of appropriations. The Senate committee restored these funds to the working capital accounts which may provide an austere budget in military personnel.

The distinguished Senator from Massachusetts has pointed out to me that last year we spent $467 million for the support of military housing. The appropriation for the fiscal year 1963 includes that figure; but it really is not a saving, because we shall have before us a military construction bill, and it will include funds with which to construct military housing. So, in good conscience, I cannot claim that this is actually economy, in the form of reducing spending, because, in addition, there are other programs, including civil defense, on which such items will be brought forward. But this does not relate to committee action on the budget estimates.

Mr. COOPER. I realize that; and the Senator is always very frank in making the explanations. But as regards the items in this appropriation bill, would the Senator say they do constitute a reduction in amounts of the budget estimates insofar as these particular items are concerned?

Mr. RUSSELL. Yes, indeed; the bill constitutes a reduction in the amounts of the budget estimates.

Mr. COOPER. In the amount stated.

Mr. RUSSELL. Yes, a total reduction of $1,642 million.

Mr. COOPER. Yes. This does not mean, of course, that there will be any actual reduction in the spending this year, does it?

Mr. RUSSELL. I would think there will be some reduction in spending this year, but I do not believe it would be very substantial.

Mr. COOPER. It would not approximate the amount of this cut, would it?

Mr. RUSSELL. Oh, no; indeed not. In this age of revolution in weaponry, where something new is developed almost every day, and sometimes are withheld pending tests or some other evaluation of a particular weapon, there is a tremendous carryover of funds; and this cut would not bring about that much of a reduction in the actual spending—even though I could not give the Senator the exact figures. But I am sure there will not be that much reduction in the actual expenditures this year.

Mr. COOPER. I know the Senator has explained these items or will do so. I find that the major increases voted by the Senate committee are in five items: In the procurement of aircraft and missiles, Navy—$51,400,000; in the procurement of equipment and missiles, Army—$3,900,000; in aircraft procurement, Air Force—$66,175,000; under title IV, in research, development, test, and evaluation, Army—$28 million; and in those functions for the Air Force—$67,230,000.

Five items which chiefly carry the burden of the increases voted by the Senate committee over the House allowances.

Mr. RUSSELL. Yes; and I can explain any of them in detail. Generally speaking, I undertook to state the procurement items. For example, in discussing the Army procurement, I said that the aircraft inventory includes 6,300 aircraft, and that the funds recommended in this bill will procure approximately 1,600 additional aircraft. I undertook to do likewise for the Air Force and the Navy. There were two or three smaller procurement items which I did not discuss in detail.

Mr. COOPER. In considering research, development, test, and evaluation—first, as carried on by the Army; and, second, as carried on by the Air Force—can the Senator state at least generally, if not in detail, for what purposes the increases were voted?

Mr. RUSSELL. The increase over the amounts voted by the House?

Mr. COOPER. Yes.

Mr. RUSSELL. As I said, there is $5 million for the Army's Lance missile system; and we restored $23 million of the House reduction of $59 million in research and development for the Advent communications satellite program, which is a matter of primary importance; and in the case of the Air Force, $60 million of Air Force fund was for the mobile medium-range ballistic missile, which we have discussed at some length on the floor.

Mr. COOPER. I thank the Senator from Georgia very much. I do think it is very appropriate when he says this bill, and other bills, if necessary, will provide the funds that the Joint Chiefs of Staff and others have said will be required in the event of ratification of the nuclear test ban treaty on which the Senate gave its advice and consent.

Mr. RUSSELL. I can assure the distinguished Senator from Kentucky that insofar as it lies within my power, there will be no reduction whatever in any funds that are necessary to carry out all the safeguards under the treaty. In fact, I believe if we do press for them as vigorously as we should, they will cost us a substantial sum of money. But now that we have entered into this treaty—and I hope my vote against it was completely wrong, and will prove to be the most monumental mistake of my career—we must be more diligent than ever in preparing to make our tests, because our testing is now frozen, and we cannot resume testing until we have a clear, definite, and unimpeachable record of testing on the part of one of the signatories to the treaty.

Mr. COOPER. I thank the Senator very much.

Mr. JAVITS. Mr. President, will the Senator yield for another question on the National Guard?

Mr. RUSSELL. I yield.

Mr. JAVITS. I call to the Senator's attention page 5, line 18, of the bill. I note that the committee has stricken out the words "maintain an average," which is the language in the previous law with relation to the strength of 400,000 for the National Guard, and inserted "and attain an end strength."

Mr. RUSSELL. Yes.

Mr. JAVITS. That language raises a question. Of course, I know that none of the Guard units is now up to that strength. They are far from it. Nonetheless, there is a question which they are asking us as to whether the words "attain an end strength" mean that the 400,000 figure is a continuing ceiling throughout the fiscal year, or whether it means that at the end of the fiscal year 1964 they must have no more than an end strength of 400,000. The difference is in the dynamics in which these questions operate. They may be overstrengthened temporarily in the course of a year. They may be understrengthened. The question is whether the test applies throughout the fiscal year or whether the words of art—"attain an end strength"—which seem to me very clear mean that under the fiscal year they shall have attained a strength no greater than the ceiling.

Mr. RUSSELL. I consider the meaning of the language to be as the Senator from New York has construed it.

I do not think that they will be able to attain that end strength. With the Senate language in the act this year, the Guard and the Reserves were not inhibited in their activities in the slightest degree by it. As the Senator has said, they are now far below that level. They are somewhat farther from the goal than they would have been had not the Guard units been called up and completed their term of service during the Berlin and Cuban emergencies. To be frank with the Senator, I believe the question is moot, because I do not believe they will be able to attain even the end strength of 300,000 for the Reserves and 400,000 for the Guard.

Mr. JAVITS. I believe the planning officials in the office of the Adjutant General are deeply concerned. The Senator has answered the question clearly and adequately. I thank the Senator.

Mr. RUSSELL. The third language change recommended by the committee pertains to the payment of indirect costs in connection with research grants to nonprofit and educational institutions.

That is a question that has been before the Congress for a considerable period of time. The Department of Defense Appropriation Act, in 1963, contained a provision which provided that the indirect costs of these grants could not exceed 20 percent of the direct costs. The budget for 1964 has not included that provision.

The President's budget recommended the deletion of the provision in its entirety. However, the House bill provides for a limitation of 25 percent on such costs. It was the view of the committee that the experience during fiscal year 1963 clearly indicates that a limitation of 20 percent on these indirect costs is reasonable, and the committee recommends that the House proviso—section 538—be amended to restore the language in the current act. The committee's recommendations on the item were not unanimous, but were thoroughly discussed and considered in both the subcommittee and the full committee. I point out to the Members of this body that it would still be necessary to go to conference with the other body on the bill.

REDUCTIONS MADE

Speaking generally about the funds provided in the bill, I know that there are those in this body who would wish to reduce the appropriations further. There were some in the committee who wished to do so. Speaking for myself, if we could do so safely, I would like to reduce those funds substantially.

I know that in appropriations of this magnitude there is always the question as to whether still greater reductions can be accomplished.

In view of the definite testimony of Secretary McNamara that he had already deducted from the requests of the Department approximately $12 to $13 billion, and the fact that the bill is below the budget, I do not believe that we can safely further cut the bill. I know that we all want to provide an adequate national defense.

I personally do not believe that a further cut is in the best interest of our country. We all want to provide an adequate national defense. We all want to eliminate unnecessary expenditures. In the judgment of the majority of the committee—and we have given this much thought—any further general reductions might well impair the efficiency of our military machine, might well cut into the muscle of our fighting forces, our production of needed ships, missiles, and aircraft, and, most important of all, might curtail or prevent the development and perfection of new weapons.

As I have indicated previously, substantial reductions have been made.

In military personnel, the committee has reduced the total by $384.5 million.

In maintenance and operation, which is admittedly a tight area, the total has been reduced by a little over $51 million.

In procurement, a reduction of over $929 million has been made.

In research, development, test and evaluation, a reduction of almost $278 million has been accomplished.

The bill is about $978 million under last year's appropriation, although as I stated a few moments ago, a large part of that amount, $467 million, is in the area of military family housing, which will be considered at a later date.

These are not the only reductions which have been made. During the course of our investigations, I asked the Department of Defense to furnish a tabulation as to what action the Secretary of Defense and the Bureau of the Budget had taken on the requests made by the military departments. The tabulation, which appears in our hearings, indicates that the President's budget reduced the service requests by about $12,750 million.

Before it was reduced, the budget was most austere. The reductions have augmented that austerity.

Officials of the Department of Defense have frequently repeated that this is an austere budget. We have augmented this austerity by a considerable amount. As a matter of fact, in some areas, the Department of Defense has indicated that additional funds may be required in order to maintain our military strength, which the committee has insisted not be reduced.

The members of the committee have for months been engaged in searching scrutiny of the bill, seeking other possible soft spots where reductions might be made. In my opinion, if there are any soft spots, remaining in the bill, I do not know where they are.

Mr. PROXMIRE. Mr. President, will the Senator yield on that last point?

Mr. RUSSELL. I yield.

Mr. PROXMIRE. I wish to stress and underline what the Senator has been saying. Last year this same defense appropriation bill was roughly $49 billion. Is that correct?

Mr. RUSSELL. Almost that.

Mr. PROXMIRE. This year, even if an additional $467 million is included for military housing—and even if $900 million is added for the increased military pay—which, of course, would not necessarily increase military defense by that much—the result will still show this appropriation bill at least $200 million or $300 million under the same appropriation of last year. Is that not correct?

Mr. RUSSELL. I think that is almost correct, probably around $100 million. An appropriation for the $900 million will be necessary in a subsequent bill to provide for the pay increases for the military personnel. I do not agree with the Senator that it will not add to defense. It will add greatly to defense because it is an inducement to our trained and more efficient people to remain in the military service.

Mr. PROXMIRE. The Senator is undoubtedly correct. In the long run it may not result in a large increase in cost, because of a smaller turnover.

The President of the United States said that defense, space, and interest on the national debt were the only three areas of the budget in which there would be an increase in spending; yet in this major defense appropriation—this certainly is the major defense appropriation—the figure is lower than the appropriation for 1963; is that not correct?

Mr. RUSSELL. A lesser appropriation?

Mr. PROXMIRE. Below the appropriations for 1963.

Mr. RUSSELL. Yes.

Mr. PROXMIRF. As I have said, this is the major appropriation bill.

Mr. RUSSELL. It is as large as all the others.

Mr. PROXMIRE. We are spending less, not more, in the defense area.

Mr. RUSSELL. And that is being done despite the fact that there have been constant increases in costs of one kind and another. The blue collar workers have been awarded substantial increases. The wage boards have allowed increased labor costs. Of course, this was justified by a comparison with wages in private industry. There has been a constant increase in cost in respect to practically every item of procurement, in addition to compensation of personnel, both civilian and military.

Mr. PROXMIRE. Is it not also true that with the exception of an increase—and the amount is very small, about $6 million, for the National Guard, perhaps for the first time in a long time, the Appropriations Committee has been at or below the administration request for all the scores of items with respect to which the administration made requests?

Mr. RUSSELL. The only items in the bill which are above the budget total $6.7 million for the National Guard. This is to permit the National Guard to carry on its training program with the Regular Army, and to maintain the number of technicians essential to the training of the Guard and the maintenance of the Guard equipment; and $1 million for repair parts for equipment that was handed down by the regular establishments "as is." It is absolutely necessary to have some spare parts to put that equipment in a workable condition.

Those items, three in number, aggregate $6.7 million. They represent the only items in the entire bill as to which the committee exceeded budget estimates.

Mr. PROXMIRE. The budget was made up on the basis of the Secretary of Defense having reduced the requests of the Army, Navy, and Air Force by $12½ billion. Then Congress reduced the remaining request, in the authorization process, by another $1 billion. There has been a further reduction in the bill, both by the House and by the Senate committees in the present appropriations process. Although the Armed Forces asked for some $63 to $65 billion, the budget is substantially below the $49 billion appropriations for last year.

The Senator from Georgia deserves much credit for his part in this operation, both in respect to the authorization process and the appropriations process. We have a far stronger defense this year than ever before. It is because the Secretary of Defense and the Congress, led by the Senator from Georgia, have done a superb job of keeping costs down.

Mr. RUSSELL. I thank the Senator from Wisconsin. It has caused me great concern for several years to be unable to locate more items in the bill which the Congress could eliminate.

This certainly is a tribute to Secretary McNamara. In the past 2 years it has become more and more difficult to find any items in the bill which could be cut without impairing the safety of the country. The Secretary has given Congress an exceedingly tight budget.

In the authorization bill we reduced the items for research by 3 percent. That does not sound like much, when dealing with billions of dollars. I had a very interesting conference with the Secretary on that subject. He pointed out the difficulties he would encounter in absorbing the 3-percent cut as to research items. He finally agreed to undertake it. He had me nearly talked out of it. The bill had not been passed at the time. Finally he said that he was willing to undertake it; and he did.

The Secretary has shown himself to be a careful man with a dollar. It is becoming more and more difficult each year to find items we can safely dispense with while still maintaining the security of the United States.

I thank the Senator for his observation.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. ELLENDER. A while ago I rose to do what my good friend from Wisconsin has done, namely, to highly compliment my good friend from Georgia for the manner in which he conducts not only consideration of the bill before the Senate, but also the hearings in the committee. The Senator gave everyone ample opportunity to present his views, and I believe that an excellent piece of work was done.

I realize that Secretary McNamara has rendered conspicuous service in reducing the amounts in the bill, as compared to last year; yet the bill does not contain five items which will have to be considered later by the Congress. The first is the item of $900 million for increased military pay. There is an item for military construction, $1,232 million. The item for family housing, which has not been considered, will amount to $734,400,000. The item for civil defense will amount to $300 million. For military assistance the request is $1,480 million.

If we should add these amounts to the figures included in the bill, the total amount for our defense at home and abroad would be somewhat more than $52 billion.

I realize that it is rather difficult, in connection with a bill as large as this one, to select any particular category in which to effect reductions. When the committee was in session considering the bill I made an effort to further reduce funds for research and development. It is my judgment—I may be in error—that we are spending entirely too much money in this field.

In 1953 the Defense Department spent $2.8 billion in research. Today it spends $9.2 billion. The amount spent for all other research in 1953 by all other agencies in the Federal Government was $269 million. Today that amount has gone up to $5.8 billion. Today for all research—including military, space and everything else—we are spending nearly $15 billion a year. It seems to me that expenditure of such a huge amount lends itself to waste because the human resources needed to handle such a vast amount of research are simply not available. Because of a lack of proper coordination, there is doubtless much duplication.

I recommended that since overall reduction in research and development could very well be 5 percent instead of the 3-percent cut the committees enacted. My good friend from Georgia, with his usual eloquence, convinced the committee that I was mistaken. He had the great advantage over me, in that he had spoken to Mr. McNamara and Mr. McNamara had said that he considered the 3-percent cut at one time to be excessive but, after discussion with the Senator from Georgia, he felt he could do a fair job even if the appropriation were reduced by 3 percent.

I still contend that there are sufficient reasons for a 5-percent reduction. I believe that savings can be achieved by the elimination of these programs having a very low priority. I also believe that programs which offer only marginal benefits could be curtailed as could the closing of unproductive and duplicative facilities.

I express the hope that Mr. McNamara will continue to study these research programs in the future so that some day we will see some real savings to the American taxpayer in these expensive programs.

I invite the attention of Senators to the long list of research projects that are being considered by the Defense Department. The Defense Department alone is spending, of this $50 billion, a little over $7 billion in research. NASA is spending almost $3 billion in research.

I feel confident that there is much duplication. As I noted when the Appropriations Committee was considering this bill, much of this money is being spent to maintain and sustain colleges all over the country. There is a large expansion program in that field.

As was brought out, and as the record will show, a regent from Princeton University admitted that, except for the fact that that great university received money from the Federal Government for research, not only to pay teachers and to do research for the Government, but to construct buildings and to maintain the school generally, Princeton University could not operate on its own. The same thing holds true for many other universities. This, to my mind, is a misuse of research funds. The Congress never intended that this program would end up as a modified aid to education program.

What I do not like too well about the research program is that most of the money is contracted. It is farmed out. Little effort is made to have researchers in our own Government departments do the work.

I express the hope that Mr. McNamara will look further into the huge expenditures for research and development and, in his wisdom, be able to prune some of the expenses and spend much less than what has been provided.

Mr. RUSSELL. Mr. President, I shall now resume my statement and I shall decline to yield until I have concluded the statement.

I do not wish to discuss at length the point the distinguished Senator from Louisiana has raised. I do not think there is any doubt about the fact that private contracts have been awarded for research and development. Some of these contracts have been in force for 7, 8, or 9 years. They are not new contracts. We have spent immense sums under those contracts.

The Senator did not raise the question he raised in committee, that we could cut these programs still further, because private industry would undertake to do some of the research.

I pointed out that we cannot expect private enterprise to spend large sums of money researching for the Polaris submarine, or building a new tank, or methods of delivering an atomic bomb, because there is only one purchaser for an article of that kind, and that is the Defense Department.

While there is bound to be some waste in any program involving this amount of expenditure, Mr. McNamara has made a good start. He will never be able to eliminate the last dime of waste, but I think he has made a good start and is undertaking to make the Department economy conscious, which is the most important step forward he could take.

These research sums are large, but, in my opinion, they are essential to the maintenance not only of our national security, but of world peace. If we do not keep our research program going and have the most modern weapons, better in quality and larger in number than those of any potential enemy, the world will be engulfed in a global war.

While there has been some waste in research funds, and undoubtedly will be in the future, they involve items that private enterprise will not touch. We could not expect any company in this country, however large it may be, to build electronic equipment to detect missiles which might come into this country, because the only possible purchaser is the Department of Defense.

I understand a motion by other Senators will be made later to further reduce the research item, and I will not address myself to this matter now. I want to bring my address to a conclusion.

"OVERKILL" THEORY

In a related vein, we have heard a great deal recently about the so-called "overkill" theory. Statements from the Department of Defense indicate that this is based on erroneous assumptions. Our hearings contain a full explanation of the fallacious concepts from which this stems. During the committee hearings, I queried the Chairman of the Joint Chiefs of Staff about this "overkill" theory. General Taylor first discussed at length the criteria used to establish our strategic requirements and then stated:

> I sincerely hope that considerations of this question of so-called "overkill," important as it is, will not be allowed to affect this particular budget. I can assure you that the Secretary of Defense has required the military authorities in the Pentagon to justify every strategic weapon supported by this budget and that he has looked with a critical eye at the application of the factors which I mentioned above. There is not a strategic weapon in this budget which does not have the unanimous support of the Joint Chiefs of Staff.

What General Taylor has said about the concurrence of the Joint Chiefs of Staff applies equally to the civilian heads of the Department of Defense.

I assume that, in the years to come, there may be a leveling off of our missile production, but regardless of this, we must not let down our defensive guard by considering reductions which are founded on erroneous basic premises.

Mr. President, the United States asks nothing of the world but peace and friendship. Our people are the most peace-loving of the earth. But circumstances have demanded that we build and maintain the greatest and by far the most expensive military force the world has ever known. This is not a force for conquest. It is designed to maintain world peace. If war must come, we seek to have the means to assure that we will be able to maintain our freedoms.

During the long hearings on the test ban treaty which the Senate has just ratified this morning, witness after witness warned against an unjustified spirit of optimism as to the future designs of Soviet Russia. We must heed these warnings. We must combat any spirit of euphoria and negligence, and resolve anew every morning to depend upon the only sure protection—and that is our own military strength—to enable us to enjoy the American way of life and maintain our freedoms.

Under our system, the price of freedom in the way of military organization will remain high for the foreseeable future. But the things that we seek to insure are never found at the bargain counter and our civilization is without price, and I have never doubted that our people are willing to pay a very high annual premium on an insurance policy on which they can rely for their security.

Only we—the United States of America—have the strength, the power, and the resources to stem and throw back the tide of global subversion.

If we let down our guard, if we weaken these defenses, the complex series of arrangements and treaties with other lands will fall apart and we shall certainly have war. The next war which is general in nature will proliferate into a global war.

I submit that in the long run it is the true policy of economy to maintain a strong enough force to deter aggression.

I cannot conclude without thanking the members of the committee, who assisted so earnestly and capably in the conduct of the hearings, for the help that they have provided in the formulation of the bill that is before the Senate. I believe the bill is sound, particularly in its two primary objectives: to provide an adequate defense for our country in the year 1964, and to prepare a base for an even stronger military posture in the years ahead.

Mr. SALTONSTALL. Mr. President, as the acting minority member on the Defense Appropriations Subcommittee, I commend the Senator from Georgia, as I have done many times in the past, for the thought, care, and fairness with which he presented this very substantial bill.

Mr. RUSSELL. I thank the Senator. However, I can assure him and the Senate that I rely very heavily upon the Senator from Massachusetts. He is as much responsible for the makeup of the bill as any other Member of the Senate.

Mr. SALTONSTALL. I very much appreciate what the Senator has said. I have respect for the Senator, and I work with him. Together we solve many problems.

At the outset I should like to offer my congratulations to the senior Senator from Georgia who as chairman of our subcommittee handling the defense appropriation for fiscal year 1964 has done an outstanding job. I think the measure he has presented is an excellent bill which I believe adequately covers our national defense needs for this fiscal year. There is only one area where I differ with our chairman and I will go into that later in my remarks and will point out where I believe a further reduction can safely be made in this measure.

Although the totals of this bill compare favorably with the defense appropriation for 1963 there are several points which should be recognized. The 1963 measure carried $467 million for military housing which is not included in this bill. The House made a reduction affecting the personnel funds in the net amount of $247 million, and it is very likely that some part of this amount will have to be made up in a supplemental appropriation. There is pending in the Congress the military pay bill which we hope will soon be passed and this will cost an estimated $900 million for the balance of this fiscal year. These funds will have to be included in a supplemental bill.

In these remarks I have covered the major features of title I of the bill, except an item of $2.5 million for the National Guard. This will permit the National Guard to send officers to training schools. The National Guard has made a very convincing case of their need to send men who are trained in State officers candidate schools to the various specialized schools to round out their training.

Turning now to "Operation and maintenance, title II," the Senate bill is $62.6 million over the House bill, and is $51.2 million over the budget estimate. Substantial restorations were made here by the Senate committee and these dealt mainly with the maintenance of noncombat vehicles of the Army and the Air Force. The maintenance of these so-called motor pool vehicles was cut sharply by the House on the basis of a GAO report which highlighted efficiencies in the Navy and corresponding deficiencies in the other two services. It is the opinion of the committee that the cut made by the House was too deep and hence a 50-percent restoration was made. The House made large "unspecified reductions" and in these one-half of the cut was restored for the Army and the Navy. In the case of the Air Force the $24 million of the $32.3 million reclama was included. Money for the Army field exercises, for Navy missile rework, for Navy logistic support, totaling $5.5 million was voted by our committee; $3.2 million was added for the National Guard for hiring technicians and $1 million for repair parts which the National Guard requires.

Before speaking of procurement let me touch on title IV which provides funds for research development engineering and test. We are $37.328 million under the 1963 level and $277.7 million under the budget estimate. We have made restorations which put us $95.23 million over the House bill. We included $60 million for the mid-mobile-range ballistic missile—MMRBM. We were persuaded by the testimony of General Taylor, who spoke eloquently of the need for the funds to continue with phase 2 of this project. Also, in separate letters to Senator RUSSELL and Senator HAYDEN, Secretary McNamara stated that he had evaluated this project and felt that the money was needed and would be spent for this missile development. There was one other large item which I feel should be commented on at this time. Much testimony has been taken relative to the need for a defense communications satellite. The House report stated a preference for one of the two types being considered. Dr. Brown and his military and scientific advisers testified on this matter and their testimony did not bear out the House conclusion. I feel that the $23 million which we have included should be used in the most efficient way to give this Nation the best military communications possible in the years ahead.

In considering title II, the procurement account of this bill, I should first point out areas where we have restored money cut out by the House action. For example, we restored 50 percent of $17 million requested by the Department of Defense as an allowance for overages for labor and material costs in the shipbuilding program. It will be recalled that in the past, up to several years ago when the shipbuilding program ran into difficulty over increased material and labor costs, the Navy sought additional appropriations to pay these contract costs. Now the Department is setting aside a fund out of which these can be paid as they arise. The committee restored $3.9 million for the purchase of training helicopters for the Army which are considerably cheaper than the combat-type helicopters now used in training. Also, the committee restored one-half of the Department's reclama for the Intruder—EA-6A—an electronic equipped plane, badly needed by the Marines for reconnaissance purposes. Also, the Navy's reclama for $11.7 million for jet trainers and $10.2 million for navigational trainers was allowed. The committee voted $25 million for the C-141 aircraft, and a like amount for the the RF-4C Phantom aircraft, and also an allowance of $16.175 million was voted for the HC-130E, an air rescue plane to be utilized by the Air Force for air-sea rescue, as well as in support of the NASA Apollo project.

The House bill contained an item of $20.5 million for the construction of a roll-on roll-off cargo vessel. The Army has been vitally interested in such a vessel for some time and, as a matter of fact, has been conducting this summer competitive tests to determine the efficiency of such a vessel when compared with those available in the modern merchant marine. Since the results of these tests will not be available for some time, it was decided that this vessel could be deferred pending the outcome of the tests.

The work on the defense budget is commenced about 18 months before Congress acts on the defense budget. Of course there are many changes in programs during this time. These changes are taken care of by reprograming of defense funds. In fiscal 1963 there were 148 requests, totaling $5.4 billion. Eight of the largest requests for reprograming in 1963 totaled $2.2 billion, and each of these was greater than the reduction I suggest. Where so much money is ultimately reprogramed from the original budget, it seems possible to cut approximately $157 million from procurement. It is safe to say that reprograming actions for fiscal 1964 funds will follow much the same pattern as in 1963. If we take to conference this reduction, our total action will still be $132 million over the House bill, and can be considered in conference along with the additions and deletions our committee has made.

I now call up the amendment I introduced yesterday which is designed to reduce this bill by approximately $157 million. The net effect of my amendment is to defer expenditure for certain items for another year. Such deferment of items may take place in any event during the year through reprograming actions. The services may have certain projects delayed in favor of others of a higher priority. This amendment has the effect of deferring 1 percent of the items in the procurement account. I believe this is a wise course and in calling up my amendment I earnestly seek the support of all my colleagues.

Mr. President, I should like to highlight a few items in the appropriation, as I see them.

Although the appropriation bill as now submitted is less than the budget estimates, it must be remembered that the reduction of $247 million is a reduction in salaries, and much of it may have to be put back; at least a part of it may have to be put back.

The housing item was contained in last year's bill, but is not in this year's bill. Last year housing amounted to $467.3 million. I understand that the bill this year, which will come to us from the House, will contain an item of more than $700 million. That is for housing and maintenance, and is a separate item.

The military pay bill will be considered in conference tomorrow. That will require approximately $900 million more to be added to the defense appropriation bill. The amounts for housing and maintenance of $700 million, and $247 million for personnel, will have to be added ultimately.

In addition, there is an amount of $2.5 million for the National Guard, for training schools. That is above the amount recommended by the House. A substantial amount, approximately $900 million, will have to be added when the pay increase bill becomes law.

Under "Operations and maintenance," the second account, the principal reductions were in two categories. The maintenance of noncombat vehicles is an item which we felt the House had cut too deeply. We restored half of the amount. We also restored about half of the "Unspecified reductions" of the House throughout "Operations and maintenance."

We also restored a small amount for Army field exercises; and for the National Guard, $3.2 million for technicians, and $1 million for repair parts.

The Senator from Georgia and the Senator from Louisiana have discussed research and development. We cut it substantially, by 3 percent, from the amount the Defense Department had asked for. Mr. McNamara said he hoped he would be able to operate with this amount.

We added one amount, to which the Senator from Wisconsin has already referred. It is $60 million for the MMRBM, the midmobile range ballistic missile program. This was done at the request of General Taylor, Chairman of the Joint Chiefs of Staff, and was agreed to by Mr. McNamara.

Under procurement, there has been a restoration of 3 types. The committee recommended restoration for naval aircraft totaling $51.4 million over the House allowance. Some additional funds were also recommended for the Air Force; $25 million for the C-141 aircraft, and $25 million for the RF-4C aircraft, and also $16.17 million for an air rescue plane to be used in NASA operations.

These are the substantial items which have been increased in the procurement account.

Mr. President, I wish to call up an amendment at this time. It is at the desk. The amendment would reduce the procurement account by 1 percent. I offer the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 21, between lines 7 and 8, insert the following:

> Each amount appropriated in this title is hereby reduced by 1 per centum.

Mr. SALTONSTALL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALTONSTALL. Mr. President, on my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SALTONSTALL. Mr. President, the amendment I have just offered provides for a reduction of 1 percent in each of the procurement items for the Army, Navy, Air Force, and Marine Corps.

As found on page 35 of the committee report, the total in the budget for "Procurement" was $16,724,800,000. That amount was later reduced by $314,300,000. The House made additional reductions of $744,028,000.

The Senate then restored $128,975,000, making the total amount of the appropriation $15,795,447,000.

In this year, when the budget is so substantial and there are so many items of procurement, I believe there is an opportunity to save at least 1 percent of the huge amount of $15,795,447,000.

Two years ago, in the 1962 budget, the House reduced the overall appropriations for procurement by 2 percent.

I should like to call this fact to the attention of the Senate: The budget is prepared by the Department of Defense approximately 18 months before it is submitted to and acted upon by Congress. Consequently, during that period of time there are many changes and requests for reprograming. For example, in fiscal year 1963 there were 148 requests for reprograming, amounting to $5.4 billion. In other words, the Department of Defense found it necessary to change the original budget estimates for procurement by $5.4 billion in 148 different items.

Of these 148 items, about half were for procurement reprograming. Eight of the largest requests for reprograming in the 1963 budget amounted to $2.2 billion; and each of these was greater than the reduction, I suggest, at the present time. This 1-percent reduction in $15,700 million will be approximately $157 million.

The Senator from Georgia, in presenting the bill today, stated that the Senate committee voted to reduce this procurement item of $15,795 million by $31 million, so, pursuant to the committee's action, the Senate has voted to make a reduction of $31 million. It seems to me that this $157 million reduction is, comparatively, a very small percentage reduction—although large in terms of dollars—when we consider the overall amount. I wish to emphasize, in presenting the amendment, that the military departments have to make up their budgets early; and, as a consequence, subsequently they must make many changes. In the fiscal year 1963 they made changes amounting to $5.4 billion. Certainly $157 million is a very small amount when compared to that total.

This year, with the new weapons coming into the inventory, there certainly will be a number of requests for reprograming, as in the fiscal year 1963.

In order to present a realistic appropriation bill this year, in as small an amount as we can, I hope this amendment will be accepted.

I agree with the Senator from Georgia that Secretary of Defense McNamara is doing a very able and efficient job in making certain that the money we appropriate is more efficiently spent I have every hope that a reduction of 1 percent in this procurement item, in addition to the 1-percent cut voted by the House, will make for even greater efficiency.

The bill as reported by the Senate Appropriations Committee called for $289 million more than the House version did. The distinguished Senator from Georgia has cut that back by $31 million, so that the overall appropriations voted by the Senate committee now stands at $258 million more than the amounts the House voted. If we now cut out $157 million, by means of this amendment, we shall have provided approximately $101 million more than the amount the House voted.

In working out the differences in conference, this amendment, which reduces the amount the House voted, will give our conferees "something to go on." The Defense Department will still have enough money with which to carry on in the current year. This amount will be sufficient to keep up our defenses, do all the research that is required, and take care of all four of the safeguards the Joint Chiefs set forth in their unanimous statement with relation to the nuclear test ban treaty.

Mr. President, I hope this amendment will be adopted.

Mr. RUSSELL. Mr. President, I regret very much that the distinguished Senator from Massachusetts, who is my collaborator on the Appropriations Committee, has seen fit to offer this amendment. He is a very experienced legislator, and he knows how to dress up his amendment in very appealing guise.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield.

Mr. SALTONSTALL. Will the Senator permit me to say that this was the only difference we had; and we agree to have a difference on this item.

Mr. RUSSELL. We did, on the insistence of the Senator from Massachusetts; yes.

Mr. President, we are dealing now with military hardware and with modern equipment—with the purchase of tanks; the purchase of the new type rifles to be issued to the Army; the purchase of the Pershing missiles, to be used tactically; the purchase of the Minuteman missiles and the Polaris missiles; and the purchase of ships, submarines, and the actual weapons that will be in the hands of our troops. Those are what we are dealing with in this item.

Mr. President, we have already reduced this item $82,363,000 below the 1963 appropriation. Including the item taken out when the bill was presented, we have reduced it $961,053,000 below the budget estimate for 1964. So, in dealing with the vital matter of military hardware, our appropriation is practically $1 billion below appropriation for the current year and the very tight budget submitted by the Department of Defense.

I understand how alluring it is to say, "Oh, this is just 1 percent, just 1 percent. A 1-percent cut is a very minor one, and it can be absorbed." It does sound almost infinitesimal when dealing in terms of percentages. But the House has already voted to reduce this item by 1 percent; and, in addition, we have reduced it by approximately $800 million. So when Senators consider this "1-percent" amendment, they should realize that in addition to the reduction of $161,053,000 under the budget, this amendment would make a further reduction of $157,637,000.

Therefore, Senators should not be deceived by this 1-percent amendment. It would amount to an additional reduction of $157,637,000 in the funds for the procurement of military hardware. I do not believe that should be done at this time.

Many references are made to "euphoria." I do not want the distinguished Senator from Massachusetts to be overcome by "euphoria" before the Russians have even ratified the nuclear test ban treaty.

Mr. SALTONSTALL. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I am glad to yield.

Mr. SALTONSTALL. It seems to me that the references to the word "euphoria" came entirely from the Senator's side of the aisle.

Mr. RUSSELL. Perhaps so; but it is a disease which all the witnesses who testified for the test ban treaty regarded as highly dangerous—as almost a communicable disease. All of them testified, "Watch out for euphoria."

So when the Senator seeks to have this reduction superimposed on those already made in the funds for the purchase of military hardware, I can but advise him what he, at least, can do—which is to consult his judgment and his conscience, and decide just how much he has been taken in by "euphoria."

This is a tight budget, Mr. President. The committee considered it very carefully. In the committee, the distinguished Senator from Massachusetts made a valiant and very effective fight in behalf of his amendment. He is very effective everywhere, but particularly so in this committee. However, the committee, although it was seeking to find items in which to vote reductions, voted down his proposal.

So, Mr. President, as I have said, Senators should not be deceived by the "1 percent" argument. The Senator from Massachusetts proposes that we vote, in addition to the $1 billion cut in the funds for military hardware, a $157 million cut. I do not believe he can justify it, because the cost of these items is increasing, not going down. Therefore, this budget will not buy anywhere near all the types and quantities of arms and armaments originally contemplated to be purchased, which must be procured; and if this amendment were enacted into law, it would be necessary to project still further into the future the modernization of our forces that will be absolutely vital, if we are thrown into a conventional war—and, Mr. President, heaven knows we hope that if we are thrown into one, it will be a conventional one. Yet this amendment would additionally impair and reduce our defense capabilities, in terms of the procurement of Minuteman missiles and the other items vital to our defense in the event of a nuclear war. So I hope the amendment will be rejected.

Mr. SALTONSTALL. I believe this amendment, which proposes a $157 million cut in the $15,700 million total, can well be taken into conference, where I hope it can be worked out satisfactorily. I believe this is a proper amendment, and I hope the Senate will adopt it.

Mr. RUSSELL. Mr. President, I insist that this amendment would result in a further cut of approximately $157 million in this $15,700 million appropriation, in addition to the reduction already made.

Mr. McNAMARA. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. McNAMARA. Do I correctly understand that the amendment now proposed by the Senator from Massachusetts was considered by the committee and was rejected by it?

Mr. RUSSELL. Yes; it was considered at length in the committee, and was rejected.

The PRESIDING OFFICER (Mr. MCINTYRE in the chair). The question is on agreeing to the amendment of the Senator from Massachusetts. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SMATHERS. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Florida [Mr. HOLLAND], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Washington [Mr. JACKSON], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Oregon [Mr. MORSE], the Senator from Wisconsin [Mr. NELSON], and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

I also announce that the Senator from California [Mr. ENGLE] is absent because of illness.

On this vote, the Senator from Wisconsin [Mr. NELSON] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Wisconsin would vote "nay" and the Senator from Nebraska would vote "yea."

On this vote, the Senator from Missouri [Mr. SYMINGTON] is paired with the Senator from Oregon [Mr. MORSE]. If present and voting, the Senator from Missouri would vote "nay," and the Senator from Oregon would vote "yea."

On this vote, the Senator from Florida [Mr. HOLLAND] is paired with the Senator from Wyoming [Mr. MCGEE]. If present and voting, the Senator from Florida would vote "nay," and the Senator from Wyoming would vote "yea."

I further announce that, if present and voting, the Senator from California [Mr. ENGLE], the Senator from Washington [Mr. JACKSON], and the Senator from Massachusetts [Mr. KENNEDY] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. HRUSKA] is absent on official business.

On this vote, the Senator from Nebraska [Mr. HRUSKA] is paired with the Senator from Wisconsin [Mr. NELSON]. If present and voting, the Senator from Nebraska would vote "yea," and the Senator from Wisconsin would vote "nay."

The result was announced—yeas 43, nays 45, as follows:

[No. 169 Leg.]

YEAS—43

Aiken
Allott
Beall
Bennett
Boggs
Burdick
Byrd, Va.
Cannon
Carlson
Church
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Ellender
Goldwater
Hickenlooper
Javits
Jordan, Idaho
Keating
Lausche
McClellan
McGovern
Mechem
Metcalf
Miller
Morton
Mundt
Pearson
Pell
Prouty
Proxmire
Randolph
Saltonstall
Scott
Simpson
Smith
Tower
Williams, Del.
Yarborough
Young, Ohio

NAYS—45

Anderson
Bartlett
Bayh
Bible
Brewster
Byrd, W. Va.
Case
Dodd
Eastland
Edmondson
Ervin
Fong
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hill
Inouye
Johnston
Jordan, N.C.
Kuchel
Long, Mo.
Long, La.
Magnuson
Mansfield
McIntyre
McNamara
Monroney
Moss
Muskie
Neuberger
Pastore
Ribicoff
Robertson
Russell
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Walters
Williams, N.J.
Young, N. Dak.

NOT VOTING—12

Clark
Engle
Holland
Hruska
Humphrey
Jackson
Kennedy
McCarthy
McGee
Morse
Nelson
Symington

So Mr. SALTONSTALL's amendment was rejected.

Mr. SMATHERS. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. RUSSELL. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. McGOVERN. Mr. President, on behalf of the Senator from West Virginia [Mr. RANDOLPH], the Senator from Oregon [Mr. MORSE], and the Senator from Wisconsin [Mr. NELSON], I call up my amendment, which is at the desk.

Mr. PROXMIRE. Mr. President, will the Senator yield to me, so that I may ask for a yea and nay vote on my amendment?

Mr. McGOVERN. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, my amendment will be called up after action on the amendment of the Senator from South Dakota. My amendment would cut back the allowance for the mobile medium-range missile to the House allowance. I ask for the yeas and nays on that amendment.

The PRESIDING OFFICER. The Senator will have to ask unanimous consent, because the amendment is not pending.

The amendment of the Senator from South Dakota, offered for himself and other Senators, will be stated.

The LEGISLATIVE CLERK. On page 44, between lines 3 and 4, it is proposed to insert a new section, as follows:

SEC. 541. (a) Each appropriation made in titles III and IV of this Act is hereby reduced by 10 per centum.

(b) In order to provide for the most effective use of appropriations reduced by this section, the head of each department for which such appropriations are made is hereby authorized to make adjustments and transfers between such appropriations within his department; but no such appropriation shall be increased under authority of this section to an amount in excess of the amount of such appropriation prior to its reduction pursuant to this section.

On page 44, line 4, strike out "Sec. 541" and insert in lieu thereof "Sec. 542".

Mr. PROXMIRE. Mr. President, will the Senator yield briefly?

Mr. McGOVERN. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, a few minutes ago I asked for the yeas and nays on my amendment, which will come before the Senate after action on the amendment of the Senator from South Dakota. It was out of order to make that request. At the suggestion of the acting majority leader, I ask unanimous consent that I may ask for the yeas and nays on my amendment, even though it has not been called up, so Senators will be on notice that there will be a yea and nay vote following action on the pending amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Is there a sufficient second?

Mr. RUSSELL. Mr. President, may I inquire what the request was? I shall have to reserve the right to object until I know what is going on.

Mr. SMATHERS. Mr. President, if I may reply to the question of the Senator from Georgia, the Senator from Wisconsin asked that the yeas and nays be ordered on his amendment.

Mr. RUSSELL. The yeas and nays cannot be ordered on an amendment when it is not pending.

Mr. SMATHERS. The Senator from Wisconsin asked unanimous consent.

Mr. RUSSELL. I am strongly in favor of the distinguished Senator from Wisconsin having the yeas and nays ordered on his amendment. I shall assist him in every way I possibly can. But I think it is somewhat irregular to have the yeas and nays ordered when an amendment is not pending. He can ask for the yeas and nays after his amendment has been offered. I shall be glad to assist the Senator in every way I can to get the yeas and nays ordered. This is irregular, and I interpose an objection.

Mr. PROXMIRE. I withdraw my request, Mr. President.

The PRESIDING OFFICER. The unanimous-consent request for the yeas and nays had been made and granted. Is there a sufficient second?

Mr. SMATHERS. Mr. President, the Senator from Wisconsin has asked to withdraw his request for the yeas and nays.

The PRESIDING OFFICER. Without objection the request is withdrawn.

Mr. SMATHERS. I think all Senators should be on notice that an amendment will be offered by the Senator from Wisconsin at the conclusion of the disposition of the amendment of the Senator from South Dakota, and that the Senator from Wisconsin will then ask for the yeas and nays.

Mr. RUSSELL. Mr. President, I hope the Senator from Wisconsin will obtain an order for the yeas and nays.

Mr. McGOVERN. Mr. President, the amendment which I have offered, on behalf of myself and Senators RANDOLPH, MORSE, and NELSON, would have the effect of reducing by 10 percent the procurement items covered by title 3 of the bill and the research and development items covered by title 4 of the bill. In view of the experience on the last yea-and-nay vote, which dealt with the amendment offered by the Senator from Massachusetts, to reduce the procurement section of the bill by 1 percent, perhaps the only theory on which I can offer this 10-percent proposal is under the old biblical doctrine that sometimes we strain at a gnat and swallow a camel.

AMERICAN SECURITY IN A CHANGING WORLD: A PROPOSAL TO REVERSE THE ARMS RACE

Mr. President, writing in the New Yorker magazine in 1956, the late James Thurber related the following fable:

> One morning the tiger woke up in the jungle and told his mate that he was king of beasts.
>
> "Leo, the lion, is king of beasts," replied his mate.
>
> "We need a change," said the tiger. "The creatures are crying for a change. * * * I'll be king of beasts by the time the moon rises. It will be a yellow moon with black stripes, in my honor."
>
> The tiger prowled through the jungle till he came to the lion's den. "Come out," he roared, "and greet the king of beasts."
>
> "I am the king of beasts," roared Leo, and he charged out of the den to defend his crown against the pretender.
>
> It was a terrible fight, and it lasted until the setting of the sun. All the animals of the jungle joined in, some taking the side of the tiger and others the side of the lion. Every creature from the aardvark to the zebra took part in the struggle to overthrow the lion or to repulse the tiger, and some did not know which they were fighting for, and some fought for both, and some fought whoever was nearest, and some fought for the sake of fighting.
>
> "What are we fighting for?" someone asked the aardvark.
>
> "The old order," said the aardvark.
>
> "What are we dying for?" someone asked the zebra.
>
> "The new order," said the zebra.
>
> When the moon rose, fevered and gibbous, it shone upon a jungle in which nothing stirred except a macaw and a cockatoo, screaming in horror. All the beasts were dead except the tiger, and his days were numbered and his time was ticking away. He was monarch of all he surveyed, but it didn't seem to mean anything.
>
> Moral: You can't very well be king of beasts if there aren't any.

Thurber's fable is broadly applicable to our human condition. The point at which the parallel is least exact is that the animal kingdom has not yet found the secret of total destruction, whereas man has mastered this knowledge and achieved the means of applying it on a global scale.

Thanks to the oppressive political policies of the European dictators which caused the world's greatest scientists to seek freedom in the United States during the 1930's, we were the first Nation to discover and use an atomic weapon. Since that day at Hiroshima 18 years ago there has never been any real doubt about man's capacity for universal destruction.

For several years we held an atomic monopoly. There are no lasting secrets in the world of science, however, and presently the Soviet Union tested an atomic device. Since then, she has proceeded to build and explode the world's biggest hydrogen bomb. No one doubts the capacity of many other nations to join the nuclear club in the next few years.

We do not know the exact size of the nuclear stockpiles in the opposing camps of today. The most painstaking assessments run from the equivalent of 40 to 60 billion tons of TNT. This means that there is potentially a 10- or 20-ton bomb ticking at the head of every boy and girl, of every man and woman on the face of the earth.

Our most trusted scientists and military authorities have no doubt that either the United States or the Soviet Union can destroy the other several times over.

Both President Kennedy and Secretary McNamara have publicly warned that no matter who strikes first, a 60-minute nuclear exchange between Russia and America would leave over half the people dead in both countries. Chairman Khrushchev added in a warning note to Peking that the resulting misery and despair would cause "the survivors to envy the dead."

Is there any one of us in this Senate chamber who can really contemplate the prospect of survival in the midst of 300 million corpses—with the cathedrals, the museums, the art galleries, the libraries, the universities—all of these depositories of mankind's dreams and achievements of thousands of years reduced to radioactive dust in a few moments of madness.

We have learned to live in the shadow of extinction primarily because we believe that no nation would dare use its nuclear arsenal lest it bring on its own destruction.

In one of his colorful phrases, Winston Churchill described the situation after the first Soviet atomic explosion in 1949 as: "Peace through mutual terror." As Churchill put it, "safety will become the sturdy child of terror; and survival the twin brother of annihilation."

Churchill's eloquent phrasing was distinctive, but his theory was not. On March 27, 1880, Dr. J. H. McLean, a St. Louis industrialist demonstrated his breech-loading, repeating cannon to a group of reporters. Naming his invention "the Annihilator," Dr. McLean asserted:

> The art of war will be no more in a few years. Terrible perfection shall make wars impossible. I have an invention which will perfect warfare, the perfection being to prevent war by making it terrible.

The repeating cannon did indeed make wars terrible, but not so terrible as to prevent two world conflicts and a dozen lesser ones.

Prior to Dr. McLean's "Annihilator," Alfred Nobel, the European munitions manufacturer longed "to turn out a substance or a machine of such horrible capacity for mass annihilation that thereby wars would become altogether impossible."

Nobel thought he had achieved his goal in 1864 when he developed dynamite, but 7 years later the new dynamite bombs were hurled into the Franco-Prussian war with no apparent contribution to the cause of world peace.

There is nothing in the historical record to assure us that awesome weapons of death can safeguard the peace. Admittedly, atomic weapons have introduced an unprecedented dimension to warfare, but as William H. Honan has pointed out:

> Mankind settled for itself the question of whether or not to use this weapon 18 years ago at Hiroshima when the user, it should be remembered, was not backed against a wall, but was within sight of victory. Nuclear weapons, like all of their predecessors, will have their day. The only question is: When next?

Mr. President, I believe for various reasons that the United States has a unique responsibility to lead the world back from the nuclear abyss to make certain that nuclear weapons do not "have their day."

In a speech to the Senate on August 2, entitled "New Perspectives on American Security," I called for a reconsideration of some of the basic postulates on which our present security and defense policies rest.

Recognizing the overwhelming difficulty of adequately appraising the enormous investment in our national security system, I nevertheless suggested four tentative convictions as follows:

First. The United States now has a stockpile of nuclear weapons in excess of any conceivable need.

Second. Bringing the arms race under control involves risks less dangerous than the proliferation of nuclear warheads and the acceleration of the arms race.

Third. Present levels of military spending and military foreign aid are distorting our economy, wasting our human resources, and restricting our leadership in the world.

Fourth. Diverting some of our present and proposed military spending to constructive investments both at home and abroad will produce a stronger and more effective America, improve the quality of our lives, and strengthen the foundations of peace.

Today, we have before us the military appropriations bill for the current fiscal year. When the remaining military items not included in this bill are acted on in the near future, we will have passed judgment on a total military budget well in excess of $50 billion.

We are considering in this one bill today half the entire budget of the U.S. Government. It represents 10 percent of the gross national product of the American people. It is five and a half times as large as the entire budget of the U.S. Government in 1940. It is equal to the combined total of all the Federal budgets during the New Deal period from 1933 until 1940.

I am not talking solely about the military budget, but the total cost of operating the U.S. Government during that 7-year period.

When one adds to our military budget the annual interest on the war debt and the cost of the veterans' programs—and none of us regrets this recognition of our veterans—and other defense related programs, he learns that 80 percent of our Federal budget is attributable to war or the fear of war.

We have a most serious responsibility to weigh this budget carefully—to make certain that it is adequate but not excessive to our military needs—to evaluate whether all of the funds, resources and manpower which it diverts from other urgent national needs is justified—to discern whether this enormous investment of our lives and treasure is properly oriented to meet the challenges of a constantly changing world.

We owe the Nation a full-scale public discussion and debate on this largest of all appropriations bills to come before the Congress. Some months ago we engaged in hours of intensive debate on the question of whether we could afford to spend a $100 million for a youth conservation training program. A few weeks ago we debated at great length and engaged in a series of closely fought rollcalls to decide whether or not we should provide the same protection for American workers that we give to imported Mexican braceros. We debated intensely both in the House and in the Senate the question of providing less than $200 million to meet the mental health needs of the Nation.

Yet, in recent years, enormous expenditures for armaments have slipped through almost without raising a question on the Senate floor.

This practice, as I said a moment ago, was described by the Bible centuries ago as "straining at a gnat and swallowing a camel."

Mr. President, I earlier proposed to the Senate that we reduce our arms budget by $5 billion—a $1 billion cut in the Atomic Energy Commission weapons acquisition budget and a $4 billion reduction of the Defense Department's military budget. I am all the more certain today that this $5 billion savings in arms spending is justified—that far from weakening us, it will give new vigor and health to the Nation.

I wish to make it clear that I am not basing this recommendation today, nor did I base the recommendation of August 2, on the nuclear test ban treaty. It is a fine thing that the treaty was approved. That does not explain the position which I take on the matter of arms spending. The cuts I am recommending would make us a stronger country and a better people to meet the total Communist challenge than would moving ahead on the budget in its present form.

I believe that the cut ought to be made now and not postponed at the expense of such other desirable goals as the education of our children and the development of our rural and urban life.

Five billion dollars will not buy very many aircraft carriers or supersonic bombers or nuclear submarines, but it would build a $1 million school in every one of the Nation's 3,000 counties, plus 500 hospitals costing $1 million apiece, plus college scholarships worth $5,000 each to 100,000 students, and still permit a tax reduction of a billion dollars. Or turning our attention abroad, just one-tenth of that saving would finance our entire commitment to the Alliance for Progress this year.

The Senate committee, under the able direction of the Senator from Georgia, has already cut more than one and a half billion dollars from the administration's proposed defense budget, as I read the committee report. As I have indicated, another $1 billion can and should be cut from the AEC weapons program when the budget is presented to us. An additional half a billion can and should be cut from the $1.5 billion foreign military aid budget when that bill is under consideration. This leaves a balance of $2 billion to complete the $5 billion total reduction which I suggested on August 2.

On behalf of myself and Senators RANDOLPH, MORSE, and NELSON I have offered an amendment to make a 10 percent cut in the procurement and the research and development portions of the bill pending. This would result in a reduction of approximately $1.5 billion in the procurement of weapons and approximately $700 million in research and development. More exactly a 10-percent cut would mean a reduction of $1,579,544,700 in the committee's recommended $15,795,447,000 for procurement and a reduction of $698,423,000 in the committee recommendation of $6,984,230,000 for research and development.

Mr. President, I believe this modest reduction is justified first of all because our country already has sufficient nuclear power to deter or retaliate against any likely enemy action. Also, in the last 2 years, we have greatly strengthened our conventional war capability. Indeed, a major portion of the $10 billion increase in military spending over the last Eisenhower budget has gone into conventional warfare capability and special forces.

Nearly 2 years ago, Secretary McNamara expressed the conviction that we had more than enough nuclear weapons to destroy the enemy even after absorbing a first strike. Mr. McNamara's judgment was supported by one of our noted nuclear authorities who published a book at that time which concluded that the U.S. nuclear arsenal was then one and a half million times as powerful as the bomb which incinerated Hiroshima.

Since then we have poured additional billions into our strategic retaliatory system and into our overall military system.

I realize that our growing number of military theorists have devised an endless number of alternative strategies designed to justify this vast "overkill" capacity. But if nuclear war should come, there would be no time to debate these finely spun theories that call for so much excessive retaliatory power.

Senator RUSSELL said, on April 11, 1962, in commenting on the growing number of nuclear strategies and refinements, including the "no cities" doctrine:

> I have no hesitancy in saying * * * that to me these extrapolations, or projections, or hypotheses are exceedingly unrealistic. In my opinion, if nuclear war begins, it would be a war of extermination.

Mr. President, there is no convincing refutation to the words of the Senator from Georgia.

The Nation does not need a special nuclear system to cover the strategy of every theorist employed at the Pentagon. We do need the capacity to deter an attack which means enough to destroy the enemy after absorbing a first strike. We have been well beyond that capability for at least 2 years, as the Defense Department would readily agree.

Yet, the bill now before us calls for additional billions to add new force and refinements to our retaliatory power. A significant portion of the procurement expense in this proposed appropriation is for more missiles. A heavy part of the proposed research and development is aimed at new styles of nuclear devices—medium range mobile missiles, tactical nuclear artillery, and a bewildering array of sophisticated, highly expensive modifications.

Over half a billion dollars is included in this bill for battlefield tactical nuclear devices. We already have 10,000 nuclear weapons in Europe which is enough to insure the death of the Continent if war should come. Actually, these weapons are a threat to our security rather than a safeguard. Their presence in Europe almost guarantees that any conflict which develops there would escalate into a nuclear exchange between Russia and ourselves. As they proliferate, we increase the risk that one of them may one day set off a conflagration that could destroy Western society. Adding hundreds of millions of dollars to this tactical nuclear weapons force is literally courting disaster—and wasting an enormous volume of tax dollars.

But, Mr. President, the weight of argument today as in my August 2 statement—and I stress this point—does not center on competing weapons systems. Rather, I am pleading for an overall reduction in military spending on the grounds that we already possess sufficient power to deter the enemy and meet our other military needs.

Let no one suggest that if my amendment to cut $2 billion-plus from this bill is approved that it will threaten our security. We will still have with the inclusion of the AEC weapons program and other military items to be considered subsequently a total arms budget of $50 billion. That is hardly a blueprint for pacifism. We will still have the world's mightiest bomber force—some 700 B-52's and B-58's and several hundred B-47's.

We have already provided funds for more than 1,000 intercontinental ballistic missiles and 35 Polaris submarines carrying some 560 missiles.

Any single one of these several thousand nuclear delivery systems is capable of unleashing more explosive power than all the explosives of World War II combined, from friend and foe alike.

Any single bomb or warhead in the fantastic stockpiles that we have been building for 18 years would make the Hiroshima bomb look like a child's toy.

Mr. President, the hard-bitten realists in the Kremlin know that if they were to attack the United States, their country would be utterly destroyed. There can be no doubt about that. Knowing this grim fact, they have not, according to our best information, attempted to outstrip the United States either in bombers in the late 1950's or in missiles in the 1960's. At least, if they have attempted it, they have fallen far short of the mark. Indeed, the Russians have only a fraction of the airpower and missile strength of the United States. Every indication is that they are modifying and replacing rather than greatly increasing their nuclear delivery systems.

I sometimes wonder if our military theorists may be running a race with each other rather than with the Russians.

Several years ago, I saw a cartoon in the Saturday Evening Post which illustrated this point. I do not mean this in any disrespect. It depicted an American general looking out the window at a rising missile and saying to an aide: "Thank God. It's a Russian launch. I thought for a moment the Navy had beaten us."

Mr. President, if we are building up a larger weapons system than we need for military security, that is reason enough to justify the modest cut I have proposed. But there is a second reason: Our excessive military spending is leading to the neglect of other vital sources of national strength. In other words, even if we were to admit that everything in the military appropriation bill is desirable, we would have to balance the desirable features against other urgent national needs that go unmet because of our commitment to the military budget.

This great Nation cannot continue to invest well over half of its budget in arms spending and still meet its mounting needs for education, job training for young people, health, urban improvement, transportation, conservation, and agriculture—to say nothing of such considerations as fiscal integrity, debt reduction, and tax relief.

It is sometimes argued that military spending is a good stimulant for the economy. This is a half-truth; actually, arms spending is the poorest of all methods for building a healthy economy. The dollars invested in a bomb provide only a narrowly restricted employment opportunity and create a device which is an end in itself; whereas, dollars invested in school construction, for example, provide a broad employment impact and a continuing impact on our society in terms of better educated citizens.

The flow of manpower, material and money into arms production actually depresses many vital sectors of our economy and society.

For example, the nearly $7 billion designated in the bill before us for research and development is a critical allocation of the Nation's basic production resource—that is, our engineering and scientific manpower. This manpower is limited. During the last years we have been using from two-thirds to three-quarters of these precious skills for military purposes. There are important reasons for asking whether the continuation of this use of our technical talent is the best way to serve the security interests of the United States.

Some months ago, former President Eisenhower authored an article published in the Saturday Evening Post. In the article, he discussed the problem I am now considering. I should like to read several sentences from that important article. Former President Eisenhower said:

> For a moment let's think of national security and its costs. A key point to keep in mind is this: No matter how much we spend for arms, there is no safety in arms alone. Our security is the total product of our economic, intellectual, moral, and military strengths.
>
> AN EASY WAY TO BANKRUPTCY
>
> Let me elaborate on this great truth. It happens that defense is a field in which I have had varied experience over a lifetime, and if I have learned anything, it is that there is no way in which a country can satisfy the craving for absolute security—but it easily can bankrupt itself, morally and economically, in attempting to reach that illusory goal through arms alone. The Military Establishment, not productive of itself, necessarily must feed on the energy, productivity, and brainpower of the country, and if it takes too much, our total strength declines.

He added:

> So how does one judge the limits of defense needs? That is the task of the statesman: to apply the rule of reason in judging what is clearly adequate but not excessive. The foibles and specialized viewpoints of human nature must be balanced off. For example, when I was President, it was not unusual for the Joint Chiefs of Staff to agree that the total defense budget was adequate—but later individual members would come to me to argue that the share of their respective service should be increased at the expense of the others.
>
> The defense budget I left behind provided amply for our security at that time. Even though there have been costly developments in weapons since then, it does not seem that the spectacular increase of $10 billion in new obligational authority in 2 years, as is now requested, has been proved necessary. We already have the nuclear deterrent, the most valuable single element in our defense posture and one which, of course, must be kept up to date. One truth we should keep in mind at all times is that the other fellow, your potential enemy, doesn't want to be killed any more than you do. As long as he knows we are maintaining the power to destroy him if he dares attack us, as long as we keep our Nation fiercely proud, not only of its military strength but of its way of life, then we have the best possible defense in this imperfect world. Patriotism is as important as all the guns we can build.

Massive use of engineering and scientific manpower for defense has led to depletion of technical improvements in our civilian industry, and has weakened our competitive position. The concentration of technical manpower in arms research has drawn away superior men and women from other important functions such as the education of our children. These are grounds for suspecting that the continued application of massive technical manpower to military purposes has reached the point of diminishing returns.

Of an estimated 400,000 scientists and engineers engaged in research and development in this country, only 120,000, according to the Department of Commerce, are devoted to civilian activities. The Wall Street Journal of August 9, 1963, reported that "there is solid evidence that the shortage of scientific talent is slowing private research," and further, that:

> Top research men in industry reason this way: Frantic bidding, by space and military contractors, for scientists and engineers, is creating a big shortage for industry. This scarcity, along with the skyrocketing salaries it is provoking, is bringing almost to a halt the hitherto rapid growth of company-supported research. This development

> hampers efforts to develop new products and processes for the civilian economy.

The concentration of technical talent in the military sphere has been impairing the competitive position of American industry in relation to other major industrial countries. The Chamber of Commerce of the United States, in a statement before the Joint Ecomonic Committee of the Congress, pointed out that:

> In terms of the proportion of its available research and development talent devoted to industry and commerce, the U.S. effort is only half of that of West Germany. This is a potential cause of lagging employment and deterrent to increasing productivity. * * * Should not national policies recognize the national importance of a sound and prosperous national economy as weighted against the prestige value of space exploration or "overkill" in military defense?

Evidence of industrial depletion is found at critical points in our manufacturing industry, notably, machinery production. The United States, long a world leader in the design and production of basic metalworking machine tools, is now in a declining position in this basic industry. The United States now has the distinction of operating the oldest stock of metalworking machinery of any major industrial country. Once first in quantity in the world, our machine-tool production now ranks fourth or fifth. Our capacity to compete in international trade and our balance-of-payments position are seriously weakened by this neglect of our civilian industry.

The depletion of education for our young people is one of the heavy prices we are paying for draining off our competent young men and women into military technical work. A mechanical engineer with 10 years' experience earns $11,500 a year, on the average, in the aerospace industries. In civilian work, his counterpart earns $9,300. The teachers in our schools average about half the salary of these industry technicians. As a result, even in our prosperous metropolitan suburbs, thousands of teachers employed in the public schools are unable to meet reasonable teaching standards. The use of substandard teachers means substandard education. Thereby, we are shortchanging our young people and, indeed, our entire society.

Mr. President, not only are we starving certain essential sources of national strength because of our heavy military spending; we are also neglecting important aspects of the international challenge.

The real contest with international communism cannot be won in the military arena. Indeed, the true "no win" policy, about which we hear so much, is one that depends too heavily on armaments. If we ever have to use our nuclear weapons, it will mean that both we and the Soviets have lost the contest. There can be no victor in mutual annihilation.

The current dilemma in Vietnam is a clear demonstration of the limitations of military power. There in the jungles of Asia, our mighty nuclear arsenal—our $50 billion arms budget—even our costly new "special forces"—have proved powerless to cope with a ragged band of illiterate guerrillas fighting with homemade weapons or with weapons they have captured from us.

We cannot even persuade a government financed and armed by American taxpayers from tyrannizing its citizens and throwing insults at our President when he objects.

Although we have spent $3 billion on the Vietnam war, lost many American lives, and are continuing to spend approximately $2 million daily, the liberties of the Vietnamese people are not expanding. Instead, we find them harassed, not only by terrorists in the countryside, but also by official Government troops in the cities. We find our money and our arms used to suppress the very liberties we went in to defend in southeast Asia.

This is scarcely a policy of "victory"; it is not even a policy of "stalemate." It is a policy of moral debate and political defeat. It is a policy which demonstrates that our expenditures for more and more "special forces" are as useless and dangerous as our expenditures for more and more nuclear capability.

Mr. President, the failure of our Vietnam policy should be a signal for every Member of the Senate to reexamine the roots of that policy. Part of those roots is before us today in the excessive portion of the military appropriations bill; and we stand derelict before history if we fail to make the examination, for the failure in Vietnam will not remain confined to Vietnam. The trap we have fallen into there will haunt us in every corner of this revolutionary world, if we do not properly appraise its lessons.

I submit that America will exert a far greater impact for peace and freedom in Asia and elsewhere if we rely less on armaments and more on the economic, political, and moral sources of our strength.

We spend less on the entire Peace Corps than we do on a Polaris submarine. Yet, this band of idealistic American youth has demonstrated around the world the mighty power of a good idea, of willing hands and a warm heart.

As the former director of the Nation's food for peace program, I can testify to the enormous contribution which American agricultural abundance is making to peace and freedom. We live in a hungry world that is torn between the appeals of communism and the appeals of democracy. In that contest, our greatest material advantage is not our nuclear stockpile, but the amazing productivity of the American farmer.

Is there any doubt that Mr. Khrushchev would exchange any asset he has to secure America's food-producing capacity? Is there any doubt that if he had our agricultural surpluses, he would use them as economic and political instruments in the global contest of our time?

Hunger is the companion of communism; food is freedom's first line of defense. I think we need to continue to expand and improve our food-for-peace program so long as there is a hungry child crying for food anywhere on the face of the earth.

Tom Dooley went into the jungles of southeast Asia armed only with a medical kit, healing hands, and a dedicated spirit. He died in a few short years. But who can measure his contributions to dignity and freedom? What would be the American posture in southeast Asia today if instead of 15,000 specially trained soldiers, we had sent 15,000 Tom Dooleys.

Mr. President, as a former combat pilot, I know the need for a strong military force. But let us never sell short the power of the democratic ideal. Let us not underestimate the capacity of the American economy to engage in a growing commerce with the family of nations, when it is geared up for that purpose, rather than for war. Let us not overlook the mighty power of a nation that draws on deep sources of moral and spiritual strength, as indicated by former President Eisenhower's statement which I read a moment ago. Let us live more with faith, and less with fear.

Finally, Mr. President, I ask for support for this modest proposal to reduce the arms budget, because I think it may help to reverse the arms race.

The test ban treaty which we have just approved may prove to be an historic step away from war and toward peace. I do not base my proposed amendment on the treaty. It is justified by its own merit. But I do hope that, like the partial ban on nuclear explosions, it may take us another step away from the abyss—that it may induce a counter arms reduction by the Soviet Union.

We know there is now raging in the Communist world a contest between Mr. Khrushchev, who advocates coexistence with the West, and Mao Tse-tung, who scoffs at this "soft" line. It is to our advantage to encourage in every way we can the forces of moderation and reason in the Communist world. A cautious arms reduction might serve that purpose, and could open the way for a series of peaceful moves on both sides. Meanwhile, such carefully calculated moves could be safeguarded by the deterrent military power which we would continue to maintain at a reasonable level.

What I am suggesting here is that we employ in reverse order the same factors of action and reaction which feed an arms race. I was startled, a few months ago, when I read the testimony of Secretary McNamara, to see how graphically he revealed the nature of the arms race.

In explaining how we plan our budget and weapons systems to counter the Soviet threat, Mr. McNamara said:

> We are, in effect, attempting to anticipate production and deployment decisions which our opponents themselves may not yet have made.

We can assume, I believe, that—just as we try to counter the growing weapons budget of the Soviet Union—so do the Soviets try to evaluate and predict our next move.

An Englishman once remarked:

> We ought to build our navy up to double the size of theirs, if they build theirs up to

> the point they say they will if we build ours up.

That is the arms race in a nutshell. But it is far more dangerous today than it was in the 19th century world of the Englishman.

The nuclear arms race is a dead-end street. It creates a "balance of terror" which at best leaves us warped by fear, and at worse destroys us all.

It is possible that our country can take the lead in a cautious effort to move the world back step by step from the precipice of death?

Would Mr. Khrushchev respond to a systematic, step by step arms race in reverse?

I think that he might. And we are in a position to make our moves in that direction in the full knoweldge that we can still maintain a deterrent force fully adequate to any need.

Mr. President, I believe this amendment to reduce military appropriations is in the national interest. I think it will make us a stronger and healthier nation, better able to meet the total challenge of today's world.

I earnestly urge its adoption.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. McGOVERN. I am happy to yield to the Senator from Illinois.

Mr. DOUGLAS. I deeply regret that I shall not be able to vote for the amendment of the Senator from South Dakota, because I believe that unilateral action on our part has no surety of calling forth a similar reduction on the part of the Soviet Union; and, therefore, I believe that his amendment might endanger military security.

However, I do wish to pay tribute to the Senator for the way in which he has approached this problem, and for his motives in doing so. I also wish to express the hope that his purposes may be fulfilled by a multilateral reduction in armaments which would leave us relatively as strong as we now are.

Lest the motives of the Senator from South Dakota be misunderstood, I should like to call attention to some facts which he is always too modest to mention—namely, that the Senator has one of the most distinguished war records in the U.S. Air Force, that he flew, as I remember, something like 50 combat missions, and was awarded the Distinguished Flying Cross, and other decorations, for personal bravery. So that his motives, in this connection, cannot be questioned in the slightest.

I only wish the world were sufficiently far advanced so that we might, in good conscience, adopt his suggestion. It is truly terrible that the Soviet Union is so brutal and untrustworthy and does not respond to the outgoing acts of faith. I wish however to pay tribute to him, and to express my deep regret that at this moment I cannot support his amendment.

Mr. McGOVERN. I thank the Senator from Illinois for his generous and encouraging words.

With reference to his anxiety about the unilateral steps I proposed, I reiterate the point that I am not advocating dismantling the U.S. Defense Establishment. If my amendment is enacted, it will leave us, I believe with 1,000 intercontinental ballistic missiles, and with 35 Polaris submarines—each one carrying 16 tubes, any one of which can unleash upon the world more devastation than that caused by all the bombs dropped by both friend and foe in World War II; it will leave us with an increase of almost $10 billion in our funds for military procurement in the fiscal year 1964, as compared to the appropriation during the last year of the previous administration.

I certainly wish to point out, with reference to what the Senator said, that if the Soviets did not respond with a similar reduction matching what I would call a first step in our own efforts to move towards sanity, then, of course, we would profit from that lesson, and would take whatever steps we found necessary in order to protect our security; but we would in no way, as I see it, be putting ourselves in a vulnerable position, for even after agreeing to the rather modest reduction which I propose, we would retain a $50 billion arms budget.

Mr. PELL. Mr. President, I congratulate the Senator from South Dakota on the general thrust of his argument.

I find myself in agreement with the Senator from Illinois [Mr. DOUGLAS], in that my own inclination is to oppose this specific proposal, for the reason that it goes in the direction of unilaterally pulling down our guard. Furthermore, in considering an approach of this type, I believe a razor—or a more direct and more selective approach—is preferable to an ax.

However, the objective of the amendment is one with which I sympathize; and I look forward to the time when the Senator from South Dakota introduces his bill providing for the establishment of an economic conversion commission.

Mr. McGOVERN. I thank the Senator from Rhode Island for his remarks.

Mr. President, I do not intend to ask for a yea-and-nay vote on my amendment. I yield the floor.

Mr. RANDOLPH. Mr. President, I speak in support of the pending amendment. I recall that on August 2, 1963, the conscientious Senator from South Dakota [Mr. McGOVERN] delivered in this forum a meaningful and persuasive speech on the subject which is now incorporated in the amendment.

Earlier today the Senate approved the limited nuclear test ban treaty.

An overwhelming majority of Senators clearly indicated that many factors in addition to military considerations had to be weighed and evaluated in reaching the affirmative consensus on that historically important pact.

This is consistent, Mr. President, with the views several Senators expressed in the Senate on August 2, 1963, when the junior Senator from South Dakota [Mr. McGOVERN], ably discussed new perspectives on American security.

On that occasion, the Senator from South Dakota [Mr. McGOVERN] correctly stated:

> Present levels of military spending and military foreign aid are distorting our economy, wasting our human resources, and restricting our leadership in the world.

And he said with insight:

> Diverting some of our present and proposed military spending on constructive investments both at home and abroad will produce a stronger and more effective America, improve the quality of our lives, and strengthen the foundations of peace.

I remarked at that time that perhaps there is a difference in degree between the views of the Senator from South Dakota and the senior Senator from West Virginia on the extent and the nature of our investments abroad. But I said then, and I reiterate that I have no reservations about the need for diverting considerable present and proposed military spending to constructive investments here at home.

Mr. President, on several occasions since the August 2 discussions in this forum, I have spoken on this subject before numerous constituent groups in my home State. I am encouraged by the high degree of acceptance of my declaration that the security of our country rests on economic and political, as well as military competence. Many citizens have spoken and written their agreement with my further observation that unsurpassed military power in combination with areas of grave economic weakness is not the basis for a sound security policy because the net result can be domestic and international political weakness.

There is a need for us to resolutely face the fact that the population census of 1960 disclosed that 38 million Americans were living in poverty on incomes of $1,000 per year per family, or less. We must do something positive about this condition because it means that 20 to 25 percent of our citizens are without acceptable consumer buying power in this country; it means deficient education, insufficient skills, inadequate nutrition, substandard housing, and a serious drag on many communities and on the rate of national economic growth necessary to maintain national commitments at home and abroad.

This constitutes a wasting of human capabilities, and such a waste represents a depletion of the basic resource of our Nation. This spells insecurity at home and an unacceptable society for emulation abroad.

I believe, therefore, that excessive military spending is leading to the neglect of other vital sources of national strength and that the United States cannot further devote over half of its budget to arms expenditures and continue to meet its vital domestic needs not to mention here the factors of fiscal integrity, debt lessening, and tax reduction.

Not only must we reduce spending to stockpile nuclear warhead and other military capacity, but we must also begin capable planning for conversion to a peace economy even in this so-called period of peace. There is weakness in an arms procurement dominated economy. Surely the military-industrial complex does need to be brought into perspective sufficiently to remind us that we have sources of strength, of prestige, and of international leadership based on other than nuclear bombs. We have too many unmet public needs, and the giving of substance to these unfilled needs is certainly a laudable and logical alternative to budgeting and spending an excess of our resources on military capacity.

Believing thus, I am cosponsoring the amendment offered by the junior Senator from South Dakota [Mr. McGovern] to reduce by 10 percent the proposals in the pending bill for weapons procurement and for military research and development.

Our views are in accord that neither the judgment of the legislative committee nor the special competence of the Defense Department releases any Senator from his individual responsibility to follow his convictions on an issue as important as the appropriations bill which is the pending business.

Indeed, as the Senator from South Dakota [Mr. McGovern] has so accurately declared:

> The size of this proposed appropriation is so great that in approving or rejecting or modifying it, we are to a considerable degree determining the priorities of our national life.

We must achieve savings in military spending, and if we are to do so we must begin by reducing the appropriations proposals now before us. We must follow through with cuts in the Atomic Energy Commission weapons acquisition and subsidy appropriations requests. It is my view that there must be reductions in the money requests to come before us for the space program. And there must be further savings realized when we reach the business of appropriating for the foreign aid programs.

We can and we must save billions in these categories that drain off so much of our gross national product and require so much of our national income that we are unable to fulfill our obligations to our own people at home and to provide the economic foundation that makes all the rest possible.

A higher priority and a higher percentage of the budgeted dollar must be assigned to the requirements of our domestic programs, especially in the fields of education, health, job opportunities and job training, and public improvements, including continuation of the program of accelerating public works on a Federal-local matching basis.

Mr. President, I do not offer these recommendations in a state of euphoria—to use the term which has acquired such recent notice in this body—in the wake of the approval of the test ban treaty. I am under no illusions regarding the long pull that is before us in our contest with international communism. Indeed, it is precisely because of my awareness of the protracted nature of this contest that I join with other Senators in advocating realistic reductions which will not weaken the national defense.

Mr. RUSSELL. Mr. President, I am somewhat saddened by the two able addresses which have been delivered to the Senate this afternoon. It seems to me we have at least found the germ of confidence in unilateral disarmament, which can only bring this country to its destruction.

I wish we were able to reduce drastically the enormous expenditures we make each year for the purposes of national defense. I have seen a number of striking illustrations of what could be done with the money we spend in only 2 or 3 years on our Military Establishments. I have seen stories which have pointed out that we could give every American family a fine house in which to live, adequate space for the family, two-car garages, cars to go into the garages, and a system of education which would be without parallel in all the history of the human family. It would be a good life and make utopia sound like a dreary spot indeed.

I cannot accept that picture, beautiful and alluring as it is, because if we in this country were to make every man a king and every woman a queen, what would it profit us if the Communists overwhelmed us and took over and enslaved us? I assume the Communist conspiracy would prefer to enslave a generation of queens and kings rather than ordinary people.

The amendment evidently is predicated on the belief, which the Senator stated in a previous speech, that we can take $4 billion or $5 billion from the reasoned calculations of the military experts of this country and the civilian head of the Defense Department without seriously impairing our military strength. There is a thin margin of superiority between our Military Establishment and that of the Soviet Union, so far as we are informed. That thin edge has maintained world peace. That slight lead has prevented our being overwhelmed.

If we should take this much of the muscle from our Military Establishment we would still have a fair Military Establishment, as distinguished Senators say. We would have a strong Military Establishment, but we would be in the position of a man who has three kings and a pair of treys bucking three aces and a pair of deuces. Nobody has ever yet paid off on the second best poker hand.

The thing that keeps this country in business, that maintains world peace, has been the sure knowledge in the Kremlin—because they know about our Military Establishment, while we must do a good bit of guessing about theirs—that our Military Establishment is superior to theirs.

We asked the witnesses who appeared before the committee whether it would be safe to take this much money from the military budget. The distinguished Senator from South Dakota [Mr. McGovern] had made his speech. It attracted national, and indeed international, attention. There was not a single person connected with the Military Establishment who said that we could take this much money from our national military budget without cutting the muscle in our means of defending ourselves.

I do not wish to take up the Senate's time reading many pages from the testimony. I know it is popular these days to discount anything said by a military man. It is said, "He is wearing a uniform, and you had better watch him." If he wore a uniform yesterday, he is all right, but if he is in uniform today, somehow his remarks must not be accepted at full valuation.

I do not belong to that school of thought. I have the highest regard and admiration for the present Chairman of the Joint Chiefs of Staff. I did when he served under the Eisenhower administration. He has been returned by the present administration. I think the President of the United States was wise to select General Taylor to be Chairman of the Joint Chiefs of Staff.

I ask unanimous consent to have printed in the Record at this point the part of the statement by Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff, before the Subcommittee on Department of Defense Appropriations, beginning at the bottom of page 1620 under the title "Overkill" and going on through the questions and answers and statements of Assistant Secretary Gilpatric down to the second answer of Mr. Gilpatric on page 1626.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

STATEMENT OF GEN. MAXWELL D. TAYLOR, CHAIRMAN, JOINT CHIEFS OF STAFF—"OVERKILL"

At this point I would like to discuss briefly the subject of "Overkill" which has been mentioned by several Senators in the recent hearings on the nuclear test ban treaty.

I understand that term to mean the possible excessive nuclear strength represented by our current and future arsenal of nuclear weapons. This concern apparently is directed primarily at our strategic nuclear weapons which are viewed as having the ability to kill the enemy many times over—possibly too many times over.

This is the old question of "how much is enough" in military weaponry. It is a question which is always before the Secretary of Defense and the Joint Chiefs of Staff, who for some time have been endeavoring to establish yardsticks of sufficiency, not only for nuclear weapons but for all categories of our military forces.

DETERMINATION OF REQUIREMENTS

I would like to say a few words on this subject, indicating how the Joint Chiefs of Staff determine the requirements for strategic nuclear weapons and our views as to the existence of overkill (or the lack thereof) in our present and planned weapons stockpiles.

The requirement for strategic nuclear weapons lends itself quite well to reasonably precise analysis. The targets involved are all fixed targets with known physical characteristics which allow the mathematical computation of the damage effects necessary to accomplish the intended purpose of a given attack.

These targets fall generally into two categories: First, military targets such as missile sites, airfields, atomic storage sites, and related installations; and, second, urban industrial targets consisting of government control centers, warmaking industry, and population centers.

Having determined the targets which may require attack, it then becomes a matter of computing the number of weapons on targets necessary to accomplish the desired effect.

To arrive at the overall requirement, the number of weapons needed on target must then be increased to take into account the possible losses before launch due to enemy action, the weapons which did not get off because of mechanical or human failures, losses and aborts between launch point and target, and mechanical performance of the weapons in flight and at point of detonation.

SOURCES OF FACTORS IN DECISION

These factors are determined empirically from data derived from many sources. Their application results in a conisderably larger requirement for weapons than the number theoretically required on target to accomplish the desired damage effect.

Apart from the foregoing considerations, there are other factors which have an important bearing on ultimate requirements in strategic weapons. Probably the most important is the relation in time of the launch of our weapons to the arrival of the incoming weapons of the enemy. If we wait until some or all of the latter impact, obviously we will suffer heavy losses in weapons before we can launch our retaliatory forces.

On the other hand, it is never certain that we will not have some kind of warning which would permit us to strike at least some of the known enemy weapons before they could leave their launch areas. Also, it is not certain whether we would wish to launch all our weapons at one time or would prefer to use them with salvo effect, beginning perhaps on a limited selective basis to indicate to the enemy the consequences of further escalation.

WEAPONS OBSOLESCENCE

Still another important factor bearing on weapons requirements is that of obsolescene. Old weapons systems are continually losing their effectiveness and requiring replacement. It is always essential to have an adequate overlap of a new system coming in with the old one going out.

It is never possible for the old to come to a sudden end and the new to have a sudden beginning. This required overlap adds to the overall requirement in numbers of nuclear weapons. All of these possible variants affect the overall weapons requirement.

GENERAL WEAPONS REQUIREMENTS

Finally, there are the requirements in weapons due to the need to overhaul them, stock a supply system, and fill a pipeline from factory to point of use.

In past wars, the quantity of munitions procured and distributed to military and naval units worldwide has always necessarily exceeded many, many times the quantity consumed.

Nuclear munitions, while of a different order of effectiveness, are not immune to many of the factors which have affected munitions requirements in nonnuclear days. This statement is particularly true of the nuclear weapons of less than intercontinental range which must be deployed abroad to be in reach of their targets.

In assessing overkill, the problem is to take into account all of the foregoing factors and to arrive at some commonsense judgment as to what constitutes sufficiency.

FLEXIBILITY OF RESPONSE IN NUCLEAR STRATEGY

The Joint Chiefs of Staff have consistently felt that it is essential to have great flexibility of response built into our nuclear strategy and to preserve as many options as possible for the choice of our responsible leaders in time of crisis.

Certainly, it would be much simpler and would save some money in time of peace if we determined now a single target list which we would strike under conditions of retaliation.

This is the so-called second strike capability against cities, which appeals to some advocates of substantial reductions in our military spending.

The Joint Chiefs of Staff have considered this option and have thus far rejected it, feeling that it lacks the flexibility which we consider indispensable; that is, we have rejected it as the only strategy.

Personally, I would seriously question the rightness of restricting the choice of our President to this one dreadful alternative. Instead, we should endeavor to preserve for him a maximum number of options expressed in terms of variable target systems to strike under variable conditions of time and weight of effort.

I sincerely hope that considerations of this question of so-called overkill, important as it is, will not be allowed to affect this particular budget. I can assure you that the Secretary of Defense has required the military authorities in the Pentagon to justify every strategic weapon supported by this budget and that he has looked with a critical eye at the application of the factors which I mentioned above. There is not a strategic weapon in this budget which does not have the unanimous support of the Joint Chiefs of Staff.

In the foregoing discussion I have singled out for comment three items in the 1964 budget, the F-111 fighter program, the requirements for strategic mobility exercises, and the reduced research and development funds for the MMRBM. Also, I have given my views with regard to overkill in the strategic nuclear field and have expressed hope that the overall attitude of the committee toward the defense budget will not be influenced by any feeling that we have too many strategic weapons in our arsenal.

TEST BAN TREATY

I would like to close on a thought which arose several times during our recent discussion before Senate committees of the limited test ban treaty.

Regardless of how they felt about the long-haired word "euphoria"—and I know, Mr. Chairman, you commented on that word—many Senators and many of the witnesses were emphatic in expressing their determination to see to it that the ratification of the test ban treaty would not result in a false sense of security in the West.

There was general agreement that the United States should take no action which would encourage an overly optimistic reaction at home or abroad among our allies.

I submit that the Congress has its first opportunity to exhibit the resolution which we all have been expressing by passing this Defense appropriations bill essentially as recommended by the Secretary of Defense.

On the other hand, to reduce it would give comfort and encouragement to those people and nations who are all too easily convinced that an era of universal good will is at hand and that sacrifices for security are no longer necessary.

Thank you, Mr. Chairman.

DISCUSSION OF "OVERKILL"

Senator Russell. I was particularly interested in your discussion of the so-called overkill, because we have groups in this country who are concentrating on that, and they apparently are gaining adherents in the Congress, as well as among the general public.

I believe you state that one of the imponderables in determining with exactness the number of weapons which might be necessary is the impossibility of determining in advance how many of our weapons may be knocked out in the event of a surprise attack on this country.

General Taylor. That is a very important factor and, as you say, very hard to evaluate in specific numbers.

Senator Russell. So, unless we know exactly the efficiency and capability of the enemy, it would be impossible for us to compute mathematically how many reserve weapons we would need, because we would not know how many they would knock out and render useless.

General Taylor. Yes, sir. Unfortunately, we will never have that precise knowledge of the enemy to which you refer.

CHANGES IN NUCLEAR WAR CONCEPT

Senator Russell. In addition—and I do not believe you have dealt with this—there have been some changes in the whole concept of nuclear war. We now have gone in for the so-called hardened sites. While we know very well what p.s.i. factor, per-square-inch pressure, will be brought by our weapons, we do not know exactly what the Russians have.

General Taylor. Not exactly. We know it takes more offensive missiles to root out a hardened missile site rather than a soft site.

Senator Russell. Yes, sir. But there are so many imponderables it is very difficult to tell. Are you familiar with the opinions expressed in the report of the Columbia University group headed by Dr. Seymour Melman?

General Taylor. No, sir.

Senator Russell. In which they say it would be safe to reduce the Defense budget by from $16 to $26 billion a year? You have not read that?

General Taylor. I am not familiar with that, sir.

Mr. Gilpatric. I am, Senator. I would like to comment on that.

POSSIBLE DEEP REDUCTIONS IN BUDGET

Senator Russell. I think it might be well for somebody in the Department of Defense to get informed on this subject, because it will be the basis of a limited flank operation when this bill is before the Senate, not to the full extent, but to reduce the defense budget by some $6 or $8 billion.

Mr. Gilpatric. Even a $4 billion cut in the strategic force, and that has been suggested by one Member of the Senate, even a $4 billion cut would eliminate over one-half of the entire segment of the 1964 budget that supports strategic retaliatory forces.

In the budget before you there is only $7.3 billion to support and provide for strategic retaliatory forces. The addition to the forces this year, as the bill before you shows, includes 6 Polaris submarines and provision for 150 Minutemissiles. Now these additions are not necessarily net increases to the total megatonage of our nuclear weapons delivery capacity. They represent more the effort to obtain increased invulnerability and more reliability in our systems.

In other words, many of the additions to our forces that are programed now and that are envisaged, are designed to meet increased penetration capabilities or increased defensive capacities on the part of the forces arrayed against us. So that far from being able to absorb a $16 to $20 billion cut as Dr. Melman suggests, we would be very hard hit even with this $4 billion cut.

Then we must never forget that 75 percent of the total Defense budget, over 75 percent, relates to tactical and conventional forces which have nothing to do with this theory of overkill and strategic forces.

OVERSIMPLIFICATION OF PROBLEM

I think the advocates of this theory, particularly Dr. Melman, have grossly oversimplified the problem. What Dr. Melman does is to take a formula based on the fact that 20 kilotons of weapons destroyed Hiroshima. Then he takes that factor and divides the population of Soviet cities of over 100,000 population and comes up with a relatively small megatonage of weapons that he feels are necessary for the U.S. strategic forces. Nothing could be a more gross distortion, as I say, of the military equation between the Soviets and ourselves.

REQUIREMENTS OF STRATEGIC FORCES

We must remember that the sole requirement of our strategic forces is not simply to destroy the Soviet urban economy. As General Taylor has pointed out, there are many military targets that we would need to attack, even if we did not go to a full counterattack theory of strategic warfare. There will be some semihard or perhaps hard or semisoft ICBM sites of the Soviets that we ought to target. There will be some residual forces, follow-on bomber forces, airfields, and some other targets that should be in our system besides the urban targets.

As General Taylor points out, we are not doing our planning in the United States on the basis of a strictly second strike strategy. We need more than that. We need a margin of superiority in numbers of weapons to cover the kinds of requirements that General Taylor has mentioned.

So that we feel very strongly, Mr. Chairman, that certainly, as of the present time, we do not have too much in the way of strategic weapons in our arsenals. There may come a time when enough is enough. Every year I have been here we have a discussion between those who feel that we are adding too many weapons and those who feel we are not adding enough. You will find many of the military and members of the Joint Chiefs of Staff who think that the weapons we are now providing are not sufficient for our own security. So, I cannot overstate our belief that the presently programed strategic forces that are in this budget, approved by the President and endorsed unanimously by the Joint Chiefs of Staff, cannot be safely reduced without endangering the security of the United States.

LETTER COVERS ALL DEFENSE PREPARATIONS

Senator Russell. Mr. Secretary, I did not understand that this proposal was limited to the nuclear power of the United States. The letter I have here which was sent to me with a copy to all members of the Senate Appropriations Committee and all members of the Senate Armed Services Committee, goes much further than that. It says:

"Procurement of equipment and missiles for Army, proposed 1964 budget $3.2 billion: possible budget reduction $1 to $2 billion.

"Procurement of aircraft and missiles for the Navy, proposed in the budget $3 billion: possible budget reduction, $2 to $3 billion.

"Shipbuilding and conversion, Navy, proposed budget $2.3 billion; proposed reduction $1 to $2 billion."

Reading further in the letter, he practically wipes out the research and development funds. He mentions one item, with which I am somewhat in accord: this military assistance program. But the remainder of his letter is not limited to the nuclear striking power of the country; it goes, I think, to every phase, conventional warfare as well as nuclear. Certainly "Shipbuilding and conversion, Navy," is not all devoted to nuclear delivery; nor is all of the Navy's aircraft procurement limited to nuclear delivery systems.

Mr. Gilpatric. That is correct, Mr. Chairman, but to the extent that the theory is attempted to be applied to more than strategic weapons, it has even less basis in fact, if that were possible, because whatever may be the extent of our technological and nuclear weapon superiority in the areas of strategic weapons, when it comes to conventional and limited war forces we certainly do not enjoy any superior margin. We would, at our peril, reduce our "less than general war" forces in other words, our general-purpose forces.

DIVERSION OF SOME FUNDS POSSIBLE

Senator Russell. You think, then, that it would not be possible to divert $5 billion from the armed services budget to civilian programs at home and throughout the world without impairing the military capacity of this country to the extent that we would not be fully assured as to our security.

Mr. Gilpatric. I have no question whatsoever about that conclusion.

Mr. RUSSELL. This testimony deals with the amendment before the Senate today. It describes what it called overkill. It shows the impossibility of any group, however able it may be, such as the group of professors from Columbia University, assaying all the imponderables accurately and determining what is overkill. I submit this testimony from the hearings of the committee for those who are interested in the subject and who are tempted by the siren song of defending our $600 billion country with a 25-cent Military Establishment.

That is like leaving a great many valuable jewels around, saying, "What of it? The thieves will not take these jewels because we might take their jewels one of these days."

This is a gamble which I regret seeing urged so consistently on the people of this country, because it tells the people what they naturally like to hear. A man likes to believe that he can get something for nothing. That is human nature. A man likes to believe that he can get a bargain in his Defense Establishment. Through constant reiteration, this movement will gain strength. I see in it a great danger for the future of this country.

I do not wish to discuss this subject at any length. I do not believe the Senate in its present mood is likely to accept the amendment. I hope we are not now starting a movement toward unilateral disarmament, which will eventually sweep us over the cliff and down into the chasm that other countries have found, to their destruction, when they were tempted to take a gamble on the means of self-preservation.

That is the first law of nature. When we inoculate ourselves with some kind of serum which causes us to abandon the law of self-preservation and the means of self-preservation, there will indeed be a threat to the existence of all we hold dear.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. RUSSELL. I will yield to the Senator in a moment.

Mr. President, the Senator from South Dakota quoted me correctly when he said that I feared and apprehended that any nuclear war would proliferate and that it might, and probably would, spread into a war of extermination.

I think that will certainly be true unless we have a superiority of nuclear weapons that will prohibit the Soviets from moving in that direction and cause them to hold the reins on the Chinese Communists.

But I do want to say that I have not yet bought the idea of "better Red than dead." If we are to have a war of extermination, I hope and pray that we will have the weapons that will make the extermination of our enemy certain and that such seeds as are left to start humanity again will be American seed. We cannot be sure of that if we embark on a program of disarmament at the present time.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. GOLDWATER. I merely wanted to associate myself with the remarks of the distinguished Senator from Georgia, if he will allow me to make a few remarks on the subject.

Mr. RUSSELL. I am glad to yield the floor.

Mr. GOLDWATER. Because I am very worried about the trend that has taken place in this country towards complacency.

This amendment is directed at procurement and research and development.

While all of us in the Congress would like to see the budgets reduced and balanced, I do not think we should balance them in favor of weaker Armed Forces.

I have read the speech of the distinguished Senator from South Dakota on "overkill," and I cannot find myself in agreement with it. In fact, I see in this attitude, with all due respect to my friend from South Dakota, a danger in that it might spread. What is "overkill?" We might have 2 million .30-caliber bullets in one rifle and our enemy might have 15 .30-caliber bullets in 50 rifles. I would place my money on the man with the 50 rifles.

It is true that we have a great abundance of nuclear weapons today of all sizes and for all uses, but I submit that if we do not appropriate funds to develop new vehicles and new warheads for use when needed, if we do not appropriate money to develop weapons and to carry weapons of any nature to the enemy when they are needed, we are in effect engaging in unilateral disarmament.

I may remind Members of the Senate that we are already tending in this direction. I would remind my colleagues that the most important of the 3-part program of disarmament offered on November 26, 1961, was that at the end of 3 years the United States would have decreased her inventories of vehicles capable of carrying nuclear weapons.

We are seeing efforts to have our B-47 fleet phased out so at the latest it will not be in existence beyond 1968. If we engage in what has been discussed time and time again; namely, the exercise of destroying B-47's in exchange for the Soviet Union's destroying their Badgers, our fleet might last until the latter part of 1968.

While we have a very adequate fleet of B-52's at the present time, there are no replacements. I remind my colleagues that there is not one manned bomber being made in any factory, nor is there any manned bomber on the drafting boards or in the planning stages of any company in this country.

If we recognize a reasonable leadtime as being, at the very least, 7 years, if we decided to have any tomorrow it would be 1970 before we could expect any "add on" to the manned bomber fleet.

If it is true, as Secretary McNamara has said, that 75 percent of the nuclear striking power of the free world is carried in the bomb bays of our Strategic Air Command planes—and I have seen figures that show 90 percent of it rests in those bomb bays—and if we are depriving ourselves of manned bombers capable of carrying this weaponry to the enemies, simple arithmetic will show that sometime in the 1970's our massive strength carried by our SAC planes and in our silos will have been reduced to something like 25 to 30 percent of the force we now have.

I merely wanted to call that to the attention of my colleagues, because I think it is very, very serious.

I hope the rumors I hear that the Defense Department has asked for Air Force specifications for a manned bomber system is true and that we will have, sometime in October or early November the specifications.

I think it is of such an important nature that we indicate to the Nation the feeling of this body on an amendment like this that I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is not a sufficient second.

The yeas and nays were not ordered.

Mr. GOLDWATER. Mr. President, a point of order. I suggest the absence of a quorum.

Mr. SMATHERS. Mr. President, will the Senator withhold his request?

Did the Chair rule that there was not a sufficient second?

The PRESIDING OFFICER. There was not.

Mr. SMATHERS. Let us give the Senator from Arizona the yeas and nays.

The PRESIDING OFFICER. There is now a sufficient second.

The yeas and nays were ordered.

Mr. GOLDWATER. I thank the Senator from Florida.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. RUSSELL. I have yielded the floor.

Mr. CANNON. Mr. President, I want to join with the Senator from Georgia in his opposition to this amendment. During the consideration of the limited test ban treaty, many people who contacted me were very seriously concerned that the ratification of that treaty might be a first step down the road toward unilateral disarmament.

I see in this proposed amendment a move exactly along that line. When we talk about a reduction of 10 percent in our overall military appropriation requests across the board, we are talking about, in my opinion, nothing more nor less than a move toward unilateral disarmament.

We might have differences of opinion as to the authorization or appropriation for a small part of this military bill. Many of us have differences in that respect. But to talk in terms of this magnitude can mean nothing more nor less than a unilateral step toward disarmament.

This bill has been considered from the standpoint of authorization, and from the standpoint of the military programs, by the respective committees of the House and Senate. In addition, it has been reviewed again from the standpoint of appropriations by the Appropriations Committees responsible in both bodies. Adjustments in it have been made by both the Senate and the House, both from the authorization and appropriation standpoints. So we finally have before us a bill not too different as considered by those respective bodies, and as to which many persons of great learning in this area, many persons who have given considerable study to the matter, have resolved their differences to very small degrees, indeed.

I think it would be a serious mistake for us at this time to establish in the minds of the American public that we are starting down the road toward unilateral disarmament, and we may be getting ourselves into a position where we do not enjoy the military superiority we enjoy today.

I respectfully request all my colleagues to join with the distinguished floor manager of the bill, and chairman of the Armed Services Committee [Mr. Russell], in opposition to this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota, for himself and other Senators. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PELL (when his name was called). On this vote I have a pair with the junior Senator from Wisconsin [Mr. Nelson]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. MAGNUSON (after having voted in the negative). On this vote I have a pair with the senior Senator from Oregon [Mr. Morse]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

Mr. DIRKSEN. Mr. President, I have a long-range understanding with the majority leader, that where we differ on an issue I give him a pair when he is absent, and he gives me a pair when I am absent. Unfortunately, or fortunately, I vote "nay." If he were present and voting, he would also vote "nay." Therefore I am distressed by the fact that I cannot get the majority leader on record by giving him a pair.

Mr. MAGNUSON. I do not like to do this, but this is the first time that I have ever heard a Senator explain his vote during a yea and nay vote.

Mr. DIRKSEN. I was only taking poetic liberty in the name of our beloved majority leader.

Mr. MAGNUSON. I wish we all could do that; then there would never be a yea and nay vote.

Mr. DIRKSEN. I would not object.

Mr. SMATHERS. I announce that the Senator from North Dakota [Mr. Burdick], the Senator from Virginia, [Mr. Byrd], the Senator from Pennsylvania [Mr. Clark], the Senator from Louisiana [Mr. Ellender], the Senator from Arkansas [Mr. Fulbright], the Senator from Florida [Mr. Holland], the Senator from Minnesota [Mr. Humphrey], the Senator from Washington [Mr. Jackson], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Montana [Mr. Mansfield], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Montana [Mr. Metcalf], the Senator from Oregon [Mr. Morse], the Senator from Wisconsin [Mr. Nelson], the Senator from Missouri [Mr. Symington], the Senator from Tennessee [Mr. Walters], and the Senator from Ohio [Mr. Young] are absent on official business.

I further announce that, if present and voting, the Senator from North Dakota [Mr. Burdick], the Senator from Virginia [Mr. Byrd], the Senator from Louisiana [Mr. Ellender], the Senator from Florida [Mr. Holland], the Senator from Minnesota [Mr. Humphrey], the Senator from Washington [Mr. Jackson], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from Wyoming [Mr. McGee], the Senator from Montana [Mr. Metcalf], the Senator from Missouri [Mr. Symington], and the Senator from Tennessee [Mr. Walters] would each vote "nay."

I also announce that the Senator from California [Mr. Engle] is absent because of illness.

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Hruska] is absent on official business and, if present and voting, would vote "nay."

The Senator from Kentucky [Mr. Morton] is detained on official business, and, if present and voting, would vote "nay."

The result was announced—yeas 2, nays 74, as follows:

[No. 170 Leg.]

YEAS—2

McGovern
Randolph

NAYS—74

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Eastland
Edmondson
Ervin
Fong
Goldwater
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Inouye
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kuchel
Lausche
Long, La.
McClellan
McIntyre
McNamara
Mechem
Miller
Monroney
Moss
Mundt
Muskie
Neuberger
Pastore
Pearson
Prouty
Proxmire
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.

NOT VOTING—24

Burdick
Byrd, Va.
Clark
Ellender
Engle
Fulbright
Holland
Hruska
Humphrey
Jackson
Kennedy
Long, Mo.
Magnuson
Mansfield
McCarthy
McGee
Metcalf
Morse
Morton
Nelson
Pell
Symington
Walters
Young, Ohio

So Mr. McGovern's amendment was rejected.

Mr. PROXMIRE. Mr. President, I call up my amendment No. 199, and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 22, lines 6 and 7, it is proposed to strike out "$3,483,376,000" and insert in lieu thereof "$3,423,376,000".

Mr. PROXMIRE. Mr. President, on this amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SMATHERS. Mr. President, will the Senator yield, without losing his right to the floor?

Mr. PROXMIRE. Mr. President, I yield to the Senator from Florida, provided I do not lose the floor.

Mr. SMATHERS. Mr. President, I should like to propound a unanimous-consent request. I ask unanimous consent that the debate on the amendment offered by the Senator from Wisconsin [Mr. Proxmire] be limited to 20 minutes, the time to be divided equally between the Senator from Wisconsin and the chairman of the Committee on Armed Services [Mr. Russell].

Mr. RUSSELL. Mr. President, ordinarily, I would be glad to agree to such a request; but I have been advised that two Senators desire some time on the amendment.

Mr. CHURCH. Mr. President, I should like to have 5 minutes.

Mr. RUSSELL. The distinguished Senator from Utah [Mr. Moss] stated that he would like to have 5 minutes. The Senator from Idaho [Mr. Church] has asked for 5 minutes. The Senator from Mississippi [Mr. Stennis] wants 2 minutes.

Mr. SMATHERS. I will amend the request so as to provide 30 minutes on the amendment, 15 minutes to a side.

Mr. RUSSELL. The Senator from Utah and the Senator from Idaho are as youthful, vigorous, and strong as is the Senator from Mississippi. I assume they can use the time to better advantage than can the chairman of the subcommittee. So I am willing to agree to the request.

Mr. PROXMIRE. Mr. President, I shall be happy to yield some of my time, too.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Florida that the time on the amendment be limited to 30 minutes, 15 minutes to a side?

The Chair hears none, and the agreement is entered.

How much time does the Senator from Wisconsin yield himself?

Mr. PROXMIRE. I yield myself 7 minutes.

Mr. President, my amendment would reduce the bill by $60 million. It would do so by reducing the funds for the mobile medium range ballistic missile. The House allowed $43,100,000. The Senate committee recommended $103,100,000.

My amendment is moderate. It would restore the funds to the amount allowed by the House.

This missile was designed primarily for oversea use. It is a medium-range missile, having a range of 2,000 miles. Obviously, in the continental United States, there would be no use for this missile. Our targets for this missile are not 2,000 miles away.

One of the principal reasons for the missile, as stated in the testimony, is that it would be used primarily by NATO countries in Europe. It seems to me that if it is to be used by NATO countries, they should pay for it. They can afford to pay for it. The income of European countries has improved greatly.

A number of Senators have made the point on the floor of the Senate, in committee, and elsewhere, that we should sell military equipment to European countries, rather than give it to them.

Also, it seems to me that, in the research process, European countries should be persuaded to make their contributions to the development of weapons designed primarily for their use.

Furthermore, there is no indication that the NATO countries want this missile. I propose that before we spend this huge amount of money, we have some kind of evidence—and, I believe, hard evidence—of negotiated agreements of some kind. So far as Asia is concerned, there are other areas where this equipment might be used. The road and rail systems in Asia are poor. This weapon at best has a feeble potential, particularly in view of the alternatives.

It is a fact that we now have mobile missiles. One is the Army's Pershing, which has a range of 400 miles. It has been tested; and it has been deployed; and it is an effective weapon and an accurate missile. Another is the Polaris, which of course is one of the finest we have, with a range of 2,500 miles; and it can be fired accurately at ranges of 2,000 miles or 1,500 miles. It is a good mobile missile. It can be used very effectively by our allies, and of course they understand this missile, and they know that it has been proven.

Mr. President, after the House cut these funds to $43 million, the administration did not—I emphasize that it did not—request restoration. They thought that they could live with it.

I wish to quote what Under Secretary of Defense Gilpatric had to say about it:

> In our formal reclama we indicated we would try to manage with this reduction although it would require that we concentrate our efforts for the time being principally on the pacing elements of this system; namely, the guidance and command and control components. The amount remaining in the House bill for the MMRBM will be sufficient to carry out that phase of the work and to continue general studies of the entire system.

This is all the administration, it seems, intends to do or intended to do. It is true that both the distinguished chairman of the committee and the distinguished chairman of the subcommittee received from Secretary of Defense McNamara letters indicating that the Department will not reprogram these funds, and that if it uses them, they will be used for this specific purpose—for the mobile missile. At the same time, from the letter from Secretary McNamara, it is also clear that there is no likelihood or certainty that the funds will be spent at all. He answered in this way:

> I would like to assure you that if the $100 million is restored to this program, it will not be reprogramed to other activities. An early indication of likely congressional action is required in order that we can determine whether we should continue the long leadtime developments as currently planned or initiate phase II development.

What this means is that Defense has not made up its mind; they do not know whether they want to use it or not. When we read the Secretary's letter in response to the request of the distinguished chairmain of the subcommittee, I submit that by reading between the lines we find that they have no present intention of spending this money.

To summarize briefly, this amendment proposes a moderate cutback of $60 million to the House item level. The House, after extensive testimony, found that this was as far as it should go.

The Department of Defense has not requested that the larger amount be restored, substitutes are available; $43 million is still left for development; and, in the words of the Under Secretary of State, this will be sufficient to carry out the phases of the work on guidance, and also to continue general studies of the entire system.

I submit that on the basis of the attitude of the Secretary of Defense, this amendment makes sense. It calls for a specific, precise, and moderate cutback to the amount the House voted.

Mr. President, I reserve the balance of my time.

Mr. MILLER. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am glad to yield.

Mr. MILLER. The Senator from Wisconsin was talking about what the Secretary of Defense had to say. Will he tell us whether any information with regard to this matter was received from the Secretary of the Air Force or any of the Air Force people?

Mr. PROXMIRE. Oh, yes; the Joint Chiefs of Staff, including the Air Force Chief, want this money; they want the restoration made. There was no indication on the part of the Secretary of the Air Force, however, or by other civilian Secretaries, that they take that position. But it is evident that the Joint Chiefs of Staff want this money. They were very definite and specific in discussing it, and said that they would use it.

Mr. MILLER. So they would favor the amendment of the Senator from Wisconsin, would they?

Mr. PROXMIRE. No, the Joint Chiefs would oppose this amendment.

Mr. MILLER. I note that the President's budget was substantially in excess of the amount the House voted for this item.

Mr. PROXMIRE. That is correct.

Mr. MILLER. Can the Senator tell us how the amount voted by the House, the amount voted by the Senate committee, and the Senator's own amendment on this particular matter, compares with the figure in the President's budget?

Mr. PROXMIRE. The President's budget in this area was $143,100,000. The House cut it $100 million, down to $43 million. The Senate restored $60 million of the $100 million, and thus brought it up to $103 million. So the position of the Appropriations Committee is to some extent, between the administration amount and the House amount. My amendment would cut back to the amount which was voted by the House.

Mr. MILLER. Will the Senator tell us whether the Joint Chiefs of Staff objected to the cut which was by the House.

Mr. PROXMIRE. The Joint Chiefs of Staff did, indeed, object to it. They wanted a restoration of the $100 million figure.

Mr. MILLER. Are they satisfied with the figure arrived at by the Senate committee on this item; or does the Senator know about that?

Mr. PROXMIRE. I do not know, but I presume that they want the restoration made. Of course they would be much happier with the amount the Senate committee voted than with the amount I propose, although it is my understanding that the Department of Defense civilian head said he would be able to live with the amount the House voted.

Mr. SALTONSTALL. Will the Senator from Wisconsin yield?

Mr. PROXMIRE. I am glad to yield.

Mr. SALTONSTALL. I should like to quote to the distinguished Senator from Iowa and the distinguished Senator from Wisconsin from page 1617 of the hearings before the Subcommittee on the Committee on Appropriations on the defense appropriations for 1964.

The PRESIDING OFFICER. The 7 minutes available to the Senator from Wisconsin have expired.

Mr. PROXMIRE. Mr. President, will the Senator from Georgia yield briefly to the Senator from Massachusetts?

Mr. SALTONSTALL. I need only 30 seconds.

Mr. RUSSELL. I am glad to yield 1 minute to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized for 1 minute.

Mr. SALTONSTALL. I thank the Senator from Georgia; he is very generous.

I now read from the hearings:

> If the $100 million reduction is now restored, it will make possible the availability of an operational MMRBM as planned. If the Senate confirms the reduction, it will mean the loss of approximately 12 to 18 months in the ultimate operational readiness even if next year the decision is taken to proceed with the development of missile.

Mr. RUSSELL. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Georgia is recognized for 3 minutes.

Mr. RUSSELL. Mr. President, there is nothing complicated or involved about this matter. The original figure for the development of a new weapon was $143 million. The House cut it back to $43 million, and decided to devote the entire amount to the guidance-and-control feature of the weapon. The Department of Defense did not reclaim it; but General Taylor, in his testimony before the committee, stated that the Joint Chiefs were more interested in this item than in almost any other item included in the bill. He made a very strong case for it. The committee, after considerable discussion, decided to restore $60 million. The reason why we restored the $60 million, instead of $100 million, was that so much of the fiscal year would have elapsed before work on this entirely new weapon could be started, that we concluded that they could not possibly spend the $143 million which would be available on a 12-month basis, and that on a 9-month basis approximately $100 million would be all they would need.

I believe this is a desirable weapon. We had best be looking for new weapons, now that we have abandoned our manned aircraft. So I hope the committee's action will be sustained.

Mr. MOSS. Mr. President——

Mr. RUSSELL. I yield 5 minutes to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah is recognized for 5 minutes.

Mr. MOSS. Mr. President, I concur in the admonition by the chairman of the Armed Services Committee, who also is chairman of this Appropriations Committee subcommittee, that the Senate should continue its efforts to supply adequate funds for our country's Defense Establishment.

Today the Senate approved the limited test ban treaty—for which I voted—in an effort to make a start toward finding a way to lessen the tensions that exist in the world. But at the same time, I would hate to see the Senate begin on that the same day, to decrease the effectiveness of our military forces, by reducing their appropriations.

Throughout this session of Congress, Senators have engaged in much debate on this very question.

The distinguished Senator from Wisconsin [Mr. PROXMIRE] has outlined the sequence of events. He has pointed out that the House voted a $100 million cut in the amount requested for the mobile medium-range ballistic missile.

When the bill came to the Senate Committee on Appropriations the Joint Chiefs of Staff testified there. General Taylor said:

> MMRBM REDUCTION
>
> A third item upon which I should like to comment is the reduction of $100 million in the fiscal year 1964 budget from the research and development program of the mobile medium range ballistic missile (MMRBM). As a result of this reduction, only $43 million will remain for commitment in fiscal year 1964, a sum which will be applied to guidance, command, and control. If the $100 million reduction is now restored, it will make possible the availability of an operational MMRBM as planned. If the Senate confirms the reduction, it will mean the loss of approximately 12 to 18 months in the ultimate operational readiness even if next year the decision is taken to proceed with the development of missile.
>
> The Joint Chiefs of Staff since 1960 have consistently supported the military requirement for a missile system with the characteristics of the MMRBM. The Supreme Allied Commander in Europe has supported the need for this weapon for NATO forces, while the U.S. Commander in Chief, Europe, the U.S. Commander in Chief Pacific, and the U.S. Commander in Chief Alaska have supported it for U.S. forces worldwide. As recently as May 21, 1963, the Joint Chiefs of Staff reaffirmed their findings and recommended continuation of the MMRBM development program.
>
> ATTITUDE AT NATO ALLIES
>
> Our NATO allies are intensely interested in our treatment of this program. For several years, largely as a result of the expressed views of SACEUR, a distinguished U.S. officer, they have come to regard an MMRBM as essential to replace obsolescent aircraft and missiles now assigned to the attack of targets of prime interest to NATO. The proposed reduction of R. & D. funds in support of this missile will be regarded with apprehension and will be interpreted by some as an indication of our reduced concern for the requirements of the defense of the NATO area. I hope that this committee will review this item of the budget in the light of its national and international importance.

On that basis the Committee on Appropriations has restored not the $100 million, but 60 percent of that amount—enough to continue the development of the missile. If the amount of the cut is restored on the floor of the Senate in accordance with the amendment of the Senator from Wisconsin, the only additional research and development work that will be done will be in the field of guidance, command, and control. Nothing further will be done on propulsion. Nothing further will be done on the development of the vehicle in which the weapon would be carried. So we would be at a standstill for a period of 12 to 18 months, or at least that much time would be added to the final development of the missile.

We are speaking of a medium missile. It is one that will cover a range of from 1,000 to 2,000 miles. But it is a pinpoint missile. I have in my hand a memorandum pointing out the need for an MMRBM because of the improved accuracy that is associated with the MMRBM. The memorandum, which I shall not take the time to read in full, points out that the Polaris is a good missile, but that it does not have anywhere near the accuracy that the MMRBM would have; and neither would our fixed missile, the Minuteman, that we have in silos. Therefore, it would have large areas of payloads.

The missile is a pinpoint missile. The Pershing has a range of only 200 to 400 miles.

The PRESIDING OFFICER. The 5 minutes yielded to the Senator have expired.

Mr. MOSS. Mr. President, may I have an additional minute?

Mr. RUSSELL. Mr. President, not unless the Senator from Idaho will yield some of his time.

Mr. CHURCH. Mr. President, 4 minutes will be adequate for me.

Mr. RUSSELL. I yield an additional minute to the Senator from Utah.

Mr. MOSS. I thank the Senator. I wish to sum up by pointing out the compelling statement made by the chairman of the Committee on Appropriations, the Senator from Arizona [Mr. HAYDEN]. He pointed to the same things that I have been trying to point to. I suggest that we must continue with the development of a missile which our military leaders say is essential to provide an adequate defense for our country, for our forces worldwide, and one that may be useful also to our NATO Allies. I think it would be very shortsighted, particularly in respect to the MMRBM, to start cutting down our military forces now.

Mr. RUSSELL. Mr. President, I yield 4 minutes to the Senator from Idaho [Mr. CHURCH].

Mr. CHURCH. Mr. President, I thank the Senator from Georgia. First, I commend the distinguished junior Senator from Utah [Mr. MOSS] for the very persuasive case he has made against the pending amendment. The weapon with which we are here concerned, the mobile medium range ballistic missile, is designed to play such a critical role in the overall defense strategy of the country that we ought to take pains to see that sufficient money is furnished in this bill to get on with the speedy development of the weapon.

The distinguished Senator from Wisconsin [Mr. PROXMIRE] has conceded that the Secretary of Defense has said that, if it should develop that any part of the money that the committee is providing is not needed, it will not be spent. So there is no possibility of wasted money.

All that I am arguing for today is sufficient money to get on with the speedy and orderly development of this critical weapon.

Why is the weapon critical?

The debate on the historic treaty which was approved earlier today has indicated why this weapon is critical. Again and again, it was pointed up in the debate that we must, at all costs, maintain the capacity of our deterrent force to retaliate, in the event of a first strike against us. If we fail to do so, then we deny our deterrent the attribute of credibility, and we invite attack. So the capacity to retaliate is essential if the deterrent theory is to work.

This weapon, owing to its mobility, is designed to escape and survive a first strike against us. It is the same kind of mobility that makes the Polaris submarine so important. The mobile medium range ballistic missile will supplement the Polaris submarine. It will add to the mobility that is available to our retaliatory forces, and thus to our retaliatory capacity to survive a first attack upon us. Therefore, this is a most critical weapon. As the distinguished Senator from Utah has said, it would add movement and dimension to our deterrent forces and to their capacity to survive a first strike against us, if that were ever to occur. It has long been recognized as a needed weapon for the NATO alliance. It is of interest, not alone to the Government of the United States but also to our NATO allies.

For these reasons, the committee is to be commended for providing sufficient funds to get on with the prompt development and perfection of this important addition to the deterrent forces of the United States. I hope the committee will be upheld. No risk is assumed by sustaining the position that the committee has taken. Definite risk is assumed if the amendment proposed by the Senator from Wisconsin is adopted. I, therefore, urge the Senate to reject the amendment.

Mr. PROXMIRE. Mr. President, I yield 3 minutes to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I thank the Senator. Since the beginning of the entire missile program I have been greatly impressed with the idea of a mobile missile. The missile about which we are now speaking is such a weapon. We understood that the Minuteman would be a mobile missile, but that idea was abandoned. The MMRBM is a mobile missile for use on land or sea. It could be discharged from a barge, a ship, or the ground.

The weapon is now in research and development. The amount involved is relatively small and is pledged to the use stated, and that use alone. It will go for research and development. The subject of deployment and use will come up later.

General Taylor said:

> If this weapon pans out according to specifications, it will be the most efficient and the most economical weapon to use against many important targets worldwide.

It would not be limited to NATO or to the United States, but could be used anywhere in the world we might wish to use it. It is not an intercontinental ballistic missile, but one which is shifty, quick, and thought to be accurate. Of all the missiles we have, this to my mind has one of the finest potentials, at a less cost than any of the others we have developed to this stage.

For research and development, when the money is pledged to this use and this use only, we should not be niggardly, but should move forward and allow the funds the committee has provided in accordance with the testimony of the Joint Chiefs of Staff, the Air Force, and also the Secretary of Defense.

I thank the Senator again for yielding to me.

Mr. RUSSELL. Mr. President, I yield such time as remains to the committee to the distinguished Senator from Alaska [Mr. GRUENING].

The PRESIDING OFFICER. The Senator from Alaska is recognized for 2 minutes.

Mr. GRUENING. Mr. President, I wish to emphasize and applaud the point made by the able and ever alert junior Senator from Utah. This morning the Senate ratified the nuclear test ban treaty by a vote of 80 to 19. I was among those Senators who voted for the treaty, as was the Senator from Utah. We did that in the hope that we could stop some radioactive fallout which presents the gravest danger to the health of future generations and in the hope we might light some small candle for peace throughout the world. We did that, believing it was worth taking the other risks which were amply discussed in the Senate debates.

A number of very knowledgeable Senators voted against the nuclear test ban treaty. They did so for the excellent reason that they feared the treaty would weaken our defenses. They had a feeling also, for which I agree there is much justification, that with the signing, there might be among us what is known as euphoria; a sense of confident well-being and happy sense of security, and that many people would become optimistic and say, "Peace is in sight; we can afford to diminish our defenses." That was one of the fears that motivated our colleagues who voted against the test ban treaty.

Therefore, I feel, as does the able Senator from Utah, that it would be an unfortunate mistake if, on the very same day that we took a fine step in one direction, in the direction of diminished tensions, we likewise started to weaken our defenses, especially with regard to a weapon as useful as the mobile missile would be. I might add that such a weapon would be of great value in Alaska, where we have no missiles, and are, in my judgment, which is shared by my colleague, Senator BARTLETT, and by Governor Eagan, inadequately defended, though we are within naked eye view of the Russian police state. This particular type of missile—the MMRBM—would be most useful on our few highways and on our lone railway. I hope very much that the amendment will be rejected and that the committee action will be sustained.

Mr. PROXMIRE. Mr. President, the distinguished Senator from Utah said that we should not limit or dismantle our defenses. I could not agree more fully. That is why I voted against the preceding amendment. I thought it called for a cut which was debatable.

This amendment of mine calls for a cut which is precise, definite, and limited, which would affect only one weapon, a weapon for which the Defense Department itself has indicated $43 million—which the amendment would permit—is adequate to carry out the phase of their work involving guidance and to continue general studies of the entire system.

Unfortunately the distinguished senior Senator from Missouri [Mr. SYMINGTON] could not be present, because he had to go to his State. He told me before he left that he wished he could be present to support my amendment.

No other Senator speaks with more authority on the subject of the Air Force than does the Senator from Missouri.

No other Senator has greater patriotism or a finer recognition of the importance of effective defense. The Senator from Missouri led the criticism of this item in the Appropriations Committee. There was no vote on it, but the Senator from Missouri was critical of this particular appropriation item. As the Senator from Missouri said, we cannot have everything; we cannot afford everything.

The Senator from Missouri, a former great Secretary of the Air Force, pointed out, quite properly, that we already have mobile missiles. We have mobile missiles which have been tried, proved, deployed, and accepted. Since we have mobile missiles which will do the job—and the Polaris missile can do everything this mobile missile will do—it seems to me that to spend an additional $60 million now makes no sense, particularly since the amendment would permit $43 million to be available to the Defense Department to continue, as they say, general studies of the effectiveness of this particular kind of missile.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been used or yielded back. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. PROXMIRE]. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

Mr. RUSSELL. Mr. President, before the first name is called, I wish to request Senators, after they vote, to remain in the Chamber. If another amendment is not offered, I hope the Senate will take a yea and nay vote on the question of passage of the bill. That question has been raised by the conferees from the other body a time or two in dealing with these measures. I would appreciate it if Senators would remain in the Chamber.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BAYH (when his name was called). On this vote I have a live pair with the junior Senator from Wisconsin [Mr. Nelson]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." Therefore I withhold my vote.

The rollcall was concluded.

Mr. PELL (after having voted in the affirmative). Mr. President, on this vote I have a pair with the Senator from Montana [Mr. Mansfield]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore I withdraw my vote.

Mr. SMATHERS. I announce that the Senator from North Dakota [Mr. Burdick], the Senator from Pennsylvania [Mr. Clark], the Senator from Arkansas [Mr. Fulbright], the Senator from Florida [Mr. Holland], the Senator from Minnesota [Mr. Humphrey], the Senator from Washington [Mr. Jackson], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Montana [Mr. Mansfield], the Senator from Minnesota [Mr. McCarthy], the Senator from Arkansas [Mr. McClellan], the Senator from Montana [Mr. Metcalf], the Senator from Oregon [Mr. Morse], the Senator from Wisconsin [Mr. Nelson], the Senator from Wyoming [Mr. McGee], the Senator from Oregon [Mrs. Neuberger], the Senator from Missouri [Mr. Symington], and the Senator from Louisiana [Mr. Ellender] are absent on official business.

I also announce that the Senator from California [Mr. Engle], is absent because of illness.

I further announce that, if present and voting, the Senator from North Dakota [Mr. Burdick], the Senator from Arkansas [Mr. Fulbright], the Senator from Florida [Mr. Holland], the Senator from Minnesota [Mr. Humphrey], the Senator from Washington [Mr. Jackson], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Wyoming [Mr. McGee], and the Senator from Montana [Mr. Metcalf] would each vote "nay."

On this vote, the Senator from Oregon [Mr. Morse] is paired with the Senator from Missouri [Mr. Symington]. If present and voting, the Senator from Oregon would vote "yea," and the Senator from Missouri would vote "nay."

Mr. KUCHEL. I announce that the Senator from Nebraska [Mr. Hruska] is absent on official business and, if present and voting, would vote "nay."

The Senator from Kentucky [Mr. Morton] is detained on official business, and if present and voting, would vote "nay."

The result was announced—yeas 5, nays 72, as follows:

[No. 171 Leg.]

YEAS—5

Douglas
McGovern
Proxmire
Randolph
Williams, Del.

NAYS—72

Aiken
Allott
Anderson
Bartlett
Beall
Bennett
Bible
Boggs
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Eastland
Edmondson
Ervin
Fong
Goldwater
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Inouye
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kuchel
Lausche
Long, La.
Magnuson
McIntyre
McNamara
Mechem
Miller
Monroney
Moss
Mundt
Muskie
Pastore
Pearson
Prouty
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tower
Walters
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—23

Bayh
Burdick
Clark
Ellender
Engle
Fulbright
Holland
Hruska
Humphrey
Jackson
Kennedy
Long, Mo.
Mansfield
McCarthy
McClellan
McGee
Metcalf
Morse
Morton
Nelson
Neuberger
Pell
Symington

So Mr. Proxmire's amendment was rejected.

DEFENSE CONTRACTS

Mr. KEATING. Mr. President, a matter of deep concern to New York State over the last 3 years has been the continuing decline in the share of defense work received. In 1963 New York received only 9.9 percent of total defense work, or $2.5 billion. That is a drop of $119 million or nearly a whole percentage point from last year's figure of 10.7 percent. Nearly one-third of New York's contribution is in the field of aircraft manufacture, and Long Island can take credit for a good share of that. One-quarter of the total is in the area of electronics. In fact, New York leads the Nation in its contribution to electronics in national defense.

Nevertheless for the State as a whole New York's share of defense work has fallen from 11.5 percent in 1958 to less than 10 percent this last year. While we were losing work a number of other States have been shooting ahead. These include Arkansas, with an increase of 165 percent; Mississippi, with an increase of 133 percent; Florida, with an increase of 109 percent; Virginia, with an increase of 102 percent; and Louisiana, with an increase of 72 percent.

These figures make me wonder whether the Defense Department is not taking advantage of lower wages, fewer fringe benefits, and the lack of strong organizations of the workers in many of these areas to transfer a part of its workload—to the detriment of those New York firms and unions which try to provide a decent living for their employees and members but find themselves hard put to meet the competition of low-paid labor in other parts of the country.

Very disturbing to me in the overall picture, is the reduced number of contracts for engineering and research and development work for New York State in the period for 1958 to 1963. In fiscal year 1958, New York received 14 percent of total research and development type contracts compared with 36.7 percent for California. In fiscal year 1962, New York received only 10.9 percent while California received 39.9 percent.

In other words, California's share went up by 3 percentage points, while New York's percentage share went down by the same amount. These statistics give California a 4-to-1 edge over New York in defense-oriented research and development, and I for one simply cannot believe that this reflects a difference in brainpower. Instead, I fear it is a difference in readiness of the Defense Department to look to California for research work without making any particular effort to bring the rest of the country in. The latest Defense Department report does not provide specific figures as to the extent of competitive procurement now as compared to previous years. But competitive procurement has always been exceptionally low in the field of research and development. For this reason, I feel the Defense Department should make a particular effort to insure that the research and development work which would lead to future contracts is not concentrated to such an extravagent and unhealthy degree in a single State.

Furthermore, Mr. President, with respect to work in areas of substantial unemployment, New York has seen substantially little improvement over the last fiscal year. Of the two major areas of unemployment, Buffalo and Utica-Rome, Buffalo's share has increased by nearly 20 percent. Utica-Rome's share has declined from $75 million to $29 million. Of the serious unemployment pockets, only Gloversville, Ogdensburg-Massena-Malone, and Plattsburgh, have seen substantial increases. The effect of the preference program has also been extremely spotty, with increases in one area entirely offset by decreases elsewhere.

Furthermore, Mr. President, defense contractors have informed me that there is more and more evidence of the use of depressed area set-asides as a loophole. A firm which wants defense work may buy an obsolete facility in a depressed area, force most of its own employees to move, and then claim a preference. Where skilled work is required, there is very little possibility of hiring needed local personnel in a depressed area and the principal result is a serious hardship upon the employees.

We have written specific language into the area redevelopment bill to prevent pirating of industry. In order to insure that the same kind of thing does not happen and that old firms simply do not relocate themselves and their work in another area in order to get contracts, it may very shortly be necessary to put some of the same kind of restrictions into Defense Department activities. I am strongly in favor of increased work for depressed areas, but not if it means simply moving existing plants and personnel from one place to another in order to qualify for more work.

In short, Mr. President, the very large amounts appropriated for the Department of Defense and the tremendous impact that defense work has on many areas of the country make it necessary for the Congress to scrutinize this aspect of procurement very carefully, to insure that procurement policies remain fair and equal for all legitimate defense contractors.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the Senate amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. SMATHERS. Mr. President, it is my information that the Senator from Georgia [Mr. Russell] would like to have a yea-and-nay vote. Therefore I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Shall the bill pass? The clerk will call the roll.

The legislative clerk called the roll.

Mr. SMATHERS. I announce that the Senator from North Dakota [Mr. Burdick], the Senator from Pennsylvania [Mr. Clark], the Senator from Arkansas [Mr. Fulbright], the Senator from Florida [Mr. Holland], the Senator from Minnesota [Mr. Humphrey], the Senator from Washington [Mr. Jackson], the Senator from Masachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Montana [Mr. Mansfield], the Senator from Minnesota [Mr. McCarthy], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. McClellan], the Senator from Wyoming [Mr. McGee], the Senator from Montana [Mr. Metcalf], the Senator from Oregon [Mr. Morse], the Senator from Wisconsin [Mr. Nelson], the Senator from Oregon [Mrs. Neuberger], and the Senator from Missouri [Mr. Symington] are absent on official business.

I further announce that the Senator from California [Mr. Engle] is absent, due to illness.

I further announce that, if present and voting, the aforenamed Senators would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Nebraska [Mr. Hruska] is absent on official business and, if present and voting, would vote "yea."

The Senator from Kentucky [Mr. Morton] is detained on official business, and, if present, and voting, would vote "yea."

Also, the Senator from California [Mr. Kuchel] and the Senator from North Dakota [Mr. Young] are detained on official business, and if present and voting, they would each vote "yea."

The result was announced—yeas 77, nays 0, as follows:

[No. 172 Leg.]

YEAS—77

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Cooper
Cotton
Curtis
Dirksen
Dodd
Dominick
Douglas
Edmondson
Ellender
Ervin
Fong
Goldwater
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Inouye
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Lausche
Long, La.
Magnuson
McGovern
McIntyre
McNamara
Mechem
Miller
Monroney
Moss
Mundt
Muskie
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Talmadge
Thurmond
Tower
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NAYS—0

NOT VOTING—23

Burdick
Clark
Eastland
Engle
Fulbright
Holland
Hruska
Humphrey
Jackson
Kennedy
Kuchel
Long, Mo.
Mansfield
McCarthy
McClellan
McGee
Metcalf
Morse
Morton
Nelson
Neuberger
Symington
Young, N. Dak.

So the bill (H.R. 7179) was passed.

Mr. RUSSELL. Mr. President, I move that the Senate insist upon its amendments and request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. Brewster in the chair) appointed Mr. Russell, Mr. Hayden, Mr. Hill, Mr. McClellan, Mr. Ellender, Mr. Byrd of Virginia, Mr. Saltonstall, Mr. Young of North Dakota, and Mrs. Smith conferees on the part of the Senate.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS, 1964

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 476, H.R. 6754.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

ECONOMIC BASIS FOR TAX CUT HIGHLY QUESTIONABLE

Mr. PROXMIRE. Mr. President, for a long time, now, a number of us in Congress have questioned the thesis so widely advanced that the economy has slowed down in its economic growth. This argument has been advanced in order to justify many different types of administrative and legislative actions. It is, of course, the underlying justification for the present tax reduction bill now before the House.

Recently an excellent article was published in the Federal Reserve Bulletin challenging this thesis of a slowdown in U.S. economic growth. The article, which appeared in the August 1963 issue of the Bulletin, was written by Clayton Gehman, a member of the Federal Reserve staff. In my opinion, he does an excellent job of indicating the statistical refutation for the argument of retarded growth.

Mr. President, I ask unanimous consent to have this article and an editorial published in the Wall Street Journal of September 19, 1963, printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Federal Reserve Bulletin, August 1963]

Measuring and Analyzing Economic Growth

(By Clayton Gehman)

Economic reports both here and abroad have often indicated that the U.S. economy has been growing at a slower rate in recent years. This "slowdown" has been reflected in many proposals to modify Government economic policies.

Several developments contributed to the belief that a slowdown did occur. First, there was the fact that the business expansion in 1958–60 was relatively brief—with the role of the steel strike and its repercussions on both the expansion and the subsequent decline in activity hard to assess. Second, was the leveling off in industrial production in the second half of 1962 and the fact that unemployment increased again only 18 months after the early 1961 low point in production.

How well alternative standards and measurements of economic activity support the widely held view of a slowdown in the U.S. growth rate is the concern of this paper. Several conclusions have emerged from this examination. (1) Growth in U.S. economic activity in recent years has been close to longtime rates. (2) Increased productive efficiency in the use of labor and materials has been achieved. (3) As a result, there has been more unemployment and less demand for materials than there would have been otherwise.

In considering postwar trends in growth in the United States one must determine whether in fact there has been a persistent slowdown and how much of an acceleration in growth should be sought to attain the desired rate of resource use. The latter evaluation involves many broad economic judgments, standards of performance, and questions of taste that are outside the scope of this paper. However, a review of the evidence usually presented to demonstrate that there has been a slowdown in growth may throw some light on the problems involved in stimulating growth.

This article considers first the basis of the growth rate calculations for particular time periods and components of the economy that have been used by various analysts. These calculations are examined in the light of probable biases in the price series available to deflate expenditure data. Allowance for such biases—particularly those introduced by technological improvements in the manufacture of capital goods—may lead to differences in measurement. And related to this are the special problems of measuring some types of rapidly growing investment, such as commercial equipment. Finally, changes in output and productivity indicated by Federal Reserve industrial production indexes are presented, and some of these are compared with changes based on broadly similar components of the Department of Commerce gross national product data in constant dollars.

RECENT CYCLICAL SHIFTS

A review of the behavior of U.S. growth trends for the whole postwar period makes it clear that there was a decided interruption in industrial and total economic expansion during 1956–58. But since then expansion has been resumed at a rate about in line with earlier average long-run trends.

Several major shifts, of a nonrecurring nature, in the general economic situation before and during the 1958 recession contributed to the extended interruption. There was, in 1955–56, a reemergence of inflation accompanied by speculative activities; later the inflationary spiral terminated. These had varying impacts on business and consumer attitudes and on buying trends. Concurrently, there was a pronounced shift in the general demand-supply situation in world markets and a sharp drop in demands for U.S. merchandise exports, which had been temporarily boosted by the Suez crisis.

Since then the interruption has been more than made up in some production sectors such as consumer goods, but not for some kinds of private investment. And Federal defense spending has been rising, but not so rapidly as it did during the Korean war in 1950–53. Although the rate of industrial expansion has recovered since the beginning of 1959, the economy has been left with larger margins of unutilized plant and labor resources. The larger margin of unutilized resources has helped to forestall general inflationary tendencies and encouraged conditions favorable to sustainable expansion in production.

The rapidity of the industrial expansions of 1958–60 and 1961–62 has not been generally appreciated, partly because of the failure of unemployment to decline to earlier levels. Nor has it been sufficiently recognized that such rapid expansions could not be expected to go on indefinitely without output leveling off or declining for a time as imbalances in output—inventory relations—both short run and structural—were corrected.

Even at the 1961 low point, the Federal Reserve index of industrial production was 18 percent above the cyclical low reached about 3 years earlier. And by mid-1962 the index was already 15 percent above the first quarter of 1961 and 9 percent above the advanced level prevailing 2 years earlier. The increase in total industrial production during the first half of 1962 occurred despite a cutback in steel output of about one-fourth from the peak reached early in the year. Mainly because of inventory readjustments, total production showed no net change in the second half. It was also held down at the year-end by severe weather and extended strikes. In the first half of this year it rose by 5 percent.

Part of the recent rise reflected accumulation of inventories because of fears of a steel strike. But since late 1961 there has been a strong demand for autos and a broad expansion in purchases of other consumer goods. Retail sales of nonautomotive goods increased by 12 percent in the 18 months ending in March, during a period when many analysts were questioning the strength of consumer demands for goods other than autos. In constant dollars the expansion in nonautomotive retail sales was the largest since the Korean war period.

The November 1962 Securities and Exchange Commission-Commerce survey of business investment anticipated a leveling off after the third quarter of last year and then some decline in purchases of plant and equipment early this year. Exports and total sales of equipment were interrupted by major dock strikes in October and December–January. Present business investment plans for the rest of 1963, however, and the renewed expansion in manufacturers' orders and shipments of machinery and other goods since January now indicate that the earlier leveling off was an extended pause in production during a period of general expansion. Growth in final takings of goods has continued over the whole period with some brief interruptions.

GROUNDS FOR BELIEF IN SLOWDOWN

The statistical approach used to indicate a slowdown has usually taken 1953 or some later date as the dividing point for measuring trends in U.S. economic developments. In some recent comparisons the year 1957 has been taken as the dividing point to contrast the average rates of expansion in employment and expenditures in 1947–57 with the period from the beginning of 1957 through 1961 or 1962.

It should be noted here, however, that the expansion during the 1947–57 period reflected some unusual conditions. Growth then was more rapid than in most earlier periods back to 1900 and more rapid—especially in the Korean period, 1950–53—than could reasonably be expected to continue. For the whole period from 1962 back to 1899 the average rate of growth in industrial production was about 4 percent per year.

To begin with 1947 rather than the end of World War II, 16 months earlier, increases the differences in growth rates between the two postwar periods if the deflated final expenditure series of gross national product is used; these are the data generally cited as evidence of stagnation since 1957. But this is not true if industrial production data are used. Apparently one of the reasons that the constant dollar GNP series did not rise from 1946 to 1947 was that Federal price controls were lifted in 1946, and it was difficult to measure the actual amount of price rises by the indexes available to deflate the expenditure series.

A dividing point of 1957 provides an average growth rate of 3 percent per annum from 1957 to 1962 in the total constant dollar GNP, in contrast to 3.8 percent over the previous decade.[1] However, the terminal years chosen for these comparisons of rates of change are important, even if least squares trends are used, partly because calculations of growth rates are influenced by the effect of cyclical fluctuations in the data. Thus, it makes considerable difference in the calculated changes whether 1957, 1958, or 1959 is used as either the ending or beginning year, and whether the final date is 1961 or 1962, or if there is an allowance for developments in 1963.

Chart 2 [not printed in RECORD] shows that if one starts with 1959 and compares increases in either GNP or industrial production over the next 3 years, the rate of expansion in each has been at least as rapid as in similar business expansions starting with 1946 or 1955. This holds true even though the latest period includes the 1960–61 recession.

Analyses of the U.S. slowdown since 1957 often attribute the slackening to a slower growth in the production of goods than in the earlier postwar period, because then backlogs of demand and holdings of liquid assets were regarded as strongly stimulating output of most consumer and capital goods.

In one such recent comparison made by the Manpower Report of the President, new GNP annual data by industry of origin were combined to show that growth in the total of the goods-producing industries of the economy declined from 3.4 percent in 1947–57 to 1.5 percent in 1957–61.[2] The 1957–58 period, however, is part of the 1955–58 cycle, and the whole 1957–61 interval provides questionable terminal years because it begins with a year that includes the crest of an expansion and ends with a year that includes the low of a recession. The results are quite different if data for 1962 and an estimate for 1963 are included.

MANUFACTURING AND RELATED ACTIVITIES

The Manpower Report observed that production in the manufacturing sector "grew at a rate of 3.6 percent annually between 1947 and 1957, somewhat below the rate of growth of total output." This rate for manufacturing was based on the new industry gross product data compiled by the Office of Business Economics and shown in chart 3.[3] These data were also used in the report as a basis for noting that "in the more recent years 1957–61, the rate of increase dropped sharply to 1.9 percent, lagging even more behind the growth in the total economy."

The manufacturing component of the industrial production index, however, rose at a 2.1 percent rate (compounded, using terminal years) over the 1957–61 period. Then it increased by 8.2 percent from 1961 to 1962. For the whole 1957–62 period the rate was 3.3 percent. For 1947–57, using terminal years, the rate was 4.3 percent, in contrast to the 3.6 percent figure cited above for manufacturing in the gross product series.

The two output measures differ most in level after 1955. For the period 1947–54 the difference would be only about 1 percent if weights for 1954, which are used in the gross product measure, were also used in the Federal Reserve index. The Federal Reserve index uses 1947 weights for the 1947–52 period, and these are linked to series with 1957 weights in January 1953. It is believed that such a weighting system is more appropriate than a single weight year for the whole postwar period, which has seen substantial shifts in price relationships.

Since the gross product measure excludes intermediate purchases by manufacturers, its smaller rise than the Federal Reserve index seems to be inconsistent with evidence tries in recent years. For the utility sector from other sources of greater efficiency in the use of materials by some major industries—and here per unit cost and receipts data are reasonably trustworthy—the OBE net output index shows about a 5 percent greater rise from 1947 to 1960 than the Federal Reserve utility index based on gross output series. In the mining sector, where the OBE used the Federal Reserve physical volume series with national income weights, the results are similar to the published Federal Reserve annual index for mining.

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[1] These figures are compounded rates using terminal years as calculated from the revised GNP data published in July 1963. the corresponding least squares rates are 3.2 and 4.

[2] See Manpower Report of the President, March 11, 1963. On pp. 82–83 of that report agriculture, contract construction, manufacturing, and mining industries are classified as "goods-producing" sectors. It is pointed out there that the total economy rose at a rate of 2.9 percent from 1957 to 1962, compared with 2.3 percent from 1957 to 1961.

[3] The results were published by the Department of Commerce, "Survey of Current Business," October 1962. In these OBE series for gross product originating in manufacturing and 15 other major industry sectors, the basic annual data, in current dollars, were derived from previously published national income and product figures. For the manufacturing sector, gross product in constant dollars was calculated by use of specially developed net output deflators for the years 1947 through 1958. These deflators were obtained by converting census value of output data for standard industrial classification four-digit industries to 1954 dollars by means of special price series based on Bureau of Labor Statistics price indexes. From these were subtracted the cost of materials consumed, converted to 1954 dollars by means of other special BLS price series.

The resulting value added in constant dollars was aggregated to the two-digit level and divided into value added in current dollars to yield the net output deflators. These deflators were then applied to the gross product figures for manufacturing. For the years 1959–61, the data were carried forward by use of changes in the BLS index for gross product in manufacturing, as noted in a descriptive pamphlet published by the OBE, "GNP by Major Industries," p. 12.

For manufacturing, it is clear that the deflated gross product results are more dependent on the accuracy and the appropriateness of available wholesale price indexes than the Federal Reserve production index, which makes greater use of physical volume measures.

Also on the basis of these OBE data, the Manpower Report observed that gross product in the service-connected industries—which in its classification includes trade, transportation, and utilities—grew at a rate of 3.1 percent in the 1957–61 period. This was noted to be a lower rate than earlier, but not so much lower as the rate of growth in the goods-producing area cited above.

This classification of utilities as services may be questioned. For some time international standards have appropriately provided that residential utility series be classified as goods rather than services in the national income accounts and that total industry output of utilities be combined with manufacturing and mining in industrial production indexes.

The practice followed in the Manpower Report of excluding commodity transportation and the wholesaling and retailing of goods from calculations of the goods-producing sectors of the economy is even more important. In calculating final expenditures for the gross product series, goods are not measured currently, except for inventories, until they are sold to final users. But to attribute the slowdown in economic growth mainly to a less rapid rate of increase in final demands for goods while at the same time excluding from the calculation the output of the utilities and the activities involved in the distribution of goods confuses the measurement problem.

OUTPUT OF MAJOR PRODUCTS

Analysis of growth in manufacturing and other industries is facilitated by an examination of data on output of major products as shown by the GNP series and the production indexes. Changes in the regularly published total GNP in constant dollars can be compared in a summary fashion by using a three-way split of final expenditures for major types of product—goods, services, and construction. The annual data beginning in 1946 are shown in chart 4. These series have been published on a quarterly basis since November 1962 as a part of the regular GNP tables in the Survey of Current Business.

Services: Growth in total services, including both consumer and Government purchases, as measured by the GNP accounts, has not slackened from the 4 percent rate prevailing in the 1947–57 period; for consumer services alone the rate has also been about 4 percent in recent years. If an allowance could be made for the probable upward bias in the price indexes used to calculate these constant dollar figures—such as the indexes on medical care—the rate of growth would be higher.

Some analysts seem to suggest that growth in services is of less economic significance than growth in goods. It is true that such growth may involve considerably less expansion in production of steel and other industrial materials than does growth in final demands for goods. On the other hand, an increase in services is probably a more sustainable force in the economy than an expansion in industrial activity. One reason for this is that services are seldom accumulated in the way that business or consumer stocks of goods can be. Some of the uptrend in services is solely the consequence of an expanding population, but an important segment reflects better living conditions.

Construction: In contrast to the continued uptrend in services, the GNP data show a marked downward shift since 1957 in the rate of growth in construction activity. Part of this shift reflects the adjustment of the current dollar series for advances in wages and in prices of materials without allowance for increases in the efficiency with which labor and materials are used.[4] These price-reducing forces have probably been accentuated in recent years by increased competitive pressures. Consequently, the rate of physical construction has probably continued to rise faster than chart 4 (not printed in the RECORD) would indicate.

The series on construction activity before 1959 is currently being revised upward to provide a level more comparable with the data since that time. This will reduce the growth rate from that now shown for the earlier postwar years.

Various developments in the economy are responsible for the less rapid growth in construction in recent years, especially of privately financed nonresidential building. For example, new plants for such industries as chemicals and utilities requires much less building per unit of potential output than used to be needed. The growth of television broadcasting has reduced the need to build more theaters, and part of such growth as there has been in new motion picture facilities has been in outdoor theaters. Although there are many other factors involved in an appraisal of such differences, the expansion of television too has resulted in large savings in the use of labor and material resources.

As for residential construction, new housing starts and residential construction activity have been as high or higher since 1959 as they were in the previous decade. Although this may not involve an equivalent amount of total real output—because the proportion of multifamily residential construction has increased in the past several years—here, too, a lessened use of resources presumably has been achieved. The volume of lumber, furnaces, and other building components used per unit of residential output is considerably less for the average apartment than for the average single family dwelling. There are also savings in street, water line, and other supporting construction activity.

Goods: The goods component of GNP is larger than construction and services combined, so that trends in this segment weigh heavily in any analysis of growth trends. Any underestimate of growth for this segment would show up strongly in rates for the economy as a whole.

Growth in both total output and output of goods as measured by various series may differ for several reasons. The most important of these are that the compilation methods and coverage of the GNP series and the production indexes are different. Consequently, it seems advisable to discuss some of these differences—together with any adjustments that are possible—and their effects on the rates of growth obtained.

Type of measure: There are a number of conceptual and practical differences between GNP and the production indexes. Exact data are not available, however, to indicate to what extent these differences average out in the broad results for the total output of goods.[5] Because the production indexes are compiled by a different approach from that used for the GNP and because they permit more detailed comparisons of changes by industry and market groups, it is believed that they provide useful alternative measures of the growth in output of goods.

The production indexes published by the Federal Reserve are based on detailed product and man-hour series reported by factory, mine, and utility establishments, and the indexes are adjusted to census benchmark data for 1939, 1947, and 1954. They have also been checked on a preliminary basis against the comprehensive 1958 Census of Manufactures and the Annual Surveys of other recent years. Detailed adjustments to annual levels have generally not been carried through for the period since 1957. Continuing comparisons, however, are made to see whether historical relationships between changes in the total index and its major categories remain consistent with changes in other independently compiled data on electric power, railroad freight loadings, manufacturers' shipments, and employment and hours for part of industry.

Changes in the current GNP series in constant dollars for personal consumption expenditures on durable and nondurable goods depend to a considerable extent on the level and the representativeness of the retail sales data published by the Department of Commerce, and on the accuracy and appropriateness of the BLS Consumer Price Indexes for deflating these data. The current dollar figures for the consumption series are checked against the detailed Census Annual Survey of Manufactures.

In addition, changes in the GNP total goods series depend on the accuracy of the available wholesale price indexes for equipment, which are now in process of improvement; on the representativeness of the data from SEC-Commerce plant and equipment surveys, which were last fitted to benchmark data for 1947; and on the adequacy of the nonresidential construction estimates subtracted to derive the equipment component. The GNP goods data were fitted to benchmarks for 1939 and 1947 by the commodity flow method of adding estimated transportation costs, trade markups, taxes, and adjustments for exports, imports, and inventory changes to census producers' values, while some departures were made for the calculation of these data for 1954.

In appraising the accuracy of current and recent records it may be noted that historical revisions of both the GNP and industrial production series have typically resulted in raising the levels of the figures.

Final products: Changes in industrial output of final products are more representative of trends in final demand than total industrial production, and the production measure for final products has been expanding almost as fast since the beginning of 1959 as during the 1947–57 period. There was an acceleration in total output of these goods during the Korean war period, mainly because of defense production. The chart also shows growth in output of final products other than defense products, which is equivalent to the total for business equipment and consumer goods. Growth in this total was interrupted in 1957–58, but by 1962 and early 1963 total output of these goods was expanding at a rate consistent with the rate from 1947 to 1957. As noted later, some of these goods were produced for sale as defense products both before and after the Korean war.

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[4] These limitations have been noted in the descriptive material on the deflated GNP data as, for example, on page 10 of the October 1952 Survey.

[5] Note, for example, that the GNP allocates 17 percent of passenger automobiles to producers' equipment and the remainder to consumer expenditures, while the industrial production index classifies all auto output as consumer goods; this subdivision, however, cancels out in the goods total. On the other hand, series for some products such as food produced and consumed on farms and flowers, seeds, and potted plants are included in GNP goods but not in industrial production. For the purpose of this analysis series for residential gas and electricity, oil and gas well drilling, and construction materials have been added to the GNP goods total, and a series for farm gross product has been subtracted, to make the results more comparable with industrial production. There remain still the differences between the weight systems and weight years employed in the two sets of data.

For most analyses a period as short as that since the beginning of 1959 might be too short to permit generalizations, but in this instance it seems permissible because at the beginning of that period industrial production was back close to its 1957 prerecession high. Of considerable importance in appraising the expansion in this period will be developments for the whole of 1963. Output of consumer goods has generally risen since last autumn and business equipment has increased again this year. Retail sales of autos and other goods have been running about 5 percent higher than they were last year. This is likely to be the fifth year in a row when industrial output of final products has expanded, and except for 1961 the rate has been 4 percent or more.

Consumer goods: The apparent slowdown in the goods sector has often been attributed to the satisfaction by 1953, 1955, or 1957 of the large consumer demands accumulated during World War II for appliances and other durable goods. However, the course of output data based largely on physical volume figures does not support this conclusion. It is true that there was a slowing down in total production of consumer goods in the 1956–57 period as prices advanced on a broad front following record levels of auto sales and credit extension in 1955. Consumer credit terms had eased in 1954–55 when maturity standards for new auto financing shifted from a 2-year to a 3-year maximum. Some observers thought that this shift in credit terms was about the last possible major stimulus to auto sales in the postwar period and that the levels of auto production in 1955 would not soon be reached again.

Apart from the longer period of leveling off and of decline in consumer goods output in 1956–58, the persistent growth in this dominant sector of the economy has been a striking feature of the postwar period, as chart 6 shows. Although there has been some uneasiness about the slower rate of expansion in the deflated GNP expenditure series for consumer durable goods in recent years, the industrial production indexes for these goods do not show any persistent slackening.

In the production indexes published regularly the indexes for the home goods and apparel groups are combined and are contrasted with separate groups for automotive products and staples for better analysis of cyclical changes. For analysis of growth, however, it is more pertinent to use the combination of automotive and home goods to provide a consumer durable goods total, and the combination of apparel and consumer staples to provide a nondurable goods total. This second category includes residential utilities.

Although the rate of expansion in the indexes for automotive and home durable goods has been far more irregular than that for apparel and staples, production has continued to grow at about the same rate—4 percent per year—as for nondurable goods and for the total index of consumer goods.

Equipment series: Another component of the goods sector cited as accounting for a major part of the retardation in growth after 1957 is private investment. A portion of the indicated retardation here reflects greater national productive efficiency, resulting to a small extent from a decline in average business inventory-sales ratios. If the economy can operate with a smaller relative growth in inventories, less capacity is required than would otherwise be needed. This is a gain from the viewpoint of national efficiency, unless the resources released are simply added to the total of unused resources.

Likewise, there is a gain in efficiency if chemical plants can be built in the South without much external structure. And recently there has been a marked shift in Federal programs to space and other types of activities that involve a smaller relative base of industrial materials than before. If growth in output of industrial materials is less because of these shifts and because of a decline in material usage per unit of output of final product, this is a gain in national efficiency that should be taken into account in appraising the net increase in the national output of goods.

One reason that the private investment segment of GNP has appeared to grow more slowly than in earlier years is that the deflated expenditure figures are probably understated more for the later period. The results of intensified research and competitive pressures on the design and performance of capital equipment have not been adequately reflected in the price indexes used to deflate the expenditure series. This has been strikingly illustrated by the data for electric generators and related power equipment. Also, a large amount of new machinery and aerospace equipment has been developed and produced that is not being priced at all in the present indexes.

Even some of the current dollar estimates have been outmoded by the rapid growth of new technology. For example, over the past 5 years no increase has been allowed for in the GNP investment accounts for privately purchased noncorporate business equipment, and the combined total for noncorporate and nonprofit sectors has risen only a few percent per year. Yet there has been amazingly rapid growth in the use of computers and other new office equipment and medical and other institutional uses of commercial equipment.

In the industrial production index, the total business equipment component is up about one-fifth from 1957, or considerably more than the increase shown by the GNP series in constant dollars for producers' durable equipment. The GNP component shows such a small expansion from 1947 to 1957—about 1 percent per year—that it is hardly meaningful to refer to a retardation in growth since 1957, although the recent level shown is only slightly above the 1957 peak.

Precise comparisons are difficult because of the conceptual and statistical problems involved. The producers' equipment component of GNP in constant dollars was adjusted to eliminate some of its main differences from the business equipment index in industrial production.[6] The series are still not strictly comparable because the production indexes relate mainly to work done rather than to expenditures for final products and are generally based on total industry activities. These would include some defense equipment output at plants that produce business equipment primarily, a fact that accounts for part of the rise in the equipment index at the time of the Korean war.

It is possible that the production indexes are overstated as indicators of business-type equipment produced for all buyers—public as well as private, foreign as well as domestic. But comparisons of the indexes with financial and other data suggest that whatever the exact nature of the differences shown between these two series, the deflated GNP series, which is based largely on the SEC-Commerce surveys of domestic expenditures for business plant and equipment, is understated.

Some evidence is being developed from the producers' side which indicates that the current monthly reports on manufacturers' sales have been overstated by the available sample figures. For example, the presently published figures for manufacturers' sales of machinery are expected to be revised noticeably downward for recent years as a result of an adjustment now underway to the census annual survey figures. This revision may foreshadow some reduction in the level of the production indexes for machinery unless it appears that actual prices have been declining rather than remaining stable. No final conclusion can be reached until the census benchmarks for manufacturing production for 1958 and 1963 are calculated.

Any evidence of a decline in capital-output ratios—the relation of fixed capital used to units of goods produced—is difficult to develop without reliable estimates of changes in stocks of physical capital. Manufacturing output and capacity have risen about one-fourth since 1957 while deflated capital expenditures by manufacturers have remained below earlier levels, but this is not conclusive.

Total nonfarm goods: The Manpower Report cited earlier stated that "In the early postwar years, economic activity was stimulated by backlogs of demand for consumer and capital goods resulting from restricted production for nonessential goods during the war." These backlogs of demand doubtless were more of a fact than the GNP output figures indicate for the early postwar period, since there was little net increase over the 4 years from 1946 to early 1950 in the GNP series for total nonfarm goods. This stability in the constant dollar series may have reflected in part the difficulties of price deflation at that time, as mentioned on page 1048.

Much of the more rapid average growth rate shown by the GNP series in the first postwar decade came in the 1950–52 period when Federal defense expenditures rose by $35 billion in current prices and both business and consumer buyers, remembering World War II shortages, went on a buying spree. During the autumn of 1950 about 10 percent of industrial production was going into the accumulation of business inventory. Such an imbalance in output relations and the inflationary uptrend in prices were not conducive to sustained growth.

There appear to be two main reasons for the broad divergence shown by the two lines on nonfarm goods output in chart 8 (not printed in Record). One is the possible difference between the production index and the GNP series in their measurement of output in the industrial sector. The production index represents output through the mining, utility, and manufacturing stages of all goods except farm products. If output of farm products were added to both series shown in the chart, they would both show less rise. But the differences in recent years would not be appreciable.

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[6] The GNP figures were adjusted to include data for Federal, State, and local government purchases of nonmilitary equipment and of equipment for oil and gas well drilling, and for exports of equipment. Series for imports of equipment, noncorporate business purchases of autos, and capital outlays charged to current account have been excluded. A test using gross value weights rather than value-added weights to combine the business equipment series in the production index showed little difference in results since 1947 except for a downward shift of about 4 percent from early 1948 to late 1949 in the gross value results as compared to the value-added measure. The adjustments were developed by Peter Gajewski of the Board's staff.

The other main reason for the divergence may be the difference between the movement of the distribution allowances in the GNP series and the movement based on an assumption that distribution tends to move generally with production. There would also be certain cyclical differences in behavior and various other discrepancies, for example, such as those reflecting the handling of farm products.

The GNP total for goods production includes allowances for trade and for commodity transportation, but the industrial production indexes do not. Yet if business inventories are not being accumulated in excessive volume, then presumably goods are being transported and sold in a volume broadly consistent with their output. If an expansion in output and distribution is being accomplished with fewer employees—in the railroad and trucking industries and in retail and wholesale outlets, as well as in industrial establishments—then the economy is performing more efficiently than before.

Industrial production accounts for about half of the GNP nonfarm goods total. The relatively large differences in the trends of industrial production and the GNP nonfarm goods total—with the former showing more increase in the 1946–48 period and then again from the end of 1949 to late 1951—are perplexing if one considers (1) that the postwar growth in output of consumer goods was relatively steady, (2) that such goods require more distribution activity per unit than either business or defense equipment, and (3) that they make up a large part of the GNP nonfarm total. A comparison of the quarterly fluctuations of the two series also indicates some puzzling differences. These differences necessarily have implications for such related measures as productivity and changes in inventories, as well as for the output and price indexes involved.

GROWTH IN PRODUCTIVITY

The upper half of chart 9 (not printed in RECORD) shows an annual productivity index beginning with 1946 for manufacturing activity alone. This index is based on the manufacturing component of industrial production and on BLS data for average hours worked by all employees in manufacturing. The lines are connected for all years except the 3 recession years of 1949, 1954, and 1958. According to this index, productivity in manufacturing has expanded in the past several years to a rate of 3.5 percent compared to 3 percent in the previous 9 or 10 years. The increase accelerated last year, and the higher rate has continued into 1963.[7]

An adjustment of the employment series to a more recent benchmark, to be available this summer, is expected to narrow the difference slightly, but the pattern of acceleration would still be evident.

For the period since 1957 manufacturing productivity would probably show an additional rise of 2 or 3 percent if based on hours actually worked rather than those paid for. Census reports indicate that paid vacations and other paid-for nonworking time have increased.

Although data on man-hours paid for are suitable for analysis of changes in labor costs, they are not so appropriate for measuring changes in labor requirements. Similarly although data on output per man-hour worked are suitable for analysis of productivity, they are for some purposes less adequate indicators of employment needs than a measure of output per employee.

If only the final products of industry were considered, the indicated growth in production and productivity in the recent period would be even greater than that shown by total manufacturing. Over the past several years industrial output of final products has been 5 percent higher than output of materials when compared with average levels of the earlier postwar period.

If this sort of output comparison is broadened to include the total nonfarm goods-producing sector, a definite acceleration in output per employee is shown in the past several years. These results, based on industrial production as the output indicator and the view that movements in trade and commodity transportation are broadly similar to trends in industrial production, involve some inconsistencies of comparison as noted earlier. Although these inconsistencies limit long-run comparisons, they probably do not materially affect the patterns of change shown for annual intervals.

CONCLUSIONS

The conclusion that the economy has achieved an accelerated rate of productive efficiency over the past several years is consistent with two developments that have been cited as evidence of a slowdown in the U.S. economy. One is the lower average rate of use of manufacturing capacity and other resources. This can be accounted for partly by the less rapid expansion in demands for heavy equipment and nonresidential construction, both of which depend more on output of steel and other industrial materials than do consumer goods, services, or Government space activities. The second development relates to the abatement in recent years of upward price pressures which were much in evidence earlier in the postwar period.

One implication of this inquiry is that studies of growth should give more attention to the end products of economic activity and to the improvement of national productive efficiency. To focus attention on aggregate measures of activity may, because of increased efficiency in the use of resources, create an unwarranted impression of sluggish performance by the U.S. economy. Programs to stimulate economic growth should give more attention to the adequacy and sustainability of the expansion in private consumption of final products and in public services rather than stressing general national expenditures. This is especially true if needs for business inventories and plant and equipment are declining relative to growing final demands.

Another implication of the inquiry is that there is less slack in the U.S. economy than is generally supposed. If the growth in physical output and consumption has been faster than the deflated gross expenditure totals suggest, then margins of unused capacities are not so large as often thought.

An accelerated rate of expansion in overall activity would increase final demands and investment requirements; and with this increased investment, incomes and consumer demands would doubtless rise faster. How much increase would be sustainable is another question. If expectations became too exuberant in the process of economic stimulation, this might increase upward price pressures and encourage speculative activities. The present character and location of plant and equipment facilities and the existing limited supplies of skilled and professional labor may provide fewer safeguards against such developments than is indicated by the view that a slack economy exists. Increased emphasis on expanded educational and occupational training opportunities would help reduce unemployment rates and would provide wider margins of available effective resources.

[From the Wall Street Journal, Sept. 19, 1963]

A DANGEROUS DIAGNOSIS

For a good while now the Administration's economic doctors have had a simple diagnosis for many of the Nation's ills: We've just lost our old zip. If the economy could only regain its old growth rate, unemployment would dwindle and Federal budget-makers could go back to using black ink.

Proceeding from this analysis, the Government prescribes and applies such supposed zip-producers as ever-easy money and ever-rising Federal spending. Strangely, the ills they talk about refuse to go away.

What's wrong? One of the clearest answers to the question comes, oddly enough, from an economist within the Government itself. Writing in the current Federal Reserve Bulletin, Federal economist Clayton Gehman explains that the original diagnosis is faulty. Not only that; it can be downright dangerous.

In the past half dozen years the economy has been doing a lot better than its critics claim. In fact, says Mr. Gehman, "growth in U.S. economic activity in recent years has been close to longtime rates."

How can this be? Mr. Gehman would seem to be flatly contradicting the recent Manpower Report of the President, which noted that the annual growth rate of the Nation's goods-producing industries fell from 3.4 percent in the 1947–57 decade to 1.5 percent in the period from 1957 to 1961.

The answer chiefly lies in the way some statisticians use statistics. For one thing, this 1947–57 period reflected some unusual conditions, such as the Korean war buildup, that could not reasonably be expected to continue.

But that's not all; the 1957–61 period is a peculiar choice for economic comparisons, too. A business expansion was reaching its crest in 1957, while 1961 marked the low of a recession. So to say that the economy wasn't making headway during that period is a little like saying that a man who, in crossing the Alps, has moved from one mountain's crest to the bottom of another hasn't made much upward progress. It's quite true, but hardly significant.

For the fact is that the economy, after 1961, moved a long way toward a second crest. Extending economic statistics through 1962 and into 1963 makes the recent period look far better. Our growth rate then

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[7] The independence of the productivity results may be questioned on the grounds that about half of the monthly movements and the annual levels for the past several years of the total industrial production index are influenced by the extrapolated adjustments for output per man-hour for the series based on production worker man-hours. The adjustments for these man-hour series are continually reviewed and compared with a variety of other data by the Federal Reserve, but in revisions of the production index the industrial series have individually been subject to considerable further revision.

In combination, however, after benchmark and other revisions, the pattern of annual changes in output per man-hour for the man-hour area as a whole has been close to the changes implied in output per man-hour by the part of the index based on the physical product series. Consequently, for current and recent periods this pattern is used to modify the adjustment factors for the man-hour series, as discussed on p. 22 of the 1959 Revision publication and as demonstrated in the accompanying tabulation. This shows for the major periods delineated in this paper how similar the allowances for changes in output per man-hour—for production workers—in the total industrial production index are to the productivity changes implied in the physical product area of the total (annual averages, 1947=100):

	Total index	*Physical product area*
1947–49	106	106
1950–54	125	125
1955–58	152	153
1959–62	180	179
1963, first half	198	198

comes much closer to matching that of the postwar decade despite the special circumstances present in that earlier period.

If the economy has been doing so well of late, someone is sure to ask, Why does it have surpluses of materials, productive capacity and—most painful of all—manpower?

The reason, as Mr. Gehman explains, is that the economy has not only been growing bigger but has been getting more efficient. This stems from more than the introduction of new automated equipment. It also results from such factors as improved control of inventories and more systematic scheduling of production. No longer are unneeded materials and products allowed to pile up so high in warehouses.

In this more efficient economy, some resources are not only unemployed. Old factories, to find a place, may have to be rebuilt; some workers will have to be retrained. Easy money and big budget deficits are likely to be of little help. In any circumstances, there's a poor prescription for solid economic growth; its failure in the 1930's should have made that clear.

In the current circumstances, the prescription may only lead to increased trouble. For it is the economy's stock of unemployed resources that the Government is always citing as our protection against sharp inflation. The inflated demand, so the reasoning goes, will be easily absorbed by the unused supply of materials, manpower, and factories. But the idle supply of usable, effective resources is simply not as big as it's cracked up to be; sooner than some people think, these resources can be stretched past their limit.

Still, the Government goes on administering its inflationary monetary and fiscal remedies for our ills. And things are never too hopeful for a patient whose doctor starts out with a faulty diagnosis.

Mr. PROXMIRE. Mr. President, in addition, I wish to emphasize a few of the notable points made by Mr. Gehman. He has drawn three general conclusions.

The first of these is that growth in U.S. economic activity in recent years has been close to longtime rates. If this is true, Mr. President, it indicates that there is no particular justification in terms of the statistics for such proposals as tax reduction.

His second conclusion is that increased productive efficiency in the use of labor and materials has been achieved. All of us can simply say amen to this, since this is the ultimate source for increases in standards of living for our citizenry generally.

His third conclusion is that there has been more unemployment and less demand for materials than there would have been otherwise. Here again we can be thankful for these results in that they indicate that we are enjoying a greater fringe benefit from increased productivity in the form of leisure hours. The remaining difficulty from this result is the distribution of these leisure hours to those individuals who desire them, rather than to those individuals who must work in order to maintain themselves. It is for this reason, Mr. President, that I, along with many others, have encouraged earlier retirements and retraining programs so as to place the employment where it is most needed and to provide additional leisure to those who deserve it.

Mr. Gehman points out that a review of U.S. growth over the postwar period indicates that there was an interruption in industrial and total economic expansion during 1956 to 1958. However, in his view, based on extensive statistical analysis, an "expansion has been resumed" at a rate about in line with earlier average longrun trends. He points out that since late 1961 there has been a strong demand for autos and a broad expansion in purchases of other consumer goods. In constant dollars we have had since 1961, according to the Gehman figures, the largest expansion in nonautomotive retail sales since the Korean war period. Yet we hear virtually nothing about these types of expansion during the time when people are talking about the need for tax reduction.

Another point made by Mr. Gehman is that the use of terminal years is very important in measuring growth. For example, the Council of Economic Advisors and others have used most recently the year of 1957 to indicate a slowdown in rate of growth. However, Mr. Gehman points out that if 1959 is used, the rate of expansion in each of the last 3 years has been at least as rapid as in similar business expansions beginning with 1946 or 1955. This is true even though the latest period includes the 1960–61 recession.

Mr. Gehman also examines this growth in terms of components of gross national product and finds that in almost every component across the board growth has been good or substantial. The items he examines include services, construction, and physical goods.

Mr. Gehman's conclusion is sufficiently important that I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the conclusions were ordered to be printed in the Record, as follows:

CONCLUSIONS

The conclusion that the economy has achieved an accelerated rate of productive efficiency over the past several years is consistent with two developments that have been cited as evidence of a slowdown in the U.S. economy. One is the lower average rate of use of manufacturing capacity and other resources. This can be accounted for partly by the less rapid expansion in demands for heavy equipment and nonresidential construction, both of which depend more on output of steel and other industrial materials than do consumer goods, services, or Government space activities. The second development relates to the abatement in recent years of upward price pressures which were much in evidence earlier in the postwar period.

* * * * *

Another implication of the inquiry is that there is less slack in the U.S. economy than is generally supposed. If the growth in physical output and consumption has been faster than the deflated gross expenditure totals suggest, then margins of unused capacities are not so large as often thought.

An accelerated rate of expansion in overall activity would increase final demands and investment requirements; and with this increased investment, incomes and consumer demands would doubtless rise faster. How much increase would be sustainable is another question. If expectations became too exuberant in the process of economic stimulation, this might increase upward price pressures and encourage speculative activities. The present character and location of plant and equipment facilities and the existing limited supplies of skilled and professional labor may provide fewer safeguards against such developments than is indicated by the view that a slack economy exists. Increased emphasis on expanded educational and occupational training opportunities would help reduce unemployment rates and would provide wider margins of available, effective resources.

ADJOURNMENT

Mr. SMATHERS. Mr. President, if there be no further business to come before the Senate, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 52 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, September 25, 1963, at 12 o'clock meridian.

CONFIRMATION

Executive nomination confirmed by the Senate September 24, 1963:

POSTMASTER GENERAL

John A. Gronouski, of Wisconsin, to be Postmaster General.

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 24, 1963

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, the gentleman from Oklahoma [Mr. Albert].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOM,
September 24, 1963.

I hereby designate the Honorable Carl Albert to act as Speaker pro tempore today.

JOHN W. MCCORMACK,
Speaker of the House of Representatives.

PRAYER

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Peter 4: 8: *Above all things, have fervent charity among yourselves.*

O Thou eternal God, our Father, who art of all companions the nearest and of all counselors the wisest, may we be grateful and glad that in Thee our baffled minds and burdened hearts may find serenity and courage, shelter and safety.

Grant that in the arduous tasks and perplexing problems which demand strength and wisdom, we may be blessed with the guiding and interpreting light of Thy divine spirit.

May Thy servants be girded with grace and favor which will make them impervious to any thoughts and feelings of anguish and fear for we are confident that nothing can ever impede the progress of the forces of righteousness.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On September 23, 1963:

H.R. 5781. An act to amend the act of August 1, 1939, to provide that professional nurses shall be registered as staff officers in the U.S. Merchant Marine, and for other purposes.

On September 24, 1963:

H.R. 12. An act to increase the opportunities for training of physicians, dentists, and professional public health personnel, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 8100. An act to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The gentleman from Washington makes the point of order that a quorum is not present. Evidently, a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 150]

Anderson
Avery
Celler
Chelf
Clark
Cramer
Dingell
Dole
Dorn
Gary
Gray
Gubser
Hansen
Harding
Holifield
Hosmer
Hull
Jarman
Kelly
Lankford
Lipscomb
Lloyd
Long, La.
Mailliard
Martin, Mass.
May
Morse
Morton
O'Brien, Ill.
Olson, Minn.
Passman
Powell
Price
Quillen
Rooney, N.Y.
Rooney, Pa.
Ryan, N.Y.
St. George
St. Onge
Shelley
Sheppard
Sullivan
Thompson, La.
Thompson, N.J.
Whitener
Willis
Wilson, Bob

The SPEAKER. On this rollcall, 385 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

SIXTEENTH ANNUAL REPORT OF THE HOUSING AND HOME FINANCE AGENCY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States which was read, and by unanimous consent was, together with the accompanying papers referred to the Committee on Banking and Currency:

To the Congress of the United States:

Pursuant to the provisions of section 802(a) of the Housing Act of 1954, I transmit herewith for the information of the Congress the 16th Annual Report of the Housing and Home Finance Agency covering housing activities for the calendar year 1962.

JOHN F. KENNEDY.

The WHITE HOUSE, *September 24, 1963.*

FILING OF CONFERENCE REPORT ON H.R. 5888—APPROPRIATIONS FOR DEPARTMENT OF LABOR, HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES, FISCAL YEAR 1964

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill H.R. 5888 making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1964.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

AMENDING INTERNAL REVENUE CODE OF 1954 TO REDUCE INDIVIDUAL AND CORPORATE INCOME TAXES AND TO MAKE CERTAIN STRUCTURAL CHANGES WITH RESPECT TO INCOME TAX

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution, House Resolution 527, and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8363) to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill, and continue not to exceed eight hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means. Amendments offered by direction of the Committee on Ways and Means may be offered to the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. BROWN]; and pending that, I yield to myself such time as I may consume.

Mr. Speaker, the rule, as those who listened to its reading will know, is the rule usually provided when we consider a tax bill. It is a rule which waives points of order; provides a great deal of time for general debate—8 hours; and allows only committee amendments; and one motion to recommit with or without instructions.

This is the rule we have used for years regardless which party was in the majority in the House.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield on that point just covered.

Mr. BOLLING. I yield to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. In other words, no Member of this House can offer an amendment, as usual, except in the motion to recommit?

Mr. BOLLING. That is correct. Except that committee amendments are in order, as is usual.

Mr. SMITH of Iowa. So the most irresponsible or phoniest kind of amendment can be included in a motion to recommit, but individual Members who may have a good, sound amendment cannot propose it on the floor of the House?

Mr. BOLLING. That is correct.

Mr. SMITH of Iowa. What is the reason for this inconsistency time after time after time on these bills?

Mr. BOLLING. I think the gentleman will discover, if he looks back over the history of the House of Representatives, that there was a time a number of years ago when a bill, not a revenue bill but a tariff bill, came to the floor under an open rule. There were so many amendments, good or bad, offered by so many Members that finally, after 2 weeks of futile debate, the committee rose and went to the Committee on Rules and asked for a rule which would allow the Committee of the Whole to take a bill proposed by the Committee on Ways and Means, or reject it, giving to the minority the right to offer one motion to recommit which could be even a substitute. This was a practical experience which convinced a great many Members that the only way in which you could effectively handle a revenue bill or a tariff bill was in this fashion.

Mr. SMITH of Iowa. But although revenue bills originate in the House, in the Senate they can offer amendments, that is, any Member can—so in effect most revenue bills have been amended or written in the Senate. Is that not true?

Mr. BOLLING. I doubt that that would be accurate.

Mr. MILLS. Mr. Speaker, would my friend from Missouri yield?

Mr. BOLLING. I am glad to yield to the gentleman from Arkansas.

Mr. MILLS. It has not been the case certainly in the last several years, and I do not think it was ever the case that revenue bills were written in the Senate. The mere fact that the other body adopts an amendment does not necessarily mean that that amendment becomes the law.

Mr. SMITH of Iowa. I think the gentleman may agree, or may not, that this procedure is used to keep us from having substantial amendments on this depletion allowance.

Mr. BOLLING. I think I have yielded as much as I intend to. I happen to share the gentleman's view with regard to depletion allowances, but the closed rule is not used for any single narrow purpose but is used for the reasons I have outlined. The fact is that most Members think, quite accurately, I believe, that if the House allowed unlimited amendments on a bill of this sort, we would get ourselves into very serious difficulty.

Mr. SMITH of Iowa. The gentleman will agree it is highly inconsistent, would he not?

Mr. BOLLING. I do not consider it inconsistent but merely a practical way to expedite the business of the House.

Mr. Speaker, the economic decision that the House will make when it acts on this tax bill will be one of the most significant ones ever made in this country. It involves our making a new approach to the problem of full employment and to the problem of how the Government can best play its role in economic matters. It is the kind of bill which should be debated on the highest level. It is the kind of bill on which there should be no partisanship. It is too important for partisanship. The bill which we write should have the best judgment of all the Members of the House. I have no objection to any position that anybody takes sincerely on my side or on the other side, but it seems to me very important that this debate should be on a high level. It is one of the reasons why I find myself so completely shocked by some of the language which appears in the minority report. I would like to call the attention of the Members of the House to this language.

Referring on page c26 to the repeal of the 4-percent dividend credit, this sentence appears. It is the last sentence in the second full paragraph on page c26:

> The repeal of this provision epitomizes the demagogic approach which has been resorted to time and time again by the majority.

That report is signed by 9 of the 10 Republican members. The thing that particularly shocks me is that the names of two distinguished gentlemen appear as signatories of that report. It has never been my privilege to serve on a committee with the gentleman from Wisconsin, the ranking Republican member, the gentleman from Wisconsin [Mr. Byrnes], but I have listened to him in debate on many occasions and I have found him fair and, within the limits of disagreement, objective. The thing that really shocks me—and I am not chiding my colleagues—the thing that really shocks me is the appearance of the name of another of our colleagues, a man with whom I have had the privilege to serve on the Joint Economic Committee for a very long time. He and I have disagreed consistently on virtually every economic principle. Often we have been in the position of my being chairman of a subcommittee and of his being the ranking minority member. This is the first time in my experience that he has ever allowed himself to be in the position of calling his colleagues on the other side demagogic.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. With pleasure.

Mr. CURTIS. Mr. Speaker, I want to call the gentleman's attention to the fact that this was to start on a high level; the language read refers to a specific approach. It did not call my colleagues demagogic. It refers to an approach to the dividend credit—and, indeed, I shall reiterate it during debate and try to document it. It is a specific approach. I do not say that about my colleagues. I have never referred to them as demagogs. The approach to this reform by the critics, in my judgment, has been to emotion not to basic reasoning.

Mr. BOLLING. I shall reread the sentence.

Mr. CURTIS. Yes.

Mr. BOLLING—

> The repeal of this provision epitomizes demogogic approach which has been resorted to time and time again by the majority.

Mr. CURTIS. That is correct.

Mr. BOLLING. The question I would like to leave with the Members of the House on both sides is, Are we to understand that this is going to be debated in these terms; that, in effect, the chairman of the committee is being accused of using a demagogic approach time and time again. I cannot believe that the Members of the House want this debate at that level, and I hope that we will consider this matter in the way in which it should be considered, fairly and objectively and in the interest of all of us and all of the people of the country.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am very happy to note that the debate on this rule has started off in a nonpolitical manner and in such form that I shall attempt to restrict myself to nonpartisan statements.

Mr. O'NEILL. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I cannot yield until I have finished my statement, and then I shall be happy to yield to the distinguished gentleman from Massachusetts, my colleague on the Rules Committee.

Mr. Speaker, this resolution provides for the granting of a closed or "gag" rule for the consideration of H.R. 8363, the so-called administration-sponsored tax reduction bill, under an arrangement which provides for 8 hours of general debate, but prohibits and prevents the offering or consideration of any amendments to the bill except upon instructions of the Ways and Means Committee itself, or except as contained in a motion to recommit under the right which is always reserved to the minority.

Naturally, I am opposed to the adoption of this closed or "gag" rule for obvious reasons, many of which I have stated on the floor in connection with similar rules in the past. Only once, years ago, did I support a closed or "gag" rule, as my dear and beloved friend and colleague, the chairman of the Ways and Means Committee, the gentleman from Arkansas [Mr. Mills], so often loves to remind me. That was at a time when both of us were much younger and less experienced than we are now. As I look back, I am convinced that I made a mistake when I supported that "gag" rule those many years ago, but I at least console myself with the thought I have learned something through experience and the passage of time—whether anyone else has or not—and that is that a closed or "gag" rule is not a fair or proper way under which to consider legislation in a body such as this, which we so often boast is the most deliberative and representative body in all the world.

We should not permit dictatorship or bossism to exist in this House in connection with tax legislation any more than it be permitted to exist in connection with any other activity of a free and representative assembly.

Just as a matter of trying out the fairness of those who support this administration-sponsored tax bill, I suggested, in the Rules Committee meeting which considered the granting of a rule on this bill, that we follow the procedure the chairman of the Ways and Means Committee had followed in obtaining the rule a few weeks ago which brought to the floor of the House the last bill from that committee to be considered here—the bill to amend the Social Security Act increasing the benefits or grants paid out of the general revenue funds of the Treasury to the various States to deal with mental retardation. In line with the gentleman from Arkansas [Mr. Mills] request, the Rules Committee granted a modified rule permitting amendments to a certain section of the Social Security Act dealing with grants to the States for mental retardation purposes, and that rule was adopted by the House.

But, when I suggested last week that a similar rule be granted on the tax bill, making in order the consideration, under the 5-minute rule, of an amendment to the tax bill which had been defeated in the Ways and Means Committee itself by the margin of a single vote, so the House might work its will on the question involved as to whether some control over Federal spending should be tied to the tax reduction measure, my proposal was defeated by a straight party line vote.

So, we now have before us the question of adopting another closed or "gag" rule, which prohibits the offering or consideration of any amendment to this tax bill except as contained in one motion to recommit—despite the fact that when the bill reaches the floor of the other body, any Member thereof—the Senate of the United States—can offer any or all amendments he or she may desire, even though such amendments may not actually be germane, and may not even deal with any tax matter. So, I am opposed to the granting of this rule, although I know it will be adopted.

This does not mean I am opposed to tax reduction. In fact, I want to see Federal taxes reduced. I need to have my personal and my business taxes drastically reduced, for they have been entirely too high. Make no mistake about it, I know of no American who would not like to have lower Federal taxes. But I believe that if Federal taxes are to be reduced, and this Government is to remain solvent, Federal spending must also be reduced, for Federal spending has been entirely too high. This Government has been living on borrowed money far too long, until today our national debt is the highest in the peacetime history of this, or any other, nation, and it has been going up year by year with a regularity and rapidity that threatens eventual national bankruptcy unless the trend of deficit financing is soon stopped and reversed.

I agree fully with an editorial which appeared in the Washington Evening Star of Thursday, September 19, and I quote from it. It reads:

> There is one overriding reason why Congress should cut taxes and do it now. This reason simply stated is that the tax burden is much too heavy.
>
> The country has been limping along under excessively high individual and corporate tax rates which were imposed as emergency wartime measures. The shooting stopped a long time ago. But the war-level taxes have lingered on, one excuse after another serving to perpetuate them. And if they are not cut back this year some new excuse for not reducing them will be dug up next year.
>
> Representative BROWN conservative Republican from Ohio says he would feel better about a tax cut if Representative MILLS (who favors the proposed reduction) were President. What the Ohioan meant was that he would have more confidence in an assurance from Mr. MILLS who is chairman of the Ways and Means Committee that he would hold the line on spending. So would we. But Mr. MILLS is not President. John F. Kennedy is and he said of his administration last night: "We are pledged to a course of true fiscal responsibility leading to a balanced budget in a balanced full-employment economy."
>
> This rather wordy pledge conveys less assurance than conservatives in Congress will want. And it is true that the President on the whole has done a better job of talking economy than of practicing it in his legislative recommendations.
>
> Still, the compelling argument for a tax cut remains valid: taxes are so high that they are a drag on the economy. Congress ought to cut them this year. And the legislators really have no need to worry about extravagant spending by the administration. The President can't spend a nickel unless Congress first authorizes it.

I stand by what I said in the Rules Committee meeting as referred to in the editorial. I say now, as I said then, that I would have more confidence in an assurance from the gentleman from Arkansas [Mr. MILLS], chairman of the Ways and Means Committee, that he would hold the line on spending then I have in the statement made by President Kennedy when he said to the American people over the air, and I quote him again:

> We are pledged to a course of true fiscal responsibility, leading to a balanced budget in a balanced, full-employment economy.

Now, Mr. Speaker, I have the greatest respect for the Presidency of the United States. I have personally known and served with President Kennedy in the Congress of the United States. Our relationships have been pleasant and kindly. I have no quarrel with him as a person or as an individual. However, I cannot agree with all that he says or does as a public official any more than I am sure he does not agree with all that I may say or do in my official capacity. All that I can do is to look at the record, as I am sure he looks at the record we make here.

We can only judge the future by the past. We can only ask ourselves—will President Kennedy, in the future, follow a course of true fiscal responsibility? Will he reduce Federal spending? Will he make every effort to balance the budget? Let us see what has happened and is happening, and just what the situation is today.

A few minutes ago, just before I took the floor, I left a meeting of the Rules Committee of this House, where we were conducting a hearing on a bill to extend the Area Redevelopment Act, to cost another $355 million, in spite of the fact that in late June of this year—after long debate—this House, by a record vote, refused to extend the Area Redevelopment Act, or to authorize the expenditure of some $455 million on the basis and under the belief the program had been a wasteful, inefficient, and ineffective one and should not be continued. Yet under pressure from the White House, and from the administration, the other body passed this bill—a bill to do that which the House had refused to do—to extend the Area Redevelopment Act and to authorize the expenditure of $455 million thereunder. While the House Committee on Banking and Currency has cut the authorization carried in the Senate for area redevelopment from $455 million down to $355 million in an attempt to get the measure through the House, which, of course, is $100 million less than the Senate proposes, it is still $355 million more than should be spent.

So, if the President is sincere in his desire to hold down Federal spending—and I personally do not challenge his sincerity—let him demonstrate it by issuing public orders to those in his administration who have been so busy lobbying in behalf of this area redevelopment bill to stop such activities immediately. Let him order his White House aides to stay away from Capitol Hill, and to quit telephoning Members of the House in support of the passage of this huge spending measure. Let him impress upon those who serve under him in the executive department that he desires to hold down Federal spending so we can afford to have a reduction in Federal taxes without our Federal Treasury having to go out and borrow the money to meet the cost thereof—money which will have to be paid back by future generations yet unborn.

What can it hurt to spell out in this tax reduction bill, as a part thereof a real pledge that the President and the Congress will hold down Federal spending as well as reduce taxes?

But let us go into the record a little bit further. Let us take a look at things I know about, and that you who are listening and the American people generally should know about. Let us see just what big spending bills Mr. Kennedy and his administration have submitted to this Congress since last January—proposals to start costly new programs which may be enticing and enchanting; programs that are appealing; programs to furnish services and benefits which many of us would like to have, providing we can afford to pay for them. And that is the big question that confronts the Nation today—can we afford these big new costly spending programs when the money to be spent upon them must all be borrowed to be added to the national debt for future generations to pay. Let us look at these programs that have been sent to Capitol Hill, with the administration's blessing and support during the past 9 months. Some of them have been cleared by the Rules Committee, some of them have even passed the House, and few have cleared the Congress, but many of them are still pending before the Rules Committee, with administration forces urging the Rules Committee to send the bills to the floor of the House for early action. Let us see what the cost of these bills may be. I take my figures from the records of the House itself, or from the files of the Rules Committee.

First of all, there is H.R. 12 from the Interstate and Foreign Commerce Committee, the health professions assistance bill, a 5-year program which would cost $602,570,000 for the first 5 years, and $379,500,000 for the second 5 years, and that bill has passed the House.

Then there is H.R. 3881, sponsored by the administration, the so-called mass transit bill, out of Banking and Currency, which is still pending before the Rules Committee, with a starting cost of $500 million and an estimated overall cost of anywhere from $15 to $20 billion, if the proposed program is carried out fully.

Then comes H.R. 5131, from the Education and Labor Committee, the so-called Youth Employment Act, which is still pending before the Rules Committee, providing for a 3-year program, supported by the administration, of course, to cost an estimated $740 million.

Then I want to refer again to H.R. 4996, the Area Redevelopment Act, from the Banking and Currency Committee, which called for a 2-year program, to cost $455 million, which was defeated last June; and the Senate bill, S. 1163, to do the same thing, to again extend the Area Redevelopment Act as I mentioned a moment ago being heard right now before the Rules Committee to cost $355 million during the next 2 years.

Then another nice, costly administration-sponsored measure, H.R. 6143, out of the Education and Labor Committee, the so-called higher education bill, which has already passed the House, establishes a 3-year program to cost $1,195 million.

And another bill pending in the Rules Committee from the Education and Labor Committee, H.R. 7161, to train teachers and exceptional children over a 3-year period, would cost $27 million, with the blessing, of course, of the administration.

Another administration-sponsored bill, H.R. 6518, out of the Interstate and Foreign Commerce Committee, known as the Clean Air Act, to start a new 3-year program, would cost $85 million, has passed the House, and it, too, has the support of the administration.

Pending before the Rules Committee, but not yet acted upon, is H.R. 4879, another administration-sponsored bill, known as the Libraries Act, to establish a 3-year program, and cost $112,500,000.

Then the House recently passed a bill from the Ways and Means Committee, with administration support, of course, H.R. 7544, to amend the Social Security Act so as to spend on a 5-year program some $265 million in grants to the States for the benefit of retarded children. A somewhat similar bill, for the construction of facilities to treat mental illnesses and mental retardation, S. 1576, was amended by the House Interstate and Foreign Commerce Committee, and passed the House, to limit the administration-sponsored program to 3 years at a cost of $238 million, while the bill, as it originally passed the Senate, with administration support, of course, set up a 5-year program for the same purposes to cost $850 million.

Just a few weeks ago the House passed another administration-sponsored bill, the vocational education expansion bill—H.R. 4955—to authorize grants to the various States on a matching basis of some $270 million during the next 3 fiscal years, and $180 million for fiscal 1967 and each subsequent year thereafter, in addition to the $57 million already being paid out by the Federal Government for the same purposes.

Just a little over a week ago while in the other body the administration was driving for the ratification of a treaty to ban nuclear tests; in the air and under water, on the basis that such an international agreement would greatly reduce or eliminate the dangers of nuclear fallout and would be a leading step toward peace, the House of Representatives was passing the administration-sponsored civil defense bill to appropriate $190,600,000 for the first year of a new program to furnish aid for the construction of fallout shelters throughout the country as a part of a 5-year program—the total cost of which would run $2,115 million.

Including H.R. 4996, which was defeated in the House, the total cost of these administration bills to the taxpayers of America—bills sponsored and supported by the Kennedy administration in this year of 1963—if the figures given me are correct, will be at least $7,441,570,000, if the provisions carried in the original Senate bill, S. 1576, for the expenditure of $850 million on the program for the mentally ill and mentally retarded, are finally agreed upon by the House-Senate conferees, as may well be expected, and perhaps even more. This total of $7,441,570,000 is in addition to, or above the total of other costs of operating the Federal Government.

These facts and figures, my colleagues, demonstrate the real need for adding some proper language to the pending tax reduction bill that will be more than a gentle promise or a pious hope that Federal spending will be reduced in line with the contemplated cut in Federal taxes. Such an amendment to this tax bill as may be offered as a part of the motion to recommit would be helpful to the President, and should be accepted by him gladly and willingly, so as to make his task easier, for its adoption would make the Congress his partner in an honest effort to hold down Federal spending to reasonable levels. We should all want to help the President accomplish this purpose, as he has indicated in his statement over the air that he would like to do and wants to do. The easier we can make it for him, the more help and the more strength we can give him, in reducing Federal expenditures, while at the same time we reduce Federal taxes, the better off we will all be—the President, the Congress, and the American people generally.

The time has come when we must stop this annual increase in Federal spending and try to hold the line. In fiscal 1960, in the last full year of the Eisenhower administration, Federal spending amounted to $76,500 million. In fiscal 1961, a year about equally divided between the Eisenhower and the Kennedy administrations, total Federal spending was up $5,000 million—to a total of $81,500 million. In fiscal 1962, the first full year of the Kennedy administration, it had jumped $6,300 million, to a total of $87,800 million.

In fiscal 1963, under Kennedy, Federal spending had jumped to $92,600 million; by fiscal year 1964, the present fiscal year, the official spending estimate of the administration was $98,000 million and for the coming new fiscal year of 1965, the administration estimates Federal spending will be $99,900 million.

So, when Republican members of the Ways and Means Committee asked for an amendment to this pending tax bill, providing the President and the Congress pledge themselves to make every effort to hold public spending to $97 billion for this fiscal year of 1964, and to $98 billion for fiscal 1965, it is not asking too much. In fact, to permit Federal spending for this and for the next fiscal year to be over $4 billion more than spent in fiscal 1963 which just ended June 30 last is not being stingy. Certainly no Federal agency or employee will starve on a $97 or a $98 billion budget. Certainly any administration can live within such a budget, so let us all—regardless of the party to which we may belong—help the President, and help ourselves, hold down Federal spending so we can reduce Federal taxes on a sound basis—for no government can long survive when it continuously spends more each year than it takes in, any more than any family, or any business, can long survive by spending more each year than its income.

Let us safeguard the economic security of this Republic and its people by holding down Federal spending at the same time that we reduce Federal taxes. We can do so by adopting the amendment which will be offered in the motion to recommit the pending bill.

Let us act as responsible men and women. Let us face the facts of life. Let us, by our votes, acknowledge that which our commonsense tells us—that to enjoy lower Federal taxes, so badly needed, we must also hold down public spending.

Mr. BOLLING. Mr. Speaker, I yield 10 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I listened to the gentleman from Missouri [Mr. BOLLING] who presented this rule. I listened with equal interest to the gentleman from Ohio [Mr. BROWN]. When I secured this time it was for the purpose of discussing this rule. I do not like this rule. I do not like any closed or "gag" rule. I do not vote for closed or gag rules. I have a 100-percent batting average on that in the Committee on Rules because I do not think it is proper for a legislative body to gag itself and be completely dependent upon the committee that reports a bill.

We are sent here as Representatives of our respective congressional districts with a mandate to legislate. We all have a responsibility to pass judgment on these bills. And if they do not meet our particular philosophy we should then be able to offer amendments to try to put them in the shape that we can approve.

I know that this system of closed or gag rules on revenue matters has been consistently followed both in Democratic and Republican administrations ever since I have been a member of the Committee on Rules. Of course, the argument is always made that if we do not have a gag rule, if we do not gag ourselves, then we will offer a lot of amendments to the bill and we will be forced to spend weeks in considering a bill of this nature.

Well, now, let us see what is wrong with that. Suppose we did have to spend a couple of weeks legislating on this bill? How many hours has this House been in session this year during this first session of the Congress? I dare say—I have not checked it—that the RECORD will show that this House has not been in session more than an hour a day in the aggregate this entire year. And it would appear that we will have no legislative program for the next week.

Well, they say that the other body has different rules, that there are not as many of them, and yet we know that that body spends weeks and weeks on a bill sometimes. We know that they do not follow the gag rule.

Now, Mr. Speaker, what does that mean? When you analyze that and you come down to the final analysis, what does that mean? That means simply that we are saying that we do not have the capacity, we do not have the ability, we do not have the know-how to legislate on these bills as the other body does and, therefore, we have to gag ourselves.

Now, what is the practical result of this? And, I want some of my so-called self-styled liberal friends to follow me in this. You were not happy with the Rules Committee as it existed for some 50 years as an independent committee. So some 2 years ago you said you were going to liberalize that committee in order to give this body, the House of Representatives, an opportunity to work its will, and you did that. You liberalized it, but you still get the gag rules out of the liberalized committee.

Now, Mr. Speaker, in the final analysis, where does this place us, where does it place me, if you will pardon the personal reference, as one who is more concerned about the future of this country than he is about party labels—where does this place those who want to exercise your prerogative to amend a bill and to make it more in line with your philosophy? It puts you in this position, and you know it and you are going to hear a lot of it in this debate. It puts you in the position of being at the will or the mercy, if you will, of the minority group of this House. Because, under this situation the only thing that you can do to change this bill is to vote for whatever the minority group over here sees fit to offer under its prerogative to offer a motion to recommit, with instructions. That does not sit well with quite a few people over on this side of the aisle, any more than it would sit well with the people on the other side of the aisle if this situation were reversed. In other words, the argument will be made that this is an administration matter and that the minority is playing politics with it.

I do not know what is motivating them, and I am not speaking for the minority group here. I do not know what is motivating them in what they may offer, but I do know that I would much prefer, as one who sits on this side of the aisle, to vote for an amendment offered over here by my party which would meet with my approval and with my philosophy of government.

Frankly, I do not know. I have not committed myself as to what I am going to do on the minority motion to recommit. But if it does something definite and concrete, if it does something to tighten up the expenditures that would justify a tax reduction, then I will support it, as will some of you, I take it, all with varying degrees of reluctance.

So much for that.

Mr. Speaker, I am basically opposed to tax reductions when we are engaged in deficit spending. That is what I have been talking about. I am basically opposed to borrowing money and paying interest on that money to give ourselves a tax reduction. That is what this amounts to. I asked the president of a large corporation a few weeks ago if he would seriously consider borrowing money, particularly if his corporation were in financial trouble, to give its stockholders a dividend. He said of course he would not.

We have been going on increasing the national debt. We keep on going in debt deeper and deeper each year. We have gone in the red $266 billion since 1940. We are now spending more money than we spent at the height of World War II.

As a matter of fact, Mr. Speaker, we are spending approximately 2½ times as much money to service the national debt as we were spending to operate the whole Federal Government when I came to Congress in 1933.

Yes, the national debt has constantly been going up for the past 30 years. It is now nearing the $310 billion astronomical figure.

While the permanent statutory debt limitation is $285 billion we have increased the limitation on the debt three times in this year 1963. Moreover, we are advised that due to the impending deficit of the current fiscal year that we will be called upon again this year before the Congress adjourns to further increase the statutory limit by several additional billions of dollars.

Now, Mr. Speaker, add to that the Presidental budget estimate deficit for the year 1964 of $11.9 billion and we are faced with a gargantuan debt of possibly $325 billion or more by the time this Congress is ended.

But the advocates of this legislation would soothe us with the hope that by this tax reduction the national economy would take an upsurge that would enable us in a few years to have a balanced budget. Without admitting that this hope for upgrading of the economy would result in sufficient additional revenue to balance the budget the question arises, What then? Assuming that this hope would be realized, what are we expected to do after the stimulus of the economy had faded out? Would we then be called upon to reduce taxes further on the one hand or take the other horn of the dilemma and start out on a new rash of governmental spending as has been the custom for the past 30 years? In the end would our fiscal affairs not wind up in a worse situation at the end of 5 or even 10 years than it is now?

Mr. Speaker, now bear in mind that no proponent of this legislation has even suggested that this move would enable us to retire a part of this colossal debt.

Really are not we now enjoying unprecedented peacetime prosperity in this country? The national income is at an alltime high; wages, salaries, stock dividends and the earnings of our people are generally at a new peak. This coupled with the high taxes would seem to be a good time to do a little economizing and retrenching in Government spending. Prudence would suggest that with this situation we should be annually reducing the national debt.

But, Mr. Speaker, on the contrary we are asked by the President for more and more new programs calling for more and more expenditures running into billions of dollars each year.

I am sure that we are all in agreement that taxes are too high and the burden thereof should be lightened. But this humble Member of Congress believes that the proper method of reducing those taxes is to cut down on governmental expenditures and then reduce taxes. Certainly the least we can do is to cut a comparative amount in the expenditures with the amount of taxation reduction.

How long can we go on with this? I want to repeat a little experience I had and, by the way, this was during the Eisenhower administration. The then Secretary of the Treasury, for some reason, invited me down to have lunch with him, if you will pardon that personal reference. I have mentioned this before, but I want to repeat it. I spent a couple of hours down there. He told me what the country was up against; what the Treasury was up against. When I came back down here I said when I went down there I was worried about the future of my grandchildren, but after the 2 hours down there I was worried about my own future.

I think you had better stop, look, and listen on this thing. Frankly, I just cannot follow this modern philosophy of economics that you can spend and spend and spend yourself into prosperity. You are going to be called upon to engage in a lot of new spending, including the ARA, in the next few weeks. It will be interesting to see what you are going to do about that and the domestic Peace Corps and the other new program requested by the administration.

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, I wish to congratulate my friend and colleague from Mississippi [Mr. COLMER] on the fine statement he has just made.

I particularly agree with him that it is unfair and improper to force the consideration of tax bills under a closed or "gag" rule. It is wrong and contrary to the democratic processes of government to deny the duly elected representatives of the people, Members of this House, the right to offer amendments to bills regarding taxation.

It is also just as wrong to contend that Members of this body are incapable of considering a tax bill under an open rule. The Members of the other body do not "gag" or bind themselves against the presentation of amendments. And if the bill, which the pending rule makes in order, passes this House and reaches the Senate floor for consideration, numerous amendments will be offered. No doubt some will be adopted, and they should be.

Why cannot we have that same sort of privilege in the House of Representatives?

Mr. Speaker, I do not vote for "gag" rules. I do not vote to cut Members off from offering amendments. I do not vote to cut Members off from the usual privilege of speaking for a minimum of 5 minutes as an open rule would permit but which this "gag" rule denies.

I contend the Members of this House have both the capacity and the mentality to consider appropriate amendments to tax bills. I disapprove our being denied this privilege.

Therefore, Mr. Speaker, I shall vote against the rule.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken, and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FULTON of Pennsylvania. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER** pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 324, nays 67, not voting 41, as follows:

[Roll No. 151]

YEAS—324

Abbitt
Adair
Addabbo
Albert
Alger
Anderson
Andrews
Arends
Ashmore
Aspinall
Auchincloss
Ayres
Baker
Baring
Barrett
Bass
Bates
Battin
Becker
Beckworth
Belcher
Bell
Bennett, Fla.
Bennett, Mich.
Betts
Blatnik
Boggs
Boland
Bolling
Bolton, Frances P.
Bolton, Oliver P.
Bonner
Brademas
Bray
Bromwell
Brooks
Broomfield
Brotzman
Brown, Calif.
Buckley
Burke
Burkhalter
Burleson
Burton
Byrne, Pa.
Byrnes, Wis.
Cahill
Cameron
Cannon
Carey
Casey
Cederberg
Celler
Chelf
Chenoweth
Cleveland
Cohelan
Collier
Conte
Cooley
Corbett
Corman
Cramer
Cunningham
Curtin
Curtis
Daddario
Dague
Daniels
Davis, Tenn.
Davis, Ga.
Dawson
Delaney
Dent
Denton
Derounian
Dingell
Donohue
Dowdy
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Ellsworth
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Finnegan
Fino
Fisher
Flood
Flynt
Fogarty
Forrester
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Goodling
Grabowski
Grant
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gurney
Hagan, Ga.
Hagen, Calif.
Haley
Halleck
Halpern
Hanna
Hansen
Harding
Hardy
Harris
Harvey, Ind.
Hawkins
Hays
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Hoeven
Holland
Horan
Huddleston
Ichord
Jarman
Jennings
Jensen
Joelson
Johnson, Calif.
Johnson, Wis.
Jones, Mo.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Keith
Keogh
Kilgore
King, Calif.
Kirwan
Kluczynski
Knox
Kornegay
Kunkel
Kyl
Landrum
Leggett
Lennon
Lesinski
Libonati
Lindsay
Long, Md.
McCulloch
McDade
McDowell
McFall
McIntire
McMillan
Macdonald
MacGregor
Madden
Mahon
Marsh
Martin, Nebr.
Mathias
Matsunaga
Matthews
Meader
Miller, Calif.
Miller, N.Y.
Milliken
Mills
Minish
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nelsen
Nix
Norblad
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pilcher
Pillion
Pirnie
Poage
Poff
Pucinski
Purcell
Quie
Rains
Randall
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riehlman
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Roosevelt
Rosenthal
Rostenkowski
Roudebush
Roush
Roybal
Ryan, Mich.
St Germain
Saylor
Schneebeli
Schweiker
Schwengel
Scott
Secrest
Selden
Senner
Shipley
Short
Shriver
Sibal
Sickles
Sikes
Siler
Sisk
Slack
Smith, Iowa
Smith, Va.
Springer
Staebler
Stafford
Staggers
Steed
Stephens
Stratton
Stubblefield
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Tollefson
Trimble
Tuck
Tupper
Tuten
Udall
Ullman
Utt
Van Deerlin
Vinson
Waggonner
Wallhauser
Watts
Weltner
Westland
Whalley
Wharton
White
Wickersham
Widnall
Wilson, Charles H.
Wright
Wydler
Young
Younger
Zablocki

NAYS—67

Abele
Abernethy
Ashbrook
Baldwin
Barry
Beermann
Berry
Bow
Brock
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Colmer
Derwinski
Devine
Findley
Ford
Foreman
Fulton, Pa.
Goodell
Griffin
Gross
Grover
Hall
Harrison
Harsha
Harvey, Mich.
Horton
Hutchinson
Johansen
Jonas
Kilburn
King, N.Y.
Laird
Langen
Latta
McClory
McLoskey
Martin, Calif.
Michel
Minshall
Pool
Reid, Ill.
Reid, N.Y.
Rich
Rumsfeld
Schadeberg
Schenck
Skubitz
Snyder
Stinson
Taft
Thomson, Wis.
Vanik
Van Pelt
Watson
Weaver
Whitten
Williams
Wilson, Ind.
Winstead
Wyman

NOT VOTING—41

Ashley
Avery
Clark
Diggs
Dole
Dorn
Gary
Gathings
Gubser
Hoffman
Holifield
Hosmer
Hull
Kelly
Lankford
Lipscomb
Lloyd
Long, La.
Mailliard
Martin, Mass.
May
Morse
Multer
O'Brien, Ill.
O'Brien, N.Y.
Passman
Powell
Price
Quillen
Rooney, Pa.
Ryan, N.Y.
St. George
St. Onge
Shelley
Sheppard
Smith, Calif.
Sullivan
Thompson, La.
Whitener
Willis
Wilson, Bob

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Whitener for, with Mr. Smith of California against.

Mr. Gubser for, with Mr. Passman against.

Until further notice:

Mr. St. Onge with Mr. Martin of Massachusetts.

Mr. O'Brien of Illinois, with Mr. Hoffman.

Mrs. Kelly with Mr. Bob Wilson.

Mr. Shelley with Mr. Avery.

Mr. Holifield with Mr. Lipscomb.

Mr. Hull with Mrs. St. George.

Mr. Long of Louisiana, with Mr. Dole.

Mr. Thompson of Louisiana, with Mr. Hosmer.

Mrs. Sullivan with Mrs. May.

Mr. Willis with Mr. Quillen.

Mr. O'Brien of New York with Mr. Morse.

Mr. Powell with Mr. Mailliard.

Mr. Lankford with Mr. Lloyd.

Mr. Gathings with Mr. Ashley.

Mr. Diggs with Mr. Ryan of New York.

Mr. Dorn with Mr. Gary.

Mr. **REID** of New York changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. **MILLS**. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8363) to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 8363, with Mr. ROOSEVELT in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. **MILLS**. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, as all of us have heard much discussion of the contents of the bill, H.R. 8363, providing for a tax reduction of some $11 billion in two steps, I do not propose to go into a detailed analysis of the provisions of the bill unless there are some questions with respect to it.

Instead, Mr. Chairman, I ask unanimous consent to supplement my remarks in the RECORD by inclusion of some detailed discussion of the separate provisions of the bill which I have prepared myself.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. **MILLS**. Mr. Chairman, let me begin by calling attention to the fact that the Committee on Ways and Means has considered this proposition perhaps as intensively, as any matter I recall since I have been on the Committee on Ways and Means.

Let me readily confess, Mr. Chairman, that in the beginning I had perhaps more reservations about this matter than I have experienced with respect to most any other matter that has come up for consideration, not only before the Committee on Ways and Means, but before the House of Representatives.

As the result of the initial concern that I had, Mr. Chairman, I devoted more thought and more study to the position that I have finally taken with respect to this legislation than I have with regard to any other bill that I have thought about or studied.

As the result, Mr. Chairman, of that study, that thoughtful meditation, if I may so phrase it, I have reached the conclusion that this legislation, to my way of thinking, is undoubtedly the most important legislation affecting the economic front here at home that it has been my pleasure to present to the House of Representatives during the years I have been a Member of Congress.

I think undoubtedly the decision that we will make tomorrow with respect to this legislation will have more effect on the economic future and well being of the people of the United States than any legislation I have had the privilege of asking my colleagues to support.

Mr. Chairman, after that study I have reached the firm conviction that this legislation should be passed by the House of Representatives and that it should be passed by an overwhelming majority of the votes of the membership on tomorrow.

Mr. Chairman, why do I say this? The purpose of this bill, as the committee report indicates, is to remove the private sector of the American economy from its high-tax straitjacket. The purpose of this bill, Mr. Chairman, is to breathe into our free enterprise system that additional vitality that we, who studied the matter, concluded it requires if it is to do the job required of it today.

Perhaps even better is the description referred to by my friend from Ohio during the course of the discussion on the rule, my friend of many, many years, Mr. Brown, is found in the editorial in the Evening Star of a few days ago. I shall not read that part referring to the colloquy between us in the Rules Committee but only to the part of the editorial which states:

> There is one overriding reason why Congress should cut taxes and do it now. This reason, simply stated, is that the tax burden is much too heavy.

Mr. Chairman, it does not take argument to convince anyone of that fact. There is no one, I am sure, within the sound of my voice today who is not aware of and will accept without argument the fact that the present tax burden is much too heavy.

Mr. Chairman, we have become so accustomed, through long acquaintanceship, with the present high tax rates that few of us stop to think even of their genesis. This in itself suggests that we have lived with these burdens much too long.

Except for a relatively modest reduction in 1948 and an increase in tax rates during the Korean war, which carried on automatic termination date, the present individual tax rates are those which were imposed during World War II.

Let us go back a moment. Let us review history. Let us see why we did what we did then. The rates in the upper brackets were imposed at that time to assure equality of sacrifice—in the name of taking the profits out of war. In the lower brackets, they were imposed not only because of the necessity of raising a large volume of revenue, but also with the specific intention to dampen down consumer demand during the period of the war when most of the production in the United States had to be devoted to military requirements and there were not enough consumer goods to go around. In other words, Mr. Chairman, these rates that we have today were an integral part of, and closely tied in with our price and wage control and rationing system and other wartime controls that we repealed immediately after hostilities ceased.

It should be clear to all of us, Mr. Chairman, that when these rates were adopted, Congress certainly did not have in mind the reasons which we would have for a tax rate structure today.

I ask the simple question: Is it not about time that we got rid of these wartime rates which have so long ago outlived their purpose? Eighteen years have passed since the end of that war, yet we have approximately the same rate structure.

If we do not get rid of these high rates now—if we give in to the fears of those who think this is not quite the time to reduce these rates—a new set of "ifs," "ands" and "buts" and "maybes" will be found next year and the year after that, for not reducing the rates then. We might then find ourselves saddled indefinitely with this wartime rate structure. It is no wonder that reference has been made to this bill as being the most important economic legislation to come before the Congress in the last 15 years.

Recently, I have heard this bill referred to by those who want to attach some "ifs," "ands," "buts," and "maybes" to it as being a gigantic gamble. Frankly, I do not think of it as a gamble. But, if it is a gamble, it is one with the free enterprise system, and I, for one, would not be afraid to place my confidence in the private sector of our economy.

What are we doing in this bill? We are loosening the constraints which the present high tax system imposes on our economy. We are taking a step toward a freer economy. Perhaps most important of all, we are taking a step away from big Central Government.

This is truly a crucial time in economic policy, for we face a series of problems which will not wait for a solution. Either we give our free enterprise system an opportunity to solve these problems for us, or we will find that an attempt will be made by others to solve them by more and more Government spending.

It is an ironic twist of fate, Mr. Chairman, that those who in reality are opposing a tax reduction at this time—although they may think of themselves merely imposing a series of conditions—are in reality following the line which is almost certain to lead to more rather than less Government spending. Because if the answers to these problems are not found now through an immediate tax reduction and the freeing of our economy, they will be found by demands, which I believe will be successful demands, for bigger and bigger spending by the Federal Government.

The problems I am referring to have been frequently discussed of late and they are very real.

First, there is the problem of recurring deficits in the Federal budget. In the last 15 years we have had surpluses only in 4 of those years. A major factor accounting for the deficit in all of these years has been the failure of the economy to expand as expected and predicted by those who prepared the revenue receipts. Interestingly enough, also, two of the four surpluses in this 15-year period occurred as the direct result of a tax reduction. In 1954, Congress—despite the presence of a deficit in that year and in the 2 preceding years—provided a series of tax reductions totaling $7.4 billion, including the automatic reductions. Yet, only 2 years later, in 1956, receipts were $3.2 billion above the level existing before the reductions were made. Unfortunately, these reductions did not get at the root of the matter, the high World War II income tax rates, with the result that we have had a poor economic performance in many respects since that time. In the period 1958 to 1963 the initial estimate was for surpluses in each of these years when the budget was submitted, but in 5 out of 6 years there were deficits averaging over $6 billion. For the economy to improve sufficiently for us to get rid of these plaguing deficits we must have a faster rate of growth generated by the private sector—as will occur if we free it from the present high tax straitjacket.

A second problem to which I would like to direct your attention is the problem of unemployment. Currently the unemployment rate is 5.5 percent. It amounted to 5 percent or more in each month during the last 5 years and on occasion it has approached 7 percent. The excess unemployment stems from a lack of sufficient growth in our economy. It is something that will not long be endured. If we do not find a way of stimulating the economy's growth through tax reduction, others will find an answer for it by increased Government spending.

The unemployment problem is bound to get worse without some action in the years ahead, instead of better, as the size of the labor force increases due to the so-called population explosion during and following World War II. Merely to hold unemployment to 4 percent by 1966, some 5.5 million new jobs must be found. This does not take into consideration additional jobs which will have to be found as a result of automation or changing markets.

Ladies and gentlemen, this is a serious matter. Is there anyone here who doubts that some solution of this problem will be sought and, if it is not found by the free enterprise system creating jobs, does anyone doubt that we will be told that it can be resolved by additional Government spending?

There is a third problem closely related to this problem of unemployment, Mr. Chairman. It has to do with the problem of obsolete plant and unused plant and equipment capacity. The problem of excess capacity has plagued American industry since 1957. The same period during which plant and equipment expenditures have lagged behind the growth in the economy. During this period, for example, business expenditures for new plant and equipment have fallen from 8.3 percent of the gross national product in 1956–57 to 6.7 percent in 1962. The unused plant and equipment, that we are talking about, is attributable to the absence of two factors: adequate profit margins and sufficient demand for goods and services.

Are we to expect the free enterprise system in a tax straitjacket, without adequate profit margins and without sufficient demand for goods and services under the existing situation to resolve this problem? Is there any doubt in anyone's mind that the private enterprise system is capable of resolving it and will resolve it if you give that system the opportunity to be a little freer of the restraints that we placed upon it in the time of World War II? Lower tax rates on corporations and unincorporated business undoubtedly will do more to resolve this problem than will additional Federal spending.

There is a fourth problem today, Mr. Chairman, that bears upon this subject; that is the problem of the balance-of-payments deficits. Here what we need is an expanded export market. This can occur through higher domestic productivity which gives rise to the production of new products, and because of new plant and equipment, gives rise to more economical production. In addition, and perhaps most important of all, increased domestic opportunities which will be brought about by the tax reduction afforded by this bill will make investment here more attractive than it is abroad. This means not only attracting investment funds back to our shores, but it also helps to keep investment funds here as well.

Oh, yes, it is true that an increased demand for goods also gives rise to an increased demand for imports. Tax reduction may therefore have some effect in that direction. But, Mr. Chairman, the effect of a tax cut on exports and on creating a more favorable climate for investment here will more than outweigh that one factor. Experience in Europe demonstrates this, if nothing else. Their rapidly growing and modernizing economies have produced balance-of-payments surpluses, reinforcing the external strength of the currency.

The idea, Mr. Chairman, that tax reductions will provide the rate of growth we need in this country to solve the problems I have listed for you, and that the tax reductions, after a brief transitional period, will actually increase revenues above the levels that would have been achieved in the absence of tax reductions are not new or novel ideas as some would suggest.

Not only is this notion subscribed to by most of those to whom I have talked in the business and financial world but also by many, many others as well. Among these is the former chairman of the Committee on Ways and Means, one of the great men from the other side of the aisle, the late Honorable Dan Reed. This view was also held by, and demonstrated by the actual experience of, the Republican Secretary of the Treasury Andrew Mellon during the late twenties. I read a book one time that he wrote, in which he said they were taking more money from the American people than was required to pay bills and to make payments on the public debt. When they undertook to give it back to the American people by tax reduction, each time the taxes were reduced, they received more money from the American people and he did not know what to do about it.

Mr. Chairman, we do not have to depend exclusively upon reference to thoughts of the past to demonstrate the fact that tax reduction, if properly timed, will provide the economic growth this country needs and the additional revenues required by the Government to balance the budget. Our own commonsense tells us that this is so.

We must not forget that the reduction in individual income tax rates provided by this bill, $9.5 billion, in addition to the savings incentive effect, will also provide an important boost to the economy simply by leaving with people income which is presently taken from them through taxation. Most consumers, based upon past performances, can be expected to spend anywhere from 92 to 94 percent of their additional take-home pay on consumer goods and services. The spending of these funds will result in further income which, in turn, will generate still further rounds of increased expenditures.

Mr. Chairman, the bill can also be expected to materially increase the amount spent for plant, equipment and inventory by American business. This increased investment on the part of business also means additional consumption and additional consumption means additional investment by business.

It is on the basis of this type of reasoning, Mr. Chairman, that I have reached the conclusion that this bill will provide a sufficient increase in the gross national product so that the larger revenues derived from this additional income will result in the Federal budget being balanced sooner than would be the case in the absence of this tax cut.

Mr. Chairman, there is no doubt in my mind that this tax reduction bill, in and of itself, can bring about an increase in the gross national product of approximately $50 billion in the next few years. If it does, these lower rates of taxation will bring in at least $12 billion in additional revenue.

Oh, yes, I am aware of the fact that some of those on the other side of the aisle say that they are for a tax cut too, but then they go on to attach some ifs, buts, ands, and maybes to it. They say they want a tax cut only if expenditures are reduced; I understand the fact that a recommittal motion will be introduced to achieve this purpose. My comments on the recommittal motion, however, I will reserve until I see the form of the motion. I have heard so many different motions tried and then discarded that I am never quite sure when the last version announced will also be discarded in favor of some still different but untried and unworkable limitation.

I can assure you that there is no one more interested in holding down Government spending that I and the other members of the Committee on Ways and Means who reported this bill. It was for this reason that we placed in this bill as section 1 the declaration by Congress. It is quite short; let me read it to you:

> It is the sense of Congress that the tax reduction provided by this act through stimulation of the economy, will, after a brief transitional period, raise (rather than lower) revenues and that such revenue increases should first be used to eliminate the deficits in the administrative budget and then to reduce the public debt. To further the objective of obtaining a balanced budget in the near future, Congress by this action, recognizes the importance of taking all reasonable means to restrain Government spending and urges the President to declare his accord with this objective.

I have heard this referred to as a pious hope but I can assure you that it will not be merely a pious hope if the Members of Congress and the administration really adopt this philosophy of action. I firmly believe that we will.

The President on three separate occasions has quite recently placed himself on record in favor of economy in Government spending. This has all been an outgrowth of this tax reduction bill and the section included in it by your committee.

First, there is the letter he sent to me which is reprinted on pages 124 and 125 of the committee report. In this the President states:

> First, our long-range goal remains a balanced budget in the balanced full employment economy. It is clear that this goal cannot be achieved without a substantial tax reduction and the greater national income it will produce.
>
> Second, tax reduction must also, therefore, be accompanied by the exercise of an even tighter rein on Government expenditures, limiting outlays to those expenditures which meet strict criteria of national need.
>
> Third, consistent with these policies, as the tax cut becomes fully effective and the economy climbs toward full employment, a substantial part of the increased tax revenues will be applied toward a reduction in the transitional deficits which accompany the initial cut in tax rates.
>
> Fourth, assuming enactment of the tax program incorporated in your committee's bill with a consequent loss of revenue of $5 billion more in fiscal 1965 than in fiscal 1964, I nevertheless expect—in strict accordance with the above policies, and in the absence of any unforeseen slowdown in the economy or any serious international contingency in the next 5 months—to be able to submit next January a budget for fiscal 1965 involving an estimated deficit of less than the $9.2 billion forecast for fiscal 1964 by the Secretary of the Treasury in your executive sessions last week.

Here the President committed himself to preventing expenditure increases from exhausting the additional revenues which arise as the economy expands as a result of the income generated by this tax reduction.

A week ago yesterday, I released a statement much of which I shall repeat in just a moment expressing my philosophy that we should provide a more prosperous economy by loosening the constraints on the private sector of the economy rather by following the policy of increasing Government spending. After I released my statement, the President sent me the following unsolicited letter:

> I thought your Monday release in support of the tax bill was excellent. It should be convincing to Members of Congress and I subscribe to it.
>
> Sincerely,
>
> JOHN F. KENNEDY.

Still more recently, the President in his recent television speech said:

> No wasteful, inefficient, or unnecessary Government activity will be tolerated. We are pledged to a course of true fiscal responsibility leading to a balanced budget in a balanced full employment economy.

I believe that given the passage of this bill, the President has committed himself to a course of true economy in Government expenditures. Of course, it can hardly be expected that this will affect his views on programs already sent to us, but I do anticipate that this new point of view will permeate the programs presented to us this next year. In addition, I anticipate that this philosophy will be reflected in the administering of the programs already provided, or soon to be provided, for the current year.

To those of you who may not be satisfied with these assurances, however, let me point out that in any event, the President cannot spend a nickel unless Congress first authorizes it. As a result, we have in our own hands the power to limit Government expenditures and I do not believe that we will abdicate our responsibilities.

We have a choice to make today which in any event transcends the question of the immediate level of spending and deficits. I believe it is quite clear with the slow growth rate, unemployment, and unused plant capacity that we have facing us today, and can expect in still greater volume tomorrow if our growth rate is not increased, the country is going to demand some kind of action to meet these problems.

I am convinced that there are two roads the Government can follow toward the achievement of this larger and more prosperous economy. I believe we are at the fork of those two roads today. One of these is the tax reduction road. The other is the road of Government expenditure increases.

Many believe that we can spend our way to prosperity. On the other hand, I am firmly convinced that if Congress adopts a tax reduction and revision bill of the type which is before this body today, we can also achieve this more prosperous economy by loosening the constraints which the present Federal tax system imposes on our free enterprise system. These tax reductions will bring about a higher level of economic activity, fuller use of our manpower, more intensive and prosperous use of our plant and equipment, and with the increases in wages, salaries, profits, consumption and investment, there will be increases in Federal tax revenues.

Although it may be possible to achieve the prosperity we desire by either of the two routes I have outlined to you, nevertheless, there is a big difference—a vital difference—between them. The route of Government expenditure increase achieves this higher level of economic activity with larger and larger shares of that activity initiating in the Government—with more labor and more capital being used directly by the Government and with the Government's activities determining in larger and larger part the use of labor and capital in the private sector of the economy. This road leads to big Government, especially big Central Government. My own view, and I believe the view of all of us, is that we should to the full extent possible call upon the private sector of our economy to give us the needed growth. Moreover, I believe that most of us feel that we should encourage provision for the maximum number of government services possible at the State and local government levels. If we achieve our prosperity by the route of big Government spending, we will surely be sounding the death knell to these objectives.

The route I prefer is the tax reduction road which gives us a higher level of economic activity and a bigger and more prosperous and more efficient economy with a larger and larger share of the enlarged activity initiating in the private sector of the economy. If you go this route, the decisions of individuals will govern on such questions as whether private consumption should be increased and diversified in one given line or another, and the decisions as to increases in productive capacity will be left to private business concerns to make. They will be free to acquire more plant and machines, hire more labor, and to expand their inventories in those areas they determine are the most needed by our free enterprise economy.

Section 1 of the bill is a firm, positive assertion of the preference of the United States for the tax reduction road to a bigger, more progressive economy. When we, as a nation, choose this road we are at the same time rejecting the other road, and we want it understood that we do not intend to try to go along both roads at the same time.

The further meaning of section 1 of the bill is that no Government activity is to depend for its justification on the amount it contributes to the total spending of the economy, because we prefer to reduce taxes and allow individuals and business concerns in their own right to make that contribution. On the contrary, any and all activities of the Government have to be justified on their importance in serving other essential goals of the Nation. There is no further justification for an indifferent attitude toward wasteful, inefficient Government activities, merely because they incidentally give employment—tax reduction will also create job opportunities and in lines of activity which better satisfy the character and demands of the people for an enriched life. There is no more justification for half-hearted efforts or outright failure to eliminate Government programs that have outlived their usefulness just because they also contribute to the total spending stream of the economy—that contribution will be better realized by increasing the purchasing power of consumers and investors through tax reduction. Finally, there is no further occasion for using the additional revenues which will be generated by the expansion of the economy as a result of tax reduction and revision to finance additional investment expenditures, solely because those additional expenditures might add further to expansion of economic activity. If such additional expansion is desired or needed, tax reduction will achieve it just as surely and through vigorous and progressive forces of the private sectors of the economy.

Let me emphasize the last point. Section 1 of the bill announces very clearly that we are not rejecting a balance in the budget as the guiding criterion for management of the finances of the Federal Government. We are, indeed, emphatically reaffirming that criterion. We are confident that within a relatively short period of time, tax reduction and revision will result in larger Federal revenues than those we could expect without these tax changes. Section 1 of the bill calls upon both the Executive and the Congress to restrain Government expenditures so that this increase in revenues can reduce deficits and bring us sooner to realization of the goal of a balanced budget in a prosperous economy.

I have stressed the contribution this bill will make in achieving a balanced budget and an enlarged economy. These are the principal economic objectives of the bill. If I were called upon to give a definition of the phrase "fiscal responsibility," this is just how I would define it. It means conducting the finances of the Federal Government in such a way that a balanced budget can be and is achieved in an economy which is growing rapidly, providing adequate employment and investment opportunities, making full use of its capital and human resources, and giving the fullest possible play to the initiative and venturesomeness of the private sector. Tax reduction and revision will make it possible for us to achieve these objectives—to be fiscally responsible—with minimum direct intervention by the Government in the decisions of individuals and business concerns.

It has been argued by some that this bill represents an effort by the Federal Government to manage the economy and ignores the precept that taxation should be for revenue purposes only. The argument is completely wrong. This bill reflects an effort by the Federal Government to reduce and remove—not to impose—tax constraints on the economy, to give the private sector of the economy greater wherewithal to do what comes naturally to it and which increases the well-being of all of us. Moreover, it affords us the greatest possible assurance that we will before long secure revenues equal to—or even greater than—Government expenditures. Indeed, failure to provide tax reduction and revision at this time would be fiscally irresponsible. It would represent the Federal Government's ignoring the adverse impact of its excessive tax burdens on the economy and on the budget. We must remember that tax policy cannot be made in a vacuum. If we are to be responsible, we must give the closest possible attention to the effects on the economy of what we do—or fail to do—in tax policy.

This bill, therefore, represents a responsible discharge of our duties to sound fiscal management.

Mr. Chairman, I am as sold as I was ever sold on anything that this action is deserving of the support of every Member of this Congress who believes as I do that this country became strong, became what it is today, not as a result of solving every known problem in those days by the expenditure of money from Washington; instead this country became what it is because in the years of our major growth, from infancy to World War II, we left the private sector of this economy in condition so that it could generate the growth that was required to provide the jobs to renew obsolete plant and equipment.

Mr. Chairman, to my way of thinking this bill is a bill on which we can put our stamp of approval by saying that we have as much confidence in the private sector of the free enterprise system as our forefathers had.

Oh, yes, but there is one question in the minds of my colleagues on the minority side. They indicate they do not disagree with what we say. Everybody loves a tax reduction. "But," they say, "what are we going to do about the rate of spending?" They say we are so concerned, because we have such little confidence not only in anyone downtown but in ourselves as well, the Congress as a whole. They say we have got to have some "ifs" about tax reductions, and we have to attach some "buts" to any tax reduction, and some "maybes."

As I have indicated to you there are two roads we can travel today. We can travel the road of major reliance on the private sector to do some of these things that need to be done by releasing the free enterprise system from these high rates of taxation, or we can continue on down the road that we have been on—long before I ever came to Congress—the road of more and more spending to solve these problems.

Which road are we going to take? What we want to be concerned about is that the present rate of spending is not permitted to get out of hand so that we travel both roads at the same time, because we cannot travel both roads at the same time without bringing on some very serious results.

The gentleman from Wisconsin, for whom I have the utmost respect, stated the other night on television that the Republicans had found or he had found this unbreakable, magic way of providing for assurances that the spending would be held down.

He has not found an unbreakable way. No, he has not found it. He has found some magic figures and he wants to say, if the President is willing to subscribe to them, then the tax reduction may go into effect. But, Mr. Chairman, we tried in the Ways and Means Committee to find such a method and could not, and no one in this Congress is going to find an unbreakable way to assure that expenditures can be held. If what we have in the bill is nothing but a pious hope—and it has been so described, Mr. Chairman by some—it is a pious hope because the people who say it have no confidence in the membership of this House to carry out what undoubtedly must be a moral obligation if you vote for this tax reduction.

Mr. Chairman, I have been a Member of this body for 25 years. At no time have I ever tried or permitted myself to think harshly of any colleague. I have the utmost confidence in every Member, or anyone who can sell himself to an electorate and come to this, the greatest deliberative body on the face of the earth; but let me tell you something, Mr. Chairman, I would not have confidence in the good judgment of any colleague who would resolve after voting for this bill that he could also go down the other road of continued, ever-increasing Federal spending just for purpose of stimulating the economy.

The greatest psychological factor that we can create to control spending is the denial of additional revenues to the Treasury of the United States. If you think this administration, or if you think you as an individual Member of Congress, can continue after this tax reduction to advocate and vote for everything that you may have advocated and voted for before tax reduction to stimulate this economy, my guess is you are going to find your constituency and the American people leaving you.

The greatest factor, Mr. Chairman, is not what we say in this bill, not the magic figures that we conjure up, and certainly not our concern about figures for 2 fiscal years. The final fact is our own performance.

This Congress cannot be judged in the future, having voted for tax reduction, on the basis of what it has done in the past.

To those who say they have no confidence today in the Congress I cannot speak to appealingly, for they have closed minds with respect to the sincerity, in my opinion, of all of us who vote for tax reduction. But I have that confidence, Mr. Chairman, I have that confidence in my colleagues.

Let me again remind each and every one of you that neither this President nor any other President who has ever been in the White House could spend $1 that the Congress did not make available to him. In spite of that fact this is a joint responsibility. We did not call on the President to subscribe to the interpretation that we gave to section 1 of this bill. He agreed to it without any solicitation on my part. I have explained this earlier in my remarks. Remember this was in addition to the President's earlier letter of August 19 on this subject.

What is the meaning of that? The meaning of that is that for the first time, in my opinion, in years, primary responsibility for the growth we must have is to be placed back where it belongs, on the private sector of this economy. We are asking the free enterprise system to come forward with some of the answers to some of the problems of today.

I would think, Mr. Chairman, that those who may doubt would want to think further with respect to the position they put themselves in if they vote for the motion to recommit or if they vote against this bill. This is truly a turning point in economic policy. I plead with you to be a part in making it possible. Let us get away from the mistakes of the past. Let us get on this new road.

BRIEF SUMMARY OF H.R. 8363

Mr. Chairman, I am inserting at this point a summary, which I have prepared of the major provisions of this tax bill, which I previously obtained permission to include.

SUMMARY OF MAJOR PROVISIONS IN TITLES 1, 2, AND 3 OF H.R. 8363

A. RATE REDUCTIONS

1. Individual income tax rates are reduced from the present rates of 20 to 91 percent to rates ranging from 14 to 70 percent in 1965. Rates ranging from 16 to 77 percent make about two-thirds of this reduction available in 1964.

2. A minimum standard deduction included in this bill, when coupled with personal exemptions, provides a newer and higher income floor before taxes become applicable to individuals. Thus, for single individuals the minimum level at which taxation starts is increased from the present $667 to $900. For a married couple with no children, the floor is increased from $1,333 to $1,600 and for a married couple with 2 children the minimum tax floor is increased from $2,667 to $3,000.

3. The tax rate for corporations in 1964 is reduced from 52 to 50 percent and is further reduced in 1965 to 48 percent.

4. To aid small business, the rate applicable to the first $25,000 of corporate income beginning in 1964 is reduced from 30 to 22 percent.

5. Corporations are placed on a full pay-as-you-go basis for all of their corporate tax liability above $100,000 so that this liability eventually will be payable in the year in which earned. This is achieved over a 7-year period so that after taking into account the corporate tax rate reductions it will not result in an increase in corporate tax payments in the transitional period.

B. STRUCTURAL CHANGES

1. Dividend credit and exclusion

1. The credit for 1964 is decreased from 4 to 2 percent.

2. The credit for 1965 and later years is repealed.

3. The exclusion for 1964 and later years is increased, from $50 to $100 (for married couples it may be $200).

2. Investment credit

1. The "Long" amendment is repealed.

(a) The base for depreciation is not to be reduced by 7 percent if property is purchased after June 30, 1963.

(b) For assets purchased before June 30, 1963, the depreciation base for the future is increased by 7 percent.

2. Lessees of distributors, like lessees of manufacturers, are to base their investment credit on the "fair market value" of the equipment rather than its cost.

3. Escalators and elevators are to be eligible for the investment credit if installed after June 30, 1963, and depreciation after that date is to be "recaptured" as ordinary income if the assets are sold.

4. Federal regulatory agencies are not to require the "flow through" to the consumer of the benefits of the investment credit—

(a) In the case of "public utility" property eligible for the 3-percent credit (electric and telephone companies), except over the life of the asset.

(b) In the case of other property eligible for the 7-percent credit (transportation, gas, and oil pipelines), at any time.

3. Group term insurance

1. Employees are to be taxed on this insurance on coverage over $30,000 to the extent provided by employers or other employees.

2. Employees who are retired are not taxed on this income and those naming charities as beneficiaries are not taxed.

3. Cost is determined from a "premium cost table" by 5-year age brackets prepared by the Treasury or actual costs if lower.

4. Employees paying more than their own cost, on protection over $30,000 are allowed a deduction for these excess payments.

4. Reimbursed medical expense

Amounts received through accident or health insurance for medical expenses are to be included in the individual's tax base to the extent the insurance payments received exceed the total medical expenses for the injury or sickness.

5. Sick pay exclusion

1. Presently the sick pay exclusion applies to wage contribution payments of up to $100 a week but in the case of sickness where the individual was not hospitalized only after the first week of sickness.

2. The $100 a week exclusion in the future is to be available only to the extent the sickness or accident extends the absence from work beyond 30 days—primarily covering long illnesses and permanently disabled up to retirement age.

6. Sale of residence by person 65 or over

Any gain on the sale of a personal residence by a person 65 or over is not to be reported for tax purposes to the extent it represents the gain on the first $20,000 of the sales price of the house.

7. State and local taxes

1. State and local taxes which in the future will continue to be deductible are:

(a) Personal property taxes.
(b) Real property taxes (also foreign).
(c) Income taxes (also foreign).
(d) General sales taxes.

2. The principal taxes which will no longer be deductible when attributable to nonbusiness purposes are:

(a) Gasoline taxes.
(b) Auto tags.
(c) Tobacco taxes.
(d) Alcohol taxes.
(e) Selective excise taxes.

8. Personal casualty and theft losses

The deduction of nonbusiness casualty and theft losses is limited to amounts lost in excess of $100 per loss.

9. Charitable contributions

1. The additional 10-percent deduction (30 percent in all) is to be available with respect to charitable contributions generally except those to private foundations.

2. Corporations are to have a 5-year carryforward (rather than a 2-year carryforward) for contributions in excess of their 5-percent limitation.

3. Gifts of future interests of tangible property are not to be deductible until the gift is completed unless the property is reserved only for the donor's life (or joint lives in the case of a husband and wife).

10. 1-percent limit on medicines and drugs

The 1-percent floor on medicines and drugs below which these expenses cannot be taken into account for the medical expense deduction is not to apply to expenses for the care of—

1. The taxpayer or his spouse if either has reached age 65; or

2. Any dependent parent over 65 of the taxpayer or his spouse.

11. Child care deduction

1. The deduction is to be available where the wife is incapacitated or institutionalized for 90 days or more.

2. The maximum deduction is raised from $600 to $900 per year but only where there are two or more children.

3. The maximum age of the children for which a child care deduction may be taken is increased from up to 12 to up to 13.

12. Moving expenses

1. Moving expense deductions (whether itemized or not) are to be granted for the first time to employees who are not reimbursed and to new employees whether reimbursed or not. These deductions are to be available only for—

(a) Transportation expenses of the employee and his family.

(b) Transportation costs for moving personal effects and household goods.

(c) Expenses for meals and lodging of the employee and his family while they are in transit.

2. No change is made in the exclusion of reimbursed "old" employees.

13. Bank loan insurance

Interest on debt incurred or continued to buy life or endowment insurance or annuities is not to be deductible if the individual systematically borrows part or all of the increase in the cash surrender value to pay his premiums. However, deductions are not to be denied if—

(1) he doesn't borrow any part of four out of the first seven annual premiums;

(2) the interest deductions do not exceed $100 a year;

(3) the borrowing was caused by unforseen financial obligations or losses of income; or

(4) the borrowing was used to finance business obligations.

It should be noted that in the explanation of this provision in the committee report, the printers inadvertently omitted a line. On page 62 of the report beginning with the second sentence under (c)(i) 1 of that page the report should read: "However, to prevent avoidance of this provision by taking out a contract with very low premiums for the first 4 years, with the premiums being substantially greater thereafter, the bill contains a rule relating to situations of this type. It is provided that the 7-year period referred to above is to commence again at any time there is a substantial increase in the premiums payable under the insurance or annuity contract."

14. Stock options and purchase plans

A. Stock options

(1) The option price can't be less than 100 percent of fair market value of stock at time option is granted (instead of 85 percent).

(2) The stock must be held for 3 years (instead of options and/or stock for 2 years).

(3) The option must be for a period of not over 5 years (now 10).

(4) Stockholder approval must be given to the plan within 12 months of its adoption.

(5) The options must be not exercisable while an earlier option is outstanding which has not been exercised (options now outstanding can be canceled, however, or won't count until exercisable).

(6) Generally the optionee must not be a 5-percent shareholder or more (10 percent in the case of small companies).

B. Employee purchase plans

(1) Plans must be nondiscriminatory.

(2) The amounts per employee involved may not exceed $25,000.

(3) The option may not extend over 5 years or 27 months where purchased at 85 percent of value.

(4) There must be stockholder approval.

(5) The optionee must not be a 5-percent shareholder or more.

15. Interest on deferred payments

1. Where property is sold on an installment basis covering more than 1 year with either no, or low, interest payments provided, then part of each installment payment is to be considered an interest payment. The amount so considered will be the going rate of interest as determined by the Treasury.

2. Carrying charges for which an interest deduction may be taken are to include payments for services as well as personal property.

16. Personal holding companies

A. Domestic companies

1. The tax rate on these companies is lowered to 70 percent (now 85 percent on first $2,000 and 75 percent on remainder).

2. A company will be treated as a personal holding company if 60 percent of its income is from personal holding company sources (now 80 percent). The basic change is explained in No. 1 below.

3. The base for the 60-percent test is no longer to include any capital gains.

4. Rents are to be considered personal holding company income if they equal 50 percent of adjusted ordinary gross income (gross income today). Also, under a new test, not more than 10 percent of ordinary gross income apart from rents may be personal holding income without rents also being so treated.

5. Mineral, gas, and oil royalties are presonal holding company income unless they represent 50 percent or more of adjusted gross income (now gross income) and unless the related deductions represent 15 percent or more of adjusted gross income (now gross income). Also, under a new test, not more than 10 percent of the company's other adjusted gross income may be personal holding company income for the company to avoid that treatment.

6. One of three tests for copyright royalties under present law is that the related expenses must equal 50 percent or more of the company's gross income. Under the bill, these expenses must equal 25 percent or more of the company's gross income less royalties paid and depreciation deductions for copyrights.

7. In computing the income not considered personal holding company income for purposes of the 60 percent test—

(a) Rents are reduced for related deductions for depreciation, property taxes, interest and rents paid.

(b) Mineral, oil and gas royalties and working interests in oil and gas wells are to be reduced for related deductions for depreciation, depletion, property and severance taxes, interest, and rents paid.

8. Film rents, other than "produced" film rent will be treated the same as copyright royalties. The "produced" film rent, however, as under present law will be subject to only one test; it must be 50 percent or more of gross income not to be personal holding company income.

9. The exemptions for personal finance companies are generalized, and liberalized somewhat, so all of these companies can qualify under the same exemption.

10. Liquidating dividends of a personal holding company to be treated as deductible in computing its income subject to this tax must be treated as taxable dividends when received by an individual shareholder. In the case of corporate shareholders, the amount treated as a dividend for this purpose is to be limited to taxable income in the year of distribution.

11. Companies which are not now, but will be personal holding companies under the new provisions, may liquidate before 1966, receiving capital gains treatment on earnings and profits distributed and nonrecognition of gains at that time on other property distributed except money and except securities required after December 31, 1962.

12. The treatment I have just described is also to be available to post-1965 liquidations if the company liquidates as soon as it has paid off its debt incurred before August 1, 1963.

13. If one of these companies liquidates before 1966 most of the new personal hold-

ing company provisions are not to apply to it.

14. A deduction is to be allowed for companies newly becoming personal holding companies for debt paid off in the future if the debt was first incurred before August 1, 1963.

B. Foreign personal holding company holdings

1. Increase in basis for foreign personal holding company stock.

Present law provides that the basis of stock of a foreign personal holding company on the death of a shareholder is to be the value of the stock at the time of the shareholder's death or its cost to him whichever is lower—usually his cost is lower. The bill increases the basis of a stock by the proportion of the estate tax of the shareholder attributable to the appreciation in the value of the stock of the foreign personal holding company.

2. Liquidation of foreign personal holding company.

(a) The bill permits the liquidation of foreign personal holding companies with a 4-month period after the date of enactment under a provision which taxes as dividends any accumulated earnings and profits, taxes as capital gains any money distributed or any stock or securities acquired after December 31, 1963, and allowing the remaining portion of the appreciation in the stock in the corporation to go untaxed at the time of liquidation but assigning the stockholders basis for his stock to this property.

(b) Where one of these liquidating distributions is made the property distributed at the time of the shareholder's death is to be treated the same as if he still held stock in the foreign personal holding company; that is, the new basis for it will be the old basis increased only by the estate tax attributable to the appreciation in value of this property.

17. Treatment of property in the case of oil and gas wells

1. For taxable years beginning after December 31, 1963, the bill repeals the rule of existing law known as the "operating unit" rule. Thus, taxpayers will no longer be able to aggregate two or more separate operating mineral interests for tax purposes where they come under what is known as an operating unit.

2. For the future, operating mineral interests cannot be aggregated above the level of a separate lease or acquisition.

3. An exception to the above rule requires aggregation where a unitization agreement has been entered into. This is where two or more taxpayers holding interests in separate tracts of land exchange their interests for an undivided interest in a larger area. This can also occur where a taxpayer holding several leases enters into an arrangement to pay the lessors royalties based on the undivided share of the oil and gas from all the leases.

18. Treatment of iron ore royalties

1. The bill provides that iron ore royalties are to be eligible for capital gains treatment in the future.

2. The capital gains treatment referred to is class B capital gains treatment; that is, in the case of royalties or iron ore held more than 6 months, 50 percent of the gain will be included in income (even though held more than 2 years) and the gain will be subject to a maximum alternative rate of 25 percent—this is the type of capital gains treatment under existing law for coal.

19. Capital gains and losses

A. Class A and B capital gains and losses

1. Class B capital gains and losses generally are those arising where the property has been held for between 6 months and 2 years although it also includes certain gains held for a longer period of time which I will describe shortly. These gains and losses will be treated in the same manner as under existing law; that is, there will be a 50 percent inclusion factor and the gains will be subject to a maximum alternative rate of 25 percent.

2. Class A capital gains are gains or losses from assets held more than 2 years. In the case of these gains, only 40 percent of the gain is included in income and the maximum alternative rate is 21 percent.

B. Capital loss carryover

Capital losses in the case of individuals are first offset against capital gains then to the extent of $1,000 in the case of individuals both are offset against ordinary income. Then any remaining loss can be carried forward for 5 years. The bill provides that these losses can be carried over until used up instead of merely for 5 years.

C. Gains and losses treated only as class B gains and losses

1. The cutting of timber or the sale of timber where the taxpayer retains an economic interest.

2. Coal royalties.

3. Iron ore royalties.

4. Livestock held for the taxpayer for draft, breeding, or dairy purposes.

5. Unharvested crops.

6. The sale of patent rights by the creator of the patent.

7. Employee termination payments (Louis B. Mayer).

8. Lump sum payments received under the qualified pension, profit-sharing, or stock bonus plans. However, in the case of distributions of employer stock, the class A capital gains treatment will be available when the stock is sold for the appreciation occurring after the distribution to the employee.

20. Disposition of depreciable real estate

1. The bill treats as ordinary income a certain percentage of depreciation taken or gains realized (if smaller) but only to the extent the depreciation exceeds straight line depreciation (if the property has been held more than 1 year).

2. The percentages I referred to which determine the "additional" depreciation treated as ordinary income are 100 percent during the first 20 months the property is held and thereafter decreased 1 percent each month until at the end of 10 years, the percentage is reduced to zero.

21. Income averaging

1. To be eligible for averaging, the income in the current year must be one-third higher than the average income in the 4 prior years and the amount of this excess must exceed $3,000.

2. If an individual has any "averageable" income, one-fifth of this income is included in the current year's tax base, a tentative tax determined on this amount and then the result multiplied by 5, added to other tax.

3. Generally, capital gains are left out of account in determining averageable income. The only exception is where capital gains in the base period are greater than in the current year. To the extent they are greater, the amount of income which may be averaged is decreased.

22. Repeal of tax on consolidated return

The bill repeals the special 2 percent penalty tax which presently applies to the privilege of filing a consolidated return in the case of a group of affiliated corporations; namely, those where there is 80 percent common ownership.

23. Reduction of surtax exemptions in the case of certain controlled corporations

In the case of a group of corporations where there is 80 percent common control, the bill provides three basic alternatives to these corporations:

1. The corporations in the group may forgo the use of multiple surtax exemptions; that is, they may each file separate income tax returns and allocate one $25,000 surtax exemption among the members of the group.

2. Corporations in the group may elect to pay a penalty tax and continue filing separate returns as at the present time. Under this election, each member of the group may claim a separate $25,000 surtax exemption, but each must also pay an additional tax of 6 percent on the first $25,000 of its income. With the rates under the bill of 22 percent on the first $25,000 of income and 50 or 48 percent on income over $25,000, this means a tax of 28 percent on the first $25,000 of income for these corporations and the regular 50 percent or 48 percent tax on income over $25,000.

3. An affiliated group as an alternative to the first two points I have mentioned may as under present law file a consolidated income tax return claiming one surtax exemption for the group and also wiping out all intercompany transactions.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 20 minutes to the gentleman from Missouri [Mr. CURTIS], who in addition to being a member of the Committee on Ways and Means is a member of the Joint Economic Committee.

Mr. CURTIS. Mr. Chairman, much of what the gentleman from Arkansas has said, I agree with fully. In fact, this position that he has been expounding, of fiscal policy and of the necessity for lowering the Federal tax structure has been recognized and advocated on our side for some time. Indeed, it is basic Republican fiscal policy. In fact, it has been recognized by people on both sides in the Congress—before the executive department either under the previous administration, certainly under this one, apparently, recognized it.

The Baker-Herlong bill, and prior to that, what was then the Sadlak-Herlong bill, had one common denominator—that in order to reduce the taxes so as to bring about these very desirable results that the gentleman from Arkansas has so vividly presented, in order to do this it had to be in context with the other side of the budget and not just the revenue side—the expenditure side. Because, let me say this, and the gentleman from Arkansas, the chairman of this committee knows very well and so does the membership of the House, that when we on the Committee on Ways and Means do not provide the revenue through the tax structure to meet the expenditures of this vast Federal Government, we have to come in with increases in debt limitation bills. We then have to figure out how this Federal Government can market additional Federal bonds and the economic consequences that this brings about. We cannot separate the economic consequences of taxing our people from the economic consequences of selling bonds or marketing Federal bonds either to our people or through our monetary system. Indeed, the economic consequences involved in what we call the problems of debt management in many respects are a great deal more serious than the economic consequences involved in the tax structure itself.

Now this is a matter of judgment—although there are some basic matters of principle involved. I first want to address my attention to the basic matters of principle. I think the chairman of the Committee on Ways and Means is correct when he says that this bill could be the most important matter that this Congress will be passing on in 15 years.

I would say that it would be the most important matter that this Congress has passed upon economically in its history, if we are actually adopting the novel and untried principle that I see involved in this proposal, as it was originally presented to the Congress by the President of the United States.

I know the gentleman from Arkansas does not share the economic theory which lies behind the Presidential presentation of this bill to the House. His statements here on the floor clearly demonstrate that he does not adhere to this theory nor does the Ways and Means Committee majority. Because the majority put into this bill a statement of principle in regard to the expenditure side of the ledger. It has been referred to as a pious hope. I, myself, have referred to it as a pious hope. This statement the majority members placed in this tax bill says that in order for this tax reduction to be meaningful, to bring about employment, to bring about a real increase in the gross national product, to really hit at our problems in our balance of payments and our gold flow, it must be accomplished in the context of expenditure reform.

So at least in words we on the Committee on Ways and Means and those who voted for this bill with that expression of economic policy are in accord. But what is the problem? It is that the proposed Republican motion to recommit goes beyond mere words that we believe in this economic theory that expenditures must be reduced if we are going to get the economic benefits from a lowering of taxes. It requires some form of action on the part of the President.

The chairman of the Committee on Ways and Means said that the motion to recommit has been presented as a panacea. Oh, it is no panacea. It is an effort to move forward in this area of expenditure so the Congress can develop the machinery so that each year there can be a meaningful legislative budget. The chairman of the Committee on Ways and Means has been a little unfair, I think, in suggesting that those of us who want to develop this congressional machinery are thereby impugning or attacking the integrity of our colleagues or of Congress in its ability to cope with the problem of expenditures and appropriations. There is no such intent, and if we ever get to that kind of reasoning when we try to develop what we believe is good legislative machinery to accomplish results, we will end nowhere.

All of this is an attempt to do what the Congress unsuccessfully tried to do, and we can see how it was unsuccessful in the 1946 Reorganization Act when we created this super-duper budgetary committee consisting of the members of the Committee on Ways and Means and the Senate Committee on Finance and members of the House and Senate Appropriations Committees. The job of this joint congressional committee was—and this is still law, gentlemen, as we all know—to meet and develop a legislative budget with ceilings so that we could cope with this very difficult and complex matter of controlling expenditures at the congressional level. We all know the cumbersome and inadequate manner in which we actually do it. We bring out our appropriation bills individually. Never do we get a collective look at the end to total up all we have done.

As I have so often said, the biggest problem in expenditure reform or control is not cutting out wasteful programs. Any time we can find a program that is wasteful or inefficient, heavens, everyone in the House will join in cutting that out. Our problem there is simply one of identification. The real art of budget control is in trying to establish priorities between good programs, programs that a lot can be said for and which our people probably need or which would certainly be desirable. This requires the recognition, if we are really going to prepare budgets in a firm fashion, that we cannot buy all of the good things and the good programs in any given year. We have to schedule the programs. We do schedule our public works, as everyone knows. There are a lot of public works bills on the shelf waiting their turn for the time when they can be moved into our budget. How can we establish these priorities?

The proposal here in the tax bill is not the basic way to go about it, but it is a very helpful way to assist. It provides the basic feature needed, an expenditure ceiling. Establishing an expenditure ceiling becomes appropriate and important when we are concerned about our revenue aspects in considering a revenue bill for the purpose of trying to stimulate the economy. The theory behind this bill, aside from the reform features—and I wish we could get into some of these reform features, because there is a lot in this bill which, in my judgment, goes against the very purpose we are seeking in regard to stimulating our economy—but the essential argument behind the bill is to release purchasing power to our people and to our businesses. And as the gentleman from Arkansas, Chairman Mills, has so adequately expressed it, to give the private sector of our economy an opportunity to move forward. This is the theory on which the tax bill has been presented. The point then becomes this. If we try this kind of stimulative effort in a period when we already are spending more money than we are taking in through our tax structure, how then do we handle the problem or the problems that we create, added problems in the area of debt management? To whom will we sell the bonds during this interim period, even if the theory is sound? And let us take the proponents economic hypothesis that as you bring about this stimulative effect in our increase in the gross national product from which we are to derive the new revenues which eventually will balance the budget—in the interim, how many bonds, how many billions of dollars of bonds will we have to market and how will we market them?

Now we get to this difficult problem that I started to mention, the difference between two basic economic theories. The economic theory expressed by the gentleman from Arkansas, Chairman Mills, is no different from my own. In other words we both believe we have to have expenditure reform if we are to make the tax cut economically meaningful.

And, Mr. Chairman, let me say this. This is not partisan. The welfare of our country is involved in this and if my arguments are in error I want to have the other side take issue. Let us not put this on the basis of parties, for heaven's sake. If the gentleman from Arkansas [Mr. Mills] is correct—and I agree he is, in saying that this is one of the most important economic bills we have ever considered—let us listen to the arguments and the facts, not who says them, and see whether they stand up. I see the consequences of marketing these bonds, as creating inflationary pressures that our society could not under this present fiscal climate contain. The economic theory advanced by the President is different from the theory expounded by the gentleman from Arkansas [Mr. Mills]. It is that the budget will not be balanced in 1964 or 1965 or 1966 or 1967, possibly 1968. If one goes back to the premise upon which this balance is predicated, I think it is more reasonable to assume that it will be 1972 before we attain these balances.

In the interim we have this problem of marketing these bonds. I directed questions to the President's Council of Economic Advisers when they testified before the Joint Economic Committee on this novel theory of deficit financing a year ago in August. Here is where it stems from. Dr. Heller and his economic group are the ones who have espoused this novel and untried theory that the Congress is being asked to consider. The testimony of Dr. Heller and his group should be read by all Members to fully understand the far-reaching impact of these economic theories. Yesterday I put in the Congressional Record, so that anyone interested would have the opportunity to read it, some of the statements of many economists in this country, in regard to the inflationary threats that face this country. Dr. Heller's group ignores these threats and, indeed, generally fail to even evaluate the problems of debt management.

This appears on page 17701 of yesterday's Record: "The Inflationary Threat of Tax Cuts With More Federal Spending and Larger Budget Deficits." Chairman Douglas in interrogating Dr. Heller said, on page 17703:

> Many people are saying that they would favor a tax cut only if it were compensated for by an equal cut in expenditures.

> The question I would like to ask is this: If this were done, would it not take away much of the stimulative effect upon which you count?
>
> Mr. Heller. Senator, it would take away almost all the stimulative effect. The deficit is the inevitable part of the stimulus that arises from the tax reduction.

Dr. Heller's theory is that we have to view total expenditure, which means Government expenditure and private. To move the economy forward the total expenditure must continue to increase. So, it is argued if you simply shift allocation of expenditures from the governmental sector to the private sector through a tax reduction, thus increasing private expenditure, you water down the effect if you cut Federal expenditures. This is the theory which the gentleman from Arkansas [Mr. Mills] described, of trying to travel both roads at the same time and which he says he rejects and which he warns the Congress to reject.

These people, those who advocate planned deficits—and they are very sincere people—actually believe that we should be increasing Federal expenditures along with the proposed tax cut. Indeed, that is what the President's budget for 1964 calls for and that is what his budget projection for 1965 calls for. This is the fiscal policy which underlies the President's budget. The President to this very day has not altered this policy of tax cuts in context or increased expenditures. It is the budget the President has called tight. Such description makes words meaningless.

Now, this is still the theory of those who are supporting this tax bill, basically. Let us make no mistake about it. They do not buy Chairman Mill's theory of expenditure reform.

Our distinguished majority leader, the gentleman from Oklahoma [Mr. Albert] on last Monday, September 16, placed in the Appendix of the daily Record at page A5817, a statement "AFL–CIO president, George Meany Terms the Tax Bill as on Balance, Desirable, and Necessary."

Mr. Chairman, I am glad that the gentleman from Oklahoma sponsored this statement, because it gives more authenticity to what I am trying to say to the members of the committee, that the basic support behind this bill is not the support of those who adhere to the philosophy which the gentleman from Arkansas [Mr. Mills] has expressed.

Mr. Chairman, I shall read a portion of the statement, as follows:

> Unfortunately, in recent weeks, there have been repeated demands that any tax cut at this time be tied to major cuts in the Federal budget. Undoubtedly an effort will be made on the floor of the House of Representatives to make tax cuts contingent upon budget slashing.
>
> Such a move would be deplorable, it would absolutely defeat the purpose of a tax cut. Instead of stimulating the economy, a large reduction in Federal expenditures would merely nullify the beneficial effects of the tax bill and would contract economic activity.

Yesterday, Mr. Chairman, one of my colleagues was kind enough to place in the Record, the remarks I made on NBC–TV Saturday night. In these remarks I referred to a document being circulated by the U.S. Department of Commerce. This appears in the Record of September 23, page 17821:

> U.S. Department of Commerce,
> *Business and Defense Services Administration, Washington, D.C., September 6, 1963.*
> To: Assistant administrators, office directors, division directors, staff officials.
> From: Paul W. McCann, Assistant Administrator, Industrial Analysis.
> Subject: The tax reduction and reform in 1963.

Here is the gospel of the Kennedy administration:

> A major reduction of Federal expenditures would almost eliminate the stimulus effects of the bill.

The difficulty in debating this novel economic and fiscal policy publicly and here on the floor of the House lies in the fact that those who originated the tax cut were not originating it on the same philosophy advanced by the gentleman from Arkansas [Mr. Mills] who is here defending it. None of the advocates of this dangerous fiscal theory are here to support their theory and engage in straight forward debate. They hide behind the strength and character of the gentleman from Arkansas, Chairman Mills. The philosophy that I have advanced and tried to advance over a period of years for the need of tax cutting because it was an impediment to economic growth and to our system lay in context with expenditure controls and balanced budgets.

The contrary philosophy can be found in its purest form in the presidential message of last year requesting the Congress to give him a quickie tax cut. The theory was a shot-in-the-arm kind of thing to stimulate the economy at the same time and not touching or doing anything with expenditures except to increase them. There is no question that this is the theory of Dr. Heller and the Presidential advisers. Yesterday I placed in the Record a discussion of some of the economic assumptions which lie behind the quickie tax cut and the present tax proposal to stimulate the economy. It is headed "Analysis of the Administration's 'Gap' Theory" and appears on page 17676 of September 23, Congressional Record.

Let me remind my colleagues of the efforts being made to disarm the fears of our people in regard to debt and deficits. This attack has been going on for months and is part of the overall war being waged against the peoples' Puritan ethic. How many of you heard the President in his TV and radio address to the Nation Wednesday night refer to the fact that the Federal debt need not worry us too much because as a ratio of gross national product today it is considerably less than it was in 1946? What has the year 1946 got to do with it? Why was this year chosen as the benchmark? That is the year when we had the highest debt attained as the result of World War II. If we want to get comparable figures let us relate the percentage of the Federal debt to the gross national product in a peacetime year, or a peacetime period, the thirties, the twenties, and before. We find after 17 years since the war has been over we still do not have this debt near the level of any other period of peacetime.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield the gentleman from Missouri 10 additional minutes.

Mr. CURTIS. Mr. Chairman, as a matter of fact, if we will analyze how we got most of that lower ratio it is nothing to be proud of—World War II inflation, cutting the purchasing power of the dollar in half did it. The gross national product is measured in the current dollar, the cheap dollar, but the debt being in the dollar signs of that time remains constant.

The gross national product did not really go up in real dollars in that sense. It went up in the inflation. But why was the President intent on dispelling what he regarded as unjustified fears on the part of our people in regard to the size of the Federal debt and its management? It is because the President did adhere, and apparently still does adhere to the novel theory that you can stimulate the economy and you can get growth through increased Federal expenditures and tax cuts coming about at the same time. I call the attention of my colleagues to my remarks appearing on page 14122 of the August 5 Congressional Record entitled "U.S. Balance-of-Payments Problems," when I discuss the fallacies in the various arguments used by the President and his advisors in minimizing the deleterious economic consequences of our large Federal debt. It is this novel theory of planned deficit financing I wish we had a national debate on. This theory was first presented to the Joint Economic Committee in July a year ago. It was around the same time the President made his speech at Yale and said we should have a national debate on what he termed "the worn out Shibboleths" our people adhere to and Dr. Heller later referred to as our Puritan ethic. This fiscal theory, or popular ethic, is simply that we have to live within our budgets. But then when those of us wanted to join the debate, the President called for, found the bold New Frontiersmen falling back on these so-called Shibboleths and the maligned Puritan ethic. President Kennedy now mouths the words that he too is for expenditure reform and balanced budgets. But what is the impact of decreasing taxes in context with increasing expenditures, what are the problems involved in debt management? To this day the President has avoided the issue, and not taken it up.

Dr. Heller said, when I asked him, during one of his appearances before the Joint Economic Committee, "Where would you market these bonds?" he answered in agreement with my observation by in effect saying I agree with you; you cannot sell these bonds to the private sector, to private people, and to business because if you did you would take away the stimulative effect of this tax cut.

He said he would expect our banks would take up the bulk of these bonds.

So I posed this same question to Chairman Martin of the Federal Reserve Board, and Chairman Martin said then, and he has reiterated it since then, that if the Federal Reserve System took up these bonds in this fashion it would create inflationary pressures that we could not withstand. If the Consumer Price Index—and that is one of the ways we measure inflation or the purchasing power of the dollar—were to go up 6 points, and it went up approximately 4 points, a little less, in the period President Kennedy has been in office, and for the last 2 months for which we have records, June and July of this year, it went up nine-tenths of a point, the highest increase in 4 years. If the Consumer Price Index went up 6 points, and it could go up that much easily, under these new inflationary pressures resulting from this tax cut without expenditure reform, we would take out of the consumer purchasing power about $27 billion. For an $11 billion tax cut, which is to stimulate purchasing power, we would cut purchasing power $27 billion through devaluing the dollar.

Here is the area where the debate should lie. Up to this point the debate has not been around this very critical area. What is the effect on the problem that we have in debt management. These are where the inflationary pressures primarily arise.

I again refer to my remarks that I put in the RECORD last night so that they would be available today, the analysis of the inflationary forces that are extant today. In the judgment of these various economists inflation is becoming the critical problem. And that is without a tax cut increasing Federal deficits and adding to our Federal debt.

This is what I think this House must direct its attention to, to determine whether in its judgment we can devise in any way a mechanism, not a panacea, but a mechanism that will help us in some degree to get on top of our expenditures, to put on a ceiling. The ceiling proposed is not one that is out of line; in fact, there are many who argue that it is too high. I think it is too high. I think it is considerably too high. But I recognize that it is a ceiling, and that if our Appropriation Committees are able to do their job they are going to be below this ceiling, and that is what I hope we will do. But one thing for sure, we will then have established in the Congress a mechanism whereby we can exercise our collective judgment on what the total expenditures may be in a particular year.

Then I hope we go on further to assume our responsibility, the difficult job of establishing priorities in expenditures, when we say we cannot spend more than $97 billion this year in the light of our revenue and in the light of our debt already and the problems in debt management, then we must say what programs we will have to put on the shelf.

Do we have to go to the moon this quickly? We had to make a similar decision in the Committee on Ways and Means on the Highway Act, and we decided that it was better for reasons of limited revenues to stretch that program for a finishing date by a couple of years. These are the hard realities of trying to establish priorities in expenditures, the Appropriation Committees and all of us must have a ceiling imposed by ourselves, by Congress, to limit our expenditures. We propose such a ceiling in the tax bill, because of the desire to create this economic stimulus and to move our society forward. This expenditure control technique is available to us. It is not the best there could be but it certainly is a tremendous step forward and coupled with our newly acquired knowledge of how to use the debt ceiling for expenditure control it becomes of great assistance to our appropriations process.

In the light of that, I trust that those who want this tax reduction, and indeed I think our economy needs it if we are going to move forward the way all of us want to move forward—we will have it if we will earn it. We can earn it by exercising expenditure reform.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Indiana.

Mr. HALLECK. I want to commend the gentleman for his statement. May I say first that I was the majority leader in two Congresses. They were both Republican, the 80th and the 83d. In those Congresses in my time here, which is now approaching 30 years, we gave the American people the only meaningful tax reduction that they have had in my time. We did it after we had cut expenditures and balanced the budget.

The principal reason I asked the gentleman to yield is simply to say this. We had a record vote on the adoption of the rule. Some of the Members on both sides of the aisle do not like closed rules. It so happens that when I have been in the majority and the minority I have supported such closed rules. The vote, of course, was quite decisive for the consideration of this measure, and that is as I think it should be.

But I just want to say at this point, in order that there be no misunderstanding, I am going to support the motion to recommit when it is offered, and I have high hopes that it will be adopted. I think it should be adopted. I think it is a move in the direction of fiscal responsibility and at the same time providing for a tax cut within any sort of reasonable amount. I want also to say this, that the vote on the rule should not be taken as any indication of what is finally going to happen on the passage of this bill, if the motion to recommit does not prevail. My view is that if the motion to recommit does not prevail, the passage of this bill, as it is presently written, when it comes to the final vote, may be in very, very serious jeopardy.

Mr. CURTIS. I want to thank the gentleman, the gentleman from Indiana, the distinguished minority leader, and observe that indeed these two tax cuts that the gentleman referred to did stimulate the economy, but in context with expenditure reform, thereby contradicting the theory that Dr. Heller insists on. One other thing, I might note, Dr. Heller was part of a team that went over to Western Germany right after World War II to advise them on their fiscal policy. The team gave them the same advice that Dr. Heller has given to the President of the United States here, deficit financing to stimulate the economy. The Western Germans saw fit to reject that advice and adhere to this puritan philosophy of cutting their expenditures and getting their deficit balances down. Western Germany did have an enviable period of economic recovery and growth as we all know. The question is not one of believing or not believing the President of the United States any more than it is a question of believing or disbelieving the integrity of the Congress or of any individual Congressman. It comes down to the business of setting up the mechanism for budget and expenditure control so that we can move forward with the Nation's business. It also comes down to a test of whether we are to adhere to the fiscal policy traditional to our country or move to a novel and untried one.

If the President really means what he says about expenditure reform, and let us take him at his word, why has he advised the Democrats in Congress to vote against tying it in with a legislative budget technique such as is being proposed, particularly when the new technique is to be utilized in such a mild manner, too mild a manner, I say?

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman.

Mr. JONES of Missouri. Do you not think it would be preferable, then, for the Congress to accept its responsibility and reduce expenditures and bring the budget in balance, and then we would be justified in a tax reduction?

Mr. CURTIS. I think that, of course, is a preferable route, but unfortunately it is not available to us. So I suggest to take this step that is presently available and to continue working along the lines that the gentleman from Missouri stated and work toward that. The expenditure control technique would be quite an encouragement and help us even to go further in our normal appropriation process.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEOGH. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. BARRETT].

Mr. BARRETT. Mr. Chairman, I wholeheartedly support the President's plea and program for a tax reduction at this time and, therefore, pledge my vote for H.R. 8363, the Revenue Act of 1963, which is now under consideration by the House.

There is a crying need for a tax reduction now—and especially so in the Philadelphia area where economic conditions are not as good as they should be. While the country's economy as a whole has improved over the past 2 years, there are still some areas in need of help. Metropolitan Philadelphia is such an area where 6.7 percent of the total labor force of 1,888,600 workers are still unemployed. In other words, as of this past July, 127,100 men and women were seeking employment.

During the past few weeks, I have received hundreds of letters from constituents in the First Congressional District—Democrat and Republican alike—urging me to vote for a tax cut this year. Here, in part, are a few of the sentiments expressed:

> I am a registered Republican and 100 percent in favor of the President's tax cut. I would appreciate you, as a Representative of the little people, supporting this bill.

> We are registered Democrats and are 100 percent in favor of the President's tax cut bill.

> I think a tax cut this year is most desirable for our country. Please support President Kennedy's tax bill as is.

> I favor the tax cut and am hopeful that the House will adopt it.

Mr. Chairman, while it is true a tax cut will not solve our country's unemployment problem immediately, it will put additional money into circulation. This will create increased buying and, in turn, the demand for more products will be greater. In the end, industry will need to employ additional people to meet the demands for additional products.

The structure of the President's tax proposal is very sound and the House Committee on Ways and Means spent many months drafting H.R. 8363 so its provisions will benefit every American citizen, including big business.

I have heard some comments against the bill and cannot for the life of me understand why any one individual or any organization or business would oppose it. It is designed to put extra dollars into the pocket of every working man and woman. Is this a sin? It is not to my way of thinking and I am sure I do not stand alone in this belief.

Mr. Chairman, now is the time to do something for the American taxpayer and citizen. Prices are sky-high and the cost of living continues to rise. The only item that does not increase as rapidly is the paycheck. Let us do something about it. The Revenue Act of 1963 is the answer and the solution.

Mr. KEOGH. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, at this hour on this momentous and historic day, it is rather difficult for me to follow the great giants whom you have heard, one of whom, Mr. Chairman, is the great and distinguished and obviously learned and eloquent chairman of the Committee on Ways and Means. His speech, in my opinion, and his remarks of today in this committee will long be remembered by many people beyond this day and age.

However, Mr. Chairman, those of us privileged to serve under him are quite accustomed to regular and continually impressive displays of his dedication to duty, of his public service and, if I may add this, of his coruscating brilliance, the latter being a quality possessed by very few, and there is only one other whom I know in Washington who has it. So, Mr. Chairman, it is with a sense of complete comfort that those of us on the majority side follow in the glowing, lighted, learned way of our distinguished chairman.

It has, Mr. Chairman, as you well know, been continuously and truly said that legislation involves the "art of the possible." In every instance where major proposals, such as the momentous one pending before us today, have been presented to this Congress by a standing committee of the House there is obviously and necessarily involved a considerable degree of concession on all sides. It is rare, rare, that any member of a standing committee having jurisdiction of as vital and sensitive a subject as our committee has can come before the Committee of the Whole and say to its members that "with every provision of this bill I am in complete mental agreement." The nature of our legislative process is such that decisions must be made in order that legislation might move forward. This is as it should be, and this, Mr. Chairman, is the representative way. So it is today with this most comprehensive and most important piece of legislation now pending before the committee.

As has been so ably described by our distinguished chairman, there are 23 major structural changes in the pending bill. Obviously these changes will have varying degrees of impact upon different sectors of our economy and different groups of our taxpayers. In addition to the salutary effect of tax reduction, many of these changes will be favorable to many of the taxpayers of the country. However, Mr. Chairman, candor compels me to direct the attention of the committee to two examples to which I shall allude but briefly. These are examples of the point that legislation involves give and take and that we cannot subscribe 100 percent to every detail in a measure as large and as broad as this 300-page bill.

There are provisions in the bill which will have a direct and an immediate impact on taxpayers who receive their income in whole or in part from dividends. In 1962, Mr. Chairman, it was estimated that there were some 17 million individual shareholders in the United States, or 1 out of every 6 of the adults in the entire country. Of these there were 2,340,000 in New York State, and there were 1,639,000 in my city of New York alone. In other words, nearly 10 percent of all the shareholders in the United States reside in the city of New York. These dividend recipients in New York City in the year 1961 received nearly $2 billion in dividends. I cite these figures, Mr. Chairman, to show the importance to the city of New York, the area which I have the high honor to represent, of the provisions of the bill relating to dividend income and the income from the sale and exchange of securities

The President's original recommendation provided for a decrease from 50 to 30 percent inclusion in the portion of long-term capital gains to be included in income and an extension of the holding period from 6 months to 1 year. Our Committee on Ways and Means tentatively agreed to the 30 percent inclusion factor and subsequently, by reason of a fuller and fair consideration of all the problems with which the committee was faced, that percentage was increased to 40.

As a result of that, Mr. Chairman, I might very well say, as some members of the committee might, that this is a provision to which I cannot give my assent. But this, Mr. Chairman, I shall not do.

Secondly, the administration recommended the repeal of the dividend credit and exclusion, but our committee did not go that far. It did provide for a reduction in the credit next year and its repeal in the following year, with a slight increase in the amount of the dividend received to be excluded.

Here, too, is a provision that falls with great impact upon the area from which I come and here, too, would be a provision that I could say with force and I hope with logic that my people should not assume to bear. But I stand here today, Mr. Chairman, and say that I do not do that, and I would not do that for these two provisions are integral parts of the whole plan, a plan that has been conceded by all—by labor, by management, by the AFL-CIO, by the Businessmen's Committee for Tax Reduction, by the chambers of commerce, and by small businessmen's associations—to be a work that has been accomplished by our committee that does substantial justice, not to one, not to a few, but to all the taxpayers of the country.

Now, Mr. Chairman, I turn to a major provision of this legislation which I had the honor of sponsoring in bill form even before H.R. 8363 came into being. I refer to tne repeal of the reduction-in-basis provision which was added to the investment credit section of the Revenue Act of 1962 by the other body—commonly referred to as the "Long amendment" to the investment credit provision. May I refresh the recollection of the Members of the House by a quick review of what was intended to be accomplished by the investment credit provision itself and what has happened since the enactment even with the restrictive Long amendment included in it.

In the report of the Committee on Ways and Means on the Revenue Act of 1962, it was stated that the investment credit provision, coupled with liberalized depreciation:

> Will provide a strong and lasting stimulus to a high rate of economic growth and will provide an incentive to invest comparable to those available elsewhere in the rapidly growing industrial nations of the free world.

That same committee report explained that:

> The investment credit will stimulate investment because—as a direct offset against the tax otherwise payable—it will reduce the cost of acquiring depreciable assets. This reduced cost will stimulate additional investment since it increases the expected profit from their use. The investment credit will also encourage investment because it increases funds available for investment. * * * Moreover, since the credit applies only to newly acquired assets, the incentive effect is concentrated on new investment.

That same committee report explained that:

> The investment credit will stimulate investment because—as a direct offset against

a tax otherwise payable—it will reduce the cost of acquiring depreciable assets.

Mr. Chairman, it cannot be gainsaid by anyone that one of the tremendous problems with which the economy of this country has been faced since postwar is the modernization of its plant and equipment.

Mr. Chairman, nothing could be clearer than that the intention of the Committee on Ways and Means and the Congress in enacting the investment credit was to increase incentive for American business for investment. The so-called Long amendment was not a part of the investment credit in the form in which that provision passed this body, as I stated, but was added in the other body and was accepted in conference over the strong objections of a number of the House conferees. It was maintained then by some of your House conferees, including myself, that the Long amendment would be restrictive in nature and would indeed dull the stimulus which was envisioned by the investment credit provision itself.

Mr. Chairman, experience has indeed borne out not only the prediction of the Committee on Ways and Means with respect to what the investment credit would accomplish, but it has also borne out the prediction which some of us made with respect to the restrictive nature of the reduction-in-basis amendment.

There is absolutely no question but that the investment credit has proved to be a strong stimulus to the economy. Many businessmen and economists attribute the current high rate of economic activity, particularly the upswing in orders for machine tools and other equipment, to this new provision. A survey released as early as April of this year by McGraw-Hill indicated that, of the increase in planned investment of businesses for 1963, more than 42 percent was to be directly attributable to the investment credit and the depreciation reform adopted last year.

However, it might well be said that the success of the investment credit occurred despite the fact that its full incentive effect is impaired by the reduction-in-basis amendment. Therefore, the repeal of this reduction-in-basis restrictive amendment, as provided in the pending bill, will make the investment credit even more effective in reaching its desired objective. This change will almost double the impact of the credit and the added incentive provided by the repeal will give a substantial boost to modernization of obsolete facilities, thereby enabling our business to compete more favorably in world markets, which is so urgently needed now.

Mr. Chairman, some of us predicted in the conference with the other body last year that the addition of the reduced basis amendment would not only dull the stimulating effect of the investment credit itself, but also would lead to untold complexity and confusion in accounting procedures, adding cost and redtape to our already overburdened business reporting requirements. This prediction was borne out in the hearings which the Committee on Ways and Means conducted on the President's 1963 tax message this spring. Many groups and individual businessmen stated that the bookkeeping confusion which had resulted from the Long amendment was costly, time consuming, and unnecessarily complex. Particularly it was true that the thousands of small businesses have found it extremely difficult to cope with these additional burdens. Therefore, the repeal of this amendment will particularly facilitate the use of the investment credit by small business. The National Small Businessmen's Association likewise urged appeal of this provision, stating that it:

> Has been the cause of an enormous loss of valuable time, dissension within the accounting profession, and confusion and uncertainty on the part of the businessmen and corporate managements. The only result has been to reduce, in large part, the intended incentive effect of the tax credit.

The pending bill, Mr. Chairman, provides for the repeal of that amendment. And, if I may be permitted just a moment to point out what I think is an inconsistent position on the part of our distinguished friends who signed the separate minority views, they have contended that the repeal of this investment credit amendment would provide what they term a "loophole." We dispute that as vigorously as we can. But we remind them that throughout the public hearings on this bill, we remind them that throughout the executive sessions on this bill, they had consistently and continuously sought to urge upon the majority of the committee the adoption of a theory that would encourage investment in plant and equipment as a better method to provide the jobs which we all realize are needed and will be needed in the future. They had preferred then an investment in plant and equipment rather than an increase in the consumer purchasing power of the country.

Mr. Chairman, we have here provided just that. In their eagerness or in their despair, whichever it is, to come to some disagreement with the majority of the committee they have obviously seized upon an inconsistent position and have sought in their minority views—I would say quite unintentionally and with the high purposes that prompt all their every word and action—they have sought to mislead the membership of this committee and of the House that in our doing what we did in the pending bill we have sought to give an unfair advantage or a bonanza, or hesitating as I do to use an overabused and much misunderstood and frequently and erroneously applied word, a loophole to business.

Well, Mr. Chairman, if we can encourage the modernization of plant and equipment in this country as we have under the limited effects of the Revenue Act of 1962, if we can increase that modernization, if we can do all these things, then, Mr. Chairman, I say that is reason to support this particular provision in the bill and not to oppose it.

Mr. Chairman, there is another provision of this bill to which I should allude before closing: the so-called income averaging provision. We have all recognized for quite some time that taxpayers whose incomes fluctuate widely from year to year because of the nature of their particular employment or self-employment may pay more tax than others who receive an identical total income in a steady amount. In the past, we have undertaken to alleviate the hardship resulting from this situation by writing into the law provisions to cover specific types of situations. Admittedly, these relief provisions did not reach all of the cases which should have been reached.

The provision which we have included in this bill is a much broader income averaging provision and for this reason will be of benefit to a much larger number of people whose incomes, because of reasons beyond their control, widely fluctuate from year to year. In particular, it should be of benefit to authors, professional artists, actors, athletes, farmers, ranchers, fishermen, attorneys, architects and proprietors of various types of small business. The operation of the provision has already been explained by our distinguished chairman and is covered in full detail in the committee report. I will not here repeat that explanation, but I did want to advise the Members of the House that this provision should be of more widespread application than the provisions contained in existing law on this subject.

Mr. Chairman, as I have indicated, this is a very large and comprehensive bill. It contains many structural changes over and above the overriding rate changes which will benefit practically every American taxpayer. I strongly support the bill. It will provide a strong stimulus to our economy. It will remove the restrictions which for years have burdened our taxpayers and our American business.

Mr. Chairman, indeed, this is an historic day in the House of Representatives. This is a great Committee of the Whole considering a measure which in my opinion will long be looked back on as the cornerstone and the bedrock upon which has been erected an economic superstructure that will do justice and will do credit to this Congress and many more to follow.

I urge, therefore, Mr. Chairman, that the Committee unanimously, if possible, support this bill after resoundingly rejecting whatever motion to recommit may come.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Fifty-eight Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 152]

Ashley
Auchincloss
Avery
Blatnik
Boggs
Bolling
Celler
Cunningham
Davis, Tenn.
Dawson
Dole
Dorn
Gary
Gubser
Hanna
Hawkins
Hébert
Holifield
Hosmer
Hull
Kee
Kelly
Kilburn
Lipscomb
Lloyd
Long, La.
Long, Md.
McFall
Mailliard
Morse
O'Brien, Ill.
Passman
Pillion
Powell
Price
Quillen

Rooney, Pa.
Ryan, N.Y.
St. George
St. Onge
Shelley
Springer
Steed
Thompson, La.
Whitener
Willis
Wilson, Bob
Wilson, Charles H.

Accordingly, the Committee rose; and the Speaker pro tempore having resumed the chair, Mr. ROOSEVELT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8363), and finding itself without a quorum, he directed the roll to be called, when 384 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. BAKER. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, the Ways and Means Committee has worked in public hearings and executive session for 8 months undertaking to develop a tax reduction and tax revision bill, the enactment of which would be in the national interest.

We eliminated some of the most objectionable features of the President's proposals: notably the 5-percent floor under itemized deductions which would have resulted in denial of $2.3 billion deductions to all taxpayers who avail themselves of the itemized deductions provisions of the revenue laws, and the carryover of the decedent's base in respect to capital gains, which would have added an additional annual "death tax" of $170 million and which would have rendered insolvent many small and medium-sized estates, which to me were the most objectionable of the proposals presented by the Treasury Department.

H.R. 8363, designated the "Revenue Act of 1963," consisting of 310 printed pages, represents the product of this massive undertaking.

While I do not agree with all parts of the rate structure and believe that it could have been more equitably formulated, yet the rate schedule provided in H.R. 8363 is so far preferable to existing law that I am in active support thereof. The present range of individual rates from 20 to 91 percent is reduced to 16 to 77 percent effective January 1, 1964, and from 14 to 70 percent effective January 1, 1965, and thereafter. The present corporate rate of 52 percent would be reduced to 50 percent on January 1, 1964, and to 48 percent on January 1, 1965, and thereafter.

While I would favor more substantial reduction in the corporate rates, this 4-percentage-point reduction will be very helpful in stimulating the economy and no longer will the U.S. Government be the major partner in distribution of the earned profits of corporations. The reduced individual rates in the various brackets will be most helpful to individually owned business enterprises and partnerships, and will likewise materially stimulate the economy.

Upon the basis of past financial history of the United States and of other nations, notably our neighbor to the north, Canada, it is my considered judgment that these proposed tax rate reductions will release the brakes on the economy to such extent that after 2 full years of operation, substantially more revenue will be derived from the rates scheduled in H.R. 8363 than under the rates provided for in existing law.

So, I support the reduced rates provided for in this bill, but I do so with one vital and ultra-important reservation; that is, that Federal expenditures be held to a level not to exceed $97 billion for the fiscal year ending June 30, 1964, and to an amount not to exceed $98 billion for the fiscal year ending June 30, 1965.

At the conclusion of general debate and prior to a vote on passage of the bill, a motion to recommit the bill to the Ways and Means Committee with instructions to forthwith report an amendment to that effect will be offered in substantially the following language:

Page 27, after line 23, insert:

"SEC. 133. REDUCTION OF TAX RATES CONTINGENT ON EXPENDITURE CONTROL.

"(a) GENERAL RULE.—The amendments made by this title and title III shall not take effect unless the Budget of the United States Government which is required by section 201(a) of the Budget and Accounting Act, 1921 (31 U.S.C., sec. 11(a)), to be transmitted to the Congress during the first fifteen days of the regular session of the Congress beginning in 1964 sets forth—

"(1) an amount not in excess of $97,000,000,000 as the estimated administrative budget expenditures for the fiscal year ending June 30, 1964, and

"(2) an amount not in excess of $98,000,000,000 as the estimated administrative budget expenditures for the fiscal year ending June 30, 1965.

"(b) EFFECT OF PRIOR PUBLICATION.—If the President—

"(1) determines that the amounts of the estimated administrative budget expenditures for the fiscal years ending June 30, 1964, and June 30, 1965, which will be set forth in the budget referred to in subsection (a) meet the requirements of paragraphs (1) and (2) of subsection (a), and

"(2) causes such amounts to be published in the Federal Register before the date on which such budget is transmitted to the Congress,

then the contingency provided by subsection (a) shall be treated as satisfied.

"(c) EFFECTIVE DATE OF WITHHOLDING.—Notwithstanding section 302(d), the amendments made by section 302 (and the provisions of the Internal Revenue Code of 1954 amended by such section) shall not apply with respect to amounts paid before the thirtieth day after whichever of the following dates is the earlier: The date on which a budget referred to in subsection (a) which meets the requirements of paragraphs (1) and (2) thereof is transmitted to the Congress, or the date on which the amounts of the estimated administrative budget expenditures for the fiscal years ending June 30, 1964, and June 30, 1965, are published in the Federal Register pursuant to subsection (b)."

I am actively supporting this motion to recommit, and if it is adopted by this House, I shall vote for the bill on final passage.

There is an old saying which is still a true one that, " You can't have your cake and eat it, too." It is equally true that everything of value has its price in some form.

At this time in our Nation's history, when the Federal Government is operating heavily in the red, the price of tax reduction is restraint on spending; giving up at least temporarily Federal projects, however much to be desired and for the common good, in order to obtain reduced Federal taxes now and permanently.

It is simply a question of priority. If you have a leaky roof on your home and also an automobile which is slow to start, which you would like very much to trade for one of the new 1964 models, would you in the exercise of good commonsense and prudence choose the 1964 model automobile, or would you repair the roof on your house, saving the structure from deterioration?

This bill presents to this Congress a decision which will be felt for decades ahead, for, in my opinion, if we do not obtain tax reduction now after these months of hearings and effort on the part of the Ways and Means Committee, there will be no tax reduction, probably not even a tax reduction bill, within the next 10 years.

In my judgment, it is equally true that to vote a reduction in Federal taxes, which involves adding $11 billion deficit onto the existing deficit and larger deficits in the future, would cause the Nation's economy to go into a tailspin and could well result in financial chaos at home and abroad.

I do not support the amendment sought to be made a part of the bill by the motion to recommit as a partisan, political measure. I envision this amendment as a pact between the Congress, which has the inherent and exclusive constitutional power to levy taxes and make appropriations, and the President and executive department, which spends the money appropriated by Congress, to the effect that the excessive burden of Federal taxes will be reduced as provided in the bill, with the clear understanding and positive agreement between the legislative and executive departments that, short of actual war or extreme national emergency, the level of Federal expenditures shall not exceed $97 billion for the fiscal year ending June 30, 1964, and shall not exceed $98 billion in the period from July 1, 1964, to June 30, 1965.

If this amendment is enacted into law, the President has two alternatives; that is, he can submit expenditures budgets in accordance therewith and the entire tax cut will go into effect January 1, 1964. Or, in the exercise of his discretion, the President may submit expenditure budgets in excess of the stipulated amounts, and none of the tax reductions will take effect. If the President elects to submit expenditure budgets not in excess of the amounts provided for in the amendment, then, as I see it, the Congress would be morally bound to keep its part of the pact and to limit appropriations accordingly.

We are in a period of relative prosperity. Surely in order to obtain this reduction in Federal taxes, the Congress, the executive department, and the people of the United States should be willing to hold expenditure levels to $97 billion for the fiscal year ending June 30, 1964, and $98 billion during the period from July 1, 1964, to June 30, 1965, the highest level of peacetime expenditures in the history of the United States.

I am convinced that the great majority of the people of this country share my view in this connection.

The President of the United States on September 10, 1963, speaking before the National Conference on Tax Reduction, made this statement. "This administration is not opposed to expenditure control," and in his letter of August 19 to the gentleman from Arkansas, Chairman WILBUR MILLS, the President said:

> Tax reduction must also, therefore, be accompanied by the exercise of an even tighter rein on Federal expenditures, limiting outlays to only those expenditures which meet strict criteria of national need.

The Business Committee for Tax Reduction recently stated as follows:

> Failure on the part of the Congress and the administration to establish and adhere to rigid expenditure discipline could well negate the good emanating from tax reduction.

And that—

> Federal expenditures are, of course, a joint responsibility of the Congress in appropriating money and the administration in its expenditure.

For a number of years the gentleman from Florida [Mr. HERLONG] and I have introduced comprehensive tax reduction and reform bills firmly tied by statute to expenditure control.

When H.R. 8363 was being considered by the committee, I offered an amendment embracing this basic concept, which amendment lacked one vote of being adopted—the vote being 12 ayes and 13 nays. A somewhat different version of the amendment was offered by my colleague from Wisconsin [Mr. BYRNES] and this amendment lacked 1 vote of adoption—the vote being 11 ayes and 12 nays.

The amendments which the gentleman from Wisconsin [Mr. BYRNES] and I offered in the committee were more restrictive and mandatory than the amendment to be offered to this bill, but they applied only to the second phase of tax reduction.

I submit that the amendment which will be the basis of the motion to recommit is reasonable and in a spirit of cooperation and mutual trust upon the part of the Congress and the executive department. Its adoption will be in the national interest and will assure, in my opinion, passage of this bill by an overwhelming vote.

I agree with President Kennedy that this bill now being considered by the House is the most important domestic measure which has been before the Congress in the past 15 years. The issues as presented far transcend party lines and must not be determined on a partisan basis.

Mr. ROBISON. Mr. Chairman, will the gentleman yield?

Mr. BAKER. I yield to the gentleman from New York.

Mr. ROBISON. Mr. Chairman, I have been a cosponsor for several years of the so-called Herlong-Baker tax bills. I would like at this point to commend the gentleman from Tennessee for his leadership in attempting to tie tax reduction to better congressional control of Federal expenditures. It seems to me that the gentleman made a powerful argument for the recommittal motion that will be offered tomorrow. I ask the gentleman if he would also desire to comment on that provision in the bill in which I believe I helped to originate the idea that our senior citizens would be granted some relief in the event they are forced to sell what is for many of them the principal asset of their estate—their home.

Mr. BAKER. That provision is in the bill. The gentleman from New York and I introduced that feature. It provides that the first $20,000 of the selling price of the home of a person 65 years of age or over shall be exempt from Federal tax. It will be a tremendous benefit to the aged population of this country, and it will stimulate home sales because of that.

I would like to add one thing to the statement of a while ago. I offered in the committee an expenditure control amendment in somewhat different form from this and a little bit more mandatory. It was mandatory as to the second year of the tax cut. It is based on the net U.S. debt as of June 30, 1964, which translated to $303 billion, was based on an expenditure level of $97 billion. It was defeated by one vote—12 to 13. My colleague from Wisconsin [Mr. BYRNES], a few days later offered an amendment with a slightly different version of the dollar amount, which was defeated by one vote. I mention that only to show that this is nothing novel, it is nothing revolutionary. It has been considered by the committee over and over again. It is sound principle that we who vote the money, we who levy the tax, the entire source and fountainhead of the tax levy, have a right to say to the Executive in a spirit of cooperation, "We do this contingent upon this reasonable contingency."

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the distinguished gentlewoman from Michigan [Mrs. GRIFFITHS].

Mrs. GRIFFITHS. Mr. Chairman, I support this bill. However, I have received many letters from people in my district and throughout the country saying roughly, "Much as I would like a tax cut why don't we pay the bills, balance the budget, and forget about the tax cut for a while. This is the way I would run my household." In my judgment, these people deserve an answer.

When the budget was presented this year, the President estimated a deficit of $11.9 billion. Now, if you found in your household budget that you were going to run short of money, you might find a way to increase your income. So I asked Mr. Gordon, the Budget Director, when he appeared before the Joint Economic Committee, how much we would have to increase taxes to balance the budget to pay that $11.9 billion. After some research, he forwarded the reply that in order to secure $11.9 billion you would have to increase taxes a sufficient amount to bring in an estimated $20 billion, or roughly $400 per taxpayer. The Government's decision therefore would confront every taxpayer with a problem. How would he find the $400 additional to pay the Government. Many anticipated purchases would have to be forgotten. As those purchases ceased in 50 million households, the amount that corporations are making would decrease as would their taxes. The number of people employed would decrease. They would go off the tax rolls. It is not difficult, therefore, to understand what the problem would be in balancing the budget by increasing taxes, nor what the effect would be upon individuals and upon businesses.

Perhaps as a householder you might take another route. Perhaps you would decrease expenses. I then asked Mr. Gordon how much we would have to decrease the outgo to balance the budget. He again replied, that it would have to decrease by roughly $20 billion.

Surely, no one has any problem in seeing that this would remove people from both payrolls and tax rolls thus reducing the Government's income. To at least the extent of balancing the budget, your household budget and the Nation's budget are not alike: because the effect of the action to make them balance is not the same.

The effect of my husband's doubling his income in any one year would be very nice for us and it would have very little effect upon the rest of you unless we happen to bank our money in your bank or buy from your store, in which case there would be some small effect on you. The effect of the Government in deciding to double its income by increasing taxes would be to bankrupt many businesses and to throw many people out of work. The Government does not exist to bankrupt its people. The effect of my husband's failing to spend any of his income would be very small upon the life or lives of any other person. A few people he now employs would have to secure other jobs. The effect of the Government's not spending a cent would, of course, be disastrous economically as well as in many other ways. The Government's expenditure is slightly less than one-fifth of the total goods and services purchased in this country annually.

To those people who have asked the question, why do not we pay the bills, the answer is if we increase the taxes by $20 billion this year to pay the bills or reduce the expenditures by $20 billion, the net effect of it would be to create less taxes, more bankruptcies, more failures and more bills.

The theory of the tax cut is to return to each taxpayer an amount roughly equivalent to $200 which it is hoped he will spend. The conservative estimate of the speed with which that money will be respent is 2½ times per year. The top estimate is four times.

As that money is spent and respent it is anticipated that it will create additional employment, put more people on the tax rolls and thus finally create additional tax revenue.

It has been suggested that a tax cut to stimulate the economy, create employment, and finally balance the budget is a great gamble. In my judgment there is some truth in this. You might set off a round of inflation. But this I doubt. America has tremendous unused capacity and a tremendous selection of goods, and I feel certain that the demand can be supplied for any item you want to buy with your share of the tax cut. Interest rates might rise precipitously, but I doubt that they will rise sufficiently to use up the tax cut.

Many things could happen which would throw off the calculation of balancing the budget.

Our entire economic system depends upon millions of individual decisions of individual people and corporations, as well as upon the decisions of the Government. I agree with the witness before our committee who said, "When you get to thinking about it, it is a miracle it works at all."

On the other hand, the budget has been balanced only 6 of the last 34 years so there is no gamble at all under the present system. We are just going to go deeper into debt. I prefer therefore to take my chances with the tax cut—maybe we will balance the budget by giving each one of us more money to spend.

I would like to emphasize also, that the amount each taxpayer receives will seem small indeed. In Detroit, I believe it is estimated that it would amount to $3 per week for a union worker. Someone has said it is only cigarette money; but if that is what it is all spent for—there is going to be a tremendous demand for cigarettes. I asked the people in my district what they would spend it for. I found they would spend it for medicine, home repairs, books, clothes, food, and other small items.

One man wrote in and said:

> Please quit talking about a tax cut. You mentioned that last year, and Cavanaugh raised my city taxes. You started talking about it this year and Romney wants to raise my State tax. Don't mention a tax cut again. I can't afford it.

For all of those people who feel that a tax cut would be immediately picked up by State and local governments, I have a pleasant surprise: The estimated effect of the tax cut upon the revenues of your State and local government is shown below, as calculated by the staff of the Joint Economic Committee.

The general opinion of Senator DOUGLAS, the Treasury Department and the Joint Economic Committee is that a reduction in Federal taxes, will result in the increase of State and local tax revenues without changes in existing tax rates or the introduction of new taxes. It is estimated that Federal tax reduction will result in the addition of $2.9 billion to tax revenues of State and local governments. Of that, an estimated $1.5 billion would accrue to the States and $1.4 billion to the local units of the States. The State-by-State reduction will be broken down in the following.

The proposed reduction in Federal income taxes is expected to increase State revenue in the following manner: First, it is expected to add immediately to funds available for consumption and investment and would increase incentives to invest; it would raise output and employment to meet these consumer and investment demands which would create new incomes which in turn would be available to be spent or saved and invested; the consumer and investment spending would increase State and local collections of revenue, and second, economic expansion resulting from the proposed reduction would have a significant effect on the local property tax base as a consequence of new business and residential construction and from increased investment in other types of taxable property; property tax receipts by the local government would be increased.

Substantial relief in increased State revenue will come to those 16 States which allow the deduction of Federal income taxes in computing State income taxes. These States are Arizona, Colorado, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Minnesota, Missouri, Montana, New Mexico, North Dakota, Oklahoma, Oregon, and Utah.

The following shows the present State and local taxes imposed by these governments and the gain in revenue which the States will receive from the proposed tax reduction.

ALABAMA

First. Corporate organization and qualification fees which range from $1 per $1,000 of authorized capital stock and corporate permit from $10 to $100. Foreign corporation taxes range from 25 percent and are measured by actual amount of capital employed by the State. Corporate permits for these corporations range from $5 to $100. These taxes are payable only at the time of initial organization or increase of capital stock.

Second. Franchise tax, which is payable every year, is $2.50 for $1,000 of capital stock for domestic corporations and for foreign corporations, the rate is $2.50 per $1,000 of capital stock, measured by the actual amount of capital employed by the State. The franchise tax also imposes an annual franchise permit tax ranging from $10 to $100 for domestic corporations and from $5 to $100 for foreign corporations.

Third. The State income tax as imposed on individuals which ranges from 1½ to 5 percent, corporations 3 percent, and other financial institutions 6 percent.

Fourth. General property tax is the sum of State and local rates fixed to meet budgets. It is measured by 60 percent of fair market value of real and personal property.

Fifth. License taxes vary according to the business. The tax may be a flat rate or it may be based on population, volume of business, or invested capital.

Sixth. There are also excise taxes on playing cards, carbonic acid gas, alcoholic beverages and gasoline motor fuel and lubricating oils.

Seventh. Severance tax on iron ore, oil and gas and forest products.

Eighth. Motor vehicle and motor carrier taxes, depending on the type of vehicle and purpose for which it is used.

Ninth. A chainstore tax which ranges from $1 for 1 store to $112.50 for each store in excess of 20 in the State.

Tenth. Tobacco, stamp, and use tax on cigarettes, cigars, smoking tobacco, chewing tobacco, and snuff.

Eleventh. Document filing tax for conveyances of property and mortgages and for leases of mineral property.

Twelfth. Sales and use tax of 4 percent.

Thirteenth. Public utility taxes on electricity, railroads, sleeping car companies, telegraph, telephone, and freight lines.

Fourteenth. Fire and marine insurance tax payable by insurance companies.

Fifteenth. Estate tax patterned after the Federal estate tax but reduced proportionately where property is located outside of the State.

Sixteenth. Poll tax of $1.50 on all persons from 21 to 45.

Seventeenth. Unemployment compensation tax payable in different rates by both the employers and the employees.

The tax gain under the proposed Federal bill to Alabama is expected to be $32 million.

ALASKA

First. Corporate organization and qualification fees for both domestic and foreign corporations, ranges from $20,000 for the first $100,000 of authorized capital stock to an additional $10 for each $1 million or over of authorized capital stock.

Second. An annual corporate tax of $15 for foreign and domestic corporations and an annual report fee of $2.50 for all corporations.

Third. General income tax on individuals, 16 percent of total income tax payable to the United States for the same year but based on net income from sources in Alaska. The tax on corporations is 18 percent. In view of the relationship of the tax on that payable to the United States, the reduced rates under the new tax bill will also reduce Alaskan income tax.

Fourth. A mining license tax based on the net income of the taxpayer reported to the Federal Government and royalties from Alaskan mining property.

Fifth. Bank excise tax of 2 percent of net income computed under the Federal Internal Revenue Code.

Sixth. Property tax based on the full and true value at rates fixed locally not to exceed a maximum rate of 3 percent.

Seventh. An excise tax on alcoholic beverages and a license tax to sell such beverages which ranges from $100 to $5,000.

Eighth. An excise tax on motor fuel oil.

Ninth. A tax on oil and gas production and an additional tax on oil and gas conservation.

Tenth. A fish gear tax on residents, which is generally increased three times for nonresidents.

Eleventh. Raw fish tax and a cold storage and fish processers tax.

Twelfth. A motor vehicle tax which is based on the type of vehicle used.

Thirteenth. Cigarette tax.

Fourteenth. Gross receipts tax which is generally 2 percent of the net income.

Fifteenth. Insurance companies tax ranging from 3 percent on foreign corporations and 1½ percent for domestic corporations. Domestic corporations have a 5-year tax-free period from the date of organization.

Sixteenth. Inheritance tax ranging from 1 to 17½ percent depending on the class of property involved.

Seventeenth. Estate tax which is designed to absorb the credit allowed by Federal estate tax law. The Federal estate tax law allows an estate credit for taxes paid to a state or a foreign country.

Eighteenth. Poll tax of $10 per year on every citizen over 19.

Nineteenth. Unemployed compensation paid by employers and employees.

The total gain under the new tax bill to the State of Alaska will be $4 million.

ARIZONA

First. Corporate organization qualification and annual registration fees of both domestic and foreign corporations. The fees are small and vary according to the type of document filed.

Second. A general income tax ranging from 1 to 4½ percent for individuals, 1 to 5 percent for corporations, and 5 percent for banks and building associations.

Third. General property tax which is the sum of State, county, and municipal rates fixed to meet the budget. This tax includes tax on private car companies' properties and air carriers' properties.

Fourth. A tax on malt extracts and an alcoholic beverage excise and license tax.

Fifth. A parimutuel tax on dog, horse, and harness tracks.

Sixth. A 6-cent-per-gallon gasoline tax and a 6-cent-per-gallon fuel used tax except such fuel as is subject to the motor fuel tax.

Seventh. Motor vehicle registration fees and property carriers' tax.

Eighth. Excise tax on cigars, cigarettes, smoking and chewing tobacco, plug tobacco and snuff.

Ninth. Occupation tax based on gross proceeds from sales and a higher rate on retail sales; a 3-percent use tax on tangible personnel property.

Tenth. Public utilities tax imposed on gross operating revenue of electric, gas, telephone, and water.

Eleventh. Express companies tax based on gross receipts in lieu of property taxes.

Twelfth. Insurance companies tax on both foreign and domestic insurance companies, based principally on gross premiums.

Thirteenth. Estate tax ranging from four-fifths to 16 percent on net estates in excess of $10 million.

Fourteenth. Street poll tax of $2 on males 21 to 50.

Fifteenth. Unemployment insurance tax which is paid only by the employers.

The gain under the Federal proposed tax bill would be $23 million.

ARKANSAS

First. Corporate organization and qualification fee which varies according to the capital stock and which is applicable to both foreign and domestic corporations.

Second. Corporate franchise tax imposed on both domestic and foreign corporations. The rate is determined by the subscribed capital stock. This is an annual tax.

Third. An income tax on individuals and corporations ranging from 1 to 5 percent.

Fourth. General property tax which is the sum of county, municipal, and school rates fixed to meet budgets. The tax is imposed on personal property and on motor carriers and on private car companies.

Fifth. Parimutuel tax on horse and greyhound racing.

Sixth. An excise tax on all alcoholic beverages.

Seventh. A gasoline tax of 6½ percent per gallon.

Eighth. A production tax on minerals and a conservation tax on oil and gas.

Ninth. A motor vehicle registration and motor carrier tax with fees depending on type of vehicle involved.

Tenth. Cigarette tax.

Eleventh. A 3 percent gross receipts and use tax.

Twelfth. A public utilities tax levied on gross earnings of rail carriers.

Thirteenth. An insurance companies tax based on premiums.

Fourteenth. Estate tax equal to the maximum Federal estate tax credit apportioned among the States where the property is located.

Fifteenth. A poll tax of $1 on all inhabitants over 21 years of age.

Sixteenth. Unemployment insurance tax imposed only on the employer.

The gain under the proposed Federal tax bill to Arkansas will be $19 million.

CALIFORNIA

First. Corporate organization and qualification fee based on the capital stock of domestic and foreign corporations.

Second. Bank and corporate franchise tax based on annual net income derived from business transacted in California.

Third. Corporate income tax of 5.5 percent on net income on corporations which are not covered under the tax described in two.

Fourth. Personal income tax ranging from 1 to 7 percent.

Fifth. General property tax at rates fixed locally to meet the budget.

Sixth. Parimutuel tax based on parimutuel pools.

Seventh. A license tax for the handling of alcoholic beverages and an excise tax on alcoholic beverages.

Eighth. Gasoline tax on motor fuel distributed and a fuel tax for fuel used to propel motor vehicles except such fuel as is subject to the gasoline tax .

Ninth. A severance tax on oil and natural gas produced.

Tenth. A motor vehicle registration fee and motor carrier tax, which tax varies according to the type and weight of vehicle.

Eleventh. An excise cigarette tax.

Twelfth. A 3-percent sales and use tax.

Thirteenth. A public utilities tax imposed on toll bridges and ferries, money transporters, streetcars, and wharves.

Fourteenth. An insurance companies tax imposed on general insurers and ocean marine insurers, based on premiums.

Fifteenth. An inheritance and estate tax which varies from 2 to 24 percent.

Sixteenth. Gift tax ranging from 2 to 16 percent of the fair market value of the gift at the time of the transfer and depending upon the relationship between the donee and donor.

Seventeenth. Unemployment and disability compensation tax paid both by the employers and employees.

The expected revenue increase to California under the proposed tax bill is $404 million.

COLORADO

First. This State has the usual corporate organization and qualification fee tax, franchise tax, general property tax and mine tax, alcoholic beverages excise tax, gasoline tax, oil and gas production tax, oil and gas conservation tax, motor vehicle and aircraft tax, insurance companies tax and inheritance estate and gift tax which are similar to those mentioned herein above.

Second. General income tax on individuals ranging from 3 to 8 percent and on corporations, 5 percent of Colorado income only.

Third. Parimutuel tax of 5 percent of gross receipts on wagering.

Fourth. An oleomargarine excise tax and license tax.

Fifth. Coal tonnage based on coal mine and a license fee of $10 to $50 depending on the tonnage of coal produced annually.

Sixth. Chain store tax graduated from $2 for 1 store to $300 for each store in excess of 24 operated within the State.

Seventh. Realty recording fee of 1 cent per $100 of total consideration paid for real estate.

Eighth. A sales and use tax of 2 percent of gross receipts.

Ninth. Utilities tax not to exceed one-fifth of 1 percent of gross intrastate operating revenues.

Tenth. Unemployment insurance tax paid by the employers only.

The expected gain in revenue to Colorado under the proposed Federal tax bill is $35 million.

CONNECTICUT

First. This State has the usual corporate organization and qualification tax, property tax, excise alcoholic beverage tax, excise gasoline and fuel tax, motor vehicle and carrier and aircraft registration tax, excise cigarette tax, insurance companies tax and estate and inheritance tax which is similar to those described hereinabove.

Second. A sales and use tax of 3½ percent.

Third. Corporate business tax of 5 percent of net income and 2 percent on saving institutions income.

Fourth. Unincorporated business tax based on the businesses' gross income.

Fifth. Public utilities tax of 6 percent on intrastate gross earnings of cable, telegraph car, steam or electric railroads, express railroads, electric, gas, power and water companies.

Sixth. Unemployment compensation tax paid by the employers only.

The expected revenue which would accrue to this State under the proposed Federal tax bill is $45 million.

DELAWARE

First. This State has the usual corporate organization and qualification tax, franchise tax, general property tax, excise alcoholic beverage tax, excise gasoline tax, motor vehicle registration tax, excise cigarette tax, public utilities tax, insurance companies tax and parimutuel tax.

Second. Corporate income tax of 5 percent.

Third. An individual income tax ranging from 1½ to 11 percent.

Fourth. Banks, trust and loan companies tax of one-fifth of 1 percent of capital stock.

Fifth. Branch store license tax based on business done by the branch store which has its principal place of business outside the State.

Sixth. Merchants and manufacturers tax based on gross receipts.

Seventh. Poll tax of 25 cents to $1.25 on all inhabitants over 21 years of age, the rates to be fixed by county levy courts.

This State is expected to gain $7 million under the proposed Federal tax bill.

DISTRICT OF COLUMBIA

First. The District has the usual corporate organization and qualification tax, corporate annual report and license tax, general property tax, excise alcoholic beverage tax, excise gasoline tax, motor vehicle and motor carrier registration fees, excise cigarette tax, real estate recording fees, public utilities tax which includes banks and other financial institutions, insurance companies tax and inheritance tax.

Second. Individual income tax ranging from 2½ to 5 percent.

Third. Corporations and unincorporated business tax of 5 percent.

Fourth. Sales and use tax of 4 percent.

Fifth. Unemployment compensation tax payable only by employers.

No estimate is available as to what the District will gain under the proposed Federal tax bill probably because the District revenues are controlled by the U.S. Congress.

FLORIDA

First. This State has the usual corporate organization and qualification tax which includes limited partnerships, corporate franchise tax, general property, and intangible personal property tax, parimutuel tax, excise alcoholic beverage tax, excise gasoline and special fuel tax, oil and gas conservation and production tax, motor vehicle and carrier and aircraft registration fees, excise cigarette tax, documentary stamp tax—comparable to the recording fees in other areas—public utilities tax, insurance companies tax, and estate tax.

Second. A license tax which varies according to the business involved.

Third. Three-percent sales, use, rental, and admissions tax.

Fourth. Unemployment compensation tax payable by the employer only.

This State is expected to gain $79 million under the proposed Federal tax bill.

GEORGIA

First. This State has the usual corporate organization and qualification tax, annual corporate franchise tax, general property tax which includes intangibles, oleomargarine tax, excise alcoholic beverage tax, and alcoholic license tax, excise gasoline tax which includes kerosene, motor vehicle and motor carrier registration fee, excise cigar and cigarette tax, insurance companies tax, estate tax, and unemployment insurance tax paid by the employer only.

Second. Individual income tax ranging from 1 to 5 percent.

Third. Corporate income tax of 4 percent.

Fourth. A 3-percent sales and use tax.

This State is expected to gain $42 million under the proposed Federal tax bill.

HAWAII

First. This State has the usual corporate organization and qualification tax, annual corporate report and license tax, general property tax, excise alcoholic beverage tax, fuel tax the rate which depends on the county, motor vehicle carrier safety fee, excise tobacco tax, public utilities tax, insurance companies tax, inheritance tax, and unemployment insurance tax paid by the employer only.

Second. Individual corporate tax ranging from 3 to 9 percent.

Third. Corporate income tax ranging from 5 to 5.5 percent.

Fourth. A franchise tax on banks and other financial institutions.

Fifth. A sales and use tax ranging from one-half of 1 percent to 3.5 percent.

Hawaii is expected to gain $10 million under the proposed Federal tax bill.

IDAHO

First. This State has the usual corporate organization and qualification fee, corporate franchise tax, general property tax, oleomargarine tax, excise alcoholic beverage tax and license tax, excise gasoline and special fuel tax, motor vehicle and motor carrier and aircraft registration fees, excise cigarette tax, public utilities tax, insurance companies tax, inheritance tax, and unemployment insurance tax payable by employers only.

Second. Income tax on individuals ranging from 3.4 up to 10.5 percent.

Third. Bank and corporate tax of 10.5 percent.

Fourth. Forest products tax of 12½ percent of value of products severed.

Fifth. A severance tax on minerals and coal.

Idaho is expected to gain $10 million under the proposed Federal tax bill.

ILLINOIS

First. This State has the usual corporate organization and qualification tax, corporate franchise tax, general property and capital stock tax, parimutuel tax, excise alcoholic beverage tax, excise gasoline tax, motor vehicle registration fees, excise cigarette tax, public utilities tax, insurance companies tax, inheritance tax and unemployment insurance tax payable by the employers only.

Second. Hotel occupancy tax of 3 percent.

Third. Sales and use tax of 3½ percent which includes the rendering of services.

Illinois is expected to gain $161 million under the proposed Federal tax bill.

INDIANA

First. This State has the usual corporate organization and qualification tax, general property tax on tangibles and intangibles, public utilities tax, excise alcoholic beverage and license tax, excise gasoline and fuel use tax, motor vehicle and motor carrier fees, excise cigarette tax, insurance companies tax, inheritance tax, poll tax of $1 for each male between the ages of 21 and 50, and unemployment insurance tax payable by the employers only.

Second. Income tax on individuals of 2 percent.

Third. Income tax on corporations of 2 percent.

Fourth. Vessels tax of 3 cents per net ton.

Fifth. Petroleum production tax of 1 percent.

Sixth. Sales and use tax of 2 percent.

Seventh. Gross income tax based on wholesale sales.

The State of Indiana is expected to gain $64 million from the proposed Federal tax bill.

IOWA

First. This State has the usual corporate organization and qualification tax, franchise tax, general property tax, public utilities tax, excise alcoholic beverage tax and license tax, excise gasoline and special fuel tax, motor vehicle and aircraft registration fees, chain store tax, excise cigarette and tobacco tax, insurance companies tax, inheritance tax and unemployment insurance tax which the employer pays solely.

Second. Individual income tax ranging from 0.75 to 3.75 percent.

Third. Corporate income tax of 3 percent.

Fourth. Moneys and credit tax and corporate stock tax levied on mortgages, moneys, shares, and so forth.

Fifth. Financial institutions tax based on capital.

Sixth. Grain handlers tax based on bushels of grain handled.

Seventh. Sales and use tax of 2 percent.

The State of Iowa is expected to gain $47 million under the proposed Federal tax bill.

KANSAS

First. This State has the usual corporate organization and qualification tax, franchise tax, general property tax, grain handling tax, a tax and license fee on malt extracts and alcoholic beverages, motor vehicle fuel and special fuel tax, oil and gas production tax, motor vehicle and motor carrier tax, cigarette tax, registration tax for mortgages, taxes on express and private car companies, insurance companies tax and unemployment insurance tax payable by the employer only.

Second. Income tax on individuals ranging from 1½ to 5½ percent.

Third. Corporate income tax of 3½ percent.

Fourth. Sales and use tax of 2½ percent.

Kansas is expected to gain $37 million under the proposed Federal tax bill.

KENTUCKY

First. This State has the usual corporate organization and qualification tax, franchise tax, general property tax, parimutuel tax, excise alcoholic beverages tax and licenses tax, tax on gasoline and fuel, tax by both the State and county on oil production, motor vehicles and motor carriers and aircraft carriers tax, cigarette tax, insurance companies tax, inheritance tax, poll tax of $1.50 on males 21 to 65 levied by the county, levied by the city $1.50, and school districts $2, and unemployment insurance tax payable by employers only.

Second. Individual income tax ranging from 2 to 5 percent and a surtax of 10 to 30 percent.

Third. Corporate income tax ranging from 5 to 7 percent.

Fourth. Sales and use tax of 3 percent.

Fifth. Jefferson and Louisville Counties levy 1½-percent taxes on salaries but whether these taxes are valid is still in question.

Kentucky is expected to gain $29 million from the proposed Federal tax bill.

LOUISIANA

First. This State has the usual corporate organization and qualification tax, franchise tax, general property tax, parimutuel tax, excise alcoholic beverage tax and license tax, excise gasoline and lubricating oils tax, motor vehicle and motor carrier fees, chainstore tax, sales tax on tobacco, public utilities tax, insurance companies tax, inheritance and gift taxes, street tax, and unemployment insurance tax payable by the employers only.

Second. Income tax on individuals ranging from 2 to 6 percent.

Third. Corporate income tax of 4 percent.

Fourth. License tax on business.

Fifth. Tax on soft drinks and sirups.

Sixth. Severance tax on coal and minerals.

Seventh. Sales and use tax of 2 percent.

Eighth. The State does not impose a poll tax but villages and towns may impose a street tax not to exceed $4 on males of 18 to 55.

Louisiana is expected to gain $43 million under the proposed Federal tax bill.

MAINE

First. This State has the usual corporate organization and qualification tax, franchise tax, general property tax, parimutuel tax, excise alcoholic beverage and license tax, excise gasoline tax, motor vehicle registration tax, excise cigarette tax, tax on telegraph and telephone companies, tax on parlor car companies, inheritance tax, $3 poll tax on all males between 21 and 70 who are inhabitants of the State, and unemployment compensation tax which is payable only by the employer.

Second. Forest lands tax on all forestry district property.

Third. An excise tax on motor vehicles, aircraft, and house trailers.

Fourth. Sales and use tax of 3 percent.

Fifth. A gross receipts tax on railroad and express companies.

Maine is expected to gain $13 million from the proposed Federal tax bill.

MARYLAND

First. This State has the usual corporate organization and qualification tax, franchise tax, general property tax, parimutuel tax, excise alcoholic beverage and license tax, excise gasoline tax, motor vehicle registration fee, chainstore tax, excise cigarette tax, documentary recording stamp tax, public utilities tax, insurance companies tax, inheritance tax, and unemployment compensation tax to which only the employer contributes.

Second. A tax on savings banks of 10 cents per $100 deposited.

Third. Individual income tax which ranges from 3 to 5 percent on investment income and 3 percent on other income.

Fourth. Corporate income tax of 5 percent.

Fifth. Admissions tax of one-half of 1 percent on gross receipts from admissions to places of amusement.

Maryland is expected to gain $48 million from the proposed Federal tax bill.

MASSACHUSETTS

First. This State has the usual corporate organization and qualification tax, annual report tax, general property tax, parimutuel tax, public utilities tax, excise alcoholic tax and license tax, excise gasoline tax, excise cigarette tax, motor vehicle registration tax, excise tax on motor vehicles, real estate transfer tax, insurance companies tax, inheritance tax and employment security tax payable only by the employers.

Second. Individual income tax which ranges from 1½ to 6 percent; there is also a 23 percent surtax on personal incomes.

Third. Corporate income taxes vary depending on the type of business involved. The rates are one-half of 1 percent to 3.69 percent; this tax also includes a surtax of 23 percent on income.

Fourth. Forest land tax which depends on the classification of the forest lands and the stumpage value of products cut in any 1 year.

Fifth. Excise tax of 5 percent on meals of $1 or more.

Sixth. Franchise tax on bridges, canals, safe deposits, cemeteries, crematory companies.

Massachusetts is expected to gain $95 million under the proposed Federal tax bill.

MICHIGAN

First. This State has the usual corporate organization and qualification tax, annual license on business corporations, general property tax on tangibles and intangibles, parimutuel tax, public service corporations tax, excise alcoholic beverages and licenses tax, excise gasoline tax, excise cigarette tax, oil production tax, gas and oil severance tax, motor vehicles, motor carriers and aircraft fees, chainstore tax, insurance companies tax, inheritance tax and unemployment insurance tax payable by the employer only.

Second. Steamship tonnage tax depending on whether the steamships are commercial or noncommercial.

Third. Forest lands tax depending on stumpage.

Fourth. Grain tax based on grain held by dealers, processors, or warehousemen.

Fifth. Sales and use tax of 4 percent.

Sixth. Business receipts tax based on adjusted receipts.

Seventh. The State of Michigan does not have a personal income tax but the city of Detroit has a 1-percent tax.

Michigan is expected to gain $158 million under the proposed Federal tax bill. This is one of the larger gains with California, Illinois, and New York leading.

MINNESOTA

First. This State has the usual corporate organization and qualification tax, corporate annual report fees, general property tax which includes electric transmission lines, airline flight property, auxiliary forests, vessel tonnage, grain, coal, and tree growth, oleomargarine tax, excise alcoholic beverage and licenses taxes, excise gasoline taxes, occupation and royalty taxes on the iron ore and timber yield, motor vehicle and aircraft taxes depending on weight and type, excise cigarette and tobacco tax, mortgage registry tax, real estate transfer tax, inheritance and gift tax, public utilities companies tax, insurance companies tax, and unemployment insurance tax payable by the employer only.

Second. Individual income tax ranging from 1 to 10 percent with surtaxes of 15 percent.

Third. Corporation income tax of 9.3 percent.

Minnesota is expected to gain $62 million under the proposed Federal tax bill.

MISSISSIPPI

First. This State has the usual corporate organization and qualification taxes, corporate franchise taxes, general property taxes, excise alcoholic beverage and licenses tax, excise gasoline and fuel oil taxes, gas and oil severance taxes, tax on timber and timber products, motor vehicle and motor carrier registration fees, chainstore taxes, excise tobacco tax, public utilities tax, insurance companies taxes, estate tax, and unemployment insurance tax for which the employer is the sole contributor.

Second. Income tax on individuals and corporations ranging from 3 to 6 percent.

Third. A tax on banks and banking institutions based on their net worth for business license tax depending on the classification of the business.

Fourth. Severance tax of 3 percent on salt.

Fifth. Admissions tax on admissions to places of amusement.

Sixth. Mineral documentary tax relating to transfers by conveyances or leases of mineral properties.

Seventh. Sales and use tax ranging from one-eight of 1 to 3 percent of gross income or purchase price.

Eighth. Poll tax of $2 per person between 21 and 60 and an additional $1 may be levied for school purposes.

Mississippi is expected to gain $19 million under the proposed Federal tax bill.

MISSOURI

First. This State has the usual corporate organization and qualification taxes, corporate franchise taxes, annual registration fees, general property taxes on tangible and intangible properties, excise alcoholic beverage taxes and licenses, excise gasoline and fuel use tax, motor vehicle and motor carrier registration fees, excise cigarette taxes, insurance companies taxes, inheritance taxes, and unemployment compensation tax with the employer the sole contributor.

Second. Individual income tax ranging from 1 to 4 percent.

Third. Corporation and associations income taxes of 2 percent.

Fourth. Income taxes for banks, trust companies, and credit institutions of 7 percent.

Fifth. Merchants and manufacturers license taxes.

Sixth. Forest cropland tax depending on the value of land and the stumpage value of the timber cut.

Seventh. Gross receipts income on express companies; 1-percent tax on freight companies.

Eighth. Poll tax imposed on able-bodied males from 21 to 50 or 60 varying from $1.50 to $4 depending on the classification of town, city, or village.

Ninth. St. Louis imposes a 1-percent personal income tax.

Missouri is expected to gain $57 million under the proposed Federal tax bill.

MONTANA

First. This State has the usual corporate organization and qualification taxes, annual report fee, general property taxes which include public utilities, property tax, partimutuel tax, excise tax and license tax on alcoholic beverages, excise tax on gasoline and special fuel, oil production tax, motor vehicle and motor carrier fees, chainstore tax, excise cigarette tax, public utilities tax based on gross income, insurance companies tax, inheritance tax, and unemployment compensation tax to which the employee does not contribute.

Second. Corporation income tax of 4½ percent.

Third. Personal income tax ranging from 1 to 7 percent.

Fourth. Taxes on coal mine operators and dealers, cement and carbon black dealers, mineral matter dealers, depending on the amount any of such materials is produced.

Fifth. The counties of Montana have permission to levy a poll tax of $2 per person from 21 to 60; cities and towns could levy a poll tax not to exceed $3 on able-bodied males from 21 to 45.

Montana is expected to gain $13 million under the proposed Federal tax bill.

NEBRASKA

First. This State has the usual corporate organization and qualification taxes, corporate franchise taxes, general property taxes, which include tangibles and intangibles, and flight equipment and air carriers, parimutuel taxes, excise alcoholic beverage and license tax, excise gasoline and special fuels tax, oil and gas severance tax, oil and gas conservation tax, motor vehicles and motor carriers registration fees, excise cigarette tax, insurance companies tax, inheritance tax and unemployment insurance tax paid solely by the employer.

Second. Car (railroads) companies tax paid on mileage.

Third. Pension and profit-sharing trusts are taxed at 2 percent.

Fourth. Installment papers and installment loan companies are taxed in gross income.

Fifth. A mandatory head tax for all inhabitants from 21 to 59 of $3.50 each; a poll tax which is mandatory in cities, and permissive in towns of $2 or $3 for males from 21 to 49.

Nebraska is expected to gain $18 million under the proposed Federal tax bill.

NEVADA

First. This State has the usual corporate organization and qualification taxes, annual corporate report fees, general property taxes, mines tax which is based on property, parimutuel tax, excise alcoholic beverage tax and license fees, excise gasoline and used fuels and inspection fees, oil and gas conservation tax, motor vehicle and motor carrier registration fees, excise cigarette tax, public utilities tax, insurance companies and unemployment insurance tax with the employer the sole contributor.

Second. A poll tax imposed by the county of $3 per capita on male residents between 21 and 50.

Nevada is expected to gain $7 million under the proposed Federal tax bill.

NEW HAMPSHIRE

First. This State has the usual corporate organization and qualification taxes, domestic and foreign corporate annual report fees, general property tax, public utilities tax, excise alcoholic beverage tax and licenses, excise gasoline tax, motor vehicle, motor carriers, and aircraft registration fees, excise tobacco tax, utilities tax on gasoline and electric companies which are not covered under public utilities tax, insurance companies tax, inheritance tax, unemployment insurance tax which is paid solely by the employer.

Second. Intangible income tax of 4¼ percent on an interest from bonds, notes, money, with the exception of savings and savings deposits.

Third. Bank tax of 1 percent based generally on capital stock.

Fourth. Poll tax of $2 per person who is between 21 and 70 years.

New Hampshire is expected to gain $8 million under the proposed Federal tax bill.

NEW JERSEY

First. This State has the usual corporate organization and qualification tax, corporate franchise tax, corporate annual fee, general property taxes, parimutuel taxes, excise alcoholic beverage taxes, registration fees for motor vehicles and autobuses, excise cigarette tax, public utilities tax, insurance companies tax, inheritance tax, and unemployment tax and disability tax to which the employer and employee both contribute.

Second. Financial excise tax based on net worth of financial businesses competing with national banks.

Third. Commuter income tax based on income derived from sources within New Jersey and its rates range from 2 to 10 percent.

Fourth. Banks stock tax based on the common capital stock of banks and bank associations.

Fifth. Railroad property tax measured by the value of property used for railroad purposes.

Sixth. Railroad franchise tax based on net operating income allocated to New Jersey.

New Jersey is expected to gain $116 million under the proposed Federal tax bill.

NEW MEXICO

First. This State has the usual corporate organization and qualification taxes, corporate franchise and report fees, general property taxes which includes stocks of banks and mining property, parimutuel taxes, excise alcoholic beverage tax and licenses, excise tax on gasoline and special fuels, oil and gas production taxes, motor vehicles and motor carriers registration fees, excise cigarette tax.

Second. Public utilities tax on electric, gas, water steam, pipeline and carline companies.

Third. Insurance companies tax.

Fourth. Inheritance tax.

Fifth. Unemployment compensation paid only by the employer.

Sixth. About 30 cities in New Mexico have levied a 1-percent sales tax.

New Mexico is expected to gain $13 million under the proposed Federal tax bill.

NEW YORK

First. This State has the usual corporate organization and qualification tax, franchise tax based principally on income, general property tax, parimutuel tax, excise alcoholic beverage tax and licenses, excise motor fuel tax, motor vehicle registration tax, excise cigarette tax, public utilities tax, insurance companies tax, estate tax, and unemployment insurance tax payable both by employers and employees.

Second. Personal income tax ranging from 2 to 10 percent.

Third. Unincorporated business income tax of 4 percent.

Fourth. Stock transfer tax of 2 cents per share on transfers and mortgage tax of 50 cents per each $100 of the debt.

Fifth. New York State does not have a sales tax but numerous cities in New York such as New York, Niagara Falls, Batavia, Poughkeepsie, Plattsburgh, Syracuse, and Watertown have sales and use taxes; the tax rates vary from 1 to 2 percent. Also some counties in New York State have 1 or 2 percent sales and use taxes.

New York is expected to gain $410 million under the proposed Federal tax bill.

NORTH CAROLINA

First. This State has the usual corporate organization and qualification tax, corporate franchise tax based on capital stock, and surplus, general property tax on tangibles and intangibles, oleomargarine tax, excise alcoholic beverages tax and license fees, excise gasoline tax, motor vehicle, and motor carrier registration fees, chainstore tax, public utilities tax, insurance companies tax, inheritance, and gift taxes and unemployment insurance tax to which only the employer contributes.

Second. Personal tax ranging from 3 to 7 percent.

Third. Corporate income tax of 6 percent.

Fourth. Sales and use tax of 3 percent.

Fifth. A mandatory poll tax imposed by the counties of $2 on males 21 to 50 and a permissive poll tax of $1 which can be imposed by cities and towns on persons over 21.

North Carolina is expected to gain $52 million under the proposed Federal tax bill.

NORTH DAKOTA

First. This State has the usual corporate organization and qualification tax and a nominal corporate annual report fee, general property tax which includes a tax on grain, an oleomargarine tax with additional rates depending on the butterfat content and where it is colored yellow, excise alcoholic beverages tax and license fees, excise gasoline and fuel use tax, oil and gas gross production tax, motor vehicles, motor carriers and aircraft registration fees, excise tax on cigarettes and snuff, a public utilities tax based only on rural electric cooperatives or telephone companies, insurance companies tax, estate tax and unemployment insurance tax to which only the employer contributes.

Second. Personal income tax ranging from 1 to 11 percent.

Third. Corporate income tax ranging from 3 to 6 percent with banks and trust companies and other financial associations tax at 4 percent.

Fourth. Sales and use tax of 2¼ percent.

North Dakota is expected to gain $9 million under the proposed Federal tax bill.

OHIO

First. This State has the usual corporate organization and qualification tax, corporate franchise tax based on capital stock and surplus, general property tax, grain handling tax, parimutuel tax, excise alcoholic beverage and license tax, excise gasoline tax, motor vehicle, motor carriers and aircraft registration fees, excise cigarette and tobacco tax, public utilities tax imposed on railroads, messenger companies, and pipelines, insurance companies tax, inheritance tax and unemployment insurance tax to which the employer contributes only.

Second. Ohio does not have an income tax but a 1-percent income tax is imposed by Akron, Canton, Cincinnatti, Columbus, Dayton, Springfield, Toledo, and Youngstown.

Ohio is expected to gain $137 million under the proposed Federal tax bill.

OKLAHOMA

First. This State has the usual corporate organization and qualification tax, corporate franchise tax based on capital, general property tax which includes tangibles and intangibles, excise alcoholic beverage tax and license fees, excise gasoline and motor fuel tax, motor vehicle and motor carriers registration fees, motor vehicle excise tax on motor carriers, excise tax on cigarettes and tobacco products, a public utilities tax on rural electric cooperatives and freight car companies, insurance companies tax on foreign companies only, estate and gift tax and unemployment insurance tax to which only the employer contributes.

Second. Personal income tax ranging from 1 to 6 percent.

Third. Corporate and national bank tax of 4 percent.

Fourth. Gross production tax on minerals, oil and gas.

Fifth. Sales and use tax of 2 percent.

Oklahoma is expected to gain $29 million under the proposed Federal tax bill.

OREGON

First. This State has the usual corporate organization tax, corporate franchise tax based on capital stock, general property tax which includes tax on forest lands and wheat, parimutuel tax, excise alcoholic beverages tax and license fees, excise gasoline and fuel use tax, timber tax, motor vehicle, motor carrier and aircraft registration fees, public utilities tax, insurance companies tax which is imposed only on foreign or alien insurance companies, inheritance and gift tax and unemployment insurance tax to which only the employer is the sole contributor.

Second. Personal income tax ranging from 3 to 9.5 percent.

Third. Corporate income tax of 6 and 9 percent on financial institutions.

Oregon is expected to gain $34 million under the proposed Federal tax bill.

PENNSYLVANIA

First. This State has a domestic corporations excise tax based on capital stock, foreign corporations excise tax based on capital stock, foreign corporate franchise tax, general property tax which includes tangibles, intangibles, corporate loans and capital stock, hotel occupancy tax of 4 percent, alcoholic beverages license fee, excise tax on alcoholic beverages, gasoline and cigarettes, motor vehicle and motor carrier registration fees, realty transfer tax, public utilities tax, insurance tax imposed on the businesses, inheritance tax and unemployment insurance tax payable by the employer only.

Second. Corporate income tax of 6 percent.

Third. Sales and use tax of 5 percent.

Fourth. A poll tax of 50 cents on Federal employees residing in counties of certain classes.

Fifth. Various cities such as Philadelphia and Pittsburgh impose a mercantile license tax based on gross volume of business.

Pennsylvania is expected to gain $136 million under the proposed Federal tax bill.

RHODE ISLAND

First. This State has the usual corporate organization and qualification tax, corporation franchise and annual report tax, general property tax, parimutuel tax, alcoholic beverages, license fee and excise taxes on alcoholic beverages, gasoline and cigarettes, public utilities tax, insurance companies tax, inheritance and gift tax, and unemployment insurance tax paid by both the employer and the employee.

Second. Business tax on all businesses.

Third. Sales and use tax of 3 percent.

Rhode Island is expected to gain $13 million under the proposed Federal tax bill.

SOUTH CAROLINA

First. This State has the usual corporate and qualification tax, corporate franchise tax, annual report fee for foreign corporations, general property tax, soft drinks tax, oleomargarine tax, alcoholic beverages license fee, excise tax on alcoholic beverages, gasoline tax, admissions to places of amusement, cigarettes, other tobacco, playing cards, cartridges and shells, public utilities tax, motor vehicle and motor carrier registration fees, chainstore tax, insurance companies tax, inheritance tax, and unemployment compensation tax paid by the employer only.

Second. Individual income tax ranging from 2 to 7 percent.

Third. Corporate income tax of 5 percent.

Fourth. Documentary tax on bonds and stocks issued, stock transfers, conveyances, mortgage and notes, and powers of attorney.

Fifth. Sales and use tax of 3 percent.

South Carolina is expected to gain $22 million under the proposed Federal tax bill.

SOUTH DAKOTA

First. This State has the usual corporate organization and qualification tax, annual corporate report fee, general property tax which includes tangibles and intangibles, butter substitute tax, parimutuel tax, alcoholic beverages license fee and gross receipts tax, motor vehicle, motor carrier and aircraft registration fee, excise tax on gasoline, alcoholic beverages and cigarettes, severance tax on minerals, oil and gas, insurance companies tax, inheritance tax and unemployment insurance tax payable by the employer only.

Second. Bank and financial corporate excise tax of 4½ percent of net income.

Third. Sales and use tax of 2 percent.

Fourth. A 6-percent gross earnings tax on express railroad companies and private car companies.

South Dakota is expected to gain $11 million under the proposed Federal tax bill.

TENNESSEE

First. This State has a corporate charter and privilege tax, annual corporate franchise report and gross receipts tax, general property tax, soft drinks tax, oleomargarine tax, alcoholic beverage license fee, excise taxes on alcoholic beverages, gasoline, and used fuel, cigarettes and tobacco, theaters, motion pictures and vaudeville, public utilities tax, motor vehicles tax based on weight and purpose for which the vehicle is used, chainstore tax, insurance companies tax, inheritance and gift taxes and unemployment compensation tax payable solely by the employer.

Second. Corporate business income tax of 4 percent.

Third. Corporate tax on income from stocks and dividends.

Fourth. Privilege tax for engaging in specified occupations, businesses, and vocations.

Fifth. Mortgage tax and real estate transfer tax.

Sixth. Sales and use tax of 3 percent.

Seventh. A poll tax of $1 for every male inhabitant between the ages of 21 and 50 and exempting veterans.

Tennessee is expected to gain $35 million under the proposed Federal tax bill.

TEXAS

First. This State has the usual corporate organization and qualification taxes, corporate filing fee, corporate franchise taxes based somewhat on profits, general property taxes, 3 percent hotel occupancy tax, alcoholic beverage license fee, excise taxes on alcoholic beverages, gasoline, special fuels, admissions and cigarette and tobacco, severance tax on oil, natural gas, sulfur and cement, motor vehicles sales and use tax, motor vehicles-registration fees, chainstore tax, stock transfer tax, public utility tax, insurance compensation tax, inheritance tax, and unemployment insurance tax to which only the employer contributes.

Second. Sales and use tax of 2 percent.

Third. Poll tax of $1.50 imposed on persons 21 to 60, county poll tax of 25 cents on persons 21 to 60, county commutation tax of $3 on males 21 to 60 and a city tax of $1 on persons 21 to 60.

Texas is expected to gain $126 million under the proposed Federal tax bill.

UTAH

This State has the usual corporate organization and qualification taxes, corporate franchise taxes based on income, general property tax which includes cattle, oleomargarine tax, alcoholic beverage license fee, excise tax on gasoline and fuel and cigarettes, production tax on oil, gas and minerals, motor vehicle registration fee, public utilities tax, insurance companies tax, estate tax and unemployment insurance tax to which the employer contributes solely.

First. Personal income tax ranging from 1 to 5 percent.

Second. Two and one-half percent sales and use tax.

Utah is expected to gain $16 million under the proposed Federal tax bill.

VERMONT

First. This State has the usual corporate organization and qualification taxes, corporate franchise taxes based on income, general property tax, meals and room tax of 3 percent, parimutuel tax, alcoholic beverage license fee, excise taxes on gasoline, tobacco and cigarettes, motor vehicle registration fee, motor vehicle sales and use tax, public utilities tax, insurance companies tax, inheritance tax and unemployment insurance tax to which the employer contributes solely.

Second. Personal income tax ranging from 2 to 7 percent.

Third. Poll tax on all persons between 21 and 70.

Fourth. Old-age assistance tax of $5.

Vermont is expected to gain $6 million under the proposed Federal tax bill.

VIRGINIA

First. This State has the usual corporate organization and qualifications taxes, domestic corporate franchise tax based on capital stock, corporate annual registration fee for both domestic and foreign, general property tax which includes tangibles and intangibles, utilities tax on railroads and private car companies, license for acoholic beverage tax, excise tax on gasoline, cigarettes and cigars, motor vehicles registration fees, recording tax, insurance companies tax, inheritance tax and gift tax, poll tax of $1.50 on all persons over 21 and unemployment compensation tax to which only the employer contributes.

Second. Personal income tax ranging from 2 to 5 percent.

Third. Corporate income tax of 5 percent.

Fourth. Business license tax depending on the business.

Fifth. Timber tax on the quantity of timber severed.

Sixth. Wills and administration tax.

Seventh. Bristol, Va., has a sales and use tax of 2 percent.

Virginia is expected to gain $43 million under the proposed Federal tax bill.

WASHINGTON

First. This State has the usual corporate organization and qualification taxes, corporate franchise taxes, general property taxes, forest lands in crops tax depending on yield, parimutuel tax, alcoholic beverage license tax, excise tax on alcoholic beverage, gasoline and cigarette and tobacco, conveyance tax, motor vehicles and aircraft tax and registration fee, public utilities tax, insurance companies premiums tax, inheritance and gift tax, unemployment compensation tax to which the employer only contributes.

Second. Sales and use tax of 4 percent.

Third. Business and occupancy tax based on gross proceeds.

Washington is expected to gain $48 million under the proposed Federal tax bill.

WEST VIRGINIA

First. This State has the usual corporate organization and qualification taxes, corporate franchise tax, corporate annual fee, general property tax, soft drinks tax, parimutuel taxes, alcoholic beverage license fee, excise taxes on alcoholic beverage, gasoline and cigarettes, chainstore taxes, recording tax, motor vehicles registration tax, insurance companies tax, inheritance tax, poll tax of $2 for every male over 21, unemployment insurance tax to which only the employer contributes.

Second. 2 percent sales and use tax.

Third. Personal income tax ranging from 1.2 to 5.5 percent.

Fourth. Occupation tax on business.

West Virginia is expected to gain $17 million under the proposed Federal tax bill.

WISCONSIN

First. This State has the usual corporate organization and qualification taxes, corporate reporting fee, motor vehicle fee, chainstore tax, recording fees, general property taxes, oleomargarine tax, excise taxes on alcoholic beverage, gasoline and cigarettes, motor vehicle and aircraft registration fees, public utilities tax, insurance companies tax, inheritance tax and gift taxes, unemployment compensation tax to which the employer contributes only.

Second. General income tax on individuals ranging from 1 to 8½ percent and on corporations ranging from 2 to 7 percent.

Third. Timber tax based on stumpage.

Fourth. Sales and use tax of 3 percent.

Wisconsin is expected to gain $68 million under the proposed Federal tax bill.

WYOMING

First. This State has the usual corporate organization and qualification taxes, corporate organization and qualification fees, corporte franchise tax based on property, general property tax, alcoholic license beverage fee, excise taxes on alcoholic beverages, gasoline and cigarettes, motor vehicle registration fee and oil and gas production tax, unemployment insurance tax payable only by the employer, insurance companies tax and inheritance tax.

Second. Sales and use tax of 2 percent.

Third. Express companies tax of 5 percent on money received as express charges.

Fourth. A $2 poll tax mandatory for persons 21 to 50 and a permissive commutation tax of $2 for all able-bodied males from 21 to 50.

Wyoming is expected to gain $5 million under the proposed Federal tax bill.

Finally, I would like to say a few words about the motion to recommit. I am sure every Congressman has sympathy with the idea of cutting out governmental waste and of not spending too much. When the motion to recommit was first considered in committee as an amendment, I believe it was suggested that the second stage of the tax cut be tied to the total budget. Obviously, there would be great difficulties in making the tax cut contingent upon the total 1964 budget—which would not be known until the last expenditure was made in June of 1964. But to say that the tax cut will only be effective if the President personally states that the budget for 1964 will not exceed $97 billion amazes me.

If he says it, knows when he says it that it is not true, and we know it is not true, does that make us coconspirators? And if so, who are we trying to fool, ourselves or the American people? Of course, he would not say it if he did not think it were true, so suppose he says it, believes it true, when we know it is not. What is our responsibility? Or, if he says it, and we increase the budget, what is our responsibility? Or, if you vote for this motion, are you really saying that the Congress has no responsibility for this budget? Or finally, and this is what I think a vote for the motion to recommit is saying, "Mr. President, no matter what you know about the budget in January, do not tell us. We cannot stand it. Let us dream a little longer."

Therefore, I am not going to vote for the motion to recommit. I am for facing reality. If it is the opinion of the President in January, that this Nation needs to spend a hundred billion dollars to insure our security and promote our prosperity let him say so.

But I would go further. If it is the opinion of this Congress that $96 billion is sufficient, then let us enact exactly that much.

If we are a coequal branch of Government we should start acting like it. We need far better independent means of determining the validity of the programs and the budget proposed by the Executive than we now have.

When we want to check on a program; to discover what the Executive is spending the money for, to whom do we turn? Why the Executive, of course. It is roughly like Macy's asking Gimbels, or Ford asking General Motors.

We need our own experts so that we can be experts as a check on the Executive.

Let me give you an example. Recently I had occasion to inquire the number of individual shareholders in the country. I asked the staff of the Joint Economic Committee, who told me that an unpublished report of the Securities and Exchange Commission showed that in 1959 there were 33 million individual owners of 10 billion shares of stock. When I taxed the Treasury with this information, they informed me in writing that the 33 million must refer to issues; the New York Stock Exchange said there were 17 million owners. Personally, I am inclined to believe the Joint Economic Committee staff is correct.

The point I make is that we are fully as responsible for the budget as the President. We just never have given ourselves the tools to carry out that responsibility. When the Executive comes up here to ask for a new program or to continue an old one; whether Democratic or Republican, they are really salesmen, and you cannot expect them to knock the product. They are here to put the best light on that program they can. We should have sufficient trained staff on the committees to develop independent judgment and not sit here voting for or against a President or for any other reason than sound understanding of that program. Naturally I am sure everyone struggles to do just that.

I am for this tax cut. For too long American individuals and American businesses have paid too much taxes. I am against the motion to recommit, or any motion that in effect makes children of us saying, "Tell me, Mr. President, what I want to hear, then I'll vote for your bill." I am for saying to the President, "You send us the budget as you see it, and we, as responsible men and women, will send it back as we see it." Then and only then will American Government function as the founders intended.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 20 minutes to the gentleman from Michigan [Mr. KNOX].

Mr. KNOX. Mr. Chairman, it has been factually stated that taxation at the Federal, State, and local levels takes one-third of America's national product from its producers—the people. This fact demonstrates the extent to which our fiscal policy has socialized the productivity of our citizens—a process of tax and spend that has been termed fiscal socialism—and this fact also demonstrates a compelling need for tax reduction.

When there is added to the first fact of tax confiscation, a second fact that Federal, State, and local spending exceeds tax revenues by many billions of dollars, and a third fact that total Federal, State, and local debt nearly equals our total national product, we begin to bring into focus the urgent and compelling need of a well-ordered fiscal policy for our Nation.

These three facts in combination make it clear that as compelling as tax reduction may be, spending and debt reduction are objectives of preeminent priority.

These three factors of taxes, expenditures, and debt are at the heart of our consideration and deliberation on the tax bill now before this committee. If there are problems that confront our Nation today with respect to taxes, spending, and debt, each of us in this historic Chamber must evaluate for himself the extent to which his past words and acts, his past votes, contributed to the creation and magnitude of those problems. Each of us must ask himself, "Have I voted for excessive spending and thereby advanced the cause of fiscal socialism or have I worked for fiscal responsibility to promote American free enterprise and individual opportunity?" We must inquire as to how our individual votes have served to create or avoid the fiscal problems that now confront us.

Such reflection and review is important because of the relationship of our past actions to present problems. Do the dedicated spenders have the same freedom to vote for tax reduction today as those who have waged an unrelenting, and too often unsuccessful, campaign for frugal government? Should this be the day of atonement when the advocates of credit-card government are forced to pick up the tab for their refusal to insist that this Government pay its own way so that our descendants will not be burdened with our debts?

Mr. Chairman, regardless of the answers to those questions—regardless of whether a colleague is in the ranks of the spenders or the ranks of the provident—the fiscal facts of our national existence make it all too abundantly clear that the responsible course for our Nation's future demands that the bill, H.R. 8363, in its present form be rejected. It is all too abundantly clear that the very minimum of fiscal discipline demands at least that this bill be improved by the adoption of some meaningful curb on spending before the bill receives a single affirmative vote in this House of Representatives. It is to that end that I urge that the bill be improved by favorable action on the motion to recommit with its instructions in behalf of fiscal discipline and control.

Mr. Chairman, early in our history we were warned of the peril to representative government that would come from the mistaken belief that it was possible to vote unpaid-for benefits out of the Public Treasury. We were warned that under the circumstance of deliberate debt our Republic could not survive. In keeping with that fiscal wisdom, the American people as recently as 2 years and 8 months ago were urged to ask what they could do for their country rather than what their country could do for them.

Since those stirring words were set forth in a truly outstanding inaugural address, our Nation has been led by an administration whose virtually every act has been a direct and deliberate contradiction of that timely request for patriotic citizen forebearance. Under this administration the only Americans who have been asked to sacrifice are those citizens who are risking their lives in the undeclared war against communism, and those citizens who may be yet unborn who will have to pay our debts because we asked for more from our country than we were willing to give in taxes.

Mr. Chairman, what are the facts of how much we have given to, and how much we asked of, our country since January 1961? The Congress has received more than 200 administration recommendations for new and bigger spending programs that were significantly lacking in general public support. The administration spokesmen have chastised and rebuked the Congress on those few occasions when we have voted for sound economy measures. The administration has trespassed on the constitutional authority and obligation of the Congress with respect to the Nation's purse strings by trying to coerce the Congress into actions that the Congress, left to its own wisdom and good judgment, would not do. This administration for the first time in our peacetime history has sought to embark this great Nation on the perilous fiscal course of planned deficit financing. This administration seeks to indulge the present by encroachment on the future.

Mr. Chairman, the Kennedy administration's fiscal record since assuming office in January 1961 reveals these facts: A balanced Eisenhower budget for fiscal year 1961 was unbalanced under President Kennedy by increased spending and a deficit of $3.9 billion resulted. In 1962 spending was increased $6.5 billion over the previous year and the deficit was $6.4 billion. For 1963 the spending increase over the previous year was $4.8 billion and the deficit was $6.2 billion. The estimate for 1964 calls for a spending increase of $5.4 billion with a deficit of $9.2 billion. Current estimates for 1965 call for a minimum spending increase of $4 billion to a recordbreaking level of $102 billion and a deficit of $10 billion. Thus, the administration fiscal policies from fiscal year 1961 to 1965 will add approximately $25 billion to the spending level and will add $35 billion to the public debt.

Mr. Chairman, it is in that alarming fiscal context of unrestrained spending, chronic deficits, and soaring debt that consideration is now being given to a tax reduction measure involving a revenue loss to the U.S. Treasury in the magnitude of $11 billion. It is against that backdrop of fiscal failure and broken pledges that the Congress is now asked to enact tax reduction on the basis of a vague assertion of frugality in the future; in effect, an assertion that the compulsive spenders will be less compulsive. If economy is to be our byword in the future, why the strenuous objection to limiting spending in fiscal year 1964 to $97 billion and to $98 billion in 1965? Why is there objection to the Congress acting to assure that tax reduction will come into reality only if we fulfill our commitment to make a modest step in the direction of controlling our propensity to spend?

Mr. Chairman, I will close my comments on the fiscal considerations involved in this tax legislation with this rather obvious comment. No person present on this floor who understands the needs and workings of our private enterprise system will doubt the need for sound tax reduction enacted under conditions of proper control of our fiscal affairs. Similarly, no informed person will disregard the dismal record of the past and the doubtful prospects for avoiding more of the same record spending, persistent deficits, and stifling debt in the future. No informed person will endanger our economic opportunity by inflation nor will jeopardize our national strength by compounding our past unwillingness to pay our own way. Let our Federal Government provide meaningful tax reduction for our people by having that Government start now to live within its means.

Mr. Chairman, in the brief time that remains to me I will refer to an aspect of the so-called substantive reforms that should be of concern to every Member present. I am deeply concerned over the greatly increased complexity that will be introduced into our tax structure by the adoption of many of the substantive changes that are included in this bill. These substantive changes include the disallowance of certain State and local taxes as tax deductible items, involves changes affecting life insurance protection and adverse modifications of the law applicable to certain employee benefits, and vastly increased compliance problems for the owners and managers of big and small business.

The effectiveness of our tax system at the Federal, State, and local levels is largely predicated on the voluntary acts of our taxpayers to report and pay their liability in full as it becomes due. The enactment of this bill with its marked increase in complexity imposes a considerably greater burden on our citizens in their efforts to comply with a law that already defies understanding.

To this end I received some very well considered comments from a valued constituent of mine who happens to be an outstanding tax practitioner. In his letter he remarked in part as follows:

> My partner and I are becoming very alarmed at the effect on our community of the ever-increasing complexity of tax return preparation, particularly in the case of individual taxpayers.
>
> * * * * *
>
> In our own accounting practice, we find that we are no longer able to employ people with the ability required to prepare tax returns for small investors or businessmen at a wage that makes it economically feasible for us to continue this type of service. Next winter we expect to have a minimum fee for tax return preparation of $200, which will eliminate the great majority of taxpayers, of course.
>
> We have contacted a man who operates a bookkeeping service * * * to see if he would be able to take over some of the work that we will be dropping. He informed us that he is no longer going to prepare any tax returns for anyone other than his monthly bookkeeping clients. He stated that the rush of business last winter was more than he could stand physically and that he is not able to get adequate fees for the time he feels obligated to spend when returns which he has prepared are examined by revenue agents.
>
> * * * * *
>
> I am sure that you can see that the quality of tax return preparation is dropping rapidly and so also is the degree of compliance with the law. We feel that it is unfair to fill the tax laws with a lot of tax relief that the majority of taxpayers cannot enjoy only because it is too complicated for them to understand.
>
> I hope that you will use your influence to correct this situation.

I presented his observations to the Secretary of the Treasury during the committee executive sessions held on this tax bill. I regret that the constituent's views and my own advocacy were not sufficiently persuasive with the administration to have it abandon its insistence on the adoption of these unwarranted and unwise substantive changes in our tax law.

Mr. Chairman, I will close on this note. Prior to coming to Congress it was my privilege to serve a number of years as Speaker of the House of Representatives in the Michigan State Legislature. From that rich experience and from my tenure in the Congress of the United States, I have learned that it is not an easy course to insist on government living within its means and to require that a priority be established for the accomplishment of meritorious objectives only as they can be afforded. But that legislative experience has taught me also that a government that does not abide by fiscal prudence and expenditure restraint is destined to render disservice to the very people it seeks to serve. Deliberate debt is never an answer to a governmental problem that demands solution. The assurance of our future as a Nation is inescapably involved in our determination to deal with our fiscal problems forthrightly and honestly without seeking the temporary expedient of failing to pay our way. When we seek to meet the demands of the present by encumbering the productivity of the future, we have enlarged the magnitude of the problems that confront America both today and tomorrow.

I have referred to my service as Speaker in the Michigan State Legislature to make two points. The first concerns the meaningless sense of Congress expression in section 1 of the reported bill. This section urges the President to join with the Congress to use all "reasonable means to restrain Government spending." Do not the future taxpayers of this Nation—our children and succeeding generations—deserve more from us than that at a time when we are seeking to give ourselves an $11 billion tax reduction? What is reasonable to the President? To Mr. Heller? To Mr. Dillon? To you? To me? Is the meaning the same? Of course not; and who is to determine the legislative intent? The Executive will have that prerogative in large measure. My colleagues, I need only remind you of the Executive's inability or unwillingness to understand specific legislative language such as in the arbitrary Federal action disqualifying Michigan under the program for aid to dependent children of the unemployed.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. KNOX. Mr. Chairman, the Congress of the United States passed an act to provide matching funds to the States for aid to dependent children of the unemployed. The State of Michigan was one of the first States that passed an act and followed the congressional intent, because the congressional act provided that the definition of unemployed to be used by the respective States shall be defined by the States. However, an official of the Department of Health, Education, and Welfare decided that they did not want to release any funds to the State of Michigan for ADC of the unemployed, saying that we did not conform in regard to the definition of the unemployed. But, still, the Congress has defined what program the States would have to set up. Therefore, today Michigan is not receiving any of the funds. Now, the same thing can happen here unless we spell it out, what we mean about expenditure control, in the proper language in order to bring about some persuasion upon those who have to do with the submission of the budget and the allocation of funds after Congress has made the appropriations. If we really mean it is the sense of Congress to reduce spending, and I do, then let us put some teeth in it so it will work. Let us save your money, the money of our constituents, and more importantly, the money of future generations. We can do this by putting a brake on spending now.

The second reason I referred to my service as speaker in the State legislature is concerned with the capacity of government to go into debt. It is sometimes maintained that the borrowing capacity of a State government is limited because it has no authority to print and issue money and that this restriction does not apply to the Federal Government. My colleagues, let me assure you that the limit of our Federal credit may be closer at hand than many of us realize.

If we manage our affairs in an inflationary way the strain of our balance-of-payments problems and its impact on our monetary structure can more swiftly produce an immediate crisis. The seriousness of the problem is demonstrated by a few statistics. The U.S. gold supply is about $15.5 billion. Of this amount of gold approximately $12 billion must be held as a legal reserve requirement to back our currency, leaving $3.5 billion as "free gold." However, foreign governments and nationals hold more than $20 billion in dollar obligations which could be converted into a demand for gold almost overnight. There recently has been a serious increase in dollar redemptions for gold, and the second quarter of this year produced an alarming increase in our balance-of-payments deficit to an annual rate of $5.2 billion.

These considerations make obvious the imperative need of maintaining and strengthening world confidence in the soundness of the dollar. To this end we must protect the purchasing power of the dollar against debasement; we must curtail the growing U.S. bureaucracy overseas; we must restore a semblance of reasonableness to our foreign commitments and enlarge the role of private enterprise in the development of the emerging nations; we must demonstrate our determination to have our free world allies assume a more appropriate share of the burden of preserving their own national integrity against Communist encroachment. More importantly we must avoid the decline in confidence that will inevitably arise from the profligate handling of our fiscal affairs and a prolonged series of deficits.

Mr. Chairman, the time is close at hand when we will be called upon to vote our convictions on this important issue of tax reduction and fiscal policy. My conviction is that tax reduction is sound and proper only if we restrain the spending demands of the administration by adopting the meaningful limitation prescribed in the motion to recommit. I am reluctant to risk America's greatness and its future by supporting tax reduction in the face of any less of a guarantee that we will curb our spending and halt the rise in our Nation's debt.

Mr. SCHNEEBELI. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCHNEEBELI. Mr. Chairman, I would like to emphasize the additional views which I included in the report on H.R. 8363. These views state that I am in full agreement with my Republican colleagues that tax reduction of $11 billion based upon a mere wish or a hope that expenditures will be controlled is fiscally irresponsible. Mere protestations of economy on the part of the Kennedy administration, which are belied by its actions in constantly presenting new and expanding expenditure programs to the Congress, are not sufficient to convince me that we will be able to balance the budget for the forseeable future.

On the other hand, I am convinced that the excessive tax burden should be alleviated both with respect to individuals and with respect to business. While there is considerable risk in reducing taxes before reducing expenditures, I would be willing to take that risk if tax reduction were accompanied by a corresponding statutory deterrent to increased spending.

Such a deterrent was presented by the amendment offered by the Republicans in committee and this amendment was narrowly rejected by the committee, only as a result of extreme administration pressure. If the administration is sincere in its stated intention of holding down expenditures, why should it oppose an amendment that merely translates this intention into legislative language?

Why is it that with more than 20,000 replies to a questionnaire 72 percent of my constituents and over 80 percent of the business leaders in my district, when directly queried, voted to forgo the benefits of the proposed tax cuts? We all know the answer: It is because of the mounting fears over our growing public debt at home and the run on our gold from abroad.

We have an opportunity to allay these fears by adopting an effective restriction on the ever-increasing Federal deficits which are at the root of these problems.

We offer a specific and certain brake on Federal expenditures and deficits, without which the majority of our people, including former Presidents Truman and Eisenhower, are opposed to this bill.

The confidence of business would be restored in the knowledge that impending runaway Federal deficits were being restrained by this legislative formula, which would serve to test each expenditure against the pocketbook of the voter.

In my opinion, the adoption of the proposal, whereby tax reduction would be forestalled if the Kennedy administration does not keep its promises to maintain closer control over expenditures, would offset the fiscal risks involved in enacting this bill in the face of a large deficit for fiscal 1964. Under these circumstances, I would support the bill. Accordingly, I hope that the expenditure-control amendment will receive favorable consideration by the House, as I believe in tax reduction and would like to vote for this bill.

Recent discussion with people in my area, while I have been home, substantiate this earlier response from both the voting constituency as well as the business leaders and I am convinced that H.R. 8363 should be approved only if the proposed expenditure restraint provisions are included in the bill.

Early this month I conducted a survey on this question of the tax reduction among the leading industrialists in my 10-county area in north central Pennsylvania. Of the first 18 replies received 15 of them stated that they would approve of a tax cut only if it were accompanied by a very strict expenditure control, which, they observed, was not now being effected in Washington. These are the people who would profit twice by a tax cut, both as corporation large stockholders as well as high-bracket personal income earners. The results of this recent survey among the highest ranking businessmen were most conclusive on this point.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. Mr. Chairman, as a relative newcomer to the Committee on Ways and Means, I want to pay my respects to our chairman, the gentleman from Arkansas, the Honorable WILBUR MILLS, one of the most able and most distinguished Members of this body. It is indeed a stimulating experience to sit on that committee facing some of the most complicated problems to come before our country and our Congress in this decade, and watch the proceedings over a period of 8 months, digging into area after area of the Internal Revenue Code, analyzing every aspect of that program with an eye to the overall effect on the economy of this country, and to see gradually worked out a bill that constitutes a soundly balanced program, a bill that does go to the heart of the problem facing this country of ours, a bill, I am sure, that will accomplish the purposes we are setting out to accomplish.

I also want to commend our chairman for his eloquent plea this afternoon. Certainly none of us here has heard a more learned exposition of the issues that face this country in this bill that is before the Congress of the United States.

I would agree with the chairman that this is the most important and far-reaching piece of economic legislation that has come before this Congress, certainly during the time I have served here. Its effects indeed will be far reaching, not just for this year or the next but may very well set the pattern of growth in this country for decades to come.

As the chairman so eloquently stated, our high tax rates date from the time we were engaged in a great world war. We were seeking then to dampen the private sector of the economy in order to put the full potential of our resources into the great war effort that faced the Nation, so we raised the tax rates and we did put a damper on the private sector. We came out of the war and emerged into a period of uncertainty and continued those high rates because this is not an ordinary time of peace as some would have us believe. We have been engaged in a cold war for these many years. We have continued to put the great majority of our resources to work in the area of national defense, in the area of meeting crisis after crisis around the world, to bolster the forces of freedom and to build up the free world. That is why the taxpayers of this Nation have been willing to dedicate such a great part of their income to the continued national defense of this Nation of ours.

But now we have emerged into another era in our history, where we must face up to new problems, analyze the future of our country, and come to some basic decision on economic policy. As the chairman told us this morning, we made the basic decision in this bill, that we were going to achieve the growth that we must achieve if this Nation is to move forward in the private sector of our economy. That is the essence of what we are doing in this bill. The only alternative is to move in the direction we have been moving, to try to meet these pressing problems that face our economy in the public sector, to expand our spending programs.

With those alternatives in mind, this administration first made the decision that we should move our growth into the private sector and move our country ahead along the lines of private enterprise, that has made this Nation great.

Then the proposal came to the committee, and as the chairman told us today, he had some misgivings and many others had some misgivings about this problem of cutting taxes in this critical time, with financial deficits facing us not only this year but next. He came to the decision that the way to come to a soundly balanced budget was to free the private sector of the economy through a tax cut. I too came to this decision and I decided that this was the only way we are ever in our time to achieve a soundly balanced budget. That is the theory behind this tax cut. That is why it was reported by the Ways and Means Committee. That is why it is before this House and is going to pass this House, I hope tomorrow afternoon.

Let us look very briefly at the tax cut and some of the problems that confronted us.

You know in a way it is truly amazing we were able to get any kind of a tax cut realizing the complexities of the problem that faced us. We have here over 300 pages of technical language which changes area after area of the Internal Revenue Code. There were basic policy decisions to be made. For example, how do you stimulate the economy? Do you do it by shoring up the purchasing power of the people of this great Nation of ours? Or do you do it by expanding the investment capital so that industry may move ahead? Of course, the program that was sent up by the administration faced both of these alternatives and said what we need is a balanced program. We need to shore up the purchasing power and we need to increase investment capital. During the long consideration before the Committee on Ways and Means where many, many aspects of the program were deleted and other new aspects were added, we had to continue to bear in mind this balance; we had to continue to weigh the different alternatives. In my own opinion, we came up with as balanced a program as you would ever be able to achieve. I was most concerned with keeping the tax cuts where they would do the most good; among the people of this Nation in the way of stimulating purchasing power, because I happen to be one of those who believes that the way to shore up and the way to arrive at a sound prosperity in this Nation is through increasing the buying power of the people of the country. This is true because if the people have money to spend, I am not too much concerned about the ingenuity of American business to move ahead and expand their business and make it possible for the people to spend the money they have.

So I was extremely pleased when we devised the formula of dividing the lowest bracket into four segments. Many people fail to realize that more than half of all the taxpayers of America are subject only to the lowest bracket, which is now the 20-percent bracket. What we did in the bill was to take these some 45 million taxpayers and divide them up into four separate brackets and then to move the first $500 of income down into the 14 percent category; then 15 percent for the next, and 16 percent for the next, and 17 percent for the next bracket. So we have now four brackets instead of one at that level of income which are much more realistic and which, in my opinion, are more equitable to the taxpayers of the country.

On top of this then, we changed the standard deduction in a manner which is new in our tax laws, and I think a very definite good step forward, to give the lowest income earners of this Nation the break I feel they deserve.

Mr. Chairman, with the new formula for the minimum standard deduction and the four-way split in the lower bracket, I think we have weighted this tax cut toward the people in this Nation of ours who need it the most, and the people who will spend every dime of money that they get in their increased take-home pay starting next January 1.

We have many, many other features in this bill that in my opinion will improve the tax structure of this Nation and make it more equitable. I will not go into them, but I want to say, in the field of business incentive, one of the most important things we did was to put into immediate effect an 8 percentage point reduction in the corporate income tax on the first $25,000 of earnings of the corporations of this country. This gives a very substantial and definite break to small business and to small corporations of this country. It gives them the incentive to move forward and compete. I think this will go a long way toward stimulating and building the economy.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I certainly will yield to the distinguished gentleman from Iowa.

Mr. SMITH of Iowa. Back in the war days of the 78th Congress, President Roosevelt asked for a $12 billion increase in taxes and the Congress refused. It demoralized our soldiers overseas to think that the folks back home would not be asked to increase their efforts to support the war. After that came the big tax reduction that went through in the 80th Congress over President Truman's veto. We accumulated a $225 billion debt in 4 years during World War II and that is three-fourths of the total debt for all time. The fact of the matter is that we have never paid the World War II debt, and I believe the most irresponsible fiscal action ever taken in the history of the country was that tax cut by the 80th Congress at a time when we had too much money chasing too few goods. Following that we had the greatest inflation we have ever had in this country, and that was the direct cause.

My question is, in view of the fact that the motion to recommit seems to say we will never pay anything on the debt—if expenditures are less than income, then we will reduce income to the Treasury and, in view of the fact that this bill provides for a reduction in income regardless of what happens to the debt, are we to assume then that we are never going to pay for this bungle that was made in the 80th Congress in refusing to pay for the World War II debt at a time when there was a shortage of goods and excess of money available?

Mr. ULLMAN. Of course, the theory behind this tax cut we are today discussing, as I said before, is to stimulate growth. The only way we will ever pay the debt is for this economy to move ahead and achieve the growth we need. It is the only way we will be able to stay competitive around the world and the only way we will be able to meet the problems of automation and unemployment. We have been in a period of up and down fluctuations in our economy with drastic gyrations during the past 10 years and, as the chairman knows, the times when we have the deficits are the times when the economy goes into a recession. If we can do what we are trying to do here, which is establish a sound growth pattern and eliminate the gyrations in the economy, we will arrive at a soundly balanced budget. In my opinion, it is the only way we can soundly approach the problem of paying the national debt.

Mr. SMITH of Iowa. In other words, the theory is that pump priming in the private sector will actually return much more than you put in through deficits?

Mr. MILLS. Mr. Chairman, would my friend from Oregon yield?

Mr. ULLMAN. I yield to my distinguished chairman, the gentleman from Arkansas [Mr. Mills].

Mr. MILLS. I trust that the gentleman from Iowa, for whom I have the greatest respect, would not say that when Congress reduces the tax burden on the American people, thereby leaving in greater amount with the people what they have earned, that such action by the Congress would be "pump priming." I would not so characterize that action. What I think better characterizes that action is this: That we decided that the private sector can do more if we leave more of what it initially has after taxes, and in return for that action we would expect more out of the private sector and there would be less need for more out of the Government sector.

Is not that the gentleman from Oregon's impression of it?

Mr. ULLMAN. I could not agree more with the chairman. Of course, I could not in any manner, shape, or form to express it so well as the chairman.

Mr. SMITH of Iowa. If the gentleman will yield, I was using pump priming in the sense that in a year when we are admittedly going to receive less in income than we will spend, it would be pump priming in the sense that it would require borrowing more money. In other words, we would give people bonds for part of the money spent.

Mr. ULLMAN. I certainly could not agree with the analysis of the gentleman that letting people keep their own money is pump priming, and I urge the Members to support the bill and vote down the recommittal motion.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield such time as he may require to the gentleman from Missouri [Mr. Hall].

Mr. HALL. Mr. Chairman, it is perhaps ironic that on the same day that the House begins debate on the tax bill, that Time magazine has published a résumé of how our foreign aid funds were spent in 1962. It is ironic because the administration refusal to accept House cuts in this year's foreign aid bill is one of the reasons why Republicans are convinced that the New Frontier has not, does not, and will not exercise restraint in curtailing expenditures, without specific instructions to do so. The figures in the table, which I will ask unanimous consent to insert in the Record, illustrate the great difficulty New Frontiersmen have in distinguishing essential from nonessential, and even harmful spending.

In Africa, where we are supporting virtually every known tribe, 31 different countries, we are making our biggest donations to those countries on whom we can depend the least in the cold war. Our biggest contribution goes to the former Belgium Congo, $66.9 million, in an area where you cannot tell your friends from your enemies without a scorecard, a country completely lacking in fiscal stability which is our absolute requirement in the Latin America aid program.

Our second biggest contribution in Africa, $63.8 million goes to Ghana, a leftist nation, headed by a dictator who calls himself "The Savior," who has imprisoned most of his political opponents, and who consistently stands alongside the peculiar brand of neutralists who identify themselves with state socialism and the Communist bloc.

Our third highest contribution in Africa, $30.7 million goes to Morocco, a country which has forced us to abandon our Strategic Air Command base there.

We also gave $6.1 million to Guinea, a country which recently helped the Soviet Union establish a direct airlink with Cuba by making its airport facilities available, facilities which we helped build.

Our second biggest donation in the Near East and south Asia went to Pakistan, once thought of as our stanchest friend, but now making friendly overtones to Red China. And even more paradoxically, much of this aid is in military hardware, most of it pointed, not at Red China, but at India, to whom we made our largest contribution, $465 million.

In the Far East, we gave $29.1 million in economic assistance and $9.4 million in military aid to Cambodia and $22.8 million to that great citadel of freedom and democracy, Indonesia. In the past month, Cambodia has publicly declared that if the "chips are down" they can expect support from Red China, and Indonesia is threatening armed warfare against the new Government of Malaysia which we support and helped in borning.

We also gave $41.9 million to the United Arab Republic, that stanch "supporter of peace" in the Near East, $1.4 million to British Guiana, communism's second best ally in Latin America, ranking only behind Cuba, $6.8 million to Haiti where the CIA probably is spending an equal amount trying to depose their dictator, and $27.5 million in Laos which serves as the corridor for Communist subversion aimed at Thailand and South Vietnam. There are many other examples. Yet the President says our action in cutting the aid bill was partisan and shortsighted, and he says no restraints are necessary in this tax bill.

If that is so, then I submit that black is white, day is night, up is down, right is left, near is far, and the Washington Senators will win the American League pennant. I will vote for an amendment to limit spending, and pray that when it is adopted we will define essential spending as that which helps our friends, and nonessential spending as that which helps our enemies.

Foreign aid: How it was spent in 1962 (Incomplete)

[In millions of dollars]

	Economic	Military	Total
Europe:			
Belgium	----------	15.9	15.9
Denmark	----------	44.4	44.4
France	----------	5.0	5.0
Italy	----------	70.7	70.7
Luxembourg	----------	.02	.02
Netherlands	----------	25.3	25.3
Norway	----------	47.1	47.1
Poland	1.4	----------	1.4
Portugal	----------	7.8	7.8
Spain	14.5	35.3	49.8
United Kingdom	----------	21.2	21.2
West Berlin	.05	----------	.05
West Germany	----------	.4	.4
Yugoslavia	.5	----------	.5
Infrastructure [1]	----------	56.1	56.1
Mutual weapons development program	----------	8.0	8.0
Europe area undistributed [2]	----------	33.2	33.2
Subtotal	16.45	370.42	386.87
Far East:			
Burma	.9	----------	.9
Cambodia	29.1	9.4	38.5
Indonesia	22.8	----------	22.8
Japan	.4	70.5	70.9
Korea	125.7	218.7	344.4
Laos	27.5	74.5	102.0
Nationalist China	28.4	174.9	203.3
Philippines	4.0	27.2	31.2
South Vietnam	124.3	176.5	300.8
Thailand	34.0	81.0	115.0
Regional [3]	2.2	----------	2.2
Far East area undistributed [2]	----------	15.9	15.9
Subtotal	399.3	848.60	1,247.90
Near East and south Asia:			
Afghanistan	38.5	----------	38.5
Ceylon	1.4	----------	1.4
Cyprus	.7	----------	.7
Greece	30.3	119.4	149.7
India	465.1	----------	465.1
Iran	54.4	53.06	107.46
Iraq	.8	.04	.84
Israel	45.4	----------	45.4
Jordan	43.8	3.9	47.7
Lebanon	.4	.05	.45
Nepal	3.8	----------	3.8
Pakistan	240.9	(4)	240.9
Saudi Arabia	----------	(4)	----------
Syria	23.9	----------	23.9
Turkey	73.2	179.3	252.5
United Arab Republic	41.9	----------	41.9
Yemen	6.8	----------	6.8
CENTO	2.4	----------	2.4
Regional [3]	3.7	----------	3.7
Near East and south Asia area undistributed [2]	----------	55.4	55.4
Subtotal	1,077.40	411.15	1,488.55
Latin America:			
Argentina	21.9	2.2	24.1
Bolivia	31.8	1.4	33.2
Brazil	84.5	22.8	107.3
Chile	142.4	8.3	150.7
Colombia	37.9	9.8	47.7
Costa Rica	1.9	.5	2.4
Dominican Republic	26.0	.9	26.9
Ecuador	19.9	2.3	22.2
El Salvador	3.1	.8	3.9
Guatemala	4.2	2.9	7.1
Haiti	6.8	1.2	8.0
Honduras	2.9	1.0	3.9
Mexico	20.6	.3	20.9
Nicaragua	3.5	1.8	5.3
Panama	12.4	.8	13.2
Paraguay	1.1	.5	1.6
Peru	26.6	10.0	36.6
Uruguay	.3	1.8	2.1
Venezuela	11.1	.9	12.0

See footnotes at end of table.

Foreign aid: How it was spent in 1962 (Incomplete)—**Continued**

[In millions of dollars]

	Economic	Military	Total
Latin America—Con.			
British Guiana	1.4	----------	1.4
British Honduras	.5	----------	.5
East Caribbean	2.6	----------	2.6
Jamaica	1.0	----------	1.0
Surinam	.4	----------	.4
Regional [3]	13.4	----------	13.4
Latin America area undistributed [2]	----------	1.7	1.7
Subtotal	478.20	71.90	550.10
Africa:			
Algeria	.3	----------	.3
Cameroon	12.5	.3	12.8
Central African Republic	.2	----------	.2
Chad	.3	----------	.3
Congo (Brazzaville)	1.2	----------	1.2
Congo (Leopoldville)	66.9	----------	66.9
Dahomey	.7	.1	.8
Ethiopia	6.3	11.7	18.0
Gabon	.4	----------	.4
Ghana	63.8	----------	63.8
Guinea	6.1	----------	6.1
Ivory Coast	2.1	.1	2.2
Kenya	3.2	----------	3.2
Liberia	10.8	1.8	12.6
Libya	11.2	.7	11.9
Malagasy Republic	.7	----------	.7
Mali	2.6	.24	2.84
Morocco	30.7	(4)	30.7
Niger	1.2	.1	1.3
Nigeria	21.0	----------	21.0
Rhodesia - Nyasaland	2.8	----------	2.8
Senegal	3.0	2.5	5.5
Sierra Leone	1.5	----------	1.5
Somali Republic	11.5	----------	11.5
Sudan	9.8	----------	9.8
Tanganyika	2.4	----------	2.4
Togo	1.2	----------	1.2
Tunisia	28.2	(4)	28.2
Uganda	3.6	----------	3.6
Upper Volta	.9	.1	1.0
Zanzibar	.1	----------	.1
Regional [3]	8.1	----------	8.1
Africa area undistributed [2]	----------	16.7	16.7
Subtotal	315.30	34.34	349.64
Nonregional	----------	95.07	95.07
Grand total	2,286.65	1,831.48	4,118.13

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[1] Pipelines, airfields and other troop-support expenses.

[2] Classified items; also administrative expenses for multinational programs.

[3] "Regional" expenditures included multinational programs for given areas.

[4] Classified.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 15 minutes to the distinguished gentleman from Ohio, a valued member of the committee [Mr. Betts].

Mr. BETTS. Mr. Chairman, the able colleagues who have preceded me in the debate today have clearly stated the issues that are before us. Having listened carefully to their remarks as well as having worked for 7 months as a member of the Committee on Ways and Means in the preparation of the bill now before us, I am impressed with these facts:

First. On the basis of fiscal performance we are hardly entitled to be considering a tax reduction bill. This fiscal performance finds that our last balanced budget was in 1960 and that spending has increased each year since so that spending that amounted to $76.5 billion then is projected to reach $102 billion in 1965—an increase of more than $25 billion in 5 years. This fiscal performance finds each of these intervening years producing staggering deficits so that by the end of 1965 we will have added $35 billion to our public indebtedness.

Second. I find that the advocates of tax reduction now are to a large extent those who supported the dangerous rise in spending and who opposed now responsible efforts to curb our spending proclivities so that sound tax cuts can be enacted within the framework of fiscal responsibility.

Third. I find that if we are to persist in our profligate ways of spending beyond our willingness to pay and we continue to pile up deficits and debt, then each dollar of tax reduction we provide will add $1 to the debt to be passed on to our children.

Fourth. I find that the promise of meaningful economic advance, improved employment opportunities, and industrial progress can only be achieved in an environment that is free of inflation and that instills confidence that our governmental fiscal policies have as their objective a discipline and self-control that is not to be found in a program that starts from a deficit and urges that we tax less while spending more.

Mr. Chairman, the expression of concern over the enactment of this bill is not in opposition to tax reduction as such but is instead in opposition to the past and proposed spending excesses that make a tax cut such a hazardous experiment in terms of inflation, the purchasing power of wages, and our balance-of-payments problems. The relevance of these fiscal problems to our present consideration cannot be denied.

Mr. Chairman, shifting for a moment from the fiscal implication, I would point out that one of the difficulties in understanding this bill is that it is usually explained in terms of statistics and economic theories so involved and technical that one becomes completely lost. While these factors must weigh heavily in our deliberations, there is another aspect of the bill that merits our attention. Much of the attention which the bill has received has been directed to the rate reduction or title I of the bill. However, an equally difficult problem is title II, which is called structural changes, and covers 250 pages. If enacted into law these changes would have no beneficial effect upon the economy of the country and would not on balance improve the equity of our tax structure. As a revenue-raising measure, they would produce a sum variously estimated from $600 million to $800 million which is relatively small as compared with the consequences of rate reduction. But the contribution these changes would make would be to add materially to the complexity of the revenue code. They would simply increase the bewilderment of taxpayers in making out returns. Instead of simplifying the ordeal of determining tax liability, these proposals would definitely complicate it more.

One group whose members certainly should understand complexity of tax laws is the taxation section of the American Bar Association. On May 21, 1963, the board of governors of the association adopted a resolution of the section of taxation, claiming, among other things, that Congress should defer consideration of major structural changes until it can enact a program of basic reform. A report attached to the resolution points out that the structural changes merely serve to complicate the tax system without accomplishing the underlying objects of improving the system. The report states:

> The history of the development of the Internal Revenue Code demonstrates that the piecemeal approach, such as reflected in the administration's proposals, inevitably produces exception upon exception and piles complexity upon confusion. In this sense it is a move in the wrong direction.

A tax attorney for a large corporation, after looking at the bill, wrote me as follows:

> The one area that most concerns me about the tax laws is their incredible complexity and the trend to make them more complex with every session of Congress. I suggest that one of these days the revenue code will be so voluminous and so full of minutely detailed rules following no particular pattern that the Treasury Department will find the tax laws absolutely impossible of administration.

Mr. Chairman, one of the substantive changes to which it is appropriate to direct specific mention is concerned with the tax treatment of dividend income. Existing law recognizes, at least in part, the inequity in imposing double taxation—at both the corporate and shareholder levels—on dividend income. Presently, a shareholder is granted a $50 exclusion and a 4-percent tax credit on his dividend income which is subject to the full impact of the corporate tax. The bill proposes to change this treatment by repealing the credit and increasing the exclusion to $100. Now, I have no quarrel with the proposed increase in the amount of the exclusion because that is exactly the amount the House Republicans sought to provide in 1954 when this relief was granted. My concern is with the repeal of the 4 percent credit.

The effect of this change will be to restore in large measure the full thrust of the double tax on dividend income—the only type of income subject to double taxation. What element of tax principle or equity is involved in increasing the exemption on the one hand and repealing the credit on the other? Are we encouraging equity risktaking to provide jobs when we take this action? There are in our Nation approximately 17 million stockholders and many of these will be adversely affected by this unwarranted change. The creation of jobs requires a willingness on the part of our citizens to invest their savings in free enterprise. The repeal of the dividend received credit is a retreat from the very course we need to follow in strengthening the economic vitality of our Nation.

I mention these considerations to point up the real problems involved in voting for the bill, if the motion to recommit should prevail. It is a decision between voting for a bill with controlled spending in spite of its complexities and inequities or voting against a highly complicated bill even though it means losing a chance to control spending. Since this may be the one and only opportunity to restrict Federal expenditures in a tax bill with its moral obligation on the Executive and Congress to follow through, I have concluded I will support the bill if the motion passes. As one who has consistently advocated tax reduction with spending reform, I find the bill with the amendment the only present solution.

However, I feel that the Ways and Means Committee and Congress, at an early date, should explore every possibility of simplifying the tax laws. While spending control takes first priority, tax simplification remains a legislative must and our annual tinkering with the revenue code ought to stop unless proven to be absolutely necessary.

Without the motion, the measure, to me, becomes completely indefensible and should be defeated. I say this with full knowledge that any proposal for tax reduction is always appealing.

It is to be acknowledged, a tax cut sounds good. The income tax rates are burdensome and any chance to escape some of the burden has a ready appeal. But a tax reduction means little, if in the end the taxpayer must pay more for the goods he has to buy. The plain fact is that a tax reduction with deficit financing has every element of the causes of inflation. To say that this is not true is to disregard the warnings of some of the top economists of the country. The minority report on H.R. 8363 discusses this subject thoroughly and to me, convincingly, quoting reputable authority. I hope every Member has read it. Let me read from the testimony of some of the witnesses who appeared before the Ways and Means Committee.

Prof. William H. Peterson, of New York University Graduate School of Business said:

> Yes sir; I think it is inflationary. I think the short- and long-term impact, if enacted, the President's program, especially that part which is predicated on deficit financing, will tend to be inflationary. Much depends on how the deficit incurred by the Government, if it is so enacted, is financed. As you know, if it is financed through the commercial banks, it will tend to generate far greater funds so that we will have the old situation of too much money and too few goods. This will be pure monetary inflation. If, on the other hand, the deficit financing is through individuals and groups of individuals, it tends to be noninflationary. However, I am afraid the latter approach would be defeating of the stimulation for demand that the President is seeking; so much depends on how this tax program is implemented if and when it were adopted.

The American Farm Bureau, appearing in opposition to the bill, told the committee:

> Government spending must be paid for either through taxes or inflation. In our opinion, inflation is a far more serious threat to our future economic well-being than is the present tax structure. While taxes are undesirably high, our past record of fiscal management in the Federal Government has not earned us a tax cut.

On August 16, 1963, in a lead editorial the Washington Star noted that the theory of stimulating the economy by a tax cut is only a hope and added:

> If the shot in the arm does not invigorate the economy as expected, and if Federal spending stays at the current high level, then a deficit-produced inflation may so cut into the value of the dollar as to wipe out the benefits of lower taxes. It is this possibility which alarms the orthodox legislators and which the administration discounts.

I am happy that the Star looks upon those of us who see this way as orthodox legislators. It has a ring of respectability like "Puritan ethics." So the concern about deficit financing and inflation covers a broad range of respectable groups and persons and is not something imagined by a few alarmists.

But there is not unanimous support for reducing expenditures and avoiding inflation. There are those in support of this tax-reduction legislation who also urge a continuation of high spending. They would risk the dangers of inflation. One of these is Mr. George Meany, the esteemed president of the AFL–CIO, who on the subject of spending reduction recently said:

> Such a move would be deplorable. It would absolutely defeat the purpose of a tax cut. Instead of stimulating the economy, a large reduction in Federal expenditures would merely nullify the beneficial effects of the tax bill and would contract economic activity.

It is this attitude that we can spend more, tax less, increase our deficits, and add to our debt that make the spending limitation amendment contained in the motion to recommit an imperative condition precedent to favorable action on this bill. The adoption of this spending safeguard is essential to safeguard against inflation.

The treacherous thing about inflation is that it makes the economy look good temporarily and is mistaken for economic progress. With business humming and the country appearing to be prosperous, we are deceived into thinking it will never end.

As a matter of fact, inflation has a tendency to "feel good" to everybody but retired persons on fixed incomes and our children and grandchildren who must pay the bill. So, while tinkering with the economy by reducing taxes and increasing our deficits might be politically attractive or look good today, the long-range consideration ought to include every possible effort to eliminate the ravages of inflation tomorrow. The story of postwar Germany's phenomenal recovery is one of avoiding deficit financing and rejecting the Heller philosophy of spending. As Dr. Herman Abs, a prominent German banker, put it:

> Deficit spending, if applied during the period of 1950 to 1960, would have prevented the German economy to grow as it did grow.

In our own country, during the last 32 years, there have been 26 years of deficits, during which time the value of the dollar shrank from 100 cents to 46 cents. This is inflation and instead of officially encouraging it, we should be building up a protection against it as we do against plagues and floods and all other forms of destruction.

In the Eighth District of Ohio, practically everyone I contact and hear from objects to a tax reduction without a reduction in spending for fear of inflation. This includes small businessmen, farmers, pensioners, and corporation executives.

In the main, the supporters of this tax reduction are spokesmen of big business who mistakenly believe they can meet inflation by raising the price of their products and spokesmen of the labor unions who attempt to match higher prices by bargaining for higher wages. International competition and our balance-of-payments position make such price-cost rises unthinkable. But, even so, there are a respectable number of corporation heads who feel that fiscal responsibility does not mean reducing income and merely hoping for less spending. In my file are many letters from business leaders in Ohio who feel this way. One manufacturer put it in these words:

> The psychology of deficit spending must be reversed or the benefits of tax reduction will be completely lost in subsequent years.

The President has tried to quiet his critics by assuring them there will be respect for their views in the future. He asserts in years to come there will be less Federal spending, a balanced budget and even payment on the national debt. But one robin does not make a spring and one statement does not make a balanced budget. The President also confused the issue by saying there must be a tax reduction without "ifs" and "whens." Does this mean that, after all, promises of spending control do not count?

There are only two ways to be sure of less spending. One is to wait a period of at least a year to see what results are accomplished. If, after all the appropriation bills have passed both Houses and all the supplemental bills have been acted upon, Congress has exercised spending discipline, then we will be ready for a tax cut. Personally, I would prefer this.

The other way is to adopt the motion to recommit and pass this bill with spending control. This is the immediate solution. As the Washington News put it last Friday:

> The administration should accept this reservation. In our opinion it should put up on economy or shut up to tax reduction.

In other words, we Republicans are genuinely and sincerely for a tax reduction but only when it can be done in a way that will insure sustainable economic security and strength for the future of the country and future generations.

Mr. BURKE. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BURKE. Mr. Chairman, the American taxpayer for the first time in many years is within sight of some relief from the heavy burdens of Federal taxation which he has borne much too long. For the first time in many years, the American businessman is within sight of some degree of tax relief which should help restore our competitive position in world markets. For the first time in many years, the American consumer is within reach of much-needed additional funds with which to buy necessities of life so that his standard of living can be improved. For the first time in several years, there appears to be an avenue through which jobs can be increased in this Nation without further going down the road of excessive governmental expenditures. This can be done by enactment of the most important single piece of legislation with which the 88th Congress will have to deal—the tax reduction bill of 1963.

There are many reasons why H.R. 8363, as the largest tax-relief bill in our history has been officially designated, should be speedily enacted before the conclusion of this Congress. This bill, by removing the restraints which present heavy Federal taxation imposes on American business and the American economy, will permit our economy and our free-enterprise system to move forward without the degree of governmental expenditure support to which we are presently accustomed. The result of this highly significant legislation will be a much higher level of economic activity, a more productive use of our facilities, a more natural allocation of our resources, and a larger amount of money in the hands of the American consumer. This legislation will create jobs by lifting the repressive weight of wartime-imposed income-tax rates so that the economy itself can generate the additional jobs which we will need during the next decade to give our young people and our displaced workers an opportunity to find jobs. This bill will also have many other major advantages, including assisting in meeting the increasingly serious international balance-of-payments problem. It will assist in this problem because it will enable our American business to compete more advantageously in the increasingly competitive world markets.

This bill will benefit practically every American taxpayer from bottom to top. It will give relief to every American businessman. Moreover, the bill contains 23 major structural changes in our internal revenue laws which should make those laws more equitable and remove those provisions which have generally been considered to be unfair. For example, in addition to the top to bottom rate changes, the bill changes the minimum standard deduction so as to remove from the tax rolls many American families whose incomes are so low that they are barely able to subsist.

This bill is favored by all shades of American business and labor, including businessmen's organizations, labor organizations, business economists, and top students of the American tax system and the American economy. I know of no major organization that opposes this bill. As a member of the Committee on Ways and Means, I heard many weeks of testimony from top businessmen, top economists, and top labor leaders urging the enactment of this legislation. The Committee on Ways and Means has reported to the Congress the most significant tax relief measure in the history of our Nation. This legislation is responsible, and it is a fiscally sound approach to the problems which we face in the 1960's and which we will face in the decades to come. Chairman Wilbur Mills, of the Ways and Means Committee, has stated that this bill "represents a responsible discharge of our duties to sound fiscal management." By selecting the road to tax reduction, we on the committee and in the Congress have indicated that we reject the road to irresponsible Government expenditures. Indeed, we have written in section 1 of this bill a positive assertion of our position with respect to Government spending. We have chosen the road which relieves the American taxpayer of a degree of his heavy burdens; we have rejected the road which imposes greater burdens on him by accepting greater governmental expenditures. This is sound legislation; it is responsible legislation; and it should be speedily enacted by the Congress.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the distinguished chairman of the Select Committee on Small Business, the gentleman from Tennessee [Mr. Evins].

Mr. EVINS. Mr. Chairman, the able and distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas, Wilbur Mills, has effectively explained the provisions of this bill.

He has most eloquently and forcefully asserted many reasons why this bill should be passed in the national interest. I congratulate the chairman and the committee on bringing this bill before the House.

It is now more than 15 years since World War II and 10 years since the Korean conflict and yet the high tax rates—wartime taxes—continue in effect.

Tax reduction is long overdue—this I believe is generally recognized.

Today we have an opportunity to do something about it and we should not hesitate to act while we have this opportunity.

As chairman of the House Small Business Committee, I want to add my voice to the support which American small business gives to this legislation.

American small business needs tax relief and would greatly benefit under the terms and provisions of this bill.

As of today, our small business corporations pay a 30-percent income tax on the first $25,000 of net profit. Additional profits are taxed at a rate of 22 percent—burdensome rates preventing growth.

This bill revises these rates by taxing the first $25,000 profits of small business at 22 percent instead of 30 percent as at present.

It has been apparent for years that the present rates are unfair, principally because small firms earning $20,000 profits per year should not be required to pay the same rates on its total income as United States Steel would pay on that portion of its income.

This bill would remove this inequity—this unfairness.

Moreover, the provisions of this bill will permit small business facilities to grow and expand. It will encourage the formation of new enterprises.

As stated in the report of the Ways and Means Committee, small business experiences great difficulty in finding capital funds to finance their expansion—they must depend largely upon income remaining after taxes for any expansion.

I believe there is no one who will question the fact that the most powerful element in the greatness of our country today is the middle class—in other words the small business segment of our country. The future of the country depends, to a great extent, on how well we keep American small business industry active, prosperous, and growing.

Over the years the small business segment of our economy has been forced to struggle for survival.

With the high mortality rate and a decreasing share of the market, the small businessman has had great difficulty in continuing his fight—in staying in business. Moreover, the shopping center trend with heavy emphasis on national chain leases further imperils small business.

This bill provides an essential tool needed at this time. The bill is notably generous in its treatment of small business.

Some provisions are designed precisely with this in mind—and will help supply the capital for the survival and growth for our 4.5 million small business enterprises.

This is one of the most compelling reasons for supporting this measure.

Tax reduction for small business would be most meaningful.

Individual small businessmen would also directly benefit from the cuts on individual income tax rates, which would average 20 percent.

These reductions, made over a 2-year period, would scale down the present range of 20 to 90 percent to a range of 14 to 70 percent and these tax cuts would be of particular help to the owners of approximately 4 million small unincorporated businesses.

Moreover, the reversal of the present 30 percent normal tax rate and the 20 percent surtax rate will provide a tax reduction of $2,000 for all small business corporations with taxable income of $25,000 or more. The reversal of corporate normal and surtax rates has been acknowledged for years as a needed small business tax reform.

Let me turn briefly to another aspect of the problem we face—namely, automation and unemployment.

We cannot hold back the progress represented by automation, but we must take steps to meet the challenges of automation and unemployment—we cannot afford to do nothing.

The President of the National Association of Manufacturers has recently observed that if our economy continues to create jobs no faster than it has since 1957, then by 1970 our unemployment rate would climb to about 13 percent—a level totally unacceptable to the American people.

This bill, everyone agrees, will provide more jobs and employment.

It is also undisputed, I believe, that the passage of the pending measure will stimulate immediately the entire economy of our country, all classes will benefit; individual tax rates would be reduced; purchasing power would be enhanced; demand for consumer goods would increase; more people will be employed; investments would be encouraged—and business activities in general will be accelerated and expanded.

It is repetitious but nevertheless factual to state that this bill is supported not only by the small business community but by big business—and taxpayers generally.

Henry Ford II, one of our greatest industrialists, as we well know, is head of the President's Tax Study Conference and he strongly urges Congress to act on this legislation.

I cannot understand some of the inconsistent positions of some of the critics of this bill.

In one breath we hear that the tax cut is too big—that we cannot stand this big bill at this time.

In another breath we hear that the bill gives too little relief—that it is "only cigarette" money.

The $11 billion tax relief over the next 2 years could certainly buy a lot of cigarettes—a lot of all kinds of tobacco as well as food, clothing, and the necessities of life.

More than this, it will provide jobs and employment—as well as business and industrial expansion.

With economic growth, in turn this should mean more taxes, in the long run, for the Federal Treasury and a balanced budget. I am willing to take the chance.

Mr. Chairman, I have been immensely impressed by the report of the Commissioner of the Internal Revenue Service who has stated that Federal tax collections have recently topped the $100 billion mark for the first time in the Nation's history.

Total collections amounted to an estimated $105.9 billion for the fiscal year ending June 30. This was nearly $6 billion higher than the $99.4 billion received last year. Receipts were up in nearly every category.

So, Mr. Chairman, we now have Federal income exceeding $100 billion annually and, according to the summary report on this bill—supported by the testimony of the Secretary of the Treasury—the actual revenue reduction in fiscal year 1964 is expected to be only $2.2 billion and $7.4 billion in 1965.

These proposed regulations are without regard to any stimulating effect they may have on the economy.

Taking into account the Treasury Department's estimate of the stimulating effect the bill will have on the economy—revenues will be reduced by only $1.8 billion in fiscal year 1964 and by $3.5 billion in fiscal year 1965.

A $100 billion tax producing economy can certainly afford the tax reductions here proposed.

Concerning the question of reduced Federal spending, you know and I know that the Congress is the body that passes on all Federal spending—all appropriations.

We like to blame the Executive from time to time but, we all know and recognize that it is the Congress that controls the purse strings—the appropriations for the Federal Government.

The Committee on Appropriations is doing a very effective job in cutting appropriations this year.

Chairman CANNON has set as a goal for our Committee on Appropriations a cut of $5 billion in the President's budget—and, I can tell you that we are well along the road to attaining this objective.

So, Mr. Speaker, we should pass this bill. We should pass it because it is fair and equitable.

We ought to pass this bill because it will stimulate the entire economy—and the country can afford it.

We ought to pass this bill because low income families will receive special relief—it will not be discriminatory relief because all taxpayers will get the same break on that portion of their income.

We ought to pass this bill because it will put extra money in the hands of those who need it most—the housewife, the farmworker, the factory worker.

We ought to pass this bill because it will give new hope for the unemployed for jobs and employment.

We ought to pass this bill because it will give relief to all our people.

And, we ought to pass this bill to provide American small business with the kind of assistance it has long needed—and which is long overdue.

We ought to pass this bill, without amendment, and we ought to pass the bill for the good of our country.

This bill merits the overwhelming support of the House.

Mr. MILLS. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Chairman, I can state my position on this bill in a very few words. It is the same as it has been since the first of the year when I announced I was opposed to any tax reduction until there had been a reduction in expenditures and an approach to balancing the budget. Like most everyone else, including my constituents, I would like to pay less taxes, but a tax reduction as proposed in this bill does not mean that our tax obligation will be reduced. Nowhere in the President's letter of assurance of a reduced budget do I read where the national debt is to be reduced but, on the other hand, it contemplates an increase in the debt even if the estimated reduction in expenditures is accomplished. The budget would still include a planned deficit, and the tax reduction would still result in an increase in the national debt.

Mr. Chairman, I may be somewhat old fashioned in my views, and it would appear my philosophy is much the same as that of former President Truman who was quoted in the press a few days ago as saying that he believed you should pay in more than you spend, and for that reason said he did not favor a tax cut until we have a balanced budget. The great difference in the former President, President Truman—a man who advocated a balanced budget and recommended tax increases which Congress would not approve—the difference between the former President and myself is that President Truman, a great Democrat, would support his President's program even if it conflicts with his own personal views. On the other hand, I try to vote my convictions, and while I cannot support my President on this issue, neither can I support the Republican-sponsored motion to recommit, because I do not believe it gives the guarantee or assurance it proposes. The responsibility of balancing the budget rests with this Congress, and when we face up to this responsibility, then we can in good conscience recommend and enact legislation to reduce taxes as we reduce the national debt.

I am reminded of the time only a few years ago when the entire budget was less than the interest on the national debt today. Nowhere are we led to believe that the national debt is going to be reduced, and a tax reduction at this time is merely a postponement of an obligation that is going to have to be paid off at some time. This Congress is not facing up to its fiscal responsibility, in my opinion, when we fail to levy and collect sufficient taxes to meet our current obligations. We can justify deficit spending in times of war, or in other emergencies. We are not in such an emergency at this time and have not been for several years. It is for this reason that I do not expect to vote for any tax bill which will reduce net revenue until Congress has the courage to reduce expenditures and balance the budget. From the correspondence I have had with the constituents I am privileged to represent, and after having stated my position on several occasions during the past several months, I believe I am representing the views of an overwhelming majority of the people of the 10th Missouri District in the position I have taken.

Mr. MILLS. Mr. Chairman, I yield 8 minutes to the distinguished gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, like many Members of this body, I regret the rules under which the House must accept or reject the tax bill under a take-it-all or leave-it basis with only one alternative conditioning a tax cut upon a cutback of Federal spending and an arbitrary reduction of Federal services to the public or the quality of the national defense.

Although I intend to support this legislation, I do so with misgivings and grave fear as to the ultimate consequences of what we do. Although my concerns run contra to the analysis and assurances of the President's Council of Economic Advisors, the Joint Economic Committee, and the Secretary of the Treasury, I hope that my fears prove groundless and that my apprehensions will be dissolved by favorable events.

My principal dissent to this legislation is directed to the assault which the legislation makes on the principles of just taxation. It reduces the taxation on wealth considerably more than it reduces taxation on poverty. The tax bill reduces the taxes of a married person with a taxable income of $4,000 from $800 to $680, increasing his disposable income by $120 or 3 percent. The married person in the $400,000 taxable income bracket enjoys a tax cut of $90,000 from $370,000 to $280,000, increasing the disposable income of such an individual by 300 percent. Which of these two individuals is more likely to put his disposable income into aggressive work or movement in the domestic economy?

The measure of movement of a civilization is measured by many things: Its art, its culture, its economic development, and the laws through which freedom and social justice are achieved. One of the hallmarks of modern civilization can be found in the degree of fairness which is achieved through tax laws which adjust the burdens of society upon its members to the degree of their capacity to contribute. This bill assails this principle, and my fear is that it can develop into a broadscale attack on those remnants of justice which remain in our tax system. My fear is that the new reserves of released capital will be used to propagandize the ultimate erosion of the income tax system and support in substitution a Federal excise or sales tax which would shift a substantial portion of the tax burden upon the great body of citizens who constitute the population base which lives by labor rather than from the income of investment in enterprise.

The reduction of corporate taxation by this legislation will come to $2.2 billion the first year. When added to the tax reduction provided by Congress last year and the change in depreciation guidelines provide an aggregate tax cut to corporations of $4.5 billion. With the anticipated growth of the economy in the 10 succeeding years, the effect of this tax cut in a 10-year period will result in tax savings to American corporations which could approximate $70 billion.

This bonanza of corporate cash flow will create a tremendous buildup of cash, making corporations less dependent on banks and stock issues. This issue was thoroughly discussed in the Wall Street Journal of September 9, 1963, which cited as an example the tremendous securities portfolio of the General Motors Corp. which now totals $2.3 billion in value and which could multiply several times over because of this bill. Such concentrations of available capital, while useable for research, expansion and development are also available for the accumulation of small business enterprises; thereby accelerating their troublesome attrition.

A publication as conservative as Forbes magazine recently raised concern as to whether present laws and treasury regulations threaten to provide more corporate cash flow than is needed for expansion and development. While the generation of proper amounts of corporate capital is desirable for worthy expansion and development, the generation of excess corporate capital, accelerated by this bill, could create a power which could become a hazard to small business, competition, and the free enterprise system.

The capital gains tax, already a source of abuse and unfair privilege under existing law, is developed into an even greater loophole under this bill we consider today. The further reduction of capital gains taxation to 21 percent for assets held more than 2 years will indeed generate a shift in the ownership of such assets with a temporary swell in tax revenues from this source. It is conceivable that the stock market may witness 10 million share-days as big security holders, corporate and individual, change around the makeup of their portfolios, paying taxes at a 21-percent rate on profits which have developed on their holdings. The proceeds from such sales will be reinvested in other comparable acquisitions or in the same securities after the expiration of the 30-day wash sale restriction. Although this investment will gyrate and churn, the only jobs of any substance which will be created are those additional people who will be needed in the stock brokerages to shift title in the interchange of security holdings. This bill will create more jobs on Wall Street than on Main Street.

The greater cost of this tax loophole will be the new plateau which will be established for security ownership. This new plateau for reinvestment after taxation will establish a base for the measurement of the taxation of gains in the future as well as a base for determining costly tax loss deductions if the value of these assets should collapse. The loss of revenue to the Federal Treasury in the event of such a casualty is incalculable.

This bill clarifies but does not alter the privilege which some corporate executives enjoy of paying taxes at lower capital gains tax levels for services rendered their corporations. It is grossly unfair to continue the privilege of permitting corporate executives to earn a substantial portion of their wages through capital gains in the exercise of stock options which they receive for services rendered. The injustice of this privilege is even further compounded when these select people are privileged to pay taxes on their earnings for services at the new low capital gains tax of 21 percent.

If we are scaling down the tax system by reducing high-bracket income taxes from 91 to 70 percent, there certainly is no justification for continuing the stock option gimmick which permits those with high income to accumulate a substantial part of their earnings for services rendered through the new low capital gains tax rates.

Along with many of my colleagues, I would have preferred a tax bill which would close the capital gains loophole, the depletion allowance and the stock option loopholes and then provide an increase in the dependency exemption from $600 to a more realistic allowance of $1,000 per dependent. In addition, I would have preferred a tuition deduction for those taxpayers who are assuming the additional high cost of adequate education for their dependents. Under our procedures, these tax modifications cannot be considered.

Under the rule which I have today opposed, we do not have the opportunity to improve this legislation. This is regretable. The Members of this House should at least have an opportunity to vote to accept or reject each section of this bill and let this body work its will. The closed rule brings about a forced feeding of legislation which gives the legislator the choice of total acceptance or total rejection. In voting for this legislation, we are compelled to take the bitter provisions along with the sweet.

I hope that this tax bill provides more than an Indian Summer of growth and prosperity. I hope that my fears prove groundless and that our economy will enjoy good health and prosperity for the long term.

Mr. BOGGS. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOLAND. Mr. Chairman, I rise in favor of H.R. 8363, providing for cuts in individual and corporate income tax rates and making structural changes in the tax law. The President's program of tax reform is designed to increase the strength and vigor of our economy, remove certain inequities from our tax structure and promote tax simplification. The bill provides a $11.1 billion tax cut over a 2-year period, 1964–65.

In testimony before the Ways and Means Committee, Secretary of the Treasury Douglas Dillon said that the primary objective of this legislation is to release our economy from the shackles of an overly repressive income tax rate structure so that it can move ahead to full capacity utilization of its human and physical resources and avoid the recurring recessions that have characterized the postwar years.

The Ways and Means Committee majority views report states that 5.5 million new jobs would have to be created to achieve full employment between now and 1966, in addition to providing the jobs necessary to reemploy those displaced by automation or changing markets. Maintaining the 3-percent rate of growth as the United States has done since 1956, not only will fail to eliminate the present excessive unemployment, but unemployment will continue to rise as the increasing number of children born during World War II and early postwar years reach employment age. The faster rate of growth which this tax cut bill will provide must play a key role in meeting this problem, the committee majority states.

During recent years, and increasingly so since 1957, two prime economic facts have become increasingly more generally recognized as serious threats to our future economic health. One is that our economic progress has been far less than satisfactory. Second, the Federal tax structure has seriously frustrated our attempts to achieve a stronger economy.

Since 1957 we have had two recessions. Unemployment has ranged between 5 and 7 percent. Our plant facilities have been operating at rates far less than full capacity. The balance-of-payments problem is a continuing worry. The Federal budget has showed sizable deficits in 4 out of the last 5 fiscal years.

The weaknesses in our ability to utilize adequately our plant facilities and to maintain a satisfactory level of employment have cost us billions of dollars in the production of American goods and services. While the precise measurement of this loss may be subject to some criticism, we can certainly say without hesitation that it is costing the Nation at lease $30 billion annually.

The tax reductions that we are considering today will give American consumers billions of dollars of additional purchasing power. These consumers are not going to hoard these funds. We can positively forecast on the basis of past performances that well over 90 percent of this additional tax-free income will be spent. This income will be respent by businesses in the form of additional wages to employees, building up larger inventories, and purchase of new and more modern equipment. Further consumer spending will result from the expanded payrolls. Thus, the total rise in consumer spending and business investment will be at least two or three times the original amount of the tax saving to consumers.

Businesses will also gain directly from the tax rate reductions provided in the bill. This will foster a new incentive and greater financial capacity to invest and to employ.

Competition by American firms in the world markets will be fortified by tax reductions. The attractiveness to foreigners to invest in our country will be enhanced. As a result we can expect a reversal of the current trend of an unfavorable balance of payments.

If we are going to achieve an economic society that will be strong both domestically and throughout the world, we must remove the retarding influences generated by our present Federal tax structure. Such achievement can be accomplished by voting for the tax bill that is pending before us.

Mr. Chairman, I hope that the Byrnes motion to recommit this bill will be rejected when it is offered by the gentleman from Wisconsin. It will provide that the tax cuts scheduled to take effect on January 1, 1964 and January 1, 1965, be canceled if the President's budget estimates Federal expenditures above $97 billion for fiscal 1964 or above $98 billion for fiscal 1965. President Kennedy, Speaker McCormack, and Chairman Mills, of the Ways and Means Committee, have all denounced this arbitrary, restrictive and unnecessarily partisan move that would endanger chances for a tax cut and the corresponding stimulus it will provide to our economy. I ask permission at this time to include with my remarks two editorials favoring the tax cut bill but speaking out against the Byrnes amendment, taken from the Springfield (Mass.)

Union of September 18 and the Denver Post of September 22:

[From the Springfield Union, Sept. 18, 1963]

TAX CUT BILL ON THE MOVE

The $11 billion Federal income tax cut bill has cleared the House Ways and Means Committee and is expected to come up for a House vote later in the month. Whether or not it achieves enactment in time to become effective next January will depend largely on whether it gets jammed up behind a civil rights filibuster in the Senate. Anticipation of the cut appears to be stimulating the economy already. But there are some areas in which the fact of the tax cut, not merely the promise, seems to be needed.

The stock market has responded to progress of the bill, according to a wire service report, climbing last week to another new high. The Dow-Jones average of 30 industrial issues reached a new high level for the second time within a week. Retail sales in August were 6 percent ahead of the same month a year ago, and department stores over the Nation looked for a 5-percent gain for the rest of the year. A high demand for paperboard boxes jibed with a Commerce Department report that manufacturers expect increasing sales. Production of automobiles and steel continued to post gains. So bright are the prospects, in fact, that some observers wonder if the chances for passage of the bill are not reduced accordingly.

Aside from the fact that increasing business income means increasing tax revenue, Congress will have two very good reasons for following through with the tax cut legislation. One is that unemployment is higher today than it was a year ago, even with the advances in business and industry. The economy cannot reach its full potential as long as it is dogged by high unemployment. Some of this is inevitable in a time of transition to automation, when new skills have to be developed. Some of it is avoidable. The President has announced, for instance, that the administration's emergency program to arrest the school dropout trend has prompted some 10,000 students to continue with their schooling. Many of the jobless, meanwhile, could be absorbed by the business activity that tax cut enactment would encourage.

Another good reason for such legislation is the balance-of-payments problem—the need to keep investment capital from leaving this country and to keep the dollar sound. Clearing the way for reductions in certain discount rates by banks of the Federal Reserve System is one step that has been taken by the administration. But it is necessary also to justify investment on the basis of market prospects, and this is where the tax cut legislation comes in.

Chairman WILBUR D. MILLS, Democrat, of Arkansas, of the House Ways and Means Committee, in answer to demands that a mandatory spending limit be made part of a tax cut bill, has asserted that Congress would reject heavy spending as a way of boosting the economy if it passes the tax cut bill. He cited a declaration to that effect inserted in the committee's version of the bill. So far, business and industry seem to be moving ahead with confidence in the measure as it stands. Certainly it should not be defeated for the want of controls dictated by politics more than by economic considerations.

[From the Denver Post, Sept. 22, 1963]

GOP MAKES MISTAKE TO FIGHT TAX CUT

We are amazed by reports from Washington that House Republicans have decided to make a major partisan fight against the proposed Federal income tax cut.

In theory, the Republican fight is not against the tax cut itself. But the Republican effort to attach a deficit-limiting cancellation clause to the tax cut bill will in fact destroy most of the stimulating effect of the tax cut and could wipe it out entirely.

What the Republicans want to do, specifically, is to attach a rider to the bill canceling the cut unless Federal spending is held to $97 billion this year and $98 billion next year. Otherwise, says Representative JOHN W. BYRNES, Republican, of Wisconsin, spokesman for the House Republicans, deficits expected with the $11 billion tax cut in the next 2 years could lead to inflation and financial ruin.

This is politically inspired nonsense. If the Republicans persist in it, and should succeed in their fight, it is they, not President Kennedy, who will have the albatross of fiscal irresponsibility hanging around their collective neck in 1964. They will be the ones who will have stifled the effort to get some of the burden of the Federal tax off the economy.

President Kennedy made a powerful and logical case for the tax cut last week, and now the Republicans have replied. Their reply is not impressive.

To get a nonpolitical view of the facts, let us look at what a group of responsible businessmen say:

"The deficits in recent years have, in large part, been the product of the failure of our economy to achieve its full potential because of the burden of oppressive individual and corporate tax rates. If unemployment is to be reduced, if idle plant is to be put into production, and if we are to achieve meaningful long-term economic growth, individual and corporate rates must be reduced.

"We recognize that tax reduction in the magnitude contemplated * * * will add temporarily to an otherwise existing deficit. However, we believe that additional income flowing from the tax cut will bring the budget into * * * balance significantly sooner than if there were no tax cut at all. * * *

"We commend these Members of Congress for their concern and urge them to do everything possible to assure expenditure control. We also sincerely urge them to reconsider their position and to work aggressively for the passage of a tax reduction as soon as possible."

Who are these businessmen? They are members of a committee headed by Henry Ford, II, chairman of the Ford Motor Co., and Stuart Saunders, president of the Norfolk & Western Railway—the most consistent moneymaker among American railroads.

Other members include financiers such as Frazar Wilde, chairman of the Connecticut General Life Insurance Co.; David Rockefeller, president of the Chase Manhattan Bank, and Robert C. Baker, chairman of the American Security & Trust Co., in Washington.

It is quite doubtful that there's a Democrat in the lot. And it's quite certain that men of this caliber are not advocating anything that will lead the Nation to "financial ruin." Since even Congressman BYRNES himself agreed that President Kennedy was "dead right" in saying a tax cut is urgently needed, there is no sound reason for playing politics with it. There is not even a sound political reason for doing so—considering that the effect would rebound on the Republicans.

This tax cut should be passed. It should be passed soon. And it should be passed without any uncertainty creating "ifs" or "buts."

Mr. MILLS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ALBERT), having resumed the chair, Mr. ROOSEVELT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 8363) to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING ON TOMORROW

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourn today it adjourn to meet at 11 o'clock a.m. on tomorrow, Wednesday, September 25, 1963.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

WORK PLANS SUBMITTED TO COMMITTEE ON AGRICULTURE

The SPEAKER pro tempore (Mr. ALBERT) laid before the House the following communication which was read and, by unanimous consent, referred to the Committee on Appropriations, with accompanying papers:

Hon. JOHN W. MCCORMACK,
The Speaker, the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Agriculture today considered the work plans transmitted to you by Executive communication and referred to this committee, and unanimously approved each of such plans. The work plans involved are:

STATE, WATERSHED, AND EXECUTIVE COMMUNICATION NUMBER

Puerto Rico, Bajura; 2288, 87th Congress.

Kansas, Little Walnut-Hickory; 1108, 88th Congress.

Texas, Nolan Creek; 1108, 88th Congress.

Oklahoma, Tri-County Turkey Creek; 1108, 88th Congress.

Oklahoma, Waterfall-Gilford Creek; 1108, 88th Congress.

Sincerely yours,
HAROLD D. COOLEY,
Chairman.

FEDERAL COAL RESEARCH PROGRAM

Mr. OLSEN of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. OLSEN of Montana. Mr. Speaker, the Federal coal research program, extended through President Kennedy's signing of the Department of Interior appropriation bill on July 26, can be of extreme importance to Montana. As an enthusiastic supporter of the coal research program that was instituted in 1961, I congratulate my colleagues in whose States and constituencies various projects will be carried out. I am confident that they will concur in whatever recommendations may be developed in the application of scientific and engineering probings to new and expanded uses for the vast coal supplies that are available in Montana and other Rocky Mountain States.

The U.S. Geological Survey estimates Montana's mineable coal reserves at more than 110 billion tons—or 13 percent of the total recoverable reserves known to remain in the United States today. The Fort Union region, comprising the eastern portion of our State and extending into North Dakota and Wyoming, contains the largest coal reserves of any region on earth. The formation is made up of lignite and some bituminous coal. Various other parts of the State are underlain with varieties of bituminous, subbituminous, and lignite, with principal operations at present in Carbon and Richland Counties.

Considering nature's munificence in blessing Montana with such an immense storehouse of energy, it is tragic that mine output has deteriorated to such an extent in recent years.

Prior to World War II the mines of our State were producing less than 3 million tons annually. Coal answered the call to war, and for the 5-year period beginning in 1940, our output rose to an average of 3,925,000 tons annually. In 1944, the year in which Montana's mines were required to produce more coal than in any other time in history, 4,844,000 tons were sent to market. In the immediate postwar years, demand remained reasonably firm, but during the past decade it has declined to a point where scarcely a tenth of the 1,500-man work force once employed is now engaged in the mining of coal in our State. Last year a mere 382,159 tons of coal were taken from our mines.

Mr. Speaker, in a period of rapidly rising population and sharp improvements in standards of living, energy requirements mount steadily. By every reasonable criterion, all sources of power should share in the upturn. Besides being the Nation's major source of fuel for generating electricity, coal is a vital ingredient in the steelmaking process and is used in a variety of manufacturing and processing industries. Under the circumstances, those families who have looked to better times for coal as a means of livelihood have every reason to wonder why the progress anticipated for the Montana coal industry has not developed.

Failure to consider the various avenues through which the Montana coal industry can be resuscitated would constitute dereliction of duty on the part of the Federal Government. In fairness to our employables currently out of work and to future generations who will need a going source of heat and power for industrial progress and personal comfort, the Federal Government must encourage a revival of our coal industry as quickly as possible. The manpower is available. Our State is rich in coal resources.

The Office of Coal Research was created to expand present markets and to discover new uses for coal as quickly as possible. The contracts already let by the Office of Coal Research give promise to fulfillment of these requirements, particularly in those mining regions where the projects are to be undertaken. It is my feeling that special attention needs to be devoted to Montana coals, and I am hopeful that private industry as well as our State institutions will join with the Federal Government in undertaking to determine if such research would be feasible and desirable. I have recently talked with representatives of our coal and electric utility industries, along with officials of the United Mine Workers of America, in this regard. All are convinced that a measure of research should be undertaken in cooperation with the Office of Coal Research.

I feel that I should put my colleagues on notice that Montana is fully aware of the potentialities of the Office of Coal Research program and that we welcome any recommendations from this or other offices that might prompt research leading to a resurgence of our coal industry. Facilities of the Montana State School of Mines are particularly adaptable for any such undertaking, and our scientific and engineering personnel are eager to participate in any effort along these lines.

Secretary of the Interior Stewart L. Udall has recently signed an Office of Coal Research contract for a coal-to-gasoline pilot plant in West Virginia. We are very much interested in this project as well as in the proposals—not yet acted upon by the Office of Coal Research—for converting lignite into synthetic pipeline gas. While eastern coal will, of course, be tested in the coal-to-gasoline plant in West Virginia, there is a provision in the contract that calls for experimentation with other coal. I trust that either samples of Montana coals or grades directly akin to them will be selected for this purpose. Similarly, the research on lignite for conversion to gas will hold high interest for the people of our State, whose boundaries encompass an almost endless source of heat and power for this great Nation.

With the new emphasis on coal research, Montana's mine communities eagerly look forward to an opportunity to bring about the full-scale development of our coal industry.

THE 400TH ANNIVERSARY OF THE BIRTH OF WILLIAM SHAKESPEARE MUST BE COMMEMORATED IN THE NATION'S CAPITAL

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WIDNALL. Mr. Speaker, the 400th anniversary of the birth of William Shakespeare, the supreme dramatist in the English language, and, indeed, one of the greatest dramatists in the entire history of mankind, must be observed in the Nation's Capital.

It would be unthinkable that our rich and powerful Nation, the leader of the entire free world, should fail to respond and respond brilliantly to such a historic occasion.

The 400th anniversary of Shakespeare's birth will be celebrated in the capital cities of all of the great nations of the world next year, and certainly steps must be taken now in order to make sure that this anniversary is suitably observed in our own National Capital.

The Washington, D.C., Post published an editorial on September 23 calling for some memorial to be established in honor of Shakespeare, a memorial which would be comparable to that recently established in the Nation's Capital to the poet and hero of the Ukraine, Taras Shevchenko, and observing that it was really remarkable that something comparable had not already been provided.

Fortunately, something of unusual importance can be done to demonstrate to ourselves and to posterity our own deep concern as a people with this supreme genius of the English language who so greatly enriched, and made such a lasting contribution to Western culture.

A great theater could and should be established in the Nation's Capital in honor of William Shakespeare, and should be dedicated to his works and other great playwrights in the English language.

England has its Shakespeare Memorial Theater, where the master's works are performed, but our Nation's Capital is singularly lacking in such a theater. It is true that there is a replica of the Globe Theater in the Folger Shakespeare Library, but not more than one or two plays have ever been presented on its stage in the way they were performed in Shakespeare's own day at the famous Globe Theater in London. This theater is used presently almost entirely for lectures.

Shakespeare's art can only be fully comprehended when it is performed by great artists as Shakespeare himself intended. It is because Shakespeare's art was meant by its creator to be performed in a theater that the Folger Shakespeare Library so strikingly fails to be a completely satisfactory and adequate memorial to him. For the same reason, a memorial of the monument type would stand mute as a permanent rebuke to Shakespeare. It would be proof to all mankind that we had as a people utterly failed to understand and appreciate his genius and the beauty of our spoken language.

This is, therefore, an excellent opportunity for President Kennedy, with his well-known interest in the arts, to take the leadership in a challenging project. Surely, the opportunity to establish a living memorial in the form of a Shakespeare Memorial Theater—where Shakespeare's plays and other great works of art would be presented by the best actors and actresses from this and other countries—should be a challenge great enough to enlist his full interest and his wholehearted support. The logical step for the President to take would be to save the Capitol, Keith's, and Belasco Theaters. Certainly, either the Keith's or Belasco Theaters, if refurnished, could be dedicated as a living memorial to Shakespeare. Both would serve as a fine home for a national repertory company which would perform the year around the great works of the Bard of Avon. Nothing of this national and international importance is contemplated by the Board of Trustees for the National Cultural Center.

The President must act quickly, however, for the Belasco Theater will shortly be completely destroyed by order of this administration which has decreed that it be razed and replaced by an ornamental facade, even though President Kennedy himself introduced legislation to save the Belasco during his last year in the Senate.

If the President cannot save the Belasco Theater despite his position as head of the most powerful Nation in the world, then perhaps he could help in passage through the Senate of H.R. 7399 as amended by S. 2117, which Senator PAUL H. DOUGLAS introduced on September 5.

It is certainly going to take his intervention to get this legislation, which has unanimously passed the House in the 87th and 88th Congresses, through the Senate since it has failed to get the support of the Board of Commissioners, District of Columbia, which is engaged in what can only be described as a sitdown or sit-in regarding it.

The Senate District Committee has been waiting for weeks for a report on this legislation which would save the Capitol and Keith's Theaters, but the Board of Commissioners, District of Columbia, have failed to furnish the requested report.

It is apparent that what the District's Commissioners have in mind is to hold up their report until the Congress adjourns sine die. They must know that unless they report on this legislation almost immediately it will be too late for the Congress to complete action on this important legislation.

If this happens, then the opportunity will have been lost beyond recall to have a theater in operation in time for the observance of the Shakespeare quadricentennial in 1964.

It is for this reason that I hope President Kennedy will take the lead in saving the Capitol, Keith's, and Belasco Theaters. Surely, if he so desired, he could prod the Board of Commissioners, District of Columbia, two of whom he himself appointed, into affirmative action to save the few great theaters remaining in the Nation's Capital. It is for this reason that I call on him to take the lead in saving these theaters and dedicating one of them in honor of the world's greatest dramatist in the English language.

A TAX BILL TO AID DEPRESSED AREAS

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I have introduced yesterday a bill designed to provide tax incentives to business for investment in America's own underdeveloped areas. It is an ironic fact that while we have established the practice of tax concessions to encourage private enterprise to invest in underdeveloped countries abroad, our own country has been neglected.

This proposal would make established business concerns eligible for a rapid tax writeoff or accelerated amortization over a 60-month period for any commercial, or industrial, plant or facility constructed or established in economically depressed areas. By defining an "established business concern" as a business entity which has successfully shown a net profit in its operations for at least the preceding 5 years, the chances of a successful venture and future prosperity for the underdeveloped region are enhanced.

In introducing this legislation, I am pleased to point out that the original idea and the original bill was developed by my Republican colleague, the gentleman from West Virginia, the Honorable ARCH A. MOORE, JR. He has been in the forefront in effort to aid his State and others that are similarly in economic difficulties. The tax incentive method avoids the basic weaknesses that Government handout programs, particularly area redevelopment, have exhibited.

First, the tax incentive method is applicable, under the bill, only to established business concerns, showing a record of profitable operation. Area Redevelopment Administration projects have involved, in far too many instances, enterprises of questionable value in industries overloaded with existing productive capacity, or in marginal profit concerns such as motels and hotels in unproven tourist areas.

Second, the tax provisions would be available to all redevelopment areas rather than being involved in the political selection process employed by the Area Redevelopment Administration in its present program. It avoids the necessity of setting up a Government bureaucracy, with its expense and tendency to perpetuate and enlarge itself beyond its usefulness. The choice is left to private initiative and the sound business judgment of private enterprise, without any Federal Government interference.

There is more than one precedent for adopting the tax laws to a fiscal policy aimed at stimulating growth in underdeveloped areas. Unfortunately, these precedents all involve aid to other countries, not our own. Last year, this Congress provided preferred treatment on taxes paid by a foreign corporation as credit against dividend income accruing to American companies owning at least 10 percent of the stock, if the foreign corporation is located in a less developed country.

This year, the President, in his message proposing an interest equalization tax, stated that an exception to the tax would be purchases of the securities of less developed countries, or of companies operating primarily in such countries. The President has also suggested a tax credit of 25 to 30 percent for investment in the less developed countries by American corporations.

The question is, then, can we do any less for our own less developed areas? Unless we are proposing to operate by a double standard, discriminating against our own citizens, the answer must be no. I am pleased to join Congressman MOORE in sponsoring a sound legislative proposal, and I invite Members from both sides of the aisle to introduce similar legislation. This is an opportunity to provide an alternative to a Federal grab-bag approach which even its stanchest supporters admit cannot take the place of private enterprise in developing jobs.

TAX REDUCTION

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ALGER. Mr. Speaker, in view of the importance of our tax deliberations, and the excellence of this statement of the gentleman from Wisconsin [Mr. BYRNES], a real student of tax law, I am pleased to insert these views in the RECORD. I know our colleagues will find these remarks of real value, as presented on TV in answer to President Kennedy:

> We in America have a precious right. It is freely to take issue with anyone—even the President of the United States.
>
> That is why I am here tonight. I am exercising that right, for myself and many others, to disagree publicly, even with our own President.
>
> I say this with great respect for his high office and with appreciation of his heavy responsibilities. But, as he himself has said, "Without debate, without criticism, no administration and no country can succeed—and no Republic survive."
>
> It is in that spirit that I take issue with the President's demand, night before last, for passage of the tax cut bill now before Congress.
>
> I listened carefully to what he said, as I am sure you did.
>
> He was dead right when he pointed out the urgent need for a reduction in our taxes. That our taxes are too high; that they should be cut, is obvious to everyone of us. I would not go quite as far as the President did, however, in suggesting that a tax cut will solve most of our national problems and, at the same time, will put a new car in every garage and a new dishwasher in every kitchen.
>
> But, I certainly do agree, as doubtless you do, with what the President mainly said—that we need badly to reduce the taxes you have to pay and the taxes that business has to pay.
>
> The President said many other things with which all of us can agree.
>
> What, then, is the disagreement with the President that prompts my visiting with you tonight? Why not do just as he said? Why not cut taxes right now? Then, as the President also said, we'll all be richer, we'll all be happier, business will boom, unemployment will disappear, and even worrisome things like juvenile delinquency will go away.
>
> The answer is, neither life—nor taxes—are that simple. Our disagreement is not so much with what the President did say as with what he did not say.

Desirable as it is to cut taxes, we cannot talk about it responsibly unless we first consider the close relationship between taxes, spending, and debt. This the President did not do.

Yet you and I know we cannot just toss old-fashioned arithmetic and commonsense overboard.

There, in your home, on your job, in your business, you know that day after day you have to keep a close check on how much you earn, how much you spend, and how much you owe. It is certainly not news to you that you can't spend more, take in less, and pay off your bills and mortgage—all at the same time. It is no different in Government. If we don't recognize that simple truth, the whole Nation is in for financial disaster.

Let's think back for a moment to the two major tax cuts we have had in recent times. We need to remember that we cut taxes each time only after very careful consideration was given to both spending and debt.

A Republican Congress in 1948 gave us a large tax cut in spite of three vetoes by a Democratic President. But, first of all, before taxes were cut, Government spending was sharply reduced and a surplus achieved. As a result, in addition to cutting taxes, we were able to cut the public debt by $7 billion.

Then came the largest 1-year tax cut in our history. This was passed in 1954 in President Eisenhower's administration and again, by a Republican Congress. But, once more, taxes were cut only after a tremendous cut in costs. To set the stage for this $7½-billion tax cut, we first cut spending by $10 billion.

It is interesting to note here, that President Kennedy was against the 1948 tax cut when he was a Member of the House of Representatives. In the final showdown he also was against the 1954 tax cut when he was a Member of the U.S. Senate.

I am sure the President himself will gladly explain at a later time why his position has changed since those votes. But the position of those of us who supported those cuts can be made crystal clear right now.

We believed in tax reduction then, as we do now. We believed then, as now, that it is sound to keep the people's money where it belongs in a free economy—in the hands of the folks back home who, as consumers, as workers, as investors, are the real creators of our Nation's wealth and prosperity.

But, very importantly, we believed this, too—that a tax cut can be justified, can be really meaningful, can be safe for the Nation, and can endure, only when tied to a firm control over spending.

If the conditions of 1948 and 1954 prevailed today, if our President and Congress were for sensible restraints on Federal spending, today there would be no issue—today there would be no controversy—over passing this tax reduction.

But, you know, as I know, that these conditions of prudence and commonsense just do not exist today. Because they do not, our fiscal problems now are entirely different. They endanger every citizen.

In each of the past 3 years, the President and his majority in Congress have joined forces to produce an astounding growth of spending. Listen to this incredible history:

In 1962, spending went up over the previous year by $6 billion. In 1963, $5 billion more. This year, another $5½ billion. Next year, spending is expected to go $4 billion more. That adds up to $20 billion of increased spending in just 4 years.

Meanwhile, what happened to the public debt? In fiscal year 1962, the debt went up $9 billion. In 1963, up another $8 billion. This year, we expect $9 billion more. Next year, up another $9 billion. That comes to $35 billion more of debt in just 4 years. Merely the interest on this increase will come to a billion dollars a year.

Now, of course, there are those who try to make light of this skyrocketing spending and soaring debt. We all know people who try to do the same thing with their family budgets. Back home, we call it "spending yourself rich."

But, for a great nation, these spending and debt figures paint a frightening picture. It is a picture of a nation chronically in debt—a nation unable to discipline its spendthrift ways—a nation which month by month and year by year edges ever closer to financial ruin.

It is a prospect that menaces every American who looks to a good future for himself and his family. It is a prospect that threatens the future of freedom both here in America and across the seas.

Try as we may—try as the President may—neither he, nor you, nor I can divorce our runaway spending and our mounting debt from his appeal for an immediate $11 billion tax cut.

Even the Kennedy administration admits that if we cut taxes under present conditions, we will start off by going in the red over $9 billion in each of the next 2 years. That's only part of the story. The truth is, this administration is taking an unprecedented gamble with the entire economic system of the United States.

They are making a bet that this tax cut will give us a noninflationary, continuing economic growth at a rate far beyond any we have ever before achieved. If this long shot does not come through, what surely lies ahead is an unending parade of huge deficits.

Some experts tell us that in only 5 years this added debt will come to $50 billion. Others say the debt will have gone up $75 or $100 billion before the budget is balanced.

Such huge persisting deficits are, unavoidably, a recipe for exploding inflation. They have to be paid for. There are only two ways to do it. Either we borrow the money back from the people—which means, of course, taking out of our economy as much as a tax cut would put in—or else, we must pay for the deficits with cheap money—which means money conjured up by selling bonds to our commercial banks or the central bank.

The economists all agree on this one thing:

If we go on an inflationary binge, at a time when both our national budget and our balance of payments are in their present difficulty, the likely result is disaster. Inflation means higher prices. Runaway inflation means runaway prices. It hurts those among us who need our help the most. It attacks the unemployed, the low wage earners, those on fixed incomes, the retired workers, and widows. It tramples the helpless and steals from the poor. And then, everyone suffers when at last the boom ends, as it must, in collapse.

Make no mistake—the high prices brought on by ever mounting deficits will not create stable jobs. As prices rise, they reduce our exports; they encourage imports; they worsen our balance of payments; they invite a run on our gold. All of this threatens confidence in the dollar at home and abroad, leading to the risk of bringing on a worldwide depression.

As we confront these problems, we cannot ignore the warnings of distinguished men who have faced similar problems in the past.

Only 2 weeks ago, our last two Presidents, General Eisenhower and Mr. Truman, told us not to cut taxes unless Government spending is first brought to heel.

Only last week, former Secretaries of the Treasury, George Humphrey and Robert Anderson, gave us similar warnings.

A former economic adviser to the President, Dr. Arthur Burns, has told us this: We cannot have "a protracted and substantial increase in the Federal debt without exposing our currency, and with it our economy and international political prestige, to a very grave risk."

If, in our eagerness for a tax cut, we ignore such wise and distinguished counsel, we will be playing Russian roulette with our destiny.

To be sure, the President promised, as he put it, "an ever tighter rein on Federal expenditures." He also said that "spending will be controlled and our deficit reduced." The tax bill itself contains a statement that spending must be controlled.

It is good to hear and read such encouraging words. But in view of the immense importance of this issue to each one of our 190 million Americans, I say that far more than mere words is necessary. For America's sake, we need far more than a hope and more than a wish.

Time and time again, ever since 1960, there have been promises to control Federal spending. But each year the spending has gone up over $5 billion.

Yes, there are promises of lower spending. But let's not overlook the other promises. There are many promises to increase spending. There are promises of brand-new and costly programs. These promises of new programs were even repeated during the President's speech, on the very heels of professions of frugality.

It is time to judge the administration by what it does, more than by what it says.

A promise to control spending becomes meaningless when the President continues to submit requests for new programs which cannot be reconciled with even his own rule of essentiality. I refer to programs such as those which put the Government in the business of building ski slopes and golf courses. There are many more. The President referred to them as "all the rest."

Pledges to put a brake on spending become sheer mockery when, every time the Congress tries to trim a budget, the whole administration rushes in to put the dollars back. It was only the other day that the President himself bitterly criticized everyone who tried to keep spending under a "tight rein" by voting a long-overdue cut in foreign aid.

No—mere words are not enough. What we need is a firm, unbreakable commitment. We need to be certain that promises to control spending come first. We want these promises to spend to come second.

That is all we ask. We ask it on behalf of the American people. We simply ask that Congress make this tax cut contingent upon fulfillment of the promise to control spending.

Next Wednesday I will offer an amendment to the tax bill in the House of Representatives. If it is adopted, we will have that commitment.

The amendment is very simple and easy to understand. It merely commits us firmly and clearly to control of spending before we cut taxes.

It will not delay the tax bill a single day. It will not change the size or the nature of the tax cut.

The amendment will let the tax cut go into effect next January, exactly as now planned—but only if the President officially pronounces that the level of spending this year will not go above $97 billion, and only if he officially pronounces a level of spending for next year of not more than $98 billion.

Neither will the amendment work a hardship on the President and his helpers. It will not even limit spending to present levels. While a $97 billion ceiling for this year is a billion dollars less than the spenders would like to spend, it still allows $4 billion more than last year. And, the $98 billion ceiling for next year allows $1 billion more than that.

Even a reasonably prudent administration, with a Congress pledged to spending control, ought to be able to exercise the discipline required to meet those comfortable limitations. There should be no trouble at all in meeting national needs that are really essential.

Here then, is the key to this much needed tax cut—the key to a sensible, permanent, productive tax cut—the real key to dependable economic growth. That key is a willingness on the part of Congress and the President to make a commitment of fiscal responsibility to each other and to the American people.

I assure you that Republicans in Congress are eager to make that commitment. If the President will only join in this endeavor to halt, once and for all, our spiraling debt, if only the President will support this amendment to restore spending control, I am sure his majority party in Congress will gladly follow his lead. Then, we could speedily put this tax bill on the statute books, reassured that we have acted soundly, courageously, and responsibly.

Ladies and gentlemen, we can't go on deluding ourselves.

There is only one reason that we must have these high taxes. It is high spending. We have at last a clear opportunity to tie it down. Once this is done, this tax cut can be passed with both prudence and confidence for the future. And then, if we can only stay responsible, future cuts will be a certainty as our economy expands.

This is the honest way—the meaningful way—the responsible way—to put more dollars in your pay envelopes, to encourage investment and expansion, to create new jobs. This is the only way we can keep this Nation strong and prosperous, and keep America free.

So believing—and believing deeply that these views I have expressed are your views as well—I ask you to let your voice be heard before next Tuesday and Wednesday when we will wage this battle for you, for your children, and for our country.

AMERICA IS HURT BY RELIGIOUS PERSECUTION

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Barry] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BARRY. Mr. Speaker, America has always been a symbol of religious tolerance. Many of our forefathers came to this country, because they had experienced religious persecution in their native lands.

Freedom to worship is a right Americans have never questioned. Throughout the world our country is known for its basic protection of every citizen's right to worship as he sees fit.

The bombing of children attending church in Birmingham, Ala., has revolted the entire world. America has been grievously hurt by this wanton act. Although justice can be in part served by bringing the culprits to trial, nothing can provide solace for the parents of the four children.

Religious persecution is intolerable both at home and abroad. The depredations in Birmingham, Ala., are deplorable; however the recent persecution of Buddhist monks in South Vietnam also affects each and every American. Our country now appears to be supporting a regime that will go to any lengths to destroy dissent.

The following editorial appeared in the Guardian of Manchester, England, on August 24:

From Bad to Worse in Vietnam

Things go from bad to worse in South Vietnam, and it is hard to see how the United States can maintain its support for President Diem much longer, or how he can survive without it. For years he and his highly personal administration have been kept in power by American aid (at a cost of more than $5,000 million), not because he was a great success but because there was no one better in sight. Whatever the faults of his regime it could be said in its favor that a people of mixed faiths—Buddhists, Confucians, and a Christian minority—was holding together firmly enough to keep the Communist guerrillas of the Vietcong from sweeping the country. Today, the people are rent into factions, of which his own is not the strongest; even his family is divided against itself, and what readiness he has shown to meet the views of the Buddhists is nullified by the attitude of his sister and his brother-in-law.

The administration is beginning to break up. The Foreign Minister, Mr. Vu Van Mau, resigned yesterday, Mr. Chan Van Chuong, the Ambassador in Washington, went the day before. Dr. Dat, First Secretary at the Embassy, followed him yesterday. Mr. Mau was the leading Buddhist member of the Diem government. His manner of going—with the symbolic action of shaving his head like a Buddhist monk—promises more trouble between the faiths. Mr. Chuong has done his best from Washington to impress on President Diem the dismay felt in the United States at the way things have been going. He can stand no more of it. The one hopeful thing is that the new U.S. Ambassador to South Vietnam, Mr. Henry Cabot Lodge, has been able to expedite his coming and has arrived in Saigon some days before he was expected. The chain of communication broken by Mr. Chuong's resignation is in a sense restored by Mr. Lodge's arrival. But the State Department's comment yesterday, that it "did not regard the political conflict as detrimental to the prosecution of the continued war against Communist Vietcong guerrillas" suggests a queer sense of priorities.

The foregoing clearly illustrates the harm being done to American foreign policy by religious persecution. Even if our foreign policy were not being damaged, it would be necessary for all Americans to cry out against the immoral acts of the past month.

U.S. EMPLOYMENT SERVICE

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Taft] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. TAFT. Mr. Speaker, I have today introduced a bill which would take the U.S. Employment Service off college campuses, where it does not belong.

With almost 5 million unemployed in this country, it would seem that the Federal Employment Service should be directing its undivided attention toward finding jobs for those who have lost jobs or who lack the training and resources to be able to find jobs. The present expansion of the U.S. Employment Service to the campuses of 48 colleges as a sort of Ivy League recruitment service does not meet this standard. It should be stopped.

It is just one example of a bureaucracy mushrooming into an area that should be handled by the colleges themselves, by employers, and by private employment services. While the cost of the campus service in Federal funds may not be great, there is a misdirection of the program involved. The Service is already deeply involved in professional placements at taxpayers' expense, of free services for employers and applicants well able to provide for themselves, losing sight of the original, important purpose of the Wagner-Peyser Act. Passage of this bill would be a small gesture toward rededicating and redirecting the service to its proper objective. It would prohibit on-campus placement activities and services especially designed for college graduates.

It would be my hope that hearings on and consideration of the bill might be expanded to reconsider the proper scope of the Federal service.

REVENUE ACT OF 1963

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, this week we are to deliberate over the Revenue Act of 1963, H.R. 8363, which was recently reported to the floor of this House by the Committee on Ways and Means. As everyone knows, the bill, which amends the Internal Revenue Code of 1954, also substantially reduces individual and corporate income taxes.

Unfortunately, the issue of tax reduction has become involved in party politics. This seems clear from the tone and temper of the dissenting opinions to the committee report of the tax bill. It should be noted that these opinions are not labeled "Minority Report." They are labeled "Separate Views of Republicans on H.R. 8363."

But we are fortunate to have the "Separate Views of Republicans" in one respect. It pinpoints the differences in views of those who favor tax reduction and those who oppose it.

For example, it is stated on page c10 of the "Separate Views of Republicans":

> Public debt is nonproductive, as compared with private debt.

Let us examine this statement.

First, it is implicit in this statement that private debt is productive. This of course is true, and it is heartening that the separate Republicans who have presented us with their "Separate Views" have the insight to grasp this concept and the courage to present it to this House. To illustrate this, when an individual or a group of individuals borrow money from a bank or other private lending institution, or from the Federal Government, to build an office building, or an apartment house, or a factory, or to purchase land, or livestock or for other agricultural purposes, or to construct an electrical powerline, or to improve or repair a home or business it is clear that such loans will be productive if the investments are sound ones. If it takes a loan of $100,000 to build a factory that will employ a number of persons, and produce an item for public consumption and that will earn a profit for the owner then obviously the debt is a productive one. I congratulate those separate Republicans for their comprehension of this principle of economics.

Let us now discuss the fact that our Federal Government through a number of programs makes commercial, industrial, financial, agricultural, housing and community development and other loans to qualified individuals and groups of individuals. It costs money to maintain these programs, appropriations, expenditures. That is to say, the costs of these programs constitute part of the public debt. But that part of the debt is obviously productive. Perhaps we can discuss this aspect of the problem more fully at a later time.

Let us instead get to the heart of the problem and try and see whether or not the other portions of the public debt are productive. For what does Congress appropriate funds? For the national defense, for Federal construction programs, for public education, and for other forms of public welfare. Are we to believe that the part of the debt that goes into the defense program, which guarantees the security of the Nation, is nonproductive? If so, then these separate Republicans should advocate that we do away with the defense program. Are we to believe that the highway system being built with Federal moneys are wasteful and nonproductive? Then these separate Republicans should convince the trucking firms, the thousands of businesses which depend on public roads for the transport of their goods and services and the millions of automobile owners who use the highways to do away with this program because the debt that is used to finance it is not productive. Are we to believe that the construction of schools, the school lunch program, the student loans, and educational grants for research which are financed with Federal money are a drain on the economy. Then let these separate Republicans ask the millions of students and their parents, and the members of the communities over the Nation that have benefited from scientific research, trained doctors, engineers, and educators, and all the rest that education has helped, to vote for the abolition of these programs.

We can give a great number of examples to show how Federal expenditures and the public debt benefit the people. The point is that the argument of the separate Republicans is specious and it is no answer to the tax program that has been reported. It is a good program and the people need it. We need the tax reductions provided in this bill. It is about time the people got a break from the taxes which always seem to go up.

APPROPRIATIONS FOR THE NATIONAL INSTITUTES OF HEALTH—1964

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. FOUNTAIN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, I wish to make some comments with respect to H.R. 5888, the Departments of Labor and Health, Education, and Welfare and related agencies appropriation bill, 1964, which the House sent to conference yesterday.

I should like to say at the outset that I am a strong believer in medical research and have always supported liberal appropriations for this purpose. I know that research must be vigorously pursued if we are to improve the health of our people and to combat the terrible diseases which take their toll in human suffering, disability, and death.

But generous financial support for programs whose objectives we favor should not be construed as a waiver of sound management practices in those programs. It would appear from the lax administration found in the health research programs of the National Institutes of Health that the agency regarded the Congress' generous appropriations as implying an exemption from the requirements of generally accepted standards of good management.

In the light of this, I want to express my personal satisfaction that the Congress has shown restraint this year in appropriating funds for the National Institutes of Health. This is the first time in 12 years that neither body of the Congress has approved an appropriation for NIH in excess of the President's request. However, it should be noted that the amount requested by the President for the fiscal year 1964 includes a sizable increase over last year's NIH appropriation—more than $88 million on a comparable basis—despite the fact that NIH was unable to spend nearly $93 million of its very large 1963 appropriation. The House disallowed only $18 million of the substantial increase requested for fiscal 1964 in voting $962,454,000 for the programs administered by the National Institutes of Health. Many of you will recall that these programs were budgeted at a level of approximately $50 million as recently as 1950.

Although the Senate has approved the higher budget figure proposed by the President, I hope the House conferees will insist upon the amount voted by this body and will resist especially any move to raise the ceiling on indirect cost payments above the 20-percent rate presently in effect. I do not believe there is any sound justification for increasing this rate in connection with NIH research grants.

I was gratified to learn that the House Appropriations Committee, in reporting the Departments of Labor, and Health, Education, and Welfare appropriations bill for 1964—Report No. 246—stated that it was impressed by the contribution made by the Intergovernmental Relations Subcommittee, of which I am chairman, to the improvement of the administration of NIH research grants. I am confident that the work of our subcommittee and of our full Committee on Government Operations has helped to curb some of the waste and extravagance found in these important programs.

Last year the Committee on Government Operations concluded, on the basis of the subcommittee's finding of loose NIH administration, that the pressure for spending increasingly large appropriations had kept NIH from giving adequate attention to basic management problems. The committee stated that it expected NIH "to give high priority at this time to the task of correcting its management deficiencies and strengthening its capacity for the effective and efficient operation of these vital health programs."

During the course of this year and after much delay, the Public Health Service, acting for NIH as well as other bureaus of the Service, took affirmative steps to formulate and clarify the essential conditions for the proper and prudent expenditure of Federal grant money. The Public Health Service acted in response to the inadequacies revealed by our committee's studies, but the committee is in no way responsible for the specific remedies adopted by the agency. I want to emphasize this point because it is evident from letters sent me by NIH grantees that many of these scientists incorrectly assume that our subcommittee has been consulted by or has otherwise advised the Public Health Service in the development of grant policies and procedures. This is not the case.

Moreover, despite the suggestions made by some NIH grant recipients that their scientific freedom will be curtailed, or that they are being subjected to burdensome paperwork, I have been reassured by distinguished scientists that the new Public Health Service requirements are, in general, not unreasonable and, in fact, are having a salutary effect in that they localize a larger share of the responsibility for grant management in the educational institutions involved.

Notwithstanding the substantial progress made by NIH and by the Public Health Service in strengthening grant management, it appears that a number of troublesome administrative problems have not yet been solved. I am particularly concerned by continuing evidence that NIH fails in many instances to adhere to strict arms-length dealings in its relations with influential grantees who serve as consultants to the agency. I am also troubled by continuing evidence of fiscal irresponsibility in the payment of indirect research costs in cases where such costs have not actually been incurred or where their payment is contrary to law.

We in the Congress should have some appreciation of the consequences of our actions when we vote huge sums of money for NIH research grants. In effect, we are endorsing the agency's policy of providing research money for virtually every investigator who has the proper academic credentials and institutional affiliation and who submits a research proposal that musters a passing grade from a group of fellow investigators in his particular field of specialization. Under present practice, NIH supports virtually all projects found by its outside consultants to have scientific interest regardless of a project's relative quality and importance. The test is not excellence, but rather a minimum standard of acceptability. The superior projects constitute only one-fourth of all projects that are approved.

I believe this is an undesirable situation in that we should not accept diminishing returns from our increasing research dollars. It would be a far more defensible policy for the Government to limit its support to the projects of the highest quality and to let the investigators proposing mediocre or marginal projects fend for themselves. If these investigators are serious about research and have faith in their ideas, they will get the work done somehow—and undoubtedly at much lower cost. It is significant that many of the great scientific discoveries of the past were made by dedicated men of strong motivation who conducted their research with extremely limited resources.

Greater selectivity in the support of research would very likely direct more persons into teaching, medical service, and other professional areas in which serious manpower shortages exist. Respected medical authorities have sounded warnings recently that lavish Government support of health research is resulting in less patient care and insufficient effort to utilize available medical knowledge. I believe it would be highly desirable, in this connection, for the Government to determine what proportion of our scientific manpower pool we can afford to devote to medical research at any given time in competition with teaching, medical service, and other necessary health-related activities.

I hope the Public Health Service will give serious attention to this matter and will seek to exercise greater selectivity in its support of research. However, if the Public Health Service does not provide constructive leadership for assuring that only research projects of the highest quality and of the greatest scientific importance are supported, it will then be up to the Congress to establish appropriate standards, or to bring about greater selectivity by means of less liberal appropriations.

APPROPRIATION FOR GENERAL HEALTH GRANTS

Mr. Speaker, my attention has been invited to the action taken by the House in reducing Public Health Service grants to the States for general health purposes from the $15 million requested, and appropriated last year, to $13 million. I have been informed by Dr. Norton, the State Health Director of North Carolina, that if this reduction is not restored in conference, his department will be in danger of not being able to make commitments for necessary health services. I expect this is the situation in other States.

The general health grants are used to support basic health programs of State and local health agencies and to stimulate the development of new programs in health areas for which no categorical grant support is available. In 1962, approximately 30 percent of these funds were used by the States to support local health services. While some overall reduction in the Public Health Service budget may be justified, it would appear that this is not the most appropriate item for such reduction.

Mr. Speaker, this situation strongly points up the need for legislation to provide greater flexibility to the States in the use of certain public health grants that are presently restricted to particular health categories. On May 9, 1963, I introduced H.R. 6195 for this purpose. My bill would amend the Public Health Service Act of 1944 to permit States, at the discretion of the Governor concerned, to transfer up to one-third of the Federal funds granted in any one category to one or more of four other disease control categories. It is proposed that this flexibility apply to the following five categorical grants: general health assistance, cancer control, heart disease control, tuberculosis control, and venereal disease control. The bill would not affect the remaining health categories of mental health, maternal and child health, and crippled children's services.

It is believed that the transfer provision would allow the States sufficient flexibility to apply the Federal funds to the categories of the greatest need within the particular State, while at the same time providing assurance to the Congress that in terms of the Nation as a whole the categorical areas would receive the relative emphasis placed upon them by the Congress in annual appropriations. The bill would also establish a uniform allotment and matching formula for Federal grants to States in the special categories listed above.

Formal resolutions urging enactment of this legislation have been adopted by the Governor's conference, the executive committee of the National Conference of State Legislative Leaders, the National Legislative Conference of the Council of State Governments, the National Association of State Budget Officers, the National Association of Attorneys General, the Midwestern Regional Conference of the Council of State Governments, the American Municipal Association, and the National Association of County Officials.

The need for greater State flexibility in the handling of public health grants is made strikingly evident by Dr. Norton's letter urging restoration of the $2 million cut made by the House in the general health grant. Dr. Norton states:

> The proposed reduction may be based on the fact that some categorical grants for public health have been increased, such as that for chronic disease. Often we cannot accept Federal categorical grants because of lack of State matching funds in a particular disease category. Lack of matching, in turn, is based on the fact that we cannot justify requesting the State to appropriate funds for that purpose before other, more urgent needs are met.
>
> We urgently need assistance in areas not covered by the categorical grants. Our environmental health programs, veterinary public health services, communicable disease control, laboratory services, and health education are but a few of the activities which are not supported by categorical grants-in-aid.

I would request that the House conferees give careful consideration to the impact on State and local health programs of a reduction in the general health grant. And I strongly urge that the Interstate and Foreign Commerce Committee give early and favorable consideration to H.R. 6195 so that the States will have adequate flexibility in the use of public health grant funds.

ANNOUNCEMENT

Mr. MULTER. Mr. Speaker, on rollcall No. 151 I am not recorded. I was present on the Senate side at the time and unfortunately word reached me too late to get to the floor before the result was announced. If I had been here, I would have voted "yea."

WHEAT GRADING STANDARDS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Kansas [Mr. ELLSWORTH] is recognized for 20 minutes.

Mr. ELLSWORTH. Mr. Speaker, next Tuesday, October 1, just a week from today, nationwide hearings on U.S. Department of Agriculture proposed changes in wheat grading standards will open in Kansas City. The question of the adoption of these proposed wheat grading standards is important to every Member of this Congress and to every citizen of the United States—whether from agricultural areas, urban areas, or from any area at all.

I urge the adoption of the proposed changes in wheat grading standards because it will help with our national balance of payments and gold flow problems; because it will help with our tax and budget and Federal spending problems; because it will help with our unemployment problem; and because it will help with our farm problem.

The standards under which wheat is graded in this country were adopted in 1917—nearly a half century ago—and they have not been substantially changed since that time.

These archaic wheat grading standards added at least $120 million to our adverse balance of payments for the year ended June 30, 1963.

These unnecessarily loose grading standards had the effect of adding over 69 million bushels of wheat to our already mountainous surplus for fiscal year 1963. Since agriculture is one of the three biggest items in our Federal budget along with defense and interest on our national debt—this is a matter that concerns every single taxpayer in America.

Our nearly 50-year-old wheat grading standards, by making American wheat exports uncompetitive in world cash markets, killed thousands of jobs in U.S. industries last year. Agriculture in America is the biggest consumer of our steel, petroleum, electrical, chemical, and automotive industries. The unreliability and adulteration of U.S. wheat sent overseas under the present standards has virtually forced foreign buyers to buy their wheat from our world competitors.

The proposed changes, on which hearings will be held starting next week, will if adopted affect the marketing of the 1964 wheat crop. I urge adoption of the proposed standards, and I ask that my colleagues here in the Congress give the most serious consideration to joining me in urging the adoption of these new standards. The adoption of these new standards is especially urgent now, Mr. Speaker, in view of the news last week about the massive purchase of wheat by Russia, indicating a possible wheat crop failure of catastrophic proportions in Russia, together with the disruption of harvesting in France and other European nations which had already led to large-scale purchases by these nations.

In view of these developments, it is anticipated that American wheat will flow overseas in increasing amounts next year, and it is important that this wheat make a good impression throughout the world, not a bad impression. If dirty wheat is shipped around the world, as would be permitted under the present outmoded standards, we would seriously hurt ourselves even more than we have already been hurt.

Many of my colleagues remember with great affection the Honorable Clifford R. Hope, of Kansas, who served for years in this body with great distinction as a Member and as chairman of the House Committee on Agriculture. Former Congressman Hope has made a brilliant and powerful explanation of the wheat grading standards situation in detail, and I hope my colleagues will read every word of it. I include it at this point in my remarks:

The Need To Reform Grain Standards as They Relate to Wheat

(A statement by former Congressman Clifford R. Hope, Sr., past president of Great Plains Wheat, Inc., and now consultant to the association)

The Grain Standards Act became a law in 1916. It authorizes the Secretary of Agriculture to establish grain standards. In the intervening 47 years, no important changes have been made in the standards as originally set up although grain production, distribution, and processing have been completely revolutionized during that time. The standards originally established included broad tolerances especially when considered in the light of modern ideas in the field of merchandising. Just how broad is illustrated in the case of wheat. Under these standards, No. 1 wheat, the top grade, may contain as much as 2 percent of damaged kernels, including one-tenth of 1 percent heat damage, one-half of 1 percent of foreign material, and 5 percent wheat of other classes. It may contain up to 5 percent of shrunken and broken kernels. While dockage is not counted as a grade factor, it may be included up to ninety-nine one-hundredths of 1 percent without being counted or stated on the grade certificate. In other words, wheat containing nonwheat, damaged wheat, and wheat of other classes in the amount of 13.49 percent is still No. 1. No. 2 may contain 15.99 percent of nonwheat, damaged wheat and wheat of other classes. As far as I have been able to determine, there is no other commodity marketed under official standards where defects in these amounts are permitted in the top grades. Imagine a box of No. 1 apples with 13.5 percent of spoiled and defective fruit and a fair accumulation of trash—or a piece of new machinery or an automobile with broken or defective parts in that amount.

It may seem strange that such loose standards were set up in the first place, or that something hasn't been done about the matter before this time. However, when everything is taken into consideration, there is an explanation.

In the first place, conditions under which wheat was produced, harvested, and handled in 1916 were vastly different from the present. Wheat was cut with binders and headers. It remained in the field in shocks or stacks in all kinds of weather for weeks and months before being threshed. The old, loose, dirty threshing machines of 1916 were a far cry from the combines of today. Farm storage as we know it today didn't exist. Wheat was piled in sheds and barns at the mercy of insects, rodents, and birds, to say nothing of the elements. Country elevators were flimsy, wooden structures with no protection against insects and rodents and no facilities for fumigating, aerating, or cleaning grain. Terminal elevators lacked most of the improvements and facilities which are taken for granted today and which enable grain to be kept in good condition for long periods. I remember 1916 and the conditions prevailing then and in the years immediately preceding very well. The grain standards set up then were in keeping with the farming practices, farm equipment and available transportation and storage facilities of the time. It is just as incongruous to use these standards in 1963 as it would be to use 1916 farm and trade facilities at this time.

It is more difficult to understand why the standards were not upgraded during the almost 50 years since their adoption. But that, too, can be explained. Those engaged in the grain trade in this country are not only well organized but exceedingly conservative. They have thrived and prospered under present standards. From the standpoint of their own interest, they can see no reason for change. After all there are few, if any, records of human organizations or institutions which have voluntarily and spontaneously reformed themselves or their methods of doing business. Reform has almost universally come from the outside, frequently as the result of public opinion. When it comes it has been accepted, has usually worked much better than the old methods, and frequently acclaimed by those who fought it hardest in the beginning.

The organized grain trade in this country has vigorously and successfully opposed changes in grain standards in the past. It has taken the flat position that no changes were necessary. What position it will finally take in the present instance I do not know. I will be surprised, however, if the trade as a whole turns its back on all the progress of the last 50 years and insists that what was good enough for 1916 is good enough for 1963.

In the past the trade has argued that any tightening of standards would be reflected in lower prices to farmers. There is evidence that in former years some farmers have been led to believe that this is true.

Whether it was true in the past I do not know. But it is not true today as the studies of Great Plains wheat abundantly prove. Last year a statewide survey of 1962 farm-stored wheat under loan was made by the Kansas State ASCS Committee. The total number of individual samples was over 1,600. They were processed by the State grain inspection laboratory with the following results: dockage .29 percent; shrunken and broken .9; total damage .4; foreign material .1; wheat of other classes, none. This gives a total for all defects of 1.69 percent. That is the kind of wheat which is coming off of the farms of Kansas and other Great Plains States. This year the Kansas State Grain Inspection Department is keeping a record of thousands of carlot shipments of Kansas wheat arriving in terminal markets. The reports are not yet available except on dockage. This shows that in 4,573 carlots from all of the 9 Kansas crop reporting districts the weighted average dockage is .33 of 1 percent.

No reasonable tightening up of grain standards is going to have adverse effects on wheat farmers in these times. All the evidence shows that under present standards as wheat leaves the farm and goes through the channels of trade its quality deteriorates. As far as I know, this is not true of any other commodity which is marketed under recognized grades and standards.

Perhaps the greatest indictment of our present grain standards is that millers and other domestic consumers of wheat have long since abandoned the use of existing grades in making their purchases. They buy on the basis of sample and laboratory tests using grades only as a basis of hedging if at all.

The present efforts to secure a revision of the standards arise out of problems which have developed in the export markets. Our grades are not descriptive enough, and the tolerances are so wide that no foreign purchaser can buy with any degree of certainty as to what he will get. Unfortunately, there is no way he can buy on the same basis as the domestic miller.

Great Plains Wheat is supporting the moderate changes in present grain standards which have been officially proposed by the grain division of the Agricultural Marketing Service. This is not the result of arbitrary or hasty conclusions in the matter. Shortly after the organization was set up, it began a sampling program principally in Western Europe but also in a smaller degree in South America and India. This program showed that practically all U.S. wheat exported to these areas contained far more defects and undesirable material than that from competing countries, although because of the wide range of tolerances in practically all cases it came within the grade purchased.

The most damning evidence of the failure of our present grades to meet competition in foreign cash markets is the great accumulation of complaints and criticism of our wheat by buyers, millers, cereal chemists, and Government officials in foreign countries, and by trade teams and individuals who have visited the United States from those countries. Particularly serious is the competition from Canada.

Our failure to compete with Canada and other exporters is not only due to the poorer quality permitted under our present grading system but is compounded by the extra cost to the foreign buyer when he pays ocean freight and variable levies on nonwheat and damaged and low quality wheat.

I am convinced that our most pressing problem in expanding cash markets abroad is that of developing standards which are definite and precise enough to enable foreign buyers to know what they will get when they take delivery. The proposals which we are supporting are not drastic—they may not go as far as they ought to go—but we believe that their adoption together with the application of a realistic subsidy program, will put U.S. exporters of wheat in a position to compete much more effectively in the dollar markets of the world.

Former Congressman Hope is immediate past president of Great Plains Wheat, Inc., and is now a consultant to that organization. Great Plains Wheat represents 300,000 growers of wheat in midcontinent America, and stands for the best in courage, strength, integrity, and imagination in the heartland of the United States.

THE TAX REDUCTION BILL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. Pelly] is recognized for 20 minutes.

Mr. PELLY. Mr. Speaker, as a Republican Member of the House I cannot resist chiding my good Democratic friends that consideration of a tax reduction bill by a Democratic Congress, as is the situation today, is a rare and historic occasion. Only once in 50 years have the Democrats adopted a tax reduction program whereas under Republican Congress there have been tax reductions on nine separate occasions. But I hasten to add that tax reductions, regardless of political party or who is in power, are too important to be subject to partisan remarks. Many times I have pointed out during debate on tax measures that when a government takes more than half of the income of an individual or of a business through taxation that individual or business is more than half socialized. Furthermore, I am familiar with the history of income taxes and I wish I had the time today to cover this entire subject starting with the year 1799 with the first written income tax in England, which was quickly repealed, with its elimination celebrated by bonfires all over England where this system, so hateful to a free people, was abhorred. I believe income taxes are still abhorred.

However, I will resist going into detail as far as the past is concerned except in passing to point up that the progressive income tax was the key to socialism as proposed in 1846 by Karl Marx and Frederick Engels and in considering income rates let us not overlook that. Meanwhile, coming to more modern times let me recall that it was Cordell Hull, then a Representative in Congress from Tennessee, a bit overoptimistically who said this:

> With the income tax a permanent part of our fiscal system Congress can readily prevent a deficit or reduce a surplus in the Treasury without disturbing business by the simple lowering or raising of the income tax rates.

Obviously he was wrong and that is why we have a controversy today. All of which causes me to refer to modern history and the 1948 and 1954 Republican tax cuts.

As the minority views on this year's tax bill point out in 1948 a budget surplus was projected which the Republicans proposed to apply about 50 percent to reduction of the public debt and about 50 percent toward cutting the heavy wartime tax rates. The 1948 act actually provided a $7.1 billion tax cut in fiscal 1949 and allowed in excess of $7 billion to reduce the public debt.

Again in 1954, the Eisenhower administration made substantial efforts to reduce Government expenditures, as pointed out in the same minority views on H.R. 8363 and in turn reduced taxes by $7.4 billion. A cut of $9.7 billion in Federal spending allowed the largest tax cut in history and led to a budget surplus for fiscal 1956 and 1957.

Mr. Speaker, the other day I asked a Republican member of the House Committee on Ways and Means, the gentleman from Missouri [Mr. Curtis] why Republicans on the committee in 1963 were not planning to offer the same treatment in a motion to recommit that had been given them in 1948 and 1954, namely, a politically expedient increase in personal exemption. The answer I got was that Republicans are expected to be fiscally responsible. He said the Republicans are doing what they believe is best for the economy and the country.

But here is the point I want to make. President Kennedy is making a great pitch for bipartisan support for his high priority tax reduction program. However, in 1948 when Mr. Kennedy was a Member of the House did he support our Republican tax bill? No, he did not. He voted for the Democratic motion to recommit. When that motion was beaten, Representative Kennedy, on final passage, voted no.

And, Mr. Speaker, how did the present chairman of the Committee on Ways and Means [Mr. Mills] vote? And how about the present Speaker of the House? And how about the majority leader? And how about the present Democratic whip? Mr. McCormack, Mr. Albert, and Mr. Boggs in addition to Mr. Mills all voted for the motion to recommit and voted against the bill on final passage.

Then on the Republican tax reduction bill in 1954 did the Democrat leadership support tax reduction? Again, as in 1948, the present Speaker voted against the Republican bill; also the present majority leader voted against the Republican bill; also the present Democratic whip voted against the Republican bill as did the present chairman of the Ways and Means Committee.

I do not say those Members of the Democratic leadership were voting on a partisan basis. I say, however, the record has the appearance that that leadership had a minimum of interest in cooperating with the Republicans. But I am sure each individual I have mentioned voted his own personal conscience.

However, let me frankly support President Kennedy and members of his party as to the desirability of a tax cut; I think both parties agree there is great need for a tax cut today. I think moreover the majority of both parties feel to cut taxes we must cut expenditures. However, the Democrats are satisfied with a statement in the bill to the effect that "it is the sense of Congress" that tax revenue produced by the stimulation of the economy as a result of tax reduction first should be used to eliminate budget deficits and then to reduce the national debt. Also the statement says that Congress accepts the responsibility for restraining spending. The Republicans and many Democrats, I am sure, feel that statement does not go far enough.

The President, Mr. Speaker, has pledged to achieve a balanced Federal budget in a balanced full employment economy and to tighten the rein on Federal expenditures, limiting expenditures to national need.

But frankly, I am not happy about that commitment. It leaves the door open on expenditures. It is wide open and I shall support placing a safeguard clause in the bill putting teeth in the promise to hold down spending because I believe fiscal balance is even more important than tax reduction.

Planned deficits and continued Government deficit spending, Mr. Speaker, will only stimulate the economy temporarily and then like all stimulants this medicine will have to be taken in increased doses. When the effect wears off the Nation will end up where it was, only owing more money and with the cost of living up.

I have said a small tax saving to a low-income worker, as in this bill, is a fraud if the deficit caused by the tax cut results in more inflation and a higher cost of living. I have grave doubts as to the New Frontier actually calling a halt to new spending programs or its willingness to curtail existing expenditures.

So to make my position clear let me say I certainly favor a tax cut if accompanied by a reduction in Federal expenditures.

Second, I distrust a pious statement of good intention about reducing spending and will not vote for the bill unless some sort of ceiling on expenditures is included whereby the bill would be inoperative unless Federal spending estimates of the President give reasonable assurance that his expenditures for fiscal years 1964 and 1965 will not exceed $97 billion and $98 billion respectively.

Third, let me say I have no intention of voting on a partisan basis or in any way motivated except as my best judgment dictates is in the interest of a sound economy and fiscal responsibility.

Because of the presence in the White House of ADA Keynesian advisers I doubt if the President will be advised to curtail spending to the figures I mentioned. But let me emphasize tax reduction can and has in the past stimulated business and resulted in little or no loss of income to the Treasury over a period of time. Indeed, given time a tax cut can result in increased income to the Government. So with a safeguard on spending I support this bill. It has many good features. I think these good features outweigh the bill's defects.

So, Mr. Speaker, let me conclude and repeat as so often I have said in the well of this House I am for tax reduction provided this administration stops spending money it does not have for things it does not need. But with a brake on spending I will vote for it. I believe my position is in the interest of sound Government and sane economy.

Finally, let me say one of the news services recently carried a report saying House Democrats, or some of them, had held a meeting—the Members wanted some way of limiting Federal expenditures that was different than the original Republican proposal.

Well, that would be fine with me. There should be no controversy over the authorship. Let the House write into the law a specific formula to limit Federal expenditures. That is what is needed—a bipartisan formula to assure that there will be no tax reduction without a comparable cut in spending. Therein lies the basis of a sensible compromise. But I do not trust a pious wish—especially one counting on economy in an election year.

TO SET THE RECORD STRAIGHT—III

The SPEAKER pro tempore. Under previous order of the House the gentleman from Ohio [Mr. ASHBROOK] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, I would like to call attention to two additional points in the matter of setting the record straight on the Young Republican National Convention which was held in San Francisco last June. The Executive Board of the Sixth District Young Republican League of Minnesota met at Willmar, on July 30, 1963, and adopted the following resolution:

> The Sixth District Young Republican League hereby strongly opposes the repeated cries of a loser's anguish in the person of Len Nadasdy, former national Young Republican League chairman. We urge Nadasdy to clear the air of the confusion he has seen fit to create and to admit that his bitterness is due to personal loss. Belittling those who won with name calling and rear guard sniping only serves to divide the Young Republicans.

This is one additional contradicting statement to repudiate the Nadasdy-Rockefeller-ADA-Pearson-AFL–CIO line which has sought to attach the "radical" tag to Young Republicans throughout this country.

A second contradiction came in a formal statement by former Young Republican National Federation chairmen in which I was glad to join. The statement is as follows:

FORMER YOUNG REPUBLICAN CHAIRMEN TAKE ISSUE WITH ROCKEFELLER

Five former chairmen of the Young Republican National Federation today took issue with statements made by New York Gov. Nelson Rockefeller, on a national television program "Meet the Press."

While discussing organizations "trying to penetrate the party," Rockefeller referred to an unnamed group which, by "rowdy tactics and techniques" at the Young Republican convention in San Francisco, made possible the success of a philosophy "unrealistic and unrelated to the realities of the world in which we live."

In discussing Governor Rockefeller's statement today, Ned Cushing, Young Republican national chairman in 1960, Congressman JOHN ASHBROOK, Young Republican national chairman in 1958, Sullivan Barnes, Young Republican national chairman in 1956, the Honorable Herbert B. Warburton, Young Republican national chairman in 1952, and John Tope, Young Republican national chairman in 1950, in a joint statement said:

"Youthful enthusiasm for principles is one of the freshest new ingredients in both political parties. That young Americans are willing to stand up and be counted in full public view no one should belittle. It is a development of which every candidate ought to be proud.

"We believe Governor Rockefeller erred in indicating that the San Francisco convention was ruled by the radical right. It is true that the convention was marked by hundreds of exuberate young people, however, this exuberance did not hew to any faction within the party. It was the predominate and overriding characteristic of all delegates at the convention.

"The unresponsible tactics of a few isolated individuals at the convention should not be used as an excuse to malign the character and reputation of the many responsible delegates who attended the convention.

"For the best capsule of majority thinking among those Young Republicans assembled at San Francisco, we refer Governor Rockefeller to the statement of principles which they adopted. In short, they are:

"'We believe government not firmly defined and limited will grow and dominate the individual.

"'We support the systematic reduction of the Federal debt.

"'We urge a complete revision of the Federal tax structure * * * to allow development of the economy and the provision of new job opportunities through private enterprise.

"'We believe the most important rights of mankind are the God-given rights—life, liberty, and the pursuit of happiness * * * rights not conferred on the basis of race, color, or creed.

"'We believe the primary objective of American foreign policy should be the promotion and extension of freedom everywhere.

"'We believe the greatest present threat to freedom is the international Communist conspiracy. We must take the offensive to achieve total victory.

"'We believe the United States must maintain superior military power and must sustain the moral fiber of its people to resist as long as tyrants attempt to overrun the world.

"'We believe America has the right to support militarily those nations which are the victims of aggression or threatened aggression whenever our national security requires.

"'We are unalterably opposed to relinquishing any national sovereignty to any international organization.'

"These principles reflect the thinking of proud, intelligent and determined young Americans. To associate them, their ideas and ideals with organizations 'trying to penetrate the party,' is an utter absurdity.

"On the basis of our experience, we feel that it is necessary for a party to encourage and to promote enthusiasm among its members wherever possible. We would hope that all Republican candidates would join with us in urging Young Republicans everywhere to continue to actively participate in politics."

It would seem, Mr. Speaker, that Governor Rockefeller basically opposes this statement of principles. I sincerely believe that it is he, not the Young Republicans, who is out of touch with reality. The entire statement of principle is as follows:

STATEMENT OF PRINCIPLES—YOUNG REPUBLICAN NATIONAL FEDERATION

The Young Republican National Federation presents this statement of principles to young Americans as a responsible guide for progress through individual freedom and liberty. We make our appeal to young people—not as members of any economic, social, or special interest group—but, rather, as Americans who are concerned with the future of their country.

In contrast to a national administration, which has attempted to solve the problems of the space age with programs which have been tried and found wanting in every other age, we believe that:

The most important rights of mankind are the God-given rights of life, liberty, and the pursuit of happiness. These God-given rights were not conferred on the basis of race, color, or creed.

We reaffirm our faith in an economic system based on individual decisions and resent attempts by the Federal Government to harass, intimidate, compete with, and otherwise interfere in the natural operation of the marketplace.

Government not firmly defined and limited will grow and dominate the individual. Government creates no wealth, but lives from the fruits of the individual's labors.

Governmental action, when necessary, should enable people to maintain self-respect and initiative and not destroy individual responsibility. Government should encourage the individual to meet his own duties and responsibilities and set his own goals without assuming or setting them for him.

When governmental action is proven to be necessary, it should emanate where possible from that government which is closest to the people. State and local governments must not abdicate their responsibilities to the Federal level; and the Federal Government must not be permitted to interfere in local affairs through misuse of grant-in-aid funds or by direct and deliberate intervention for the purpose of accumulating more power unto itself.

No American family can spend more than its income and hope to survive. Likewise, no government at any level can consistently practice a policy of deficit financing without destroying itself and freedom in the process. Therefore, we support the systematic reduction of the Federal debt, the interest on which is the second largest expenditure made by the Federal Government.

Inflation is the enemy of the people, since it penalizes thrift, usurps the independence of those living on fixed incomes, and harms the small businessman and his employees. A policy of planned inflation and planned deficit is outrageous.

We urge a complete revision of the Federal tax structure, in order to allow the development of the economy and the provision of new job opportunities through private enterprise. The sole legitimate purpose of taxation is the raising of such revenue as is needed to perform Government's constitutional functions. Redistribution of wealth and the imposition of controls over the individual are not legitimate uses of the taxing power of Government. We maintain and believe in man's right to hold and pass on to his chosen beneficiaries the property he accumulates.

Federal policies, which have created balance-of-payment deficits, constitute a drain on the U.S. gold supply and have placed the economy of this Nation in serious jeopardy.

The primary objective of American foreign policy should be the promotion and extension of freedom everywhere. The only manner in which freedom can be maintained for Americans at home is through victory for freedom over its enemies abroad.

The greatest present threat to freedom is the international Communist conspiracy. We must take the offensive to achieve total victory.

As long as tyrants attempt to overrun the world, the United States must maintain superior military power and must sustain the moral fiber of its people to resist—for the surest road to war is appeasement of the enemies of freedom. Never again must freedom's enemies be permitted by our actions to misjudge the physical or moral strength of America.

In a world where American citizens travel and work abroad to an ever-increasing extent, the U.S. Government has a duty to guarantee their personal and material safety.

Whenever our national security requires, America has the right to support militarily these nations which are the victims of aggression or threatened aggression. Economic and technical assistance should be provided only to those nations which demonstrate their intention to build free institutions for the purpose of assisting in the development of essential public services. Foreign aid should be granted only in cases of clear need and must be responsibly administered. No foreign aid program should jeopardize the fiscal safety of our resources. Investment in the private sector of any nation's economy should be left to private enterprise.

We are unalterably opposed to relinquishing any national sovereignty to any international organization. U.S. participation in worldwide and regional organizations should be continued as long—but only as long—as our participation clearly serves our national interest and our national goal of promotion of freedom for all mankind.

As Young Republicans, we recognize that, in a very real sense, we are the custodians of a deep and abiding political, moral, and economic philosophy, which can best be summed up in the words "individual freedom." Freedom must be fought for and won by every generation. We pledge to this fight our time, our energy, our resources, and ourselves until victory for freedom at home and abroad is achieved.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Gary (at the request of Mr. Downing), for today, on account of illness.

Mr. Ryan of New York (at the request of Mr. Farbstein), for the period September 24 through October 4, 1963, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Pelly (at the request of Mr. Bromwell), for 20 minutes, today.

Mr. Ashbrook (at the request of Mr. Bromwell), for 15 minutes, today.

Mr. Bray (at the request of Mr. Bromwell), for 10 minutes, on September 25.

Mr. Flood (at the request of Mr. Boggs), for 60 minutes, on September 26.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mrs. Griffiths (at the request of Mr. Mills) in the Committee of the Whole on H.R. 8363 and to include extraneous material and tables.

Mr. Hall the remarks previously made today and to include extraneous matter.

(The following Members (at the request of Mr. Bromwell) and to include extraneous matter:)

Mr. Springer.

Mr. Weaver.

Mr. Byrnes of Wisconsin in two instances.

Mr. Conte.

Mr. Taft.

(The following Members (at the request of Mr. Boggs) and to include extraneous matter:)

Mrs. Sullivan.

Mr. Beckworth.

ADJOURNMENT

Mr. EVINS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, September 25, 1963, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1233. A letter from the Secretary of Defense, transmitting the fourth report of the Federal voting assistance program covering the period from September 1961 to September 1963, pursuant to Public Law 296, 84th Congress; to the Committee on House Administration.

1234. A letter from the Director of the Bureau of the Budget, Executive Office of the President, relative to plans for works of improvement relating to the following watersheds: Mud Creek, Ark.; Cane Creek, Ga.; Crooked Creek, Minn.; Joe River, Minn.; Little Shenango River, Pa.; Marsh Creek, Pa.; and Weatherford-Bear Creek, Tenn., pursuant to section 5 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), and Executive Order No. 10654 of January 20, 1956; to the Committee on Agriculture.

1235. A letter from the Director of the Bureau of the Budget, Executive Office of the President, relative to plans for works of improvement relating to the following watersheds: Middle Oconee Walnut Creek, Ga.; Baker River, N.H.; Lower Clear Boggy Creek, Okla.; Salt Camp Creek, Okla.; and Upper Bosque River, Tex., pursuant to section 5 of the Watershed Protection and Flood Prevention Act, as amended (16 U.S.C. 1005), and Executive Order No. 10654 of January 20, 1956; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PULIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PHILBIN: Committee on Armed Services. S. 1994. An act to authorize the disposal, without regard to the prescribed 6-month waiting period, of certain waterfowl feathers and down from the national stockpile; without amendment (Rept. No. 759). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. S. 812. A bill to provide for the release of restrictions and reservations on certain real property heretofore conveyed to the State of Arkansas by the United States of America; without amendment (Rept. No. 760). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 384. A bill to amend title 10, United States Code, to provide that members of the Armed Forces shall be retired in the highest grade satisfactorily held in any armed force, and for other purposes; with amendment (Rept. No. 761). Referred to the Committee of the Whole House on the State of the Union.

Mr. PHILBIN: Committee on Armed Services. H.R. 8265. A bill to authorize the Secretary of the Army to adjust the legislative jurisdiction exercised by the United States over lands within the Iowa Ordnance Plant Reservation, Iowa; with amendment (Rept. No. 762). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee on Armed Services. H.R. 8427. A bill to provide for the establishment and maintenance of a Central Intelligence Agency retirement and disability system for a limited number of employees, and for other purposes; without amendment (Rept. No. 763). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 764. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. COOLEY: Committee on Agriculture. H.R. 904. A bill to prohibit trading in Irish potato futures on commodity exchanges; without amendment (Rept. No. 765). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BECKWORTH:

H.R. 8534. A bill to permit farmers who conduct family-size farm operations and ranchers who conduct family-size ranch operations to grow without penalty grain to feed their poultry and livestock; to the Committee on Agriculture.

By Mr. COLLIER:

H.R. 8535. A bill to provide for the right of persons to be represented by attorneys in matters before Federal agencies; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 8536. A bill to amend the Internal Revenue Code of 1954 and the Internal Revenue Code of 1939 to provide that no documentary stamp tax shall be imposed with respect to any conveyance to which a State or political subdivision is a party; to the Committee on Ways and Means.

By Mr. GLENN:

H.R. 8537. A bill to promote State commercial fishery research and development projects, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. EDMONDSON:

H.R. 8538. A bill to provide that the United States shall hold certain Chilocco Indian School lands at Chilocco, Okla., in trust for the Cherokee Nation upon payment by the Cherokee Nation of $3.75 per acre to the Federal Government; to the Committee on Interior and Insular Affairs.

By Mr. GRIFFIN:

H.R. 8539. A bill to amend the Internal Revenue Code of 1954 to allow an income tax credit to an individual taxpayer for tuition and fees paid to an institution of higher education, and to allow a tax credit to all taxpayers for charitable contributions to institutions of higher education; to the Committee on Ways and Means.

By Mr. ROUSH:

H.R. 8540. A bill to authorize the improvement for navigation of Burns Waterway Harbor, Ind.; to the Committee on Public Works.

By Mr. PATMAN (by request):

H.R. 8541. A bill to amend section 5 of the Home Owners' Loan Act of 1933, as amended; to the Committee on Banking and Currency.

By Mr. CURTIN:

H.R. 8542. A bill to amend section 356 of the Communications Act of 1934, to permit cargo ships on voyages between Hawaiian ports to carry radiotelephones in lieu of radiotelegraph installations; to the Committee on Interstate and Foreign Commerce.

By Mr. HÉBERT:

H.R. 8543. A bill authorizing construction of hurricane-flood protection works at Lake Pontchartrain and vicinity, Louisiana; to the Committee on Public Works.

By Mr. MORRISON:

H.R. 8544. A bill to extend the benefits of the Annual and Sick Leave Act of 1951, the Veterans' Preference Act of 1944, and the Classification Act of 1949 with respect to employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Alltoment Act, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MURPHY of New York:

H.R. 8545. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. ROBERTS of Alabama:

H.R. 8546. A bill to amend title VII of the Public Health Service Act so as to extend to qualified schools of optometry and students of optometry those provisions thereof relating to student loan programs; to the Committee on Interstate and Foreign Commerce.

By Mr. TAFT:

H.R. 8547. A bill to amend the Wagner-Peyser Act to discontinue on-campus and other placement services for college students; to the Committee on Education and Labor.

By Mr. CHARLES H. WILSON:

H.R. 8548. A bill to correct an inequity with respect to certain reappointed or reinstated employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. GLENN:

H.J. Res. 752. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. CORBETT:

H.J. Res. 753. Joint resolution to provide that October 15, 1963, shall be designated as White Cane Safety Day; to the Committee on the Judiciary.

By Mr. ELLIOTT:

H.J. Res. 754. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ST GERMAIN:

H. Res. 529. Resolution to provide additional postage for Members of the House of Representatives; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H.R. 8549. A bill for the relief of Magdalene Lolakas; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 8550. A bill for the relief of Helene Vasilakis; to the Committee on the Judiciary.

By Mr. GIAIMO:

H.R. 8551. A bill for the relief of Mrs. Marianna Joanna Niezrecka; to the Committee on the Judiciary.

H.R. 8552. A bill for the relief of Mrs. Panagiota Vastakis and Soteros Vastakis; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8553. A bill for the relief of Esopia Pruiti Magnacci; to the Committee on the Judiciary.

By Mr. RYAN of New York:

H.R. 8554. A bill for the relief of Dr. Sevim Khouri-Haddad; to the Committee on the Judiciary.

By Mr. WIDNALL:

H.R. 8555. A bill for the relief of Wanda Olszowa; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 8556. A bill for the relief of Mark Pittman, a minor; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

316. By the SPEAKER: Petition of Henry Stoner, Canyon Station, Wyo., to pass legislation requiring the radio broadcasts of the U.S. Information Agency to be made easily available for public desires; to the Committee on Foreign Affairs.

317. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting that it must be the U.S. policy in southeast Asia, and, in particular, South Vietnam, to promote representative Jeffersonian democracy, etc.; to the Committee on Foreign Affairs.

318. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting that there be published a special House document explaining the intricacies and mathematics of the administration's tax bill, especially explaining the cut of $11 billion and its ramifications and far reaching effect; to the Committee on House Administration.

319. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting the condemnation of the phrenology of the current era, Freudian psychology, and suggesting that we revive the Old Hickory calling-a-spade-a-spade psychology; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Letter by Secretary McNamara on Foreign Aid

EXTENSION OF REMARKS

OF

HON. LINDLEY BECKWORTH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 24, 1963

Mr. BECKWORTH. Mr. Speaker, I include in the CONGRESSIONAL RECORD a letter written to me by Secretary McNamara recently:

THE SECRETARY OF DEFENSE,
Washington, September 7, 1963.

HON. LINDLEY BECKWORTH,
House of Representatives,
Washington, D.C.

DEAR MR. BECKWORTH: This is in response to your letter of August 24, 1963, requesting my opinion on the effects of the reductions in military assistance voted by the House of Representatives.

For fiscal year 1964, the executive branch request for military assistance was $1,405 million, $75 million below the rock bottom figure I originally had recommended. If the House cut of $405 million is retained by the Senate, the United States will be placed in a position of reducing assistance to its allies at a time when Communist threats to free world security are backed by an ever improving arsenal.

In my testimony before the House Foreign Affairs Committee I stated that if Congress should choose to cut the funds available for protection of our national security, that these reductions should be made in the regular defense budget rather than in military assistance. My opinion has not changed. Even if the Congress feels that the Nation's expenditures for national security should be $405 million less than the administration request, I consider it to be false economy to make that entire reduction in the military assistance program.

In an effort to utilize indigenous forces for local defense wherever feasible, we have hoped to be able gradually to redeploy certain of our forces now overseas. This redeployment, of course, is contingent upon continued maintenance of allied forces at adequate strength. The reduction of approximately 30 percent in military assistance funds for equipping allied forces could result in a slowdown of this effort and continued, if not increased deployment of U.S. forces abroad.

About 70 percent of total military assistance in fiscal year 1964 was planned to go to nine key countries in south Asia, the Far East and the Middle East. Each of these countries is on the periphery of the Sino-Soviet bloc and confronts a direct threat of Communist aggression. These countries are Vietnam, Thailand, the Republic of China, Korea, Greece, Turkey, Iran, Pakistan and India. None of these countries has the resources to maintain the forces which our own Joint Chiefs of Staff consider desirable. The reductions in military assistance will have to be made almost entirely in these countries, since the other 30 percent of the program is tied up in international obligations, cost sharing agreements, and for small, but valuable, internal security efforts in Latin America and Africa.

Any reduction of our efforts in Vietnam, Korea, the Republic of China or India will only encourage further Communist activities in these areas; reductions in Iran, Pakistan, and Thailand may encourage Communist penetration; reductions in Greece and Turkey will cause deterioration of NATO strength. The forces of these countries actively guard the free world against Communist encroachments. As a Nation we cannot afford to lower or drop that guard. In my opinion as a nation we cannot afford a reduction in military assistance to $1 billion in fiscal year 1964.

Sincerely,

ROBERT S. MCNAMARA.

A Balanced Budget—When?

EXTENSION OF REMARKS

OF

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 24, 1963

Mr. BYRNES of Wisconsin. Mr. Speaker, the Secretary of the Treasury has stated that the tax bill will enable us to achieve a balanced budget by 1967 or 1968. This prediction has been the source of numerous statements by proponents of this legislation that the bill represents sound fiscal policy. As the President himself has put it, a balanced budget "cannot be achieved without a substantial tax reduction and the greater national income it will produce."

Upon what facts, upon what analysis was the prediction of the Secretary of the Treasury based?

The plain facts are that it was based upon no facts; it was based upon no analysis; it was based upon a hope; it was based upon a wish; it was based upon a prayer.

Ten days ago I wrote the Secretary of the Treasury stating that it was essential to this debate that the House know the estimates and assumptions he used in predicting budget balance by 1967 or 1968. I asked him specific questions which I felt went to the heart of the question as to whether it was wise to reduce taxes in the face of steadily increasing expenditures and large budget deficits. I place in the Record at this point a copy of my letter to the Secretary dated September 13, 1963:

September 13, 1963.

Hon. Douglas Dillon,
Secretary of the Treasury, Department of the Treasury, Washington, D.C.

Dear Mr. Secretary: The major issue involved in the tax bill just reported by the Ways and Means Committee, as you know, is the wisdom of a large tax cut in the face of steadily increasing expenditures and large budget deficits. The administration's position, as expressed by you and others, is that the tax cut will stimulate the economy sufficiently to make up the revenue losses within a few years and result in a balanced budget. You recall telling the Ways and Means Committee, that you expected this stimulation to result in a balanced budget by 1967 or 1968.

Other observers have questioned this optimism. Dr. Arthur F. Burns, an eminent economist, for example, has expressed the view that, with expenditures increasing at or near the current rate and assuming a high rate of economic growth, the budget would not likely be in balance until sometime in the early 1970's, developing large deficits in the interim.

In less than 2 weeks, the House of Representatives will begin debate on the tax bill. It cannot do so intelligently, or responsibly, until the facts surrounding this key issue have been made public and scrutinized. For this reason, it is essential that the estimates and assumption upon which the administration bases its prediction of budget balance in 1967 or 1968 be made available for public study.

This information, at the minimum, should include:

1. Assuming enactment of the tax bill in its present form, the administration's estimates of the gross national product in both current and constant dollars for the years 1963 through the year for which a balanced budget is forecast, showing the annual rate of increase in gross national product for those years,

2. Since the estimates of increased growth in (1) represent the stimulation the administration predicts from passage of the tax cut and forms the basis for the increased Federal receipts which the administration claims are needed to balance the budget.

a. The administration's estimate of Federal administrative budget receipts for each fiscal year until the budget is balanced, and

b. The relationship of the administration's estimate of administrative budget receipts to its estimates of the gross national product and its major components under the new tax bill, comparing this relationship to the relationship of GNP and Federal receipts under the existing tax structure. This estimate of marginal and average tax "takes," under the new and existing tax structures, should be accompanied by the reasoning supporting the choice of data and method used.

3. The administration's estimates of Federal expenditures for each year until a balanced budget is achieved and the rationale for these assumed future expenditure estimates.

The above information should be readily available since the estimates requested would have had to be on hand in order to arrive at the forecast of budget balance in 1967 or 1968 which you have already made. I would hope and expect, therefore, that they will be made available to me sufficiently in advance of the opening of debate on the tax bill in the House on September 24 or 25 so they can be studied carefully and offered for the guidance of the House on this key issue.

Sincerely yours,

John W. Byrnes.

Mr. Speaker, it will be noted that I asked for a reply sufficiently in advance of this debate so the estimates and assumptions could be studied carefully. I did not receive a reply until today, the day this debate began.

To say that I was surprised at the content of the Secretary's reply is to put it mildly. I was astounded. For the substance of the Secretary's letter is that his prediction of an early balanced budget—the substance of the entire fiscal argument advanced by the administration—is based upon nothing more than a series of hopeful expectations, unsupported by concrete estimates which can be subjected to the test of reasonableness by this House.

I place in the Record at this point a copy of the Secretary's reply, dated September 23, 1963:

The Secretary of the Treasury,
Washington, D.C., September 23, 1963.

Hon. John W. Byrnes,
House of Representatives,
Washington, D.C.

Dear John: In reply to your letter, I am glad of the opportunity to give you the reasoning behind my belief that enactment of H.R. 8363, coupled with the cooperation of the Congress in carrying out the President's program of firm expenditure control, should permit us to achieve a "balanced budget by 1967 or 1968," as you stated in your letter.

As you well know from the record of the past 15 years, it has not proved possible to estimate either revenues or expenditures with any precision for a period of 18 months into the future, the time period involved between the first submission of a budget by the President and the close of the fiscal year in question. This is natural because both expenditures and revenues depend on the course of future events, both domestic and international. Such an estimate looking not just 18 months, but nearly 5 years into the future might be an interesting exercise for academic economists, but for me, as Secretary of the Treasury, to set down detailed figures looking that far ahead would give an entirely false impression of the Government's ability to make exact predictions for long periods in the future. It could only serve to mislead and confuse the American people.

The impossibility of making detailed predictions about the future and the undesirability of doing so has been recognized by my predecessors. Thus you will recall that Secretary Humphrey in the hearings on the 1954 revenue bill declined for the same reason to make detailed predictions about future revenues. In 1958, Secretary Anderson took a similar position in testimony before the Ways and Means Committee.

I do, however, agree with you that it would be desirable to set forth the reasoning behind my belief that a balanced budget could be achieved by 1967 or 1968 or sooner.

First, as to revenues. As you point out they depend basically on the growth in our economy, which is most easily expressed by the growth of GNP. The record of the past 10 years has been erratic and marked by a number of recessions, because the burden of high wartime tax rates has consistently prevented the economy from reaching relatively full employment ever since 1957. Enactment of H.R. 8363 will remove this tax brake and usher in a period of steady and rapid growth that could lead us to reasonably full employment of our human and material resources within the next few years. Thus, contrary to our record of the past 10 years, enactment of H.R. 8363 should allow us to look forward to steady and rapid economic growth in the next few years. While this would be a new experience for the United States, it would merely duplicate the recent record of the industrialized countries of Western Europe.

This steady and rapid growth in our economy will naturally lead to greater revenues. However, this is not all. During the period when the economy is climbing rapidly toward full employment we can expect an increased portion of GNP to be translated into revenues. For example, the share of corporate profits in GNP can be expected to rise, returning in the next few years to the 10-percent level that has characterized periods of capacity operation, and which was exceeded in 1955. Since increases in corporate profits yield greater revenues than increases in personal income because of the higher tax rates that are applicable to corporations, the larger share of the corporate profits in GNP will increase our revenues. This increase will, of course, be even more pronounced than usual because of the effect of the acceleration of the payment of corporate taxes provided in H.R. 8363. Largely because of this increase in corporate income tax receipts, overall revenues during the next several years can be expected to grow more rapidly than would ordinarily be the case.

As to the expenditure side of the budget, the President has repeatedly stated that a tight rein will be maintained on Federal expenditures in order that the projected revenue increases flowing from the effects of H.R. 8363 on private earnings will be available for reduction and elimination of the transitional deficit. Under this program of firm expenditure control and with the cooperation of the Congress, it is my opinion that a balanced budget can readily be attained within the indicated period. Indeed, I believe that this is by far the most feasible path to budget balance.

I might add that the projections of Dr. Arthur F. Burns, whom you refer to in your letter as expressing the view that the budget would not likely be in balance until sometime in the early 1970's, assumed revenues increasing only at a constant rate and took no account of the revenue surge which can be expected to occur with the release of the private economy from the restraints imposed by our unreasonably high tax rates. Moreover, Dr. Burns assumed that expenditures would continue to increase at the rate of the past few years, which included a necessary and significant buildup in defense costs. This would, of course, not be the case under the program of firm expenditure control which the President intends to follow in cooperation with the Congress. If these two

> factors were taken properly into account, then it is easy to see that we could arrive at a budget balance in 1967 or 1968 or sooner rather than the somewhat later period which Dr. Burns' original assumption led him to predict.
>
> With best wishes.
>
> Sincerely,
>
> DOUGLAS DILLON.

It will be noted, first of all, that the Secretary refuses to estimate either future levels of revenue, if the tax bill is enacted, or future levels of spending, under what he calls the President's "tight rein on Federal expenditures."

This refusal comes somewhat late from a Secretary who, in order to predict a balanced budget by 1967 or 1968, would necessarily have had to make some kind of estimate of the two key elements in a balanced budget—what we take in and what we put out.

It is plain as day, if it is as impossible to estimate receipts and spending as the Secretary indicates, that his prediction of a balanced budget in the near future, as well as the whole burden of the Administration's fiscal argument, is worthless.

The Secretary goes beyond this, however. He even refuses to estimate what kind of a growth in the gross national product we might expect from the tax bill and he refuses to compare this expected growth rate with what we might expect without the tax bill. He merely states his belief that the enactment of the bill will "usher in a period of steady and rapid growth." What degree of growth will be achieved, whether it will be sufficient to provide the revenue to balance the budget, how reasonable is this vaguely magnificent assumption, these are factors completely disregarded by the Secretary.

It is regrettable, and tragic, that this House has not been furnished with the data supporting the claim that the tax reduction bill will result in a balanced budget within 3 to 4 years. It is disturbing—deeply disturbing—that the whole rationale of this bill is based upon nothing more than foggy claims unsupported by basic data which can be subject to the careful scrutiny of the Members of this body.

We must still ask: A balanced budget—when?

Republican Position on Tax Bill Distorted

EXTENSION OF REMARKS

OF

HON. JOHN W. BYRNES

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 24, 1963

Mr. BYRNES of Wisconsin. Mr. Speaker, it has come to my attention that misleading information is being used by the news media in regards to the Republican position on the current tax bill. This information has even been included in a publication supposedly for use by sophisicated taxmen and businessmen. I refer to the Kiplinger Tax Letter of September 20, 1963. In this newsletter, the following appears:

> The maneuvering over the tax bill is reaching fever pitch here. Most of the concern is over what will happen when it gets to Senate. House approval within the next few days is pretty much taken for granted. Republicans are not expected to succeed in getting the bill sent back to the Ways and Means Committee, which would assure a quiet death for it.

I am indeed surprised that the business community will pay for this type of reporting. As we all know, passage of a motion to recommit with instructions does not "kill" a bill. Under such circumstances the bill is not sent back to committee. To the contrary, it is passed on the floor with the changes as proposed in the recommittal motion at the conclusion of debate.

It would appear to me that anyone purporting to give an accurate accounting of the legislative process would be familiar with this vital fact. Therefore, I can only assume that such misinformation is being generated specifically to create panic and fear with regard to the ultimate passage of the tax bill. Such misinformation undoubtedly could encourage some to oppose my motion to recommit because of their strong desire for a tax reduction. I, too, want a tax reduction and I am not proposing this motion to kill the bill.

I am proposing this motion because I feel that it is incumbent on us to impose some positive restraint on spending if we are to enact a tax cut in the amount of $11 billion. If I wanted to kill the bill, as the Kiplinger Tax Letter seems to feel is my intent, I would not be offering a motion to recommit, which in my opinion will make it a better bill, but instead I would be urging my colleagues to simply vote against the bill on final passage. This I am not doing. In fact, when I appeared before the Rules Committee in their public hearings on this bill, I expressly stated that if the recommittal motion passed, I would take the floor and strongly urge passage of the bill.

I do not feel that the Congress or the American people should tolerate this type of news reporting. If there are those in the news field who are opposed to spending control, let them come out and so state.

Can Peaceful Coexistence Work?

EXTENSION OF REMARKS

OF

HON. ROBERT TAFT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 24, 1963

Mr. TAFT. Mr. Speaker, September 23 is the Bulgarian National Day of the Fight for Freedom, Independence and Democracy. It was 16 years ago that Bulgaria's great patriot, Nikola Petkov, was executed in a Sophia prison. He was the courageous and popular leader of the Bulgarian Agrarian Party and a stanch fighter against communism. It is most fitting therefore that the Bulgarian National Committee for a Free and Independent Bulgaria chose this anniversary to commemorate their Bulgarian National Day.

Nikola Petkov was one of four who signed the Bulgarian armistice and in his attempt to set up a democratic government in postwar Bulgaria, took an active and leading role in the establishment of a coalition government in September of 1944 after the overthrow of the Bulgarian Nazi regime. Bulgaria is a land of peasants and Petkov was the leader of the peasants. He opposed King Boris when it was the king who infringed upon the rights of these people and when the Soviet army attempted to force a Communist state on the Bulgarians they found Petkov, and his opposition to a totalitarian regime, in their way.

Petkov's violent end came after all appeals for clemency, including those from Great Britain and the United States, were rejected by a special Ministry of Justice commission. The timing and conduct of the trial and its relationship to other repressive measures undertaken by the Bulgarian authorities made it clear that the trial constituted but one of a series of measures undertaken by the Communist dominated Fatherland Front Government to remove all but token opposition. When a nation drapes itself in the robes of justice to murder its foremost patriot, the world looks on with horror. In this case the world knew that Nikola Petkov's only "crime" was his devotion to the freedom and liberty of his countrymen.

It would seem that this unhappy incident in Bulgarian history is a timely warning for those among us who today preach "peaceful" coexistence. This courageous Bulgarian leader tried to cooperate and to coexist "peacefully" on a democratic basis with the Communist regime. The result was his execution.

Petkov once said:

> My father and brother were murdered on the streets of Sophia as traitors. I am ready to share their fate.

How many more Bulgarians will have to share the fate of the Petkov family until their dreams are realized and their country is truly free? On this Bulgarian National Day in 1963, greetings are sent from the people of the United States to all the Bulgarians with a prayer that soon the struggle will be won and they will have what their country has so seldom enjoyed through the years—freedom and liberty.

First District of Massachusetts Questionnaire

EXTENSION OF REMARKS

OF

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 24, 1963

Mr. CONTE. Mr. Speaker, recently I tabulated the results of my annual questionnaire, and received over 3,000 replies from my regular 5-county mailing list.

The results indicate, to me, the kind of clear thinking that I have come to expect of the First District residents. Thirty-four specific questions were asked in seven areas, and I am happy to make the results of this questionnaire available to readers of the CONGRESSIONAL RECORD. The district, incidentally, includes all of western Massachusetts including the cities of Pittsfield, Holyoke, Northampton, Greenfield, Adams, North Adams and Athol, Westfield, and Amherst:

Results of questionnaire

	Percent		
	Yes	No	Undecided
On domestic issues, do you favor—			
Tax cut:			
The President's recommendations for reduction in individual and corporate income tax rates?	64.5	29.0	6.5
Regardless of $11,900,000,000 budget deficit in 1964?	32.5	56.3	11.2
Only along with offsetting cuts in Federal spending?	78.7	13.9	7.4
The President's proposals for tax reforms?	40.0	38.2	21.8
Limiting itemized deductions such as charitable contributions, etc., to the amount which exceeds 5 percent of adjusted gross income?	28.8	58.6	12.6
Repealing the $50 exemption and 4 percent credit for dividends received?	21.3	63.7	15.0
Medical care for the aged:			
A federally administered plan financed by employer and employee social security payments?	34.7	58.2	7.1
A State-administered plan financed jointly by Federal, State, and individual contributions?	34.6	53.4	12.0
A federally administered plan financed by increased social security payments, with an option to purchase private health insurance policies or social security health plans?	38.0	48.7	13.3
Aid to education:			
Federal funds for public school construction?	59.3	35.3	5.4
Federal funds for public school teachers' salaries?	27.5	65.7	6.8
Federal aid to private schools?	20.7	72.8	7.0
Various issues:			
A federally created Domestic Peace Corps to aid social problems in the United States?	46.8	42.4	10.8
The administration's request for a Youth Conservation Corps along the lines of the Civilian Conservation Corps of the 1930's?	50.6	38.9	10.5
Congressional approval of $195,000,000 for a civil defense shelter program?	25.4	60.3	14.3
Repeal of the farm price support program, thereby letting future farm prices be established by normal workings of supply and demand?	80.2	11.0	8.8
On foreign affairs, do you favor—			
Foreign aid program:			
Continued economic aid under our foreign aid program to nations committed as our allies?	73.2	19.3	7.5
Continued military aid to nations committed as our allies?	75.1	17.0	7.9
Economic aid to—			
Brazil	55.4	29.3	15.3
Yugoslavia	21.1	61.7	17.2
Poland	26.8	56.1	17.1
Egypt	24.7	52.8	22.5
South Korea	59.2	20.4	20.4
Indonesia	38.3	36.6	25.1
India	55.4	25.2	19.4
South Vietnam	56.9	23.6	19.5
Newly independent but neutral nations	57.4	21.9	20.7
Cuba:			
Maintaining the administration's present policies	48.2	36.9	14.9
Imposing a total blockade on Cuba	57.7	29.7	12.6
The forcible overthrow of the Castro regime by U.S. military forces	29.4	51.1	19.5
Foreign policy:			
Establishment of a Foreign Service Academy to train future diplomats	74.1	15.1	10.8
U.S. aid to help friendly allies build nuclear forces	30.6	51.2	18.2
Continued negotiation with the Russians to produce a workable disarmament agreement	76.4	17.6	6.0
Continuing U.S. financial support of the United Nations and its overall goals for international peace despite some instances of mismanagement	74.6	15.7	9.7

Motion Pictures and Television Leaving United States

EXTENSION OF REMARKS

OF

HON. JAMES D. WEAVER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 24, 1963

Mr. WEAVER. Mr. Speaker, the production of motion pictures for theater and television distribution and video tapes for television constitute an important segment of our economy.

However, with financial and other inducements being offered by foreign countries, especially those in Europe, a substantial amount of video and motion picture production for American showing is now undertaken outside of the United States, leaving many technicians and actors here idle.

This is a growing problem that adversely affects our economy by putting thousands of people on the unemployment rolls, decreasing purchasing power, and creating tax losses on the local, State, and National level.

The seriousness of the situation can be illustrated by the following figures: In the last 10 years, 509 feature pictures backed by American interests and representing an investment of more than $750 million were produced abroad.

The impact of "runaway" films on employment in Hollywood has been amazing. In 1946, the employment was 24,000. By December 1957, the figure had dwindled to 13,000.

During the first 6 months of 1962, approximately 19,000 motion picture workers were without employment in Hollywood.

The production of "runaway" films, some of which are made behind the Iron Curtain, are among the factors bringing the closing of a number of Hollywood film laboratories, including Paramount, Cinecolor, Warner Bros., and Columbia.

At the Technicolor Corp., which processes the major domestic footage, employment has dropped from 581 million feet and 2,300 employees, respectively, in 1953 to 309 million feet and 1,327 employees in 1962.

Current advertising practices on motion picture film and video tape are misleading in many instances, conveying that they were produced in this country.

By proper labeling of television and motion picture films it may help curtail runaway productions and its resulting unfavorable impact on labor.

Because of the aforementioned conditions, I strongly support and urge prompt consideration of H.R. 7670, which provides for the labeling of foreign productions.

Congressman Tom Curtis Receives Distinguished Service Award

EXTENSION OF REMARKS

OF

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 24, 1963

Mr. SPRINGER. Mr. Speaker, a few days ago, our colleague, TOM CURTIS, of Missouri, was greatly honored by the American Political Science Association as one of its recipients for the association's 1963 Congressional Distinguished Service Awards.

The other recipients were Senator CLINTON P. ANDERSON, of New Mexico; Senator LEVERETT SALTONSTALL, of Massachusetts; and Representative GEORGE MAHON, of Texas.

Presentation of these awards was a highlight of the association's 59th annual meeting. Their purpose is to call attention to effective legislative service which might otherwise go unnoticed, thus dramatizing the role of free elections in bringing into public life individuals of high abilities and varied talents.

The speaker for the awards ceremony was Senator HUBERT HUMPHREY, of Minnesota, who was a previous winner. These awards have been made possible by a grant from the William Benton Foundation.

I know that all of us were delighted that such an able Representative as TOM CURTIS was selected for this award and, Mr. Speaker, I herewith append the award as a part of this RECORD:

THE 1963 CONGRESSIONAL DISTINGUISHED SERVICE AWARD OF THE AMERICAN POLITICAL SCIENCE ASSOCIATION TO REPRESENTATIVE THOMAS B. CURTIS

With selfless tenacity, with a love of hearty debate, and with an honesty and sincerity that have won him the respect of his colleagues, THOMAS B. CURTIS seeks to maintain the vitality of the Congress and of his party.

By articulating and advancing policy alternatives, he has elevated the discussion of economic issues in the Congress and elsewhere. Joining in a bipartisan effort, he worked energetically for enactment of trade legislation consistent with this Nation's role in international affairs. He speaks with a compelling voice in the development of his party's approach to the problem of full employment in a rapidly automating economy. A student of Congress, he is in the forefront among his colleagues in working for alteration of rules and procedures to meet the needs of a changing society in a changing world.

The American Political Science Association takes great pleasure in presenting this Congressional Distinguished Service Award to THOMAS B. CURTIS, Republican, of Missouri; respected advocate, courageous individualist, and diligent legislator whose service is in the finest tradition of constructive conservatism.

Mr. Speaker, Congressman CURTIS is currently completing his seventh consecutive term of office. TOM came here with me in the 82d Congress and he has made an outstanding record in 13 years. He is a recognized economic authority, is the ranking Republican of the Joint House-Senate Economic Committee and a senior member of the Ways and Means Committee. In every election year Congressman CURTIS has been returned to office by a sizable majority in an area which is largely fluid.

As everyone knows, TOM has been an able debater and his fearlessness in tackling tough problems has given him the deserved notice that he has received.

I know that all of us wish TOM CURTIS many more happy days in this House and we certainly congratulate the American Political Science Association on having selected such an able and outstanding public servant to receive one of its 1963 Distinguished Service Awards.

"To Protect the Public Health," by Weakening Consumer Protections

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 24, 1963

Mrs. SULLIVAN. Mr. Speaker, the Subcommittee on Public Health and Safety of the House Committee on Interstate and Foreign Commerce has done a fine job under the chairmanship of the gentleman from Alabama [Mr. ROBERTS] in the consideration and recommendation of legislation to protect the health of the American people. I am therefore very hopeful that the subcommittee will not approve a bill on which subcommittee hearings were conducted last week dealing with animal drugs.

This bill has been strongly urged upon the Congress by large pharmaceutical manufacturers which produce animal as well as human drugs. It would seriously weaken and undermine necessarily stringent provisions of the Food, Drug, and Cosmetic Act applying to drugs intended for animals which provide us with a substantial part of our food supplies. The irony of the bill lies in its title, which maintains it is a bill "to protect the public health" by consolidating in one new section of the Food, Drug, and Cosmetic Act all provisions applying to animal drugs. For in the course of carrying out such a consolidation, the bill leaves out or amends and weakens major provisions of present law dealing with animal drugs.

Mr. Speaker, I submit herewith a statement of mine to the subcommittee which outlines my objections to the legislation and described the possible consequences of enacting H.R. 7247, as follows:

TESTIMONY BY CONGRESSWOMAN LEONOR K. SULLIVAN BEFORE SUBCOMMITTEE ON PUBLIC HEALTH AND SAFETY, HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, IN OPPOSITION TO H.R. 7247, ANIMAL DRUG AMENDMENTS OF 1963

Mr. Chairman and members of the subcommittee, I am against this bill from start to finish. As the chairman of the subcommittee will recall, I went through a great deal of background material and information in support of this legislation last winter before any bills were introduced and I felt then as I do now that this bill has as its objective the weakening of consumer protections against adulteration of our food supply.

Of course, I do not believe that anyone in favor of the bill wants to poison the American people or introduce cancer-inducing substances into our food supply. I am sure the supporters of the legislation are sincere in believing that what they seek to do is merely to cut down on so-called needless Government interference and redtape. But even so, I fail to see how this could justify placing in the title of the bill the introductory phrase that it is a bill "to protect the public health by amending the Federal Food, Drug, and Cosmetic Act" by setting up a new section 511 relating entirely to animal drugs.

This is not a bill "to protect the public health" for, no matter how hard I look for it, I cannot find a single thing in this bill which strengthens in any way at all any law or regulation to protect the public health. Instead, the bill is full of provisions which would weaken existing law now protecting the public health.

ROBERTS AMENDMENT SAFEGUARD TO BE REPEALED

I cannot help but go back to the argument we had here August 6, 1962—just over a year ago—during hearings on the feed additives bill which was later incorporated into the Drug Control Act we enacted last year covering all prescription drugs. I strongly opposed the feed additives bill because I felt it would be a highly dangerous thing to repeal the Delaney anticancer clause for feed additives and color additives in feed, merely to make it possible for more animal feed manufacturing plants to use diethylstilbestrol. I took that fight to the House floor and I lost, thanks to the presuasiveness of the chairman of this subcommittee and his outstanding reputation in the House in behalf of the public health.

There was a saving feature about the relaxation of the Delaney anticancer clause for feed additives in the amendment written into the law last year, however, and I acknowledged that at the time. The Roberts amendment gave the Food and Drug Administration unquestioned authority to move promptly and effectively to halt the use of stilbestrol in animal feed the moment new testing methods should disclose residues of this powerful and dangerous hormone in the tissues of beef cattle receiving the drug in animal feed.

But, now, in this bill, the big drug manufacturing companies which produce drugs for animal feed seek to remove this safeguard—just knock it right out of the law. What possible excuse could there now be for writing into the law a provision overturning the safeguard enacted in last year's feed additives amendment? Is there a fear that we are soon going to begin to find stilbestrol residues in our beef supply, as we did a few years ago in poultry?

The provision of H.R. 7247 I am referring to, beginning at the bottom of page 9, holds that once an animal drug has been approved for use, "a food shall not, by reason of bearing or containing such drug or any substance formed in or on the food because of its use in accordance with such application, or by reason of bearing or containing a residue of such drug or substance, be considered adulterated within the meaning of clause (1) of section 402(a)."

ADULTERATED FOODS NOT TO BE "CONSIDERED ADULTERATED"

This is simply unbelievable. It is incredible. It is astounding. What does section 402(a)(1) say? It says that a food shall be deemed to be adulterated "if it bears or contains any poisonous or deleterious substance which may render it injurious to health."

But this bill comes along now and proposes that a food product in which there are residues of stilbestrol or any other animal drug dangerous for human consumption—in milk, eggs, beef, and so on—shall not be considered adulterated, because the Government had previously approved use of the substance as an animal drug.

I understand that after the Commissioner of the Food and Drug Administration testified on Tuesday against many of the provisions of this bill, including the one I just cited, representatives of the pharmaceutical manufacturers supporting the bill came in here yesterday with a satchel full of amendments to satisfy, or attempt to satisfy, objections and loopholes cited by the FDA. Now I just don't understand that. This bill was not slapped together in a hurry. Obviously, everything in it was carefully considered and weighed, before any legislation was introduced. Obviously then, the pharmaceutical manufacturers set out to obtain legislation "to protect the public health" by giving the drug manufacturers a whole series of changes in the law intended to weaken regulations. Under the circumstances, this bill should be rejected.

BETTER WAY TO CHANGE ANIMAL DRUG LAWS—STRENGTHENING THEM

If you're going to change the Food, Drug, and Cosmetic Act provisions dealing with animal drugs, the suggestion I would make is that you throw this bill away and take the relevant portions of my bill, H.R. 1235. My bill rewrites not only the feed additives and animal drug sections of the act but most of the other sections of the Food, Drug, and Cosmetic Act—dealing with cosmetics, therapeutic devices, pep pills, barbiturates, labeling, factory inspection, and so on. The provisions of H.R. 1235 which are relevant to the bill you have before you on animal drugs would do the opposite of H.R. 7247. Instead of weakening consumer protections in the use of animal drugs on meat animals, H.R. 1235 would strengthen them.

Thus, instead of ending the required batch-by-batch certification of the five antibiotic animal drugs now named in the act—as H.R. 7247 would do—H.R. 1235 would require batch-by-batch certification of all antibiotics used in meat animals. Last year the pharmaceutical manufacturers had asked to end batch-by-batch certification of the original five antibiotics for human use. Instead, when we finally got finished with the drug control bill, we voted to require such certification of all human antibiotics, and a good thing it was, too. Since antibiotics used in animals can definitely affect the public health through food products derived from animals, I don't think we have any right to permit antibiotics which cannot pass Government certification tests to be used in animals which are part of our food supply. So instead of ending certification of the five animal antibiotics now covered in the law, we should include all antibiotics.

H.R. 1235 would also repeal the provision we enacted last year—which I tried to knock out of the bill—which permits cancer-inducing coloring material to be used in animal feed. I have checked and I have learned that not a single feed manufacturer has ever indicated an intention to use a cancer-inducing color to identify a particular kind of feed and distinguish it from another. Why would anyone want to use a cancer-inducing color for such a purpose? It doesn't make any sense. There are plenty of colors available which can be used, and which are being used, for animal feed identification purposes and which are not carcinogenic. So what sense does it make to have in the law a provision which says a cancer-inducing color may be used to distinguish a particular kind of animal feed? H.R. 7247 does not have any provision applying to this matter but my point is that if H.R. 7247 were, indeed, intended to be a bill "to protect the public health" by consolidating into one new section provisions of the Food, Drug and Cosmetic Act relating to animal drugs, then it would attempt to do some of the things H.R. 1235 does in the area of animal drugs and would not attempt to do the things that are actually in H.R. 7247.

Speaking for consumers, I say to the subcommittee: We do not want to see you "protect the public health" by making it possible for food products containing residues of stilbestrol or other potent animal drugs to be sold to the public. We do not want you to change the law to say such meat products are not adulterated under the terms of section 402(a)(1), even though they bear or contain poisonous or deleterious substances injurious to health.

SENATE

WEDNESDAY, SEPTEMBER 25, 1963

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal Spirit, Thou hast written Thy law in our hearts. In the brooding silence of this still moment, may open windows of faith flood our gloom with light, so that in Thy sunshine's blaze our day may brighter, fairer, be.

Dowered with privileges as no other nation, may the richness of our heritage be to us Thy call to clear the way for freedom, that through the potent ministry of our dear land, all the people of the earth may be blessed.

In the global decisions now facing the Republic, make us sensitive to any subtle attempts to lure us by promises of a false peace, and thus to compromise principle and betray the rights that are given by Thee to every individual on the face of the earth.

Amid all life's changes we ask "Thou who changeth not" to abide with us now and forever. Amen.

THE JOURNAL

On request of Mr. Smathers, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, September 24, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. Smathers, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. Smathers, and by unanimous consent, the Permanent Subcommittee on Investigations of the Committee on Government Operations was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. FULBRIGHT, from the Committee on Foreign Relations:

Dwight J. Porter, of Nebraska, a Foreign Service officer of class 1, to be an Assistant Secretary of State.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

DEPARTMENT OF JUSTICE

The Chief Clerk read the nomination of Abraham L. Marovitz, of Illinois, to be U.S. district judge for the northern district of Illinois.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Walter E. Craig, of Arizona, to be U.S. district judge for the district of Arizona.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

SUBVERSIVE ACTIVITIES CONTROL BOARD

The Chief Clerk read the nomination of Thomas James Donegan, of New York, to be a member of the Subversive Activities Control Board for the term expiring April 9, 1967.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

FOREIGN CLAIMS SETTLEMENT COMMISSION

The Chief Clerk read the nomination of Edward D. Re, of New York, to be a member of the Foreign Claims Settlement Commission of the United States for the term of 3 years from October 22, 1963.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. SMATHERS. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

RESOLUTIONS OF MASSACHUSETTS HOUSE OF REPRESENTATIVES

Mr. SALTONSTALL. Mr. President, on behalf of myself and my colleague, the junior Senator from Massachusetts [Mr. Kennedy], I present two resolutions of the Massachusetts House of Representatives, which I ask to have printed in the Record and appropriately referred.

There being no objection, the resolutions were received, appropriately referred, and, under the rule, ordered to be printed in the Record, as follows:

To the Committee on Commerce:

"Resolution Urging the Congress of the United States To Take Appropriate Action To Extend the Present Territorial Limits

"Whereas the presence of some 200 Russian fishing boats operating as close as 4 miles from our shores poses a serious threat to the commercial fishing industry of Massachusetts and this country; and

"Whereas the historic fishing grounds of our fishing fleets are being depleted at an alarming rate by the great invasion of foreign fishing fleets, total food fish landings having dropped 13 million pounds in New England so far this year; and

"Whereas the economic welfare of the coastal communities of our Commonwealth and their citizens depends upon the sea to produce sufficient quantities of fish and the loss of our domestic fishing industry would have a crippling effect on the economy of our State; and

"Whereas this situation with all its attendant problems is of vital and primary concern not only to Massachusetts, but to the New England States and to the United States: Therefore be it

"*Resolved*, That the Massachusetts House of Representatives respectfully urges the

Congress of the United States to take appropriate action to extend the territorial limits in regard to fishing rights from the present 3-mile limit to one of 200 miles; and be it further

"*Resolved*, That copies of these resolutions be transmitted forthwith by the secretary of the Commonwealth to the President of the United States, to the Presiding Officer of each branch of Congress, and to each Member thereof from this Commonwealth.

"Adopted by the house of representatives September 17, 1963.

"William C. Maiers,
"*Clerk*.

"Attest:

"Kevin H. White,
"*Secretary of the Commonwealth*."

Ordered to lie on the table:

"Resolution Urging the Senate of the United States To Ratify the Nuclear Test Ban Treaty

"Whereas Under Secretary of State W. Averill Harriman, the U.S. representative at the recent test ban talks in Moscow, successfully negotiated with the representatives of Great Britain and the Soviet Union a nuclear test ban treaty; and

"Whereas this treaty was formalized and concluded under the supervision of the Secretary of State Dean Rusk; and

"Whereas this nuclear test ban treaty is of vital importance and significance to the future peace and well-being of the entire world; and

"Whereas the Senate of the United States is currently debating the ratification of said treaty; and

"Whereas it is most urgent that the Senate unequivocally ratify said treaty without crippling amendments so as to present to the world at large a unified front: Therefore be it

"*Resolved*, That the Massachusetts House of Representatives respectfully urges the Senate of the United States to ratify the nuclear test ban treaty as aforesaid; and be it further

"*Resolved*, That copies of these resolutions be transmitted forthwith by the secretary of the Commonwealth to the Presiding Officer of the Senate and to each Member thereof from this Commonwealth.

"Adopted by the house of representatives September 12, 1963.

"William C. Maiers,
"*Clerk*.

"Attest:

"Kevin H. White,
"*Secretary of the Commonwealth*."

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MOSS:

S. 2174. A bill for the relief of Joseph H. Lym, doing business as Lym Engineering Co.; to the Committee on the Judiciary.

By Mr. COTTON:

S. 2175. A bill for the relief of Nicholas Skafidas and Michael Skafidas; to the Committee on the Judiciary.

By Mrs. NEUBERGER:

S. 2176. A bill to extend Federal meat inspection and to permit cooperation with State meat inspection services, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mrs. Neuberger when she introduced the above bill, which appear under a separate heading.)

By Mr. INOUYE:

S. 2177. A bill for the relief of Rosauro L. Lindogan; to the Committee on the Judiciary.

By Mr. EDMONDSON (for himself and Mr. Monroney):

S. 2178. A bill to provide that the United States shall hold certain Chilocco Indian School lands at Chilocco, Okla., in trust for the Cherokee Nation upon payment by the Cherokee Nation of $3.75 per acre to the Federal Government; to the Committee on Interior and Insular Affairs.

By Mr. PELL (for himself, Mr. Pastore, Mr. Javits, and Mr. Keating):

S. 2179. A bill to authorize the coinage of 50-cent pieces in commemoration of the 200th anniversary of the Touro Synagogue; to the Committee on Banking and Currency.

(See the remarks of Mr. Pell when he introduced the above bill, which appear under a separate heading.)

By Mr. WILLIAMS of New Jersey (for himself, Mr. Bible, Mr. Burdick, Mr. Church, Mr. Cooper, Mr. Ervin, Mr. Humphrey, Mr. Inouye, Mr. Jackson, Mr. Jordan of North Carolina, Mr. Keating, Mr. Long of Missouri, Mr. McGee, Mr. McCarthy, Mr. Magnuson, Mr. Metcalf, Mr. Miller, Mr. Morse, Mr. Morton, Mrs. Neuberger, Mr. Randolph, and Mr. Yarborough):

S. 2180. A bill to amend title VII of the Public Health Service Act so as to extend to qualified schools of optometry and students of optometry those provisions thereof relating to student loan programs; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE (for himself, Mr. Williams of New Jersey, Mrs. Smith, Mr. Magnuson, Mrs. Neuberger, Mr. Yarborough, Mr. Metcalf, Mr. Moss, Mr. McCarthy, Mr. Randolph, Mr. Humphrey, Mr. Morse, Mr. Clark, Mr. Young of Ohio, Mr. Bartlett, Mr. Inouye, Mr. Bayh, Mr. Eastland, Mr. Scott, and Mr. Brewster):

S. 2181. A bill to amend titles X and XVI of the Social Security Act to improve the programs of aid to the blind so that they will more effectively encourage and assist blind individuals to achieve rehabilitation and restoration to a normal, full, and fruitful life; to the Committee on Finance.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

RESOLUTIONS

INVESTIGATION OF ISSUANCE OF PHOSPHATE PROSPECTING PERMITS

Mr. MOSS submitted the following resolution (S. Res. 203); which was referred to the Committee on Interior and Insular Affairs:

Resolved, That the Committee on Interior and Insular Affairs, or any duly authorized subcommittee thereof, shall conduct a full and complete investigation and study of the manner in which the Department of the Interior is administering the provisions of the Act entitled "An Act to authorize the issuance of prospecting permits for phosphate in lands belonging to the United States", approved March 18, 1960 (74 Stat. 7), in order to determine if the intent of the Congress in enacting such Act is being carried out.

CONDEMNATION OF PERSECUTION BY THE SOVIET UNION OF PERSONS BECAUSE OF THEIR RELIGION

Mr. RIBICOFF (for himself and Senators Allott, Anderson, Bartlett, Bayh, Beall, Boggs, Brewster, Burdick, Cannon, Case, Church, Clark, Cooper, Cotton, Dodd, Dominick, Douglas, Edmondson, Goldwater, Gruening, Hart, Hartke, Holland, Humphrey, Inouye, Jackson, Javits, Jordan (Idaho), Keating, Kennedy, Kuchel, Lausche, Magnuson, McCarthy, McGovern, McIntyre, McNamara, Metcalf, Monroney, Morse, Morton, Moss, Mundt, Nelson, Neuberger, Pastore, Pell, Proxmire, Randolph, Saltonstall, Scott, Simpson, Smathers, Symington, Thurmond, Tower, Walters, Williams (New Jersey), Yarborough, and Young (Ohio), submitted a resolution (S. Res. 204) condemning persecution by the Soviet Union of persons because of their religion, which was referred to the Committee on Foreign Relations.

(See the above resolution printed in full when submitted by Mr. Ribicoff, which appears under a separate heading.)

CLOSING THE GAP IN MEAT INSPECTION

Mrs. NEUBERGER. Mr. President, some 18 months ago, President Kennedy asked the Congress to extend meat inspection protection for American consumers beyond its present scope. The President's consumer message clearly spelled out the need to provide inspection for the 18 percent of red meat which is now consumed without inspection for wholesomeness and cleanliness by the Federal Government.

The message concerning the consumer protection and interest program of March 15, 1962, specifically said:

> A fifth of all the meat slaughtered in the United States is not now inspected by the Department of Agriculture because the coverage of the Meat Inspection Act is restricted to meat products moving across State lines. This incomplete coverage contributes to the diversion of unhealthy animals to processing channels where the products are uninspected and can therefore, be a threat to human health.

The message recommended enactment of legislation to broaden the coverage of the Meat Inspection Act administered by the Department of Agriculture to promote adequate inspection—in cooperation with the States and industry—of all meat slaughtered in the United States.

Mr. President, it is unfortunate that neither the Senate nor the House has yet acted on this request. Eighteen months have gone by and we still have not provided this protection to consumers.

The reason for this lack of action is quite obvious. As a matter of fact, the very first paragraph of the Presidential message explains quite bluntly:

> Consumers, by definition, includes us all. They are the largest economic group in the economy, affecting and affected by almost every public and private economic decision. Two-thirds of all spending in the economy is by consumers. But they are the only important group in the economy who are not effectively organized, whose views are often not heard.

This lack of consumer organization, this lack of consumer lobbying—to put it more into perspective—places an extra obligation upon the Members of Congress. We must not only say that we are for the consumer. We must act it.

We must bring before the public these issues which affect the very health of every man, woman, and child. We must make known to consumers the problems and seek the solution.

Although the delay in preparing new meat inspection legislation is unfortunate, the last 18 months have not been entirely time lost. Here are three reasons why:

First. During that time, there have been lessons learned about the progress of meat inspection on a State level. Some States continue to have difficulties in this field. For example, New York adopted a meat inspection law, but its legislature appropriated only one-fourth of the money necessary to operate the program. I am told that both packers and consumers in that State are in quite a quandary now. The Pennsylvania Legislature had a good meat and poultry inspection bill before its recent session but it failed to pass the measure.

Second. Also during the last 18 months, a great many lessons have been learned about the role which the lack of meat inspection plays in the very tough competition of the meat packing industry. Packers who attempt to do right by consumers have found themselves at a competitive disadvantage.

For example, we have had the watered ham cases. Uninspected packers can pump ham up to 30 percent of water. Inspected packers may not. Recently, the Eastern Meat Packers Association even charged that watered hams are moving in interstate commerce—a movement which is illegal.

The competitive problem will not be solved by allowing every packer to soak the consumer. It will be solved only by having all packers follow the same consumer-protective rules.

We have also had cases of State agencies making rules for intrastate commerce which put the federally inspected packers under tremendous competitive pressure.

Third. Finally, during these 18 months, Mr. President, uninspected packers have had the time to adjust toward meat inspection. Representatives of meatpackers have stated that the industry needs time. It has had a year and a half. I sincerely hope that it has used this time wisely.

Representatives of one meatpacking association have had conversations with my staff. They discussed the industry's problems and I recognize that they are serious. But I also recognize that the industry has responsibities as well. It has the responsibility to assure the consumer a wholesome and clean product.

On the whole, the industry has done quite well in this respect. The vast majority of the industry, which is federally inspected, has worked well and cooperated well with the Meat Inspection Division. The consumer has been the beneficiary.

But there is the 18 percent of meat slaughtered without Federal inspection. Some of the meat is inspected under good State programs. But some of the meat passes under States programs which offer inspection in name only; and some is not inspected at all.

We may rationally fear that meat in the last two categories may have come from cancerous livestock, from tubercular livestock, or from livestock which has died before slaughter. Some uninspected plants are simply filth mills.

I believe the packers, as well as Congress, have a responsibility to reform the small minority of packers and processors who fall into this category.

Mr. President, I introduce today a new meat inspection bill identical to H.R. 1015, introduced and championed in the House by Representative NEAL SMITH, of Iowa.

This measure would extend the coverage of meat inspection. It would do so by bringing the Meat Inspection Act of 1906 up to date. For the fact is that the Meat Inspection Act does not cover all plants in interstate commerce. It covers only those considered in interstate commerce by the 1906 definition.

Thus, a meatpacking plant may be in interstate commerce as far as the Labor-Management Relations Act, the Fair Labor Standards Act, and a dozen laws passed by Congress are concerned. But it is not in interstate commerce as far as the Meat Inspection Act is concerned.

The bill would also permit the Secretary of Agriculture to cooperate with State agencies in the inspection of meat.

Under the measure, the Secretary would be permitted to exempt plants which are in interstate commerce but slaughter less than 50,000 pounds of cattle, sheep, swine, goats, or horses a week and process less than 20,000 pounds of meat or meat food products a week. The Secretary could end this exemption when he finds such action necessary to protect the consuming public.

Mr. President, the bill which I am introducing today is an effective and reasonable way of increasing consumer protection concerning red meat.

I urge that hearings begin soon in the Agriculture and Forestry Committee on this measure and any other ones which may have been or may be introduced to extend meat inspection protection. We should delay no longer. Increasing the coverage of meat inspection protection is necessary now.

I ask unanimous consent that the bill to extend Federal meat inspection and to permit cooperation with State meat inspection services, and for other purposes, be printed at the close of my remarks and that the bill lay over for 7 days for cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the table, as requested, and will be printed in the RECORD.

The bill (S. 2176) to extend Federal meat inspection and to permit cooperation with State meat inspection services, and for other purposes, introduced by Mrs. NEUBERGER, was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That meat and meat food products are an important source of the Nation's total supply of food. Meat and meat food products are consumed throughout the Nation and substantial quantities thereof move in interstate and foreign commerce. Unwholesome, adulterated, or mislabeled meat or meat food products in the channels of interstate or foreign commerce, or in competition with other meat and meat food products in such commerce, are injurious to the public welfare, result in sundry losses to producers, and destroy markets for wholesome, unadulterated, and properly labeled meat and meat food products. The marketing of wholesome, unadulterated, properly labeled meat and meat food products is in the public interest and affects the welfare of the people. All livestock and meats and meat food products which are subject to inspection or are otherwise regulated under this Act are either in the current of interstate or foreign commerce or substantially affect such commerce.

SEC. 2. (a) The meat inspection provisions of the Act of March 4, 1907 (ch. 2907, 34 Stat. 1260–1265), as amended and extended (21 U.S.C. 71 et seq.), hereinafter in this Act called the Meat Inspection Act, are hereby further extended to the slaughtering of all cattle, sheep, swine, goats, and horses, and to the processing and comprehensive marking and labeling of all meat and meat food products thereof, at any establishment not otherwise subject to the Meat Inspection Act, at which slaughtering of cattle, sheep, swine, goats, or horses, or the processing of the meat or meat food products of any such animals, is conducted by any person, firm, or corporation which (1) is engaged, in any of its operations, in interstate or foreign commerce or in activities affecting such commerce, or (2) controls, is controlled by, or is under common control with, any other person, firm, or corporation so engaged: *Provided,* That the operations of any such person, firm, or corporation, with respect to slaughtering of such animals or preparation of such meat or meat food products have an annual outflow or inflow (direct or indirect) across State lines of at least $50,000.

(b) Such establishments and all cattle, sheep, swine, goats, and horses slaughtered, and all meats and meat food products of cattle, sheep, swine, goats, and horses processed, at such establishments shall be subject to the inspection, complete control of chemicals and other additives, comprehensive marking and labeling, and other provisions of the Meat Inspection Act to the same extent as if the meat and meat food products were intended for interstate or foreign commerce, unless exempted under paragraph (c).

(c) The provisions of said Act shall not be extended hereby to any establishment exempted by the Secretary of Agriculture upon his finding that not more than fifty thousand pounds of cattle, sheep, swine, and goats, or of horses (on a live weight basis) are slaughtered and not more than twenty thousand pounds of meat and meat food products (on a finished product basis) are processed at such establishment in any calendar week. The Secretary shall grant such exemptions to slaughterers and processors who are eligible therefor, and shall withdraw such exemptions when he finds that they are not warranted by the facts. The Secretary may also exempt any establishment from inspection under this Act at any time for periods not in excess of ninety days whenever he finds that it is impracticable to provide such inspection due to lack of inspectors or similar causes. Exemption under this paragraph shall apply to the distribution of meat or meat food products only within the State in which the plant is located.

(d) As used in this section—

(1) direct outflow means goods shipped or services furnished by the person, firm, or corporation outside the home State;

(2) direct inflow means goods or services furnished the person, firm, or corporation directly from outside the home State;

(3) indirect outflow means the sale of goods or services to any user who is engaged in activities in or affecting interstate or foreign commerce and who (A) conducts a retail enterprise having a gross volume of business of at least $500,000 per annum or (B) conducts a hotel or motel enterprise (other than a residential hotel or motel enterprise, at least 75 per centum of the guests of which remain for a month or more) which receives at least $500,000 in gross revenues per annum, or (C) conducts nonretail operations with an annual direct outflow or direct inflow across State lines of at least $50,000;

(4) indirect inflow means goods which originated outside the home State, but which the person, firm, or corporation purchased from a seller or supplier within the State;

(5) "State" means State, territory, or the District of Columbia; and

(6) "goods" means live animals, products thereof, or any other articles.

Sec. 3. (a) Any person, firm, or corporation who slaughters any animals or processes any meat or meat food products subject to this Act or the Meat Inspection Act without the inspection required by either of said Acts, after notice of such requirement, or who transports, sells, or offers or receives for transportation or sale in interstate or foreign commerce, or otherwise, any meat or meat food product required to be inspected under either of said Acts, which has not been so inspected and passed or which does not bear the marks of such inspection, or any meat or meat food product required to be inspected or exempted under either of said Acts, which is capable of use as human food and is unsound, unhealthful, unwholesome, or otherwise unfit for human food or is adulterated, or bears or is accompanied by any false or deceptive marking or labeling or fails to have any marking or labeling required by regulations under this Act or the Meat Inspection Act to prevent deception of consumers or other members of the public, shall be subject to the penalties provided in the eighteenth paragraph of the Meat Inspection Act.

(b) The seizure and injunction provisions with respect to violation of the Meat Inspection Act shall apply also with respect to violation of this Act.

Sec. 4. Every person, firm, or corporation who is or has been engaged in the business of slaughtering any cattle, sheep, swine, goats, or horses, or processing, transporting, storing, or selling any meat or meat food products shall maintain such records as the Secretary of Agriculture may by regulation require to enable him to determine whether such person, firm, or corporation is or was subject to or in compliance with the requirements of the Meat Inspection Act or this Act and shall, upon request of a duly authorized representative of the Secretary, permit him at all reasonable times to have access to, and to copy, all such records. Any record required to be maintained by this section shall be maintained for such period of time as the Secretary may by regulation prescribe. Any person, firm, or corporation who fails to maintain or give access to records as required under this section shall be subject to the penalties provided in the eighteenth paragraph of the Meat Inspection Act.

Sec. 5. This Act shall apply with respect to operations of establishments in areas (including the Commonwealth of Puerto Rico) in which the Meat Inspection Act applies.

Sec. 6. The Secretary of Agriculture shall promulgate such regulations as he deems necessary to carry out the purposes of this Act.

Sec. 7. The eighth paragraph and the second proviso of the twenty-first paragraph of the Meat Inspection Act (34 Stat. 1262, 21 U.S.C. 78; 52 Stat. 1235, 21 U.S.C. 91) are hereby deleted.

Sec. 8. Notwithstanding the Act approved June 5, 1948 (ch. 423, 62 Stat. 344; 21 U.S.C. 98), the Secretary of Agriculture may cooperate subject to the conditions stated below and such further conditions as he deems necessary with agencies of States or subdivisions thereof in performing meat inspection services and conduct examinations, investigations, and inspections as he determines practicable through any officer or employee of any such agency who, upon recommendation of the responsible State official, is designated or appointed by the Secretary for such purpose and who is compensated by the State or subdivision thereof for such service. Under any such cooperative arrangement, the Secretary of Agriculture as a minimum shall have final authority—

(1) to determine the individual establishments under the State system to which, upon recommendation of the responsible State official, the service will be extended and to withdraw such service from any establishment which fails to conform with Federal requirements and orders;

(2) to determine the individual inspectors who will be designated or appointed and to withdraw such designations or appointments in his discretion; and

(3) to cancel the arrangement completely upon withdrawal of adequate financial support by the State. Any person designated or appointed by the Secretary hereunder shall be deemed an "inspector" for the purposes of the provisions of the Meat Inspection Act relating to bribery of, or gifts to, inspectors or other officers and acceptance of gifts (34 Stat. 1264; 21 U.S.C. 90).

Sec. 9. If any provision of this Act or of the amendments made hereby or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and the amendments and of the application of such provision to other persons and circumstances shall not be affected thereby.

Sec. 10. The provisions of this Act and of the amendments made hereby shall become effective one year after enactment.

FIFTY-CENT COMMEMORATIVE COIN PROPOSED IN HONOR OF THE 200TH ANNIVERSARY OF THE TOURO SYNAGOGUE IN NEWPORT, R.I.

Mr. PELL. Mr. President, on behalf of myself and my three colleagues, the senior Senator from Rhode Island [Mr. Pastore] and both Senators from the State of New York [Mr. Javits and Mr. Keating], I introduce, for appropriate reference, a bill which would authorize the coinage of 50-cent pieces in commemoration of the 200th anniversary of the Touro Synagogue in my home city of Newport, R.I.

The Touro Synagogue is among our country's most renowned historic shrines. Of particular significance and of lasting importance was the visit to the synagogue by our Nation's first President, George Washington, in 1790—almost 27 years after the dedication ceremonies on December 2, 1763. President Washington was presented with an address from the Newport Congregation prepared by Moses Seixas, warden of the synagogue. In part, this remarkable address stated:

> Deprived as we heretofore have been of the invaluable rights of free citizens * * * we now behold a government erected by the majesty of the people—a government, which to bigotry gives no sanction, to persecution no assistance—but generously affords to all liberty of conscience and immunities of citizenship.

Shortly thereafter President Washington echoed these words in his most meaningful reply by letter. He wrote of "toleration" and the exercise of "inherent natural rights." He went on:

> For happily the Government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection should demean themselves as good citizens, in giving it on all occasions their effectual support.

I believe that this illuminating exchange is at the very heart of the democratic principles we profess. It has a nationwide applicability, and abiding and perpetual value.

The commemorative coin proposed in the bill I am introducing would combine our American ideals represented in the words, "To bigotry no sanction," with the source of their expression.

The Touro Synagogue, with its arched Polladian windows and the simple dignity of its classical architecture, is the oldest synagogue building now standing in the United States. It would seem especially appropriate, in the State of Rhode Island, founded by Roger Williams on principles of religious liberty, that this historic structure be memorialized with the first great leader of our national freedom.

Mr. President, I am delighted to have the senior Senator of my own State [Mr. Pastore] as cosponsor of this bill, and I am indeed grateful for the cosponsorship of Senators Javits and Keating; for it was from New York State—from New York City's Congregation Shearith Israel—that generous assistance came to the Newport congregation in its earliest days.

By terms of a cooperative agreement between the Secretary of the Interior, the Shearith Israel trustees of New York City, and Congregation Jeshuat Israel of Newport, Touro Synagogue was designated a national historic site on March 5, 1946.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2179) to authorize the coinage of 50-cent pieces in commemoration of the 200th anniversary of the Touro Synagogue, introduced by Mr. Pell (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

Mr. KEATING. Mr. President, I am pleased to cosponsor, with my colleague from Rhode Island, the bill providing for a commemorative medallion honoring the Touro Synagogue in Newport, R.I., on its bicentennial anniversary.

Construction of the building dates back to the year 1762, when, under the leadership of Rabbi Isaac Touro, the Jewish congregation of Newport, R.I., began to think in terms of more formal worship than could be provided in private homes, and began construction of a synagogue. Completed in 1763—200 years ago—the building became at once a center for religious undertakings of a farseeing and liberal nature, as well as events of historical importance.

Within these walls the General Assembly of Rhode Island met for the first time after the evacuation of Newport by the British in September 1780, and here, also, tradition has it, George Washington visited in the year 1790 and first proclaimed religious freedom.

When the American Revolution broke out, the Jewish population of Newport refused to hold services in the building so long as the British held control of the city. Following the Revolution, the local Jewish community became so small that the synagogue was closed and remained closed for 60 years.

And yet, because it was remembered as the oldest synagogue in the Nation and a building of historical consequence, it was maintained and revered even through this long period of solitude and loneliness. A grand reopening of the synagogue occurred in May 1883 and it serves today as a vital symbol of our Nation's historic dedication to religious freedom.

Mr. President, I am especially proud that New Yorkers shared in the establishment of this historic synagogue. The Congregation Shearith Israel of New York City gave invaluable assistance to the community of Newport in the early planning and building of this synagogue.

In view of its historical associations, the Touro Synagogue was designated as a national historic site, under authority of the Historic Sites Act of August 12, 1935. This law declares that:

> It is a national policy to preserve for public use historical sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States.

The law specifically authorizes the Federal Government to enter into cooperative agreements with various bodies, including religious institutions, to accomplish desired historical conservation. It was under the provisions of this act that the Touro Synagogue was designated a national shrine on August 13, 1947.

The historical and religious significance of the Touro Synagogue is well established. A commemorative medallion such as proposed in this bill, would reflect the good will which all Americans extend to this important institution.

FEDERAL LOANS TO STUDENTS OF OPTOMETRY

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to authorize Federal loans to students of optometry.

H.R. 12, the Health Professions Educational Assistance Act, provided student loans to individuals studying medicine, dentistry, and osteopathy. Although a strong case was presented for loans to optometry students, they were not included because it was agreed that no amendments would be made to the basic legislation which we had been trying to enact for the past 12 years.

I withdrew an amendment to H.R. 12 which provided loans for optometry students on assurance from the distinguished senior Senator from Alabama that a separate bill to accomplish the same purpose would be given expeditious consideration.

I would like to call to the attention of the Senate that the new bill I am introducing is a bipartisan issue of importance to the welfare of our Nation. I am joined in its sponsorship by Senators BIBLE, BURDICK, CHURCH, COOPER, ERVIN, HUMPHREY, INOUYE, JACKSON, JORDAN of North Carolina, KEATING, LONG of Missouri, McGEE, McCARTHY, MAGNUSON, METCALF, MILLER, MORSE, MORTON, NEUBERGER, RANDOLPH, and YARBOROUGH.

Optometry is the profession specifically licensed to care for vision, just as dentistry is the profession specifically licensed for dental care. The demands for its services are growing heavier each year as our modern civilization becomes more complex.

Nature made man's eyes for distant seeing—for stalking game or looking off to the horizon. Today, we are in an age of science and technology, when most of our critical seeing tasks are within arm's length.

There are few among us who do not know the importance of optometric services to our daily lives. Optometric care helps the farsighted person adapt to near point vision tasks; it clears up the blur at distance for the nearsighted. Our drivers are safer on our highways and our workers more efficient in their jobs because of the services received from our optometrists.

A higher proportion of our population is in the older age group than ever before. The greatest increase is in the group over 50, the vast majority of whom are in need of optometric services to enable them to continue to contribute to our economy, to enjoy the well-earned rewards which should be theirs in later years, and to enable them to be self-reliant. It is among the aged that many new optometric developments are being used and appreciated. There is no reason why the winter of life cannot be brightened with youthful vision, excepting that there is a serious decline in the number of optometrists per population.

The Nation's critical need for additional optometrists is grossly underestimated by the frequently expressed ratio of 1 optometrist per 7,000 population. One optometrist in a community of 7,000 could provide professional services to each member of the community only once in every 5 to 9 years; whereas the most conservative professional opinions call for vision examinations at least once every 2 years. The present ratio is less than 1 optometrist per 9,500 population; yet just to maintain the present ratio of 1 to every 9,500 in a period of continued population growth will require graduation of over 1,000 students per year instead of the present average of half that number.

When Dr. W. Judd Chapman, president of the American Optometric Association, testified before the Senate Subcommittee on Health he cited a study which revealed the need for vision services in the general population. I wish to quote from it for your information:

> An estimated 100 million people in the United States—as many as 58 percent of the population—require some form of vision care (correction by glasses, visual training, or other treatment).
>
> About 9,800,000 children need vision care; a large number of these children should be wearing glasses.
>
> About 350,000 persons are legally blind. (Some 75 percent of this number can be rehabilitated to function as normally sighted persons.)
>
> Some 1,500,000 persons are blind in one eye.

These figures do not begin to measure the wasted lives and losses from inefficient production occasioned by the poor vision of those who have not been helped by the services of an optometrist.

Mr. President, the bill I am proposing merely authorizes the use of Federal funds for student loans to schools and colleges of optometry upon the same terms that they have already been made available to students of medicine, dentistry and osteopathy. It provides for interest-bearing loans which are to be repaid in installments after the graduating optometrist has had an opportunity to become established in practicing his profession.

The cost of this bill is a mere pittance compared to the overall cost of H.R. 12, being estimated as less than $1 million; all of which is to be eventually repaid with interest. By its passage we will assure our Nation that its vision requirements will continue to be met. The bill will provide students, who are not now financially able, with the means to become optometrists—those men and women dedicated to the service of vision, God's greatest gift to man.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD following my remarks and that the bill lie on the table until the close of business on October 2 to enable other Senators to cosponsor it.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and held at the desk, as requested by the Senator from New Jersey.

The bill (S. 2180) to amend title VII of the Public Health Service Act so as to extend to qualified schools of optometry and students of optometry those provisions thereof relating to student loan programs, introduced by Mr. WILLIAMS of New Jersey (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 740(a) of the Public Health Service Act is amended by striking out "or dentistry" and inserting "dentistry, or optometry".

(b) Section 740(b)(4) of such Act is amended by striking out "or doctor of osteopathy" and inserting "doctor of osteopathy, or doctor of optometry or an equivalent degree".

(c) Section 741(b) of such Act is amended by striking out "or doctor of osteopathy" and inserting "doctor of osteopathy, or doctor of optometry or an equivalent degree".

(d) Section 741(c) of such Act is amended by striking out "or dentistry" and inserting "dentistry, or optometry".

AID TO THE BLIND

Mr. HARTKE. Mr. President, continuing my efforts to improve, through Federal legislation, the lot of blind aid recipients, I introduce, for appropriate reference, a bill containing several proposals to amend titles X and XVI of the Social Security Act. The bill is cosponsored by Senators WILLIAMS of New Jersey, SMITH, MAGNUSON, NEUBERGER, YARBOROUGH, METCALF, MOSS, MCCARTHY, RANDOLPH, HUMPHREY, MORSE, CLARK, YOUNG of Ohio, BARTLETT, INOUYE, BAYH, EASTLAND, SCOTT, and BREWSTER.

Since my election to the U.S. Senate, Mr. President, it has been my particular privilege, and, I feel, a special opportunity, to work with and for our sightless fellow citizens in their struggle to achieve full and equal participation in all activities of our Nation's life.

Blind men and women throughout the country, working together in the National Federation of the Blind, and I have sought to improve conditions and equalize opportunities for all persons without sight.

One object of our labors has been the Federal-State programs of aid to the needy blind, established under title X of the Social Security Act.

We, the blind and I, have worked to make public assistance to the blind an adjunct to rehabilitation, a force to stimulate hope, to encourage initiative and effort, a means and a way of gaining restoration to self-sufficiency and independence.

It has been one of my greatest satisfactions as a U.S. Senator that some of the proposals I have offered in Congress have been accepted and are now Federal law; and, because of this, blind men and women have received some measure of help as they strive so courageously to help each other and themselves.

Although Congress has on numerous occasions, indicated by its enactments, that aid to the blind should be directed toward the goal of assisting blind persons to reduce or entirely eliminate their dependency upon public welfare, to achieve self-support through gainful employment of their talents and training—the ancient and outworn concepts of the Elizabethan poor laws still persist in our society and submerge the needy blind beneath a load of overwhelmingly oppressive laws which serve only to make release from relief an almost unrealizable possibility.

The bill that I have introduced today dealing with aid to the blind would remove these unsocial and uneconomic roadblocks from the law and from the lives of blind people.

The purpose which should be served by the federally aided public welfare state program was emphatically stated by President Kennedy in his message to Congress on February 1, 1962, when he declared that public assistance should have as its objective the reduction or total elimination of dependency in our Nation; that it should seek to promote rehabilitation and restoration to normal, self-dependent, contributory living.

My bill as Federal law would give reality to this fine purpose.

My bill as Federal law would help needy blind people so that they would better be able to provide for their own needs.

I believe that the public welfare amendments adopted by Congress last year contain provisions which give impetus and implementation to the self-care, self-support and strengthening of family ties public assistance purposes included by the 1956 amendments to the Social Security Act. However, the same welfare amendments brought into the social security law and programs a retrogressive concept—the new title XVI.

While the history of public welfare in America is a record of increasing efforts to meet the special needs of the adult needy—the blind, aged, and totally and permanently disabled—title XVI would allow the States to consolidate their aid programs for these groups into one program. It would allow the States to dump their blind, aged, and disabled needy into one common welfare pot.

I am firmly convinced that the rehabilitation potential which many blind aid recipients possess will never be realized if the blind, the aged, and the disabled are to be merged and mingled indiscriminately in one common welfare program.

I object to this treatment for blind people. I know them, and am familiar with their special needs. I know them; and I am familiar with their efforts to help themselves, in spite of their disadvantaged station in life, their disadvantaged social and economic status.

I believe that these people merit our every help—and I for one intend to give them every help I can within my power as a person as a U.S. Senator.

The bill I have introduced today is designed to give such help.

All of its provisions are directed toward improving conditions for blind aid recipients. Some of its provisions are particularly directed toward eliminating, reducing, or counteracting the harmful effects of the new title XVI in the lives of some 100,000 of our sightless fellow citizens.

The bill I am introducing today, as Federal law, would help these people as they strive to achieve fulfillment in their lives, as they seek to live with decency and dignity, with independence gained from self-attained support.

Section 1 would remove the 12-month limitation on the exemption of additional income and resources for blind aid recipients having a State-approved rehabilitation plan for achieving self-support.

Last year, when the public welfare amending bill, H.R. 10606, was being considered in executive sessions of the Finance Committee, I offered an amendment to allow a blind aid recipient, working to achieve self-support under a State-approved rehabilitation plan, to have all of his earnings and resources exempt from meeting his need, and thus available to assist him to realize his goal of economic self-sufficiency and independence.

The committee adopted my amendment, but limited its application to 12 months for any individual blind aid recipient.

I believe this time limitation should be removed from existing law if this exemption is to have real value and meaning to blind people. Surely 1 year is too short a time in which reasonably to expect a blind person to attain self-support.

Certainly 1 year would be too short a time for a person with all of his faculties to progress from dependency to self-achieved full economic independence. One year is certainly too short a time for a sightless person, confronted by all of the problems of adjustment and training, of trying to secure work commensurate with his abilities and training.

I believe that a blind person who is working to achieve self-support should be helped and encouraged, and all apparent obstacles in his way should be removed.

The 1-year time limitation on the exemption of all income and resources is such an obstacle. It should be removed.

Nor is a time limitation on this exemption necessary to prevent abuse.

The exemption of all income and resources provision is only available to blind aid recipients who have a State-approved rehabilitation plan.

The "all resources" exemption will terminate when the objective of the rehabilitation plan has been fulfilled—when complete self-support has been gained.

At that time, the rehabilitation plan will end, and the exemption, too, will end.

Section 2 provides that the ability of relatives to contribute to the support of applicants for and recipients of aid to the blind be disregarded entirely in determining eligibility or the amount of the aid grant, and that only such contributions as are voluntarily made and actually received be considered as income.

State laws which require family members to contribute to the support of a blind person, I believe, are not only unsocial but also are uneconomic and contrary to the purpose and provision of the Social Security Act.

By the 1956 amendments, the strengthening of family life was made an objective to be served by the federally assisted public welfare programs—and court actions to enforce relatives' responsibilities statutes certainly do not promote family unity, but destroy it. I believe that the vast majority of our fellow citizens provide voluntarily and to the extent of their ability for their less fortunate family members—and many do, I think, at extreme personal sacrifice.

Humiliation and harm can only result to needy blind persons whose families must be brought into court to compel contributions to the support of the sightless individual.

If a blind man or woman is a financial burden to his family, if his family resents the help they must give him—how can we expect rehabilitation to flourish in such a home—to flourish in such an atmosphere of antagonisms and resentments.

Rehabilitation comes from within the disabled person; the desire and the determination of a person to rebuild his life comes from the encouragement of others, his family and friends—it comes from the concern of a helpful and understanding family.

To me, a particularly reprehensible feature of relatives' responsibility laws is that welfare authorities are able to tell an employed person—a person not a public assistance recipient—how he should spend his earnings. This, of course, is made necessary in order to determine how much he should contribute to a needy blind family member.

The relatives' responsibility concept certainly should have no place in our enlightened social thinking in America today.

Section 3 would prohibit any State agency administering federally supported blind-aid programs from requiring recipients of aid to the blind subject their property to liens or transfers to such agencies as a condition for the receipt of aid.

Mr. President, if the self-support and self-care goals expressed in the purpose clauses of the Social Security Act are to have meaning for needy blind persons, they must not be deprived, by lien or transfer, of the use of such amounts of property as they may possess.

To pauperize needy blind persons who apply for public aid, to take from them the little property they may own, not only takes away from them the only material means they have upon which to build a new life, it also takes away their will to try again, to work their way back to a life of self-dependence.

Section 4 would specifically provide that the individual needs of each person claiming aid to the blind be presumed to be not less than a fixed amount—an amount to be prescribed by each State in accordance with its own circumstances and conditions; further, it provides that, if the actual needs of an individual recipient of aid to the blind exceeds the specified figure, he shall be entitled to a payment to meet his particular needs, unless he possesses nonexempt income sufficient to meet his actual needs.

If the blind aid recipient is to be encouraged and helped to achieve economic independence, initiative must be stimulated, independent thinking must be fostered; and above all else, self-assurance and self-respect must be cultivated and developed.

The determination of a blind person's aid grant by the third degree method of the disreputable means test will not promote a spirit of rehabilitation in the blind person.

Subjecting a needy blind person to the harassment of never-ending investigations, deprecating and humiliating him by the avid searches for undisclosed resources, and the determination of his needs—almost, but not quite, to the point of estimating mouthfuls of food and lumps of coal—forced to endure all this, how is it possible reasonably to expect a will to rehabilitation and restoration to normal living develop?

My proposal would require that the needs of blind aid recipients be determined by ascertainment of the proven group needs of blind people as a group—then, each blind aid recipient would be granted at least this ascertained amount, less nonexempt resources.

If a particular blind individual should demonstrate a special need—for a special diet by reason of a diabetic condition—then he would receive an additional amount in his grant to meet this special need.

Mr. President, we just cannot treat blind aid recipients as social outcasts and almost presumed criminals; we cannot treat them as incompetents, begrudging them the barest minimum needed for survival, and then expect them to rebuild their lives and assume the responsibility for their own support.

Section 5 would specifically provide that nothing in title 16 of the Social Security Act shall be construed to prevent any State from having different standards of assistance and different eligibility provisions for any of the categories included in the combined plan.

When the public welfare amending measure was being considered in executive sessions of the Finance Committee, I offered an amendment to strike the proposed new title 16 from the bill.

I offered this amendment because I was convinced that the interests of needy blind persons would not be best served by the consolidation of State programs of blind aid with those of aid to the aged and the totally and permanently disabled.

Each of these groups of unfortunate citizens have needs different and distinct, each from the other—the blind have needs resulting from the loss of sight, with difficulties and problems unique to their condition; the aged have needs caused by their advanced years, their diminished ability to live and function without certain kinds of help; and the disabled, too, have needs which are peculiar to their disabled state. Therefore, it seemed to me, that only harm could result to these groups of people by disregarding their separate categorical needs and considering them as though their needs were identical, as though their needs might be satisfied by administering public assistance to them as though each group were not different in its needs from the other groups.

However, in response to my effort to have title 16 deleted from the Welfare bill, the other members of the Finance Committee and I were assured by officials of the Department of Health, Education, and Welfare that title 16 would only bring about administrative changes—that the welfare of the blind, the aged, and the disabled would not be detrimentally affected by such changes, but rather, that they would benefit from improved administration, from administrative efficiency.

In the face of such reassurances, I did not press for further consideration of my amendment.

But, since the enactment of Public Law 87-543, the HEW officials have issued State letters 582 and 616 which explain and interpret the provisions of the new title 16—and the interpretations contained in these State letters make it eminently clear that my original fears were justified—the interests of the blind, the aged, and the disabled are very much disregarded and detrimentally affected by title 16.

One particular interpretation which would be nullified by congressional acceptance of this proposal would require that "common standards" for the determining of eligibility and extent of payment be applied alike to the blind, aged, and disabled covered under a title 16 plan.

The leveling effects of the "common standard" interpretation would be to reduce aid grants to the blind in many States.

The "common standards" would impose on all alike—the blind, the aged, and the disabled—the same standard of resources that can be held—such as a home, and cash reserves—which means that, in States where higher standards, higher allowances have been achieved by the blind, these gains will be canceled and abolished, and numbers of blind aid recipients may find themselves suddenly cut off from aid.

Residence requirements also must be identical for all groups of recipients under title 16—as must provisions for relatives' responsibility, for liens or recovery of property, for allocation of income to dependents, and for other factors once treated separately and regarded as variable according to the distinctive characteristics of the three aided groups.

I believe that, to lump the blind, the aged, and the disabled into one aid program then, to judge the needs of the blind as though their needs were similar to those of the aged and disabled, will destroy the rehabilitation potential of the blind, will condemn many who might work their way off relief and return to normal, self-sufficient living, to perpetual dependence upon public welfare.

The "common standards" interpretation is a contradiction of the self-support and self-care purposes. It is a contradiction of the "elimination of prolonged dependency" declaration contained in President Kennedy's message to Congress on welfare matters last year.

Therefore, Mr. President, I urge the adoption of my proposal that would allow a State to have different standards of assistance and different eligibility requirements for any of the aided categories included in a combined plan of public assistance under title 16.

Section 6 would permit any State to claim Federal matching money for aid-to-the-blind cases under a separate plan for aid to the blind which meets the Federal requirements.

Not only should States be permitted to meet the needs of their blind aid recipients separately from the aged and the disabled, I believe that States should also be allowed, as are the States of Massachusetts, Delaware, Virginia, and North Carolina to file a separate plan under which they may administer their aid-to-the-blind program.

This, I think, is essential if the needs of the blind are to be recognized and provided for adequately, if the blind are to be helped toward rehabilitation, to rebuild their lives; and States which choose to file such a separate plan for the administration of aid to the blind should also have available to them the same benefits from the Federal Government available to States which consolidate their blind, aged, and disabled aid programs into a single program of federally supported public assistance.

Since the above-listed States have been permitted such separate administration of their aid-to-the-blind program, I believe it would be discriminatory to deny the same privilege to the remaining States of the Nation.

The States should also be allowed to locate such separately administered blind-aid programs in a Department of State Government other than the public welfare agency—a privilege already granted to the States of Massachusetts, Delaware, Virginia, and North Carolina.

To deny this, I believe, would be a discrimination against the blind of the Nation outside of the four States now granted such special status by the law.

Section 7 provides, just as title 1 and title 16 now do, for Federal financial participation up to one-half of a total of $15 monthly expenditure for medical care for blind aid recipients.

States which file a public assistance plan under title 16 are allowed Federal matching money for the medical needs of their blind recipients on the same basis as that now available only to the aged under title 1.

I believe that a State which retains its separate blind-aid program under title 10 should receive the same Federal help in providing medical care for its sightless citizens as that offered if a State will merge its blind in with the aged and disabled needy—the same financial help made available to the States of Massachusetts, Delaware, Virginia, and North Carolina with their statutorily authorized separate blind-aid programs.

I believe such Federal money should go to the States to pay part of the medical cost of their needy, whatever administrative arrangements a State may choose to make for the administration of its blind-aid program.

Section 8 would make it possible for a State which consolidates its aid program for the blind, aged, and disabled, under a title 16 plan, and then becomes dissatisfied with the single category aid program, to resume separate categorical programs of public assistance under title 1 for its aged, title 10 for its blind, and title 14 for its totally and permanently disabled needy citizens.

Since the adoption of the 1962 public welfare amendments, the Department of HEW has issued interpretive materials—State letters 582 and 616—which indicate very clearly that once a State files an aid plan under the new title 16, consolidating its blind, aged, and disabled aid programs into a single category program, it is irrevocably bound to retain its single category aid program.

Mr. President, however much State Welfare authorities may become convinced that their needy blind, aged, and disabled citizens would be better assisted by a return to separate categorical programs under titles 1, 10, and 14, they are forever bound—the States are precluded by HEW intepretation from such ameliorative action—and they are prevented, not by the law as passed by Congress; they are prevented by an interpretation of the law made by the HEW officials.

I do not believe that this interpretation of inflexibility is not an accurate determination of the intention of Congress.

I believe that the always predominating concept in the federally aided public assistance programs must be how best such programs may help meet the needs of people who, by reason of adversity, are unable to adequately provide for themselves.

The "irrevocable" interpretation of HEW is a contradiction to this concept.

Section 9 would specifically provide that rehabilitative services shall be given only to those blind aid recipients who voluntarily request them, that the amount of aid shall be in no wise contingent upon the acceptance of any services, and that services shall be defined and administered to the blind, aged, and disabled on a categorical basis and in accordance with their separate and categorical problems and needs.

Mr. President, for blind persons with an employment potential to remain upon public assistance for years, perhaps even for their entire lifetime, is a needless and shameless waste.

It is a grievous waste—a severe loss to the whole Nation, to each one of us of America—for we lose the contribution each one of these men and women has to make towards strengthening and enriching the life of the Nation.

As a U.S. Senator I have introduced and supported measures to encourage and help blind people in their striving toward the goal of self-support and rehabilitation.

I supported the "services" provisions of the public welfare bill which we passed last year, for, it seemed to me, that rehabilitative and restorative services in our welfare programs were long overdue.

But, Mr. President, just as I believe in rehabilitation and public assistance, so, too, do I believe that aid recipients—needy blind persons—should not, must not, be compelled or coerced into accepting such rehabilitation services.

Rehabilitation, I think, is a kind of salesmanship for social workers and other public assistance agency personnel—they must arouse the blind aid recipient to realize the almost limitless possibilities available to him, to work and live productively and profitably.

The blind aid recipient needs help to achieve self-support—harassment is not a help, but a hindrance. He needs stimulation, not suppression. He needs counseling and guidance, not compulsion or imposed dictation.

That is why I offer this proposal—that we of Congress, vitally concerned as we are for the welfare of blind people, may be sure that overzealous welfare workers will be prohibited from trying to achieve the rehabilitation of their sightless clients by authoritarian dictation.

The Federal Government, through the Social Security Act, provides financial assistance to the States to assist them in meeting the unmet needs of their needy citizens.

The primary purpose of these federally supported welfare programs is to provide unfortunate people, unfortunate oftentimes through circumstances beyond their control, with the means of obtaining food, clothing, shelter, and the other basic, bodily necessities of life.

This primary purpose of public welfare should never be forgotten nor sidetracked and set aside.

Rehabilitative services in public welfare are splendid; they are very much needed, but they never must be a substitute for the basic, bodily essentials.

A blind aid recipient who accepts rehabilitation services may gain much by such acceptance; he may lose much by refusing to accept them; but his aid grant should not be affected by his decision. He should continue to receive needed financial aid even though he is not interested in rehabilitation; remember, his lack of interest in rehabilitation may not be his fault, but rather, the fault may be the failure of his social worker or rehabilitation counselor.

Then, too, the rehabilitative services provided for in the welfare amendments, if they are to have value in the lives of needy people, must be provided to them on a group or categorical basis.

The problems, the needs, the difficulties of blind people are different from those of elderly people; and the needs, problems, and difficulties of the totally and permanently disabled are different and distinct from the other two adult aided groups.

Rehabilitative services for each group must be designed and administered with this fact in mind.

Rehabilitative services are intended to help disabled people help themselves—to help them reconstruct shattered lives. Such services will only serve this fine purpose when they are oriented and directed to meet group needs, are directed toward group problems—problems which are shared by the blind—but not by the aged or the disabled; problems which are held in common by the elderly, or which are unique to the disabled and unknown to the blind and the aged.

Therefore, I am proposing that "services" in public welfare be categorically provided.

Section 10 would provide for an increase in the matching of State funds by the Federal Government whereby the Federal Government would pay six-sevenths—$42.85—of the first $50 of the average payment of aid to the blind, and from 50 percent to 75 percent—in accordance with the variable grant formula—of the difference between $50 and $100.

Mr. President, according to the March issue of HEW's publication, the Social

Security Bulletin, the average amount of cash aid received by nearly 100,000 needy blind persons last November was $70.84.

Although the average money payment was higher than this figure in some States, it was substantially lower in many States.

As you know, Mr. President, the recipient of aid to the blind cannot buy his food and clothing in special stores having special prices—prices geared to his very low monthly aid grant.

Nor are rents less or utility costs lower because a blind person is in need and must live on public assistance.

The fact of the matter is, Mr. President, that the barest minimum standards of decency and health cannot be maintained on the monthly grants of aid received by the blind in many of our States.

A change in the amount of the Federal share in blind-aid payments is very much needed, an increase in the Federal financial contribution in such payments is urgently necessary.

I am, therefore, proposing such a change, that the level of aid income to the needy blind may be raised, allowing these people the chance to live—not luxuriously, but with a greater degree of adequacy.

Section 11 would provide that any increase in Federal funds, made available by Congress to raise the amounts of the aid grants of needy blind persons be given to the States only upon the condition that the States will pass on the additional funds to the aid recipients without diminishing the State or local government's share in such public assistance payments.

When the public welfare bill, H.R. 10606, was being considered in executive sessions of the Finance Committee, I offered an amendment requiring that the additional Federal money—$5 per month per recipient—provided for in the bill to increase the aid grants of needy blind persons, be passed on to the recipients by the States, without a lessening of the State's share in such payments.

The committee and I were assured by HEW officials that this pass-on requirement was unnecessary—that the States would surely pass on the increase to their needy citizens.

Since the passage of the welfare measure, the record shows that few States have carried out the very specific direction of Congress—contained in the House and Senate committee reports—that the additional Federal share in aid payments was intended to go to the recipients, was intended to increase by $5 the monthly aid allowances of needy people, and should be passed on by the States to them.

Nor is this the first time that the wish, intention, and direction of Congress has been disregarded in the matter of the States passing on increased Federal aid funds to recipients of public assistance.

Too often this has occurred over the years—the States have used money intended by Congress to increase payments to the needy for other purposes, or have passed on the additional Federal money only to reduce by the same amount their own contribution to such payments.

The proposal I am offering would make sure that Federal money in the federally supported State aid-to-the-blind programs is actually given to the needy, is actually received by them in their monthly aid grants.

Section 12 would prohibit the imposition of any residence requirement as a condition for receiving aid-to-the-blind payments.

I believe that blind persons on the aid rolls who possess the ability to earn their own living should not only be encouraged to do so, they should be helped to do so by every means possible.

Laws which hinder or block the efforts of these people to reach the goal of economic independence, I believe, should be either repealed or prohibited. Such laws are State residence laws which require that a blind person must live a specified period of time in a State in order to qualify for aid-to-the-blind payments.

Needing the whole Nation, the whole range of economic activities throughout the Nation available to him—that he may find his place, may find work commensurate with his training and skills—a blind person even though he is a public assistance recipient, and because he is a public assistance recipient, must be free to search for employment anywhere in the country, and he will be helped in his searching by being able to obtain public assistance in the new State where he is seeking work until a job is finally found, until earnings start coming in.

State residence laws prevent such freedom of movement. They deny to the blind aid recipient the opportunity to go where he believes work can be found and secured. Such laws condemn him to a static existence in a State where his kind of work is just not available.

In conclusion, Mr. President, it is essential that each of the proposals contained in my blind-aid amending bill be adopted by Congress if the many capable, employable blind people on relief are to be helped to achieve rehabilitation, if they are to gain release from a lifetime of economic and social captivity.

Each of my proposals is designed to remove from the public assistance programs for the blind the punitive aspects of such programs, they are designed to make of these programs a bridge to rehabilitation, a means and a way of achieving, ultimately, self-support for thousands of sightless men and women.

I urge the acceptance of all of my proposals to improve public aid for the blind that the public aid provided may offer more than subsistence and survival; rather, that such public aid may offer adequate income .with dignity, public support without penalties.

Mr. President, I ask unanimous consent that the bill be held at the desk for 3 days for additional cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk as requested.

The bill (S. 2181) to amend titles X and XVI of the Social Security Act to improve the programs of aid to the blind so that they will more effectively encourage and assist blind individuals to achieve rehabilitation and restoration to a normal, full, and fruitful life, introduced by Mr. HARTKE (for himself and other Senators), was received, read twice by its title, and referred to the Committe on Finance.

Mr. SMATHERS. Mr. President, I should like to commend the able Senator from Indiana for the introduction of this bill and the delivery of the message in conjunction with it. It has been my privilege to serve with the Senator from Indiana on the Finance Committee, the taxation committee of the Senate, for many years. I must state that throughout that period of time he has been most diligent in his efforts not only to protect but to improve the rights and privileges of the aged and the halt, and the blind particularly. I hope he will get the recognition which he so richly deserves for this vigilance, which he maintains continually. I wish to commend him for his efforts along this line. If there is any way the junior Senator from Florida can be of assistance to him in this most worthy project, I shall be most pleased to do so.

Mr. HARTKE. I thank the Senator from Florida. I will say that, serving on the Finance Committee, I have had a most able, qualified, and considerate tutor in the distinguished Senator from Florida.

Mr. SMATHERS. The Senator is very generous, far beyond what I deserve.

SOVIET PERSECUTION OF JEWS AND OTHER PERSONS

Mr. RIBICOFF. Mr. President, today—the day after the U.S. Senate gave its advice and consent to the limited nuclear test ban treaty—the world looks with renewed strength and spirit toward the prospect of peace.

It looks with renewed strength and spirit toward the day when all men will enjoy the basic freedoms.

Yet even today, as we look and work toward this goal, freedom of religion is trampled by one of the principal parties to a treaty that has given new hope to the world.

In the Soviet Union the free exercise of religion in any meaningful sense has been denied to everyone. All religions exist precariously, to say the least, in an officially antireligious atmosphere. But in a variety of fundamental ways, Judaism is subject to unique discrimination. Today the chief victims of religious persecution are the Jews.

The proposed execution of a Jewish rabbi for an alleged economic crime is only the latest in a long series of acts that provide us with tragic and abundant evidence of outright persecution.

Soviet law makes anti-Semitism a crime in Russia. Yet in Russia the Jew is branded as a Jew. On his domestic passport is stamped the word "Jewish" that identifies his nationality.

But while he has a nationality and secondarily, in Russia a religion, he has none of the rights of other nationalities and cultural groups. His ways of worship are severely limited. His synagogues are shut down, he is denied burial in the consecrated ground of Jewish cemeteries.

Other religious groups are allowed publishing facilities, central governing bodies, and religious objects. But the Jew has no religious articles—like the prayer shawl or phylacteries. He is permitted no publication facilities and no publications. No Hebrew Bible has been published for Jews since 1917. The study of Hebrew has been outlawed, even for religious purposes. He has no central organization or nationwide federation as do other major faiths. So he has no voice or way of bolstering and serving his faith.

There is one synagogue and one rabbi in the Soviet Union for each 15,000 or 16,000 Jewish believers. And though one yeshiva—or rabbinical academy—was established in 1957, it has been transformed by restrictions into an empty shell. This year there were only four students left. Obviously, there will be no way of replacing the rabbis now serving Jews in Russia—and most of them are in their seventies or eighties.

There are 3 million Russian Jews. And if they are not being slaughtered in mass pogroms, as they once were in Russia, and as they were in the ovens of the Nazi concentration camps, they are being slowly strangled. They are enjoying none of the gradually increasing freedoms of the Soviet society.

Chairman Khrushchev has labeled reports of anti-Jewish persecution as "a profound delusion." But is it a delusion when in the last 2 years at least 83 Jews have been executed out of a total of 140 people condemned for alleged economic offenses? Is it a delusion when reputable reporters tell us of arrests, trials, and executions—of mass trials in many cities that have been markedly anti-Jewish? Is it a delusion when kosher butcher shops are closed and elderly Jews are put in prison for baking matzoth or unleavened bread in their own homes and selling it for the Passover holidays?

To put an end to the special qualities of the Jew—to stymie him if he seeks expression of his religious faith—to bully him and harass him until he gives up the religious heritage of the centuries—these are the ends officially sought by the Government of the Soviet Union.

The facts are most clearly stated in a scholarly article by Moshe Decter published in the distinguished quarterly review Foreign Affairs this past January, which I shall ask unanimous consent, Mr. President, to have printed in the Record at the conclusion of my remarks. The Jews are the only nationality deprived of the basic cultural rights accorded to all others in the U.S.S.R.

The Jew has no Jewish books or periodical. He has no theater, though the Yiddish theater was once considered a matter of Soviet pride. He is vilified in the rigidly controlled Soviet press; anti-Jewish sentiments and stereotypes are built up, especially in the provincial press.

Most importantly, perhaps, he is cut off from the outside world. He has been warned: "Beware of foreigners." And of course, he cannot emigrate—cannot leave to seek his freedom elsewhere.

It is time that the free peoples of the world expressed their conscience about the persecution of the Jews in the Soviet Union. It is time we in the Senate speak up—on behalf of the free peoples of the United States.

The world has learned from bitter experience of the dangers of persecution of the Jews. We have learned that it is a symptom of a greater sickness. A symptom, though it hurts the sufferer, is not felt by others until the sickness spreads.

Let us try to curb this sickness before it spreads. Let us join together to demand that the Soviet Union curb her persecution of the Jews.

Let us say to her:

> If the world is to have new hope, if the cold war is to ease, let the first thaw occur in the icy indifference you have shown to the plaintive cries of those within your borders who seek an end to religious persecution.

Mr. President, I therefore submit, for appropriate reference, a resolution expressing the sense of the Senate that Soviet persecution of Jews and all other persons be condemned. I submit this resolution for Senators Allott, Anderson, Bartlett, Bayh, Beall, Boggs, Brewster, Burdick, Cannon, Case, Church, Clark, Cooper, Cotton, Dodd, Dominick, Douglas, Edmondson, Goldwater, Gruening, Hart, Hartke, Holland, Humphrey, Inouye, Jackson, Javits, Jordan of Idaho, Keating, Kennedy, Kuchel, Lausche, Magnuson, McCarthy, McGovern, McIntyre, McNamara, Metcalf, Monroney, Morse, Morton, Moss, Mundt, Nelson, Neuberger, Pastore, Pell, Proxmire, Randolph, Saltonstall, Scott, Simpson, Smathers, Symington, Thurmond, Tower, Walters, Williams of New Jersey, Yarborough, and Young of Ohio, and myself. I ask unanimous consent that the resolution be printed at this point in the Record, that it remain on the table for 10 days, and that there be printed in the Record, at this point an article from the January 1963, issue of Foreign Affairs, entitled "The Status of the Jews in the Soviet Union" by Moshe Decter and an article from the June 16, 1962, issue of the Saturday Evening Post, entitled "The Kremlin's Persection of Jews" by Rowland Evans, Jr.

The VICE PRESIDENT. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the table, as requested, and be printed in the Record, along with the articles mentioned.

The resolution (S. Res. 204) was referred to the Committee on Foreign Relations, as follows:

Whereas the Senate of the United States deeply believes in freedom of religion for all people and is opposed to infringement of this freedom anywhere in the world; and

Whereas abundant evidence has made clear that the Government of the Soviet Union is persecuting Jewish citizens by singling them out for extreme punishment for alleged economic offenses, by confiscating synagogues, by closing Jewish cemeteries, by arresting rabbis and lay religious leaders, by curtailing religious observances, by discriminating against Jews in cultural activities and access to higher education, by imposing restrictions that prevent the reuniting of Jews with their families in other lands, and by other acts that oppress Jews in the free exercise of their faith; and

Whereas the Soviet Union has a clear opportunity to match the words of its constitutional guarantees of freedom of religion with specific actions so that the world may know whether there is genuine hope for a new day of better understanding among all people: Now, therefore, be it

Resolved by the Senate, That it is the sense of the Senate that persecution of any persons because of their religion by the Soviet Union be condemned, and that the Soviet Union in the name of decency and humanity cease executing persons for alleged economic offenses, and fully permit the free exercise of religion and the pursuit of culture by Jews and all others within its borders.

The articles presented by Mr. Ribicoff are as follows:

[From Foreign Affairs magazine, January 1963]

The Status of the Jews in the Soviet Union

(By Moshe Decter)

During the past quarter-century, enlightened public opinion throughout the world has become keenly sensitive to the treatment of minorities as a barometer of moral decency and social sanity. The awesome experiences of this period have drawn particular attention to the symbolic and actual position of the Jewish minority. In this light, the status of the Jews in the Soviet Union warrants special concern.

The situation of Soviet Jews can be comprehended primarily within the framework of Soviet nationalities policy. That policy, as reflected in Communist Party directives, the Soviet Constitution, and public law, is based on the ideological acceptance of the concept of national self-determination and on the legal recognition of the right of all nationalities within Soviet borders to cultural freedom. Actual Soviet policy toward the Jews clearly violates these principles. It is tantamount to a policy of discrimination, for it denies to the Jews such ethnic-cultural rights as are generally accorded all other Soviet nationalities.

The Soviet Union officially recognizes Jews as a nationality. In the personal identification papers which all Soviet citizens carry (the internal passport), Jews must list their nationality as "Jewish" (Yevrei) just as other nationalities—such as Russians, Ukrainians, Georgians, and others—must list theirs. Thus, in the official Soviet census returns of 1959, published in Pravda on February 4, 1960, Jews are listed among the official nationalities. In all previous censuses, citizens were required to provide proof, in the form of their internal passport, of their claim to belong to one or another nationality. In 1959, for the first time, they were allowed to volunteer, without proof, the nationality with which they chose to be identified. Despite the possibility thus provided for Jews to pass, 2,268,000 people specified their nationality as Jewish (there are reason to believe that the total number more closely approximates 3 million).

Soviet Jews constitute 1.09 percent of the population, but they occupy a far more significant place than this figure suggests. Of the considerably more than 100 diverse Soviet nationalities, the Jews are 11th numerically. The great majority of them live in the three most populous Union Republics: 38 percent in the Russian Republic, 37 percent in the Ukraine, 7 percent in White Russia; but there is no republic of the U.S.S.R. where Jewish communities may not be found. And an important reflection of their sense of identification after several decades of direct and indirect forcible assimilation is that 472,000 (20.8 percent) gave Yiddish, which is the traditional language of speech and literature of East European Jews, as their mother tongue.

The Jews are also regarded, secondarily, as a religious group. This complicates their status and makes it even more precarious.

For though their unique dual character is a natural outgrowth of Jewish history and tradition, it creates unusual difficulties for them under Soviet conditions. An assault upon the Jewish religion, for example, will inevitably be taken, by Jews and non-Jews alike, as an attack upon the Jewish nationality as a whole—upon Jews as such. And they have come increasingly to be considered an alien group in a land where they have resided for more than a thousand years.

Their vulnerability is increased by the fact that, unlike most other Soviet nationalities, which have their own geographic territories, the Jews are widely dispersed throughout the country. They are also the only Soviet nationality a majority of whose total world population lives outside the U.S.S.R. Because the Soviet Jewish minority has historic and traditional ties of culture, religion and family with Jewish communities throughout the world outside the Communist bloc, it is subject to even greater suspicion.

Soviet Jews are especially sensitive to their vulnerable condition because their memory of what they themselves call the "black years"—the last 5 years of Stalin's rule, when his terror assumed a viciously and openly anti-Semitic form—has not been erased. One reason they have not forgotten is that Soviet policy toward Jews and Judaism has remained essentially the same since 1948—with the vitally important exception, of course, that the terror is gone. And they are not less keenly cognizant of the fact that, of all the crimes of Stalin cataloged by Premier Khrushchev and his colleagues at the 20th and 22d Congresses of the C.P.S.U., his crimes against the Jews were passed over in utter silence.

The significance of Soviet policy toward the Jews was dramatically highlighted in September 1961 by the publication of a poem, "Babi Yar," in the Literary Gazette, organ of the Soviet Writers Union. This poem by a loyal Communist, Yevgeny Yevtushenko—one of the most popular young Soviet poets—caused a sensation. It is a searing indictment of the anti-Semitism both historically and as a facet of contemporary Soviet society. In his opening line, the poet protests that there is still no monument to the scores of thousands of Jewish martyrs slaughtered by the Nazis in 1941 at Babi Yar, a vale on the outskirts of Kiev. This is a pointed reflection of the fact that Soviet authorities have been consistently silent about the nature, dimensions and even the very existence of the unique Jewish tragedy during the Second World War. Though not himself a Jew, Yevtushenko identifies himself in his poem with persecuted Jewry throughout history. He thus points up the existence of a historic Jewish people, which Soviet doctrine denies—and of Jewish history, which Soviet policy prevents Jews from learning.

Yevtushenko is not alone in mirroring the mood and sensibility of the literate younger Soviet generation. There is a whole underground literature that passes from hand to hand among the university and literary youth, and one of its frequent leitmotifs is isolated, disadvantaged Soviet Jewry. In this, as in their general quest for a purified idealism, Yevtushenko and his confreres are in the main stream of the honorable tradition of the liberal Russian intelligentsia from Pushkin to Tolstoy and Gorky.

II

The Jews are the only nationality which is deprived of the basic cultural rights accorded to all others in the U.S.S.R. These rights have recently been reaffirmed by no less an authoritative source than the new party program adopted by the 22d Congress in October 1961: "The Communist Party guarantees the complete freedom of each citizen of the U.S.S.R. to speak and to rear and educate his children in any language—ruling out all privileges, restrictions or compulsion in the use of this or that language."

Until 1948 the Jews were permitted a cultural life in their own language, Yiddish (though Hebrew was forbidden), on a large scale; newspapers, publishing houses, thousands of books, a variety of literary journals, professional repertory theaters and dramatic schools, literary and cultural research institutes, a network of schools, and other means of perpetuating Jewish cultural values, albeit in a Communist form. In 1948 (and in some cases during the purges of 1937–39), the whole vast array of institutions was forcibly closed.

No basic change in this policy of cultural deprivation occurred, despite Stalin's death and the gradual easing of the tyranny, until 1959. Since then, a grand total of six Yiddish books has been published—by writers long dead. (None has been published in 1962 as of November.) They were put out in editions of 30,000 each, mostly for foreign consumption, but those copies that were available to Jews inside the U.S.S.R. were eagerly and quickly snapped up.

This total of six books is to be compared with the facilities made available to many ethnic groups far smaller than that of the Soviet Jews, and which do not possess as ancient, continuous and rich a culture. Two striking examples are in order. The Maris and Yakuts are two tiny primitive Asian groups which number 504,000 and 236,000 respectively. In 1961 alone, Soviet printing presses produced 62 books for the Maris and 144 for the Yakuts, in their own languages.

The Soviet Yiddish theater was once considered one of the prides of Soviet artistic achievement. Today there is only a handful of amateur theatrical groups, made up of Jewish workers banded together after working hours, existing on a marginal basis; there is not even such a group in Moscow or Leningrad, the two major centers of Soviet Jewry, together totaling nearly 1 million.

In the autumn of 1961, for the first time since 1948, a Yiddish literary journal, Sovietish Heimland, began publication as a bimonthly. Welcome though this is, it is no more than the exception proving the rule. But it does represent, along with the meager half-dozen Yiddish books (and the concerts of Yiddish dramatic readings and folk songs which have been permitted and which have been attended by millions of Jews in recent years) a tacit repudiation of the oft-repeated Soviet assertion that Soviet Jews have lost interest in their culture. This state of affairs is again to be contrasted with the press available to the Maris and Yakuts. The former have 17 newspapers, the latter 28.

A frequent Soviet rationalization for the absence of cultural institutions for the Jews is that the Jews are so widely dispersed. This is invalidated, however, by the fact that tiny minorities like the Chechens (418,000), Ossetians (410,000) and Komis (431,000), which do not have their own territories yet have their own newspapers and literatures in their own languages, and schools where their languages are taught. The Tadjik minority in Uzbekistan (312,000 out of a total Republic population of 8,106,000) has similar rights and institutions, as have the Poles in White Russia (539,000 out of 8,055,000).

It is not just schools that are forbidden to the Jews.[1] They are not even allowed classes in Yiddish or Hebrew in the general schools; nor for that matter, classes in the Russian language (comparable to Sunday School education in the United States) on Jewish history and culture. Nor are Soviet Jews permitted to have contact on purely Jewish cultural matters with Jewish institutions abroad.

III

All religions in the U.S.S.R. exist very precariously within a context of official antireligious ideology and propaganda. In a variety of fundamental respects, however, Judaism is subjected to unique discrimination. Jewish congregations are permitted no variant of the right enjoyed by the others to maintain nationwide federations or other central organizations through which religious functions are governed, religious needs serviced, religious belief bolstered and communication between congregations strengthened. Rabbis and synagogue leaders have nothing at all comparable to the Holy Synod of the Russian Orthodox Church, the All-Union Council of Evangelical Christians-Baptists, the National Ecclesiastical Assembly of the Armenian Church, the Lutheran Churches of Latvia and Estonia or the Moslem Board for Central Asia and Kazakhstan.

These churches are permitted a wide range of religious publishing facilities, publishing houses and paper supplies. Thus, the Russian Orthodox version of the Bible was reprinted in 1957 in an edition of 50,000. In 1958, 10,000 copies of a Russian-language Protestant Bible were published by the Baptists. The same year the Moslem Directorates in Ufa and Tashkent produced editions of 4,000 and 5,000 copies, respectively, of the Koran. And in May 1962 the Moslem Board for Central Asia issued still another new edition. It should be noted that these editions of the Koran are in Arabic, a language not spoken by Soviet Moslems, but used for religious study and other religious functions. This is comparable to what the status of Hebrew might be there.

Judaism is permitted no publication facilities and no publications. No Hebrew Bible has been published for Jews since 1917. (Nor has a Russian translation of the Jewish version of the Old Testament been allowed.) The study of Hebrew has been outlawed, even for religious purposes. Not a single Jewish religious book of any other kind has appeared in print since the early 1920s. In contrast, prayerbooks are available to the other denominations in relatively ample supply: The Baptists were authorized in 1956 to publish 25,000 hymnals; the Lutheran Church of Latvia has produced 1,500 copies of a psalter and is now preparing a new edition of its 1954 hymnal. Religious calendars, indispensable guides for religious holidays and observances, are freely available. Other types of religious publications are also permitted. The Russian Orthodox Church publishes the Journal of the Moscow Patriarchate, its official monthly organ. It has also published collections of sermons and several annuals. The All-Union Council of Baptists puts out a bimonthly, the Fraternal Review.

No such prerogatives have been vouchsafed to the Jews. Until 1958, no siddur (Sabbath prayerbook in Hebrew) was printed. In that year, an edition of 3,000 copies of a pre-Revolutionary siddur was provided by photo-offset—a ridiculously small figure for the hundreds of thousands of religious Jews whose prayerbooks are tattered and worn. No edition at all has been allowed of special prayerbooks which Jews use on their High Holidays and major festivals. As for calendars, the Jews have had to depend on photographed copies of handwritten ones, surreptitiously circulated from hand to hand.

A subtler but harsher form of discrimination has resulted from the ban on Hebrew. The Russian Orthodox, Baptist, Lutheran, Georgian or Armenian believer is not handicapped in his participation in religious services, for they are conducted in his native spoken tongue. But the half-century-old ban on Hebrew has made it impossible for Jews educated under the Soviet régime to make sense of their synagogue services. Thousands come—and must stand mute and dumb.

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[1] Though Soviet law permits any 10 parents who request it to organize instruction for their children in their own language, Jewish parents have been understandably loath to take advantage of this provision.

The other major ecclesiastical bodies are authorized to produce a variety of religious articles—ritual objects such as church vessels, vestments, candles, beads, crucifixes, and ikons. The mass sale of such articles, especially candles, is an important source of church income. But the production of such indispensable religious objects as the tallis (prayer shawl) and tefillin (phylacteries) is prohibited to Jews.

A brief statistical examination illuminates the extent to which the faithful are served by churches and priests, synagogues and rabbis. For the 40 million Russian Orthodox there are some 20,000 churches and 35,000 priests (quite apart from those in the 69 monasteries and convents). This comes to 1 place of worship for each 2,000 believers and 1 priest for each 1,100 believers. For the 3 million Baptists (including women and children who are affiliated through family membership) there are roughly 6,000 parishes and pastors, which amounts to 1 place of worship and 1 minister for each 500 believers. The Lutheran Churches of Latvia and Estonia have 100 churches and 150 pastors for about 350,000 communicants—approximately 1 church for each 3,500 believers and 1 minister for each 2,300. By contrast, there are some 60 or 70 synagogues and rabbis for the nearly 1 million Jewish believers—which amounts to 1 synagogue and 1 rabbi for each 15,000 to 16,000 Jewish believers.

Most religious groups also maintain educational institutions to prepare men for the priesthood. The Russian Orthodox have two academies and five seminaries; the Moslems have a madrassa where their mullahs are trained. In addition, quite a few Moslem clerical students have been permitted to advance their studies at the theological seminary in Cairo. Young Baptist seminarians have attended theological schools in Great Britain and Canada. Such programs serve the twofold function of maintaining spiritual contacts with coreligionists abroad and of enhancing the quality of religious education at home.

Until 1957, religious Jews had no institution to train rabbis. In that year, a yeshiva (rabbinical academy) was established as an adjunct of the Great Synagogue in Moscow. Since then, precisely two men have been ordained as rabbis, neither of whom has functioned as a synagogue leader. Of the 13 students at the yeshiva until April 1962, 11 were over 40—which means that very little provision was made for replacing the rabbis now serving in the U.S.S.R., all of whom are in their seventies and eighties. This is to be contrasted with the accent on youth for Russian Orthodox seminarians. The Jewish community is thus being deprived of needed religious leadership.

A most serious restriction was imposed on the yeshiva in April 1962, when a majority of the students, who came from the oriental Jewish communities of Georgia and Daghestan, were forbidden to resume their studies in Moscow, on the ground that they lacked the necessary residence permits for the capital city which is suffering from a housing shortage. This left just four students in an institution that has been transformed into a virtually empty shell. Nor has any Jewish seminarian in the last 5 years been allowed to advance his studies at institutions of Jewish learning abroad.

In addition to their prerogatives at home, other Soviet ecclesiastical bodies have enjoyed the privilege of regular and permanent ties with coreligionists abroad, an incalculably important boost to their morale. Since 1956 there have been innumerable exchange visits of religious delegations — Russian Orthodox, Baptists and Moslems—between the U.S.S.R. and Western Europe, the United States and the Middle East. The Soviet Moslems have for years been associated with a World Congress of Moslems. At the end of October 1962 a national conference of Moslem leaders, meeting in Tashkent was authorized to establish a permanent department for international relations, with headquarters in Moscow, which would speak for all Moslem Boards in the country. And within the past year, the World Council of Churches (Protestant) accepted the full-fledged membership of the Russian Orthodox Church and of five other major Soviet ecclesiastical bodies: the Georgian and Armenian Churches, the Baptists, and the Lutheran Churches of Latvia and Estonia.

No Jewish religious delegation from the U.S.S.R. has ever been permitted to visit religious institutions abroad. Nor are synagogues in the Soviet Union allowed to have any kind of official contact, permanent ties or institutional relations with Jewish religious, congregational or rabbinic bodies outside their country.

The process of attrition and pressure against Judaism and Jewish religious institutions and practitioners has been systematically stepped up since the middle of 1961. In June and July of that year, the synagogue presidents in six major provincial cities were deposed. In the same period six lay religious leaders in Moscow and Leningrad were secretly arrested. In September 1961, on the occasion of the Jewish High Holy Days, the authorities ordered the construction of a special loge in the Moscow Great Synagogue to seat the Israel Embassy officials who came to attend services—the better to cut off the thousands of Jews who came to the synagogue from their fellow Jews from abroad. In October 1961, the Moscow and Leningrad leaders were secretly tried and convicted of alleged espionage, and sentenced to lengthy prison terms. In January 1962, Trud, the central trade union paper, published a notorious article that portrayed these devout religious Jews as agents of Israel spies who, in turn, were described as tools of American intelligence.

On March 17, 1962, Rabbi Judah Leib Levin of the Moscow synagogue announced that the public baking and sale of matzah (the unleavened bread indispensable to the observance of the Passover) would be forbidden. This was the first time in Soviet history that a total ban on matzah was enforced throughout the country. The ban was actually part of the larger official attempt to destroy the bonds between Soviet Jewry and the traditional roots of Judaism that have a national historical significance. Since Passover is the ancient feast that commemorates the liberation of the Hebrews from Egyptian slavery and their establishment as a religious people, this holiday is subjected to especially virulent assault in the Soviet press. It is linked with "Zionist ideology," the State of Israel, chauvinism and so forth. The propaganda goes so far as to brand Jewish religious holidays, and Passover in particular, as subversive. "Judaism kills love for the Soviet motherland"—this is a slogan from a typical press article.

All this adds up to a systematic policy of attrition against religious Jews and their religious practices. The synagogues are the only remaining institutions in the U.S.S.R. which still embody the residues of traditional Jewish values and where Jews may still foregather formally as Jews. The objective of this policy is clearly to intimidate and atomize Soviet Jewry, to isolate it both from its past and from its brethren in other parts of the world, to destroy its specifically Jewish spirit.

IV

This policy of cultural and religious repression is conducted within the charged atmosphere of a virulent press campaign against Judaism. From it the image of the Jew emerges in traditional anti-Semitic stereotypes. The majority of the articles appear in the provincial press—in the larger cities, frequently the capitals, of the various republics, primarily the Russian Republic, the Ukraine and White Russia. These are the regions where the bulk of Soviet Jewry lives and where popular anti-Semitism is still widespread and endemic.

A study of a dozen such publications reveals that the following themes recur repeatedly:

1. The stereotype that emerges most blatantly is that of Jews as money worshippers. Rabbis and lay leaders of the synagogues are consistently portrayed as extorting money from the faithful for ostensibly religious purposes, their object in fact being to feather their own nests. Thus, whether it is the religious service itself or some ancient rite, it is all presided over by religious figures who are "in reality" money-grubbing thieves.

2. Judaism is constantly denigrated. All its rites are mocked in a manner which contrasts harshly with the Soviet Union's boasts of religious toleration. Circumcision, for example, is denonunced in the crudest terms as a barbarous and unhealthful ritual: "The priests of the synagogue offer the regular sacrifice to their God Jehovah."

3. Drunkenness in the synagogue is another favorite theme. The scandalous rogues who pocket the money innocently contributed by the believers are shown as devoted to drink—guzzlers who confuse their prayers under the influence of alcohol. The leader of a synagogue burial society is quoted as saying: "In booze—I believe; in God—I don't."

4. Brawling is alleged to occur frequently in the synagogue, invariably over the division of the ill-gotten profits from religious speculation. The newspapers "name the names" of the religious "misleaders" allegedly involved and frequently give their addresses and public positions, if any.

5. In these articles Jews often are used to inform on fellow Jews and to denounce Judaism. Many articles are signed by Jews; some contain recantations, usually by elderly men, of their religious faith.

6. A favorite device is for the writer to single out for special attention the adult children of elderly religious Jews. They are usually named and their public positions (teacher, engineer, nurse, etc.) noted, as well as their places of work and, where relevant, their party membership. Thus not only the parents but the presumably loyal, nonreligious Communist children are held up to public obloquy, in a not very subtle effort to exert social blackmail on them.

7. Propaganda assaults on private prayer meetings are also frequent. Since many synagogues throughout the country are closed, Jews have taken to foregathering in each other's homes for prayers. Such gatherings are frowned upon, indeed unauthorized, and have regularly been dispersed, and their members warned and even punished. Articles list those who organize and attend such prayer meetings.

8. Perhaps the most ominous of all the themes is the consistent portrayal of the tenets and practitioners of traditional Judaism as potentially or actually subversive. The following references are typical: "The Jewish clericals and bourgeois nationalists provide grist for the mills of our class enemies, distract workers from their class and Communist interests, and weaken their consciousness with chauvinist poison." "The traditions bolstered by the synagogue are doubly harmful. First of all, they contribute to the perpetuation of the false religious world outlook. Secondly, they serve as an instrument for the propagation of bourgeois political views which are alien to us."

This must be contrasted with the resolution of the Central Committee of the Communist Party, signed by Premier Khrushchev on November 10, 1954, and re-echoed in Pravda on August 21, 1959: "It must not be forgotten that there are citizens who, though actively participating in the country's life and faithfully fulfilling their civic duty, still remain under the influence of various religious beliefs. Toward these the party has already demanded, and will always demand, a tactful, considerate attitude. It is especially stupid to put these under political suspicion because of their religious convictions."

These standards have been clearly violated where Jews and Judaism are concerned. In the Soviet Union official atheism affects all religious groups; but it is only with regard to Jews and Judaism that the theme of lack of patriotism, disloyalty and subversion is injected into the propaganda. When the religion of the Russian Orthodox, the Armenian Orthodox, the Georgian Orthodox, the Baptist or the Moslem is attacked in the press he does not thereby come under political suspicion, nor does he feel his loyalty impugned either as a member of a given nationality or as a Soviet citizen. By the same token, the mass of non-believing Russians, Armenians, Georgians or Uzbeks do not feel that they are involved when the religious members of their nationality see their religion attacked in the official propaganda.

But with the Jews it is different. Because of the persistence of "popular" anti-Semitism, subtly encouraged from above, an attack upon the religious Jew and the portrayal of the Jewish image in traditional anti-Semitic stereotypes is felt even by the nonreligious Jew as somehow involving him too. And he is not far wrong in feeling that many of his non-Jewish neighbors understand it in the same way. Small wonder, then, that—in the absence of a consistent educational campaign against anti-Semitism, such as was conducted in Lenin's time—an assault upon the Jewish religion will be sensed, by Jews and non-Jews alike, as an assault upon the entire Jewish group.

V

In such an atmosphere, it is hardly surprising that Jews should be subject to a subtle policy of discrimination in employment, education and other sectors of public life. That policy may be summarized in the phrase attributed, perhaps apocryphally but nonetheless aptly, to a top-level Soviet leader: "Don't hire, don't fire, don't promote."

A few especially gifted or brilliant Jewish individuals can still be found within the Soviet leadership. Many occupy positions in the middle ranks of professional, cultural, and economic life. But virtually all face potent discriminatory measures in key security-sensitive areas of public life. The instrumentality for this exclusion, carried out quietly and informally, is the nationality listing on the internal passport. Thus, Jews have virtually disappeared from positions of major responsibility in the diplomatic service and, with rare exceptions, in the armed forces. This contrasts sharply with the situation that prevailed from 1917 to the late 1930's. The proportion in higher education, science, the professions and political life has also been declining for many years. The key to the decrease is the system of nationality quotas in university admissions. A considerable body of evidence points to the existence of a numerus clausus for Jews in the universities and, in some cases, of a numerus nullus. This explains the decline of Jewish representation in important activities.

The extent of the decline in higher education is reflected in the fact that Jews today represent 3.1 percent of all students in higher education, as contrasted with 13.5 percent in 1935. During this 27-year period, the Jewish proportion of the population decreased merely from 1.6 to 1.1 percent. There is no way of accounting for this drastic decline in a country with an expanding economy and growing opportunities—except by discrimination.

Even the present 3.1 percent is a skewed figure, for it fails to take account of two decisive factors. In the first place, the category "higher education," as given in Soviet statistics, lumps together both universities and many other types of specialized academies such as teacher training schools, music conservatories, and journalism institutes. Jews have a strong position in the latter types, and this fact artificially raises the total by balancing out the much lower proportion of Jews in the universities as such. Secondly, it is estimated that 90 percent of Soviet Jews are urbanized. Most universities are located in the larger cities and recruit their student bodies from the children of the urban intelligentsia, in which the Jews have traditionally occupied a leading position. To get a more accurate measure of Jewish representation in higher education in proportion to the population, the Jewish proportion would have to be compared not with the percentage of Jews in the total population of a given republic, but with the percentage of Jews in an urban university area.

As for the professions, the declining proportion of Jews has been as much as admitted by Premier Khrushchev and Culture Minister Furtseva themselves as a matter of policy. (In making such admissions, they have referred to the necessity of making room for "our own intelligentsia"—clearly giving away their feeling that the Jews are not truly indigenous.) In general, the proportion of non-Jewish nationalities among professionals has been rising at a very rapid rate, but that of the Jews at a much slower rate. For example, since 1955 the number of Russians and Ukrainians in science has increased by 40 percent, that of the Jews by 25 percent. In 1955, Jews constituted 11 percent of Soviet scientists; the figure was 10.2 percent by 1958 and 9.8 percent by 1960. Even this figure is deceptively high, for it includes a substantial number of an older generation who had far freer access to the universities and the professions in the 1920's and 1930's. It is obviously the Jewish youth who are hardest hit by the declining pace; they have to be very good indeed even to get into the universities, and they find it increasingly difficult to enter the professions.

The disappearance of Jews from leadership positions in political life has been striking and dramatic. Soviet spokesmen have tried to counter this fact by noting recently that 7,623 Jews were elected to local soviets all over the country. This seems impressive until it is realized that, as of 1960, more than 1,800,000 such local deputies were elected. The "large" number of Jews thus comes to less than one-half of 1 percent. Moreover, in all but one of the Supreme Soviets of the 15 republics, the number of Jews is far below their proportion of the population.

When this pattern of discrimination is linked to other facets of Soviet policy toward the Jews, it becomes clear that they are considered a security risk group—suspected of actual or potential disloyalty, of essential alienness.

VI

Many nuances of the same pattern of hostility have been revealed in the massive campaign waged with increasing severity in the past few years against the widespread economic abuses that characterize so much of Soviet life. A series of decrees, beginning in May 1961, called for capital punishment for such offenses as embezzlement of state property, currency speculation and bribery. The authorities have made no attempt to conceal their concern over these activities or the fact that vast numbers of the population engage in them. Major pronouncements by leading officials have, indeed, given a picture of a country shot through with corruption—ironically, of a "capitalist" sort. All organs of the party, the Komsomol, the state, the press and other major institutions have been pressed into service in the campaign against it. The secret police, one of the last strongholds of Stalinism, plays a key role. And the public at large has been strenuously urged on to be vigilant, with all the overtones of vigilanteeism.

Though the campaign's objective may not be anti-Jewish, there is little doubt that it has had anti-Jewish implications and consequences, of which the authorities—and the secret police—cannot but be aware.

Thus the Soviet press has especially featured those trials that have resulted in death sentences (frequently accompanied by the denial of the right of appeal). To date, 36 such trials have been reported in 26 different cities. In these trials, death sentences have been meted out to 70 individuals—of whom 42 (and possibly 45) are Jews. In a number of cases, the Jewish religious affiliation of some of the culprits was made explicit: the synagogue was portrayed as the locus of illegal transactions, religious Jews were mockingly described as money worshipers, the rabbi was shown as their accomplice, their family connections in Israel and the United States were pointed up. In general, the Jews are presented as people "whose only God is gold," who flit through the interstices of the economy, cunningly manipulate naïve non-Jewish officials, prey upon honest Soviet workers and cheat them of their patrimony. They are portrayed as the initiators and masterminds of the criminal plots; the non-Jews are depicted primarily as the recipients of bribes and as accomplices.

The ominous significance of this publicity is clear. It informs the conditioned Soviet reader that the government thinks the tiny community of Jews, which constitutes little more than 1 percent of the population, is responsible for nearly two-thirds—and in some areas 100 percent—of the economic crimes that warrant capital punishment. Anti-Semitic feelings are exacerbated. From many cities come reports of grumbling on the food queues: "The Jews are responsible for the shortages." Western travelers who were in Vilna during and immediately after a major economic trial in February 1962—where all eight accused were Jews, four of them receiving capital punishment and four lengthy prison terms—reported that the authorities mobilized the entire population to attend what was universally called the Jewish show trial. The atmosphere of fright in the Jewish communities may be imagined.

VII

In sum, Soviet policy places the Jews in an inextricable vise. They are allowed neither to assimilate, nor live a full Jewish life, nor to emigrate (as many would wish) to Israel or any other place where they might live freely as Jews. The policy stems, in turn, from doctrinal contradictions abetted by traditional anti-Jewish sentiments. On the one hand, the authorities want the Jews to assimilate; on the other hand, they irrationally fear the full penetration of Soviet life which assimilation implies. So the Jews are formally recognized as a nationality, as a religious group, as equal citizens—but are at the same time deprived of their national and religious rights as a group, and of full equality as individuals.

Though the Jews are considered a Soviet nationality, official doctrine has consistently denied the existence of a historic Jewish people as an entity, and official practice has always sought to discourage Soviet Jews from feeling themselves members of that entity throughout the world.

Soviet policy as a whole, then, amounts to spiritual strangulation—the deprivation of Soviet Jewry's natural right to know the

Jewish past and to participate in the Jewish present. And, without a past and a present, the future is precarious indeed.

[From the Saturday Evening Post magazine, June 16, 1962]

THE KREMLIN'S PERSECUTION OF JEWS—A FIRSTHAND REPORT ON THE NEWEST CAMPAIGN INSIDE RUSSIA TO STAMP OUT AN AGE-OLD RELIGION AND WAY OF LIFE

(By Rowland Evans, Jr.)

It is now shockingly clear that the Kremlin is committed to a policy of trying to do what centuries of violent persecution of the Jews the world over have always failed to accomplish—eradicate the Jewishness of the almost 3 million Jews who live in the Soviet Union.

The technique being used is strikingly different from the historical methods of bloodbath, extermination and violence, methods that have been used in one country after another back almost to the genesis of time. The new method is infinitely subtle and varied, but its object is clear: To put an end to all the special qualities that, like a kind of cement, have bound the Jews together through the most rapacious persecutions in all history.

Although during the past couple of years a dozen or more Jews have been executed in the Soviet Union, this new campaign by the Kremlin has none of the marks of an organized pogrom of the type that used to sweep czarist Russia. It has nothing like the awful finality of Hitler's systematic murder of Jews by the millions. Its distinctive mark is the breaking down of morale, the slow strangulation of Jewish religion and culture, the steady erosion of all those special aspects of life that have meant so much to Jewish people.

I came upon much evidence of this campaign during a recent trip through Russia—evidence of a sudden, grim increase in official anti-Jewish activity. The evidence strongly indicated that denunciation of the cosmopolitanism and national narrowmindedness of Soviet Jews had advanced from the stage of propaganda harassment to the deadly serious stage of secret trial and imprisonment. It is obviously quite impossible to tell—without jeopardizing my sources—precisely how this evidence came into my hands.

One important item of information, which I was able to document conclusively, concerned the arrest last fall, and the subsequent trial and 12-year prison sentence, of a leading Jewish layman named Gedalia R. Pechersky.

Pechersky had served as chairman of the Jewish religious community in Leningrad from shortly after Stalin's death until 1956, when he was demoted on orders of the Council of Religious Cults. Arrested with him late in 1961 were two other lay leaders of the Jewish religious community in Leningrad. Three additional arrests of prominent Jewish leaders in Moscow were confirmed about the same time. At the time I was in Russia no word of the action against these six religious leaders had seeped into the Soviet press.

Several months later, however, the Soviet Government reported the whole affair in an article in Trud, the Communist trade union paper. The article charged that Pechersky was part of a "Zionist espionage ring" centered in the Israel Embassy in Moscow. Further, it contained an ominous accusation that this espionage ring had contacts with our own Central Intelligence Agency and Western European agents who worked out of an obscure townhouse in Vienna.

Since then, it has also been established that the chairmen of the Jewish congregations in five other cities—Minsk, Vilnyus, Tashkent, Kiev, and Riga—have been deposed by orders of the Soviet Government and that synagogues have been locked up in a dozen other Soviet cities.

On May 16, 1959, Premier Nikita S. Khrushchev was awarded the Lenin Peace Prize at a ceremony in Moscow, and among his remarks on this occasion was the following: "We treat the believers in religion not only with tolerance but also with respect. We wage a fight only when religion is used for bringing harm to man."

A glance at the Soviet press, particularly party newspapers in the distant provinces, makes a mockery of Mr. Khrushchev's use of the words "respect" and "tolerance." Consider, for example, a long, slanderous article in a recent issue of Volzhskaya Kommuna, a provincial organ published in Kuibyshev. Titled "Under the Synagogue Walls," the piece said in part:

"The traditions bolstered by the Kuibyshev synagogue are doubly harmful. First of all, they contribute to the perpetuation of the false religious world outlook. Secondly, they serve as an instrument for the propagation of bourgeois political views which are alien to us. And on the sly, a small group of rascals, playing on the religious and nationalistic feelings of backward people and violating Soviet law, exploit the synagogue as a source of easy profit."

THREE BASIC ANTI-JEWISH THEMES

There you have it—three of the basic anti-Jewish themes in the campaign to subvert and destroy Judaism: First, the theme that the Jews are a vestige of bourgeois society of czarist times; second, that an umbilical cord of Jewish "chauvinism" ties the religious leaders of Judaism in Russia to the Jewish homeland in Israel; and third, that the life of the synagogues is shot through with graft and corruption, by which the Jewish leaders enrich themselves at the expense of the workers.

The false charge that Russian Jews are more loyal to Israel than to the Russian Motherland—and that this leads to subversive activities—occurs over and over again, but never with a shred of proof. The Soviet Government has a pathological fear and suspicion of Soviet Jews as a possible fifth column, and this fear is mirrored in the press of the Soviet republics where Jews live. The obvious fraud of this Soviet case against the Jews is that the number of practicing believers in Judaism is assumed to be less than 1 percent of the whole Soviet population, and this minute minority has never exhibited the slightest lack of patriotism. Soviet Jews fought and died bravely in World War II. Their skills and labor have been given without stint in the enormous job of postwar reconstruction and in moving the country ahead economically.

Jews are the 11th largest "nationality"—as the Kremlin insists upon calling them—in the Soviet Union. In the fifth paragraph of their internal passports (needed for travel around the country) they are required to list their nationality as "Jewish" in the same way that Ukrainians, Byelorussians, Georgians, Kazakhs, and other minorities also must identify themselves by nationality. Since they are labeled officially as a distinct ethnic group, the Jews would presumably have the same ethnic and cultural rights—their own schools, for example, and their own press and a Yiddish theater—enjoyed by other minorities. But although each of these rights is guaranteed by the Soviet Constitution, the Jews enjoy none of them.

Until 1948 the Government permitted the Jews to have their own Yiddish newspapers and publishing houses. Scores of books and literary journals were printed in Yiddish. A popular Yiddish repertory theater had a large following. Schools and other cultural institutions existed in profusion. The Jew, in other words, was treated, if not as an equal, at least not as an outcast.

Soviet Jews also had something else which they treasured deeply—a sense of world fellowship with Jewish minorities outside the Soviet Union. Within rigid limits this fellowship encouraged contact with the outside world, and these contacts worried the Soviet Government. Until very recently the government has always gone to extreme lengths to minimize contacts between its citizens and foreigners, but the Jewish minority presented a special problem.

The international fellowship of Jews is one of the phenomena of world history—the tribes of Israel scattered to the four winds but never losing their sense of common identity, common traditions and supreme faith in their religion. Thus it was only natural that foreign Jews traveling through the Soviet Union would visit Jewish leaders—not to lay dark, subversive plots, but simply because all Jews have so much in common.

In 1948 the Soviet Government closed down all cultural manifestations of Jewishness. Theater, newspapers, periodicals, and books vanished. This move, by chance or not, coincided with the founding of the new State of Israel. Since then, only insignificant concessions have been made to the cultural life of the Jews. In the last 2 years five Yiddish classics (by authors long since dead) have been reprinted, and a few Yiddish variety shows and amateur theatrical troupes have been formed. Since September, a literary journal has been published every other month.

The slow strangulation of Jewish culture and art is one of the three main levers the Soviet Government is using to cut the heart out of Judaism. The second goes to the core of the religion itself.

Unlike other religions with substantial followings in the Soviet Union, the Jews are expressly forbidden to have a national association or federation of religious communities. This ban makes it impossible for them to build new synagogues or even to keep the old ones in good repair; to manufacture religious articles, such as prayer shawls; or to have a central clearinghouse to perform the essential functions of any national organization.

No Hebrew Bible has been printed since 1917. And a prohibition on teaching the Hebrew language makes it extremely difficult for Jewish children to learn the traditional language and to understand and share in their religious prayers.

ONLY ONE SEMINARY OPEN

Every Jewish seminary was closed down within a few years after the Bolshevik revolution of 1917. In 1957, when the Khrushchev thaw was well underway, a single yeshiva, or seminary, was permitted to open in Moscow with a few more than 20 students. Last summer its director was fired by state religious authorities and replaced by a man apparently more acceptable to the Kremlin. This, the only training school in the Soviet Union for Jewish rabbis, has been stripped down to 12 students.

The third major line of attack on Soviet Jews is in some ways the most sinister of all. Along with the campaigns to liquidate their cultural traditions and circumscribe their religious practice, a vicious assault on individual Jews has become more intense in the past few months.

For generations a relatively large proportion of Russian Jews have made their livings in the mainstream of economic activity. A great many have earned their bread as bookkeepers, clerks, accountants, and small businessmen.

As the Soviet economy has moved from bare subsistence to a more advanced level, a vast gray market of illegal operations has injected itself into the economic lifestream of the state. There is no hard estimate of just how widespread the gray market has become in Russia, but the amount of gravy its deep and absorbent roots soak up has caused the most serious concern to the Soviet Government. What is involved is a massive diversion of all kinds of materials, with thousands of marketing, production, factory, construction, transport, and collective-farm officials getting a slice of the pie.

Someone, of course, has to juggle the figures to conceal these illegal transactions from the state, and that someone often turns out to be the accountant or clerk who keeps the books and who takes his orders from the factory managers and other senior members of the economic hierarchy. Many of these accountants and clerks are Jewish. Precisely because they are Jewish, they risk unlimited retaliation from their bosses—the managers who profit from the gray market—if they refuse to conceal the illegal transactions in their accounting books. The mere fact of their Jewishness makes them peculiarly vulnerable to pressure. And so some of them do cooperate.

The penetration of the gray market into all phases of the decentralized Soviet economy is now so deep that a full-scale exposé could have damaging international repercussions. Too many important people are engaged in it.

And so the Government has adopted the scapegoat cure for the disease of the gray market. And the scapegoat, it is becoming tragically clear, is likely to be the Jew with his special vulnerability. The state is turning its investigative and prosecuting powers on the Jew who clerks for the factory manager, who keeps the books for the collective farm or who does the accounting for the manager of the wool combine. Trials for thievery, speculation and other economic crimes are in full swing today, and the example serves as a warning for the real profiters on the higher rungs of the economic ladder.

THE KREMLIN'S SCAPEGOAT STRATEGY

Whether this scapegoat strategy is working the way the Kremlin intends is problematical. But one result is clear—it is pushing the Soviet Jew deeper into the pit of second-class citizenship, whether he is a Jew who practices his religion or one who long ago left the synagogue. This means that many thousands of nonreligious Jews who want nothing more than the right to be counted as normal members of Soviet society are forced into a life apart, with special liabilities.

In the past 30 years the percentage of Jews in Soviet universities has steadily declined from 13 percent of the total enrollment to about 4 percent today. Jews have been removed in quite large numbers from high positions in the government, particularly in the diplomatic service and the army, although it must be said honestly that prominent exceptions remain. Only in science and technology, specialized fields in which Jews have always played an indispensable role, are Russian Jews really conspicuous today. As everyone knows, the Kremlin is committed to outpacing the United States in this vital area, and Jewish brains are one sacrifice the Soviet cannot afford.

Statistics give the cold outline of the plight of the Soviet Jew today, but to grasp the inner meaning in human terms, one must examine a house of worship after almost 45 years of systematic depriviations.

"I went with another American," an American Jew told me after a visit to the Moscow synagogue. "We took three Hebrew prayer books with us to give to the rabbi. When we arrived at the synagogue, I saw a large building, shabby and coated with grime. Underneath you could see the faded beauty of the old façade, but you needed your imagination to picture it as it once was.

"We heard the chanting of prayers inside. We went in. Maybe 40 people were there. Most of the men were old, and their prayer shawls were in shreds. When we found the head rabbi and showed him our siddurs, or prayer books, there was almost a riot.

"The rabbi, a bent little man, had to scream to make himself heard. 'These are Americans,' he shouted; 'act civilized.' But they hadn't seen a new siddur for quite some time, the rabbi told us. He showed us his prayer book, so tattered and thumbed you could scarcely read it. Soon several younger men—maybe they were Communists—came into the crowd and told the people to go back to their prayers.

"The whole thing lasted about 2 minutes. We suddenly knew that our presence was harmful. As we left, one of the worshipers ran by us and called in a low voice: 'Tell them in America it is bad for the Jews in Russia.'"

This experience probably could be repeated in any one of the 100-odd synagogues still in use in the Soviet Union. It should be added, however, that the persistence of the Jewish religion, despite repression through the centuries, is at least partly explained by the fact that formal worship can take place anywhere—in a cellar, a bedroom, a grocery store—provided a minyan consisting of 10 male Jews is present. In the absence of a rabbi, one member of the congregation can lead the service. Doubtless many such groups are keeping the religion alive in Russia today. Also, it is undoubtedly true that Hebrew is being taught to many Jewish youngsters, despite a government fiat officially banning the language.

The question arises: Why doesn't the government permit Soviet Jews to leave the country and go to Israel, America or somewhere else?

One reason is that emigration to Israel would infuriate the Arab world, of which Israel is the sworn enemy, Russia the pledged friend. Occasional public clashes with the Israeli Government help to advance Soviet policy in the Middle East.

But the Soviet refusal to permit any emigration at all of Soviet Jews has other explanations. The Soviet Government must know that it would be a shocking admission of failure if, after 44 years of the socialist paradise, tens, perhaps hundreds of thousands of Soviet Jews should choose to leave their motherland for Israel or some other country. And finally, an exodus of Jews would diminish the Kremlin's power to exploit the Jew as a scapegoat or an example to the rest of Soviet society. As we have seen, the Jews are a useful tool to the Kremlin.

WESTERN COMMUNISTS PROTEST

Nevertheless, emigration may eventually be permitted. The Soviet Government is embarrassed by the searchlight of world opinion on its discrimination against the Jews. Communist parties in several Western countries have already protested to the Soviets. The U.N. may investigate.

But all that is in the future. The irony of what is happening today is that as the Soviet Government tightens the screws on the Jewish minority, it is going out of its way to make life easier for the Russian Orthodox Church, and de-Stalinizing the rest of Soviet society. By our standards Russia remains a society hedged with insufferable restraints; yet, compared to the winter of Stalin's superpolice state, it is on the edge of springtime today.

The very act of admitting thousands of foreigners and of lowering some of the old barriers has increased the risk of infection from the West. Hence the clampdown on the Jewish religious leaders serves as a deliberate warning to the whole country against taking advantage of the Khrushchev thaw. For example, at precisely the time that Mr. Pechersky and his colleagues were being sent to jail last fall, the Kremlin looked on approvingly as the Russian Orthodox Church was voted in to the World Council of Churches. For the Orthodox church, this new union opens an unprecedented vista of contact and collaboration with the outside world. But the example of Mr. Pechersky and his colleagues is a warning—don't go too far.

This is the heart of the tragedy for the Russian Jews today; that while Khrushchev renounces the terrible excesses of Stalin against all the people, one tiny minority is singled out for special abuse, an example and a scapegoat for everyone else. For most Russians, life is getting somewhat better. For the Jew, it is becoming intolerable.

Mr. KEATING subsequently said: Mr. President, anti-Semitism is again rearing its ugly head in the Soviet Union. The most recent atrocity is the Soviet condemnation to death of a Jewish rabbi for a so-called economic offense. Within the last 2 years, a total of 83 Jews have been executed for economic offenses out of more than 140 of them who have been condemned. While blatantly denying any religious prejudice, the Soviets underhandedly play up any economic crimes committed by Jewish people—and especially the rabbis. It seems quite obvious that the Soviet Union has singled out the more than 3 million Jews in Russia as a scapegoat.

Mr. President, another disturbing example of discrimination against the Jewish people in the Soviet Union is the deliberate violation by the Soviets of Jewish burial rites. Jews are buried in consecrated grounds and oftentimes the Soviets will bury people of other faiths in these grounds, which immediately deconsecrates the Jewish nature of the burial place. Even worse, on many occasions Jews are denied burial in the consecrated ground of Jewish cemeteries.

Mr. President, I have been in touch with Under Secretary of State Harriman about this increasingly urgent and pressing problem. I was hoping that the United States would take the initiative to speak out against the continuing suppression of Jewish religious and cultural life, but as yet the United States has not seen fit to do so.

Mr. President, I am very proud to join so many of my colleagues with the distinguished Senator from Connecticut who introduced this resolution condemning the Soviet persecution of the Jews. The United States can no longer tolerate the situation now existing in the Soviet Union. I hope that this resolution will inspire the force of world opinion against this deliberate violation of the Jewish people.

Mr. JAVITS subsequently said: Mr. President, I wish to say a word about a resolution, with very extensive cosponsorship, submitted by the Senator from Connecticut [Mr. RIBICOFF]. The resolution is entitled "Resolution Condemning Soviet Persecution of Jews."

I deeply feel that the resolution deserves early action by the Senate. For more than 2 years I have called to the attention of the Senate recurrent instances of what can only be described as persecution of Jews in the Soviet Union.

When I first went to the Soviet Union in December of 1961 I ran across the problem in the most marked way. I could get absolutely nothing out of the Soviet officials with respect to it. It will be remembered that the leading organizations of the Jewish people of the United States had their representatives talk with Mr. Khrushchev in 1959 and they were met with the blank statement that, "the Soviet Union has laws against anti-Semitism and there is none." That is the curtain of words which one gets on the situation constantly from the Russians.

On Monday I laid before the Senate the latest facts and figures on what is taking place in the Soviet Union, giving a clear indication that, apart from the suppression of cultural institutions, newspapers, synagogues, et cetera, which is bad enough in itself, and of the elimination of any opportunity for Jewish education in the Soviet Union within the past 2 years at least 83 Jews have been executed for alleged economic offenses out of a total of 140 who were executed in the Soviet Union for such offenses. Let us remember that at the most, Soviet Jews account for 1½ percent of the population. Here is a figure literally dripping with blood: 83 out of 140 of those executed for economic offenses were Jews, and the Jewish population of the Soviet is 1½ percent.

There is a great tradition in the Senate for denouncing actions of this barbaric and inhuman character. Even the idea that for an economic offense—that is, something relating to currency—even if, as we often do in the law, say "assuming it is so," we think that the punishment of execution for that kind of an alleged crime is barbaric, that in itself it is offensive to the morality of the entire civilized world.

This body has, since the turn of the century when there were pogroms in what was then czarist Russia, felt, in good conscience, the need to denounce these outrages.

The resolution submitted by our colleague from Connecticut [Mr. Ribicoff], joined in by so many Senators, including myself, it seems to me is greatly in the tradition of this body. It cries out for prompt action, in view of our tradition, in view of the case which has been made, and the absolute failure of the Soviet Union and all its officials to respond satisfactorily.

There are two other points I wish to make.

We all know from experience that the Soviet Union is not impervious to world opinion and to American opinion. What more authoritative expression of American opinion could there be than the adoption of this resolution by the Senate?

I am deeply gratified that a majority of Senators already have joined in support of the resolution. This is indicative of the nature of the American protest. The adoption of the resolution by considered action of the Senate would be even more emphatic.

Many Senators expressed their concern, during the debate on the nuclear test ban treaty, about a state of euphoria which might seize us or seize our country, and about the expectations which could not be realized in respect to relieving the tensions of the cold war. The adoption of the resolution is imperative, in the face of so manifest a grievance on the part of all civilized humanity against the Soviet Union, with its clear intimations of anti-Jewish action, confounding all the laws on the books of the Soviet Union. We face a wall of silence in respect of this dreadful situation—silence which cannot be penetrated within the Soviet Union by talking to Jews there, because they fear to speak. Silence resulted when I protested this matter in 1962 in the Soviet Union. A document, allegedly a letter, was issued. I ask unanimous consent that it be printed in the Record at this point with my reply to it which appeared in the New York Times, June 2, 1962.

There being no objection, the documents were ordered to be printed in the Record, as follows:

Open Letter From Five Prominent Soviet Jews to Novosti Press Agency (APN)

Washington, D.C.,
May 11, 1962.

To the Novosti Press Agency:

The authors of this letter are Soviet Jews, of different ages and occupations. There are Communists and nonparty people among us. Each of us has chosen his own vocation. But we have decided to write jointly a letter to you in connection with the public statements of the American Senator Jacob Javits on the position of the Jews in the Soviet Union.

We are not going to enter into a debate with either Mr. Javits or any other person who has incorrect notions of our life, for people argue when there is a subject for argument. The truth about the life of the Jews in the Soviet Union needs no proof. We address our words to those who are really interested in our life.

We read with indignation the allegations in the Western press about an anti-Semitic campaign in the U.S.S.R. We declare before all the world: The Soviet Jews need no protectors or patrons. An objective observer cannot but admit that there is no Jewish problem in the Soviet Union. We, Soviet citizens of Jewish nationality, constitute a part of the entire Soviet people. Our private and public interests coincide with the interests of all the Soviet people.

The Soviet state takes care of the Jewish population in the same way as it does Soviet citizens of any other nationality. Here are a few facts which confirm it:

According to the 1959 census, the population of the U.S.S.R. was 208,827,000. Of these 114,114,000 were Russians, 37,253,000 Ukrainians, 7,913,000 Byelorussians, 6,015,000 Uzbeks, 2,692,000 Georgians, 2,268,000 Jews.

In 1960–61 the U.S.S.R. had 2,395,545 undergraduates, including 1,479,520 Russians, 346,618 Ukrainians, 77,177 Jews, 63,720 Byelorussians, 53,530 Uzbeks, 48,461 Georgians, etc.

Is it possible to speak of discrimination against the Jews under such circumstances?

Furthermore, specialists with higher and secondary specialized education in the Soviet economy include: 5,509,000 Russians, 1,338,000 Ukrainians, 427,000 Jews, 257,000 Byelorussians, 155,000 Georgians.

Soviet scientific workers include 229,547 Russians, 35,426 Ukrainians, 33,529 Jews, 8,306 Georgians, 6,358 Byelorussians.

It may be added that the Jews make up 14.7 percent of all Soviet doctors, 8.5 percent writers and journalists, 10.4 percent jurists (procurators, judges, lawyers), 7 percent art workers (actors, musicians, artists, sculptors). The Jewish population of the U.S.S.R. constitutes 1.1 percent of the country's population.

The Jews take an active part not only in the development of the Soviet economy and culture but also in running the state. In 1961 the number of Jews elected deputies of the local organs of Soviet Government was 7,623. There are Jews among the deputies of the Supreme Soviets of the Ukraine, Byelorussia, Lithuania, and other Soviet Union Republics, as well as of the U.S.S.R. Supreme Soviet—Minister Venyamin Dymshits; Col. General Yakov Kreiser, hero of the Soviet Union; Revecca Vishchinikina, collective farmer; Ilya Ehrenburg, author; Ilya Yagudin, collective farm chairman; Genrikh Zimanis, journalist; and Minister Ilya Velyavichus.

Many thousands of Jews hold key positions in the cities and in the provinces. This is quite natural, for in the Soviet conditions a man is valued for his capabilities, his attitude toward work and toward the interests of society, and not for his national origin, color, or language.

There is no inequality in the use of one or another language in the Soviet Union. The Jewish magazine Sovetish Heimland (Soviet Homeland) is published for that portion of Soviet Jews who speak Yiddish. The magazine is printed in 25,000 copies. Books by Jewish writers are published in large editions. In the past 7 years about 12 million copies of books by Soviet Jewish writers have been put out by various publishing houses. Various Jewish companies and individual performers appear on the concert stage and in the theater. Nearly half a million people attend their concerts every year.

As Nikita S. Khrushchev said at the 22d Congress of the Communist Party of the Soviet Union (CPSU), "The party will further insure the free development of the languages of the peoples of the U.S.S.R., without allowing any limitations, privileges or coercion for one or another language."

A few words on religion. The Jewish religion is not persecuted in the U.S.S.R. It is placed in the same conditions as the (Russian) Orthodox, Moslem, Catholic, or any other religion. Freedom of conscience is insured to all citizens by law. The fact that the number of believers is gradually decreasing should not be attributed to any sort of administrative measures. The explanation lies elsewhere; namely, that the materialist outlook prevails over the idealistic.

At one time Sholem Aleichem dreamed: "The sun will rise over Russia and better times will come." These times have come. It is precisely in the Soviet Union that our people, as all other peoples of the country, have found a true freedom and a true happiness. We must say that we value everything that the Soviet Government has done for us. It is well known that Hitler wanted to wipe our people off the face of the earth. He succeeded in killing a third of the world's Jewish population. Just think of what would have happened to us had it not been for the Soviet power. It cannot be forgotten that at the outbreak of the war, despite incredible difficulties, the organs of Soviet power made heroic efforts to save Soviet citizens, including many hundreds of thousands of Jewish families whose lives were threatened by the Fascist butchers.

We are living in the country which was the first in history to make the equality of all nations, races, and peoples the cornerstone of its national policy. There is not a people in the U.S.S.R. which enjoys privileges over any other people. As a matter of fact, no peoples look for such privileges in the U.S.S.R. The men of the older generation, who lived in Russia before the revolution, probably remember quite well how hard it was for the Jews under czarism. Even to judge by official statistics, only 30 out of every 100 Jews had independent earnings. The majority of the Jewish population were "men of air," in the apt description of Sholem Aleichem's. The Jews were squeezed within the tight borders of the Ukraine, Byelorussia, the Baltic area. Now they live all over the vast territory of the country and in places where they were not allowed to live under czarism. About a million Jews live in the Russian Federation alone. They live where they want to and do what they like. The young people of Jewish nationality now cannot even imagine what the "Jewish pale" was like.

We are proud of our Soviet homeland and will not permit anyone to abuse it. We strongly resent the continual distortions in the Western press of the truth about the life of the Jews in the Soviet Union. What aim is pursued in this? For what reason do they slander us and our country?

We think that the people who disseminate all kinds of tales about "Soviet anti-Semitism" pursue but one aim: to worsen relations between nations, to divert the attention of the peoples from the fight for lessening international tension, to impede the establishment of friendly contacts and understanding between the peoples of the U.S.S.R. and other countries. But it is well known that a lie has short legs. The truth will win out despite any intrigues of the knights of the cold war.

We ask you to distribute our letter widely.

Z. Vendrof, *Writer.*
Prof. Boris Eidelman,
Master of Laws.
Lev Pulver,
People's Artist of the Russian Federation, Composer.
Prof. Iosif Braginsky,
Editor in Chief of the Magazine the Peoples of Asia and Africa.
Prof. Ilya Strashun,
Member of the U.S.S.R. Academy of Medical Sciences.

[From the New York (N.Y.) Times, June 6, 1962]

Soviet Policy for Jews—Javits Challenges Reply to His Charge of Anti-Semitism

To the Editor of the New York Times:

The Times of May 13 reported at length on an open letter from five Soviet Jews purporting to answer charges I had made of anti-Jewish policies in the U.S.S.R.

This reply presents statistics intended to show that Jews play an ostensibly prominent role in higher education, science and the professions and politics. Whether or not these statistics are accurate they do not tell the whole story.

The fact is that the proportion of Jews in all these areas has been declining for many years. The key to the decrease is the system of nationality quotas in university admissions where a policy has been in effect to decrease the proportion of Jews while increasing that of other nationalities.

The open letter itself reveals the extent of the decline. In higher education, for example, Jews today represent 3.1 percent of all university students. But in 1935 Jews represented 13.5 percent of all students. During this period Jews in the total population decreased only 1.6 to 1.1 percent. Similar patterns of discrimination appear when the statistics in other fields are examined.

The most vital weakness of the Soviet reply, however, is that it avoids the main point of my charges. The letter does not answer these material questions which I have raised:

QUERIES POSED

Why the crackdown on Jewish cultural life and the use of the Yiddish language, the language of Russian Jewry, as compared with different treatment for other Soviet minorities? Why the prominence and unique treatment in the Soviet press of Jews charged with crimes, particularly in currency speculation and black marketing? Why the linking of these crimes with the synagogue allegedly as a cover for them?

Why the charges that the synagogues are centers of subversive activities by Israel and its diplomatic representatives? Why the prohibition on so elementary a religious practice as the baking of matzoh at Passover—a prohibition never denied by the Soviet Government? Why all of these measures falling most heavily on Jews under the guise of a general antireligious campaign?

I am gratified that the Soviet Union has reacted to these inquiries—this is an excellent first step. But it needs to be pursued with fuller explanations and hopefully with remedial action. We have learned all too bitterly the dangers in taking the course of silence in such situations or of averting our eyes from them. Both the facts and the remedies are far more likely to result from inquiries and protests. There is every reason to continue such inquiries and protests regarding the condition of the Jews in the Soviet Union.

Jacob K. Javits,
U.S. Senator From New York.

Mr. JAVITS. They issued a letter subscribed to by Jews from various parts of the Soviet Union seeking to answer the points I made and the charges that a calculated and considered anti-Jewish policy was being pursued by the rulers in the Kremlin. All this together indicates what we face.

Action of this character—the most considered condemnation on the part of the whole world—can, we hope, help in some respect.

For all these reasons—and to counter exactly the idea that we have lost sight of the grave tensions in the world and the grave grievances which mankind has against the Soviet regime in the Kremlin—I ask that there be urgent action on the resolution. It is the kind of resolution which perhaps should be considered by a committee, but that is not absolutely essential. Senators may have various ideas as to language. The language is not critical. It is a sense resolution, expressing the conscience of the Senate and I am confident the conscience of the Nation.

It is a resolution which can be called up at any time by the leadership with or without a committee report, though I am hopeful it will have one promptly. I feel it is our bounden duty to act in this matter promptly.

If the resolution is not otherwise brought before the Senate—and I certainly hope it will by the leadership and by the Senator from Connecticut [Mr. Ribicoff]; and I certainly would join in any move to bring it up—though I hope it will not be necessary. If necessary, I will bring it up myself. It is high time that the Senate expressed itself on this festering sore which has been becoming more and more aggravated, and which, as I said a minute ago, in view of the executions, is now dripping with blood. It is high time that the Senate spoke out. This resolution gives us an opportunity to do so.

I am glad the Senator from Connecticut did what he did, and especially pleased that a majority of the Senate rallied to the resolution, which itself is a ringing condemnation of the actions of the Soviet Union—not its words, but its actions, which confound its words in this field.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. SMATHERS. I congratulate the Senator for the statement he is making. I associate myself with it. I am one of the Senators who cosponsored the resolution submitted by the able Senator from Connecticut.

It is clear, as the Senator from New York has so well stated, that though we actually have no control over the kind of action going on in the Soviet Union, it is action which we as human beings, as members of the human race living under the conditions under which we live and adhering to the philosophies we have, greatly condemn and abhor.

I feel reasonably confident that the resolution, considering all the support which has been given to it and the feeling behind it on the part of all Members of this body, will shortly be made the business of the Senate. It will be approved, I am certain, overwhelmingly by the Senate.

Along with others, I appreciate the action of the Senator from New York in bringing this matter, which is of such great concern, to the attention of all who love freedom and who believe in the dignity of human beings, no matter where they are. I am sure all Senators are grateful to the Senator from New York for calling this subject to our attention.

Mr. JAVITS. I am grateful to the Senator from Florida. His assurance, coming as it does from one who is in the leadership on the majority side, is most gratifying.

Mr. President, so that the Record may be complete—I am not acquainted as yet with exactly what the Senator from Connecticut [Mr. Ribicoff] put in the Record—I ask unanimous consent to include in the Record a statement as to the "sense" resolutions protesting acts of inhumanity and breaches of religious freedom adopted by the Senate of the United States on previous occasions, so that Senators can see what we all know to be the fact, that the resolution is in the deep and abiding tradition, a very distinguished and honorable and most creditable tradition, of the Senate.

There being no objection, the statement was ordered to be printed in the Record, as follows:

A partial list of resolutions adopted by the Congress condemning persecution of Jews in Russia includes those in 1879, 1892, 1906, and 1911; one condemning persecution by Nazi Germany was adopted in 1934. Among other resolutions are those protesting persecution of the Armenian people, the abduction of Greek children and in 1956 discrimination by Saudi Arabia against American Jews.

Mr. HARTKE subsequently said: Mr. President, from time to time, we Americans are offered advice from abroad on how to conduct ourselves and our affairs. The Soviet Union sometimes has joined in giving us advice, especially on the treatment of individual citizens by other individuals.

Of course, we are not perfect. And it comes in poor grace for the Soviets to pretend concern for the treatment of some of our people when their country is a police state with no regard at all for the rights of individuals.

In this country, the full force of the U.S. Government is dedicated to the preservation of full constitutional rights for all citizens. Whatever discrimination or bias may be practiced in this country, the official position of the United States is in opposition to it. Our courts are the bulwark of the freedom and liberty of each American.

In the Soviet Union, however, the courts are a principal agent of bias and discrimination and often are used to strip citizens of whatever freedom they might have. In recent months these courts have been used to take life from Russians seemingly because they are guilty of being leaders of the Jewish people in the Soviet Union.

Trumped-up charges have been used to put to death Jewish leaders, among them rabbis, all under the guise of justice. All this smacks of genocide as practiced by Hitler and his stooges not so long ago and now condemned by all the civilized world, including Russia and the official Government of Germany.

I am pleased to join the distinguished junior Senator from Connecticut in his move to express our shock and disapproval over these new acts of terror against the Jewish people. It is all the more horrible in that these pogroms are being perpetrated among the Jewish community leaders during the Holy Season of these people who have suffered so much.

AMENDMENT TO H.R. 3369—CIVIL RIGHTS

Mr. HUMPHREY. Mr. President, on behalf of the majority leader, the Senator from Montana [Mr. MANSFIELD], and the minority leader, the Senator from Illinois [Mr. DIRKSEN], I send to the desk an amendment to the bill (H.R. 3369) for the relief of Mrs. Elizabeth G. Mason.

The amendment would extend the Civil Rights Act of 1957, as amended, for 1 year with no change in powers and no change in the structure. It is a simple extension for 1 year. I have discussed the amendment with the distinguished minority leader and with the acting majority leader, the Senator from Florida [Mr. SMATHERS]. It would be our intention to call up the amendment tomorrow, because the Civil Rights Commission would expire on September 30. We would like to get this over tomorrow. Perhaps—and I am not asking the acting majority leader if he concurs—we shall have to set aside temporarily the bill making appropriations for the Department of Agriculture and related agencies for 1964 in order to take up that bill and the amendment.

The amendment has been discussed with other Senators who might be interested.

Mr. SMATHERS. Would it be the intention of the Senator from Minnesota to call up the bill immediately after the morning hour as the first order of business?

Mr. HUMPHREY. That would be the intention, and all Senators should be so informed. Is that agreeable with the minority leader?

Mr. DIRKSEN. Yes.

The VICE PRESIDENT. The amendment will be received, printed, and will lie on the table.

WATER POLLUTION CONTROL ACT—ADDITIONAL COSPONSOR OF BILL

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the name of the senior Senator from Hawaii [Mr. FONG] may be added as a cosponsor of S. 649, the Water Pollution Control Act, at the next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

PUBLIC ADDRESS SYSTEM IN SENATE CHAMBER—ADDITIONAL TIME FOR SENATE RESOLUTION 202 TO REMAIN AT DESK

Mr. JAVITS. Mr. President, I ask unanimous consent that Senate Resolution 202, to authorize the installation of a public address system in the Senate Chamber, which I submitted yesterday, be permitted to remain at the desk until the close of business 1 week from today for further sponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

AN IDEA FOR "SPACE PROPAGANDA"

Mr. MOSS. Mr. President, recently, the Sperry Utah Co. of the Sperry Rand Corp. was occupied with a study of the potential benefits derived from the implementation of an "emergency detection system for manned space vehicles."

In the course of this study, the company's principal engineer, Mr. Frank Ballard, developed a patriotic idea which I consider of exceptional merit.

Mr. President, I ask unanimous consent that Mr. Ballard's suggestion be printed in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

STUDY MEMORANDUM

INTRODUCTION

During the course of a Sperry Utah Co. study to develop an emergency detection system for use in manned space vehicles, an idea for "space propaganda" was conceived. In reality it was not an original idea, but rather a countermeasure against the Soviet propaganda machine. Basically, the idea is to make use of the U.S. space program documenting it on U.S. postage stamps as a means to identify and enhance our prestige abroad. This can be accomplished through the use of a popular mass media of communication which today goes on relatively unused; the U.S. postage stamp. It has become increasingy evident from a brief survey of foreign stamps in circulation and identified in the Scott stamp catalog, that the Soviets are using postage stamps as a means to propagandize a Soviet identity with space successes and thus create an effective prestige profile as the leader in the space race.

The United States has published only two postage stamps associated with the space program during the past 12 years. The first issue was in 1948 on the occasion of the Fort Bliss centennial and it depicts an unglamorous rocket similar to the German V–2. The second stamp was issued in 1962 on the occasion of the John Glenn Mercury flight. This stamp had a limited circulation and is no longer available at any post office. Furthermore, most commemorative stamps honoring special events such as space flights, Alliance for Progress, etc., have limited printing and, for the most part, end up as a collectors' item.

By comparison the Soviets have issued approximately 10 postage stamps identifying sputniks, atomic disarmament and other space successes. In addition, Rumania, Czechoslovakia, and East Germany have published at least eight stamps lauding the Soviet space program. The United States generally publishes anywhere from 5 to 15 stamps annually, generally depicting an uninteresting historical event in terms of contemporary national and international interests. Whether we like it or not, the United States is engaged in a battle for survival with the Soviet Union. At the moment it is a cold war with each side striving for political or propaganda advantage. A propaganda advantage could decide whether it becomes a "hot war."

I merely wish to emphasize at this point that propaganda on an immense scale is here to stay and we Americans must become informed and adept in its use, both defensively and offensively or we may find the free world in a state of confusion and losing confidence in our ability to maintain leadership in the free world.

In the face of the existing world struggle, it is imperative, even urgent, that we utilize all available media of communication to advertise the forces of democracy. The U.S. "stamp lag" is self-evident. We must engage in a vigorous program calculated for optimum utilization of the vast potentialities of the U.S. postage stamp. As a start, I should like to suggest a chronological documentation of the entire space program beginning with the suborbital flight through individual Mercury orbital flights, Gemini and Apollo. Also, in similar fashion projects such as the Peace Corps, Alliance for Progress, etc. These stamps should be large in size, colorful, and in mass circulation throughout the period of the program consistent with the best U.S. intelligence judgment at the time.

The judgment expressed in this study memorandum is that of the author and does not necessarily reflect the views of the Sperry Utah Co. or its personnel.

FRANK BALLARD,
Principal Engineer.

LET'S AVOID TECHNOLOGICAL MAGINOT LINE

Mr. MOSS. Mr. President, yesterday the Senate debated the Department of Defense appropriations bill; and in the course of that debate, Senators discussed the development of the mobile midrange ballistic missile system.

I ask unanimous consent that a guest editorial, entitled "Let's Avoid Technological Maginot Line," written by Dr. Harold W. Ritchey, and published in the Ogden Standard-Examiner on September 15, 1963, be printed in the RECORD. I believe this editorial illustrates the point that was discussed yesterday.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LET'S AVOID TECHNOLOGICAL MAGINOT LINE

(EDITOR'S NOTE—To discuss the technicalities and implications of the test ban treaty now being debated by the U.S. Senate, the Standard-Examiner has called upon Dr. Harold W. Ritchey. Dr. Ritchey, past president of the American Rocket Society and one of the Nation's foremost experts on development of solid propellants for rockets, is the Ogden-based vice president of Thiokol Chemical Corp. in charge of rocket operations.)

Any rational citizen could be nothing less than delighted by an intelligent plan that would lessen the tensions of the cold war and reduce the burden of armament. Both the President and the Secretary of State have pointed out that the nuclear test ban treaty is one first great important step in this direction. It is almost certain that Congress will ratify this treaty, even though many scientific and military experts have expressed grave concern about the effect of such a treaty on our future military posture.

If the test ban treaty is considered an isolated instance as a move toward disarmament, it appears that it is indeed an important step toward lessening of cold war tensions and toward a general disarmament program. But considered in the framework of other policy decisions, there is a real danger that we have started to rely upon strength-in-being and that we are ready to cease the development of more modern weapons which would be based upon the rapid advances in technology which have occurred during the last several years.

This might be termed the technological "maginot line" philosophy, a term which has come to mean the reliance upon a static position of strength. Historically, any country which has adopted such a philosophy has found itself helpless in the face of an enemy that has continued to evolve new military techniques and to keep his weapons modernized. The ease with which the Germans breached the maginot line during World War II is a classic example.

The armament race involves scientists, engineers, and productive capacity. New discoveries can make existing weapons obsolete overnight. This has already happened to most of the weapons with which World War II was fought.

If we arbitrarily exclude our brainpower and our tremendous industrial productivity from the weaponry we provide for future defense of the country, we are giving the enemy an advantage brought about by his overwhelming superiority of manpower.

If we carry such a policy to the ultimate absurdity and decide that the next war will be fought with spears and swords, the enemys superiority in numbers makes the outcome a foregone conclusion.

With the euphoria of peace pervading the Nations capital, there is real danger that this country will lost sight of these fundamentals and will go much too far in the direction of restricting weapons modernization.

In ratifying the nuclear test ban treaty, it is critically important that Congress give serious thought to what additional measures should be taken to insure that this country will continue to possess modern weapons.

Major weapons development programs, in particular deterrent weapons, have been notably neglected during the last 4-year period. During this time, a great number of technological advances have occurred that can be applied to weapons modernization. Among the more important of the numerous courses of action that should be followed are:

Modernization of the aircraft and weapons delivery techniques used by our strategic air force.

Development of a missile deterrent, such as the mobile midrange ballistic missile, with survivability based on dispersion and mobility and which, if necessary, can be turned over to our NATO allies for their protection.

Upgrading of our existing missile deterrent force based on the probability that the effect of the nuclear test ban will require that these missiles carry heavier loads than originally planned.

Development of aircraft and missile penetration aids to counter the threat of the antimissile and antiaircraft defenses which the Soviets have reputedly acquired.

Establishment of a strong antisubmarine force to counter the threat of enemy Polaris-type submarines.

Recognition that space is an important potential battlefield, and establishment of superiority of both deterrent and defensive space weapons.

An all-out effort to develop the technology necessary to provide our country with an effective defense against enemy missiles.

Such modernization programs will do much to counterbalance any weakness that might result from our inability to test nuclear weapons in the atmosphere. Such programs will assure us of modern weapons having technological superiority, and the striking power required to deter an aggressor.

If we expect to prevent international crime, it is critically important that we properly arm our policemen. Any further moves toward disarmament must be based on absolutely positive evidence that the criminals have reformed.

WHY HELP REDS WIN?

Mr. PROXMIRE. Mr. President, there are recent reliable reports that American businessmen have been working on negotiations for the sale of a large quantity of our surplus food to Russia. It is also reported that the Secretary of Commerce also may do that now.

Why did we appropriate more than $47 billion in a single bill yesterday, and by a unanimous yea-and-nay vote? This single bill represented an imposition of nearly $1,000 on every American family. Why did we insist on this perfectly enormous burden? Was it not because we recognize the serious threat that international communism represents to the cause of freedom throughout the world, and particularly right here in the United States?

What is this international communism? Does it really represent a threat to this Nation and the free world? Precisely what country possesses the power that imposes such an immense burden on the American people?

The answer is obvious to every school child. It is Soviet Russia. And why is the Soviet Union a threat? Because it has an immense and growing military power based on economic power. I emphasize the fact that it is based on economic power.

Yet, Mr. President, it appears that today the businessmen and the Government of this Nation are about to act to strengthen that economic power of the Soviet Union. If anyone questions that statement, I ask him to tell me what is the greatest weakness of the Russian economic system, if not agricultural production. What is the greatest need in connection with holding the satellites in the Russian camp, if not the export of food?

Mr. President, if we are in this peaceful economic contest to win, helping the Soviet economy to solve its greatest economic weakness is not the way to do it.

On what possible rationalization can we justify considering a trade agreement with the Soviet Union to send it some of the abundance of American farms, with much of the payment to be in gold? Mr. President, nothing the Soviet Union could possibly send to us would do our economy a fraction as much good as food shipments would do for the Russian economy.

Of course, a few American groups and individuals would make money out of such a process, and our gold losses and our international balance-of-payments deficits would be arrested. But at what a price.

Mr. President, the prime reason for strengthening our international financial position is, not so that we shall have a handsome balance sheet or an improved gold ratio, but so that we can defend the free world against the serious and growing challenge of communism.

The balance of payments is only a means to the end of freedom and survival for this Nation. What an ironic confusion of ways and means to bail out the Soviet Union, to strengthen its economic power, and therefore its military power, in order to secure more gold for Fort Knox.

If food is needed by the hungry people of the world, let the United States of America provide it directly and proudly, under our flag, as evidence of our generosity and humane concern; but let us not sell it to the Soviet Union, so communism can continue to use food as a weapon to dominate and control more than 1 billion people throughout the world.

Mr. President, I supported the test ban treaty; and I hope and pray that we can work toward peace with the Soviet Union and all other nations. But, as I understand the Soviets, we do not work toward peace by strengthening their economy.

Mr. DOUGLAS. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield, if I have time in which to do so.

The VICE PRESIDENT. Under the morning hour limitation, the time of the Senator from Wisconsin has expired.

Mr. DOUGLAS. Then, Mr. President, I ask unanimous consent that I may have 3 minutes in which to comment on the remarks of the Senator from Wisconsin.

The VICE PRESIDENT. Under the morning-hour limitation, the Senator from Illinois is entitled to 3 minutes.

In recognizing Senators in the morning hour, the Chair endeavors to alternate between the two sides. However, if there is no objection, at this time the Chair will recognize the Senator from Illinois, and thereafter will recognize a Senator on the other side of the aisle.

Mr. DOUGLAS. Mr. President, I commend the Senator from Wisconsin for his statement. I recognize that Canada and Australia have sold approximately 250 million bushels of wheat to Russia, and that their action makes withholding on our part economically more difficult. But what is discouraging is to find that the very groups which have been most vehement verbally against communism, are now insisting that we trade with Russia for their profit.

I believe it was Lenin who once said that the capitalists would be willing to sell to the Communists for a profit the rope by which the Communists will hang the capitalists. The Communists have always claimed that it is impossible for the private enterprise nations to stick together economically, but that instead they will sell out the democratic alliance for private gain and indeed sacrifice the longrun interests of their own nation—and class.

It is tragic, Mr. President, to be compelled to admit that the events of the last few days have been bearing out these sardonic prophecies of the Communists.

We have been selling wheat to Europe and Europe has then been milling the wheat into flour and selling the flour to Russia. The business interests of Western Europe have been trading quite freely with Russia and its satellites over a wide range of products. Canada has been selling wheat to Red China and wheat and flour to Cuba. Now Canada has sold over 200 million bushels directly to Russia in return for $500 million in gold. Australia will sell from 25 to 50 million bushels more.

There is a powerful demand welling up from our big grain farmers and wheat dealers for us to sell wheat on a large scale to the Soviet Union. Big business interests also want to get in on other sales.

We are threatened therefore with the complete breakdown of all economic pressures on the Soviet Union. Were the free nations of the world to stick together and refuse to sell these goods for gold, there would be hunger within the Soviet Union which might force either a change of government or a change of policies. While drought has contributed to the breakdown, the Soviet system of communized agriculture has also been a major factor. Our best way for peacefully overthrowing the Communists would be to refuse to sell and let the Russian system fall by its own weaknesses. Instead of that, the business leaders of this and other countries seem to want to bail them out for gold.

I know it is difficult to hold out as others yield to the prospect of temporary gain. But I hope we do not turn a retreat into a rout and join the demoralized group of supposed free enterprisers who do not seem to want peacefully to defend their system.

I think that despite this pressure from farming and business interests that the administration should be very careful about yielding to it. I am more than cold to the proposal. I am sorry for the Russian people. Forty years ago I gave more money and time than I could afford to purchase food with which to feed the starving Russians who had been brought to destitution by World War I and by the prolonged civil war. I am proud of that fact. Many of us would be willing to help again as a matter of charity and to have our Government also help, provided certain conditions were met. First, that Russia would ask for help. Second, that American help be acknowledged both to the world and to the Russians. Third, that the distribution of the food be under the general supervision of some neutral body, such as the Red Cross, Care, or the Friends Service Committee. But to scuttle and run for money is more than I can welcome. Certainly I urge that the administration seek congressional approval for such action instead of jamming it through by administrative action. May I also ask how long Canada can expect to trade on our indulgence? We have made special concessions to them. They are busy discriminating against us.

I commend the Senator from Wisconsin for sounding the same warning that I expressed last Saturday in Vandalia, Ill., at the National Plowing Contest.

SALES OF WHEAT BY CANADA AND OTHER ALLIES TO RUSSIA

Mr. YOUNG of North Dakota. Mr. President, I have received considerable comment on the speech I made in the Senate a few days ago with reference to large sales of wheat by Canada and other of our allies to Russia.

In that speech I tried to point out that it did not make sense for the United States to pile up a huge surplus of wheat while all of our allies were selling to Soviet Russia and her satellites.

We are accomplishing no purpose whatsoever, as I see it, by refusing to sell to Russia and her satellites when all of our allies provide them with all the food and industrial equipment they need. What is happening now is that we sell our wheat to some country and that country transships it to Russia. That does not make sense to me. I believe our whole policy with respect to these sales should be reviewed.

Today I received reports from reliable sources that the Russian wheat-buying mission is still in Ottowa and has approached the American milling industry concerning the possibility of substantial purchases.

Mr. President, most of the comment with reference to my speech of a few days ago was favorable. An editorial appearing in the Minot Daily News of Minot, N. Dak., on September 21 on this subject presents a very sensible and reasonable approach to this question.

I ask unanimous consent to have this editorial inserted in the RECORD as a part of my remarks.

There being no objection, the editorial ordered to be printed in the RECORD, as follows:

[From the Minot (N. Dak.) Daily News, Sept. 21, 1963]

WHEAT SALE TO RUSSIA

Canada's agreement, certainly of great interest in North Dakota, to sell Russia a half a billion dollars worth of wheat has touched off some high-level comment on the possibility of U.S. wheat sales to Russia. There are reasons to think this may lead to widespread discussion, possibly taking in the whole broad matter of American export policy.

Such a discussion is greatly to be desired. Nothing would be gained by avoiding the question of expanded exports to the Soviet bloc.

Fundamentally, there are two ways of looking at the situation. One way is to balk at doing anything at all that Russia might want, even though there might be advantages for us. This outlook would forbid sales of wheat to Russia on the grounds that this would be helpful to our prime cold war enemy, since Russia has had several poor wheat harvests and needs more grain.

The other way of approaching this matter is to see wheat sales both as a matter of economic advantage to the United States and as one more slight increase in the area of agreement between the opposed cold war giants. This is the more sensible view. Adamant refusal to have anything whatever to do with the Soviet Union may sound heroic and patriotic. But expanding the areas of agreement—in such things as the nuclear test ban treaty, for example, and now potentially in wheat sales and more trade in other items—holds better promise for the well-being of America.

Certainly it can be agreed, even by those most hostile to the idea of selling U.S. wheat to Russia, that the subject ought to be thoroughly considered. Reducing our tremendous wheat surplus in return for hard currency is a prospect well worth thinking about. Those who defend the present restrictive policies should be required to show how those policies benefit us in terms of security and economics.

THE BOMBING IN BIRMINGHAM

Mr. ROBERTSON. Mr. President, several days ago I received a letter from a valued constituent in which he claimed that on the basis of the number of bombings in Alabama, the FBI had been either inefficient, negligent, or both.

I referred that letter to Hon. J. Edgar Hoover. Mr. Hoover needs no defense at my hands, because his efficiency and integrity are well established throughout the Nation. I endorse both. J. Edgar Hoover has written me a letter in which he has denied the charge.

Mr. President, the bombing in Birmingham was one of the most deplorable criminal acts of recent years. Apparently there has been a concerted effort to jump to the conclusion that the crime was committed by a white man and is evidence of racial hatred. There is no such proof. On the contrary, the proof is that the bomb was so carefully concealed in the church that it must have been placed in the daytime, and that considerable time was required to place it. Any white man who went in there would be subject to detection. So I say that it is very unfair to the white people of the great State of Alabama to jump to the conclusion that some white man in Alabama committed this dastardly crime. It is the type of crime that could be committed by a Communist under whose moral code murder and arson cease to be crimes if committed to advance the cause of communism.

Mr. President, as I have said, J. Edgar Hoover has been outstanding in protecting us against infiltration in the Government and elsewhere by Communists. Since 1960 he has carried out as best he could his difficult assignment to investigate bombings as required under the amendment to the Civil Rights Act of that year. I hope that he can apprehend and convict the guilty party or parties in the Birmingham church bombing case. In the meantime I hope neither the press nor the public will jump to the conclusion that the crime was perpetrated by a white resident of Alabama.

I ask unanimous consent to have printed in the RECORD at this point the letter which J. Edgar Hoover wrote me on September 24, listing the number of bombings that have been officially recorded in Alabama, pointing out that he did not have jurisdiction in every case, and indicating what he had been able to accomplish up to the present time.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEDERAL BUREAU OF INVESTIGATION,
U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., September 24, 1963.

HON. A. WILLIS ROBERTSON,
U.S. Senate
Washington, D.C.

MY DEAR SENATOR: I have received the letter the colonel wrote to you on September 14, 1963, with the copy of your reply to him of September 19, and I do appreciate your bringing this matter to my attention. Let me assure you at the outset that the implied charges against the FBI reported in Colonel Hewitt's letter have no basis in fact.

Both sides in the racial issue have used the FBI's name in recent months to gain support for their respective points of view. Obviously, neither side has spoken with any authority since their statements have dealt with cases on which no public announcement has been made regarding the results of our investigations. Supposition often is stated as fact, and the matter of legal jurisdiction frequently is ignored.

At the present time, different individuals are citing various totals for the number of bombings which have occurred in Alabama. Some allege the FBI has investigated all of them; others declare we have taken little or no action. Our jurisdiction to investigate these bombings comes from the Civil Rights Act of 1960 which became effective on May 6, 1960. It is broad in scope, but the Department of Justice has stated that Congress clearly indicated there was no intention in the statute to usurp investigative and prosecutive authority in bombing matters from State and local authorities. The Department has instructed that the FBI should not initiate investigations into such cases without special departmental authorization.

The facts of each bombing incident have been presented immediately to the Department, and the FBI has been requested to investigate five bombing cases in Alabama, including the one on September 15 in which four children were killed. Due to the nature of the September 15 bombing, the FBI began an immediate investigation and advised the Department of the action being taken. Although the FBI does not actively investigate all bombing cases, it does cooperate in every way possible with State and local authorities. The full facilities of the FBI Laboratory and Identification Division are available to render any assistance.

The FBI's actions in the civil rights field are governed by laws as they are in all fields. We cannot exceed our authority nor will we attempt to do so. If a Federal law within our jurisdiction is violated, FBI agents will conduct a prompt, thorough and objective investigation. If no Federal law is involved, we will not—cannot—investigate.

In spite of these facts, we are accused of both exceeding and shirking our duties. Some of these charges stem from a lack of understanding, but many of them come from persons who have a personal interest and distort the truth to suit their own purposes.

Acting within the law, the FBI has recorded a number of accomplishments in the civil rights field. For example, FBI investigations have enabled the Department of Justice to file more than 40 suits in 5 States to end racial discrimination in voting. FBI agents solved the case involving the burning of a Greyhound bus transporting freedom riders through Alabama in 1961. Six persons have been convicted for their part in this crime. An FBI investigation in September 1962, led to the arrest and conviction in State court of four persons for burning a Negro church in Terrell County, Ga. FBI agents also arrested Byron De La Beckwith, the man charged with the murder of Medgar Evers, the Mississippi leader of the National Association for the Advancement of Colored People.

I hope the foregoing will prove helpful to your constituent in understanding our role in civil rights cases. I am enclosing two recent newspaper articles you may desire to forward to him and am returning his letter.

Sincerely yours,

J. EDGAR HOOVER.

Mr. ROBERTSON. I hope that J. Edgar Hoover finds the perpetrator of the crime, and that the perpetrator will be appropriately punished. I am satisfied that Mr. Hoover will make an efficient effort to locate him, but he will not use his office to promote legislation on this subject by trying to persecute someone while the evidence is insufficient to justify such action.

TREATY SIGNING SLIP BY STATE DEPARTMENT

Mr. MILLER. Mr. President, during consideration of the limited nuclear test ban treaty, the Senate received repeated assurances from administration spokesmen, including the Secretary of State, that the signature of East Germany on the treaty would not imply recognition on our part. During the debate, we had a daily markup on the number of countries signing the treaty. Monday morning, Under Secretary of State W. Averell Harriman and others gathered at the State Department to welcome the 100th nation to affix its signature. Dutifully, at least one wire service ran the report that the Republic of Malagasy was the 100th country to sign up. Obviously, the number was based on State Department information. Then, a reporter asked an embarrassing question and Mr. Harriman and other officials supposedly in the know had to back up. All along, the State Department had been including in its running tally two nations which we do not diplomatically recognize—East Germany and Outer Mongolia. So the Republic of Malagasy was downgraded swiftly to the 98th position. Regardless of whether the slip was intentional, the Soviet Union has been having a wonderful propaganda weapon to show the United States does, indeed, recognize East Germany. It can totally ignore the subsequent "correction" which related the story of the embarrassing slip; all it has to do is use the earlier version to point out its case. And in citing the 100 nations, it can say East Germany is one of them.

Mr. President, I ask unanimous consent that two of Tuesday's articles, one from the Washington Post entitled "State Department Admits Treaty Signing Slip" and one from the New York Times entitled "100th Nation Signs Pact," be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 24, 1963]

STATE DEPARTMENT ADMITS TREATY SIGNING SLIP

The State Department caught itself in an embarrassing slip yesterday and ended up with two countries as the 100th to sign the nuclear test ban treaty.

During the morning, the Republic of Malagasy signed the treaty at the State Department. Under Secretary of State W. Averell Harriman and other officials welcomed it as the 100th signer.

At noon Guatemala signed and was officially announced as number 101. Officials later told newsmen that actually the State Department does not recognize two countries which signed in Moscow—East Germany and Outer Mongolia. They said Malagasy was only the 98th.

The State Department then said a special ceremony would be held at 9:30 a.m. today at which "the Republic of Niger will be the 100th country" to sign.

[From the New York Times, Sept. 24, 1963]

100TH NATION SIGNS PACT

WASHINGTON, September 23.—The number of nations joining the test ban treaty reached 100 today when the Ambassador of the Malagasy Republic, the former French territory of Madagascar, signed the pact in Washington.

OVERHAULING FOREIGN AID

Mr. MILLER. Mr. President, in an editorial in its September 23 issue, the Washington World magazine calls attention to what it terms "an admirable foreign aid effort by the people, not the Government." The "admirable program" referred to is an Iowa product. It was originated by Vern L. Schield of Waverly who felt it was time to help our have-not neighbors help themselves. His Self Help, Inc., is geared to the aim of getting rebuilt machinery to foreign nations in need of such. The plan, the editorial notes:

> Insures the oversea tiller of a tiny farm that aid is being given at the right time and for the right reason to the right person.

Then it makes this observation:

> This is far more than can be said of the U.S. Government policy of tossing millions of dollars daily into foreign troughs and hoping it will end up in the "right" political hands and be put to the best "proper" use.

Perhaps it would be well for the leaders of this Nation to encourage such programs as Iowa's Self Help. Such programs could do much to stop the drain on the taxpayer's money.

Mr. President, I ask unanimous consent that the editorial entitled "Foreign Aid Overdue for Overhaul" be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FOREIGN AID OVERDUE FOR OVERHAUL

American foreign aid, still under a barrage of criticism from the private sector, Congress and certainly the taxpayer, is overdue for an overhaul.

Washington world columnists point out the lunacy of U.S. fiscal policy which courts domestic bankruptcy and regularly incurs budget deficits while shoveling billions of dollars into foreign governments which use those dollars to balance their own budgets.

There are various versions of where to cut foreign aid and just as many methods for supplanting present Government giveaways abroad. One of the most exciting and least explored is that of private groups entering into self-help programs.

Iowa is where the tall corn grows. Some tall ideas take root there, too. Self Help, Inc., at Waverly is one such idea. Waverly is a typical American farm community, with a population of 6,357.

Waverly's Self Help is an entirely new kind of foreign aid program. Its aim is to help this Nation's have-not neighbors to help themselves. It is a nonprofit, people-to-people organization. Its slogan—"a stomach gets empty every day regardless of its address"—shows its belief that hunger, not politics, too often is the cause of world tensions.

Self Help's founder, Vern L. Schield, was appalled in the late 1940's at the ignorance of agricultural knowledge overseas. During a visit abroad he observed that some of the most productive soils and climates produced almost nothing; even densely populated areas, with their manpower, good soils, excellent rainfall and plentiful sunshine, grew little or no food in many instances.

Schield was confident such conditions prevailed because all work was done by hand and crops were poorly tended. He realized the underdeveloped peoples needed power equipment more than a Federal handout.

Power equipment they are now getting. The donated machinery—ranging from small tractors and other farm tools to windmills, sewing machines, and washing machines—is carefully rebuilt in Waverly by Self Help contributing members and is then sold on liberal credit terms to foreign missions of all faiths; other outlets are explored with the assistance of U.S. consulates.

The plan insures the oversea tiller of a tiny farm that aid is being given at the right time and for the right reason to the right person.

This is far more than can be said of the U.S. Government policy of tossing millions of dollars daily into foreign troughs and hoping it will end up in the right political hands and be put to the best proper use.

No better examples can be found than recent expenditures in Vietnam, which have approximated a $1.5 to $2 million a day. Waverly's Self Help is an admirable foreign aid effort by the people, not the Government.

THE DESPERATE DEBTOR

Mr. MILLER. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD an editorial entitled "The Desperate Debtor" published in yesterday's edition of the Wall Street Journal. The editorial pointedly indicates what our fundamental problems are with respect to our balance-of-payments deficit and our outflow of gold.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE DESPERATE DEBTOR

Robert V. Roosa, the knowledgeable Under Secretary of the Treasury, has had a change of heart. A year ago he was firmly against even a study of an overhaul of the world's monetary system; now he favors just such an appraisal.

Why the change? Well, last year it was Mr. Roosa's sound opinion that U.S. interest in new credit arrangements to aid debtor nations would be widely construed as motivated by our own balance-of-payments problem. Since then, he's convinced, the United States has taken so many steps to end its own troubles and protect its dollar that no one would now mistake us for a desperate debtor.

It's true that a good many steps have been taken. The Federal Reserve discount rate has been raised, and this represents at least a modest backing away from the policy of perpetually easy money and low interest rates that has spurred an outflow of investment funds from our shores.

Then, too, the Government has cracked down on tourist spending abroad and proposes to slap a penalty tax on anyone who is unpatriotic enough to buy foreign securities. And it's forcing more foreigners to spend in the United States the American aid funds they receive. These moves can be faulted on a number of counts, but many people may be persuaded such moves will help in reducing the imbalance in our international accounts.

Most of the Government's other moves, however, promise no long-term help at all. These include inducing some foreign governments to pay debts in advance, borrowing funds abroad and talking oversea central banks into minimizing any pressures on America's dollar. At best, these moves only are buying us time.

Unfortunately, time may be running out. Though the balance-of-payments deficit remains at record levels, the administration still shies from dealing with some of its basic causes. It fights against sharp cuts in foreign aid, though much of such aid has been proved to be wasteful and unavailing. It shuns reductions in military outlays overseas, though it should be clear by now that our allies will shoulder their share of the West's defense only when forced to.

Most important, perhaps, the administration seems to feel no urgency about moving to end our long string of Federal budget deficits. As long as we go on storing up ammunition for future inflation, how can anyone feel that we really are trying to keep our own currency sound?

So we're afraid we can't fully share Mr. Roosa's own optimism. If we now try to get the world's bankers to set up larger lines of credit, we may well look like just what we are. A debtor that goes on trying to put off the day of reckoning.

RACIAL DISTURBANCES ON MILITARY BASES

Mr. STENNIS. Mr. President, heretofore I have warned the Congress and the Nation of the bad consequences of the implementation of the Gesell report.

There are certain recent incidents of racial disorders in military establishments which I consider to be the first bitter fruit of the seeds planted by the Department of Defense when the Department issued its directive to implement the infamous Gesell report. I think that these incidents and disturbances point up very graphically the fallacy in attempting to use the military as an agency of social reform.

The first disturbance to which I shall refer occurred at Dyess Air Force Base, Tex., on August 24, 1963, when a white air policeman, acting in accordance with established procedures, made an effort to enforce the preset closing hour at the NCO club. Approximately 30 Negro airmen who were present did not want the club closed and refused to leave. They attacked the white air policeman. Shortly thereafter a second air policeman, also white, arrived at the club and was also attacked by Negro rioters. A third air policeman, a Negro, arrived and came to the assistance of the two other AP's. The rioters attempted to assault him, also. However, he used his side arm and shot one of the Negro attackers and shortly thereafter the club's closing hour was enforced.

The second disturbance occurred on September 2, 1963, at Evreaux, France, and was even more serious. I am aware that the Department of Defense has denied that this was a racial disturbance but I am in the possession of reliable information to the contrary. In any event, five Negro airmen, all privates first class, entered the barracks of an Air Force unit at Evreaux, supposedly looking for white people from Alabama to chastise. The Negroes were armed with heavy sticks and metal bars. There were no white airmen from Alabama in the barracks at that time but five white airmen from Southern States and one white airman from New York were present. The Negro soldiers attacked these airmen with the clubs and metal bars and, as a result, one of the airmen received such injuries that he died. The other airmen received minor injuries.

These incidents of racial disorders on military reservations are a natural and predictable result of the efforts being made to place the military in the role of social reformers. Even the Gesell report had to admit reluctantly that "by and large military bases reflect a clear pattern of integration." Now, military bases which have previously been an orderly, peaceful, and protected haven for Negro and white alike, are being disturbed and torn apart by the directive which necessarily makes offbase frictions a part of onbase living.

No one should really be surprised by these violent breaches of order and discipline on military establishments. When servicemen are encouraged to become lawbreakers and to engage in disorderly conduct off the base, no one can expect them to have respect for law and order on the base. An invitation to breaches of discipline and disorder in one place is an invitation to the breakdown of order and discipline everywhere.

I might comment that it is interesting to note that the few press releases on the subject of these disorders have not been entirely factual but instead have indicated that there was a fight between military personnel with little, if any, mention that racial disturbances were involved.

It will also be interesting to learn whether these incidents and disturbances will result in more than minimum action against the offenders. In one, a case of murder is involved. Both are serious and involve the morale and internal discipline of the Air Force. Matters which are so serious and which so vitally affect our Military Establishment should be brought out in the open, and I believe that the Secretary of Defense should furnish the Congress, without delay, a full and detailed report on these occurrences and all other racial disturbances which involve military personnel.

I shall be heard further on the general subject matter of the Gesell report at a later time.

COMMENDATION OF COMMITTEE ON LABOR AND PUBLIC WELFARE FOR ACTION ON EDUCATION BILLS

Mr. MORSE. Mr. President, today it was necessary for the Committee on Labor and Public Welfare to remain in session after the 12 o'clock bell had rung, but for not more than 6 minutes—somewhere between 4 and 6 minutes—to finish a series of votes then being taken. I bring to the Senate the unanimous request of the committee, from both sides of the aisle, that the committee be given approval for the holding of that meeting from 4 to 6 minutes overtime.

The VICE PRESIDENT. Without objection, the request of the Senator from Oregon is agreed to.

Mr. MORSE. I report, with rejoicing, that this morning the committee, by a large majority, voted to report favorably to the Senate three education bills: first, a vocational education bill; second, a higher education bill, which consists of the House bill with all language stricken and a substitution therefor of the conference report version of last year on higher education, with the student loan and forgiveness sections stricken; and, third, a separate library bill.

I never hoped to live long enough to see such action taken in the committee, with thorough discussion, which made it necessary for the committee to run overtime, but I believe it augurs well. At least, it greatly increases the possibility that before the Congress adjourns this fall it will enact some education legislation.

From the bottom of my heart I thank the Senator from Alabama [Mr. Hill] for the magnificent leadership he again provided the full committee, and to each member of the committee on both sides of the table, Republicans and Democrats alike. Although there was not complete unanimity, the sentiment was so close to unanimity that I believe it represented almost a legislative miracle. I am proud to make this report to the Senate.

AID TO LIBRARIES

Mr. KEATING subsequently said: Mr. President, this morning the Senate Labor and Public Welfare Committee met to consider H.R. 4955, a bill to provide aid to vocational education, expansion of the NDEA, continuation of the aid to impacted areas program and aid to libraries. I was glad to hear from the Senator from Oregon that this bill has been favorably reported to the Senate.

The Senate bill would authorize the expenditure of $45 million a year to construct new libraries and to buy books, and would remove a limitation which presently confines the Federal program to rural areas.

While we in New York can take pride in our fine library services, officials in the State have found that facilities cannot keep pace with the expanding population and the growing number of students in higher education. Two-thirds of the central library buildings in New York are presently inadequate, and 86 percent will be inadequate by 1970. One-third of these buildings are over 40 years old already.

Mr. President, many of the libraries in the United States were built with Carnegie funds, which are no longer available. The public library is a vital part of our educational structure, and the ready access to adequate sources of information is a critical factor in the growth of society and the individual.

The New York State Board of Regents has warned that: "At the very least, our responsibility is to provide those who seek knowledge with that which is known, so that the edges of the unknown may gradually give way to the inquiring mind of man." I hope we will assume that responsibility when the bill to aid libraries comes to the floor.

Mr. President, I ask unanimous consent that a speech delivered by Mr. Henry G. Shearouse, Jr., associate supervisor of the Library Extension Division, of the New York State Education Department be printed at this point in the Record, along with a sampling of letters from library officials urging approval of this bill.

There being no objection, the speech and letters were ordered to be printed in the Record, as follows:

Public Library Construction Needs in New York—Potentials Under the Act

(By Henry G. Shearouse, Jr., associate supervisor library extension division)

While I was preparing these comments one of the consultants looked at the figures and wrote my speech for me. It reads in its entirety "A survey of libraries in New York State reveals that library buildings are totally inadequate." We are not in quite this shape but I think that some of the figures may surprise some of you a little bit.

All of you have received a copy of the summary of the National Education Improvement Act. Title 6, part C contains the provisions relative to public library buildings. The National Education Act would authorize the appropriation of some $20 million for library buildings for fiscal year 1964. New York State's share of this amount on a matching base of 66 percent local and 33 percent Federal would be $1.5 million per year. This money is granted on the basis of a plan submitted by the State and approved by the Federal agency. The money for public buildings is a separate part of the appropriations. There is first part—the operating expenses for the improvement of services; second part—for library buildings. There would be two plans that would be submitted by the State agency for the grant. College and university buildings are not included here. Title II, part D of the act covers college and university library buildings.

In justifying the appropriation, a statement was made "As of March 1962, the median age of public library buildings has been estimated to be 53 years, 30 percent were built before 1910." This information was gathered by the American Library Association through a survey of several States.

In an effort to partially determine needs in New York State, questionnaires were sent to library system directors of all systems in the State. Some systems such as Queens and Brooklyn reported strong building programs. Suffolk County estimates that all buildings in its area are now inadequate. This is the fastest growing county in the United States—population is expected to double by 1970. Nioga library system estimates that the primary needs are five key libraries. The system estimates a current need of a minimum of 100,000 square feet of floor space. These are current needs, not for areas presently unserved which need or will need buildings.

The central libraries of library systems present probably the greatest need in the State in relation to the continuing student education and the reference and research programs. Two-thirds of the central library buildings are rated as inadequate now. Eighty-six percent are termed inadequate for 1970. One-third of all central library buildings are over 40 years old. Administrative headquarters of library systems primarily in rented space are also termed as inadequate. Fifty percent are rated inadequate now, 80 percent are rated as being inadequate by 1970. Member libraries and branches of systems are the largest need, statistically. Six hundred and sixty-three member libraries or branches were reported on; 383 or slightly over 50 percent were reported as inadequate now, 228 of these need completely new buildings. By 1970, only 167 buildings were rated as adequate. These, incidently, included the new ones—65 under construction for 1963–64. Many libraries are aware of needs, concern is with the many who are unaware of needs.

United States is estimated to need $280 million to meet the present backlog (existing, not new units). I have roughly estimated that $50 to $75 million is needed for New York State right now.

New York State's share of the building funds can only be used as incentive. There is not enough money to do more than this. The State must develop a State plan for action. Section 203 of the act reads "A State plan for construction of public libraries must insure that priority will be given to projects for facilities to serve agencies having, in the judgment of the State library administrative agency, the greatest need for additional facilities and which gives consideration to projects for facilities to help achieve the objective of developing library services to satisfy the needs of students of all ages for useful and readily accessible library services and materials."

There are several possibilities which I would like to mention for use of funds. One is the possibility for a statewide survey to help us develop priorities. There is also a possibility of planning grants to library systems or individual libraries working on library buildings.

Priorities of the Library Extension Division, in our present thinking, are: (1) Central libraries; (2) administrative headquarters of library systems; (3) member libraries or branch library buildings.

I would like to say again that the money which we have must be used as an incentive. It is our thinking that the grant would be based on a percentage of the total cost of buildings. This would probably be 66 percent local and a 33-percent grant (same as the Federal allocation). At this rate, about one-third to one-half of our needs can be met.

The plan which is submitted by the State Education Department to Washington for approval must indicate priorities and develop principles. We do not want to slow down development while people wait for grants. We want to stimulate the development of library building and this will be the basis of any plans which we submit.

Brooklyn Public Library,
Brooklyn, N.Y., September 20, 1963.

In re the Library Service and Construction Act (H.R. 4879, S. 580).

Hon. Kenneth B. Keating,
U.S. Senate,
Capitol, Washington, D.C.

Dear Senator Keating: I desire to express my views concerning the Library Service and Construction Act. I have been a trustee of the Brooklyn Public Library for some 25 years and at the present time I am president of the library's board of trustees. The Brooklyn Public Library has a circulation of close to 11 million volumes a year. In 5 months of the current year the circulation has exceeded 1 million volumes per month, which is the largest circulation in the history of the library. This increase in the use of the library services is due to the demands of our citizens and indicates the advanced role of the library in our community. By reason of this advanced increase in the development of the library we believe that it is essential that the Library Services and Construction Act is passed. The library can only advance and meet the increasing demands of our citizens provided it gets the required financial support that is necessary to accomplish the broad purpose and role of the library in the community and throughout New York State and our Nation. I, therefore, urge you to support this legislation and join with the other representatives from the State of New York in moving this legislation for early passage.

Thank you for your considerate attention, I remain

Sincerely yours,

Charles J. Mylod.

New York Library Association,
Roslyn Junior High School,
Roslyn Heights, N.Y., March 1, 1963.

Senator Kenneth B. Keating,
U.S. Senate,
Washington, D.C.

Dear Senator Keating: On behalf of the 900 members of the school library section of the New York Library Association, we request your support of the administration's legislation program for education, the National Education Improvement Act. Although this act does not make extensive mention of school libraries, its many provisions for increased funds for college and public library service, plus other educational ramifications make it, we feel, extremely valuable in the educational and cultural growth of our country. Therefore, our membership hopes that you will actively support this legislation.

Sincerely,

John Gillespie,
President,
NYLA School Libraries Section.

The New York Public Library,
Hudson Park Branch,
New York, N.Y., Apr., 19, 1963.

Hon. Kenneth B. Keating,
U.S. Senate, Washington, D.C.

Dear Senator Keating: My staff and I urge you to give your good support to the President's omnibus education bill (H.R. 3000 and S. 580) now being considered by Congress. We are particularly interested in title VI, part C, which would amend the present Library Services Act (Public Law 84-597) to expand its coverage to nonrural areas and to include provisions for construction of public libraries. Under the present law, the New York Public Library, for instances, does not qualify for Federal aid because the area we serve is not rural. The New York Public Library would be eligible, through the State, for Federal financial assistance for both library services and library construction.

As you no doubt realize, New York City needs more library buildings and the services offered to the public need to be amplified and extended. It is therefore of vital importance that the bill be passed and become law.

We appeal to you because we know that a man with your record and reputation can give the most valuable and productive support and we trust that you will give it. We shall greatly appreciate your efforts.

Very truly yours,

Mrs. Alice Vielehr,
Supervising Librarian.

Livingston County Library System,
Avon, N.Y., March 5, 1963.

Hon. Kenneth B. Keating,
The Senate,
Washington, D.C.

Dear Senator: There are presently bills before the State and National legislature that are of great import to our libraries.

In Washington: H.R. 3000 or S. 580, the National Educational Improvement Act of 1963, which includes and extends the Library Services Act also covers other aspects of library development.

The new bill when coupled with our New York State aid to libraries would be of tremendous value to rural counties such as ours.

As an example of what is possible, the recent gains in books and other material in circulation in newly formed Wyoming County Library System (1961) jumped from 75,000 in 1960, 78,000 in 1961 to 109,000 in 1962. The large gain in use is due to the excellent library legislation of New York State backed by State funds.

Our office is headquarters for eight libraries in Livingston County and eight libraries in Wyoming County.

If possible we would like to secure copies of the above bill for all our libraries and also have our headquarters placed on your mailing list.

Sincerely yours,

Walter F. Airel, *Director.*

Buffalo and Erie County
Public Library,
Buffalo, N.Y., August 29, 1963.

Senator Kenneth B. Keating,
U.S. Senate, Senate Office Building,
Washington, D.C.

Dear Senator Keating: Large metropolitan public libraries are finding it increasingly difficult to offer even minimum library service because of the greatly increased demands made upon their book collections and staffs by high school and college students and research workers. It is my considered belief that the hearings recently completed on S. 580, title VI, part C, and most particularly the provisions of title III, parts A and C for the training of librarians, of which there is such a severe shortage, would be of great assistance to libraries in New York State to meet the service demands placed upon them and which will not be provided for in the foreseeable future either by local or State appropriations.

Any assistance which you can give to the passage of this bill will be greatly appreciated by librarians and library board members of the Niagara frontier.

Sincerely yours,

Joseph B. Rounds,
Director.

Onondaga Library System,
Syracuse, N.Y., September 13, 1963.

Hon. Kenneth Keating,
U.S. Senate, Senate Office Building, Washington, D.C.

Dear Senator Keating: May I ask your attention to, and I hope, favorable action on H.R. 4879, the public libraries bill.

This bill offers, for the first time, Federal financial aid to the construction of adequate public library buildings comparable to that already available for the construction of school buildings.

Good libraries are just as essential a part of any educational system as are schools, yet for the most part they exist, if at all, in old or inadequate quarters. Obtaining capital funds for new library building construction has been difficult even in large cities and virtually impossible in smaller communities.

Passage of H.R. 4879 would go far to alleviate this regrettable situation, and at relatively small cost. On behalf of the Onondaga Library System, I strongly urge that you support it in any way possible.

Sincerely,

Stephen M. Webb,
President, Board of Trustees.

TRIBUTE TO THE GRAND JURY ASSOCIATION OF NEW YORK COUNTY

Mr. KEATING. Mr. President, 50 years ago the Grand Jury Association of New York County was formed. This is a working organization dedicated to improving the administration of justice and the grand jury system. Its record of accomplishment during a half century of public service exemplifies the vital role the grand jury itself plays in our judicial system.

The Grand Jury Association of New York County has won national recognition for its activities. It has been guided by responsible leadership throughout its history, and its reports and recommendations have led to many important reforms in law enforcement. Its membership is voluntary and nonpartisan.

A dedication to honest and effective law enforcement is their common bond, and the satisfaction which comes from a job well done their only reward.

The grand jury is an ancient institution which has the dual function of protecting citizens from unfair charges and the community from unremedied crime and corruption. In recent years, the authority of the grand jury to report on conditions short of crime has been drastically curtailed. This is a serious situation, in my judgment, and I strongly support proposals which have been made to restore the grand jury's role as the conscience of the community.

Mr. President, the Grand Jury Association of New York County is a magnificent example of the contribution citizens can make to the cause of good government. In paying tribute to this association on its 50th anniversary, we are giving recognition not just to one organization but to a system of justice of which every American is proud.

Mr. President, an excellent editorial in today's New York Herald Tribune backs efforts to restore the grand jury's eminence in exposing corruption and counseling reform. I ask unanimous consent that this editorial, entitled "Take the Muzzle Off the Grand Jury," be printed following my remarks in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Take the Muzzle Off the Grand Jury

The people never know all that they ought to know about public affairs.

A chief reason for this state of ignorance in New York is that the grand juries have been muzzled by the court of appeals. By a 4-to-3 decision of our highest court almost 3 years ago the ancient reporting power was removed. It was then declared that a grand jury investigation must conclude with an indictment or dismissal of charges, or silence. Even if a certain situation smelled to high heaven and cried for exposure, the people's watchdog was prohibited from delivering a presentment. And for the last three sessions the State legislature has balked at removing this gag.

> But, unfortunately, the public interest has a way of rising to demand attention. It cannot be indefinitely submerged. We are therefore delighted that former Governor Dewey and District Attorney Hogan both urge substantial restoration of the grand jury's eminence in exposing corruption and counseling reform. These two citizens know from personal experience how well the grand jury presentment has served against wrongdoing. Evil is not a matter for silence. Let the people know, and they will see to the correction.

DETROIT'S BID TO BE HOST AT THE 1968 OLYMPICS

Mr. HART. Mr. President, several weeks ago this body gave a vote of support and confidence to Detroit's bid to host the 1968 Olympics.

In a little over 3 weeks—by October 19 or 20—we will know whether that bid has been successful.

Certainly, all of us who realize the prestige and benefits to be derived from the honor of being host city and country for the Olympics, and the intense competition of the cities seeking this honor, await that decision with hopeful heart.

But today, I would like to brief Senators on the all-out effort the Detroit Olympic Committee has made in support of our bid in order to show Senators—no matter what the International Olympic Committee decision is—that their vote of confidence was not misplaced.

Certainly I am proud of the way the people of Detroit and Michigan have responded to the challenge of being the U.S. bidder.

The intensity of their efforts and the attractiveness of their presentation is a story with too many details to be enumerated now. But I would like to hit a few of the chapter headings.

One of the factors the International Committee will weigh heavily in making their decision is the breadth and intensity of interest in hosting the games in the bidding country. The resolution which the Senate adopted and which was signed by President Kennedy, of course, reflects the official support and interest of the Government.

But Detroit will add grassroots support to that in the form of a petition. Right now they have more than 300,000 signatures, representing persons living in all 50 States.

The number of signatures, it is hoped, will be at least doubled by a unique attention-getting across-country run which will be underway Friday, September 27. Called the Olympic Torch Run—Detroit 1968, it will begin in Los Angeles and end in Detroit on October 9. Runners supplied by the National Amateur Athletic Union will carry the Olympic torch those 2,521 miles.

Along the route, people will be asked to send post cards, stating their support for the games in Detroit, to Box 1968, Detroit.

This petition will be presented to the International Olympic Committee meeting in Baden-Baden, along with the resolution signed by the President.

I hope my colleagues may have opportunities to urge communities along the way to give fullest support to this demonstration.

The U.S. bid—or presentation—of course must be financed. In this case a minimum of $200,000 has been set, most of which has been gathered already by the Detroit committee in voluntary contributions from industry, labor, and individuals.

Then there is the actual presentation, worked out by the more than 400-man committee in Detroit. Senators will pardon me if a note of pride creeps into my voice as I spell out Detroit's offer.

Detroit now has available 95 practice facilities, including 118 gyms, 87 pools, and 26 stadiums.

It has 17 sites for Olympic games, all within a 15-mile radius of the city center. This close proximity of all events, including yachting, rowing, and canoeing, is unique. Included in these sites, of course, is Cobo Hall and Convention Arena, completed in 1960 at a cost of $54 million and capable of holding five indoor events simultaneously.

Yet to be constructed for the use of the Olympics and later use of the community are two more game sites and what will be used for the Olympic village. Financing is all arranged for these facilities, and they can be under construction immediately.

Included in the new construction would be the main Olympic stadium, parking ramps for 10,000 cars, a 10,000-seat velodrome for cycling, a 400-room motel and a restaurant—at a cost of $60 million. A model of this, constructed at a cost of $12,500, will be included in the Detroit presentation.

The Olympic Village requirements would be met by the expansion program now in progress at Wayne State University. Located in the heart of Detroit, on the interchange of two major expressways, University City is now underway. This combination of low-rise and high-rise units will provide accommodations for up to 9,000.

For visitors and spectators, Detroit offers 45,000 hotel and motel rooms already in existence, all within an hour's drive of the city center. This includes a new 25-story twin-tower hotel now being built opposite Cobo Hall.

By Olympic time there would be most adequate accommodations for 100,000 guests. Interestingly, there are Americans of ethnic heritage in Detroit representing every country of the IOC membership with the exception of Liechtenstein and Monaco, and the homes of many of these people would be available to foreign guests—along with native language assistance.

An extensive program of fine arts has been proposed to be added to the existing museums, libraries, and universities as cultural appeal to guests.

In short, Mr. President, Detroit is ready, willing, and able to host the 1968 Olympics—in a grand style befitting a representative of the United States.

The unofficial word I receive is that Detroit's chances are excellent.

A few days ago, on behalf of the Detroit Olympic Committee, I sent to each Member of the Senate an Olympic lapel pin. It is my hope that my colleagues will wear it, with pride, knowing that—win or lose—Detroit has indeed played the game well.

TRIBUTE TO MRS. STEPHANIE JANUSZEWSKI

Mr. HART. Mr. President, all of Detroit was saddened by the death of Mrs. Stephanie Januszewski on September 22. It was a particular loss to the Polish community in Detroit. Mrs. Januszewski was president of the American Publishing Corp. and publisher of the Polish Daily News, known in the Polish Community as Dziennik Polski, one of the four remaining Polish-language daily papers in the United States.

Mrs. Januszewski was born in Warsaw, Poland, and was educated in private schools in the Polish capital. She came to America while in her teens. Her father, Rafael Kudelski, was one of the first editors of the Polish Daily News, founded in 1904. Her husband, the late Frank Januszewski, became publisher and president of the newspaper in 1930, and it was then that Mrs. Januszewski was named vice president and joined the editorial staff. When Mr. Januszewski died in 1953, Mrs. Januszewski stepped into his position in the publishing company and newspaper.

Throughout her life, Mrs. Januszewski was a leader in the Polish-American community in Detroit. She was in the forefront of countless civic endeavors and received many awards for her work. She was an uncompromising opponent of Poland's Communist regime and constantly supported the Polish Government-in-exile in London as the legal government of Poland. She was a member of the Detroit Historical Society, Friends of the Detroit Institute of Arts, the Women's City Club, the Polish Roman Catholic Union, the Polish Women's Alliance and the Polish Aid Society.

Her passing is a great loss to Detroit and she shall be greatly missed.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

THE INTERNAL AND FOREIGN POLICY OF THE YUGOSLAV COMMUNIST REGIME

Mr. LAUSCHE. Mr. President, on June 7, in the newspaper Delo—which means "work"—in Ljubljana, Yugoslavia, a statement appeared which had been made by Kardelj, the righthand man of Tito, dealing with the position of Yugoslavia in world politics today. I read from that statement:

> The Socialist Yugoslavia has been always active on contemporary social problems and cannot stand aloft at the present time, when in the Socialist world problems are emerging on the order of the day which are bound to influence in a most direct way the very essence of our Socialist society and the development of socialism in general.

> We can safely say that today all conditions are given us for permanent friendship and universal cooperation with the Socialist states in all fields of activity where common interests and goals of Socialist states exist. In this perspective we have to observe the more and more successful cooperation of Yugoslavia with the Soviet Union and with the majority of Socialist states. This cooperation got a new incentive by the visit of Comrade Tito in Moscow. Without doubt this is not only in the best interest of the nation of Yugoslavia but also in the interest of the countries concerned, of socialism and of the peace of the world.
>
> If anywhere conditions for complete mutual understanding do exist, they have to exist among nations which decided to follow the Socialist way. Therefore, we, as a Socialist country never did have any other interest than to maintain the best friendly relations and to cooperate with the Soviet Union. Stalin prevented the development of such relations when he demanded that the nation of Yugoslavia and we, Yugoslavia Communists, renounce our right to decide independently on problems of our internal policy and our international relations.
>
> We salute the fact that the present situation is different. Our cooperation with the Socialist countries is developing on the sound basis of equality, equal rights and independence. We have to contribute our utmost in order to make this cooperation fruitful. This essential betterment of our relations and of our cooperation with the Socialist countries is therefore not in contradiction with our past foreign policy—as some people would like to picture it—it is on the contrary to a large extent the result, effect of our previous foreign policy and its natural, fortunate complement.

Those are the words of Kardelj, reaffirming the declaration and purpose of the Yugoslav Government to promote socialism everywhere in the world. Nowhere in the statement is there a friendly word expressed about our benevolent country, which, up to the present time, has given to Tito $2,500 million by way of aid through loans and grants.

In addition to that statement, I wish to quote from a speech made by Tito, the President of Yugoslavia, at the time he was elected to be President of Yugoslavia for life. In his speech, Tito made a declaration explaining his political platform. In that speech, Tito exposed his ideas on past and future Yugoslav Communist policy. The speech was published in the official monthly publication Communist of July 5, 1963. This is what he said:

> As you know, our relations, our understanding, our general cooperation with the Soviet Union and with other Socialist states, except China and Albania, are becoming better and better. Our policy in the future has to be directed toward increasingly better cooperation and toward strengthening our friendship with these Socialist states. This is necessary the more, because it is quite logical that Yugoslavia, which has been building socialism maintains the best possible relations with Socialist states. The previous practical experience shows us the importance of cooperation and friendly relations with Socialist states, also in the struggle for peace and for strengthening of the progressive forces in general.

Tito further said:

> With our cooperation with the countries of Asia and Africa, we achieved understanding and friendship of newly liberated countries, which we cherish very much.
>
> With the majority of the Western countries we maintain normal relations; with some of them they are even friendly. The significance of these results is the greater if we consider the fact that we achieved them with our own efforts, chiefly engaging our own material and human resources.

I digress to comment that Tito specifically states that the great improvement in the economy of Yugoslavia has been achieved with its own resources. Silence is complete concerning the fact that Tito has received from American taxpayers $2.5 billion. In concluding his remarks, Tito expressed his belief in the final victory of communism by saying:

> We consider it necessary to observe realistically the progressive process of changing in the present world and to recognize their social justification in the international relations. The fact that some people do not recognize these changes of conditions is one of the main causes of the cold war. The matter in question is at this point the advancement of the social system on the global scale.

That does not exclude the United States. It includes it. It includes all people in the world.

To bring my remarks to a culmination—and this is most astounding; I am surprised that the American press has not carried the story—the newspaper Novice—which means "news"—published at Kočevje, Slovenia, published this news item on August 9, 1963:

> ### The Earthquake at Skoplje—The Consequence of Atomic Tests
>
> The Swedish scientists stated that the tests of atomic weapons influence the atmosphere as well as the movements and shiftings of the layers of earth in the depth. They are of the opinion that the earthquake at Skoplje was a consequence of the blast of the 25-megaton bomb tested by the Americans.

Mr. President, I cannot believe that. Soviet Russia tested 60-megaton bombs in 1961 and 1962. Yet this Communist newspaper published in Slovenia, speaking the voices of Tito and Kardelj and the Communist Party, blames the United States for the earthquake at Skoplje.

There is indifference to those remarks—indifference in the Committee on Foreign Relations, indifference in Congress generally, and indifference by the administration to the menace that faces us through the continued aid we are giving to Communist countries. No one can read the statements of Tito and his cohorts without finding that every time we give them aid, Tito immediately upon receipt of the aid, follows with a reaffirmation of his belief that communism will prevail in the world.

Yesterday the Senate passed the Department of Defense Appropriation bill. I ask the distinguished Senator from Georgia how much money was involved in that bill.

Mr. RUSSELL. Forty-eight thousand million dollars.

Mr. LAUSCHE. Yes; $48 billion for defense against the threat and menace of Communist Russia and other Communist countries. What a tragedy, what an incompatibilty, to understand that on one day we appropriate money for defense against communism, while on succeeding days we pass bills to give Communist countries help in the form of money to sustain their economy and, incidentally, their governments.

America will wake up. However, it may wake up when it will be too late.

TRIBUTE TO THE VICE PRESIDENT ON HIS RECENT GOOD WILL TRIP TO EUROPE

Mr. INOUYE. Mr. President, I ask unanimous consent to have printed in the Record an editorial on Vice President Lyndon B. Johnson, which appeared in the Saturday, September 21, issue of the Honolulu Star-Bulletin. The editorial was written by the editor of the Bulletin, Mr. William H. Ewing. I think it is an especially timely commentary on the effectiveness of the Vice President in securing our friends of the free world.

I might mention that many persons in the State of Hawaii share the sentiments so ably expressed by Mr. Ewing in the editorial.

When the Vice President visited the State of Hawaii late in 1962, he was greeted in much the same way that he was during his recent visit to the Scandinavian countries of Sweden, Norway, Denmark, and Finland. The reception accorded him on his trips to various parts of the world speaks well for the image of the United States. As we recall, his trip to southeast Asia was also marked by a very warm reception.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

> ### Lesson for Belittlers
>
> It's fashionable in some quarters of Washington to belittle Vice President Lyndon B. Johnson and his folksy ways.
>
> Some of those belittlers ought to study with considerable care the reaction of Scandinavia to Johnson's recent visit to Sweden, Norway, Denmark, and Finland.
>
> As the Associated Press put it, "his good will trip left the peoples of four sophisticated nations in something of a pleasant daze."
>
> He was greeted by thousands wherever he stopped. In Finland his reception by the populace was markedly more enthusiastic than those for Premier Khrushchev or Soviet President Leonid Brezyhnev. Said the Finnish newspaper Ilta-Salomat of Helsinki: "No previous visitor has met with such an enthusiastic response from the general public as has this one."
>
> Johnson, along with Mrs. Johnson and their 19-year-old daughter, Lynda Bird, shook hands with thousands of Scandinavians at receptions, along the streets, at schools and on farms. But the Vice President did considerably more than his homey kind of mixing with the populace. He talked privately with national leaders, pointing out to neutral Sweden and Finland as well as to NATO members Norway and Denmark that the strength of the United States and the West is their best guarantor.
>
> That strength, he emphasized in these private talks, is the key to relaxation that now seems possible in East-West tensions.
>
> So impressive were Johnson himself and the startling outpouring of public response that Finland's own communique, after his talks with President Kekkonen, completely omitted any mention of Finland's neutrality, which is invariably emphasized by Helsinki for Moscow's benefit.
>
> If this be what stems from folksy ways, we could use more of it.

PENTAGON'S "WHIZ KIDS"

Mr. BOGGS. Mr. President, I have been following with great interest and concern the controversy about the Pentagon's "whiz kids." This controversy has been disturbing to me because I thought it was weakening to our defense strategy and policymaking.

I was happy, therefore, to read an article by William Beecher, carried in the Wall Street Journal, Tuesday, September 24, 1963, which seems to indicate that out of this controversy some gains may be made. I think this article is very thought provoking and well worth while reading and puts some light on the application of the art of systems analysis.

I ask unanimous consent to have printed in the RECORD at this point the article to which I have referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PENTAGON'S "WHIZ KIDS"—THEY MAKE SOME GAINS AMID ALL THE CONTROVERSY

(By William Beecher)

WASHINGTON.—"I am disturbed because now in the Department of Defense the operations analyst, properly concerned with 'cost effectiveness,' seems to be working at the wrong echelon—above the professional military level rather than in an advisory capacity. Today in the Pentagon an unhealthy imbalance has resulted because at times specialists are used as experts in areas outside their fields. Our Nation will defy every lesson of history if we think that stockpiles of weapons or the decisions of computers win wars."

This harsh commentary on the regime of Defense Secretary McNamara was pronounced by Adm. George W. Anderson the day after he had been sworn in as Ambassador to Portugal and shortly after he had been replaced as Chief of Naval Operations after 40 years of distinguished military service. The indictment brought fully into the open a running battle between military and civilian defense leaders over the proper role each should play in shaping the Nation's defenses.

Though Admiral Anderson and his military colleagues do not question the constitutional requirement that ultimate decisions rest in the hands of civilian chiefs, they do challenge the manner in which the current crop of civilians in command at the Pentagon has managed its affairs. In particular, their fire is directed at a handful of so-called "whiz kids" whom Mr. McNamara brought in to help guide his decisionmaking.

CONFLICT IS COOLING

But while the military-civilian controversy may dominate the headlines, the more important story lies in the behind-the-scenes rapprochement being achieved at the Pentagon over computers and their use. More and more frequently, nowadays, the military men are coming to the civilian analysts to enlist their help in launching cost-effectiveness studies. The Air Force, in fact, has included some of Mr. McNamara's analysts on its own board looking toward recommendations for new strategic aircraft in the 1970's. And it's understood that the military is considering setting up its own versions of Mr. McNamara's civilian analysis operation in the offices of the Secretaries of the Army, Navy, and Air Force.

For this reason, it may be worthwhile to examine what the civilian systems analysts do and don't do—and, in the process, dispel the many glib stories that have been circulating about fuzzy-cheeked whiz kids with computers telling battle-scarred dogfaces how to fight and win wars. Contrary to the impression given by some critics, the systems analysts do not spend long hours feeding defense problems into computers for solutions. (One swears he's never used a computer, though he admits to relying on a slipstick occasionally.) Nor do they beat venerable military leaders over the head with complicated equations and slide rules. All of them wear long pants and shave.

Their assignment is to apply a questioning, dispassionate, critical eye to the assumptions upon which proposed strategies are based. Their aim is to question the validity of dearly held premises to decide whether they test out as valid and to come up with—or force the services to come up with—alternative solutions which Secretary McNamara can consider in reaching decisions.

SOME HARD QUESTIONS

How large a standing Army do we need to meet all anticipated contingencies? Do we have enough tactical nuclear weapons and are they properly positioned around the world? Is the advantage of nuclear propulsion in aircraft carriers worth the price and how many attack carriers do we really need? What should be the mix in the next decade between globe-spanning missile and missile-launching aircraft?

There are no simple answers to any of these questions. Within each service military experts come up with different solutions. And there is a quite natural antipathy on the part of men who have spent their lives learning the lessons of war the hard way to sit by while their well-argued conclusions are assailed by men whose wisdom comes more from books than from the battlefield.

The systems analysis stick that has prodded this hornet's nest is quite small—though sharp. The influential Directorate for Systems Analysis is composed of only 20 people—14 civilians and 6 military men. In charge is a brilliant, lanky, 33-year-old economist, Dr. Alain Enthoven.

Systems analysis is nothing new. Called by various other names, such as operations analysis and cost-effectiveness study, it has been used as a tool by the military and industry for some time. What's new is Mr. McNamara's employment of this tool systematically throughout the Defense Establishment. To understand how systems analysis works, take a behind-the-scenes look at this recent exercise:

A couple of years ago some civilian analysts, poking into the problem of attacking battlefield targets with small nonnuclear weapons, noticed that the Air Force and Navy were amassing great stores of vintage 750-pound iron bombs and seemed inclined to continue reliance on these faithful old weapons in future flights.

But the civilians were impressed by Air Force tables showing how inaccurate this form of bombing was; they made a few computations and suggested it would be cheaper and more effective to buy new wide-dispersion cluster bombs for use against soft targets, such as troops and vehicles, and accurate Bullpup guided missiles against hard targets, such as bridges and pillboxes.

IRON BOMBS CHEAPER

The Navy countered by arguing that the iron bombs had been quite good in the past and were a great deal cheaper than guided missiles. But the civilians persisted. They pointed out that the true cost of a destruction mission must include the cost of delivery to target, including buying and maintaining the necessary aircraft and training pilots.

One airplane with one Bullpup missile can destroy a bridge requiring two planes armed with bombs, they noted. Even if you count the bombs as free, they said, this form of attack is much more expensive. Figuring the cost per plane at $50,000 a mission and the cost of the guided missile at $15,000, you could save at least $35,000 by using the more accurate, more modern approach, they insisted.

But the Navy said the civilians did not take proper account of the fact that even guided missiles may not be as accurate in combat as on the test range because of enemy antiaircraft fire. And they also felt not enough weight had been given to the "scare factor" on the enemy of having a number of planes screaming down toward the front lines.

Dissatisfied with this rebuttal, Mr. McNamara directed the Navy to restudy the problem. It came up with some surprising results. Among other things, the Navy said an entirely new weapon, the Snakeye, could do a better, cheaper job than the Bullpup. The Snakeye combines a conventional bomb with umbrella-like rear fins which open up to delay bomb descent; this enables the pilot to fly in right on top of his target, place the bomb with excellent accuracy, and scoot away before the explosion could blast him out of the sky.

SOLUTION REACHED

The give-and-take discussions that followed produced this solution. Snakeye will be used against hard targets except when targets are so far from the aircraft carrier that the weight of the weapon becomes of dominant importance; in such cases the more accurate guided Bullpup missile will be employed. And the old iron bombs will be used against large spread-out targets, like enemy airfields, where pinpoint accuracy is not called for. The experts say Snakeye and Bullpup are about 2 times more accurate than iron bombs; newer weapons, now under development, promise to be 8 to 10 times more accurate.

The upshot of the whole affair is that by challenging the status quo, the systems analysts forced the military to restudy an accepted practice. Instead of continuing with what is admittedly an expensive and inaccurate bombing system, the Navy, and the Air Force too, are charting a new tack. It's estimated that both services will realize at least a 30-percent saving in the cost of tactical bombing over the next 5 years because of this work.

Certainly not all of the systems analysis excursions turn out so well. Admits Dr. Enthoven: "The art of systems analysis is in about the same stage now as medicine during the latter half of the 19th century. It has just reached the point at which it can do more good than harm."

But the tactical bombing exercise demonstrates that even though the civilian analysts' first proposal was short of the mark, their approach was essentially correct and led, after coordination with the military experts, to something far better.

Concludes one Pentagon official: "There's been a lot of flak about civilian know-it-alls, but I'd be willing to bet that when Mr. McNamara leaves he will be best remembered for this major contribution: He's forced the services to do their homework, to produce better staff work than ever before. Our defenses can't help but be strengthened because of it."

DIPLOMACY AND POLITICS

Mr. BARTLETT. Mr. President, not long ago Senator CLAIBORNE PELL addressed a luncheon meeting of the American Foreign Service Association. The text of his talk was reprinted in the Foreign Service Journal for September 1963. It recently came to my attention and I read it with lively interest. I know of no other Senator who is as well qualified to speak out on the subject of the diplomatic service by reason of personal experience as is the Senator from Rhode Island. Senator PELL was in the Foreign Service for 7 years, and, as he pointed out in his address, he is the first Foreign Service officer to became a member of the U.S. Senate since the Rogers Act was passed almost 40 years ago. I commend the article to the attention of my colleagues and I ask unanimous consent that it be printed at the conclusion of my remarks. Senator PELL makes some very penetrating comments and in my opinion, offers some very wise recommendations, concerning the Foreign Service and its operations. They are worthy of study. Further, I believe that if these recommendations were translated into policy the United States would have a more manageable and more effective diplomatic service.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DIPLOMACY AND POLITICS

(By Claiborne Pell)

Friends, and I should really say fellow members of the association because I have kept up my active membership in the association since I resigned from the Foreign Service in 1952 and as the chairman pointed out, I am the first Foreign Service officer to enter the Senate since the Rogers Act was passed in 1924. However, I am not necessarily the first individual to go in the reverse direction, because as you know some of my colleagues in the Senate have joined your ranks when fate befell them. As you also know, in the body in which I now serve, we usually leave for only two reasons, both by way of the box—coffin or ballot—and, so we stay as long as we can. I am particularly glad to be here to see some of my old friends and former bosses and also because my father followed much the same path I have followed. He passed the old diplomatic service examination around 1910, later became a politician and went to Congress, and then served as a political chief of mission abroad for some years prior to and during World War II. So, I feel at home and am very glad to be here.

I thought I would touch on several subjects. As you can imagine, it is rather an emotional experience to be here before my old chiefs and in a group with whom I worked for many years. I have so many thoughts that I could talk on and on, but I will not. Although I will talk about a number of different topics, I will restrain myself and talk only briefly about each one.

First, you might be interested to know whether being a former member of the Foreign Service helped me in politics. I think it did because both politics and diplomacy are alike in that they really are concerned with dealing with people, handling people, and trying to follow that old diplomatic adage of letting the other man have your way. This is the great secret of diplomacy and politics, not blunderbussing the opponent, but just trying to make sure, if at all possible, that the answer included in his statement of position is your answer. My familiarity with French, Italian, and Portuguese was very useful indeed, since my State has many families with language backgrounds.

One of the differences between the two professions is recalled in Talleyrand's old diplomatic admonition, above all "pas trop de zèle." This, however, does not apply in politics. Many in politics lack zeal, but all try to appear as though they have it, whereas the secret in diplomacy is to work as hard as possible without appearing to work at all. At least this is my own personal view.

Now speaking as an ex-FSO—afterwards I will talk as a Senator—there are several ideas I would just like to get off my chest. Having left the Service, I think as an FSO-5, I would be lucky if I were an FSO-3 at this point. You can imagine my satisfaction in being able to talk with all these distinguished consuls, consuls general, and others with whom I served through the years. I would like to begin by telling a little story which I believe illustrates the frustrations of younger Foreign Service people and explains why some of them leave the Service. I was in the consulate general at Genoa and the Inspector came through and asked what comments I had. I said I thought we would do better if instead of six vice consuls the number were reduced to maybe three, then we would all have sufficient work and have a better time doing it. He then asked the consul general what comments he had. And the consul general said he thought that, in order to carry on the responsibilities of the office, he really needed a couple more vice consuls to assist him in the job. And then the consul general became aware of my views.

This story illustrates the frustration of many younger men in the Service because of the amount of semiclerical work they are required to do. There were many days that I spent stretching 4 hours of work into an 8-hour day. There were times, of course, when I had to squeeze 16 hours of work into an 8-hour day, but there was a great deal of stretchout. In Genoa they sought to eliminate it, and after I left the post, I hear Consul General Bob Joyce did achieve the impossible and cut the staff back to three vice consuls. I am now informed that the complement is now back to a larger number. This illustrates why some of your younger men get a little impatient at times. I am no longer a young man; I am a middle-aged man. Moreover, although I do not see many young men here at our Foreign Service Association meeting today, I am sure some of you can recall your own impatience when you were younger.

Another idea I would like to touch upon is one which I wish were more popular in the Foreign Service—the idea of leaving the Foreign Service for a year or two after a number of years of service in order to again blend into the life of the community and the flow of American life. With us in the Government, if an employee wants to get a leave of absence without pay for 1 or 2 years, he is strongly discouraged from doing it and it is a considerable factor against his promotion later on. In the Foreign Service at least, I believe this should work exactly in reverse. People in the Foreign Service should be encouraged to leave the Service for a year or two on the outside and when they return both they and the Service would benefit.

Another thought I would like to get off my chest concerns the War Manpower Act of 1946. I thought this act was an excellent one. If it had been administered in the full spirit in which it was drawn up by Selden Chapin, I do not believe it would have created the situation that in my own personal view resulted in the measures that led to Wristonization and, now the years we must spend in unscrambling that particular omelet and getting the round pegs back into round holes. I think many of the problems that the Service gets itself into are the result of doing too little in the beginning and then later doing too much.

Another point I would like to make concerns the proposal to establish a National Academy of Foreign Affairs. I personally have been through all the testimony, read the Herter and Perkins report, and various other related material, and I, as one individual, believe that it would be a mistake to create such an academy as presently proposed. In this regard, the number of real scholars, that is, those men who not only know a country and its culture well, but have otherwise made a significant contribution to the knowledge of that country and its culture, is really quite small. To be specific, today there are not more than a dozen scholars fully conversant with the most populous nation in the world, Communist China. And there are not more than 50 scholars familiar with the full scope of the Soviet Union. I don't think that these men, rare birds that they are, would let themselves be caught in a Government aviary for any great period of time.

By contrast, it seems to me that the Foreign Service is at present making better use of these rare scholars, and serving its own best interests, too, by sending Foreign Service officers to existing area study programs in our great universities. This present system not only provides the best available education in the cultural background of foreign countries, but it also throws Government officials back into the stimulating atmosphere of American life outside of Government. And one great need of our Foreign Service people, after years of being stationed abroad, is to be once again thrown into the stream of American life. The 135 area study programs that are available throughout the United States today do just that, as well as being in themselves excellent ones and ones that would be almost impossible for the Government to emulate.

Moreover, one can foresee what would be the fate of an unfortunate professor who wrote an article in a learned journal expressing a foreign policy view at variance with that of the administration then in power. Let us say, for example, that he extolled the advantages of a two-China policy or enlarged upon the incompetence of the new African nations to govern themselves; it would not be long before he was hauled before a congressional investigating committee.

I personally believe we can do the job of better preparing those who represent us abroad by better utilizing the existing facilities in our great universities and by better utilizing and expanding the facilities of the Foreign Service Institute.

And, finally, one other point I would like to mention is my hope that we can get away from using the term counterinsurgency. In fact, we should encourage the use of the word insurgency. I would not be in the Senate today if I had not been a political insurgent. We encourage insurgency in many instances. A better term, I think would be counterguerrilla, or unconventional warfare. When we go throughout the world talking about counterinsurgency, I think we ought to have our heads examined because it's insurgency against the Communist monolith that we are doing our best to encourage in many parts of the world.

Now that I've gotten these comments off my chest, I will be much nicer.

From the perspective of the Senate where I am now, there are several comments I would like to make. I well recall some years back the joy with which we used to welcome congressional delegations coming through a post; the anticipation and the thought that was given to it. The point I would like to make is that, speaking as a Senator, I think most of us would infinitely prefer to meet a small group of, say five or six people—provided they can speak English or we can speak their language—rather than going to a huge party. Most of us like to meet small groups of well-informed people from different walks of life or different professions.

Moreover, this would be much easier on the representational pocketbook. It bothers some of us when we go abroad as Senators and immediately are thrown into a big room with 200 people, where we all have to stand up for 2 hours. It is pretty painful all the way around. This is not just personal. I think many of you share this view. We would be delighted and we would love the opportunity to sit down and exchange ideas intelligently because most of the people who are up on the Hill are intelligent. You do not survive on the Hill for very long if you are stupid. All told, I think it would be more enjoyable and a greater help all the way around.

Another thing I might mention in speaking of dealing with congressional groups is that the best answer is the direct and factual answer. Sometimes we get a certain sense of indirection in our relationships with the department.

Going on to more general subjects, I would like to touch briefly on another area where I think the Foreign Service can play a very important role because I see my own job here in Washington not as being just to reflect opinion from home, but to try to guide opinion at home. You, too, have a similar job in not only carrying out foreign policy but in pulling together the thoughts that lead to competent decisions and in some cases actually providing guidance when there is no guidance offered by an administration. And here I invite your attention to a remarkable quotation I came across the other day by Lord Palmerston. He said, "We have no eternal allies and we have no perpetual enemies. Our interests are eternal and perpetual, and those interests it is our duty to follow." To my mind this is a wonderful thought. What he is saying is that the world can change, and conditions can change, but we should always examine each question before us in terms of how it reflects upon our national interest, not how it reflects upon a policy established 15 or 20 years ago.

Obvious examples of the results of not heeding this wisdom are known to all of us. You are more familiar with this field than I am, and one wonders at the wisdom of being too fixed in a particular policy. Our job as a nation in dealing with our opponents is to keep probing, not just through CIA activist methods, but to keep probing through diplomatic channels, to act and not to react, to throw various ideas of active diplomacy at the opposition and to let them start fumbling. As it is, we are catching such ideas thrown at us by the Communists and although we are catching pretty well, we ought to be throwing more often.

Here I would like to leave with you my own proposal with regard to Germany, which again relates to the general subject of diplomacy. In diplomacy, the whole idea is to trade what you think is a pawn and the other fellow thinks is a knight for something your opponent thinks is a pawn and you think is a knight. The question is to try to work these out so you are both reasonably satisfied. If implemented, my proposal for Berlin would give us a clearly defined corridor of land access to Berlin with the economic and military guarantees which go with freedom of access. To achieve this, I maintain we can recognize the continuing existence of the two German Governments, together with their present borders. We would have gained something we don't presently have, which is a guaranteed land corridor—and by land corridor I am talking about the Berlin-Helmstedt corridor. This roadway has something like 130 overpasses and underpasses so that possession of it by the West would not interfere with the economy of East Germany. If we could secure an internationally guaranteed route of land access, we would have gained a good deal, and I don't think the opposition would have gained significantly.

I will not elaborate further on my Germany proposal except to mention the general thesis that, although there seems to be agreement that both the Soviets and ourselves want a relaxation in world tensions, it is becoming increasingly difficult to ease these tensions.

In closing, I would like to leave with you the public reaction thus far to my German proposal. You might think that I would have had my head chopped off for what I have suggested, and yet my mail has run four to one in favor of my ideas, and the editorial and press support has been of a similar pattern. Now I am sure that my proposal is not the answer to the German question, but it does illustrate the thought I would like to leave with you, and that is we should do more to encourage the throwing out of ideas in order to keep the opposition off balance. And it is here that you in the Foreign Service can play a tremendous role in bringing new and good ideas in the area of diplomacy to the attention of an administration. What we all should look for and what we desperately need are solid, imaginative ideas, and they just don't seem to be being brought forward as rapidly as we need them.

You have been very good to me. I think you know what a joy it is to be with you all, and if my father were here he would feel the same way. Thank you very much.

PRESENTATION TO SENATOR PASTORE OF NATIONAL HONORARY MEMBERSHIP IN THE ITALIAN-AMERICAN WAR VETERANS OF THE UNITED STATES

Mr. PELL. Mr. President, on August 24, the 28th annual convention of the Italian-American War Veterans of the United States met at the Sheraton-Biltmore Hotel in Providence, R.I., to hear the remarks of their retiring national commander, Joseph Leonelli. The occasion was highlighted by the presentation of a certificate and pin of honorary membership to our distinguished and my senior colleague, Senator John O. Pastore. I ask unanimous consent that Commander Leonelli's inspiring and cogent remarks be printed at this point in the Congressional Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of National Commander Joseph Leonelli

It is with mixed emotions that I address you tonight—on the eve of my retirement as your national commander. There are, naturally, many thoughts crowding my mind as I discuss briefly with you in this—my final public appearance as your leader—issues that concern our noble organization, its aspirations, and its future. Many of the issues which are vital to our existence I have already discussed with you during the past year on my numerous visits to your departments and to your posts.

Incidentally, I wish to take this opportunity to thank you once again for the many kindnesses and courtesies which you have tendered to me—and to my suite of officers—on these occasions. I assure you that they will remain among my most cherished memories of one of the most active and most satisfying years of my life. I also wish to publicly express to you my sincere thanks and appreciation for your making this past year possible for me.

I naturally share your pride in the long steps that we have taken during the past year in our legislative program—a program which we hope will lead to our most cherished ambition, national recognition. Much remains to be done in this area before we achieve our goal. I am confident, however, that with such champions as national honorary member, Senator John O. Pastore, Senators Pell and Keating, and Representatives St Germain, Kirwan, Fino, Rodino, Pirnie, Stratton, Multer, and Philbin, we cannot fail in our mission.

Our goals as a national organization are noble, our aims are lofty. Our preamble rates among the most meaningful, most lucid, and most patriotic. We must continually carry on with undiminished fervor in every project that will insure the continued greatness of our organization. Several of these projects were completely successful this year only because of your loyalty and support. May I urge you to continually exploit these projects in the years ahead to the further credit of the Italian-American War Veterans of the United States.

The destiny of the Italian-American War Veterans is, in my opinion, linked intimately with the destiny of America. As our country goes, so go the Italian-American War Veterans. Because of this, we, as comrade members of the Italian-American War Veterans have a most distinct and profound responsibility in the future of our beloved country. There are many questions that are being asked by the American people—as well as by the freedom-loving peoples of the world—such questions as, Where does she stand? Where is she going? As Americans, as veterans, and as members of the Italian-American War Veterans, we have the right, along with others, to ask these questions. We have the right to seek the truthful answers to these questions.

Having found the answers, we must continue to do our part in guiding the destiny of America. We must continue to make sure that those precious freedoms for which we fought on the far-flung battlefields of the world are not trampled on in the heat of irrationalism, bias, and hatred. We must continue to make sure that these freedoms are made available, not only for ourselves, but for every American, regardless of color, race, or creed.

We must—as Americans, as veterans, and as members of the Italian-American War Veterans—continue to meet the many challenges that face us at every turn with calmness, confidence, and serenity. We cannot, and we shall not, allow these challenges to so blind us as to make us place a wrong emphasis on their proper value to our cherished American way of life. We shall continue to demonstrate by our actions in a most practical way in our communities those ideals and purposes upon which our organization has been solidly founded and will endure.

I charge you, therefore, comrades and sisters, to continue to carry aloft the banner of patriotism and service, as our comrade predecessors have done during our 28 years of existence. We must continue to do our part in making the American way of life a real living thing for every citizen, regardless of where he lives. We must continue to do our part in bringing reason and stability in the critical issues that face our Nation today. We must continue to be the symbol of freedom and equal rights in America. We must continue to be that flame that will ignite America with courage and determination to grant every individual his inalienable rights of liberty, life, and the pursuit of happiness, as guaranteed to him under the Constitution of these United States. Let us continue to spread this flame to all corners of our great country, so that the fruits and blessings of being an American can be shared by every American.

I am confident that, if we do so, we shall continue to exemplify in a real manner the aims and ideals of our organization, we shall continue to be a living example of pure Americanism, and thus achieve those great horizons which we have set for ourselves.

At its spring meeting, held in Washington, D.C., on April 20, the national executive committee of the Italian-American War Veterans of the United States voted unanimously and enthusiastically to grant honorary membership in our organization to the Honorable John O. Pastore, senior U.S. Senator from Rhode Island.

We are indeed happy to include among the activities of this convention the presentation to Senator PASTORE of the certificate of honorary membership, and the pin which is emblematic of this honor.

In sponsoring the nomination of Senator JOHN O. PASTORE for the highest honor within our power to bestow, our comrades wished to recognize in a tangible way the invaluable contributions that one of the most illustrious Members of Congress is making to the preservation and enhancement of our American way of life. Through his many years of devotion to duty, and of dedicated public service to his State and Nation, he has become a beacon of hope to all Americans, regardless of their race, color or creed.

In addition to this, we are ever mindful of the faithful, generous and unstinted assistance he has rendered to our organization through the years. He has never been too busy to take time out to listen to our requests. His office has always been a source of inspiration for our organization. Both he and his staff have always been at our disposal whenever we needed advice and counsel.

It is only natural that the Italian-American War Veterans should recognize his tremendous influence on the future course of our great Nation and invite him to national honorary membership. We feel honored and proud that he has consented to join with us as we accomplish the aims for which we are organized.

I am proud that I am able to present to you, Senator PASTORE, this certificate of honorary membership and this pin. I shall always consider this presentation one of the most pleasant duties of my year as commander.

In recognition of the many years of devoted and dedicated service to your community, State, and Nation, and to our national organization, I am proud, on behalf of the Italian-American War Veterans of the United States, to present to you this certificate of honorary membership and the pin, emblematic of this membership. May you derive as much pleasure in receiving them as we do in presenting them to you.

A NEW FUTURE FOR THE BAR AND PRESS

Mr. PEARSON. Mr. President, on Friday, September 27, Mr. John H. Colburn, editor and publisher of the Wichita Eagle and Beacon, will address the Missouri Bar Association at Kansas City, Mo. His subject on that occasion will be "A New Future for the Bar and the Press."

This address, consistent with its title, will review the interrelationship of the obligations and duties imposed upon both the bar and the free press of this country. Most interesting will be his analysis of the changes which may occur in the administration of justice and the reporting of news in the years ahead.

While this address may be of greatest interest to members of the bar and the working press, there is also present much that would lead to an understanding of the problems of the newspaperman who is, as Mr. Colburn pointed out, engaged in both a profession and a business.

Mr. President, I ask unanimous consent that the address herein referred to be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A NEW FUTURE FOR THE BAR AND PRESS

This is a distinct honor—and a significant one, too—for an editor to address this group this evening. It is significant because it recognizes the tremendous mutual responsibility shared by the bar and the press more than any other group. This is a day-to-day responsibility to keep the people of this great country fully informed on their rights—and obligations—in a society where they enjoy freedom unsurpassed anywhere else.

Whether it be cold war or hot war, the greatest threat to our freedom will be complacency. As government grows in power and influence over our daily activities—no matter what its political complexion may be—so grows the threat to individual liberty unless the bar, the judiciary, and the press are alert to protect the liberties guaranteed by law.

Look to Cuba, to the Iron Curtain countries, anywhere there is a dictatorship. What was the pattern? First the press was muzzled, then the judiciary was stripped of its powers of administering justice by law. Sometimes the process was reversed. In any event, the judiciary and the press first had to be controlled before a police or dictator state could operate. Once the liberty of the courts and press was suppressed, then the people were stripped of their educational and religious freedoms.

In a society of liberty and freedom of the individual, the bar and the press must be constantly vigilant to protect the people's constitutional rights and their rights to worship and to go to the school of their choice. The first amendment gives the press no special occupational or professional privileges; no license to do what it pleases. It imposes on the press a terrific responsibility to uphold the constitutional right of free speech, respect rights of privacy and serve the people, and the bar, by helping to protect all of their rights.

To say that the press has scored 100 percent in meeting these obligations would be foolish. Just as foolish as saying that everyone here faithfully abides by the Ten Commandments, or that the bar and the judiciary, as a whole, have a perfect record in meeting their responsibilities. However, your discussion of professional problems of lawyers and judges here this week illustrates what is being done by bar and judiciary groups throughout the country to improve the administration of justice. This is essential for the successful functioning of our system of freedom under law.

Just as vital is the responsible functioning of your press—and that includes television, radio, news magazines, and other periodicals as well as newspapers. Today, responsible editors and responsible managers of other media are most conscious of their obligations.

Mine is both a profession and a business. Producing a newspaper involves the creative work of an alert and diligent staff of writers and editors, the manufacturing skills of top engineers and craftsmen and the persuasive salesmanship of the circulation and advertising departments. Our news staff must have the professional pride and competence to breathe life and meaning into the daily record of history. We must provide wise counsel in editorials, be dedicated to public service and to leadership; but uppermost we must have an unwavering concern for truth, the hallmark of freedom, and a concern for human decency and human betterment. In short, the good newspaper functions as the conscience of the community.

Press responsibility today by any standard of objective measurement is higher than it has ever been. But ours is a unique business. What other business produces a new product every day, 365 days a year? What other business operates on such a split-second system of production schedules? In the legal profession, you can ask for a continuance or stay until you are ready for a presentation. In our business, once a decision is made, the product goes into print or on the air. In how many other businesses are human errors and faulty judgments exposed for all to see? No wonder the press is vulnerable to criticism. This is especially true in these days when most people think they can run the country better than the President, prescribe for your ills better than a physician, determine the merits of a complicated case better than a judge, and run a newspaper better than a publisher.

Considering the magnitude of our task, our proportion of errors of commission and omission—or in judgment—are no more and maybe fewer than for any other business or profession. Just review the vast improvements in responsibility you have seen in your own newspapers in the past 25 years. This is the trend for the future along with vast technological changes that will revolutionize our production techniques. This trend toward greater press responsibility is a compelling reason why there should be closer press ties with the bar and judiciary. The antipathy—often antagonism—between our groups must be replaced by a better understanding of our mutual responsibilities and obligations to protect the freedom and individual rights of our people.

On the basis of this better understanding, I am confident of a bright new future for the bar and press. Already a solid foundation is being laid in many areas for a better appreciation of our mutual responsibilities and a better appreciation for the need of informing the people of what we are doing. The public relations activities of the Missouri bar are noteworthy advances and the Missouri press served its function well in your successful program to put the selection of judges on a nonpartisan basis.

But to achieve the full potential of what is being done in the area of press-bar understanding will require solid foundation work at the college level. There is a community of interest that must bring our law and journalism schools closer together. Far too often the areas of conflict between the bar and the press have been the result of ignorance of the roles each should play in a free society.

Reporters should know more about the problems of lawyers and of judges and about the techniques of legal and court procedures. Lawyers and future judges should be better informed on the type of information a newspaper needs to accurately inform the public and should have more information on the problems involved in the processing and production of news copy.

Words are the tools that writers and editors must use expertly and they also are the tools of a lawyer or judge. The need for excellent writing by the bar was underscored by Justice George Rossman of the Oregon Supreme Court, who said too many lawyers never learn to use these tools skillfully. Writing in the American Bar Association Journal last November, Judge Rossman said:

"We are a wordbound profession. We must not regard words merely as words; they are symbols that represent thoughts and purposes in the mind of a lawyer which he wishes to communicate."

Where could you find a stronger endorsement for the type of training in writing which many of our best journalism schools are providing today? Likewise, students of journalism could benefit by taking law school courses in research and casework, the right of privacy, the libel laws—even participating in mock trials as reporters. Through such an interchange the future lawyer would be better equipped to deal with the press and the future journalists would achieve a better understanding of work of the bar as it relates to the administration of justice.

This interchange will be especially valuable in the years ahead because of the tremendous technological changes already underway in the newspaper business and because of changes which I foresee for the bar and judiciary.

Let's take a quick look into the crystal ball. By 1975, I can see many changes in our courtrooms based on present known technology. Briefly, these include:

1. Court reporters will stenotype notes that will be transmitted directly from their machines by tape to a central computer. The computer will translate these cryptic shorthand notes into a printed record of the proceedings that will be transmitted almost instantly by teletype to communications rooms and press booths recessed in the balconies of new courtrooms. This will give reporters a complete record so that their accounts will be more accurate and more meaningful; it also will provide counsel with a running transcript of the proceedings to assist in cross and recross examinations.

2. Closed circuit television cameras operated by court personnel from recessed booths will provide a video tape record in picture and narrative form of a court proceeding. This record would be invaluable for appellate court work and for future instruction in our law schools. It also could be made available to the press under controlled conditions.

3. Our law schools or law centers will become headquarters for information retrieval centers. Through use of punchcard systems, lawyers and court attachés will be able to obtain reference data from these centers within minutes, thus saving hours of research work.

In the newspaper field, computers already are being used for typesetting operations and the compilation of stock market information. Closed circuit TV systems will be common in newspaper offices 10 years from now to expedite editing and page makeup. These are just a few illustrations of what can be done and new discoveries also are being made faster than they can be tested.

Modern courtroom facilities with the recessed booths that I have described would make it possible for the press to provide pictorial coverage of court proceedings in an atmosphere of dignity and decorum. The decision as to whether such proceedings should be photographed, broadcast or televised must be left to the discretion of the presiding judge and counsel in the case so as to protect the rights of the defendant and of the State.

It would be a tremendous advance for the cause of justice, I believe, if satisfactory arrangements could be made to photograph and televise certain court proceedings. Perhaps this start should be made in our United States and supreme courts where the issues are ready for a final decision. The American public needs to be made more aware of the processes of our judicial system because the days have long since past when most of a town or a city turned out to view events in the courtroom. I speak here not of the sensational trials, but of the many judicial processes that affect our school system, our industry, our local government—even our pocketbooks—through questions of tax policy. With the advantage of more modern courtroom facilities, of more modern equipment and with a mutual understanding of the objectives and the conditions under which court proceedings would be photographed or televised. I believe that the press and the bar can demonstrate convincingly that this can be done in a responsible way to inform the public and satisfy the objections of the bar and the judiciary.

Our technological advances will not erase all of the problems involved in the relationship of the bar and the press and they will have no effect at all on our present-day problems of reporting on civil and criminal cases. One of the fundamental difficulties, of course, is that there is a lack of agreement among lawyers in what should be published in the public interest and what jeopardizes an individual's rights. The reasons for this disagreement are many and varied and range from emotional considerations to political pressures and public opinion.

Two events during the past year, though, have prompted many editors to take a fresh look at their policy for pretrial reporting. These were:

1. A conference on "Prejudicial News Reporting in Criminal Cases" which was held last year at Northwestern University. This conference ended without agreement, but produced a proposal by Justice Bernard S. Meyer, of the New York State Supreme Court, for a statute that would specifically spell out what could and could not be published prior to trial.

2. The U.S. Court of Appeals of New York ruled in January of this year that a man who admitted murder and was sentenced to be executed was entitled to a new trial. The court majority held that he did not receive an impartial jury trial because pretrial statements issued both by the State and the defense resulted in scare headlines and mass coverage of three slayings which the defendant had admitted.

In Oregon and in Massachusetts, cooperative steps have been undertaken by the bar and the press to set up voluntary restrictions to improve pretrial reporting. The Oregon code says in part "the demands of accuracy and objectivity in news reporting should be balanced with the demands of fair play. The public has a right to be informed. The accused has a right to be judged in an atmosphere free from undue prejudice."

The codes are indicative of a growing awareness among editors that if the press is to accurately and objectively fulfill its responsibilities it must change some of its long-accepted practices. John McMullan, of the Miami Herald, a law school graduate who became an editor, suggested after the Northwestern conference that instead of statutory regulations, the press should adopt voluntary restrictions along these lines:

1. Avoid deliberate editorialization even when a crime seems to be solved beyond all reasonable doubt.

2. Don't call a killing a murder until there is an indictment as to the degree of homicide.

3. Don't solve a case on the basis of police statements.

4. If the accused wants to make a statement—to the police or to the public—call it that and not a confession.

5. Don't let the defense or prosecuting attorney or the police use the press as a sounding board for public opinion or personal publicity.

6. Don't call a person a suspect if he is only brought in for questioning.

These provisions are the basis for the voluntary codes in Oregon and Massachusetts and they are being used by newspapers throughout the country as guidelines for better reporting and a better understanding with the bar and the judiciary. This new approach, I hope, will erase a feeling among many lawyers that newsmen apparently regard the right of freedom of the press as a license to prejudge persons charged with crime. The majority of responsible editors feel quite strongly that more can be done on a voluntary basis than will be done through statutory restrictions. They point out that the law profession now, through canon 20 of the "Canons of Professional Ethics," has power to police much of the pretrial material. Justice Meyer, after considerable research, found—and I quote—that "in more than 50 years that the canon has been on the books, there has never been one reported proceeding against an offending lawyer, prosecutor, or judge." Federal Judge Herbert L. Will, of Illinois, writing in the DePaul Law Review, discussed the proposed statutory restrictions for newspaper reporting, and said that "voluntary action by the press may not be easy to instigate, but it should not be written off as a possible solution to the problem of prejudicial publicity." Judge Will is not optimistic about this possibility of voluntary action, but he said it seemed to him that this was the course which any self-respecting professional should follow. The vast majority of responsible editors agree. They feel that if the bar and the judiciary do an effective voluntary job of enforcing canon 20, that the press also can, by voluntary effort, substantially eliminate the problem of prejudicial reporting.

Statutory regulations might well create more problems than they would solve. They could lead to curbs on our search for the essential truth; they could impinge on our individual rights and responsibilities; and they could lead to a bureaucratic—or even tyrannical—form of justice that would violate the very tenets of our Constitution.

In short, the press must clean its own house and police its own ranks to prevent prejudicial reporting and the lawyers and judges must reexamine their own violations in this area.

In this discussion of press and bar cooperation there has not been time to review what has emerged during the past year as a concept of Government "managed news." Actually, the term "news management" is a misnomer, because the essential issue is distortion and misrepresentation of information for political purposes. News has been managed and always will be and there is no quarrel with that so long as there are alert reporters who have access to all news sources and so long as there is no controlled effort to distort or misrepresent news and thus deceive the public.

Your distinguished Senators from Missouri, Edward Long and Stuart Symington, are sponsoring a bill drafted by Senator Long which would go a long way to insure that there is adequate public access to all vital Government records. Senator Long states that "the volume of material which is denied the public is in itself staggering, but it becomes even more so when one realizes that much of it is withheld for petty reasons." Nearly 200 years ago James Madison, who was chairman of the committee which drafted the first amendment, made a comment that is just as appropriate today as it was then. He said:

"A popular government without popular information or the means of acquiring it is but a prologue to a farce or a tragedy or perhaps both."

What Senator Long proposes is an amendment to the Administrative Procedure Act, which was adopted in 1946 but which is inadequate today in our growing centralized Government. He proposes to set up more workable guidelines to make information available and still provide adequate protection for military secrets and private communication regarding personnel or foreign governments. His proposal contains also much needed teeth which provide for court procedures when there is a question about information that is being withheld from the public. I hope that this association and the American Bar Association will support this legislation.

Today, there are uncounted thousands of Government press agents representing all of the activities of the Federal Government. Some of them are necessary and most helpful in digging out information of interest to the public. But if all of these services are ever coordinated into a Government wire network, you will see more efforts to impose controlled views on the public and the access by the press to legitimate sources of information will be curtailed further.

The framework for such a wire service already has been laid by the Agriculture Department. It said such a service was needed to provide more information for the farmers. The political overtones of this entire business of controlled information were best outlined by Agriculture Secretary Freeman who said he authorized the Government news wire because "a strongly oriented GOP press made it difficult to get across to farmers gains made by the present administration."

The limitation on press access to legitimate news source is illustrated most vividly in the restrictions imposed during the Cuban crisis and which are still in effect at the Pentagon. In the Pentagon no one can talk to reporters without having a public relations observer present or without making a full report to the public relations office. Secretary McNamara said this procedure is necessary to promote more coordination in the handling of Pentagon information. The actual result, on the other hand, has been that no one will give the press information that is critical of Defense Department policy no matter how accurate that information may be.

During the Cuban crisis, under this cloak of coordination to protect national security, the Defense Department did more to deceive our own people than it accomplished in deceiving the Soviet Union or Fidel Castro. In this perilous nuclear era, the security of the Nation must be paramount. But our security can best be maintained by the full reporting of all the factual truth that is not harmful to the national interest. During times of crisis, the American press in all history has never wavered in its patriotism to protect our security.

Since World War II, we have been called upon to report unprecedented changes in our way of life. Developments in our social and scientific revolutions have erupted on our front pages day after day. These new developments—especially the necessity for recognizing and intelligently reporting change—require new reporting and editing techniques. But there should be no sacrifice to the fundamental necessity of reporting the full, basic truth.

Should this Nation ever establish use of news as a weapon of national policy—a policy to lie if necessary—we will have undermined the bedrock of our free society. Instead of deceiving an enemy, who will be naturally skeptical and suspicious of any move or statement we make, we will have destroyed the confidence of our own people in our national institutions.

The history of free government is a history of escape from the evils of suppressing or controlling or manipulating news. If your press is to remain a powerful force for public good, how can anyone ignore this history? How long would you be content with news spoon-fed by powerful bureaucratic and other propaganda organizations? Not for long, I hope—not any longer than the press would wait to go into action if it saw the people's rights being jeopardized through governmental interference in the vital functions of the bar and judiciary.

We cannot be complacent about this and we should be seriously concerned about the complacency of many young people toward our freedoms. Everyone seems to understand the nature of freedom for himself, but somewhere there is a psychological block in respecting the same freedom for others, especially in times of tension.

Three years ago a poll conducted at Purdue University showed that high school students favored censorship of the press, motion pictures and of the sale of books and favored third degree methods in FBI procedures. Another survey by Eugene Gilbert, pollster of teenage opinion, showed that a third approve a central Government agency as a censor.

A remark by Justice Black in 1959 is apt today. He said that we as a people have not yet decided whether in accordance with our traditions and our Constitution we will have the confidence and courage to be free.

What bigger challenge is there than to stimulate among our young people confidence and courage so as to erase any complacency about freedom and freedom of expression?

Long ago that famous Kansas newspaper editor, William Allen White, said to an anxious Governor:

> "You say that freedom of utterance is not for time of stress, and I reply with the sad truth that only in time of stress is freedom of utterance in danger. No one questions it in calm days, because there is no need, and the reverse is true also; only when free utterance is suppressed is it needed and when it is needed it is most vital to justice."

In conclusion, there is no greater responsibility faced by the bar and the press in the future than in cooperating to protect our freedom, to protect justice for all, and to guarantee that free utterance never is suppressed. In this joint venture, we must be vigilant sentinels to guard against violations of individual rights in the name of protecting civil rights and to prevent any subjugation of freedom in the name of freedom.

Thank you.

THE SOIL CONSERVATION SERVICE

Mr. HUMPHREY. Mr. President, 28 years ago the 74th Congress declared soil and water conservation to be a permanent national policy of the Congress and created the Soil Conservation Service in the Department of Agriculture.

This historic act was passed by the Congress without a dissenting vote in either the Senate or the House, and was signed by President Franklin D. Roosevelt on April 27, 1935.

Ten Members of this body were Members of the 74th Congress when Public Law 46 was enacted. Those still serving in the Senate are the Senator from Arizona [Mr. Hayden], the Senator from Georgia [Mr. Russell], and the Senator from Virginia [Mr. Byrd]. Members of the Senate who were serving in the House at that time are the Senator from Alabama [Mr. Hill], the Senator from Arkansas [Mr. McClellan], the Senator from Illinois [Mr. Dirksen], the Senator from Ohio [Mr. Young], the Senator from Virginia [Mr. Robertson], the Senator from West Virginia [Mr. Randolph], and the Senator from Kansas [Mr. Carlson].

Through 14 successive Congresses and the administrations of four Presidents we have broadened and strengthened our national soil and water conservation program.

The Congress can take pride in this development, for we have been largely responsible for the success of the program. We enacted new legislation to meet changing and expanding conservation needs of our growing society. We have provided the funds for the operations of the Soil Conservation Service in giving national leadership and technical and other assistance to landowners and operators and local community groups. We have created and maintained a climate in which the science of soil and water conservation and sound land use could develop and grow.

In little more than a quarter century we have developed the outstanding soil and water conservation program in the world, and the foremost crops of professional conservationists in the world. This did not come about overnight, nor did it "just happen." It resulted from the planning and vision of the Congress and of the Department of Agriculture, including the three dedicated men who have headed the Soil Conservation Service—the founder and "father of soil conservation in America," Dr. Hugh Bennett; Dr. Bob Salter, and the present administrator, Dr. Don Williams.

Once the foundation had been laid, the principles established, and the know-how gained, the work developed within a very few years from that of a one-program agency to one having responsibilities in 15 programs.

I mention only a few of the significant developments in the evolution of our great conservation program by way of illustrating how we have met new needs and challenges in this program, and where we stand today.

Out of the conservation idea that the Congress put into action in 1935, came what is perhaps the most significant development in our agricultural history—the soil conservation district. This movement began in 1937. Today many of the more than 2,942 districts in all the States are known as soil and water conservation districts, for water conservation has become an equal partner to soil conservation. Indeed, they are inseparably linked.

These districts are organized under State law and are managed and controlled absolutely by more than 14,500 volunteer, unsalaried local leaders. The bulk of their assistance, the technical help that is the foundation and backbone of the program, is provided by the Congress through the Soil Conservation Service. Nearly 2 million landowners and operators are participating in the programs of these districts. Cooperators have developed conservation plans involving some 427 million acres.

Another significant milestone in the development of our national conservation program was the pilot watershed program followed by enactment of the Watershed Protection and Flood Prevention Act, Public Law 566, in 1954. The Congress has broadened and made this legislation more useful at least four times since its original enactment.

This program is the nucleus of most of the rural-urban community development that is taking place today across the Nation. Landowners and operators and town and city residents are joining hands through these multiple-purpose projects in nearly 500 communities—and nearly 2,000 communities have asked for help—to provide flood prevention and water supply for the use of farm and city and industry and for wildlife and recreation developments.

The Great Plains conservation program, enacted by the Congress in 1956, is another important tool in our national conservation program.

This legislation was tailored to the 10 Great Plains States, where climatic and other hazards long have made this great agricultural area a land of ups and downs depending on the vagaries of the weather—recurring long droughts, low rainfall, and high winds.

This is a long-range program, providing for long-term contracts wherein the landowner or operator makes land use adjustments, principally to get low-grade cropland into grass, and establishes practices to drought-proof his remaining lands. It has proved to be the most successful method yet devised to solve the land-use problems of the Plains.

Just last fall, the Congress added new conservation tools in the 1962 Food and Agriculture Act. Chief among these was the cropland conversion program, patterned after the Great Plains conservation program; cost-sharing for recreation developments in watershed projects; rural renewal projects; resource and conservation development projects; and actions paving the way to expansion of income-producing outdoor recreation on private lands through Department of Agriculture assistance.

Our national soil and water conservation program has always been of vital concern to all our citizens, for their welfare and standard of living depend upon the proper use and management of our soil and water resources by the landowners and operators.

But soil and water conservation problems today are of increasing direct concern to urban people as well as rural, for the interests of these two groups have become so interrelated in the growing complexity of modern society that it is hard to tell a rural problem from an urban problem.

An example of this is water, a resource that comes to us largely from rain, most of which falls first upon the three-fourths of our land that is in private ownership. How that land is managed by the owners, and how they work with their urban neighbors in cooperative water supply projects lies the key to the future of thousands of communities in this Nation.

Another example is outdoor recreation. A growing Nation that has more leisure time is making increasing demands on our public areas for "play space." The only answer to this growing need for outdoor recreation is our private rural and farmlands, which might be called our newest agricultural industry.

Helping with water resource problems of rural and urban groups and with rural-urban recreational developments are two of the relatively new conservation jobs the Soil Conservation Service has been given in its gradual evolvement from a one-program agency working largely with farmers to one having responsibilities in many programs directly serving all the people, not just farmers or landowners.

Mr. President, I have reviewed briefly how the Soil Conservation Service has developed into the finest agency of its kind in the world, serving all our people and serving them splendidly, as an introduction to what is a critical situation confronting our national conservation program. I refer to the matter of realistic and adequate appropriations for the Soil Conservation Service.

Because of the higher cost of doing business and the increasing demands for the services of their Soil Conservation Service technical helpers, the soil and water conservation districts of the United States today actually have less technical help than we gave them in 1954.

The popular small watershed program has a backlog of 7 years of planning work, and construction funds are far behind the need and the demand.

Mr. President, in each of the years of the previous administration but one, the Congress increased funds for the Soil Conservation Service above the amounts requested in the President's budget.

This year the budget requests by the President for the Soil Conservation Service were realistic for most items. The budget proposals were, however, short of actual needs for providing adequate technical assistance to the Nation's soil conservation districts and for planning and meeting commitments on construction of small watershed projects. Now it appears the Congress is going to be in the position of reducing the total amount requested by the President for the Soil Conservation Service. Let me be a little more specific.

One of the problems, as posed by the House action, is a requirement that 40 percent of the pay act costs be absorbed by the agency. This can mean only one of two things: severe reductions in personnel or activities. Neither alternative is desirable. The Senate committee has wisely recommended that the total pay act costs be met. We would urge this position be upheld as the bill proceeds through conference.

The other problem that I would hope would be corrected deals with resource conservation and development projects. The basic purpose of these projects is to bring about the orderly development, conservation, and use of the natural resources of the project area. These are sponsored by local leadership. They initiate the ideal and define the objectives of what they want to accomplish in their project. They formulate a project plan with assistance from the U.S. Department of Agriculture and other public and private sources to develop and carry out a program of land conservation and land utilization unique to the needs of their area.

Since the passage of the Food and Agriculture Act of 1962, interest by local sponsors has been good. The Department now has 15 applications on hand and another 10 rural areas will soon submit their project applications. Implementation of work on these projects has not yet been possible because of lack of funds.

The budget estimates suggested $6,275,000 be appropriated for this work in fiscal year 1964. This bill allows only $1,200,000 for resource conservation and development work. This will severely limit the number of projects upon which work can commence this year.

Mr. President, funds expended through the Soil Conservation Service are investments in the future. I urge the Senate to support the President's requests for funds for the Soil Conservation Service, certainly one of our ablest agencies—one that is dedicated to serving all the people—one that is engaged in work so vital that it may far outweigh our efforts in space.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a summary of the responsibilities of the Soil Conservation Service.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF RESPONSIBILITIES OF THE SOIL CONSERVATION SERVICE

This agency is the Department of Agriculture's technical agency for soil and water conservation. It functions through a line-staff organization. Conservation technicians, assigned to assist landowners and operators within locally organized and governed soil conservation districts, are augmented at area, State, and national levels by a staff of specialists in each of the wide range of technical fields required to solve land and water problems. The backbone of SCS assistance is the help it gives to the individual landowner and operator in developing and carrying out a conservation plan.

In carrying out its responsibilities, the Soil Conservation Service—

Develops and carries out a national program of soil and water conservation assistance to individual landowners and operators in 2,929 soil and water conservation districts. Assistance to district cooperators, in planning and applying conservation measures, is provided by the SCS under terms of agreements with districts.

Carries out the Department's responsibilities in upstream watershed protection and flood prevention projects. In this program, authorized in 1954 by Public Law 566, the Department provides technical and financial aid to local sponsoring organizations for small watershed projects which may include development of water for agricultural, municipal, industrial, recreation and wildlife uses, in addition to a primary objective of flood prevention.

Supervises work in 11 large watershed projects, comprising about 30 million acres, authorized in the Flood Control Act of 1944. In addition, SCS represents the Department in cooperative work with the States and other Federal agencies in carrying out river basin surveys and investigations as a basis for coordinated resource developments.

Administers the Federal part of the national cooperative soil survey. This survey, made in cooperation with the State agricultural experiment stations, is developed and published, county by county, to provide basic soils information needed not only for conservation planning, but also for guidance in proper classification and development of nonagricultural lands. Cooperating in some surveys are the Forest Service, Bureau of Indian Affairs, Bureau of Public Roads, and other agencies.

Administers the Great Plains conservation program, under which farmers and ranchers in designated counties within 10 Great Plains States receive correlated technical and financial help in carrying out long-term soil and water conservation plans. These plans are aimed at bringing about needed land-use adjustments and applying the conservation measures needed to stabilize agriculture in this area of special climatic hazards.

Gives technical assistance in establishing income-producing recreation on rural lands as a part of a conservation plan. Handles liaison with other Federal, State, and local agencies and groups in a position to give cost-share, credit, and other technical assistance in recreational development.

Makes and coordinates snow surveys for water supply forecasting in the Western States. This program, conducted in cooperation with State and private agencies and other Federal bureaus, translates snow moisture data into water supply forecasts for a wide variety of water users in agriculture, industry, and municipal government.

Heads the Department's work in assembling and publishing the National Soil and Water Conservation Needs Inventory. This provides the Nation with a continuing picture of the extent, condition, and needs of our non-Federal land resources and of the opportunities for watershed development.

Maintains equipment and trains staff members to provide radiological monitoring of agricultural land in event of nuclear war or major nuclear reactor accidents.

Has authorization, under Public Law 87-703, to cooperate with and provide technical assistance to local sponsors in developing and carrying out plans for resource conservation and development projects; also, under the cropland conversion program, to provide technical assistance to farmers and ranchers in converting cropland to other uses including grass, trees, water storage, wildlife habitat, and income-producing outdoor recreation.

Helps develop the annual agricultural conservation program, gives technical help to farmers and ranchers participating in the cost-sharing provisions of that program, and provides technically adequate designs and specifications for the jobs undertaken.

Provides technical assistance, in the rural areas development program, to communities where improved management, use and conservation of natural resources are key factors in bettering the living conditions of both farm and nonfarm rural people.

Gives technical aid to farmers and ranchers who are planning and applying soil and water conservation measures in conjunction with the conservation-credit program of the Farmers Home Administration.

WHY LOCAL GOVERNMENT SERVES BEST

Mr. ALLOTT. Mr. President, one of the Nation's most articulate spokesmen on the importance of an ascending role on the part of the State government in our complex system and a lessening of the Federal role is young, dynamic Gov. John A. Love, of Colorado. Only recently, in an interview published in the September 1963, issue of Nation's Business, Governor Love very lucidly and with great sincerity stated his views on many of the problems arising from this very controversial issue.

I should like to take this opportunity to publicly commend Governor Love on his home astute analysis of the issues involved and on his thoughtful recommendations as to how we may better combat this increasingly persistent encroachment by the Federal Government into matters best left to those on the local levels who are more familiar with them. I should like particularly to associate myself with the remarks of the distinguished Governor of Colorado when he stated that it is his belief that the State governments have, over the past generation, by taking the attitude "Let Uncle Sam do it," failed to live up to their responsibilities. As a result, the Federal Government has stepped into areas where it is neither wanted nor needed, and the costs of government have risen to such a degree that in some instances they now impose an unbearable economic burden on many of our citizens.

In his short 9 months in the high office of Governor, Mr. Love has done more to relieve the citizens of Colorado of this economic burden than has any other recent chief executive of our State. He has reduced the State income tax by 15 percent; and, as a result of forums held in virtually every area of the State, he has appointed a special commission which even now is further surveying the costs of government, with an eye to further slashes in expenditures.

Mr. President, it is with a great deal of pride that I recommend to my colleagues that they read this interview with the Governor of my State and see what Colorado is doing under the leadership of men who are dedicated more to cutting the cost of government than they are to trying to find ways in which costs and controls can be proliferated.

For this reason, I ask unanimous consent that the article from Nation's Business be printed in the RECORD immediately following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHY LOCAL GOVERNMENT SERVES BEST

(A Nation's Business interview with Gov. John A. Love, of Colorado)

In the United States we have a partnership arrangement between the National Government and the States. The Constitution so prescribed.

But an imbalance of power, with Washington assuming more authority, has split current political thinking on the future role of government at the local level.

One popular cliché is that States are not meeting public needs. Defenders of the advantages of divided government reply that States are meeting public needs with new efficiency and imagination.

Nation's Business interviewed one of the new State Governors who is an articulate spokesman for the viewpoint that the State has an ascending role in our system. He is Gov. John A. Love, of Colorado, who took office in January and cut State income taxes by 15 percent. Governor Love, of Colorado is a lawyer, a decorated former naval flyer and a Republican. He has been a member of several corporate boards.

Governor Love has appointed a special commission which is now surveying the needs and financial problems of local government in his State.

He is not alone in his concern over the future of government on the local level.

In Ohio, for example Gov. James A. Rhodes has assigned a little Hoover commission made up of business executives to examine the whole State government with an eye to organizing functions in the most economical fashion.

Texas Gov. John B. Connally sees States as having the capability in the next decade to meet what he calls the dominant challenge of the space age—excellence in education.

Governor Connally has named a special committee to study education at all levels.

"Because States have had such tremendous experience and because different States have different needs depending on their environment, they are the best level of government to meet this function," he insists.

Georgia's Gov. Carl E. Sanders believes State government will gain in importance.

"In Georgia there are so many levels of local government," he explains, "that it would be impractical for each to deal directly with the Federal Government." But the State government can coordinate and dovetail its functions with its local governments. To meet some of tomorrow's growing problems, for example, Governor Sanders has established a new department of youth to deal with juvenile delinquency prevention and rehabilitation. He is setting up new vocational trade schools and providing State grants to local units for urban expenses.

A closer look at what State and local governments can do, and why, is presented in the following interview with Colorado's chief executive:

Question: "Governor, will the State government play a declining or ascending role in the future?"

Answer: "I think State government should have an increasingly important role. The charge is well founded that, at least over the past two decades, the States have, to a certain extent, failed to live up to their obligations and responsibilities. There has been a trend toward the Central Government taking over. Many things that are happening show a clear and present danger to our Federal form of government.

"I don't think the trend should be allowed to continue. When government becomes removed from the people it becomes subject to the danger of becoming more arbitrary and less responsive.

"In general, local government is the best. Obviously not all problems of government can be handled on a local basis. But certainly the trend toward more and more centralization represents a great danger to the kind of government which we have historically had, and which we will need in the future.

"Of course, one reason why some States have failed to live up to their responsibilities is that preemption of tax sources by the Federal Government leaves less and less money with which the States can meet their obligations."

Question: "Are State officials really any closer to the voters than are the representatives in Washington, what with today's travel and communications?"

Answer: "Yes, I think so. It may be in some ways partly psychological. The citizen is far more likely to call on his city councilman, or his school board member, his county commissioner, or his Governor, and make his problems known than he is to attempt to deal with his U.S. Representative or Senators, and certainly more so than with any of the bureaus in Washington which seem far away and not subject to his control.

"Perhaps the Federal program that worked best, when you consider all things, was the draft program. And I think that the reason was the local draft board.

"Of course my view is necessarily conditioned by my experience in Colorado. I know that the volume of mail and telephone calls and requests for appearances is much greater in my office than it is in our congressional delegation's offices.

"I have a program we call our Governor's forum. I travel the State, taking with me selected members of my cabinet, department heads, and conduct 2-day meetings in various parts of the State in which we seek participation and interest through questions, comments, suggestions, from the people in the area."

Question: "Should the States give local governments more power to consolidate, to tax, to incur indebtedness, so they could meet their problems better?"

Answer: "There is a great deal of work that needs to be done in this field.

"Practically all States have a system of local government that was organized a great many years ago, and it has been added to and not organized efficiently. Further, in most areas, local government depends on the property tax, which is perhaps an outmoded form of taxation. In any event, it has been used to such an extent that reliable alternatives must be found.

"In our State we have begun a study in depth of the organization of local government and its financing. We have a citizens committee of 100 people which includes members of the legislature, and appointees who represent other levels of government and other interests. We contemplate it is going to be at least a 2-year study program.

"We are going to start with the analysis of what services the various local government entities provide; how are they financed; who uses the services. And we hope to modernize our local governmental system, because it must be kept strong and efficient.

"In Colorado, and I am sure it's true in most States, we have a continuous proliferation of special purpose districts. We have the counties which were designed in the time when transportation was by horse rather than by modern means. We have whole new cities. We have school districts, of course. We have been successful there in stimulating a voluntary consolidation of school districts, and it seems to me to point the way toward perhaps solutions in other fields; further consolidation and further efficient organization."

Question: "What are the particular efficiencies and benefits of government on the State level as contrasted to Federal?"

Answer: "Well, let's start with the functions that the States now are handling without question or quarrel. They handle the local court system. They also run institutions, the rehabilitation of those who are mentally ill or retarded, the penal and correctional institutions. And there's no thought that these functions should be removed, although there have been moves in the mental health field to provide additional Federal money.

"We also, of course, are in the business of education; primary and secondary education, and State-supported education beyond the high school. Again I don't believe there is any thought that these functions would better be served on a Federal level, with the possible exception, again, of those who wish to provide additional money by the Central Government taxing and returning money to the States. It seems to me that these functions are better handled on a State level and will continue to be better handled on a State level.

"Then there are welfare problems. Again the Federal Government has intruded itself into these fields. Now there is the issue of whether a Federal plan should be established for health care for the aged under social security.

"Just on the basis of pure mathematics and efficiency, it does not seem to be sensible that money be obtained by Federal Government taxation, taken to Washington, and then returned to the States. There is a loss involved in the process itself.

"And although the Federal Government does have an interest in the fact that all people, regardless of what State, have proper education, or that misery and suffering be alleviated, it doesn't seem sensible that if one State, through a lack of proper economic basis, or two States, or three States, need help from outside, we should then make the same pattern apply to all of the States in the Nation.

"It is like pulling all the teeth in both jaws in order to be sure to remove the one with a cavity."

Question: "Some people think that Federal grant-in-aid programs present a jungle of political and financial procedures. Do you think that this is so, from your experience in the Governor's office?"

Answer: "Yes. We find it in so many areas. The highway program, of course, presents one form of government grant-in-aid and certain regulations; the U.S. Employment Service, unemployment compensation, welfare programs; all provide rather inflexible standards and procedures, none of which is the same. They needlessly complicate government in its present form."

Question: "Should there be a periodic review of the various grant-in-aid programs?"

Answer: "Certainly I'd be in favor of that. But I think there should rather be a definite effort to return tax sources to the States along with the responsibilities.

"Inevitably, regardless of how efficient this review might be, or regardless of how efficiently you run governmental programs, if we in the United States continue to expand the area of government into more and more fields, the cost of government will increase.

"And there is a point—and just exactly what the point is I don't know—at which the government becomes so large that we change the basic governmental and sociological concept we have all adhered to."

Question: "What functions that are now part of the grant-in-aid program should be turned back to the States?"

Answer: "The welfare field should be a State and local problem. They should let us have the tax sources, the tax revenues. But, although I'm in favor of turning back some functions, I think it's most important that we make our defense and not let this move toward centralization increase.

"The evident desire of the present Central Government to intrude itself into the field of education, into the field of medical care, is an example of the continuing trend toward centralization and movement to Washington."

Question: "What about the problem of retraining workers, for example? Is this something that can be done better on the State or Federal level?"

Answer: "With the funds available, it certainly would be better done on the State level. We are more cognizant of the local needs, the desires. We are, of course, already heavily in education of all kinds, including vocational and retraining education. The States, I am sure, are in a better position to handle retraining than is some bureau far removed from the scene."

Question: "Governor, do you know of any Federal control that has come about as a result of Federal aid programs?"

Answer: "The aid to needy and the aid to dependent children programs have provided sets of standards which run contrary to the legitimate desires of the local county officials who are administering the aid. And those who complain are met with the answer that they cannot handle it a different way because of the Federal standards.

"I find that, in the outlying parts of the State of Colorado, local citizens or local officials often comment that welfare should be handled to a greater extent on the county level than on the State level. They make the valid point that they are in a better position to judge the possible abuses and the needs."

Question: "Would Federal aid be better administered and more efficient if it were a block grant rather than specific grants for specific purposes?"

Answer: "If we were to buy the concept of the money being collected in the States and sent to Washington and then returned, if we have to go that far, then I would prefer to have the money returned to the States without strings attached.

"As a matter of fact there has been a suggestion that the Federal Government return a percentage of the income taxes collected in a State to that State for education purposes. Now this seems to me waste motion if we could divide the tax sources.

"In Colorado, for example, our general fund budget is roughly $135 million on a fiscal year basis. This isn't the entire amount of money we spend because there are many earmarked funds—the highway department, the game and fish department, and so on. We spend in total about $350 to $400 million.

"On the other hand, the Federal income tax take out of Colorado last year was some $1.2 billion. Now the comparison there indicates that we would have relatively little difficulty in financing the expansion that we need in our education beyond the high school program as a result of our increased population and the number of young people seeking this kind of education. We would have very little problem financing it if we could have just a portion of these funds left in the State of Colorado.

"Obviously, there are Federal programs which require large sums of money—national defense, and so on; but certainly to increase the amount, or even to continue to take the present amount of money out of the State, and then talk about expanding programs from the Federal level doesn't make me very optimistic about the continuation of the Federal system."

Question: "Total State government spending has increased about five-fold since the war. Do we need a new kind of tax structure?"

Answer: "What I think is worth accomplishing is the readjustment of tax sources from the Federal Government to the State, whether you do it by a credit against Federal taxes, whether you do it by rebate, whether you do it by reduction of Federal taxes for a consequent increase of State taxes. If we reduce the Federal tax we must, of course, consequently reduce the area of activity of the Federal Government."

Question: "Do you think State governments can meet metropolitan area problems better in the future?"

Answer: "Yes, I do. Let me give you the example of Denver.

"We have a large and growing metropolitan problem in Denver. Denver is not only a city, but it is a county and it is a school district, and a congressional district, too.

"As a consequence, when Denver annexes adjoining territory it takes land away from the adjoining county and from the adjoining school district, and it makes for uncertainty in administrative planning. It has caused all sorts of problems, not the least of which has been a psychological sort of competition. It is a problem that we all realize has to be solved.

"Again, the citizens committee of 100 I spoke of has been working in this area for a great many years, recognizing the problem.

"If this problem is to be solved, and it must be, it will only be solved by the work on the local level which has a reasonable chance of securing the backing of the citizens. If you attempted to have a Washington bureau or board attempt to solve the problem, I think it would prove impossible. I would imagine that in line with their proposed solutions in other fields that Washington would simply come up with the recommendation that more money be added."

Question: "You don't think we need a Department of Urban Affairs, then, in Washington?"

Answer: "No, I certainly don't."

Question: "Governor, what will be the impact of the Supreme Court decision allowing people to take reapportionment disputes to the Federal courts? Will States be more responsive to needs?"

Answer: "Well, that decision, together with other movements across the Nation, has had its effect already in the stimulation of reapportionment of many State legislatures.

"Again using Colorado as an example, in the last general election there were two amendments to the State constitution proposed in connection with this problem, one of which would have required the reapportionment of the legislature solely on the basis of population, the other, a Federal plan, which provided that the lower house be apportioned strictly on the basis of population, and the senate, the upper house, be apportioned partly on population but also giving some recognition to the geography of the State.

"The Federal plan was approved by the people in the last general election. And it has been implemented by our legislature.

"This approach was opposed in the Federal courts, but a three-man bench of Federal judges dismissed the complaint and upheld the Federal plan. Whether this will be appealed to the Supreme Court, I don't know; but there are similar cases pending in the Supreme Court which will decide whether area, tradition, history, geography—factors other than population—properly have a place in the apportionment of legislatures."

Question: "What responsibilities do businessmen have to the State government? Should they become more deeply involved in State politics?"

Answer: "As a general rule, they are not involved nearly enough. Perhaps it's part of a larger problem. For a great many years a great many people felt that the participation in politics was somehow immoral and that nice people, proper people, didn't do it; that you turned your back on it. This, of course, is nonsense. There are many movements which recognize that politics is the art of government, and that unless we properly run the type of Government we have that we will lose it.

"I think this general attitude has been even worse, perhaps, in regard to State government, State politics. It has been a stepchild even to a greater extent than government at other levels.

"The State government needs, not only from businessmen, but from all citizens, their interest and their participation."

Question: "Would you say that State government can have a rebirth, a new role it has not had in recent years?"

Answer: "Yes, I think it can. It's going to require not only the interest and participation that I speak about on the State level. Certainly each State must put itself in order. But it also is going to take the kind of successful interest and participation which will change the general thinking in the Central, the Federal Government.

"If we can work right in the precinct, the county and the State, and certainly in the national elections, we can reverse the trend toward centralization, or at least halt it. I am firmly convinced that this is one of the most important things that we can do to protect the kind of society and Government in which we have prospered and progressed."

TRIBUTE TO QUEEN LILIUOKALANI

Mr. FONG. Mr. President, the 125th birthday anniversary of the late Queen Liliuokalani, Hawaii's last monarch, was observed with appropriate ceremonies in Hawaii this month. On that occasion eloquent tribute was paid to the memory of the beloved queen in a speech delivered at historic Kawaiahao Church by Mr. Myron B. Thompson, executive director of the Liliuokalani Trust Child Welfare Department.

Mr. Thompson relates the examples of "poetic softness, compassionate concern, and empathetic vision" to describe Queen Liliuokalani's universal quality to care sincerely for her people.

He adds:

> It is a quality which is more than ever necessary for the leaders of the world today to emulate—in enabling their people to cross the bridges that transcend interracial, intercountry, and intercontinental conflict—to cross the bridges which allow all human beings to become participating members of the human race.

I ask unanimous consent that the speech by Mr. Thompson, titled "Our Queen, Who Cared, Queen Liliuokalani," be printed in the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

OUR QUEEN, WHO CARED, QUEEN LILIUOKALANI

(By Myron B. Thompson, executive director, Liliuokalani Trust Child Welfare Department)

Kahu Akaka, ladies and gentlemen, Ka Po'e o Hawaii nei,—Aloha Pumehana Kakou.

We of the Liliuokalani Trust are grateful for the opportunity to give special attention to one of our benevolent "Alii," whose birthday is tomorrow—the late Queen Liliuokalani, our last monarch, of poetic brilliance, of deep compassion and empathetic vision for her people as well as others of the world. As one speaker stated in Boston in 1897 and I quote, "I tell you from the bottom of my heart—I have never found a more devout, and perfect Christian under all circumstances—than Liliuokalani." A perfect Christian aptly describes Queen Liliuokalani as a person who sincerely and I underscore the word "sincerely", cared for the betterment of mankind.

It is upon the Queen's "manao" (insight) into the art of caring for her people and the human race that the Liliuokalani Trust is based. This morning let us spend a few moments reviewing examples of the Queen's "manao" into the universal art of caring.

When people and cultures from foreign lands began coming to our islands, the impact of one culture upon another introduced the element of self-doubt on the part of the Hawaiian with his own heritage. Although the element of doubt is appropriate in order for any people to adapt its heritage to a changing world, our Hawaiian had difficulty in adapting to new ways since his heritage was considered primitive, childlike, unworkable, and uncivilized. His culture, therefore, had no place in the competitive, economic, political, and social order of living prescribed by the newcomers. He faced the dilemma of accepting a way of life to which he could not bring his heritage to contribute to the well-being of all involved.

Queen Liliuokalani struggled desperately to help her people find their place and to adapt their heritage to a society which was essentially strange. She had attempted with hurt compassion to bridge the old with the new; she hoped for the emergence of a social order which had some recognizable roots in the Hawaiian heritage and full acceptance in the New World. The following are examples of her "manao" or concept or insight as she tried to help her people bridge the gap between the old and the new to a social order acceptable to all people.

This morning we have heard the poetic brilliance in her music, music which has bridged the gap between the old and the new with full acceptance to all. One of her songs, "Makalapua," was composed as a chant in her honor. Upon acceptance of the chant, she requested permission from the composers to put the chant to melody—since, as she stated, our children of the future will not be chanting, they will be singing by melody. A bridge of the past by adaptation to the future.

Another example of this process is noted in her encouragement of the Hawaiians to accept the new adoption laws and procedures designed by the lawmakers of her time. The adoption laws were cumbersome and did not fully guarantee inheritance rights to the adopted child. On the other hand, for centuries previous, the Hawaiian hanai system guaranteed this right by verbal contract. Therefore, there appeared to be rejection on the part of the Hawaiians of the legal procedures. The ineptness by the lawmakers of her time is understandable since there was no provision for adoption in the English common law. Adoption, as one judge stated in the early 1900's, was a "beast" created by civil code out of concern for children. Out of her concern for the full protection for children, our Queen states in her memoirs and I quote, "It is not easy to explain its origin—here I take it to mean the guaranteeing of full rights to an adopted child—to those alien to our national life, but it seems perfectly natural to us. As intelligible a reason as can be given is that this alliance by adoption cemented the ties of friendship between the chiefs. It spread to the common people and it has doubtless fostered a community of interest and harmony." Queen Liliuokalani had hopes of melding her Hawaiian heritage of the "naturalness of inheritance rights" into her society's fast changing adoption laws. This finally came about years later, being introduced into the statutes in 1905 and reenacted in 1915. It should be recognized that the revised adoption laws of 1915 had roots in the Hawaiian hanai system and that the process of guaranteeing full protection to the child was "perfectly natural to us," the Hawaiian people.

Again, compassion to make the bridge.

The third example comes out of her concern for orphaned and destitute children. Queen Liliuokalani's deed of trust appears to be another attempt to bridge the gap between her own heritage and the demands of society of her time. She specifically requested that an orphanage or several orphanages be built of fireproof materials for the care of orphan and half orphan children. We need to recall that the orphanage concept of her day (a place of refuge for neglected children) was consistent with the "puuhonua heiau" concept (a place of protection) of her ancestors. The "puuhonua heiau" is distinct from other "heiaus" by virtue of the reigning chief's granting his protective powers to this kind of "heiau". In reviewing the use of the "puuhonua heiau," we find the following commonly mentioned usages: (1) a place of protection for women, children, and the aged during times of war; (2) a place which housed resident kahunas, such as the resident priest and medical kahunas or other technicians in practices concerned with the well-being of the Hawaiian people; and (3) a place of refuge for those in trouble with the laws of the Alii. A fourth but less known use of this kind of heiau was that for those who sought refuge and care; these people received rehabilitative services from the trained kahunas, who decided when a refugee was ready to take his place in society. The orphanage concept of the Queen's day is consistent with the mentioned usages of the "puuhonua heiau", where theoretically the orphanage housed the technicians to rehabilitate the orphan and half orphan child. Although the use of the orphanage has long become outdated, the ancestral concept of rehabilitation in the "puuhonua heiau" is still consistent and usable in our workings of the Liliuokalani Trust for the benefit of those children who need care. The kahunas of today are those concerned with the wholeness of persons, such as are represented in the fields of the ministry, social work, medicine, education, etc. Again, the compassionate bridge with vision to the future.

These three examples of poetic softness, compassionate concern, and empathetic vision describe Queen Liliuokalani's universal quality to sincerely care for her people. It is a quality which is more than ever necessary for the leaders of the world today to emulate—in enabling their people to cross the bridges that transcend interracial, intercountry, and intercontinental conflict—to cross the bridges which allow all human beings to become participating members of the "human race".

This was the "manao" of our late Queen Liliuokalani. This is the "manao" upon which the Liliuokalani Trust is based to enable each of the Queen's beneficiaries, 500 children per year, to have a family of his own—a family which has a place of pride and stations in this world. Na ke akua e hoo po maikai eia oukou.

TIMBER PROGRESS REPORT

Mr. MORSE. Mr. President, I ask unanimous consent that a letter on Timber Management, dated September 18, addressed to me by Secretary of Agriculture Freeman and his enclosed letter of September 10 written to Mr. Mortimer B. Doyle of the National Lumber Manufacturers Association, be printed in the Record at this point in my remarks.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Department of Agriculture,
Washington, D.C., September 18, 1963.
Hon. Wayne Morse,
U.S. Senate.

Dear Senator Morse: Because of your concern in both the management of the national forests and the welfare of the forest product industries, I believe you will find my letter of September 10 to Mortimer Doyle of the National Lumber Manufacturers Association of interest. It reviews the progress made with the lumber industry during the last 12 months.

Sincerely yours,
Orville L. Freeman,
Secretary.

Department of Agriculture,
Washington, D.C., September 10, 1963.
Mr. Mortimer Doyle,
Executive Vice President, National Lumber Manufacturers Association, Washington, D.C.

Dear Mr. Doyle: A year ago this week we met in Portland to discuss common problems and to seek answers which would provide the progress in forestry all of us seek. While I cannot be present this year, I would like to review with you the progress we have made together in finding these answers.

1. Last year I said: "We are fully in accord with the policy that the regular harvest of full sustained yield should be the objective of the Department's timber sales programs—and we will make available an annual report measuring how close we have come to meeting our goal each year." In January 1963 Secretarial Regulations S-3 and S-6 were revised explicitly to provide that an orderly program of timber sales designed to obtain the regular harvest of national forest timber at allowable cutting rates in accordance with timber management plans is one of the prime objectives of national forest management. In March of 1963 a statement entitled "National Forest Timber Sale Activities for Calendar Year 1962" was issued. This statement is the first of a series of annual reports to show accomplishment as compared to allowable and financed cutting goals.

2. Last year I said: "We have given first priority attention to bringing timber sale offerings up to an acceptable level." For the fiscal year ending June 30, 1963, a total of 12.2 billion board feet of national forest timber was sold. This is 1.9 billion board feet more than the amount sold in the preceding fiscal year and exceeds the financed goal of 11.8 billion board feet. Also, the volume of timber cut for the year ending June 30, 1963, was 10 billion board feet—a new alltime record and 1 billion board feet more than was cut in the preceding year. This cut also exceeds the financed goal of 9.7 billion board feet.

3. In discussing the 42 western national forests where pressure is greater for timber because mill capacity exceeds the available supply, I pointed out that the allowable cut had been increased by 20 percent during the last 4 years and stated that my report to President Kennedy would show a further increase in these allowable cuts. The annual allowable cuts for these national forests were increased on October 15, 1962, by 547 million board feet, bringing the total for the 42 forests to 7.7 billion board feet. The volume sold on these 42 forests increased by more than a billion to 8.9 billion board feet in fiscal year 1963. The volume cut increased by more than 500 million to 7.3 billion board feet in the same year. We feel this is tangible evidence of our concern for higher levels of business and employment for local communities.

4. Work on review and revision of the timber sale contract has gone forward during the last year. A draft of contract revisions for discussion was developed jointly in November and January meetings with industry representatives and made available for distribution by the National Lumber Manufacturers Association in February 1963. I understand that industry committees have been working intensively among themselves on this subject and the Forest Service is awaiting their reactions and suggestions.

5. Last year I stated the Forest Service was being requested to set up an advisory committee of people who are knowledgeable about timber valuation problems and who have no obligations to the Forest Service or the industry. This committee was recruited and began its study in December 1962. Its report on "A General Review of U.S. Forest Service Timber Appraisal Policies and Procedures" was issued on June 1, 1963. This report has been made available for wide circulation to the lumber industry and other interested persons. Many of the recommendations in this report are already in effect. Several important issues raised by the committee are being given careful study by the Department. We expect to make decisions on action to be taken on them during the next 2 months.

6. The National Lumber Manufacturers Association has clarified its position on revision of appeal procedures by a specific proposal submitted in June. The question of suitable appeal procedures is an extremely important administrative matter. I have asked the Department's general counsel to make a thorough study, including review of procedures in effect in other departments and agencies of the Federal Government and in the States or foreign countries having similar problems. I shall continue my personal study of this matter looking toward development of a sound solution.

7. In my statement last year to the Western Pine Association, I announced my intention to establish an advisory committee to the Secretary on the operation of the national forests. The first session of this Secretary's Advisory Committee on Multiple Use Management of the National Forests was held in November 1962 and was devoted entirely to the consideration of forest industry proposals of February 21, 1962, and related matters. This proved to be an extremely valuable session. The advice and counsel of the committee has been quite helpful in setting the course of action on the matters herein discussed.

8. A major event which none of us could foresee in September last year was the tremendous windstorm of October 12 in Oregon and Washington. An aggressive salvage program was organized immediately after this storm. On July 1, 1963, 1.3 billion board feet or 77 percent of needed salvage sales on the national forests of Oregon and Washington has been made. Four hundred million board feet had already been cut.

9. We are moving ahead on our access road program, as I indicated we would last year. Appropriations for forest road trails were increased by $17.5 million for fiscal year 1964. Sixty-five percent of this increase is scheduled for timber access development.

10. Also, appropriations for timber sale administration for fiscal year 1964 were increased by more than $5 million above amounts appropriated for the previous fiscal year. Objectives for fiscal year 1964 are to sell 12.0 and to cut 11.1 billion board feet.

11. Our progress in planting and reforestation during fiscal year 1963 proved better than was expected when I talked to the Western Pine Association. Total acres planted or reseeded with trees on national forests were 221,000 acres and timber stand improvement was done on 587,000 acres. Five percent of the planting and 17 percent of the stand improvement work was accomplished with accelerated public work funds, the availability of which developed after our meeting last year.

I think this is a record of progress and hope. There still is need for more action and more effort as there is with any dynamic program.

With both the progress made and the work yet to be done in mind, I feel my final message to the Western Pine Association meeting this year should be a restatement of my concluding remarks last year: The Department needs and sincerely solicits your understanding and help. We respect your industry and your dedication. We ask you that you continue to work with us in a spirit of wholehearted cooperation. In so doing I am certain we will find constructive solutions of mutual benefit.

Sincerely yours,
Orville Freeman,
Secretary.

Mr. MORSE. Mr. President, the timber industry should indeed be pleased with Secretary Freeman's reports because they indicate that not only has the Forest Service met its timber sale commitments but also that the market outlook as reflected by the demand for national forest timber is good and improving.

Recently I commented on profit sales records reported by Dun & Bradstreet. These appear in the Congressional Record of September 13, 1963, at pages 16947–16949. Secretary Freeman's report adds emphasis to this record. Forest Service timber sold and cut on all national forests, and particularly on 42 key national forests, reached record or near-record levels and sales were up from the level of the preceding year. For example, the volume of timber cut was 1 billion feet greater this year than it was last year. On the 42 key national forests—out of 160 forests—the volume cut was up one-half billion board feet.

On several other important forests Secretary Freeman has made progress. Timber sale contract revisions are underway, an independent review has been made of timber appraisal methods, the appeals procedure is under revision, and advisory boards have been broadened.

In the Pacific Northwest 77 percent of the national forest timber blown down in the October 12, 1962, storm is under contract and 400 million feet has already been removed by contractors.

Access road and timber sale funds have been increased and the Forest Service is moving ahead to increase timber availability. Finally, better than expected progress is being made on vital reforestation and timber stand improvement work essential to protecting the sustained yield concept.

I think our timber industries should recognize that this record is one which justifies a strong vote of confidence in Secretary Freeman, Assistant Secretary Baker, Chief of the Forest Service Cliff and his staff, especially Mr. Art Greely who heads the National Forest Management Division. This record, moreover, reflects credit on the dedicated men who perform the day-to-day work on each of our national forests.

The able members of the House and Senate Committees on Appropriations also deserve credit, for it is they who pass on the budget requests which provide the funds to do the work.

Today I wish to address myself to the meaning of this step forward in national forest timber sales for it is this timber which industry often claims is "high-priced timber."

National forest timber sales are up almost 2 billion feet from last year and timber cut is up 1 billion feet. A sales increase of approximately 2 billion feet in 1 year means to me that the individual firms see a good market for forest products. Certainly this is not the market action one expects in an industry in trouble. This is the outlook of an expanding industry. The 1 billion feet increase in timber cut is a direct translation of demand for the product. Thus, both the longrun and the shortrun sentiment in the industry is one of growth.

Last year when the lumber industry petitioned the Tariff Commission for relief, its request was denied. I was still not convinced that action was not needed to help the industry, nor were the President, and the Secretaries of Agriculture, Interior or Commerce. The Tariff Commission review helped establish those areas where domestic improvements could prove useful.

The administration deserves credit for the initiative and followthrough it has applied to improving the capacity of our timber industry to operate profitably.

I think those who speak for the timber industry—and those who ought to speak out due to their record of achievement in the industry—have an obligation to reassess between now and December their position that the United States should limit Canadian lumber imports via quotas and tariffs.

Under existing law, there is only one practical way tariffs or quotas can be instituted—by an act in Congress signed into law by the President. All the present indicators that could be marshaled to argue that the lumber industry needs protection seem to show it in an improved position. Realism dictates that this industry not seek Government action unless needed, and if needed, that it restrict its request to those areas where genuine assistance will prove valuable. The administration has responded with real assistance in the past and it will in the future when a proven need exists.

At this time, I wish to review my suggestion that the lumber industry make a careful assessment of the nature of the competition it faces from other products and actively promote cooperative programs with the Canadian industry.

Recently, there came across my desk a report by Blyth & Co., Inc., entitled "The Georgia-Pacific Story." There are a few parts of this report which I ask unanimous consent to have printed at the conclusion of my remarks because they reflect this company's judgment to help show the changes occurring in the forest products industry.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, this firm has made a profit each year in the 36 it has operated and it has expanded into every facet of forest products development. This year it has budgeted $35 million for new plant construction and modernization.

The way this firm has shifted its timber use from lumber to other products made of wood and uses parts of the trees usually wasted—while earning a profit and increasing its standing timber reserves—is one which deserves most careful study by firms large and small which think of trees as material to be converted into lumber. Georgia-Pacific has anticipated shifts in product use and has moved to meet the challenge. Those who argue for status quo on lumber markets and its subsidization through quotas and tariffs may, I fear at best only delay the working of the laws of the marketplace.

When the Government has had a direct responsibility—for example in such matters as timber sales offerings—both the Congress and the administration have met their obligations. The industry, too—measured by profit sales and its interest in buying public timber—has been looking forward and changing with the times.

I am confident that we can go forward from here to assure that our forests and the industry dependent upon the wood it grows can make even greater contributions to our Nation's growth.

EXHIBIT 1

EXTRACTS FROM THE GEORGIA-PACIFIC STORY

RECENT HISTORY

1951–63—A new era

Commencing in 1951 the corporation made a series of purchases of highly desirable timber and timberlands and today owns in fee approximately 2,500,000 acres of forest land. After acquiring these lands, comprehensive studies were made of the timber, existing plant facilities were modernized, and new manufacturing facilities were constructed to utilize the timber in the best possible way and to achieve the maximum return.

An important example is the Toledo, Oreg., complex with its adjacent 116,000 acres of timberland. At the time of purchase by the corporation, two sawmills in the area utilized approximately 200 million feet of timber annually. The two sawmills have been closed and in their place have been built a plywood plant, a pulp and paper mill, and a small gang sawmill. These new facilities require only approximately 80 million feet of timber, and have greatly increased the sales and net profit return on the timber. The pulp and paper mills require additional chips from other Oregon areas.

Likewise in Coos and Curry Counties, Oreg., the corporation owns approximately 147,000 acres of land. At time of purchase the four sawmills, plywood plant and hardboard plant required approximately 200 million feet of timber per year. Three of the four sawmills have been closed, the existing plywood plant has been modernized and expanded, and an additional plywood plant and chemical plant have been constructed. Also, two green veneer plants, utilizing cull logs formerly left in the woods, have been added. Timber used from these lands has been reduced to 135 million feet annually and, again, sales and net return have been increased.

In Lane County, Oreg., Georgia-Pacific owns approximately 146,000 acres of timberlands. At the time of purchase an existing sawmill and a plywood plant required approximately 150 million feet of timber annually. The sawmill has been closed, the plywood plant modernized, a new plywood plant and a new fiber-ply plant constructed, and a new sawmill installed to utilize small logs that were formerly left in the woods. This modernization program has reduced timber requirement to approximately 130 million feet annually. As with other locations, sales and net return on timber have been considerably expanded.

In Humboldt County, Calif., the corporation owns approximately 113,000 acres of land. At time of purchase four sawmills were in operation. Two of these sawmills were closed. In place of these mills the corporation has constructed a large plywood plant, and is in the process of building a new, completely modern sawmill. These new facilities will use about the same annual footage as before but in a much more efficient manner.

In each of the above mentioned operations, with the exception of California, the plants are producing chips for use at the corporation's pulp and paper plant at Toledo, Oreg., from wood scrap formerly considered waste. Consideration is being given to construction of a new pulp and paper plant at Samoa, Calif., to utilize chips from mill waste in the Humboldt county area.

These examples illustrate the modernization and construction program on the west coast, and this same policy is followed in Georgia-Pacific operations elsewhere in the United States. Approximately $35 million has been allocated for building and modernization in 1963. In the last 8½ years, ended June 30, 1963, the corporation has invested approximately $150 million in expansion and improvement of facilities, apart from acquisitions. Thus, the corporation is continually improving its ability to utilize more timber per acre than was being previously utilized and, at the same time, gets the maximum return from the timber. The operations are returning more profit—but using less timber.

MANUFACTURING

Georgia-Pacific's constant objective is to convert the annual timber harvest into a product-mix which will obtain the best overall profit, thus maximizing the yield from each tree harvested. The corporation's growing diversity in the field of forest products, particularly in plywood, paper, and chemicals has resulted from pursuit of this objective. The corporation now operates 80 plants, which are all in the United States with the exception of two in Canada and one in the Republic of the Philippines.

The plywood industry

The modern plywood industry dates from the 1930's. In that decade, the development of synthetic resin adhesive and the hot press process of manufacturing made possible water resistant plywood and thereby opened entirely new uses in housing and many industrial and commercial applications. Today, the plywood industry is probably America's fastest growing natural resource industry, with growth over the past 10 years at a rate of 10 percent compounded annually.

The unique advantages of plywood derive from its composition—alternate sheets of veneer, pressure-glued together with grain of adjacent plys at right angles to each other. The resulting panels are rigid yet easily shaped, and, relative to weight, possess greater structural strength than steel.

Demand for fir plywood as a building material has increased substantially each year since 1945. Uses include subfloors, paneling, sheathing, and roofing. It is widely used for concrete pouring forms in construction and in manufacturing of boats, railway cars, automobiles, trailers, doors, radio, television, and furniture cabinets, plus literally thousands of other individual uses in homes, commerce, and industry. These widespread applications make for a large and expanding market. Almost all fir plywood is manufactured in Oregon, Washington, and California.

The hardwood plywood industry, as differentiated from the softwood plywood industry, has come into its own in the last decade with much expanded use in residential and commercial wall paneling applications. Once a high-priced product, limited almost entirely to architectural paneling, it has now reached a point in price and availability which make it accessible to the mass market. It is one of the most appealing and most profitable products of the industry.

Georgia-Pacific plywood

Georgia-Pacific has established itself as the fastest-growing company in the plywood industry and ranks first in the production of both softwood and hardwood plywood in the United States. During 1962, and the first 6 months of 1963, Georgia-Pacific production attained new record levels.

The corporation now operates 15 plywood plants with a total annual capacity of 1,338,568,000 square feet (two shifts, 5 days a week) and has a pine plywood mill under construction which will add 90 million square feet of capacity early in 1964. Softwood plywood production capacity, which is mainly Douglas fir plywood, is 1,168,064,000 square feet annually, on a three-eighths of 1 inch basis, and its hardwood plywood production capacity is 260,504,000 square feet annually on one-fourth of 1 inch basis, these being the standard methods of measuring capacity in the industry.

The paper industry

The paper and containerboard industry is the fifth largest in the Nation and the third fastest growing in the natural resource category. In the period 1940 to 1962, annual domestic paper consumption increased from 16,757,000 tons to 37,500,000 tons, per capita use increasing from 254 pounds to 425 pounds.

Packaging grades of kraft board and paper (used primarily for containers and bags) are the fastest growing segments in the paper industry. These packaging grades account for nearly 50 percent of domestic paper consumption.

The American Paper and Pulp Association indicates that 45 million tons of paper and board production will be required in the United States annually by 1975. The corporation also anticipates considerable market growth overseas, particularly in the Far East and in the Common Market nations.

Georgia-Pacific paper

Since 1957, Georgia-Pacific has been giving particular attention to the development of its paper and paper converting facilities. In the last 2 years this has been the fastest growing division of the corporation, through acquisition of existing properties and construction of new facilities.

In January 1958, Georga-Pacific began paper manufacture upon the completion of its kraft paper and board plant at Toledo, Oreg. Initial production was scheduled at 250 tons daily. The corporation increased production during the second year of operations to 350 tons daily and completed a second papermaking unit at Toledo in 1960 raising production to over 600 tons a day. New expansion, now under construction, will bring production up to 800 tons a day in 1964. Management foresaw the possibility of the need for rapid expansion, and the Toledo plant was planned so that increases in capacity could be achieved with comparatively low capital expenditure.

Top quality grades of kraft paper and board are manufactured at Toledo, Oreg., from chips of Douglas fir, which produce the longer, tougher fibers most desirable for container and bag materials. Redwood chips have been found to possess similar qualities.

The chemical industry

The chemical industry is many faceted with many growth potentials for wood byproducts. Wood chemistry is developing new products from cellulose, hemicellulose and lignin derived from wood itself or from the manufacturing residue of wood products and paper. Some of these products are in commercial production and others are in varying developmental stages at this time.

Georgia-Pacific chemicals

Georgia-Pacific researchers are active in development of new chemicals from wood and the corporation is producing chemicals in commercial volume in Arkansas, Oregon, and Washington. At Coos Bay, Oreg., Georgia-Pacific makes formaldehyde, urea formaldehyde resin, and phenolic resin, used in plywood glues.

The lumber industry

In the past decade U.S. lumber production has leveled off at approximately 34 billion feet a year. Indications are that lumber cannot expect any substantial gains in the immediate future. Lumber is being supplanted in some areas by other products, such as plywood, hardboard, flakeboard, and other reconstituted products which make more profitable use of the timber raw material and by other competitive materials such as steel, aluminum, and plastics. Softwood lumber, produced in the Pacific Northwest, has been particularly affected by this trend and by strong competition in traditional markets from Canadian softwood lumber. The fact that softwood lumber shows small growth potential is of substantially less concern to integrated forest products companies than to smaller lumber manufacturers. Integrated companies will realize the best from each log in a variety of products without being limited to lumber.

The redwood lumber industry is unique. Commercial redwood forests are concentrated in a small area along the coast of northern California and are privately owned with the exception of national parks which are not available for productive use. Redwood has unusual properties of beauty, stability, ease of machining, and resistance to fire, insects, and decay which do not exist in the same degree in any other wood. The redwood industry's annual production is about 1 billion board feet.

Georgia-Pacific lumber

Georgia-Pacific's lumber production is largely concentrated by specie in several major locations. Redwood lumber and specialties are produced in Eureka-Samoa, Calif. Western pine lumber is manufactured at Feather Falls and Woodleaf, Calif., and Pilot Rock, Oreg. Southern pine lumber is manufactured at Fordyce and Crossett, Ark., and Steelwood, Ala. Southern and Appalachian hardwoods are manufactured in a number of smaller operations in the South. Stud mills are located adjacent to the larger plywood plants to make use of plywood peeler cores.

In the last 3 years, the corporation has gradually eliminated its big Douglas fir lumber mills in Oregon as it developed plywood facilities which could make more profitable use of the large logs. In their place are small, efficient sawmill and planing operations which make use of small logs and cores from the plywood plants. Georgia-Pacific lumber sales, including redwood, amount to approximately 20 percent of total sales at this time.

Other products

Other products manufactured or sold include hardboard, flakeboard, particleboard, millwork, moulding, doors, windows, acoustical material, roofing and other building materials which are marketed through the corporation's 80 distribution centers. Of these products hardboard and flakeboard are major items. The former is produced at Coos Bay, Oreg., in a "dry process" plant having 120 million square feet in annual capacity on a one-eighth-inch basis. A hardboard tempering plant has just been completed at Coos Bay, giving the corporation access to new markets. Flakeboard is made at Crossett, Ark., in a new plant capable of producing 30 million square feet of three-fourth-inch board a year. Both plants are automated. Royal Oak charcoal is a high-quality product made at Crossett, Ark., and sold nationally through grocery and other stores.

Certain timber is sold to other operators on long-term cutting contracts. Georgia-Pacific also sells or trades certain hemlock and cedar logs which it cannot advantageously use in its operations.

Mineral and natural gas products are reviewed under the section titled "Timber and Other Resources."

Georgia-Pacific's other products account for approximately 10 percent of total sales at present.

AMERICAN HIGHWAYS

Mr. MORSE. Mr. President, Mr. Forrest Cooper, the State highway engineer of Oregon, recently brought to my attention a most interesting article appearing in the July 1963 issue of American Highways.

The article to which I allude is entitled "Oregon Welcomes AASHO for 49th Meeting." The 49th annual conference of the American Highway Association of the State highway officials will meet in Portland, Oreg., from October 21 to 29. On behalf of the entire State of Oregon, I extend a most cordial welcome to the delegates attending this important conference.

The article appearing in the July 1963 issue of American Highways contains excellent descriptive material concerning the city of Portland and the State of Oregon. The natural beauties of the entire area, the many delightful points of interest and the grand hospitality that will await the delegates are discussed in impressive fashion in the article.

Because of the interest of this item to my colleagues in the Senate, I ask unanimous consent that it be set forth at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OREGON WELCOMES AASHO FOR 49TH MEETING

Oregon, where a 2-hour drive takes you from skiing on a snowcapped mountain to sunbathing on the shore of the Pacific Ocean, stands ready with a broad welcome mat of informal hospitality for those attending the 49th Annual Conference of the American Association of State Highway Officials.

The delegates and their families will meet in Portland from October 21 to 25. Oregon's "big city" is prepared to shower delegates with fine food, entertainment, and recreation before, during, and after the strenuous business sessions. The State has much to offer the visitor, as evidenced by the nearly 10 million tourists who travel Oregon each year.

Headquarters for the 49th convention is the new Portland Hilton Hotel, opened to the public in May.

Covering a full city block in downtown Portland, the Hilton provides panoramic views of the city, Willamette River, Mount Hood and other peaks of the Cascade Range. Principal downtown theaters, restaurants, and stores are within easy walking distance. The tallest in Portland, the hotel has a 4-story base on which rests a 21-story tower containing 19 floors of guest rooms plus a famous rooftop restaurant and cocktail lounge. The $12 million hotel is complete with restaurants, shops, large parking area, and dining rooms.

The elevated plaza is landscaped with trees, gardens, and fountains, and has a heated swimming pool accessible from the guestroom tower. The hotel also has the largest ballroom in the Pacific Northwest.

Portland is known as "the City of Roses" and is the garden spot of the vast evergreen empire of the Pacific Northwest. From April until late fall, this paradise of blooms is a scenic wonderland that is climaxed each June with world famous Rose Festival and its 5-mile-long parade of floats.

The "Kingdom of Rosaria" contains such show palaces of flowers as Washington Park and the International Rose Test Gardens. Not to be outdone, is the National Rhododendron Test Garden, the most extensive test garden of its kind this side of the Kew Gardens in England.

Portland, like the rest of Oregon, is distinguished by its widely varying attractions. There are, to mention a few, such distinguishing features as the Lloyd Center, the world's largest shopping center; the Forestry Building, the world's largest log cabin; the Portland Zoo, now elephant capital of the world; the Sanctuary of Our Sorrowful Mother, the world's outstanding shrine to universal motherhood; the Oregon Museum of Science and Industry, site of the only planetarium in the Northwest; and the Portland Harbor, the largest dry cargo port on the Pacific coast.

If all these drain your energy or imagination, you need take only a short stroll to relax at one of Portland's 84 parks or a short ride to loosen up on one of Portland's 15 golf courses.

The Lloyd Center, with parking for 8,000 cars, is a unique shopping-business community that is a place of beauty, day or night. Besides its 100 stores of all sizes and shapes, it is also a show palace of arts and crafts, of flowers and concerts, of circuses and youth activities. It has a protected open-air ice pavilion, 50 percent larger than the famous one at Rockefeller Center.

The Forestry Building in Portland is a tribute to the lumber industry, Oregon's leading income producer. Oregon has more virgin timber than any other State, more than 400 billion feet. The amount of lumber cut, averaging 8 billion board feet annually, is among the greatest in the Nation. The industry grosses a billion dollars annually. The Forestry Building is rightfully called the largest log cabin in the world. It was erected in 1905 as part of the Lewis and Clark Exposition, which commemorated the Northwest exploration of Meriwether Lewis and William Clark 100 years earlier.

This block-long building contains exhibits which tell the complete story of what happens to a log from the beginning of its growth in the forest, through the various logging and milling operations to the hundreds of finished products which play such a vital part in American living today. A miniature sawmill actually operates at the touch of a pushbutton, putting into action workmen, saws, lift trucks, and other modern material-handling equipment. The huge structure contains 300 of the world's biggest Douglas fir logs. Inside the building, 52 massive firs, 6 feet in diameter at the base, march the length of the central hall, their columns soaring 54 feet to the rustic rafters above. Each of these pillars contains 8,500 board feet, enough to build an average house.

Portland's zoo became world famous on April 13, 1961, when one of its elephants, Belle, gave birth to Packy (short for pachyderm), the first baby elephant born in the United States in 44 years. Since Packy's birth, which rated 11 pages in Life magazine, a second baby elephant has been born at the zoo and will celebrate its first birthday during the month of the AASHO Conference. The zoo also boasts the largest colony of antarctic penguins in the Nation. For those who like to ride, the zoo has a railway with both a sleek streamlined and an old-fashioned, steam-powered locomotive, each miniature in size and providing a mile-long ride around the natural habitat of the zoo grounds with views of the unmatchable zoological gardens.

Another of Portland's more notable sites is the Sanctuary of Our Sorrowful Mother, located on Portland's east side in a natural setting of sylvan charm. Its 60 acres is a mecca for a half-million pilgrims and visitors annually. Founded in 1924 by Servite Fathers, the sanctuary has as its focal point the Grotto of Our Sorrowful Mother. The grotto is 30 feet deep, 30 feet wide, 50 feet high and was hewn out of a granite cliff which rises to a height of a 10-story building. The altar is surmounted by a white marble replica of the "Pieta." Atop the majestic cliff stands a life-size bronze statue of the Virgin Mary. The sanctuary also contains numerous wood carvings and sculptures.

The Oregon Museum of Science and Industry is dedicated to telling children about the wonderful world in which we live by taking the most complicated of subjects and explaining them in the simplest of terms and with elaborate exhibits. From the bee colony to the planetarium, OMSI takes great care to prove "Science Is Fun," the motto of the science center.

An elaborate harbor has made Portland the Nation's leading wheat-exporting site and places it second only to Boston as a wool center. The city is divided by the Willamette River near this waterway's juncture with the mighty Columbia River. There is a minimum of 35-foot channel depth to the sea at all times of the year.

Portland is not only well served by water transportation but also by air. Portland International Airport underscores the city's position as geographical hub of the Pacific Northwest. Completed in 1958, this modern air terminal is recognized as one of the finest in the Nation. Ten airlines operate from the terminal, providing both regional and intercontinental transportation.

The ever-increasing population of the Portland metropolitan area has necessitated the constant growth of its institutions of higher learning. Portland is the home of the University of Oregon Medical and Dental Schools, Portland State College, Lewis & Clark College, University of Portland, Cascade College, the Reed College. New facilities are constantly being added to these institutions to accommodate larger enrollments.

Tourism is Oregon's third largest industry, and the State's numerous scenic and recreational attractions soon make this understandable. Portland provides much of this attraction, and other areas nearby add even more.

Sixty miles from Portland is majestic Mount Hood, rising 11,245 feet into the sky to make itself plaintly visible from the metropolitan area. Mount Hood has the highest elevation in Oregon and has many living glaciers that extend to near the timber line on all sides. The recreational area surrounding this peak offers the sports enthusiast such varieties as skiing, swimming, boating, fishing, golf, hunting and camping. Located at the 6,000-foot level is Timberline Lodge, famous as a recreation resort.

For those who love scenery, a few minutes' drive east from Portland will provide an abundance of it. Crown Point Lookout affords a magnificent view of the famous Columbia River Gorge. Ten miles farther east is Multnomah Falls, second highest in the United States, plunging 620 feet into an evergreen glen. This is but 1 of 11 waterfalls in as many miles on the scenic Columbia River Highway.

Only a few miles farther east is the Bonneville Dam, a huge concrete structure which helps harness the Columbia's unceasing power. Bonneville is but 1 of the 155 dams in the Pacific Northwest which provides a gigantic power pool for private and industrial consumers.

From the broad mouth of the Columbia River on the north to the California border on the south, the Oregon coast presents 400 miles of ever-changing seashore facing the broad, blue Pacific Ocean. The beaches, some of them 10 miles long and 500 feet wide, are mixed with the grandeur of forested headlands that rise hundreds of feet nearly straight up from the surf. The coastal area is popular for deep sea or surf fishing, plus clam digging and crab fishing.

In southern Oregon is one of the State's best known tourist attractions, Crater Lake National Park. This lake on the crest of the Cascade Range is 6 miles across. Several thousand years ago, a 12,000-foot volcano, Mount Mazama, erupted with such violence that the mountaintop collapsed, creating the caldera which now contains Crater Lake.

Visitors to the AASHO Conference will find Portland's fall weather quite moderate. The average maximum temperature for October is 64 degrees, with the average minimum being 49 degrees.

Exceptional hunting and fishing opportunities are abundant in the wilderness areas of the State. Oregon's lakes and streams are famous for their yields of salmon, steelhead, trout, striped bass, crappie, and catfish. Deep sea and surf fishermen make catches of salmon, halibut, sea bass, ling, tomcod, and others. Hunters take such game as deer, elk, bear, quail, grouse, Chinese pheasant, duck, brant, geese, and chukar.

Oregon had much to attract the first pioneers to the territory that later became four separate States. There was gold for the get-rich-quick enterprises, furs for those willing to work and trade for them, and rich, fertile valleys for the farmers who stayed on to outlast all the rest.

The first white men to see Oregon were Spanish seamen who voyaged up the coast from Mexico in 1543. These and others who sailed after them left evidence of their visits with Spanish names that dot the coastline of Oregon, such as Heceta Head and Capes Ferrelo, Sebastian, and Blanco.

Capt. Robert Gray named the Columbia River after discovering it in May 1792 while sailing his ship, the *Columbia Rediviva*, on its second voyage to Oregon. He had failed to discover the river on his first trip in 1788. The British also were exploring the area about this time and joint occupation of the land was to prevail for a long time afterward. Lewis and Clark made their famed expedition overland in 1805.

Partners of John Jacob Astor in his Pacific Fur Co. established Astoria in 1811, the first settlement in Oregon. They competed—and not always in a friendly way—with their

Canadian rivals such as the Hudson's Bay Co. Indians were not always receptive to the fur traders and Astoria was abandoned for 4 years after 1825 following an Indian attack during which the settlement was burned.

In the years following came one of the greatest migrations of people in history. In the 1840's and 1850's, the cry "Oregon or bust" brought both hope and heartbreak as the Old Oregon Trail drew thousands of hardly pioneers. Ruts from this trail are still preserved in certain areas of the State. The overland trip was difficult indeed, and once the pioneers arrived they found they also had Indian attacks to face. These years of hardship developed a people who were independent, hardy and proud. This culminated in acceptance into the Union on February 14, 1859, marking Oregon as the "Valentine State."

Oregon has developed fast in its years since adoption as the 33d State. Comparable to this fast development is the rise in stature of the Oregon State Highway Department. Starting 46 years ago the department has grown to where it has 3,700 employees and a State highway system of 7,500 miles. The five-story Highway Department Building in Salem, the State capital, is connected by radio and teletype to a network of maintenance and field offices throughout the State.

The combined length of Oregon's highway and road network is nearly 75,000 miles and has grown by 5,000 miles in just the last 2 years. These many miles of highways represent some gigantic projects and others equally great that are now underway. These have included 24 miles of U.S. 101 in southern Oregon that were completed at a cost of over $15 million and which represent the most difficult two-lane highway ever constructed in the United States; the 957-foot-long Thomas Creek Bridge, also on U.S. 101, that is 350 feet high, making it the highest structure in the State; and the bridge across the mouth of the Columbia River that is now under construction and will stretch 4.1 miles to the Washington shore.

None of these great projects are on the Interstate Highway System, but the Oregon Highway Department has not overlooked its part in this program. Oregon is destined to have 731 miles on the system and presently leads the Nation in percentage of Interstate mileage completed or adequate for present traffic and in use. The last quarterly report of the U.S. Bureau of Public Roads credited Oregon with 66.5 percent of its Interstate System open to traffic. Oregon also has one of the longest continuous stretches of freeway open to travel, the 125 miles from Portland to Cottage Grove.

Oregon is called a land of contrasts because of the way mountain ranges divide the State into various regions. But these mountain ranges have not divided the people nor their desire to extend a hearty welcome to all visitors. Being host to millions of tourists each year, the State is well prepared and looks forward to extending the hand of hospitality to those attending the AASHO conference.

ORDER OF BUSINESS

The PRESIDING OFFICER (Mr. BAYH in the chair). Is there further morning business? If not, morning business is closed.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. RUSSELL. Mr. President, is the Senate now proceeding to take up the agricultural appropriation bill? If so, I believe there should be a "live" quorum. This is one of the largest appropriation bills that the Senate considers, and I should like to have some assurance that a quorum will be present when that bill is taken up.

The PRESIDING OFFICER. Does the Senator from Georgia object to the request that the present order for a quorum call be rescinded?

Mr. RUSSELL. Not under the circumstances, Mr. President.

Mr. SMATHERS. Mr. President, for the RECORD, in reply to the statement of the distinguished Senator from Georgia that he would like to have a "live" quorum prior to the taking up of the agricultural bill, let me state that a "live" quorum will be requested.

Mr. RUSSELL. I thank the Senator.

EXTENSION OF LOAN FORGIVENESS FEATURES OF NATIONAL DEFENSE EDUCATION ACT

Mr. PROUTY. Mr. President, on January 29 of this year, the Senator from New York [Mr. KEATING] and I introduced two bills to correct certain inequities in the National Defense Education Act.

One of these bills was S. 569, which would extend the loan forgiveness features of the National Defense Education Act to private school teachers and to those who enter teaching at the college level. I was the principal sponsor of this measure, and the Senator from New York [Mr. KEATING] was the only cosponsor.

On the same day, the Senator from New York introduced, and I cosponsored, S. 571, which would make both private school teachers and public school teachers eligible for stipends while attending summer institutes in guidance and language training.

I am happy to announce that the Senate Labor and Public Welfare Committee combined both bills into one package, and favorably reported S. 569, the Prouty-Keating bill, as amended.

This will be good news to private school teachers and college teachers who borrowed money under the National Defense Education Act, and to private school teachers who wish to attend summer institutes in guidance and language training.

We have a shortage of teachers in both private schools and public schools. Many of our young people will be encouraged to enter teaching in these schools if they can get a partial cancellation of the debt they incurred while going to college.

Under existing law, college students who borrow Federal money to pay for their education can get 50 percent of their debt canceled if they spend 5 years teaching in a public school. The cancellation is at the rate of 10 percent for each year of teaching. The Prouty-Keating bill will extend the same privilege to student borrowers who later teach in colleges or private schools.

Another important fact of the committee's action today revolves around the fact that very few private school teachers have been able to afford to go to the summer institutes for guidance and language training. The committee-reported bill, which allows them a financial incentive, should bring more private school teachers to these institutes.

The area of guidance is extremely important in connection with the prevention of juvenile delinquency. So our guidance programs should be of top quality in both the private and the public schools. Early this year it was reported that only 240 private school teachers had been able to attend the National Defense Education Act summer institutes in guidance. This situation should improve if the Prouty-Keating bill, S. 569, is enacted into law.

Mr. MORSE. Mr. President, will the Senator from Vermont yield?

Mr. PROUTY. I am glad to yield to the Senator from Oregon.

Mr. MORSE. I compliment the Senator from Vermont [Mr. PROUTY] and the Senator from New York [Mr. KEATING] for the bill the Senator from Vermont has just commented upon. As chairman of the Subcommittee on Education, it is a pleasure to support the Senator from Vermont and the Senator from New York on this bill.

It is a sound bill. The results it will accomplish are long overdue. I do not like to predict what may happen to any piece of proposed legislation; but my "hunches" tell me that the bill will pass the Senate with very little difficulty, because the Senate has already passed on its principle. I am confident that it will be looked upon with favor by the House.

I congratulate both Senators.

Mr. PROUTY. I thank the Senator from Oregon. I hope very much the prediction of the distinguished Senator from Oregon will prove to be correct. Certainly he has lent his full support to this measure, and it is greatly appreciated by me, and also, I am sure, by the Senator from New York [Mr. KEATING], the cosponsor of the bill.

Mr. KEATING. Will the Senator from Vermont yield?

Mr. PROUTY. I am glad to yield.

Mr. KEATING. I wish to express my gratitude to the distinguished Senator from Vermont for the leadership he has shown in getting this bill through the committee, and also to express my gratitude to the distinguished Senator from Oregon for the very necessary help which he gave to allow these bills to be submitted to the Senate.

The National Defense Education Act, as the Senator has pointed out, already makes teachers in private schools eligible for certain benefits. The amendments we propose would simply equalize the benefits because we believe it is in the national interest to provide the best for all American children and all American teachers. Our proposals are in the spirit of the original act. There is no reason on earth why there should be any difference, in this case, between those who teach the 5½ million American children in private schools and those who teach in public schools, and it is my hope that the House will also look with favor on these matters.

I am deeply gratified. This has been very close to my heart for a long time, as the Senator from Vermont knows. He and I have worked in close collaboration, and—because of the membership of the Senator on the committee, and his great abilities—apparently, in this case, with success.

Mr. PROUTY. I am grateful to the distinguished Senator from New York for his kind remarks. It simply means that all those who go into the teaching profession will receive the same benefits, and I believe it is eminently worth while and justified.

INCREASED PAYMENTS FOR WIDOWS OF VETERANS DYING FROM SERVICE-CONNECTED DISABILITIES

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 473, House bill 5250.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 5250) to amend section 411(a) of title 38, United States Code, to increase the rates of dependency and indemnity compensation payable to widows of veterans dying from service-connected disabilities.

Mr. BYRD of Virginia. Mr. President, the purpose of the bill is to increase the monthly rates of dependency and indemnity compensation payable to widows of veterans dying from service-connected causes.

Under existing law dependency and indemnity compensation is payable to widows, children, and parents based on the service-connected deaths of their husbands, fathers, and children, respectively. However, the widow is paid at the monthly rate of $112 plus 12 percent of the basic pay of her deceased husband. This bill would increase the $112 factor of the widows' rate to $120.

It should be noted that as the service pay is increased, the widows' benefits are automatically increased. The bill H.R. 5555, which I believe is in conference, would further increase the basic rates of military pay. If the latter bill is enacted into law and if the subject bill is approved, the net result will be an average increase in the widows' rates of approximately 10 percent since January 1, 1957. This increase would be commensurate with the cost-of-living increase of 10 percent in dependency and indemnity compensation rates for parents and children authorized by a Senate Finance Committee bill enacted into Public Law 88–21.

The effective date of this bill is the same as H.R. 5555, the Uniform Services Pay Act, or January 1, 1964, whichever occurs first.

The Veterans' Administration favors enactment of this bill, and estimates it will benefit 122,700 widows, at a cost of $11,799,000 a year for the first 5 years.

The Senate Committee on Finance highly endorses this bill and recommends that it be passed by the Senate.

Mr. DIRKSEN. Mr. President, actually this bill is nothing more than an effort to offset the cost-of-living increase, and is therefore commensurate with that objective.

Mr. BYRD of Virginia. And it is commensurate with what we have done with reference to others.

Mr. DIRKSEN. And the bill already had the approval of the House.

Mr. BYRD of Virginia. Yes. This is the first increase to be made since January 1, 1957.

The PRESIDING OFFICER. The bill is open to amendment.

If there is no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 5250) was ordered to a third reading, was read the third time, and passed.

DESIGNATION OF "BOURBON WHISKEY" AS DISTINCTIVE PRODUCT OF THE UNITED STATES

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 475, Senate Concurrent Resolution 19.

The motion was agreed to; and the Senate proceeded to consider the concurrent resolution (S. Con. Res. 19) to designate "Bourbon whiskey" as a distinctive product of the United States which had been reported from the Committee on Finance, with amendments, on page 2, line 3, after the word "of", to strike out "bourbon" and insert "Bourbon"; in line 8, after the word "as", to strike out "bourbon" and insert "Bourbon", and in the same line, after the word "whiskey", to strike out the comma and "unless it is clearly labeled to show the country of origin as an integral part of the name"; so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that the recognition of Bourbon whiskey as a distinctive product of the United States be brought to the attention of the appropriate agencies of the United States Government toward the end that such agencies will take appropriate action to prohibit the importation into the United States of whiskey designated as "Bourbon whiskey."

Mr. KEATING. Mr. President, will the Senator from Florida explain this measure?

Mr. SMATHERS. The concurrent resolution is sponsored by the able Senator from Kentucky. The purpose of Concurrent Resolution 19, as amended by the Committee on Finance, is to express the sense of Congress concerning the designation of Bourbon whiskey.

Mr. KEATING. Mr. President, I remember the concurrent resolution.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 496), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of Senate Concurrent Resolution 19 as amended by the Committee on Finance is to express the sense of Congress concerning the designation "Bourbon whiskey" as a distinctive product of the United States.

GENERAL STATEMENT

The resolution declares that Bourbon whiskey must be manufactured in accordance with the laws and regulations of the United States which prescribe a standard of identity for such whiskey, and that Bourbon whiskey is and has achieved recognition and acceptance throughout the world as a distinctive product of the United States. The resolution states the sense of Congress, therefore, that Bourbon whiskey be recognized as a distinctive product of the United States. At the request of the author of the resolution, the committee adopted amendments to provide that it is the sense of Congress also that no foreign whisky imported into the United States may be labeled as Bourbon whiskey. Also it was necessary to adopt a perfecting amendment relating to the capitalization of the word "Bourbon."

It is well established that certain whiskeys and wines are distinctive products of their country of origin. In recognition of the fact that Bourbon is a distinctive American product, International Federation of Manufacturing Industries and Wholesale Trades in Wines, Spirits and Liquers awarded the Bourbon Institute an "appellation of origin" for Bourbon which assures the Bourbon industry assistance in any international legal action to prevent other than a U.S. manufacturer from labeling or selling Bourbon whiskey.

It is not inappropriate to require an imported product to bear the country of origin as an integral part of the name, as proposed in Senate Concurrent Resolution 19. The United Kingdom accords recognition to "Scotch" whisky as being a distinctive product of Scotland and does not allow the importation of any other whisky labeled as "Scotch." The Governments of Canada and France afford similar recognition and protection to their respective products of "Canadian" whiskey and "Cognac." Moreover, pursuant to the authority contained in the Federal Alcohol Administration Act of 1935 (49 Stat. 977), the Internal Revenue Service regulations (27 C.F.R., pt. 5) also prohibit the domestic manufacture and importation from other than the designated countries of alcoholic beverages labeled as "Scotch," "Canadian" whisky, or "Cognac," or any other words connoting, indicating or commonly associated with the place of origin of these products.

The Federal Alcohol Administration regulations state:

1. Scotch whisky is "a distinctive product of Scotland, manufactured in compliance with the laws of Great Britain regulating the manufacture of Scotch whisky for consumption in Great Britain."

2. Irish whisky is "a distinctive product of Ireland, manufactured either in the Irish Free State or in Northern Ireland, in compliance with the laws regulating the manufacture of Irish whisky for home consumption."

3. Canadian whisky is "a distinctive product of Canada, manufactured in Canada in compliance with the laws of Canada regulating the manufacture of whisky for consumption in Canada."

4. Cognac or Cognac grape brandy is "grape brandy distilled in the Cognac region of France, which is entitled to be so designated by the laws and regulations of the French Government."

Inasmuch as the foregoing treatment is afforded to other whiskys that are distinctive products of their countries and since Bourbon is recognized by the International Federation of Manufacturing Industries and Wholesale Trades in Wines, Spirits, and Liqueurs as a distinctive product of the United States, the proposed amendment to prohibit the importation of any whisky labeled as Bourbon is consonant with the recognition which should properly be accorded to Bourbon.

The International Federation of Manufacturing Industries and Wholesale Trades in Wines, Spirits and Liquers (Federation Internationale des Industries et du Commerce en Gros des Vins, Spiritueux, Eaux-de-Vie et Liqueurs) is a worldwide organization composed of 40 trade associations from 17 European member countries and the United States. Most member associations hold quasi-governmental, semiofficial status in their home countries.

The constitution of the International Federation provides that members will protect the products of other member countries in accordance with the laws and regulations of the producing countries.

This protection comes about after (1) the Federation grants an "appellation of origin" to a particular product, declaring that the product is distinctive to its country and can only be produced in that country if it is to be recognized as genuine; (2) the specific country enacts a law, regulation, or resolution which also declares its home product to be distinctive and genuine only if produced domestically.

An "appellation of origin" was granted Bourbon as a distinctive product of the United States at the 10th session of the executive committee of the International Federation, November 23–24, 1960. However, the Federation cannot proceed to enforce this regulation in member countries unless the United States itself has a law or regulation as is embodied in Senate Concurrent Resolution 19.

The United Kingdom has such a law, declaring that Scotch whisky is a distinctive product of Scotland and can only be produced in Scotland.

Canada has such a law, declaring that Canadian whisky is a distinctive product of Canada and can only be produced in Canada.

Ireland has such a law, declaring that Irish whisky is a distinctive product of Ireland and can only be produced in Ireland.

The U.S. regulatory history covering protection of appellation of origin of distilled spirits products follows:

In 1941 a U.S. Treasury Department decision barred the marketing of a product labeled "California Cognac." Upon petition of the French Government, the Federal Alcohol Administration moved to prohibit the use of the name "Cognac" for any product other than that made in the French Cognac region. The Treasury Department ruled that the goodwill and commercial worth of the name "Cognac" derives entirely from the efforts of its French producers.

Basic regulatory law regarding the use of the name "Scotch" was established by an Internal Revenue Service ruling against an Illinois distiller. The IRS held that the Illinois producer could not label his product "Scotch," but only "Scotch type" whisky.

Then, in May 1961, the Alcohol and Tobacco Tax Division further extended U.S. protection of the "Scotch" name. The Division issued a final order barring even the use of "Scotch type" on any whisky product not manufactured in Scotland. The ruling also prohibits use of the terms "Highland," "Highlands," or any other "words connoting, indicating, or commonly associated with Scotland."

Similar protection is now provided against any use of the terms "Irish type" or "Canadian type" for those distinctive national products.

Senate Concurrent Resolution 19 is therefore based on providing our own native whisky the same protection under our own laws that we now give foreign products.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The PRESIDING OFFICER. The concurrent resolution is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the concurrent resolution, as amended.

The concurrent resolution, as amended, was agreed to.

The preamble was amended, so as to read:

Whereas it has been the commercial policy of the United States to recognize marks of origin applicable to alcoholic beverages imported into the United States; and

Whereas such commercial policy has been implemented by the promulgation of appropriate regulations which, among other things, establish standards of identity for such imported alcoholic beverages; and

Whereas among the standards of identity which have been established are those for "Scotch whisky" as a distinctive product of Scotland, manufactured in Scotland in compliance with the laws of Great Britain regulating the manufacture of Scotch whisky for consumption in Great Britain and for "Canadian whisky" as a distinctive product of Canada manufactured in Canada in compliance with the laws of the Dominion of Canada regulating the manufacture of whisky for consumption in Canada and for "cognac" as grape brandy distilled in the Cognac region of France, which is entitled to be so designated by the laws and regulations of the French Government; and

Whereas "Bourbon whiskey" is a distinctive product of the United States and is unlike other types of alcoholic beverages, whether foreign or domestic; and

Whereas to be entitled to the designation "Bourbon whiskey" the product must conform to the highest standards and must be manufactured in accordance with the laws and regulations of the United States which prescribe a standard of identity for "Bourbon whiskey"; and

Whereas Bourbon whiskey has achieved recognition and acceptance throughout the world as a distinctive product of the United States: Now, therefore, be it

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the concurrent resolution was agreed to.

Mr. SMATHERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

SPECIAL TEMPORARY AUTHORIZATIONS FOR 60 DAYS FOR CERTAIN NONBROADCAST OPERATIONS

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 477, Senate bill 1005.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 1005) to amend paragraph (2)(G) of subsection 309(c) of the Communications Act of 1934, as amended, by granting the Federal Communications Commission additional authority to grant special temporary authorizations for 60 days for certain nonbroadcast operations.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 498), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

GENERAL STATEMENT

This bill would amend paragraph (2)(G) of subsection (c) of section 309 of the Communications Act so as to permit the Federal Communications Commission to grant special temporary authorizations (STA), for 60 days in those cases where the application for the special temporary authorization is filed pending the filing of an application for regular operation. This bill was introduced by Senator Warren G. Magnuson at the request of the FCC. On September 4, 1963, a hearing was held thereon at which the Chairman of the Federal Communications Commission, E. William Henry, testified in support thereof. No witness appeared in opposition to the bill.

Under the provisions of the Communications Act, applications filed with the Commission must be on file for 30 days before the Commission can act on them. In order to permit the Commission to authorize immediate operation or short-term operations where facts warrant such action, paragraph (2)(G) of subsection (c) of section 309 exempts those applications made for a special temporary authorization for nonbroadcast operations not to exceed 30 days where no application for regular operation is contemplated to be filed or pending the filing of an application for regular operation. The Commission has found the 30-day limitation on special temporary authorizations inadequate in those cases where the short-term operation involves a radio system for which an application for regular operation is filed later. When the application for regular operation is filed, the 30-day waiting period automatically takes effect and the Commission must, therefore, wait the 30 days before it can act on the application.

The Federal Communications Commission's proposal will not change the 30-day limitation on those special temporary authorizations in cases not contemplating a subsequent application for regular operation. It is in this area that the 30-day limitation is appropriately applied, since its purpose is to permit short-term radio operation in the nonbroadcast field without the delay of a 30-day waiting period (as provided in subsec. 309(b)), after the issuance of public notice by the Commission of the acceptance for filing of such application.

In those cases where the short-term operation relates to a radio system for which an application for regular operation is filed later, however, this purpose is frustrated because the provisions of section 309(b) are applicable and a 30-day waiting period is required before the Commission can act on the application for regular operation. As a result, there is a hiatus between the expiration of the special temporary authorization and the Federal Communications Commission's grant of the application for regular operation during which the applicant is unlicensed and, as a consequence, he is unable to operate his radio. Moreover, it does not appear that the Federal Communications Commission has the authority to remedy this statutory defect by renewing the special temporary authorization until it can grant the application for regular operation.

The bill herein reported would permit the Commission to grant special temporary authorizations for 60 days in those cases where the application for the special temporary authorization is filed pending the filing of application for regular operation while leaving unchanged the 30-day limitation on those special temporary authorizations in cases not contemplating a subsequent application for regular operation. Thus, the hiatus which now exists in those cases where an application for regular operation is subsequently filed would be eliminated.

Mr. JAVITS. Mr. President, what is the bill all about? Does it have anything to do with campaigns or debates?

Mr. SMATHERS. Mr. President, the bill has nothing to do with campaigns. It is a change requested by the administration. The bill was introduced by the Senator from Rhode Island [Mr. PASTORE] and approved unanimously by the Committee on Commerce and the subcommittee headed by the Senator from Rhode Island [Mr. PASTORE]. It has been cleared by the leadership on both sides of the aisle.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That paragraph (2)(G) of subsection 309(c) of the Communications Act of 1934, as amended (47 U.S.C. 309(c)(2)(G)), is amended to read as follows:

"(G) a special temporary authorization for nonbroadcast operation not to exceed thirty days where no application for regular operation is contemplated to be filed or not to exceed sixty days pending the filing of an application for such regular operation, or".

FILING OF PETITIONS OF INTERVENTION UNDER COMMUNICATIONS ACT OF 1934

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 478, Senate bill 1193.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1193) to amend section 307(e) of the Communications Act of 1934, to require that petitions for intervention be filed not more than 30 days after publication of the hearing issues in the Federal Register.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, the proposal is a technical change requested by the Federal Communications Commission. It was unanimously supported by all members of the Committee on Commerce, including Senators on both sides of the aisle. It has been cleared by the leadership on both sides of the aisle.

I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 499), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF LEGISLATION

The purpose of S. 1193 is to amend section 309(e) of the Communications Act of 1934, as amended (47 U.S.C. 309(e)), to require a party in interest who wishes to intervene in a hearing to signify his intention to do so not more than 30 days after publication of the hearing issues, or any substantial amendment thereto, in the Federal Register.

GENERAL STATEMENT

This bill was introduced by Senator WARREN G. MAGNUSON at the request of the Federal Communications Commission. A hearing thereon was held on September 4, 1963, at which the Federal Communications Commission Chairman, E. William Henry, testified in support of the proposal. No witness appeared in opposition to the bill.

Under the present provisions of the Communications Act of 1934, as amended, when an application has been designated for hearing, any party in interest who has not been notified of the designation for hearing can acquire the status of a party to the proceeding by filing a petition for intervention showing the basis for his interest at any time not less than 10 days prior to the actual start of the hearing. According to the Commission, the present procedure which permits filings up until 10 days prior to the date of the hearing has interfered with the expeditious handling and disposition of hearing cases.

The Commission contends that the enactment of S. 1193 would enhance the effectiveness of the prehearing conference which is one of the chief techniques for expediting the formal hearing. Their experience shows that prehearing discussions and negotiations, and the stipulations and agreements of the parties reached as a result thereof, are an effective means of insuring not only an expeditious hearing, but as well, that the hearing record may be kept down in size to the minimum consistent with the rights of the participants. Because of the present requirements permitting intervention up to 10 days before a hearing actually starts, the effectiveness of the prehearing techniques and the effect of valuable stipulations and time-saving agreements reached by other participants during the several prehearing conferences held over a period of months may be destroyed because an intervenor did not become a party to the case at an earlier date. Under the provisions of S. 1193, once the hearing issues are published by the Federal Communications Commission, any interested person knows at the time whether he will have to participate in the hearing to protect his own interest. The Commission feels that in requiring parties in interest to intervene within 30 days after the publication of the hearing issues is an ample and reasonable period to afford parties to determine whether it is necessary for them to intervene.

The 30-day period provided in the proposal is consistent with the time allowed in many other sections of the Communications Act. For example, section 402(e) allows interested persons to intervene in appeals from Commission decisions within 30 days after the filing of any such appeal with the court of appeals. (See also secs. 402(c) and 405.)

This legislation will discourage dilatory tactics now possible under the present provisions and will substantially eliminate the need for holding repeated prehearing conferences. It will also have the virtue of providing a date certain for intervention, thus eliminating the present situation where the date for intervention changes every time the date for commencement of the hearing is changed. Thus, adoption of this legislation will be another step in eliminating delays and backlogs in the administrative process.

The PRESIDING OFFICER. The bill is open to amendment. If there is no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 309(e) of the Communications Act of 1934, as amended, is amended to read as follows:

"(e) If, in the case of any application to which subsection (a) of this section applies, a substantial and material question of fact is presented or the Commission for any reason is unable to make the finding specified in such subsection, it shall formally designate the application for hearing on the ground or reasons then obtaining and shall forthwith notify the applicant and all other known parties in interest of such action and the grounds and reasons therefor, specifying with particularity the matters and things in issue but not including issues or requirements phrased generally. When the Commission has so designated an application for hearing, the parties in interest, if any, who are not notified by the Commission of such action may acquire the status of a party to the proceeding thereon by filing a petition for intervention showing the basis for their interest not more than thirty days after publication of the hearing issues or any substantial amendment thereto in the Federal Register. Any hearing subsequently held upon such application shall be a full hearing in which the applicant and all other parties in interest shall be permitted to participate. The burden of proceeding with the introduction of evidence and the burden of proof shall be upon the applicant, except that with respect to any issue presented by a petition to deny or a petition to enlarge the issues, such burdens shall be as determined by the Commission."

VALIDATION OF CERTAIN RICE ACREAGE ALLOTMENTS

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 482, House Joint Resolution 192.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The LEGISLATIVE CLERK. A House joint resolution (No. 192) relating to the validity of certain rice acreage allotments for 1962 and prior crop years.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to, and the Senate proceeded to consider the joint resolution.

Mr. WILLIAMS of Delaware. Mr. President, may we have an explanation of the joint resolution?

Mr. SMATHERS. Mr. President, the joint resolution would confirm all 1956 through 1962 crop rice acreage allotments which were properly apportioned on the basis of producer history and allocated to the farm by the county committee in good faith. It would not confirm allotments obtained by duplication, forgery, bribery, or intimidation, nor would it confirm allotments obtained through practices that would result in the total allotted acreage exceeding the State acreage allotment, less any unallocated reserve acreage. The resolution is designed to relieve farmers from the effects of technical irregularities, but not to forgive intentional wrongdoing. It would be applicable only in States where rice allotments are made on the basis of the producer's history of rice production.

Mr. WILLIAMS of Delaware. Mr. President, I ask that the joint resolution go over.

Mr. SMATHERS. Mr. President, I ask that House Joint Resolution 192 be passed over.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF JUVENILE DELINQUENCY AND YOUTH OFFENSES CONTROL ACT OF 1961

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 459, Senate bill 1967.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1967) to extend until June 30, 1963, the authorization contained in section 6 of the Juvenile Delinquency and Youth Offenses Control Act of 1961.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 483) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXCERPT FROM REPORT NO. 483

PURPOSE OF THE BILL

S. 1967 extends the Juvenile Delinquency and Youth Offenses Control Act of 1961 for an additional 3 years and authorizes appropriations of $10 million per year.

The extension is necessary in order that communities having completed or about to complete the planning phases of programs to combate juvenile delinquency may be assured that Federal support will continue to be available long enough to put the best of these plans into action.

It is expected that the lessons learned from these demonstrations will lead to a sound nationwide approach toward the problems of delinquency. This program is not a permanent one. It provides funds from the Federal Government to help find answers to a difficult social problem. Once those answers have been sought and found, this planning and demonstration program will be terminated.

PROVISIONS OF PRESENT ACT

The Juvenile Delinquency and Youth Offenses Control Act contains three basic provisions:

1. It authorizes the Secretary of Health, Education, and Welfare to make grants to State, local, or other public or nonprofit agencies for projects demonstrating improved methods for prevention and control of juvenile delinquency.

2. It authorizes the Secretary to make grants to such agencies for the development of courses of study and for training personnel for employment in programs for the prevention and control of juvenile delinquency.

3. The Secretary is authorized to make studies, render technical assistance, and disseminate information relative to the prevention and control of juvenile delinquency.

Under the program, antidelinquency plans have been financed in 16 communities. Action programs have been funded in four cities. Special training centers for instructing specialists in delinquency have been established at 13 universities. In addition, there have been 48 grants for special research and instruction.

EXPERIENCE UNDER THE ACT

When the Juvenile Delinquency and Youth Offenses Control Act was enacted in 1961 there was no truly broad-based, antidelinquency program underway in any American community. Most efforts to combat youth crime were based upon the heroic but isolated attempts of settlement houses, "Big Brother" programs, and similar undertakings.

The President's Committee on Juvenile Delinquency early determined that the most serious shortcoming in local efforts to combat delinquency was the lack of comprehensive community support; the kind of support necessary to provide a new setting in which idle youths could be motivated to find a more useful and beneficial role for themselves in society.

In order to qualify for planning and demonstration grants, therefore, applicants for assistance under the act were required to embark upon across-the-board planning designed to enlist all appropriate elements in the community in the antidelinquency program. This would save important segments of the community from working at cross-purposes in pursuing the same goal. It would also contribute to greater effectiveness of their efforts.

A representative of the Ford Foundation referring to the Federal grants in light of the foundation's wide experience with their own youth programs, said:

"Most of what is being done with those funds at the present time is planning and tooling up for action programs * * *. I personally have felt that this is a very sound approach to the question because this is so complicated, there are so many institutions involved in converting this effort on this target that a period of time before you actually begin the action program is quite essential. It happens even if you make a grant right away for an action program, you find that a year or year and a half is spent in planning actually what the program is going to be. So I think personally there are two important things about the Federal program. One is the comprehensive approach to it, recognizing there is no one single thing that is the panacea, and that many institutions have to be in it and that the program really has to be carefully planned at the outset and that there is a focus here really on the broad social and economic contect in which delinquency takes place." (Hearing record, p. 402.)

The reaction of Mayor Walsh of Syracuse was representative of the views of witnesses before the subcommittee:

"Senator, with a program as involved as this you have got to have a plan and I think that the difficulties that we are now faced with throughout this country indicate that we have not had a plan to treat and prevent and control juvenile delinquency and I would hope that with the 16 cities that now have grants, with this concerted approach that we are now making toward developing a plan, that we are going to come up with some answers. It is the only approach that to me makes sense. You just cannot spend money without a plan." (Hearing record, p. 203.)

The battle against juvenile delinquency has been handicapped by more than lack of experience and coordination, however. There also has been a serious personnel shortage in the youth-serving professions and agencies. Present training methods and materials have not kept pace with the knowledge gained over the past decade. A total of 84 programs designed to increase the availability of trained personnel and upgrade the skills of those already involved in youth work have been undertaken as a result of grants under the act. Training programs sponsored by the act have been of three types:

(1) University-based training centers which, after the initial organization period, will become permanent centers supported from other sources. These will provide supplementary training for counselors, teachers, probation officers, and other specialists actually working in the youth field. In many cases these training centers are working closely with the demonstration programs training personnel for these action programs and utilizing the experience of the projects in planning training programs.

(2) Curriculum development projects designed to shape the latest research findings and the results of action programs into training materials for youth workers.

(3) A number of workshops and institutes have been held in various parts of the country to aid present youth workers including gang workers, vocational guidance counselors, and probation officers in keeping abreast of the latest developments in their own and related fields.

Though less dramatic, one of the most important services of the program has been the dissemination of information. By underwriting demonstration projects and then circulating the experience among other interested communities wasteful duplication can be avoided.

NEED FOR THE ACT

The report on the Juvenile Delinquency Act of 1961, published April 6, 1961, by the Committee on Labor and Public Welfare, stated among its reasons for recommending passage of the act:

"For 11 consecutive years juvenile delinquency has been increasing steadily. * * * No geographical area in the United States is immune to the impact of the delinquency problem. Intensive efforts to reverse the trend have been made in many places but juvenile delinquency still is a serious community problem. * * * Private and governmental agencies at all levels must accelerate their programs for prevention, control and treatment of juvenile delinquency."

The problems remain as pressing today. The "war babies" generation is now in its teens, looking for work at a time when the Nation is conspicuously failing to provide employment for even its adult labor force.

A million more youths reached age 16 this year than last. As they drop out or graduate from school, many fall into the temptations of idleness for lack of available work. Youth unemployment—three times that among adults—is social dynamite.

Delinquency statistics reflect a most disturbing increase in youth crime. The Federal Bureau of Investigation reported recently that police arrests of juveniles under 18 increased by 9 percent in 1962 over 1958, yet the population growth in this age group has only been 3 percent over the same period. Over a million youths aged 10 through 17 were arrested in 1962; almost 500,000 appeared on delinquency charges before courts.

Last year, the cost of fighting delinquency in New York City alone came to $90 million. Only 7 years earlier it was $23,500,000. In spite of this enormous increase the number of cases disposed by the children's court rose 16.3 percent between 1950 and 1959.

These are appalling statistics. Quite obviously money alone is not solving the problem. Fragmented local approaches taken toward the problem are clearly not meeting the challenge. The approach must be deepened and broadened into a comprehensive, communitywide effort to remake the physical, social, and educational setting in which these young people are trained and motivated.

Federal encouragement can serve as a catalyst to local groups sharing concern for this common problem but lacking a mechanism for joint participation. With experience in successful treatment of juvenile delinquency woefully lacking, a community-by-community attack isolated from related programs elsewhere would inevitably result in much duplication of effort, repetition of unsuccessful experiments, restricted use of successful methods, and insupportable burdens on limited community resources. This program has contributed significantly in overcoming these difficulties.

NEED FOR EXTENSION

The original act authorized appropriations of $10 million per year for 3 years. It expressly approved granting funds for the duration of any project so that demonstration projects could be underwritten for more than 1 year. The first year's appropriations were allocated on this basis. (Mobilization for youth in New York City received $1.9 million from the fiscal year 1962 appropriation to be paid out during fiscal 1963, 1964, and 1965.) However, when granting the second year's appropriations, the Appropriations Committees provided funds for only 1 fiscal year and prohibited the use of funds from one appropriation in any subsequent fiscal year. This same action by the Appropriations Committees was taken again in fiscal 1964.

During fiscal 1960, $8,200,000 was appropriated under the act. Only $6,365,000 had been expended by the close of the fiscal year and the remaining amount lapsed. The 1963 appropriation was $5,810,000. The present Senate appropriations bill for 1964 would make $6,950,000 available. Thus, approximately $19.1 million, rather than the contemplated $30 million, will have been appropriated during the first 3 years of the act.

Completion of the existing projects will require an estimated additional $15.8 million. Without it, 2 projects in the demonstration stage will be cut short 1 year; 13 projects in the planning stage could not be financed for demonstration; 6 training centers would be disbanded; 9 others abandoned before completion; and training programs which will use the materials developed during the first 3 years will not be undertaken.

Expenditures (actual and estimated) under Public Law 87–274 for the period 1962–64

	Demonstration	Planning	Training	Administrative and technical assistance	Total
1962	$1,915,000	$1,832,586	$2,223,894	$394,000	$6,365,480
1963	1,856,960	1,117,594	1,955,000	[1] 810,000	5,739,563
1964 [1]	4,000,000	----------	2,000,000	950,000	6,950,000
Total	7,771,960	2,950,180	6,178,903	2,154,000	19,055,043

[1] Estimated.

City and county officials, project directors, and others involved in specific programs underwritten by the act appeared before the subcommittee. Hundreds of letters and written statements were also received. All gave full support for the program. They commended the administrators of the program for their technical assistance and their noninterference with local direction of the projects. The program appears to be ably accomplishing the purposes of Congress in the original passage of the act. Extension of the act for an additional 3 years will allow completion of existing projects, additional demonstration projects of outstanding promise, and greater emphasis on training efforts so crucial in producing trained personnel for a continued massive attack on juvenile delinquency.

Unless participating cities have some assurance that this program will continue beyond June 1964, they can hardly go forward with plans extending beyond that date for which they had counted heavily for Federal financial support.

The committee believes that the Federal Government has an obligation to follow through with its commitment to these communities by allowing them the chance to carry their plans all the way through the demonstration phase. Otherwise the funds invested so far will have been largely wasted.

The PRESIDING OFFICER. The bill is open to amendment. If there is no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Juvenile Delinquency and Youth Offenses Control Act of 1961 (42 U.S.C. 2545) is amended by striking out "two" and inserting in lieu thereof "five".

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. SMATHERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ANCHORAGE, ALASKA, AND AMERICA

Mr. GRUENING. Mr. President, we read and hear a great deal today about two-way travel.

Tourism has opened doors long closed, ofttimes unintentionally. Americans for decades have gone abroad to see new lands and meet new people, but few could afford the trip.

Now this impasse is fading. Travel is no longer a luxury. It is educational, stimulating, less expensive, and a remarkable catalyst in promoting better understanding among people of the world.

For far too long the value of tourism has been either ignored or underestimated by Americans, despite our willingness to travel widely and spend generously. This one-way travel did nothing to aid our balance of payments.

Under the aegis of the administration of President Kennedy, positive steps have been taken to correct the situation.

The U.S. Travel Service was established as a part of the U.S. Department of Commerce and a modest but remarkable campaign to interest the Old World in the New World was initiated. It has been fruitful. Our States are being seen firsthand by citizens of many nations. It is no surprise to meet a German teacher busily exploring the wonders of Washington or to find a Japanese photographer seeking a new view of the Lincoln Memorial.

Ironic illustrations, perhaps, but true.

I have referred to the changing picture of tourism. These changes include the new travel service which has much to offer each State.

Director Voit Gilmore of the travel service addressed the annual convention of the Alaska Travel Promotion Association when it met in Cordova September 20. The topic he discussed was "The Visit U.S.A. Campaign—More Dollars and Friends for Alaska." He cited statistics to prove why.

For example:

> It is impressive that Anchorage now ranks fourth in the Nation in the number of international passengers traveling through its airport, being surpassed only by New York, Miami, and Los Angeles. I have heard a great deal of your hopes to slow down some of these rapid-transit travelers and let them, too, stay long enough to enjoy the wonders of Alaska and leave some tourist dollars behind.

Mr. Gilmore described the work of his State of North Carolina in bringing to the attention of its visitors the wonders of the great Smoky Mountains National Park and the Hatteras Seashore National Park. He suggested that such Alaskan marvels as Glacier Bay National Monument, Katmai National Monument, and Mount McKinley National Park, to name but three—could be similar tourist stopovers.

The tourist coming to North Carolina, said Mr. Gilmore, has made tourism "second only to the State's great tobacco and furniture industries."

In Alaska the number of visitors from other lands and others of the 50 States is climbing. Last year the flow of foreign visitors through Anchorage's international airport was 66,359, an increase of 28 percent over 1961.

This year users of the new Marine Highway in southeastern Alaska have in the first 8 months of its first year surpassed the most optimistic projection figures for the fourth year of service. Truly, the future is rosy.

Tourism is the principal source of income for more than 20 nations, according to Mr. Gilmore, and he further describes "tourism" as the largest single item in international trade. It amounts to $7.5 billion annually.

I concur in his opinion that tourism is the one resource of the world that becomes richer the more it is mined. I have long believed that it might well be Alaska's greatest potential economic asset.

The nations of the world are aware of the value of this mobile resource. In August the United Nations held the first International Conference on Travel and Tourism in Rome. Director Gilmore headed the U.S. delegation and emphasized:

> Tourism is an international resource that should be held in trust by all nations as an instrument of world understanding and peace.

Visitors to the United States have a minimum number of regulations to follow. They may, and many do, travel the width and breadth of the land without fear of restriction. This year an estimated 750,000, excluding Canadians and Mexicans, will visit the United States. They will spend close to one-half billion dollars. Meanwhile, Americans abroad will spend five times that amount. However, it is encouraging to know that the amount spent here is nearly 50 percent higher than the 1961 figure.

But for all of our knowledge we are infants in the travel business. We need to expand our facilities. Anchorage as the United States' most northern and second most westerly gateway should have an international reception center. Anchorage should be a free port.

It is not surprising that Voit Gilmore told the Greater Anchorage Chamber of Commerce:

> You have a tremendous opportunity here—the jet age and you are hand in hand.

And Director Gilmore is correct.

He added:

> You need a great, big flag flying at Anchorage. The free-port idea, I would hope would be on your priority list.

This is precisely what I had in mind on August 30, 1961, when I introduced for myself and my colleague [Mr. BARTLETT] legislation to speed the development of an Anchorage international reception center, for nowhere in America does the establishment of a free port similar to that operated at the airport at Shannon, Ireland, seem so reasonable and so possible.

Our Anchorage could be the prime display point of the many remarkable goods manufactured and produced in the 50 States of the Union. Our Shannon, if you will, could give foreign visitors a glimpse of and an opportunity to buy or order some of the many and varied products produced under the American system of free enterprise.

The potential is phenomenal.

Visualize a globe within which is housed a vast showcase of States, a promenade of beauty, an exhibition of genuine Americana.

This public building, administered by the General Services Administration would contain a display heretofore unequaled. It would be permanent. It would be viewed by every visitor entering the United States through the Alaskan gateway at Anchorage.

Mr. President, I am, therefore, having drafted a bill which would authorize the construction of such a structure so designed that it will help Anchorage, Alaska, and America walk arm in arm with the space age traveler. Such a building would have permanent value and could be utilized in even more specific ways when Alaska celebrates its centennial in 1967—the date marking 100 years Alaska has been a part of this great land. I introduced such a bill in the 87th Congress and my new bill will contain some variant on the former draft.

Mr. President, I also ask unanimous consent that the text of Mr. Gilmore's speech be reprinted in full at the close of my remarks, along with a news account of Mr. Gilmore's speech before the Greater Anchorage Chamber of Commerce.

There being no objection, the speech and article were ordered to be printed in the RECORD, as follows:

THE VISIT U.S.A. CAMPAIGN—MORE DOLLARS AND FRIENDS FOR ALASKA

(An address to the annual convention of the Alaska Travel Promotion Association, Cordova, Alaska, September 20, by Voit Gilmore, Director, U.S. Travel Service, U.S. Department of Commerce)

That wise American, Robert Frost, once remarked, "What makes a nation in the beginning is a good piece of geography."

Thank you for this opportunity to meet with you in such an important piece of U.S. geography, a part which in my opinion will increasingly be a major gateway for U.S. tourism. With our jet age reshaping the face of the travel world—opening fascinating areas such as Alaska to the insatiable appetite of millions of travel-hungry people—there is no doubt that you here face a travel explosion as great as any State or nation has ever known.

I share with you a great personal appreciation of the problems and opportunities before you. Not long ago, I was president of a southern counterpart of yours, the North Carolina Travel Council. Each year our State had been watching millions of travelers passing through to Florida or the Gulf Coast States, many of them with only a pause for gas and a quick bite. It was their own loss that they did not digress to see such wonders as the Great Smoky Mountains National Park or the Hatteras Seashore National Park, but it was our economic loss that all their tourist dollars went speeding through with them. We went to work and developed many techniques to slow them down and deflect them across our State. Dramatically, travel jumped from seventh to third place among North Carolina's income-producing industries. Now it produces upward of $400 million per year and is second only to the State's great tobacco and furniture industries.

It is impressive that Anchorage now ranks fourth in the Nation in the number of international passengers traveling through its airport, being surpassed only by New York, Miami, and Los Angeles. I have heard a great deal of your hope to slow down some of these rapid-transit travelers and let them, too, stay long enough to enjoy the wonders of Alaska and leave some tourist dollars behind.

In North Carolina, we found it desirable to work out package tours that included other States of the southern region, because travelers want to tour an area, not just one State. In the same way, I feel sure that you have been busy on package and independent tours which link Alaska not only to the Pacific Northwest but to international itineraries. In this way, the traveler himself and also the carrier or travel agent who sells him, are more inclined to fit in Alaska as part of a total tour.

Around the world there is a "revolution of rising mobility." This phenomenon of accelerated world travel has been brought on by many factors—improved standards of living everywhere, reduced travel costs, the time-and-distance telescoping power of the jet airplane, the desire of people for educationally broadening experience of meeting different people and the needs of businessmen who are engaged in international trade and investment.

Taken together, these factors have made international travel one of the most powerful forces in world affairs. Trade, travel, and investment abroad have become the cement which binds together the community of nations.

Travelers abroad build friendship and understanding. They learn that people everywhere share similar hopes and ambitions and often have the same frustrations and fears. Along with better international understanding, this "revolution in mobility" has given birth to powerful new economic forces.

Tourism is said to be the largest single item in international trade, amounting to $7.5 billion annually. As such, it is a major factor in balancing—sometimes unbalancing—national and international accounts. In 1962, for example, U.S. residents spent $2.5 billion in travel abroad. Balanced against these expenditures were our receipts from foreign visitors of slightly over $1 billion. This meant a deficit of about $1.4 billion in our travel accounts in 1962. Despite this "tourist dollar gap," the U.S. Government continues to approve the free movement of its citizens almost anywhere in the world, believing strongly in the principle of two-way travel and trade. At the same time, it has established the U.S. Travel Service to go abroad and promote tourism to the United States, an important step toward claiming our fair share of the vastly increasing world travel market.

The impact of tourism is indicated by the fact that more than 20 nations now have tourism as their principal source of income. More than 20 States of the United States now list tourism among the top 3 of their income producers. Tourism has now replaced pineapple and sugar as Hawaii's greatest source of income. Tourism is so important to Florida that the combined expenditures for travel promotion there exceed the $3.350 million annual budget of the U.S. Travel Service during 1963.

We know that tourist expenditures multiply in the economic bloodstream of a country or State to nourish its carriers, hotels, and motels, restaurants, sightseeing operations, travel agents, and the producers of many kinds of goods that travelers consume. Tourism is the one resource of the world that becomes richer the more it is mined. And the more people travel, the more they want to travel, and the broader they tend to range over the world.

Last month in Rome, the United Nations held the first International Conference on Travel and Tourism, a landmark in the recognition of tourism as a major factor in the economic, cultural, and social development of the world. The U.S. delegation, which I had the honor to head, emphasized that tourism is an international resource that should be held in trust by all nations as an instrument of world understanding and peace. We stressed the basic right to travel to which all men are entitled, and we urged governments everywhere to eliminate such restrictions to travel as political requirements, currency limitations, and departure or arrival taxes.

At Rome, we pointed out that the right to travel freely extends in Anglo-Saxon law at least back to the 13th century and the Magna Carta. This same right was reiterated in the United Nations Universal Declaration of Human Rights. For people of the United States, freedom to come and go has been assumed since our doors were first opened by America's pioneer travel agent, Mr. Christopher Columbus. Proof of our present-day mobility is the fact that 20 percent of all 188 million Americans change their residence every 5 years, and the United States now has enough automobiles for our entire population to be on the move at the same time. The largest single construction program in the history of the world, now more than one-third complete, is a further guarantee of our right to move—the $41 billion, 41,000-mile national system of superhighways.

In Rome we told the assembled 86 nations that to prove its belief in two-way travel, the United States is doing much to make itself a less expensive, more inviting, more rewarding destination for international travelers. Abroad, the U.S. Travel Service has an active "Visit U.S.A." campaign in 42 countries. These efforts are directed from nine USTS offices operated by multilingual travel professionals—in London, Paris, Frankfurt, Rome, Mexico City, Bogotá, Sao Paulo, Tokyo, and Sydney. USTS literature in eight languages, together with films, folders, and other materials from individual States and associations, tells our travel story.

To help assure that our welcome will be warm, we have, with unprecedented governmental cooperation, chopped redtape at our borders. Around the world, visas to visit the United States now can be obtained by mail. Visa fingerprint requirements have been eliminated. Oral customs declarations are now being accepted. Compare us with other countries. Once a visitor reaches our shores he can travel anywhere in the country without showing his visa or passport again. Visitors to the United States never have to register with the police. When they leave the country, no exit visa is required. At nine of our principal gateways, multilingual young ladies called port receptionists, greet the arriving visitor and speedily help him through frontier formalities.

Inside the United States we have an energetic "welcome visitor" campaign to reinforce our warm welcome. This campaign is designed to help visitors enjoy themselves, to get acquainted with our people, and to be motivated to return often and send their friends. USTS is working with the domestic travel industry, community groups, and private citizens on a coast-to-coast campaign called Company's Coming. We are working with public service establishments, for example, to provide multilingual personnel and to use signs and menus in other languages, and to be ready to exchange foreign currencies. Dozens of communities have established volunteer reception groups which invite international visitors out for a cup of coffee and a chance to see an American home. Alaska, take note.

Public service advertising, at no cost to the taxpayer, is carrying this "company's coming" message to the entire United States via television, radio and printed advertising. Such celebrities as Miss Helen Hayes, Mr. Bob Hope and Mr. Danny Kaye have donated their time to tell their fellow countrymen, "company's coming from abroad—let's welcome them. Friendly Americans will win America friends."

Following the successful example of dozens of other countries, Congress, in 1961, established the U.S. Travel Service to conduct a comprehensive travel promotion program abroad—encourage the development of tourist facilities and tours within the United States fashioned for foreign visitors—to foster and encourage low cost international transportation—to cut the red tape of international travel—and to collect and publish data that will assist and encourage international tourism. Obviously, this program contemplates close cooperation with private enterprise as well as State and local governments. To assure this, we have established a Travel Advisory Committee consisting of 36 travel, transportation and merchandising experts from the field of private enterprise, appointed annually to assist and advise the U.S. Travel Service. In addition, the Governor of each State has named a State liaison officer to work closely with USTS in travel promotion relationships. We are proud of the fact that your designee is Mr. Morris Ford, director of the Alaska Travel Division. Of all our State liaison officers, Morris is exemplary. Time and again he has shown the kind of enthusiasm, imagination and travel know-how which helps us understand how Alaska gets more mileage out of its travel advertising dollar than perhaps any other governmental unit in North America. Through Morris we feel a close relationship to Alaska and its travel opportunities and we have the incentive to work hard for you. We thank you and Governor Egan for letting him fill this important role with us. And we commend your wisdom in having a man of such ability and energy.

With the cooperation of the Alaska Travel Division, together with the Alaska Travel Promotion Association and various of your individual members, USTS is now distributing in 42 principal countries Alaska maps, folders, and other descriptive material which at last count totals more than 30 individual pieces. In addition, USTS literature itself tells the travel attractions of Alaska and you will see samples of these materials here today. Around the world, using our own officers plus U.S. embassies and consulates general, we want to serve as an Alaska show window. As you are able, please give us more traveling exhibits, more films, more literature (in different languages, if possible) and we can do an even better job of promoting Alaska. If you organize travel promotion missions, we will help schedule them and help them produce maximum results in whatever areas you wish to cover.

USTS research also is at your disposal. We are budget conscious as are you, and our continuing research shows how to hit the best markets with rifle rather than shotgun. For example, within recent months several of your State officials have visited our Tokyo office and we have set up a close relationship to advise you concerning the great Japanese travel market which we hope will be opening fully by 1964. Other research shows us that more than 50 percent of our international visitors use the New York city gateway, but that California—especially San Francisco and Disneyland—exert a strong pull on these visitors. We find that British, German, and Japanese visitors have an especially strong desire for wonders of nature and the out of doors. We find that the average holiday for international visitors in the U.S.A. is 17 days and that the average visitor spends $375 over and above the cost of his international transportation.

Seventy percent of the USTS budget goes into oversea advertising and sales promotion materials. An ad scheduled for principal Mexican newspapers this fall tells of a delightful trip through the West and to Alaska by a prominent Mexican physician. We announce our worldwide advertising schedule months in advance so that individual States and private organizations may, if they wish, synchronize their advertising and other promotional efforts with us.

Research tells us that fear of costs, fear of redtape, and fear of great distances are the three greatest obstacles to inbound U.S. travel.

Our advertising goes straight to these points: we tell of the dramatic new $100 fare for 15 days of unlimited travel on local service airlines, a feature which, of course, includes Alaska; we tell of the cordial welcome that awaits visitors both at our gateways and within the country, stressing that U.S. travel is both pleasant and rewarding; we point out the fact that modern transportation shrinks our distances and allows even a 17-day holiday to include all the United States, with a variety of climate, geography, and people that astonishes people from other continents. Our advertising stresses the fact that the people of the United States want their friends from other countries to come over for a visit; and then—in the best tradition of the free enterprise system—we leave it to individual companies to sell space on their plane or ship, or bus or train, to sell space in their hotel or motel, to sell their rental car, or to sell their particular service to the visitor. USTS carefully correlates its promotion efforts to the needs of various States and regions. For example, we push Florida travel for those months when Florida wants business, trying to steer visitors around "high season" when business isn't needed. In the same way, we want to dovetail our efforts with Alaska as to your business needs.

Abroad, USTS works chiefly at the "wholesale" travel level, maintaining close cooperation with travel agents and carriers. We have an up-to-date list available to you of more than 1,500 travel agents in more than 20 countries who have an interest in, and an ability to develop, "Visit U.S.A." travel. To them we will supply the latest information about Alaska tourism developments which you send to us at Washington. This information also will be broadcast through our advertising, our news releases, our newsletters in various languages, and by word of mouth at our never-ending series of travel agent seminars. In reverse, USTS representatives abroad distribute a list of those travel organizations in the United States interested in handling inbound international travel. As the "Visit U.S.A." program gains momentum, there is increasing interest in group and independent tours using various U.S. gateways. The fact is that the United States is the hottest item in the travel sales world today. The fact that the United States actually wants and encourages visitors itself is news and has generated interest abroad. The fact that we are backing this up with specifics about how to come, what to see, schedules, costs and full details is even more important to the business of converting travel desires into a travel sale. Consider USTS your travel salesmen abroad and use our services accordingly.

It's time to give you a figure or two to show how this translates into dollars and cents. In the first 6 months of 1963, oversea visitors to the United States increased 49.2 percent over the same period of 1961, which is when USTS began. Approximately 750,000 overseas visitors will visit the United States in 1963. This does not include Canadians or Mexicans, who are treated separately because border-crosser statistics tend to unbalance the totals. Expenditures in the United States by these 750,000 visitors, plus their fare payments to U.S. carriers, approaches the half-billion dollar mark. That's big business. True, it isn't big enough, because in the same period U.S. citizens traveling abroad will be spending about $1½ billion more. But the encouraging thing is that travel to the United States, up a dramatic 49.2 percent in just 2 years, shows a far greater percentage rise than U.S. travel abroad and for that matter it is a much greater percentage rise than international travel has shown to other destinations. USTS does not take singlehanded credit for such dramatic increases—rather, it points with pride to the fact that "Visit U.S.A.," and its accomplishments are the result of close cooperation among Government, States, cities and industry.

Most important of all, we have just begun to scratch the surface of our potential. Millions of people in dozens of countries are now enjoying the fruits of postwar economic recovery. They have a home and they have a car—now they want to see the world. In the nine major countries representing our greatest travel potential, more than 80 percent of those asked in a scientifically conducted poll said if time and distance were no problem, they would like most to see the United States. Thus we can become a reality for millions of new visitors. For a real switch, we can be the picturesque natives for people to photograph.

Alaska—with the magic that its very name imparts to people around the world—can be the gateway for untold numbers of these new visitors. Around the world we are finding so many thousands who want to see a live Indian or a live Eskimo that these alone could give Alaska travel a major blood transfusion. Add to these the thousands who would revel in Mount McKinley, Katmai, and

Glacier Bay. Throw in the thrill of your incredible waterways, paralleled by the Marine Highway which already has exceeded the fourth year projection of its travel volume. Tell of your great open spaces, the scenic wonders, your colossal bears and fighting salmon, and you impel the attention of millions who are wedged into cities and suburbs of the four corners of the earth.

Let's use the best U.S. sales imagination to do the job. Your Alaska exhibit at the Seattle World's Fair was excellent, especially its rendition of the Northern Lights. The estimated 80 million visitors to the New York World's Fair should all thrill to the even better Alaska story there. Let's take pages from the books of such other countries as Britain, Ireland, and Holland on how to attract Alaska stopoffs by people traveling in transit. Within your budget, and ours, we can cooperatively project the Alaska story around the world, backed up with the hard facts about getting here, costs and accommodations, and flavored with the excitement and romance of polar nights and arctic love.

Let's give "Visit U.S.A." and "Visit Alaska" our very best. They deserve it—and we cannot fail. Because we are selling the world's greatest product—the United States of America.

[From the Anchorage (Alaska) Daily Times, Sept. 20, 1963]

TRAVEL DIRECTOR PLEDGES AID FOR GATEWAY PLAN

Voit Gilmore, Director of the U.S. Travel Service, pledged the Greater Anchorage Chamber of Commerce board of directors today his office will do everything possible to channel foreign travelers to the United States through "the Alaska gateway."

Anchorage is in an extremely favorable position to benefit from the world tourism boom that is now underway and will be enhanced when the Japanese Government lifts its ban on Japanese travel abroad, he said.

"You have a tremendous opportunity here—the jet age and you are hand in hand," Gilmore said.

He told the chamber board and guests he favors the idea of an international reception center at Anchorage International Airport—which would tell foreign visitors at their first stop in the United States what there is to see in the Nation, give them some indication of what America is like.

"You need a great, big flag flying at Anchorage," he said.

Gilmore also suggested that Anchorage and Alaska might benefit from establishment of a free port here—where cigarettes, liquor, and Alaska products would be available to foreign visitors duty free.

"The free port idea, I would hope, would be on your priority list," he said.

He offered the chamber board some startling statistics concerning the flow of foreign visitors through Anchorage. In 1962, he said, 66,359 travelers entered the United States through Anchorage. This represented a 28-percent jump over 1961.

Gilmore said his office—created 2 years ago at the suggestion of bankers, travel firms, and airlines—has as an objective the promotion of foreign travel to the United States.

Americans do more traveling abroad than persons of other countries and this has gone far to create a deficit in the U.S. balance of payments, he said.

There have been recommendations that American travel abroad be curtailed or that a limit be placed on the amount of money they can spend abroad to change this picture, he said.

He said foreign tourist promotion must be promoted to offset American spending abroad—"to turn the tourist dollar around."

Tourism is the world's biggest industry, a $7.5 billion-a-year industry, he said. "Alaska has an enormous stake in this thing."

ORDER OF BUSINESS

Mr. SMATHERS. Mr. President, in view of the statement made previously by the able Senator from Georgia [Mr. RUSSELL] that prior to consideration of the Department of Agriculture appropriation bill he wanted a live quorum, I now suggest the absence of a quorum, and I ask that the attachés give notice to all Senators that it will be a live quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 173 Leg.]

Aiken
Allott
Anderson
Bartlett
Bayh
Beall
Bennett
Bible
Boggs
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cooper
Cotton
Curtis
Dirksen
Dominick
Douglas
Eastland
Edmondson
Ellender
Ervin
Fong
Fulbright
Goldwater
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Humphrey
Inouye
Javits
Johnston
Jordan, Idaho
Jordan, N.C.
Keating
Kennedy
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McClellan
McGovern
McIntyre
McNamara
Mechem
Miller
Monroney
Morse
Morton
Moss
Mundt
Muskie
Neuberger
Pastore
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Walters
Williams, Del.
Williams, N.J.
Yarborough
Young, N. Dak.

Mr. SMATHERS. I announce that the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Washington [Mr. JACKSON], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from Montana [Mr. METCALF], the Senator from Wisconsin [Mr. NELSON], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from California [Mr. ENGLE] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from Nebraska [Mr. HRUSKA] and the Senator from Pennsylvania [Mr. SCOTT] are absent on official business.

The Senator from California [Mr. KUCHEL] is necessarily absent.

The PRESIDING OFFICER. A quorum is present.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1964. .

Mr. SMATHERS. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

Mr. SMATHERS. Mr. President, I ask that my colleague, the distinguished senior Senator from Florida [Mr. HOLLAND], be recognized in his own right, to present the bill.

The PRESIDING OFFICER. The Chair recognizes the senior Senator from Florida.

Mr. HOLLAND. Mr. President, I am glad to discuss, rather briefly, considering the immense number of details in the bill, the provisions of H.R. 6754, the annual supply bill for the Department of Agriculture and related agencies. I shall make a statement concerning some of the programs financed in the bill.

Most people are aware of the importance of the activities of this Department to American agriculture and to the American farmers. Without minimizing this aspect of the Department's activities, it is important to emphasize that the programs of the Department of Agriculture also make significant and substantial contributions to all segments of our domestic economy—to consumers, to industry, to trade, and to the welfare of the general public. In addition to the domestic aspects of the Department's program, the Department also plays an important role in the foreign policies of this great Nation.

American agriculture has been and continues to be an outstanding success in terms of efficient production and in its contribution to the continuing growth of our economy. Our people eat well, and their diet takes a smaller share of the consumer's income than anywhere else in the world. But that efficiency makes it difficult to maintain and improve incomes for farm families so that they may participate with the rest of the Nation in rising standards of living that are associated with the American way of life. The proper use of our resources of food and fiber will continue to be a key factor in the economic future of our country.

It is not going too far to say that the immense productive capacity of our Nation is our "ace in the hole" in our dealings with the rest of the world, and that the productiveness of American agriculture is a marvel to most of the rest of the world. The people of other nations do not understand how a nation having a population approaching 190 million can continue to produce food and fiber for the use of its people and still have large supplies to pass on to other nations of the world, particularly to friendly nations. In particular, they do not understand how it is that we have been required to reduce our agricultural production by so many million acres in recent years, and still continue to have more than we need for our own consumption. America's agricultural productive capacity is one of the great marvels of the world at this time.

To meet the problems which still confront agriculture and the Nation and to prepare to deal with new problems that constantly arise in the complex world in which we live, adequate financing must be provided to carry out activities of the Department of Agriculture.

In recent years, the magnitude of the agricultural appropriation bill has increased greatly. In large part, this is due to the cost of the farm program, and to the foreign assistance programs, for which reimbursement appropriations are made each year.

In total, the bill before the Senate recommends appropriations of $6,046,738,340. This is a net increase of $67,281,340 over the bill as it came from the other body; and the bill as reported is $39,138,430 over the appropriations for 1963 and $322,016,660 under the estimates considered for fiscal year 1964.

REIMBURSEMENT APPROPRIATIONS

The large amounts carried in the bill under titles III and IV are to reimburse the Commodity Credit Corporation for program costs and realized losses. For realized losses incurred for price support and related farm program costs in fiscal 1962, $2,699,400,000 is provided. This is $100 million under the estimate and $199,400,000 over the House. These program costs have already been incurred and this appropriation is needed to restore the capital structure of the Commodity Credit Corporation.

Under title IV of the bill are financed the foreign aid and assistance program activities. The total amount carried in the bill for these purposes is $1,721,667,000. The legislative authorization for each of these programs provides that the cost of operations be financed from the Commodity Credit Corporation borrowing authorization, and that appropriations be made to reimburse the Corporation for all costs incurred. For the past 3 years Congress has been providing advance appropriations for the foreign assistance programs, and that is what is proposed in the pending measure.

The specific amounts recommended to the Senate for title IV—foreign assistance programs—are as follows:

Title I of Public Law 480—Sales for foreign currencies, $1,252 million.

Title II of Public Law 480—Emergency famine relief, $215,451,000.

Title IV of Public Law 480—Long-term supply contracts, $79 million.

Expenses of the International Wheat Agreement, $92,356,000.

Expenses for bartered materials for the supplemental stockpile, $82,860,000.

The committee has reduced the amount under the budget estimate for advance reimbursement appropriations for title I of Public Law 480 by $200 million and has provided the amounts in budget estimates for the other items, making a total reduction of $167,377,000 under the House bill for these items.

The reason for our reduction is that we have noted from prior years' operations that there is always a considerable carryover. This year there is a considerable carryover, and we feel that the amount which we are providing for title I activity—that is, for sales for foreign currencies—will prove to be adequate. If that does not prove to be the case, a supplemental bill will be introduced shortly after the first of the year.

REGULAR DEPARTMENTAL ACTIVITIES

The funds required for regular activities and credit agency programs of the Department are carried in titles I and II of the bill. The committee recommends a total appropriation of $1,618,461,340 for these several items of appropriations. This is an increase of $34,998,340 over the bill as it came from the other body, but is $22,016,660 under the budget estimates.

The committee has included a number of increases over 1963 for increased activities of the Department on a fiscal year basis—and in the committee report directs the Department to withhold from use in 1964 that portion of such increased activities applicable to the period July 1, 1963, to the date of enactment of the 1964 Appropriation Act.

To describe that situation further, the Senate is aware that almost all of the agencies of the Government have been proceeding under the resolutions which have taken the place of the regular appropriation bills. The agricultural appropriation bill provides a number of increases on the basis of a full fiscal year. The committee has directed the Department to withhold from use in this fiscal year that portion of such increased activities applicable from July 1 to the date of enactment of this bill.

Mr. JORDAN of North Carolina. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. JORDAN of North Carolina. If 3 or 4 months of appropriations are taken care of by the resolutions, the amounts will be proportionately deducted or changed for the respective programs or agencies.

Mr. HOLLAND. This provision will apply only to appropriations for increased activities and does not apply to amounts in continuing resolutions already available for 1963.

Mr. JORDAN of North Carolina. I appreciate that statement. That was my understanding. I want to make it clear.

Mr. HOLLAND. The Senator from North Carolina is completely clear. I am glad he makes the point additionally clear.

The committee felt that the long lapse of time between the beginning of the present fiscal year and the beginning of some of the new programs or the expansion of old programs was so great that unless that lapse of time were taken into account, we could very properly be charged with both oversight and extravagance in some cases.

Mr. JORDAN of North Carolina. In addition, there would be a saving of millions of dollars in the appropriations that would not be needed and would not have to be used.

Mr. HOLLAND. The Senator is correct. At any rate, Congress will do its part in dealing with a troublesome matter of this kind if it includes a provision of the type I have indicated. I thank the Senator from North Carolina.

The subject of pay costs involves one of the principal points of difference between our version of the bill and the House version. So I hope Senators will consider it carefully.

I note that the senior Senator from North Dakota [Mr. YOUNG] is in the Chamber; and I wish to say that in connection with all of these technical matters there has been the fullest discussion between the minority and the majority; and as between the two sides of the aisle, I believe there is no difference at all in point of view or in approach in connection with this matter.

In fact, as I recall, the motion was made by the distinguished senior Senator from South Dakota [Mr. MUNDT], and was unanimously agreed to by the committee.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield to the distinguished Senator from North Dakota.

Mr. YOUNG of North Dakota. Mr. President, I believe that no other bill involves less partisan politics than this one. We have studied it carefully; and every possible avenue of savings has been carefully considered. I believe the committee has, on the whole, done a good job.

Mr. HOLLAND. I thank the Senator for that comment. I agree completely with him. I wish to state, for the RECORD, that the distinguished Senator from North Dakota was present throughout the hearings; he attended them religiously, as did the chairman of the subcommittee; and I am extremely indebted to the Senator for his faithful attendance and for his careful consideration of all these problems. I agree with his statement that neither in the subcommittee nor in the full committee was there the slightest partisan difference of opinion in connection with consideration of the bill.

PAY COSTS

Mr. President, the House committee report proposed the absorption from zero to 40 percent in mandatory pay costs in the various appropriation items throughout the bill. These increases for pay costs are a result of the pay legislation enacted a year ago which provided for two increments of increase. The first increment was effective October 1, 1962, and the second increment is effective January 1, 1964. So the Senate committee, in acting upon this matter, has in large measure restored the proposed amounts required for the second increment of the pay costs

In other instances, program increases described in the House committee report were, in part, negated by the proposed reductions necessary to absorb the mandatory pay costs. The Department had absorbed 41 percent of the increased pay costs in the fiscal year 1963. Again, I call attention to the fact that it was not necessary to absorb a full year's pay cost last year, because the pay bill first became effective in October. For fiscal year 1964, the increased pay costs are estimated at $41,912,189. The Department absorbed an estimated $8,249,194, and requested appropriations for pay costs totaling $33,662,995, of which $26,651,160 was provided in the House version of the bill. The committee has voted to restore House reductions totaling $7 million, in several appropriation items throughout the bill.

Mr. President, we felt that this was in complete fairness to the agencies; and that since we had voted these pay costs, and since, by our action this additional increment was to fall on the agencies this year, therefore, to completely overlook that fact and to require as great an absorption of that increase as the version of the bill which came to us from the other body required, would be unrealistic and unfair to many of the programs which these agencies are required to administer.

PAYMENTS FOR EXTENSION AND COOPERATIVE STATE EXPERIMENT STATIONS

The bill carries an appropriation of $70 million for payments to States and to Puerto Rico for extension work. This amount represents an increase of $6,410,000 over the 1963 appropriation. The committee has voted to provide this increase, so as to make available through the calendar year 1964 the Federal share of the cost of the pay increases under the general pay legislation enacted by the last Congress—for which one increment of increase was effective last October, and the second increment will be effective next January.

In other words, in considering this joint program of extension work—partly paid for by the Federal Government and partly paid for by the States and the counties—the committee felt that the Federal part of the increases required in order to cover the pay costs that would accrue within this period should certainly be provided in this bill; and that is what we have proposed.

Mr. JORDAN of North Carolina. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield.

Mr. JORDAN of North Carolina. That point was discussed a great deal by all of the agencies of all of the States that have any agricultural programs at all. They could not possibly have met the situation unless this provision had been made, because—as the Senator from Florida pointed out a short time ago—Congress put the pay increases into effect, and there was nothing they could do about it. So I do not see how we could afford not to provide the money that is required by the action we took. That is exactly what your committee has done. Is that not correct?

Mr. HOLLAND. That is correct. We voted to provide the Federal part of the pay costs in connection with the important Extension Services—that is to say, for the county agents, the home demonstration workers and, of course, the workers on the higher levels in each State. We believe it is only fair and just that we do provide that part of the State costs under a pay increase program which we had voted.

Mr. JORDAN of North Carolina. I thank the Senator from Florida for his comment.

Mr. HOLLAND. I thank the Senator from North Carolina.

Mr. President, for the payments to States for cooperative research under the Federal grant program, the bill carries $42,883,000. This is an increase of $3,500,000 over the 1963 appropriation of funds distributed under the regular formula; and, in addition, $1 million is provided to initiate a program of grants for cooperative forestry research, as authorized by Public Law 87-788, approved October 10, 1962. This amount is the same as that requested in the estimate and voted by the House.

As in the case of Extension Service workers, the increase over the 1963 appropriation is recommended for the purpose of providing the Federal share under the pay legislation for cooperative State experiment station workers for the full calendar year 1964.

Mr. President, it is quite clear why the same philosophy that the distinguished Senator from North Carolina [Mr. JORDAN] has just now said is applicable to workers in the extension service also applies to workers in the joint Federal-State experimental station, because they are employed under the joint auspices, and are paid in part with funds coming from the Federal Government, and in part by funds appropriated by the States. So we have voted to include an amount adequate to cover the Federal share of that pay increase, which was voted for cooperative State experimental station work.

AGRICULTURAL RESEARCH SERVICE

The Agricultural Reserch Service is responsible for the coordination of research within the Department of Agriculture, and administers the largest research program of the Department. It conducts a wide range of research dealing with production, nutrition, consumer use research, utilization research and development, and is responsible for the administration of oversea research financed under sections 104(a) and 104(k) of Public Law 480. It also conducts a wide variety of cooperative regulatory programs dealing with plant and animal disease and pest control, and administers the meat inspection program.

The total appropriations recommended for these activities is $189,259,450, a net increase of $10,399,700 over the 1963 appropriations and a net increase over the House of $7,671,450.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield to the Senator from Nebraska.

Mr. CURTIS. I commend the Senator for his diligence in handling the bill this year as in past years and his wide interest in the subject of agriculture and in agricultural research.

Mr. HOLLAND. I thank the Senator.

Mr. CURTIS. I wish to call to the attention of the Senator the remarks of my colleague [Mr. HRUSKA] as shown on page 883 of the Senate committee hearings, and also the language contained in the House committee report. I wish to ask the following question: Does the Senator understand that the bill would appropriate funds for the continued operation of the Scottsbluff, Nebr., experiment station at the current level through the present fiscal year?

Mr. HOLLAND. The bill very definitely does cover such funds. The Senator will find that item covered specifically in the report of the House committee; and the amount is retained by the Senate committee.

Mr. CURTIS. It is the intention of the Senator to ask this body to concur in what the House provided?

Mr. HOLLAND. It is the intention of our committee to recommend concurrence. I know of no move whatever to refuse concurrence. The program is a very fine one, and one which our committee wishes to continue. We wish to uphold the arm of the House in providing funds for its continuance.

Mr. CURTIS. I thank the Senator very much.

Mr. HOLLAND. I thank the Senator for his comment.

For research programs conducted by the Agricultural Research Service the committee provides $91,811,700 by direct appropriation. This is an increase of $1,257,700 over the estimate and $2,633,330 under the amount proposed in the House bill.

The House bill consolidated the marketing research budget estimates and appropriations totaling $6,550,000 under the Agricultural Research Service.

The consolidation proposed in the House bill included the regular marketing research program, for which $4,950,000 was appropriated in 1963 under "marketing research and service," Agricultural Marketing Service, and $1,600,000 carried in the budget estimate, 1964, under the head "construction of facilities." The House committee had approved $400,000 of $1,600,000 proposed for a national peanut marketing facility and allocated the remaining $1,200,000 to various production and related research activities. The Department appealed the proposed action by the House, and the committee has restored these amounts totaling $6,550,000 to the Agricultural Marketing Service.

In other words, the committee does not agree with the change in organization and administration proposed by the House committee, but the committee upheld the appeal of the Department and restored the funds to the Agricultural Marketing Service which had been transferred by House action, or by the provisions of the House bill to the Agricultural Research Service.

The committee has also approved as a part of the appropriation to the Agricultural Marketing Service, "marketing research and service," the full budget estimate of $1,600,000 to construct the Peanut Marketing Research Laboratory. In order to allay the fears of those who have in the past opposed the appropriation for this laboratory, the committee inserted a provision in the bill and in the committee report which provides—and the quoted words appear both in the bill and in the report—

> That research investigations undertaken at the National Peanut Quality Evaluation Laboratory must be truly national in scope and must give equivalent treatment to the different types of peanuts produced and marketed in the major peanut-producing areas.

We believe that provision makes very clear that the new peanut laboratory will be a national institution, and must take into consideration national needs. It must give equal consideration, and treatment to those segments of the peanut-producing industry which are found in various States, which in many instances produce different types of peanuts, and which have different conditions with which to deal.

RESEARCH COORDINATION

The committee shares the view of the House committee that research should be well coordinated—not only among agencies within the Department, but also between the Department and the State agricultural experiment stations. The committee report, beginning on page 4, deals in general terms with the future needs of the agricultural research program, including the need to define research activities uniformly and to establish and maintain a standard system of research classification for programs conducted by Federal and State agencies.

I am sure that Senators are familiar with the fact that there have been charges—sometimes substantiated in whole or in part—that there has been unnecessary duplication, and therefore unnecessary loss of time and expense, in connection with certain research projects. The committee feels that that should not be allowed to continue. We would hope to find that the Department itself had already initiated the effort to deal with that problem. We wish to call attention to that fact without any question whatever, and to show our approval of that procedure.

Mr. President, in view of the general interest evidenced by members in agricultural research, I request that the committee report on pages 4, 5, and the first paragraph on page 6 be printed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

THE AGRICULTURAL RESEARCH PROGRAM

The program of agricultural research has developed over the past 100 years. It is a partnership arrangement of Federal, State, and industry research covering a wide range of research programs, including production, nutrition, new and improved uses for agricultural commodities, economic research, entomology, soil and water conservation, and related research investigations. The success of this long-term joint research effort has made our agricultural technology preeminent in the world today. Under this nationally oriented and centrally directed and coordinated research program, the Department works in close harmony with the States to meet present and future research needs essential to the maintenance of a healthy and vigorous agricultural industry. Within this bill are carried the appropriations for the various research program activities of the Department and for the payments to State agricultural experiment stations.

Within the Department, there is assigned to the Administrator of the Agricultural Research Service the responsibility for coordinating the research programs of the Department. The Research Administrator utilizes a research council, comprised of key research agency officials, to assist him in discharging his assigned responsibilities for research coordination. Research project proposals are submitted by the appropriate agency for approval of the research coordinator. Since it was established in 1948, the central project office has served as the coordination center for project clearance and control for the various research agencies within the Department. This system of coordination appears to function adequately, but there is a continuing need for improvement, in clarifying the research objectives among research agencies and for improving the coordination and correlation of research program activities within the Department.

The national agricultural research program needs to be strengthened to meet the future needs of agriculture and of our growing population. Better means must be found for controlling diseases and coping with insect pests. Deficiencies in our knowledge of human nutrition have become apparent and are in need of accelerated research investigation. Much greater emphasis needs to be put upon developing new uses for commodities and for the development of substitute crops. Many soil and water research problems remain unsolved. More emphasis needs to be placed upon the marketing, storage, and handling of agricultural commodities as they move from the producer into consumer hands. Accelerated research in these and other areas will produce the answers which are needed to improve the efficiency of agricultural production, and to develop new uses for surplus crops, as well as to provide new processing methods and product development opportunities for all agricultural commodities.

Specifically, the committee believes that every effort should be made by the Agricultural Research Service, in collaboration with the land-grant colleges, to strengthen the systematic and continuous review of the research programs, including project reviews, to make certain that worthwhile projects are undertaken and that current project investigations are phased out upon completion or discontinued when they show no useful results. It is evident that there is further need to refine the classification of research programs as between Federal and State programs in order that there be a similar classification of the subject-matter fields of research between Federal and State programs for more accurate reporting of the scope of research by types and the expenditures by major classifications. A better and more consistent classification of research activity should also result in more efficient use of personnel and research facilities, and in the orderly redirection of research activity.

The Federal effort is devoted primarily to research problems of national and regional nature, with the State programs concentrating upon instrastate, and some regional projects. The Federal Department's research activity embodies 273 different locations and the States have a total of 421 locations. At many of these locations, both Federal and State employees are working together in joint endeavor. Many of the Federal, and undoubtedly some of the State, facilities are inadequate or outmoded to serve present and future research requirements. The committee believes that the modernization and expansion of research facilities are of importance and should proceed in an orderly and systematic fashion. Most research programs are of long-term duration, and it is usually more efficient and less costly to provide adequate central facilities where a concerted program can be undertaken than to dispense funds to a number of locations with resultant inefficiency and lack of proper coordination. In recent years, the Congress has provided the funds for new or modernized research facilities to intensify research in entomology, soil and water conservation, livestock, poultry diseases, and for other purposes. Additional facilities are urgently needed to strengthen these and other programs to carry forward the long-term agricultural research program activities.

The committee believes that a modest expansion of research contracts and grants should be undertaken as a supplement to the existing research programs carried out by the Department and by the State experiment stations. Contracts and grants should be limited to specific needs of a short-term nature where such contracts can be undertaken by qualified organizations or agencies without setting into motion a further competition for the limited supply of qualified scientists, such as has already occurred in other Government research program activities.

The committee requests each research agency of the Department to provide it with a résumé on research contracts or grants entered into beginning with fiscal year 1964. This summary shall set forth the following: Name and location of contractor or grantee; term and cost of contract or grant; demonstrated research capability of contractor or grantee; extent of present research staff and salaries paid; expenditures for and source of any additional research specialists required to conduct the contract or grant, including the annual salaries proposed for such personnel; the requirements in the contract for progress reporting by the contractor and provision made for a final report on research results; the estimated cost to the agency and to the contractor for administrative and technical support costs; requirements in the contract for disposition of facilities or equipment purchased by the contractor in order to perform the contract; together with related pertinent information.

The committee is concerned about the portion of research funds used for administrative and program support costs. These costs should be held to the minimum consistent with efficient research management. The committee requests the Secretary of Agriculture to obtain information on the administrative and program support costs in the Department of Agriculture and in the land-grant colleges and universities and the State agricultural experiment stations. He is requested to report on his findings on such costs, including research conducted by contracts and grants, to the committee by next January 31. The Secretary is also requested to report upon the impact that pending legislative authorizations for accelerated soil and water research may have upon the existing research programs of the Department and the State agricultural experiment stations.

Mr. HOLLAND. Mr. President, the committee is advised by the Department that responsibility for research coordination within the Department of Agriculture has already been assigned to the Administrator of the Agricultural Research Service. As stated in our committee report on pages 6 and 7—

Under departmental administrative regulations (ch. 2, sec. 3, subsec. 115), the Administrator of the Agricultural Research Service is currently assigned the function of research coordination for all research agencies within the Department. This coordination responsibility includes the examination and analysis of proposed, and ongoing research, the review and approval of projects or proposals prior to their initiation, together with providing advice and in consulting with heads of Department research agencies on program planning. He also has the responsibility to report upon research and to make recommendations to the Secretary on departmental research programs.

The committee believes that greater emphasis should be given to the coordination of specific commodity research programs. For example, all research dealing with the effect of machines upon cotton fiber should be better coordinated and the results of independent research investigations by project workers at different locations should be better correlated. The Department has advised the committee that it has undertaken a review of closely allied research activities and will report on its findings and make its recommendations to the respective Committees on Appropriations.

Our committee had come to the conclusion that this step was necessary, but we were happy to learn that the Department had already undertaken a review of the need for closer correlation and coordination of its research investigations within and among the respective research programs. Our recommendation goes further, and would require not only improved coordination of programs within the Department itself, but also includes activities carried on in cooperation with the Federal-State experiment stations, so that any duplication and undue expense could be avoided.

The committee has included in the bill increases for several research projects totaling $2,456,200 as listed on pages 7 and 8 of the committee report. It has provided $1,445,000 as proposed in the budget request for the staffing of new research laboratories—an increase of $245,000 over the House bill—and recommends $177,500 for accelerating watershed hydrology research, as proposed in the budget request, but denied by the House.

UTILIZATION RESEARCH AND DEVELOPMENT

As the bill came from the House there was a provision included to transfer up to $5 million of Commodity Credit Corporation funds to conduct research on the cost of production of surplus crops—primarily cotton, and other surplus commodities.

Mr. President, this is one of the very distinctive changes in the bill we recommend, from the approach taken by the House: In lieu of the House proposal the committee recommends that not to exceed $35 million be made available from Commodity Credit Corporation funds primarily for the expansion of utilization research and development, for which a detailed program was transmitted to the Congress by the Secretary of Agriculture pursuant to Senate Resolution 415 of the 87th Congress, 2d session. This report has been printed as Senate Document No. 34, and the body of the report outlines and highlights the research program contemplated under the action taken by the committee.

I could not fail at this stage to give credit to the Senator from Georgia [Mr. Russell], the Senator from North Dakota [Mr. Young], and the Senator from South Dakota [Mr. Mundt] for their great interest in this subject. This item was placed in the bill last year by the committee. The Senate will recall the difficulties which confronted it in conference. This year we have had the benefit of the able and detailed report transmitted by the Secretary of Agriculture pursuant to our resolution of the 87th Congress. That report has been printed in the past few days on motion made by the Senator from Georgia [Mr. Russell] and approved by the Senate, as Senate Document No. 34.

The Senate committee amendment also provides for acceleration of research to reduce the cost of production on cotton and other surplus commodities, as contemplated by the Department under the House provision.

For the information of the Senate, I request, Mr. President, that the statement from the Senate committee report on pages 9 to 11—under the heading "utilization research and development"—be included in the Record at this point.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Utilization Research and Development

The committee has included a provision in the bill to authorize the use of Commodity Credit Corporation funds to institute an expanded research program of utilization research and development. The action by the committee is designed to carry out the strengthening of utilization research as outlined in the report to the Congress on utilization research and development in response to Senate Resolution 415, 87th Congress, 2d session, and also to carry out intensive research to decrease the cost of production of surplus crops.

The productive capacity of American agriculture has placed us agriculturally at the forefront of the nations of the world. But our successes in agricultural production are offset in substantial measure by our inability to use profitably a sizable fraction of what we produce, requiring much of our agricultural production to be channeled into Government storage or disposal abroad at a cost to the Nation of billions of dollars each year. It is increasingly evident that we need most urgently, practical means for expanding our capacity to utilize farm commodities. It is also evident that to accomplish this we need to intensify our research to find and develop new and expanded uses and markets for these surplus commodities.

For more than 20 years, the Agricultural Research Service has been conducting a program of utilization research and development to find new food, feed, and industrial uses for surplus farm products. Utilization research contributes to alleviation of surpluses, to increasing farm income, to the establishment of rural industries, and to the variety and utility of products available to the consumer. It devises new, less costly, more attractive, and more nutritious foods; it seeks significant new industrial uses; it shields the farmers' existing outlets in industry against invasion by synthetics; it is directed to expansion of all farm markets, foreign and domestic. Utilization research is contributing to the solution of three other major problems confronting American agriculture today: the problem of underconsumption; the problem of conservation and resource use; the problem of opportunities for farm and rural people.

This research, though limited, has been very successful in providing additional markets for commodities that otherwise would have further contributed to the expensive Government storage and disposal programs. In fact, according to statements by departmental officials, the benefits to the Nation's economy in recent years have amounted to $25 for each dollar spent on utilization research.

Utilization research has made lasting impressions on our economy and the way we live. For example, improved processing technology made soybeans a major source of oil for food and industrial uses and of protein for expanding the Nation's livestock and poultry industries. Wash-and-wear cottons halted the inroads by synthetic fibers on cotton markets. Tallows and greases that lost their traditional markets in soap were made into plastics and feeds. Frozen orange juice concentrate and instant potatoes revolutionized the processing and distribution of these foods. There have also been many less tangible benefits from utilization research, such as the large-scale commercialization of penicillin; the development of dextran as a blood plasma extender; and the development of a process—if we ever need it—of removing radioactive strontium 90 from milk.

The committee believes that the present level of utilization research is inadequate to provide, as promptly as needed, the means for the practical alleviation of our surplus problems. It also believes that the achievements of utilization research in the past forecast the promise that intensification of this research holds for the future. It was for these reasons that the Senate asked the Department of Agriculture last year, in Senate Resolution 415, "to submit to the Director of the Budget and to the Congress * * * the most effective program available for research to discover new uses for agricultural commodities; and * * * to limit this program to items costing not in excess of $35 million per annum above current allowances for 1963 for utilization research to discover new uses for agricultural commodities." This report has been received. It proposes to expand utilization research in various ways. Utilization research would be increased at once across a broad front. Since there is very limited room for expansion in the Department's present facilities, approximately half of the new funds in the first 2 years would be used to collaborate with universities and other public and private institutions through contracts, grants, and cooperative arrangements. This would both intensify the research effort and broaden the base of participation in this vitally important field of agricultural research.

Nearly half of the increase in the first 2 years would be used to construct and enlarge urgently needed facilities. As the proposed construction is completed, research in the Department's facilities would be increased from approximately $21 to $44 million a year. Work outside the Department would be increased from about $3 to $15 million a year. The first year's increase would be devoted to nearly 200 different projects. Special emphasis would be placed on cereals, cotton, and animal products. Substantial increases would be allotted to work on wool, oilseeds, fruits and vegetables, tobacco, sugar, naval stores, and new replacement crops. In subsequent years, additional opportunities for developing expanded markets for these and other commodities would be exploited.

The committee believes that the Department's proposal for increasing its utilization research effort is realistic and reasonable. It believes that the detailed research plans presented in the Department's report have excellent potential and promise for prompt culmination in developments that will provide substantial economic markets for major surpluses. The committee recommends that the increased funds for utilization research and development be allocated with considerable discretion by the Secretary of Agriculture for the purpose of conducting utilization research essentially as proposed in the Department's report in response to Senate Resolution 415, including the construction and staffing of research facilities, agreements, and contracts with private organizations and firms, and such other steps as may be necessary to carry out a generally accelerated research program. In carrying forward its utilization research program appropriate consideration should be given to research investigations on grapes and grape products, including wine.

Mr. HOLLAND. It is the judgment of the members of the subcommittee, which has been expressed over a period of several years—and it has been the judgment of the legislative committee which deals with agriculture, as well as the judgment of many other Senators—that the research program for developing better uses of farm products is lagging, and that one of the answers to our surplus problems lies in this field. I call attention to this not only because it is important in terms of money, since it involves $35 million, as recommended for this year—much of which would not be for recurring items—but particularly because I believe if the Senate committee's efforts are approved by the Senate itself and then the Senate succeeds in that effort, we shall have launched a program of far-reaching importance. I believe it will go a long way toward helping to solve troubling surplus problems.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the distinguished Senator from North Dakota.

Mr. YOUNG of North Dakota. The Senator from Florida has appropriately called to the attention of the Senate the fact that this appropriation of $35 million is a considerable amount of money, but it is small in comparison to the huge amounts of money involved in the surpluses the Federal Government is carrying.

Researchers who have gone into this subject believe that many new uses can be found for our surplus products. If this can be done, the $35 million will be well spent.

The Senator will recall that 4 or 5 years ago the Senate passed an open-end authorization bill to greatly increase this type of research. The bill as introduced called for a $100 million authorization, but as it was finally approved it was an open-end authorization. That is an indication of the great interest which has existed for years on this side of the Congress in this type of research.

Mr. HOLLAND. I remember that well. I thank the Senator for recalling it to my mind. The Senate has for a long time felt, as our committee has felt, that this is a field we have neglected too long, which may offer the keys we need to solve some of our surplus problems.

I thank the Senator from North Dakota.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Kentucky.

Mr. COOPER. I am fully in accord with the purposes of the amendment and also the increase in the amount which the committee has recommended for utilization research—to find new uses for our agricultural products and particularly those in surplus. I note in the report of the committee, in connection with the amendment, the following statement on page 10:

> Substantial increases would be allotted to work on wool, oilseeds, fruits and vegetables, tobacco, sugar, naval stores, and new replacement crops.

I note also that the appropriation could be used for the construction of needed facilities. The question I raise is directed to the possible use of the funds for tobacco research facilities.

As the Senator from Florida knows, a National Tobacco Laboratory was established at the University of Kentucky in 1960, and appropriations have been made for 3 years in support of the laboratory. I point out—only in aid—for the State of Kentucky provided more than $1 million to initiate this National Tobacco Laboratory.

There has been some speculation that another laboratory duplicating this facility might be constructed, from appropriated funds. When the amendment was considered—since it embraces funds for construction as well as utilization research—was it contemplated that an additional facility might be constructed for tobacco research?

Mr. HOLLAND. As I understood the report of the Secretary of Agriculture and his plan for the use of this fund, if it is made available, it would not include an additional facility in that particular field.

I will expand upon what I said a moment ago, to the effect that much of this appropriation is nonrecurring, by saying that about half of the appropriations for this year, and also for the second year, would have to be used in construction of facilities, but would not recur in later years. It is not my understanding that additional tobacco research institutions would be set up for this program. It is my understanding that the tobacco station which the Senator mentioned, and which is located, very appropriately, in his own State—and his own efforts are to be in part credited for that fact—is serving well and doing a fine job. If there were to be further need for tobacco research, that need could be brought out by reports of the Secretary of Agriculture.

The document itself, if the Senator has it before him, contains, on the preface page which is termed "Highlights," this statement:

> Using nearly half of the increase in the first 2 years to provide new laboratory space for utilization research throughout the country.
>
> This would include, in the first year, a new regional laboratory in the Southeast ($9.5 million) and in addition to the Northern Laboratory at Peoria, Ill. ($8 million). In the second year, $15 million would be used to build additions to the Western (Albany, Calif.), Southern (New Orleans, La.), and Eastern (Wyndmoor, Pa.) Laboratories, and to renovate and expand facilities at field stations in Pasadena, Calif., Olustee, Fla., and Weslaco, Tex.

The one which mentions my own State has to do wholly with naval stores. I believe it is the only such station in the Nation. A small expansion of that station is contemplated, along with other major expansions of other stations mentioned in the paragraph which I quoted.

Mr. COOPER. I thank the Senator. As I said, I support the efforts of the committee to provide increased funds for utilization research.

Mr. HOLLAND. Let me break into the Senator's statement to say that since the amendment in the bill before the House on this subject provided for production research also, we made the wording in our version of the bill cover not only the objectives that were stated in the report transmitted by the Secretary of Agriculture, but also to include research on production costs and the like.

One of the most notable examples of what can be done by utilization research has occurred in an industry in my own State, namely, in the field of citrus concentrate. There was a time some years ago when we thought a few boxes over 40 million boxes of citrus fruit constituted a surplus which baffled our ideas as to how they would be consumed. As the Senator knows, prior to the freeze last December, our production had reached the stage where we were producing more than 150 million boxes a year. The principal reason why that all year-round and world-round distribution was made possible was the perfection of citrus concentrate methods which were developed in the course of utilization research, first in the Federal agencies, and later perfected in the State agencies. The patents were promptly conveyed to the U.S. Department of Agriculture as public-use patents so they could be used in Texas, California, or wherever else citrus fruit was produced.

I think there is no better illustration of what comes through research in the field of utilization than that illustration, which has brought a greater measure of use and a fuller utilization of the particular crop than would have been possible up to now through the handling of the fresh crop or through canned products.

PLANT AND ANIMAL DISEASE AND PEST CONTROL ACTIVITIES

The committee recommends an appropriation of $66,821,500 for the appropriation item "Plant and Animal Disease and Pest Control." This is $7,316,520 plus over 1963 and $7,316,500 over the House bill. Under this appropriation, funds are provided for plant and animal quarantine, and a number of regulatory programs affecting insects and animal disease and quarantine activities.

The principal changes from the House bill are the inclusion of $2,750,000 for a continuation of the screwworm eradication program in the Southwest, which was inadvertently omitted by the House.

On that point may I say that I, as chairman of the subcommittee, received from my counterpart, the chairman of the same subcommittee in the House, a letter stating that in the drafting of the bill this item, which had been approved by the committee, was inadvertently omitted, and asking that we place it in the bill. As a result of our hearings and our strong approval of that item and that letter, the item was placed in the bill.

This program was initiated in fiscal 1962, and the 1963 funds, amounting to $2,750,000, were carried in the Supplemental Appropriation Act, 1962, but available during fiscal 1963. Cost sharing is required under this program for the expenses of production, irradiation, and release of the screwworm flies. The release of these sterilized screwworm flies in the eradication program in the Southwest follows the same general techniques employed in the eradication program which proved to be so highly effective in Florida and the Southeast some years ago.

The committee recommends $4,109,200 for the cooperative program on hog cholera eradication. This is an increase of $2 million over 1963 and $1,259,980 over the House bill. This is a new cooperative cost-matching program, and the committee believes the full Federal share should be provided.

The committee was advised that several States had met their required contributions in full through actions by their respective legislative bodies, and the funds provided in the Senate version of the bill represent matching of the funds already provided by the States in question.

The committee recommends $1 million increases in each of the cooperative eradication programs on the imported fire ant, and on sheep scabies.

As to the imported fire ants, I am glad to say, where lovers of wildlife can read it, that a compound has now been discovered which is effective in doing away with this very dangerous pest, which was imported into our country and had spread through several States before an effective effort to eradicate it began. By the way, the new chemical is named Mirex, and it is being used without any dangerous or deleterious effect on wildlife, as well as on livestock, poultry, and the like, which in some instances had suffered destruction by the use of earlier chemicals.

With reference to the sheep scabies item, I shall await comments from the Senators whose areas are affected, particularly the Senator from South Dakota, who has been very active in this matter. In general, I can only say that several States in this program are putting up their own funds, in some instances outstripping to a great extent the Federal effort in the eradication of this dangerous and destructive disease. They are now confronted with a situation under which some of the neighboring States have not done so, and they are, therefore, being subjected to constant reinfestation. The reason for the $1 million increase in the bill is to allow the other States to join, in areas where other States have completed the eradication program, so that they may complete their programs and round out the regions that are now free from the disease.

SOIL CONSERVATION PROGRAMS

The bill carries $204,297,000 for programs administered by the Soil Conservation Service. This is an increase of $11,265,750 over funds appropriated for 1963, and $3,936,000 over the House bill.

The committee recommends an appropriation of $215 million to finance the 1963 agricultural conservation program, authorized last year and recommends an advance authorization of $250 million for the 1964 program. This is the same amount of authorization as that proposed in the House bill, and is $100 million over the budget estimate.

AGRICULTURAL MARKETING AND DISTRIBUTION PROGRAMS

For the marketing research, market news, inspection, and marketing service activities administered by the Agricultural Marketing Service, the bill carries $44,514,100, an increase of $3,616,930 over 1963, and $7,453,100 over the House bill.

The principal increase over the House results from the restoration to this agency of $6,550,000 as carried in the estimates, and transferred by the House to the Agricultural Research Service.

I have already mentioned this particular transfer in the discussion in that part of my statement which relates to the Agricultural Research Service.

The committee amendment restores to the bill the text of language necessary to provide for marketing research and the construction of the peanut research facility previously referred to.

For the national school lunch program, the full budget estimate of $137 million is provided. This is the amount carried in the House bill and is $12 million over the 1963 appropriation. The increased amount is available for distribution to the States pursuant to the revised school lunch formula. In addition, $45 million of section 32 funds are provided for purchase of food for this program. Likewise, food donations from Government-owned inventories, valued at $121 million were made available to the national school lunch program last year, and it is expected that food donations will continue at the same level in 1964.

That means, of course, that we expect to have a continuation of the use in the school lunch program of sufficient commodities out of the surplus commodities to meet the situation and to equal the participation from that source last year.

For the special milk program, $100 million is appropriated. This is the amount of the House bill and will permit an expansion of $4 million over amounts used in fiscal 1963.

For the pilot food stamp program, currently financed from section 32 authorization, the committee recommends $51.5 million, as proposed in the estimate, and $11.5 million over the House bill.

Considering the statements before us, particularly those applicable to the depressed areas report, we felt that to cut the food stamp program at this time would be very unfortunate. We have therefore restored it to the full operation, as requested by the budgeted amount.

An appropriation of $19,039,000 is recommended for the operations of the Foreign Agricultural Service. This is the amount requested in the budget, is an increase of $1,903,730 over last year, and an increase of $534,000 over the House bill.

Before leaving this part of my statement, I wish to advert to a matter which was brought to the attention of the committee on the last day when we were marking up and prior to reporting the bill. It was reported to some members of the committee by various commercial printing establishments that it was their understanding that the Department of Agriculture was planning to publish a house organ or magazine which, in some respects, would duplicate the services made available through private enterprise.

In pursuance of that report, and since we had had no hearing on it at all, the committee appointed a subcommittee to confer with the Secretary of Agriculture and then to bring the matter up on the floor if we felt it desirable to do so.

After conferring with the Secretary of Agriculture, the subcommittee felt that his explanation of what was expected to be done in that field was reasonable. We asked him to cover it by a letter, giving a full statement of his intentions. The Secretary's letter to me is dated September 20, and attached to it is a report dated September 19. I ask unanimous consent that the letter and the accompanying statement by the Secretary of Agriculture be included in the CONGRESSIONAL RECORD at this point in my remarks.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

SEPTEMBER 20, 1963.

Hon. SPESSARD L. HOLLAND,
U.S. Senate.

DEAR SENATOR HOLLAND: In accordance with our discussion on September 12, 1963, there are enclosed an original and five copies of a statement regarding the use of the Federal-State market news leased wire system.

We hope that this statement provides the information on this matter which you requested.

Please let us know if you desire further information.

Sincerely yours,
ORVILLE L. FREEMAN.

DEVELOPMENTS REGARDING USE OF THE FEDERAL-STATE MARKET NEWS LEASED WIRE SYSTEM

U.S. DEPARTMENT OF AGRICULTURE,
Washington, D.C., September 19, 1963.

The U.S. Department of Agriculture has been collecting and disseminating agricultural market news since 1915 in cooperation with State departments of agriculture. The reports consist of prices, stocks, and movement of cotton and cottonseed, dairy and poultry products, fruits and vegetables, grain and feeds, livestock, meat and wool, molasses, naval stores, and tobacco.

For many years market news reports have been transmitted among the 135 Federal-State market news offices over a national leased wire system. The reports are then made available from each market news office. It is essential to collect, transmit, and release these market reports with the least possible delay if they are to be of maximum usefulness. For example, many livestock producers look to the reports from Kansas City, Chicago, or other markets before making their plans each day for direct or auction sales of cattle and hogs.

Market news offices release their reports in many ways. Daily mimeographed reports are sent out by mail; summaries are given to local newspapers and broadcast stations; long distance collect telephone calls or telegrams are sent to individuals at their request; recorded telephone tapes are cut for automatic playback to callers; reports are posted at stockyards and other public markets; and many persons visit the market news offices daily at the time when certain reports are due to be released. Special summaries are supplied several times daily to the Associated Press, United Press International, and other news services at points throughout the United States.

Because of the delays or lack of completeness in the relaying system through the local market news offices, users of the market news service have requested that teletypewriter receiving machines be installed at their place of business. In 1950, the Western States Meat Packers Association established a leased wire circuit to distribute market news reports to its members. The Market News office in San Francisco serviced this circuit by relaying the livestock reports on a sending machine which the association located in this office. In 1955, a similar circuit and arrangement was set up by the National Independent Meat Packers Association which was serviced by the Market News office in Chicago. Also, in 1955, the

Colorado Cattle Feeders Association established its circuit with service out of the Denver office. The USDA agreement with these associations specified that they would derive no profit from the arrangement and would permit any private subscriber willing to pay the costs to join their leased wire circuits.

These private arrangements resulted in duplicate line charges because their lines paralleled the Federal-State circuits in many instances. For example, a livestock marketing firm in Billings, Mont., would have to pay its pro rata costs for a line from San Francisco even though the Federal-State circuit, which carries the same reports, runs directly through Billings. This duplication led to requests to be able to "tap on" to the circuit at the nearest market news office. In addition, other commodity groups who depend on the Federal-State reports in carrying out their daily operations, wished to avail themselves of this faster service at their expense.

Direct connections to the leased wire circuits would probably have been initiated long before August 1, 1963, if it had not been for the mechanical problem of screening out administrative messages or incomplete market news data, which are consolidated by one of the receiving Federal-State offices prior to public issuance. Although automatic selector equipment for screening messages has been available for a number of years, the Federal-State Market News Service does not have this equipment on its sending machines. Indirectly, the present arrangement is an outgrowth of the action of the 87th Congress directing a joint Department of Agriculture-Weather Bureau survey in 1962 to explore the possibility of coordination of the use of their separate leased wire circuits. As a result of this survey, USDA officials learned (1) of the extensive arrangements which the Weather Bureau has for over 1,000 private subscribers on its leased wire circuits throughout the country, and (2) of the fact that automatic selector equipment could be attached to the receiving machines, at no cost to the Government, for the purpose of screening out messages. The joint report by the U.S. Departments of Commerce and Agriculture, which was submitted to Congress in April 1962, includes the following statement:

"At present, only Federal and Federal-State Market News offices are connected with the AMS (USDA) leased wire network. No radio stations, TV stations, or other private subscribers have direct access to the AMS leased wire circuit. Therefore, any weather information on this circuit would have to be relayed from the market news offices to the press. This method of communication would not be faster nor more effective than the existing arrangements for distributing weather information.

"With the increased capacity and automatic selectivity feature of the AMS network provided for under its proposed modernized leased wire plan, consideration is being given to the desirability of opening the AMS network to private subscribers who would pay the machine rental and the added mileage costs. If this plan were adopted, it is possible that radio stations, TV stations, and newspapers in certain sections would wish to install a private drop. Under such a plan, establishment of AMS-Weather Bureau exchange points at strategic locations would make it possible to transmit selected weather information to stations on the AMS network along with the market news reports."

The Department started relaying market news reports for transmission on the first of the Weather Bureau networks in June 1962. These leased wire networks transmit detailed weather news and forecasts to radio and TV stations, newspapers, public utilities, and various private firms.

The Department filed a request on April 9, 1962, with the American Telephone & Telegraph Co. to provide "Extension" service on the market news leased wire circuits similar to the arrangement which had been approved by the Federal Communications Commission for the Weather Bureau. A letter dated August 7, 1962, was received from A.T. & T. advising that it could furnish such service. The Department deferred further action on this matter until after the congressional hearings on its 1964 appropriations. The proposal was then discussed on March 8, 1963, at the House subcommittee hearings (Department of Agriculture appropriations for 1964, pt. III, pp. 1469–1471).

In accordance with the appropriation hearing discussion, the Department issued a press release on May 20 and published a notice in the Federal Register on May 25, 1963, asking for comments prior to making a final decision on the initiation of this expanded service. This notice received wide circulation—102 replies were received; 68 favored the proposal, 19 opposed, and 15 were noncommittal. Nineteen farm or trade organizations approved the proposal and one was noncommittal. Thirteen newspapers, broadcast stations, or other news media either approved the proposal or simply requested further information for their own evaluation in utilizing the service and one firm opposed it.

Careful consideration at each stage of its development was given to all foreseeable features of this plan. As the result of this consideration, the Department concluded that this plan would make a proper and useful contribution to the Federal-State Market News Service. Accordingly, the Department announced on July 10, 1963, that direct hookups to the Federal-State market news network would become effective on August 1, 1963.

The American Newspaper Publishers Association, in its August 20, 1963, memorandum, lists six arguments against allowing private firms and individuals to connect to the leased wire circuits of the Federal-State market news service. Following are the arguments and the USDA comments on them:

ANPA ARGUMENT NO. 1

"Under our concept of freedom, it is improper for the Government to engage in the business of news gathering and dissemination. It can too easily become a propaganda agency. The long-standing policy of Small Business Administration (and its predecessor agency the Reconstruction Finance Corporation) has been not to make loans to newspapers or broadcast stations because it does not wish to create any implication of Government influence on editorial content. The same policy should apply to the Department of Agriculture."

USDA comment

Federal, State, and county governments have been engaged for more than 100 years in gathering and disseminating specialized reports, data, and other information. Examples are weather reports, census reports, agricultural crop estimates, and agricultural market news reports. Federal laws authorize these services.

Congress, in establishing the U.S. Department of Agriculture in 1862, specifically authorized the new Department "to acquire and diffuse among the people of the United States useful information on subjects connected with agriculture, in the most general and comprehensive sense of the word."

The Agricultural Marketing Act of 1946 provides that "the Secretary of Agriculture is directed and authorized to collect and disseminate marketing information, including adequate outlook information on a market-area basis, for the purpose of anticipating and meeting consumer requirements, aiding in maintenance of farm income, and bringing a balance between production and utilization of agricultural products."

Congress each year in its appropriation actions reviews and directs the operation of these services.

The bug-a-boo of these services becoming propaganda agencies is completely foreign to American concepts. This presupposes that the executive branch of the Government would have the desire (and ability) to use for propaganda purposes its staff of meteorologists or statisticians or agricultural marketing specialists; that Congress would abdicate its responsibilities and fail to exercise its powers of direction; and that the American people would tolerate such actions.

The Small Business Administration's policy against making loans to newspapers or broadcast stations in order not to imply any Government influence on editorial content is not germane to this issue. Agricultural market news reports have no connection with editorial policy or content. These reports are limited to specialized, technical data for the use of farmers and others who buy and sell agricultural commodities. The excerpts on page 6 from typical market news reports show their scope and content. The fact that the Chicago hog market opened at $17 to $17.25 per hundredweight and closed at $16.50 to $16.75 may have been very significant to many persons in making their marketing plans for the following day. It is hardly conceivable, however, that the collection and dissemination of this information by the Government could be used to influence editorial content.

ANPA ARGUMENT NO. 2

"Government should not engage in any enterprise in competition with existing private ownership which is able to provide satisfactory service, as the U.S. Department of Agriculture will be doing in this case."

USDA comment

There is no such existing private ownership. Comprehensive, detailed market news reports on a national basis are collected and disseminated only by the U.S. Department of Agriculture in collaboration with State departments of agriculture. There are private marketing analysts or commodity specialists who provide their services to their customers through newsletters or other media. Some of them collect certain marketing information; most of them utilize the Government market reports for their primary data; and none of them duplicates the extent and scope of the Government reports.

The objection to competition with a privately owned firm apparently refers to the P.A.M. News Corp. This firm was purchased by the New York Journal of Commerce from its owner-operator on May 1, 1963. P.A.M. (under a different firm name) was started during the 1940's for the purpose of relaying to fresh fruit and vegetable growers and shippers Federal-State market news reports plus certain supplemental market information which it collects directly. P.A.M. leases wire circuits for this purpose and states that it presently has about 300 customers. The Federal-State market news reports are transmitted via a special hookup maintained by P.A.M. from the USDA leased wire center in Washington, D.C., to the P.A.M. office in New York City. This arrangement has existed for many years. P.A.M. then relays these Government reports to its customers via its own leased wire circuit. P.A.M. discontinued use of its special hookup in August and is now obtaining the Federal-State market news reports by direct connections on the USDA leased wire circuits.

The daily supplies and prices of fresh fruits and vegetables fluctuate more rapidly and widely than any other agricultural commodity group. Therefore, maximum speed in receiving the Government market news reports from the major wholesale markets and production areas is of primary importance. The opportunity for fresh fruit and vegetable growers and shippers, at their expense, to obtain direct connections on the Federal-State leased wire circuits is of concern to the P.A.M. News Corp. because these wire connections will reduce the lag in time for the receipt of Federal-State market reports directly from their source. Whether this arrangement will affect the P.A.M. News Corp. may depend upon the value its customers place on the supplemental market information which it collects and sells to them.

ANPA ARGUMENT NO. 3

"The announcement sets up a system of censorship by giving the Department of Agriculture authority to cancel the service of anyone who allegedly abuses the service by 'Misrepresentation' of reports, or for any other reason when, in its sole judgment, such cancellation is desirable."

USDA comment

No system of censorship or management of the press is involved in any manner. This objection is drawn from a misinterpretation of a statement in AMS Bulletin 510 which was issued to explain the expanded leased wire arrangement. Unfortunately, the Agricultural Marketing Service wrote this statement in such a capsule form that it is easily subject to misinterpretation.

The statement in AMS Bulletin 510 was as follows:

"The new service is available to all who want it, and no application need be made to USDA to receive service. However, USDA reserves the right to cancel at any time the connection of any or all subscribers who abuse the service by misinterpretation of reports, or for any other reason when, in its sole judgment, such cancellation is desirable."

This statement is intended to cover only two kinds of situations. First, notice of reservation by USDA of the right to cancel service to an individual subscriber if he should issue false or fraudulent market news reports, which he designates as being Federal-State market news reports. Second, notice of reservation by USDA of the right to cancel the new service in its entirety and in the sole judgment of USDA if, for some unforeseen reason, it should turn out to be detrimental to the best interests of agricultural producers as a whole.

Objections related to censorship would have to be based on the possible cancellation action against individual subscribers. Guarding against the unlikely possibility of false or fraudulent reports, ascribed to the Federal-State Market News Service, is not a capricious or unreasonable safeguard. For example, intermingling of data from other sources so that they appear as part of the Federal-State report should be considered as a false report.

The agreement which has been in effect between USDA and P.A.M. News Corp. for several years contains similar restrictions and cancellation provisions. No objection has ever been received from P.A.M. to these provisions which are as follows:

"P.A.M. News Corp. will retransmit official market news reports without amendment or modification; will credit all market news reports originating in Agricultural Marketing Service as USDA; and will credit all non-USDA market reports as independent or by specific private agency so as to indicate no responsibility on the part of USDA. Either party may terminate this agreement upon 30 days' notice in writing to the other party."

Working relationships under this agreement with P.A.M. News Corp. have been very satisfactory and no question of termination has ever risen.

If cancellation of the service to an individual subscriber should arise, the established procedure for withdrawal of other voluntary fee services provided under the Agricultural Marketing Act of 1946 (i.e., inspection, grading, and classing services) would be followed. This procedure calls for affording the respondent an opportunity to file a written statement or, at his option, to have an oral hearing to show cause why the service should not be withdrawn. The procedure next requires that the respondent be served with a proposed suspension order consisting of tentative findings, conclusions, and decision specifying the suspension period and giving him 20 days in which to file exceptions. After ruling on exceptions received, the Administrator or Deputy Administrator of AMS may issue a formal suspension order for a specified period of time.

In addition to the safeguards of individual rights contained in this USDA procedure, the Administrative Procedure Act gives any person adversely affected by such action the right of judicial review. This act provides, among other things, that the reviewing court shall decide all relevant questions of law and shall hold unlawful and set aside agency actions found to be arbitrary, capricious, an abuse of discretion, contrary to constitutional rights, or for certain other specified reasons.

ANPA ARGUMENT NO. 4

"Future expansion of this service—as is indicated in a Department of Agriculture background memorandum—could easily lead to a complete national news wire in direct competition with Associated Press and United Press International."

USDA comment

The basis for this sweeping charge is so vague that it is difficult to find a meaningful comment. The USDA is not engaged, or authorized to engage, in the operation of a complete national news wire. AMS Bulletin 510 makes very clear that there will be no changes made in the informational material transmitted on the leased wire network as the result of private subscribers. It states that:

"The primary purpose of the leased wire network is to relay information throughout the country, for use by market news offices in preparing and issuing reports. The network continues to serve this purpose, and no changes can be made in its operation because of the addition of private subscribers. USDA cannot add to, subtract from, or modify its reports solely as a service to any private subscriber. Many of the reports move on the circuit in abbreviated telegraphic language in order to get the most traffic transmitted, and subscribers will receive the reports in this form."

There is only a nominal amount of unused capacity on the leased wire circuits. In fact, they operate at a much higher rate than is normally scheduled for wire circuits. Therefore, there is no opportunity for use of the market news leased wire circuits to transmit any significant amount of other traffic.

Federal-State offices mailed out about 20 million mimeographed market news reports last year. It is as farfetched to say that the market news leased wire system could be turned into a complete national news wire service as it would be to say that these mimeographed reports could be turned into complete newspapers.

ANPA ARGUMENT NO. 5

"The announced plan has monopolistic implications in that only A.T. & T. wires can be used although the present privately owned news service in this field uses wires leased from Western Union. FCC policies and actions have been aimed at preserving competition in the leased wire field between A.T. & T. and Western Union."

USDA comment

The USDA obtains its leased wire services under a contract (TPS 72907) made by the General Services Administration for all civil Federal agencies. USDA has no jurisdiction over the awarding of contracts to provide these long line services.

ANPA ARGUMENT NO. 6

"The American taxpayers should not be expected to pay for news wire services to anyone."

USDA comment

As set forth in AMS Bulletin 510, private subscribers pay directly to the telephone company all costs of their connections. USDA pays for the cost of its trunklines and connections to the Federal-State market news offices—exactly as it has in the past.

The USDA pays the same tariff rates, approved by the Federal Communications Commission, as any other public agency or private firm. Rates vary dependent upon transmission speed, hours per day of operation, and type of equipment—not on the identity of the leasing party. For example, USDA pays the same mileage charge per month for a 75-word-per-minute line as does P.A.M. News Corp.

The cost of conducting the agricultural market news service is borne by Federal and State appropriated funds. However, the expanded service is being paid for entirely by the private subscribers at no additional cost to the taxpayers.

One private subscriber expressed the following views in a recent letter:

"The information on livestock market prices will be of real value in helping to keep our staff informed on market conditions. As a result, we will be able to better serve our members in the livestock industry. This improved dissemination of market news information will be of value in stabilizing livestock prices in the market. With the individual subscriber paying all costs of the service, this step forward should be approved by all segments of the industry."

FARMERS HOME ADMINISTRATION

Mr. HOLLAND. Mr. President, I wish to comment briefly on the lending programs administered by the Farmers Home Administration.

An authorization of $300 million is provided for farm operating loans, an increase of $10 million over 1963. A total of $60 million is provided for real estate loans. This is an increase of $10 million over 1963, of which $45 million is for farm ownership loans, and $15 million for soil and water conservation loans. These amounts in each case are identical with the budget request and the House bill.

The committee has included in the bill an amendment to increase the limitation on the borrowing authorization for "rural housing loans" by $25 million. This increase in limitation, if approved, would provide an estimated $175 million to be available for use in fiscal 1964 under this program.

For the information of the Senate, I think it is appropriate to say that the contemplated program for 1964 involves the use of $350 million in this program and that additional legislation is pending in the Congress. However, the addition of this $25 million of borrowing authorization should carry the program until the Congress has a chance to consider it more fully next year.

RURAL RENEWAL AND HOUSING FOR ELDERLY REVOLVING FUND

The committee recommends an appropriation of $1,350,000 to initiate the program of financial and technical assistance to public agencies as authorized a year ago in section 102 of the Food and

Agriculture Act of 1962. The amount provided will permit the initiation of a few pilot projects under the program.

The committee has recommended an appropriation of $3.5 million for the revolving fund to finance loans to private nonprofit corporations and consumer cooperatives to provide rental housing facilities for elderly persons of low income in rural areas.

RURAL ELECTRIFICATION PROGRAM

The committee has approved a total of $495 million for new loan authorization for fiscal 1964. Of this total, $425 million is for electrification loans and $70 million for the telephone loan program. These are the amounts requested in the budget estimate and carried in the House bill.

For the rural telephone program $70 million is provided—and together with carryover authorization of $40.7 million will provide a total of $110.7 million.

For the rural electrification program $425 million of new lending authorization is provided. This is an increase of $25 million over 1963. The House placed $150 million of this authorization in reserve and the committee concurred in the action of the House in that regard.

Last year the agency approved electrification loans totaling $341 million as follows: $155.4 million for distribution loans, $114 million for generation loans, $69.4 million for transmission loans, and $2.2 million of section 5 loans for consumer facilities.

The committee has recommended $11,287,000 for administrative expenses, an increase of $844,800 over 1963, $125,000 over the House bill, and $57,000 under the budget.

The increased amounts will be needed for pay costs, and to strengthen agency-filled staff to carry out requirements in connection with the electrification program in regard to which I now wish to make further comment.

RURAL ELECTRIFICATION

Mr. President, I say facetiously that from some of the comments I have seen coming from the national association in this field, one would think that our committee had been a little niggardly with the rural electrification program. To the contrary, we have approved in all respects the amounts allowed by the House bill, and we have allowed an additional $125,000 beyond the amount provided by the House, an amount we thought was necessary for administrative operations.

I have seen no reference to that action of the committee in the somewhat caustic reports of our activities, issued by the Rural Electrification Association, which have appeared in various places in the press. I hope they will find time to read the complete reports of our action, so that we will, perhaps, be given some praise for our generosity in this regard.

Mr. HUMPHREY. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the Senator from Minnesota.

Mr. HUMPHREY. The Senator from Florida is entitled to praise in terms of this appropriation, and particularly the attitude that was exhibited toward the Rural Electrification Administration—that is, the REA itself. There were some honest differences of opinion over language relating to loan policy. As the Senator has undoubtedly indicated, those differences were voted on in committee. We placed in the report language that I believe can be salutary and helpful. But, as was said—and I wish to make the RECORD clear—unless the loan policy follows the language we have outlined, the administration can expect to have more severe limitations and language in the forthcoming year.

I do not want to have the Senator from Florida singled out for undue criticism in this regard, because the attitude in committee was not one of antagonism toward REA. To the contrary, it was one of respect for what REA has done and is continuing to do. However, some concern was expressed about loans that did not seem to meet the overall standards and patterns of rural electrification.

Other Senators and I have had a point of view a little different from that of the Senator from Florida [Mr. HOLLAND] and the Senator from Louisiana [Mr. ELLENDER], but I believe we have reconciled those points of view rather well. I hope that what we have decided upon will have an effect upon the policy of the REA Administrator and his staff.

Mr. HOLLAND. I join the Senator from Minnesota in that expression. I have not reached that part of my report. I was suggesting, rather facetiously, that our committee had, by its unanimous action, provided $125,000 more for operating expenses, an amount which was earnestly and urgently requested of us by the REA group, but which seems to have escaped their notice in commenting on other parts of our activity, which I shall reach in my report in a few minutes. I am glad the distinguished Senator from Minnesota is in the Chamber.

Most Members of the Senate are interested in the rural electrification program and have read the Senate committee report dealing with generation and transmission loans made under section 4 of the REA Act, as well as loans made under section 5 of the act.

Before I proceed further, I should say that while the loans that went amiss under section 5 were small in amount, they have caused more trouble for REA than any other one thing that REA has done. The idea of making two loans for the purpose of installing ski facilities in areas served by REA has not met with popular reception, either on the part of any member of our committee or, I think, on the part of the general public. I hope the REA Administrator will confine himself, in handling section 5 loans, to fields more nearly in accord with the purpose and intent of the act.

The statements in the committee report embody an effort to preserve the loanmaking authority of the REA Administrator whenever he is unable to negotiate a reasonable power supply contract from a private power supplier. In addition to the House report requirements whenever the REA Administrator makes a loan in excess of $2 million for generation or transmission purposes, he shall certify to the Secretary of Agriculture, the Comptroller General, and the Congress that he has taken the three steps recommended in the House committee report and that the private supplier has been given an opportunity to enter into a reasonable power supply contract. In addition, the Senate committee has provided that at the time he makes a loan the Administrator of REA shall provide the Comptroller General and the Congress with the information set forth in points (1) through (11) on page 28 of the Senate committee report.

In addition, the Senate committee report further provides on page 28 that:

> With respect to each generation and transmission loan application, processed by REA in accordance with the foregoing procedures, the Administrator should, in order to avoid dilatory tactics or protracted delays on the part of either party in such negotiations establish a publicly announced period of time during which the survey, determinations, and negotiations will be carried on prior to a definite cutoff date set by the Administrator.
>
> The committee is opposed to the imposition of dual rates in power supply contracts and believes that the cooperatives should state their needs clearly and concretely, and that the suppliers of power should in turn clearly set forth the terms and conditions of power supply contracts.

I know of no Senator serving on the Appropriations Committee who feels that the REA Administrator should be precluded from the consideration of, and the approval of generation and transmission loans, and the majority of the committee believes that the procedures set forth will strengthen and preserve the REA program.

It is our opinion that the REA Administrator should make certain that any loans approved for the building of generation plants, be made only after it is evident that the present supplier of power requirements is attempting to impose restrictive rates or terms, or other unreasonable conditions in a long-term power supply contract.

During the course of Senate hearings last spring, members of the subcommittee requested information from the REA Administrator on certain generation and transmission loans. The information was provided to the committee, but there was a delay of about 3 weeks from the time it was originally requested until it was all furnished.

Then, on June 11, the REA Administrator was requested to furnish the committee with the following information for each power-type borrower: the number of kilowatt-hours of energy generated for 1962, the average cost of generating such power per kilowatt-hour, the price charged to the cooperatives served by the power-type borrower, the amount of power purchased, the cost thereof, and the type of power purchased together with costs to user cooperatives. The information supplied appears, beginning on page 345 of the REA hearings. It again required the agency to spend about 3 weeks to compile the requested information.

Mr. President, I should add that, so long drawn out were the REA hearings after our committee work was completed, that we requested the publication of the other hearings without including the

REA hearings; and they were published in the form of this large volume, which I hold in my hand, containing over 1,500 pages. The REA hearings were necessarily held up, because both of the contending groups requested additional time to file additional statements, and we granted them the time requested; and the hearings were published separately in another volume, consisting of some 365 pages, both volumes of which are now printed and on the desk of each Senator.

Mr. HUMPHREY. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield.

Mr. HUMPHREY. I wonder whether the Senator from Florida will be willing to have printed at this point in the RECORD, in connection with his discussion of the appropriation, the items relating to REA, on pages 27–29 of the report?

Mr. HOLLAND. I would be happy to do that, except for the fact that the same request is incorporated in my statement a little later on. Therefore, if the Senator will wait, he will find it more appropriate to have it included then. If not, I shall be glad to have it appear anywhere in the debate the Senator wishes.

Mr. HUMPHREY. I thank the Senator.

Mr. HOLLAND. Mr. President, it is my opinion that an agency which is making long-term, 35-year loans, involving sizable amounts of Federal funds, at a nominal rate of interest, should be in a position to supply the basis for its consideration and final action upon such loans promptly and fully—whenever requested by a congressional committee.

That is one of the reasons for the directions in our report as to the supplying of information which, under the recommendations made by me, as chairman of the subcommittee, would have been supplied directly to the GAO, but will now be supplied in brief form to the committee itself, and to the corresponding committee in the House, 60 days before action is taken; and then it must be supplemented by any additional information which the committee may require.

Mr. HUMPHREY. Mr. President, will the Senator from Florida yield on this point?

Mr. HOLLAND. I am glad to yield.

Mr. HUMPHREY. So that we may have a complete understanding of the language of the report which represents the understanding of the committee—language in which I personally had an interest—I should like to point out when we say, in the committee report, "may I ask for additional information from the REA," we are in fact referring to a request based on action taken by the committee, not just by an individual member at any particular time. Does the Senator agree?

Mr. HOLLAND. I believe I do. However, I am not the author of that provision. The distinguished Senator from Minnesota is the author of that provision; and if that is his interpretation I believe he should state it. I do not have that language before me at this moment, but I am sure his interpretation would be correct.

Mr. HUMPHREY. I thank the Senator. I say this because I believe that language in the report—"and such other information as the committee may request"—should be clearly understood to be the action of the committee and the request of the committee, and not just that of one member.

Mr. HOLLAND. This language will appear in full at a later point in the RECORD, if my request is granted. If the Senator wishes to advert to it, then, I hope he will do so.

The point I am making is that when such requests were made by the committee during the course of the hearings, it took, in each instance, 3 weeks or longer to get the information requested, although it was basic information which we thought must have been compiled and must have been available, because it had to do with the details of the loans.

On July 22, 1963, after consultation with some of the members of the subcommittee, as chairman of the subcommittee I addressed a letter to the Honorable Joseph Campbell, Comptroller General of the United States. In this letter, the Comptroller General was requested to respond to three questions in regard to the loan in the amount of $9,170,000 to the Upshur Rural Electric Cooperative Corp. of Gilmer, Tex. He was also asked to submit to the committee the views of the Comptroller General as to the type of information pertaining to generation and transmission loans which, if the REA were required to furnish to the Appropriations Committee, would be helpful to it in an evaluation of REA loan authorization requests. In addition, the Comptroller General was asked to interview Mr. Douglas Wright, Administrator of the Southwestern Power Administration, in regard to certain aspects of the cost of power, proposed interchange, and leasing arrangements between SPA and the Upshur Cooperative. Mr. Campbell's letter of September 20 transmits a report on this subject.

On July 26, 1963, the Comptroller General submitted informally to the committee the information which the General Accounting Office recommended as being useful to the committee, in regard to pending applications for both generation and major transmission loans. The list of information submitted by the Comptroller General is substantially the same as the 11 points of information which appear on page 28 of our committee report. The only difference between the information listed by the Comptroller General and the 11 points listed in the committee report is that the report language embodies the name and address of the applicant-borrower and the date of the application as point 1; and point 5 in the committee report includes, in addition to the language suggested by the General Accounting Office, the words "including the final offer by the private supplier including terms and conditions he offered to meet applicant's long-term energy needs."

The additional information requested was inserted, simply to verify an existing general requirement of the agency, that applicants for generation loans submit, with their application, the final offer made by the private supplier for a power contract, prior to submission of an application for a generation loan.

Mr. President, I now call to the attention of the distinguished Senator from Minnesota my request that there be printed in the RECORD my letter of July 22 to the Comptroller General; the information submitted by the Comptroller General to the committee on July 26; the letter from the Comptroller General, dated August 20, and identified as B–152146; and the letter from him, dated September 20, identified as B–152146.

There being no objection, the letters and documents were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
July 22, 1963.

Hon. JOSEPH CAMPBELL,
Comptroller General of the United States, Washington, D.C.

DEAR MR. CAMPBELL: This is in reference to discussions held with your representatives on July 19, 1963, concerning certain generation and transmission loans approved by the Rural Electrification Administration, Department of Agriculture. As expressed at this meeting by Senators ELLENDER, YOUNG, and myself, we would appreciate the assistance of the General Accounting Office in reviewing certain aspects of these loans.

Of primary concern to us is an REA loan of $9,170,000 to the Upshur Rural Electric Cooperative Corp. of Gilmer, Tex. In connection with our 1964 Agricultural Appropriations hearings, REA furnished us information stating that the feasibility of the Upshur loan depended in part on the purchase of Upshur's surplus power and energy by the Southwestern Power Administration and the leasing by SPA of Upshur's transmission facilities. SPA proposes to pay for the surplus power and energy and the leasing of the facilities out of its continuing fund which was established pursuant to the Continuing Fund Act (16 U.S.C. 825S).

We request your opinion on the following aspects of the Upshur loan:

1. Does consideration of the arrangements with SPA as a basis for determining the feasibility of the Upshur loan contravene the congressional policy behind the 1951 amendment to the Continuing Fund Act? If so, does the loan meet the feasibility requirements of section 4 of the Rural Electrification Act of 1936?

2. One of the criteria used in justifying the Upshur loan was to secure the cooperative's territorial integrity (REA statement at p. 2555 of the House hearings on agricultural appropriations, 1964). Does the use of this criterion in connection with this loan contravene the congressional policy of the unserved persons clause to prevent federally financed competition with existing utilities?

3. The REA Administrator has stated that the Upshur loan would save Upshur more than three-fourths of a million dollars in power costs during the first 10 years the facilities are in operation. Since the interest rate charged on the loan is 2 percent and the interest rate paid by the Government is 4 percent, the Government subsidy on this loan for the first 10 years might be expected to be about 20 percent of $9,170,000, or $1,834,000. Is this correct and, if so, is this loan justifiable as a reasonable exercise of administrative discretion authorized by law?

We understand that you are preparing a report on your recent review of certain aspects of the REA electric loan program. We would appreciate receiving from you at this time such views as may be expressed in your proposed report concerning the type of information pertaining to generation and transmission loans which, if REA were required to furnish to the Appropriations Committees, would help us in our evaluation of REA loan authorization requests.

In addition to the foregoing requests, arrangements have been made with Mr. Charam of your office to furnish the committee informally with certain information on the costs of production, delivery, and sale of generated and purchased electric power, and on leasing arrangements related to designated Rural Electrification Administration loans to cooperatives for generation and transmission of electric power. The Committee would appreciate it if your representatives would interview Mr. Douglas Wright, Administrator of SPA, to ascertain the basis for various estimates made by him as to alternate power costs; and also to determine whether the proposed interchange and leasing arrangements between SPA and Upshur involve the purchase by SPA of energy from Upshur at a greater rate than charged to Upshur for energy purchased from SPA and whether in your opinion these arrangements involve any subsidy from SPA to Upshur.

The committee would appreciate receipt of all of the foregoing information as promptly as possible. It is acceptable to the Committee for you to submit the requested information in installments as available.

The fine cooperation of your representatives in theses matters is acknowledged.

Yours faithfully,

SPESSARD L. HOLLAND,
Chairman, Subcommittee, Department of Agriculture and Related Agencies.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., August 20, 1963.

Hon. SPESSARD L. HOLLAND,
Chairman, Subcommittee on Department of Agriculture and Related Agencies, Committee on Appropriations, U.S. Senate.

DEAR MR. CHAIRMAN: Your letter of July 22, 1963, concerns a loan of $9,170,000 made by the Rural Electrification Administration (REA) to the Upshur Rural Electric Cooperative Corp. (Upshur), of Gilmer, Tex.

You state that in connection with your subcommittee's hearings on the appropriations for the Department of Agriculture for fiscal year 1964, REA furnished you information stating that the feasibility of the Upshur loan depended in part on the purchase of Upshur's surplus power and energy by the Southwestern Power Administration (SPA) and the leasing by SPA of Upshur's transmission facilities. You state that SPA proposes to pay for the surplus power and energy and the leasing of the facilities out of its continuing fund.

You present three questions for our consideration which will be set forth below and answered in the order presented. Also, in connection with an audit report we are preparing on our recent review of REA loan activities, you state you would appreciate receiving at this time such views as may be expressed in the report pertaining to generation and transmission loans which, if REA were required to furnish to the Appropriations Committees would help you in your evaluation of REA loan authorization requests.

In addition, you state that arrangements have been made with a representative of our Office to furnish your subcommittee informally with certain information on the costs of production, delivery, and sale of generated and purchased electric power and on leasing arrangements related to designated REA loans to cooperatives for generation and transmission of electric power. Also, you request that we interview Mr. Douglas Wright, Administrator of SPA, to ascertain the basis for various estimates made by him as to alternate power costs; and also to determine whether the proposed interchange and leasing arrangements between SPA and Upshur involve the purchase by SPA of energy from Upshur at a greater rate than charged to Upshur for energy purchased from SPA, and whether in our opinion these arrangements involve any subsidy from SPA to Upshur.

This letter will concern only the three questions presented in your letter. The other information you request will be furnished you in a separate letter.

Before answering your questions we will set forth in some detail the pertinent facts concerning the Upshur loan.

On February 14, 1963, the Administrator, REA, approved a $9,170,000 loan for a term of 35 years to Upshur. The loan was approved for the purpose of financing the principal part of construction of a 38,000-kilowatt net capability steam generating plant near Ore City, Tex., 190 miles of 138-kilovolt transmission line, 65 miles of 69-kilovolt transmission line, 78 miles of distribution line, distribution system improvements, a switching station, and substations. Upshur intends to use a minimum amount of $700,000 of its own general funds to partially finance construction of the abovementioned facilities.

Following construction of the generation and transmission facilities in 1965, Upshur expects to take all its power requirements from the new generating plant. In addition the Panola-Harrison Electric Cooperative, Inc. (Panola), of Marshall, Tex., will take a portion of its power requirements from the Upshur plant. The present power supply to both cooperatives is from the Southwestern Electric Power Co. (SWEPC).

According to REA files, the planned 190 miles of 138-kilovolt transmission line will connect Upshur's new 38,000-kilowatt generating plant to the interconnected high voltage transmission grid of SPA at the SPA switching station at Brown, Okla. Routing of the Upshur transmission line will be northward from Upshur's generating plant to a point near Idabel, Okla., and westward to the Brown switching station. Correspondence between SPA and Upshur indicates that the routing of Upshur's transmission line will permit at a later date an interconnection with the Broken Bow Dam of SPA which could be used as a source of standby capacity for Upshur and will permit Upshur to obtain power from an interconnection with SPA's transmission system at Brown, Okla. Such a line would, according to SPA, permit greater exchange and utilization of power and energy for Upshur's plant, thereby enabling SPA to more efficiently and effectively load the Upshur generating plant for the benefit of both Upshur and SPA.

Proposed leasing arrangements between Upshur and SPA relative to the planned 138-kilovolt transmission line are as follows: The SPA will lease the total capacity of the 138-kilovolt transmission line from Upshur for a term of 40 years. Under the proposed lease SPA will pay Upshur all fixed costs (estimated at $91,000 per year by REA), including debt service, taxes, and necessary insurance on about 120 miles of the line. The SPA will operate, maintain, and make necessary replacements on the entire 190 miles of the 138-kilovolt transmission line between the Brown switching station and the Upshur generating plant.

Under the proposed lease Upshur will have priority over all others to use any portion of the capacity of the 138-kilovolt transmission line remaining after the contractural obligations of SPA and the cooperative have been fulfilled for its operations. According to REA, Upshur will also have the right to use the generating capacity of the SPA system at no transmission cost to serve Upshur's customers at any point on the SPA system where SPA has a point of interconnection with such customers. In return Upshur will provide a like amount of generating capacity to SPA.

It is proposed that the SPA will, in addition to leasing the 138-kilovolt transmission line of Upshur, purchase from Upshur surplus capacity of the generating plant at the annual rate of $9 per kilowatt according to a schedule of surplus capacity which will be incorporated in a future contract between Upshur and SPA. A power planning analysis prepared by REA shows that the surplus in 1965 is estimated to be 16,600 kilowatts (44 perecnt of plant capacity) declining to 1,900 kilowatts (5 percent of plant capacity) in 1974. The analysis also shows that the total surplus capacity of the Upshur plant from 1965 through 1974 is estimated to be 94,600 kilowatts and is estimated to result in surplus capacity sales amounting to $851,400 to SPA. Upshur would be able to recover any portion of the surplus capacity SPA would have under the proposed agreement, 3 years after giving SPA written notice. According to REA, the generation costs allocable to the surplus capacity being generated by Upshur will not be less than the annual rate of $9 per kilowatt. Since SPA will be paying Upshur $9 per kilowatt, this would mean that Upshur will not profit from the sale of surplus capacity to SPA.

SPA and Upshur contemplate that Upshur's generating plant will not be required to operate at a capacity of less than 10,000 kilowatts between the hours of 10 p.m. and 6 a.m. on weekdays and all day on Saturdays, Sundays, and holidays. When the generating plant is not in operation, Upshur and Panola will use the generating capacity of SPA supplied by means of the 138-kilovolt transmission line provided for in the REA loan to Upshur. SPA and Upshur expect to operate their generation facilities so that energy exchanges between them will be balanced off annually. In case it is not possible to balance energy off annually, either party will be compensated annually during the period 1965 to 1970 for the net balance of energy due from the other party at the rate of 2.25 mills per kilowatt-hour. Our review of REA files showed that during the period 1965 to 1970 fuel cost (the only production cost that varies directly with energy generated) for the Upshur generating plant is estimated by REA to be 2.223 mills per kilowatt-hour and 2.667 mills per kilowatt-hour during the period 1970 through 1974. Our review of REA files did not disclose SPA's estimated cost of energy.

According to REA, the feasibility of the loan to Upshur is in part dependent on the proposed lease arrangement and sale of surplus capacity to SPA. Sales of surplus capacity to SPA during the years 1965 through 1974 are estimated by REA to amount to $851,400. The combined savings to Upshur and Panola from self-generation of their power requirements and sale of surplus capacity to SPA is estimated by REA to be $772,400.

The loan to Upshur approved by the REA Administrator provides that the loan funds, except for $615,500 for distribution line facilities, will not be advanced until, among other things, agreements for the lease and operation of the 138-kilovolt transmission line and related facilities, furnishing of standby power for the plant, and the exchange of power and energy are submitted to and approved by the REA Administrator. The Administrator, SPA, advised us in an interview on July 24, 1963, that a contract between Upshur and SPA had not been signed and that the terms of the final contract may be different than those proposed for the contract. He also advised that any agreement made by SPA with Upshur would include a provision that, to the extent funds are provided, payments will be made, but that if funds are not provided, SPA could not be required to perform under the agreement.

Your first question is:

"1. Does consideration of the arrangements with SPA as a basis for determining the feasibility of the Upshur loan contravene the congressional policy behind the 1951 amendment to the Continuing Fund Act? If so, does the loan meet the feasibility requirements of section 4 of the Rural Electrification Act of 1936?"

There was included in the Interior Department Appropriation Act, 1950, approved October 12, 1949, ch. 680, 63 Stat. 765, 767, the following provision—quoting from 16 U.S.C. 825s-1.

"All receipts from the transmission and sale of electric power and energy under the provisions of section 825s of this title, generated or purchased in the southwestern power area, shall be covered into the Treasury of the United States as miscellaneous receipts, except that the Treasury shall set up and maintain from such receipts a continuing fund of $300,000, including the sum of $100,000 in the continuing fund established under the Administrator of the Southwestern Power Administration in the First Supplemental National Defense Appropriation Act, 1944 (57 Stat. 621), which shall be transferred to the fund established; and said fund of $300,000 shall be placed to the credit of the Secretary and shall be subject to check by him to defray emergency expenses necessary to insure continuity of electric service and continuous operation of the facilities, and to cover all costs in connection with the purchase of electric power and energy and rentals for the use of facilities for the transmission and distribution of electric power and energy to public bodies, cooperatives, and privately owned companies."

The law in effect prior to the enactment of the provision quoted above gave the Administrator of SPA authority to use moneys from a $100,000 continuing fund only to "defray emergency expenses and to insure continuous operation." Thus, it is clear that the quoted provision of law broadened the power vested in the Administrator in that it authorized him to use the continuing fund established therein to pay the cost of purchasing power and energy and renting transmission lines as well as to defray emergency expenses.

The legislative history of the 1950 act indicates that the floor debate thereon in the Senate concerned in part, the use of the continuing fund to purchase power and lease lines from private commercial utility companies, as distinguished from cooperatives. However, we found nothing specific in the legislative history to indicate that the Senate intended to prohibit the use of the fund by the Administrator of SPA to purchase power or rent transmission lines from REA cooperatives if necessary, nor did we find any specific indication as to the intent of the House on this point. We are aware that the continuing fund provision, as it passed the House, would have enabled SPA to use the continuing fund to rent "transmission lines and appurtenant facilities" and that the bill was amended in the Senate to preclude the use of the fund for rental of "appurtenant facilities," and as amended was enacted into law. Therefore, in view of the clear and unambiguous language used in the provision in question, that provision made the continuing fund available to SPA to purchase power or rent transmission lines in order to furnish electric power and energy to public bodies, cooperatives or commercial private power companies.

A proviso was added to the continuing fund provision quoted above by the Interior Department Appropriation Act, 1952, approved August 31, 1951 (Pub. L. 136, ch. 375, 65 Stat. 248, 249, 16 U.S.C. 825s-1), which reads as follows—quoting from the code:

"*Provided*, That expenditures from this fund to cover such costs in connection with the purchase of electric power and energy and rentals for the use of facilities are to be made only in such amounts as may be approved annually in appropriation Acts."

The legislative history of H.R. 3790, the bill which became the Interior Department Appropriation Act, 1952, discloses that the following amendment was offered to the bill on the floor of the House:

"*Provided, further*, That all receipts from the transmission and sale of electric power and energy under the provisions of section 5 of the Flood Control Act of December 22, 1944 (16 U.S.C. 825s), generated or purchased by the Southwestern Power Administration, shall be covered into the Treasury of the United States as miscellaneous receipts, except that the Treasury shall set up and maintain from such receipts a continuing fund of $250,000, and said fund shall be placed to the credit of the Secretary, and shall be subject to check by him to defray emergency expenses necessary to insure continuity of electric service and continuous operation of Government facilities in said area, and that no funds from such receipts herein appropriated or previously authorized or appropriated shall be subject to check by the Secretary for the purchase of power or lease of transmission facilities, except under these limitations relating to emergency conditions."

This amendment, if adopted, would have precluded SPA from using the continuing fund for purchasing power or leasing transmission facilities except under emergency conditions and that apparently was the purpose of the amendment. However, before the House had an opportunity to vote on the amendment a point of order was made against the amendment on the ground that it was legislation on an appropriation bill and the point of order was sustained. A subsequent amendment offered on the floor of the House which apparently was intended to accomplish the same purpose as the one against which the point of order was sustained was also ruled out on a point of order (made on the basis that the amendment was not germane to the matter under consideration). Thus, the bill as it passed the House did not preclude the use of the continuing fund by SPA to purchase power or rent transmission lines.

The legislative history of the bill further discloses that the Senate Appropriations Committee reported out H.R. 3790 with the recommendation that the continuing fund provision in the 1950 appropriation act be amended to read as follows:

"*Provided*, That the following paragraph under the heading 'Office of the Secretary, continuing fund, power transmission facilities,' in the Interior Department Appropriation Act, 1950 (Public Law 350, Eighty-first Congress), is hereby amended to read as follows:

" 'CONTINUING FUND

" 'Continuing fund, power transmission facilities: All receipts from the transmission and sale of electric power and energy under the provisions of section 5 of the Flood Control Act of December 22, 1944 (16 U.S.C. 825s), generated or purchased in the southwestern power area, shall be covered into the Treasury of the United States as miscellaneous receipts, except that the Treasury shall set up and maintain from such receipts a continuing fund of $300,000, including the sum of $100,000 in the continuing fund established under the Administrator of the Southwestern Power Administration in the First Supplemental National Defense Appropriation Act, 1944 (57 Stat. 621), which shall be transferred to the fund hereby established: and said fund of $300,000 shall be placed to the credit of the Secretary and shall be subject to check by him to defray emergency expenses necessary to insure continuity of electric service and continuous operation of the facilities.' "

This amendment was adopted by the Senate, and if enacted into law, would have precluded SPA from using the continuing fund to purchase power or to lease transmission lines except to defray emergency expenses necessary to insure continuity of service and continuous operation of the facilities. The purpose of the amendment according to a statement made by Senator McCarran during floor debate thereon (see CONGRESSIONAL RECORD, vol. 97, pt. 6, p. 7792) was "to place the continuing fund of the Southwestern Power Administration on the same basis that is recommended for the continuing fund of the Southeastern Power Administration; and on the same basis that is recommended for the continuing fund for the Bonneville Power Administration." Senator McCarran also stated that the continuing fund of SPA had become an issue "because the fund, since its use was expanded in the Interior Appropriation Act of 1950, has been used as a device through which the Southwestern Power Administration is acquiring facilities and expanding in a manner that was never contemplated by the Congress." The Senator continued as follows (CONGRESSIONAL RECORD, vol. 97, pt. 6, p. 7793):

"I will point out the details of this in just a moment. The acquisition of facilities and the expansion of the operation are being accomplished by the method of the Southwestern Power Administration entering into lease and purchase agreements with so-called REA super co-ops, whereby the super co-ops borrow money from the Rural Electrification Administration to construct transmission lines and build steam-generating plants. To make the loan feasible, the super co-ops must demonstrate that such loans will be repaid. The lease and purchase agreement contracts between the super co-ops and the Southwestern Power Administration is the guarantee for the loan. These agreements extend for 40 years and at the end of such time, when the loan has been repaid, the facilities will belong to the Southwestern Power Administration, an agency of the Department of the Interior."

The amendment recommended by the Senate Appropriations Committee was adopted by the Senate and the bill subsequently went to conference. The legislative history discloses that the conferees reported this amendment in disagreement. Subsequently the House receded from its disagreement to the amendment and concurred in the Senate amendment with an amendment which added the proviso in question to the law establishing the continuing fund. The Senate concurred in the amendment of the House to the Senate amendment, and the proviso was enacted into law. However, there was no discussion in the House or Senate concerning the proviso. Thus, it is not clear what the Congress had in mind when it adopted the conference report, other than what is provided in the clear and unambiguous language of the proviso.

The proviso differs from the amendment offered in the House and ruled out on a point of order, and the Senate amendment on which the conferees failed to agree, in that the proviso permits the use of the continuing fund to purchase power and rent transmission lines in amounts as may be approved annually in appropriation acts. The amendment offered in the House and the Senate amendment would have precluded the use of the continuing fund for such purposes.

Thus, as far as SPA is concerned the use of the continuing fund to purchase power and lease transmission lines from either REA cooperatives or private commercial utility companies would not contravene the intent of Congress as expressed in the proviso in question as long as expenditures from the continuing fund for such purposes were not in amounts in excess of those approved annually in appropriation acts. Moreover, since there was no discussion in the House or Senate concerning the purpose and intent of the language used in the proviso and nothing in the conference report thereon we are unable to determine whether consideration by REA of the arrangements with SPA as a basis for determining the feasibility of the Upshur loan contravenes the congressional policy behind the proviso amending the continuing fund provision.

As to whether an REA loan to a cooperative, the economic feasibility of which is dependent on payments to be made by SPA from its "continuing fund" to the cooperative for power and rental of transmission facilities, meets the feasibility requirements of section 4 of the Rural Electrification Act of 1936, as amended (RE Act), 7 U.S.C. 904, section 4, provides that REA loans "shall be on such terms and conditions relating to the expenditure of the moneys loaned and the security therefor as the Administrator shall determine." Section 4 requires that the REA Administrator find and certify that in his judgment the security for the loan is reasonably adequate and that the loan will be repaid within the time agreed. Presumably, in order to comply with these requirements the Administrator of REA makes an evaluation of the proposed loan to ascertain whether it is "economically feasible" and if he so finds makes a determination to that effect.

Thus, under section 4 discretion is vested in the Administrator to determine whether a loan is economically feasible and his decision may not be challenged in the absence of evidence of an abuse of the discretion vested in him. Under existing law (16 U.S.C. 825–1) the continuing fund is available to cover such costs only in amounts as may be approved annually in appropriation acts and the Administrator would not be justified, in our opinion, in assuming that the present Congress or a future Congress will or will not appropriate funds or make funds available for a particular purpose. It would seem apparent that it would be an abuse of discretion by the Administrator to find that a loan is economically feasible if such finding of feasibility is clearly based as an essential factor, on payments for power or rental of transmission lines to be made by SPA over a period of years from its continuing fund to the cooperative, without which payments the loan would not be economically feasible and could not be repaid by the cooperative.

However, in connection with the Upshur loan we have been advised by REA as follows:

"While the REA Administrator's feasibility determination was partially based on the SPA arrangement, and such partial reliance clearly appears to have involved an appropriate exercise of his statutory discretion, due recognition was, of course, given to the continuing fund contingency associated with that arrangement. If entered into, the contract would be designed to achieve the benefits of maximum utilization of the proposed generating and transmission facilities through interconnection and power exchange. It is recognized in the electric industry that integration arrangements among power suppliers provide a means of bringing to the ultimate consumer, of all parties to such an arrangement, the benefits of the reliable, abundant, low-cost power made possible by the constantly improving technology of the industry. From a purely economic and technological point of view, therefore, it is to be assumed that, if operations under the SPA arrangement are suspended or terminated, alternative arrangements would be available with other suppliers. The nature of such alternative arrangements and their financial consequences cannot, of course, be forecast with precision. Nevertheless, it would appear clear that, based on his knowledge of the technological and economic factors referred to, the Administrator could reasonably assume that such alternative arrangements would be available and would significantly reduce, if not wholly eliminate, the adverse effect of suspension or termination of continuing fund payments.

"Finally, a crucial element of every feasibility judgment made by the REA Administrator is the forecast of use by the borrower's consumers and of the revenues which will be derived from that use. Repayment of REA loans is, in the final analysis, dependent on consumer usage and related revenues. To the extent that suspension or termination of the contemplated SPA arrangement may result in increased power costs, Upshur may be required to increase rates to its ultimate consumers in order to maintain revenues at a level sufficient to repay its loan."

In view of the foregoing we cannot say that the Upshur loan would not meet the feasibility requirements of section 4 of the RE Act.

Question No. 2:

"2. One of the criteria used in justifying the Upshur loan was to secure the cooperative's territorial integrity (REA statement at page 2555 of the House hearings on Agricultural Appropriations, 1964). Does the use of this criterion in connection with this loan contravene the congressional policy of the unserved persons clause to prevent federally financed competition with existing utilities?"

Section 4 of the RE Act authorizes the Administrator of REA to make loans for the purpose of constructing generation and transmission facilities to furnish electric energy to persons in rural areas not receiving central station service. Assuming the loan is economically feasible, the only limitation in the RE Act on the authority of the Administrator to make this type of loan is that the loan must be for the purpose of serving unserved persons in rural areas.

Although the literal language of section 4 would appear to preclude the making of a loan to serve a person who is receiving central station service, REA has long interpreted the RE Act to authorize the making of generating and transmission loans to serve persons already receiving central station service who obtained such service initially through REA financed facilities. We understand that it is the position of REA that the authority to finance service to RE Act beneficiaries is not exhausted by the loan for distribution facilities which initially provided central station service for them. REA is of the view that its authority to make loans to serve unserved persons is a continuing authority to finance additional facilities authorized by the RE Act to provide for the beneficiaries' increasing power requirements and includes the authority to finance generation and transmission facilities for their benefit at the time deemed advantageous for them. We are advised that pursuant to this interpretation of the RE Act, REA has made such loans for years with the full knowledge and approval of the Congress.

In connection with the authority of the Administrator to continue to make loans for the benefit of persons already receiving central station service who obtained such service initially through REA financed facilities your attention is invited to Senate Resolution 21, 86th Congress, 1st session, which reads, in part, as follows:

"That it is the sense of the Senate that the Rural Electrification Act of 1936, as amended, continue to be interpreted to authorize * * * loans for the construction of facilities to (1) bring electric service to persons in those areas defined in the act as rural areas if such persons are in fact not receiving central station service, and (2) continue to serve those who are presently being served with the aid of funds loaned under the act."

Also, REA's interpretation of the RE Act was, in effect, approved by the U.S. District Court for the District of Columbia in *Kansas City Power and Light* v. *McKay*, 115 F. Supp. 402, wherein the court said:

"The exercise of any one of the first three above enumerated powers, in the court's opinion, does not exclude the others and does not prevent the concurrent or consecutive (later) exercise of another loan in connection with the development of a prior authorization. To construe the language otherwise would defeat the obvious purpose of the statute and would nullify, in most instances, the authority delegated by Congress, for, as a practical matter, Congress has repeatedly been advised and informed of REA policy and practice and has consistently given its approval to the administrative interpretation of the REA officials and others. Therefore, for the reasons stated above, the court is unable to conclude that the determination made by the Administrator based upon his specialized experience and information to the effect that repeated loans each of which, like the original loan, was made for the single ultimate purpose of supplying electrical service to persons under the circumstances existing in connection with the loans involved, is in conflict with the powers delegated to his office by Congress to make loans 'to persons * * * who are not receiving central station service * * *.' Consequently, the court finds that the course pursued by the Administrator in authorizing the loan under discussion under this heading is not violative of the act and that the loan contracts do not violate the central station provision of the RE Act."

As far as we are aware the above-cited court decision constitutes the highest Federal judicial interpretation of the RE Act in connection with generation and transmission loans. The judgment of the district court in this case was subsequently vacated by the U.S. Court of Appeals for the District of Columbia (96 U.S. App. D.C. 273) and the complaint dismissed on the basis that plaintiff had no standing to sue.

The record indicates that the persons for whose benefit the Upshur loan is being made initially obtained central station service through REA-financed facilities.

In connection with generation and transmission loans it has been the policy of REA over the years to authorize such loans only under two conditions, or criteria, namely:

"A. Where no adequate and dependable source of power is available to meet the consumers' needs, or

"B. Where the rates offered by existing power sources would result in a higher cost of power for the consumers than the cost from facilities financed by REA."

We understand that REA has made generation and transmission loans for many years under this policy and that the Congress has made funds available for such loans with full knowledge thereof.

On May 31, 1961, REA added a third criterion under which it will approve generation and transmission loans (see REA Bulletin 20–6 dated May 31, 1961), namely:

"C. Where generation and transmission facilities are necessary to protect the security and effectiveness of REA-financed systems."

In connection with this third criterion the Administrator has stated that (p. 28, Senate hearings on agricultural appropriations for 1963):

"In considering applications for new REA-financed generation and transmission facilities, REA must consider the future security and effectiveness of the cooperative rural electric distribution systems to be served. This is important both to assure the Government full repayment of loans already advanced and to protect the growing investment of rural people in their cooperative systems.

"The future security of these systems requires that they continue to serve the areas they developed in good faith, areas which the utilities had long neglected and passed by without service. The future effectiveness of these systems depends upon their ability to serve the larger as well as the smaller loans (loads) in their areas without interference or restriction by unfriendly power suppliers. Serving the larger loads makes possible operating economies which increase the efficiency of the systems and pave the way for lower cost electric service to all rural users in their service areas.

"Reliance for wholesale power supply on a utility that at the same time admittedly seeks to serve at retail the territory of its wholesale customers, places the interests of the cooperative distribution system in jeopardy. When this situation exists against the background of persistent and demonstrated hostility of the power supplier, this jeopardy clearly becomes too great to tolerate."

The Administrator has also stated with respect to the third criterion that (p. 1629, House hearings on Department of Agriculture appropriation for 1963):

"Now the term 'security and effectiveness' is meant to cover the security of these REA-financed systems and their ability to survive. 'Effectiveness' is effectiveness in terms of doing the most efficient, most economical, and most favorable job for the farmers and the rural people that these systems are set up to serve."

The record discloses that the Upshur loan was based on the second and third criteria set out in REA Bulletin 20-6. From the House hearings on the Department of Agriculture appropriations for 1964 (pp. 2504–2507, 2555–2558) it appears that because of certain actions on the part of Upshur's present power supplier the Administrator of REA determined that the loan in question was necessary (as far as pertinent here) in order to assure Upshur an adequate supply of power free from limitations imposed on Upshur by its present power supplier. A statement furnished the House subcommittee by REA on the Upshur loan contains the following statement (p. 2558 of the hearings):

"Upshur Rural Electric Cooperative cannot rely on SWEPC as a source of the power it needs to meet its financial obligation to the Government or its service obligations to its members."

From the last quoted statement it appears that the Administrator determined in connection with the so-called third criterion that the loan in question was necessary in order to enable the cooperative to continue to furnish central station service for the benefit of persons who are proper beneficiaries under the Rural Electrification Act, i.e., to persons who were unserved persons in rural areas and who initially obtained central station service through REA financed facilities. In other words the Administrator's statement indicates that without the loan Upshur may not be able to continue to furnish central station service for the benefit of Rural Electrification Act beneficiaries.

The Upshur loan recommendation approved by the REA Administrator states that the recommendation is based on a critical need for a continuing source of wholesale power free from constant threats to the security and effectiveness of the cooperatives. In connection with this justification for the loan, the loan recommendation mentions various actions by the Southwestern Electric Power Co. which are stated to have prevented the cooperatives from practicing utility responsibilities within their respective areas.

In view of the foregoing we cannot say that the use of the third criterion in connection with the Upshur loan contravenes the congressional policy of the unserved persons clause of section 4 of the Rural Electrification Act to prevent federally financed competition with existing utilities.

Your third question reads:

"3. The REA Administrator has stated that the Upshur loan would save Upshur more than three-fourths of a million dollars in power costs during the first 10 years the facilities are in operation. Since the interest rate charged on the loan is 2 percent and the interest rate paid by the Government is 4 percent, the Government subsidy on this loan for the first 10 years might be expected to be about 20 percent of $9,170,000, or $1,834,000. Is this correct and, if so, is this loan justifiable as a reasonable exercise of administrative discretion authorized by law?"

As to the first part of your third question, the interest cost to the Federal Government around the time of the loan approval for money obtained from outside sources for a term of about 30 years was about 4 percent. On the basis of the difference between the 4-percent interest cost paid by the Federal Government and the 2 percent to be paid by Upshur to REA and by REA to the U.S. Treasury we estimate that the excess interest cost to the Government on the $9,170,000 loan over the 35-year loan term will be about $4,411,000. On the same basis, we estimate that during the first 10 years of the loan the excess interest cost to the Government will be about $1,395,000.

Our computations of the interest cost to the Government take into consideration the fact that, except during the first 3 years, when principal repayments are deferred, quarterly repayments of the principal amount of the loan will be made by Upshur throughout the 35-year term of the loan. The interest cost of $1,834,000 referred to by you apparently does not take into consideration the periodic amortization of loan principal. On the basis of our computations, the interest cost to the Government during the first 10 years of the loan ($1,395,000) will be about $622,600 more than the estimated savings of $772,400 to the Upshur and Panola cooperatives from self-generation of their power requirements.

Concerning the second part of your third question, the REA Act authorizes the making of loans by the Administrator of REA for the purpose of furnishing electric energy to persons in rural areas not receiving central station service. Section 4 of the REA Act, as amended, provides that loans thereunder shall bear interest at the rate of "2 per centum per annum."

We find nothing in the REA Act, or in its legislative history, which would preclude or prohibit the making of a loan thereunder by the Administrator when the interest cost to the Government on the loan is substantially more than the power cost savings to be realized by the cooperative involved on account of the loan, if the purpose of the REA loan is to furnish electric energy to unserved persons in rural areas. Moreover, as indicated above, it has long been a policy of REA to approve generation and transmission loans on the basis that the rate offered by existing power sources would result in a higher cost of power for the consumers than the cost from facilities financed by REA, and this policy has been made known to the Congress. While an examination of the legislative histories of certain recent annual appropriation acts providing funds for REA indicates that some of the Members of Congress feel that generation and transmission loans should not be made unless the savings in power costs are substantial, we found nothing which could be construed as a statutory prohibition of generation and transmission loans where the cost to the Government is more than the savings in power costs to the REA-financed cooperative involved.

In view of the foregoing, we cannot say that the approval by the Administrator of an REA loan meeting all the requirements and conditions set forth in the REA Act is an unreasonable exercise of administrative discretion not authorized by law, because the power costs savings which will accrue to the cooperative on account of the loan will be substantially less than the interest costs to the Government on account of the loan.

Sincerely yours,

JOSEPH CAMPBELL.

STATEMENT SUBMITTED TO THE COMMITTEE BY THE COMPTROLLER GENERAL, JULY 26, 1963

In addition to the information now being furnished the committee at least 30 days in advance of approval of loan applications for construction of generation facilities, the committee believes that the following explanatory data with regard to pending applications for both generation and major transmission loans would be helpful to the committee's evaluation of REA's loan authorization requests.

1. Description and estimated cost of the proposed generation facilities. Indicate if the proposed facilities are the initial or additional unit or units of a plant comprised of one or more units.
2. Description and estimated cost of proposed transmission facilities including any immediate or future plans to interconnect with other transmission systems.
3. Description of any long-range plans the applicant may have for construction of additional generation and transmission facilities and the estimated cost of the planned facilities.
4. Explanation of the applicant's reasons for seeking an REA loan.
5. Comparison of the estimated costs of generation by the applicant borrower with the cost of power available from existing suppliers.
6. The amount of electric energy which the applicant will cease to purchase from present power suppliers upon construction of the generating plant for which REA financing is being sought.
7. Summary of the efforts made by the applicant and by REA to obtain the applicant's power and energy requirements from existing power suppliers and the reasons why such efforts have not been successful.
8. Explanation of the extent to which the feasibility of the requested loan for generation and transmission facilities depends upon the use of a portion of the facilities by others (including Federal power marketing agencies).
9. Details of the applicant's plans to sell or otherwise make available any of the power and energy from the proposed generation facilities to others (including Federal power marketing agencies).
10. Names of State agencies and commissions having jurisdiction over the applicant borrower.

The committee requests the Administrator, Rural Electrification Administration, in connection with each generation and major transmission loan application, to submit the above additional information and any other significant information concerning the application.

The committee also instructs the Administrator, Rural Electrification Administration, to examine into all complaints which may come to his attention concerning territorial disputes between REA cooperatives and commercial power companies and report to the committee in January of each year the salient facts involved, the disposition of the complaints, and the basis for such dispositions.

COMPTROLLER GENERAL OF THE
UNITED STATES,
September 20, 1963.

Hon. SPESSARD L. HOLLAND,
Chairman, Subcommittee on Department of Agriculture and Related Agencies, Committee on Appropriations, U.S. Senate.

DEAR MR. CHAIRMAN: Herewith is a report on our examination into the estimates of the Rural Electrification Administration, Department of Agriculture, pertaining to the cost of purchased and self-generated electric power which were used, among other things, by the agency as a basis for justifying a $9,170,000 loan to the Upshur Rural Electric Cooperative Corp. (Upshur), of Gilmer, Tex., approved February 14, 1963. Our review was made pursuant to your request dated July 22, 1963.

We also examined into proposed arrangements between the Southwestern Power Administration, Department of the Interior, and Upshur involving interchange of power and leasing of transmission lines to ascertain whether they involve any subsidy from the Southwestern Power Administration to Upshur. In accordance with your request, we interviewed Mr. Douglas G. Wright, Administrator, Southwestern Power Administration, to ascertain the basis for various power cost estimates used by him in his testimony during hearings on public works appropriations, 1964, held by the Subcommittee on Public Works, Senate Committee on Appropriations.

According to the Rural Electrification Administration, the proposed arrangements between Upshur and the Southwestern Power Administration will benefit Upshur by enabling it to obtain standby generating capacity so that when the generating plant is not in use the customers of Upshur will have a source of power. On the basis of information in the files of the Rural Electrification Administration at the time of the loan approval, it appears that the facilities for self-generation of power to be financed by the $9,170,000 loan and the proposed arrangements between Upshur and the Southwestern Power Administration would make possible combined savings of $772,400 to Upshur and the Panola-Harrison Electric Cooperative, Inc. (Panola), of Marshall, Tex., during the 10-year period 1965 through 1974. Panola is a distribution cooperative which plans to obtain a part of its power requirements from Upshur. However, a recent offer, dated July 12, 1963, by the Southwestern Electric Power Co. to amend its contracts with the cooperatives would reduce the combined savings possible to Upshur and Panola under the self-generation plan from a total of $772,400 to $312,600 during the same period.

Under one proposed arrangement, the Southwestern Power Administration will buy surplus generating capacity from Upshur at a price of $9 per kilowatt per year which, according to the estimates of the Rural Electrification Administration, will be about the same as Upshur's cost of such generating capacity. Under another proposed arrangement, Upshur and the Southwestern Power Administration will exchange electrical energy and will annually balance off such exchanges. Each party will pay the other party at the rate of 2.25 mills per kilowatt-hour for energy that it is not possible to balance off. According to the Rural Electrification Administration and Mr. Wright, the 2.25 mills per kilowatt-hour should be about equal to Upshur's fuel cost.

Our review of the Rural Electrification Administration files showed that Upshur's purchased-power cost of 8.47 mills per kilowatt-hour, as estimated by the agency, differed from the cost of 6.2 mills per kilowatt-hour referred to by Mr. Wright during the Senate Appropriations Committee hearings. The difference is principally attributable to pertinent cost factors which were contained in the Rural Electrification Administration's estimate but which were not included by Mr. Wright in his estimate.

The information obtained during our examination indicated that the proposed arrangements between the Southwestern Power Administration and Upshur would be beneficial to both parties; however, it did not establish the existence of, or the intent to provide, a subsidy to Upshur by the Southwestern Power Administration.

The various aspects of the subjects covered by our examination are discussed in greater detail in the accompanying report. Certain background information pertaining to the Upshur loan was set forth in our letter to you of August 20, 1963. However, to enable independent use of this report to the extent deemed desirable, we are repeating some of this information.

This report is the last of the items being furnished to you pursuant to your request dated July 22, 1963.

Sincerely yours,

JOSEPH CAMPBELL.

EXAMINATION INTO CERTAIN ASPECTS OF A LOAN TO UPSHUR RURAL ELECTRIC COOPERATIVE CORP., GILMER, TEX., BY RURAL ELECTRIFICATION ADMINISTRATION, DEPARTMENT OF AGRICULTURE

(Report to the Subcommittee on Department of Agriculture and Related Agencies, Committee on Appropriations, U.S. Senate, by the Comptroller General of the United States, September 1963)

INTRODUCTION

Pursuant to a request dated July 22, 1963, from the chairman, Subcommittee on Department of Agriculture and Related Agencies, Senate Committee on Appropriations, and General Accounting Office has examined into the estimates of the Rural Electrification Administration (REA), Department of Agriculture, pertaining to the cost of purchased and self-generated electric power which, among other things, were used by the agency as a basis for justifying a $9,170,000 loan to the Upshur Rural Electric Cooperative Corp. (Upshur) of Gilmer, Tex., approved February 14, 1963. We also examined into proposed arrangements between the Southwestern Power Administration (SPA), Department of the Interior, and Upshur involving interchange of power and leasing of transmission lines to ascertain whether they involve any subsidy from SPA to Upshur.

Prior to approval of the loan, Upshur was a distribution-type cooperative that obtained all its power requirements from the Southwestern Electric Power Co., of Shreveport, La.

The loan of $9,170,000 was approved to partially finance construction of new generation, transmission, and distribution facilities, to be used by Upshur for self-generation of its power requirements and to provide a portion of the power requirements of another distribution-type cooperative, the Panola-Harrison Electric Cooperative, Inc. (Panola), of Marshall, Tex., which also obtained all of its power requirements from the Southwestern Electric Power Co.

The loan to Upshur was approved for a term of 35 years at an interest rate of 2 percent a year. In approving the loan, the Administrator, REA, made a determination that the loan was justified on the basis of a critical need by the cooperatives for a continuing source of wholesale power free from constant threats to their security and effectiveness and on the basis that the cost of self-generated power to the cooperatives would be less than the cost of purchased power.

Our examination, which was made in Washington, D.C., involved a review of records of REA, discussions with officials of REA, and an interview with Mr. Douglas G. Wright, Administrator, SPA.

A list of the principal officials of the Department of Agriculture and the Rural Electrification Administration responsible for administration of the electric loan program appears as the appendix.

Further details on specific aspects of the Upshur loan examined into follow.

BACKGROUND INFORMATION ON THE LOAN TO UPSHUR

On February 14, 1963, the Administrator, REA, approved a loan of $9,170,000 to Upshur for a term of 35 years. The loan, which bears interest at 2 percent a year, was approved for the purpose of partially financing the construction of a 38,000-kilowatt net capability steam generating plant near Ore City, Tex., 190 miles of 138-kilovolt transmission line, 65 miles of 69-kilovolt transmission line, 78 miles of distribution line, distribution system improvements, a switching station, and four substations. In addition to the funds received from the REA loan of $9,170,000, Upshur intends to use a minimum amount of $700,000 of its own general funds toward financing the construction of the above-mentioned facilities.

According to REA, following completion of the generation and transmission facilities, Upshur expects in 1965 to take its power requirements from the new generating plant. In addition, Panola expects to take a portion of its power requirements (estimated as over one-half by REA) from the Upshur plant. At present both cooperatives receive their power supply from the Southwestern Electric Power Co.

REA officials have stated that justification for the loan to Upshur was based on a critical need for a continuing source of wholesale power free from constant threats to the security and effectiveness of the Upshur and Panola cooperatives. In this connection the agency has stated that the Southwestern Electric Power Co. has hindered Upshur in its efforts to extend electric service to unserved rural consumers and has in several instances taken over consumers served by the cooperative.

Another justification given by REA for the loan is the amount of savings the generation and transmission facilities will make possible for Upshur and Panola. These savings, estimated by REA to amount to $772,400 over the 10-year period 1965 through 1974, are based, in part, on planned operations under proposed arrangements between Upshur and the Southwestern Power Administration.

PROPOSED ARRANGEMENTS BETWEEN UPSHUR AND THE SOUTHWESTERN POWER ADMINISTRATION

Terms of the proposed arrangements between Upshur and SPA are contained in REA files and in correspondence between Upshur and SPA which took place in November 1962. According to these sources, it is proposed that SPA will lease for a term of 40 years the 190 miles of 138-kilovolt transmission line to be constructed by Upshur between the Upshur generating plant at Ore City, Tex., and the Brown, Okla., switching station where a 138-kilovolt transmission line of SPA is located. Under the proposed lease SPA will pay Upshur all fixed costs (estimated at $91,000 per year by REA), including debt service, taxes, and necessary insurance, on about 120 miles of the line extending from the Brown switching station to a point near the proposed Broken Bow Dam project (Corps of Engineers, Department of the Army) and thence to the Red River, an area where SPA expects to serve future commercial consumers. Upshur will pay all fixed costs on the remaining 70 miles of line from the Red River to its proposed generating plant. The SPA will operate, maintain, and make necessary replacements on the entire 190 miles of 138-kilovolt transmission line.

It is expected that the proposed lease will provide that Upshur have priority over all others to use any remaining portion of the capacity of the transmission line for its own operations after the contractual obligations of SPA and the cooperative have been fulfilled. Upshur will also have the right under a power exchange arrangement to obtain generating capacity from SPA to serve Upshur's customers at any point on the SPA system where there is a point of connection with such customers, at no transmission cost to Upshur. SPA will obtain from the generating plant of Upshur an equal amount of generating capacity in return.

The SPA will, under the proposed arrangement, furnish Upshur with standby generating capacity so that when Upshur's generating plant is not in use its customers will have a source of power. In consideration for this standby generating capacity, Upshur will allocate 10 percent (3,800 kilowatts) of its generating plant capacity to SPA. Electric energy from SPA to Upshur and from Upshur to SPA will be transmitted over the proposed 138-kilovolt transmission line.

It is proposed that SPA will, in addition to leasing the 138-kilovolt transmission line from Upshur, purchase from Upshur surplus generating capacity from the new generating plant at the annual rate of $9 per kilowatt in accordance with a schedule of surplus capacity to be determined by the parties. A loan study prepared by REA shows that the surplus capacity in 1965 is estimated to be 16,600 kilowatts (44 percent of plant capability) and that it will decline to 1,900 kilowatts (5 percent of plant capability) in 1974. The study shows also that, during the 10-year period 1965 through 1974, the total surplus capacity of the Upshur plant is estimated to be 94,600 kilowatts which, at the proposed annual rate of $9 per kilowatt, will result in surplus capacity sales to SPA amounting to $851,400. According to REA, the costs allocable to the surplus generating capacity of Upshur will be about $9 per kilowatt.

SPA and Upshur contemplate that Upshur's generating plant will not be required to operate at a capacity of less than 10,000 kilowatts (26 percent of plant capability) between the hours of 10 p.m. and 6 a.m. on weekdays and all day on Saturdays, Sundays, and holidays. When the generating plant is not in operation, Upshur will use the generating capacity of SPA supplied by means of the 138-kilovolt transmission line provided for in the REA loan to Upshur.

Ushur and SPA expect to operate the generation facilities in such a way that energy exchanges between them will be balanced off annually. In case it is not possible to balance off energy annually, either party will be compensated annually, during the period 1965 to 1970, for the net balance of energy due from the other party at the rate of 2.25 mills per kilowatt-hour. The rate will be adjusted on June 30, 1970, and at the end of each 5-year period thereafter, to take into consideration the actual increase in fuel cost to Upshur above the average fuel cost during the period ending on such date. Mr. Douglas G. Wright, Administrator, SPA, advised us in an interview on July 24, 1963, that the proposed energy charge of 2.25 mills per kilowatt-hour for energy which cannot be balanced off annually probably will not result in a gain to Upshur because Upshur's actual fuel costs will, he believes, be about 2.25 mills per kilowatt-hour. Our review of REA files showed that the agency estimated that fuel costs would be 2.223 mills per kilowatt-hour during the years 1965 through 1969 and 2.667 mills per kilowatt-hour during the years 1970 through 1974.

Mr. Wright emphasized, during our interview with him, that the proposed arrangements between Upshur and SPA had not been consummated and that the final arrangements may have terms different than those that have been proposed.

COMPARISON BETWEEN ESTIMATED COST TO UPSHUR OF GENERATING AND OF PURCHASING POWER AND ENERGY

According to a loan study prepared by REA, the cost of self-generated power and energy for Upshur will average 7.62 mills per kilowatt-hour during the 10 years, 1965 through 1974. The study also showed that during the same period Upshur could purchase power from the Tex-La Electric Cooperative, Inc. (Tex-La), of Lafayette, La., at an average cost of 8.47 mills per kilowatt-hour. REA and the Southwestern Electric Power Co. agreed that Upshur would pay less for power purchased from Tex-La than for power purchased directly from the company.

Tex-La, according to information in REA files, is a cooperative that was organized by a group of electric cooperatives in east Texas and Louisiana and by other preference customers of SPA for the purpose of providing a group-purchasing organization which could combine power company thermal energy with SPA hydroelectric peaking power in order to secure the lowest power supply costs possible. Tex-La and SPA entered into an agreement in May 1960 whereby the electric cooperatives would receive Federal hydroelectric power and energy under rights granted to preference customers by section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s). In addition, Tex-La entered into an agreement with the Southwestern Electric Power Co. providing for the purchase by the company of the hydroelectric power and energy purchased by Tex-La from SPA, and the sale by the company to Tex-La of firm power and energy for the members of Tex-La. However, all of the members of Tex-La had not signed power sales contracts offered by Tex-La. Upshur and Panola did not consider the contract terms offered to Tex-La by the Southwestern Electric Power Co. satisfactory, and, as stated previously, they have continued to purchase their power directly from the power company at a slightly higher cost than charged by Tex-La.

Tables I and II which follow are summaries of REA data showing the estimated costs of power and energy during the 10 years, 1965 through 1974, to Upshur under the proposed self-generation plan and under the Tex-La purchase power plan, respectively. The total net cost for 745,300,000 kilowatt-hours under the self-generation plan as shown in table 1 is $5,678,816 for the 10 years, 1965 through 1974, which is 7.62 mills per kilowatt-hour delivered to distribution load centers. This net cost reflects payments of $1,468,522 to be made by Panola to Upshur for power and energy and the surplus generating capacity payments of $851,400 to be paid to Upshur by the SPA. Also included in the 10-year costs is an amount of $1,062,000 for 116.7 miles of 69-kilovolt transmission line to transmit energy to distribution load centers of Upshur.

Costs of $526,700 related to the 70 miles of 138-kilovolt transmission line that will be paid by Upshur (depreciation, taxes, insurance, and interest) are shown in table I. Since SPA will pay all other costs (maintenance and replacements) related to the 70 miles of line and all costs related to the remaining 120 miles of 138-kilovolt transmission line, these costs are not included in table I. As stated previously, REA estimates that SPA will pay Upshur $91,000 a year to cover all fixed costs including debt service, taxes, and necessary insurance on about 120 miles of the line.

TABLE I.—*Upshur Rural Electric Cooperative Corp., total estimated cost of self-generated power and energy for the years 1956 through 1974* [1]

	Amount	Mills per kilowatt-hour [2]
Generation costs:		
Labor, maintenance, materials, operations, supervision, and engineering	$1,250,000	
Depreciation	1,339,000	
Taxes and insurance	212,000	
Interest	1,016,140	
Administrative and general expenses	50,000	
Fuel cost	2,543,897	
REA addition error	−999	
Total, generation costs	6,410,038	
138-kilovolt transmission line costs (covering fixed costs related to 70 miles of the 190 miles of 138-kilovolt line to be constructed):		
Depreciation	259,000	
Taxes and insurance	55,500	
Interest	212,200	
Total 138-kilovolt transmission line costs	526,700	
Total costs of generation and 138-kilovolt transmission line	6,936,738	
Less costs to be paid by—		
Panola-Harrison Electric Cooperative, Inc., of Marshall, Tex., for power and energy	$1,468,522	
Southwestern Power Administration for surplus capacity	851,400	
Total deductions	2,319,922	
Net generation cost and 138-kilovolt transmission line costs to Upshur	4,616,816	6.20
Transmission costs of 116.7 miles of 69-kilovolt transmission line	1,062,000	1.42
Net generation and transmission cost to Upshur load centers	5,678,816	7.62

[1] Prepared from REA records without verification.

[2] Based on a total of 745,300,000 kilowatt-hours.

As is shown in table II, if Upshur were to purchase power and energy from Tex.-La. during the 10-year period 1965 through 1974, the total cost is estimated by REA to be $6,309,554, which is 8.47 mills per kilowatt-hour delivered to distribution load centers for a total of 745,300,000 kilowatt-hours. Under a Tex-La contract the demand charge for the 10 years, 1965 through 1974, would be $2,167,200 for Upshur ($14.40 per kilowatt per year) and the energy charge for the 10 years would be $2,558,160 ($0.0033 per kilowatt-hour). The amount of the estimated fuel adjustment of $494,134 shown in table II was based on statements made in August 1962 by the president of the Southwestern Electric Power Co. that fuel costs would be higher in the future. Part of the energy (REA estimates about 25 million kilowatt-hours) which Upshur would receive annually from Tex-La would be hydroelectric energy free from fuel adjustment. Also included in the total purchase costs is the 10-year cost of $1,040,060 for 112.7 miles of 69-kilovolt transmission line.

Table II.—*Upshur Rural Electric Cooperative Corp., total estimated cost of power and energy purchased from the Tex-La Electric Cooperative, Inc., for the years 1965 through 1974* [1]

	Amount	Mills per kilowatt-hour [2]
Demand charges, at $14.40 per kilowatt per year	$2,167,200	2.91
Energy costs at $0.0033 per kilowatt-hour (before line losses)	2,558,160	3.43
Fuel adjustment	494,134	.66
Administrative and general expenses	50,000	.07
Total cost of power delivered to Upshur	5,269,494	7.07
Transmission cost of 112.7 miles of 69-kilovolt line	1,040,060	
Total purchased-power costs to Upshur load centers	6,309,554	8.47

[1] Prepared from REA records without verification.

[2] Based on a total of 745,300,000 kilowatt-hours.

On the basis of the estimated amounts shown in tables I and II, REA concluded that Upshur would save about $630,700 during the 10-year period 1965 through 1974 under the self-generation plan. REA also concluded, on the basis of similar estimates, that Panola would save about $141,700 by obtaining a portion of its power requirements from the Upshur generation facilities.

INTERVIEW WITH MR. DOUGLAS G. WRIGHT, ADMINISTRATOR, SOUTHWESTERN POWER ADMINISTRATION

As requested by the chairman, Subcommittee on Department of Agriculture and Related Agencies, Senate Committee on Appropriations, we interviewed Mr. Douglas G. Wright, Administrator, SPA, on July 24, 1963, concerning statements made by him on June 5, 1963, pertaining to estimates of power costs and other matters related to the REA loan to Upshur, during hearings on public works appropriations, 1964, held by the Subcommittee on Public Works, Senate Committee on Appropriations. Our interview was held for the purpose of ascertaining the basis for the cost estimates used in Mr. Wright's testimony. A summary of statements made by Mr. Wright and our comments on his statements follow:

During the hearings Mr. Wright, in response to a question as to the comparative costs of purchased power and self-generated power, stated that he knew of no generating plant in the country which, without a great deal of integration with companies, delivers power cheaper than 8 mills per kilowatt-hour. In our interview with Mr. Wright, he advised us that, in his opinion, no generation and transmission type of cooperative can generate its own energy at a cost of less than 7.5 to 8 mills per kilowatt-hour. We note that under the self-generation power plan for Upshur the net generation and transmission cost to Upshur will average, according to REA and as indicated in table I on page 11, 7.62 mills per kilowatt-hour during the 10 years, 1965 through 1974. REA's cost estimate of 7.62 mills per kilowatt-hour is, therefore, within the range of 7.5 to 8 mills per kilowatt-hour which Mr. Wright advised us would be the minimum self-generation cost, although somewhat less than the 8 mills per kilowatt-hour cost to which Mr. Wright referred during the hearings.

In connection with a discussion as to what it would cost Upshur if it were to purchase power from Tex-La, Mr. Wright stated during the hearings that the cooperatives buying their power under the Tex-La contract paid 6.08 mills per kilowatt-hour in 1962. He stated also that Upshur could purchase power and energy for 6.2 mills per kilowatt-hour. In our interview with Mr. Wright, he stated that the 6.08 mills per kilowatt-hour was the average rate paid by cooperatives that bought energy from Tex-La. in 1962. We reviewed the 1962 power cost invoices, copies of which are contained in REA files, of four cooperatives that obtained part of their power and energy requirements under the Tex-La arrangement in which the Southwestern Electric Power Co. participated. These invoices, which covered the period December 20, 1961, to December 20, 1962, showed an average cost of 6.25 mills per kilowatt-hour, which is slightly more than the 6.08 mills per kilowatt-hour referred to by Mr. Wright as the cost of Tex-La energy. The total purchased-power cost for Upshur of 8.47 mills per kilowatt-hour, estimated by REA, and as shown in table II on page 12, relates to the 10 years, 1965 through 1974, and includes 0.66 mills for estimated increases in fuel costs, 1.4 mills for the expenses of a 69-kilovolt transmission line, and 0.07 mills for administrative and general expenses. Mr. Wright did not make allowances for these costs factors in arriving at his cost estimate of 6.2 mills per kilowatt-hour.

With regard to REA's provision for estimated increases in fuel costs, Mr. Wright stated during our interview with him that, subsequent to approval of the Upshur loan by REA, fuel costs in the Upshur area had been stabilized. As stated previously, at the time of the loan approval in February 1963 REA included in Upshur's purchased-power costs the estimated increases in fuel costs on the basis of statements made by the president of the Southwestern Electric Power Co. in August 1962 that the company's fuel costs would increase in the years 1962–70. Additional comments concerning the stabilization of fuel costs appear on pages 19 to 21.

With regard to REA's provision for estimated expenses of construction of 69-kilovolt transmission line, Mr. Wright advised us that he believes power deliveries to the load centers of Upshur could be accomplished under the Tex-La contract without the 69-kilovolt transmission line. In this connection an REA official advised us that the Tex-La contract, under which cooperatives get power from the Southwestern Electric Power Co., is vague with respect to the addition of delivery points for power and energy for the cooperatives. This official advised us also that even if it were not essential for Upshur, under the Tex-La contract, to construct the 69-kilovolt line to assure delivery of power to its distribution load centers, Upshur would still want to construct the line rather than have the power company do so because experience has proven that the company might attempt to serve electrical loads from any lines it constructs in Upshur's service area.

He stated that the power company might establish delivery points in such a way that it would be difficult for Upshur to serve large electrical loads. We were further advised by the REA official that other cooperatives had not been able to get adequate delivery of power by the power company to their distribution load centers under the Tex-La contract. Our review of information in REA files showed that, at the time of REA approval of the $9,170,000 loan on February 14, 1963, Upshur had obtained prior REA loans to finance the construction of 53 miles of 69-kilovolt transmission line. According to the REA official, these 53 miles of transmission line will not be adequate to meet the increasing power requirements of Upshur.

In response to our inquiry concerning the $9 per kilowatt per year which it is proposed that SPA will pay Upshur for surplus generating capacity of the new plant, Mr. Wright stated that the $9 per kilowatt per year will be beneficial to SPA. He stated also that SPA charges its customers $14.40 per kilowatt per year for generating capacity from the SPA system. However, he pointed out that SPA will not benefit by the full $5.40 difference between these two amounts since SPA must incur interconnection and marketing costs in order to sell generating capacity to others.

On the basis of our discussion with Mr. Wright and our review of REA files, it appears that the difference between the 8.47 mills per kilowatt-hour estimated by REA to be the cost of purchased power to Upshur from Tex-La and the cost of 6.2 mills per kilowatt-hour estimated by Mr. Wright is attributable almost entirely to expenses of fuel costs, the 69-kilovolt transmission line, and administrative and general expenses, for which Mr. Wright did not make allowance in his estimate. Certain developments have occurred, however, since the date of approval by the REA Administrator of the $9,170,000 loan to Upshur which have a bearing on costs which Upshur would have to pay if it were to purchase power under the Tex-La contract. A discussion of these developments follows.

CURRENT STATUS OF TEX-LA ARRANGEMENTS

In a letter dated July 12, 1963, to the Administrator, REA, the president of the Southwestern Electric Power Co. stated that he had met with representatives of Tex-La and that they had worked out an amendment to the rate schedule in the contract under which Upshur would be served were it to buy power under the Tex-La arrangement. He stated that Tex-La would in due course present the amendment to the Administrator, REA, for approval.

We also noted in the REA files a letter dated July 12, 1963, from the president of the power company to the president of Tex-La. In this letter the power company president stated that since the price of gas to the company is fixed for some years, an agreement had been reached which would prevent fuel costs under the Tex-La arrangement from exceeding 17 cents per million B.t.u.'s. In the same letter the president stated that the company will allow the cooperatives a discount of 5 cents per kilowatt per month at 69-kilovolt points of delivery where the demand is more than 1,000 kilowatts.

Under the existing Tex-La arrangement, cooperatives that buy their power and energy from Tex-La must, according to REA, pay more for their energy when the cost of fuel to the Southwestern Electric Power Co. rises. The effect of the 17 cents per million B.t.u. provision mentioned in the power company letter of July 12, 1963, to the president of Tex-La, therefore, would be to put a ceiling on increases in the cost of energy to the cooperatives resulting from rising fuel costs of the company.

In making a comparison of Upshur's cost of power and energy purchased from Tex-La with the cost of self-generated energy, REA assumed that in the 10 years, 1965 through 1974, the cost of energy bought from Tex-La would be subject to adjustment for increases in fuel cost. The Tex-La contract on which the comparison was based provided, in effect, that the annual cost of energy to the cooperatives (except for the cost related to a total of 107 million kilowatt-hours of hydroelectric energy) would rise as the cost of fuel to the company increased above 15 cents per million B.t.u. The agency's estimates of fuel adjustment costs to Upshur during the 10 years, 1965 through 1974, were based on statements made by the president of the power company in August 1962 that the company's fuel costs would increase during the years 1962 through 1970.

On the basis of the proposed amendment to the Tex-La contract that would limit the fuel adjustment to 17 cents per million B.t.u., we estimate that the cost of purchased power to Upshur would be $347,300 less during the years 1965 through 1974 than the cost of purchased power as estimated by REA when the loan to Upshur was approved and that it would be $112,500 less to Panola. The effect of the proposed amendment, therefore, would be to reduce the estimated savings to Upshur from $630,700 to $283,400 for the 10-year period 1965 through 1974 under the self-generation plan and the savings to Panola from $141,700 to $29,200 during the same period.

We did not evaluate the effect of the power company's proposed allowance of 5 cents per kilowatt per month at the 69-kilovolt points of delivery since the amount of any possible savings under this allowance would depend upon the number of such delivery points to be established in the future and the electricity demand at all such delivery points. An official of REA advised us that any savings under this proposed change would be small in comparison to the savings possible under the proposed amendment for fuel adjustments.

We were advised by an REA official that as of July 29, 1963, the power company's proposed amendments to the Tex-La contract had not been submitted by Tex-La to REA for approval.

CONCLUSION

According to REA, the proposed arrangements between Upshur and SPA will benefit Upshur by enabling it to obtain standby generating capacity so that when the generating plant is not in use the customers of Upshur will have a source of power. On the basis of information in REA files at the time of the loan approval, it appears that the facilities for self-generation of power to be financed by the $9,170,000 loan, and the proposed arrangements between Upshur and SPA would make possible a combined savings of $772,400 to the Upshur and Panola cooperatives during the 10-year period 1965 through 1974. However, a recent offer dated July 12, 1963, by the Southwestern Electric Power Co. to amend its contracts with the cooperatives would reduce the combined savings possible to Upshur and Panola under the self-generation plan from a total of $772,400 to $312,600 during the same period.

Under one proposed arrangement, SPA will pay Upshur $9 a year per kilowatt for surplus generating capacity of the new generating plant. The total payments to Upshur by SPA for this purpose during the years 1965 through 1974 were estimated by REA to amount to $851,400. According to REA, the generating capacity costs allocable to the surplus capacity will be about $9 per kilowatt.

Another proposed arrangement between Upshur and the SPA calls for settlement annually of the net balance of energy exchanged by them. Each party will be paid 2.25 mills per kilowatt-hour for the net balance due from the other party. According to REA and Mr. Wright, the 2.25 mills per kilowatt-hour should be about equal to Upshur's fuel cost.

Our review of REA files showed that Upshur's purchased-power cost of 8.47 mills per kilowatt-hour, as estimated by REA, differed from the cost of 6.2 mills per kilowatt-hour referred to by Mr. Wright during the Senate Appropriations Committee hearings. The difference is principally attributable to cost factors which were contained in the REA estimate as heretofore described, but which were not included by Mr. Wright in his estimate.

The information obtained during our examination indicated that the proposed arrangements between SPA and Upshur would be beneficial to both parties; however, it did not establish the existence of, or the intent to provide, a subsidy to Upshur by the Southwestern Power Administration.

APPENDIX

Principal officials of the Department of Agriculture and the Rural Electrification Administration responsible for administration of the electric loan program

	Tenure of office	
	From—	To—
DEPARTMENT OF AGRICULTURE		
Secretary of Agriculture: Orville L. Freeman.	January 1961.	Present.
Assistant Secretary, Rural Development and Conservation: John A. Baker.[1]	August 1962.	Do.
RURAL ELECTRIFICATION ADMINISTRATION		
Administrator: Norman M. Clapp.	March 1961	Do.
Deputy Administrator: Richard A. Dell.	do	Do.
Assistant Administrator, Electric: Richard H. Wood.	April 1961	Do.
Assistant Administrator, Operations: John W. Scott.	August 1961	Do.
Director, Power Supply Division: Hoburg B. Lee.	do	Do.
Controller: Leslie Surginer	July 1961	Do.

[1] Designated as Director of Rural Development and Conservation prior to Aug. 6, 1962, and Director of Agricultural Credit prior to July 10, 1962.

Mr. HOLLAND. Mr. President, prior to the subcommittee markup on the Agricultural appropriation bill, each subcommittee member was provided all the foregoing information, then available, together with other supplemental information. When the subcommittee came to consider the proposed report language at its meeting on August 23, a draft of such report language was read to the members, and there followed a brief discussion of the proposed language. It was decided, at that subcommittee meeting, that information proposed to be furnished to the committee should be limited to major transmission loans and that for loans for generating purposes it be limited to applications in excess of $2 million. In addition, language implying that the committee might conduct hearings on a pending loan application was discussed, and that language was recommended to be deleted.

The subcommittee met again on September 11, at which time it considered the revised language for the committee report. At the conclusion of this meeting of the subcommittee, there was pending a further modification of this language which I personally favored and which was printed in committee print form for consideration by the full committee. This has been designated as Committee Print "A" Revised, the form which I personally recommended for the committee report.

Mr. President, I offer for the RECORD at this point the language for the committee report known as Committee Print "A" Revised—which are the words suggested by myself as chairman of the subcommittee. I believe that this language—while essentially the same as the language adopted by the so-called Humphrey substitute, as amended—and—which is the text of the committee report on pages 27–29, would in the long run have been more satisfactory.

There being no objection, the Committee Print "A" Revised was ordered to be printed in the RECORD as follows:

COMMITTEE PRINT A, REVISED SEPTEMBER 12, 1963

DRAFT STATEMENT FOR COMMITTEE CONSIDERATION IN REGARD TO THE ELECTRIFICATION LOAN PROGRAM OF THE RURAL ELECTRIFICATION ADMINISTRATION

H.R. 6754

The success of the rural electrification program in bringing electricity to the farms and rural areas has been an outstanding development in the past quarter century. It is difficult to measure the great benefits that have flowed to the nonfarm population as a result of rural electrification. With the advent of electrification to the rural areas, farm families had available to them the electrical household equipment long known to the city dweller. In addition, the small power-type equipment operated on farms has opened a vast market in manufacturing and commerce. The rapid growth in the economy has in large part developed from the contribution that REA-financed electrification loans has brought to the rural areas.

During recent years, a controversy has developed in regard to the purpose and need of some of the loans made by the Rural Electrification Administration for generation and transmission purposes. Representatives of private power companies have stated that some loans are unnecessary and are being made where there are adequate supplies of energy already available. Representatives of the Rural Electrification Administration assert that it is essential that the cooperatives be in a position to retain and be able to serve those areas which they have developed as rural service areas even though there may be growth resulting from the industrial development as well as normal population growth. They also claim that private suppliers of power attempt to impose dual rates and other restrictive provisions in power supply contracts. They also claim that private suppliers seek to bring power into rural areas previously established by them.

As previously stated, this committee believes that both the rural electric cooperative and the private power companies who furnish most of the supply of energy needed to serve the electric cooperatives are here to stay and they should make every effort to enter into earnest negotiations with the objective of developing long-term power supply contracts. Long-term contracts, together with a definite understanding as to the areas in which each will serve, will enable both the companies and the cooperatives to plan for future needs at reasonable rates and provide an expanding market for private power companies. It is to the mutual advantage of the cooperatives and the private companies to enter into satisfactory power supply arrangements as well as an understanding that neither will encroach on the service territories of the other, if such an understanding is not inconsistent with State regulation or policy.

The committee does not look with favor upon unfair or dilatory tactics or protracted delays on the part of either party in such contract negotiations. The committee is opposed to the imposition of dual rates in power supply contracts and believes that the cooperatives should state their needs clearly and concretely, and that the suppliers of power should in turn clearly set forth the terms and conditions of power supply contracts.

The committee does not favor the consideration and approval of generation and major transmission loans by the agency until and unless it has been demonstrated that the private sources of energy supply are unavailable to meet the needs of the applicant borrower under reasonable terms and conditions. Further, the committee does not favor the consideration and approval of loans which embody, as a part of the feasibility of such loan, the contingency of a future loan, or loans under which the borrower would enter into leasing arrangements or contemplate the ultimate transfer of facilities which it has developed or acquired as a result of a loan to another cooperative or other agency not eligible to borrow directly from the Rural Electrification Administration.

The committee concurs fully with the requirements set forth in the House committee report relative to the approval by REA of loans for generation and transmission purposes. The committee expects to be furnished with a copy of the Administrator's findings and certification to the Secretary of Agriculture setting forth the results of his negotiations, on terms and conditions of power supply contracts. The committee also expects to be advised whenever the REA Administrator is able to assist in the negotiations of modifications in private power supply which result in the cancellation of a pending loan application.

The committee requests that the following information in connection with pending loans and new loan applications in excess of $2,000,000 for generation loans and for all major transmission loans to be compiled and submitted to the Comptroller General of the United States within thirty days after the receipt of such applications and at least thirty days prior to the approval of a loan:

1. The name and address of the applicant borrower and the date of the application.

2. Description and estimated cost of the proposed generation facilities. Indicate if the proposed facilities are the initial or additional unit or units of a plant comprised of one or more units.

3. Description and estimated cost of proposed transmission facilities including any immediate or future plans to interconnect with other transmission systems.

4. Description of any long-range plans the applicant may have for construction of additional generation and transmission facilities and the estimated cost of the planned facilities.

5. Comparison of the estimated costs of generation by the applicant borrower with the cost of power available from existing suppliers, including the final offer by the private supplier including terms and conditions he offered to meet applicant's long-term energy needs.

6. Summary of the efforts made by the applicant and by REA to obtain the applicant's power and energy requirements from existing power suppliers and the reasons why such efforts have not been successful.

7. Explanation of the applicant's reasons for seeking an REA loan.

8. The amount of electric energy which the applicant will cease to purchase from present power suppliers upon construction of the generating plant for which REA financing is being sought.

9. Explanation of the extent to which the feasibility of the requested loan for generation and transmission facilities depends upon the use of a portion of the facilities by others (including Federal power marketing agencies).

10. Details of the applicant's plans to sell or otherwise make available any of the power and energy from the proposed generation facilities to others (including Federal power marketing agencies).

11. Names of State agencies and commissions having jurisdiction over the applicant borrowers.

The committee expects the Administrator to examine into all complaints which may come to his attention concerning territorial disputes between REA cooperatives and commercial power companies and report to the committee in January of each year the salient facts involved, the disposition of the complaints, and the basis for such dispositions.

SECTION V LOANS

The committee concurs in the recommendations in the House committee report that the Administrator of REA should not make section V loans in competition with private sources of credit, or as a replacement or substitution for loan purposes authorized by the Area Redevelopment Act, Public Law 87-27. Such loans should be very limited since most of the need for such loan purposes no longer exists. The committee requests the Administrator of REA to provide it with a summary of pending section V loan applications as well as a copy of his certification to the Secretary on the necessity for making these loans.

Mr. HOLLAND. The essential differences, as Members of the Senate will note if they review the Record tomorrow and compare it with the language contained in the committee report, is that Committee Print "A" Revised took a firmer stand than the language adopted in regard to the consideration and approval of loans, which are contingent upon a future loan for their feasibility, or in connection with a loan under which the cooperative-borrower would enter into a leasing arrangement which contemplated the ultimate transfer of facilities which it developed or acquired as a result of a loan to another cooperative or other agency not eligible to borrow directly from the REA.

Another difference between the 2 texts was that instead of furnishing to the Congress and to the committees at the time of the approval of the loan the 11 points of information covered on page 28 of the committee report, the same information was to have been compiled and submitted to the Comptroller General within 30 days after the receipt of an application and at least 30 days prior to the approval of the loan.

Mr. President, in order that there be in one place the substitute language that appears in the committee report, as well as the language which I have just referred to and which was not adopted, I request unanimous consent that the committee report statement on page 27 through top of page 29 be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

TITLE II—CREDIT AGENCIES

RURAL ELECTRIFICATION ADMINISTRATION

Electrification loan program

The success of the rural electrification program in bringing electricity to the farms and rural areas has been an outstanding development in the past quarter century. It has benefited both the rural and urban segments of the national economy. The electrification of rural areas brought to rural residents the advantages of modern living which city people had long enjoyed. Power-type equipment operated on farms has opened a vast market in manufacturing and commerce. Nonfarm employment opportunities have expanded. The rapid growth in the economy has in large part developed from the contribution that REA-financed electrification loans has brought to the rural areas.

During the course of the hearings this year, the committee had presented to it, as it has in the past, widely divergent views with respect to REA loans for generation and transmission facilities.

As previously stated, this committee believes that both the rural electric cooperatives and the private power companies who furnish most of the supply of energy needed to serve the electric cooperatives are here to stay and they should make every effort to enter into earnest negotiations in reaching power supply contracts because it is to the mutual advantage of the cooperatives and the private companies to enter into satisfactory power supply arrangements.

The committee recognizes that the House recommended a new procedure for REA after hearing the differing points of view surrounding the loans made by the Rural Electrification Administration for generation and transmission purposes.

This committee concurs with the recommendations set forth in the House committee report, to wit:

Before public funds are loaned for power generation or transmission, the Rural Electrification Administrator, in connection with any such loan, should:

(1) Make a survey and determine wherein the existing contract for power or the proposed contract is unreasonable;

(2) Advise the supplier wherein such contract is unreasonable; and

(3) Attempt to get such contract modified to make it reasonable.

Loans should be made only when reasonable contracts cannot be obtained.

With regard to any further generation and major transmission loan approved in excess of $2 million, the Administrator shall certify to the Secretary of Agriculture, the Comptroller General, and the Congress, that each of these steps has been taken and that the private supplier had been given an opportunity to make the contract reasonable, specifying the details, and had refused or failed to do so.

The Administrator also shall furnish the Comptroller General and the Congress on the date of approval of each such loan application, the following information:

"(1) The name and address of the applicant borrower and the date of the application.

"(2) Description and estimated cost of the proposed generation facilities. Indicate if the proposed facilities are the initial or additional unit or units of a plant comprised of one or more units.

"(3) Description and estimated cost of proposed transmission facilities, including any immediate or future plans to interconnect with other transmission systems.

"(4) Description of any long-range plans the applicant may have for construction of additional generation and transmission facilities and the estimated cost of the planned facilities.

"(5) Comparison of the estimated costs of generation by the applicant borrower with the cost of power available from existing suppliers, including the final offer by the private supplier including terms and conditions he offered to meet applicant's long-term energy needs.

"(6) Summary of the efforts made by the applicant and by REA to obtain the applicant's power and energy requirements from existing power suppliers and the reasons why such efforts have not been successful.

"(7) Explanation of the applicant's reasons for seeking an REA loan.

"(8) The amount of electric energy which the applicant will cease to purchase from present power suppliers upon construction of the generating plant for which REA financing is being sought.

"(9) Explanation of the extent to which the feasibility of the requested loan for generation and transmission facilities depends upon the use of a portion of the facilities by others (including Federal power marketing agencies).

"(10) Details of the applicant's plans to sell or otherwise make available any of the power and energy from the proposed generation facilities to others (including Federal power marketing agencies).

"(11) Names of State agencies and commissions having jurisdiction over the applicant borrowers."

With respect to each generation and transmission loan application, processed by REA in accordance with the foregoing procedures, the Administrator should, in order to avoid dilatory tactics or protracted delays on the part of either party in such negotiations, establish a publicly announced period of time during which the survey, determinations, and negotiations will be carried on prior to a definite cutoff date set by the Administrator.

The committee is opposed to the imposition of dual rates in power supply contracts and believes that the cooperatives should state their needs clearly and concretely, and that the suppliers of power should in turn clearly set forth the terms and conditions of power supply contracts.

The committee expects the administrator to examine into all complaints which may come to his attention concerning territorial disputes between REA cooperatives and commercial power companies, except in States having adequate statutory provisions for determining territorial and service rights, and report to the committee in January of each year the salient facts involved, the disposition of the complaints, and the basis for such dispositions.

The committee instructs the Administrator of REA to report to both the Senate and House Appropriations Committees in writing 60 days in advance of approving allocations of funds for acquiring or building generating plants of over $2 million and major transmission lines, and such other information as the committee may request.

Section V loans

The committee concurs in the recommendations in the House committee report that the Administrator of REA should not make section V loans in competition with private sources of credit, or as a replacement or substitution for loan funds available under the Area Redevelopment Act, Public Law 87-27. Such loans should be very limited. The committee requests the Administrator of REA to provide it with a summary of pending section V loan applications as well as a copy of his certification to the Secretary on the necessity for making these loans.

Loan authorization

1963 appropriations	($480,000,000)
1964 budget estimate	(495,000,000)
House bill	(495,000,000)
Committee recommendation	(495,000,000)

A total of $495 million of loan authorization is recommended for the electrification and telephone programs administered by the Rural Electrification Administration. The total amount recommended is the amount requested in the budget estimate and as approved in the House bill.

New loan authorization of $495 million for the rural electrification program is recommended. This is the amount requested in the budget estimate and carried in the House bill. It is a increase of $25 million of the 1963 authorization. The committee concurs in the action by the House to place $150 million of this amount in the contingency reserve. For the telephone program, the committee recommends new authorization of $70 million, as requested in the budget estimate and carried in the House bill. In addition, there is an estimated carryover of $40.7 million from fiscal 1963 making available a total of $110.7 million for the telephone loan program.

Salaries and expenses

1963 appropriations	$10,442,200
1964 budget estimate	11,344,000
House bill	11,162,000
Committee recommendation	11,287,000

For administration expenses of the Rural Electrification Administration, the committee recommends that $11,287,000 be appropriated, an increase of $844,800 over 1963, and an increase of $125,000 over the House bill, and $57,000 under the budget estimate.

The committee increase provides $573,740 for pay costs, and $271,060 to strengthen agency field staff to carry out administrative requirements in connection with the electrification loan program.

Mr. HOLLAND. I believe that is the statement which the Senator from Minnesota previously suggested be included in the RECORD.

Mr. HUMPHREY. Yes. I am very pleased that it comes at this point, because it is within the discussion of the total bill. So that all the colloquy which the Senator from Florida and the Senator from Minnesota have had prior to this point may be fully related to those pages and paragraphs from the committee report, I am hopeful that that colloquy might be placed at this point in our discussion. I think it would be more relevant.

Mr. HOLLAND. I would be quite willing to have the Senator, on examining the transcript, do so. I shall not have the opportunity to examine it. The Senator may place that colloquy at this point in the RECORD if he prefers to do so.

Mr. HUMPHREY. We have discussed the meaning of the provision relating to other information which the committee may request. We have made it quite clear—at least the Senator from Minnesota has—that the REA Administrator is, so to speak, on notice in terms of the loans that are made, so that the loan purpose relates directly to the purpose of the REA Act. I hope that the Rural Electrification Act will not be stretched and distorted in terms of its application so as to bring discredit upon our fine rural electrification program. Rural development is one thing. Rural electrification is a part of rural development. I have a feeling that there must be careful scrutiny of loan applications as they come in, so that we can be sure that such applications relate to rural electrification and not to some other aspect of rural development which might very well be covered under another program, such as the Small Business Administration, the Area Redevelopment Administration, and other programs which are established for those purposes.

Mr. HOLLAND. Mr. President, I join the Senator in that statement. The record shows the making of loans which were at least unwise. I have already adverted to loans made for the installation of skiing facilities, under section 5 authority of the act. The record will also show in at least two instances the making of loans to cooperative groups for the definite purpose, as disclosed by the papers, of having the facilities transferred, after the loan was paid out, to agencies which do not have the right to borrow from the REA at 2 percent interest, or, on any basis.

I personally feel that such procedures bypass the purposes of the act, and can only discredit this fine program. My own feeling is that the REA itself must administer its business more carefully and get away from these manifest abuses and other abuses that I could suggest, which are shown amply by the record. For example, under G and T loans approved, the power was more expensive than was power which was being bought at the time from a commercial supplier of power—which means that the beneficiaries of the REA program were having to pay more for their power than if they had used the commercial supplier of power to furnish their cooperative with power.

There are abuses. Any member of the committee knows that they are amply shown in the record. I believe every member of the committee realizes that fact and desires that the abuses be corrected. For that reason I strongly support the substitute language proposed by the Senator from Minnesota. I do not believe it would have been as helpful to the REA, to their customers, or to the Nation as the language which I have proposed. But there was so little difference—and we do make progress—and since it is a better set of directions than that given in the report of the other body, I support it wholeheartedly.

I invite the attention of the Senators to the second paragraph of page 29 of the report:

> The committee instructs the Administrator of REA to report to both the Senate and House Appropriations Committees in writing 60 days in advance of approving allocations of funds for acquiring or building generating plants of over $2 million and major transmission lines, and such other information as the committee may request.

It is my well considered judgment that the language as now contained in the committee report, which represents the substitute offered by the Senator from Minnesota [Mr. HUMPHREY], to language which I had offered and which I have already had placed in the RECORD, is less desirable than the provision contained in my recommendations providing for the furnishing of detailed information on the same large loans to the General Accounting Office not more than 30 days after the application was received and not less than 30 days before approval was made.

In both cases there was no requirement for hearings by our committee. I have noticed in the house organ issued by the National Association of Cooperatives a statement that my report language recommended hearings, while the report favored by the Senator from Minnesota, and substituted on his motion by a vote of 13 to 10 for the report which I had recommended, did not. I wish to say now for the record that in either case, the committee would have had the complete right, as in the case of all highly controversial situations, to demand as full information as it might require to conduct hearings if in its discretion it felt that course to be desirable. But there is no requirement in either recommendation for hearings, and I am sure there is no desire on the part of the Senator from Minnesota or on my part to require hearings, unless there be such a showing of irregularity of a highly controversial character or quality as to make it desirable, in serving the public interest, to hold a hearing.

Mr. HUMPHREY. Mr. President, will the Senator yield at that point?

Mr. HOLLAND. I yield.

Mr. HUMPHREY. It is the right of a committee, particularly an Appropriations Committee, at any time when it feels that there is a situation that necessitates a hearing, to have such a hearing.

No excutive officer could deny us that right. But we do not expressly provide that right, since it is an inherent right of the Congress at any time.

The primary difference between committee print A, the language of the committee report of the Senator from Florida [Mr. HOLLAND], and that offered by the Senator from Minnesota, was related to this fact: Committee print A language would have provided that 30 days after the loan application certain information should be made available to the Comptroller General. My language provided that on the date of approval of such loan application the same material, the same information, be made available to the Comptroller General and the Congress. That is the prime difference.

Mr. HOLLAND. That is one of the prime differences. I read further from my prepared statement. In my judgment, the major difference between my recommendation and the Humphrey substitute is that under my recommendation the information would have been filed with the General Accounting Office whereas under the Humphrey substitute as adopted, the basic information would come into the committee directly with full opportunity to require detailed information if it so desired.

In either case, the committee was to be given an equal opportunity in its own discretion to request a hearing and to have a hearing if it desired one. I wish to make that amply clear, for if present practices are continued, there will surely be cases in which hearings will be desirable. I hope there will never be such action.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. HUMPHREY. It is understood also that it is not expected that hearings will be held on each loan application about which there may be some discussion or some difference of opinion.

Mr. HOLLAND. There has been no thought of that.

Mr. HUMPHREY. The Senator from Florida and I both agree in that regard. I wish to make it crystal clear.

Mr. HOLLAND. I think that would be highly disruptive of the regular procedures in the REA office. Let us understand each other. No Senator can say with conviction there have not been abuses in recent years in the REA.

Mr. HUMPHREY. That is, of course, a matter of individual judgment.

Mr. HOLLAND. In the committee even Senators who voted for the substitute of the Senator from Minnesota stated that unless abuses were corrected in this year of operation, under the language that we included in our report, they would join me in a stricter effort next year. The distinguished Senator from Minnesota himself stated he would make the motion.

Mr. HUMPHREY. Yes.

Mr. HOLLAND. The Senator will recall that.

Mr. HUMPHREY. I have so informed the Administrator.

Mr. HOLLAND. I thank the Senator for that. I believe it is helpful, coming from him, since he is one of the best friends the REA has. I so recognize him, and I pay tribute to him in that capacity. It is helpful for him to recognize that there have been abuses which should be corrected, and that unless they are corrected it will be the clear duty of the Appropriations Committee, which is asked to supply large amounts of Federal money, at nominal interest rates—at 2 percent, a little more than half the rate our Government has to pay now for long-term funds that it borrows. To continue to supply the money for loans, even for a very worthy purpose, in the face of a continuation of such abuses would be something I am sure the Senator would not approve.

It is well that this whole subject has come out into the open. I join the Senator in his feeling, and hope that the question will not come up again at the end of this year, but I am perfectly prepared to bring it up unless there is some correction of the abuses in the current year.

Mr. HUMPHREY. Mr. President, will the Senator yield again?

Mr. HOLLAND. The REA has more at stake in this matter than anybody else, because it is quite clear, from reading the current press and magazines and from information which comes to me from Senators, all of whom have supported the REA continuously throughout the years, that there is anxiety over what has been going on. There is, I am sure, a determination that REA shall operate in conformity with its original intent and objectives, so that we may all continue to support it wholeheartedly.

I yield to the Senator from Minnesota.

Mr. HUMPHREY. I should like to put this whole discussion into proper perspective. There are individual Senators who feel that there were misjudgments or abuses, if we wish to call them that, in certain REA loan policies, and that sometimes unwise and untimely decisions relating to them were made. But the record of REA as an organization, as an administration, and as a program over many years, is a highly commendable record, a statement with which we would all agree, I am sure.

I stated earlier that I do not want to see the record tarnished. I do not want the REA to be used for purposes other than those expressly provided by the act. I do not want the REA to take on some of the more difficult and controversial assignments—for example, rural development over and beyond what REA is supposed to do in electrification.

In this spirit I commend the REA for what it has done in the past and for what it is doing now. Both the Senator from Florida and I are in full agreement that we want the REA program to continue to serve the Nation's agricultural areas and other areas of the agricultural economy, even as new plants come into some of the rural areas. We want them to do this in a way which will commend the REA Administration for what it has done.

Mr. Clapp is a good Administrator. I know him well. He is a person with whom one can talk. When matters are brought to his attention, he responds. In the main, he responds favorable to the suggestions which are offered.

I have had a long discussion with Mr. Clapp, following the committee action. I am sure the Senator from Florida has had even more extensive discussions with him.

Mr. HOLLAND. No. Mr. Clapp has not honored me with a visit since the committee hearings were closed.

Mr. HUMPHREY. I called him.

Mr. HOLLAND. Nor has Mr. Ellis. While some people may regard me as a kind of bete noire, I would hope that neither of those gentleman would. But I have not had the pleasure of a discussion with either one of them since the hearings were terminated. I regret that that is the case.

Mr. HUMPHREY. I regret it, also. I believe the Administrator would find the Senator from Florida exceedingly helpful. He is always a good man with whom to visit. One generally gets some good ideas from him. I am going to publicly recommend that the Administrator find time soon to have that long overdue visit.

Mr. HOLLAND. If he should come to visit the Senator from Florida and if he should follow the advice he will get from the Senator from Florida he will put the REA in a much more impregnable position than it is in now. I hope that will be the case after the operation of this year. The REA is not in an impregnable position now. We all know it.

I hope I am not misquoting the Senator from Minnesota in saying that he stated in the committee, and again later in a private conference, that he was prepared to say that unless the abuses were corrected this year he would join in the more severe recommendations next year.

Mr. HUMPHREY. I believe what I said was that if there are abuses and if those abuses are not corrected I will join in asking for more restrictive language.

Frankly, I think that the ski loan was unwise. I do not think it was an abuse, because it was provided for under section 5. If I had been the administrator who had an appropriation to come before the committee, I believe I would not have made a loan for a ski slide at that particular time. But the poor administrator was saddled with it under section 5. He had obligations under it.

I am not sufficiently familiar with the details of the loan to the Texas cooperative to call that an abuse. I know the Senator from Florida thinks it was wrong. The Senator from Louisiana [Mr. ELLENDER] had some rather definite feelings about it. Frankly, I am not in a position to say whether that was right or wrong.

In my section of the country, there have been no abuses of which I know. If the REA would speed up a couple of loan projects under consideration in that area I would be appreciative.

Mr. HOLLAND. I am glad that the administrator is following the Senator's wise counsel sufficiently to keep out of trouble in that area. I hope that he will follow that course throughout the United States.

Mr. President, I ask unanimous consent to have printed in the RECORD, for the information of all Senators, the release from the REA dated August 15, 1963, entitled in this fine way, "REA Makes Pennsylvania Loan To Help Build Power Load, Create Jobs," and which continues with the statement that it was for the purpose of setting up a ski resort in the area served by the REA.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

REA MAKES PENNSYLVANIA LOAN TO HELP BUILD POWER LOAD, CREATE JOBS

A loan in the amount of $110,000 was approved by the Rural Electrification Administration today to assist a Pennsylvania rural electric cooperative in its efforts to develop additional power loads as a means of bringing down the cost of electricity to its members and helping create more employment in its area.

The U.S. Department of Agriculture said the loan was made to the Valley Rural Electric Cooperative of Huntingdon which will relend the funds to a member, the Blue Knob Development Corp. of Altoona. It proposes to use the money to finance electrical facilities involved in the building of a year-round recreational area near Blue Knob State Park.

The corporation plans to develop a ski resort, including seven ski slopes, which will utilize area resources and provide additional employment. The resort, which will eventually be improved for year-round recreational use, will also be financed from local investments and a loan from the Area Redevelopment Administration, U.S. Department of Commerce.

The rural electric cooperative, which looks to the development as a source of additional power revenues estimated at $5,000 annually, will finance the installation of necessary wiring and electrically operated equipment. It will include power units to operate a double chair lift, a pull lift, a T-bar lift and snowmaking equipment aimed at insuring maximum usage of the resort.

Such consumer facility loans are made by REA under the consumer-financing provision (sec. 5) of the Rural Electrification Act. The agency makes the loans only when financing from other sources is not available locally.

According to present plans, the project will open with 58 employees and increase the number to 88 on a seasonal basis by the end of the second year of operation. The increasing use of the recreation area by skiers, probably 17,700 the first season and 26,600 the second, also is expected to promote employment in the surrounding area.

Rural electric cooperatives operate in thin rural areas and attempt to build and diversify their loads in an effort to make more efficient use of their facilities.

Mr. HOLLAND. Mr. President, at this point, also, in order that Senators may not have to look up the contents of section 5, I ask unanimous consent to place in the RECORD, for the information of Senators, section 5 of the REA Act, so that at the proper place in this discussion reference may be made to that section without research.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

SEC. 5. The Administrator is authorized and empowered, from the sums hereinbefore authorized, to make loans for the purpose of financing the wiring of the premises of persons in rural areas and the acquisition and installation of electrical and plumbing appliances and equipment. Such loans may be made to any of the borrowers of funds loaned under the provisions of section 4, or to any person, firm, or corporation supplying or installing the said wiring, appliances, or equipment. Such loans shall be for such terms, subject to such conditions, and so secured as reasonably to assure repayment thereof, and shall be at a rate of interest of 2 per centum per annum; interest rates on the unmatured and unpaid balance of any loans made pursuant to this section prior to September 21, 1944, shall be adjusted to 2 per centum per annum. (May 20, 1936, ch. 432, § 5, 49 Stat. 1365; Sept. 21, 1944, ch. 412, Title V, § 502(b), 58 Stat. 739.)

Mr. HOLLAND. Mr. President, following the amendment to the Humphrey substitute, the committee voted 13 to 10 in favor of the revised language, as it appears in the committee report.

I believe that the action taken by the committee should have a salutary effect on those private power suppliers who have attempted to impose dual rates or other unfair terms and conditions in power supply contracts, or who fail to bargain locally with cooperatives on long-term supply contracts. I also believe that the committee action will have a salutary effect upon any cooperatives, upon the administration, and upon the REA itself in any case where there is a desire to issue large generation and transmission loans without adequate reason therefor when such new facilities would duplicate existing private facilities or, as in some cases already existing, would bring higher rates upon the REA customers. I am hopeful that both the rural electric cooperatives and the private power companies will be encouraged to work together as harmoniously as possible.

Under the procedure adopted by the committee, which includes the additions noted to procedural recommendations made by the House committee, it is my belief that both parties of interest will have an opportunity to deal with each other equitably and fairly. I am hopeful the action taken first by the House committee and now by this committee will deter private power suppliers from making unreasonable demands in power supply contracts and deter the REA Administrator from making loans until such procedural requirements as have been set forth are fully complied with. When loans are announced under the directives of both committees, the Congress and the general public will be provided with considerable information. The points listed are minimal. The Administrator of REA should feel free, in my opinion, to release such additional factual information as essential to a full disclosure as is pertinent.

In regard to section 5 loans, as to which the statements on the Humphrey amendment and my own recommendation were identical, the statement in the House committee report and the statement in the Senate committee report emphasize that the REA Administrator is not to make section 5 loans except for the original intent of such loans, and certainly not for purposes of or as a substitute for loan purposes under the Area Redevelopment Act. In the Area Redevelopment Act, ample authority and reasonable terms and conditions or loans at 4 percent interest were authorized by the Congress.

I, for one, hope that the REA Administrator, will see the light in this regard and immediately discontinue from the further consideration, and certainly not approve any more loans in competition with private sources of credit, or as a replacement or substitution for loan funds available under the Area Redevelopment Act, Public Law 87-27.

As a member of the Standing Committee on Agriculture and Forestry, and as chairman of the Subcommittee on Agricultural Credit and Rural Electrification in that committee, there has been referred to that subcommittee S. 1855, introduced by the Senator from Colorado [Mr. DOMINICK], for himself and the Senator from Utah [Mr. BENNETT] and S. 1926, introduced by the Senator from Ohio [Mr. LAUSCHE], for himself and the Senator from Utah [Mr. BENNETT], proposed to increase the interest rates on REA loans, and for other purposes.

It is not my intention to conduct hearings this year on these two bills or any substitute bill proposing an increase of interest rate upon loans made by the agency. It is my current belief that the action required by the reports accompanying the appropriation bill will serve to curb excessive and unwarranted loans on the part of the REA, and encourage private power companies to offer to the cooperatives fair and reasonable contracts for energy supplies.

It is expected, as stated in the committee report, that neither party will engage in dilatory tactics and that each party will respect the respective service territories. Further, the private power companies are discouraged from attempting to impose dual rates in power supply contracts.

I expect that the Administrator of the REA, in consultation with the Secretary of Agriculture, will promptly develop and issue in proper form the necessary procedures to comply with committee directives. I further expect that the data released to the Congress on loans made will fully cover the salient facts involved in each case so that each Member of the Congress, in either body, can formulate his own opinion on the merits on either side in connection with those loans made in the future which appear to be controversial. I am fully satisfied that the action taken by the committees should serve to protect the rural electrification program.

There are some who are saying that these actions would serve to hurt the REA. To the contrary—and I give this warning with the greatest seriousness I can—if there is no correction of these existing abuses, I think the failure to make the corrections will do more to destroy the REA than anything else that could happen.

In spite of all of the charges and innuendoes that were recently made about my position, I know that our subcommittee is united in its belief that the ability of the agency to make generation and transmission loans when such are appropriate should be protected; and this protection we have attempted to provide without recourse to punitive measures.

Similarly, I feel I speak for the entire subcommittee in stating that we are opposed to the further consideration of section 5 loans for purposes of the Area Redevelopment Act.

Mr. President, I had promised to ask for a quorum call, but I see the distinguished Senator who asked me to make that promise is in the Chamber, so I will propose the action which I told him I would not propose until I had done as I promised. Then if there is a request for a quorum call, I shall be glad to accede to it.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be considered as original text for the purpose of amendment, and that no point of order will be waived by so doing.

The **PRESIDING OFFICER**. Is there objection?

Mr. **WILLIAMS** of Delaware. Mr. President, I object. The Senator from Florida has done an excellent piece of work on the bill, but there are some items in it that I would like to have explained. I think it would be more in keeping with orderly procedure to follow that course.

Mr. **HOLLAND**. The Senator is within his rights in objecting. However, I call attention to the fact that there are numerous amendments in the bill—somewhere upward of 60. Perhaps those amendments which the Senator feels are of sufficient importance to be dealt with in the way he has suggested could be singled out from the others, and the Senate might take such action as I have suggested with respect to such amendments. However, the Senator is within his rights. I respect his view, and will withdraw my request and will not make it again until the Senator has been given due notice.

Mr. **WILLIAMS** of Delaware. I appreciate that. I am not trying to delay action on the bill. Some of the amendments are routine. I want an explanation on some of them in view of the fact that the President has made much of a statement claiming that there has been a $900 million reduction in the cost of the agriculture program this year as compared with last year. I thought in the process we might be able to learn just where that saving has been achieved.

Mr. **HOLLAND**. I think that is a very worthy objective. I respect it. I withdraw my request at this time.

Mr. **WILLIAMS** of Delaware. The reason why I would like to be enlightened in that respect is that I have examined the cost of the program in detail, and I have been unable to learn where the $900 million saving is. I am always willing to be enlightened.

Mr. **HOLLAND**. Mr. President, I stated to several Senators who requested information as to whether there would be any voting this afternoon that I did not intend to take any action which would result in voting, so Senators could attend to other business. My intention is to suggest the absence of a quorum, so the leadership can be notified. If there is further business to be taken up, or if there are amendments to which there is no objection to be offered, or if Senators have amendments to offer so they may be printed and lie on the table, that can be done.

Mr. President, I understand that two or three Senators wish to address questions to me concerning some of the items in the bill. It occurs to me that this may be an appropriate time for them to do so. I shall be glad to yield to them, as they may wish.

Mr. **SPARKMAN**. Mr. President, will the Senator from Florida yield?

Mr. **HOLLAND**. I yield to the Senator from Alabama.

Mr. **SPARKMAN**. I wish to ask a question specifically about the proposal to waive a point of order so as to consider legislation to authorize the appropriation of additional funds for rural housing. Can the Senator state where that item appears in the report?

Mr. **HOLLAND**. It is the item "rural housing loans," on page 31 of the report.

This provision appears in the bill by reason of a motion by the distinguished Senator from Mississippi [Mr. STENNIS], who is in the Chamber, to increase the borrowing authorization of rural housing loans by $25 million. This is an unusual way to act on a problem which certainly exists.

As I understand, the total unexpended authorization is about $150 million, or close thereto. The recommended program for this year is $350 million. The committee recommends to the FHA that it exhaust its authorization, but still only provide a maximum of, let us say, only $150 million.

The distinguished Senator from Mississippi, as I understood his point, wanted to be certain that there was enough provided in the authorization to allow Congress time enough in the next year to consider pending legislation to provide insuring authority to allow the full program, as contemplated by the budget, to be carried out. That legislation has not moved, as I understand.

The Senator from Mississippi, who is in the Chamber and could better answer the question of the Senator from Alabama than I can, felt that adding $25 million to the present borrowing authorization would make certain that Congress, when it met next year, would have, let us say, until March to act on the pending legislation. If I am not correct, I ask the Senator from Mississippi to correct me.

Mr. **STENNIS**. I thank the Senator from Florida.

The basic facts are largely as they have been stated by the Senator from Florida. The budget recommendation was $400 million for fiscal 1964 to provide rural housing loans—that is, loans for the construction and repair of dwellings. In their entirety, these loans are to be repaid with interest. No grant or concession of any kind is provided—merely the authority to borrow from the Treasury to make the loans, all of which are to be repaid with interest. The payment record is excellent.

That authority is almost exhausted. To meet the situation for future years, the administration recommended new legislation in the form of a guaranteed loan program, an entirely different program. Congress would be required to enact new legislation. It is now the month of September. The proposed legislation has not moved either in the House or in the Senate. It has not been active. No hearings have been held. I do not believe a bill has been introduced in the Senate in accordance with the proposed new plan. A bill was perhaps introduced in the House, but was abandoned. So we are faced with the situation that the rural housing program is the only one among all the programs for housing to which Congress is not giving any attention. Unless something is done to release these funds and to add at least a pittance to them, the program will fall by the wayside.

The authorization was to be $150 million, but, as I recall the original plan, the authorization was to be extended over fiscal years 1964 and 1965. I believe the report recommends that the funds all be released; and presumably the administration would act on that proposal. Even if all the funds are released, as the report requests, there would still be a shortage of $250 million according to the budget requests.

The sum proposed to be added is $25 million rather than $250 million. I believe I have correctly stated the figures.

Mr. **HOLLAND**. Mr. President, as a background for discussion, I should like to read from the budget justifications which relate to this subject and which appear on page 80 of the hearings before the committee:

> To meet the increased demand, legislation is being proposed to provide a program of insured rural housing loans under title V of the Housing Act of 1949. Under such an insured loan program, it is anticipated that this loan activity will reach the level of $350 million in 1964, which together with the direct loans of $50 million will make a total loan program of $400 million.

The statement that was made originally is substantially correct. The $25 million item was suggested by the Senator from Mississippi as an amendment in the nature of legislation. It would increase the remaining authorization for this type of loan to $175 million or thereabouts, in the hope that that would last long enough into the new year to allow Congress to pass upon either the pending legislation or to pass some legislation that would appropriately take care of this program, which has proved to be a very effective and a very useful one.

Mr. **SPARKMAN**. Mr. President, will the Senator yield?

Mr. **HOLLAND**. I am glad to yield.

Mr. **SPARKMAN**. Let me say that my questioning is not in any way critical of the provision or unfriendly toward it. As a matter of fact, the Senator from Mississippi discussed this with me.

Mr. **STENNIS**. Yes.

Mr. **SPARKMAN**. The Senator discussed this with me before it was ever proposed in the committee.

Mr. **STENNIS**. It received the approval of the Senator from Alabama.

Mr. SPARKMAN. I agree that we would need the money. There are some things regarding the whole program that I should like to be able to state for the Record. I am not prepared to do so at the present time; but during the consideration of the bill tomorrow, I hope to go rather fully into this program and to present all the facts.

I do want it clearly understood that I do not wish this action to be considered a precedent.

Mr. STENNIS. I thoroughly agree; and I believe it very unfortunate that we are driven to take this step.

Mr. SPARKMAN. I realize that, and the Senator from Mississippi and I agreed to that when the subject was first broached. In fact, just this morning we said there was no such intention.

As a matter of fact, the Senator stated that the farm housing legislation was not receiving any attention. I assure him that our Housing Subcommittee has been quite attentive. We have been trying to get the additional funds authorized and released for the Budget Bureau, for use immediately. The Budget Bureau interpreted the 1961 act as requiring that the money be spread over 4 years. That is where the fiscal year 1964 and the fiscal year 1965 come into the picture. But that was not the intention at all. There is not one word of that sort in the law. The Senator will remember that the Housing Act of 1961 was a very large one; it covered many programs, and covered them in depth; and some of them were extended for as long as 4 years. Much has been said here about its being a 4-year program. The fact that it is a broad program is testified to by the fact that neither last year nor this year have we had a housing program.

We do contemplate one for next year; and in that program, farm housing will be handled again. But just because from time to time we referred to the program as a whole as a 4-year program, it was assumed that that also applied to farm housing. However, not one word in the law limited farm housing to that period of time.

Mr. STENNIS. I am glad to know that, because the interpretation had been the other way.

Mr. SPARKMAN. I realize that; and we have been protesting that interpretation, and I am very hopeful that we shall be able to get the balance of that money released. This is one of the best programs we have ever had. I take a great deal of pride in the fact that I introduced the bill originally in 1949, and it was written into the law that year, and has been a wonderful program.

Mr. STENNIS. The Senator from Alabama has been instrumental in getting it liberalized, and experience has proved that those additions to the law were sound.

Mr. SPARKMAN. Yes. It has been most helpful to our farm people and to others in the rural areas.

With reference to the insurance program that has been referred to, it was tried back in 1954, I believe. During the Eisenhower administration, an insurance program was enacted, but it never got off the ground. It did not work. I am not at all sure that it can be made to work. I understand that in view of the way it is proposed this time, it is hoped it can be made to work; but I do not believe it will. Certainly it cannot be more effective than the present plan, which is a small direct-loan program. As measured by housing programs generally, it is not a large program.

Mr. STENNIS. Nor can it be made effective at all for the current fiscal year, which is moving on.

Mr. SPARKMAN. That is true.

I do not advocate the insurance plan. I was not for it when it was first passed; but I watched it with a great deal of interest. Frankly, I am sorry that it did not take hold. But it did not. It does not fit. The FHA insurance plan fits the city dweller who earns a monthly salary which enables him to make regular monthly payments; but it does not fit the farmer, who often has but a single crop which he sells at a certain time of the year, and is not prepared to make payments in a way that fits a program of that kind.

I wish to say to the Senator from Florida—for I am not sure he understood me a few minutes ago—that I wish to make some remarks on this program tomorrow. So I hope that before this point is disposed of, I may have the privilege of speaking in somewhat more detail than I have this afternoon, because I believe this program has not received the notice it should have. I believe it has been a great help to the agriculture programs throughout the country. Many people do not realize that some of our worst slums are in the farm areas. They do not show up so badly, because they are single shacks; but when thrown together they would present the same slum appearance that a great slum in a city does. The average farmer would like to change that situation; and if he is given the opportunity to do so, he will change it. That is what is happening here.

In recent weeks and months, I have received a great many letters from people over the country—bankers, businessmen in the cities, farm agents, and people of every following—who have the community welfare at heart. They urge that we do something about this farm home program, in order that it will not "dry up on the vine."

I certainly do not intend to oppose this program. I did want to make clear two points: First, that I do not want this action to be considered a precedent; and the Senator from Mississippi has agreed all along that it would not be considered a precedent. Second, before this matter is finally disposed of, I wish to have an opportunity to present it in greater detail than I have been able to do here this afternoon.

Mr. HOLLAND. I am sure the Senator will have that opportunity. I do not know at what stage this matter will be reached. The Senator from Florida has been authorized by the full committee to call up the motion to waive the rule, in the event a point of order is raised, as the Senator knows. So there may or may not be debate at considerable length. I have no information about that although I know the debate will be illuminated by the participation of the Senator from Alabama.

Mr. SPARKMAN. I know from experience that an agricultural appropriation bill which carries items which total from $6 to $7 billion——

Mr. HOLLAND. This one totals a little over $6 billion.

Mr. SPARKMAN. I have seen such agricultural appropriation bills debated in the Senate for a week or two, although I do not anticipate that much time will be used on this one. At any rate, I hope to be on the floor tomorrow afternoon while the bill is being considered, and at the proper time I hope to be recognized, in order to speak in greater detail on this subject.

Mr. HOLLAND. I thank the Senator from Alabama for his remarks.

Mr. SPARKMAN. I thank the Senator from Florida for yielding to me.

Mr. ALLOTT. Will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield.

Mr. ALLOTT. I wonder whether the Senator would mind answering a few questions, to clear up this matter. I shall read from page 81 of the committee hearings. I had not realized until recently that there was a grant provision in this particular piece of proposed legislation. Can the Senator inform me whether any of the money that would be appropriated under the housing amendment would be used for grants?

Mr. HOLLAND. I believe the Senator is referring to another section of the bill that relates to an increase and enlargement of the development loans and repair and improvement grants, and not that section of the bill that we have been discussing, which deals solely with an increased authorization for rural housing loans in the amount of $25 million.

Mr. ALLOTT. That was my impression, but I wished to have the record clear that we would not, through that particular amendment, appropriate any further money toward grants, which is a philosophy with which I do not agree.

Mr. HOLLAND. My understanding is—and if I am in error, I can be corrected—that that amendment deals solely with direct loans for rural housing.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. SPARKMAN. I agree with the interpretation of the Senator from Florida. In title V of the Housing Act of 1949 are three sections, numbered 509, 510, and 511, that deal with those loans. Sections 509 and 510 deal with grants.

I do not believe that the available grants have been used to any great extent. They were primarily for the purpose of cleaning up insanitary conditions, and community projects of that kind, rather than for the individual home. I believe that program has virtually disappeared. At any rate, if there is to be an appropriation for that purpose, it must be made separately.

Mr. HOLLAND. I am correct, am I not, that the provision to which I have referred is only for the purpose of making loans for rural housing?

Mr. SPARKMAN. Under section 511; and that is the only provision in that section.

Mr. STENNIS. Mr. President, will the Senator yield on that point?

Mr. HOLLAND. I yield.

Mr. STENNIS. I believe the Senator from Colorado has made a point. The Senator from Alabama is far more familiar with the subject than I am, but based upon my investigation, I do not believe there is any question that the $25 million item relates solely to authorization for loans to be paid back periodically with interest. The rate of interest is higher than the Government pays, and it is higher than the cost of maintaining the program. I believe the program operates at a little profit now.

Mr. ALLOTT. I very much appreciate the answers of all three distinguished Senators. So it is clear that the proposed amendment does not relate to grants. I cannot agree with the philosophy that the Government has a right to make that kind of grant to certain individuals in preference to others.

I should like to ask a question which has been asked of me many times. Has the Senator any information on the use of the program to make loans within the areas of subdivisions, towns, and cities?

Mr. HOLLAND. I have no such information. I have in the file information as to the full amount of the program, but as to the specific locus of the loans, I could not say whether any loans have been made within incorporated towns. I do not believe so, but I could not give the Senator any assurance on that question. Has the Senator from Mississippi any facts on that subject?

Mr. STENNIS. The Senator from Mississippi has some. Perhaps the Senator from Alabama knows the situation better than I.

Mr. SPARKMAN. The act was amended a few years ago to change the language to read "rural areas." Of course, under the census definition of "rural areas," the area involved might possibly be a subdivision, particularly if it were a fringe area of a town. It might be possible to make such loans, but I have never known such loans to be made by the Farmers Home Administration. Down my way they operate in the country.

Mr. STENNIS. Mr. President, will the Senator yield to me briefly?

Mr. HOLLAND. I yield gladly. I wonder if it would be appropriate for me to have printed at this point in the RECORD the report of the Farmers Home Administration on its housing loans, showing the breakdown between States, the number of such loans, and other pertinent information. If so, Mr. President, I ask unanimous consent that the tables showing that information be printed at this point in the RECORD.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Rural housing loans: Number of borrowers, amount loaned and payments, cumulative through Dec. 31, 1962

State and territory	Total number of borrowers	Total amount loaned	Borrowers paid in full or otherwise satisfied				Borrowers with unpaid balance as of Dec. 31, 1962					
			Number	Payments			Number	Scheduled installments (principal and interest)	Principal and interest payments			
				Total [1]	Principal [2]	Interest [3]			Total	Regular and advance payments made on scheduled installments		Extra payments and refunds
										Amount [1]	As percent of schedule	
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
U.S. total	70, 126	$528, 594, 962	13, 699	$75, 257, 556	$64, 098, 861	$11, 158, 695	56, 427	$86, 001, 595	$95, 141, 763	$89, 957, 835	105	$5, 183, 928
Alabama	4, 484	34, 733, 326	731	4, 368, 084	3, 738, 271	629, 813	3, 753	5, 647, 076	6, 402, 434	6, 025, 589	107	376, 845
Alaska	90	1, 387, 495	3	27, 001	26, 600	401	87	41, 101	47, 590	39, 358	96	8, 232
Arizona	237	2, 387, 305	82	700, 136	604, 683	95, 453	155	355, 030	369, 004	356, 534	100	12, 470
Arkansas	3, 377	18, 233, 627	795	2, 994, 216	2, 585, 908	408, 308	2, 582	2, 845, 497	3, 228, 251	3, 054, 071	107	174, 180
California	1, 081	9, 849, 384	423	3, 014, 232	2, 565, 266	448, 966	658	1, 729, 308	1, 803, 903	1, 715, 450	99	88, 453
Colorado	562	4, 697, 929	162	1, 073, 649	892, 944	180, 705	400	647, 161	689, 614	627, 501	97	62, 113
Connecticut	75	478, 692	37	186, 153	161, 667	24, 486	38	41, 108	37, 870	37, 669	92	201
Delaware	46	395, 590	5	24, 534	22, 140	2, 394	41	36, 888	40, 584	35, 293	96	5, 291
Florida	2, 289	20, 951, 869	383	2, 866, 166	2, 498, 451	367, 715	1, 906	3, 375, 549	3, 684, 724	3, 488, 049	103	196, 675
Georgia	4, 328	30, 889, 662	844	4, 487, 896	3, 798, 965	688, 931	3, 484	4, 577, 269	5, 271, 848	4, 930, 458	108	341, 390
Hawaii	303	3, 216, 970	59	502, 168	419, 697	82, 471	244	538, 244	610, 301	584, 794	109	25, 507
Idaho	939	7, 989, 134	226	1, 616, 382	1, 342, 232	274, 150	713	1, 454, 533	1, 493, 029	1, 452, 168	100	40, 861
Illinois	864	5, 599, 552	293	1, 239, 638	1, 058, 826	180, 812	571	926, 311	985, 363	954, 441	103	30, 922
Indiana	846	6, 484, 399	219	1, 056, 731	891, 607	165, 124	627	1, 022, 629	1, 104, 600	1, 052, 802	103	51, 798
Iowa	1, 315	10, 186, 060	237	1, 161, 985	988, 554	173, 431	1, 078	1, 515, 785	1, 614, 712	1, 559, 144	103	55, 568
Kansas	1, 041	7, 618, 970	204	1, 124, 242	962, 867	161, 375	837	1, 132, 564	1, 276, 057	1, 169, 283	103	106, 774
Kentucky	1, 668	13, 233, 013	281	1, 495, 214	1, 267, 845	227, 369	1, 387	2, 293, 586	2. 673, 250	2, 529, 292	110	143, 958
Louisiana	1, 861	13, 361, 350	405	2, 259, 255	1, 914, 471	344, 784	1, 456	2, 778, 542	3, 070, 016	2, 941, 052	106	128, 964
Maine	1, 202	8, 130, 308	209	941, 831	804, 348	137, 483	993	1, 443, 550	1, 536, 708	1, 456, 183	101	80, 525
Maryland	468	4, 299, 586	107	651, 252	553, 470	97, 782	361	621, 508	662, 264	629, 772	101	32, 492
Massachusetts	63	422, 988	13	68, 818	59, 102	9, 716	50	100, 137	98, 760	94, 731	95	4, 029
Michigan	1, 381	10, 842, 749	304	1, 515, 049	1, 273, 524	241, 525	1, 077	1, 827, 195	2, 009, 569	1, 903, 440	104	106, 129
Minnesota	1, 374	8, 944, 899	196	951, 449	816, 119	135, 330	1, 178	1, 271, 183	1, 341, 501	1, 295, 676	102	45, 825
Mississippi	5, 664	35, 932, 358	946	4, 370, 440	3, 785, 396	585, 044	4, 718	6, 321, 985	7, 000, 693	6, 643, 096	105	357, 597
Missouri	3, 427	21, 318, 249	826	3, 363, 142	2, 896, 001	467, 141	2, 601	3, 329, 634	3, 678, 079	3, 462, 316	104	215, 763
Montana	734	6, 204, 331	144	980, 278	832, 931	147, 347	590	963, 153	1, 054, 947	964, 603	100	90, 344
Nebraska	774	4, 835, 544	284	1, 440, 627	1, 217, 681	222, 946	490	838, 666	855, 263	823, 585	98	31, 678
Nevada	64	583, 017	15	125, 801	103, 418	22, 383	49	113, 315	117, 554	109, 472	97	8, 082
New Hampshire	74	482, 832	15	56, 464	47, 728	8, 736	59	47, 442	39, 527	35, 617	75	3, 910
New Jersey	443	3, 474, 822	111	616, 566	526, 674	89, 892	332	533, 884	537, 673	524, 882	98	12, 791
New Mexico	534	3, 942, 493	167	1, 026, 583	858, 378	168, 205	367	819, 487	876, 880	843, 378	103	33, 502
New York	586	4, 423, 386	119	646, 095	548, 724	97, 371	467	693, 315	736, 902	681, 961	99	54, 941
North Carolina	3, 567	31, 038, 729	479	2, 878, 967	2, 450, 520	428, 447	3, 088	3, 888, 943	4, 592, 221	4, 345, 196	112	247, 025
North Dakota	1, 302	12, 323, 927	125	886, 744	746, 133	140, 611	1, 177	1, 889, 350	2, 035, 778	1, 870, 052	99	165, 726
Ohio	721	5, 138, 412	206	880, 736	770, 124	110, 612	515	773, 903	872, 745	820, 660	106	52, 085
Oklahoma	2, 707	19, 104, 524	674	3, 627, 841	3, 072, 735	555, 106	2, 033	3, 631, 762	3, 970, 072	3, 787, 356	104	182, 716
Oregon	681	5, 528, 126	164	977, 353	837, 016	140, 337	517	1, 091, 712	1, 174, 593	1, 101, 741	101	72, 852
Pennsylvania	953	6, 097, 995	279	1, 190, 539	1, 000, 052	190, 487	674	1, 012, 990	1, 123, 507	1, 015, 066	100	108, 441
Rhode Island	7	27, 298	1	4, 136	3, 140	996	6	5, 815	14, 002	4, 101	71	9, 901
South Carolina	2, 422	20, 516, 155	317	1, 936, 405	1, 620, 518	315, 887	2, 105	3, 644, 933	4, 003, 671	3, 830, 098	105	173, 573
South Dakota	940	7, 212, 614	143	841, 061	706, 415	134, 646	797	1, 111, 135	1, 105, 878	1, 052, 687	95	53, 191
Tennessee	3, 619	28, 726, 432	440	2, 421, 396	2, 086, 304	335, 092	3, 179	4, 167, 964	4, 866, 841	4, 600, 826	110	266, 015
Texas	3, 614	29, 486, 906	786	5, 003, 621	4, 252, 517	751, 104	2, 828	5, 280, 553	5, 846, 746	5, 519, 467	105	327, 279
Utah	1, 045	10, 461, 293	162	1, 219, 764	1, 033, 664	186, 100	883	1, 706, 844	1, 887, 098	1, 781, 782	104	105, 316
Vermont	70	495, 095	17	70, 895	60, 145	10, 750	53	63, 937	72, 163	67, 208	105	4, 955
Virginia	1, 036	8, 754, 929	192	1, 238, 125	1, 034, 171	203, 954	844	1, 530, 674	1, 716, 239	1, 585, 548	104	130, 691
Washington	953	8, 636, 360	142	1, 002, 461	846, 465	155, 996	811	1, 578, 355	1, 680, 243	1, 625, 405	103	54, 838
West Virginia	1, 004	8, 206, 367	142	946, 254	799, 034	147, 220	862	1, 481, 175	1, 707, 306	1, 582, 599	107	124, 707
Wisconsin	1, 509	10, 655, 291	223	1, 097, 080	933, 665	163, 415	1, 286	1, 617, 877	1, 794, 441	1, 719, 225	106	75, 216
Wyoming	407	3, 272, 853	106	725, 391	606, 458	118, 933	301	595, 731	584, 211	558, 257	94	25, 954
Puerto Rico	1, 314	6, 758, 949	240	1, 245, 085	1, 075, 509	169, 576	1, 074	1, 008, 449	1, 099, 468	1, 031, 441	102	68, 027
Virgin Islands	61	620, 818	16	111, 625	99, 788	11, 837	45	36, 849	45, 070	37, 460	102	7, 610

[1] Includes contributions in the form of principal and interest credits as authorized by sec. 503 of title V of the Housing Act of 1949 as amended. The contributions credited to the accounts of borrowers paid in full and with unpaid balance totaled $138,145.

[2] Includes principal writeoffs in the amount of $43,629 and principal judgments in the amount of $55,865.

[3] Does not include interest writeoffs in the amount of $5,045 and interest judgments in the amount of $10,410.

NOTE.—This table includes all loans made under title V of the Housing Act of 1949 as amended Sept. 28, 1962, by Public Law 87-723.

Rural housing loans: Funds obligated and furnished by borrowers, and use of funds, 1963 fiscal year [1]

State and territory	Funds to new borrowers and grant-only cases								
	Number	Amount of funds				Use of funds			
		Loans	Grants	Furnished by borrower	Total	Dwellings			
						New		Repair	
						Number	Amount	Number	Amount
	1	2	3	4	5	6	7	8	9
U.S. total: Percent distribution					100. 0		90. 2		5. 5
Amount	20, 416	$184, 265, 722	$1, 024, 785	$10, 557, 365	$195, 847, 872	15, 876	$176, 586, 376	3, 815	$10, 832, 951
Alabama	1, 357	12, 202, 265	62, 335	780, 678	13, 045, 278	1, 180	12, 219, 525	156	367, 809
Alaska	55	883, 545	0	10, 865	894, 410	37	698, 612	15	150, 266
Arizona	79	695, 000	20, 332	12, 733	728, 065	52	665, 535	27	50, 622
Arkansas	1, 393	7, 164, 600	340, 155	506, 233	8, 010, 988	769	6, 944, 534	513	642, 843
California	137	1, 711, 030	0	78, 840	1, 789, 870	117	1, 475, 918	15	81, 009
Colorado	205	2, 134, 930	2, 970	87, 224	2, 225, 124	145	1, 882, 020	55	196, 387
Connecticut	11	132, 380	0	7, 615	139, 995	9	130, 964	2	2, 200
Delaware	18	208, 555	0	4, 616	213, 171	18	211, 271	0	0
Florida	582	5, 681, 188	23, 315	357, 056	6, 061, 559	504	5, 689, 450	74	250, 868
Georgia	1, 242	11, 962, 425	24, 105	620, 875	12, 607, 405	1, 106	11, 831, 803	127	441, 500
Hawaii	104	1, 194, 200	0	28, 686	1, 222, 886	95	1, 160, 684	7	32, 897
Idaho	195	2, 294, 805	$3, 500	89, 848	2, 388, 153	143	1, 988, 761	46	305, 964
Illinois	216	2, 374, 270	0	84, 329	2, 458, 599	193	2, 334, 513	19	71, 453
Indiana	188	2, 295, 039	0	97, 070	2, 392, 109	181	2, 357, 315	5	15, 168
Iowa	334	3, 716, 180	0	262, 911	3, 979, 091	279	3, 688, 952	40	183, 663
Kansas	322	2, 881, 980	7, 125	99, 792	2, 988, 897	223	2, 651, 040	71	208, 344
Kentucky	547	5, 652, 110	16, 300	326, 939	5, 995, 349	468	5, 513, 784	69	267, 921
Louisiana	477	4, 379, 120	1, 000	273, 704	4, 653, 824	408	4, 345, 589	64	220, 757
Maine	345	1, 841, 950	23, 420	37, 789	1, 903, 159	110	1, 174, 650	196	422, 880
Maryland	137	1, 589, 950	0	95, 213	1, 685, 163	132	1, 637, 620	3	17, 810
Massachusetts	18	110, 000	0	2, 336	112, 336	4	44, 627	3	10, 423
Michigan	295	3, 085, 890	14, 760	165, 528	3, 266, 178	222	2, 852, 371	62	248, 383
Minnesota	482	4, 089, 110	10, 430	236, 572	4, 336, 112	310	3, 671, 045	130	394, 154
Mississippi	1, 604	12, 828, 021	94, 930	476, 153	13, 399, 104	1, 282	12, 247, 001	314	832, 498
Missouri	946	7, 873, 035	97, 005	401, 421	8, 371, 461	704	7, 764, 725	218	350, 565
Montana	143	1, 369, 650	1, 000	74, 207	1, 444, 857	97	1, 237, 047	41	157, 043
Nebraska	192	1, 718, 340	1, 380	235, 765	1, 955, 485	133	1, 701, 132	49	172, 035
Nevada	17	184, 750	0	3, 457	188, 207	12	150, 237	5	34, 779
New Hampshire	50	424, 350	1, 000	8, 300	433, 650	37	402, 310	8	8, 900
New Jersey	151	1, 506, 110	0	139, 941	1, 646, 051	120	1, 470, 099	24	92, 586
New Mexico	138	1, 196, 960	2, 260	59, 431	1, 258, 651	93	1, 087, 809	40	97, 133
New York	156	1, 592, 950	3, 400	66, 389	1, 662, 739	106	1, 363, 033	19	69, 332
North Carolina	1, 650	16, 045, 595	52, 905	1, 056, 942	17, 155, 442	1, 467	16, 198, 043	179	530, 418
North Dakota	351	3, 784, 510	3, 000	168, 032	3, 955, 542	252	3, 389, 234	76	321, 842
Ohio	146	1, 474, 240	1, 000	150, 714	1, 625, 954	113	1, 461, 693	20	63, 883
Oklahoma	563	5, 344, 340	13, 015	318, 919	5, 676, 274	483	5, 294, 360	72	229, 800
Oregon	98	1, 017, 960	0	36, 391	1, 054, 351	72	860, 060	15	61, 460
Pennsylvania	149	1, 410, 725	7, 000	74, 819	1, 492, 544	95	1, 251, 376	42	158, 499
Rhode Island	1	2, 600	0	0	2, 600	0	0	1	2, 500
South Carolina	699	7, 002, 320	950	688, 555	7, 691, 825	632	7, 200, 094	64	332, 441
South Dakota	297	2, 236, 640	5, 720	219, 331	2, 461, 691	136	1, 747, 668	85	267, 522
Tennessee	1, 238	11, 578, 085	1, 000	655, 659	12, 234, 744	1, 165	11, 657, 444	59	182, 794
Texas	898	8, 953, 370	20, 405	473, 614	9, 447, 389	784	8, 782, 732	110	385, 891
Utah	250	3, 143, 830	0	172, 415	3, 316, 245	204	3, 000, 789	44	245, 642
Vermont	11	72, 050	0	4, 210	76, 260	4	36, 610	4	4, 315
Virginia	344	3, 423, 530	0	238, 707	3, 662, 237	311	3, 393, 102	32	134, 671
Washington	175	1, 914, 299	0	62, 921	1, 977, 220	121	1, 614, 372	41	223, 129
West Virginia	312	3, 074, 550	3, 168	194, 875	3, 272, 593	242	2, 925, 166	68	269, 884
Wisconsin	321	2, 786, 400	1, 000	207, 565	2, 994, 965	147	1, 826, 682	76	297, 104
Wyoming	99	1, 077, 800	2, 500	32, 795	1, 113, 095	71	979, 381	25	85, 324
Puerto Rico	645	2, 520, 690	162, 400	55, 160	2, 738, 250	255	1, 967, 594	385	637, 640
Virgin Islands	33	427, 500	0	13, 225	440, 725	33	406, 000	0	0

See footnotes at end of table.

Rural housing loans: Funds obligated and furnished by borrowers, and use of funds, 1963 fiscal year [1]—Continued

State and territory	Funds to new borrowers and grant-only cases							Number of subsequent loans and grants	Amount of subsequent loans, grants and loan costs [2]	Total amount of loans and grants
	Use of funds									
	Other buildings (new and repair)		Water systems		Land purchase and development		Amount of fees			
	Number	Amount	Number	Amount	Number	Amount				
	10	11	12	13	14	15	16	17	18	19
U.S. total: Percent distribution		2.1		1.5		(3)	0.7			
Amount	1,693	$4,084,664	5,416	$3,008,645	14	$34,650	$1,300,586	708	$2,110,874	$187,401,381
Alabama	52	132,030	528	213,606	0	0	112,308	26	88,253	12,352,853
Alaska	1	3,000	28	34,195	0	0	8,337	7	20,050	903,595
Arizona	0	0	6	6,977	0	0	4,931	0	54	715,386
Arkansas	41	105,426	536	262,507	0	0	55,678	42	81,384	7,586,139
California	14	181,910	35	33,841	0	0	17,192	7	40,130	1,751,160
Colorado	36	78,459	48	37,201	1	10,980	20,077	23	80,810	2,218,710
Connecticut	0	0	9	5,910	0	0	921	3	2,340	134,720
Delaware	0	0	0	0	0	0	1,900	0	0	208,555
Florida	14	43,945	116	52,289	0	0	25,007	15	59,410	5,763,913
Georgia	20	69,500	262	152,026	0	0	112,576	34	78,495	12,065,025

Rural housing loans: Funds obligated and furnished by borrowers, and use of funds, 1963 fiscal year [1]—Continued

State and territory	Funds to new borrowers and grant-only cases							Number of subsequent loans and grants	Amount of subsequent loans, grants and loan costs [2]	Total amount of loans and grants
	Use of funds									
	Other buildings (new and repair)		Water systems		Land purchase and development		Amount of fees			
	Number	Amount	Number	Amount	Number	Amount				
	10	11	12	13	14	15	16	17	18	19
Hawaii	8	$21, 672	2	$495	0	0	$7, 138	5	$5, 500	$1, 199, 700
Idaho	21	38, 040	51	38, 315	0	0	17, 073	8	40, 938	2, 339, 243
Illinois	15	30, 067	31	15, 657	0	0	6, 909	9	31, 945	2, 406, 215
Indiana	7	4, 831	18	9, 050	0	0	5, 745	3	10, 275	2, 305, 314
Iowa	43	62, 198	28	19, 818	0	0	24, 460	8	29, 335	3, 745, 515
Kansas	84	82, 451	47	31, 353	1	$420	15, 289	15	41, 525	2, 930, 630
Kentucky	35	46, 485	221	125, 220	0	0	41, 939	15	48, 836	5, 717, 246
Louisiana	19	14, 600	59	27, 876	0	0	45, 002	8	24, 313	4, 404, 433
Maine	58	229, 624	64	59, 169	1	3, 650	13, 186	48	113, 193	1, 978, 563
Maryland	1	9, 000	6	4, 937	0	0	15, 796	1	9, 300	1, 599, 250
Massachusetts	10	53, 316	2	2, 900	0	0	1, 070	1	3, 627	113, 627
Michigan	28	105, 954	85	39, 222	0	0	20, 248	15	90, 685	3, 191, 335
Minnesota	119	201, 410	55	42, 804	0	0	26, 699	18	38, 184	4, 137, 724
Mississippi	19	14, 335	422	229, 156	0	0	76, 114	51	111, 313	13, 034, 264
Missouri	40	55, 041	198	180, 978	1	180	19, 972	40	60, 797	8, 030, 837
Montana	7	12, 924	28	26, 934	0	0	10, 909	7	12, 516	1, 383, 166
Nebraska	29	55, 995	27	16, 272	0	0	10, 051	6	22, 109	1, 741, 829
Nevada	0	0	2	1, 145	0	0	2, 046	0	45	184, 795
New Hampshire	10	13, 875	9	6, 185	0	0	2, 380	1	1, 000	426, 350
New Jersey	11	61, 890	19	12, 722	0	0	8, 754	8	13, 152	1, 519, 262
New Mexico	12	22, 732	46	42, 225	0	0	8, 752	7	15, 922	1, 215, 142
New York	42	187, 491	31	23, 708	0	0	19, 175	2	24, 134	1, 620, 484
North Carolina	32	40, 453	705	230, 310	1	6, 590	149, 628	22	58, 921	16, 157, 421
North Dakota	81	138, 810	77	68, 442	0	0	37, 214	12	39, 396	3, 826, 906
Ohio	34	87, 158	16	6, 925	0	0	6, 295	11	52, 150	1, 527, 390
Oklahoma	40	63, 219	147	68, 343	0	0	20, 552	12	37, 345	5, 394, 700
Oregon	39	116, 174	11	10, 005	0	0	6, 652	14	61, 955	1, 079, 915
Pennsylvania	25	56, 313	28	15, 117	0	0	11, 239	24	79, 258	1, 496, 983
Rhode Island	0	0	0	0	0	0	100	0	0	2, 600
South Carolina	12	4, 970	229	84, 047	0	0	70, 273	19	53, 856	7, 057, 126
South Dakota	142	362, 200	61	66, 213	0	0	18, 088	25	73, 302	2, 315, 662
Tennessee	40	86, 903	440	251, 276	0	0	56, 327	29	70, 670	11, 649, 755
Texas	57	91, 828	185	147, 589	0	0	39, 349	15	52, 348	9, 026, 123
Utah	21	52, 850	6	6, 460	0	0	10, 504	9	38, 587	3, 182, 417
Vermont	13	34, 345	1	300	0	0	690	3	15, 200	87, 250
Virginia	10	7, 850	206	90, 429	0	0	36, 185	7	8, 931	3, 432, 461
Washington	32	82, 352	32	41, 423	1	1, 630	14, 314	16	87, 867	2, 002, 166
West Virginia	7	5, 941	111	49, 071	0	0	22, 531	7	13, 244	3, 090, 962
Wisconsin	275	803, 252	57	43, 010	0	0	24, 917	35	122, 314	2, 909, 714
Wyoming	6	28, 345	13	10, 892	1	900	8, 253	6	10, 440	1, 090, 740
Puerto Rico	31	83, 500	54	31, 100	7	10, 300	8, 116	9	35, 520	2, 718, 610
Virgin Islands	0	0	18	33, 000	0	0	1, 725	0	0	427, 500

[1] In addition, 8 insured labor housing loans for $221,450 and 2 insured rental housing loans for $117,000 were made.

[2] "Loan costs" represent the amounts advanced to borrowers for such purposes as the payment of taxes, insurance premiums, etc. Loan costs appear opposite 2 States reporting no number of loans. This column also includes grants for $4,870 to 14 individuals included in col. 17.

[3] Less than 0.05 percent.

Mr. STENNIS. Mr. President, will the Senator yield to me so that I may make a brief answer to the Senator from Colorado?

Mr. HOLLAND. I yield.

Mr. STENNIS. The Senator may find that in some villages and small towns a few loans have been made, the applicants having met the requirement of a productive capacity in agricultural products in an amount up to several hundred dollars a year. I do not know exactly what the amount is. I believe it is $500, or something like that. The property owners become qualified and meet the requirements through having a peach orchard or something of the kind which brings in revenue. But such farms are very few and very scant. I do not know that the practice is now in effect.

The loans are intended to be bona fide loans for rural areas. There has been a liberalization of the definition of "area" in that it would cover a small farm owned by a man who works in a factory and is a part-time farmer.

Nevertheless, that farmer would be one of the best risks and perhaps one whose needs for a loan in order that the family might live in the community are great. In that way the need for the program builds up.

Mr. ALLOTT. Is there any possibility of loans being made unless the dwelling is coupled with some agricultural production, either by way of vegetable farming or something of that sort?

Mr. STENNIS. The Senator from Mississippi understands that the property must be associated with some agricultural production.

Mr. ALLOTT. If a person had land on the outskirts of a rural community or a relatively small town, and even though the area were subdivided, and part of it were included in a subdivision, that person would be eligible for a loan if he had agricultural productive capacity coupled with his dwelling. Is that correct?

Mr. STENNIS. The Senator is correct, although I do not believe it would extend or ever extends to what would ordinarily be called a subdivision. They are small towns. The people have orchards or vineyards. They grow melons or engage in other agricultural production. In that way they could qualify.

Mr. ALLOTT. Mr. President, those questions have been raised with me, and I thank Senators for their assistance.

Mr. HOLLAND. We are all interested in rural housing. We want to know exactly what the provision means. My understanding is, as stated in the RECORD, that the provision is to tide us over until we can consider appropriate legislation early next year.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. CARLSON. I have one or two questions I should like to ask. Through the kindness of the distinguished committee chairman, the Senator from Florida [Mr. HOLLAND], I was permitted to appear before the subcommittee and speak on behalf of increased appropriations for the Soil Conservation Service. I should like to ask the distinguished chairman if increased appropriations over the House amount for that work are provided in the bill, what the amounts are, and how they will be available for next year.

Mr. HOLLAND. For conservation operations, the committee partially restored the budgeted amount. Whereas the House had cut it from $99,453,000 to $97 million plus, we restored the item to $99 million.

Mr. CARLSON. Would that make the total at the present time $200 million?

Mr. HOLLAND. Thereabouts. That subject was included in my earlier statement, which has already gone to the reporter.

Mr. CARLSON. It would be roughly $200 million if the appropriation were increased $99 million over the House figure. Is that correct?

Mr. HOLLAND. Let me be entirely clear as to the request the Senator is making. Is the Senator talking about ACP or another aspect of the soil conservation program?

Mr. CARLSON. I speak of the Soil Conservation Service, as so recognized, which does soil conservation work, rather than the ACP program. If the distinguished chairman does not have the information available at this moment, I shall be happy to have it printed in the Record.

Mr. HOLLAND. I have the information. On page 37 of the report of the committee the Senator will find tabulated all the information concerning the soil conservation service appropriations.

For conservation operations the budget estimates were $99,453,000, and the Senate committee recommendation is $99 million, which represents a raise of the House figure by $1,520,000.

For watershed protection the amount recommended is $63,992,000, which is the full budget estimate for 1964.

For flood prevention the amount recommended is $25,465,000, only $111,000 short of being the entire budget estimate of $25,576,000.

For the Great Plains conservation program, the recommendation by the Senate committee is in the full amount of the budget estimate, $14,640,000.

For resource conservation and development the Senate committee recommends the same amount as the House, namely, $1,200,000. That is the new program we adopted under the agricultural bill passed in 1962.

I believe that covers all of the activities of the Soil Conservation Service. The total of those appropriations, as recommended by the Senate committee, is $204,297,000, an increase over the House allowance of some $3,936,000.

The Senator will find a complete breakdown of the five activities of the Soil Conservation Service in the compilation to which I have referred.

Mr. CARLSON. I appreciate very much receiving this information. If I read the table correctly, the total appropriations in 1963 for this same type of program were $193,031,250.

Mr. HOLLAND. The Senator is correct.

Mr. CARLSON. This year the amount approved by the Senate committee is $204,297,000.

Mr. HOLLAND. The Senator is correct.

Mr. CARLSON. This is a program which I know has great value in the rural areas of our Nation. I am pleased to see the increase recommended over the amount provided last year. I hope that in the conference the distinguished chairman and other members of the committee will be able to hold the amount as near to that figure as possible.

Mr. HOLLAND. I thank the Senator. We will endeavor to do so.

To complete the figures put in the Record by the Senator, the same compilation shows the Senate committee allowance to be $11,265,750 more than the appropriations for last year.

Mr. CARLSON. I can state from personal knowledge that this is a very worthwhile program, of great benefit not alone to the rural areas of our country, but also to our Nation, because of the conservation program.

Mr. HOLLAND. I agree with the distinguished Senator. There is no more important form of farm program operation than conservation of our resources of soil and water. That is what the program is addressed to.

Mr. CARLSON. We are doing exactly that with the program. It is well handled and administered on the farms of the Nation.

Mr. HOLLAND. I thank the Senator. That has been the observation of the Senator from Florida, also.

Mr. CARLSON. There is a second item about which I should like to ask the Senator. I appeared on March 25 and stated my views also in regard to the establishment of a grain marketing research center in Manhattan, Kans. There is at Manhattan, Kans., one of the great agricultural colleges of the Nation. I appeared before the chairman and stated that the university itself has offered to deed to the Federal Government a site of 5 acres of land with ready access to electricity, water, and sewerage, adjacent to the college, on a surfaced road, for the establishment of a grain marketing research center.

I wonder if the distinguished chairman of the committee can tell us what action, if any, was taken in regard to a grain marketing research center.

Mr. HOLLAND. I must say to my friend that his persuasion overcame the committee; and we included for this purpose an item of $25,000. If the Senator has before him the committee report, I refer him to page 20, where he will find the item included, about two-thirds of the way down the page. It states:

> Also included is $25,000 for the same purpose—

That refers to the earlier program immediately above—

> in regard to the need, cost, and related pertinent factors relative to a national grain marketing research facility. The committee expects that both of these reports will be submitted to it prior to the hearings on the agricultural budget requests for fiscal year 1965.

The committee followed its usual course in this matter. When there is a request for a new facility and the request seems to have great merit, we ask the Department to make this kind of investigation and report. In this instance, we requested that it be made prior to consideration of the appropriations next year.

Mr. CARLSON. That is a fine way to handle the problem. I serve notice now to the chairman that I wish to have the privilege of coming before the committee next year, again to present what I contend to be the benefits of location of this center at the Kansas State University at Manhattan, Kans. I am personally convinced, since I come from a grain-producing area—not merely wheat, but all grains—that we should have such a program. I sincerely hope the report we will get will recommend that a grain marketing research center be established.

Mr. HOLLAND. We shall have to await the report of the Department. In the meantime, it seems to me the request comes most appropriately from a Senator representing the State which produces more wheat than any other, and from an institution known for the thoroughness of its research in all agricultural fields.

Without attempting to prejudge the matter at this time, we will await with interest the report of the Department of Agriculture on this proposed program.

Mr. CARLSON. Would the distinguished chairman have any objection if I asked unanimous consent to place in the Record the statement I made before his committee?

Mr. HOLLAND. I shall be happy to have that done. I yield to the Senator for that purpose.

Mr. CARLSON. Mr. President, I ask unanimous consent that the statement I made before the Subcommittee of the Committee on Appropriations on March 25 in regard to the establishment of a grain marketing research center in Manhattan, Kans., and information in regard to the need and location of it, may be printed in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Frank Carlson in Behalf of Establishment of Grain Marketing Research Center in Manhattan, Kans.

Mr. Chairman, I very much appreciate the opportunity of again appearing before you to ask for funds for the establishment of a grain marketing research center at Manhattan, Kans. You might say that I do not give up easily. I assure you that I will be coming back every year until we get this laboratory. The sad part about it is that I have to ask for more money every year with the prices of everything, including construction, going up.

The grain marketing research center I propose would be the type of activity that is a function of marketing research in the Agricultural Marketing Service of the Department of Agriculture. The chief objective of this proposed grain research center would be to develop new and more efficient ways of making U.S. grain and grain products more desirable to domestic and foreign buyers and users. As we know, we have the most productive and efficient agriculture in the world. It is the envy of every other nation. But in the end, its strength and well-being will continue only if it has markets for its products. Farmers will be able to benefit from the greater productivity of their land and machines only if a broader marketing base can be found for the greater output. Marketing research of the type covered by this proposal is one of the approaches we must use if we are going to find the outlets we need.

When I appeared before you last year, we thought we could construct the building and related facilities for an estimated $2,050,000, but this year the Department of Agriculture gives me an estimate of $2,230,000 for construction costs, plus $500,000 for furnishings and other equipment; $500,000 for salaries (including those personnel already employed); and an annual operating expense of $400,000 to $500,000.

We do not need all of this money in fiscal 1964. In fact we could not use it all. If the committee could see its way clear to appropriate $180,000 which is the amount the Department of Agriculture estimates they need for architectural design, surveys, soil test and a small amount of research, we could get started.

Then next year, I shall be back and ask for construction money.

Kansas State University, located at Manhattan, Kans., is considered the outstanding agricultural university in the Nation. The university itself has offered to deed to the Federal Government a site of 5 acres of land with ready access to electricity, water, and sewage adjacent to the college on a surfaced road for the establishment of the grain marketing research center.

I very much appreciate the opportunity of appearing before you again, and I do not feel that I should take up any more of your time pointing out the great importance of this research center. However, at this point I would like to show the members of the committee the enclosed brochure which I would like to have made a part of the printed hearings.

Thank you very much.

Federal Grain Marketing Research Center

(A statement of the advantage of Manhattan, Kans., as the location of this U.S. Department of Agriculture Research Center)

LOCATION OF THE GRAIN MARKETING RESEARCH CENTER

Kansas is the center of the Great Plains region, the most important grain-producing area in the United States. It is also strategically located between the Corn Belt and the grain-producing areas of the Southwest. Wheat, grain sorghum, corn, barley, oats, rye, and an increasing output of soybeans constitute the major grain crops of this region. An extensive system of local, subterminal and terminal grain handling, storage, and milling facilities provides ample opportunities for research with the grain trade. Excellent cooperation in research efforts exists, both with private firms and cooperative associations. Kansas City, Wichita, Salina, and Hutchinson are all major grain marketing centers. Many associations of grain handlers and producers maintain their headquarters in the region, and Kansas City and Manhattan are favorite locations for conventions and meetings of grain trade groups. Manhattan, and Kansas generally, serve as focal points for visits of a large number of foreign officials and technicians interested in the grain trade. Manhattan is also centrally located with respect to agricultural experiment stations in Missouri, Oklahoma, Nebraska, South Dakota, Iowa, and Colorado, all important grain-producing States.

USDA AGENCIES IN MANHATTAN

Manhattan already serves as a focal point for many USDA services to the farmer, the grain trade, and the processor. The following Government agencies are located in Manhattan:

(a) Stored-Product Insects Laboratory, Agricultural Marketing Service.

(b) Handling and Facilities Research, Agricultural Marketing Service.

(c) Agricultural Engineering Research, Agricultural Research Service.

(d) Hard Winter Wheat Quality Laboratory, Agricultural Research Service.

(e) Entomology Research Division, Agricultural Research Service.

(f) Soil and Water Conservation Research, Agricultural Research Service.

(g) Agricultural Stabilization and Conservation, ASC.

All of these established Federal Government agencies would be able to provide, readily, advice and assistance to the new Research Center when requested. Also the staff of the Grain Marketing Research Center could be of great assistance in a similar manner to the Government agencies located in Manhattan.

FACILITIES AT KANSAS STATE UNIVERSITY

Manhattan is the location of the land-grant university of Kansas which has research programs capable of producing direct support to the work that would be done in the proposed Grain Marketing Research Center. Members of the university research staff in entomology, milling, animal sciences, agronomy, engineering, biochemistry, bacteriology, botany and plant pathology, business, economics, and statistics would be available for close consultation and for service in advisory capacities when requested. Kansas State University has a network of 16 branch stations and experimental fields each of which is staffed with professional scientists, thus providing for wide knowledge of climate, soil, and variety information. These facilities could assist the new Marketing Center in obtaining grain varying in marketing characteristics.

Kansas State University is the center for teaching and research in milling and feed processing. Complete pilot plant equipment is available for grain storage, cleaning, and processing. Industry has provided much of the equipment and funds which have made the university unique in this area in having a department of flour and feed milling industries. It was the desire of industry as well as of the university that the equipment supplied should be used for the greatest public good. These facilities would serve the Grain Marketing Research Center for cooperative work on problems related to grain marketing. It would require several million dollars of public funds if these pilot plant facilities were to be duplicated, and in addition, trained operators would be required which would add to an already expensive operation. The department of flour and feed milling industries has also a library containing important journals and literature in the field of cereal technology which would be available to the Grain Marketing Research Center personnel.

The university is nationally recognized for the excellence of its research and teaching in grain marketing and related subjects. Kansas State University is well known for the contributions made in developing new varieties of wheat, sorghum, and other grains. Excellent library facilities are available including a wheat reference library. The university has a statistical laboratory and computer center with IBM 650 and 1620 computers available for use. Many conferences are held at the university on grain quality, grain storage, stored-grain insects fumigation, and fumigation safety. Meetings are held often for flour millers, cereal chemists, grain elevator managers, and feed processors, and on agricultural-business subjects. The following are examples of the types of meetings held in Manhattan:

Conference name and attendance

Dairy Progress Days	100
Kansas Farmers Union	400
Grain and Feed Industry Business Management Conference	60
Farm Business Days	160
Agricultural Experiment Station Conference	166
Crop Improvement Association	125
Fumigation Conference	178
Crop Management Conference	126
Kansas Restaurant Association Conference	60
PCA Operations Institute	60
Association of Operative Millers	138
Agricultural Engineers Farm Equipment Conference	3, 500
Kansas Academy of Science	450
Feed Plant Feasibility Conference	40
Publication Workshop	132
School Lunch Workshop	139
Home Economics Housing Conference	82
American Association of Cereal Chemists	100
Kansas Formula Feed Conference	300
Kansas Wheat Commission	25
4–H Roundup	1, 300
FFA Field Day	1, 200

Many State and National farm organizations meet regularly in Manhattan.

RESEARCH FACILITIES

In addition to the research facilities of the university and several agencies of the USDA, Manhattan is the home of Agri Research, Inc., a new private agricultural research agency. This organization is located in a new area known as Research Park which provides an ideal location for encouraging other research organizations to locate in Manhattan.

Agri Research, Inc., is engaged in a number of projects relating to grain marketing, both domestic and foreign. This work adds to the concentration of agricultural marketing research capabilities in the area.

OTHER ADVANTAGES OF MANHATTAN AS THE LOCATION OF THE GRAIN MARKETING RESEARCH CENTER

A location away from a highly congested population center has many advantages with respect to pleasant living conditions, convenience, and travel between home and office or laboratory, with absence of slums, juvenile delinquency, and other undesirable social conditions. Community and service facilities at Manhattan are excellent. The city, its schools, nearby recreational facilities, transportation (rail, air, and bus) and cultural and scientific community are excellent. Adequate service utilities such as electricity, water, and gas, together with architects and general contractors are available.

Manhattan has unexcelled health facilities including two new, large hospitals, clinics, and two new homes for the aged. Religious life flourishes and is expressed in 31 denominations and 29 churches. There are adult evening classes conducted by the high school and extension courses offered by the university. There is also the opportunity for graduate study at the university.

Manhattan is a modern city of 23,000 population. University students and others associated with university work add an additional 10,000 persons during part of each year.

Manhattan supports an artist series, a civic orchestra and band, excellent art exhibits, and a well-patronized public library among its cultural attractions. The city employs a full-time recreation director and the recreational program for boys and girls during summer vacation periods has attracted nationwide attention. The city maintains several parks and a zoo. One large park with a swimming pool is located in the center of town where it is within easy access to young and old alike. Tuttle Creek Reservoir will provide complete recreational facilities including swimming and boating, and there are both public and country club golf courses. Kansas State University athletic contests in the Big Eight Conference are of interest to sports lovers. In addition, Manhattan is only 2 hours by car or 45 minutes by plane from Kansas City where there are many outstanding cultural and recreational assets. There is also good hunting and fishing in Kansas.

Kansas is not only the geographical center of the United States, but is the center for the production of food and feed grain; therefore, marketing research is of primary concern to the area. The 10-year average production of grain crops, principally wheat, sorghum, and corn, on the average, in Kansas, amounts to 353 million bushels. There are extensive processing plants for these grains in Kansas. In flourmilling, for example, Kansas is the leading State with a capacity of 40 million hundredweight per year. Kansas also leads all other States in total storage of grain with a capacity of approximtely 780 million bushels.

The city of Manhattan is now the focal point for grain research in the United States. This has come as a natural consequence from the importance to the economy of the region of the production of grain, and its storage, transportation, processing, and marketing. The greatest possible service at the least cost to the public would be to establish the Grain Marketing Research Center in Manhattan where it would be among other research agencies which could supplement its services.

Mr. CARLSON. I thank the distinguished Senator from Florida.

Mr. HOLLAND. I thank the Senator from Kansas for bringing up this important matter.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Colorado.

Mr. ALLOTT. I appreciate very much the courtesy of the distinguished Senator in yielding further. I did not have this correspondence available to me previously.

I am sorry the distinguished Senators from Mississippi and Alabama have left the Chamber, but perhaps the Senator will permit me to put this in the RECORD later, and we can get the facts straightened out.

I read a portion of a letter I have received:

> I am getting quite concerned about the loans being made by the Farmers Home Administration to individuals who are building houses near towns. I notice in our Record of Instruments for the past week a trust deed from Gary Speckman to the Farmers Home Administration due August 30, 1999, on property located in the West-Meadow Subdivision at Aspen. We have had similar instances in Glenwood, and I understand that several are in the process of the same type.

And then he goes on to discuss it.

I have also received two telegrams of the same general tenor and import.

I wonder if perhaps by tomorrow the Department could give us further information.

I do not think it was intended that this particular legislation would provide for the financing of housing in subdivisions adjacent to towns. Although I do not have the specific information available to me in this letter, I doubt very much that there would be any considerable agricultural activities being carried on upon this particular piece of property, although it might well be that it qualifies.

In order that the RECORD may be clear, will the Senator permit me to make as part of my remarks at this point the letter from Mr. Bell, a telegram from Mr. Neet, and one from Mr. Hall?

Mr. HOLLAND. I am very glad to do that, and I join in the request that this material be incorporated in the RECORD.

There being no objection, the letter and telegrams was ordered to be printed in the RECORD, as follows:

BELL REALTY CO.,
Glenwood Springs, Colo.,
September 11, 1963.

Hon. GORDON ALLOTT,
U.S. Senate, Washington, D.C.

DEAR GORDON: I am getting quite concerned about the loans being made by the Farmers Home Administration to individuals who are building houses near towns. I notice in our Record of Instruments for the past week a trust deed from Gary Speckman to the Farmers Home Administration due August 30, 1999, on property located in the West-Meadow Subdivision at Aspen. We have had similar instances in Glenwood, and I understand that several are in the process of the same type.

I may be confused but I wasn't under the impression that the Congress of the United States passed any act which would, by its stupid maturities and interest rates in the present market, allow people to build houses in subdivisions. This is a gimmick which is neither justified nor fair to the lending business.

If this bill was passed to help farmers obtain housing which could not be financed in other ways I do not believe that anyone in our industry would have a beef, but when it gets into the lending of money, more particularly the taxpayers' money, to individuals who lack the necessary down payment to purchase or build property, I feel that it has gone far from the reason for the existence of this type loan.

I would appreciate your comments on it. and also as to what could be done to get rid of a piece of legislation which can only lead to cost for the Government. No-down-payment loans certainly are not going to be very good collateral.

Kind personal regards.
Sincerely,
C. B. BELL.

DENVER, COLO.,
September 17, 1963.

Hon. GORDON ALLOTT,
U.S. Senator,
Washington, D.C.:

We urge that you oppose the Holland amendment of section 511 of the Federal Housing Act that would increase by $25 million the funds available to the Federal Housing Authority for nonfarm housing. This is bill H.R. 6754.

VICTOR B. NEET,
Manager, Farm & Ranch Loan Department, Van Schaak & Co.

DENVER, COLO.,
September 18, 1963.

GORDON ALLOTT,
U.S. Senate Office Building,
Washington, D.C.:

The folks I talk with want the Congress to resist executive usurpation of its responsibility for spending our money. You can begin by defeating Senator HOLLAND's proposed amendment to H.R. 6754 to give the Farmers Home Administration $25 million for nonfarm housing.

How ridiculous.

HENRY C. HALL.

Mr. HOLLAND. Mr. President, I hold in my hand a copy of the act as amended. This particular section is quite long. It might be well, while we are discussing other matters with Senators, for the distinguished Senator from Colorado, who is an able lawyer, to review this particular section of the act, which I now hand him, and see whether it throws any light on the location required by the act to be an appropriate site for a loan for the construction of rural housing. If there are other eligibility requirements which give him concern, I shall be glad to answer the questions.

I am sorry we do not have in our brief any résumé of that act, but that is the section of the act under which loans are made, and as to which the increased authorization recommended by the committee would apply.

I notice that the Senator from Mississippi [Mr. STENNIS] is in the Chamber. I ask that he give attention to that matter.

Mr. STENNIS. Mr. President, will the Senator briefly state the point? I was reading the letter.

Mr. HOLLAND. The Senator from Colorado has just placed in the RECORD certain correspondence which has reached him from constituents, indicating that loans have been made, as stated in the letter, near the town of Aspen in two particular subdivisions. The question arises as to what the requirements of the act are as to the rule of eligibility laid down in the act.

Mr. STENNIS. I thank the Senator from Florida. The Senator from Mississippi was glancing through the same letter.

Mr. ALLOTT. Mr. President, the Senator from Florida has brought to my attention, this particular section of the act, which defines eligibility under the law. Since this section provides that anyone who produces $400 in gross value may be defined by the Secretary as having property qualifying as a farm, I suggest that perhaps subsection (b) of section 501, 42 U.S.C. 1471, be placed in the RECORD in its entirety. This would clear the matter up and show the authority of the law and also the authority of the Secretary to make such a determination.

Mr. HOLLAND. I shall be glad for that course to be followed. I make the request that the section mentioned by the Senator from Colorado be incorporated in the RECORD.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

RURAL HOUSING—TITLE V, HOUSING ACT OF 1949, AS AMENDED

FINANCIAL ASSISTANCE BY THE SECRETARY OF AGRICULTURE

Section 501 (42 U.S.C. 1471): (b)(1) For the purpose of this title, the term "farm" shall mean a parcel or parcels of land operated as a single unit which is used for the production of one or more agricultural commodities and which customarily produces or is capable of producing such commodities for sale and for home use of a gross annual value of not less than the equivalent of a gross annual value of $400 in 1944, as determined by the Secretary. The Secretary shall promptly determine whether any parcel or parcels of land constitute a farm for the purposes of this title whenever requested to do so by any interested Federal, State, or local public agency, and his determination shall be conclusive.

Mr. HOLLAND. It would appear from the Senator's reading of the section that probably the situation suggested earlier by the Senator from Colorado exists;

that is, a person operating a small but profitable chicken business, or berry business, or fruit business, on a lot in a suburban subdivision, provided the business exceeds the figure read by the Senator, could have his lot qualified as a site for such a loan. At any rate, the act will speak for itself.

Mr. ALLOTT. I appreciate the Senator's statement. I think the act is pretty clear as to what is envisioned as being within its scope.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Mississippi.

Mr. STENNIS. The Senator from Mississippi has some additional remarks to make on the general subject of housing, but will make those remarks later.

I wish to ask the Senator from Florida one or two questions. At the bottom of page 3 of the print of the bill there is the beginning of the reference, in the Senate amendment, to the $35 million to be transferred from the Commodity Credit Corporation for agricultural research.

The Senator from Mississippi could not be present in the Chamber when the general subject matter was discussed by the Senator from Florida. For the time being I wish to refer to this item and ask the Senator a question about it. The provision is clear that this language is for utilization research. Language was also provided for increased production research.

Mr. HOLLAND. The Senator is correct.

Mr. STENNIS. Those items are to be considered by the Senate now, and by the conferees later, not necessarily as a joint item, but as two undertakings.

Mr. HOLLAND. The bill came to the Senate from the other body with provision for $5 million to be made available for the cost of production research. The Senate committee felt it should follow the policy which was followed for 2 or 3 prior years—I do not remember just how long—in putting in the bill several million for acceleration of utilization research. Upon the urgent request of the Senator from Mississippi, earlier wording of the field to be covered by the $35 million for research, and as outlined in the Department's report, which has now been printed as Document No. 34, has been enlarged to cover cost of production research.

The Senator is correct in his statement.

Mr. STENNIS. I thank the Senator. The Senator from Mississippi is interested in all research, of course, but because cotton is a major commodity in his State he has a major interest in it.

The Senator from Florida will agree, will he not, that in the case of cotton, one of the major ways to have it utilized and off the hands of the Government is to reduce the cost of producing it, thereby making it more competitive?

Mr. HOLLAND. If it would result in a lower support price, that is correct, because the level of the whole price structure has been so great as to interfere with favorable competition of cotton with synthetic fibers, in particular, and perhaps with some foreign cotton. So I believe the Senator is proceeding in the right direction. The committee was glad to follow the suggestion of the Senator from Mississippi.

Mr. STENNIS. Cotton is a commodity that could come in either door—utilization research or cost-of-production research.

Mr. HOLLAND. Is the Senator suggesting that more of us ought to wear cotton shirts, exclusively?

Mr. STENNIS. The Senator from Mississippi is always favorable to that kind of advertising, and thanks the Senator for that contribution.

Mr. HOLLAND. Mr. President, I have no further matters to discuss at this time, unless Senators wish to ask questions. I have been following what I understood had been stated on the floor by the acting leader before I came in, to the effect that there would be no votes today.

It is now 20 minutes to 5. I shall await the suggestion of the acting majority leader.

Mr. WILLIAMS of Delaware. I have no objection to starting on these amendments now. I wil not ask for a yea and nay vote on all the amendments. Some of them I may agree to. The only reason I raised any question is that the President, in submitting the budget claimed a saving of $928 million in the operation of the agricultural program. I do not for a moment question his sincerity in making that statement; but I cannot reconcile it with their financial reports, and there are those who are very suspicious. To allay these suspicions, I merely ask that we be told where that saving is to be found. I have not been able to find it. I mention that point in particular because I notice that in the bill which is now before the Senate the appropriation called for is $6,046,738,340. The comparable report which was passed by the Senate last year, for the same Agriculture Department, showed the appropriation to be $4,774,983,000. That makes a difference of approximately $1,300 million which is the amount by which the present bill exceeds the one of last year. How can anyone say that an appropriation of $1,300 million more for the agency this year represents a saving of approximately $900 million? That is something that I cannot understand. I am sure that someone on the New Frontier can explain it and that is what I am waiting for.

Personally I am convinced that there is no such savings.

Mr. HOLLAND. The Senator from Florida believes the figures found on page 1 of the committee report to be correct. The figures show that the amount appropriated for 1963, which includes both the original and supplemental appropriations, was $6,007,599,910. The amount in the pending bill, as reported to the Senate, is $6,046,738,340. It is stated very clearly that the amount of the bill as reported exceeds the 1963 appropriation by $39,138,340. The Senator will find those figures on page 1 of the report.

Mr. WILLIAMS of Delaware. That is correct.

Mr. HOLLAND. The Senator will also find that the bill is $322 million under the budget estimates for this year. That figure also appears on page 1 of the committee report. The committee felt that it was justified in reporting a bill which cut the budget estimate by that amount, which is no inconsiderable amount. The Senator from Florida is not responsible for any further figures than those stated in the report and appearing in the bill.

Mr. WILLIAMS of Delaware. I appreciate that. Not for a moment would I want what I have said to indicate that I question the sincerity of the report of the Senator from Florida and his committee. I have examined the reports. I believe the reports show a true picture. But my point is that the same reports do not support the administration's claim that there has been a $928 million reduction in the cost of the administration of the agricultural program as compared with last year. If I am in error and anyone thinks the claim can be supported I wish he would explain it to me, because I cannot see it.

Mr. HOLLAND. I am not familiar with that subject matter; therefore I shall leave it to some other Senator to explain it. I have also referred the Senator to the figures, which I have already stated, showing a comparison between the bill as reported and the appropriations of last year. I have shown what those figures were, as well as the requests this year in the budget estimates.

Mr. WILLIAMS of Delaware. I am sure the Senator will admit that before the year is out there will be a supplemental appropriation bill to consider to restore some money for the Commodity Credit Corporation. They have already sustained the loss, and no provision has been made for appropriations to cover this loss. These losses have already been sustained. The fact that they are not being written off this year does not mean that anyone should go out and boast of the fact that we have reduced the cost of operating the programs. The cost is still there even though it is hidden.

I am sure the Senator agrees that we must include in the cost of the agriculture program not only what we spent, but the actual losses sustained by the Commodity Credit Corporation. The actual losses have been sustained; whether we make the reimbursement this year, next year, or the year after is not the point. My complaint is that the administration is not presenting a true picture when it says that the cost of the program has been reduced by $928 million. In reality it has cost nearly a billion and a half more than the year before. They are not presenting to the public the true picture of the cost of their vast spending programs.

Mr. HOLLAND. The Senator from Florida has no information as to the claim the Senator has referred to, but he invites attention to the fact that there is no possible way under high heaven of stating at this time what the total reimbursements required for the Commodity Credit Corporation may be.

There are vast quantities of commodities on hand. The world market might take a jump upward in cotton or in wheat, and that could very shortly make a great difference in the reimbursement appropriations that would have to be made to the Commodity Credit Corporation.

The Senate committee, as I stated in my original statement, felt that the House committee had not been sufficiently realistic on this point. Therefore, we restored some of the amount requested to reimburse the Commodity Credit Corporation for 1962 losses, which had been stricken by the House. However, as I recall, we still left $100 million yet to be considered.

Mr. WILLIAMS of Delaware. I am reading from the most recent report, dated May 31, 1963, a copy of which I have in my hand. In the report, on page 10, I find this statement:

> Unrestored, realized losses sustained for fiscal year 1961, $1,057,047,169.73.
>
> Unrestored, realized losses for fiscal year 1962, $2,799,400,162.73.

Through May 1963 there is another $2,436,569,004.27 listed as realized loss.

Altogether they have unrestored and realized losses and reserves—these are not projected losses, but sustained losses up to this time—totaling $7,799,173,336.73. They are actual losses for which no appropriation has as yet been made.

My point is that someday we shall have to appropriate the money with which to cover them. That loss has been sustained. We sold the goods. They are gone. The Commodity Credit Corporation has borrowing authority of $14½ billion. It now owes $13,325 million. That is the outstanding obligation. There is only a little less than $6 billion in inventory on hand. The rest is represented by the losses that have been sustained and the commodities that have been sold.

We shall not recover that amount; whether it is written off this year or whether it was written off last year is not the point. It must ultimately be written off. What I am objecting to is the administration's argument that by accumulating these losses and postponing the day when they are written off, there has been a reduction in the cost of Government. In reality someday we shall shock the taxpayers of the country with an $8 billion writeoff.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SMATHERS. Over what period of time have these losses been accumulating?

Mr. WILLIAMS of Delaware. The report covers fiscal years 1961, 1962, and up through May 1963. There have been earlier losses. These losses have already been sustained. If we do not appropriate the money this year to take care of the total losses we are not reducing the cost to the American taxpayers in the operation of the program.

All I am trying to get is an acknowledgement of the true facts for the taxpayers. Whether the appropriation is included in the pending bill or in some other bill is immaterial. I do not know how anyone can claim that by not writing off the losses this year we are saving the taxpayers money. We are not doing so. The money is gone.

Mr. HOLLAND. I am sure the Senator is not referring to the Senator from Florida as having made that claim.

Mr. WILLIAMS of Delaware. Not at all.

Mr. HOLLAND. I have stated what our committee has done. It has restored to the bill about $200 million of the amount claimed as needed to restore the capital structure of the Commodity Credit Corporation for losses in fiscal 1962.

One hundred million dollars is still left unrestored. I have said to the distinguished Senator from Delaware that no one can tell with certainty what the total picture will be before end of this fiscal year is reached, because quick increases or decreases in the value of surplus commodities make much difference, and they occur quickly.

I hear rumors of our possibly having to sell large amounts of wheat somewhere. I hear rumors that the value of corn has gone up. Someone told me the price had recently risen 25 cents a bushel. I do not state that as a fact, because I do not know if it is true. It is not our business to know that. Our business is to make a reasonable reimbursement appropriation to the Commodity Credit Corporation at this time, knowing perfectly well that perhaps before the fiscal year has ended a supplemental bill may be before us again as has happened in previous years.

So my hope is that the Senator from Delaware will at least allow the committee to claim credit and responsibility only for carrying out its own duties. We have tried to make a reasonable restoration to the Commodity Credit Corporation. We have raised the figure as it came over from the other body by about $200 million, because we thought it was reasonable to do so, but we have still left a cushion of $100 million.

Perhaps that is not a sound way to proceed, but we believe it is a sounder and more realistic way to proceed than the approach of the other body to the problem. I believe the distinguished Senator from Delaware, who is well known for his careful handling of all financial accountings, will recognize it as a more careful and more correct way of handling the matter. At least, we hope he will find no fault with this committee's actions.

As to what others may say about what has been saved by the general operations in agriculture: First, I have no information on that subject; next, I have no responsibility on that subject. We have been dealing with a specific request for reimbursement in a specific amount, which we have granted in larger measure than was granted by the other body, because we thought it was realistic, fair, and reasonable to do so. I believe the Senator from Delaware feels it was fair to act in that way rather than to leave the much larger difference between the admitted loss, already incurred, and the restoration made.

Mr. WILLIAMS of Delaware. I am not criticizing the actions of the committee or the Senator from Florida. What he has said is true. The difference in what we are saying is that the Senator from Florida very properly is pointing out that the committee has restored approximately $200 million over the House figure, which still leaves the amount only about $100 million below the budget request. To that extent what the Senator from Florida has said is correct. My argument is that in submitting the budget the administration did not give the true picture of the amount of these losses.

Mr. HOLLAND. I thank the Senator from Delaware for that statement. I thought that was his point of view. I have observed how cautious and careful and how nearly always accurate he has been in his approach.

Mr. WILLIAMS of Delaware. If the Senator will wait, I will show him where we differ. It is not that I differ with him as to the handling of the budget request. My argument is that the budget sent to Congress did not include actual losses that had been sustained. The Budget asked Congress to reimburse the CCC for only a part of the losses actually sustained. That is where the false claim of cutting the cost of the program develops.

I am speaking of losses actually sustained. I think the Budget Director was negligent in not asking for reimbursement for the full amount of all accumulated losses to date. The president has been saying, "See how I have saved the taxpayers money." That is not true. I quote from page 10 of the report of the budget:

> Unrestored realized losses on commodities already sold are approximately $7.8 billion.

We have never faced up to the true cost of this agriculture program; $2,799,400,162.73 has been lost on commodities that were shipped—they are gone—in 1962. Up to May 1963 the amount was $2,436 million. Altogether, according to their own report, they have lost $7,749 million on commodities that are gone. They have been shipped out of the warehouses. The Budget Bureau has asked us to restore only approximately $2 billion, so there will be an unrecognized loss of about $5 billion over these years.

Mr. HOLLAND. Over the years since 1938?

Mr. WILLIAMS of Delaware. Mostly since 1961. These are the losses that have actually been sustained, according to their own books. When the losses were sustained is only secondary. My point is that they should be recognized and not covered up.

The Commodity Credit Corporation has only about $6 million worth of inventories at today's market price with which to pay off a debt of $13¼ billion. That is where the losses come in.

I object to the administration's saying to the taxpayers, "See how economy minded we are. We are saving money for you this year. We are operating the Department of Agriculture with $1 billion less this year than we did last year."

Actually, the administration is carrying over about $5 billion of previous years' losses and not facing up to the facts of life. If I am in error I want to be corrected.

I have gone through the bill. I am not finding fault with the Senator from Florida. But in item after item, there is an increase of $1 million, $2 million, 5 percent, or 10 percent. Perhaps they can be justified; I do not argue that point. My point is that additional money cannot be appropriated for every division of a department of government and still have a lower total budget. Let the administration stop kidding the people.

The Senator from Florida is not kidding the people. He has faced up to what the budget requested. My point is that the Budget Bureau did not submit a true list of the losses of the Commodity Credit Corporation. I object to their saying otherwise when they know it is not true.

The Secretary of the Treasury has come before the Committee on Finance and asked that taxes be reduced. In his presentation to the House committee he claimed that the executive branch asked for a smaller amount of appropriations for the Agriculture Department than were provided last year and based that claim on the false premise that the cost of this agriculture program has been reduced by over $900 million. He has more sense than that. The cost has been increased when all the facts are known.

I want the facts to be stated. We cannot escape the fact that this administration has spent more money than any other administration in the history of our Government, even including expenditures in World War II. I do not propose to let the administration get away with its false claim that it has made a reduction in the cost of government unless the administration can prove it.

The Senator from Florida is giving a true picture. Not for one moment would I want anyone to think that I am quarreling with him. His figures are accurate. My point is that the Budget figures do not recognize the facts as to the total amount of the losses sustained by the Commodity Credit Corporation. If the figures I am quoting as to losses are incorrect I would be delighted to have the Bureau of the Budget correct them. But if the Bureau of the Budget does take exception to my statement I shall then ask the Commodity Credit Corporation to explain their books, which do show the losses as I have outlined.

Mr. HOLLAND. I thank the distinguished Senator from Delaware. His argument concerns the way the budget was submitted. I repeat what has already been so ably said by the distinguished Senator from North Dakota [Mr. YOUNG], the ranking minority member of the subcommittee. The subcommittee functions in a completely nonpartisan, bipartisan way. We deal with matters brought before us. We try to deal with them carefully. We believe that by restoring most of the $2.8 billion claimed as losses from CCC operations in fiscal 1962, we have proceeded more cautiously and factually than the other body has done.

We realize that we have not completely met the picture, because we have only gone within $100 million of the restoration of the claimed loss. The reason why we have done that—as already stated to the Senator—for example the surplus cotton was sold at a great profit to the country, as the Senator will remember. Of course it took a war to bring that about, but it did occur.

Mr. WILLIAMS of Delaware. I hope there is not going to have to be another war in order to get us out of this difficulty.

Mr. HOLLAND. There have been other sales of certain parts of the surplus which have operated at a profit; and I believe we have proceeded in a bipartisan fashion and in a cautious fashion—very much as the Senator from Delaware would have proceeded.

My suggestion—in response to his feeling that the Budget Bureau has not proceeded correctly, and that the President in some of his statements may not have proceeded correctly—is that there are other places where this can be gone into—for example, in the Joint Committee of Economic Advisers, or in the Committee for the Reduction of Nonessential Expenditures, of which I believe the distinguished Senator is a member.

Mr. WILLIAMS of Delaware. It is too late for that. The loss has already been sustained. The sale has been made. I am not quarreling with what the Senator from Florida has done, but I am taking exception to the administration's false claim of economy.

Mr. HOLLAND. My view is that the point the Senator has made, whether good or bad, has no application to this particular appropriation bill. We stand upon the action of the committee, as representing the best judgment, in a bipartisan way, of the membership of the committee. I have heard the Senator state—and I appreciate his statement—that he thinks the committee has done a good job on the subject before it.

Mr. WILLIAMS of Delaware. I repeat I do not question what the committee has done in connection with its restoration of the amounts of the Budget Bureau requests. I recognize that the committee has acted—as always—in a bipartisan way. I too am addressing my remarks in a bipartisan way, and I do not wish them to be interpreted as being any more politically motivated than the President's statements on taxes are. I am merely trying to help the President straighten out the record. I recognize, as the Senator says, that with $6 billion worth of agricultural commodities in inventories, there can be a variation of $100 million.

But a difference of nearly $5 billion cannot be excused in any such manner, and the Senator from Florida knows it. By the administration's own reports they have lost this much money. But they have not asked that it be restored by means of an appropriation; neither are they telling the taxpayers about the loss. Instead, they state, "Look how righteous we are. We have saved a billion dollars." But they have not saved a billion dollars; they have just not admitted the true loss. I just want to have this matter set straight.

I come from the old school of simple mathematics. I was never fortunate enough to receive a Harvard education. If I had gone to Harvard perhaps I would understand this type of New Frontier bookkeeping. I do not see how if you have a $13 to $14 billion debt outstanding and only $6 billion in inventory to pay it off with and no cash, anyone can claim they do not have a loss. If a private corporation operated that way I would say it was bankrupt, and if the directors told its stockholders they were making money they would be locked up in the Federal penitentiary.

The Government should set an example of honesty in its reports to the people.

I do not intend to sit back and vote for an appropriation bill that gives a false impression to the taxpayers. I will not let them think we are saving them $928 million when I know that it is not true. Instead, they are actually increasing the cost over last year in administering the program by an extra billion or a billion and a half. All I want is a true recognition of the costs, and until I get it I will ask for separate consideration of each of the different amendments so that we can call attention to the fact that they are not reducing appropriations. You just cannot increase expenditures in every category in this department and then come back here and say we are saving $900 million. The Senate knows this and so does the administration. But I say the Budget Director had better get things straight and straighten out the President on it, because I do not believe the President wishes to keep fooling the American people. I am only here trying to help the administration get the record straight so that they can get the truth out to the people which is that this administration is spending more money in every single department of the Government. Actually expenditures under this administration are averaging about $18 billion per year over the average expenditures of the 8 years of the Eisenhower administration.

This is $1½ billion per month or $50 million per day for every day in the year.

Think of it—this administration is spending $50 million per day more than was spent by any preceding administration in the history of our country, and these extra expenditures are being financed on borrowed money.

It is past time for the Frontiersmen to face up to the true picture.

If the Senator wants to start considering some of these amendments I would be delighted to do it here tonight and will cooperate in going through them as rapidly as possible. But I will point out that these amendments do call for increases and not for reductions. I just want to get the record straight as to what this Department is costing the taxpayers.

Mr. HOLLAND. The Senator from Delaware has had the committee report before him. Does he find fault with the compilation of the costs expressed on the first page of that report?

Mr. WILLIAMS of Delaware. No. Not as far as it goes.

Mr. HOLLAND. If the Senator does, I wish the Senator would call it to my attention.

Mr. WILLIAMS of Delaware. No, sir; I do not—not at all. I could not repeat that often enough. What I am finding fault with is the Budget Bureau which did not submit the true cost of this program to the Congress. It did not include the losses which it knew at that time had actually been sustained in this department, and they underestimated that loss by about 5 billion over the year. On the basis of this omission they are trying to give the false impression of having reduced expenditures. That is my argument, not with the Senator from Florida or his committee. But the Budget Director has the responsibility to face up to the facts and give us the true picture when he submits a budget message, because the President is making speeches based on this erroneous report, and I want to help him get this record straightened out as to just what it is costing the taxpayers.

Surely the President wants his statements to be accurate, and I am only trying to show him the error of his earlier claim of economy in government.

Mr. SMATHERS. Mr. President, would the Senator yield?

Mr. WILLIAMS of Delaware. I am glad to yield.

Mr. SMATHERS. I appreciate the bipartisanship with which the distinguished Senator from Delaware [Mr. WILLIAMS] has approached some of these matters.

Mr. WILLIAMS of Delaware. This is wholly bipartisan, I assure you.

Mr. SMATHERS. I know he is very sincere about that and desires to help the President all he can. He has demonstrated that over a good many years, so I would not reduce this colloquy to a political debate. I wish to say to the Senator from Delaware that I thank him very much for his statements here thus far this afternoon. I know he is quite sincere about them, and I believe like every one else he does want to try to save the Government money where it is possible to save it. I am sure that as we proceed on this bill tomorrow that undoubtedly he will offer amendments and suggestions as to ways and means where we will be able to save.

Mr. President, as to the parliamentary situation, we are ready to consider the committee amendments to the bill. We now have to consider them individually.

The PRESIDING OFFICER. The Senator is correct.

Mr. SMATHERS. It has occurred to me that it is now 10 minutes after 5 o'clock and that if we can move along tomorrow with the able cooperation of my distinguished colleague who has done a magnificent job in explaining this particular appropriation bill, I am certain that tomorrow we will be able to defend the position of the committee as well as anybody can defend that position. It is the right position. If we can move tomorrow with some expedition and we can get an announcement out to the membership of the Senate that there will be all these amendments coming up possibly with some yea-and-nay votes——

Mr. WILLIAMS of Delaware. If the Senator from Florida will yield.

An admission of the true cost of this program is all I am trying to get. The moment we get that understood we can then rapidly proceed to completion of this bill.

I have quoted the pages from the report of the Commodity Credit Corporation. They can get this report, and if they can find where I am in error I would be delighted to have someone correct me.

In the bill before us there are many proposals which carry increases such as for research, and I am going to support some of them. The committee has, in going over this bill, made what they believe are their best recommendations. To a substantial degree I am in agreement with what they did.

What I do wish to have understood or explained is how anyone voting for this bill can claim that it would save the taxpayers $900 million. If there is any Senator in the Chamber who insists that it would, I wish he would explain to me where this savings is. I would be delighted to have that point explained to me. But if I am not in error, once I receive recognition of the real cost of the Department, so far as I am concerned the Senate can agree to the amendments en bloc, and we can operate as we always have. All I desire is to have a clear understanding and a frank admission of the real cost. We cannot have a difference of opinion concerning $900 million. I insist that the Department has not operated for $928 million less than it cost the year before. I am not quarreling as to whether these losses would be written off in the present bill or written off a year later, but I am insisting that the truth be told to the public as to the true costs.

The President's claim of having reduced the costs of domestic programs as the result of a reduction in the cost of the agriculture programs cannot be supported by the facts.

I raised the same point a few years ago when other administrations tried it. I said that a true picture was not presented when that administration postponed for a year or two writing off their losses.

A true picture is not being put before the people. That is what I am arguing about. Once we can agree that the program is not the money-saving program which it has been pictured to be in the budget report we can adopt the amendments en bloc and proceed rapidly as far as I am concerned. I will support a substantial part of what the committee has done. It has done an excellent job. I find no fault with it. All that I ask for is that in enacting the bill we tell the taxpayers exactly what it will cost. The Budget Director and the administration have the responsibility of putting the true picture before the American people.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. HOLLAND. I call attention to the fact that the committee claims only the following ultimate facts: Our reported appropriation bill is under the estimates which we received from the Bureau of the Budget by $322 million-plus; our bill is over the appropriations for 1963 in the amount of $39 million-plus. I believe that my distinguished friend from Delaware has found no fault with those figures. We make no claims other than as shown in our report, and I wish to be very clearly understood on that point.

Mr. WILLIAMS of Delaware. I wish to make it very clear that I am not quarreling with the report of the committee. What I am pointing out is that when the Budget Bureau submitted its estimate or request to the Congress it did not include in that request the proper figure which would restore the actual losses sustained by the Commodity Credit Corporation. Someday the $7.5 billion must be written off. It is already lost. That is all I am trying to say. I have referred to the records. If there is no contradiction of what I have said, tomorrow the Senate can proceed very rapidly for I am not trying to delay consideration of the bill. But I want it clearly understood that when the bill is passed, we will have appropriated to an agency of the Government which is operating at an ever increasing cost to the American taxpayers.

Mr. SMATHERS. Mr. President, I thank the Senator from Delaware for demonstrating a willingness to cooperate tomorrow in the passage of the gill. As the Senator appreciates, we are not here trying the Bureau of the Budget or the statements of the Director of the Budget. As a separate and distinct branch of the three coordinate branches of the Government, we are merely trying to pass the proposed farm program. The Senator finds some difference with respect to the claim of the Director of the Bureau of the Budget. I believe the Senator is entitled to some explanation. At this moment I am not in a position to give it to him. I wish I were. It may be that the Senator is correct. I do not know. Our only purpose now is to try to have the agricultural appropriation bill passed. We therefore appreciate the cooperation of the Senator from Delaware.

Mr. WILLIAMS of Delaware. I assure the Senator from Florida, in a good bipartisan manner, that I wish to cooperate. There will be no delay on my part, and the Senate can proceed very rapidly if we can agree on the point as to the true cost of this department. If we agree on the overall cost as I have outlined it we can proceed. If I am in error all I ask anybody to do is to show me wherein the figures I have used are wrong.

We can proceed very rapidly once we reach an agreement as to the costs. Surely the President does not wish to go before the American taxpayers and voters claiming that he has cut the cost of government when in reality he has not done so.

Mr. SMATHERS. On that point I completely agree with the Senator from Delaware.

Mr. WILLIAMS of Delaware. We are both trying to help the President.

Mr. SMATHERS. The Senator is correct. We are both trying to help the President. I thank the Senator from Delaware for that remark. It is sometimes easier to present facts to the able Senator from Delaware than to get him to see them in any other light but his own light. Therefore, it is sometimes difficult, in my experience with my good friend from Delaware, to arrive at the same conclusion which some others would arrive at, even with the same set of facts. However, I know that his motives are pure. As he said, he is bipartisan and wants the President to be positioned in the right light. That is what we desire, too. I thank the Senator very much. Tomorrow we shall go forward with the amendments.

RESEARCH IN UTILIZATION OF AGRICULTURAL COMMODITIES

Mr. MUNDT. Mr. President, I have long been given to the belief that Government-sponsored research in the production and marketing of food and fiber has contributed mightily to our present surplus production. I think no one would seriously question the role of research in developing the technology which in turn has overfilled our storage bins year after year. Production research has indeed given the American farmer knowledge of new crops, new techniques and processes, which, combined with our political, social and economic institutions, has made him distressingly successful.

At the same time, no one would seriously propose cutting out production research as a means of reducing output. In the past century production research has built into the agricultural economy an impetus for continued progress which we must have if we are to stay in the game.

Two words in a most basic economic equation—production and consumption—are involved in our farm problem. In agriculture in the United States, we have perhaps dwelled too long on "production" and not paid sufficient attention to "consumption"—or "utilization." For a century we have supported production research and we have done a good job. Over the past 30 years, as surplus production has steadily increased, our attention has been turned gradually toward utilization research. I submit that in the latter period we have not sufficiently committed ourselves to the worth of utilization research as an answer—or a partial answer—to our farm problem.

PRODUCTION AND UTILIZATION RESEARCH COMPARED

In the fiscal year just ended, the cost to the Government of agricultural production research was $60 million, while utilization research and development totaled only $24 million, or 40 percent of production research outlays. In fiscal 1962 the total utilization research costs were only about one-third those of production research. In the 1964 budget estimates, $62 million is requested for production research, and $25 million for utilization research and development—again, roughly 40 percent. To the extent that research expenditures produce results, it seems to me that the present dimensions of the farm problem dictate a serious consideration of increased appropriations to support research in industrial utilization of surplus agricultural products. As Senators well know, this is no new position for me. Last year, along with the senior Senator from Georgia and the senior Senator from North Dakota, I supported an amendment to the agricultural appropriation bill which would have added $25 million to increase activity in utilization research, including provision for construction of additional research facilities.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD four tables dealing with production and utilization research and development.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

TABLE I.—*Major research activities by the Agricultural Research Service*

[In thousands]

	Fiscal year 1962	Fiscal year 1963
Cost of production research	$55, 324	$60, 165
Utilization research and development	18, 787	24, 406
Nutritional and consumer use research	2, 626	2, 737
Contingency fund	1, 000	1, 000
Foreign currency program	5, 265	5, 265
Total	83, 002	93, 573

Source: 88th Cong., 1st sess., House. Hearings on Department of Agriculture Appropriations for 1964 (pt. 4). Washington, Mar. 25, 1963, p. 2896.

TABLE II.—*Research in crop production and utilization of agricultural commodities, 1954–63*

Fiscal year	Production research [1]	Construction [1]	Utilization research [2]	Construction [2]
1954	$22, 683		$8, 319	
1955	26, 303	$148	9, 177	
1956	28, 884	350	9, 623	
1957	35, 740	14, 277	10, 630	$785
1958	39, 000	2, 000	13, 156	105
1959	40, 976	493	16, 066	
1960	43, 051	3, 150	16, 188	
1961	50, 345	7, 750	18, 188	
1962	54, 524	800	18, 787	
1963	57, 376	2, 780	23, 768	

[1] Op. cit., p. 289, pt. 4.

[2] Op. cit., p. 2946, pt. 4.

TABLE III.—*Basic agricultural commodities: Gross farm income (1962), production and utilization research (1963)*

[In thousands]

	1962 gross farm income	Research [1] expenditures, fiscal year 1963			Production research, fiscal year 1963	Utilization research, fiscal year 1963
		Federal	Non-Federal [2]	Total		
Corn	$3, 923, 000	$4, 424	$767	$5, 191	$2, 821	$2, 064
Cotton	2, 357, 000	10, 719	972	11, 691	6, 345	3, 914
Wheat	2, 205, 000	5, 561	258	5, 819	2, 256	2, 708
Tobacco	1, 218, 000	1, 926	344	2, 270	1, 693	271
Rice	323, 000	661	61	722	411	143
Peanuts	200, 000	960	172	1, 132	529	173
Total	10, 226, 000	24, 251	2, 574	26, 825	14, 055	9, 273

[1] Includes USDA agencies and State agricultural experiment stations (Federal-grant funds provided under the Cooperative State Experiment Station Service).

[2] Mostly State funds.

Source: 88th Cong., 1st sess., House. Department of Agriculture Appropriations, 1964 (pt. 4), pp. 2904 and 2917.

TABLE IV.—*Research expenditures as percentage of gross farm income from basic agricultural commodities*

	Total research expenditures, fiscal year 1963 (percent of gross farm income)	Production research expenditures, fiscal year 1963 (percent of gross farm income)	Utilization research expenditures, fiscal year 1963 (percent of gross farm income)
Corn	0. 13	0. 07	0. 05
Cotton	. 50	. 27	. 17
Wheat	. 26	. 10	. 12
Tobacco	. 19	. 14	. 02
Rice	. 22	. 13	. 04
Peanuts	. 57	. 26	. 09
Total	. 26	. 14	. 09

Source: Computed from table III, above.

SURVEY OF UTILIZATION RESEARCH

Mr. MUNDT. Mr. President, utilization research is a relatively recent development, although it may be said to have had its beginnings with the founding of the Department of Agriculture a century ago. However, its current emphasis on the search for industrial uses for farm commodities goes back only a quarter of a century.

In 1935 the Bankhead-Jones Farm Act set up a laboratory at Urbana, Ill. to do research in the industrial utilization of soybeans. Then, the Agricultural Adjustment Act of 1938 provided for the establishment of four regional utilization research laboratories to find new outlets and wider markets for farm products. They were charged with the responsibility for carrying on research in the use of farm commodities—especially new "scientific, chemical, and technical uses."

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a table on the construction of regional laboratories.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE V.—*Construction of regional laboratories*

Laboratory	Buildings		Initial equipment purchases	Total cost [1]
	Orginal cost [1]	Cost of additions and improvements		
Wyndmoor, Pa	$1,488,000	$516,000	$995,000	$2,999,000
New Orleans, La	1,498,000	853,000	1,600,000	3,951,000
Albany, Calif	1,363,000	586,000	998,000	2,947,000
Peoria, Ill	1,607,000	684,000	1,096,000	3,387,000
Total	5,956,000	2,639,000	4,689,000	13,284,000

[1] Since 1939 the building cost index has increased an estimated 438 percent. On this basis, the present replacement cost of the orginal buildings would be in excess of $26 million. The total investment, including additions, improvements, and initial equipment purchases, would be in excess of $58 million, not including the value of the land.

Source: 88th Cong., 1st sess., House. Department of Agriculture Appropriations, 1964 (pt. 4), p. 2945.

Mr. MUNDT. Mr. President, these four laboratories still form the nuclei around which most Government-sponsored utilization research is conducted. They were constructed in the 1939–41 period at a total cost of $6 million. Initial equipment purchases, plus subsequent additions and improvements, have increased this cost to $13.3 million. While this might, by itself, sound impressive, I should remind Senators that total agricultural research facilities had an original cost of some $90 million. Thus, although utilization research totals only about 25 percent—total research expenditures in 1963 are estimated at $88.3 million, of which $24.4 million was for utilization research—27.6 percent; in 1962, this percentage was 24.6 percent—of total agricultural research funds, the program is even further out of proportion in terms of facilities, the original cost of which was about 15 percent of all agricultural research facilities costs. In terms of today's replacement costs, the value of utilization research facilities represents only about 20 percent of all agricultural research facilities. So it would require a doubling of these facilities to bring them into line with the facilities provided to the other areas of research in agriculture. You will see that current proposals for utilization research and development facilities are much more modest than a correction of this proportion would indicate should be the case.

I do not intend today to say more than a few words about the benefits which have accrued from research in industrial uses of our surplus agricultural products. The 1964 appropriations hearings of the House of Representatives, part 4, contains many examples of recent programs, as does the supplement to the 1963 Senate agricultural appropriations hearings.

Utilization research in the past 20 years has barely cracked the door to the possibilities which lie in the industrial uses of agricultural commodities. Most of our major crops are made up primarily of starches, sugars, fats, oils, proteins, and cellulose. All of these constituents could be used in our great chemical and plastic industries. A year ago, a trade journal stated that such rapidly growing segments of the chemical industry as plastics, pulp and paper, synthetic rubber and paints could utilize these complex materials in making new and improved products—"Agriculture: A Starting Point for Chemical Intermediates," Industrial and Engineering Chemistry, volume 54, No. 5, May 1962. Research has already unlocked some of the secrets of the composition of our major crops, and some of these commodities are presently being used in industry. The chemical industries now use about 1.5 percent of total farm production—mostly nonfood products—but indicate that other agricultural commodities could play a much greater part in supplying this industry with raw materials—if research can show the way.

ASSESSMENT OF THE PROGRAMS

In its two decades of operation, USDA utilization research has added over $2.5 billion of value to farm commodities at a cost of about $200 million. This represents a benefit-to-cost ratio of at least 12 to 1. A report by the Agricultural Research Service indicates that most of this gain was realized in the last half decade—87th Congress, 2d session, Senate; summary report on utilization research, fiscal year 1961. In: "Agricultural Appropriations for 1963—Supplement to Hearings, Special Reports," Washington, September 19, 1961, page 21. It seems evident that this research is beginning to give us a very respectable return on our investment. Faced as we are with mounting surpluses, it also appears that now is the time to increase our efforts in this area.

When we compare this 20-year, $200 million utilization research bill with research and development estimates in a single year for the Department of Defense, or the National Aeronautics and Space Administration, or the Atomic Energy Commission, it seems modest indeed. In the 1964 budget, research and development by the Department of Defense is estimated at $7,653 million; NASA's research estimates for 1964 is estimated at $4,200 million; the Atomic Energy Commission research effort needs $1,503 million.

Budget estimates for medical and health-related research by the National Institutes of Health in 1964 totals nearly $800 million. This is an area which includes research in cancer, heart disease, and mental health—each of which seems to me infinitely more complex than utilization research, but which, nevertheless the Institutes are attacking on a broad scale in an effort to unlock these deadly secrets. I would be the last to suggest that merely pouring money into research is an answer to the problems facing us. But this is not to gainsay that research will not benefit from the appropriation of genuinely needed funds.

In recent hearings before the Appropriations Committee of the House of Representatives, Dr. B. T. Shaw, Administrator of the Agricultural Research Service, states:

> We have hardly begun to exploit the great potential for industrial uses of farm commodities.[1]

I believe Dr. Shaw was stating a fact which is becoming increasingly clear to those who have familiarized themselves with the problem of research in utilization of agricultural commodities.

That there is all too little utilization research in agricultural commodities is not a belief which is restricted to employees of the Department of Agriculture. In May of last year, a staff feature in the magazine Industrial and Engineering Chemistry indicated that the chemical industries felt the need for more basic research on agricultural commodities by the USDA's regional utilization laboratories. The article was less generous in its appraisal of the applied research being conducted by the laboratories and stated that few companies could utilize such research results. Nevertheless, credit was given to the regional laboratories, particularly in those instances in which utilization research results could be used by a company.

But this mixture of praise and criticism—and I have no reason to doubt the worth of the assessment—is followed by a criticism more to the point of my remarks today. The article goes on to say that although the chemical industry uses some 12 percent of nonfood agricultural products, only about 1.5 percent of total farm production is so utilized. The reason for this is lack of research in agricultural commodities.

The Senate recognized the need for more effort in utilization research in the adoption of Senate Resolution 415 of the 87th Congress, in October 1962. That resolution states, in part:

> The United States has neglected adequate research in finding new means to utilize these vast surpluses for the benefit of the American people who have contributed almost $27 billion to the farm program since 1952.

The resolution called upon the Secretary of Agriculture to submit a report outlining "the most effective program available for research to discover new uses for agricultural commodities." That report was submitted to the Congress in March of this year and contains the best current judgment of USDA scientists on the most effective program available.

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[1] 88th Cong., 1st sess., House Hearings, Department of Agriculture Appropriations for 1964, Washington, Feb. 25, 1963 (pt. 2), p. 379.

STRENGTHENING USDA UTILIZATION RESEARCH

The report outlines a program for increasing the effectiveness of utilization research that could be conducted within the $35 million increase specified by the Senate resolution. It would initiate new and expanded studies immediately on some 200 projects to expand uses of agricultural commodities. It would use nearly half of the increase in the first 2 years to provide new laboratory space for utilization research throughout the country. Finally, it would increase total utilization research effort from $24 million annually to $59 million using both Department and outside facilities. This would bring utilization research, dollarwise, up to the level occupied by production research in fiscal 1963. Perhaps it should be strengthened even more, but this appears to me to represent a needed minimum effort.

On the basis of statements by representatives of the chemical industries and by the Administrator of the Agricultural Research Service, as well as the Senate resolution which I have mentioned, it seems to me that we can proceed from the premise that there is a genuine need for expanded utilization research. I think that the need for expanded research is concurred in by the Appropriations Committee of the House of Representatives. The Senate amendment to increase utilization research in last year's appropriation bill was not acceptable to the Appropriations Committee of the House, however, since its provisions for new facilities clashed with the committee's efforts to limit the number of employees which such expansion would entail. Certainly fiscal responsibility dictates that a checkrein be kept in hand by the Congress, but the overuse of that checkrein could slow progress in this extremely important research area.

In its report on the 1964 agricultural appropriations bill (H.R. 6754), the House Agriculture Committee states:

> Agricultural research should be expanded only where present personnel and facilities cannot be shifted to meet the new research needs.[2]

This seems to me to place a severe restriction on "new research needs." It also seems that it disagrees sharply with the same committee's statement in its report on H.R. 40—to assist States in providing additional facilities for agricultural research—which says:

> Lack of adequate facilities has become a serious bottleneck to the full use of available scientific talent in the advancement of technical knowledge toward solution of serious problems in agriculture and related business and industry.[3]

In statements sent to both the Senate and House conferees on the 1963 appropriation bill, the Secretary of Agriculture said that current utilization research laboratories could accommodate only about 10 percent expansion of personnel and that additional facilities and specialized equipment would be required to carry out any significant expansion in such research—remarks of Hon. RICHARD RUSSELL in CONGRESSIONAL RECORD, volume 108, part 15, page 20451.

NEW FACILITIES TO HOUSE ADDITIONAL RESEARCH

The Department of Agriculture report "Strengthening Research on Utilization of Agricultural Commodities," indicates that the need would be met for a new regional utilization research laboratory in the southeastern United States if additional funds were made available within the context of Senate Resolution 415 of the previous Congress. Construction of this $9.5 million facility would be completed in less than 3 years.

At the present time there is no Federal facility in the southeastern region.

Utilization research on these crops—of the southeastern area—is now being conducted as part of the programs of the four existing Utilization Research and Development Laboratories at New Orleans, La., Wyndmoor, Pa., Peoria, Ill., and Albany, Calif., all of which are operating at near-full capacity. Space is inadequate in these laboratories to permit needed strengthening and expansion of research on the commodities assigned to them, including those of primary importance to the southeastern region.

Existing programs on important southeastern commodities would be transferred from the four existing laboratories to the new facility proposed. The new facility would provide the modern laboratory and pilot plant space and equipment needed to permit a more concerted basic and applied research attack upon the problems associated with the development of new, improved, and expanded uses for such commodities as poultry and eggs, fruits and vegetables, and other crops of the Southeast including peanuts, tung, and naval stores—U.S. Department of Agriculture, Agricultural Research Service, Strengthening Research on Utilization of Agricultural Commodities: A report to the Congress of the United States in response to Senate Resolution 415; Washington, March 1963, page 52.

This proposed new laboratory would not only provide a facility devoted exclusively to utilization research on southeastern crops, but the transfer of research projects on southeastern crops to the new facility would release space in the other regional laboratories to research on their own regional crops. For instance, additional research on cereal grains at the Peoria facility is greatly needed, as is additional research on cotton and sugarcane at the New Orleans laboratory.

The Department's proposed program expansion also includes construction and conversion work at the Northern Utilization Research and Development Laboratory at Peoria, Ill. Some 62,000 square feet of additional laboratory space would be provided by an addition to the existing main building. This plant was built in 1940 and is the major Federal facility most concerned with the development of industrial uses for major cereal and oilseed crops. It is now operating at nearly full capacity, making it impossible to add personnel to carry out expanded research. Research in cereal products is especially needed, for the bulk of our surpluses comprise these crops. Moreover, the potential uses for such cereal products as industrial starch in manufacture of paper and paperboard and in textiles is very promising. Research in the production of alcohol from cereal grains on an economical basis holds promise of its extensive use, as a motor fuel, as well as its more widespread adoption in various industrial processes. In fiscal year 1963, however, only $5 million was devoted to utilization research on all cereal and forage crops. The cost of the proposed addition at the Peoria facility is set at $7.5 million. In addition, the program also calls for conversion of the present alcohol plant, at a cost of $500,000. Construction would require less than 3 years following authorization.

Construction plans for the second year of the proposed expansion program would include an additional wing at the Western Utilization Laboratory at Albany, Calif., at a cost of $4.8 million, an additional wing on the Southern Utilization Laboratory of New Orleans, La., at a cost of $4.6 million, and expansion of the Eastern Utilization Laboratory at Wyndmoor, Pa., at a cost of $5.3 million. Remodeling of the facility at Pasadena, Calif., and Weslaco, Tex., is called for, as well as a new naval stores research laboratory at Olustee, Fla.; these three items would cost $590,000.

In the first year of a proposed $35 million expansion of utilization research, construction of facilities would use $17.5 million. In the second year, $15.3 million would be allocated to expansion of facilities. In the third and fourth years, $8 million and $2 million, respectively, would be used for laboratory and pilot plant equipment in new laboratories. Thus, by the end of the first 4 or 5 years, new utilization research facilities would total some $43.8 million, which, if added to present facilities, would bring total investment in utilization research facilities to some $57 million.

The proposed increase will bring total appropriations for utilization research to about $59 million a year, which compares with the $60 million outlay for production research last year. This would assure us that utilization research will attain more of a balance in effort with production research.

I agree that utilization research of itself is not capable of solving the problem of farm surpluses. I doubt that any single measure can achieve that end. But we cannot afford to neglect any rational means which offers real promise of relieving the American taxpayer of the burden of accumulating and storing unnecessary surplus commodities. This proposed $35 million additional research budget represents about 1 percent of the average annual outlay by the American taxpayer for farm programs in the past 10 years. If the return on this 1 percent investment approaches the 12 to 1 benefit-to-cost ratio which utilization research has achieved so far, it will be very well worth the investment; it would be worth it if the return on the additional investment were only half that ratio. There is little doubt that additional research, along with the facilities to house such activity, are both sorely needed; we have delayed too long taking that very necessary and very practical step. We must have much more utilization research just as soon as the facilities can be constructed and the scientists hired.

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[2] 88th Cong., 1st sess., House. Department of Agriculture and related agencies appropriations bill, 1964. Report to accompany H.R. 6754. Washington, June 3, 1963, p. 10, (H. Rept. 355).

[3] 88th Cong., 1st sess., House Experiment Station Research Facilities. Report to accompany H.R. 40. Washington, May 2, 1963, p. 1 (Rept. No. 271).

DEPARTMENT OF AGRICULTURE RESEARCH BRINGS NEW INDUSTRIAL USES NEARER FOR THREE GRAINS

Mr. MUNDT. Mr. President, on September 11 the Department of Agriculture issued a press release entitled "USDA Research Brings New Industrial Uses Nearer for Three Grains." I am convinced that if the Congress approves the Senate Appropriations Committee's action on utilization research, we shall see more and more press releases such as this one. I ask unanimous consent that the press release be printed at this point in the RECORD.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

USDA RESEARCH BRINGS NEW INDUSTRIAL USES NEARER FOR THREE GRAINS

Research advances toward new industrial uses and markets for corn, wheat, and grain sorghum were reported this week by U.S. Department of Agriculture scientists.

Three promising laboratory products—cereal xanthate and dialdehyde cornstarch, with futures as paper additives, and an industrial gum made from corn sugar to thicken fluids in oil-well drilling and firefighting—have been brought a step nearer commercial production by recent investigations by USDA's Agricultural Research Service. This progress was reported in papers presented during the week at the annual meeting of the American Chemical Society in New York.

Cereal xanthate is under laboratory study; the other two products are being evaluated by industry, using USDA-developed processes.

Scientists at the Northern Utilization Research Laboratory, Peoria, Ill., from which all three products originated, have achieved a continuous process for making cereal xanthate from starch that will provide needed guides in designing a commercial-scale process.

Cereal xanthate, which in laboratory experiments has been mixed with wood pulp to produce strong insulation board with high dry strength, and paper with unusual wet and dry strength, can be produced by the continuous mixing of starch, sodium hydroxide (lye), and carbon disulfide. Xanthate is discharged as viscous paste from a screw-type mixer reactor just 2 minutes after starch and chemicals are mixed.

The scientists responsible for this work—C. L. Swanson, Dr. T. R. Neffziger, Dr. C. R. Russell, B. T. Hofreiter, and C. E. Rist—have determined the chemical efficiency and power consumption under different conditions of temperature, order of adding chemicals, discharge orifice size, and length of holding time after discharge of xanthate from the mixer.

A new continuous process for making dialdehyde starch offers a 10 percent lower cost advantage over the batch process, developed earlier by Northern Laboratory scientists. Dialdehyde starch can be added to woodpulp in making paper that must retain strength when wet. This process, worked out by H. F. Conway, E. B. Lancaster, and E. L. Griffin, also shows promise for increasing water resistance of casein in paper coatings and plywood glues.

Dialdehyde starch is made by oxidizing starch with periodic acid. This oxidizing agent was too expensive for industrial use until Peoria scientists developed an electrolytic process that permits repeated use of the initial quantity of oxidant.

The continuous process employs small (3 by 24 inches) cylindrical, electrolytic cells. These cells are arranged so the used oxidizing agent flows through them in series and is regenerated to periodic acid—to be used in oxidizing more starch. Starch is oxidized by mixing it with the periodic acid as the two solutions flow through a series of tanks. When the oxidation is completed, the dialdehyde starch is recovered by centrifuging, and the used oxidant is returned to the cells.

A 10-million-pound-a-year, continuous processing plant would require 3,360 cells and four oxidation tanks, the Northern Laboratory study indicates.

Scientists at Peoria have also developed a process for producing industrial grade gum from corn sugar at less than half the cost of purified gum, an earlier achievement. The process was developed by S. P. Rogovin, W. J. Albrecht, and V. E. Sohns.

Less than 2 percent pure gum in cold water results in viscous solutions that remain so in the presence of salt and heat. These characteristics give the gum, called B–1459, promise as a thickener in fluids for oilwell drilling, for recovering oil from nearly spent wells, and for fighting forest fires.

Like the pure product, industrial grade gum is made by the action of a bacterium, Xanthomonas campestris, on glucose or corn sugar. The broth of this fermentation is dried, resulting in a product that contains 60 percent of B–1459. The new process omits a precipitation step necessary in producing pure B–1459.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OPEN SPACE AND ORDERLY URBAN DEVELOPMENT

Mr. WILLIAMS of New Jersey. Mr. President, within the last few days, President Kennedy has again called attention in dramatic fashion to our need to conserve our natural resources; to stop polluting our water and chopping down our forests, because once lost these precious national assets can never be replaced.

Dr. Robert Weaver, Administrator of the Housing and Home Finance Agency, in an excellent speech delivered this morning, has reemphasized this point, and the great need for preservation of open space as an integral part of orderly urban development.

He cited Census Bureau estimates that the population of this country by the year 2000 will be 330 million persons, an increase of 150 million since 1960, and nearly all of it expected to be in urban areas. He pointed out:

> To accommodate that additional population at the present levels of urban density—which are, incidentally, decreasing—will require the development of about 50,000 square miles of land.

But the problem is not one of land, but of land use. Dr. Weaver continues:

> The urban population, which in 1960 constituted nearly 70 percent of the total population, was concentrated in only a little more that 1 percent of the land area of the country.

He quotes Charles Abrams' amazing estimate that the entire present population of the United States could be housed on the coast of California at 12 families to the acre—and everyone could have a view of the Pacific Ocean.

Our real need is to resolve the conflicts between the various competing uses for land in urban areas. Through the urban planning program, the open space program, and the proposed urban transportation program, we can make real strides toward making land use decisions that will meet the needs of the whole community, and will provide for future needs as well.

Mr. President, I ask unanimous consent that the remarks of Dr. Weaver before a Joint Conference of the American Institute of Park Executives, American Association of Zoological Parks and Aquariums, and the National Conference on State Parks be included at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ADDRESS BY ROBERT C. WEAVER, ADMINISTRATOR, HOUSING AND HOME FINANCE AGENCY, BEFORE A JOINT CONFERENCE OF THE AMERICAN INSTITUTE OF PARK EXECUTIVES, AMERICAN ASSOCIATION OF ZOOLOGICAL PARKS AND AQUARIUMS, AND THE NATIONAL CONFERENCE ON STATE PARKS, SHERATON PARK HOTEL, WASHINGTON, D.C., SEPTEMBER 25, 1963

There are few more pressing problems facing this country today than the need for a national land policy—a policy to insure that the most basic of all our natural resources is used in the national interest.

In the development of such a policy each of your organizations plays a key role. For there can be no intelligent national land policy that does not assign a high priority to land for park and recreational use.

Land—the control of it, and the uses to which it should be put—has been of public concern from the very beginning of this country.

Many of those who settled America came here looking for land. With the breakdown of the feudal system of land tenure in Europe—and later in Asia—families lost their hold on land they had tilled for centuries. Many of them drifted to the cities, and from the cities to the New World where they spread out across this continent in search of land.

From colonial days freedom in America was identified with land ownership. And a great deal of the mystique with which we today surround the subject of home ownership arises from this historical association. Only gradually are we breaking away from this tradition and recognizing that the man who rents can also be free—and even rich.

Parallel with our historic emphasis on the right of the individual to own land, however, there was recognized from the days of the earliest settlements that some land should be set aside for the use of the community.

Every New England village centered on a "common"—a plot of land held in common by all who live there, and use at first for grazing cattle. During the Revolution these commons were used for the drilling of local militia. Later they came to be used for park purposes.

In the South and West, town after town was laid out with a gridiron street pattern, and at least one central square set aside for a court building. Later these courthouse squares became parks and social centers.

When L'Enfant laid out the plan for Washington he placed plazas at key street intersections to be landscaped for park purposes. And—in a foretaste of the hazards faced by later planners—he resigned when Congress permitted a private dwelling to encroach on his plan.

When the Continental Congress—even before the adoption of our Constitution—carefully regulated the disposition of the western lands ceded to the National Government by the Colonies, it reserved one lot in every township for the maintenance of the schools.

The land policies of this Nation were set in the days of the old frontier, when this was a predominantly rural and agricultural country. Their main purpose was to provide for the orderly development of vast expanses of unsettled and untilled public land.

Today, however, this Nation has reached a new frontier—a frontier of urban and industrial development. The ways in which Americans live and work have changed, and so have the ways in which land is used.

The time has come when we must start thinking about new land policies that will reflect the realities of this New Frontier.

It is impossible, we know, for any national policy to be developed overnight out of whole cloth. Policies are evolved gradually, from a series of ad hoc decisions to meet specific situations.

But there comes a time when the accumulation of these ad hoc decisions is such that they need to be correlated, reexamined, and a rationale distilled from them that can become the basis of future action.

It is this rationale that is the policy, and it is this distillation process I have in mind when I say it is time we started thinking about policy.

The direction of America's new land policy already was taking shape over a century ago when New York City decided to establish Central Park, purchasing the land from private owners and obliterating a gridiron street pattern that planners had imposed on the area.

It had progressed a good deal by the time this country plunged into the trough of the depression in the 1930's. And it took an important turn when Congress established the low-rent housing program with the specific objective of clearing slums.

It took another major step in its development in 1949 when Congress established another type of slum clearance—that has now become the urban renewal program.

And it was implicit again, in the Housing Act of 1961, when Congress authorized what we know as the open space program.

Only a few weeks after his nomination, President Kennedy, in a special message to Congress on housing and community development, called attention to the need for developing policies and programs for the use of land.

In that message he said:

"Land is the most precious resource of the metropolitan area. The present patterns of haphazard suburban development are contributing to a tragic waste in the use of a vital resource now being consumed at an alarming rate.

"Open space must be reserved to provide parks and recreation, conserve water and other natural resources, prevent building in undesirable locations, prevent erosion and floods, and avoid the wasteful extension of public services. Open land is also needed to provide reserves for future residential development, to protect against undue speculation, and to make it possible for State and regional bodies to control the rate and character of community development."

Because of the complexities of this problem, the President directed the Secretary of the Interior and the Housing Administrator to develop a long-range program and policy for dealing with open space and the orderly development of urban land.

But, recognizing the urgency of the problem, the President indicated that a start should be made immediately. He declared his support of the objectives of a bill introduced by Senator WILLIAMS of New Jersey calling for grants to local authorities for the acquisition of open space.

The administration's bill—that was eventually incorporated in the Housing Act of 1961—was very similar to the original proposal by Senator WILLIAMS. And the Senator played a major role in demonstrating to his colleagues, and the public, the need for this legislation.

In its final form, this part of the act provided for $50 million in matching grants to public bodies acquiring open-space land in urban areas according to local and regional plans. These grants could be for 20 to 30 percent of the cost of acquisition of the open-space land.

A 20-percent grant could be made to an applicant acquiring land in an urban area. A 30-percent grant could be made to an applicant who can acquire land in all an urban either by its own areawide jurisdiction or through an intergovernmental agreement.

Responsibility for administering the program was delegated to Commissioner William Slayton of the Urban Renewal Administration—who is here with me this morning, and will help me answer your questions. And he, in turn, placed it under the direction of Arthur Davis, who was formerly with the Outdoor Recreation Resources Review Board.

In its first 2 years of operation, the open-space land program has made 114 grants to almost $18 million. These grants enabled applicants in 27 States to acquire almost 55,000 acres of land in urban areas.

They included large grants, such as almost $2 million to the Forest Reserve District of Cook County, Ill., for extension of a green belt around the city of Chicago. And they included small grants, such as $1,100 to Stratford, Conn.—home of a Shakespeare festival—to acquire a 3-acre marsh near the Housatonic River as a recreation and conservation area.

The majority of the grants have been for recreation purposes, although conservation and historic preservation have also been included. Battlefields and forts, bridle paths and athletic fields, as well as wildlife refuges and marshes, have all been acquired with the help of these open space grants.

Almost 44 percent of the grants were for less than $50,000. Most of them were for 20 percent of the acquisition cost of the land. And most of them went to cities and counties to acquire land within their corporate limits or immediate urban area.

As you might expect—from the degree of its urbanization—the largest number of grants were in the Northeast section of the country. Then came the Midwest, the west coast, and the Middle Atlantic sections. The South and the Southwest, where the urban pressure on land has not been as great, had the fewest number of grants.

This sectional distribution demonstrates, I think, that the program is assisting in the preservation of open space in the areas where the need is greatest.

Congress intended that the incentive of a larger grant—30 percent instead of 20 percent—would encourage establishment of agencies with areawide jurisdiction, or the conclusion of intergovernmental agreements to coordinate the acquisition of open space land.

A little over 40 percent of the grants made in the first 2 years of the program were under one or the other of these alternatives. And nearly two-thirds of these larger grants were based on intergovernmental agreements.

Such agreements have been prepared for 22 urban areas in this country. Fifteen have been approved and seven are pending. Five of the ten largest standard metropolitan statistical areas—or almost a quarter of the country's urban population in the 1960 census are covered by these agreements.

Such agreements state that the signatories will coordinate their open space acquisition programs with the plans of a central planning body or the joint plans of similar agencies within an urban area.

The provisions of the Housing Act of 1961 tied the open space program very closely to the urban planning process. And this reflected the belief of the Kennedy administration that the Federal Government has a responsibility to encourage communities to work together for orderly, areawide development.

This was reflected, again, in the provisions of the act that authorized increases in grants for urban planning from $20 million to $75 million, and increased the Federal share of the cost of such planning from one-half to two-thirds.

It also was reflected in the establishment of a new program of $50 million for loans to help local agencies acquire, construct and improve transportation facilities and equipment, in accordance with a comprehensive plan for transportation development.

The same theme was present in the provisions of the proposal President Kennedy sent to Congress this year to establish a program of grants as well as loans for the development of mass transportation systems in accordance with comprehensive area plans.

That program has passed the Senate and was reported favorably by the House Banking and Currency Committee. It is still awaiting final House action.

The President's proposals for an open space program were much broader than those finally embraced by the Housing Act of 1961.

It would have authorized loans to local agencies to acquire open land for future development. This would have enabled communities to buy open land, with the help of Federal loans, and hold this land for eventual public or private development in accordance with a comprehensive plan for the development of the area.

It would, in other words, have enabled the establishment of land reserves for guiding the future course of community development.

This section of the President's proposal was not approved by Congress.

But the problem of fringe land development it was meant to cope with still remains.

The Census Bureau estimates that the population of this country by the year 2000 will be 330 million persons. That will mean an increase of 150 million persons since 1960, and nearly all of it is expected to be in urban area.

To accommodate that additional population at the present levels of urban density—which are, incidentally, decreasing—will require the development of about 50,000 square miles of land.

That is 25 percent more land than is now covered by urban development.

Fortunately, this country has no lack of land to accommodate this development.

The urban population, which in 1960 constituted nearly 70 percent of the total population, was concentrated in only a little more than 1 percent of the land area of the country.

One of my good friends and former colleagues, Charles Abrams, has estimated that the entire present population of the United States could be housed on the coast of California at 12 families to the acre—and everyone could have a view of the Pacific Ocean.

So our problem is not one of space, but of resolving the conflicts that arise between the competing uses for space in an urban area.

Through urban renewal and the closely related urban planning program we are trying to resolve those conflicts in ways that will come the closest to meeting the needs and the desires of those who live in each community.

Through the open space program, we have made a beginning toward enabling a community to set aside the land that should be reserved for recreation and conservation purposes.

Through the proposed urban transportation program we could help to encourage the development of coordinated transportation systems on an areawide basis.

But we do not yet have any way of coordinating the haphazard residential and commercial development on the fringe land around the rapidly growing urban areas of this country.

What is needed now is that we take the time to think through the implications of what has been done in this country in developing the public role in the control of land resources.

What is needed is that we take the time to think through the implications of the population growth that is ahead of us for the future development of that public role.

And finally, what is needed, is the definition of a national land policy that will build upon what has been done to meet the needs of the future.

Each of you, through the organizations that have brought you together here today, has a vital concern in the development of this policy. Each of you has much to contribute to that development.

WILL AMERICUS FREE DON HARRIS?

Mr. WILLIAMS of New Jersey. Mr. President, we all pride this country of America as the land of the free and the home of the brave.

But we know there are some areas and towns in the United States where this is not so, at least not for all Americans.

One of them, I am sorry to say, is the small town of Americus, Ga.

For in Americus most of those who are brave are not free.

Mr. President, I am compelled to call to the attention of the Senate the story of what is going on today in the small town of Americus, Ga.

It is a story of fear and hatred, of mass arrests, police brutality, incredible legal proceedings, and intimidation.

The story is more poignant to me for it involves a 23-year-old graduate of Rutgers University, New Brunswick, N.J., who has been imprisoned by the authorities of Americus, Ga., on a charge of attempting to incite insurrection, which could result in the death penalty.

DON HARRIS' CRIME

His crime? Making the mistake of believing that people have a right to vote in Americus.

Mr. President, my information comes to me from a group of students at Rutgers and Douglass College who have organized to try to save Don Harris, the young man in question.

The Don Harris Committee is headed by Rita Murphy and Susan Kass, and includes Nola Safro, president of the Government Association, and Pat Carty, president of the National Student Association, among others.

These dedicated students are trying desperately to make sure that some semblance of justice and decency is rendered to Don Harris. A rally is being held tomorrow at Rutgers both for Harris and the Birmingham church bombing, in an effort to raise funds for his legal defense and to help repair the church.

I bring this story to the Senate in the earnest hope that it might touch the conscience of decent people everywhere, most especially the responsible officials of Americus, Ga.

I have urged the Justice Department to explore every possibility for lending assistance in this case. While I am told the powers of the Justice Department are exceedingly limited under present law in situations of this kind, I am in a position to say that some help is being given, and for this I am grateful.

Mr. President, Sumter County, Ga., where Americus is located is a rural area of some 25,000 people. About 5,600 of them are registered to vote. At the beginning of this year only 483 of those registered were Negro. And this is in an area where Negroes represent about 50 percent of the population.

It was this patent discrimination in a most fundamental human right that led to the formation of the Sumter County movement early this year in an effort to increase voter registration.

After graduating from Rutgers, Don Harris went to Americus as a field secretary with the Student Nonviolent Coordinating Committee to help do something about this glaring inequity.

THE CHARGES AGAINST DON HARRIS

On August 8 about 250 Negroes met in the Friendship Baptist Church and then proceeded to a Negro cafe about a block away, where the group stood outside singing hymns.

The police arrived, told the crowd to disperse and when they would not, began firing in the air. They then grabbed Harris as one of the leaders of the group. He went limp, refusing to cooperate with the police arrest. He was rewarded by being beaten in the street and dragged to a squad car. Other arrests were also made.

It could be expected that the police might charge Harris with something like unlawful assembly and failure to obey the orders of an officer. And so they did. And because of the melee created when the police arrived, it is not hard to imagine the authorities of Americus going so far as charging Harris with disorderly conduct, resisting arrest, and even inciting riot. And so they did.

But it passes all understanding that he should also be charged with an attempt to incite insurrection, for which he faces a possible death penalty. Yet he was.

And this is a charge which, according to the Georgia law books, has been used only once before, in a case involving an Atlanta Communist during the 1930's. Even this one case was overturned by the U.S. Supreme Court in a manner that, to say the least, casts a serious cloud on the constitutionality of the statute.

And yet the authorities of Americus had no compunction in applying this grave but unused and perhaps unconstitutional charge against this young man for merely engaging in a peaceful civil rights demonstration.

HOW MUCH IT TAKES TO GET OUT OF JAIL

Mr. President, because Harris faces a possible death sentence under the insurrection charge, no bail need be set under Georgia law. And none has been. But even if the charge were dropped or bail set, the people of Americus have made sure that Don Harris will stay in jail a long, long while.

In Georgia, a citizen may ask a judicial officer to issue what is called a peace bond against any person who repeatedly threatens life or property. Such a bond may be set in any amount under Georgia law and is intended as a guarantee of good behavior. It is imposed in addition to regular bail.

So far Harris has been charged with eight peace bonds, totaling $40,000. And the bail for some of the other secondary charges hasn't even been set yet.

This despite the fact that application for bail was made more than 10 days ago. The local circuit court had promised a decision by September 20, but still no action has been taken on what is a matter normally given immediate court attention.

Now, Mr. President, just think of $40,000 placed on the head of this 23-year-old Rutgers' graduate. I am not an expert on bail charges, but $40,000 charged against this young man is simply incredible.

And this is a young man who spent the summer of 1961 helping to build a dam in Rhodesia under operation "Crossroads of Africa."

This is a young man who spent other time working with a group providing tutorial programs in Harlem and Philadelphia.

This is a young man who was selected by Rutgers University for inclusion in who's who among students in American universities and colleges in recognition of merit and accomplishment.

This is a young man who went to Americus, Ga., because he believed the people there have a right to vote.

And just to add to the irony, this staggering amount of money has been lodged against Don Harris in a State whose own constitution declares that:

> Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted; nor shall any person be abused in being arrested, while under arrest, or in prison.

Mr. President, Don Harris is not the only person who has been arrested in Americus, Ga. Some were jailed in July for having the effrontery of using the front entrance to a movie theater.

The day after the August 8 arrests, a group of about 175 Negroes marched to protest the beatings and arrests of the previous night. They were cut off by police wielding police clubs and electric cattle prodders. Several of the demonstrators required stitches. Many of them were arrested.

On August 11 another group of about 25 young people knelt in prayer in front of the police station and they too were arrested. Several other Negroes not in the demonstration were also arrested during those days.

On August 17, another group of about 35 was arrested for praying in front of the police station.

JAIL CONDITIONS ARE DISGRACEFUL

All told, about 200 young people, many of them in their early teens, have been arrested in Americus, Ga.

Lacking adequate jail facilities, the authorities have placed many of the youngsters in an old abandoned newspaper building without furnishings, without bedding, without working toilet facilities, and without adequate ventilation. One shower tap provides the only drinking and bathing water. The stench throughout is unbearable.

Mr. President, I wish the Record could show the jail facilities in use in Americus. But I have with me some pictures that were secretly taken and smuggled out. They really make you wonder whether they could have been taken in the United States of America at this point in the 20th century. I invite any Senators who may be interested to examine them.

For food the youngsters are given four hamburgers daily, for which they are privileged to pay $2 a day, as a result of a local ordinance passed August 9.

Mr. President, I can only say that these conditions are disgraceful.

WHAT WILL THE VERDICT BE?

And what will be the outcome? I do not know. But I suspect that many Negroes in Americus will think long and hard before making more protests on behalf of their own constitutional rights. No doubt this is what the local authorities have in mind.

In fact, Mr. President, the gravity of the charges in this case point to what seems to be a growing trend in the South—the leveling of charges that carry a penalty of death or long imprisonment and thus steep bail as a way of cutting the heart out of the civil rights movement. The Americus incident is by no means an isolated one.

As for Don Harris, assuming a grand jury indicts him in November, he can expect to remain in jail for some 6 months awaiting his trial which is expected some time in January. And then there is the question of appeals.

I am told that he is allowed no visitors except his lawyers. He is not permitted to meet any members of the press.

Don Harris can only wait, not even completely sure of his safety pending his trial.

And his trial? Will it be fair?

I would like to think so. But I would feel much better if the eyes of the world were focused on Americus, Ga., and the case of Don Harris and his colleagues who have been similarly charged.

Mr. President, this is a story that has not been reported by the national press. Perhaps it is not sufficiently dramatic or unusual to warrant the attention of the press, but I do not think so.

It seems to me, Mr. President, that if ever a case deserved national attention, Don Harris' loss of freedom merits it. And it is my hope that if the American people are told what is happening to one of their fellow citizens, the responsible officials in Americus will find some way of bringing this travesty of justice to an end.

THE NUCLEAR TEST BAN TREATY—EXPLOSION NEAR SOUTH POLE

Mr. THURMOND. Mr. President, yesterday the Senate voted affirmatively to advise and consent to ratification of the Treaty of Moscow. The majority of the Senate acted upon representations of the executive branch of the Government, who appeared as witnesses before the committees, that the Senate had been given all the facts bearing on the treaty.

Today there appeared on the front page of the Evening Star of Washington, D.C., a news article which says that an explosion equivalent to 500 kilotons occurred in the Antarctic approximately 800 miles south of the Cape of Good Hope in South Africa on August 3, 1963, just 2 days before the Treaty of Moscow was formally signed. This news article reports that:

> Detailed information had been withheld until after yesterday's Senate vote on the partial nuclear test ban treaty, to avoid the accusation that the information had been put out in an attempt to block ratification.

Mr. President, if this news account is substantially accurate, the Senate has been subjected to gross deception. Whatever the facts may be, and however the Senate vote on the treaty may have been affected, there can be no justification for withholding information from the Senate which bears so materially on such a vital issue.

The chairman of the Preparedness Subcommittee has already announced that the subcommittee will keep a close watch on developments which affect the treaty and our security under the treaty. This is the very type of thing that needs looking into immediately, and I hope the chairman will begin the investigation forthwith. There is no more appropriate place to begin than with the circumstances surrounding the reported blast in the Antarctic.

Unfortunately, if history is a prolog to the future, we will never get the straight story, for the subcommittee will not be given access to the facts which are most relevant to the subject of the inquiry.

In view of this incidence of suppression of most relevant facts, how much confidence can we now place in the promised safeguards?

If the executive branch will not risk all the facts with the Senate, can the Senate risk the security of the Nation to the executive branch?

What has the Senate done?

Have we purchased peace with the Moscow Treaty, and if so, at what price?

I ask unanimous consent that the article entitled "Polar Blast Occurred 2 Days Before Treaty" from the Evening Star be printed in the Record following my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Evening Star,
Sept. 25, 1963]

POLAR BLAST OCCURRED 2 DAYS BEFORE TREATY

(By Earl H. Voss)

A mysterious explosion near the South Pole, estimated to have been 25 times more powerful than the Hiroshima atom bomb, has been detected by 8 free world stations watching for unannounced nuclear tests.

The blast occurred August 3, 2 days before Secretary of State Rusk signed in Moscow the treaty banning nuclear tests in the atmosphere, under water, and in space.

U.S. officials believe there is only an outside chance that the disturbance was a nuclear test because no airborne radioactivity was detected, but they don't rule out the possibility. One theory is that it might have been caused by a falling meteor.

The Atomic Energy Commission announced last Friday it had no evidence of an event in the Antarctic caused by a nuclear explosion. The statement was issued in response to queries about a St. Louis Globe-Democrat story saying American experts were investigating a mysterious disturbance in the Antarctic about September 1.

The August 3 explosion registered as a 500-kiloton blast, the equivalent in force of 500,000 tons of TNT. Such a blast could not be man made, officials believe, unless it were nuclear.

ACOUSTIC SIGNALS

A search conducted by one ship and several planes several days after the explosion turned up no debris which might have indicated an underwater volcanic eruption.

Signals recorded from the explosion were acoustic—produced by sound—and most of them were registered at stations in the Northern Hemisphere. Acoustic signals travel long distances only in the atmosphere, indicating the shock was an atmospheric phenomenon, rather than an underwater one.

Senator Thurmond, Democrat, of South Carolina, mentioned the mysterious blast on the Senate floor last week and suggested it might have been a secret Soviet nuclear test. Senator Pastore, Democrat, of Rhode Island, told him the Joint Atomic Energy Committee, which he heads, has no such indication from the experts.

The shock was calculated to have been located 800 miles south of the Cape of Good Hope in South Africa.

Last September 13 the State Department announced the United States would conduct an inspection of Antarctic scientific bases, as provided in the 1959 treaty reserving the South Polar continent for peaceful uses. Whether this inspection has any relation to the detection of the August 3 shock is not known.

NO WORLDWIDE SYSTEM

The United States has no detection system keeping close watch around the globe for nuclear explosions. The system concentrates on the Soviet Union and Red China.

Under one of the safeguards which President Kennedy promised to institute in connection with the partial nuclear test ban treaty, the American detection network will be expanded.

American officials are now tracing the patterns of ocean currents, "backtracking" from the estimated point of the August 3 explosion, to see if they can detect any radioactive debris which might have been carried away from the area of the explosion.

The source which disclosed discovery of the shot to the Star said detailed information had been withheld until after yesterday's Senate vote on the partial nuclear test ban treaty, to avoid the accusation that the information had been put out in an attempt to block ratification.

ACCIDENT A POSSIBILITY

Few believe the Soviet Union would have purposely risked upsetting the partial nuclear test ban treaty by deliberately firing a nuclear test 2 days before the formal signing in Moscow. For that reason, there is speculation that there may have been an accidental explosion.

The August 3 blast was the fourth this summer which has produced concern among officials who fear the Soviet Union may be testing secretly.

Three other acoustic signals which looked like nuclear blasts, but from which no radioactive fallout was detected, were reported in June. The first was a few days before President Kennedy's June 10 speech at American University offering to withhold further atmospheric testing if other nuclear powers did the same.

The second was June 12 and third was recorded later that month.

EVIDENCE INCONCLUSIVE

The Star reported June 30 about the June 12 shock and the Atomic Energy Commission acknowledged later that day that the United States had "inconclusive" evidence.

Since then officials have said the books have been closed on five cases of "inconclusive" signals including the three in June. The first two, emanating from the Soviet Union, occurred in July 1962 and also produced no radioactive fallout that has been picked up.

Some experts have suggested the Soviet Union may have developed a "clean" nuclear explosive which produces little or no radioactive fallout.

ACHIEVEMENTS OF THE COMMITMITTEE FOR TECHNICAL EDUCATION OF THE STATE OF SOUTH CAROLINA

Mr. THURMOND. Mr. President, on September 4, I made a speech on the Senate floor in connection with S. 1716 in which I outlined the achievements of the Committee for Technical Education of the State of South Carolina. Since that time, an article entitled "Here's Do-It-Yourself Unemployment Cure" related to this same program was published in the September 1963 edition of Nation's Business. This article further outlines the commendable service which this program is rendering in the State of South Carolina. This is conclusive evidence that local initiative can fulfill any responsibility needed, if only given the chance.

I ask unanimous consent that this article be printed in the body of the RECORD following my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Nation's Business, Sept. 1963]

HERE'S DO-IT-YOURSELF UNEMPLOYMENT CURE

Curtis Pettit worked for 20 years as an oiler in a South Carolina textile mill, bringing home a paycheck which rarely exceeded $50 a week.

But one payday recently Mr. Pettit received a check of more than $100 for the first time in his life. He is now a skilled machinist in the Firestone Steel Products Co. at Spartanburg, S.C.

Who brought about the change? Mr. Pettit did—by seizing an opportunity offered to him by the South Carolina Committee for Technical Education. After investing 520 hours of his time in evening training classes, he qualified last April for the job at Firestone.

Now his foreman says: "When I want a top-quality job done, I give it to Curtis Pettit."

The Committee for Technical Education has trained Mr. Pettit and 10,000 more of South Carolina's unemployed and underemployed workers since its establishment 2 years ago by the State legislature. Workers are now being trained at the rate of 800 each month, and program officials expect to be training 17,000 workers a year by mid-1966.

The problem of teaching workers the skills which will fit them for available jobs is of national importance. Although our country's expanding economy has provided about 870,000 jobs during the past year, they had to be divided among more than 1 million new workers.

For the past 5 years unemployment has surpassed 5 percent of the work force. As the mass of young workers enters the job market in the next several years, the gap between added workers and available jobs will widen.

The situation is further complicated by the fact that our rapidly developing technology has made some jobs obsolete, although it has created others.

The Kennedy administration wants to meet the unemployment problem through tax reduction, public works acceleration, and youth employment proposals.

Many States are taking action to meet the dilemma. A number of them are making use of money provided under the Manpower Development and Training Act, passed last year by Congress and for which the administration is seeking additional funds.

South Carolina's Committee for Technical Education—which operates independently of other State agencies, including the federally aided department of education—is an example of the imaginative approach of some States.

It is unusual in an important respect—it is financed entirely by State and local money, making no use of Federal aid.

This do-it-yourself philosophy, and the effectiveness with which it is getting the job done, has won the respect of business leaders throughout the State. Robert N. Mitchell, a vice president of the SCM Corp. Marchant Division and general manager of its calculator-manufacturing plant at Orangeburg, S.C., says:

"The committee's program has been a major contributing factor to our success. It was vital in helping us start up this plant and reach full efficiency in a short time. Without it, we would have been faced with a monumental task in getting a trained work force."

The purpose of TEC, as the committee is called, is stated concisely by South Carolina Gov. Donald S. Russell:

"This program takes people who want a job and trains them to get it. We have many of these people in our State.

"South Carolina has been too long a single-industry State. TEC has helped us diversify our industrial base, which is necessary to develop our economy and create more jobs for our people."

The do-it-yourself approach runs throughout the program. J. Bonner Manly, one of the committee's eight members and an official of Abbeville Mills, describes it this way:

"At the State level, we are using the State's own money to help its people train for new jobs.

"At the local level, communities have raised about $5 million to build the technical education centers which form a major part of the program.

"But the key ingredient lies with the individuals who invest their own time and effort to upgrade skills and learn new skills so that they will qualify for better jobs. Our prime asset is their motivation to make their own investment in the program in order to benefit from it.

"South Carolina is among the poorer States in financial resources and per capita income. Yet we have a training program which is both productive and economical. Everyone contributes—there is nothing here for the person looking for a handout."

As in the case of other Southern States, South Carolina faces a double threat to employment. Mechanization of farming and Federal crop restrictions, together with growing foreign competition in cotton and tobacco, are forcing the farm population down at the rate of 12,000 persons each year. At the same time, automation in the textile industry, which historically has provided two-thirds of the State's industrial employment, is eliminating 6,000 jobs yearly.

"To find new jobs for all these people, plus the youths entering the work force, we have to run fast just to stand still," says A. Wade Martin, State coordinator of the committee. "We must industrialize to provide these jobs."

South Carolina officials believe that TEC is making a significant impact on the State's unemployment problem in two ways:

By training workers in industrial skills, it is providing a growing labor pool which makes expansion of existing industry possible and also attracts new industry to the State, thus creating new jobs. And for each new industrial job, two service jobs customarily come into existence in the community. New and expanded industry in the State produced about 12,500 new industrial jobs a year from 1959 through 1961. In 1962, as the committee began to swing into full operation, this figure jumped to 18,500.

By upgrading the skills of employed and underemployed workers—in addition to teaching new skills to the unemployed—the program makes it possible for them to move up the job ladder, leaving room at the bottom for less qualified workers who need jobs. When a service station attendant, through training, moves into a job as an automobile mechanic, he leaves his former position open for a less skilled individual who has no job.

How does TEC operate? It is governed by a committee of six citizens, who represent different parts of the State and are business leaders intimately acquainted with the job needs of business and industry. These men are appointed by the Governor with the consent of the State senate. Two State officials, the superintendent of education and the director of the State development board, are ex officio members to insure coordination with their agencies. Mr. Martin, a methods engineer and former administrator of industrial and technical education in North Carolina, heads the full-time staff.

COUNTIES BUILD CENTERS

Eight technical educational centers have been established where labor market surveys have shown a need for them. One—at Greenville—has been in operation for the past year, four will open this month, and three will open early in 1964. Each has a full-time administrative and teaching staff aided by an area commission for technical education, made up of local businessmen.

These centers—which contain classrooms, laboratories, and workshops—are built and owned by the counties which they serve. Building costs range from $540,000 to $850,000. Equipment, from machine tools to computers, is owned by the State. This permits shifting items from one center to another as needs dictate. TEC has bought more than $1 million in up-to-date equipment.

Strong emphasis is placed on keeping abreast of current employment needs and industrial practices. All faculty members must have had experience in industry and will be rotated back to their own industry periodically to familiarize them with the latest techniques.

For each type of training, a committee of men from that particular technical area or craft passes judgment on the teachers, equipment, and instruction. Robert L. Grigsby, director of the Richland Technical Education Center at Columbia, says:

"These committees are the life blood of each program. They keep us completely up to date."

The courses at the technical education centers are separated into three divisions:

The technical division—offering training for jobs at the technician level. Programs include data processing; technical drafting and design; chemical, electronic or textile technology, and others. A high school education is required for enrollment, and the programs extend for 2 years of full-time instruction or 4 years of evening classes.

The trade division—where a student may learn the skills needed in air conditioning, refrigeration and heating; automotive mechanics; industrial electricity; machine shop work, and welding.

The extension division—which makes available courses requested by a particular industry. Instruction, including supervisory level courses, is given at the center or at the plant.

ALL APPLICANTS TESTED

Students attending evening classes at the Greenville center include such men as E. J. Hall, a 33-year-old tool and die maker who is studying tool and die design. "I want to better my education and move up in my company," he says. "Because of this training, I've been promised the next job in design that opens up in my shop."

Standards are high at the centers. Applicants are given a series of aptitude tests and their school records examined. On the basis of this, they are advised whether they qualify for training as a technician or as a skilled craftsman. A continuing effort is made to prevent anyone from trying to train for a job which would be beyond his ability.

A major part of TEC's work during the past 2 years has been setting up and operating temporary training courses for corporations which have opened a new plant in South Carolina or expanded their existing plant. Nearly 70 such crash programs have provided trained workers and some are still in operation. About $315,000 of the committee's $1.8 million budget for the current fiscal year will be used to finance these operations.

Companies taking advantage of these programs, which have placed many of the State's unemployed and underemployed workers in skilled industrial jobs, praise the quality of their newly trained employees.

The State offers no payments to persons undergoing training—in contrast to the subsistence allowances paid under Federal programs. Officials credit this with screening out people more interested in benefiting from the Government payroll than in preparing themselves for a job.

"The degree of motivation is vital," says O. Stanley Smith, Jr., a Columbia businessman who is chairman of the Committee for Technical Education. "It's a fact of life that if you put your own time and effort into a project, you're motivated to do a better job than if it is handed to you on a silver platter. It's educationally unsound and a waste of money to pay people to learn. Education and relief are not the same and they shouldn't be mixed.

"We've found that the same motivation that moves the individuals in our program also moves our communities. I believe they have worked harder to help themselves by financing TEC centers than they would have if the money had been provided for them. Some current proposals for Federal aid include funds for construction. Imagine the effect of this on communities which already have paid their own way."

HOW PROGRAM WORKS

As R. L. Boynton, a training specialist who is conducting a program to provide aircraft assemblers for a Lockheed Aircraft Corp. plant at Charleston, puts it:

"When you have a fellow who will go through a training course on his own time with no pay, you've got a man who really wants to work."

Possibly the most dramatic of the crash programs are those which provide a trained work force for a new plant. A typical example is the program that trained 162 skilled workers for a multimillion-dollar Elgin National Watch Co. plant near Columbia.

Six months before the plant opened last February, specialists from the TEC staff began planning with Elgin officials a training operation which would be completed at the precise time the plant would be ready to go into production. The local community made available a school gymnasium as training quarters, and it was air conditioned and dust proofed to make possible the delicate work of watch assembly. TEC moved in some equipment from its pool, and Elgin provided the specialized equipment required.

Specialists determined the skills which would be needed and the number of workers with each skill. A critical path schedule was set up so that the training courses for different skills, which ranged from 4 to 12 weeks, would be phased in to reach completion at the same time.

Instructors from Elgin were placed temporarily on the committee payroll, and more than 300 applicants for training were interviewed and given aptitude tests. Of these, 196 were selected for training and 162 completed the course. All were hired by Elgin and, when the plant opened, a trained force was ready to go to work at jobs which had been completely unfamiliar 3 months earlier.

"The trainees' willingness and ability to learn was even greater than our expectations," says Marlen E. Benter, Elgin's chief industrial engineer. "Some of them came out of the program at 100 percent efficiency and, thanks to TEC, the lag between plant opening and full productivity was shortened by more than 4 months. We've exceeded our original production schedules and have moved the schedules up."

The plant, which has been assembling and casing watches, is now preparing to manufacture the parts. A second training program will teach new skills to nearly 300 people.

Members of the Committee for Technical Education are so enthusiastic about the results of their do-it-yourself training program that they journeyed to Washington recently to point out to the South Carolina congressional delegation the shortcomings of proposals to expand existing Federal programs and enact new ones.

Bonner Manly puts the consensus of the committee into these words:

"There are great opportunities ahead for people throughout our Nation, but they will never achieve them without investing their own time and energy."

ADJOURNMENT

Mr. SMATHERS. Mr. President, if no other Senator is moved to make a speech, I now move that the Senate stand adjourned until 12 o'clock tomorrow.

The motion was agreed to; and (at 5 o'clock and 37 minutes p.m.) the Senate adjourned until tomorrow, Thursday, September 26, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 25, 1963:

A. Leon Higginbotham, Jr., of Pennsylvania, to be U.S. district judge for the eastern district of Pennsylvania, vice J. Cullen Ganey, elevated.

Public Health Service

The following candidates for personnel action in the Regular Corps of the Public Health Service subject to qualifications therefor as provided by law and regulations:

I. FOR APPOINTMENT

To be senior assistant dental surgeon

John H. Holt

To be assistant sanitary engineer

Fred M. Reiff

To be senior nurse officer

Kathyrn M. Fritz

To be sanitarian

Patrick A. Thibeau

II. FOR PERMANENT PROMOTION

To be senior assistant sanitary engineer

Thomas C. Tucker

To be assistant sanitary engineers

B. David Clark
Ira P. Leggett, Jr.
Joseph R. Tynsky

To be assistant pharmacist

Jackie L. Knight

To be senior assistant therapist

C. Douglas Billion

CONFIRMATION

Executive nominations confirmed by the Senate September 25, 1963:

Department of Justice

Abraham L. Marovitz, of Illinois, to be U.S. district judge for the northern district of Illinois.

Walter E. Craig, of Arizona, to be U.S. district judge for the district of Arizona.

Subversive Activities Control Board

Thomas James Donegan, of New York, to be a member of the Subversive Activities Control Board for the term expiring April 9, 1967.

Foreign Claims Settlement Commission

Edward D. Re, of New York, to be a member of the Foreign Claims Settlement Commission of the United States for the term of 3 years from October 22, 1963.

HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1963

The House met at 11 o'clock a.m.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Jeremiah 45: 5: *Seekest thou great things for thyself alone? Seek them not.*

O Thou Spirit of the living God, who art the supreme and guiding intelligence in the life of men and of nations, grant that surrender and obedience to Thy divine will and command may be woven into the very texture and fabric of our being.

Inspire us with a deeper appreciation and understanding of those eternal virtues and verities which will give freedom and peace to our own hearts and the hearts of all the members of the human family.

Emancipate us from selfishness and personal aggrandizement and from any sense of narrow provincialism, and preferential advantage in our thinking and in our aspirations and ambitions.

May we strive to be more altruistic and more eager to cultivate and acquire a nobler skill in the fine ministry of brotherly living in all the areas and spheres of human activity and relationship.

Hear us in the name of our blessed Lord who went about doing good and sought the welfare and happiness of all mankind. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 7179. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes.

The message also announced that the Senate insists on its amendments to the bill (H.R. 7179) entitled "An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes" and requests a conference with the House of Representatives on the disagreeing votes of the two Houses thereon and appoints Mr. Russell, Mr. Hayden, Mr. McClellan, Mr. Ellender, Mr. Byrd of Virginia, Mr. Saltonstall, Mr. Young of North Dakota, and Mrs. Smith to be conferees on the part of the Senate.

The message also announced that the President of the Senate, pursuant to section 1, Public Law 689, 84th Congress, appointed Mr. Kuchel as an alternate delegate to the U.S. Group of the North Atlantic Treaty Parliamentary Conference for the year 1963.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1964

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill H.R. 5888 making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies for the fiscal year ending June 30, 1964.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

DISPENSING WITH READING OF H.R. 8363

Mr. MILLS. Mr. Speaker, in view of the size of the bill, H.R. 8363, and the cost involved, I ask unanimous consent that the printing of that bill in the Record be dispensed with.

Mr. BYRNES of Wisconsin. Mr. Speaker, I think that is an appropriate request and I join in it.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PERMISSION TO FILE MINORITY REPORT ON H.R. 3850

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent that the minority members of the Committee on Agriculture have until midnight September 30 next to file a minority report on the bill H.R. 3850, a bill to authorize an additional Assistant Secretary of Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CALL OF THE HOUSE

Mr. VAN PELT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. MILLS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 153]

Avery
Blatnik
Cameron
Celler
Davis, Tenn.
Dawson
Diggs
Edwards
Gray
Gubser
Hébert
Hosmer
Long, La.
Mailliard
O'Brien, Ill.
Pilcher
Powell
Quillen
Ryan, N.Y.
St. Onge
Shelley
Staebler
Whitener
Willis
Wright

The SPEAKER. On this rollcall 406 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDING INTERNAL REVENUE CODE OF 1954 TO REDUCE INDIVIDUAL AND CORPORATE INCOME TAXES AND TO MAKE CERTAIN STRUCTURAL CHANGES WITH RESPECT TO INCOME TAX

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 8363) to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 8363, with Mr. Roosevelt in the chair.

IN THE COMMITTEE OF THE WHOLE

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose yesterday the gentleman from Arkansas [Mr. Mills] had 2 hours and 20 minutes remaining. The gentleman from Wisconsin [Mr. Byrnes] had 2 hours and 20 minutes remaining.

The Chair recognizes the gentleman from Arkansas.

Mr. MILLS. Mr. Chairman, I yield 20 minutes to the gentleman from Louisiana [Mr. Boggs].

Mr. BOGGS. Mr. Chairman, on yesterday the distinguished chairman of the Committee on Ways and Means, my colleague from Arkansas [Mr. Mills] in outlining the complexion of this bill, in my judgment was very modest in categorizing his own role in putting together this significant piece of legislation, as well as the role played by the members of the Committee on Ways and Means generally.

The chairman of the committee and the other members of this committee listened to more than 200 witnesses in public hearings and compiled a total of more than 4,000 pages of testimony. After the public hearings had been concluded the committee sat for at least 2 months, if not longer, in long, hard, arduous executive sessions.

There were many people who contributed to this bill. The gentleman from Wisconsin [Mr. Byrnes], the distinguished ranking minority member of the committee, in my judgment made a tremendous contribution to this bill. I should like to compliment the gentleman from Wisconsin on the work that he does on the Committee on Ways and Means. He is diligent in attendance; he is diligent in the examination of witnesses. He examines each proposition carefully and thoroughly. I would say the same applies to the other members on his side of the aisle.

Mr. Chairman, I was particularly glad to see the significant contribution to this bill made by my good friend, the gentleman from Florida, a gentleman whom we all admire [Mr. Herlong]; and also a newer member of the committee, the gentleman from the great State of Kentucky [Mr. Watts]. The gentleman from Florida [Mr. Herlong], over the years, has interested himself in orderly tax reduction. The gentleman has studied this matter. He understands the bill—he wrote many of the important provisions in the bill. I am happy indeed that he supports the committee action and opposes the Republican motion to recommit.

Mr. Chairman, the gentleman from Kentucky [Mr. Watts], although, as I said a moment ago, a relatively new member of the committee, also attended practically every executive session, if not every public session, and made many contributions to this bill.

Mr. Chairman, the gentleman from Tennessee [Mr. Baker] on the Republican side is the author of several sections of this bill, one of them having to do with the capital gains treatment of income derived from the sale of homes by people after they reach the age of 65. Another one being the reform, or revenue pickup measure, having to do with the treatment of certain State and local taxes. So, Mr. Chairman, the point I try to make is that this bill is not the creature of any one person. It is not the product exclusively of this administration. It certainly does not bear the philosophical imprint of any single individual.

Now, Mr. Chairman, with this introduction, I would like to deal, if I may, with the two arguments that are being made against the enactment of the bill by the minority members of the committee.

Mr. Chairman, my good friend, the gentleman from Wisconsin [Mr. Byrnes], in a nationwide television broadcast, in answer to the President of the United States, rested his case pretty largely I think—and if I misstate it I hope he will correct me—on the theory that this bill, unless his amendment or his motion to recommit were adopted, would generate the engines of inflation and we would be confronted with economic disaster in our country. Therefore, he proposed the adoption of his amendment and without the adoption of his amendment, the defeat of the bill.

Mr. Chairman, the other speech in answer to the President of the United States was made by the gentleman from Missouri [Mr. Curtis], wherein the contention was made that this bill is not really the product of the Committee on Ways and Means; that it is the product of Dr. Heller, the Chairman of the Board of Economic Advisers, and that its actual philosophical impact is to move along the road of constant deficits, more spending, and less taxes regardless of more spending. One argument then was inflation. The other was debt.

Now, Mr. Chairman, if I may, I would like as best I can to examine both of these propositions. First, the question of inflation. We in our country, fortunately, have never experienced the type of runaway inflation that some other nations have experienced. Germany, for instance, following the conclusion of World War I had a classic inflation. Other countries have had similar inflation. Apparently, there is a serious inflationary trend now in France.

In the United States, despite two world wars and despite the Korean war, we have never had a comparable inflationary situation. Now, this does not mean that we have not had an advance in prices, because we have. I suppose it is safe to say that comparing the 1963 price structure with the 1941 price structure, we have had an increase of 100 percent, or more. But in the past few years, as a matter of fact if we want to go back since 1958, the last 2 years of President Eisenhower's administration and the first 2 years of President Kennedy's administration, there has been practically no increase in wholesale prices. In 1958 that index, if my memory serves me correctly, stood at 100.4 percent. At the end of July 1963, or just a few weeks ago, that same index stood at 100.5 percent, or practically no increase whatsoever.

Along the other broad front, namely, cost of living, since 1958 there has been a slight increase, but it has been relatively small.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I would like to ask the gentleman if he will say what has happened to the Consumer Price Index? There are not many people who buy wholesale.

Mr. BOGGS. I am glad the gentleman put it that way. As the gentleman was asking me to yield, I was speaking about that very subject, namely, that the costs of food, rent, services, the things that the consumer buys, have also held very stable. That does not mean there have not been some increases, because there have been. But again I say that the relative increase has been, compared to inflationary periods, substantially modest.

Why is this? Because inflation certainly, insofar as our country is concerned has followed the classic definition of inflation—excessive demand and insufficient supply, whether it be in the case of labor, whether it be in the case of manufactured goods, or whether it be in the case of foods and fibers.

Back in World War II we established the Office of Price Administration because we knew that the supply could not meet the tremendous demand created by the war for clothes, food, transport, guns, ammunition, fuel, housing, doctors, dentists, services—all of the things that go to make up our society. So in that period when demand greatly exceeded supply we rationed what we had and controlled inflation through Government action.

What is the situation today? Certainly there is no food shortage. As a matter of fact, our big arguments about the farm program have to do with surpluses. We have surpluses in every basic commodity. So much so that a heavy budget item involves the amount of money we have to pay out to warehousemen for storage of foods and fibers.

Do we have any shortage of the things that go to make up our clothes, the things we wear? Of course we do not. Another great controversy is raging now among the cotton producers as to what kind of cotton bill we should have. What will we do about the domestic mills and the price differential? What are we going to do about the two-price system? Why? Because we have too much cotton, not too little.

Do we have a scarcity of labor? Everybody knows we do not. Our unemployment rate is about 5.5 percent in the largest labor force we have ever known. These are people looking for work; these are people who are willing to bargain to get a job; these are people who need employment.

Are all of our plants operating at maximum capacity? They are not.

I am trying to outline to you, Mr. Chairman, the things that generate inflation. The basic argument of the gentleman from Wisconsin is in that direction. Are our plants turning out everything they can turn out? When you go to the appliance store can you get a washing machine or a deep freeze or an automobile or the other things that go to make for comfort and pleasure in our living today? You know you can buy these things readily today. The newspapers are packed and jammed with advertisements of sales, bargains, resale and discount houses, and all the other things to accentuate the movement of our products which are in excess supply, not in short supply.

Our overall industrial production stands at about 82 percent of capacity. That means that our aluminum plants, our steel mills, the basic industries in our country, our cement mills, and the others, can produce a great deal more. So where is the inflation? Where is the threat of inflation?

Let us look a little further at this unemployment picture. Not only do we have 5.5 percent of our labor force unemployed but we have the greatest number of young people in the history of the United States entering the labor force every year. At the same time we have so perfected this scientific marvel which we describe as automation that over a million and a half other people are being relieved of employment each year, and the prospect is that we must find new jobs, new occupations, new employment for these people.

So I say to the gentleman from Wisconsin, where are these engines of inflation? Where are the things which will stimulate inflation under his theory? Where are all these hobgoblins that he has hidden in the closet, when you take a look at the economy, at production, at employment, at agriculture as it actually is, not as someone would like to scare us into what it might be? So I say, Mr. Chairman, that the argument that this bill without the adoption of the amendment proposed by the gentleman from Wisconsin will create inflation is just not so.

Actually, our experience since World War II with inflation demonstrates quite clearly that there is little connection between inflation and budgetary deficits or surpluses. Since World War II there have been only 6 years of significant increases in wholesale prices—by significant increases I mean increases of over 2 percent. Five of these six years were actually years of budgetary surplus. Moreover, during this period wholesale prices declined in 4 years and all 4 of these years were years of budgetary deficits.

Much the same point can be made by reference to consumer prices. Consumer prices have declined in 2 years and both of these were deficit years—1949 and 1955. In 4 other years when the rise in consumer prices was actually 1 percent or less, all 4 of the years also were deficit years. However, in the 4 years in which the Consumer Price Index rose by more than 3 percent all 4 of these years were years of budgetary surpluses.

The data I have just presented to you would actually suggest that there was an inverse relationship between inflation and budgetary deficits. I do not, however, mean to imply any such thing. Rather, I think it is clear that in fact periods of inflation— or absence of inflation—have been attributable in large part to factors other than the current status of the Federal Government's budget.

There have been two periods of significant inflation since World War II. First, during the period between the end of World War II and 1948, the suppressed demand for goods and services during World War II in part worked itself out in the form of higher price levels. During this period, we actually experienced substantial budgetary and cash surpluses.

The price increases occurred mainly through 1946 and early 1948. From 1948 through the middle of 1955 prices stabilized, and from 1949 through the early part of 1950 wholesale prices actually declined.

From 1950 through 1958, prices again rose due to two forces. First, the Korean war caused sharp price increases. Second, with the end of the Korean war there commenced a rather gradual upward movement in prices due to the prosperity of 1955 through the middle of 1957. Again, it should be noted that in 1956 and 1957 the Government ran substantial budgetary and cash surpluses. In part, the price rise during this period was due to an increase in the money supply including deposits and also a sharp increase in private indebtedness.

From 1958 onward, prices have remained remarkably stable. The wholesale price index has been virtually unchanged from 1958 through 1962. The rise in the cost-of-living index during this period has been modest, amounting generally to about 1 point a year in the index and mirroring little if any more than the simple rise in wages.

Given this experience in the past and our present underutilization of labor and plant and equipment capacity, it really just does not make sense to talk about inflation resulting from this tax reduction.

The second issue raised by the opposition is the issue of deficits. This of course is largely politically motivated, because the opposition wants to make a campaign issue on the question of spending.

I must say that I cannot recall when a President has so explicitly put himself on record on holding down spending as President Kennedy has. This is thoroughly documented in the gentleman from Arkansas, Chairman MILLS, speech of yesterday. First, he wrote a letter to the chairman which you will find on pages 124 and 125 of the committee report, in which he explicitly commits himself to preventing expenditure increases arising from this bill from exhausting the additional revenues which arise as the economy expands. Thus he commits himself to a policy of holding down Government expenditures while incomes as a result of the stimulus of this bill rise and provide the additional revenue necessary to meet and then surpass this expenditure level.

Second, the President subscribed to the statement of our chairman to the effect that this bill establishes the policy of stimulating the economy through tax reductions rather than through increased Government spending.

Third, the President, in his television appearance the other evening, pledged strict economy in Government expenditures.

At the same time the expenditure level is held down this bill will, after a brief transitional period, result in the collection of more revenues than would have been the case in the absence of the tax reduction. This occurs because this bill leaves more money in the hands of consumers which will be used by them in very large part to purchase goods and services. This in turn will generate more income.

At the same time this bill provides more consumer purchasing power, it also provides more funds for investment. This occurs both through the corporate rate cuts and through the individual income tax reductions in the middle and upper brackets. In addition, I believe that the tax reduction on capital gains will also be beneficial in this respect. This prospect of increased profits together with a greater demand for products and services is sure to increase substantially the funds invested in plant and equipment. Thus we will have our increase not only in the demands for consumer goods and services but in the demand for machinery and plant and equipment as well.

The gentleman from Arkansas, Chairman MILLS, suggested yesterday that in a very few years these factors will, even with the reduced rates applicable, result in greater revenue collections than the present rates do with the lesser economic activity. I believe his estimates in this regard were conservative.

One thing the opposition forgets is that this is a program to achieve both full employment and a balanced budget. The alternative, however, is not a balanced budget with unemployment but rather a deficit with unemployment at a high level. The prospect is for the continuation of the present unsatisfactory situation which has existed since 1957 when we have had deficits in 5 out of the 6 years, and unemployment in excess of 5 percent in each month of these years. Therefore, let me assure you that the best prospect of getting rid of these deficits is not to continue to rock along in our present unsatisfactory situation. Rather the prospect for getting rid of deficits is best if we give our free enterprise system enough freedom and incentive to provide the prosperous economy that we must have.

I followed the arguments of the gentleman from Wisconsin and the gentleman from Missouri rather carefully, and I find in many ways they do not seem to be in agreement; but that is their problem and not ours.

The gentleman from Missouri in his remarks here on the floor on yesterday said that this bill was the creature of Dr. Heller; at least, that is what I understood him to say. I have already said who I think put this bill together. But let me say here a word or two about Dr. Heller, because I think maybe in some ways he has gotten a little jostling, which is fair in this business of public affairs.

He used a phrase which has been manna from heaven, so to speak, to my Republican colleagues. He talked about the Puritan ethic. I do not know what Dr. Heller meant by the Puritan ethic, but if he meant that the society in which we live, which is a highly industrialized, urban society, is somewhat different from the society in which our Puritan ancestors lived, then I must say that I must agree with him.

Why do I say that? When our ancestors came here they could not go around to the supermarket and get a nice cut of roast beef for 89 cents a pound. They could not go down to one of the big department stores and buy every gadget that you need to put in your house. They could not look in the telephone directory to get the name of a contractor, to have him come out and build them a house. There was no way for them to get from one place to another, and there was no way for them to communicate one with another, unless they rode a horse, if they had a horse.

As a matter of fact, that society could not exist today in our society. I am not for one moment saying that we should not be prudent, that we should not be frugal, that we should not husband our resources, that we should not scorn waste and seek efficiency.

I say that we live in a society which is totally different, economically speaking.

We still have the same moral values and the same respect for liberty and for freedom and for a free society as our ancestors. But the economy is quite different as everybody knows. Our Puritan forefather had to go out with a shooting iron, so to speak, and shoot himself a deer or a squirrel for something to eat. Today we live in a society which has been described as an affluent society and rather than having an economy of scarcity, we have an economy of abundance.

Even in the matter of savings. We save about 7 percent, that is about the overall rate. If we had very much more than that, we would not improve our economy. In many ways it would be less virile than it is now because this money would become sterile. Right now we have our investment funds, building and loan associations and our banks and others. The problem is not to find that money. The problem is to invest the money. So I say, and this is merely by way of disgression, if that is what Dr. Heller meant by this expression, then I do not think Dr. Heller made any great radical pronouncement.

As I understand, what we are trying to do here—and again I say this is a Ways and Means Committee bill and it is not a Dr. Heller bill nor is it a Secretary Dillon bill—it is the result of the combined work and efforts of this committee—Republicans and Democrats together—but I do think there is a basic philosophy and I am surprised that the gentleman from Missouri does not recognize it and our chairman stated it as well and as ably and as succinctly on yesterday as anybody could state it—namely, that our economy is made up 80 percent of the private sector and 20 percent of the public sector.

What this bill seeks to do is to stimulate the private sector and not the public sector. That seems to be a rather conservative approach. I frankly do not understand why my friends on my left side on the other side of the aisle would be opposed to that approach. That has been the approach in the business community.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield so that we can have an understanding? We are not opposed to that approach. We are in favor of that approach if you would follow through on it.

Mr. BOGGS. I will let the gentleman state his case. It is very difficult for me to understand because I, frankly, think the net effect of his proposal would be to kill the bill.

Now what does the business community say about it? I want to read a paragraph from an address by Mr. T. Stuart Saunders. Who is Mr. Saunders? Judge Smith, I am sure, knows Mr. Saunders. He is president of the Norfolk & Western Railroad, a very successful railroad. I am told he may be president of the Pennsylvania Railroad. Mr. Saunders was making this speech, if I remember correctly right here before the Virginia Bankers Association. Incidentally, Mr. Saunders—and I know he is a good friend of our colleague, the gentleman from Virginia, Governor Tuck, because the Governor told me.

Mr. Saunders and Mr. Henry Ford—and I do not believe Mr. Ford is a Democrat—I wish he were—but I do not think he is. In any event, Mr. Ford and Mr. Saunders head up this committee. I think it very appropriate, incidentally, that Mr. Ford should head it up, because if ever you have a demonstration of the basic philosophy involved in this bill, you have it in the case of the Ford Motor Co.

Back in the early part of this century Mr. Ford had a little automobile plant and he had a few workers. He got the idea one day that he would put out the cheapest automobile ever manufactured, and it was a cheap automobile. Everybody who is as old I am remembers it. At the same time he raised wages. Now, this is pretty much like the idea of cutting revenue with the expenses going up. It is the same idea. And this is the great basic Republican argument against this bill.

What happened? Well, need I tell you? Mr. Ford sold so many automobiles at such a cheap price that he got to be one of the richest men on earth. What he simply said was that by stimulating the demand by making it possible for the American people to own this automobile and by being satisfied with a very small, nominal profit he would promote his business and he would be more successful. That is what this bill seeks to do. This bill says in effect that by stimulating the economy we will create more jobs, more employment, more revenue, and we will balance the budget.

Here is the quote from Mr. Saunders:

> A tax reduction of $10 billion would most likely result in an initial increase in the current Federal deficit. Nevertheless, this program of tax revision is one of our best chances for the eventual reduction and elimination of Federal deficit financing. This approach to the elimination of Federal deficits is entirely consistent with free enterprise economics.
>
> A business wishing to increase its profits or eliminate an operating deficit must decide on one or both of two courses: cutting expenses or increasing revenues. A good way to increase revenues is to lower prices with the expectation that increased sales will more than offset the decline in revenue per unit. In like manner, if the Government is to avoid deficits, its revenues must equal or exceed its expenses. Government revenues can be substantially increased through a reduction in tax rates which would spur the economy and create a larger gross national product from which tax revenues could come. In fact, this is the only way to avoid the law of diminishing returns brought into operation by the 91 percent tax rate on individuals and the 52 percent tax rate on corporations.
>
> Like a business launching a campaign to increase sales and profits through a reduction in prices, the Government will be faced with a temporary increase in the gap between revenues and expenses until reduced tax rates have their stimulating effect, but the goal of renewed economic growth and fiscal stability is well worth the price. We all applaud the businessman who is able to increase his profits through lower prices and higher volume. He not only strengthens his own finances, but also contributes to higher living standards and increased purchasing power. This principle is followed by chain stores and practically all businesses which depend on high-volume sales; and when the Government uses lower tax rates to spur economic growth and increase total tax revenues, it is applying the same principle.

Now, you know back in 1954 in President Eisenhower's administration we cut taxes and in two of the years that President Eisenhower had a balanced budget—and he only had 3 out of 8—they were the years that followed the reduction of taxes in 1954.

This is despite the fact that in each of those years thereafter—and this is a matter of record, and I have it before me—the expenditures of the Federal Government went up. Incidentally, we cut taxes last year. We cut taxes last, year through the investment tax credit for business. I do not know how my Republican colleagues on the committee voted on that. I know a lot of them were opposed to it. As a matter of fact, there is a section in the report where they opposed the liberalization of the investment tax credit which we wrote into this bill, if I remember correctly. Despite the fact that we cut taxes last year, as all of you know, our revenues are up this year. Why is that? Because business is better.

Let us take the opposite side of the coin. In 1958 Secretary of the Treasury Anderson, the Secretary under President Eisenhower, a very able man and an admirable man, sent budget estimates to the Congress. I saw those estimates both on the Committee on Ways and Means and the Joint Economic Committee on which I sit. Secretary Anderson said then:

> We will have a surplus of $500 million at the conclusion of this fiscal year 1959.

Now, what really happened? We had a deficit of $12,427 million or, if I may say so, the largest peacetime deficit in the history of the United States. Now, I am not blaming Congress for that. We did not appropriate $12 billion more than the budget estimate of President Eisenhower. No, we did not. What happened was that we had a precipitous recession and Government revenues went down by about $8 billion and, rather than being able to reduce the President's budget, we had to increase the President's budget because we had more unemployment and we had to increase appropriations for unemployment compensation, for social security, for welfare programs, for public works—all of the things that all of you know about. So the opposite side of this coin, the side that the gentleman from Wisconsin [Mr. BYRNES] would give you or the gentleman from Missouri [Mr. CURTIS] would give you, does not mean you are going to have a balanced budget. Quite the contrary. In my judgment—and I think I am completely and totally correct in this assumption—if we continue on this plateau and if we do not enact the tax bill, business will start slipping off, employment will start falling off, revenues will start decreasing, and pressures will build up on us for more appropriations.

Recently Great Britain has embarked upon a tax reduction plan very similar to the one now before us. In April of this year, the British Parliament enacted a tax reduction program calling for individual and business tax reductions of $750 million in fiscal 1964 and an additional $1 billion in fiscal 1965—a total of $1.75 billion. The reduction is equal to roughly 2.2 percent of British GNP and, as such, is equivalent to a tax cut of $11.7 billion based on GNP in the United States. While these reductions have not become fully effective, the effects on the unemployment rate are startling. In February of this year, 3.9 percent of the British population was unemployed. The average for the first quarter of 1963 was 3.5 percent. After the April tax reduction, this figure began a steady decline. The latest available figures show, as of August, only 2.2 percent of the population unemployed, a reduction in the unemployment figures of 40 percent. Comparable experience in this country would bring unemployment to at least the 4-percent target level.

The British budget, submitted by the Conservative government, calls for an increase in expenditures of 7½ percent, compared to the 4.8 percent requested by the President in his 1964 budget. The consequence in terms of the British deficit would be the United Kingdom's largest postwar deficit, $1.9 billion, the equivalent of a $13.5 billion cash deficit in the United States, or an administrative deficit of at least $16 billion. It should be noted that the British took this action in spite of its possible repercussions on their balance of payments, which is far more precarious than our own situation.

Apparently some of our colleagues find this theory novel and untried solely because they are not aware of the experience of other countries in the use of this technique. I submit that it has been tried and it has worked. This is but one example.

So, if we do not reduce taxes, rather than having a balanced budget, an active economy, a growing economy, we will have a declining economy, more unemployment, greater deficits, and less hope for the United States of America. That is the issue involved here, purely and simply, in its very essence.

Now is this radical? Has this ever been done before? Yes, in England and Western Europe as first pointed out—and in our own country in 1948, 1954, and 1962.

Let me deal with one other subject, because no one here has dealt with it. No. 1: If you will examine President Kennedy's budget for 3 years and compare those 3 years to the last 3 years of President Eisenhower's administration, you will find that if you eliminate defense and space and interest, relatively speaking, the Kennedy budget has been less than the Eisenhower budget. But, having said that, let me say another thing. And I make no apologies for saying this. I know—and this applies to both sides of the aisle—that the Members of this body, when they see a worthy project, when they see something that needs doing, invariably and inevitably come up and point out why it should be done.

Now, why is this? Does this mean that they are hypocrites? No, it does not—not at all. What it means is that there are some areas where Government has to operate. The notion that every Government expenditure per se is bad and evil just is not so. Why, some of you have had the experience, I am sure, of watching a picture flashed on your television screen transmitted by Telstar from Europe or from somewhere else in the world. And I am told the time is coming when there will be a whole series of these instruments orbiting around our earth so that you will be able instantaneously to see what goes on elsewhere, to communicate. And the additional scientific data accumulated therefrom defies the puny knowledge imparted to me.

But without a Government program and without the scientific research that we did in space you would not have that communication. And I am happy that that is a joint operation today, that Government and business have joined together in a joint corporation to take advantage of the knowledge that has been gained.

There are many people who say we should not have a space program. They say, "Why go to the moon?" As a matter of fact, with all due deference to the former great President of the United States, President Eisenhower, he is one who has been in the forefront of casting doubt and expressing skepticism about our space program. This is one of the big programs. This is one of the programs on which we spend a lot of money. This is certainly not a program in competition with private enterprise. I defend that program on the basis of utter, complete need and necessity. And yet it is one of the big programs that calls for the expenditure of a tremendous sum of money. And I defend it very simply. It is not a question of going to the moon. It is not a question of putting a man on the moon before a Russian gets there, because of the initial competitive advantage it might create in the minds of men somewhere else. It is a question of keeping ahead in the eternal search for knowledge, in the eternal need to be ahead if this Nation is to keep moving forward.

Mr. Chairman, there is no such thing as a static society. My friends on the Republican side, their whole idea, is that we can have a static society, that tomorrow we can say, "No longer will we spend more than x dollars for x purposes."

Mr. Chairman, I deny that. I think it is wrong. I think it is shortsighted. I think it would end ultimately in the end of the United States of America. I say that, not defending spending for the sake of spending. I say it in the very sound proposition that we are a growing, vibrant nation.

Mr. Chairman, there has been a great deal of talk about population explosion. We have one in this country. I come from a State that has about 4 million people. But every year there is a new State of Louisiana added to the Union. Four million new Americans, creating new problems, new challenges, new demands. If you take a look, you will find that the most relative stability in spending—private, local, and State—has been Federal spending.

No one welcomes an increase in debt for its own sake—whether it is in his household, his business, or his Government. Every debt should pass this test of soundness and prudence: Will it pay for itself in added productive power and human well-being? We must therefore ask ourselves whether the added debt resulting from the tax program will pay for itself in higher output, more jobs, and a greater legacy of real wealth—houses, schools, productive plant and equipment, and so on—to use and to pass on to our children. Under conditions of full employment and inflation, the answer would be "No." But when manpower is idle and excess capacity is waiting to be activated by a tax stimulus, the answer is "Yes."

For those to whom the existing size of the debt is worrisome, two sets of facts should be reassuring. First, the Federal debt has been growing far more slowly since 1947 than private debt: it has risen 15 percent while corporate net debt rose 218 percent, other private debt 383 percent, and State-local government debt 412 percent. Second, the Federal debt, is falling steadily in relation to the economic size and strength of the country. In 1947, the Federal debt was 110 percent of our gross national product. Today, it is only 53 percent, and steadily falling even with recent and prospective deficits. The Federal debt is becoming a progressively lighter burden on our growing economy.

During this debate, charges of reckless spending have been continually leveled at the administration and the specter of vast Government debt has been constantly raised. However, a closer look at the facts reveals a far different picture. Government assets have grown at a much more rapid rate than has public debt. At the end of fiscal 1958, Government assets were valued at 94.8 percent of the public debt, but by 1962, assets increased to 100.4 percent of the public debt.

From fiscal 1960 to fiscal 1962, the debt increased at a rate of 2.1 percent, while at the same time assets grew at a rate in excess of 4.2 percent per year. It is true that these assets are not wholly convertible into currency; however, nearly 72 percent of these assets at the end of fiscal 1962 are in the form of personal property, or a figure of $213.3 billion which are more easily converted. Even the real property assets can be converted though admittedly not as easily.

Government procurement policies have become increasingly more concerned with increasing Government assets, and the charge of reckless spending is without foundation when one considers the existing facts.

So, Mr. Chairman, I say to the gentleman that what he really says is that we will stand still, we will not face the challenge of the last part of the 20th century. We will deny business, the private sector of our economy the right to move ahead, to make its own decisions in a free society in order to pay a tribute to a shibboleth that has no meaning.

I hope, Mr. Chairman, that this motion to recommit will be defeated and that this bill as reported by the committee will be adopted by a large bipartisan majority.

Mr. Chairman, the Committee on Ways and Means has not brought you a bill which is devoid of support. On the contrary, the tax reduction involved in this bill is supported by a broad spectrum of opinion throughout this entire Nation, from businessmen to labor, from economists to students of business and Government, from Governors to State and local officials. Indeed, since the bill has been reported there has been what can aptly be described as a rising tide of support and endorsements of the bill and the general principles which are embodied in it. These endorsements urge favorable and immediate action on this bill at this session of this Congress.

As I stated, the organizations making these endorsements cover a wide spectrum of those concerned with the economic, business, labor, and financial operations of the Nation. Let me read a few of the prominent nationwide organizations to which I refer:

The Business Committee for Tax Reduction in 1963, AFL–CIO, National Federation of Independent Business, National Automobile Dealers Association, National League of Insured Savings Associations, American Life Convention, Life Insurance Association of America, National Association of Retail Grocers, National Candy Wholesalers Association, Inc., National Coal Association, National Machine Tool Builders' Association, National Food Brokers Association, U.S. Wholesale Grocers Association, Associated Retail Bakers of America, National Association of Real Estate Boards, American Textile Manufacturers Association, National Small Business Association, and Smaller Business Association of New England.

I also referred to the support for this measure which has been received from Governors and State and local officials.

I have received, as I am sure is true of other members of the committee, recommendations and expressions of support from literally hundreds of State and local officials thorughout the Nation.

Mr. Chairman, this bill is a Ways and Means Committee bill. It has the strong support of the administration; it has the strong support of business—both large and small; it has the strong support of labor—both large and small; it has the strong support of trade associations—both large and small; it has the strong support of the overwhelming majority of economists and students of Government; it has the support of the American people.

This bill should be enacted now without delay.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. Alger].

Mr. ALGER. Mr. Chairman, we are well past the midpoint in our 2 days debate, and no one has yet talked about the bill—the provisions, how it will affect taxpayers in various brackets, and the structural changes, besides the rate cuts, individual and corporate. Apparently, the closed rule has served to prevent discussion because no amendments or changes are permitted, except the motion to recommit.

Here is the bill, 300 pages long. Who knows what is in it, except the chairman and perhaps several members of the committee and the committee staff. To digress, I want to compliment the staff members for their diligence, ability, and helpfulness.

Members have not heard the bill's provisions discussed, do not know the intent and effect of countless changes, and yet voting positions are crystallizing.

We should be discussing the rate changes, of individuals and corporations, at the various bracket levels, and for corporations the accelerated pay-in which limits the effect of their tax cut, which will not be even as low as pre-Korean taxes. We should debate and understand the reverse progression of the structural changes, the minimum standard deduction, the elimination of deducts, new group insurance tax, and many others.

The chairman did not attempt to present the basic provisions of the bill, either before the Rules Committee or yesterday before the House. He invited questions but none were asked—and I know why. Without amendment possible all attention is focused on the primary matter of the recommit which permits the only and all-important change—a chance to relate the tax cut to spending. Eight hours will hardly give time enough for that. What a pity, however, to disregard as we are the consideration of the details of this bill. This is wrong. If understood, many Members might be disposed to oppose the bill, regardless of the recommittal motion.

However, there will be questions asked from constituents. When the IRS agent rules against a constituent or his tax attorney, and the constituent disagrees or is faced with overpowering complexity, he will ask, "How come?" And the answer will come from the IRS agent, "It was in the new tax bill." From his ruling there will be little appeal and ignorance of taxpayer and/or Congressman no defense. The Members had better be forewarned that this is not a good bill. It is bad legislation and should be closely examined and understood.

Are Members concerned about what is in this bill? From the demagogic approach of the majority party Members and of the President, I wonder. We Republicans are very concerned over specific areas of the legislation, but principally over the deficit financing that accompanies a tax cut with high and increasing levels of spending.

This legislation is not just a tax cut vote. It is fiscal irresponsibility—indeed fiscal suicide for our country if we do not relate tax cut to spending level.

Indeed, many of us would prefer a much lower level of spending than the $97 billion for fiscal year 1964 and $98 billion for fiscal year 1965 but we can agree that this level that holds the line is better than no effort to relate tax cut to spending. As for me, I cannot in good conscience agree to less than a balanced budget, so I must oppose the bill after voting for the recommit tie-in with spending level.

How unfortunate that some including southern colleagues may oppose recommit because it does not go far enough. How many times in the House do we have this choice? But we are not relieved in our disappointment from improving the bill as best we can. The recommit is an improvement. The gentleman from Arkansas, Chairman Mills, in presenting his views on the one hand almost entirely overlooks the reality of debts and deficit financing as we know them. On the other hand he firmly disassociated himself from the President who would follow tax cut and increased spending paths at once. Our chairman chose the tax cut route and indicates that he refuses to go the spending route. Good, but he is alone, so far as the President is concerned, by any test of speech or practice associated with President Kennedy.

Our chairman sought to put the debate on the basis of confidence in Congress doing the right thing in cutting spending. Well, we seldom have done so. That is why we have a $305 billion deficit, due to soar to $320 billion soon. That is why we had and have inflation of our money. That is why we do not balance the budget, and put boondoggle public works projects into legislation right here on the House floor, without committee or Corps of Engineers approval. Congress has lacked self-discipline in money matters. How in the world can we now be confident in our willingness to reduce spending or even holding the line?

Our chairman stressed the help needed in the private sector, in business, rather than the encroachment of Federal Government in taxes and spending in the public sector. True enough, but the implication that we will give business and individuals a little cut and then see if they do everything we expect in growth, employment, prices, foreign competition and all the rest or else we will pour in Federal money in bigger spending. I do not appreciate this threat or this approach. Corporations and individuals will still be too heavily taxed, and regulated by all powerful Uncle Sam.

For a long time our Government Democratic leaders have not shown confidence in the private sector. We welcome this change if, indeed, our chairman speaks for others, including the President, but I, for one, doubt it.

Of course, we can balance the budget. Certainly we can cut the debt. Assuredly we can cut the taxes and make both ends meet. But we must want to do it. There are eight or more appropriation bills left. We can cut back, assign more realistic priorities and do all these things—if we want to badly enough. It is up to us.

I am for a tax cut, always. But it must be meaningful, not a hollow mockery wherein we abdicate our responsibilities.

Yet we are not discussing the provisions of the bill, we cannot amend it. Some Members are already saying they are all for tax cuts, regardless of spending.

Perhaps then I must talk to and for the children to whom we are charging our profligate spending, and fiscal irresponsibility. The debt we are incurring is tax evasion. We dodge paying enough in tax, we deficit finance and charge to the future who did not run up the bills, both the principal and interest in higher tax is for them. Unless, of course, they repudiate the lawful debts. It is wrong to borrow money for a tax cut.

When the gentleman from Arkansas, Chairman Mills, stated that we must now control spending by cutting revenue I could hardly believe my ears. I categorically contradict this statement, in fact. History and a $305 billion debt proves the reverse. Government can borrow and print money without limit except, debt ceiling which we periodically raise as needed. When the chairman and the President talk of an "even tighter rein in Federal spending," we could all laugh if it were not so painful. There has been no rein on spending, much less tight or tighter as all the facts of spending show. Let us look at them.

How about the increased spending under President Kennedy and our Democratic leadership. Page 5 of the report shows an increase in spending level of $23 billion in 5 years from $78.9 billion in fiscal year 1961 to the estimated $102 billion of 1965. In addition let us add the $5 billion in assets sold, and there will be more, this beyond expenditures.

How about debt level? In 5 years we see the President, starting with the balanced budget he inherited from the preceding administration, add $35 billion. This profligate spending and debt increase is fiscally and morally wrong—yet few if any will even debate this.

The basic element of this whole debate will not be debated on this floor, namely, the merit of the balanced budget concept as against the planned deficit concept. No one apparently in this House will champion the planned deficit. Everyone here is for the balanced budget, at least, says so, or rather will admit nothing else. So the principal debate will never be joined. The liberals, the Democratic leadership will not even admit the validity of this difference in viewpoint. Then am I wrong? Is everyone for the balanced budget concept, and for cutting back spending to relate to the tax cut as the gentleman from Arkansas, Chairman Mills, advocates in section 1 of the bill?

Let us look at it. In January the President said there must be no matching cuts in spending when taxes are cut. Mr. Heller, the President's chief adviser, says repeatedly there must be no cutback in spending. Indeed, spending must be increased and new programs started. Mr. Meany, who dictates a certain amount of democratic policy, says that cutbacks in spending would nullify the advantages of a tax cut. Recently the Commerce Department said the same.

There you have it. These men believe in deficits—in planned deficits, not balanced budget. Now who will champion that view here? No one; of course not. And yet that is the motive power of this bill. It will never be debated. Why cannot we have a straightforward debate instead of many talking one way but believing another, or in silence giving support to that philosophy with which they do not agree?

The Republican tax cuts, and philosophies have resulted from balanced budgets, surpluses, and debt retirement, in 1947 and 1954. Congressman Kennedy in 1947 opposed the tax cut. Historically Republicans have cut taxes 9 times—boosted them once—and Democrats have cut them 1 time, but boosted them 14 times.

The Kennedy spending program is not only incompatible with tax cut but proves that we have not earned a tax cut. As Arthur Burns, noted economist says, this tax cut without spending cut means deficits for years to come. President Kennedy and the Democrat leaders have abandoned the balanced budget concept over a budget cycle or business cycle.

Even the Ford businessmen's committee's statements have generally included expenditure control, otherwise most businessmen would not have served and given their support to the tax cut.

At the end of my remarks I shall include some of the answers to my letter requesting their views of taxcutting without cutting spending.

The people believe in fiscal balance, in balancing outgo and income in home and business and Government. Bernard Baruch calls unbalanced budgets uneconomic and immoral. The Puritan ethic is dear to our people. They do not believe in mortgaging their children's futures by our debt transferance. Mr. Heller does not understand this. He is amazed to see how people feel.

Dr. Heller went on to say that:

> It is quite remarkable that the basic Puritan ethic of the American people should be such that they want to deny themselves tax reduction * * * because of their fears of deficits, and the additions to the national debt.

He proposes to reeducate them, and in the meantime I suspect he wants the President and his Democratic leaders to ram the new concepts of the New Frontier down their throats—until they see the new light.

Now, lest you do not believe that Mr. Arthur Burns is right in warning of imminent inflation and devaluation of our money and that the New Frontier will be responsible, indeed, let us look at the facts. The President believes and forecasts that debts will lead to the balanced budget, inasmuch as expenditures will be held steady. Now look at the facts. Expenditures have increased by $5 billion yearly on the average, and yet many new programs and new increases are waiting our increased spending at the President's insistence—foreign aid, ARA, Domestic Peace Corps, YCC, mass transit, public works, aid to education, to name but a few.

Then we are told that receipts will be up $6 billion per year. Who knows? This is just a forecast, and a hope.

Meanwhile, deficit financing by selling Government bonds is getting tougher all the time. Where is the money coming from? Meanwhile, Mr. Heller keeps assuring us that deficit financing is fine. This is the "time bomb" of inflation.

The tax bill will lead to bigger deficits, deficits which have never produced growth or employment in the past. When the ARA program failed, the President asked for more funds for it. This is self-destruction. We will bury ourselves. Lenin gave the formula for destroying a society—debauch the currency. If inflation fails and there is recession, what will we do then?

President Kennedy claims to have reduced spending because the deficit was cut $2.6 billion. Yet, none of the reasons showed expenditure control. The actual reasons for the reduction of deficit were, first, $2 billion in assets were sold; second, receipts were up; third, welfare requests were down; fourth, advance payments were made by foreign governments; and, fifth, public works projects were postponed.

Meanwhile our President added 137,000 more Government employees plus 36,000 requested in fiscal year 1964 for a total of 173,000 additional. Also, the President pleads with us to restore congressional cuts.

Contrary to the President's hope of improving the balance of payments, there will be a reverse effect. If consumer purchasing power is increased, not keyed to increased productivity, there will be more imports purchased, prices will rise, and exports will reduce. Further beyond the tax burden balance of payments will be hurt by other Government action: First, inflation, cheapening of currency because of deficit financing; second, unrealistic depreciation; third, Federal regulation, implied or direct, in wages and prices; and fourth, tariffs are not reciprocal.

Greater inequities will result from this bill's provisions as we increase tax of the sick, those who itemize deductions, dividend recipients, and simultaneously hand out billions to big corporations in the investment credit subsidy of $4.9 billion in 10 years. We need accelerated depreciation, not the subsidy.

Then is the tax cut worth such a high price, when it will amount to $1 or $2 per week for the modest income? Inflation and a cheapened dollar is too high a price, is it not?

This tax bill fails to achieve the President's objectives because of fiscal irresponsibility. Let us look at these objectives:

First. Increase economic growth. Deficit financing cannot do this. Perhaps the answer here may be found in yesterday's RECORD, page 17894, in the refutation of retarded growth given by a well-known liberal, wherein our economic growth slowdown, a reason for the tax bill is nonexistent; that our economic growth is good as is.

Second. Relieve unemployment. This objective cannot be reached by this bill. The problem is the unskilled. The skilled are working. There are many skilled jobs awaiting workers. Retraining is the answer.

Third. Free-up investment capital. By deficit financing? No. The tax cut will be soaked up by Government bonds sold as part of the deficit financing.

Fourth. Increase consumer purchasing power. How? By cheapening the dollar through inflation to more than match any additional dollars left in the taxpayers' hands. Of course not.

Fifth. Simplify the tax law. This, of course, is a joke, and a bad one. We have unbelievably complicated the law with deletions, deductions, changes, new rules, conditions, ad infinitum. If we wanted to cut taxes and be simple we could have permitted each taxpayer to cut 15 percent off what his tax liability would be when figuring it up as he does now. This would have sufficed and been preferable to a bad bill like this which is not the basic reform we really need.

For my part, I would like to suggest that we consider the elimination the attainment of social objectives by the tax law and get back to simply raising revenue—all that is needed. Eliminate the punitive and the reward, the carrot and stick. Think about eliminating entirely any capital gains tax—no tax on capital gain.

Finally, my own pet idea is to return to a flat tax, the same percentage for everyone. It might be of interest to look in the charts and tables pages 279–282 at the flat tax comparisons. After business deductions with today's exemptions in order to raise the revenue we do today under individual income tax, $49 billion, we would each pay 18 percent of our income. To raise the $40 billion of the President's bill the flat tax would be 15 percent of income. To balance the budget, that is, to raise $57.8 billion, the tax for each would be 22 percent. Obviously, this needs study. Surely, the equity is there. This is the capitalistic, not socialistic, scheme which we now have in our progressive rates.

Finally, we should be debating the faults of this bill—not taking it, as a package, unquestioned, except for political differences.

Mr. AYRES. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I yield to the gentleman.

Mr. AYRES. The gentleman referred earlier in his excellent remarks to the Ford committee. It is interesting to note that in my hometown of Akron, Ohio, the rubber capital of the world, there are more members of the Ford committee than in the whole State of Massachusetts. I do not know why my city has been so honored. But Mr. Ford has made the statement that he would liken this tax reduction to what his grandfather did in connection with the Model T. I think Mr. Ford would be on much sounder ground if he had explained to his committee what happened to another Ford product, the Edsel. Because what is happening here is the same thing that happened to the Edsel car. They gambled with what the public might want and the public did not want it and they scrapped the Edsel.

But we in this Congress are in no position to gamble on what is good for America. Let us not make any mistake by what we do here today.

Mr. ALGER. I heartily agree with the gentleman.

So, I will now address myself to comment on a few of the substantive provisions contained in the bill before this committee. The committee report indicates that the bill contains 23 of these structural changes. Some of them are rather limited in their impact, others are of far-reaching applicability and significance. Some of them I regard as meritorious and others I find to be devoid of justification. These structural changes might be said to range from a liberalization of the so-called child-care expense deduction to major revision in the tax treatment of capital gains. Included within the range are changes affecting deductions for medical expenses and moving expenses, the taxation of group-term insurance and stock options, and the tax treatment of natural resource income. I will not discuss all of these matters, but I would like to refer to a few of them in a little greater detail.

1. CAPITAL GAINS

Generally speaking I approve of the liberalization made in the treatment of capital gains. Indeed, my principal regret is that we did not accomplish even greater liberalization. It has always been my view that the causes of tax equity and economic advancement would both be better served if we did not tax gains on the sale of capital assets. By the removal of this tax we would be eliminating an inhibitant to the efficient use of our economic resources and we would also be eliminating one of the major factors inducing complexity in our Federal tax structure. While we have not abolished the tax on capital gains we have made a significant step forward in the liberalization provided in this bill.

2. DEDUCTIONS

A second change on which I will comment pertains to the disallowance of deductibility of certain State and local taxes. Under the bill a deduction in computing Federal income taxes would be disallowed with respect to taxes on gasoline, automobile licenses, alcoholic beverages, cigarettes, and certain other excise taxes. While under this proposal State and local taxes on property and income as well as general sales taxes would continue to be deductible, the principle of disallowance would be established as a precedent for eventual extension to other State and local taxes. I am concerned over the implications of this change for a number of reasons. Foremost among these is the ominous import this change has for the ability of State and local governments to finance the goods and services they provide for our citizens. This is an attack on their sovereignty and another step by the Federal bureaucracy toward making our State and local governments a mere administrative appendage to an omnipresent Federal authority. There is no rationale or logic that can be associated with this change; its only justification is an arbitrary attempt to raise revenue in a very shortsighted way. Those Americans who still believe in preserving the integrity of our State and local governments have cause for genuine concern over this unwarranted change affecting State and local taxation.

3. GROUP TERM INSURANCE

A third substantive change that I have selected for specific reference relates to the proposal to impute tax liability to employees with respect to the employer paid premiums for group-term life insurance to the extent the amount of insurance exceeds $30,000. This is an administration recommendation which received committee approval except that the original proposal would have exempted only $5,000 of such coverage. The only thing that can be said for the committee action in raising the exempt amount to the higher level is that fewer of our citizens will be directly affected by this imputation of taxable income when in fact there is no income.

Mr. Chairman, this imposition of tax on employer-employee endeavors to provide family economic security, without reliance on a Government handout, is dangerous in its implications and significantly increases the complexity in our tax law for an estimated $5 million in added revenue. Since 1920 to date the Treasury Department has held that premiums paid by an employer for group-term life insurance do not constitute income to the employee. The specific ruling on this point recognizes "the policy has no paid up value either to the employer or the employee" and "the premium paid therefore is in no sense gain derived or realized or capable of being realized by the employee in dollars and cents." Therefore, what we are doing is seeking to tax the "feeling of contentment that provision has been made for dependents."

The change affecting group term insurance has serious implications for other areas of employer-financed benefits such as health insurance, social security, and workmen's compensation. The proposal also does violence to the basic concept of group term insurance. In a real sense this is retroactive legislation in that it threatens to disrupt financial plans made over the course of a lifetime for family protection.

4. 4-PERCENT DIVIDEND CREDIT

Mr. Chairman, a fourth structural change to which I intended to make specific reference has already been the subject of extensive comment. Rather than repeat the arguments already presented against the repeal of the 4-percent dividend-received credit, I will associate myself with those criticisms of this provision of the bill. Suffice it to say that those millions of Americans who have invested their savings and capital in the development of our free enterprise system are to be the victims of the substantial injustice done by the repeal of this limited relief from the stifling thrust of double taxation. Both the risk takers and the job seekers will be disadvantaged by this retreat from sound tax policy. Instead of repealing the 4-percent credit we should be doubling it just as the bill doubles the present dividend exclusion. If it is sound tax policy to exclude the first $100 of dividend income from tax liability, why is it sound to reimpose the full thrust of double taxation on dividend income on amounts over $100?

NATURAL RESOURCES

Mr. Chairman, my fifth reference to substantive changes in this bill relates to the taxation of natural resources. My comments in this regard will pertain not so much to the specific provisions in the bill, but to the broader aspects of the problem presented by the more sweeping recommendations made by the Treasury.

It will be recalled that the administration proposed that, first, the depletion allowance be reduced by requiring losses on mineral property to be carried forward to subsequent years to reduce the 50-percent net income limitation on depletion deductions; second, the aggregation or grouping of properties provision be repealed; third, gain on the sales of mineral property be taxed as ordinary income; and fourth, foreign operations be affected by disallowing development costs as a deduction against domestic income and by restricting the applicability of certain foreign tax credits from mineral operations so they could not be used to offset U.S. tax on other nonmineral income.

Mr. Chairman, I will not discuss each of these proposals but will make a few general observations on the undesirability of these poorly conceived recommendations. These changes were urged without recognition or understanding of the important and constructive part that depletion has in our overall national mineral resources policy. The principal impact of these suggested changes would have fallen on the exploration and development of new oil and gas reserves. This result would have caused increased unemployment and a further decline in the economic conditions of the industry. Consumers would have been adversely affected by higher prices for petroleum products and energy costs would have increased. The ability of the industry to meet civilian demand and defense requirements would have been seriously impaired. The ability of American free enterprise to compete in world markets would have been damaged. Our very considerable efforts to advance the strength of the free world, particularly the underdeveloped countries, would have been weakened. The proposals would have damaged our balance-of-payments position and abetted the Soviet oil offensive. The proposals sought to increase the tax burden on the oil and gas industry in disregard of the fact that the industry's total tax burden is significantly higher than most other industries.

Mr. Chairman, the natural resource industry presented a very effective case against these proposed changes during the public hearings held by the Committee on Ways and Means. In executive session the committee rejected all the recommendations except the one repealing the aggregation provision of existing law. Even this aggregation change cannot be justified by any proper argument and I believe it has been included in this bill because of the mistaken view shared by some that this bill "had to contain something increasing the tax burden of the oil and gas industry," an erroneous conclusion when all the relevant facts are known and understood.

Mr. Chairman, I will conclude my comments on the specific provisions of the bill by reference to the adjustments in rates. The rate changes are a "patchwork" job and cannot be called reform of a badly outmoded rate structure.

The individual rate reductions retain the same characteristics as the existing rate structure, enacted under the stress of depression and war. They leave the steep climb of progression in the middle income brackets just about where it is now. In other words, we are giving up $9.5 billion of revenue in income tax reductions, leaving the job of reform of the rate structure to some future Congress. The reduction in the top corporate rate from 52 to 48 percent in effect reneges on a promise made each year since the Korean war, that the temporary 52 percent top corporate rate would be allowed to drop to the pre-Korean level of 47 percent whenever it was deemed the emergency was over. Further, H.R. 8363 encumbers even this rate reduction with the speedup in corporate tax payments thereby dulling the effect of the corporate rate reduction for the immediate years ahead.

I concur in the efforts to reduce the burdens imposed on our low and high income taxpayers, but I believe the apportionment of the tax relief in the bill is inequitable in that insufficient relief is given to the middle income taxpayer. I believe that under this bill those of our citizens who are in the middle income brackets will find their relative tax burden actually increased and this is an undesirable result. The committee bill fails to come to grips with our most pressing tax rate reform and that is the elimination of the steep progression in the middle brackets. The failure to deal with this need constitutes a perversion of incentive and will restrain the initiative and endeavors of this important group of citizens.

It would be better if this bill could be amended and debated further, of course. Since there is no opportunity to do so, let us recommit the bill to relate spending level to the triggering of the tax cut. Fiscal prudence demands no less. Some, like myself, feel there should be a balanced budget as a condition. Without this feature, I cannot vote for the bill.

The letters from businessmen mentioned above follow:

JACK TAR HOTELS,
Galveston, Tex., September 18, 1963.

Mr. BRUCE ALGER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ALGER: I appreciate your letter of September 4 in reference to the statement of principles of the business committee for tax reduction in 1963, and must agree that your point is good. In essence, that while generally you seem to concur with the fact that we should have a tax reduction, you consider it impossible and impractical in view of the attitude of the present administration, which is that of excessive spending.

I have not been active in the organization of the business committee for tax reduction. My name, as is often the case in organizations of this type, was suggested by a friend of mine who is quite active in the organization, and a man whose opinion I respect. Because of this I agreed to join the organization. I realize as a Republican and therefore a member of the minority party, there is probably little you can do about the necessary policing of the administration, which Congress normally is responsible for.

On the other hand, it has always been the voices of the minority that have finally been recognized by the voters if they are loud and persistent enough to accomplish the much needed economy that must be practiced at the Federal level. I believe it is the intent of the group known as the business committee for tax reduction to keep trying to let the public know the importance of sending more men like yourself to Congress who will make it possible to reduce taxes by reducing much of the needless spending that occasions our high personal and corporation taxes.

Regards,

E. C. LEACH.

HOUSTON, TEX.,
September 16, 1963.

Hon. BRUCE ALGER,
Ways and Means Committee,
House of Representatives,
Washington, D.C.

DEAR MR. ALGER: Thank you for your letter of September 4, 1963, asking my views on a tax reduction.

I am in favor of a tax cut if the administration will adhere to a reduction in spending. However, if the administration does not reduce its spending, I cannot justify my position for a tax reduction.

Any time you are in Houston, I will be very happy if you will let me know so I can plan to have you meet some of my friends.

Sincerely yours,

W. J. GOLDSTON.

GREAT NATIONAL LIFE INSURANCE CO.,
Dallas, Tex., September 10, 1963.

Hon. BRUCE ALGER,
House of Representatives,
Washington, D.C.

DEAR BRUCE: In your letter of September 4 to me as a signer of the statement of principles of the business committee for tax reduction in 1963, you asked my views as to whether the tax reduction bill now under consideration should be approved.

I did sign the statement of principles, but with the reservation that any tax cuts should be matched with a reduction in expenditures. While I am thoroughly convinced that without a sensible reduction in taxes our economy will be in a mess in the short run, and without a complete revision of our whole tax ideology, the economic structure will be thoroughly wrecked in the long run.

For shortrun purposes it is not feasible, I am sure, to redesign our tax structure, but I do think that taxes should be reduced rather drastically. Personally, it seems to me that there are two particularly vital spots in which very appreciable reductions should occur. The first is in corporate taxes, and the second in the higher individual brackets. Other taxes should also be reduced.

However, I again state that expenditures should be correspondingly reduced, and for a $10 billion reduction in taxes, it should be comparatively simple to reduce various giveaway programs, both domestic and foreign, without deleterious effect on the practical operations of basic programs. As far as these giveaway programs are concerned, I believe in helping only those who sincerely wish to help themselves in a sound manner.

I trust this clears my position in the matter satisfactorily.

In your August 31 Washington report, you ask whether a Congressman should act individually on the merits of each issue, or try to go along to get along.

I think any morally honest man would wish his Congressman to resolve each issue on its merits as to whether it is in the public interest—first, for the Nation as a whole, and second, for his district.

Along these lines you are doing a grand job, and I am all for you.

Sincerely,

CARL C. WEICHSEL.

FMC CORP.,
Houston, Tex., September 19, 1963.

Hon. BRUCE ALGER,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ALGER: Have been delayed in answering your letter of September 4 in regard to the tax reduction program of 1963, due to a vacation period. I greatly appreciate this letter and your desire to obtain the feeling of fellow Texans, who are signers of the statement of principles of the business committee for tax reduction in 1963.

I heartily approve the tax reduction program but likewise I am also highly in favor of reducing wasteful spending—and the sooner the better. I feel the economy needs stimulation but likewise Congress must do a better job of controlling spending. I believe Federal expenditures can and must be held at current levels in the immediate future years.

Now, I feel as you do, that is, the present congressional and executive history and attitude toward spending has not been one of planned control or anything approaching rigid spending discipline, therefore, even though many of my associates are opposed, I favor some type of control and an organized plan toward a balanced budget in the years ahead is essential.

Therefore, I favor the tax reduction bill but only on the basis proposed by the Republican members of the Ways and Means group; that is, control over the second phase of the tax cut of $4 billion planned to take effect January 1, 1965. This proposal to the Ways and Means Committee was outlined in the September 23, 1963, issue of U.S. News & World Report. I appreciate the way you voted on September 10; continue to strive for this amendment or similar amendment that will require—not just "call for"—rigid spending discipline.

The amendment proposed by Chairman Mills, of Arkansas, in my estimation, is just a group of "nice words"; we've heard too many of them already.

I do not agree with the President's idea that the proposed amendment is self-defeating. I believe it will demand that the congressional and executive group do a better job of planning and control of necessary expenditures and require the exertion of discipline by the President and most of his colleagues.

In summation, I'm in favor of the tax cut bill of 1963, but only on the basis that it contain the amendment offered by the Republican members of the Ways and Means Committee.

Yours very truly,

W. A. Wolff,
President, Oil Center Tool Division.

P.S. Have taken the liberty of sending carbon copies of this letter to other Texas congressional Members and also Congressman Byrnes of Wisconsin.

Dallas, Tex., *September 11, 1963.*
Hon. Bruce Alger,
House of Representatives,
Washington, D.C.

Dear Mr. Alger: Thank you very much for your letter of September 4, 1963.

While I believe that eventual tax reduction is necessary for the expanding economy of the United States, I am not in favor of any tax reduction without accompanying reduction of Federal expenditures and I thoroughly agree with you in your last paragraph that "confronted with this fiscal picture we are not justified in voting for an $11 billion reduction in taxes at this time."

Again thanking you for your letter, I am,

Sincerely yours,

Roland S. Bond.

First Hutchings-Sealy
National Bank,
Galveston, Tex., September 11, 1963.
Hon. Bruce Alger,
House of Representatives,
Washington, D.C.

Dear Mr. Alger: Thank you for your letter of September 4.

The American people are carrying the heaviest burden of peacetime taxation I believe of any great industrial nation in the world. I have felt that the heavy drain of taxes discourages economic growth and is partly responsible at least for unemployment.

However, as much as I would like to see taxes reduced, I cannot in all honesty say I would like for them to be reduced if our Government will continue to spend more than it receives in revenue. I read the other day that our budget has only been balanced six times in the last 30 years. This is really an appalling thing to me.

I have heard all the Presidents (beginning with F.D.R. in 1932) in campaign promises suggest the desirability of balancing the budget and cutting expenses, but the fact remains that when they get in, they apparently find it impossible or unfeasible to carry out their promises. I believe this is largely responsible for the drain of our gold supply and I think that it is highly important at the earliest possible opportunity to balance our budget and I think I would put this ahead of tax reduction. I do not feel that merely by cutting taxes can the Government raise more money, although we may have reached the point of diminishing returns in taxation. In any event let me say again, thank you for your letter and I appreciate your writing to me.

I went to school at the University of Virginia and I am a great admirer of Senator Byrd. I believe he has said that he does not want taxes to be cut unless expenses are cut in proportion to compensate for the loss of revenue. I'll go along with him.

With kind regards.

Very sincerely yours,

John W. Harris.

The Fort Worth National Bank,
Fort Worth, Tex., September 11, 1963.
Hon. Bruce Alger,
House of Representatives,
Washington, D.C.

Dear Mr. Alger: I appreciate very much your letter of September 4, setting out your views on a proposed tax reduction in 1963.

I would be opposed to a tax reduction if it were not coupled with some decrease in spending. In a matter of this sort it is difficult to know which should come first. It appears to me that if a tax reduction were voted it would supply a concrete basis for demanding a decrease in the budget for 1964 and future years.

Of course, I am hopeful that any tax reduction would bring some stimulation of business with a consequent increase in governmental revenue. This is difficult to evaluate, but I do think it might be worthwhile to determine the benefits along this line.

To sum it up, I would be greatly opposed to continued large Government deficits, but the tax burden has become so oppressive that I would be willing to try some reduction and hope expenses could be reduced accordingly.

Very truly yours,

Lewis H. Bond,
President.

Texas Power & Light Co.,
Dallas, Tex., September 10, 1963.
Hon. Bruce Alger,
House of Representatives,
Washington, D.C.

Dear Bruce: Thank you for your letter of September 4.

I do think the economy would be materially stimulated by a tax reduction. Taxes are so high as to preclude many people from going into ventures on any kind of a basis, and this cannot help but contribute to unemployment and to a diminution in business activity that would otherwise be forthcoming.

On the other hand, I am not in favor of a tax reduction until such time as we are able to make some important reductions in our spending program.

With best wishes.

Yours sincerely,

W. W. Lynch,
President.

The First National Bank
of Amarillo,
Amarillo, Tex., September 10, 1963.
Congressman Bruce Alger,
House of Representatives,
Washington, D.C.

Dear Mr. Alger: I have your letter of September 4 regarding the contemplated tax reduction. It seems to me it would be folly to reduce taxes under the circumstances. I think every effort should be made to reduce expenditures before taxes are cut.

Sincerely yours,

V. P. Patterson,
President.

Great Western Loan & Trust Co.,
San Antonio, Tex., September 13, 1963.
Hon. Bruce Alger,
House of Representatives Office Building,
Washington, D.C.

My Dear Mr. Alger: I appreciate very much your comments of September 4 before my arrival in Washington, and I concur wholeheartedly with your remarks, even though I did go along with the committee for the immediate tax cut, after realizing that the same Congress who would enact the cut would make the appropriations. It is the control over Government spending that is the important thing, and you in Congress have the power to control it.

However, I realize full well that we, your constituents, must first cease demanding from Government that which we can ill afford. I made the observation while there that the pork in the barrel loses the savor when we begin to recognize the aroma of our own hog.

I want to commend your stand and thank you again for your observations.

Sincerely,

E. M. Stevens.

Bank of the Southwest,
Houston, Tex., September 10, 1963.
Hon. Bruce Alger,
House of Representatives,
Washington, D.C.

Dear Sir: I was pleased to receive your letter of September 4, relative to my listing as a signer of the statement of principles of the business committee for tax reduction in 1963.

I am in favor of tax reduction. I feel that present rates are confiscatory; that restrictions on business deductions, expense accounts, etc., represent an antibusiness attitude on the part of the administration; and that the entire tax structure is too complicated and severe.

However, I do not want reduction at the expense of the type of administration proposals of tax reform that take away the benefits of reduction. At some time we should call a halt to tax reform for a few years and let the American taxpayer attempt to understand the law and its requirements, allowing him to adjust himself and his business to them, if possible.

But foremost I am opposed to tax reduction unless there is at least a comparable reduction in Federal spending, in giveaways, foreign aid, and the like. To me, it is economic idiocy—and will lead to economic chaos—to do otherwise.

I hope that I have answered the questions posed in your letter in sufficient detail. I am pleased that you are a Congressman representing a Texas district and wish that Texas had more such representation.

Sincerely,

A. G. McNeese, Jr.,
President.

Dallas Rupe & Son, Inc.,
Dallas, Tex., September 9, 1963.
Hon. Bruce Alger,
House of Representatives,
Washington, D.C.

Dear Congressman: I have read with great interest your letter of September 4 seeking my views about the merits of the proposed tax reduction bill. A reduction in taxes would in my opinion act as a strong stimulus to business, plant expansion and employment, and for such reason is highly desirable at this time, on condition, however, that it be accompanied by a compensating reduction in Federal expenditures. If a tax reduction would force the administration and Congress to reduce expenditures, the bill would have a salutary effect upon our economy. If, on the other hand, wild deficit spending for nonessentials is to continue at the present rate or at an accelerated rate, taxes should not be reduced. I hold strongly to the view that this Nation, like each of its individual citizens, should live within its income in time of peace. The liberal economists hold different views.

Undoubtedly, high individual and corporate taxes have discouraged and are continuing to discourage economic growth in our country. Deficit spending, on the other hand, is having an even more deleterious effect. Commonsense, if there is any left in this Nation, would dictate a reduction in taxes accompanied by a reduction in governmental expenditures.

My participation in the activities of the business committee for tax reduction in 1963 is dictated by a desire to reduce taxes and expenditures—not just to reduce taxes.

I hope that I may have the pleasure of seeing you again when you are back in Dallas.

With personal regards and best wishes, I am,

Sincerely,

Dallas Gordon Rupe,
President.

REPUBLIC INSURANCE CO.,
Dallas, Tex., September 4, 1963.
Congressman BRUCE ALGER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN ALGER: There has been quite a good deal of discussion about the increasing cost imposed upon taxpayers by our Federal Government. I would presume that you, as one of our Representatives, would be anxious to cut back authorizations and appropriations in view of the President's strong determination to put through a tax cut.

Certainly any cut in taxes should be offset by a reduction in authorizations and appropriations.

As a matter of information, I would appreciate your views on this subject.

Sincerely yours,
RUSSELL H. PERRY,
President.

FORT WORTH, TEX.,
September 10, 1963.
Hon. BRUCE ALGER,
House Office Building,
Washington, D.C.

MY DEAR CONGRESSMAN: Re your September 4th letter about proposed tax reduction:

Reducing taxes without reducing spending is actually a deferred tax increase because it is adding to our national debt—and to the carrying charges which must be faced some day or repudiated.

Sincerely yours,
NEVILLE G. PENROSE.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include some figures.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. DEROUNIAN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-seven Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 154]

Auchincloss
Belcher
Blatnik
Bolling
Cameron
Carey
Celler
Davis, Tenn.
Diggs
Gray
Gubser
Hosmer
Jones, Ala.
King, Calif.
Long, La.
McCulloch
Mailliard
O'Brien, Ill.
Pepper
Powell
Ryan, N.Y.
St. Onge
Shelley
Smith, Calif.
Steed
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Whitener

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ROOSEVELT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 8363, and finding itself without a quorum, he had directed the roll to be called, when 403 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. SMITH] for 10 minutes.

Mr. SMITH of Virginia. Mr. Chairman, I am well aware that nothing I say here in the few minutes allotted to me is going to affect or change anyone's vote. I think we all realize that this is probably the most important, far-reaching piece of legislation that has come before any recent Congress in which we have participated.

It has troubled me very deeply because, as some of you may know, I am so old-fashioned I cannot reconcile myself to spending more money than I am taking in. I know that is against the theories of the economists. My purpose in asking for these few minutes is merely to state my own position without criticism of the position of anyone else.

I just do not see how this country can survive under any such procedure as we are now following, a continuous rise in the cost of government, numerous programs presented to us calling for further appropriations, Members of Congress voting for them and passing them in this body and then sending them to the other body to be further increased. How are you going to have any sense of fiscal responsibility under that procedure that is going on right this minute?

Somebody has said that this motion to recommit is a phony.

There is some language in the bill itself on economy. It says:

> Congress by this action recognizes the importance of taking all reasonable means to restrain Government spending and urges the President to declare his accord with this objective.

Now if there can be anything more phony than that, I do not know what it is. What force and effect is there in that language? It does not mean a thing except the pious hope which many of us have expressed here in vain for many years past and everybody who is voting for this bill knows it does not mean anything and it is not going to accomplish anything. And the way that you know it is that you have the proof laying before you on the calendar of this House right before you at this minute. You all know when the state of the Union message came in at the first of the year, there was a long list of new projects and new starts, all of which are going to cost large sums of money. They have been reported by the committees—at least many of them have been. Some of them are laying in the Rules Committee now and I am being pressured every day to hold hearings and bring them to the floor for a vote. Now contrast that with this pious prayer in the bill. Take a bill that you are all familiar with. You are going to vote to reduce taxes today—$11 billion. Just 3 months ago you had before you the Area Redevelopment Act which involved a half billion dollars. That bill was thoroughly debated and thoroughly considered in committees of the House by the Legislative Committee and by the Committee on Rules, and it was debated on the floor of this House. It was defeated by a rollcall vote. And here it is back in this same session of the Congress, within 90 days, and you are being urged to vote for it and you will be urged and we will be urged to bring it out of the Committee on Rules again and put you under pressure to vote it out a second time. Does that look like economy? I have here a list—a partial list at least of the new projects. And while we get this pious prayer in this bill, not one of those projects has ever been taken out on the ground that the economy of the country could not stand it. Have they? Do you know of anything that has been pulled back out of the budget? No, you do not. And you are asked to vote for every one of them. And you are going to vote for a tax bill here. You are going to vote in this motion to recommit for the only opportunity that you will have to express yourselves in favor of something that we hope has some teeth in it, however phony you say it may be. It is the only vote that you will cast on this bill that will show you desire to do two things. One is to give to the country the much needed tax reduction bill that everybody knows we need and that everybody wants. The other opportunity you will have is to bring your expenditures somewhere within the area of your intake. Now, is that too much to ask? Why are advocates of this bill so adamant in not putting anything in the bill in the way of new language that might have even a moral effect on the Congress of the United States? After all is said and done, the President cannot spend a dollar's worth of money unless you appropriate it here in this House. The Congress has to appropriate the money and the President cannot spend it unless you appropriate the money.

I know all of us talk about economy, and I think really everybody in this House is for economy and is for reducing expenditures, provided they are reduced in somebody else's congressional district. Now, unless we have some serious reformation in this House as well as in the administration, you are going down this road to insolvency, to fiscal irresponsibility, and unless you have something that may tie a moral responsibility in to reduce some of these unnecessary expenditures, that is the road we will travel. I say unnecessary because we are in a time when this country never enjoyed the degree of prosperity that we now have. The stock market is booming and all the wheels of industry and business activity are turning and everybody is making money. Yet you want to spend more money for these various unnecessary projects, and you just cannot do it and retain a solvent government, a solvent dollar, a good balance of payments, and keep your gold reserve up.

Those things are vital, not just today but they are vital for the future.

My friends, what are we thinking about? I want to include with my remarks some figures I have gotten up on the things we have been asked to do this year in the new budget and that have come out of committees. They aggregate—and they are not a complete list—$3 billion of new expenditures and new projects. Over a 5-year period the projected figure shows they will aggregate $17 billion. What are you going to do when they call the roll again on area redevelopment? What are you going to do when they call the roll on all of these other expenditures that are going to give you an unprecedented amount of spending in peacetime? What am I going to do? I am simply going to do all I can do. I am going to vote for the motion to recommit, because it is the only expression that we can give in this regard. If that is phony, it is less phony than the bill itself, and if that fails, I expect to vote against the bill, because I just cannot see reducing taxes and increasing unnecessary expenses at the same time.

Major new Federal expenditure programs proposed by executive department for inception in 1964 fiscal year

[In thousands of dollars]

Program	1964 appropriation request	Estimated 5-year appropriation requirements [1]
Aid to education	$1,215,170	$5,341,360
Aid to medical education	34,352	405,152
Maternal and child health	19,450	267,085
Mental retardation program	6,050	131,270
Mental health centers	----------	349,015
Land and water conservation	25,000	616,234
Youth employment	100,000	1,160,000
Urban mass transportation	100,000	900,000
Military pay increases	900,000	5,888,000
Civil defense shelters	195,000	2,115,000
Rural housing: Salary and expenses	5,350	24,671
Comparability pay increase	200,000	(2)
Domestic Peace Corps	5,000	(2)
Rural housing credit insurance fund	100,000	(2)
Defense food stockpiling	30,000	(2)
Payments for military service credits:		
To OASDI	63,400	(2)
To railroad retirement	11,658	(2)
Total	3,010,430	17,197,787

[1] Estimates shown of total 5-year appropriation requirements are from the Bureau of the Budget except in instances of youth employment and urban mass transportation, wherein the 5-year estimates are extensions of the 3d-year levels of authorizations in pending bills establishing these programs.

[2] Not available.

NOTE.—Total appropriations and other obligational authority proposed in the administrative budget for the 1964 fiscal year are $107,900,000,000. This is $4,700,000,000 higher than corresponding new obligational authority for the 1963 fiscal year. The $107,900,000,000 figure represents a 33.3-percent increase ($27,000,000,000) over the $80,900,000,000 of requested new obligational authority in the 1962 fiscal year budget as submitted in January 1961.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman and Members of the House, I realize the spot I am in at this time, following a man who has so much respect in the House and a man who elicited so much wisdom that we ought to think on. It is indeed a challenge. I rise now with a sense of hesitancy, my friends, but with a deep sense of urgency.

Because, Mr. Chairman and Members of the House, today we are considering the most important piece of legislation that will come before this body this session. There are many aspects of this tax bill that are desirable, indeed are needed. However, there are other aspects that need to be more carefully considered.

FURTHER STUDY AND APPRAISAL AS TO ITS EFFECTS

Before I begin, Mr. Chairman, may I take this opportunity to commend my colleagues, the gentleman from Wisconsin [Mr. BYRNES] and the gentleman from Missouri [Mr. CURTIS], on the fine statements they have made on this tax proposal. Both of these men are to be congratulated on the fine public service they have rendered while discussing this important matter on the radio and television programs recently and for many other constructive suggestions they have made from time to time.

Mr. Chairman, may I address myself to what I feel is the No. 1 threat to our economy posed by the tax bill. Regardless of what many people, including some of our top economists, think, I maintain that inflation poses the greatest single obstacle to the country's finally realizing the benefit of a tax cut. A tax cut without ironclad assurances that inflationary forces will be brought under control by this bill cannot do anything but lead this country down the road of another period of spiraling prices and the resulting decrease in the purchasing power of an individual.

Now, today, more people are dependent on the medium of exchange we call money than ever before. It is the obligation of Government, of business, of labor, of all our people to be constantly alert to the terrible threat to our economic system that inflation presents. Indeed, the future of our system of government may hinge on the control of inflation.

In my opinion this bill presents not one but many threats to continued inflation. A number of my colleagues and fellow House Members have already commented and others no doubt will be elucidating further on this topic. Some will treat it incidentally, others casually, but many of us hold it as the major issue for consideration in this bill. May I point to the inconsistencies of the administration's own advisers in reference to inflation, as was pointed out by the gentleman from Missouri, Representative CURTIS, in his nationwide TV speech last Saturday night. Dr. Heller, when questioned by the members of the Ways and Means Committee, stated that the bonds which would have to be sold to finance the tax cut and the resulting deficit in the budget should not be bought by the people and the businesses of this country since this would dampen the effects of the tax cut, would only take from the taxpayers the money they had retained as a result of the tax cut and place it in bonds, therefore, defeating the purpose of the tax bill.

Instead, Dr. Heller proposed that most of the bonds should be purchased by the Federal Reserve System. William McChesney Martin, Chairman of the Federal Reserve System when asked about the results of the purchase by the Federal Reserve System of these bonds stated that this could unloose inflationary forces that would defy control.

Several years ago after a considerable study in these very Chambers I delivered a series of speeches on inflation and its effect. My slogan then was "Hold the line in '59." Today, I say, "Let us not flee from our responsibility and inflate no more for '64."

Permit me to quote from a book by W. H. Hutt. He says:

> People are very slowly awakening to the truth that inflation is an act of government and that it is almost always (in these days) the consequence of calculated, even if reluctant action.

Fellow House Members, the incredible thing about this tax cut is that the administration while attempting to cut taxes will not accede to a request that at the same time Government spending be held down. In the last 4 years Government spending has increased at the rate of $5 billion a year. Our public debt has increased on an average of $8.5 billion a year. The combined effect of an increase in Government spending and debt and tax cut would make available to the spending public an almost inexhaustible source of money to purchase goods and services. In the end the demand would be greater than the supply and the resulting increase in prices, the resulting inflation would be then directly attributable to Government action, cool, calculated, and seemingly not reluctant action that we here are being asked to make.

Fellow Members, we must not forget that we have in excess of 17 million people in the United States today who are living on either public or private pensions. Monthly benefits of these pension plans total more than $1 billion. The effects of inflation on the incomes of these who live from these pension plans would be disastrous. A number of other problems also arise. We would be asked again as we have been in the past to increase monthly benefits to those under such plans, thereby increasing the already high cost of those programs. This also would be an added cost of such a tax cut that is being proposed now.

Using just these few examples and citing these few statistics, it can be seen rather clearly that if Government spending is not cut or at least held at the present level, in the long run this tax cut will not provide a stimulus to our economy but would lead to its further decline: that this tax cut aimed at putting money into the taxpayers' pockets would in the end result in costing the taxpayer money and even more important would raise his cost of living which we know never seems to come down once its gone up.

Now let us look a little more closely at this inflation problem. Inflation as we know it is a cancerous disease, a cruel tax, the consumers deadliest enemy. It erodes weather, destroys financial assets and unless it is controlled it can ruin our Nation.

If inflation is allowed to run unchecked it can lead in only one direction—to the destruction of our system of free competition. This tax bill is an invitation to rising prices, an invitation to uncontrolled credit and currency, an invitation to inflation.

The ultimate reaction to such conditions would be drastic action on the part of the Government.

But what would be the forementioned conditions? We all know that the purchasing power of the dollar has dropped tremendously since 1939. In the nearly 25 years since then the value has been reduced to 45 cents. When we look at the cost of living since 1939 we find that the cost of food has risen 163 percent, rent about 69 percent, and services about 94 percent. If the present tax bill is adopted without the necessary curbs on Government spending these figures could become even larger and the value of the dollar could drop even lower.

As we look at this situation even more closely we find that what a dollar could buy in the 1947-49 period would now cost $1.31. Medical costs have contributed to a major portion of this increase. These costs, so often a burden on older people, have risen 69 percent from 1947–49 to July, 1963.

Food is up 25 percent, housing 35 percent. By passing this tax legislation in its present form we would only inflate these figures.

Today we have almost 17 million older citizens in our country which is between 9 and 10 percent of the population. By 1980 we can expect to have 25 million persons aged 65 and over.

A person who had a pension of $150 a month in 1940 finds that today this pension can purchase only $68 in goods and services. We have taxed his income to the tune of $82 per month.

Mr. Chairman, when we take action on this tax bill these are figures, more important, these are people we cannot forget. After all it is the retired people, the people with fixed incomes that are hit hardest by effects of increased inflation. We could perform no greater service to these retired and aged people, medicare included, than to give them a stable dollar and the assurance that it would stay such. Today we have over 18½ million people receiving monthly checks totaling in excess of $1.2 billion under the old-age, survivors, and disability insurance under the Federal social security system. The average payment per month under this system amounts to only $76.63 despite the fact that these payments have been raised as the result of the inflationary spiral. In comparison, at the end of 1940 there were only 150,600 retired people living on OASI benefits, and, think of it, payments were only $21.94 a month.

But let us not confine ourselves to the problems inflation presents to the retired segment of our population.

As we look at income figures we find that one-fifth or 20 percent of all spending units, mainly families, living together who pool their incomes had less than $2,170 before taxes. Three-fifths or 60 percent had incomes of less than $5,820 before taxes. It is not hard to imagine or picture what effects inflation would have on the living standards of those people. We, supposedly the richest nation in the world, must maintain an economic system that will insure our citizens the opportunity of earning an income that will be adequate for their needs, that will give them needed feelings of dignity and decency. By passing this tax legislation we are doing exactly the opposite. We are closing the door to this opportunity, we are taking away that right.

Consumer prices have risen steadily this year. In July the Consumer Price Index, using the 1957–59 years as a base period, reached 107.1, a 31-percent increase above the average in 1947–49.

In August of this year the average weekly wages of production workers stood at $98. This is nearly four times higher than the 1946 figure of $24.96. But in this time food costs have risen over 2½ times. Housing costs have risen more than 60 percent, clothing and transportation costs have more than doubled and medical costs have gone up astronomically. All of these tend to negate the effects of salary increases. The escalator clause in many union contracts, an ingenious provision to help ease the effects of inflation, does not cover enough workers. Wages of other nonunionized people have not kept pace with the well organized. Certainly all of these people are acutely aware of the dangers of inflation and how it would affect them. Certainly, they should be the first to speak out against a proposal such as this one is that would only erode even further the purchasing power of their income.

By the same token inflation plays havoc with teachers' salaries, with farm income, a problem that confronts Congress every year.

Let us for a minute turn to the effects of inflation in the area of bank deposits, insurance policies, and savings and loan investments.

U.S. citizens in good faith have purchased this protection for the future. They have had a long-range perspective and have invested to augment retirement income, to pay for the education costs of their children, to travel, to prepare for the proverbial rainy day.

Today's 112 million policyholders are going to be faced with a problem something like this: Suppose you had taken out a term life insurance policy valued at $1,000 in 1948. Ten years later, the purchasing power of those thousand dollars would have shrunk to about $830. In other words, the robber inflation took as his plunder $170 of your money.

Just as the value of a life insurance policy has dwindled with the advancing scourge of inflation, so the value of bonds has drastically fallen. Bond owners have lost 52.1 percent of the purchasing power of their bond interest since 1939.

For the man-in-the-street, the U.S. E-bond, available in small denominations, is a favorite.

The U.S. Government has outstanding $38.2 billion of series E-bonds. Now then, Mr. Chairman, Americans are rightly urged to be patriotic, to support the aims and goals of their Government by subscribing to U.S. bonds. But what has inflation done to investments in U.S. bonds? Inflation has destroyed their value.

Let us give a graphic example of the effect of inflation in investments in U.S. savings bonds. Suppose you had invested $750 in a Government bond in May 1942 to mature in May 1952 at a value of $1,000. The effective interest rate was 2.9 percent compounded semiannually. What happened to the value of your money in these 10 years? Between May 1942 and the corresponding month 10 years later, consumer prices had skyrocketed almost 63 percent.

You actually lost money by making this investment—an investment in the finest system of government ever given to mankind. When we figure the buying power of these dollars, we find that the $1,000 in May 1952 could buy less than the original $750 in 1942. As a matter of fact, those $1,000 had shrunk to a value of only $614 in 1952.

This loyal citizen not only lost his interest but has lost on the principle.

There are several other media of savings in addition to those I have already mentioned. One of the most popular today is the savings and loan association.

Inflation has attached the assets of the 20 million members of these savings associations. Savings accounts in savings and loan associations currently are valued at more than $42 billion. In 1940 there were under 7 million membership accounts totaling only $4.3 billion. Think of the vast expansion in investments in savings and loan associations. And think of how inflation has robbed and is robbing the owners of these accounts.

This is the tragic tale of what has happened in the past—of how financial assets of millions upon millions of people have shrunk and shriveled. What then is the advantage of saving? What is the advantage in thrift? What is the value of the solid old-fashioned American virtues which helped to make this country great?

The eroding, the almost rotting away of these investments, is a crime against the American people. This tax bill would perpetuate this crime, indeed it would increase its magnitude.

Mr. Chairman, I ask, what of the future? The snowballing of living costs and attempts to catch up with spiraling costs have only one outcome—economic ruin.

As we have seen, significant and growing numbers of our citizens have been caught in the cruel squeeze of inflation. Mr. Chairman, we must contain inflation. When we speak of meeting the threat of inflation by taking effective action, I am sure that first and foremost the question of the Federal budget comes to mind. This Nation must learn to live within its means. I am well aware that by far the largest item in the national budget is defense. The process of inflation has skyrocketed costs of armaments, just as all other costs, to uprecedented highs.

Inflation is truly the most vicious of vicious circles. As inflation has pushed up costs of arms, the expanded Government expenditures necessary to meet rising defense costs pump funds into the market place, thus increasing the circulation of money and thereby helping to boost prices.

The Federal Government must take all necessary steps to squeeze the water out of all defense spending. We must be sure that we are getting a dollar's worth of defense for every dollar spent. Waste of the defense dollar is a criminal offense against the American taxpayer.

Furthermore, unnecessary programs must be eliminated entirely from the budget. Certain other Federal programs may be postponed until a later date when we may hope that an easing of world tensions will allow for reductions in the enormous burden of military expenditures.

Mr. Chairman, I repeat, an unrestrained inflation is eroding the foundations of our economy. We must put an end to words and act now to contain this destructive process.

Farmers also have stake in this tax program. The farm problem has become an unwanted American tradition and one of which we cannot boast. In 1962 the per capita farm income was $1,436 while the per capita nonfarm income was $2,445.

Farm costs in the last 15 years have skyrocketed. Prices have not risen in comparison. When we look at the party ratio, which indicates the relationship between the prices received by the farmer and those he must pay out, we find the record high of 123 recorded in 1946 has dropped to 78 in August of 1963.

This, my friends, explains to us in no uncertain terms how the farmer has fared during these postwar years, which, on the whole, may be regarded as lush and prosperous. The position of the farmer has deteriorated more seriously than that of any other economic entity in the Nation.

Part of the trouble, which Congress has been reluctant to recognize, lies in the fact that we put the farmer into a production program designed for wartime needs and have not seen fit to free him from this treadmill during these years of peace.

We have, however, taken delight in playing politics with his welfare. We still want to regiment him: tell him what to grow, how much to grow and how much he can expect to get for his efforts. If we were just as adept at putting the same type of controls and regimentation on the inflationary forces which rob the farmers as they do everybody else, the farmer's economic position would be stronger today.

Playing politics with anyone's welfare is a deplorable practice. We are abusing the blessings of representative government when we do it. We would be carrying out our obligations to our constituents and to the Nation in a more statesmanlike manner if we were to direct our energies into those channels which will curb the inflationary spiral.

What can we do to control inflation? What can we do to protect the investments of the thrifty and the income of those who are least able to escape the toll of inflation? The most important action we can take right now to do this would be to oppose this tax bill. Here is one way that we can show that we are willing to do what is necessary to control inflation. Here is one way we can demonstrate that we have the maturity to deal with these problems constructively.

Mr. Chairman, when we act on this bill we are in effect determining the fate of all the people aforementioned, the retired, the investor, the teacher, the farmer, the laboring man.

Let it not be said of us that we acted without regard to these people.

Let it not be said that we callously contributed to an inflation spiral of prices.

Let it not be said that we contributed to the eventual breakdown of American currency.

Rather, let it be said that we acted to protect our people.

Let it be said we acted to protect our dollar.

Let it be said we acted to prevent inflation.

Let it be said we acted responsibly according to the dictates of our consciences, and let us hope and pray history will prove us right.

Based upon what I have heard, read, and thought on in regard to this proposed tax bill, I will vote against it. If the recommittal motion carries, I may vote for it. But I would prefer voting for a straight recommittal motion so that the Ways and Means Committee can give further consideration to disastrous threats of inflation in this bill.

Mr. Chairman, I should like to say this further. Historically, as I read the history books, the Ways and Means Committee of the House of Representatives was established and given the responsibility to find ways and means to pay the bill that Congress has presented.

Today it seems that the Committee on Ways and Means has lost sight of this. Indeed, there is much evidence to show that it has become a Ways and Means Committee to show us how not to pay the bills.

Mr. UTT. Mr. Chairman, I yield such time as he may consume to the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, under the able tutelage of the gentleman from Arkansas [Mr. MILLS], I would like to state that I will vote for final passage of the tax bill although I am deeply disappointed with numerous portions of it.

In short, it does not seem to me that the bill will be a great boon to the so-called little man who is not a myth in American life but a living reality whose weekly paycheck just barely enables him to support his family. This little man is big in the American framework of both national goals and our strength as a powerful country.

What we are doing is throwing him a bone under the guise of saving him a few dollars annually. Given the continuing mounting cost-of-living increases—and the most recent figures indicate that it costs 28 percent more to live now than in 1950—this is not manna from 1600 Pennsylvania Avenue.

I do not feel, to be quite frank, that this bill goes, to use the title by Graham Greene, to "the heart of the matter." It does not meet the real needs as they exist in the Nation.

Few things, for example, are more important to the average American family than the education of their children. Few things are more expensive, either, in these days of spiraling tuition costs, which have increased 86 percent in the last decade.

I have had a bill before this Congress which is specifically designed to meet this crucial problem. It should have been incorporated, as I requested on a number of occasions, into this bill.

I have repeatedly stressed the financial burden of parents sending their children to college and have legislation that would have the Federal Government allow a tax deduction of up to $1,000 a year for the college expense of each child, while this is the basic provision of the bill, it will actually do more. A taxpayer, for example, could have this same deduction for his own college expense and those of his wife. If he has more than one dependent in college at the same time, as many people do today, a credit for each of them would be available.

With the average college expense for the student living away from home now exceeding $1,700 a year, and private schools costing $2,500, the necessity of this legislation is paramount. The largest single reason for students in the top 30 percent of their high school class not continuing in college are these fantastic expenses. If this provision for a tax deduction had been included in the administration bill, there is no telling how much value it would have had to the Nation.

I am also in favor of raising the regular $600 exemption for each child to at least $800. This gesture would still be unrealistic in view of the astounding costs of food, clothing, and other normal expenses for the child, including ordinary medical expenses. Faced with these mounting expenses, the average family finds the dollar almost cut in half. Consider, if you will, the family with a combined income of $5,000 a year, with three children to raise, and the expenses noted above. It is well nigh impossible for this family to live.

For these reasons, Mr. Chairman, this bill is, in many respects, one that overlooks the average American family.

And for this reason, as well as the ones enumerated above, I am disturbed with this bill.

And my disappointment has nothing to do with the distinguished chairman from Arkansas. I believe him when he says that he is sincere in hoping that spending will be kept down. In his eloquent speech on the floor yesterday he said that there were "two roads that the Government could follow toward the achievement of a larger and more prosperous economy." One of these roads, he said, was through the area of economy in Government expenditures.

He also said:

> There is no further justification for an indifferent attitude toward wasteful, inefficient government activities, merely because they gave unemployment—there is no justification for half-hearted efforts or outright failure to eliminate Government programs that have outlived their usefulness just because they also contribute to the total spending stream of the economy—

And so forth. I believe the distinguished gentleman when he says this but I cannot believe that a great number of my colleagues will not keep on spending, and spending.

In this respect, many of the economy measures mentioned by the chairman should have been written into the bill.

I am hopeful, however, that with the passage of this bill the economy will be given a solid boost and allow a breath of fresh air into the free enterprise system. I agree with the chairman that the present tax rates, imposed during World War II to insure equality of sacrifice as part of our price control measures, are in need of revision.

I am also aware that the distinguished chairman and his committee feel that passage of this bill will create new confidence in the private sector of the community by giving the free enterprise system the opportunity to develop anew. I could not ask for, or hope for, a better solution. Thank you.

Mr. UTT. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in opposition to H.R. 8363 in its present form, and in favor of the motion to recommit which is going to be offered by the gentleman from Wisconsin [Mr. BYRNES].

I do not believe it is for the best interests of our country to pass this bill, unless some offsetting limitation is placed on the steady increase in Federal expenditures. If a tax cut is made, while Federal spending continues to increase, we will have to borrow money to give ourselves the tax cut. I do not believe this is either prudent or wise.

The Treasury Department estimates that our Federal deficit in fiscal year 1964 will be $9.2 billion and in 1965 will be $10 billion. The interest alone on the bonds which must be issued to offset this addition to our National debt will exceed $633.6 million per year.

For these reasons, it seems to me inappropriate to vote ourselves a tax cut without setting any specific ceiling on Federal expenditures.

Mr. UTT. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. DEROUNIAN].

Mr. DEROUNIAN. Mr. Chairman, this has been an interesting 2 days. It just goes to prove that 9 years can make a difference.

Yesterday, Mr. Chairman, the member of the Rules Committee, the gentleman from Missouri [Mr. BOLLING], was "completely shocked," according to his statement, "by some of the language which appears in the minority report." He told us that he was further "shocked" because the names of "two distinguished gentlemen appear as signatories of that report."

Mr. Chairman, let us go back to 1954 and read the minority report, which was the Democratic minority views, on the tax reduction bill of 1954, and I quote:

> Attempts are being made to hoodwink the public by talking about the great relief which is being given the average taxpayer and the average family. We defy anyone to find such relief in this bill. It is nothing more than an insult to the intelligence of the average person to claim that he is being benefited by it. The average taxpayers that are benefited are literally few and far between, and the relief provided in these few scattered instances is negligible.

I guess the gentleman from Missouri was not shocked by this language nor by the signatories to it, the present chairman of our Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS], the gentleman from California [Mr. KING], and the gentleman from Illinois [Mr. O'BRIEN].

I was also interested yesterday to hear my beloved chairman of the committee, the gentleman from Arkansas [Mr. MILLS] talk like a Republican. I hope it sticks, because he said then:

> I can assure you that there is no one more interested in holding down Government spending than I and other members of the Committee on Ways and Means who reported this bill.

Mr. Chairman, that is wonderful language. I wish the majority of the members of the Committee on Ways and Means had voted this way in the past, but they have not. I hope they will, but I have to see it before I believe it.

I listened with great interest to one of the great leaders of the Democratic Party, the majority whip, the gentleman from Louisiana [Mr. BOGGS]. He was speculating upon whether Mr. Henry Ford was a Republican and he hoped he might be a Democrat. Well, 9 years ago he would not have said this. I am not so sure whether Mr. Ford is a Republican or a Democrat, but I do know this, that following the 1962 campaign, the Wisconsin Democratic State Committee had a deficit and Henry Ford and two other members of his family helped eliminate it. That is all right with me, just so long as the record is clear.

Mr. Chairman, it is very strange that the Democratic Party, who used to criticize this type tax reduction as "a trickledown," and were for an increase in the personal exemption from $600 to $700, should suddenly abandon this theory. At this moment we have many millionaires, big business leaders, union leaders, the Kennedy family and the Democratic Party all together; and that is quite a package.

Mr. Chairman, I also noticed yesterday that one of my beloved colleagues on the committee was shedding crocodile tears because the dividend credit is about to expire.

Of course, we know what happened there. We had resisted efforts to knock it out by a 14 to 11 vote in the committee. Then 3 weeks elapsed, during which time the Kennedy persuaders went to work and, believe it or not, two members switched their votes and the dividend credit provision was knocked out in two stages. My father told me if I was for something I ought to vote for it. We Republicans needed one more vote from the Democrats to keep the dividend credit in. So I would suggest to the gentleman who shed crocodile tears that if he had had one more vote on his side, dividend credit would still be with us.

Mr. Chairman, much has been made of the "evil" in the Byrnes amendment. The majority whip, the gentleman from Louisiana [Mr. BOGGS], quoted from Mr. Saunders' speech but he neglected to quote from the brochure of "The Business Committee for Tax Reduction in 1963":

> The committee believes that a reduction in the 1964 budget is reasonable and practicable. Furthermore, it believes that there is no situation foreseeable which would necessarily require the 1965 and 1966 budgets to increase over that proposed for 1964. We have had large, progressive increases in recent years, and there is no justification for a continuation of the upward trend.

That is foursquare with the Byrnes amendment. In the President's own committee booklet appears that statement, yet we have Mr. Henry Ford and his agents scurrying around lining up votes against the Byrnes amendment. And he is not the only one who has been scurrying around. We know the White House has been active. In fact, I heard today that in certain oil congressional districts throughout the country the oilmen were being called by those people—I am not talking about our committee, this is the executive branch and others—importuning those Congressmen to vote against the Byrnes proposal, otherwise oil depletion would be reduced.

This latter approach for votes is quite serious, is it not?

Why should we believe this Congress is going to control spending when past experience proves otherwise. Mr. George Meany, in his letter to every Member of the House, in the fourth paragraph states:

> Unfortunately, it has been suggested that the proposed tax reductions in whole or in part be made contingent upon cuts in Federal expenditures. Quite frankly, if substantial cuts are made in the Federal budget they would totally nullify the beneficial effects of the tax bill by withdrawing from the economy the jobs Federal expenditures create.

If you do not believe the letter, Andrew Biemiller, the chief lobbyist of the CIO, put it more bluntly. He said that it was "hogwash" that Congress was going to control spending; that Government spending was needed to spur the economy.

And let us go to the greatest authority on the subject, the President himself, out in the Middle West where he is making a nonpolitical political trip to 15 States. Yesterday he pleaded for passage of the area redevelopment program and other programs. Do we in the committee want to delude ourselves into believing that we are going to control expenditures without some concrete proposals? There will be a day of reckoning.

Mr. Chairman, in the past three decades the Democratic Party has been in charge of the executive branch of our Federal Government for 22 years and the majority party in the Congress for 26 years. This bill that is now before us, H.R. 8363, is the first and only time, aside from the effort to pass a $20 tax credit in 1955, that the Democratic Party has taken the initiative in supporting tax reduction during those three decades.

During those three decades we have had a Republican-controlled Congress in two instances and on both occasions meaningful and responsible tax reduction was granted to the American people.

In 1948 the Republican 80th Congress overrode a Truman veto to provide tax relief in the amount of $5 billion. The Executive veto and the Democratic minority opposition to this tax cut in 1948 occurred at a time of budgetary surpluses, in 1947 and 1948, totaling more than $9 billion and created by a sharp curtailment in the level of budgetary expenditures. Mr. Truman vetoed the tax reduction efforts of the Republican majority three times, if I recall correctly, asserting it was tax reduction at the wrong time. He also asserted it was not possible to make a major tax reduction and an adequate payment on the public debt at the same time. Mr. Truman's Treasury Secretary was even more eloquent in his opposition. He said:

> It is unbelievable that any tax proposal would be seriously promoted that would produce a budget deficit and an increase in the public debt of $2.1 billion in the fiscal year of 1949.

The Democratic minority of the Committee on Ways and Means, of which the present chairman was an influential member said, among other things in the committee report:

> A balanced budget and substantial debt retirement are essential prerequisites for tax reduction.

Oh, how I wish for those words from him today.

In 1954, the 83d Congress, working effectively with the Eisenhower administration, provided the second tax reduction of the past 30 years. This time the tax cut approximated $8 billion and was again made possible by sound expenditure reduction leading to subsequent budgetary surpluses.

We have heard rosy forecasts this week both from the chairman of the committee and the majority whip. I recall just about a year ago today the majority whip was telling us during consideration of the Trade Expansion Act that this bill would cause a great increase in employment, that Britain would join the Common Market within 2 months, and where would the United States be if the bill were not passed. The bill was passed, but we are in trouble; Britain is not in the Common Market, and my chairman's chickens are having trouble with the Common Market. I do not criticize the thoughts of the majority whip then, but I say you cannot look at our economic future except realistically.

In the minority views on this tax reduction, the signatories to which included the present committee chairman, the Democrats objected to the fact that the Republicans were engaging in deficit financing. Is not that something for the books? Remember that this objection came even though the Republican Congress had cut spending by more than $10 billion and budgetary surpluses occurred in the two subsequent fiscal years, largely because of this spending restraint.

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. DEROUNIAN. I yield to the gentleman from New York.

Mr. BECKER. I should like to make one observation in agreeing with the gentleman's remarks, that on August 8 we had a bill here to increase the debt ceiling to $309 billion. That was passed in the House by a vote of 221 ayes to 175 noes. Being opposed to this tax bill today, I intend to vote for the Byrnes amendment. I hope those opposed to the Byrnes amendment but for this tax cut, will realize that when the next debt ceiling bill comes up, probably next month, they will have to vote for an increase in the national debt to carry that increased deficit provided in this legislation.

Mr. DEROUNIAN. I thank the gentleman for his observation.

This is the year 1963 and for the first time in more than three decades we are witnessing a serious Democratic bid to reduce taxes by an amount in excess of $11 billion. The Democrats are in control of the executive and the Congress. How are they doing on those objectives of debt retirement and spending reduction they considered so important in 1948 and 1954, to which I have just referred? Well, let us look at the record.

On January 20, 1961, the Kennedy administration took office urging the American citizens to seek to do for this country rather than asking this country to do for them. That is the last we heard about sacrifice by the present electorate, but implicit in most of what we have heard since is a lot of sacrifice by tomorrow's taxpayers to meet the debts that are not paid today. America is being urged to meet its every problem with borrowed money and apparently because we are not borrowing enough we are going to have a tax cut of $11 billion.

Let us look at the record some more. When Mr. Kennedy took office in January 1961, the projected level of spending for that fiscal year was $79 billion; for fiscal 1964 it is $98 billion, or an increase of $19 billion in 3 years' time. And next year we are expected to spend at least $102 billion. The Kennedy fiscal policies have failed to produce a single budgetary surplus despite a $10 billion rise in Federal tax receipts. The New Frontier-created deficit in 1961 was $3.8 billion and the total addition to the debt through the current 1964 fiscal year will exceed $25 billion for the 4 fiscal years. The deficit in 1965 is expected to exceed $10 billion. It has been estimated that on the basis of even the administration's own assumptions, our Federal Government will not realize a budgetary balance until 1972 and that, in the meantime, the public debt will increase by $75 billion.

Whatever happened to the candidate Kennedy who said in Indianapolis, Ind., on October 4, 1960:

> I believe in a balanced budget and an honest dollar; in the Federal Government doing only those tasks that cannot otherwise be done.

Whatever happened to the promise in Philadelphia, on October 31, 1960, to the effect that "we are pledged to maintain a balanced budget except in times of national emergency or severe recession."

Mr. Chairman, apparently a naive Congress and a gullible public are to overlook that record and forgive those broken promises as we consider this tax reduction measure. We are to rely on vague generalities about future Government economy and an eventual budget balance as our only assurance of fiscal responsibility, as we vote on this tax bill.

This gives rise to the question: Can we afford the risk? Our balance-of-payments problems are serious, with a deficit at an annual rate in excess of $5 billion in the most recently completed quarter of this year. With only $3.5 billion in free gold, we face a potential gold demand in the magnitude of $20 billion, based on the dollar obligations of foreign interests. The purchasing power of the dollar is now about 45 cents. Under these circumstances the risk of inflation from record spending, $10 billion deficits, and an $11 billion tax cut are not to be taken lightly. A strong dollar based on a stable purchasing power is an essential element in promoting economic progress and preserving military strength.

If the President were to pledge himself to curbing expenditure levels for 1964 and 1965 at the $93 billion level experienced in 1963, I could wholeheartedly join as an advocate of major tax reduction now. If Mr. Dillon and Mr. Heller would retreat from this insistence that 1964 and 1965 spending must be at successively higher levels—the latter year at $102 billion or more—I could support tax reduction. If the AFL-CIO spokesmen were not quite so confident and knowing in their predictions of continued increases in spending, I would put more confidence in the administration promises of future frugality and the abandonment of profligacy. As it is, I feel it is incumbent upon me to resist tax reductions unless the House adopts some effective control over spending. To that end I will support the motion to be offered later in these proceedings, to limit the occurrence of tax reduction to a situation in 1964 of a spending amount not in excess of $97 billion and a maximum level of spending of $98 billion in 1965. Even these amounts I regard as excessive but I hasten to point out that they are only maximums as set forth in the amendment.

Mr. Chairman, the problems that arise from the fiscal implications of this bill are not the only shortcomings of this measure. Also present are the many problems that are found in the substantive changes that are proposed. I do not intend to embark upon a lengthy discussion of these changes. However, I will comment on some of them that I consider inequitable in result and unduly complex in application.

I do not think anyone here has mentioned that one-half billion dollars in present deductions are being taken away, not from the millionaires or big business, but from the small and moderate income taxpayer in the taking of deductions for cigarette taxes, gasoline taxes, and license plate fees. One-half billion dollars. That is one of the sleepers in this bill.

The first substantive change selected for specific reference is concerned with the tax treatment accorded group-term life insurance.

This section 203 of the bill would impute as income to individual employees the value of group term life insurance in excess of $30,000 that is provided by their employers. Under this novel concept these employees would, for the first time, be taxed on the value of this insurance protection as though it were income received by the employees during that year. This innovation is an opening wedge endangering the long-established policy of encouraging employers to provide such fringe benefits for their employees.

As it stands, this proposal is awesomely complicated and the withholding provisions of this proposal are so complex as to constitute a burden upon employers that may deter the use of group term life insurance.

The present tax treatment of group term life insurance has existed since its development in 1920. Many families' insurance arrangements and estate plans have been built around this traditional fringe benefit. Why for an estimated revenue of $4 to $5 million should we unsettle all these plans that were heretofore fostered? The bill now before this Committee would be a better bill if it were not for this provision.

A second substantive change on which I will comment relates to the provision repealing the 4 percent credit on dividend income. This will serve to discourage equity investment and risk taking, thereby impairing the creation of new and better jobs for our workers now in the labor force and those to come in at a future date. It does not make sense to single out this vital source of expansion capital for double taxation. The repeal provided in the bill of the dividend credit has nothing to recommend it other than the fact that the AFL–CIO has always opposed the credit.

Mr. Chairman, a third substantive change with which I find fault pertains to the changes affecting stock options. The worth and merit of stock options is enhancing managerial efficiency and promoting industrial advance are demonstrated by the fact that stock prices have increased twice as fast for companies with stock options as for companies without them. The President in his original tax message recommended the repeal of the stock option provisions of the Internal Revenue Code. While the committee has wisely rejected this repeal proposal, the bill does include significant changes in the qualifying rules and some of these are unnecessarily stringent and will serve not to prevent abuse but to prevent the effective management of a stock option program.

I am also concerned over the impact of this bill on the tax treatment of employee moving expenses. The provisions of the bill dealing with this subject are characterized as being a liberalization but I am constrained to say that in many respects the provisions fall considerably short of being adequate because of this failure to clarify existing law. In my judgment expenses incident to a change in duty station are a business expense and are deductible under existing law. In this category there should be included ordinary living expenses for a reasonable period as well as losses on sale of property such as a residence. There are conflicting court opinions on this subject and the Commissioner has refused to acquiesce in the decisions that have been pro taxpayer. The committee should have acted to clarify the legislative intent on this matter so that our citizens would not be called upon by the Internal Revenue Service to pay tax on expense amounts that clearly are not income.

Mr. Chairman, the issue now before us is not whether or not tax reduction is desirable and needed, but the issue is how can it be accomplished in a manner that is not improvident and which does not jeopardize our Nation's future. The instructions in the motion to recommit, to be offered by my able and respected colleague, the gentleman from Wisconsin [Mr. BYRNES], will do much to make tax reduction both feasible and responsible by providing an incentive for spending control. The Congress must adopt such a spending limitation as a condition on tax reduction to overcome the dedicated insistence of the administration spokesmen that the Congress is being irresponsible when it concerns itself with economy.

Mr. BECKER. Mr. Chairman, will the gentleman yield for a question?

Mr. DEROUNIAN. A quick one.

Mr. BECKER. I am glad that you are detailing these inequities, but is it not a fact that somewhere along the line the suggestion was made that this bill ought also to eliminate deductions now in the law for interest on mortgages, real property taxes, and deductions for State income taxes. Was that not one of the suggestions?

Mr. DEROUNIAN. The gentleman is correct. This half a billion dollars is taken away from deductions to replace that section of the bill formerly proposed.

Mr. BECKER. Is it not quite possible with the deficit outlined here in a future year and possibly next year these reforms will also be suggested and enacted into law?

Mr. DEROUNIAN. It could very well be.

Mr. BECKER. Thank you.

Mr. DEROUNIAN. The President apparently fails to realize that America has no wealthy father who can be called upon to pick up the tab for spending beyond a capacity to pay.

The President apparently fails to understand the grave danger to our economic vitality and national strength that will attend successive deficits and endlessly mounting debt. The President seemingly refuses to recognize that the benefits from long overdue tax reductions will be destroyed by any blind refusal to abide by fiscal disciplines that require the elimination of nonessential Government expenditures. Even if the American people were to trust the fiscal judgment of the President, serious question exists over the willingness of the foreigners to whom I referred earlier who hold more than $20 billion in dollar obligations to share that trust.

In his recent tax speech the President vaguely promised economy and efficiency in the future. In the same speech he reiterated his demand for more spending for programs that have little or no public support. The President in his hopeful promise on spending and debt reduction is aspiring to an objective that is totally inconsistent with his past actions and apparently with his present plans for the future. By playing loose with our fiscal policy, he is seeking a blank check drawn on the productive endeavors of succeeding generations in total disregard of the intervening dangers to our fiscal solvency.

The President speaks of job opportunities, plant modernization, and increased consumer spending but these purposes will not be realized in the absence of public confidence in Government policies. The only way that meaningful tax reduction can be achieved is through expenditure reduction. The motion to recommit should be adopted and then, and only then, should the bill, H.R. 8363, be approved by the House.

The CHAIRMAN. The time of the gentleman from New York has expired.

LEAVE TO EXTEND

Mr. MILLS. Mr. Chairman, I ask unanimous consent that all Members who desire to do so may extend their remarks in the RECORD on the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. UDALL. Mr. Chairman, as I listen to the debate today, and the demands for vague, general, nonspecific reductions in Government expenditures, I wonder whether the proponents of these reductions would be with us when we actually get down to cases. It is all very well to talk about slashing lard and fat—these unpleasant things that sometimes come along with lean meat, bone, and sinew—but I strongly suspect that the very people who stand foursquare today for generalized reductions will stand foursquare tomorrow against specific reductions to carry out their own sweeping demands.

My own correspondence in recent weeks from the good people of my district illustrates this point. Some of them have made the point we are hearing today; namely, that there must be no tax reduction without a reduction in the level of expenditures. Mr. Chairman, the detail of the Federal budget is complex and the role of the Federal budget in our economy is not easily understood. I do not mean to be critical of those who have expressed this view, for they are speaking from the facts they have at their disposal and the impressions they have concerning budgets, deficits, and such matters. However, it happens that some of the same people who have written me in this vein have also written me on other subjects during this same period.

A striking example of the unrealistic attitudes of some of my constituents is indicated by a prominent Arizona businessman who in the past 3 weeks has written me urging that I take three separate actions.

First, he urged me to support the Republican motion to recommit on the bill now before us, making the arguments we have heard in this debate for a strict and meaningful limitation on Federal expenditures.

Second, I was asked to do all in my power to restore to the defense appropriation bill the sum of $60 million so that work may proceed on the mobile medium range ballistic missile. Components of this weapon are made at the Hughes Aircraft Co., plant in Tucson and unless this program goes ahead, there may be as many as 3,000 employees laid off in the coming months. This prospect has alarmed many Tucsonans and I have had dozens of letters urging that, at all cost, this $60 million be appropriated.

Mr. Chairman, I do not mean to imply that I am not for the restoration of funds for the MMRBM. I am for it. I think this new missile may be an answer to some of our problems in defending Europe and involving our allies in their own defense. I am for it, even though, were it not a loss to our defense structure, I would want to save the taxpayers of this country that $60 million. But my point is that the very people who say they are for slashing $10 or $11 billion from the Federal budget are also urging me to increase Government spending by $60 million on one particular program of benefit to Arizona.

The third request of my businessman friend is that I do everything possible to pass this year the central Arizona reclamation project.

Mr. Chairman, the central Arizona project is vital to my State's future. We have waited patiently since 1951 for a decision by the Supreme Court, and now that decision has been made. Arizona is entitled to another 1.4 million acre-feet of Colorado River water, and plans must be made to channel that water into the areas of the State where it is vitally needed.

But Mr. Chairman, the central Arizona project is going to be no petty-cash expenditure. It is going to cost money—repayable to be sure—but cash money in an amount totaling approximately $1.1 billion. It will be a sound investment in physical and human resources. It will add to the wealth of the Southwest and the Nation in the generations ahead. But, nevertheless, it will eventually cost the taxpayers of the United States $1 billion, and those dollars will have to come from the Federal budget.

It has been my painful duty to point out to the fine gentleman who has written me the communications I have just referred to, that his requests are comparable to suggesting that I stop breathing at once but be sure that my heart goes on beating. If Federal expenditures are to be reduced by any substantial amount, two of the most likely places the Congress will look for reductions would be in first, additional national defense programs about which there is any reasonable doubt; and second, any new or additional reclamation projects.

I am for economy. Make no mistake about that. But I am for the mobile medium range ballistic missile and the central Arizona project, too. I do not think I will gain either by broadax slashes in the Federal budget.

I happen to believe that the Federal budget could be reduced and several weeks ago I made a specific list of the reductions I would make if I had the power to make them. I must say, however, that realistically my reductions are in areas such as farm price supports, space, and similar programs which are not going to be reduced by this Congress. Each Member of Congress has his own ideas, as I have mine, about the priority of specific Federal expenditures and I am sure that each Member has particular reductions which he would make. However, no one Member makes the decisions under our form of government and the kind of joint decisions we make take into account the views of all the Members, as a group.

I believe that the Federal budget can and should be balanced and that we should have an end to the series of recurring deficits of recent years. One of the best ways to reach that goal, in my judgment, is to pass this bill as reported by the Ways and Means Committee without the meaningless restrictions proposed by my Republican colleagues.

Mr. PELLY. Mr. Chairman, I think any Member of the House who votes for H.R. 8363 and this tax cut—under the language of the bill—accepts a personal responsibility to help hold the line when it comes to costly new programs and increased expenditures.

Mr. Chairman, if the press does its job, it will keep a record of those who vote for this bill. Then when other measures, like the area redevelopment bill, are considered later on, I hope a comparison will be made and a list will be published of Members who failed to exercise restraint and instead vote to increase Government spending.

Of course, those Members like myself who support a motion to recommit, with a provision spelling out a limitation on expenditures, have an equal responsibility to hold the line on spending.

But I would emphasize to the membership of the House that this bill contains language to the effect that Congress accepts responsibility for restraining spending.

The American people who are represented by us should see just which ones accept as meaningful that provision of the bill.

Such a comparison will show just who are "phonies" and fail to practice fiscal responsibility or to exercise political morality.

Mr. HAGAN of Georgia. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. O'BRIEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. O'BRIEN of New York. Mr. Chairman, during the last few weeks I have listened carefully to the views of many people on the main issue before us today. When the experts disagree, it is not easy for those of us who claim no more than a sincere desire to reach a decision in the best interest of the Nation.

We are grateful to the experts for their apparent agreement on one premise—that a reduction in taxes would be good for the economy.

But, some say, the reduction should not be authorized without strings. They contend that it should be linked, in advance, to a fixed level of Federal spending during a subsequent fiscal year.

Others insist such an approach is neither fiscal integrity nor economy, but a form of financial legerdemain which would risk a recession for the sake of a dubious 1964 political advantage.

Some of us may have lost sight of the main purpose of the proposed tax reduction.

Advocates of lower tax rates say they will lubricate the economic machinery and, by so doing, increase both the gross national product and total Federal revenue.

If this be so, there is no merit in the argument that a tax reduction without an arbitrary limitation on future spending must result in larger and larger deficits. It is far more likely that deficits will continue ad infinitum unless we readjust tax rates and remove some of the obstacles to the growth of our national economy.

So, we are asked to decide which is the cart and which is the horse, or whether the chicken or the egg should come first.

In my judgment much of the beneficial impact of a tax cut will be lost if we attempt now to fix the level of Federal spending a year hence.

Where is the elbow room for national growth when he attempt now to pin tomorrow's spending, not upon the needs and requirements of tomorrow, but upon those of today or yesterday?

Why not go whole hog with this clever but specious straitjacket approach? Why not make the second stage of the tax cut contingent upon a rollback to the spending levels of the Eisenhower years—or to the much lower level of the Truman years—or even to those of the Roosevelt, Hoover, Harding, or Coolidge years?

The latter level should have a special appeal to those who see no merit anywhere except in the past, who fear the tremendous national growth of the intervening years. When they look back to that era they see the golden age of American solvency—the economic utopia—the time when hot ticker tape was more important than high paychecks—the era of small government—the glorious period when we had no social security—the era when we accepted the county almshouse as a fitting end of the road for those who labored most of their lives to break even.

Of course, some might be so unkind as to remind us that those dear, dead days, were followed by the deepest depression of our century.

I suggest that the amendment which divides us today would transform a tax reduction bill, desired by an overwhelming majority of the people of this country, into a job reduction bill. And may I register a doubt that anyone will appreciate a tax cut on a nonexistent income.

There are indications that some who ridiculed the proposed tax cuts as "cigarette money" are willing to vote for them now if we incorporate a built-in recession risk which could cost many both cigarette and food money.

Some who talk darkly of Federal bankruptcy unless we wed tax cuts with what they deem to be deficit insurance quite cheerfully run advertisements in our newspapers urging upon their customers the dollar down plan for everything from toys to tractors. Apparently, Federal spending in excess of annual receipts, even if it be largely for military purposes and the welfare of millions of people, is immoral, while private spending in excess of income is just good business.

It is necessary for some of us, who do not pretend to be financial geniuses, to pick and choose among the experts among us.

I have made my choice. I am ready to follow such an expert. He is known to all of us as one of the most respected Members of this or any other Congress.

Several days ago, there appeared in a newspaper published in my community the following brief editorial:

> CUT THAT TAX
>
> We favor the administration's tax cut bill. President Kennedy is correct in declaring that such a cut is needed to stimulate the economy and avert the threat of a business recession.
>
> There can be no doubt that the release of vast amounts of funds into the economic bloodstream—funds otherwise destined for the tax collector—would be anything else than a thumping shot in the national financial arm.
>
> We urge that no political partisanship be brought into play in consideration of this bill. Representative Wilbur D. Mills, the conservative and careful chairman of the House Ways and Means Committee, has pressed for tax reduction—and he is not the person to be swayed by the mere accident of party affiliation.
>
> Let's hope therefore that Congress passes this bill handily. Lots of take-home pay envelopes, business profits, and job openings could depend on it.

I agree it is desirable that "no political partisanship be brought into play in consideration of this bill."

But, let us assume a degree of partisanship on both sides.

What would be the motive of the purely partisan on the side which advocates a tax cut period?

Would it not be the belief that a tax cut would create a favorable economic climate and that such a climate would help their party? But, would not the general public benefit from such a climate?

And what could be the motive of the seeker of partisan advantage on the other side, the side which would apply a drag anchor to the tax cut?

Could it be the hope that the cut, so hampered, would create less than a favorable economic climate and that this would hurt the party in power?

Undoubtedly it would, but the hurt also would be felt in the homes and the businesses of the whole population.

But, surely, none could be that bitterly partisan. I prefer to be idealistic and to assume that the experts on both sides are sincere, although both sides cannot be right.

So, I must choose the experts in whom I have the most confidence.

Permit me to requote one sentence from that editorial in my home city newspaper, a publication, incidentally, which is not too enthusiastic about my party.

Here is the sentence:

> Representative Wilbur D. Mills, the conservative and careful chairman of the House Ways and Means Committee, has pressed for tax reduction—and he is not a person to be swayed by the mere accident of party affiliation.

So be it.

I intend to follow the leadership of the distinguished gentleman from Arkansas in this matter. He is known in this Congress and throughout the Nation as a prudent man, a cautious man, a careful man who knows what happened yesterday but thinks in terms of what is happening in this century and this decade.

I intend to stand or fall on this difficult question with a great Congressman, the gentleman from Arkansas, Wilbur Mills, calmly confident that no man here or elsewhere can lay a glove on his integrity and that no other expert to whom I have listened even approaches his solid knowledge of tax measures.

Like the gentleman from Arkansas, Wilbur Mills, I look forward to the time when we can handle our mountainous problems without incurring deficits. Like him, I shall support proper economy in government.

But, I am convinced that the fiscal wedding proposed by the gentleman from Wisconsin can have only one offspring—a sterile monstrosity.

The sure path to chronic deficits lies in the direction of this bill or the enactment of crippling amendments.

Mr. LAIRD. Mr. Chairman, in the last 2 weeks a great deal has been said about the tax bill. The highlights of this widespread discussion occurred on last Wednesday, Friday, and Saturday in television and radio addresses to the Nation. Last Wednesday, of course, the President presented his case for a tax cut. He pleaded for the bill's passage with no amendments, no conditions, no compromises.

On Friday and Saturday, respectively, the gentleman from Wisconsin [Mr. Byrnes] and the gentleman from Missouri [Mr. Curtis] replied to the President. They reaffirmed the view of most Republicans and many Democrats that the tax cut, if it is to come in this period of protracted, planned deficits, must be conditioned upon firm commitments to control and reduce Federal spending.

Mr. Chairman, the recommittal motion that the gentleman from Wisconsin will offer is deliberately and precisely designed to impose a minimal control on Federal spending. It will make the effective date of the tax bill contingent upon a demonstrated attempt to hold Government spending roughly within present limits. In short, the tax bill will be permitted to become effective on January 1 of next year if the 1964 spending level is held to $97 billion and if the President's 1965 budget proposal holds the spending level to $98 billion.

This amendment would be unnecessary if the President's recent actions had kept pace with his verbal promises. That they have not is demonstrable; that they will not is predictable. Only the Congress can force the President to bring his actions in line with his words.

Some, of course, have pointed, and others will point to the language that is already contained in the tax bill now before this body. It expresses the hope that spending will be brought under tighter control; it expresses the wish that the President will declare his accord with this objective. This, the President, has done, not once but many times.

In his tax message on January 24, for example, he pledged "economy and efficiency in a strict control of expenditures." This declaration by the President preceded by some 7 months the decision of the Ways and Means Committee to include in the tax bill its pious hope for reduced spending. This fact alone indicates that a majority of the House Ways and Means Committee has seen no real evidence to date of the fulfillment of the President's promise to economize.

Again in his speech on September 10 to the Business Committee for Tax Reduction in 1963, the President pledged "to achieve a balanced Federal budget in a balanced full-employment economy." He also promised "to exercise an even tighter rein on Federal expenditures, limiting outlays to only those expenditures which meet strict criteria of national need." The President's use of the words "an even tighter rein on Federal expenditures" implies that some meaningful control has already been exercised when, in fact, the opposite implication is obvious to any who glance at the record.

Let us for a moment, Mr. Chairman, take a look at the recent record. One of the major objectives of the tax bill, according to the President, is to alleviate the unemployment problem. The chairman of the Ways and Means Committee, the gentleman from Arkansas, in a recent letter to the President, expressed his deep conviction that we cannot travel at the same time both the road of increased spending to solve unemployment and the road of reduced taxes for the same purpose. He reiterated that belief on the floor of this House yesterday. If memory serves, the President declared his accord with the gentleman from Arkansas [Mr. Mills] conviction. In fact, in his television address to the Nation, President Kennedy said, "no wasteful, inefficient, or unnecessary Government activity will be tolerated on the grounds that it helps employment."

Mr. Chairman, what program could be considered more wasteful, more inefficient, or more unnecessary than a public works program which at best can provide a minimum of jobs at maximum expense with only temporary respite for those few unemployed who are affected by the program?

Yet the President requested additional funds in the amount of $500 million for the Public Works Acceleration Act of 1962. Realizing the futility of such a program to alleviate in any meaningful way the unemployment problem, the full Committee on Appropriations dropped these funds from the supplemental appropriations bill last April. After a public outcry, the President sent his troops to this body and managed to pressure enough Members to bring about a restoration of $450 million to the bill when it reached the House floor.

Mr. Chairman, this example contains a twofold lesson. On the one hand it demonstrates that the President is not willing to economize. If he cannot bring himself to accept cuts in a supplemental public works appropriation, in what area of the Federal budget could he possibly find it feasible to sustain cuts in the interests of economy?

The other part of this twofold lesson concerns unemployment. In this regard he demonstrated by his actions and his words his total disagreement with the conviction of the gentleman from Arkansas that we cannot travel both the road of increased spending and that of reduced taxation to alleviate unemployment. In scoring the Appropriations Committee's action of cutting his public works funds, the President stated on April 6:

> It seems inconceivable to me that people can make speeches against unemployment and then vote to destroy a program the objective of which is to attack the unemployment problem.

If this action on the part of the administration were an isolated instance, it could perhaps be explained away as a temporary lapse in the President's belated embrace of economy. But it is not. Rather, it is but another brick out of the wall of economy that the President is methodically tearing down.

The history of the area redevelopment bill in this session of the Congress presents another classic example. In June, the House of Representatives wisely defeated the area redevelopment bill of the administration. Again indignant cries could be heard throughout the land. And, again, administration troops were activated—this time to storm the Senate. Having successfully passed the Senate, the bill was sent back to this body for another try. It is interesting to note that during this very period in which the tax bill is being considered and in which the President is making verbal promises to hold down spending, his troops are busily at work trying to force the area redevelopment bill onto the floor of the House for another vote. Present indications are that these efforts too will be successful and that the bill will come before this body for another vote within the week. This is not the work of an administration that is committed to expenditure control. It is the work of an administration that has demonstrated the need for the Congress to impose effective expenditure controls upon it.

Again last June, administration troops could be seen in the Senate working to bring about the restoration of much of the $1.9 billion the House had cut from the defense appropriations bill. This was not a large reduction considering the immense size of the bill itself. Moreover, it in no way impaired or jeopardized the security of the United States.

Mr. Chairman, I could go on, as could every Member of this body. The limits of time rather than a lack of examples compels me to confine myself to one more instance. The most recent and the most flagrant example is that of foreign aid. The impact of our mammoth foreign aid program on our balance-of-payments deficit is obvious. The built-in waste in our administration of this program is clear. The abject failure in many facets of our shotgun approach to foreign aid is equally obvious. Yet, the modest reduction in this program by the House of Representatives evoked an administration outcry that was heard round the world. The President accused the Republican leadership of waging "a shocking and thoughtless partisan attack" against the aid program. And predictably, administration troops were immediately dispatched to the Senate to bring about a full restoration of his request.

Mr. Chairman, the President talks about essentiality. He promises tighter control on expenditures by, in his words, "limiting outlays to only those expenditures which meet strict criteria of national need." His actions—on public works, area redevelopment, the defense bill, foreign aid, and so forth—and his requests for new programs such as a Domestic Peace Corps, a Youth Conservation Corps, massive Federal aid to education programs, a mass transportation bill, and so forth, have established a record that defies anyone to demonstrate his commitment to these words of promised economies. All that his record has demonstrated is the fact that he is unwilling or, because of the economic philosophy to which he is wedded, unable to establish and live within priorities. One would think that a tax bill which the President has called the single most important bill to come before the Congress in 15 years would not be placed in jeopardy by that same President for the sake of public works legislation. Yet his actions demonstrate that no bill has a special priority—that every administration-backed bill receives top priority as each one comes before the Congress for passage. It is for this reason—because the President is inherently unable and blatantly unwilling to introduce economies in Federal spending—that the so-called Byrnes amendment to this tax bill is a must. It is not merely desirable or, as some would have it, partisan.

It is absolutely necessary as the only means presently available to put some kind of a lid on our skyrocketing Federal expenditures. It will not hinder in any way the ability of the President to administer effectively his office and his trust. On the contrary, it will help him. It will, for one thing, practically ensure passage of his tax bill. Although personally, I cannot support the bill, if the Byrnes recommittal motion with instructions is passed, many who would otherwise oppose passage of the bill, will be able to vote for it.

My own opposition to the bill rests on the proposition that it will not accomplish any one of the three major objectives President Kennedy outlined as requisite for any sound tax program. The three objectives are: Simplification of the tax laws; reducing inequities in the tax laws; and creating new jobs. Obviously this bill will not simplify it, it will complicate; it adds some 300 new pages of complexities to the statute books. As to inequities, they will be increased for millions of taxpayers. For example, taxes will be increased for those who itemize deductions and reduced for those who do not. There will also be a double taxation of dividends, to mention but two of the added inequities. That the present tax bill will create new jobs is highly questionable at best. This bill is aimed at increasing consumer spending. The more logical way to increase jobs is by encouraging investments in new and expanding industries which this bill does not do. Even if one admits that an increase in disposable income will result, which I am willing to do, there is no guarantee that consumer spending in the aggregate will increase. In the 1948 tax-cut experience, consumer spending hardly showed any increase. Rather, the increase was seen in savings, and there is no guarantee that that experience will not be repeated. Also this increase in disposable income could be applied to debts, to buying securities, and to other uses which will not have the effect of creating jobs.

It is for these and other reasons, Mr. Chairman, that the tax bill will not have my support. I have always been for tax reduction and reform and will continue to support sound tax programs. This bill, however, in my view will create more problems than it can possibly solve. No bill, in the area of taxation, is better than a bad bill.

Much as I personally am opposed to this tax bill, the facts of political life indicate that it will probably be passed by this Democratic-controlled Congress. If it must be placed on the statute books, it will be a far better bill with the Byrnes amendment than without. For this reason I urge passage of the Byrnes recommittal motion with instructions to report the bill back to the House floor with the language of the Byrnes amendment contained therein.

Mr. FUQUA. Mr. Chairman, today the House of Representatives is called upon to vote on one of the most important matters that this session will face. That is the tax-cut proposals, designed to stimulate the economy of this great Nation.

First I would like to commend the members of the Ways and Means Committee for one of the outstanding jobs of this or any other session. Months of long hours of laborious toil have gone into this proposal, it is not ill conceived or hurriedly arrived at.

It seems to me that this Nation faces one of two courses. It is a fact that just to hold unemployment to a 4 percent figure, some 5.5 million new jobs must be found. As the gentleman from Arkansas, Chairman MILLS, pointed out yesterday, this does not take into consideration additional jobs which will have to be found as a result of automation or changing markets.

How can we meet this challenge?

One way is to increase Federal expenditures, and the other is to put money into the private sector of the economy. I favor the latter, for I have faith in the free enterprise system. This is the system that has built this country into the greatest Nation in the history of man. This tax bill, which seeks to return more money to the private sector for investment and growth is the proper way, it is the American way, it is the free enterprise way.

I feel that $11 billion returned to the hands of the American people will stimulate the economy, allow for the creation of new plants and facilities. This challenge must be met, and this is the proper way to meet it.

But I would further add that this tax cut must be met by a decrease in Federal expenditures. As has been wisely pointed out, the President can spend only those funds which have been allocated by the Congress. We have the purse strings in our hands, we know where our responsibility lies.

I must warn as emphatically as I know how that we in the Congress must control spending. Those of us in the House must exercise restraint. The membership cannot continue after this tax cut to advocate and vote for every program that is advocated. To do so will be to lose faith with the very concept of this program.

For my part I pledge continued vigilance to cut Federal expenditures while our private free enterprise economy has an opportunity to meet this challenge of our time, to provide jobs for all of the American people. If we will but control Federal spending, decreasing the load which has burdened our Nation, I feel that in a short time the impetus of this tax cut will allow us to balance our budget, and provide for a vigorous and healthy American economy.

Mr. JOELSON. Mr. Chairman, in considering this bill we must start with the fact that in order to keep up with the pace of increasing population and compensate for the loss of jobs caused by continuing automation, we must create 2 million new jobs in the United States annually. In order to do this, there is no doubt that we must stimulate our economy.

I have looked around this House and have decided that the only measure which it may be possible to enact in order to spur the economy is a tax-cutting bill. I wish it were possible to stimulate the economy at the present time by increased programs for housing, hospitals, and schools.

If you take a train from Washington to New York, you will ride for 4 hours through a continuous jungle of slums in which American people live. If you visit an urban hospital, you will see bed against bed in an obvious shortage of facilities. Visit a school in one of our major metropolitan centers, and you will find overcrowding and split sessions.

So I would wish to prod the economy by spending to meet our still unmet social needs, and at the same time putting Americans to work making the steel, the appliances, the building material used in these new facilities.

But Mr. Chairman, I try to be realistic. I do not kid myself. They say that politics is the art of the possible, and I know that the only possible bill we may get from this Congress to expand the economy is a tax-cutting bill.

Frankly, I am not without some misgivings about this bill. It remains to be seen whether or not it will do the great things we all hope it can do. But I do know that we cannot stand still. To stand still at this moment in our economic history is to slide back.

It is my fervent hope that a tax-cutting bill will so stimulate the economy and thereby increase our national wealth that the Federal Government will eventually receive the revenue it needs to meet the needs of the times.

Mr. BYRNE of Pennsylvania. Mr. Chairman, I agree entirely with President Kennedy when he says that no more important piece of legislation will come before the Congress this year than his program to cut individual and corporate Federal income taxes by some $11 billion.

I also agree with him, when he stated that no more important piece of domestic economic legislation has been considered by the Congress in some 15 years.

The President's tax reduction program is aimed at building—and sustaining—the economic health of our country—today—in the months immediately ahead—and in the years ahead.

I think we may all enjoy a feeling of satisfaction due to the fact that the economy of the Nation is on the upsurge today.

We have not experienced a slump, or a recession, that some people feared might be our lot today.

Production and business indicators are at an alltime high and in a number of major areas of production and profits, new records have been set for the second quarter and the first half.

We have reached and passed the milestone of 70 million Americans employed.

Factory work wages have topped $100 per week for the first time in history.

And at the same time, unemployment, which stood at 6.7 percent in January of 1961, has been reduced to 5.5 percent as of our latest figures, for August of this year.

These are good signs for good times. We can take a measure of satisfaction in these good indicators.

But these factors are not enough.

They are not enough when—as the President has pointed out—we have had a recession, excluding war years, on the average of every 42 months since World War II—or every 44 months since World War I, and by next January it will have been 44 months since the last recession began.

And our signs of moderate economic health are not satisfactory when we still have some 4 million Americans unemployed—Americans who want to work but cannot find work—what we call our hard core of unemployed, an unemployment rate that still hovers above 5 percent though we set new records in profits and production—and jobs and wages.

The President's new tax reduction program is a must for the country—today, not for some nebulous time in the future.

It is a must—as insurance against the waste of man-hours of high unemployment, and the further loss of production lost to business and profits; and the high budget deficits resulting from a crippling recession—to keep our present economic uptrend from running out of steam—to build new jobs for the hard core of our unemployed, and for all the million new workers entering the labor market every year.

The tax program will stimulate the expansion by pumping some $11 billion into our economy in increased buying power.

This new buying power is aimed at increasing demand for products—increasing production to meet this demand—expansion of plants and industries to meet this new production demand—and expansion of job opportunities to provide the increased production—and this means jobs for the jobless, and for the new workers coming onto the labor market.

All this means an expanded American economy—and in the end, from an expanded economy, increased tax revenues for the Treasury, and the prospect of future balanced Federal budgets.

As the President said in his television address to the Nation the other night, "Prosperity will balance our budget."

I have been very much interested, incidentally, in the figures as to what this $11 billion tax cut will really do.

This $11 billion, for instance, as it works into the economy and spurs additional buying, production, investment, jobs, and the like, is expected to generate an estimated $30 billion nationally, in personal income.

And President Kennedy pointed out in his television address, in describing the tax cut as a means of providing new markets for American business, that the multiplied effect of new private consumption and investment expenditures released by the tax cut will create a new market, right here at home, nearly equal to the gross national product of Canada and Australia combined.

And there is another aspect that none of us should forget.

While the tax cut will increase Federal Treasury revenues in the long run through an expanded economy, it will also increase State and local revenues.

In my own State of Pennsylvania, alone, for instance, it has been estimated that the increase in State and local tax revenues resulting from economic expansion spurred by the Federal tax cut will amount to something like $136 million—some $75 million accruing to the State, and another $61 million to local governments.

This represents approximately a 6-percent increase in tax revenues in my State, both at State level and at local level.

This is something every one of us should consider in our home communities, as we scramble for every dollar to pay for our streets and schools and sewers, police and fire protection, and the like.

As for the Nation, the President's tax cut program will work for every State and every community—for every American at every level of our society in employment pursuits.

Mr. BERRY. Mr. Chairman, of all the neat political tricks that this administration has so far been able to pull this so-called tax cut bill is without any question of a doubt the neatest.

Citizens and taxpayers of the Nation have revolted against this administration's demand for greater and greater spending programs. They have been demanding economy in Government because they are beginning to realize that as much as one-fourth of their income is going into the Federal Treasury. They are beginning to realize that they are working from January 1 to the latter part of April before they are permitted to work 1 day for themselves and their family. This time is contributed exclusively to the Federal tax take.

The taxpayers are in a state of revolt. The administration wants more spending instead of less. Some form of a sedative must be given to the taxpayers to quiet their nerves against this terrific tax take in order that they will be less vocal against these new spending programs recommended by the administration and the ADA advisers who surround the President.

The President has said in effect that we will not reduce spending, but that we will do this—we will give the taxpayers a tax cut which should reduce the protest against the increased spending programs, and the deficit created by this $11 billion Federal income reduction can be quietly added to the national debt which the administration reasons is not presently as painful for the taxpayer as is meeting the cost of increased spending out of their pockets at the present time.

This tax cut bill, Mr. Chairman, is nothing but a form of dope, or a sedative to quiet the tax conscious nerves of the American taxpayer. How Congress can go along with such a reckless, foolhardy, budget-busting, bankruptcy plan is beyond me.

Yes I know, Mr. Chairman, that the President has given his promise that he will hold down Federal spending and thus help to reduce the budget deficit. Did it sound, Mr. Chairman, like he had any intention of holding down Federal spending when the House sliced one-half billion out of the Foreign Aid Authorization Act? On the contrary, the President flew into a rage, as reported by the wire services, and condemned the House and the House action, calling this body irresponsible. Under these circumstances, Mr. Chairman, certainly the President cannot do anything as "irresponsible" as reducing spending. He must maintain his record of responsibility in the area of spending so the Congress and the taxpayers must certainly know exactly what his position will be when it comes to reduction of deficit financing.

The Department of Commerce has issued a tabulation of the decline of the purchasing power of the dollar since 1939 to date. If you will check that tabulation, you will see that the only two times the value of the American dollar has increased since 1939 was in 1949, following the action of the Republican 80th Congress in 1948, when the budget was balanced and a sizable payment made on the national debt, and again in 1955 when again a sizable reduction was made in the national debt. These are the only two times since 1939 that the value of the dollar has increased, and this tabulation points out very definitely and very conclusively why the dollar value did increase those 2 specific years.

Yes, Mr. Chairman, Federal control and Federal spending have been the foundation of most of our trouble. Easy money through Federal paternalism and an economy which is continually doped up with inflation created by living on borrowed money will never produce national strength. These things are destructive of character and initiative both for the individual and for his Government. Reducing taxes without an equal or greater reduction in spending can only bring about greater inflation, greater destruction of the value of our dollar, and ultimately, complete destruction and complete chaos in the economy of this Nation.

Mr. Chairman, the time has come for Congress to act effectively and decisively. I hope and trust this tax cutting bill will be defeated. It is not a sedative the taxpayers need. It is sanity in Government operation.

Mr. ROOSEVELT. Mr. Chairman, I rise in support of this bill. Reduction in taxes will mean the utilization of more of our economic resources in the private sector of the economy. I believe, as the gentleman from Arkansas, Chairman MILLS, has so eloquently stated, that this reduction is essential if we are to see a continued sustained growth in our economy. If we do not pass this bill, we are inviting stagnation and possibly decay. Our aim must be to prevent a recession by enabling our economic growth to be sustained. The pattern of ups and downs which has characterized the economy in the postwar period cannot be acceptable to us. This bill offers us an opportunity to get off that treadmill. I hope we shall take it.

There are some Members of the minority party who have said that they too are for a tax cut to stimulate the economy, but that this tax cut must be contingent on maintenance of expenditures at present levels. They choose to overlook the fact that the increased economic activity rising from the reductions will increase revenues and balance the budget in the long run. The limitation of expenditures in this way will have some deleterious effects which have been little discussed. It would tend to entrench existing programs, without their being subjected to continuous review to see if they are desirable, and being conducted without waste. Thus, this restraint on the bill would have an effect exactly opposite to that which its proponents intend. Furthermore, such a restraint would tend to rule out the establishment of new programs which might become necessary in future years. It is therefore far better that we not place an arbitrary ceiling on expenditures. If we pass the bill as it is, we can continue to meet our responsibilities, and do so in the context of a trend toward a balanced budget, as a result of increased revenues from a more prosperous economy.

I do not think, while we are discussing the economy in abstract terms, that we should overlook the effect which this bill will have on individuals. For many, particularly those in the very lowest income brackets, this bill will mean a very significant increase in standard of living. This human benefit is one we should all weigh as we pause to consider the merits of this legislation.

This bill is, admittedly, an experiment. The cutting of taxes to stimulate the economy in a time of relative prosperity is a novel act. Nevertheless, everything which we have learned, and which our reason can tell us, indicates that this is an experiment which we ought to conduct for the sake of ourselves and future generations. We must watch very carefully, after this legislation takes effect, to see that the money which is no longer going to the Government is being used to stimulate our economy. We may find in future years that it will be desirable to modify this program, and we must be prepared to make necessary changes regardless of political consequences. Thus, in a very real sense, the enactment of this measure represents not the end of our work, but the beginning.

Mr. HALPERN. Mr. Chairman, I rise in support of this legislation which, in balance, is commendable and will, together with cuts in spending, I am convinced, do much to stimulate and stabilize our economy. While many of the injustices of our tax law still remain, and many other avenues for justifiable reductions have not been touched, the bill does make great strides in correcting some of the inequities that have mounted through the years and have strangled individual and business initiative.

We are, of course, today acting on a matter that affects each and every individual. Benjamin Franklin once said, "We are certain of nothing in this world but death and taxes." How right he was. But that does not mean we should sit back and reconcile ourselves to the inevitable.

We have made great strides in prolonging life, and there is no reason on earth why we cannot ease the pain of taxes. Congress can play the role of tax doctor and I think we have the initial ingredients for the right prescription.

This bill, as far as it goes, is a good one. But I still feel we must find new and even more potent ingredients to give the patient—the American taxpayer—the relief he needs and should have.

The fact that the committee has come up with this omnibus bill does not mean there cannot be additional legislation at this session. It does not mean that all our eggs have to be in this one basket, and it certainly does not mean that all our problems are now solved.

I think of this bill as an important starter for further legislation yet to come. I would like to see measures to cover an even broader base and to give more tax breaks where I feel they are most justified and needed—more than those provided in the anticipated bill. And, I would like to see additional tax favoritisms eliminated. As an obvious example of this, I refer to the 27½-percent oil and gas depletion allowance. This concession to oil and gas producers means a loss of hundreds of millions of dollars a year in revenue to the Government which other taxpayers have to make up. Such special situations should be corrected—and real tax relief should be given where it belongs—to the greatest number of taxpayers; those in the middle and lower income brackets. After all, these are the folks who represent the bulk of American purchasing power.

The whole idea of a tax cut is not just for the Government to play Santa Claus, but to boost the economy by leaving more money for the consumer to spend. The result is a chain reaction—a cycle—which in turn multiplies throughout the economy. More spending means more production, more production means more capital investment, more investment means more jobs and higher income, which in turn means ever more spending and so on. Thus, the cycle continues, with the Government—the Federal, State and city—benefiting with a proportional increase in their own revenues. So, you can see that any immediate tax loss to the Government will be more than offset in the long run. And, let us face it. Our economy certainly could use this shot in the arm.

As I stated, the committee bill, as far as it goes, is a good one. I am particularly pleased with the relief that will come by reducing the entire range of personal income taxes by across-the-board percentage cuts. I also like the corporate tax reduction, the liberalization of the capital gains features and the investment tax credit—all of which should encourage business expansion.

However, I would like to see even broader remedies to cure our tax ills. I believe some of the bills I have introduced would do just that. So would many of the other measures introduced by several other Members of this House. I am assured by the chairman that every consideration has been given to these proposals and many are still being studied. I trust now that the committee's bill will be out of the way, all these measures will be further explored with the view of supplementing today's action later this year or during the second half of this Congress in 1964.

Toward this end, I call attention to my own bills which I sincerely think will help do the job. I might add happily that some of the measures I have long advocated have been included in the committee's bill.

One of these I am particularly pleased to note is the bill's tax averaging plan. It conforms with legislation I have sponsored for years, my bill at this session being H.R. 5720. It corrects an inequitable situation which occurs with persons who earn fluctuating incomes from year to year.

Mr. Chairman, I take this opportunity to appeal to the committee to consider other areas for broader tax reforms and reductions.

The most effective and direct way I know to bring tax relief to the greatest number of taxpayers and to provide a tax break where most justified and most needed is to increase the personal exemption for the taxpayer and for his dependents. Say, from the present $600 each to a more realistic figure of $900, or even $1,000 each. One of my bills would do just that.

Another would permit a deduction for the cost of traveling to and from work. Of course, there would have to be a ceiling for such a deduction—such as no more than $200 a year. If ever there was a legitimate business expense, it seems to me, it is the expense the taxpayer incurs going to and from the place where he earns his income.

I also think that the cost of college tuition should be a deductible item. This kind of deduction will more than pay dividends. You can see, Mr. Chairman, how this will spur higher education and greatly improve the productivity and income potential of our youth.

Our tax laws should also more realistically consider our senior citizens. I believe that businesses should be allowed special tax credits to hire older people. This will help overcome one of the most serious problems we face today—discrimination against the older worker. How often do we hear about folks—even as young as 40 years of age—not being able to find jobs because of their age. You can imagine how tough it is for those folks who are even older. It is said that this situation prevails because employing older people means an increase in the cost of insurance, pensions, medical expenses, workmen's compensation, special training, and so forth. Well, my bill will knock this argument for a loop.

Another thing. It is unfair to tax the pensions of retired persons. I have introduced a bill to exempt pensions and retirement annuities from income taxation—at least up to the first $3,000. There are other bills before the committee for varying amounts of exemption, all of which are worthy of the fullest evaluation.

I think all medical expenses should be allowed as a separate deduction whether or not a flat standard deduction is taken, in lieu of itemized items. This would particularly help middle and lower income taxpayers who have fewer itemized deductions. They would be allowed, under my bill, to deduct all medical expenses separately and still be credited with the full standard allowance.

And, of real importance, while revamping our tax structure, is it not high time some consideration was given to the homeowner? With this in mind, I have offered legislation which is before the committee. One would allow a reasonable depreciation allowance for the normal wear and tear on a taxpayer's home. This would be similar to the depreciation deduction now allowed for income-producing properties.

Another of my bills would authorize a deduction for $750 a year for necessary home repairs and improvements. This should give the homeowner an incentive to keep his residence from deteriorating. It will stimulate the home repair industry and would also serve to maintain high standards in residential neighborhoods.

A third bill would exclude from tax any profit made by the homeowner over 60 years of age from the sale of his residence. I am delighted to say that the committee bill has embodied this feature—at least its principle. The committee bill, patterned after a proposal by our distinguished colleague, the gentleman from Tennessee [Mr. BAKER], would apply the exemption to persons 65 years and over. Commendable as this provision is, I feel it would be more effective and realistic to apply to individuals 60 or over and hope the committee's future deliberations will recommend such a revision.

And, we should not forget the rent payer. One of the reasons for high rents is the high taxes paid by the landlord. I cannot see why the rent payer should not be allowed to deduct an acceptable estimated portion of his rent that goes for taxes. This would not only eliminate the old inequity of paying taxes on taxes, but will provide substantial—and in most cases much-needed—relief to the apartment dweller. Of course there must be limitations, and the amounts should be computed in accordance with the proportion of one's income spent on rent.

Mr. Chairman, these are not pie-in-the-sky proposals. I am dead serious. After all, the President and other tax cut advocates say that tax reductions, to have a full and stimulating impact, should extend to citizens in all walks of life.

Well, how much broader can we get than to grant greater personal exemptions for every taxpayer and each of his dependents—for every commuter who must travel to earn his income—for the student—for the senior citizen and for those who employ him—for the home owner—for the rent payer.

Mr. Chairman, this legislation of course is not a panacea nor is it by any means a cure-all. It does not profess to be. But, it is a long forward step toward obtaining sound and badly needed tax relief.

We must look at such a complex and all-encompassing problem in full balance and with this in mind, there is no question but that the pluses in this bill far outweight the minuses.

On the whole, I feel the bill will go far toward accomplishing its objectives. But, Mr. Chairman—and this is important—we cannot look at tax cuts without looking just as hard at budgetary cuts. The two are inseparable to a healthy economy. What is the use of saving the taxpayer money on the one hand and then have his cost of living increase on the other hand because of an inflation which will more than offset any break he would get by the cut. That would be ridiculous and irresponsible.

That is why I was delighted with the President's assurance of a huge slash in unnecessary governmental spending in an effort to equalize the tax reductions and offset inflation. I am pleased by his assurances of real belt tightening in next year's budget.

Consistent with this assurance, I feel it incumbent on Congress to clearly set forth a declaration of policy in this respect. For that reason, I support the amendment to attach a rider to the bill. It would be consistent with the President's own avowed objective of economy and budget responsibility.

I do not think a budget keyed to the fiscal realism of the tax cut is impossible. There are many areas where further economy can be effected without any damage whatsoever to the public welfare and national interest. One step we might take toward cutting the fat would be to give the President the right to an item veto over measures contained in general appropriations bills—a move I and many other Members have long advocated. And there are certain tax favoritisms that should be corrected in order to justifiably bring considerably more revenues to our Nation's coffers—such as the oil and gas depletion allowance.

Mr. Chairman, in summation, let me say that this bill, taken in perspective, is a good one. It is an important move in the right direction. It does not solve all our tax problems. But it certainly does not close the door to additional much-needed tax law revision.

I trust that this House will pass this measure and continue to press for further equitable relief in areas yet untouched for the benefit of the greatest number of our taxpayers.

Mr. SHORT. Mr. Chairman, last Wednesday, the Nation was treated to a monolog by the President, in which he urged the people to support his tax-cut-reform legislation, now being considered in the House of Representatives. In his monolog—later to be given the aura of debate when the gentleman from Wisconsin, Congressman JOHN BYRNES, ranking minority member of the House Ways and Means Committee, and the gentleman from Missouri, Congressman TOM CURTIS, answered his arguments over radio and television under the equal time provision—President Kennedy pulled out all the propaganda and political pressure stops at which he is so expert. His opening phrase, "Peace around the world and progress here at home are the hopes of all Americans" set the scene properly for a speech which basically was a fraud upon the American public. However, when he termed them "crucial decisions," I agreed with him. I agree, too, that no more important legislation will come before the Congress this year than the proposal to reduce Federal taxes. My reasons for agreeing, however, are in direct opposition to the President's reasons for supporting this tax cut and so-called tax reform measure. In this I join every Republican member of the House Ways and Means Committee, but not for the partisan reason which the President tried to ascribe to all who opposed him.

First, let me state flatly: We Republicans are in favor of tax cuts. It is a longstanding Republican position that excessive tax burdens and steeply progressive tax rates should be reduced. Our history of action—not just words—will prove this.

Second, let me state just as flatly: We Republicans oppose this attempt at fiscal fraudulence. We oppose this attempt to grant tax reduction while actively resisting efforts to control mounting Government expenditures.

In the Revenue Act of 1948, the Republicans were responsible for a $7.1 billion tax reduction for fiscal 1949—which left an amount in excess of $7 billion for reduction of the public debt. This we did when the Truman administration anticipated a budget surplus of over $6 billion for fiscal 1948. President Truman vetoed our bill three times in an effort to prevent this tax reduction.

Again, in 1954, the Eisenhower administration attempted to reduce Government spending. We were able to reduce taxes by $7.4 billion—$4.6 billion of which went directly to individuals. Expenditures, however, did not rise, but were reduced from a level of $74.1 billion in fiscal 1953 to $64.4 billion in 1955. This brought about budget surpluses for fiscal 1956 and 1957—and proved to be the largest tax reduction in any single year in the history of our country.

These facts in themselves should serve to lay to rest the ghost wafted across the television screen before the viewers by President Kennedy when he listed "those who want to deny our country the full benefits of tax reduction."

Now let me go into my reasons for opposing this tax cut and so-called tax reform bill, unless the Republican amendment is adopted which would provide a corresponding statutory deterrent to increased spending. This amendment is to be offered by Congressman JOHN BYRNES. I intend to support this amendment. I would not be able to face my own children, or grandchildren—much less those of my neighbors, friends, and constituents, if I supported the Kennedy proposal without this necessary amendment. This amendment provides a specific and certain brake on Federal expenditures and deficits without which the majority of our people, including former Presidents Truman and Eisenhower, are opposed to this bill.

We can ask: Why, in the face of his protestations that he intends to pursue a course of true fiscal responsibility, does the President oppose this amendment? Why is he determined to gamble with our American fiscal policy? If he wants American businessmen to have their confidence in his administration restored in order to increase their investments by proving runaway Federal deficits are being restrained, this is his golden opportunity to do so by supporting an amendment which shows logic and commonsense and would prove his good faith. If he wants the American public to accept his tax-cut-reform recommendations why not offer this proof of sincerity? And if he wants the Congress to overwhelmingly support his bill, this is his way to achieve that victory.

Let me quote some figures which are not figments of imagination or economic theories, but which are backed up by actual budget reports and statements.

When President Kennedy took office, our budget was balanced for fiscal 1961.

For fiscal 1961, estimates forecast budget receipts of $79 billion. After the economy was Kennedized, it instead was $77.7 billion.

For fiscal 1961, expenditures were forecast of $78.9 billion. After being Kennedized, they became $81.5 billion.

Fiscal 1962 budget receipts were $81.4 billion.

Fiscal 1963 budget receipts were $86.4 billion.

Fiscal 1964 budget receipts are estimated at $88.8 billion, which includes, according to Secretary of the Treasury, an assumption of the tax cut, effective January 1, 1964.

Fiscal 1965 budget receipts are estimated at $92 billion—again including the tax cut.

This shows the Kennedized budget receipts so far have increased $13 billion.

Now contrast this to:

Fiscal 1961 estimates of budget expenditures were $78.9 billion. After being Kennedized, they became $81.5 billion.

Fiscal 1962 actual budget expenditures were $89.2 billion—less a sale of Government assets of $1.4 billion—leaving $87.8 billion.

Fiscal 1963 actual budget expenditures were $94.5 billion—again, less sale of Government assets of $1.9 billion—leaving $92.6 billion.

Fiscal 1964 budget expenditure estimates are $98 billion.

Fiscal 1965 budget expenditure estimates are $102 billion. These latter 2 fiscal years include Secretary of Treasury assumption of the tax cut, to be effective January 1, 1964.

This indicates unmistakably the Kennedy administration budget expenditures amount to $23.1 billion.

Now let us look at the budget deficits, by Kennedy administration years:

Fiscal 1961 estimate, originally $0.1 billion, after being Kennedized, became $3.8 billion.

The fiscal 1962 budget deficit was $6.4 billion.

The fiscal 1963 budget deficit was $6.2 billion.

The fiscal 1964 budget deficit estimate was $9.2 billion.

The fiscal 1965 budget deficit estimate is $10 billion.

Again the years 1964 and 1965 reflect the assumption of a January 1, 1964 tax cut.

The Secretary of the Treasury stated the administration budget for 1966 would be $3 billion more; at least $105 billion in his statement before the Tax Reduction Committee.

This makes it clear that as the new proposed tax rates become effective, we will only add to the deficit, and increase the public debt.

According to the gentleman from Michigan, Congressman VICTOR A. KNOX, a member of the House Ways and Means Committee who has served three decades in public office:

> Each dollar of tax reduction granted under existing fiscal conditions will add $1 to our public debt.

The gentleman from Michigan, Congressman KNOX, continued:

> In the three decades that I have been in public office, I have never thought the time would come when I would have misgivings over a tax reduction program urged by the Executive. I have misgivings over this proposal to provide tax reduction in the context of our existing fiscal posture because the administration seeks to finance the cost of the reduction out of substantially increased deficits rather than through Government economy. It is within the authority and the responsibility of the Congress to make tax reduction sound and feasible in 1963 by manifesting now its determination to enforce frugality in spending.

Can we afford to ignore this voice of experience? I think not. For further proof, let us consider what was determined by the Business Committee for Tax Reduction in 1963—a group fathered by the Treasury Department. It recognized the need for expenditure control. It predicated its support of tax reduction on "control of our current and future expenditures"—which it termed "vital". This committee further stated:

> This control is needed to restore the Nation's confidence in its own fiscal affairs, to reassure our foreign creditors, and to

> assist in solving our critical balance-of-payments problem.

Again, this same committee declared:

> A reduction in the 1964 budget is reasonable and practicable * * * there is no situation forseeable which would necessarily require the 1965 and 1966 budgets to increase over that proposed for 1964. We have had large, progressive increases in recent years, and there is no justification for a continuation of the upward trend.

Now let us look at our public debt problem:

First, we must realize that public debt is nonproductive, whereas private debt can be productive. The Kennedy administration seems to feel that our national fear of increased public debt is, according to the Chairman of its Council of Economic Advisers, Dr. Walter W. Heller, "a basic Puritan ethic." They feel this must be overcome by Kennedization—or education. Therefore, the Kennedy administration has been releasing propaganda germs from time to time relating our national debt to private debt—or to the gross national product—or to population.

Let me quote some facts, not propaganda:

Our national debt will have increased from a postwar low of $252.3 to $315.6 billion by June 30, 1964, and by at least another $10 billion each year thereafter, if we endorse policies of the Kennedy administration by enacting his tax cut-reform bill without amendment.

The interest charges, on the public debt alone, have doubled.

All puritans and nonpuritans should look at these figures—taken from the fiscal 1964 budget and prior budgets:

The public debt at the end of the year 1947 was $258.3 billion; annual interest, $5 billion.

The public debt at the end of the year 1948 was $252.3 billion; annual interest, $5.2 billion.

The public debt at the end of the year 1949 was $252.8 billion; annual interest, $5.4 billion.

The public debt at the end of the year 1950 was $257.4 billion; annual interest, $5.7 billion.

The public debt at the end of the year 1951 was $255.2 billion; annual interest, $5.6 billion.

The public debt at the end of the year 1952 was $259.1 billion; annual interest, $5.9 billion.

The public debt at the end of the year 1953 was $266.1 billion; annual interest, $6.5 billion.

The public debt at the end of the year 1954 was $271.3 billion; annual interest, $6.4 billion.

The public debt at the end of the year 1955 was $274.4 billion; annual interest, $6.4 billion.

The public debt at the end of the year 1956 was $272.8 billion; annual interest, $6.8 billion.

The public debt at the end of the year 1957 was $270.5 billion; annual interest, $7.2 billion.

The public debt at the end of the year 1958 was $276.3 billion; annual interest, $7.6 billion.

The public debt at the end of the year 1959 was $284.7 billion; annual interest, $7.6 billion.

The public debt at the end of the year 1960 was $286.3 billion; annual interest, $9.2 billion.

The public debt at the end of the year 1961 was $289.0 billion; annual interest, $9 billion.

The public debt at the end of the year 1962 was $298.2 billion; annual interest, $9.1 billion.

The public debt at the end of the year 1963 was $306.1 billion; annual interest, $9.9 billion.

The public debt at the end of the year 1964—estimated—was $315.6 billion; annual interest—estimated—$10 billion.

In testimony before the Joint Economic Committee in January, Dr. Arthur F. Burns, professor of economics at Columbia University, and a former Chairman of the Council of Economic Advisers, had this to say:

> I seriously doubt if we could have a protracted and substantial increase of the Federal debt without exposing our currency, and with it our economy and international political prestige to a very grave risk. * * * A series of large deficits in times when the economy is advancing may cause a revulsion of feeling and later paralyze the Government's ability to deal with a recession.

President Kennedy offers, as his fiscal policy, either a policy of planned deficits to be brought about through tax reduction or increased spending or a combination of both. The basic principle is that planned deficits are desirable, regardless of the current state of the economy, as a means of promoting future economic growth.

Now how do the Democrats, particularly members on the House Ways and Means Committee, feel about the President's demonstrated fiscal policy?

Obviously the majority recognized the need for taking some affirmative action to bring expenditures under control. Therefore they salved their puritan conscience somewhat by adding to the tax cut-reform bill a hope and prayer that any future revenue increases would first be used to eliminate the deficits in the administrative budgets and then to reduce the public debt.

To allay their fears and influence them to support his legislation, the President addressed a letter to the gentleman from Arkansas, Chairman WILBUR MILLS, dated August 19, 1963, stating that Federal expenditures will be limited "only to those which meet strict criteria of national need."

The President's determination of national need has been demonstrated time and again in his countless messages to Congress demanding Federal aid to education, medical care for the aged linked to social security payments, area redevelopment, increased foreign aid spending, mass transit programs, trips to the moon, increased unemployment insurance, research programs of various kinds, national service corps, urban affairs departments, and so on ad infinitum. Admittedly some of these programs have merit, but can they truly be called necessary at a time when our budget deficits have skyrocketed, and our national debt itself has almost reached the moon ahead of the explorers? Are they more important than fiscal responsibility and stability of our dollar? He has even given advance warning in his message on the tax cut and reform program the other night that he considers many more programs to be of the utmost importance.

The administration has indicated very clearly its future policy by its past history. Each time the President requested an increase in the national debt limit, his fiscal 1963 budget underwent revision. This is shown by table 4 for fiscal 1963, on page c. 17 of the House Ways and Means Committee Report No. 749, which accompanied the President's bill, H.R. 8363.

We find the Kennedy budget receipts for fiscal 1963 showed $93 billion.

The first revision time, May 24, 1962, showed it as $93 billion.

The second revision, which took place 1 week after the 1962 congressional elections, changed it to $85.9 billion.

The third revision, in the fiscal 1964 budget message, made it $85.5 billion.

But actual budget receipts of $86.4 billion indicated a change of $6.6 billion less than forecast.

On budget expenditures the 1963 Kennedy budget showed $92.5 billion.

This was revised first to $93 billion.

It was revised second to $93.7 billion.

The third revision brought it up to $94.3 billion.

Then the fourth revision listed kept it at $94.3 billion.

Annual budget expenditures proved to be $92.6 billion—an increase of $0.1 billion.

Now this applied to the public debt thus:

The fiscal 1963 Kennedy budget showed $295.2 billion as the public debt.

The first revision changed this to $294 billion.

Second revision, in midyear, made no change.

The third revision made it $303.5 billion.

The fourth revision made it $305.3 billion.

The actual public debt was $306.1 billion—meaning an increase of $10 billion, after Kennedization took place.

This is financial manipulation—on paper—and should reassure no one.

The President's letter to the committee also claimed a reduction in the estimated Federal deficit for fiscal 1963 of $2.6 billion. But let us examine what brought this reduction about; not Kennedy administration policies, but the following events:

First. The administration sold some $2 billion of disposable assets to realize an additional $1 billion in excess of the January 1963 budget forecast. This, incidentally, took place after the Ways and Means Committee, on Republican urging, refused to increase the debt limitation until the debt picture was improved.

Second. Tax revenues increased by an estimated $0.9 billion over earlier forecasts—but because of an improvement in the economy—not through Kennedy administration fiscal policies.

Third. A $46 million reduction in welfare claims took place—again because of the improvement in economy—and again, not attributable to Kennedy policies.

Fourth. The Defense Department collected about $340 million in advance for military equipment sold overseas in order to improve our unfavorable balance-of-payments. This was used to offset other expenditures, and there was no change in actual rate of spending.

Fifth. The accelerated public works program sponsored by the Kennedy administration was delayed because the States and local authorities were unable to initiate the programs as rapidly as the administration had expected, and this was merely an "involuntary" postponement of these expenditures.

President Kennedy also claimed that there is a decline in the rate of growth of civilian employment in the executive branch. But, he neglected to state that the contemplated new employees were not added as rapidly as the administration had planned; that employment in the executive branch was on June 30, 1963, still 5,000 above that of a year earlier, and that employment in the executive branch has increased by 137,000 during his administration. Further, that his fiscal 1964 budget shows the executive branch employment is estimated to increase by another 36,000.

On every occasion when there has been a cutback in spending, President Kennedy has very intemperately chided the Republicans and handful of Democrats for their action and urged reinstatement of the funds. This took place recently on the foreign aid authorization bill. It took place on increasing the appropriation for the Area Redevelopment Agency, which he insists on bringing before the Congress again very shortly.

In the face of these facts it should be clear that the administration not only has not, but will not change its attitude with respect to planned deficits. Unless Congress, by voting to support the Republican amendment on the tax cut-reform legislation, forces him to do so, the President will be juggling budget estimates of revenue and expenditures, and requesting increases in the debt limit or forcing a change in our monetary policy in order to save us from the catastrophe of spiralling inflation.

Anything else is pure wishful thinking and should not be indulged in by experienced, pragmatic legislators in lieu of an intelligent, statesmanlike approach which the constituents have a right to expect from their elected representatives. The American people who have been thrifty, who have bought insurance, who have savings or pensions, and all those on fixed income will be the first ones to suffer.

Let me quote from the German Tribune, of September 21, 1963, which contained an article entitled "Economic Growth by Inflation?—The Destruction of Modern and Age-Old Legend." Few will deny the ability and commonsense exhibited by the German Government in its financial dealings. The article had this to say:

> Even in the highly developed countries of the West, there are growth fanatics * * * who, with the fascination that can only be called spellbound madness, watch the annual growth rate of the national product with a panicking mind, and pretend that it amounts to a national disaster or an unforgivable sin of the government, or of whomsoever, if this growth should ever slow down for some time. * * * There is the highly dangerous plan, recommended by the supporters of the policy of growth at any price that the pump priming of economic growth should be made by means of an inflationary continuous permanent injection of the economy. * * * With every justification, it is true, most people regard inflation as something highly sinister, as a poison which makes economy and society disintegrate, as a fraud of a major style. * * * In many countries, and Europe included, there are many people who do not regard creeping devaluation of money as something bad. It is true that regularly they will not say so in public, but their behavior, their demands, their plans, their claims and many other statements they make, make it apparent that a mild inflation, so to speak, appears to them the Stone of the Magi. The entire national economy, they say, by such mild inflation is imbued with a kind of euphoric attitude and mood, and as there is full employment, or no substantial unemployment, entrepreneurs enjoy a greater volume of sales, employees have ever larger pay packets, and the government's revenue goes up continuously, to the rising tax incomes. At the same time, rises in costs and prices will cause entrepreneurs to engage in ever new expansion and rationalization investments, which is of great significance, as it is well known that investments are the strongest motor for the economic activity and economic growth in any country. All that sounds fairly grand, and these economists would wish for nothing better. If such views and ideas are circulating even in the highly developed industrial and economic countries, where there is rich experimental and theoretical knowledge and experience on the disastrous consequences of inflation, it is no wonder that particularly in the developing countries these wrong concepts about the essence of the effects of inflation should be so widespread.

The German Tribune article went on to state:

> We run the danger to be forced into the same situation very soon, in which the United States has been involved for many years, i.e., excessively high cost levels, lack of competitiveness, and, for these reasons, very slow growth, and, indeed, very little growth.

Mr. Chairman, I would like to point out something that I think will have a very familiar sound. J. M. Keynes and his followers have the theory that one need only expand the quantity of money to assure economic growth. His theory dates back to that of the mercantilists and their interpreter, banker, and money theoretician, John Law, who lived between 1671 and 1729. In his book, "Money and Trade," published in 1705, John Law said:

> National power and national riches—depend upon trade, and trade again depends on money. In order to be powerful and rich, as compared with other nations, we must have more money than they have; the best laws without money cannot employ people, cannot produce products, and cannot promote industry and trade.

John Law also said:

> As additional money will employ people, who were unemployed up to then, and as those who are already employed, can be used with greater benefit and produce greater output, the national product can be increased and industry can be promoted.

Now let us consider why John Law is not quoted as J. M. Keynes so continually is quoted. In 1715 he was given a concession by the French Government for a private bank of issue, with unfettered and uncontrolled issue of notes. He first caused a breathtaking boom—which broke down just as suddenly and threw the country into one of its most difficult economical and financial crises. Both Keynesianism and mercantilism holds the same employment theory; that augmentation of demand would also produce an increase in production. This theory, however, is only correct under the prerequisite of wages and costs not rising as a consequence of increased demand. While this might have been true at the time of mercantilism, it is not true today, unless we have an authoritarian government which can determine what working conditons are, which can fix the level of normal wages even in times of inflation. Otherwise the all-too-well-known vicious circle of wage-price spiral begins and accelerates and the hopes of achieving better employment and greater economic growth is soon defeated.

Although many feel we are on the brink of an authoritarian type of government, we have not as yet reached that edge. Do we want to take the final steps to this type of government by passing this tax reform bill without the statutory control of Government expenditures proposed by the Republicans? In other words, do we, as a nation, wish to sell our birthright of free enterprise and competitive economy for a mess of potage, via the tax cut reform legislation proposed by President Kennedy?

No one denies that in times of depression it may be right to adopt a policy of great public expenditure, of tax reductions, and cheap loans, to rouse and stimulate economic activity once again. This has become a very firm tool of modern economic policy that allows for cyclical development.

We are forced, however, to a realization that it is an illusion to believe that continuous economic growth and persistent prosperity can be achieved by a trick, that is, by a creeping devaluation of money. Those who live in terms of such hopes are subject to the same fraud and fallacy as the child who thinks that the conjurer could, indeed, produce an abundance of interesting articles from an empty tophat.

Continuous economic growth can only be achieved by work and by saving. Everything else is just a legend, a fairytale, a fraud, or a bluff.

We, as a Nation, have grown old enough not to believe in fairytales. The very legend of this country shows it was built upon a solid rock of work and saving. When we fell into the fairytale existence during the twenties of easy-money speculation, we found this to indeed be a fraud when we reaped the harvest of the depression of the thirties.

If we believe in the Kennedy administration fiscal policy fairytale—that we can spend more but tax less, and that this will promote a growth in our economy, we will find again that this was indeed a fraud and a bluff—built upon the discredited legend of the Keynesian-mercantilist economic theory.

I cannot believe the American public will be taken in. I hope the Congress will not be so taken. I think we should overwhelmingly call the bluff of President Kennedy and his economic theorists' and force them to accede to a statutory restraint upon future Government expenditures.

Mr. BROYHILL of North Carolina. Mr. Chairman, this bill today places the country at the crossroads. It leads to a path of fiscal experimentation marked only by high hopes and hazy reasoning. A tax revision and tax reduction bill such as this cannot be considered in a vacuum. It is related to Federal spending whether we like it or not.

Ever-increasing Federal spending has become a habit. In my opinion, we are seeing in the debate on this bill, the chance of taking the first step toward breaking a national addiction to this habit. The opportunity is here before us and it is starkly simple. If we want a tax cut, and there is not one American in his right mind who does not, we want it to be meaningful. We want it to be a genuine help to our economy and to lessen the burden the American people are carrying. However, if we cut taxes and mouth a few platitudes about economy that will be quickly forgotten, we will certainly be abdicating our responsibility to the American people. Now is the time to face up to the fact that a tax cut will mean little or nothing if we do not have careful spending controls at the Federal level.

I am convinced that many Americans are deeply concerned about this debate today. They are "living scared," as one constituent wrote me in opposition to the economic tinkering and irresponsibility he sees in Washington.

Another constituent stated the case as well as I think it will be put by anyone here today. He said:

> This tax cut bill makes me much more profligate. Now, I am Dr. Jekyll and Mr. Hyde at the same time. As an individual, I should have a high sense of duty, educate children, provide for the future progeny and hold in reserve some loose change for emergency—Dr. Jekyll. But I owe $1,000 of "store" credit and buy everything from a car to a toaster on "lease-purchase." As a U.S. national (Mr. Hyde) being one of 50 million heads of families, I owe, of U.S. direct debt, $6,000, and probably $15,000, including guaranteed debt, with no indication that I ever intend to pay. I would get a tax reduction of $200, and add to my debt $500. As individuals we must be rational but as U.S. nationals frenetic—mad as a March hare in September. As an individual with a high sense of duty, think of what you can do for your country—not what your country (you as a U.S. national) is doing to you.

When we recognize the Jekyll and Hyde game we are playing and the consequences of it, I think we will face up to our responsibilities. A lid on spending imposed today by the House would be one of the most hopeful signs of a return to sanity in Federal affairs that we have seen in a generation. Once the shock wore off, the gratitude of the American people, I am confident, would be resounding.

Mr. BENNETT of Florida. Mr. Chairman, I am convinced that a tax reduction for individual citizens and business is needed for a more healthy economy and for more adequate business and job opportunities. It is certain that taxes on business today are a great deterrent to business expansion and that they stifle consumption by individuals in lower income brackets.

The Department of the Treasury, many prominent economists, and the House Ways and Means Committee believe that this tax bill for 1963, through reduced rates applied to a more prosperous economy, would actually yield increased total receipts to the Treasury. Although such complicated finances are not in my personal experience it is certain that Congress and the President can hold down the cost of Government.

The President has the tools for keeping economy in Government, through the veto, withholding money from projects, and his control over the Bureau of the Budget. Congress has great power to cut back expenditures as it must make all appropriations.

We have the choice of meeting the challenge for fuller employment and better business by stimulating free enterprise, or by increasing greater centralized government by spending more Federal money. As the Ways and Means Committee pointed out, we should not undertake both tasks at the same time. It seems better to me to stimulate the economy by reducing personal and corporate taxes rather than by massive Federal spending programs.

As one Member of Congress I plan to do my best to hold down expenditures. Already this session I have voted against about $15 billion in spending. For the remainder of 1963, I am presently of the opinion for fiscal, if no other reasons, that I should vote against expensive programs such as the Area Redevelopment Administration, foreign aid, the farm program, Domestic Peace Corps, and the National Service Corps.

This is not a simple problem to solve but, on balance, I think we should try it. Our 1954 tax reduction did pay itself out by increased prosperity. And it has worked in several foreign countries in recent years. But our biggest challenge is to cut Government spending. I plan to do my part.

Mr. WHARTON. Mr. Chairman, popular issues come and go and I have studied the work of our Ways and Means Committee for some time and with considerable interest in connection with the pending tax bill. Recently a great debate raged over conflict of interest among our Members. Ironically, we now have the granddaddy of all conflicts before us, for the simple reason that each and every Member of Congress happens to be a substantial taxpayer and has a vital and personal interest in the outcome of the proposed legislation. Were matters otherwise, our democracy would indeed be in a bad way.

Now we find another and a comparatively simple national issue presented to us today, but it is not that of simply cutting taxes. A tax reduction in itself would surely have the unanimous support of each and every Member present in this Chamber today. The real issue before us, thanks to our profligate spenders, is whether we shall take this step toward increasing the national debt, already in excess of $305 billion, by at least $11 billion annually. Indeed, from the country's unsavory spending habits of recent years, a better estimate of the logical increase might well be $20 billion each year, with continued inflation and skyrocketing consumer prices a certainty. This, I find, the majority of my constituents do not want in spite of the bait, the carrot of a tax cut, that is being dangled before them.

Now I understand that a choice is to be presented to us in the form of a motion to recommit the bill and I want my position to be crystal clear and unequivocal. No. 1—an ironclad amendment must be added to the bill putting a ceiling on governmental spending and wasteful and nonsensical programs such as come to our attention every day. Secondly, and with this welcome restriction, I am sure that my constituents will gladly overlook my conflicting interests and await with great expectancy, the long-promised forward movement of our young administration. And I might add parenthetically that I, for one, am prepared to stay right here until Christmas or longer, to protect my strong convictions as expressed by the wasteful spending amendment.

I am confident that we have many responsible Members on both sides of the aisle who will respond in similar vein to this unmistakable mandate from the people back home.

Mr. McLOSKEY. Mr. Chairman, failure to place a limit on mounting Federal expenditures leaves me no alternative but to oppose H.R. 8363. I submit to you that without these limitations we are giving to the American taxpayers a "pig-in-a-poke."

Federal expenditures have risen from estimates of $78.9 billion for fiscal 1961 to an estimated $102 billion for the next fiscal year, and, the national debt has risen over the same period from $289 billion to close to $315 billion by next June 30. This means an additional billion dollar interest payment on the debt each year alone.

I further submit to you that I personally feel our taxpayers will be sadly misled if they feel passage of this bill will mean a tangible increase in take-home pay.

Let us all remember that social security tax will rise automatically next January. From figures I have been able to obtain there also are signs which indicate local and State taxes will rise at record rates. Taking all of this into account the average taxpayer will receive only a mere pittance in additional take-home pay.

I should also like to remind my colleagues that during the 8 hours of debate on this tax bill, our Government, your Government and mine, has gone further into debt at the rate of $17,000 per minute or over $8 million while we discuss the pros and cons of this measure.

My objection to this bill I believe is sound, and while I admit all of us need relief from high and complicated tax legislation, I honestly and sincerely believe we need relief from Government expenditure and debt even more.

In conclusion I say this bill does not give adequate relief. It does not simplify the overall tax picture.

Neither does it pledge cuts in ever-increasing Federal spending. If we are to have a tax cut which will really have any real meaning to our taxpayers we also must cut Federal spending.

Until I have proof that the President and this Congress take positive steps to really assure me this will happen, then I feel in good conscience I must oppose this measure.

Mr. MURPHY of New York. Mr. Chairman, I rise in support of the bill. The stated purpose of the Revenue Act of 1963 is to remove from the private sector of the American economy its present high-tax straitjacket; that is, to lessen restraints which prevent the American free enterprise system from itself generating necessary growth. A purpose of this bill also is to improve the equity of the tax laws; that is, to remove features of the tax code which generally are considered to be unfair and to revise others to remove inequities. Thus, it is intended that the influence of tax provisions on business decisions be minimized.

In essence the Congress is modernizing our revenue laws to keep pace with the dynamic influences in our great democracy. A study of employment statistics shows a national total of 52,904,000 jobs in 1957 and 55,325,000 in 1962, a rise of 2.4 million. Of this increase, 1.6 million was in government employment, and almost all of the increase in government jobs was accounted for by a 1.4 million rise in State and local government jobs. In other words, two-thirds of the growth in jobs in the economy from 1957 to 1962 has been growth in government jobs, and almost all of this has been a 60 percent growth in State and local government jobs.

Just where are we heading if we fail to enact corrective legislation to meet these glaring conditions?

Labor charges that automation is reducing job opportunities open to American workers. And yet until the enactment of last year's Revenue Act in which the investment credit provisions, coupled with liberalized depreciation, spurred the economy to such an extent that 42 percent of the new plant equipment expenditures was directly attributable to the allowances provided in the legislation. Formerly business was reluctant to retool, expand, and to update its plant equipment, to provide more work opportunity for Americans mainly because it just did not have the money left after costs and taxes.

Our Secretary of Commerce graphically illustrated this in his statistical report showing that Japan, West Germany, and the Soviet Union were outstripping us in terms of modern equipment.

Last year's act, however, was a stimulant to business, whereas this year's act gets to the base of our economy and provides increases in consumer purchasing power as well as assistance to business. The above statement emphasizes that State and local governments were supporting the employment market by creating the marginal number of jobs to keep unemployment as low as it has been in the recent past. In essence, the private sector is not keeping pace with the growth of the country, hence a solution must be forthcoming and I strongly feel that this act, the act which does not utilize the often used and often unsuccessful pump-priming technique, is the answer.

Yesterday my eminent colleague from New York, and a member of the committee, stated, and I want to reemphasize his considered opinions, that:

> Legislation involves the "art of the possible." In every instance where major proposals, such as the momentous one pending before us today, have been presented to this Congress by a standing committee of the House there is obviously and necessarily involved a considerable degree of concession on all sides. It is rare, rare, that any member of a standing committee having jurisdiction of as vital and sensitive a subject as our committee has, can come before the Committee of the Whole and say to its Members that "with every provision of this bill I am in complete mental agreement." The nature of our legislative process is such that decisions must be made in order that legislation might move forward. This is as it should be, and this, Mr. Chairman, is the representative way. So it is today with this most comprehensive and most important piece of legislation now pending before the committee.

I concur most emphatically with his venerable and sage judgment and might add here that if every law proposed before this House satisfied every segment and point of view represented herein, no legislation would ever pass.

The charge stated on the floor yesterday that big business is the major recipient of aid under this act is easily refuted by the committee in an examination of its analysis of the revenue impact of the legislation. In effect:

> This bill over a 2-year period is expected to reduce revenues by $11.1 billion of which $2.2 billion goes to corporations and $8.9 billion to individuals.

This simple statement certainly is testimony to the fact that this bill not only has a head but a heart. The purpose is definitely to increase consumer purchasing as well as business expansion. There are structural changes as well as rate changes to update our regulations.

The assistance to the aged taxpayer by permitting him to exclude from the tax base the gain on up to $20,000 of the sales price on a personal residence certainly is a necessary recognition of the loss in earning power after the age of 65.

The child care expense deduction increase recognizes the problems facing many of our present-day families with working mothers.

The revision of the administration's charitable contributions deductions provides a commonsense approach which will not hurt our many institutions and charities who are dependent on this income as a major source of financing their necessary work.

A little known fact this year, but strongly stressed last year was the fact that 30 million Americans are on the move yearly and there are provisions made for deducting certain moving expenses and transportation of household goods.

Our thrifty, frugal, and often forgotten investors and stockholders are recognized and their interests appreciated by the reduction of the capital gains so that 40 percent of the gain will be included in the tax base for assets held more than 2 years, rather than 50 percent and that the alternative rate of tax on this will be 21 rather than 25 percent.

I want to applaud the committee for its long deliberations and careful analysis of every part of this act. The 9 months of hearings were well spent and provided us with the means to meet the changing conditions of America. We must broaden our industrial base and we must increase our consumer purchasing power. This act will certainly be the "critical stone and the bedrock upon which we will erect an economic superstructure that will do justice and credit to this Congress."

I urge, therefore, Mr. Chairman, that the committee unanimously support this bill.

Mr. WATSON. Mr. Chairman, as the great majority of our citizens, I strongly favor a tax cut; however, my concern for fiscal responsibility and a curtailment of Federal expenditures is equally great and, in the absence of more firm assurances than those currently in this tax reform and reduction bill that spending will be reduced, I shall not be able to vote for its passage.

This is a difficult decision to make because I realize all to well that income taxes are entirely too high; but at the same time we must recognize that this condition is attributable in large measure to the uncontrolled and reckless spending programs of our Government. There is little question but that a tax cut would provide a stimulus not only to our economy but also to the morale of our people. Too long have they been struggling under an oppressive tax load, not the smallest part of which is the confiscatory income tax, and they are entitled to a reduction.

Nevertheless, it is difficult, if not impossible, for me to anticipate how this Nation can ever hope to make any headway toward a reduction of our gigantic, ever-increasing national debt and achieve a balanced budget unless this tax reducing measure includes a provision for curtailment in spending.

For some to say that the proposed amendment designed to achieve the desired goal of reduction in expenditures is imperfect is to evade the issue. I daresay that this Congress, regardless of its wisdom, has never enacted a so-called perfect piece of legislation; but I believe that the strong opposition to this provision eloquently attests to the fact that it would be of substantial benefit in putting a bridle on those who champion irresponsible spending. It would be a dereliction of our responsibility not to make the effort regardless of the imperfections of this provision.

Unfortunately the rule under which the House is considering this tax bill provides for only one amendment for there are, no doubt, others as I who would like to have the opportunity to propose amendments to section 2, or the tax reform section of this bill, which, if enacted, will result in an approximate $900 million additional tax burden on our people. Nevertheless, the closed rule has been adopted by the Congress over my objection, and if we are to act responsibly there is no alternative but to accept the provision making the tax reduction contingent upon a revised administrative budget estimate of $97 billion for fiscal 1964 and a budget estimate not in excess of $98 billion for fiscal 1965.

I share the feeling of so many of my colleagues regardless of party affiliation, for this is and should not be a partisan matter, that the inclusion of limitations on original spending estimates will serve as a strong deterrent to unjustified increases in Federal spending. A tax cut accompanied by a tight rein on expenditures would more adequately solve the problems of Federal deficits, unemployment, and the serious drain upon our gold reserve.

Mr. Chairman, it should be further noted that the gentleman from Virginia, the distinguished chairman of our Rules Committee, has stated that the expenditure measures already passed by this Congress and those now pending before his committee for new or expanded programs would total more than $3 billion in new spending for the current fiscal year. Additionally, a 5-year projection of these new and expanded programs would amount to approximately $17 billion.

Accordingly, it is impossible for me to reconcile the contention of those in authority that they want to keep spending at an absolute minimum when there has been no lessening of pressure for the passage of these pending measures. In fact, we should recall that there was severe criticism of this body by the President for the recent cut in the foreign aid authorization. Also, the President, in a recent address to some 400 business executives, urged them to "join with me in seeking to reverse these disastrous cuts."

This to me represents the height of inconsistency. How can we on the one hand continue to spend and spend while on the other hand we reduce our sources of revenue? Admittedly, there are those who profess to believe that such a course of action assures an even greater ultimate return, but to me it represents fiscal irresponsibility of the highest order. A tax cut alone, in my opinion, cannot stimulate the economy sufficiently to offset resulting revenue losses at a time when a balanced budget is desperately needed if not absolutely essential to our economic survival.

It is true that promises have been made by those in positions of great authority that all but essential expenditures will be curtailed, but I submit that if this expressed intention is genuine it has not been accompanied by a lessening of pressure or support for many new spending programs or the expansion of old ones. Words of promise are shallow and must indeed be taken lightly when actions are so inconsistent with stated objectives.

Mr. Chairman, let me repeat that I am in favor of a reduction in both personal and corporate taxes. This has been long overdue, but in supporting the move to restrict simultaneous expenditures I am acting in what I believe to be the best interest of our Nation and upholding my pledge to the constituents of my district to fight for a return to a sound and sane fiscal policy. To do otherwise would be inconsistent with my previously expressed demands and votes for an end to excessive spending.

Let me make it explicitly clear that I have the highest regard for the gentleman from Arkansas, Chairman MILLS, and his committee in their promise to take a hard look at expenditures, but I likewise strongly believe that the Congress should specifically set out in this bill such a provision. Therefore, I strongly urge the inclusion of these specific safeguards in this measure.

Mr. ULLMAN. Mr. Chairman, I strongly support the tax bill before us today, but wish to express my concern over provisions relating to regulated utilities with respect to the investment tax credit enacted last year.

My colleagues on the committee will recall that last year I opposed extending the investment credit to regulated utilities. As I said then, since utilities are regulated monopolies, with guaranteed rates of return and with a responsibility to provide all the investment needed to meet demand, there is no valid reason for offering them a tax incentive to do what they are required to do anyway.

Despite the clear economic facts, utilities were given the investment tax credit last year. The justification for an investment credit is that it actually stimulates plant expansion and other capital investment, which would not otherwise be done. The facts already demonstrate that the investment credit has not and will not induce new capital spending by utilities.

The June 1963 issue of "Survey of Current Business," published by the Department of Commerce, discussed the subject of new plant and equipment expenditures and contained some illuminating facts:

All but one industrial classification listed showed an increase in capital spending in 1962 and 1961. The one exception was public utilities, which actually showed a slight decrease.

Critics might contend that the investment credit is too new, that it is too soon to determine if utilities will actually be stimulated to increase their capital spending as a result of the investment credit. To this, let me point to the "Survey of Current Business" article which states "public utilities' plans for 1963 indicate little change from either 1961 or 1962."

The article added, concerning electric utilities:

> A rising trend throughout the year is projected but at a rather moderate rate. The total for the year (1963), as now planned, would fall substantially short of the 1957–58 records.
>
> Gas utilities' outlays—

The article continued:

> are expected to dip below not only last year but also all other years since 1956.

I also want to point out that the Edison Electric Institute, the trade association of private electric utilities, has reported that capital spending by privately owned electric utilities totaled $3,154 million in 1962—a decrease of 3.1 percent from the 1961 level of capital spending.

It therefore seems clear that the investment tax credit is not a stimulant to new capital spending by public utilities. It appears obvious that utility requirements predicated on consumer demand, will continue to determine when and how much utilities invest in new plant and equipment, regardless of plant structure.

The investment credit thus becomes nothing more than a subsidy for utilities. I am hopeful that Congress might take a new look at this aspect of the investment credit.

Mr. BARRY. Mr. Chairman, today we are being asked to approve a tax cutting bill that can help America grow. As one who has had an interest for many years and whose preoccupation in former years was in the field of tax policy, I believe tax reductions are necessary to encourage businessmen to invest more in expansion.

There is no doubt that a tax cut at this time would encourage the public to buy more of our Nation's goods.

It cannot be denied that the Federal budget must be reduced. Our great-grandchildren must not be saddled with unmanageable debts.

Our Nation's economy is suffering from high tax rates imposed under the stress of war. Like the temporary buildings blighting this city, wartime taxes have tended to become permanent.

The President has promised to reduce unnecessary spending, if the Congress approves this tax-cutting bill. Let us pass the bill and then enlist his help to reduce spending. Each time an appropriation bill comes before the House, we will have an excellent opportunity to help achieve this noble aim.

Congress and the President working together should be able to provide economy in Government.

Here we have an opportunity to put increased purchasing power where it belongs—in the hands of the people. This is an opportunity to unleash the dynamics of our great free enterprise system.

On September 23, 1963, the president of the National Association of Manufacturers wrote to our distinguished colleague the gentleman from Wisconsin [Mr. BYRNES]. He pointed out that tax cuts are just as much needed as increased fiscal responsibility at all levels of Government. A copy of this letter follows:

NATIONAL ASSOCIATION OF
MANUFACTURERS,
New York, N.Y., September 23, 1963.

The Honorable JOHN W. BYRNES,
The House of Representatives,
Washington, D.C.

DEAR MR. BYRNES: We strongly support your efforts to develop a greater sense of fiscal responsibility in our Government through control of Federal expenditures.

As you know, for several years our organization has been urging Congress to provide sound tax rate reform to lessen the burden on the Nation's economy and facilitate a more rapid rate of economic growth. An improved economic level is essential to insure employment of all citizens willing and able to work.

We have been equally vocal in calling for fiscal responsibility in Government and consider this no less important than tax rate reform.

Therefore we support in principle your efforts to tie a requirement for expenditure control to the introduction of tax reduction. However, this Nation badly needs a tax rate reduction at this time and failure to achieve it could have tragic consequences. At the same time we are in equal need of strong Federal expenditure control to protect our fiscal position.

Therefore if you call for enactment of legislation that will give the Nation a tax rate reduction only if fiscal responsibility is demonstrated by standards to be met, we ask that you urge the many Congressmen of both parties who will follow your lead to adopt a firm commitment to the American voter that you will exercise your congressional powers and not approve a 1965 budget that exceeds the standards you have set and limit expenditures in 1964 likewise through your powers of appropriation.

The power to control the purse strings of the Federal Government is vested in the Congress and we applaud your efforts to urge that Congress exercise that power.

Sincerely,

W. P. GULLANDER,
President,

The present tax bill is woefully limited and lacking in many respects. The exclusion of the 4-percent dividend credit in the present bill is a serious omission and the reduction to middle incomes is nowhere near what an equitable tax policy would require.

The tax bill should be recommitted to the Committee on Ways and Means for a more equitable tax bill. Since this is not now possible under the rule the next best partial solution would be to vote for recommittal with instructions that require the President to exercise fiscal responsibility in submitting his budget to the Congress.

However, notwithstanding the outcome of the recommittal vote, the great overriding issue today is that a tax reduction points in the direction of less government and more economic freedom for the individual and the free enterprise system.

The tax reduction bill should be passed.

Mr. HARVEY of Indiana. Mr. Chairman, the House today must decide an important question; namely, whether it is willing to face up to a policy of fiscal soundness for our Federal Government or whether we are going to continue down the road to bankruptcy. It is that simple.

The proposed tax reduction would certainly be a most welcome one to about all of our taxpayers who have been overburdened for many years. But such a tax reduction, as it is proposed without the amendment which will be offered as a recommittal motion, will be passing on the inevitable deficit we will create for our own children and grandchildren. The purpose of this amendment is to pledge to our own citizens that we will hold expenditures in line with the expected reduction in revenues.

Therefore, if this motion should not carry, I must vote against the bill itself.

Mr. LANGEN. Mr. Chairman, a reduction in tax rates should have reasonable prospects of becoming permanent. But I have grave doubts as to how permanent the reductions contained in the bill before us would actually be unless there is an abrupt change in thinking in both the administration and the Congress relative to spending. The object of the bill is one of reducing the tax rates in order that we might stimulate the economy by a lesser tax burden. But this can never become permanent unless we reduce spending. None of us wants to return here and raise the tax rates again at a later date, which would be an injustice to the citizens of this country. Therefore, we must weigh carefully the consequences of our actions today. We must be assured that a reduction in spending becomes an integral part of our thinking.

I have said on many occasions throughout the years that our steeply progressive tax rates are burdensome and that many inequities exist in our tax system. I also have said in the past and say again today that I want a tax cut as badly as the next citizen of this country. But if such a cut is to bring about constructive results for our people, the overall spending policy of the Government must be brought in line to justify such reductions. But all of the indications during the past several years have convinced me that we are pursuing a policy of expanding Government spending to the point of where it is difficult to understand how a tax cut could possibly be accomplished.

As our colleague from Wisconsin [Mr. BYRNES] so aptly put it, the bill represents a radical departure from accepted fiscal practices. It is the first time an administration has advocated borrowing money from the people in order to give it back in the form of a tax cut. And as our colleague so ably pointed out yesterday, there is serious doubt that we can long continue to find an adequate source of money from which to borrow.

I simply cannot understand or subscribe to the theory that planned deficits of large proportions will bring about a permanent increase in economic growth. Such a theory ignores the risks involved if the predictions fail to materialize. We must consider carefully the consequences of such a failure; inflation at home, collapse of the dollar abroad, and an eventual overall economic collapse.

I should agree that a tax cut is personally desirable, but we and all of the people of this Nation ought to concern ourselves with how reductions in Government spending might be accomplished so that a tax cut could be justified.

This tax bill proposes to reduce taxes by more than $11 billion, at a time when we are already facing an annual deficit of $9 billion in our Federal budget. According to testimony before the Ways and Means Committee by the Secretary of the Treasury, the administration plans increases in expenditures of at least $3 billion and more likely $5 billion per year for each of the immediate years ahead.

I have noted with pleasure the expressed desire that we favor a reduced tax burden so that the private sector might flourish and prosper and so generate our economy and job opportunities. It has also been said that we might have less Government control and regulation. This very desirable objective cannot be accomplished by tax reduction alone; it can only be done by limited Government spending and less Government programs. Is there anyone in this House who believes that we can achieve this goal if the House will not even declare itself to the extent of limiting the expenditures to an increase of $4.5 billion over last year's expenditures. We have an opportunity today to declare our intention to be sincere in providing a reduced Government burden to individuals and business enterprises throughout the Nation.

It is a bit surprising to hear the arguments in favor of a tax cut without a curb on spending, when just a bit over 3 months ago we listened to arguments in favor of increasing taxes. I am referring to the yearly extension of excise taxes, passed in this House on June 13. What we did that day was to increase taxes that are paid by the consumers of this country, the very people we say we are trying to help today with a tax cut. We raised corporate taxes from 47 to 52 percent, which I noted then was a strange action for an administration and a Congress that wanted to help stimulate the economy. We increased taxes on automobiles from 7 to 10 percent. We put a 10-percent tax on telephones.

The excise taxes we enacted in June would have helped the lowest income group, a group that is not even affected by the tax-cut bill before us today because the lowest income group does not pay income taxes.

We raised taxes in June, you want us to reduce taxes in September, and we are still waiting for the needed tax reforms that should have been a part of any tax legislation to be considered.

Now, I am not so naive as to say the tax-cut bill before us would not reduce taxes for a good segment of the population. But I certainly believe the benefits to be received by an individual taxpayer have been pictured way out of proportion. The President spoke of the average family of four with an income from wages of $8,000 a year. He said this family would have money to spend on such items as a new dishwasher, or a new spring wardrobe, a washing machine, or a longer vacation trip, or the downpayment on a new house. He said it might enable them to pay installments on a new automobile.

It is apparent the President never lived on an annual income of $8,000 and never bought a car on the installment plan. The fact is that his typical family with $8,000 a year income will find a tax cut under this bill of about $4 a week, part of which will be further reduced by an increase in social security taxes and probably by an increase in his State income taxes. You cannot even pay for the insurance on that car with what is left, much less pay the installments. We are leading the American wage earner into expecting something he simply is not going to get.

In addition, certain "revenue raising" provisions of the bill will result in additional reductions in the amount a taxpayer gets to keep from the tax cut. Those taxpayers who itemize deductions on their Federal income tax rather than claim the standard 10-percent deduction, will no longer be allowed to deduct specific State and local taxes such as gasoline, auto license fees, and operators' permits.

Much of the so-called tax cut actually is not a cut at all, or even a reduction, but is merely a redistribution of tax moneys. Certainly our States can use and will welcome additional revenues with which to perform many of the functions that are in their domain, relieving the Federal Government from further participation in local affairs. But let us at least admit what we are doing and not fool the American taxpayer into believing that a bonanza is on its way.

Before enacting the bill before us today, we must seriously attempt to answer some of the questions that automatically come to mind when we are asked to subscribe to a theory of stimulating the economy through a combination of tax rate reduction and continuing high rates of Federal spending. Would an inflationary spiral be triggered so that tax reductions would be eaten by price increases? What would the financial position of the country be if the increases in revenues fail to materialize? What effect would this have on the value of the dollar and the continuing outflow of our gold? Do we need to guard against the possibility that the modest savings we pass on to individual taxpayers today become burdens to future generations through the cost of increased deficits plus interest?

Mr. Chairman, there is only one way in which we can offer assurances to future generations, and that is to make sure that our expenditures are in balance with the potential tax revenues. Without such assurance, we are taking a very grave risk indeed.

Mr. KING of California. Mr. Chairman, both before and since President Kennedy spoke to the Nation on television the other evening about the urgent need for a tax cut, we have heard a great deal about Government spending. Much of this talk has maintained that the administration of President Kennedy has spent more than was necessary, or failed to exercise proper expenditure control.

I think all of us here know that, while Congress has the major say on spending, a great deal depends on the President and the administration. There is no question about that.

I think we all realize too that any responsible consideration of this matter, even in the heat of partisan debate, should be based on facts. We have heard far too few facts in the last few days. For that reason I would like to take a few minutes to talk about spending. I will not talk in slogans, I will simply state facts. Here they are:

First, this is a growing Nation, and as such we can expect that the budget will grow too. President Roosevelt outspent President Hoover, President Truman outspent President Roosevelt, President Eisenhower outspent President Truman. President Eisenhower himself commented in his budget message for fiscal 1960, and I quote:

> Inescapable demands resulting from new technology and the growth of our Nation, and new requirements resulting from the changing nature of our society, will generate Federal expenditures in future years. * * * We must not forget that a rapidly growing population creates virtually automatic increases in many Federal responsibilities.

And on December 1, 1959, President Eisenhower's Budget Director Maurice Stans, was even more specific. Let me quote his words at that time.

> Even if the next session of the Congress doesn't add any new programs, the level of Federal spending is going to be up. The reason is that there are builtin increases in existing programs which are now producing a continuing up-curve in expenditures. The catalog of builtin increases cover such programs as outer space, civil aviation, merchant shipping, urban renewal, science education, medical research, public assistance, loans to underdeveloped countries, and veterans' pensions. Interest on the public debt will run higher, and the farm program will cost more and more until we get realistic legislation. Defense technology is putting increasing pressure on expenditures. Now, for 1961 alone, these builtin increases amount to between $2 and $2½ billion.

That is the background against what any program of expenditure control must be considered—that the budget increases from year to year whether Democrats or Republicans are in office. The budget grows because the country grows.

The first fact I would like to draw your attention to is that while our population has increased, Federal employment during the present administration has been held to a minimum.

Only yesterday President Kennedy, at his Cabinet meeting, in ordering further efforts to limit increases in Federal employment, noted that in the year ended June 30, Federal employment grew by only 5,600. Had it increased at the same rate as population it would have increased about 40,000 and if it had increased at the same rate as employment in State and local governments it would have grown by 100,000, but in fact it grew by only 5,600. At that meeting he ordered Budget Director Gordon to take the lead in developing what he called "new and tighter employment targets" for the current fiscal year—targets which will require even more efficient utilization of existing manpower.

During the last 2 years, increases in Federal employment have averaged less than 2 percent a year, compared to recent annual increases in the State and local level of about 5 percent. This was done in the face of a population growth which will add 10 million people to the population of the United States between the time that President Kennedy took office and the end of the current fiscal year.

This is in keeping with his pledge to keep Federal employment within prudent limits as an accompaniment to tax reduction. As he said earlier this year, if his tax program is enacted, and again I quote:

> Any necessary increases in Federal employment will be kept proportionately lower than the increase in the Nation's population, the increase in State and local government employment and—through efficiencies in management and operation—the increase in the Federal workload required to serve the Nation.

The second fact I would like to call to your attention is that President Kennedy, in his first 3 years, has actually done more to hold down spending than President Eisenhower did in the 3 preceding years.

When you leave out spending for space, defense, and interest, budget expenditures for all three Kennedy budgets will increase by only $4½ billion—half a billion dollars less than the increase for the last 3 Eisenhower years.

The third fact I want to point to is that in preparing the 1964 budget, requests for new obligational authority of civilian agencies alone were cut by $6 billion, and further cuts have been recommended since the budget was submitted. In fact, apart from defense, space, and interest on the public debt, President Kennedy actually proposed an overall reduction in expenditures, something attempted in only 3 out of the last 15 years, at a time when State and local government expenditures have been increasing at about 7 percent a year.

The fourth fact I want to point to is that this record of expenditure control reflects persistent efforts to hold costs down. This is particularly evident in the Defense Department, which accounts for well over half of all Federal spending. Secretary McNamara, at President Kennedy's direction, has instituted a highly successful program of cost reduction in the Department of Defense. This formal program, which is now 1 year old, is intended to produce substantial savings in both procurement and management. Secretary McNamara has already indicated that in the first year alone actions were taken which resulted in savings of more than a billion dollars, and further actions will eventually bring estimated annual savings to $4 billion. These savings have not, and will not, be achieved at the cost of national security, nor are they vague estimates of future economies. The costs of necessary advances in defense programs in future years will be offset by these programs as they materialize.

This program of expenditure control was carried out despite increasing demands in the defense area. For instance, we have all heard a great deal lately about the nearly $10 billion reduction in spending between fiscal 1953 and fiscal 1955—$9.7 billion, to be more accurate. In none of these references has it ever been hinted that this entire saving resulted from the reduction in national defense programs at the end of the Korean war.

President Kennedy, on the other hand, did not have the opportunity to make a $10 billion cut in defense. Quite the contrary. One of the first moves of his administration was to increase our military capability. This increase stood us in good stead during the Berlin crisis of 1961 and again in the Cuban crisis of last fall. It was, however, expensive in that it raised—not reduced—our annual defense budget by some $10 billion.

To speak intelligently of expenditure control requires a better understanding of what the phrase means than has been shown in the arguments over expenditure control. Expenditure control means exactly what it says—control over expenditures exercised through use of priorities, through efforts to increase efficiency, through elimination of waste, and through other measures which have proved productive or which show promise of results. Expenditure control consists in determining, on the basis of the best information available, which Government activities are necessary and then through the use of the best techniques available, getting the most for the money which has to be spent. It is an exercise in responsible government in which all the interests of the public, both short and long term, are balanced against one another as decisions are formulated.

There is nothing in the term "expenditure control" which implies hacking a slice of a given size out of the budget or sealing the budget off at a certain arbitrary level. Yet this is the approach to the budget which the proponents of this amendment are taking—they would "slash" the budget even before they know what it will be.

These advocates overlook the fifth fact I want to mention, which is simply, as the gentleman from Arkansas, Chairman **Mills**, pointed out in a statement which President Kennedy publicly subscribed to, that the tax cut route is being put forward as an alternative to increased spending. Further, this alternative is proposed within the framework of an excellent beginning in expenditure control and the firm promise of the President to press even harder on this program as a logical accompaniment to tax reduction.

The gentleman from Arkansas, Chairman **Mills**, emphasized that tax reduction is far superior to increased Federal expenditures as a means of stimulating the economy because it increased the role of the private sector of our economy rather than increasing the role of the Federal Government. I think the nature of this choice is one that those who favor amending this bill should consider carefully.

As President Kennedy told the Business Committee for Tax Reduction earlier this month, and I quote:

> If this program isn't successful, then other means must be suggested. And it seems to me that those who are interested in the development of the private economy, those who are interested in a responsible growth of our economy, those who are interested in containing our balance-of-payment problem, those who are interested in preventing another recession, should favor this bill this year.
>
> The fact of the matter is, and you are also familiar with this, in 1958 it was expected when the budget was sent up that there would be a half billion dollars surplus, and yet we ended up that year, as you remember, with a $12.5 billion deficit. The reason was the 1958 recession. Now, do we have to have another recession to prove this lesson to us and to learn it the hard way?

This brings me to my sixth and final fact—that expenditure control is a joint product of Executive proposals and congressional appropriations. Those two are much more likely to reflect effective expenditure control at a time when the private economy is expanding rapidly and providing more jobs than at a time when unemployment is high or increasing. I could put this even more bluntly, by pointing out that during this postwar period we have had a recession beginning, on an average, every 42 months, and in November 42 months will have elapsed since the beginning of the last recession. Statistically, you might say, we are now living on borrowed time.

There is at present no indication that a recession is imminent. There may be some difference of opinion as to whether some of the economic indicators are holding firm, but the general mood of the Nation is one of confidence. Nevertheless, the tax bill offers us a very important sort of recession insurance. Like any kind of insurance, it would not prevent an unwelcome event from happening. But it could provide the same kind of assistance as the tax reduction of 1948 and 1954 in softening the blow and speeding the recovery. As the President pointed out a few days ago, it is not an expression of wisdom to delay the acquisition of insurance until the unwelcome event occurs.

Permit me to quote at this point the Under Secretary of the Treasury, Henry H. Fowler, who said of the relationship of the tax bill and a possible future recession last week:

> If employment and output are already below par before a recession begins, even a moderate downturn can carry us to lower levels of economic activity than would otherwise be likely. If, for example, right now we went into a downturn of the proportions of 1957–58, it has been estimated that unemployment could increase to something like 8 percent of the labor force, and the gap between actual and potential output could widen from $30 billion to something like $60 billion.
>
> Furthermore, it is quite possible that the tax bill could actually avert a recession which otherwise might occur. It is generally accepted that the effectiveness of antirecession measures depends a great deal upon how soon they are brought into play. It certainly stands to reason that the most effective time of all is before the recession begins. I think without question that the expectation of broad tax reduction has already played some part in the economic advance of 1963. Correspondingly, of course, any delay or postponement or threat to dilute or truncate the tax program could be expected to have a dampening effect on public confidence. * * * The tax bill is the best possible measure we could adopt to minimize the possibility that a recession will occur in the near future or to lessen the harmful effects of such a recession if one did occur.

Mr. Chairman, I would now like to discuss the dividend credit and exclusion.

A. EFFECT OF TAX BILL PROVISIONS ON DIVIDEND RECIPIENTS

First. Two-thirds of all dividend recipients would be the same or better off because of the additional dividend exclusion under the House bill.

Present law permits the exclusion of the first $50 of dividends—$100 for married couples. One-third of all returns with dividends now exclude all of their dividend income. Of the 7 million tax returns with dividends in 1963, 2.4 million excluded dividends from income entirely.

The House bill would double the exclusion from $50 to $100—from $100 to $200 for married couples—and would repeal the 4-percent dividend credit.

An additional 2 million dividend recipients would be better off with the increase of the exclusion and the repeal of the credit, irrespective of any other provisions in the House bill, such as individual and corporate tax rate cuts. These 2 million taxpayers could have substantial stock holdings. Combined with the 2.4 million who now exclude all dividends, two-thirds of all dividend recipients who file tax returns will come out as well or ahead just from the House dividend provisions.

The additional 2 million would be better off for one of two reasons—either their dividends will be entirely excluded by the additional exclusion under the House bill, or the tax savings from the additional exclusion will more than outweigh the loss of tax savings from the dividend credit.

Assuming, for example, a 3.2-percent return on stock investment—the average yield on corporate stocks—a single taxpayer in the 20-percent marginal tax bracket would have to have stock holdings of at least $375—and dividends of $300—before the proposed changes in the credit and the exclusion would actually increase the tax on his dividends. A married couple in the same bracket filing jointly would have to have stock holdings totaling $18,750—and dividends of $600—before the tax on their dividends would be increased from these changes. All those with lesser holdings, of course, would benefit under the proposal.

As another example, take the case of a married man with three children who earns $15,000 a year. Assuming that he takes the average amount in itemized deductions for his income group, his taxable income would put him in the 26-percent bracket under the present rate schedule. Assuming a 3.2-percent return on his securities, his holdings would have to amount to at least $23,438—and his dividends to $750—before his tax increase from the repeal of the credit would equal his tax reduction from doubling the exclusion. At anything less than that amount he would benefit from the change.

The attached table provides additional examples of single and married taxpayers at different marginal tax rates whose taxes on dividend income would be unaffected or reduced by increasing the exclusion and eliminating the credit.

Table 1.—*Taxpayers benefiting from an additional dividend exclusion and repeal of the dividend credit*

SINGLE TAXPAYER ($50 ADDITIONAL EXCLUSION)

Taxpayers receiving total dividends of this amount or less	On stocks valued at (3.2 percent rate) [1]—	And subject to marginal tax rate of—	Will pay the same or less tax because the additional exclusion is equal to the 4-percent dividend credit on dividends of—
		Percent	
$225.00	$7,031	14	$175.00
$237.50	7,422	15	187.50
$250.00	7,812	16	200.00
$262.50	8,203	17	212.50
$275.00	8,594	18	225.00
$287.50	8,984	19	237.50
$300.00	9,375	20	250.00
$312.50	9,766	21	262.50
$325.00	10,156	22	275.00
$337.50	10,547	23	287.50
$350.00	10,937	24	300.00

See footnote at end of table.

MARRIED TAXPAYERS ($100 ADDITIONAL EXCLUSION)

Taxpayers receiving total dividends of this amount or less	On stocks valued at (3.2 percent rate) [1]—	And subject to marginal tax rate of—	Will pay the same or less tax because the additional exclusion is equal to the 4-percent dividend credit on dividends of—
		Percent	
$450.00	$14,063	14	$350.00
$475.00	14,844	15	375.00
$500.00	15,624	16	400.00
$525.00	16,406	17	425.00
$550.00	17,188	18	450.00
$575.00	17,968	19	475.00
$600.00	18,750	20	500.00
$625.00	19,532	21	525.00
$650.00	20,312	22	550.00
$675.00	21,094	23	575.00
$700.00	21,874	24	600.00

[1] June–July 1963 weekly average, Standard & Poor's Corp. (500 stocks).

Source: Office of the Secretary of the Treasury, Office of Tax Analysis, Sep. 23, 1963.

Second. All dividend recipients would benefit from the overall program of tax reduction.

Dividend recipients, like other taxpayers, would benefit substantially from the overall program of tax reduction—including the reduction in individual tax rates and the reduction in corporate tax rates.

The reduction in individual tax rates would mean lower taxes for nearly all those who receive dividend income—including those whose taxes on dividends would be raised by the repeal of the credit. The relatively few dividend recipients who might have slightly higher net tax bills as a result of the change in the dividend credit are those whose dividends constitute an extremely large proportion of their total income and who thus own large amounts of invested capital. But even in this situation, since nearly all people who own large amounts of stocks also have income from capital gains, the slight increase in their taxes as a result of the change in the dividend credit would be offset by the amount their taxes are reduced by the lower capital gains rates as they sell or exchange securities.

Low income dividend recipients would also benefit from the new minimum standard deduction which would—for single people with incomes of less than $3,000 and married couples with income of less than $4,000—offset any possible adverse effects of changes in the dividend credit.

Even those few people who might be adversely affected by repeal of the credit and doubling of the exclusion—despite the individual tax cuts, despite the cuts in the capital gains tax and despite the new minimum standard deduction—would have higher after-tax incomes in the end. This is because the overall tax bill program—and particularly the reduction in corporate tax rates—should mean increased dividend payments and increased dividend incomes.

More specifically, the four-point corporate rate reduction would increase corporate after-tax income by 8.3 percent. If corporations continue to pay out the same proportion of corporate earnings, then dividend income of taxpayers generally would increase by 8.3 percent.

The U.S. News & World Report in its September 2 issue points out this important fact for the benefit of its readers who are investors. The magazine stated:

> If you own common stock, take careful account of the rate cuts planned for corporations. These cuts can mean increases in dividends.
>
> Suppose you are receiving $1,000 in annual dividends from a large company. If, after the full cut in corporation rates, the company continues to pay out the same percentage of profit, you would get an additional $80 a year in dividends.
>
> These are the results to be expected from rate changes.

The interesting fact, however, is that only a 2-percent increase of dividend income would offset the worst possible effect of the repeal of the dividend credit on an individual, and such cases are extremely rare.

Corporations at midyear 1963 are paying dividends to individuals at an annual rate of $17.6 billion—dividends in personal income—national income definition. If corporations continue to pay the same proportion of their earnings after the corporate tax cut, then their dividend payments would increase by $1.5 billion. Only a $350 million increase in dividend payments to individuals would be required to assure that, even in the most extreme cases, after-tax income under the House bill could not be less than after-tax income under the present law.

Third. Retired persons with only dividend income would generally be nontaxable under the House bill, or, if taxable, would have to be very wealthy individuals (over $100,000 of stock if single and about $200,000 of stock if married).

It is occasionally pointed out that the repeal of the dividend credit would be a hardship on low-income aged persons with dividend income only. This is not true. Such persons would be typically nontaxable, even though they would have substantial dividend income and substantial stock holdings. For example, a retired couple with dividend income only and both entitled to the maximum retirement income credit would need to have almost $200,000 of stock holdings before becoming subject to tax under the House bill. They would not be subject to tax liability until their dividend income exceeds $6,253—$6,253 minus $200 of dividend exclusion minus $2,400 of exemptions minus $605 of deductions equals $3,048 of taxable income, which would be tax free because of the retirement credit. Dividends of $6,253 are earned on stock holdings of $195,406 at the current rate of return of 3.2 percent—Standard and Poor's average yield from 500 stocks.

Similarly, an aged widow with dividend income only and entitled to the maximum retirement income credit would need to have over $100,000 of stock before becoming subject to tax under the House bill. The widow would not be subject to tax liability until her dividend income exceeds $3,224—$3,224 minus $100 of dividend exclusion minus $1,200 of exemptions minus $400 of minimum standard deductions equals $1,524 of taxable income, which would be tax free because of the retirement credit. Dividends of $3,224 are earned on stock holdings of $100,750 at the current rate of return of 3.2 percent.

B. DIVIDEND CREDIT IS NOT AN EFFECTIVE REMEDY FOR "DOUBLE TAXATION" OF DIVIDENDS

The present dividend credit is based, in large measure, on the concept that tax is paid twice on dividends; once when the corporation pays income tax on its earnings, and again when the stockholders pay individual income tax. This, of course, assumes that the shareholder bears the burden of the corporation income tax. Whether this assumption is actually warranted has been debated at great length. Some, for example, maintain that there is, in fact, no double taxation of dividends—that the shareholder cannot be regarded as paying the corporate income tax inasmuch as the corporation, with its special privileges and characteristics, is a separate legal entity having a taxpaying capacity quite apart from its stockholders. Others have questioned how much of the corporate income tax is actually borne by the corporation in the first instance and how much is shifted to consumers in higher prices, to employees in lower wages, and to former owners who sold their stock at lower prices to take the tax into account.

Whatever the merit of the double taxation argument, the dividend credit adopted in 1954 does not provide an effective solution.

The major part of the tax savings from the dividend credit accrues to upper-income taxpayers and the credit removes a very substantial part of the extra burden of alleged double taxation for high-income taxpayers, but only a small part of the burden for small and moderate income shareholders. Any such extra burden of the corporate tax is highest at the first taxable income bracket and is lowest at the highest taxable income bracket. As an individual's income increases and he is subject to higher marginal tax rates, he would be able to retain less of the funds that are taxed at the corporate level.

The tax reduction received by the shareholder on each $1 of corporate earnings available for distribution after payment of corporate income tax amounts to 1.9 cents—4 percent of the 48 cents remaining after paying the present 52 centes in corporate income tax. The credit is of no help at all to the nontaxable individual with dividends, who bears a 52 percent tax on his dividends, assuming the validity of the double taxation argument. It removes less than 5 percent of the extra burden resulting from the corporate income tax at the $4,000–$8,000 taxable income level, over 9 percent at the $88,000–$100,000 income level, and more than 12 percent of the extra burden at the highest taxable income bracket of $400,000 and over.

The 4-point corporate rate reduction in the House bill will not only make investment funds directly available to corporations but it will also provide relief from double taxation of 7.7 percent for all shareholders no matter what their incomes are. It is noteworthy that the dividend credit falls far short of providing the 7.7 percent relief except at the highest tax brackets.

C. DIVIDEND CREDIT HAS NOT BEEN EFFECTIVE IN STIMULATING EQUITY INVESTMENT AND HAS NOT BEEN RESPONSIBLE FOR INCREASE IN NUMBER OF STOCKHOLDERS

Historical evidence indicates overwhelmingly that the credit has not been effective in stimulating equity investment. There has been no upsurge in net purchases of stock by individuals since 1954 when the credit was adopted. In fact, in recent years net stock purchases by individuals have been outpaced by other forms of personal savings—such as time and savings deposits. See attached table 2.

Moreover, there has been little change in the ratio of equity financing to total corporate long-term financing in the period 1954–62. Also, there is factual evidence to indicate that in 1962 corporate funds secured from internal sources, including retained profits and cash flow attributable to depreciation and depletion, were more than 3¾ times as important as a source of corporate funds than new stock and debt combined. On this latter point, the dividend credit obviously is much inferior to the tax credit for new investment in the "Revenue Act of 1962" or the 4-point corporate rate reduction in the House bill.

Mr. Chairman, this tax bill should be enacted, and enacted without the restrictive amendments which will be offered on the motion to recommit.

TABLE 2.—*Net stock purchases by individuals in relation to personal saving, 1951–62*

[Dollar amounts in billions]

Year	Net stock purchases	Personal saving	Net stock purchases as a percent of personal savings
			Percent
1951	$1.8	$17.7	10.2
1952	1.7	18.9	9.0
1953	1.0	19.8	5.1
1954	0.8	18.9	4.2
1955	1.2	17.5	6.9
1956	1.6	23.0	7.0
1957	1.4	23.6	5.9
1958	1.3	24.7	5.3
1959	0.8	23.6	3.4
1960	−0.4	20.9	----------
1961	0.6	25.6	2.3
1962	−1.6	26.2	----------

Sources: Securities and Exchange Commission, Department of Commerce, and Council of Economic Advisers.

SHAREOWNERS IN PUBLIC CORPORATIONS

The number of individuals owning shares in publicly held corporations totaled an estimated $17,010,000 in early 1962. This was an increase of approximately 4.5 million since 1959 and more than 10 million over the past decade.

These 17 million stockholders were part owners of nearly 6,300 publicly owned companies which had some 14.4 billion shares of stock outstanding with an estimated total market value of $531 billion at the time of the study.

A comparison—for selected data—of the most recent findings with those from the three prior surveys is shown in the table below.

Highlights of 4 New York Stock Exchange shareowner census surveys

	Estimated			
	1952	1956	1959	1962
Number of individual shareowners	6,490,000	8,630,000	12,490,000	17,010,000
Number owning shares listed on New York Stock Exchange	(1)	6,880,000	8,510,000	11,015,000
Shareowner incidence to adult population	1 in 16	1 in 12	1 in 8	1 in 6
Median household income	$7,100	$6,200	$7,000	$8,600
Number of shareowners with household income—				
Under $7,500 [2]	(1)	5,438,000	6,720,000	6,666,000
Over $7,500 [2]	(1)	3,042,000	5,564,000	10,040,000
Number of adult female shareowners [3]	3,140,000	4,260,000	6,347,000	8,291,000
Number of adult male shareowners [3]	3,210,000	4,020,000	5,740,000	7,965,000
Median age	51	48	49	48
Number of issues owned by average shareowner	4.1	4.25	3.5	3.4

[1] Not available.

[2] 304,000 shareowners not classified by income in 1962; 206,000 in 1959; and 150,000 in 1956.

[3] 304,000 shareowners not classified as to sex in 1962; 206,000 in 1959; 350,000 in 1956; and 140,000 in 1952.

Source: "New York Stock Exchange Fact Book, 1963," p. 26.

Mr. BURKE. Mr. Chairman, the revenue bill of 1963 would, overall, reduce the total taxes of persons 65 and over by $565 million a year.

Under the proposed tax changes: All of the 11 million older people who do not now have to file a tax return because their income is low would remain exempt from filing; nearly all the 3½ million who file returns, but pay no tax, would still pay no tax; the taxes of virtually all the 3.4 million older people now paying taxes would be reduced; social security and railroad retirement benefits and those other pensions which are now excluded from taxable income would continue to be exempt from tax; older people with incomes below $10,000 a year would typically get proportionately greater reductions in their income taxes than would people with yearly incomes above $10,000.

Specific proposals applying only to the aged: A minimum standard deduction of $100 extra for a taxpayer 65 or over to accompany the additional personal exemption already provided; removal of the 1-percent floor on medicine and drug expenses for taxpayers 65 or over; gains from the sale of residence by a taxpayer 65 or over will be nontaxable subject to certain qualifications.

Examples of substantial benefits for elderly taxpayers: A single taxpayer over 65, $2,000 income, standard deduction, now pays $120 in taxes. Under the new program, he would pay only $56, a reduction of $64 or 53 percent; a single taxpayer over 65, $4,000 income, standard deduction, now pays $488 in taxes. Under the new program, he would pay only $386, a reduction of $102 or 21 percent; a married couple, both over 65, $3,000 income, joint return, standard deduction, now pays $60 in taxes. Under the new program, the couple would pay no tax; a married couple, both over 65, $5,000 income, joint return, standard deduction, now pays $420 in taxes. Under the new program, the couple would pay only $290, a reduction of $130 or 31 percent.

(See tables 1 through 3.)

MINIMUM STANDARD DEDUCTION

The new minimum standard deduction provided by the tax bill will help those millions of senior Americans who are not sharing fully in the Nation's prosperity. The minimum standard deduction means that an older person would be allowed to deduct at least this minimum amount—in addition to his personal exemptions—from his income before computing his taxes.

The minimum standard deduction in effect is $300 for the first exemption and $100 for each additional exemption. The minimum would thus be $400 for a single individual aged 65 or over. A married couple both 65 or over, would receive a minimum standard deduction of $600—$300 with respect to the first exemption and $100 with respect to the three additional exemptions. This together with their four personal exemptions would mean that such a couple would pay no tax on the first $3,000 of income. This would also be true of blind persons with double exemptions.

MEDICAL EXPENSE DEDUCTION

Medical and drug expenses are a huge burden for many elderly persons. Not only are the average expenses for persons over 65 much higher than for other people, but their retirement incomes are usually smaller in comparison to their earnings during their working years.

At present, all medicine and drug expenses of taxpayers over 65 are subject to a 1-percent floor. This means that payments for medicines and drugs are deductible only to the extent that they exceed 1 percent of adjusted gross income, which is total income for most wage and salary earners.

The tax bill would remove this 1-percent floor and make payments for medicines and drugs for persons 65 and over fully deductible from their income for tax purposes. Elimination of the 1-percent floor would apply to medicine and drug expenses of a taxpayer age 65 or over and those of his or her spouse, if also 65 or over. It would also apply to expenses paid on behalf of dependent parents aged 65 or over.

Under present law, the medical expenses of most taxpayers are subject to a floor of 3 percent of adjusted gross income. However, the 3-percent floor does not apply to medical expenses of taxpayers or dependent parents over age 65. The proposal would not change these rules.

Elimination of the 1-percent floor would help to further ease the burden of medicine and drug expenses for persons 65 and over. It is only a small step toward solving the problem of medical care for the elderly. But it would provide an annual tax saving of $10 million for the 3.4 million elderly taxpayers.

SALE OF RESIDENCE

Under a third provision, when a taxpayer 65 years old or over sells his personal residence, he could exclude from his income any capital gain attributable to $20,000 of the sales price. He would be allowed this exclusion only once in his lifetime. This would help those aged individuals whose family has grown and who desire to purchase a less expensive home or move to an apartment or rented home. Under present law, the aged individual must tie up all of his investment from the old residence in his new residence, if he is to avoid taxation or any of the gain which may be involved.

DIVIDEND CREDIT AND EXCLUSION

Under present law, a taxpayer may exclude from his taxable income the first $50 of dividends received from domestic corporations—$100 for a husband and wife if each received dividend income. In addition, a taxpayer is allowed a credit against his tax equal to 4 percent of his dividend income in excess of the exclusion.

The tax bill would double the exclusion from $50 to $100—$200 for married couples—and repeal the 4 percent dividend credit. The increase in the exclusion would take effect in 1964, while the credit would be reduced to 2 percent in 1964 and repealed in 1965.

The combined effect of these two changes alone would be to reduce taxes for 2 million of the 6.2 million taxpayers who received dividend income. Another 1.7 million taxpayers whose dividends are already excluded would, of course, be unaffected by the change. About 2.5 million taxpayers would find their taxes increased if this proposal were enacted alone.

However, aged shareholders, like other taxpayers, would benefit substantially from the overall program of tax reduction—including the reduction in individual tax rates, the reduction in corporate and capital gains tax rates, as well as the unlimited carryover to be allowed for capital losses.

In fact, it is noteworthy that many aged taxpayers with dividends would be better off with repeal of the dividend credit and the $50 increase in dividend exclusion, irrespective of any lowering of corporate and individual rates or any other tax savings provisions of the House bill. These taxpayers could have substantial stockholdings. For example, if the credit were repealed and the exclusion were increased, a widow with only one exemption now receiving annually $300 of dividends—on stocks valued at $9,375, assuming 3.2 percent rate of return—would pay the same tax as she presently does—at the marginal tax rate of 20 percent—because the additional $50 exclusion is equivalent to a 4-percent tax credit on $250 of dividends. Therefore, any single aged person in the 20 percent tax bracket with dividends of up to $300—$250 plus the present $50 exclusion—would actually be better off taking an additional $50 exclusion in lieu of the dividend credit.

Similarly, an aged married couple filing jointly now receiving up to $600 of dividends—on stocks valued up to $18,750—and taxable at the marginal rate of 20 percent would be better off taking the additional $100 exclusion in lieu of the dividend credit.

Table 4 provides similar examples of single and married taxpayers at different marginal rates.

Retired persons with only dividend income would generally be nontaxable under the House bill, or, if taxable, would have to be very wealthy individuals—over $100,000 of stock if single and about $200,000 of stock if married. It is occasionally pointed out that the repeal of the dividend credit would be a hardship on low-income aged persons with dividend income only. This is not true. Such persons would be typically nontaxable, even though they would have substantial dividend income and substantial stock holdings. For example, a retired couple with dividend income only and both entitled to the maximum retirement income credit would need to have almost $200,000 of stock holdings before becoming subject to tax under the House bill. They would not be subject to tax liability until their dividend income exceeds $6,253—$6,253 minus $200 of dividend exclusion minus $2,400 of exemptions minus $605 of deductions equals $3,048 of taxable income, which would be tax free because of the retirement credit. Dividends of $6,253 are earned on stock holdings of $195,406 at the current rate of return of 3.2 percent—Standard and Poor's average yield from 500 stocks.

Similarly, an aged widow with dividend income only and entitled to the maximum retirement income credit would need to have over $100,000 of stock before becoming subject to tax under the House bill. The widow would not be subject to tax liability until her dividend income exceeds $3,224—$3,224 minus $100 of dividend exclusion minus $1,200 of exemptions minus $400 of minimum standard deductions equals $1,524 of taxable income, which would be tax free because of the retirement credit. Dividends of $3,224 are earned on stock holdings of $100,750 at the current rate of return of 3.2 percent.

RETIREMENT INCOME CREDIT

Present law provides a tax credit on retirement for investment or pension income received by persons over age 65. However, the income taken into account for this credit must be reduced for tax-exempt social security or railroad retirement income and, for those under age 72, for income derived from work above a specified income level. In computing the credit, present law provides that the income eligible for the credit is to be multiplied by the "rate provided in section 1 for the first $2,000 of taxable income." Under present law, this rate is 20 percent.

The House bill, however, splits the present first bracket into four brackets and applied four rates ranging from 14 to 17 percent. To be consistent with the original enactment of the retirement income credit, that is, to keep the rate in computing the credit at the rate applicable to the first bracket, the House bill provides that rate in computing the credit is to be 15 percent. This is as near the middle of the four rates applicable to the first $2,000 of income as is possible without the use of fractional rates.

To keep the credit rate at 20 percent while reducing first bracket tax rates would give a tax advantage to those retirees who use the credit and favor them over millions of social security pensioners. Since the credit would exceed the "first bracket" tax on their eligible retirement income, it would offset some of the tax resulting from rates above the first bracket—contrary to the whole purpose of this credit. Hence a 15-percent rate for the credit is in keeping with the original credit.

TABLE 1.—*Single taxpayer over 65, with standard deduction*

Income (wages and salaries)	Present tax	New tax	Tax cut	Percent tax cut
$1,000	0	0	--------	--------
$1,500	$30	0	$30	100
$2,000	120	$56	64	53
$3,000	300	209	91	30
$4,000	488	386	102	21
$5,000	686	557	129	19
$6,000	892	734	158	18
$7,500	1,243	1,031	212	17
$10,000	1,900	1,580	320	17

Office of the Secretary of the Treasury, Office of Tax Analysis.

TABLE 2.—*Married couple, both over 65, with standard deduction*

Income (wages and salaries)	Present tax	New tax	Tax cut	Percent tax cut
$1,000	0	0	--------	--------
$1,500	0	0	--------	--------
$2,000	0	0	--------	--------
$3,000	$60	0	$60	100
$4,000	240	$140	100	42
$5,000	420	290	130	31
$6,000	600	450	150	25
$7,500	877	686	191	22
$10,000	1,372	1,114	258	19

Office of the Secretary of the Treasury, Office of Tax Analysis.

TABLE 3.—*Married couple, both over 65, with typical average itemized deductions*

Income (wages and salaries)	Present tax	New tax	Tax cut	Percent tax cut
$1,000	0	0	--------	--------
$1,500	0	0	--------	--------
$2,000	0	0	--------	--------
$3,000	0	0	--------	--------
$4,000	$144	$108	$36	25
$5,000	300	223	77	26
$6,000	456	343	113	25
$7,500	720	576	144	20
$10,000	1,196	990	206	17

Office of the Secretary of the Treasury, Office of Tax Analysis.

TABLE 4.—*Taxpayers benefiting from an additional dividend exclusion and repeal of the dividend credit*

Taxpayers receiving total dividends of this amount or less	On stocks valued at (3.2 percent rate) [1]	And subject to marginal tax rate of—	Will pay the same or less tax because the additional exclusion is equal to the 4-percent dividend credit on dividends of—
SINGLE TAXPAYER ($50 ADDITIONAL EXCLUSION)			
		Percent	
237.50	$7,422	15	$187.50
250.00	7,812	16	200.00
262.50	8,203	17	212.50
275.00	8,594	18	225.00
287.50	8,984	19	237.50
300.00	9,375	20	250.00
312.50	9,766	21	262.50
325.00	10,156	22	275.00
337.50	10,547	23	287.50
350.00	10,937	24	300.00
MARRIED TAXPAYERS ($100 ADDITIONAL EXCLUSION)			
		Percent	
475.00	$14,844	15	$375.00
500.00	15,624	16	400.00
525.00	16,406	17	425.00
550.00	17,188	18	450.00
575.00	17,968	19	475.00
600.00	18,750	20	500.00
625.00	19,532	21	525.00
650.00	20,312	22	550.00
675.00	21,094	23	575.00
700.00	21,874	24	600.00

[1] June-July 1963 weekly average, Standard & Poor's Corp. (500 stocks).

Source: Office of the Secretary of the Treasury, Office of Tax Analysis, Sept. 6, 1963.

TABLE 5.—*Revenue bill of 1963 effect on taxpayers age 65 and over* [1]

[In millions of dollars]

Adjusted gross income class	Tax liability under present law [2]	Rate change	Structural changes									Total effect of bill
			Sick pay exclusion	Limitation of deductions	Casualty loss deduction	Personal holding companies	Dividend credit and exclusion	Medical care deduction	Minimum standard deduction	All other changes [3]	Total structural changes	
TOTAL												
0 to $3,000	40	−15	(4)	(4)	(4)	(4)	(4)	(4)	−5	(4)	−5	−20
$3,000 to $5,000	200	−60	(4)	5	(4)	(4)	5	(4)	−5	(4)	5	−55
$5,000 to $10,000	730	−165	5	10	5	(4)	15	(4)	(4)	(4)	35	−130
$10,000 to $20,000	830	−145	(4)	10	(4)	(4)	20	(4)	(4)	(4)	30	−115
$20,000 to $50,000	990	−165	(4)	10	(4)	(4)	35	−5	(4)	(4)	40	−125
$50,000 and over	1,240	−190	(4)	15	(4)	5	55	−5	(4)	(4)	70	−120
Total	4,030	−740	5	50	5	5	130	−10	−10	(4)	175	−565
WITH EARNED INCOME												
0 to $1,000	25	−10	(4)	(4)	(4)	(4)	(4)	(4)	−5	(4)	−5	−15
$3,000 to $5,000	150	−45	(4)	5	(4)	(4)	5	(4)	(4)	(4)	10	−35
$5,000 to $10,000	580	−130	5	10	5	(4)	5	(4)	(4)	(4)	25	−105
$10,000 to $20,000	585	−105	(4)	5	(4)	(4)	10	(4)	(4)	(4)	15	−90
$20,000 to $50,000	700	−115	(4)	5	(4)	(4)	20	−5	(4)	(4)	20	−95
$50,000 and over	905	−140	(4)	10	(4)	(4)	25	−5	(4)	(4)	30	−110
Total	2,945	−545	5	35	5	(4)	65	−10	−5	(4)	95	−450
WITH NO EARNED INCOME												
0 to $3,000	15	−5	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	(4)	−5
$3,000 to $5,000	50	−15	(4)	(4)	(4)	(4)	(4)	(4)	−5	(4)	−5	−20
$5,000 to $10,000	150	−35	(4)	(4)	(4)	(4)	10	(4)	(4)	(4)	10	−25
$10,000 to $20,000	245	−40	(4)	5	(4)	(4)	10	(4)	(4)	(4)	15	−25
$20,000 to $50,000	290	−50	(4)	5	(4)	(4)	15	(4)	(4)	(4)	20	−30
$50,000 and over	335	−50	(4)	5	(4)	5	30	(4)	(4)	(4)	40	−10
Total	1,085	−195	(4)	15	(4)	5	65	(4)	−5	(4)	80	−115

[1] Excludes capital gains provisions.

[2] Excludes tax at 25 percent alternative rate.

[3] All other changes include group term insurance, child care allowance, moving expenses, income averaging charitable contributions.

[4] Less than $2,500,000.

Office of the Secretary of the Treasury, Office of Tax Analysis, Sept. 17, 1963.

Mr. GOODELL. Mr. Chairman, this country needs a tax cut. Our private economy has long been stifled and burdened by an excessively heavy tax load. Our people back home have watched their local, their school taxes, their State, and their Federal taxes spiral upward. That spiral has resulted from the unrelenting pressure of spending by Government.

I intend to vote for the Byrnes recommittal motion that would tie Federal tax reduction to cuts in the budget. I have voted against every appropriation bill this year, except military defense. I have done so, because, in my study of those bills I have felt that every one of them was too high. I intend to continue judging appropriation measures by a Puritan standard.

If the Byrnes amendment fails, however, I intend to vote for this tax reduction bill. I do so with mixed feelings. There are many bad features in this bill. The repeal of a portion of the dividend credit is wrong. Tax loopholes have been left unfilled. Basic reforms in our tax structure remain neglected. Yet, no tax bill is perfect. The bill itself is 310 pages long and the report explaining it is longer yet. The bill does, however, meet one paramount requirement: It reduces the weight of taxes upon the backs of our people and our businesses. I believe most of the domestic problems faced by our country today would be solved by an expanded prosperity. I strongly prefer that answer instead of the depressing, pessimistic, oppressive expedient of increased Federal intervention into the lives of our citizenry. If we reject the opportunity for a tax cut now, we will continue to hobble our private economy in the face of rising demands from liberal economists that Government must replace most private phases of our economy. The one argument repeated by these liberal planners, in fact dinned in our ears unceasingly, is: "You can't solve domestic problems through the private economy. The only one who can really help the average citizen to a better life is Mr. Federal Government."

Mr. Chairman, there are danger signals on the horizon for our Government. There may well be a recession coming—perhaps between next December and March. I do not, by any means, believe that this tax cut would prevent such a recession. It is too late and it is offered as a part of a crazy congeries of conflicting economic panaceas proposed by Mr. Kennedy. We are committed irrevocably today to a course which will probably produce recession tomorrow. Unfortunately, the few people in the administration who seem to understand the dynamics of our free economy are today only weak and timid voices in the wilderness. Nonetheless, an immediate reduction of the tax burden is important to the preservation of our economic system as we know it today.

I am not impressed by the President's recent words committing himself to economy. Words have been too numerous and actions too sparse on the Washington frontier for the past 3 years. We know the record of regular, insistent demands upon Congress to increase spending. The President has not withdrawn a single one of those demands. As a matter of fact, he mentioned them briefly in his address to the Nation when he referred to the importance of "all the rest" of his spending proposals now bogged down in Congress. The President says he is going to cut expenditures, but at the same time he goes on demanding that Congress loosen up on the Treasury pursestrings.

Mr. Chairman, I am especially encouraged by one development which deserves mention here. A year and a half ago the President was talking about the myth of the balanced budget and fiscal responsibility. He seemed ready to try to sell the American people on the value of persistent and continued deficit spending. Today he has, for the moment at least, abandoned this approach. This represents a monumental victory for Congress over the executive planners who care not about balanced budgets. It may turn out to be a Pyrrhic victory, but determination and insistence by Congress in future appropriations may yet make it meaningful.

I want, for the RECORD, to include here the comments by the gentleman from Arkansas, Chairman WILBUR MILLS, on September 16, with reference to this legislation and President Kennedy's letter of the following day in which he subscribed to the gentleman from Arkansas [Mr. MILLS] very sensible views. Needless to say, the President has often held precisely to the opposite views, but it is nice to have him occasionally on our side. It is my hope that the action of the House today in passing this tax reduction will force the President to adhere to the economic policy stated by the gentleman from Arkansas [Mr. MILLS]. We cannot go both ways—the way of tax reduction and the way of increased expenditure to stimulate our economy—without great peril under present circumstances. As President Kennedy so eloquently put it in his Yale commencement address:

> For the great enemy of the truth is very often not the lie—deliberate, contrived, and dishonest—but the myth—persistent, persuasive, and unrealistic.

We pray that the President's seeming commitment to expenditure reduction and fiscal responsibility will not tomorrow be classed among the "myths" of a bygone era.

CHAIRMAN WILBUR D. MILLS, COMMITTEE ON WAYS AND MEANS, EXPLAINS INTENT AND PURPOSE OF SECTION I OF H.R. 8363, THE REVENUE ACT OF 1963

The purpose of this tax reduction and revision bill is to loosen the constraints which present Federal taxation imposes on the American economy. The results of these tax reductions and revisions will be a higher level of economic activity, fuller use of our manpower, more intensive and profitable use of our plant and equipment; and with the increases in wages, salaries, profits, consumption, and investment, there will be increases in Federal tax revenues. Increases in economic activity, in the use of our resources, in personal and business incomes, and in Federal revenues also might be realized if, instead of reducing taxes, the Congress and the administration increased expenditures of Government. In other words, there are two roads the Government could follow toward a larger, more prosperous economy—the tax reduction road or the Government expenditure increase road. There is a difference—a vitally important difference—between them. The increase in Government expenditure road gets us to a higher level of economic activity with larger and larger shares of that activity initiating in Government—with more labor and capital being used directly by the Government in its activities and with more labor and capital in the private sector of the economy being used to produce goods and services on Government orders. The tax reduction road, on the other hand, gets us to a higher level of economic activity—to a bigger, more prosperous, more efficient economy—with a larger and larger share of that enlarged activity initiating in the private sector of the economy—in the decision of individuals to increase and diversify their private consumption and in the decisions of business concerns to increase their productive capacity—to acquire more plant and machines, to hire more labor, to expand their inventories—and to diversify and increase the efficiency of their production.

Section I of the bill is a firm, positive assertion of the preference of the United States for the tax reduction road to a bigger, more progressive economy. When we, as a Nation, choose this road we are at the same time rejecting the other road, and we want it understood that we do not intend to try to go along both roads at the same time.

The further meaning of section I of the bill is that no Government activity is to depend for its justification on the amount it contributes to the total spending of the economy, because we prefer to reduce taxes and allow individuals and business concerns in their own right to make that contribution. On the contrary, any and all activities of the Government have to be justified on their importance in serving other essential goals of the Nation. There is no further justification for an indifferent attitude toward wasteful, inefficient Government activities, merely because they incidentally give employment—tax reduction will also create job opportunities and in lines of activity which better satisfy the character and demands of the people for an enriched life. There is no more justification for half-hearted efforts or outright failure to eliminate Government programs that have outlived their usefulness just because they also contribute to the total spending stream of the economy—that contribution will be better realized by increasing the purchasing power of consumers and investors through tax reduction. Finally, there is no further occasion for using the additional revenues which will be generated by the expansion of the economy as a result of tax reduction and revision to finance additional investment expenditures, solely because those additional expenditures might add further to expansion of economic activity. If such additional expansion is desired or needed, tax reduction will achieve it just as surely and through vigorous and progressive forces of the private sectors of the economy.

Let me emphasize the last point. Section I of the bill announces very clearly that we are not rejecting a balance in the budget as the guiding criterion for management of the finances of the Federal Government. We are, indeed, emphatically reaffirming that criterion. We are confident that within a relatively short period of time, tax reduction and revision will result in larger Federal revenues than those we could expect without these tax changes. Section I of the bill calls upon both the Executive and Congress to restrain Government expenditures so that this increase in revenues can reduce deficits and bring us sooner to realization of the goal of a balanced budget in a prosperous economy.

I have stressed the contribution this bill will make in achieving a balanced budget and an enlarged economy. These are the principal economic objectives of the bill. If I were called upon to give a definition of the phrase "fiscal responsibility," this is just how I would define it: It means conducting the finances of the Federal Government in such a way that a balanced budget can be and is achieved in an economy which is growing rapidly, providing adequate employment and investment opportunities, making full use of its capital and human resources, and giving the fullest possible play to the initiative and venturesomeness of the private sector. Tax reduction and revision will make it possible for us to achieve these objectives—to be fiscally responsible—with minimum direct intervention by the Government in the decisions of individuals and business concerns.

It has been argued by some that this bill represents an effort by the Federal Government to manage the economy and ignores the precept that taxation should be for revenue purposes only. The argument is completely wrong. This bill reflects an effort by the Federal Government to reduce and remove—not to impose—tax constraints on the economy, to give the private sector of the economy greater wherewithal to do what comes naturally to it and which increases the well-being of all of us. Moreover, it affords us the greatest possible assurance that we will before long secure revenues equal to—or even greater than—Government expenditures. Indeed, failure to provide tax reduction and revision at this time would be fiscally irresponsible. It would represent the Federal Government's ignoring the adverse impact of its excessive tax burdens on the economy and on the budget. We must remember that tax policy cannot be made in a vacuum. If we are to be responsible, we must give the closest possible attention to the effects on the economy of what we do—or fail to do—in tax policy.

This bill, therefore, represents a responsible discharge of our duties to sound fiscal management.

THE WHITE HOUSE,
Washington, D.C., September 17, 1963.

The Honorable WILBUR D. MILLS,
House of Representatives, Washington, D.C.

DEAR WILBUR:

I thought your Monday release in support of the tax bill was excellent. It should be convincing to Members of Congress and I subscribe to it.

Sincerely,

/s/ JOHN F. KENNEDY.

Mr. LINDSAY. Mr. Chairman, I am for this tax bill. Although I have differences with some aspects of it, these differences are minor compared to my overall conviction that the American economy is in need of the stimulus that will come from a cut in income tax rates.

I think it is useful to restate for the RECORD at this point the schedule of changes for individuals:

Taxable income brackets

Single person	Married (joint)	Present rates	1964 rates	1965 rates
0 to $500	0 to $1,000	20	16.0	14
$500 to $1,000	$1,000 to $2,000	20	16.5	15
$1,000 to $1,500	$2,000 to $3,000	20	17.5	16
$1,500 to $2,000	$3,000 to $4,000	20	18.0	17
$2,000 to $4,000	$4,000 to $8,000	22	20.0	19
$4,000 to $6,000	$8,000 to $12,000	26	23.5	22
$6,000 to $8,000	$12,000 to $16,000	30	27.0	25
$8,000 to $10,000	$16,000 to $20,000	34	30.5	28
$10,000 to $12,000	$20,000 to $24,000	38	34.0	32
$12,000 to $14,000	$24,000 to $28,000	43	37.5	36
$14,000 to $16,000	$28,000 to $32,000	47	41.0	39
$16,000 to $18,000	$32,000 to $36,000	50	44.5	42
$18,000 to $20,000	$36,000 to $40,000	53	47.5	45
$20,000 to $22,000	$40,000 to $44,000	56	50.5	48
$22,000 to $26,000	$44,000 to $52,000	59	53.5	50
$26,000 to $32,000	$52,000 to $64,000	62	56.0	53
$32,000 to $38,000	$63,000 to $76,000	65	58.5	55
$38,000 to $44,000	$76,000 to $88,000	69	61.0	58
$44,000 to $50,000	$88,000 to $100,000	72	63.5	60
$50,000 to $60,000	$100,000 to $120,000	75	66.0	62
$60,000 to $70,000	$120,000 to $140,000	78	68.5	64
$70,000 to $80,000	$140,000 to $160,000	81	71.0	66
$80,000 to $90,000	$160,000 to $180,000	84	73.5	68
$90,000 to $100,000	$180,000 to $200,000	87	75.0	69
$100,000 to $150,000	$200,000 to $300,000	89	76.5	70
$150,000 to $200,000	$300,000 to $400,000	90	76.5	70
$200,000 and over	$400,000 and over	91	77.0	70

The present opening bracket of $0 to $2,000 for single persons would be split into four segments of $500 each. The beginning rate of 14 percent—1965—is approximately 30 percent below the present 20-percent rate. It would apply to only $500—$1,000 for married couples. However, the reduction in the top $500 of the present first bracket is from 20 to 17 percent, a cut of about 15 percent. For higher brackets, the average reduction in rates remains at about 15 percent. Thus, the reduction from 38 to 32 percent in the $10,000 to $12,000 bracket is about 15 percent, and the reduction from 59 to 50 percent in the $22,000 to $26,000 bracket is also about 15 percent. At still higher levels, the percentage reductions are greater. Thus, for single individuals with incomes between $50,000 and $60,000, the reduction from 75 to 62 percent in this bracket, is roughly 17 percent; on income between $100,000 and $150,000 the reduction would be about 24 percent.

This bill by 1965 will cut total Federal revenues by $11 billion. This is a very large cut in Federal revenue indeed. But if the experience of the Eisenhower administration 1954 tax cut holds true, there will be a substantial increase in Federal revenues in the years thereafter. The Eisenhower administration tax reduction in 1954 amounted to $7.4 billion. This, it should be said, included allowing the excess profits tax to expire. Two years later, in 1956, receipts were $3.2 billion above the level existing before the reductions were made.

Currently the unemployment rate in the United States is 5.5 percent. In New York City it is a good deal higher. I believe that an immediate cut in rates for both individuals and corporations will have a beneficial impact on the unemployment rate.

I believe also that the extremely high rates that now exist for individuals—from 20 to 91 percent—have depressed incentive and impeded consumer buying.

I am not impressed with the arguments that I have heard about the immediate danger of setting off an inflationary spiral. That is a danger in any relatively stable economy but it is not our problem now. Most economists whose works I have read or with whom I have discussed this subject in person have long supported the view that rate reductions will be beneficial.

I am pleased that this bill does not include the proposed taxation at capital gains rates of the appreciated value of assets held at death. It is sound also that ordinary capital gains rates are reduced to a maximum of 21 percent for assets held 2 years or longer.

I think it was an error to remove the dividend credit in two steps—from 4 to 2 percent in 1964 and repealed for subsequent years—but under the rule no amendments are permitted in order to rectify this error. In view of the disallowance of the dividend credit, I think it was proper to double the dividend exclusion from $50 to $100.

I am pleased also that a provision has been inserted in the bill for the averaging of income for those persons, usually authors or composers, who may receive a very high income in one year and a very low income in other years for a single work product. The bill in effect provides for the averaging of income over a 5-year period where the income in the current year exceeds the average of the 4 prior years by more than one-third and this excess equals at least $3,000.

It is sensible that the bill eliminates the 2 percent penalty tax which must presently be paid by corporations for the privilege of filing consolidated returns.

Mr. Chairman, while I intend to vote for the tax bill, I shall also vote for the Byrnes amendment, which will require the President to submit a budgetary request of no more than $97 billion for fiscal 1964 (which is in fact higher than the current level) and $98 billion for fiscal 1965. None of the Members who argue against this amendment argue against its purpose. All Members on the majority side of the aisle that I have heard in debate have stated that expenditures should be held at these levels, and the President has indicated that he expects to. The administration must establish priorities of importance. This they refuse to do. The other day they pressed on us a $175 million bomb shelter bill. Before that it was a one-half billion dollar pork barrel misnomered "area redevelopment." Before that it was a $5½ billion moon-shot bill which we tried to cut down to reasonable proportions, and they fought us. Meanwhile basic things like education die aborning.

Normally I do not like to attach strings to the Executive in the enactment of congressional programs. I have voted against such proposals several times in areas involving foreign policy for that very reason.

But I shall vote for this amendment as a declaration of general policy to the effect that the Federal budget should be kept in balance except in emergencies such as a depression or a severe recession, which no one now argues we are about to have. In the absence of emergencies, I do not agree with planned deficits for indefinite periods. Strangely enough, I can find no disagreement with this in the report of the Democratic majority. In fact, the report says in plain language that "if Congress is to provide the tax reduction intended in this bill a tighter rein than previously must be kept on expenditures."

The debate, in the last 2 days in fact, has disclosed that the Members on the majority side of the aisle have been competing with each other to see who can make the strongest statement in favor of achieving a balanced budget in the earliest possible year.

If the Byrnes amendment does not pass we shall expect the Democratic majority and the President who has endorsed this statement stated in the report, to live up to the promise made.

Mr. DONOHUE. Mr. Chairman, this bill, H.R. 8363, we are now debating, and which I earnestly hope we will forthwith approve, is unquestionably the most important measure that has yet come before this 88th Congress; it could well prove to be the most significant legislative tax act of modern history.

The anticipated impact of this bill practically constitutes the core upon which further major Government purposes are founded; it represents a vital segment in this Nation's future economic expansion plans; it provides a keystone in the overall architectural design to keep this country moving ahead in the basic areas of economic development, domestic progress, and world leadership.

Briefly, the objectives of this tax reduction proposal, accompanied with pledged economies in and prudent control of future Federal expenditures, are to encourage the long-term economic growth of the Nation, restrain the tendencies of increasing unemployment, restrict the historically recurrent forces of recession, contribute to the balancing of our international payments, and eventually eliminate the distressing pattern of chronic budgetary deficits.

To determine our action on this vitally important legislation it seems to me we must each ask of, and answer for, ourselves this simple question—do the provisions of this bill hold forth a reasonable prospect of fulfilling its objectives, which are admittedly in the best national interest?

To get the right answer to this question, I think it wise to use our time-tested first principles of decision, which are the lessons of past experience, attention to the voice of authority, acceptance of the weight of the evidence, and the exercise of conscientious judgment.

A summary application of these principles reveals that, in the economic history of our own and other countries, most recently in England, tax reduction does undoubtedly tend to stimulate the economy, encourage capital investment, and relieve unemployment.

With regard to the voice of authority, I think all Members here would agree there is none in this country higher or more respected than the distinguished chairman of the House Ways and Means Committee. He, with his dedicated associates on this great committee, have spent some eight long and arduous months listening to witnesses, evaluating testimony and formulating the bill they have now presented to us with recommendation for passage.

The President of the United States, in conformity with his sworn and solemn duty, to make recommendations to improve the state of the Nation, has testified before the country in explanation and favor of this legislation. Beyond these expert sources a majority of our leading economists; the Business Committee for Tax Reduction in 1963, composed of some 2,400 of our most respected industrial leaders; the officials of our great labor organizations; major insurance groups; the U.S. Chamber of Commerce, and the Republican Governors' Association have also recorded their voices and sentiments in support of this bill's objectives.

It would appear then that the lessons of history and multitudinous voices of authority provide us, in this instance, with an overwhelming weight of evidence for approval of this bill. There remains then only the exercise of our own individual conscientious judgment.

Certainly there are some items and provisions within this bill with which each of us could find disagreement but, for what we cannot change or eliminate, is it right to imperil the overall benefits this bill holds out to the Nation, more especially when we have in the language of the bill itself and the statement of the President a pledge to determinedly pursue substantial reductions in future governmental expenditures.

As you are aware, the first section of this bill contains a declaration, in summary, that the "Congress by this action recognizes the importance of taking all reasonable measures to restrain Government spending and urges the President to declare his accord with this objective."

As you are further aware, the President wrote to the distinguished chairman of the Ways and Means Committee repeating his previous pledge to achieve a balanced Federal budget and exercise a tighter rein on Federal expenditures by limiting outlays to things that meet strict criteria of national need.

In the light, then, of this bill's language and the President's pledge, I would suggest that the conditioned and restrictive proposals being so earnestly and sincerely made here might well be later brought before us separately and on their own merits. It would seem almost certain that any restrictive amendments appended to this measure now would generate only confusion and doubt throughout our whole economic development system and negate the meritorious objectives of this measure. We must remain mindful that the executive department, after all, cannot expend more than the Congress appropriates.

Let us then, today, demonstrate our faith in the authority and dedication of a distinguished chairman and members of a great committee of this Congress. Let us avoid furnishing any further inspiration and material to Communist propaganda by showing proper confidence in the pledge of a President of the United States. Let us recall that our American citizens, through the Congress, have been exceedingly generous over a great period of time toward the people and welfare of other nations in the world. This is our opportunity to prove our concern for our own too long and too greatly burdened taxpayers and businesses. For the future progress of our country let us give the American taxpayer and businesses the tax relief they so urgently need and let us do it right now.

Mr. ANDERSON. Mr. Chairman, when I canvassed my congressional district in a congressional poll earlier this year, I received overwhelming evidence that my constituents felt that any tax reduction ought to be coupled with a reduction in Federal spending. In fact, our tabulation showed that 86.6 percent favored this approach. Consequently, when the matter comes to a vote, I will be obliged to support the heavy consensus in my district.

I am also concerned over features in this bill which, instead of constituting tax reform, would really continue a regressive form of double taxation. The repeal of the 4-percent credit will have a harsh impact on those individuals who have set aside earnings and are living on a fixed income. It will also wipe out one of the incentives for investment on which the economic community of our Nation must depend for it to grow and to create additional jobs to eliminate unemployment. The confidence of some 17 million American investors, beyond any shadow of a doubt, will be shaken by this repeal provision in the tax bill.

Further, the reduction in tax rates for the vast majority of Americans who fall into the great middle class will only be 15 percent and this is the group from which flow savings and investment capital. They have not been treated fairly by this bill in the proposed revisions in our rate structure.

Mr. Chairman, if the tax bill does not pass, it will only be because the administration is more interested in its spending program than it is in providing the American taxpayer with the type of tax relief that is long overdue. Word has gone out from the White House to defeat the Byrnes motion at all costs. However, any vote for the bill under the so-called gag rule and without restricting Federal expenditures must inevitably be a vote for fiscal irresponsibility.

We have heard many of the proponents of the bill from the other side of the aisle and the administration generally, who refer to the tax reductions voted in the 80th and 83d Congresses as stimulators of the American economy. As a Republican, I am proud of those Republican accomplishments which were voted despite strong opposition from prominent Members in the Democratic Party including the present occupant of the White House. They now freely admit to the wisdom of this pioneering effort by the 80th and 83d Republican Congresses who, after so many years of heavy, burdensome, and oppressive taxation reversed the false economic notion that the Government could keep the economic wheels moving most efficiently by taxing and spending. However, let us be mindful of the rest of that successful formula which stood the test in the ensuing years. Our friends on the Democratic side of the aisle would have us forget that those tax reductions were coupled with reductions in Federal spending. However, the two sensibly go hand in hand. Otherwise, we can only assume that the administration has no other concern than advancing the fallacious economic theory that it can spend its way into prosperity and tax our children into poverty. In this connection, one of my constituents suggested that if an $11 billion deficit can do so much for the economy, just imagine what a $22 billion deficit will do.

I would remind our colleagues that the 1948 Tax Reduction Act provided a $7.1 billion a year saving to our taxpayers together with a reduction in Federal expenditures amounting to some $7 billion. The 1954 act provided an additional $7 billion tax reduction, and this was coupled with a $9.7 billion reduction in Federal spending.

If we forgo the opportunity to restrict Federal expenditures in this tax bill, the additional deficit spending of the Kennedy administration will increase the fixed carrying charges on the public debt. What temporary benefits may accrue will be dissipated by the harsh impact of inflation. The purchasing power of the dollar will decline further. Persons living on fixed retirement incomes will find it harder to make ends meet.

Mr. Chairman, I believe completely in the necessity of tax reduction. I also believe that the people of America expect those of us in the Congress to act responsibly and to vote against tax cuts that are not firmly tied to reductions in expenditures.

Mr. FINDLEY. Mr. Chairman, on September 19, I reported to President Kennedy that my constituents are 4 to 1 against a tax cut if spending is not cut.

Here is text of my telegram:

> On TV and radio last night you asked the public to contact their Congressmen about the proposed tax cut. I have the answer from my constituents, and I'm ready to report. They are 4 to 1 against a tax cut if spending is not cut. To the question, "Should income taxes be cut if Federal spending is not cut?" 3,253 answered yes; 13,134 answered no. This was a question on my recently completed annual home-district survey. Questionnaires went to names selected at random from telephone directories.
>
> PAUL FINDLEY,
> *Member of Congress.*

Following is an acknowledgement I received from the White House, together with my final report to the President:

> THE WHITE HOUSE,
> *Washington, September 20, 1963.*
> Hon. PAUL FINDLEY,
> *House of Representatives,*
> *Washington, D.C.*
>
> DEAR CONGRESSMAN: Thank you for your telegram of September 19 informing the President of the results of the recent poll you made in your district regarding the proposed tax cut.
>
> I note that your poll was made before the President's nationwide address in which he explained the compelling reasons for a tax cut, and I hope that the climate of opinion in your district has changed somewhat now.
>
> In any event, we appreciate your interest in informing us of the thinking of your constituents.
>
> Sincerely yours,
> LAWRENCE F. O'BRIEN,
> *Special Assistant to the President.*

> CONGRESS OF THE UNITED STATES,
> HOUSE OF REPRESENTATIVES,
> *Washington, D.C., September 25, 1963.*
> The Honorable JOHN F. KENNEDY,
> *President of the United States,*
> *The White House,*
> *Washington, D.C.*
>
> DEAR MR. PRESIDENT: Replying to my telegram of September 19, your special assistant expressed the hope that the climate of opinion in the 20th Congressional District of Illinois has changed since your nationwide address urging the tax cut.
>
> It is true my survey on the tax cut question was made prior to your plea.
>
> Since you spoke, I have had this response:

For a tax cut	9
Against a tax cut	39

> We have done some spot checking and it's quite clear that those who have answered since your message had not previously expressed an opinion. Therefore, I cannot report any shift in attitude.
>
> As you note, the ratio continues to be about 4 to 1 against a tax cut if spending is not cut.
>
> Sincerely yours,
> PAUL FINDLEY,
> *Representative in Congress.*

Mr. COHELAN. Mr. Chairman, the tax cut contained in this bill before us today offers us a great opportunity to strengthen our economy—to encourage and support vitally needed long-term economic growth—and I rise in its support.

There can be no question that we as a nation today are confronted with a tragic waste of both our human and material resources—a waste which we cannot afford and must not allow to continue, both for our own national security and welfare, and for our continued efforts in behalf of freedom throughout the world.

In brief, we face a situation where unemployment is too high and national output is too low. Unemployment, currently at a rate of 5.5 percent, has exceeded 5 percent for each of the past 5 years. Unused plant and equipment, attributable largely to inadequate profit margins and insufficient demand for goods and services, has caused our national output to run from $30 to $40 billion below its potential.

Experience over the years indicate that the largest single barrier to the full employment of our manpower, to the maximum utilization of our material resources, and to a higher rate of economic growth is the unrealistically heavy drag of Federal income taxes on private purchasing power. Originally designed to hold back wartime inflation, our present tax structure, by siphoning out of the private economy too large a share of personal and business purchasing power, now holds back consumer demand, initiative, and investment.

This bill—and this tax cut—will enable our free enterprise system to generate the higher rate of growth which our economy requires. To do this we can count not only on the short-run benefits of the $10 billion net cut in taxes but based upon normal consumer spending habits, 92 to 94 percent of this additional income left in the hands of consumers will be spent on consumer goods and services. This will result in further income which in turn will be spent on additional goods and services, and the cycle can continue.

The increased demand brought about by a tax cut will mean more jobs for American workers, and as the President stated so succinctly last week:

> We cannot effectively attack the problem of teenage crime and delinquency as long as so many of our young people are out of work. We cannot effectively solve the problem of racial injustice as long as unemployment is high. We cannot tackle the problem of automation when we are losing 1 million jobs every year to machines.

But the tax cut can do more than create jobs and reduce unemployment. A tax cut, with its resulting increased consumer demand, means new protection against further tragic recessions. It means new markets for American business. It means new strength abroad for the American dollar and a reduction in our troublesome balance-of-payments deficit. Finally it means that by lowering tax rates, by increasing jobs and income, we can expand tax revenues. This, coupled with the tight rein on Federal expenditures, which both the President and this bill pledge, will enable us to bring our budget into balance.

At the same time that the tax cut would stimulate demand, it would not lead us into an inflationary price spiral. The overabundance of unused capacity which confronts us today is assurance against this alternative.

Mr. Chairman, this tax bill has been criticized by some who believe it is fiscally irresponsible to add a tax cut, and a resulting temporary deficit, to our existing budget deficits. This, it is true, is a new venture for our country, but it is not new for many of our Western Allies. As a matter of fact, this is accepted fiscal practice in Western Europe and there the rate of economic growth today is substantially in excess of ours. As the distinguished analyst Walter Lippmann has declared:

> There is only one way to balance the budget and that is first to balance the economy.

Mr. Chairman, I do not agree with every aspect of this bill. There are inequities and inequalities in the structural reforms and in portions of the law which have not been changed, or changed sufficiently.

But on balance this is a good bill, it is an important bill, and it is a necessary bill. It offers strong encouragement to both consumption and investment. It offers our private economy the freedom it needs to draw upon its own inherent resources for growth. It offers a program to meet our needs today while laying the foundation for a better tomorrow. It meets the tests of timeliness, of appropriateness, and of responsibility, and I urge that we approve it as an urgently needed boost to our economy.

Mr. GLENN. Mr. Chairman, this Congress is presently engaged in action upon legislation which directly affects every citizen of this Nation—legislation which could, through its impact upon our economy, extend its influence across the years to touch the lives, the pocketbooks, and the very freedoms of still unborn generations of Americans.

I am, of course, referring to the tax cut bill—the bill whose passage the President has demanded in a message to the people of the United States.

Most certainly, I am in favor of a tax deduction. I am sure it is apparent to most citizens—and has been for a long, long time—that our taxes are too high; that our tax burden both on individuals and business should be reduced.

Thus, my question on this issue is not concerned with the need for a tax cut. It is, rather, concerned with the fact that the President in pushing for a tax cut seemingly is overlooking some mighty important old-fashioned economic facts of life.

I am certain that most Americans are aware of the fact that, unless you keep a close check on what you earn, what you spend, and what you owe, financial disaster is unavoidable. The individual citizen, I am sure, knows that you cannot take in less, spend more, and still be able to keep food in the pantry, pay off the mortgage, and keep up with the bills.

This is not a matter of complex economic theory. It is simply a matter of plain arithmetic and commonsense—a part of everyday life which all of us must face up to.

And the same simple economic factor—that there must be a balance between income, spending, and debt—applies just as much to Government as to the individual, despite all the vague and conflicting theories the economic braintrusters weave in their ivory towers.

Unless Government maintains this balance we, as a nation, are asking for financial chaos. Unless we of this Congress, in acting upon this tax cut, recognize the unalterable relationship between taxes, spending, and debt, our Nation will ultimately discover the unpleasant truth in the old adage that sooner or later you have to pay the piper.

Now, the President has said we will all prosper with a tax cut; that unemployment and all our other national problems will somehow vanish with a tax cut. But he has made no firm recommendations for implementing needed curbs on governmental spending to make such a tax cut a responsible, fiscally sound action.

He has merely promised, as he put it, to place "an ever tighter rein on Federal spending."

Yes; instead of requesting definite spending limitations, the President apparently is gambling on the predictions of his economic advisers that such a tax cut, without the disciplines of an accompanying clearly defined control of governmental spending, will give us a noninflationary, continuing economic growth at a rate far beyond any we have ever before achieved. In fact, the President even admits his brand of tax reduction will mean going in the red over $9 billion in each of the next 2 years, after which the predictions of his economic advisers supposedly will start to come true because we all will have more money in our pockets.

Perhaps I am old fashioned, but in my household this is known as wishful thinking, or counting your chickens before they are hatched. Quite possibly we will all have more dollars in our pockets; but the key question that the President and his economists seem to have overlooked is: How much will these dollars be worth? In plain, everyday English, if the President's expectation on which he has based his $11 billion tax cut plea fails to materialize, we as a nation will be facing an unending tide of huge deficits and fiscal collapse.

Some budgetary experts have told us that in only 5 years this added debt will come to $50 billion. Others say the debt will mushroom $75 to $100 million before the budget can be balanced—if, indeed, it can be balanced. As our distinguished colleague, the gentleman from Wisconsin, the Honorable JOHN W. BYRNES, pointed out just last week:

> Such huge persisting deficits are, unavoidably, a recipe for exploding inflation. They have to be paid for. There are only two ways to do it, either we borrow the money back from the people—which means, of course, taking out of our economy as much as a tax cut would put in—or else we must pay for the deficits with cheap money, which means money conjured up by selling bonds to our commercial banks or the central bank.

Judging by the flood of mail that has come across my desk during recent months concerning this tax cut, a vast majority of Americans favor a tax cut; but at the same time they also favor an accompanying limitation on Federal spending.

Most Americans, in other words, are seriously concerned over continued inflation. They know that runaway inflation means runaway prices. They know inflation hurts those among us who need our help most. They know inflation attacks the unemployed, the low- and middle-income wage earners, those on fixed income, the retired workers, and widows. They know everyone suffers when an inflation boom ends, as it must, in total economic collapse.

Now, as I mentioned earlier, the President has promised to control Federal spending; but let us look at the record: Ever since 1960, the administration has promised to control Federal spending but each year the spending has increased over $5 billion. By the end of next year, this administration's 4 years will have produced a sorry record of a $20-billion increase in spending.

As a matter of fact, the President's repeated promises to cut spending since 1960 have been accompanied by repeated promises to increase spending on new and costly and questionably necessary programs.

In view of this record, administration promises of governmental economy are meaningless. It is evident that this administration's promises are not enough; we need firm, legally unbreakable commitments to put economy into effect.

It is my belief that such clear cut, carefully spelled out spending limitations are essential in this tax cut legislation if we are to avoid being a nation chronically in debt, a nation spending itself into bankruptcy.

For this reason—as an individual legislator seeking to provide adequate fiscal safeguards for the future of every American—I will vote for an amendment to the tax bill which will require mandatory economy commitments by the administration—an amendment which will set a mandatory $97 billion Federal spending ceiling for this year—a ceiling which still is $4 billion more than the administration spent last year—and a $98 billion ceiling for next year.

It certainly seems to me that a prudent administration should be able to exercise the discipline required to meet such fair and moderate limitations. If the individual American family strives and struggles to live within its means, certainly it is not expecting too much to ask our Government to do the same. And certainly the ceilings contained in this amendment should be more than sufficient to meet the essential requirements of our Nation's needs.

If this amendment succeeds—and I most fervently hope it will—I will then, of course, vote for the amended tax cut bill. If this amendment fails, I will still vote for the bill, giving a much needed tax cut to all taxpayers, both individual and corporate. But my vote will be cast with serious misgivings; and I can only hope, for once, the administration's promise of governmental economy will be honored, instead of being as in the past, empty meaningless words of political expediency.

Mr. GONZALEZ. Mr. Chairman, yesterday I made a statement on the floor of this House in which I discussed certain aspects of the "Separate Views of Republicans on H.R. 8363," the views of the opponents to the tax reduction bill. I would now like to continue my remarks on this important measure.

We have already discussed some of the ramifications of the statement made in the "Separate Views" that "public debt is nonproductive, as compared with private debt." This is a fatal admission, as has been pointed out, because it admits the fact that private debt is productive. Once that premise is admitted it enables us to properly analyze the nature of the public debt and its relation to the economy. A debt is a debt, private or public, and its significance may be determined by following the money for which the debt has been incurred and seeing what has been done with it. If the money has been put to productive use the debt is productive. In the case of a private debt, if the money is used wisely and spent intelligently there will be returns; the debtor will profit and his position will be stronger than ever. This is a very easy principle to see, and, as the authors of the "Separate Views" have seen it, I have offered my congratulations.

In the case of a public debt, if the money is used wisely and spent intelligently, we will be able to observe a similar reaction. This was stated in the Economic Report of the President of January 1963 in this manner:

> The central requirement is that the debt be incurred only for constructive purposes and at times and in ways that serve to strengthen the debtor. In the case of the Federal Government, where the Nation is the debtor, the key test is whether the increase serves to strengthen or weaken the economy.

So that the key question in regard to our public debt is, are we a poor or a rich nation? Are we strong or weak?

"The Separate Views of Republicans on H.R. 8363" is, if I may use the expression, liberally sprinkled with epithets and accusations. This tax reduction bill is called, for example, "morally wrong," and "a fraud." But let us see who is fooling who.

The forces that have opposed Government spending down through the years are the same forces that have consistently been antagonistic to the progressive income tax, and would even abolish it, and are the same forces that oppose the tax reduction proposed in H.R. 8363.

They never tire of drawing analogies between the Federal Government and private business and the family as economic units. Each unit has the problem of living within its budget, the tax-cut opponents say, and an economic unit whose debt continually rises cannot prosper. Yet they see no analogy between the Federal Government and the Consolidated Edison Co. of New York, whose total outstanding debt rose from $240 million in 1929 to $1,439 million in 1962; and they see no analogy between the Federal Government and A.T. & T. whose total outstanding debt rose from $1,148 million in 1929 to $8,382 million in 1962. The tax-cut opponents delight in pointing out the rising Federal debt, but they see no significance in the fact that while the Federal debt has risen by $12 billion since 1946, in the same period the net State-local debt has risen by $58 billion, the net corporate debt by $237 billion and the net total private debt has risen by $518 billion. The tax-cut opponents may not see the importance of these statistics, but to any businessman it is clear: so long as wealth increases, debts must also increase. Debts, if they are productive, are equities.

These tax-cut opponents have told us that the economic problems of a family and the Federal Government are the same, "You can't spend yourself rich," they say; "deficit spending will lead to bankruptcy," "public debt is nonproductive." But if the economic problems and applicable principles for the family, business, and the Federal Government are the same, how is it that debts are productive when they are private and nonproductive when they are public? How is it that deficit spending is all right for a business but not all right for the Federal Government? Why cannot the Federal Government employ the same principles of capitalism in the area of public investment or spending as business and individuals employ in the area of private spending or investment? Are the tax-cut opponents guilty of using a double standard in evaluating this tax bill and in impugning the motives of its proponents?

The tax-cut opponents have condemned an across-the-board reduction for the individual taxpayer, as contained in the bill before us, but in 1962 they applauded the President's depreciation schedule revision which resulted in tax savings of some $1.5 billion for business and industry during the first year of its operation. What is equally revealing is the following statement in the "Separate Views of Republicans," at page c25:

> The tax bill is also deficient in that it seeks to bring about economic expansion through expanding consumer spending, rather than to provide more effective incentives for increased capital investment.

From this statement, I hesitate to use the word "slip," it would appear that those separate Republicans are not satisfied that of the $11.1 billion reduction expected to result from this bill over the next 2 years, $2.3 billion will be of corporate tax liabilities, in addition to the reductions from last year's depreciation schedule revision. What gripes them is that the public, the consumers, who have no lobby, will get tax reductions over the next 2 years in the amount of $8.8 billions. Such inconsistency, such duplicity on the part of the tax-cut opponents is neither responsible nor moral, fiscally or otherwise.

Mr. Chairman, I hope I have not given the impression that the entire Republican Party opposes this tax bill, or the goals and objectives of H.R. 8363. That certainly has not been my intent, although quite obviously party politics is playing a substantial role on the floor of this House. Many Republican leaders, as well as a good number of important businessmen, have come out openly in favor of tax reductions such as are envisioned in this bill. For example, the Republican Governors of the Nation who met in Denver, Colo., on September 14, 1963, called for a cut in Federal income taxes, and the Businessmen's Committee for Tax Reduction have not only wholeheartedly endorsed this tax reduction bill, but the members of that committee have also urged that those Members of Congress who oppose the bill reconsider their position and work for the passage of a tax reduction as soon as possible.

Mr. Chairman, at this point in my discussion I would like to introduce for the Record the following copy of an editorial that appeared in the Denver Post on September 22, 1963, containing part of the statement made by the Businessmen's Committee for Tax Reduction in support of this bill:

GOP Makes Mistake To Fight Tax Cut

> We are amazed by reports from Washington, among them the one from William White on this page today, that House Republicans have decided to make a major partisan fight against the proposed Federal income tax cut.
>
> In theory, the Republican fight is not against the tax cut itself. But the Republican effort to attach a deficit-limiting cancellation clause to the tax cut bill will in fact destroy most of the stimulating effect of the tax cut and could wipe it out entirely.
>
> What the Republicans want to do, specifically, it to attach a rider to the bill canceling the cut unless Federal spending is held to $97 billion this year and $98 billion next year. Otherwise, says Representative John Byrnes, Republican, of Wisconsin, spokesman for the House Republicans, deficits expected with the $11 billion tax cut in the next 2 years could lead to inflation and "financial ruin."
>
> This is politically inspired nonsense. If the Republicans persist in it, and should succeed in their fight, it is they, not President Kennedy, who will have the albatross of "fiscal irresponsibility" hanging around their collective neck in 1964. They will be the ones who will have stifled the effort to get some of the burden of the Federal tax off the economy.
>
> President Kennedy made a powerful and logical case for the tax cut last week, and now the Republicans have replied. Their reply is not impressive.
>
> To get a nonpolitical view of the facts, let us look at what a group of responsible businessmen say:
>
> "The deficits in recent years have, in large part, been the product of the failure of our economy to achieve its full potential because of the burden of oppressive individual and corporate tax rates. If unemployment is to be reduced, if idle plant is to be put into production, and if we are to achieve meaningful long-term economic growth, individual and corporate rates must be reduced.
>
> "We recognize that tax reduction in the magnitude contemplated * * * will add temporarily to an otherwise existing deficit. However, we believe that additional income flowing from the tax cut will bring the budget into * * * balance significantly sooner than if there were no tax cut at all. * * *
>
> "We commend these Members of Congress for their concern and urge them to do everything possible to assure expenditure control. We also sincerely urge them to reconsider their position and to work aggressively for the passage of a tax reduction as soon as possible."
>
> Who are these businessmen? They are members of a committee headed by Henry Ford II, chairman of the Ford Motor Co., and Stuart Saunders, president of the Norfolk & Western Railway—the most consistent moneymaker among American railroads.
>
> Other members include financiers such as Frazar Wilde, chairman of the Connecticut General Life Insurance Co.; David Rockefeller, president of the Chase Manhattan Bank, and Robert C. Baker, chairman of the American Security & Trust Co., in Washington.
>
> It is quite doubtful that there's a Democrat in the lot. And it's quite certain that men of this caliber are not advocating anything that will lead the Nation to "financial ruin." Since even Congressman Byrnes himself agreed that President Kennedy was dead right in saying a tax cut is urgently needed, there is no sound reason for playing politics with it. There is not even a sound political reason for doing so—considering that the effect would rebound on the Republicans.
>
> This tax cut should be passed. It should be passed soon. And it should be passed without any uncertainty-creating "ifs" or "buts."

Mr. Chairman, I would like to say a few more words about the matter of Federal expenditures. The "Separate Views" contains the following language:

> In other words, tax reduction should be accompanied by a reduction, and not an increase, in the level of Government expenditures.

And this language echoes the argument that many tax-cut opponents have been making, along with those who consistently and habitually criticize the Federal Government because it is the Government for all the people and because in order to carry out its constitutional responsibility "to promote the general welfare" it is necessary to spend money. But the "Separate Views" is not the view held by all Republicans. I have made reference to the Governors' conference held by the Republican Governors of the Nation on September 14, and of their position in favor of a tax cut. They also had something to say about Federal expenditures. They favor holding expenditures to present levels. Now, holding expenditures to present levels is not the same as a reduction of expenditures. In this regard the authors of the "Separate Views" and the Republican Governors of the Nation are in disagreement. Of course, there is no necessity for complete agreement between all factions and elements of the Republican Party on every political issue. Nevertheless, it is interesting that some Republicans in Congress are insisting on reduced Federal expenditures whereas the Republican Governors of the Nation want expenditures held to present levels.

There is another quite fascinating aspect of this question of Federal expenditures. It is not so much in the fact that the President on numerous occasions, from the beginning of his administration, has gone on record in favor of holding expenditures down as much as possible, in favor of limiting expenditures only where "strict criteria of national need" is met. The President stated in his nationwide address of September 18, 1963:

> No wasteful, inefficient or unnecessary Government activity will be tolerated on the grounds that it helps employment. We are pledged to a course of true fiscal responsibility, leading to a balanced budget in a balanced full-employment economy.

In these and other statements the President has stated that he will do his part in keeping expenditures down. Such pledges, one would think, should satisfy even the harshest critics, and the fact that the authors of "Separate Views" chose to ignore the President's personal assurances backed up by his actions is of interest in itself.

But what is most interesting is the position these separate Republicans have taken in chastising the President for excessive expenditures in view of the fact that under the law it is Congress that is primarily responsible for expenditures of all public money. The implication from "Separate Views" is that the President alone is responsible for the amount of money spent by the Government. This is plainly not the case. Let us look at the Constitution for guidance on this point.

Article I, clause 7 of the Constitution of the United States of America states:

> No money shall be drawn from the Treasury, but in consequence of appropriations made by law.

Under this clause Congress has the clear constitutional responsibility of making all appropriations. Expenditures, after all, cannot be made unless money is first authorized and then appropriated, and under our system Congress does the authorizing and the appropriating. The President can make no expenditures unless Congress authorizes them and appropriates the money for them. We have Appropriation Committees, and bills are regularly introduced which require appropriations. In the case of every bill, both Houses of Congress must agree and vote for passage. We all know this. How is it then that the President is accused of excessive spending? The President merely executes the laws, he does not make them. He cannot spend any money that is not appropriated by Congress.

Secretary Dillon in his testimony before the Committee on Ways and Means in its hearings on the tax bill made this point clear in response to a question by the ranking minority member of that committee:

> One thing I mentioned was that this is not only an executive problem; it also requires the close cooperation of the Congress. There is one example before the House right now in committee, where the President has made a recommendation for a program in agriculture for cotton which would involve a subsidy of 5 cents. The Agriculture Committee yesterday voted 8.5 cents. It will cost us an extra $100 to $125 million more than the President wants to spend. It will make it very difficult for the President.

Mr. Chairman, it has been pointed out that the problem with our economy is slack, not inflation. Our industry is operating below capacity and there is high unemployment. These facts represent an enormous waste of resources. Although we have been experiencing an economic rise for about 31 months, although the recession that gripped the country as the present administration took office has been broken, although the unemployment which was nearing 7 percent at that time has been reduced, there is a great need for the slack that still exists to be taken up. The economy needs a boost and the ideal way to accomplish this is to increase consumer spending by reducing taxes.

Expressions of regret have been made on this floor by some of my distinguished colleagues who intend to support the tax bill in the final analysis. Some opposed the rule which was adopted whereby we must now vote on an all-or-nothing basis. Some are reluctant to support a measure which fails to close some of the existing tax loopholes and which extends further advantages to the wealthy and to corporations. There are misgivings and there is skepticism about the ultimate beneficiaries and the overall effects of this tax reduction bill.

I do not quarrel with those of us who sincerely criticize this bill for its shortcomings and who would like to see it improved. Unfortunately, under the rule the bill can no longer be improved in this House as amendments are not in order. I too would like to have the opportunity to vote on improvements, to give the little people a little more than they are getting as things now stand. I too am not satisfied that under the bill the privileged few who benefit from the capital gains tax will benefit even more; I too am not entirely satisfied with the depletion allowances under the present law and as they are perpetuated under this bill; I too would like to see the stock option loophole closed.

But can we ignore the political facts of life, that in this arena practically every conceivable interest and group in these United States is represented in one degree or another, that we are engaged in an art which involves give-and-take? It is tempting to stand four square for one thing and to vow to stand there until all demands are met. And it is tempting to throw doubts upon the issue, to question, to challenge, to be suspicious, and then after peppering the program full of holes to end up voting for it. I do not question the motives of those who do so, but I cannot because I know that there is as much chance of finding uranium in a chile bowl as there is in finding unanimity in a tax program. We will never all agree on such a complicated matter as taxes.

I support this tax reduction bill and I do not apologize for it.

Mr. PUCINSKI. Mr. Chairman, I rise in support of H.R. 8363, the Revenue Act of 1963, which would reduce the tax burden of the American people by $11 billion a year when it becomes fully operative.

I rise in support of this legislation because I am convinced that when we have cut through all of the oratory on this proposal; when we reduce this controversy to its lowest common denominator, we come to the inevitable conclusion that if this Nation's economy is to have the forward thrust it needs, the only way to achieve such forward movement is to release the restrictive shackles of our present tax structure which have stifled industrial expansion.

President Kennedy deserves the highest commendation for proposing this bold and imaginative program of economic expansion through tax reduction to this Congress.

Our colleagues on the other side of the aisle can say what they like, but the indisputable fact is that in the long run, it will be vastly more economical to this Government to allow an across-the-board tax cut in order to sustain our economy rather than wait until another recession sets in and then feverishly pass all sorts of pump-priming programs to stimulate the economy. This tax reduction can do more to move America forward than any bill we have considered thus far.

I should like, however, to comment on one aspect of the current debate. Over the weekend, two distinguished members of the minority, the gentleman from Wisconsin, and the gentleman from Missouri, attempted to create the impression on nationwide telecasts that only they and their party are the great disciples of economy; that the rest of us here in Congress on the majority side have no sense of fiscal responsibility and that in order to curtail our spending sprees, tax reduction must be tied to an assurance by the President that the 1964 budget will not exceed $97 billion and the 1965 budget will not exceed $98 billion.

The record will show, Mr. Chairman, that the overwhelming majority of Democrats in the House, along with myself, have supported cuts totaling $3,378,212,726 in the budget request thus far in this session.

Mr. Chairman, before this session ends, I anticipate supporting an additional $2.5 billion reduction in budget requests so that it is my hope that by the time this session adjourns, my Democratic colleagues and I will have supported reduction in Federal spending as requested by the Bureau of the Budget totaling more than $6 billion.

I agree that one cannot vote for this huge tax cut today and then proceed to enact a whole series of new legislation requiring huge expenditures. We will have to be extremely selective in which new expenditures, if any, are approved.

Obviously, something has to give. I intend to support a heavy cut in foreign aid; cuts in the space program; and it is my intention to vote against several new spending programs when they come to the House for a vote.

I do not quarrel with those who suggest we curtail expenditures if we are to give this Nation a significant tax cut. But I do not intend to surrender my own judgment on the merits or demerits of individual appropriation measures as is about to be proposed in the motion to recommit by the gentleman from Wisconsin. The motion to recommit this tax bill, which would establish maximum expenditures, in my judgment, is an abdication of the legislative body's judgment and responsibility. What the gentleman from Wisconsin is in effect saying, when he offers this sort of blanket limitation, is that he has no confidence in himself and his colleagues here in Congress, to deal with the program of economy; he does not believe they can manage the various appropriation bills which come before us.

Such a suggestion is completely refuted by the record which I cited above. I supported a reduction of $203 million in the second supplementary bill approved here in the House earlier this year. I supported a $75 million cut in the Interior Department's appropriation this year; $150 million cut in the Treasury and Post Office appropriation; $309 million cut in the Labor Department and Health, Education, and Welfare appropriation; $390 million cut in the Department of Agriculture; $308 million cut in the State Department appropriation; a $1.9 billion cut in the Defense appropriation—yes, Mr. Chairman I said $1,900 million—and many smaller cuts in the lesser agencies.

It is encouraging to note that the Senate is not restoring to any large degree the cuts in the budget requests which we here in the House adopted so far this year with my support.

I need not apologize to anybody for my record of fiscal responsibility. I am confident we will continue making deep cuts in these budget requests, as we have been.

It is my hope, Mr. Chairman, that this much needed tax revision legislation will be adopted today. It is perfectly obvious that the motion to recommit to be offered by the minority is nothing more than a smokescreen to kill the tax cut in the Congress.

Mr. WILLIAMS. Mr. Chairman, for the better part of this year, each Member of this body has devoted a great amount of time studying the ramifications of the tax bill now under consideration. The Committee on Ways and Means held long and extensive hearings, and issued a voluminous and detailed report on the bill when it was finally approved.

I am certain that each Member of this body has approached consideration of this legislation with an open mind, and has attempted to weigh all considerations carefully, hoping to arrive at the decision which would be of the greatest benefit to the most people in this country.

It is unfortunate, indeed, that the House is forced to consider tax measures under a closed rule which prevents separate consideration of each individual item. I did not vote for the closed rule on this legislation, as I felt the House should have been left free to work its will on the bill. The rule was adopted, though, and we now face the limited alternatives of voting for or against the bill as it is presented.

In resolving my position on this bill, I have tried to consider many factors, including the ultimate revenue gain or loss; the effect of our economy over a period of years; the balance of payments; the staggering national debt; the impact on Federal budgetary requirements, and many others. The complex nature of our economy obviates any simple solution.

I have now reached the conclusion that a tax reduction would act as a stimulus to our national economy, resulting in the creation of more jobs, more consumer goods, and more investment opportunities—all adding to our national wealth. Obviously, it will serve to ease to some extent the burden of taxes now being borne by individuals.

I share with many others in this body a deep concern over the present level of Government spending, and I have hesitated to declare myself in favor of a tax reduction at this time because I have difficulty in foreseeing any appreciable reduction in Federal expenditures at this time, the political climate being what it is. I might add the warning, however, that unless this Congress acts with prudence and exercises fiscal responsibility in passing upon subsequent spending programs, the resultant inflation stemming from deficit spending would more than offset any advantages that might accrue as a result of this tax reduction. The President has made public pledges of economy in Government, predicated on the passage of this legislation, and administration spokesmen here in the House have reiterated these pledges. The American people expect these pledges to be transformed into action, and I am certain that the cooperation of the Congress will certainly follow.

Mr. Chairman, I think it is the responsibility of each Member of Congress to analyze carefully every legislative item that might add to the cost of Government even more carefully in the future than in the past. Many of us have gone on record many times in opposition to various programs of spending advocated by this administration. We have done so in the honest belief that the programs were unnecessary, or that they were duplications of State, community, or private industry programs, and therefore not properly a function of the Federal Government. A hasty and incomplete research effort by my staff reveals that I, for one, have voted against programs totaling nearly $11 billion in 1961, more than $6 billion in 1962, and more than $6 billion thus far this year. These votes in the main were not politically popular, but in the light of our present situation, I defend them as being an exercise of fiscal responsibility and integrity. I would point out with due deference that a tax cut at this time would be more meaningful if a majority of my colleagues had seen fit, also, to oppose these vast spending programs, so as to have avoided the continuing deficits which have occurred year after year.

Mr. Chairman, it is my understanding that a motion will be made to recommit the bill with instructions to add an amendment designed to limit Federal expenditures as a condition precedent to the tax reduction proposed in this bill. I shall certainly support this motion as an attempt to insure something approaching a balanced budget in the future. It is inconceivable to me that anyone interested in maintaining a sound fiscal condition could do otherwise.

Even should this fail of passage, though, Mr. Chairman, I have reluctantly, and not without some misgiving, determined that I shall support the bill when it is presented for final approval by the House. In taking this position, I will be acting consistently with my record on Government expenditures. I am convinced that the present level of taxation is confiscatory, and that our current tax structure serves to frustrate our economic development. The least that can be said is that the present burden of taxes being borne by the American people creates almost intolerable hardships, and they are entitled to some relief. The bill now before us provides no meat-ax slash in taxes; if it is far from being a cure-all; rather, the reductions are modest and, in my opinion, will act as a spur to private enterprise.

Mr. Chairman, I will continue to resist vigorously any new spending programs, as I will oppose unwarranted expansions of existing programs. I think it incumbent upon all of us to support moves to hold Federal expenses to the minimum necessary to meet the needs of our country and its people. If we discharge this responsibility, we can pass on to the next generation a legacy of sound and responsible government.

Mr. ROGERS of Florida. Mr. Chairman, adoption of this tax cut measure by the House of Representatives will express our continuing faith in the American free enterprise system. We will also serve notice to every branch of the Government that the Congress intends to hold Federal spending in line. That the House is serious in this objective can be clearly seen in the fact that the House has already this year reduced the budget requests by over $3 billion.

The proposal to give the President the authority to say if a tax cut should become effective should be defeated. This is a decision that must be made by the Congress—the Executive already has too much power.

The House of Representatives, by approving a cut in taxes as a boost to the American economy, has an increased responsibility to watch Federal spending. It is our intention to do just that.

Mr. SKUBITZ. Mr. Chairman, for nearly 8 hours, I have listened to Member after Member call attention to the fact that this bill is the most important measure which will come before the House during this session of Congress.

It is regrettable that this body, the greatest deliberating body on earth, has permitted itself to be bound by a rule which prohibits the submission of any amendments except those which are offered by the Committee on Ways and Means.

I am certain that there are many Members who are opposed to various provisions of this bill, as I am. No Member of this body should be foreclosed from voicing his objections to this or any measure and proposing amendments that he deems advisable. This right has been denied by the adoption of this rule.

There is no Member of the House who does not recognize the need for a tax cut. The American taxpayers need and deserve relief from the tremendous tax burden which has been thrust upon them. There is a definite need for adjustments in our tax structure to correct inequities which destroy man's incentive to work, to save, and to invest.

If the existing tax structure is a deterrent to our economic growth—and it is; if reductions in income tax rates will tend to create more jobs and increase Federal revenues—and I think it will; if every Member of Congress wants taxes cut—and I am sure they do; what then is the real basis of this controversy?

The able chairman of the Ways and Means Committee has said: "There are two roads the Government could follow toward a longer, more prosperous economy—the tax reduction road or the Government expenditure increase road."

The real issue is whether we vote for a tax reduction and place a ceiling on spending or whether we vote a tax reduction and continue spending.

I am not an expert in the field of taxation or economics. But of one thing I am certain—this country cannot cut taxes, spend more money, pile deficit upon deficit and remain solvent. I was taught to live within my income, save a few dollars for a rainy day, and to pay my honest debts. I do not intend to force my son and his children to pay off my obligations. I expect my Government to operate on the same basis.

I do not question the sincerity or good intentions of the President or any Member of this House. But the road to hell is paved with good intentions. Year after year we have voted for more new programs. Year after year we have piled deficit upon deficit until today we are over $300 billion in debt and 10 cents out of every tax dollar goes for interest on that debt. Pending before the committees in the House and Senate are scores of bills calling for the expenditure of billions of dollars for new programs. I am certain that the sponsors can present persuasive arguments to show that each of them is desirable. The question is, are they essential, and if so, how many of them can we afford? What priority should be given to them?

The motion to recommit this bill does not defeat a tax cut. It does not change the measure in any manner or its effective date. It only places a ceiling on spending for fiscal 1964 and fiscal 1965. It places a brake upon the executive and legislative branch beyond which we cannot go if the tax cut is to become effective. In my opinion the ceiling is too high since it exceeds the amount spent in fiscal 1963 by approximately $4 billion. But at least it is a start down the road toward fiscal responsibility.

The Congress and the President have a joint responsibility in determining Federal spending. Neither can escape the responsibility. We in the Congress are vested with the responsibility of appropriating money. The President is vested with the authority of administering these funds. The adoption of this amendment would place a damper not only on the Executive but upon the spenders in Congress as well.

I want to support a tax cut. I cannot in good conscience do so if our present rate of spending is to continue unhampered.

This morning I received a letter from an old friend of mine who is now teaching school. He wrote, "we need a tax cut with no ifs, ands, or buts." I have written him that I, too, want a tax cut, but I do not intend to vote a tax cut for him or anyone else at the expense of the children he teaches. I urge the adoption of the motion to recommit so that all of us in good conscience can vote for this bill.

Mr. TAFT. Mr. Chairman, acting on the representations of the President and the leaders of the Democratic Party, the House of Representatives is now being asked to pass a tax bill, which is expected to decrease the tax load of individuals and corporations by a total of $11 billion per year. This sounds great. But before we start celebrating, let us look at the facts. This change has been advocated at a time when we are running the country in the red at a rate of over $6 billion, and it is expected that the reduction in revenues will result in running the country in the red by over $9 billion in the current year. Even on the rosiest estimates—estimates which the Secretary of the Treasury has refused to back up with any accurate computations—that are based upon the most optimistic guesses as to the stimulus to spending that might result from the tax cut itself, we are dooming ourselves to operate in the red through the year 1967. Sounder judgments place this target in the 1970's.

The theory upon which this decision is advocated is that deficit spending on a massive scale, caused either by increased Government expenditures or by decreasing revenues through a tax cut, will have a favorable effect upon the economy. The total continued commitment of the President and his advisers to massive deficit spending is clear. As late as April 19 of this year, the President himself indicated that if the Congress cut back on the proposed budget for the current year by $5 billion, a target which we are still hopeful of attaining, this would have a devastating effect on the economy and would greatly increase unemployment. The President's economic advisers, led by Mr. Heller, have from the outset stated and continue to indicate that they believe we must achieve a bigger deficit in order to promote greater demand and to stimulate the economy. As though they are doing the American people a favor, they state they have chosen the tax-reduction route to this deficit spending, rather than more spending, because this will favor the private sector of the economy rather than the Government sector. Since his state of the Union message, however, the President has held a blackjack over the heads of Congress and the American people in his statement:

> No doubt a massive increase in Federal spending could also create jobs and growth, but in today's setting private consumers, employers, and investors should be given a full opportunity first.

That is nice of him.

In spite of President Kennedy's recent protestations that Government expenditures will be held in line and that we will aim at balancing the budget and checking the increase in the national debt, the administration's spending target for next year is still at least $102 billion, an increase of $4 billion over the target for 1964 and of about $9 billion over the expenditure level in 1963. On the very same day that the House of Representatives is acting on the tax bill on the basis of the President's representations and on the basis of the representations being made by the chairman of the Ways and Means Committee, Congressman MILLS, and the head of the Appropriations Committee, Congressman CANNON, to the effect that increased spending must be checked and that new programs should not go ahead until the results of the tax cut are studied, the President is out on the stump in Duluth, Minn., calling for support and expansion of many Federal programs such as increased ARA funds, accelerated public works, a youth conservation corps, rural areas development program, Federal aid to education, Federal aid to science and technology, and other extremely costly programs. In view of such duplicity, is it any wonder that the Republican Party in the House of Representatives is asking for some formal commitment or bond that the President's promise is worth more than a wooden nickel? The apparent refusal of the Democrats in the House to vote for and the refusal of the President to accept reasonable limitations on future expenditure increases, which are incorporated in the Republican amendment, reemphasize that, if the Senate should pass the tax bill under this administration's leadership, we are committed almost irrevocably to deficit spending on a tremendous scale and for an indefinite period unless our present leadership is replaced.

For this reason, let us examine the deficit spending theory and see if we can get the American people to understand the fallacy involved in it. The theory moves on the assumption that a dollar spent by the Federal Government is, somehow, going to result in a faster turnover of dollars and greater prosperity for all. The fallacy of the theory is that the dollar to be spent by the Federal Government must come from some other source. These sources are three.

First. It may come from taxes. By embarking upon a tax cut at this time, we cannot expect the increased dollar to come from this source.

Second. It may come from borrowing, which involves the purchase by someone in the private sector of the economy of Government bonds, and the dollars spent by that investor had they not been used for purchase of bonds would have been available for investment in private enterprise, spending on consumer goods, expansion of capital plant, or some other productive use. Even if the holder of the dollar in question did not decide to spend it himself, he would have put it in the bank, in which case it would have become available for loans and investments by others in the private sector of the economy.

Finally, if the dollar taken by the Federal Government did not come from one of the first two sources, it must have come from an increase by the Government in the total money supply. This in turn means that it would reduce the value of all other dollars since no additional wealth has been created by it, and this of course is the meaning of inflation. In other words, rather than taking the money to be spent in taxes directly from taxpayers, it is being taken from all citizens by reducing the value of their holdings.

This latter course is indeed the course upon which we seem about to embark. While it is dangerous, even at the present time with relatively steady price levels and good economic conditions in spite of the high unemployment figures and the growing lack of confidence in our fiscal stability, this course could be devastating in other economic circumstances with which we may possibly be faced.

Government fiscal policy, like military strategy, should be based upon enemy capabilities. Any military plan which fails to take into account all of the enemy capabilities is likely to result in defeat and disaster. With the many differing economic views and with the unpredictability of the economic factors—which we have learned to our sorrow by past experience—this is even more true of Government fiscal policies.

Recognizing this principle, we should be asking ourselves where the road of deficit spending for its own sake leads, or could lead under given circumstances. As we have noted, we are presently embarked upon a policy of reducing taxes in good times in order to stimulate our economy. Conceivably this stimulation might work, or the basic strength of the American free enterprise system may be such that we can proceed without economic difficulties in the foreseeable future. The lessons of history are, of course, to the contrary. Let us consider for a minute what we might do if we are faced with economic recession or with massive inflation, with a resulting falloff of revenues that would be enhanced by the proposed tax reduction. What course do we follow then? Presumably, a course of doing nothing would result in national bankruptcy, excessive costs of further borrowing, and a probable increase in the money supply that would result in galloping inflation. We would, therefore, have to do something. The alternative courses that would be left would be three.

The first course would be to decrease taxes still further, thus creating a larger deficit in the hope that more of the medicine that had not worked would make us well. If it did not, it would surely finish us.

Secondly, we could cut expenditures. Since times would presumably be bad, according to the theory of the prophets of deficit spending, this would have a disastrous effect upon our economy and drive us even further into the hole.

Finally, of course, we might have to come around to increasing taxes again, probably by more than the decrease we are presently considering. According to the dogma of the deficit spenders, this would also result in hurting the economy more and indeed it probably would. The answer is, however, that there would be no other alternative.

Faced with these alternatives of action, what will happen is that the American people will go off their spending binge and demand that we return to sound economic principles of aiming at balanced budgets, keeping our expenditures within our available revenues and encouraging private enterprise to move forward to meet the needs of our people under the stimulus of a profit system and with the willingness that Americans have always shown to work when their efforts are not threatened by massive Government.

This bill should be defeated, unless Government spending is checked.

Mr. MILLS. Mr. Chairman, I yield 15 minutes to the gentleman from Florida [Mr. HERLONG], a member of the committee.

Mr. HERLONG. Mr. Chairman, I am sure that there has never been an issue that has arisen during the 15 years that I have been in Congress that has caused more soul searching on my part than has this bill—and in particular the proposed motion to recommit.

I want to hold down Federal spending. I am even willing to do the politically foolish thing of voting against expenditures in my own district if in doing so I can constructively help to accomplish that result.

Many of you know that every year since 1957 I have been the cointroducer of a tax cut bill. The provisions of this bill have varied from year to year but the general principles have remained the same. They were threefold: First, income tax rates are so high as to be incentive destroying; second, the cuts provided in the bill were to be phased in over a 5-year period so that the impact of the cut would be lessened as far as revenues were concerned; third, to make such a tax cut really effective we must at the same time hold the line on Federal spending.

With regard to the first objective sought by our bill, I have pointed out through the years that it was our judgment that the steeply progressive personal income tax rates had the effect of stifling the economy. In short, that we have priced ourselves to the point of diminishing returns taxwise. Besides the corporate tax cut that is in the bill we are now considering, there is a substantial personal income tax reduction as well. It does not follow the exact scale that I would have followed if I had my way. Indeed, the progression in income tax rates, even under this bill, is still much too steep. Further, as our colleague, the gentleman from Tennessee [Mr. BAKER] and I said in our separate remarks in the committee report, we do not believe that enough attention was given to a tax cut in the so-called middle brackets. It has been my purpose all along to try to make it easier for a young man on the way up the ladder to take each successive step upward without having to worry about whether confiscatory tax rates would make it worthwhile for a person to take on the added responsibilities that customarily go with an increase in pay. And I for one intend to continue my efforts even if this bill passes to make the successive steps in the income tax ladder more orderly and less steep.

Nevertheless, the rate structure in the bill we are considering is a step in the right direction. There are some of the so-called reforms in the bill with which I was not in accord. Other suggested reforms with which I disagreed were left out of the bill by the majority vote of the committee. But taking the reform section as a whole along with the rate reduction, the total bill does present to the Congress an opportunity to do something in the way of tax rate reform that in my judgment is long overdue.

As far as the second objective sought by the so-called Herlong-Baker bills is concerned, as I said, they provided for the tax cut to be phased in over a 5-year period. By doing it this way, we felt that the impact on our Federal revenues would not have been as great in any one year as they will be in fiscal year 1965 under this bill. Of course, it is also true that the stimulating effect of a smaller tax cut each year would not have been as great as by the larger two-stage cuts in the present bill—so this argument cuts both ways—nevertheless there is in this bill today a phasing in of the tax cut for the purpose of lessening the impact.

The third feature of each of the so-called Herlong-Baker bills was an attempt to tie in with income tax reduction a reduction in Federal expenditures. Some people have said that the Herlong-Baker bills was in fact the father of this idea of forcing a reduction in spending before a tax cut became effective. When this idea was first advanced, it intrigued me and I made a number of speeches pointing out that holding the line on Federal spending was a necessary prerequisite to tax rate reform. Of course, at the time I was able to indulge myself in the luxury of dealing with the subject in general terms. Because I was not forced to get down to specifics but could talk in general terms it was appealing to the people to whom I talked. But finally in the consideration of this tax bill we did have to get down to the specifics of how this laudable objective could be accomplished as a practical and workable part of this bill. Here was where the trouble started. I found myself in the position of the mice who came up with the brilliant idea that their only salvation was to put a bell on the cat. Everybody agreed with the general idea, but when it came down to the specifics of who was going to put the bell on the cat, it was a different story.

In the several Herlong-Baker bills that have been introduced, you will note that we varied the approach to this problem each time, searching even then for some practical way to accomplish this result, but always finding enough bugs in the way we attempted to work it out to make us try another method the next time we introduced it. Because I still favor the idea and because of the image that such an amendment created in the minds of the folks back home, the first time the question of putting a restrictive amendment in the bill came up in the committee, I voted for it. However, even those who proposed the general idea in the committee have changed their minds several times about how to do this job so that this version we will have today will be the fourth attempt at language designed to accomplish this splendid result.

When I began to really study the effect of each of this particular proposals that attempts to tie in a reduction in spending with a tax cut, I found so many things wrong with it from a practical standpoint, so many things inconsistent with my own general philosophy of government, that in good conscience all I could do was to abandon the position I had previously taken and settle for the language in section I of the bill.

Now, I understand the motion to recommit that we will have this afternoon follows the pattern outlined so masterfully by my distinguished and respected colleague, the ranking minority member of our committee, over nationwide television last week. It will have the effect of creating the same image that I have attempted to create during the 6 years that I have been pushing a tax rate reform bill, but I insist, after having carefully studied this, and as one who has had, and still holds to the conviction that we must hold the line on Federal spending, this motion to recommit is only an image and when you reach for the substance it simply is not there.

Some people have told me that if I were to be consistent with the position that I have taken all along, that I should vote for the motion to recommit simply because of the image, if for nothing more. I can assure you, this would be the easy vote for me from a political standpoint. But when I am convinced, as I am at this time that, contrary to what the gentleman from Wisconsin stated the other night on television, this motion to recommit is not "an unbreakable commitment to control spending"; when I am convinced that it is impracticable and unworkable and unsound, I must change my position.

But this change of position on this particular feature of the bill in no way changed my adherence to the principle of controlled Federal spending. May I say that, if in order to be consistent, I must adhere to a position previously taken even after I have learned that that position is impractical, unworkable and unsound and not in the best overall interest of our country, then it would be a foolish consistency and I plead guilty to being inconsistent. It is, indeed, because I adhere to the principle of holding the line on Federal spending that I oppose this motion to recommit.

Why? Well, let us just look for a moment at the latest version of the motion to recommit which the gentleman from Wisconsin told the American people he would offer. It says in effect that next January, if the President estimates that the expenditures for the total of fiscal year 1964 will not exceed $97 billion and if the estimated expenditures for fiscal year 1965 will not exceed $98 billion, that the tax cut will go into effect.

There are many arguments against this type of amendment, such as that this, in fact, gives the President the right to decide whether we will have a tax cut—a right which he asked for early last year and a right which Congress has so far declined to give him—and parenthetically a right which I am not willing to give him—as well as the argument that this would give him the right to make cuts wherever he chose to make them if he wanted to make the tax cut effective—giving him in effect an item veto.

Of course, it is argued that he has this right today because the Executive does not have to spend all of the money appropriated, but never before have we given the Executive this much authority to reduce spending when and where he sees fit as we would if we pass the motion to recommit. But my principal objection to this amendment is that it is not a firm unbreakable commitment to control spending and that it can in fact result in creating a condition that will cause a great deal more Government spending.

Economists tell us that there are but three ways by which our economy can be expanded to the degree that it is necessary in order to provide jobs for the millions of people who are coming into the labor market each year. First, it can be done by increased Government spending which this bill rejects and which I personally reject. Second, it can be done by increasing profits and thereby creating an incentive for people to risk investing their money in enterprises with the hope of being able to retain a larger share of the profits. And, third, it can be done by increasing consumer purchasing power.

This bill, through the corporate rate reduction and the individual income tax rate reduction, does create more profits and increase consumer purchasing power. I submit that this is the only sound way for our economy to achieve the growth it needs. Some of my friends have conceded to me that, of course, the motion to recommit is not an unbreakable commitment and that there is no guarantee that it will have the effect of holding down spending, but that it ought to be put into the bill if only for the psychological effect that it would have on the people back home. They say in effect that this would let them know that we intend to do something about spending.

Well, if the people at home want to hold the line on spending, as I believe that they do, why do we not do it ourselves without passing the buck to someone else? Do we want to be a party to trying to confuse and mislead our people back home into believing that this amendment will accomplish something when we know in fact that it will not? I may have misled my people back home on occasion, but I have never done it intentionally. If I voted for this motion to recommit and went back home and told them that I had voted for an unbreakable commitment to hold down spending, I would be deliberately misleading them and this I cannot do, knowing what I know at this time.

It is, as I said, an easy vote to vote for this motion to recommit and if you do not think that your people are going to do anything more than think superficially about this, it is a good political vote. It may be that you want to deal at arm's length with your people at home and not tell them the whole truth about an issue like this because you want to take the easy road. I do not. So the argument that we should put the amendment of the gentleman from Wisconsin in the bill whether it means anything or not just for psychological effect is specious.

Some people have also said that the adoption of the amendment would have a psychological effect on the Congress itself; that it would cause us to think twice before we voted for unwarranted authorizations and appropriations. May I point out in this connection that this motion to recommit is not directed to the Congress. It is directed to the President of the United States.

What we would be saying by this amendment is that we do not have to worry about what we vote for in the way of appropriations; that there is someone else who will do the cutting—someone else who will correct our mistakes—that we in Congress are simply giving up our rights and responsibilities to hold the line on spending. So, I reject completely the idea that the motion to recommit, which is not a firm unbreakable commitment would have any psychological effect either on the Congress or on the people back home when they learn, as they will, that it does not guarantee a reduction in spending.

I said earlier that this motion to recommit could possibly lead to greater Federal spending. How can this happen? Let us suppose that the amendment is adopted. Then next January, the Secretary of the Treasury tells the President that he cannot guarantee an estimate of expenditures to be absolutely correct—he will call attention to the fact that ever since 1952 budget expenditures have varied from $4 to $6 billion one way or the other from the estimates and it has been almost that far off on the estimates for the remaining part of the fiscal year when half the year is gone.

I frankly do not believe that the Secretary of the Treasury would make a recommendation to the President suggesting that he give an unrealistic figure in his estimate just for the sake of making the tax cut effective, when he knows that later on he is going to have to ask the President to change the estimate.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I do not have much time left.

Mr. BYRNES of Wisconsin. The gentleman used my name all during the debate.

Mr. HERLONG. I yield to the gentleman.

Mr. BYRNES of Wisconsin. The gentleman is misstating what will happen under the motion to recommit. The Secretary of the Treasury has nothing to do with the estimating of expenditures. It is the Budget Bureau that is the arm of the President in determining the estimated level of expenditures. He has that whole department to determine what the fiscal picture looks like. That is where the President will seek the advice when he comes in and makes his estimate of where we are and where we are going as far as expenditures are concerned.

Mr. HERLONG. Even so he gets a recommendation from whomever he gets it. All of these people get together and work up the data on which the recommendation is based, and regardless of who actually makes the recommendation on which the President acts, in my judgment it will not be an unrealistic recommendation. I do not believe that a recommendation is going to be made suggesting that we are going to meet this figure just for the sake of making a tax cut effective. If at that time a realistic estimate shows that we are going to spend by the end of fiscal 1964 $97,100 million, and I am saying a figure which is just over the limit, but if the estimate does say that, then we will not have a tax cut, and what does this mean? It means that we will have rejected this method of making our economy grow.

Then the only alternative for the administration to follow to create the jobs that will be needed would be the highly inflationary road of increased Government spending, and those of you who will have voted for the motion to recommit will have been responsible for forcing higher spending or of forcing more unemployment—and the recession that automatically follows. Now, some people have said that they believe that regardless of how much we appropriate the President will submit an estimate that will make the tax cut effective along the guidelines of this proposed motion to recommit if it passes. If this occurs, as I am sure has been pointed out to you, a supplemental estimate can later be filed and this, of course, would not keep the tax cut from going into effect and would not stop spending either.

But, it is argued that the President would have a moral responsibility to try to live within the amount that he said would be spent. As I said before, believe me, there is nothing exact about the setting of such an estimate, and conditions can rise beyond the control of anyone which would make an additional increased estimate necessary. This could happen even if you believe that the President was going to try to hold spending down. If you do not believe what he has said, then this motion to recommit is no limitation on him whatsoever. Some people have said that if the President did not live up to his moral responsibilities to hold spending down—even though, as I said, it could be beyond his control—that he would be guilty of having misled the American people and he would have done it in writing—and it would be his responsibility and likewise his fault.

This line of thinking seems to be prevalent among too many people today. They do not seem to care if the country goes to the dogs, just as long as someone else can be blamed for it. Well, I for one do not feel that way. In the first place, I am not willing to shift my responsibilities to say how much money is spent, and for what, to the President or to anyone else. I stand here now and say that I am willing to assume my responsibility for holding down spending and that regardless of any pressures that may be forthcoming, I will not vote for any of the bills the President mentioned in his speech the other night.

If enough of you will join me in this resolve, you have got nothing in the world to worry about in this tax bill. If you do not—if you think you can have your cake and eat it too, then all you are going to do by passing this motion to recommit is either mislead the people back home or cause a further avalanche of Federal spending—or be the cause of greater unemployment—and a recession. I do not want that on my conscience and I do not believe you do either.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I am glad to yield to the gentleman.

Mr. MEADER. I have been listening with great care to the gentleman's attempt to explain his conversion, and I am not clear as to whether he has come to the conclusion that there is no way in which the Congress can limit spending. Have I understood the gentleman correctly?

Mr. HERLONG. There is no way—there is no practicable, workable way to limit spending in a tax bill. It can be limited in authorizations and in appropriations.

Mr. MEADER. Well, then, after we have authorized and appropriated, the only place where the rate of expenditure can be controlled is by the President; is that not so?

Mr. HERLONG. That is correct.

Mr. MEADER. And do you not think it is appropriate for the Congress to tell him to exercise that power in the fashion that the Byrnes motion to recommit provides?

Mr. HERLONG. I suggest that we exercise it ourselves. Mr. Chairman, I support passage of the bill and oppose the motion which will be offered to recommit.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Chairman, I have never seen my friend, my esteemed colleague, the gentleman from Florida [Mr. HERLONG] who just preceded me, be caught so far off base. I hold him in the highest esteem. He is an able Congressman and he is generally conservative and right, but not on this question. He apparently is trying to make Members of this House believe that it is not right or proper to put a ceiling and put some spending restrictions on the President of the United States who has by his acts and demands proven to be the most reckless, wasteful spending U.S. President of all times.

Also, he said almost categorically that anyone who voted for the Byrnes amendment is trying to fool the people they have the honor to represent. Well, now, I deal with my people right across the table—face to face—and that is the way most Republicans I know deal with the people they represent, just as we are doing today.

Now, Mr. Chairman, at a meeting of the Republican members of the House Committee on Appropriations this morning the following statement was unanimously approved, and I shall read that statement word for word:

> We, the Republican members of the Committee on Appropriations, have carefully considered the proposed spending ceilings for 1964 and 1965 to be offered as an amendment to the tax bill.
>
> Based upon our collective experience during the past 8 months in considering line by line the spending requests of every Federal agency and department, our judgment is that the amendment is both necessary and workable.
>
> The ceilings it would impose will be powerful and dependable allies for both the Congress and the executive branch in bringing substance to the unanimous agreement which has been reached that Federal spending must be brought under rigid control.
>
> In our judgment, the ceilings can be met through the appropriations process, including the significant role played by the Executive in initiating that process.
>
> We go beyond this. Based upon our knowledge of the needs of the Federal agencies, we believe the Government cannot only live comfortably within these ceilings but, with diligence and cooperation between the Executive and Congress, we believe that Federal outlays can be kept well below the amounts specified in the amendment. This belief is based upon the results of the start which has been made this year by the Committee on Appropriations to reduce the swollen Executive spending requests—a start in which we have been joined by most of our Democratic colleagues on the committee.
>
> This may be our last chance to take definite and firm measures to bring Federal spending into a fiscally responsible relationship to anticipated Federal revenues. The adoption of the ceilings by the House will be a commitment to the Nation by its Members, expressing their determination to call a halt, here and now, to perpetual deficits and spiraling debt.
>
> We strongly support the adoption of these spending ceilings and unanimously urge their inclusion in the tax bill. Our support of the amendment constitutes our collective pledge, as Republican members of the Committee on Appropriations, that we will devote ourselves completely to the task of keeping Federal spending not only within the ceilings established by the amendment, but as far below them as possible consistent with the security and welfare of our Nation.

That statement is signed by all 20 members of the House Committee on Appropriations.

In closing, Mr. Chairman, let me assure you, and every Member of Congress, and every American citizen, that whether or not the Byrnes amendment is adopted and whether or not this bill becomes the law of the land, the Republican members of the Committee on Appropriations—and I am sure I speak for almost every Republican in this House—the Republican budget-cutting task force which has been in operation for the past 8 months and has done effective work, will continue in our determined effort to carry on until the budget is in balance and even after that, until we can start paying off on this terrific national debt which is a burden to all the people now and will be a greater burden, not only to those who are living today but to generations yet unborn.

Oh, Mr. Chairman, what cowards we be to unload this terrific debt on future generations for them to pay while we go merrily on enjoying this spending spree, with little thought by the spender here of what the harvest will be. Anyone who has read the history of the world knows that every nation in recorded history that has gone down this kind of spending road to its ultimate end has come to misery, strife, cold wars, currency depreciation, commodity inflation, to the end the people could not or refused to buy their government bonds and then there was only one recourse left, and that was to start the printing presses rolling out paper currency by the tons, hardly worth the paper it was printed on.

Yes, Mr. Chairman, it can happen in America and it is happening this very minute. Let us do our duty by bringing this criminally wasteful spending to a halt before it is too late.

I see the able chairman of the Committee on Appropriations here, the gentleman from Missouri [Mr. CANNON]. I am sure he agrees with every word I have said.

Mr. ASHBROOK. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 155]

Bolling
Celler
Diggs
Gray
Gubser
Hansen
Harsha
Hosmer
Macdonald
Mailliard
Nedzi
O'Brien, Ill.
Powell
Rivers, S.C.
Ryan, N.Y.
St. Onge
Schwengel
Sheppard
Whitener
Williams

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. ROOSEVELT, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 8363, and finding itself without a quorum, he had directed the roll to be called, when 412 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. MILLS. Mr. Chairman, I yield to the gentleman from Mississippi [Mr. ABERNETHY] such time as he may desire.

Mr. ABERNETHY. Mr. Chairman, as much as I would like to see and enjoy a general tax reduction, I cannot in good conscience vote for this bill.

The Federal Government has increased its spending at the rate of $5 billion per year for the past 4 years. The national debt has increased by about $9 billion every year during this period. The total national debt now stands at $309 billion; almost $7,000 for every American family. Interest on this gigantic "loan" is paid by the taxpayers and costs $10 billion per year.

In the face of this grim fiscal picture, it seems unrealistic to purposely lower revenues by $10 to $11 billion a year.

The advocates of a tax cut introduced new terminology into the English language. What we have always known as "debt," they are now calling "planned deficit."

I respectfully submit that in the long run the two terms mean the same thing—misery. I cannot willingly submit the taxpayers of my district to the increased misery of increased debt.

Even the administration's spokesmen who presented the program to Congress admit the tax cut would result in $9 billion additional public debt in each of the next 2 years. I think the figure will be considerably more, probably double that amount, because the debt increase has averaged $9 billion for the last 4 years with taxes at the present rate.

During the past 20 years inflation has maintained a recognizable ratio to the national debt. As the debt has risen to $309 billion, the value of our dollar has fallen to 47 cents.

Unless this trend in fiscal history reverses itself, which is not likely, the so-called "planned deficit" will be paid for in the watered-down currency of inflation.

But the planners of this deficit are gambling that tax reduction will bring about economic growth which will produce greater revenue even at the lower rate, thereby balancing the budget after only 2 years of "planned deficit." This is a long shot. The risk of failure is too great and it is an unnecessary risk.

I would support a tax reduction if it were accompanied by a proportionate reduction in Federal spending. There is plenty of fat in the Federal bureaucracy that could be cut out. For example, the Justice Department might terminate its vendetta against my section of the country. Untold millions could be saved here, to say nothing of the peace and tranquillity that would inevitably follow.

Some of the bureaucrats like to point the dirty finger at national defense when the unpleasant subject of fiscal responsibility arises. This sounds good but the facts are that defense spending has remained relatively constant while nondefense, nonessential spending grows every year. Even now, while the administration urges a tax cut and promises to reduce expenditures, many new and costly programs are pending in Congress and are being pushed by the administration.

In view of the current fiscal situation, I feel that a tax cut at this time would be unwise, unsound, and fiscally irresponsible. Let us first put our house in order, reduce spending, balance the budget, and make at least a modest payment on the debt which we have incurred.

Mr. CURTIS. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Chairman, at the outset I want to say without hesitation or qualification that I intend to vote for the motion to recommit; and I am pleased and honored that I find myself supporting wholeheartedly the arguments, the rationale expressed to us in this Chamber a few minutes ago by the distinguished chairman of the House Committee on Rules, the gentleman from Virginia [Mr. SMITH].

Let me say that the Byrnes motion to recommit is not a pious hope for economy in the Federal Government. On the other hand, the proper definition of the committee language in the bill, in the first portion, is a pious hope, nothing more. The motion to recommit, as I read and analyze it, is a constructive effort to achieve tax reduction. It is not an item veto turned over to the President. It is not a delegation of legislative authority by the Congress of the United States. The motion to recommit simply says to the American people that their President can give to them a long overdue tax reduction providing, in the submission of his budget in January 1964, he estimates expenditures for fiscal 1964 at $97 billion and estimates for fiscal 1965 at $98 billion. It puts the burden for a tax reduction or no tax reduction at that point on the President. It makes the President be selective. It makes him make some hard decisions on the basis of priorities. It makes the President say if the tax reduction is as important as he says it is then we in the executive branch of the Government will hold down our expenditures.

From the legislative point of view it seems to me that this motion to recommit is only another legislative tool in our arsenal to achieve fiscal responsibility. We have used, I concede not too successfully, the debt limitation method which is another. I concede this motion is not the most forthright way to do it over a long period of time. The motion to recommit will not be applicable every year, but it is a tool between now and mid-January that we in the Congress and our President can utilize if this tax reduction is vital.

Of course, we do have in the Congress the appropriations process as our third tool to achieve fiscal responsibility. I must admit that from time to time we do not do as well on this as we should, but nevertheless it is a method and it is not infringed upon by the motion to recommit in any way whatsoever. In fact, they are complementary.

Let me add parenthetically that if the motion to recommit does prevail I intend to vote for the bill, but I add a footnote, that if the motion to recommit is not approved I intend to oppose the bill. It is not sound or fiscally responsible in any way whatsoever for us to have a tax reduction of this magnitude with unlimited spending. We will have unlimited spending by this administration unless we do impose this limitation.

Mr. FINO. Mr. Chairman, will the gentleman yield for a question?

Mr. FORD. I yield to the gentleman from New York.

Mr. FINO. If this proposed amendment to restrict, to curb spending is adopted, will it affect the pay increase scheduled for our Federal employees?

Mr. FORD. In my judgment, the motion to recommit, if it is approved, will in no way whatsoever interfere with the enactment or the approval of the legislation mentioned by the gentleman from New York.

Mr. FINO. I thank the gentleman.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield for one question?

Mr. FORD. Yes.

Mr. ROGERS of Florida. If the gentleman will recall, when we passed the bill before which would have allowed the Committee on Appropriations to put an expenditure limitation on each governmental department, as I recall, the gentleman was violently opposed to that. But now the gentleman wants to use this method by putting an expenditure limitation in effect.

Mr. FORD. Circumstances now are quite different. Our fiscal situation was not comparable and we were not at that time talking about a tax bill. We were talking about appropriations.

Mr. ROGERS of Florida. Would the gentleman further yield on that point?

Mr. FORD. Yes, I will yield.

Mr. ROGERS of Florida. Now, I would like to say to the gentleman that the concern that we have is holding down expenditures. As I understand the gentleman, the gentleman says that if we put a limitation on what may be requested to be spent, it would have the same effect as putting a limitation on spending. This is not true.

I would be hopeful that the gentleman will reconsider his position on the Committee on Appropriations, and if we can reenact the prior law there ought to be an expenditure limitation on each of these departments placed by the Congress.

Mr. FORD. Let me assure the gentleman that I have, and I intend to hold down appropriations. I am sure the gentleman would concede that my voting record in this regard is forthrightly for economy in Government. We are dealing today with an overall spending limitation in order to achieve a tax reduction. We will take care of this today I hope. Because our fiscal situation is desperately serious under this administration, I would consider such an amendment.

Mr. ROGERS of Florida. I thank the gentleman.

Mr. FORD. My principal purpose in taking the floor today was to assure my colleagues, and to say categorically that under the motion to recommit the $97 billion limitation proposed in fiscal 1964 and the $98 billion limitation anticipated for fiscal 1965 will not in any way whatsoever jeopardize our national defense program.

Mr. Chairman, what is the evidence on which I can make that statement? First, on June 26 of this year the House reduced the President's budget request for the Department of Defense by $1,932 million. Yesterday, September 24, the other body reduced the President's military appropriation bill by $1,674 million. Now, if we assume that the House and Senate conferees simply split the difference—and I must say I am not hoping this is the case—but if we assume they simply split the difference, Congress will have reduced the President's military budget in new obligational authority by approximately $1.8 billion. You cannot absolutely reflect a reduction in new obligational authority to expenditures. This is particularly true in a sizable portion of the Department of Defense appropriations. But there is a rule of thumb, and based on this rule of thumb, I would say that if we simply split the difference between these two bills in fiscal 1964, there will be through the appropriations process a reduction in the minimum of $500 million in expenditures.

The Department of Defense expenditures in fiscal year 1964 could be reduced by these appropriation cuts even more than that, but as a minimum a half-billion dollars. If you take the $97 billion limitation for fiscal year 1964 proposed in the motion to recommit, it is only $1 billion less than what the Secretary of the Treasury, I understand, is now anticipating as the expenditures for 1964.

To summarize, Congress has or will provide adequately and constructively military funds for the Department of Defense in fiscal year 1964. So the motion to recommit in and of itself would not jeopardize, it would not straightjacket our military program in fiscal 1964.

In my judgment, the motion to recommit does not deny a tax cut. It will leave adequate funds for the prosecution of our defense program, it will leave adequate funds for the necessary services to be provided for our people. The motion to recommit purely and simply says that if we want a tax cut in 1964 the President must be selective and make a decision between unlimited spending and a reasonable limitation on expenditures in fiscal 1964 and fiscal 1965.

Mr. MILLS. Mr. Chairman, I yield to the distinguished chairman of the Appropriations Subcommittee on the Defense Department, the gentleman from Texas [Mr. Mahon], 10 minutes.

Mr. MAHON. Mr. Chairman, there are some in this Chamber who are troubled about how to vote on certain issues which will be before us later in the afternoon. I am not going to discuss the tax bill because I believe the members of the committee have done and are able to do a better job of discussing the tax bill than I am able to do. I am going to discuss with you, if I may, the proposed motion to recommit.

My thesis is that it will not hold water, it will not save money.

The motion to recommit is not a matter peculiarly related to the Committee on Ways and Means. It is related to all congressional committees, it is related to each Member of this House in a very special way. The rank-and-file Member is entitled to have his opinion evaluated on this issue to the same extent as are the members of the Ways and Means Committee.

I think we must agree that there are two sides to the tax bill, but after considerable exploration I am able to find only one logical side to the proposed motion to recommit the bill.

I say that because a very fundamental issue is involved here, Mr. Chairman. This motion constitutes a partial surrender of the power of the purse by the House of Representatives and by the Congress of the United States. The power of the purse is the major power which the Congress has left, and if we surrender it we go down the drain and we move toward dictatorship by the Executive. I saw a Member shake his head when I said the issue involved here is surrender of the power of the purse by the Congress, but I do not believe you will shake your head after you have evaluated this situation a bit further.

It is said that this motion to recommit is politically attractive. It is on first reading, I must admit. I was speaking to a Member just a few minutes ago. I said, "I am not interested in how you are going to vote on the bill; how are you going to vote on the motion to recommit?" He said, "George, I have now read the motion to recommit and I am going to vote against it."

If I know the temper of the people they are unalterably opposed to this abdication of power by Congress. They oppose the surrender of congressional authority to the executive branch, be it under President Kennedy, President Eisenhower, or anybody else. The people of this country do not want us to surrender the power of the purse to President Kennedy any more than they wanted us to surrender the power of the purse to President Eisenhower.

I do not want to go back to my people and say, "I have contributed to the erosion of the power of the Congress, the body to which you elected me," and you do not want to go back and say that. This thing which looks attractive on the surface will, if you peel back the first layer, lose its attractiveness.

This is not an economy motion. It does not save a penny. It just simply says that the President, in submitting his expenditure budget, must submit it at a certain figure in order for the tax bill to take effect. The President can easily say, "I will dribble out the expenditure of money which you have made available to me for a few more years or a few more months, if that is what you want me to do," but he can still set his spending estimate. Bear in mind that this estimate is made 18 months in advance of the end of the forthcoming fiscal year. He can set it at the figure required in the motion. There is no problem there. But in this process Congress will have lost its power and control and will have suspended the sword of Damocles over every congressional district and over the head of every Member of Congress.

Why do I say that? This is the reason I say it. There is carried over from the previous fiscal year many billions of dollars in funds available for expenditure, and we will add to that the expenditures made possible by the present appropriation bills, so the President—regardless of what we do about cutting the remaining bills for 1964 appropriations or what we do about this motion to recommit—is going to have more money available to spend in 1964 than he would plan to spend or than he would spend.

You might say, "Well, he doesn't have to spend the money Congress appropriates," and he does not always spend the money Congress appropriates, though we have expressed from time to time our conviction that when we appropriate the funds for a project or a program the will of Congress should be respected and carried out. But what we do here under this motion to recommit is to give the Executive a mandate. We say to him, "Now, you must not spend all the money we have appropriated. We may have been too generous in providing appropriations so you cannot spend all that we have provided. You have to be selective. Which projects and programs will you carry out? Which ones will you cut back? Whose districts will be involved? Which programs will be eliminated and which programs will proceed?"

My colleagues, do you come from the South, or do you come from the North? Are you a Republican or are you a Democrat? What sort of millstone do you want to tie around your neck?

I do not think the President would be unfair or want to contribute in any way to the political fortunes of Members, but I can very well imagine that in deciding which money not to spend and which money to spend, some of the people at the lower echelons in the executive branch might tend to try to reward or chastise. We would have no one to blame but ourselves if we give the President the mandate which this motion to recommit offers.

Nobody really thinks this proposal will save any money. It is only a vote of no confidence in the Congress. It is merely an abdication. It is merely saying to the whole wide world that we, Democrats and Republicans, are incompetent to govern and we cannot control spending although the Constitution gives us that authority. We have the power of the purse, but we refuse to use it. That is really the issue here. That is it. There is no bypassing it or sidestepping it.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman briefly.

Mr. HALLECK. I just want to ask the gentleman this question. Do I understand from what the gentleman is saying that you will join with some of us in voting against these new programs that are being advocated and that he will vote with us in cutting down appropriations so that we will keep expenditures below the $97 billion level?

Mr. MAHON. I want to say, I am not going to vote with you—but I want you to vote with me in cutting down these appropriations. As a member of the Committee on Appropriations, I have made the motions in the Committee on Appropriations to report every bill this year and we have cut the budget by $3,600 million. I want Democrats and Republicans to join together in accepting our responsibility in the control of the purse-strings of the Nation.

Mr. HALLECK. Possibly I phrased my question in rather poor fashion when I asked the gentleman if he would vote with me. But let me just say to the gentleman, if he will vote against these new programs and vote to cut down appropriations, I will be there standing with him.

Mr. MAHON. I think that is wonderful. I hope we can all stand together and make the best possible record for economy. I want to see the President's budget cut by $5 billion plus. And if we cut the budget, I want to give the credit, if there is any, to the Members of the Congress where the credit or blame should be placed; and I do not want to vote for a motion to recommit which will, in effect, give all of the credit to the President.

Not long ago, I went to a rodeo. The cowboys drove some wild Brahma cattle into the corral. They tried to rope them or to ride them, then tried to drive them out a side gate. Those Brahmas were trying to run out every corner and every part of the fence except where the gate actually was. That reminds me of the way the Congress at times does, in looking for a panacea, some easy way, some sugarcoated method to pass the buck. Everybody on this floor knows that is what the proposed motion is, a sugarcoated way to pass the buck and dodge our responsibility for control of spending. This I do not propose to do.

The Scripture says, "Strait is the gate, and narrow is the way."

Strait is the gate, and narrow is the way that leads to economy, yet we do not want to enter that gate, we do not want to go through it. We want to have our cake and eat it too. We want to be for economy but we hesitate to pay the price. We will not control the spending of the Government and bring about more economy—and we have brought about economies in many ways—until we face up to our responsibilities in this area.

You cannot be for economy in general, as represented by this blanket that covers everything and touches nothing. If we are going to save money, we have to be for economy in detail on each and every authorization bill and appropriation bill. That is the only way we can do it. Whoever tries to enter the House of economy by any other door is in pursuit of an illusion.

The motion to recommit may give trouble to some but it gives me no trouble at all because I take pride in my membership in the House of Representatives and I do not propose to support any action that would belittle this body or diminish its prestige among the people of our country nor do I propose to endorse hanging the sword of Damocles over the heads of my colleagues and over the districts which they represent.

Having received unanimous consent to revise and extend my remarks, I would like to add a few words about the machinery which Congress has already set up and tried out to assure that expenditure control practice is compatible with tax reductions. Congress has the authority and procedure to make its own legislative budget, including an overall expenditure limit. That authority was incorporated, after much thoughtful consideration of the role of the Congress, in the Legislative Reorganization Act of 1946. Let me quote that section because perhaps some Members are not familiar with it. Section 138 (60 Stat., 832, 79th Cong., 2d sess.) provides:

> SEC. 138. (a) The Committee on Ways and Means and the Committee on Appropriations of the House of Representatives, and the Committee on Finance and the Committee on Appropriations of the Senate, or duly authorized subcommittees thereof, are authorized and directed to meet jointly at the beginning of each regular session of Congress and after study and consultation, giving due consideration to the budget recommendations of the President, report to their respective Houses a legislative budget for the ensuing fiscal year, including the estimated overall Federal receipts and expenditures for such year. Such report shall contain a recommendation for the maximum amount to be appropriated for expenditure in such year which shall include such an amount to be reserved for deficiencies as may be deemed necessary by such committees. If the estimated receipts exceed the estimated expenditures, such report shall contain a recommendation for a reduction in the public debt. Such report shall be made by February 15.
>
> (b) The report shall be accompanied by a concurrent resolution adopting such budget, and fixing the maximum amount to be appropriated for expenditure in such year. If the estimated expenditures exceed the estimated receipts, the concurrent resolution shall include a section substantially as follows: "That it is the sense of the Congress that the public debt shall be increased in an amount equal to the amount by which the estimated expenditures for the ensuing fiscal year exceed the estimated receipts, such amount being $—."

For 2 or 3 years Congress attempted to exercise the control contemplated by this statute. The joint committees struggling with the problem decided that estimates of overall expenditure levels made in January or February—for the fiscal year beginning the following June, well in advance of the detailed examination of appropriation requests, were unrealistic, ineffective, and unworkable. The committee determined that the process was a failure and the whole process was abandoned. It was found that the only effective way to reduce Government spending was to reduce authorizations and appropriations.

Thus, expenditure control through the technique of fixing estimates has already been repudiated by Congress.

Those who favor economy in Government cannot afford to divert their attention from the real job of controlling appropriations by pursuing the will-o'-the-wisp represented by the proposed motion to recommit. Let us get on with the program of economy through the only method whereby economy can actually be achieved.

Mr. CURTIS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, it is not difficult to understand the arguments for and against this tax bill.

I do not believe there is any question in anyone's mind that our American taxpayers need and deserve a reduction in the tremendous tax burden they now shoulder.

I do not believe there is anyone who disputes the fact that our sagging national economy needs a fiscal shot in the arm to stimulate the economy.

And, I do not believe there is a Member of this Congress who is opposed to a tax cut.

But it is quite apparent that there is disagreement—substantial disagreement—as to how, when, and under what circumstances a tax cut should be given.

Under this bill, we propose to cut $11 billion in taxes so that we can relieve our individual and corporate taxpayers from the present oppressive tax burdens.

Few can find fault with the strong arguments in favor of a tax reduction.

I agree that high taxes have prevented our free enterprise system from generating its necessary growth; I agree that only lower taxes will help to achieve the economic expansion so necessary to provide a fully employed economy; and I also agree that a tax cut could stimulate our economy and increase our revenues.

But the serious question is: should we cut taxes on borrowed money? Because that is exactly what we are proposing to do here today.

We do not have a surplus. We do not have a balanced budget. But we do have deficits and a staggering public debt.

I do not agree that we should cut taxes on borrowed money—not when we have another avenue for relief.

We can cut taxes without going deeper in the red. We can cut taxes without borrowing the money. We can cut taxes if we had the intestinal fortitude—the courage—to tap a new source of revenue—an untapped source of revenue which is and has been available to this Government for a long, long time.

Mr. Chairman, the McClellan committee told us last year that gambling in the United States is a $50 billion a year business—a tax-free monopoly.

Why not tax this industry through a Government-run lottery? No one will be hurt by this type of taxation except the underworld crime syndicates.

The establishment of a national lottery would easily and painlessly pump into the coffers of our U.S. Treasury over $10 billion a year in new, additional revenue which could be sensibly, realistically, and logically applied toward a tax cut.

A Government-run lottery can accomplish a twofold purpose. It can strike a lethal blow at organized crime in this country and thereby help solve our serious gambling problem and, equally important—if not more important—it would provide our Treasury with over $10 billion a year in additional income.

In this present situation where we are faced with deficits, unbalanced budgets and a mounting national debt, I do not believe we have the right to ignore or be careless of the tax and revenue advantages offered by a Government-run lottery.

I am certain that an overwhelming majority of our American taxpayers would support a tax cut through a national lottery.

If this Congress is really sincere and concerned with the plight of our taxpayers and really wishes to alleviate the heavy burdens of taxation without getting deeper and deeper in the red, then it should have the guts to consider a Government-run lottery as the most sensible and realistic way to raise revenue to cut taxes. This is the best way—the only way. This, in my opinion, would be morally right, fiscally right. This would be fiscal responsibility.

Mr. CURTIS. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. MCCLORY].

Mr. MCCLORY. Mr. Chairman, the tax bill (H.R. 8363) now before the Congress focuses attention on one of the principal aspects of the congressional role which has perplexed me during the months since January when we received the President's budget.

What can and does the Congress do about gauging the validity of the projected expenditures recommended in the budget? How and in what way does the Congress relate these requested expenditures to the Federal Government's income?

As the gentleman from Missouri [Mr. Curtis] mentioned earlier, the 1946 Reorganization Act provided for a Joint Legislative Budget Committee, composed of all of the members of the House Ways and Means and Appropriations Committees, and the Senate Finance and Appropriations Committees. This joint committee was expected to review the executive budgetary requests, and after a review and revision, to recommend a legislative budget—a budget bearing the seal of the Congress, having regard for the Nation's needs as well as the ability of the citizens to provide the revenues to meet those needs. It was contemplated that such a Joint Legislative Budget Committee would have an adequate professional staff.

Unfortunately, the Joint Legislative Budget Committee provided by the 1946 act has proved to be unwieldy and inadequate, and legislation has been introduced at this session by the distinguished member of the Rules Committee, the gentleman from Mississippi [Mr. Colmer] and myself and many others to provide a workable body of the Congress to help restore the most important prerogative within our congressional authority—control of the complete fiscal business of our Nation, expenditures and revenues, instead of the wholly inadequate methods which now prevail. The need for this congressional budgetary control was never more clearly demonstrated than today as we debate and try through informal and expedient means to declare that a tax cut which we all earnestly want should be keyed in some manner to Federal spending.

The President would seek to correlate this congressional function through reliance on a personal letter to the chairman of the House Ways and Means Committee. The Republican Members will attempt such action by an amendment which will be offered on a motion to recommit. I will support the motion to recommit, notwithstanding that this is a feeble expression of congressional authority, which has been all but lost in the growth in size and power of the executive branch of the Government.

The historic role of the House Ways and Means Committee, to find ways and means of providing Federal revenues to defray needed Federal functions, assumes an abortive exercise by recommending tax changes and reductions which, in effect, renounce the responsibility of providing ways and means to pay the bills, and suggest instead that we do not pay the bills in the hope that the private economy will recover from the restraints and restrictions of bureaucratic controls and heavy taxation in order eventually to make up inevitable and planned deficits.

The proposals of the administration are all in the realm of speculation and admittedly based upon an economic philosophy which is alien to the traditional American system up to this very hour. However smoothly disguised by spokesmen for the administration, or by the President himself, the economic philosophy behind this tax measure is that national prosperity can be manufactured by creating high national deficits.

No longer do we follow the principle of taxing citizens to pay the costs of Government. Under this measure, we vow to spend more than we take in with the untested and untried hope that we will buy national prosperity on borrowed money. And if this untried, untested hope does not materialize, what do the proponents of these theories offer?

You can be sure that there is no intent to restore tax revenue which will be lost by this bill. Instead, we may be sure that further deficits, increased borrowing, and the inevitable inflationary spiral will ensnare us as it has every other nation in history which has sought to produce prosperity from management of the currency, huge deficits, devaluation of the currency, and all of the other manipulations by which administrations have sought the easy way to meet economic problems which require instead the greatest sagacity and courage.

Through our entire peacetime history, every chief executive of our Nation has sought to restrain efforts at reducing revenues below the needs of the Nation. For the very first time, this policy is reversed, and the people of the Nation in great numbers are seeking to restrain the chief executive from the unwise action which might jeopardize our economy—yes, and destroy our Nation as a great power.

As for me, section 1 of the bill (H.R. 8363) expressing the sense of the Congress indicating that the objective of the bill is to obtain balanced budgets in the near future, coupled with the letter from the President dated August 19, 1963, to the chairman of the House Ways and Means Committee, are not enough. The amendment which will be offered on the motion to recommit to require a declaration of expenditure limits is the very minimum which the Congress should demand and to which the people are entitled if this much needed tax reduction bill (H.R. 8363) is to pass.

Mr. CURTIS. Mr. Chairman, I yield such time as he may require to the gentleman from California [Mr. Don H. Clausen].

Mr. DON H. CLAUSEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Chairman, the presentation of testimony and comments on this tax bill has been most revealing. The debate has been eloquent and very deliberate. The major points that have been suggested will stand out in the body of the Congressional Record for all of the people of America to see from this day forward. I wish it were possible for every voting American and the people of my district to be present in the gallery of these chambers to see and hear the exchange of views on this tax bill that I have been privileged to witness. Unfortunately, it is not possible for each and every person to be present. This is indeed most unfortunate because it would be the only possible way for voters to fully understand the issue relating to this legislation.

Almost without reservation, every word spoken points out the overwhelming need for a tax reform and revision. There may be varying concepts on how to cut taxes, but generally the debate reveals that everyone wants to cut taxes, as I do. It is simply a question of how you do it and how positive the check on irresponsible, costly programs actually is. I want to associate myself with the remarks of the chairman of the Ways and Means Committee, the gentleman from Arkansas [Mr. Mills]. I find very little that I can disagree with. He made one of the greatest speeches I have heard on the floor of this House. He presented his case well, but he only told half of the story. I personally have come to know the gentleman from Arkansas [Mr. Mills] quite well during discussions on this tax bill. He gave me fair and favorable consideration to recommendations I made for inclusion in this measure. As a matter of fact, nearly every recommendation I made to the Ways and Means Committee favorably influenced the final decision on the particular sections concerned. I am also personally convinced that the gentleman from Arkansas [Mr. Mills] is fully in agreement, deep in his conscience, with the remarks of the gentleman from Wisconsin [Mr. Byrnes], the gentleman from Missouri [Mr. Curtis], the gentleman from Virginia [Mr. Smith], the gentleman from Tennessee [Mr. Baker], the gentleman from Ohio [Mr. Bow], the gentleman from Missouri [Mr. Cannon], the gentleman from Michigan [Mr. Ford], and nearly every Member of this body concerned with responsible government and fiscal integrity.

The only way the interested voter could understand the underlying objective of this debate is to combine the remarks of all these gentlemen into one statement. Your conclusion would be simply this—more emphasis must be placed in the private sector of our economy to handle and resolve problems and less in the public sector. In this I agree. You also would conclude that an overwhelming demand exists for a check on wasteful Federal spending, our balance-of-payments deficit, the increase in the national debt and the ever-increasing expansion of Federal programs. And much has been said about the need for fiscal integrity.

There is one most encouraging aspect attached to this legislation, and it reflects on the credit of the members of the Ways and Means Committee. This bill in no way resembles the proposed tax bill of the Kennedy administration. Next year during the election campaign, if this bill passes, and I am sure that it will, the administration will be claiming credit for a tax cut—claiming credit for all that this bill represents. Let me say here and now, if the President's recommendations had been acted upon, there would never be a tax cut—it would not even clear the Ways and Means Committee let alone be enacted into law. The Kennedy administration's proposals were in direct contrast to the bill we now have before us, and it included items that have been blasted and castigated by both the Democratic and Republican Members of the Ways and Means Committee.

What we are seeing today is a united display of demands for tax cuts. The Republicans, myself included, have been consistently vigilant in alerting the American people to the threats to our economy and our Nation if we do not practice fiscal integrity. Representative JOHN BYRNES and Representative TOM CURTIS have done an outstanding job of presenting the Republican demand for tax cuts and revisions. Up to this point I see no difference in their point of view and the presentation of Mr. MILLS. They are both for the tax cut. One would ask then, "Why is there dispute or room for debate? Why don't we vote for the tax cut and go home?" Herein lies the fundamental difference: the Republicans want a tax cut but, in view of the history of increasing deficits, they want something more—they want a check on expenditures by the Federal Government. They want it written into law—not left to the same political arena that has failed to check the trend of excessive Federal spending over the past decade.

The reason we feel so strongly about this is because we are no longer an island unto ourselves in this world. We are facing not only the major military threats of our adversaries, we are facing the threat of an economic warfare with Soviet Russia and other federations now forming throughout the world. The Common Market countries of Europe now have more gold reserves than we have because of the imbalance-of-payments problem. Never in our history has the economic strength of this country been challenged so severely—never has the need for fiscal integrity been so great. Our very survival as a nation is at stake.

Now is the time to let the American people know that we intend to guard their economic position in the world with a positive guarantee of fiscal integrity as proposed by Mr. BYRNES' motion to recommit. This would be truly a bipartisan effort that would permit this tax cut to pass almost unanimously as a step toward fiscal reform.

If the motion to recommit the bill to Ways and Means Committee with instructions to include Federal expenditure control does not pass, we will have done only half of the job required. If expenditure control is not included, I cannot in good conscience vote for the bill—much as I would like to do, because we are going right back to the same appropriation process that has caused our fiscal position and leadership in the world to decline. We will go right back to the political arena where hypocrisy undercuts the fiscal integrity of this legislative body. Let us put some teeth in this bill that will bite the hands of those who choose to violate the responsible consideration of appropriations measures.

This will stop the trend toward unwieldy central government and start a major reform of our tax structure designed to strengthen the units of government closer to our people at the State and local levels. This will restore the strength and vitality to the private sector of our economy and also provide more responsive and responsible services to the people through the unit of government to which they have immediate access.

Mr. CURTIS. Mr. Chairman, I yield such time as he may require to the gentleman from Wisconsin [Mr. SCHADEBERG].

Mr. SCHADEBERG. Mr. Chairman, after listening to the debate through these past 2 days, I, too, want to bring a word of wisdom from the Scriptures to the attention of the House:

> And why beholdest thou the mote that is in thy brother's eye, but considereth not the beam that is in thine own eye? (Matthew 7: 3).

I rise in unqualified support of the motion that will be made to recommit and to declare my opposition to the bill in the event that the motion to recommit fails.

Mr. Chairman, I rise in support of the motion to recommit to make tax reduction contingent upon limiting Federal spending to $97 billion this year and to $98 billion next year. I declare my opposition to the bill in the event the motion to recommit fails.

I take this position because I believe there is a grave moral issue involved. We are not dealing solely with dollars and cents. We are dealing with the future and welfare of our Nation and our Nation's youth.

We all believe taxes are too high. They have been too high down through the years but if we are going to solve a problem we must deal with the cause of the problem not merely try to manipulate its effects. The cause of high taxes is simply this: we are spending too much. We are spending more than we are taking in and by this very fact we are placing automatic increases in tax needs. You do not solve the problem merely by cutting the amount you are taking in. Certainly it is realistic to assume that tax relief will be a spur to our economy. This has been my position all along, that is why I have consistently voted against spending which is bound to result in increased taxes. You must tailor your spending to income.

Can we justify reducing our own taxes while enjoying a relatively plush economic standard of living and demanding no limit on spending and then turn around and say to our children "You pay for it"? Can we justify mortgaging our children's future for our own immediate pecuniary gain? Shall we rob our children, steal their substance in order to live off the fat of the land? Shall we ask them to inherit a land too costly to own?

Thousands of Americans have laid down their lives to keep this Nation strong and free. They were willing to make great sacrifices in war for the land they loved. Are we who are recipients of the benefits they purchased for us with their lives unwilling in our own luxury to make sacrifices in peace for the country we love?

Have we become so indifferent to moral standards that we stand today in the midst of plenty demanding charity from our children yet unborn? Shall we mortgage the future in order to enjoy freewheeling today?

I plead with you to think beyond today. I plead with you to consider our Nation's youth who in the President's own words, have no vote, you are asking to pay the bill.

If the motion to recommit passes, I may vote for the bill. However, I will have to vote with reservations for I recognize that even then we will have deficit spending to the tune of some $8 billion, which is a conservative estimate. Perhaps this is the best bill we can hope to get at this time. We will have an opportunity to see whether or not the administration is as intent as it claims it is on holding down spending. I would prefer that tax reductions hinge on balanced budgets.

I shall continue in the future, as I have in the past, to vote against all spending which is not absolutely necessary and to phase out some of our extravagant Federal programs of questionable merit that are costing our taxpayers billions of dollars. With patience and commonsense we can and we will come to a point at which we will live within our means and pay off in a systematic way our national debt which is bleeding us of $10 billion each year for interest alone.

Tax reduction? Si. Limit on spending? Si. Tax reduction and continued deficit spending? No.

Mr. CURTIS. Mr. Chairman, I yield such time as he may require to the gentleman from Kentucky [Mr. SNYDER].

Mr. SNYDER. Mr. Chairman, I rise in favor of the motion to recommit and in favor of the bill should that motion be adopted, but in opposition to the bill should the motion to recommit fail.

Mr. Chairman, I join with all who eagerly and honestly desire a tax cut. A cut in the tax burden upon our people and our economy is sorely needed. I have, earlier this year, conducted an extensive poll in my congressional district and, more recently, have urged my constituents to write me on this important matter. My newsletter and radio reports have solicited the opinions of my people. Thousands answered the poll. Hundreds responded with their letters and telegrams during the last 6 weeks.

Mr. Chairman, excluding the correspondence that opposes the tax cut for a particular reason, such as the elimination of the 4-percent tax credit on dividends, insurance features, and so forth—my mail still is over 4 to 1 in opposition to a tax cut that does not call a halt to spending. If the administration and my colleagues who say that spending will be reduced are serious, then, there could be no objection to the modest $1.8 billion reduction from the President's proposed $98.8 billion budget.

Based on my firm belief that all should live within their income—or at least head in that direction—I shall vote for the Byrnes motion to recommit to require that the tax cut be accompanied by restrictions on spending. If that motion carries, I shall vote for final passage. If the spending restrictions are not adopted, then, in accordance with fiscal responsibility and the mandate of my people, I shall vote against the tax cut and the additional debt upon future generations.

Mr. Chairman, my vote, should the motion to recommit fail, will be a little selfish—a little prejudicial—because I love my son—because I am one of those squares who believes that it is immoral to ask my 3-year-old to assume the debts of my generation. This vote may be called "political suicide" in an urban district but I will be able to sleep at night if my boy should ask, "Daddy, what are you doing with my world?"

Mr. CURTIS. Mr. Chairman, I yield such time as he may require to the gentleman from New York [Mr. Robison].

Mr. ROBISON. Mr. Chairman, no one need argue, with me, the case for Federal tax reduction and reform. As one who has done his best to advance the day when this body would consider such action, I am willing to accept nearly all the premises on which that case is based.

I believe the significant factor with which we must deal, in any consideration of tax reduction and reform, is the restraining effect that the present Federal tax structure has had on economic growth. Our present growth rate is deficient. This fact can be ascertained by reference to statistics or, in a more dramatic fashion, by simply looking at the gloomy streets and silent factories in the so-called depressed areas that dot our Nation.

And yet, this is a curious sort of deficiency. We are not now in a recession and—despite the President's warning that the historic pattern for such downturns indicates we are now, again, about due for one—there are no present indications of a recessionary period in our immediate future.

In fact, the expansion of business we are presently enjoying—a trend that is now some 30 months old—continues to shape up very creditably. Vast numbers of our people are at work and prosperous, and most of our business leaders are looking forward to more profitable operations than they had, earlier this year, anticipated.

Yes, Mr. Chairman, things are good—and yet they are not good enough. Where there should be buoyancy and bounce in the economy, there is, instead, an inherent sluggishness; where there should be confidence, there is a persistent air of uncertainty.

It seems to me that our economy, for far too long, has suffered from what might be called a "tired-blood" condition, and that the underlying cause therefor has been the Federal "tax brake" to which the President referred, this year, in his budget message. That "tax brake" is reflected not just in those gloomy streets and silent factories, but in industrial slowness to replace obsolete machinery and obsolete plants with something better in order to meet the challenge of an increasingly-competitive world. It is reflected in a discouragingly persistent high rate of unemployment that, in turn, finds its own reflection in the racial unrest of which we are all so much aware. It is reflected, too, in our own failure, here in Congress, to bring Federal expenditures into better relationship with Federal revenues, and in our inability to achieve a balanced Federal budget. Perhaps most importantly of all, it is reflected in what the crushing burden of Federal taxation has done to individual initiative and enterprise, and to individual and local responsibility.

Mr. Chairman, I think the vast majority of the American people fully understand all these things, as well as the other arguments supporting the urgent need for tax relief, and I think they may well be aware that the national need for such relief may be paramount to their own individual desire for a reduction in the burden of taxation that they each now carry.

And yet, Mr. Chairman, if I understand them correctly, that same majority of the American people seem to be saying to us that they are reluctant to accept any such relief until they have been convinced—as the gentleman from Missouri [Mr. Curtis] has so ably put it—that they have somehow earned it.

In Lewis Carroll's "Alice in Wonderland," there is a passage—or so I recall—in which a crowd of demonstrators has gathered outside a palace to cry, having misunderstood their instructions, for "Less bread, more taxes."

I do not know whether the American people have, in this instance, like Carroll's demonstrators, misunderstood the situation, or whether instead they speak out of a deep-seated "basic Puritan ethic"—for which phrase we are indebted to Dr. Walter Heller, who has since turned up among the missing—but, whichever the event, I think our hats ought to be off to the American people for displaying a greater sense of personal responsibility and of self-discipline than now abounds here in the seat of their Government.

Certainly, to future historians seeking to assess the mores of the present-day American society, the curious spectacle of a Chief Executive pleading with his people to accept the "sacrifice" of a reduction in their tax load, will be of particular significance.

And, to be perfectly frank about it, I find it rather curious myself, to be here expressing my own reservations about the wisdom of a tax-reduction bill. Clearly, this is a unique opportunity to accomplish the goal for which I have been working for so many years. I am fully conscious of the fact that these opportunities come very rarely; perhaps only once in the average congressional lifetime.

And yet, Mr. Chairman, I do have reservations about this bill in the form in which it has come from committee, and, as so many others have been here doing, I feel it is incumbent upon me to explain those reservations to my colleagues as well as to the people I am privileged to represent.

But first let me say a few words about the tax "reform" portion of this bill—and I have intentionally placed quotation marks around the word "reform," because, for those of us who have been advocating a real review and basic reform of not only our present tax structure but of Federal taxing policies as well, this part of the bill comes as a real disappointment. This is not reform; it all adds up only to more patches on that terribly complex and often inequitable and unworkable and confusing tax-work quilt that we, here in Congress, have inflicted on the people. I am not finding fault with the Ways and Means Committee; goodness knows they worked long and hard enough on this bill as it was, and have evidently done the best job they could in this respect.

It may well be, as I have said before, that those of us who advocate true tax reform expect too much of the committee, and that the only way we are ever going to get what we want is through some sort of a device—such as the Commission on Federal Taxation proposed in my bill, H.R. 4059—which would take this complex task out of the arena of politics and into an atmosphere where there could be the objective study and review of the difficult policy questions involved that is so badly needed.

Now, as to the so-called reform proposals in this bill, I have neither the time nor the competence to try to discuss them at length. I would, however, like to comment on a couple of them.

It seems to me that the repeal of the 4-percent dividend credit is not only a step backward, but a long jump backward toward double taxation of corporate profits—something that an earlier Congress, and I am afraid a wiser Congress, tried to alleviate. I think we will live to regret this decision. I also feel that what the committee did to widen the so-called investment credit loophole was unsound—with the possible windfall to big business that may result therefrom; but perhaps, here, the other body will undo what we are about to do.

On the other hand there is, of course, some good in the reform portion of the bill—and is it not odd how, in our preoccupation with the pros and cons of spending controls in conjunction with this bill which is 310 pages in length, so few of us are talking about this part of the bill, despite its obvious importance?

The one reform item of which I especially approve—since I helped to originate the idea—is that one which will grant a measure of relief from capital gains taxes to many of our senior citizens who sell their homes. Often, their home is the major asset owned by those parents whose families have grown and left them, and who find, in their retirement years, that they can no longer support the cost of such a home. It has always seemed to me that the best way we can help such people to meet the financial burdens that attend old age is to permit them—as far as they can—to take care of their own needs, with dignity, from their own funds. It is my hope that this provision will permit many of them to do so.

As for the specifics of the rate reductions proposed in this bill, again time does not permit of any real discussion thereof. In a sense, though, I would suppose that they add up to a sort of "reform"—again in quote marks—by themselves. Certainly they represent a step in the right direction—away from those confiscatory, high rates that have so dulled the edge of personal incentive and individual enterprise. And I am sure the business world will welcome the day—unfortunately postponed by virtue of the accelerated-payments provisions in the bill—when Uncle Sam will no longer be the majority partner in every corporation in the country.

And so, now, I come to the hard part of the decision I face—the question of whether or not this bill, at this time, is a morally and fiscally sound step. Can we afford this type of deficit planning? Will the price—which may be eventually expressed in inflation at home and in further cheapening of the dollar abroad—be too costly? Can we—in good conscience—have tax reduction of this magnitude without having first achieved some better degree of control over Federal expenditures than we, in Congress, now have?

As a cosponsor, for several years now, of the so-called Herlong-Baker tax bills, I have already indicated my belief that tax reduction must be related to spending control. I still hold to that belief, and it is for that reason that I strongly support the recommittal motion to be offered, later today, by the gentleman from Wisconsin [Mr. BYRNES].

That recommittal motion—or the concept therein expressed—is a variation of the Herlong-Baker approach. And, in my judgment, it is an altogether reasonable and proper contingency to apply to this bill. It is, if anything, a most liberal and modest attempt to bring the President more effectively into the effort we have been making here in the House this year to establish some sort of a table of priorities among the many and varied demands being made, every day, on the Federal Treasury.

What would it do? In the simplest possible fashion—and there is nothing mandatory about it insofar as any attempt to bind the President's hands is concerned—it would merely mean that the tax reduction we are undoubtedly about to approve would not go into effect unless the President submits to us, next January, an estimate of Federal expenditures of less than $97 billion for the fiscal year we are now in, and, at the same time, an estimate of Federal expenditures of less than $98 billion during the 1965 fiscal year beginning next July 1.

The first contingency—that of $97 billion for this fiscal year—is well within the range of probability. In fact, it now appears that Federal expenditures—chiefly as the result of cuts made here in the House—will not exceed $94 billion or maybe $95 billion this year, even despite what the other body may yet do to the remaining appropriation bills. And, as for 1965, it does seem to me that a figure of $98 billion—for an administration that has been increasing expenditures at the rate of $5.5 billion a year during the past 3 years—could find the necessary self-discipline to live within such a limit for at least 1 year.

And at this point I should like to stress—because I feel there has been some public misunderstanding about this recommittal—that this does not involve a cut in the present level of Federal expenditures, which might cloud the stimulative effect we hope the cuts in taxes will have, but merely a cut in future or possible Federal expenditures—an effort, as it were, to contain spending at or near the present level.

And why is it necessary to so bring the President into the picture—when the constitutional responsibility for expenditure control rests squarely with the Congress? Very simply, the answer is this—and I trust I am not being partisan about it: While the President has talked about his commitment to fiscal responsibility and his willingness to accept "expenditure controls"—and I am sure he sincerely means what he says—the record of his administration, so far, indicates that it is just not possible for him to live up to his commitments. And I can understand this, because I can appreciate the political pressures—as I am sure we all can—under which the President must live. It is because of those pressures, that nearly every Presidential proposal that has come up the Hill to us from the White House these past 3 years, for either a new Federal program, or for what is normally called a logical extension of an old program, has been presented to us with an equal sense of urgency.

The President has either been unwilling—or, more likely, unable—to apply that degree of self-discipline required to sort out of the innumerable things the Federal Government might do, only those things it now must do; to limit—to quote from the President's letter of August 19 to Representative MILLS—expenditures to those "which meet the strict criteria of national need."

If he does not do that in the first instance, then it follows that he will be inclined, when we in Congress try to apply that test, to castigate us, as he has, for our own efforts at sorting out priorities in order to control expenditures.

Although the prime responsibility, here, is in Congress, at this stage in our Nation's economic life, expenditure control ought to be a joint effort by the President and the Congress. It seems to me that the recommittal motion, if adopted, would make it such.

I understand that a number of my colleagues—across the aisle—are presently inclined to vote against the recommittal motion and then against the bill. I can appreciate why they might be reluctant to join in support of what has been inaccurately pictured as a Republican effort to delay or encumber this badly needed bill—even though they often join with us Republicans in an effort to control those expenditures I have been talking about. I say to them that this is not a partisan move—despite what has been said about it. It is, instead, motivated out of a desire to make it more possible for all of us to do the job we know we ought to be doing. Vote against the bill on final passage, if you wish, but join us in so improving it in the event—as I think is most likely—it should happen to pass regardless of what happens to the recommittal.

Should the recommittal fail, then I and most of my colleagues on my side of the aisle will really be faced with a Hobson's choice. I begin to know, now, how the wheat farmers of America felt earlier this year when faced with an almost impossible choice.

It will be a difficult decision for me, not only because I believe in and have worked so hard for tax reduction, but because I am deeply concerned about the alternative road we will almost surely be called upon to follow if this bill should fail.

The President—quite fairly—has warned us about that alternative. Do you remember what he said in his state of the Union message, in commenting on the tax reduction proposals he would soon make us? Here are his words—and listen carefully:

> No doubt a massive increase in Federal spending could also create jobs and growth—but, in today's setting, private consumers, employers and investors should be given a full opportunity first.

I want to underscore that word "first."

Did not the President clearly mean that he had decided that the Congress—and the people—were to have this chance to prove what the private sector could do for the country, if that "tax brake" was partly eased—but that, if the Congress—and the people—were unwilling to take that route, or unable to agree on the details thereof, then Dr. Heller and company were to have an even freer rein than heretofore to see what the country can do for us?

If that analysis of the Presidential meaning is correct—and I think it is—then the burden of our decision today—at least for me—becomes ever clearer.

I do not want to see my country go further than it already has down that alternative road. The ultimate cost of that route, for me, is unthinkable. I would rather take my chances on the hope that this House—this Congress—will begin to live up to its constitutional responsibility of really controlling Federal expenditures. It seems to me that we now have, as at least one result of this debate and the public interest it has aroused, a clear mandate from the people to do just that.

If—should the recommittal fail—and I vote for this bill on final passage, I shall do so with a full sense of responsibility of my obligation to comply with that mandate.

Mr. CURTIS. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. COLLIER].

Mr. COLLIER. Mr. Chairman, at this late stage of this debate it is virtually impossible, as most of my colleagues know, to avoid repetition. By the same token there have been many things said in these past 2 days that hardly bear repeating. As one evaluates the issue before us today, it is indeed unfortunate that we cannot look into a crystal ball to a few years hence now for if history is any criterion or experience is the best teacher, I doubt whether the majority of the Members of this House could do anything but support the recommittal motion that will be offered here today. Instead, however, it becomes politically expedient to vote for a tax cut without demanding any spending restraints to justify it because, as we all know, nothing is more desirable than a cut in the dollars which one pays in taxes to his Government.

Furthermore, merely because a tax cut is both necessary and desirable it becomes easy for some to rationalize voting for this bill on the one hand while attempting to sweep the said condition of our public indebtedness under the rug with the other.

I hasten at this point to say to the very distinguished gentleman from Texas who preceded me here in the well that I have no problem whatsoever, just as he apparently does not, with the recommittal motion. However, I think in conviction we are certainly going in opposite directions. The gentleman from Texas also expressed a grave concern that if there is a cut in Federal spending he wanted to see the Congress get credit for it rather than the Executive. I suggest to him that the way things have been going he need not worry about the latter, if the pattern is pursued in the next couple of years that we have had in the past three. But I care not so much who gets credit for a tax cut, and I think the people back home are less concerned about who gets the credit for it.

I think the people back home are more concerned in cutting Federal spending without particular regard as who gets the credit for it.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I am delighted to yield to the gentleman from Texas.

Mr. MAHON. Does not the gentleman agree with me that if this motion should be adopted the people of the country might be led to believe that we are about to have a long-range reduction in spending, whereas all the money appropriated by Congress will eventually be expended. Therefore, it would, I believe, tend to make them complacent and it might even cause some of our members to let down their guard. But if we keep our eyes focused on the real problem; that is, on Congress in appropriating money as the key to the situation, we will come nearer getting the job done for economy. Let us put the spotlight on the Congress, the place where the work can be done.

Mr. COLLIER. I think the gentleman will agree that the purpose of the recommittal motion is merely to secure from the Executive, if you please, some reasonable promise or a commitment that seeks to provide the restraint fiscally necessary to permit a tax cut.

Mr. Chairman, it seems that in the debate during the last couple of days we have forgotten that the sole purpose of the Federal tax system is solely to collect the funds from the taxpayers necessary to meet the cost of those services that the Government must properly render. Now, of course, we find ourselves in the unfortunate position of using the tax structure in an attempt to stimulate a lagging or spotty economy.

Mr. Chairman, it is my further opinion that an honest tax cut should be predicated upon a reduction of Federal expenditures. Have you ever heard of a State or local government reducing taxes in the face of increased expenditures, and in the face of indebtedness? Well, I have not; and if there is one, I assure the members of the Committee that the local officials responsible for such action in that particular subdivision of Government would probably have a mighty difficult time being reelected, to say the least.

Mr. Chairman, in recent years it seems to me that many people in top-level positions of Government and in the legislative branch of the Government—have adopted fiscal policies and philosophies that have virtually destroyed what we were all taught to be the basic laws and principles of economics. Congress has passed legislation in recent years in fact which indicates that there is a desire on the part of many Members of this body to even repeal the law of supply and demand. Yet, it had generally been accepted for more than a century and a half by most people in the administrative and legislative branches of the Government that there is a definite relationship between revenues and expenditures. If there was not intended to be such a relationship, there would be no purpose whatsoever of going through the motions of issuing a budget each year. Again in recent years, we have a new concept that there is no relationship, for the new breed of economic theorists and planners have chosen to divorce revenues or the raising of revenues from expenditures. The mute evidence of this lies in the fact that our astronomical national debt is rising; and we all know full well that within the next year and a half as many as perhaps 3 additional increases in the statutory debt ceiling will be necessary.

Mr. Chairman, for whatever it might be worth let me cite this fact to the Members here on the floor. Early this year I took a poll of the people in my district. The district which I have the honor of representing is a district comprised mainly of folk of medium-income-class people, with its share of businessmen, professional people, laborers, and craftsmen. Of the 18,000 returns on a questionnaire which I sent out, 80 percent of the people in the district which I have the privilege to represent said emphatically in a very clearly worded questionnaire, "We do not want a tax cut unless it is accompanied by a cut in Federal spending."

Mr. HOEVEN. Mr. Chairman, will the gentleman yield at that point?

Mr. COLLIER. I shall be glad to yield to the gentleman from Iowa.

Mr. HOEVEN. I will say to the gentleman that I took a similar poll and it has just been completed. I presented the very same question. Eighty-six percent of my constituents who answered that poll were against a tax reduction unless there were a reduction in expenditures. Only 4 percent of them said that they wanted a tax reduction regardless of cutting expenditures.

Mr. COLLIER. I thank the distinguished gentleman from Iowa for his contribution. I am inclined to believe that would substantially be the result of similar polls if taken in 435 congressional districts on the issue before us. I want to repeat, I do not know of a single Member in this House—though there may be one or two—that might be opposed to a tax cut or who do not think a tax cut would provide a shot in the arm for our economy. At the same time, I feel most sincerely that there should be some indication of good faith on the part of not only the administration but of this body to meet the cost of a tax cut or at least to show good faith in providing some restraint or accept some restraint in order to provide such a tax cut.

I would like to make briefly a few observations on the President's television address the other night in reference to this tax bill. First of all, it is my considered and sincere opinion that most of the people in this country today are concerned with the excessive Federal deficit spending. The administration, I am sure, recognized this fact, otherwise it would not have been necessary for the President to go on a nationwide hookup and to sell a tax cut which everyone wants. I think this is entirely obvious.

In that connection, it would be well for us to also review the speech which President Kennedy made on January 25, 1962, in connection with the so-called trade expansion bill of last year. I am sure all of you remember it. At that time he and the proponents of the bill predicted that the enactment of it would result in an acceleration of our economic growth, the development of new markets, expanded employment, improved balance of payments, improved relationships abroad, expansion of foreign markets for American agriculture, and other very glowing results which, some 14 months after the bill has been signed into law, are conspicuous by their absence. And, sadly, there is little indication of anything on the horizon that any of the golden harvest of that proposal will be realized.

Mr. Chairman, I doubt whether my opinion will have any earth-shaking effect on the predeterminations that most of you may have already reached, on the motion to recommit. But we do have an opportunity to vote a tax cut, a necessary and needed tax cut, and we also have an opportunity to tell the American people that we believe a cut in unnecessary Federal spending should be part of that program. A vote for the motion to recommit is the way every Member of this House can provide a tax reduction yet maintain a solid, sound, responsible fiscal position in doing so.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the distinguished chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Chairman, I make it a rule not to mention politics per se on the floor, but in view of the record made yesterday in another body I am constrained to disregard the rule long enough to say that the overwhelming adoption of President Kennedy's peace treaty insures his reelection and return to the White House in 1964.

At the same time, let me say that I also heartily endorse his pending recommendation for a tax cut and for a reduction in expenditures, the two questions now before the House.

The advantages of tax reduction have been too well documented by the speakers who have preceded me to require reiteration. So I address my brief remarks to the second recommendation of the President, the reduction of expenditures.

It is gratifying to note that the Congress has already started on a comprehensive retrenchment program. We defeated the accelerated public works bill—by a bare majority of five, it is true—but we could beat it by a larger majority today.

At the same time all annual appropriation bills reported to date have been materially reduced by the House committees. And it is interesting to note that yesterday the other body also passed the defense bill, a bill carrying half the entire annual budget, with a reduction of $1.7 billion below the budget estimates, and only a quarter of a billion above the House measure. The final total reduction is between $1.75 and $2 billion. Mr. Mahon and Mr. Ford and the other members of the subcommittee are entitled to great credit for this unusual and much-needed retrenchment. We are at every opportunity carrying out this coordinated plan of reducing expenditures. I think you will find that the House will receive and can be depended on to pass all the annual supply bills reported from the committee this year, even the redoubted HEW bill, with material reductions.

Retrenchment in public expenditure is long overdue. For a quarter of a century we have year after year spent more than we took in—more than the annual revenues. Any banker in the Nation will tell you that such a course leads precipitously down the primrose path to bankruptcy.

The first question asked you when you apply for a loan at your local bank is, "How much do you owe?" and the next is, "How much have you paid on your indebtedness?" You have never heard that question asked on this floor when we were confronted by even the most appalling expenditures.

Nobody ever asks, "How much do we owe?" and you have never heard anybody ask, "How much have we paid on our indebtedness?" For a quarter of a century we have not paid anything on our indebtedness—on the national debt.

If you were consulting your local banker for a loan and he learned you had paid nothing on your loans, his response would be curt and emphatic.

In all the long and eloquent discussion of public finances on this floor, during that time I have never heard any advocate of spending refer to the amount we owed or to the time we expected to pay it back. That is hard to believe but it is true.

It is one of the most absurd situations imaginable. The United States, one of the solvent nations of the world, whose dollar is the world standard of value—borrows billions and we never ask how much we owe and we never pay anything on account. We have borrowed money and borrowed money. But we have never paid a cent on the public debt.

The result is disastrous. The interest alone on the public debt now amounts to $10 billion. We must first pay $10 billion every year in interest on the national debt before we consider any other expenditure.

That is almost as much as the taxpayers will get out of the remission of taxes provided by this entire bill.

Just a few years ago $10 billion covered our entire annual budget. So we propose here—if we look at the bill alone—not only to continue deficit spending but we propose to add to it $11 billion more. Where will we get it? We have to go out and borrow first the amount due on this year's deficit and then borrow $11 billion more.

If we continue this much longer, we will not be able to extract from the taxpayers enough cash from their paychecks to cover the interest on the national debt.

How much is $10 billion? It is so much that nobody on this floor is capable of comprehending the amount of buying power involved. A recent fable illustrates this. A man gave his wife a million dollars with instructions to spend $1,000 a day. She took the million dollars and spent $1,000 every day. In 3 years she was back for more. This time he gave her a billion dollars—and she did not come back for 3,000 years.

Mr. Chairman, we have here a singular situation.

After every war in our history we have always rescinded all war taxes. But after the last war we continued unabated every war tax on the statute books—including all the nuisance taxes. We are taxing the American people today at the excessive rate levied while the war was in full blast. We are pulling in the greatest revenues ever enjoyed by this or any other nation in the history of the world.

And the astonishing thing is that with this tremendous war taxation in time of peace, we are every year spending more than we take in and the national debt has steadily increased.

What is it leading to? Where are we going?

After we have enjoyed the short respite from excessive taxation provided by this bill, where will we be and what taxes will we have to pay? That is a prime consideration.

For one thing—a minor consideration perhaps in the eyes of the spenders—a report from the Treasury is that the Government has been paying to borrow these new billions as high as 3⅞ percent for it. In emergencies when they sell short-term debentures, we have paid as high as 4½ percent. Think of it: The U.S. Government has paid 4½ percent for money. For 100 years, the largest amount the Government ever paid was 2 percent.

What further result?

Ruinous inflation has burned up a large part of the savings of the country. The dollar in the workingman's wages will buy half less than it bought in 1935. When his wife takes a $10 bill to the corner grocery it buys less than $5 bought in 1935. Half the buying power of his wages has been wiped out and his cost of living has more than doubled. Treasury records show that in 1935 a dollar bought $1.07 worth of commodities. Today it buys less than 44 cents worth.

I am opposed to increasing the cost of living of every family in the United States, because this Congress—and here is where the trouble is—this Congress year after year spends more money than we take in.

I have never discussed this amendment with any Member on the other side of the aisle. But it is evident on the face of it that it is intended to bring to the minds of the Members of the House, to the attention of the departments and the administration and the people back home, the importance of discontinuing Government spending until we have the money to spend.

The solvency of the Nation is at stake. The dollar is not only our first financial asset but is the standard of value throughout the world. The gold at Fort Knox is already below our commitments to foreign nations. If through excessive spending—if by spending money we do not have it becomes necessary to devalue the dollar and start printing money, the result will be too catastrophic to be described.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. BYRNES of Wisconsin. Mr. Chairman, I think the gentleman is making a very important statement. I yield the gentleman 3 minutes.

Mr. CANNON. I thank the gentleman from Wisconsin.

Mr. Chairman, they are pressuring Members in the cloakrooms, in the corridors, and all over the House. They said to me: "You are a Democrat. You wouldn't vote for a Republican amendment would you?"

I laughed. I reminded them that under the ironclad, copper-riveted, brass-bound, armor-plate rule under which the House is considering this bill no Democrat can offer an amendment of any kind. You take it or leave it. Even the minority is limited to one amendment—in a motion to recommit. You either vote for that motion or you swallow it hook, line, and sinker—and get no commitment of any kind on spending.

The bill as the committee submits it to the House covers only the President's proposal to reduce taxes. Not a word is said about his proposal to reduce spending. The country is as much interested in controlling spending as in reducing taxes. What is to be gained by reducing taxes if foreign aid and $40 billion trips to the moon run rampant while the people who pay the taxes go without everyday necessities?

Of course I propose to vote for the Republican amendment. It is the only way left to us in this bill of showing our attitude on peacetime spending of wartime taxes—and spending more than you take in—the only way of showing our approval of the President's statement on reduced spending—the only way of indicating to the departments, the Bureau of the Budget, the administration, and the rest of the spenders the attitude of people back home on national economizing and reasonable taxes.

It is the only place in this entire bill in which you can record your position on spending. There is no other opportunity to go on record. Which side are you on?

In the last desperate hour in the Alamo—surrounded by a ruthless foe pledged to give no quarter—burdened by their wounded—with ammunition exhausted—with no rations for days—the captain took a vote. With his sword he drew a line and said "All those who will fight step across this line. All others remain on the other side."

Gentleman, that is the question this afternoon. Are you for curbing spending when there is no money to spend? Or are you for it? The vote on the motion to recommit is decisive. There is no other test in this bill.

Mr. MILLS. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. RANDALL].

Mr. RANDALL. Mr. Chairman, as I listened to the words of the gentleman from Missouri [Mr. CANNON], the beloved dean of our Missouri delegation, one who is known to all of his colleagues as "Mr. Chairman," I noted the attention which he received from every Member in the Chamber. I observed also when he asked for additional time to finish his remarks, because there was no remaining unassigned time on the majority side, the floor manager of the bill on the minority side yielded sufficient time for him to complete his speech. Every Member of the Missouri delegation has the very highest respect for him, and I know also that every Member of the House has high regard for this fine gentleman. It is because of this great respect by everyone and because of the long service as leader of our great Appropriations Committee that makes it so difficult for me to differ from his viewpoint. He indicated he would support a motion to recommit offered by those opposing the bill which would strike out or negate title I of the bill providing for tax reductions if the President's budget estimates for Federal expenditures rose above $97 billion for fiscal year 1964 or above $98 billion for fiscal year 1965.

Mr. Chairman, may I respectfully point out that to support such a motion to recommit in these terms would be passing over to the President a responsibility that rightfully belongs with this Congress. I had heard from members of our Appropriation Committee that its chairman, our distinguished colleague from Missouri, has set as a goal for the Committee on Appropriations, a cut of $5 billion in the President's budget for fiscal 1964. If this cut can materialize then we will be very near to the figure which the minority members of the Ways and Means Committee would agree is an acceptable level of expenditures. The Committee on Appropriations has always done a very effective job in cutting appropriations, year after year, and if you look back over the years, you will find back as far as fiscal 1959 that there has never been a cut of less than a billion dollars below the President's request except for the one year of fiscal 1961. The fact of the matter is that in some instances there have been appropriations as much as $3 billion under the President's request including regular and deficiency. In one year the reduction was close to $5 billion. During all of these years since I came to the Congress in 1959, I have supported in full the recommendations of the Appropriations Committee. Never once have we offered or voted for an amendment which would increase the figure of any of the appropriation bills. The job of controlling expenditures rests with the Appropriations Committee and the Congress as the years have proven.

The President, in a letter to the chairman of the Ways and Means Committee has indicated that there must be an even tighter rein on Federal expenditures, or as President Kennedy put it, "limiting outlays to only those expenditures which meet strict criteria of national needs." Those on the other side of the aisle say this gives them an insufficient assurance.

I do not know whether this motion to recommit is a deliberate effort by the minority party to confuse and deceive the American public into believing it constitutes a ceiling on expenditures but if that is their intention they would certainly be deceiving.

I, for one, recognize that if we vote this tax cut we must control expenditures and we must not vote any new programs. On the other hand, if I were to support this motion to recommit and tell my people that by doing so I was providing for spending control I would be deceiving my constituents. That I will not do.

The motion to recommit which will be proposed has been described during the debate by many different speakers in varying terms of criticism. The rules of the House do not permit mention of some of the descriptions which have reached our ears. The motion has been said to be like an extra large blanket that covers everything but touches nothing. By this it is meant that there is nothing really specific about the motion or nothing selective. To put the matter differently, if we as Members support such a motion we relinquish our responsibility and delegate our authority to control expenditures to the President which rightfully belongs in the Congress. There are some Members who go so far as to say this constitutes an abdication of responsibility.

If the minority party had been able to present a motion which would point out an effective way to control expenditures I would support such a plan. The present motion means nothing. I feel certain that the Members on the other side of the aisle know that we of the Congress cannot tie the hands of the President.

This motion is nothing but a gimmick or a device to make it appear that we have voted control and if somehow we can leave this image or make this appearance stand out in profile maybe this will deceive the people. That is exactly what we would be doing. I shall not support a motion which would lead to the deceit of my constituents. It should be remembered, Mr. Chairman, that to support the motion to recommit does not make us fiscally responsible because it contains no commitment from the Congress. The real commitment is found in section 1 of H.R. 8363 where there is recognized the importance of taking all reasonable means to restrain Government spending and wherein the President is urged to declare his accord with this objective.

Those who support the motion to recommit imply that we in the Congress have nothing to say about expenditures. They are saying it all lies within the President's hands. Beyond that, such a motion is misleading because it will make many think Congress has set a ceiling which is not true.

Take a hypothetical case, where by some miscalculation we were to go just a little over the limitation imposed by, say, perhaps only $200 million in excess of this make-believe ceiling, then we would all become hypocrites. Those on the other side of this aisle by their motion seek to take the onus or burden off the back of Congress and put the weight of all responsibility on the back of the President. The provisions of their motion which give the President authority to strike out a billion or add a billion comes very close to revival of the proposition that the President be given the standby authority to raise or lower taxes upon the happening of certain economic events.

Another reason why no Member should support this motion to recommit is that if they thoroughly believe in the merits of this bill then the provision of this motion, if it becomes a part of the enactment, may make the whole thing self-defeating. No businessman or industrialist could be sure as to whether or not there would be a tax cut, and this uncertainty could be the very thing that would remove all enthusiasm from a tax reduction bill and thus we could very well be building into the bill itself a provision that would make it self-defeating.

But the real fear to be reckoned with, if this motion were to pass, is that if there were to be a situation which left the President with no alternative but to exceed $98 billion in fiscal 1965, then we might not have a tax reduction or tax relief bill but instead a tax increase bill. This is for the reason that their motion provides that unless expenditures are held to a stipulated level, title I, which provides for tax reduction, will not become effective but title II, which provides no revenue, would be effective and remain as new law including that section which makes provision for the repeal of certain deductions now allowed. Mr. Chariman, this is not an effective or proper means of controlling expenditures but the relinquishment of a responsibility that properly belongs in the Congress in addition to being a dangerous motion because it is possible that it could result in a tax increase.

Tying a second-stage tax cut to what the deficit will be on June 30, 1964, is not a promise of a second-stage tax cut at all. Businessmen cannot make firm plans based upon speculation. If the provisions provided by this motion to recommit should become law, then all businessmen and industrialists will be uncertain as to their plans and will not be prone to undertake as much plant expansion or modernization as otherwise. The motion could thus not only make the bill self-defeating but is so dangerous it could result in a tax increase.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas [Mr. FOREMAN].

Mr. FOREMAN. Mr. Chairman, I rise to commend the gentleman from Missouri for his very fine remarks. I think the gentleman very adequately answered the statements made by my colleague from Texas.

Mr. Chairman, naturally, I favor a tax cut, but I, along with a great majority of the American people, have the intelligence to recognize we cannot have a meaningful or effective tax cut without a corresponding cut in Federal Government spending programs and activities.

When President Kennedy appealed to the Nation for support for a tax cut, he should have laid all the cards on the table.

While Mr. Kennedy is proposing the Federal Government give the American people an $11 billion tax break with one hand, he is also advocating immediately borrowing the money back from them with the other hand, to meet the increased cost of his skyrocketing programs which he refuses to cut.

As a result, Mr. Kennedy is further proposing that the national debt be increased by an amount approximately the size of the tax cut, or to put it another way, we will be borrowing nearly $11 billion from our children so we can make it easier on ourselves while Mr. Kennedy goes right on increasing spending. In short, this administration proposes to let the next generation hold the bag. The greatest single item in our budget today, following expenditures for defense, is the mammoth $10 billion yearly interest on our national debt. Yet, the free-spending "new day" thinkers condemn our "puritan ethics" for trying to prevent the growth of this debt and the burdensome tax thereon.

Is it any wonder that every sample of public opinion for a year now—including the Gallup and Harris polls and my own personal west Texas poll—shows the American people do not favor a tax cut based on this kind of fiscal juggling? Obviously the President knows this and that is why he has attempted to persuade the American public otherwise.

Mr. Chairman, there is a simple solution to this administration's dilemma and the Republicans have suggested it repeatedly. Call a halt to runaway spending. Hold the line.

We favor a tax reduction. We have been the sponsors of the only two major tax reductions in modern times. I think a majority of us will vote for this proposed tax cut if Mr. Kennedy will join the Members of Congress—Republicans and Democrats alike—in seeking a substantial reduction in planned outlays for existing Federal programs and those authorized but not yet started. Leading Members in his own party in Congress favor it.

If Mr. Kennedy wants public support for a tax cut, if he wants congressional support for a tax cut, then the President should actively help to cut new Government spending programs now.

The chairman of the Ways and Means Committee, the gentleman from Arkansas [Mr. MILLS], has stated that we cannot continue down both roads at the same time, and we must cut spending if we are to cut taxes. Why, then, does the administration and the majority leadership oppose the proposal that we offer to tie spending down, to curb new Federal programs? If they really believe what they say, what is the objection to the motion to recommit and actually legislate spending curbs?

Mr. Chairman, could it be that the administration talks one way and intends to act another way—as they have in the past? Mr. Kennedy says he is attempting to hold down spending, yet almost every week the Congress is confronted with new administration spending proposals and we are continuously subjected to pressures to pass these new programs.

In fact, during the first 9 months of this year, the New Frontier administration has introduced over a dozen brand-new spending programs with costs estimated in excess of $7,440 million. Seven billion dollars worth of new spending schemes does not sound like much of an austerity program to me.

Earlier this month, for instance, this body passed one of the most wasteful, irresponsible, uncontrolled, and uncontrollable Federal spending programs in our history—our foreign aid giveaway. To our credit, this body cut almost $600 million from this authorization, further reducing the bill to $3.5 billion from the President's original, so-called, rockbottom figure of $4.9 billion. After this action by the House, Mr. Kennedy angrily attacked the cut as "shortsighted, unwise, and dangerously partisan." He wants, in fact demands, us to continue this kind of spending and reduce taxes at the same time—an impossible task.

Yet, there are those who fight for all the administration's new spending schemes and support the foreign-aid throwaways, who now work hard for a tax cut, pledging they will help cut spending. Since they have not demonstrated a willingness, thus far, to cut spending or to make good on their sweet talk of "fiscal responsibility," I can place little faith in their conversation.

This is precisely the reason that I believe it is imperative that we favorably pass the motion to recommit this bill and definitely tie down spending. This is sound, reasonable, and logical fiscal planning. Those of us who do want a tax cut and who continually work for reductions in Federal spending are asking, and in fact pleading with, our free-spending colleagues to help hold the line and get our budget back toward a balance.

Certainly, we all need, the Nation needs, a tax cut, but let us face reality, let us exercise a little fiscal responsibility in order that we can have an effective tax cut. If we can demonstrate our willingness to cut spending programs, I believe many Members of this House would be inclined to support a tax reduction—but I do not favor, nor can I support, cutting taxes at the expense of increased deficit spending and national debt or at the expense of new and increased tax takes in other areas. The result would be the same—we still pay for big Government extravagance, but out of another pocket.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 3 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, yesterday when the distinguished chairman of the Committee on Ways and Means addressed the House, he seemed to give us two alternatives. I would like the attention of the gentleman from Arkansas [Mr. MILLS], if I might have it. The gentleman gave us two alternatives, either to vote for tax reduction or to vote for spending. The gentleman said we could not go down both roads. We had to go down one road or the other. Is that approximately correct?

Mr. MILLS. If the gentleman will yield, the gentleman is asking me to answer within his time what it took me 35 minutes to say on yesterday.

Mr. GROSS. No. Am I correct in saying that the gentleman gives us the alternative of one road or the other?

Mr. MILLS. If the gentleman will yield further, the gentleman has oversimplified what the gentleman from Arkansas said. I said that there were two roads and we could go on either as I saw it. We either attempt to solve some of the economic problems we have by a greater reliance upon the private sector, or we are going to do it by more Government spending here, in all probability.

Mr. GROSS. I would like to vote with the gentleman and I would like some help from the gentleman, if I might have it.

Mr. MILLS. I would be glad to lend that help.

Mr. GROSS. Can the gentleman tell me how I should vote on the $355 million boondoggle known as the area redevelopment bill when it comes up?

Mr. MILLS. The gentleman voted against it when it was before the House for consideration before.

Mr. GROSS. I could change my mind, especially if I voted for a tax reduction. Cannot the gentleman now help me in light of this pending bill?

Mr. MILLS. I would think if the gentleman would vote for this tax reduction, it being a bill permitting the opportunity to unshackle the private sector, it would make a great contribution toward relieving the problems of many areas in the United States.

Mr. GROSS. Does the gentleman still think I should join him in voting for the area redevelopment bill?

Mr. MILLS. No. I am not asking the gentleman to vote for it.

Mr. GROSS. I see.

How about the mass transportation bill that would start at $500 million and probably cost $15 billion? I just want to try to vote with the gentleman, if I can, and still vote for tax reduction.

Mr. MILLS. If the gentleman wants to get into specifics, I have no intention of voting for mass transportation at this session of Congress. I have no intention of voting for a lot of other things. I am trying today to get my friend, the gentleman from Iowa, to say it is far better to vote a tax reduction and let the private sector of this country do some of the things that we have been spending money to do in the past.

Mr. GROSS. We have now pending before the Committee on the Post Office and Civil Service the administration's pay increase bill for civil employees of the Federal Government and it is also proposed to increase by several thousand dollars a year the pay of all executives and the Members of Congress.

Mr. MILLS. The gentleman from Iowa is a member of that committee and knows more about the pending legislation before it than I do.

Mr. GROSS. This pay increase bill is going to cost the taxpayers a minimum of a half billion dollars, if it is brought out of the committee and enacted by Congress.

Can the gentleman help me with my vote on that, since he says we have only one of these two roads to travel?

Mr. MILLS. The gentleman is on that committee and knows far more about it than I do. I do not know anything about the arguments for or against the legislation. I do recall that we passed a bill last year, I believe, dealing with the same subject.

Mr. GROSS. I am afraid I am not getting too much help from the gentleman as to how I should vote on spending if I vote for this tax reduction.

Mr. MILLS. I can only speak for what is in the tax bill. I am not an authority on everything that comes before the Congress and I do not allege to be.

Mr. GROSS. Now, we heard a gentleman from Texas a little while ago crying about delegations of power to the President. I think you can still see some of his blood on the carpet here in the well of the House. He was oozing blood from every pore about an alleged delegation of power to the President which he claims is to be found in the recommittal motion on this bill. Someday I hope to find the time to put in chapter and verse the bills that have been passed by Congress in the last 2 or 3 years delegating unconscionable powers to the President. This is for the benefit of the gentleman from Texas and others who have been voting for most of these bills. There is scarcely a bill passed but what some of these people who bleed today have voted for this delegation of power to the President. There is scarcely a legislative act of any dimension approved these days that does not provide unholy, delegated power to the Chief Executive and those who cry so loudly and bleed so profusely today are among those who find no trouble in voting for them.

Mr. Chairman, I cannot and will not vote for a broad-scale reduction bill such as we have before us until and unless the spending budget is brought into balance with revenue. To do so would be the height of irresponsibility and fiscal insanity. Not only should spending be brought into balance with tax revenues before there is a tax reduction, but provision should be made for orderly payments on the Federal debt. Or will we cowardly continue to pile up the debt and pass it on to our children and grandchildren?

Mr. Chairman, I am opposed to this bill.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Chairman, I did not choose this time to appear in the debate and believe the remarks I will make should more properly have been made earlier. But there has been a great demand for the limited time that is available. That leads me to say that I voted against the rule because there is not time with only 4 hours on a side to debate a tax bill composed of 304 pages that has been called by the President as the most important piece of legislation coming before the Congress in the last 15 years. If the parliamentary situation permitted, I would right now ask unanimous consent to extend this debate for 4 additional hours because there are a lot of provisions in the bill that have not been discussed before the Committee either yesterday or today. I cannot begin to discuss them in 5 minutes, and I am not going to undertake to do so.

I think the record of this debate should show how interesting and downright intriguing it is that the sponsors of this legislation have turned the clock back 39 years to embrace some of the fiscal policies and philosophies of the Secretary of the Treasury during the 1920's, the late Andrew W. Mellon. That was made crystal clear yesterday when the distinguished chairman of the Committee on Ways and Means even quoted from a book Mr. Mellon wrote in 1924. That caused me to get that book out of the library and I would like to read from pages 179 and 180 of the Mellon book. Mr. Mellon included in the appendix a letter he addressed to the chairman of the House Committee on Ways and Means, urging a tax reduction program. What he said in the following quotation sounds very familiar to the arguments advanced in support of this bill.

Here is what Mr. Mellon said to the chairman of the committee:

> Reduce the surtax rates by commencing their application at $10,000 instead of $6,000, and scaling them progressively upward to 25 percent at $100,000: This will readjust the surtax rates all along the line, and the Treasury recommends the readjustment not in order to reduce the revenues but as a means of saving the productivity of the surtaxes. In the long run it will mean higher rather than lower revenues from the surtaxes. At the outset it may involve a temporary loss in revenue, but the Government Actuary estimates that even during the first year, if the revision is made early enough, the net loss in revenue from all the changes in the surtaxes would be only about $100 million, and that in all probability the revenue from the reduced rates will soon equal or exceed what would accrue at the present rates, because of the encouragement which the changes will give to productive business.

That is the philosophy and basis upon which this bill is before us. I am delighted to see the chairman of the great Committee on Ways and Means nod his head in agreement.

But the other part of the Mellon philosophy has been forgotten by the sponsors of this bill. They have failed to remind the House that as a predicate to Mr. Mellon's proposal to reduce taxes, the national debt had been reduced nearly $5 billion from its high point in 1919. In each of the preceding 2 years the Government had closed its books with a surplus of $300 million. It is quite different to propose reducing taxes and, at the same time, propose to increase spending than to advocate reducing taxes in connection with a program of debt reduction and reduced spending.

I do not know of another time in our Nation's history—I could, of course, be wrong about this, because I have not checked the records, but I think I am correct—that any administration has proposed a general tax reduction and at the same time proposed to increase the deficit and not make any payment on the outstanding national debt. If any Member of the Committee can cite such a case, I will be glad to yield for him to do so.

When taxes were reduced in 1947, the budget was in balance and a substantial payment had been made on the national debt.

When taxes were reduced in 1954, that action was preceded by a $10 billion reduction in the last budget submitted by President Truman.

Now it is proposed to reduce taxes while the national debt is still rising, when the budget is out of balance, and when increased spending is proposed.

I do not see how anyone can justify borrowing more money to finance a tax cut.

I favor tax reduction and will gladly vote for this bill if the amendment is adopted. I hope the administration forces will accept the amendment and thus assure an affirmative vote on final passage.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. BOW].

Mr. BOW. Mr. Chairman, it seems to me that on this matter now before the House we have had excellent debate, excellent debate on both sides of the question. May I say that I think that yesterday I heard one of the finest addresses I have heard since I have been a Member of this Congress. The distinguished chairman of the Committee on Ways and Means I felt adequately and fully explained his position and made a great statement of his philosophy of government, with which I agree in many respects. But I must say, Mr. Chairman, I do not agree with him on the question of the motion to recommit. I think it should be passed.

I was thrilled to hear him talk about economy in Government and the road we were going to travel, where we were going, and where economy must be exercised. But I was somewhat disturbed when I found out that at the same time the distinguished gentleman from Arkansas was telling us what had to be done and reading to us excerpts from a letter from the President of the United States, the President of the United

States at that same time in a so-called nonpolitical swing around the country, was speaking to the people and saying he had to have area redevelopment, accelerated public works, aid to education, and a Youth Conservation Corps. This was said on the same day we were told we had to go down the new road. And the first-year costs of those items which he told the people yesterday we should have are $2,431 million.

It seems to me we are going on the highroad and are still on it. As I say, I thoroughly appreciated what the gentleman from Arkansas said. It was a great speech. But it disturbs me when I find that we are still on the road of high spending. We are to try again to pass a bill which this House, exercising the power of the purse, turned down.

I was greatly impressed by the speech of the distinguished chairman of the Rules Committee. My own distinguished chairman of the Appropriations Committee just finished a magnificent address. But I was disturbed by one of the other speeches that was made here today, by the distinguished majority whip, in regard to the programs which he was projecting. He said, "This is not any bill except the Ways and Means Committee's," and I am willing to accept that because I know what a great committee the Ways and Means Committee is. But it is one thing if the distinguished majority whip is willing to go down the road with the Ways and Means Committee on the pronouncements they have made, but when the chips are down will the distinguished majority whip take the pressures that come from downtown to put across the spending bills that many of us think must be eliminated in order to justify a cut in taxes.

Why, he said, we never had inflation like they have had in Germany and in France. No, thank God, we have not had. But if we continue on the road that we are going now, we will have inflation. You cannot say it cannot happen here. For if in the past we have not had that kind of inflation, let me say to you, neither have we had planned deficits, and there is a difference. When you begin to plan deficits—and you plan deficits—and then you begin to talk about reduction of taxes, you are inviting the kind of inflation that we have seen in other nations.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield the gentleman 1 more minute.

Mr. BOW. Mr. Chairman, there is much more I would like to say and I was prepared to say, Mr. Chairman, but time will not permit. The motion to recommit does not in any way delegate our powers to control the purse, the motion is in effect the exercise of control over the spending; this we should have done long ago.

I have worked hard and long with other members of the minority of the Appropriations Committee to cut the budget and we have made real cuts.

I shall support the motion. If the motion fails, a grave problem is presented. I believe in tax cuts, the Nation needs them badly. I have discussed this before. The administration has failed to fulfill their promises of 1960. I am inclined, Mr. Chairman, to have faith in this House; if this House passes this bill, the House must cut expenses. Those voting for the tax cut will break faith with the people if they do not also cut the spending.

In the past, Mr. Chairman, I have voted to save billions of dollars of spending. I have voted against increasing the debt limit. I have, as have many other Members, kept faith with the people on the promises I have made. I must now depend upon the Members to act responsibly in the future to reduce spending. The fate of the Nation lies here in the House. I shall vote for tax reduction hoping the majority will vote to prevent the destruction of this great country of ours by voting against continuing down the road of fiscal irresponsibility.

Mr. Chairman, I yield back the balance of my time.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Chairman, I would be highly presumptuous to discuss the various integral parts of this very complex measure. The Committee on Ways and Means has spent months of arduous study and have heard witnesses by the score and from all walks of life. They have debated among themselves and compromised with one another in order to produce a bill. Now it is before us for acceptance or rejection on a "take it or leave it" proposition since no amendments may be offered under the rule. This is understandably necessary. A tax bill could never be written on the floor of this House.

Under the rule, however, a motion to recommit is in order and becomes the prerogative of the minority to offer it. As I understand the case to be, the gentleman from Wisconsin will propose tying a tax cut to certain contingencies, the consummation of which will depend on the actions of the President of the United States.

I must admit, Mr. Chairman, that my first reaction to this plan, as I understood it, was favorable. I am sure it was to many of you, but on careful thought and study I have concluded that it is an empty gesture; that it fails to do what it first appears is intended; that it holds dangers to our economy and possible injustices to many.

In the first place it is admittedly easy to circumvent, either by the Executive or the Congress. I think this has been adequately pointed out.

In the second place it could raise taxes by almost $1 billion as provided in section II, should sections I and III not be effected. If I am correct, and the copy of the motion I have so indicates, it deals only with the sections which are the tax reducing provisions, and not with the section which increases certain taxes. Now Mr. Chairman, this is supposed to be a tax relief and tax reform measure and not just reform to increase some taxes.

Along with others we have sought diligently to find a way to really guarantee reduced spending along with tax reduction. There really appears to be only one sure way and that would be to let a tax bill be the very last action before this Congress adjourns to see how much spending we are willing to cut out. At that time we would have behind us approximately $5½ billion in authorization requests. In 5 years that will cost the taxpayers of this country $17,200 billion. We are buying something every time we authorize a measure and the c.o.d.'s will be coming along in time. We weave ourselves into a tight cocoon and there is no other way out but to vote the money when the bills come due.

Where is the responsibility in this matter? Everybody in this House of Representatives knows that the responsibility rests on us. Yes—I may not be above passing the buck to somebody else, when I can do it. But we cannot do that in this instance. The responsibility is here with us. Just 10 days ago this body voted for a new program with a $20 million initial cost. The merit of that legislation is beside the point. The point is that an entirely new program was voted and the $20 million is just a starter. You can be certain it will be in the hundreds of millions in time. All Government programs start this way. Out here in the years to come no one can anticipate or estimate what that program is going to cost. Eighteen Members of this House voted against this measure. Look at the record. And look at the record on other spending programs. Words of pious hopes and platitudes soon fade, but the record is there. I recall a few months ago that our friends on the minority side offered an amendment to the armed services authorization bill which added over $350 million to its costs and then, bless you, they finally offered a motion to recommit the measure with a 5-percent across-the-board cut. That is difficult to understand.

Now, I have heard some fine speeches on economy here in this debate, but look at the record. See who votes for the spending programs. Some of them are desirable, yes, but are they necessary? In the place in which we find ourselves today, could we not postpone some of these things—worthwhile as some may be? Could we not put them off awhile simply because we cannot afford them? Yes, I know we hear from back home from those who want us to support those things beneficial to them or their community. We all have the sensitive political ear. Our radar is built in with our election and the only way saneness in fiscal policy can be attained is through discipline—by denying ourselves that which we cannot afford and a realization that we cannot forever spend more than it is possible to take in.

Now, Mr. Chairman, I am going to vote against these programs in the future and incidentally may I say to my friend, the able and distinguished chairman of the Ways and Means Committee, I do not think I am going to vote to increase the debt limit again in the next month or the next. This is the only way, and we all know it is the only way, to really do what we know this country needs—that is to put behind us the temptation to have more handouts and more programs and more spending and not try to pass the buck some other place. We should not do that which sets a precedent we know nothing about. That is what we will be doing when we attempt to pass this thing to the President. Everyone in this Chamber knows there are 101 ways in which it can be circumvented and I am really surprised at my good Republican friends who want to place in the hands of a Democratic President such power as this.

We hear that the Congress has already abdicated too much authority and responsibility to the executive branch, and yet that is exactly what this recommittal motion would do. I do not want to leave it up to any President. I want to make the decision here on my own, and I am willing to do it. In searching my conscience to act in the way I believe I should, and without casting any aspersions on anyone's motives, if we are willing to face up to our responsibilities, we will do just exactly that. Next year—and I understand it is in the making—there will be a $3 billion public works bill, which should be quashed now. We should give this country a tax cut and see what the economy does with it, and, as the chairman has said and as the President of the United States has said, we cannot travel down both roads at once. It is a matter, it sems to me, of merely exercising commonsense, and I do not think that is any violation, even here in Washington. Consistency, they tell me, is not necessary in this political life, but it seems to me that commonsense is. That is exactly what I think I am going to do when I vote against this motion to recommit. I do not like to be the victim of a misleading proposition. I do not propose to be a party in an attempt to mislead the people of the country, for I am certain that, if not at this immediate time, all will soon see through the veneer in which this proposal is encased.

I feel deeply that this position is supported by the facts; that it is supported by commonsense; and that it is supported by fiscal responsibility and integrity.

Mr. MILLS. Mr. Chairman, I yield such time as he may require to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, I join with my good friend the gentleman from Mississippi, BILL COLMER, in deploring the fact that this tax bill with its terrific impact in one direction or the other comes up under such conditions that, with all due deference to my very able colleagues on the committee, it has not been fully explained. Not only that, but many arguments have been made which in my opinion are fallacious in many respects, and we in turn have no chance to point out the fallacies, to offer amendment; nor, may I say, any chance to do much of anything.

Mr. Chairman, this bill comes up under closed rule—with only one possible motion permitted, in effect, and that is the motion from the Republican side to make the effective date of the bill contingent upon the amounts recommended in the Presidential budget.

I expect to vote for the motion to recommit, but only to record myself as being in favor of holding down expenditures, for this motion if adopted would not control the President. The President's budget recommendations do not control the Congress. We will continue to see sums recommended by the budget for unsound programs and frequently we will have to restore sound programs in substitution, as we did on my motion to restore the public works appropriation under the Eisenhower administration.

This motion to recommit does offer a chance to record oneself in favor of holding down governmental spending. I am afraid, however, that part of its purpose is to enable many of my friends on the Republican side as well as on the Democratic side to justify a vote for the tax cut. Had the proponents wished to do so they could have made the motion effective. Had they wanted to make it effective they could have made the tax cut contingent or applicable only following a year in which expenditures were actually held down.

Mr. Chairman, it is my sincere belief all must realize that this tax cut will come at the expense of further inflation, reduced purchasing power for those on social security, for those with life insurance and savings funds, and thereby give no relief. In fact, history shows that to be true. I recall a few years ago when we were told that if the Ruml plan, the so-called pay-as-you-go or forgiveness-for-1-year's taxes were adopted everything would be straightened out and we would stop inflation. The Congress approved that proposal and instead of holding things down, now that taxes are withheld at the source, greater and greater are the demands for public expenditures or, may I say, the less the complaint. Everybody figures their salary on what is left.

A few years ago we had the Joint Committee on Overall Budget, the purpose of which was to fix a joint budget, to hold spending in line and to maintain fiscal responsibility. This joint committee was composed of members of the Finance Committee and the Appropriations Committees of the Senate, the Ways and Means Committee and Appropriations Committees of the House, a total of 104 members as I recall. I was a member and made the motion before the committee that 10 percent of the tax revenues be applied on the principal of the national debt annually.

Mr. Chairman, my motion was so sound and the logic of my argument so obvious that I got the support of all the Republicans. Unfortunately, the Democrats were in the majority and my motion lost.

In the 80th Congress the Republicans were in the majority. I renewed my motion before the joint committee that 10 percent of the tax revenues be applied to the national debt. Again my motion was so sound and the logic of my argument so obvious that I received all the votes of the Democrats; but by then the Republicans were in the majority and my motion failed again. I think the point is clear. Those with outstanding commitments on expenditures are slow to vote for sound fiscal policies.

Mr. Chairman, I read to the membership a bill which I introduced sometime ago. This bill has not been included in the tax measure before us today, though I urged members of the Ways and Means Committee to include it. This bill, on which hearings have not been held, points up two things. First, it recalls what has happened to the dollar invested in savings bonds—which now after 20 years, with all the accrued interest, will not buy as much as the original dollars would at the time of investment. Second, it shows that the depreciation of our currency, of the purchasing power of the American dollar, has been a steady one and that it has kept on although we tried the very thing which is being tried here when we adopted the pay-as-you-go or 1-year tax forgiveness some time ago and we cannot get relief in the bill before us.

The bill reads as follows:

H.R. 2921

A bill to protect funds invested in series E United States savings bonds from inflation and to encourage persons to provide for their own security.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part III of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items specifically excluded from gross income) is amended by redesignating section 121 as section 122 and by inserting immediately before such section the following new section:

"SEC. 121. INTEREST ON SERIES E BONDS WHERE PURCHASING POWER OF REDEMPTION PROCEEDS IS LESS THAN PURCHASING POWER OF ORIGINAL COST.

"Gross income does not include the interest received on the redemption of any series E United States savings bond where the purchasing power of the aggregate of such interest and the price paid for such bond is less than the purchasing power of the price paid for such bond."

(b) The table of sections for such part III is amended by striking out the last item thereof and inserting in lieu thereof the following:

"Sec. 121. Interest on series E bonds where purchasing power of redemption proceeds is less than purchasing power of original cost.

"Sec. 122. Cross references to other Acts."

(c) The amendments made by this Act shall apply to redemptions of series E United States savings bonds made after the date of the enactment of this Act in taxable years ending after such date.

Mr. Chairman, the measure before us is easy to sell because everyone wants to hold on to their money, but it is my sincere belief that it is another step toward fiscal irresponsibility and that any reduction would come at the cost of further inflation and less and less attention down the years toward collecting what we spend or, to put it another way, spending only what we collect. Only in that way can we have a stable and sound economy—which would have as its just reward purchasing power equivalent to our work and our savings and investments.

In the weeks ahead when the Senate debates this bill, which we have been precluded from doing, many things will doubtless come out, none of which have been stressed in the debate before us.

Why the House of Representatives will allow itself to be so embarrassed each and every time there is a tax measure before us is hard to understand. Again, we have no chance to amend this bill because of the closed rule. The motion to limit its effective date on the basis of a reduced and limited budget by the President really would not be controlling either on him or the Congress.

Again, Mr. Chairman, I have no criticism of any individual nor do I question the sincerity of their viewpoint. I only express my own views, based on my many years of experience and observation of similar panaceas which have been offered and found wanting in times past.

Mr. MILLS. Mr. Chairman, I yield such time as he may require to the gentleman from Texas [Mr. THOMPSON].

Mr. THOMPSON of Texas. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THOMPSON of Texas. Mr. Chairman, the bill before us today is the most important piece of domestic legislation presented to this body in recent years. I very much regret the obvious partisan attitude we are now witnessing. I wish we were giving our full time and attention to healthy and constructive debate on the substantive issues involved.

The issue before us is simple and clear. Our excessive tax rates are strangling our economy. Not only are they wasting our valuable resources, but they are siphoning off revenue that would be going into the Federal Treasury if our economy were operating nearer its potential.

We all recognize the critical point we have reached with Federal expenditures. The declaration contained in section 1 is acknowledgment of this fact. However, I believe it has more significant meaning in that it places the primary responsibility where it ought to be—in the Congress of the United States which has the final word in the spending process.

Apparently, some of our memories are short. I read with a great deal of interest the views and recommendations expressed by my distinguished colleagues on the opposite side of the aisle in the majority report of the Ways and Means Committee on the Internal Revenue Code of 1954. I find it most difficult to reconcile their 1954 expressions with those of today, particularly with regard to the basic theory of the stimulative effects of tax reduction. Here are some quotes from their report of 1954:

> In general, the purpose of these changes has been to remove inequities, to end harassment of the taxpayer, and to reduce tax barriers to future expansion of production and employment.
>
> The restrictive effects of the present tax law on economic growth have been obscured and somewhat offset during the past decade by the inflationary pressures of the war and postwar periods. It is now apparent that prompt adoption of this new tax law is especially timely in order to create an environment in which normal incentives can operate to maintain normal economic growth
>
> This bill is a long overdue reform measure which is vitally necessary regardless of the momentary economic conditions and should not be confused with other measures which may be, or might become, appropriate in the light of a particular short-run situation. The bill has been developed through extensive and lengthy study of ways and means of removing tax inequities and tax restraints. Its passage will lead to increased employment and a higher standard of living.

Some other interesting language in this report reads:

> However, some of the permanent losses and some of the temporary losses may reasonably be expected to stimulate production and the national income and hence lead to indirect gains in revenue more or less offsetting such losses.
>
> Several of the changes which appear to involve permanent income losses will stimulate production and the national income and thereby expand the tax base both immediately and in the long run.

Mr. Chairman, the same year when President Eisenhower submitted to a Republican-controlled Congress his tax recommendations he also submitted a As it turned out, this deficit was nearly twice as much as the original estimate. Republicans and Democrats alike accepted this unfortunate fact, but we all realized then that the expected stimulation of the ax cut on our economy would shortly more than offset the temporary loss of revenue. The following 2 fiscal years we had budget surpluses which proved us correct. I might add that in both surplus years Federal expenditures were over and above those of the deficit year I just mentioned. In 1954, the Democratic minority did not insist on writing into the Republican tax bill language such as is being proposed today. We did not need to because we knew who has the final voice in spending the taxpayer's money. President Eisenhower submitted budgets to Democratic-controlled Congresses for fiscal years 1955 to 1961. Each of those budgets were cut. As a matter of fact, for those 7 years we trimmed a total of almost $13 billion from his budget estimates.

So let us, the Congress of the United States, fulfill our responsibility to the Nation. The Constitution gave us the exclusive prerogative for both raising and expending revenue. The monkey is on our shoulder and we should not try to buck it to another person. If we did, we would be acknowledging a serious transfer of power from one branch of the government to another and at the same time be attempting to embarrass the President of the United States.

Mr. MILLS. Mr. Chairman, I yield such time as he may require to the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. Mr. Chairman, thank goodness we do not judge our schoolchildren by what they say in the cloakroom but instead we judge them by the grades they make after studying and taking their examinations. We should judge politicians in the same manner. We have heard throughout this debate our Republican friends over and over again say that they are for a tax cut provided it is accompanied by a reduction in Federal expenditures. Without seeming too political, I would like to go back to the 1960 campaign during which time a large number of prominent Republican candidates, Senators and Representatives including Candidate Richard M. Nixon, came into southern Illinois. These people quoted the 1960 Republican platform and promised the unemployed people of southern Illinois an area redevelopment bill, a pension for World War I veterans, a costlier and stronger national defense and many other vital and necessary programs to accommodate a growing population in America. Candidate John F. Kennedy and others espoused a program to get America moving again. Yet we find our Republican friends are now trying to curtail all of the programs they promised the people they would support in 1960.

We find the Republicans trying to put the President and Congress in a straitjacket at a time when the population of America is growing by approximately 5 million people annually. This increased population brings on a need for additional services, yet our Republican friends are for moving backward by placing a definite ceiling on expenditures. I hope my Republican friends will be consistent. If they vote for the Byrnes motion to recommit today, I hope they will refrain from attending the Republican National Convention in San Francisco next year at which time another platform will be adopted promising Americans all the things they are now trying to deny them.

The paradox of this entire matter comes when we hear those most prominently mentioned as Republican presidential candidates say "President Kennedy has failed to get the economy moving again." This theme has been echoed by many Republican Members of Congress throughout the country. Yet when we have a bill before us that will definitely give a stimulus to the economy we find these same critics voting no. How you vote today is your business but I would again ask those who vote for the Byrnes amendment to be consistent and please not go into southern Illinois and other places and promise our people who are in need, every conceivable program that they have no intention of supporting. In closing, I would like to give a parallel between this tax cut bill and a twin-engined airplane. Our Republican friends would like to taxi down the runway with the right engine, representing a tax cut, with full speed ahead, while pulling back on the left engine throttle representing Federal expenditures, with inadequate power.

I am sure everyone could understand that the airplane would never get off the ground with inadequate power. What the President is proposing is for us to give both engines adequate power to get the economy moving at a fast enough pace down the economic runway so that when the economic airplane becomes airborne, we can throttle back on our expenditures to a safe cruising speed thereby reaching our ultimate destination of full prosperity and a balanced budget. Whether it be aerodynamics or the economy of the country it takes forward thrust to gain power. Support this bill and give the country the power to provide new opportunities to those living today and generations to come.

Mr. MILLS. Mr. Chairman, I yield such time as he may require to the gentleman from Alabama [Mr. SELDEN].

Mr. SELDEN. Mr. Chairman, I have listened with great interest to the statements that have been made during the past 2 days in connection with the measure now pending before the House of Representatives. I had hoped that I might gather from this debate information that would make it possible for me to vote in good conscience for a tax cut. Unfortunately, that has not been the case.

To reduce taxes when our national debt is greater than at any time in the history of the United States, when the Federal budget is in the red by many billions, and when the present administration is advocating new programs which can only increase rather than decrease expenditures is, in my opinion, an unwise move for the Congress to make.

Unquestionably the taxpayers of this country need relief from the tax burdens they have been carrying for more than two decades. Yet, to give this relief without first reducing Federal expenditures does not exhibit the fiscal responsibility that I believe Congress owes to the people of this country. There is nothing in this legislation, nor in the misleading motion to recommit that is being offered by my colleagues on the other side of the aisle, that will guarantee a reduction of expenditures. Under the terms of the motion to recommit, a budget estimate of $97 billion submitted by the President would bring about a tax cut. A supplemental request, however, could then increase the budget far beyond the $97 billion mark.

While I realize my views are in the minority, I am convinced that the only fiscally responsible way to bring about a tax reduction at this time is to reduce, either first or simultaneously, Federal expenditures. In my opinion, Mr. Chairman, it would not be in the best interest of the people of the United States to put the cart before the horse in this connection.

Mr. MILLS. Mr. Chairman, I yield such time as he may require to the gentleman from Indiana [Mr. Roush].

Mr. ROUSH. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

Mr. CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Chairman, I rise in support of the tax bill which we are now considering. I join with many of my colleagues who say that this is one of the most important pieces of tax legislation to be placed before the U.S. Congress in more than a decade and a half.

Very briefly, I would like to outline why I favor this legislation. The purpose of the legislation as stated by our distinguished colleague, the gentleman from Arkansas [Mr. Mills], chairman of the House Ways and Means Committee, is to loosen the constraints which present Federal taxation imposes on the American economy. Its purpose is to take from the Federal Government the responsibility of doing those things which will cause the American economy to expand and grow and impose that responsibility on the great free enterprise system under which we live.

It is my firm conviction that the results of these tax reductions will be a higher level of economic activity, fuller use of our manpower, and a more intensive and profitable use of the capital improvements and investments of industry.

There are those who argue with great force that a tax cut during this prosperous decade is inadvisable, that it will create new deficits and that it will lead to an inflationary spiral which will work to the detriment of the United States. These arguments have received my own careful study and consideration.

In addition to this, I have given careful study and consideration to the arguments of those who would say that this tax bill would reduce our deficits, stimulate the economy, make Americans more competitive with the industries abroad, reduce the outflow of gold because it would make investment in this country more attractive and cause our investors to stay at home, and who also say that because we have been able to hold the line against inflation, we can continue to do so.

I have had many of my constituents say to me that they cannot quite see how one can reason that by cutting taxes we will be able to increase the Federal revenues. Yet the great majority of economists and businessmen of this country say that this is exactly what will happen. And they point to history to prove their point.

In 1954, the Congress passed tax cuts which totaled some $7 billion and in 1956 there was a surplus in the U.S. Treasury. In the early twenties, a Secretary of the Treasury by the name of Andrew Mellon, a Republican, was advocating that the Federal taxes should be cut. As a result of his persistence, tax rates were reduced in 1924, 1926, and 1928. In 1923, the Federal revenues amounted to $1,691 million. In each following consecutive year, tax revenues continued to rise. In 1929, Federal revenues amounted to $2.231 million. So despite three tax cuts in the twenties, tax revenue continued to rise. Now why is this? The reason is simply that we were able, through tax cuts, to stimulate the private economy of this country. The taxpayer had more money in his pocket and he spent it. There was a greater demand for goods which, in turn, caused the manufacturer to increase his operation. As he increased his operation, he put more people to work. It has been estimated that, because of this year's proposed tax cut, the gross national product will be increased by $50 billion. This would mean an additional $12 billion a year in tax revenue.

Mr. Chairman, I agree with the chairman of the Ways and Means Committee when he says there are two roads by which we can increase the GNP of this country and by which we can arrive at a more prosperous nation.

One is by the expenditure of public funds and another is by tax reductions. There is a real difference between them. As for me, I prefer to take the tax reduction road and I am convinced that it can bring us to a higher level of economic activity, to a more prosperous economy with a larger share of that activity initiating in the private sector of the economy.

But, Mr. Chairman, I would also emphasize that there is a choice to be made and that we cannot travel both roads at the same time.

It is my view that the statement of principle, as stated in section I of this bill—that Government spending should be held—is one which this Congress should follow. There are Members of this Congress who are going to advocate, in their motion to recommit, that we hamstring the President of the United States in order to hold the spending line. Mr. Chairman, this is not the way to accomplish this purpose.

The responsibility for spending programs lies with the U.S. Congress and it is a responsibility which we should assume. A recent editorial in the Denver Post stated that the move to amend the bill so as to hold spending to $97 billion this year and $98 billion next year was politically inspired nonsense.

I believe that one of the most impressive arguments in favor of tax reduction has been the work of the Committee headed by Henry Ford II, chairman of the Ford Motor Co. This Committee has said:

> The deficits in recent years have, in large part, been the product of the failure of our economy to achieve its full potential because of the burden of oppressive individual and corporate tax rates. If unemployment is to be reduced, if idle plant is to be put into production, and if we are to achieve meaningful long-term economic growth, individual and corporate rates must be reduced.

This same Committee recognizes that a tax reduction in the magnitude contemplated will add temporarily to otherwise existing deficit. They state that they "believe, however, that additional income flowing from the tax cut will bring the budget into balance significantly sooner than if there were no tax cut at all."

If I thought the deficit which will be caused by the reduction of these taxes would be anything other than temporary, I would vote against the bill. I am now convinced otherwise, and I shall vote for the bill.

Mr. Chairman, all of us who represent districts throughout the United States have the natural tendency of determining how particular legislation will affect our own State and district. I am no exception.

This bill will place in Indiana scores of millions of dollars in the hands of the consumer. This is going to mean that more people will be employed, that they will be able to purchase more goods, and that our manufacturers will be able to produce more products.

It means something else to Indiana. We are burdened with high State and local taxes. It is estimated that because of this increased spending in Indiana, the Indiana tax revenues will increase by $64 million annually. Mr. Speaker, this means a lot to my people.

Yes, this is perhaps the most important piece of legislation upon which I will be able to vote since my service began in the U.S. Congress. The decision to cast an "aye" vote did not come quickly. It came only after long and careful thought and study. It came only after I had been fully convinced that the stimulus to our economy will be such that we will eventually be able to balance our budget. It came only after reaffirming a longstanding conviction that this country should operate under a balanced budget except in the most extraordinary cases. My decision was made with the belief and conviction that this tax cut is necessary if the United States is to remain competitive with the rest of the world, if we are to put to work the 10,000 men and women who are added to the employment forces of the United States daily, and if we are to make the most of our productive capacity.

Mr. Chairman, I urge the passage of this bill.

Mr. MILLS. Mr. Chairman, I yield such time as he may require to the gentleman from Iowa [Mr. SMITH].

Mr. SMITH of Iowa. Mr. Chairman, we have before us a proposal to cut taxes on borrowed money. Everyone would like to see it cost less for the goods and services we want from Government. Since World War II we have paid more in taxes than the goods and services have cost but we have had an average deficit of $2 billion because interest charges on the World War II debt have run as high as $8 billion per year. I am not referring to the interest paid on debt acquired prior to World War II or on debt acquired as a result of loans made wherein we recoup the interest cost.

During World War II, we increased the debt $225 billion. That is three-fourths of the total debt we owe. We have never paid that debt. President Roosevelt sought increased taxes during the war when there were too few goods available for the money available anyway. Congress refused an adequate bill and even postponed payments to the social security fund.

After the war, the 80th Congress enacted a tax cut and overrode President Truman's veto of that bill. His veto message included the following statements:

> First, the bill would reduce Government revenues to such an extent as to make likely a deficit in Government finances, at a time when responsible conduct of the financial affairs of this Nation requires a substantial surplus in order to reduce our large public debt and to be reasonably prepared against contingencies.
>
> Second, the bill would greatly increase the danger of further inflation, by adding billions of dollars of purchasing power at a time when demand already exceeds supply at many strategic points in the economy, and when Government expenditures are necessarily rising.
>
> The estimates of Government expenditures for the fiscal year 1949 which I submitted to the Congress in January totaled $39.7 billion. Receipts were estimated at $44.5 billion, leaving a surplus of $4.8 billion for debt retirement and contingencies.
>
> It has since become apparent that despite the most stringent efforts toward economy, there will be several important increases in expenditures above the January estimates. Legislation has been enacted increasing payments to veterans. Larger amounts will be required for assistance to certain foreign countries. Legislation to increase the salaries of Federal employees is being considered. It has been necessary to recommend substantial additional appropriations to the Congress to bring our Armed Forces to a proper strength.
>
> Altogether these increases, after taking due account of appropriation actions by the Congress to date and of the additional tax refunds which would occur under this bill, involve additional expenditures for the fiscal year 1949 of at least $3.5 billion above the January estimates. In the fiscal year 1950, these additional programs would increase expenditures by another $2 billion, or by a total of $5.5 billion. It is clear that, if this bill which reduces taxes by $5 billion were to become law, there would in fact be a deficit in the fiscal year 1949 even under the more optimistic estimates of revenue used by the congressional committees.
>
> The Congress proposes to extricate itself from this situation by charging $3 billion of 1949 expenditures under the European recovery program against the 1948 revenues. This might avoid a deficit in 1949. But the facts cannot be obscured by the fiscal sleight-of-hand by which a prospective deficit in 1949 is made to appear as a surplus. Actually the surplus available for debt retirement for the 2-year 1948 and 1949 would not be affected in the slightest by such a shift in accounting.
>
> The public debt is $253 billion. I repeat what I have so often said before—if we do not reduce the public debt by substantial amounts during a prosperous period such as the present, there is little prospect that it will ever be materially reduced.

Every prediction made by President Truman in those remarks has proved to be true, at a time when we had too few goods for the money available, we should have paid some on the debt and that tax bill of the 80th Congress has proved to be the most irresponsible fiscal action ever taken in the history of this country. We not only have not paid on the World War II debt but also must now pay more to cover the harm caused by that bungle by the 80th Congress.

Although rates are less than during World War II, the cost of defense is higher. Higher individual incomes and gradually increasing incomes can permit higher payments at the same rates if we ever let income catch up with expenditures. It is said the gross national product will not increase without the tax cut but the gross national product has increased 150 percent more in the past 15 years than it increased in the previous 150 years. If we must sell bonds to finance the tax reduction, we will absorb the finances that it is said we need to have spent for goods to help increase the gross national product.

During the war, one of the reasons people were urged to buy bonds was to absorb money so it would not be spent for goods that really were not available. That economic theory would indicate that having to finance this tax reduction with bonds would not leave a sizable net increase available to purchase new goods to create jobs.

Our principal job problem is one of finding jobs for unskilled workers. If each of us cut tax payments $1 per week on borrowed money, we will buy goods and services that are mostly furnished by skilled workers. To get unskilled workers jobs we need loans for college students and training of unskilled workers. I think those will be fooled who think that pump priming in the private sector will solve the unskilled labor problem. For this reason, I do not see how a tax reduction bill, as desirable as it may be in some respects, will bring back as much revenue as would be lost. This would mean increased debt. It seems to me that in fact it will be hard to get over this hump until we either have a lull in the cold war and reduction in expenditures or have some surpluses to offset deficits. We cannot so easily avoid the problem created by not paying enough taxes in the 1940's.

Regardless of total revenue effects, we do need tax reform and a simpler tax law, but this bill contains little good reform and makes tax returns even more complicated. If this bill passes, it will be almost necessary for a taxpayer to study higher mathematics to know the consequences of his business activities.

I think the investment credit tax cut helped. I voted for it and I am glad it has helped, but it tied tax reductions to job making investments. Instead of this approach and direction, some of what appears to be reform in this bill will actually result in a more inequitable distribution of the tax burden.

I would like to vote for a tax cut but I do not see how it can be done yet except on borrowed money.

In spite of the advantages that may flow from tax cuts under certain circumstances, I do not believe the advantages that would flow from this bill at this time would exceed the long-term disadvantages of a deliberate increase in the public debt.

Mr. MILLS. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. EDMONDSON] such time as he may require.

Mr. EDMONDSON. Mr. Chairman, I rise in support of this much needed bill, and likewise in support of the position on fiscal responsibility being asserted by the majority of the Committee on Ways and Means.

I thoroughly agree with the proposition that the motion to recommit, as explained thus far, would constitute a delegation of legislative power to the President in the most vital area of our responsibility.

While this bill is not perfect, it represents progress on many vital fronts and should substantially benefit every American taxpayer as well as the private sector of our economy.

I hope and trust the motion to recommit will be defeated and the bill will be approved by an overwhelming, bipartisan majority.

Mr. MILLS. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky [Mr. CHELF].

Mr. CHELF. Mr. Chairman, I had not intended to make any remarks on this tax cut bill today, chiefly because I am not a tax expert. Most of us here in the House more or less depend on the sage advice of that distinguished gentleman, that great American, the chairman of the Ways and Means Committee, the Honorable WILBUR MILLS.

Mr. Chairman, several Members in debate yesterday stated that the House ought to forge a pact with the President in order to limit our spending in fiscal year 1965 to $97 billion. Whom are we kidding? Any sort of suggestion that we pass legislation in order to prevent the President from requesting any sum over $97 billion is offstroke, because Congress authorizes expenditures and then appropriates the funds. It is our baby—and rightfully belongs to us in the Congress—not to the President. It seems to me that we are passing the buck.

I just returned from my district and I can tell you the people, as well as businessmen, want a tax cut.

During the recent debate on the authorization for foreign aid, I said:

> We are spending money we haven't got on people we don't know to impress those who hate our insides.

If this bill passes today, I would paraphrase my statement and say: "We would be saving money we have; for people we know; to help those who need it most.

I shall not vote for any motion to recommit with instructions that would specifically require the President to limit expenditures at any amount. We are the duly elected Representatives of the people and, under the Constitution of th United States, we not only have the right, but it is our duty to tell the President what he will be permitted to spend. How are we going to do it? By enacting into law sane, sound, courageous authorization bills and then appropriate the necessary money therefor.

I urge every Member of this House not to reject this baby that was fathered by our forebearers and adopted by us as our very own the day we were first elected to Congress. Frugality in Government is our job. Let us do that job—meet our responsibility.

When my family overspends I simply cut their water off. We can do this in Government by cutting down on all future authorizations and appropriations. It is that simple.

Mr. BOGGS. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. STEED].

Mr. STEED. Mr. Chairman, our Nation's tax structure is a vast, complex assemblage of individual laws, revisions, supplements, court decisions, as well as regulations and rulings issued by the Treasury Department and the Internal Revenue Service. For a long time, there has been great need for a thorough review of the Federal Government's tax structure; and it is for this reason, that I welcome the President's recommendation that our tax structure be carefully examined in light of today's needs.

I am glad that this overhaul has been commenced. The House Ways and Means Committee is to be commended for the long hard hours that it has put in in bringing forth H.R. 8363, "the Revenue Act of 1963." This proposal is a major step toward the accomplishment of a sound and workable tax system. I believe on balance this bill will go a long way toward spurring our economy and providing the growth and expansion which is the desire of everyone concerned with the welfare of this Nation. I expect to vote for it.

Mr. Chairman, as will be recalled, the President, in his recommendations to Congress made earlier this year, sought to have written into the law four specific provisions which would have: First, reduced depletion on oil and gas properties by requiring that losses in any year on mineral properties be carried forward to subsequent years solely for the purpose of reducing a taxpayer's net income on such properties which in turn could limit the depletion deduction up to 50 percent of what it is now under existing law for these various mineral properties; second, eliminated the provision which was enacted in 1954 which permits the taxpayer to aggregate oil and gas deposits located in the same operating unit for the purpose of computing percentage depletion and to also require that taxpayers break up existing combinations and compute depletion separately for each separate deposit or lease; third, taxed the gain on the sale of a mineral property as ordinary income rather than at capital gain rates in an amount equal to development costs and depletion up to the cost basis deducted after December 31, 1963; and fourth, revised the tax treatment of income earned abroad.

Each of these proposals would have had an adverse impact on the oil and gas producing industry. I am pleased to note that the House Ways and Means Committee rejected three of the four proposals recommended by the President; and I am hopeful that as this tax bill proceeds through Congress, these provisions will continue to be rejected.

Unfortunately, the House Ways and Means Committee saw fit to accept the President's proposal to eliminate the provision from our tax laws which authorizes taxpayers to aggregate oil and gas properties within an "operating unit" for the purpose of computing depletion. Elimination of this provision, which was passed into our tax laws in 1954 according to the Treasury Department, will increase the petroleum producing industry's taxload by approximately $40 million each year. This additional tax burden will be placed on an industry which is already suffering from decreased drilling activity, declining employment, and excessive imports of foreign oil.

In my own State of Oklahoma where the State's first commercial well was drilled near the city of Bartlesville in 1891, we have seen the oil and gas industry flourish and languish. We have seen it build cities, attract other industry, contribute to the general welfare, and provide its full share of taxes to the community, the State, and the Nation.

Within recent years the industry in Oklahoma and throughout the Nation has been in depression. This condition continues at this time. The President's revision of rules governing import controls should be helpful although it is too early to judge the extent.

The explorer producer is continuing to have a difficult time. His costs are up; the price he receives for this production is down.

The producer has been fighting for his very economic existence. Many have not made it.

In my district, where there are many hundreds of operators, producing properties have been sold, many have been abandoned, and some former producers have simply quit what appears to them to be a losing battle. This is not a pretty picture.

So you can see why I am concerned about adding an additional tax burden of $40 million each year to the petroleum producing industry.

I am indeed hopeful that when this legislation comes before the Senate Finance Committee it will take a long hard look at this proposal which would take away from the petroleum producing industry a much-needed provision which was written into our tax laws in 1954 after thorough study and consideration by Congress.

If you will permit me, I would like to develop something of the background record surrounding the adoption of this provision which permits taxpayers to aggregate mineral properties for the purpose of computing depletion.

President Kennedy in his tax message to Congress declared:

> We must continue to foster the efficient development of our mineral industries which have contributed so heavily to the economic progress of this Nation.

The President in his message also stated:

> Unintended defects have arisen in the application of the special tax privileges that Congress has granted to mineral industries, and correction of these defects is required if the existing tax provisions are to operate in a consistent and equitable fashion.

The President then recommended four specific changes in the tax law as applying to natural resources. One of these changes was in the area of "grouping of properties." Presumably, the present law covering this matter is considered by the President and the Treasury Department to be an "unintended defect." A look at the record proves conclusively that this provision is not an unintended defect. The record shows in fact that Congress looked long and hard at this provision in 1954 as well as in 1958.

In adopting the 1954 Code, the Senate declared in its report:

> D. DEFINITION OF MINERAL PROPERTY
> (SEC. 614)
>
> (1) HOUSE CHANGES ACCEPTED BY COMMITTEE
>
> Although depletion allowances are computed with respect to mineral properties, present law does not define a "property." In general administrative regulations state that each separate interest owned by the taxpayer in each mineral deposit in each separate tract or parcel of land constitutes a property. From the standpoint of both taxpayers and administrators, however, this division of properties creates difficulties because, in some instances, it requires the preparation of multiple depletion schedules and computations where a single computation would serve the same purpose.
>
> The House bill clarifies the situation with respect to depletable properties by adding a statutory definition of "the property." This provision adopts as the general rule the same definition relating to separate interests now established by regulations. In addition,

> however, the new provision permits a taxpayer to elect for purposes of percentage depletion to treat as one property an aggregation of his separate mineral interests which constitute all or part of an operating unit.

In its analysis which accompanied the Revenue Act of 1954, the staff of the Joint Committee on Internal Revenue Taxation stated:

> Although depletion allowances are computed with respect to mineral properties, present law does not define a "property." In general, administrative regulations state that each separate interest owned by the taxpayer in each mineral deposit in each separate tract or parcel of land constitutes a property.

Thus when Congress in 1954 adopted the definition of property as "each separate interest owned by the taxpayer in each mineral deposit in each separate tract or parcel of land," it became necessary to further provide for the combining of mineral interests for the purpose of computing percentage depletion in order to avoid unrealistic results.

The record further shows the following:

> The Technical Amendments Act of 1958 (H.R. 8381) was signed into law on September 2, 1958, and was an act: "to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments."

Senate Report No. 1983, which accompanied this bill, states:

> As indicated in the report of the House, H.R. 8381 represents a major step in the elimination of substantive unintended benefits and hardships in the existing income, estate, and gift-tax provisions, and also removes any technical errors and ambiguities in the tax statutes.

The Senate report further states:

> The 1954 Code (sec. 614) defines property for purposes of computing the percentage and cost depletion allowances in the case of mineral resources. This section permits a taxpayer owning interests in mineral resources to make one aggregation of part or all of his operating mineral interests within an operating unit, and permits him to treat this aggregation as one property.
>
> * * * * *
>
> The House report indicates that the rule provided by the 1954 Code was intended to liberalize the provisions of the 1939 Code with respect to the definition of property. Some taxpayers have contended, however, that the 1954 Code section has deprived them of rights they previously had under the 1939 law, regulations, court decisions, or practices. Since, under the 1954 Code, there was no intention to remove any rights which taxpayers had, the House bill restored such rights as taxpayers had under the 1939 Code. The House bill accomplished this by adding a new subsection to the section dealing with the definition of property to the effect that a taxpayer could elect to treat any property as if the present 1954 Code definition had not been enacted, and as if the 1939 Code rules still applied. Thus, with respect to 1954 and subsequent years, a taxpayer was given two choices: he could apply the 1954 Code rules in determining what constituted a property within an operating unit, or he could apply the 1939 Code rules.
>
> Your committee is in agreement with the House that the action taken by Congress in 1954 was intended to liberalize, rather than restrict, the 1939 Code rules with respect to the definition of property.
>
> * * * * *
>
> In the case of oil and gas, the rules followed under the 1939 Code were more explicit, and there, therefore, does not seem to be the need for immediate action in redefining the property for purposes of oil and gas depletion. As a result in the case of oil and gas your committee has accepted the House provision permitting taxpayers for 1954 and subsequent years to choose between the 1954 Code rules and the 1939 Code rules.

The Conference Report No. 2632 which accompanied H.R. 8381—the Technical Amendments Act of 1958, states:

> Amendment No. 94: Section 32 of the House bill amended section 614 of the 1954 Code to provide, in effect, that any taxpayer could treat any mineral property as if section 614 of the 1954 Code had not been enacted and as if the 1939 Code rules pertaining to the definition of property continued to apply. Senate amendment 94 limits the application of section 32 of the House bill to operating mineral interests in the case of oil and gas wells.

The House agreed to the Senate amendment. Thus it can be seen that the action of the House and Senate in this area was taken after full study and consideration.

This action was taken because, according to the Senate report—

> Since, under the 1954 Code, there was no intention to remove any rights which taxpayers had, the House bill restored such rights as taxpayers had under the 1939 Code.

Thus it can be readily seen that Congress both intended in 1954 and in 1958 to spell out the definition of property for computing percentage depletion and clearly intended to authorize oil and gas producers to group their mineral interests to form a mineral property. This is the very thing that the President and the Treasury Department states to be an unintended defect. The record as noted above is clear that Congress not only intended to act as it did in 1954, but also after reviewing the situation in 1958, Congress clearly intended to not only retain the property provision adopted in 1954 in the case of oil and gas, but also clearly intended to restore certain rights existing prior to 1954 but which were denied taxpayers in 1954.

Further, when Dr. Dan Troup Smith, Deputy to the Secretary of the Treasury, and who testified on behalf of the Treasury Department during Senate hearings on the Technical Amendments Act of 1958, declared on page 32 of the Senate hearings as follows:

> As the report of the Ways and Means Committee has indicated, it is not feasible to provide detailed revenue estimates for this bill. While it is not a revenue-raising measure, as such, the general effect of the bill will be to strengthen the revenue system. An important aspect of this legislation is its preventive function in blocking the growth and spread of known tax-avoidance devices which, even where they do not result in substantial revenue losses at present, threaten more widespread abuse and loss of tax receipts in the future.
>
> More than half of the 82 provisions of H.R. 8381 represent technical adjustments. Of the remaining more substantive provisions of the bill, some two-thirds close loopholes or foreclose unintended benefits in the present law. The balance of its provisions relate generally to the removal of hardships.

If one would search the record of this hearing on pages 32 and 33, it would be seen that the property provision is not referred to as an unintended benefit but rather on page 32 of this hearing, Dr. Smith states:

> Provisions of the bill which remove hardships or otherwise benefit taxpayers are as follows:
>
> "Section 32 provides that the taxpayer may choose between the 1954 Code and the 1939 Code rules for defining a mining property for purposes of the percentage depletion allowances applicable to coal and other mineral resources."

After study of the above-outlined history of this so-called grouping of properties, it is folly to consider that this provision should be eliminated because it is an unintended defect in the law. It also would be noted that contrary to the assertion by the Treasury Department, taxpayers are not free under this provision to combine their mineral properties in any manner they may find beneficial. The law currently limits permissible combinations of properties to those located in the same operating unit which may include only its properties which may conveniently and economically be operated together as a single unit.

When Congress authorized the combining of mineral interests into one property within an operating unit for the purpose of computing depletion, it did so for a very practical reason. This action was taken in the main to simplify the depletion computation and to eliminate the difficulties which arose due to the necessity of preparing multiple depletion schedules and computations where a single aggregated property computation would be more logical from both the operating and property concept.

An operating unit in the petroleum industry includes those mineral interests which are operated together for the purpose of producing, in the most efficient manner, the oil and gas contained in these various mineral interests. The size of an operating unit depends upon the organization and operating methods of each individual producer. Present law provides that a field operating unit may include only those properties which may conveniently and economically be operated as a single unit.

Since adoption of the statutory definition of mineral properties, oil and gas producers have sought to aggregate their properties for the purpose of computing percentage depletion in a manner which met the requirements of the Internal Revenue Code and the Treasury regulations. It would thus be extremely onerous to require oil and gas producers now to break up these aggregations which they elected to be bound by and start all over again.

The unscrambling that would be necessary under this proposal would be extremely difficult, time consuming, and expensive both for the taxpayer and the Internal Revenue Service.

In 1954, the right to aggregate was adopted as a matter of principle to apply to all resource industries. If in principle it is right and proper, it should be applied uniformly and not now be withdrawn from the petroleum industry.

The right to aggregate properties as provided under present law not only serves to simplify depletion computation and administration of the tax laws but also provides additional flexibility to the taxpayer in his tax and operational planning. To deny this treatment to petroleum permitting it to remain in effect for other minerals segregates and sets apart petroleum from other natural resource industries. Such action would be discriminatory in that it would deny to the petroleum industry the benefit of the aggregation principle while recognizing the propriety of such tax treatment for other natural resource industries. Such discrimination in the application of basic tax principles would be extremely unwise and would constitute an unfortunate precedent which could cause much difficulty in the future in formulating and providing fair and equitable tax treatment among natural resource industries.

For these reasons, the President's and Treasury's recommendation with respect to grouping of properties should be rejected by Congress.

Mr. MILLS. Mr. Chairman, I yield 1 minute to the gentleman from West Virginia [Mr. Staggers].

Mr. STAGGERS. Mr. Chairman, I rise only to say that I think most of the argument has certainly been said that can be said on both sides. However, I want to remind the Congress that the $11 billion which we are planning on spending through savings is not to be spent on some dubious scheme in some faraway place or land of the world. But it will go to the men and women that we represent, to create jobs and help business to clothe and feed the children of those selfsame men and women.

Everyone talks about high taxes, and now is our opportunity, as representatives of the people, the Nation, to do something about them.

I regard this tax reduction as an investment in the future of the United States, one that will help to build the Nation into a happier, stronger, and more prosperous land.

Mr. MILLS. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. Moorhead].

Mr. MOORHEAD. Mr. Chairman, why is tax reduction important now?

Mr. Chairman, today the war and the postwar babies are reaching maturity—will they be a boon or bane to our economy?

Will they be consumers or unemployment compensation claimants?

Will they add to the economy, as consumers creating demand and as producers satisfying that demand, or will they be a drag on the economy by joining the army of the unemployed whose bare existence depends on taxes collected from the producers in our economy?

Not many years ago the homebuilders and the appliance manufacturers were rubbing their hands expectantly as they looked forward eagerly to the day when these young men and women would form families and buy houses and stoves and refrigerators and television sets and furniture and the multitude of things needed by a new family setting up housekeeping.

Now these same people are wringing their hands in woe.

Where the investment letters once pointed with optimism, now they frequently view the same phenomenon with alarm.

Back in 1948, the investment letters which I received were unanimously optimistic, basing their favorable opinion of the future of the economy on the population explosion. On April 30, 1948, U.S. News & World Report, in an article entitled "Twenty-five Good Years for Business," said confidently:

> Population by 1960 is expected to be about 14 million greater than the present. That will be like adding to the United States a nation of consumers and producers as large as Canada. Official appraisers—

It concluded—

> see a rosy future.

In May of this year in an article on the population boom in the same magazine, it was said:

> The businessman, as he looks at the late sixties, should, I think, count on a market featured by increased family formation.

Yet, in June of this year, this same magazine looked at the other side of the coin of the population boom in an article entitled, "Jobs—Key to National Unrest?" and pointed out that "among persons under aged 20, unemployment now is highest since records have been kept." They also viewed with alarm the fact that the family formation—20 to 24 age group—declined by 335,000, whereas in the 1960's, this same age group will increase by 4 million, an average of 400,000 a year. The result, as this article views it, is: "rising unrest if jobs are not open for all these young people."

Which of these articles is right? Will the population boom be a bane or a boon to our economy? Mr. Chairman, if—and I repeat, if—we can look at these maturing individuals as consumers we need have no fear for our economic future. They are reaching the age of family formation when their needs and demands are almost unlimited. The newly formed family needs furniture and appliances and housing. In the decade of the sixties, the number of these young people with almost unlimited demands will increase by 4 million instead of declining by 335,000, the rate which took place between 1950 and 1960.

If these young people are regularly employed, their demands will provide an economic base from which this country will achieve new heights of prosperity.

Aye, there is the rub: Are they to be the employed consumers adding to our economy, or will we look at them as millions of new job seekers flowing like a torrent into a labor market which is already saturated?

The unemployed do not marry, do not form families, and do not have the demands on which a new economic base can be erected. The anticipated boom in housing and consumer goods has been awaited as a strong economic stimulus, but there is nothing automatic about the boom. Instead of a boost to the economy, the population bulge can represent a further aggravation of the unemployment problem as the labor force growth accelerates without new jobs being created.

Never before has the U.S. Congress been confronted with such a clear-cut economic choice. We can predict exactly when this population bulge will hit the market. We know that this can be a boon or a bane to our national economy. We know that this can lead us to accelerating new heights of prosperity or drop us into new depths of recession.

The actions of the 88th Congress will determine which way we go. If we act clearly and forthrightly without if's, and's, and but's, by passing the tax reduction bill, millions of consumers and businessmen can plan confidently and optimistically for the future. Then the millions of young employed producing and consuming citizens will be a long-term boon to our economy. If we do not they, as the unemployed, will be the bane of our existence.

Boon or bane. Unequivocal removal of the wartime tax straitjacket on our economy will make the difference.

We must act, and the time to act is now.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the distinguished Speaker of the House, the gentleman from Massachusetts [Mr. McCormack].

Mr. McCORMACK. Mr. Chairman, this debate has been conducted on a very high plane in accordance with the great traditions of this body, and I want to congratulate my colleagues on both sides of the aisle for the fine character of debate that has been engaged in. However, while that is so it is very strange to me to note the position taken by my Republican friends. To me it seems to be a position of blind opposition that has been consistent with every measure since President Kennedy assumed office, blind opposition on the part of the great majority of the Republican Party, not all, but the great majority.

It seems to me that this kind of a policy is going to be appreciated by the people and is appreciated and will be in the months that lie ahead. However, that is a responsibility of the Republican Party and a responsibility which we shall take advantage of at the right time.

The position they have placed themselves in is this: We favor a tax cut, but we only favor it under certain conditions. Some of their outstanding Members have said that if their motion to recommit is not adopted they will vote against the bill. To me that seems to be a very strange and inconsistent position to take. If I am in favor of a bill but I offer an amendment, and if the amendment is not adopted, I am going to vote for the bill.

Furthermore, my Republican friends by their motion abdicate the responsibility of the Congress if their amendment should be incorporated into the bill and becomes law in connection with the field of appropriations, and abdicates it to the President of the United States. I am opposed to abdicating the responsibility of the Congress to any President, whether Democrat or Republican.

I also never thought I would see the day when our friends on the Republican side would quote Lord Keynes as an authority. I never thought I would see the day when our friends on the other side of the aisle would quote ex-President Truman as an authority. I never thought I would see the day when they would claim a gratuitous handout of billions of dollars to big business, as they have in their minority report, or hear them complain about giving tax relief to the very rich. This they have done. This bill is designed to eliminate the wartime taxes in relation to corporations and individuals and through the reduction and relief to increase our national economy in order to help solve the unemployment situation and to expand our gross national product in order to meet the problems that confront our country.

I have always felt personally that personal and corporate taxes were high, but there was nothing I could do about it while the war was on or the results of the war were in force.

If we are going to reduce taxes permanently to corporations and individuals, this is the time to do it. If the Republican substitute is adopted it could divert or defeat the very purposes of this bill. As a matter of fact, it could result in a tax increase bill, which will probably be explained a little later on, so that in addition to voting against tax reduction a Member might find himself by voting for the Republican motion to recommit to be voting for a tax increase bill if the motion to recommit should be adopted.

I have studied and read the report of the Democratic majority and the minority report filed by the Republican Members. The bill as reported out by the committee is a constructive and sound contribution toward the stability of our country and toward a growing gross national product and meeting the problems that exist in the country at the present time.

I might say with all due respect to my friend from Wisconsin [Mr. BYRNES] and no personal reference in the least, that as between JOHN BYRNES, of Wisconsin, and WILBUR MILLS, of Arkansas, I prefer to follow the leadership of WILBUR MILLS.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 5 minutes to the minority leader, the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Chairman, I agree with the Speaker that by and large this debate has proceeded on a very high plane. As a rather longtime Member of this body, that is something that I am happy about, as he is.

I must say that as I listened to some of the speakers, and particularly those today, who have hit the sawdust trail about spending and new authorizations and cutting down on appropriations, I just hope that in the weeks and months to come, if we have to stay around here that long, they will not forget some of the things they have said here today. And I can look some of them right smack in the eye, and I will be watching how they vote.

The Speaker refers to what he calls the inconsistent position of the Republicans. I have been here going on 30 years. It has been said before, and it ought to be said again and again, that the only meaningful tax reductions that have been given to the people of this country in my time were given to them by Republican Congresses, the 80th and 83d. We are not new-found friends of tax cuts. But I want to point out to you in connection with this matter of consistency that in the 80th Congress we passed the first tax reduction under the leadership of Harold Knutsen, then chairman of the Ways and Means Committee, and it was vetoed by President Truman. He was not for it. We could not override the veto. Then we passed another one. Again it was vetoed. And lo and behold, who voted against tax reduction to sustain the veto? None other than the then Representative from Massachusetts, Mr. Kennedy.

Then we passed a third tax reduction, and it again was vetoed. That time we overrode the veto. But who voted to sustain the veto? Again, Representative Kennedy from Massachusetts.

I almost hesitate to inquire of the Speaker, and I did not look up his record on sustaining that veto, but I would almost bet a nickel to a penny with a hole bored in it that he voted likewise to sustain the veto. I voted to override, and we finally prevailed.

In the 83d Congress we came up with a Republican Congress, not a big majority, but we finally did get through the session and adjourned with a good record of accomplishment, and we had another tax reduction bill. When it got to the other body—what happened, on the part of the then Senator from Massachusetts? He said he was not privileged to vote because he had a pair with the Senator from Alabama, Mr. HILL, and Mr. HILL, if he had been present would have voted "yea." Senator Kennedy said he would have voted "no." So he voted on a live pair against that tax reduction bill.

Now then to get down to the issue at hand and again having regard to fiscal responsibility and what we are here trying to do, those tax reduction bills that were given to the people by Republican Congresses were given to them after we had cut the costs of Government, balanced the budget and had some money to pay on the national debt. That is the only way you can have a meaningful tax reduction. You cannot have it by giving the taxpayer a little money to put in one pocket and then take it out of his other pocket through the worst kind of a tax that there is, and that is the pickpocket called inflation.

In this action here you are getting the cart before the horse. We have not passed on most of the appropriation bills. They are yet to come. Somebody says this motion to recommit is a phony. I agree with whoever spoke here a little bit ago who said, if there is anything phony, it is this idea that you can have a tax reduction without some control over Federal spending. All we hear is fancy words and phrases. Instead of fancy words and rhetoric I want to see some action.

We hear talk about the help we are going to get from downtown. You cut the Post Office bill a little bit and Postmaster General Day says he is not going to deliver the mail.

You cut the national defense a little bit, and I heard two gentlemen, the gentleman from Texas [Mr. MAHON] and the gentleman from Michigan [Mr. FORD] refer favorably to the cut. But Mr. McNamara says that we are leaving the country defenseless.

Some of us voted to cut $585 million out of the foreign aid bill. The gentleman from Kentucky [Mr. CHELF] spoke here, very impassioned and I always like to hear him; many times he votes right according to my liking. So we cut $585 million out of the foreign aid bill. I voted to cut it. And what did the President say about me? He did not mention my name, but he might just as well have named me in his statement. His words were that the vote to cut foreign aid was "shocking and thoughtless; shortsighted, irresponsible, and dangerously partisan."

This motion to recommit does not represent any abdication. That is a smokescreen that a lot of people who ought to know better are trying to hide behind. All this motion represents is a device that I say we should have started using a long time ago to try to put some restraints on spending.

Some Members have referred to what they are going to do with respect to the next debt limit bill. I am not voting to increase the debt limit. You will never get this over unless you really want to bear down. No, this motion to recommit should prevail. It is obvious, I am afraid, that there have been enough arms twisted and enough heat put on and enough other things done that you are probably going to run over us. I am going to vote for the motion to recommit and if it does not prevail, then I will vote against the bill. I say that is a consistent position. I love you, Mr. Speaker, and respect and admire you, but when you said that such a position is inconsistent, you could not have been any more wrong if you really tried to be, and I know that you would not try. Actually, this motion would offer some assurance that the executive branch is under some restraint and it is a restraint on us too—a commitment on our part as well as a warning downtown—if you want this tax reduction make it honest, make it meaningful, and make it real.

Mr. Chairman, let us take this first step and then back it up with some real cuts in Federal spending. Then, my friends, you will have given to the people of this country something that will really help.

So it is not going to bother me to vote against this bill, if the motion to recommit fails. The Speaker says he is going to remind the folks of the country at the proper time. I would remind some of you who think tax cutting is such a great political advantage that for the 80th Congress tax reduction we got beat; for the 83d Congress tax reduction we got beat. Now, you had better take a little look at history, because you are heading for trouble.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield to the gentleman from Washington [Mr. STINSON].

Mr. STINSON. Mr. Chairman, I am in favor of a tax cut and intend to vote for the tax cut provided that we are absolutely assured that there will be a curtailment on Federal spending. Without the positive assurance that Federal expenditures will be held down, I cannot support the bill.

We all realize that the Federal Treasury will have to borrow the money to grant this tax cut. We will further mortgage the future of our children and grandchildren if the Federal Government continues to operate at a deficit. Perhaps I shall be accused of believing in the Puritan ethic by making this statement, but I believe it is immoral for our generation to spend money that future generations will have to repay.

Now I believe that a tax cut could have some effect on stimulating our economy. I have long believed that our people and our industries and businesses are overtaxed. I also have maintained that our Treasury is overspent.

By placing an upper limit on expenditures, we can start to slow down the drift toward financial chaos and return to a policy of fiscal responsibility.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, first I would say that I am not certain as to the purport of the closing phrase of the Speaker in his remarks, but I will say to him and I will say to the House that I do not consider this nor do I consider any other matters coming before the Committee on Ways and Means as matters of contest between the chairman of that committee, the gentleman from Arkansas [Mr. MILLS], for whom I have the greatest respect, and myself. Nor is it any popularity contest. I think the chairman of the committee will admit that during the 8 long months of proceedings before that committee, I and the Republican members cooperated with him to the fullest degree.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the distinguished chairman.

Mr. MILLS. I had expected a little later on in the debate to thank the gentleman from Wisconsin and the other members of the committee on his side as well as those on my side of the committee for cooperating, each and every one of them, and for the diligence with which they applied themselves to this bill and the contribution that they made to the writing of this tax bill.

Mr. BYRNES of Wisconsin. Thank you.

Let me make a few things clear. I favor tax reduction and the Republican members of the Committee on Ways and Means favor tax reduction, and I think the great majority of the Members on the Republican side of this House favor tax reduction. I have no disagreement with the chairman that we need relief from the high tax rates nor do I have any disagreement with the chairman that we should depend more than we do today on the private sector of our economy to keep that economy moving.

That has been the philosophy of the Republicans all along. The issue in the 1960 Presidential election was whether we should put greater reliance on the public sector, which was the position taken then by the now President of the United States, or whether we should, as Republicans said, place greater reliance on the private sector. That election was lost by a very narrow margin, but I agree today with the chairman that we should place greater reliance on the private sector. Republicans should not have to reemphasize this basic belief, because we have demonstrated our adherence to it time and time again.

The chairman has talked about the need for relief from the wartime tax rates. In the first instance, it was the Republicans who gave relief from the wartime rates, over the opposition of the other side. As my minority leader pointed out, the Republicans finally were able to provide relief in 1948 from the excessively high World War II rates, but only after three vetoes by a Democratic President. And Republicans again provided some relief from the high Korean war taxes in 1954. I will comment a little later on what the situation was then, which is entirely different from the situation today. But as to giving relief from wartime taxes, we had to do it over the opposition of the other side.

Frankly, I am pleased that there is now apparently a bipartisan recognition of the advisability and the desirability of tax reduction. I am glad to see that there has been a conversion of some to this cause and that they are willing now to place greater reliance on the private sector.

Listening to the gentleman from Louisiana [Mr. BOGGS] today and to the chairman of the committee I wonder sometimes whether there has not been a little overconversion, however, if we are to take their word as to the benefits that are to flow from this $11 billion tax reduction. And if it is going to be that good, I wonder why we do not go a step further and really get to the millenium by having a $20 billion tax cut.

Of course there are going to be benefits from a tax reduction. I must insist, however, for the record, Mr. Chairman, that we keep our enthusiasm within proper bounds. It will not be the cureall for all of our problems as the gentleman from Louisiana [Mr. BOGGS] and others have contended. Listening to the gentleman from Louisiana [Mr. BOGGS] I was reminded of a speech that he made, as well as some of the speeches that the President made, a little over a year ago. I refer particularly to the speech of the gentleman from Louisiana [Mr. BOGGS] on June 28 last year when he had before us the Trade Agreements Act. You probably remember it. Remember, he stated that the bill was going to increase consumer welfare, it was going to increase employment, it was going to accelerate economic growth, it was going to arrest the balance-of-payments problem, and it was going to end the drain on the gold. It has not accomplished a single one of those things as yet, and you know it. In some cases it may have compounded the problem.

I am still hopeful that it will produce some salutary results. Nonetheless they have just taken that same list and added a couple of more things that are going to be cured by this bill before us—juvenile delinquency and even civil rights.

Well, let us get down to some commonsense. This reduction can be helpful and I am for it under the proper fiscal conditions. But let me make it clear that it is not the cureall for all of our present aggravated problems.

Let me take just one, structural unemployment which the President has spent so much time talking about, and claiming that this bill is going to cure it. The bill by itself is not going to produce full employment in spite of what the President has said, and the chairman knows it. Today the unemployment problem is concentrated among the unskilled groups. We had an expert witness before the Senate Labor Committee only last week, Professor Killingsworth, professor of labor at Michigan State University, who said in no uncertain terms that a tax cut would not materially reduce unemployment, that the basic problem rested elsewhere. But under proper circumstances, surely, a tax cut will provide a stimulus, will encourage investment and plant utilization. But let us not put all of our problem eggs in the tax cut basket, because if we do, we will just be fooling the American people.

Let me comment briefly on the bill itself as a package. All Members worked diligently on it. We tried to come up with as good a bill as we could. And I say to the Speaker it was not done on a partisan basis—and that has been confirmed by the chairman. It was done on a bipartisan basis, up until the last few days.

When they had almost all the drafting completed and perfected, then they said, "Now we don't need your help any more, boys; we will put the steamroller to work." But up until then it was on a bipartisan basis. Now, if Republicans had wanted to kill that bill—and I put it to the chairman right now—if Republicans in the committee had wanted to kill that bill, we could have done so simply and easily. All we had to do was furnish the votes to keep some of the President's recommendations in the bill. If the bill as it is now before us mirrored some of those administration proposals it would not have a chance of passage in this House. I am not going to embarrass the chairman to comment on that statement. But the members of the committee know as well as I do if we had left in the 5-percent floor on deductions that the President proposed, the elimination of the sick pay exclusion, the taxation of employees on the premiums on group life insurance in excess of $5,000, why this bill would not have a prayer in this House. That is what we could have done if we wanted to kill the tax bill. But we did not. We tried our best to make it a good bill from the standpoint of taxation.

Mr. Chairman, I am still not sure how well we succeeded. It does not simplify the tax law. I doubt, as a whole, if it eliminates much by way of inequities.

Some of my objections to the bill I would register briefly. I think the repeal of the dividend credit is a mistake. The repeal of the Long amendment is nothing more than a windfall for big business, and I do not care whether business likes it or not. We differ on our side a little bit. If labor wants something, the Democrats just jump through the hoop, but we do not jump through the hoop for any group in this country. As far as I am concerned the repeal of the Long amendment is nothing more than a handout of billions of dollars to the business community, which is not needed and is not justified. And, Mr. Chairman, if you want to find a nice little bonanza in the bill—and I hope the Senate will take a good look at it—it is the provision written into this bill for the gas pipelines.

I do not care where the chips fall. If there is something bad, I am going to be against it, whether it concerns business or not, because we are writing this for the United States of America for today and tomorrow, and for our children. We are not going to get any credit if we write a bill filled with inequities.

There is much to be desired as far as the rate changes are concerned. While it does reduce rates, the level of the step progression has not been lessened or softened. This leaves a great burden on our great middle-income people. But in spite of all these things, because of the effort we all put in, I will support this bill, if the motion is adopted. I am going to insist on that "if" I do not think there is anything wrong with "if." The amendment we propose is the test of whether you can afford to have a tax reduction bill or not. If it is not adopted, I will not vote for the bill. But if it is adopted, I will vote for the bill.

Mr. Chairman, if we can establish the proper fiscal climate that is essential to meaningful tax reduction, I will vote for this bill.

This brings me to the crucial issue that confronts us. Can we vote an $11 billion tax reduction without also considering spending and the deficit picture of the Government? I think there has been a lot of salutary debate during the last 2 days because we have finally brought about a lot of thinking on the relationship between what we spend and the taxes that we must assess against our people. I do not think we can divorce taxes from spending.

Mr. Chairman, there is only one reason for our high taxes today. It is our high spending.

The gentleman from Missouri pointed it out. Spending is out of control.

Mr. Chairman, during the last 2 years we have increased the annual level of expenditure by $11 billion. It is proposed by the administration for this year and next year to increase the level by another $9.5 billion. In 4 years there will be a total increase in the annual level of spending of over $20 billion.

Is that the kind of a situation that is conducive to a tax reduction? I do not think it is. What about the public debt? In 1962 and 1963 the public debt was up $17 billion. Another $18 billion increase is forecast for this year and next year. This adds up an increase of $35 billion in 4 years.

Either next month, or the month after, the chairman will be asking me to support an increase in the debt ceiling. From some of the remarks made today from high places on the other side I have serious questions about what my answer is going to be, particularly if this House turns down its last chance to be responsible, to put some kind of a restraint on spending and the debt.

The chairman told us yesterday, as the Treasury had told us, that we will have a balanced budget in 1967 or 1968 as a result of this bill. With all due respect to my chairman and to the executive branch, that is a lot of hogwash. The administration cannot demonstrate to the Congress how we will have the budget balanced in 1967 or 1968. It is the most fantastic wishful thinking ever engaged in by any administration in the history of our Nation.

I refer to you yesterday's CONGRESSIONAL RECORD, page 17947. I sent a letter to the Secretary of the Treasury 10 days ago and I said: You have been talking about balancing the budget in 1967 or 1968 if you get this tax reduction. What assumptions are you using? What estimates are you using? Let us see the figures. You must have some worksheets, you must have something on which you base it. Show us.

I got a letter yesterday saying in effect we do not have any figures, and we cannot give you any figures. We cannot make any estimates. All we can give you is vague generalities.

I hope that the Members will look at that letter and see how much assurance you can get that we are going to balance the budget in 1967 or 1968. It is wishful thinking. The only thing we do know, and I think we know it for a certainty, is, if we vote this $11 billion tax reduction, and we do not hold the line on spending, we are inviting deficits of $10 billion, $11 billion, or $12 billion each year as far as I can see in the future. That, Mr. Chairman, is the time bomb for inflation.

You can turn your back on the threat of inflation if you like, as the gentleman from Louisiana did earlier today, but you will turn your back on those who need your help the most—the poor, the retired, those living on pensions and fixed incomes. You will turn your back on your children. You will turn your back on the private economy, that you finally purport to have some confidence in. You will invite wage and price controls which will be the death knell of our economic system.

You will turn your back on the integrity of your currency, of the dollar, which already is in trouble abroad. You will invite devaluation and all of the disasters that accompany it, both at home and abroad. Make no mistake about it. When you turn your back on inflation you are flirting with real danger. That is why many of us think a tax reduction ought to be accompanied by a curb on spending. That is why we insist on a commitment, both with ourselves and with the President, to hold the line on spending. We must place a reasonable ceiling on expenditures if this reduction in taxes is to become a reality.

The President and the chairman say we should have the tax reduction without any "ifs" or "buts." I say to you, and I think the overwhelming opinion of the American people agree with me, that there must be an "if" and there must be a "but." We should have a tax cut, but we must call a halt to the growth of spending. We can have a meaningful, safe, and permanent tax reduction if, and only "if," we put a restraint on spending and are thus able to thwart the contemplated increases in spending.

When we tried in 1947 to relieve the economy from the high wartime taxes of World War II the now chairman of this committee had some "ifs" and some "buts" and, to his honor, our former chairman, Bob Doughton, God rest his soul, a great man, had some "ifs" and some "buts." They appeared as signatures on a minority report of March 24 on the tax bill of 1947, reducing the high wartime rates of World War II. Let me just quote this report that was subscribed to by all of the Democratic members of the Ways and Means Committee, including my chairman. They headed it in bold print:

> A BALANCED BUDGET, DEBT RETIREMENT, THEN TAX REDUCTION
>
> The following priority should prevail under a sound fiscal policy: first, the budget should be balanced; second, a substantial payment toward debt retirement should be provided; third, and only after the fulfillment of the first two conditions, taxes can be reduced. It is our conviction that a sound fiscal policy, rather than political expediency, should receive first consideration.

What has happened to that philosophy as far as the Democrats are concerned? I know as far as the Republicans are concerned we still maintain that fiscal responsibility should come first.

I have more respect for the position that the Democrats took in 1947 than I have for the position they are taking now.

I am not the only one who says there must be some "ifs" and "buts."

In a sense, if you read it, the committee report on this bill says there must be some "ifs" and some "buts." The report says that we should reduce taxes but we should also restrain Government spending. Section 1 of the bill says this, even though it is wishy-washy, as the gentleman from Virginia said. But the majority do make the statement.

The chairman said there should be some "ifs" and "buts" to this bill. He told us repeatedly yesterday that there should be tax reduction but also that we should reject efforts to enlarge the role of the public sector in our economy. Is not that an "if"? Is not that a 'but"? I think it is.

Bernard Baruch, the former adviser to Presidents, has said there must be "ifs" and "buts" to tax reduction. Your former President, Harry Truman, says there will have to be "ifs" and "buts." The only difficulty with the chairman's position, and the committee's position, is that they are unwilling to do anything concrete about their "buts."

Everybody says that we must restrain spending. The question is: Are they willing to make a commitment? As far as the committee, the chairman, and the administration, and even the President, are concerned, they pay lip service to the need for holding spending down, but then they run off in all directions to avoid accomplishing it.

I must say I have become very, very confused. I was confused by this double talk on spending and tax reduction emanating from the other side. But I became even more confused as I picked up this morning's Washington Post. Here are two items appearing in this morning's newspaper, one on page 1, one on page 2. On page 1, on the subject of tax reduction, here is what the newspaper says:

> Mills had a warning for the spenders on his side of the aisle. If Congress takes the road of tax reduction, it cannot continue on the road of spending for new programs to jack up the economy, Mills said.

Then I look to page 2 and I find an article about the President's barnstorming through my part of the country, out in the Middle West. This article says that the President called on Congress in his speeches there to expand the Federal loan-and-grant program to develop depressed areas—that is, the Area Redevelopment Authority bill that was defeated once already in this House and now the administration is trying to bring up for a vote a second time.

In addition to the depressed areas program, the President cited the Federal aid-to-education programs, the accelerated public works program, the proposed Youth Conservation Corps, the rural areas development program—as further bills the Congress should enact.

Now in what direction are we going? The President talks one day about rigid control and economy. In addition, the chairman of our committee told us yesterday that the President agrees that you cannot have tax reduction and also go on a spending spree. And then the President in the Middle West says, "Oh, but we have to have all this spending." Now where are we?

I think if we vote for an $11 billion tax reduction without settling this spending issue, we will be acting in a most irresponsible manner. We must impose upon tax reduction as a condition, that the rigid economy promised and talked about will be adhered to. We must condition tax reduction on a specific ceiling on expenditures. That is what the motion to recommit does. It substitutes legislation for vain wishes, vain promises, and vague hopes. It would amend the bill by adding on page 27, after line 23, the following:

> Sec. 133. Reduction of Tax Rates Contingent on Expenditure Control
>
> (a) General Rule.—The amendments made by this title and title III shall not take effect unless the Budget of the United States Government which is required by section 201(a) of the Budget and Accounting Act, 1921 (31 U.S.C., sec. 11(a)), to be transmitted to the Congress during the first 15 days of the regular session of the Congress beginning in 1964 sets forth—
>
> (1) an amount not in excess of $97,000,000,000 as the estimated administrative budget expenditures for the fiscal year ending June 30, 1964, and
>
> (2) an amount not in excess of $98,000,000,000 as the estimated administrative budget expenditures for the fiscal year ending June 30, 1965.
>
> (b) Effect of Prior Publication.—If the President—
>
> (1) determines that the amounts of the estimated administrative budget expenditures for the fiscal years ending June 30, 1964, and June 30, 1965, which will be set forth in the budget referred to in subsection (a) meet the requirements of paragraphs (1) and (2) of subsection (a), and
>
> (2) causes such amounts to be published in the Federal Register before the date on which such budget is transmitted to the Congress,
>
> then the contingency provided by subsection (a) shall be treated as satisfied.
>
> (c) Effective Date of Withholding.—Notwithstanding section 302(d), the amendments made by section 302 (and the provisions of the Internal Revenue Code of 1954 amended by such section) shall not apply with respect to amounts paid before the 30th day after whichever of the following dates is the earlier: The date on which a budget referred to in subsection (a) which meets the requirements of paragraphs (1) and (2) thereof is transmitted to the Congress, or the date on which the amounts of the estimated administrative budget expenditures for the fiscal years ending June 30, 1964, and June 30, 1965, are published in the Federal Register pursuant to subsection (b).

It is regrettable that we do not have in the Congress as of this date a mechanism or a procedure for establishing either a spending or appropriation ceiling that will be more binding. But it is no excuse not to do what we can with the tools that we have at our command.

We have a Budget and Accounting Act. Let us remember that. We have a Budget and Accounting Act, and under it the President is required to calculate the level of expenditures at the beginning of each session. He does this on the basis of the appropriations that have been made by the Congress and on the basis of the plans that he has with regard to the rate at which expenditures will be made. Under the Budget and Accounting Act the President is required to make these calculations for the current year and for the ensuing year. He will have to do it next January for fiscal year 1964, which we are now in; and for fiscal year 1965 which is the ensuing year.

The Budget and Accounting Act says the President should look at his plans, and where we are, and what Congress has done, and tell us what the expenditure levels are going to be. What do we say in this motion to recommit? We say that tax reduction will take effect, not on what the President elects to do, but on the basis of what the figures and the calculations show the situation to be.

If, as a result of those calculations, the level of expenditure exceeds $97 billion for 1964, the tax reduction will not go into effect. Furthermore, if expenditures are to exceed $98 billion for 1965, the tax reduction will not go into effect.

The President under the act does not just pick some figure out of the air. Congress set up a Bureau of the Budget to help him review our fiscal situation. The Bureau of the Budget provides the data for the President to be able to tell us where we are going and what the figures are. All we say in the motion to recommit is that these figures will determine if the tax reduction goes into effect.

We are not delegating any authority to the President. The President already has the authority and the responsibility under the Budget and Accounting Act to determine what the actual and projected level of expenditures are in fact. We are saying if those estimated levels are within the limitations imposed in the motion, the tax reduction goes into effect. If they are not, the tax reduction does not go into effect. For the life of me I cannot understand my friend, the gentleman from Texas [Mr. Mahon], and others who have said that this is a delegation of authority to the President. All we do is to use figures that he is already required by law to submit to the Nation. If those figures show that we can afford a tax reduction, then the tax reduction goes into effect.

If they show we cannot, the tax reduction does not go into effect. I do not know a more responsible way to condition tax reduction on expenditure controls. I wish we had a more perfect way.

It is true that the President may determine, subsequent to the date of his budget message, that there should be an increase in expenditures. I am relying on the fact that I trust the President and believe he will be honest in carrying out the law. But look at the Budget Act, those of you who worry about his finagling or juggling of figures. The act says the President can transmit supplemental or deficiency appropriations to the Congress. It also says, though, that he shall accompany such proposals with a statement of the reasons therefor, including the reason for their omission from the budget.

The President has to submit to us under the law his expenditure levels for fiscal 1964 and 1965. And we say by this motion that these expenditure levels will determine whether this tax cut goes into effect. We are not passing the buck to the President. We are putting some of the burden on our own shoulders. Whether the President can live within $97 billion as far as fiscal 1964 is concerned will depend on some of our actions between now and the end of this session as we vote on the appropriation bills.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Indiana.

Mr. HALLECK. It has been suggested in some quarters that if this motion to recommit should prevail, it leaves in the air a question as to whether the tax cut will become effective in January. Will not the gentleman agree with me, with this bill having to go to the other body and the hearings being held over there, that if there is to be a tax bill this year, it will be very late in the year and certainly no one will know for sure what will happen until that day arrives?

Mr. BYRNES of Wisconsin. This matter of uncertainty is just as much a smokescreen as all of the rest of the complaints they have voiced about this particular motion to recommit. It has no basis in fact. As I read the newspapers, there is uncertainty as to what the Senate is going to do and whether they are going to act this year on the tax bill. If the motion is passed we will know at the latest 15 days after the next session of Congress meets whether these levels are met. In fact, we will know before that if the President desires to publish these figures in the Federal Register prior to his budget message. All we are doing is making tax cuts contingent on expenditure cuts. The President simply indicates what the facts show.

Let us talk a little bit about this spending and who has the responsibility. I only mention it because of some things that have been said during the debate on this bill. It makes me feel that maybe there is some uncertainty even in this body, and what I have read in the press and some other places indicates that there is confusion. It is true that the sole power to appropriate funds, subject to veto, rests with the Congress. It is also true, however, that the President substantially determines the level of Federal spending. The motion to recommit was framed in recognition of that overlapping responsibility. The President initiates the spending. He does so when he submits to Congress, after lengthy consideration by the Bureau of the Budget and elsewhere, his appropriation requests in the annual budget message. He sets the level of the expenditures on the basis not only of new spending authority, which he asks of Congress, but also on the unobligated authority already available to him. At the start of this fiscal year, this unobligated authority amounted to $87 billion. The President determines, in large measure, the level or the rate at which that $87 billion is being spent, not the Congress, because we have already given him the $87 billion.

Within the spending authority he has available, the President has a wide choice. He can use the spending authority to the limit. He can use part of it, or need not use any of it. In essence his budget message is based on his judgment of the national priority of various programs.

I heard the argument made by some that this gives an item veto to the President. They assume that the President cannot do anything about spending. Well, what was the exercise performed down in the White House just a couple of days ago in an effort to influence the vote on this tax bill?

In that instance the President called in his Cabinet and he said "Now I want you to hold the level of employment down to save some money; we are going to economize." What was that if it was not Executive control over expenditure levels and the rate of expenditures?

The administration bragged in 1962 that they had cut back; they said that the President had called in the Cabinet officers and read the riot act to them and said, "You boys have to cut more." And finally we asked them, "How much did you save?" They said, "We saved $1 billion by that process." That is what they said in 1962.

The President does have this authority, and that is all we are contending. This is not an item veto. He has the authority by his control over the level of expenditure. And mark this when anybody says that all control is in the Congress.

There is a certain matter of Presidential prestige and influence. I am not very enthusiastic about it, but I have seen some of it exercised today. It makes me wonder how much of a free agent some Members of Congress actually are.

The President has considerable control over spending. But we share it, too. All we are suggesting in this amendment is that when the combined responsibility is added up, what the Congress does in appropriations, what the President proposes as his level of expenditures, if it points to a situation where we will not exceed $97 billion of expenditures for 1964 and $98 billion for 1965, the tax cut goes into effect. But if we are going to exceed those levels, then the tax reduction cannot go into effect because we cannot afford it.

It is not a matter of who is going to get the blame. I should assume that the blame would fall in both places, on those who voted during this Congress for increases in appropriations, who voted for new programs, and on the President; that it will be shared jointly. And that is where the responsibility should be. And that is what this motion tries to do. It puts the responsibility where it belongs so that the people may be able to look at some of these rollcalls on the Area Redevelopment Authority and all the rest that the administration pressure will be put on to pass. The people will look at them and say, "Let us see how you voted, whether you voted for or against these things. Let us see who is really trying to give us our tax reduction." That is the purpose of the motion to recommit, and that is what it will accomplish.

Mr. Chairman, let me say one further thing.

Figures are not unreasonable figures. My colleagues and I have tried to work out what we thought came within reason. As things stand now, the administration estimates that expenditures for 1964 will be about $98 billion. We say you can make a further $1 billion cut. And I am sure the gentleman from Missouri [Mr. CANNON] will agree with me that if the other body sustains some of the cuts that his committee has approved, and which have passed through this House, we can live within $97 billion. We can save $1 billion that was planned to be spent by the executive branch. We can do that. That is all we ask.

The proposed limitation of $98 billion on spending for fiscal 1965 is certainly attainable. This is $5½ billion over what was spent in fiscal 1963, and $1 billion over the proposed ceiling for fiscal 1964. The administration has ample time to review the priorities for fiscal 1965 and decide upon the expenditures which should be given preference. If that is done instead of trying to dream up new expenditures, I am confident that the President and the Congress will be able to comply with the limitations on spending both for fiscal 1964 and 1965.

I do not regard the motion to recommit as placing the tax cut in jeopardy. I regard it as making the tax cut permanent. To me it is the only responsible thing to do, to bind ourselves by some commitment to hold the level of expenditures, or else there can be no tax reduction.

Mr. MILLS. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, before beginning, I should like to ask the gentleman from Wisconsin [Mr. BYRNES], am I correct in my understanding that the gentleman's motion to recommit is the motion that he submitted for release on September 18 last?

Mr. BYRNES of Wisconsin. Before the Rules Committee.

Mr. MILLS. Before the Rules Committee? That will be the motion to recommit to which the gentleman has referred?

Mr. BYRNES of Wisconsin. Yes.

Mr. MILLS. I thank the gentleman. Again, on my own time I want to thank my distinguished friend, the gentleman from Wisconsin [Mr. BYRNES], for the contributions that he made during all the time that we considered this bill. When it came to a vote on most of the provisions which are contained in the bill—I do not say all of the bill—on most of them the gentleman from Wisconsin joined the chairman and other members of the committee in support of those provisions.

The gentleman voted for the provisions which are contained in title I and title III of the bill which provide for the reduction over a 2-year period in rates, from 20 to 91 percent for individuals to 14 to 70 percent, and for corporations, from 52 to 48 percent in total, and the change in the normal tax from 30 to 22 percent in behalf of small business.

Mr. Chairman, the gentleman from Wisconsin made many other contributions to this bill. So, I do want to thank the gentleman. I want to assure him of my deep appreciation for those contributions.

Mr. Chairman, the gentleman has said that he is opposed to these high World War II taxes and that the Republican Party is entitled to take credit for the elimination of some of them. Yes; the Republican Party did vote for a tax reduction in 1948. The Republican Party did again vote for a tax reduction in the 83d Congress. I do not care what my good friend, the gentleman from Indiana [Mr. HALLECK], who is one of my good friends, says, I know good and well it was not the fact that the Republicans cut taxes which caused the Republican Party to lose the House. You just could not point to anything else much which you had done. That is the reason. So do not have concern, my friends on the Democratic side, that to be for a tax reduction at this time means your defeat in the coming election per se, just that and that alone.

Mr. Chairman, I do want to again emphasize the theme of what I said yesterday, very briefly. I think as far as the economic policy in the United States is concerned which, of course, includes fiscal policy, expenditure policy, and tax policy, we are at the forks of the road. Either we from this day forward begin to place greater reliance upon the private sector of our economy to help us solve some of the problems of today or on down the road in the future we will be faced not with present rates of spending by the Federal Government, but we will be faced with even higher rates of spending by the Federal Government and somebody will suggest that Government in Washington, since the private sector cannot solve its part of these problems, will have to take over and make a greater effort to solve them. That is what is involved in this legislation, a recognition of the importance and role that the private sector can play in the solution of these problems which we have today.

Now, Mr. Chairman, my friend, the gentleman from Wisconsin [Mr. BYRNES], says that he agrees with all this, that he feels this tax bill can do some good, that these tax rates are too high, but that there is another element involved here that we discussed yesterday and with which I am in complete accord, as I stated yesterday. We cannot reduce taxes and be unmindful of the spending levels of Government. We must make a diligent effort here to hold a tight rein on spending if we are to go up this road of tax reduction.

Now, Mr. Chairman, the gentleman says that in fiscal year 1964, if we take this step of reducing expenditures to the extent of about $1 billion for this fiscal year and continue at what is the present estimate of spending, $98 billion in the fiscal year 1965 we will be fiscally responsible.

He gets us into a numbers game. If you shave $1 billion off of the present estimate for 1964, without regard to what effect it has upon our Government, but just announce that the spending in fiscal 1964 is going to be $1 billion less, then we become fiscally responsible and we can have a tax reduction now.

He also is aware of the statement that was made in the letter from the President to us in pointing out that he committed himself to a deficit in 1965 fiscal year of less than the deficit which the Secretary of the Treasury said would be the case in fiscal 1964 with the tax bill.

My friend knows that that figure was $9.2 billion. Then he says if we will hold the rate of spending at the level of $98 billion we can suddenly become fiscally responsible because, according to Mr. Byrne's estimates this means we are requiring the President to hold his deficit for 1965, not to $9.2 billion, but to $9 billion. Thus a difference of two-tenths of a billion dollars, according to this motion makes us fiscally responsible. I wish to goodness it would. I wish I could believe what I heard the gentleman say on television the other day, that he had found the unbreakable way of holding down spending.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

I suggest that the gentleman quote me accurately.

Mr. MILLS. I yield to the gentleman if I have misquoted him. I thought he said he had found the formula.

Mr. BYRNES of Wisconsin. I never insisted on that, and I never claimed that. The gentleman was at the Rules Committee when I made it clear that this was not a perfect solution. Nevertheless, we would have made a commitment to ourselves.

Mr. MILLS. You do not have a commitment to yourself in your motion. All you are doing is trying to tell the President of the United States if he does not engage in your formula of magic numbers there will be no tax bill. That is what you are saying. What are you doing? You are doing what I thought my friend from Wisconsin would never do for a Republican or a Democratic President. You are saying that we in the Congress are not going to determine the expenditure policy and the reduction of taxes but you are going to have him do it by engaging with you in these magic numbers that you have come up with. Your formula is to require that he submit certain estimates. It has nothing to do whatsoever with what the Congress will appropriate and what the rate of spending will be during the fiscal year 1964 or the fiscal year 1965. But it is going to make the people think that we have set a ceiling and then a little later on, 6 or 18 months from now, they may find out we have not changed from, say, $98.5 billion for 1965 or from $97.1 billion for 1964, and that our ceiling did not work.

I am not going to vote for something I know after the study we have given to this is not going to have one iota of effect upon the rate of spending.

Let me tell you what it does. Your proposal looks to 2 fiscal years. The gentleman from Wisconsin, I am certain, agrees with me that the question of bringing down Federal expenditures is not just a 2-year proposition. It is a proposition in the long range and it is going to take a long-range approach to bring it down. Everybody in this House knows if we adopt the motion it does not replace the substance of section 1. As a matter of fact, it is going to be interpreted to replace it. It takes the onus, therefore, off the Congress and passes the buck completely to the White House. It says, "Mr. President, even though we have your appropriation bills up here for 1964, even though the House of Representatives, according to what the chairman of the Appropriations Committee has said, has cut those appropriation bills so far by $3.8 billion, even though that matter is here, unresolved for the most part, and not acted on in the other body, we are going to tell you now that whatever you do, if we give you authority, if we make it $98 billion, we give you authority to put a billion dollars of it anywhere you want to."

That is authority that the Congress has never wanted to give to any President of the United States, by turning down the proposition of the item veto. I for one have told everyone that I would never vote for any such proposition. The President has recommended in the past that we give him authority to cut taxes by 10 percent. The proposal of the gentleman from Wisconsin gives the executive branch the right to cut taxes and set the timing of the cut. I say to anyone who believes in the preservation of the prerogatives of the legislative body, how can you think in terms of giving to a Chief Executive authority that a Chief Executive is not even asking for? How can you ask another coordinate branch of the Government to try to do things that are our responsibility, if we are not going to surrender here to the Executive the final decision over fiscal policy and tax policy? I do not believe we want to do that.

But there is a fundamental weakness in this motion to recommit. It is going to put my friends who vote for it in the position of being in doubt up to January 1 next year or to the submission of the budget figure as to whether they have voted for tax reduction or tax increases. I do not know whether the gentleman intends it this way or not, but this motion I referred to, I asked him if that was what he will offer and he said it is what he will offer. It is an amendment in the form of a motion to recommit. On page 27, after line 23, it says that under these conditions we have been talking about, these magic figures of $97 and $98 billion, then this title, this title I on rates, and title III, which is the one having to do with withholding, will not go into effect. Those are the titles that provide for tax reduction. Title II continues in effect. There is no doubt about its becoming law. The President has nothing to say about this. That is the title of the bill that provides for all the structural changes, including the repeal of the dividend credit, which the gentleman from Wisconsin deplores, including the denial of certain State and local tax deductions, that the gentleman from Wisconsin deplores, including the 6 percentage points penalty on corporations in a controlled group that use a multiplicity of surtax exemptions, 6 percentage points penalty for that. No tax reduction at all is involved in title II which is not touched by Mr. BYRNES' amendment.

Do you want to leave here tonight having voted for a motion that you cannot explain to your constituents, knowing that when you voted for it, it resulted in an increase of $900 million or $1 billion in their tax, or a bill that actually brought about an overall reduction of approximately $11 billion in the tax burdens of all the people of the United States? Do we want to leave here with that uncertainty hanging over our heads? I am surprised at my friend.

Mr. BYRNES of Wisconsin. I am surprised at my friend.

Mr. MILLS. I am not reflecting upon my friend.

Mr. BYRNES of Wisconsin. The gentleman knew this was the situation, and I am willing to admit it. Furthermore, I am perfectly willing to debate what he is now talking about, but you notice my time has all expired and he has 5 minutes left.

Mr. MILLS. My friend has been on the Ways and Means Committee too long for me to know that he needs my help in the development of any amendment he offers or any motion to recommit. This amendment has been available in print since September 17 last. I assume that is what he intends. If it is not, the gentleman has time to change it. But if he changes it now will we know then whether it increases taxes or reduces taxes, as we want to do?

Mr. Chairman, I hope this motion on its merits or, if for no other reason than its technical imperfection, will be turned down overwhelmingly by the House and that the House, in turn, will pass the legislation before it and send it on to the other body where that body can consider it this year. I trust, Mr. Chairman, that my colleagues will see the virtue of going along with the work of the Committee on Ways and Means as it has on so many other occasions.

I thank my colleagues for having the patience to listen to me this afternoon.

The CHAIRMAN. Does the gentleman from Arkansas wish to yield any further time?

Mr. MILLS. No, Mr. Chairman.

The CHAIRMAN. All time has expired.

Under the rule, the bill is considered as having been read for amendment.

No amendments are in order to the bill except amendments offered by direction of the Committee on Ways and Means.

Are there any committee amendments?

Mr. MILLS. Mr. Chairman, I offer an amendment which is a technical amendment correcting certain clerical errors in the printing of the bill. Though the amendment applies to pages 39, 107, 244, and 266 of the bill, it is offered as one amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 39, lines 4 and 5, strike out "exceeds" and insert: "does not exceed".

Page 107, line 7, strike out "apply" and insert: "applies".

Page 244, line 22, strike out "dividend" and insert: "dividends".

Page 266, line 3, strike out "clause," and insert: "subparagraph,".

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose and Mr. Roosevelt, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill, H.R. 8363, to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes and to make certain structural changes with respect to the income tax, and for other purposes, pursuant to House Resolution 527, he reported the bill back to the House with an amendment adopted in Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. For what purpose does the gentleman from Wisconsin [Mr. Byrnes] rise?

Mr. BYRNES of Wisconsin. Mr. Speaker, I offer a motion to recommit which is at the desk.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BYRNES of Wisconsin. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Byrnes of Wisconsin moves to recommit the bill (H.R. 8363) to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment:

"Page 27, after line 23, insert:

"'Sec. 133. Reduction of Tax Rates Contingent on Expenditure Control

"'(a) General Rule.—The amendments made by this title and title III shall not take effect unless the Budget of the United States Government which is required by section 201(a) of the Budget and Accounting Act, 1921 (31 U.S.C., sec. 11(a)), to be transmitted to the Congress during the first 15 days of the regular session of the Congress beginning in 1964 sets forth—

"'(1) an amount not in excess of $97,000,000,000 as the estimated administrative budget expenditures for the fiscal year ending June 30, 1964, and

"'(2) an amount not in excess of $98,000,000,000 as the estimated administrative budget expenditures for the fiscal year ending June 30, 1965.

"'(b) Effect of Prior Publication.—If the President—

"'(1) determines that the amounts of the estimated administrative budget expenditures for the fiscal years ending June 30, 1964, and June 30, 1965, which will be set forth in the budget referred to in subsection (a) meet the requirements of paragraphs (1) and (2) of subsection (a), and

"'(2) causes such amounts to be published in the Federal Register before the date on which such budget is transmitted to the Congress,

then the contingency provided by subsection (a) shall be treated as satisfied.

"'(c) Effective Date of Withholding.—Notwithstanding section 302(d), the amendments made by section 302 (and the provisions of the Internal Revenue Code of 1954 amended by such section) shall not apply with respect to amounts paid before the 30th day after whichever of the following dates is the earlier: The date on which a budget referred to in subsection (a) which meets the requirements of paragraphs (1) and (2) thereof is transmitted to the Congress, or the date on which the amounts of the estimated administrative budget expenditures for the fiscal years ending June 30, 1964, and June 30, 1965, are published in the Federal Register pursuant to subsection (b).'"

Mr. MILLS (during the reading of the motion to recommit). Mr. Speaker, I ask unanimous consent, if it is agreeable to the gentleman from Wisconsin, to dispense with the further reading of the motion since we have had copies of it and it has been available to us.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLS. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask for the yeas and nays.

Mr. MILLS. Mr. Speaker, I join the gentleman from Wisconsin in asking for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 199, nays 226, not voting 7, as follows:

[Roll No. 156]

YEAS—199

Abbitt
Abele
Abernethy
Adair
Alger
Anderson
Arends
Ashbrook
Ashmore
Auchincloss
Avery
Ayres
Baker
Baldwin
Baring
Barry
Bates
Battin
Becker
Beermann
Belcher
Bell
Bennett, Mich.
Berry
Betts
Bolton, Frances P.
Bolton, Oliver P.
Bow
Bray
Brock
Bromwell
Broomfield
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burton
Byrnes, Wis.
Cahill
Cannon
Cederberg
Chamberlain
Chenoweth
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conte
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Derounian
Derwinski
Devine
Dole
Dorn
Dowdy
Dwyer
Ellsworth
Findley
Fino
Ford
Foreman
Frelinghuysen
Fulton, Pa.
Gathings
Glenn
Goodell
Goodling
Griffin
Gross
Grover
Gurney
Haley
Hall
Halleck
Halpern
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Henderson
Hoeven
Hoffman
Horan
Horton
Huddleston
Hutchinson
Jarman
Jensen
Johansen
Jonas
Keith
Kilburn
King, N.Y.
Knox
Kunkel
Kyl
Laird
Langen
Latta
Lennon
Lindsay
Lipscomb
Lloyd
McClory
McCulloch
McDade
McIntire
McLoskey
MacGregor
Mailliard
Marsh
Martin, Calif.
Martin, Mass.
Martin, Nebr.
Mathias
May
Meader
Michel
Miller, N.Y.
Milliken
Minshall
Moore
Morse
Morton
Mosher
Nelsen
Norblad
Osmers
Ostertag
Passman
Pelly
Pillion
Pirnie
Poff
Pool
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rich
Riehlman
Robison
Roudebush
Rumsfeld
St. George
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Schwengel
Scott
Short
Shriver
Sibal
Siler
Skubitz
Smith, Calif.
Smith, Va.
Snyder
Springer
Stafford
Stinson
Taft
Talcott
Taylor
Teague, Calif.
Thomson, Wis.
Tollefson
Tuck
Tupper
Utt
Van Pelt
Waggonner
Wallhauser
Watson
Weaver
Westland
Whalley
Wharton
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Ind.
Winstead
Wydler
Wyman
Younger

NAYS—226

Addabbo
Albert
Andrews
Ashley
Aspinall
Barrett
Bass
Beckworth
Bennett, Fla.
Blatnik
Boggs
Boland
Bolling
Bonner
Brademas
Brooks
Brown, Calif.
Buckley
Burke
Burkhalter
Burleson
Byrne, Pa.
Cameron
Carey
Casey
Celler
Chelf
Clark
Cohelan
Cooley
Corman
Daddario
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Downing
Dulski
Duncan
Edmondson
Edwards
Elliott
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Finnegan
Fisher
Flood
Flynt
Fogarty
Forrester
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Gary
Giaimo
Gibbons
Gilbert
Gill
Gonzalez
Grabowski
Grant
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hagan, Ga.
Hagen, Calif.
Hanna
Hansen
Harding
Hardy
Harris
Hawkins

Hays
Healey
Hébert
Hechler
Hemphill
Herlong
Holifield
Holland
Hull
Ichord
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
Kilgore
King, Calif.
Kirwan
Kluczynski
Kornegay
Landrum
Lankford
Leggett
Lesinski
Libonati
Long, La.
Long, Md.
McDowell
McFall
McMillan
Macdonald
Madden
Mahon
Matsunaga
Matthews
Miller, Calif.
Mills
Minish
Monagan
Montoya
Moorhead
Morgan
Morris
Morrison
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Patman
Patten
Pepper
Perkins
Philbin
Pike
Pilcher
Poage
Powell
Price
Pucinski
Purcell
Rains
Randall
Reuss
Rhodes, Pa.
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan, Mich.
St Germain
Secrest
Selden
Senner
Shelley
Shipley
Sickles
Sikes
Sisk
Slack
Smith, Iowa
Staebler
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Teague, Tex.
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Trimble
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vinson
Watts
Weltner
White
Wickersham
Willis
Wilson, Charles H.
Wright
Young
Zablocki

NOT VOTING—7

Gubser
Hosmer
O'Brien, Ill.
Ryan, N.Y.
St. Onge
Sheppard
Whitener

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Gubser for, with Mr. O'Brien of Illinois against.

Mr. Hosmer for, with Mr. Whitener against.

Until further notice:

Mr. St. Onge with Mr. Ryan of New York.

The result of the vote was announced as above recorded.

The **SPEAKER**. The question is on the passage of the bill.

Mr. **MILLS**. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 271, nays 155, not voting 6, as follows:

[Roll No. 157]

YEAS—271

Adair
Addabbo
Albert
Ashley
Aspinall
Auchincloss
Ayres
Barrett
Barry
Bass
Bates
Beckworth
Bell
Bennett, Fla.
Bennett, Mich.
Blatnik
Boggs
Boland
Bolling
Bonner
Bow
Brademas
Brooks
Broomfield
Brown, Calif.
Buckley
Burke
Burkhalter
Burleson
Byrne, Pa.
Cahill
Cameron
Cannon
Carey
Casey
Celler
Chelf
Clark
Cohelan
Conte
Cooley
Corbett
Corman
Daddario
Daniels
Davis, Ga.
Davis, Tenn.
Dawson
Delaney
Dent
Denton
Diggs
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Edmondson
Edwards
Elliott
Everett
Evins
Fallon
Farbstein
Fascell
Feighan
Finnegan
Fino
Flood
Flynt
Fogarty
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gill
Glenn
Gonzalez
Goodell
Grabowski
Grant
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Hagan, Ga.
Hagen, Calif.
Halpern
Hanna
Hansen
Harding
Hardy
Harris
Hawkins
Hays
Healey
Hébert
Hechler
Hemphill
Henderson
Herlong
Holifield
Holland
Horton
Huddleston
Hull
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Wis.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
Kilgore
King, Calif.
Kirwan
Kluczynski
Kornegay
Kyl
Landrum
Lankford
Leggett
Lesinski
Libonati
Lindsay
Long, La.
Long, Md.
McDade
McDowell
McFall
McMillan
Macdonald
Madden
Martin, Mass.
Matsunaga
Matthews
Miller, Calif.
Mills
Minish
Monagan
Montoya
Moore
Moorhead
Morgan
Morris
Morrison
Morse
Mosher
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Murray
Natcher
Nedzi
Nix
O'Brien, N.Y.
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neill
Osmers
Ostertag
Patman
Patten
Pepper
Perkins
Philbin
Pike
Pirnie
Powell
Price
Pucinski
Purcell
Rains
Randall
Reid, N.Y.
Reuss
Rhodes, Pa.
Riehlman
Rivers, Alaska
Rivers, S.C.
Roberts, Ala.
Roberts, Tex.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rogers, Tex.
Rooney, N.Y.
Rooney, Pa.
Roosevelt
Rosenthal
Rostenkowski
Roush
Roybal
Ryan, Mich.
St Germain
Saylor
Schenck
Scott
Secrest
Senner
Shelley
Sheppard
Shipley
Sibal
Sickles
Siler
Sisk
Slack
Staebler
Stafford
Staggers
Steed
Stephens
Stratton
Stubblefield
Sullivan
Taylor
Thomas
Thompson, La.
Thompson, N.J.
Thompson, Tex.
Thornberry
Toll
Tollefson
Trimble
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vinson
Waggonner
Wallhauser
Watts
Weaver
Weltner
Whalley
White
Wickersham
Widnall
Williams
Willis
Wilson, Charles H.
Wilson, Ind.
Wydler
Young
Zablocki

NAYS—155

Abbitt
Abele
Abernethy
Alger
Anderson
Andrews
Arends
Ashbrook
Ashmore
Avery
Baker
Baldwin
Baring
Battin
Becker
Beermann
Belcher
Berry
Betts
Bolton, Frances P.
Bolton, Oliver P.
Bray
Brock
Bromwell
Brotzman
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Bruce
Burton
Byrnes, Wis.
Cederberg
Chamberlain
Chenoweth
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Cramer
Cunningham
Curtin
Curtis
Dague
Derounian
Derwinski
Devine
Dole
Ellsworth
Findley
Fisher
Ford
Foreman
Forrester
Gary
Gathings
Goodling
Griffin
Gross
Gurney
Haley
Hall
Halleck
Harrison
Harsha
Harvey, Ind.
Harvey, Mich.
Hoeven
Hoffman
Horan
Hutchinson
Jensen
Johansen
Jonas
Jones, Mo.
Keith
Kilburn
King, N.Y.
Knox
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
McClory
McCulloch
McIntire
McLoskey
MacGregor
Mahon
Mailliard
Marsh
Martin, Calif.
Martin, Nebr.
Mathias
May
Meader
Michel
Miller, N.Y.
Milliken
Minshall
Morton
Nelsen
Norblad
Passman
Pelly
Pilcher
Pillion
Poage
Poff
Pool
Quie
Quillen
Reid, Ill.
Reifel
Rhodes, Ariz.
Rich
Roudebush
Rumsfeld
St. George
Schadeberg
Schneebeli
Schweiker
Schwengel
Selden
Short
Shriver
Sikes
Skubitz
Smith, Calif.
Smith, Iowa
Smith, Va.
Snyder
Springer
Stinson
Taft
Talcott
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Utt
Van Pelt
Watson
Westland
Wharton
Whitten
Wilson, Bob
Winstead
Wright
Wyman
Younger

NOT VOTING—6

Gubser
Hosmer
O'Brien, Ill.
Ryan, N.Y.
St. Onge
Whitener

So the bill was passed.

The Clerk announced the following pairs:

Mr. O'Brien of Illinois with Mr. Gubser.

Mr. Whitener with Mr. Hosmer.

Mr. St. Onge with Mr. Ryan of New York.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. **MILLS**. Mr. Speaker, I ask unanimous consent that all Members may include tables and extraneous matter in their remarks on H.R. 8363.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. **MILLS**. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative days in which to extend their remarks on the bill just passed.

The **SPEAKER**. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PROGRAM FOR TOMORROW

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. **ALBERT**. Mr. Speaker, I take this time to advise the House that the gentleman from Rhode Island [Mr. FOGARTY] has advised that on tomorrow he will call up the conference report on the bill H.R. 5888, the HEW appropriation bill. There is a possibility that we may also have another conference report on tomorrow.

Mr. **HALLECK**. Mr. Speaker, will the gentleman yield?

Mr. **ALBERT**. I yield to the gentleman from Indiana.

Mr. **HALLECK**. Mr. Speaker, can the gentleman tell us whether or not the conference report to be called up tomorrow involves any particular controversy?

Mr. ALBERT. The gentleman from Rhode Island advises me he does not think there is any matter of controversy in it.

Mr. HALLECK. I thank the gentleman.

Mr. ALBERT. Mr. Speaker, I may further advise the Members of the House that the gentleman from Alabama [Mr. RAINS] will call up House Joint Resolution 724. This has been cleared with the other side.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Indiana.

Mr. HALLECK. Can the gentleman tell us at this time anything about the program for next week, or will that necessarily have to wait until tomorrow?

Mr. ALBERT. We are not prepared to announce the program for next week other than to say we do expect to have legislative business up for consideration next week.

The SPEAKER. The Chair may say that House Joint Resolution 724, the Chair understands, will be called up by unanimous consent.

COMMITTEE ON ARMED SERVICES

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have until midnight tonight to file a conference report on the bill H.R. 5555.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

ANNOUNCEMENT

Mr. KORNEGAY. Mr. Speaker, my colleague, the gentleman from North Carolina, BASIL L. WHITENER, is attending the International Textile Exposition at Hanover, Germany, together with a large delegation of prominent North Carolina textile executives. He is for the passage of H.R. 8363 and has authorized me to say that if he had been here today he would have voted for it.

ELECTION OF MEMBER TO A STANDING COMMITTEE OF THE HOUSE OF REPRESENTATIVES

Mr. BROMWELL. Mr. Speaker, on behalf of the minority leader [Mr. HALLECK], I send a privileged resolution to the desk and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That Richard S. Schweiker, of Pennsylvania, be, and he is hereby, elected a member of the standing committee of the House of Representatives on Armed Services.

The resolution (H. Res. 534) was agreed to.

A motion to reconsider was laid on the table.

TO BIGOTRY NO SANCTION

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BARRY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BARRY. Mr. Speaker, today I am introducing a bill providing that the George Washington 5-cent stamp be redesigned to include the immortal words, "To Bigotry No Sanction."

Our first President, George Washington, used this phrase to express the fundamental concept of religious freedom in America in a letter to the Jewish Congregation of Newport, R.I. His words were well chosen. In four words, he stated one of the great underlying principles of our Republic.

By enacting this legislation, the Congress can give the world a daily reminder of America's belief in religious and racial tolerance. The depraved bombing in Birmingham and religious persecution in South Vietnam call for new expression of our traditional belief in fairplay for all.

Although atonement for the sad events in Birmingham and South Vietnam necessarily rests in the hands of the executive and judiciary, nevertheless Congress can at least give expression to the national ideal through adoption of this bill. Mottos reflect the aspirations of nations.

This bill is similar to one introduced by the distinguished gentleman from Connecticut [Mr. ST. ONGE] who deserves credit for initiating this legislation in the House.

ANTI-SEMITIC POLICIES OF THE SOVIET UNION

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, much is being said in a cleverly organized fashion concerning the East-West thaw and the validity of coexistence with the Soviet Union.

It is well for us to point out that despite the smiles, the objective of the Soviet Union as it directs the international Communist conspiracy is to deprive all the people of the world of their freedom.

To demonstrate the consistent Communist activity in this field, I submit for the RECORD an article which appeared in the September 24 edition of the New York Herald Tribune, dealing with the anti-Semitic policies of the Soviet Union.

As additional illustration, I place into the RECORD as part of my remarks a resolution passed at the Eighth National Convention of the Catholic League for Religious Assistance to Poland, which discusses the persecution of the Catholic religion by the Polish Communist Government.

These two items, Mr. Speaker, prove beyond all doubt that Communist policies remain unchanged, and that the present administration is moving in the direction of committing an even more tragic series of blunders than Chamberlain at Munich, Roosevelt at Yalta, and Truman at Potsdam:

[From the New York Herald Tribune, Sept. 24, 1963]

A JEWISH LEADER'S PLEA

Dr. Israel Goldstein, honorary vice president of the World Jewish Congress, yesterday appealed to leaders of the Soviet Union to repudiate "the anti-Semitic phases of the Stalin terror" against the 2.5 million Jews in Russia.

The World Congress leader, who has just returned from a 1-month tour of Russia, Hungary, Poland and Rumania, spoke at the local offices of the organization, 15 East 84th Street.

He said he had found that Russian Jews did not share in "the liberalization policy initiated by Khrushchev" and unless this unequal treatment is corrected "public opinion will be driven to the conclusion that there is a calculated plan on the part of the regime to liquidate Judaism and Jewish culture. This would be cultural and spiritual genocide."

He asked that the Soviet regime permit Jewish congregations to establish a central Jewish religious address and to choose their own religious and lay leaders, with Jewish leaders being allowed to visit Jewish conferences abroad and Jewish leaders outside Russia permitted to visit religious conferences in the U.S.S.R.

Dr. Goldstein also sought permission to train more religious students in Moscow, and for a larger reprinting of the Jewish prayerbook. He asked for a cessation of arrests and imprisonment of those who bake and sell matzoth or unleavened bread, release of those already arrested, and creation of facilities to bake this bread for the coming Passover. He appealed for the right of Jews to have separate burial grounds, as in the old cemeteries.

He said that the Russian press treats the names of those arrested for economic crimes in a way that reflects unfairly on the Jewish minority, seeking to distort and exaggerate Jewish involvement in these crimes.

In a talk last night on anti-Semitism in the Soviet Union, Representative LEONARD A. FARBSTEIN, Democrat, of New York, revealed that he was visited last week by Anatoly G. Mishkov, First Secretary of the Soviet Embassy in Washington, in pursuit of "establishing better relations" with this country.

"I told him I certainly favored better relations but asked, 'Why do you permit these irritations?' and 'Why don't you tell your Government to stop this persecution of Jews?' " Mr. FARBSTEIN related to the Farband-Labor Zionist Order at its headquarters, 575 Sixth Avenue, that a blot is put on better relations as long as Americans hear reports of synagogue closings, the ban on the baking of matzoth (unleavened bread for Passover), the arrest and trial of Jews who baked matzoth on the charge of alleged black marketeering and the so-called economic trials of the last year and a half.

Mr. FARBSTEIN appealed to the fraternal organization to ask "all (Jewish) coreligionists to file a formal protest" with Soviet authorities against repressions directed against Soviet Jews.

DELEGATES TO THE EIGHTH NATIONAL CONVENTION OF THE CATHOLIC LEAGUE FOR RELIGIOUS ASSISTANCE TO POLAND, HELD IN GREEN BAY, WIS., ON AUGUST 6, 7, AND 8, 1963, UNANIMOUSLY ACCEPT RESOLUTIONS

1. With proper humility we profess our filial devotion to His Holiness Pope Paul VI, Christ's vicar on earth. We express our heartfelt gratitude for the paternal apostolic

blessing which His Holiness imparted to all participating in the deliberations of this Eighth National Convention of the Catholic League for Religious Assistance to Poland.

2. To the President of the United States, John F. Kennedy, we reaffirm our pledge of love and loyalty to this Nation and its Government. As citizens of this country, we remain ever mindful of the splendid means and freedom of opportunity this land affords us whereby we are enabled to assist those less fortunate than we.

3. To his excellency Archbishop Egidio Vagnozzi, apostolic delegate to the United States, we express our deep appreciation for his sympathetic interest in the activities of the Catholic League for Religious Assistance to Poland.

4. To the Most Reverend William E. Cousins, archbishop of Milwaukee, we convey our thankfulness for welcoming this convention into his province, for gracing its opening with his presence, and for his words of encouragement.

5. To the Most Reverend Stanislaus V. Bona, bishop of Green Bay and beloved senior member of the Episcopal Committee of the Catholic League for Religious Assistance to Poland, we tender our affectionate gratitude for the time and guidance he unstintingly gave in making preparations for this convention, and for his being a perfect host.

Furthermore, on the occasion of the golden jubilee of his priesthood, and 30th anniversary of his Episcopacy, we humbly offer him our prayerful esteem, respect, and admiration. May God continue to bless and keep him in His loving care.

6. To the Most Reverend Stephen S. Woznicki, bishop of Saginaw, for the inspiring sermon he prepared for the solemn pontifical mass which opened this convention, we express our sincere praise and admiration, and as a token of our feelings we call upon the executive secretary to send an appropriate message, to be signed by all the delegates, expressing our prayerful wishes that God may quickly grant robust health to his excellency. Furthermore, on the occasion of the silver jubilee of his episcopacy, we extend our joyful felicitations and sincere wishes for God's bountiful blessings.

7. To the Episcopal Directors of the Catholic League for Religious Assistance to Poland; namely, the Most Reverend John J. Krol, archbishop of Philadelphia, and to the Most Reverend Bishops: Stanislaus V. Bona, Stephen S. Woznicki, Thomas L. Noa, Henry T. Klonowski, Roman T. Atkielski, Alexander M. Zaleski, and Aloysius J. Wycislo, we acknowledge our profound gratitude for the interest, solicitude, and devotion they manifest for the welfare of the Catholic League and the success of its undertakings.

8. We are also deeply grateful to the American hierarchy for its effective interest and sympathy with the activities of the Catholic League.

9. We acknowledge a tremendous debt of thanks to the Very Reverend Monsignor Alfred L. Abramowicz, the national executive secretary of the Catholic League, for his untiring and zealous performance of the duties of that office.

10. We are mindful of our increasing debt of gratitude to Mr. John F. Aszkler, the national president of the Catholic League, and Mrs. Catherine Bajek, vice president, for their many years of conscientious and self-sacrificing service rendered in their offices.

11. Finally, we express our appreciation to Rt. Rev. Monsignor Chester A. Ropella, general chairman of the preconvention committee, and to all the members of that committee for expediting the planning and arrangements for this convention in a praiseworthy manner. We are sincerely grateful to the respective proper authorities for hospitably placing at our convenience the facilities at St. Francis Xavier Cathedral, St. Mary of the Angeles Parish, and the Green Bay Register, the Franciscan Fathers of Pulaski, Wis.

12. Whereas in the practice of their Catholic religion, the faithful people of Poland continue to face tremendous obstacles in the form of insidious propaganda, numerous inane restrictions, artificially created shortages of supplies, and onerous taxation;

Whereas this relentless harassment of religion places the Catholic Church in Poland in an embarrassing position in which, through no fault of its own, it is unable to satisfy its many needs; and

Whereas charity—love of God and love of neighbor—is the very essence of Christianity, upon which our civilization must rest if it is to survive: Therefore be it

Resolved, That we reaffirm to the people of Poland our onenes with them in the Mystical Body of Christ and pledge to them our prayers and our substance in coming to their assistance so that they may with dignity exercise their Catholic faith.

13. Whereas the Catholic religion has been a mainspring of the Polish nation throughout its thousand year history; and

Whereas today this same Catholic religion, the very lifeblood of the Polish nation, is endangered because it is not permitted to flourish free and unhampered: Therefore be it

Resolved, That we, in the name of the more than 6 million fellow citizens of Polish ancestry in the United States of America, call upon the Government of Poland—

1. To recognize and acknowledge the fact of history that Catholicism is an integral part of Polish culture and the wellspring of Poland's noblest deeds;

2. To guarantee complete religious freedom to the people of Poland.

Most Rev. Stanislaus V. Bona, D.D., Bishop of Green Bay; John F. Aszkler; Rev. Joseph Prusinski, C.R.; Mother Mary Benjamin, S.S.J.; Sister Mary Jolanta, C.S.S.F.; Rt. Rev. Msgr. Peter P. Walkowiak; Rev. Theodore A. Zaremba, O.F.M.; Rt. Rev. Msgr. Edward J. Smaza.

THE THIRD LIBRARY OF CONGRESS BUILDING IN THE NATION'S CAPITAL

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I take occasion to call attention to an article published in the September 25, 1963, issue of Roll Call newspaper, Washington, D.C., entitled "Library, Monument, or Park?"

This article deals in considerable detail with the third Library of Congress Building, and the $39 million memorial proposed to honor President James Madison.

The article follows:

LIBRARY, MONUMENT, OR PARK?

(By Oscar Johnson)

Congress has tackled some of the Nation's biggest problems during the past 9 months, but it still has not acted on the boondoggle in its own backyard—the proposed James Madison Memorial.

Somehow, propelled by powerful Capitol Hill interests, the much ballyhooed $39 million project has risen to a position high on the priority list of construction. Yet just how it ever got on the list in the first place remains a mystery.

Presently, the memorial's chief claim to fame seems to be that it has effectively stalled progress on a much-needed third Library of Congress Building. Its proponents are determined that the memorial should be built on one site only—one which otherwise might serve for the Library addition.

The "Madison Men," as the influential memorial backers are becoming known on the Hill, apparently concede no possibility that the memory of the former President can be served in any way other than by erecting a tomb-like marble monument squarely in the way of Library of Congress expansion.

The site in question, a huge tract bounded by Independence Avenue, and First, Second, and C Streets, SE., has already been bought and cleared at a cost of more than $5 million. Situated adjacent to the Library of Congress and Cannon House Office Building, it is now devoted to the purpose of growing a fine crop of grass and weeds.

Meanwhile, the Madison men are advocating condemnation and purchase of another site—located immediately east of the present Library of Congress Building and its annex—at a cost of $5 million more. Through condemnation, the Government would uproot families and many restored homes in a thriving Capitol Hill neighborhood to get library space.

Led chiefly by Representative WILLIAM WIDNALL, Republican, of New Jersey, a movement has been initiated to block purchase of any more land and to build the library on the already-owned site, known as District of Columbia Square 732. It would be called the James Madison Memorial Library.

Reacting swiftly to this threat to their plans, the Madison men have thrown up counterarguments. In the resulting debate, little progress is being made on meeting the library space need which, according to Librarian of Congress, L. Quincy Mumford, "becomes more critical with every passing day."

However, it is hard to fault Congress for failing to act when the staff experts—some of them are devoted Madison men—have allowed so much confusion. The experts include Mumford and Capitol Architect George Stewart.

As much as can be pieced together from the public record, the present impasse had its beginnings in May 1960, when the 86th Congress approved a study of LOC space needs with a view to designing a third building.

The Capitol Architect was directed to hire a team of outside architects to prepare preliminary plans and estimates of cost for the new facility. These were duly employed, and studies were started in April of the following year.

Shortly thereafter, according to Mumford, "there was a proposal that the James Madison Memorial, with subgrade (underground) vaults for the Library of Congress be constructed on Square 732." Accordingly, he adds, the architectural study "was redirected" toward splitting up the Library's planned new space between a third building and the Madison vaults.

By what authority this step was taken remains unclear from the disclosed record. Although the private James Madison Memorial Commission and the House Office Building Commission have endorsed legislation to build a memorial, it appears that the Madison men were successful in embarking on a course taking for granted that a Madison memorial would be built, without prior approval of Congress itself.

At any rate, having been directed to divide up the space, the outside architects came up with a proposed 13-level (4 underground) LOC Building to cost $70 million and provide library space needs for 30 years. This would, of course, be contingent on construction of library vaults under the Madison monument, which would account for $24 million of the monument's total $39 million cost.

Thus, with the usual increases in actual costs over estimated costs of Capitol Hill construction, the Library's needs would be met for about $100 million.

According to Librarian Mumford, the Library needs "nearly 2 million square feet of space, net." By happy "coincidence," the combined third building-memorial vault project would provide "about 1,993,000 square feet."

A report prepared by Architect Stewart shows that the building itself would have a total gross area of 1,925,767 square feet, with a usable net of 1,519,660 square feet. The Madison vaults would have 554,000 square feet gross, but the report omits any reference to the usable area. Presumably, this would be about 377,000 square feet.

Nowhere in the public record is the possibility mentioned that the proposed LOC Building could be redesigned to provide 377,000 square feet of net additional space within itself. Since the study was redirected toward a split arrangement, it does not seem beyond the realm of plausibility that America has the architectural talents to accomplish a one-unit library for $100 million—or less—if this is established as a goal.

Before Congress commits itself to spending $100 million for library space, it would seem expedient to at least perform a cursory study of the single-building alternative. Mumford himself has said, "the ideal arrangement would be to have a single additional building of adequate size, because the more locations in which we have to operate the less economical and efficient the operation will be."

In a statement which seems to be the first crack in the previously solid Mumford-Stewart pro-Madison alinement, Mumford has gone on record as conditionally accepting WIDNALL's proposed idea.

"If it were possible to get all of the additional space needed by the Library east of our present annex, or on lot 732, I would consider either of these solutions ideal," Mumford says. This apparently relegates the Madison Memorial to the third-place priority.

However, Mumford says that "the proposed structure in square 732 would add (only) 1,386,000 square feet of net usable space." Whether that figure was drawn from the air or stems from an architectural study not yet made public remains unclear.

He adds that square 732 could accommodate a single Library building of adequate size "only if enlarged, for example, by extension to the south."

This seeming size disadvantage of square 732 is one of the most puzzling aspects of the whole controversy, in view of the fact that the eastern Library site favored by the Madison men is reportedly smaller. This land now in private hands, is known as squares 787 and 788, bounded by Independence Avenue and 3d, 4th, and East Capitol Streets SE., and now divided by A Street SE. which would be sealed off.

According to WIDNALL, square 732 has 258,038 square feet of space, 15 percent more than in the combined 787–8 plot. Since the smaller location was envisioned in 1960 as the prospective area for a then-proposed single building, it is mysterious how an even larger area has suddenly become too small for this approach. Mumford does not point out that 787–8 would be useful only if enlarged.

Although some of the Madison men may retain an objective outlook on the various alternative solutions, others have gone out of their way to find objections to using 732 for a plain old library. Stewart has invoked everything from the seemingly sacrosanct 1861 study to the memory of the late Speaker Sam Rayburn in opposing the idea.

In addition, says Stewart, construction of a library on square 732 would bottle up the House of Representatives forever, although, apparently, a Madison Memorial would not.

WIDNALL says that when the condemnation of 732 was discussed before the House Appropriations Subcommittee on June 17, 1960, "such distinguished Democrats as the late Speaker Sam Rayburn, Clarence Cannon, Carl Vinson, and Subcommittee Chairman Albert Thomas gave every indication that this 5-acre plot would be the site of the third Library of Congress Building. The architect of the Capitol, J. George Stewart, told the subcommittee this 5-acre plot would be an ideal location for the Library."

And so the confused situation goes. The Joint Library Committee is reportedly sitting tight to see whether the House Public Works Committee does anything about WIDNALL's Madison Library bill, H.R. 7391, or the Senate acts on a companion measure of Senator PAUL DOUGLAS, Democrat of Illinois, S. 1920.

Meanwhile, the space situation grows more acute. Former President Madison, a man of action, would probably moan in his grave.

SOVIET CROP FAILURE SOUNDS PHONY

Mr. BROMWELL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the widely discussed crop failure in Russia has a phony ring and may actually be a trumped-up sympathy pitch for expanded trade with the United States.

Khrushchev may figure the best way to get the United States to trade with the the Communists is by taking advantage of the deep American sympathy for hungry people. U.S. grain bins are overflowing, so a Soviet food shortage is a natural story for the Communists to circulate.

Whether the crop failure is genuine or phony, we should look all the way down the road before we expand trade with the Communists. If we accept the premise that we should sell wheat to Russia, the same premise is apt to lead to other trade. Once trade is firmly established with the Soviets, why not Red China and Cuba?

In fact, if we sell wheat to Russia, we can be sure some of it will wind up in Cuba.

Badly as we need to unload surplus grain for hard cash, we had better think carefully about doing business with Khrushchev.

We were hungry for foreign markets back in 1941—so hungry, in fact, that we sold scrap iron to Japan just before Pearl Harbor.

There is more than meets the eye in the big wheat deal, and before we go for a wheat-baited Russian beartrap we had better get the facts. We could be helping Khrushchev bury us using our own spade.

The crop failure sounds phony, because it was not noticed nor mentioned until after the world-record Canadian wheat deal with Russia was announced.

Secretary of Agriculture Orville Freeman made no mention of a crop failure until after the deal was announced, despite the fact that he and an entourage of Agriculture Department specialists had recently made an intensive month-long tour of Russia and other Communist countries.

Only blind bridles could have kept them from observing a crop failure if it actually had occurred.

In a September 21 speech, Freeman told of his group's 18-day, 6,000-mile study of Soviet agriculture, including hundreds of miles over bumpy roads. The only Western newsman to accompany Freeman was Charles W. Bailey, of the Minneapolis Tribune. In his seven-article series, Bailey mentioned production problems of Soviet agriculture, but gave no hint that this year was one of crop failure.

Since announcement of the so-called crop failure and the wheat deal, stories are circulating that Freeman was excluded from certain areas in Russia. Neither Bailey nor Freeman gave any hint of this exclusion in their post-trip reports.

In fact, Freeman was quoted after his tour as saying that Soviet total production has raised considerably. They have the ability to feed their people.

Even if he had been kept from certain areas, it is incredible that the Communists could have successfully concealed a crop failure.

BRACEROS

Mr. HAGAN of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, that accident out in California last week generated a little curiosity about Public Law 78. One of the consequences was that the news services sent out some stories on braceros.

One Associated Press story explains:

> Braceros, like the 28 killed in a Salinas bus crash Tuesday, are venturesome farm laborers who come from Mexico to earn what they consider to be a small fortune at backbreaking stoop labor.
>
> They earn from $1 an hour to as high as $2.50 at piece labor.
>
> Almost everybody likes these quiet, usually gentle folk. The farmers, because they pose no union problem. The police, because they are no police problem. The underworld, because they are easy victims of strong-arm robberies, camp burglaries or swindling salesmen. The shopkeepers, because they go on payday spending sprees—usually on clothes and radios—before visiting the post office to send money home.

Mr. Speaker, that last item is fairly revealing, and shows clearly why the bracero program is such a beautiful thing. The braceros are no problem to anybody. They keep quiet, because they know better than to complain. No union organizer can touch them, so you can be sure that they will never ask for higher wages. They are easy prey for the unscrupulous and the criminals.

About the only thing that can beat braceros for tractable, cheap labor would be slaves, or maybe robots.

RESEARCH PROJECTS

The **SPEAKER**. Under previous order of the House, the gentleman from Indiana [Mr. BRAY] is recognized for 10 minutes.

Mr. **BRAY**. Mr. Speaker, America's increasing interest in the importance of research is being used as an excuse by certain free-spending, visionary Government bureaucrats to foist their harebrained projects on the American taxpayer.

Congress has become aware that the magic word "research" is being used as a pretext to squander our national resources and wealth. Just a few days ago this House authorized a special study of multitudinous research projects being supported by the Federal Government.

I want at this time to bring to the attention of the House a very recent project planned by the Child Research Branch of the National Institutes of Health.

Today they are opening bids for leasing to the Government certain buildings to be built or altered to meet the specifications of the Child Research Bureau. The announced general purpose of this building is research in the development of children, which sounds like a worthy project. However, I heard weird stories about this project.

In studying a copy of the invitation to bid—No. GS-PBS-02-589—I found that the buildings are to be located within a 3-mile radius of the National Institutes of Health, in Bethesda, Md.

While the announced use for the building is the study of the development of children, allow me to read from the invitation to bid on this project as to some of the uses to which the building is to be placed:

> The research subjects are volunteer families residing in Montgomery County who are either newlyweds planning to remain locally, or couples with one or more infants or preschool children. Emphasis is placed upon accurate sound recording and direct visual observances through one-way screens, and by means of movies or television cameras to permit detailed and reliable data. Because generally the newlywed couples both work during the day, most study sessions involving husband and wife are scheduled at night or on weekends.
>
> Some areas of the building (such as the family observation facilities) will be used to foster interaction and give-and-take between members of the family.

On page 12 we find:

> Each family living unit (apartment) shall have a separate private entrance enabling the family to come and go and maintain some sense of isolation from the scientific program.

I have serious doubts as to the great value of having "Doctor Peek-A-Boo" observing the newlyweds in their home through the one-way mirrors similar to the apparatus which received wide attention in the London apartment of Doctor Ward in the famous Profumo case.

Another interesting arrangement is the indoor-outdoor playground, a rather curious mixture of reality and fantasy. Ostensibly these structures are being built so that observation may be made of routine, normal activities and relationships. Yet the playground is to be built so that the children can play inside in case of inclement weather in a simulated "outside" area. One of the most normal, routine things most of us had to learn as youngsters was that when it rains you either get wet or you stay inside. The guinea pigs of this elaborate laboratory apparently will believe you can have it both ways.

One cannot but wonder what kind of exhibitionists would welcome "living under glass" and what kind of pretentious preening would become the habit of children who literally grow up before the cameras.

This also presents an interesting question about the methods being used to avoid congressional control of such projects.

The House Appropriations subcommittee has required that buildings such as this costing more than $200,000 must receive the approval of the committee. I have been unable to determine what the probable cost of these structures will be, but it will probably be in excess of one-half million dollars. By leasing the buildings the congressional requirement is circumvented.

I intend to bring this project to the attention of the recently appointed committee investigating the research projects undertaken by the various bureaus of the Government.

ARMED FORCES CONSTITUTIONAL RIGHTS BILLS

The **SPEAKER** pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from Oklahoma [Mr. WICKERSHAM] is recognized for 15 minutes.

Mr. **WICKERSHAM**. Mr. Speaker, today I am introducing 18 bills dealing with the protection of the constitutional rights of military personnel. Identical bills have been introduced in the Senate by Senator ERVIN, and cosponsored by Senators BAYH, HUMPHREY, JOHNSTON, WILLIAMS of New Jersey, FONG, and COOPER.

As a member of the House Armed Services Committee I come in daily contact with the problems of military personnel, not only in my own district, but across the United States and overseas. I have always had a vital interest in the welfare of our military personnel.

Much attention has been devoted lately to the rights of the Negro. But it seems that little attention has been devoted to the rights of our military personnel, as guaranteed to them under the Constitution. The Senate Subcommittee on Constitutional Rights has held extensive hearings on this subject, to determine the nature of legislation needed to insure more satisfactorily the constitutional rights of military personnel.

The bills I am now introducing are designed to meet some of the needs and problems which were uncovered by the subcommittee, and as noted by bills introduced in the Senate. Of all the citizens of the United States, our military personnel most assuredly should be provided with the best possible protection from court injustice. These are the men and women who stand ready to defend our country and our Constitution. There are more than 30,000 military personnel stationed in my district. They, with the many others across the country, deserve the full measure of justice and security.

If the Congress is to be able to say to our men in uniform that "your rights under the Constitution you are defending will not be denied," all of these 18 bills are important. These 18 bills could be called the military justice bills because they will bring new hope and new faith to our service personnel all over the world.

But the 1 bill in the 18 that most deserves our immediate attention is the fifth bill, which forbids these "kangaroo courts" that are called administrative boards and administrative discharges.

When a 20-year-old young man is booted out of the U.S. military with an undesirable discharge, a future employer or future wife does not know if he received it by a court-martial or a board. He is a marked man for the rest of his life. And the great shame is that usually his constitutional rights as an American have been violated because he was forced before an administrative board and not a court-martial.

Under these disgraceful administrative boards, a young man only has to be accused of some act of misconduct. The rules and laws of evidence do not apply as they do in a court-martial. His defense counsel does not have to be an attorney. And most of the time it becomes a case of the boy having to prove he is innocent rather than the Government to prove his guilt.

What is even more disgraceful is the fact that the board is only a recommending agency to the commanders. In one case that I have personal knowledge about, the commander used the board regulations to force a man before a board when he knew that the evidence did not justify it. His own judge advocate told him not to do it, but he ordered a board and accused an enlisted man of a disgraceful crime. From the day word spread of the accusation, this young man has had to battle this thing—this charge—without ever having any evidence presented against him.

This man was intelligent enough to hire a civilian attorney. In most cases of our enlisted men, the cost of a civilian attorney would be prohibitive. The civilian attorney worked on this case and won a recommendation from the first board which cleared the young man. But because the board is only a recommending agency, this same commanding officer disapproved the board's actions. Again his own judge advocate told him that he was wrong, but under these administrative discharge regulations he had the authority. He ordered a second board, with full knowledge that this would mean double cost for the attorney fees for this enlisted man.

When the second board completed its hearing, and in spite of the fact that the commanding officer had hand picked its membership, they recommended an honorable discharge for the young man. A discharge, rather than retention in the service, because his effectiveness had been damaged. Yes, his effectiveness was damaged. But only by the action of the commanding officer using command influence and by the commander permitting knowledge of the false charge to be circulated about his installation.

In this one case the man did not stop fighting for his rights. It took 5 years, and several thousand dollars in attorney fees to appeal this case. And along the way there was the heartache and the pain that came each time a friend discovered that the boy had been discharged from the military under this questionable regulation. The man stood guilty in the eyes of those who did not know the facts, and was branded by the administrative discharge from the military.

The case was won some 5 years after the boy was discharged because the Secretary of the military service looked into the matter. But no one offered to pay the attorney fees. His discharge was changed, but what of the embarrassment and loss of friends along the road to justice? What about the disgraceful action of a "powerminded" military commander who did not follow the advice of his judge advocate?

Most men who have been administratively discharged from one of our services cannot muster the funds for a 5-year battle, nor do they have the physical or mental strength to endure the long road and the social embarrassment.

My fifth bill will bring justice and fairness to the authority for administrative discharges. The services have the power to court-martial for misconduct, and the laws of evidence and appeal will apply to all cases equally. Let us stop these "kangaroo courts" in the military. Justice might wear a blindfold, gentlemen, but let us never forget she also carries a sword.

The first of these bills seeks to guarantee to military personnel the basic right that any judicial or quasi-judicial proceeding affecting them be conducted by a fair and impartial tribunal. At this time, there is no prohibition against command influence with respect to administrative proceedings involving military personnel, even though those proceedings can have a tremendous effect on the future of a serviceman and may result in a discharge other than under honorable conditions. Over the years there have been numerous complaints of command influence in military trials. This bill would prohibit command influence.

The second bill would insure the right of military personnel to be represented by qualified counsel in any court-martial. Although an accused, in a general court-martial, must be furnished with a qualified lawyer, he may be convicted in a special court-martial and given a dishonorable discharge without having the assistance of legally trained counsel. Any serviceman should have the right to have legal counsel, in any court-martial.

The third bill would increase the period within which military personnel may petition for a new trial by court-martial from the present 1-year limit to 2 years, as provided for in Federal district courts. Under the Uniform Code of Military Justice, an accused has only 1 year to petition for a new trial.

The fourth bill proposes the abolition of the summary court-martial. Many complaints have been received as a result of this type of court-martial, where a single officer acts as judge, jury, prosecuting attorney, and defense counsel. This is not due process of law, in my opinion.

The fifth bill I have already described.

The sixth bill would further implement present laws protecting a serviceman from double jeopardy. Article 44 of the Uniform Code of Military Justice provides considerable protection from double jeopardy, but loopholes have been noted.

The seventh bill would provide for substantial improvement in the cumbersome procedures regarding trial. A major impediment to the fair and speedy trial by court-martial is the absence of a pretrial conference between the law officer, who serves as judge, and the trial and defense counsel. A pretrial conference, as in the case of nonmilitary trials, would eliminate much of the interlocutory matters before the actual trial took place.

The eighth bill would authorize the appointment of a law officer to any special court-martial and require that, except in time of war, a law officer be appointed in order for the special court to have the authority to adjudge a bad conduct discharge. At present, there is no provision for a law officer to preside over a special courts-martial, even though these courts can impose a sentence which includes a bad conduct discharge. As a result, there have been cases where a special court-martial sentenced a member of the Armed Forces to a bad conduct discharge without the legal guidance that is required in a civilian trial.

The ninth bill would establish a procedure for appellate review by the Court of Military Appeals with respect to certain administrative actions taken by the Armed Forces. Administrative proceedings and especially the proceedings of boards of officers appointed to make findings and recommendations concerning discharge of military personnel, can have very serious consequences for members of the Armed Forces. The procedure for obtaining judicial review is often cumbersome in these cases.

The 10th bill would require that, except in time of war, a board hearing be held prior to an administrative separation under other than honorable conditions and that such a board have a legal adviser with the same functions as those possessed by the law officer of a general court-martial under the UCMJ. A need exists for the necessity of legal guidance being provided for anyone about to be discharged from the service under any but honorable conditions.

At present, there is no authority for compelling witnesses to appear before military boards concerned with administrative discharges or before an officer who is conducting a pretrial investigation under the provisions of article 32 of the UCMJ. As a result, it is quite possible that many boards do not reach the same conclusions that they would reach if they were able to hear the personal testimony of witnesses. The 11th bill would authorize administrative discharge boards, review boards, and correction boards, and investigating officers appointed under article 32 of the Uniform Code to compel the attendance of witnesses and the production of evidence where, in their discretion, this seems desirable.

The 12th bill prohibits any member of a board of review from rating the effectiveness of another member of a board of review. There have been cases where the chairman of a board of review rated the efficiency of the members of the board and that these ratings helped determine future promotions and assignments of these members. This practice does not promote the independence of board members in cases where they differ with the chairman.

The 13th bill would provide for compliance with constitutional requirements in the trials of persons who are charged with having committed certain offenses while subject to trial by court-martial, who have not been tried, and who are no longer subject to trial by court-martial.

The 14th bill would authorize the trial in Federal district courts of persons who commit serious offenses while accompanying the Armed Forces outside of the United States. Article 2 of the Uniform Code subjects to military jurisdiction civilian dependents and employees accompanying the Armed Forces overseas, but the Supreme Court has held this unconstitutional. The 14th bill should handle the problem effectively.

The 15th bill would establish a Navy Judge Advocate General's Corps, like that of the Army. This would enhance both the ability and independency of Navy lawyers.

The 16th bill would modify the code that establishes boards for the correction of military records, to provide a more effective and independent forum to review applications for correction of military records.

The 17th bill implements the field judiciary system to include the Air Force, which does not now have such a system. The virtues of the field judiciary system have been proven in the Army and Navy. This bill would insure further to military personnel certain due process protection by providing for military judges to be detailed to all general courts-martial.

The 18th bill is designed to accomplish certain changes to improve the boards of review which examine the records of trial by court-martial in serious cases. This bill would change the structure of the boards, further protecting the constitutional rights of servicemen by insuring a fair and impartial review of court-martial convictions.

EZRA TAFT BENSON'S SUPPORT OF JOHN BIRCH SOCIETY IS CRITICIZED

The **SPEAKER** pro tempore (Mr. Libonati). Under previous order of the House, the gentleman from Idaho [Mr. Harding] is recognized for 60 minutes.

Mr. **HARDING**. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include several newspaper articles.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. **HARDING**. Mr. Speaker, it becomes my responsibility today to make the most difficult speech that I have made during my nearly 3 years in the House of Representatives.

As most of my colleagues know, I am a member of the Church of Jesus Christ of Latter-day Saints—Mormon. And, I do not hesitate to declare here my strong testimony of the Gospel of the Saviour as it was taught when Jesus Christ himself expounded it here upon the earth. I have an equally strong testimony that God the Eternal Father and His Son Jesus Christ appeared to Joseph Smith upon this the American continent and restored his church in this dispensation. I am grateful to be a member of this great church and deeply appreciate the many contributions that it has made to my life, to the lives of members of my family, to the lives of many of my friends, and to millions of others of our Father's children.

It is as a result of this great love that I have for my church that I take the floor to make this difficult speech today.

For some time now I have observed the attempts by the John Birch Society to use the Latter-day Saints Church in building its membership and in promoting distrust of loyal Americans. Events of this past weekend have reached the point where I feel I could not be loyal either to my church or my country if I remain silent.

Ezra Taft Benson, former Secretary of Agriculture who is also a member of the Quorum of Twelve Apostles of the Church of Jesus Christ of Latter-day Saints, has been quoted in the following three news stories coming from Los Angeles:

[From the Washington (D.C.) Post, Sept. 20, 1963]

Benson To Speak at John Birch Fete

Los Angeles, September 20.—When the John Birch Society honors its founder, Robert Welch, at a dinner in Hollywood next Monday, the featured speaker will be Ezra Taft Benson.

In announcing that Benson would speak, the society quoted the former Secretary of Agriculture as saying: "The John Birch Society is the most effective nonchurch organization in our fight against creeping socialism and godless communism."

Benson is a member of the council of 12 of the Church of Jesus Christ of Latter-day Saints (Mormon).

[From the Associated Press Wire Service, Sept. 24, 1963]

Benson Speaker at Testimonial Dinner

Los Angeles.—Ezra Taft Benson, former Secretary of Agriculture, calls Robert Welch, founder and leader of the John Birch Society, "one of the greatest patriots in American history."

Benson was a speaker at a $50-a-plate testimonial dinner last night honoring Welch.

Benson called the Birch Society "a great, courageous, patriotic organization which has taken the position that it is both immoral and stupid to enter into any treaty with criminals who have no respect for treaties."

He said that "entering into the test ban treaty with the Soviet murderers is morally wrong."

Critical of recent administrations, Benson said that "for 30 years we have aided the cause of the atheistic-Socialist conspiracy by permitting socialistic Communists and fellow travelers in high places in Government."

Benson said these individuals caused great harm to the Nation and permitted infiltration of Communist agents and sympathizers into almost every segment of American life.

At a news conference earlier, Benson told newsmen he was not a member of the John Birch Society but believed in most of its principles.

Benson sidestepped when asked if he agreed with Welch that Eisenhower was a tool of the Communists.

"He supported me in matters of agriculture," Benson said of the former President. "In other areas we had differences."

[From the New York Times, Sept. 23, 1963]

Birch Society Aim Hailed by Benson: He Won't Rebut Eisenhower Denunciation by Welch

(By Jack Langguth)

Los Angeles, September 23.—Ezra Taft Benson, Secretary of Agriculture in the Eisenhower administration, declared today that he thought the work of the John Birch Society should be applauded, not opposed.

Mr. Benson, the principal speaker at a Birch Society dinner here tonight, declined to say, however, whether he agreed with the evaluation of former President Dwight D. Eisenhower advanced by the society's founder, Robert H. W. Welch, Jr.

Mr. Welch, in a book published as "The Politician," characterized the former President as a dedicated, conscious agent of the Communist conspiracy.

"President Eisenhower supported me in matters of agricultural policy, and I appreciated his support," Mr. Benson said at a news conference today.

But he added that he had disagreed with his chief over aid to education, the foreign aid program and the conduct of foreign policy in Cuba.

HAD DATA ON CASTRO

Mr. Benson said he had presented evidence that Fidel Castro, Cuba's revolutionary premier, was a Communist, to Christian A. Herter, then Secretary of State, but had gotten no encouragement or satisfaction.

Mr. Herter's reaction, Mr. Benson continued, was that my information was not what his people had advised him.

Mr. Benson said he had not gone into the question of whether Chief Justice Earl Warren should be impeached. Impeaching the Chief Justice of the United States is a prime goal of the John Birch Society.

"Some of the recent decisions of the Supreme Court have helped the Communists, promoted their cause," Mr. Benson said, "and I consider the recent decision on prayer to be tragic."

Mr. Benson is a member of the Council of 12 Apostles of the Church of Jesus Christ of Latter-day Saints.

He said he was not a member of the Birch Society, but felt good about the work it's doing. His son, Reed, is the society's coordinator in Utah.

Asked about the current political scene, Mr. Benson said Senator Barry Goldwater, Republican, of Arizona, seemed to him well ahead in the race for the Republican presidential nomination.

Mr. Benson termed another possible contender, Governor Rockefeller, "too liberal to suit me" and said he had been very disappointed and unhappy when he heard of the Governor's divorce and remarriage.

First, we read in the Washington Post story of September 20 that Ezra Taft Benson states, "The John Birch Society is the most effective nonchurch organization in our fight against creeping socialism and Godless communism." The story then points out that Benson is a member of the Council of Twelve of the Church of Jesus Christ of Latter-day Saints—Mormons. I find his position on this issue most disturbing, but even more disturbing is the reference in the article to his position in the Latter-day Saints Church. I am concerned that Ezra Taft Benson, a Latter-day Saint apostle, would attend a John Birch dinner honoring Robert Welch in view of an official statement that has been issued by the first presidency of the Church of Jesus Christ of Latter-day Saints disapproving of the John Birch Society and its practice of promoting distrust of our elected officials and other loyal Americans.

I was disgusted to read in the Associated Press dispatch from Los Angeles of September 24 that Ezra Taft Benson had called Robert Welch, the founder and leader of the John Birch Society, "One of the greatest patriots in American history."

Anyone who has read Welch's book, "The Politician," realizes that far from being a patriot himself he has slandered and falsely accused some of the greatest national leaders of this century of disloyalty to our country.

Mr. Speaker, as evidence of this I want to include at this point in the Record a brief prepared on Robert Welch's book, "The Politician," by an outstanding young Republican attorney who is a member of the same Seventies Quorum of the Latter-day Saints Church that I am attending in the Washington area. I am sure anyone reading this brief, which is factual and accurate, and then recalling Ezra Taft Benson's tribute that Robert Welch is "one of the greatest patriots in American history," will feel the same disgust that I feel.

The brief follows:

The Politician

(By Robert Welch)

DWIGHT D. EISENHOWER

We do not wish to imply, however, that this (Eisenhower's) meteoric rise was due entirely to the exercise of Eisenhower's flattering charm on Anna Roosevelt Boettiger, nor even to the personal favoritism of her father which he thereby obtained. There were more comprehensive forces at work. The first of these was the overall and continuous brilliance of Dwight D. Eisenhower as a politician. This aptitude (which included some unsavory tricks for self-promotion at the expense of his associates and superiors) had already been well utilized, to give him the nebulous but profitable reputation of being "an outstanding officer." For Eisenhower is not only all politician, so far as his ability is concerned. He is the living embodiment of practically all of the skills and attitudes that every ambitious politician would like to possess.

His most obvious asset in political maneuvers is the personal charm to which we have already referred. Few men have ever exemplified more conclusively Shakespeare's wise observation that "one may smile, and smile, and be a villain." Woodrow Wilson, for all the sublety of his skill as a politician, lacked this characteristic of disarming self-ingratiation, which Franklin Roosevelt found so useful and which Eisenhower has made even more so.

But Eisenhower is more like Wilson, and goes far beyond him, in the second asset of his inventory—which is the successful pretense of not being a politician at all. Here is, in plain and completely provable fact, the "big lie"; the lie so big, and so exactly the opposite of the truth, that it simply does not occur to most people to examine it, as possibly a lie, at all. La Rochefoucauld said: "It is a great cleverness to know how to conceal one's cleverness." With regard to his political cleverness, Eisenhower has performed this feat in the style of a master.

The general's contribution towards winning World War II, for instance, was important; but it was entirely that of a political "fixer." Actually, Eisenhower was so poor at strategy, tactics, and the necessary qualifications for military command that even his unceasing sponsor, George Marshall, once cabled him in disgust that he was entirely too weak for the position which he held. He was, in fact, so indifferent a soldier that it became necessary for the top authorities to shunt him aside and upstairs, in such an exalted position that he had only political considerations to which to devote his energy and time, in order that the real soldiers under him could get on with their campaigns and the business of winning the war. And yet he came out of the war, and took a place in the American public mind, as a great soldier; a man who had won the war by his superb military generalship; and a man so completely naive in politics that he didn't even know what was happening in the gigantic buildup of himself for the presidency. So firmly and cleverly was this reputation established that not even after 5 years of Eisenhower as President, during which time he has continuously engaged in far more dirty, more deceptive, and more ruthless behind-the-scenes political manipulations than even Roosevelt ever undertook, have the American people begun to see the politician in the uniform of the soldier or under the silk hat of the statesman.

"We believe that some very sinister but powerful forces had already put their mark on Eisenhower as a pliable tool of the future; that they recognized in him a politician who, for personal promotion and prestige and glory, would always be willing to sail before the winds they created and to keep his compass pointed in the direction they desired. And we believe * * * that these forces were already helping the advancement of his career, at every turn" pages 11–14.

"It is to me inconceivable that under all the circumstances which prevailed, and with so many able and experienced generals available, Lieutenant Colonel Eisenhower could have been shot up all the way to Supreme Commander Eisenhower in so short a time, and with so obviously little military ability without the Communist push behind him every step of the way. (Lord Alanbrooke watching Ike's ascent to greatness while sadly conscious, from close observation, of his manifest unfitness for such responsibilities, and without any inkling of the real reasons for this ascent, could and did ascribe it only to Eisenhower luck. But that luck, we believe, was provided directly from the Kremlin, with a hammer and sickle woven into every gorgeous piece.)" page 19.

"One of Eisenhower's admirers has pointed out that, from the summer of 1945 until the end of 1948, his greatest preoccupation was with demobilization, as rapidly as possible, of the American Armed Forces. We are sure this was true. For as long as the United States had such tremendous armed might, ready at hand to be used, Stalin could not breathe altogether easily about his brutal conquests in Eastern Europe," page 113.

"With every American division broken up, therefore, with every trained pilot sent home without replacement, with every million dollars' worth of American war materiel blown up or sunk, Stalin felt that much more secure against any reversal of the fortune which was favoring him at every step. And Dwight Eisenhower, probably more than any other one man, brought successful efforts to bear to make Stalin thus feel secure from a military point of view—with respect to those conquests which Dean Acheson, more than any other one man, was helping him to complete.

"Then, once the American machine which won World War II had been destroyed, once we had gone through a period of comparative helplessness so far as ground forces and conventional weapons were concerned (roughly 1943–52), then everything was ready for the next step. This was the rebuilding and redeployment of the Armed Forces of the United States in such ways as actually to help the Communists in their future plans. The whole NATO scheme was a major part of that step * * * more money than our total admitted national debt has been cunningly poured down the NATO drain. One purpose was simply to create that debt. Another was to put confusion twice confounded throughout the whole community of Western nations, in the place of any real opposition to the Communist military potential, pages 114–115.

"On January 20, 1953, Dwight Eisenhower was inaugurated as the 34th President of the United States. He thus became, automatically and immediately captain and quarterback of the free-world team, in the fight against communism. In our firm opinion he had been planted in that position, by Communists, for the purpose of throwing the game," page 128.

"It is the chief purpose of this chapter, however, to turn the spotlight on the general run of appointments which Eisenhower has made since he became President, and to adumbrate their significance. We have already discussed the necessity which he could not dodge, and the advantages he was able to utilize, of appointing some good Republicans and sound Americans to his first Cabinet. But his concession to political realities practically ended at that point. Since that time his appointments have almost invariably been characterized by one or more of these three purposes: (1) To split the Republican Party, and weaken the conservative faction, by giving jobs to left-wing Republicans, whenever anybody calling himself a Republican was appointed at all; (2) to frustrate and break down the whole Republican Party, as well as to gather strength and implementation for socialistic measures, by giving important jobs to left-wing Democrats; and (3) to put actual Communist sympathizers into influential positions, to whatever extent the political climate made feasible, pages 209 and 210.

MILTON EISENHOWER

"Presidential adviser, at least in appearance. Had always been an ardent New Dealer, to put it mildly, and still is. Proof of at least pro-Communist leanings is implicit in his support of Owen Lattimore, and of others like him, at Johns Hopkins. In my opinion the chances are very strong that Milton Eisenhower is actually Dwight Eisenhower's superior and boss within the Communist Party. For one thing he is obviously a great deal smarter," page 210.

JOHN FOSTER DULLES

"John Foster Dulles is the man who chiefly persuaded Thomas E. Dewey and the Republican 'opposition,' in 1944 and 1948, to go along with, instead of fighting, the pro-Communist foreign policies of the Roosevelt and Truman administrations," page 211.

"For many reasons and after a lot of study, I personally believe Dulles to be a Communist agent who has had one clearly defined role to play; namely, always to say the right things and always to do the wrong ones."

"He thus serves to convince the American Congress and people that the administration is trying to do the right thing. Then Dulles backs down, or is overruled, or appears to be forced by circumstances and pressures he can't control to reverse himself; the Government does exactly the opposite of what he has said it would do; and the defeat of our side is worse than if he had never spoken at all. But the American people simply do not grasp that it was all planned that way in the first place," page 212.

OTHER QUOTATIONS

"For the sake of honesty, however, I want to confess here my own conviction that Eisenhower's motivation is more ideological than opportunistic. Or, to put it bluntly, I personally think that he has been sympathetic to ultimate Communist aims, realistically willing to use Communist means to help them achieve their goals, knowingly accepting and abiding by Communist orders, and consciously serving the Communist conspiracy, for all his adult life.

"The role he has played * * * would fit just as well into one theory as the other; that he is a mere stooge, or that he is a Communist assigned the specific job of being a political front man," page 266.

"But my firm belief that Dwight Eisenhower is a dedicated, conscious agent of the Communist conspiracy is based on an accumulation of detailed evidence so extensive and so palpable that it seems to me to put this conviction beyond any reasonable doubt," page 267.

"The Communists can now use all the power and prestige of the Presidency of the United States to implement their plans, just as fully and even openly as they dare. They have arrived at this point by three stages. In the first stage, Roosevelt thought he was using the Communists, to promote his personal ambitions and grandiose schemes. Of course, instead the Communists were using him; but without his knowledge or understanding of his place in their game. In the second stage, Truman was used by the Communists, with his knowledge and acquiescence, as the price he consciously paid for their making him President. In the third stage, in my own firm opinion, the Communists have one of their own actually in the Presidency. For this third man, Eisenhower, there is only one possible word to describe his purposes and his actions. That word is 'treason'," page 268.

"To paraphrase Elizabeth Churchill Brown, 'the only enemies the American people have to fear are the enemies in their midst.' The most conspicuous and injurious of these enemies today, I believe, is named Dwight David Eisenhower. He is either a willing agent, or an integral and important part, of a conspiracy of gangsters determined to rule the world at any cost * * *" page 279.

"As we said in the Scoreboard, the Communists now are at least two-thirds of the way toward carrying out Lenin's strategy, and ruling the whole world. They are gaining speed and momentum fast. We are now the only real obstacle left in their way. And we have a Communist, or a politician who serves their purposes every bit as well, sitting right in the chair of the President of the United States," page 287.

Mr. Speaker, probably the most alarming, yes, even nauseating report is to be found in the New York Times article of

September 23 where Ezra Taft Benson is asked directly by a reporter whether he agrees with Robert Welch's evaluation that President Dwight D. Eisenhower was "a dedicated, conscious agent of the Communist conspiracy."

The news account reports that Benson declined to say whether or not he agreed that President Eisenhower was a Communist. He did state that the President had supported him in "matters of agriculture" but said of the former President "in other areas we had differences."

The least Mr. Benson could have done is to have defended the patriotism of a loyal American President who had defended him through 8 stormy years as Secretary of Agriculture, a President who had defended him even when prominent congressional leaders and national political figures of his own party were demanding his discharge. It is difficult to comprehend how Ezra Taft Benson could now refuse to defend that courageous President against a charge that he was a "dedicated, conscious agent of the Communist conspiracy."

I am sure that Mormons and non-Mormons would have liked to have seen Ezra Taft Benson reply in no uncertain terms that he knew Dwight D. Eisenhower to be a man who had dedicated his life to serving his country and whose loyalty and integrity were above and beyond any reproach.

At the commencement of my speech I pointed out that this is a most difficult speech for me to make. It was just 14 years ago this month in the Latter-day Saints Church Office Building in Salt Lake City that I was ordained by Ezra Taft Benson prior to my 2 years service as a Mormon missionary. I was very proud as I held him in high esteem, he being one of the general authorities of the Latter-day Saints Church.

And, like most Mormons I was very proud when he was selected by President Eisenhower to be Secretary of Agriculture. Throughout the 8 years of the Eisenhower administration, even though it gradually became more apparent that I differed in some areas with Ezra Taft Benson on farm policy, I had the greatest admiration for him as an example of a dedicated leader of high moral principles and good judgment.

However, Mr. Speaker, when Ezra Taft Benson left his position as Secretary of Agriculture, if not before, he began to change. His speeches to general and other conferences of the Church of Jesus Christ of Latter-day Saints in many instances contained as many references to politics as they did to the Gospel of the Saviour.

It was only a short time later that he became a spokesman for the radical right of this Nation, assuming high office in at least one of them. Then began a series of public statements which in the absence of clarification could cause the church great damage among the thinking people of America.

I wish to point out that Mr. William Marion Jardine or Senator Clinton Anderson or Mr. Henry A. Wallace were able to speak as former Secretaries of Agriculture without the risk of their personal ideas being confused with the policy of their respective churches, for they did not hold high ecclesiastical office. This is not true as far as Ezra Taft Benson is concerned. In nearly every public appearance that he makes he is referred to as a member of the Council of 12 Apostles of the Church of Jesus Christ of Latter-day Saints. Thus, the impression is given to the American people that the Church of Jesus Christ of Latter-day Saints approves of the activities of the extreme right and the John Birch Society in particular. This is not true. The first presidency of the Mormon Church has issued a very clear statement on this matter which I should like to include at this point in the RECORD:

[From the Deseret News, Salt Lake City, January 1963]

CHURCH SETS POLICY ON BIRCH SOCIETY

The first presidency of the Church of Jesus Christ of Latter-day Saints Thursday issued a signed statement setting forth the stand of the church on "political questions in general and the John Birch Society in particular."

The statement is as follows:

"The following statement is made to correct the false statements and unwarranted assumptions regarding the position allegedly taken by the leaders of the church on political questions in general and the John Birch Society in particular.

"The church recognizes and protects the right of its members to express their personal political beliefs, but it reserves to itself the right to formulate and proclaim its own doctrine.

"We believe in a two-party system, and all our members are perfectly free to support the party of their choice.

"We deplore the presumption of some politicians, especially officers, coordinators and members of the John Birch Society, who undertake to aline the church or its leadership with their partisan views.

"We encourage our members to exercise the right of citizenship, to vote according to their own convictions, but no one should seek or pretend to have our approval of their adherence to any extremist ideologies.

"We denounce communism as being anti-Christian, anti-American, and the enemy of freedom, but we think they who pretend to fight it by casting aspersions on our elected officers or other fellow citizens do the anti-Communist cause a great disservice.

"We again urge our bishops, stake presidents, and other officers of the church to refuse all applications for the use of our chapels, cultural halls, or other meeting places for political meetings, money-raising propaganda, or to promote any person's political ambitions."

DAVID O. MCKAY,
HENRY P. MOYLE,
HUGH B. BROWN,
The First Presidency.

Unfortunately the above statement was issued as a result of increased activities by the John Birch Society in the State of Utah implicating the church. Reed Benson, the son of Ezra Taft Benson, had been employed as their paid coordinator in the State of Utah at the salary of some $12,000 a year. There was evidence according to observers that he was using Sacrament Meetings, M.I.A., firesides, and other church functions to promote the John Birch Society. A number of people who know the Bensons well feel that the father, Ezra Taft Benson, has a complete blindspot as far as his son Reed is concerned. Even if this is so, the father cannot escape responsibility for using his own high church office in an effort to support Reed in his position as a coordinator of the John Birch Society. The implications are far too serious. More than the Benson family is involved. A wrong impression of Latter-day Saints Church policy is being given to millions of citizens of this Nation and of the world by this lack of judgment and restraint.

However, the first presidency made it adequately clear in its policy statement that they deplored these activities and that no one "should seek or pretend to have our approval of their adherence to any extremist ideologies." "We denounce," they said, "communism as being anti-Christian, anti-American, and the enemy of freedom, but we think they who pretend to fight it by casting aspersions on our elected officers or other fellow citizens do the anti-Communist cause a great disservice."

Mr. Speaker, this policy statement by the first presidency of the Church of Jesus Christ of Latter-day Saints is clear and concise and definite. It is a great mystery to me how Ezra Benson and his son, Reed, or any Latter-day Saints Church member can go on lauding and promoting the John Birch Society in view of this statement. Would they have us believe that they really did not mean what they said in this statement of policy?

I believe that Latter-day Saints everywhere have an obligation to let the first presidency and the general authorities of the church know that they support their statement and that they object to Ezra Taft Benson utilizing his high church office, in what he may assume a subtle manner, for the promotion of an extremist ideology which casts aspersions on our elected officials and other fellow citizens and actually hinders the battle against communism.

Therefore, Mr. Speaker, I urge that Latter-day Saints, be they Republicans, Democrats, or independents, inform the first presidency of the disastrous effect Ezra Taft Benson's support of the John Birch Society is having on the long-established and well-earned reputation of the Church of Jesus Christ of Latter-day Saints for fairness, honor, and integrity.

Ezra Taft Benson's Birchist activities surely are not appreciated by President Eisenhower or by any responsible member of the Republican Party. Even Senator BARRY GOLDWATER, the most talked about conservative Republican candidate for the Presidency, has stated his disapproval and disavowal of Robert Welch, the man who Ezra Taft Benson calls "one of the greatest patriots in American history."

The time has come to set the record straight. Only if we, as members of the church, make it plain will Americans everywhere know that the Church of Jesus Christ of Latter-day Saints does not share Ezra Taft Benson's views on the John Birch Society and the extreme right.

Mr. ULLMAN. Mr. Speaker, will the gentleman yield?

Mr. HARDING. Yes; I will yield to the gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. I just want to commend the gentleman from Idaho for his courage and his integrity in coming here before the House of Representatives telling us what we need to hear, speaking the truth about an issue that is vitally important to America today. I want to say that I certainly concur in the remarks of the gentleman. I commend him for his courage, and I want to say that he is rendering not only his country a great service, but he is rendering a continuing great service to the wonderful district he serves in southern Idaho.

Mr. HARDING. I thank the gentleman for his kind remarks.

Mr. HANNA. Mr. Speaker, will the gentleman yield?

Mr. HARDING. I am most happy to yield to my colleague from California.

Mr. HANNA. As the gentleman from Idaho knows, I am privileged to belong to the same church as he does. I join in the remarks that he has just made. I have shared his concern over the issue to which he now addresses himself. It has seemed to me passing strange that within the ranks of the church which has placed so much emphasis upon the matter of choice that there should be at this time brought forth from a political platform an idea which in my estimation does less for the idea of choice than any other idea that has been promulgated in the last century. I certainly hope that the gentleman's remarks will be widely spread. I am sure they will find a spirit of understanding among many of his brethren who share the disturbed feeling he is expressing and one in which I also join.

I certainly commend the gentleman for speaking in this regard, and again let me say that I join in the remarks. Thank you.

Mr. HARDING. I thank my colleague.

PANAMA CANAL—IT MUST REMAIN AMERICAN

The SPEAKER pro tempore (Mr. LIBONATI). Under previous order of the House, the gentleman from South Carolina [Mr. DORN] is recognized for 15 minutes.

Mr. DORN. Mr. Speaker, one of the matters which Members of the Congress have watched with growing concern over a period of years has been the steady erosion of the treaty-based sovereignty of the United States over the Canal Zone territory and Panama Canal. Accomplished through the process of piecemeal liquidation of our rights, power, and authority over the canal enterprise, this deterioration is symbolized by the formal display of the Panama flag in the zone on the same basis as the flag of the United States in violation of law, treaty, and international usage.

These surrenders, some of surreptitious and other boldly open means, are recognized as a challenge to the people of the United States and the Congress. Leading in the effort to protect the vital interests of our country at Panama has been my distinguished colleague from Pennsylvania [Mr. FLOOD]. His scholarly and eloquent clarifications of the subject since 1957 in addresses before this body form a mass of authoritative information invaluable as source materials for those seeking enlightenment and have served to inspire many writers to present the subject to the Nation.

The latest contribution to the cumulating literature is a highly informative booklet by Dr. Charles Callan Tansill, distinguished historian in the field of American diplomatic history, which was published by the Committee on Pan American Policy of 60 E. 42d Street, New York 17, N.Y., of which Harold Lord Varney is president.

In view of the magnitude of the contributions of my distinguished colleague, the gentleman from Pennsylvania [Mr. FLOOD] in his numerous addresses on the canal question, it is indeed gratifying to note that the indicated article is dedicated to him as a "tireless fighter for American sovereignty in the Canal Zone."

Mr. Speaker, I am delighted that our great colleague DAN FLOOD has been so recognized for his tireless, superb, and gallant efforts to awaken this Congress and the American people to this grave threat to our sovereignty in the Canal Zone.

In order that Dr. Tansill's article may be suitably recorded in the permanent annals of the Congress and thus be made available to all concerned with interoceanic canal questions, especially editors, writers, and teachers; members of the legislative and executive branches of our Government; and the maritime interests that use the Panama Canal and have to pay transit tolls, I quote it as part of my remarks:

THE PANAMA CANAL—IT MUST REMAIN AMERICAN

(By Dr. Charles Callan Tansill)

(NOTE.—Dedicated to the tireless fighter for American sovereignty in the Canal Zone, DANIEL J. FLOOD, Member of Congress of Pennsylvania, and to the courageous group of Congressmen and Congresswomen who have stood beside him, in the face of all pressure, in his battle to bring the truth to the American people.)

1. THE PRESENT DANGER

In recent years there has been a determined drive by many international minded Americans to surrender U.S. sovereignty over the Panama Canal and place that strategic waterway under international control. In both the Eisenhower and the Kennedy administrations this maneuver has been encouraged by high-place Government leaders.

In the Kennedy administration there are ominous signs that Washington is preparing to go much further in the piecemeal surrender of American sovereignty. In the present temper of Washington, only the outraged protest of American-minded men and women will halt this policy of retreat.

Let us briefly examine the backgrounds of this present policy of scuttle and run in Panama.

The drive toward internationalizing the Panama Canal is a brazen expression of the deep-seated intent of the international-minded faction of Americans to sacrifice American interests for a world ideal.

President Wilson was one of the first advocates of this questionable ideal. One of his favorite slogans revealed his basic internationalist slant: "America, servant of the world." Prominent Democrats have often repeated different versions of this ideal.

President Truman drew definite inspiration from Woodrow Wilson although he was far below his intellectual level. Indeed, Harry had really a concrete mind—all mixed up and permanently set. His internationalism received muddled expression at times. This was particularly true of his remarks at the Potsdam Conference, July 23, 1945. In the biography of Truman by Jonathan Daniels, there is the following account of the President's remarks concerning internationalizing the Panama Canal: "I suggested that the Rhine, the Danube, the Black Sea Straits, the Suez Canal, the Panama Canal, and the Straits of Gibraltar, be made free waterways for international traffic. The United Nations would make charges to maintain them."

Eleven years later, when Soviet Russia intimated the advisability of an internationalized Panama Canal, Truman rushed into print to state that at Potsdam he had already expressed his approval of that very idea. Following this Presidential precedent, Adlai Stevenson, the two-time Democratic presidential candidate, during a visit to the Panama Canal after the election of Kennedy, remarked that "the logical future of the canal may be some form of internationalization." On June 25, 1962, Eleanor Roosevelt made the statement that "one way to unify the world" would be to place international waterways like the Panama Canal "under the control of the U.N."

In February 1955, some professors at Northwestern University prepared a report for a Senate subcommittee in which they suggested that the American Government should "regionalize" the Panama Canal by giving all the nations in the Western Hemisphere a voice in its management. This Senate subcommittee was headed by WAYNE MORSE whose viewpoint was in agreement with the statement of the professors.

The Panama Canal and national security

The propaganda to internationalize the Panama Canal has mainly issued from a very vocal minority that has been able to convert a minnow of thought into a whale of sound. The prevailing thought of the majority of the American people was forcefully expressed in the Progressive Republican platform of 1912. It is the voice of Theodore Roosevelt, the man who made the canal possible: "The Panama Canal, built and paid for by the American people, must be used primarily for their benefit."

Theodore Roosevelt's main purpose in building the Panama Canal was to strengthen the national security of the United States. As an important participant in the Spanish-American War he had been deeply interested in the successful outcome of that struggle. As a naval historian he was a firm believer in the significance of seapower as a determining factor in national strength and prosperity.

Since the publication in 1890 of Capt. Alfred T. Mahan's monumental book, the "Influence of Seapower Upon History," Roosevelt had a thorough understanding of the importance of seapower as a factor in the American national equation and he realized the outstanding significance of a canal that would connect the Atlantic and Pacific Oceans.

This new element in the situation was given real meaning by the outbreak of the Spanish-American War. In order to command success it was imperative that the United States rely upon a preponderance of seapower in Cuban waters. This would be possible only if the battleship *Oregon*, located at Puget Sound, could make the trip around the tip of South America and reach the vicinity of Havana in time to be of service.

As all America breathlessly followed the slow and painful progress of the *Oregon* toward a Cuban rendezvous, the idea of a transisthmian canal became uppermost in many American minds. Fortunately, the *Oregon* reached Cuban waters in time to participate in a decisive naval encounter with the Spanish fleet. Most Americans had received an object lesson in the importance of an Isthmian Canal as an adjunct of national defense. This lesson is as important today as it was in 1898. American national security definitely depends upon an operational Isthmian Canal.

In February 1960, Adm. James S. Russell, Vice Chief of Naval Operations, in testifying before a subcommittee of the House Foreign Affairs Committee, emphasized the fact that the greatest current threat to commerce on the sea in time of war "is the submarine fleet of Soviet Russia which today has a peacetime strength about equal to Hitler's maximum number of operational submarines at the height of World War II. To reinforce the Pacific antisubmarine forces off the California coast with a squadron of destroyers from the vicinity of the Virginia Capes would entail 21 days of steaming via the Straits of Magellan versus 8 days via the canal."

These strategic advantages of an Isthmian Canal seem obvious and they are stressed in an article in the American Legion magazine (March 1957, pp. 40ff.) by Maurice Ries: "The Panama Canal is our jugular vein, our lifeline. Cut it and the United States dies. Wrest it from our control and in matters of seaborne commerce and naval defense the U.S. east and west coasts again become, as once they were, months instead of days apart. Block it and our foreign commerce strangles."

2. A BRIEF HISTORY OF THE PANAMA CANAL

The Clayton-Bulwer Treaty (April 19, 1850): The Clayton-Bulwer Treaty was an ambiguous compromise between rival interests of the United States and Great Britain in Central America. For several centuries, statesmen in Europe had dreamed of the construction of a canal that would traverse one of the isthmuses in Central America. Problems of construction limited possibilities to three countries—Britain, France, and the United States. In 1850 the claims of two countries, Britain and the United States, were temporarily adjusted by the Clayton-Bulwer Treaty, April 19, 1850.

But the language of this treaty was so ambiguous that either party could stretch its elastic phrases to suit any interpretation that armed force could support. The two parties to the contract had apparently agreed never to fortify or to attempt to exercise exclusive control over this prospective canal. With reference to territorial ambitions the provisions of the treaty were purposely vague. This was particularly true of the claims of the British Government to control certain areas in the vicinity of the Panama Isthmus.

It was soon clear, however, that the treaty was decidedly unpopular in the United States and it remained so during many decades. In 1878, while American statesmen were debating what policy to pursue, a dynamic French promoter, Ferdinand de Lesseps, who had successfully pushed through the construction of the Suez Canal, transferred his interest to Panama. Heading a French company, he announced his plans to begin the construction of a Panama Canal. In the United States these plans of De Lesseps galvanized President Rutherford B. Hayes into action. In a vigorous message to Congress, March 8, 1880, the President declared that the proposed canal would be "virtually a part of the coastline of the United States" and that the policy of the United States should be a canal "under American control."

The French company was not deterred by this high-sounding Presidential rhetoric and in 1881 the construction of a canal was actually started although the project later bogged down with accumulating difficulties. No attempt was made by the United States to interfere with the French project. Instead, Congress chartered an American corporation, the Maritime Canal Co. of Nicaragua, to commence operations on a rival canal in Nicaragua. A long and involved diplomatic controversy ensued between Secretaries Blaine and Frelinghuysen and the British Foreign Office with reference to interpretations of the Clayton-Bulwer Treaty. But British interpretations grew more elastic and pro-American as Britain became increasingly involved in world politics and needed a certain measure of American support.

In the Far East the problem of British access to Chinese markets was solved by Secretary John Hay's famous open door note of September 6, 1899. A war between Britain and the Boer Republic stretched all the resources of British armed might and American friendship became a diplomatic imperative. The Alaska boundary dispute, 1899–1903, was a challenge that presented dangerous alternatives and was finally settled by an arbitral decision which many Canadians thought was dictated by British political pressures rather than by a strict legal interpretation of pertinent treaties.

The American Government took advantage of Britain's need for American support and pushed through on November 18, 1901, the second Hay-Pauncefoote Treaty. In accordance with American desires, the prohibition of fortification was not mentioned in the new treaty, nor was any provision made for the adherence of other powers to the treaty. Thanks to British recognition of the fact that American support was badly needed in the settlement of certain problems in world politics, the United States secured, in November 1901, a free hand in the construction and control of an isthmian canal.

M. Bunau-Varilla and William Nelson Cromwell prove to be master manipulators

William N. Cromwell and Philippe Bunau-Varilla were the real creators of the new state of Panama and the resultant Panama Canal. Cromwell was an astute lawyer who knew that a straight line is not always the shortest distance between two points. He was a master manipulator of devious combinations that always resulted to his advantage. He had a financial interest in the new French Canal Co., and so did some of his clients.

Philippe Bunau-Varilla had once been an engineer with French company, and he had not needed a slide rule to compute his many assets in the company. He was a man who had put his ample genius into his living and his talents into many kinds of manipulation.

One of his many manipulations was his successful effort to persuade the French Canal Co. to reduce the price of their assets in the uncompleted canal from $109 million to the modest sum of $40 million. He next induced Congress to favor the Panama route for an isthmian canal rather than the long-favored route through Nicaragua. It was not long before Secretary Hay signed on January 22, 1903, a treaty with Colombia for the construction of an isthmian canal through Panama.

Under this Hay-Herrán Treaty, the United States was to have for 100 years (renewable at its discretion) exclusive rights to construct, operate, and control a canal, and to use and control a zone across the isthmus 5 kilometers (about 3 miles) wide on either side of the canal, excluding the cities of Colon and Panama.

Colombian politicians fix their eyes upon the assets of the French Canal Co.

In Colombia, the Senate rejected the Hay-Herrán Treaty. The French Canal Co. concession would expire in October 1904. After this date, Colombia could take over the assets of the company and sell them to the United States for $40 million. This would mean a catastrophic loss to the owners of the holdings of the French Canal Co. among whom were Nelson Cromwell, many of his clients, and Bunau-Varilla. They would not take the loss of $40 million easily. At first, pressure was placed upon the Colombian Senate that had rejected the Hay-Herrán Treaty. President Theodore Roosevelt was particularly bitter in his comments upon the members of the Colombian Senate. They were denounced in many verbal assaults in which they were castigated as "contemptible little creatures," "jack rabbits" and finally "cat rabbits." Webster's dictionary does not contain the term "cat rabbits" but if such an animal exists it must be very repulsive.

Bunau-Varilla plots a revolution

Forty million is a lot of money and Bunau-Varilla was not inclined to accept such a financial loss. It was not a question about the loss of American rights to build a canal through the Isthmus of Panama. The only question at issue was the delay of a few months in starting the construction of a canal. The charter of the French company would expire in October 1904 and the Colombian Government could then take over the holdings of the company and sign a new treaty with the United States on very favorable terms. It also could then sell to the United States the holdings of the French Canal Co. for $40 million and make a handsome profit.

As the date, October 1904, drew nearer, Bunau-Varilla grew almost hysterical in his efforts to start a revolution in Panama, to have its new government secede from Colombia and conclude a treaty with the American Government. This new treaty would repeat the terms of the Hay-Herran Treaty.

There is no space to go into the details of the revolution successfully planned by Bunau-Varilla. Panama seceded according to schedule, was promptly recognized by President Roosevelt, and Secretary Hays recognized Bunau-Varilla as the first diplomatic representative of Panama. On November 18, 1903, he signed the Hay-Bunau-Varilla Treaty which was approved by the Senate, February 24, 1904. It was more favorable to the United States than the Hay-Herrán Treaty. Under the terms of article I, the United States guarantees and will maintain the independence of the Republic of Panama. The United States received in perpetuity the use, occupation, and control of a zone 10 miles wide instead of 6 and within its limits it could exercise all rights and authority that it would possess if its position were that of sovereign. The United States might employ its Armed Forces and construct fortifications to defend the canal. It was also permitted to insure the sanitation and maintain public order in the cities of Colón and Panama. The compensation to be paid to Panama was the same as that authorized in the Hay-Herrán Treaty, $10 million at once and $250,000 annually beginning after 9 years.

The transfer of the property of the French Canal Co. to the United States was effected on May 4, 1904. American construction of the canal proceeded according to schedule, and the "big ditch" was opened to the commerce of the world on August 15, 1914.

Compensation is finally given to Colombia for the loss of Panama

In 1914 Secretary Bryan signed a treaty in which regret was expressed that anything had occurred which had impaired the good relations between the United States and Colombia. The treaty was sharply criticized by former President Roosevelt as a species of blackmail and it did not receive the approval of the Senate. But after 1910, oil was discovered in Colombia in large quantities. If American operators expected any rich concessions their country would have to pay a price. In 1921 the Senate approved a treaty which gave Colombia the large sum of $25 million but which omitted any mention of apology.

3. U.S. SOVEREIGNTY OVER THE PANAMA CANAL ZONE

In recent years officials of the Republic of Panama have made many claims of "titular sovereignty" over the Panama Canal Zone. However, Secretary of State John Hay, who signed the original Panama Canal Treaty, specifically refused to admit this Panamanian claim. In 1923, Secretary Hughes declared that the United States "would never recede from the position it had taken from the note of Secretary Hay in 1904." On November 16, 1910, while attending a banquet given by the President of Panama in the capital city of that Republic, President Taft made a very clear statement as to American sovereignty over the zone: "We are here to construct, maintain, operate, and defend a world canal, which runs through the heart of your country, and you have given us the necessary sovereignty and jurisdiction over the part of your country occupied by that canal to enable us to do this effectively."

Taft had taken a deep interest in the construction of the Panama Canal while he was Secretary of War under President Theodore Roosevelt, and, in November 1904, he had signed an agreement with Panama whereby many questions of trade had been adjusted. But other questions of commerce between Panama and the United States arose and a new treaty or agreement was signed on July 28, 1926. This treaty was not ratified by the National Assembly of Panama so new negotiations took place which resulted in the Hull-Alfaro Treaty, March 2, 1936. Pending commercial difficulties were settled, an agreement was reached that Panamanians and Americans would be treated equally in the Canal Zone, and it was expressly recognized that the Canal Zone was the territory of the Republic of Panama under the jurisdiction of the United States. Thus the right of eminent domain on the part of the United States was surrendered.

World War II brought up the question of American bases in the Canal Zone for the protection of the canal. On May 18, 1942, an agreement was signed under whose terms Panama rented to the United States, for the war period, a tract of land to be used for the construction of military bases. After the conclusion of the war there was some disagreement about the continued use of these bases so they were abandoned by the American Government.

Certain political differences also required adjustment. The Eisenhower administration had adopted a Panamanian policy that was unfortunate and was not favorable to American interests. On January 25, 1955, a new treaty was signed between Panama and the United States which showed a weak, irresolute attitude on the part of the United States. The annuity was increased to the sum of $1,930,000; new taxation privileges were granted to the Government of Panama; new commercial arrangements were provided for, and one article of the treaty promised that properties owned by the United States within the Republic of Panama and valued at $25 million would be transferred to the Republic of Panama.

These valuable concessions of the Eisenhower administration merely whetted the appetites of Panamanians for a continuous flow of favors. Panama politicians got the idea that the United States was a "soft touch" and to show their contempt for the spineless policy of the United States, a mob of hoodlums, on May 2, 1958, raided the American Canal Zone and planted 70 Panamanian flags in conspicuous places. In addition, the Panama Government then extended the Republic's coastal waters to a 12-mile limit, thus closing the seaward end of the U.S. Canal Zone and compelling all ships using the canal to fly the Panama flag. The Panama Congress, in order to be as diputatious as possible, passed a law to the effect that all disputes arising out of this legislation should be adjudicated by an international court.

The Eisenhower administration helped these insolent Panamanians by intensifying propaganda for the repeal of the Connally reservation so as to make Americans subject to the findings of the World Court. Then, in order to make American surrenders as abject as possible, Ike came out and publicly favored the claim of Panama to sovereignty over the Canal Zone. In a statement issued on December 2, 1959, he declared that he believed that Panama should have some "visual evidence that she does have titular sovereignty over that region." Words to this effect had already been uttered by Livingston Merchant, Deputy Under Secretary of State, during a trip to Panama on November 24. The next step was an instruction by the Secretary of State to the effect that Panamanian flags were to be flown side by side with American flags in the Canal Zone. This instruction was in open defiance of the overwhelming vote, 381 to 12, in the House of Representatives against such action.

Communist infiltration of the Panama Canal Zone

The expulsion of the United States from the Panama Canal Zone has been an objective of the Communists ever since they took over the Government of Russia in 1917. The slogan to "Internationalize the Panama Canal" was first minted in Moscow, and has been actively implemented during several decades.

The deep Communist interest in the internationalizing of the canal was brought to light by Spruille Braden, who was Assistant Secretary of State, 1945–47. Alger Hiss was then in charge of Special Political Affairs in the Department. Braden discovered that Hiss had turned over official Canal Zone papers to the United Nations on the ground that the zone was "occupied territory" and hence under U.N. purview.

Apparently, the attack upon U.S. sovereignty over the zone had been planned by Moscow at that early date.

The retreat of the Eisenhower administration in Panama from a position of great strength to one of abject surrender can be variously explained. We will not attempt this task in the few remaining lines of this pamphlet, but it should be evident that the danger is immediate. In order to save the Panama Canal from Soviet intrigue or from the folly of hyphenated Americans who get their inspiration from Moscow, it is imperative that some action be taken at once to show unmistakably the American attitude toward this important waterway. The way is pointed out by Representative Daniel Flood, an ardent patriot and an expert on all phases of the Panama question. He warns that "unless Congress spells out exactly what their Panama position is," disaster lies ahead. Only "with the passage of the Clarence Cannon Concurrent Resolution 105 (now before the 88th Congress) can we demonstrate our opposition to the piecemeal liquidation of the U.S. sovereignty in the Canal Zone." This resolution demands that the American Government shall not in any manner "surrender to any other government or authority its ownership and protection of the Panama Canal."

The action of the Kennedy administration relative to this Cannon resolution is uncertain. Will it follow the Eisenhower administration and continue a policy of abject surrender to Panama's demands or will it be possible once more to voice the clear-cut American accents of Secretary Hay? The time for surrender is past. The uncertain international situation demands that the Kennedy administration follow a line of "America first" and take immediate action to insure our secure control over the Panama Canal from the viewpoint of an expanding commercial future and with special reference to its increasing importance as a bastion of American national defense.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Matsunaga, for the period commencing September 30 and ending October 9, 1963, on account of business requiring his presence in the State of Hawaii.

Mr. Tollefson, from September 26 to October 8, 1963, on account of official business.

Mr. Roosevelt, for the week of September 30, 1963, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Wickersham (at the request of Mr. Albert), for 15 minutes, today, to revise and extend his remarks and include extraneous matter.

Mr. Harding, for 1 hour, today.

Mr. Dorn, for 15 minutes, today, to revise and extend his remarks and to include extraneous matter.

Mr. Dulski (at the request of Mr. Hagan of Georgia), for 60 minutes, on Thursday, September 26, and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Zablocki.

Mr. Fino.

Mr. Alger the remarks he made in the Committee of the Whole today and to include certain extraneous material.

Mr. Mahon the remarks he made in Committee today and to include extraneous matter.

Mr. Boggs.

(The following Members (at the request of Mr. Bromwell) and to include extraneous matter:)

Mr. Grover.

Mr. McLoskey.

Mr. Lipscomb.

Mr. Quie in two instances.

(The following Members (at the request of Mr. Hagan of Georgia) and to include extraneous matter:)

Mr. McFall in two instances.

Mr. Rivers of South Carolina.

Mr. Fallon.

Mr. Boland.

Mr. Feighan (at the request of Mr. Senner) and to include extraneous matter.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 8100. An act to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended

Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes.

ADJOURNMENT

Mr. SENNER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 43 minutes p.m.) the House adjourned until tomorrow, Thursday, September 26, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1236. Under clause 2 of rule XXIV, a letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions which this Service has approved according the beneficiaries of such petitions first-preference classification, pursuant to the Immigration and Nationality Act, as amended, was taken from the Speaker's table and referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PATMAN: Committee on Banking and Currency. H.R. 3488. A bill to provide for the striking of medals in commemoration of the 150th anniversary of the statehood of the State of Indiana; without amendment (Rept. No. 766). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. H.R. 7193. A bill to provide for the striking of medals in commemoration of the 50th anniversary of the founding of the first union health center in the United States by the International Ladies' Garment Workers' Union; with amendment (Rept. No. 767). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. S. 743. An act to furnish to the Padre Junipero Serra 250th Anniversary Association medals in commemoration of this 250th anniversary of his birth; without amendment (Rept. No. 768). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. S. 879. An act to provide for the striking of medals in commemoration of the 150th anniversary of the building of Perry's fleet and the Battle of Lake Erie; without amendment (Rept. No. 769). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee on Banking and Currency. S. 1125. An act to provide for the striking of medals in commemoration of the 100th anniversary of the admission of Nevada to statehood; without amendment (Rept. No. 770). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 1959. A bill to authorize the transportation of privately owned motor vehicles of Government employees assigned to duty in Alaska; with amendment (Rept. No. 771). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. H.R. 4460. A bill to amend section 7 of the Administrative Expenses Act of 1946, as amended; without amendment (Rept. No. 772). Referred to the Committee of the Whole House on the State of the Union.

Mr. RIVERS of South Carolina: Committee of Conference. H.R. 5555. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes. (Rept. No. 773). Ordered to be printed.

Mr. FOGARTY: Committee of Conference. H.R. 5888. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes. (Rept. No. 774). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H.R. 8557. A bill to provide for the redesigning of the 5-cent George Washington regular postage stamp so as to incorporate George Washington's immortal words "to bigotry no sanction"; to the Committee on Post Office and Civil Service.

By Mr. BROWN of California:

H.R. 8558. A bill to provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the "Administration of Aging"; to the Committee on Education and Labor.

H.R. 8559. A bill to amend the Internal Revenue Code of 1954 to reduce from 65 to 62 the age at which a taxpayer is entitled to an additional personal exemption because of his age or that of his spouse; to the Committee on Ways and Means.

By Mr. HAGEN of California:

H.R. 8560. A bill to amend title VII of the Public Health Service Act so as to extend to qualified schools of optometry and students of optometry those provisions thereof relating to student loan programs; to the Committee on Interstate and Foreign Commerce.

By Mr. HENDERSON:

H.R. 8561. A bill to amend section 113(a) of title 28, United States Code, to provide that Federal district court for the Eastern District of North Carolina shall be held at Clinton; to the Committee on the Judiciary.

By Mr. ROGERS of Texas:

H.R. 8562. A bill to amend title VII of the Public Health Service Act so as to extend to qualified schools of optometry and students of optometry those provisions thereof relating to student loan programs; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMPSON of Texas:

H.R. 8563. A bill to create the Interoceanic Canals Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. TUCK:

H.R. 8564. A bill to provide punishment for misbehavior before congressional committees; to the Committee on the Judiciary.

By Mr. WICKERSHAM:

H.R. 8565. A bill to insure due process in the case of certain administrative actions involving military personnel; to the Committee on Armed Services.

H.R. 8566. A bill to broaden the constitutional protection against double jeopardy in the case of military personnel; to the Committee on Armed Services.

H.R. 8567. A bill to more effectively protect certain constitutional rights accorded military personnel; to the Committee on Armed Services.

H.R. 8568. A bill to provide additional constitutional protection in certain cases to members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

H.R. 8569. A bill to protect the constitutional rights of military personnel by insuring their right to be represented by qualified counsel in certain cases, and for other purposes; to the Committee on Armed Services.

H.R. 8570. A bill to provide additional constitutional protection for members of the Armed Forces by establishing courts of military review, and for other purposes; to the Committee on Armed Services.

H.R. 8571. A bill to further insure to military personnel certain due process protection by providing for military judges to be detailed to all general courts-martial, and for other purposes; to the Committee on Armed Services.

H.R. 8572. A bill to implement the constitutional rights of military personnel by providing appellate review of certain administrative board decisions, and for other purposes; to the Committee on Armed Services.

H.R. 8573. A bill to insure to military personnel certain basic constitutional rights by prohibiting command influence in courts-martial cases and in certain nonjudicial proceedings, and for other purposes; to the Committee on Armed Services.

H.R. 8574. A bill to protect the constitutional rights of military personnel by increasing the period within which such personnel may petition for a new trial by court-martial, and for other purposes; to the Committee on Armed Services.

H.R. 8575. A bill to further insure due process in the administration of military justice in the Department of the Navy by establishing a Judge Advocate General's Corps in such department; to the Committee on Armed Services.

H.R. 8576. A bill to amend chapter 47 (Uniform Code of Military Justice) of title 10, United States Code, so as to provide additional constitutional protection in trials by courts-martial; to the Committee on Armed Services.

H.R. 8577. A bill to afford military personnel due process in court-martial cases involving minor offenses, to insure the right of counsel in such cases, and for other purposes; to the Committee on Armed Services.

H.R. 8578. A bill to further insure the fair and independent review of court-martial cases by prohibiting any member of a board of review from rating the effectiveness of another member of a board of review, and for other purposes; to the Committee on Armed Services.

H.R. 8579. A bill to protect the constitutional rights of military personnel by providing an independent forum to review and correct the military records of members and former members of the Armed Forces, and for other purposes; to the Committee on Armed Services.

H.R. 8580. A bill to amend chapter 47 (Uniform Code of Military Justice) so as to assure the constitutional rights of confrontation and compulsory process by providing for the mandatory appearance of witnesses and the production of evidence before certain boards and officers, and for other purposes; to the Committee on Armed Services.

H.R. 8581. A bill to provide for compliance with constitutional requirements in the trials of persons who, while accompanying the Armed Forces outside the United States, commit certain offenses against the United States; to the Committee on Armed Services.

H.R. 8582. A bill to provide for compliance with constitutional requirements in the trials of persons who are charged with having committed certain offenses while subject to trial by court-martial, who have not been tried for such offenses, and who are no longer subject to trial by court-martial; to the Committee on Armed Services.

By Mr. WILLIAMS:

H.R. 8583. A bill to extend the time for making grants under the Federal Airport Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GARMATZ:

H.R. 8584. A bill to amend the Internal Revenue Code of 1954 to provide that the documentary stamp tax shall not apply with respect to any acquisition of realty through condemnation by a State or political subdivision thereof; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 8585. A bill to authorize a 5-year program of grants for construction of veterinary medical education facilities, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BAKER:

H.R. 8586. A bill to amend title VII of the Public Health Service Act so as to extend qualified schools of optometry and students of optometry those provisions thereof relating to student loan programs; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER:

H.R. 8587. A bill to establish an Office of Consumers in order to secure within the Federal Government effective representation of the economic interests of consumers; to act as a central clearinghouse in Government for consumer complaints; to disseminate information to consumers; and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CAMERON:

H.R. 8588. A bill to amend title VII of the Public Health Service Act so as to extend to qualified schools of optometry and students of optometry those provisions thereof relating to student loan programs; to the Committee on Interstate and Foreign Commerce.

By Mr. KILGORE:

H.R. 8589. A bill to amend section 312 of the Immigration and Naturalization Act; to the Committee on the Judiciary.

By Mr. SCHENCK:

H.R. 8590. A bill to incorporate the National Aviation Hall of Fame; to the Committee on the Judiciary.

By Mr. JARMAN:

H.R. 8591. A bill to amend section 356 of the Communications Act of 1934, to permit cargo ships on voyages between Hawaiian ports to carry radiotelephones in lieu of radiotelegraph installations; to the Committee on Interstate and Foreign Commerce.

By Mrs. REID of Illinois:

H.J. Res. 755. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. LESINSKI:

H. Res. 530. Resolution to provide for the placement of a memorial tablet in the U.S. Capitol in honor of the troops quartered in the Capitol during the Civil War; to the Committee on House Administration.

By Mr. ST GERMAIN:

H. Res. 531. Resolution providing an additional allowance for telephone and telegraph service for Members of the House of Representatives; to the Committee on House Administration.

H. Res. 532. Resolution to provide additional postage for Members of the House of Representatives; to the Committee on House Administration.

H. Res. 533. Resolution providing an additional stationery allowance for Members of the House of Representatives; to the Committee on House Administration.

By Mr. HARRIS:

H. Res. 535. Resolution to grant certain travel authority to the Committee on Interstate and Foreign Commerce; to the Committee on Rules.

By Mr. COOLEY:

H. Res. 536. Resolution to grant additional travel authority to the Committee on Agriculture; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mrs. FRANCES P. BOLTON:

H.R. 8592. A bill for the relief of Helene Bleier; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 8593. A bill for the relief of Leonetta Matteucci; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 8594. A bill for the relief of David Wajsblat; to the Committee on the Judiciary.

By Mr. LANKFORD:

H.R. 8595. A bill for the relief of David Haber; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 8596. A bill for the relief of Patrick J. Clyne; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 8597. A bill for the relief of Heidegunde Leitner; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H.R. 8598. A bill for the relief of Dr. Narciso C. Bauzon; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Mayor Joseph E. Brune

EXTENSION OF REMARKS
OF
HON. JAMES R. GROVER, JR.
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 25, 1963

Mr. GROVER. Mr. Speaker, the town of Oyster Bay in New York State has produced distinguished public servants over the years, leading them on the national scene such greats as Teddy Roosevelt and Leonard Hall.

But too often unheralded and unsung are those who give of their head and heart for community betterment on our local government levels. I am honored to bring to the attention of the House one of these fine men.

The mayor of Farmingdale, in Oyster Bay Town, N.Y., Joseph E. Brune, after 6 years as mayor, has announced his retirement from office. This has been caused by a recent severe illness, and his leaving active local government administration is a loss to all who advocate good government.

Mayor Brune, a lifelong resident of Farmingdale, has been an imaginative leader of the highest order. He has known what was needed for his area and has had the perseverance to see projects through to their logical conclusion. He, at all times, has been a most articulate spokesman for progressive government with responsible fiscal administration. In this day of ever increasing problems in local government, it has always been a source of satisfaction to know that a gentleman of his capabilities was willing to give his time to local government.

There are many who only desire to participate in the State or higher levels of government; but in reality, one of the truly tremendous requirements of our country will always be to have men of good will, such as Mayor Brune, actively participate on the community level.

While his decision to retire is completely understandable, the fact remains that local government administration has truly lost one of its finest proponents.

Bulgarian Fight for Freedom, Independence, and Democracy Day

EXTENSION OF REMARKS
OF
HON. CLEMENT J. ZABLOCKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, September 25, 1963

Mr. ZABLOCKI. Mr. Speaker, September 23 was proclaimed Bulgarian National Day of the fight for freedom, independence, and democracy by the Bulgarian National Committee.

It commemorated the day in 1947 when Nikola Petkov was hanged because of his leadership of democratic opposition to the Communist regime in the Bulgarian Parliament.

Perhaps more than any other, that date signifies the final destruction of those few vestiges of freedom, independence, and democracy which remained in Bulgaria after its occupation by the troops of the Soviet Union.

Since that time the liberty-loving people of Bulgaria have suffered in their yoke of servitude to the masters of the Kremlin. Justice demands the restoration of the fundamental freedoms and basic human rights to the people of Bulgaria and to the people of the other captive nations.

Today it appears that the United States and the Soviet Union are seeking new areas of cooperation and agreement. As long as these efforts do not compromise our national security or position of world leadership, they are to be encouraged.

At the same time, however, these agreements cannot be concluded in a vacuum. They must be tested against the willingness of the Soviet Union to live up to its pact agreements—especially those which deal with the fundamental freedoms and basic rights of the peoples of the captive nations.

It is my belief, therefore, that before our Nation makes further exploratory moves toward agreement with the Soviet Union, we should insist that the Soviets live up to their pledge—and I quote—"to solve by democratic means their pressing political and economic problems and to create democratic institutions of their own choice."

In the past few years, political and economic forces have worked to ease the burden placed on Bulgaria and the other Eastern satellite states by the Soviet Union. But the change has been very slow and could be reversed at Russia's whim.

It is time for the Soviet Union to recall that it once affirmed—and I again quote—"the right of all people to choose the form of government under which they will live."

It is my belief, Mr. Speaker, that as reasonable people, we cannot make new agreements or find new areas of cooperation without demanding that the Soviet Union make good its promises with regard to the Eastern European nations and end the domination of their peoples.

As a first step in demonstrating to the world its good faith and good will, I suggest that Russia take immediate steps to withdraw its troops garrisoned in Eastern Europe, particularly those in Poland and Hungary.

This action, followed by others in the economic and political spheres, would be a true demonstration on the part of the Soviet Union that it desires peace and an end to cold war tensions.

As we mark the occasion of the fight for freedom, independence, and democracy of Bulgaria, let us reaffirm the right of all the captive peoples to live under governments of their own choice and urge the President of the United States to continue to pursue energetically those goals in any future negotiations with the leaders of the Soviet Union.

Labor Beware

EXTENSION OF REMARKS

OF

HON. ROBERT T. McLOSKEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1963

Mr. McLOSKEY. Mr. Speaker, it ought to be brought to the attention of the American people that the administration's civil rights bill contains a provision that can dynamite the labor movement.

I am referring to title VI and title VII of H.R. 7152 and S. 1731. These titles would set up a Commission "to prevent discrimination against employees or applicants for employment because of race, color, religion, or national origin by Government contractors and subcontractors, and by contractors and subcontractors participating in programs or activities in which direct or indirect financial assistance by the U.S. Government is provided by way of grant, contract, loan, insurance, guaranty, or otherwise." These titles grant the power to cancel contracts, to blacklist, to withhold or foreclose Government-insured loans and to enforce a myriad of other penalties.

If the Government is granted this sweeping authority, the effect upon the union movement will be profound. Indeed, it most assuredly will alter the organic structure of American trade unionism in every State in the Nation.

Many unions, notably those in the construction industry, building trades, highly skilled crafts, and the railroad brotherhoods, maintain racially segregated locals as a matter of choice and the significance of this proposal is readily apparent to them. But I would raise a flag of caution against complacency among union members as it applies to those unions which already are integrated. Integration, under the Civil Rights Act of 1963 will no longer be enough. The word, today, is "balance." Unless there is an arithmetically balanced racial and religious mix, under this bill, even integrated unions that heretofore have prided themselves on their tolerance would be in violation of this statute as certainly as all-white unions. For, under this bill, every local must attain racial and religious balance at all levels and in all categories, and if this means seniority rules would have to be ignored to obtain the proper mix, then they would have to be ignored. Needless to say, everything that applies to unions applies equally to their apprenticeship training programs.

To be sure, title VII does not specify "racial or religious imbalance" as it applies to labor unions but the term is used significantly in other parts of the bill; eight times in one short section of it, as a matter of fact—"imbalance" is the heart of the bill.

That "imbalance" and "discrimination" are synonymous, so far as this bill is concerned, may be determined by reading a few pages of the Commission on Civil Rights Employment Report—"Employment, Part 3, 1961, U.S. Commission on Civil Rights Report," pages 25–37—and upon examining the conclusions drawn from statistics on the ratio of Negro employment to white employment. The evidence is clear. So far as the people who would administer the proposed bill are concerned, "racial imbalance" constitutes conclusive evidence of discrimination and title VII says there shall be no discrimination. Therefore, there must be racial balance within a local else, ipso facto, that local is guilty of discrimination.

Under this bill, then, it will not be enough to hire qualified union members as they present themselves, in order, one-by-one, at the hiring hall. If the local finds it cannot balance, racially and religiously, the skilled craftsmen needed, the hiring hall must actively recruit—go out and get—such craftsmen as "balance" may demand, even though paid-up union members of another race sit without work. Such is the sense of this section.

This applies to all labor, equally, to carpenters, to pipe fitters, to plasterers, to painters, to roofers, to truck drivers—wherever and however a union man works for a living.

Under this act, Mr. Speaker, it seems clear, then, the union movement's time-honored system of seniority will be destroyed.

For those who think this is an extreme or unfair interpretation of what title VII would require, let me read to you just how broad is the authority given by the bill:

> The Commission shall have such powers to effectuate the purpose of this title as may be conferred upon it by the President.

Such authority, Mr. Speaker, is total authority.

That such a constriction of personal liberty is unconstitutional seems to be self-evident, especially in light of the famed sick chicken case—*U.S.* v. *Schecter Poultry Corp.*, 295 U.S. 495—and the Panama refining case—*Panama Refining Co.* v. *Ryan*, 293 U.S. 388.

But in today's emotionally charged atmosphere, a person can never be sure. What the court held to be unconstitutional, yesterday, may no longer hold. And that is the primary reason why I would call attention to the significance of this bill to those who are most closely allied with the union movement. Under it the seniority system would be destroyed.

Argentine University Honors Stockton, Calif., Resident

EXTENSION OF REMARKS

OF

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1963

Mr. McFALL. Mr. Speaker, in November of this year, in Buenos Aires, Argentina, Ward College will celebrate its 50th anniversary and will simultaneously inaugurate four new buildings on its campus. They will consist of a chapel, library, laboratory, and auditorium. The complex will be known as Aden Center.

This will be in direct homage to Dr. Fred Aden, an American educator who for 35 years was its president.

Dr. and Mrs. Aden, now residents of Stockton, Calif., in the 15th Congressional District, have been invited as guests of the college to be present at the ceremony. They are planning to attend.

Ward College is an interdenominational institution founded in 1913 by the Board of Foreign Missions of the Methodist Church. The college is modeled after a typical American campus and American principles and standards are employed in the education of Argentine youth, as well as the many foreign students enrolled.

When Dr. Aden, with his wife, left California in 1917 to take a position as business manager at Ward College, the school was barely 4 years old and the students numbered under 50. In 1921 he was made president of the institution, a post he held until his retirement in 1955. Due to his vision, faith, and dedicated labors, Ward College is now housed in modern buildings located on a beautiful

30-acre campus, with a student body numbering well over 2,000.

Dr. Aden is listed in the "Who's Who" of Argentina; he is a past master of the Columbia Lodge of Masons in Buenos Aires, and is a founding member of the Argentine North American University Association.

Among honors held by Dr. Aden are: an honorary doctorate in pedagogy awarded by USC in 1931; and an LL.D. conferred by Occidental College of Los Angeles in 1946. His most coveted award is the "American Award for 1954" which was presented to him at the Rio de Janeiro Inter-American Press Association meeting for his outstanding contribution to better understanding among all nations of the Americas.

It has been said that Mr. Aden not only has helped to educate youth but also to stimulate closer Argentine and American friendship. When he left his post in Argentina, tributes were paid to the educator by hundreds of Americans and thousands of Argentines.

A native of Nebraska, Dr. Aden graduated from the University of Southern California where he met his future wife, Meda, a most essential partner in his interesting career. They have five children who were all born and reared in Buenos Aires.

Notwithstanding their deep affection for Argentina and Ward College, Dr. and Mrs. Aden have always considered California as their home.

No. 9—Delaware: The Gamblers' Paradise

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1963

Mr. FINO. Mr. Speaker, today I would like to tell the Members of this House, more particularly the congressional delegation from the State of Delaware, about the little State that is a big State for gamblers. And of how the moralist contingent have helped make Delaware a haven for the gamblers.

No State in the Union exceeds Delaware in per capita legal betting on the horses. Nearly $100 million was wagered at the racetracks of Delaware last year. This made this little State the 10th ranking in parimutuel betting which helped the coffers of its treasury to the tune of almost $4½ million in 1962.

Delaware's share of the total national off-track betting figure last year was $125 million. The actual figure is probably much higher. However, off-track betting is acknowledged to account for only one-half of the moneys illegally gambled throughout the country, so uncontrolled gambling in Delaware exceeds a quarter of a billion dollars a year.

This kind of money, Mr. Speaker, is enough to adequately finance the crime syndicates when we consider that 10 percent of the gross turnover remains in the underworld hands. With this money, law enforcement is corrupted and various other illegal activities are financed.

In Delaware, as elsewhere in the Nation, the continued lack of Government recognition and regulation of the gambling urge has played right into the hands of the underworld. There is no question that legalized gambling would substantially cut into the bankroll of crime. Parimutuel betting is only a tiny halfstep away from the hypocrisy that has characterized political attitudes toward gambling in the United States. The establishment of a national lottery would be a great stride toward both social and financial sanity.

Text of Speech by Senator Barry Goldwater

EXTENSION OF REMARKS

OF

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1963

Mr. LIPSCOMB. Mr. Speaker, on September 16, 1963, Senator BARRY GOLDWATER spoke to an enthusiastic gathering at a rally held at Dodger Stadium in Los Angeles.

The message he brought to the people contains many astute and pertinent observations concerning this land of ours and our Government.

Under leave to extend my remarks I submit for inclusion in the RECORD the text of Senator GOLDWATER's address:

TEXT OF A SPEECH BY SENATOR BARRY GOLDWATER, OF ARIZONA, BEFORE A REPUBLICAN RALLY, DODGER STADIUM, LOS ANGELES, CALIF., SEPTEMBER 16, 1963

I want to talk to you about the 1964 elections. Does the subject interest you?

America needs a change. Freedom needs a chance. Rocking-chair leadership isn't enough. Holding the line, preserving the status quo isn't enough. Big talk and little actions aren't enough. A frontier full of oxcart philosophies isn't enough. This is 20th century America, not the old deal America of the 1930's.

The change we need desperately is a Republican President and a Republican Congress in 1964. We need an administration to serve all the people and not just the big political machines. We need an administration to stand up for America all over the world—to work for freedom all over the world. We need a Republican administration to draw together the real will and the real needs of this Nation. Pie-in-the-sky for a few isn't enough. Self-respect and opportunity here and now are what Americans want. Not promises, but performance. Not handouts, but jobs. Not a government that takes and takes, but a government that works and works—with the people, never over the people.

We consent to be governed in this great Nation. We do not elect to be ruled.

This is what most Americans mean when they say freedom. They want this to be what their Government means. We want this to be what the Republican Party means. I say it is what the Republican Party means.

This is a party of principle, not the captive of a clan or cult of personality. The Republican Party does not stand for just one man or one family; it stands for all free men and all their families. This is not a party controlled by any one man's money. It is a party controlled by principle.

The Republican Party believes in the people of America. It believes they can use the strength and the brains that God gave them to handle their own affairs. It believes that when they need help it should be the help that neighbor gives neighbor—not the soup kitchen solutions that big brother gives to his poor relations.

The Republican Party believes that government is the servant, not the master. That the job you have and hold, that the money you earn and save or spend is the first order of business—and that government's job is to preserve those things, not take them over.

The Republican Party believes that this is a nation of 50 great States, united in dedication to 1 great Constitution. The Republican Party believes that the representatives of those great States, in the Congress, are the key to freedom, not a barrier to it. The Republican Party believes in an executive branch that is an equal partner, not a ruthless boss; in a judicial branch that also is equal and independent, that interprets laws but does not make them.

The Republican Party believes that the security of the United States in a troubled world is a shield for freedom everywhere and the prime target of the enemies of freedom. Our party believes that the strength of that shield is the main deterrent to war. It rejects the notion that such strength is the cause of tension in the world. It rejects the notion that the way to peace is through negotiated weakness.

The Republican Party does not believe that peace with justice is possible in a world half slave and half free. And it does not believe that communism can mellow into friendship with freedom short of becoming an open society. Until it does, it remains a slave society and an enemy of freedom.

I believe in those principles. I think that most Americans do. Now they need the opportunity to put belief into action. The way we do that in America is via the ballot box.

Some people say that I oversimplify complicated issues. They want complexity. I want understanding. And particularly I want understanding, in our great political party, of a fact that should be simplified.

The way to win an election is to get more votes. And those votes must come from the people, from all people, in all sections of the country and in all walks of life.

The Republican Party must not be the captive of any single section of this country. The Republican Party must not be the captive of any single economic bloc. The Republican Party must not be the captive of any single social faction. The Republican Party must not be the captive of any single personality.

But above all, the Republican Party must not be the captive of the Democrat Party. It must not be the captive of Democrat theories and programs.

The only people I want to see capture the Republican Party are the American people. And I want to see the Republican Party, in turn, capture the imagination, the mood, and the spirit of the American people. In 1964, I want to see the Republican Party win the White House and win the Congress of the people of these United States.

Let our party always keep in mind that a presidential year brings two great elections, not just one. The election of Senators and Representatives, of State officials and legislators, of local officials is an election of equal importance. Republicans do not believe that the White House is the only symbol of the American political process. The Capitol, the State houses, the town hall are equal partners in the process. It's time they were treated as though they are. And they are in the Republican Party. Republicans do not want this Nation run from a rocking chair. They want it served, not bossed, by all the seats of government—National, State and local. Our sights must be set on that sort of victory in 1964.

We can't be the party of victory if we insist on talking like the party of defeat. I have heard, until I am sick of it, all of the advice about how we can lose the election in 1964. Now I want to hear how we can win. I believe we can.

There seem to be many in the Republican Party who have decided how we can lose. They say that the Republican Party must write off the largest blocs of potential votes. They keep wanting to read people out of the party. We hear them say nothing as to leading people into the party. They are preoccupied by whom should be kept out, but seldom with whom should be brought in.

These practitioners of defeat and advocates of political suicide, these political isolationists, are suffering from a purge complex. They want to purge the party until no one is left but them and thee—and they aren't so sure of thee.

This purge complex is characteristic not of free societies but of totalitarian societies. The splintering of parties into ever smaller factions, each with its own cherished idols and images and private fantasies, is not characteristic of American political life. The genius of American political life has been its ability to resolve differences and permit the largest possible numbers of people to work together for common goals even though they hold varied views of the best way to achieve those goals.

Should we abandon this American genius now and return to systems of splintered factions and warring classes? I say, no, and I say that the principles of the Republican Party demand that the answer be no.

The party bent on purges becomes a party warped by witch hunts. It spends more time looking for heresy than in proclaiming principles.

The poet, Edwin Markham, apparently knew more about this than some of our supposedly smart politicians. Here is a verse of his that could become a set of marching orders for a truly American party, the Republican Party:

> "He drew a circle that shut me out—
> Heretic, rebel, a thing to flout.
> But love and I had the wit to win:
> We drew a circle that took him in."

Let's draw a great circle of principle for all Americans. Let's take it to them in 1964 and let's draw in a smashing Republican victory, an inspiring American victory.

We have suffered too long under the delusion that the way to write a party platform is simply to add 25 more pages of program detail and promises. This dreary practice in political pitchmanship does not help the cause of principled unity. Rather, it transfers the vigor of our principles into wild debates over details. It builds the sort of house of trick cards that the opposition party is fond of building. Their platform in the past campaign was a gingerbread monstrosity of programs and promises guided only by the principle of offering a little something to every one of the warring factions of which their party is built.

We can do better than that. We must do better than that.

We seek unity but not conformity. We seek unity of principle but diversity of accomplishment. Let our party's statement of principle in 1964, therefore, spell out the principles and then let the Congress, the people, and the Executive working hand in hand, not fist to fist, get on with the job of hammering out the details in the proper forum and in the proper process.

The Republican Party already is a great union of strengths, American strengths. The rugged, restless strength of the growing West—the rock-solid strength of the Midwest heartland—the tall-timber greatness of the Northwest—the busy, bustling strength of the North and the East—the proud, proven strength of the South. As a party of unity, not of exclusion, we must give those strengths principles that match their stature, not sugar candy programs to tempt their weaknesses.

Does this mean that absolutely everyone is welcome in the Republican Party? That we draw no lines, or ask no questions? Of course not. We do not welcome anyone in this party who is not dedicated to America and to America's constitutional order. But we welcome all who, despite differing ideas at other levels, would support that Constitution, strengthen its meaning, and serve its spirit. We offer a party of opportunity to do just that. We offer no narrow, self-seeking doctrines that say you must walk thusly, talk thusly, think just so, wear just this color tie, or any tie at all—no, we offer the broad sweep of American destiny and greatness. We offer the chance to work for principle, and we reject the endless chattering of those who say, "do it my way or I won't play."

Listen on one hand and you hear that we should write off the votes of union members. Why? Because we have stood for integrity and honesty in labor unions? Of course not. That's what decent union members stand for. And many of them see, in the Republican Party, principles for which they can work. This party does not reject progress and fear change; it seeks to unchain progress so that the machines of today can create the jobs of tomorrow.

Is it the Republican Party that has hit hardest at the rewards for honest labor? No. The New Frontier, with its commitment to the notion that ordinary men and women cannot be trusted to spend their own wages, the New Frontier with its reflexive recourse to regulation and coercion has been the enemy of honest wages, honestly held and honestly spent. No. The Republican Party does not write off the votes of union members. It does not write off the hopes of union members. It knows that prosperity comes from busy factories and busy offices, not from swollen bureaus in Washington—and union members know that, too.

Listen on another hand and you hear that we should write off the votes of Negro citizens. Why? Because we always have stood for the principle that a man should be free to make his way to the limits of his ability regardless of race, creed or color? Of course not. It is not the Republican Party that has bred racial discontent in this land. It is not the Republican Party that has dealt mortal blows to the progress that was being made between men of good will who know that the point of a bayonet can kill the point of a principle. It is not the Republican Party that has played politics with prejudice. Write off the votes of Negro citizens? Not at all.

Listen on the other hand and you hear that we should write off the votes of citizens of this or that religion. Why? Are there not all religions in our party? Is there a different God for New Frontiersmen and a different one for Republicans? Of course not.

But listen also and you hear the unmistakable portents of a campaign in which smear and invective, violence and vitriol will be used freely to batter and smash at Republican hopes—to divide and conquer.

We may well be moving toward the most vicious campaign of opposition since the War Between the States. But we must not be moved by the threat. We must move forward instead, armored by principle and powered by unity.

Are there no votes we must write off? How about the big-city political machines whose votes are ground out like sausages? Our hopes may be low there. But I cannot believe that the citizens of those great cities will forever be content to march to the orders of the political boss. Some will rebel. Every election some rebel. When they do, where can they go? They can go to the party that has not sold out to the political bosses, the Republican Party.

Here in Los Angeles you know who the big daddies are.

Talk of parties that have become captive. What about the Democratic Party? What about a party that is chained to the big-city machines on one side and chained to the far-left theorists on the other side? What about a party whose big men think it's cute to lock legislators in the State capitol while at the same time its young men are voting to unlock Red China?

The Republican Party is not captive to such extremism. No one in its leadership is or will be captive to such extremism.

Surely there is a battle for us to fight against our opposition, against the corruption of the machines, against the conniptions of the theorists.

That is the battle to which we should turn our big guns. Why waste our time and spend our ammunition aiming those guns at our own heads?

Those in our party who would win their own little skirmishes while losing the war are committed to a form of political suicide. Do it my way, they say, or I will slit your throat. They will only kill all our chances.

Let me put it bluntly. I am a Republican. I believe in this party and its principles. I want to see Republicans win in the coming elections. I will support Republican candidates for office wherever and whenever I can.

Anyone who hangs back, anyone who says he will support only those whom he has chosen, anyone who says that only his credentials are to be honored, only his faction fought for—anyone who says those things is not working for the Republican Party.

He is working against it. Anyone who says that the Republican Party must be the exclusive party of any section or faction, who will not embrace the entire Nation in his thinking, in his hopes, in his principles is not working for a stronger America, he is working for weakened America—shorn of the greatness that a two-party system has given it.

Let's not say that our party looks one way when viewed from the skyscrapers of the East and another way from the sweeping horizons of the West. Let's not say that our party looks one way when viewed from the fields and factories of the South and another way when viewed from the streets and businesses of the North—and still another way when viewed from the lush land of the Midwest. We are no sectional party. We are an American party.

Ours are the principles that draw men together in common cause and not the greeds and spites that split them apart.

United in principle, united in effort we can and will win—and with those principles, also, America can be the forge of freedom for God's entire world and freedom's fullest future.

Water Pollution

EXTENSION OF REMARKS

OF

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1963

Mr. McFALL. Mr. Speaker, since March of this year, the Natural Resources and Power Subcommittee of the

House, under the chairmanship of the gentleman from Alabama, Congressman Bob Jones, has been conducting an intensive study and wide-ranging hearings on the Nation's water pollution problems. This subcommittee is a subcommittee of the Committee on Government Operations and the high quality of its work is well known to the Members of this body. The subcommittee's efforts have already heightened national awareness, on the part of the responsible Government agencies as well as the public at large, to the need for cleaning up our country's streams, lakes, and rivers in order to assure an adequate supply of water for the future.

The gentleman from Connecticut, Congressman John Monagan, who is a member of the subcommittee, addressed the joint meeting of the Pacific Northwest Water Pollution Council and the Subcommittee on Water Supply and Pollution Control of the Columbia Basin on September 20, 1963. With characteristic candor Congressman Monagan's speech outlined the national water pollution problem and provided guidelines for measures to deal with it. Because of the interest I know this subject has for other Members of the House, I am pleased to include Congressman Monagan's remarks in the Record at this point:

REMARKS BY THE HONORABLE JOHN S. MONAGAN AT THE JOINT MEETING OF THE PACIFIC NORTHWEST WATER POLLUTION COUNCIL AND THE SUBCOMMITTEE ON WATER SUPPLY AND POLLUTION CONTROL OF THE COLUMBIA BASIN INTERAGENCY COMMITTEE, SPOKANE, WASH., SEPTEMBER 20, 1963

I am delighted to be here today to discuss with you some of the problems of water pollution control and abatement. This is a subject of concern, not only to us in Congress, but to everyone in this Pacific Northwest and, in fact, to everyone in our country.

The growing concern about water pollution is a direct result of the increasing population and urbanization of our country, the vast growth and increasing complexity of industry, and the steadily improving standard of living. Our urban population within the next two decades will undoubtedly approximate 200 million. The great proportion of this increased population will depend upon the availability of surface supply for their drinking water and other basic needs, including recreation, industrial use, and agriculture.

Since the total supply of water will not change, it is obvious that the need for protecting the quality of our water will increase.

Distances between waste outfalls and water intakes will be wedged closer and closer. Hundreds of new and more persistent pollutants will be discharged by industry and municipalities and will place a greater and greater burden on the water-carrying waste disposal systems of our municipalities. More and more, the Nation will be forced to depend upon increasing the reuse of water and will necessarily place growing emphasis upon the protection of this water through fuller treatment and stabilization of water-borne wastes.

Unless we act boldly and positively within the next few years to protect our water supplies, the coming generation will face not merely the same problems we face, but an overwhelming flood of pollution, which will bring about permanent loss of the heritage of clean streams, ample fish and wildlife resources, and pleasant living which our ancestors have handed down to us. We live in an environment which we can increasingly control. It is within our power to shape our own future and the kind of surroundings in which we and our children will live. But we must not permit further time to slip by without adequate action.

The control of water pollution, of course, is an integral part of the whole problem of water resource development as well as being connected with the broader problem of protecting our health. The byproduct wastes of the great industrial enterprises expose all of us to many new chemicals in the water we drink, the food we eat, and the air we breathe. All of us, therefore, regardless of our position, share the common need for adequate supplies of uncontaminated water.

It is for this reason that the chairman of the Committee on Government Operations, the Honorable William L. Dawson, of Illinois, established the Natural Resources and Power Subcommittee of the House of Representatives to make an extensive and intensive inquiry to appraise how effectively Government agencies and others are dealing with the problems of our Nation's increasing water pollution and to determine what can be done to improve the techniques for preventing or controlling the rising pollution levels of so many of our Nation's rivers, streams, and other surface waters.

One of the great leaders of Congress in the field of conservation and development of our Nation's resources is the chairman of this subcommittee. Congressman Robert E. Jones, Jr., of Alabama. It is a matter of deep regret to him that he is unable to be with you today. He therefore asked me to come here to discuss with you the work of our subcommittee in this important field of water pollution abatement.

Our subcommittee was originally established with six members. In addition to Congressman Jones and myself, the subcommittee consisted of J. Edward Roush of Indiana, William J. Randall, of Missouri, Robert McClory, of Illinois, and George M. Wallhauser, of New Jersey. Very recently, Chairman Dawson, recognizing the importance of our subcommittee's work, increased the size of the subcommittee by assigning three more Congressmen; namely, Jack Brooks, of Texas; Torbert H. MacDonald, of Massachusetts; and Frank J. Horton, of New York. Our subcommittee now has a wider geographical representation, and although we do not have a member from the Pacific Northwest, I want to assure you, and my presence here today is, I hope, evidence that the subcommittee is as vitally concerned with the problems of water pollution here as in other sections of the country.

Some of you may have followed the extensive hearings which our subcommittee held in Washington during May and June, and the regional hearings we have already held in Trenton, concerning the water pollution problems of the Delaware River Basin, and in Chicago, concerning the water pollution problems of Lake Michigan, the Illinois River Basin and the Fox chain of lakes north of Chicago.

Our subcommittee will conduct its third regional hearing in Connecticut on October 4 and 5, and I hope that the subcommittee in the near future will come here to the great Pacific Northwest to learn in detail about your water pollution problems and your plans for their future control.

Our subcommittee inquiries and hearings have met a response from a broad segment of the national community. We have received testimony on numerous aspects of the pollution problem from Federal, State, interstate and local agencies, from industrial associations and companies, from civic groups, conservation organizations, and professional associations, including the associations of State and interstate water pollution control administrators, and the Conference of State Sanitary Engineers with which many of you, I am sure, are affiliated.

We have been deeply impressed with the excellence of the testimony and reports presented to us and with the depth of interest and concern indicated by all segments of the public.

The Federal agencies from whom we have learned include the Departments of Health, Education, and Welfare, Interior, Agriculture, Corps of Engineers, Coast Guard, Federal Power Commissions, Office of Science and Technology, the Advisory Commission of Intergovernmental Relations, as well as various bureaus of these agencies, such as Fish and Wildlife Service, Bureau of Mines, Soil Conservation, and Forestry.

We have received valuable information from interstate agencies such as: the Ohio River Valley Water Sanitation Commission, the U.S. Conference of Mayors, and the National Association of Counties.

Conservation groups have included the International Association of Game, Fish, and Conservation Commissioners, the Izaak Walton League, the Citizens Committee on National Resources, the National Wildlife Federation, the Oyster Institute of North America, the Ecological Society, and others.

Civic groups have numbered among them the General Federation of Women's Clubs and the League of Women Voters.

We receive particularly useful and cooperative assistance from major industrial associations and companies, such as the American Paper & Pulp Association, Scott Paper Co., Kimberly-Clark Corp., National Coal Association, National Association of Manufacturers. American Iron & Steel Institute, Manufacturing Chemists Association, Humble Refining Co., National Canners Association, American Petroleum Institute, the Soap & Detergent Association, Minneapolis-Honeywell Regulator Co., Worthington Corp., Beckman Instruments Co., Associated Industries of New York, and many others.

I mention these agencies and companies whose representatives testified before our subcommittee to give you a better understanding of how wide ranging our hearings have been. Our subcommittee staff is presently processing these hearing transcripts to the printer.

The subcommittee has been deeply impressed by the depth of the water pollution problem and the inadequacy of present-day methods to cope effectively with the growing complexity of domestic and industrial waste. We have heard time and time again of the importance of increased research to develop better methods of treating these wastes. The present system of waste treatment is, as you know, only partial treatment, not purification. Even the very best secondary treatment plant rarely exceeds 90 percent efficiency in reducing the pollution load of its effluent. In many areas, such treatment is at the present time workable and economically justified, but with the increasing quantity of waste loading our streams, it is apparent that improved treatment will increasingly be needed to deal with the composite residual loading which remains after adequate secondary treatment, and also to cope with the many substances such as dissolved salts, detergents, and chemicals which cannot be adequately eliminated from the effluent of present-waste-treatment facilities.

Along with this need for improved methods of waste treatment, many other needs exist to construct facilities for treatment of sewage of municipalities which now provide no treatment or only partial treatment or have obsolete plants.

There is a particularly great necessity to improve and expand the treatment of the large variety of industrial wastes which are now being deposited and which in the future will be deposited in growing volume in the Nation's streams.

Although Congress first enacted pollution control legislation in 1886, the National Legislature did not really begin to meet the national problem of water pollution control until it enacted the Federal Water Pollution Control Act of 1956, popularly known as the

Blatnik Act in recognition of the outstanding leadership provided by Congressman JOHN A. BLATNIK, of Minnesota, one of my colleagues on the House Committee on Government Operations.

As you know, this act, which was expanded in 1961, established the framework for a national program to control pollution. Under this act the Federal Government makes grants to support State, interstate, and university programs. It also sets up grants to help municipalities build waste treatment plants by contributing up to 30 percent or $600,000 of construction costs. It also supports research and comprehensive control planning and authorizes the use of enforcement powers in connection with interstate waters and, under some special conditions, intrastate waters.

One significant feature of the 1961 amendments was the requirement that water quality control be considered in planning new Federal reservoirs.

It is eminently clear that the Federal water pollution control law has provided a great stimulus to the national effort in dealing with the problems of water pollution. However, it is equally clear that this act alone cannot do the job. It is simply a supplement to the efforts which must be made by every agency of Government, Federal, State, and local, and in particular by the industries of our country whose very existence and prosperity depend upon maintaining and improving the quality of the water they use. Of vital added importance will be the support of a well-informed and interested citizenry.

New concepts and new legal techniques, as well as new scientific and operational methods must be developed. We need stepped-up research and bold action.

I should like to emphasize two points here. First, our emphasis on enforcement and control relies heavily upon local and State action and private response. We believe that the Federal Government should sponsor and stimulate the necessary action wherever possible.

Second, we do not expect radical change overnight. We have no desire to saddle existing enterprise with unfair or impossible expense which would prove prohibitive to profitable operation. We recognize too that modern technology necessarily entails some pollution. With this in mind, however, we do underline the urgency of the problem.

Achieving cleanliness in our streams will entail the making of judgments and the weighing of competing factors of economics and the less tangible benefits of recreational, esthetic, and wildlife values. The lines which must be drawn will vary from area to area, from stream to stream, from basin to basin, and will depend on the varying judgments of many people. There will undoubtedly be disagreements between those who believe in utilizing the full assimilating capacities of the streams, and those who believe that streams are more important for fishing, boating, and swimming. There will be differences between those who believe that water pollution control is solely the job of the locality, the State, or the region, and those who believe that the Federal Government must take an increasingly vigorous role in the control and reduction of pollution.

Our subcommittee recognizes these many problems and differing points of view. We are examining all the available facts, opinions and recommendations on this subject from every part of the country. We are using them to stimulate action in many quarters. From our findings and recommendations will undoubtedly evolve legislation, executive action, research, and new points of view. For example, when we learned early in the course of our hearings that many Federal installations were discharging substantial quantities of untreated sewage into surface waters, we asked some 18 Federal agencies for reports on 1,003 separate discharge points which were alleged to be discharging in excess of 3,000 gallons per day of untreated sewage and industrial waste directly to surface or ground waters. I have been informed by our subcommittee staff that extensive progress is being made in correcting these conditions and we hope that in the very near future water pollution by Federal agencies will be a thing of the past.

When we brought out in our hearings that the Bureau of Mines, which has been charged since 1934 with responsibility for developing methods of control of acid mine drainage, had failed to do much about it, this evidence caused the Secretary of the Interior to set up special task forces within his Department and to establish a new program for dealing with this type of pollution.

When we learned that there was confusion and lack of coordination within the Government in dealing with pollution hazards caused by the transport and spillage of dangerous chemicals along the riverways of our country, we requested more than a half dozen agencies to pool their knowledge and to evolve new approaches for controlling this problem.

When the subcommittee hearings brought out that the Department of Health, Education, and Welfare lacked even elementary knowledge of the vast quantity of industrial waste discharge, we obtained from numerous industry groups assurances that they would assist the Department in compiling more comprehensive data concerning these discharges.

Our subcommittee has indeed embarked in the words of Winston Churchill "upon a considerable undertaking." But it is one which badly needs doing.

We hope that we may provide guidance and direction so that the Federal Government in cooperation with local, State, interstate, and private agencies, companies and interested citizens may bring about a better measure of water pollution control, keep our waterways reasonably clean, sustain the efforts of individuals and of local government while, at the same time, expanding the total national effort necessary to assure the basic objection of all of us in minimizing and preventing pollution of our waters, and maintaining our streams with the cleanliness essential to a growing and thriving nation.

The Government's Role in the Modern Economy

EXTENSION OF REMARKS

OF

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1963

Mr. BOGGS. Mr. Speaker, under leave to extend my remarks, I would like to include a copy of an address which I made on Monday, September 23, 1963, before the American Meat Institute in Chicago. The address follows in full:

THE GOVERNMENT'S ROLE IN THE MODERN ECONOMY

(By Hon. HALE BOGGS, of Louisiana, majority whip of the U.S. House of Representatives. A 24-year veteran of the Congress, BOGGS is chairman of the Subcommittee on Foreign Economic Policy of the Joint Economic Committee and a member of the House Ways and Means Committee)

When I was asked to address the American Meat Institute, I agreed to discuss the Government's role in the modern economy. Frankly, gentlemen, I cannot think of a more important phase of the Government's relation to the economy than its tax policies. Therefore, I believe I can best serve my function today by discussing the tax bill of 1963.

This bill has just been reported by the Ways and Means Committee of which I am a member. It has had a long and hard journey. Many months of preparation were involved by the Treasury Department and the administration generally before January 24 of this year when the President formally submitted his tax message to the Congress. Since that time, the Ways and Means Committee has been industriously at work examining the proposals and reaching decisions concerning the nature of tax changes which should be enacted at this time.

And tax legislation is, of necessity, complicated and difficult. It takes the mind of the proverbial Philadelphia lawyer simply to understand the existing law. Then it is necessary to comprehend the nature of the proposed changes from the point of view of the effect upon the economy and equity.

Everyone is interested in the total impact of the bill. By 1965, individuals will obtain rate reductions of approximately $9.5 billion or, putting it another way, an additional $9.5 billion per year will be in the hands of our people to spend. This amount is offset by approximately $800 million of tax reform so that the net tax reduction for individuals in 1965 and subsequent years will be about $8.6 billion. Corporations obtain an additional $2.2 billion by 1965, and structural reforms increase that to about $2.3 billion. Thus the total reduction will be about $11 billion. Approximately two-thirds of this amount will be obtained by individuals and corporations in 1964, and the remaining one-third in 1965.

Why should we have such a tax reduction at this time? The basic answer is that this is the only way to relieve the weight of a tax system which has become repressive on the entire Nation.

As our Nation and our economy have grown the burdens of our progressive income tax structure have risen even more rapidly. In fact, the tax structure accomplished exactly what it was designed to achieve. The present system was essentially based upon the idea that as the economy grew into inflationary periods, progressively greater amounts of taxes and, hence, of purchasing power should be drained from the economy, thereby reducing the inflationary pressures. In actuality, as the economy has grown, the tax burden has grown so much more rapidly that it drains off purchasing power long before we even begin to approach inflationary conditions. This has occurred gradually so that while we are growing it has been at a rate much lower than the level that could be achieved with a lighter tax burden. The result has been increasing amounts of unemployment, both of men and of plants and equipment. It, therefore, is the height of folly to continue such excessive tax burdens when their ultimate consequence is to create unemployment of usable resources that could more adequately satisfy the needs of our citizens.

Some have suggested that the results of the new tax bill will be to initiate a new round of inflationary pressures. How can we have inflation when over 5½ percent of the largest labor force in the history of this country is unemployed even though actively seeking work? How can we have inflationary pressures when a considerable percentage of our industrial capacity is unused and when we have surpluses in all foods and fibers?

Think back to the immediate postwar period when there was excessive demand, when unemployment was low, and when as a result, our present tax structure was initiated. Then we were having very substantial price rises. In terms of current prices, we had a rise from 1947 of 81 to 97 percent by 1951. Just think of that—roughly a 15-percent increase in wholesale prices in a 4-year period. Similarly, from 1952 to 1957, we had roughly a 7-percent increase in wholesale prices. But in 1958, the price index was 100.4 percent. In the latest week for which I have available information, the index was 100.5 percent. In other words, from 1958 until the middle of July, there was only a one-tenth of 1 percent increase in the prices of all wholesale products. Where is there a threat of inflationary forces when price levels are remaining that stable?

No one welcomes an increase in debt for its own sake—whether it is in his household, his business, or his government. Every debt should pass this test of soundness and prudence: Will it pay for itself in added productive power and human well-being? We must therefore ask ourselves whether the added debt resulting from the tax program will pay for itself in higher output, more jobs, and a greater legacy of real wealth—houses, schools, productive plants and equipment, and so on—to use and to pass on to our children. Under conditions of full employment and inflation, the answer would be "No." But when manpower is idle and excess capacity is waiting to be activated by a tax stimulus, the answer is "Yes."

For those to whom the existing size of the debt is worrisome, two sets of facts should be reassuring. First, the Federal debt has been growing far more slowly since 1947 than private debt. It has risen 15 percent, while corporate net debt rose 218 percent, other private debt 383 percent, and State-local government debt 412 percent. Second, the Federal debt is falling steadily in relation to the economic size and strength of the country. In 1947, the Federal debt was 110 percent of our gross national product. Today, it is only 53 percent, and steadily falling even with recent and prospective deficits. The Federal debt is becoming a progressively lighter burden on our growing economy.

What specifically have we accomplished? The first and by all odds the most important set of changes to be proposed is tax relief for individuals. In my view, this relief is long overdue. The idea of taking 20 percent from the poorest man in direct taxes alone and up to 91 percent of additional income from the higher income individuals seems to me almost reprehensible except in wartime.

The new rates for individuals are much more reasonable. The present 20 percent rate for lowest income individuals will be reduced to 14 percent on the first $500 of income subject to tax. A minimum standard deduction is established. It will be most helpful to the very poor who relatively have carried a tremendous burden. In general, the rates across the board are reduced by at least 15 percent so that each of you here can confidently predict that by 1965 the income which you earn will be taxed about 15 percent less in direct Federal income taxes than your income was in 1963. The top rate of 91 percent will be lowered to 70 percent.

On equity grounds, these new rates seem much fairer. It is also appropriate, I believe, that the rate reductions be spread evenly among all individuals regardless of income level. But certainly of at least equal importance to the equity aspects of this tax reduction are the economic consequences that should stem from the rate reductions.

What should we expect to occur in the economy as the result of this proposed tax cut? The most logical assumption is that individuals generally, as they obtain tax reduction, will spend a fairly substantial portion of the additional income that they have net after taxes. Certainly, all of our recent historical evidence supports this assumption. Taxes were reduced by about $4.7 billion in 1948 and consumption expenditures continued to remain a relatively constant percentage of disposable income even though that disposable income had risen as the result of the tax cut. Similarly, taxes were cut by about $6 billion in 1954, and consumption continued to remain at roughly the same percentage of the increased disposable personal income. In fact, this seems a very logical result. It is usually difficult for individuals to distinguish any particular reason for income increases. All that we really know is that the dollar amounts which we have are somewhat greater. It follows from this that with the greater amounts, we can spend somewhat more.

A significant percentage to keep in mind in examining the economic consequences of tax reduction is the figure of 65 percent. For many years now, personal consumption expenditures have remained at about 65 percent of gross national product even though GNP has increased substantially in certain years, and has increased very slowly in other years. What happens to the 35 percent of increases in GNP which are not associated with consumption? Some portion of this amount is earned by corporations. Corporations do not generally consume but the amounts that are obtained by these corporations are, as I shall indicate in a moment, very important from the standpoint of stimulating the economy, independent of increases in consumption demands.

Second, with respect to increases in personal income, some of these are going to be paid in the form of increased taxes. This segment of the amounts not going to consumption is very important because it reflects the feedback to the Federal Government and to State and local governments from a tax reduction. Thus, as I will indicate in a moment, the stimulus to the economy should help to eliminate much of the additional deficit which in the short run will result from tax reduction. Third, even of the disposable income left after taxes, some portion will be saved rather than consumed, but this portion affects the economy favorably because it provides funds which business firms can then convert into additional capital goods.

Another way to view the stimulus to the economy that will result from tax reduction is by tracing out the things that will happen to a typical $10 bill obtained by a typical individual in the form of tax reduction. Let us assume for this purpose that as a result of the tax bill our typical friend has an increase in his take-home paycheck of $10. Since he is the typical individual, he will probably save about 7 percent of this amount, or 70 cents, and his wife and family will probably spend about $9.30 of the $10. Since he and his family have spent the $9.30, this means that other people have received the $9.30 as income. It is important to recognize that this is income that would not have occurred to these other people had it not been that our friend originally had an increase of $10 in his take-home pay resulting from the tax reduction. Some of the $9.30, let's say $2 of it, will go to corporations. We'll come back and take a look at that $2 in a little while. But this means that others—individuals rather than corporations—will obtain about $7.30 in increased income. From this increase in income, these individuals will have to pay about 95 cents in increased taxes so that they will have left after taxes about $6.35. They will probably save about 45 cents of this amount, which means that they, in turn, will spend about $5.90 of their additional income. This means that even without any other changes by corporations or by governments or by savings institutions or anyone else, the total demand for goods and services and, therefore, for resources in our economy, has gone up first by the $9.30 spent by our friend and his family, and then, secondly, by the $5.90 obtained by the individual as the result of our friend's spending.

This process will continue except with lesser and lesser amounts, but still continue as a result of the subsequent turnaround of the original $10 received by our friend in the form of tax reduction. It has been recently estimated that the total direct consequences in terms of increased consumption of this $10 tax reduction will probably be about $25. This is not simply economic hocus-pocus. This process and these figures which I am using have actually been based upon specific instances in recent times when individuals' incomes have increased, both because of tax reductions and for other reasons.

I think we can confidentially predict that from the net $8.7 billion of tax reduction to individuals, the gross national product and, hence, the demands for usable resources in our economy should increase by about $22 billion, from its present approximately $580 billion to over $600 billion.

But this is far from being the end of the story, even insofar as individual tax reductions are concerned.

Over 20 percent of these increases in GNP will be accruing to corporations. You and I full well know that corporations will not "sit on these increasing assets." These funds will be used, and actively, since they constitute a primary source of fuel for additional investments, both in new plant, new equipment and machinery, and new research and development programs. But the subsequent expenditure of these funds by corporations will serve as an additional stimulus to the economy from tax reduction in exactly the same way that individual expenditures of funds obtained as a result of tax reduction will stimulate the economy. Both individuals and corporations have unsatisfied demands for things which money can buy. As additional money is made available to both individuals and corporations, this money will be spent. My own opinion is that a much higher percentage of funds accruing to corporations will be spent in the form of increased investment than the percentage of increased income to individuals that will be spent for consumption purposes. Notice here that I am talking about the additional funds coming to corporations as the result of individual tax reduction. Part of the profits accruing to the economy as the result of expenditures by individuals will be profits coming into the hands of corporations. It is these funds that will be spent, completely aside from the additional funds being obtained by corporations as the result of corporate tax rate reduction.

Another reason why all the amounts obtained in the form of increased personal income are not spent for consumption is because certain portions of these amounts go in the form of increased taxes back to the Government. This is something which is frequently overlooked by the critics of tax reduction. These critics point to the initial revenue losses to the Government from tax reduction and forget about the fact that these tax reductions will stimulate the economy, lead to increases in income, and, hence, lead to increased taxes. This stimulation is exactly the same as a corporation which prices itself out of the market by charging too much. A reduction in price may so stimulate demand for its product that the total profits of the business firm actually increase. Similarly, the Government has been repressing the economy by tax rates. As a result of lowering these tax rates, incomes generally will be increased to such a point that tax yields at lower rates can actually be greater than the tax yields that the Government presently obtains.

I don't know what Government budgetary deficits or surpluses are going to be in the future. However, I do know that they are not going to be $10 billion more than they would be without tax reduction. Obviously, incomes will be increased as the result of tax reduction and obviously, therefore, tax yields at the lower rates will be greater than simply the amounts by which revenues are reduced through tax reduction. I am impressed by the fact that fiscal experts, such as Secretary Dillon of the Treasury Department and others, forecast lower budgetary deficits with tax reduction than would occur without tax reduction. In fact, I think that this is the fastest way by which to obtain a budgetary balance. One forecast made by the technical staff of the Joint Economic Committee, of which I am a member, indicates, that, under present conditions, within 2 years after tax reduction is initiated, total revenues coming to the Federal Government alone will be greater than the amount of revenues accruing to the Government prior to the tax reduction. This estimate is based simply on the idea of tax reduction and ignores other growth factors in the economy, such as increased demand resulting from technological change, from population increases, and so on.

This is obviously no argument in favor of rampant increases in Government expenditures. Certainly, we should have economy in Government wherever these economies are possible, consistent with our world position and our obligations to our own citizens. What this argument essentially says is that the economy is operating at below par because of excessive tax burdens and that a lightening of these burdens may well stimulate the economy sufficiently that the Government can more easily pay for necessary Government expenditures with the lower rates of taxes.

However, in assessing the economic consequences of the tax bill, we cannot overlook the fact that substantial tax reduction has also been given to business firms. By 1965, corporations will be receiving over $2 billion of tax relief. As I said earlier, it is impossible to conceive of corporations simply taking these additional tax savings and burying them. The funds may go to purchase additional capital assets in which case the economy is stimulated in producing these additional capital requirements. The funds may go in other forms of outlays, such as new advertising campaigns or new research and development expenditures. In any of these instances, incomes are increased in the economy and greater activity is taking place. The tax savings of corporations may be used to pay additional dividends to stockholders. In this case, the stockholders can make the additional funds available through the investment markets. This increased availability of investment funds will, in turn, permit other corporations to obtain equity capital for expansion purposes. The significant thing is that in no case do tax reductions tend to lie fallow. They are used, and actively, to lubricate the economy, to make it operate more efficiently, and to expand the use of our productive resources.

Another significant, though unmeasurable consequence of tax reduction is psychological.

Surely there must be some favorable effect on corporations in knowing that the Government will no longer be a majority shareholder in the income earned by the corporation. Surely there must be a beneficial effect on individuals who will know that lesser amounts of additional income earned through personal effort will be taken by the Government. These stimuli cannot be guessed at in advance but their total psychological impact will probably be very significant in encouraging the operation of our private enterprise economy.

Time does not permit me to discuss in detail all of the other provisions that are in this lengthy and complicated tax bill of 1963. However, let me simply mention a few in the so-called reform area because many of these proposals also will serve to stimulate the economy as well as obtaining improved equity of tax treatment among various groups. Much has been heard during the past few years about the tax treatment of capital gains. One of the capital gains proposals in the present bill is to distinguish particular types of capital gains which accrue to investors as contrasted with speculators. These so-called class A capital gains will be those realized on assets held for more than 2 years. In this case, the amount of the gains that need to be reported as ordinary income will be reduced to 40 percent from the 50 percent now in the law. The maximum rate on these gains will also be reduced from the present 25 to 21 percent.

Moreover, the present loss carryover provisions are going to be expanded so as to permit capital losses incurred in a particular year to be carried over as far into the future as necessary in order that the losses can be absorbed against other income. These capital gains changes can be justified both in terms of equity, in view of the fact that ordinary income tax rates are being reduced, and also on ground that they will stimulate investment activity that is induced by the hoped-for capital gains.

Certainly the 25-percent rate has in the past served to discourage some investment activity. The lower rate should not only encourage more investment but also more mobility of investment funds from one direction to another based upon investors' judgment as to the greatest promise of financial returns.

Also, in the capital gains area, the bill would permit an exclusion from gross income for certain gains obtained from the sale of a personal home by taxpayers who are 65 years of age or over. This is in order to permit these older individuals to get out from under a home which is too much for them after their children have grown up without imposing a tax penalty upon these individuals at the time of the sale.

In another business area, you will recall that in the Revenue Act of 1962, an investment credit was established designed to encourage greater investment by American business firms in machinery and equipment. This credit was in the final act, qualified in part by requiring as a precondition for the credit that the depreciation base be reduced by the amount of credit obtained by individual firms. That requirement would be eliminated by the present bill so that the entire advantage of the credit could be obtained in an undiluted form.

On the individual side, a number of changes will be made by this bill. A minimum standard deduction is being provided equal to $300 for an individual taxpayer plus $100 for each of his exemptions, up to a maximum of $1,000. The advantages of this change are that, first, it will take cognizance of the difficulties in maintaining a minimum standard of living by lower income individuals and, at the same time, will concentrate a substantial amount of tax relief among lower income families who will probably spend virtually all of the relief that they obtain. This increase in expenditures, as I have indicated earlier, should significantly increase general economic activity.

Another individual change will permit for the first time averaging of income over a period of years for anyone whose income fluctuates substantially from year to year. As it is now, these individuals are hurt by the progressive rate structure because more is taken when incomes are high than the amount of tax reduction when incomes are low. The proposed change would permit these persons to spread their income out over a 5-year period for tax computation.

Another change affecting a limited number of individuals concerns the treatment of personal holding companies. These personal holding companies are essentially devices by which a few individuals can convert personal investment income into corporate investment income and thereby avoid the higher individual income tax rates. Now that these rates are being lowered substantially it makes less sense for individuals to use these personal holding company devices and, therefore, the penalties associated with this tax avoidance are being tightened.

My friends, I could go on with many, many other provisions of the proposed law—the liberalization of the charitable contributions deductions, the dividend tax credit and exclusion, the multiple corporation provisions, the provisions for the time payment by corporations, the simplification of the personal casualty and theft losses, the adjustments on the medical expense deductions, the liberalization of the child-care-expense treatment, granting of new deductions for moving expenses, the many changes with respect to insurance, and so on. But I think it is clear from what I have said so far that at least three things are true with respect to this tax bill. First, it is complicated and detailed. Second, it is designed to obtain greater equity among various individuals in their payment of taxes and certainly no one can deny that taxes in this country should be imposed as fairly and evenly as possible. Third, I think it is clear that this tax bill should have a profound effect in activating our economy to greater heights and thereby reducing unemployment and stimulating demands for most types of products. I hope that as your time permits you will examine this bill in detail. I further hope that after your review, you will approve the action which the Ways and Means Committee has taken in order to maintain a strong free-enterprise system with full employment and maximum opportunity in a free society.

Address of Senator Edward M. Kennedy, of Massachusetts, Before the Interparliamentary Union in Support of Resolution on Racial Discrimination

EXTENSION OF REMARKS

OF

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1963

Mr. BOLAND. Mr. Speaker, the address by Senator EDWARD M. KENNEDY, the junior Senator from Massachusetts, to the Interparliamentary Union at Belgrade, Yugoslavia, last week has received worldwide acclaim for its forthright position of the U.S. Government in dealing with racial discrimination. Senator KENNEDY was speaking in support of a resolution on racial discrimination before the Interparliamentary Union. I insert Senator KENNEDY's speech and an editorial from the September 18 edition of the Holyoke (Mass.) Transcript-Telegram, commenting on the Senator's speech, at this point in the RECORD:

THE SENATOR SPEAKS OUT

Senator TED KENNEDY is making a good impression in Yugoslavia. First of all, he had a chat with the formidable Madame Nhu, making it clear, no doubt, that the Kennedy administration has no objection to family combines in politics, so long as they behave themselves. Then he gave a speech at the Interparliamentary Union Conference that won great applause for its direct statement on racial prejudice.

It may well be that the administration is going out of its way to give younger brother a chance to look good, both at home and abroad, but if this is so the junior Senator is indeed making the most of it.

We need clear-speaking emissaries at international convocations, whether they are Senators or delegates, Kennedys or Lodges. And we like the way TED KENNEDY told the meeting at Belgrade that the United States is facing up to the problems of prejudice and has already made commendable progress. He suggested also that such problems exist in other parts of the world, even behind the Iron Curtain. By the time he got through talking, nearly all the delegates had turned up to applaud him—except Madame Nhu.

SPEECH BY SENATOR EDWARD M. KENNEDY TO THE INTERPARLIAMENTARY UNION IN SUPPORT OF RESOLUTION ON RACIAL DISCRIMINATION

It is a very great privilege for me to be here at this conference. I have had the good fortune of being able to visit many of the nations of Europe at various times of my life, but this is my first opportunity to visit Yugoslavia. This nation and its leaders have been most hospitable to us. I think it is very significant that the delegates from so many nations can get together here, in pursuit of their mutual interest in parliamentary government. It is clear proof that the interests and problems we have in common can transcend the disagreements of diplomacy and the ideologies of politics.

I speak today on behalf of the U.S. delegation, in support of the draft resolution on racial discrimination of the committee on non-self-governing territories and ethnic questions. Racial discrimination is not limited to any one country or one racial group or one period of history. The gypsies in central Europe, the "colored" in South Africa, the Negroes in England and the United States and the minority racial groups in many European nations suffer from discrimination. My own Irish ancestors felt the sting of prejudice, both in the nation they left and, initially, in the country where they settled.

But racial discrimination in 1963 certainly is most publicized in the United States. In a sense, my Nation has asked to be judged in this area, because of the leadership we have taken in the cause of freedom and democracy around the world. I am sure all of you read about the gathering that occurred on the 28th of August in our Capital City of Washington. There came together at that time over 200,000 citizens—Negroes and white people who believe deeply in the Negro cause. They exercised the traditional right of American citizens to petition their Government for redress of grievances. This demonstration was impressive both in its numbers and its dignity. I believe it made a lasting mark upon the conscience of the people of the world.

In a sense this demonstration showed both how much has been done and how much must be done to alleviate racial discrimination. The Negro race was brought to America, against their will, as part of the slave trade. The effort to free them from slavery precipitated the only Civil War my Nation has known. While this war freed the Negroes from their status as property, they were left without property, without education, without the means to participate fully in the democratic parliamentary process.

In the hundreds of years that have passed, the Negroes in the United States, despite discrimination, have made significant advances in their life. The average income today of the American Negro is more than that of white citizens in most nations of the nations of Europe. * * * The men and women who participated in the demonstration in Washington had means enough to travel hundreds of miles in modern forms of transportation. Among the participants were Negro business leaders, professional men, teachers, ministers, and entertainers.

But as I said before, the very fact that a demonstration was necessary shows how much must still be done if discrimination is to be ended.

The Negroes in America were asking for protection of their right to vote which is denied in some parts of the United States.

They were asking for more jobs, higher wages, better education for their children; and most of all for the chance to enjoy, on an equal plane with white people, the accommodations of restaurants, motion picture houses, and hotels.

Most of the United States is free of this form of discrimination. In my own State of Massachusetts, where the movement to abolish slavery began 130 years ago, a Negro today can eat in any restaurant, live in any neighborhood, apply for any job. He is protected by strong laws against discrimination which are enforced by the attorney general of our State who is himself a Negro.

And so I say to you, despite our failings, we of the U.S. delegation can support this resolution in good conscience. We have come to grips with our problem. We realize our special responsibilities. We are determined to clean our hands of racial prejudice so we can go before the world with deeds to match our words.

The American people have solved problems of discrimination before. Our Nation could not have prospered unless groups of immigrants from Europe, all of whom faced hostility when they arrived, had not become an integrated part of our society.

Neither I nor the President of the United States would hold the positions we do if America had not taken down the sign that said, "No Irish need apply."

I am sure that every nation represented here can point, as we can, to chapters in its history where the breaking down of discrimination—be it racial, religious, or geographic—helps unify and strengthen the country.

Whether it be the unification of Italy in 1861; of the unification of Germany in 1871, or the union of the Serbs, Croats, and Slovenes into Yugoslavia after World War I.

Let us all unite in supporting this resolution. Let us declare together that racial discrimination is wrong. It is legally wrong, morally wrong, and is bad for humanity.

Let us make an effort to end discrimination wherever it is, wherever it weakens and dilutes the principles upon which all our nations were founded. And in doing so, let us work together to achieve that happy situation best described in the words of the Scottish poet Robert Burns:

"For all that and all that,
It's coming yet for all that;
When man to man the world around
Shall brothers be, for all that."

Address by the Honorable Anthony J. Celebrezze

EXTENSION OF REMARKS

OF

HON. GEORGE H. FALLON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1963

Mr. FALLON. Mr. Speaker, we, in Baltimore, recently had a most enjoyable evening. The occasion was a banquet given by 700 prominent Baltimoreans honoring Congressman GARMATZ, Congressman FRIEDEL, and myself.

The Honorable Anthony J. Celebrezze, Secretary of Health, Education, and Welfare, a man of outstanding ability, addressed the group. It is with a deep sense of pride that I include his address in the RECORD at this point:

ADDRESS BY ANTHONY J. CELEBREZZE, SECRETARY OF HEALTH, EDUCATION, AND WELFARE, PRESENTED AT TESTIMONIAL BANQUET, EMERSON HOTEL, BALTIMORE, MD., SEPTEMBER 22, 1963, 7 P.M.

I am very pleased to be with you this evening and to join in honoring three distinguished Members of the Congress, SAMUEL N. FRIEDEL, GEORGE H. FALLON, and EDWARD A. GARMATZ. I know that each of these gentlemen is serving your best interest, through their concern for and attention to the needs of their respective districts. At the same time, the record shows they are serving the Nation at large through their support of legislation and programs designed to move this Nation ahead.

I am sure that these gentlemen will agree that it is a great privilege to serve in the Congress, or to serve in the President's Cabinet, at a time when the Nation is moving forward on many fronts and when even greater opportunity for advance lies ahead.

The conscience of America, which abolished slavery, passed child labor laws, provided workmen's compensation, adopted a social security system, and stimulated many other moves toward greater social responsibility, is stirring anew.

The conscience of America, which throughout our history has prompted neighbor to help neighbor and given birth to and sustained the many vigorous community volunteer efforts, is reflecting new, deeper, and broader insights which embrace our total responsibility as a free society.

This reawakened conscience has brought a new resolve to right old wrongs—to relieve human suffering and to meet human needs.

This reawakened conscience is being accompanied by a new vision of the promise that is America—a new recognition of the true potential of America for improving the quality of the human experience and preserving individual identity and dignity.

President Kennedy gave eloquent expression to this reawakened conscience and new vision in his inaugural address and has pointed the way in his subsequent messages to the Congress. And his words have been backed up with action.

One of his first acts was a temporary extension of unemployment benefits through which $800 million was pumped into the economy at the right place and time and alleviated the plight of over 2 million workers and their families.

This initial action was followed by aid to dependent children of the unemployed, the increased minimum wage, the Area Redevelopment Act, the Manpower Development and Training Act, the expanded housing program and the new program of housing for the elderly, the accelerated public works program—these and a host of other measures all reflect the reawakened conscience and a new vision of what America can achieve. They have been measures to help people with their day-to-day problems.

The list is long. It includes the first major revision of the Internal Revenue Code since 1954—a 7-percent investment credit that provided a $2.5 billion incentive to American business to modernize and expand and thereby provide more jobs.

It includes the important Trade Expansion Act to encourage stronger economic ties among the countries of the Atlantic Alliance.

It includes the most far-reaching improvements in our public welfare laws since the passage of the original Social Security Act, the first new major drug control laws since 1938, the first Federal grant program to encourage the expansion of educational television, the first Federal grant program to help communities combat juvenile delinquency.

Within this coming week, the President will sign into law the Health Professions Educational Assistance Act of 1963. This program will help meet an important national need for new and expanded schools offering training in medical, dental, and other health related fields. It will help provide the physicians, dentists, and other skilled professional and technical personnel needed to serve the Nation's rapidly increasing population and maintain a high level of medical care and medical research capability.

May I say that Congressmen FRIEDEL, FALLON, and GARMATZ helped achieve this by supporting this important legislation.

And soon, almost certainly to become a reality, will be the first nationwide, federally supported program to help the mentally ill and mentally retarded by establishing centers for their care and treatment in their own communities all across the country.

I had the privilege this week of participating in the first President's Conference on Mental Retardation. The widespread and intense interest shown at that conference, attended by State and local representatives from throughout the Nation in that humanitarian program, was extremely encouraging.

Mental retardation represents one of the most critical and one of the most heartbreaking health problems in our country today. Because of the increased birth rate and our longer life expectancy, the number of mentally retarded people has been growing steadily year by year. Unless we are fortunate enough to make major breakthroughs in prevention, by 1970 the number will grow to more than 6 million. Half will be children.

More than $1 billion is spent each year for the special care of mentally retarded children and adults. In terms of lost productivity, the cost to our society goes into additional billions.

The cost of mental retardation in terms of human misery cannot be measured. Infants and children, the most vulnerable, face a long, bleak corridor of a lifetime of disability. Their parents face a lifetime of hardship, plagued by anguish and uncertainty.

But these children and their parents are no longer alone.

President Kennedy has called upon our society to undertake a vast research effort, in our universities and other research institutions, to increase our basic knowledge of the development and functioning of the human mind—with the ultimate goal of preventing mental retardation.

He calls upon our society to provide more adequate nutrition, housing, educational opportunities, and better maternal and child health programs to "reduce mental retardation to the low incidence which has been achieved in some other nations."

And he has called for a wide variety of coordinated community services and facilities to provide for the diverse and changing needs of the mentally retarded of all ages. Through these programs, in community after community throughout the Nation, the mentally retarded will finally become the recipients of the full blessings of modern medical knowledge, of modern educational and rehabilitation techniques.

We are all delighted with the strong support given the legislative proposals—from Congress, from voluntary organizations, and from citizens all over the country. And we are most optimistic that the President's program will soon become a reality for the American people.

I believe that the administration's programs to combat both mental illness and mental retardation point up the fact that understanding human needs is the first step in meeting them. President Kennedy has brought this kind of understanding not only to mental illness and mental retardation but to a wide range of humanitarian causes.

In the foreign field, American contributions to world peace and prosperity include such recent additions as the negotiation of the test ban treaty, the Alliance for Progress, and the highly successful Peace Corps.

These are only the highlights, but even so I think you will agree that they add up to an impressive accomplishment.

The President's tax reduction program, which he earlier this week characterized as one of the most important pieces of domestic legislation in 15 years, his legislative proposals in the field of civil rights, which are of such crucial importance, and hospital insurance for the aged through social security, which holds so great a potential for a better, longer life for our aged citizens, are among the proposals now before the Congress.

There are other crucial areas.

We must open to every individual the paths to opportunity commensurate with his ability.

We must remove the bottlenecks of limited educational opportunity.

We must eliminate the barriers of racial discrimination.

We must open up the dead end pockets of despair which have entrapped the unskilled and the unwanted.

This is the purpose of the educational legislation now pending before the Congress.

This is a purpose that will be served by passage of the civil rights bill.

This, perhaps more than anything else, is the real meaning of America—equal opportunity for fulfillment in the everyday life of each individual.

During the past week, I appeared before a congressional committee to testify on legislation that would help the Nation's 17 million elderly citizens keep their golden years from being tarnished by anxiety, illness, and poverty. The plight of many of our older Americans is a matter of deep concern to President Kennedy; as in other areas of our national life, scientific advances in recent years have run ahead of social progress. As the President said in his message to Congress on the needs of our elderly citizens, "It is not enough for a great Nation merely to have added new years to life—our objective must also be to add new life to those years."

Following my testimony, I was questioned by a member of the committee who asked, "Mr. Secretary, do you subscribe to this cradle-to-grave philosophy?"

If the question is: "Do I believe the Government should hold every citizen's hand from the cradle to the grave, the answer of course is "No."

But, if the question is: Do I believe that the Federal Government should do more to protect the babies in our cradles from the tragic handicaps of physical or mental impairment, the answer is "Yes."

If the question is: Do I believe that the Federal Government should help see to it that the babies in our cradles do not cry out from hunger because their fathers cannot find a job, the answer is "Yes."

If the question is: Do I believe that all the babies in our cradles deserve, in the years ahead, an equal chance to develop their talents to the limit of their capacity, regardless of race or economic status, the answer is "Yes."

If the question is: Do I believe in Federal support of cancer and heart research, in a national effort to curb pollution of the water we drink and the air we breathe, in stringent regulations of the quality and safety of our foods and drugs, and in other measures aimed at protecting the health and prolonging the life of our citizens, the answer is "Yes."

If the question is: Do I believe that our older citizens should have social insurance protection against the economic disaster of hospital costs resulting from severe illness, the answer is "Yes."

As a former mayor and a former State senator, I think I have some understanding of the importance of maintaining strong State and local governments. It is in the States and communities where the problems and opportunities are. States and communities need to be able to deal with their problems, to take advantage of their opportunities.

But this country is not merely a collection of States and communities. It is that—but it is something more. It is a nation. It is a nation with a common constitution, a common purpose, a common heritage.

When part of the Nation is hurt through neglect or misfortune, the whole Nation is hurt. By the same token, to the extent that its cities and towns and States prosper and move forward, so too does the Nation prosper and move forward.

This is no time—if, indeed, there ever was a time—to cut back our investments in the American people, in the American future, in the American dream. The great days of America are not all behind us. There are great days ahead—greater days than any nation has ever known—if we have faith in America.

I would be the last to advocate Federal action for the sake of Federal action, Federal expenditure for the sake of Federal expenditure. I am talking about investments—the kind of investments that President Kennedy has championed and continues to champion.

It will be through such investments, and only through such investments, that great days ahead for America—and all mankind—will be realized.

President Kennedy has given us the vision of a healthier America, a better housed America, a better educated America, a more productive America, and, above all, an America united in its belief in equal rights and opportunity for all citizens regardless of race, color, or creed. He has pointed the way. I am confident that this Nation has, along with its abundant resources, the commonsense, the moral fiber, the will to achieve, which will bring us, under the leadership of a great President, to our goal of a better life in peace and dignity for all.

Immune Milk

EXTENSION OF REMARKS
OF

HON. ALBERT H. QUIE
OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1963

Mr. QUIE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article from the September 4, 1963, issue of the Ramsey County Suburban Life, which has recently come to my attention. I think my colleagues will be interested in its message and the following summary of a study being conducted by the W. E. Petersen Research Institute of St. Paul, Minn., on the physical and financial values of immune milk.

With football practice at Alexander Ramsey high school underway, 14-year-old Jack Pardun of 1647 West County Road B., Roseville, feels like he's got a new lease on life.

You see, Jack, son of Mr. and Mrs. John Pardun, couldn't have even considered going out for football a year or so ago. He had to stay indoors in an air-conditioned room all during the early fall season.

"But then the father of one of Jack's friends told us about the 'immune milk,' developed out here at the University of Minnesota," said Jack's mother who dropped in the other day to tell us about it. "He began drinking it, and believe me, life has taken on a completely different color entirely. This year he feels wonderful and has no trouble breathing. I just can't believe it.

(EDITOR'S NOTE: "Immune milk" is produced by the Struss farm out on Snelling Avenue, across from the Roseville Drive-In Theater, and has been subject of a series of articles in this paper before. Each season, other hayfever sufferers tell us about it entirely. This year he feels wonderful and has no trouble breathing. I just can't believe it."

Mr. Speaker, for the past 2 years, Drs. Berry Campbell and W. E. Petersen of Loma Linda University and the University of Minnesota, respectively, have been conducting an extensive research project to show that the essential function of the mammary gland is not nutritional, but is instead toward the protection of the young mammal from a hostile microbic environment. They have evidence that this gland is an important mechanism for the immuniological protection of the otherwise helpless newborn. Such a view has important implications in medicine and animal husbandry.

Colostrum and milk contain a constantly appearing fraction of immune globulins. The antibodies constituting this globulin appear to have identical chemical composition with those in the blood serum. Heterologous antibodies introduced passively into the circulation of the mother appear in the milk. Experiments along these lines have established the fact that some of the antibody in milk is derived from the immune fraction of the serum.

At the present time this new discovery, namely, that antibody is synthesized locally in the mammary gland and may best be stimulated by direct immunization through the teat canal, has made it possible to produce with the same number of animals a much greater volume of antibodies. For this reason the use of milk rather than serum antibodies has become a practical endeavor.

In experiments with people suffering from arthritis and meningitis, sufficient remissions of the infection have occurred during four separate regimens of oral immunotherapy. In addition to the medical application, the newer understanding of the immunodynamics has a direct bearing upon certain problems of animal husbandry. The tremendous losses of young animals, particularly in the dairy industry and in swine raising, seems to be due to inappropriate measures taken to prevent infectious diseases.

Drs. Campbell and Petersen have shown that the mammary gland plays a dynamic role, receiving antigens from intercurrent infections during infancy and responding with the production of protective immunity. Practical use of this reactivity of the mammary gland of the cow may be made for the production of therapeutic antibody. Children and adults drinking immune milk infused with antibodies would receive immunity from diseases and dairymen in Minnesota would receive a higher price for immune milk produced and thus improve the standard of living for themselves and children. This research suggests that the greatest contribution of the cow to the human race is yet to be made and will be realized only when these remarkable features of the mammary gland are exploited.

Human Destiny

EXTENSION OF REMARKS

OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1963

Mr. FEIGHAN. Mr. Speaker, it was my pleasure to speak at the Shevchenko Memorial Banquet held at the Mayflower Hotel on Saturday, September 21, 1963. This banquet followed impressive ceremonies dedicating the location in our Nation's Capital where a statue of Taras Shevchenko, poet-patriot of Ukraine, will be raised in the spring of next year.

Under leave granted, my address on that occasion follows:

HUMAN DESTINY

The curtain was lifted today on an epic chapter in the great book of human freedom which for too long has remained closed to the Western mind. That is the real meaning of the dedication ceremonies which took place today in connection with the memorial to Taras Shevchenko, soon to take its rightful place among the monuments to freedom which grace our Nation's Capital.

For Taras Shevchenko was a unique champion of freedom for all men and independence for all nations, just as he was an avowed enemy of tyranny, despotism, and imperialism.

Shevchencko stands among that small but select group of gifted men whose toils and sacrifices over a lifetime have won them a lasting place of honor in the annals of their native lands. He shared as well as sensed the sufferings of his countrymen under the oppressive yolk of Russian imperialism. He sensed as well as shared with moving convictions the aspirations of his countrymen for a life of freedom and human dignity. He was able to see beyond the travail of his own people and the despotism of their oppressors and thereby to understand the spirit of the new hope which had been lighted up across the seas by George Washington. With gifted pen he recorded all these things and communicated them to his people in a style which won for him the enduring role of poet laureate of Ukraine.

A century has passed since the death of Shevchenko. But the message of his literary works burns more brightly today in the hearts of his countrymen. The reasons for this are all too obvious. Ukraine remains a victim of Russian imperialism and her people now suffer the tyranny and exploitation of the Red czars.

During the century since the death of Shevchenko much has happened and much has changed in the affairs of men and of nations. The autocratic czars, who felt the literary barbs of Shevchenko and who put him to exile and prison for his efforts, have met the fate he predicted for them. The empire over which the hated czars ruled crashed and was broken in 1917 and 1918 by the power of the national independence movements, unleashed by the circumstances of World War I. Ukraine won its national independence, as did more than a score of other non-Russian nations long submerged by an evil concert of empires. Petrograd, the seat of despotic Russian power, temporarily rid itself of a corrupt aristocracy when the chains of its historic imperialism were broken. The world, so it then appeared, was on the threshold of a new era of peace in which freedom and the independence of nations long was assured.

This illusion of peace was short lived. The vacuum of imperial power in Petrograd was soon filled by a new batch of despots, who sailed under a red banner and called themselves revolutionary Marxists. They were not long at the task of fixing their dictatorial power over the Russian nation—whom Shevchenko called the Moskals. These so-called social revolutionaries were unable to reform or contain the chauvinism or the imperial spirit of the Moskals. But they did manage to change the name of the Russian nation from Muscovy to that of Russian Federated Soviet Socialist Republics, and to make Moscow the permanent seat of imperial power. Wars of subversion and aggression were soon launched by the Red Moskals against all the newly independent non-Russian nations—in an effort to reconstruct the Russian empire.

By 1923 the Red Moskals had destroyed the national independence of Ukraine, along with that of Byelorussia, Georgia, Armenia, Azerbaijan, Turkestan, Cossackia, Idel-Ural, and the Republic of Siberia among others. But the theories of Marxism on imperialism and colonialism were in danger of exposure as a fraud by this exercise of historic Russian imperialism. So the Russians solved this embarrassment in 1924 by announcing the establishment of the Union of Soviet Socialist Republics. The formerly independent nations recolonized by the Red Moskals were labeled Union Republics. This served and continues to serve as a propaganda cover for the reconstructed empire of the Russian czars.

Lenin, the oracle of Russian Marxism, recognized before he died that the theories of Marx and Engels had become the victim of Russian despotism and imperialism. He made this deathbed prophesy in 1923:

"There can be no doubt that the insignificant percentage of Soviet and Sovietized workers will drown in the great Russian sea of chauvinist riff-raff like a fly in milk."

The 40 years since his death have proved Lenin's prophesy to be correct.

World War II restored by force of arms the former imperial Russian colonies of Estonia, Latvia and Lithuania to the U.S.S.R. and added a new crop of Russian colonies, called Peoples Republics or Socialist Republics. While the new crop of colonies were not forcibly incorporated into the U.S.S.R., the spirit and national life of these colonies are imprisoned by Imperial Russia.

It is proper, therefore, to observe that while much has changed in the affairs of men and of nations during the century since the death of Shevchenko, Russia, the Russians and their empire have not changed in substance. They are little different today than they were in the days of Shevchenko. Some alterations in form and tactics have been forced upon the Russians by the pressures of time and change, but the rock-bed substance of Russian national life and purpose remains as imperialist and chauvinist.

Nevertheless, I am convinced time and the unchangeable aspirations of the common man in the captive, non-Russian nations will yet make Shevchenko a prophet among his people.

The signs are many that imperial Russia will again be forced to meet powerful currents of change within and without her empire.

If we look calmly and objectively at the roots of the dispute between Moscow and Peiping, we will discover that alleged disagreements over Marxist theory are nothing but a camouflage for the real issue. The real issue is Chinese nationalism versus Russian chauvinism within the ranks of the international conspiracy. Peiping is openly charging Moscow with great power chauvinism, by which they mean Russian chauvinism and imperialism. In reply the Russians are charging Peiping with inciting racism, by which they mean nationalism. Moreover, it is an old Russian trick to brand as a "racist," anyone who exposes Russian superrace practices. But Peiping is as accurate today in its charges on Russian chauvinism and imperialism as Lenin was 40 years ago in his deathbed prophesy on this issue.

This struggle within the international conspiracy between Chinese nationalism and Russian imperialism has its geopolitical counterpart in the Central-East European area of the Russian Empire. The captive non-Russian nations throughout that vast area are under siege of the spirit of nationalism, that is, the spirit of national independence. None of them are able, on their own, to regain their national independence. That was the prime lesson learned from the Hungarian Freedom Revolution of 1956. A symphony of revolutionary actions by all of the captive nations would, however, bring down the Russian Empire into a state of total collapse. That was the second or afterthought lesson of the Hungarian Freedom Revolution. It is certain that the pressures of Chinese nationalism in the Far East have added encouragement and strength to the forces of nationalism in the captive European nations. Some of the communist regimes in the captive European nations recognize this reality of life and are beginning to respond to these pressures by trying to shake off their assigned role of subservient tools of Moscow. While it must be recognized that those regimes are thus taking out life insurance against the coming political storm, this must not distract from an objective evaluation of the growing power of nationalism in those countries. Desperation politics makes for strange bedfellows, particularly when a well identified common enemy is involved.

Should Peiping decide on action to recover ancient Chinese territory annexed by the Russian czars in the past, this would confront the Russians with an insoluble problem. If Moscow moves its elite guard Russian troops to the Far East in the numbers required to meet the Red Chinese threat, this would present the captive European part of their Empire with an open invitation to a symphony of revolts. Moscow does not have enough dependable military force at its command to meet this double barreled geopolitical challenge. It has often been said that 90 million Russians cannot long hold control over their vast Eurasian Empire—stretching from the Baltic Sea to the Pacific Ocean. The proof of that observation is now in the making.

These facts urge in the strongest possible language that the United States stay out of the dispute between Peiping and Moscow. If they—the Russians and the Red Chinese—want to bury each other, that is their business and certainly not ours. If Peping seeks to recover Chinese territories from Imperial Russia, that is none of our business. If Peiping seeks allies among the Communist regimes of Central-East Europe in an effort to break up the Russian superrace practices within the international conspiracy—that is likewise none of our business.

The Communist dictator Tito has finally pried his entry into the United States and will soon be, I regret to say, an unofficial guest of our Government. There is well founded feeling that the real purpose of Tito's mission is to convince our President that the United States should side with the Russians in their growing conflict with the Red Chinese. Tito will advocate a nonaggression pact between NATO and the Warsaw Pact nations in order to free Russian imperial hands to meet problems of the empire in the Far East. And, incidentally, he will be looking for another handout for himself.

A Russian propaganda campaign has been underway in the United States and in much of the free world based upon a so-called "Yellow Peril." The objective of that propaganda is to spread fear that a new Genghis Khan has arisen in the East and that soon his hordes will be sweeping the entire world. It is all too obvious the Russians expect to generate sufficient false fear in the West to make this proposed nonaggression pact an easy choice between two evils. We must never forget that it is the Russians who are the full inheritors of the despotic system of Genghis Khan and that they have preserved that heritage intact for 500 years. The Chinese people were the victims of Genghis Khan—their ancient and advanced civilization was a prize coveted by all the Khans who ruled from Ulam Bator. Moreover, the Chinese people sought for centuries to live at peace with their neighbors, but after Russian ideology gained a beachhead in Peiping the Chinese engaged in organized aggression. The only threat to civilized man now and in the foreseeable future comes from Moscow.

Hence the only meaningful nonaggression pacts possible in this situation are pacts between the Red Moskals and the people of every captive nation within the Russian Empire. These pacts should be exchanged for the freedom and national independence of each and all of those captive nations. Such pacts with Moscow could be entered into only by free and independent governments empowered to guarantee that their people would not attack the Russians if they became engaged in a conflict with the Red Chinese. Those are the only kind of nonaggression pacts the United States should taken an interest in—and no others. Those are the only kind of nonaggression pacts that can further the cause of peace worthy of the name. That is the only kind of peaceful coexistence the United States should be advocating and supporting throughout the world.

The poet patriot whom we honor here tonight raised this question in one of his most famous poems:

> "When will we receive our Washington,
> With a new and righteous law?"

That question remains unanswered for over 40 million Ukrainians who now inhabit the land of Shevchenko. But hundreds of millions of other non-Russian people behind the Iron Curtain would welcome an answer to that burning question. Our world is sick of tyranny and human slavery. The nature of man deserves a destiny which accords to all the fullness of freedom and human dignity, without which mankind will soon cease to exist. Fulfillment of that destiny must become and remain the goal of all civilized men.

Reevaluation of Farm Policy Urged

EXTENSION OF REMARKS

OF

HON. ALBERT H. QUIE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1963

Mr. QUIE. Mr. Speaker, I received a letter on September 12 from a constituent of mine, Mr. Grant J. Marquardt, of Millville, Minn., through which one can sense the human pathos of our farm problems. This letter also points out graphically that the exodus from the farm is no longer limited to the marginal farmer, who so-called experts have been saying for years should probably leave the farm anyhow.

That it is not just the marginal farmer who is giving up the vocation of a lifetime and the tradition of generations, is well known to many of us from the farm States. For many years, the farmer's son has been beating a path to the cities, often because of economic necessity. The urban problems this has caused are a matter of record. Now, he is being followed by his father, disgusted and disillusioned with what Mr. Marquardt calls an inferior living.

This is Mr. Marquardt's letter:

DEAR CONGRESSMAN QUIE: Each week, Maas & Maas, local auctioneers, post public auctions, such as the enclosed. My great concern is the more than 40 closeout auctions already booked by Maas & Mass, with more to come.

In the past few years there were, in many cases, sales of farmers with smaller reserves and lesser equities, who had in many cases overbought on farms and especially machinery.

The many auctions this year, however, are reflecting more of the regular, medium, close, down-to-earth type farmer who is just tired of the struggle that nets him an inferior living. The latter, Al, I am afraid is the backbone of the country and will be sorely needed in event of some major disaster in the future.

In realizing that you are but one man with many problems, I feel that perhaps I am asking for too much of your attention.

However, I must continue to urge you to use all of your influence to see that this crippling situation is remedied before it's too late.

Please urge your colleagues to take heed. I have never favored too much Government handouts, but would work more along the line of controlling the huge monopolies that are setting our prices, mainly the chain stores.

Congressman QUIE, am I a lone voice in the wilderness? Can't you people in Washington do something before it is too late? It's hard for me to keep writing letters and I don't get paid for it. I should be plowing today.

Thank you sir.

GRANT J. MARQUARDT,
Millville, Minn.

Today, Mr. Marquardt feels very much alone. "Am I a lone voice in the wilderness?" he asks. I wonder if perhaps he is just that?

No; I do not think so. For the Mr. Marquardt's of the wheat belt showed last May what they thought of Government controls in exchange for higher prices. Then, if ever, the farmer struck a blow for free enterprise and his own traditional independence, for better or worse, richer or poorer.

People may not agree with the methods of the National Farmers Organization, but it cannot be doubted that the rapid rise of this organization is an indication that the farmer wants to gather the reins of his destiny back into his own hands—bargain for himself, deal for himself—without Government interference. He may have to do so collectively, which is an unfamiliar approach for him, but the important thing is, he wants to do it himself.

None of us will disagree that there has been a revolution in agricultural procedures. But to just go on saying that this has occurred, as though it was a full explanation for every ill of the farmer, is an oversimplification of the problem and brings us no nearer to solution.

It is also an oversimplification, not substantiated by fact, that large, corporate farming is the inevitable fate of the rural future. One has merely to drive through the Midwest to realize that corporation farming has not occurred and is not likely to. Why should it? Why scrap a system which has made us the most agriculturally productive nation in the world's history?

What people on farms throughout the breadbasket of America are asking today is the right to make a decent living, while continuing to maintain the independence which has contributed so much to the cultural heritage of the United States. The farmer is demonstrating again his rugged individualism, as he votes out strict governmental control and as he seeks to find a solution to his own problems.

Has our Government reached the point where it cannot allow Americans to seek their own destiny? I felt that recent comments by many people miffed at the outcome of the wheat referendum, that now the farmers could "stew in their own juice," because they had rejected bureaucratic control, was laced with a cynicism unworthy of officials of our Government.

We are hearing much these days of reevaluation. We are reevaluating our tax policies. We are reevaluating our foreign policy. We are reevaluating our educational system.

It would be well if we also reevaluated our farm policy.

This reevaluation, I admit, might be a long and painful operation. But when the patient is seriously ill, drastic surgery may be necessary.

If 40 regular, medium, close, down-to-earth-type farmers are leaving the farm in one small area, what is the overall picture?

This is happening under a system in which Government has reached its hand into many phases of farming.

How To Kill the U.N.

EXTENSION OF REMARKS

OF

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 25, 1963

Mr. RIVERS of South Carolina. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I insert an editorial from the Evening Star, dated, Tuesday, September 24, entitled "How To Kill the U.N.":

HOW TO KILL THE U.N.

As expected, members of the Afro-Asian bloc have marked the opening of the 18th session of the United Nations General Assembly with a formal demand that drastic action be taken against South Africa. The significance of their position can be summed up quite simply: Should they have their way, the world organization would very rapidly begin to fall apart.

For these members (most of them fledglings) have called upon both the Assembly and the Security Council to consider expelling South Africa from the U.N. and imposing an all-out economic and military blockade against it. And why? Because of its apartheid policy. This is a policy that enforces a strict separation of the races—not unlike the segregation that we have had, and still have, in many parts of our own country. What the Afro-Asians are shrilly asking for, in short, is the immediate end of all this—or else severe sanctions against the South Africans, including a U.N. vote to cast them into the outer darkness as a sort of international pariah.

Yet, however hateful apartheid may be, South Africa is a sovereign nation endowed with inherent rights to govern itself, and handle its programs, in what seems to it to be the best way. The action sought by the Afro-Asians would be the grossest kind of intervention in the internal affairs of a free and independent land. The people of that country therefore have reason to feel incensed. Americans would certainly feel the same way if a cabal in the U.N. undertook to condemn and punish the United States for the segregation that still exists in many of our States, north and south, east and west.

Accordingly, when it comes to voting on this matter, our country should neither equivocate nor abstain. Instead, it should emphatically support South Africa—a good ally of the free world—against the effort of the Afro-Asian members to meddle in what is none of their business. The U.N. cannot put up with such intervention without stultifying itself and digging its own grave.

Mr. Speaker, while I have no brief for the present United Nations, this situation in which we find ourselves only demonstrates how ridiculous and nonsensical our African policy really is.

Our African policy needs a careful and thorough review for there are many indications it is a failure which will have serious and perhaps disastrous consequences.

Our policy for the Dark Continent seems to be a very simple one. We oppose colonialism and apparently our definition of colonialism is a situation in which Negroes oppose whites. The United States has been the primary factor in the so-called freedom wave which has swept both Africa and Asia. We have pressured France, Britain, Belgium, and Portugal to give up their territories. In Africa alone, 33 new states have been created since the end of World War II. There are only a few white enclaves left and these are concentrated south of the former Belgian Congo. The giant provinces of Angola and Mozambique still are Portuguese territory and South Africa is firmly in white hands. Elsewhere in Africa the whites have relinquished power or are in the process of doing so.

Obviously, old style colonialism could not be maintained indefinitely in Africa. But just as obviously, independence for the former colonial areas was not the answer to every problem. Not every mistake or mishap in Africa is this country's fault. Yet, as I have stated, we did put pressure on our former allies to get out and get out fast.

As a result, the continent has gone backwards. The civilization which the former colonial powers built has eroded; dictators control many of the new countries; many of these leaders and their favorites live on a profligate scale; the condition of the masses is worse than it was when independence came. There is little prospect of improvement but there are plenty of indications that the situation will get worse.

Nevertheless, we seem to have learned nothing by experience. This country has taken the lead in attempting to force the Portuguese out of Angola and Mozambique. Once that event takes place, we probably will try to throw out the South Africans. If we pursue our present course, we might even find ourselves at war with both Portugal and South Africa.

If this statement sounds extreme let me point out to you that we backed the United Nations attack on Tshombe in the former Belgian Congo. To all intent and purposes, this was our fight and it was pursued for motives which still remain obscure. The African nations wanted Tshombe crushed, the latter being a friend of the whites in the Congo. Our own Negro leaders also wanted the defeat of Tshombe. Perhaps these factors were decisive in our decision to convert the U.N., established to keep world peace, into an instrument of war.

Our State Department has tried to represent the downfall of Tshombe and the so-called unification of the Belgian Congo as a great victory. Actually, the Belgian Congo is torn to pieces and only the presence of U.N. troops prevent tribal fighting and other disorders. The situation in the Congo is so chaotic that it will take years for that unhappy country to reach the degree of stability and order which it had prior to independence.

If our dislike of Tshombe is a mystery, our attitude toward Portugal is even more so. In March 1961, a group of terrorists invaded Angola from the Belgian Congo. They killed and tortured without mercy, being finally defeated and driven out by the aroused settlers and Portuguese troops.

Coincidentally with the invasion of Angola, the United Nations Security Council considered a resolution calling for an inquiry into conditions in the province. To the amazement and consternation of Portugal, a NATO member and long-time friend of the United States, this country voted for the resolution.

Shortly afterwards, the United States voted in the U.N. General Assembly for an inquiry into the situation in Angola, the Security Council resolution having failed despite our vote for it. But before any inquiry could begin, we voted for a resolution before the Security Council which called upon the Portugese to "desist forthwith from repressive measures in Africa." This resolution carried.

In reality, we voted at the Security Council to condemn the Portuguese for defending themselves against the terrorists, whose atrocities are beyond description. Our censure of the Portuguese prior to any investigation of the fighting in Angola amounted to "a form of lynch law."

The Belgian Congo furnishes an example of what happens to a colony which achieves freedom before it is ready for it. Not only will it take a long time to undue the damage already done, but our own poor taxpayers must pay a large part of the bill. The United States has put more than $200 million into the Congo, to say nothing of U.N. funds which we furnished indirectly. Our taxpayers will be shelling out for a long time to come.

I do not think there is a single new state in Africa which isn't worse off now than when it gained its independence. The trend was summarized in a series of articles this year by Arthur Veysey, London correspondent of the Chicago Tribune. He wrote from Lagos, Nigeria:

> To travel through Africa 10 years ago was an exciting experience. Everywhere buildings, from proud city skyscrapers to neat one-room houses, were rising. New fields were being cleared and planted, pastures contoured to save water and soil, schools and hospitals opened.
>
> Each year fewer people were going to bed on the ground, hungry, cold, and sick. Fewer babies were dying. Everywhere people of all races were full of hope.
>
> Then came independence for most of the colonial countries.
>
> To travel through Africa today is a saddening, heart-searing ordeal. Building has stopped or slowed down, productive fields are going back to unproductive bush. Idleness has increased. Standards, both physical and moral, are slipping.
>
> People who so short a time ago saw an ever-brightening future, today ponder how bad things can get.

Even under the best of circumstances, many of the new countries cannot exist. They simply do not have the resources necessary for statehood. The well-known African geographer, George H. T. Kimble, said in a recent interview in the U.S. News & World Report that only five or six of the new nations were viable. Among these he named Nigeria, Uganda, the Belgian Congo, the Sudan, Tanganyika, and Ghana. He did not predict that these six had bright futures, or would remain as entities. He simply said they could get along if they were run right. But they are not being run right. Without exception, I think most of them are in bad shape today. Under the policies being pursued at present, they will continue to do downhill.

The independence wave in Africa has been followed by a series of unpleasant developments. Increasingly, the Afro-Asian bloc at the U.N. has become racist. They violate the charter frequently and with impunity. Not too long ago, the bloc used the U.N. as a forum for assaults on Portugal and South Africa. They are using the world organization as a megaphone in their campaign to drive Portugal and South Africa out of Africa, itself. They cry colonialism, which has come to be a very bad word, indeed, but they have no interest whatever in the colonialism practiced by Russia and the Red Chinese.

During the U.N. debate, the world's greatest colonial power cheered the Afro-Asian bloc on and took an active part in the proceedings. Our representatives at the U.N. sat by straight faced and let Russia get away with cynical and blatant hypocrisy. The U.N. has greatly damaged its prestige by its irresponsibility during the past few years. Regardless of the propaganda in its behalf, its destruction is likely unless it mends its ways.

Our own Negro leaders should be the first to criticize the U.N. for racism. Their goal in this country, or so they say, is complete integration. They do not want to be judged on the basis of skin color. Yet, curiously enough, they back racism in Africa. The Negro papers denounce not only South Africa, which practices apartheid, but the multiracial Portuguese. The latter, alone among the European colonizing nations, eschew discrimination based on skin color. Many Negroes have risen to high positions in the Portuguese African territories. Intermarriage and association between the races are common in Angola and Mozambique. But Dr. Martin Luther King, James Farmer, Roy Wilkins, and almost every prominent Negro leader denounces the Portuguese. They say they are not sincere and, in effect, argue for Negro rule in Angola and Mozambique because the Negroes are in the majority. If that argument is turned around, the whites should rule in this country. They are not only greatly in the majority but they settled North America and developed it. Sometimes I wonder whether our Negro leaders are as sincere as they profess to be. If they are sincere, they would be greatly exercised over the wrongs done the whites in Africa, or so it seems to me. Along with their denunciation of southern leaders in this country, they would be denouncing racists like Tubman in Liberia, Mboya in Kenya and Nkrumah in Ghana.

I wonder sometimes also about the sincerity of our anticolonial policy. I cannot understand why our spokesmen at the U.N. and the State Department are so quiet, not to say supine, in the face of Russian colonialism. We seem also not to mind Red Chinese colonialism in the least. Tears for Tibet long since ceased to flow, and we actually are talking about closer relations with the Russian regime in Hungary. We were greatly upset at the brutal massacre of the Hungarian revolutionists, but now our anger has abated. Our ire seems to be directed toward Western leaders like De Gaulle and friendly countries like Portugal.

Moreover, I am astonished at our part in making Dutch New Guinea an Indonesian colony. The story is long and involved but the purport is clear. Dutch New Guinea is a primitive area lying between Australia and Indonesia. As the name indicates, it formerly belonged to Holland. As is customary, we told the Dutch to get out. They agreed and suggested that New Guinea be turned over to the U.N. for an interim period.

About that time, Sukarno, the cocky little Indonesian ruler, decided he wanted New Guinea. Why, I do not know. This country is mostly jungle and is inhabited by a race called Papuans, a backward, tribal people. The former Dutch New Guinea had no economic, political, or ethnic ties with Indonesia. That did not matter. This country helped Sukarno and a deal was worked out. The net result: Sukarno took over the Papuans. Instead of being heartily ashamed of this breach of principle, our officials were very complacent about it. They seemed pleased that they had been able to do something for Sukarno, a dictator with close Communist ties.

I have tried very hard to understand our African policy. The best explanation, when it defects and consequences are pointed out, is that the whites cannot maintain a foothold in Africa. The Portuguese say that Angola and Mozambique are as much a part of their country as Hawaii and Alaska are part of the United States. Our Government pays no attention to such statements. Our officials simply shrug and say that the Portuguese cannot hold on. Nor does it help to point out that Angola and Mozambique are thriving and prosperous by comparison with the new states on the continent. Obviously, if the Portuguese are forced out we will see a repetition of the Congo mess all over again. Once again, our taxpayers will be handed the bill.

Our Government says it wants the Portuguese to make concessions. We should know that no concession made by the Portuguese will suffice, short of complete surrender. The drive against the Portuguese seems to have little support in Angola and Mozambique, themselves. If it had such support, the new African nations would not be threatening an invasion of the Provinces. After the first attack on Angola in 1961, the terrorists have never been able to muster any strength. If they had any real following inside Angola, there would have been trouble all along. Also, in view of the demoralized situation inside almost every new African state, it would seem that the first order of business would be to try to set some things right at home. But no, they are united on one thing—they want to end all white authority in Africa and the consequences do not seem to worry them in the least.

The Arab countries, including Ben Bella, Algerian dictator and friend of Castro, also want to drive out the whites. As an aside, I might say to the new Negro nations that they have a lot more to fear from the Arabs than from the remnants of white rule in Africa. After all, the Arabs were the original African slave traders.

Our Government seems to feel that events in Africa constitute a triumph in the cold war. None of the new African nations is avowedly Communist, although several are very close to Russia. The real Communist threat in Africa is demoralization. If the trend continues, the Communists can pick up the pieces. The ruling politicians in Africa have made a lot of promises. They told their people that things would be great after the whites were gone. Instead, things get worse and worse. Below the rulers are younger politicians, impatient with the way things are going. They are more radical than existing leaders and much closer to the Communists. If the State Department wants to know what is likely to happen in Africa, I suggest that somebody take a look at the recent revolution in the former French Congo. This is a most ominous portent. I suggest also that the Russians are all for driving the Portuguese out of Africa. They support, most enthusiastically, this part of our policy. They are not doing it out of concern for the African natives.

This doctrine that certain events are foreordained does not convince me. If colonialism is dead, does that include Communist colonialism? Must we pursue a course which tears Africa to pieces? Would it not be the part of wisdom and commonsense to try to work out an African program which would include sensible cooperation between the Negroes and the whites? The needs of Africa are almost limitless. If we are to back racism and irresponsibility, Africa cannot possibly hope to get the money and help from white technicians and administrators which it must have. Surely, there are Negro leaders in Africa who have some sense of reality. But they have no reason to show it so long as the United States, itself, pursues an irresponsible course.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 26, 1963

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Galatians 6: 9: *Let us not be weary in well doing, for in due season we shall reap, if we faint not.*

O Thou gracious Benefactor of humanity, we thank Thee for the gift of a new day, affording us many opportunities to serve our generation.

We beseech Thee to mediate unto us, through Thy spirit, that divine wisdom and power which will enable us to see our duties and responsibilities more clearly and perform them more faithfully.

Grant that Thy special blessing may be given to our President, our Speaker, and the Members of this legislative body and may they be conscious of that spiritual guidance which transcends the fallibility of all human wisdom and that strength of patience and perseverance which never grows weary in well doing.

May we hasten the dawning of that day when sentiments and thoughts of peace and good will shall pervade and permeate the mind and heart of all mankind.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 5250. An act to amend section 411(a) of title 38, United States Code, to increase the rates of dependency and indemnity compensation payable to widows of veterans dying from service-connected disabilities.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1005. An act to amend paragraph (2) (G) of subsection 309(c) of the Communications Act of 1934, as amended, by granting the Federal Communications Commission additional authority to grant special temporary authorizations for 60 days for certain nonbroadcast operations;

S. 1193. An act to amend section 309(e) of the Communications Act of 1934, as amended, to require that petitions for intervention be filed not more than 30 days after publication of the hearing issues in the Federal Register;

S. 1967. An act to extend until June 30, 1967, the authorization contained in section 6 of the Juvenile Delinquency and Youth Offenses Control Act of 1961; and

S. Con. Res. 19. Concurrent resolution to designate "Bourbon whiskey" as a distinctive product of the United States.

APPROPRIATIONS FOR THE DEPARTMENT OF DEFENSE FOR THE FISCAL YEAR ENDING JUNE 30, 1964, AND FOR OTHER PURPOSES

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7179) making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. MAHON, SHEPPARD, CANNON, FORD, and OSTERTAG.

TO AMEND THE ACT PROVIDING FOR THE ADMISSION OF THE STATE OF ALASKA INTO THE UNION WITH RESPECT TO THE SELECTION OF PUBLIC LANDS FOR THE DEVELOPMENT AND EXPANSION OF COMMUNITIES

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6118) to amend the act providing for the admission of the State of Alaska into the Union with respect to the selection of public lands for the development and expansion of communities, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 8 strike out "six hundred and forty" and insert: "one hundred and sixty."

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

HOUSING FOR THE ELDERLY

Mr. RAINS. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 724, to provide additional housing for the elderly.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. ARENDS. Mr. Speaker, reserving the right to object, I notice that the gentleman from New Jersey [Mr. WIDNALL] is not present at the moment, our member on the Subcommittee of Banking and Currency, but pending his arrival I shall yield to the gentleman from New York [Mr. KILBURN].

Mr. KILBURN. Mr. Speaker, this bill was reported out of the subcommittee unanimously and out of the full committee unanimously. As the gentleman from Illinois [Mr. ARENDS] said, the ranking member of the subcommittee is the gentleman from New Jersey [Mr. WIDNALL]. He has no objection to the bill about which I know, and I have no objection to the bill.

Mr. ARENDS. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. GROSS. Mr. Speaker, I object.

Mr. RAINS. Mr. Speaker, will the gentleman reserve his objection?

Mr. GROSS. Yes.

Mr. RAINS. Mr. Speaker, I do not believe the gentleman wants to object to this. Very frankly, this is a bill which will provide $50 million to carry on the program of housing for the elderly in the extreme low income group. The budget carried $75 million. The gentleman from New Jersey [Mr. WIDNALL] introduced a companion bill. The committee cut it to $50 million.

The program expires on Monday next, and it affects only the extreme low income group through the nonprofit provisions of the Housing for the Elderly Act. There was not a single objection to it from the minority side in the committee.

The gentleman from New Jersey [Mr. WIDNALL] is on his way over here. I will be delighted to wait until he arrives. The act itself will expire on Monday, as I said. I may say to the distinguished gentleman that if he objects it will put the members of the committee to the trouble and delay of consideration of the bill under suspension of the rules. We have already cleared with the minority. We do not think we should allow the program to die, as it will die on Monday next.

Mr. GROSS. Mr. Speaker, will the gentleman withhold his request until the ranking minority member of the subcommittee gets to the House floor?

Mr. RAINS. I will be delighted to.

CALL OF THE HOUSE

Mr. BOW. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 158]

Abbitt
Ashley
Barrett
Bass
Becker
Brooks
Broyhill, Va.
Buckley
Byrne, Pa.
Cahill
Casey
Cederberg
Celler
Clancy
Clausen, Don H.
Curtis
Daddario
Dent
Derounian
Diggs
Dowdy
Fallon
Farbstein
Fountain
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Gary
Giaimo
Grabowski
Gray
Green, Oreg.
Green, Pa.
Grover
Gubser
Halleck
Halpern
Hansen
Harding
Harsha
Hawkins
Hays
Healey
Henderson
Holifield
Horan
Hosmer
Huddleston
Jarman
Kelly
Keogh
King, Calif.
Kirwan
Kyl
Lankford
Long, La.
McMillan
Macdonald
MacGregor
Mahon
Martin, Calif.
Matthews
Meader
Miller, N.Y.
Mills
Montoya
Morrison
Nix
Norblad
O'Brien, Ill.
Olsen, Mont.
Osmers
Pelly
Pepper
Perkins
Pilcher
Powell
Rooney, Pa.
Roybal
Ryan, N.Y.
St. Onge
Scott
Shelley
Smith, Iowa
Snyder
Springer
Stephens
Sullivan
Thomas
Thompson, La.
Thornberry
Udall
Ullman
Waggonner
Whitener
Wright
Wydler

The SPEAKER. On this rollcall 329 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HOUSING FOR THE ELDERLY

Mr. RAINS. Mr. Speaker, I renew my request. I ask unanimous consent for the immediate consideration of House Joint Resolution 724 to provide additional housing for the elderly.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. GROSS. Mr. Speaker, reserving the right to object, this resolution, as I understand it, would authorize an additional $50 million for the purpose of providing housing for the elderly.

Now, am I correct in that statement, I would ask the gentleman from Alabama [Mr. RAINS]?

Mr. RAINS. The gentleman is correct. The amount is already in the budget. The administration requested $75 million. The committee cut it to $50 million.

Mr. Speaker, this is a program which will expire on the 30th of this month.

Mr. GROSS. With respect to the timing of this legislation—where has it been for the last several weeks, or months for that matter? I am not impressed with the plea that the time limit is September 30, in view of the lackadaisical pace of legislation in this Congress. And let me say to the gentleman that this is pretty short notice to be confronted with a bill dealing with $50 million.

I knew nothing about this bill until today. I will say further to the gentleman that in view of the passage of the tax bill yesterday—reducing taxes by some $11 billion, we are going to have to scrutinize all of these bills, and legislation of this sort should not come up under unanimous consent on such short notice.

Mr. Speaker, I am not going to object to the consideration of this measure today, but I do serve notice that I will object to bills of this magnitude coming up under unanimous consent in the future. In light of the tax reduction bill which was passed yesterday, I want to serve notice on those who may be interested that I will object to them in the future, if I am able to do so.

Mr. RAINS. I may say to the gentleman that this is a lending program. It is repayable. In my judgment it is one that is doing a very outstanding job for the elderly. So far as bringing it up now, may I say to the gentleman I fear bringing up any bill, even for poor, old people, at a time like this, but it is a matter of bringing it up now or allowing the act to expire.

Mr. GROSS. In response to the gentleman's use of the words "poor, old people," there are some of us around here who also have some concern for the poor, old taxpayers of this country.

Mr. RAINS. I am one of those.

Mr. GROSS. I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There being no objection, the Clerk read the House joint resolution as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 202(a) (4) of the Housing Act of 1959 is amended by striking out "$225,000,000" and inserting in lieu thereof "$300,000,000."

With the following committee amendment:

Page 1, line 5, strike out "$300 million" and insert "$275 million".

Mr. WIDNALL. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I cosponsored this legislation with the gentleman from Alabama [Mr. RAINS]. The current resolution is House Joint Resolution 724 and mine is House Joint Resolution 725. It is my belief this has been a good program, and will continue to be a good program. It makes possible direct loans to private and nonprofit corporations, consumer cooperatives, and public agencies and bodies. It provides housing for the elderly and the loans are made at an interest rate of 3⅝ percent. This is an additional authorization of $50 million, which will mean a total of $125 million will, through its enactment, be available for these loans.

Mr. Speaker, I urge adoption of the resolution which came out of the subcommittee and the full committee unanimously.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

IF THEY ARE FOR FREEDOM, CUT THEM OFF

Mr. FOREMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FOREMAN. Mr. Speaker, last evening we received news that the Dominican armed forces overthrew the left-leaning, pro-Castro Bosch administration in the Dominican Republic.

The military coup, declaring that Castro-communism had been crushed by them in their country, immediately issued a proclamation including: first, the outlawing of parties supporting communism or Castroism; second, the preceding government failed to respect individual rights; third, the armed forces will remain in control until a "provisional government of respectable men" is approved by the different political parties; fourth, all international obligations will be respected; and, fifth, guarantees are extended for human rights and property and free commerce.

What was our reaction to this expression of a desire for freedom and a slap against communism? Our State Department immediately suspended our relations with the Dominican Republic and called an immediate halt to our economic aid to that country.

During the past 2 years, the United States has committed $86 million in aid to the Dominican Republic. Next week, Theodoro Moscoso, our State Department coordinator for the Alliance for Progress, and TVA Director Aubrey Wagner were scheduled to go to the Dominican Republic to inspect plans for a huge development project the U.S. taxpayers are, or were, planning to furnish the money for.

Here is another instance of a country, basking in the big-hearted gifts supplied by the shortsighted generosity of the American taxpayers, going further to the left and pro-Communist to the point of revolution. What good has our irresponsible aid in this country done? Was the big development project another appeasing gift to try to buy off socialism and communism?

It is fitting and in accord with our established foreign policy, I presume, now that the pro-Communist government is ousted and a move toward freedom is attempted, that we immediately sever all relations with this country. Apparently, we care not about those who profess a belief in freedom and individual dignity—it is those Communists our aid is for—they must be bought off, regardless of cost.

NATIONAL LOTTERY

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, I would like to apprise the Members of this House about the national poll being conducted by True magazine among its 6 million readers.

The balloting has brought responses from every State in the Nation. This is part of True magazine's campaign to force national and statewide referendums which will permit our American taxpayers to decide for themselves whether they want legalized gambling under Government control and regulation.

According to the comments accompanying the ballots, one important reason given is the belief that legalized betting could significantly help relieve the tax burden shouldered by our people.

The first samplings of True magazine's nationwide poll show that 98 percent favor a national lottery and only 2 percent oppose it. On the question of off-track betting, 82 percent support it and 18 percent are opposed.

It is quite evident that the most popular form of gambling urged is a national lottery.

True magazine is to be complimented for conducting this nationwide poll and making its results known to the public.

SPECIAL ORDER GRANTED

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent that on Tuesday next, following the legislative business of the day and the conclusion of special orders heretofore granted, I may address the House for 30 minutes to report on the Interparliamentary Conference recently held in Belgrade.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE AND RELATED AGENCIES APPROPRIATION BILL, 1964

Mr. FOGARTY. Mr. Speaker, I call up the conference report on H.R. 5888 making appropriations for the Departments of Labor and Health, Education, and Welfare and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 774)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5888) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 10, 24, 25, 27, 39, 40, 42, 43, 44, 45, 47, 48, 54, 61, 62, and 69.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 5, 6, 11, 13, 15, 16, 17, 19, 26, 30, 31, 33, 35, 50, 51, 55, 57, 59, and 64, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$16,345,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$8,500,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,466,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert ", and not to exceed $100,000 for carrying out the functions of the Office of Vocational Rehabilitation under the International Health Research Act of 1960 (74 Stat. 364)"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$34,810,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$28,405,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$29,608,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum of "$228,214,000" named in said amendment insert "$226,220,000"; and in lieu of the sum of "$5,928,000" named in said amendment insert "$4,200,000"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$28,980,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$183,288,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,956,000"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,500"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$91,500"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,500,000"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$22,460,000"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$11,065,000"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$5,690,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 7, 8, 12, 14, 20, 21, 34, 37, 38, 46, 56, 58, 66, and 68.

JOHN E. FOGARTY,
WINFIELD K. DENTON,
CLARENCE CANNON,
MELVIN R. LAIRD,
ROBERT H. MICHEL,
Managers on the Part of the House.
LISTER HILL,
RICHARD B. RUSSELL,
JOHN STENNIS,
JOHN O. PASTORE,
ALAN BIBLE,
ROBERT C. BYRD,
NORRIS COTTON,
MARGARET CHASE SMITH,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5888) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF LABOR

Bureau of Labor Statistics

Amendment No. 1: Appropriates $16,345,000 for salaries and expenses instead of $16,485,000 as proposed by the House and $16,205,000 as proposed by the Senate. The conferees are agreed that, of the amount appropriated in excess of that proposed by the Senate, $50,000 is for the job vacancies statistics study and $90,000 is for statistics on hours and earnings of nonproduction workers in manufacturing.

Bureau of International Labor Affairs

Amendment No. 2: Appropriates $842,000 for salaries and expenses as proposed by the Senate instead of $882,000 as proposed by the House.

Office of Manpower, Automation and Training

Amendment No. 3: Appropriates $110,000,000 for manpower development and training activities as proposed by the Senate instead of $140,000,000 as proposed by the House. The conferees are agreed that $110,000,000 is likely all that will be needed to carry out the program which can be developed under existing legislation. It is not the intention of the conferees that the program be curtailed as a result of the amount agreed upon. If, due to additional legislation or other factors, additional funds can be efficiently and effectively utilized, the Department will be expected to request a supplemental appropriation.

The conferees are agreed that not more than $3,000,000 of the appropriation shall be available for the purpose of carrying out title I, embracing evaluation, information, and research, and skill and training requirements, and the manpower report. The conferees are further agreed that this appropriation may be used to finance not to exceed the number of positions financed in 1963 to carry out the provisions of title I, and not to exceed the number of positions in the Office of the Administrative Assistant Secretary financed by these funds in 1963.

The conferees will look with extreme displeasure on the establishment of any positions, under any appropriation to the Department, which have not been authorized by Congress.

Amendment No. 4: Appropriates $8,500,000 for area redevelopment activities instead of $9,000,000 as proposed by the House and $8,000,000 as proposed by the Senate.

Bureau of Employment Security

Amendment No. 5: Appropriates $12,400,000 from the unemployment trust fund for salaries and expenses, as proposed by the Senate instead of $12,640,000 as proposed by the House.

Amendment No. 6: Appropriates $425,000,000 from the unemployment trust fund for grants to States for unemployment compensation and employment service administration as proposed by the Senate instead of $350,000,000 as proposed by the House.

Amendment No. 7: Reported in disagreement. The managers on the part of the House will support a motion to agree to the Senate amendment which inserts language establishing a contingency fund within the appropriation for grants to States.

Amendment No. 8: Reported in disagreement. The managers on the part of the House will support a motion to agree to the Senate amendment, which inserts language restricting the availability of funds granted to the States, with an amendment providing that not to exceed $1,100,000 of these funds may be available to cover deficiencies incurred in fiscal year 1963.

Amendment No. 9: Appropriates $870,000 for compliance activities, Mexican farm labor program as proposed by the House instead of $1,387,250 as proposed by the Senate.

Amendment No. 10: Appropriates $1,135,000 from the farm labor supply revolving fund for salaries and expenses, Mexican farm labor program as proposed by the House instead of $2,048,500 as proposed by the Senate.

Bureau of Veterans' Reemployment Rights

Amendment No. 11: Appropriates $784,000 for salaries and expenses as proposed by the Senate instead of $790,000 as proposed by the House.

Office of Labor-Management Relations Services

Amendment No. 12: Reported in disagreement. The Senate amendment consolidates appropriations budgeted and carried in the House bill under "Office of Welfare and Pension Plans" and "Bureau of Labor-Management Reports" and transfers to this proposed new appropriation $195,000 from the "Office of the Secretary" appropriation which was to cover certain labor-management activities. The managers on the part of the House have agreed to support a motion to agree to the Senate amendment with an amendment which will strike the proposed appropriation of $7,500,000 and insert in lieu thereof $7,450,000 plus a transfer of $50,000 additional from the "Office of the Secretary" appropriation.

Bureau of Employees' Compensation

Amendment No. 13: Appropriates $4,275,000 for salaries and expenses as proposed by the Senate instead of $4,285,000 as proposed by the House.

Amendment No. 14: Reported in disagreement. The managers on the part of the House will support a motion to agree to the Senate amendment which adds language relating to the advancing of funds from the subsequent year appropriation for "Employees' compensation claims and expenses," for the payment of benefits subsequent to March 31.

Office of the Solicitor

Amendment No. 15: Appropriates $4,420,000 for salaries and expenses as proposed by the Senate instead of $4,570,000 as proposed by the House.

Office of the Secretary

Amendment No. 16: Appropriates $2,269,000 for salaries and expenses as proposed by the Senate instead of $2,364,000 as proposed by the House.

Amendment No. 17: Appropriates $150,000 for trade adjustment activities as proposed by the Senate instead of $4,000,000 as proposed by the House.

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

Amendment No. 18: Appropriates $4,466,000 for buildings and facilities instead of $4,347,000 as proposed by the House and $4,670,000 as proposed by the Senate. The $119,000 in addition to the House allowance is for planning facilities at Denver and Philadelphia.

Office of Education

Amendment No. 19: Appropriates $219,620,000 for defense educational activities as proposed by the Senate instead of $229,620,000 as proposed by the House.

Amendment No. 20: Reported in disagreement. The managers on the part of the House will support a motion to recede and concur in the Senate amendment which adds language relating to the allotment of funds for defense educational activities.

Amendment No. 21: Reported in disagreement. The managers on the part of the House will support a motion to agree to the Senate amendment, which appropriates $1,500,000 for expansion of teaching in education of the deaf, with an amendment which will add language making the availability of the funds contingent upon enactment of S. 1576.

Office of Vocational Rehabilitation

Amendment No. 22: Inserts language proposed by the Senate authorizing the use of research and training funds to carry out the functions of the Office of Vocational Rehabilitation under the International Health Research Act of 1960 with an amendment limiting such use of these funds to not to exceed $100,000.

Amendment No. 23: Appropriates $34,810,000 for research and training instead of $31,810,000 as proposed by the House and $36,830,000 as proposed by the Senate.

Amendment No. 24: Appropriates $2,000,000 for research and training (special foreign currency program) as proposed by the House instead of $3,000,000 as proposed by the Senate.

Public Health Service

Amendment No. 25: Deletes language proposed by the Senate and restores language stricken by the Senate both pertaining to salary levels.

Amendment No. 26: Appropriates $16,311,000 for buildings and facilities as proposed by the Senate instead of $13,811,000 as proposed by the House.

Amendment No. 27: Deletes appropriation of $1,441,000 for environmental health center proposed by the Senate.

Amendment No. 28: Appropriates $28,405,000 for communicable disease activities instead of $25,405,000 as proposed by the House and $30,405,000 as proposed by the Senate. The appropriation agreed upon includes $3,000,000 for the program to eradicate the Aedes aegypti mosquito.

Amendment No. 29: Appropriates $29,608,000 for community health practice and research instead of $28,608,000 as proposed by the House and $30,608,000 as proposed by the Senate.

Amendment Nos. 30 and 31: Divides the $4,506,000 appropriated for grants for control of tuberculosis as follows: $1,606,000 for project grants and $2,900,000 for formula grants as proposed by the Senate instead of $2,006,000 for project grants and $2,500,000 for formula grants as proposed by the House.

Amendment No. 32: Appropriates $226,220,000 for hospital construction activities instead of $177,914,000 as proposed by the House and $228,214,000 as proposed by the Senate. The conferees are agreed that $300,000 of the amount made available for purposes authorized in section 636 shall be reserved for the project described in Senate Report No. 383.

Amendment No. 33: Appropriates $4,990,000 for occupational health as proposed by the Senate instead of $4,590,000 as proposed by the House.

Amendment No. 34: Reported in disagreement. The managers on the part of the House will support a motion to agree to the Senate amendment which earmarks $500,000 of the appropriation for occupational health to be used for the continuation of the study of pulmonary diseases of coal miners.

Amendment No. 35: Appropriates $19,145,000 for radiological health as proposed by the Senate instead of $18,745,000 as proposed by the House. The conferees are agreed that $400,000 of the appropriation is to be used only for equipment for the additional laboratory facilities for the Southwest Radiological Health Laboratory and is to be held in escrow until such time as the new facilities to be constructed by the University of Nevada are rented or leased by the Federal Government for the use of the aforementioned laboratory, or a formal agreement for such rental or lease is consummated.

Amendment No. 36: Appropriates $28,980,000 for water supply and water pollution control instead of $27,921,000 as proposed by the House and $29,980,000 as proposed by the Senate.

Amendment No. 37: Reported in disagreement. The managers on the part of the House will support a motion to agree to the Senate amendment which earmarks $500,000 for the comprehensive study of the Upper Ohio River Basin with an amendment to strike out the word "Upper."

Amendment No. 38: Reported in disagreement. The managers on the part of the House will support a motion to agree to the Senate amendment which adds language regarding the allotment of funds for waste treatment works construction.

Amendment No. 39: Appropriates $163,869,000 for general research and services, National Institutes of Health as proposed by the House instead of $164,674,000 as proposed by the Senate.

Amendment No. 40: Appropriates $144,340,000 for the National Cancer Institute as proposed by the House instead of $145,114,000 as proposed by the Senate.

Amendment No. 41: Appropriates $183,288,000 for mental health activities instead of $177,288,000 as proposed by the House and $190,096,000 as proposed by the Senate. The amount agreed upon includes $6,000,000 for "hospital improvement grants."

Amendment No. 42: Appropriates $132,404,000 for the National Heart Institute as proposed by the House instead of $133,624,000 as proposed by the Senate.

Amendment No. 43: Appropriates $19,689,000 for the National Institute of Dental Research as proposed by the House instead of $19,809,000 as proposed by the Senate.

Amendment No. 44: Appropriates $113,679,000 for arthritis and metabolic disease activities as proposed by the House instead of $114,717,000 as proposed by the Senate.

Amendment No. 45: Appropriates $68,723,000 for allergy and infectious disease activities as proposed by the House instead of $69,226,000 as proposed by the Senate.

Amendment No. 46: Reported in disagreement. The managers on the part of the House will support a motion to recede and concur in the Senate amendment which will provide $350,000 for payment to Gorgas Memorial Institute for maintenance and operation of the Gorgas Memorial Laboratory instead of $250,000 as proposed by the House.

Amendment No. 47: Appropriates $87,675,000 for neurology and blindness activities as proposed by the House instead of $88,407,000 as proposed by the Senate.

Social Security Administration

Amendment No. 48: Strikes language proposed by the Senate to permit the Bureau of Old Age and Survivors Insurance to utilize their contingency fund to meet the cost of certain personnel reclassifications as set forth in Senate Document No. 19. The conferees agree to the use of funds provided in the limitation on salaries and expenses, Bureau of Old Age and Survivors Insurance to meet the costs of these reclassifications, all of which are in accordance with existing law. The deletion of the language proposed by the Senate will mean that these costs must be borne out of the base appropriation rather than out of the contingency fund.

Amendment No. 49: Appropriates $4,956,000 for salaries and expenses, Bureau of Family Services instead of $4,756,000 as proposed by the House and $5,256,000 as proposed by the Senate. The conferees are agreed that not more than 468 positions are to be established under this appropriation.

Amendments Nos. 50 and 51: Appropriate $82,943,000 for grants for maternal and child welfare as proposed by the Senate instead of $86,943,000 as proposed by the House, and earmark $29,000,000 for child-welfare services as proposed by the Senate instead of $33,000,000 as proposed by the House.

Amendments Nos. 52 and 53: Provide that $10,500 of the appropriation for International Social Security Association meeting is available for official reception and representation expense instead of $7,000 as provided by the House and $14,000 as provided by the Senate, and appropriate $91,500 for the aforementioned meeting instead of $88,000 as proposed by the House and $95,000 as proposed by the Senate.

Amendment No. 54: Deletes appropriation of $1,200,000 for research and training (special foreign currency program) proposed by the Senate.

Amendment No. 55: Revises title in accordance with a recent reorganization of the Department and appropriates $1,025,000 for salaries and expenses, Office of the Commissioner as proposed by the Senate instead of $1,025,000 together with not to exceed $554,000 to be transferred from the Federal Old-Age and Survivors Insurance Trust Fund as proposed by the House.

Gallaudet College

Amendment No. 56: Reported in disagreement. The managers on the part of the House will support a motion to recede and concur in the Senate amendment providing $100,000 for necessary expenses of carrying out a study of the education of the deaf, with an amendment which will provide for the transfer of these funds to the Office of the Secretary. It is the desire of the conferees that this study be carried out by the Secretary with the assistance of such experts as he may find necessary, but who have no direct connection with either Gallaudet College or State schools for the deaf. It is the desire of the conferees that this study cover the entire educational program of both Gallaudet College and the State schools for the deaf, that it be as thorough as possible and that the findings be reported as soon as practicable.

Amendment No. 57: Appropriates $1,822,000 for salaries and expenses as proposed by the Senate instead of $1,697,000 as proposed by the House.

Amendment No. 58: Reported in disagreement. The managers on the part of the House will support a motion to recede and concur in the Senate amendment which adds language making it permissive on the part of the college whether or not funds for construction are expended under the supervision of the General Services Administration.

Office of the Secretary

Amendment No. 59: Appropriates $6,950,000 for juvenile delinquency and youth offenses as proposed by the Senate instead of $6,700,000 as proposed by the House.

Amendment No. 60: Appropriates $6,500,000 for educational television facilities instead of $5,000,000 as proposed by the House and $7,000,000 as proposed by the Senate.

General provisions

Amendment No. 61: Restores language proposed by the House and stricken by the Senate which limits funds that may be paid to a recipient of a research grant for indirect expenses in connection with such grant to 20 percent of the direct cost.

Amendment No. 62: Adjusts section number.

TITLE III—NATIONAL LABOR RELATIONS BOARD

Amendment No. 63: Appropriates $22,460,000 for salaries and expenses instead of $22,060,000 as proposed by the House and $22,560,000 as proposed by the Senate.

TITLE IV—NATIONAL MEDIATION BOARD

Amendment No. 64: Provides that a maximum of $100 per day may be paid to certain temporary employees as proposed by the Senate instead of $75 per day as proposed by the House.

TITLE V—RAILROAD RETIREMENT BOARD

Amendment No. 65: Appropriates $11,065,000 from the railroad retirement account for salaries and expenses instead of $10,900,000 as proposed by the House and $11,115,000 as proposed by the Senate.

TITLE VI—FEDERAL MEDIATION AND CONCILIATION SERVICE

Amendment No. 66: Reported in disagreement. The managers on the part of the House will support a motion to recede and concur in the Senate amendment to authorize the temporary employment of arbitrators, conciliators, and mediators at rates not in excess of $100 per day.

Amendment No. 67: Appropriates $5,690,000 for salaries and expenses instead of $5,540,000 as proposed by the House and $5,740,000 as proposed by the Senate.

TITLE IX—GENERAL PROVISIONS

Amendment No. 68: Reported in disagreement. The managers on the part of the House will support a motion to recede and concur in the Senate amendment which adjusts language relating to certain entertainment funds (totaling $10,000) to make them available for official reception and representation expenses for U.S. citizens as well as visitors from other countries.

Amendment No. 69: Restores language proposed by the House and stricken by the Senate prohibiting the use of any funds contained in the bill for any program related to the establishment of a National Service Corps.

JOHN E. FOGARTY,
WINFIELD K. DENTON,
CLARENCE CANNON,
MELVIN R. LAIRD,
ROBERT H. MICHEL,
Managers on the Part of the House.

Mr. FOGARTY. Mr. Speaker, when this bill was considered in the House, I stated that it was, as usual, a compromise and there were individual items in it that I would have preferred to be different, and items that I was satisfied with others would have preferred to be different, but overall I considered it a good bill. I can make the same statement concerning the conference report that is before the House now, for there is really not much change from the way the bill passed the House.

In total the conference agreement is $5,471 million which compares with $5,450 million as it passed the House or an increase of $21 million which figures out to less than one-half of 1 percent.

The bill as it passed the Senate totaled $5,496 million, so the conference agreement is $25 million less than the Senate version. In other words we secured better than an even break with the Senate so far as dollar amounts are concerned.

I will place a table in the RECORD that will show comparisons between appropriations for 1963, the budget estimates for 1964, the amount as passed the House, as passed the Senate and the conference agreement.

The table referred to follows:

Portion of bill	Appropriations, 1963	Budget estimates, 1964	Passed House	Passed Senate	Conference agreement	Conference agreement compared with—			
						1963 appropriations	Budget estimates, 1964	House	Senate
Department of Labor	$362,603,550	$427,220,000	$384,884,000	$350,005,250	$350,078,000	−$12,525,550	−$77,142,000	−$34,806,000	+$72,750
Department of Health, Education, and Welfare	5,181,200,600	5,301,314,000	5,035,542,000	5,115,567,000	5,090,904,500	−90,296,100	−210,409,500	+55,362,500	−24,662,500
Related agencies	28,168,450	30,955,000	29,555,000	30,255,000	30,105,000	+1,936,550	−850,000	+550,000	−150,000
Total	5,571,972,600	5,759,489,000	5,449,981,000	5,495,827,250	5,471,087,500	−100,885,100	−288,401,500	+21,106,500	−24,739,750

Mr. FOGARTY. Mr. Speaker, as this table shows, the bill as agreed to in conference is $100 million less than the 1963 appropriations and $288 million less than the budget request for 1964.

The two changes from the bill as it originally passed the House that involve a considerable amount of money are, first, the appropriation for manpower development and training activities. The budget request was $165 million. The House allowed $140 million since the program appeared to be progressing at a slower pace than expected, and the Senate, which acted much later, reduced the amount to $110 million on the basis of developments at that time. The managers on the part of the House have agreed to the lower figure with the managers' statement indicating that any change in the situation which would indicate that more funds could be effectively and efficiently spent should prompt the Department to request supplemental funds.

The second item involving a considerable amount of money is hospital construction. There the Senate increased the amount passed the House by approximately $50 million, and the House managers agreed to most of the increase. The amount agreed upon is the exact amount appropriated for 1963. While this is almost $50 million more than the budget request, the budget was based on the assumption that the hospital construction legislation would be liberalized during this session of Congress and a supplemental request would be submitted. This now appears to be unlikely. I believe that under current circumstances the budget request would have been for the approximate amount that is in the conference report.

These are the highlights of the report, and I will not take further time of the House except to briefly mention two things for the sake of legislative history.

Last year, in connection with the 20-percent limitation on the allowance for indirect costs of research projects, the managers on the part of the House included direction in their formal statement that not more than the actual expense of indirect cost of research be supported. The House managers confirm and reiterate their direction of last year and direct that the Department's regulations with respect to the payment of indirect cost of equipment not be further liberalized. We do not believe that capital equipment costing more than $500 that is financed from a research grant for the permanent ownership of the grantee institution should receive any allowance for indirect cost.

The second point I wanted to mention is that it is my understanding that research contracts, of which the National Cancer Institute finances a great many, are not cleared through the same channels of advisory groups as are grant applications. After discussing this with several people with considerable professional competence in this field, I am of the opinion that the same procedure should be employed for both.

Mr. Speaker, I ask unanimous consent that I be permitted to insert a table in connection with my earlier remarks.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 7: Page 5, line 14, insert ", and of which $15,000,000 shall be available only to the extent necessary to meet increased costs of administration resulting from changes in a State law or increases in the number of claims filed and claims paid or increased salary costs resulting from changes in State salary compensation plans embracing employees of the State generally over those upon which the State's basic grant (or the allocation for the District of Columbia) was based, which increased costs of administration cannot be provided for by normal budgetary adjustments:"

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 7 and concur therein.

Mr. FOGARTY. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Speaker, this conference report, as the gentleman from Rhode Island stated, has been brought back to the House with unanimous agreement on the part of the House conferees. I would like to point out one very interesting and unusual fact about this conference report as it affects the number of employees of the Department of Health, Education, and Welfare and Labor. That is, it provides for fewer employees than either the House or Senate bill.

The President asked for an increase in these two Departments and related agencies of about 5,000 employees for fiscal year 1964 as compared with fiscal year 1963. The House made a substantial reduction in the President's request, reducing the President's request by about 1,300 positions, from 92,430 to 91,119. The Senate added 700 positions to this bill but I am pleased to state that the conference report comes back with a lesser number of employees in these Departments than were carried in the bill as passed by the Senate, or in the bill as passed by the House of Representatives.

I will include in the RECORD a table giving more details.

The table follows:

Permanent positions

	1963	Budget, 1964	House	Senate	Conference
Department of Health, Education, and Welfare	74,068	78,782	77,831	78,611	77,557
Department of Labor	8,502	8,798	8,559	8,402	8,489
National Labor Relations Board	2,064	2,117	2,016	2,077	2,065
Mediation and Conciliation Service	393	413	393	405	400
Soldiers' Home	1,039	1,068	1,068	1,068	1,068
Railroad Retirement Board	1,171	1,148	1,148	1,148	1,148
National Mediation Board	104	104	104	104	104
Bill total	87,341	92,430	91,119	91,815	90,831

Mr. LAIRD. Mr. Speaker, there is one other item which I think deserves consideration by the House and that is the action postponing the Environmental Health Center. The Senate included funds to start the Environmental Health Center and specified that it was to be located here in the Washington area. The House on several occasions has rejected this. We have an Environmental Health Center in Cincinnati. We feel this whole program needs to be reevaluated and reappraised with the idea in mind that existing facilities may be expanded at a much lower cost than the creation of an entirely new facility here in the Washington area.

This conference report is a good conference report. It should be borne in mind that in addition to the $5,471 million that this conference report authorizes from general revenues of the Treasury, these same agencies are authorized to spend, for salaries and expenses and payments, $22,100 million from various so-called trust fund accounts. So the total amount involved in this bill is well over $27 billion when we include the trust fund accounts.

The SPEAKER. The question is on the motion offered by the gentleman from Rhode Island.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 8: Page 6, line 8, insert "during fiscal year 1964 and that any portion thereof not obligated by the State in that year shall be returned to the Treasury and credited to the account from which derived:"

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 8 and concur therein with an amendment, as follows: In lieu of the matter proposed, insert the following: "during fiscal year 1964 and that any portion thereof not obligated by the State in that year shall be returned to the Treasury and credited to the account from which derived: *Provided further*, That not to exceed $1,100,000 of the funds made available by this paragraph may be used for payment of obligations incurred during fiscal year 1963:".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 12: On page 10, line 21, strike out from line 21 through 24 on page 10 and lines 1 through 6 on page 11 and insert:

OFFICE OF LABOR-MANAGEMENT RELATIONS SERVICES, SALARIES, AND EXPENSES

For necessary expenses to carry out the provisions of the Welfare and Pension Plans Disclosure Act, as amended (72 Stat. 997), the Labor-Management Reporting and Disclosure Act of 1959 (73 Stat. 519), expenses of commissions and boards to resolve labor-management disputes and other expenses for improving the climate of labor-management relations, $7,500,000.

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Fogarty moves that the House recede from its disagreement to the amendment of the Senate numbered 12 and concur therein with an amendment, as follows: Strike out the figure of "$7,500,000" proposed in said amendment and insert in lieu thereof, the following: "$7,450,000, and in addition thereto there is hereby transferred to this appropriation the sum of $50,000 from the appropriation of $2,269,000 for salaries and expenses, Office of the Secretary".

The motion was agreed to.

The **SPEAKER.** The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 14: On page 12, line 24 insert the following: "together with such amount as may be necessary to be advanced from the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to March 31 of the year:".

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Fogarty moves that the House recede from its disagreement to the amendment of the Senate numbered 14 and concur therein.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Indiana.

Mr. BRAY. This is a matter which was brought to my attention a couple of days ago. It has to do with an invitation for bid for lease No. GS-PBS-03-589. It contemplates the leasing; that is, that the Government will lease certain facilities which will either be altered or purchased or built and leased to the Child Research Branch. It has to do with an installation that will be erected within a 3-mile radius of the perimeter of the National Institutes of Health at Bethesda, Md.

I did talk to the ranking minority member of the committee a few moments ago. The reason I am bringing the matter to the attention of the House is because it envisions a kind of a model school whereby children can be observed by indirection through the use of one-way mirrors. This is one matter into which I wish the Committee on Appropriations would look.

Mr. Speaker, I shall read as follows from page 6 of the invitation for bids:

The research subjects are volunteer families residing in Montgomery County who are either newlyweds planning to remain locally, or couples with one or more infants of preschool children.

It goes on and further states as follows:

Emphasis is placed upon accurate sound recording and direct visual observation through one-way screens, and by means of movies or television cameras to permit detailed and reliable data. Because generally the newlywed couples both work during the day, most study sessions involving husband and wife are scheduled at night or on weekends.

I know that this matter could not have been brought before the committee, or I assume it could not, because it is not for construction. It is for leasing. It is my understanding that it would probably cost more than a half million dollars to acquire the land and construct the buildings near Bethesda, Md.

I am merely asking that this matter be checked into as to how the observation through one-way mirrors of newlyweds will have anything special to do with the study of child health and behavior.

Mr. LAIRD. Mr. Speaker, will the gentleman yield to me?

Mr. BRAY. I yield to the gentleman from Wisconsin.

Mr. LAIRD. I would like to state that the gentleman from Indiana [Mr. Bray] called this project to my attention yesterday. I had some time to check into it. I really cannot answer his question about the use of the one-way mirrors as far as the newlyweds are concerned in order to study child behavior. This is supposed to be strictly a child behavior project. I can see some basis for the use of one-way mirrors for a study of the behavior of children. The National Institutes of Health have assured me that they use one-way mirrors in this project only in order to observe children's natural behavior which would be impossible if the children were aware of the presence of strangers, and they have also assured me that their specifications not only do not provide for, but they specifically prohibit the use of one-way glass or screens in bathrooms or bedrooms.

From what the gentleman from Indiana read about apartments that the National Institutes of Health want to rent for newlywed couples, I do think there is a serious question about this particular project. It seems to me that goes beyond the matter of child behavior, and I feel our committee should look into it. I feel that we should get a complete report on this matter just as soon as possible.

Mr. FOGARTY. I certainly agree and I will get in touch with the National Institutes this afternoon to request such a report. I suspect that some poor wording of the invitation to bid has made this sound like something that it is not, but it certainly is grounds for our committee looking into the matter thoroughly. I thank the gentleman from Indiana for bringing it to our attention.

Mr. BRAY. I thank the gentleman.

The **SPEAKER.** The question is on the motion offered by the gentleman from Rhode Island [Mr. Fogarty].

The motion was agreed to.

The **SPEAKER.** The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 20: On page 19, line 12, strike out "$54,000,000 shall be for grants to States and loans to nonprofit private schools for science, mathematics, or modern foreign language equipment and minor remodeling of facilities, $3,750,000 shall be for grants to States for supervisory and other services" and insert $47,750,000 shall be for grants to States and loans to nonprofit private schools for science, mathematics, or modern language equipment and minor remodeling of facilities and for grants to States for supervisory and other services: *Provided,* That allotments under sections 302(a) and 305 for acquisition of equipment and minor remodeling shall be made on the basis of $47,520,000 for grants to States and shall be made on the basis of $6,480,000 for loans to private, nonprofit schools, and allotments under section 302(b) for supervisory and other services shall be made on the basis of $3,750,000;".

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Fogarty moves that the House recede from its disagreement to the amendment of the Senate numbered 20 and concur therein.

The motion was agreed to.

The **SPEAKER.** The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 21: Page 21, line 10, insert the following:

"EXPANSION OF TEACHING IN EDUCATION OF THE DEAF

"For grants to public or other nonprofit institutions of higher education for courses of study and scholarships for training teachers of the deaf, $1,500,000."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Fogarty moves that the House recede from its disagreement to the amendment of the Senate numbered 21 and concur therein with an amendment, as follows: Strike out the period at the end thereof, and insert the following: ": *Provided,* That this paragraph shall be effective only upon enactment into law of section 301(c) of S. 1576, 88th Congress, or similar legislation."

The motion was agreed to.

The **SPEAKER.** The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 34: Page 32, line 14, insert "of which $500,000 shall be available for the continuation of the study of pulmonary diseases of coal miners."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Fogarty moves that the House recede from its disagreement to the amendment of the Senate numbered 34 and concur therein.

The motion was agreed to.

The **SPEAKER.** The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 37: Page 33, line 11, insert "and of which $500,000 shall be available for the comprehensive study of the Upper Ohio River basin."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Fogarty moves that the House recede from its disagreement to the amendment of the Senate numbered 37 and concur therein with an amendment, as follows: Delete therefrom the word "Upper".

The motion was agreed to.

The **SPEAKER.** The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 38: Page 33, line 16, insert: "*Provided,* That allotments under such section 6 for the current fiscal year shall be made on the basis of $100,000,000: *Provided further,* That none of the sums allotted to a State shall remain available for obligation after December 31, 1964."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Fogarty moves that the House recede from its disagreement to the amendment of the Senate numbered 38 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 46: Page 38, line 9, strike out "$250,000" and insert "$350,000".

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Fogarty moves that the House recede from its disagreement to the amendment of the Senate numbered 46 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 56: Page 48, line 12, insert ", and not to exceed $100,000 for necessary expenses of carrying out, under the supervision of the Secretary of Health, Education, and Welfare, a study of the education of the deaf,".

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Fogarty moves that the House recede from its disagreement to the amendment of the Senate numbered 56 and concur therein with an amendment, as follows: In lieu of the matter proposed to be inserted, insert the following: ", and not to exceed $100,000 to be transferred to the appropriation for Salaries and expenses, Office of the Secretary for necessary expenses of carrying out a study of the education of the deaf".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 58: Page 49, line 1, insert "if so requested by the College,".

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Fogarty moves that the House recede from its disagreement to the amendment of the Senate numbered 58 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 66: Page 54, line 23, insert "temporary employment of arbitrators, conciliators, and mediators on labor relations at rates not in excess of $100 per diem;".

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Fogarty moves that the House recede from its disagreement to the amendment of the Senate numbered 66 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 68: Page 57, line 4, strike out "entertainment, not otherwise provided for, of officials, visiting scientists, and other experts of other countries" and insert "official reception and representation expenses, not otherwise provided for."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. Fogarty moves that the House recede from its disagreement to the amendment of the Senate numbered 68 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that I may revise and extend my remarks and include all the necessary tables and figures concerning the conference report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LAIRD. Mr. Speaker, I make the same request.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

COMMITTEE ON RULES

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

GRANTING ADDITIONAL TRAVEL AUTHORITY TO THE COMMITTEE ON THE JUDICIARY

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 510 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That, notwithstanding the provisions of H. Res. 36, Eighty-eighth Congress, the Committee on the Judiciary is hereby authorized to send six of its members and two of its employees to (1) Geneva, Switzerland, to attend the twenty-third session of the Executive Committee and the twentieth session of the Council of the Intergovernmental Committee for European Migration; (2) Frankfurt, Germany; Rome, Italy; and Athens, Greece, to investigate and study the administrative operations conducted pursuant to Public Law 86–648 (the so-called Refugee Fair Share Act) and other administrative operations conducted by the several European offices of the Immigration and Naturalization Service pursuant to the Immigration and Nationality Act. Participation by members and staff assistants in such meetings, studies, and investigations, as herein authorized may occur jointly or by specially designated subcommittees; and the duration of the trip commencing on October 1, 1963, shall not exceed thirty days.

Notwithstanding section 1754 of title 22, United States Code, or any other provisions of law, local currencies owned by the United States shall be made available to the committee and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided,* (1) That no member or employee of said committee shall receive or expend local currencies or appropriated funds for subsistence in an amount in excess of the maximum per diem rates approved for oversea travel as set forth in the Standardized Government Travel Regulations, as revised and amended by the Bureau of the Budget, or for payment of actual, reasonable transportation costs, actual food and lodging expenses; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated fund shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of the committee expending such foreign currencies shall report to the chairman of the committee the amounts and dollar equivalent value of each such foreign currency expended for actual transportation costs, for actual food and lodging expenses, and for per diem allowances and such report shall include proper documentation for each such expenditure, and by dates the length of time spent in each foreign country. For the purpose of this report the statement of a per diem allowance shall be considered a sufficient itemization of any expenditures made from such allowance. If transportation was furnished by a department, agency, or instrumentality of the United States the cost of such transportation shall be included in such report at the value assigned it by such department, agency, or instrumentality. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith] and pending that yield myself such time as I may require.

Mr. Speaker, I ask unanimous consent that on page 2, line 22 of the resolution, House Resolution 510, that the spelling of the word "expended" be corrected.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. GROSS. Mr. Speaker, reserving the right to object, and I shall not object, I assume that the Committee on Rules is the only committee that heard testimony with respect to this foreign travel; is that correct?

Mr. BOLLING. Yes, this is the resolution which originated in the Committee on Rules.

Mr. GROSS. The gentleman thinks this foreign travel on the part of some members of the Committee on the Judiciary is necessary?

Mr. BOLLING. The gentleman now speaking does feel it is a useful trip. I would like to explain it briefly and I think the gentleman from Iowa will probably agree. This is a committee of the Judiciary which is going to a meeting of a group in which our late beloved colleague, Tad Walter, was much involved and went each year with a similar group. They are carrying out specific functions that come within the jurisdiction of the committee. They agreed to limit the number of members and the number of staff as the Committee on Rules requested earlier, and the Rules Committee, I believe, unanimously approved this resolution.

Mr. GROSS. I understand this trip starts on October 1 and may last 30 days; is that correct?

Mr. BOLLING. That is my understanding.

Mr. GROSS. What happens to civil rights legislation in the Committee on the Judiciary, if a number of the members are going to be gone?

Mr. BOLLING. That is something I am sure the members of the Committee on the Judiciary who are involved have taken into account.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. Bolling]?

There was no objection.

Mr. BOLLING. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, I agree completely with this statement by the gentleman from Missouri. Personally, I had the privilege of attending one of these meetings with our late colleague, Mr. Walter. I think it was the most interesting and beneficial trip that I have ever taken. Subsequent thereto we were able to close a number of camps. We are able to close one office in Greece, on the basis of that trip, that cost over $100,000 a year. I think this is a very fine and useful resolution in accordance with the resolution passed by the House at the request of the Committee on Rules earlier this year, and that the Committee on the Judiciary is following the rules as laid down. I urge the adoption of the resolution. I know of no objection whatsoever to it.

Mr. BOLLING. Mr. Speaker, I yield such time as he may require to the gentleman from Ohio [Mr. Feighan].

Mr. FEIGHAN. Mr. Speaker, House Resolution 510 is important to the work of the Committee on the Judiciary. It provides authority to carry out responsibilities which have long been the primary responsibilities of the Subcommittee on Immigration and Nationality.

As is known, the United States took the initiative in 1951 to organize the Intergovernmental Committee for European Migration. This initiative was taken in response to two major problems confronting the free world community. The first was that of refugees escaping from countries and areas under Communist occupation into the countries of free Europe. The second was overpopulation in certain countries of free Europe which was further aggravated by the influx of refugees escaping from Communist tyranny.

To meet these problems a score of free nations met in Brussels, Belgium, and established the Intergovernmental Committee. The member nations undertook to share responsibility for meeting the problems of refugees and those caused by overpopulation.

Over the years responsibility for the actual oversight of U.S. participation in ICEM has rested with the Subcommittee of Immigration and Nationality. This was a natural arrangement because of the nature of the work involved. Our late colleague, the Honorable Francis Walter, as chairman of the Subcommittee on Immigration and Nationality, exercised a strong interest in ICEM. He attended all the sessions of the Intergovernmental Committee except the last one, when failing health prevented his attendance.

The Subcommittee on Immigration and Nationality of which I am chairman will continue to exercise oversight of the work carried on by the Intergovernmental Committee. It is therefore important that members of the subcommittee be present at the meetings of both the Executive Council and the General Council, scheduled to open on October 8, 1963.

Concurrent with attendance at the ICEM meetings, a field investigation will be made of the administration of the Fair Share Refugee Act by the members. This field investigation is now overdue. It should be undertaken while the members are in Europe attending the ICEM Council.

I urge adoption of this resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GRANTING ADDITIONAL TRAVEL AUTHORITY TO COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 515 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That, notwithstanding the provisions of H. Res. 29, Eighty-eighth Congress, the Committee on Merchant Marine and Fisheries is authorized to send not more than three of its members and one staff assistant to Tokyo, Japan, to attend the meeting on the International North Pacific Fisheries Convention between September 15, 1963, and October 15, 1963, inclusive.

Notwithstanding section 502 of the Mutual Security Act of 1954 (22 U.S.C. 1754) or any other provision of law, local currencies owned by the United States shall be made available to the members of the committee and its employees engaged in carrying out their official duties under section 136 of the Legislative Reorganization Act of 1946 (2 U.S.C. 190d): *Provided*, That (1) no member or employee of the committee shall receive or expend local currencies or appropriated funds for subsistence in an amount in excess of the maximum per diem rates approved for oversea travel as set forth in the Standardized Government Travel Regulations, as revised and amended by the Bureau of the Budget, (2) no member or employee of the committee shall receive or expend an amount for transportation in excess of actual transportation costs, and (3) no appropriated funds shall be expended for the purpose of defraying expenses of members or employees of the committee in any country where counterpart funds are available for such purpose.

Each member or employee of the committee shall make to the chairman of the committee an itemized report showing (A) the number of days visited in each country whose local currencies were spent, (B) the amount of per diem furnished, and (C) the cost of transportation furnished by public carrier or, if such transportation was furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from California [Mr. Smith], and pending that, I yield to myself such time as I may consume.

Mr. Speaker, the resolution is self-explanatory. Three members and one staff member of the Committee on Merchant Marine and Fisheries are going to Tokyo to attend the International North Pacific Fisheries Convention. I know of no opposition at any point to this, and therefore I reserve the balance of my time.

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may utilize.

The statements made by the gentleman from Missouri are in accordance with my understanding. The resolution is in accordance with my understanding of the manner in which it should be handled subject to the change of the rules this year on travel. I know of no objection to the resolution. Unless there are some questions, I yield back the balance of my time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM FOR THE BALANCE OF THE WEEK AND NEXT WEEK, SEPTEMBER 30, 1963

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time to ask the majority leader to advise us as to the program for the balance of this week and for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Oklahoma, the majority leader.

Mr. ALBERT. Mr. Speaker, in response to the question of the gentleman from Illinois, with respect to the program for the balance of this week, the resolution which has just been agreed to completes the legislative program for this week.

For next week, there is no legislative business for Monday.

Tuesday is Private Calendar Day. Also on Tuesday, conference report on H.R. 5555, the military pay increase bill, is scheduled. Also H.R. 7044, the Corregidor-Bataan Memorial Commission, with an open rule and 1 hour of debate.

On Wednesday and the balance of the week, H.R. 6237, to amend section 503 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize grants for the collection, reproduction, and publication of documentary source material significant to the history of the United States, with an open rule and 2 hours of debate.

House Resolution 497, to provide additional funds for the Committee on the Judiciary.

House Resolution 521, to provide additional funds for the Committee on Interstate and Foreign Commerce.

House Resolution 499, to provide additional funds for the Committee on Agriculture.

House Resolution 523, to provide funds for the select committee recently created to investigate the research programs of the Federal Government.

House Resolution 528, to provide additional funds for the Subcommittee on Housing, Committee on Banking and Currency.

I might advise the Members of the House that we must then put on notice that a bill may come from the other body providing for an extension of the Civil Rights Commission; if that bill does come over an effort will be made to program it because of the fact that the Civil Rights Commission will expire shortly unless legislation is passed.

I would like also to advise Members that while we have not programed it, the gentleman from Texas [Mr. MAHON], has announced that there is a possibility that the conference report on the appropriation bill for the Department of Defense may be ready to call up next week. I would further like to advise Members so they may be on notice that there might be rollcall votes next week.

This announcement, of course, is made subject to the usual reservations that conference reports may be brought up at any time and that any further program will be announced later.

ADJOURNMENT OVER TO MONDAY, SEPTEMBER 30

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS NEXT WEEK

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendary Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask one question. Did I understand correctly that the Consent Calendar will not be called on Monday?

Mr. ALBERT. This is the fifth Monday, but it is the first Tuesday, I advise the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

REASONS FOR H.R. 8363

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, I supported the bill, H.R. 8363, on final passage because I am in agreement with the words of the President who stated this is the most important piece of domestic legislation in 15 years. It has enjoyed the support of the great majority of my constituents. About the only reservations which have been specified in the mail we have received in our office is that expenditures be held to the current level and Congress continue to hold a tight rein over the budget. This bill enjoys the support of organized labor and management as well. A group known as "The Business Committee for Tax Reductions in 1963" is supporting this bill. This committee consisted of only a handful of 20 or perhaps 30 when they first met in the city of Washington in April 1963. But by the time they held a luncheon meeting in September 1963 their membership totaled 2,500.

Although our mail was not heavy during the months the committee was holding hearings upon the proposed tax reforms, we did receive a substantial protest against the proposed 5 percent floor under deductions for charitable purposes. This came mostly from church people. Everyone was delighted to see this knocked out in committee. The only other displeasure expressed was against the elimination of the 4 percent credit against dividends. Many may not be satisfied with the final version of the bill as drafted because the 4 percent credit was eliminated. The committee in its wisdom raised exemptions for dividends to $100 for single persons and $200 for husband and wife. This should provide an umbrella for the smaller stockholders. Personally, I hope there will be further liberalization in a subsequent bill allowing some percentage credit for dividends. But this bill is like any other revenue bill. You must always take both the good and the bad together. Certainly the good outweighs the bad.

There has been an intensive debate the last few days. The forum will now move over to the other body. We have reason to believe debate will go on uninterrupted between all our citizens and among the general public for many weeks ahead.

In commenting on the bill, the first question to ask is: "What is the reason for the bill?" For some, the answer is that our economy needs a shot-in-the-arm, or put differently, our economy needs some pep pills to stimulate it into action. However it may be expressed, our economy is continuing along on its slow expansion but it is not moving at such an acceleration as to provide full employment. For the last few years there has been a paradox present and existent. We have the largest number employed in our history yet, paradoxically, we find the rate of unemployment continues along at 5 percent of the potential working force.

The common objective of the Executive and the Congress, as well as management and labor, is to find some way to create new jobs. One of the methods to spur business activity is to increase purchasing power in the hands of the consumers. There is no doubt that this can be accomplished by a tax cut afforded to individuals. Another means toward the same objective is to create additional funds for investment in the hands of businessmen and industrialists in order that they may expand or modernize their plants and equipment. The bill is directed to this approach by its provisions for tax reduction to corporations. Under the provisions of H.R. 8363, there is no limitation to the one approach to increase consumer's disposable income or resting its effectiveness solely upon the other approach to encourage plant expansion but instead to pursue a combination of methods.

Economists say that the spending of $1 by one individual commences a chain reaction. As to any one individual the tax reduction afforded by this bill may be the payment of a debt, or the acquisition of a product, or payment for services. The individual, group, business, or industry, that receives this dollar will have its own purposes and put this dollar into use for his, or its, benefit. This will produce a sort of generated activity or a mushrooming process. Those who remain suspicious or as doubting Thomases will question whether this chain reaction can happen or will actually occur. Is there any precedent for it? Is there any parallel in recent history? The answer is "Yes."

In the Coolidge administration, after World War I, when Mr. Mellon was Secretary of the Treasury, taxes were cut in 1923, 1924, 1925, and 1928. This kept a running surplus in the Federal budget. It was a prosperous decade except for the tragic ending in 1929. The Coolidge Director of the Budget in 1927, Gen. H. M. Lord, said:

> Despite present efforts to reduce revenue by cutting taxes to a point barely sufficient to meet our actual demands, this course seems hopeless in the face of the country's continuing prosperity. Reduction in taxes has come to be almost synonomous with increase in revenue.

For another illustration of the operation of this principal we do not have to go back to 1927 but only to April of 1963. The tax reduction last spring in Great Britain resulted in an immediate benefit to the economy and caused unemployment figures to begin to reduce sharply. The British have already, as a result of this action, enjoyed an increase in prosperity. Remember this is a country more conservative than ours and facing a more serious international balance-of-payment problem than we now face. Not only did the British indulge in a tax cut but, at the same time, they raised expenditures by 7.5 percent. The only criticism to date that has come forward in Britain for this action came from the very influential publication the Economist which criticized the Government for not cutting taxes enough.

A moment ago we mentioned that unemployment was one of the perennial problems in the United States. The truth is we must find jobs for old workers released by advancing technology as well as to find jobs to absorb new workers graduating into the labor force. Aside or apart from the hoped for effects of this tax reduction, there is no prospect in sight for substantial increase in consumer demand that can keep our economy within striking distance of its production potential.

The most reliable set of economic statistics we possess anywhere in our record books is the fact that consumers spend from 92 to 95 percent of their disposable income. They never save over 5 to 7 percent maximum, using all the rest for expenditures of goods or services. We can predict fairly certain that the great bulk of the $8.7 billion total tax reduction granted to individuals—yes, even as much as 95 percent of it will be spent by individuals on consumer goods. This means then that the production of consumer goods will have to be stepped up to meet this new demand. This is the beginning of a chain reaction. Industrialists are encouraged to expand their plants because of this new consumer demand. This increased purchasing means more employment and a greater number of individuals subject to taxation not only on the Federal level but also State and local. Part of this economic upsurge actually will immediately be claimed by Federal, State, and local governments, in taxes.

The multiplier effect does not stop but continues on and on. The industrialist soon realizes he must further expand or modernize his plant with new equipment. This provides more jobs and a bigger payroll and more disposable income in turn for larger consumer purchases. This reaction goes on for two or three turns of the clock. Whether you call it the multiplier effect or the mushrooming principle, or chain reaction, or however described, this roundrobin or circular effect is an economic reality.

Certainly no one can say that a recession in 1964 is inevitable without a tax cut or impossible with one. But this bill, as the President has put it, is recession insurance. There has been a recession on the average of every 42 months since World War II, or every 44 months since the end of World War I and, come January 1964, it will be exactly 44 months since the last recession began.

A while ago we mentioned the tax cut back during the Coolidge administration and also the tax reduction in Great Britain in April 1963. Well, there is another parallel much closer in point of time and distance and that is the tax reduction right here in our own United States by the tax bill of 1962. I refer to the bill which accorded corporations an investment incentive of 7 percent. There were those who were beginning to say, following the stock market crash after Memorial Day of 1962, that there would be a Kennedy recession. But in spite of pessimism, the economy shrugged off its problems and moved ahead on a high plateau. Why? Because the Congress provided for a tax credit for certain types of business investment and there was the further provision by the Treasury Department for a revision of its depreciation schedule. We did not support this bill on the House side that year because it contained what we thought were some other very bad features which outweighed the good in the bill. When it returned from action by the Senate, these were removed and it received our support. The important thing to remember, however, is the big increase in business expenditures for plants and equipment which resulted. The rather minor tax change of last year has been one of the biggest surprises of all time to our economists. It has even surprised the most optimistic Treasury officials. The thing we should all remember about this tax reduction of 1962 is that it is truly a demonstration on a limited scale of what a genuine tax cut would do for our Nation. It is really a sort of working or operating scale model of the 1963 tax reduction bill. The lesson to be learned is—remove the tax burden from a strong economy and watch it run.

Everyone in America has been talking about a tax cut now since about the first of the year. This long discussion without action is an additional reason why this bill should have passed the House without any further delay and be quickly passed by the other body. The reason is that this kind of buildup anticipation could turn into disappointment by the business community and could even mean a slowdown of consumer purchasing and retrenchment by corporations in new plant investment. In other words, failure to pass this bill could have a depressant effect and cause our economy to tailspin into a recession.

The House acted wisely in passing the bill without attaching a self-defeating amendment. Economic history shows what legislation of this kind can accomplish. Those who supported this bill can be proud of their week's work.

CONGRESSIONAL REDISTRICTING

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS. Mr. Speaker, last June this House was alerted to a problem of more than passing interest to every American citizen, and a problem of particular personal interest to every Member of this House. I refer to the action taken in June when the Supreme Court of the United States noted "probable jurisdiction" in several cases involving the State laws which established congressional districts and which are the foundation for the election of Members to this House. That was our first warning. In the language of the military, we might say we are now in condition II of an alert because the Justice Department, through the Solicitor General, has filed a brief in which it outlines its position and in which it comes out very strongly for equitable redistricting of congressional districts which will interest, of course, the membership of this House.

I am in complete agreement with the Solicitor General when he says "there is scant reason today for any substantial deviation from the principle that representation should be proportionate to population." But, I say again as I said last June, we are courting a humiliation in this House if we do not set our own House in order before the Supreme Court does it for us. There are redistricting bills now pending in the Committee on the Judiciary, and I urge the House that we do take action on those bills and that we act now.

Mr. Speaker, I include the following newspaper articles referring to this very important matter.

[From the Washington Post, Sept. 26, 1963]

U.S. BRIEF TIES APPORTIONMENT TO POPULATION

(By James E. Clayton)

The Department of Justice said yesterday that the basic method of apportioning seats in State legislatures must be related directly to population.

In a brief filed with the Supreme Court, the Department said it would leave to a future date its argument on whether there are any other systems of opportionment that are constitutional. But it said that if any other systems are permissable, they cannot deviate too sharply from representation based on population.

Even if a State is allowed by the Federal Constitution to divide the seats in one house by counties or by geographic areas, the Department said, the seats in the other house must be divided according to population.

Applying this standard, the Department said the apportionment systems now in use in Virginia, Maryland, Alabama and New York are unconstitutional.

PRESENTED BY COX

Solicitor General Archibald Cox made known the Federal Government's view in a brief in the Maryland case. He will file briefs later in the other three cases. The Court has scheduled arguments on all four, possibly in November.

The Court's decisions in these cases will establish guidelines for the division of seats in the legislatures of all States and substantially affect the kind of State governments that develop in the future.

In a Tennessee case, 18 months ago, the Court said apportionment systems can be tested in lawsuits but it left open the development of standards for lower courts to apply.

Yesterday's Government brief is aimed at helping the Court develop those standards. It was filed because the Federal Government intervened in the Tennessee case and because the Department of Justice believes reapportionment is a fundamental issue.

STARTING POINT

The brief said the starting point in all reapportionment cases must be equal representation for persons similarly situated. Any deviation, it said, is unconstitutional "unless the differentiation has a relevant and substantial justification."

None of the four cases, the Department said, called upon the Supreme Court to decide what would be a substantial justification.

In none of these States, it said, had a serious attempt been made to apportion the seats in one house on a population basis and in another on an area or other basis.

Maryland, it said, had destroyed its claim to that kind of system by giving Baltimore City six State senators while all the counties got one senator each. The result of the existing system is that suburban Prince Georges, Montgomery, and Baltimore Counties get fewer seats than they would be entitled to on a population basis.

In Virginia, the Government's brief said, the system of apportionment is either a crazy-quilt or else an instance of hostile discrimination against residents of suburban Arlington and Fairfax Counties and the city of Norfolk.

In Alabama, the Government said, the apportionment system indicated the State lacked any policy. Barbour County with 12,350 people has two representatives while Baldwin County with 49,088 has only one.

New York, the brief said, has a system of representation based on utterly irrelevant, if not invidious, criteria. Seats in the State senate are divided on a population basis but the representation of any county with more than 6 percent of the population is arbitrarily limited. The only purpose of that, the Government said, is to preserve minority rule.

TWO QUESTIONS ASKED

The Government suggested two questions that might be asked if a State chose some representation system other than one based on population:

"Is the differentiation based on criteria relevant for the purposes of governmental organization or the electoral process?

"Is the alleged objective one that a State may reasonably deem adequate to justify the inequalities actually resulting, taking into account the primacy of the principles of voter equality and majority rule?"

In terms of basic policy, the Government said:

"An apportionment of representation in a legislative body in a manner that gives the people of some areas greater representation per capita than others is an unwarranted departure from the democratic ideals of equality and majority rule.

"Whatever justification the origins of political institutions, the scattered character of settlements, difficulties of travel and communications and the coherence of local communities may once have afforded for other bases of representation, there is scant reason today for any substantial deviation from the principle that representation should be proportionate to population."

[From the Washington Post, Sept. 26, 1963]

EQUAL REPRESENTATION

The Department of Justice has brought in a powerful argument for equal representation in Congress. Its brief is addressed to the Supreme Court in the Georgia redistricting case, but it will also re-echo through the Halls of Congress. For Congress, over a period of many years, has merely winked at the gross inequality of congressional districts.

The extent to which American democracy has been tainted by this practice is pointedly illustrated by the Georgia case. That State's Fifth Congressional District, including Atlanta and its suburbs, has a population of 823,680 compared to 272,154 in the ninth district. In other words, a voter in Atlanta has less than one-third the representation in Congress that is granted to Georgia's most favored rural residents.

This is not, of course, a unique situation. In Michigan and Texas the disparity between the most favored and least favored districts is four to one. Arizona, Colorado, and Ohio are also somewhat worse than Georgia in their denial of equal representation. All these States and many others have made a mockery of the democratic principle that the House should represent the people.

Solicitor General Archibald Cox and his colleagues have amassed an impressive volume of evidence to show that the Founding Fathers intended the House to represent the people directly and that congressional districting within the States, as well as the apportionment of House seats among the States, was to be on this basis. Congress now insists on an equitable distribution of seats to the States after each census, but it has failed to require similar standards of the States in setting up congressional districts. Bills for this purpose seem to get nowhere because of the large number of Congressmen who have a vested interest in the current inequities.

As a practical matter, therefore, the best hope for correction of this "invidious discrimination" against urban voters seems to lie in the Supreme Court. The Court's famous decision that grossly unequal representation in State legislatures is a denial of equal protection of the laws under the 14th amendment seems to apply with equal force to discriminatory congressional districting. There is, to be sure, the distinction that Congress is a coordinate branch of the Federal Government. But the action here is not against Congress. Only the validity of Georgia's obsolete redistricting statute is involved. Indeed, action by the Court is sought to bring Georgia and other States into line with the policy that Congress has adopted for itself—a policy that is implicit in the Constitution.

Congress could rush through a bill that would cure this running sore in our democratic system. But in the absence of such action it is difficult to see how the courts can fail to find unconstitutional discrimination in a State law that reduces the representation of one citizen to less than one-third that of another.

[From the New York Times, Sept. 24, 1963]

UNITED STATES WOULD ALTER HOUSE DISTRICTING—PRESSES IN HIGH COURT BRIEF FOR REAPPORTIONMENT ON BASIS OF POPULATION

WASHINGTON.—The Justice Department said today that the Constitution required congressional districts of substantially equal population.

This view, taken in a brief filed in the Supreme Court, could cause a political upheaval if adopted by the Court. More than half the States would probably have to revise their congressional districts if challenged in lawsuits.

The Justice Department submitted the brief as a friend of the Court in a Georgia case to be argued in the new term beginning next month. The suit was brought by two voters in Atlanta on the ground that the Georgia districts diluted the weight of their votes.

The Fifth Congressional District of Georgia, which includes Atlanta, had a population of 823,680 in 1960. The State's smallest district, the ninth, made up of rural counties, has a population of 272,154.

DISMISSED BY U.S. COURT

A three-judge Federal district court dismissed the case. It said the Georgia Legislature, recently reapportioned under Court order, might itself revise the congressional districts, or, it said, Congress might act.

The Justice Department urged the Supreme Court to reverse this ruling and send the case back for a trial.

The brief said that the Supreme Court need not now decide the ultimate question—whether the Constitution requires congressional districts to be equal in population. It said the lower court should try the case first.

But the brief made amply clear the Justice Department's own view of the constitutional issue. That view was that no factors except population equality may properly be considered in drawing congressional district lines.

"The language and history of the Constitution," the brief said, "make clear that congressional districts are to be as equal as possible."

The Georgia case will give the Supreme Court its first opportunity to deal with the congressional district problem since its landmark 1962 decision in a Tennessee case. It held then that the districting of legislatures was open to judicial scrutiny.

Since then reapportionment activity has swept the country, and lower courts have ordered many State legislative houses reapportioned. Seven cases testing what the Constitution requires of State legislative districts will be heard by the Supreme Court this term.

In addition, the Court has before it one case dealing not with population imbalances but with alleged racial motives in the actual drawing of lines.

That case concerns New York's so-called silk stocking congressional district, the 17th. A group of Democratic leaders have charged that the lines were drawn to exclude Negroes and Puerto Ricans. Some Negro Democratic leaders, however, have differed with the suit.

The Justice Department, it was learned, will file no brief and take no position in the 17th District case. It regards the problem of gerrymandering, or distortion of district lines, as quite different from that of population inequality—and perhaps more difficult.

In its brief in the Georgia case, the Department said State policies "are entitled to weight in apportioning State legislatures" but "have little application in choosing Federal officials."

After an examination of the history of the Constitution, the brief said, "the Constitution makes plain that the House of Representatives has intended to represent population."

ESTABLISHING QUOTAS ON THE IMPORTATION OF RESIDUAL FUEL OIL

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORGAN. Mr. Speaker, I have been joined by 32 of my colleagues in the House today in introducing legislation to establish by law quotas on the importation of residual fuel oil to be used as fuel in P.A.D. Districts I through IV, which covers all of the United States east of the Rocky Mountains. It is my understanding that identical legislation will be introduced in the other body this afternoon.

The legislation provides that import quota on residual oil for any calendar quarter shall be 50 percent of consumption of residual fuel oil during the corresponding quarter of the previous year.

I would like to point out, Mr. Speaker, that in this legislation we are not asking that residual oil import quotas be rolled back. As a matter of fact, the legislation, had it been effective this year, would have resulted in an increase of 3 percent in imports.

What we are seeking through this legislation is long-term stabilization of imports. Spokesmen for the coal industry have assured me they will support this approach to the solution of a problem which has created very real difficulties for their industry and for the men and women who depend upon the mining and transporting of coal for a livelihood.

The fact that residual oil imports have increased consistently under the present mandatory import control program which was established by Presidential proclamation is, I think ample evidence that legislation is needed.

All domestic fuels industries are affected by excessive residual oil imports. This imported oil is sold principally along the east coast in competition with domestic coal and domestically produced residual oil. The loss of this market has had adverse effects upon both industries, both of which are entitled to the minimum protection which this legislation affords.

This question of residual oil imports is not a sectional matter. We are dealing here, Mr. Speaker, with a national problem, one that affects two of our most basic industries, oil and coal. The fact that elected representatives from 13 States have joined in introducing this legislation clearly shows that it is a matter of widespread concern.

For the information of the Members of the House, I wish to insert at this point the text of a press release which was jointly issued by those Members of both Houses who are introducing this legislation.

WASHINGTON, D.C.—Thirty-seven Members of the Senate and the House today introduced legislation to limit imports of residual fuel oil east of the Rocky Mountains to 50 percent of the total residual oil consumed in the same quarter of the previous year.

In a joint statement, the 37 legislators declared:

"A careful review of the operation of the existing mandatory import control program on residual oil, established by Presidential proclamation effective April 1, 1959, makes it abundantly clear that the present method of controlling residual oil imports needs to be strengthened and improved.

"The control program has not checked the increase in imports as was originally intended. This is not because of any failure of intent on the executive branch, either under Presidents Eisenhower or Kennedy, but rather because a control program of this type, lacking any guidelines of law, is subjected to almost irresistible pressures from interested parties on both sides.

"The present method of establishing residual import quotas by Executive determination creates an almost intolerable situation for the President and the Secretary of the Interior. When the time for establishing a new quota nears, the executive branch is subjected to pulling and hauling from all sides—from domestic sources as well as from the Venezuelan Government which insists that its economy would be jeopardized without increased quotas.

"The same situation occurs when, because of unusually cold weather or some other factor there appears to be a threatened shortage in some particular area and cries go up for special emergency quota increases. Only last winter we saw this type of pressure bring about a special increase in the quota of 5 million barrels when, in actual fact the increased consumption amounted to only 600,000 barrels. Inevitably, these increases then become part of the regular quota, and are retained in succeeding years.

"As a result of these pressures, imports of residual oil permissible under the quotas have increased from a rate of 125 million barrels a year when they began to 210 million barrels this year.

"We do believe that passage by the Congress of legislation establishing a reasonable and equitable formula for holding imports at a level proportionate to consumption demand is absolutely essential. Such legislation would relieve the President of this odious pressure and would establish long needed fuel market stability which the coal producers, miners, and transporting industries, as well as other domestic fuels industries, have so long sought."

Introducing the legislation in the Senate were Senators JENNINGS RANDOLPH, Democrat, of West Virginia; ROBERT C. BYRD, Democrat, of West Virginia; THRUSTON B. MORTON, Republican of Kentucky; JOHN SHERMAN COOPER, Republican, of Kentucky; and VANCE HARTKE, Democrat, of Indiana.

Introducing similar legislation in the House were Representatives THOMAS A. MORGAN, Democrat, of Pennsylvania; HOWARD H. BAKER, Republican, of Tennessee; FRANK T. BOW, Republican, of Ohio; WILLIAM G. BRAY, Republican, of Indiana; LAURENCE J. BURTON, Republican, of Utah; FRANK M. CLARK, Democrat, of Pennsylvania; JOHN H. DENT, Democrat, of Pennsylvania; WINFIELD K. DENTON, Democrat, of Indiana; ED EDMONDSON, Democrat, of Oklahoma; DANIEL J. FLOOD, Democrat, of Pennsylvania; KENNETH J. GRAY, Democrat, of Illinois; WILLIAM HENRY HARRISON, Republican, of Wyoming; WAYNE L. HAYS, Democrat, of Ohio; KEN HECHLER, Democrat , of West Virginia; GEORGE HUDDLESTON, JR., Democrat, of Alabama; W. PAT JENNINGS, Democrat, of Virginia; ELIZABETH KEE, Democrat, of West Virginia; CHARLES MCC. MATHIAS, Republican, of Maryland; JOSEPH M. MCDADE, Republican, of Pennsylvania; ROGERS C. B. MORTON, Republican, of Maryland; ARCH A. MOORE, Republican, of West Virginia; WILLIAM H. NATCHER, Democrat, of Kentucky; ARNOLD OLSEN, Democrat, of Montana; CARL D. PERKINS, Democrat, of Kentucky; MELVIN PRICE, Democrat, of Illinois; GEORGE M. RHODES, Democrat, of Pennsylvania; FRED B. ROONEY, Democrat, of Pennsylvania; RICHARD L. ROUDEBUSH, Republican, of Indiana; JOHN P. SAYLOR, Republican, of Pennsylvania; EUGENE SILER, Republican, of Kentucky; JOHN M. SLACK, JR., Democrat, of West Virginia; and HARLEY O. STAGGERS, Democrat, of West Virginia.

The joint statement by the legislators also declared:

"To meet what is truly a national rather than a sectional problem, we have proposed legislation which is realistic and fair. We are not asking that present import quotas on residual fuel oil be rolled back. Rather, we have proposed that residual oil imports into districts I through IV (all of the U.S. mainland east of the Rocky Mountains) in any calendar quarter shall not exceed 50 percent of the total consumption of residual fuel oil in this area during the corresponding calendar quarter of the previous year. The bill also would authorize the President to increase imports temporarily in the event of an emergency.

"We do not see how any individual or group, or any section of the Nation, can object to an even division of a domestic market between an imported product and a domestic product.

"In effect, what this legislation proposes is the preservation of a fair share of the important east coast industrial fuels market for domestic fuels—coal and domestically produced residual fuel oil. As it now operates, the program has carved out a growing share of this market for imported oil to the exclusion of coal and domestic oil, which cannot compete with it."

The sponsors of the bill also cited eight increases in import quotas under this so-called mandatory import control program as justification of the legislation.

Permissible quotas have increased from 343,000 barrels daily, when the program was first started in 1959, to 575,000 barrels daily at the present time they pointed out.

"Total imports this year will be the equivalent, in energy value, of 50 million tons of coal or about 11 percent of total U.S. production in 1962," the joint statement declared. "However, the true impact is even more serious than this would indicate because all of the coal displaced by imported residual fuel oil along the east coast originates in the hard-hit unemployment regions of the Appalachians, principally in Pennsylvania, West Virginia, east Kentucky, and Maryland. Fifty million tons of coal is equal to 23 percent of the entire production of coal in these Appalachian fields in 1962.

"A true evalution of the impact of residual oil imports of this magnitude upon these areas suffering from economic dislocation can be seen from the fact that the production of 1 million tons of coal provides jobs for about 400 coal miners and 250 railroad men for the transportation of this coal to market.

"By means of this legislation, we can provide protection against the further erosion of coal and railroad jobs and can produce long-term stability in residual oil imports which the coal industry must have before it can plan and carry out an investment program in new mines and equipment."

Note to correspondents:

Residual oil is the leftover residue after more valuable light products have been refined out of crude oil. It is usable only for burning in large boilers, such as utility plants, some industries, and large buildings. It cannot be burned in small heating plants, such as are used in homes.

Imported residual has practically no market in Latin America where it originates, and thus no intrinsic value. As a result it can be sold in the United States at almost any price necessary to undercut the market for domestic fuels.

RESIDUAL FUEL OIL

Mrs. KEE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from West Virginia?

There was no objection.

Mrs. KEE. Mr. Speaker, I am pleased to join with my colleagues in introducing legislation to establish by law import quotas for residual fuel oil.

As the Representative of one of the largest coal producing districts in the Nation, I know first hand of the need for this legislation.

Many of our workers have been denied the opportunity to work because of the loss of coal markets. And there is no question but that imported residual fuel oil has had a serious effect upon the market for West Virginia coal on the east coast, which in turn has been reflected in declining job opportunities.

Those of us who represent coal areas are alarmed because there does not seem to be an end in sight to increases in residual oil imports under the present mandatory oil import program. There have been eight increases in imports since 1959. These increases amount to 80 million barrels, or the equivalent of some 20 million tons of coal.

I think it should be emphasized that we are not trying through this legislation to cut back the amount of oil which can be imported or to deny an adequate supply of imported oil to any area which has come to depend upon it. We are proposing to hold imports to 50 percent of consumption which, I believe everyone must agree, is a generous formula.

I urge my colleagues to give this legislation their most careful and sympathetic consideration.

RESIDUAL FUEL OIL

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, the introduction today of legislation by a bipartisan group of House Members from widely separated areas of the Nation to establish import quotas on residual fuel oil is an effort to achieve by law a long-term solution to a problem which up to now we have tried unsuccessfully to handle through the executive branch.

Mandatory controls on imports of this foreign waste oil were first established by Presidential proclamation effective April 1, 1959. Since that time there have been eight increases in import quotas.

Anyone would have to agree that a so-called mandatory import control program which permits this many increases is not worthy of the name.

I personally am convinced, and I have been for a long time, that the only way we can get meaningful import controls is through legislation. The Congress should establish the formula under which these imports can be brought into the Nation—not the President or some subordinate official to whom he delegates the responsibility.

This is controversial legislation. I am sure my friends from New England are going to scream loud and long. But I would remind them that what we are proposing in this legislation is a 50–50 division of the domestic market for this type of industrial fuel between imported oil and domestic coal and domestically produced residual oil.

I do not think this is asking too much. Certainly, the coal producers of Pennsylvania, West Virginia, and other Appalachian areas have a right to share in the growth of this fuels market. Yet, without this legislation we know that will not happen. As the markets get larger, the import quota will be increased to more than offset any market growth. Coal and domestic residual oil will continue to be frozen out, because they cannot sell their products cheap enough to compete against this waste product from foreign countries.

This is sound legislation we have offered and I hope that hearings can be arranged at this session of the Congress before the House Ways and Means Committee. I have every confidence that if we are given the opportunity the supporters of this legislation can make out a persuasive case for its passage. It is fair and equitable. It will permit the continuation of imports at what many people consider to be an excessive level, but it will bring stability to imports which has been lacking in the past.

Mr. Speaker, there is absolutely no justification for the manner in which this import control program has operated since it was first started.

Import quotas started off at a level of 343,000 barrels a day. They are now up to 575,000 barrels a day.

This is an increase of 80 million barrels annually—the equivalent of 20 million tons of coal.

When this amount of foreign imports is poured into a market, there is bound to be serious repercussions on the domestic economy. In the areas which produce the coal which is displaced by this waste oil we find continuing unemployment and economic distress.

No longer is the impingement of foreign fuel on coal markets confined to electric power stations on or near the eastern seaboard. Now that it is possible to transmit power with comparatively insignificant line losses over distances of at least 500 miles, a single generating station served by tankers carrying alien oil could provide electricity for consumers from New England to Georgia. More than that, the threat could be extended inland to our very coal producing communities.

Under the circumstances, the electric utility industry might hesitate to consider additional Keystones. The coal-fired 1,600,000-kilowatt Keystone generating station, which will be constructed on the Armstrong-Indiana County line, Pennsylvania, will transmit electricity over two 500,000-volt lines, one to Philadelphia and one to Newark, with a tie-line to the Metropolitan New York area.

While in justice to American coal miners and railroad workers it would be more equitable to cut imports far below the levels provided in this legislation, it has become clear that the State Department's predilection for free trade is too great a roadblock to a more reasonable program at this time. Thus far in 1963 the amount of residual oil entering U.S. markets has already exceeded 50 million tons in coal equivalent, a figure which in itself explains why there is so much surplus labor in our mining regions.

The quota we are proposing would not cut back the current rate of imports, but it will guarantee the protection that the coal industry needs for future expansion in the utility market. The legislation still leaves us far short in the battle to protect American labor, yet it will nevertheless represent a major gain.

Mr. HECHLER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER. Mr. Speaker, I think that the gentleman from Pennsylvania [Mr. Morgan] really hit the nail on the head when he outlined the need for legislation setting a firm national policy on residual oil imports. The weather is getting a little nippy now, and that will be the signal for some interests to bring pressure to bear to increase the imports of residual oil.

Mr. Speaker, these excessive imports constitute serious threats to the markets for coal. It is about time that we had a clear cut and balanced national policy on this issue, instead of engaging in the pulling and hauling which takes place every winter. Everybody concerned should have a definite and predictable concept of the size of imports. Under the legislative formula presented, which I have endorsed in the legislation I introduced in company with my colleagues, oil consumers would be amply protected and at the same time the coal industry would be protected.

This is a sensible approach to a thorny problem, and I congratulate the gentleman from Pennsylvania [Mr. Morgan] and my colleagues who are joining in introducing this legislation.

REDEVELOPMENT OF DOWNTOWN AREA IN DISTRICT OF COLUMBIA

Mr. AUCHINCLOSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. AUCHINCLOSS. Mr. Speaker, for the better part of a year a subcommittee of the Committee on the District of Columbia has been holding hearings on a bill, S. 628, providing an amendment to the District of Columbia Redevelopment Act of 1945 to enable the redevelopment of the downtown area in Washington. This bill which has passed the Senate would give the same authority to the District of Columbia under the Redevelopment Act which every city in the United States enjoys with the exception of the District.

Recently the subcommittee voted out for the consideration of the full Committee on the District of Columbia a bill amended with so many restrictions that it would make it impractical to carry on any constructive movement recommended and sponsored by prominent citizens of the District. It may be said that the efforts of these citizens have met with the approval of the District Commissioners and other public bodies.

Under permission granted, I am happy to include in these brief remarks an editorial of the Washington Post published today, September 26, which sizes up the situation well and I hope the Members of Congress will read it:

Bill of Complaints

> Grudgingly and belatedly, Congressman Dowdy has at last permitted his subcommittee to report a bill for the redevelopment of downtown Washington's rundown commercial neighborhoods. To this bill, he has appended a series of amendments of the most unhelpful sort. They are bad in principle, and worse in draftsmanship. They may be expected to aggravate precisely the faults that Mr. Dowdy finds in the local urban renewal program.
>
> The bill was originally written to give Washington the same redevelopment power that Congress has already offered every other American city. Congress ought not now attempt to impose upon Washington new restrictions, unparalleled anywhere else in the country, prepared by a chairman and a staff with no experience in the highly complex field of redevelopment legislation.
>
> Mr. Dowdy objects to the length of time required to complete renewal projects. But he has proposed a system of priority rights

for displaced businessmen that would delay commercial projects for years. Another purpose of redevelopment is to force the renovation of shabby and underutilized buildings, but here Mr. DOWDY would prohibit any imposition of higher standards in redevelopment projects. What is the purpose, then, of redevelopment at all? Competitive bidding for sites can be usefully invoked under certain carefully chosen circumstances, but to apply the practice indiscriminately, as Mr. DOWDY would, only turns the projects over to the land speculators.

If private businessmen are to invest large sums of their money in the reconstruction of downtown Washington, they must have reasonable assurance of rational administrative rules, as well as standards of design and construction. The parent House District Committee, we hope, will bring this eccentric bill into conformity with the Federal law that already obtains everywhere else in this country.

AMENDMENTS TO COMMUNICATIONS ACT OF 1934

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROGERS of Texas. Mr. Speaker, I rise today to advise the Members of the House of Representatives that, as chairman of the Subcommittee on Communications and Power of the Committee on Interstate and Foreign Commerce, it is my intention to hold hearings as soon as practicable on two measures that are of prime importance to the communications industry of this Nation.

One of these is H.R. 6697, a bill to amend the Communications Act of 1934 to prohibit the Federal Communications Commission from assessing fees or charges for services, publications, or instruments unless specifically permitted by law.

The other measure is H.R. 8316, a bill to amend the Communications Act of 1934 to prohibit the Federal Communications Commission from making rules relating to the length or frequency of broadcast advertisements.

Although these two measures would appear to deal with isolated, specific, and limited problems, I would warn the Members that the issue involved in both goes to the basic governmental theory of the separation of powers. The action taken by the Congress with relation to these two measures could very well serve to clarify and spell out in detail the office intended by the Congress for the independent agencies to occupy.

It is the understanding of the gentleman from Texas now addressing you that the authority relied upon by the Federal Communications Commission for the assumption of power on the part of the Commission to fix license fees came from some comments on an appropriation bill in 1951, more than 10 years ago. It seems that the authority assumed by the Commission for the rulemaking powers with regard to fixing the length or frequency of broadcast advertisements is traceable to the proposition that Congress had not specifically denied the Commission such powers. This, despite the fact that on a number of previous occasions, it is my understanding, the Federal Communications Commission has expressly stated that it did not have control over commercial time.

I would ask that you seriously weigh and consider the trend that is developing if this is the philosophy that is being adopted by the bureaus created by the Congress as independent agencies. I would hope that I had been misadvised as to the grounds upon which the Commission is undertaking to assume powers that, in my opinion, were never granted to the Commission and are not now vested in the Commission.

It is my further understanding from the rumor mill that the staff of the Federal Communications Commission is toying with the idea of advancing the argument to the Commission that the act of the gentleman from Texas now addressing you in introducing H.R. 8316 concerning commercials on television and radio broadcasts is an admission by the Congress that the Federal Communications Commission now has the power to regulate commercials on television and radio. Let me say here and now that any staff member or anyone else seriously presenting such an argument is in gross error. If such person has any education in the law he would not seriously advocate such a philosophy. The cardinal rule of law that, in my opinion, is applicable in this instance, is the simple proposition that the agencies such as the Federal Communications Commission do not have any powers not expressly granted to them by Congress. I would go further in this respect and say that these powers must be granted by the operation of the legislative processes of the Congress and cannot be assumed or implied from language in an appropriation bill concerning a subject matter that has not been acted upon by the proper legislative committee.

If the basic rule of law above stated has been changed or is going to be changed, the Congress is thereby undertaking to delegate powers to independent agencies never intended to be delegated under the Constitution. In my opinion, such actions would be unconstitutional.

Let me conclude by saying that the Federal Communications Commission does not have power not expressly granted to it by the Congress, whether it be with relation to fixing license fees or allocating time limitations or other restraints on advertising commercials on radio and television. The assumption of that power by an independent agency, even though they do not have the right to so do, places in jeopardy many businesses in the communications industry and in related pursuits. Hence it is the opinion of the gentleman from Texas now addressing you that Congress should promptly act so as to make it crystal clear that further attempts to encroach upon the powers of Congress will not be tolerated.

PRAYER AND BIBLE READING IN THE PUBLIC SCHOOLS

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, the start of school this month has focused much attention on the Supreme Court's decision outlawing prayer and Bible reading in the public schools. The June decision is making itself felt on the schoolchildren and their parents.

As the Members of this body know, on the desk of the Clerk of the House is a discharge petition, awaiting the signatures of 218 Members so that a floor vote may be obtained. The petition is the outgrowth of a new joint resolution introduced by some 30 Members which would amend the Constitution to permit prayer and Bible reading in the public schools.

In writing our great Constitution, did our Founding Fathers intend for the mention of God to be removed from our way of life, our schools, our documents, our coins, our currency, and our prayers in official groups? On the contrary, I believe their intention was that we should have freedom of religion, not freedom from it.

Dr. Louis Evans has observed that the Constitution provides for the free exercise of religion, not free extermination of it. Despite this, the great majority of the schoolchildren of our country, those in our public schools, are systematically being deprived, not only of those particular and denominational religious exercises and objects that might cause offense to those of differing faiths, but even of the most general and morally unobjectionable practices.

A plaque bearing the Ten Commandments was ordered removed from one classroom wall. The singing of Christmas carols by school choruses was forbidden in some places. The singing of the fourth stanza of "America" was outlawed in New York State.

This development is strangely at odds with the emphasis on religion in most of the great documents of American history, and with the religious declarations that form an essential part of the charters of the Colonies, and of the constitutions of the States that form our Union.

Benjamin Franklin, in his well-known appeal for prayers in the deliberations of the Constitutional Convention, said:

> We have been assured * * * that except the Lord build a house, they labor in vain that build it. I firmly believe this, and I also believe that without His concurring aid, we shall succeed no better in this political building than the builders of Babel.

It is particularly ironic that the present campaign to eliminate religious practices should center in the schools, in view of the fact that the school tradition of America is so strongly religious. In our early history, almost all our schools were established under church auspices. Early textbooks were filled with quotations from the Bible.

In thousands of schools today, students are violating the spirit, if not the letter, of the Supreme Court ruling. School authorities have ordered prayers or Bible readings continued as a part of school policy, in direct defiance of the Court's ruling. This is one ruling which cannot really be enforced. You cannot send in Federal troops to do battle with God.

Said one student in my district to her father this month: "Daddy, the Supreme Court is stupid."

I am no lawyer, but surely the Supreme Court had justified legal grounds for making its decision, based on its analysis of the Constitution. That is why we need to go to the source of the problem instead of just condemning the Court for its action. We need to amend the Constitution.

Discharge Petition No. 3 proposes that an amendment to the U.S. Constitution be brought to the floor for House action. The resolution, if passed, must be ratified by the legislatures of three-fourths of the States within 7 years. The resolution contains four provisions:

> SECTION 1. Nothing in this Constitution shall be deemed to prohibit the offering, reading from, or listening to prayers or Biblical Scriptures, if participation therein is on a voluntary basis, in any governmental or public school, institution, or place.
>
> SEC. 2. Nothing in this Constitution shall be deemed to prohibit making references to belief in, reliance upon, or invoking the aid of, God or a Supreme Being, in any governmental or public document, proceeding, activity, ceremony, school, institution, or place, or upon any coinage, currency, or obligation of the United States.
>
> SEC. 3. Nothing in this article shall constitute an establishment of religion.
>
> SEC. 4. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission to the States by the Congress.

In my 18 years in Congress, I have signed very few discharge petitions, believing that legislation should first be considered by the appropriate committee where it can be considered by experts. In this case, however, I believe that the interests of the people would be best served by the signing of this discharge petition, so that the entire House may quickly resolve this matter.

I support this amendment. It must pass the scrutiny of 36 State legislatures before it becomes law. The signing of the discharge petition is only the first step.

I submit that unless something is done to halt the growing trend that is eating away at our religious freedom, we will soon be devoured. If the Supreme Court has judged that our present law does not permit the recognition of God in our schools, then it is time to change the law. I urge other Members of this body to sign Discharge Petition No. 3.

PROHIBITING FUNDS FOR TRAVEL AND ENTERTAINMENT OF MARSHAL TITO

Mr. BROTZMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BOW] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BOW. Mr. Speaker, I am introducing today a resolution providing that no funds appropriated for any agency of government including the Office of the President may be used for the travel or entertainment of Marshal Tito, the Communist boss of Yugoslavia, if he comes to the United States as he has threatened to do next month.

This is the same resolution I introduced in 1957 when he announced a visit here. The visit was canceled.

The American people have grown accustomed to having great sums of tax money used to transport and entertain foreign presidents and potentates, dictators and ambitious politicians, but they are shocked and repelled that the same treatment should be accorded Marshal Tito only a few weeks after he publicly announced his solidarity with the Communist empire.

All of us remember how Ben Bella of Algeria accepted a 21-gun salute in the President's rose garden, only to fly to Havana the following day and insult Americans by publicly embracing Dictator Castro.

Tito reverses the process. His public bear hugs with Nikita Khrushchev have been front page stuff in recent weeks. Now he wishes to enjoy our hospitality, and we will indeed be objects of ridicule throughout the world if we permit him to come here.

I believe the American people will support overwhelmingly my effort to deny funds for such a visit.

WASHINGTON ASSIGNMENT

Mr. BROTZMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. JOHANSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, under our American two-party system, an extremely important governmental role is played by the professional workers and staff people of the two national committees.

In awareness of this fact, I take a great deal of pride in the appointment of a constituent of mine, Mrs. W. Merritt "Elly" Peterson, of Charlotte, Mich., as executive director of the Women's Division of the Republican National Committee.

Mrs. Peterson's appointment was announced this week by Assistant Republican National Chairman Clare B. Williams, and she will assume her duties in the Washington headquarters office next Tuesday.

The important role of women as political workers is a matter which will receive completely bipartisan acknowledgment by all persons holding or seeking public office and Mrs. Peterson exemplifies superbly the finest qualities of the grassroots political worker and leader.

Another area of bipartisan agreement relates to the importance of enlisting the interest and activities of the younger voters, and it is significant that Mrs. Peterson joined the Young Republican Club, of Oak Park, Ill., at the age of 21.

My acquaintance with Mrs. Peterson as an active Republican worker antedates my own service in Congress, going back to the period when I was administrative assistant to my distinguished predecessor, the late Congressman Paul W. Shafer.

Mrs. Peterson has literally come up through the ranks of the Republican Party organization. She is a member and former officer of the Eaton County, Mich., Republican Committee and the Charlotte City Republican Committee and a charter member of the Eaton County Republican Women's Clubs. She served for 3 years as an assistant to the former State Republican chairman, Lawrence B. Lindemer, and has been Republican State vice chairman since 1961.

I congratulate both Mrs. Peterson and the Republican National Committee on her appointment to her new post.

Under permission to extend and revise my remarks, I include an article from the Washington Post regarding Mrs. Peterson's appointment.

MICHIGAN WOMAN GETS HIGH POST—GOP NAMES A GRASSROOTS EXPERT

Mrs. W. Merritt Peterson, of Charlotte, Mich., who had a leading role in the election of Michigan Gov. George Romney last year, has been given a new assignment with the Republican National Committee in preparation for next year's presidential election.

She has been named executive director of the Women's Division of the Republican National Committee, one of three major appointments announced by Assistant Chairman Clare B. Williams.

Named also to the women's division staff were Mrs. O. Blake Willcox, formerly of New Jersey but a Washington resident for the last few years, to be a special staff assistant, and Janet Green, of Arlington, to be director of public relations.

Mrs. Peterson, wife of an officer in the Michigan National Guard, will arrive here next week to take up her duties.

Mrs. Williams said Mrs. Peterson's mobilization of the women of Michigan in the Romney campaign, and the maintenance of the organization to work for the adoption of a new State constitution this year were factors which led to the selection of Elly Peterson for the post.

In the job she will travel throughout the country organizing women at the State level for next year's campaigns.

Mrs. Peterson said she has "always" been a volunteer in the Republican Party and in 1957 became assistant to the State chairman in Michigan. In 1961, she became vice chairman in that State.

She is a strong believer in training women for political duty at the grassroots and preparing them to "identify with the voter."

"Women are more effective than men as grassroots workers because they have more time and they go into it with complete dedication to the cause," she said.

Though she does not plan to impose the Michigan pattern of grassroots organization on other States, she will attempt to strengthen the existing pattern in States that have one. For States that do not have an established pattern, the Michigan model in general will be used, she said.

A native of Illinois, Mrs. Peterson moved to Michigan in 1940 and during World War II served ovserseas in England, France, and Germany as a Red Cross secretary with the 280th Station Hospital.

She and her husband live on a 64-acre farm near Charlotte, Mich., and plan to maintain their home there and an apartment here.

Mrs. Williams said Mrs. Peterson fills a post with the national committee that has not been filled since 1953.

FORMULA FOR IMPORTATION OF RESIDUAL FUEL OIL

Mr. BROTZMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Wyoming [Mr. HARRISON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HARRISON. Mr. Speaker, I am pleased to have the opportunity to join with a number of my colleagues in introducing legislation to fix by law a formula which will govern the amount of residual fuel oil which can be imported into this country each year. Under this proposed legislation, import quotas for any calendar quarter will be 50 percent of the consumption east of the Rocky Mountains during the corresponding period of the preceding year.

The increases which have occurred in imports of this foreign oil have deeply concerned me. The President has allowed the situation to get completely out of hand and it is time that the Congress exercise the responsibility it has in this matter which so vitally affects two of our basic industries—coal and oil.

There is a mandatory import control program established under a presidential proclamation which is supposed to limit imports of residual. But imports have been increased eight times—or a total of 80 million barrels annually.

These imports have now reached the level where they are undermining the stability of the market for both coal and domestically produced residual oil.

Employment in both the domestic coal and oil industries has declined in recent years. I am not saying that all of this loss of employment can be traced to imports. Certainly not. But at the same time no one can deny that excessive imports of residual have added to the problems of these domestic industries. A market of the size that is affected by imported residual oil cannot be displaced without its ramifications being felt throughout the entire economy.

It is high time that we gave more consideration to the needs of our domestic industries and of our own workers.

This legislation should be passed, Mr. Speaker.

It is in the best interests of the national economy and of the national security.

ONE HUNDRED YEARS OF SERVICE: A TRIBUTE TO THE TEACHERS OF KANSAS

Mr. BROTZMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. SHRIVER. Mr. Speaker, this Saturday, September 28, in Leavenworth, Kans., my State will commemorate a proud day in the history of Kansas and the Nation. The Kansas State Teachers' Association will observe its centennial as well as the anniversary of 100 years of service by the teaching profession to Kansas and to her children and youth.

It is fitting that we should pause to pay tribute to these teachers of Kansas, past and present, even though our tribute be small indeed. For we realize that through words alone we can never adequately express our gratitude to the literally thousands of devoted men and women who have served the youth of Kansas for these many decades, educating their minds with knowledge and enlightening their hearts with understanding.

Over these past 100 years, education in Kansas has made enormous strides. A look at education as it was in 1863, for instance, would hardly be recognizable to the modern child, except as a faded reproduction of that hearty and romantic pioneer life which is a part of our American folklore. But education assuredly was not romantic 100 years ago on the prairie.

When Thomas Carney, the second Governor of the State, signed a bill passed by the State legislature creating a teacher-training school at Emporia in 1863, the State was but 2 years old. Schoolhouses and schooling were provided irregularly, as the beginning communities could afford them. Sod houses or abandoned settlers' cabins were set up as schoolhouses, and were furnished by local donations of a stovepipe for a part of a furnace or a piece of board, scarce in the country, from which to make a classroom seat. The school term, in those eastern communities in the State lucky and enterprising enough to have schools, sometimes lasted as little as 3½ months; and in the western area there were no schools, for the country was not yet even settled. As for the teachers of the day, they seem to have been magnificently dedicated souls even then. They knew how to read and write, but other than this had almost no professional training in their chosen career. What they did have was a strong commitment to education and to the ideal of teaching the young around them. Despite the difficult conditions, they braved the hardships to impart their learning to the untutored youth of the growing prairie.

Today we no longer have the picture of the young girl teacher, hardly older than the pupils she was to instruct, struggling to teach, ill equipped and ill prepared, in a scattering of one-room sod schoolhouses. Rather we have a system of education which employs highly qualified men and women who come prepared with excellent training to teach in modern schoolhouses, well heated and lighted, equipped with fine sanitary facilities, served with hot lunches, and provided with a wealth of desirable educational materials and books. Our teachers no less than our schoolhouses show the benefit of 100 years of extraordinary progress.

And on the State level, Kansas' continuing concern with improving the quality of teaching has led to a constant upgrading of teacher standards in the State. For instance, just this past year revised certification qualifications for teachers were approved to insure that Kansas teachers would continue their education and advance in their own learning by pursuing additional study during the course of their professional career. In addition, coordination by the State division of teacher education and college accreditation with institutions of higher learning in the State has served to help these institutions plan and improve their vital programs of teacher education.

Formal activity on the State level on behalf of enriching teaching in Kansas is impressive indeed; but equally so are the achievements of the teachers themselves in this area. One hundred years ago our teachers were an unorganized community of a few self-taught people scattered in isolated communities across the prairie. Today they are organized into a body of strength for their profession. For through their highly esteemed Kansas State Teachers' Association, our teachers have worked together with increasing effect to instill and develop that sense of professional responsibility and dedication to teaching which is the hallmark of the Kansas teaching community today. They are concerned, too, with education of the mentally retarded, the visually handicapped, and the particularly gifted, to mention just a few, which illustrates that Kansas teachers today are not content to accept a narrow concept of education. Instead, with a broader vision they have expanded their educational concerns to include the instruction of children and youth with special learning problems, or special abilities and needs. Neither are Kansas teachers willing to stick only to the tried and true in educational method and techniques. Rather, interest is evident in experimenting with the latest, most up-to-date tools of learning, such as, to mention just a few, setting up and operating modern language laboratories, or participating in workshops designed to introduce the high school teacher to important techniques employed in today's crucial scientific and industrial research.

The picture of the growth of the teaching profession in Kansas during this past century is impressive. Activity by and on behalf of teachers on all levels amply demonstrates that in Kansas the teaching profession is concerned—with making the Kansas teacher a more informed teacher, a more deeply and broadly knowledgeable teacher—in short, a better teacher. Yet the teachers and the people of Kansas in this day and age must not be content to rest on the laurels of past achievements, for there yet remains much to be done.

We have yet to fulfill the potential for educational quality of the highest degree it is in the power of our democracy to offer, in Kansas as well as in other States of our Union. The State and local communities must accept the responsibility which is rightfully theirs to raise the quality of the educational offering to the youth of Kansas. It is up to them to invest increasing resources in education to achieve this great potential. It is up to them to spend the money to be sure that their children get the very finest education they deserve and need in our space age.

For teachers, too, State and local interest and support is vital. Their professional growth can be expected to continue only if they are sure in the knowledge that they are backed enthusiastically by the people whose children they serve. This knowledge, coupled with the demonstrated initiative of teachers cannot fail to lead to a strengthening of the quality of the whole teaching profession.

The achievements of our great Nation are the achievements that her people have made. The achievements that her people have made are, in turn, some measure of the product of the education they have received in schools all over the country from the hands and hearts of that skilled and knowledgeable group—our Nation's teachers. In this effort the 100 years of service of the teachers of Kansas has played a role. And so it is to Kansas' teachers today, to the Kansas State Teachers' Association, as well as to those countless ones before them that we say in all humility on this important day, "Well done."

MORE BANG FOR A BUCK

Mr. BROTZMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Brock] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. BROCK. Mr. Speaker, in the September 2 issue of Barron's Financial Weekly there appears an article calling attention to additional millions of dollars of the taxpayers' money that have been thrown away as a result of loose management in the Defense Department under Secretary McNamara. The article concludes that:

> Until the Pentagon exercises a firmer followthrough on its policies, toughens its resistance to political pressures, enlists the full strength of competitive bidding and takes a longer look before it leaps into procurement programs, Mr. McNamara can hardly pretend that he is giving the U.S. taxpayer the biggest possible bang for his buck.

I think this is a most timely article and ask unanimous consent that it be printed in the body of the Congressional Record.

More Bang for a Buck?

(By Shirley Scheibla)

Washington.—National defense in the space age, as every citizens knows, requires a vast arsenal of sophisticated weapons, from missiles to radar-jamming equipment, from infrared detectors to radio telescopes. It also requires a lot of much more humble items, from horseshoe nails to paper clips. In the latter broad category is something known as brazing flux, which, though used in minute amounts, is essential to provide a smooth surface for any welding operation.

This summer, the Defense Department wanted a mere 2 pounds of this material. Into one of its shiny new computers went all the pertinent information. Baffled by so tiny a figure, the robot brain went berserk and out came an order for 9,000 pounds. Since nobody in all the vast reaches of the Pentagon caught the error, 4½ tons of the stuff presumably were dumped eventually at the door of some hapless procurement officer.

The case of the superfluous brazing flux is hardly important in itself. It does, however, highlight the ease with which things can go wrong in Pentagon procurement. The price of liberty, particularly in a day of $50 billion defense budgets, is still eternal vigilance. Secretary McNamara lately has been boasting that his economies are giving the U.S. taxpayer more defense than ever before for a dollar. More bang, in short, for a buck. However, on Capitol Hill and in the General Accounting Office, that appraisal is strongly challenged. The critics charge, in the first place, that Mr. McNamara has not exercised due surveillance over the administration of policy, and the House Armed Services Committee is now preparing an investigation along those lines. They say also that he has succumbed to political pressures, that he has rushed into many a procurement program without adequate investigation of the pros and cons and that he has failed to make proper use of competitive bidding and to keep a watchful eye on costs. Those accusations certainly warrant a closer look.

INFLUENCE OF POLITICS

As to the influence of politics on contract awards, consider the case of the Lance, a lightweight missile system eyed as an eventual replacement for the Honest John and the La Crosse. Chance Vought, a division of Ling-Temco-Vought in Dallas, last year got a $100 million research contract for the Lance, on condition the work was done in Detroit. Estimates of the additional cost for removing the job from Dallas to the Motor City range from $11 to $29 million.

Dr. Harold Brown, Director of Defense Research and Engineering, told a congressional committee that higher labor rates in Detroit and the transfer of critical personnel from Dallas would cost $11 million. This expense would be offset, he said, by use of the 10-year-old Warren Ordnance Plant in Detroit, which was equipped with Government-owned tooling valued by Dr. Brown at $10 million. "Possibly the production in that plant will * * * save $1 or $2 million a year just because you are already heating and maintaining a large part of the plant that is empty," he declared.

Dr. Brown did not say how production costs would compare between Warren and a new plant built specifically for the job. Pentagon officials in charge of handling surplus Army installations admit that costs are higher in such facilities. The difference is made up, they feel, by the fact that when they are in use, the Government does not have to pay maintenance costs. Yet if the lack of outlays for maintenance just offsets the lower efficiency of the Government plants, what is left to counter the additional cost of moving to Detroit?

Although Michigan's Democratic Gov. John B. Swainson, was fighting at the time (unsuccessfully, as it turned out) to keep Republican George Romney from taking over his office, and Detroit was classed as a depressed area, the Pentagon says the insistence on doing the work there was not politically inspired.

UNPRECEDENTED ANNOUNCEMENT

Certain facts, however, point in the opposite direction. For one thing, in such a contract it is unprecedented for the Government to specify the production site. It is also unprecedented for a Governor to announce the award of an Army contract. Yet significantly, Governor Swainson announced the Lance award on the very eve of the election.

Following executive hearings on the contract, Chairman George H. Mahon of the Defense Subcommittee of the House Appropriations Committee wrote Secretary McNamara that his group would go along with the arrangement, but only because changing it would cost still more money and time. Representative Mahon warned, however, that the Defense Secretary could not expect such considerate treatment if the subcommittee turned up another similar situation.

Political considerations also are responsible for the Navy's continued use of its own yards for ship construction and repair work, even though it can be done for less in private facilities. Says one Pentagon policymaker, "The Congressmen with Navy yards in their districts are just too influential."

A study just completed for the Navy by the accounting firm of Arthur Andersen & Co. shows that costs in Navy yards are 9.2 percent higher than in private yards for ship conversions, 20.8 percent higher for repairs and 33 percent higher for construction.

Currently 86 percent of naval ship construction is handled in private yards, and Navy officials would like to boost the figure to 95 percent were it not for congressional opposition. They think they might be able to achieve that percentage if they let the Navy yards continue to handle 65 percent of maintenance and repair work. Meanwhile, costs are mounting in the Government facilities because of the Navy's failure to modernize them.

Fear of political repercussions also is the main reason the Pentagon has been slow to dispose of its industrial plants. Dozens of military owned factories today are operating at only a fraction of capacity. The Government is spending millions of dollars a year on maintenance until it can find someone to operate them, preferably a purchaser.

As noted, the Government plants, not being up to date, won't be competitive in cost. The Defense Department, however, intends to buy most of their output, and the planners say they would prefer absorbing the higher costs to paying the maintenance bills.

Last year the Department took in only $49 million when it sold 26 plants which it had acquired for $315 million. One reason for the low prices is that many of the facilities are "scrambled,"—that is, mixed with privately owned ones. Of those sold last year, 60 percent were of this type. In such cases, the only possible buyer is the company which already is part owner. Many firms refuse to buy, since they can use the facilities without bearing the expense of ownership. In terms of policy, the Pentagon frowns on investing in more scrambled facilities. In practice, however, it continues to do so.

COMPETING WITH INDUSTRY

Indeed, Secretary McNamara has shown a singular lack of enthusiasm for carrying out the Budget Bureau directive, issued back in 1959, to get the Government out of commercial activities which compete with private enterprise.

Under the present administration, the Bureau has watered down the directive. Yet the Secretary has gone further, ruling that commercial-industrial activities by the Armed Forces are justified under any of five conditions which are so broad as to impose virtually no limits. One, for instance, is that "military operation of the activity is in the public interest."

The Defense Department also duplicates the work of other Government agencies, notably the National Aeronautics and Space Administration. Referring to manned orbital flight projects by NASA and the Air Force, Mr. McNamara testified on Capitol Hill earlier this year that "Gemini is so much further advanced than the Dyna-Soar, I question whether we should continue both at their present rates." He added, however, that he does not yet know how much the Air Force can cut back Dyna-Soar because "it has not yet had time to investigate the extent to which it will duplicate Gemini work."

Such an investigation would appear long overdue. Dyna-Soar already has cost $340 million, and Mr. McNamara has asked an additional $125 million for fiscal 1964. He says that the whole project as now envisaged would cost around $1 billion. Mr. McNamara has failed, too, to coordinate the work of the Pentagon with other agencies on projects like space communications and hydrofoil ships.

One of the reasons, of course, is that the Department plunges into development too fast, without taking enough time for preliminary research and coordination with others active in the same field. The Skybolt is the prime example of a project inadequately prepared before development. So far the now-abandoned program has cost $440 million, not including cancellation costs.

The Defense Department also spent $70 million on the big dish radio telescope at Sugar Grove, W. Va., before discovering that there was no assurance the facility would be able to meet any of the stated requirements.

Perhaps most disturbing of all is the Pentagon's capricious use of competitive procurement techniques. Mr. McNamara sometimes seeks fixed-price bids of this sort where conditions for true competition do not exist. This happened, for instance, in the case of the M-113, armored personnel carrier. After awarding Food Machinery Corp. several sole-source, renegotiable contracts, he sought fixed competitive bids for 2,832 carriers, in lots of 1,632 and 1,200.

The idea was that the two lots should be built at separate locations because of the "mobilization base" policy adopted back in 1954—that major defense production should not be concentrated in one location. Upon learning of this arrangement, FMC decided not to tear down the ordnance works it had recently bought in Charleston, W. Va., just to get the land near its chemical plants. It submitted separate but identical bids for its Charleston and San Jose, Calif., plants and won out on both.

Only 3 months before this award, however, FMC had received a sole-source contract for 1,500 such vehicles. Moreover, less than a month after the competitive bids were announced, Defense said it would negotiate exclusively with FMC for 1,132 more carriers destined for Germany. The argument was that the Germans needed the vehicles so urgently that they could not wait for another manufacturer to set up production lines.

LOSING BIDDER PROTESTS

R. R. Walker, manager of the defense material department of Allis-Chalmers, one of the unsuccessful bidders, protested to the Special Investigations Subcommittee of the House Armed Services Committee. Adding in the sole-source contract for the first 1,500 vehicles and the one for 1,132, Mr. Walker said FMC could estimate costs "on the basis of 5,464 vehicles, as compared to our bid estimate on a single quantity of either 1,200 or 1,632."

The Allis-Chalmers official also told the subcommittee: "In view of these circumstances we feel this one bidder had clearly preferential position. We make this statement because the first basic question to be answered in a high production manufacturing program is quantity and delivery date. This is the key to all costs."

Officials of the General Accounting Office, too, feel that the Department made a grave error in seeking fixed prices for the 2,832 carriers. They point out that the circumstances were unsuitable for competitive bids, and that by accepting fixed prices, the Department renounced all chance of ever redetermining them on the basis of lower than anticipated costs.

The matter is of no small concern to Department officials, who say the M-113 is one of the first weapons on which they want to try a new purchasing technique which they call "multiyear buying." Says one, "We might try it next year." Officials talk of contracting for 3 or 4 years' requirements of the M-113 at once. This practice, they say, would eliminate the competitive disadvantage to the other bidders arising from heavy start-up costs. Maximum cancellation costs would be established on a scale which would decline progressively during the life of the contract. Thus, if the Department later failed to obtain needed money from Congress, the Pentagon would pay relatively heavy cancellation costs which, in effect, would offset exorbitant start-up costs.

Training helicopters, electronic equipment, ammunition, and navigation and fire-control systems also are likely candidates for early application of the new technique. Even with multiyear buying, however, Mr. McNamara's closest lieutenants are leery of seeking competitive fixed price bids too soon. They prefer to award the initial production contract to the developer without competitive bidding, since it's difficult to describe a new article before the first purchase, and since there are often many changes during early production.

In view of this feeling, it's odd that Mr. McNamara has publicly boasted how economical he has been by obtaining competitive prices lower than the original ones for such items as the M-110 8-inch howitzer and the man-pack radio. For each of these items, there had been only one production purchase before the competitive procurement. Since the Secretary's own officials say that prices for the first lot are usually higher, the reduced cost on the second purchase hardly seems to warrant bragging.

Indications are, in any case, that Mr. McNamara is not pushing competitive purchasing as hard as he might. According to the GAO, failure to use this technique to the maximum extent possible for aeronautical replacement parts is costing the United States over a half billion dollars a year.

The facts suggest, finally, that the Pentagon has been less than diligent in controlling costs. Under an armed services procurement regulation, any company which receives a negotiated contract for over $100,000 must sign a statement that the costs submitted are complete and accurate.

Checking to see if this regulation was being followed, the GAO learned that out of 400 contracts which should have contained the cost certification, 300 lacked it. Yet the Government must have such certification to recover any excess charges.. The GAO finding led to an amendment to the Armed Services Procurement Act legally requiring the certification; now there's trouble with the way the Department is carrying out the law.

On many fronts, then, Secretary McNamara, while holding high the proud banner of economy, appears to be beating a strategic retreat. Under his command, the Defense Department undeniably is spending more of the taxpayer's dollars than ever before in peacetime. What the United States is getting in return is not so easily measured. But until the Pentagon exercises a firmer follow-through on its policies, toughens its resistance to political pressures, enlists the full strength of competitive bidding and takes a longer look before it leaps into procurement programs, Mr. McNamara can hardly pretend that he is giving the U.S. taxpayer the biggest possible bang for his buck.

HOUSING FOR THE ELDERLY

Mr. BROTZMAN. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mrs. DWYER. Mr. Speaker, the legislation before the House today, House Joint Resolution 724, would authorize a modest addition to one of the most needed and successful programs Congress has ever enacted, the housing for the elderly program under section 202 of the Housing Act of 1959.

As a member of the Banking and Currency Committee, it has been my privilege to participate in the consideration and development of this program from its beginning, and I can testify from further personal experience in my own congressional district just how worthwhile it has been to many of our older people.

Because the demand for low-rent housing especially designed to meet the needs of the elderly is rapidly threatening to exceed the funds already authorized, House Joint Resolution 724 would authorize the appropriation of an additional $50 million for the program. This amount will bring the program up to the level recommended in the budget for the present fiscal year.

This section 202 program serves the most extensive group among our older people—those elderly couples whose incomes range from $2,500 to $4,800 a year and single persons with incomes between $2,000 and $4,000. The extent of the need can be suggested by the fact that the median-money income of people over 65 is only half that of people under 65, with approximately one-half of these families having incomes of less than $3,000 a year. About 21 million of our citizens are now 62 or older and this figure is expected to rise to 30 million by 1980. A substantial proportion are living in decidedly inferior housing, dilapidated, deteriorated, lacking plumbing, and other essential features, frequently unsafe and inefficient for older persons.

The program meets this need by providing direct loans at lower interest rates and longer terms than are ordinarily available through private financing. Such liberal terms permit nonprofit sponsors of the housing to rent units for approximately $20 a month less than housing built with conventional financing. This saving frequently makes the difference between wholesome, healthful, happy surroundings and the drab, depressing circumstances under which too many of our senior citizens must live out their lives. Sponsors of such housing are limited to nonprofit corporations, consumer cooperatives, and certain public agencies.

The virtually unanimous support this program has received from our colleagues, Mr. Speaker, is impressive evidence of its appeal and its importance to people whom we owe so much.

NINE PERCENT OF FARMERS GET ABOUT 91 PERCENT AGRICULTURAL AID—DR. HIGBEE

Mr. TUTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. BECKWORTH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, I include in the CONGRESSIONAL RECORD an article that appeared in the New York Times June 2, 1963, written by Dr. Edward Higbee. Note his background.

BIOGRAPHICAL SKETCH—EDWARD C. HIGBEE

Edward Counselman Higbee, professor of land utilization, University of Rhode Island. Born in New York, N.Y., on December 29, 1910. Married, one child.

Education: M.A., University of Wisconsin, 1938; Ph. D., Johns Hopkins University, 1949.

Soil conservationist: U.S. Department of Agriculture, 1939, from agronomist to senior agronomist, 1941–47; assistant professor of geography and research associate, Johns Hopkins, 1948–49; visiting associate professor, Yale, 1950; professor of geography, Clark, 1950–57; professor of geography, University of Delaware, 1957–196?.

Director: Agriculture in transition study, 20th Century Fund; Consultant, Ministries of Agriculture for Brazil, Peru, Ecuador, El Salvador, Nicaragua, and Guatemala.

Member: American Association for the Advancement of Science, American Geographical Society, American Society of Agronomy, Soil Science Society of America.

Major field of work: land utilization and conservation, especially land-use planning.

Author: "American Oasis" (1957), "American Agriculture" (1958), "The Squeeze" (1960), and "Farms and Farmers in an Urban Age" (1963).

Source: "American Men of Science" (social and behavioral sciences volume), 10th edition, 1962.

NOW THE NONFARMER ASKS FOR PARITY

(By Edward Higbee)

(Edward Higbee, professor of land utilization at the University of Rhode Island, is the author of the book, "Farms and Farmers in an Urban Age," scheduled for publication by the 20th Century Fund later this month.)

American agriculture has rarely had it so good. New methods enable efficient farmers to grow more and more at less and less cost to them. The fast-growing population in cities and suburbs buys more than ever, and at higher prices. And much of what cannot be sold to urban consumers the Government has guaranteed to buy. Largely under the pressure of its surplus acquisition activities, the Department of Agriculture's budget last year reached $7.2 billion—a sum exceeded only by the costs of defense and interest on the national debt.

Now organized agriculture—notably the American Farm Bureau Federation—is maneuvering to keep its grip on the taxpayer's wallet. On May 21, wheatgrowers voted to reject a Government program which would have given the quid pro quo of high price supports in return for farmers' acceptance of compulsory limits on production. Ostensibly, the farmers were choosing freedom for the rugged individualist to grow as much as he wishes—and to risk taking whatever the open market will pay him. There was talk that wheat prices might drop from $1.85 a bushel at present to $1.10 or less.

Actually, the Farm Bureau strategists had no desire to run the risks of a free market. They were counting on their political leverage to force Congress into setting new Federal floor prices for wheat. Then they would have the best of both possible worlds—unlimited production, and a guaranteed selling price. The taxpayer, of course, would get an even bigger bill next year than last.

The scheme may yet go through. But there is some new thinking on Capitol Hill. The voice of the urban citizen is beginning to be heard. It is he who goes without public services he needs in order to pay for the farm program. And after 30 years it is becoming clear that Federal subsidies are not solving the farm problem.

The irony of the Federal agriculture program is that the bulk of the taxpayers' money goes to the few biggest farmers, who are already enjoying bigger incomes than most taxpayers. Poor farmers hear only the whistle of the gravy train as it goes by.

To understand what is happening inside American agriculture it is necessary to recognize that the players at the top and the players at the bottom are not in the same league.

The years since 1935 have been the years of heaviest public spending to save the small family farm, yet during these years the number of farm units dropped from 6,800,000 to 3,708,000. From 1930 to 1960 the number of big farms—more than 1,000 acres—upped their holdings from 28 percent to 49 percent of all the agricultural land in the country. It might be said that while the family farm survived America went a long way toward getting rid of the farm family.

Today, the top 9 percent of all the Nation's farms produce as much as the bottom 91 percent. Federal aid to farmers is distributed in about the same proportions. This is understandable since Government bonuses and subsidies are granted not according to need but according to capacity to produce. A farmer who gets a price support loan on one bale of cotton gets one one-thousandth as much as a farmer who puts 1,000 bales under Government seal. Because of mass-production methods, the big producer is almost invariably more efficient than the little producer. Thus, the kind of price support that barely sustains the little man becomes a prod to the big man to go all out to stuff Government warehouses.

The soil bank is no solution for this kind of overproduction. Under that voluntary scheme the poorest land under the poorest management is set aside for Government payments. Meanwhile, the best land under the best management is made to yield bigger surpluses than ever—also for the public to subsidize. Thus two payments may be extracted from the taxpayer where only one has been extracted before.

Under pressure to save the small family farm, Congress has rigged an incredible system of bonus handouts, retirement payments, and price supports which has made high-speed, big-investment agriculture one of the most profitable enterprises in the country. This situation draws much outside money into agriculture. Large-scale operations are assembled while the little family farm that is short on cash but long on home-grown labor goes out of business. Thirty-four percent of all farms purchased in 1960 were bought by persons who were not farmers.

Capital gains on farm real estate for the decade of the 1950's averaged 8.5 percent per year. This was hardly a symptom of serious economic trouble. Farm mortgage debt increased only $6.5 billion between 1940 and 1961; in the same period, the value of all farm assets went up $119 billion. This was scarcely indicative of distress. In 1961, farm mortgage debt was only 10.4 percent of farm real estate values. Few city people are so solvent.

The financial plight of American agriculture, as it is usually presented for popular consumption, is largely a statistical fabrication derived by lumping the farm incomes of inefficient, part-time and semi-retired operators with those of efficient, full-time professionals. If children's lemonade stands were included in a census of retail establishments in the same manner, even the A. & P. could be shown to qualify for Government aid. The true nature of farm operations is shown by the detailed data of the 1959 Census of Agriculture, the publication of which was just completed early this year. The Nation's 3,708,000 farms can be divided into three classes.

FIRST CLASS

At the top of the agricultural pyramid is a small but vigorous first class of only 312,000 farms which sell 50 percent of all agricultural commodities. None of these properties produces less than $20,000 worth annually. A third of them sell more than $40,000 worth each. There are 21,000 with sales exceeding $100,000, and these are surmounted by an elite of 1,200 which market more than 500,000 worth apiece.

The elite, of course, are freaks—but enormously productive ones. They are ranches or feed lots handling thousands of head of cattle. They are dairy farms on the edge of big cities that have so many cows they milk around the clock. They are cotton farms on irrigated land covering territory that stretches to the horizon, or sugar plantations just as large. They include spectacular wheat empires that measure their land in square-mile sections rather than in acres. They are enormous enterprises which grow, pack and ship fruits and vegetables by carloads.

Even the average farm in first class is an impressive enterprise with real estate holdings valued at $135,000 and annual gross sales of $48,000. If there were just 600,000 farms of this kind in the United States instead of 312,000, the other 3,100,000 farms recorded in the census would be out of business.

Elmer Larson is the name we will give to one of these farmers in first class. After the last war he came back to his father's 300-acre place in the rich corn belt of western Ohio. He had been in motorized artillery and learned a lot about heavy equipment. He wanted to farm and his father wanted to retire; so they made a compact. Elmer took out a GI loan for a downpayment and the deed. The elder Larson took his son's mortgage and endorsed his note for a new heavy-duty tractor.

Everything young Larson saw around the place reminded him of how hard it has been to farm as a boy and how easy it was to make machinery do things in the Army. His father thought he was taking an awful risk to borrow more money to buy more and bigger mechanized equipment: a hay baler, a picker-sheller, a combine, a glass-lined silo with automatic unloader; then finally an automated feed mill and mixer with a panel of control switches as impressive as an astronaut's capsule.

As his equipment increased, Elmer Larson realized that he could handle more land and more livestock; so he bought out a neighbor who declared, "A man is crazy to stay in farming the way it costs to get this new equipment." Larson himself was scared, but he knew he could not stand still and survive. He hired a regular hand and let the man's family live in the house on the new farm he had bought.

As the years went by, and the value of farm property rose, Larson was making at least as much in real estate appreciation as he was at raising corn and hogs. Since his assets zoomed even faster than his debts, his collateral was good for more loans. He plunged into more land and more equipment. He installed a cement-paved feedlot that would accommodate 600 head of Western steers. Corn was too cheap to sell. He could make more feeding it. Later Larson increased the capacity of his feedlot to 1,200 and began to buy corn from others. The deeper he got into this complicated operation, the deeper he realized he would have to go, because others were ahead of him and those who hesitated were obviously headed for the scrap heap.

MIDDLE CLASS

In contrast with the small but wonderfully productive first class is a very much larger, less productive middle class of 1,755,000 units. Farms in this category produce annually between $2,500 and $20,000 worth of commodities. Middle class properties constitute 47 percent of the Nation's official farms, and they sell nearly 45 percent of its crops and livestock. Statistically, at least, this seems like a fair balance, but there is a wide range of quality within the group.

To get a more precise picture, the middle class might be divided into a small upper middle group of 483,000 farms, all of which produce more than $10,000 worth of commodities, and a large lower middle group of 1,272,000 farms, all of which sell less than $10,000 worth. The latter group has had a rough time, because their net farm incomes, as a rule, are only about one-third of gross sales.

William Ansel is a name we will give to one of the operators in the lower middle class. He was a full-time farmer in southern Maryland before the war. He raised tobacco, kept laying hens and milked 12 dairy cows. He was a jack-of-all-trades who built his own coops and sheds and repaired his own machinery. He liked farm life, but made very little money. He would tell his town relatives, "I make a living because I don't spend much."

During the war, the Baltimore shipyards paid good wages, so Ansel took a full-time job there and worked his land weekends and evenings. His wife helped with the milking and other chores.

After the war, William Ansel continued to go to town to work. He did not enlarge his farm business. He preferred the weekly paycheck because he had four young children coming along. He bought a few pieces of second-hand farm machinery from time to time as old implements wore out. "The new stuff is over my head," he would say, "and I can get by with this."

Ansel is too conservative to expand. He is afraid of debt, for he looks upon his farm as a home, and the basis of personal security, rather than as a business. He does not want to jeopardize his slim assets. "I owe enough as it is," he declares.

In the last census year, the average net income by operators in the lower middle class was $1,740. Their average earnings off the farm were $1,816. As a group, they are already halfway out of agriculture, yet they most truly represent the old-style, self-sufficient countryman who tried to make ends meet by thrift and reliance upon family labor.

THIRD CLASS

* * * * *

However, this third class, which constitutes 44 percent of the official census farm family, includes 849,000 farms whose owners are truly one of the most distressed economic groups in America. Their net incomes from an attempt at agriculture averaged $438 and their net incomes from other sources averaged $525.

They just could not either employ themselves or find adequate employment elsewhere. Their poverty and degradation is equal to that found in urban slums. It is visibly apparent to anyone who travels widely in the country. They have been bypassed by a technological revolution beyond their means. Many of them are still engaged in horse-mule tillage while the real producers have moved into the space age.

The solution to their problem, like that of the urban unemployed, is more city jobs on the payrolls of others. A few more cents a bushel or a few more dollars a bale would not change their condition in the least. They just do not produce enough bushels or bales to make a living, no matter what the price.

Misunderstandings about the health of American agriculture could easily be corrected by a more realistic definition of the farm as it is enumerated in the census of agriculture. Under present rules, any operation qualifies if it is over 10 acres in size and sells $50 worth of produce. Units of less than 10 acres are also tabulated if they sell $250 worth of produce. Such definitions can make a farmer of a weekend hobbyist who grows raspberries for the gang at the office, but they do not come close to identifying the real agriculturist.

Of course, there is an understandable reluctance in certain quarters to count farms by more realistic criteria. The farm bloc in Congress would emerge with its wings clipped even shorter and the Department of Agriculture might have to put half of its 30 acres of prime Washington office space into the soil bank. Michigan's Representative ROBERT P. GRIFFIN, Republican, may have forecast just such a calamity when—tongue in cheek—he proposed to Congress that "the total number of employees in the Department of Agriculture shall at no time exceed the number of farmers in America."

One of the strangest aspects of public policy at the present time is the highly articulate concern about the low incomes of undercapitalized entrepreneurs in agriculture while other more serious social and economic calamities have befallen the more numerous families of the urban unemployed who have less income and less equity in property. If, at a time when only 8 percent of American families live on the land and 92 percent live elsewhere, we continue to regard the family farm as a pillar of democracy, we may wake up later to find the roof has caved in.

A public program of aid and support which is designed to save the lower middle class farm can only increase the lead of the pace setters. Two Secretaries of Agriculture, Ezra Taft Benson under President Eisenhower and Orville L. Freeman under President Kennedy, have recognized that the most help from the Government goes to the few at the top in order that a little may trickle down to the many below.

Farmers did not like Benson because, while he would have removed controls on production, he also would have cut Government price supports. They do not like Freeman because, while he would raise Government price supports, he has proposed strict production controls. What they want are floor prices plus a wide-open market, and something of that sort is probably what they bank on getting from Congress this summer. There is a saying going the rounds in the farm belt: "Benson made a Democrat out of me and Freeman is turning me back into a Republican."

The urban taxpayer naturally gets aroused when he considers his own desperate needs for public services that he cannot have because the money is soaked up by agriculture's $7 billion sponge. If a few billions were transferred from spending on the farms to the congested metropolitan areas, quite a number of public hardships could be relieved without any increase in taxes.

It seems apparent that a significant part of congressional indifference to urban problems is due to a deliberate protest against Federal aid for the city on the part of certain rural spokesmen. Not long ago, representatives of the Iowa Farm Bureau visited Washington, as one Congressman put it, "to give us their views not only on farm legislation but on the other issues with which we are wrestling in Congress."

One of those voices from the grassroots advised the legislators: "We feel Government is attempting to solve too many problems which should be left to local governments. For example: Federal aid to education, Federal housing, urban renewal, etc."

Each year, the impact of such pronouncements loses a little more punch as the urban population rises and the farm exodus continues. The influence which agriculture still exerts on Capitol Hill rests largely on historical overrepresentation, seniority in strategic spots, and the horsetrading wit of the farmer. While the last remains as sharp as ever, the intrinsic strength to back it up is ebbing.

The magazine Wallace's Farmer, a voice to reckon with in the Corn Belt, sensed the wind of change in January 1962. "We've had farm program fights practically every year," it editorialized. "But they were mostly family spats—differences of opinion among farmers themselves. Now a third party, the city consumer, armed with new voting power, is watching these goings-on in Washington with increasing interest and suspicion. With this new 'partner' abroad, farm legislation must be drawn more carefully. To avoid a violent consumer revolt at the polls, political leaders know that future farm programs must be less costly and more effective."

It might be said, in the light of the wheat farmers recent refusal to heed this advice, that they still think they can have their way. Yet President Kennedy himself cautioned them at his May 8 press conference not to hope for easier terms in new agricultural legislation. "I don't think you could get a majority," was his observation.

Perhaps the time has come when Congress will reorient its thinking, and agree with the Farm Bureau that the Federal Treasury has attempted to solve too many problems which should be left to local governments—notably, the farm problem.

PUBLIC ACCOMMODATIONS LAW ALREADY ON FEDERAL STATUTE BOOKS

Mr. TUTEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, it is perhaps not generally known that there is a public accommodations law on the Federal statute books, and that it has been there for quite a while. It is clear that this is a precedent for the civil rights bill, a precedent that has been unchallenged for a good long while.

The international agreement under which Public Law 78 operates has a section dealing with discrimination. It states that the Federal Government can investigate places where discrimination is practiced on account of race or ancestry. This has been done, many times. If discrimination exists, it must be corrected before the Government can permit the further use of braceros in that area. As a matter of fact, not only the Federal Government, but also the Mexican Government must be satisfied that discrimination will not be practiced on account of race or ancestry.

The fact that the bracero program has put into practice a strong antidiscrimination law gives ample precedent for the civil rights bill and poses a serious dilemma to many Members of Congress.

For many who now oppose the civil rights bill on constitutional grounds have never protested the constitutionality of the bracero law and have in fact repeatedly endorsed it. Further, many who protest that the civil rights bill is immoral with reference to title II have also endorsed Public Law 78 repeatedly without saying anything about the morality of that law.

Either we believe in public accommodations or we do not. If this Congress extends Public Law 78, it must also enact the public accommodations law proposed in the civil rights bill. To do anything else would be inconsistent and without logic.

THE UNITED STATES SHOULD TAKE PROMPT ACTION IN THE UNITED NATIONS TO REALIZE PRESIDENT KENNEDY'S PROPOSAL FOR A WORLDWIDE CONSERVATION PROGRAM

The SPEAKER. Under previous order of the House the gentleman from Wisconsin [Mr. REUSS] is recognized for 20 minutes.

Mr. REUSS. Mr. Speaker, now is the time for the United States to make President Kennedy's proposal for "a worldwide program of conservation" bear fruit through positive, effective measures to save the many famous wild animals now threatened with imminent extinction.

President Kennedy set the goal in his speech to the 18th General Assembly of the United Nations on September 20 when he urged the U.N. to undertake a program to protect the wildlife "now in danger of extinction for all time."

The United States must act to reverse the death sentence man has imposed on wild creatures all over the world.

The United Nations is the logical forum for consideration of the plight of the world's wildlife. Each species, though it may be located in a particular country or region, belongs to all mankind. All nations, developed and developing, have a stake in preserving the stock of wild animals.

In reports on my proposal for a world conservation program, embodied in House Concurrent Resolution 107, introduced on March 4, 1963, both the State and Interior Departments foresaw a role for the U.N. in developing a program for conservation of wild animals.

TWO ACTIONS CAN BE TAKEN NOW

Therefore, the U.S. Government should take prompt action to place world wildlife conservation on the U.N. agenda, and particularly to seek the approval of two measures which can be effected immediately. These measures will make a very substantial contribution to world conservation. They are:

First. An international agreement to regulate trade in wild animal products, with provisions to ban or limit the importation of pelts and other parts of threatened species. Such an agreement would be of great assistance to the developing nations. With their large areas and limited resources, they are hardly able to control the ruinous poaching that now threatens famous animals such as the rhinoceros and the leopard. Multilateral action by the consuming countries is needed. If the United States alone were to impose restrictions, trade would merely be diverted to other nations, without any benefit to conservation.

Second. As part of the decade of development, the developed nations should provide substantial assistance to developing nations for the specific purposes of training game wardens, conservationists, and ecologists, and for the improvement of conservation departments. The United States would be able to use local currency acquired under the food for peace program for these purposes. The developed nations should also provide the developing nations with assistance in capitalizing on tourism, tourism can provide a major source of support for conservation programs and for national development.

PLANNING FOR OTHER CONSERVATION STEPS SHOULD START

At the same time these immediate steps are being taken, the United States should see that study and consideration of a more comprehensive program gets under way. Undoubtedly, the United Nations in its immediate actions and its longer range program will take advantage of its close connection with the International Union for the Conservation of Nature and Natural Resources—IUCN.

The IUCN, the world wildlife fund, and other private conservation organizations have made magnificent contributions to world conservation despite inadequate resources and the failure of most governments, including that of the United States, to participate. But as I told the House on March 4—CONGRESSIONAL RECORD, pages 3209–32128—the plight of the world's wildlife is desperate. In every area of the globe, and especially in Africa which has been so long famous for its wildlife, there are numerous threatened species whose days are numbered unless man changes his ways. Animals such as the leopard, the rhinoceros, the Arabian oryx, and the pygmy hippo, overseas, and the wood bison, whooping crane, and the California condor in North America, are among the 250 species that are considered endangered. We can ill afford to lose even one more species from the stock of wildlife that is already poorer for our past destruction of about 200 species.

MAN'S THREAT TO WILDLIFE

Man's threat to animals comes from both deliberate and inadvertent killing.

First. Deliberate killing: The showings of winter fashions have been accompanied with news stories from Africa recounting the slaughter of leopards and other animals whose pelts are in vogue. Much of this killing was illegal poaching. But, as I said, the new, hard-pressed governments of the developing nations find it difficult to enforce their game laws against elusive hunters spurred by the demand of fashionable ladies. Wild animals are also threatened in some cases by killing for sport or food contrary to sound principles of game management.

Second. Inadvertent killing: Though indirect, man's encroachments on wildlife habitats are no less threatening than deliberate killing. These encroachments include the development of towns and cities, the construction of roads, dams and other public works, and the conversion—sometimes foolishly—of wilderness to agricultural land. Devastating fires, many of them set by man, and air and water pollution take a heavy toll of wildlife each year.

OUR STAKE IN CONSERVATION

The reasons for preserving the world's wildlife in all its marvelous variety are both sentimental and practical. The first lies in the great pleasure we derive from looking at wild animals. The exalted place that animals have in the world of children is evident from the stories that youngsters love best. Intense interest in the creatures with which we cohabit the earth is simply a part of our being.

In addition, there are very practical reasons for wild animal conservation. Wild animals are a source of export earnings, a supply of protein food, and an attraction to tourists. As such, they can be a very important economic asset to the developing countries.

On March 4, I proposed action to save the world's wildlife through an international conference. The text of my resolution calling for such a conference follows:

HOUSE CONCURRENT RESOLUTION 107

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the Secretary of the Interior, in consultation with the Secretary of State, should take all necessary steps to convene an international conference within one year after the adoption of this concurrent resolution for the purpose of initiating cooperative action to further conservation of wild animals on a worldwide basis.

SEC. 2. The following countries should be invited to participate in the conference:

(1) Those countries (hereinafter referred to as the "consuming countries") whose demand for furs, skins, pelts, tusks, feathers, and other parts of wild animals, or whose citizens, by hunting wild game, cause a diminution of species of wild animals, and which include, but are not limited to, the members of the Organization for Economic Cooperation and Development; and

(2) Those countries (hereinafter referred to as the "producing countries") in which the major wild animal habitats exist and which include, but are not limited to countries in Africa, Asia, and Latin America.

SEC. 3. The conference should consider the following cooperative actions:

(1) Legislative or administrative action by consuming countries curtailing or banning imports of commodities the chief value of which is derived from wild animals; and

(2) Assistance by consuming countries to producing countries, either unilaterally or multilaterally through the United Nations or other international agencies, to establish

training schools for wildlife and conservation specialists, to establish conservation departments in the producing countries, or otherwise to assist desired world conservation programs; and

(3) Joint study by producing and consuming countries to determine how wildlife conservation and management can increase tourist revenues for producing countries; and

(4) Assistance by the United States to the producing countries through use of local currency accruing to the United States under the food-for-peace program to further the objectives stated in paragraphs (2) and (3) of this section; and

(5) Any other action to promote wild animal conservation.

Subsequently, I received reports from Secretary of the Interior Stewart Udall on August 28, and from Assistant Secretary of State Frederick G. Dutton on September 4. The report of Secretary Udall, submitted to Congressman THOMAS MORGAN, chairman, House Committee on Foreign Affairs, follows:

AUGUST 28, 1963.

DEAR MR. MORGAN: Your committee has requested this Department's comments on House Concurrent Resolution 107, a concurrent resolution "Expressing the sense of the Congress with respect to the convening by the Secretary of the Interior of an international conference to initiate cooperative action to further conservation of the wild animals on a worldwide basis."

House Concurrent Resolution 107 expresses the sense of Congress that the Secretary of the Interior, in consultation with the Secretary of State, should act within 1 year after adoption of this resolution to convene an international conference to further conservation of wild animals throughout the world. Such a conference would consider cooperative legislation or administrative actions by consuming countries, which are defined in the resolution, curtailing or banning imports of commodities the chief value of which is derived from wild animals; assistance by consuming countries to producing countries, also defined in the resolution, in training wildlife specialists and establishing conservation departments; a study by producing and cooperative countries to determine how wildlife conservation and management can increase tourist revenues for producing countries; assistance by the United States to the producing countries under the food for peace program to further these latter two objectives; and other actions to promote wild animal conservation.

We strongly support the objective of "initiating cooperative action to further conservation of wild animals on a worldwide basis" but are not persuaded that an international conference to be convened by the Secretary of the Interior within a year is the most effective way of achieving that objective. Our fears are that such a conference may well be premature. It would seem more appropriate at this time for the United States to initiate a course of action within the United Nations family, which would engage in a thorough study of the problem, in order to determine the most expeditious and effective way of cooperatively achieving practical results. In this way emphasis would be on a multilateral rather than a unilateral approach from the outset, and member nations may have a greater incentive to participate in this very worthwhile effort.

The Department, through the U.S. Fish and Wildlife Service and the National Park Service, has experience and technical competence which can and is being made available to developing nations through AID. A concurrent resolution along the lines suggested above which gives encouragement and support to wildlife conservation throughout the world and indicates our willingness to cooperate fully with such activities might be helpful.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

STEWART UDALL,
Secretary of the Interior.

The report of Assistant Secretary of State Dutton follows:

SEPTEMBER 4, 1963.

DEAR MR. CHAIRMAN: Your letter of March 7 requested comments on House Concurrent Resolution 107, a concurrent resolution expressing the sense of the Congress with respect to the convening by the Secretary of the Interior, in consultation with the Secretary of State, of an international conference to initiate cooperative action to further conservation of wild animals on a worldwide basis. The conference would consider, among other things, action banning or curtailing imports of commodities chiefly derived from wild animals, assistance in establishing training schools and conservation departments, encouragement of tourism through conservation, and assistance by the United States through use of local currency accruing to the United States under the food-for-peace program.

It is the policy of this Department to encourage the conservation of wildlife resources through any sound and practicable means. For example, conservation of wildlife resources is of particular concern in Africa at present, and our diplomatic and consular officers have been requested, in appropriate situations, to render such assistance as they can in educating the officials and populace in the necessity and methods of maintaining their irreplaceable natural resources and to render any practicable assistance to the local government in this field.

Conservation of wildlife resources is important for three principal reasons: esthetic, protein food, and tourism. The existence of wildlife populations in their natural habitat has an intrinsic worth which is considerable. However, it is felt that in less developed countries the other two reasons will be more persuasive.

The proposed conference might lead to positive action for the preservation of the endangered wildlife resources of the world. For one thing, it might impress upon some nations which possess endangered wildlife populations that such matters are of concern to people everywhere, and that the preservation of wildlife populations is a matter of international prestige. But important as this may be, the major impact of such a conference might well be to clearly point out to the nations with endangered wildlife populations that it is clearly to their own economic advantage to conserve their wildlife populations.

The Department would support the conference if convinced that it has a reasonable prospect of accomplishing the objectives set out above. At present the Department has several reservations in this regard. These reservations are concerned with the amount of interest that there would be in the subject. Would it be possible to obtain sufficient representation from the countries where most of the products are marketed and from the countries where most of the products are produced to provide the basis for agreement on a treaty that would be effective in controlling world traffic in animals and animal products? It would be highly desirable to obtain some evaluation of these matters before proposing such a conference. Accordingly, the Department recommends that a study be made of the specific objectives of the proposed conference, how these objectives might best be realized and the likelihood of success of such a conference before any final action is taken on the resolution. Perhaps the first step should be a resolution calling for a study by a competent body of the problems facing world wildlife and whether these problems might best be met through such a conference or through other means.

Such a study as proposed by the Department might consider, inter alia:

1. Sponsorship: Wildlife knows no national borders, nor are conservation problems limited to any one area. The United Nations might, therefore, be considered to be the most appropriate body to convene such a conference on this worldwide problem. The United States would, however, be a most suitable site for such a conference. Holding a conference of this type at one of our great national parks would give a clear picture to the participants of conservation in action and the benefits which accrue therefrom.

2. Timing: The Department believes that holding such a conference within a year's time, as envisaged in the resolution, is not practical. A good deal of time would be necessary for the preparatory work. Another consideration is that an international conference on this subject is to be held in Nairobi, Kenya, September 21–23, 1963, sponsored by the International Union for the Conservation of Nature and Natural Resources. If a world conference were to be called either by the United Nations or the United States too soon after this conference, it would lose a good deal of its impact. Therefore, it is suggested that the fall of 1965, or even some date in 1966, might be the earliest practicable time for holding such a conference.

3. Funding: It is noted that no provisions are included in the resolution for funding such a conference. If the conference were to be held in the United States, even under United Nations auspices, certain expenditures would be required by the United States as host Government.

In conclusion, the Department is favorably inclined toward the idea of such a conference, but feels that a suitable study should be made to determine its practicability and chances of success before any further steps are taken toward the convening of any such meeting. The committee may wish to consider redrafting the resolution to provide for such a study.

The Bureau of the Budget advises that from the standpoint of the administration's program there is no objection to the submission of this report.

Sincerely yours,

FREDERICK G. DUTTON,
Assistant Secretary.

Mr. REUSS. Mr. Speaker, I am encouraged by the Department's agreement that new measures to promote world conservation are needed.

PRESIDENT KENNEDY, SECRETARY UDALL BACK WORLD CONSERVATION EFFORTS

This determination was shown again in an excellent article by Secretary Udall, entitled "To Save Wildlife and Aid Us, Too," published in the New York Times magazine of September 15. In addition, Secretary Udall and a number of officials of his Department attended the very important General Assembly of the International Union for the Conservation of Nature and Natural Resources (IUCN), which concluded this week in Nairobi, Kenya.

These evidences of concern for the imperiled wild animals, capped by President Kennedy's timely and farsighted call for a worldwide program of conservation, bring the United States to a time for action.

HAS THE SLEEPER IN REA BEEN EXPOSED?

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 60 minutes.

Mr. SAYLOR. Mr. Speaker, recently I called to the attention of our colleagues an interesting article and editorial which had appeared in the Washington Post concerning some of the recent activities of the Rural Electrification Administration. As a part of these remarks, I noted the fact that a former protegé of the general manager of the National Rural Electric Cooperative Association is presently the Deputy Administrator of REA and said:

> Perhaps he should be referred to as 'Digger Dell' for, if REA continues to pursue its present policies, it will soon be in need of an undertaker.

Little did I realize at that time just how close I must have been striking at a crucial nerve center. But I have a pretty good indication now because the reaction of the general manager of NRECA was quick and explosive in jumping to the defense of the Deputy Administrator.

I received a letter the other day from this general manager excoriating me and my thoughts on this matter. The tenor of his criticism and the peevishness of his defense of the Deputy Administrator now leads me to wonder even more strongly whether a sleeper agent in REA has, in fact, been uncovered.

The general manager asked me to insert his letter in the CONGRESSIONAL RECORD, which I have every intention of doing for his benefit. I will, however, take the liberty of inserting my own comments to certain statements made by the general manager just to keep the record straight.

Before I do, however, Mr. Speaker, I cannot help but be reminded of a quotation taken from Voltaire's letter to M. Damiliville, which I think is very appropriate at this point. Voltaire said:

> I have never made but one prayer to God, a very short one: "Oh Lord, make my enemies ridiculous." And God granted it.

Let me assure my colleagues that I personally have made many more than one prayer but that one of Voltaire's was too appropriate to overlook at this time.

Now for the general manager's letter and my comments. He began:

> SEPTEMBER 17, 1963.
>
> Hon. JOHN P. SAYLOR,
> *U.S. House of Representatives,*
> *Washington, D.C.*
>
> DEAR MR. SAYLOR: Your extension of remarks in the CONGRESSIONAL RECORD of September 10, 1963, constitutes an unprovoked and, I believe, unwarranted attack on an able and dedicated public servant, Richard A. Dell, Deputy Administrator of the Rural Electrification Administration.

Mr. Speaker, let me say that the general manager may think my remarks were "unprovoked" but I must disagree. The present activities in REA which are causing serious and perhaps irreparable harm to honest efforts toward rural electrification is provocation enough for me to call attention to any and all excesses and abuses of REA and to question what sudden change has come over the Agency in the past couple of years to cause it to fall so rapidly into such disrepute.

Furthermore, the general manager accuses me of making an "unwarranted attack on an able and dedicated public servant." Let the RECORD show that I have not and do not attack the ability or the dedication of the Deputy Administrator, for I recognize well this man's ability and dedication. This is what concerns me because sometimes I might be inclined to wonder about the direction of his dedication.

The general manager continued:

> You called Mr. Dell "the friendly undertaker" and "Digger Dell" and said that under his influence "REA has been digging itself deeper and deeper into disrepute." You wrongly accused him of being "the tentacle of control through which outside interests really manipulate the REA program for their own nefarious end of eventual nationwide public power."
>
> Your statements are obviously intended to destroy Mr. Dell's fine reputation in the Congress and among the thousands of people throughout the country who know, admire, and respect him.

Mr. Speaker, this is where I apparently really hit the nerve center by pointing out that "Digger Dell, the friendly undertaker," was the real power in REA. Whether I accused him wrongly or not is a matter which only time will tell. But I certainly would not expect the general manager to admit I had exposed his scheme.

However, the following facts remain undisputed:

Dell was the chief lobbyist and director of the legislation and research department of NRECA for several years.

Dell's appointment as Deputy Administrator was announced from the podium at the 1961 annual meeting of NRECA in Dallas. The March 1961 issue of Rural Electrification, the official magazine of the general manager, stated:

> NRECA's Director of Legislation and Research, Richard A. Dell, stepped into the spotlight during the last general session shortly before the close of the meeting. Clyde Ellis announced Dell's appointment as Deputy REA Administrator.

On page 3 of that same issue of Rural Electrification, the general manager says:

> Someone had to be found for the high position of Deputy REA Administrator who knew procedures in REA and operating problems in the field. For the logical role of Deputy is to relieve the Administrator of this mass of detail. Such a person, of course, must have the administration's complete confidence. Richard A. Dell, Director of NRECA's Legislation and Research Department, was a logical choice—perhaps the most logical.

Mr. Speaker, it might be interesting to point out a little more of the background which led up to the choice of Dell as Deputy Administrator of REA. It was well known that the general manager, as a payoff for his activities during the presidential election campaign of 1960, expected a major political appointment for himself. As columnist Raymond Moley pointed out in December of 1960:

> Since the election, tremendous pressure has been exerted upon Senator Kennedy to recognize the National Rural Electric Cooperative Association by giving an appointment of Clyde T. Ellis, the creator and master of that important pressure group.

Moley went on to say that the first job the general manager wanted was the Secretaryship of the Interior, but he was passed over for that. He was also passed over for his second choice, as the Undersecretary of the Interior.

It is also known that the general manager originally opposed the appointment of Norman Clapp to be REA Administrator and was prepared to have the 1961 annual meeting "unanimously"—as they always do—approve a resolution condemning the administration for this appointment. This action was dramatically stopped as a result of a series of frantic phone calls between Dallas and Washington which resulted in the announcement by the general manager that he had just been authorized by a telephone call from the Secretary of Agriculture to announce that Dick Dell would be the new Deputy Administrator.

Mr. Speaker, it is so unreasonable to question the possibility of there being a sleeper agent in REA? Remember Shakespeare once said, "What is past is prologue." So perhaps the past can give some insight into the present situation. This is not so far beyond the realm of possibility when one recalls a series of correspondence some 20 years ago between the general manager and the late Senator George W. Norris concerning the general manager's suggestion that REA Administrator Harry Slatterly be removed from office. Senator Norris wrote saying:

> I know that your letter demanding Slatterly's removal has created in some quarters the suspicion that your organization has set out to control the Rural Electrification Administration and to run it according to your idea of how it should be run.

At another point in Norris' correspondence he said:

> No matter how noble and well-meaning an organization may be—

The Senator was referring to NRECA—

> I do not think it ought to set itself up superior to the law and demand that the Rural Electrification Administration officials obey it rather than use the judgment they ought to use under the law.

This early attitude of the general manager may not even be so difficult to understand when a little more of the past is viewed as a prologue. The real driving force behind the formation of NRECA in the first place was Robert B. Craig, who at the time was himself the Deputy Administrator of REA. It was Craig who arranged for the present general manager to take over the fledgling organization.

This whole story of the formation of NRECA and its impact on the administration of the Rural Electrification Act was the subject of prolonged hearings before a subcommittee of the Senate Committee on Agriculture and Forestry in 1944. The roles played by Craig and the present general manager were spelled out in detail. At several points in the testimony of various witnesses the truth was revealed that NRECA was conceived and dedicated to the outside domination of the REA.

So the idea of a link between the general manager and a Deputy Administrator was forged early in the program. Does the present situation begin to sound like history repeating itself with a slight twist?

The link between the general manager and the present Deputy Administrator is clear and undisputed; the nature of the relationship and its impact on rural electrification will only be written in the future history of this program.

Let us return now to the general manager's letter. He went on to say:

> Through your past personal attacks on me, I have come to expect anything from you. Your charges that Mr. Dell is a tool of Clyde Ellis or NRECA, however, are completely false and without foundation. It is true that this national service organization of the rural electric cooperatives was fortunate enough to have Mr. Dell's services from 1955 to 1961. While here, he performed a great service for the rural electrification program. But contrary to your implication he is in every sense a career employee of REA. He joined the REA staff in the midthirties as a fieldman and worked his way up through progressively more responsible positions to become chief of the agency's loan activities. He has one of the finest records of all the REA career employees. Most of his outstanding record was compiled before he accepted our offer to join the NRECA staff in 1955.
>
> Mr. Dell's education and his wide and responsible experience in the rural electrification program qualified him admirably for the position of Deputy Administrator of REA when it became open in 1961, and he has filled that position with distinction.

Mr. Speaker, I can agree at least in part with the general manager's statement that most of the Digger's record was compiled before he got tied up with the NRECA staff in 1955. I am a little dubious, however, about the impact which 5 or 6 years of the close association in NRECA has had upon him and his record for the next few years.

The general manager now turns to himself by saying:

> In the September 10, 1963 Congressional Record you also referred to a previous charge you made in the Record last year that, you said, I "told a western audience of public power advocates that the only way this country will ever get nationwide public ownership of electric power is gradually." I made no such statement and the Record was corrected on October 13, 1962 by Senator Wayne Morse (copy attached). The Oregon Journal printed a "clarification" on December 6, 1962 (copy attached).

Well, now, let us look a little more closely at this statement. The so-called correction of the newspaper quotation that the general manager "told a western audience of public power advocates that the only way this country will ever get nationwide public ownership of electric power is gradually" may be found on page A7981 of the November 2, 1962, daily Congressional Record. This insert is a letter from Robert D. Partridge, legislative representative of NRECA to Senator Wayne Morse. The letter claims that Ellis did not make the statement in question but rather that it was made by one Wallace Campbell, director of public affairs of Nationwide Insurance Co.

Of course, since I was not actually present at that meeting I am in no position to prove or disprove this claim. However, it is quite interesting to recall that the general manager has been running all over the lot, so to speak, accusing reporters of misquoting him on several statements he made at that particular meeting. For example, he also protested to the Portland Oregonian that it too had misquoted him in his statement that the power companies were a bigger threat than the Communists. He also sent me another letter similar in tone to this one we are discussing today in which he again cried "Foul" and misquotation. But, as I pointed out on the floor of this House on October 13, 1962, the letter which he sent to the editor of that great newspaper still stated:

> I feel that the commercial electric utilities are the No. 1 threat from within to our free enterprise system. They are more dangerous even than Communists who are no longer considered a substantial threat from within.

In my remarks about that last year, I went on to ask how can one in honesty and in good conscience accuse a hardworking reporter of misquoting him when he turns right around and says the same thing publicly in a letter to the editor?

Yes, with this past as prologue I cannot help but wonder whose power of recollection would be the stronger—the general manager with his generally recognized bias in favor of public power or a trained and experienced reporter whose only job is to report factually and without bias on the meeting.

The so-called "clarification" printed in the Oregon Journal was in fact not a correction or an admission of error but rather a report of the declaration made by the general manager that he did not make such a statement. On this point I will let the record speak for itself.

The recent letter to me concludes:

> In the name of any fairness that is left in you, I request you to insert this letter and the attachments in the Congressional Record so that others may have the facts about Dick Dell's long and honorable service to REA. I attach a resolution unanimously adopted last week by the 532 delegates present at the NRECA region IV meeting in Grand Rapids, Mich., an area in which Mr. Dell once worked for REA, and where the people know him well.
>
> Sincerely,
>
> Clyde T. Ellis,
> *General Manager.*

Mr. Speaker, at this point in my remarks I would like to surprise the general manager and prove to him just how much fairness there is left in me by inserting in its entirety the so-called resolution unanimously adopted by the NRECA region IV meeting in Grand Rapids, Mich.

This is another prime example of the answer to the Voltaire prayer I mentioned earlier in my remarks:

> RESOLUTION
>
> Whereas Representative John Saylor in the Congressional Record on September 10, 1963, sought by falsehood, distortion and character assassination to discredit a great American and true friend of rural electrification, Deputy Administrator of REA Richard A. Dell, and did so under congressional immunity; and
>
> Whereas we in region IV having worked shoulder to shoulder with Mr. Dell through many of his more than two decades as an REA career employee know him to be a man of truly high character dedicated to the advancement of rural electrification: Be it
>
> *Resolved,* That we deplore the scurrilous attack of Representative Saylor as not befitting of a Member of Congress and urge him in the spirit of fairness and justice to promptly correct the slander he has had published in the Congressional Record; and be it further
>
> *Resolved,* That as long-time friends of Dick Dell we salute him for the great work he has done for so many, many years—work which demonstrates his fine qualities as a man and as an American and which reveals Mr. Saylor for what he is, a mouthpiece for those determined to undermine our great program.
>
> (Adopted at the NRECA region IV meeting, September 13, 1963, Grand Rapids, Mich.)

Mr. Speaker, let this be recorded as a warning to other sincere and conscientious Members of the House of Representatives who have the nerve and audacity to challenge or question the general manager of NRECA or any of his henchmen surrounding him. I do not stand alone in this type of excoriation for many others in this Chamber have been subjected to the same type of direct or indirect attack and coercion. For example, our distinguished colleague from Minnesota [Mr. Nelson], himself a former outstanding REA Administrator, told this House of Representatives on April 15, 1959, and I quote:

> It is tragic that we should be subjected to these low-level propaganda attacks where facts are misrepresented and tuned to their own fancy. Many Members of this House have come to me on this very issue and a number of them have said, "I do not dare vote against this bill because they will make it appear that I am against rural electrification." The facts will be distorted and twisted by that propaganda front NRECA.

This is but one other example of Members of this body who have been exposed to these tactics. I can only say that they do not bother me because I have been in public office too long not to have been called names by better men than the general manager.

But, Mr. Speaker, can there be any better indication of the apparent validity of my observations on September 10 concerning the respective roles of the digger and the general manager in the ultimate interment of the rural electrification corpse than can be found in the manner with which the latter charged to the defense of the exposed partner? I think the general manager's actions and statements confirm that he and Digger Dell, the friendly undertaker, are determined to bury REA in the black tomb of public power.

No more striking example of this objective may be found than in the proposal made at recent regional meetings of the NRECA, held in Springfield, Ill., and Grand Rapids, Mich., by the general manager to create a super "U.S. Electric Power Pool Corp." which would handle all electric power generated in this country. Such a corporation, established under a Federal charter he recommends, would be owned jointly by the Federal Government and all other suppliers of electric power, including public power groups and rural electric cooperatives, in direct proportion to the existing share of each such segment in the generation and transmission business in this country.

In his speech, which he is, as I understand it, repeating at other NRECA regional meetings throughout the country, the general manager says this corporation would plan and build "the most efficient common carrier transmission grid possible to interconnect all sources of supply." All power generated in the country would be fed into this grid, and all suppliers would purchase their power requirements from the corporation.

According to him, the power pool corporation would be "fully regulated" by a Federal Power Commission which would be reconstituted and oriented to protection of the public interest with a new and stronger mandate than it has at the present time.

In an editorial published September 13, the Chicago Tribune commented on this proposal and characterized it as a "scheme to move another big step closer to the public power bloc's long time objective of socializing the power industry of this country." This, in my view, is a remarkably accurate observation.

My impression is that a plan of the type espoused by the general manager could only result in a total federalization of the electric power industry in this country, simply because his proposal has in it the very seeds of destruction for free enterprise. And more importantly from his own organization's point of view, it would give little, if any, voice to the electric cooperatives unless some definitely advantageous arrangements were made in advance between his cooperatives and the Federal Government.

As the proposal stands, his "U.S. Electric Power Pool Corp." would give each segment of the electric power industry a share of control in proportion to each segment's "share in the generation and transmission business" in this country. This seems to me to be a rather conveniently fuzzy sort of standard which could be interpreted to serve almost any sort of electric power philosophy at the expense of the rural cooperatives who employ the general manager and his organization as their national spokesman.

As of December 31, 1960, rural electric cooperatives had only 0.83 percent of the total of some 168,002,000 kilowatts of installed generating capacity in the United States. On the basis of this proposal, therefore, the rural electric cooperatives, whose cause he supposedly espouses, could not qualify for 1 vote of 100 suggested votes on the corporation board if the December 31, 1960, generating capacity data are to be used as a basis for distribution of control of his corporation.

Surely, Mr. Speaker, the general manager would not decide after his many years of supposed dedication to the cause of rural electrification to urge the Federal Government to support a course of action which would give his cooperatives practically no voice at all in the future development of the electric power industry in this country. I do not believe that he could, in good conscience, approach these NRECA regional meetings with a plan such as this which could mean the end of the cooperative system.

In the final analysis, the cooperatives could come off as badly under this corporation as they have under the Tennessee Valley Authority. The cooperatives would be captive participants in a movement—a corporation—in which they would have virtually no voice. As under TVA at the present time, would the cooperatives not be subject to control as to the price of wholesale power purchased from the corporation and as to the price for which the cooperatives could sell the power so purchased? The general manager does not get into this at all in his suggestion.

Furthermore, TVA presently has dual rate provision in its contracts which are far more strict than those imposed by electric companies on distribution cooperatives and about which the general manager and the cooperatives complain so frequently and so bitterly. Rural electric cooperatives in the TVA area also are forbidden by contract with TVA to serve any type of customer with any substantial load. The general manager does not suggest whether similar controls would be imposed on the cooperatives, or other corporation members, by his power pool corporation.

Mr. Speaker, I am intrigued by the general manager's reference to a "reconstituted" Federal Power Commission which would be given, under this plan, a new injection of public interest plasma and which, so fortified, would support, defend, and regulate the affairs of the "U.S. Electric Power Pool Corporation." This very action respecting FPC would bring control down on every participating cooperative rather than just the few which the Commission has chosen for test case purposes. If the general manager wants the Federal Government to control every aspect of every activity of every cooperative in this Nation, there is no better way to do it than to reconstitute the Federal Power Commission along the lines he suggests in relation to the creation of the power pool corporation. It may well be, of course, that he wants the "reconstituted" FPC to overcontrol the electric companies for the benefit of the cooperatives and other public power groups, but he does not say that at this time. He may have in mind that the Congress, in accordance with his persuasive powers, could interpret the public interest as meaning Federal or public power rather than privately-owned power and that the FPC could so orient its thinking in terms of control of the general manager's corporation.

In my opinion, the proposed U.S. Electric Power Pool Corporation could be the most dangerous sort of proposal, for it could start this Nation of ours down the road to true socialism of the electric power industry. It is not the sort of proposal which his own cooperatives could embrace, as I interpret it, if they wish to retain their status as a small but vital segment of the power industry in this country. And it certainly is not the sort of proposal the electric companies would adopt, even if, through membership in the Corporation, they could control all sources of electric power in this country.

Mr. Speaker, the Chicago Tribune editorial of September 12 to which I referred a few moments ago classifies the general manager's proposal must appropriately as a public power scheme. Under unanimous consent I include the text of this editorial at this point in my remarks:

The Latest Scheme for Public Power

One of the leading proponents of public power proposes the creation of a national power pool under a Federal charter. Clyde Ellis, General manager of the National Rural Electric Cooperative Association, suggested at an association regional meeting in Springfield that private and public electric suppliers pool their businesses to promote progress.

Such a pool, in Mr. Ellis' view, would be in the national interest. It would promote efficiency and lower costs to electric power consumers, he maintains, and also would serve as a defense measure. Moreover, it might be the cessation of the bitter feud between public and private power groups. The public power bloc would like to escape some of the heat it has been getting inasmuch as it faces renewed opposition in Congress over its excessive expansion of rural co-ops and loan practices involving Federal money

Mr. Ellis' proposal would embrace commercial power companies, local public power groups, electric co-ops, and the Federal Government. It might be called the U.S. Electric Power Pool Corporation, he suggested. The Corporation would be owned by the various interests "in the same proportion as their existing share in the generation and transmission business."

"All generation, present and future, would be fed into the pool," he said. "All suppliers would purchase their power requirements from the Corporation. All segments of the industry and the public interest would be represented on the Corporation board." And the Corporation would be regulated by "a reconstituted public interest-oriented Federal Power Commission with new, stronger mandate and authority to protect the public interest than it now has."

What it all amounts to is a scheme to move another big step closer to the public power bloc's longtime objective of socializing the power industry in this country. Thus Secretary of Interior Udall's plan to create a Government monopoly in the long-distance transmission of power is hailed by the bloc as being in the public interest. But the plan for expansion and cooperation by 22 power companies serving the Great Plains States—most of them privately owned and all of them locally controlled—is opposed because it would compete with Federal power and therefore would not be in the public interest.

Recently, when the Federal Power Commission had the temerity to suggest that it take jurisdiction over three rural electric co-ops because they were generating power in one State and selling it in another, Secretary of Agriculture Freeman promptly objected. To require the co-ops to file annual financial and statistical reports, cost statements, accounting entries, and wholesale power rate schedules, as private companies are required to do, would "burden" the co-ops, according to Mr. Freeman.

If the advocates of public power were sincere in their devotion to the public interest, they would welcome, or at least not oppose, moves to subject the co-ops to the same requirements as the commercial companies. The Federal Government has no more business taking over the power industry than it has taking over the railroads or the steel industry.

Mr. Speaker, it seems that the general manager is not content to try to run the REA, but now he is trying to take advantage of the President in his schemes. At the very time when we in Congress were being asked to consider the tax cut legislation and when the President had assured the Nation on a coast-to-coast television address that every effort would be made to reduce nonessential Federal spending, we saw the spectacle of the general manager calling upon the President with demands for large Federal expenditures for public power.

Early this week, the general manager of NRECA and several of his public power friends and associates called upon the President to demand the spending of hundreds of millions of dollars to build unnecessary Federal power projects. The general manager even went so far as to give the newspaper reporters a press release on his meeting with the President which could only have the effect of embarrassing the White House in the midst of the tax fight. If the President were to be put in a position of suggesting a program such as the general manager demanded, it would make a mockery of the President's pledge to the American people.

Mr. Speaker, this is the same general manager who would apparently, in the name of power development, be willing to sell his own rural electrification organization down the river in order to attain the goal of all-Federal, all-public, all-encompassing electric power in the form of his power pool corporation.

Yes, perhaps Voltaire's prayer is appropriate even today: " 'Oh Lord, make my enemies ridiculous.' And God granted it."

CONTINUED LIQUIDATION OF PANAMA CANAL: CONGRESS MUST ACT

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, over a period of years, I have addressed this body on numerous occasions about the Panama Canal, emphasizing the crucial question of the exclusive sovereign rights, power, and authority of the United States over the Canal Zone. There is little new that could be added to what has already been presented.

For the benefit of new Members of the Congress, however, and the Nation at large, it is well to stress that starting with the 1936 treaty with Panama, ratified in 1939, and continuing up to the present time, there has been developed by certain elements in the Department of State a consistent pattern for the liquidation of the Panama Canal enterprise through the process of piecemeal erosion of its juridical and diplomatic foundation. This method is in line with the openly proclaimed Soviet objective of wresting control of the Panama Canal from the United States by means of its nationalization by Panama or through its internationalization. This program, which has been implemented by the well-known Soviet form of conquest through negotiations, is much farther advanced than is generally realized and still continues despite all previous efforts in the Congress to stop it.

The latest action by the Department of State in this direction was publicized on July 23, 1963, by a joint communique about diplomatic discussions in Panama between United States and Panamanian representatives, which Members of the Congress have read with amazement.

Two points in this communique are truly shocking. One is to the effect that the United States is now preparing proposals to submit to Panama for consideration as an agreement for transferring jurisdiction to that country over a corridor across the Pacific end of the Canal Zone, consisting of the new Thatcher Ferry Bridge across the canal at Balboa and the two connecting highways, 4th of July Avenue to Panama City and the Thatcher Highway to Araijan, all of which are in the Canal Zone and were built by the United States at its own expense. The other point is that our Government is also preparing the terms of an agreement for the transferring to Panama of piers 5 and 7 at Cristobal.

What is the significance of these two proposals? Regardless of what terms may be devised for inclusion in the agreements, the cession of the corridor would give to a foreign government a highway across an area vital for the operation and protection of the Panama Canal and lay the basis for future grave problems. The loss of piers 6 and 7 would deprive the canal of these major marine structures essential for meeting the needs of world commerce.

Mr. Speaker, the Committee on Merchant Marine and Fisheries, alert to the contemplated cannibalization of Panama Canal facilities and against bureaucratic opposition, decided to stop all giveaways of U.S. land and property in the Canal Zone and, on June 5, it reported favorably on H.R. 3999 to prohibit such surrenders of U.S. land, rights, and property. The House, on July 8, passed this measure unanimously and it was sent to the Senate, with referral to the Committee on Armed Services. For these actions, Mr. Speaker, the Committee on Merchant Marine and Fisheries deserve the thanks of the Congress and the Nation.

Moreover, as I have previously stated, the very idea of giving such vital property of the United States to a country that cannot collect its own garbage is unthinkable. While I do not wish to depreciate the importance of removing garbage from the streets of Panama City and Colon, the Congress has a far more serious problem of removal to effect—that of those in positions of power in our Government, who, motivated by ignorance, timidity, or worse considerations, are collaborating in undermining our Isthmian policy and paving the way for the complete liquidation of U.S. control and operation of the Canal.

In view of the legislative history of H.R. 3999, the actions of the Department of State in the indicated joint communique on July 23, following the unanimous passage of the bill by the House, reflects an arrogant contempt on the part of certain elements in the Department of State and others who may be involved for the Congress and the sovereign people of the United States. As such, it is a direct challenge to every cognizant committee of the Congress, both House and Senate. If this challenge is not met, Mr. Speaker, the process of conquest through negotiation and piecemeal liquidation of the Panama Canal can only end in the ultimate destruction of all U.S. rights, power, and authority over the Canal Zone and withdrawal from the Isthmus. This, no doubt, would be taken as a signal for worldwide communistic revolutionary takeover of constitutional governments, especially in Latin America. Besides, the entire world is watching and waiting to see what the next move of the United States at Panama will be, for the Panama Canal, no less than Berlin or Formosa, is recognized as an index of our determination to stand up for our just rights, power, and authority.

The picture that I have painted is dark and the peril is imminent. It is true that to the extent our people are learning the truth, they are voicing their oppositions. This, however, is not sufficient, for the danger lies in the fact that elements in the executive branch, which have heretofore scorned any action of the Congress on the subject, will enter into agreements for liquidation that will prove difficult to overcome. Hence, the Congress must continue, in every possible way, to prevent the consummation of the monstrous proposals now under consideration.

In these connections, to aid and encourage the Congress in taking the protective steps required, I would urge our people and the civic and patriotic organizations of the Nation to address their individual Representatives and Senators in protest against the proposed betrayal at Panama. In justification for such letters, the taxpayers have a vested interest in the canal enterprise of approximately $1.5 billion. They also know that the canal is the key factor for the defense of the Western Hemisphere and they will never assent, if informed, for the surrender of the canal to any other country or authority, especially at this dangerous time in world affairs and without compensation of any kind.

The U.S. representatives on the recent United States-Panama diplomatic commission were U.S. Ambassador to Panama Joseph S. Farland and Gov. Robert J. Fleming, Jr., of the Canal Zone. It was the amazing conduct of these two officials that caused me to call for their removal from office. Because the Ambassador has resigned, I now reiterate my call for the resignation or removal of the Governor of the Canal Zone. In this connection, Mr. Speaker, since the historic reasons for appointing only active engineer officers of the Army no longer apply, I urge the appointment as

Governor, who also serves as President of the Panama Canal Company, of an able civilian with administrative capacity as the prime criteria.

The situation in the Canal Zone is now verging on chaos. Our own citizens there who are the ones who actually carry the heavy burden of maintenance and operation of the Panama Canal have been degraded by certain State Department and Army officials and the groundwork has been laid for further erosions. To terminate what is a deplorable state of affairs, the Congress must act and act now.

To this end, I propose the following program:

First. Prompt action by the Senate on H.R. 3999 to end all giveaways in the Canal Zone.

Second. Immediate passage by the House of House Concurrent Resolution 105 to clarify and make definite U.S. historic Isthmian policy, which is now before the House Committee on Foreign Affairs.

Third. Stop all Department of State measures affecting the Panama Canal pending full inquiries by the Congress.

Fourth. Conduct exhaustive investigations into the formulation and conduct of our Isthmian policy including the sustained erosions of U.S. rights, power, and authority over the canal enterprise and the identity of the individuals responsible.

As partial documentation for the foregoing statements, I include the indicated press release and excerpts from House Report No. 363 as part of my remarks.

Joint Communique Resulting From Discussions in Panama Between United States and Panamanian Representatives

President John F. Kennedy and President Roberto F. Chiari, of the Republic of Panama, agreed, during President Chiari's visit to Washington on June 12–13, 1962, to appoint high level representatives to discuss points of dissatisfaction concerning certain aspects of the treaties between the United States and Panama governing the Panama Canal. The results of these discussions, held in Panama, were summarized in a joint communique and aide memoire issued as State Department press release No. 17 on January 10, 1963; and in the following final joint communique issued by the two Governments today:

JOINT COMMUNIQUE

The representatives designated by the Presidents of the Republic of Panama and of the United States of America to discuss points of dissatisfaction between the two countries with regard to the Canal Zone, in terminating their sessions, wish to make public that, since the issuance of the last communique on January 10, 1963, the following results have been obtained with the authorization of their respective Governments:

1. Agreement has been reached on the creation of a Bi-National Labor Advisory Committee, composed of representatives of Panama and of the United States, which will consider labor disputes which may arise between Panamanian employees and the authorities of the Canal Zone and will advise the Government of Panama and the Governor of the Canal Zone thereon.

2. The U.S. Government has prepared a draft bill for presentation to the Congress of the United States which would make available to Panamanian employees of the U.S. Government in the Canal Zone the same governmental health and life insurance benefits as are available to the U.S. citizen employees.

3. There has been full discussion of the steps taken by the Canal Zone authorities to implement treaty obligations with regard to equal employment opportunities. Various aspects of the wage scale have been discussed. The minimum wage in the Canal Zone, which was increased to 60 cents per hour on April 1, 1962, was increased again to 70 cents per hour on July 1, 1963, and will be increased to 80 cents per hour on July 1, 1964, together with proportionate increases in the entire wage structure for all employees. The Panamanian representatives have requested greater increases.

4. The United States has agreed to deduct, withhold, and remit to the Government of Panama the sums owed for income tax by employees who are required to pay income tax to the Republic of Panama and who work for the Panama Canal Company or any other agency of the U.S. Government in the Canal Zone.

5. The Panamanian representatives, with the object that there may be continuous jurisdiction from the capital city to the rest of the territory of the Republic, have requested that the jurisdiction over a corridor comprising Fourth of July Avenue, the bridge over the canal, and the road to Arraijan, be transferred to Panama. The U.S representatives indicated that the United States is preparing proposals to submit to Panama for consideration for an agreement covering this matter.

6. The Panamanian representatives have requested that piers 6 and 7 in Cristobal be licensed to the Colon Free Zone. The U.S. representatives have indicated that the U.S. Government is preparing the terms of an agreement for consideration by Panama.

Excerpts From House Report No. 363

PURPOSE OF THE BILL

The purpose of the bill H.R. 3999 is to assure to the Congress information concerning the operation of the Panama Canal Company, as contemplated by the enabling legislation which established it as the instrumentality operating the Panama Canal.

BACKGROUND OF THE LEGISLATION

In 1951, the Congress reorganized the business activities associated with the Panama Canal and transferred them to the Panama Canal Company, which was constituted as a Government corporation, the sole stockholder of which was the President of the United States. At that time the governmental functions were entrusted to the Canal Zone Government and the Panama Canal Company was charged with conducting the business affairs in such fashion as to derive sufficient income to defray all of its expenses. As a part of its activities it operates the Panama Canal, the Panama Railroad, a steamship line between New Orleans and the Canal Zone, commissaries for its employees, and piers over which all of the freight destined for the Canal Zone, as well as by far the greater part of the freight destined for the Republic of Panama, is handled.

The ordinary affairs of the Company are reported to the Congress through usual budgetary procedures with appropriate action by the Committee on Appropriations on its annual budget.

During a recent visit of a subcommittee of the Committee on Merchant Marine and Fisheries to the zone, it appeared that the Company was endeavoring to transfer two of the three piers actively in use on the Atlantic side to interests connected with the Republic of Panama. The piers are in active use producing a net revenue for the Company of approximately $1 million per year. The transfer to Panama was sought to be justified on the ground that it would satisfy that Republic's nationalistic aspirations.

The President of the Panama Canal Company recognized the fact that such transfer would be by way of lease or license since an outright transfer of property located in the Canal Zone could only be achieved by a treaty. The President of the Company frankly stated that such a transfer could be justified only as an element in the foreign policy of the United States and that he was acting with the cooperation of the Department of State in seeking to effect the transfer.

NEED FOR THE LEGISLATION

On learning of these facts, H.R. 3999 was introduced. The purpose of the bill is to require submission of any such actions to the Bureau of the Budget and the appropriate committee of Congress.

In the course of its hearings the committee was informed that the transfer of the piers was only one of a series of transactions none of which would be beneficial to the Panama Canal Company as a business enterprise. Without commenting on the desirability of action such as this, the committee is of the view that the establishment of the Panama Canal Company as a business enterprise contemplated its operation as such and to the extent that corporate assets are required to be transferred to Panama for other than Company benefit, that appropriate action by the Congress or a treaty should be the medium by which it is accomplished.

Among other things, the committee learned that potable water is presently furnished to the Republic of Panama at less than the cost of its treatment and that even on these terms the Republic is some $2.3 million in arrears on its payments.

It is the view of the committee that these types of transactions were not within the contemplation of the Congress when it established the Panama Canal Company as a Government corporation in 1951 and that this bill will insure that the Company is prohibited from divesting itself of assets without the knowledge of Congress.

In the course of the hearings, the President of the Company pointed out that the word "activity" in the bill would forbid the Company from discontinuing an operation such as recapping tires for its civilian employees. It is not the intent of the bill to interfere with the ordinary functioning of the Panama Canal Company as a business enterprise, but it is intended solely to prevent discontinuance of activities or divestment of assets which will have a major impact upon the operation of the Company as a business enterprise.

AMENDMENT TO THE BILL

In the course of the hearings it appeared that the words in the bill designed to inhibit such action were not sufficiently inclusive, for which reason the committee amended it to provide that disposition or transfer could not be made by license, lease, or otherwise.

The committee recommends the enactment of this legislation to assure that the Congress shall have information concerning major changes in the operation of the Panama Canal Company.

DEPARTMENTAL REPORTS

Reports of the Comptroller General of the United States and the Panama Canal Company on H.R. 3999 are as follows:

Comptroller General,
of the United States,
Washington, March 28, 1963.

B–120359.
B–124794.

Hon. Herbert C. Bonner,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives.

Dear Mr. Chairman: Your letter of February 26, 1963, requests our views on H.R. 3999.

The bill would amend section 66 of title 2 of the Canal Zone Code by adding a new paragraph (d) as follows:

"(d) Subject to paragraph (c) of this section no activity included in an approved budget program prescribed by section 102 of the Government Corporation Control Act (31 U.S.C., sec 847) shall be discontinued and no real property or rights to the use of real property used in such activity shall be disposed of or transferred except to another agency of the United States Government unless specifically authorized through approval of a new or revised budget program or otherwise."

Title 66 of the Canal Zone Code now reads as follows:

"§ 66. Specific powers of Company

"(a) Subject to the Government Corporation Control Act (31 U.S.C., sec 841 et seq.), the Panama Canal Company may:

"(1) maintain and operate the Panama Canal;

"(2) construct, maintain, and operate a railroad across the Isthmus of Panama;

"(3) construct or acquire, and operate, vessels for transportation of passengers or freight, and for other purposes;

"(4) construct or acquire, establish, maintain, and operate docks, wharves, piers, harbor terminal facilities, shops, yards, marine railways, salvage, and towing facilities, fuel-handling facilities, motor-transportation facilities, power systems, water systems, a telephone system, construction facilities, living quarters, and other buildings, guest houses, warehouses, storehouses, a printing plant, commissaries, and manufacturing, processing of service facilities in connection therewith, laundries, dairy facilities, restaurants, amusement, and recreational facilities, and other business enterprises, facilities, and appurtenances necessary and appropriate for the accomplishment of the purposes of this chapter;

"(5) make or furnish sales, service, equipment, supplies, and materials, as contemplated by this chapter, to:

"(A) vessels;

"(B) agencies of the Government of the United States;

"(C) employees of the Government of the United States; and

"(D) any other governments, agencies, persons, corporations, or associations eligible to make or receive such purchases, services, supplies, or materials under the laws prevailing at the time and the policies heretofore or hereafter adopted consistently with those laws;

"(6) use the United States mails in the same manner and under the same conditions as the executive departments of the Federal Government; and

"(7) take such actions as are necessary or appropriate to carry out the powers specifically conferred upon it.

"(b) Subject to subsection (c) of this section the Company may not undertake any new types of activities not included in the annual budget program prescribed by section 102 of the Government Corporation Control Act (31 U.S.C., sec. 847), except those which may be transferred to it pursuant to section 62(c)(2) of this title.

"(c) If, during a period when the Congress is not in session, the board of directors, or the president of the Company, with the concurrence of as many of the directors as may be consulted without loss of time unreasonable in the circumstances, declares an emergency to exist, the Company may undertake recommended appropriate action within the scope of this chapter, without regard to the restriction imposed by subsection (b) of this section. A report on the emergency activity shall be presented promptly to the Congress, when it reconvenes, for its approval and such action as it may deem necessary or desirable with respect to reimbursement through supplemental appropriation of funds to cover costs or losses arising from the emergency."

While the withdrawal of discretionary authority to discontinue an activity as proposed by the bill is a policy matter for determination of the Congress we have certain comments to offer which may be helpful to the committee.

We understand informally that the primary purpose of the bill is to prevent the Panama Canal Company from granting a license to a private concern of the Republic of Panama to operate certain company-owned ship repair facilities located in Balboa Harbor as an effort to stimulate industrial activity in that country.

Since the operation of the ship repair facilities in question (Balboa) was discontinued several years ago (being now maintained in an idle plant status) and are not now included as an activity in the approved budget program of the Panama Canal Company, it would appear that the wording of the bill in its present form would not accomplish the purpose sought to be achieved. Concerning the language in line 9, page 1, of the bill, we suggest the insertion of the words "license or" before the word "use".

Perhaps the purpose of the bill could more readily be accomplished by amending section 66 of the Canal Zone Code so as to only restrict the disposal of real property or the transfer of the right to license or use real property, thus not disturbing the existing authority of the Panama Canal Company to determine which of the many and varied activities should be continued as necessary or essential to the operation of the Panama Canal.

Ten copies of our report are enclosed as requested.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

PANAMA CANAL COMPANY,
OFFICE OF THE PRESIDENT,
Balboa Heights, C.Z., April 18, 1963.

Hon. HERBERT C. BONNER,
Chairman, Committee on Merchant Marine and Fisheries, House of Representatives, Washington, D.C.

DEAR MR. BONNER: This is in response to your request for a report on H.R. 3999 which was introduced on February 21, 1963, by Mrs. SULLIVAN and referred to the Committee on Merchant Marine and Fisheries.

The subject bill would amend section 66 of title 2 of the Canal Zone Code (76A Stat. 11) by adding thereto a new subsection (d) reading as follows:

"(d) Subject to paragraph (c) of this section no activity included in an approved budget program prescribed by section 102 of the Government Corporation Control Act (31 U.S.C., § 847) shall be discontinued and no real property or rights to the use of real property used in such activity shall be disposed of or transferred except to another agency of the United States Government unless specifically authorized through approval of a new or revised budget program or otherwise.

For the reasons developed below, the Panama Canal Company opposes enactment of H.R. 3999.

The Panama Canal Company exists "as a body corporate and as an agency and instrumentality of the United States" for the purposes of "maintaining and operating the Panama Canal and of conducting business operations incident thereto and incident to the civil government of the Canal Zone * * *" (2 C.Z.C. 61(a)). To enable the Company to carry out such purposes, the Congress has conferred upon it in its charter broad general powers such as the Congress customarily confers upon corporate Federal agencies (2 C.Z.C. 65) and a diverse and broad range of specific powers, including operation of the Panama Canal, the Panama Railroad, steamships, docks, wharves, piers, harbor terminal facilities, shops, yards, marine railways, salvage and towing facilities, fuel-handling facilities, motor transportation facilities. power systems, water systems, a telephone system, construction facilities, living quarters and other buildings, guest houses, warehouses, storehouses, a printing plant, commissaries, and manufacturing processes or service facilities in connection therewith, laundries, dairy facilities, restaurants, amusement and recreational facilities, and other business enterprises, facilities, and appurtenances "necessary and appropriate for the accomplishment of the purposes of * * *" the Company's charter (2 C.Z.C. 66(a) (1), (2), (3), (4)). All of the types of activities specifically mentioned in the cited provisions of the Company's charter are in fact presently conducted by the Company.

The new subsection which would be added to the Company's charter by H.R. 3999 would require, as a first restriction, congressional approval "through approval of a new or revised budget program or otherwise" before the Panama Canal Company could discontinue any "activity included in an approved budget program prescribed by section 102 of the Government Corporation Control Act (31 U.S.C., § 847)." The language "or otherwise" presumably contemplates specific statutory enactment of authorization for discontinuance of an activity.

Section 102 of the Government Corporation Control Act, which sets forth requirements for preparation of an annual business-type budget, requires inter alia that the budget statements include "estimates of operations by major types of activities * * *." A similar reference to section 102 of the Government Corporation Control Act is presently contained in subsection (b) of section 66 of title 2 of the Canal Zone Code, which subsection sets forth the restriction on the Company's undertaking any new types of activities not included in the annual budget program prescribed by section 102. The Panama Canal Company considers that the reference in that subsection (b) to section 102 has the effect of limiting the restriction contained in that subsection to "major" types of activities. However, it is not clear that the restriction on discontinuance of activities that would be established under the proposed subsection (d) that would be added by H.R. 3999 would be similarly limited to "major" types of activities, inasmuch as even the relatively subsidiary or minor activities of the Company are normally in practice reflected in its budget presentation and it might be argued that if they are in fact reflected in the annual budget program they may not thereafter be discontinued except in accordance with the congressional approval that would be required by proposed subsection (d). Therefore, it is strongly recommended, if the Congress should be disposed to consider favorably enactment of H.R. 3999 notwithstanding the Company's views, that specific language be included in the proposed subsection limiting the effect of this first restriction to "major" activities or specifically mentioning the specific major activities that are not to be discontinued without prior congressional approval, e.g., the canal, the Panama Railroad, the steamship, etc.

This first restriction that would be imposed upon the Company by the proposed new language that would be added by the subject bill would in terms be upon the discontinuance of a Company activity. It is not clear whether the prohibition upon the discontinuance of an activity would comprehend likewise the substantial curtailment of an activity. It would seem clear that any curtailment of an activity which was so substantial as to amount in practical fact to an abandonment of the activity, would be deemed to be a discontinuance under the proposed new subsection. But beyond that, uncertainty exists. Thus, if the Company were to determine as to a given minor activity conducted by it, e.g., the service of recapping tires, that it would continue such service insofar as its own official vehicles are concerned but that it would no longer make such service available to residents of the Canal Zone generally, on the finding that adequate facilities existed in Panama, would such a curtailment of the tire-recapping activity constitute a "discontinuance" under the proposed new subsection? In addition, as to activities such as the operation of the commissaries by the Company, there would be present the question whether the elimination of particular items or classes of items from the scope of items offered for resale would constitute a discontinuance within the meaning of the proposed new subsection. From these examples it is evident that the problem as to what would be a "discontinuance" is closely related to the more basic problem of what would constitute an "activity" within the meaning of the proposed new subsection (d). In view of this consideration, it is strongly urged that, if the bill should be given favorable consideration, it be limited either to "major" activities or to specified major activities.

In addition to restricting the discontinuance of Company activities, the proposed new subsection would also provide, as a second restriction, that no real property or rights to the use of real property "used in such activity" shall be disposed of or transferred except to another agency of the U.S. Government without the prior approval of the Congress through approval of a new or revised budget program or otherwise. The term "such activity" refers to any activity included in an approved budget program. In view of the broad construction that may be given the term "activity" as used in the subject bill, as discussed above, the net effect of this second restriction would be to forbid the Company's disposition or transfer, by sale, lease, or license (except to another Government agency), of any of the Company's property that is or might become "foreign excess property" within the meaning of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 472), without prior congressional approval, either through inclusion of the proposed sale, lease, or license in an approved budget program or through enactment of specific authorizing legislation.

The proposed new subsection (d) that would be added to section 66 of title 2 of the Canal Zone Code by the subject bill would provide that the restrictions are subject to subsection (c) of the same section. Subsection (c) provides that, during periods when the Congress is not in session, the Board of Directors, or the President of the Company with the concurrence of as many of the Directors as may be consulted without loss of time unreasonable in the circumstances, declares an emergency to exist, the Company may undertake recommended appropriate action within the scope of the Company's charter, without regard to the existing restriction imposed on the commencement of new types of activities by subsection (b) of that section. The reference to subsection (c) is evidently intended to establish the same emergency exception in the case of the proposed restrictions on the discontinuance of Company activities and on the sale or transfer of property as presently obtains in connection with the initiation of new Company activities under subsection (b). From a technical standpoint, to accomplish that purpose fully, it would be necessary to amend also subsection (c) of the section by adding an internal reference therein to the proposed new subsection (d), since subsection (c), as it now exists, includes an internal reference only to subsection (b) of the section.

The Panama Canal Company opposes enactment of H.R. 3999 as an undue and unnecessary restriction on the management of the Company. Congress has created Government corporations in order to enable the Government, when it undertakes a program predominantly of a business nature, to render service and discharge its obligations to the public as nearly as is possible in the same manner as a private business would do so. Flexibility with respect to management and expenditures is essential when requirements change with customer demand or in the light of changing economic conditions. The necessity for such management flexibility is particularly apparent in the case of a corporation such as the Panama Canal Company which is authorized to, and does conduct, a large number of diverse business-type activities. Under its charter, and in the light of treaty stipulations governing the nature and purpose of the Canal Zone, the Company is perforce the "butcher, baker, and candlestick maker" to the some 50,000 residents of the Canal Zone. From time to time it becomes uneconomic to operate some of these activities because of lack of customer demand or because the supplies or services can be obtained more economically in the Republic of Panama. In connection with enactment of the Government Corporation Control Act, it was stated in Senate Report 694 of November 2, 1945, that "It is generally agreed that the corporate form loses much of its peculiar value without reasonable autonomy and flexibility in its day-to-day decisions and operations." The restrictions upon management flexibility would be, it is submitted, clearly at variance with the generally accepted reasons for establishment of corporate bodies, and would undesirably involve the Congress in the detailed management of the diverse activities of the Company.

The restriction on disposition or transfer of real property would have the uneconomic effect of precluding the Company's realization of revenues through the prompt licensing of real property that is temporarily excess to its needs and would likewise delay the sale of real-property assets determined to be permanently excess to the Company's needs until the congressional approval requisite under the bill could be obtained. The Company routinely licenses space in buildings and the use of other real facilities which are excess to its immediate needs to private businesses, churches, recreational and fraternal organizations, employee organizations, and other entities authorized to conduct their activities in the Canal Zone. (Land itself is licensed by the Canal Zone Government, not the Panama Canal Company and neither agency leases or sells land in the Canal Zone (2 C.Z.C. 333, 334; 76A Stat. 25, 26).) If these routine licenses had to be deferred until their approval could be obtained either in an approved budget program or by specific statutory authorization, the efficient use and management of the Company's foreign excess property would be substantially impaired. Similarly, if the sale of real-property facilities had to be so deferred, corresponding economic loss to the Company would result. The scope of the restriction on disposition or transfer of real property is so broad that it would preclude an unapproved sale or license of foreign excess property even though it is entirely unrelated to any discontinuance of an activity. The restriction thus appears to go far beyond the central purpose of the bill and unnecessarily would involve the Congress in detailed operations of the Company.

It is respectfully submitted that no need exists for adoption of the restriction on the Company's management authority that the proposed legislation would enact. The Congress has created more than 40 wholly owned Government corporations, and so far as this office is aware, none of such corporations has been subjected to a restriction of the kind that the proposed legislation would impose. There is no record in the management of the Panama Canal Company under its charter of any failure to continue to operate the supporting facilities and services necessary to carry out the primary mission of the Company, the operation of the canal. All Government agencies are of course under injunction to limit Federal expenditures by economizing wherever possible, and to be required to continue any activity of the Company beyond the time that the necessity for it exists, or to inhibit the efficient disposition of excess property, would of course be uneconomic and therefore contrary to the basic objective of economy in Government operations.

The Panama Canal Company further submits that enactment of the proposed legislation would have a potentially serious and adverse effect upon our relations with the Republic of Panama. Items 9 and 10 of the memorandum of understandings reached, accompanying the 1955 treaty between the United States and Panama, provide as follows (6 U.S.T. 2273, 2336):

"9. With respect to the manufacture and processing of goods for sale to or consumption by individuals, now carried on by the Panama Canal Company, it will be the policy of the United States of America to terminate such activities whenever and for so long as such goods, or particular classes thereof, are determined by the United States of America to be available in the Republic of Panama on a continuing basis, in satisfactory qualities and quantities, and at reasonable prices. The United States of America will give prompt consideration to a request in writing on the part of the Government of Panama concerning the termination of the manufacture or processing of any goods covered in this item as to which the Government of Panama may consider the criteria specified in this Item to have been met.

"10. Prompt consideration will be given to withdrawing from the handling of commercial cargo for transshipment on Canal Zone piers so soon as Panamanian port facilities are in satisfactory operation in Colon."

It will be seen that the United States has committed itself in item 9 with respect to the manufacture and processing of goods for sale to or consumption by individuals by the Panama Canal Company, to discontinue such activities under stated circumstances (and for so long as the circumstances continue to exist), the existence of which depends upon factual findings that are in turn dependent upon changing conditions within the Republic of Panama regarding the availability of various products and other changing circumstances. The Company's ability to make the necessary adjustments under item 9 promptly would be impaired by enactment of the subject legislation, and damage to relations with Panama would likely result in the event of serious delay in discontinuing the manufacture and processing of goods once the facts calling for the discontinuance of such manufacture or processing were established. To have to go to Congress for specific authority in a case in which the discontinuance had not been reflected in the Company's budget program would likely be viewed by Panama as a delaying tactic. Likewise, similar considerations would apply with respect to the discontinuance of pier operations under item 10 of the memorandum of understandings reached.

In view of the foregoing considerations, the Panama Canal Company does not favor enactment of H.R. 3999. From the purely technical point of view, it is noted that the reference in the bill to "paragraph (d)" and to "paragraph (c)" should instead be to "subsection (d)" and "subsection (c)" in order to conform with the usage in the remainder of section 66 and with the usage in the Canal Zone Code generally. In addition, as already noted, subsection (c) of section 66 should be amended to expand the internal reference to subsection (b) to include a reference to the proposed new subsection (d) if the bill should be favorably considered.

The Bureau of the Budget has advised that it has no objection to the submission of this report to the Congress.

Sincerely yours,

ROBERT J. FLEMING, Jr.,
President.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, as amended, changes in existing law made by the bill as reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

"SECTION 66 OF TITLE 2 OF THE CANAL ZONE CODE

"§ 66. Specific powers of Company

"(a) Subject to the Government Corporation Control Act (31 U.S.C., sec. 841 et seq.), the Panama Canal Company may:

"(1) maintain and operate the Panama Canal;

"(2) construct, maintain, and operate a railroad across the Isthmus of Panama;

"(3) construct or acquire, and operate, vessels for the transportation of passengers or freight, and for other purposes;

"(4) construct or acquire, establish, maintain, and operate docks, wharves, piers, harbor terminal facilities, shops, yards, marine railways, salvage and towing facilities, fuel-handling facilities, motor-transportation facilities, power systems, water systems, a telephone system, construction facilities, living quarters and other buildings, guest houses, warehouses, storehouses, a printing plant, commissaries, and manufacturing, processing or service facilities in connection therewith, laundries, dairy facilities, restaurants, amusement and recreational facilities, and other business enterprises, facilities, and appurtenances necessary and appropriate for the accomplishment of the purposes of this chapter;

"(5) make or furnish sales, services, equipment, supplies, and materials, as contemplated by this chapter, to:

"(A) vessels;

"(B) agencies of the Government of the United States;

"(C) employees of the Government of the United States; and

"(D) any other governments, agencies, persons, corporations, or associations eligible to make or receive such purchases, services, supplies, or materials under the laws prevailing at the time and the policies heretofore or hereafter adopted consistently with those laws;

"(6) use the United States mails in the same manner and under the same conditions as the executive departments of the Federal Government; and

"(7) take such actions as are necessary or appropriate to carry out the powers specifically conferred upon it.

"(b) Subject to subsection (c) of this section, the Company may not undertake any new types of activities not included in the annual budget program described by section 102 of the Government Corporation Control Act (31 U.S.C., sec. 847), except those which may be transferred to it pursuant to section 62(c)(2) of this title.

"(c) If, during a period when the Congress is not in session, the board of directors, or the president of the Company, with the concurrence of as many of tne directors as may be consulted without loss of time unreasonable in the circumstances, declares an emergency to exist, the Company may undertake recommended appropriate action within the scope of this chapter, without regard to the restriction imposed by subsection (b) of this section. A report on the emergency activity shall be presented promptly to the Congress, when it reconvenes, for its approval and such action as it may deem necessary or desirable with respect to reimbursement through supplemental appropriation of funds to cover costs or losses arising from the emergency.

"(d) Subject to paragraph (c) of this section no activity included in an approved budget program described by section 102 of the Government Corporation Control Act (31 U.S.C., sec. 847) shall be discontinued and no real property or rights to the use of real property used in such activity shall be disposed of or transferred by license, lease, or otherwise except to another agency of the United States Government unless specifically authorized through approval of a new or revised budget program or otherwise."

OIL DEPLETION PREFERENTIAL LEGISLATION

The SPEAKER. Under previous order of the House, the gentleman from New York [Mr. DULSKI] is recognized for 60 minutes.

Mr. DULSKI. Mr. Speaker, now the tension is over and the House has passed the long-anticipated tax bill. Many months of arduous labor went into this 309-page bill, which had the support of both the individual taxpayers and businessmen.

But how many people know what it will mean to them? As one of the Members of Congress who returns to his home district each weekend, I have had an opportunity to discuss the ramifications of this tax legislation with many people. The majority favor a tax cut. My district is in an area which has a great deal of unemployment, and the people feel a tax cut will step up our economy and provide employment due to an increased demand for goods and services. On the whole, it is estimated that this tax cut will amount to approximately $11.1 billion a year when it is fully effective.

President Kennedy, in his tax message to the Congress, proposed equal consideration for all, and I have no quarrel with the legislation we passed yesterday, except on one item. This one item pertains to the percentage depletion rates for oil and gas exploration.

Early this year I sponsored legislation to reduce this rate from the ridiculous 27½ to 12½ percent. If this were enacted into law, it could yield a tax revenue of from $3 to $4 billion a year.

While the President's tax message recommended three different changes in the law, which would have hiked the oil industry's tax rates by a small amount, these were rejected by the Committee on Ways and Means. This is not unusual, however. Since its inception, the depletion rate on oil has never been changed. To suggest any such change in the Halls of Congress is almost like mentioning a curse word in church.

The Treasury Department did not dare to recommend a change in this 27½-percent depletion rate figure which, by the way, is the highest of all existing depletion allowances. It proposed only to restrict the basis for computing the allowance.

As soon as any word is passed along that a change in the present oil depletion allowance is being proposed, the men from the ivory tower, the back-door politicians, and the oil lobbyists, pack their bags and flock to the sacred city of Washington. Some of them even use private planes of their companies, and likely the expense of the trip is charged off as a deductible business expense. Some have to cut their vacations short to head for Washington to argue anew that the reduction or elimination of this allowance would ruin the industry.

I have said it before, and I say it again, this is a preferential tax rate and I will tell you why. It was begun in 1918 to stabilize an increasingly important and highly speculative industry. But here we are—45 years later—still giving this bonanza to the restricted few.

It can be shown again that oil has become the special-interest Achilles' heel of any administration. Once again, the oil lobbyists have been in town. First, they stop at the national headquarters of both parties. Next, a few get-togethers are arranged for the boys to get acquainted, and then a few calls are made to the proper people. When the Committee on Ways and Means meets, it refuses again to change the rates of this depletion allowance, as it has done for so many years.

When this latest tax bill, H.R. 8363, was reported out by the committee, it was sent to House debate under the closed rule which forbade amendments. Incidently, our Republican colleagues were quite disturbed over some of the changes in the tax law provided for in this bill. But I did not observe one of them making any gesture toward supporting a change in the 27½ percent oil depletion rate. Indeed, they could have included a change in the depletion allowance in their recommittal motion.

Once again, the cake has been divided and, once again, the oil king has emerged as the untouchable.

Tomorrow I will return to my district. I will be able to tell my constituents that those who are in the $5,000 income group can expect a tax cut of $159 next year, or $3.06 per week. No doubt most of them will be grateful.

Every Monday morning, Mr. Average Worker picks up his lunch pail and starts out on his workweek. When the first of the month rolls around, he will pay his rent or meet his mortgage payment. On weekends, he may wash his old car, and perhaps he and his wife will go for a drive in the country. If Mr. Average Worker is reckless with his finances and wants to be a "king for the day," he will spend this extra $3.06 on himself, and then his wife will have to continue penny-pinching to meet the monthly bills. If, on the other hand, he gives his wife the extra $3.06 in his pay check, it is possible that she may get grey hair worrying as to where she should spend it for the greatest benefit.

Not so with the big oil boys. Their wardrobes will be packed by valets as they depart for an ocean cruise, or a visit on the Riveria or to some sun-baked distant isle of paradise. Of course, this could also put a dent in our problem of balance of payments, but they are not concerned about that. These poor boys deserve a rest. They did their work well.

And while they were away from home, protecting their interests but neglecting their husbandly duties, the dear wife has become a bit perturbed. So, now that the 27½ percent depletion figure remains untouched, the little woman surely deserves another mink coat, or another diamond brooch, or diamond ring to adorn her finger, or perhaps a new Cadillac, to ease the pain of his absence. After all, she did suffer.

And so it goes until the next Congress convenes.

Today, there is no earthly reason why this depletion allowance should continue at the 27½ percent rate. It is absolutely ridiculous, and I will tell you why.

Today, the oil and gas companies of America comprise our Nation's largest resource industry. It was not always thus. From the turn of the century through 1918, oil discovery and drilling was a speculative business at best. As luck would have it, there were big winners and big losers; there was no "middle class" of more or less marginal producers.

Starting in 1918, Congress took action to help stabilize an increasingly important industry by allowing it certain tax leniencies within the internal revenue laws. These so-called depletion allowances were granted to oil companies to encourage the taking of more speculative risks in exploiting our natural resources, and to provide indirect compensation for the gradual reduction of our remaining untapped reserves.

Simply stated, then, the original enactment of the "discovery depletion" formula in 1918 was prompted by a fear of mineral shortages and the desire of Congress to stimulate the discovery of mineral properties, and to compensate for the many hazards involved in prospecting.

The change to percentage depletion provided in the Revenue Act of 1926 represented not a change of thinking in Congress as to the need for depletion allowances, but rather an effort to apply depletion benefits more fairly within the industry and to simplify Government administration of the scheme.

The depletion rate of 1926 is the depletion rate of 1963—27½ percent. The legislators of 1926 apparently agreed with Senator Reed—"We are interested in working to the future and in establishing a rule that will work greater justice." But there was little agreement as to what the rule and rate should be. The oil industry told the Senate committee that 25 percent was the lowest rate that it could work with, so the Committee brought a 25-percent provision to the floor of the Senate. After great pressure was placed on the Senate by the oilmen in Washington, it voted a 30-percent rate. Finally, a House-Senate conference agreed on the 27½-percent figure.

The arbitrary, compromise figure is even less justifiable today than it was 37 years ago. In the intervening years, the oil industry has enjoyed spectacular progress—technologically, commercially, and financially. Production in 1926 totaled 770,874,000 barrels; by 1946, it had already tripled. Improved methods of search have cut the financial risk at the same time:

Exploratory wells

	Drilled	Dry	Productive	Percent productive
1937	2,182	1,943	239	10.9
1948	6,728	5,480	1,248	18.6

Conclusion: At a point 20 years after the establishment of the depletion rate of 27½ percent, the oil industry felt safe in drilling three times as many wells than it had at the 10-year point, and was rewarded with twice as many productive wells.

In the earlier 1934–39 period, of the 752 new oil pools discovered in the United States, only 14 were uncovered by random drilling. The others were the result of geological or geophysical exploration, made more accessible by shorter drilling times and more durable—although initially more expensive—equipment. This pattern of greater economy and efficiency in the discovery and extraction of oil has continued down to the present day.

We now know that the 1918 fears of imminent oil shortages were unfounded. Progress in the industry since the end of World War I has been based on improved discovery techniques and high prices, not depletion-allowance tax incentives. In all except 5 of the 25 years from 1917 to 1941, for example, the number of wells drilled rose or fell according to whether the price of oil per barrel rose or fell in that year.

Furthermore, even if the depletion allowance were serving as a stimulus to resource exploration as well as the Nation's biggest tax concession, it would be helping the wrong institutions anyway. The share of the bigger companies in the direct benefits of percentage depletion is much larger than their share in the prospecting for new oil, since they frequently simply purchase properties with potentialities established by the activities of independent prospectors. If incentives are to be granted to any group, the risk-bearing smaller prospectors should be protected, rather than the large corporate complexes.

The increase in the size of the oil and gas industry has in recent years been accompanied by the integration of production with transportation, refining, and marketing with the result that the risks of prospecting are actually distributed over a very large aggregation of capital. In 1955, there were 12 American corporations with assets of $1 billion or more; 6 of the largest 10 were oil companies. Eight of the 26 corporations with sales of more than $1 billion in 1955 were oil companies. These statistics, as well as a chart I will produce later, graphically illustrate the above-average strength of the oil and gas industry in the American economy.

Percentage depletion is not only unnecessary at present rates; it actually has some harmful effects, one of which is overinvestment. Depletion allowances cause more funds to flow into the petroleum industry than it needs to operate at optimum levels. The existence of the depletion allowance seems even more obsolete when the industry today is operating under prescribed standards to prevent overproduction. Currently, the Government is in effect, by maintaining a 27½-percent depletion figure, paying the oil industry not only to take financial risks other industries must take as a matter of course but also, ironically, to maintain one of the largest and most effective lobbies in Washington at a cost of $50 million a year.

So much for today on this preferential treatment for the restricted few. To quote a great general and a noted Washington commentator: "I will be back when again we will look further into the little black book," and give you more facts on this bonanza at the expense of the American taxpayer.

INCREASED TRADE WITH THE COMMUNISTS

The SPEAKER. Under previous order of the House the gentleman from Wisconsin [Mr. LAIRD] is recognized for 20 minutes.

Mr. LAIRD. Mr. Speaker, the President called the test ban treaty that the Senate has just ratified a first step. He has made clear on many occasions that a nonaggression pact could be a second or third step. In his address to the United Nations last week, he called for a joint United States-Soviet effort to land a man on the moon. Three weeks ago he ordered a reevaluation of our trade policies with the Communist countries. He has talked of other areas where he would like to see greater cooperation between the United States and the Soviet Union.

It is quite obvious that the President meant it when he called the test ban treaty a first step and when he expressed his hope that many other steps would follow. Originally, it was my belief that a nonaggression pact would be the second step. I have since changed my mind. It now appears quite likely that the next step will be increased trade relations with Soviet bloc countries.

On September 16, 2 weeks ago, Canada made the biggest 1-year sale of wheat in history to the Soviet Union. By July 1, 1964, the Communists will receive 230 million bushels of Canadian wheat at a cost of $500 million. What is even more shocking than the wheat deal itself is the fact that Communist Cuba will receive $33 million worth of wheat and flour directly from Canada.

Since this Canadian wheat transaction became public, voices have been heard in the Congress and in the country for increased trade with the Communists. There are talks going on right now between a group of U.S. businessmen and the same Russian trade group that cleared the deal with Canada last week. There is every indication that our Government will approve the sale of wheat to the Russians in the near future. The argument is that if other free world countries can profit from trading with the Communists, why should not the United States.

On purely economic terms, Mr. Speaker, a strong argument can be made for liberalizing our trade policies. It would help our balance-of-payments problem, aid the wheat farmer, and reduce the surpluses in our overflowing granaries. The problem is, however, that we cannot separate economic policies from cold war policies. Or, if we do, we do so at peril of our national life.

Mr. Speaker, Communist agricultural policies are a dismal failure. If the free world provides the food they need, even if it is only in so-called nonstrategic goods like wheat and flour, we will in effect be freeing large sections of their labor force to continue the development and construction of the weapons they hope to use to bury us. Make no mistake about it. The Communists are still our sworn enemies. Their goal is still domination of the world. Their dream is still to communize the entire world. And they will still use any expedient means to attain this objective.

Even if some of us believe that the Communists' promise to bury us should not be taken literally, that by this term they are talking about economic competition—even if I believed that, which I do not—it still would make no sense to help them improve their economic position.

The test ban treaty has created a false feeling that peace is just over the horizon. It is not. Nor will it be until the Communists stop trying to dominate the world. When they do stop, then it will be time to think about aiding them, trading with them, and coexisting peacefully with them in a better world. Until they stop, it is nothing less than foolish and suicidal to make the attainment of their goal easier for them.

This we definitely will do if our Government liberalizes trade with the Communists. By the subsidized sale of grain to Russia—which means that we sell the wheat to the Russians about 60 cents cheaper a bushel than the American consumer can buy it—even if we put so-called restrictions on its use, we will make it possible for the Russians to send this grain to their satellites, including, of course, Cuba.

Mr. Speaker, the President himself warned us—not once, but many, many times—that this test ban treaty does not change very much, that it is the smallest of steps, that it does not automatically insure peace, that it will not outlaw war. Yet after saying all this, everything we have done—our offer of a joint United States-Soviet effort for a moon shot, our serious consideration of a nonaggression pact, and now, the almost certain approval of a U.S. subsidized wheat deal with the Communists—all of this, Mr. Speaker, demonstrates that the East-West cooperation we hear so much about will continue to be one-sided cooperation, from West to East.

Mr. Speaker, I call upon the President to hold off any approval of liberalized East-West trade at least until a thorough study has been made by the appropriate committees of the Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PELLY (at the request of Mr. STINSON), for today, on account of sickness in family.

Mr. VINSON, for 15 days, on account of official business.

Mr. GARY (at the request of Mr. MARSH), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mrs. ST. GEORGE, for 30 minutes, on Tuesday next.

Mr. LAIRD, for 20 minutes, today, and to revise and extend his remarks, and to include extraneous matter.

Mr. REUSS, for 20 minutes, today, and to revise and extend his remarks.

Mr. SAYLOR, for 1 hour, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

(The following Members (at the request of Mr. BROTZMAN) and to include extraneous matter:)

Mr. BELCHER.

Mrs. FRANCES P. BOLTON.

Mr. MARTIN of Nebraska.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1005. An act to amend paragraph (2) (G) of subsection 309(c) of the Communications Act of 1934, as amended, by granting the Federal Communications Commission additional authority to grant special temporary authorization for 60 days for certain nonbroadcast operations; to the Committee on Interstate and Foreign Commerce.

S. 1193. An act to amend section 309(e) of the Communications Act of 1934, as amended, to require that petitions for intervention be filed not more than 30 days after publication of the hearing issues in the Federal Register; to the Committee on Interstate and Foreign Commerce.

S. 1967. An act to extend until June 30, 1967, the authorization contained in section 6 of the Juvenile Delinquency and Youth Offenses Control Act of 1961; to the Committee on Education and Labor.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5250. An act to amend section 411(a) of title 38, United States Code, to increase the rates of dependency and indemnity compensation payable to widows of veterans dying from service-connected disabilities.

ADJOURNMENT

Mr. TUTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 32 minutes p.m.), under its previous order, the House adjourned until Monday, September 30, 1963, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1237. A letter from the Comptroller General of the United States, transmitting a report on the inadequate administration of military budget support funds provided to Pakistan under the foreign assistance program; to the Committee on Government Operations.

1238. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to authorize the Secretary of the Interior to accept the transfer of certain national forest lands in Cocke County, Tenn., for purposes of the Foothills Parkway, and for other purposes"; to the Committee on Agriculture.

1239. A letter from the Chairman, Federal Home Loan Bank Board, transmitting the Annual Report of the Federal Home Loan Bank Board for the calendar year 1962, pursuant to the Federal Home Loan Bank Act, as amended; to the Committee on Banking and Currency.

1240. A letter from the Comptroller General of the United States, transmitting a report on the review of determinations of railway post office requirements, contracting practices, and other activities relating to transportation of mail by railroad companies, Post Office Department; to the Committee on Government Operations.

1241. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to provide for the payment of compensation for rights-of-way acquired by the United States in connection with reclamation projects hereafter constructed"; to the Committee on Interior and Insular Affairs.

1242. A letter from the Governor of the Canal Zone and President of the Panama Canal Company, transmitting a draft of a proposed bill entitled "A bill to amend the Canal Zone Code to empower the Panama Canal Company to make interest-bearing loans to non-U.S. citizen employees of the Panama Canal Company and Canal Zone Government for downpayments on low-cost homes in Government-financed housing programs in the Republic of Panama"; to the Committee on Merchant Marine and Fisheries.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BOLLING: Committee on Rules. House Resolution 538. Resolution for consideration of H.R. 6237, a bill to amend section 503 of the Federal Property and Administrative Services Act of 1949, as amended, to authorize grants for the collection, reproduction, and publication of documentary source material significant to the history of the United States, and for other purposes; without amendment (Rept. No. 775). Referred to the House Calendar.

Mr. ELLIOTT: Committee on Rules. House Resolution 539. Resolution for consideration of H.R. 7044, a bill to amend Public Law 193, 83d Congress, relating to the Corregidor-Bataan Memorial Commission; without amendment (Rept. No. 776). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 535. Resolution to grant certain travel authority to the Committee on Interstate and Foreign Commerce; without amendment (Rept. No. 777). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 536. Resolution to grant additional travel authority to the Committee on Agriculture; without amendment (Rept. No. 778). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASHMORE:

H.R. 8599. A bill to amend title II of the Social Security Act to permit payment of child's insurance benefits after attainment of age 18 in the case of a child attending school, to extend the period within which ministers may elect coverage, and to provide full retroactivity for disability determinations; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 8600. A bill authorizing construction of hurricane-flood protection works at Lake Pontchartrain and vicinity, Louisiana; to the Committee on Public Works.

By Mr. COLMER:

H.R. 8601. A bill to amend section 1345, title 28, United States Code, to accord to defendants in actions by the United States for the condemnation of real property the right to a determination by a jury of the amount of just compensation, and for other purposes; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 8602. A bill to amend section 356 of the Communications Act of 1934, to permit cargo ships on voyages between Hawaiian ports to carry radiotelephone in lieu of radiotelegraph installations; to the Committee on Interstate and Foreign Commerce.

By Mr. HARRISON:

H.R. 8603. A bill to amend title VII of the Public Health Service Act so as to extend to qualified schools of optometry and students of optometry those provisions thereof relating to student loan programs; to the Committee on Interstate and Foreign Commerce.

By Mr. HARSHA:

H.R. 8604. A bill to prohibit transportation in interstate or foreign commerce of articles to or from the United States aboard certain foreign vessels, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MARTIN of Nebraska:

H.R. 8605. A bill to make certain revisions in Public Laws 815 and 874, 81st Congress, relating to Federal assistance for the construction and operation and maintenance of public schools in federally impacted areas; to the Committee on Education and Labor.

By Mr. MONAGAN:

H.R. 8606. A bill to broaden the investment powers of Federal savings and loan associations, and for other purposes; to the Committee on Banking and Currency.

By Mr. PATTEN:

H.R. 8607. A bill to amend title VII of the Public Health Service Act so as to extend to qualified schools of optometry and students of optometry those provisions thereof relating to student loan programs; to the Committee on Interstate and Foreign Commerce.

By Mr. QUIE:

H.R. 8608. A bill to make certain revisions in Public Laws 815 and 874, 81st Congress, relating to Federal assistance for the construction and operation and maintenance of public schools in federally impacted areas; to the Committee on Education and Labor.

By Mr. ROGERS of Texas:

H.R. 8609. A bill to authorize the establishment of the Alibates Flint Quarries and Texas Panhandle Pueblo Culture National Monument; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.R. 8610. A bill to amend title 38 of the United States Code to provide that any 5-year level premium term plan policy of national service life insurance shall be deemed paid when premiums paid in, less dividends, equal the amount of the policy; to the Committee on Veterans' Affairs.

By Mr. TEAGUE of Texas (by request):

H.R. 8611. A bill to facilitate the performance of medical research and development within the Veterans' Administration, by providing for the indemnification of contractors; to the Committee on Veterans' Affairs.

By Mr. MORGAN:

H.R. 8612. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. HAYS:

H.R. 8613. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. BAKER:

H.R. 8614. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. BOW:

H.R. 8615. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. BRAY:

H.R. 8616. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. BURTON:

H.R. 8617. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means

By Mr. CLARK:

H.R. 8618. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 8619. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 8620. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. DENTON:

H.R. 8621 A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. FLOOD:

H.R. 8622. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. GRAY:

H.R. 8623. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. HARRISON:

H.R. 8624. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means

By Mr. HECHLER:

H.R. 8625. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. HUDDLESTON:

H.R. 8626. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. JENNINGS:

H.R. 8627. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mrs. KEE:

H.R. 8628. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. MATHIAS:

H.R. 8629. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. McDADE:

H.R. 8630. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. MORTON:

H.R. 8631. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. MOORE:

H.R. 8632. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. NATCHER:

H.R. 8633. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. OLSEN of Montana:

H.R. 8634. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 8635. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. PRICE:

H.R. 8636. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. RHODES of Pennsylvania:

H.R. 8637. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 8638. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. ROUDEBUSH:

H.R. 8639. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 8640. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. SILER:

H.R. 8641. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. SLACK:

H.R. 8642. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 8643. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. BOW:

H.J. Res. 756. Joint resolution to prohibit the use of funds for travel or entertainment of Josef Broz, also known as Marshal Tito; to the Committee on Foreign Affairs.

By Mr. McDOWELL:

H.J. Res. 757. Joint resolution providing for the recognition and endorsement of the 17th International Publishers Congress; to the Committee on Foreign Affairs.

By Mr. MOORE:

H.J. Res. 758. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SISK:

H.J. Res. 759. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H. Res. 537. Resolution providing for a clerk-teller, Office of the Sergeant at Arms, House of Representatives; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to take appropriate action to extend the present territorial limits; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States relative to urging the Senate of the United States to ratify the Nuclear Test Ban Treaty; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DEL CLAWSON:

H.R. 8644. A bill for the relief of Marco Ujkic; to the Committee on the Judiciary.

By Mr. CRAMER (by request):

H.R. 8645. A bill for the relief of Lt. Col. Thomas L. Ferguson; to the Committee on the Judiciary.

By Mr. DULSKI (by request):

H.R. 8646. A bill for the relief of Dr. Mamerto J. Azurin; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 8647. A bill for the relief of Dr. Toshi Tsurumaki; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 8648. A bill for the relief of Edward Lattanzio; to the Committee on the Judiciary.

By Mr. STAGGERS:

H.R. 8649. A bill for the relief of Primo Meconi; to the Committee on the Judiciary.

SENATE

THURSDAY, SEPTEMBER 26, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, we come seeking wide horizons around our noisy days. Through our cluttered lives we would clear a highway for Thy holy purposes. Join us, we pray, with the farsighted souls who, across the toiling years, have labored in darkened valleys, yet have heralded the coming day and lifted men's eyes to the eternal hills.

Midst all the busy shuttles of legislation, as here is woven the fabric of law and order, shielding the life of our democracy, save us from being so enmeshed in the immediate mechanics of our tasks as to lose sight of the total pattern shown in the Mount of Vision.

Putting off the works of darkness, and putting on the armor of light, may our loins be girded and our lamps burning, and ourselves as men who watch for the coming of the kingdom of love and understanding for which we daily pray.

In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. Humphrey, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 25, 1963, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 6118) to amend the act providing for the admission of the State of Alaska into the Union with respect to the selection of public lands for the development and expansion of communities.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 7179) making appropriations for the Department of Defense for the fiscal year ending June 30, 1964, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Mahon, Mr. Sheppard, Mr. Cannon, Mr. Ford, and Mr. Ostertag were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H.R. 8100) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes, and it was signed by the President pro tempore.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. Humphrey, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. Humphrey, and by unanimous consent, the Permanent Subcommittee on Investigations of the Committee on Government Operations was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nomination on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. JOHNSTON, from the Committee on Post Office and Civil Service:

One hundred and seventy-eight postmaster nominations.

The PRESIDENT pro tempore. If there be no further reports of committees, the nomination on the Executive Calendar will be stated.

DEPARTMENT OF STATE

The Chief Clerk read the nomination of Dwight J. Porter, of Nebraska, a Foreign Service officer of class 1, to be an Assistant Secretary of State.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of this nomination.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. HUMPHREY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DOUGLAS. Mr. President, I wonder if the reading clerk could not call the roll a little more rapidly.

The Chief Clerk resumed the call of the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communication and letters, which were referred as indicated:

PROPOSED AMENDMENT TO THE BUDGET, 1964, FOR THE DISTRICT OF COLUMBIA (S. DOC. No. 37)

A communication from the President of the United States transmitting an amendment to the budget for the fiscal year 1964, in the amount of $804,000, for the District of Columbia (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

REPORT OF FEDERAL HOME LOAN BANK BOARD

A letter from the Chairman, Federal Home Loan Bank Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the calendar year 1962 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON INADEQUATE ADMINISTRATION OF MILITARY BUDGET SUPPORT FUNDS PROVIDED TO PAKISTAN UNDER FOREIGN ASSISTANCE PROGRAM

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a secret report on the inadequate administration of military budget support funds provided to Pakistan under the foreign assistance program (with an accompanying report); to the Committee on Government Operations.

REPORT ON REVIEW OF DETERMINATIONS OF RAILWAY POST OFFICE REQUIREMENTS, CONTRACTING PRACTICES, AND OTHER ACTIVITIES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of determinations of railway post office requirements, contracting practices, and other activities relating to transportation of mail by railroad companies, Post Office Department, dated September 1963 (with an accompanying report); to the Committee on Government Operations.

Reports on Visa Petitions According Beneficiaries First Preference

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports concerning visa petitions according the beneficiaries of such petitions first preference (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Commerce:

"Resolution Urging the Congress of the United States To Take Appropriate Action To Extend the Present Territorial Limits

"Whereas the presence of some 200 Russian fishing boats operating as close as 4 miles from our shores poses a serious threat to the commercial fishing industry of Massachusetts and this country; and

"Whereas the historic fishing grounds of our fishing fleets are being depleted at an alarming rate by the great invasion of foreign fishing fleets, total food fish landings having dropped 13 million pounds in New England so far this year; and

"Whereas the economic welfare of the coastal communities of our Commonwealth and their citizens depends upon the sea to produce sufficient quantities of fish and the loss of our domestic fishing industry would have a crippling effect on the economy of our State; and

"Whereas this situation with all its attendant problems is of vital and primary concern not only to Massachusetts, but to the New England states and to the United States: Therefore, be it

"*Resolved*, That the Massachusetts House of Representatives respectfully urges the Congress of the United States to take appropriate action to extend the territorial limits in regard to fishing rights from the present 3-mile limit to one of 200 miles; and be it further

"*Resolved*, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of Congress and to each Member thereof from this Commonwealth.

"House of Representatives, adopted, September 17, 1963.

"William C. Maiers,
"*Clerk*.

"Attest:

"Kevin H. White,
"*Secretary of the Commonwealth*."

A resolution of the House of Representatives of the Commonwealth of Massachusetts; ordered to lie on the table:

"Resolution Urging the Senate of the United States To Ratify the Nuclear Test Ban Treaty

"Whereas Undersecretary of State W. Averell Harriman, the U.S. representative at the recent test ban talks in Moscow, successfully negotiated with the representatives of Great Britain and the Soviet Union a nuclear test ban treaty; and

"Whereas this treaty was formalized and concluded under the supervision of the Secretary of State, Dean Rusk; and

"Whereas this nuclear test ban treaty is of vital importance and significance to the future peace and well-being of the entire world; and

"Whereas the Senate of the United States is currently debating the ratification of said treaty; and

"Whereas it is most urgent that the Senate unequivocally ratify said treaty without crippling amendments so as to present to the world at large a unified front: Therefore be it

"*Resolved*, That the Massachusetts House of Representatives respectfully urges the Senate of the United States to ratify the nuclear test ban treaty as aforesaid; and be it further

"*Resolved*, That copies of these resolutions be transmitted forthwith by the secretary of the Commonwealth to the Presiding Officer of the Senate and to each member thereof from this Commonwealth.

"House of Representatives, adopted, September 12, 1963.

"William C. Maiers,
"*Clerk*.

"Attest:

"Kevin H. White,
"*Secretary of the Commonwealth*."

A resolution adopted by the Council of the City of New York, expressing the council's sense of outrage at the race bitterness and hatred in the city of Birmingham, Ala.; to the Committee on the Judiciary.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIRKSEN (by request):

S. 2182. A bill relating to rates of postage on certain materials for blind persons; to the Committee on Post Office and Civil Service.

By Mr. BARTLETT:

S. 2183. A bill to terminate a restriction on use with respect to certain land previously conveyed to the city of Fairbanks, Alaska, and to convey to such city the mineral rights in such land; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 2184. A bill to increase annuities payable to certain annuitants from the civil service retirement and disability fund; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Yarborough, when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH (for himself, Mr. Byrd of West Virginia, Mr. Cooper, Mr. Hartke, and Mr. Morton):

S. 2185. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Finance.

(See the remarks of Mr. Randolph when he introduced the above bill, which appear under a separate heading.)

TERMINATION OF RESTRICTION ON USE OF, AND CONVEYANCE OF CERTAIN LAND TO, CITY OF FAIRBANKS, ALASKA

Mr. BARTLETT. Mr. President, I introduce today, for appropriate reference, a bill to terminate a restriction on use with respect to certain land previously conveyed to the city of Fairbanks, Alaska, and to convey to such city the mineral rights in such lands. The city of Fairbanks, Alaska, is currently engaged in an urban renewal project, which requires the acquisition of land relinquished to the city by the United States, in 1948, "for school purposes." The land in question, lot 1, block 115, is now being used as a school playground. According to the urban renewal plan, its use will be changed to that of residential housing. Another area, closer to the school to be served, will be acquired for a playground.

Mr. President, I do not foresee any objection to the passage of this bill and I am hopeful that it will be given early consideration by the committee to which it is referred. Its passage is essential to the successful completion of the acquisition stage of the Fairbanks urban renewal program.

I ask unanimous consent that the bill be printed in the Record at this point.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 2183) to terminate a restriction on use with respect to certain land previously conveyed to the city of Fairbanks, Alaska, and to convey to such city the mineral rights in such land, introduced by Mr. Bartlett, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the restriction on use for other than school purposes and the reservation of mineral rights with respect to lot one, block one hundred and fifteen, in the city of Fairbanks, Alaska, under the provisions of the Act entitled "An Act to transfer lot 1 in block 115, city of Fairbanks, Alaska, to the city of Fairbanks, Alaska", approved June 1, 1948 (62 Stat. 283), are hereby respectively terminated and conveyed to such city.

A BILL TO ADJUST ANNUITIES FOR RETIRED CIVIL SERVANTS

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to alleviate a very grave situation.

As of June 30, 1962, there were 426,031 annuitants on the civil service retirement rolls. The greater proportion of these people are former employees of the Federal Government—a small percentage of these annuitants are survivors of former Federal employees.

I am shocked by the fact that approximately 299,000 of the 426,000 annuitants receive annuities of less than $200 a month. I am sure that other Senators are disturbed as I am by the letters from their constituents detailing the difficulties of trying to live on the many annuities paying less than $100 a month to retired civil service employees of the Federal Government.

One of the causes of the grave situation that exists relative to unemployment in this country is the lack of purchasing power on the part of the aged. We are not being responsive to this need if we continue to allow so many of our retired Federal Government employees to receive such small annuities—as I pointed out, many of them receive less than $100 a month.

Last year we provided a 5-percent increase for these annuitants. I was of the opinion that increase was regrettably but necessarily small at the time the legislation was passed. We also provided in the legislation for a cost-of-living increase when the Consumer Price Index went up 3 percent. This adjustment will require about 3 years from the time the cost of index increases until it is implemented.

I do not believe what we did last year was sufficient, so today I am introducing a bill that will provide increases in annuities ranging from 3 to 9 percent, the greater percentage increases to go to those with the smaller annuities.

I think it is good legislation, and I hope that the Congress will consider it favorably before adjournment this year.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2184) to increase annuities payable to certain annuitants from the civil service retirement and disability fund, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) each annuity payable from the civil service retirement and disability fund having a commencing date on or before the effective date of this Act shall be increased effective on the first day of the second month following enactment of this Act, in accordance with the following schedule:

If the annuity is:	The annuity shall be increased by:
$1800 or less	9 per centum.
$1,801 to $2,200	8 per centum.
$2,201 to $2,600	7 per centum.
$2,601 to $3,000	6 per centum.
$3,001 to $3,400	5 per centum.
$3,401 to $3,800	4 per centum.
$3,801 and above	3 per centum.

(b) The annuity of a survivor of any retired employee or Member of Congress who received an increase under this Act shall be increased from its commencing date by a percentage equal to the percentage by which the annuity of such retired employee or Member was so increased.

(c) The increases authorized by this Act shall be in addition to any other increases provided by existing law.

(d) No increase provided by this Act shall be computed on any additional annuity purchased at retirement by voluntary contributions.

(e) The monthly installment of annuity after adjustment under this Act shall be fixed at the nearest dollar.

(f) The provisions under the heading "Civil Service Retirement and Disability Fund" in title I of the Independent Offices Appropriation Act, 1959 (72 Stat. 1064; Public Law 85-844), shall not apply with respect to benefits resulting from the enactment of this Act.

FORMULA FOR QUOTA LIMITATIONS ON IMPORTS OF RESIDUAL FUEL OIL

Mr. RANDOLPH. Mr. President, on behalf of myself, my colleague, the junior Senator from West Virginia [Mr. BYRD], the Senators from Kentucky [Mr. COOPER and Mr. MORTON] and the Senator from Indiana [Mr. HARTKE], I introduce, for appropriate reference, a measure to establish a formula for quota limitations on imports of foreign residual fuel oil. I ask unanimous consent that the bill remain at the desk for 1 week so that other Senators may have the opportunity to join in sponsorship.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, although residual oil imports have been limited by Executive action since March of 1959, the damage to domestic fuels industries and to the economy caused by excessive imports has not been alleviated sufficiently.

Despite the control program, residual imports have been increased from an original rate of 343,000 barrels per day to the present quotas which are at a rate of 575,000 barrels per day. Even more important, there has not yet been created a permanent formula to restrict the future encroachment of foreign oil on domestic fuels markets which would permit and, indeed, encourage the proper and necessary growth of productive capacity of domestic fuels—especially coal and residual oil produced from U.S. crude oil.

It appears that the sorely needed fuel market stability—namely, the opportunity to plan ahead and compete on an equitable basis with foreign fuel—sought for a long time by the coal producers, miners, and transporting railroads must be achieved through a legislatively established formula.

This does not imply any failure of intent on the part of the executive branch. A control program of this nature, lacking guidelines of law, is subject to practically irresistible pressure from interested parties on both sides of the question. The result has been an import control system which has not been adequate. The history of the program to date bears this out. There have been eight increases in quotas since the program was first established in 1959. These increases have been approximately 84 million barrels per year.

Total imports this year will be the equivalent, in energy value, to 50 million tons of coal, or about 11 percent of total U.S. production last year. However, the true impact is even more severe than this would indicate, because all the coal displaced by imported residual oil along the east coast originates in the hard-hit unemployment regions of the Appalachians, principally in Pennsylvania, West Virginia, east Kentucky and Maryland. Fifty million tons of coal is equal to 23 percent of the entire production of coal in these Appalachian fields in 1962.

The present method of setting residual import quotas creates an almost intolerable situation for the President and the Secretary of the Interior. When the time for establishing a new quota nears, the executive branch is subjected to representations and pressures from all sides. The coal industry strives at least to hold the line. Spokesmen for the oil importers and consumers of residual oil along the east coast insist that the control program be abolished or that it be further liberalized to permit increased imports. In addition to all of the pressures from domestic sources, the President must also contend, at each of these quota-establishing periods, with the claims of the Venezuelan Government that its economy would be jeopardized without increased quotas.

Passage by the Congress of legislation establishing a reasonable and equitable formula for determining permissible import quotas would relieve the President of these odious pressures. To have any chance of acceptance, the formula outlined in such legislation must be realistic and fair. It is recognized as a political reality that quotas cannot be rolled back now.

The bill being introduced today contains provisions that residual oil imports into Petroleum Administration Districts I through IV—all of the U.S. mainland east of the Rocky Mountains—in any calendar quarter shall not exceed 50 percent of the total consumption of residual oil for fuel in those districts during the corresponding calendar quarter of the previous year.

Residual oil imports into districts I through IV in the 1963 calendar year under present quotas will amount to an estimated 48 percent of total residual oil consumption.

Actually, therefore, the 50-percent provision is the basis of a generous formula. In fact, if this formula had been in effect this year it would have resulted in a 3-percent increase in total imports. In future years under such a 50-percent provision imports could be expected to stabilize at or near the present level. But there is another provision in the proposed measure which would authorize the President to grant special allocations on a spot basis to prevent any real hardship shortage. Such emergency allocations of imported residual oil would not, however, be added to the quarterly total as a part of the base for quota allocations the following year.

From the standpoint of the coal industry, the formula has the virtue of providing stability in the market for competitive fuels. The industry would know what it could expect in the matter of residual oil import competition and could plan accordingly. This is essential:

First. If investment capital is to be made available to develop and open new mines to meet future and growing demands for energy and to replace the mines which are being depleted each year.

Second. If skilled manpower is to be encouraged to remain in the labor force to aid in restoring the economy of the depressed areas of the coal mining regions. Modern coal mining is impossible without skilled personnel.

Third. If railroads, which transport 75 percent of all domestic coal and derive a substantial portion of their revenues therefrom, are to be able to maintain and replace equipment and rolling stock to meet growing fuel hauling demands.

The proposed legislation would make for a more realistic condition under which the marketers and consumers of imported residual oil would have clear-cut guidelines as to quantities which would be available. This would mitigate against the building up of artificial "new demands" for residual oil—the encouragement of consumers to invest in new equipment and plants to accommodate residual oil only on the assumption that future quotas of imports would be raised steadily to take care of "new demands." In spite of the Government's present import control program even the Government itself has continued to build new installations equipped to burn residual oil only. This is paradoxical.

The proposed legislation does not attempt to impose unrealistic limits on imports which would penalize any section of the country or any friendly foreign nation.

An essential need is to remove present uncertainties inherent in the residual oil import control program under which quotas must be set periodically on the basis of human judgment of anticipated "demand," and with such judgments subject to being swayed by pressures from several sides.

The purpose of the proposed legislation is to establish a formula by which the level of imports might be held at a fair rate while also mitigating against the consequences of pressures which are inevitable under the present control system.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2185) to impose quota limitations on imports of foreign residual fuel oil, introduced by Mr. RANDOLPH (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

PRINTING OF TAX BILL WITH TABLE OF CONTENTS

Mr. TALMADGE. Mr. President, I ask unanimous consent that when the bill, H.R. 8363, the tax reduction bill, is referred to the Committee on Finance, it be printed with the table of contents following the text of the bill and the signature of the Clerk of the House.

The PRESIDENT pro tempore. Without objection, it is so ordered.

AID TO SOUTH VIETNAM—ADDITIONAL COSPONSORS OF RESOLUTION

Mr. CHURCH. Mr. President, on September 12 I submitted a resolution, Senate Resolution 196, to cut off aid to South Vietnam unless the Diem government made needed reforms. Since the introduction of the resolution, the junior Senator from Connecticut [Mr. RIBICOFF] and the senior Senator from Kentucky [Mr. COOPER] have asked that their names be added to the list of cosponsors of this resolution. The addition of these two Senators brings to 32 the number of Senators cosponsoring the resolution. I ask unanimous consent that both names be added to the list of cosponsors of Senate Resolution 196 at the next printing of the resolution.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SOUTH VIETNAM—THE EDGE OF CHAOS

Mr. CHURCH. Mr. President, the American press does the best job of foreign news reporting in the world. The job that American newsmen have been doing in South Vietnam has been excellent, especially considering the restrictions imposed on them by the Diem regime. I wish to call special attention to an article by Stanley Karnow which appears in the September 28, 1963, issue of the Saturday Evening Post headed: "The Edge of Chaos: Vietnam's 'Royal Family,' Long Aided by U.S. Troops and Money, Has Persecuted Religious Leaders, Embittered the People and Bungled a Critical Struggle Against Communism." Mr. Karnow's article is a study in depth of the problems which face us in Vietnam.

Mr. Karnow's concluding paragraph is especially chilling:

> South Vietnam lies on the edge of chaos. And in retrospect, the strongest Communist allies in the country have been the Diem family. They have sown suspicion and hatred, and their show of apparent power has been a sham to conceal their weakness. Back in 1933, when he was a young civil servant, Ngo Dinh Diem made a prophecy that may yet come true. "The Communists will not take our country by virtue of their strength," he said, "but by virtue of our weakness. They'll win by default."

Mr. President, I ask unanimous consent to have this informative article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE EDGE OF CHAOS: VIETNAM'S ROYAL FAMILY, LONG AIDED BY U.S. TROOPS AND MONEY, HAS PERSECUTED RELIGIOUS LEADERS, EMBITTERED THE PEOPLE AND BUNGLED A CRITICAL STRUGGLE AGAINST COMMUNISM

(By Stanley Karnow)

It was just after midnight when the battle of the temple began. Truckloads of helmeted South Vietnamese police, armed with shotguns, submachineguns, carbines, and tear gas grenades, rumbled through the streets to attack Xa Loi, the main Buddhist temple in Saigon. Inside, the monks shouted and banged pots, pans, drums, and gongs as the cops smashed down the temple's iron gate. Some 400 monks and nuns cowered before the onslaught. There were screams, shots, and explosions as the police attacked. Some monks were thrown off balconies onto the concrete courtyard, which was hung with banners reading: "Thou Shalt Not Kill." Within less than 2 hours all but two of the Buddhists—who escaped over a wall into an adjacent U.S. Government building—had been hauled off to jail. Among those arrested was 80-year-old Thich Tinh Khiet, the country's venerable Buddhist patriarch.

Four hundred miles to the north, in the provincial capital of Hué, the Government raid was even more fierce. There, while Buddhists fortified themselves inside the Dieu De temple and fought off paratroopers for 8 hours, some 1,500 people rioted through the streets. They ripped down barbed-wire barricades with their bare hands while soldiers beat them down with rifle butts. They picked up tear gas bombs thrown by the troops and tossed them back.

By midmorning, when the battle was over, a Western correspondent counted 10 truckloads of students being driven off to prison. They waved their bloody hands at him as they passed.

Many Americans may feel there is something remote about this strange conflict between South Vietnam's Catholic President Ngo Dinh Diem and the leaders of Vietnam's dominant religion. But the United States is inextricably involved. President Kennedy, convinced that a Communist takeover of South Vietnam might mean the fall of southeast Asia, has repeatedly promised to defeat the guerrillas that dominate much of the country. He has backed up his words with a 16,000-man U.S. force in Vietnam—more than 100 have lost their lives—and with $1.5 million a day spent on the war. But the spectacle of American-trained troops using American weapons to raid Buddhist temples made clear one fact that U.S. officials have long tried to evade: No matter how much the United States supports the unpopular regime of Ngo Dinh Diem, this regime's chances of victory over the Communists are just about nil.

U.S. officials publicly "deplored" Diem's "repressive actions" against the Buddhists, and there were private predictions that "Diem must go." But the prophets have been less certain on the questions of who could oust Diem and who could replace him. As for listening to any advice, Diem cut short one top general recently by declaring, "Only God commands me." If he lacks support from the people, Diem always has his "royal family," one of the oddest political conglomerations in the world—brother Ngo Dinh Nhu, chief of the secret police; sister-in-law Madame Nhu, the beautiful and arrogant first lady of Vietnam; brother Ngo Dinh Thuc, the archbishop of Hué; brother Ngo Dinh Can, the warlord of central Vietnam. Other relatives have served as envoys to Washington, London, and the United Nations.

The Ngo Dinhs resemble a cross between the Borgias and the Bourbons. Narrow, devious, obstinate, and imperious, they have functioned in an atmosphere of neurotic and sanctimonious egotism. They have plotted against their rivals, and played their own subordinates off against one another. They have preached puritanism but tolerated corruption, extolled democracy yet rigged elections, and jailed at least 30,000 political prisoners in "reeducation" camps.

Devoutly Catholic by religion and archaically Confucian by philosophy, President Diem is a combination of monk and mandarin, a kind of ascetic authoritarian who might have flourished in the Middle Ages. A small, rotund man who talks incessantly, he is persuaded that he possesses the "mandate of Heaven," and the people must obey. "His Republic of Vietnam is not government for the people by the people," says a Western-educated Vietnamese, "but government for the people by Ngo Dinh Diem."

Certain that he knows best, Diem is almost immune to outside information. When a prominent Vietnamese officer returned to Saigon from a tour of the countryside, Diem asked him for a frank assessment of rural morale. The officer had hardly begun to enumerate complaints against the Government when Diem interrupted him angrily, shouting, "Nothing but lies—you're a victim of Communist propaganda."

While Diem is the President, last month's clashes made it obvious that many of his powers were being exercised by his brother Ngo Dinh Nhu, a voluble, shifty-eyed man in his early fifty's. Nhu proclaims himself an intellectual revolutionary and spins out his abstruse theories with the intensity of a precocious college sophomore. Not long ago, as I sat with him in his soundproof office adorned with books and stuffed animal heads, Nhu chain-smoked and shrilly denied the many charges of corruption and venality against him and his wife. "But even if people wrongly think you're corrupt," I asked, "isn't that still an important political reality?" He shrugged. "Maybe, but I don't care what people think."

Nhu never opposed the influx of U.S. money, but he has often questioned the value of American advisers. "I don't think they can advise us on subversive warfare," he said. "Americans are very advanced on matters like space, but for small problems of the earth I'm afraid they don't know as much as we do."

Alongside Nhu stands his extraordinary wife, who has long wielded a peculiar power over President Diem. Madame Nhu won great status as one of the few members of the family to have children. (There are two daughters, Le Thuy, 17, and Le Quyen, 4, and two sons, Trac, 15, and Quyhn, 10.) At the same time, she frightens Diem. Beyond a passing glance at a girl in his youth, he has led a life of celibacy, not only fearing women in general but particularly fearing female tantrums, at which Madame Nhu is expert. And so, without being married, President Diem has been naggingly henpecked by a first lady not his own. In addition, Madame Nhu has convinced Diem that without his family he stands alone. "His followers were all killed by the Communists, and our followers saved him," she explained. "The women follow me, my husband has his youth movement, the Catholics take orders from Archbishop Thuc * * *. If there is nepotism, it is the President who profits."

Twice in the past 3 years non-Communist military rebels made abortive attempts to overthrow Diem's government. A few months ago, however, a new and different kind of passive protest emerged in South Vietnam. Though it became political, its origins were religious. In 1954, when French colonial rule ended and Vietnam was divided, nearly a million refugees fled from the Communist-controlled north to settle in the southern sector. Most of them were Catholics, and President Diem assumed they would favor his government. Diem could not openly discriminate against the Buddhist majority, but Catholics won many key jobs as province chiefs and military officers. "Catholics are more trustworthy anti-Communists," a Vietnamese official told me, "and they're likely to be more loyal to the regime."

Feeling especially privileged, Catholic functionaries out in the countryside often took it upon themselves to harass Buddhists. Under a statute passed in French colonial times, Buddhism was a private association which required authorization for its activities. Despite Diem's promise to change it, this rule stood. Under cover of the law, Catholic officials often broke up illicit Buddhist religious meetings.

No single individual in Vietnam did more to aggravate this religious friction than Diem's shrewd older brother, Ngo Dinh Thuc, 66, archbishop of the Ngo Dinh family hometown of Hué. "He has the idea that catholicism is the state religion," says a Catholic Vietnamese, "and that he can wield his authority over all Catholics in the Government."

As the family's oldest living brother, Thuc is hugely respected by Diem, who regards him as a great human benefactor, another Dr. Schweitzer. Many Vietnamese, Catholics among them consider Thuc more of a businessman than a clergyman. Thuc has plunged into all sorts of operations, buying apartment houses, stores, rubber estates, and timber concessions; and when he eyes a prospective purchase, other bidders somehow drop out. Thuc enjoys an exclusive license to import schoolbooks—which also makes him official educational censor—and he has requisitioned army trucks and labor to construct his church buildings. As a Presidential relative, says a Saigon merchant, his requests for donations read like tax notices.

Madame Nhu, who adores him, thinks he should be a cardinal, and Diem lobbied strenuously to have Thuc made archbishop of Saigon. But the Vatican, aware that Thuc's activities have hurt the Catholic image, refused. The Ngo Dinh family's reaction was characteristic. When a new archbishop was appointed, invitations to his investiture were strangely misplaced at the post office, and only a handful of guests showed up.

Buddhist resentment against the Ngo Dinh family's narrow catholicism simmered until last spring. Then, on a hot humid May morning in the charming old city of Hué, thousands of Buddhists assembled to celebrate the 2527th anniversary of the birth of their Lord Gautama Buddha. It was to be an occasion of prayers, sermons, and processions.

But Archbishop Thuc, planning to commemorate his silver jubilee as a bishop, did not fancy the sight of Buddhist banners adorning his see. Through his influence, the Government forbade the flying of religious flags, and local troops tried to prevent the Buddhists from unfurling their multicolored banners. Armored cars bristling with machineguns wheeled into the streets to disperse the crowd. When this failed, an obscure officer ordered his men to shoot. Nine women and children were killed.

In the days that followed, Buddhist protest demonstrations gradually spread. Led by monks and nuns, absurdly frail-looking in their saffron robes and shaved heads, they gathered silently in front of public buildings and staged hunger strikes in their temples. Diem set his police and soldiers against them. Finally realizing that continued collisions would lead nowhere, Diem finally formed a committee to study the situation, and a temporary truce was declared.

By now, however, the demonstrations had changed from a religious protest into an increasingly organized expression of accumulated political grievances. At Saigon's ornate Xa Loi temple, young Buddhist monks installed telephones and mimeograph machines to duplicate press releases, and their spokesman stated firmly that "we must continue the fight against those who try to destroy Buddhism." Nor did Diem really mean to come to terms. "As the situation relaxed," one of his aides confided to me, "he began to feel he had the upper hand and he was thinking of some new drastic action."

The tenuous truce was shattered by the fiery Madame Nhu. In private she berated Diem for compromising with "illiterate, crypto-Communist" Buddhists; at one point, according to family intimates, she pounded the dinner table so fiercely that she upset a bowl of chicken soup. For public consumption she ordered the English-language Times of Vietnam—a Saigon daily run by an American protege—to publish a proclamation by her rubber-stamp Women's Solidarity Committee. Among other things the statement charged the Buddhists with everything from sedition and neutralism to insulting the flag and being foreign agitators "undermining the nation." And the angry, confused battle against the Buddhists was on again.

It came to a climax a few days later, on the morning of June 11. Diem had gone to the Saigon Cathedral to celebrate a mass in memory of Pope John XXIII. Not far away, at a street intersection, an aged Buddhist monk called Thich Quang Duc seated himself cross-legged on the warm asphalt. He fingered a rosary of holy beads and softly chanted a prayer as another monk splashed his robes with gasoline. Without the slightest tremor crossing his serene face, he touched a match to himself, instantly bursting into a horror of flame and billowing smoke.

The impact of that—and the other suicides to follow—shook the world. Buddhists in Ceylon, Japan, Thailand, and elsewhere raised a chorus of complaint, and American clergymen of all denominations petitioned President Kennedy to intercede. With typical understatement, Pope Paul urged South Vietnam to find "the secret of unity."

In one of the stiffest gestures it has ever taken toward him, Washington privately warned Diem to meet the Buddhist grievances. Or else, American Chargé d'Affaires William Truehart told Diem, the United States would "disassociate" itself from his policies and publicly condemn him. Praised and coddled for years by the United States—Vice President LYNDON JOHNSON called him the "Winston Churchill of Asia"—Diem was taken aback by the criticisms. He agreed that Buddhists could fly their flag, he promised to abrogate the old French law discriminating against Buddhists, and he ordered the release of most of the Buddhists arrested in antigovernment demonstrations.

Mild as they were, these concessions were too much for the Nhus. In part, they confirmed the Nhus' deep-seated hostility toward interference by the United States, a power they have variously referred to as "capitalist imperialist," "neocolonialist" and "Communist-infiltrated." American efforts to make Diem meet the Buddhist terms, cried Madame Nhu, were "blackmail."

More astutely, her husband sensed that the Buddhist dispute was only the superficial symptom of a far deeper resentment against the regime. He realized that his family-run police state could not suddenly compromise without falling apart. Instead, he mobilized his blue-uniformed Republican Youth Movement—of which he is "supreme leader"—and urged them to oppose Diem's half-hearted attempts at conciliation. On Nhu's instructions, wounded war veterans were rounded up to stage demonstrations against Buddhist temples.

Nhu made no secret of his feeling that Diem was too soft. On one occasion he called a group of army generals into his office and provocatively told them to count him in if they were planning to overthrow the government. Another time, he implied to a reporter that he might lead a coup d'etat that would be "anti-Buddhist, anti-American and against the weaknesses of the government." Echoing a similar sentiment, his wife said, "The president worries too easily. He's not the type to take the initiative in a crisis. His government is weak, and because of that weakness, I'm here. I'm for the underdog. In this country, the upperdogs are the Communists and the Americans."

In her own inimitable fashion, Madame Nhu advocated beating the Buddhists "10 times more." She even told a TV interviewer, "All the Buddhists have done for this country is to barbecue a monk." Diem himself, in a rare moment of candor, told an aide, "What can I do? I can't control her."

The relations between President Diem and his first lady are unique. She thinks nothing of pushing him around, even in front of strangers. In the presidential palace, which she and her family share with Diem, Madame Nhu was preparing to be interviewed on TV one day last month but decided the setting was inappropriate. Without hesitation she burst into a chamber where Diem was seeing visitors and asked them to leave. At the prospect of moving all their equipment, the TV crew dissuaded her from changing places. "Oh, all right," she agreed, and turning to an aide, she said, "Go tell the President never mind."

Presented with the case of Madame Nhu, an amateur psychiatrist would be tempted to look into her childhood, and she frankly confesses that her youth was miserable. Her father was a wealthy lawyer and landowner, her mother, a member of Vietnamese royalty, and young Le Xuan, or "Beautiful Spring," had her own liveried coolie to pull her to school in a rickshaw. But she was a middle child, between an older sister she had to respect, and a younger brother who received more attention. "It's too bad my parents never loved me," she still moons.

At the age of 20, she escaped from home into marriage with Ngo Dinh Nhu, then the chief librarian in Hanoi and 13 years his bride's senior. She also converted from Buddhism to Catholicism.

When she married Nhu, Madame Nhu really married the Ngo Dinh family. They were a distinguished family of Catholic mandarins who had resisted French colonial domination but also refused to ally themselves with the Communist-led Viet Minh nationalists. The eldest of the Ngo Dinh brothers and his son were shot by the Communists; Madame Nhu, her daughter, and mother-in-law were imprisoned by them for 4 months, then released.

During the years the French fought to keep Indochina, Diem played virtually no political role. He traveled around the world with his brother, Archbishop Thuc, and settled for some time in a New Jersey seminary. After the French defeat in 1954, the United States, searching for a prominent nationalist free of French or Communist ties, decided on Diem to run the southern half of the partitioned country. He was an unknown without political support.

The problems he faced were staggering. Refugees were pouring out of the north; and in the south Diem was confronted by dissident sects, pirates and a mutinous army. He decided to fight rather than compromise, and the United States helped him significantly. His most rebellious general agreed to retire to France after the American Ambassador let it be known that the Vietnamese Army could expect no U.S. aid unless it gave Diem "complete and implicit obedience." The pirates were tracked down and seized. Against all odds and despite the most dire predictions of his downfall, he held on.

But those months of fighting and intrigue left him distrustful of all but his immediate family. He concentrated all authority unto himself and, afraid of disloyalty, depended for his power on two of his brothers. Nhu installed himself in the Saigon palace; Ngo Dinh Can, a stout, sharp-eyed man who drinks heavily, took over central Vietnam and ruled from Hué, where he also cared for the brothers' aging mother. (Past 80, she is bedridden and silently lies in state, like a wax mummy, occasionally visited by dutiful officials.)

To give the young government an ideology, the intellectual brother Nhu invented "personalism," which he evolved out of Catholic existentialism and Confucianism. Beyond a small circle of fellow highbrows, nobody has yet fathomed its meaning. Nhu also created the Can-Lao Nhan-Vi Cach-Mang Dang, or Revolutionary Labor Personalism Party, a clandestine organization of some 70,000 agents who spy on citizens and transmit Nhu's orders to branches of the army and administration. More recently he formed his paramilitary Republican Youth.

THE RISE OF MADAME NHU

As the family clan grew tighter and more powerful, Madame Nhu's role loomed more prominent. She became a member of the National Assembly, and she introduced to Vietnam's public affairs a feminine penchant for generalizing from the particular. For example, when her sister's wealthy husband tried to get a divorce, Madame Nhu bulldozed through a law banning divorce except by presidential decree. This family law, as it is called, also prohibits "too-free relations" between the sexes. While she was at it, Madame Nhu went on to abolish beauty contests, boxing, fighting fish, sorcerers prostitution, birth control, smoking and drinking by minors, and all dancing. In addition, she outlawed over 200 sad and sentimental songs which allegedly "lowered national morale." Despite some publicized banning of U.S. Embassy square dances, this effort to legalize morality has been less than a success. Saigon is still full of roisterous bars and flocks of streetwalkers.

In more serious fields, President Diem has also been less than a success. He has made some timid attempts at land reform and economic development. But serious economic projects were hampered by his claim to inner revelation on almost every subject and his inability or unwillingness to delegate authority to experts. He would instruct foresters on how to plant trees and tell contractors where to build roads.

His inefficiency in military matters has been even more crippling. Ever fearful of betrayal, he distrusts his top officers, and of his 20 generals, only 4 or 5 actually command troops. He also delights in shunting his armies around whimsically, changing priorities and ignoring advice.

Last year, over the howling protests of U.S. advisers, every M-113 armored personnel carrier in the critical Mekong River delta was withdrawn to Saigon—for the Republic Day parade. On the basis of some inspiration a few months ago, Diem ordered Operation Waves of Love, dispatching marine and naval forces into the marshes of the Camau Peninsula, at the southern end of the country. The men bogged around for a month and, achieving nothing, withdrew.

More significantly, Diem has never really grasped the concept of counterinsurgency. To fight guerrillas, an army must be broken into small, fast, mobile units that can pursue offensive operations quickly and flexibly. But Diem thinks in terms of artillery "because you can strike the enemy from a distance," and his commanders love to rely on aerial attacks, which usually kill more innocent peasants than Communists. "They just have it all wrong," explains a seasoned American officer. "This is not an artillery war or an air war but a rifleman's war."

Military conditions have improved in central Vietnam. But Diem's reluctance to launch a major offensive during the recent dry season, from autumn through spring, has seriously impaired his position in the important southern delta. It spared the Communists, who have emerged again in the rainy months when the Government's tanks, artillery and aircraft cannot easily operate.

Though U.S. brass and Saigon statisticians claim progress, the Communists have increased their hard-core regulars from 18,000 to more than 25,000 in the past year. The ratio of weapons captured and lost is said to be improving, but these figures are illusory. The Government loses Browning automatics and recoilless rifles, and captures homemade lead-pipe pistols from the Communists. Casualty tabulations are similarly deceptive. All dead bodies are listed as Communists.

At the same time, the massive "strategic hamlet" program, designed to put the population into fortified settlements, is not working well in the rich, ricegrowing region south of Saigon, where over half the country's people live. Again, Diem's concept of the plan is at odds with what U.S. military advisers have in mind. "We must control territory and defend everything under the sun," he told me. "We must suffocate the Communists. This job can't be done drop by drop."

Brother Nhu has set a lively rhythm for building hamlets. He not only has ordered them erected deep in Communist areas, where they are highly vulnerable, but he has posted strict achievement targets. In too many places local officials have thrown up bamboo fences and barbed wire, forced people to move in, and announced that their hamlets are ready. Of the 4,000 settlements officially claimed to exist in the strategic Mekong Delta, only about 1,000 are regarded as "viable" by U.S. experts. "There's a basic difference between ourselves and Vietnamese officialdom," says an American who works in the field. "We see security in terms of people; they see it in terms of territory. I don't think they've yet grasped the political aspects of this war."

For all too long, Washington also failed to grasp the political aspect of this war. On the assumption that there was no alternative leadership in Vietnam, the United States treated Diem as indispensable. In 1961 President Kennedy's new military adviser, Gen. Maxwell Taylor, flew out to Saigon and recommended massive American military aid. He also suggested that Diem reform his government by, among other things, appointing a genuine cabinet, releasing thousands of political prisoners, inviting his political opponents to join the regime, and streamlining his cumbersome chain of command.

Ambassador Frederick Nolting, Jr., was left to negotiate these reforms. For 3 weeks, while the controlled Saigon press virulently attacked "U.S. interference," Nolting tried to persuade Diem to change. The evening the talks finished, Ngo Dinh Nhu appeared at a party. "Mr. Nolting is the most intelligent American Ambassador we've ever had in Saigon," he announced. Everyone present knew immediately that the United States had backed down. As a Washington official explained it, "We just couldn't make Diem budge, so we decided to fight the war first and worry about reforms later."

Thus the U.S. Establishment, still scarred by the disaster at the Bay of Pigs, declared a moratorium on public criticism of Diem and his family. The American Embassy in Saigon began to sound like a branch of Diem's own Public Information Department, and probing reporters were treated like disloyal citizens. When a correspondent asked a sharp question at a briefing some months ago, visiting Adm. Harry D. Felt snapped back, "OK, boy, get on the team."

But the U.S. policy of "sink or swim with Ngo Dinh Diem," as the New York Times Correspondent Homer Bigart coined it, was basically doomed. For one thing, Diem in his infinite egotism did not cooperate. Not long ago Ambassador Nolting pointed out to Diem all the moral credit that the United States had built up in Vietnam and asked him to revoke a minor decision. Diem reportedly replied, "You have no credit with me." For another, the U.S. idea of postponing political reforms ignored the fact that Vietnam was immersed in political warfare. Diem's brother Nhu was perfectly aware of the fact. And in the Buddhist crisis he and wife seized the opportunity to become overt powers in South Vietnam.

During the long crisis, Nhu began to abandon his pose as an intellectual recluse. He made public speeches and talked to newsmen, and the Government printed up thousands of posters with his photograph in the uniform of the Republican Youth. He also quietly strengthened his loyal military elements around Saigon. Four companies of armored troop carriers, each equipped with .50-caliber machineguns, were brought in from central Vietnam. The U.S. Advisory Command was told that these vehicles were en route to the Mekong Delta, but they remained in the capital. At the same time, Nhu reinforced the Vietnamese special forces battalions in Saigon, bringing their strength up to about 1,200 men. Commanded by the faithful Col. Le Quang Tung, a former counterespionage chief, these units included two groups dressed in civilian clothes and armed with knives, pistols, and grenades for street fighting.

All together, more than 7,000 troops were stationed in or near the capital. On the surface it looked as though Diem was being protected against a potential attack from the countryside, possibly by his own mutinous men. In reality, these troops in Saigon were themselves preparing for an assault. Last month, on Nhu's orders and with Diem's apparent blessing, they struck against the Buddhists. As soon as the raids were finished, Diem moved one of his most faithful generals into Saigon as military governor, and then took to the radio to declare martial law throughout the country. He called the Buddhist leaders "political speculators who have taken advantage of religion * * * to carry out repeated illegal actions." Ngo Dinh Nhu was more specific. He claimed that the Buddhists had hidden weapons in their temples and were plotting "to sabotage national security * * * and organize a coup d'etat." To observers it looked as though Nhu's supposedly preventive action might really be Nhu's own creeping coup d'etat.

Nhu had obviously staged his move to precede the arrival of the new U.S. Ambassador, blunt, outspoken Henry Cabot Lodge. But he and Diem had gone even further than that in their deviousness.

The very night that their troops and police sacked the Buddhist temples, the Ngo Dinh brothers ordered a group of Vietnamese generals to their palace. With the palace surrounded by loyal units, Diem and Nhu commanded the generals to sign a predated document. This false document was framed as a request by the generals asking the Government to declare martial law and crack down on the Buddhists. The fake request was aimed at Ambassador Lodge—designed to give him the impression that the sweeping repressions reflected demands from a powerful group in the military high command. Virtually prisoners in the presidential palace, the generals had no choice but to sign. And Washington, which at first attributed the raids to the Vietnamese Army, soon found it had been duped. It issued a statement blaming Nhu, exonerating the army and implying that a drastic overhauling of the Saigon regime would not be unwelcome.

DIEM'S MINISTER QUITS

Overnight, the Diem regime's tottering reputation all but collapsed. South Vietnam's Buddhist Foreign Minister Vu Van Mau resigned, shaved his head, and announced that he intended to make a religious pilgrimage to India. (He was later arrested.) Diem's Ambassador to Washington, Madame Nhu's father, Tran Van Chuong, also resigned from "a government * * * of which I disapprove." Under the Diem regime, he said, "there's not one chance in a hundred for victory." His wife, observer to the U.N., also quit.

Washington's distress over the crisis had no immediate effect in Saigon. After smashing the Buddhists, the Ngo Dinhs went on to crack down on teachers and students, a previously placid and apolitical group. Professors and university leaders came out with banners denouncing Diem and Nhu, and the police went into action. As the students arrived at Saigon's university, troops, and cops neatly knocked them off their bicycles and hauled them off to jail by the truckload. (They also detained three American correspondents, including the Post's Burt Glinn.) Elsewhere in Saigon, where students were planning noisier demonstrations, the Government was harsher. Hundreds were beaten, and one girl, allegedly trying to "escape," was shot.

The rise to power of the feared and detested Ngo Dinh Nhu helped to crystalize the many military elements that have long plotted against the Government. Until now they have hesitated to act, because they lacked cohesion, because they were uncertain of getting U.S. benediction and because they feared the Communists would profit from a coup. There are several generals among these potential insurgents, and they even include men close to Diem's family. "But you've known Diem and the Nhus for years," I asked one of them. "How could you kill them in cold blood?" My friend shrugged sadly. "We must choose between a few people and a nation."

Most officers hoped, however, to avoid bloodshed. Under the martial law, army elements moved into administrative control. These military units could conceivably usurp the power of the Diem regime. But if they stay faithful to Diem, they may be opposed by other, less loyal elements, which could touch off a confused, triangular civil war—South Vietnam's Army fighting within itself, with the Communists idly watching and winning.

South Vietnam lies on the edge of chaos. And in retrospect, the strongest Communist allies in the country have been the Diem family. They have sown suspicion and hatred, and their show of apparent power has been a sham to conceal their weakness. Back in 1933, when he was a young civil servant, Ngo Dinh Diem made a prophecy that may yet come true. "The Communists will not take our country by virtue of their strength," he said, "but by virtue of our weakness. They'll win by default."

Mr. CHURCH. Mr. President, on Friday, September 20, the distinguished majority leader [Mr. MANSFIELD] made a short but important speech outlining some of our problems in the Vietnamese crisis. All Members of the Senate would do well to review his latest statement on this problem. On Sunday, September 22, the New York Times published an editorial calling attention to the majority leader's remarks on Vietnam. I ask unanimous consent to have this editorial printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 20, 1963]

CONFUSION ON VIETNAM

Senator MANSFIELD, a penetrating student of Far Eastern affairs, has called the Nation's attention to a major bedevilment in our efforts to help South Vietnam win the war against Communist guerrillas. This complicating element is the deep split inside the administration on just what policy to pursue—a split aggravated by the bitter hostilities and contradictory courses among the various American agencies in Saigon. The result is all-around confusion so intense it could mean disaster.

The situation the United States faces in Vietnam is difficult and delicate enough without such complications. The repressive policies of President Ngo Dinh Diem and his brother Nhu are alienating the country's people; the military campaign is impaired by divided command; the impending debate on Vietnam in the United Nations General Assembly will add new embarrassments.

As President Kennedy has stated, the stakes in southeast Asia are too high for us to see the war lost. But the war will not be won by what he himself characterized as "ambivalence" in our effort. The obvious remedy would seem to be the one Senator MANSFIELD suggests; namely, to put all activities under the overall direction of Ambassador Lodge and to institute such changes in personnel as may be needed to insure some consistency in our Vietnamese policy. Any policy is better than no policy at all or a dozen policies operating at cross-purposes.

Ending the present mixup over who is in charge should be a major goal of Secretary McNamara and General Taylor on their trip to Vietnam.

Mr. CHURCH. Mr. President, Max Freedman is one of the most distinguished analysts of American politics. Mr. Freedman was formerly the Washington correspondent for the Guardian, a leading English newspaper. While serving in this capacity, Mr. Freedman was judged the best reporter for the foreign press who was then reporting from this country in a study of the subject printed in Time magazine. All Americans who had occasion to be in England at the time Freedman was writing for the Guardian were grateful for the penetrating and fair-minded quality of Freedman's writing on American affairs. Freedman has continued to display these qualities in the syndicated column that he now writes for several American newspapers, including the Washington Evening Star. Mr. President, I ask unanimous consent that a recent column by Mr. Freedman on South Vietnam which appeared in the September 23 issue of the Star be printed in the RECORD at this point.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

[From the Evening Star, Washington, Sept. 23, 1963]

CIA'S BLUNDERS IN VIETNAM: DEVELOPMENTS SHOW FOLLY OF LETTING INTELLIGENCE AGENCY ESTABLISH POLICIES

(By Max Freedman)

As the war in Vietnam has continued, the struggle in Washington between rival groups inside the administration has grown in bitterness and intensity. There have been angry mutterings of resignation—not carried out in practice—and high words about drift and danger. Part of the tension has been caused by clashes in temperament but the central problem arises from differences over public policy.

By the middle of April, or even a few days earlier, it seemed clear to a few discerning officials in the State Department that the military struggle had begun to turn slowly yet decisively against the Communist forces.

This basic military fact has been obscured by the later political storms but the available evidence confirms this trend. Only about 10 percent of the Communist forces, which number somewhat less than 25,000 men, comes from outside Vietnam.

This background deserves considerable emphasis for it shows that the Defense Department and the Central Intelligence Agency are entitled to praise for this limited achievement. As the weeks dragged on, however, it became painfully evident that both of them were guilty of shambling inaccuracies in reading the political situation in Vietnam.

When the debate behind the scenes is made public years from now, no one will be able to deny that the State Department, on the basis of papers and recommendations written at the time and not with the wisdom of hindsight, had a far greater insight into the true situation in Vietnam than any other agency in the American Government. Yet the State Department has faced a desperate and wearing struggle to get its view embodied in American policy.

If the final result in Vietnam should be a defeat for the cause supported by American arms and American money, there will be a rush in this country to place the blame on the most vulnerable scapegoats. What is an easier target than the State Department?

It will be said that the State Department lost South Vietnam just as it once lost China. That charge is wrong about China, and it certainly never can be true about Vietnam.

The record will show that the State Department from the very beginning saw the tragic significance of the Diem government's attack on the students. It understood the moral decay and political cruelty that prompted the campaign against the Buddhists. It regretted the timid, blundering, and inconsistent appeal made to the army in Vietnam to assert its independence.

It argues now that if it is hard to find an alternative to the Diem group, the blame rests in no small part on the unfortunate alliance between the Central Intelligence Agency and the Defense Department, with its disastrous impact in recent weeks on American policy.

In this distribution of blame, the heaviest burden falls on the CIA. The officials making these criticisms are not vindictive nor do they have any desire to stir up a row inside the administration.

With the evidence in their hands of the incredible and garish blunders committed in a sickening sequence by the CIA, these men in the State Department would be false to their trust if they remained silent while omens of disaster steadily accumulated.

The wretched muddle in Vietnam shows the folly and the danger of allowing the CIA to be a primary force in the development of American policy. The CIA should be an instrument for carrying out an agreed policy; it should never be the architect of policy.

Two further points should be made:

First, Ambassador Lodge, by consent of those best able to judge, is doing a first-rate job in very hard conditions.

Secondly, the action of Senator CHURCH and some 30 other Senators in threatening to cut off aid is designed to strengthen President Kennedy in his dealings with the Diem government. It arms President Kennedy with a lever against that government if it resists necessary reforms in Vietnam or if it flirts with a danger of neutrality.

THE USES OF DIVERSITY—ADDRESS BY HARLAN CLEVELAND, ASSISTANT SECRETARY OF STATE FOR INTERNATIONAL ORGANIZATION AFFAIRS

Mr. CHURCH. Mr. President, on September 9, approximately 1 week before the opening of the 18th session of the United Nations General Assembly, the Assistant Secretary of State for International Organization Affairs, Harlan Cleveland, delivered an address to the 18th assembly of the World Federation of United Nations Associations. Accenting the fact that the U.N., like the United States, thrives on diversity, Mr. Cleveland told the delegates:

> You are meeting today in the very citadel of diversity, the seat of an organization with the misleading name United Nations. United we certainly are not. We are gloriously, irretrievably diverse—diverse in social organization, in economic theories, in political ideas, diverse in attitudes and alliances, in wealth and power; diverse, too, in the stages of development.

He continued:

> Because we are diverse, our United Nations is an intensely practical organization. For what makes diversity work, as we have found here at home, is not men's ability to agree on philosophy or broad principles, but the fact that they can agree on what to do next, while continuing to disagree about why they are doing it.

In my judgment, Mr. Cleveland's speech before the World Federation of United Nations Associations deserves the widest attention, and I recommend its careful reading to all. Therefore, I ask unanimous consent that the Assistant Secretary's excellent and meaningful remarks be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE USES OF DIVERSITY

(Address by the Honorable Harlan Cleveland, Assistant Secretary of State for International Organization Affairs at the First Plenary Session of the World Federation of United Nations Association, September 9, 1963)

I

The Secretary General, who honors us by his presence here this morning, will welcome you to the United Nations. My pleasure is to welcome you to the State of New York, and to the United States of America.

You are meeting, as well you know, in the world's most antique democracy. I think you will find it also one of the world's liveliest.

Ever since our forefathers got carried away with some heady ideas about human dignity and personal freedom and equal rights for all men we have been having a lively time trying to make good on their promises. Right now we are busy trying to correct the worst and the oldest gap between promise and performance. You will have to pardon us if we sometimes seem to be too busy arguing among ourselves to argue with our visitors.

Perhaps, Mr. Secretary General, you will recall some words spoken several years ago about the nature of this democracy of ours. You might recall them because they were spoken in this city by a former Prime Minister of Burma, U Nu, with whom you were associated before you left your national launching pad, as Dag Hammarskjold used to say, and went into orbit as servant to the international community.

U Nu had spent several days in a hospital on the East River, and he spoke at a luncheon in his honor of the amazing sights and the overpowering size of this metropolis. Then he said:

"One night I sat up on the terrace roof well past my bedtime and gazed out on the city. I was away from the noise and distraction. Here I seemed to sense the great pulse that beats under the surface of your city. And I thought that the power of New York lies not in any of these massive physical characteristics. It seemed to me that the greatest thing of all was the living lesson that New York offers the world: that peoples from many lands, many races, many cultures, many religions can live together and work together; not only can they coexist, but all of them seem to draw at least some little something from each other that makes them more complete and that adds vigor and endurance to their lives.

"Perhaps out of this kind of ferment, out of this kind of contact between peoples of such varied backgrounds, out of this kind of diversity can come the new ideas and the new way of looking at things that are so badly needed in our world."

Those words were well received here, because we glory in the description of our society as the great melting-pot. It is, of course, nothing of the sort.

The racial and ethnic and national groups that came here, and read a sign in the harbor saying "Send these, the homeless, tempest-tost, to me * * *," didn't fly apart after they became Americans. They clove to each other, they huddled together for protection against the other groups that had already come, and against those further waves of strangers that kept rolling in past the Statue of Liberty and populating a continent with a nation of foreigners.

No, the relevant cliche is not the melting-pot, but U Nu's word: diversity. The newer Americans and the older Americans learned in time to tolerate each other. They rubbed up against each other, and they discovered not that all men are brothers—that is an early, easier lesson—but that all brothers are different, which is a later, harder lesson because it means learning about the value of difference.

You who visit us for a few weeks may find us in consequence a little confusing. Some of you come from societies which can describe their goals and define their "system" with well-honed words from ancient texts or modern manifestoes. Don't ask us for our manifesto—all you will get will be a blank stare.

For we don't have a "system." We have, if anything, a protected plurality of systems. The Englishman, Edmund Burke, in his famous speech about how to get along with those wild men across the Atlantic, said in despair that our religion is the dissidence of dissent. Americans, he thought, were a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood. What makes it so hard for our own historians to capture and record the American way of life is precisely that our way of life is a living denial of the dogma that any one man's view of society, or any one group's view of society, is the correct, approved version.

II

You are meeting today in the very citadel of diversity, the seat of an organization with the misleading name United Nations. United we certainly are not. We are gloriously, irretrievably diverse—diverse in social organization, in economic theories in political ideas; diverse in attitudes and alliances, in wealth and power; diverse, too, in the stages of development.

Because we are diverse, our United Nations is an intensely practical organization. For what makes diversity work, as we have found here at home, is not men's ability to agree on philosophy or broad principles, but the fact that they can agree on what to do next, while continuing to disagree about why they are doing it.

Some may agree to take the next step because they see their interests served thereby; others may see a mandate for the same next step in some religious text or economics textbook; still others may go along because they don't want to offend those who are proposing the step be taken. The reasons for common action can be mutually inconsistent—in any large organization I think they often are, and in the United Nations almost always so.

If we had to wait around until two-thirds of the delegates who meet in this place could agree as to why they were agreeing, no resolution would ever be passed and the United Nations would not today be spending more than half a billion dollars a year for peacekeeping and nation building.

What unites this diversity, then, is not so much a paper agreement on philosophy as a practical consensus on procedure, a pragmatic agreement on how decisions will be made and who will carry them into action. It is no accident that the Charter of the United Nations contains 4 pages of philosophy followed by 40 pages of procedure.

A marvelous practical system it is; if we sat down in this place to write the charter again, it is highly improbable that we would do as well.

As the U.N. has grown in maturity, in strength, and in relevance to the major issues of the day, it has collected enemies in every nation as well as friends. Your United Nations associations in every land bear the brunt of defending the organization against political attack, so there is no need to remind you of the gloomy forecasts that have regularly been made about it.

The onset of the cold war, the crisis in Korea, the chronic warring in the Middle East, the chaotic ordeal in the Congo, the growing gap between the rich countries and the poor countries—each test of international cooperation has produced its crop of doomsayers.

The detractors of the forties were certain the organization would die of anemia; the latter-day detractors are more inclined to predict the organization's demise from overindulgence. But they share a common characteristic: they are wrong.

The U.N.'s capacity to act—which is its most precious asset—has grown from year to year. It has outlived a succession of threats to its existence—each time, like Ulysses, emerging stronger from the trial. As Adlai Stevenson has said, the United Nations was built for trouble and thrives on it.

III

No organization can double in membership in less than two decades without putting an enormous strain on the original machinery. The machinery devised to serve the 51-member organization of 1945 is plainly inadequate for the 111-member organization of today.

For example:

The General Assembly is cumbersome—it is, for example, the only parliamentary body in the world which still tries to do most of its work through committees of the whole.

Some of the councils and commissions are too small to include voices from all parts of the newly independent world.

The Office of the Secretary General is still handling an extraordinary range of peacemaking tasks by putting an impossible burden on a handful of overworked men.

The United Nations has now undertaken 10 peacekeeping operations but the Secretariat needs more of the military planning skills that the next emergency, and the one after that, will require.

There is no doubt that technical aid and preinvestment work—the development of projects that make sense and the training of people who can make them work—is now the main bottleneck in the whole development process. The U.N., which teaches public administration all over the world, still has administrative improvements to make in unifying the contribution to this process of all the U.N. agencies.

IV

But the biggest question about the United Nations today is not whether it will be more or less efficient. The biggest question is whether its members will stay on the course they have laid out for themselves in the charter.

In every country today, voices are raised to ask: Do we really want an international organization with a significant capacity to keep the peace?

In all of the big countries, this question is asked to justify a growing resistance to paying for international peacekeeping. A new slogan, "our way or no pay," is today the official policy of several member governments, including two of the permanent members of the Security Council.

But the rest of us can hardly claim an unsullied virtue in the matter. Our debates on U.N. financing reveal strong minority opinions to the same effect: If we are paying part of the piper, shouldn't we be calling all of the tune?

The doubts about international peacekeeping also show up among those who advocate change at any price, and those who think keeping the peace means keeping things just as they are.

In Africa today the U.N. and most of its members are in the middle—determined to bring self-determination to all peoples, but anxious—and obligated under the charter—to pursue this goal by peaceful means. In every society we have citizens who in their pursuit of laudable goals are quite prepared to take the law into their own hands, convinced in their own minds that a little bloodshed will lubricate the machinery for change. The U.N. would be endangered if any of its members came to think that way.

The magnificent record of decolonization gives hope that we can yet devise in the U.N. the methods of peaceful change which will enable all the people of the southern part of Africa to exercise the rights to which the charter and their own natural dignity entitle them. But if the United Nations is going to play a central part in this process, as most of us believe it should, all parties are going to have to be willing to talk and do something about change—while maintaining the peace.

Let me say it again: A world of diversity will only work if there are some agreed rules; and rules have to be taken most seriously at moments of maximum annoyance and frustration. If a car in front of you at the stoplight fails to move when the light turns green, it is permissible to blow your horn or even to call in the proper authorities to help induce the other driver to move. It is not permissible to express your sense of outrage by ramming his car from the rear, nor can that be done without getting hurt yourself.

A related threat to the Organization has developed from this same frustration about the persistence of colonial rule and racial discrimination in the southern third of Africa. In several conferences this summer, one group of U.N. members has tried to eject other members from the meetings. On several occasions the resulting clamor has brought important work to a standstill—and has brought disrepute to the United Nations.

There is no doubt that if a large caucus of member states is unified and determined, and is willing to ignore legal rulings and the chairman's gavel, they can succeed in making a shambles of any parliamentary body. There are plenty of instances, in the tortured history of democratic institutions, of frustrated minorities becoming so incensed that they took their frustration out on the rules of the game of democracy itself.

The claim in these instances has always been same—that the end justified the means—that if democratic procedures frustrate purposes of obvious nobility, then democratic procedures must be cast aside. The boomerang effect of such an attitude is perhaps the clearest and most obvious lesson in all the history of freedom. All of us who owe our freedom, and our national independence, to the presence in the world of democratic procedures should think long and carefully before we cast them aside as an obstacle to the early achievement of our own immediate aims.

The specific remedy for all the viruses that currently afflict the United Nations—financial delinquency, the tension between peace and change, and the temptation to set aside the democratic rules of the charter—is simple. It is for all of us to remember, and repeat with our prayers, that what keeps a world of diversity from blowing itself into eternity is a consensus on how decisions will be made—lawyers would prefer to call it law—and a willingness to talk at tedious length with people whose principles you hate.

V

The creation of the U.N. did not end the competition for power among nations. It did broaden that competition, bringing in peoples and leaders from all around the globe. It did provide a place to contain the struggle—an arena for diversity. And it may in time civilize the settlement of disputes among nations.

If we are going to have an arena, we are going to have to have rules of the game, the deadly serious game, we play there. Without them, or when they are violated at will, the civilizing game disintegrates into a free-for-all. A free-for-all is bad enough in a sports arena. In the United Nations it is a formula for nuclear-powered jungle war.

The future of these nations united in diversity does not hang on their ability to meld their differences into the dull and unstable amalgam of resolutions on general principles. It hangs on the "next steps" we can take together in this place, to make this a world as safe as it is exciting to live in.

The action we take together had better contain the peril we share—for we all have to be brothers whether we like it or not.

INDIANA DUNES AND BURNS DITCH HARBOR

Mr. DOUGLAS. Mr. President, an editorial in this morning's Washington Post correctly assesses the recommendations made by the Bureau of the Budget this week as to the fate of the beautiful Indian Dunes.

The editorial states that "not three, not two, but one cheer is in order for the administration's compromise decision." I am sure that all those who want to preserve our Nation's natural treasures for the generations to come will share this view, although I might be willing to give a cheer and a half. It is disheartening to believe that the Bureau of the Budget and the administration are willing to write off the most beautiful and scientifically most valuable section of the dunes. But it should be understood that the conditions which the Bureau has attached to the proposed Burns Ditch Harbor, a project which will encourage the industrialization of the dunes, will very likely mean that no Federal harbor will ever be built. Indeed, if the conditions are enforced, I think one can safely predict that a Federal harbor is out of the question.

We can take encouragement, however, from the administration's promise of strong support for an 11,700-acre Indiana Dunes National Lakeshore Park, even though the beautiful central area will not be a part of the administration's recommendation. I expect that we shall be able to introduce a new dunes park bill early next week, and I hope it will be widely supported and rapidly passed. Since I first introduced a bill to rescue the dunes in 1958, the bulldozers and land speculators have been hard at work, and many beautiful places have been physically destroyed. It is essential that this new bill receive immediate consideration and that every effort be exerted to save the remaining unspoiled areas in this beautiful area.

I ask unanimous consent that the Post editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

WRITTEN IN SAND

Not three, not two but one cheer is in order for the administration's compromise decision to give qualified approval to a Lake Michigan Harbor that imperils the Indiana Dunes. This geologically unusual stretch of sand should be set aside as a national recreational area in the congested vicinity of Chicago. But the dunes fall within Indiana, and the politicians of that State, with a few honorable exceptions, favor industrial development rather than conservation of a threatened treasure.

Out of this unpromising circumstance, the Bureau of the Budget has salvaged what it could. With the support of the White House, the Bureau first recommends that 11,000 acres (including 2,200 acres now in a State park) be sought as a national recreational area. Some dunes, therefore could be saved forever from the bulldozers and the steel mills. Surely legislation will be promptly introduced to put into effect this recommendation.

Equally important, the Bureau proposes stringent conditions before granting approval to a Federal appropriation of up to $25 million for a harbor at Burns Ditch. Before the Corps of Engineers could begin dredging, the steel companies concerned would have to construct an integrated steel mill that would consume a minimum shipment of coal each year. Moreover, the companies would have to provide water and air pollution controls. These and other conditions mean a delay of at least a year before the Corps of Engineers can request funds for digging a harbor that would inescapably harm the recreational value of the dunes.

Senator DOUGLAS and other champions of the dunes are quite right in continuing to fight all encroachments on the strip of sand. But the compromise means that something can be salvaged, and that exacting tests will be used to judge the feasibility of gouging a harbor in the heart of the Indiana Dunes.

PROPOSAL FOR PRESIDENTIAL COMMITTEE TO STUDY TRADE WITH COMMUNIST BLOC

Mr. HART. Mr. President, last week our colleague, the senior Senator from Minnesota [Mr. HUMPHREY], had some things to say about our trade policy toward Communist bloc countries. He made a timely statement and I commend him for it. I agree with his fundamental thesis that we have some jagged edges in our current policy which are keeping us from our share in the world markets. In short, we are not reaping the political and economic dividends of a constructive policy in tune with our times.

Admittedly, trade with Communist countries is a sensitive area of public policy. But it is also an important one, and a key element in the long-term political and economic health of this country and the nations associated with us in the cause of freedom. It deserves, therefore, the attention of all our citizens, and the appropriate committees in the Congress, as well as the attention of officials in the executive branch.

That something is wrong with our trade policy toward Communist countries is indicated dramatically by Canada's recent sale of wheat to the Soviet Union. Obviously, our national blockade of communism is not working. But the Canadian wheat pact is only the most recent link in a chain of events which is proving that our policy does not prevent the Soviet Union or its satellites, or Communist China, for that matter, from making up for their agricultural failures, and other needs as well, provided they can pay for imports with hard currency. As the Detroit News stated editorially a few days ago:

> The Soviet bloc is stepping up its trade with Western Europe as well as with Canada. Regulations which limit U.S. trade with Soviet bloc nations frequently do nothing except to shift their business to some European nation. The regulations seldom prevent the Soviet countries from getting what they want.

As I reported to you and the Senate several weeks ago, Mr. President, my visit to Poland early this summer convinced me that the exceptions we have made in the cases of Poland and Yugoslavia, do in fact produce results beneficial to the long-term interest of the United States. Our experience with Poland and Yugoslavia is weighted on the positive side. In light of this experience, and events such as the Canadian wheat pact, we should not hesitate to reexamine our trade policy toward the Communist bloc, and to explore new possibilities in the political and economic interest of the United States.

Mr. President, the situation today calls for a thorough review of our trade policy toward Communist bloc countries. The administration already has indicated its concern in this matter. The recent White House businessmen's conference, called to spur exports, urged a broad reexamination of the restrictions holding down trade with the Communist bloc. I commend also our farm organizations which last weekend called for a review of the wheat export restrictions that apply to all Communist countries except Poland and Yugoslavia.

I am hopeful that a broad reexamination of our policy will be carried out, and at the highest level. I urge the President to take the initiative in this important matter by appointing a special committee to review our policy, and at an early date to make recommendations in tune with the current world situation and the long-term interests of this country.

The special committee should be headed by the Secretary of Commerce. Its members should also include the Secretary of State, the Secretary of Agriculture, two Members of Congress, and representatives from the major labor, business, and farm organizations.

The special committee should examine the whole series of regulations and general policy matters concerning trade with the Communist bloc countries, including the Commerce Department's positive list of products which currently require individually approved export licenses. But the first order of business should concern new possibilities, in the national interest, of expanding foreign trade in foodstuffs with the Communist bloc.

Mr. President, I am not suggesting that we coddle the Communists. They remain our opponents in the struggle for the soul of 20th-century man. The resumption of full-scale trade between East and West is out of the question. So too is our selling of strategic materials to Communist countries. But this should not deter us from reassessing other aspects of our trade policy with these countries, and from putting into clearer perspective the situation which confronts us in the world markets. Our national interest requires it. In my book, a special committee along the lines I have suggested would be the best channel to accomplish this task.

I commend to my colleagues the editorial from the Detroit News which I mentioned a moment ago. It appeared in the September 18, 1963, issue of that newspaper. I ask unanimous consent that the editorial be made a part of my remarks at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IS THE UNITED STATES MISSING A BET?

Canada's sale of nearly $500 million worth of Canadian wheat to the Soviet Union has revived once again proposals that the United States step up its trade with Soviet bloc nations.

Commenting on the Canadian sale, Senator HUMPHREY, Democrat, of Minnesota, said that the United States must change its outdated export policies if it is to share in today's world markets.

Whether our policies are changed or not, we think it would be appropriate at this time for the Kennedy administration to review U.S. policies with respect to trade with the Soviet Union and the Soviet bloc.

We are aware that this is a politically sensitive subject. Many Americans understandably object to any U.S. trade with any Communist country on the grounds that such trade merely strengthens communism.

There are other objections as well. The Soviet bloc's record on payments as well as trade has been erratic. Soviet bloc nations use trade for political as well as economic purposes. They appear to be inconsistent markets, seeking U.S. goods chiefly in time of drouth or disaster at home. And they offer in return few products that this country really needs or wants. In recent years U.S. exports have been running at a level of only about $135 million a year.

Yet the Soviet bloc is stepping up its trade with Western Europe as well as with Canada. Regulations which limit U.S. trade with Soviet bloc nations frequently do nothing except to shift their business to some European nation. The regulations seldom prevent the Soviet countries from getting what they want.

We do not suggest that the United States should sell strategic materials to the Soviet countries. But it might be well to review the 1,000 or more items on the Commerce Department's positive list of products which may not be exported without individually approved licenses. We ought to be sure the list is being kept up to date.

In addition we ought to investigate the possibility of selling more U.S. farm surpluses to the Iron Curtain countries. That obviously is what was in Senator HUMPHREY's mind. He no doubt recalls that during the Eisenhower administration a proposal for sale of surplus U.S. butter to the Soviet Union was turned down at the Cabinet level only because of the fear of public reaction to a sale at less than the price being paid by the U.S. housewife.

Some support already is being expressed inside the Kennedy administration for increased trade with the Soviet bloc. Secretary of Commerce Hodges this week said he planned to discuss with President Kennedy the possibility of increasing trade with the Communist countries in the wake of the easing of tensions between the East and the West.

Admittedly the resumption of full-scale trade between the East and the West would tend toward public acceptance of the status quo in eastern Europe. But supplying more consumer goods to the Soviet bloc might tend to soften Communist antagonism toward the West. Whatever policy is undertaken, however, must serve first and foremost the long-run interests of the United States.

NARCOTICS LEGISLATION

Mr. KEATING. Mr. President, on February 20 my colleague [Mr. JAVITS] and I introduced a package of bills dealing with the problem of narcotics addiction. We have a special interest in this problem because our State is the home of 47 percent of all the addicts in the Nation. It is our belief that the noncriminal addict should receive treatment, and not a jail sentence, for he is truly the victim and not the perpetrator of a crime. This treatment should be available close to home and consist of a period of hospitalization followed by a strict program of controlled aftercare. The present practice of committing this kind of patient to a Federal hospital at Lexington, Ky.—700 miles from home—and then returning him to the environment which contributed to his becoming an addict is foolhardy.

One of the five bills which we introduced was an amendment to the Youth Corrections Act which would allow a sentencing judge greater discretion in cases of addicts under 26 years of age. I am happy to report this morning that the bill has received the unanimous approval of the Judicial Conference of the United States. Judge William F. Smith, chief judge of the third circuit, and also chairman of the criminal law section of the conference, has advised me of this action.

Mr. President, I ask unanimous consent that the text of Judge Smith's letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. COURT OF APPEALS
FOR THE THIRD CIRCUIT,
Newark, N.J., September 23, 1963.

Hon. KENNETH B. KEATING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KEATING: You may be interested to know that your pending bill, S. 863, which proposes an amendment of the Federal Youth Corrections Act, received the unanimous approval of the Judicial Conference of the United States at its meeting on September 18 last. You will probably hear from Mr. Olney within the next few days.

If the members of the committee on the administration of criminal law can be of further assistance to you in this or any other matter, you may be assured of our cooperation.

With kind personal regards, I am,
Respectfully yours,
WILLIAM F. SMITH.

PROPOSAL FOR STANDING COMMITTEE ON VETERANS' AFFAIRS IN THE SENATE

Mr. KEATING. Mr. President, at their national convention, the American Veterans of World War II adopted a resolution calling for the establishment of a standing Committee on Veterans' Affairs in the Senate. As a cosponsor of Senate Resolution 48 to this effect, I am keenly interested in the enactment of this legislation. In fact, more than half the Senate is on record favoring such a committee.

For far too long, veterans legislation has been scattered between the Finance Committee and the Committee on Labor and Public Welfare. It seems to me that the establishment of this committee is certainly necessary and warranted, in the light of the fact that veterans legislation either directly or indirectly affects nearly a third of our population.

I have already inserted in the RECORD resolutions, adopted at the national conventions of other veterans organizations, urging establishment of a Senate Veterans' Committee.

Mr. President, a very good article which clearly summarizes the reasons behind the establishment of a Senate Veterans' Affairs Committee appeared in a recent issue of the National AMVET. I ask unanimous consent that following my remarks, the text of this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A SENATE VETERANS' AFFAIRS COMMITTEE NOW

Once again AMVETS national convention unanimously adopted a resolution calling for the establishment of a standing Committee on Veterans' Affairs in the U.S. Senate. As of August 7, 1963, there were nine resolutions introduced in the 1st session of the 88th Congress to accomplish this end. Forty-one Members of the Senate have joined in sponsoring the creation of such a committee. All the major veterans organizations are in agreement that a Senate Veterans' Affairs Committee is a necessity. In 1945 and 1946, a Joint Committee on Organization of Congress recommended the creation of such a committee. In 1951, another Senate committee recommended a Senate Veterans' Affairs Committee, and again in 1959 a special subcommittee of the Senate Committee on Rules and Administration recommended establishing such a committee. In view of the favorable support for a Veterans' Affairs Committee in the Senate, AMVETS can see no logical reason why such a committee should not be created—and created now.

Our position in this matter should not be construed as criticism of the standing Committee on Finance and Labor and Public Welfare who now handle veterans' matters in the Senate. AMVETS feel that it is physically impossible for these committees, overburdened as they are, with other major legislative problems to give prompt and thorough consideration to veterans' affairs.

Legislation in the field of veterans' benefits and the vast program administered by the Veterans' Administration directly or indirectly affects the lives of more than 50 million of our population. Expenditures in this field for 1964 alone will be almost $6 billion. It seems to AMVETS that the sifting and digesting of legislation in this field and the continuous overseeing of the Veterans' Administration program is much too big and important a job to be assigned to subcommittees of committees already overburdened with other major issues.

The vast scope of the Government's activities in behalf of veterans, the vast financial outlays involved in the conduct of these programs, and the need for coordinating their various parts is a full time task for any committee.

Only by creating a new standing Committee on Veterans' Affairs in the Senate will the disadvantages of scattered responsibility and lack of coordination which are inherent in the present Senate arrangements be remedied. Only by creating a specialized agency in the Senate for the handling of veterans' affairs can the Senate obtain an overall view of these matters and only in this way can we be assured of effective and coordinated legislative action in this important and ever-expanding field.

By concentrating responsibility for veterans' matters in a single committee whose members will be in a position to study the problems thoroughly, the Congress can best be assured that the Nation's as well as the veteran's best interest will be served and balanced.

The need for such a committee is obvious. The support for forming such a committee among the Members of the Senate is substantial. The time for all veterans' organizations to join forces in an all-out effort to achieve this goal is now.

PARTISAN POLITICAL SPEECHES BY THE PRESIDENT

Mr. MILLER. Mr. President, in today's Washington Daily News there is an article entitled "J.F.K. Raps Ike's Power Politics," with the dateline of Great Falls, Mont.

I regret that the article indicates that there has been a departure into the partisan political arena from the officially announced nonpolitical trip which this was supposed to be by our Chief Executive to the Western States in the interest of conservation.

I think it is regrettable that the taxpayers of the United States are bearing the entire cost of this trip. I hope the speeches will be carefully analyzed and, to the extent that they have become partisan political speeches, that an allocable portion of the cost of the trip will be borne by the National Democratic Committee.

I ask unanimous consent that the article be placed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRESIDENT OPENS UP ON GOP—J. F. K. RAPS IKE'S POWER POLITICS

GREAT FALLS, MONT., September 26.—President Kennedy today attacked the electric power policies of the Eisenhower administration.

Until today, Mr. Kennedy's criticism of the Republicans had been somewhat muted. He devoted himself largely to praise for Democrats and what they had done to preserve and advance conservation and reclamation, and protect natural resources, particularly in the upper plain States.

His speech prepared for delivery here today in the hometown of Senate Democratic leader MIKE MANSFIELD took a different and stronger tack, however. Mr. Kennedy was specific in his criticism of the Eisenhower administration power policies and practices. At one point he referred to blunders of the years immediately preceding his election to the White House. And he spoke of exploitation by private interests permitted by another administration.

He did not call the former President by name, but he did name one of the Eisenhower Cabinet officers—the late Interior Secretary Douglas McKay. He reported proudly how the current Interior Secretary Stewart L. Udall, had replaced Mr. McKay's policies to the public's benefit.

Mr. Kennedy also praised Agriculture Secretary Orville Freeman for having quickly dispelled "the cloud of political control which had hung over the loan authority of the Rural Electrification Administration" when the Kennedy administration entered office.

ADDRESS BY SENATOR MUSKIE ON THE PROBLEMS OF OUR FISHERIES

Mr. KENNEDY. Mr. President, our distinguished colleague, the Senator from Maine, Senator EDMUND S. MUSKIE, delivered an address on September 25 to guests of the sixth annual New England fish and seafood parade dinner held in Boston, Mass.

Senator **Muskie** has long been a friend of our fishermen. He has again shown this in his recent address, by a straightforward articulation of the major factors contributing to the fishing industry's plight; namely, inadequate fisheries research and antiquated fishing fleets.

I invite the Members of Congress to give their close attention to this analysis of the problems confronting a once-flourishing industry, and the legislative remedies which he reviews for our careful study.

Mr. President, I ask unanimous consent that Senator **Muskie**'s address be printed in the **Record** at this point.

There being no objection, the address was ordered to be printed in the **Record**, as follows:

ADDRESS BY SENATOR EDMUND S. MUSKIE

It is always a pleasure for me to visit Massachusetts, the home of so many distinguished Americans—past and present—from President John Adams to President John F. Kennedy. We in Maine are proud that we share a common heritage with our sister State of Massachusetts. Until 1776, we were both part of the same English colony. Until 1820, as citizens of the Commonwealth of Massachusetts, we elected the same Governors. Although we then became separate States, we have remained good neighbors, sharing many responsibilities, many accomplishments.

One element of our common heritage is our Nation's fishing industry. It was here in Massachusetts in the early days of the 17th century, in Boston, Plymouth, and Salem, that the commercial fishing industry of the United States was born.

We in Maine take no back seat, for it was in Bath in 1607 that the *Virginia*, the first vessel constructed by Americans, was built. By 1762, a commercial shipyard, which built hundreds of fishing vessels, was in full operation in Bath. Bath today continues in the same tradition, building missile frigates for our Nation's defense.

Together, Maine and Massachusetts have participated in the development of the American fishing industry. New Englanders built the clipper ships. New England fishermen on whaling expeditions to the south seas founded many a New England fortune. No fishing grounds were too far, no risks too great for them. From that position of worldwide preeminence, we have witnessed a decline in the fortunes of our fishing industry. Instead of our fishermen bringing their catches from the South Pacific, we have sighted Russian and Japanese vessels fishing within our 3-mile limit.

In 1956, the United States ranked second to Japan as a fishing nation. In 1961, we followed not only Japan, but also Peru, Red China, and the Soviet Union.

Our national fish catch has not increased since 1940, but our fisheries imports have increased approximately 400 percent.

Bringing the problem a little closer to home, imports of groundfish and Atlantic Ocean perch fillets have risen from 107 million pounds in 1952 to 221 million pounds in 1962, an increase of 107 percent.

What is the cause of this predicament? What can be done to rebuild our fishing industry?

The problems of our fishing industry are clear and obvious—inadequate fisheries research and an antiquated fishing fleet, coupled with competition from foreign fishing industries which benefit from extensive Government support in these areas. For our Government to ignore these problem areas would amount to national neglect.

Of all domestic industries utilizing natural resources, the fishing industry has been the most neglected. In fiscal year 1961, the U.S. Government spent $5.8 billion on agricultural programs—$68 million on mineral resources. The total outlay on programs for the fishing industry was $35.4 million. In addition to being the most neglected of all natural resource industries, the fishing industry has had to bear the brunt of foreign competition from low-wage, subsidized foreign fishing industries.

The record shows that the duties collected on foreign fish imports have risen from $6 million in 1936 to $16 million in 1961. During that same period, the value of foreign fishery imports has risen 10 times from $40 million in 1936 to just under $400 million in 1961.

Four times the domestic fishing industry has approached the Tariff Commission requesting relief. Twice the Tariff Commission recommended that action be taken. On both occasions, President Eisenhower rejected the Tariff Commission's recommendations on the grounds that our relations with other countries would be adversely affected.

Through 1961, our Government had extended a total of $297 million in foreign aid to other countries to help them build up their fisheries to compete with us. Incredible as it may sound, this sum of $297 million exceeds by about $88 million the sum our Federal Government had spent on our own fishing industry during the same period.

As chairman of the special Senate Subcommittee on Air and Water Pollution, I find it ironic that while Federal, State and local governments have spent millions of dollars in preventing the pollution of our inland and coastal waters, relatively little has been accomplished in the development and promotion of the food resources of these waterways.

I could continue on listing in great detail the neglect and the obstacles which have burdened our once flourishing fishing industry. The past record has been dismal, but I am pleased to report that there is a growing realization in Congress that the fisheries industry is important to the future of the United States. Massachusetts can take a great deal of credit for the change in the climate of opinion. Massachusetts Senators have worked long and hard for the development of a healthy, productive fishing industry. Leverett Saltonstall, John F. Kennedy, and now Ted Kennedy have been active in this fight. Special credit should be given to Ben Smith, who was brought up in the Gloucester fishing industry, who knows the problems the industry faces, and dramatized them in his memorable address before the Senate last year, when he proposed a realistic program for our fisheries.

As you all know, Ben is now an ambassador. He has been appointed as our Nation's first ambassador for fisheries. This is a significant recognition of the importance of the fisheries industry. Moreover, the President has picked the right man to do the job.

The improvement in the legislative climate for fisheries legislation can best be measured by the number and variety of fisheries bills before Congress for consideration. We all know there is a vast difference between introducing a bill and enacting it into law, but based upon the action taken thus far, I do feel there is reason for optimism.

I would like to review briefly the more significant fisheries bills which are before the Senate by describing their content and noting their present status.

All Americans are deeply concerned with violations of our international waters by foreign fishing vessels. Several Japanese and Russian vessels have been sighted within 3 miles of the Alaskan coast. There has been a longstanding need for both the strengthening of American laws prohibiting foreign fishing in our territorial waters and the establishment of effective penalties and procedures to enforce these prohibitions. A fine of $10,000 or imprisonment of up to 1 year or both are specified in Senate bill 1988 introduced by Senator **Bartlett**, of Alaska. In addition to enforcing our laws within the 3-mile territorial waters limit, this bill would also cover a 200-mile limit on the Continental Shelf with respect to fishing for crabs and other fish resources attached to the ocean floor. This legislation has been approved by the Senate Commerce Committee; and it has been cleared for floor action by the Senate Democratic policy committee.

This is one instance in the history of Congress where no opposition was expressed. Republicans and Democrats, the Navy and the Coast Guard, the Interior and State Departments all agree that this legislation is needed and should be enacted. It is expected that the bill will pass the Senate.

Senator **Ernest Gruening**, of Alaska, and I have introduced legislation, S. 1816, designed to increase our territorial limit from 3 to 12 miles. If Congress should take action on both these bills our fishermen would have additional waters they could fish exclusively and our Coast Guard would have the power to enforce U.S. authority in these waters.

Twenty-eight nations already enforce a larger territorial limit than 3 miles. The largest limits are those enforced by Chile and Ecuador, 200 miles. The Canadian Government has announced its intention of instituting a 12-mile territorial waters limit in mid-May of 1964, measured from headland to headland. This is of critical importance in New England. The limit would encompass enormous areas such as the Gulf of St. Lawrence on the Atlantic side and Queen Charlotte Sound on the Pacific. It could include the Bay of Fundy.

Prime Minister Pearson has indicated that traditional and treaty rights of the United States would be taken into consideration. President Kennedy has indicated that he will reserve our rights. Our position in what have been traditionally joint fishing areas should not be jeopardized.

Regardless of any action taken by Canada, our country needs this limit as a matter of self-protection. If we do not look out for ourselves, we can be certain that fishermen from other nations will not hesitate to move in and deplete the stock of fish resources adjacent to our coast.

But this legislation does not solve the major problems which face our fishing industry. Neither of these two bills would affect foreign fishing activities outside a 12-mile distance from our coast. The primary operations of foreign fishing interests take place beyond that point. This August the Coast Guard counted 169 Russian fishing vessels off the Georges Banks. To compete successfully outside our territorial waters, we must revitalize our fishing industry so that it can cope with the state subsidized efforts of foreign nations.

Although commercial fishing is a serious area of cold war competition, it is much bigger than that. In addition to the Soviet Union, fisheries competition comes from Canada, Denmark, Iceland, Norway and a host of other nations. All these countries heavily subsidize their industries both in terms of fisheries research and fishing vessel construction. If our Nation is to come to grips with the issue, Congress must act and act soon, to give our fishermen a fair chance.

Up to this point, the struggle to provide adequate funds for fisheries research has met with complete frustration. The original intent of the Saltonstall-Kennedy act was to provide research and marketing funds to stimulate expanded activities in these fields, particularly at the State level. Unfortunately, the Bureau of Commercial Fisheries has been forced to use most of its research funds for continuing programs on a national level. The Bureau is doing an excellent job in the research field, but it is unable to provide the financial support required to stimulate research urgently needed on specific fisheries products at the State level.

It is no secret that State legislatures are hard pressed for revenue sources. They must search for financial support elsewhere. In view of the present state of our fishing industry, Congress must meet this urgent need.

I have cosponsored Senate bill S. 627, which would provide an annual $5 million in funds to be divided among the States for the establishment of research programs designed to meet each State's individual problems. The bill should encourage better cooperation and coordination of research by State and Federal agencies, eventually resulting in the overall national improvement of our fish catch. The Senate has passed the bill. It is now under consideration by the House of Representatives.

You are all familiar with the law passed in 1792, which requires that American fishermen must purchase U.S. built vessels. The cost of these vessels is high. The subsidy is relatively low. Foreign fishermen can purchase low-cost, modern, well-equipped so-called factory ships heavily subsidized by their governments.

The practical result has been that we operate small, obsolete vessels while foreign fleets have added large, modern ships equipped with the latest in technological devices. These foreign fleets, because of their superior equipment and consequent lower operating costs, have had great success in edging their way into traditionally American fishing grounds and our own domestic markets.

We cannot compete with foreign fleets when 50 percent of New England's large trawlers are more than 20 years old. If our fishing fleet is to survive, we must give our fishermen the tools to do the job. Passage of Senate bill S. 1006 approved by the Senate Commerce Committee to increase subsidy payments on fishing vessel construction from 33⅓ to 55 percent would be one important step toward solving the problem.

Research, more modern fishing vessels, new approaches to the problems of the industry are the key to future success. I hope we can develop a fish protein concentrate industry which will use our Nation's fish resources to feed the food-starved countries of Africa, Asia, and Latin America. Here we can combine a successful business operation with the humanitarian goal of feeding the underdeveloped nations of the world. It has been estimated that this process might account for the sale of some 300 to 500 million additional pounds of New England fish each year. The problem lies in obtaining approval of the process by the Food and Drug Administration. The FDA has thus far forbidden the sale of fish protein concentrate in the United States unless the fish used in the process have been cleaned, decapitated, and detailed.

If this process were required, the production cost of the concentrate would hike expenses so much that the product could no longer be profitably produced. Furthermore, it would not result in a more wholesome product. "FPC" is pure and wholesome now. I am hopeful that this controversy can soon be successfully resolved. Through the development of fish protein concentrate, our country could make a significant contribution to the future of mankind.

Our Nation has embarked on a comprehensive program of oceanographic development. The Interagency Committee on Oceanography, under the direction of President Kennedy's scientific adviser, Dr. Jerome Weisner, formerly of M.I.T., is planning and coordinating an all-out scientific attack on oceanic problems, with the objective of unlocking the secrets of the ocean depths.

The real problem in this area has been one of emphasis. The need for an all-out program of oceanographic research is recognized by our Nation's scientists. Some experts feel that the advantages to be gained from our oceans could prove more valuable than the benefits which can be derived from outer space. A greater public awareness of the importance of oceanography is required. The House of Representatives has passed a bill, H.R. 6997, which specifically expresses our commitment to a national oceanographic development program. Hearings on the bill have been scheduled for October 24 before the Senate Commerce Committee. Passage of the bill will help to provide a much needed stimulus toward the further development of a resurgent fishing industry.

All the problems I have discussed thus far merit rapid consideration by Congress. It is time for effective legislative action. The commercial fishing industry of the United States has been shortchanged by the U.S. Government for far too long. Beyond this, however, the fisheries industry needs to show drive and initiative.

The Massachusetts fishing industry has effectively committed itself to an attack on the problems of the industry. I wish to commend you for the work you have done in supporting the construction of two new and modern fishing trawlers, the *M. V. Massachusetts* and the *Sturgeon Bay*. In addition, your work in the development of fish protein concentrate and the construction of an FPC pilot plant in New Bedford reminds me of the spirit our ancestors showed in developing the clipper ship and the whaling industry.

The American fishing industry is still the most vital fishing industry in the entire world. We have the capability, the experience, and the ingenuity. You in Massachusetts have begun to make individual commitments to revitalize the entire domestic fishing industry. You have shown that you are willing to tackle this immense problem on your own. Those who proudly represent the commercial fisheries of the United States in Congress will make every effort to see that our Federal Government assists you, rather than penalizes you; that it works with you; and that it helps provide the tools to do the job.

TAX CUT—YES NOW: THE JUDGMENT OF THE NEW BEDFORD STANDARD TIMES

Mr. KENNEDY. Mr. President, in a recent edition of the New Bedford Standard Times there appeared a forceful editorial which deserves the attention of the Senate. This thoughtful piece emphasizes that we need a tax cut, and need it now. This comment on an issue which is now squarely before the Senate is especially meaningful because of its timeliness.

The New Bedford Standard Times has a unique record of concern with the problems of the communities which it serves, as well as of the Nation. Because of its close involvement in its community affairs, when this newspaper writes of the effect of a tax cut on jobs, on avoidance of recession, on new markets, and on strengthening the dollar, it knows whereof it speaks. Mr. President, I commend this editorial to the attention of the Senate, and I especially commend the informed quality of the New Bedford Standard Times efforts, for they stem from deep involvement and experience in community affairs.

I ask unanimous consent that this editorial be included at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TAX CUT—YES, NOW

Rarely has a more earnest and convincing appeal come from the White House than President Kennedy's statement on why Congress should approve a cut in income taxes now, for the good of the country and of the American family.

Mr. Kennedy's address in behalf of the $11 billion reduction outlined by the House Ways and Means Committee gave these succinct reasons why the legislation must not be sidetracked, postponed or ringed with "ifs and buts":

Jobs: Opportunity for those now unemployed, for those entering the labor market, for those replaced by automation, and better positions for those now employed—by a spurt in purchasing power and therefore greater business activity.

Avoidance of recession: Statistical analysis shows a recession every 42 months since World War II, a cycle due to recur early next year—caused mainly by a pressing burden of taxes on individuals and corporations.

New markets: Higher consumption and inducement to greater private investment in business and industry will require new machinery and factories and put idle machines to work, bringing new domestic outlets equal to the gross national product of Canada and Australia.

Strengthen the dollar: A spurt in the U.S. economy should ease the flow of gold abroad by making the Nation more competitive with foreign industry, and making our products, instead of our gold, more attractive to foreign creditors.

These are not claims manufactured by an administration seeking to obtain passage of its legislation through a Congress. They are the conclusions, too, of responsible groups of economists, businessmen and industrialists of both political persuasions. The opposition to the President's program has not been on what it will accomplish, but on the grounds that the administration is not paralleling the proposed tax cut with a program of economy in the Government.

To this complaint, the President had this promise: "No wasteful, inefficient or unnecessary Government activity will be tolerated. We are pledged to a course of true fiscal responsibility leading to a balanced budget in a balanced full-employment economy."

That would seem to be about as precise and firm a commitment to prudent housekeeping as a President could make.

The overall consideration is an immediate reduction in the stifling burden of taxes that weighs down rich and poor alike, and restrains the adventuresome flow of capital on which jobs and prosperity depend. President Kennedy feels this is the most important domestic issue of the last 15 years and has made a strong case for it. Congress, it is to be hoped, will give him, and the people, its support.

CHURCH CONTROL OF THE STATE

Mr. ERVIN. Mr. President, the U.S. News & World Report for September 23, 1963, contained an illuminating editorial by David Lawrence entitled "Church Control of the State?" This editorial comments in a most thoughtful manner upon recent tendencies of some representatives of some organized religious bodies which give much concern to all Americans who believe that the constitutional principle of the separation of church and state must be preserved if liberty of any kind is to endure. History makes it crystal clear that political liberty cannot exist if the church dictates to the state and that religious liberty cannot exist where the State interferes with religion. Representatives of organized religious bodies do a great disservice to both the state and religion when they indicate by their conduct that they have more faith in the coercive power of law than they do in the persuasive power of the gospel.

I ask unanimous consent that Mr. Lawrence's editorial be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered printed as follows:

CHURCH CONTROL OF THE STATE?

(By David Lawrence)

The purpose of the recent march on Washington was to influence public opinion and especially to persuade the Congress of the United States to pass certain legislation covered in the so-called civil rights program recommended by the President.

Never before in the history of the United States have the national organizations of the Protestant, Catholic, and Jewish churches, respectively, joined together to secure the passage of a particular set of laws. A spokesman for one of these organizations said the other day that, "for the first in our Nation's history, America's three great religious faiths have a common task and a common goal."

Yet only 3 years ago, even before the national political conventions, fears were being expressed concerning possible church influence in government. This writer said on this page on May 9, 1960:

"We are confronted today with the so-called religious issue in American politics.

"Presumably this means that some citizens believe the church could unduly influence the policies or decisions of any Roman Catholic if he were elected President of the United States.

"But what shall we say of the attempt by various churchmen of all faiths to use their positions and, indeed, their national church organizations as a means of engaging in the controversies of American politics?

"Before we are ready to decide just how much influence the Catholic church may exert on a man elected President, we must examine some of the pronouncements from Protestant churchmen who vigorously defend the right to issue through their national organizations statements on every conceivable question of governmental policy. These range from public comments on integration or segregation, to denunciations of the Government of South Africa and proposals for diplomatic recognition of the Red China regime despite its record of inhumanity and aggression. Many churchmen justify their course by arguing that these are moral questions—a definition broad enough to include everything political."

It was hardly foreseen 3 years ago that all three national church organizations would unite to participate in an organized drive, including street demonstrations, to secure the passage of a program of legislation. The same editorial of May 1960 made this observation:

"There can be no quarrel with the right of any preacher as an individual to speak out on any question—political, legislative, moral, social, or economic. But may he presume to speak for the members of his congregation? Or, in the case of a national church organization, does he speak even for all the clergymen in such an organization? And if there is to be an advisory council of laymen who are to serve as competent advisers in the matter of farm legislation or any other governmental problem, are we to assume that they, too, speak in the name of God?"

Not long before the above was printed, it was disclosed that the National Council of Churches, in order to be guided on national legislation, sought "competent advice and advisers—whether on a farm problem, or on international affairs, or housing, or public education, or race relations, or religious liberty."

This process, when carried on by other organizations, is called lobbying. But, while the practice has its abuses, it is within the bounds of the Constitution. All citizens have the right to petition Congress, but, under a Constitution which provides for the separation of church and state, is it the function of the church to use its organizations to obtain the passage or defeat of laws that have no direct bearing on the operations of the churches?

The American people have a right to know the inside story of the march on Washington, and especially what occurred in any consultation between Government officials and the leaders of national church organizations or their representatives—white or Negro—in making the arrangements for the demonstration. Even assuming the very best of motives, the facts about any collaboration between church and state are of vital interest to the public.

Churchmen who engage in political debate take a big risk. If they consider it a moral obligation to participate in a march on Washington or to urge the passage of certain laws, they logically may find themselves endorsing publicly, not only as individuals but through their organizations, a particular candidate for the Presidency because he espouses their moral point of view. The National Association for the Advancement of Colored People—with which the three national church organizations collaborated in the march of August 28—has already announced that it will participate actively in political campaigns and work for the defeat of those Members of Congress who do not vote for a strong civil rights bill.

The subject of segregation or integration has become a political issue. All the President's proposals in his civil rights program are being pressed for passage in response to what is believed by its sponsors to be public opinion. But back of it all, to no small extent, is the administration's drive for the Negro vote—especially in the big Northern States where Republican and Democratic Party candidates vie with one another in trying to capture that bloc of votes.

Churchmen as individuals have every right to speak for or against any legislation and to endorse and campaign for any political candidate for office. But a national organization of churches in any denomination should not become involved in politics. It should not lend its prestige and influence, or participate in an organized lobby, to secure the passage of particular laws.

Many preachers, moreover, have been inclined every now and then to give priority in their sermons to discussion of specific pieces of legislation currently before Congress, though in recent years many laymen have begun to feel that the pastors are unwisely spending their time giving lectures on national issues instead of helping their parishioners to understand the difference between right and wrong in their daily lives.

One of the national church organizations—the National Council of Churches—claims to represent denominations which have 40 million church members. Have these individuals been consulted about the recent activities of this national body, or is it assumed that the pastor of a church is the chosen representative of the congregation and can speak authoritatively on behalf of all his parishioners? The national spokesman of one of the three denominational groups openly declared the other day that public opinion on questions of governmental policy must be formed in the pews.

Recently, clergymen not only have taken part in street demonstrations, but some have been arrested for engaging in disorder. This participation has not been frowned upon by the national church organizations.

Discord is already appearing in some of the churches. News dispatches last week reported that the governing board of a Methodist church in Danville, Va., censured its minister and ordered him to refrain from making remarks on racial matters from the pulpit.

Not all clergymen agree that the power to conduct a lobby has been delegated to these national church organizations by the member churches. The Reverend C. Lewis Irwin, pastor of the Covenant Presbyterian Church in Indianapolis, sent a letter to this magazine in May 1960 in which he said:

"By no stretch of the imagination can I see Christ or the apostles placing the emphasis of the Gospel on social and political agitation. It is but a step from social and political agitation to legal action, and legal action must be backed by force and police action to be legal. Here is the trouble with present integration agitation—it looks to agitation rather than a change of heart. Are we seeking to run the business of the church without the inspiration and power of the Holy Spirit? The central truth of the Gospel is its power to transform human hearts by what Jesus did through His cross, resurrection, and outpouring of His spirit at Pentecost.

"Communism is essentially man's mind in control—and relying on force because it has not the secret of changing human nature. Social and political agitation tend to veer in this same direction because it no longer trusts in God's power to change the heart—and so it plays into the hands of communism."

On the same point, Billy Graham, a Protestant evangelist, in an Easter message in April 1960 said:

"The Bible also recognizes that each individual has the right to choose his own friendships and social relationships. I am convinced that forced integration will never work. You cannot make two races love each other and accept each other at the point of bayonets. It must come from the heart if it is to be successful. Otherwise, we can build walls of hatred and prejudice that will take generations to overcome.

"Christ said that our problems came from within: 'Out of the heart are the issues of life.' The Supreme Court can make all the decisions it feels are necessary; but, unless they are implemented by good will, love, and understanding, great harm will be done."

This writer concluded the editorial of May 9, 1960, on church and state relationships as follows:

"May a layman write an addendum? Churchmen who engage in politics lose the confidence of laymen and tend to become partisans rather than objective instrumentalities of spiritual help. Unquestionably, God's guidance to the individual is the inspiration we must depend upon for a solution to human problems. Guidance comes as we seek it, and the stimulus to individual communion with God is available to all of us through our respective faiths.

"Church and state are separated by mandate of our Constitution. The cooperation, however, of churchmen and other citizens in a community to improve the social welfare of the people is, of course, desirable and proper. But let us remember from the Book of Mark the advice that Jesus gave to the Pharisees: 'Render to Caesar the things that are Caesar's and to God the things that are God's'."

THE SERVICEMAN'S RIGHT TO LEGALLY TRAINED COUNSEL

Mr. ERVIN. Mr. President, recently I introduced S. 2003, a bill designed to more adequately protect the constitutional rights of military personnel. This measure, which was cosponsored by Senators BAYH, COOPER, FONG, HRUSKA, HUMPHREY, LONG of Missouri, and WILLIAMS of New Jersey, would prohibit the sentencing of an accused serviceman to a bad conduct discharge unless he had been furnished with a qualified lawyer to represent him at his trial. At the time this bill was introduced, there was pending before the Court of Military Appeals the case of United States against Kulp, No. 16,906, in which the question was raised whether or not the sixth amendment and the provisions of the Uniform Code required the assistance of legally trained counsel for the accused serviceman. On September 5, 1963, the court handed down its decision holding that, under existing law, there is no requirement that legally qualified counsel be furnished to the accused serviceman who is being tried by special court-martial—even though such a court-martial is empowered to adjudge a sentence to a bad conduct discharge. However, it is noteworthy that each of the members of the court specifically announced in the course of the decision that legislation along the lines of S. 2003 was highly desirable. Judge Homer Ferguson's concurring opinion discusses the need for legislation in some detail. I ask unanimous consent that the pertinent passage from this concurring opinion be printed at this point in the RECORD.

There being no objection, the excerpt from the concurring opinion was ordered to be printed in the RECORD, as follows:

THE SERVICEMAN'S RIGHT TO LEGALLY TRAINED COUNSEL

To say that a practice is constitutional is not an endorsement of its wisdom, and when my brothers speak of the training which every officer receives in military law, I understand them to intend only an exposition of the manner in which the anomaly of laymen practicing criminal law developed, rather than to place upon it the stamp of their approval. Indeed, 12 years' experience under the Uniform Code of Military Justice dictates the need to provide accused tried by special courts-martial and subjected to the heavy consequences of a bad-conduct discharge with counsel who possess legal training and are bound by the ethical obligations of our profession.

An officer of the armed services of necessity cannot receive the training required to perform adequtely as counsel for an accused. At the most, he receives a general orientation course in military law during his attendance at various service schools or takes a few subcourses in various aspects of its administration. At no time is he subjected to the rigorous and intensive process which fits one to become the advocate of an individual enmeshed in the toils of the criminal law. To me, it is just unthinkable to conclude that the best intentional layman can be taught by attendance at a few generalized lectures to become a capable representative of another in a criminal prosecution. The argument is the same as if one taking a course in business law attempted to represent a large corportaion in a merger or antitrust proceedings. And, as military appellate authorities well know, the result usually looks like something intended for entertainment at a church social. Indeed, the board of review sounded in this very case the tocsin call of multiple prejudicial error.

Aside from the inability of an officer counsel to perform his duties because of lack of proper grounding in law, there is also the important question of the ethical responsibilities imposed by our profession upon its members. Laymen will never understand an attorney's devotion to the interests of an "obviously guilty" client or the singleminded loyalty to the latter's cause which almost unexceptionally characterizes the practice of law. Too often, it must seem to the officer untrained in the law that his duty lies in the direction of the armed force to which he belongs rather than to the accused whom he represents, and there has not been inculcated in him any of the principles which so naturally form a part of the legal profession and which have impenetrably shielded the client's cause through the ages. It is difficult enough for a military lawyer to withstand the pressures exerted against his principal in the name of discipline and authority. See *United States* v. *Kitchens,* 12 USCMA 589, 592, 31 CMR 175, 178. It seems to me well nigh impossible for one untrained both in the law and the inviolable standards of the legal profession to put to one side what he might conceive as his responsibility to the service and devote himself entirely to the interests of an individual whom he may privately think undesirable.

Nor, as the Chief Judge states, is automatic appellate review a substitute for utilization of legally trained counsel. As was recently noted by Senator SAM J. ERVIN, JR., a distinguished lawyer, jurist, and legislator, on the floor of the U.S. Senate:

"In the event the accused is sentenced to a bad conduct discharge by a special court-martial, there will be extensive appellate review of the findings and sentence pursuant to articles 66 and 67 of the Uniform Code, 10 United States Code sections 866, 867 * * *; but this is a review "on the basis of the entire record." If evidence or information favorable to the accused has not been placed in the record by his counsel who, by reason of his lack of legal training, may not recognize what evidence would probably benefit the accused—then the appellate defense counsel are unable to take advantage thereof in the accused's behalf." [CONGRESSIONAL RECORD, p. 14146, Aug. 6, 1963.]

The many guilty pleas which we have reviewed on the basis of skimpy transcripts bear eloquent witness to the cogency of Senator ERVIN's comments. How are we to know the real truth of the matters involved, if the accused, upon the advice of a nonlawyer, chooses to confess his guilt judicially and nothing is placed in the record to support the validity of his plea except a formula prated from the Manual for Courts-Martial, United States, 1951? We can go only upon the record in measuring its legal sufficiency to support the findings and sentence. Yet, we are truly ignorant of what might have been done had the accused's evidence been viewed by an attorney thoroughly versed in the law and bound by the sanctions of the Canons of Ethics to advise and counsel with his client in the best traditions of Anglo-American advocacy.

The Army long ago recognized the basic unfairness in sentencing an accused to a bad-conduct discharge when he was represented by lay counsel. Soon after the code became effective, it took steps to eliminate the penalty in special courts-martial by forbidding the appointment of reporters to prepare the necessary verbatim record of trial. See AR 22–145, and Code, supra, article 19, 10 United States Code Section 819. In like manner, the Air Force, as Judge Kilday points out, has provided attorneys to represent both the Government and the accused in those cases in which the latter may be subjected to such severe punishment.

We have ourselves decried the dangers in lay practice of law. In consequence, we have resolutely refused to invoke the doctrine of waiver in those instances in which the accused has not been represented by trained counsel. *United States* v. *Kelley,* 7 USCMA 584, 23 CMR 48; *United States* v. *Hatter,* 8 USCMA 186, 23 CMR 410; *United States* v. *Johnson,* 14 USCMA 75, 33 CMR 287. And in a related area, we have pointed out that, "Law books unnecessarily in the hands of laymen may be as dangerous to the proper administration of justice as scalpels in the hands of laymen may be to the success of major surgery." *United States* v. *Kentner,* 12 USCMA 667, 669, 31 CMR 253, 255.

It is not surprising, therefore, to find legislation pending before the Congress to eliminate the role of the nonlawyer as counsel in special courts-martial. Such is but one of the results of an extensive investigation into the administration of military justice conducted by the Senate Subcommittee on Constitutional Rights. In the words of its distinguished Chairman, SENATOR ERVIN, the penalties suffered by an accused awarded a bad-conduct discharge warrant "the assistance of a qualified attorney" at his trial—CONGRESSIONAL RECORD, August 6, 1963, page 14142. In light of the fact that there is scant difference between the disgrace and disabilities encountered by one so sentenced and one receiving a dishonorable discharge, I can only note my full agreement with the need for real legal assistance in these cases and my hope that the use of untrained officers as counsel will soon join those other anachronisms with which the history of military law is studded.

Again, in the Senator's words, "No objective could be more important at the present time than to protect the constitutional rights of the men and women in uniform who stand ready to protect the Constitution of the United States"—CONGRESSIONAL RECORD, August 6, 1963, page 14144.

With these observations, I concur in the result which my brothers reach.

Mr. ERVIN. Mr. President, since its establishment in 1951 the Court of Military Appeals has docketed some 17,000 cases, almost all of them involving separations from the armed services under other than honorable conditions. In light of this experience derived from reviewing the courts-martial of each armed service, the views of the three judges of the Court of Military Appeals as to the great need for legislation like S. 2003 are worthy of careful consideration. And, if servicemen are to be provided with the safeguard of legally trained counsel in any proceeding which might result in their receiving discharges under other than honorable conditions, then the time to provide that safeguard is now.

PROPOSALS FOR FEDERAL GOVERNMENT TO ASSUME CERTAIN LOCAL BONDED INDEBTEDNESS

Mr. LAUSCHE. Mr. President, recently on this floor I decried the outrage which certain interests would perpetrate upon the American people by persuading the Congress to require the United States to add to its own financial burdens the responsibility for the bonded indebtedness of the Calumet Skyway Bridge which is in default and thereby has become the moral obligation of the city of Chicago.

The supporters of this raid upon the National Treasury would have the United States contribute toward the redemption of the skyway bonds the sum of $63,838,000 on the basis that had the skyway, which has been incorporated into the National System of Interstate and Defense Highways, been constructed in the first instance as part of that system, the United States would have contributed 90 percent of the cost of construction.

I spoke in opposition to this attempt to have the Federal Government relieve local government of the consequences of a business risk which did not turn out to be a good risk. I inquired, in effect, whether those who supported this new drain on the Nation's fiscal resources were cynically ignoring the likelihood that their program, if successful, would pry the lid from a Pandora's box of claims for like treatment for other municipalities and for States which might well welcome similar lifting of prospective liabilities for toll roads and toll bridges which are not producing the revenues as anticipated.

My words were more prophetic even than I had thought. Already a proposal has been advanced by a Member of the Congress from the State of Michigan that the Congress go to the rescue of the bondholders whose securities are a lien upon the revenues of the toll bridge erected across the Strait of Mackinac.

Those who would tap Uncle Sam's till to insure against the consequences of poor judgment or overenthusiasm or both are not easily disuaded from the pleasant vista of a primrose path to financial solvency at others expense. After my earlier remarks had been reported by the news services I received through the mail an editorial excerpted from the Chicago Sunday American newspaper of September 15.

It deals with the statement which I made on the floor of the Senate. Among other things the editorial stated:

> We agree with LAUSCHE that poor judgment was used and overenthusiasm indulged in by city officials in planning and building the skyway. But the fact is that the structure is finished and will have to be turned into a freeway eventually or else shut down and left to weather away. And the idea that the Federal Government would be the logical buyer is sustained by the fact that the 7½ miles of skyway already have been incorporated in the Federal network of highways.

The editorial is not content to refuse to dismiss the Congress as the candidate to pull the skyway out of the morass of financial difficulty in which it is floundering. It would have the Congress also become the guardian of the welfare of all the toll roads in the Nation. In the very first paragraph the editorial says:

> We think (LAUSCHE) and all other Members of Congress should be interested in forming an idea of what to do about toll roads eventually instead of fervently opposing proposals that the Federal Government take over the Chicago Skyway and make it a freeway.

This theme is adverted to when in summation the editorial makes the admission that the skyway may well be only the first toll highway facility for which Congress would be asked to play the roll of financial savior. The final paragraph of the editorial puts it thus:

> We think the struggle between toll roads and free roads is just beginning and that, sooner or later, chances are most of the toll roads will be taken over, one way or another, as free expressways. And we think Senator LAUSCHE and others in authority should be considering a solution to this conflict that will prevent it from wrecking the fine highway system the Nation had just started to create.

Significantly enough the editorial earlier refers to the fact that the Illinois tollway, like the skyway, has felt the chilling influence of the free expressways laid out and constructed by the city of Chicago. Should we therefore expect that the $410 million Illinois tollway may become a third suppliant for financial first aid by the Congress?

I suggest that the authorities which have responsibility for the financial health of toll roads and toll bridges themselves shoulder the task of seeking solution for toll facility ills other than asking the whole American public to bear their burden for them. Obviously these fine highways and bridges will not be permitted to "weather away" as the editorial dolefully forecasts. It is much more likely that the financial well-being of the Nation would be eroded if the Congress were to open the gates of the Treasury for what might well be developed into a veritable flood of demands for vast amounts of money to make these business ventures whole.

The suggested approach is sound neither from the standpoint of morality nor from the standpoint of fiscal responsibility.

Mr. GORE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. GORE. The Senator will recall that, as chairman of the Subcommittee on Highways at that time, I was a coauthor of the Highway Act of 1956 and also of the Highway Act of 1958. At that time an attempt was made to incorporate the toll roads into the superhighway structure, with the Federal Government assuming financial responsibility. This was rejected by Congress at that time. The decision which the able Senator urges Congress to take now has been previously taken, and it would be necessary, in order to accomplish what is proposed, that the previous decision be overturned.

Mr. LAUSCHE. I concur. I recall the efforts that were made to include in the act provisions which would have required the assumption of the payment of the obligations of toll roads, and that the committee and Congress refused to do it.

Mr. GORE. Very great assistance was provided to the toll roads, however, and I think perhaps rightly so from the overall standpoint, in that the Interstate Highway System was designed to cooperate with and to interconnect with the toll roads, thus feeding into the toll roads vast amounts of traffic and tolls into the coffers of the toll roads.

This has made a number of toll roads economically feasible and profitable, which would not otherwise have been true.

Mr. LAUSCHE. That is correct. The Ohio toll road was built while I was Governor of Ohio. Subsequently, while I was still Governor, the question arose about the building of parallel roads which would have siphoned traffic from the toll highway. I refused to approve it. Although the government of Ohio and its people were not directly obligated to pay the bonds, the bonds were supported by what we call the revenues. The judgment was sound. I say to the Senator from West Virginia [Mr. RANDOLPH] that if they began paying off the Mackinac Bridge and the Skyway in Chicago, West Virginia had better start coming in and saying it wants help on its highway, and the same thing should apply to the State of Indiana and to the State of Ohio.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. RANDOLPH. At this time I have the responsibility of serving as chairman of the Subcommittee on Public Roads of the Committee on Public Works. Attention is being given to this subject of toll roads and our highway development in all its facets. It has been indicated that in connection with the Chicago project the original proposal in the House has been modified to provide that the money for reimbursement be taken out of the general fund, instead of the highway trust fund. The premise is still the same.

I compliment the Senator from Tennessee [Mr. GORE] on the contribution he made during the period when he was active in leadership having to do with the highway programs, and in the responsibility he shouldered which I now assume. In the State of West Virginia there are 88 miles of toll roads. The situation is comparable to that in Ohio, in that the State of West Virginia itself did not sell and assume obligation for the bonds. However, there is an implied responsibility.

Mr. LAUSCHE. Yes.

Mr. RANDOLPH. As I see it at the present time, based on the study which I have made and the authoritative material which I have read, the procedure which is being contemplated in the case of the Chicago Skyway Bridge, if adopted nationwide, would require the Federal Government to assume an additional burden in the order of $4 billion.

Mr. LAUSCHE. I believe so.

REFORMING THE INTERNATIONAL MONETARY SYSTEM

Mr. JAVITS. Mr. President, I wish to call to the attention of the Senate a remarkable article in the October issue of Foreign Affairs by the Under Secretary of the Treasury, Mr. Robert V. Roosa, entitled "Reforming the International Monetary System."

Through this article Mr. Roosa has announced a significant shift in administration policy regarding the necessity for a discussion among IMF members of world monetary reform. At the July 8 and 9 sessions of the Joint Economic Committee's hearings on the U.S. balance of payments, the administration was adamant in its refusal even to consider that the existing international monetary system may not be adequate to meet the needs of rapidly expanding international transactions. In fact it was the United States which allegedly blocked any consideration of monetary reform at the 1962 session of the IMF.

Let me give you just two examples of the administration's attitude toward this question. During the July 8 hearings of the Joint Economic Committee I asked Secretary Dillon whether any thought has been given to holding an international conference at least with the 10 leading industrial countries which have indicated a disposition to discuss this problem. Secretary Dillon said no, not believing that an international conference was very useful unless it was adequately prepared and we knew what was to come out of it.

At his August 20 news conference the President, on the heels of the highest annual balance-of-payments deficits of the United States in recent times, $5.2 billion—at an annual rate during the second quarter of 1963—turned down consideration of world monetary reform in the following words:

BALANCE OF PAYMENTS

Question. Mr. President, in view of the figures released yesterday by the Commerce Department on the balance of international payments——

Answer. Yes.

Question. Does the administration have any further measures it is going to recommend? It looks like the deficit could be the largest since the war.

Answer. No, I don't think it will be. The second quarter was particularly difficult. Since then the indications are better. In addition, as you know, we have taken two more steps—really three. First, is the equalization tax. Second is the interest rates. And third are the reduction in military expenditures and tying our foreign aid expenditures here in the United States. So we think that is going to make an important difference. Quite obviously we will have to look at the effect of all of those proposals.

Question. Do you see an end in sight when there will be a balance?

Answer. Yes, I do, because I think that by one means or another we will bring it into balance. Quite obviously we could not accept it (a continuing deficit). But we are reluctant—quite obviously we are not going to devalue, because there is no necessity for it. It would be a defeating measure. So I eliminate that. It may not be necessary for us to proceed any further.

You can see already the effect of even the rather limited steps we have taken—two effects. One, the effect in Canada and Japan of the equalization tax which shows the deflationary effect of this kind of restriction, and therefore we were reluctant to do it.

Secondly, there was an article in the papers, in the Times on Sunday, about the effect of the Euro-dollar of our interest rate rise. So everything we do shakes the West, the monetary system, so we proceed with care. We are still in good shape. A good deal of this outflow represents assets abroad. The United States, while a good deal of money is going out, has also picked up a good many assets in Western Europe and all around the globe.

While it means our position may not be as liquid as it might, it doesn't mean we are not in a strong position in regard to our ultimate balance sheet.

Question. Will that call for any action at the next meeting of the IMF (International Monetary Fund)?

Answer. Not that we have planned. But I think what effect the interest rate has on the short-term flow, this tax can be important and this cut down on defense and our foreign aid can be important, and there are other steps we may be able to take. We feel that with the rising cost in Europe that we are going to begin to come into balance. We are going to bring it into balance. The question is we would like to bring it into balance in a way that does not shake—as I have said, we don't want to have a 1928 situation where you take an action to protect your problem here and you cause a far greater problem.

I think this situation can be brought under control. What we are now doing, I think, is an important step in that direction.

Mr. Roosa's statement 1 month later is in clear contrast to the President's position:

The Bretton Woods system is nearing the end of its second decade, a decade of remarkable achievement. Particularly in recent years, it has shown an impressive capacity to evolve and develop in response to rapidly changing needs. And the European industrial nations have now nearly completed 5 eventful years of convertibility. It is therefore a matter of simple prudence to take stock—to make a systematic and searching appraisal of the international monetary system—asking whether a continuation of recent evolutionary changes, or more sweeping reforms, will be needed for the probable dimensions of future requirements. This is a matter not for the United States alone, but for review by many countries, singly and through the various international financial organizations in which they participate.

Just as U.S. opposition blocked consideration of monetary reform at last year's IMF meeting, the favorable attitude expressed toward reform by Mr. Roosa in this article is a signal that should the proposal for a "systematic and searching appraisal of the international monetary system" be made at next week's annual IMF meeting the United States would be sympathetic. According to newspaper reports, the study is quite certain to be decided upon during next week's IMF meeting and will most likely be conducted by the "Paris Club," embracing the 10 most industrially advanced members of the IMF.

For the past several months I have intensively campaigned for world monetary reform and have introduced Senate Concurrent Resolution 53 on July 10 to urge the administration that the United States take the initiative within the IMF to devise new means of permanently strengthening the international monetary mechanism. On September 3, during the course of a debate on the balance-of-payments problem, I outlined what I believe to be the major shortcoming of the existing world payments mechanism:

The heart of the problem is that though the international monetary system has demonstrated effectiveness in such a situation as the Cuban crisis and the rejection of the British application for membership in the European Economic Community, the unfortunate fact is that when the international monetary system is confronted with the problem of the maladjustment of the free world's economy, the corrective mechanisms of the existing system cannot be relied upon to operate quickly and effectively enough.

Major imbalances take years to eliminate unless they are corrected by measures which hamper economic growth or world trade. That is the fundamental dilemma which we face. The measures which we tend to take—and I shall analyze those in a few moments—are measures which tend to hamper economic growth or world trade. What the world's monetary system needs is a growing stock of international credit which would permit corrective action without penalizing one nation or one group of nations, and without disrupting international trade.

I am glad to note that Mr. Roosa agrees with this view:

Clearly, if more reserves were available to finance deficits in the overall balance of payments of countries whose economies may in the future be temporarily out of phase with other economies, the restorative processes of marketplace adjustment could have the time they need to bring the patterns of internal expansion into an orderly alinement with foreign markets, and reestablish a sustainable balance in international accounts. Without that time—that is, without larger reserves or reasonably sure access to borrowed reserves—it may persuasively be argued that some countries must proceed toward their own growth objectives in fits and starts—periodically halting or inhibiting domestic change by taking temporary measures to cut the balance-of-payments deficit.

I congratulate Mr. Roosa for calling for an examination of this problem in depth. The Joint Economic Committee's hearings in July provide ample evidence that over the long term there will be a shortage in international liquidity and that such a shortage will impede the economic expansion of the free world. I believe that the basic shifts which occurred in the free world's economy necessitate the revision of the financial institutions created at Bretton Woods in 1944. It is quite clear that if the volume of international transactions continue to increase as during the past 15 years, the present base of international credit—gold, dollars, and pound sterling—will have to be supplemented, most likely in the form of international credit issued by a reformed IMF—or a multinational central bank.

I ask unanimous consent that Mr. Roosa's article along with recent newspaper articles examining the implications of the new U.S. position be printed in the RECORD at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REFORMING THE INTERNATIONAL MONETARY SYSTEM

(By Robert V. Roosa)

Since the return of convertibility among the currencies of most major industrial countries at the beginning of 1959, a crisis affecting at least one major currency has threatened each year; the U.S. balance-of-payments has been in continuous large deficit; and the stability of the convertible gold-dollar and sterling system has been increasingly questioned. With the transition to convertibility proving to be so turbulent, doubts have arisen over the adequacy of liquidity arrangements for the future and calls for a great reform of the international monetary system have quite understandably been intensified.

For most of the first 5 years of convertibility, the financial officials of the leading industrial countries have necessarily concentrated their efforts on developing, through increasingly close and harmonious cooperation, one facility after another that was adapted to the immediate needs created by the new circumstances. To have turned aside for protracted discussion of vast ideas for major reform, before the outline of the new convertible system itself had become scarcely visible, might have invited each incipient disturbance affecting any currency to become a disaster for all.

But most of the foundations for a new system of defenses have now been put in place and effectively tested in the joint action that has been taken to contain the heavy pressures on sterling in the spring of 1961 and at the begining of 1963; to neutralize the monetary impact of the Berlin crisis in the summer of 1961; to halt the run on the Canadian dollar in May-June 1962; and to avert any monetary repercussions of the stock market collapse in May, or of the Cuban crisis in October 1962.

Several different groupings have also evolved among governments for carrying forward the consultation and cooperation that have proved so useful during these early years of convertibility. While the further use and improvement of the present combination of new and old arrangements may well prove fully adequate, the stage has clearly been reached, both in terms of facilities and of mutual understanding, when governments can in prudence examine together two profound questions: Does a reasonable projection of the present course of the growth of monetary reserves point toward a possible inadequacy of international liquidity over the years ahead? And if such an inadequacy should appear possible, what steps can usefully be considered now to provide for the nature and dimensions of future needs that can be foreseen or foreshadowed?

One other major obstacle might still impede a frank and searching appraisal of these questions by the various governments—concern that the large deficit which the United States is still running in its balance of payments would distort any consideration of longer run problems. That deficit has, to be sure, been the major cause of imbalance in the international payments system for nearly 6 years. But the President's program, presented on July 18 of this year, demonstrates emphatically the determination of the United States to correct its own deficit, and to keep a sharp separation between that effort and any intergovernmental review of the prospects and arrangements for international liquidity in the future.

This article does not attempt an evaluation, even in miniature, of all of the imaginative proposals that have been made for reform. It does attempt an introduction to such an evaluation by distinguishing three quite different conceptions of the nature of the monetary system which run through various proposals; by stressing the differences in significance among three different meanings of liquidity; by indicating the possible relevance of the various innovations of the past few years for the liquidity needs of the future; and finally, by briefly cataloging in four main groupings the proposals on which governments might most usefully proceed toward a clarification of views among themselves. Most of these proposals differ so widely, and views on each are so deeply held that no consensus on a major change, nor even a consensus as to whether or not some kind of major change is needed, can be expected to develop among the nations of the world without a long period of exploratory discussion, followed by extended negotiation.

II

Some of the reform proposals would turn back from the dual system of monetary reserves—gold and foreign exchange—that has characterized much of this century. They would return to a "full" gold standard by doubling or tripling the price of gold and then removing dollar or sterling or other foreign exchange from the world's monetary reserves. Proposals of this kind presume a fixed price for gold after a one-time drastic change has been made in that price.

Another set of proposals moves off in a quite different direction, giving up a fixed price of gold entirely and providing that each currency fluctuate in price against others. With a country free to allow its exchange rate to drop whenever it might lose reserves, proponents argue that there would be an economizing of reserves and the world would presumably no longer need to be as concerned as it has been over the composition or the total of the monetary reserves themselves.

Other proposals—both evolutionary and revolutionary—move in still a different direction. This third approach would include in reserves a more flexible and larger volume of foreign exchange or internationalized credit than is used today, superimposing this upon the slow accretion of gold that reaches the world's monetary reserves. In most cases, proposals of this character would continue the present settled gold price of $35 per ounce.

In effect, these are three fundamentally different conceptions of the nature of the monetary system that is needed: a full gold standard with fixed parities among currencies; no parities and reliance on fluctuating rates; and gold supplemented by various forms of credit—a gold exchange standard with fixed parities. The first is discussed somewhat further in the next section; variable exchange rates, briefly, in the section following; but for reasons which will then appear, the United States considers only the third to be a promising avenue for constructive advance in the future.

III

The return to a full gold standard has a distinguished spokesman, M. Jacques Rueff. In "L'Age d'Inflation," he has recently restated his view that the "gold exchange" standard has failed; that the time has come to start over, revaluing gold once and for all, and then reestablishing the disciplines of a system in which only gold is held in monetary reserves, and only gold is used in settling the net differences in the balance-of-payments accounts among nations. The rigid certainty of "gold points" would be reestablished for every solid currency. But the attractive simplicity of this approach is marred by the knowledge that it was a close facsimile of such a system which broke down after World War I and led to the currency chaos of the thirties.

To avoid a repetition of the thirties, some of the advocates of a return to gold have suggested that reliance now could be placed upon the increasingly intimate and effective cooperation that has been developed among the financial authorities of the leading countries. But that would seem to beg the question. For the cooperation consists, essentially, in reconciling economic policies among countries so that the pattern followed by the internal growth of each country can be fitted into the pattern of external transactions that will support balance-of-payments equilibrium. National policies for incomes, as well as for interest rates and credit availabilities, seem to be, or to be becoming, a normal part of the responsibilities which all governments now acknowledge in varying degrees for promoting growth, avoiding instability and achieving external balance.

Many countries may, with the United States, eschew reliance on a national plan, but nearly all, regardless of their approach to planning as such, rely on government to condition and influence their overall economic environment—to counteract deflation, to check inflation and otherwise to interfere, as it were, with the adjustment processes characteristic of the firm but arbitrary disciplines of the full gold standard.

Without pausing longer to air the debate here, it may perhaps be fair to note that there is much still to be done by the proponents of the full gold standard if they are to reconcile the advantages claimed for it with the facts of present-day government in economic life. There is, to be sure, a trace of nostalgia for the days of complete laissez faire in much that is written on the return to a full gold standard. Yet in the present complex of economic relations among nations, it is difficult to imagine any gold standard at work without being rather extensively managed. And, if managed, it would be little different from the procedures of today, except that a gigantic devaluation would have intervened and confidence in the dollar or any other currency as a supplementary part of the management process would, as a consequence, have been largely destroyed. It would seem difficult indeed to build a system that depends on periodic repudiation of a government's firm undertaking to maintain the fixed price of gold.

IV

Variable exchange rates—at the opposite end of the scale from fixed gold parities—also seem to have an elegant simplicity. Whenever a country has a balance-of-payments deficit and reserves are flowing out, the authorities can simply move down the price of their currency until the outflow stops. At that level, imports will presumably decline, exports will rise and capital will flow in, thereby restoring balance in the external accounts. Even better, it is suggested, when rates are free to move, the external depreciation or appreciation of a currency can occur so quickly that the unsettling fluctuations of imports, exports, or capital flows need never occur. They will be averted by the prompt movement of the exchange rate to a level that assures an approximate balance among the outpayments made for, and the inpayments received from, everything that has continued to move, quite uninterruptedly, while the price tag on the currency was changing. Moreover, with exchange rates absorbing the impact of most changes, actual flows of reserves among countries would be very small, and the need for reserves of international liquidity quite modest.

Despite a long succession of neatly argued academic demonstrations of this case for more than half a century, hard experience has persuaded the financial officials of most countries that flexible exchange rates—outside the narrow margins for day-to-day fluctuation that are sanctioned by the International Monetary Fund (IMF)—are neither desirable nor practical. For fluctuations in the price of a country's currency create costly uncertainties for the pricing of its exports and imports by the people who actually sell and buy them, and make more complex the investment decisions that ultimately determine how and where the goods will be produced. To be sure, efficient futures markets can provide some hedge against these exchange risks, but the cost of such protection might well be expected to become excessively burdensome in a world in which the exchange rates for all principal currencies were free to move widely against each other. Moreover, depreciation of the currency as a method of adjusting deficits in the balance of payments of any one country may be resisted by competing countries, leading to protective trade restrictions, or a series of competitive depreciations through official actions, to preserve national export markets.

Certainly the judgment of the world in 1944, when the International Monetary Fund was founded, was that the resulting impairment of trade and investment flows would more than offset any possible gain from a reduction of dependence on official reserves of international liquidity. That conclusion would be reinforced now by those who would see in such heightened uncertainties in the exchange markets a potentially disruptive influence on much that has been achieved since World War II in international monetary cooperation. To be sure, fluctuating rates are sometimes unavoidable in the developing countries, if their economies are being wracked with the distortions of serious inflation and no fixed parity can be effectively maintained until other causes of economic disorder can become more nearly settled. But even in those cases, the final objective, nonetheless, is a stable rate.

In short, the concept of fixed parities has become so much a part of the thinking and practice of most members of the IMF that there seems little or no prospect for a consensus in favor of flexible exchange rates.

V

Most financial officials are agreed—as the ministers of the 10 countries which have pledged supplementary resources to the International Monetary Fund declared at their meeting of September 1962—that there is no overall shortage of international liquidity at present. There are much wider differences of opinion on whether or not there is likely to be a shortage of international liquidity in 5, 10 or 15 years. If the total of gold and official foreign exchange reserves (or their equivalent) were to rise as much over the next 15 years as during the 1948–62 period, the world would need at least $15 billion in new reserves, and there may be reasons for considering that an inadequate criterion. In view of the limited flow of newly produced gold into monetary reserves and the recent overstrain of the dollar, there is certainly enough basis for doubt concerning these future prospects to warrant much more thorough study of various possible projections of future availabilities and requirements.

Even before such studies are completed, however, the concept or meaning of international liquidity needs clarification. For there are three different meanings, and much unnecessary and unintentional disputation arises from confusion among them. One meaning is related to the needs of trade; it refers to the availability of credit facilities for the financing of a growing volume of transactions among growing economies. In this sense, there clearly is not now, and is not likely to be over any foreseeable future period, a shortage of international liquidity. Exporter and importer credits are amply available in the national currencies of most of the large trading nations, and will be provided in dollars by many of them. Nor is there, because of the elasticity of these credit facilities, any close connection between the growth of reserves and the growth of world trade. It is notable that over the 1948–62 period, while known monetary reserves increased by about one-third, the known value of world trade more than doubled.

Thus, so far as commercial requirements are concerned, as the late Per Jacobsson pointed out often and forcefully, the expanding capabilities of the great banks of the principal trading nations, and the keen competition among them, assure that international trade will never languish for lack of credit. But underlying the flows of trade and capital are the national reserves of each country—reserves that must be drawn upon if seasonal or cyclical or accidental or structural and sustained factors bring about a cumulative total of outpayments that exceeds the total of inpayments received by the country as a whole. And these resources for settling the residual balances among countries represent the two other kinds of liquidity—the stock of actual reserves and the availability of borrowed reserves.

The "owned reserves" are customarily held by treasuries and central banks, which keep them in the form of gold or dollars or sterling, and to a limited extent in other convertible currencies. These reserves are acquired, of course, when a country runs an overall balance-of-payments surplus. The total supply for the world as a whole is determined by the flow of new and dishoarded gold into monetary reserves and the amount of their currencies which the reserve-currency countries issue—either through acquiring gold and each other's currencies or through running a balance-of-payments deficit. Because the dollar, while still generally a preferred medium of exchange and of settlement, has been paid out to foreign holders in unusually large amounts for the past 5 years and more, the world as a whole has found itself abundantly supplied with dollar liquidity. In this sense, too, there is no present shortage of international liquidity, although the longer run prospects are not as clear.

Monetary authorities also may count in their reserves a part of their drawing (or borrowing) rights at the International Monetary Fund. And every member of the Fund reckons explicity or implicitly on the further support given its own reserve position by the prospect of being able to draw on the Fund—though increasing constraint is imposed by the Fund as the amount drawn by a member rises relative to its quota. Outside the Fund itself, each country may, of course, develop any number of other borrowing relationships with other countries to obtain dollars or other currencies that could be used in case of need in settling its net deficit. For the most part, such arrangements have been short term, for use in meeting immediate and sudden reserve losses, and, until recently, have been negotiated only at the time of need; they are subject to whatever conditions the creditor might wish to impose at that time.

It is the magnitude and conditions on which reserves may be borrowed which give rise to a great part of the concern that is expressed about the future adequacy of liquidity arrangements. Without implying any criticism of the way in which the International Monetary Fund is performing its presently agreed role, most of the critics center their suggestions on ways in which that role might be expanded. But before governments begin detailed study of other steps that might be considered for expanding liquidity in the future, it will be helpful to review some of the kinds of innovations that have already been introduced over the past 2 or 3 years for conserving or swapping or borrowing reserves. And before attempting that review, one other area of misunderstanding concerning international liquidity and its potentialities needs attention.

This is the relation, already mentioned, between the deficits which the United States itself is still incurring and the possibility of early relief through quick adoption of new arrangements for international liquidity. Much has been said and written to imply that a simple turning of wills toward the task could rather promptly produce a new system of credits that would free the United States from the balance-of-payments disciplines under which it is presently struggling. That is a mistaken impression.

The United States has already, in its role as banker supplying dollars for the known official reserves of other countries, received some $9 billion of financing for its deficits over the period 1948–62. In addition, some $6 billion has been added to the working balances of foreign banks, business enterprises and individuals. The rest of the world has thus already provided in this way an impressive amount of automatic credit to the United States. No future arrangement is likely to grant more, any more readily, for a single period of sustained deficits. And while the current deficits continue, much of the remaining transitional financing of those deficits will probably have to be negotiated directly with the various countries whose payments positions are strong. That is why it is not possible under the pretext of any new kind of approach to international liquidity to escape the real necessity for balancing the United States own accounts, as soon as that can practicably be done.

Clearly, if more reserves were available to finance deficits in the overall balance of payments of countries whose economies may in the future be temporarily out of phase with other economies, the restorative processes of marketplace adjustment could have the time they need to bring the patterns of internal expansion into an orderly alinement with foreign markets, and reestablish a sustainable balance in international accounts. Without that time—that is, without larger reserves or reasonably sure access to borrowed reserves—it may persuasively be argued that some countries must proceed toward their own growth objectives in fits and starts—periodically halting or inhibiting domestic change by taking temporary measures to cut the balance-of-payments deficit.

This is, indeed, the basic case for assuring ample growth not only in the supply of actual reserves, but also in the facilities for borrowing them in relatively large amounts when needed. But there is another side of this picture which cannot be ignored. Added reserves may, to be sure, be used to purchase the time needed for a major internal readjustment that would, when completed, also restore international balance. But the same added reserves might, without some element of restraint or discipline, be used to finance a period of increasing internal inflation, during which the country might move even further away from a balance between its inpayments and outpayments with the outside world, and in the end face conditions of virtual bankruptcy.

The problems of nations are, in this general sense, little different from the familiar problems of individuals in the credit process. Too little credit (i.e. reserves or borrowing capacity) prevents the full development of an economically sound potential; ample credit can make that potential a reality; but the mere assurance of credit does not guarantee such a result and abundant credit can indeed create an overextended position and lead to collapse. This is why, in any concept of the needs for liquidity, allowance must also be made for the need to preserve some check—some degree of creditor surveillance—in the allocating of reserves and the extension of facilities for borrowing them.

VI

During the recent period of excessive deficits in the U.S. balance-of-payments, the resulting large outflow of dollars has minimized any immediate pressure to enlarge further the aggregate supply of reserves becoming available for other countries. But there has been genuine concern over the desirability of adding to the gold component of monetary reserves, and active interest in promoting various kinds of facilities for borrowing reserves. As a result, effective joint operations have evolved in the London gold market; the United States has begun to hold other currencies alongside gold in its own reserves; the United States has undertaken forward operations in several leading currencies in collaboration with the central bank responsible for each; 10 countries and the Bank for International Settlements have joined with the United States in establishing and using reciprocal currency arrangements (swaps); the United States, while borrowing dollars under special arrangements with three leading countries, has also borrowed from five in their own currencies; and a special arrangement has been made for adding up to $6 billion of additional resources, in 10 currencies, to the holdings of the International Monetary Fund, in case of need.

The operations in the London gold market, all conducted by the Bank of England, have been a model of informal cooperation, renewed through frequent consultation. Over nearly 2 years of these operations the speculative fever has largely been removed from transactions in gold and one international incident after another has brought only the moderate upswings in price that deter capricious speculation. And modest flows of gold have been resumed into the world's monetary reserves.

In beginning to hold other currencies in its own reserves, the United States has widened its capacity for versatile defense of the dollar, as well as opening one new way toward an expansion of liquidity during any future period of balance or surplus in the external accounts of the United States. The holding of foreign exchange balances is, of course, a prerequisite for the forward, swap, and borrowing operations that will be described shortly. Each of them forms a part of the strengthened dollar defense system which is now capable of assuring adequate liquidity, and resisting speculative disturbance, during any forthcoming period of intergovernmental study of the international liquidity system as a whole. While outright acquisitions of other currencies will necessarily remain small as long as the United States continues in substantial deficit, these holdings may be relevant to the further evolution of the liquidity system. For if the U.S. balance of payments should move into balance, or surplus, before a consensus should have formed around other arrangements for assuring the growth of usable reserves, then the readiness of the United States to acquire and hold other currencies will break through what might otherwise have seemed an impasse.

The United States must, of course, reestablish balance-of-payments equilibrium to maintain confidence in the strength of the dollar. Yet it is quite possible, once the flow of new dollars into monetary reserves ceases, that the present excess of dollars will be quickly absorbed and that the prospects of an imminent shortage of international liquidity will appear. With the United States then standing ready to add to the supply of dollars by purchasing other currencies in controlled amounts, there will be assurance of a way out if other sources of added liquidity should prove inadequate and if extensive use of facilities for the borrowing of reserves should prove unsuitable for the then existing needs. If intergovernmental studies of the liquidity system are actively spurred, general agreement on the outlines of future arrangements for liquidity should in any event have been reached before any such impasse materialized. It is important, nonetheless, to make clear that provision has been made for that contingency.

The clearest day-to-day use of U.S. holdings of any given currency is to enable us to join other monetary authorities in maintaining orderly conditions in the foreign exchange markets—a function formerly left to foreign authorities, but one which is now seen to be as much a part of the defense of the dollar as it is of protection for the other leading currencies. And for those currencies in which active forward markets exist, vis-a-vis the dollar, the more effective steadying influence may often be exerted through official transactions in these markets.

These operations are being described at regular intervals in articles written by Charles A. Coombs, the vice president of the Federal Reserve Bank of New York, who has done more than any other person in establishing and employing all of the new monetary arrangements. He and three of his colleagues in the central banks of Germany, Italy, and Switzerland have also published in the August issue of the New York Federal Reserve Bank's Monthly Review a thoughtful survey of the possibilities which they see in these various new arrangements for the further strengthening of the international monetary system.

From the point of view of the functioning of the system as a whole, perhaps the most significant aspect of forward operations is the way in which they can be used to minimize flows into and out of reserves. They can make sheer speculation in currencies less rewarding, while making trade financing or short-term investment abroad less hazardous for the banks and businesses of countries in a strong balance-of-payments position. In this fundamental sense, the growing network of international forward operations by the central banks or treasuries of the leading countries is itself adding another dimension to the world's liquidity system.

The new ring of reciprocal currency arrangements, or swaps, can also provide useful backstopping both for "spot" and for "forward" operations in other countries. Under these arrangements, the United States agrees with other countries, on a stand-by basis, that each will make available its own currency up to a specified amount on the request of the other. The requesting country puts a corresponding amount of its currency to the credit of the other country as well. And both enter, simultaneously, on activation of the swap, into forward contracts to assure the reversal of the transaction at agreed rates of exchange in 90 days, or some other convenient period, unless renewed. No activated swaps have been renewed for a cumulative outstanding period exceeding 1 year; most have been reversed much sooner. But they do provide either country, in case of need, with quick and virtually automatic access to previously agreed amounts of the other's currency.

It is these arrangements, and a comparable lending of dollars to the United Kingdom by continental central banks when the pound was under pressure, that have formed the strong center of the cooperative actions that that have withstood every outbreak of potential monetary disorder for more than 2 years. They may not in the end be found to provide an adequate answer to the world's longrun need for liquidity, but they are a powerful bulwark today—making borrowed reserves available to supplement the owned reserves of the leading industrial countries which have joined the ring.

In addition, an outer ring of borrowings has been established for the further defense of the dollar, thus reinforcing the existing monetary system. This is the latest in the sequence of innovations evolved out of experience through the joint efforts of other leading countries and the United States. Borrowings by the Treasury over the past year have been made in foreign currencies from foreign governments for terms generally of 15 months or longer. Borrowings from central banks have been made (subject to special conditions) both in dollars and in foreign currencies and, though varying in maturity, these now also generally exceed 15 months, with most clustering around 2 years, and one case for unusual reasons extending to 5 years. Three important aspects of this innovation have particular relevance to any further evolution of the present monetary system.

One is that these arrangements permit a surplus country, in effect, to lend its excessive accruals of reserves to a debtor country. This means that, with the characteristically wider reserve swings to be expected among many countries under conditions of convertibility, a partial substitute has been found for the maintenance of proportionally much larger reserve balances over the years ahead. To be sure, there has been no effort to generalize this approach as between other countries, and there may even be reservations by some countries over lending reserves in this way to the United States. But since several countries have made such arrangements with the United States, with satisfaction thus far, it is clear that a tested facility exists, as a supplement to the borrowing provided for through the IMF, for adding to effective liquidity by lending and borrowing existing reserves between creditor and debtor countries. Of course this is not automatically available credit, so far as the deficit country is concerned, but it has been and can be obtained if the program for restoring balance in the deficit country is considered reasonably promising.

A second significant feature is the denomination of borrowings by the U.S. Treasury in the other currency. To be offered a medium-term debt instrument by a responsible government, with the obligation denominated in the creditor country's own currency, provides a unique attraction for any creditor country that may be reluctant to go on accruing dollars. And to the United States, the acquisition of other currencies through borrowing has been a logical supplement to the use of swaps for meeting situations that are not expected to be reversible within 1 year.

The third feature of particular relevance is the special design used for central banks. The central bank holder of one of these U.S. obligations receives interest at the rate appropriate to its full maturity, and would expect to hold it for that term. But to provide for extraordinary developments that might impose an unexpected drain on the central bank's reserves, and also to satisfy the conventional liquidity requirements of some central banks, the instrument can, at the option of the central bank holder, be converted on notice into a 90-day certificate, and that in turn, on 2 days' notice, into cash—the central bank's own currency. Thus, by creating a new secondary reserve instrument for the central banks of countries in a strong balance-of-payments position the United States has made it possible for them to put some of their current reserve accruals into a form of cold storage. They are distinct from the active reserves of dollars held for possible current use. They are available as a possible source of additional dollars, at some time in the future, when the particular country or the world at large has again encountered a "dollar" or "liquidity" shortage.

It is but a logical extension of the borrowing concept that the United States should, within the existing procedures of the International Monetary Fund, have requested and received, effective July 22, 1963, a 1-year standby authorization to borrow from the Fund, as needed, up to $500 million in other convertible currencies. This will enlarge the scope within which the Fund can in effect absorb dollars corresponding to repayments of obligations to the Fund by its members, and in this way avoid additions to the large dollar holdings of surplus countries.

In addition to all these innovations, there has, of course, been the remarkable agreement of the 10 leading countries to supplement the IMF's resources with up to $6 billion in their own currencies. The unifying experience of this action has already begun to weld among the financial officials of all 10 countries an identification of common interest in the functioning of the international monetary system. Together with the regular participation of all members in the work of the IMF, and the crucial role filled by the work of the Bank for International Settlements and the meetings of central bankers held there, a flourishing climate of collaboration and confrontation has been created. This has also been systematized at the working level in the Organization for Economic Cooperation and Development. Clearly, the experience gained through these joint labors in establishing new defenses—and in maintaining, criticizing, and improving them—has greatly heightened the understanding and expertise essential for fruitful collaboration in appraising any further possible reform in the functioning of the monetary system.

VII

The course of any further study among governments will no doubt move across, with much deeper penetration, many of the subjects already lightly sketched here. Much time will also probably be spent in dissecting the details of plan after plan that has been proposed and revised during the extended academic and popular discussions of these matters. But the main lines of inquiry can probably be summarized in four groupings:

(1) Continue the present gold-dollar-sterling-IMF system as the means of providing reserves, but actively enlarge the cooperative credit arrangements that have been recently developed for making fuller use of existing reserves.

(2) Endorse (1) but also enlarge the resources of the IMF and the drawing rights of its members, and increase its flexibility in using these resources as a further supplement to reserve availabilities.

(3) Endorse either (1) or (2) or both, but also establish a new grouping of some of the other leading currencies as a complement or alternative to the roles now performed by the dollar and sterling as reserve currencies.

(4) With or without (1) or (2) or (3), reconstitute the IMF by endowing it with the capacity to create credit and the power to allocate such credit among members.

There is not, of course, any reason to presume that daring or revolutionary approaches will in fact emerge for the future. The process of evolution may very well take us where we want to go. But the needed preconditions have been established for wide-ranging governmental consideration of any possible needs, and of practical operating procedures for fulfilling them, without setting off speculative disturbances based on market apprehensions that there might be grave shortcomings in present arrangements. Nor need there now be any implication that the United States would itself be seeking only a short-run palliative for its present imbalance, under the guise of a full-scale reconsideration of the monetary system as a whole. As President Kennedy stated, in his message of July 18, 1963, "We do not pretend that talk of long-range reform of the system is any substitute for the actions that we ourselves must take now."

The Bretton Woods system is nearing the end of its second decade, a decade of remarkable achievement. Particularly in recent years, it has shown an impressive capacity to evolve and develop in response to rapidly changing needs. And the European industrial nations have now nearly completed 5 eventful years of convertibility. It is therefore, a matter of simple prudence to take stock—to make a systematic and searching appraisal of the international monetary system—asking whether a continuation of recent evolutionary changes, or more sweeping reforms, will be needed for the probable dimensions of future requirements. This is a matter not for the United States alone, but for review by many countries, singly and through the various international financial organizations in which they participate.

Such an examination should lead to an evaluation of a wide range of proposals and suggestions, from a truly international point of view. The issue in such an international review is whether the present mixture of gold, dollars, sterling and IMF facilities can in the future provide the ample supply of reserves and credits that a healthy growing world economy should have, or whether major changes are going to be needed. The issue is also whether—if any particular change should be considered necessary—that change will be able to support added growth that is real, without contributing to monetary excesses and economic instability. The resolution of such a set of issues does not rest on the mere willingness of governments to vote yes or no on whether more international liquidity would be desirable. The primary task must be one of scrupulous preparation, within and among governments, looking toward a definitive appraisal by the governments themselves. Only in this way can these issues be resolved into a clear, reliable, and workable consensus.

[From the Wall Street Journal, Sept. 19, 1963]

Monetary Reform: Shift in U.S. Policy Could Spur Big Change in World Payments—Administration To Back International Monetary Fund Study on Need To Overhaul Ways To Safeguard Moneys—Early Aid for Dollar Unlikely

(By Philip Geyelin)

Washington.—The United States and other industrial nations are about to launch a sweeping inquiry into the need for reform of the free world's monetary system.

The first step is expected at the annual fall assembly of the International Monetary Fund (IMF) and the World Bank, opening here in Washington the end of this month. If all goes according to quiet and careful advance planning by the United States and some key European allies, the fund's governors will approve a long-range monetary study and assign the job to its "Committee of Ten," embracing the United States, Canada, Britain, West Germany, Italy, France, and other European countries plus Japan. This group joined 2 years ago to create a $6 billion "special resources" fund in the IMF to supplement its lending facilities for member nations whose currencies need shoring up.

The upshot could be great alterations in current international payments procedures and institutions—or not much change at all. Action in any case is probably several years away, and unlikely to have any impact on this country's current difficulties with the dollar. Rather, the aim is to investigate the need for improvements in present monetary arrangements to safeguard the dollar and other free world currencies against perils that might arise from some future shortage of cash reserves in the world's central banks.

U.S. POLICY SHIFT

But the fact the United States is even ready to push a study of the question reflects a significant policy shift. It could mark the beginning of the biggest monetary overhaul since the 1944 Bretton Woods Agreement established the International Monetary Fund and laid the foundation for current international collaboration on monetary matters.

Details of how fast and how far reform will go, and what the United States should push for, are still the subject of vigorous backstage debate between advocates of caution and orthodoxy, centering in the U.S. Treasury and the Federal Reserve on one side, and the "activists" in the Kennedy financial braintrust on the other side. The latter include the President's Council of Economic Advisers, the State Department, and the White House staff. They lean toward radical new international mechanisms and far greater multilateral currency management. How the debate will be resolved will hinge in part on a host of uncertainties, including future economic trends.

Much will depend, too, on the attitudes of this country's allies; Europe's central bankers tend to share the U.S. Treasury's more conservative bent.

But prevailing opinion on both sides of the Atlantic is evolving toward long-range monetary reform. Fresh evidence appeared yesterday in a weighty treatise on monetary affairs by U.S. Treasury Under Secretary Robert Roosa, published in Foreign Affairs Quarterly. The time is now ripe, said the Treasury's top man on international payments matters, to begin a "systematic, searching appraisal" of "whether a continuation of recent evolutionary changes, or more sweeping reforms, will be needed for the probable dimensions of future requirements" for world monetary reserves.

SWITCH IN POSITION

Mr. Roosa's first public pitch for a study of the international payments system is significant largely by contrast with a comparable dissertation he wrote in advance of the World Bank and IMF gathering a year ago. On that occasion he firmly dashed cold water on the very idea of investigating the world monetary system, and did so without warning to administration officials who favored the idea.

This time, Mr. Roosa's observations got a careful reading at the White House and by other financial officials in advance. "I wouldn't want to say it was formally cleared by the President," said one official, "but you can take it as official U.S. policy."

The Roosa proposal for international inquiry into monetary arrangements was not as effusive as some Presidential aides might have preferred. He insisted that no emergency overhaul is needed, that the United States can solve its balance-of-payments problems without new international machinery and that currency reserves are adequate for current needs.

He emphasized, too, that "a long period of exploratory discussion, followed by extended negotiation" would have to precede any changes in the present complex system for preserving monetary balance and bolstering weaker currencies. And he stressed his view that the present system, recently fortified by various cooperative measures between major industrial and banking nations, will suffice for as long as it might take to reach agreement on any supplementary measures.

But the Treasury Under Secretary invited "wide-ranging" inquiry. And he did not exclude the possibility of "major" and "sweeping" changes or even "daring or revolutionary" approaches, though he carefully avoided assessing any specific proposals.

BASIC AIM OF REFORMS

Discussion of possible monetary reform runs a broad gamut, within U.S. official circles and in Europe. But the aim of all the schemes being talked about is the same: To expand the free world's monetary reserves.

The purpose of expanding such reserves is to make sure trade between nations won't be choked by lack of money to finance the exchange of goods. In the past, whenever a nation spent more in another country than it earned there, it paid the difference in gold. Gradually some currencies—such as the U.S. dollar, which is easily convertible into gold at a fixed rate—became as commonly used as gold to settle international accounts. In recent years, some economists have worried because world trade was expanding faster than the supply of gold and dollars in central banks.

An increase in the free world's monetary reserves might come about most simply through some expansion of the 93-member IMF. This gold-and-currency pool, now totaling over $15 billion, is supplied by member countries' contributions in amounts varying according to the members' economic size. The United States has furnished the largest sum—over $4.1 billion. One-quarter of each member's contribution must be in gold. Any member whose currency weakens in value can purchase from the IMF other currencies up to the amount of its own contributions. It can use these in foreign exchange markets to buy up its own currency and strengthen its value.

Some of President Kennedy's more "activist" advisers firmly favor an expansion of these IMF quotas, without the customary requirement that part of the quota increase be in gold. (This requirement could backfire on the United States by encouraging foreign countries to turn in dollars they now hold for gold, thus drawing down this country's already shrinking gold hoard.) Expansion of quotas would mean that more of the currency of IMF nations would be on quick call for borrowing by members plagued by a shortage of foreign exchange. Some experts doubt the legality of dropping the gold requirement, but administration lawyers who have been checking IMF regulations are confident it can be done.

In fact, the United States and at least a few other major IMF members may put forth the idea of a quota expansion, if only as a talking point for the 10-nation study group. Diplomats report Italy, Britain, West Germany, and Canada have expressed varying degrees of interest in the idea.

Far more ambitious monetary overhaul is under study, too. Proposals range from creation of an international central bank of many currencies, where member nations could settle accounts by transferring deposits to each other, to a system of IMF guarantees for currencies most used in international trade.

U.S. GOLD DRAIN

Up to now, the Treasury has resisted consideration of monetary reform partly on grounds that this country might seem to be simply seeking a cure for its own balance-of-payments deficit—a situation that arises when the United States spends more dollars abroad than it earns from foreigners. The United States has been running a chronic deficit in recent years; the U.S. gold hoard, the backing for the dollar, shrinks when foreigners turn in their dollars for gold.

Lately, though the deficit continues at record levels, the United States has been taking a number of measures to reverse the tide, including a boost in the Federal Reserve's discount rate; curbs on tourist spending; a $500 million, first-time U.S. borrowing from the IMF, and a proposal to tax U.S. investment in foreign securities. Also, increasing consideration is being given to bringing at least some combat troops from overseas if the dollar drain persists much longer at present rates.

Mr. Roosa, noting the U.S. effort to solve its problems, argued in the article published yesterday that there now need be no "implication that the United States would itself be seeking only a short-run palliative for its present imbalance, under the guise of full-scale consideration of the monetary system as a whole." As further explanation for his change of heart on studying monetary reform, he argued that informal cooperation between the major industrial nations has progressed to the point where a full-scale study of reform could take place "without setting off speculative disturbances based on market apprehensions that there might be grave shortcomings in present arrangements."

U.S. MOVE CITED

The Treasury Under Secretary cited one specific new source of strength in the world monetary picture—the U.S. decision to begin holding currencies other than the dollar as part of its reserves. With that policy established, Mr. Roosa added, the United States is in a position to take a hand in easing future currency pinches of other lands.

"It is quite possible," he conceded, that as the United States rights its payments imbalance, other countries may well find themselves short of dollars and "an imminent shortage of liquidity (lack of money to finance trade) will appear. With the United States then standing ready to add to the supply of dollars by purchasing other currencies in controlled amounts, there will be assurance of a way out if other sources of added liquidity should prove inadequate." Such informal arrangements would be enough to meet any liquidity shortage likely to appear while the monetary thinkers are pondering more formal overhaul, he declared.

Even the enthusiasts concede radical monetary reform would take time. "You don't overhaul anything as complicated as the international payments system in much less than 3 years," say one. Another authority looks for a 5-year job. Even so, any start could be significant. How the task is done would deeply influence U.S. polices, both economic and others.

WHAT THE ARGUMENT IS

"That's basically what the current argument is all about; whether U.S. programs to expand the economy, to cut down unemployment, to keep up defense spending or to continue foreign aid are going to be at the mercy of uncontrollable currency fluctuations, or whether we can adopt some international system of monetary management," says one reform partisan. Another Kennedy adviser, less eager for the international, institutionalized approach, puts it differently: "The real question is whether we surrender autonomy to some international body or accept the internal discipline of keeping our own currency sound."

The Treasury is certain to continue to plump for a maximum of "internal discipline" and heavy emphasis on existing mechanisms for influencing currency flows. But Mr. Roosa concedes there is a "basic case for assuring ample growth not only in the supply of actual reserves but also in the facilities for borrowing them in relatively large amounts when needed." Without this, some countries, he said, "must proceed toward their own growth objectives in fits and starts" as they pause to deal with temporary payments problems.

[From the New York Times, Sept. 23, 1963]

MONETARY MACHINERY: WASHINGTON DISPLAYS NEW BLUEPRINTS FOR INTERNATIONAL FISCAL MECHANISM

(By M. J. Rossant)

This is the season when Detroit celebrates its annual unveiling of its new model cars and Washington has taken to displaying its latest plans for improving the world's monetary mechanism.

Detroit, buoyed by 2 years of excellent sales, is introducing only minor changes, with more stress on the affluent look, in hopes of chalking up three in a row. But Under Secretary of the Treasury Robert V. Roosa, who is largely responsible for the administration's financial blueprints, has come out, in an article in the October issue of Foreign Affairs, with a radical if evolutionary advance over his model of a year ago.

Mr. Roosa does not do more than sketch the vague outlines of his new approach. This is enough to indicate that he envisions a much more powerful and streamlined machine, one that can stimulate a long-term expansion of the world's economies. It also seems to involve some new and perhaps radical moves in the administration's attempts to deal with its bothersome deficit.

DEFENDING THE DOLLAR

The shift to a new look was foreshadowed in July, when President Kennedy took the wraps off the administration's latest measures to defend the dollar. Mr. Kennedy underlined the intimate connection between the U.S. deficit and the issue of international liquidity by suggesting that it would be well to explore ways of strengthening the existing mechanism.

At present, there is no shortage of international liquidity—reserves of gold, foreign exchange and credit—for sustaining the non-Communist world's economic expansion. The U.S. deficit, as the Brookings report on the balance of payments pointed out, is providing dollars and gold as fuel to keep the machinery in working order.

If and when the deficit is eliminated, however, a shortage could occur, Mr. Roosa insists that the first objective remains the elimination of our deficit to maintain confidence in the present machinery, but he is prepared to begin examining the need for reforms on an international scale.

This represents a marked change from his position—and that of the United States—which he described in detail last September in a special supplement issued by the Federal Reserve Bank of Philadelphia. Mr. Roosa then contended that, once the deficit was under control, the "rate of increase in the supply of dollars available to serve international liquidity requirements in the world can also be managed."

LEADING THE ATTACK

At last year's meeting of the International Monetary Fund, Mr. Roosa led the attack on Britain's Chancellor Reginald Maudling for proposing an international pooling of reserves. He was convinced that bilateral arrangements were preferable, arguing that the "potential capabilities for meeting the world's longer run liquidity requirements" were already present in the existing machinery.

Now, Mr. Roosa and Chancellor Maudling seem to be in agreement about a more flexible vehicle. But it remains to be seen whether European central bankers, who have a big say in the operation of the present model and feel a deep affection for its complicated and old-fashioned lines as well as all its scars and dents, will agree to a tradein.

They have a tradition of fashioning new parts and patching up the old, waiting for a total crackup, usually with a full load of passengers, before agreeing to make any changes.

Central bankers have proved adept at averting crashes, but dislike automatic—or international—devices. They actively distrust any plan designed to make things too easy for a country suffering a payments deficit. In effect, they question the need for safety belts as standard equipment.

Their tested formula for preventing accidents calls for the deficit nation to slow down the pace of its own economic growth. With the U.S. deficit showing a decided turn for the worse, they may well be skeptical about Mr. Roosa's intentions.

THE BRETTON WOODS MODEL

He has sought to allay their suspicions by assuring them that he does not want to scrap the present design, which he feels is working well despite the fact that its original patent was drawn up at Bretton Woods in 1944. In observing that he has no fixed notions on the shape or the extent of possible improvements, he adds that "a long period of exploratory discussion, followed by extended negotiation" is required.

At the same time, Mr. Roosa makes plain that the United States is not trying to escape the discipline required to eliminate its deficit. He contends that the new measures are proof of "the determination of the United States to correct its own deficit, and to keep a sharp separation between that effort and any intergovernmental review of the prospects and arrangements for international liquidity in the future."

Foreign central bankers may be persuaded that it will cost them nothing to shop around. And despite their insistence on the virtues of discipline, they might face some rude shocks if the administration began a full-scale effort to eliminate the deficit.

It is difficult to measure the impact of the new measures, which includes the Federal Reserve's rise in short-term interest rates and the proposed tax on American purchases of foreign stocks and bonds. But even if they are not all that the administration has claimed, they suggest the kind of approach that could be used to bring a marked improvement in the deficit without crimping the expansion of the domestic economy.

TWO CURES AVAILABLE

The orthdox remedy for reducing the deficit would entail putting the brakes on credit with another rise in interest rates. This may be applied, particularly if tax cuts are forthcoming, but the administration has an alternative in the suggestion made by George W. Mitchell, a member of the Federal Reserve Board, who thinks that "general fiscal and monetary policies should be primarily aimed at domestic expansion while special-purpose instruments are applied to the balance-of payments problems."

If this approach is used, it might involve a capital issues committee, specifically designed to halt the outflow of long-term capital. Mr. Mitchell states that "a good case can be made for tying all capital exports and unilateral outflows to U.S. exports."

A plan to attack specific drains with specific weapons would soon be felt abroad. It could stimulate action to erect new machinery to insure a sufficient supply of international liquidity along the lines sought by Mr. Roosa.

[From the Washington Post, Sept. 23, 1963]

WORLD MONETARY SYSTEM FACES CHANGE

(By Harvey H. Segal)

There is now little doubt that the international monetary system created at Bretton Woods nearly 20 years ago is about to undergo a transformation. What remains to be determined is the precise nature of the changes.

An article in the current issue of Foreign Affairs by Treasury Under Secretary Robert V. Roosa indicates that the major industrial countries of the non-Communist world have agreed that it is necessary to at least consider the proposals for the reform of the monetary mechanism. And it is expected that the delegates to the meeting of the International Monetary Fund, which opens next Monday, will approve an official study commission.

Mr. Roosa is doubtless right when he suggests that much time will be spent in dissecting the details of "plan after plan." Perhaps that is the reason why he took pains to outline the following lines of inquiry:

1. Continue the present gold-dollar-sterling-IMF system as the means of providing reserves, but actively enlarge the cooperative credit arrangements * * * recently developed for making fuller use of existing reserves.

2. Endorse (1) but also enlarge the resources of the IMF and drawing rights of its members, and increase its flexibility in using these reserves.

3. Endorse either (1) or (2) or both but also establish a new grouping of some of the other leading currencies as a complement or alternative to the roles now performed by the dollar and sterling.

4. With or without (1) or (2) or (3), reconstitute the IMF by endowing it with the capacity to create credit and the power to allocate such credit among members.

In this spectrum of possibilities, items (1) through (3) point to the directions in which the system is currently evolving. They encompass the currency swaps, the bilateral credits and the IMF standby authorizations to borrow.

Alternative (4) without (1), (2) or (3) falls under the rubric of what the Under Secretary calls "daring or revolutionary" approaches. It envisages a supranational central bank in place of the present IMF and a new international currency of account—similar to the Bancor long ago proposed by Lord Keynes—in place of gold, dollars and sterling.

For the past 5 years a debate has raged between academic theorists such as Robert Triffin of Yale University, who would press in the direction of the fourth alternative, and the central banking and treasury officials who insist that solutions to the monetary problem will emerge from current practices.

The conservatives have a number of objections to plans for the fundamental restructuring of the monetary system which merit frank consideration. They ask how the "creditor" nations—those with current balance-of-payments surpluses—can be persuaded to agree to radical changes so long as the United States incurs deficits.

They assert that a supranational central banking mechanism would fail to impose the balance-payments "discipline" necessary to prevent inflation. And finally, they argue that a reconstituted mechanism would entail intolerable infringements of national sovereignty.

The answer to the first objection is that the United States, far from being impotent, can exert strong pressures on behalf of the new monetary order. There is a breaking point beyond which creditor countries, holding billions in official dollar reserves, will not carry their intransigence. Reform efforts need not be postponed until the time when U.S. accounts are in balance.

Second, unless one assumes that a supranational central bank supplies limitless reserves to deficit countries, the objections on grounds of discipline carry little weight. What such an institution would provide is a sufficient volume of automatic credit to permit wide swings in the balances of industrial countries. Discipline would be enforced by making the cost of credit vary directly with the volume outstanding. And it might be enforced with a degree of automaticity if a reconstituted IMF supplied credit by selling securities in the money markets of surplus countries.

Finally, there is the issue of the infringement upon national sovereignty which can best be answered by posing counterquestions. Would it be more demeaning for a deficit country to seek credit from an international institution, operating in accordance with established rules, than from an individual country which may have a political ax to grind? Wouldn't national sovereignty be enhanced if a more flexible monetary mechanism permitted each nation greater freedom to pursue policies which are conducive to higher employment and growth?

These are the issues that should be carefully considered before accepting reforms which amount to little more than the pouring of old wine in new bottles.

[From the New York Times, Sept. 24, 1963]

TEN NATIONS NEARING AGREEMENT ON INTERNATIONAL LIQUIDITY STUDY

(By Edwin L. Dale, Jr.)

WASHINGTON.—Sharp bargaining over wording was reported today to be the only remaining obstacle to an agreement next week among the leading industrial nations for a study of the world's future needs for international liquidity.

Non-American sources reported that the agreement would come in the form of a communique by the 10 members of the "Paris Club." While the communique would be issued during the annual meeting here of the International Monetary Fund, the liquidity study would not be a decision of the Fund and would not be carried out by the Fund.

The study would be conducted by the 10 countries jointly, with the expert assistance of the Fund as required. The 10 nations hold most of the world's reserves and are the key to the international monetary system.

International liquidity is the total of countries' reserves of gold and foreign exchange plus their access to credit. The big issue is whether it will grow sufficiently in the future to permit sustained world prosperity, particularly after the deficit in the U.S. balance of payments ceases.

The "Paris Club" is the unofficial title of the 10 countries that agreed 2 years ago to lend money to each other, by way of the Monetary Fund, in case of a crisis in the international monetary system. They are the United States, Britain. Canada, France, West Germany, Italy, Belgium, the Netherlands, Sweden, and Japan. Switzerland is an unofficial member of the club, having agreed to join the borrowing arrangement though not a member of the Monetary Fund.

Officials of the United States and some other countries have high hopes that the study of liquidity could produce a measure of agreement within a year. While there is no urgent liquidity problem, particularly as long as the U.S. deficit lasts, one aspect of the problem must be taken up in any event a year from now at the next annual meeting of the Monetary Fund in Tokyo.

This is the question of whether the overall quotas of the members of the Fund should be increased, a matter that should be examined every 5 years.

Tight secrecy has surrounded the bargaining on the wording of the proposed communique announcing the study. Its terms of reference could be important in setting the general tone of the study.

In general, it is understood that no idea or proposal will be ruled out in advance except two. One is a rise in the price of gold from its present level of $35 an ounce. The other is the offer by the United States, on its own, of a gold guarantee. These will be rejected from the start.

ADDRESS BY SENATOR GOLDWATER BEFORE REPUBLICAN FINANCE COMMITTEE OF NEW JERSEY

Mr. CURTIS. Mr. President, on September 20, 1963, our distinguished colleague, the junior Senator from Arizona [Mr GOLDWATER] delivered a speech before the Republican Finance Committee of New Jersey. His remarks were most expressive and thought-provoking and I am offering them for the RECORD because I believe they will be inspiring and challenging to all Members of this body I ask unanimous consent to have the address printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TEXT OF A SPEECH BY SENATOR BARRY GOLDWATER, REPUBLICAN OF ARIZONA, BEFORE THE REPUBLICAN FINANCE COMMITTEE OF NEW JERSEY AT THE ROBERT TREAT HOTEL, NEWARK, N.J., SEPTEMBER 20, 1963

Taking off from Washington, just a few hours ago, I got a fairly clear view of your major competitor in the raising of political funds—the U.S. Treasury. To the administration whose leader is ensconced just a block away from it on Pennsylvania Avenue, such terms as spending and money all have a colloquial synonym—jack, with a capital J, of course.

Now I'll admit that an administration that has asked for a total of 207 Government spending programs, and 70 increases in Presidential power in this session of Congress alone, is a tough act to follow for a bunch of independent operators like yourself. But, to be very serious about it, the work you are doing is to encourage nothing more or less than the best, the soundest investment any American can make in his future—an investment in sound government and its essential corollary, the election of Republican candidates to public office.

Without that investment, our economy will continue to creak along to the cadence of a rocking chair and to the tired, depression-bred economic theories of the 1930's. Without that investment, the handout will continue to replace that hand up as the New Frontier's old and cynical philosophers press for public works and repress private initiative, industrial expansion, and the growth of real jobs that produce real wages.

Without that investment in Republican principles and Republican candidacies, our Nation will continue to drift in international waters, its sails and policies limp and empty of purpose, vision, and decision.

There is no single Republican officeholder or candidate, no single faction or section of the Republican Party that should lay claim to the work you, and your colleagues across the Nation are doing. You are doing Republican work for American principles. You are working for Republican victories, not personal ones.

You have your sights set on a 1964 campaign in which every statehouse ranks in importance with the White House—for this is a Republican Party that believes in a Federal Union of 50 great States united under one great Constitution.

You have your sights set on a 1964 campaign in which every Senate seat, every House seat is of prime importance—for this is a Republican Party that believes that Congress is the key to freedom, not an old-fashioned nuisance.

You have your sights set on a 1964 campaign in which every local election, every precinct organization is a proud and important target—for this is a Republican Party that believes in government that is close to and not remote from the people.

You have your sights set on a 1964 campaign in which every section of this country, and every section of its people, is truly important—for this is a Republican Party that is a national party, not a sectional party; a party of unity, not a party of factions.

These things are true today. They were not, we must admit, true always. The Republican and the Democratic Parties both have evolved from pasts of sectionalism and factionalism. No one can deny it. But, in the life of political parties, as in the life of all living organisms there are plateaus of evolution, great formative times when new shapes emerge. We are at such a time in the political life of this Nation.

On the one hand there is the undeniable growth of the Republican Party in areas where even the name Republican once was political poison; the growth of this party to the point where it is the most truly national party in our history.

On the other hand there is the declining vitality of that strangest creature in all politics, the mutation that has resulted from the marriage of big-city Democrat political bosses to ivory tower Democrat social reformers.

Evolution, don't forget, works two ways. While the dinosaurs were dying, higher forms were breathing new life. And in all American politics there is no more dinosaur-like creature than the big city machine of the Democrats. And there is no more refreshing and modern form of political life than the Republican Party's as it stirs new excitement north, south, east, and west.

The vitality of the Republican Party in the South is just one dramatic example of new, national appeal. Other great regions of the country which previously had been treated as political and economic colonies—not really part of the command structure of American politics—are now about to take their place as an integral part of the Nation's political life. And they are going to do it in and through the Republican Party, if—

There is only one if in this equation. If we will only let them. If we will adjust our party thinking to national thinking. If we will forget those counselors of defeat who would have us expel, write off, repel, and separate from this or that part of the country.

The South is the handiest example. Recognize growing Republican strength in the South, some say, and the Republican Party becomes a racist party. What utter and dangerous nonsense. It is not the racist South that has given the Republican Party new victories and new vigor in the South. That's the Democrat South. The Republican South is the growing industrial South, the bustling urban South, the studious, learning, and achieving South.

The South that is turning to the Republican Party, that is breaking the Democrat stranglehold on fully a fifth of this Nation, the South that we Republicans welcome because it is Republican, is a South that simply is tired of being treated as a captive nation. It wants to be part of a whole, free nation. And it will be, in and through the Republican Party.

Let us not get into the business of turning brother against brother. It was that turning, a hundred years ago, that created the great wounds of the War Between the States. One-party rule in the South has festered that wound ever since. Two-party freedom can heal those wounds. The Republican Party would betray more than its political future if it did not seek that healing—it would betray the very principles upon which it was founded.

Adding the strength of the South does not detract from the strength of the Republican Party, it adds to it. Responding to the dynamic growth of the West does not sap our strength, it revitalizes it. Drawing on the ruggedness of the Rocky Mountain States does not diminish the stature of the Republican Party, it helps it tower to new heights. Reaping the harvests of the great Midwest does not diminish our stores, it enriches, and leavens them. Sparks from the great industrial forges of the North and East do not sear our party, they strike new fires of determination.

Let the Democrats write off the votes they will lose because of dissatisfaction, north, east, west, and south. Let the Republican Party write up the votes they will win because they will not write off any part of this country that is willing to work for Republican principles. New Jersey can proudly and rightly say: Don't write off the East. And the Republican Party will not write off the East. Let all 50 States say that of their sections—and let the Republican Party go to the polls in every State with an American statement of principles that will unite and will win.

There will be no writeoffs for Republicans in 1964. This is the team that came to play and stayed to win.

But what of the New Frontier monster, the dinosaur alliance of welfare-state liberals and big-city bosses? Do we have to write off its domain?

There is no doubt that the liberal intellectuals of the Democrat Party will draw even closer to the corrupt big-city bosses now that they can read the handwriting on the crumbling walls of the South and other sections.

They will see, we can rest assured, the cold and chilling truth that no man can now win a national election on a Democrat ticket if he does not have the complete support of the big-city bosses. There will be, and are, attempts to nourish and strengthen these local, corrupt governments in every way—with lavish grants of Federal patronage and Federal funds, with an office for this group, an office building for that one.

It is abundantly clear that anyone who believes these notorious and degrading conditions must be cleaned up, will have to support the Republican Party.

A vote for the New Frontier party is, by political necessity, a vote for the continuance of big-city bossism and all the corruption that goes with it.

Decent men and women of both parties, who abhor these conditions, will turn to the Republican Party. They can slay the boss dragon that has been feeding on their cities. They'll have the chance in 1964.

Here in New Jersey you saw the Hague machine fattened and strengthened by a national Democrat administration. Then you saw the advent of the Kenny machine, not much different. You know, in this State, what bossism can mean. You don't want it. You won't have it. The same is true of the Green machine in Philadelphia, the Cook County machine in Chicago, notorious successor to the Kelly-Nash machine.

The cynical alliance between welfare-state liberals and the corrupt big-city bosses can be broken. It can be broken in 1964. The Republican Party, providing a focus of principled energy for decent men and women of both parties, can do it. With the South gone, with the big-city bosses under siege the old, supposedly unbeatable alliance of the Democrat Party can be beaten. But let that alliance remain uncracked and the Republican Party will remain a permanent minority—by default, not defeat.

There is no doubt in my mind that the majority of men and women in this Nation are in a conservative mood today. They have seen the grand design of an all-powerful Central Government turn into a redtape jungle. They have seen the social tinkering erode individual responsibility. They have seen Socialist and collectivist theories turn into open war against business and industry, against the jobs and wages of working men and women. They have seen radicalism turn into class warfare.

They have seen, just this week, a President who lures votes by asking a tax cut while stubbornly courting economic disaster through refusal to cut spending.

The conservative mood of America does not ask that both parties promise simply more of the same. The conservative mood demands a choice.

The Republican Party must offer that choice. Its principles do offer that choice.

The Republican Party believes in the people of America. It believes they can use the strength and brains that God gave them to handle their own affairs. It believes that when they need help it should be the help that neighbor gives neighbor—not the soup-kitchen solutions that big brother—or little brother—gives to his poor relations.

We do not believe in turning back the clock. We do believe in turning back, wherever possible and desirable, the responsibilities of home, family, and welfare to the people closest to them, to the skills most familiar to them, to the energies most devoted to them.

The Republican Party believes that government is the servant, not the master. That the job you have and hold, that the money you earn and save, invest or spend, is the first order of business—and that government's job is to protect those things, not take them over.

We do not believe in turning back the clock there either. Those who regard government as the only responsible owner and user of the Nation's resources are the ones who would turn back the clock—turn it back to a glossy new version of bond-servant feudalism.

What do those new feudal lords of Washington say of this? They say Republicans are devoted more to property rights than to human rights. I say we should fling this back in their teeth. We believe that only humans can have property rights. But we believe that they should have them and we believe that the government which destroys either one of those rights must destroy both in the process. We believe that as a government feeds on the property of men it also feeds on the freedom of men.

Our Government was instituted to assure order among the people, not to own the people—or their property.

The Republican Party believes in balanced government; in a Congress that speaks for all the people, in an executive branch that serves all the people as an equal partner, not a ruthless boss; in a judicial branch that also is equal and independent, that interprets laws but does not make them.

The Republican Party believes that the security of the United States in a troubled world is a shield for freedom everywhere and the prime target of the enemies of freedom. Our party believes that the strength of that shield is the main deterrent to war. It rejects the notion that such strength is the cause of tension in the world. It rejects the notion that the way to peace is through negotiated weakness.

We do not want to turn back the clock to an America isolated and unprepared in a hostile world. We see, instead, that the clock of history has struck now the time of America's real greatness and its greatest challenge.

The Republican Party does not seek to isolate America from its responsibilities in the world and from its allies and the promises it has made to them. Crumbling alliances and diminishing leadership in the world are the hallmarks of the present administration, as it fights with friends and fawns on enemies.

The Republican Party does not believe that the security of freedom is advanced by the strengthening of slavery. It does not seek a divided world, it seeks an open world. We hold that only in such a world is peace possible. We hold that the walls of a divided world can be brought down by the determination of freemen everywhere—not by war, but by will and dedication, by the long struggle that will not pause to rest or to compromise until the last shackle has been struck off.

I believe in those principles. They are Republican principles. They are American principles. They are winning principles.

Ours are the principles that draw men together in common cause and not the greeds and spites that split them apart.

Our honest differences are a surge of ideas to be honestly discussed by men honestly moved and not the bitter self-seekings of arrogance and power, the kingly demands of pride and pomp.

Republicans do not seek election so that they can rule. They seek consent and consensus so that government can serve.

The great issue in 1964 will be which party can most effectively advance the cause of freedom, which party best represents the real aspirations of the American people, the real hopes of the world.

I do not think that the cause, the aspirations, the hopes can be served well by a Democratic administration mired in indecision abroad and married to a political mess at home. The American people cannot be well served by any administration that would only mirror the same indecision, the same mess.

America needs a change. America needs a choice. Freedom needs a chance.

Republican victory is the way.

AGRICULTURAL SALES TO THE SOVIET BLOC

Mr. McGOVERN. Mr. President, I hope the United States will accept any reasonable offer from the Soviet bloc to purchase our agricultural commodities.

As the former Director of the Nation's food for peace program, I know from firsthand observation that American food is a powerful weapon for peace and freedom.

It ought to be used to bring nations together, not to divide them.

The Soviet Union will purchase its food from other countries if it cannot buy from us. It has already placed major orders with Canada and Australia.

These countries are selling their surpluses to the Soviets and other Communist nations, and thus are benefiting their farmers, their shipping industry, and their railroads.

By contrast, we are piling up surpluses in storage, at the expense of our taxpayers.

Furthermore, we are now selling to West Germany wheat which the German mills are converting to flour and are selling at a profit to the Russians.

Mr. President, while we have been steadily restricting the acreage of our wheat farmers and have been curtailing both their production and their income, our allies have been increasing their acreage and have been selling their production to Russia, China, Poland, East Germany, Czechoslovakia, Yugoslavia, and Cuba.

In effect, the American farmers and the American taxpayers are being made the goats of an impractical restriction on exports. I think we should remove those restrictions, and should sell our food surpluses to any nation which is willing to buy.

We cannot fight communism by withholding food. Men turn to violence and tyranny—not to peace and freedom—when they are hungry.

Every reasonable consideration of both self-interest and humanity is on the side of broadening our agricultural trade with all the nations of the world.

Presently, nothing in the law bars sales to the Soviet bloc of nonsubsidized agricultural commodities, such as corn.

In the past, Congress has indicated its opposition to the sale to the bloc of agricultural commodities which carry an export subsidy. This is one of the questions now at issue with reference to wheat sales. I hope it will be resolved quickly, so that we can readily accept a Soviet offer, if one is made.

Mr. President, the finest statement on this issue that has yet come to my attention was prepared by the board of directors of Great Plains Wheat, Inc., at a meeting in Huron, S. Dak., on September 18, 1963. It was sent to me by Mr. Gus Snyder, executive director of the South Dakota Wheat Commission. I ask unanimous consent that the statement by Great Plains Wheat, Inc., be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT ADOPTED BY BOARD OF DIRECTORS, GREAT PLAINS WHEAT, INC., ON SEPTEMBER 18, 1963, AT HURON, S. DAK.

During the course of the cold war, the United States has refused to sell subsidized farm commodities to unfriendly countries. In recent years, however, exceptions were made in the cases of Yugoslavia and Poland. Both countries were offered wheat in exchange for blocked currencies, with very little chance of cash recovery.

In the meantime, however, mainland China has gone on the world market to purchase large quantities of wheat—for cash—from Canada, Australia, and France. Purchases are still continuing.

Canada also has completed large cash sales to other countries including Poland, East Germany, Czechoslovakia, and Yugoslavia. In addition, it has completed one of history's largest grain sales by agreeing to supply 228 million bushels of wheat to Russia for a total price of about one-half billion dollars. Additional, perhaps increased, sales are expected in the future.

The U.S. Government has offered no public protest in connection with such sales. Nor has there been apparent criticism among the people of the United States. On the contrary, there has been widespread relief that our friendly competitors were able to drain off excess wheat stocks. They received admiration for their initiative, and such sales were interpreted as taking considerable pressure off of the world wheat market, thus giving the United States some indirect, if unintended, benefit in working off its own sizable wheat stocks.

The implication is clear: Allied nations are free to negotiate sales to all countries, but the United States is content to stand aloof while reaping secondary benefits.

These sales have strengthened the economies of Canada and Australia, and have been of enormous help to wheatgrowers in these two countries. Canada is nearing completion of a wheat crop that has set a record in acreage and may set a record in total production. Australia also is operating at peak production. Growers in neither country are troubled with acreage allotments which are common to U.S. growers. In fact, governments of both countries have been encouraging increased production, while keeping carryover stocks in manageable supply.

Meanwhile, greater and greater restrictions have been placed on U.S. wheatgrowers. These restrictions not only limit U.S. growers in their abilities to make full use of their productive resources, but also establish a ceiling on their income opportunities.

U.S. growers have, in effect, been asked to hold a protective umbrella over the interests of wheatgrowers in other countries.

There is even more serious concern for the future. A world cereals agreement is now being considered for the General Agreement on Tariffs and Trade (GATT) meetings at Geneva, Switzerland. Proposals now being advanced by other countries would divide up world markets among exporting nations, with heavy emphasis on history of production and traditional market patterns.

If this proposal is adopted, U.S. wheatgrowers would be allocated a share of the world markets which would utilize only a fraction of their productive capacity. Their marketing opportunities could very well be permanently impaired.

In view of the changing situation, there is a need to reexamine our Nation's policies because of the following conditions:

1. The Nation cannot afford to disregard the welfare of U.S. wheatgrowers who form an important segment of its population and economic strength.

2. The Nation cannot continue to experience an unfavorable balance of payments while denying itself an opportunity to use its wheat-production resources to correct the situation. U.S. wheat shipments overseas represent the Nation's largest agricultural export.

3. We cannot sit idly by while other wheat-exporting nations build up their production facilities and establish trade relationships which would permanently restrict markets for U.S. wheatgrowers.

4. World pressures have brought about an easing of tensions and have forced an atomic test ban treaty. We can further reduce tensions by making available, under sound business practices, a basic food commodity.

5. While bread is being rationed in many parts of the world, it is difficult to defend a policy of artificially restricting production of a basic food commodity and its movement in world trade.

It is necessary that the United States review its policies if it is to maintain a vigorous economy, to give necessary attention to the interests of its wheatgrowers, to maintain the initiative in world trade, and to assume leadership in advancing the cause of world peace.

THE VIETNAM MESS

Mr. McGOVERN. Mr. President, the U.S. position in Vietnam has deteriorated so drastically that it is in our national interest to withdraw from that country our forces and our aid.

For 8 years since the expulsion of the French forces in 1954, the United States has been engaged in a costly, ineffective effort to support the Diem regime in South Vietnam.

This regime is so tyrannical, self-centered, and narrow that it is not capable of maintaining popular support. Our identification with such a regime weakens, rather than strengthens, us in the global competition with communism.

We have already wasted $3 billion in Operation Vietnam, and 100 American boys have lost their lives.

Our guns and money are being used, not to promote freedom, but to suppress religious freedom, harass and imprison students and teachers, and terrorize the people.

The trap into which we have fallen in Vietnam is described in the current issue of the Saturday Evening Post, in an article by Mr. Stanley Karnow. Writes Mr. Karnow:

> But the spectacle of American-trained troops using American weapons to raid Buddhist temples made clear one fact that U.S. officials have long tried to evade: No matter how much the United States supports the unpopular regime of Ngo Dinh Diem, this regime's chances of victory over the Communists are just about nil.

The author concludes:

> South Vietnam lies on the edge of chaos. And in retrospect, the strongest Communist allies in the country have been the Diem family. They have sown suspicion and hatred, and their show of apparent power has been a sham to conceal this weakness.

Mr. President, I ask unanimous consent that the Saturday Evening Post article by Mr. Karnow be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE EDGE OF CHAOS: VIETNAM'S ROYAL FAMILY, LONG AIDED BY U.S. TROOPS AND MONEY, HAS PERSECUTED RELIGIOUS LEADERS, EMBITTERED THE PEOPLE, AND BUNGLED A CRITICAL STRUGGLE AGAINST COMMUNISM

(By Stanley Karnow)

It was just after midnight when the battle of the temple began. Truckloads of helmeted South Vietnamese police, armed with shotguns, submachine guns, carbines, and tear-gas grenades, rumbled through the streets to attack Xa Loi, the main Buddhist temple in Saigon. Inside, the monks shouted and banged pots, pans, drums, and gongs as the cops smashed down the temple's iron gate. Some 400 monks and nuns cowered before the onslaught. There were screams, shots, and explosions as the police attacked. Some monks were thrown off balconies onto the concrete courtyard, which was hung with banners reading: "Thou Shalt Not Kill." Within less than 2 hours all but two of the Buddhists—who escaped over a wall into an adjacent U.S. Government building—had been hauled off to jail. Among those arrested was 80-year-old Thich Tin Khiet, the country's venerable Buddhist patriarch.

Four hundred miles to the north, in the provincial capital of Hué, the Government raid was even more fierce. There, while Buddhists fortified themselves inside the Dieu De temple and fought off paratroopers for 8 hours, some 1,500 people rioted through the streets. They ripped down barbed-wire barricades with their bare hands while soldiers beat them down with rifle butts. They picked up tear-gas bombs thrown by the troops and tossed them back.

By midmorning, when the battle was over, a Western correspondent counted 10 truckloads of students being driven off to prison. They waved their bloody hands at him as they passed.

Many Americans may feel there is something remote about this strange conflict between South Vietnam's Catholic President Ngo Dinh Diem and the leaders of Vietnam's dominant religion. But the United States is inextricably involved. President Kennedy, convinced that a Communist takeover of South Vietnam might mean the fall of southeast Asia, has repeatedly promised to defeat the guerrillas that dominate much of the country. He has backed up his words with a 16,000-man U.S. force in Vietnam—more than 100 have lost their lives—and with $1.5 million a day spent on the war. But the spectacle of American-trained troops using American weapons to raid Buddhist temples has made clear one fact that U.S. officials have long tried to evade: No matter how much the United States supports the unpopular regime of Ngo Dinh Diem, the regime's chances of victory over the Communists are just about nil.

U.S. officials publicly "deplored" Diem's "repressive actions" against the Buddhists, and there were private predictions that "Diem must go." But the prophets have been less certain on the questions of who could oust Diem and who could replace him. As for listening to any advice, Diem cut short one top general recently by declaring, "Only God commands me." If he lacks support from the people, Diem always has his royal family, one of the oddest political conglomerations in the world—brother Ngo Dinh Nhu, chief of the secret police; sister-in-law Madame Nhu, the beautiful and arrogant first lady of Vietnam; brother Ngo Dinh Thuc, the archbishop of Hué; brother Ngo Dinh Can, the warlord of central Vietnam. Other relatives have served as envoys to Washington, London, and the United Nations.

The Ngo Dinhs resemble a cross between the Borgias and the Bourbons. Narrow, devious, obstinate and imperious, they have functioned in an atmosphere of neurotic and sanctimonious egotism. They have plotted against their rivals, and played their own subordinates off against one another. They have preached puritanism but tolerated corruption, extrolled democracy yet rigged elections, and jailed at least 30,000 political prisoners in reeducation camps.

Devoutly Catholic by religion and archaically Confucian by philosophy, President Diem is a combination of monk and mandarin, a kind of ascetic authoritarian who might have flourished in the Middle Ages. A small, rotund man who talks incessantly, he is persuaded that he possesses the mandate of Heaven, and the people must obey. "His Republic of Vietnam is not government for the people by the people," says a Western-educated Vietnamese, "but government for the people by Ngo Dinh Diem."

Certain that he knows best, Diem is almost imumne to outside information. When a prominent Vietnamese officer returned to Saigon from a tour of the countryside, Diem asked him for a frank assessment of rural morale. The officer had hardly begun to enumerate complaints against the government when Diem interrupted him angrily, shouting, "Nothing but lies—you're a victim of Communist propaganda."

While Diem is the President, last month's clashes made it obvious that many of his powers were being exercised by his brother Ngo Dinh Nhu, a voluble, shifty-eyed man in his early fifties. Nhu proclaims himself an intellectual revolutionary and spins out his abstruse theories with the intensity of a precocious college sophomore. Not long ago, as I sat with him in his soundproof office adorned with books and stuffed animal heads, Nhu chain-smoked and shrilly denied the many charges of corruption and venality against him and his wife. "But even if people wrongly think you're corrupt," I asked, "isn't that still an important political reality?" He shrugged. "Maybe, but I don't care what people think."

Nhu never opposed the influx of U.S. money, but he has often questioned the value of American advisers. "I don't think they can advise us on subversive warfare," he said. "Americans are very advanced on matters like space, but for small problems of the earth I'm afraid they don't know as much as we do."

Alongside Nhu stands his extraordinary wife, who has long wielded a peculiar power over President Diem. Madame Nhu won great status as one of the few members of the family to have children. (There are two daughters, Le Thuy, 17, and Le Quyen, 4, and two sons, Trac 15, and Quyhu 10.) At the same time, she frightens Diem. Beyond a passing glance at a girl in his youth, he has led a life of celibacy, not only fearing women in general but particularly fearing female tantrums, at which Madame Nhu is expert. And so, without being married, President Diem has been naggingly henpecked by a first lady not his own. In addition, Madame Nhu has convinced Diem that without his family he stands alone. "His followers were all killed by the Communists, and our followers saved him," she explained. "The women follow me, my husband has his youth movement, the Catholics take orders from Archbishop Thuc. * * * If there is nepotism, it is the president who profits."

Twice in the past 3 years non-Communist military rebels made abortive attempts to overthrow Diem's government. A few months ago, however, a new and different kind of passive protest emerged in South Vietnam. Though it became political, its origins were religious. In 1954, when French colonial rule ended and Vietnam was divided, nearly a million refugees fled from the Communist-controlled north to settle in the southern sector. Most of them were Catholics, and President Diem assumed they would favor his government. Diem could not openly discriminate against the Buddhist majority, but Catholics won many key jobs as province chiefs and military officers. "Catholics are more trustworthy anti-Communists," a Vietnamese official told me, "and they're likely to be more loyal to the regime."

Feeling especially privileged, Catholic functionaries out in the countryside often took it upon themselves to harass Buddhists. Under a statute passed in French colonial times, Buddhism was a private association which required authorization for its activities. Despite Diem's promise to change it, this rule stood. Under cover of the law, Catholic officials often broke up "illicit" Buddhist religious meetings.

No single individual in Vietnam did more to aggravate this religious friction than Diem's shrewd older brother, Ngo Dinh Thuc, 66, archbishop of the Ngo Dinh family hometown of Hué. "He has the idea that Catholicism is the state religion," says a Catholic Vietnamese, "and that he can wield his authority over all Catholics in the government."

As the family's oldest living brother, Thuc is hugely respected by Diem, who regards him as a great human benefactor, "another Doctor Schweitzer." Many Vietnamese, Catholics among them, consider Thuc more of a businessman than a clergyman. Thuc has plunged into all sorts of operations, buying apartment houses, stores, rubber estates and timber concessions; and then when he eyes a prospective purchase, other bidders somehow drop out. Thuc enjoys an exclusive license to import schoolbooks—which also makes him unofficial educational censor—and he has requisitioned army trucks and labor to construct his church buildings. As a presidential relative, says a Saigon merchant, "his requests for donations read like tax notices."

Madame Nhu, who adores him, thinks he should be a cardinal, and Diem lobbied strenuously to have Thuc made archbishop of Saigon. But the Vatican, aware that Thuc's activities have hurt the Catholic image, refused. The Ngo Dinh family's reaction was characteristic. When a new archbishop was appointed, invitations to his investiture were strangely misplaced at the post office, and only a handful of guests showed up.

Buddhist resentment against the Ngo Dinh family's narrow Catholicism simmered until last spring. Then, on a hot humid May morning in the charming old city of Hué, thousands of Buddhists assembled to celebrate the 2,527th anniversary of the birth of their Lord Gautama Buddha. It was to be an occasion of prayers, sermons and processions.

But Archbishop Thuc, planning to commemorate his silver jubilee as a bishop, did not fancy the sight of Buddhist banners adorning his see. Through his influence, the government forbade the flying of religious flags, and local troops tried to prevent the Buddhists from unfurling their multicolored banners. Armored cars bristling with machineguns wheeled into the streets to disperse the crowd. When this failed, an obscure officer ordered his men to shoot. Nine women and children were killed.

In the days that followed, Buddhist protest demonstrations gradually spread. Led by monks and nuns, absurdly frail looking in their saffron robes and shaved heads, they gathered silently in front of public buildings and staged hunger strikes in their temples. Diem set his police and soldiers against them. Finally realizing that continued collisions would lead nowhere, Diem finally formed a committee to "study the situation," and a temporary truce was declared.

By now, however, the demonstrations had changed from a religious protest into an increasingly organized expression of accumulated political grievances. At Saigon's ornate Xa Loi temple, young Buddhist monks installed telephones and mimeograph machines to duplicate press releases, and their spokesman stated firmly that "we must continue the fight against those who try to destroy Buddhism." Nor did Diem really mean to come to terms. "As the situation relaxed," one of his aides confided to me, "he began to feel he had the upper hand, and he was thinking of some new drastic action."

The tenuous truce was shattered by the fiery Madame Nhu. In private she berated Diem for compromising with "illiterate, crypto-Communist" Buddhists; at one point, according to family intimates, she pounded the dinner table so fiercely that she upset a bowl of chicken soup. For public consumption she ordered the English-language Times of Vietnam—a Saigon daily run by an American protege—to publish a proclamation by her rubber-stamp Women's Solidarity Committee. Among other things, the statement charged the Buddhists with everything from sedition and neutralism to insulting the flag and being foreign agitators "undermining the nation." And the angry, confused battle against the Buddhists was on again.

It came to a climax a few days later, on the morning of June 11. Diem had gone to the Saigon Cathedral to celebrate a mass in memory of Pope John XXIII. Not far away, at a street intersection, an aged Buddhist monk called Thich Quang Duc seated himself cross-legged on the warm asphalt. He fingered a rosary of holy beads and softly chanted a prayer as another monk splashed his robes with gasoline. Without the slightest tremor crossing his serene face, he touched a match to himself, instantly bursting into a horror of flame and billowing smoke.

The impact of that—and the other suicides to follow—shook the world. Buddhists in Ceylon, Japan, Thailand and elsewhere raised a chorus of complaint, and American clergymen of all denominations petitioned President Kennedy to intercede. With typical understatement, Pope Paul urged South Vietnam to find "the secret of unity."

In one of the stiffest gestures it has ever taken toward him, Washington privately warned Diem to meet the Buddhist grievances. Or else, American Charge d'Affaires William Truehart told Diem, the United States would disassociate itself from his policies and publicly condemn him. Praised and coddled for years by the United States—Vice President LYNDON JOHNSON called him the "Winston Churchill of Asia"—Diem was taken aback by the criticisms. He agreed that Buddhists could fly their flag, he promised to abrogate the old French law discriminating against Buddhists, and he ordered the release of most of the Buddhists arrested in antigovernment demonstrations.

Mild as they were, these concessions were too much for the Nhus. In part, they confirmed the Nhus' deep-seated hostility toward interference by the United States, a power they have variously referred to as "capitalist imperialist," "neocolonialist," and "Communist-infiltrated." American efforts to make Diem meet the Buddhist terms, cried Madame Nhu, were "blackmail."

More astutely, her husband sensed that the Buddhist dispute was only the superficial symptom of a far deeper resentment against the regime. He realized that his family-run police state could not suddenly compromise without falling apart. Instead, he mobilized his blue-uniformed Republican Youth Movement—of which he is "supreme leader"—and urged them to oppose Diem's half-hearted attempts at conciliation. On Nhu's instructions, wounded war veterans were rounded up to stage demonstrations against Buddhist temples.

Nhu made no secret of his feeling that Diem was too soft. On one occasion he called a group of army generals into his office and provocatively told them to count him in if they were planning to overthrow the government. Another time, he implied to a reporter that he might lead a coup d'etat that would be "anti-Buddhist, anti-American, and against the weaknesses of the government." Echoing a similar sentiment, his wife said, "The President worries too easily. He's not the type to take the initiative in a crisis. His government is weak, and because of that weakness, I'm here. I'm for the underdog. In this country, the upperdogs are the Communists and the Americans."

In her own inimitable fashion, Madame Nhu advocated beating the Buddhists "10 times more." She even told a TV interviewer, "All the Buddhists have done for this country is to barbecue a monk." Diem himself, in a rare moment of candor, told an aide, "What can I do? I can't control her."

The relations between President Diem and his first lady are unique. She thinks nothing of pushing him around, even in front of strangers. In the presidential palace, which she and her family share with Diem, Madame Nhu was preparing to be interviewed on TV one day last month but decided the setting was inappropriate. Without hesitation she burst into a chamber where Diem was seeing visitors and asked them to leave. At the prospect of moving all their equipment, the TV crew dissuaded her from changing places. "Oh, all right," she agreed, and turning to an aide, she said, "Go tell the President never mind."

Presented with the case of Madame Nhu, an amateur psychiatrist would be tempted to look into her childhood, and she frankly confesses that her youth was miserable. Her father was a wealthy lawyer and landowner, her mother, a member of Vietnamese royalty, and young Le Xuan, or "Beautiful Spring," had her own liveried coolie to pull her to school in a rickshaw. But she was a middle child, between an older sister she had to respect, and a younger brother who received more attention. "It's too bad my parents never loved me," she still moons.

At the age of 20, she escaped from home into marriage with Ngo Dinh Nhu, then the chief librarian in Hanoi and 13 years his bride's senior. She also converted from buddhism to catholicism.

When she married Nhu, Madame Nhu really married the Ngo Dinh family. They were a distinguished family of Catholic mandarins who had resisted French colonial domination but also refused to ally themselves with the Communist-led Viet Minh nationalists. The eldest of the Ngo Dinh brothers and his son were shot by the Communists; Madame Nhu, her daughter and mother-in-law were imprisoned by them for 4 months, then released.

During the years the French fought to keep Indochina, Diem played virtually no political role. He traveled around the world with his brother Archbishop Thuc, and settled for some time in a New Jersey seminary. After the French defeat in 1954, the United States, searching for a prominent nationalist free of French or Communist ties, decided on Diem to run the southern half of the partitioned country. He was an unknown without political support.

The problems he faced were staggering. Refugees were pouring out of the north; and in the south Diem was confronted by dissident sects, pirates and a mutinous army. He decided to fight rather than compromise, and the United States helped him significantly. His most rebellious general agreed to retire to France after the American Ambassador let it be known that the Vietnamese Army could expect no U.S. aid unless it gave Diem "complete and implicit obedience." The pirates were tracked down and seized. Against all odds and despite the most dire predictions of his downfall, he held on.

But those months of fighting and intrigue left him distrustful of all but his immediate family. He concentrated all authority unto himself and, afraid of disloyalty, depended for his power on two of his brothers. Nhu installed himself in the Saigon palace; Ngo Dinh Can, a stout, sharp-eyed man who drinks heavily, took over central Vietnam and ruled from Hué, where he also cared for the brothers' aging mother. (Past 80, she is bedridden and silently lies in state, like a wax mummy, occasionally visited by dutiful officials).

To give the young government an ideology, the intellectual brother Nhu invented "personalism," which he evolved out of Catholic existentialism and Confucianism. Beyond a small circle of fellow highbrows, nobody has yet fathomed its meaning. Nhu also created the Can-Lao Nhan-Vi Cach-Mang Dang, or Revolutionary Labor Personalism Party, a clandestine organization of some 70,000 agents who spy on citizens and transmit Nhu's orders to branches of the army and administration. More recently he formed his paramilitary Republican Youth.

THE RISE OF MADAME NHU

As the family clan grew tighter and more powerful, Madame Nhu's role loomed more prominent. She became a member of the national assembly, and she introduced to Vietnam's public affairs a feminine penchant for generalizing from the particular. For example, when her sister's wealthy husband tried to get a divorce, Madame Nhu bulldozed through a law banning divorce except by presidential decree. This "family law," as it is called, also prohibits "too-free relations" between the sexes. While she was at it, Madame Nhu went on to abolish beauty contests, boxing, fighting fish, sorcerers, prostitution, birth control, smoking, and drinking by minors, and all dancing. In addition, she outlawed over 200 sad and sentimental songs which allegedly "lowered national morale." Despite some publicized banning of U.S. embassy square dances, this effort to legalize morality has been less than a success. Saigon is still full of roisterous bars and flocks of streetwalkers.

In more serious fields, President Diem has also been less than a success. He has made some timid attempts at land reform and economic development. But serious economic projects were hampered by his claim to inner revelation on almost every subject and his inability or unwillingness to delegate authority to experts. He would instruct foresters on how to plant trees and tell contractors where to build roads.

His inefficiency in military matters has been even more crippling. Ever fearful of betrayal, he distrusts his top officers, and of his 20 generals, only 4 or 5 actually command troops. He also delights in shunting his armies around whimsically, changing priorities and ignoring advice.

Last year, over the howling protests of U.S. advisers, every M-113 armored personnel carrier in the critical Mekong River delta was withdrawn to Saigon—for the Republic Day parade. On the basis of some inspiration a few months ago, Diem ordered Operation Waves of Love, dispatching marine and naval forces into the marshes of the Camau Peninsula, at the southern end of the country. The men bogged around for a month and, achieving nothing, withdrew.

More significantly, Diem has never really grasped the concept of counterinsurgency. To fight guerrillas, an army must be broken into small, fast, mobile units that can pursue offensive operations quickly and flexibly. But Diem thinks in terms of artillery "because you can strike the enemy from a distance," and his commanders love to rely on aerial attacks, which usually kill more innocent peasants than Communists. "They just have it all wrong," explains a seasoned American officer. "This is not an artillery war or an air war but a rifleman's war."

Military conditions have improved in central Vietnam. But Diem's reluctance to launch a major offensive during the recent dry season, from autumn through spring, has seriously impaired his position in the important southern delta. It spared the Communists, who have emerged again in the rainy months when the Government's tanks, artillery and aircraft cannot easily operate.

Though U.S. brass and Saigon statisticians claim progress, the Communists have increased their hard-core regulars from 18,000 to more than 25,000 in the past year. The ratio of weapons captured and lost is said to be improving, but these figures are illusory. The Government loses Browning automatics and recoilless rifles, and captures homemade lead-pipe pistols from the Communists. Casualty tabulations are similarly deceptive. All dead bodies are listed as Communists.

At the same time, the massive "strategic hamlet" program, designed to put the population into fortified settlements, is not working well in the rich, rice-growing regions south of Saigon, where over half the country's people live. Again, Diem's concept of the plan is at odds with what U.S. military advisers have in mind. "We must control territory and defend everything under the sun," he told me. "We must suffocate the Communists. This job can't be done drop by drop."

Brother Nhu has set a lively rhythm for building hamlets. He not only has ordered them erected deep in Communist areas, where they are highly vulnerable, but he has posted strict achievement targets. In too many places local officials have thrown up bamboo fences and barbed wire, forced people to move in, and announced that their hamlets are ready. Of the 4,000 settlements officially claimed to exist in the strategic Mekong Delta, only about 1,000 are regarded as "viable" by U.S. experts. "There's a basic difference between ourselves and Vietnamese officialdom," says an American who works in the field. "We see security in terms of people; they see it in terms of territory. I don't think they've yet grasped the political aspect of this war."

For all too long, Washington also failed to grasp the political aspect of this war. On the assumption that there was no alternative leadership in Vietnam, the United States treated Diem as indispensable. In 1961 President Kennedy's new military adviser, Gen. Maxwell Taylor, flew out to Saigon, and recommended massive American military aid. He also suggested that Diem reform his government by, among other things, appointing a genuine cabinet, releasing thousands of political prisoners, inviting his political opponents to join the regime, and streamlining his cumbersome chain of command.

Ambassador Frederick Nolting, Jr., was left to negotiate these reforms. For 3 weeks, while the controlled Saigon press virulently attacked "U.S. interference," Nolting tried to persuade Diem to change. The evening the talks finished, Ngo Dinh Nhu appeared at a party. "Mr. Nolting is the most intelligent American Ambassador we've ever had in Saigon," he announced. Everyone present knew immediately that the United States had backed down. As a Washington official explained it, "We just couldn't make Diem budge, so we decide to fight the war first and worry about reforms later."

Thus the U.S. establishment, still scarred by the disaster at the Bay of Pigs, declared a moratorium on public criticism of Diem and his family. The American Embassy in Saigon began to sound like a branch of Diem's own public information department, and probing reporters were treated like disloyal citizens. When a correspondent asked a sharp question at a briefing some months ago, visiting Adm. Harry D. Felt snapped back, "OK, boy, get on the team."

But the U.S. policy of "sink or swim with Ngo Dinh Diem," as the New York Times Correspondent Homer Bigart coined it, was basically doomed. For one thing, Diem in his infinite egotism did not cooperate. Not long ago Ambassador Nolting pointed out to Diem all the moral credit that the United States had built up in Vietnam and asked him to revoke a minor decision. Diem reportedly replied, "You have no credit with me." For another, the U.S. idea of postponing political reforms ignored the fact that Vietnam was immersed in political warfare. Diem's brother Nhu was perfectly aware of the fact. And in the Buddhist crisis he and his wife seized the opportunity to become overt powers in South Vietnam.

During the long crisis, Nhu began to abandon his pose as an intellectual recluse. He made public speeches and talked to newsmen, and the Government printed up thousands of posters with his photograph in the uniform of the republican youth. He also quietly strengthened his loyal military elements around Saigon. Four companies of armored troop carriers, each equipped with .50-caliber machine guns, were brought in from central Vietnam. The U.S. Advisory Command was told that these vehicles were en route to the Mekong Delta, but they remained in the capital. At the same time, Nhu reinforced the Vietnamese special forces battalions in Saigon, bringing their strength up to about 1,200 men. Commanded by the faithful Col. Le Quang Tung, a former counterespionage chief, these units included two groups dressed in civilian clothes and armed with knives, pistols, and grenades for street fighting.

All together, more than 7,000 troops were stationed in or near the capital. On the surface it looked as though Diem was being protected against a potential attack from the countryside, possibly by his own mutinous men. In reality, these troops in Saigon were themselves preparing for an assault. Last month, on Nhu's orders and with Diem's apparent blessing, they struck against the Buddhists. As soon as the raids were finished, Diem moved one of his most faithful generals into Saigon as military governor, and then took to the radio to declare martial law throughout the country. He called the Buddhist leaders "political speculators who have taken advantage of religion * * * to carry out repeated illegal actions." Ngo Dinh Nhu was more specific. He claimed that the Buddhists had hidden weapons in their temples and were plotting "to sabotage national security * * * and organize a coup d'etat." To observers it looked as though Nhu's supposedly preventive action might really be Nhu's own creeping coup d'etat.

Nhu had obviously staged his move to precede the arrival of the new U.S. Ambassador, blunt, outspoken Henry Cabot Lodge. But he and Diem had gone even further than that in their deviousness.

The very night that their troops and police sacked the Buddhist temples, the Ngo Dinh brothers ordered a group of Vietnamese generals to their palace. With the palace surrounded by loyal units, Diem and Nhu commanded the generals to sign a predated document. This false document was framed as a request by the generals asking the government to declare martial law and crack down on the Buddhists. The fake request was aimed at Ambassador Lodge—designed to give him the impression that the sweeping repressions reflected demands from a powerful group in the military high command. Virtually prisoners in the presidential palace, the generals had no choice but to sign. And Washington, which at first attributed the raids to the Vietnamese army, soon found it had been duped. It issued a statement blaming Nhu, exonerating the army and implying that a drastic overhauling of the Saigon regime would not be unwelcome.

DIEM'S MINISTER QUITS

Overnight, the Diem regime's tottering reputation all but collapsed. South Vietnams Buddhist Foreign Minister Vu Van Mau resigned, shaved his head, and announced that he intended to make a religious pilgrimage to India. (He was later arrested.) Diem's Ambassador to Washington, Madame Nhu's father, Tran Van Chuong, also resigned from "a government * * * of which I disapprove." Under the Diem regime, he said, "there's not one chance in a hundred for victory." His wife, observer to the U.N., also quit.

Washington's distress over the crisis had no immediate effect in Saigon. After smashing the Buddhists, the Ngo Dinhs went on to crack down on teachers and students, a previously placid and apolitical group. Professors and university leaders came out with banners denouncing Diem and Nhu, and the police went into action. As the students arrived at Saigon's university, troops and cops neatly knocked them off their bicycles and hauled them off to jail by the truckload. (They also detained three American correspondents, including the Post's Burt Glinn.) Elsewhere in Saigon, where students were planning noisier demonstrations, the government was harsher. Hundreds were beaten, and one girl, allegedly trying to "escape," was shot.

The rise to power of the feared and detested Ngo Dinh Nhu helped to crystallize the many military elements that have long plotted against the government. Until now they have hesitated to act, because they lacked cohesion, because they were uncertain of getting U.S. benediction and because they feared the Communists would profit from a coup. There are several generals among these potential insurgents, and they even include men close to Diem's family. "But you've known Diem and the Nhus for years," I asked one of them. "How could you kill them in cold blood?" My friend shrugged sadly. "We must choose between a few people and a nation."

Most officers hoped, however, to avoid bloodshed. Under the martial law, army elements moved into administrative control. These military units could conceivably usurp the power of the Diem regime. But if they stay faithful to Diem, they may be opposed by other, less loyal elements, which could touch off a confused, triangular civil war—South Vietnam's Army fighting within itself, with the Communists idly watching and winning.

South Vietnam lies on the edge of chaos. And in retrospect, the strongest Communist allies in the country have been the Diem family. They have sown suspicion and hatred, and their show of apparent power has been a sham to conceal their weakness. Back in 1933, when he was a young civil servant, Ngo Dinh Diem made a prophecy that may yet come true. "The Communists will not take our country by virtue of their strength," he said, "but by virtue of our weakness. They'll win by default."

FURTHERING INTERNATIONAL COOPERATION: A CASE FOR THE ADOPTION OF THE METRIC SYSTEM IN THE UNITED STATES

Mr. PELL. Mr. President, President Kennedy's speech to the United Nations suggesting a joint American-Soviet effort to reach the moon is a dramatic corollary to the international mood which resulted in the vote by this body, on September 24, for approval of the test ban treaty. It is another step forward in this country's earnest pursuit of international cooperation and the reduction of tensions between the non-Communist world and the Communist countries. This suggestion should not be slighted merely because it raises technical or political problems, for none of these is absolutely insoluble. Walter Lippmann, in his column entitled, "Purifying the Moon Project," wrote that:

> The President's proposal at the U.N. is, it seems to me, excellent even if the joint effort proves to be technically and politically impracticable.

I ask unanimous consent that Mr. Lippmann's article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Sept. 23, 1963]

PURIFYING THE MOON PROJECT

(By Walter Lippmann)

The President has made his suggestion of collaboration in going to the moon at a time when there is some improvement in U.S.S.R.-United States relations. It happens also to be a time when there is a growing doubt among American scientists and among the people generally about the commitment to put an American man on the moon by the year 1970.

The President's proposal at the U.N. is, it seems to me, excellent even if the joint effort proves to be technically and politically impracticable. It is excellent bcause it may offer an honorable way to correct the mistakes of our original commitments about going to the moon.

There were two big mistakes. One was the commitment to put a man, a living person rather than instruments, on the moon. The other mistake was to set a deadline—1970—when the man was to land on the moon.

These two mistakes have transformed what is an immensely fascinating scientific experiment into a morbid and vulgar stunt. The use of living men rather than instruments has given a gruesome color to the whole enterprise which is akin to that of the circus performer who shoots a flower out of his daughter's mouth. For this is showmanship and not science, and it contaminates the whole affair. We shall be back in the realm of honest science when we proclaim as our objective the landing and orbiting of instruments which can send back exact data.

The setting of 1970 as a target date turned the enterprise into a race in which the objective is not to explore the heavens but to be one-up on the Russians. By fixing a date, by making it a race, we are not only prostituting the nature of the scientific effort but are distorting it. We have multiplied the cost many times and, what is even more damaging to our society, we are straining beyond the proper limits our relatively small supply of scientists and technicians. Not since the Pharaohs built the pyramids has a society devoted such gigantic sums to a purpose which has almost nothing to do with its security or its welfare.

And yet, the exploration of space will bring a new understanding of the universe and of life, and this is a noble end for which to work. But all this will be done best—all this, it may be, can be done only—if the impulses of the project are purified, if they are cleansed of showmanship, chauvinism, and morbid commercialism. Opening up the heavens is too big an enterprise to be mixed with concern about which nation gets the first headlines and the biggest ones.

As I see it, the best way to purify the moon project is to do what the President has suggested, to work out with the Soviet Union at least a common program with growing exchange of scientific data and increasing consultation. It does not matter much whether the first trip to the moon is made by an American astronaut and a Soviet astronette. What does matter is that we should agree to treat our separate efforts as a scientific and not as a cold war operation.

Mr. PELL. Mr. President, the technical problem of such an effort was stated recently by Dr. Robert C. Gilruth, Director of the Manned Spacecraft Center, in an article published in the September 18 issue of the New York Times. Dr. Gilruth said "I tremble at the thought" of the technical problems involved by just the difference between the measurement systems used by the two nations—feet and inches, in the United States; and the metric system, in the Soviet Union.

For quite some time, Mr. President, I have been advocating that this country adopt the metric system of weights and measures. As a first step, I have introduced a bill, S. 1278, which calls for a 3-year study of the feasibility of adoption of the metric system. It is a companion measure to H.R. 18, introduced in the House by Representative MILLER of California.

Dr. Gilruth's comments on the technical problems of differing systems of measurement which would hinder any possible cooperative venture to the moon with the Russians, highlights even more the need for a thorough examination of our Nation's antiquated system of weights and measures. In the past, this stumbling block has frustrated our efforts for the promotion of international and domestic commerce; and our efforts will be frustrated in the future unless we act now to remedy this difficulty.

RAMPART DAM CONSTRUCTION INCLUDED IN RECOMMENDATIONS OF THE AMERICAN PUBLIC POWER ASSOCIATION AND THE NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION TO PRESIDENT KENNEDY

Mr. GRUENING. Mr. President, Alaskans are gratified that, in an important statement on electric power policy made to President Kennedy last Monday a recommendation was included that the administration request early authorization of construction of the great Rampart Dam on the Yukon River. Officers of the American Public Power Association and of the National Rural Electric Cooperative Association met with the President to review progress this administration has made in the field of natural resource development and to recommend action to accelerate this.

A major recommendation of these two highly regarded organizations—leaders in the continuing effort to develop our natural resources in the interests of the people—was that the present administration "renew and intensify its efforts in planning and building new water resource projects." Listing projects which should have priority in authorization, the associations included, in addition to Rampart, the Knowles project in Montana, Burns Creek in Idaho, the Flint River development in Georgia, the Devils Jump project in Kentucky, and the Trotters Shoals project on the Savannah River on the Georgia-South Carolina border.

Of Rampart, it was said:

> We commend to the administration early authorization of the 5-million-kilowatt Rampart Canyon project in Alaska which would be the largest hydroelectric power development in the free world.

It is my hope this recommendation to the President will bring into action the powerful support of the White House for speedy completion of studies incident to authorization of Rampart and, then, for authorization of this mighty hydroelectric power project.

I am sure President Kennedy is well aware of the importance to Alaska and the Nation of the Rampart proposal. More than 3 years ago, when the President was a Member of this body, he said on the floor of the Senate, in a great speech on developing resources in Alaska:

> We must meet the challenge of Alaska—the challenge to reap its abundance, build its strength, and provide a reservoir of natural wealth for a growing America. We must, of course, press forward with bold and vitally needed projects such as Rampart Canyon Dam.

Again, when the President began his successful campaign for the Presidency in Alaska in September 1960, he said:

> But I see—the Alaska of the future. I see a land of over 1 million people. I see a giant electric grid stretching from Juneau to Anchorage and beyond. I see the greatest dam in the free world at Rampart Canyon, producing twice the power of TVA to light homes and mills and cities and farms all over Alaska. I see a network of paved highways and modern airports linking every city and section of this State. I see Alaska as the destination of countless Americans—seeking not only land and gold, as in days of old, but seeking a new life, new cities, new markets, new vacation spots. And I see an Alaska that is the storehouse of the Nation, rich in timber, rich in minerals, rich in fisheries, rich in waterpower and rich in the blessings of liberty as well as abundance.

The President's interest in Rampart has been demonstrated by the fact that each annual budget has included a request for appropriation of funds for engineering studies of the project. Indeed, upon his inauguration, President Kennedy increased, by $200,000, the budget request for Rampart of $100,000 made by the outgoing Eisenhower administration. Appropriations for Rampart studies—the first of which was made in 1960, over the veto of President Eisenhower—now total almost $1 million. Studies by the Corps of Engineers are very nearly completed and Alaskans are now awaiting, impatiently, completion of corollary studies to be made by the Department of Interior.

With the help of great organizations such as the American Public Power Association and the National Rural Electric Cooperative Association I am sure we will see steady realization of the vission described by President Kennedy—the construction on the Yukon River of the greatest hydroelectric project in the free world, Rampart Dam.

I ask unanimous consent to insert in the RECORD the complete statement of the American Public Power Association and the National Rural Electric Cooperative Association presented to President Kennedy September 23, as well as an article from the Washington Post of Tuesday, September 24, describing the meeting of the two organizations with the President.

There being no objection, the statement and editorial were ordered to be printed in the RECORD, as follows:

AGENDA FOR MEETING OF OFFICERS OF AMERICAN PUBLIC POWER ASSOCIATION AND NATIONAL RURAL ELECTRIC COOPERATIVE ASSOCIATION WITH PRESIDENT KENNEDY, SECRETARY OF THE INTERIOR STEWART UDALL, AND SECRETARY OF AGRICULTURE ORVILLE FREEMAN, THE WHITE HOUSE, SEPTEMBER 23, 1963

1. Brief progress report on resource development programs for past 3 years.
2. Importance of resource development programs in stimulating economic growth; need to establish capital budget to facilitate resource development.
3. Necessity for national power pooling in manner that will preserve integrity of individual electric systems and provide for benefits to consumers (a) interregional transmission lines; (b) common carrier concept.
4. Need for program of new starts on hydro projects.
5. Passamaquoddy and St. John River projects—their importance in lowering electric rates and stimulating development in New England.
6. Need for dynamic program for power, recreation, and other resource development in Appalachian region.
7. Federal Power Commission (a) asserted jurisdiction over co-ops; (b) increased activity in electric power regulation and planning.
8. Popular support for resource development programs and importance of consumer-owned power systems in connection with these programs.

1. PROGRESS REPORT

On December 6, 1960, representatives of American Public Power Association, National Rural Electric Cooperative Association, National Farmers Union, United Automobile Workers AFL–CIO, and Mid-West Electric Consumers Association met with you, as President-elect, at your home in Georgetown to discuss Federal power policies. We left with you four memorandums, including specific suggestions for creation of a progressive power program in the Department of the Interior. Listed below are the major proposals and a report on their progress, as now viewed by APPA and NRECA. The scorecard:

1. Recommendation: Initiation of long-range energy planning, with particular emphasis on interregional Federal transmission ties, and establishment of a national power planning staff at a high level in the Department of the Interior. Action: Administration has requested funds to build Pacific Northwest-Southwest interconnection—the first major extra-high voltage long-distance interregional intertie proposed by the Federal Government. Work is underway to link Missouri River Basin system and Southwest Power Administration, and tie together Missouri River Basin and Colorado River storage project—plus a start on studies of other interties. The planning staff of the Assistant Secretary for Water and Power has been strengthened and augmented.

2. Recommendation: Vigorous support of Federal statutory power marketing responsibilities. Action: Department has taken action to implement intent of historic preference clause and long-standing mandate to market Federal power at lowest possible rates consistent with sound business principles. Interconnections between Federal system and preference customers generation have been accomplished in several areas.

3. Recommendation: Subject all existing power policies to reexamination in order to establish a fresh start in the drive toward long-range objectives. Action: On February 13, 1961, Secretary Udall issued a memorandum to his staff reestablishing and updating the Department's 1946 power policies.

4. Recommendation: Begin a new starts program and speed up investigation of additional projects. Action: Initiation of major power dams has been sparse, and the Project Pipeline required to maintain an adequate and orderly development of water resources has not yet reached desired levels.

5. Recommendation: Establish more flexible policies on power wheeling to make full use of existing and future facilities and resources. Action: Creation of Missouri River Basin systems group, integration of Colorado-Ute plant, and restoration of pre-1954 right-of-way regulations will permit more efficient and effective use of Federal power resources.

6. Recommendation: Remove limiting date of 1963 for Bureau of Reclamation acting as agent to purchase power for preference users in Missouri River Basin. Action: Limitation was lifted.

7. Recommendation: Consult with preference customers in planning all power developments in the area in which they are affected. Action: Coordination with consumer-owned systems has been greatly improved.

8. Recommendation: Base feasibility and power rates of water resource projects on legitimate costs to Federal Government, not phantom expenses such as "taxes foregone," and determine payout schedules on basis of useful life of projects, not to exceed 100 years. Action: Bureau of the Budget circular A–47 has been revised to reflect accurately project costs and benefits in evaluation, including abandonment of the "taxes foregone" concept. New payout period has not been adopted, and the problems of cost allocation and cost sharing, especially as to accounting for recreation as a multiple-project purpose, have not been resolved.

9. Recommendation: Designate Bonneville Power Administration as operating and power marketing agency for electricity produced at dual-purpose Hanford reactor. Action: Administration supported Federal generation at Hanford; when Congress refused to authorize this plan, BPA cooperated with local public agencies in successful effort to put waste heat to work. Ground will be broken on Hanford power project next week.

10. Recommendation: Endorse all-Federal transmission system for Colorado River storage project. Action: Administration backed an all-Federal grid but after congressional approval, Secretary Udall substituted private power company delivery contracts for a significant portion of the authorized lines—to the detriment of some preference customers.

11. Recommendation: Stress more effective intra-agency planning by Federal power marketing agencies. Action: Cabinet-level coordination and cooperation at lower levels has been improved.

12. Rural Electrification Administration: Although our 1960 memorandums did not relate specifically to REA, the rural electrification program is of primary importance to the National Rural Electric Cooperative Association. NRECA believes that the leadership given the REA program in this administration has exhibited the greatest understanding of the program objectives and the highest courage and determination in carrying them out.

2. PUBLIC POWER AND ECONOMIC GROWTH

Federal power projects aid economic growth. Power features pay for themselves—with interest—and help finance other project purposes. Low-cost electricity cuts costs for industry, and puts more cash in the pockets of consumers, plus assisting in pushing down rates generally through competition by comparison.

Power is frequently a political hot potato in authorization and appropriations fights. But inclusion of maximum power facilities avoids senseless waste and makes possible other water-related resource development. In 1900 the United States had 76 million people, and by 1950 this total had more than doubled, jumping to 161 million; today we have 188 million people, and in only 37 years estimates show 400 million. We need more power and water to insure economic growth.

Why shouldn't we leave this job entirely to private power companies? Why promote public power? Only through public development can full comprehensive development be properly protected; Hells Canyon is one example of economic waste. Only with public development are power revenues assured to promote other purposes—reclamation, flood control, navigation, recreation, industrial and municipal water supply, fish and wildlife enhancement; a private corporation cannot be expected to invest heavily in non-revenue-producing features such as flood control, navigation, and recreation. Only with public development can the economic lever of competition be applied to reduce costs in an industry which is monopolistic in nature and insulated from the normal forces of free enterprise. Only with public development can the taxpayers obtain directly the full monetary benefits of water resource projects. Only with public development can we successfully advance the philosophy of more power at lower cost through promotional rates which encourage use and production.

A. Benefits from Federal projects

Here are some of the ways public power encourages economic growth:

Construction: Construction itself stimulates the economy. At Glen Canyon Dam, only about one-fourth of the construction dollar was spent at the damsite, the remaining three-fourths going to 47 States, England, and Canada—to the supply sources of steel, cement, machinery, and other industrial goods. Taking account of induced business, the offsite trade and commerce amounted to about $6 for every dollar spent at the damsite. But the long-range influence comes with operation.

Reclamation: A $4,300 million investment in reclamation projects since 1905 has produced a $22,800 million return by repayment of construction costs, cumulative crop value, and tax payments. Crops produced on irrigated lands are not those which are surplus.

Navigation and Power: Federal multiple-purpose projects in the Pacific Northwest have increased by 50 times the tonnage that moved on the Columbia River 25 years ago, and created 18 new electroprocess industries which employ 15,000 people directly and another 30,000 indirectly, purchase $50 to $60 million worth of Northwest goods and services each year, and pay between $6 and $7 million in State and local taxes.

Flood control: Flood control features of Federal multiple-purpose projects conserve resources for productive purposes. In late January and early February, 1963, Oregon, California, Nevada, and Utah suffered about $48,500,000 in damages from floods—but the figure would have jumped to $114 million if not for the flood control features of Federal dams. The economic saving: $65 million. Federal projects on the Columbia River have saved $243 million in flood damages in the last 25 years. TVA's total investment in flood control facilities is $285 million, but the benefits already total $456 million—a gain of $171 million.

Recreation: Reservoir recreation associated with Federal power projects creates new business. A former Governor of Oklahoma once called the Army Corps of Engineers Denison Dam "the biggest folly ever proposed," and one of his successors threatened to call out the National Guard to stop construction. Today the lake behind the dam brings nearly 7 million visitors annually and generates $17 million each year in new expenditures. More than $156,500,000 has been invested in recreation facilities and equipment on TVA lakes—including 52,000 boats valued at $42 million.

B. Meaning of low-cost power

It is a fiction that the cost of electricity keeps going down, as private power companies insist. The cost of electricity has been going up steadily since 1951. Slight increases in price per kilowatt-hour mean large sums in total consumer spending. A boost of only one-tenth of a mill per kilowatt-hour between 1961 and 1962 meant that residential customers alone paid about $21 million more annually for electricity.

Competition of other countries for foreign markets—and even domestic sales—is becoming increasingly keen. All available methods must be used to lower production expenses. The cost of electricity purchased by U.S. manufacturing industries hit an all-time low in 1956. In the 5 years thereafter, the cost went up. As a result, manufacturing industries have paid $406 million more for power than they would have if the cost of electricity had not increased. That would have been $406 million more available for investment in new plant and equipment, for stockholders, for employees, for consumers in the form of lower prices.

There is "fat" in the private power sector of the electric industry. The Federal Power Commission reported in July 1963, that a study of 200 private power companies showed excess revenues of $495,741,000 in 1961 on a basis of a 6 percent return—the percentage traditionally considered reasonable. Regulation alone cannot eliminate this profit paunch. Yardstick competition, which is made possible by the Federal power program, can do this job—and TVA and the Bonneville Power Administration provide the evidence. Rates in these areas—regardless of who owns the distribution systems—are the lowest in the Nation.

By providing a bulk supply of low-cost power to preference customers, BPA eliminates reliance by consumer-owned systems on frequently hostile private power companies. One result: Since 1950, publicly owned electric utilities and rural electric cooperatives in the Pacific Northwest have made $30 million in rate reductions while private utilities of the area have increased rates $25 million.

Federal power programs have helped, not hindered, the growth of privately owned utilities. In 1937, the year the Bonneville Project Act was signed into law, the major private power companies in the Northwest realized net profits of $6,900,000. In 1962, their net profits were $45,500,000—a 559-percent increase. The gain for the total U.S. private power industry during this same period was only 320 percent. While dividends paid stockholders by the Northwest companies boomed by 1,660 percent, the average for all U.S. private power companies was 333 percent.

C. Capital budget and new starts

Viewed in the perspective of total Federal expenditures, amounts invested annually in land and water resource development are small—always less than 2 percent of the total budget. Since 1900 the United States has spent $21,500 million on programs of the Corps of Engineers, Bureau of Reclamation and TVA combined—less than one-third the amount budgeted for defense today in a single year. We urge:

1. Administration support for a capital budget for the Federal Government. At Billings, Mont., in 1960, you called for "more businesslike budget practices for natural resources development, practices which distinguish between capital investment and operating expenditures, instead of a system which treats capital invested in a wholly self-liquidating power project the same as an expenditure which cannot ever be recovered." You stated then that: "Those who cry 'spending' on these essential projects will be less convincing when the ledger shows which projects are income-producing, wealth-creating assets that make money, finally, for the taxpayer." We share your belief in the desirability of this goal, and are ready to aid you in seeking its implementation.

2. Expansion of the Federal water resources program to insure adequate and orderly development of needed multiple-purpose projects. Dollar investment for power is still markedly below pre-Eisenhower administration levels—while at the same time inflation during the intervening decade has cut purchasing power.

3. Construction of a nuclear desalting pilot plant capable of producing fresh water and electric energy. This dual-purpose reactor could greatly aid in supplying future requirements of both commodities. And as Secretary Udall stated this month in Nairobi: "The influential countries of the future surely will be those that bring desalted water to arid lands and use their scientific discoveries to advance the welfare of all mankind."

3. NATIONAL POWER POOLING, INTERREGIONAL TRANSMISSION LINES, AND COMMON CARRIER CONCEPTS

1. National power pool

The United States remains the world's only major nation without a nationally integrated electric power system into which all major resources can be fed and from which all major load centers can be served. We believe that all segments of the electric power industry must work together toward achieving a national power pool. Such a pool, however, must contain safeguards for all segments of the electric industry, and must be operated in such a manner that full benefits from the operation of the pool are made available to electric consumers. The major investor-owned systems must be assured of continuing capability for growth. The identity of smaller investor-owned systems must be protected. Consumer-owned rural electrics and municipals must be certain that they receive the benefits of lower-price pooled power without impinging upon their integrity. The Federal Government must be assured of full participation in the pool, because growth of the Western States and comprehensive water resources development throughout the country are heavily dependent upon the power sales revenue from Federal multiple-purpose projects.

The lower transmission losses, improved reliability of service, better plant factors, sharing of reserve capacity, full utilization of time, stream flow, and load diversity and optimum fuel conservation will assure the availability from such a pool of electric power at costs far lower than any thus far realized in the United States.

One advantage of power pooling: With a fully coordinated power system by 1980, generating reserves could be reduced by one-third. The result would be a saving of $3 billion, according to the FPC. The investment savings would be available for other types of plants.

2. Interregional high-voltage transmission lines

An important element in the creation of a national power pool is the building of interregional extra-high-voltage transmission lines—the electric industry's equivalent of an interstate superhighway. This administration is to be commended for taking the first steps toward the construction of such interregional lines. The Interior Department study of a Pacific Northwest-Southwest 750-kilovolt, direct-current tie constitutes a major contribution to the transmission art. This study shows that a two-circuit, 750-kilovolt, direct-current line connecting the Columbia River power system with the Central Valley project in California would repay its entire cost of $227 million in less than 10 years. Even a single 750-kilovolt, direct-current line would firm 200,000 kilowatts of hydroelectric energy in the Pacific Northwest, thereby conferring on that area an annual economic benefit of $3,500,000. The Pacific Northwest would, in addition, enjoy a $9 million annual benefit from the sale of surplus energy in California and a $6 million benefit per year from the sale of peaking capacity. Peak load diversity alone between the two regions would, of itself, reduce generating plant investment of a magnitude sufficient to pay for the entire cost of the line during its useful life.

The capacity of this line will be available to all power supplies on a common carrier, cost of service basis.

We commend this administration for its leadership in proposing and supporting appropriations ($25,500,000 in the fiscal year 1964 budget) for the Pacific Northwest-Southwest interconnection. We urge the administration to continue and strengthen its activity on behalf of construction funds for this project.

We understand that feasibility studies are well advanced on a similar extra-high-voltage interregional tieline to link the Missouri River Basin and the Pacific Northwest. The American Public Power Association and the National Rural Electric Cooperative Association have proposed such an interconnection for several years. We urge that this study be completed at the earliest possible date so that a request for appropriations to fund its planning and construction can be laid before Congress in the fiscal year 1965 budget.

We further commend the administration for carrying out a program to interconnect the Federal system in the Missouri River Basin with the Southwestern Power Administration via a 161-kilovolt transmission line. Although this is a relatively low voltage interconnection, and although an additional extra-high-voltage interconnection is planned for the future, the more limited facility which is now under construction will result in savings equivalent to between 50,000 and 200,000 kilowatts of plant investment costs. Substantial savings will also serve from a 230-kilovolt transmission link between the Missouri River Basin and the Colorado River storage project.

3. *Application of the common carrier concept to electric power transmission*

Extra-high-voltage interregional tielines constructed by the Federal Government should be operated in accordance with common carrier principles. The carrying capacity of such lines would then be available not only to the Government itself but to all segments of the electric power industry on a cost-of-service basis, as are existing Federal transmission systems.

We strongly disagree with the decision of the Secretary of the Interior to substitute, in part, contractual arrangements with investor-owned utility companies for the all-Federal transmission system originally planned for the Colorado River storage project. The Secretary did, however, in negotiating some of those contracts, insist that not only Federal hydroelectric power but power from whatever source generated be transmitted for the account of the Government by the companies. And, whereas, this arrangement more closely resembles contract carriage than common carriage, it does establish a precedent which, if expanded, will result in application of the common carrier doctrine, not only to the Federal transmission systems but to all electric transmission systems, Federal and private, over which may flow power delivered for the account of the Government.

The ultimate objective should be, we believe, the operation of all high voltage transmission systems, public and private, on a common carrier basis under which such carrying capacity as is excess to the needs of the owning entity would be available to all power suppliers at a charge based on cost of service plus a reasonable profit where appropriate.

The common carrier concept is very closely related to the national power pool concept, and unless the transmission facilities of such a pool were operated as common carriers, the investor-owned segment of the industry would use its dominance in the field of generation and transmission to overreach the smaller cooperative and publicly owned systems.

We, therefore, respectfully urge this administration to give its full support to the application of common carrier principles to electric power transmission. There is a marked similarity between the interstate transmission of electric power under modern conditions and the interstate transportation of other products of commerce such as are carried by pipelines, bargelines, trucklines, railways and aircraft. There is, therefore, no reason why common carrier concepts should apply in other areas of interstate commerce and concepts of private carrier exclusively prevail in the electric power field.

4. NEED FOR ADDITIONAL NEW STARTS

The electric generating capacity owned by the Federal Government, as a percentage of the national total, has been steadily decreasing for 7 years. Industry statistics show that while, at the end of 1956, Federal facilities constituted 15.2 percent of the total installed electric generating capacity of the United States, that figure had fallen to 12.7 percent by the end of 1962. There is, therefore, no justification for assertions that the Federal Government is eroding the 76 percent of the industry owned by power companies.

There are two outstanding reasons for Government participation in the electric power business. One is the so-called Federal power yardstick by which rates and operating practices of Federal power systems constitute a competitive market influence—a standard against which to measure the charges and service standards of the industry. Regulation is an inherently negative tool—a means by which higher rate levels may be resisted. By contrast, the influence of low-cost Government power constitutes a major affirmative downward force on power costs wherever it is available. Statistics confirm this theory and indicate that average retail electric rates are lower in Federal power supply areas and tend to increase gradually in proportion to the distance from sources of Federal generation.

This Federal power yardstick can be effective only so long as the total output of Federal dams constitute a significant part of overall power supply. When it is no longer a competitive force, its benefit is gone.

Second, notwithstanding low rates, the revenue derived from the sale of Federal power is indispensable to multiple-purpose water resource development in the United States. This is especially true in the arid and semiarid regions of the West and Southwest where land and water resources must be mobilized on a regionwide basis. Food for future generations of Americans depends on the irrigation of these arid lands. And, the physical space necessary to accommodate and provide employment for our expanding population depends upon the availability in these arid areas of potable water. Yet, the revenue derived from the sale of water alone cannot repay the costs of the reservoir system required to impound it. Power is thus the paying partner for water development, although there is, of course, a limit to which power revenues can be used for water development. In the case of the Colorado River storage project, the cost allocation to power is about 60 percent of construction costs, but power revenues will finance 90 percent of the total project expense, including repayment of nine-tenths of irrigation outlay.

It follows logically, therefore, that the role of the Government in multiple-purpose water resource development must expand in proportion to the Nation's economic development. Otherwise, the yardstick effect of Federal power upon wholesale and retail rate levels will diminish and disappear. And, to the extent that our Western States critically depend upon economically feasible land reclamation and water storage which can be achieved only in conjunction with the generation of hydroelectric power, their future is interwoven with Federal multiple-purpose water resource projects.

The need for a Federal power yardstick and the value of hydrodevelopment in economic expansion is not limited to the West, of course, and other significant reasons—including prevention of waste—for the Government's power program are outlined in preceding comments on economic growth.

We, therefore, respectfully urge this administration to renew and intensify its efforts in planning and building new water resource projects. More particularly, we ask its help to achieve authorization of five major multiple-purpose projects that have been before Congress for several years. These include the 1 million kilowatt Knowles project in Montana which will provide flood control, hydroelectric power and irrigation benefits; the 90,000-kilowatt Burns Creek project in Idaho which will provide irrigation and hydroelectric power benefits; the 268,000-kilowatt Flint River development in Georgia which would provide hydroelectric power, navigation, recreation and flood control benefits; the 480,000-kilowatt Devils Jumps project in Kentucky which would provide hydroelectric power, recreation and flood control benefits, and the 310,000-kilowatt Trotters Shoals project on the Savannah River on the Georgia-South Carolina border which would provide recreation and hydroelectric power benefits. Each of these developments has been recommended by this administration. Each has been twice approved by the Senate, and each has been twice rejected by the House of Representatives.

In addition to the aforementioned five projects, we commend to the administration early authorization of the 5-million kilowatt Rampart Canyon project in Alaska which would be the largest hydroelectric power development in the free world. We further respectfully urge the inclusion of hydroelectric power facilities in the Allegheny Reservoir and in the Raystown Reservoir, each of which is in Pennsylvania. The Allegheny Reservoir is under construction and the Raystown project is in the planning stage.

We also suggest early authorization of the Auburn-Folsom project in California which will provide an ultimate capacity of 400,000 kilowatts of hydroelectric power together with irrigation, water supply and recreation benefits.

We respectfully call to your attention the fact that although the entire future growth and development of this Nation depends upon the wise conservation and utilization of natural resources, less than 2 percent of the Federal budget is devoted to land and water resource conservation of all kinds. Even if this very small percentage of the Federal budget, devoted to resource conservation, were entirely eliminated, the effect on the Federal Government's fiscal position would be minimal.

5. PASSAMAQUODDY-ST. JOHN RIVER DEVELOPMENT

The administration's support for the Passamaquoddy-St. John development in Maine shows imaginative leadership in resource development. These projects and others in New England, particularly in Maine, can break the cycle of low electric use and high rates which hampers the economic progress of the area.

New England's residential consumers are paying up to 33.5 percent more than the national average for electricity; commercial users are paying up to 42.8 percent more, and New England industries are paying up to 61.1 percent more per kilowatt-hour.

We urge you to request both legislative authorization and appropriations for the Passamaquoddy-St. John projects early next year—and to stand firm for Federal development and Federal power marketing. If the Maine projects are to be truly regional in character and provide full benefit to preference customers, it is essential that high-voltage Federal transmission lines be built to carry the power output to population centers in the region and that the firm power potential on the St. John—as well as the peaking possibilities at Passamaquoddy—be developed. If the power output is siphoned off by private utilities, its impact will be diluted or lost entirely.

Over the long range, the establishment of a Northeastern Power Administration, similar to those already in existence in the

Southeast and Southwest, may create the needed planning and marketing agency which can take a regional approach to northeastern power resources. We hope you will give consideration to this step. For the short range, construction of transmission lines as an integral part of the Passamaquoddy-St. John development can establish the Federal Government and local governmental units as meaningful segments of the power industry in the Northeast.

Electric rates are so high in New England that regional newspapers are calling for relief. The Chairman of the Federal Power Commission has urged immediate steps on the part of existing utilities to modernize their operations and to adopt a low-cost, high-use policy. The New England AFL–CIO Council has called for prompt construction of Passamaquoddy-St. John, in order to bring "low-cost power, new industries, payrolls, and jobs into our region." Public power and rural electric cooperative leaders in the region fully support Federal construction of the project and the necessary transmission lines.

Interior Department studies indicate that power from Passamaquoddy and the St. John can be produced at a cost of about 4 mills, about 25 percent below the current wholesale cost of power in the region.

We believe it is time for bold steps forward. Passamaquoddy has been studied and restudied. We hope that the administration will move on to actual construction as promptly as possible.

6. CASE FOR APPALACHIAN DEVELOPMENT

The Appalachian region is a chronically depressed area where unemployment runs as high as 30 percent. With the mechanization of the coal industry and with rapid depletion, due to mismanagement and exploitation, of the forest and soil resources, unemployment continues to grow, economic conditions continue to decline, and the area has little hope for the future.

Appalachia suffers from all the ills inherent in a depressed area: inadequate educational facilities—resulting in poorly trained students and high dropout rates; untrained or unskilled work force; poor hospitals and medical care; declining tax bases; and costly social welfare programs.

We urge a bold and dynamic program for the area, similar to the Tennessee Valley Authority. The requisite resources exist in vast quantities: coal for huge, mine-mouth thermal operations and water for hydroelectric generation and steam cooling purposes. In addition, the area abounds in good sites for pump-storage hydroelectric projects to complement the vast potential for coal-fired baseload generation stations. A beginning could be the 480,000-kilowatt Devils Jump project in eastern Kentucky—where eight area redevelopment councils recently called for creation by Congress of a new TVA-type authority, using electric power to lift the economy of nine Appalachian States.

New transmission technology and mine-mouth generation will permit service to big city loads hundreds of miles away, as well as providing low-cost energy for establishment of new local industries. Projects to control water for cooling purposes, to provide badly needed flood control—and to be paid for by the hydroelectricity generation—would be an integral part of a massive power development.

The recreational potential of reservoir projects is tremendous. Throughout the Nation, more than half of the people visiting Federal recreational facilities visit reservior sites, many of which are much farther from population centers than is the Appalachian area, which sits on the back step of the largest concentration of people in the United States. In fact, more people use the recreation facilities at Federal multiple-purpose projects than visit national parks and national forests combined.

We therefore respectfully suggest the following program for Appalachia:

1. Detailed study of (a) the resource development potential with especial attention given coal and water for use in generation of power and development of recreation; (b) potential markets for power and the transmission to those markets; and (c) human resources and their related facilities which badly need updating for integration into any development plan.
2. Creation of a Federal regional organization to carry out a resources development program.

7. FEDERAL POWER COMMISSION MATTERS

A. FPC jurisdiction over rural electric cooperatives

REA-financed electric cooperatives were virtually unknown when the FPC, as it is now constituted, was established in 1935. And, for 27 years thereafter, the Commission exercised no general jurisdiction over REA-financed electric systems. This well-established precedent was reversed on July 22, 1963, when FPC initiated formal proceedings, via a show-cause order, to assert and adjudicate general jurisdiction over all REA-financed rural electric cooperatives.

It is the position of the Commission that any business otherwise wholly intrastate which sells any electricity generated in another State is subject to its jurisdiction, with the exception of public agencies which are exempt by law. This means that virtually all rural electric systems, regardless of size, will be subject to FPC regulation despite the fact that they do not hold themselves out to serve the public, despite the fact that there is no diversity of interest between owners and consumers which usually gives rise to the necessity for regulation and despite the fact that the legislative history of the REA and FPC statutes give no indication of any intent by Congress to confer jurisdiction over cooperatives on the Commission.

Over 325 REA-financed cooperatives have petitioned to intervene in this proceeding against the assertion of jurisdiction by the Commission. The Secretary of Agriculture has petitioned to intervene at FPC against such jurisdiction; thus indicating the national significance of the policy problem involved. It is the Secretary's position that the subject cooperatives are already thoroughly regulated at the Federal level by the REA Administrator, and that FPC jurisdiction over them would directly conflict with the statutory duties and responsibilities vested by law in that Administrator. Not only would the FPC regulate wholesale rates but it would also be in a position to control REA loans under the Commission's authority over issuance of securities. In addition, the statutory right of appeal to the courts from FPC decisions would, for the first time, afford in effect, a judicial review of all REA loans.

This is a matter which had been successfully resolved at the policy level for 27 years, which, we believe, has created unnecessary and undesirable controversy within the administration and which will impose an unnecessary economic burden of several hundred thousand dollars ,on electric cooperatives by way of this litigation alone.

We earnestly and respectfully solicit the help of the Office of the President to restore prior FPC policy on this matter.

B. Increased FPC activity in electric power regulation and planning

We commend the FPC for assuming, during this administration, an increased role in wholesale electric rate regulation. The Commission is, for the first time, closely scrutinizing the rates and practices under which wholesale power is made available by investor owned utility systems to municipally owned electric distribution systems. Suspension by the Commission of certain wholesale rate increases in the State of Wisconsin has already resulted in a benefit to these municipal systems of approximately $100,000. The Commission staff has recommended, in a formal proceeding, that wholesale power be made available to the municipal power system in Shrewsbury, Mass., at substantially reduced costs. The Commission is also investigating certain inequitable rate schedules imposed upon municipal electric systems and rural co-ops in several States. For these activities the municipal electric utilities are grateful.

The National Power Survey, being conducted by the Federal Power Commission, is a commendable attempt to set aside differences between the various segments of the electric power industry with the objective of assuring all consumers an abundance of electricity at minimum cost. We respectfully call to your attention, however, the fact that although the large scale power system operation, envisioned by the survey, may achieve lower production costs through technological efficiencies, there is no assurance that the industry, which is 76-percent operated by investor-owned companies, will pass such savings either to small consumer owned cooperatives and municipal systems or to their own ultimate consumers. The Federal Power Commission has no jurisdiction whatsoever over retail rates, and therefore, must rely on agencies beyond its own control to assure realization by the general public of the survey benefits. At the same time, however, the Commission's increased attention to the regulation of wholesale rates charged by private power companies to municipal electric utilities gives some promise that the benefits of a nationwide pooled operation could be made available to local public agencies, rural co-ops and other small distribution systems.

We respectfully ask that the administration provide the guidance necessary to assure that the results of the National Power Survey insure to the benefit of consumers.

Federal expenditures for power and related development in relation to total Federal budget

Fiscal year	Expenditures for power	Total Federal budget	Power expenditures as a percent of total Federal budget
	Million	*Billion*	
1952	$680.9	$71.6	0.95
1953	710.4	84.5	.83
1954	694.6	78.6	.88
1955	541.1	65.6	.82
1956	305.8	62.4	.49
1957	315.4	65.9	.47
1958	414.8	71.8	.57
1959	415.6	73.9	.56
1960	437.6	77.0	.56
1961	504.6	79.8	.63
1962	539.8	80.9	.66
1963	548.4	92.5	.59
1964	568.3	98.8	.57
Percent change fiscal year 1952–64	−16.6	+27.4	−.40

Comparison of cost and consumption of electricity by ownership and area, 1960

	Residential sales	
	Average sales per customer	Average revenue per kilowatt-hour
	Kilowatt-hours	*Cents*
Private power companies:		
National average	3,454	2.62
Local public power systems:		
National average	5,208	1.58
Tennessee Valley area	9,449	1.01
Pacific Northwest area	10,309	.97

Federal appropriated investment for power and related development,[1] fiscal 1952–64

[In millions of dollars]

	1952	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962	1963 [2]	1964 [2]
Multipurpose dams and reservoirs with hydroelectric power facilities:													
Bureau of Reclamation	75.4	70.5	54.1	33.1	24.5	36.8	88.4	111.2	84.5	95.0	134.3	125.2	141.5
Corps of Engineers	287.0	332.9	271.1	241.1	177.1	170.0	186.4	179.6	221.3	261.6	253.6	252.0	250.4
International Boundary and Water Commission	8.0	13.8	5.9	1.4	.8	.1	.3	.2	.4	.5	7.0	12.8	7.9
Total, multipurpose facilities	370.4	417.2	331.1	275.6	202.4	206.9	275.1	291.0	306.2	357.1	394.9	390.0	399.8
TVA (multipurpose dams, powerplants, and transmission lines)	222.0	208.5	294.0	215.5	60.8	74.0	104.5	95.2	99.2	103.2	86.4	87.8	91.4
Power transmission facilities:													
Bureau of Reclamation	34.4	28.0	25.0	16.1	14.7	6.9	8.8	10.8	13.6	18.1	40.5	51.1	47.2
Bonneville Power Administration	50.8	53.4	41.7	33.3	27.7	27.2	25.5	18.2	17.1	25.5	16.9	18.4	26.4
Southeastern Power Administration	.1	.4	(3)	--------	(3)	--------	--------	--------	--------	--------	--------	--------	--------
Southwestern Power Administration	3.2	2.9	2.8	.6	.2	.4	.9	.4	1.5	.7	1.1	1.1	3.5
Total, power transmission	88.5	84.7	69.5	50.0	42.6	34.5	35.2	29.4	32.2	44.3	58.5	70.6	77.1
Total	680.9	710.4	694.6	541.1	305.8	315.4	414.8	415.6	437.6	504.6	539.8	548.4	568.3

[1] Nonconstruction costs and TVA bond revenues excluded.

[2] Estimated. All others actual. (TVA bond revenues; $50,000,000 in fiscal 1961; $95,000,000, fiscal 1962; $50,000,000 (estimate), 1963; and $50,000,000 (estimate), 1964.)

[3] Less than $50,000.

Source: The Budget of the U.S. Government.

High cost of power in New England States, as compared to national average

POWER PURCHASED BY MANUFACTURING INDUSTRIES, 1961

	Kilowatt-hours purchased	Total cost	Average cost per kilowatt-hour	Percent above or below U.S. average
	Billions	*Millions*	*Cents*	
Total United States	299.2	$2,632.6	0.880	----------
New England	11.9	174.8	1.466	+67
West North Central	11.4	140.1	1.231	+40
Middle Atlantic	44.6	506.9	1.136	+29
East North Central	76.2	743.0	.976	+11
South Atlantic	33.1	301.6	.910	+3
West South Central	18.9	158.5	.839	−5
Pacific	36.3	254.0	.699	−21
Mountain	8.3	56.9	.689	−22
East South Central	58.5	296.8	.508	−42

New England: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.

West North Central: Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas.

Middle Atlantic: New York, New Jersey, Pennsylvania.

East North Central: Ohio, Indiana, Illinois, Michigan, Wisconsin.

South Atlantic: Delaware, Maryland, District of Columbia, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida.

West South Central: Arkansas, Louisiana, Oklahoma, Texas.

Pacific: Washington, Oregon, California.

Mountain: Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada.

East South Central: Kentucky, Tennessee, Alabama, Mississippi.

Source: 1961 Annual Survey of Manufactures, Bureau of the Census Commerce Dept.

NEW ENGLAND POWER COSTS, 1961

	Residential		Commercial		Industrial	
	Cents per kilowatt hour	Percent above U.S. average	Cents per kilowatt hour	Percent above U.S. average	Cents per kilowatt hour	Percent above U.S. average
U.S. average	2.60	----------	2.43	----------	1.08	----------
Connecticut	2.82	8.5	2.87	18.1	1.55	43.5
Maine	3.12	20.0	3.43	41.2	1.29	19.4
Massachusetts	3.47	33.5	3.18	30.9	1.67	54.6
New Hampshire	3.29	26.5	3.47	42.8	1.50	38.9
Rhode Island	3.38	30.0	3.46	42.4	1.74	61.1
Vermont	2.74	5.4	2.62	7.8	1.51	39.8

Source: FPC publication "Statistics of Electric Utilities in the United States, Privately Owned, 1961."

QUOTATIONS ON POWER AND CONSERVATION

Definiton of "conservation": "Conservation means development as much as it does protection. I recognize the right and duty of this generation to develop and use the natural resources of our land; but I do not recognize the right to waste them, or to rob by wasteful use, the generations that come after us." (President Theodore Roosevelt, speech at Osawatomie, Kans., Aug. 31, 1910.)

Comprehensive development: "Every stream should be used to its utmost. No stream can be so used unless such use is planned in advance. When such plans are made, we shall find that, instead of interfering, one use can often be made to assist another. Each river system, from its headwater in the forest to its mouth on the coast, is a single unit and should be treated as such." (President Theodore Roosevelt, message transmitting to Congress the preliminary report of the Inland Waterways Commission, February 26, 1908.)

The public power "yardstick": "The very fact that a community can, by vote of the electorate, create a yardstock of its own, will, in most cases, guarantee good service and low rates to its population. I might call the right of the people to own and operate their own utility something like this: a 'birch rod' in the cupboard to be taken out and used only when the 'child' gets beyond the point where a mere scolding does no good. That is the principle which applies to communities and districts, and I would apply the same principles to the Federal and State Governments." (President Franklin D. Roosevelt, campaign address, September 21, 1932.)

"There are only two ways of providing that the people shall get cheap power and electricity. One is through real regulation by the States, which is almost out of the question. The other is through ownership by the Federal Government, the States and municipalities, of some of the instrumentalities by which energy is made, generated, and transmitted. Even the threat of public competition at a few places will serve the purpose." (Senator George W. Norris, "Power," the Country Home, May 1931.)

Role of the Federal Government: "We should make it our duty to see that hereafter power sites are kept under control of the General Government for the use of the people as a whole in a way which shall encourage development of the water power, but which shall not create a monopoly. The Nation alone has the power to do this effectively, and it is for this reason that you will find those corporations which wish to gain improper advantage and to be freed from official control on the part of the public, doing all that they can to secure the substitution of State for national action." (President Theodore Roosevelt, Denver 1910.)

Giant power versus superpower: "Giant power and superpower are as different as a tame elephant and a wild one. One is the friend and fellow worker of man—the other, at large and uncontrolled, may be a dangerous enemy. The place for the public is on the neck of the elephant, guiding its movements, not on the ground helpless under its knees.

"Giant power seeks the cheapest sources of power, and hence the cheapest rates. It proposes to create, as it were, a great pool of power into which power from all sources will be poured, and out of which power for all uses will be taken. It is the pooling of supply—not the disposal of surplus—and the chief idea behind it is not profit but the public welfare.

"Superpower, on the other hand, is the interchange of small quantities of surplus power at the ends of the transmission line of each system. Its principal object is profit for the companies—not benefit for the public—and it is on the way to being realized with a rapidity which it is difficult fully to understand. If we are to have giant power instead of superpower the time in which to make sure of it is very short.

"The main object of the superpower idea is greater profit to the companies. The main object of the giant power idea is greater advantage to the people. Giant power will assure vastly better service and vastly cheaper rates to the consumer, and through effective public regulation, it will set aside the threat of the most dangerous monopoly ever known." (Gov. Gifford Pinchot, of Pennsylvania, message to the general assembly transmitting the report of the giant power survey board, February 1925.)

Partnership policies and the public interest: "Wherever the Government constructs a dam and lock for the purpose of navigation there is a waterfall of great value. It does not seem right or just that this element of local value should be given away to private individuals of the vicinage, and at the same time the people of the whole country should be taxed for the local improvement." (President Theodore Roosevelt, Muscle Shoals veto message, March 4, 1903.)

[From the Washington (D.C.) Post, Sept. 24, 1963]

TVA PROJECT IN APPALACHIAN AREA IS URGED

(By Julius Duscha)

President Kennedy was urged yesterday to set up a "TVA-type authority" to develop the depressed areas of West Virginia, eastern Kentucky and Pennsylvania.

The suggestion was made by representatives of the American Public Power Association and the National Rural Electric Cooperative Association.

They met with the President, Secretary of Agriculture Orville L. Freeman and Secretary of the Interior Stewart L. Udall on the eve of Mr. Kennedy's 11-State conservation tour.

The President leaves Washington this morning for a 5-day, 10,000-mile tour of the West, where Federal water and power projects have aided economic growth.

The proposal for the establishment of a Federal agency modeled on the Tennessee Valley Authority to develop the Appalachian Mountain area stretching from northern Alabama to southern New York was one of several resource projects urged on the President.

The proposed agency could develop the abundant coal and water resources of the region, "using electric power to lift the economy of nine Appalachian States," the delegation of public power advocates told Mr. Kennedy.

The Commerce Department is now studying the problems of the Appalachian area to see whether a Federal regional agency could develop it.

The Area Redevelopment Administration, which was set up more than 2 years ago to aid depressed areas, has concentrated much of its loan-and-grant activity in the Appalachian region.

There has been some improvement in the economy of the area, but not as much as the Kennedy administration had hoped for. In a speech in Huntington, W. Va., on Saturday Gov. Nelson A. Rockefeller of New York charged that West Virginia's economy is in worse shape than before Mr. Kennedy took office.

Other power-and-water projects supported by the public power advocates in their White House conference were the Knowles project in Montana; Burns Creek in Idaho; Flint River in Georgia; Devils Jump in Kentucky, and Trotters Shoals on the Georgia-South Carolina border.

All five of the projects are before Congress and have been backed by the administration.

The public power spokesmen also urged devlopment of the 5-million-kilowatt Rampart Canyon project in Alaska, which would be the world's largest hydroelectric development.

Alex Radin, general manager of the Public Power Association, said that Mr. Kennedy "expressed interest" in all of the proposals.

Leading the Rural Electric Association's delegation was Clyde T. Ellis, the organization's general manager.

"GOP MAKES MISTAKE TO FIGHT TAX CUT"

Mr. MORSE. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a penetrating editorial entitled "GOP Makes Mistake To Fight Tax Cut." The editorial was published on September 22, 1963, in the Denver Post.

I believe the editorial was written by a truly great American newspaperman with distinct Republican leanings—Palmer Hoyt, editor and publisher of the Denver Post. I have known for years Ep Hoit, as he is affectionately called by his many friends. He is a brilliant analyst of the American political scene, and he never permits his political leanings to get in the way of his journalistic objectivity.

All Members of Congress—Democrats and Republicans alike—would do well to give heed to the analysis set forth in this editorial on the tax cut proposed by President Kennedy.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

GOP MAKES MISTAKE TO FIGHT TAX CUT

We are amazed by reports from Washington, among them the one from William White on this page today, that House Republicans have decided to make a major partisan fight against the proposed Federal income tax cut.

In theory, the Republican fight is not against the tax cut itself. But the Republican effort to attach a deficit-limiting cancellation clause to the tax cut bill will in fact destroy most of the stimulating effect of the tax cut and could wipe it out entirely.

What the Republicans want to do, specifically, is to attach a rider to the bill canceling the cut unless Federal spending is held to $97 billion this year and $98 billion next year. Otherwise, says Representative JOHN BYRNES, Republican, of Wisconsin, spokesman for the House Republicans, deficits expected with the $11 billion tax cut in the next 2 years could lead to inflation and "financial ruin."

This is politically inspired nonsense. If the Republicans persist in it, and should succeed in their fight, it is they, not President Kennedy, who will have the albatross of "fiscal irresponsibility" hanging around their collective neck in 1964. They will be the ones who will have stifled the effort to get some of the burden of the Federal tax off the economy.

President Kennedy made a powerful and logical case for the tax cut last week, and now the Republicans have replied. Their reply is not impressive.

To get a nonpolitical view of the facts, let us look at what a group of responsible businessmen say:

"The deficits in recent years have, in large part, been the product of the failure of our economy to achieve its full potential because of the burden of oppressive individual and corporate tax rates. If unemployment is to be reduced, if idle plant is to be put into production, and if we are to achieve meaningful long-term economic growth, individual and corporate rates must be reduced.

"We recognize that tax reduction in the magnitude contemplated * * * will add temporarily to an otherwise existing deficit. However, we believe that additional income flowing from the tax cut will bring the budget into * * * balance significantly sooner than if there were no tax cut at all.

"We commend these Members of Congress for their concern and urge them to do everything possible to assure expenditure control. We also sincerely urge them to reconsider their position and to work aggressively for the passage of a tax reduction as soon as possible."

Who are these businessmen? They are members of a committee headed by Henry Ford II, chairman of the Ford Motor Co., and Stuart Saunders, president of the Norfolk & Western Railway—the most consistent moneymaker among American railroads.

Other members include financiers such as Frazar Wilde, chairman of the Connecticut General Life Insurance Co.; David Rockefeller, president of the Chase Manhattan Bank, and Robert C. Baker, chairman of the American Security & Trust Co., in Washington.

It is quite doubtful that there's a Democrat in the lot. And it's quite certain that men of this caliber are not advocating anything that will lead the Nation to financial ruin. Since even Congressman BYRNES himself agreed that President Kennedy was "dead right" in saying a tax cut is urgently needed, there is no sound reason for playing politics with it. There is not even a sound political reason for doing so—considering that the effect would rebound on the Republicans.

This tax cut should be passed. It should be passed soon. And it should be passed without any uncertainty-creating "if's" or "but's."

SMALL STEPS LEAD TO LARGER ONES

Mr. WILLIAMS of New Jersey. Mr. President, through the long weeks of preparation and hard work that preceded this Tuesday's vote on the test ban treaty, Secretary of State Dean Rusk patiently and eloquently explained that the treaty will not end the cold war, nor will it end the dangers that exist in a world in which total destruction is possible. As the Secretary has said:

> We must work at it steadily, patiently, and ceaselessly. Small steps are worth taking because we may find them to be the key to larger ones.

A newspaper in my home State, the Newark Star-Ledger, has paid appropriate tribute to the Secretary. In an editorial of September 25, the Star-Ledger managed to summarize the importance of the treaty, while it cautioned against any slackening of alertness or concern about the hazards that still stand in the way of peace with security. The editorial writer also links the future of our national security with the treatment to be given in Congress to the foreign aid bill.

Mr. President, I believe that this editorial is timely and farsighted. I ask unanimous consent to have it printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Looking Ahead

With the ratification of the limited nuclear test treaty now an accomplished fact, the United States must look forward to other areas of agreement with other world powers.

Secretary of State Dean Rusk, the able, soft-spoken spokesman for our foreign policy, already has embarked on an intensive series of diplomatic talks designed to implement the gains that were made with the test ban pact.

The talks will be on a new plane of hope and optimism, in the wake of the ratification by the U.S. Senate of the historic accord that will harness indiscriminate nuclear arms testing.

This does not mean, of course, that dramatic developments are on the horizon. Things just don't happen that way in the world of power politics and diplomacy. The gains, if and when they come, will be small but significant. They will lead to other accords, in a step-by-step painstaking process.

Secretary Rusk is a diplomat of consummate skill and patience, two traits that are musts for a successful career in the trying, frustrating foreign affairs field.

The Secretary of State, at a dedicatory exercise in the United Nations, cautioned against undue optimism for a major breakthrough on troublesome world problems.

"I do not see on the immediate horizon dramatic and sweeping solutions to divisive and dangerous problems," Mr. Rusk said. "But we must work at it steadily, patiently and ceaselessly. Small steps are worth taking because we may find them to be the key to larger ones."

One of these steps can be taken right at home * * * in Congress. It would be to restore the crippling cuts in foreign aid made by the House in next year's appropriation. There is an opportunity now to make decisive inroads in undeveloped countries, where the Soviet Union and Red China have been busily wooing officials and the people. With the drastic reductions ordered by the House, it would be impossible to offset gains the Commies would make by our inactivity.

SENATOR MAGNUSON PROPOSES FISCAL, LEGISLATIVE SESSIONS

Mrs. NEUBERGER. Mr. President, our presence here in the 10th month of the year is the best possible evidence that Congress has decided for year-round operation of the legislative branch. The trend toward 12-month sessions has been gradual, but inexorable. The reality of continuous legislative activity is with us. Now we must look at the legislative machinery, to see whether it is operating efficiently and effectively, whether it is equal to the task imposed by the pressing and complex problems of modern society.

My esteemed colleague, the senior Senator from the State of Washington [Mr. Magnuson], is also troubled by these questions. In a recent article which he wrote for United Press International, Senator Magnuson proposed a split in the annual sessions of Congress. During the first part, general legislation would be acted upon. The second half would be a fiscal session devoted entirely to money matters. As the chairman of the powerful and important Senate Commerce Committee, and a veteran member of the Senate Appropriations Committee, the Senator from Washington writes with authority on this subject. He strongly empasizes the value of closer scrutiny of the budget, in the interests of economy. He argues that this can best be done at a designated time when attention is not diluted by the multiplicity of general legislative proposals which confront Members of Congress.

I ask consent to have printed in the Record the article entitled "Magnuson Proposes Two Sections for Congress." It appeared in the Medford, Oreg., Mail-Tribune on September 22, 1963.

There being no objection, the article was ordered to be printed in the Record, as follows:

Magnuson Proposes Two Sections for Congress

(Editor's note.—The charge frequently is made that Congress handles its money chores in wasteful, slipshod fashion. But not much has been done about it. Now Senator Warren G. Magnuson believes he has an answer. He wants to split Congress' work year into two parts—one devoted to legislation and one to appropriations. He explains his plan below).

(By Senator Warren G. Magnuson)

New savings must be found by Congress if mounting international and domestic needs are to be trimmed intelligently to a size which can be met.

This means that more attention must be given our Federal budget.

Because Congress may remain in session longer—we don't expect to recess this year until November or December—doesn't mean necessarily that more time is being spent studying budgets. Spending programs take their turn on the priority calendar with the rail crisis, civil rights implementation, and tax cut legislation.

SEEN AT GLANCE

Large individual areas of spending can be seen at a glance. Of this year's projected $98.8 billion budget, about $60 billion is for defense, space, and international programs. If you also subtract amounts set aside to care for our veterans and service the debt incurred in three active wars and the cold war, then only $21 billion remains to cover all other expenses of National Government.

Actually, what happens with a budget now? Individual agencies have a full year to prepare and marshal facts to support their spending arguments. Only then does Congress get the proposed spending figures.

Under the House interpretation of the Constitution, these budgets now have gone to the House and remain there until the House is ready to send them to the Senate. For example, most of these budgets for 1963-64 haven't been sent to the Senate this year. Even when they arrive in the Senate, all too much time often must be spent comparing House cuts with the original request and what the agency now tells us it needs, and all too little time on further sensible appraisal.

STILL IN HOUSE

An example is the independent office appropriation bill which I handle in the Senate. Twenty-nine agencies are included. That appropriation bill still is in the House.

There might be a far different story to tell if Congress had both additional facts and time with which to sharpen and utilize its potent shears intelligently.

Any time the Senate restores funds for any agency it opens itself to a charge of "encouraging the spenders" even though the House many times has reduced or eliminated items which by law must be paid. Hence the Senate is legally required to restore or add to these items.

Members of Congress, for example, need to know what dollars in a given budget are being invested, what dollars being spent without return.

SUMMARY OF FUNDS

Any corporation gives stockholders a summary of funds invested in plant and facilities as compared with those spent without return.

Not so our Federal government. Thumb through the fiscal 1964 budget. Try to find such comparisons. Nowhere will you find the total capital outlay, with present values, for buildings, or land. Yet these, and many other Federal outlays of the past often have been only loans which have been returned in whole, in part, or sometimes sums beyond the original investment to the Treasury. Try to locate these figures in the 1964 budget.

This showing would be required in any budget, drawn by any administration, under the measure (S. 1301) which I have sponsored in the 88th Congress.

We would have an administration tell Congress each year the government's total capital assets and their value at fiscal year's end. These would be a showing made of the amount of sums requested and expenditures which are to be repaid to the treasury.

TIME FOR SCRUTINY

Then, more time is needed for scrutiny of any President's budget than we have now. Now, a President presents his budget in January, after having had almost a year to draw it up. Congress is supposed to consider it, pass it and put it into operation by July 1. During this period, members of Congress have had only a few days at Easter recess to talk with their people about the amounts sought.

This action on the budget—almost $100 billion this year—is supposed to occur while Members are busy on other legislation, meeting crises and ratifying treaties. In other words, our consideration of Federal spending has to be sandwiched in with other necessary duties.

The measure I'm discussing would change that.

There would be two sessions of Congress each year. Starting January 1, attention would be given regular legislation, including measures authorizing appropriations to be made. This session would continue as long as necessary, but not beyond the first Monday in November.

A FISCAL SESSION

Then, the second Monday in November would witness the start of a fiscal session which would last until actual appropriations had been approved, or as late as December 31. Only money matters would be considered.

A change in our fiscal year would be necessary. Instead of observing a fiscal year which starts July 1 and ends on June 30, there would be a change to the calendar year of January 1 to December 31.

The President, instead of delivering his budget message in January, would send it to Congress by July 15 each year. Then members could take it home with them during the congressional recess, discuss it with their voters, assess needs realistically and be ready to give it thorough, painstaking consideration when the fiscal session opened in November.

LIKE MAIN PLAN

Those with whom I've discussed the plan like it in the main. They agree it makes sense to permit every Member of Congress, whether he's on the House or Senate Appropriations Committee, to devote full time to studying every spending proposal.

He isn't able to do this now without neglecting other committee assignments that are also demanding. Between this and floor action, time is at too much of a premium.

The average Member of Congress would like to take more time with the Federal budget. He would like to satisfy himself that every drop of water possible is wrung from the budget.

Our measure would give him more time for the wringing. And it could not help but save a great deal of money.

LITANY FOR MODERN MAN

Mr. RIBICOFF. Mr. President, Norman Cousins, one of Connecticut's most distinguished citizens, was awarded the Eleanor Roosevelt Peace Award at a dinner in Westport, on September 21. Dr. Benjamin Spock, author of "Commonsense Book of Baby and Child Care," and former Ambassador James Wadsworth, who served as chief negotiator at the nuclear test ban talks in Geneva during the administration of President Eisenhower, were among those who paid tribute to Mr. Cousins. Robert Ryan, the famous actor, presented a plaque to Mr. Cousins, and read Mr. Cousins moving and poetic editorial, "Litany for Modern Man," which first appeared as an editorial in the Saturday Review on August 8, 1963. Because I believe that all of us would benefit by Mr. Cousins' brilliant insight I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

LITANY FOR MODERN MAN

I am a single cell in a body of 2 billion cells. The body is mankind.

I glory in the individuality of self, but my individuality does not separate me from my universal self—the oneness of man.

My memory is personal and finite, but my substance is boundless and infinite.

The portion of that substance that is mine was not devised; it was renewed. So long as the human bloodstream lives I have life.

I do not believe that humankind is an excrescence or a machine, or that the myriads of solar systems and galaxies in the universe lack order or sanction.

I may not embrace or command this universal order, but I can be at one with it, for I am of it.

I see no separation between the universal order and the moral order.

I believe that the expansion of knowledge makes for an expansion of faith, and the widening of the horizons of mind for a widening of belief. My reason nourishes my faith and my faith my reason.

I am not diminished by the growth of knowledge but by the denial of it.

I am not oppressed by, nor do I shrink before, the apparent boundaries in life or the lack of boundaries in cosmos.

I cannot affirm God if I fail to affirm man. If I deny the oneness of man, I deny the oneness of God. Therefore I affirm both. Without a belief in human unity I am hungry and incomplete.

Human unity is the fulfillment of diversity. It is the harmony of opposite. It is a many-stranded texture, with color and depth.

The sense of human unity makes possible a reverence for life.

Reverence for life is more than solicitude or sensitivity for life. It is a sense of the whole, a capacity for wonder, a respect for the intricate universe of individual life. It is the supreme awareness of awareness itself. It is pride in being.

I am a single cell. My needs are individual but they are not unique.

When I enter my home I enter with the awareness that my roof can only be half built and my table only half set, for half the men on this earth know the emptiness of want.

When I walk through the streets of my city I walk with the awareness of the shattered cities beyond number that comprise the dominant reality.

When I think of peace I can know no peace until the peace is real.

My dedication, therefore, is to the cause of man in the attainment of that which is within the reach of man.

I will work for human unity under a purposeful peace. I will work for the growth of a moral order that is in keeping with the universal order.

In this way do I affirm faith in life and life in faith.

I am a single cell in a body of 2 billion cells. The body is mankind.

WESTERN DEMOCRATIC CONFERENCE IN SALT LAKE CITY

Mr. JORDAN of Idaho. Mr. President, last week, in Salt Lake City, the Democratic Party held a western conference in an effort to improve the party image in the West. In 1960, the Rocky Mountain States did not think too well of Mr. Kennedy. The elections of 1962 indicated a further decided swing to Republicans. In the five Senate contests, Idaho had two; and Utah, Colorado, and Wyoming had one, each. Republicans won four of the five Senate races, by returning a Republican and a Democrat from Idaho, by returning a Republican from Utah, and by capturing two Senate seats—one, each, in Wyoming and Colorado, formerly held by Democrats—for a net gain of two.

In an attempt to overcome this slippage in voter approval, some of the heaviest political artillery in the Democratic arsenal was sent to this conference. A veritable barrage of oratory, loaded with charges and withering attack was intended to level Republican opposition and to recapture some of the lost ground.

How effective was that appeal? Did the message get through to the people it was intended to impress?

A good indication of public reaction is contained in an editorial which was published in the Idaho Sunday Statesman, of Boise, Idaho, on September 22, 1963. Incidentally, next year, the Statesman will observe its centennial. It is Idaho's largest daily, and reflects the grassroots sentiment of many people.

I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE WESTERN DEMOCRATIC CONFERENCE IN SALT LAKE CITY SUGGESTS GROWING FEAR OF GOLDWATER AND CONSERVATISM

The western Democratic conference held at Salt Lake City last weekend, was vigorous politicking at its best. There is every indication that the Democratic liberals have taken the warpath, and that conservatism, especially as it involves Senator GOLDWATER, is the major issue. While there are no conservatives in any position of control in any part of the Kennedy administration, the Utah political air sounded as though the country had been hurried along the road to ruin by some band of culprits bearing the conservative banner. The obvious reaction is Democratic fear that conservatism has a stronger hold on the Nation than they desire, that it is a real and basic issue, and that the attack has to be made in that vein. It will be an interesting test when the voter takes over some day in November 1964, after the din of the presidential campaign has subsided.

While the Statesman wants to be included among the conservatives, but not to any extreme, and certainly not endorsing the John Birch Society or any companion activity, it is our opinion that the electorate is very late in facing up to the fact that we have had too much Government, and that the Kennedy administration hasn't any idea of even holding the line, let alone reducing the octopus growth of bureaucracy. We doubt that Senator GOLDWATER is as far to the right as the alarmed Democrats want to place him, and we are confident, from long observation, that when the time comes, Mr. GOLDWATER will make shambles of such lightweights as Senator HUMPHREY who was one of the main speakers at Salt Lake City.

Come to think about it, Senator HUMPHREY is a man without much stature, a politician belittled by President Kennedy in the last presidential primaries, and since proven, by his crawling back into the Kennedy fold after endless intolerable personal insults, that he has to be in the spotlight, the quality and hard sense involved beside the point. What Senator GOLDWATER could do to Mr. HUMPHREY in a debate on conservatism would be murder.

But that is beside the point. It is plain that the Democrats fear Senator GOLDWATER because his leadership (and he has not promoted it) has proven the growing strength of resentment to the New Frontier and its endless confusion. Senator GOLDWATER is not an avowed candidate for the Presidency. He has said so time after time. But he is a symbol of a trend in American thinking. Whether that trend has developed to a point that it will be the controlling factor in next year's election remains for history. Should it continue to gain strength at the pace it has been generating the fear in Democratic circles, many changes will take place in Washington from the Presidency on down. These changes are bound to come in time, assuming the Nation is not sabotaged domestically or ruined internationally (the present program). The question is whether they will come in time. The Nation's greatest danger rests in the individual failure to analyze what Federal Government is supposed to do, what it has been doing, and what is going to be the outcome if the course is not altered.

At Salt Lake City it was especially interesting to note that Secretary of the Interior Udall, a political upstart with no qualification for his assignment, said that Senator GOLDWATER was "impulsive and did not have the maturity and ability to be President." Just what degree of maturity Mr. Udall happens to have in his system hasn't been a topic that has attracted national attention, and when it comes to impulsiveness, the Udall record is unmatched. He is one of the few men holding high office to impulsively act in matters he doesn't even understand. The more the Udall attack is leveled at Senator GOLDWATER, the more the Senator's strength will grow. Mr. Udall's opposition is an asset to any candidate.

No one at the Salt Lake Democratic conference mentioned the fact, nor dare they that conservatism, to whatever extent it exists in government at this time, is of Democratic origin and is effectively practiced and protected by Democratic U.S. Senators of stature. Call them the southern bloc or whatever, they are the dedicated conservatives, and none of them were in Salt Lake City attacking the Goldwater philosophy.

But conservatism within the Democratic Party does not rest solely with these U.S. Senators. It is found among Democrats in every precinct in Idaho and every other State in the Nation.

Consequently, it is amusing that the main theme of the western Democratic conference was the conservatism issue. The pots are calling their own kettles black.

Conservatism may have any number of meanings. But, applied to individuals, there is a wide difference in the thinking of elected officials. The fight against conservatism by liberal Democratic spokesmen has been best described as "seduction by subsidy"—the determination of the liberals to fight common sense in government, to preserve their soft political jobs.

Senator Goldwater is not developing conservatism. That job is being well handled by the Humphreys and the Udalls. That has to be the conclusion in studying what happened at Salt Lake City.

To illustrate what happens when a bunch of political second raters come West for an early campaign effort, the highlight of the Utah meeting was the challenge of LDS Apostle Ezra Taft Benson's connection with the John Birch Society. That issue, brought up at a panel, measures in good contrast with Secretary Udall's prediction that the Democratic Party will "sweep the West" next year, something it hasn't done since Roosevelt. President Kennedy won nothing in the West, especially in Utah, which was the primary reason for the Salt Lake City conference. Whatever sweeping was accomplished by the orators will prove to be political dirt. The real brains of the Democratic Party will hasten to attempt to bury it under the nearest rug.

The meeting was a great success for the Republican Party in the intermountain area.

DOCUMENTARY FILM REPORT "TROUBLED WATERS"

Mr. McNAMARA. Mr. President, last week, the Senate Public Works Committee held the first public showing of its documentary film report entitled "Troubled Waters."

The film is a half hour color presentation which is designed to attract public attention and concern to the major national problem of water pollution.

The first reactions to the film have been extremely encouraging. Senators, officials interested in this problem, and members of the general public have praised the film for its graphic message, its objectivity, and its professional quality.

It is my hope that the film will have wide usage throughout the country by schools, professional organizations, and other groups which have an increasing awareness of the attention needed by our rivers and streams.

I publicly express the thanks of our committee to the Department of Health, Education, and Welfare, the Department of Agriculture, the Department of the Army, and the Department of the Air Force, for their invaluable assistance in producing the film.

Particularly, I thank the distinguished actor, Mr. Henry Fonda, who narrated the film. Mr. Fonda donated his time and talents to this project, as a public service; and his voice adds tremendously to the picture's effectiveness.

CONGRESSIONAL REORGANIZATION: A PRESENT IMPERATIVE

Mr. BARTLETT. Mr. President, a thoughtful editorial appeared in the Washington Post, September 25, dealing with the state of the Congress. This editorial paints a dark but in many ways accurate portrait of the 88th Congress. This Congress has been in session a long time. It has completed action on very little. It has very much more to do.

I do not believe that the Congress will be able to assume and to bear the full responsibility which the Constitution assigns it in the Federal balance of powers until and unless it undertakes to streamline its procedures and its housekeeping. If we are to preserve the principle of responsible legislative authority, we must update the methods with which we do our business.

It was with this thought in mind, I am sure, that the Senate Rules Committee favorably reported Senate Concurrent Resolution 1, to create a joint committee to study the organization and operation of the Congress and recommend improvements therein. The work of such a select committee as envisioned in Senate Concurrent Resolution 1 would be fully as valuable, even more valuable, than that done by the La Follette-Monroney committee of 1946.

I regret that the Washington Post, in referring to the proposal said that it had been "watered down" by the Rules Committee. I do not believe this to be true. The committee in its report on the resolution explained why it had insisted that nothing in the resolution "shall be construed to authorize the joint committee to make any recommendations with respect to the rules, parliamentary procedure, practices, or precedents of either House of the Congress, or the consideration of any matter on the floor of either House." The 1946 Reorganization Act contained precisely the same language.

It is based on the constitutional provision that "each House may determine the rules of its proceedings." Political reality and the hope of obtaining favorable action on the resolution make it vital that such a limitation be clearly spelled out. Neither House, and rightly so, would or should allow the delegation of its rulemaking authority to a committee beyond its ken. The rules and procedures of the House and of the Senate no doubt need revision. Let each House make its own revision; let each body set its own house in order. But let the joint committee set about studying the reorganization of congressional methods.

Mr. President, I ask unanimous consent that the Washington Post editorial be made a part of the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

State of the Congress

Congress is coming in for a new round of criticism as it enters the showdown stage of the present session. For nearly 9 months it has dawdled along with an astonishing lack of systematic effort or sense of purpose. Now it is confronted by hopelessly congested calendars, overworked individuals and possibly frustrated national objectives.

Senator Scott and others are worried by the probability that some Members of Congress may not survive the turmoil of the session-end squeeze. His concern has ample justification. Yet the greater damage is likely to fall in the realm of congressional prestige. Senator Javits has pointed out that in the eyes of the people Congress "seems to be listless, halting, haphazard and half-hearted in its efforts." Consequently, he feels, along with many of his colleagues, that "Congress is in the gravest danger of suffering tremendously in its reputation with the country.

The Congressional Quarterly's boxscore on 26 major bills before the 88th Congress shows final action taken on only 6. These include such routine bills as the corporate and excise tax extension, the debt limit, extension of the draft and the feed-grains program. Congress did show that it could act in an emergency by promptly passing the railway settlement bill. But that good work stands out in embarrassing contrast to the sluggish motion elsewhere.

Anxiety hangs heaviest over the two biggest bills of the session—the tax cut and omnibus civil rights bill—now that the test ban treaty has been approved by the Senate. Although the House is scheduled to vote on the tax bill on Wednesday, the Senate has taken no action, and the danger that the tax bill will become entangled in a civil rights filibuster mounts with each day of delay. The civil rights bill itself is still in the House Judiciary Committee.

Less concern over the fate of these measures would be felt if Congress had cleared its legislative channels of the glut of lesser bills. But nearly 3 months after the beginning of the fiscal year, only two appropriations bills—Interior and Treasury-Post Office—have been enacted. Eleven more appropriations bills and a vast number of legislative measures await completion aside from the big bills on which public attention is centered. On three bills which the administration deems to be of major importance, medical care for the aged, unemployment benefits and the creation of an urban affairs department, no action whatever has been taken.

It is impossible to conclude from this record that Congress is doing well. Many of its own Members have called it variously the standstill Congress, the do-nothing Congress, the limping Congress, and so forth. It is not a question of whether Congress may ultimately muddle through to a defensible legislative record. What is most disturbing is the failure of Congress to use tested and reliable methods of handling its business with efficiency and dispatch.

The most tangible hope for improvement to come out of the present session is the Senate Rules Committee's approval of a Senate-House committee that would take up the congressional reform trail where the La Follette-Monroney committee left off nearly two decades ago. The Senate committee also approved rules changes that would require Senators to stick to the subject under debate for at elast 3 hours a day (why only 3 hours?), permit longer committee sessions and authorize former Presidents to address the Senate.

Even the study resolution sponsored by Senators Clark and Case was unfortunately watered down, however, and its chance for survival in the House is considered slender. The country has cause to be alarmed over the plight into which Congress has fallen. Senator Case was right in saying the other day that it has "become so ensnarled in its own archaic and complex procedures that the executive and judicial branches of Government have had to take over the primary responsibility for the conduct of the Nation's business."

INDICATORS OF EDUCATIONAL ACHIEVEMENT—NEED FOR FEDERAL AID TO EDUCATION

Mr. FULBRIGHT. Mr. President, the Washington metropolitan area is well above average on every indicator of economic well being and educational achievement. This and the overwhelming dependence of area citizens on Government as an employer, make us assume that District of Columbia area citizens are careful and astute observers of the political scene. Unfortunately, according to an article which was published last week in the Washington Post, such is not the case. According to the article, a representative survey of area adults, made by students of J. E. B. Stuart High School, in Fairfax County, revealed that 12.2 percent of those polled had no idea about the identity of four of the Nation's principal leaders. Only 24.2 percent knew all of the answers to these questions:

Who is Lyndon Johnson?
Who is our Secretary of Defense?
Who is our Secretary of State?
Who is John A. Gronouski?

None of the four turned out to be as well known as leading movie stars or athletic heroes. According to the Gallup Poll published in Sunday's Washington Post, 91 percent of the people know who Elizabeth Taylor is; but only 58 percent can identify the junior Senator from Arizona—whose name has been in the political news a few times, lately. In the local identity survey, Mr. Gronouski evidently caused considerable difficulty. He was called everything from "that Russian" to a football player. I suppose it could be expected that Mr. Gronouski, a newcomer on the Washington political scene, would fare badly in comparison with his three better known running mates. It is obvious that he has a long way to go before achieving the distinction attained by his two fellow Cabinet members, who are recognized by one-half the District of Columbia area adults.

This article makes a very strong case for Federal aid to education. I ask unanimous consent to have it printed in the Record, following my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

Rusk Unsung, L.B.J. Singing Star to Some

(By Sterling Seagrave)

The world may tremble as nuclear giants wage peace, but there are still a few people in Washington who think that L.B.J. is a new recording star, our Secretary of Defense is named Adenauer, our Secretary of State is Cordell Hull, and Gronouski is "that Russian."

These and other answers were obtained in a survey of 600 Washington citizens completed yesterday by 24 students from Bruce Baker's advanced government class at J. E. B. Stuart High School in Fairfax.

Four questions were asked: Who is Lyndon Johnson? Who is our Secretary of Defense? Who is our Secretary of State? Who is John A. Gronouski?

Although Arlington faired better than Fairfax, the District, or Alexandria (in that order), 12.2 percent had absolutely no idea who the Nation's leaders are.

Only 24.2 percent knew all four answers. The rest had these responses:

"I don't know anything. I just vote the party." "I'm not doing anything but working." "If I didn't have these bills on my mind, I could rattle the answers right off." "Ask them who I am. Ask the President, Mr. Eisenhower." "I ain't been here but 2 weeks, so I don't know."

Several men thought Gronouski played football. A visiting German student knew three out of four, but a District policeman knew none. An Alexandria woman didn't recognize the name Johnson but when asked for the name of our Secretary of Defense answered "Kennedy," then replied "Kennedy" again for Secretary of State.

"We tried to get a cross-section of incomes, in selecting neighborhoods, homes, etc.," says Steve Presser, spokesman for the student pollsters. "We tried to get a normal representation of each area, with the only qualification being that persons interviewed had to be over 21, and therefore of voting age."

Lyndon Johnson was best known, Secretary McNamara and Secretary Rusk batted .500 and just-appointed Postmaster General Gronouski took a bad beating.

Clearly, the situation has changed little since 1948's runoff between Truman and Dewey when a woman voter gave this reason for voting for Dewey:

"We've had too many generals for President. It's time we had an admiral."

JAYCEES OPPOSE CIVIL RIGHTS LEGISLATION

Mr. STENNIS. Mr. President, in earlier speeches on the floor of the Senate, I have said that the civil rights legislation proposed to Congress this year is unwise, unnecessary, and totally inconsistent with States rights. Moreover, much of the civil rights package is clearly unconstitutional.

The Mississippi State Junior Chamber of Commerce, assembled in convention at Pascagoula, Miss., on September 23, 1963, adopted a resolution in opposition to civil rights legislation. I ask that the resolution be printed in the Congressional Record, so that all Members of the Senate may have the benefit of the views of this fine and active organization in my State.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of the Mississippi State Junior Chamber of Commerce

Whereas all members of the Mississippi State Junior Chamber of Commerce are imminently concerned with the future of our State and Nation, with the freedoms which are so dear to the citizens of all democratic nations, and with the prospects of being deprived of any of our fundamental rights by governmental encroachment; and

Whereas we believe that the free enterprise system is one of the fundamental qualities which has attributed to the success of our Nation and that whenever anyone in the free enterprise system is told to whom he must sell, from whom he must buy, whom he must hire, or whom he must serve, the system is being destroyed and along with its destruction the essence of all freedoms which we hold so dear are being destroyed; and

Whereas we believe that education, voting and relations between the citizens of any community are matters entirely of local concern; and

Whereas we believe that any action of the Federal Government to interfere with these matters of local concern is beyond the authority granted to the Federal Government by our Constitution, is an intervention upon rights of citizens of this Nation, and is an infringement upon the responsibilities of the States as established by the Federal Constitution; and

Whereas though we fully realize that great problems exist in the area of race relations in our Nation, we believe that any efforts to force a solution to these problems, whether it be by the force of a governmental power, the force of lawless action, or the force of mob action, will serve only to widen the chasm that now exists rather than to diminish the antipathy that now exists; and

Whereas the Congress of the United States is now considering legislation commonly referred to as the "civil rights bills" which strive to "force" solutions to our race relations problems; which contain provisions that deprive citizens of this Nation of essential freedoms upon which this country was founded and which we hold so dear; and which intervene in affairs that, if to be satisfactorily handled, must be dealt with by the people directly involved; and

Whereas we believe that enactment of legislation of this nature tends to transpose our Nation into a dictatorship rather than a democracy, through all the principles of freedom in which we so strongly believe are so violently opposed to a dictatorial government: Now, therefore, be it

Resolved by the Mississippi State Junior Chamber of Commerce in convention assembled, That we unanimously oppose every phase of the legislation now before the U.S. Congress commonly referred to as the civil rights bills, and we earnestly urge each and every Member of Congress and each and every citizen of the United States to consider the dimensions of this bill and its complete undesirability and to strenuously oppose its passage; and be it further

Resolved, That this resolution be spread upon the minutes of the Mississippi State Junior Chamber of Commerce, that it be made available to the press, and that the executive vice president of the Mississippi State Junior Chamber of Commerce deliver forthwith a copy of this resolution to Senators James O. Eastland and John C. Stennis, and Representatives Thomas G. Abernethy, Jamie L. Whitten, John Bell Williams, William Arthur Winstead, and William M. Colmer.

J. C. McDonald,
President.

Attest:

Jon H. Hollingsworth,
Executive Vice President.

THE SATURDAY EVENING POST ARTICLE ON HOUSING

Mr. WILLIAMS of New Jersey. Mr. President, the September 21 issue of the Saturday Evening Post contained an article entitled, "Why New Houses Cost Too Much."

As a member of the Senate Housing Subcommittee, I read this provocative article with a great deal of interest. But, frankly, Mr. President, I must confess to mixed emotions in my appraisal of it.

Among other things, the article cites a number of examples of defective and shoddy workmanship in the homebuilding industry and goes on to praise a bill introduced by my good friend, the distinguished Senator from Alaska [Mr. Gruening], to protect homeowners from the cost of major defects in FHA-insured housing.

I was pleased to join as a sponsor of this measure, in the hope that we can find an effective way to protect the homeowner against occasions when gross defects occur in FHA-insured housing. I quite agree with the Senator from Alaska that the words "FHA guarantee" ought to mean what they say and ought to protect the homeowner, as well as the lending institutions, when there is a legitimate cause. In that sense, the Saturday Evening Post article served a valuable purpose in highlighting an important deficiency in our existing FHA statutes.

But, Mr. President, I cannot help but say that the article went rather far in trying to prove its point. At one point the article states that builders—not a few builders, not some builders, but builders—"are under enormous pressure to cut corners—and even to chisel."

The tone of the article would suggest that nearly every homeowner in the United States might have good reason to lie awake, wondering whether his house will stand up through the night.

Mr. President, I think it is obvious that today the American people enjoy new housing in a quantity and quality unparalleled in the world.

But the article, in addition to its emphasis on poor and faulty construction, gives the impression that there has been virtually no technological progress in the housing industry for the last 30 years. Mr. President, this just is not so.

There is no question that many local building codes are antiquated and have impeded the rate of technological progress, as the article points out; and there is no question that the homebuilding industry could be doing better in the field of research. After all, all of us could do better in our fields of endeavor. But to say that little or nothing is being done is simply untrue.

Furthermore—as the article itself points out, after criticizing the lack of research on the part of the homebuilding industry—there is the problem of engaging in product research and development if local building codes will not permit a products use.

Another bothersome point is found in the article's criticisms of inefficiency on the part of the homebuilding industry.

But, Mr. President, the homebuilding industry is not one giant corporation. It is preeminently the field of small builders. Perhaps it would be more efficient if only two or three corporations produced all our homes, using mass-produced prefabricated parts. But I think the author of the article should have faced the implications of this course.

I daresay that the American people, if given the choice, would be willing to pay a little more in order to preserve the small-business character of the homebuilding industry and the diversified opportunities it offers to entrepreneurs. Just as we place an intangible value on the small family farm, which is not as efficient as a factory, and just as we value small towns, which are not as efficient as large cities, so, too, there is a value in the decentralization of the homebuilding industry.

But, Mr. President, in view of the character of the homebuilding industry and the external forces which operate upon it, I think it surprising that it provides the leadership it does in the whole field of community development.

For example, far more than do many other profit-motivated segments of society which are engaged in building our cities, towns, and suburbs, the homebuilding industry has recognized the inseparable relationship between the home and other aspects of community development. It understands the need for coordination of transportation plans with residential development plans, and it has supported transit legislation which would help achieve this coordination, even though the legislation is of no direct interest to the homebuilding industry.

Or let us consider another extremely important aspect of total community development—the wise and economical use of land. One would think the homebuilding industry would be content with the old, time-tested ways of using land for residential development, on the theory that nothing succeeds like success. Yet these time-tested ways of using land for housing—the rows upon rows of houses set on their own separate and identically sized plots of land, in an endless sprawl across the landscape—are fantastically more wasteful and costly.

These time-tested methods of land development have the effect of pushing the countryside farther and farther away from more and more people. They drive up the cost of providing the necessary streets, roads, and highways. They drive up the costs of installing the necessary water, sewer, and electrical facilities. They drive up the costs of earthwork to prepare the land for development, which, in turn necessitates wholesale destruction of the trees and natural landscaping of the area. They make it necessary for mothers to drive the family cars when taking their children to school, or when they visit friends or do the shopping.

Mr. President, there are better and more imaginative ways in which this Nation can house a growing population, and can preserve a great many more amenities in our suburbs, as well.

One would not expect the homebuilding industry to be in the forefront of the effort to try new and more imaginative ways to develop our suburbs. But it is.

Incidentally, in the Saturday Evening Post article, there was virtually no mention at all of the whole problem of land costs and the present wasteful use of land. Yet land could be used in ways which could cut housing costs by one-third, and would provide more satisfying and enjoyable neighborhoods as well.

In 1961, the Urban Land Institute published a 150-page technical bulletin on new approaches to residential land development. The publication, House and Home, and the Journal of Homebuilding, have published numerous articles on this subject. The National Association of Homebuilders has developed a most interesting table-sized model which visually demonstrates the many ways in which new subdivisions can be developed in more imaginative and more economical ways.

Mr. President, I ask unanimous consent to have printed in the Record, an editorial, published in the July 1962 issue of the Journal of Homebuilding. It was written by the past president of the National Association of Homebuilders, Leonard Frank. Its title is "Land—A High Priority Problem."

Also, Mr. President, in the interest of presenting the homebuilders' views on the subject, I ask unanimous consent to have printed in the Record a letter to the editor of the Saturday Evening Post. The letter was sent to me by the NAHB president, Mr. W. Evans Buchanan.

There being no objection, the editorial and the letter were ordered to be printed in the Record, as follows:

Land: A High-Priority Problem

(By Leonard L. Frank)

It became evident during the staging of our prophets and profits programs around the country that land and land use is one of our most vital problems. Our land discussion evoked great interest; everywhere, I found builders and developers concerned about rising land costs and unreasonable restrictions upon its use. Land prices have increased by as much as 3,000 percent in some areas since 1950.

There is plenty of land—it's the land use that's the basic problem. Today's tax system, for example, often makes misuse or nonuse of land more profitable than good use. Local zoning policies which force builders to use land improperly and wastefully are outstanding examples of the negative approach to proper land use. This gross waste and misuse of land must be stopped. Your NAHB has been and continues to be engaged in a mammoth educational campaign to bring about the better use of land.

What are the new and varied ways of economically developing land? Are these new ways practical, salable? What about the hundreds of complex legal and administrative problems? Are costs equitable?

There are yet to be produced any tested, valid data about these and allied questions. But the NAHB is presently engaged in an effort to get that information. About a year ago there was produced a valuable report, "New Approaches to Land Development" (Urban Land Institute Technical Bulletin No. 40), which was financed in great part by NAHB. It concluded that we must proceed with more intensive investigation of a number of new concepts it broached.

It is vitally important that we develop further this joint NAHB–ULI land-use study, because it will give us the needed answers to keep us in business. The results of this study will give us badly needed tools. For example, it will enable us to present a strong case for altering outmoded zoning restrictions and subdivision regulations; it will provide legal machinery to accommodate better land-use concepts rather than battling each case individually at great cost in time and money; it will also give us ways and means of promoting these new concepts in all areas of the country, and information as to whether or not these concepts are economically practical.

We cannot afford to continue to use land uneconomically, as we have been forced to do, and stay in business. The land problem will get more complicated. More babies were born in March of 1962 than in any month in our Nation's history. The population is growing and people create the problem.

Through strong and active local associations' community facilities committees we must intensify efforts to get through to local authorities that restrictions put on land use must be reasonable and constructive. Housing is a big and complex industry. The endeavor to house people properly is too vital to the Nation, both economically and sociologically, to be eternally fettered by poorly conceived local land restrictions.

NATIONAL ASSOCIATION OF
HOME BUILDERS,
Washington, D.C., September 19, 1963.

MR. CLAY BLAIR, Jr.,
Editor, Saturday Evening Post,
New York, N.Y.

DEAR MR. BLAIR: I am outraged at the distorted picture that emerged from the article titled "Why New Houses Cost Too Much," in the September 21 issue of the Saturday Evening Post.

In the preparation for this article the author was given every possible assistance by the National Association of Home Builders in the hope he would tell fairly and constructively the story of home building and its problems—that he would inform the public about the pressures the home builder must resist in order to hold down the cost of housing—such things as soaring land prices, zoning requirements, increased labor and materials cost, cost of installing water and sewerage lines, and restrictive and antiquated building codes which inhibit the use of new and better materials.

Instead, we are shocked and disillusioned to see that the article emerged as another sensational version of similar articles which have been done in other magazines by the same author. The important land cost and community development problem was ignored. (The author has written to us that "unfortunately space requirements required cutting virtually all the section on land.") The problem this industry has with outmoded building codes, while mentioned, was subordinated to the more commercial business of sensationalizing some isolated cases of inadequate construction for the sake of reader appeal. These were made to appear the norm rather than the exception.

The truth is that the National Association of Home Builders for years has waged a campaign to modernize outmoded building codes which impede progress in housing in many parts of the country. We have also been conducting a substantial and costly program of technological research to find ways to build better and more economically. This research effort—which includes the construction of five research houses in recent years in cooperation with the leading materials manufacturers, and the continuing operation of a research laboratory—is not mentioned in the article. Your readers should be told that holding prices down is very much to the builder's interest: the lower the price, the more qualified buyers.

The fact is that the price of housing has remained remarkably stable over the past 5 years despite the aforementioned pressures upon the home builder. The houses of today are better than ever before, they are better engineered, better designed, and offer more space and amenities than ever before.

You, as the editor of the Saturday Evening Post, could, if you were so disposed, put these truths before the public. I and the members of our association hope that you will have the courage in the immediate future to publish a comprehensive article on housing which would attempt to inform your readers instead of merely trying to excite them.

A more responsible report on the housing industry was published recently in Fortune magazine. The opening paragraph said this:

"The U.S. homebuilding industry has brought off its part of a great social revolution in the past two decades, and made it look easy. It has, to begin with, recreated the supply of American housing at a furious rate; some 23 million dwellings, 40 percent of the total stock, has been built since World War II. More interestingly, and more revolutionary, the industry, abetted considerably by the Federal Housing Administration and the Veterans' Administration, has made home ownership the norm in the United States. Three American families out of every five now own the houses they live in."

Why not tell your readers the truth about housing?

Sincerely,

W. EVANS BUCHANAN,
President.

STOCKPILE SUBCOMMITTEE DRAFT REPORT

Mr. CASE. Mr. President, yesterday morning, September 25, the National Stockpile and Naval Petroleum Reserves Subcommittee of the Committee on Armed Services met to consider the adoption of a draft report. The draft report failed of adoption by an even vote—3 to 3. I voted against the report, because I regarded it as inadequate and unfair, on its face. Thereafter, I moved that the draft report, which the Stockpile Subcommittee failed to adopt by an evenly divided vote, be made public.

At the meeting of the subcommittee, it was early understood and specifically agreed that individual members of the subcommittee might make public statements of their own actions at the subcommittee and of their positions taken there.

In accordance with that agreement, later on yesterday I issued a short release, to which was attached a telegram I had sent the preceding day to former President Eisenhower, in regard to his conduct of the stockpile program, and a copy of the response he sent to me under date of September 25—both of which were offered at the meeting.

I ask unanimous consent to have printed in the RECORD my telegram and General Eisenhower's reply.

There being no objection, the telegram and letter were ordered to be printed in the RECORD, as follows:

SEPTEMBER 23, 1963.

The Honorable DWIGHT D. EISENHOWER,
Gettysburg, Pa.

DEAR GENERAL EISENHOWER: A few months ago, after stockpile hearings had been completed, I was appointed a member of the National Stockpile and Naval Petroleum Reserves Subcommittee of the Senate Committee on Armed Services.

The chairman of the subcommittee has submitted to the members of the committee a draft of a proposed report based on these hearings, much of which dealt with the policies followed by your administration in administering the strategic and critical materials stockpiling and the Defense Production Acts.

One of the major issues raised by this draft report is related to the establishment and revision by you of long-term stockpile objectives. The report takes sharp issue with your actions in this regard.

Knowing your deep personal as well as official concern with stockpile policies, I would greatly appreciate any comments you might have concerning the considerations which guided you in your administration of these programs.

Respectfully,

CLIFFORD P. CASE,
U.S. Senator.

GETTYSBURG, PA.,
September 24, 1963.

Hon. CLIFFORD CASE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CASE: I appreciate your inquiry into the policy considerations which led to my decision in 1954 to establish new long-term policies applying to stockpiling.

You will recall that, when we became involved in World War II, our lack of an adequate stockpile of strategic and critical materials gravely impeded our military operations. We were therefore forced into costly and disruptive expansion programs. The Nation was compelled to divert, at a most critical time, scarce equipment and machinery and manpower to obtain the necessary materials. However, the need for such a program was recognized and theoretical objective established on a predicted 5-year war.

But even after this experience, we had not fully learned our lesson. After World War II stockpiling was confined too much to mere talk—it neglected implementation. After we became involved in hostilities in Korea, we went through experiences almost identical with those of World War II—only then did realistic stockpiling begin.

When I became President I was determined that we benefit from these mistakes of prior years. It was from this conviction that my long-term stockpile policy evolved. Happily, Congress supported this effort and, after considering the programs we presented, it appropriated the yearly funds needed to make the purchases. In 1958 constant restudy changed our stockpile objectives to those necessary for a war of 3 years' rather than 5 years' duration.

As a result today of this entire enterprise we have, for the first time in our history, stockpiles of strategic and critical materials.

The Nation's investment in these stockpiles is comparable to the investment made in any insurance policy. If an emergency does not arise, there are always those who can consider the investment a waste. If however, the investment had not been made and the emergency did arise, these same persons would bemoan, and properly so, the lack of foresight on the part of those charged with the security of the United States. I firmly rejected the policy of too-little, too-late stockpiling. As a result when my administration left office in 1961, the Nation was strongly situated in this regard to deal with the forces of international communism.

Like all other defense activities, the policies underlining the acquisition of strategic and critical materials should be reviewed from time to time in order to keep them attuned to changed conditions. I hope, however, that Members of Congress will keep in mind that these materials are assets—not liabilities—also, that these Members will not permit anyone to dispose of any quantities of any of them until they have assured themselves, after listening to competent testimony, that this disposal can proceed without injury to the national security. The Congress should never relinquish its right to pass on executive branch proposals to sell materials in the stockpiles. Too much is at stake.

A final observation based on experience in public life is that while in such matters hindsight is often desirable and even enjoyable, foresight is always a necessity.

Sincerely,

DWIGHT D. EISENHOWER.

Mr. CASE. Mr. President, I should also note that at the time when I issued the release yesterday, I delivered a copy to the Senator from Missouri [Mr. SYMINGTON], the chairman of our subcommittee.

In addition, Mr. President, I ask unanimous consent that there be printed in the RECORD a statement which Dr. Arthur S. Flemming, who was Director of the Office of Defense Mobilization in the years 1953 to 1957, today released to the press.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY ARTHUR S. FLEMMING, DIRECTOR, OFFICE OF DEFENSE MOBILIZATION, 1953–57

Senator CLIFFORD CASE, of New Jersey, several weeks ago proposed that persons mentioned in a draft report of the Stockpile Subcommittee of the Senate Armed Forces Committee should be accorded the privilege of commenting on the report before final action by the subcommittee. I note that this suggestion has been rejected by the chairman of the subcommittee.

Under the circumstances, therefore, I have decided to make public my own views on certain issues which were raised by the subcommittee during the course of its hearings.

1. The issue of secrecy: Throughout the hearings, the chairman and the members of his staff stressed the fact that stockpile objectives and the status of the stockpile were classified. They implied that this made it impossible for the Congress to know what was going on.

Such a conclusion ignores the fact that the money for stockpile purchases was appropriated annually by the Congress. The Appropriations Committees of both Houses had access to any information the members desired.

It also overlooks the major role played by the Joint Committee on Defense Production under the chairmanship of such distinguished Members of Congress as the late Congressman Paul Brown, former Senator Homer E. Capehart, and Senator A. Willis Robertson, and assisted by an exceptionally competent staff. The joint committee held many sessions, some in executive session, on all of the issues discussed by the Stockpile Subcommittee in its hearings. The members of the staff of the Joint Committee had access to any staff members in the executive branch they desired to interview and to any information including all classified information, available in the executive branch.

The State and House Armed Services Committees likewise had access to all information, both classified and unclassified, bearing on the stockpile during the years in question.

2. The role of the Joint Congressional Committee on Defense Production: As the hearings of the Stockpile Subcommittee progressed, it was difficult for me to understand why the conscientious and effective work of the Joint Committee on Defense Production in this area was virtually ignored. This Joint Committee made annual reports in which all of the major issues in which the Stockpile Subcommittee showed an interest were discussed. The members of the Joint Committee did not always agree with the actions taken by the executive branch. Their views were always respected, however, and influenced subsequent action. This respect grew out of the recognition by the executive branch that the Joint Committee was functioning as a truly effective "watch dog" committee.

3. The question of surpluses: Great stress was placed on the alleged surpluses in the Nation's stockpiles. When the present administration took office, it began a review of stockpile objectives, a review which is still in process. It has made public its findings on certain materials based on the needs of conventional warfare. Even in these instances, it has stated that it has not yet determined what impact nuclear warfare and the rehabilitation of the economy following nuclear warfare would have on these objectives. How is it possible for anyone to identify accurately the existence or nonexistence of surpluses until the present administration has completed the job of fixing new objectives?

4. The preservation of the mobilization base: Questions were raised at the hearings relative to decisions which were designed to protect and strengthen the Nation's mobilization base. These actions were taken in accordance with the declaration of policy included by the Congress in the Stockpiling Act; namely, "to encourage the conservation and development of sources" of strategic and critical materials and in accordance with the objective of the Defense Production Act of 1950; namely, to bring about "the expansion of production capacity and supply beyond the levels needed to meet the civilian demand." Obviously, such expansion where needed to assure the national security, cannot help but also benefit some segment of business and industry. But our domestic business and industry is our essential mobilization base.

The lead and zinc industry, for example, was and is an important part of this base. I believe that President Eisenhower was on sound ground from a national security point of view when he directed me to put into effect policies which would help preserve the then existing mobilization base in lead and zinc. If the Government, at any time, fails to take the actions necessary to preserve and strengthen our mobilization base, it would certainly be guilty of weakening our national security position. This is why, I am sure, that, according to a New York Times story of November 20, 1962, the present Atomic Energy Commission decided to purchase $200 million of uranium ore in the latter part of this decade even though, according to the New York Times story, it is already committed to buy more uranium than it probably could use in this decade either for atomic weapons or civilian atomic power. The Atomic Energy Commission desires, and properly so, to maintain the uranium mining industry as a part of our mobilization base.

5. Deferral of stockpile purchases: The Stockpiling Act states that "purchases were to be made so far as is practicable from supplies of materials in excess of the current industrial demand." In conformity with this mandate, I did from time to time defer deliveries for example, of copper and nickel, to the stockpile, I did it at times when, as a reading of the annual reports of the Joint Congressional Committee on Defense Production will show, the industrial demand—including defense production needs—was far in excess of available supplies. At the hearings I was asked why I did not accept deliveries and then resell the material at the market price. I decided against making the Government a speculator in the metal markets of the Nation.

Prior to the outbreak of hostilities in Korea, this Nation had done virtually nothing to build stockpiles of strategic and critical materials. As a result, our ability to achieve military objectives in both World War II and the Korean War was impaired. When President Eisenhower made me responsible for this program, he stressed his desire to make sure that our Nation be prepared at last in this area. From the outset, he was determined, so far as he was able, not to allow our Nation to be caught short again in this crucial area.

I am glad that when the Eisenhower administration left office our Nation finally did have substantial stockpiles of strategic and critical materials. In addition, it had the strongest mobilization base in our history.

Our strategic and critical materials resources should not be dissipated until determinations have been made, by competent authorities, as to what our present objectives should be. This has not yet been done.

Mr. HUMPHREY. Mr. President, I gather there is no further morning business.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Is there further morning business? If not, morning business is closed.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1964

Mr. HUMPHREY. Mr. President, what is the unfinished business?

The PRESIDING OFFICER. The unfinished business is the agricultural appropriation bill, but, under the rules, it will not come before the Senate until 2 o'clock.

Mr. HUMPHREY. I move that the agricultural appropriation bill, H.R. 6754, be laid before the Senate as the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate resumed consideration of the bill.

MINE ENEMY—THE FOLK SINGER

Mr. KEATING. Mr. President, it will come as a shock to many Senators, but according to a resolution of a certain Los Angeles civic organization the Communists have developed a new secret weapon to ensnare and capture youthful minds in America—folk music.

No one who serves in Congress could reasonably entertain any illusions, no matter what might be the thrust of Soviet policy at any given time, about any possible letup in the intensity and earnestness of the Soviet pursuit toward its ultimate goal of world domination. Nor, based on our experiences with and knowledge of Soviet tactics, can one ever safely underestimate the capacity of communism for devising and employing whatever techniques are necessary to accomplish its long-range ends, from outright military takeover and occupation and the violent coup d'etat, to espionage, sabotage, subversion, propaganda, economic warfare, and perversion of the political and social processes of free societies to its own evil purposes. Nevertheless, I am stunned by the revelation that folk music is part of the Communist arsenal of weapons.

The resolution adopted by this organization, called the Fire and Police Research Association of Los Angeles, Inc., describes folk music as—and I quote from the resolution—"an unidentified tool of Communist psychological or cybernetic warfare."

For the benefit of any Senators who may not be fully familiar with the term "cybernetics," I looked it up in the dictionary, and it means "a comparative study of the control system formed by the nervous system and brain and mechano-electrical communication systems, such as computing machines."

I ask unanimous consent that the text of the resolution be printed in the RECORD following my remarks.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. KEATING. Mr. President, this amazing document maintains that "the dialectics of the Communist movement have successfully used, and are now using all modes and media of communication with young people, including the subtleties and the verbal subterfuges of applied dialectics in both poems and songs" and that "it is becoming more and more evident that certain of the 'Hootenannies' * * * in this country and in Europe have been used to brainwash and subvert"—and now, listen to this—"in a seemingly innocuous but actually covert and deceptive manner, vast segments of young people's groups." It closes with a fervent plea for a congressional investigation of this "unidentified tool of Communist psychological and cybernetic warfare" which is being used "to ensnare and capture youthful minds in the United States as it has so successfully and effectively captivated them abroad."

I had always had the impression that if anything was thoroughly American in spirit, it was American folk music. To be sure, I was perfectly aware of certain un-American influences in it, like Elizibethan balladry, English Protestant hymns and spirituals, and, with respect to jazz and in some cases the Negro spiritual, native African rhythms. But in my naivete I had never considered these un-American influences to be of a sinister nature and simply passed them off as part and parcel of the melting-pot tradition which has contributed so much in the way of variety and interest to the American cultural heritage.

In the light of this resolution, however, I have given this subject renewed attention. Have we ever considered, for example, that the music of our national anthem, the Star-Spangled Banner, is based upon an English folk melody—a drinking song, no less—"To Anacreon in Heaven"?

Of course, I realize that folk music tradition is grounded in movements of political, economic, and social unrest and I did not expect to find in music which originated among sharecroppers, miners, union organizers, factory workers, cowboys, hill folk, wanderers, and oppressed Negroes—a pattern of tribute and praise to such symbols of orthodoxy as the gold standard, the oil depletion allowance, and the standing rules of the U.S. Senate.

I knew that in reviewing the evidence I would be in for a share of lyrical protest against war, depression, economic exploitation, the plight of the Negro, the farmer, the worker, the railroaded convict, and, generally, the poor and downtrodden. I knew I would also come across music, as I actually did, dedicated to Robin Hood folk heroes like Jesse James, Pretty Boy Floyd, and Billy the Kid. And so I made allowances for the basic cultural factors operative in the folk music field. No one could possibly imagine the members of the board of directors of General Motors sitting around a conference table composing ditties in honor of defense contracts, while it is not surprising that coal miners should have come up with a protest song, "Sixteen Tons," crying "Saint Peter, don't call me, 'cause I can't go; I owe my soul to the company store."

I might interject at this point that the reason I recite rather than sing these words is that I know I would be breaking the Senate's rules if I did anything to provoke a Senate "hootenanny."

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. HUMPHREY. I have examined the rules of the Senate, knowing of the Senator's speech. I do not recall seeing anything in the rules which would prohibit the Senator from singing, except his own good judgment.

Mr. AIKEN. Are there any other reasons?

Mr. KEATING. My voice is not of the best. Some of the citations bearing out this thesis are better sung than said. There is in the gallery an old friend and associate of my office who could sing them. But I think it best that I do not sing them.

Mr. HUMPHREY. Particularly without musical accompaniment.

Mr. KEATING. I would not be able to do that, anyway. If I used a guitar, I would have to use a left-handed guitar.

Mr. HUMPHREY. Let us not do anything "left" here.

Mr. KEATING. No; let us do everything right.

But when I began to look into the folk music business, I began to find that where there is smoke, there is fire—which perhaps explains how the Fire and Police Research Association gets into the act, too.

The first significant discovery I made was that from this Nation's very beginnings folk music had indeed been used, "in a seemingly innocuous but actually covert and deceptive manner, to incite violations of the laws of the United States." Why, even "Yankee Doodle" has fallen victim to misuse in this fashion, as it did during President Jefferson's embargo of 1808 imposed to prevent our embroilment in the Napoleonic wars. Just listen to this plea to run the embargo:

Attention pay ye bonny lads
  And listen to my Fargo
About a nation deuced thing
  Which people call Embargo

Yankee doodle, keep it up
  Yankee doodle, dandy
We'll soak our hide in home-made rum
  If we can't get French brandy

I've got a vessel at the wharf
  Well loaded with a cargo
And want a few more hands to help
  And clear the cursed Embargo

Yankee doodle, keep it up
  Yankee doodle, dandy
We'll soak our hide in home-made rum
  If we can't get French brandy

Now it seems perfectly obvious to me that if people went around singing this today, we would be in a pretty fix with our shipping ban against Castro. Before we knew it, we would have rum-running out of Cuba in American bottoms.

While we are on the subject of the whisky trade, this is another area for grave concern. Apparently, some of our folk music takes a pretty cavalier attitude toward the enforcement of our Internal Revenue laws and could easily brainwash our young people into total disrespect for all law and order. The song, "Darlin' Cory," is a prime example of this:

Wake up, wake up, darlin' Cory
  What makes you sleep so sound?
The revenue officers a-comin'
  Gonna tear your still house down

Or, for another example, the now very popular, "Copper Kettle," which contains the lines:

My daddy he made whisky
My granddaddy did, too
We ain't paid no whisky tax
Since 1792.

If enough people went around singing this at hootenannies, Americans might soon get the idea that they don't have to pay their taxes. After all, the family in the song got away without paying them for 171 years. And if the Government loses its ability to collect taxes to pay for our defense effort, we would be wide open for a Communist takeover, would we not?

This sinister folk music plot for disarmament takes more direct form than merely inciting Americans not to pay their taxes. Consider, for example, this pacifist Negro spiritual:

Gonna lay down my sword and shield
Down by the river-side
Down by the river-side
Down by the river-side
Gonna lay down my sword and shield
Down by the river-side
And study war no more.

It should be especially noted that this song tells us not only to lay down our arms, but also—in the words of the Fire and Police Research Association—it uses "the subtleties and the verbal subterfuges of applied dialectics" by implying, by the words "And study war no more," that we should close down West Point, Annapolis, the Air Force Academy, and the War College, get rid of our ROTC program in our Nation's colleges and universities, and thus cut off our supply of trained military officers to lead us in our defense against communism. If we do not realize that this "seemingly innocuous" Negro spiritual is "actually covert and deceptive," we have obviously been duped.

Now the Communists have also been known to sow the seeds of dissension in capitalist countries by turning people against their own political leaders. There's an Ozark folk song—and perhaps one of the Senators from Arkansas can enlighten me as to its origin—that goes like this:

Yes, the candidate's a dodger, yes, a well-known dodger
Yes, the candidate's a dodger, and I'm a dodger, too

He'll meet you and greet you and ask you
for your vote
But look out, boys, he's dodging for a note.

To be quite honest, I am not sure I understand all the "subtleties and verbal subterfuges" of these "applied dialectics." For example, what does the fellow mean when he sings, "And I'm a dodger, too"? Is he saying he is a draft-dodger and advocating resistance to the enforcement of the selective service laws? And then, what is meant by the words that the candidate is "dodging for a note"? Is he trying to undermine American faith and confidence in America's political leaders by implying that all they are interested in are "notes," that is to say, campaign contributions? I hope Senators will read the RECORD carefully tomorrow and fill me in on what may be an example of subtle regional dialectics.

These examples must give pause to every patriotic American who may have taken folk music for granted in the past. But there is one concern I still have about a congressional investigation of folk music such as proposed by the Fire and Research Association of Los Angeles. What I fear is that such an investigation would stimulate the writing of new folk music making fun of congressional investigations. This shows how devious the Communists really are. First they subtly use the verbal subterfuges of applied dialectics in folk music, knowing full well that organizations like the Fire and Police Research Association of Los Angeles are always on guard against them and sooner or later will demand a congressional investigation. Then, once a congressional investigation of folk music is held, the Communists set about composing new folk music impugning the integrity of congressional investigations, like this folk song of a few years ago:

Who's gonna investigate the man who investigates me?
I don't doubt my loyalty
But how about what his may be?
Who'll check the record of the man who checks the record of me?
Seems to me there's gonna be an awfully long line.

One more problem puzzles me
Pardon my strange whim
But who's gonna investigate the man who investigates the man who investigates him?

This shows that there may be no logical stopping place once an investigation of folk music goes forward. Any such investigation would ultimately have to be extended ad infinitum, to take in a study of the folk songs composed in response to the investigation itself, which can go on indefinitely. But perhaps all this simply shows how devious the Communists are, perpetually tying up the valuable time of our elected officials and diverting their attention from other subversive activities which they engage in.

It all boils down to a gigantic plot, one that has been brought to our attention before, most notably, by the assistant minority leader, the senior Senator from California [Mr. KUCHEL], based on letters he has received from constituents whose keen alertness to matters involving our national security is fully equal to that of the Fire and Police Association of Los Angeles, Inc. And so, now, to the list of subversive individuals, institutions, and ideas, which presently includes the United Nations, the income tax, the Chief Justice of the United States, the Girl Scouts of America, fluoridation of the water supply, the last four Presidents of the United States, beatniks, Harvard University, civil rights demonstrations, expenditures for mental health, the Arms Control and Disarmament Agency, coffee houses, every Secretary of State since William Jennings Bryan, professors of anthropology, back-door spending, metro government, Jews, Time magazine, the Council on Foreign Relations, firearms registration, the Protestant clergy, the two United States Senators from New York plus between 77 and 83 of their colleagues and proposals for Federal aid to mass transportation—to this list of Communist-inspired persons and ideas we must now add, merciful heavens, American folk music. And who knows what lies ahead?

Already there are signs that the Communists are going beyond folk music in their plot to subvert America, but I shall not dwell on that. Consider for a moment the inroads which have been made into the popular music field by such songs as "The Moon Belongs to Everyone/The Best Things in Life Are Free."

Mr. President, we ought to be grateful that we have a Constitution—that it protects the right of everyone to sing out as well as speak out whenever the spirit moves him. There is a fire of freedom in this document called the Constitution which no amount of researching by organizations such as the Fire and Police Research Association of Los Angeles will ever succeed in putting out.

This resolution is but another demonstration of the absurd lengths to which the amateur ferrets of the radical right will go in their quixotic sallies against the Communist menace. As the great FBI Director J. Edgar Hoover has often warned, vigilante charges such as these can breed the atmosphere of suspicion and confusion which tends not only to undermine free institutions but, of equal concern, to divert our energies from tackling the real threats posed by international communism to our liberty and security. With devotion to our freedoms, with trust in the American ideal of cultural diversity, with, above all, a sense of proportion and discernment in meeting the challenges of our times, I for one have every faith that—in the words of that inspiring song—we shall overcome.

EXHIBIT 1

Whereas there is increasing and cumulative evidence indicating a deep interest in, and much activity by the Communist Party, U.S.A., in the field of folk music; and

Whereas folk music has been successfully used in the past by great political movements in history, particularly in the U.S.S.R.; and

Whereas the dialectics of the Communist movement have successfully used, and are now using all modes and media of communication with young people, including the subleties and the verbal subterfuges of applied dialectics in both poems and songs; and

Whereas it is becoming more and more evident that certain of the hootenannies and other similar youth gatherings and festivals, both in this country and in Europe have been used to brainwash and subvert, in a seemingly innocuous but actually covert and deceptive manner, vast segments of young people's groups; and

Whereas the youth of our nation is acknowledged to be a major target of the Communist conspiracy; and

Whereas there is much evidence indicating an accelerated drive in the folk music field is being made on or near the campuses of a number of high schools and colleges by certain individuals of questionable motivation, including members of the Communist conspiracy: Therefore, be it

Resolved, That the Fire and Police Research Association of Los Angeles in its regular monthly meeting of August 1963, hereby formally requests the Congress of the United States, through its House Committee on Un-American Activities, to investigate Communist subversive involvement in the folk music field, that the continued, effective misuse of this media may not be made, and that it may not be further used as an unidentified tool of Communist psychological or cybernetic warfare to ensnare and capture youthful minds in the United States as it has so successfully and effectively captivated them abroad.

Adopted by the board of directors August 7, 1963.

Mr. RUSSELL. Mr. President, will the Senator from New York yield?

Mr. KEATING. I yield to the Senator from Georgia.

Mr. RUSSELL. The remarks just made by the Senator from New York are a valuable contribution to the permanent record of the Senate. They bring to the attention of the American people the deep tolerance of these days and also show that the sense of humor has not been entirely extinguished by the complexities of the age in which we live.

But having paid tribute to the Senator's tolerance, I must express regret that he did not include in his magnificent defense of some of the things we have known in years gone by the song "Dixie." I did not hear him include that song in the list of things he defended. I am sure he would not desire to conclude his remarks without extending the mantle of Keating tolerance to overlap "Dixie" because it was written by a constituent of one of his predecessors in the Senate.

Mr. KEATING. That is my understanding. "Dixie" was written by a New Yorker and is, of course, one of the great songs of the folk tradition. I am happy to include it in the engulfing embrace of these remarks. I am sure the Fire and Police Research Association of Los Angeles would find something subversive in it, but I fail to see how "Dixie" could undermine our security in any way.

Mr. PELL. Mr. President, I wish to congratulate the Senator from New York [Mr. KEATING] on his spoof of the charges that folk music is a subversive wing of the Communist conspiracy.

The past summer we had the most successful music festival in the form of a folk festival that we have ever had in Newport. More people came to it, they were better shaved, and more enjoyment was received by our local citizens than had ever before been the case in any form of public entertainment.

When it is suggested, because of political reasons, that we should clamp down on forms of art expression, I think we are treading dangerously close to totalitarianism. This approach is very akin to that of the Kremlin with regard to impressionist artists and jazz musicians. Certainly it is not an approach that we should emulate.

Accordingly, I am very glad indeed that the Senator from New York has spoken as he has.

PLIGHT OF THE BASEBALL GLOVE INDUSTRY

Mr. KEATING. Mr. President, today American manufacturers of baseball gloves and mitts are facing a deepening crisis because of foreign, mainly Japanese, imports. A sense of its harmful proportions can be gained from the fact that, of what once was a large and flourishing industry, only four producing companies are now left. Just since the past May 2, two companies—Clydebank, of Fort Plain, N.Y.; and Marr, of Osage, Iowa—have gone out of business.

May 2, 1963, is a significant date for the baseball glove industry. It was then that the American Embassy in Tokyo announced a Japanese decision to establish a voluntary export quota of 2.3 million gloves and mitts for the Japanese fiscal year 1963. These 2.3 million did not include gloves classified as toys. Moreover, they represented an increase of 200,000 over the same voluntary quota of 2.1 million which was set for the Japanese fiscal year April 1, 1962, to March 31, 1963; and an increase of 400,000 over the voluntary quota level of 1.9 million for the previous April–March fiscal year.

At a time when the voluntary Japanese quota was at 1.9 million, President Kennedy rejected a recommendation by the U.S. Tariff Commission to increase import duties on baseball gloves and mitts. In my judgment, this decision was questionable at the time when it was made. However, whether right or wrong at the time, intervening events have demonstrated what a mistake it was to overrule the Tariff Commission decision, for since 1961 not only have the Japanese established higher quotas, in two successive annual rounds, but, even worse, Mr. President, the so-called voluntary quotas have been exceeded by actual imports to such an extent that any relief which might have been expected to flow from export quotas on the other side of the Pacific has proved nonexistent and illusory.

Thus, during the period from April 1, 1961, to March 31, 1962, when the voluntary Japanese quota had been set at 1.9 million, actual total imports in this category from Japan amounted to 2,787,142. In the following fiscal year—April of 1962 to March of 1963—although the quota had been set at 2.1 million, actual total imports came to 3,276,269. In the 2 years under consideration, therefore, actual exports exceeded the period quotas by 47 percent and 56 percent, respectively. Even the most conservative projection of this appalling record of ineffective Japanese export control would lead to the conclusion that under the current annual export quota of 2.3 million, actual imports are likely to exceed that figure by 60 percent or more, meaning—if the past is any criterion—imports on the order of 3.7 million. This is a far cry—in fact, it is almost double—from the 1.9 million voluntary quota which was in force at the time when the President turned down the Tariff Commission's recommendations for duty increases on these gloves and mitts. As I have said, Mr. President, the reason then given for rejection of the Tariff Commission recommendations was the fact that the Japanese had voluntarily imposed the quota.

No American, no matter how strong his sympathies might be toward forging ahead with trade expansion as a tool for improved foreign relations—which certainly I have always favored—can view with equanimity any such flood of imports, which threatens to wreck the livelihood of the few remaining businessmen and their employees engaged in our domestic manufacture. It is a great tragedy, Mr. President, for communities such as Johnstown and Gloversville, N.Y.; also Fort Plain, N.Y.; and Osage, Iowa, where, as I have said, two companies "folded" this year.

These and other communities where baseball gloves have been made are not wealthy. In fact—unfortunately—the opposite is true, for most have been depressed areas for a number of years. Further import inroads in the domestic market for these goods would be only the last straw, inasmuch as the major damage has already been done. In my judgment, the situation is already well-nigh intolerable, and the prospects of its worsening require prompt attention.

Two alternatives to letting this industry die and having more workers on unemployment rolls and in the breadlines are now open. It is quite clear to me that the President's rejection of an increased tariff, as recommended several years ago by the Tariff Commission, was premised upon a Japanese pledge of adequate and effective export controls. This pledge has not—for whatever reason—been fulfilled. The record shows that the self-imposed export quotas adopted by the Japanese have been exceeded every year in which they have been in force—and have been exceeded to such an extent that, for all practical purposes, the quotas are nonexistent.

Today, I have urged the State Department to look into this problem and to do everything possible in the way of gaining firm and solemn assurances of effective export controls by the Japanese.

Lacking a reversal of the action of the Japanese in exceeding their voluntary quotas, the only other course, it seems to me, would be for the President to reconsider the recommendations of the Tariff Commission which he earlier rejected. I hesitate to urge such reconsideration before the first alternative—which certainly is less complicated, and holds out prospects for quick remedial action—is exhausted. But I state in no uncertain terms that if the Japanese cannot be persuaded, by whatever means, to police their voluntary export quotas more assiduously than they have in the past, I shall have no reluctance in pressing for a Presidential review of the tariff situation, and in urging an appropriate tariff adjustment, as was recommended by the Tariff Commission.

INCREASED RATES OF BASIC PAY FOR MEMBERS OF THE UNIFORMED SERVICES—CONFERENCE REPORT

Mr. RUSSELL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5555) to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read, for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of October 1, 1963, pp. 18400–18404, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MILLER. Mr. President, will the Senator from Georgia yield for a brief question?

Mr. RUSSELL. I am glad to yield.

Mr. MILLER. I wish to have a yea-and-nay vote taken on the question of agreeing to the conference report. I wonder whether we may now request that the yeas and nays be ordered.

Mr. RUSSELL. If there are enough Senators on the floor, I shall be glad to have the request for the yeas and nays made at this time.

Mr. MILLER. Then, Mr. President, I now request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. RUSSELL. Does the Senator from Iowa desire a quorum call at this time?

Mr. MILLER. No—although I thank the Senator just the same.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RUSSELL. Did the Chair declare that the yeas and nays had been ordered?

The PRESIDING OFFICER. The Senator is correct.

Mr. RUSSELL. I thank the Chair.

The distinguished Senator from Nevada [Mr. CANNON] is unavoidably absent today, and I am submitting the conference report in his behalf. The Senator from Nevada served as chairman of the subcommittee which conducted the hearings on the bill and handled the bill on the floor of the Senate. I cannot pay too high a tribute to him for an excellent piece of legislative craftsmanship in preparing the bill and handling it on the floor of the Senate, and for his work in the conference with conferees on the part of the other body.

I should like to set forth the principal changes in the report as finally agreed to by the conference, as compared with the version of the bill, H.R. 5555, which the Senate passed on August 6.

First, I shall advert to the substantial concession that was required of the Senate in order to produce a report in which, of course, we demanded concessions from the other body.

The conference report contains no increase in basic pay for military personnel with less than 2 years of service. As it originally passed the House, the bill provided no basic pay increases for personnel with less than 2 years of service. The Senate increased the basic pay of all officers with less than 2 years' service and enlisted grades E-4 and E-5. The Senate increases ranged from 9 to 12 percent for officers and 5.5 percent for the affected enlisted grades.

We were unable to persuade the conferees on the part of the House to accept the Senate amendment, which granted modest increases for those in the less-than-2-year pay brackets, and the Senate was compelled to recede from that amendment.

I was disappointed in the fact that the conferees of the House did not accept the increase in basic pay which the Senate adopted for those grades with less than 2 years of service. The military basic pay bill for those with less than 2 years of service has not been increased since 1952, when a 4-percent increase was authorized.

The Senate version of the bill would have authorized a $20-a-month increase, raising the pay from $222 a month to $242 a month for the 35,000 second lieutenants with less than 2 years of service, and the first lieutenants of whom I believe there are 7,700, would have been allowed a $30-a-month increase, raising their pay from $260 a month to $290 a month. The increase of $40 a month for captains and the increase of $50 a month for majors with less than 2 years of service were not very significant, because there are very few in those grades who have not served more than the required 2 years.

With respect to the enlisted grade E-4, with less than 2 years of service, the Senate provided a $6.70 increase, raising their pay from $122.30 a month to $130 a month, and for the grade of E-5, an increase of $7.76 increasing their pay from $145.24 a month to $153 a month.

I should likewise point out that the cadets and midshipmen—that is, those who are in the service academies—will receive no increase, since by law they receive one-half of the pay of an O-1 second lieutenant with less than 2 years of service.

The first 2 years of military service represent obligated service, and that has been assigned as a reason for not increasing those in that pay bracket over the years since 1952. The Senate position was that personnel in the high enlisted grades and in the commissioned grades could no longer be considered to be in a training status and during this period of obligated service, because they are carrying out the normal duties of the grade for which others of the same grade with greater service receive increases in compensation. The Senate committee was of the opinion, therefore, that an increase in the under-2-year pay bracket for these grades was fully justified.

Personnel in the lower enlisted grades are, of course, for the most part in a training status for the first 2 years of service. Because of the lack of increases in the pay scale for the second lieutenant with less than 2 years of service, we have reached a point, under the conference report, at which enlisted men in grade E-5 with more than 3 years of service, will receive $220 a month or an amount within $2 of the amount the second lieutenant receives, and beginning at the over-4-year point, the E-5 enlisted man will receive $230 in basic pay. With greater service the bill provides a maximum of $280 monthly for the E-5.

Mr. President, all of the enlisted grades with more than 2 years of service above E-5 will receive a greater amount of basic pay than would a second lieutenant.

We did not believe that could be justified, and we maintained the position of the Senate as earnestly as we knew how, but in the last analysis, to get the proposed legislation, we were compelled to yield.

Mr. President, the conference report contains a provision that military personnel retiring between April 1, 1963, and October 1, 1963, the effective date of the bill, will be entitled to recompute their entire pay under the new 1963 rates in the bill. The bill, as it was passed by the House, would permit all persons retiring between January 1, 1963, and October 1, 1963, to recompute under the 1963 rates. The Senate version did not allow recomputation for any military personnel retired during the calendar year 1963 and before the effective date of the act but, instead, provided a flat 5 percent increase for that group.

It is interesting to note that the amount of the complete bill, in all grades and all increases, and including all benefits, is approximately $30 million below the amount of the bill as prepared by the Department of Defense and sent to us by the President of the United States.

Mr. President, there is another provision of considerable interest that was a matter of compromise between the two bodies. The conferees agreed that professors at the Military and Air Force Academies, after completing 36 years of service, will receive additional pay in the amount of $250 a month. That amount will not be used, however, in the computation of their retirement pay. The bill as passed by the House contained provisions, which were deleted by the Senate, providing for additional increments in basic pay after the completion of 31 and 36 years of service by permanent professors.

In addition, there were several minor saving clauses which would affect very few people, and which are ordinarily carried in bills of this nature. The report as adopted by the conference will involve an annual additional cost of $1,213 million, as compared with $1,227 million, which would be the cost of the bill as passed by the Senate. The reduction occurs principally because of the deletion of increases for those with less than 2 years of service.

I have spoken in some detail in relation to the pay for second lieutenants, because I wished to emphasize the committee's position, and, I believe, the position of the Senate in that regard, and with the further thought that we might consider the subject in subsequent legislation.

A large sum of money is involved in the bill; it means $1.2 billion of permanent addition to the budget of the United States, so long as the Military Establishment is maintained at its present level.

We could not blind ourselves to the fact that we had allowed two substantial pay increases to civilian employees of the Government, who are at liberty to come and go at will, to seek new jobs and to lay down those they had with the Government, since we had allowed any increase whatever in the compensation of military personnel. Military personnel do not have that freedom. If they undertook to exercise it, they would be court-martialed.

If the Congress continues to enact bills to increase the pay of civilian employees of the Government, of whatever rank or station, we may be sure it will be necessary for us to follow with further increases for the military personnel. It is not fair to overlook those on whom we depend for the security of this country, when we have been allowing increases for those who are not in their country's uniform.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Florida.

Mr. HOLLAND. I thank the Senator for his fine report. I am sure the conferees from the Senate have rendered excellent service in conjunction with the conferees from the other body. As the Senator knows, there are in the State which I represent in part many thousands of retired personnel from the military services.

Mr. RUSSELL. That is correct.

Mr. HOLLAND. They have been deeply concerned in connection with this bill because of the fact that those who retired prior to a certain date—it occurs to me that the date is 1958——

Mr. RUSSELL. The Senator refers to the Pay Act of 1958.

Mr. HOLLAND. At any rate, they were not permitted to recompute their retirement pay on the basis of the increase granted by the 1958 act as those who retired later were permitted to do.

Mr. RUSSELL. The Senator refers to the Pay Act of 1958. Prior to that time, in connection with each pay increase there had been a provision which permitted retirees to recompute their retirement pay on the basis of the pay increases that were included in the Pay Act. In 1958 that was not done. Instead of providing for a recomputation, those who were retired were allowed a flat 6-percent increase in their retirement pay, except for those of three and four star rank who received 16- and 26-percent increases respectively. In many instances the 6 percent was more than the recomputation would have allowed, but in a number of other instances it was less than the recomputation would have allowed. Those individuals have ceaselessly agitated since that time—and I can understand it, completely—for the privilege of recomputation. The bill would permit them to recompute their pay on the basis of the 1958 act.

I wish to make it perfectly clear that for the future the bill does not contemplate recomputation of retirement pay. We permit those retired prior to June 1, 1958, and receiving pay under the current pay laws to recompute under the 1958 pay scales. These are those to whom the Senator from Florida refers, but it is our intention, for the future, to apply the cost-of-living standard to increases in their retirement pay, as we do in the case of civil service employees.

Mr. HOLLAND. I thank the distinguished chairman.

Mr. RUSSELL. The Senator can assure all of his constituents that they will now be able to compute the recomputation, and that they will find, if they are in the categories to which I think the Senator refers, they will receive rather substantial increases in their retirement pay.

Mr. HOLLAND. I thank the Senator. I am deeply concerned because of the numerous inquiries which have been received. Generally they have come from the more elderly officers, who retired some time ago.

Mr. RUSSELL. Yes.

Mr. HOLLAND. As I understand the Senator's remarks, they would be those who retired prior to 1958.

Mr. RUSSELL. They will be able to recompute their pay on the basis of the Pay Act of 1958. That is what they have sought to do, and what they have been trying to have done ever since the act was passed in 1958.

Mr. HOLLAND. What will be the effect of the bill for retirees who are enlisted personnel?

Mr. RUSSELL. The recomputation provision will apply to them as it does to commissioned personnel.

Mr. HOLLAND. I thank the Senator warmly. He is going to play a distinct part in reducing the volume of mail of the two Senators from Florida by this action.

Mr. RUSSELL. I assure the Senator that my mail on the subject is not limited to the State of Florida. In view of the fact that I have been undertaking to serve as chairman of the Subcommittee of the Committee on Armed Services, I have received mail from every section of the country. Not a single one of these retirees failed to feel that he had been done a wanton injustice, in that he was not allowed to recompute his retirement on the basis of the 1958 act.

Mr. HOLLAND. I thank the distinguished Senator.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield now to the distinguished Senator from Massachusetts, the ranking minority member of the Committee on Armed Services, who has served with distinction as chairman of that committee in those years in which the American people, in a lapse of good judgment, elected a majority of Republicans to the Senate of the United States.

Mr. SALTONSTALL. I thank the Senator for his comment. I would make only one distinction. The Senator says they were lacking in commonsense; I would say that they showed good commonsense.

As a conferee on the pay bill, I am heartily in accord with what the Senator from Georgia has said. I was on the subcommittee which worked on the pay bill in 1958. Under the leadership of the Senator from Mississippi [Mr. STENNIS] we worked out that bill. Then we had a problem about the officers who retired prior to the time of passage of the bill. As the Senator from Florida and the Senator from Georgia have said, there has been great concern by those gentlemen as to why the custom which had grown up over the years was not followed in that act.

We have now done so. The bill, as the Senator from Georgia and I both said with respect to the Defense Department appropriation bill, would increase the cost this year for military personnel by some $900 million. On a full year's basis, that cost would be a little more than $1.2 billion. We believe this is a proper increase with relation, as the Senator from Georgia said, to the civilian increases which have been granted in recent years.

There were 5 differences between the House and the Senate. I believe the most important one involved the question of "recomputation or 5 percent." That was the way the Senate bill stated it—"recomputation or 5 percent." The House had provided "recomputation and 5 percent." We felt that this would be unfair and should not be adopted. The House finally agreed to our amendment, to "recomputation or 5 percent." This means that under the 5 percent provision that generally those who are majors or below will benefit more by the 5 percent than by the recomputation. Those from lieutenant colonel up to 4-star general or admiral will benefit more by recomputation. We did not think they ought to receive both. The House finally agreed.

The second major difference was that the House language applied to officers retiring "since January 1, 1963." The House would have given them the full benefit of the act. We did not feel that we should apply it backward, or that the officers who had retired "since January 1, 1963" should get benefits after the act was passed, so we compromised that in what I believe was a very fair way by making it "since April 1, 1963." This date was picked because it was near the time at which the House committee reported the bill.

Another difference was that the House would have given the Commandant of the Coast Guard the same pay status as a member of the Joint Chiefs of Staff. Although we respected the Commandant of the Coast Guard, we did not feel he was quite in the same category. The House yielded on this provision and adopted the Senate's position, which did not change the status of the Commandant of the Coast Guard.

Another basic difference, which the Senator brought out, related to the question of basic pay for those in the first 2 years of service. The Senate conferees felt that we should increase the morale of the men during the first 2 years of service, by giving them some increase, even though a small one. The House felt that this was not a wise provision, since a man during obligated service was "green." It cost a great deal to train him, and so on. So we agreed, finally, with the House on this provision and did not increase the basic pay for those in the first 2 years of service; although I think at a future time this should be given consideration.

As the Senator has pointed out, the only other difference of any importance was on the question of the professors at West Point and at Denver. The House felt that those people should have additional pay after 31 to 36 years of service.

We gave them that by compromise, by providing that when they retired they would retire at a colonel's basic pay, but would be granted a pay supplement of $250 a month after 36 years of service.

I think these were the main differences between the House and the Senate. I think it is a good bill. The conferees of the House and the Senate unanimously approved the bill that the chairman, the Senator from Georgia [Mr. RUSSELL], has now presented to the Senate. I hope the Senate will adopt it as quickly as possible, because the bill applies to October 1 of this year, and we should permit the President to have the bill in his hands as soon as possible. It must go to the House after it is considered in the Senate. I hope the conference report will be adopted.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. STENNIS. I commend the Senators from Georgia and Massachusetts and other Senators who handled the bill. They have done a good job.

Directing my question to the question of the group that are permitted to recompute, under the bill, according to the standards of pay in the 1958 act and this year's, I heartily agree with that provision in the bill, and am glad it is written into a comprehensive bill.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. SALTONSTALL. The Senator from Mississippi deserves a great deal of credit for his perfectly clear position on this very difficult matter over the past few years. He agreed, as I did, as a member of the subcommittee, that we should take care of this question as soon as we could, and we have done it now. I commend him for his efforts.

Mr. STENNIS. I thank the Senator. As a result of the law enacted in 1958, there developed a situation for a small group that was somewhat unfair to them, but we still took the position that it should be corrected in a comprehensive bill, and that a permanent system should be adopted at the same time, for which this bill provides.

I highly commend the Senator. I am glad to see this matter settled on a sound basis. I heartily support and approve the bill. I wanted to make this statement because, unfortunately, I was not able to be present when the bill was passed.

Mr. RUSSELL. I thank the Senator from Mississippi. The distinguished Senator has a long record of activity and beneficial interest in the matter of pay for military personnel, and I appreciate his contribution today.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from Alabama.

Mr. SPARKMAN. I commend the able Senator from Georgia and other members of the Armed Services Committee for arriving at what I think is a fair solution of the problem. I used to know a great deal more about this subject than I do now. When I was in the House of Representatives, I was on the Military Affairs Committee and was chairman of the Subcommittee on Pay and Allowances. I handled the pay bill in 1942, which was the first pay bill before the Congress in a long time. The question of retirement pay, as well as other related questions, has always been a perplexing problem. I think a very fine solution has been arrived at in the conference. I am very glad to see it.

I was unable to be present on the day the bill itself was voted on. I favored the bill. I am very glad to see the conferees come to this solution.

Mr. RUSSELL. I thank the distinguished Senator from Alabama.

Mr. President, I am highly gratified that this bill is now approaching a successful legislative journey to the White House for signature. When the President signs the bill, I hope the bill will not go completely into oblivion in the press, as have former efforts of the committee.

When Congress met in January, the press published the President's recommendations to Congress. Included among them was a bill to authorize procurement for the military services. Congress enacted the bill. The President signed it. Appropriations have been made thereunder under the authorization law. But I have never seen the first mention of that bill after it was taken off the list of the President's legislative requests and was enacted. Congress has not received any notice or recognition for the enactment of the bill.

The bill to extend the selective service law was in the same category. It was for a long time on the list of requests to Congress for legislation. It was passed. The President signed it. But when the action of this Congress is belabored, there is never any reference to the fact that it was passed and has become law.

Up to this day the military pay bill has been dutifully set forth among the recommendations of the President which have not been considered by the Congress, stating that Congress had been derelict, or at least slothful, in not enacting the bill. I hope when the bill is finally signed, it will not go into complete oblivion as did bills which for a long time were a part of the President's program but did not receive any mention when they were enacted and signed by the President. I hope this action will receive recognition as at least a minute contribution of the Congress to the enactment of the President's legislative program.

Mr. President, may we have action on the conference report?

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. HOLLAND. Mr. President, before the vote is taken I wish to say, representing in part the State that probably has as large a proportion of retirees, both commissioned personnel and enlisted personnel of the armed services, as any other State, I believe that the interests of the persons who have served in the armed services are in most excellent hands, indeed, in the personnel of the Armed Services Committee, particularly with respect to the chairman of that committee and the ranking minority member, one a veteran of the Navy, and the other a veteran of the Army, one a former Governor of Georgia, and the other a former Governor of Massachusetts, both of them men who have spent many years in protecting the interests of those who serve our country in uniform.

Speaking for those in my State who are so interested in this legislation, of which I am a cosponsor and which I have strongly supported, we are grateful to these two fine Americans and to all members of the committee who have contributed to this fine result.

Mr. RUSSELL. I wish to express my appreciation, and that of the distinguished Senator from Massachusetts, to the Senator from Florida. I wish that his compliment to me might have been more deserved. However, I will say that I doubt that any apprentice seaman in the U.S. Navy has ever been paid as fine a compliment by a Senator as that just paid to me by the Senator from Florida.

The PRESIDING OFFICER (Mr. Kennedy in the chair). The question is on agreeing to the conference report. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. Bible], the Senator from Nevada [Mr. Cannon], the Senator from Connecticut [Mr. Dodd], the Senator from Washington [Mr. Jackson], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Montana [Mr. Mansfield], the Senator from Wyoming [Mr. McGee], the Senator from Michigan [Mr. McNamara], the Senator from Montana [Mr. Metcalf], the Senator from Utah [Mr. Moss], the Senator from Rhode Island [Mr. Pastore], and the Senator from Tennessee [Mr. Walters] are absent on official business.

I further announce that the Senator from California [Mr. Engle] is absent due to illness.

I further announce that, if present and voting, the Senator from Nevada [Mr. Bible], the Senator from Nevada [Mr. Cannon], the Senator from Connecticut [Mr. Dodd], the Senator from California [Mr. Engle], the Senator from Washington [Mr. Jackson], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Montana [Mr. Mansfield], the Senator from Wyoming [Mr. McGee[, the Senator from Michigan [Mr. McNamara], the Senator from Montana [Mr. Metcalf], the Senator from Utah [Mr. Moss], the Senator from Rhode Island [Mr. Pastore], and the Senator from Tennessee [Mr. Walters] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. Allott], the Senator from Hawaii [Mr. Fong], and the Senator from Nebraska [Mr. Hruska] are absent on official business.

The Senator from Kansas [Mr. Carlson] and the Senator from California [Mr. Kuchel] are necessarily absent.

The Senator from Kentucky [Mr. Cooper] and the Senator from Utah [Mr. Bennett] are detained on official business.

If present and voting, the Senator from Colorado [Mr. Allott], the Senator from Utah [Mr. Bennett], the Senator from Kansas [Mr. Carlson] the Senator from Kentucky [Mr. Cooper], the Senator from Hawaii [Mr. Fong], the Senator from Nebraska [Mr. Hruska], and the Senator from California [Mr. Kuchel] would each vote "yea."

The result was announced—yeas 79, nays 0, as follows:

[No. 174 Leg.]

YEAS—79

Aiken
Anderson
Bartlett
Bayh
Beall
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Church
Clark
Cotton
Curtis
Dirksen
Dominick
Douglas
Eastland
Edmondson
Ellender
Ervin
Fulbright
Goldwater
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Humphrey
Inouye
Javits
Johnston
Jordan, N.C.
Jordan, Idaho
Keating
Kennedy
Lausche
Long, Mo.
McCarthy
McClellan
McGovern
McIntyre
Mechem
Miller
Monroney
Morse
Morton
Mundt
Muskie
Nelson
Neuberger
Pearson
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Saltonstall
Scott
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—21

Allott
Bennett
Bible
Cannon
Carlson
Cooper
Dodd
Engle
Fong
Hruska
Jackson
Kuchel
Long, La.
Magnuson
Mansfield
McGee
McNamara
Metcalf
Moss
Pastore
Walters

So the report was agreed to.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1964

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

UTILIZATION RESEARCH AND DEVELOPMENT

Mr. RUSSELL. Mr. President, last year, in Senate Resolution 415, the Senate asked the Department of Agriculture—

> To submit to the Director of the Budget and to the Congress * * * the most effective program available for research to discover new uses for agricultural commodities; and * * * to limit this program to items costing not in excess of $35 million per annum above current allowances for 1963 for utilization research to discover new uses for agricultural commodities.

The Department submitted its report under the title, "Strengthening Research on the Utilization of Agricultural Commodities", and included wtihin the Department's report was a plan for strengthening utilization research and development, prepared by the Agricultural Research Service. The committee believes this plan should be implemented, and it has included in the bill a provision to authorize use of Commodity Credit Corporation funds to institute the expanded program of utilization research and development embodied in the plan. Utilization research would be increased at once across a broad front. Since there is very limited room for expansion in the Department's present facilities, approximately half of the new funds in the first 2 years would be used by the Agricultural Research Service to collaborate with universities and other public and private institutions, through contracts, grants, and other cooperative arrangements. This would both intensify the research effort and broaden the base of participation in this vitally important field of agricultural research.

The first year's increase would be devoted to nearly 200 different projects. Special emphasis would be placed on cereals, cotton, and animal products. Substantial increases would be allotted to work on wool, oilseeds, fruits and vegetables, tobacco, sugar, naval stores, and new replacement crops. In subsequent years, additional opportunities for developing expanded markets for these and other commodities would be exploited.

Let me state a few examples of what an expanded utilization research program will lead to. These gains will help us find markets for our surpluses here at home, and new U.S. agricultural markets abroad.

The first great opportunity lies in wider industrial uses for cereal grains. Our utilization research scientists see real possibilities, for example, in diverting 170 million bushels of cereal grains from feed and food uses to new industrial uses.

They are already finding out that new materials derived from grains can be used by our great paper industry to add both wet and dry strength, where needed in paper products, at competitive prices. They are well along in developing a new type of corn that yields a now-rare starch which is valuable for use in a great variety of films, fibers, adhesives, plastics, coatings, and other products.

Market studies show that consumers want greater resilience and strength in cotton products; they want cotton garments that truly require no ironing at all; they want cottons with stretch for some uses, and cottons that better resist soiling and staining. All these attributes, our scientists believe, can be built into cotton, through chemical modification of the fiber or the fabric; but a great deal more research will be required, in order to make this possible.

However, if just these improvements can be made in cotton goods, they will add at least another million bales a year to the demand for cotton.

Similar prospects are in sight for oilseeds and for a variety of animal products.

The development of a stable, full-flavored, dry whole milk could so decrease milk costs to consumers that it might well increase our use of milk by 10 percent—thus providing new markets worth $1 billion.

New frozen, dehydrated, or processed meat and poultry products would lower the retail price and would boost the consumption of meat and poultry. This could increase the demand for feed grains by an amount equal to 240 million bushels of corn a year—more than the annual addition to our feed-grain stocks.

Today, our farm abundance is based squarely on the results of 100 years of farm production research. This research has given us the great variety and the high quality of our agricultural products. Because of research, less than one-tenth of our total labor force, working on the land, can feed all our people. Largely because of farm-production research, the average family in this country enjoys a varied and healthful diet at a cost of only about one-fifth of the family's take-home pay.

But research to find new uses and wider markets for our agricultural abundance—or what we call utilization research—has lagged far behind the production research that has made our abundance possible.

In the first place, utilization research did not begin in earnest until about 1940—or some 80 years after the need for farm production research was recognized, through the establishment of our great Department of Agriculture. And over the last 20 years, utilization research, to find new uses and wider markets for farm products, has received only a fraction of the support which we have continued to give to production research.

I do not mean to suggest that we have been doing too much production research. But I do submit that it is high time we were doing more utilization research. The reasons for this are twofold:

First, in spite of the limited effort devoted so far to utilization research, it has clearly demonstrated its value. The benefits of this research to the Nation have already far exceeded its cost.

Second, our scientists engaged in this effort clearly see opportunities that additional utilization research can exploit for the benefit of the national economy and all our people.

The current benefits of this research, as measured by an Agricultural Research Service estimate, amount to a return of $25 for each dollar spent on research. This return has occurred in spite of rising costs; but benefits tend to multiply as the storehouse of knowledge accumulates.

Mr. HOLLAND obtained the floor.

Mr. HARTKE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I ask unanimous consent that I may yield to the Senator from Indiana, provided that in doing so, I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SPEEDUP ON TAX CUT NEEDED

Mr. HARTKE. Mr. President, the other body has just completed action on the measure which will reduce taxes on individual incomes and corporations. I congratulate those in the House who have led this fight for a measure which will go a long way toward eliminating the ills which are keeping the brakes on our economy.

Mr. President, it is now the turn of the Senate to attend to this urgent matter. I say that tax relief and tax adjustment are urgent, because the future of our economy may well depend upon them, and also because such a change to release us from the shackles of a wartime tax structure is long overdue.

We are now in the longest period since World War II without a recession. The answer to the question of whether this period will continue indefinitely, or whether we shall once more find ourselves engulfed in a recession, depends upon what we do to unshackle our economy and allow it to expand.

Today, America is prosperous—far more prosperous than during the last administration, and, in fact, more prosperous than during any other peacetime period in our history. Yet, we suffer from unemployment that is too high.

The reasons for this are that we have a rapidly growing labor force, for which new jobs constantly have to be found, and we have growing automation which is eliminating jobs. Obviously, something has to be done to give momentum to the economy for the kind of expansion which will create a sufficient number of jobs to soak up the unemployment and employ the new people coming into the job market.

Last year we gave relief to businesses seeking to modernize and to expand. The minimum assistance given has proven a great factor in today's bright picture of high wages, high employment, high dividends, and high profits. But that was not a complete job; no one ever claimed it would be.

A general tax cut is needed. For several years, I have been an advocate of this, as my statements in the Senate and in the Finance Committee attest.

I believe the hills and valleys of "boom and bust" must be ironed out and flattened. We must create the thrust our economy needs in order to be able to expand itself, in order to give us anti-recession insurance. A general tax cut, with the most emphasis on low incomes, will do that.

I believe there is nothing to be gained by delay. Indeed, any good which a tax cut would bring diminishes as we delay.

Therefore, it is my intention to move, in the Finance Committee, to set an early date for the beginning of hearings on this measure. I shall further move, Mr. President, that a closing date of not more than 30 days after the beginning of the hearings be set.

In order that our committee may be able to meet this stringent timetable, I shall urge that the records of the hearings conducted by the House Ways and Means Committee, and other related documents, be submitted en toto. In this way, I believe it will be possible for the Senate to act finally on the tax measure this year.

In addition, I intend to request that testimony of the Secretary of the Treasury and others in the Government be submitted in advance to all members of the committee. In this way, we shall be able to go over these statements well in advance, and thus waste no time during the precious days of hearings.

I believe we should make it possible for the 4.3 million jobless citizens, who today cannot pay their back taxes, and who owe no present taxes because they are not working, to have this chance to get jobs. It is my judgment that 3 million of them could be put to work if this tax measure were enacted.

This, Mr. President, will retain in the Treasury money which would be lost by the cutting of rates. Experience has shown that a rate cut is made up in a matter of months by increased revenues from expansion of the economy and from the jobs so created.

Mr. GORE. Mr. President, will the Senator from Florida yield, so that I may reply to the statement just made by the Senator from Indiana?

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Tennessee, provided that in doing so, I shall not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GORE. Mr. President, the distinguished senior Senator from Indiana has just served notice of his move in the Senate Finance Committee on matters of procedure. The chairman of a Senate legislative committee has certain traditional responsibilities and prerogatives. In the office of each Senator is a notice from the Senator from Virginia [Mr. BYRD], chairman of the Finance Committee, calling a meeting of the committee, next Tuesday, to complete the consideration of several bills, minor in some respects, but important in others. I dare say that at that time the committee will have an opportunity to decide whether the tax bill will be given the orderly consideration which it deserves and which the public interest requires, or whether the Senate Finance Committee will yield to the administration's pressure for a rush job.

Mr. President, I shall resist a rush job. The other body has taken more than 8 months to consider and pass this bill, which is set forth in a document of more than 300 pages of technical language. Surely the Senate Finance Committee will need some time for staff work, so as to be able to understand the contents of the bill, before the public hearings begin. Furthermore, the committee has before it written requests from more than 60 citizens who wish to testify. I realize that pressure is being applied on some of them to withdraw their requests to testify; but it has been the traditional policy of the Senate Finance Committee, under the chairmanship of the Senator from Virginia [Mr. BYRD] and under the chairmanship of the late Senator George—in fact, even further back than that, I believe—to afford every American citizen an opportunity to testify on a tax bill, if he so requests in writing.

Mr. President, I suggest to my distinguished friend, the senior Senator from Indiana, that this bill is too important to be rushed through either the Finance Committee or the Senate.

The public interest requires careful consideration of the bill. I should like to know what the rates are and what will be the amount of the benefits to be received by the taxpayers in the various income brackets, under the bill. I am informed by staff assistants that the bill which passed the other body yesterday would bring about tax rates which would increase the take-home pay, after income tax deductions, of the average American citizen by about 4 or 5 percent, but that some in the high income brackets would gain a 100-percent increase in after-taxes income, and some would gain a 200-percent increase.

No wonder Mr. Henry Ford is active in support of the bill. No wonder certain people are very strong for a bill which would leave loopholes intact, widen some, and provide special benefits at the same time. Yet the bill deserves careful consideration, and I shall vote against the motion of my distinguished friend, the able senior Senator from Indiana.

Mr. HARTKE. Mr. President, will the Senator yield further?

Mr. HOLLAND. I yield under the same conditions to the Senator from Indiana, with the hope that debate on the subject will be completed. I hope to complete consideration of the appropriation bill today if it is possible to do so.

Mr. HARTKE. I thank the Senator.

Mr. President, I should like to make plain to the Senator from Tennessee and also the chairman of the Finance Committee, the Senator from Virginia [Mr. BYRD], that I have no intention of destroying the prerogatives of the chairman.

However, I feel that I have the right to tell the Senate that I intend to make a motion before the Senate Committee on Finance to take up that bill in an orderly procedure and not dillydally around in the Finance Committee about a tax cut. So far as I am concerned, I do not propose a rush job. A great deal of material is ready for anyone who wishes to read it. The senior Senator from Tennessee seems to be very well informed on the subject already and indicates that he intends to proceed upon some of these very important subjects. If there are any loopholes in the bill, I might join him in closing the loopholes he wishes to have closed.

I am interested in the welfare of the working people. We talk about the importance of this subject and the fact that the bill is too important to rush through. I say that the economy of the country is more important to me than fooling around and delaying a tax bill in the Finance Committee. The Senate can move much faster than the House moved.

Mr. DOUGLAS. Mr. President, I wonder if the Senator from Florida would permit me to trespass upon his time for a few minutes to make some comments.

Mr. HOLLAND. I promised the senior Senator from Illinois, who approached me in such a gentle manner as to disarm me, that I would be happy to yield to him on the same condition that I have yielded heretofore. I yield to the Senator.

Mr. DOUGLAS. I appreciate the Senator's yielding. I did not intend to get into the discussion publicly until it was precipitated.

I must differ with my good friend, the Senator from Tennessee, with whom I am generally in agreement. The Senator from Tennessee is a great battler for a progressive system of taxation, and he follows very faithfully in the steps—and, indeed, improves upon them—of his predecessor, Cordell Hull, who is really the father of the American income tax. I regard him as one of the most valuable Members of the Senate, and one of the most valuable members of the Committee on Finance.

However, I detected an undercurrent in his plea for deliberate consideration of undue delay. I hope that undue delay will not be used as a means of defeating the measure. When we come to closing loopholes and effecting reforms, the Senator from Tennessee and I will be in very close unity on most subjects. But I do not believe that consideration of this all-important measure should be postponed. I have as much opposition to filibustering in committee as I have to filibustering on the floor of the Senate. The Senator from Tennesssee is a strong-minded gentleman. He has apparently made up his mind that he wants deliberate consideration. But I know the double sense in which those terms are used. I strongly suspect that what the Senator from Tennessee wants to do is to kill the bill by bottling it up in the committee for as long as possible.

We are facing, in general, a slowdown legislatively—a slowdown on appropriation bills, a slowdown in civil rights, a slowdown on the tax bill. Certain Senators desire to tie the Senate up so that the administration program cannot get through. I am not one of those. I differ with some features of the bill as it came from the House. If it were held in its present form, I would expect to vote for it. If it is made much worse, I may vote against it. But I do believe that we should proceed to consider it. The Secretary of the Treasury is ready to testify tomorrow. I see no reason why we should not get on with the business. As I have said, I apologize to the chairman of the Finance Committee for mentioning the subject on the floor of the Senate. I had hoped to do this in a much more gentlemanly fashion. But since the Senator from Indiana has precipitated the discussion, I did not feel that I should remain silent.

Mr. GORE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. With the same understanding, I yield very briefly to the Senator from Tennessee.

Mr. GORE. Mr. President, if the country could afford a $11 billion reduction in revenue, there would be a type of tax reform and tax revision bill which I could and would support. But when we have a national debt of more than $300 billion, when we have the second largest peacetime deficit in history, and when the President is on an across-the-nation tour advocating larger and not lesser expenditures for next year and the year after, I believe it is fiscal irresponsibility, if I may use that term, to reduce the Government revenue by $11 billion.

If we could afford it, the big reduction in rates provided for in the bill should be accompanied by much-needed reforms, which have been jettisoned in the process.

Mr. DOUGLAS. I agree.

Mr. GORE. How do we bring about a wise and adequate tax measure? Not by a rush-up job, permitting the Secretary of the Treasury to start to testify tomorrow. It seems to me that members of the Finance Committee deserve an opportunity to understand the contents of the bill in order that we may carefully and adequately examine the witnesses who come before the committee. If the Senator suspects that I desire to delay the bill, I shall remove his suspicion. I wish to kill it in its present form. It is unsound. The country cannot afford it. In my opinion it would shock international confidence in the soundness of the dollar. It would increase the budget deficit and we would have to borrow the necessary money to provide for tax cuts.

What sense does that make?

Moreover, instead of stimulating the economy in the most effective way, the proposed legislation would be a hit-or-miss, ineffective way.

If I could support that kind of reduction in governmental revenue as a necessary means of stimulating the economy, I would want to reduce taxes in areas in which consumer demand would be increased and expenditures would be greater by consumers. So if it is insisted that we quickly reduce revenue by the amount proposed, I shall offer as a substitute an increase in the personal exemption for each taxpayer and for each dependent from $600 to $800 or $900.

Mr. President, that is the most unrealistic provision in our tax code. The personal exemption was $800 in 1940, when the cost of living was less than half what it is now.

Ask any parent who has tried to educate a child if it can be done for $600 a year.

Senators should understand that I would vote against this monumental reduction in Government revenue in whatever form it came, because I think it would be dangerous to our national economy, dangerous to our international prestige, and dangerous to the soundness of our currency. But if we must have it, I want to give tax relief where it is needed most, to the parents who have the greatest number of children. This would actually stimulate the economy.

What good will it do to give Henry Ford an extra $1 million a year income after taxes? He might build another yacht in Holland.

This proposal deserves careful consideration. I do not want to vote for any motion to set an arbitrary limit on the careful consideration of this measure by the Senate Finance Committee.

Mr. HARTKE. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President, I am sorry to say, having heard some discussion of an 8-month delay which might be possible when we begin the tax reduction debate, that I shall have to decline to yield further on the subject of taxation.

Mr. HARTKE. Mr. President, will the Senator yield for one-half minute?

Mr. HOLLAND. I am very sorry, but I must decline.

The PRESIDING OFFICER (Mr. NELSON in the chair). The Senator declines to yield.

Mr. HOLLAND. I think I have been reasonably considerate of all Senators concerned.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1964

The Senate resumed the consideration of the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

Mr. HOLLAND. Mr. President, my distinguished friend, the senior Senator from Delaware is, as usual, in his seat in the Senate during this debate.

Yesterday I asked for unanimous consent on a certain matter. I am about to renew that request. As I understood, it was objected to only by the distinguished Senator from Delaware. I shall renew it, in the hope that the Senator may have changed his mind.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc; that the bill as thus amended be considered as original text for the purpose of amendment; and that no points of order be waived.

The PRESIDING OFFICER. Is there objection to the request by the Senator from Florida?

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, I assure the Senator from Florida that I wish to cooperate, and I will cooperate in agreeing to his unanimous-consent request if there is no further misunderstanding on the point which I raised yesterday.

If the Senator will bear with me, I should like to repeat the argument which I was making yesterday. If there is no exception being taken to my statements, then I shall withdraw any objection to considering the amendments en bloc.

The reason I objected yesterday was because I thought there was a matter which deserved to be straightened out in the Congress in order that we could give to the American taxpayers the true picture as to the actual cost of operating this program.

I emphasize again that in making this statement that the true picture was not being given to the taxpayers, I am in no way reflecting upon the chairman of the committee or upon the committee itself, because I find no fault with the bill or with the report made by the Appropriations Committee. What I find fault with is the false claim of this administration that it has reduced the cost in fiscal 1964 of administering the agricultural program by $928 million. I insist that that is a false claim and cannot be supported by the facts.

I objected to this same point in January. I am renewing my objection again today, because this is the place to document it or to prove that it is correct. We now have before us the agriculture appropriations bill.

On January 14 of this year, President Kennedy presented before a joint session of Congress his state of the Union message. I wish to quote from that message:

> In submitting a tax program * * * and in recognition of the need to control expenditures—I will shortly submit a fiscal 1964 administrative budget which, while allowing for needed rises in defense, space, and fixed interest charges, holds total expenditures for all other purposes below this year's level.

Three days later, on January 17, he submitted to the Congress the budget, which I have in my hand, for the fiscal year ending June 30, 1964.

On page 41 of that budget Senators will find that the President, in listing appropriations for the Department of Agriculture and comparing the fiscal year 1963 appropriations with the budget request for this year, claims a reduction of $928 million. I said at the time that that claim was false. To prove that it is false I refer to the report which is before the Senate on the bill now pending.

On page 1 of Report No. 497, Calendar No. 476, accompanying the bill, H.R. 6754, information in this regard is given. I ask unanimous consent that the front page of this report may be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

MR. HOLLAND, FROM THE COMMITTEE ON APPROPRIATIONS, SUBMITTED THE FOLLOWING REPORT (TO ACCOMPANY H.R. 6754)

The Committee on Appropriations, to which was referred the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes, report the same to the Senate with various amendments and present herewith information relative to the changes made:

Amount of bill as passed House (direct appropriations)	$5,979,457,000
Amount of increase by Senate committee (net)	67,281,340
Amount of bill as reported to Senate	6,046,738,340
Amount of appropriations, 1963	6,007,599,910
Amount of estimates for 1964	6,368,755,000
The bill as reported to the Senate:	
Over the appropriations for 1963	39,138,430
Under the estimates for 1964	322,016,660

Mr. WILLIAMS of Delaware. I quote from the report:

Amount of bill as reported to Senate, $6,046,738,340.

The committee further states that the amount of appropriations last year was $6,007,599,910, and that the bill which is before the Senate compared to last year carries an increase of $39,138,430, which is in direct contradiction to the budget claim that there has been a $928 million reduction.

The difference in the figures arises because of the fact that the Bureau of the Budget did not submit to the Appropriations Committee and the Congress a request for the restoration of the full loss that has been sustained by the Commodity Credit Corporation. This is not an unusual practice. That figure has been omitted in previous years, but it is unusual for an administration to distort these facts for the deliberate purpose of deceiving the voters.

The total accumulated unrestored losses, as I pointed out yesterday, approximate $7,799 million. This is described on page 10 of the Commodity Credit Corporation's report of May 31, 1963, as unrestored, realized losses. These are losses which have actually been sustained on commodities sold by the Commodity Credit Corporation. They have been disposed of. They are gone. The losses are sustained. The fact that this appropriation bill does not embrace all of the funds necessary to write off the cost of the program in no way means that the taxpayers have saved that money.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I will yield in just a moment.

What I am trying to do here today is to establish beyond any contradiction the fact that contrary to what the Bureau of the Budget said and contrary to what the President is saying in his political speeches the appropriation bill to cover the appropriations for the Department of Agriculture this year will cost the taxpayers more money than it did last year.

I yield to the Senator.

Mr. HOLLAND. Mr. President, I yield to the ranking minority Member of the committee, the Senator from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. I thank the Senator.

The figure the distinguished Senator from Delaware uses of $7 billion does include some programs which really are not agricultural programs, such as the school lunch and milk programs, and our giveaway programs of food for foreign countries and sales for foreign currencies under Public Law 480. I believe these and other similar programs make up about half of the $7 billion.

Mr. WILLIAMS of Delaware. I do not know the exact figure, but the analysis by the Senator from North Dakota is correct. The figure of unrestored but realized losses does include many programs which should not be charged to the American farmers. The school lunch program cost is included. Certainly the school lunch program should not be charged to the farmers. Likewise, there is a charge for all the free food which is given away under our welfare programs. That is charged up to our farmers. There are many sales under Public Law 480. There is an argument as to how much of that is really foreign aid or an agricultural program.

I agree fully that it is not correct to say that all of this $7 billion accumulated loss should be charged to the American farmer. I am glad the Senator has raised that point.

The point I am making is that, so far as the taxpayers are concerned, dollars have been spent, and losses have been sustained. For proper accounting they should be included as a part of the expenses as we go forward; otherwise it will be giving a false impression to the taxpayers—I suspect with an eye on the voters—when they say, "See how we are reducing expenditures for the agricultural programs because we are not asking for appropriations as big as last year."

The reason why they were not asking for appropriations as big as last year is that they are not paying the bills, but the bills must be met. They have been contracted for, the losses have been sustained, and it is only postponing the day of reckoning.

If there is no contradiction to my charge that the Budget Bureau and the administration have been making a false claim in this connection and if no Senator raises objection to the point I am making, I will agree to allow the amendments be considered en bloc. But if any Senator says that this represents a $928 million saving, I will go through the bill piece by piece and try to find this imaginary savings. I have not found it. I do not think anyone else can find it.

The Senator from Florida has never asserted that there was such a saving. He frankly reported that the bill calls for an increase of some $39 million. He made a very proper report.

It is the administration which has been trying to fool the American people.

I complimented the Senator on being factual in reporting the bill to the Senate, but I want the Budget Bureau, the President, and other administration officials to be equally factual when telling the voters what they are spending. They cannot get away with these false claims when every single department of Government is asking for more money than last year.

The Department of Agriculture is asking for more, as everybody now seems to agree.

The Department of Commerce is asking for $150 million more this year. The Department wants to add 3,497 new employees.

The Department of Health, Education, and Welfare is asking for $694 million more than last year and an increase in their payroll of 5,931 employees.

The Justice Department asked for an increase of $20 million over last year and, in addition, 765 new employees.

The Labor Department wants $194 million extra money and 1,293 new employees.

The General Services Administration wants $62 million more than last year and wants to add 3,208 new employees.

The Housing and Home Finance Administration wants 802 more employees.

The Treasury Department wants to add 4,149 new employees with an additional appropriation of $421 million.

The President asked for $111 million over and above last year appropriations for the Department of the Interior, and that Department wants to add 3,999 new employees.

Altogether, the Budget Bureau is asking Congress to give them extra money to enable them to add 36,429 additional employees to the Federal payroll. Prior to this they had already added 152,291 extra employees.

I take strong exception to the President's backhanded claim that he has not increased the Federal payroll. That statement cannot be supported by the facts. The President has said there are fewer civilian employees on the payroll today than there were 10 years ago, in 1953. What does that prove? In early 1953 a war was in progress in Korea, and the Government had an unusually large number of civilian employees in the Defense Department. Certainly the President is not going to compare the number of employees today with the number during war years; 152,291 employees were added to the payroll in the first 30 months of this administration, and they are still being added at the rate of around 5,000 a month. I do not intend to let the administration get by with false assertions that it is making great strides in economy when it is spending more money in every single Department of Government.

There were 2,509,028 employees on the Federal payroll on June 30, 1963. On January 1, 1961, there were 2,356,737.

That means that in the first 30 months President Kennedy had been in office he has added 152,291 employees, or an addition of 5,000 a month. That is 1,250 every week. On the basis of a 5-day, 40-hour workweek, he is adding 250 employees every day. Or, reducing the figure still further, for every 2 minutes he has been in office, on the basis of a 5-day, 40-hour workweek, he has been adding 1 additional employee.

Yet he says, "See how we are reducing expenditures." They are not reducing expenditures. This is the most extravagant administration ever to hold public office. No man who operates a business would ever operate in that way. I never had the opportunity to go to Harvard but the school I attended, the School of Hard Knocks, taught me that I cannot conduct my business by continually spending more than my income. Neither can the Federal Government.

This administration for fiscal 1964 has the highest budget that has ever been submitted in the history of the Congress of the United States. This year it exceeds the record budgets during World War II. This is the most spendthrift administration that has ever been in Washington.

I shall be glad to yield to anyone who claims that the administration is saving money. But if Senators accept the statement which I have just made I will not object to the Senator from Florida's obtaining consent, in the interest of orderly procedure, to approve the amendments en bloc, with the full explanation that the bill, when passed, calls for increases in appropriations over last year. The Senator from Florida has made a fair report to the Senate, and I compliment him on it. I hope the President as well as other administrative officials will take due notice of it.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. HOLLAND. Mr. President, I wish to yield first to the distinguished ranking minority member of the subcommittee.

Mr. YOUNG of North Dakota. Mr. President, I have no disagreement with the Senator from Delaware when he talks about increased expenditures by the Government. The Subcommittee on Agricultural Appropriations, under the leadership of the Senator from Florida [Mr. HOLLAND] did as good a job as it possibly could. The Senator from Florida did a painstaking job on the bill. He is one of the most able and conscientious Members of the Senate. I do not know of any more capable Senator.

One of the problems is that Congress has piled additional functions on the Department of Agriculture. For example, in years past billions of dollars were appropriated under the foreign aid program for foreign countries to buy food from us. Now all this expenditure is piled on the Agriculture Department, and it comes to Congress as a charge to the Commodity Credit Corporation and price support program, when actually such expenditures should be charged to the foreign aid program.

I am sure the Senator from Delaware will agree with that statement.

Mr. WILLIAMS of Delaware. I fully agree with it. I have been looking forward to the time when we could separate some of the costs. I talked with the Senator from North Dakota about it and expressed the hope that we could, as a private project if nothing else, break the costs down.

I join the Senator from North Dakota in complimenting the Senator from Florida, as chairman of the subcommittee, for the work he has done, not only this year, but in past years. I compliment him particularly for his factual report of what is being done.

Perhaps increases for some of the programs can be justified. But all I am saying is that I expect the President, the Budget Bureau, and all the other officials to tell the truth when they speak to the American taxpayers. They should admit that this program and every other program is costing more than they did last year.

Let no one be under any illusions—this is the most extravagant and spendthrift administration that has ever had control of our Government. They appear to have very little conception of sound economics.

Mr. HOLLAND. Mr. President, I appreciate the kind statements of both my colleagues.

I note standing on his feet the dean of the legislative Committee on Agriculture and Forestry on the minority side, the senior Senator from Vermont [Mr. AIKEN].

Mr. YOUNG of North Dakota. Mr. President, I wanted to get an insertion into the RECORD.

Mr. HOLLAND. I yield, then, to the ranking minority member of the Appropriations Subcommittee.

Mr. YOUNG of North Dakota. I ask unanimous consent to have inserted in the RECORD at this point a table giving a breakdown of the various programs of the Department of Agriculture, indicating various programs having multiple benefits to the public. There are also data showing programs predominantly beneficial to the farmer.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Budget expenditures of U.S. Department of Agriculture (based on 1964 budget)

[In millions of dollars]

	Fiscal year 1962	Estimated fiscal year 1963	Estimated fiscal year 1964 [1]
Programs having multiple benefits and not directly chargeable to the farmer:			
Programs having foreign relations and defense aspects, including Public Law 480	2,051	1,856	2,016
Food distribution programs, including the program for removal of surplus agricultural commodities, school lunch, and special milk	460	480	499
Investment in REA and FHA loans, which are subject to repayment	499	611	448
Long-range programs for the improvement of agricultural resources, including research, meat inspection, disease and pest control, education, market development and services, protection of soil and water resources, and forest and public land management	849	939	994
Total	3,859	3,886	3,957
Programs predominantly for the benefit of the farmer:			
Agricultural conservation program	269	231	214
Conservation reserve program	344	308	294
Land-use adjustment program	-------	6	19
CCC price support, supply and related programs, and National Wool Act, acreage allotments and marketing quotas, and special agricultural conservation and adjustment programs	2,117	2,980	1,987
Sugar Act program	80	82	84
Total	2,810	3,607	2,598
Grand total	6,669	7,493	6,555

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[1] Reflects budget amendment in H. Doc. 81.

Mr. HOLLAND. I now yield to the Senator from Vermont.

Mr. AIKEN. I merely wish to remind the Senator from Delaware and the distinguished Chairman of the Subcommittee on Agricultural Appropriations that when Mr. Benson was Secretary of Agriculture he submitted a breakdown of agricultural appropriations to the House Appropriations Committee. At that time agricultural appropriations were about $6 billion a year. Mr. Benson's breakdown showed that approximately half of that amount, or $3 billion, was properly chargeable to the general public instead of to American agriculture. Nevertheless, the custom had grown up through the years of attaching everything that could possibly be added to the agricultural appropriation bill, with the assurance that everything would probably be accepted by Congress. In that way approximately half of the agricultural appropriations of today could very properly be charged to the Armed Services, the State Department, the Department of Health, Education, and Welfare, and perhaps many other departments of the Government.

Mr. HOLLAND. I thank the Senator. The Senator's comment is absolutely correct. The proportion is probably more than half.

Mr. AIKEN. Yes.

Mr. HOLLAND. Out of a total bill of about $6 billion, more than half is chargeable to objectives that all of us agree are commendable and in the national interest.

Mr. AIKEN. Over the years, as the appropriations for research have been increased, the increase has been used for consumer research and for processing and marketing research, rather than production research.

Mr. HOLLAND. That is correct.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Florida [Mr. HOLLAND]?

Mr. HOLLAND. In reply to my distinguished friend from Delaware, all I can say is that the facts developed by our committee are truthfully stated in the report. We are under the budget estimate for this fiscal year by $322 million plus. We are over the entire appropriations for 1963 by $39 million plus. The remaining figures with reference to the bill—and we believe them to be completely correct—are stated on page 1 of the report.

As to the point made by the distinguished Senator from Delaware, I believe he is talking about expenditures in the last fiscal year as compared with proposed expenditures in the next year. Our committee does not deal with that subject. It deals with appropriations. It deals with the budget request, and that part of the request that we find to be justified and which we recommend to the Senate as being appropriate to be the subject of the appropriation bill; also a few additional items not to be found in the budget, but which we added to the bill.

We shall have to stand on our report, in which it is very clearly stated that we are over the entire appropriations for 1963 for these various objectives by $39 million plus.

I do not care to go into the subject of comparative dollar expenditures, first, because we do not have mastery of those figures, next, because the estimate of the expenditures that will be made in 1964 will be completely beyond the grasp of the committee, inasmuch as we do not know what proportion of the funds it is proposed to spend in the remaining 9 months of the year; nor do we know what proportion of the funds that still remain in the various agencies within the Department is proposed to be expended.

Therefore, I hope the Senator from Delaware will be satisfied with this statement, and will permit the Senate to proceed in the method that is regularly followed in connection with appropriation bills.

First I yield to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I should like to have the Senator from Delaware repeat the figures which he has given about the number of new employees that will go on the Federal payroll if the budget of the Government is accepted, and also what the increased cost will be, not only for the employees but also for other expenditures of the Government.

Mr. WILLIAMS of Delaware. The additional employees that are asked for in the fiscal 1964 budget, as submitted to Congress on January 20, is 36,492 over and above the employees already on the payroll. As I pointed out before, the administration has already added 152,291 additional employees between January 1, 1961, and June 30 of this year. I do not have the figures as to what has been done since June 30.

When the President, in his speeches, is claiming that the payroll has been reduced as compared to 1953, he is going back 10 years, to a period when we were engaged in a war in Korea.

That is no basis for a comparison, and it is interesting to note that even to get that comparison he had to go back to an earlier Democratic administration.

I am comparing today's situation with what it was when the President took office. He has added extra Federal employees at the rate of 5,000 per month for every month he has been in office.

Anyone who goes through the budget line by line will find that there is a request for increased appropriations in every department of the Government, from top to bottom.

In the face of this record the President claims that he is saving $928 million on agriculture. That is a false claim. The Senator from Florida frankly states that he is asking for an appropriation which is $39 million above last year's appropriation and thereby disproves the President's claim. The Senator from Florida has been honest and fair in presenting the report and I shall withdraw my objection to considering the amendments en bloc.

The only reason why I objected yesterday was that the President had made this false claim and I intended to prove it false. Had there been any difference of opinion or had any Senator taken exception to my statement that the $928 million claimed saving was false I would insist on going through the bill item by item, to have him show me where that saving was. I could not find it, and neither can anyone else. I withdraw my objection to the consideration of the amendments en bloc. As I said before, the Senator from Florida has confirmed that the requested appropriations are above last year's appropriation. That is true of every agency of the Government.

The fact that now the administration is asking for a tax cut on top of these large deficits is absolutely ridiculous and irresponsible. However, I will not take the time of the Senate to start a tax argument.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Florida?

Mr. LAUSCHE. Mr. President, may I ask another question?

Mr. HOLLAND. I yield to the Senator from Ohio.

Mr. LAUSCHE. I wish to explore this subject. To obtain a correct figure on the number of new employees placed on the payroll since January 1, 1961, and the number that will be employed by the end of fiscal year 1964, it is necessary to take the figure of 152,291, the number that was placed on the payroll up to June 30 of this year, and add to that figure the figure of 36,492, which is the figure envisioned by the money asked for in the 1964 budget. Is that correct?

Mr. HOLLAND. That is correct.

Mr. LAUSCHE. That would make a total of 188,783 additional employees.

Mr. HOLLAND. That is correct.

Mr. LAUSCHE. With reference to the 36,492 that are intended to be added in fiscal year 1964, what is the present average salary? Has the Senator made that calculation?

Mr. WILLIAMS of Delaware. I have not calculated it to see what it would amount to in dollars. Of course, it will call for additional appropriations; there is no doubt about that.

Mr. LAUSCHE. I calculate it in this way: I assume the average salary is $6,000. That means an additional $202 million for the next fiscal year alone.

Mr. WILLIAMS of Delaware. I have not calculated it. The point I was making is that it was not possible to increase expenditures in every department of Government, add additional employees over and above the number that were employed previously, keep spending more and more money, and then say, "We are cutting down expenditures." I do not intend to sit back and let anyone—either the President or any other official—get away with creating that false impression.

I appreciate the tolerance of the Senator from Florida. I am sorry to have caused him delay.

Since no Senator has taken exception to my remarks here today, since Senators are willing to accept the fact that the Bureau of the Budget was erroneous in its earlier claim, I withdraw my objection to the consideration of the amendments en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida that the committee amendments be agreed to en bloc? The Chair hears none, and it is so ordered.

The committee amendments agreed to en bloc are, as follows:

On page 2, line 6, after the word "utilization", to strike out "marketing,"; in line 24, after the word "for", to strike out "five" and insert "two", and in line 25, after the word "exceed", to strike out "$40,000" and insert "$50,000".

On page 3, line 8, after the word "products", to strike out "agricultural marketing and distribution, not otherwise provided for, including related cost and efficiency evaluations;"; in line 14, after the figures "$100", to strike out "$94,045,000" and insert "$91,811,700"; in line 15, after the amendment just above stated, to strike out "; plus $400,000, to remain available until expended, for construction, alteration, and equipping of facilities; in all $94,445,000: *Provided,* That, in addition, not more than $5,000,000 may be transferred from the Commodity Credit Corporation to this appropriation, in accordance with the Act of June 29, 1948 (15 U.S.C. 714b), for cost of production and other research designed to decrease the present or future investment of the Commodity Credit Corporation in agricultural commodities, such research to be conducted through contracts and grants as authorized by the Act of August 14, 1946, as amended" and in lieu thereof, to insert a colon and "*Provided,* That, in addition, not to exceed $35,000,000 may be transferred from the Commodity Credit Corporation to this appropriation, in accordance with the Act of June 29, 1948 (15 U.S.C. 714b), for utilization research and development, cost of production research, and other related research designed to reduce surplus commodities held or to be held by the Commodity Credit Corporation, and such amounts as are required for the construction, alteration, and equipping of research facilities for utilization research and development shall remain available until expended:".

On page 5, line 2, after "(21 U.S.C. 114b–c)", to strike out "$59,505,000" and insert "$66,821,500", and in line 9, after "per centum", to insert a colon and "*Provided further,* That no funds shall be available for carrying out the screwworm eradication program that does not require minimum matching by State or local sources of at least 50 per centum of the expenses of production, irradiation, and release of the screwworm flies".

On page 6, line 6, after the word "butter", to strike out "$27,638,000" and insert "$28,126,250".

On page 6, after line 15, to insert:

"SALARIES AND EXPENSES (SPECIAL FOREIGN CURRENCY PROGRAM)

"For purchase of foreign currencies which accrue under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704), for market development research authorized by section 104(a) and for agricultural and forestry research and other functions related thereto authorized by section 104(k) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(a)(k)), to remain available until expended, $2,500,000: *Provided,* That this appropriation shall be available, in addition to other appropriations for these purposes, for the purchase of the foregoing currencies: *Provided further,* That funds appropriated herein shall be used to purchase such foreign currencies as the Department determines are needed and can be used most effectively to carry out the purposes of this paragraph, and such foreign currencies shall, pursuant to the provisions of section 104(a), be set aside for sale to the Department before foreign currencies which accrue under said title I are made available for other United States uses: *Provided further,* That not to exceed $25,000 of this appropriation shall be available for purchase of foreign currencies for expenses of employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), as amended by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a)."

On page 7, line 21, after the word "including", to strike out "$38,113,000" and insert "$40,613,000", and on page 8, line 14, to strike out "$40,383,000" and insert "$42,883,000".

On page 8, at the beginning of line 22, to strike out "$63,020,000" and insert "$68,430,000", and on page 9, line 3, after the word "all", to strike out "$64,590,000" and insert "$70,000,000".

On page 9, line 13, after the word "employees", to strike out "$7,110,000" and insert "$7,435,000".

On page 10, line 10, after "(7 U.S.C. 1621–1627)", to strike out "$1,195,000" and insert "$1,201,000".

On page 10, line 23, after the word "aircraft", to strike out "$97,480,000" and insert "$99,000,000".

On page 12, line 10, after the word "expended", to strike out "$63,222,000" and insert "$63,992,000".

On page 13, line 23, after "(16 U.S.C. 590p)", to strike out "$12,994,000" and insert "$14,640,000".

On page 15, line 10, after the word "products", to strike out "$9,832,000" and insert "$9,965,700".

On page 16, line 8, after the word "laws", to strike out "$11,079,000" and insert "$11,486,000".

On page 16, after line 12, to strike out:

"MARKETING SERVICES

"For expenses necessary to carry on services related to agricultural marketing and distribution as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, including the administration of marketing regulatory acts connected therewith and for administration and coordination of payments to States; and this appropriation shall be available for field employment pursuant to section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed $25,000 shall be available for employment at rates not to exceed $75 per diem under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), in carrying out section 201(a) to 201(d), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1291) and section 203(j) of the Agricultural Marketing Act of 1946; $37,061,000."

And in lieu thereof, to insert:

"MARKETING RESEARCH AND SERVICE

"For expenses necessary to carry on research and service to improve and develop marketing and distribution relating to agriculture as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, including the administration of marketing regulatory acts connected therewith; research and development, including related cost and efficiency evaluations, and services relating to agricultural marketing and distribution, for carrying out regulatory acts connected therewith, and for administration and coordination of payments to States; and this appropriation shall be available for field employment pursuant to section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed $25,000 shall be available for employment at rates not to exceed $75 per diem under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a) in carrying out section 201(a) to 201(d), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1291) and section 203(j) of the Agricultural Marketing Act of 1946, $44,514,100, of which $1,600,000 is to remain available until expended for the construction of a peanut quality research facility and the acquisition of the necessary land therefor by donation: *Provided,* That research investigations undertaken at the national peanut quality evaluation laboratory must be truly national in scope and must give equivalent treatment to the different types of peanuts produced and marketed in the major peanut producing areas: *Provided further,* That appropriations hereunder shall be available pursuant to 5 U.S.C. 565a for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of erecting any one building during the fiscal year shall not exceed $20,000, except for one building to be constructed at a cost not to exceed $50,000, and the cost of altering any one building during the fiscal year shall not exceed $7,500 or 7.5 per centum of the cost of the building, whichever is greater."

On page 18, line 19, after "(7 U.S.C. 1623 (b))", to strike out "$1,425,000" and insert "$1,500,000".

On page 19, line 23, after the word "than", to strike out "$40,000,000" and insert "$51,500,000", and on page 20, line 1, after the word "Program", to strike out the comma and "and (5) not more than $25,000,000 for transfer to the Commodity Credit Corporation to be used to increase domestic consumption of any farm commodity or farm commodities determined by the Secretary of Agriculture to be in surplus supply and hereafter such sums as may be approved by the Congress shall be available for such purpose "

On page 20, line 17, after "(7 U.S.C. 1766)", to strike out "$18,505,000" and insert "$19,039,000".

On page 21, line 7, after "(7 U.S.C. 1–17a)", to strike out "$1,093,000" and insert "$1,095,000".

On page 21, line 24, after the word "Corporation", to strike out "$105,737,000" and insert "$107,091,400", and on page 22, line 7, after the word "appropriation", to insert a colon and "*Provided further,* That no part of the funds appropriated or made available under this Act shall be used, (1) to influence the vote in any referendum; (2) to influence agricultural legislation except as permitted in 18 U.S.C. 1913; or (3) for salaries or other expenses of members of county and community committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, for engaging in any activities other than advisory and supervisory duties and delegated program functions prescribed in administrative regulations."

On page 23, line 17, after the word "farmers," to strike out "*Provided further,* That no portion of the funds for the 1964 program may be utilized to provide financial or technical assistance for drainage on wetlands now designated as Wetland types 3 (III), 4 (IV), and 5 (V) in United States Department of the Interior Fish and Wildlife Service Circular 39, Wetlands of the United States 1956" and insert "*Provided further,* That no portion of the funds for the 1964 program may be utilized to provide financial or technical assistance in any State of the Union for drainage of wetlands, except as subject to the same conditions as are provided by Public Law 87–732, approved October 2, 1962."

On page 26, line 21, after "(76 Stat. 606)", to strike out "$10,000,000" and insert "$12,150,000."

On page 27, line 16, after the word "service," to strike out "$3,953,000" and insert "$3,987,000."

On page 28, line 22, after the word "Library", to strike out "$1,420,000" and insert "$1,426,140".

On page 29, line 13, after the word "Agriculture", to strike out "$3,735,000" and insert "$3,760,550."

On page 30, line 24, after "(5 U.S.C. 55a)", to strike out "$11,162,000" and insert "$11,287,000".

On page 31, after line 13, to insert:

"RURAL HOUSING LOANS

"For rural housing loans, $25,000,000, to be made available in addition to and in the same manner and under the terms and conditions applicable to funds provided under section 511 of the Housing Act of 1949, as amended."

On page 31, line 23, after word "amended", to strike out "$1,000,000" and insert "$1,350,000".

On page 32, line 7, to strike out "$2,000,000" and insert "$3,500,000".

On page 32, line 16, after "(40 U.S.C. 440–444)", to strike out "$38,367,000" and insert "$39,367,000".

On page 33, line 16, after the word "expenses", to strike out "$6,950,000" and insert "$7,210,000".

On page 33, line 19, after the word "exceed", to strike out "$3,530,000" and insert "$3.480,000".

On page 34, line 2, after "(15 U.S.C. 713a–11, 713a–12)", to strike out "$2,500,000,000" and insert "$2,699,400,000".

On page 35, line 13, after the word "Act", to strike out "$1,452,000,000" and insert "$1,252,000,000", and in line 17, to strike out "$52,515,000" and insert "$79,000,000".

On page 35, line 22, after "(7 U.S.C. 1641–1642)", to strike out "$86,218,000" and insert "$92,356,000".

Mr. HOLLAND. Mr. President, I appreciate the courtesy of the Senator from Delaware.

I call the attention of the distinguished Senator from Ohio to the fact that the figures stated as those being added this year will be reduced from those totals to be added this year in considerable amount, due to the fact that the bill as reported recommends an amount of $322 million under the total of the budget request. It will not be a large diminution of the requested amounts; but for fear the Record might not reflect that fact, I thought this was the appropriate time to make the statement.

Mr. President, I yield the floor.

Mr. SPARKMAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Alabama will state it.

Mr. SPARKMAN. Have the committee amendments been agreed to en bloc?

The PRESIDING OFFICER. The committee amendments have been agreed to en bloc.

Mr. HOLLAND. Mr. President, the committee amendments have been agreed to en bloc under the customary arrangement by which no points of order are waived, and any Senator who disagrees with any substantive amendment will not be precluded from making objection.

Mr. SPARKMAN. I so understand.

Mr. President, yesterday the Senator from Mississippi [Mr. Stennis], the Senator from Colorado [Mr. Allott], and I had a colloquy with respect to the rural housing program. I said I would speak at greater length on the subject today. I shall not take much time, but I wish to present some pertinent facts for the Record.

A little more than 14 years ago after traveling through many of the rural areas of this Nation, talking to many farmers and seeing the deplorable housing in which rural people of this country live, I, on January 27, 1949, introduced a bill, S. 685, to provide assistance to farmers in securing farm housing and other farm buildings. This bill was referred to the Banking and Currency Committee and, after due consideration by the committee, the provisions of S. 685 were included in title V of the Housing Act of 1949.

In many circles, the 1949 Housing Act is considered one of the most outstanding pieces of housing legislation ever passed by the Congress.

The majority of people remember the act because of title I; that is, the title that established the modern-day program of urban renewal which has been so beneficial to our cities. There are many others, however, who remember it—namely, the farmers of this Nation—because it provided, for the first time, a financial means for them to secure for their families, their tenants, lessees, sharecroppers, and laborers, safe and decent housing and sanitary living conditions.

It is true that other programs were enacted prior to the 1949 act which were supposed to help farmers with their housing needs. These programs, however—and I refer particularly to the Bankhead-Jones Farm Tenant Act—were geared to the purchase and development of family-size farms—housing was secondary—and they were of little help to the farmer who owned his land and needed decent housing.

In general, title V of the 1949 act provided for:

First. Loans for housing and buildings on adequate farms up to 33 years at not more than 4 percent interest.

Second. Similar loans for housing and buildings on potentially adequate farms, supplemented by annual contributions applied as a partial credit on interest and principal payments to owners of farms which, through enlargement or improvement, can be made self-sustaining within a period of not less than 10 years.

Third. Loans and grants for minor improvements and minimum repairs to farm housing and buildings to assure decent, safe, and sanitary housing and buildings, and loans to enlarge or develop farms.

The 1949 act authorized the Secretary of Agriculture to loan through fiscal year 1953, $250 million for the construction of farm homes and buildings.

The program got off to a fine start. During fiscal year 1950, more than 3,700 loans, aggregating in excess of $17 million were made.

I remember very vividly being at the ground-breaking ceremonies of the first house to be built with the proceeds of a title V housing loan. This occurred almost 14 years ago in Jackson County, Ala. The loan was made to a Mr. Jones. I well remember how delighted he and Mrs. Jones were that they were to have decent housing in which to live. I might add, parenthetically, that within the last year or so Mr. Jones paid his loan in full.

Mr. HOLLAND. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. HOLLAND. Is it not true, as a matter of history, that the repayment of these loans has been phenomenal and that the venture has been an excellent one for the Government to engage in from that point of view?

Mr. SPARKMAN. The Senator is correct. A little later, I intended to state that the total principal writeoffs and judgments outstanding amount to less than $99,500 or two one-hundredths of 1 percent. This is an excellent record and speaks very well for the farmers of the country who sought to have decent housing.

The program continued to progress and, in fiscal year 1951, the Farmers Home Administration made over 5,000 loans, aggregating more than $24 million. By 1952 when an additional 4,051 loans, aggregating over $20 million, were made, the Farmers Home Administration had made loans under the title V program in all but one of the then 48 States. Rhode Island was the exception.

When the new administration took over in 1953, it was decided that the title V program should be administered on a very limited basis and the program would be phased out. Thus, in fiscal year 1953, the number of loans dropped to 3,272 and in fiscal 1954 to 2,676.

The Congress saw matters somewhat differently, however, and in 1954 continued the program by authorizing $100 million for farm housing loans for each of the fiscal years 1954, 1955, and 1956.

Notwithstanding, no title V loans were made during fiscal year 1955.

Early in calendar year 1956 when the general economy began to slump, it was decided that the farm housing loan program might be helpful in bolstering the economy in rural and farm areas, and the program was reactivated. Simultaneously in 1956, Congress again extended the program with an additional $450 million lending authority to expire on June 30, 1961.

During the remainder of fiscal year 1956, some 500 loans, aggregating about $3.6 million, were made and the program continued on a very limited basis through fiscal year 1960.

The 1961 Housing Act significantly amended the title V housing program. The President's housing message of that year pointed out a housing gap—the rural resident—and Congress was quick to act.

Title V was extended by the 1961 Housing Act to rural nonfarm families. Thus, the program became a tool, not only for farmers, but also for all rural families to provide the decent housing they needed. The loans under the amendment are the same as originally provided in the title V program, they bear 4-percent interest and are repayable over periods up to 33 years.

The 1961 act also authorized the Farmers Home Administration to make small home improvement loans without taking a mortgage on the farm for security. This action was taken to cut down loan closing costs and speed up loanmaking.

Domestic farm labor benefits from the legislation, too, since the 1961 act authorized for the first time the Farmers Home Administration to insure loans which will provide such laborers with housing and related facilities. These loans may be made to farmowners, associations of farmers, State and local government units, and nonprofit associations. Under this insured loan program, funds are provided by private lenders. The Farmers Home Administration deducts an administrative charge for making and servicing the loans and guaranteeing their repayment to the private lender.

In addition, the 1961 legislation authorized up to $250,000 per year for research in farm housing needs, design, and construction. I understand that the Farmers Home Administration has moved rapidly to do these things: first, analyze the housing information contained in the agriculture census of 1959 and the population census of 1960 to determine the adequacy of existing farm housing; second, study the economic problem faced by low-income farmers and other persons who need better housing and are eligible under the law but who cannot afford the price; and third, investigate ways to improve the design, utility, comfort, and construction of farm housing, including the use of new building materials.

Under the 1961 act, the county committeemen of the Farmers Home Administration continue to determine eligible loan applicants. Because these men have lived in the community for years, they know the needs for housing and they make certain that the benefits of the act go only to those for whom the benefits are intended. The county committee fills an important gap here because the law requires that rural housing loans be made only to those who are unable to obtain adequate financing from other sources.

As I stated a moment ago, in 1956 Congress continued the farm housing program through fiscal year 1961 by adding an additional $450 million loan authority to the program. In 1961, there was an unused balance of approximately $200 million of the 1956 authorization. The 1961 Housing Act extended the program by making available the unused balance and by supplementing it with an additional $200 million.

Since the 1961 amendments, activity under the program has increased sharply.

In the past 2½ years, more loans have been made for rural housing than in the previous 11 years of the program's existence. Since 1949 when the program began, a total of $606,518,000 has been loaned to help improve the housing conditions of some 77,500 farmers and rural families. Approximately $326.5 million, or 54 percent, of this amount has been loaned since January 1961.

The vast bulk of the funds to date, approximately $606 million, have been loaned to individuals to build, remodel or repair their homes.

Mr. President, I ask unanimous consent to have printed at this point in my remarks tables showing the total number and amount of farm housing loans made, by States, from 1950 through May 31, 1963.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Rural housing loans made during 1950 and 1951 fiscal years

State	1950 fiscal year		1951 fiscal year			
	Number initial (1)	Total amount (2)	Number			Total amount (6)
			Initial (3)	Subsequent (4)	Total (5)	
U.S. total	3,791	$17,229,474	5,154	142	5,296	$24,104,841
Alabama	226	1,150,270	232	7	239	1,184,410
Alaska	0	0	1	0	1	1,000
Arizona	20	112,000	28	1	29	175,580
Arkansas	83	276,190	232	4	236	703,871
California	128	672,880	118	0	118	602,708
Colorado	30	139,160	67	2	69	393,555
Connecticut	3	6,027	9	0	9	32,490
Delaware	0	0	2	1	3	13,540
Florida	59	267,355	92	7	99	461,246
Georgia	260	1,042,530	329	14	343	1,496,304
Hawaii	21	179,940	25	1	26	182,015
Idaho	87	518,450	119	4	123	692,989
Illinois	83	293,610	87	2	89	329,168
Indiana	54	235,165	97	0	97	431,957
Iowa	43	194,915	65	2	67	260,605
Kansas	53	203,300	86	1	87	422,363
Kentucky	90	342,342	102	9	111	480,509
Louisiana	123	518,210	185	3	188	899,086
Maine	49	164,834	80	4	84	296,908
Maryland	35	145,475	22	0	22	97,155
Massachusetts	2	6,200	5	0	5	28,796
Michigan	85	386,069	149	6	155	705,634
Minnesota	53	196,667	79	0	79	299,014
Mississippi	151	530,750	277	3	280	1,072,109
Missouri	180	550,380	220	2	222	734,276
Montana	48	296,345	47	2	49	221,670
Nebraska	101	456,865	130	2	132	516,927
Nevada	6	44,300	7	1	8	49,100
New Hampshire	1	500	3	0	3	8,895
New Jersey	23	82,574	33	0	33	143,515
New Mexico	54	244,329	58	5	63	279,350
New York	35	128,110	47	0	47	216,857
North Carolina	115	535,565	194	3	197	947,916
North Dakota	15	67,830	64	0	64	348,241
Ohio	25	98,815	60	2	62	278,780
Oklahoma	256	1,165,174	303	17	320	1,385,425
Oregon	49	344,066	67	0	67	421,258
Pennsylvania	89	333,813	130	1	131	443,199
Rhode Island	0	0	0	0	0	0
South Carolina	104	552,390	177	2	179	954,967
South Dakota	48	237,964	70	0	70	332,401
Tennessee	137	606,340	192	3	195	966,182
Texas	338	1,567,099	309	2	311	1,647,013
Utah	75	469,012	100	2	102	574,186
Vermont	1	3,170	7	1	8	25,175
Virginia	80	448,484	93	12	105	518,362
Washington	49	371,125	64	1	65	402,954
West Virginia	63	347,005	76	8	84	485,689
Wisconsin	58	234,650	90	4	94	355,997
Wyoming	45	218,810	45	1	46	240,980
Puerto Rico	67	240,920	77	0	77	333,684
Virgin Islands	1	1,500	3	0	3	8,830

Source: Farmers Home Administration, USDA.

Rural housing loans made during 1952 and 1953 fiscal years

State	1952 fiscal year				1953 fiscal year			
	Number			Total amount	Number			Total amount
	Initial (1)	Subsequent (2)	Total (3)	(4)	Initial (5)	Subsequent (6)	Total (7)	(8)
U.S. total	4,051	204	4,255	$20,776,854	3,272	173	3,445	$19,110,020
Alabama	208	4	212	1,170,701	219	1	220	1,357,098
Alaska	0	0	0	0	0	0	0	0
Arizona	25	1	26	189,623	14	0	14	122,897
Arkansas	323	12	335	979,353	195	13	208	714,927
California	91	6	97	532,778	60	1	61	470,204
Colorado	53	6	59	303,963	46	1	47	303,646
Connecticut	12	0	12	37,850	9	0	9	56,970
Delaware	3	0	3	12,750	0	0	0	0
Florida	107	9	116	648,163	60	2	62	405,013
Georgia	267	19	286	1,347,002	168	13	181	992,231
Hawaii	31	1	32	265,640	19	1	20	161,674
Idaho	47	7	54	294,352	51	3	54	338,860
Illinois	58	2	60	253,413	64	2	66	252,044
Indiana	72	7	79	354,220	52	3	55	315,315
Iowa	115	1	116	527,870	75	1	76	389,469
Kansas	62	3	65	356,936	48	4	52	289,897
Kentucky	67	6	73	387,005	121	4	125	721,295
Louisiana	132	4	136	703,117	121	4	125	698,402
Maine	58	3	61	233,255	44	8	52	205,233
Maryland	34	0	34	187,981	32	3	35	201,085
Massachusetts	7	0	7	38,452	4	0	4	18,010
Michigan	69	13	82	321,214	62	6	68	322,039
Minnesota	70	1	71	314,913	68	0	68	305,961
Mississippi	301	9	310	1,227,004	251	11	262	1,176,620
Missouri	205	5	210	804,094	179	2	181	779,964
Montana	33	3	36	186,900	33	3	36	227,208
Nebraska	69	0	69	323,258	39	2	41	210,760
Nevada	6	1	7	43,295	3	0	3	19,612
New Hampshire	4	0	4	12,125	4	0	4	18,950
New Jersey	32	1	33	178,621	37	1	38	243,198
New Mexico	52	5	57	340,557	41	1	42	266,353
New York	32	1	33	171,465	27	3	30	202,859
North Carolina	167	4	171	909,275	150	5	155	1,090,111
North Dakota	39	1	40	239,363	46	2	48	324,694
Ohio	47	2	49	205,595	49	3	52	227,700
Oklahoma	208	13	221	1,084,014	121	9	130	777,766
Oregon	53	2	55	323,919	25	2	27	168,226
Pennsylvania	73	2	75	394,023	56	8	64	302,713
Rhode Island	0	0	0	0	2	0	2	5,570
South Carolina	145	3	148	845,963	94	2	96	653,090
South Dakota	28	0	28	140,340	39	5	44	250,524
Tennessee	57	4	61	323,709	106	1	107	633,334
Texas	234	6	240	1,506,133	147	7	154	977,685
Utah	40	4	44	230,649	31	1	32	226,699
Vermont	5	0	5	17,650	3	1	4	18,280
Virginia	64	13	77	457,670	64	9	73	480,093
Washington	41	5	46	265,079	34	3	37	216,528
West Virginia	45	8	53	262,653	35	4	39	288,717
Wisconsin	61	3	64	310,034	53	9	62	275,278
Wyoming	27	4	31	162,895	16	8	24	117,092
Puerto Rico	65	0	65	319,720	53	1	54	271,626
Virgin Islands	7	0	7	30,300	2	0	2	16,500

Source: Farmers Home Administration, USDA.

Rural housing loans made during 1954 and 1956 fiscal years

State	1954 fiscal year				1956 fiscal year [1]			
	Number			Total amount	Number			Total amount
	Initial (1)	Subsequent (2)	Total (3)	(4)	Initial (5)	Subsequent (6)	Total (7)	(8)
U.S. total	2,676	129	2,805	$16,014,793	506	40	546	$3,699,297
Alabama	177	0	177	880,022	31	6	37	273,998
Alaska	0	0	0	0	0	0	0	0
Arizona	16	0	16	145,462	3	0	3	23,956
Arkansas	153	14	167	601,066	35	4	39	198,284
California	60	1	61	536,621	8	0	8	83,764
Colorado	30	0	30	188,963	1	0	1	9,353
Connecticut	1	1	2	8,745	0	0	0	0
Delaware	0	0	0	0	0	0	0	0
Florida	48	1	49	379,978	20	2	22	162,066
Georgia	146	7	153	874,496	29	6	35	204,086
Hawaii	7	0	7	48,950	4	0	4	45,830
Idaho	37	1	38	265,361	5	0	5	42,462
Illinois	66	5	71	293,373	7	1	8	45,592
Indiana	42	8	50	300,780	3	0	3	21,007
Iowa	67	3	70	352,002	0	0	0	284
Kansas	33	4	37	261,757	4	0	4	20,963
Kentucky	33	4	37	26,1757	4	0	4	20,963
Louisiana	84	1	85	533,185	28	0	28	213,983
Maine	36	7	43	179,093	6	0	6	51,037
Maryland	24	0	24	185,325	4	1	5	33,410
Massachusetts	4	0	4	26,350	0	0	0	0
Michigan	66	2	68	359,937	13	1	14	93,643
Minnesota	53	0	53	230,051	4	0	4	35,469

See footnotes at end of table.

Rural housing loans made during 1954 and 1956 fiscal years—Continued

State	1954 fiscal year				1956 fiscal year [1]			
	Number			Total amount (4)	Number			Total amount (8)
	Initial (1)	Subsequent (2)	Total (3)		Initial (5)	Subsequent (6)	Total (7)	
Mississippi	184	5	189	$958, 195	73	0	73	$396, 605
Missouri	151	3	154	540, 132	23	5	28	124, 420
Montana	30	3	33	244, 542	3	0	3	10, 243
Nebraska	30	1	31	184, 961	2	0	2	24, 456
Nevada	2	1	3	13, 147	0	0	0	324
New Hampshire	4	0	4	25, 000	2	0	2	7, 950
New Jersey	36	1	37	179, 186	4	0	4	30, 923
New Mexico	36	0	36	241, 785	1	0	1	18, 288
New York	28	0	28	218, 691	0	0	0	6, 214
North Carolina	134	7	141	882, 086	34	3	37	272, 708
North Dakota	35	0	35	273, 594	4	0	4	53, 444
Ohio	23	2	25	151, 357	2	0	2	18, 561
Oklahoma	93	3	96	571, 960	16	4	20	121, 778
Oregon	14	0	14	97, 955	1	0	1	6, 570
Pennsylvania	20	4	24	133, 630	3	0	3	32, 280
Rhode Island	0	0	0	0	0	0	0	0
South Carolina	99	5	104	641, 983	34	2	36	262, 661
South Dakota	51	2	53	301, 096	0	0	0	506
Tennessee	113	3	116	662, 518	25	0	25	132, 726
Texas	136	6	142	1, 026, 137	24	0	24	212, 157
Utah	23	7	30	181, 270	5	1	6	44, 815
Vermont	2	0	2	7, 100	0	0	0	0
Virginia	47	7	54	358, 117	8	0	8	56, 333
Washington	26	3	29	206, 409	2	1	3	18, 105
West Virginia	39	3	42	270, 316	5	1	6	52, 962
Wisconsin	42	3	45	233, 426	4	1	5	32, 539
Wyoming	10	1	11	88, 951	2	1	3	22, 717
Puerto Rico	38	0	38	227, 978	11	0	11	80, 398
Virgin Islands	4	0	4	31, 051	1	0	1	5, 037

[1] Amount in 4 States showing no number is loan costs advanced to borrowers for such purposes as the payment of taxes, insurance premiums, etc.

Source: Farmers Home Administration, USDA.

Rural housing loans made during 1957 and 1958 fiscal years

State	1957 fiscal year				1958 fiscal year			
	Number			Total amount (4)	Number			Total amount (8)
	Initial (1)	Subsequent (2)	Total (3)		Initial (5)	Subsequent (6)	Total (7)	
U.S. total	3, 105	196	3, 301	$20, 881, 763	4, 502	349	4, 851	$32, 395, 294
Alabama	204	14	218	1, 423, 916	294	19	313	1, 970, 589
Alaska	0	0	0	0	3	0	3	8, 780
Arizona	5	0	5	34, 600	14	0	14	203, 836
Arkansas	114	15	129	551, 190	184	14	198	846, 246
California	67	2	69	639, 212	83	11	94	864, 957
Colorado	9	0	9	59, 262	7	1	8	61, 080
Connecticut	2	0	2	20, 000	2	0	2	12, 150
Delaware	4	0	4	31, 500	2	0	2	7, 525
Florida	167	5	172	1, 398, 857	246	12	258	2, 309, 637
Georgia	201	16	217	1, 208, 277	291	28	319	1, 893, 304
Hawaii	16	2	18	139, 150	14	2	16	147, 060
Idaho	38	3	41	374, 479	55	6	61	550, 752
Illinois	43	2	45	251, 402	44	5	49	270, 180
Indiana	26	5	31	171, 993	32	4	36	206, 984
Iowa	35	4	39	199, 056	77	6	83	486, 217
Kansas	37	0	37	213, 538	39	3	42	209, 228
Kentucky	59	2	61	377, 959	85	12	97	657, 805
Louisiana	124	12	136	896, 358	134	8	142	999, 457
Maine	59	4	63	407, 333	124	27	151	987, 305
Maryland	24	3	27	219, 820	35	5	40	316, 931
Massachusetts	6	0	6	29, 665	2	0	2	17, 235
Michigan	49	8	57	334, 893	93	7	100	687, 394
Minnesota	36	3	39	221, 140	91	5	96	593, 673
Mississippi	398	14	412	2, 097, 442	461	26	487	2, 458, 275
Missouri	209	9	218	1, 026, 601	224	22	246	1, 323, 861
Montana	24	0	24	251, 111	29	2	31	265, 902
Nebraska	13	2	15	96, 365	31	2	33	170, 249
Nevada	2	0	2	23, 602	4	0	4	30, 711
New Hampshire	2	0	2	5, 360	3	0	3	13, 279
New Jersey	15	3	18	132, 887	16	1	17	148, 445
New Mexico	22	1	23	182, 760	25	2	27	205, 439
New York	18	3	21	108, 340	40	4	44	240, 300
North Carolina	124	6	130	945, 416	199	17	216	1, 560, 415
North Dakota	86	3	89	866, 085	101	2	103	852, 379
Ohio	37	3	40	198, 586	48	3	51	338, 360
Oklahoma	91	5	96	516, 322	138	9	147	893, 183
Oregon	26	3	29	229, 395	59	5	64	524, 360
Pennsylvania	45	5	50	279, 307	63	5	68	390, 098
Rhode Island	0	0	0	0	1	0	1	3, 100
South Carolina	73	6	79	488, 049	114	10	124	1, 013, 077
South Dakota	18	1	19	157, 479	38	6	44	311, 383
Tennessee	180	8	188	1, 038, 337	245	12	257	1, 584, 567
Texas	107	6	113	846, 900	207	11	218	1, 822, 861
Utah	46	5	51	355, 756	65	6	71	648, 951
Vermont	3	0	3	33, 600	4	0	4	16, 725
Virginia	33	2	35	298, 140	28	2	30	201, 444
Washington	36	0	36	329, 773	93	5	98	802, 488
West Virginia	31	7	38	216, 354	73	8	81	617, 773
Wisconsin	57	2	59	318, 932	132	11	143	958, 440
Wyoming	25	1	26	249, 792	32	2	34	260, 095
Puerto Rico	58	0	58	371, 478	77	1	78	419, 609
Virgin Islands	1	1	2	14, 000	1	0	1	10, 500

Source: Farmers Home Administration, USDA.

Rural housing loans made during 1959 and 1960 fiscal years

State	1959 fiscal year				1960 fiscal year			
	Number			Total amount	Number			Total amount
	Initial (1)	Subsequent (2)	Total (3)	(4)	Initial (5)	Subsequent (6)	Total (7)	(8)
U.S. total	7,589	496	8,085	$59,885,594	4,904	383	5,287	$40,282,161
Alabama	508	23	531	4,007,224	304	17	321	2,545,267
Alaska	3	0	3	12,720	4	0	4	39,620
Arizona	13	0	13	214,608	7	0	7	73,844
Arkansas	352	18	370	1,812,443	280	24	304	1,792,544
California	104	9	113	1,128,902	73	10	83	894,045
Colorado	25	0	25	238,353	22	2	24	218,334
Connecticut	5	0	5	33,430	2	0	2	8,800
Delaware	0	0	0	0	2	0	2	6,800
Florida	405	19	424	3,987,495	173	18	191	1,850,031
Georgia	455	37	492	3,234,153	253	25	278	1,797,312
Hawaii	14	3	17	163,390	16	0	16	189,000
Idaho	75	5	80	673,141	70	5	75	642,876
Illinois	50	8	58	332,375	37	3	40	246,471
Indiana	60	4	64	513,348	34	1	35	285,531
Iowa	152	7	159	1,150,034	99	5	104	820,132
Kansas	89	6	95	618,590	80	6	86	600,325
Kentucky	176	14	190	1,387,659	150	10	160	1,215,178
Louisiana	185	12	197	1,498,566	91	2	93	705,967
Maine	121	30	151	1,086,919	74	38	112	767,264
Maryland	33	4	37	374,444	11	4	15	114,160
Massachusetts	9	2	11	96,738	3	0	3	35,629
Michigan	124	16	140	961,698	113	9	122	961,048
Minnesota	142	5	147	888,855	85	5	90	556,828
Mississippi	720	42	762	4,599,567	497	26	523	3,178,642
Missouri	387	33	420	2,470,597	256	24	280	1,577,336
Montana	91	3	94	820,410	64	4	68	605,000
Nebraska	56	5	61	420,670	42	0	42	342,687
Nevada	4	0	4	34,400	4	0	4	39,640
New Hampshire	3	0	3	11,900	1	0	1	850
New Jersey	24	3	27	264,962	14	1	15	166,050
New Mexico	41	8	49	442,508	24	1	25	231,376
New York	48	6	54	394,710	39	3	42	306,841
North Carolina	244	20	264	2,096,641	162	10	172	1,582,383
North Dakota	161	6	167	1,520,688	106	4	110	1,120,463
Ohio	84	3	87	617,272	51	4	55	455,044
Oklahoma	276	14	290	2,100,041	231	14	245	1,874,368
Oregon	91	4	95	813,819	52	5	57	419,306
Pennsylvania	67	9	76	455,656	64	13	77	473,544
Rhode Island	2	0	2	6,420	0	0	0	0
South Carolina	312	9	321	2,855,019	172	14	186	1,647,172
South Dakota	111	10	121	982,343	83	11	94	717,538
Tennessee	403	24	427	3,093,071	283	18	301	2,338,635
Texas	537	25	562	4,823,321	235	6	241	2,184,216
Utah	117	13	130	1,220,430	103	8	111	1,152,484
Vermont	8	0	8	49,350	2	1	3	14,625
Virginia	76	5	81	701,180	48	3	51	465,332
Washington	125	11	136	1,170,110	98	13	111	958,028
West Virginia	157	8	165	1,228,633	62	3	65	503,508
Wisconsin	167	10	177	1,237,562	142	9	151	1,038,157
Wyoming	47	0	47	369,211	23	2	25	187,464
Puerto Rico	128	3	131	646,618	63	2	65	334,466
Virgin Islands	2	0	2	23,400	0	0	0	0

Source: Farmers Home Administration, USDA.

Rural housing loans made during 1961 and 1962 fiscal years

State	1961 fiscal year				1962 fiscal year			
	Number			Total amount	Number			Total amount
	Initial (1)	Subsequent (2)	Total (3)	(4)	Initial (5)	Subsequent (6)	Total (7)	(8)
U.S. total	8,032	728	8,760	$68,999,418	10,706	641	11,347	$96,375,952
Alabama	653	54	707	5,721,969	706	21	727	6,384,214
Alaska	6	1	7	79,600	46	0	46	778,116
Arizona	15	1	16	222,044	38	0	38	445,440
Arkansas	408	52	460	2,619,409	461	24	485	3,104,273
California	83	8	91	1,007,181	115	12	127	1,535,016
Colorado	39	3	42	341,687	127	13	140	1,369,947
Connecticut	5	1	6	37,208	13	0	13	137,377
Delaware	9	0	9	56,000	14	0	14	153,900
Florida	252	22	274	2,459,901	331	15	346	3,308,204
Georgia	456	54	510	3,546,343	601	25	626	5,172,368
Hawaii	29	6	35	396,220	55	5	60	696,840
Idaho	83	13	96	836,955	140	7	147	1,384,222
Illinois	71	6	77	603,726	87	8	95	849,672
Indiana	90	9	99	757,596	145	7	152	1,426,977
Iowa	149	7	156	1,409,795	199	14	213	1,896,585
Kansas	141	8	149	1,070,330	198	13	211	1,771,631
Kentucky	189	17	206	1,624,400	200	8	208	1,900,021
Louisiana	166	7	173	1,478,296	183	17	200	1,659,718
Maine	142	40	182	1,504,071	214	47	261	1.302,390
Maryland	48	11	59	594,347	70	3	73	799,000
Massachusetts	8	2	10	57,748	4	1	5	23,605
Michigan	178	17	195	1,786,029	205	21	226	2,098,302
Minnesota	162	10	172	1,187,791	226	8	234	1,600,064
Mississippi	656	41	697	4,570,816	772	53	825	5,899,527
Missouri	365	47	412	2,731,901	557	48	605	4,483,212

***Rural housing loans made during 1961 and 1962 fiscal years*—Continued**

State	1961 fiscal year				1962 fiscal year			
	Number			Total amount	Number			Total amount
	Initial (1)	Subsequent (2)	Total (3)	(4)	Initial (5)	Subsequent (6)	Total (7)	(8)
Montana	119	5	124	$1,152,873	145	11	156	$1,287,940
Nebraska	56	4	60	421,520	79	1	80	699,618
Nevada	4	0	4	47,756	11	0	11	114,221
New Hampshire	4	3	7	40,970	25	1	26	185,015
New Jersey	24	3	27	215,428	106	5	111	988,744
New Mexico	42	1	43	396,276	93	3	96	754,382
New York	73	7	80	650,260	106	7	113	925,801
North Carolina	401	35	436	3,770,106	604	18	622	5,986,178
North Dakota	185	9	194	1,879,117	228	16	244	2,297,538
Ohio	72	9	81	630,081	106	10	116	1,029,397
Oklahoma	336	18	354	2,716,911	346	17	363	3,154,627
Oregon	76	16	92	688,270	95	7	102	870,772
Pennsylvania	135	27	162	1,112,429	126	21	147	1,175,031
Rhode Island	1	0	1	5,101	1	0	1	7,239
South Carolina	317	22	339	2,990,253	362	18	380	3,508,626
South Dakota	109	15	124	971,819	184	18	202	1,558,222
Tennessee	511	33	544	4,563,530	614	37	651	5,683,084
Texas	305	13	318	2,650,161	483	12	495	4,764,899
Utah	115	10	125	1,317,364	164	9	173	2,005,798
Vermont	19	1	20	188,520	6	0	6	41,880
Virginia	101	7	108	919,621	181	5	186	1,749,300
Washington	124	11	135	1,224,346	161	26	187	1,619,123
West Virginia	90	9	99	714,681	163	3	166	1,497,425
Wisconsin	233	23	256	1,962,013	278	22	300	2,067,002
Wyoming	22	1	23	217,480	67	1	68	637,157
Puerto Rico	154	9	163	843,966	243	3	246	1,306,312
Virgin Islands	1	0	1	7,200	22	0	22	280,000

Source: Farmers Home Administration, USDA.

Rural housing loans made during 1963 fiscal year through May 31 and cumulative from beginning of program in 1950 through May 31, 1963

State	1963 fiscal year through May 31				Cumulative through May 31, 1963 [1]			
	Number			Total amount	Number			Total amount
	Initial (1)	Subsequent (2)	Total (3)	(4)	Initial (5)	Subsequent (6)	Total (7)	(8)
U.S. total	18,661	675	19,336	$181,750,010	76,949	4,156	81,105	$601,505,471
Alabama	1,266	26	1,292	12,189,325	5,028	192	5,220	40,259,003
Alaska	53	7	60	889,855	116	8	124	1,809,691
Arizona	57	0	57	695,054	255	3	258	2,658,944
Arkansas	900	36	936	6,922,983	3,720	230	3,950	21,123,479
California	131	6	137	1,682,596	1,121	66	1,187	10,650,864
Colorado	187	20	207	2,047,935	643	48	691	5,675,238
Connecticut	11	3	14	134,720	74	5	79	525,767
Delaware	18	0	18	208,555	54	1	55	490,570
Florida	533	15	548	5,543,408	2,493	127	2,620	23,181,354
Georgia	1,198	32	1,230	11,920,767	4,654	276	4,930	34,729,173
Hawaii	104	3	107	1,197,700	355	24	379	3,813,409
Idaho	187	8	195	2,275,902	994	62	1,056	8,890,801
Illinois	216	9	225	2,403,815	913	53	966	6,424,841
Indiana	188	2	190	2,304,014	895	50	945	7,324,887
Iowa	332	8	340	3,727,415	1,408	58	1,466	11,414,379
Kansas	311	15	326	2,908,025	1,181	63	1,244	8,946,883
Kentucky	521	15	536	5,604,436	1,838	101	1,939	15,239,702
Louisiana	467	8	475	4,331,787	2,023	78	2,101	15,136,132
Maine	322	47	369	1,914,681	1,329	255	1,584	9,100,323
Maryland	136	1	137	1,587,950	508	35	543	4,857,083
Massachusetts	16	1	17	72,127	70	6	76	450,555
Michigan	272	15	287	3,175,700	1,478	121	1,599	12,193,600
Minnesota	451	17	468	3,946,272	1,520	54	1,574	10,376,698
Mississippi	1,442	48	1,490	12,615,622	6,183	278	6,461	40,781,174
Missouri	789	37	826	7,582,071	3,745	237	3,982	24,728,845
Montana	139	7	146	1,344,460	805	43	848	6,914,604
Nebraska	184	6	190	1,679,929	832	25	857	5,548,265
Nevada	16	0	16	174,295	69	3	72	634,403
New Hampshire	40	1	41	347,650	96	5	101	678,444
New Jersey	146	8	154	1,457,212	510	27	537	4,231,745
New Mexico	127	7	134	1,119,536	616	34	650	4,722,939
New York	144	2	146	1,514,286	637	36	673	5,084,734
North Carolina	1,566	23	1,589	15,949,006	4,094	151	4,245	36,527,806
North Dakota	346	12	358	3,816,176	1,416	55	1,471	13,659,612
Ohio	139	10	149	1,456,440	743	51	794	5,705,982
Oklahoma	516	9	525	5,170,637	2,931	132	3,063	21,532,206
Oregon	92	13	105	1,002,100	700	57	757	5,910,016
Pennsylvania	127	24	151	1,326,733	998	119	1,117	6,852,456
Rhode Island	1	0	1	2,600	8	0	8	30,030
South Carolina	688	18	706	6,947,721	2,691	111	2,802	23,360,971
South Dakota	271	25	296	2,199,432	1,050	93	1,143	8,161,047
Tennessee	1,211	29	1,240	11,420,892	4,077	172	4,249	33,010,925
Texas	841	12	853	8,715,158	3,903	106	4,009	32,743,740
Utah	248	9	257	3,162,366	1,132	75	1,207	11,589,780
Vermont	11	3	14	87,250	71	7	78	503,325
Virginia	340	7	347	3,396,311	1,163	72	1,235	10,050,387
Washington	168	16	184	1,935,439	1,021	95	1,116	9,519,507
West Virginia	284	7	291	2,856,234	1,123	69	1,192	9,341,950
Wisconsin	313	34	347	2,838,677	1,630	131	1,761	11,862,707
Wyoming	90	6	96	998,890	451	28	479	3,771,534
Puerto Rico	473	8	481	2,529,365	1,507	27	1,534	7,926,143
Virgin Islands	32	0	32	418,500	77	1	78	846,818

[1] In addition, 8 insured farm labor housing loans for $254,510 were made in 1962 and 1963; and 2 insured rental housing loans for $117,000 were made in 1963.

Source: Farmers Home Administration, USDA.

Mr. SPARKMAN. Mr. President, during the discussion of the farm housing program yesterday, a question was asked as to whether rural housing loans under the title V program were made in the areas of subdivisions, towns, and cities. This question was propounded by the senior Senator from Colorado [Mr. Allott] and appears on page 18025 of yesterday's Record. I should like to clarify the Record on this point.

The Housing Act of 1961 broadened the program to the extent of enabling the Farmers Home Administration to make loans to people who are not farmers so long as they meet the other eligibility requirements and live in rural areas.

The Farmers Home Administration has interpreted rural areas to include the open country that exists among farms and to include country villages that have a population of not more than 2,500. The 2,500 level is the level the census has set to distinguish rural communities from communities that are not rural.

The Farmers Home Administration does not make loans to people to build homes in subdivisions near cities. The Farmers Home Administration does not consider such subdivisions to be rural areas.

In 1962, the title V farm housing program was again amended to help provide housing for elderly people in rural areas. Under the 1962 amendments, the Farmers Home Administration may:

First. Make loans to elderly persons—those who are 62 years of age or older—for the purchase of existing homes or the construction, improvement, alteration or repair of dwellings and related facilities in rural areas for their own use.

Second. Make loans to private nonprofit corporations and consumer cooperatives to provide housing and related facilities for elderly persons and families in rural nonfarm areas.

Third. Insure loans made by private lenders to individuals, corporations, trusts or partnerships providing rental housing and related facilities to elderly persons on farms and in nonfarm rural areas.

The 1962 amendments increased the existing loan fund by $50 million. This additional amount was especially earmarked for loans to elderly persons. The 1962 amendments also established a $50 million revolving fund for making loans to nonprofit corporations and consumer cooperatives.

In addition, proper authority was provided the Farmers Home Administration to utilize the agriculture credit insurance fund established under sections 308 and 309 of the Consolidated Farmers Home Administration Act of 1961 to insure elderly persons rental housing in farm and nonfarm rural areas.

Mr. President, my remarks thus far have dealt in general with the chronological development of the title V rural housing program.

The need for the rural housing today is just as great as it was in 1949 when the title V program was first established.

Let me make the record clear.

I believe in the private enterprise system as much as any Senator in this body. At the same time, I believe that farmers and rural nonfarm families have just as much right to have decent housing as any group in this Nation.

I have often stated during my tenure in the Congress that if private enterprise will provide for the housing needs of certain groups of our people—the low and middle income groups, veterans living in remote and rural areas, the low income elderly in both rural and urban areas, farmers and rural nonfarm families—I would be one of the first to advocate an end to the Federal programs which have been established to care for these needs. To date, no effective solution has been offered by private enterprise.

Perhaps the title V housing program is an excellent example to use in order to show the reluctance of lenders to enter into mortgages for these specific groups. It is the policy of the Farmers Home Administration to require that any applicant for a title V housing loan show that he is unable to secure credit from other sources before the applicant's loan application can be considered. This, of course, requires the potential borrower to contact local lending institutions in order to determine whether credit will be made available to him. In some cases, his credit is approved and he obtains a conventional mortgage loan, but it is clearly seen, I believe, from the number of loans already made and the number of applicants still awaiting a title V loan that the vast majority of farmers and rural nonfarm families cannot obtain mortgage financing through conventional private sources.

There are some who argue "why title V housing loans?" Why not use the insured loans as provided by the Consolidated Farmers Home Administration of 1961 or some other insurance program that would parallel the Federal Housing Administration insurance programs.

First, under the title V loan program, all rural people, whether farmers or otherwise, if they own the property on which the housing is to be constructed, are potential borrowers. By contrast, the Consolidated Farmers Home Administration Act of 1961 specifically limits loans to persons who first, are citizens of the United States; second, have a farm background and either training or farming experience which the Secretary determines is sufficient to assure reasonable prospects of success in the proposed farming operations; third, are or will become owner-operators of not larger than family farms; and fourth, are unable to obtain sufficient credit elsewhere to finance their actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms, in the community in or near which the applicant resides, for loans for similar purposes and periods of time.

Thus, those who suggest that the insurance program under the Consolidated Farmers Home Administration Act should replace the title V program would preclude all rural nonfarm families from obtaining decent housing.

Second, to those who suggest supplanting the Title V loan program with a mortgage insurance program, I urge them to review the reasons why the Federal Housing Administration has consistently refused to insure mortgages secured by housing located on farms and in rural areas. I also urge them to review the reasons why the majority of private lenders have consistently refused to make mortgage loans in these areas.

Anyone who even casually studies the mortgage market will immediately find that little, if any, mortgage credit flows into rural areas regardless of the overall supply of mortgage money. Anyone who casually studies national income levels, will immediately find that rural incomes are notoriously low, and rural people cannot afford to pay the price needed to attract private capital into the rural areas.

Everyone knows that mortgage insurance programs depend upon the investment of private capital to make them workable, and even though Federal insurance would remove a substantial portion of the risk involved, private capital would still demand a higher return than rural people can pay.

To prove these points, one need look no further than the Federal Housing Administration's section 203(i) program which was established specifically to help finance housing in rural areas. Even though special provisions have, from time to time, been written into this section in an attempt to make it workable, it has never been successful in supplying housing for farm families or for other rural families on scattered sites.

Mr. President, as I stated earlier to the senior Senator from Florida [Mr. Holland], there are few Federal programs that have as enviable a repayment record as does the title V loan program. Since the establishment of this program in 1949, some 77,500 loans, aggregating in excess of $606.5 million, have been made to our farmers and rural families. As of December 31, 1962, some 13,699, or 19.5 percent, of the borrowers had satisfied their accounts in full. The total principal writeoffs and judgments outstanding on the same date amounted to less than $99,500. Thus represents less than two one-hundredths of 1 percent of the cumulative amount loaned.

This fine record is very gratifying to those of us who have supported the title V loan program over the years and, indeed, it proves the confidence we placed in the farmers and rural people of this Nation. Certainly this is a remarkable record for any group of borrowers, but it becomes especially significant considering the fact that these families were unable to obtain credit from other sources.

The vast bulk of the funds to date, some $606.5 million, have been loaned to individuals to build, remodel or repair their homes. The scope of this phase of the program was increased tremendously when the 1961 Housing Act made rural nonfarm residents, as well as farmers, eligible to participate in the program. About 70 percent of the loans made this past year were to rural nonfarm residents.

The homes built with these loans are modest in size, design, and cost. They customarily have three bedrooms, are equipped with modern kitchen and bathroom facilities. They average about 1,200 square feet of living space and cost about $11,000.

Although the primary benefits of expenditures for housing accrue to the families who receive the loans, the secondary economic benefits for expenditures for housing materials and labor have been significant and widespread.

The Department of Agriculture estimates that the more than $606 million advanced to date has resulted in 166,000 man-years of employment and a total economic impact of about $3.6 billion. About one-third of this employment has been direct on-the-site employment for carpenters, bricklayers, plumbers, painters, and other construction workers; one-third has been employment in the local community to suppliers of such building materials as concrete, masonry, plaster, paint, and home furnishings; and about one-third has been employment in the more remote areas which produce building materials.

Or, stated differently, this program has provided approximately 52,000 man-years of employment directly involved in the construction of homes; required 800 million board feet of lumber; provided a market for $107 million worth of plumbing, heating, electrical materials and equipment; $160 million worth of other construction items such as concrete, masonry, millwork, plaster, and paint; and at least $37 million worth of home furnishings.

Since the rural housing program operates in areas where families are in low and moderate income levels and the opportunity to save is relatively low, the economic effect of the more than $606 million spent for housing has probably been multiplied six or seven times.

Although the rural housing program for our senior citizens is relatively new—the first loan being made last November—some 544 loans aggregating in excess of $3.3 million have been made since enactment of the program September 28, 1962.

In addition, during fiscal year 1963, more than 1,378 destitute families received grant assistance totaling $1,029,655 to make improvements to their housing urgently needed to remove hazards to their health and safety. I might add that this type of assistance goes primarily to elderly couples.

The first loans for the construction of rental housing for senior citizens in rural areas were closed in fiscal 1963. One of these loans provided $100,000 for the construction of 20 apartments in Ocean County, N.J. Another made available $17,000 for four apartments in Clark County, Mo.

Currently seven more dockets for rental housing in North Dakota, Kentucky, California, Arizona, and New York are being reviewed by the Farmers Home Administration.

The farm labor housing program is also gaining momentum. To date insured farm labor housing loans totaling $274,000 have been made in Florida, New Jersey, North Dakota, Washington, Wisconsin, and Idaho. Currently five dockets for approximately $1,500,000 are being processed by the Farmers Home Administration.

Rural housing loans mean many things to many people. For example, to Mr. and Mrs. C. H. Montgomery, both 64, of Attalla, Ala., the Nation's first title V loan under the senior citizens program, it meant comfort they had not enjoyed for years. A $6,210 title V loan made it possible for Mr. Montgomery, a retired steel construction worker, and his wife to move from their former 100-year-old residence—part of an old country post-office—into a modern, 24- by 48-foot structure with water and electrical systems. Their former home was in such condition that further repairs were no longer practical. Their new house includes a combined kitchen and family room, two bedrooms, bath, living room, and carport with storage area.

To Clarence Sprinkle, a Jackson, N.J., businessman, a $100,000 title V insured loan made it possible for him to construct a 20-unit rental housing apartment for retired farmers and rural residents in Jackson Township, Ocean County, N.J. Here more than 15 percent of the residents are over 65 years of age.

To the 75-member Gem County, Idaho, Cooperative Labor Council a $50,000 farm labor housing loan helped improve living conditions for badly needed migratory workers who harvest the area's fruit and vegetable crops.

To the Dennis F. Thompsons, Gray, Ga., a rural housing loan meant needed repair of their house after a car's brakes failed to hold a hill and sent the vehicle crashing into the side of the house. Loan funds also covered renovation of the Thompson's home so they could add a new bedroom and bathroom upstairs and enlarge their house to fill the needs of a growing rural family.

To the rural Mio community in northern Michigan, nearly $150,000 in rural housing money not only solved the housing problem for 12 families, but also provided work for at least six different contractors and their work force.

And there are literally thousands of other cases where individual and community rural housing needs were met by the expanded title V program.

During fiscal year 1963, applications for rural housing loans under the title V program were received at the rate of 3,000 per month. On the assumption that this rate of applications will continue during fiscal 1964, it would require some $400 million to carry the program through fiscal 1964. This is the amount recommended by the President in his budget message to the Congress this year.

On July 1, 1963, the unused balance in the farm housing loan authorization was $148 million. At the same time, there were some 16,005 pending applications for loans under the program.

Mr. President, I ask unanimous consent to place in the RECORD at this point in my remarks a table showing the number of rural loan applications by States.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Rural housing applications on hand as of June 30, 1963

Alabama	988
Alaska	79
Arizona	47
Arkansas	890
California	118
Colorado	155
Connecticut	9
Delaware	22
Florida	381
Georgia	981
Hawaii	58
Idaho	183
Illinois	125
Indiana	184
Iowa	294
Kansas	209
Kentucky	432
Louisiana	401
Maine	214
Maryland	159
Massachusetts	17
Michigan	236
Minnesota	438
Mississippi	1,091
Missouri	637
Montana	124
Nebraska	149
Nevada	36
New Hampshire	27
New Jersey	58
New Mexico	110
New York	221
North Carolina	1,215
North Dakota	497
Ohio	168
Oklahoma	509
Oregon	53
Pennsylvania	181
Rhode Island	1
South Carolina	563
South Dakota	221
Tennessee	630
Texas	899
Utah	217
Vermont	24
Virginia	305
Washington	110
West Virginia	373
Washington	292
Wyoming	60
Puerto Rico	564
Virgin Islands	50
Total	16,005

Source: Farmers Home Administration, USDA.

Mr. SPARKMAN. Mr. President, it is obvious that the funds presently available for the title V program are entirely inadequate to take care of the housing needs of our rural families. It is obvious, too, that if we are to continue this program additional funds must be provided.

Of course, it is assumed that all of the existing authorization, as well as the amount by which it may be increased, will be released by the Bureau of the Budget to the Farmers Home Administration to meet the need of applications as they are received.

In this connection, I repeat the point I made in yesterday's discussion of this program. There is nothing in the 1961 Housing Act—nor was it congressional intent—requiring the farm housing loan authorization to be spread over a 4-year period and I am hopeful that the Bureau will correct its position in regard to this matter.

There is no doubt that the title V rural housing loan program should continue to have the support of Congress. I certainly will continue to work for it.

Mr. STENNIS. Mr. President, I wish to commend the Senator from Alabama [Mr. SPARKMAN] for the very fine recitation he has made here on the rural housing program.

One of the most significant and beneficial programs of the Federal Government ever adopted began in 1949 with the institution of the rural housing program of the Farmers Home Administration. Since that time, over $606 million has been loaned to help improve the housing conditions of some 77,500 farmers and rural residents of this Nation. These loans are made to finance the construction or improvement of dwellings and farm service buildings that are modest in size, design, and cost. They are made on farms, in open country, and in small country towns and villages with populations of not more than 2,500 that are not near to, or closely associated, with an urban area; and only families who cannot obtain adequate financing from other sources are eligible for these loans.

The availability of these loans is necessary, Mr. President, because of the low income of many families in our rural areas and the lack of adequate commercial housing credit at reasonable rates and terms in many of these areas. These conditions have been reflected in the fact that the quality of rural housing historically has been inferior to that of urban housing. Of the 3.5 million homes on farms and the 14 million nonfarm rural homes, 20 percent need major repairs and 8.5 percent are in such a dilapidated condition that they endanger the health, safety, and wellbeing of the families. This is a condition which we cannot allow to continue, Mr. President.

Before analyzing the history and success of this program, it should first be emphasized that this is not a program of grants or giveaways by the Federal Government; this is a loan program under which every dollar advanced carries with it an obligation of repayment with interest at the rate of 4 percent per annum. The economic soundness of these loans is proven by an examination of the repayment record. As of December 31, 1962, 13,699, or 19.5 percent, of the borrowers had satisfied their indebtedness in full. The total principal writeoffs and judgments outstanding as of that date amounted to only $99,494; this represents less than two one-hundredths of 1 percent of the cumulative amount loaned since the inception of the program in 1949. In my own State of Mississippi, not a single penny has ever been lost on any of the loans.

Although the primary benefits of this program for housing accrue to the families who receive the loans, the secondary economic benefits for expenditures for housing materials and labor have been significant and widespread. It is estimated, for example, that the more than $606 million advanced to date has resulted in 166,000 man-years of employment and a total economic impact of about $3.6 billion. The value of this stimulation in many of our economically depressed rural areas cannot be overlooked.

I think these statistics graphically illustrate, Mr. President, the significance of this program since it was instituted in 1949. But what is the present need for rural housing funds, and what is the present status of available funds? Let me present the need for these funds by first citing a few facts with reference to the program in Mississippi. During the month of August, the Bureau of the Budget released $30 million for use in the Nation during the first quarter of fiscal year 1964. Of this amount, Mississippi received an allotment of $1,700,000; but at that time the State director had received loan dockets totaling $2,700,000. In addition, there were an undetermined number of dockets in the county offices which were ready for approval, and for which all the preliminary work had been done. There was also a minimum of 150 applications on which no work had been done. To summarize the situation in my State, I am advised by the director that a minimum of $2 million a month could be used in Mississippi for an indefinite period of time. Viewed nationally, 16,005 applications were on hand as of June 30, 1963; and new applications are being received at the rate of almost 4,000 a month.

A total of $183,031,156 was loaned during the fiscal year 1963; but because of the tremendous need for this program and its outstanding success over the years, the President, in his budget message to Congress, anticipated that the need for these funds would reach a level of $400 million annually. He recommended legislation to establish an insured loan program in order to carry out this increased activity; but it is apparent, Mr. President, that during this session of Congress no action will be taken on this recommendation.

Under the provisions of title V of the National Housing Act of 1949, as amended, the Secretary of Agriculture is authorized to borrow from the Treasury, in order to carry out this progam. At the beginning of the current fiscal year, however, there remained only approximately $148 million in this authorization, which expires at the end of fiscal year 1965.

It is therefore necessary, Mr. President, that this Congress take action if this program is to continue during the current year at a level at least approximating the total amount of funds advanced during the fiscal year 1963.

Because of my deep interest in this program and my firsthand knowledge of what it has meant to the rural areas of the Nation, I offered an amendment, during committee consideration of the agricultural appropriations bill, to increase the existing borrowing authorization of the Secretary by the sum of $25 million. This would provide a total of approximately $175 million for use in this activity of the Farmers Home Administration. The committee approved this amendment, Mr. President, and stated in its report:

> This additional amount, together with approximately $150 million carried forward into fiscal 1964, will only provide about one-half of the loan authorization required for this program, if it is carried out in accordance with the President's program. The committee directs the Department to utilize this new authorization, and the remaining borrowing authority as expeditiously as required to meet the demand for rural housing building loans.

Mr. President, I know the need for this type of program in many of the rural areas of our Nation. There is no question that many families are now living in substandard housing because they are unable to qualify for commercial financing. But they are ready, willing, and able to repay loans made under this program to enable them to live in modest, but suitable, homes. Experience proves this, Mr. President; and I strongly urge the approval of this program as recommended by the committee.

EQUALIZATION OF SALARIES OF EXPERIMENT STATION AND EXTENSION SERVICE WORKERS WITH SALARIES OF OTHER FEDERAL EMPLOYEES

Mr. President, two of the most valuable functions of the Department of Agriculture are those rendered, in cooperation with the various States, through the Extension Service and the Cooperative State Experiment Station Service. In my opinion, outstanding progress has been made throughout the Nation as the result of the services performed by these two agencies in association with the land-grant institutions of this country.

The employees of the Extension Service and the experiment stations are actually employed by the respective States. A portion of the salaries of these people is provided by the Federal Government, however; and I want to address myself to the importance of equalizing the salaries of these employees with those of classified civil service employees of Federal agencies, as provided by Public Law 87–793, the Pay Act passed by the Congress last year.

Testimony presented to the Senate Appropriations Subcommittee revealed that both of these agencies are experiencing difficulty in recruiting and retaining competent scientists and workers, because employees of other agencies, of comparable professional and technical rating, receive considerably more salary and greater retirement benefits. Dr. E. T. York, the former Administrator of the Extension Service, stated, for example, that in some States the salaries of county extension workers are, on the average, $1,000 to $1,500 below the salaries of classified civil service workers with essentially the same training, experience, and responsibility. He further stated that the Extension Service's position had "worsened considerably in this regard since the passage of the Pay Act last year." The same statement can be made with reference to the experiment station workers; and, in my opinion, Mr. President, the services of these employees are too valuable to lose.

Under the existing arrangements, the Federal Government contributes approximately 38 percent of the funds to pay the salaries of the Extension Service workers, and the States provide the remaining 62 percent. So far as the experiment station employees are concerned, the States contribute approximately $3.50 for every dollar provided by the Federal Government. We are advised that the several States either have provided or will immediately provide the additional funds to match the Federal money. Approximately 14,500 Extension Service workers and 9,600 experiment station workers will be affected by this action.

I cannot urge too strongly, Mr. President, that the Senate take action this year to equalize the pay levels of those workers with those of Federal employees in other agencies. It is only just and right that this be done. It was promised last year, and funds for it were included in the supplemental appropriations bill; but, of course, that bill was never enacted. I sincerely hope the Senate will approve the recommendation of the Appropriations Committee, and will provide funds for the Federal share of this equalization.

COTTON RESEARCH FUNDS

Mr. President, one of the most significant items in this bill is the provision for a sharply increased, across-the-board research attack on the problems facing American agriculture. The House had included in the bill a special provision aimed at increasing the appropriation for research to reduce the cost of production of surplus commodities. This was a gratifying acknowledgment of the importance to agriculture of cost-cutting research. Of course, I was pleased that our committee saw fit to increase the amount in the bill, and that these additional funds were also available for research to reduce production costs. In my judgment, a dollar invested in a sound agricultural research program is the wisest expenditure this Government can make to improve the economic position of farmers and to reduce the cost of Government programs.

This is particularly true in the case of cotton, which contributes immeasurably to the Nation's economy. Unfortunately, cotton is losing markets daily, and under present conditions is incapable of coping with its competition in its markets. In addition, American mills are forced to pay one-third more for their cotton than do foreign mills. During the 2 years ending July 31, 1963, first, cotton has suffered a direct competitive loss to competing fibers of about 1½ million bales; second, exports have dropped from 6.6 million bales to 3.3 million bales; third, stocks of cotton on hand in the United States increased from 7.2 to 11.2 million bales; fourth, imports of cotton in the form of textiles are up from 414,000 bales to 645,000 bales; fifth, the national acreage allotment has been cut from 18.5 to 16.2 million acres; sixth, annual storage and handling charges on Government cotton have increased from about $25 million to about $70 million; and seventh, Government investment in cotton stocks has gone up from about $300 million to about $1¼ billion.

During the current season, the Department of Agriculture estimates that farmers will produce, on the minimum acreage allotment, 600,000 bales more than will be used. On next August 1, stocks will be almost 12 million bales, the largest since the record level of August 1, 1956. Obviously, we must reverse this trend. The way to do so is to make cotton competitive in its markets.

Under present conditions, the cost of production is so high that farmers cannot take a sufficiently lower price to accomplish this objective. Testimony presented to the Appropriations Committee, and supported by the Department of Agriculture, showed that a dynamic research program can in a few years reduce the cost of growing cotton to a point where cotton can be fully competitive both at home and abroad. This can be accomplished at less cost to the Government; and, at the same time, farm income can be increased as markets expand.

Cotton is an industrial raw material. Its competition stems in large measure from products developed through research by our great chemical companies. These manmade fibers are taking away markets traditionally held by cotton. They are doing so primarily on a price basis. The only way in the long run for cotton to regain its dominant position is to get its costs down and its price competitive.

Mr. President, there can be little doubt of the value of research to agriculture. The hearing record is replete with testimony on the benefits that have been reaped by both farmers and the public from our agricultural research programs. It is because of the amazing potential service that research can render in solving many of our farm problems that the committee sharply increased the authorization for research by permitting, for this purpose, the transfer of $35 million from the Commodity Credit Corporation.

There is much logic in this method. It seems obvious that the support of research which is intended to reduce Government costs for the cotton program is a logical and businesslike function for the CCC.

Unfortunately, in recent years, the agricultural research program, particularly that for production research, has been inadequately financed. In 1940, agriculture accounted for about 39 percent of Federal research expenditures. Today, it accounts for less than 2 percent. And even with the increase provided by the committee, it will still be under 2 percent.

Earlier, Mr. President, I mentioned the disastrous competitive position in which the U.S. raw cotton industry now finds itself. I pointed out that this situation is caused by the inability of cotton to meet its competition. And until it is made competitive, the utilization of cotton as a raw material will continue to decline. Cotton no longer occupies a monopoly position in the world fiber market, largely because the research effort in its behalf has been insufficient for it to keep pace with its competitors in the matter of costs and price.

It is vitally important to the Nation's economy that the cotton industry expand and prosper. There are more than 21 million people whose livelihood is associated with cotton. In U.S. agriculture, cotton stands as the leading cash crop. In terms of finished products, cotton has an annual average value of about $15 billion.

As an example of cotton's place in the economy of some big local areas, the trade territory of Memphis might be examined. This 76-county area has a population of 2½ million. Cash receipts from farm sales of cotton are more than half again larger than the total manufacturing payroll of the trade territory, including Memphis, and nearly 60 percent bigger than sales of all other crops and livestock combined.

But the importance of cotton extends beyond the borders of the States that make up the Cotton Belt. Acres devoted to growing cotton are among the most productive in the country. If these areas are forced out of cotton, they will inevitably go into the production of other crops, many of which are already in surplus. The reduction in the cotton allotment of 18 million acres to 16 million acres minimum from 1962 to 1963 has already forced acres into other crops. The implication of such a development needs no elaboration.

Finally, cotton is the largest single earner of foreign exchange among U.S. exports. Over the last 6 fiscal years, cotton exports had an average value of $800 million, nearly a fifth of total agricultural exports. Without cotton, the Nation's deficit in balance of payments, which has been $2 to $2½ billion the last several years, would have been substantially worse, and a much more serious outflow of gold would have resulted. Our country is in the position of badly needing more exports. It can hardly afford to lose its biggest export commodity—cotton.

Fortunately, through research we can solve the cotton problem within a relatively short period of time. The program envisioned is designed to reduce the average cost of producing a pound of cotton lint by 11 cents. The magnitude of such a reduction can be illustrated by the fact that 11 cents is equal to one-third of the current market price of cotton. The research contemplated would be directed primarily at the major items of production costs—weeds, insects, and diseases. Other areas to be covered would include mechanization costs, improved fruiting and yield, and modernization of processing operations.

About one-half of this cost reduction would be made by straight savings in labor, chemicals, machines, and other materials used in making a cotton crop. The other one-half would come by reducing the production losses farmers now experience.

The remarkable thing about the type of research program I am describing for cotton is its cost. To do this job for cotton will cost only about $10 million a year, which is less than 30 percent of the special research fund contained in the bill. This is less than 2 percent of the amount currently being spent by the Government on the cotton program each year. We cannot fail to take advantage of such an opportunity. Cotton today is still one of the finest, most versatile fibers in existence. Given a chance, it can compete on its own at a substantially reduced Government cost. The funds for research provided in this bill will permit a big step in the direction of that goal.

Mr. JORDAN of North Carolina. Mr. President, I wish to make a few comments about what the bill includes in the way of an appropriation of funds for research work on cotton.

Some time ago, a special cotton industry committee made a thorough study of the needs of cotton research work, and earlier this year proposed to Congress that a $10 million crash research program be initiated.

It was generally agreed throughout the cotton industry that we must decrease the cost of producing cotton, and at the same time must improve the quality of cotton, if we are to have any hope of regaining lost markets for cotton and making the price of cotton competitive with the prices of synthetic fibers.

In recent years our export markets for cotton have dwindled; and even today the Government is paying an export subsidy on all cotton sold outside the United States. Even with the export subsidy, which is most unfair to domestic mills, we are still losing cotton markets abroad.

We are also losing to synthetic fibers, cotton markets in the United States. Unless some action is taken, we can expect the destruction of the cotton industry, as we have known it, all the way from the farm to the textile mill.

Many authorities in the field are convinced we can reduce the cost of cotton as much as 10 cents a pound, through an accelerated research program. We need very badly to increase the per-acre yield of cotton, to improve quality, and to reduce the cost of production, in order for cotton once again to become competitive.

I think we can do this through research. If we are able to reduce the cost of producing cotton by as much as 10 cents a pound, it can then stand on its own two feet, in competition with rayon and any other synthetic fiber.

I regret that neither the House committee nor the Senate committee saw fit to vote to launch a special "crash" research program for cotton; but I am glad that in the past year we have intensified our efforts in cotton research, and that there is real hope for cotton under the bill as reported by the Senate committee.

Under the Senate committee bill, a rather ambitious research program could be carried on under the provision which sets aside $35 million for utilization research.

I think it essential that we keep this provision in the bill. So I sincerely hope the Senate will approve the committee recommendation, and that in the conference it will be possible to retain this section of the bill.

Under the utilization research section, we can begin a badly needed program which I hope in the next year or two will include the expenditure of several million dollars for work on cotton.

I think this is a modest sum indeed, in view of the very great importance of cotton to our economy and to our position as a nation in world trade.

Mr. President, I have noted that the Senate Committee on Appropriations has recommended the inclusion in the bill of certain amendments in respect to tobacco, as adopted by the House of Representatives.

I wish to clarify these differences in respect to tobacco as between the House version of the bill and the version approved by the Senate committee; and I also wish to raise some questions about the direction in which tobacco research is going, as compared with present-day needs.

In the bill as passed by the House, an additional appropriation of $400,000 above the President's budget was proposed for research projects in Flue-cured and burley tobacco. According to the House committee report, the $400,000 would be equally divided between projects in North Carolina and projects in Kentucky.

The Senate committee voted to make changes on this particular point in the House version of the bill. The Senate committee version calls for the expenditure of $50,000 above the budget recommendation, to strengthen tobacco research, with particular emphasis upon the problems of sucker control and synthetic growth regulators.

In addition, the Senate committee has recommended the assignment for agriculture research of $35 million from Commodity Credit Corporation funds. The Senate committee's report states that, in general, this $35 million would be used to carry out a program of utilization research as outlined in a report to Congress by the Secretary of Agriculture, in Senate Document No. 34, which has just been printed.

In this report the Secretary of Agriculture outlines a program of research which would seek to isolate and identify the various chemical components of tobacco. The Secretary recommends $200,000 for this project.

This means that if the bill as recommended by the Senate committee is enacted into law, an additional $250,000 over the budget recommendations will be put into tobacco research in the coming year.

There is no doubt that the sucker control work and the isolation and identification of chemical components of tobacco, which would be carried on under the provisions of the Senate committee version of the bill, would fill very urgent and immediate needs of the tobacco industry.

Quite some time ago many persons who are vitally interested in tobacco foresaw the need for a greatly accelerated research program to help meet the problem of improving quality and the problem of regaining the export markets we have been losing in recent years. As a result of the urgency of the situation, leaders in the industry presented to Congress a proposal for the establishment of a tobacco quality research laboratory which would get at the more pressing and more urgent problems facing the industry. I regret very much that neither the Senate committee nor the House committee saw fit to vote for the establishment of a special laboratory for this purpose; but I am encouraged that both committees have recognized the seriousness of the problems facing tobacco, and have made a step in the right direction toward helping solve these problems.

I was also happy to note that the Senate committee's amendment authorizing the expenditure of $35 million in CCC funds specifically directed the Secretary to include research work in the cost of production and other related work, as well as for utilization and new uses.

This is an essential amendment if we are to be successful in solving some of the most pressing problems in connection with tobacco and other crops. The questions of utilization, production, and quality are all closely interrelated; and the Senate committee's amendment enables the Secretary of Agriculture to carry on research projects in all three areas.

During the past 20 years, most of our research in tobacco and other crops has been concentrated on increased production and per acre yield. We have had tremendous results, with the result that American agriculture is the most productive and efficient in the world.

Therefore, I feel that it is very important that we now put new emphasis on the quality of the products we have learned how to produce in abundant quantity.

In the case of tobacco, not only must we learn more about the chemical components that make up tobacco; we must also learn what constitutes and affects quality. We must learn the effects which fertilization, irrigation, synthetic sucker controls, curing, and other cultural practices have on the quality of the leaf that is finally produced.

We must learn all of these things and must be able to identify quality factors, so farmers will not only know how to recognize and identify them, but also will know how to carry on their production practices in such ways as to produce the kind of tobacco that will result increased markets for it.

Therefore, I am pleased that the Senate committee has voted to include in the bill language that will enable us to launch programs that embrace all aspects of increased and new uses for the crops we are now producing in abundance.

Although the committee did not use in its version of the bill the specific words "quality development," there is no doubt that it is the intent of the committee that utilization research and related work shall include work in quality development and improvement.

Mr. LAUSCHE. Mr. President, I have pending an amendment in connection with this appropriation bill. At this time, I desire to discuss the amendment.

Mr. HOLLAND. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. I am glad to yield.

Mr. HOLLAND. I am happy to cooperate fully with the distinguished Senator, except for the fact that I wish him to know, as I believe he already does, that when he has completed the full debate on the amendment, I expect to make a point of order, as I believe I should. Furthermore, I shall state that I believe this is an unfavorable time for the adoption of such an amendment.

However, I am sure the amendment is well worthy of discussion; and I certainly desire the Senator to have all the time he wishes to discuss it to the fullest possible extent.

Mr. LAUSCHE. I appreciate the Senator's courtesy.

The PRESIDING OFFICER. Does the Senator from Ohio wish to call up his amendment now?

Mr. LAUSCHE. No, Mr. President, I do not. Subsequently I shall ask that my amendment be called up for consideration. I hope unanimous consent will be given for that purpose. However, the Senator from Florida has already stated that, on the basis of past practices, he will object.

Then, of course, under the authority I have—based upon the fact that I have filed in advance written notice that I shall request the consideration of an amendment which contemplates a change in the substantive law—I shall ask for a vote on the question of the suspension of paragraph 4 of rule XVI, so that my amendment may be considered; and on that question I shall request a yea-and-nay vote. I am so notifying the officials of the Senate, so they may notify Senators of what I propose to do.

Mr. HOLLAND. I should like the Senator from Ohio to understand that I shall join him in his request for a yea-and-nay vote, and I shall expedite in any way I can his presentation of his argument upon his amendment, which I know will be an excellent one. However, as chairman of this subcommittee of the Appropriations Committee, after he has submits his amendment and after he has concluded his argument thereon, I wish to follow what is the unfailing precedent in connection with this matter.

Mr. LAUSCHE. Mr. President, my amendment contemplates changing the law in order that the interest rate charged by the Rural Electrification Administration will be raised from the present level of 2 percent to a new level of 3 percent. After the presentation of my argument in support of this proposal, I shall discuss, first, the history and the development of the REA within our country.

Second, I shall discuss the interest rates charged when the REA was adopted, and the interest rates charged at the present time which equal to 3 percent.

Third, I shall attempt to point out the impropriety and the unjustifiable action of the Federal Government in borrowing money at an interest rate of 4 percent, and then loaning that money to semicommercial enterprises at a rate of interest of 2 percent.

Fourth, I shall seek to point out the great disparity between the tax rate paid by rural electric cooperatives and the tax rate paid by the commercial power companies.

Fifth, I shall seek to establish the fact that the low interest rates charged and the tax dispensations given transfer to the general taxpayers a load they should not be required to bear.

Sixth, I shall point out, and try to establish, that this program of borrowing money at 4 percent and loaning it at 2 percent, and then charging private power companies a tax rate that compels them to pay 25 percent of their revenues in the form of taxes, while the rural electrics pay 3 percent, is not justified and constitutes a subsidy that is antithetical to the very purposes of our Government and our free economy.

The Rural Electrification Administration was established in 1935 by Executive order signed by President Roosevelt on May 11; $75,000 was authorized to be allocated, from an emergency relief appropriation of the RFC, to carry out the general program of relief of the unemployed.

On May 20, 1936, Congress enacted the Rural Electrification Act, providing for a limited tenure program of rural electrification. The act established the REA as an independent lending agency, and loan funds were authorized to be secured from the Reconstruction Finance Corporation.

In 1944 the Department of Agriculture Organic Act was passed. It established a flat rate of 2 percent on unmatured and unpaid balances of REA borrowers. At that time the Treasury Department was paying 2½ percent interest on the moneys which it borrowed.

Mr. DOUGLAS. Mr. President, I do not wish to interrupt my good friend from Ohio, who is completely sincere, and partially accurate in what he is saying. The 2½ percent was the long-time interest rate at that time. Is that not true?

Mr. LAUSCHE. That is correct.

Mr. DOUGLAS. Is it not true that the short-term interest rate was only a fraction of 1 percent?

Mr. LAUSCHE. I cannot answer that question, but I have before me a tabulation showing the interest rates paid by the Federal Government on its long-term loans throughout the period. We charged an interest rate of 3 percent to REA borrowers. At the same time we were borrowing money at 2.77 percent.

Mr. DOUGLAS. That is correct.

Mr. LAUSCHE. At that time we were getting .23 cents more on a dollar on the money loaned than we had to pay on the money borrowed.

Mr. DOUGLAS. That is correct.

Mr. LAUSCHE. In 1937 we charged 2.77 percent, while we were borrowing at 2.88 percent.

In 1938 we charged 2.88 percent and borrowed at 2.73 percent.

In 1939 we charged 2.73 percent and borrowed at 2.69 percent.

In 1940 we charged 2.69 percent and borrowed at 2.46 percent.

At this time I should like to point out that the rate under which we borrowed in 1 year we charged in the second year, and if in the second year we borrowed at a lower rate than we did in the first year, we then charged in the third year the rate that we paid in the second year.

I now come down to the year 1941. We loaned at 2.46 percent and borrowed at 2.48 percent.

In 1942 we loaned at 2.48 percent and borrowed at 2.57 percent.

In 1943 we loaned at 2.57 percent and borrowed at 2.67 percent. That procedure continued until 1945, when the flat rate of 2 percent was fixed. The statement of the Senator from Illinois is correct in that those percentages were related to long-term borrowing.

Mr. DOUGLAS. Mr. President, will the Senator yield further?

Mr. LAUSCHE. I would appreciate it if the Senator would permit me to finish my statement at this time.

Obviously the reason for the differential in the interest rate charged the REA borrowers as compared to the rate the Treasury was paying was intended to lend encouragement for the establishment of new REA units and the building of additional lines to serve the rural population. This plan was successful, for according to a tabulation to which I shall refer later, 1944 marked the beginning of a substantial increase in REA units and line construction.

The Rural Electrification Administration has been an outstanding asset. The program has brought much comfort, lightened burdens of the farmer, and stimulated the economy of our Nation's rural areas. However, the purpose for which the Rural Electrification Administration was created has largely been fulfilled. Its continued operation under the terms and provisions provided in the present law have permitted the REA to go far beyond the original intent of the Congress, and these activities are now in direct conflict with our basic free enterprise system. The sharp rise in REA loan authorization in 1962 over the level proposed by a previous administration has occurred in the face of the following facts:

First, 98 percent practically of all farmers already have electric service.

Second, four out of every five new customers being added to the REA system are nonfarm power users.

Third, more than half the total power sales of the systems are now being made to nonfarm users.

In other words, the purpose of the act—that electrical service shall be provided for the farmer—has been practically fully achieved. Ninety-eight percent of all farms, as I have previously stated, are now provided with electrical service. Four out of every new five customers procured by REA are nonfarmers. More than half the total power sales of the systems are now being made to nonfarm users. The expansion of the REA electrification programs, despite those factors, which should indicate a diminishing program, is due to an aggressive effort on the part of rural electric cooperatives in several areas to create their own sources of power and replace in some measure the existing sources.

Mr. President, during the first 18 years of the existence of REA's, through fiscal year 1954, about $2.3 billion in loans were granted for distribution systems to carry power directly to rural customers. Over the same period a total of $550 million were granted for generation and transmission purposes. This was 18.8 percent of all electrification loans granted.

During the period 1955 through 1960 the generation and transmission loans totaled $463 million, or 35 percent of all the electrification loans. This was an average of $77 million a year.

In fiscal year 1961 G and T loans rose to $152 million, or 55 percent of total loans. The sharp increase in amount and proportion of G and T loans in 1961 was accounted for by the approval on June 15, 1961, of a $60 million generation and transmission loan which was the largest single REA loan ever granted.

Loans for generation and transmission purposes in 1962 amounted to $155 million, or 59 percent of the total.

The estimate for the current fiscal year is $250 million, which would be about 62 percent of the total.

I cite these figures to point out how the generation and transmission loans have risen in percentage and in actual dollar figures since 1961.

Of the $425 million authorization request for fiscal year 1964 which is in the bill pending before the Senate, about $290 million would be available for generation and transmission purposes. This would be 68 percent of the total authorizations.

Thus, in the 4-year period of 1961 through 1964 the funds loaned and budgeted for generation and transmission totaled $847 million. This 4-year total is more than four-fifths of the $1,013 million total which was granted in G and T loans for more than 24 years.

In 24 years the total was $1,013 million, yet for the past 4 years the total was $847 million. This indicates clearly that, at a time when nearly all the farmers have been provided with service, the rural electrification cooperatives are entering into fields that were never intended to be served by them.

If the true economic cost of power financed by generation and transmission loans were taken into account in justifying the loans, there would be few instances in which such loans could be justified on the basis of cost. The economic cost of power sold by the investor-owned utilities includes the cost of interest, operating expenses, depreciation, and taxes. The true economic cost of power sold by the G & T cooperatives includes the same elements of cost, although the cooperative itself does not bear all the cost. By having to pay only 2 percent interest to the U.S. Treasury on money which costs the Treasury 4 percent, the cooperative shifts one-half of the true interest cost to taxpayers generally. Also, by being exempt from Federal income taxes and a sizable portion of State and local taxes, the cooperatives shift to taxpayers generally the burden of the taxes they forgo.

I wish to especially direct the attention of my colleagues to the subject of taxes paid by cooperatives compared to taxes paid by the investor-operated power companies.

In 1961 the rural electric cooperatives received revenues of $707,477,000 and paid taxes of $23,435,000, or 3.3 percent of their revenues. What did the private power companies pay? Their revenues were $10,666,474,000. They paid taxes amounting to $2,437,046,000, or 22 percent of their revenues. The cooperatives paid 3⅓ percent of their revenues in taxes, and the privately operated companies paid 22.8 percent in 1961.

I also have figures for 1960. In 1960 the cooperatives paid 3⅓ percent of their revenues in taxes. The private power companies paid 22.8 percent.

In 1959 the cooperatives paid 3 percent, and the private power companies paid 22 percent in taxes, for every dollar paid by cooperatives in taxes to the Federal Government, the private power companies pay $7.

I point out at this time that, on the basis of the facts which I have heretofore related, every four of five customers newly acquired by the cooperatives are nonfarmers. If those nonfarmers were served by private power companies, the Federal Government would be receiving $1 out of every $5 in revenues collected by the power companies. With such consumers being served by the cooperatives, the Federal Government receives 14 cents out of $5. How can it be asserted that this is fair?

I think I have some concept of fairness. I cannot see how it can be argued that in a free enterprise system a situation should be created whereby the private investor has to pay 22 cents out of every dollar of his revenues for taxes, while a cooperative pays 3 cents out of every dollar. Though I try with all my might to reconcile the disparity in these figures, I cannot do so.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. LAUSCHE. Not at this time.

If there were a jury before me and I were charging them on this subject and they were to decide the issue as to whether this situation was fair, I would say to them, "You have evidence that the private power company pays in taxes 22 cents out of every dollar it takes in. The cooperative pays 3 cents out of every dollar. The issue which you have to decide is whether this is fair to the general taxpayer and whether it is fair to the investors of the private power companies."

To say that it is fair would, in my judgment, require a distortion of reason and a distortion of moral approach. There would have to be an abandonment of what one of our Federal officials has labeled as puritanical morality. That is the only ground on which one could conclude that the situation is fair.

We come now to the 2 percent money. By having to pay only 2 percent interest to the U.S. Treasury on money which costs the Treasury 4 percent, the cooperative shifts one-half of the true interest cost to the taxpayers generally. Let us ponder that fact for a moment. The Federal Government pays 4 percent for borrowed money, and lends it at 2 percent. Is that fiscally sound? Is it fair? Is it fair to the general taxpayer, who has to provide that 2-percent subsidy? I do not consider it to be fair

The Rural Electrification Administration has been non-self-sustaining financially. It has been subsidized by the general taxpayer. There was a time when that subsidization was probably justified. It was fair at a time when we were trying to lift the farmer out of darkness, to provide for him facilities that are available when electric power is supplied. But that day is gone. As I pointed out, 98 percent of the farmers now have electric service, and this program has changed in character from a purpose to serve the farmer to a purpose to destroy the private power companies. One cannot draw any other conclusion. Though the arch proponents will deny this to be a fact, I state with confidence that it is a penetration of socialism into our economy.

I do not believe the farmer wants it. I do not believe the farmer, with all the difficulty of sustaining himself through toil on the land and through all of the experience the farmer has in the matter of good husbandry, will subscribe to the proposition that the Federal Government can lend money at 2 percent which it has to borrow at 4 percent to make the loan.

The rural electrification enterprises are on their feet, and I know it to be a fact that they want to borrow money on the general market. In the State of Ohio there is contemplated the establishment, through a combination of the rural electricts and the Ohio Power Co., of the largest power generating plant in the country under one roof. It is my understanding that a joint investment of $130 million is contemplated. The money will be borrowed on the general market, not through the Federal Treasury.

Yesterday on the floor of the Senate there was adopted a proposal by the Senator from Oregon [Mr. MORSE] requiring the Federal Government to pay to the railroad employees retirement fund the same rate of interest that it pays to bondholders who buy the bonds of the Federal Government. Under the existing law, the railroad retirement fund has been lending money to the Federal Government and getting only 3 percent interest. The railroad employees complained. They argued that the Federal Government has the right to borrow this money, and it has been paying them only 3 percent, whereas when the Government borrows money from the sale of bonds it pays 4 percent interest.

The Senator from Oregon made the argument that that was not fair. I agreed with him. But why is it unfair to pay the railroad retirement fund 3 percent when the Federal Government is paying 4 percent to others, and then argue that it is fair for the Federal Government to lend to rural electrics money at 2 percent when the Federal Government is borrowing it at 4 percent?

A tax cut is contemplated. I want to provide a tax cut. I have striven in the 6½ years I have been in the Senate to follow a policy that would make possible a lifting of the back-bending burden of taxation upon the American taxpayer. Those efforts have been in vain. Frequently I want to throw up my hands and say, "It is gone," but I find some consolation in the fact that if others were not making this fight, conditions would be far worse than they are.

Can we not adopt the general policy of the Federal Government lending money in certain instances, but at the same rate of interest as the interest rate which is paid on borrowed money? That would be the beginning of a program of good husbandry, prudence in the handling of taxpayers' money, and eventual achievement of a fiscal situation which would make possible a tax cut.

A moment ago I mentioned the horrifying statement, in my judgment, made by a member of the fiscal branch of our Government, that we should make a tax cut and forget puritanical morality. By that I understand he meant that morality on this subject should be cast to the winds, should be forgotten. Plain morality calls for a change in the system under which the Federal Government is lending money.

To illustrate that the REA has accomplished the mission for which it was created, I submit statistics supplied to me by the Rural Electrification Administration itself. Of the 3,818,200 farms in the United States, 3,726,850, or 97.6 percent, had central station electric service as of July 1962. Of these electrified farms, approximately 54 percent are served by REA-financed electric systems. The remainder are served by other suppliers, principally commercial power companies. Thus, I say that REA has accomplished its intended mission to fill the gap which could not profitably have been taken up by the private power companies.

In 1935, when REA was created, 743,954 farms in the United States had central station electric service. This was 10.9 percent of the farms in the country. Today 97.6 percent of the farms are being served.

I have a table which shows the percentage of revenues the rural electrics had to pay in interest charges beginning in 1941 and down to 1961. The table is important. Some rural electrics claim that if the interest rate is raised it will impair their ability to survive. In 1941 the rural electrics paid 21½ percent of their revenues in interest. In 1946, 5 years later, they were paying 9.74 percent of their revenues in interest. In 1961, they were paying 7.43 percent of their revenues in interest.

I therefore submit the question: If in 1941 they were able to pay 21.52 percent of their revenues in interest, and in 1961 they were paying only 7.43 percent, how can it be argued that they will be handicapped if the rate of interest is raised to the going rate, or raised by 1 percent?

I ask unanimous consent that the table showing the percentage of the revenues that they were paying be included in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Operating revenues and interest on long-term debt as reported by REA borrowers

Calendar year	Operating revenue	Interest on long-term debt [1]	Percent of operating revenue required to pay interest
1941	$35,022,071	$7,535,165	21.52
1942	46,927,322	8,784,262	18.72
1943	55,587,614	9,232,811	16.61
1944	64,042,574	8,750,278	13.66
1945	73,102,430	7,507,266	10.27
1946	89,089,822	8,675,204	9.74
1947	114,787,798	11,053,861	9.63
1948	151,434,599	14,803,674	9.78
1949	$196,717,304	$20,132,708	10.23
1950	241,342,540	26,110,181	10.82
1951	285,113,614	30,828,444	10.81
1952	321,407,348	35,194,683	10.95
1953	362,977,101	38,060,539	10.49
1954	408,144,564	40,397,061	9.90
1955	449,625,847	42,339,282	9.42
1956	491,184,729	43,561,023	8.87
1957	523,783,014	45,283,356	8.65
1958	563,204,367	46,814,538	8.31
1959	617,730,445	48,702,279	7.88
1960	663,788,978	50,938,764	7.67
1961	707,477,112	52,578,598	7.43

Footnote at end of table.

[1] For the years 1941–51 this item was reported as "interest expense."

Source: Annual statistical reports, "Rural Electrification Borrowers," published by Rural Electrification Administration.

Mr. LAUSCHE. Mr. President, I also ask unanimous consent that a table showing the comparative interest paid by the Government in borrowing the money and the interest collected by the Government in lending the money, from 1936 to 1962, be included in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Interest subsidy accruing to REA borrowers during the period of their loans

Fiscal year	Advances to REA borrowers	Interest rate charged by REA	Interest rate paid by Government	Interest subsidy
	Thousands	*Percent*	*Percent*	*Thousands*
1936	$823	3.00	2.77	$6
1937	11,042	2.77	2.88	443
1938	48,176	2.88	2.73	1,100
1939	62,297	2.73	2.69	2,105
1940	98,949	2.69	2.46	2,668
1941	75,108	2.46	2.48	3,248
1942	58,221	2.48	2.57	2,827
1943	14,537	2.57	2.67	742
1944	18,478	2.67	2.25	871
1945	39,736	2.00	2.25	2,205
1946	87,253	2.00	2.375	7,312
1947	190,086	2.00	2.375	15,929
1948	246,236	2.00	2.375	20,635
1949	321,287	2.00	2.375	26,923
1950	286,659	2.00	2.375	24,021
1951	268,131	2.00	2.375	22,469
1952	227,574	2.00	2.375	19,070
1953	207,634	2.00	3.25	60,075
1954	181,529	2.00	3.25	52,522
1955	156,742	2.00	3.00	35,862
1956	154,740	2.00	3.00	35,404
1957	185,978	2.00	3.00	42,551
1958	205,332	2.00	3.50	71,838
1959	211,717	2.00	4.00	100,593
1960	222,621	2.00	4.25	120,161
1961	183,413	2.00	4.25	98,999
1962	195,807	2.00	4.00	93,034
Total	3,960,104			863,613

SOURCES AND NOTES

Advances to REA borrowers: Rural Electrification Administration.

Interest rate charged by REA—rate charged borrowers on loans, as provided for in Rural Electrification Act: Fiscal years 1936–44—computed by Rural Electrification Administration. Fiscal years 1945–62—2-percent rate specifically provided for in Rural Electrification Act, as amended.

Interest rate paid by Government—average rate paid on marketable securities having a maturity of 10 years or more; does not include bonds issued for advance refundings: Fiscal years 1936–44—Treasury Department. Fiscal years 1945–57—Treasury Department, rounded to nearest ⅛ of 1 percent. Fiscal years 1958–60 and 1962—computed from Treasury Department data and rounded to nearest ⅛ of 1 percent. Fiscal year 1961—no bonds having a maturity of 10 years or more were issued during fiscal year 1961 for cash or in refunding maturing securities; accordingly, the average interest rate paid during the preceding fiscal year (1960) was used.

Detail may not add to total due to rounding.

Mr. LAUSCHE. I am glad to yield to the Senator from Illinois.

Mr. DOUGLAS. Perhaps I would rather claim the floor in my own right at the conclusion of the address of the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I call up my amendment.

Mr. HOLLAND. Which amendment is the Senator calling up? I believe the Senator has two amendments.

Mr. LAUSCHE. I call up amendment No. 196, which would raise the interest charge from the 2 percent level to the new level of 3 percent.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 38, between lines 5 and 6, insert a new section as follows:

SEC. 608. (a) The second sentence of section 4 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 904), is amended by striking out "2 per centum per annum", and inserting in lieu thereof "3 per centum per annum".

(b) The third sentence of section 5 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 905), is amended by striking out "2 per centum per annum" and inserting in lieu thereof "3 per centum per annum."

(c) The amendments made by this section shall be effective with respect to loans made on and after the date of enactment of this Act.

Mr. HOLLAND. Mr. President, will the Senator yield to me for a moment?

Mr. LAUSCHE. Yes.

Mr. HOLLAND. I understand that the Senator from Illinois wishes to speak on this subject, and perhaps other Senators too, but I serve notice to all Senators concerned that when the speeches have been concluded I will raise a point of order, for myself and for the committee, against the amendment. I do not wish in any way to interfere with the presentation by any Senator of this subject matter.

Mr. LAUSCHE. I understand that the point of order that will be raised by the Senator from Florida will have to be sustained by the Chair, in conformity with the rule of the Senate. However, I note, that I have filed a notice that I proposed to offer such an amendment, and that I would ask for a suspension of the rule and a vote on the motion to suspend the rule under the authority that I now have by reason of filing the motion.

Mr. HOLLAND. The Senator from Illinois [Mr. DOUGLAS], the Senator from Ohio [Mr. LAUSCHE] and I will ask for the yeas and nays if the question comes, as it now appears it may well come, on whether the rule should be waived.

Mr. LAUSCHE. As I understand, the motion to suspend the rule is debatable. Is that correct?

The PRESIDING OFFICER. The Senator is correct; the question is debatable.

Mr. LAUSCHE. I yield the floor.

Mr. DOUGLAS. Mr. President, unlike many critics of the REA, the Senator from Ohio [Mr. LAUSCHE] is perfectly consistent in the position which he takes. Many critics of the REA, while objecting to alleged subsidies paid to the farmers, through the REA, nevertheless swallow and support subsidies to airlines, ship lines, gas and oil interests, and many other activities. I pay tribute to the Senator from Ohio by saying that he has been opposed to all these subsidies and is, therefore, perfectly consistent in the position which he takes. I pay tribute to his character.

Nevertheless, he is ignoring many things; and I should like to answer the body of his argument.

Mr. JOHNSTON. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I yield.

Mr. JOHNSTON. Since the Senator has named some of the interests that receive subsidies, he should certainly include the newspapers of the United States.

Mr. DOUGLAS. Yes.

Mr. LAUSCHE. I have tried to reach the newspapers through their mailing privileges, but I have never been able to succeed.

Mr. DOUGLAS. I credit the Senator from Ohio with complete sincerity and a strong desire to be consistent.

To begin with, the comparison which he draws between the rate at which the Government borrows and the rate at which the Government lends is defective. He has compared only the long-time borrowings of the Federal Government with the lendings, but not the short-time borrowings. During World War II and shortly thereafter, a large part of the borrowings of the United States were placed in the form of short-term paper—30 days, 60 days, 90 days, 6 months, and the like. The short-term issues in 1944 amounted to no less than $70 billion and this increased in later years. In general, it can be said that private firms should not borrow short and lend long. But the short-time obligations of the Federal Government have now become an integral part of the national debt.

The short-term paper is turned over periodically—every 30 days, 60 days, 90 days, or 6 months, and so on—and while the proportion of the national debt which it constitutes has become somewhat diminished in the last three or four years, nevertheless it forms a large proportion of the national debt.

I intend to place in the Record later in the course of the debate statistics showing the proportion which they have formed. There is no prospect in the future that this mixture will be discontinued. At present, of the $203 billion of marketable Government securities, $47 billion are in the form of short-time bills running up to 90 and 120 days, $74 billion are in certificates and notes running for between 1 and 5 years, and only $82 billion are in bonds of over 5 years duration. In other words the short-time obligations form 60 percent of the marketable securities. Then there are approximately $97 billion of nonmarketable bonds.

So, in general, we should remember that the short-time obligations of the Federal Government are at a much lower interest rate than the long-time obligations. For example, when the long-time obligations were being floated at a rate of 2¼, 2⅜, and 2½ percent, the short-time obligations of the Federal Government were being placed at less than 1 percent. The combined interest rate on both short-time and long-time obligations for some years—and I shall submit the figures later; I do not have them at hand at this moment—was less than 2 percent. So for a few years the combined interest the Government paid was less than the interest rate which the Federal Government was charging the REA's. I do not have the figures at hand; I shall have to develop the precise nature of them later.

It is perfectly true that in recent years, as the short-time rate has risen and as the long-time rate has also risen, the combined rate, while lower than the long-time rate, has been above the rate at which the Federal Government relends to the REA. Therefore, it is true that there has been a subsidy to the REA's in later years, although over the whole life of the REA's the amount of the subsidy has been far less than what the Senator from Ohio asserts. This can easily be seen by comparing the combined interest rates as they appear in the table which I shall ask to have printed in the Record at the end of my speech, with the long-term rates quoted by the Senator from Ohio. But it is true that there is currently a subsidy. As of the present moment, the short-time interest rate is a little over 3 percent, and the long-time interest rate is approximately 4 percent. I would assume that the combined average cost is perhaps 3½ percent. So now there is a subsidy, and I think it should be frankly admitted.

The next question is, Is this practice socially justifiable? In the beginning only a relatively small fraction of the farms of the country had electricity. The private power companies refused to extend their lines into the countryside. They refused to do so for a very simple reason: Because farms were relatively isolated, and there were relatively so few of them per mile of wire, the private power companies said it would be unprofitable for them to extend their lines into the countryside. As a result, while the people of the towns and cities had power and electricity, the people in the countryside did not.

I know something of the origin of the REA, because my friend and close political associate, Harold Ickes, was for many years the Secretary of the Interior, and it was under his direction that the rural electrification program was originated. I know that he and the initial leaders of the REA made every effort to persuade the private power companies to go into the countryside; and it was only after they were unsuccessful that the REA was developed. It was developed as an organization of cooperatives, not as a public power project, as has been the case in Ontario. REA was developed to encourage farmers to organize into cooperatives and to act as distributing agents to have power generated and transmitted to them. If it had not been that funds were provided at a relatively low interest rate—that is, low in comparison with what the cost would have been had the cooperatives been compelled to go to the commercial bond market and been compelled to pay 4, 5, or 6 percent—power would not have been extended to the countryside.

Everyone is now willing to say that in the past the REA has been a good thing. It has been the best thing that has happened to rural America. It has lifted a mighty burden of toil from the shoulders of farmers and their wives. It means not only the lighting of houses and barns, and the diminution of fires in both houses and barns; it means the electrical pumping of water; it means the electrical milking of cows; it means the electrical heating of water, so that farm families can have baths more than once a week. It means the electrical grinding of feed; it means electrical cooking, electrical refrigerators, electrical washers, and electrical irons. It means radio and television, the cooling of milk, and in some cases the heating of rooms and electric blankets.

Perhaps the best thing the REA has done has been to bring roses back into the cheeks of American farmwomen. In southern Illinois, a Methodist minister once told me he thought the REA had decreased the divorce rate, because farmers and their wives were not so tired at night and did not quarrel so much with each other; thus they did not have so much recourse to the divorce courts. I do not know whether that is true, but that is what the Methodist minister said, and I am ready to trust his word.

In the meantime, the demands of farmers for power and electricity have increased. The Senator from Ohio [Mr. Lausche] lifts his hands in holy horror at the fact that farmers have had power and now want more power. Of course they want more power. They started by lighting their houses and barns electrically. Now they want to refrigerate their food, wash and iron their clothes, and milk their cows electrically. Why not? Why shouldn't they have radio and television?

In return for the low interest rate, the Government made a severe demand upon REA cooperatives. It was a part of the bargain. The Government said to the REA cooperatives, "We will give you a low interest rate—2 percent—compared with the private long-time interest rate which would run close to 6 percent if you will promise to serve the entire area, including every farm, no matter how isolated or how far out it may be. You must serve the entire area. You may not skim the cream and choose only the communities or places outside the towns where large numbers of farms are close together. You must go out to the extremes of the county or the REA district and cover everyone, virtually, who wants power." That is something the private power companies always refused to do, and which they refuse to do now. But the REA agreed and does serve the entire area.

What has been the result? The average number of customers per mile of electric power of the private power companies is 33. Thirty-three to the mile. In the REA areas, it is 3.3 customers to the mile.

In other words, they have only one-tenth the depth of coverage per mile of the private companies. I believe that is worth a subsidy, and I stand by the side of the Senator from Ohio in the fight against the other subsidies. Indeed, I was fighting those subsidies before he came to the Senate; and we shall continue to fight against them in the future.

However, I say this is one subsidy which is justifiable, because it brings mechanical aids to the people who have been loaded down with an excessive burden of toil. The need for increased power results in additional investment and the strengthening of the distribution lines. Therefore, even though 98 percent of the farms are covered, because they want more power, we have to "beef up" the lines, to serve them.

The Senator from Ohio made some animadversions—if I may use that multisyllabic word—upon the loans for generation and transmission. There have been some of those. I see nothing wrong with them. When the REA bargains with the private power companies, unless they have alternative weapons they are at the mercy of the companies which generate power, and in some cases the private companies take advantage of their monopolistic position and put the wholesale rates up very high. Therefore, we must furnish the distribution co-ops with a weapon by which they can stand up for themselves; and these are the generation and transmission loans. They also furnish a measuring rod for generation and transmission costs. May I say also that the REA co-ops have forced many private companies to reduce their rates and hence brought benefits to many who are not members of the REA.

The Senator from Ohio made a great point of the fact that four out of five new customers are nonfarmers. I believe I know why that has happened. In the beginning, the co-ops served the countryside, and the private companies served the towns. What has been happening, with the advent of automobiles and hard roads, is that a good many of the townsmen are moving out into the countryside to live, and a good many people from the countryside are moving in toward the towns to live. Close around the towns we find a number of people with 3-acre or 4-acre farm plots, garden plots, and residences. Towns people live in the country, and country people move halfway into the town; and this is the most profitable section in which to sell power, because it is the most thickly settled section of the countryside.

The REA has had this territory in the past. It has followed those who have come from the country into the town suburbs, and it wants to be able to serve those who have gone from the town into the suburbs. The private power companies want to enter and take this most profitable section away. I submit that they should not be allowed to do so.

There is room in this country for REA power, for private power, and for public power. There is room for all three of these systems. REA power covers the countryside, and I believe it covers it very well. The private power companies cover the towns and cities, with some exceptions; on the Tennessee River and on the Columbia River, we have public generation of power and transmission lines, and in some cases cooperative districts, which then distribute the power.

I believe there must be a combination of these varying systems, operating at the same time, so that each can check the other. I do not believe in building up a big power trust, because we had too much of that during the 1920's. I then lived, as I do now, in the city of Chicago, which was dominated by the Insull power interests. I got my start in politics, let me say, by inadvertently getting into that scrap. I found that the Insull interests dominated the financial and political life of my city and State, and that they were practicing financial shenanigans and all kinds of rate abuses, by refusing to pass on to the consumers the reduced costs of generation and transmission which had come in the 1920's.

I wish to say that the utility commissions were not a great help to us in this struggle, because when there are the so-called regulatory commissions, the groups which they are supposedly regulating reach out to regulate the regulators and control the alleged controllers. The regulatory commissions, when appointed, are perhaps vigorous for a short period; but they rather quickly lose their virtue and are overpowered by the lobbyists; many of them become weak and tired; those who try to defend the public have the last detail of their private lives examined and, however virtuous they may be, encounter great trouble in being reappointed or confirmed. And so the alert defenders of the public are gradually weeded out and we get either conformists or timid people, or industry-dominated persons in their places.

Therefore, I believe we need the REA. I do not believe I obtain any political "moxie" by making this speech. I have analyzed the voting records of the precincts and counties in the State of Illinois, and I find that in the areas where the REA is the strongest, I receive the least support. The only conclusion I can draw from this is that the members of the REA vote on the basis of reasons unrelated to REA. They have voted against me overwhelmingly in those districts. I expect this antagonistic vote to continue; I do not expect to change a single vote. I believe there are irrational prejudices against me; but I do not expect to change them.

However, in spite of the fact that they are not my supporters, I am their supporters. I hope very much this amendment of the Senator from Ohio, which he submitted with the best of motives, may be defeated.

Some may properly question many features of the farm program; but I do not believe anyone can properly challenge the work of the REA in helping the families of people on the farm who have not been doing well during the last 20 years.

So, Mr. President, I hope very much the amendment of the Senator from Ohio will be defeated.

I ask unanimous consent to have printed in the RECORD tables on the short-time interest rate and the combined long-time and short-time costs of the marketable Federal debt.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

U.S. Government marketable debt 1929–62

[Billions of dollars]

End of year or month	Short-term issues [1]	Treasury bonds
1929	3.3	11.3
1930	2.9	11.3
1931	2.8	13.5
1932	5.9	13.4
1933	7.5	14.7
1934	11.1	15.4
1935	14.2	14.3
1936	12.5	19.5
1937	12.5	20.5
1938	9.8	24.0
1939	7.7	26.9
1940	7.5	28.0
1941	8.0	33.4
1942	27.0	49.3
1943	47.1	67.9
1944	69.9	91.6
1945	78.2	120.4
1946	57.1	119.3
1947	47.7	117.9
1948	45.9	111.4
1949	50.2	104.8
1950	58.3	94.0
1951	65.6	76.9
1952	68.7	79.8
1953	77.3	77.2
1954	76.0	81.8
1955	81.3	81.9
1956	79.5	80.8
1957	82.1	82.1
1958	92.2	83.4
1959	103.5	84.8
1960	109.2	79.8
1961	120.5	75.5
1962	124.6	78.4

[1] Bills, certificates of indebtedness, and notes.

Source: Treasury Department.

Computed annual interest rate—(Total long- and short-term interest bearing securities)

[End of fiscal year]

1940	2.583
1941	2.518
1942	2.285
1943	1.979
1944	1.929
1945	1.936
1946	1.996
1947	2.107
1948	2.182
1949	2.236
1950	2.200
1951	2.270
1952	2.329
1953	2.438
1954	2.342
1955	2.351
1956	2.576
1957	2.730
1958	2.638
1959	2.867
1960	3.297
1961	3.072
1962	3.239
1963	3.361

[End of month]

1963:	
January	3.299
February	3.305
March	3.332
April	3.338
May	3.345
June	3.361
July	3.375

Source: U.S. Treasury Department.

Short term—Bond yields and interest rates, 1929–62

[Percent per annum]

Year or month	U.S. Government securities	
	3-month Treasury bills [1]	9–12-month issues [2]
1929	(3)	(4)
1930	(3)	(4)
1931	1.402	(4)
1932	.879	(4)
1933	.515	(4)
1934	.256	(4)
1935	.137	(4)
1936	.143	(4)
1937	.447	(4)
1938	.053	(4)
1939	.023	(4)
1940	.014	(4)
1941	.103	(4)
1942	.326	(4)
1943	.373	0.75
1944	.375	.79
1945	.375	.81
1946	.375	.82
1947	.594	.88
1948	1.040	1.14
1949	1.102	1.14
1950	1.218	1.26
1951	1.552	1.73
1952	1.766	1.81
1953	1.931	2.07
1954	.953	.92
1955	1.753	1.89
1956	2.658	2.83
1957	3.267	3.53
1958	1.839	2.09
1959	3.405	4.11
1960	2.928	3.55
1961	2.378	2.91
1962	2.778	3.02
1960: January	4.436	4.93
February	3.954	4.58
March	3.439	3.93
April	3.244	3.99
May	3.392	4.19
June	2.641	3.35
July	2.396	3.13
August	2.286	2.89
September	2.489	2.99
October	2.426	3.01
November	2.384	2.99
December	2.272	2.79
1961: January	2.302	2.70
February	2.408	2.84
March	2.420	2.86
April	2.327	2.83
May	2.288	2.82
June	2.359	3.02
July	2.268	2.87
August	2.402	3.03
September	2.304	3.03
October	2.350	2.97
November	2.458	2.95
December	2.617	3.03
1962: January	2.746	3.08
February	2.752	3.11
March	2.719	2.99
April	2.735	2.94
May	2.694	2.98
June	2.719	3.02
July	2.945	3.23
August	2.837	3.13
September	2.792	3.00
October	2.751	2.90
November	2.803	2.92
December	2.856	2.95

[1] Rate on new issues within period. Issues were tax exempt prior to Mar. 1, 1941, and fully taxable thereafter. For the period 1934–37, series includes issues with maturities of more than 3 months.

[2] Includes certificates of indebtedness and selected note and bond issues (fully taxable).

[3] Treasury bills were first issued in December 1929 and were issued irregularly in 1930.

[4] Not available before August 1942.

Sources: Treasury Department, Board of Governors of the Federal Reserve System.

Mr. HOLLAND. Mr. President (Mr. McIntyre in the chair), I believe we have heard two very interesting discussions of what is undoubtedly a complex and controversial problem.

I have enjoyed every word of both of them, and I am sure other Senators also have.

The fact is that this is a complex subject. The fact is, it is neither all white nor all black, and many approaches now being sought would keep the REA alive, functioning, happy, and prosperous, and at the same time would cure some abuses which undoubtedly have arisen.

I do not expect anyone to agree with me completely in what I shall say, but I believe there are undoubted abuses. I believe that under section 5 loans, there have been abuses which no Senator would seek to deny as having been abuses. I believe that in connection with some of the generation loans, there have been similar abuses—although I shall not attempt to go into them in detail. Just let me say that before the committee there appeared indisputable evidence that some such loans had led to the production of power which could not be sold to the consumers in a distribution system, except at a rate higher than that which was available from the power company serving the same area.

The record also showed that there were some instances in which REA loans for the construction of generation and transmission equipment had been indulged in with the purpose of allowing the purchase of that equipment for its later transmittal to companies that were not qualified to borrow from the REA. There is no doubt about that. But this is not the time for this subject to be dealt with. The Senator from Ohio is one of the frankest men I know, and, I believe, is one of the most honest——

Mr. DOUGLAS. The Senator means "frank" in a double sense, does he?

Mr. HOLLAND. Yes, if the Senator from Illinois insists on using a figure of speech.

The point I am making is that he has been frank enough to admit to the Senate that he is not speaking of what is the best method to correct the situation, because there are now on file in the Senate three different proposals of his to deal with what he sees as an abuse; and there is some abuse in the system.

The Senator has had printed two amendments to this bill. One would raise the interest rate from 2 to 3 percent; the other, which I shall not go into any detail to explain, would in general follow the method of requiring the payment of interest at the going rate for long-term loans. The Senator has introduced a bill, which has been referred to the Committee on Agriculture and Forestry, which would adopt much or all of the second method proposed by him in the amendment, but would go considerably further in correcting procedures in another field.

I honor the Senator for his frankness. He has made as clear as it could be made that there is a field in which there is no meeting of the minds—even the very fine mind of my distinguished friend, the Senator from Ohio [Mr. Lausche]. He has proposed three different methods of correcting what he deems to be an abuse, and what I agree is in some instances an abuse.

To go further, the Senator from Ohio has only touched upon the subject. I find that eight bills have been introduced in the House of Representatives aimed at the correction of abuses which have become manifest in the REA. I have those bills, and if any Senator wishes to examine them, he will find that they adopt at least six different methods of approach to the subject.

In the Senate two legislative measures have been introduced addressed to the correction of those abuses. I think they exist in only a very small minority of the cases of recent loans, but they have existed, and they do exist.

It is my feeling that, first, the great number of suggestions made shows very clearly that the subject is one which requires study, the making of a good record, and the hearing of witnesses on every point of view before the legislative committee. I am chairman of the subcommittee which would hear testimony on the bills. I am perfectly ready to undertake those hearings, although I feel that now is not an appropriate time. I would not undertake it in the remaining months of this session of Congress. In the first place, efforts were made by our committee, after some minor differences of opinion, to put into the report of our committee strong directions which we feel the REA should follow to eliminate the abuses which exist.

The able committee in the House of Representatives placed in its report a set of directions which we found good and which we adopted in toto, though we went considerably further.

That is the first avenue of approach. At the end of this year we shall see what correction of the several abuses has been manifested. It seems to me that that is reasonable. I do not believe any Senator would question for a moment the fact that REA has been a great blessing, not only to the farmers, but to all rural dwellers. The Senator from Illinois and other Senators have fully recounted the many blessings. They are such things as the use of television, the hatching of eggs, the separation of milk, the churning of butter, and dozens of other uses which I need not recount. We all know that REA has been a blessing, not only in the relief of labor on the part of farm families, but in the bringing of blessings of every kind to both farm families and other families in rural areas. More than half of all of the rural dwellers in the country are now served through this beneficent system.

The trouble is that the system has gotten out of hand in some respects. We would be foolish, and not friendly to REA itself, if we did not attempt to find methods of correction of the particulars in which the system has gotten out of hand.

It is no hardship to us, other than as taxpayers, if there are some abuses; but there would be a very great hardship to the REA as a whole if a loss of confidence by more and more people in our country, including Members of the Senate and the House of Representatives, should result.

In my short time in the Senate—I have been here 17 years—it has been apparent to me that the loss of confidence on the part of Senators and Members of the House has been a progressive factor.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield gladly.

Mr. DOUGLAS. Is not a large part of the alleged loss of confidence caused by the propaganda carried on by the private power companies, which frequently violate the truth and misrepresent the facts?

Mr. HOLLAND. Of course, the Senator knows that there has been such propaganda. I believe I could say, without being misunderstood, that the REA association is itself quite capable of the use of propaganda and has engaged in some. But I do not think that this is the time or occasion to go into that. Considering the multitude of efforts to correct the situation—three separate ones having come from the able, distinguished, and conscientious Senator who offered the pending amendment—a legislative approach is indicated so clearly that I cannot see how any Senator could possibly believe that the problem could be reasonably handled other than through action by a legislative committee, and to have it make recommendations to the Senate and the House.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. I have submitted two amendments to the pending bill. I have a separate amendment that was submitted about a month ago. In my own mind, the issue is clear.

There should be a reformation of this program. I submitted a proposal for a 3-percent rate. That is the mildest recommendation that I have in mind. I made that recommendation deliberately, thinking that perhaps the Senate would be willing to do a little of what ought to be done. I am not disillusioned by a belief that I shall succeed. I believe the rate of interest ought to be lifted to the going rate that the Federal Government is paying. But thinking that I might get a vote here and a vote there, I lowered the rate to 3 percent. Obviously the same argument will be made on that point which was made on the test ban treaty: "It is wrong in A, B, C, D, E, and F, but—I think it is all right."

Mr. HOLLAND. Mr. President, I say again that there is no franker man, with apologies to the Senator from Illinois [Mr. DOUGLAS], in the Senate or in the United States than the distinguished Senator from Ohio. But we have a plethora of suggestions as how to correct the manifest abuses. I say there are two ways that we could approach the question.

I suggest that it be done in the order in which our committee felt it should be done; first, by the giving of directions, which we think would go far toward correcting the abuses. If that procedure should fail, there should be hearings before the legislative committee.

So far as the Senator from Florida is concerned, he is no more fearful of attacking the problem than any other Senator. He has already been heavily criticized because he has suggested the first method of correction, which is a friendly one. One of the big troubles about those who become enthused about the single program that they are particularly interested in is that they generally seem unable to determine who their friends are. That happens to be the case with reference to some of the leading agitators in this particular REA group.

Mr. President, I am perfectly willing either to yield to other Senators or to have other Senators express their views before I make a point of order.

I must make the point of order, not only because that is the uniform practice of the committee of which I am a member, but also because in my own mind it is so completely right not to proceed on the floor of the Senate, in discussion of an appropriation bill, to try to change the basic operations of an agency which has been as helpful to so many millions of people as this one has been.

Mr. AIKEN. Mr. President, if the Senator will yield, I shall try to be brief.

Mr. HOLLAND. I yield.

Mr. AIKEN. Mr. President, I wish to give the Senator from Ohio [Mr. LAUSCHE] credit for consistency in his desire to do away with all subsidies and things that look like subsidies. I feel that his chances of accomplishing this worthy purpose are so slim that I would not wish to see the REA selected as the first example, when, in all probability, other examples would not follow.

As has been well said, the REA was established to serve the rural areas of the country which the corporate utilities would not or could not serve at the time. In that respect, as pointed out by the Senator from Ohio, a great deal has been accomplished, in that more than 99 percent of the farms of this country are now served with electricity.

The Senator from Illinois has well pointed out that while corporate utilities have an average of 33 customers per mile of line, the REA's have an average of only 3.3 customers per mile, which means that on many miles they have probably not more than two customers, and possibly only one customer. Certainly REA's cannot be expected to serve their areas on the same basis as utilities which have an average of 33 customers per mile.

The Senator from Ohio very properly pointed out that the corporations pay much more to the Federal Government in the form of taxes than do the cooperatives, but the fact remains that they get the money from someone. They first collect it from their customers on their lines, before turning it over to the Federal Government. The REA does not operate on that basis. It must operate on a nonprofit basis, because in many of the REA areas there are not customers who can afford to pay enough so that the REA could turn over a substantial portion of its revenue to the Federal Government in the form of taxes.

Utilities are set up to make profits for their investors. Rural electric cooperatives are established to perform a service for their members.

Utility corporations in most States are protected against encroachment. They have the right of eminent domain and other rights which are not available to REA cooperatives. I believe that at present in some 15 States both corporate utilities and cooperatives are protected by law—at least, it is undertaken to give them equal opportunities under the law, and encroachment on territory is prohibited.

There is another item of importance. So far as I know, the corporate utilities never pay off their investments. When their bonds come due they refinance. The REA cooperatives are required to pay off their investments, or their borrowings, in a period of not to exceed 35 years. Some of them have done so in a much shorter time. I believe there were several in Indiana which paid off the total amount of their loans.

The REA cooperatives pay interest. They pay on principal, as it is due. At the time the hearings were held before the Subcommittee on Appropriations on the Agriculture Department, it was brought out that there were two cooperatives in arrears at the present time. Of the $4 billion in loans, the amount of loans in arrears was about $150,000.

A question arises: Why, if 99 percent of the farms of this country are now served, is it necessary to continue to encourage further borrowings or to make available further funds at a low rate of interest? The reason is that when the REA's first went into these rural areas they served largely marginal farms, the poorer farms with no electrical equipment whatsoever. Millions of farmers who came into the REA's early put lights in their houses. Some put lights in their barns.

Now the farms of America have become electrified. The use of power has risen from a few hundred kilowatt-hours a month 20 years ago to somewhere between 3,000 and 4,000 kilowatt-hours a month at the present time. That means that the lines must be rebuilt. A great deal of capital is required to rebuild them. That is the reason why we continue to appropriate each year for loans, which will be paid back in full.

I am perfectly willing to go along and say that 2 percent interest may represent a subsidy. We can also point out the fact that practically every business in the United States is subsidized in one way or another. The petroleum interests have been pointed out as perhaps the most glaring example of subsidy. Tax benefits are available to them. The manufacturing companies enjoy benefits. The merchant marine is heavily subsidized.

I believe the utility companies are subsidized. The Congress enacted tax legislation last year to authorize the electric utilities a 3-percent tax deduction. I voted to give them a 7-percent deduction, the same as the pipelines had, but the Senate agreed to give them a 3-percent tax deduction.

Not so many years ago, about 1950, Congress enacted legislation to encourage the construction of industrial facilities in the United States, and authorized a complete writeoff of the cost in 5 years' time. That was a 20-percent per year writeoff. It was expected, when that law was passed, that it would be used primarily by steel companies and manufacturing plants, but the fact remains that nearly all of the benefits accrued to the electric utilities, which were given a 20-percent writeoff on billions of dollars.

I do not think the electric utilities are in any position to complain now if the rural electric cooperatives receive a 1-percent benefit by way of interest charges. Most of the $4 billion which was loaned to REA was loaned at a time when the Federal Government was paying 2 percent or less—from 1⅞ percent to 2 percent—in interest for the money it borrowed.

If the distinguished Senator from Illinois [Mr. DOUGLAS] or any other skilled economist in the Senate will take his pencil, I guarantee that he will find that the 3-percent tax benefit granted the corporate electric companies last year amount to more than 1-percent interest increase which the amendment of the Senator from Ohio would provide in the charge to the REA's.

Mr. DOUGLAS. Mr. President, will the Senator from Vermont yield?

Mr. AIKEN. I will yield, with the permission of the Senator from Florida and of the Senate.

Mr. HOLLAND. Mr. President, I gladly yield to the Senator from Illinois, so that he may address a question to the Senator from Vermont.

Mr. DOUGLAS. Mr. President, since I left the Chamber I have been able to obtain the short-term interest rates of the Federal Government. I find that in 1945, when the 2-percent interest rate was adopted for REA loans, the rate on 3-month Treasury bills was three-eighths of 1 percent.

The rate continued at less than 1 percent to 1948.

From 1948 to 1953 it was less than 2 percent.

It went down to less than 1 percent in 1954.

It went up to 1¾ percent in 1955.

In 1956 it was 2.7 percent.

In 1957 it went up, briefly, to 3.3 percent, and then dropped to a lower figure.

For a long period of time the short-term interest rate was below 1 percent and below 2 percent.

In a few minutes I shall have combined statistics. I believe the interest rates on long and short term will show that there were a number of years when the combined cost was less than 2 percent.

Mr. AIKEN. Mr. President, I wish to add one more comment, and then I shall be through.

I have no doubt that in some parts of the country the REA cooperatives have done things that ought not to have been done, but I point out that the Federal Government does not operate the electric lines. The Federal Government is a lending agency only and certain acts of the REA cooperatives which Members of the Senate have condemned have been done under State laws, not Federal laws. Any State in the Union that finds that an REA cooperative is not proceeding properly has full authority to amend its own laws to bring the co-ops into line.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield to the Senator from Ohio in order that he may ask a question of the Senator from Vermont.

Mr. LAUSCHE. Does the Senator from Vermont care to discuss the difference in the tax rate? The rural cooperatives are paying 3 cents on the dollar in taxes, and the private power companies are paying 22 cents out of every dollar.

Mr. AIKEN. Yes. The private power companies collect that money from the users of electricity to whom they sell power and pay it to the Federal Government. The electric cooperatives are nonprofit organizations, and have no income to pay on. We cannot expect someone to pay if he does not have anything to pay on.

Mr. LAUSCHE. Is it not a fact that when an investor in a power company is paying 22 cents out of a dollar in taxes, and a co-op is paying only 3 cents out of every dollar, the purchaser of the power from the power company must pay a part of the cost that the purchasers of power from the cooperatives ought to pay?

Mr. AIKEN. No. A member of an REA cooperative, by saving on the cost of electricity, pays income to the Federal Government itself. The corporation is not in business for its health. It is in business to make money. The corporations have done very well, and have done better since the REA has come into existence than they were doing before. They collect from the users of electricity the additional tax money which it has to pay to the Federal Government. That is one way to get the tax money.

Mr. LAUSCHE. I cannot agree with the Senator from Vermont in his interpretation of the facts. The investor in the power company, which is paying for taxes 22 cents out of every dollar it takes in, is paying a part of the load that ought to be borne by the user of the co-op, which is paying only 3 cents on the dollar in taxes.

Mr. AIKEN. No. The corporations flatly refused to serve the areas the REA went into. Let me remind the Senator that when the REA law was established, it was expected that low-rate interest loans would be made to the utility companies. They all refused to have anything to do with it, and that is how the cooperatives came into being. The corporations flatly declined to serve the vast rural area which has developed, one could say, almost into the heartland of America today. It is one of the most productive parts of our country.

REA cooperatives never would have come into existence had the utility companies been willing to serve those areas.

Mr. HOLLAND. Mr. President, I yield now to the Senator from Kentucky [Mr. COOPER].

Mr. COOPER. Mr. President, I agree with the Senator from Florida that the amendment should not be accepted. It is, of course, subject to a point of order. But even if it were not, it would be the proper procedure to consider this amendment in the appropriate committees, the Committees on Agriculture and Forestry of the House and Senate.

I think I can speak with objectivity on this subject, because several years ago the REA cooperatives of Kentucky, 3 or 4 years ago, in their convention, expressed the view that consideration should be given to an increase in the interest rate. This proposal to raise interest rates to REA is not as simple as it is made to appear by private utilities who ask that the interest rate be raised.

It is extreme to say that the 2-percent interest rate is seriously affecting the private utilities. The fact is that 80 percent of the energy which is produced and sold in this country is supplied by the private utilities. They will always furnish, and properly so, this percentage or even a larger percentage of power consumed, because of the increasing demand for electric energy.

There has been much talk about the generation and transmission plants financed by REA. The fact is that only 1 percent of the energy produced in this Nation is produced by the generation and transmission plants. Appropriations to maintain that relative position—namely, 1 percent of the total power produced in the United States—have been requested. And both the House and Senate Committees on Appropriations, while establishing criteria for the proper and effective use of these funds, have not recommended that these funds for generation and transmission plants be withdrawn. They have established criteria, as I have noted, to assure the proper use of the funds by REA and also to make certain that private utilities, offering alternative sources of power—submit fair rates and do not use dual rates in dealing with REA cooperatives.

A great deal has been made of the fact that about 98 percent of the farms have been reached by electricity. That evades the issue. The question is whether all requirements for additional and necessary power can be supplied by REA to these farms. According to the evidence, the use of electricity on farms is doubling every 5 or 7 years. This requires, of course, that additional loans must be made available to local REA cooperatives for equipment and transmission lines necessary to meet the needs of farm families and farm areas.

It has been mentioned today, and argued against REA that five out of six of the new users are nonfarmers, but, giving this statistic does not give a true picture of the percentage of nonfarmers served, compared with the total number of patrons. These nonfarmers live in the areas which REA's serves; areas which private utilities would not serve.

It is more costly to provide service to rural areas with an average of 3.3 persons on 1 mile of REA lines, compared to 33 on the private utility lines of urban areas. The Congress through its proper committees should look into all these facts before raising interest rates, for we are dealing with the question of supplying adequate power to rural areas, by REA.

I can remember when there was no electricity outside the town I lived in as was the case over the United States. I could stand at the top of a hill and see the lights around my town, but if I looked beyond the town there were no lights, except lanterns and lamps. In my judgment, there would not now be any but for REA. We ought to keep those facts in mind for REA has not only brought light, and necessities and convenience to farm families, it has brought increased income to businesses in our communities, to banks and to industry generally.

I support the position of the Senator from Florida, and the position of the Committee on Appropriation. In all fairness to REA—to farmers as well as to private utilities—the question of raising interest rates must be studied by the proper committee through hearings. I will vote against the amendment of the Senator from Ohio [Mr. LAUSCHE].

Mr. HOLLAND. Mr. President, I understand that the ranking minority member of the subcommittee, the gentleman from North Dakota [Mr. YOUNG], wished to be heard.

Mr. YOUNG of North Dakota. Mr. President, I associate myself with the comments made by the Senator from Vermont, the Senator from Kentucky, and other Senators. I think this is a matter which should be decided by the Committee on Agriculture and Forestry when appropriate hearings can be held.

Mr. HARTKE. Mr. President, I oppose the suspension of the rules for the purpose of considering the amendment being presented by the Senator from Ohio [Mr. LAUSCHE].

The matter of interest rates in the Rural Electrification Administration is a substantive matter of considerable importance. It should not be acted upon hastily. The Senator himself underlined its importance in his address to this body yesterday, when he stated that what he calls the loan subsidy from insufficient REA interest rates now exceeds $1 billion.

The Senator from Ohio also stated that in 1961 interest repaid to the Government by REA borrowers amounted to more than $52.5 million in 1961, consuming 7.43 cents on every dollar of the borrowers' incoming revenue. His table A introduced in the RECORD shows a Treasury interest cost in 1962 of 4 percent, or double the REA 2-percent rate. I believe we should not hastily consider by this means a move which would exactly double, to nearly 15 cents on the revenue dollar, the cost of REA loans to their borrowers.

This amendment, and the second one which the Senator from Ohio is prepared to offer if we suspend the rules, is already before the Agriculture Committee in the form of a bill. It is far more appropriate that these measures, with their complex ramifications, receive the earnest attention of the committee through its usual procedures rather than the hasty and ill-informed attention of the body as a whole at this time.

Mr. HOLLAND. Mr. President, I raise the point of order that the amendment proposed by the Senator from Ohio is legislation on an appropriation bill.

The PRESIDING OFFICER (Mr. MCINTYRE in the chair). Under rule XVI, the Chair sustains the point of order on the ground that the amendment proposed is legislation on a general appropriation bill.

Mr. LAUSCHE. By virtue of the right I acquired by filing a notice proposing to ask for a suspension of the rule, at this time I move to suspend the rule. I ask for the yeas and nays on the motion.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Ohio.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. The question is on the motion to suspend the rule. Is that correct?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Ohio, to suspend the rule. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Washington [Mr. JACKSON], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MANSFIELD], the Senator from Wyoming [Mr. MCGEE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Montana [Mr. METCALF], the Senator from Utah [Mr. MOSS], the Senator from Rhode Island [Mr. PASTORE], the Senator from Tennessee [Mr. WALTERS], and the Senator from New Jersey [Mr. WILLIAMS] are absent on official business.

I further announce that the Senator from California [Mr. ENGLE] is absent due to illness.

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE], the Senator from Nevada [Mr. CANNON], the Senator from Indiana [Mr. HARTKE], the Senator from Washington [Mr. JACKSON], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MANSFIELD], the Senator from Wyoming [Mr. MCGEE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Montana [Mr. METCALF], the Senator from Utah [Mr. MOSS], the Senator from Rhode Island [Mr. PASTORE], the Senator from Tennessee [Mr. WALTERS], and the Senator from Virginia [Mr. BYRD] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Hawaii [Mr. FONG], and the Senator from Nebraska [Mr. HRUSKA] are absent on official business.

The Senator from Kansas [Mr. CARLSON], the Senator from New Hampshire [Mr. COTTON], the Senator from Maryland [Mr. BEALL], the Senator from California [Mr. KUCHEL], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

The Senator from Wyoming [Mr. SIMPSON] is detained on official business. If present and voting, the Senator from California [Mr. KUCHEL], the Senator from Colorado [Mr. ALLOTT], and the Senator from Iowa [Mr. MILLER] would each vote "nay."

On this vote the Senator from Maryland [Mr. BEALL] and the Senator from Hawaii [Mr. FONG] are paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Maryland and the Senator from Hawaii would vote "yea," and the Senator from Nebraska would vote "nay."

The result was announced—yeas 17, nays 57, as follows:

[No. 175 Leg.]

YEAS—17

Bennett
Boggs
Brewster
Case
Curtis
Dominick
Goldwater
Javits
Jordan, Idaho
Keating
Lausche
Mechem
Pearson
Saltonstall
Scott
Tower
Williams, Del.

NAYS—57

Aiken
Anderson
Bartlett
Bayh
Burdick
Byrd, W. Va.
Church
Clark
Cooper
Dirksen
Douglas
Eastland
Edmondson
Ellender
Ervin
Fulbright
Gore
Gruening
Hayden
Hickenlooper
Hill
Holland
Humphrey
Inouye
Johnston
Jordan, N.C.
Kennedy
Long, Mo.
Long, La.
McCarthy
McClellan
McIntyre
McNamara
Monroney
Morse
Morton
Mundt
Muskie
Nelson
Neuberger
Pell
Prouty
Proxmire
Randolph
Ribicoff
Robertson
Russell
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—26

Allott
Beall
Bible
Byrd, Va.
Cannon
Carlson
Cotton
Dodd
Engle
Fong
Hart
Hartke
Hruska
Jackson
Kuchel
Magnuson
Mansfield
McGee
McGovern
Metcalf
Miller
Moss
Pastore
Simpson
Walters
Williams, N.J.

So Mr. LAUSCHE's motion to suspend the rule was rejected.

VISIT TO THE SENATE BY SENATOR GIACINTO BOSCO, MINISTER OF JUSTICE, AND CONGRESSMAN LORENZO NATALI, DEPUTY SECRETARY OF THE TREASURY, MEMBERS OF THE ITALIAN ACADEMY OF FORENSIC MEDICINE

Mr. PELL. Mr. President, it gives me particular pleasure to welcome to the floor of the Senate two distinguished members of the Italian Academy of Forensic Medicine. I regret very much that my colleague, the senior Senator from Rhode Island [Mr. PASTORE] could not be present on this occasion because of an unbreakable commitment in New England; but on behalf of all my colleagues on the Senate committee to welcome the Italian Academy of Forensic Medicine, speaking personally, as a Knight of the Crown of Italy, I offer to these eminent visitors our warmhearted greetings and our admiration. They honor us by their presence. They are Senator Giacinto Bosco, his country's Minister of Justice; and Congressman Lorenzo Natali, his country's Deputy Secretary of the Treasury.

Representing their own governing bodies and more than 200 members of the academy who have flown to the United States from Rome, they are embarked on a broad and meaningful program to explore the "Biological, Social and Juridical Evolution of Man in the Space Age."

In its membership the academy includes judges, lawyers, biologists, social scientists, and physicians. It is of special significance in today's complex world that these various professions and disciplines should be so purposefully interrelated.

We are grateful to the academy for choosing to hold its congress in our country; and in this respect, I would like to pay tribute to my good friend, Mr. Ernest Cuneo, who has given so much of his time and efforts to help with the original planning. Indeed, Mr. Cuneo has been called by Mr. Natali the animator of this congress of the academy.

The academy is concerned with increasing worldwide understanding, with deepening the appreciation of justice, with interpreting the relationship between positive law and scientific progress, and with furthering cultural relations in all aspects of its endeavors.

Mr. President, I believe these are goals of immense value. They bear importantly on the growth of international friendships and of the cause of world peace.

In extending our own friendship and high regard to our illustrious guests, let us wish them every success. I nostri migliori auguri, signori, e i nostri migliori felicitazione. [Applause, Senators rising.]

I ask unanimous consent to have printed in the Record a statement by Minister of Justice Bosco.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement By H. E. Giacinto Bosco on Being Received by the Senate

It was a particular honor to be received by the Senate of the United States, a legislative body that has acquired such great respect in the world for the wisdom of its decisions, at all times inspired by those principles of freedom and justice proclaimed by the Declaration of Independence and sanctioned by the U.S. Constitution.

The recent deliberations for the ratification of the partial atomic ban treaty were greeted in Italy with deep satisfaction as a first step toward the relaxation of international tensions and the consolidation of peace, the supreme ideal of humanity, solemnly attested by the Charter of the United Nations.

Inspired by these very ideals, the Third Italian Congress of Forensic Medicine took place, during the last few days, in New York. Over 400 Italian scientists and jurists were in attendance to reaffirm the principle that scientific and technological progress in the space age must be accompanied by a profound rebirth of moral and spiritual human values.

If humanity will remain solidly anchored to the values of the spirit, we shall be able to labor confidently towards the achievement of all the conquests of progress, and bend them to the service of man, so that, as President Kennedy said, mankind may obtain the fruits of the marvels of science instead of being destroyed by its terrors.

During the meeting over which I had the honor of presiding together with Attorney General Robert F. Kennedy, I had the opportunity of appreciating the hospitality of the American people and its sympathy for my country which, in complete loyalty to the ideals of the Atlantic Pact, continues, side by side with the United States of America, on its way towards economic progress, civil rights and social justice.

In witness to the sentiments of friendship that I hold for the American people, may I be allowed to recall here, on this solemn floor of the U.S. Senate, that my first speech on the floor of the Senate of the Italian Republic dealt with the ratification of the Marshall plan, a most effective instrument for the rehabilitation of freedom loving countries.

Also on behalf of my colleague in the Italian Parliament and Government, the Hon. Lorenzo Natali, who is here with me, I wish to express my warmest thanks for the welcome that has been reserved for us by the U.S. Senate. Furthermore, I wish this illustrious assembly may see the attainment of total success in its efforts for the consolidation of peace and the triumph of our mutual democratic ideals.

Mr. HUMPHREY. Mr. President, I join the able and distinguished Senator from Rhode Island in welcoming our guests to this Chamber. We are honored by their presence. I hope they will convey to their countrymen the warm regards of the Senate of the United States and the people of the United States. We are pleased to have you with us.

The PRESIDING OFFICER. On behalf of the Senate, the Chair extends a hearty welcome to our honored guests.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5888) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 7, 14, 20, 34, 38, 46, 58, 66, and 68 to the bill and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 8, 12, 21, 37, and 56 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H.R. 5250) to amend section 411(a) of title 38, United States Code, to increase the rates of dependency and indemnity compensation payable to widows of veterans dying from service-connected disabilities, and it was signed by the President pro tempore.

LEGISLATIVE PROGRAM

Mr. DOMINICK obtained the floor.

Mr. DIRKSEN. Mr. President, will the Senator from Colorado yield without losing his right to the floor?

Mr. DOMINICK. I yield, provided I do not lose the floor.

Mr. DIRKSEN. Mr. President, I should like to ask the acting majority leader what other amendments will be considered, how long the session is likely to continue this afternoon, and also what the program will be for tomorrow?

Mr. HUMPHREY. Mr. President, it is my understanding that the Senator from New York [Mr. Javits] has one amendment, which he will offer after the Senator from Colorado has completed his statement. As I recall, the Senator from South Dakota [Mr. Mundt] and a number of cosponsors also intend to offer an amendment to the agricultural appropriation bill. I know of no other amendments.

It is the intention of the leadership, following the vote on the Javits amendment, to have the Senate adjourn until Monday at 12 o'clock noon.

Before the Senate concludes its business today, it is intended to call up the conference report on the Department of Health, Education, and Welfare appropriation bill. This is a priority item. When the business for today has been completed, it is intended to have the Senate adjourn until Monday.

It is proposed to ask for a limitation of debate on the Mundt amendment. On any other amendments that might be offered, it is proposed that there be not more than 15 minutes to a side.

The Senator from South Dakota [Mr. Mundt] indicated to me that an hour on each side would be adequate.

Mr. MUNDT. I did so indicate; but since then I have found that one or two of my associates on the amendment may wish to speak a little longer than I had anticipated. So in order not to cut the time too thin, I would suggest an hour and one-half.

Mr. HUMPHREY. Then at this time I shall not propose a unanimous-consent agreement; I shall wait until I check with other Senators as to the amendments to be offered. But I understand that, tentatively, the Senator from South Dakota would like an hour and one-half for each side, on his amendment.

Mr. MUNDT. That is correct.

Mr. HUMPHREY. I shall check with other Senators; and after the Javits amendment has been voted on, I shall offer a unanimous-consent request along the lines discussed.

Let me say that the intention is that after we finish the agricultural appropriation bill, on Monday next, we shall call up the measure for a 1-year extension of the Civil Rights Commission.

Mr. RUSSELL. Will the Senator from Colorado yield?

The PRESIDING OFFICER (Mr. Brewster in the chair). Does the Senator from Colorado yield to the Senator from Georgia?

Mr. DOMINICK. I am glad to yield.

Mr. RUSSELL. Does the Senator from Minnesota refer to his revised Humphrey amendment?

Mr. HUMPHREY. Yes, to the amendment placed in the Record yesterday, as offered by the Senator from Montana [Mr. Mansfield], the Senator from Illinois [Mr. Dirksen], and myself.

Mr HOLLAND. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I yield to the Senator from Florida.

Mr. HOLLAND. It is not the intention to take up the measure on the extension of the Civil Rights Commission until after the agriculture appropriation bill is disposed of, is it?

Mr. HUMPHREY. That is the situation. After the agricultural appropriation bill is disposed of—we hope it will be disposed of on Monday—we hope that will be done. Arrangements are being worked out now, because a number of Senators wish to leave, some already are absent, and others wish to work here. I should like to accommodate all of them, and I ask Senators to do so by agreeing not to hold a Senate session tomorrow. A little later, we shall ask unanimous consent to that effect.

Mr. KEATING. Is it anticipated that consideration of the measure to extend the Civil Rights Commission will be completed on Monday?

Mr. HUMPHREY. It is the intention of the leadership to endeavor to have it concluded on Monday, and Senators should be prepared to stay here on Monday until its consideration is concluded.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1964

The Senate resumed the consideration of the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

Mr. DOMINICK. Mr. President, I wish to express my appreciation to the Senator from Florida. Let me say that the Senate Agriculture and Forestry Committee has done a good job in trying to obtain further scrutiny of the REA loans. I believe the procedures which have been established by the House and have been accepted by the Senate committee are good; they have been published accurately in the report.

I commend the Senator from Florida and other members of the committee for the work they have done. But the basic problem is that although these provisions take care of the section 5 procedures, and also take care of the generation and transmission loan procedures, in fact, they do not touch at all the interest problem.

So in view of the statement of the Senator from Florida—as shown in yesterday's RECORD—that he would not hold hearings on the bills in connection with the interest rate, the amendment on which we recently voted seemed to be the only way in which we could possibly bring this interest rate question before the Senate at this time.

Mr. HOLLAND. Mr. President——

Mr. DOMINICK. I yield now to the Senator from Florida.

Mr. HOLLAND. I wish to make very clear that I certainly would not want to be understood as having said that I would not hold hearings on this measure. I said I would not hold hearings this year, because I thought we were in the midst of so much confusion and because I was very hopeful that the directions given by the Appropriations Committee might prove sufficient to clear up most or all of the manifest abuses which now exist or have existed in the past.

However, by no means would I refuse to hold hearings. The Senator from Colorado [Mr. DOMINICK] has introduced one interesting and scholarly bill on this subject. The Senator from Ohio [Mr. LAUSCHE] has also introduced another. Eight have been introduced in the House. At least 6 different approaches are covered by the 10 bills. The Senator from Ohio today was very frank, as is his custom, and admitted he has proposed three different approaches to this matter. Certainly a winnowing-out process must occur before any hearings are held by the legislative committee; and I stand ready to be of assistance in that regard. I do hope we shall pass measures correcting the abuses which have existed—and which we hope will not exist in the future—so that when we deal with the rate structure, we shall not find the bills dealing with correction of the abuses mixed into the hearings on the rates.

Mr. DOMINICK. I thank the Senator from Florida. I know how hard he has worked on this problem. If I have misstated the facts about the hearings, I apologize. I knew the Senator would not hold them this year, because I read his statement to that effect in the RECORD of yesterday.

Mr. LAUSCHE. Mr. President, will the Senator from Colorado yield?

Mr. DOMINICK. I am glad to yield.

Mr. LAUSCHE. Mr. President, I repeat what I said earlier this afternoon: I do not propose three approaches; I propose only one approach. Today I submitted an amendment covering the mildest one I possibly could propose, and I hoped I would get some support for it.

It is clear that there are abuses in this program, and that they must be corrected. So I shall ask the Senator from Florida to be sure to conduct at an early date hearings on my bill.

Mr. DOMINICK. I appreciate the comments of the Senator from Ohio. I believe this interest problem is perhaps the largest one that those who are in all-out opposition to the REA's may have. I have said before, and I repeat, that I believe the REA's have done a good job in doing what they are supposed to do in providing electricity to the farm areas. I also believe they should have an opportunity to expand; but I believe that must be kept within the limits, and should not be subsidized in the way these interest rates do. The longer we continue the 2-percent interest rate, the more ammunition we give those who would like to see the extinction of the REA's. It is for this reason that I am going to join in pushing for hearings, as soon as we can get them, before the Agriculture Committee, so we can get the facts and can find out what an increase in the interest rate would do in the way of decreasing the burden on the taxpayer, and also whether it would actually impose injury and hardship on the REA's.

Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, I submit the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. On page 10, in line 3, it is proposed to delete the period and insert a semicolon and the following:

> No part of the amount made available in this act for the Extension Service shall be paid to any State in which the participants in, or beneficiaries of, the State programs carried out in cooperation with the Department of Agriculture are segregated, or otherwise discriminated against, on account of race, creed, or color.

Mr. JAVITS. Mr. President, for the information of Senators, let me say that I believe I can finish what I have to say about this matter in about 10 minutes; and from what I know will be the procedure, I believe we shall most likely be ready to vote very soon thereafter. I shall seek a yea-and-nay vote on whatever motion is made with respect to this amendment.

The policy I have followed in connection with amendments of this character is two-fold:

First. I have sought to ascertain the basic facts before offering such amendments. I have not just moved in a kind of broadsword way; but I have sought the basic facts.

Second, I have first sought corrections through the departmental agencies concerned.

Third. I have not offered such amendments unless I felt the case was really so much in point that it deserved the attention of the Senate.

This amendment is directed to the Federal Farmers Extension ·Service, which seems to me to be a glaring example of what is occurring in the Federal Government in connection with use of the taxpayers' money for the purpose of supporting segregated Federal-State programs.

If it be said that I have submitted such amendments fairly frequently—not too frequently, but fairly frequently—I can only respond by saying that—unhappily and unfortunately for our Nation, and unfortunately for its tranquillity, in terms of the terrible and troublesome developments in cities such as Birmingham, mainly in the South, but also in other parts of the Nation—in an unhappily and unfortunately large number of instances the taxpayers' money is being used directly to support segregation.

Mr. President, that is a situation which it is my tragic duty to report. It is also our duty to endeavor to correct it.

Let us look at the Federal Extension Service program. It is the U.S. Department of Agriculture's administrative arm in a State, county, and Federal educational system. That system results in the cooperative Extension Service, which carries to farmers, farm families, and farm youth a wide range of activities and information designed to enable rural people to live better and to be more successful farmers. It operates or guides the 4-H Club movement and, indeed, the 4-H Clubs, with which we are all familiar, receive extensive assistance from the Federal Government through funds for educational materials and even for the payment of salaries of its staff members.

The Federal Extension Service has two bases. At one side is the land-grant college, from which it derives educational materials, inspiration, ideas, and teaching techniques.

On the other side is the very large constituency of the 4-H Clubs, through which a good deal of the extension work is done. In the center is the channel of funds in which State and Federal funds are mingled for the purpose of carrying on this work.

Mr. President, what happens? In the Southern States, where a social pattern of segregation exists, we find separate Negro county agents for the Negro farmers and white county agents for the white farmers. That is true to such an extent that there is even a title in quite a few places of "Negro County Agent."

I shall not even go into the details of the alleged differentiation in compensation for Negroes and whites who hold those positions, or the fact that it is claimed—and probably with good cause—that a great deal more service is given, or a great many more people are concerned in serving the white farmer, or that the people serving the white farmers have greater competence, and so forth. It is adequate for the purpose of the present debate, for the motion which I am making to amend the bill, and for my giving of the basis for amending the bill to state that there is a segregated county agent structure in respect to the Federal Extension Service.

Interestingly enough, in the present case it is based upon a segregated pattern at each end, that is, in respect to the land-grant colleges and in respect to the 4-H Clubs. In respect to the land-grant colleges, let us remember that those were organized under the Morrill Act. The Morrill Act is one of two laws on the Federal statute books which still provides, notwithstanding the fact that it is unquestionably unconstitutional, for separate but equal facilities. The Hill-Burton Act and the Morrill Act so provide. It will be recalled that when the President sent to the Congress his civil rights message, he specifically asked that that provision of the Morrill Act be repealed. So we are dealing at one end, in the places where there is a segregated society, with segregated land-grant colleges. At the other end we are dealing with segregated 4-H Clubs, notwithstanding the fact that the membership of the 4-H Clubs, in round figures, is something like 2 million to 2,300,000, of whom about a million and a quarter are in the Southern States.

The 4-H Clubs in the South are completely segregated. Indeed, at the national convention the South sends white clubs only, and the southern Negro clubs must hold their own convention.

We are providing approximately $70 million in the bill for the Extension Service. It seems to me, therefore, that this question must urgently be raised. I point out, too, that the Agriculture Department is one of the two agencies of the Government—the other being the Department of Health, Education, and Welfare—from which it has been impossible to get a response as to the policy which is being pursued in State-aided programs. I speak in unmeasured terms of condemnation and criticism of a Government department which will not even show its hand in respect of what is being done in these programs, leaving us to find out about them through any of the indirect means available to us. The very least such a Government department should do would be to tell us authoritatively what it is actually doing, and account for it to the public, and stand up for the way it construes the law.

Most Government departments have taken the position affirmatively that they have the power under the Constitution to deny funds to segregated State programs.

Apparently two departments—HEW and Agriculture—do not wish to so state. That leaves us with no alternative except to try to do something when we have an opportunity to do it in the Congress.

These exercises are not fruitless by any means. It will be recalled that earlier this year I made a similar motion with respect to a bill relating to the Farmers Home Administration. The motion was tabled by a vote of 47 to 38 on May 1, 1963. I am very glad to say that there has been some easing in that situation. That is the reason I have not moved on it today. Some Negroes have been introduced at the State and county level—very few—but something is happening.

I point out also, that in respect of the elementary matter of segregation at airports, we were successful, because we fought the battle in amendment after amendment, notwithstanding tabling and notwithstanding defeats.

The conscience of the country is truly affronted at evidences of appropriation of Federal money for State-aided programs, in which State-aided programs there is a clear pattern of segregation. They are revealed to the Nation and laid bare in all the inequity and injustice which they represent.

One further point. It seems to me that for years the Congress has been averting its eyes from something which those like myself have been pointing out time and time again, namely, the grave dangers of civil unrest which are present in the racial situation. We are contributing directly to that unrest by perpetuating this injustice. If we will not give people who feel deeply aggrieved relief by legislation—legislation as obvious as the kind of legislation proposed, in which we are dealing with Federal money which is being used for purposes of perpetuating segregation—what do we expect people who have been aroused, as the American Negro has been aroused, to do? Of course, the Negro will go out in the streets, as he is doing now.

Our timetable—and I repeat an argument I have made time and again—on the entire civil rights field of legislation is calculated to bring about civil disorder, rather than to avoid it.

Mr. CASE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE. I commend the Senator from New York for his careful, thoughtful, considerate, and conservative attitude on these subjects. It is his initiative which to a very large measure has sought and is now succeeding in puncturing the sophistical argument of those who say that amendments of the type proposed are designed in effect to take away from the Negroes themselves the benefits of the programs with which we are dealing. That argument no longer can sound in commonsense, insofar as excusing a vote against this sort of amendment is concerned. I predict that because of the attitude of the Senator from New York, responsible in the highest degree, in very large measure we shall attain effective legislation in civil rights at the present session of Congress.

Mr. JAVITS. I am very grateful to the Senator for his kind statement.

Mr. KEATING. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. KEATING. I join my friend, the Senator from New Jersey, in paying tribute to the leadership of my colleague from New York in this area. The problem has been before us time and again. I shall continue to join in every effort to eliminate segregation from every Federal program. It is unconscionable, in my judgment, to use money collected from the pockets and pay envelopes of every taxpayer in order to subsidize programs and facilities, the use of which is denied to some of our citizens.

One of these days the effort to kill such a proposal by tabling it will fail. It has been a matter of regret to me that tabling motions have so consistently been made, and that the efforts to eliminate segregation from programs in which Federal funds are used have to date been unsuccessful.

I admire the persistence and determination of my colleague from New York. I shall certainly support him.

As I understand the amendment offered by my colleague, it is directed to the appropriation for the Federal Extension Service. The $2½ million which is to be provided is for assistance, in part, to the county extension services in various States. Is it the understanding of my colleague from New York that a portion of these funds for the county extension services will be expended for encouraging the work of the 4-H Clubs?

Mr. JAVITS. That is exactly correct. I invite the attention of my colleague to the fact that we are not talking about $2½ million, but about $70 million. That appears on page 13 of the report under the heading "Extension Service." My colleague referred to only one part.

Mr. KEATING. The amendment is directed to which figure?

Mr. JAVITS. My amendment is directed to all parts of the appropriation.

Mr. KEATING. The amendment would appear where?

Mr. JAVITS. At the end of the entire provision, which is at page 10. The amendment would be inserted at page 10, line 3.

Mr. KEATING. It relates to the entire section on the Extension Service.

Mr. JAVITS. That is exactly correct, to the $70 million appropriation.

Mr. KEATING. There is an appropriation for the Federal Extension Service, which is $2½ million.

Mr. JAVITS. The funds for the Federal Extension Service represent a portion of the aggregate of assistance which is to be rendered under this heading.

Mr. KEATING. That is my understanding.

Mr. JAVITS. That is correct.

Mr. KEATING. I believe it is accurate to say that the aid to the 4-H Clubs comes under the $2½ million appropriation, under the Federal Extension Service.

Mr. JAVITS. That is my understanding, also.

Mr. KEATING. This impresses me as being peculiarly an area with respect to which funds should not be used to perpetuate segregation; namely, among our young people. We have all been visited by the 4-H Club members. They are fine young people who are doing excellent work.

My experience with the 4-H Clubs has been that this is one of our great American institutions which is improving the moral and spiritual fiber of our young people.

What an area in which to permit the perpetuation of a pattern of segregation. That is a bad example to set for fine young people who are in their formative years.

Again I congratulate my colleague for presenting the amendment. It will have my emphatic and enthusiastic support.

Mr. JAVITS. I am grateful to my colleague. I point out that the 4-H Clubs have a national conference. At the national conference, the 4-H Clubs from areas other than the South come with Negro and white delegates, whereas from the South the clubs have only white delegates. This is an impact made on our youth, that in this area the South has already seceded from the Union. That is the place from which there are only white delegations.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. AIKEN. I believe I have voted for all the amendments of this nature the Senator has offered, when they have been offered with respect to other bills. As I understand this proposal, if the adults of any State should violate the law in the manner in which the Senator has indicated, the children of that State would not be given the benefits of the 4-H Clubs; is that correct?

Mr. JAVITS. I believe that is overstating it. If they do not rate Federal support, they might still get it from their own States.

Mr. AIKEN. Is it children who perpetrate these crimes against various minority groups, or adults?

Mr. JAVITS. The fault in that case would not be the fault of the Federal Government; it would be the fault of the States which perpetuate segregation.

Mr. AIKEN. Exactly.

Mr. JAVITS. I point out to the Senator—for whom I have the greatest regard, as he knows—that this is exactly the problem faced in the school segregation cases. They close the schools. Is that the fault of the Court, which issued an order to enforce the Constitution for the benefit of the children? One might say that in that instance, too, the children are suffering. They are suffering only because their elders refuse to abide by the law of the land.

Mr. AIKEN. And if the "old man" commits a crime we should "lick the kids"? Is that the way to handle the problem? Why not put the adult in jail, instead of taking it out on the children?

Mr. JAVITS. I could not subscribe to that policy. First, there is no attainder involved. There is no implication of guilt. That is why we do not punish a child for a crime of his parent. But the "fallout" in this situation, which the parent caused, would bring a disadvantage to the child. Unhappily in our society, this sometimes occurs. The greater wrong is the wrong of denying to any people in the United States fundamental justice.

Mr. CASE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE. It is seldom that I disagree with our colleague the Senator from Vermont.

Mr. AIKEN. I was asking questions.

Mr. CASE. If the Senator is not taking the position his questions would seem to indicate, no one will be happier than the Senator from New Jersey.

Mr. JAVITS. And the Senator from New York.

Mr. CASE. And, I am sure, the Senator from New York. I remarked earlier that this argument seemed utterly sophistical.

Is it an advantage to a child to be allowed to go to a segregated institution of any sort? Are we taking anything away from a child when we take from him the opportunity to go to a segregated 4-H Club?

Mr. AIKEN. A great many successful children have come from the northeast part of the country. They have gone to school in areas where perhaps nearly all were of one class of people.

I do not like to have a reference to "colored people" or to "this kind of people" or to "that kind of people." I think we should legislate for people, and not for various groups of people.

I would not say that the schools of New York and New Jersey had fallen down grievously in educating the young folks. The schools in those two States and California are supposed to be among the best schools in the country.

Mr. JAVITS. The schools have not fallen down in educating the young people. Unfortunately, the process of segregation has resulted in great numbers of Negro children being given less than the education they deserve as Americans, in addition to a feeling which has been inculcated in them of being something different, something of a lower order than other Americans. We are speaking of 20 million people in terms of population.

The essence of the civil rights struggle is that we cannot, as a nation, afford to harbor this vast constituency which has been separated from the others by the Nation's activities. I think that is really what is at stake, and that is really what the struggle is all about.

Mr. AIKEN. I do not segregate them in my mind. I do not like to hear people refer to "our people" and "Negroes," or perhaps "Hindus" or "Buddhists." When we keep referring to them as "colored people" or as "Negroes" that is segregation in itself. That is the most conspicuous type of segregation.

Mr. JAVITS. Referring to them as such, or not doing so, will not dispel what is occurring in numerous cities in the country. It will not dispel the segregated county farm agents, the segregated schools, the segregated stores, or hotels or anything else.

The fact that we do not refer to it will only make the Negroes think they have no friends at all, and force them to take the law into their own hands if we do not help.

Mr. AIKEN. Mr. President, in my county there is a Negro principal in the high school. How many Negro principals are there in New Jersey or New York? There is one in my county, and he is an excellent principal of a small high school.

Mr. CASE. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. CASE. I do not happen to have the figures on this question, but I know that the number of colored teachers in New Jersey are increasing. Yet I think it would be undesirable to have a count, if one wants to use that word, because equally with the Senator from Vermont, I think it should not be done on that basis. It is a most unusual situation to see the Senator "steamed up" because it might be interpreted that he is being prejudicial, when we know that he is not.

Mr. AIKEN. All I said is that we should stop thinking of people as Hindus or Presbyterians or Catholics or Negroes or Jews or Yankees, but think of them as people. Then we will get somewhere.

Mr. CASE. I think that is exactly the way we do it, but the fact that there are institutions in this country which force different treatment and force the consciousness of certain people the feeling that they are ostracized from American society is something we cannot close our eyes to. It does not happen in the mind of the Senator from Vermont. It does not happen in Vermont. But there are places where it happens, and we have the responsibility to see that the Federal Government and its resources do not contribute to the further practice or extension of it.

Mr. AIKEN. I would go much further in supporting adequate civil rights legislation to correct injustices than a good many other Senators would; but in the matter of the Senator's present proposal, I cannot go so far as to say that if a father is doing something wrong I will lick the kids.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. TOWER. Mr. President, I have consistently supported antidiscrimination amendments with respect to various Federal assistance programs. I have offered a number of them myself. But I should like to point out, in rising in opposition to the amendment of my distinguished friend from New York, that rural and urban situations are not analogous or comparable. We recognize in a great number of our regulatory measures, for example, that rural or agricultural and urban or industrial, situations are not comparable and that they must be treated separate and apart.

So far as discrimination in rural situations is concerned, it is difficult to determine. I was born in the eastern part of my State, which is regarded as the "Old South" section of my State. As a boy I worked side by side with Negro field hands. I worked side by side with Negro tie cutters. I slept under the same roof.

There are segregated situations, but usually they are incidental and fortuitous, and not intentional. I do not see how some administrator could be given the power to determine whether or not there is actual, premeditated segregation in many rural situations. In some instances it is obvious, and perhaps that could be determined; but there are many cases in which it is not obvious, and in which one could not tell whether it was intentional, incidental, or fortuitous.

Having said I am opposed to the amendment of the Senator from New York, I say that I will also oppose the motion to table the amendment, which motion I think will be made, because a motion to table should be used very sparingly. I do not think such motions have been used sparingly. For a change, Senators should have the opportunity to vote on an issue on its merits. I implore the leadership not to make such a motion at this time.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from Florida.

Mr. HOLLAND. The colloquy the the Senator has had with the distinguished Senator from Vermont covers pretty well the question of the 4-H Clubs. I wish to deal with something else, if I may. In my part of the country this important function of the Agricultural Extension Service, which really is to distribute education and information to the places where it is needed, is of greater importance to the Negro farmers than it is to white farmers. For example, in the matter of applying certain poisons in the production of cotton, which is necessary—I refer to certain dusts or sprays which are poisonous—the Extension worker, the county agent, whether he be white or black, serves people of both colors, and the educational knowledge he provides is of vastly greater importance—I say this for the RECORD because I know it to be true—to the colored producer of many commodities, particularly edible commodities. The course followed by the adoption of this amendment would be to cut off that most valuable schooling in modern agricultural production because that is about all the schooling that comes to those farmers after they are grown.

Furthermore, the adoption of the amendment would cut off the funds through which the Home Demonstration Service functions. It has a function in the schools, and it brings most important education in connection with sewing, preserving, cooking, and so forth, to girl children of both colors. Naturally, it gets to them in the schools where they are and where they can be assembled.

The result of the adoption of the amendment would be to cut off probably the most valuable information which goes to girl children of the Negro race, which reaches, along with similar information and education, white children who probably would have a better chance to get education along those lines in their own homes.

I do not believe the distinguished Senator has thought this matter through. It seems to me he is hurting not only the boys in the 4-H Clubs, whether they be white or black, but also the farmers and farmers' wives who receive so much education from the Agriculture Extension Service employees, whether they be white or black, and the girl children of the communities where segregation is followed as a necessary conformity to the pattern of life there. I do not believe the Senator means to accomplish that sort of result, but I call his attention to the fact that that would be the result he will accomplish. He would hurt the very people I know he wants to help.

I thank the Senator from New York for yielding to me.

Mr. JAVITS. I am grateful to my colleagues for their views, but it seems to me that all three Senators, for whom I have high regard, come to the same conclusion: They will be cut off. They will hurt children. They will hurt women. They will hurt those who need help. They will hurt field hands. Why will it hurt them? Because the State administrations, elected by their people, insist upon maintaining practices completely contrary to the Constitution of the United States and dangerous to public order and tranquillity in the United States. That is why it will cut them off.

What does my amendment provide? It would do what the Senator from Vermont has said. It provides that the program shall not be carried out in such a way as to segregate or discriminate against anyone because of race, creed, or color. It provides that the program shall be colorblind.

What is being said to me now? It is being said that the amendment is color conscious, contrary to the Constitution of the United States, because it will hurt people, because certain authorities will insist on maintaining color consciousness, contrary to the laws of the United States.

Mr. COOPER. Mr. President, I should like to ask the Senator a question.

Mr. JAVITS. I yield.

Mr. COOPER. I do not have to tell the Senator my position on civil rights. As I understand the law, discrimination should not and ought not to apply in any activity that is financed by tax funds. Of course, the county agent is paid through tax funds, part Federal, part local, and part State. However, is a 4-H Club tax supported?

Mr. JAVITS. The 4-H Club gets certain benefits from the taxpayers' money. I did not base my amendment upon that score. I only said that that is the system. The Federal extension system is based, on the one hand, on the land-grant college, which has the separate-but-equal provision, which is completely archaic and unlawful, and on the other hand on the tremendous constituency of the 4-H Club, which reflects the pattern of segregation that is found in the administration of the program.

Mr. COOPER. Does the Senator's amendment go to the 4-H Clubs?

Mr. JAVITS. No; it does not. The only thing my amendment goes to is the utilization which is made in the paying of salaries or the furnishing of materials with respect to the use of public money.

Mr. COOPER. The Senator means with respect to 4-H Clubs?

Mr. JAVITS. If the 4-H Club has a secretary who is getting his salary partially paid by Federal funds, and the secretary is engaged in an activity which is segregated, then the result of my amendment would be to deprive the club of that secretary, if they insisted on proceeding in that way. That is the practical effect of the amendment. It would not put the club out of business.

Mr. COOPER. I agree with the Senator in every case where there is discrimination in an organization which is supported in whole or in part with tax funds. Is a 4-H Club supported by tax funds? I do not believe so.

Mr. JAVITS. I do not think so.

Mr. COOPER. I am asking these questions to get the Senator's reaction. If we were to say to the county agent that he cannot give his assistance to a 4-H Club because it may be segregated, why could we not extend it and say that he could not give it to a group of farmers because they might meet in segregated groups? The 4-H Club is a private group.

Mr. JAVITS. My amendment would not reach the 4-H Club and put it out of business. However, if the county were running its services so that only a white agent would serve white farmers or a white 4-H Club, it could not use Federal funds to pay that particular agent unless it adopted a nonsegregated policy as to its agents. I have no desire or intention of reaching the club, which is a private agency. I could not if I wanted to, and I do not want to. My intention is only to reach the way in which a State runs the services which are paid for by State and Federal funds.

Mr. COOPER. Would the practical effect of the amendment be to deny any assistance to a private group because it happened to be segregated?

Mr. JAVITS. It would deny the use of a secretary or a county agent as part of a segregated system in the naming or operation of county agents. My amendment cannot reach a private club function.

Mr. COOPER. In other words, they cannot have segregation in the payment of county agents.

Mr. JAVITS. Yes, if that is what the Federal tax money is used for.

Mr. COOPER. I do not have to tell the Senator my position on civil rights. I can see some cases where we can get perilously close or beyond what the law is and what the situation is; and when we begin to reach into private associations, I really believe that there is some danger in pushing the case too far by the Senator.

Mr. JAVITS. I am not pushing the case one bit further than the case has already been made. The amendment would apply to whatever the 4-H Club got out of the segregated system. It would not affect the club except as the club might have a particular secretary or county agent serving it because the State would not reform its system, but I cannot see how that would affect in any way the capability of the club to carry out its private club function. There is nothing we could do to affect it. That should not be covered by requiring us to give services with taxpayers' money in carrying through a segregated system of services. That is a very clear line of distinction. I do not want it to go out of business.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. TOWER. Is it true that the separate but equal clauses in Federal assistance programs in the legislation that sets up the programs was voided by a decision of the Supreme Court in Brown against Board of Education of Topeka, Kans.?

Mr. JAVITS. The case of Brown against Board of Education dealt with desegregation in public schools. The Supreme Court has handed down a whole line of decisions in respect to any public activity or activity which is publicly affected, ranging from a lunch counter in a city-owned parking garage to a railroad terminal restaurant to a municipal swimming pool to a public beach. Therefore one cannot pin this entirely on Brown against Board of Education, but rather on a whole pattern of Federal decisions.

Mr. TOWER. But those are the precedents?

Mr. JAVITS. Yes.

Mr. TOWER. The separate-but-equal clause in the Land-Grant College Act would be void, or is not now the law. Is that correct?

Mr. JAVITS. I believe it is completely unconstitutional. Certainly the Federal Government's policy should be against it.

Mr. TOWER. Has it been tested in the courts?

Mr. JAVITS. In terms of the Hill-Burton Act, for example, there are a number of court cases. It has been tested in the courts. I am drawing on my memory now, and there are many Senators who can correct me if I am in error. In the Brown case the Supreme Court expressly stated that it rejected the doctrine of Plessy against Ferguson, the separate-but-equal doctrine, and that it was no longer the law of the land. That settles that question, it seems to me.

Mr. TOWER. This provision could be voided by appropriate litigation. A Federal statute is not required to do it, according to the precedents laid down by the Supreme Court in pursuance of Brown against Board of Education.

Mr. JAVITS. It could be overturned by litigation. The fact is that we are paying out Federal money to support a practice which has been condemned by the courts as unconstitutional. That is where we must say "stop."

Mr. TOWER. But there is still recourse to the courts.

Mr. JAVITS. There is no recourse to the courts with respect to the appropriation of money. The appropriation of money cannot be invalidated. Perhaps the system could be if it were possible to find a suitable party to sue. The money is still being appropriated. The two Departments, the Department of Agriculture and HEW, apparently believe they are required to pay out the money, whatever the State of the law.

Mr. TOWER. The point I am making is that by appropriate litigation relief could be achieved. There could be desegregation or the removal of discrimination in these programs, because precedents have been set.

Mr. JAVITS. Theoretically, that is true, if a party could be found who could be a proper litigant. I would have to examine the law to ascertain whether in this instance that could be done. In many cases, the courts will not necessarily consider a taxpayer or a beneficiary as a proper litigant to sue. But apart from that, we are dealing with thousands of counties. Thousands of individual suits would be required. But in this act we are passing out the money.

Mr. TOWER. Does it not occur to the Senator that if there had been considerable discriminatory abuse, an injured party could be found who would become a plaintiff in such a suit?

Mr. JAVITS. That is exactly what has happened in the school cases; yet the President has found it necessary to recommend that power be placed in the Attorney General to sue, because of the multiplicity and expense of such suits.

Mr. President, I think I have explained my proposal adequately. I understand there will be a motion to table. If enough Senators are in the Chamber, I ask for the yeas and nays on the motion to table.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, I should like to yield to Senators who wish to speak before the motion to table is made, since the motion, when made, would prevent further debate. Perhaps the movant would withhold his motion until other Senators who desire to speak have spoken.

Mr. DOUGLAS. Mr. President, I am not certain that the motion to table has been made. I hope it will not be made from this side of the aisle.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from South Dakota.

Mr. MUNDT. I seek the floor in my own right. I think I have a right to the floor.

Mr. JAVITS. Of course.

RECOMMENDATION FOR FREE WORLD "TRADE-AID" CONFERENCE ON DEALING WITH RED BLOC

Mr. MUNDT. Mr. President, I desire to speak briefly and bluntly about a problem which is rapidly reaching a climax in America. It is the question whether we are to make a substantial change in our entire program of "trade-aid," so far as the cold war is concerned. This problem was precipitated by the sale of wheat by Canada to Russia and the consequent chain reactions occurring in this country as a result of meetings being held all over town, even as I speak, to provide a new policy of trade written by administrative interpretation instead of by Act of Congress.

Therefore, I take the floor at this time to call upon President Kennedy to issue a call for an early conference, in Washington, of all the countries of the free world which are engaged in major exportation of either agricultural or industrial materials. I suggest that such a free-world "trade-aid" conference be held for the purpose of trying to formulate a workable, consistent pattern of trade with the Communist-bloc countries, and to determine the impact that a program of expanded trade with Russia, Cuba, Red China, and other Communist countries would have upon the mutual assistance and foreign aid programs to which the United States is today by far the most significant and sizable contributor.

In my opinion, such a conference should be called to arrive at a consistent, effective, and defensible program of common action in the areas of both trade and aid, since there is an obvious and realistic relationship between the two programs. Out of such a conference should come a better understanding of the position of each of the free nations where agricultural and industrial advancements are such that they have the capacity for substantial exports. Out of a conference should also come recommendations for congressional action and approval if any major changes are involved in such recommendations.

As have many others, I have been greatly disturbed by the implications growing out of the recent large-scale sales of Canadian wheat to the Soviet Union and its satellites, and the fact that a substantial shipment of this wheat is being paid for by the Communist government of Russia, but is being shipped to Castro's Communist outpost in Cuba. A great many persons have logically asked, on the Senate floor and elsewhere: "What implication does this have for our American agricultural programs and our laudable national policy of refusing to permit such shipments to the Communist countries of Russia, Cuba, or China?"

Some have suggested that the only recourse left to the United States is to abandon its policy of self-imposed restrictions against strategic exports to Communist bloc countries and to enter into an excited rivalry with other free countries trying to sell as much wheat, grain, and other supplies to the Communists as they will pay for in cash or with reasonable term credits. Some have implied that the Communists have so materially changed their creeds, their colors, and their challenges that it is now perfectly safe to utilize American exports to build up the strength and the economy of a pagan creed dedicated to the destruction of freedom and our ways of life. Others have suggested we sell whatever we have in surplus to any alien government which can purchase our supplies with cash, credit, or barter exchange and as a collateral action abandon our foreign-aid program, which has now cost this country more than $100 billion in its effort to strengthen the comparable position of the free world versus the Communist countries. Speaking for myself, I emphatically dissent from these alternatives and propose what I believe is a more logical and constructive procedure involving the conference I have recommended and a close, new look at the whole world picture of trade, aid, and cold war differences and techniques; this, in my opinion should be tried before such changes are made in our trade policies.

Obviously the United States, alone, cannot conduct an effective blockade of the Communist world nor provide an effective restraint of trade to prevent the Communist bloc's capacity to grow in strength and to intensify its attack upon free world concepts and territory. Likewise, we gain very little from attempts to restrict our own exports to such Communist countries as Russia, Cuba, and China if our associates in the free world insist on selling all they can for either cash or credit. Finally, it should be apparent that the threat of Communist war or Communist encroachment is not directed against the United States and the Western Hemisphere alone. Thus an international conference on the cold war aspects of both trade and aid would disclose for all free men to see the fundamental concepts of our free world associates in these closely related matters.

Should the United States be unable to induce other important free world exporters—or perhaps the great majority of them—to adopt our highly commendable self-imposed restrictions against trade with the Communist bloc or agreement upon a common set of trade standards to be applicable to all, a conference of this type would at worst make clear the futility of the United States, alone, trying to overcome, by its restrictions, the impact of the expanding and continuing trade by which others are strengthening the warmaking and the propaganda capacities of the Communists.

Clearly, if on the one hand we follow a policy of selling or trading to Communist countries the supplies they most badly need to maintain their capacity to threaten, intimidate, browbeat, or bribe the undeveloped countries and all other free and neutral nations and on alternate days each week maintain our program of extending economic and military aid to these same areas so they can better maintain their defenses and their freedoms against Communist threats, we will be following a policy which can lead only to national bankruptcy and to failure in our efforts to shore up the free world against Communist gains.

Our program of foreign aid is premised on the hope and expectation that by strengthening the economies of free nations, of the undeveloped areas, of friendly countries, and of neutral governments, we can encourage and help them to withstand Communist blandishments or bribery, as well as their military and economic brawn. We hope to maintain their comparable status against communism, so that they can slowly but surely develop their own resources for resistance and development. If we are now to engage upon a collateral program of trading with the Communist enemies of these free, friendly, neutral or undeveloped countries, so that we steadily expand the strength of the Communist threat, equip its economy for more vigorous attacks upon these areas, and free it from the failure which its own system of government creates, we shall be serving to perpetuate and magnify ad infinitum the Communist threat to the free world.

From this, it would follow that we would either have to desert the free world entirely, and leave it to shift for itself without our economic and military support, or so greatly expand our own program of economic and military aid to friendly foreign countries that the impact of such a program on our national budget would be devastating and totally destructive to our own economy.

Thus, both the United States and the rest of the free world cannot "have it both ways" at once. Either we should decide together on an effective program for keeping the Communist menace in check, or we should revise entirely our concepts of foreign aid and mutual assistance.

Therefore, I urge the President of the United States to call promptly this International Free World Trade and Aid Conference before the Senate is called upon to act upon this year's foreign aid bill. We should know what foreign policy we propose to implement, before being called upon to appropriate more billions for programs which might run head on into conflict with a free world program of economic and military assistance to the Communist bloc through trade negotiations, cash or credit sales, or outright barter.

Our Government has for many years, and Congress has by repeated actions, frowned upon adopting a policy of expanded or unrestricted trade with Russia. Ever since the adoption of the Export Control Act of 1949 and the Battle Act of 1951, Congress has consistently opposed opening the channels of our exports to the Communist bloc. That prohibition was reiterated in the passage of Public Law 480, our surplus food disposal act, and in other legislative action, as well as by frequent riders, on appropriations bills, dealing with our program of foreign aid.

Yesterday, I attended a meeting of the members of the Foreign Relations Committee of the Senate and the members of the Senate Committee on Agriculture and Forestry. Representatives of the Departments of Commerce, Agriculture, and State were also present. A resumption of this meeting has been scheduled for the coming Tuesday afternoon at which we are told we shall enjoy the presence of the Secretary of Commerce Mr. Hodges, and the Secretary of Agriculture, Mr. Freeman.

At the meeting, I said that if it was going to be a meeting on high policy, involving the whole economic structure of the world and every ramification of the cold war, and if at the meeting we were going to decide upon new economic policies and methods of trading, certainly the very least we would do would be to have present the Secretary of State, Mr. Rusk, who, I hope, will be there on Tuesday afternoon, for I hope the Department of State has not turned over to the Departments of Agriculture and Commerce the writing of the basic foreign policy of America.

Mr. PROXMIRE. Mr. President, will the Senator from South Dakota yield?

Mr. MUNDT. I am glad to yield.

Mr. PROXMIRE. I commend the Senator from South Dakota for raising the question of this wheat "deal" with the Soviet Union. Certainly it is a fundamental and very important question.

How can we tell whether such sales will strengthen the hand of the Soviet Union, unless we have the benefit of the judgment of the State Department and unless we have a careful analysis of the economic effects and the military effects of so enormous an amount of wheat—$400 million worth from this country, and $500 million worth from Canada—on the Soviet economy. It may be—I would not think it could be—but it may be that this is a sensible arrangement; but if we are to make such a decision, we should have the facts presented in exactly the way the Senator from South Dakota is requesting.

So I believe we should require the State Department officials to explain how, in their judgment, that will affect the economic position of the Soviet Union, and its political position in relationship to its satellites, because I understand that most of the wheat will be exported to the satellite countries of Eastern Europe. We must have this information if we are to make a decision in the national interest.

Mr. MUNDT. I certainly appreciate the comments of the Senator from Wisconsin. He is correct. I point out that while most of the debate on yesterday related to wheat, the cat is really crawling a lot farther out of the bag, for in addition to the proposals to sell wheat, now we hear proposals to sell corn, soybean oil, and fats and hides. And then, of course, the commercial sector of the economy will be thinking in terms of sales of machine tools, and the petroleum industry will be thinking in terms of the sale of oil.

No Senator believes for 1 minute that if the avenues of trade are opened up to unrestricted sales of the farm products of America to Communist countries, the industrial sector of our economy will be content to continue to accept the embargo on exports of its products to Communist countries.

Recently we witnessed a salutary act by representatives of the German Bundestag. They—representing the citizens of Germany—voted against the export of oil pipe to Communist Russia. Be it said to their credit, they faced the facts of the cold war.

Unhappily, our British cousins, who sensed a chance to "make a quick buck" in this sort of trade, then picked up the contract the Germans rejected, and shipped the oil pipe to the Communists.

Mr. President, I would not take the floor at this late hour and insist on making my presentation now, except for the fact that this meeting will be called next Tuesday afternoon; and the indications to us are that by means of some sort of judicial or legislative manipulation or legerdemain, the bureaucrats hope to find a legal way to do this without obtaining congressional sanction and approval.

In all sincerity, I submit to the Senate that at this time of crisis, the ramifications and repercussions of the decision to be made on the whole concept of the cold war and the whole concept of trading with the Reds will be far more serious in terms of world peace than the Senate vote this week on the test ban treaty. We must think this question through. We must consider it in its context. We cannot expect the taxpayers to continue to pay more and more and more and more for a multi-billion-dollar foreign aid program to protect countries against the Red threat if we proceed, by means of our trade policies, to help it to become larger, stronger, and more dangerous.

As the Senator from Wisconsin [Mr. PROXMIRE] has properly stated, we must have some consistency. Yesterday, at the conference in the Foreign Relations Committee, I was somewhat appalled by the tenor of the presentation made by those representing the executive agencies. They appeared to be seeking evidence and congressional support to enable them to determine that, under existing legislation, it would be legally possible to open the channels of this trade, even when it relates to subsidized farm products—with the result that the taxpayer would, in fact, be paying a part of his taxes to permit Russia to buy our grains at reduced competitive world prices. I suggested there, and I repeat here, that if it is deemed prudent and proper to make this substantial change in our foreign policy, this change should be made and approved by Congress, not by lesser officials of this administration, or under the guise of a legal interpretation written by some nonelected lawyer in a Government office.

We must consider the effect on the foreign aid program—which perhaps should be brought entirely to an end—if we are going to proceed, in a dizzy circle, not to give real aid to our friends, but to fatten the hand that threatens them.

What kind of international idiocy are we considering? I make a plea for consistency, leadership, and logic in these arrangements.

The Secretary of State, if he is a party to this movement, should be at the meeting on Tuesday in Washington in the office of the Foreign Relations Committee. If a change of the importance which I described is contemplated, it should come to us in a legislative form for approval or rejection. Before a decision is made the freedom-loving countries of the world which are in the export business should be called together to see whether the entire problem cannot be rethought and rewritten, because of the growing trade of Canada, England, and other countries with Red Russia, in order to make the program consistent. The far-flung ramifications of the proposed changes in our American foreign policy vis-a-vis the Communist countries are of such importance that I submit that the elected representatives of the people speaking in Congress should be heard, and decisions should be made at the executive level. They should not be made by some lawyer in a swivel chair saying, "I have found a legal loophole to indicate Congress did not mean what it said in bill after bill and rider after rider on appropriations bills. It is in a preamble. It is in an amendment. They do not mean what they say."

Let us find out. Congress is here. It can act expeditiously. We deserve to be consulted.

Mr. President, before capitulating to the inconsistent and unworkable policies adopted by nations now seeking to enjoy both the economic advantages of an expanding trade with Russia and at the same time the protective armament of our American economic and military programs extended to some 100 countries scattered throughout the world, we should try something better. We owe that much at least to those who hold out such high hopes—President Kennedy, President Eisenhower, President Truman, Secretaries of State, Members of Congress— that the $100 billion that we have already expended in those programs could buy something better than surrender to the concepts of countries blinded by "cash register consciences," whose desire for profit prompts them to promote trade programs destructive to the world's freedom which our unselfishness has built.

The decision is not one that should be made at any level of the executive departments from the President on down, because it involves the safety, security, and survival of the free world. If we go into this wholesale trade all across the board, we shall nullify in advance every conceivable contribution that our foreign, military, and economic aid programs can provide, because we will increase the strength to intimidate those we are trying to help.

Speaking for myself, I do not think that such significant and far-reaching changes should be made until the President or his appointed representatives have met in a global conference with the other free countries of the world engaged in the exportation of agricultural and industrial goods in an effort to devise a program which is consistent and effective, and would not kill itself off because it is moving in both directions at the same time.

I quite agree with those who have said that the United States alone cannot undertake or underwrite a program of economic isolationism of Communism. Of course not. If we are the only country that will maintain restrictions and impositions, of course, we should consider a change of our trade policy. But in changing it let us also consider its impact upon our foreign aid policy. If we surrender on the one front, we had better find a new foreign policy, because we cannot manufacture enough dollars in America to make the free world strong enough to protect itself against the Communist bloc that we continue to feed and support for greedy dollars.

Mr. President, I close where I began. I do not know what kind of trade program we should have for American wheat, but I know that we cannot consider it as an isolated factor. It is related to what we will do with all the other products of the American farms and the other products of American factories. It is related to the foreign aid program, to our overall concept of the cold war, and our American attitude toward communism. There may be some who think that communism has changed so much that we should embrace the Communists as cousins and treat them as though they were Canadians or Mexicans. If so, I part company with those who have arrived at that enthusiastic conclusion; and I pray and hope that our American leadership and our American prestige will be such that at the type of international conference which I have proposed that the President should call, a better, more consistent, more constructive and effective approach to the problems of the cold war can be conceivably arrived at than what we are considering to do by patchwork changes in the program by executive action right now. If we can do no better than that, the future for world peace and human freedom is far from bright, and we shall secure few dividends from the happy hopes of Senators who voted for the test ban treaty on the floor of the Senate this week.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1964

The Senate resumed the consideration of the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1963, and for other purposes.

Mr. HUMPHREY. Mr. President, I now move to lay the amendment of the Senator from New York [Mr. JAVITS] on the table.

The PRESIDING OFFICER. The question is on the motion of the Senator from Minnesota. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from Alaska [Mr. GRUENING], the Senator from Michigan [Mr. HART], the Senator from Indiana [Mr. HARTKE], the Senator from Washington [Mr. JACKSON], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MANSFIELD], the Senator from Wyoming [Mr. McGEE], the Senator from Montana [Mr. METCALF], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PASTORE], and the Senator from Tennessee [Mr. WALTERS] are absent on official business.

I also announce that the Senator from California [Mr. ENGLE] is absent because of illness.

I further announce that, if present and voting, the Senator from Alaska [Mr.

Gruening], the Senator from Wyoming [Mr. McGee], the Senator from Virginia [Mr. Byrd], and the Senator from Washington [Mr. Jackson] would each vote "yea."

On this vote, the Senator from Nevada [Mr. Bible] is paired with the Senator from California [Mr. Engle]. If present and voting, the Senator from Nevada would vote "yea," and the Senator from California would vote "nay."

On this vote, the Senator from Nevada [Mr. Cannon] is paired with the Senator from Connecticut [Mr. Dodd]. If present and voting, the Senator from Nevada would vote "yea," and the Senator from Connecticut would vote "nay."

On this vote, the Senator from Montana [Mr. Mansfield] is paired with the Senator from Michigan [Mr. Hart]. If present and voting, the Senator from Montana would vote "yea," and the Senator from Michigan would vote "nay."

On this vote, the Senator from Tennessee [Mr. Walters] is paired with the Senator from Rhode Island [Mr. Pastore]. If present and voting, the Senator from Tennessee would vote "yea," and the Senator from Rhode Island would vote "nay."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. Allott], the Senator from Hawaii [Mr. Fong], and the Senator from Nebraska [Mr. Hruska] are absent on official business.

The Senator from Kansas [Mr. Carlson], the Senator from Maryland [Mr. Beall], the Senator from New Hampshire [Mr. Cotton], the Senator from California [Mr. Kuchel], and the Senator from Iowa [Mr. Miller] are necessarily absent.

The Senator from Wyoming [Mr. Simpson], the Senator from Colorado [Mr. Dominick], the Senator from Nebraska [Mr. Curtis], the Senator from Utah [Mr. Bennett], the Senator from Kentucky [Mr. Morton], and the Senator from North Dakota [Mr. Young] are detained on official business.

If present and voting, the Senator from Colorado [Mr. Allott], the Senator from Utah [Mr. Bennett], the Senator from Hawaii [Mr. Fong], the Senator from Nebraska [Mr. Curtis], the Senator from Nebraska [Mr. Hruska], the Senator from California [Mr. Kuchel], and the Senator from Colorado [Mr. Dominick] would each vote "nay."

On this vote, the Senator from Maryland [Mr. Beall] is paired with the Senator from Iowa [Mr. Miller]. If present and voting, the Senator from Maryland would vote "nay," and the Senator from Iowa would vote "yea."

The result was announced—yeas 46, nays 22, as follows:

[No. 176 Leg.]

YEAS—46

Aiken
Anderson
Bartlett
Bayh
Brewster
Burdick
Byrd, W. Va.
Church
Clark
Eastland
Edmondson
Ellender
Ervin
Fulbright
Gore
Hayden
Hickenlooper
Hill
Holland
Humphrey
Inouye
Johnston
Jordan, N.C.
Kennedy
Long, Mo.
Long, La.
McCarthy
McClellan
McGovern
McNamara
Monroney
Mundt
Muskie
Pell
Prouty
Robertson
Russell
Saltonstall
Smathers
Sparkman
Stennis
Symington
Talmadge
Thurmond
Williams, Del.
Yarborough

NAYS—22

Boggs
Case
Cooper
Dirksen
Douglas
Goldwater
Javits
Jordan, Idaho
Keating
Lausche
McIntyre
Mechem
Nelson
Pearson
Proxmire
Randolph
Ribicoff
Scott
Smith
Tower
Williams, N.J.
Young, Ohio

NOT VOTING—32

Allott
Beall
Bennett
Bible
Byrd, Va.
Cannon
Carlson
Cotton
Curtis
Dodd
Dominick
Engle
Fong
Gruening
Hart
Hartke
Hruska
Jackson
Kuchel
Magnuson
Mansfield
McGee
Metcalf
Miller
Morse
Morton
Moss
Neuberger
Pastore
Simpson
Walters
Young, N. Dak.

So Mr. Humphrey's motion to lay on the table Mr. Javits' amendment was agreed to.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the motion to table was agreed to.

Mr. HUMPHREY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER FOR ADJOURNMENT TO MONDAY NEXT

Mr. DIRKSEN. Mr. President, I wish to make inquiry of the acting majority leader with respect to the time of convening on Monday and what the order of business will be.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until 12 noon Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1964

The Senate resumed the consideration of the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

UNANIMOUS CONSENT AGREEMENT

Mr. HUMPHREY. Mr. President, in light of earlier discussion, I now ask that the clerk read for the consideration of the Senate the proposed unanimous-consent agreement. I may add that this matter has been discussed with the Senator from South Dakota [Mr. Mundt], the minority leader, and other Senators who expressed interest in the bill. So if the clerk will read the proposed agreement, it will be before the Senate.

The PRESIDING OFFICER. May the Chair inquire as to whether the Senator from Minnesota asks that the quorum call be waived?

Mr. HUMPHREY. Yes; I ask unanimous consent to waive the quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

The proposed unanimous-consent agreement will be read by the clerk.

The legislative clerk read as follows:

Unanimous-Consent Agreement

Ordered, That, effective on Monday, September 30, 1963, at the conclusion of routine morning business, during the further consideration of H.R. 6754, the agricultural appropriation bill for 1964, debate on the Mundt amendment (No. 197) shall be limited to 3 hours, to be equally divided and controlled by Mr. Mundt and the majority leader: *Provided,* That in the event the majority leader is in favor of such amendment, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further,* That no amendment that is not germane to the provisions of the said amendment shall be received.

Ordered further, That at the conclusion of debate on said amendment a yea-and-nay vote shall be taken thereon, after which the third reading of the bill shall be had.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 30 minutes, to be equally divided and controlled, respectively, by the majority and minority leaders.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. JAVITS. I did not understand that the Senator had intended to cut off any further amendments to the bill. Is that not unusual?

Mr. HUMPHREY. I asked if there were other amendments that were to be offered, and I was informed by the staff of the Senate, after having discussed the matter with Senators, that no further amendments were to be offered after this afternoon.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. HOLLAND. There are two small amendments, which I have discussed with Senators, that are intended to be offered. One is to be offered by the Senator from Connecticut [Mr. Ribicoff], involving $250,000, having to do with examination into the effects of insecticides upon human beings, animals, and plants, a subject which has been causing trouble; the other by the Senator from Vermont [Mr. Aiken], providing $1 million more in the new program established under the 1962 bill in connection with Federal land use, and the like, and marking the funds for technical services and planning.

If there be other amendments, I do not know of any. There are no others that I have agreed to take to conference. Now would be the time to explore the question as to whether there are others to be offered. I would not like to see any Senator precluded from offering any amendments. Yet I would like to have the arrangement the leadership on both sides, as I understand, has worked out, because there is other important business for consideration by the Senate, following the disposition of this measure, on Monday.

Personally, I would not be agreeable to setting aside this bill to take up anything else, because this is a very important bill. The Senate has spent a long time in debate on it. A long time was spent in preparing the bill. I think it is a reasonable request to make that action be completed on the bill before the Senate takes up other matters.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. STENNIS. I understand there is a proposed unanimous-consent agreement before the Senate. Reserving the right to object—and I may object—I have a vital interest, along with other Senators, in the pending bill. I had to give attention to other matters which made it necessary for me to be absent from the Chamber. I had appointments for tomorrow and Saturday which I cancelled because the bill was coming up, and I thought it was my duty to be present. I would object to setting the bill aside.

Mr. HUMPHREY. The bill is not being set aside.

Mr. STENNIS. I would like to proceed in the regular way, but I also would like to accommodate other Senators. As I understand, all committee amendments have been disposed of, and all amendments not made by the committee have been disposed of. Is that correct?

Mr. HUMPHREY. Or will be disposed of this evening, other than the Mundt amendment.

Mr. STENNIS. May I inquire if there are other amendments? If there are other amendments, I would like to know about them, under the circumstances.

Mr. JAVITS. Mr. President, if the Senator will yield to me, as I raised the question, perhaps I can help.

Mr. HUMPHREY. I yield to the Senator from New York.

Mr. JAVITS. Naturally, I will not upset what the leadership has done with respect to this measure, but I would like to serve notice, with all humility, that I will object to any unanimous-consent agreement on a bill which does not preserve the right to offer amendments, though the time is limited.

Mr. HUMPHREY. I thank the Senator for his cooperation.

Mr. STENNIS. Mr. President, this proposed unanimous-consent agreement provides that no other amendment except the Mundt amendment will be considered. Is that correct?

Mr. HUMPHREY. That is correct.

Mr. HOLLAND. Mr. President, that does not preclude the offering of the two amendments I mentioned.

Mr. HUMPHREY. I referred to Monday. We intend to complete action on the two amendments which will be before the Senate, the Ribicoff and the Aiken amendments, tonight.

Mr. STENNIS. I have no objection.

The PRESIDING OFFICER. Is there objection to the proposed unanimous-consent agreement?

The Chair hears none, and the unanimous-consent request is agreed to.

Mr. AIKEN. Mr. President——

The PRESIDING OFFICER. The Senator from Vermont.

Mr. AIKEN. I send to the desk an amendment.

Mr. HOLLAND and Mr. CLARK addressed the Chair.

Mr. CLARK. Mr. President, who has the floor?

The PRESIDING OFFICER. The Chair recognized the Senator from Vermont.

Mr. HOLLAND. Mr. President, will the Senator yield to me?

Mr. AIKEN. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, I ask, as a matter of consideration, that the two Senators who have these two small amendments, which I think the committee will take to conference—at least I am willing to take them—to be allowed to be heard briefly, so they can be passed on tonight, and they will not lose that privilege by reason of the unanimous-consent agreement, when the Senate convenes again Monday.

Mr. AIKEN. Mr. President, last year Congress directed and authorized the Secretary of Agriculture to inaugurate a program for resources conservation and development. It is a program to provide for Federal cooperation with State and local bodies in developing practical plans for land conservation and land use. It will make possible the orderly development, improvement, conservation, and utilization of a given project area in such a way as to provide employment and other economic opportunities for the people living in this rural area.

On the authority and directive by Congress, the Department of Agriculture has gone to work, and they now have applications from 16 areas in 13 States, I believe, and applications are about ready in 10 other States for these pilot projects, relating largely to the conversion of borderline farmland to other more useful purposes.

The amendment I offered will give them money enough so that they can handle the investigation and planning in cooperation with the local or State bodies. There would be provided $365,000 for project investigation and planning, and $635,000 for technical assistance. These projects are sponsored largely by soil conservation districts, in some cases by communities.

The PRESIDING OFFICER. Does the Senator offer his amendment at this time?

Mr. AIKEN. I offer my amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 14, lines 7 and 8, delete "$1,200,000" and substitute "$2,200,000".

Mr. HOLLAND. I wish to make it clear that this amendment merely restores in part a sizable reduction from the budget estimate which was accomplished both by the House Committee and our committee. We cut the requested amount of $6,275,000 to $1,200,000. The amendment would add $1 million, or make a total of $2,200,000.

Mr. AIKEN. The remainder was for loans. My amendment does not carry anything for loans.

Mr. HOLLAND. I am willing to take the amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CLARK. I have been waiting for 4 hours to make a very brief germane speech on the pending bill. I am perfectly willing, as a matter of senatorial courtesy, to yield to the Senator from Connecticut at his request, in order that he may propose his amendment.

I thank the Chair for having recognized me, because I spoke first. I am sure the Senator from Connecticut will be brief. I ask unanimous consent that I may yield to the Senator from Connecticut, to permit him to offer his amendment, which I am confident will be disposed of shortly, provided I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 5, line 2, strike out "$66,821,500" and insert "$67,071,500".

Mr. RIBICOFF. Mr. President, we are about to approve an appropriation of $6 billion. This bill includes over $66 million for pest control activities. The amendment I offered would make available $250,000 for the protection of people, fish, wildlife, and crops in connection with the use of pesticides. As a nation we can afford this small increase that will provide so much protection to so many.

The additional funds I recommend would be used to begin to meet a need which has been clearly highlighted in testimony before the Subcommittee on Reorganization in its study of pesticides. This is the need to follow up mass spray programs to assess any harmful effects and to consider the effectiveness and continued need of these programs. More simply put, we need to know whether these sprays are bad for the bugs and safe for people, animals, and crops or whether in some situations it is the other way around.

Of the total amount appropriated on line 2, page 5, of H.R. 6754—$66,821,500—approximately $16.7 million will be used to administer programs to control destructive pests, such as the fire ant, gypsy moth, Japanese beetle, grasshopper, bark beetle, and others. These programs are usually conducted cooperatively with the States and other agencies.

With regard to these programs, the recent report by the President's Science Advisory Committee made the following recommendation:

> Provide, as a part of the operating budgets of Federal control and eradication programs, funds to evaluate the efficiency of the programs and their effects on nontarget organisms in the environment.

I have been informed by the Department of Agriculture that this recommendation cannot be carried out under the fiscal 1964 budget as it was submitted to the Congress. No request for such funds was ever made to the committee. However, data recently submitted to me in connection with the current study of pesticides by the Subcommittee on Reorganization and International Organizations indicates that the Department of Agriculture is aware of the problem. The Department informs me as follows:

> Pest control programs should be more thoroughly evaluated to determine that they are being most effectively conducted with the least use of pesticides and with the least harm to nontarget beneficial insects or animal life.

My amendment would permit a modest beginning of such a review program. These funds would be used for—

First. Expansion of field survey operations to evaluate current treatment techniques and make modification as needed for greater effectiveness and reduced residue hazards, especially on nontarget organisms.

Second. Expansion of methods improvement work, particularly on adaptation of biological control techniques, field tests for improving selective application techniques, screening nonpersistent chemicals for useful fieldwork.

Third. Initiation of field surveys to determine the impact of pest control and eradication programs on the area involved, including effects on wildlife populations, desirable insects—bees and predators—livestock and poultry, and so forth. These surveys would provide prompt means for detecting changes in an area which would require prompt adjustments of the planned program.

This additional $250,000 will certainly not meet the entire need. But it will at least enable the Department of Agriculture to make a start on vitally needed activities.

With the huge amount of funds we are now spending to spray these pesticides all over the country, we can surely afford to spend this modest amount to assess any harmful adverse effects and make the kind of evaluation that is necessary to test the worth of these spray programs. This is cheap insurance against hazards we do not yet fully understand.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield, with the understanding that I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. As I have already stated, I shall be happy to take the amendment to conference, if it be the will of the Senate that I do so.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CLARK. Mr. President, I understand that my friend from Alabama [Mr. HILL] has a conference report which he believes he can dispose of very promptly. I ask unanimous consent that I may yield to him for the purpose of his bringing the conference report to the Senate, with the understanding that I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENTS OF LABOR, HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL, 1964—CONFERENCE REPORT

Mr. HILL. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5888) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes. I ask unanimous consent for the immediate consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HILL. Mr. President, the conference agreement on the bill provides total appropriations of $5,471,087,500, a reduction of $288,401,500 from the budget estimates; a reduction of $24,739,750 from the amounts allowed by the Senate, and an increase of $21,106,500 over the amounts allowed by the House.

The conference agreement will provide $350,078,000 for the Department of Labor, a reduction of $77,141,500 from the budget estimates. The estimate for the item "Manpower development and training activities" was $165 million, for which the House allowed $140 million, and the Senate $110 million. The Senate allowance was agreed to, inasmuch as there was no disagreement over the fact that our allowance was quite adequate under the provisions of the present law. The conferees agreed that if the law is amended postponing the matching requirement for fiscal year 1965, as provided in a bill passed by the Senate, or if there develops a further need for funds for any reason, a supplemental request should be presented to the Congress.

The conferees accepted the Senate amendment to allow $425 million, out of the unemployment trust fund, for "Grants to States for employment service and unemployment compensation administration," for which the House had allowed $350 million. The conferees agreed on a provision to make not more than $1,100,000 available out of the 1964 appropriation for the payments of obligations incurred in the final few days of fiscal year 1963.

The House had allowed $9 million for "Area redevelopment activities", the Senate $8 million, and the conferees agreed on $8,500,000, to provide the approximate amount used during fiscal year 1963.

The conferees accepted the Senate amendment providing $150,000 for "Trade adjustment activities" in lieu of the House allowance of $4 million, and the budget estimate of $7,635,000. Recent developments indicate that there is no reason to anticipate the need for any funds for training or for readjustment allowances in fiscal year 1964.

The conferees agreed on the House allowances for the two items for the Mexican farm labor program, inasmuch as the budget estimates provided funds for the operation of the program through December 31, 1963, when the law will expire, and for liquidation costs thereafter. Funds are provided for the importation of the Mexican nationals under the terms of the international agreement, and for compliance activities in relation thereto, for the 6-month period.

The conferees accepted the Senate amendments making reductions in five items because the agencies added in fiscal year 1963 employees not allowed by the Congress. The following statement is included in the statement of the managers on the part of the House:

> The conferees will look with extreme displeasure on the establishment of any positions, under any appropriation to the Department, which have not been authorized by Congress.

For the Department of Health, Education, and Welfare the conference agreement totals $5,090,904,500, a reduction of $210,409,500 from the budget estimates, and a reduction of $24,662,500 from the Senate allowance, and an increase of $55,362,500 over the House allowance.

The conferees allowed $119,000 of the Senate increase of $323,000 for buildings for the Food and Drug Administration; and the addition over the House allowance will provide for the planning of district offices at Denver and Philadelphia.

The Senate amendment reducing the allowance for "Defense educational activities" by $10 million for title III, which the Department had agreed was not needed, was accepted by the conferees, as was the amendment relating to the allotment of funds for the program of grants and loans for equipment and minor remodeling concerned with science, mathematics, and foreign language instruction.

The conferees agreed on the allowance of $3 million of the Senate addition of $5,020,000 for "Research and training, Office of Vocational Rehabilitation." Out of the funds allowed the agency may make developmental grants to schools such as Emory University presently lacking a fully developed nucleus for a special research and training center.

The conferees on the part of the Senate receded on the amendment proposing an additional $1 million for research and training, special foreign currency program, on the basis of information received after action by the Senate on the bill to the effect that there was carried forward some $2,425,000 into the current fiscal year from prior appropriations and that only approximately $800,000 was obligated in fiscal year 1963.

The Senate conferees receded on amendment 25, which proposed a maximum salary of $30,000 for certain Public Health Service scientific and professional personnel as I assured Senators a few days ago we would.

The amendment adding $2,500,000 for construction of the regional water pollution control laboratory in Alaska, for which we had a budget estimate, was accepted.

The Senate amendment proposing $1,441,000 for plans and specifications for an Environmental Health Center at Beltsville, Md., was not agreed to.

The conferees allowed $3 million of the $5 million added for initiation of the program to rid the infected areas in the United States, Puerto Rico, and the Virgin Islands, of the mosquito, aedes aegypti, the carrier of yellow fever, in accord with an international understanding among nations of the Western Hemisphere.

The conferees allowed $1 million of the $2 million added by the Senate, for the general health grant to States, so that the States will receive $14 million this year, in lieu of the $13 million allowed by the House, for the basic public health support in the local communities.

The Senate amendments dealing with the amount of funds for special project and formula grants to States for the control of tuberculosis, as requested by the Association of State and Territorial Health Officers, were accepted.

The conferees allowed $226,220,000, the amount of the 1963 appropriation, for "Hospital construction activities," in lieu of the sum proposed by the Senate, $228,214,000, and the sum proposed by the House, $177,914,000. For part C, there is provided $150 million, for part G, $70 million, for section 636, including not to exceed $300,000 for the initiation of a unit to permit full exploitation of advances in medical instrumentation, techniques, and knowledge, $4,200,000, and for salaries and expenses, $2,020,000.

The Senate amendments adding $400,000 for the further expansion of the comprehensive study of respiratory illnesses of coal miners begun last year, and earmarking $500,000 for the purpose, were agreed to.

The Senate amendment adding $400,000 for the purchase of equipment required for installation in the Southwest Radiological Health Laboratory, at Las Vegas, Nev., was agreed to, contingent upon the consummation of a lease agreement.

The conferees allowed $1,059,000 of the Senate amendment proposing an additional amount of $2,059,000 for water supply and water pollution control. The additional funds allowed over the House allowance are specifically earmarked for the Ohio River Basin, $400,000 to make available a total of $500,000, for the southeastern river basins, $200,000; and for the early recruitment and training of key professional personnel to staff the three regional water pollution control laboratories now under construction at Athens, Ga., Ada, Okla., and Corvallis, Oreg., $100,000.

The Senate amendment providing for the allotment of funds for waste treatment works construction on the basis of the full authorization, $100 million, was accepted. The appropriation is for $90 million but it is contemplated that some $9 million of the $100 million allotment will not be required in the 18 months the funds are available.

For the National Institutes of Health the conferees rejected the sundry sums proposed for the payments of indirect research costs at 25 percent of the direct costs, inasmuch as the Senate amendment striking out section 203 was rejected. For "mental health activities," the conferees allowed $6 of the $12 million proposed incentive grants for hospital improvement. The conferees also agreed to the Senate amendment allowing an additional $100,000 for the Gorgas Memorial Laboratory. The Senate conferees were forced to recede on our amendment which proposed the deletion of the limitation on the payment of indirect costs of research grants.

The conferees rejected the Senate amendment which would have permitted the Social Security Administration to use funds from the contingency allowance to meet the cost of certain personnel reclassifications, some $3 million. It will be necessary, of course, to pay the employees at the new rates but the additional costs are to be absorbed within the base appropriation.

The conferees allowed one-half of the Senate proposed increase for official reception and representation expenses in connection with the 1964 International Social Security Association meeting.

The conferees allowed $200,000 of the $500,000 added by the Senate for the Bureau of Family Services.

The Senate amendments reducing the grants for maternal and child welfare by $4 million for day care services in the child welfare services program were accepted by the conferees.

The Senate amendment adding $1,200,000, the budget estimate, but rejected in its entirety by the House, for research and training, special foreign currency program, of the Welfare Administration, was not agreed to. Subsequent information received after action on the bill by the Senate was to the effect that of the appropriation of $1,607,000 for fiscal year 1962, available until expended, only $573,707 was obligated through June 30, 1963, and $1,033,293 was carried forward into the current fiscal year.

The Senate amendments affecting Gallaudet College were agreed to, but the $100,000 proposed for a study, under the supervision of the Secretary of Health, Education, and Welfare, of the education of the deaf, is transferred to the Office of the Secretary.

The conferees adopted the Senate amendment adding $250,000 for "Juvenile delinquency and youth offenses," which will provide $6,950,000, the full amount requested for the 1964 program.

The conferees allowed $1,500,000 of the additional $2 million voted by the Senate for the education television program, allowing $6,500,000.

For the National Labor Relations Board the conferees allowed $400,000 of the $500,000 additional proposed by the Senate.

The conferees accepted the Senate amendments proposing $100 per diem for the temporary employment of referees, and arbitrators, conciliators, and mediators on labor relations, for the National Mediation Board and the Federal Mediation and Conciliation Service. And for the latter agency the conferees allowed $150,000 of the $200,000 increase proposed by the Senate.

For the Railroad Retirement Board the conferees allowed $165,000 of the $215,000 increase proposed by the Senate for the additional salary payments required because of personnel reclassifications. The reduction was made because of the passage of one-quarter of the year for which the additional salary payments will not be made; the estimate contemplated the increases to be effective for the full year.

The conferees agreed on the Senate amendment proposing the availability of a specific sum for "official reception and representation expenses," as is proposed for other Departments of the Government.

The conferees agreed on the retention of section 906, the so-called Gross amendment, prohibiting the use of funds for Domestic Peace Corps type of programs.

Mr. President, I move the adoption of the conference report.

Mr. CLARK. What was done with respect to the appropriation for the Manpower Development and Retraining Act?

Mr. HILL. The House accepted the Senate amendment, and in its report makes this statement, which the Senator will find in the CONGRESSIONAL RECORD:

> The conferees are agreed that $110 million is likely all that will be needed to carry out the program which can be developed under existing legislation. It is not the intention of the conferees that the program be curtailed as a result of the amount agreed upon. If, due to additional legislation or other factors, additional funds can be efficiently and effectively utilized, the Department will be expected to request a supplemental appropriation.

Mr. CLARK. I thank the Senator from Alabama.

Mr. HILL. I now move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 5888, which was read as follows:

> *Resolved,* That the House recede from its disagreement to the amendments of the Senate numbered 7, 14, 20, 34, 38, 46, 58, 66, and 68 to the bill (H.R. 5888) entitled "An Act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes", and concur therein.
>
> *Resolved,* That the House recede from its disagreement to the amendment of the Senate numbered 8, and concur therein with an amendment, as follows:
>
> In lieu of the matter proposed, insert the following: "during fiscal year 1964 and that

any portion thereof not obligated by the State in that year shall be returned to the Treasury and credited to the account from which derived: *Provided further*, That not to exceed $1,100,000 of the funds made available by this paragraph may be used for payment of obligations incurred during fiscal year 1963:".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 12, and concur therein with an amendment, as follows: Strike out the figure of "$7,500,000" proposed in said amendment and insert in lieu thereof, the following: "$7,450,000, and in addition thereto there is hereby transferred to this appropriation the sum of $50,000 from the appropriation of $2,269,000 for salaries and expenses, Office of the Secretary."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 21, and concur therein with an amendment, as follows: "Strike out the period at the end thereof, and insert the following: '*Provided*, That this paragraph shall be effective only upon enactment into law of section 301(c) of S. 1576, 88th Congress, or similar legislation.' "

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 37, and concur therein with an amendment, as follows: "Delete therefrom the word 'Upper' "

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 56, and concur therein with an amendment, as follows: "In lieu of the matter proposed to be inserted, insert the following: ', and not to exceed $100,000 to be transferred to the appropriation for Salaries and expenses, Office of the Secretary for necessary expenses of carrying out a study of the education of the deaf' ".

Mr. HILL. Mr. President, I move that the Senate agree to the amendments of the House to the amendments of the Senate numbered 8, 12, 21, 37, and 56, reported in disagreement and on which the House receded and concurred with amendments.

The motion was agreed to.

Mr. HILL. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a tabulation setting forth the appropriations for fiscal year 1963, the budget estimates for fiscal year 1964, the House allowances, the Senate allowances, and the conference allowance for each item in the bill.

There being no objection the tabulation was ordered to be printed in the RECORD, as follows:

Departments of Labor, and Health, Education, and Welfare, and Related Agencies Appropriation Act, 1964, H.R. 5888

[Figures in parentheses not added in totals]

	Appropriation, 1963	Budget estimate, 1964	House allowance	Senate allowance	Conference agreement
DEPARTMENT OF LABOR					
Bureau of Labor Statistics:					
Salaries and expenses	$14,590,250	$18,585,000	$16,485,000	$16,205,000	$16,345,000
Revision of Consumer Price Index	1,364,350	1,320,000	1,320,000	1,320,000	1,320,000
Bureau of International Labor Affairs	808,750	935,000	882,000	842,000	842,000
Office of Manpower, Automation, and Training:					
Manpower development and training facilities	70,147,250	165,000,000	140,000,000	110,000,000	110,000,000
Area redevelopment activities	11,060,000	11,093,000	9,000,000	8,000,000	8,500,000
Bureau of Apprenticeship and Training	5,212,200	5,460,000	5,460,000	5,460,000	5,460,000
Bureau of Employment Security:					
Limitation on salaries and expenses	(11,935,860)	(13,430,000)	(12,640,000)	(12,400,000)	(12,400,000)
Limitation on grants to States	(400,000,000)	(432,570,000)	(350,000,000)	(425,000,000)	(425,000,000)
Unemployment compensation for Federal employees and ex-servicemen	151,000,000	119,000,000	110,000,000	110,000,000	110,000,000
Compliance activities, Mexican farm labor program	1,387,250	870,000	870,000	1,387,250	870,000
Salaries and expenses, Mexican farm labor program, transfer from revolving fund	(2,048,500)	(1,135,000)	(1,135,000)	(2,048,500)	(1,135,000)
Bureau of Veterans' Reemployment Rights	652,000	790,000	790,000	784,000	784,000
Bureau of Labor Standards	4,685,550	3,470,000	3,470,000	3,470,000	3,470,000
Office of Welfare and Pension Plans	(1,351,300)	1,720,000	1,565,000		
Bureau of Labor-Management Reports	5,923,900	5,900,000	5,900,000		
Office of Labor-Management Relations Services	(7,467,700)	(7,815,000)	(7,660,000)	7,500,000	7,450,000
Bureau of Employees' Compensation:					
Salaries and expenses	3,981,800	4,285,000	4,285,000	4,275,000	4,275,000
Transfer from longshoremen's trust fund	(124,850)	(127,000)	(127,000)	(127,000)	(127,000)
Employees' compensation claims	65,221,000	53,838,000	53,838,000	53,838,000	53,838,000
Women's Bureau	930,050	785,000	785,000	785,000	785,000
Wage and Hour Division	18,273,600	19,300,000	19,300,000	19,300,000	19,300,000
Office of the Solicitor	4,361,700	4,570,000	4,570,000	4,420,000	4,420,000
Transfer from unemployment trust fund	(124,850)	(127,000)	(127,000)	(127,000)	(127,000)
Office of the Secretary	2,093,450	2,664,000	2,364,000	2,269,000	2,269,000
Transfer from unemployment trust fund	(135,800)	(138,000)	(138,000)	(138,000)	(138,000)
Trade adjustment activities	100,000	7,635,000	4,000,000	150,000	150,000
Office of Automation and Manpower	810,450				
Total, Department of Labor	362,603,550	427,220,000	384,884,000	350,005,250	350,078,000
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE					
Food and Drug Administration:					
Salaries and expenses	29,064,700	35,805,000	35,805,000	35,805,000	35,805,000
Certification, inspection, and other services	1,931,000				
Revolving fund for certification and other services		[1]	[1]	[1]	[1]
Buildings and facilities		13,300,000	4,347,000	4,670,000	4,466,000
Office of Education:					
Promotion and further development of vocational education	34,716,000	34,756,000	34,756,000	34,756,000	34,756,000
Further endowment of colleges of agriculture and the mechanic arts	11,950,000	11,950,000	11,950,000	11,950,000	11,950,000
Grants for library services	7,500,000	7,500,000	7,500,000	7,500,000	7,500,000
Payments to school districts	282,322,000	104,466,000	104,466,000	104,466,000	104,466,000
Assistance for school construction	63,686,000	23,800,000	23,740,000	23,740,000	23,740,000
Defense educational activities	229,450,000	229,620,000	229,620,000	219,620,000	219,620,000
Expansion of teaching in education of the mentally retarded	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000
Expansion of teaching in education of the deaf	1,500,000			1,500,000	1,500,000
Cooperative research	6,985,000	17,000,000	11,500,000	11,500,000	11,500,000
Educational research (special foreign currency program)	400,000	800,000	500,000	500,000	500,000
Foreign language training and area studies		2,500,000	1,500,000	1,500,000	1,500,000
Salaries and expenses	12,645,000	16,261,000	14,761,000	14,761,000	14,761,000
Total, Office of Education	652,154,000	449,653,000	441,293,000	432,793,000	432,793,000
Office of Vocational Rehabilitation:					
Grants to States	72,940,000	88,700,000	88,700,000	88,700,000	88,700,000
Research and training	25,500,000	36,830,000	31,810,000	36,830,000	34,810,000
Research and training (special foreign currency program)	2,000,000	3,000,000	2,000,000	3,000,000	2,000,000
Salaries and expenses	2,486,000	2,905,000	2,905,000	2,905,000	2,905,000
Total, Office of Vocational Rehabilitation	102,926,000	131,435,000	125,415,000	131,435,000	128,415,000
Public Health Service:					
Buildings and facilities	33,200,000	16,311,000	13,811,000	16,311,000	16,311,000
Environmental Health Center		2,761,000		1,441,000	
Accident prevention	3,668,000	4,857,000	4,163,000	4,163,000	4,163,000
Chronic diseases and health of the aged	22,942,000	55,907,000	53,377,000	53,377,000	53,377,000

[1] Permanent indefinite.

Departments of Labor, and Health, Education, and Welfare, and Related Agencies Appropriation Act, 1964, H.R. 5888—Continued

[Figures in parentheses not added in totals]

	Appropriation, 1963	Budget estimate, 1964	House allowance	Senate allowance	Conference agreement
DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE—continued					
Public Health Service—Continued					
Communicable disease activities	$18, 892, 000	$30, 429, 000	$25, 405, 000	$30, 405, 000	$28, 405, 000
Community health practice and research	26, 526, 000	31, 648, 000	28, 608, 000	30, 608, 000	29, 608, 000
Control of tuberculosis	6, 993, 000	6, 828, 000	6, 828, 000	6, 828, 000	6, 828, 000
Control of venereal disease	8, 000, 000	9, 588, 000	9, 588, 000	9, 588, 000	9, 588, 000
Dental services and resources	3, 006, 000	6, 227, 000	6, 218, 000	6, 218, 000	6, 218, 000
Nursing services and resources	8, 438, 000	11, 245, 000	11, 217, 000	11, 217, 000	11, 217, 000
Hospital construction activities	226, 220, 000	179, 514, 000	177, 914, 000	228, 214, 000	226, 220, 000
George Washington University Hospital		2, 500, 000	2, 500, 000	2, 500, 000	2, 500, 000
Environmental health sciences		4, 246, 000	4, 224, 000	4, 224, 000	4, 224, 000
Air pollution control	11, 069, 000	12, 998, 000	12, 954, 000	12, 954, 000	12, 954, 000
Milk, food, interstate and community sanitation	8, 536, 000	9, 079, 000	9, 009, 000	9, 009, 000	9, 009, 000
Occupational health	4, 122, 000	4, 621, 000	4, 590, 000	4, 990, 000	4, 990, 000
Radiological health	15, 875, 000	18, 776, 000	18, 745, 000	19, 145, 000	19, 145, 000
Water supply and water pollution control	24, 707, 000	29, 980, 000	27, 921, 000	29, 980, 000	28, 980, 000
Grants for waste treatment works construction	90, 000, 000	100, 000, 000	90, 000, 000	90, 000, 000	90, 000, 000
Hospitals and medical care	48, 820, 000	50, 038, 000	49, 962, 000	49, 962, 000	49, 962, 000
Foreign quarantine activities	5, 910, 050	7, 116, 000	6, 456, 000	6, 456, 000	6, 456, 000
National Institutes of Health:					
General research and services	159, 826, 000	164, 674, 000	163, 869, 000	164, 674, 000	163, 869, 000
Biologics standards		4, 787, 000	4, 787, 000	4, 787, 000	4, 787, 000
Child health and human development		(34, 000, 000)	(34, 000, 000)	(34, 000, 000)	(34, 000, 000)
National Cancer Institute	155, 742, 000	145, 114, 000	144, 340, 000	145, 114, 000	144, 340, 000
Mental health activities	143, 599, 000	190, 096, 000	177, 288, 000	190, 096, 000	183, 288, 000
National Heart Institute	147, 398, 000	133, 624, 000	132, 404, 000	133, 624, 000	132, 404, 000
National Institute of Dental Research	21, 199, 000	19, 809, 000	19, 689, 000	19, 809, 000	19, 689, 000
Arthritis and metabolic disease activities	103, 388, 000	114, 717, 000	113, 679, 000	114, 717, 000	113, 679, 000
Allergy and infectious disease activities	66, 142, 000	69, 226, 000	68, 723, 000	69, 226, 000	68, 723, 000
Neurology and blindness activities	83, 506, 000	88, 407, 000	87, 675, 000	88, 407, 000	87, 675, 000
Subtotal, National Institutes of Health	880, 800, 000	930, 454, 000	912, 454, 000	930, 454, 000	918, 454, 000
Grants for construction of health research facilities	50, 000, 000	50, 000, 000	50, 000, 000	50, 000, 000	50, 000, 000
Scientific activities overseas (special foreign currency program)	2, 800, 000	6, 647, 000	4, 000, 000	4, 000, 000	4, 000, 000
National health statistics	5, 150, 000	5, 949, 000	5, 949, 000	5, 949, 000	5, 949, 000
National Library of Medicine	3, 335, 000	4, 074, 000	4, 074, 000	4, 074, 000	4, 074, 000
Retired pay of commissioned officers, indefinite	(5, 784, 000)	(6, 436, 000)	(6, 436, 000)	(6, 436, 000)	(6, 436, 000)
Salaries and expenses, Office of the Surgeon General	5, 850, 000	6, 091, 000	6, 091, 000	6, 091, 000	6, 091, 000
Total, Public Health Service	1, 514, 859, 050	1, 597, 884, 000	1, 546, 058, 000	1, 628, 158, 000	1, 608, 723, 000
St. Elizabeths Hospital:					
Salaries and expenses	6, 332, 000				
Salaries and expenses, indefinite		(9, 716, 000)	(7, 354, 000)	(7, 354, 000)	(7, 354, 000)
Buildings and facilities	8, 095, 000	627, 000	627, 000	627, 000	627, 000
Social Security Administration:					
Limitation on salaries and expenses	(286, 398, 300)	(322, 125, 000)	(317, 900, 000)	(317, 900, 000)	(317, 900, 000)
International Social Security Association meeting		95, 000	88, 000	95, 000	91, 500
Welfare Administration:					
Grants to States for public assistance	2, 738, 300, 000	2, 900, 000, 000	2, 725, 000, 000	2, 725, 000, 000	2, 725, 000, 000
Assistance for repatriated U.S. nationals	467, 000	[illegible]00, 000	467, 000	467, 000	467, 000
Training of public welfare personnel		2, 000, 000			
Salaries and expenses, Bureau of Family Services	3, 760, 000	5, 400, 000	4, 756, 000	5, 256, 000	4, 956, 000
Grants to States for maternal and child welfare	76, 795, 000	87, 000, 000	86, 943, 000	82, 943, 000	82, 943, 000
Salaries and expenses, Children's Bureau	2, 943, 000	3, 401, 000	3, 401, 000	3, 401, 000	3, 401, 000
Cooperative research or demonstration projects	1, 100, 000	2, 000, 000	1, 455, 000	1, 455, 000	1, 455, 000
Office of Aging		545, 000	545, 000	545, 000	545, 000
Juvenile delinquency and youth offenses	5, 810, 000	13, 200, 000	6, 700, 000	6, 950, 000	6, 950, 000
Research and training (special foreign currency program)		1, 200, 000		1, 200, 000	
Office of the Commissioner	735, 700	1, 025, 000	1, 025, 000	1, 025, 000	1, 025, 000
Transfer from OASI trust fund	(435, 100)	(602, 000)	(554, 000		
Total, Welfare Administration	2, 829, 910, 700	3, 016, 271, 000	2, 830, 292, 000	2, 828, 242, 000	2, 826, 742, 000
American Printing House for the Blind	739, 000	775, 000	775, 000	775, 000	775, 000
Freedmen's Hospital	3, 909, 000	3, 880, 000	3, 880, 000	3, 880, 000	3, 880, 000
Gallaudet College:					
Salaries and expenses	1, 478, 900	1, 697, 000	1, 697, 000	1, 822, 000	1, 822, 000
Construction	1, 065, 000	2, 919, 000	2, 919, 000	2, 919, 000	2, 919, 000
Howard University:					
Salaries and expenses	7, 935, 000	8, 819, 000	8, 819, 000	8, 819, 000	8, 819, 000
Plans and specifications	86, 000				
Construction	5, 531, 000	6, 245, 000	6, 245, 000	6, 245, 000	6, 245, 000
Office of the Secretary	2, 717, 900	2, 918, 000	2, 833, 000	2, 833, 000	2, 833, 000
Transfer from OASI trust fund	(375, 150)	(467, 000)	(467, 000)	(467, 000)	(467, 000)
Office of Field Administration	3, 460, 400	3, 834, 000	3, 734, 000	3, 734, 000	3, 734, 000
Transfers	(1, 537, 750)	(1, 337, 000)	(1, 337, 000)	(1, 337, 000)	(1, 337, 000)
Surplus property utilization	889, 950	950, 000	950, 000	950, 000	950, 000
Office of the General Counsel	832, 000	1, 055, 000	975, 000	975, 000	975, 000
Transfers	(739, 250)	(900, 000)	(900, 000)	(900, 000)	(900, 000)
Educational television facilities	1, 500, 000	7, 000, 000	5, 000, 000	7, 000, 000	[illegible], 500, 000
Total, direct appropriations, Department of Health, Education, and Welfare	5, 173, 485, 600	5, 285, 162, 000	5, 021, 752, 000	5, 101, 777, 000	5, 077, 114, 500
Indefinite appropriations, Department of Health, Education, and Welfare	7, 715, 000	16, 152, 000	13, 790, 000	13, 790, 000	13, 790, 000
Grand total, Department of Health, Education, and Welfare	5, 181, 200, 600	5, 301, 314, 000	5, 035, 542, 000	5, 115, 567, 000	5, 090, 904, 500
RELATED AGENCIES					
National Labor Relations Board	21, 029, 000	23, 060, 000	22, 060, 000	22, 560, 000	22, 460, 000
National Mediation Board	1, 939, 150	1, 950, 000	1, 950, 000	1, 950, 000	1, 950, 000
Railroad Retirement Board	(9, 906, 000)	(11, 115, 000)	(10, 900, 000)	(11, 115, 000)	(11, 065, 000)
Federal Mediation and Conciliation Service	5, 195, 300	5, 940, 000	5, 540, 000	5, 740, 000	5, 6[illegible]0, 000
Interstate Commission on the Potomac River Basin	5, 000	5, 000	5, 000	5, 000	5, 000
U.S. Soldiers' Home	(6, 272, 400)	(6, 622, 000)	(6, 622, 000)	(6, 622, 000)	(6, 622, 000)
Total, direct appropriations	5, 564, 257, 600	5, 743, 337, 000	5, 436, 191, 000	[illegible], 482, 037, 250	5, 457, 297, 500
Total, indefinite appropriations	7, 715, 000	16, 152, 000	13, 790, 000	13, 790, 000	13, 790, 000
Grand total	5, 571, 972, 600	5, 759, 489, 000	5, 449, 981, 000	5, 495, 827, 250	5, 471, 087, 500

Mr. HILL. Mr. President, I thank the distinguished Senator from Pennsylvania for his courtesy.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1964

The Senate resumed the consideration of the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

Mr. CLARK. Mr. President, I speak in defense of the loan made by the Rural Electrification Administration on August 15, 1963, to the Valley Rural Electric Cooperative, of Huntingdon, Pa., for financing electric facilities of the Blue Knob Development Corp., of Altoona, Pa. This loan has come under indirect attack in the committee report on the agricultural appropriation bill, where on page 29, under the heading "Section V Loans," the statement is made:

> The committee concurs in the recommendation in the House committee report that the Administrator of REA should not make section V loans in competition with private sources of credit, or as a replacement or substitution for loan funds available under the Area Redevelopment Act, Public Law 87-27.

The loan with respect to which I speak was directly criticized by the distinguished Senator from Florida [Mr. HOLLAND], who is in charge of the bill, and whose statement is reported in the second column of page 18009 of the CONGRESSIONAL RECORD for September 25. The Senator from Florida said:

> The idea of making two loans for the purpose of installing ski facilities in areas served by REA has not met with popular reception, either on the part of any member of our committee or, I think, on the part of the general public. I hope the REA Administrator will confine himself, in handling section 5 loans, to fields more nearly in accord with the purpose and intent of the act.

One of the loans thus criticized was the Pennsylvania loan made by the Valley Rural Electric Cooperative to the Blue Knob Development Corp., for ski tows and snow machines to be erected near Bedford, Pa.; in fact, north of Bedford and south of Johnstown, close to the boundary between Cambria and Bedford Counties. It is abundantly clear that section V of the Rural Electrification Act authorizes a loan of this sort for electric equipment without limitation to farm use. Therefore, there can be no question that the loan was legal.

More than that, in my opinion, the loan was wise. This was a combined loan made by the Area Redevelopment Administration in the amount of $222,155, by the REA in the amount of $110,000, and by a local development corporation composed of local businessmen, which put up $40,000. The purpose was to create a recreational facility at the top of Blue Knob Mountain for ski recreational purposes. The direct result will be to create a substantial number of jobs in the area directly, and to create indirectly a large number of additional jobs.

Further, the ski resort to be built as a result of the loan will bring a large number of tourists into a depressed area in our State, an area where employment in the resort industry would be much to be desired. Accordingly, it occurs to me that this loan is the sort of loan which ought to be made not only by the ARA but also by the REA, where, as is the case here, the lines of the electric cooperative run very close to the location where the ski tow is to be built.

Efforts were made to attract private capital for this loan. They were unsuccessful. The ARA was unable to handle the loan by itself. The REA plus the local development company made it possible to conclude the transaction.

As one example of what the loan means, the Bedford Springs Hotel, one of the great resorts in Pennsylvania, a resort hotel with which many Members of this body are familiar, will now be able to remain open the year round and will cater to sportsmen who will come to ski as a result of the construction of the new facility built with REA and ARA loan funds.

The area of Bedford, running all the way up to Johnstown, in Cambria County, is among the most depressed areas in the whole of the Commonwealth of Pennsylvania. The little town of Beaverdale, which is the closest settlement to where the ski facility will be erected, has as high a level of unemployment as any similar town in the State.

I regret very much that this kind of loan, which will bring jobs and tourists, and which will hold out the hope of bringing some economic prosperity to an area of chronic, persistent unemployment, should have come under criticism both indirectly in the committee report and directly in the speech of the Senator from Florida [Mr. HOLLAND], who is in charge of the bill.

I hope the ARA and the REA will make many more loans of this sort in the great mountain areas of Pennsylvania, whose principal hope for prosperity in the future lies in the creation of tourism and recreational facilities, and to capitalize on the gorgeous scenery and magnificent mountains, lakes, and streams of that area of Pennsylvania which is now in the grip of depression.

I ask unanimous consent to have printed at this point in the RECORD a letter directed to me, under date of September 20, 1963, by Mr. Norman M. Clapp, Administrator of REA.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF AGRICULTURE,
RURAL ELECTRIFICATION ADMINISTRATION,
Washington, D.C. September 20, 1963.

Hon. JOSEPH S. CLARK,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CLARK: You have asked that I explain the statutory basis for the REA loan made on August 15, 1963, to the Valley Rural Electric Cooperative of Huntingdon, Pa., for financing electric facilities of the Blue Knob Development Corp. of Altoona, Pa.

The language of the Rural Electrification Act itself is entirely clear in authorizing loans under section 5 thereof for electric equipment without limitation to farm use. Section 5 authorizes loans for "electrical and plumbing appliances and equipment" for "persons in rural areas." Section 13 of the act provides the broadest possible definition of the term "persons" as including besides any "natural person" any "firm, corporation or association," and further defines "rural area" as including "both farm and nonfarm population thereof," without any limitation or qualification whatsoever. The term "person" appears similarly in the designation of eligible beneficiaries of section 4 loans and the long established REA practice of making loans for the purpose of serving commercial and industrial loads in rural areas, as well as agricultural loads, has been made known to and accepted by Congress since the earliest days of the REA program. Again, the term "equipment" as used in section 5 has been in numerous judicial precedents recognized as broadly encompassing machinery and implements of the most varied kind.

The use of the section 5 loan authorization for nonfarm, as well as farm, purposes is not only clearly consistent with the statutory authorization and longstanding REA administrative practice, but is an important and necessary means of strengthening the rural electric cooperatives so that they can attain the objectives of the Rural Electrification Act of area coverage, low cost and fully utilized power in rural areas. It is also an important aid in enhancing the Government's security interests and the assurance of continued repayment of the REA loans.

REA, as a matter of self-imposed policy and practice, uses its section 5 loan authority only where credit is not available under programs and only where it is not available from private sources on reasonable terms.

There is no reason whatsoever, either in law, economics or ethics, to stigmatize and separate recreational electric facilities in rural areas from any other electric facilities as proper means of load building and raising the levels of income and well-being in rural areas.

You have also inquired about the general justification for 2-percent loans. Section 5 of the Rural Electrification Act provides, as does section 4, for a specific interest rate of 2 percent. This interest rate, along with other provisions of the Rural Electrification Act, is necessary at the present time in order to counterbalance to at least some extent the current handicaps inherent in the effort to make electric service abundantly and reasonably available to rural people as it is to city people. Comparative basic statistics afford some measure of these handicaps. REA-financed systems average only 3.3 consumers to each mile of line as compared to 33 consumers per mile for the class A and B commercial utilities. REA-financed systems in 1960 averaged $414 in annual revenue per mile of line compared to $6,580 for the commercial companies. It must be remembered that the rural areas served by REA-financed systems represent what remains after the commercial utilities skimmed off the cream of the rural areas themselves. This resulted in the comparative isolation of and the lack of load diversity in many of the areas served by the REA-financed systems, involving additional major handicaps.

The 2-percent interest rate is merely, under current service conditions, a partial equalizer in the effort to match the availability and cost of electric service for rural people with that available to city people. The fact that the consumer on the lines of the REA borrower system still has to pay about 20 percent more for 250 kilowatts used in a month than the average city consumer is just one indication of the rural disadvantage. And even at the 2-percent rate, consumers on REA-financed rural systems pay 7.4 percent of their light bill for interest as compared to the 6.2 percent of the consumer's light bill dollar that goes to pay interest on the lines of the class A and B commercial utilities. This disparity, again, is a reflection of the smaller revenue base and higher cost factors borne by rural systems.

The 2-percent interest rate is just as important and necessary for section 5 electric appliances and equipment loans as it is for section 4 construction loans. Section 5 loans are a direct means of increasing loads and load diversity in respect of which, as the foregoing basic statistics demonstrate, the rural people are at such a serious disadvantage.

The REA borrower is required to charge on section 5 loan funds, which it relends, interest at the rate of 4 percent in order to cover its legal, accounting, and other costs in developing the loan application, dispensing the funds and making the collections and in order also to protect itself against risks of loss necessarily attendant upon loans for which other sources of credit have not been available.

Sincerely yours,

NORMAN CLAPP,
Administrator.

Mr. CLARK. I also ask unanimous consent to have printed at this point in the RECORD an article entitled "New Harvest for Farmers," written by William G. Weart, and published in the New York Times of September 1, 1963. The article amplifies the need for recreational facilities and comments upon the splendid effect which such recreational facilities have on job opportunities in depressed areas.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Sept. 1, 1963]

NEW HARVEST FOR FARMERS—CONVERSION OF PROPERTY INTO RECREATION SITES PROVING PROFITABLE

(By William G. Weart)

PHILADELPHIA.—Motorists on the move through rural America this summer have discovered a hinterland renaissance. Something different is going on down on the farm, and it has nothing to do with milking the cows, planting the corn, or pruning the orchard.

Under the stress of agricultural overproduction, and with a big boost from Uncle Sam, many farmers are finding it more profitable to cater to the city slicker's need for leisure-time recreation than to his stomach. They have, in short, converted all or part of their farm acreage into golf courses, hunting preserves, tennis courts, modern swimming pools, or park land.

On what were once grassy meadowlands, all alive with grazing cows, clubhouses have replaced barns, and the farm silo often overlooks a new fairway. Also, lakes once used for watering the cattle now resound to the splash and cries of bathers, their banks adorned with beach umbrellas and the stands of watchful lifeguards. In the winter, these lakes will become ice-skating rinks.

COUNTRY CLUBS

Presiding over these pay-as-you-go "country clubs" are the farmer and his wife and, in many instances, their children. All pitch in to make their once economically unproductive property a profitable enterprise.

The farmer's entry into the field of recreation was sparked by simple mathematics and some commonsense. Under the Food and Agricultural Act of 1962, farmers can borrow up to $60,000 for the conversion of all or part of their land into recreational facilities. Many farmers have taken advantage of this opportunity.

A study made by the Agriculture Department shows that at least 1 income-producing recreation enterprise was established by 9,818 landowners during the 1963 fiscal year ended on June 30. This was done in cooperation with the regional offices of the Department's Soil Conservation Service. An additional 9,075 landowners said they intended to establish recreation facilities.

THE BIG SWITCH

The Agriculture Department found also that 945 landowners switched from livestock, dairy, crop, fruit, and similar activities to recreational enterprises as a primary source of income. This involved 237,691 acres.

A typical golf course converted from a farm, according to the Agriculture Department, is Frank Miskoski's 208-acre site in Cream Ridge, N.J., southeast of Trenton.

Mr. Miskoski quit farming in Bucks County, Pa., in 1950 and bought another farm at Cream Ridge. After paying cash for it, he had $14,000 left as working capital. This was a safe cushion, he thought.

But the new farm did not pay and Mr. Miskoski's working capital shrank. In 1958, he converted part of the land into a nine-hole golf course. Business was so good that he added nine more holes in 1961. Today, the 18-hole course spreads over 150 rolling acres.

Mr. Miskoski now has a $50,000 investment, 500 members, and a $600 weekly payroll. Most of his customers pay a membership fee of $9 a year, plus $2 every time they play on weekdays and $3 on Saturdays, Sundays, and holidays.

Another Cream Ridge farmer, who also received technical assistance from the Soil Conservation Service, is Edward C. Noller. He converted a pond once used for crop irrigation into a swimming center, complete with 36 private cabanas, showers, dressing room, and snack bar.

Mr. Noller's 10-acre play area, part of a 112-acre farm, also has 26 picnic tables shaded by large adjustable parasols and 10 grills for cookouts. Other facilities include a roofed pavilion and grounds for softball, volleyball, and horseshoe pitching. Then, too, there is another pond stocked with fish.

Both this farm, known as Homestead Lake, and the Miskoski layout are situated in an area that is said to be short of recreational facilities. In addition to Trenton, other towns nearby are Bordentown, Allentown, Hightstown, and Freehold.

COWS TO GOLFERS

In February, 1961, Stephen Little, a 69-year-old farmer of Penobscot County, near Brewer, Maine, faced a problem. His milk wholesaler notified him that he was not going to buy milk any more.

For some time before that, Mr. Little's son had been urging him to convert part of the farm into a golf course. Now, faced by the emergency, the elder Little told the younger man:

"Son, you're in the golf business."

The Pine Hill Golf Club was opened to the public on June 2, 1962, after a conversion investment of $16,000, including $10,000 for a clubhouse. Attendance the first season was 5,000.

COMMODITY CREDIT CORPORATION APPROPRIATIONS

Mr. HUMPHREY. Mr. President, earlier today, the distinguished Senator from Delaware [Mr. WILLIAMS] referred to the Commodity Credit Corporation.

The "saving of $928 million" referred to by the Senator is the decrease estimated in the budget in the total expenditures of the Department of Agriculture in the fiscal year 1964, as compared with 1963. The totals are shown on page 41 of the budget, and a detailed analysis of the estimated decrease attributable to the Agricultural Stabilization and Conservation Service, including CCC, was presented in the hearings.

Net budgetary expenditures represent the net outgo of Government funds—outlays less receipts. They are not comparable with appropriations, which make funds available for expenditure.

The processes followed in making appropriations to reimburse the CCC are in accordance with the direction of Congress. The act of March 8, 1938, as amended, requires the corporation to obtain reimbursement on the basis of realized losses. The budgets submitted to Congress request reimbursement for losses sustained through the end of the fical year preceding submission of the budget. These are the latest known realized losses for a fiscal year at that time. The budget document includes for the information of the Congress, the Department's estimates of the losses to be realized in the subsequent 2 fiscal years, and the financial position of the corporation at the end of each of those years.

Congress has not always appropriated the full amounts requested in past years. This was the case in 1963, 1961, 1960, 1955, and other years.

FARMER-COMMITTEE SYSTEM

Mr. President, any restriction on the activities of farmer-committeemen which would relegate their use to merely advisory functions not only would spell the death knell of the farmer-committee system—which has successfully administered farm-action programs for the past 30 years, but also would hamstring the programs themselves to a point where they could not effectively carry out the will of Congress, as expressed in the laws authorizing the various programs. I am sure this is not the intention of the language included in the bill now under consideration.

Such restrictions would be contrary to the intent of the Congress, as expressed in section 8(b) of the Soil Conservation and Domestic Allotment Act, which directs the Secretary of Agriculture to utilize the farmer-committees in the administration of various farm programs.

Such programs—which depend for their effectiveness on farmer participation on individual farms throughout the country—simply cannot operate if farmers do not know about them, do not understand how they can take part, and do not follow through by carrying out the program provisions in a proper manner.

The programs will not operate effectively if they do not meet the local need, as well as the national need; if the bases on which they are formulated are not correct; and if the program determinations and decisions are not accepted by farmers generally as being fair and equitable.

At the present time, committeemen are paid on a per diem basis, and in many instances they work many more days than they are paid for. They have done this freely and willingly, because they believe in the importance of the programs they help administer. Furthermore, the rates of pay committeemen receive are sufficient in most cases only to replace their labor on the farm. If full-time personnel had to be employed to perform the functions now carried out by committeemen, the cost of program administration would increase substantially.

It has been our policy to encourage the use of local committeemen, where they were willing and able to serve, in connection with any type of field work, such as adequately informing their neighbors about the programs, checking performance, bin site operations in connection with crops stored under Government loan, review of actual yield in establishing farm bases. We have done this because their familiarity with local problems and situations has been invaluable in forming and operating a successful program.

In connection with programs which have mandatory provisions, such as marketing quota programs, the committees perform such duties as determining individual farm allotments and adjusting them for inequities. Under voluntary programs, such as the feed grain and wheat stabilization programs, they establish the farms' bases, normal yields, and rates of payment.

Under the agricultural conservation program, they approve proposed conservation measures on individual farms and ranches, allocating the program assistance among farm requests which far outstrip the funds made available for that purpose.

In connection with the adjudication of claims for drought or other emergency relief, the committeemen have to make such difficult decisions as to whether the extent of hardships justifies program assistance, and the amount of assistance needed.

In deciding questions like these, it is not always possible just to sit in an office and find a basis for spending Government money. It is many times necessary for the committeeman actually to visit the farm and obtain firsthand information on which to base a fair and equitable decision.

Farmers through the years have come to accept such decisions—even though not always favorable—because they have trusted the practical knowledge and outlook of program administrators who themselves are farmers. A restriction on the use of committeemen which directed them to go beyond "advice" would negate the influence and confidence which committeemen have built up over a generation in the sound administration of farm-action programs.

I offer this statement so the language of the bill and that in the report relating to the activities of farmer-committeemen may be properly interpreted, and so we may fully appreciate the importance of this vital activity and organization in the agricultural program—namely, the farmer-committeemen system.

It is my intention to ask the chairman of the subcommittee certain questions relating to the language of the bill and of the report concerning the farmer-committeemen system.

RURAL ELECTRIC COOPERATIVES

Mr. President, earlier today the Senator from Ohio [Mr. LAUSCHE] commented extensively on the Rural Electrification Administration, the interest rate, and the loans for generation and transmission. At this late hour, I merely wish to associate myself with the remarks of the Senator from Illinois [Mr. DOUGLAS], the Senator from Vermont [Mr. AIKEN], and those of other Senators who spoke in behalf of the REA, and also in behalf of the splendid work that great agency of Government and the REA cooperatives are performing. The latter truly represent the rural communities of America in the vital service of providing electrical energy.

It should be noted, Mr. President, that while the funds for the REA continue to be needed, what is happening is that as the "beefing up" or improvement or modernization of REA transmission and generation facilities occurs, the requirements for electrical energy increase; and, as the Senator from Illinois pointed out, today the demands for power on the American farm are many times larger than they were several years ago. Our farms are mechanized; our farms are electrified; and our farms are modern and efficient. Much of this is due to the services of the REA.

We in Minnesota find that our private utilities and our REA cooperatives get along very well. They have a cooperative and friendly relationship, and I am convinced that this development can occur in any part of the Nation if there is a desire to make it occur.

The 2 percent interest rate—which today, in the eyes of some, represents a subsidy to the REA's—is really a payment by the general public for extending the service to the sparsely populated areas and for giving to the rural areas of America some of the benefits which the metropolitan areas receive.

Mr. President, I heard the argument about the amount of taxes paid by private utilities and cooperatives. But there is a great deal of difference between a private utility, which is a corporation, and a rural electric cooperative, which is a nonprofit organization.

The cooperative pays back on the loan. Whatever profit there is—if there is any—is distributed to its members; and the members are assessed taxes. A corporation is an entity unto itself; it is a corporate personality. It is, in the eyes of the law, an individual; and therefore, a corporation obviously would pay more Federal income tax than a cooperative would. But if we consider the Federal income taxes paid by the members of cooperatives on their refunds and dividends, plus the taxes paid by the REA cooperatives themselves, we find that there is a much better relationship between the cooperatives and the corporations than was indicated today in the Senate.

I merely wish to point out that a corporation is a profitmaking venture. A corporation, if it is a private utility, is guaranteed a profit, because the State regulatory bodies provide for a certain percentage of profit upon the investment or upon the sales. Generally it is upon the investment. Frequently we refer to it as a 6-percent rate of return upon the investment. These utilities are regulated for the public interest; therefore the rates are regulated. However, the rates are regulated, not merely for the benefit of the consumer, but also for the benefit of the corporation. Thus, a private utility, generally speaking, when under good management does make a profit; and, therefore, it pays a tax on that profit.

If an REA cooperative makes a profit, it is used to retire the debt or the loan from the REA Administration in Washington, or the moneys are refunded in terms of dividends to the individual members. All of this is recorded in the Treasury Department, and all of it is subject to income tax.

Mr. President, I make this statement so we may have a better balanced record as to rural electric cooperatives and private utilities. There is plenty of room in the economy for both; and in a great many areas both get along very well. I repeat that my State of Minnesota has set a very good example. At the present time we have a number of cooperatives which are working in close coordination with one of our large utilities—namely, Northern States Power Co.—in an effort to expand the electrical energy service in the rural areas. When they are better managed and better served, everyone benefits—the cooperatives and their members, the rural users of the REA energy, the Northern States Power Co. and its investors, and the people and the communities they serve. So I am happy and proud to be able to say that some of the problems discussed here at some length can be overcome by improved cooperation and understanding between the respective groups.

I wish to endorse, once again, and commend the Rural Electrification Administration for its most valuable service to the American economy. We must remember that REA benefits both farmers, manufacturers of electric appliances, and the total economy; and it surely benefits the communities in which the REA cooperatives are to be found.

For every dollar invested in an REA cooperative, $6 to $8 are invested or purchased by the users of electrical energy in utility or electrical appliances of the sort we use in our homes and in business. This has been good business for everyone concerned; and the record of repayment is outstanding.

Mr. President, just this week, President Kennedy reminded us, when he spoke at Grand Forks, that the REA program is not completed. He spoke, as we know, on "the charter of the new farm goal, parity of opportunity." The President outlined certain matters relating to the REA. He said:

> We are seeking, in short, true parity of opportunity, but it will not come overnight. To achieve it will require a new impetus in electrification development, new starts in our multipurpose dam programs, and new and greater use of our land, water, timber and wildlife resources.

The repayment record of the REA system has been outstanding, and the quality and dependability of the electric service it provides is outstanding. But if the REA's are to be able to take advantage of the technological improvements in the generation and the interconnection of transmission lines, they must be allowed the loans required in order to make additional investments to keep their electric power costs in line with those in the populous metropolitan centers.

Again, Mr. President, I say that the REA has been good for the country. The services provided by the REA have benefited the entire economy.

THE USE OF EDIBLE OILS FOR CHARITABLE PURPOSES

Mr. HUMPHREY. Mr. President, I wish to comment today on a charitable and humanitarian program which makes use of our surplus agricultural commodities. This program was twice enacted by the Congress and now is more important than ever because this year we have the largest surplus of edible vegetable oils in history.

I should like to read what President Kennedy said on October 2, 1960, in St. Paul, Minn.:

> I don't think we should use food as a weapon for war. I think we should hold out the hand of friendship and I think the bread we float upon the water will come back to us many, many times over in the coming years.
>
> Here's an example of how we can help our friends abroad and also our farmers: The Democratic Congress in 1958 specifically passed a law authorizing the Secretary of Agriculture to buy farm-produced fats and oils for relief feeding abroad. The church organizations of all faiths have repeatedly requested Mr. Benson for some fats and oils to be used as part of their programs all over the world. They donate their time and effort to distributing these foods. But the Secretary of Agriculture has consistently refused to implement the will of Congress.
>
> I think the next President of the United States and the next administration should inaugurate a program of buying soybean oil and cottonseed oil and lard for relief feeding abroad, and I would do this before harvest time when the farmers have soybeans to sell.

The law provides, as a result of an amendment I offered to section 416 of the Agricultural Act of 1949, which was approved September 6, 1958:

> (2) The Commodity Credit Corporation is authorized to purchase products of oilseeds, and edible oils and fats and the products thereof in such form as may be needed for donation abroad as provided in the following sentence. Any such commodities or products if purchased shall be donated to nonprofit voluntary agencies registered with the Department of State, other appropriate agencies of the Federal Government or international organizations for use in the assistance of needy persons outside the United States. Commodity Credit Corporation may incur such additional costs with respect to such oil as it is authorized to incur with respect to food commodities disposed of under section 416 of the Agricultural Act of 1949.

And by another of my amendments, approved September 21, 1959, to section 308 of Public Law 480, the Congress provided:

> Notwithstanding any other provision of law, the Commodity Credit Corporation is hereby authorized—
>
> (1) To dispose of its stocks of animal fats and edible oils or products thereof by donation, upon such terms and conditions as the Secretary of Agriculture deems appropriate, to nonprofit voluntary agencies registered with the Department of State, appropriate agencies of the Federal Government or international organizations, for use in the assistance of needy persons outside the United States;
>
> (2) To purchase for donation as provided above such quantities of animal fats and edible oils and the products thereof as the Secretary determines will tend to maintain the support level for cottonseed and soybeans without requiring the acquisition of such commodities under the price support program.

Mr. President, the authorization for the Commodity Credit Corporation to purchase soybean oil and other edible oils and fats for charitable use overseas is not dependent upon a depressed price for oilseeds. It is not even required that oils be in surplus. This is one instance where legislative authority exists to share our food with hungry, in some cases starving people, without regard to whether there is a surplus in this country.

I should like to read what I said in the Senate August 23, 1958, when the first amendment to which I referred was being considered:

> Mr. President, I also submitted an amendment which made possible the inclusion of edible vegetable oils under the terms of Public Law 480. That subject is referred to in the report of the managers on the part of the House. In other words, the report includes a new section, section 9, which includes a provision authorizing the Commodity Credit Corporation to purchase products of oilseeds and edible oils, fats, and the products thereof and to donate such commodities abroad.
>
> I hope that the Department of Agriculture will utilize this authority, not only because such use will have a very constructive and healthy effect upon the American domestic market for these commodities, and not only because it will improve the price structure for edible oils and vegetable oils and fats, but also because one of the great food shortages throughout the world is in the field of oils and fats. Particularly is this true of vegetable oils. We shall have large quantities of vegetable oils, as a result of the expanded cotton acreage and soybean acreage. These vegetable oils are helpful to life itself.
>
> So I hope the provisions which I have referred to will be used effectively and aggressively by the Department of Agriculture.
>
> I believe this program is one of the truly good and sound programs of the Government. Public Law 480 not only is of benefit to agriculture—and in the past I have submitted to the Senate information which has revealed that the effect of Public Law 480 sales is to increase the prices of agricultural commodities in the United States—but as I have also pointed out, this law has improved the sales, and has made possible additional economic assistance to underdeveloped countries.

Now I should like to read what the Senate report stated regarding my second amendment which authorized fats and oils for charity donations overseas:

> This new section specifies that the Commodity Credit Corporation should dispose of its stocks of animal fats and edible oils, or products thereof, by donation to the appropriate agencies of the Federal Government, nonprofit voluntary organizations registered with the Department of State, and international organizations for use in the assistance of needy persons outside the United States.
>
> The Commodity Credit Corporation is also authorized to purchase for donations animal fats and edible oils and the products thereof to maintain the support level for cottonseed and soybeans. The executive branch already has this authority, but the committee makes it specific in order to urge the executive branch to comply with the request of the Congress in this matter.
>
> Animal fats and edible oils have been needed and requested by voluntary organizations, but have been denied by the Government.

Mr. President, despite this emphasis of the will of the Congress to provide vegetable oils and fats to hungry, needy people abroad, Secretary Benson never used this authority. As evidence of the long-standing need of Agriculture, let me read in part from a press release dated December 18, 1957, entitled "Agencies Aiding Needy Overseas Ask Inclusion of Fats in Department of Agriculture Surplus Program."

> The Honorable Ezra Taft Benson, Secretary of Agriculture, presided today at a National Conference on Food Donations with representatives of domestic and oversea voluntary organizations receiving and distributing surplus agricultural commodities.
>
> The theme of the Conference, which was held at the Department of Agriculture in Washington, was: "Sharing America's Abundance."
>
> Moses A. Leavitt, chairman of the American Council of Voluntary Agencies for Foreign Service, asked, on behalf of some 23 American voluntary agencies distributing surplus foods to the needy in 88 countries overseas, that the Department of Agriculture "add some form of fats or oils to the foods now available for feeding these unfortunate people."
>
> Pointing out that the "basic diet the world over includes some form of fat or oil," Mr. Leavitt reminded Secretary Benson that these items are currently lacking among the D.A. surplus foods released for distribution.
>
> Mr. Leavitt, widely recognized as an authority on oversea needs, called the surplus commodities program "a long-term spiritual investment of immeasurable value for the people of our Nation."

The charity agencies testified before one of our Senate committee hearings in 1958 that fat was the most needed item in their programs abroad.

When the new administration took office in 1961, it did move promptly to fulfill President Kennedy's commitment. On February 1, 1961, the Senator from South Dakota [Mr. McGOVERN], then serving as the President's Special Assistant and Food for Peace Director, announced:

> GEORGE McGOVERN, Special Assistant to the President and Director of the food for peace program, announced today "two significant steps designed to improve the distribution of U.S. food by religious and humanitarian groups operating overseas."
>
> McGOVERN has asked Secretary of Agriculture Orville Freeman to make available over the next 18 months edible oils to be used in connection with feeding programs operated in foreign countries by voluntary relief agencies.
>
> In making this announcement, McGOVERN said, "This action is taken to meet a demonstrated need for more effective use of our agricultural abundance by the voluntary relief agencies."

> In recognition of this need, the Congress provided in September 1958 specific authority for this purpose.
>
> McGovern suggested in a letter to Agriculture Secretary Orville Freeman that the oils be made available from processed corn, cottonseed, peanuts, or soybeans.
>
> McGovern also announced today that he has requested the International Cooperation Administration to modify a policy it has followed which required U.S. voluntary agency feeding programs to be "phased out" regardless of special conditions in any given country.
>
> In announcing this action, McGovern said, "After evaluating the effect of this policy on feeding operations conducted under the direction of the various voluntary relief agencies, I have concluded that the policy is inconsistent with the objectives of the food for peace program and has tended to create situations in friendly foreign countries under which they are hesitant to utilize the services of the voluntary relief agencies.
>
> McGovern said further, "The modification of this 'phase out' policy is consistent with the efforts of the Kennedy administration to make more effective use of our agricultural abundance."

Mr. President, in 1961, oil and shortening was purchased and made available to religious and other charitable groups abroad. Some of it was diverted to our domestic school lunch program, another excellent program.

When oil is made available in these programs and in underdeveloped areas it builds its own expanding markets for the future benefits of U.S. farmers.

Look what has happened where title I of Public Law 480 has made oil available for foreign currency. Spain, which once bought oil only for pesetas, is now the largest dollar buyer of soybean oil for export. Greece bought nearly 40 million pounds of soybean oil for dollars this past year after using soyoil under Public Law 480 and would have bought more except that delivery could not be made because of the dock strike. There are other instances.

Exports of our wonder growth crop, soybeans—including soybean oil and soybean meal—now bring back more dollars to the United States than any other crop and bring back more dollars than practically any single item of export. Further expansion is in prospect for soybean production and for exports. This year the soybean crop will reach 728 million bushels, according to the latest official estimate.

And still there is no surplus of soybeans, or of soybean meal. In fact, soybeans and soybean meal are short of our real needs for domestic processing and export. There is, on the other hand, a tremendous surplus of oil.

As a result, oil is cheap and meal is high. The fact that soybean meal is high priced should be a matter of concern to all those who produce poultry, or cattle, or hogs.

Under these circumstances one would think the Department of Agriculture would be buying oil for charitable distribution. This, however, is not the case. I have a memorandum dated June 28, 1963, from the Director of Food Distribution in the Agricultural Marketing Service which, in effect, denies the voluntary agencies oils and fats. They must take butter, butter oil, or ghee. Period.

Mr. President, it is good to use our butter for these humanitarian purposes. But, apparently the Department of Agriculture overlooks several factors which I think are important. First, butter has been accumulated in part because oil is so cheap. Whether cheap oil is a matter of policy or not I do not know, but there are some who think the Department has a low-price oil policy. The Department says it does not have a low-priced oil policy. But I think this is a clear case whether the absence of a firm policy to supply oil in itself becomes the policy.

Second, there are many areas which cannot use butter, but which can use oil. If I interpret the Department's current policy correctly, these areas must use butter or do without. In any event, it is quite clear that unending correspondence, consideration, and debate is delaying action for long periods on requests for soybean oil and for butter, too. Butter is not helped by piling up more and more cheap oil. Butter producers as well as poultry and livestock producers are not helped by the high-priced soybean meal resulting from cheap oil.

Some Department of Agriculture economists say the price of oil does not affect the price of meal. I do not agree with them. More reasonable prices for oil would increase soybean prices which in turn would encourage larger soybean production in the future. This would make available more meal and would shift acreage from surplus crops to soybeans.

The farm economy and farm programs are not helped by this failure to use and expand the use of soybean oil where the need is large and it can be expanded. I think it is high time the Department began to move on oil exports through charity donations and also on sales for foreign currencies. Here is a chance to shift acreage to soybeans—a crop which earns dollars. It is better than schemes to retire farmers and to retire farm acreage. It is cheaper and it builds expanding markets for the future.

What I have said as to humanitarian use of our soybean oil is a matter of concern to all. The use of surplus oil makes available more soybean meal to producers of poultry, of livestock, and of hogs. It is also of interest to producers of cottonseed because cotton oil, and soybean oil are interchangeable. It is also of interest to lard and in turn to corn-hog farmers. It is of interest to the vast dairy industry which faces cheap oil until action is taken.

Under all these circumstances, Mr. President, I cannot understand why the Department of Agriculture is not working more actively with the charity organizations to meet all of their oil needs for the coming year. Nor, can I understand why the Department is not really driving for sales of soybean oil for foreign currencies.

There can be no disagreement as to the necessity for prompt action on oil—action which should be taken before farmers begin selling their soybeans and cottonseed.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

ADDITIONAL BILL INTRODUCED

Mr. BARTLETT (for himself and Mr. Gruening) introduced a bill (S. 2186) to amend the Home Owners' Loan Act of 1933, which was read twice by its title and referred to the Committee on Banking and Currency.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

AMENDMENT OF HOME LOAN BANKING ACT

Mr. BARTLETT. Mr. President, in behalf of the junior Senator from Alaska [Mr. Gruening] and myself, I introduce, for appropriate reference, a bill to amend the Home Owners' Loan Act of 1933. This bill, if passed into law, would empower the Home Loan Bank Board, at its discretion and upon a determination that there is adequate need, to lift the 20 percent of assets regulatory limitation on loans secured by properties located over 50 miles from a savings and loan home office.

At this time it is well that I should make clear the intent of this legislation.

The 50-mile limitation is a sensible provision which has worked well in most places across the country. Local savings and loan firms are able to compete locally under the terms of this restriction. And it is not our intention by this legislation to alter the situation. The bill which I introduce today will not alter in any way the practices of savings and loan institutions in the more populated areas of our Nation. The bill I introduce today looks to the less-populated regions. It looks to the areas where there are no local lending institutions of any kind whatsoever within a 50-mile radius or even a 100-mile radius. This bill looks to the area, sparsely settled, which is unable to support a savings and loan institution of its own.

Such areas exist in Alaska. The commercial and residential development of communities in my State is hindered by a lack of capital locally available. The savings and loan institutions of the State are subscribed to the full limit of their 20 percent. They would loan more if they could.

The bill I introduce today is designed to let them do so.

If, in the view of the Home Loan Bank Board there has been an adequate show of need, the Board would be empowered, in such cases as I have described, to raise the 20 percent—50-mile limitation.

It is my hope that this small piece of legislation may soon receive appropriate consideration.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2186) to amend the Home Owners' Loan Act of 1933, introduced by Mr. BARTLETT (for himself and Mr. GRUENING), was received, read twice by its title, and referred to the Committee on Banking and Currency.

ADJOURNMENT TO MONDAY

Mr. HUMPHREY. Mr. President, if there is no further business to come before the Senate at this time, I move, pursuant to the order previously entered, that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 7 o'clock and 11 minutes p.m.) the Senate adjourned, under the order previously entered, until Monday, September 30, 1963, at 12 o'clock meridian.

CONFIRMATION

Executive nomination confirmed by the Senate September 26, 1963:

DEPARTMENT OF STATE

Dwight J. Porter, of Nebraska, a Foreign Service officer of class 1, to be an Assistant Secretary of State.

EXTENSIONS OF REMARKS

Address by Hon. Barry Goldwater Before the Republican Men's Club of Bartlesville, Okla., on September 13, 1963

EXTENSION OF REMARKS

OF

HON. PAGE BELCHER

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 26, 1963

Mr. BELCHER. Mr. Speaker, under leave granted, I wish to insert in the RECORD the following speech made by Senator BARRY GOLDWATER, of Arizona, before the Republican Men's Club, Bartlesville, Okla., September 13, 1963:

EXCERPTS OF REMARKS BY SENATOR BARRY GOLDWATER, REPUBLICAN, OF ARIZONA, BEFORE THE REPUBLICAN MEN'S CLUB, BARTLESVILLE, OKLA., SEPTEMBER 13, 1963

How can the Republicans win the Nation in 1964?

This is one of the most intriguing, fascinating, and, in some respects, baffling questions now occupying the minds of Republican leaders and workers throughout the country.

And, I might say there are almost as many theories as there are sections. Certainly there are as many theories as there are factions within the Republican Party.

If I might I should like to discuss this with you for a while today and, if possible, lay to rest some popular misconceptions and root out some downright ridiculous arguments.

Let me begin by saying that I disagree with people who argue that we should write off the eastern seaboard and the industrial areas of the country. I disagree with people who insist that we must forget all about the Negro vote, and that we might as well concede the labor vote. I do not believe the Republican Party should write off any section of the country or any group of potential voters. I believe the Republican Party should strive to its utmost in every part of America and among every possible group to win votes.

When I say votes, let me make it entirely clear that I mean American votes—not Negro votes, or labor votes, or Hungarian votes, or Jewish votes—but American votes. I am sick and tired of the efforts we see today that are designed to further divide the American people.

And while I'm at it, let me say that I believe the most stupid, irresponsible suggestion I have ever heard put forward is the argument that the Republican Party should soft-peddle its efforts in the South because a determined effort in that area might give the party a racist tinge and cost our candidates votes in the metropolitan areas of the North.

Some people, who advise the Republican Party to aim almost exclusively at the big city vote, would have us practically renounce the South. They hint darkly that we were subordinating the party to segregationists when we picked up a few House seats south of the Mason-Dixon Line in 1962. This, of course, is completely and transparently untrue. Not one of the southern Republican Members of the House or Senate has ever campaigned on racial issues, whereas almost without exception their Democrat opponents have.

I suggest this is a theory that is politically impractical, factually dishonest, and statistically weakminded. It says, in effect, that the best way for Republicans to win elections is to write off the largest blocs of potential voters. It says that the Republican Party must avoid sectionalism by abandoning most sections of this great Nation and become a party of only one section.

The theory is suicidal. It would kill the growing realization that this Nation wants to get off the old, low road of machine politics and get onto a high, new road of government representative of all the people.

The theory is selfish. It seeks to hold control of the Republican Party in the hands of men committed to defeat and to duplication of Democrat programs.

The theory is timid. It would forsake the great principles upon which Republicanism is founded. It would say to the voters of the Nation that we dare not go to the American people with the clear-cut choice they want, only with the warmed-over, watered-down arguments of the Democrats.

Most important, the theory is not a Republican theory.

The Republican Party is a great union of American strengths—the rugged, restless strength of the growing West; the rock-solid strength of the Midwest; the busy, bustling strength of the North and the East; and the proud, expanding strength of the South.

The Republican Party is a party of unity, not of exclusion. It is a party of principle not of big city machines.

The Republicans can and must offer this Nation a choice when any of our candidates go before the electorate. We must offer the chance for sound policies here at home and for freedom around the world. We don't want to be know as Little Sir Echo. We want real Republican voices and choices to be heard.

Those who would put chains on that choice do not serve Republican principles; they serve only liberal Democratic objectives of spending and spending to elect and elect.

I say to you that the South today, with its growing restiveness over radical Democrat economic policies, offers the Republican Party one of its most important political advantages in many decades. Those who believe that Republican gains in the South are somehow mysteriously tied to racism, ignore the obvious facts. They ignore the fact that Republican influence in the South is growing in direct proportion to the South's moderation on the race issue. They ignore the fact that Republican strength in the South is located in the cities and urban areas where a new view is emerging, while Democratic strength is more and more being confined to the rural communities where the race issue has undergone little change.

It is my firm conviction that any arguments which attempt to connect Republican strength in the South to the race issue ignore not only the process but causes of what is happening throughout the Southern States of our country. They miss—wittingly or otherwise—the point that the South is, and has been for sometime past, undergoing a profound evolution of political thinking and acting. They fail to take into account the vast changes which have taken place in the South over the past two decades.

But perhaps the greatest mistake made by the newly risen host of experts on southern politics is the belief that the Republican trend is something new.

This, of course, is utter nonsense. The Republican trend in the South has been developing over a period of years and has kept pace with the evolutionary process of change.

In effect, it amounts to the political flowering of a new society.

It is the expression of progress toward a two-party political system in a section of the country which had long confused traditional political practice with its own welfare.

Call it an awakening if you like. But remember it has been a gradual, slow-paced awakening which has gone on for a long time and only showed up in a relatively massive way in the last election.

I say that the very deliberateness of the process attests to its soundness and marks its lasting qualities. Make no mistake about it, Republicanism is in the South to stay. If it were the overnight development that many commentators and politicians would like us to think, then I believe we might be justified in looking for a single reason for the Republican strength shown in the 1962 elections.

The changes which are now finding political expression in the South have been going on for years. They are attuned to new economic and commercial developments and attitudes. They have their roots in the new industrialization of a part of the country which, from its earliest settlement has existed in an agriculture economy and society. They are related to the growing importance of business activity and concern for the interests of the business community. They are tied in with the steady and growing expansion of urban communities and cities and the declining influence of the rural areas.

And this last point is of particular importance. Republican strength is greatest in the cities—the urban areas—of the South. These areas are growing in numbers and in size. The recent Supreme Court decision on reapportionment makes it certain that the urban areas of the South will become increasingly important in statewide elections.

And, as Republicans gain in these elections, so will the political sinews of the party organization. More and more patronage at the State and local levels will fall into Republican hands and become the framework for enduring political organization at the "grassroots" of the South.

I suggest to you here today that it is the South itself that is changing; not the approach of political parties to the South. A new and vigorous middle class is developing in the wake of industrialization and heavier emphasis on commercial attitudes.

Because of this, it is particularly significant that Republican strength in the South is emerging in a city environment. It shows that a new and different conservatism is rising to displace the old, rural traditional—almost hereditary—conservatism of the Democrats. It is primarily an economic conservatism stemming from the growth in business, the increase in per capita income, and the rising confidence of the South in its own ability to expand industrially and commercially. And it is a brand of conservatism which sees liberal Democratic policies of inflation, unbalanced budgets, and deficit financing as part of the old pessimism which once gripped this region.

In the Republican Party, I suggest, the South sees a welcome trend away from centralized control of Government and an emphasis on States rights, local responsibility and individual freedom.

The Republican Party in the South is based on truly progressive elements. It is manned by young, energetic and imaginative southerners who are standing up in the Nation and looking about them with a kind of pride and optimism and hope which hasn't been seen since before the days of the Reconstruction. These are the new, vigorous southerners who have adopted the full scale of modern technology without sacrificing respect for and belief in the essential underpinnings of history. And, having adopted this modern technology, they are following through with a realistic political outlook that is unwilling to be taken in by the reactionary devices and mechanisms of government extravagance and the other manifold varieties of economic fallacy which have become the standard program of the northern Democrats.

Consequently, I believe the South has become an area of new opportunity and therefore new challenge for the Republican Party. And it has become an area which will demand and obtain an increasingly strong voice in the conduct of Republican Party affairs.

What we do with this opportunity can affect the future of the Republican Party and the Nation for many years to come. By the same token, what we might fail to do—through some mistaken interpretation of what the growing Republican trend in the South actually means—could have long and lasting effects. In this, I strongly disagree with some members of my own political party who have evidenced a timidity and a reluctance to take full advantage of the enlightened trend toward Republicanism and economic conservatism in the South.

The Republican Party's record on civil rights is clear and cannot successfully be challenged. We have not had to ignore the law to force integration, nor have we deliberately evaded the law in an effort to win votes in the northern cities. It is the liberal Democrats who have been guilty of such acts more times than can be counted. Most sensible southerners—both Negro and white—are aware of this. Their increasing support for the Republican Party is based simply upon their preference for honesty and their revulsion at political deceit.

I suggest that the majority of the American people today see more clearly just what differences separate our two major political parties and I believe they will cast their ballots accordingly. That all of this has geographical implications cannot be denied, but the overall national effect is one which I believe augurs well for a healthy, perhaps vital, change of attitude which will be reflected at the polls in 1964.

But when it comes to arguments that the GOP should write off the South or refuse to conduct a vigorous campaign in the South, I should like to remind you of the strategy devised by Franklin D. Roosevelt. No matter what else you might think of him, the fact remains that F.D.R. was one of the sharpest and shrewdest politicians the Democrats ever put up. He fully recognized the value of the South in every national election, often pointing out that since that area was solid Democrat in its voting, any reasonable amount of support in the rest of the country could bring election victory. This estimation served F.D.R. well in his lifetime, but—like his deficit financing—future generations of Democrats are going to have to pay for it.

It is not at all surprising that a proud section of the country should first become restive and finally become resentful over its classification as a slave state of the Democratic Party.

Southern people, generally conservative in nature, resent the gradual takeover of the Democrat Party by liberal and radical forces. They have displayed this resentment graphically and effectively by casting more and more ballots for Republican candidates who represented honesty in office and dedication to American principles.

Now I don't intend to stand here and pretend that the racial issue has not contributed at all to the defection of southerners from the Democratic ranks. But neither am I willing to accept the premise that segregation is the great delineation between the parties. Far more important than the race issue to most southerners has been Federal encroachment on local government, the curtailment of individual liberties, growing Federal control of just about everything. In addition, many Southern States through whose ports move large amounts of Latin American trade, are repulsed by this administration's fainthearted handling of Fidel Castro and the Soviet military base in Cuba.

So I say that it would be foolhardy and unrealistic for the Republican Party to adopt a strategy aimed at the northern big cities to the exclusion of the South. I say that our party cannot afford to write off any part of the United States nor any group of potential voters.

I say we are not going to write off the suburbs, which figure to be one of our strongest sources of support. And we are not going to write off the cities no matter where they are, because we understand that the more votes we get the more certain we can be of victory. We are not going to write off the South, because we can read in the political trends of the past few years a Republican presidential sweep in 1964 that could give us many new Republicans in the House of Representatives. We are not going to write off the East, because we have ample proof in several of the biggest of these States that we can elect Republicans to any and all offices. And, in view of a wide variety of recent polls, our growing strength in the Midwest and West makes it obvious that we are not going to abandon them.

Why should we write off anything in an American election? The Republican Party is an American party, a party for all Americans.

And now let us look at another great area of our Nation—one which, despite its size, has pulled a few political tricks out of its bag that startled the whole country.

I know that all of you here had some responsibility in staging that latest showstopper with the election of Henry Bellmon to the Governorship of Oklahoma. One of the secretaries in PAGE BELCHER's office back in Washington refers to the Governor as "Henry the First"—meaning that he is the first member of our party ever to hold this office, the first to prove that we have the statewide strength to do it again and again and again, if you'll pardon that New Deal expression.

So we have no intention of writing off Oklahoma either. And we certainly don't intend to write off Bartlesville, because you proved in the election of Denny Garrison to the State senate that you have an organization that can work and win.

Now this is very important. We're going to need good organization in 1964, not only to retire the Kennedy clan but also to replace a gentleman whose name I won't mention but whose initials are ED EDMONDSON. I'm sure you Oklahomans can do without Mr. EDMONDSON just as the entire country can do without the Kennedys. What has happened and what continues to happen here proves to my satisfaction that you can retire your local liability with not outside help and that you can assist in the retirement of the Kennedy clan with the help of the East, the South, the North, the Midwest, the West, the cities, the suburbs, the farms, and all other sections and communities of this great country.

In 1964, we'll do some real writing off. We'll write off the Kennedy brothers and the New Frontier and we'll rack up an overwhelming Republican victory.

Thank you.

Cleveland Community Action for Youth, Inc.

EXTENSION OF REMARKS

OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 26, 1963

Mrs. FRANCES P. BOLTON. Mr. Speaker, the citizens of Cleveland, and especially those of the Hough area, have urgently requested that the Juvenile Delinquency and Youth Offenses Control Act of 1961 be extended so that the intensive work undertaken during the past 18 months by Community Action for Youth can be realized in a working program. A bill to extend the program for 3 years (S. 1967) has been reported in the other body and we are hoping that favorable action will be taken by the Congress in this session.

Community Action for Youth, Inc., is a demonstration program for the prevention and control of juvenile delinquency in Cleveland, Ohio, and is jointly funded by Federal and local organizations. From March 8, 1962, until July 10, 1963, the present organization was known as the Greater Cleveland Youth Service Planning Commission, Inc., whose existence was made possible by a planning grant of $124,228 under the Juvenile Delinquency and Youth Offenses Control Act of 1961.

After an intensive analytic study was made of the sociological, economic, and demographic data of 11 social planning area for a massive assault on juvenile ists from various cooperating organizations, it was determined that a subsection of 2.2 square miles within the innercity would best serve as the target area for a massive assault on juvenile delinquency. This section, known as the Hough area, is characterized by rapidly changing factors which have created problems whose deleterious effects have far-reaching consequences not only for the citizens of the Hough area but also for the city of Cleveland and the Nation as well.

Since 1950 the Hough area has witnessed a transition from less than a 2-percent nonwhite population to more than 75-percent nonwhite residents at the present time. In 1950 there were 863 nonwhite residents under the age of 21 years; in 1960 this group numbered 18,475 and is appreciably larger now. This shift in population and its increase in size have resulted in concomitant problems of: unemployment among unskilled workers, severe problems of youth unemployment—77 percent of the out-of-school youth are without employment; special educational problems and lowered median years of school completed from 10th grade to the 9th grade; 134.3 general relief cases per 1,000 population in 1961 compared to the city of Cleveland's 43.7 cases; and 103.1 Aid to Dependent Children cases per 1,000 population in 1961 while Cleveland averaged 26.2 cases. But most significantly, the Hough area is afflicted with 18 percent of the city's major adult crimes, even though it has only 8 percent of the total city's population, while the juvenile delinquency rate for both boys and girls has soared from 57.1 cases per 1,000 population in 1950 to 128.3 in 1961 while the city of Cleveland rate rose from 47.5 to 78.6 cases during the same period.

Of profound importance for research and applied possibilities in combatting juvenile delinquency is the proposal by Community Action for Youth, and accepted by the Review Panel of the President's Committee on Juvenile Delinquency, to engage various tax-supported and private organizations in concerted action toward the pursuit of solutions of prevalent social problems. Particular emphasis is placed on strengthening education, training of youth for employment, and strengthening services which support family life. These organizations have previously sought these ends independently of each other without significantly altering the course of social disorganization within the inner city.

To qualify for Federal funds under the matching fund conditions governing demonstration grants and to meet the requirements of the Community Action for Youth proposal, it was necessary to undertake extended negotiations with the city of Cleveland, the Cleveland Board of Education, the Cuyahoga County Commissioners, local foundations, and the United Appeal. Planning procedures had to be related to the functions, restrictions, and problems of the participating organizations. Of special concern was the problem of allocating funds, services, and personnel to a sub-section of the total community in the face of other responsibilities carried by political organizations.

These preparatory efforts occurred over the entire phase of the planning period during which time the demonstration planning was continued unabated toward refinement and precision. After some delay in securing vital organizational commitments to the project there was finally pronounced agreement among the organizations to participate in Community Action for Youth. A start at undergirding its premises and fulfilling its objectives is now a matter of fact.

The small staff of Community Action for Youth is currently seeking qualified applicants to fill its program and research positions. Several top administrators have been hired so that the schools program, youth employment, and pre-school family nursery programs are now being developed and will be in operation within the immediate future. During the winter months other phases of the action programs will begin. These programs include the neighborhood extension service and services to families.

The real effort to put this program into effect and see it through to completion cannot be accomplished entirely by the local community without some Federal assistance. Therefore, we in Cleveland are hoping that action will be taken on an extension of the Juvenile Delinquency and Youth Offenses Control Act.

Changes in Public Laws 815 and 874

EXTENSION OF REMARKS

OF

HON. DAVE MARTIN

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 26, 1963

Mr. MARTIN of Nebraska. Mr. Speaker, I am today introducing a bill which would amend Public Laws 815 and 874 in order to bring them more in line with their original purpose.

These laws had their genesis in late 1949 and early 1950 when the Subcommittee on Education of the House Education and Labor Committee conducted extensive hearings all across the country, the printed record of which extends to some 2,400 pages. In the report of that committee, it was stated:

> Federal assistance as called for in these recommendations is restricted to meeting the Federal responsibility only in these affected school districts; it is not intended to provide assistance that would be available under proposals for general Federal aid.

Over the years since 1950, however, due largely to various amendments, the program has become a kind of general aid to education, "under a poor formula" as one authority put it. While I would be opposed on principle to a Federal program of general aid to education, if we are to have such a program it should be drawn up, introduced, and debated on its own merits. It should not be foisted off on this Congress and on the public by hacking up, amending, and distorting a bill designed to meet a limited and specific problem. It is with an eye toward eliminating some of the more serious inequities and unjustifiable provisions of these laws that I am proposing the following changes:

ELIMINATE ONE-HALF OF NATIONAL AVERAGE CONTRIBUTION RATE

First of all, my bill would eliminate the one-half of national contribution rate as an alternative basis for computing the "local contribution rate." At present, the local school district can use as its "local contribution rate" any one of three different figures—the amount spent per pupil from local revenue sources in "generally comparable" school districts within the State, one-half of the State average per pupil cost, or one-half of the national average per pupil cost in the continental United States.

This latter alternative should be eliminated since—

> Such a rate bears no reasonable relation to the revenue losses or financial burdens occasioned for a particular school district by Federal property tax exemption. Its effect, indeed, is a Federal payment of the full cost per "A" category pupil to many school districts which receive in addition substantial State aid for these same pupils. (Statement of Francis Keppel, Commissioner of Education, before the Select Subcommittee on Education, House Committee on Education and Labor, Apr. 2, 1963.)

The original purpose behind the one-half of national average contribution rate was to make the payments to school districts throughout the nation more nearly equal. Before the amendment, there was a very wide discrepancy among payments to school districts in different States. This was due to the fact that Federal payments were based on local contribution rates, and in States where the State contribution to education was high, the local rates were low, and vice versa. It was felt by many to be inequitable for a State which contributed highly to education to be penalized by the terms of the act. Again, however, the present act is being confused with a program of general Federal aid to education.

As was said by Elliot L. Richardson, Assistant Secretary of Health, Education, and Welfare in 1958:

> The relevant measure is that amount which will put the school district in the same situation as other school districts in the State.

The purpose of Public Laws 815 and 874 is to alleviate the burden caused by Federal activities; its purpose is not to equalize the quality of American education or to provide a gratuitous boon to fortunate school districts. This amendment would save $17 million.

REDUCTION OF PAYMENTS FOR 3(B) "OUT" CHILDREN

The second change would provide that, in a situation where the parents work on tax-exempt Federal property but live in a school district other than the district in which the property is located, payment for each child would be reduced from 50 to 25 percent of the local contribution rate. Under the existing laws, all "B" category pupils are compensated for at the 50-percent rate, whether the Federal property is located within or without the district of residence. Yet, it is obvious that the burden is greater in the one case than in the other.

When both the Federal property and the residence are in the same school district—the B "in" pupils—school revenue per "B" pupil is cut one-half by reason of the Federal property tax exemption—retaining the other one-half which comes from the residential property. On the other hand, when the Federal property is located outside the district of residence, there is no reduction due to Federal tax exemption. In many States, however, the contribution to local school districts from State tax funds is fairly substantial. Tax-exempt Federal property located anywhere in the State would reduce this State contribution to the local district. To compensate for this reduction, this bill does not entirely eliminate payments for B "out" pupils, but rather provides that they will be compensated for at a rate of 25 percent of the local contribution rate.

In addition, if payments were reduced when the Federal installation is not in the school district, there would be an incentive to consolidate school districts, a procedure generally supported by educators and others who have concerned themselves with the problems of the American school system. This amendment would save $52,411,662.

THREE PERCENT ABSORPTION REQUIREMENT

A third change would revive the 3-percent absorption requirement. In Public Law 874, as it stood in 1951, it was provided that the school district should absorb a number of federally connected students equal to 3 percent of average daily attendance, the theory being that the Federal installation brings certain benefits to the district which should offset to a certain extent the burden caused by the federally connected pupils. Implementation of this provision was postponed for a year in order to give the local school districts time to prepare for its effects. Yet, when it came time to put this section of the law into effect, the opposition of school district superintendents throughout the country was loud and vocal, since it would, of course, cut down, or in some cases eliminate, their allotment. As a result, the provision was again postponed and eventually eliminated. In its place, it was provided that there should be a 3-percent eligibility rather than an absorption requirement. Thus, a school district would receive payment for all federally connected pupils as soon as their number reached 3 percent of all pupils in average daily attendance. This provision is both inequitable in its effect and unjustifiable in terms of the original purpose of the laws. It is inequitable in that a district which has 3 percent federally connected pupils is compensated for all of them, while a district with 2.99 percent receives no help at all. What has been done, in effect, is to eliminate the absorption requirement in some cases and retain it in others. If the absorption requirement were revived, this inequitable situation would be remedied.

The provision is unjustifiable, since it fails to take into account the benefits which a Federal installation brings to a community. In the words of M. L. Reese, county manager, Montgomery County, Md., testifying in 1958 before the Subcommittee on Education of the Senate Committee on Labor and Public Welfare:

> The loss of assessable base resulting from incoming Federal installations is, to a great extent, offset by a general tendency of stimulation to local commerce and area property values.

Reviving the 3-percent absorption requirement would recognize these benefits. This amendment would save $44,111,023.

ELIMINATION OF PAYMENTS UNDER PUBLIC LAW 874 WHEN PRESCRIBED ELIGIBILITY CONDITIONS ARE NOT MET

A further provision of my bill would eliminate the so-called Purtell amendment. This amendment, approved in 1958, provided that a school district that has met the 3 percent—or 6 percent—eligibility requirement in any year but fails to meet the requirement in the next 2 succeeding years is still eligible for payment for the actual number of federally connected children in average daily attendance in the school district the first year, and for 50 percent of such payment the second year. This is designed to lessen the strain on the school budget which would result from a sudden elimination of Federal funds. With a 3-percent absorption requirement substituted for the present 3 percent eligibility requirement, such as phasing out would, of course, no longer be necessary. The school district would only be receiving payments for those students in excess of 3 percent, not for all students or for none as at present.

Yet, even if the 3 percent eligibility requirement were to be continued, the Purtell amendment could not be justified. According to L. G. Derthick, Commissioner of Education, testifying on June 9, 1959, before the Subcommittee on Education of the House Committee on Education and Labor:

> This amendment is manifestly discriminatory as respects a school district which barely meets the 3 percent condition of eligibility in a given year and barely fails to meet that condition in a subsequent year, as against another school district which barely fails to meet such eligibility condition in either year.

Furthermore:

> Such phasing out of Federal payment is unnecessary since section 3(f) of the law permits a 1-year continuance of payments in the case of a decrease in the number of federally connected children for which a school district had reasonably prepared in anticipation of eligibility for Federal payment when such decrease is due to a cessation in Federal activities. (Statement of Francis Keppel, Commissioner of Education, before the Select Subcommittee on Education, House Committee on Education and Labor, Apr. 2, 1963.)

Thus, the Federal Government would aid the local school district only when the need is a direct Federal responsibility. Again, it should be remembered that this is not a general Federal aid to education program based on need but, rather, it is a limited program to fulfill a specific Federal responsibility. This amendment would save $528,467.

INCLUSION OF THE DISTRICT OF COLUMBIA

My bill also contains a provision which would make the District of Columbia eligible to participate in the impacted area school aid. There is no logical or equitable reason for not treating the District on the same basis as other States, territories, and possessions. In fact, the Federal Government has a more obvious and immediate responsibility for education in the District of Columbia than in any other jurisdiction. This community should and could be a showcase of educational and social advancement. Without prompt corrective action, it may well become a shambles. Adequate financial support for the public schools of the District is the most vital requirement for corrective action.

The District participates in the benefits of virtually all other Federal programs in the field of education, including the Vocational Education Acts, the National Defense Education Act, and other major legislation. The only rationale for not including the District in impacted area aid is that it receives a general Federal payment. This is not persuasive in view of the fact that the Federal payment is for general budgetary purposes and is made by virtue of the fact that Washington is our National Capital, whereas impacted aid is specifically directed to education in areas in which Federal activity creates a heavy burden on schools. In terms of Public Laws 815 and 874, Washington, D.C., is one of the most heavily impacted areas in the Nation. About 43 percent of all property in the District is owned by the Federal Government.

In fact, employment of parents of public school children on Federal property located within the District of Columbia is the basis for Federal payments of millions of dollars to school districts in nearby Maryland and Virginia. Yet the same employment on the same tax-exempt property by a parent who resides in the District does not yield one penny to the public schools of the District.

Surely the relationship of the Federal Government to the District is not remarkably different from its position with respect to Wake Island, Guam, and the Virgin Islands, all of which participate in the impacted area school aid programs.

These arguments for including the District, based upon considerations of equity, would be valid even if the Federal payment to the District were adequate. The fact, however, is that the Federal payment is grossly inadequate.

The administration this year recognized the inadequacy of this payment and recommended that it be increased to a level of $61.8 million annually, or nearly double the rate for fiscal year 1963. However, $50 million has been approved for fiscal year 1964. While this figure represents a substantial increase over previous years, it is still an inadequate amount.

Clearly, if the schools of the District are to receive the increased financial support that they so desperately need, they must look to a source other than the Federal payment. Public Law 874, which would provide annual payments to the District of about $4 million, is one such source.

Furthermore, statistics show that the District has experienced a slight decline in total population but, at the same time, has had an enormous increase in the numbers of schoolchildren in the public schools. Bare statistics do not tell the whole story, however, of the flight of wealth to the suburbs coupled with the continued influx of socially underprivileged families into the heart of the capital. The children of these families require far more extensive services and far more intensive effort from our schools than do those children of more fortunate families. These children are just as much a part of the reality of America, and of the hopes we have for the future, as are those of more fortunate background. They deserve our best efforts. Even if the attention of the whole world were not focused upon Washington, D.C., our responsibility toward the children of our Capital would be the same. This is the one Federal responsibility of education which is undisputed, and which we must discharge with honor.

TO PREVENT THE REDUCTION OF STATE PAYMENT TO IMPACTED SCHOOL DISTRICTS

Finally, there are a number of States that reduce the local school district's entitlement from State funds when these local districts receive aid under the impacted areas program. The State of California is the best example of this. Under California law, 60 percent of the funds received by the local school districts under Public Law 874 are considered to be "local resources." Since the State contribution to the local school district is based on the local resources of the district, this provision has the effect of cutting down the State contribution to the local district by an amount equal to 60 percent of their entitlement under Public Law 874. As a result, the Federal Government is not only aiding the impacted school district, but may be providing a form of general aid to education in the State if the State funds that would have been available to the impacted school districts if they had received no Federal payments are used for other educational purposes in the State.

My bill provides that Public Law 874 payments to the local school district are to be reduced by an amount equal to the reduction in the State entitlement. The State would thus be deterred from reducing its payment to federally impacted school districts.

I firmly believe that if these changes in the impacted areas legislation are adopted, a long step will have been taken toward making these laws both more equitable and more in line with their original purpose.

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 30, 1963

The House met at 12 o'clock noon.

Rev. John Wynn Myers, D.D., Washington Street Methodist Church, Alexandria, Va., offered the following prayer:

Our gracious and loving Father, we stand before Thee this day, at the threshold of another week. We praise Thee for Thy creation and our own place of service among Thy people. This new day is given us full of promise and without blemish. It is ours for all the good we might do in Thy name.

Here in Washington we sense Thy presence in peculiar fashion. We know Thou art present with the Congress. The eyes of all the Nation are set upon Thy work done here. Across the crowded ways we hear the cries of our brother's need. In haunts of wretchedness we see Thy tears revealed. The challenge of our unfinished task is ever before us.

Grant to each of us the wisdom to know what is right.

Amidst the multitude of so many demands may we know where our first energies belong. Beyond the petty claims of selfish men may we hear Thy call and may we learn to do those services which render the largest good to the most people.

To these Thy chosen representatives, O Lord, give special blessing and endowment. May they possess a wisdom and an understanding come from Thee. As they work this day, may they possess the strong sense of Thy abiding presence in their midst. Grant to them a peace of mind and heart that comes when men know that they have done their best.

These things we ask that this Nation and Thy people may be blessed and Thy name may be glorified and honored throughout all the land. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, September 26, 1963, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5555) entitled "An act to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5888) entitled "An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1964, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to amendments of the Senate numbered 8, 12, 21, 37, and 56 to the foregoing bill.

"ALONE NO LONGER," BY STANLEY STEIN

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Mr. SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PASSMAN. Mr. Speaker, I am pleased to have this opportunity of bringing to the attention of my colleagues what I regard as one of the most moving and courageous stories ever published. I refer to the book "Alone No Longer," written by Stanley Stein, a patient in the U.S. Public Health Service Hospital at Carville, La., and a dear personal friend of mine.

Mr. Stein's book is a composite of many stories about people at the hospital who suffer from Hansen's disease, one of whom is himself, and in the process of telling these stories the author also presents an authoritative discussion of the disease and the care and treatment of those who are afflicted by it.

Speaking to you as one who has considerable layman's knowledge concerning the subject-matter, I want to observe here that it is indeed unfortunate that Hansen's disease is still most generally referred to as "leprosy" and that the victims of this malady continue to be labeled "lepers."

In all the annals of history there is recorded no more terrible chapter of mankind's inhumanity to man than in the accounts of the treatment of those afflicted with leprosy, or Hansen's disease. The stigma attached to the disease is almost worse than the affliction itself and dates back even before the Middle Ages.

How regrettable it is, Mr. Speaker, that even in this age of compassion, the thinking and the attitudes of the general public about this malady have not materially changed.

I have visited the hospital at Carville on numerous occasions, have participated in various programs there, and have mingled freely with the people—patients and hospital personnel alike—and I have always felt completely safe and have enjoyed my associations there to the fullest extent. Doctors and nurses at "Carville"—more accurately described as U.S. Marine Hospital No. 66—which is the only so-called "leprosarium" in the United States, observe only common precautions, and none has ever contracted the malady.

No one knows exactly how Hansen's disease is transmitted, or how long the incubation period—except that it must be quite long—but the disease is commonest in warm climates. The fact that there are only a few hundred patients at Carville is further evidence that, fortunately, relatively few people ever contract the bacillus.

Until comparatively recent years the disease was dealt with on the basis that it was "incurable." Now, however, the relatively new sulphone drugs show great promise of eventual cure.

Mr. Speaker, my friend Stanley Stein, the author of "Alone No Longer," has been a patient at the Hansen's disease hospital in Louisiana for the past 32 years. He has been blind for the past 19 years, but his indomitable courage has not been dampened. He founded, shortly after his arrival, and is still the editor of, the Carville Star, the hospital bimonthly newspaper, which has done so much to revise the treatment of the disease from which he suffers and the attitude relative to the afflicted patients, by disseminating accurate information and counteracting misinformation about what is probably the least understood and most exaggerated complaint affecting mankind. The Star today has a circulation of more than 15,000 in 60 countries of the world.

Mr. Stein has written what is surely a great and permanent book. I hope, sincerely, that many of my colleagues will read it.

> Excellent—a light that dispels gloom—

The New Orleans Times-Picayune said of "Alone No Longer."

Dr. George Woodbury wrote in the Report:

> More than anything else, "Alone No Longer" is a saga of unconscious courage, persistence in the face of dreadful odds, and high good humor.

Columnist Hermann Deutsch commented in the New Orleans States and Item:

> From the standpoint of craftsmanship it is a superb job. First page to last, there isn't a line of mawkish sentimentality. The story development is excitingly done, almost breathlessly so in spots. * * * to a large degree "Alone No Longer" is startlingly frank in the honesty of its revelatory narrative * * * and is well worth perusing for the sheer excitement it conveys to the reader.

Said Newsday, Garden City, N.J.:

> This is a powerful plea for intelligent understanding. * * * The book is tightly packed with information, not the least being that 90 percent of the world's population is immune to the disease which, at its worst, is only "very slightly contagious." "Alone No Longer" is must reading for all.

Mr. Stein's book was described by the Brownwood (Tex.) Bulletin as "the story of a man who refused to be one of the living dead."

There have been scores of such reviews, Mr. Speaker, since "Alone No Longer" was published last June by Funk & Wagnalls Co., Inc. Among the publications reviewing the book have been the Opelousas (La.) Daily World, the Grand Rapids (Mich.) Press, the New York Times—western edition—Kirkus (N.Y.) Bulletin, Publishers' Weekly, and the Fort Worth Star-Telegram, which said:

> This book is as much a testimony to the personal courage of a single human being as it is a strong reminder that it takes society a long time to be disabused of superstition and prejudice.

Also, the Wichita Falls (Tex.) Times:

> An inspiring book, a testimonial to the effectiveness of one dedicated man's efforts.

The Hartford (Conn.) Times:

> In addition to being an exciting and moving life story of a fine, philosophic man, this book is a stirring and eloquent plea for understanding.

The Indianapolis Star:

> His story is a heartening record of heroic determination.

The Saturday Review Syndicate, and the Baton Rouge (La.) Sunday Advocate, which concluded a comprehensive review with this comment:

> The Carville hospital is richer as a result of Stanley Stein having been sent there. Sufferers from Hansen's disease the world over are better off than they were in the days before Stanley Stein. And, readers of "Alone No Longer" will be grateful for the existence of Stanley Stein. * * * As his story unfolds, the reader, no doubt, will be shocked at society's cruelty to its members. But when it seems despair will overtake hope, Stein's writing reflects the calm of one who has lived long, seen much and perhaps understood even more in his blind years. That understanding he has passed along to his fellow men in this volume.

Also, the Mobile (Ala.) Press-Register:

> An absorbing, informative and sometimes shocking book.

Drug Topics, the Chicago Sun-Times, and the Christian Herald of New York City, in which Dr. Daniel A. Poling, editor, wrote:

> This is the profoundly moving story of a man who discovered he was a leper but who refused to be one of the "living dead." No volume that I have ever read has dealt more intimately, more honestly, yes, and more convincingly, with an impossible subject. Something more than loneliness disappears, the loneliness of what through the centuries has been a repulsive horror, too, when this book is finished. But with the disappearance of loneliness comes a new birth of hope with a challenge to participate in one of mankind's great moral and physical adventures.
>
> Call it Hansen's disease or "leprosy," as you may choose, but the fact is no longer greater than the cure, and in this book the promise of healing is like a trumpet over the sad ages.

Columnist Pie Dufour of the New Orleans States and Item concluded an extensive review with this observation:

> "Alone No Longer" is a human document of honesty, sincerity, and sublime courage. It deserves to be a best seller.

Mr. Speaker, in following up these remarks, it is my wish to reiterate several large facts which are a constant part of Mr. Stein's text: The word "leper" is a hateful, misused, and unnecessary one; "leprosy," or Hansen's disease, is not very contagious—far less than tuberculosis, for instance; the disease translated as leprosy in the Bible is obviously not the Hansen's disease of today; Hansen's disease is not of venereal origin, and fingers and toes do not "drop off."

Another point which I wish to emphasize is that Stanley Stein saw the hospital at Carville change—and was highly instrumental in bringing about the changes—from a filth-ridden, ignorance-driven institution, where patients were treated as criminals, and where to enter the gate meant a one-way ticket to a living death, to a clean, modern hospital, where patients are treated intelligently and, in an increasing number of cases, eventually discharged, where patients are now rightfully permitted to vote and otherwise enjoy the privileges of full citizenship, and where the gates swing open both ways.

I shall ever be grateful, Mr. Speaker, that, as a Member of Congress, I have been able to contribute in at least a small measure to the betterment of conditions at U.S. Marine Hospital No. 66, and I shall continue to work toward providing sufficient funds to help improve the lot of these temporarily unfortunate citizens. And, my sense of appreciation to our distinguished colleague, the gentleman from Rhode Island, JOHN FOGARTY, is deep and enduring. As chairman of the House Appropriations Subcommittee handling the money bill for the Departments of Health, Education, and Welfare, he has endeavored to assure for the hospital at Carville as nearly as possible the measure of support that it so clearly deserves but which, unfortunately, until comparatively recent years was not made available.

Mr. Speaker, it is my hope that as many Americans as can do so, when in the Carville, La., area—near Baton Rouge—will avail themselves of the opportunity of visiting the hospital and meeting some of their fellow citizens there, who on the whole are people of exceptional moral strength and integrity.

PROVIDING CONGRESS WITH INFORMATION

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Mr. SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, Congress is again confronted with the case of a veteran Federal employee who is apparently being fired for providing Congress with information which it has every right to know.

I speak of Otto F. Otepka, a 48-year-old lawyer and former chief of the evaluation division of the State Department's security section.

Otepka has been served with a notice of charges that he provided the Senate Internal Security Committee with information in violation of State Department policy to refuse to produce such records.

Mr. Speaker, this latest attempt to deprive the Congress of information, which may well be vital to the security of this Nation is an outrage, and I am today writing Secretary of State Rusk demanding full details, including the names of all the principals involved.

CHIEF JUSTICE WARREN: A TRIBUTE ON THE 10TH ANNIVERSARY OF HIS APPOINTMENT TO THE SUPREME COURT

Mr. CORMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Mr. SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CORMAN. Mr. Speaker, today marks the 10th anniversary of the appointment of Chief Justice Earl Warren to the Supreme Court. In recognition of this event, the State bar of California honored him at its 36th annual meeting being held last week in San Francisco.

Mr. Speaker, it is appropriate we honor Chief Justice Warren. In the comparatively short time since his appointment to the Court by President Eisenhower, he has established a record which will surely cause us to rank him among the outstanding Chief Justices in our history. In the tradition of our great Justices, he has steadfastly safeguarded the individual liberties which the American Constitution guarantees. He has endeavored to see the watchword of the Court—"Equal Justice Under Law"—made a living truth.

In his role as Chief Justice, Earl Warren has delivered many notable opinions in the area of civil rights. It was he, speaking for a unanimous Court, who ruled that segregated schools contradict the basic tenets of our Constitution and of modern democratic society. The force of this decision has been extended to State operated recreational facilities, intrastate transportation and local elections.

At the last term, Chief Justice Warren wrote the opinions in four cases which expanded the ban on segregation to public accommodations and public facilities. These were landmark cases for they were the first sit-in cases to reach the Court. These cases have now made it clear that State and local governments may not directly or indirectly enforce segregation. We can be proud that the Supreme Court, under the leadership of its present Chief Justice, has eradicated the evils of segregation from a large segment of our national life.

It was Chief Justice Warren who wrote the basic decision protecting the right of citizenship from divestment. Our citizenship is the most fundamental right we possess and when lost, we are left stateless and disgraced in the eyes of the world. Understandably, this right should not be withdrawn except under the most compelling circumstances. Chief Justice Warren's decision recognized this and held that such a sanction is penal in nature and violated the eighth amendment prohibition against "cruel and unusual punishment." In so doing, he gave the amendment a contemporary interpretation, emphasizing that by modern standards of civilized treatment this sanction is barbarous.

Events over the past decade have shown legislative investigations can be of great danger to individual liberties. Chief Justice Warren wrote the first opinion curbing the abuses practiced by some of these committees. The opinion restricted the power to inquire into political beliefs and associations of individuals because these subjects have a measure of protection under the first amendment, which stands as the guarantee of our freedom of speech and association.

Chief Justice Warren has continued to play a leading role in the preservation of individual liberties from invasion by arbitrary and unreasonable investigation. In the most recent case decided by the Court, the Chief Justice rendered a decision which reversed the contempt conviction of a witness before one committee on the ground that in dealing with the witness, the committee had failed to comply with its own procedures and had treated him unfairly.

This brief recounting of some of the principal decisions written by Chief Justice Warren makes it evident that he possesses those qualities which make a great Chief Justice—a brilliant mind, strong leadership and an approach which applies the Constitution in the light of the realities of our modern world.

He has challenged passion, prejudice and intolerance whether supported by the multitude or by extremists who wrap their unprincipled attacks in the mantle of spurious patriotism. At all times Chief Justice Warren has remained unswerving in his devotion to the highest ideals of the Constitution.

Mr. Speaker, I join with my colleagues of the State Bar of California in honoring Chief Justice Warren on the completion of 10 years of distinguished service on the Supreme Court. We are truly proud of him and hope that he will continue to serve on the Court for many years to come.

HON. LESTER B. PEARSON, PRIME MINISTER OF CANADA

Mr. OLIVER P. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include an address by the Honorable Lester B. Pearson, Prime Minister of Canada.

Mr. SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. OLIVER P. BOLTON. Mr. Speaker, it was my privilege last night to be present at the annual award dinner of the National Conference of Christians and Jews in Cleveland where the Honorable Lester B. Pearson, Prime Minister of Canada, received the National Human Relations Award from the hands of Dean Rusk, our distinguished Secretary of State.

At this great meeting of community leaders of all faiths, all colors, and all backgrounds, the Prime Minister delivered an address which is worthy of the thoughtful consideration of us all.

ADDRESS BY THE RIGHT HONORABLE LESTER B. PEARSON, PRIME MINISTER OF CANADA, NATIONAL CONFERENCE OF CHRISTIANS AND JEWS, CLEVELAND, OHIO, SEPTEMBER 29, 1963

With my deep personal gratitude for the honor conferred on me tonight go my thanks for the recognition you have also given to my country's efforts in promoting brotherhood through the Canadian Council of Christians and Jews, which is affiliated with your own conference. Canadians join in the Annual Brotherhood Week which you sponsor, and Canadians, like most peoples in our Western world, appreciate and benefit from your program and your work.

The men who founded the National Conference of Christians and Jews 35 years ago did so to combat forces of intolerance, racism and bigotry which still threaten, as they have always threatened, to divide and destroy free societies. Your founders also set themselves a greater goal; that of promoting the brotherhood of man under the fatherhood of God, which is the basic sacred teaching of both the Christian and Jewish religions.

In the period since 1928, the National Conference of Christians and Jews has reached its present and acknowledged position as the world's oldest and most effective organization in the field of brotherhood.

It is the nature of your work that its success can never be precisely measured at any given time. The process of ennobling human emotions and reducing human evils and weaknesses defies measurement. All the more so, because any outburst of racial violence or religious persecution—whether it is a stone hurled in ugliness at a negro or a sign painted in depravity on a synagogue; any assault by evil men against right and reason, seems, at the time, to dominate our view of the state of brotherhood. The immediate outburst overshadows steady achievement.

This, of course, is unfair to the progress toward brotherhood made by men of good will and high purpose over the years. Though you may do much by quiet endeavor to improve human relations among a million men, one man with paint or rock, or vicious word, can hurl his hatred across the large black headlines, and for the moment blot out all that has been done.

You have made ordinary people, in their homes and their schools; in their communities and in their work, conscious of the personal contribution they can and must make, through all their human relations, to better human understanding and brotherhood. It will only be through this kind of personal involvement, only by the right reaction in the hearts and lives of people, that today's great problems, of human rights and social welfare, of freedom, of international order and peace, will be solved.

The universal ideals of the National Conference of Christians and Jews suggest the extension of your brotherhood crusades far beyond their present bounds. A Moslem friend of mine, a former Foreign Minister of Pakistan, once gave eloquent expression to the concept of universality in brotherhood, when he said:

"Human brotherhood is universal. Its basis must also be universal. Islam requires that our concept of brotherhood should derive from our common relationship through God.

"Every one of my fellow beings is my brother, and has a claim upon the best that I have to give, because he is a creature, a servant, an ambassador, of my Lord and Maker. We are all bound together by the rope of God."

One specific aspect of brotherhood is good neighborhood; the good neighborhood of the street, of the city, of the nation, and of the world.

In the realm of national "neighborhood," I think first, of course, of the United States and Canada. Our two countries have shown the world how to link the neighborhood of geography with the neighborliness of good relations. We combine coexistence with the friendly cooperation which alone gives it any creative meaning.

This neighborliness, however, does not mean that we have no problems between us. We do not live side by side in good neighborhood without the difficulties which are bound to crop up in all human and political relationships. We have experienced such difficulties recently, on both sides of the border. They stem from measures taken by one or the other country, taken in good faith to protect its own national interests. But measures taken by one neighbor can at times hurt the other. Such hurts and difficulties may at times be unavoidable but we should keep them to a minimum. Only with good will and understanding on both sides, can this be done.

Just as in the work of your conference, there is a lesson for the world in brotherhood, so in the case of the United States and Canada the relationship between our two countries should be such as to show the world how two free and independent nations—so widely different in their power and influence—can work together without fear on the part of the smaller, or force on the part of the larger.

We have our difficulties, as I have said, and our differences, especially in trade and finance. These differences and difficulties are facts of national and international life. But it is evidence of maturity that we do not allow them to poison or destroy our good neighborhood.

The closest and friendliest relations between our two countries are both natural and necessary. Geography, history, economics, a common dedication to freedom and a resolve to protect it, combine to make your interests in the world coincide largely with our interests. When your economy is depressed, our unemployment increases. When your security is weakened, we have cause for fear. When freedom falters in the United States, ours is diminished in Canada.

The contacts between our two peoples are more intimate; our interdependence more compelling, than that between any two countries in the world.

This is bound to bring its tensions as well as its opportunities; tensions which are sometimes sharpened by the fact that we discuss our differences so openly and publicize them so freely. A Canadian going to Washington on Government business can, and usually does, speak as frankly as a Texan, and in roughly the same accent. The same holds true about a visitor to Ottawa from across the border. This sometimes leads to press exaggeration of a difference of opinion in the interest of a good story; rows always make headlines. It can also lead to consequent public misunderstanding.

A wise Canadian commentator on United States-Canadian relations, with a distinguished career in our public service, Mr. John Holmes, has recently, with wit and perception, written and I quote:

"Resistance to American pressures is endemic in Canada, but for goodness sake, in an age distorted by the kind of virus anti-Yankeeism rages within Peiping or Havana let's not call the Canadian phenomenon anti-Americanism. For Canadians as for all the Atlantic peoples, policies decided upon in Washington are so decisive that we look upon them in a sense as domestic—and claim the right to argue about them vociferously. But we are no more anti-American than those from whom we get our critical ideas—Walter Lippman or Mort Sahl."

And later:

"We are such unequal partners, and yet we struggle to understand ourselves through the inapplicable cliches of equality. * * * In world politics we are profoundly unequal in power and influence. We struggle constantly to find formulas to define what our relationship should be. How much right have the powerful to prescribe policy and weaker partners to go their own way? These are the dilemmas which flutter the border nowadays, these and the economic and cultural issues which also spring from our inequality. The answers are elusive; no problem has proved more intractable in this age than that of defining an appropriate relationship between allies which differ in power."

That relationship, while as friendly as ever, is bound to be somewhat less easy as it grows in importance and complexity.

There is more than economics, however, in our relationship—there is a common dedication to the same human and moral values. In each of our countries we are trying to build a society which gives first place to the individual—to his needs, his hopes, his rights, and his responsibilities. We often fall short of our objective. But the objective, and the effort to reach it, must remain. For without the freedom that is based on the individual personality, there can be no real security—or even salvation.

There is no cause for despair, though much for concern, as we seek this dual goal of freedom and security.

Haunted by the sad memories and the grim consequences of his failure to live peaceably with his fellows, man has many times accepted as inevitable a doom that he has somehow managed to escape. We must hope that, by the slow progress of the ideals of brotherhood, it will be so again this time.

There is, in fact, more hope for peace in the world today than yesterday. But this is no cause for premature rejoicing. The international atmosphere has improved. The cold war is a little less frigid and a little less warlike. For that we can be thankful.

But a better international atmosphere is only a means to an end, better international action. The test, therefore, will be in policy and not in perorations.

It is paradoxical that the first test has been a test ban. That test has been met in a way which we were assured, even a few months ago was impossible, by a ban acceptable to both sides. This is good. But more difficult tests remain to be met and overcome. Therefore, we should not go overboard with optimism because Mr. Gromyko applauds Mr. Kennedy at the United Nations, instead of banging his shoe on his desk.

It is essential to exploit every opportunity to promote peace and security that the better atmosphere gives us; to show patience and perseverance and good will. We must do this now, but without any illusions; without throwing our caps in the air, or our defenses to the ground.

Wisdom, understanding, and strength are needed now as never before.

The challenges we face have never been equaled in scope or intensity; never has the penalty for failure ever been so great.

There are conflicting cultures and philosophies and ideologies, as there always have been, but now the pressures and tensions from their conflicts have the energy and force of our supersonic nuclear age. Today we can be sure of only one thing; the inevitability of accelerating change. The pace of such change—the multiple revolutions and explosions, of nations, of knowledge, of population, of science—approaches the incomprehensible.

Revolutions in political wills are accentuated by the revolutions in economic wants. Those who strive to be free, not illogically, demand to be fed.

Yet as the world echoes to the drumbeat of change, our inability to cope with insistent human demands in so many places increases. The gap widens between the hungry and the fed; between haves and have-nots.

There is also a developing spiritual gap between the protestations and the practices of brotherhood within nations, including yours and mine.

As a guest of the conference at this particular time, may I say that, if I comment on your country's present racial problems, it is because they are ours also. On an issue which your President has described a "the conflict between bigotry and the Holy Word," I speak with human feeling but with no sense of national criticism or national smugness.

I have no desire to whisper hesitantly in bland generalities nor any right to shout stridently in accusation. For here, of all places, at a brotherhood dinner, neither whispers nor shouts are needed to underline the concern of all of us with the ugly challenge of racial violence—wherever or whenever it appears.

Racial problems are the concern of all mankind. When President Kennedy expresses alarm over what he has described to Congress as "the growing moral crisis in American race relations," when he makes his earnest pledge to the United Nations to end racial discrimination, he is speaking to us all and for us all.

So it is that I can discuss racial discrimination as frankly here, where the problem is close and critical, as I would in my own country, where it is less pressing only because our situation is different. Discrimination and injustice and cruelty and violence know no national boundary. So the blind eye, the deaf ear, turned anywhere toward any injustice, toward any form or degree of discrimination, bigotry, or prejudice, serves only to encourage evil. We must condemn these things wherever they appear and whatever form they take. And they take many forms.

As long as hush-hush social discrimination remains, the roots of more violent bigotry remain. And as long as the roots remain, they are a threat to the principles of all true believers in the Christian and Jewish ideal: the universal brotherhood of man.

I warn you, however, not to seek for the solutions to these problems in governmental action alone; either national or international.

Neither national governments nor a world assembly can legislate human emotions. The ideals of brotherhood are not enforceable. There is no formula for making human relations smooth and without friction.

There are serious limitations on what can be achieved by political action in the area of national ugliness.

Governments, laws, and courts, can no more put brotherhood into the hearts of men than the United Nations can put brotherhood into the hearts of nations.

No written law and no mere declaration—no matter how eloquent—can insure good behavior or create human dignity.

Brotherhood, and all it stands for, begins in man's heart. If it does not live there, then you will not be able to impose it by decree on the family, the community, the Nation or on humanity.

This does not mean that governments and courts do not have an important part to play. They do. When bigots detect a stammer in the voice of authority, they are emboldened to new outrages. I am not advocating political cowardice in the passing or the administration of antidiscrimination laws. I urge only that society guard against expecting governments to insure freedom, and to control emotions, by statute alone. That cannot be done. History—littered with the wreckage of high-sounding declarations and pious expressions—shows abundantly that words alone are frail packages for human hopes.

The rule and the role of law, likewise, must not become confused with the will of man. Law must make force its servant—not its enemy. Like government, it cannot achieve the impossible but, backed by freemen, it can help freemen to do what you, in the National Conference of Christians and Jews, are doing; actively expose and combat prejudice, bigotry, and arbitrary power wherever it is found.

A great U.S. jurist, the late Judge Learned Hand, once put this thought into noble words, when he wrote:

"I often wonder whether we do not rest our hopes too much upon constitutions, upon laws and upon courts. These are false hopes; believe me, these are false hopes.

"Liberty (and brotherhood) lies in the hearts of men and women; when it dies there, no constitution, no law, no court, can save it; no constitution, no law, no court can even do much to help it.

"While it lives there it needs no constitution, no law, no court to save it.

"What, then, is the spirit of liberty?

"I cannot define it; I can only tell you my own faith.

"The spirit of liberty (and brotherhood) is the spirit which is not too sure that it is right; the spirit of liberty is the spirit which seeks to understand the minds of other men and women; the spirit of liberty is the spirit which weighs their interests alongside its own without bias.

"The spirit of liberty (again, and brotherhood) remembers that not even a sparrow falls to earth unheeded; the spirit of liberty is the spirit of Him, who, near 2,000 years ago, taught mankind that lesson it has never learned, but has never quite forgotten; that there may be a kingdom where the least shall be heard and considered side by side with the greatest."

I believe that if today all men, individually and collectively, believed, acted and lived in the spirit of those words—accepting their own responsibilities toward humankind, instead of expecting governments, courts, and laws to do all things—the great crusade for the brotherhood of man would indeed be possible of realization; if they did that, the essential values of the civilization we are striving to preserve would approach invulnerability—invulnerability to attack from without and to erosion from within.

We may not hope for more.
We dare not strive for less.

USING U.S. FORCE TO REINSTATE JUAN BOSCH IS IDIOTIC AND WOULD RISK A COMMUNIST TAKEOVER

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

Mr. SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I oppose the restoration of Juan Bosch to power because it would be the height of idiocy and would risk the eventual Communist takeover of the Dominican Republic. All reports since the ouster of Bosch indicate what had been generally known but not admitted before—that Bosch was incapable of coping with the country's problems, that he fomented raids on Haiti to cover up his own inadequacies, that he permitted the Communists to run wild, and that his policies were ultraleft.

General Wessen, who helped spearhead the overthrow, called Bosch a Communist and stated:

> The way he worked in the 7 months he was President all seems to indicate that he was a Communist.

And added:

> Bosch was warned on July 13 that unless he changed his attitude about the advance of communism, the military would take action. The situation went from bad to worse, culminating in the overthrow.

Reports of a Communist buildup have been coming out of the Dominican Republic for some time and I have warned many times of the Communist buildup. Hal Hendrix, the highly respected Latin American news editor of the Miami News, stated recently that the Communists were making disturbing gains and no effort was being made to stop an eventual Communist takeover. On May 21, he accurately predicted that the army would serve an ultimatum if the Communist buildup continued. In his May 21 article, Hendrix said:

> There is, unfortunately, puzzling evidence that Washington, which has extended its wholehearted support and praise to the Bosch regime, was not being candidly advised of the sustained Communist developments here by U.S. Ambassador John Bartlow Martin.
>
> Sources closely familiar with the American Embassy confide that full reports on the gravity of the situation have not been transmitted by Ambassador Martin to the State Department or to the White House.

Since Bosch's inauguration, more than 150 previously deported Communists have been allowed to return to the Dominican Republic, many of whom are teaching in the Communist-front school called the Institute of Social Sciences and Economic Planning. Others have infiltrated labor organizations and the University of Santo Domingo.

Now the far-leftists in Latin America are calling for U.S. action to reinstate Communist-sympathetic Bosch. They are being joined by leftist supporters in this country, including Teodoro Moscoso, in charge of our Alliance for Progress program; Gonzalo Facio, president of the OAS, and Ambassador from Costa Rica; and the Ambassadors of other far-left countries including El Salvador and Colombia.

It is interesting that these same people are the ones who vociferously object when someone suggests stronger measures—short of war—to oust Communist Castro from Cuba because they object to usage of the "big stick" by the United States.

How swiftly they turn and ask for intervention when one of their far-left rulers is being deposed.

It is amazing that even a Member of Congress should fall for this and go so far as to suggest military intervention to reinstate Bosch. Such action would be tantamount to using our military forces to put the Communists eventually in control of another Latin nation.

Military coups have been used for decades to prevent Communist takeovers in Latin America and the United States even participated in such a coup for the same purpose in Guatemala in 1954. We cannot reverse this anti-Communist policy in the Dominican Republic unless we want to welcome a Communist takeover.

I include the four articles as printed in the Miami News on May 21, 22, 23, and 24, which called public attention to the Communist buildup in the Dominican Republic.

[From the Miami (Fla.) News, May 21, 1963]

RED TIDE RISING IN DOMINICAN REPUBLIC

(By Hal Hendrix)

SANTO DOMINGO, DOMINICAN REPUBLIC.—Subtle and peaceful Communist penetration of the Dominican Republic is progressing with incredible speed and efficiency.

There is ample evidence—ominous evidence—that Communist forces closely alined with Cuba and the Kremlin, aided by native supporting leftist elements, are working both openly and covertly to turn this country into a second Communist-dominated bastion in the Caribbean.

It is not a noisy and spectacular transition such as the world witnessed in Cuba. It is being accomplished with considerable sophistication and has managed so far to use a number of well-meaning Americans and Latins as dupes.

Echoes and reflections of Cuba in mid-1959, a few months after Fidel Castro catapulted to power in Havana, are becoming increasingly audible and visible. Missing from the Dominican scene are the "barbudos," Castro's bearded gun toting guerrillas, and the quick elimination of the organized armed forces at the Castro-type execution walls. Otherwise, many of the sounds and sights are alarmingly similar to those which punctuated the early, "social revolution" days of 1959 in what has since become a Communist regime in Cuba.

The transformation process is being unhampered by the often proclaimed democratic government of President Bosch, which was inaugurated only 2 months ago and hailed by the U.S. Government and some Latin American nations as a "champion of democracy."

Top officials and behind-the-scenes advisers in the Bosch government steadfastly deny that communism here poses any real threat or that its influence in Dominican politics and life is growing.

These officials argue vigorously that after 31 years of dictatorial rule by Rafael Trujillo and a year of council-of-state government, the Dominican Republic is at last becoming a "true democracy," and that contrary statements are only the work of last year's election losers. However, behind this smokescreen, the government of the Dominican Government today is slipping rapidly into Communist control.

One western diplomat, familiar with the Communist takeover in Cuba, declares that the situation here "is moving 10 times faster than it did in Havana, and this has been called a 'showcase of democracy.' "

There is, unfortunately, puzzling evidence that Washington, which has extended its wholehearted support and praise to the Bosch regime, is not being candidly advised of the sustained Communist developments here by U.S. Ambassador John Bartlow Martin.

Sources closely familiar with the American Embassy confide that full reports on the gravity of the situation here have not been transmitted by Ambassador Martin to the State Department or to the White House.

And it is known that one of Bosch's key advisers, Rumanian-born Sasha Volman, who is a naturalized U.S. citizen, has a direct line to a Presidential aid in the White House to press the Bosch goverment's position, philosophies and line. The Western diplomatic colony here, apart from the American Embassy, feels that Washington consequently is getting a "snow job."

The lack of accurate communication between the American Embassy here and Washington is viewed by some responsible observers as another echo of Havana in mid-1959, when the U.S. envoy, Ambassador Philip Bonsel, was bottling up significant trends and developments.

* * * * *

Many responsible Dominicans and others here fear that the State Department and White House now are similarly miscalculating the true Dominican picture and developments.

They point out that the deception taking place in the Dominician Republic is made easier because, relatively speaking, the historically troubled nation which shares the turbulent island of Hispanola with Haiti has experienced a remarkably peaceful period in the wake of the assassination of Dictator Trujillo 2 years ago May 30.

There was no great bloodbath after the collapse of the prolonged one-man dictatorship, even though long pent-up hatreds made it susceptible. The chances also were enhanced by the power vacuum which was Trujillo's principal legacy.

While a seven-man council of state ruled the country last year, an orderly and free election was held last December and Bosch who had spent more than half his life out of the country as a political exile, won the Presidency as head of the Dominican Revolutionary Party (PRD).

It had been expected that after the death of Trujillo, the Communists would move in quickly to take advantage of the anticipated chaos and confusion. They were only moderately successful in their infiltration schemes.

Last fall, during the October crisis over Soviet offensive missiles and bombers, secretly implanted in Communist Cuba, the ruling Dominican council of state ordered deportation of known Communists under an emergency law.

COMMIES DEPORTED

A substantial number of Communists were expelled, but the council was somewhat lax in carrying out its announced cleanup of known Red troublemakers.

However, since President Bosch's inauguration, more than 150 of the deported Communists have been allowed to return home and circulate freely.

Some have found government jobs. Others are teaching in a new Communist-front school called the Institute of Social Sciences and Economic Planning. Still others have infiltrated into labor organizations and the University of Santo Domingo.

Many of the returning Communists came from Cuba. Others are known to have returned from Prague. Some came from the Soviet Union and various Iron Curtain countries by way of Paris.

"You can bet your life that these Communists just aren't sitting around enjoying the sunshine after the trips to Havana and Eastern Europe," commented a responsible and concerned Dominican professional leader.

Since the Communists began returning last March, the Bosch government had laid the foundation for a civilian militia. Ostensibly this organization is supposed to merely be for the purpose of protecting sugarcane fields from fires. But many observers here point out there is no need for firefighting vigilantes to have political indoctrination and militia-type drill instruction.

There also is puzzlement over the need for 17,000 of the so-called fire watchers.

INFILTRATION OF ARMY

There are continuing reports that there has been some Communist infiltration in the ranks of the Dominican army, especially among the lower ranking officer corps and enlisted personnel. A similar toehold is suspected in the police ranks.

Military and police field grade officers are frankly worried about the visible Communist gains in political and public fields—and the lack of a firm stand against it by President Bosch.

There is growing whispered conversation that the day soon may be approaching when the military will demand that Bosch adopt a firm position against the Communists.

The Dominican business community is plainly scared about the Communist direction in the country.

Foreign investors also are apprehensive. There has been no new foreign investment in the country for the last year, and the Bosch regime did nothing to encourage it by driving the Standard Oil Co. (Esso) out of business here shortly after taking office.

"There won't be 10 centavos' worth of new investment in this country until Bosch speaks out in favor of Western policies and against the Communists, especially against Communist Cuba," declared one Dominican business executive.

[From the Miami (Fla.) News, May 22, 1963]

RED SETUP PARALLELS BOSCH RULE

(By Hal Hendrix)

SANTO DOMINGO, DOMINICAN REPUBLIC.—A swiftly developing Communist apparatus here, increasingly active since the inauguration of what many believe to be a naive Bosch government 2 months ago, has drafted a master plan providing for creation of a "parallel government" which would be capable of assuming control of the country, in a moment of crisis.

Western diplomats have learned that copies of the document have been given to President Juan Bosch and to Angel Miolan, president of the Dominican Revolutionary Party (PRD). Bosch is the titular head of the PRD.

One copy was made available recently to a resident foreign envoy after an anti-Communist relative of one of the key Communist leaders sneaked one of the drafts from its place of safekeeping and had a photostatic reproduction made before restoring it.

The 11-page document, called "Data and Plan of Action" and dated March 22, 1963, reportedly was drafted by Rafael Faxas Canto, one of the well-known Communists here. Faxas was deported as a Communist subversive last fall. He returned here from Communist Cuba early in March.

After a detailed financial analysis of the United States and Dominican Republic Governments, the document spells out strategy and tactics for absorbing control of industries through workers, the agrarian structure through the peasants and the professional and intellectual elements of the country.

The working instrument would be called the Committee of Local-National Liberation.

"* * * we believe that this is the proper moment," the document states in its conclusions, "the most opportune moment for the creation of that work team, as well as to create the infrastructure organizations which on a given moment of crisis are capable of assuming charge of the Government—creating now what might be called a parallel government.

"In part we can accomplish this by using as nuclei the thousands of committees and subcommittees (now in existence). In addition to being a functional structure, it would permit, in time, the decentralization of power and the advent of a type of self-government whose original cells would be in this nucleus."

The document stated that the correlation of progressive forces, at this moment, is formidable.

"History is on our side," it stated. "The strengthening of the socialist camp, the progress of the national liberation movements in the entire world, and the consolidation of the Cuban revolution in our continent back the progressive forces of history.

"Every day there are deeper and greater contradictions in the capitalist world.

"Their methods of fighting are perfected and become more inhuman. After the Cuban triumph, the imperialists have training camps for their armies and the lackey armies of other countries.

"These men are trained in antiguerrilla warfare and will be used against those who make a liberation effort and in future aggressions against Cuba unless we adopt adequate measures we will see the disappearance of our progressive leaders, perhaps sooner than we think."

The document accused the United States of sabotaging three airliners in Latin America last year to "eliminate progressive leaders."

Among its recommendations, the document called for the "personal and political preservation of Manolo, as a leader capable of advancing or retarding the Dominican revolutionary process." (Inasmuch as the most prominent Manolo in the pro-Communist circles is Manual Tavarez Justo, head of the violent June 14 movement, it is presumed by observers here that the document was referring to him.)

Tavarez Justo up to now has appeared to relish playing the role of a sort of lone wolf of the extremist element, not always immediately responsive to strict Communist party discipline.

"In view of the fact that the daily task of our leaders is overwhelming (trips, meetings, etc.)," the document stated, "they are unable to undertake the necessary study and investigation required to be properly posted on economy, politics, sociology, history and the world correlation of forces."

The plan then called for preparation of a continuing analysis of the world situation, of the advance and strength of the socialist countries in the "political and economic camps, the uneven development of capitalism, its crises, its antagonistic contradictions, situations of underdeveloped nations and the advance of national liberation movements" for the forementioned busy leaders.

The plan also called for increased use of Marxist manuals and closer regulation of "the acquisition of the better known capitalistic publications."

How many copies of the planning documents are in circulation here and what happened to the ones allegedly placed in the in the hands of President Bosch and Miolan, are two large unanswered questions.

Its first known appearance here has been linked to a move initiated by Jose Espaillat Rodriguez, who was among the first of last fall's Communist deportees to return from Communist Cuba last March, to unite the Red forces and related extremist groups into a United National Liberation Front (FULN).

The unity move was designed to include the Dominican Popular Movement (MPD), National Revolutionary Party (PNR), the Popular Socialist Party (PSP) and the June 14 movement and to push the straight orthodox Communist Party line for "peaceful transition to socialism."

So far, Taverez Justo's June 14 movement has not openly joined the proposed bloc, reportedly because all the terms did not suit the ambitious Tavarez Justo. Thus, the reference to "Manolo" on the Communist master plan.

The Dominican military hierarchy, the Catholic church and other observers here are on the alert for any and all hints of action which may be related to the "Data and Plan of Action" manual. They see in it too much of a Communist Cuba flavor for comfort.

Dominican and foreign observers also are fully aware of the extent of Communist infiltration which already has been scored in various government departments and ministries and see no reason to scoff at references to creation of a "parallel government" for a "given moment of crisis."

[From the Miami (Fla.) News, May 23, 1963]

A SECRET CARIBBEAN CRUISE

SANTO DOMINGO, DOMINICAN REPUBLIC.—In mid-April, President Juan Bosch, U.S. Ambassador John Bartlow Martin, and a small group of Dominican Government officials and military leaders sailed out of Santo Domingo for a leisurely cruise in the blue Caribbean waters surrounding this island republic.

President Bosch had become aware that high-ranking segments of the military and others in the country were becoming restive about an easily visible increase in Communist activity here.

A short sea excursion was decided upon to clear the atmosphere.

Reliable reports, leaking from the Dominicans, later indicated that President Bosch spent almost 3 days expounding his ideas and philosophies about conditions in the Dominican Republic and how he believed communism could best be dealt with here.

According to the reports, the discussion was more like a monolog, as though a professor was delivering a series of lectures to a group of students.

Basically, President Bosch is said to have expressed the philosophy that it was wiser to give the Communists the same freedoms as other Dominicans and keep them in the open where their activities could be observed easily.

CONFIDANT

As explained subsequently by Sascha Volman, Rumanian-born naturalized U.S. citizen who serves as a sort of "gray eminence" for President Bosch, the nub of the Dominican chief executive's thinking on communism is that he refuses to "make the same mistakes as President Romulo Betancourt in declaring open war against the Communists and then spending 24 hours every day fighting them."

During the boat ride, according to responsible sources, Ambassador Martin remained virtually silent. The military officers reportedly interpreted the silence as tacit approval or endorsement by the Ambassador of President Bosch's extensive discourse.

The cruise ended Sunday, April 14.

The following day, according to Western diplomatic sources here, President Bosch held a meeting in the outskirts of Santo Domingo with Thelma Frias de Rodriguez, a Bosch leader in the senate; Dato Pagan Perdomo of the Communist-lining National Revolutionary Party (PNR), and Pedro A. (Corpito) Perez Cabral of the PNR.

Reportedly the cruise was discussed and President Bosch told the group that because of information he had on concern about the Communist activity, it would be wise to stir up some government criticism from the extreme leftist element.

Reliable sources said it was decided that the weekly newspaper of the June 14 movement would be the instrument of criticism. It had maintained a passive line with respect to the Bosch government.

THE ATTACK

The May 10 issue of the June 14 paper launched the attack, declaring that the Bosch government was really no different from that of the oligarchy and was far from the position embraced by the left.

Authoritative Dominican sources claim that the formula agreed upon for the June 14 movement paper, which has consistently followed a pro-Communist and anti-American line, is to attack the government, withdraw, attack and withdraw.

Last month, a few days before the yacht cruise, the June 14 movement was clamoring for the ouster of Ambassador Martin.

"In the face of the attitude of the Dominican reactionaries," the organization stated, "and the events which are developing in our country, we are calling on the people, the military who are honest and loyal to the people, not to let themselves be surprised by a maneuver that is afoot to destroy the liberties we have conquered.

WITHDRAWAL ASKED

"In the face of the chain of attacks loosed by the North American and foreign news agencies, facing the agitation promoted by the Yankee ambassador in our country, using groups of reactionaries as a vehicle, we ask President Bosch to demand that undesirable imperialistic person, Mr. Bartlow Martin, to leave Dominican territory."

There was then a behind-the-scenes maneuver to remove Ambassador Martin from the Dominican picture. But after the yacht cruise, the pressure eased. So did the attacks in the June 14 movement newspaper.

Counselor Volman subsequently disclosed that he had spoken directly with one of President Kennedy's advisers, and "got it fixed for Martin to stay on."

The June 14 movement paper also has served to fan the restiveness among the military hierarchy.

Late last month the newspaper published what it alleged to be a photostatic copy of a manifesto it claimed was being circulated among junior grade officers in the army.

RED MOVE

The document urged the young officers to kill their field grade superiors and assume the key commands as part of an overall move by the Reds to grab full control of the Republic.

The Secretary of the armed forces, Maj. Gen. Elby Vinas-Roman, declared that the document was a fake, but the June 14 movement insisted that it was genuine.

These are sporadic whispers here that the military is secretely planning a showdown with President Bosch and might attempt a coup if he doesn't crack down on the increasingly bold actions of the Communists.

However, there does not appear to be any real strong leadership among the officer corps. There is no apparent single budding strongman. Observers point out that under the Trujillo dictatorship, the officers who now are in their thirties and forties were not trained to be leaders but to follow orders almost blindly.

[From the Miami (Fla.) News, May 24, 1963]

LITTLE RED SCHOOL OPENS IN DOMINICAN REPUBLIC

(By Hal Hendrix)

SANTO DOMINGO, DOMINICAN REPUBLIC.—There's a new Communist front night school here at Calle Las Mercedes 33.

Although it is a "private enterprise" educational plant, the government of Juan Bosch, in its present policy of free speech for all, made available the classroom facilities in a government-owned building—the Padre Billini Day School.

The night school, which opened a month ago, is called the Institute of Social Sciences and Economic Planning.

Half of its corps of professors are known Communists—and most of them have returned from Communist Cuba since Bosch's inauguration in March.

Promotion for the school states it is a "new Dominican institution for new solutions demanded by national necessities."

It also is stated that no special examinations are necessary for enrollment, which has reached 230.

The cost of all courses is listed as $10 a semester. Most last a year, broken into two semesters. Classes are limited to 40 "students."

Responsible sources here report the Communists have invested about $10,000 a month in the school operation.

For their investment the Communists have professors teaching their views on economic planning and development, organization and management of business, formation of social investigations, social security, modern unionism and political sciences.

Political philosophies, history and ideologies are sprinkled liberally through the unionism and political science courses.

The school ostensibly was begun under the direction of Dato Pagan Perdomo, one of the most active recognized Communists here. He was under deportation order last fall, but managed to elude authorities until this spring. Now he has no problem with the authorities.

Other recognized Communists listed with Pagan on the night roster include:

Dr. Jose Estrella Jacobo, who was deported to Paris last October, went on to Prague and left there December 15 with Maximo Lopez Molina, most widely known Dominican Red, for Havana—where he remained until returning here in March.

Alfredo Manzano, an engineer, member of the central committee of the June 14 movement.

Dr. Ramon Pina Acevedo, member of the June 14 executive committee.

Pedro A. (Corpito) Perez Cabral, a lawyer, head of National Revolutionary Party (PNR) and one of biggest noisemakers for the return of all Dominican exiles and deportees.

Miguel Angel Mendoza, a wheelhorse in the Dominican Popular Movement (MPD).

Manuel Emilio Gomez Pieter, one of the Communist group deported last fall, believed to have visited in Communist Cuba and behind the Iron Curtain before returning in March.

Hugo Toyo, one of a group deported last October and close associate of Rafael Faxas Canto, behind-the-scenes Red strategy planner.

Victor Villegas, head of the "Dominican League of the Rights of Man," believed to be little more than a paper organization in the forefront of last fall's Communist-led demonstrations against Communist deportations.

Rafael Astasio Hernandez, secretary general of the aforementioned league.

In addition to the school operation, the Communists are opening a similar teaching plant at Barahona.

Western diplomats and others who travel frequently about the country report the Reds have started at least 50 small cell-type schools for political indoctrination in smaller towns and villages under the guise of technical training. Instruction is being supervised by deported Communists who have returned since March.

It also has been learned that Communist ideological indoctrination is being given to the peasant members of the sugarcane field vigilantes, estimated to be about 17,000 strong.

President Bosch has stated it was necessary to form this group because of numerous fires in the cane fields and forests. It is believed fire watchers soon will become the "people's civil militia" in what is being hailed as the Dominican Republic's "democratic social revolution."

URBAN RENEWAL ACTIVITIES IN NONRESIDENTIAL AREAS

Mr. AUCHINCLOSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include an editorial.

Mr. SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. AUCHINCLOSS. Mr. Speaker, I am prompted by another excellent editorial to again make a few remarks on the recent action of a Subcommittee of the District of Columbia Committee in reporting out a bill, with crippling amendments, to permit the District of Columbia to undertake urban renewal activities in nonresidential areas the way other cities in the Nation are permitted to do. This editorial appeared in the September 27 edition of the Evening Star and I add it to these brief remarks.

As this editorial very properly points out that if these restrictions with which this measure was amended by the subcommittee "have any merit, they should be considered by Congress as national legislation effective everywhere" and not applying solely to the District of Columbia. The editorial further points out, quite accurately I may say, that unless these amendments are removed "the job of trying to revitalize the deteriorating section of downtown Washington will be dealt a serious, and very possibly a fatal blow."

I hope and pray that this bill may be considered by the full District Committee at an early date and I trust that it will be amended to conform with the legislation passed by the Senate. It is high time that the Nation's Capital City should not be discriminated against in this way.

The Evening Star editorial is as follows:

[From the Washington (D.C.) Evening Star, Sept. 27, 1963]

DISCRIMINATION

It is good that the Dowdy subcommittee has finally reported out the District of Columbia's downtown urban renewal bill. But it is unfortunate that it has encumbered this measure with a group of amendments which have no reason to be there, and which ought to be stricken forthwith by the full House District Committee.

Chairman DOWDY says his five amendments are necessary "safeguards" against what he considers excessive urban renewal authority.

But Mr. DOWDY is confused. For most of the amendments, which reflect Mr. DOWDY's own views of the rights and wrongs of urban renewal, have nothing whatever to do with this bill. Some of them are relatively innocuous. Some could severely hamper effective renewal. They all, however, single out the District among all the cities of the country for discriminatory treatment. If the restrictive measures proposed by Mr. DOWDY have any merit, they should be considered by Congress as national legislation, effective everywhere.

Let us be clear about this. Without the Dowdy amendments, the bill reported by the House subcommittee has only one major purpose: To permit the District to conduct urban renewal activity in commercial areas. In its unamended form, the bill, H.R. 3189, is identical to a measure already passed by the Senate. Unless the House concurs, the job of trying to revitalize the deteriorating section of downtown Washington will be dealt a serious, and very possibly a fatal, blow.

Every effort was made at public hearings to persuade the subcommittee that the powers being sought here are similar to those already authorized in most other cities. In order to corroborate its position on this point, the National Capital Downtown Committee sought a formal opinion from Federal Urban Renewal Administrator William L. Slayton. The pertinent portion of Mr. Slayton's response, dated September 6, follows:

"We feel that this authority will be vitally necessary for the urban renewal program here in Washington. Our 10 largest cities, aside from Washington, have already been authorized to carry urban renewal projects in nonresidential areas, and most of these are already undertaking such projects. We doubt that a major city such as Washington can hope to mount a successful overall attack on deterioration and blight without a certain amount of urban renewal activity in its commercial and industrial areas.

H.R. 3189 would put the District of Columbia on substantially the same basis as other major cities in the country with respect to authority for the undertaking of the urban renewal activities, and would not grant to the District of Columbia powers in excess of those presently available in most States."

What could be clearer than that? If Mr. DOWDY feels that H.R. 3189 is a dangerous bill, his quarrel is not with the District, but with urban renewal as it is practiced throughout the country. Until Congress draws up a new set of urban renewal ground rules for the Nation as a whole, the District should be permitted to attack downtown blight on the same basis as everyone else.

"INDIANA"—OFFICIAL STATE POEM

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

Mr. SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, under leave to extend my remarks, I am happy to introduce to my colleagues the now-famous Hoosier poem, entitled "Indiana." This is Hoosierdom's official poem, portraying the great blessings which have been bestowed upon our sovereign State.

During the recent session of the Indiana General Assembly, the legislators adopted a resolution making this poem our official one. To me, it has added significance since it was written by one of my constituents—Mr. Arthur Franklin Mapes, of Kendallville, Ind.

Indiana is a great State. Its beauty, traditions, and history are clearly referred to in this lovely poem. Anyone who has not been privileged to visit our wonderful State will, I am sure, want to do so soon:

INDIANA

(Official State Poem)

God crowned her hills with beauty,
  Gave her lakes and winding streams,
Then He edged them all with woodlands
  As the settings for our dreams.
Lovely are her moonlit rivers,
  Shadowed by the sycamores,
Where the fragant winds of summer
  Play along the willowed shores.
I must roam those wooded hillsides,
  I must heed the native call,
For a pagan voice within me
  Seems to answer to it all.
I must walk where squirrels scamper
  Down a rustic old rail fence,
Where a choir of birds is singing
  In the woodland * * * green and dense.
I must learn more of my homeland
  For it's paradise to me,
There's no haven quite as peaceful,
  There's no place I'd rather be.
Indiana * * * is a garden
  Where the seeds of peace have grown,
Where each tree, and vine, and flower
  Has a beauty * * * all its own.
Lovely are the fields and meadows,
  That reach out to hills that rise
Where the dreamy Wabash River
  Wanders on * * * through paradise.

—*Arthur Franklin Mapes.*

KENDALLVILLE, AUGUST 6, 1963.

GREETINGS TO USWV ENCAMPMENT

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

Mr. SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, today the oldest active veterans organization of our country, the United Spanish War Veterans, is convening in its 65th annual encampment in Lansing, the capital city of my native State of Michigan. For the House of Representatives of the Congress of the United States I am confident I bespeak the sentiment of my colleagues in sending warm greetings of appreciation and of affection.

Sixty and five years have passed since the commencement of the war with Spain, 60 and 1 years since the close of the 4-year period that included the Philippine Insurrection and the Boxer Expedition in China. It was a war fought on land and sea in the Atlantic and the Pacific, exclusively by volunteers, most of them with little training, that triggered a chain of events that changed the political face of the world and brought the United States to world leadership.

Ninety-two veterans of that war of long ago, the war that started our country on the road to world destiny, later served in the Congress. I am the last remaining.

On the wall of my office here in Washington, immediately back of my desk, is a framed photograph of Company I, 33d Michigan Voluntary Infantry, which landed in Cuba some 3 days after the Rough Riders and participated with Teddy Roosevelt in all the campaign at Santiago. Only two members of Company I remain—Archie House, who this week will be elected by rotation to the post of commander in chief of the United Spanish War Veterans, and the gentleman from Illinois now in the well.

The present commander in chief is Morris G. Oesterreich, a Navy man from Wisconsin, whose brilliant leadership of the oldest active veterans organization of the country has been a source of pride to his comrades and of benefit to our country and the veterans cause. He will be succeeded by my old buddy in Company I, Archie House, an infantryman, and then in 1964 the highest post in the United Spanish War Veterans will revert again to the Navy in the person of Sam Black, a fellow member of Columbia Camp in Chicago. Sam and I can remember when Columbia Camp had over 1,000 members, including the late U.S. Senator James Hamilton Lewis. Now we are down to 13, with only half able to attend meetings.

Sunday I passed in warm comradeship with my fellow veterans and the ladies of our auxiliary, returning to Washington on an early morning plane that I might be present at my post of duty when the House convened at noon. I can assure my colleagues that I could detect no sign at Lansing of the wear and tear of the years. In fact some of the Spanish War vets I met were well past 90 and so fit and agile that they might have been mistaken for contenders for a world's championship about to step into the ring.

As the last Spanish War veteran in Congress, I was honored by my selection to deliver the annual memorial address on Sunday. In my remarks I said:

To us is the sacred mission of safeguarding and preserving the spirit of '98 as the guideline of American conduct, now and forever, in our relationship with the other peoples of the world. Until the last we will remain

> faithful to that mission. When the last veteran of the War with Spain has answered the final summons, the spirit of '98 will have been so imbedded in the character of the American people that always it will be a living and vibrant part of succeeding generations.
>
> The spirit of '98 is the weaving together of old-fashioned American patriotism and old-fashioned faith in God and country.

Mr. Speaker, I am extending my remarks in the daily RECORD to include the details of one of the great newspaper scoops of the period of the Spanish-American war, how the Chicago Tribune scooped even Admiral Dewey in getting to the United States news of Dewey's stunning naval victory at Manila on May 1, 1898.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. GIBBONS] is recognized for 60 minutes.

FOOD FOR PEACE PROGRAM

Mr. O'HARA of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GIBBONS. I yield to the gentleman.

Mr. O'HARA of Michigan. Mr. Speaker, I rise to call the attention of the House to an abuse of Public Law 480, the food for peace program. If this situation continues, it threatens the existence of an important American industry and jeopardizes the economic welfare of thousands of American citizens. In spite of the fact that Public Law 480 is clearly limited to "surplus agricultural commodities," purchases under Public Law 480 are, at this very moment, resulting in an artificial shortage of wheat "clears," the basic raw material which processing plants in three States, employing more than 800 persons, must have to stay in business. The products of these plants are vital wheat gluten, monosodium glutanate (MSG), grain neutral spirits, wheat starch, and hydrolyzed vegetable protein.

These processing operations in the States of Michigan, Kansas, and Ohio, are conducted by the Hercules Powder Co., the Midwest Solvents Co., and the National Industrial Products Co. When one of these companies recently attempted to purchase "second clears," a byproduct of the production of patent flour, for delivery during September and October, from 18 of the largest milling companies in the United States, it was told that no "second clears" were available. Some millers indicated they would have none for sale to domestic industries until January of next year. The experience of the other two companies was similar.

The reason given for the disappearance of "second clears" from the domestic market was their export in large volume as flour under Government programs. The present shortage was attributed in particular to large shipments of flour to the United Arab Republic under Public Law 480.

Public Law 480 purchase authorizations for the United Arab Republic shipment are so framed as to permit the mills to supply material with a maximum ash—mineral content—above straight run of the mill flour. As a consequence, mills are "stuffing" most of their supply of "clears"—not considered to be a flour in this country—back into straight run flour and still complying with the unrealistic mineral content limits of the purchase authorization.

The effect of their action is to strip the domestic market of "second clears" which have been used by this industry as its basic raw material since 1902. Obviously, if domestic companies cannot buy wheat "clears," they are not in surplus. Their export under Public Law 480, either alone or as "stuffing" in straight-grade flour, is illegal.

The irreparable injury done to American processors of wheat "clears" is, however, not the only distortion of congressional intent resulting from Public Law 480 shipments of "stuffed straights." A major objective of Public Law 480 is the removal of surplus agricultural commodities. Not only are "clears" not in surplus supply, but every pound of "clears" stuffed back into straight-run flour in meeting Public Law 480 orders reduces the amount of surplus wheat which will be milled. In the current UAR order alone, "clears" stuffed back into straights have reduced the total wheat milled in filling this order by more than three-quarters of a million bushels.

I have consistently supported the food-for-peace program since coming to Congress nearly 5 years ago. I have done so in the firm belief that this program represents one of the more effective instruments of foreign policy available to us. In addition to helping to raise the standard of living in less fortunate nations abroad, it has helped to put our agricultural surpluses to constructive use.

I shall continue to support the food-for-peace program. But this does not mean that I shall stand idly by and watch mistakes in this program put three domestic producers out of business and their employees out of work. I am deeply concerned about this abuse of congressional intent in the administration of the act. I urge that the responsible officials of the Department of Agriculture immediately take the steps necessary to repair the damage this bureaucratic bungling has inflicted upon three domestic industries now threatened with extinction.

Mr. Speaker, I have brought this problem to the attention of the Department of Agriculture. I believe the Department should immediately change its maximum purchase specifications to stop the export of "clears" under Government programs. Unless prompt action is taken, plant operations of long standing, making industrial use of a wheat product, will be driven out of business, and the communities in which they are located will be severely injured.

This situation has now become acute. Unless remedial action is taken, I believe that the Congress itself should investigate this abuse of Public Law 480 and insure that the intent of Congress is followed.

I would like again to thank the gentleman from Florida [Mr. GIBBONS] for his kindness in yielding to me.

Mr. GIBBONS. Mr. Speaker, I yield back the balance of my time.

REPORT ON INTERPARLIAMENTARY UNION CONFERENCE OF 1963 HELD AT BELGRADE, YUGOSLAVIA, SEPTEMBER 12 TO 21

The SPEAKER. Under previous order of the House, the gentlewoman from New York [Mrs. ST. GEORGE] is recognized for 30 minutes.

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

Mr. SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, the 52d Conference of the Interparliamentary Union was held in Belgrade, Yugoslavia, on September 12 to 21.

As president of the U.S. group I want to give the Congress a report on the Conference and on the work of your delegates.

The 52d Conference was the largest ever held in the history of the Union. There were 480 delegates representing the parliaments of 58 nations.

May I say that this was a very large number of people coming into Belgrade, which is a small city, and it also imposed a considerable burden on the host nation. I cannot say too much about the hospitality, the kindness, and the generosity of the Yugoslav Government. I would like also very highly to commend Dr. Vilfan of the Yugoslav Assembly, who presided daily at our conference. He was a splendid presiding officer. He was fair, and every delegate said he could not possibly, even in their own country, have received better treatment.

The parliamentary systems vary tremendously, many being based on the one party system. Nevertheless no one can be a member of the Union who has not been elected to his or her parliament and this conference therefore represented the largest body of lawmakers ever assembled.

Your delegation consisted of the following members: Representative Katharine St. George, president of the group. Senators Gordon Allott, Ernest Gruening, Edward M. Kennedy, Thomas H. Kuchel, Mike Mansfield, A. S. Mike Monroney, James B. Pearson, Abraham A. Ribicoff, Leverett Staltonstall, Homer Ferguson, and Congressmen E. Ross Adair, Harold D. Cooley, Emilio Q. Daddario, Edward J. Derwinski, Gerald R. Ford, Charles B. Hoeven, Paul C. Jones, Alexander Pirnie, W. Robert Poage, Thor C. Tollefson. We were also accompanied by our executive secretary, Dr. George B. Galloway, and Mrs. Galloway. Without Dr. Galloway's tremendous work in preparing position papers and speech material our work could not have been successful, and the delegation is deeply grateful to him. Mrs. Galloway is our expert in space law and was invaluable in her assistance in this most important and highly technical field.

The work of the Conference centered on five subjects of world importance in which resolutions were presented. These resolutions had been prepared at the committee meetings held in Lausanne in the spring. They were worked over in the committees and in some cases amended and then brought to the plenary session for a final vote.

The five subjects were: First, functional representation.

The next subject was world development, under the Economic and Social Committee, Mr. Kapteyn, of the Netherlands, Chairman. Our representatives on this Committee were Senator Monroney and Congressmen Cooley, Hoeven, Jones, and Poage.

The third subject was space law, under the Juridicial Committee, under the chairmanship of Mr. P. de Montesquiou, of France. On this our representatives were Senator Kennedy and Congressman Daddario.

The fourth subject was racial discrimination under the Committee on Non-Self-Governing Territories and Ethnic Questions, under the chairmanship of Mr. A. Polednak, of Czechoslavakia. Our delegates on this Committee were Senators Kennedy and Gruening.

Finally, safeguarding peace, from the Committee on Political Questions, under the joint chairmanship of Mr. M. Drulovic, of Yugoslavia, and Mr. F. Elwyn Jones, of Great Britain. This last Committee had to redraft the resolution written last spring, as the Moscow treaty, as it is known throughout the world and as it will be known to history, had completely altered the picture, and considerably brightened it.

Mr. Speaker, the Conference brought very forcibly to us the great change in the relations between East and West, and most notably between our country and the Soviet Union, the two opposing giants, as they have been pictured in many parts of the world. We seemed to be in thorough agreement in Belgrade as to the mutual desire to maintain peace and to strive toward world disarmament. This is, of course, only a hope, but a hope that is at last beginning to be freely expressed on both sides of the Iron Curtain.

Another thing that struck some of us very forcibly was the constant statement from many parliamentarians, not excepting those from the so-called underdeveloped countries, that they wanted trade, not aid.

The question of world development is one that must concern all parliamentarians. Unless the people of the world are well fed, well clothed, and well housed, they will quite naturally be looking anxiously for means to remedy their situation. As conditions get worse, the remedies resorted to will become more drastic and will, indeed, lead to violence. It is a fact today that the industrialized countries are getting richer while the underdeveloped countries are getting poorer. The reason for this situation is that the produce of the industrialized countries is constantly increasing in price, while that of the underdeveloped countries goes down in price. In other words, "the rich get richer, and the poor get poorer."

It has repeatedly been said and proved in our deliberations that aid today is no longer the answer and that trade is. We must trade freely with the underdeveloped countries. We must abolish the barriers impeding such trade, and we must open the markets of the world to open competition.

These are still pious hopes. They will mean sacrifices of considerable amounts on the part of the highly industrialized nations. Will they make these sacrifices for a brighter tomorrow? That is the question. If it is not answered affirmatively we will continue to see the "haves" and the "have nots" fighting it out as they have from the beginning of recorded history.

Now, Mr. Speaker, it would seem that our country has got to decide whether it will go forward in the paths of world trade, or continue a somewhat unsuccessful and unpopular aid program. One thing is certain. We cannot promote both unless we are bent on suicide.

Mr. Speaker, Mr. Roscoe Drummond, the brilliant and well-known columnist, was in Belgrade during the Conference. He sized up the function of the Union better than anyone who has so far written on the subject. His last article was placed in the Record by the gentleman from North Carolina [Mr. Cooley], of the U.S. group. Nevertheless, I would like to repeat a few sentences for the benefit of some doubting Thomases who have, in their ignorance, labeled the U.S. participation "a junket." Mr. Drummond says:

> My own conviction is that the Inter-Parliamentary Union made a grave mistake when it voted a few years ago to take in the Communist countries except Red China. Theirs are not parliamentary governments. Their lawmakers speak for their governments, not for their parliaments. Ever since the Communist nations were invited to join, they have used the Inter-Parliamentary Union as a form of the cold war. It was only a little less so this year because of the mellow glow of the test ban. That doesn't mean we should withdraw. It would be foolish and fatal. It would be leaving the field to the adversary. What is needed is for more of the informed and articulate Congressmen to realize what they are neglecting in shunning these interparliamentary conferences.

Whether we like it or not, Mr. Speaker, We are all in world politics today. This all started away back at the start of the 20th century. We have got to play our part, indeed, a leading part, and if our Congress is to leave all of this important work and all the information to the executive branch, they have only themselves to blame when things are not to their liking.

Mr. Speaker, under unanimous consent, I include the speeches made at the Conference by our delegation as a part of my report. These speeches were well prepared and were well received and deserve to be incorporated in the Record.

I also would like to include Congressman Daddario's closing remarks on an amendment that we were able to have passed in the plenary session after it had been defeated in committee. The amendment concerns the denuclearizing of central Europe.

And, Mr. Speaker, I would like at this time to tell an anecdote that was heartening to me and I think of some slight interest. After I had made my opening speech which was on the question of parliamentary governments, where they are going, how they could be reformed and changed in the future, I met, informally, the presiding officer of our conference, Dr. Vilfan. Dr. Vilfan said to me, a little bit sadly, I thought:

> Madam, I am afraid from your speech that you do not altogether approve of our system of parliamentary government.

I said:

> Well, as a matter of fact, I do not, because to my way of thinking there is no true parliament without an opposition party.

He replied:

> Well, you know, you inherited your system from the British that is over a thousand years old. We have only just started, and maybe we will change and reform and do better.

This from a Communist, I think, is quite a startling and quite an interesting statement.

FUNCTIONAL REPRESENTATION STRENGTHENING PARLIAMENTARY DEMOCRACY

(Remarks of Mrs. Katharine St. George, Chairman, U.S. Delegation in the Opening Debate (Sept. 12, 1963), at the 52d Conference of the Interparliamentary Union, Sept. 12–20, 1963)

Mr. President and fellow delegates: The U.S. delegation is happy to be here and we are grateful to the Government and people of Yugoslavia for their hospitality. We are glad to participate in this Conference with the representatives of the new Yugoslav Parliament which has been elected under the provisions of the new Yugoslav constitution. And we hope that your new parliament will have more influence in the governmental process than perhaps has been the case in the past.

We understand that President Tito will soon be leaving on a 2-month trip to the Western Hemisphere. I am confident that his trip and our visit here will make a real contribution to improved international understanding. The Government and people of the United States have long been dedicated to peace. This is seen in our persistent search for specific international agreements to buttress peace.

I might also mention the fact that the United States not only has a deep and abiding interest in the progress of underdeveloped countries, but has made a great contribution to their development without as a rule attaching any strings to its assistance. The bridge over the Sava River here in Belgrade (which was built with counterpart funds) may be cited as an example of U.S. aid to countries seeking to develop their economies and to maintain their independence.

Let me also compliment our distinguished Secretary General upon his report. It is a gold mine of information on the international developments of the past year and a lasting monument to his scholarship and industry.

I would especially commend to my colleagues the Secretary's opening reference to the encyclical of the late Pope John XXIII: Pacem in Terris. In his reference to the encyclical, the Secretary General brings into clear relief the fact that the first object of our Union is the promotion of peace. As representatives of the peoples of the world we know that the desire for peace is the longing and burning ambition of all and that we who are parliamentarians must do everything possible to express, proclaim and fulfill this desire.

The Secretary General covers the history of the past year in all countries having parliaments represented in our Union. He is, quite properly, completely objective, which at times will probably not please us all. However, it is a good thing to see ourselves as others see us, even if, at times, it is deflating. After all, we have been told on pretty high authority that man is nothing but vanity.

We meet here today at a time when parliamentary government is on the defensive all over the world, and when it has been eclipsed by dictatorships in many countries. The crisis in parliamentarianism has been developing and deepening for many years. At the London Conference of the Union in 1957, I remarked that "the parliamentary system has suffered grievously as a result of two world wars, and that it no longer has the vigor, strength and dignity that it possessed" in earlier times. "There are many parliaments in the present age," I said, "that are nothing but rubber stamps, representing only one party, and therefore only the opinion of the government in power." And I ventured to suggest that we might be entering the twilight of parliamentary government in the world.

Little has happened since 1957 to modify these pessimistic predictions. The clouds that menace parliamentary governments all over the world have not lifted. At our Brussels Conference in 1961 I observed that "the world situation has deteriorated because the parliamentary forms of government have deteriorated. We have allowed our system to degenerate into debating societies in the free world and into inspired government mouthpieces in the rest of the world. The people's voice is rarely heard, and we are in most cases ruled by articulate and powerful minorities."

There is not time now for me to discuss the causes of the decline of parliament as an institution. But I would like to suggest some methods whereby parliamentary democracy could be strengthened around the world, where need be. I assume that we are all agreed upon the essential conditions of genuine parliamentary democracy. They include respect for the supremacy of law, the enjoyment of equal status and equal rights by all citizens, freedom of expression, debate, and association. They also include regular sessions of parliament at specified intervals, the right of parliament to review and pass upon the executive budget, and the consent of parliament to treaties and foreign agreements. They also include competition for elective offices, refusal to resort to violence, continual consultations among men and groups, checks and balances, civil liberties, and recognition of the rights and functions of a strong opposition.

Specifically, I suggest that parliamentary democracy can be strengthened in the following ways:

1. By making the composition of parliament truly representative of the people and empowered to express their will.

2. By state assumption of campaign expenses. They have grown too big for the average candidate to cope with. The rising cost of running for public office exposes politicians to pressures from affluent groups with special interests. Responsibility for financing political campaigns should be shifted to the public at large.

3. By preventing the executive from monopolizing the means of mass communication. Parliaments, as well as executives, could use radio and television to enter in direct contact with the people.

4. By expanding the legislature's own research staff aids. Statistical and information services should be equally available to legislators and administrators. We need to restore the balance of knowledge by equipping our parliaments with adequate libraries and research services.

5. By eternal vigilance to prevent military dictators from seizing power and dissolving parliament or converting it into a a puppet regime.

6. By requiring the consent of parliament to treaties with foreign nations and to appointments of high officials.

7. By strengthening parliamentary control of public expenditures. Financial control is the most powerful weapon that parliament possesses over the executive. Yet some legislatures are said to be losing control of the purse strings. We need to develop machinery for strengthening the power of the purse.

8. By giving the national legislature power to supervise and control the activities of the government. Public problems have become too numerous and technical for legislatures to handle alone. It is necessary to delegate their adjustment to administrative agencies. The chief modern task of parliament is to oversee the exercise of delegated power.

9. By reducing the extraneous workload on parliament in various ways. The growing demands on Members' time and the increasing claims of essential business impel modern legislatures to search for ways and means of expediting the legislative process and relieving parliament of part of its burdens.

10. And, finally, by setting up a system of standing committees and delegating to them both the function of considering legislative proposals and also the task of supervising the execution of the laws. Although admittedly inconsistent with Cabinet government, the standing committee system has worked well in the United States and the continental legislatures which have adopted it.

If parliaments are to survive as effective instruments of mankind, they must adapt themselves to the great social and political forces and problems of our time. Parliaments cannot be aloof to historical trends, nor in opposition to them, but must be in the forefront of change.

WORLD DEVELOPMENT

(By Senator A. S. MIKE MONRONEY)

Since the conclusion of World War II, we have seen the most amazing period of acceleration in the establishment of new nations in the world's history.

Unfortunately, the great blessing of liberty and the right to self-government did not automatically bring into being the physical plant, economic base, skills, and markets necessary to sustain a healthy growth toward peace and prosperity. Freedom only opened a new right-of-way on which a highway of commerce must be built.

The miracle of the Marshall plan cannot be repeated in these areas. In Western Europe there existed an industrial base for the wise use of the $13 billion we invested in rebuilding plants and industries. However, this is not the case in these new nations. The industrial know-how, education, basic transportation, water and power—the infrastructure of an industrial complex is missing.

This problem is spelled out well in the draft resolution. It correctly points out that the average per capita incomes of the industrialized countries are much larger than those in the developing countries and that the gap is becoming wider.

Even the transfer of nearly $9 billion in 1961, including private investment and official international aid from the Western World and $300 million from the Communist bloc, has failed completely to meet more than a fraction of the requirements for a development base. This, despite an increase in 1 year of $1.4 billion.

In the long run, however, four-fifths of the foreign exchange acquired by these developing nations has had to be earned from their own production. One-fifth has come from the various international sources of aid.

Therefore, the primary problem is to find methods of improving trade opportunities, stability of markets and prices, and methods of production and agricultural development so that they will have hope of progress toward eventual self-sufficiency.

It would make little sense if, after spending some $9 billion a year to help develop them, these new nations found themselves denied opportunity to earn their way into progress by barriers against reasonable access to world markets.

Unstable prices for their products, frequent gluts on the world market of their single export product, capricious tariff manipulation, limited opportunity for new product marketing—all hinder and cripple their efforts to grow in industrial development. Trade is obviously preferable to aid, from the viewpoint of both the recipient country and the donor country.

In the U.S. Trade Expansion Act of 1962, the President of the United States was given greater powers than ever before to remove trade barriers against tropical products. It would offer a new ray of hope to dozens of developing nations if the Common Market and the other industrial countries would be more liberal in their treatment of imports of coffee, cocoa, and other products from the tropical countries than they have been in the past. These items do not compete with their own products, and a greater volume of imports would mean greater trade and earning for the exporting countries of Africa, Asia, and South America.

Ways must be found to improve trade among the developing areas. Trade among these nations, who need so much and have so little foreign exchange to use in trade, was close to a balance. These areas exported 22.3 percent of their trade to their developing neighbors. They imported 20.6 percent from each other. This was virtually an even trade.

But barter is undesirable and an irregular method of trade. I am sure the International Bank or the Monetary Fund could find ways to set up a convertibility fund to take over any disparity in local currency trade accounts among the developing nations. A similar plan worked to establish currency convertibility throughout all Western European nations under the Marshall plan. It should be tried with the developing nations trading with each other. Dollar credits would be used for payment of balances only after certain periods of time.

One nation's surplus could be put to use in exports to its neighbor and the account settled largely without reliance on dollar reserves but instead by balancing the amounts of local currency at the end of each 3-month period. A small dollar reserve would be required only for striking a balance.

It would seem to me that neighbors would find vastly improved markets in this manner.

The International Development Association, born as a result of the activities of the IPU, is in full and successful operation. This branch of the World Bank has made credit available at very low interest rates, with long-term repayment provisions, for dozens of smaller nations.

IDA needs to be expanded. This international operation permits the borrowing nation to receive loans, not from one nation, but from all of the 70 members who join in furnishing the capital of the World Bank. Other nations as well as the United States have agreed to expand the capital structure of this useful banking facility, whose liberal

terms bring world banking loans within reach of the smaller nations.

Regional credit groups, patterned on this IDA system, could be established among neighboring nations.

Finally, I am certain that the starting point, particularly for the 50 percent of the nations who yet have a difficult time in getting started toward self-sustained growth, lies first in the direction of improving their agricultural resources. Here their manpower, their land, their resources can be their primary source of strength. If a satisfactory agricultural economy is first established, it can serve as a foundation for small industry. This is the foundation on which the industrial nations of the world were built and which gave them their original credit.

The development of livestock, fruits, and products peculiarly suited for the area is a start. From there, development of superior agricultural products, marketing facilities, and the specialized agricultural commodities to fill the need of their neighbors and for world export would prove to be the takeoff base for industrial growth.

Agriculture, if properly developed, will first supply the food necessary for the growth of a healthy population, including urban expansion, second, provide working capital for nonagricultural expansion, and third, provide markets for industrial development of chemical fertilizers, agricultural equipment and manufactured consumer goods. It can also provide important tax revenues.

Communist China has proven that no program of heavy industrialization can succeed without a sound agricultural program. No matter how successful industrial development might be, a nation must be able first to feed itself and provide for its basic needs.

Agricultural development can lead to areas of small industry for consumer goods for first phase manufacturing, such as bicycles, sewing machines, pails, farm tools, fertilizers. This can help to dampen the flow of workers from the countryside to the overcrowded slums, and would act as a seedbed for other industrial expansion.

SPEECH TO THE INTERPARLIAMENTARY UNION IN SUPPORT OF RESOLUTION ON RACIAL DISCRIMINATION

(By Senator EDWARD M. KENNEDY)

It is a very great privilege for me to be here at this Conference. I have had the good fortune of being able to visit many of the nations of Europe at various times of my life, but this is my first opportunity to visit Yugoslavia. This nation and its leaders have been most hospitable to us. I think it is very significant that the delegates from so many nations can get together here, in pursuit of their mutual interest in parliamentary government. It is clear proof that the interests and problems we have in common can transcend the disagreements of diplomacy and the ideologies of politics.

I speak today on behalf of the U.S. delegation, in support of the draft resolution on racial discrimination of the committee non-self-governing territories and ethnic questions. Racial discrimination is not limited to any one country or one racial group or one period of history. The gypsies in Central Europe, the "colored" in South Africa, the Negroes in England and the United States and the minority racial groups in many European nations suffer from discrimination. My own Irish ancestors felt the sting of prejudice, both in the nation they left and, initially, in the country where they settled.

But racial discrimination in 1963 certainly is most publicized in the United States. In a sense, my nation has asked to be judged in this area, because of the leadership we have taken in the cause of freedom and democracy around the world. I am sure all of you read about the gathering that occurred on the 28th of August in our Capital City of Washington. There came together at that time over 200,000 citizens—Negroes and white people who believe deeply in the Negro cause. They exercised the traditional right of American citizens to petition their Government for redress of grievances. This demonstration was impressive both in its numbers and its dignity. I believe it made a lasting mark upon the conscience of the people of the world.

In a sense this demonstration showed both how much has been done and how much must be done to alleviate racial discrimination. The Negro race was brought to America, against their will, as part of the slave trade. The effort to free them from slavery precipitated the only Civil War my Nation has known. While this war freed the Negroes from their status as property, they were left without property, without education, without the means to participate fully in the democratic parliamentary process.

In the hundreds of years that have passed, the Negroes in the United States, despite discrimination, have made significant advances in their life. The average income today of the American Negro is more than that of white citizens in most of the nations of Europe. The men and women who participated in the demonstration in Washington had means enough to travel hundreds of miles in modern forms of transportation. Among the participants were Negro business leaders, professional men, teachers, ministers, and entertainers.

But as I said before, the very fact that a demonstration was necessary shows how much must still be done if discrimination is to be ended.

The Negroes in America were asking for protection of their right to vote, which is denied in some parts of the United States.

They were asking for more jobs, higher wages, better education for their children; and most of all for the chance to enjoy, on an equal plane with white people, the accommodations of restaurants, motion picture houses, and hotels.

Most of the United States is free of this form of discrimination. In my own State of Massachusetts, where the movement to abolish slavery began 130 years ago, a Negro today can eat in any restaurant, live in any neighborhood, apply for any job. He is protected by strong laws against discrimination which are enforced by the attorney general of our State who is himself a Negro.

And so I say to you, despite our failings, we of the U.S. delegation can support this resolution in good conscience. We have come to grips with our problem. We realize our special responsibilities. We are determined to clean our hands of racial prejudice so we can go before the world with deeds to match our words.

The American people have solved problems of discrimination before. Our Nation could not have prospered unless groups of immigrants from Europe, all of whom faced hostility when they arrived, had not become an integrated part of our society.

Neither I, nor the President of the United States, would hold the positions we do, if America had not taken down the sign that said, "No Irish need apply."

I am sure that every nation represented here can point, as we can, to chapters in its history where the breaking down of discrimination—be it racial, religious or geographic—help unify and strengthen the country:

Whether it be the unification of Italy in 1861; of the unification of Germany in 1871 or the union of the Serbs, Croates, and Slovenes into Yugoslavia after World War I.

Let us all unite in supporting this resolution. Let us declare together that racial discrimination is wrong. It is legally wrong, morally wrong, and is bad for humanity.

Let us make an effort to end discrimination wherever it is, wherever it weakens and dilutes the principles upon which all our nations were founded. And in doing so, let us work together to achieve that happy situation best described in the words of the Scottish poet Robert Burns:

> "For all that and all that
> Its coming yet for all that
> When man to man the world around
> Shall brothers be, for all that."

DISCRIMINATION

(By Representative EDWARD J. DERWINSKI)

Mr. President, ladies and gentlemen, it is with the utmost candor that we of the United States acknowledge that our own practices fall short of our religious traditions of equality before God and our ethical convictions as to the brotherhood of man. Yet we can declare that we are committed to the realization of this, the profoundest injunction of our political philosophy, that governments are instituted among men to secure the rights of equality and liberty and justice for all. For our American governmental faith, unlike totalitarian philosophy, is founded upon the belief that there are certain inherent and inalienable rights of individuals which are not the prerogative of the State to grant or deny. This basic division in governmental theory was illustrated in the position of States toward the Universal Declaration of Human Rights, which we endorsed and voted for.

In the United States, our Government is leading the way in ending the remaining vestiges of the evil of racial discrimination. The Constitution under which our land has developed and flourished, was founded upon the proposition of individual liberty and human dignity. Much of our history is the record of our national efforts to root out notions and practices inconsistent with the ideals set forth in that great document.

While regretting the incidents of racial difficulties that occur, we, at the same time, point to the fact that these instances illustrate the determination, as expounded by our President, that we are dedicated to the immediate realization of those human rights to which our Government has always been committed, and is fully and actively seeking to guarantee the right of equal opportunity to every man, woman, and child in the United States. We would also draw attention to the record of our local State governments in their progress, legally, educationally, and economically, in this area. We also direct your attention to the fact that progress has far surpassed disappointments in all sections of our country as we perfect the rights of all men.

In order to clarify phraseology may I remind you that in the United States the movement to end all discrimination is waged under the slogan of "civil rights." Civil rights includes the right to vote, right to free speech, free press, right to education, right to all the economic blessings that an individual's energy and ability permit him to acquire.

We must point out that our people working zealously to maintain civil rights for all Americans are disturbed at the denial of equivalent rights to the people of Eastern Germany, Lithuania, Latvia, Estonia and other areas of the world dominated by an atheist totalitarian philosophy. The rights of all men will always be in jeopardy as long as an international movement continues to advance a philosophy which is contrary to "civil rights." We feel it extremely practical and timely to remind the delegates of our determination to maintain rights for all of our citizens, and of our equally strong interest in peoples in the world who have been deprived of these rights. May I also remind the delegates of the support which the American Government and people give to the historic principle of "self-determination of peoples," which principle has also been disregarded by the totalitarian movement that threatens world freedom.

For specific examples of discrimination and the denial of civil rights to people, the greatest is the wall of shame in Berlin. In the same spirit, it is necessary to call to the attention of the delegates the vast prison camps in Siberia where political prisoners from numerous countries remain under conditions of slave labor. They suffer from political discrimination, racial and nationality discrimination and are deprived of all rights.

We of the U.S. delegation endorse the philosophy of this draft resolution as an official declaration by the Interparliamentary Union of the goal toward which we, the individual members, should strive in our national legislature; namely, the education of our youth in the principles of equality, and the eradication of all manifestations of racial, nationality and religious hatred and discrimination, to the end that we, in the national and international sphere, can develop as one family of mankind, working together toward the highest development of our society and the fulfillment of our destiny under God.

REPRESENTATION OF SOCIAL AND ECONOMIC INTERESTS IN PARLIAMENT

(By Representative GERALD R. FORD)

Our subject matter at this session, "Representation of Social and Economic Interests in the National Legislature," is of the utmost significance in the years ahead—perhaps more so than ever before. The basic question, however, is how best these objectives can be accomplished.

I hope I may be forgiven if I sound a national note, but in my country this problem was recognized from the very founding of our Nation. James Madison, perhaps the chief architect of our Constitution, wrote in Number 10 of the Federalist in which he was arguing for the adoption of that historic document: "A landed interest, the manufacturing interest, a mercantile interest, a monied interest, with many lesser interests, grows up of necessity in civilized nations and divides them into different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation and involves the spirit of party and faction in the necessary and ordinary operation of the Government."

This clash of economic interest groups which Madison discussed is still with us. Quite frankly, it invigorates our politics in the United States. One of the chief functions of our political party system is to blunt the severity of this clash, to serve as a funnel through which competing interests may be molded into a single viewpoint.

Functional organizations such as labor unions, management organizations, agricultural associations and professional groups must find expression in our various parliaments if representative institutions are to be truly meaningful. Specific parliamentary representation according to significant economic pressure groups is one way to accomplish this aim.

I am informed that different versions of functional representation were used by the Fascist regime in Italy and by the Weimar Republic in Germany as well. Some modern-day theorists in Government argue that lobbying organizations in America are a form of functional representation. As I see it, this is stretching the point to a considerable degree. Lobbyists in America are not in any way whatsoever an official part of or an adjunct to our Government. For further clarification, I should say such groups are controlled in many ways by legislation and conceivably may be more so in the future.

Despite the previous attempts to put into practice functional representation in Government, despite the theories of some contemporary political writers, the overwhelming weight of the evidence on hand argues convincingly against the adoption of this approach to just and effective representation in our modern day parliamentary systems.

For example, elected delegates representing specific units of society such as agricultural or industrial workers, or management, would obviously possess far too narrow a focus on the multitude of problems facing the Nation. These individuals identified by a precise economic interest would owe their basic allegiance to rigidly alined groups and, in my judgment, would lack the breadth of viewpoint to perform effectively their true legislative function.

Another difficulty that arises is purely quantitative. If people are to be represented according to their memberships in interest groups, how would you apportion the weight to be allotted to the various interests in order to approximate justice? How many representatives of labor must there be? How many of capital? How many for agriculture? How many for professional and technical associations?

From a positive point of view, the most persuasive argument against this new theory is that one's interest as a citizen in its broadest context takes precedence over one's interest as a member of a particular group.

The proponents of functional representation will argue that people have less in common as inhabitants of their particular community than they have in ways of earning a living. Therefore, they contend that geography as a basis of representation has been and should be demoted in the representative system and that loyalty to locality should be replaced by allegiance to function. Allegedly this is a result of the division of labor and the high degree of specialization in a modern industrial society.

From practical experience in our country, and I trust in yours, our people place their principal loyalty and allegiance to the national government. They are first and foremost citizens of the nation. They expect their elected representatives to act on their behalf with original and primary focus on the national aspect of all problems. This does not mean that our citizens do not have strong and divergent ideological, philosophical or economic views. I only say that all interests other than the nation's are secondary on the ladder of priorities.

This being true, it is my belief that our representative government should be based on a pattern that in practice has not divided, but solidified a people. We find from experience the average legislator chosen on a geographical basis is responsibly conscious of the territorial, economic and social interests in his constituency and does his best to represent them. However, when the choice is drawn between the national interest on the one hand, and any other—be it geographic, economic or social—the decision is easy. The legislative representative votes for the broader choice. In my judgment, this would be the true reflection of the people, who look upon themselves first as citizens and thereafter as a part of an economic or social segment of society.

Furthermore, history records that the key programs of important social and economic groups—once such social problems and policies have established their merit and have won acceptance of popular majorities—usually are enacted into law. Finally, from our experience, the legislature based on the territorial constituency is far more likely to attain consensus of a broad national scale than one organized to give voice to economic and social interests.

In conclusion: If we have deficiencies, if our efforts are not perfect, let us make those essential changes in a constructive manner with the tools at hand. To achieve the goal of better representation, let us not tear asunder tried and true systems of representative government that, over the years, have brought cohesion to our people.

WORLD DEVELOPMENT

(By Representative W. R. POAGE)

Nations exist primarily to secure for their people the highest possible standard of living, economically as well as politically, socially and culturally. Indeed, the degree to which these latter aspirations can be fulfilled depends in large part on the fulfillment of economic development. There is, therefore, no more basic problem than that of world development.

If the delegates will refer to page 11 of the English edition of your "Preliminary Documents" you will find the very fine draft resolution on this subject. This resolution very appropriately and correctly points out that the economic development of all nations, the poor as well as the rich, is vital to all nations; that enlightened self-interest impels the industrialized countries to aid their less-developed neighbors. The resolution properly points to the ever-widening gap between the average per capita income of people in the developed, as contrasted with the underdeveloped, nations. It refers to the need for higher prices for "primary products," the raw goods which account for most of the meager income of underdeveloped people. It courageously points to the enormous increase of population as one of the greatest deterrents to economic progress.

With all of this I heartily agree. My country has shown its good faith by extending more than $100 billion worth of aid to less fortunate people since the close of the war, and to do this our own people have paid some of the highest taxes in the whole world. Indeed, our people have ofttimes paid heavier taxes than have the very people to whom our aid has gone. I do not believe that we need any further evidence of our willingness to help.

Therefore, if I were to find any fault with this draft resolution, it would be that it overemphasizes dependence on the industrial nations and it plays down the necessary cooperation of the underdeveloped nations themselves.

May I, therefore, my colleagues, in the few minutes available, speak very frankly. I speak as a friend, as one who wants to see all people enjoy a higher living standard, but I hope I speak as a realist.

First. The developed nations cannot contribute enough to maintain the standards of the underdeveloped nations. If you were to divide all of the wealth in the United States of America, the U.S.S.R. and the United Kingdom between all of the people of India and of China, each individual would have less than the present average wealth of the people of Mexico and the great industrial productivity of these three nations would be dismantled and lost to the world. Nor can these developed nations hope to divert enough of their current production to raise the standard of living in the underdeveloped nations without a return of goods of comparable value, because to continue to do so would bankrupt their own economies, and thus kill the goose that laid the golden egg.

Second. The developing nations must increase their own contribution to the world economy, for even with the present high level of foreign aid from industrial nations, 80 percent of the developing countries' foreign currency receipts come from exports. These exports are basically "primary products"—food, fiber, timber, and minerals. The underdeveloped nations need higher prices, and as a representative of a developed nation I feel that we stand ready to pay a fair price for these products, but we cannot pay a fair price and they cannot receive a fair price unless the same underdeveloped nations will cooperate among themselves to prevent the breaking of world markets with surpluses. We all agree that trade is better than aid, and we agree that primary products should bring a price which will enable underdeveloped people to buy the industrial goods of their developed neighbors. But again, it is a twoway street, and so long as the African nations try to undersell the South Americans, or vice versa, the price of coffee is going to stay down.

Third. The world tendency to establish independent "nations" everywhere makes economic efficiency impossible. I believe that one of the reasons we see this great city here at Belgrade is the fact that six peoples have united to make one Yugoslavia. (Of course, the fact that the United States has extended over $2½ billion of aid has helped.) I believe that a major reason that the United States has become so productive is the fact that 50 States have united. I believe that much of the strength of the U.S.S.R. comes from the fact that their union consists of 15 republics. When I remember that there are 82 nations of this world with fewer people than in my home State of Texas, and 86 nations with less territory, I am convinced that there must be larger national units if we are to have the needed economic program. I congratulate our African colleagues who are working for greater unity rather than for more units of government.

Fourth. And finally I would point out that no matter what contributions the developed nations may make, that the underdeveloped nations can never raise their living standards so long as population increases faster than wealth. Although your wealth doubles, if your population triples in the same period of time, every one of your people is going to be poorer. Again, this is a problem which can only be solved by the underdeveloped people themselves.

Therefore, in conclusion, my colleagues, may I again assure you that while the United States of America stands ready to help all people who are trying to help themselves, we cannot assume the responsibility which the local people should assume, and no one else is going to assume such a responsibility without some kind of colonial relationship no matter what that relationship may be called.

SAFEGUARDING PEACE

(By Representative E. ROSS ADAIR)

Ladies and gentlemen, the American delegation feels that the test ban treaty may be an important step toward universal acceptance of the principle that international conflicts can be settled by peaceful means. We believe that the contamination of the human environment by radioactive fallout should be controlled. We believe that adoption by the 52d Interparliamentary Conference—the largest international assemblage of law makers in the history of mankind—of a resolution in support of these points of view will add an important moral force on behalf of these principles.

The American delegation does, however, wish to offer a few amendments to the draft resolution before the Conference. The amendments which we offer are based on two fundamental thoughts.

First, we wish to stress the importance of the role played by many nations in the preparation and signing of the treaty, rather than to assign sole credit for the treaty to the three nuclear powers which have signed it. We feel that the work of many nations during the preparatory talks, and the signing of the treaty by a number of nations which by now has reached a total of almost 90, have been of profound value not only in the achievement of the treaty but also in creating an international atmosphere which may facilitate further progress toward relaxation of international tensions, toward international security, and freedom from the fear of aggression. We believe therefore, that the resolution to be adopted by this Conference should take note of the fact that the test ban treaty is indeed a treaty among many nations and not merely among three nuclear powers.

Secondly, the American delegation feels that whatever resolution on this subject is adopted by the Conference, should reflect a genuine desire on the part of all concerned for a relaxation of tensions based on respect for the needs and concepts of all sides, and not the wish for one side or another to gain strategic advantage. Unfortunately, there are elements in the draft resolution before the Conference which represent an effort to impose one-sided concepts upon the entire Conference. This effort is discouraging to those who hope that the test ban treaty is a first step toward more general international understanding. Therefore, the American delegation offers certain amendments which are designed to bring out the fact that the treaty is a multi-lateral, and not merely a tripartite act; not a cold war document. Morally the resolution should be a genuine contribution to international understanding rather than merely another cold war document.

With respect to the particular amendments which the American delegation offers, I would like to make the following comments:

1. In paragraph one, beginning with the word "Noting," we propose that credit be given to the approximately 90 nations which have already signed the treaty, and delete the reference to Great Britain, the U.S.S.R. and the United States. We propose that the resolution state positively the grave concern which has developed universally over the nuclear contamination of the human environment and of the hope of relief afforded in this respect by the test ban treaty.

2. In paragraph two, beginning with the word "convinced," we propose to remove the reference to "peaceful coexistence"—a term which has acquired a polemic cold war content through years of misuse—and to substitute a forthright reference to peaceful means of settling international disputes whatever the political or social regimes of the states involved may be.

3. In paragraph three, beginning with the word "considering," we propose to delete the words "and looking toward general and complete disarmament, the indispensable condition for the consolidation of peace among people." We propose this because we feel that those who are responsible for negotiating further agreements leading to a detente in international relations should have the necessary flexibility in exploring various existing possibilities which may include not only further steps toward disarmament but also outstanding substantive issues. Furthermore, we are all aware that there are important differences of opinion among nations concerning the importance of strict international control and verification of disarmament—in fact, the American delegation regards such strict international control and verification as an essential element of disarmament. For these reasons—to afford the greatest possible degree of flexibility in seeking further avenues of progress, and to concentrate on areas of agreement among the powers rather than on matters in which there still exist basic disagreements—this amendment is offered to the third paragraph.

4. In the fourth paragraph beginning with the word "appeals," we propose deletion of the two references to parliaments and the addition of a reference to the lawful procedures of the various countries simply in recognition of the fact that each country has its own procedures of adherence and ratification and that it would be inaccurate to assume that all countries require ratification by a parliament or that the respective roles of various parliaments are identical. The original resolution is meaningless because it contradicts known facts of government systems.

5. With respect to the fifth paragraph, which begins with the word "Urges", we propose that this paragraph be deleted because it reads an intent into the treaty which is not to be found in the text of the treaty. What is meant by: "any new extension of nuclear arms"? Does it mean preventing nations which now possess nuclear arms from basing such arms in areas where they do not now exist? Does it mean that they cannot be based in areas where they do not exist now as a deterrent to aggression? Does it mean preventing nations which do not possess nuclear arms from acquiring them? Does it mean preventing nations which now possess nuclear arms from acquiring new nuclear arms? Or does it mean all of these? We believe that it would be better for the Conference to delete this paragraph. The intent of the resolution is to support the nuclear test ban treaty. Why clutter it with extraneous matters which only create further disagreement?

6. In paragraph six, beginning with the word "Invites", we propose that the reference to banning underground tests include the phrase "under strict international control". We believe that underground tests, as contrasted with tests in the atmosphere, outer space, and underwater, can be securely banned only if placed under strict international control; and we would like to point out to the delegates that this language which we propose is taken directly from the text of the test ban treaty iself.

7. Parts of the original text of paragraph seven of the draft resolution, beginning with the word "Appeals", seem to us to be completely foreign in spirit not only to the purposes of the treaty itself but also to the spirit of this Conference. Instead of concentrating on those areas in which the common interests of all nations make possible further progress toward international agreement, they revive proposals the content and intention of which are the subject of disagreement rather than agreement among nations. The U.S. delegation supports the amendments to this paragraph offered by the Australian delegation. These amendments would give to this paragraph language and content to which all those who would like to see further progress toward international understanding could subscribe.

SAFEGUARDING PEACE

(Remarks of Representative ALEXANDER PIRNIE, Member, U.S. Delegation, on September 17, 1963, at the 52d Conference of the Interparliamentary Union, September 12–20, 1963)

Mr. President and my colleagues, I would like to address my remarks to the committee resolution on denuclearized zones and disarmament, as drafted in Lausanne. It reflects a conscientious effort to deal with a very complex subject but requires some modification to assure sound objectivity.

Ever since the end of the Second World War, when the first atomic bomb increased the destructive capacity of a single shell by more than a thousand times, the United States has sought to bring nuclear weapons under safeguarded international control. In recent years, the destructive capacity of single weapons has again multiplied many thousand times, and the United States has intensified its efforts to build a world in which peace is not threatened by uncontrolled armaments, yet security is enhanced by effective international peacekeeping machinery.

It has endorsed the goal of general and complete disarmament and submitted a detailed proposal for bringing it about. It has vigorously sought measures which might be suitable as first steps in the direction of disarmament, pending the time that agreement became possible on a comprehensive program.

For this reason the United States delegation is very pleased that the resolution before us has been outdated in one respect since the spring meeting at Lausanne when it was drafted. A first step toward general and complete disarmament has been taken with the conclusion of the "Treaty Banning Nuclear Tests in Atmosphere, in Outer Space, and Underwater." I know that other delegations share our hope that eventually all the nations of the world adhere to this treaty and the problem of atmospheric pollution with radioactive fallout from tests will come to an end. I know that other delegations share our belief that this treaty is, as President Kennedy has said, "a step toward peace—a step toward reason—a step away from war—a step toward reduced world tensions and broader areas of agreement."

The test ban treaty is not the only progress which can be reported. In addition, at the Eighteen-Nation Disarmament Conference in Geneva on June 20, 1963, the United States and the Soviet Union agreed to establish a direct communications link between their respective capitals. This was taken as a first step to help reduce the risk of war occurring by accident or miscalculation, a risk which has become very real in a world of automation and intercontinental missiles.

The United States delegation supports the underlying theme in this resolution, that the creation of adequately verified denuclearized zones or other regional arms control measures is one approach which should be explored. Under certain circumstances we believe that such measures could contribute to peace and security. First, it may be possible to achieve some measures of disarmament in limited geographical areas before it is possible to achieve them throughout the world. Second, disarmament measures in specified zones might serve as pilot projects and provide invaluable experience on which additional arms control arrangements elsewhere in the world could be based. Third, regional arrangements might contribute to relieving international tension within an area and create a climate in which the underlying political problems could be more easily solved. The United States delegation is aware of these possibilities and is not opposed to the entire idea of denuclearized zones.

Nevertheless, the United States delegation is disturbed about two aspects of the "believes" paragraph, both of which could be corrected by amendment. First, it believes that the phrase "particularly one in central Europe," must be removed. The whole advantage of the regional approach is that agreement might be possible in limited geographical zones outside the areas of confrontation between the major powers before agreements involving the major powers are possible. Central Europe, where the Communist world and free world meet, is at the very heart of the East-West struggle, not outside it. Moreover, nuclear weapons have already been deployed in this area and it would be extremely difficult to devise any denuclearization plan or other plan for arms limitations in this area which would not alter the balance of military forces. The United States has made clear its view on many occasions that proposals which would denuclearize this area without dealing with nuclear weapons located nearby would result in a serious military imbalance and, while creating the illusion of progress, would really endanger the peace of the world.

Second, the United States delegation believes that zonal arrangements cannot be imposed from outside, but must be the product of the initiative of the states within a given area. We believe this principle should be recognized within the resolution, and that it should be made clear that it applies to both denuclearized zones and other zones of limited armaments. Therefore, we propose to amend the paragraph accordingly:

"Believes that the efforts to create adequately verified denuclearized zones and limited armaments zones in different parts of the world, provided they are arrived at freely by all the parties concerned in the region and do not alter the balance of military forces, would serve the cause of peace and represent a step toward the achievement of general and complete disarmament."

Amended this way, so that central Europe is not singled out and so that it is made clear that any regional arrangements must be the result of the initiative of the states within that region, the United States will be happy to support this resolution.

Although we in America seek peace with all our hearts, no one should be deceived as to the depth of our devotion to the cause of freedom. We cherish the free institutions which have evolved from our dearest dreams, as expressions of the dignity and brotherhood of man. We are charged with their survival. So we are mindful that the peace we so sincerely seek will not be fully assured by arms control treaties alone since renunciation of evil weapons must be supported by renunciation of evil purposes. True protection exists only in the hearts of people of good will.

SPACE LAW

(By Representative THOR C. TOLLEFSON)

Five years ago, in adopting basic principles for the law which guides the U.S. space program, our Congress declared that "activities in space should be devoted to peaceful purposes for the benefit of all mankind" and directed that "the aeronautical and space activities of the United States shall be conducted so as to contribute materially to * * * cooperation with other nations, and groups of nations, in work done pursuant to this act, and in the peaceful applications of the results thereof."

In response to the mandate from the Congress, the National Aeronautics and Space Administration, established an Office of International Programs, to work with interested scientific agencies of other nations, and to build their interest into cooperative efforts, of substantive content.

Since that time, NASA, as the National Aeronautics and Space Administration is commonly called, has been associated with more than 60 countries in cooperative programs of scientific space research, in cooperative experiments with communications and weather satellites, in the establishment and operation of a worldwide satellite tracking and data acquisition network, and in education and training in the space disciplines. These associations have been truly cooperative with the oversea partners fully responsible for decisionmaking, planning and funding of their portion of the programs.

In 1959, the U.S. National Academy of Sciences was asked to convey to the International Committee for Space Research, NASA's readiness to launch aboard American rockets scientific experiments and entire satellites prepared by scientists of other countries. As a result, the first two international satellites are today in orbit. The British satellite Ariel was launched in April 1962, and the Canadian satellite Alouette in September 1962, both aboard NASA boosters. Among the several future international satellite programs already agreed to is the Italian San Marco project, in which the first satellite to go into equatorial orbit will be prepared and launched by Italian teams from platforms in the Indian Ocean, using a NASA booster. Future satellite projects with the United Kingdom, with Canada, and with France are already underway or in the planning stage.

The past year has seen the first substantial fruits of NASA's international program with sounding rockets, which probe vertically into the earth's atmosphere at altitudes inaccessible to satellites. Cooperative sounding rocket launchings have already taken place with 10 different countries. Many of these launchings have been overseas: in Sweden, in Norway (with Danish cooperation), in Pakistan, in Italy, in Canada, in New Zealand. Other countries have joined with us in experiments from the United States—they are Australia, France, and Japan. Still others are now approaching such experiments—India and Argentina. Responsibility for the basic elements in these programs—that is, the scientific instrumentation, the rocket, the ground instrumentation necessary to receive the data and the data analysis—is shared by the cooperative countries.

In the perhaps more dramatic area of practical application of space technology, more than 3 dozen countries have participated with the United States in cooperative projects relating to communications and meteorological satellites. Joint testing of the U.S. communications satellites, Relay, Telstar, Syncom, has been conducted between North America and the continents of Europe, Africa, and South America, demonstrating the worldwide interest in these new tools for exchange of information.

The dramatic capabilities of NASA's experimental weather satellites have been shared with countries throughout the world, and now NASA has developed specialized, relatively inexpensive equipment which can be used by weather services in any country to obtain photographs of local weather conditions directly from NASA's weather satellites as they pass over their own country.

Nor have human resources been neglected. Two years ago NASA inaugurated a program whereby senior scientists of established repute from other countries might avail themselves of the advanced facilities for research and study at NASA's research and space flight centers. A companion program provides fellowships on a joint funding basis for promising graduate students in the scientific and engineering disciplines related to outer space, at universities in the United States where active work is being pursued in these fields. And finally, to insure maximum benefit from agreed cooperative space flight programs, over 100 scientists and technicians from the cooperating countries have received special training at NASA facilities such as the Goddard Space Flight Center, the Langley Research Center, and the Wallops Island launching station.

Now, in the 6th year of the space age, the ties of NASA's associations in international cooperative programs stretch westward to Japan and Australia, south to Argentina and Chile, deep into the heart of Africa and, with the completion last month of the first agreement with the Soviet Union, eastward across Europe to the Caucasus.

We in the United States believe that the full promise which outer space holds for the expansion of human knowledge can be realized through steady progress in international collaboration in the exploration of this newly accessible frontier.

SPACE LAW

(By Representative EMILIO Q. DADDARIO)

On behalf of the U.S. group I should like to express our support for the resolution on space law which the executive committee has forwarded to us, together with some thoughts about its content. This text is identical to the resolution unanimously adopted by the Subcommittee on Space Law of the Parliamentary and Judicial Committee. Our group interprets this resolution as a stimulus to action toward strengthening international cooperation in the peaceful uses of outer space. As we are all aware, such action by governments must be based upon the latest available factual knowledge of the science and technology of space activities. The pace of progress is so rapid that already we are faced with the necessity of interpreting various provisions of the resolution so that members of the Interparliamentary Union will be able to base recommendations to their governments upon an up-to-date appraisal of present and probable future developments.

We wish to point out that tremendous advances have been made in space activities, not only in manned space flight but also in spacecraft for comunications, meteorology, and navigation. By August 1963, the United States had successfully launched 134 space vehicles of various types while the Soviet Union had launched 46. Outstanding successes have been achieved, therefore, by both nations in deep space probes. Numerous other countries have made contributions to space research and some of them are working in combination so that even more will be accomplished. The pace of development has been so rapid, and the number of nations engaged in the peaceful purposes of outer space has increased to such extent, that we must recognize that the term "several" satellites as used in the resolution is inadequate in describing the full scope of successful space activities.

We feel that far from condemning the United Nations for not having made further progress in working out the basic principles of space law, the situation has now developed to the point where we should simply urge the United Nations to continue its efforts in this area and give it our support. Substantial progress has in fact been made in the unanimous adoption of United Nations resolutions defining guidelines and general principles for the conduct of international peaceful space activities. Successful reports have been submitted to the U.N. by the World Meterological Organization and the International Telecommunications Union. The same point can be made for the progress evident in the records of the United Nations Registry of Space Vehicles. The Scientific and Technical Subcommittee of the Committee on Peaceful Uses of Outer Space successfully achieved agreement on their reports in 1962 and 1963. The Legal Subcommittee is dealing with questions which are not easy to solve, but we should not despair—certainly not condemn—simply because 2 years have gone by before agreement has reached the point of consensus. The Committee on Peaceful Uses of Outer Space has just concluded a meeting at the United Nations in New York. The most harmful probabilities in outer space fall in the field of activities which will be eliminated by the limited nuclear test ban treaty. Through international consultation with appropriate scientific groups which now exist, a nation can obtain expert opinion about space probes which it believes may create harmful after effects. The United States is willing to subscribe to the principle of participation in such consultations.

The U.S. group recognizes that space law problems are urgent and that governments should be stimulated to seek agreed arrangements covering general principles, assistance, and return of astronauts and space vehicles, and liability for space vehicle accidents. The United States believes strongly that the United Nations General Assembly should advance the rule of law in outer space by proclaiming basic principles in addition to those unanimously adopted by the General Assembly in December 1961. The Soviet Union has recently taken the position in the United Nations that certain advances in the field of space law require the conclusion of international agreements—of treaties. But even more recently—and since the IPU space law draft resolution was adopted at the spring meeting for the conference agenda—the United States and the Soviet Union agreed upon arrangements to cooperate in space communications, in space meteorology, and in a world magnetic survey. This particular agreement, effective on August 1, 1963, is not a treaty but it is an appropriate arrangement for international cooperation. Similarly, the U.S. National Aeronautics and Space Administration, in accordance with basic principles enacted into law in 1958, has international cooperative arrangements of various kinds with some 69 countries and locations throughout the world.

On the other hand, the United States and the Soviet Union were among those nations which have prepared the way so that a nuclear test ban treaty which includes a prohibition against nuclear testing in outer space will soon become a reality. This action was also taken since the IPU draft resolution on space law was adopted last spring.

It is clear, therefore, that flexibility is required in making international cooperative arrangements, and that substance should not be sacrificed for form by insistence upon only one rigid formula—that is, international agreements in the form of treaties. Informal arrangements for international cooperation should not be precluded by insisting that cooperation cannot take place unless it is in the form of a certain type of agreement. It is for this reason that nations should continue patterns affording wide latitude in methods by which cooperation can be expeditiously achieved.

Finally, I should like to interpret that part of the resolution which calls upon national groups to recommend, through their respective parliaments, that their government should "refrain from space experiments or any activities which may interfere with the peaceful use of outer space by other countries." The statement on "United States Policy in Outer Space" made in the United Nations on December 3, 1962, sets forth our belief "that nations which conduct activities in outer space should take all reasonable steps to avoid experiments or other activities which seriously threaten to deny or to limit the use of outer space to other nations." Furthermore, the United States is among many nations which support the Committee on Space Research (COSPAR) and its Consultative Group on Potentially Harmful Effects of Space Experiments. It has recommended to the General Assembly that: "Contacts and exchanges of views, which have been initiated, should continue for purpose of reaching agreement on questions which have not been settled." There is a feeling that all countries are getting closer on points at issue. We have an opportunity here to be of assistance in obtaining a wider consensus on these differences.

The U.S. group considers that the space law resolution is one which the Interparliamentary Union may take justifiable pride in adopting. Our work in this area must continue, of course, and as it does, we can look back upon this resolution as a first step on which to build.

(Comments by Congressman EMILIO Q. DADDARIO)

This amendment was the subject of general discussion at the Lausanne meeting. At that time my distinguished and able colleague, Mr. PIRNIE, who was the U.S. member on the drafting committee, pointed out that the subject was of such importance that it should be considered by the Conference at Belgrade. He advised then that the question involving the delineation of a specific zone would continue to be at issue. In committee during this past week the U.S. group has attempted to adjust the differences which continue to exist. We are now asking the full Conference to participate and urge your careful consideration.

The amendment we offer supports a fundamental proposal which would apply throughout the world. It proposes the establishment of nuclear free zones; it recognizes that this must come from the free will of the countries concerned; it realistically includes the maintenance of military balance as a necessary criteria. It is an amendment which would, to use its own words, "serve the cause of peace."

In seeking to amend paragraph six, we also have in mind that the inclusion of Central Europe immediately raises a conflict. By specifically referring to that area, by isolating it from the rest of the world it accentuates the separate problems which are peculiar to that area. It is not right that it be set apart and our amendment will allow those special problems to be placed in proper perspective to the world at large, and in such relationship, those problems become not so bitter and more amenable to adjustment. Our responsibility lies in the "advancement of the work of international peace and cooperation." This is spelled out in the Statutes of the Interparliamentary Union under article I, section I, aptly entitled "Its Purpose and Constitution." Adopted by the Vienna Conference of 1922 it has been our guide line through the years. It is the wisdom of this document that we should follow. We need not be partisan or restrictive in this instance. Indeed, it is our duty to be otherwise.

I urge your support of the amendment we have drafted.

JUVENILE DELINQUENCY

Mr. BELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WYDLER] may extend his remarks at this point in the RECORD and include extraneous matter.

Mr. SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WYDLER. Mr. Speaker, the control and elimination of juvenile delinquency is a subject of concern to us all. Bold and imaginative programs have been advanced and implemented by Federal and local governments to thwart the spread of juvenile delinquency. I am convinced, however, that greater grassroots participation is necessary. That is why I would like to call your attention to a unique plan suggested by Nassau County Family Court Judge Elizabeth Bass Golding. Mindful of the fact that juvenile delinquency is indeed "everybody's business," Judge Golding has outlined a program which could help make significant inroads into the juvenile delinquency problem.

An intense appeal is being made by Judge Golding to social service, business, labor, educational, civic, and religious organizations throughout Nassau County to offer support and active participation in developing an effective volunteer parents corps. Such a corps could become a potent factor in the rehabilitation of youthful offenders.

The parent volunteers, working closely with the court and the probation department, would be asked to spend some time with a youngster who has been released from a State training center, as well as those drifting toward delinquency.

From her experience in the family court, Judge Golding has become convinced that most youngsters brought before the court are the products of broken homes. The warmth, understanding, and moral support which the volunteers would give to the youth could mean the difference between a court repeater and a well-adjusted, responsible citizen.

Civic-minded businessmen, professional people, teachers, social workers, and housewives with qualified backgrounds are being urged to consider taking a youngster in hand, and a series of meetings to develop the volunteer parents corps is being held throughout Nassau County.

Judge Golding has evidenced a wonderful feeling for the troubled youth in her community and a deep desire to do something more than weep and moan about the terrible problem of juvenile delinquency. She has been deeply gratified by the tremendous response to her appeal from the people of Nassau County, who have come forth in great numbers to volunteer their time, talents, and efforts in the work of the volunteer parents corps.

The willingness to work together for the betterment of their youth is a great credit to the people of Nassau County. They have set an example of community spirit which other areas throughout the Nation would do well to emulate in a fervent effort to cure the ills of delinquency which have beset an ever-increasing number of American children.

DICTATOR SUKARNO—A SELF-STYLED DICTATOR OF FREEDOM?

Mr. BELL. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. BROOMFIELD] may extend his remarks at this point in the RECORD and include extraneous matter.

Mr. SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BROOMFIELD. Mr. Speaker, if history has taught us one lesson, that lesson most certainly is that you cannot appease a power-mad dictator.

To feed him with soft words and generous gifts only whets his appetite for more and greater conquests.

He mistakes concern for weakness, generosity for fear, and tolerance for indecision.

Unfortunately, our Nation has made each of these mistakes in regard to Sukarno and Indonesia.

We attempted to appease a bully. Every act of aggression, every Hitler-like tantrum that Sukarno threw had its apologists in this country.

Those of us who criticized this international juvenile delinquent were told we "simply didn't understand."

Unfortunately, recent events have shown the world exactly what Sukarno is and how he operates, and I am sure that even the most avid of his former fans are now disillusioned and disgusted.

Here is a man who would pretend to be the champion of freedom, the voice of self-determination, who would deny these rights to everyone but himself.

He is picking on a neighbor only one-tenth his size, a neighbor which has just suffered the pangs of birth and drawn its first breath in the world as a free nation.

He has solemnly pledged the destruction of this neighbor, at all costs. He has moved his crack troops, many of whose senior officers were trained here in the United States, I am sorry to say, to the borders of Malaysia. He has openly supported raids across the border, burning, pillaging, killing.

He has neglected the welfare of his own people in his insatiable thirst for power and for real estate, anybody's real estate as long as it belongs to somebody else and he does not have to pay for it.

In short, Sukarno has acted like a despot.

The French philosopher, Montesquieu, once said that "when the savages wish to have fruit, they cut down the tree and gather it. That is exactly a despotic government."

Sukarno fits this definition in every respect.

Rather than creation, he is bent on destruction, and perhaps self-destruction as well.

Rather than thinking of tomorrow for his fellow countrymen, he thinks only of what he can grab today, with no thought of future consequences for his people.

Unfortunately, a great deal of the blame for Sukarno being as powerful and as belligerent as he is rests on our shouders.

We coddled Sukarno. We pampered him. We gave in to his demands. When Sukarno threatened to use force in his efforts to secure West New Guinea, we backed him, even though our backing was in direct violation of the United Nations Charter.

When Russia showered Sukarno with military aid, we were not satisfied until we had given him hundreds of millions in economic assistance so that he would not turn further toward the Communist camp.

Further, our own Government supplied his top officers with military training in guerrilla warfare, training which is now being used against neighboring Malaysia by Sukarno with a vengeance.

Only now, after Sukarno has ordered his crack paratroopers to the border, only now, after the British Embassy in Djakarta has been burned and sacked, only now is our Government considering—on a temporary basis—the suspension of further aid to Indonesia.

Most certainly, the State Department and the Agency for International Development had been warned months ago of the consequences of their acts in attempting to appease Sukarno. But the appeasement continued.

Let us hope that we are through with it. Let us hope that we will begin treating Sukarno as he is instead of as we wish him to be.

Let us face up to reality and realize that this man will not be satisfied until all of southeast Asia is under his thumb, no matter what the cost or consequences to the people of Indonesia.

I call the attention of my colleagues to a portion of an article by Mr. Arthur Krock of the New York Times of September 20, 1963, and also an article which appeared in the London Times of the same date:

[From the New York Times, Sept. 20, 1963]

SURRENDER

The fate of the administration's experiment of trying to buy peace in southeast Asia by paying his blackmail price to President Sukarno of Indonesia is, however, no longer in doubt. Once the administration, in concert with Secretary General Thant of the U.N. condoned and promoted Sukarno's use of force to annex Dutch New Guinea, in clear violation of the U.N. Charter, the usual effects of surrender to illegal violence were not long in coming. First, Sukarno found too slow the timetable for the award to Indonesia of territory for which it had neither ethnic nor historical claim. Then he became, if possible, cozier than before with the national agents of world communism, definitely including Communist China. Most recently, after attempting and failing to frighten former British possessions from adhering to the peaceful new nation of Malaysia, his troops and police stood by in Djakarta while the mob the Indonesian Government had incited destroyed the British Embassy and endangered the lives of the Ambassador and his staff.

These are the merited and prophesied results of an immoral United States and United Nations policy by which a loyal ally of this country and a people faithful to the Charter were denied even the transport of their own facilities to protect their territory from seizure by military aggression.

[From the London Times, Sept. 20, 1963]

GUERRILLA WARFARE IN BORNEO THE MAIN THREAT

The following is a guide to the defense arrangements for the Federation of Malaysia:

AGREEMENTS AND TREATIES

The Federation of Malaysia is not a member of the southeast Asia Treaty Organization, the alliance responsible for the collective defense of Western interests in southeast Asia. Its defense is based upon a bilateral agreement concluded in 1957 between the Governments of the United Kingdom and Malaya; as a result of talks held in London in November 1961, the arrangements were extended to apply to the new federation when it came into being on September 16.

Under the terms of the agreement the United Kingdom is committed to give the Federation any help it may need for the defense of its territory against outside attack. In exchange the federation allows Britain to station naval, land, and air forces in Malaysia and to keep bases in the area.

The principal base is Singapore, the status of which was the subject of much discussion at the time of the 1961 talks; it is generally assumed that the United Kingdom may use the base, with the approval of the Malaysian Government, to fulfill its international obligations in the area. It would certainly be available for operations in defense of Malaysia.

The Commonwealth Strategic Reserve, provided jointly by Britain, Australia, and New Zealand, is stationed in Malaya, mainly in support of the Commonwealth's commitment to SEATO. There is, however, little doubt that Australia and New Zealand would readily cooperate with Britain and Malaya if it became necessary to use the force to defend Malaysia under the terms of the defense agreement.

THE THREAT

Malaysia was conceived as an anti-Communist political union, but the immediate threat to its stability comes from Indonesia. Although in terms of military strength the Indonesian threat is potentially serious, political factors and the presence of powerful British forces in the area are likely to deter the Government of Indonesia from overt military action.

Indonesian Armed Forces: The Indonesian Army has an estimated strength of over 300,000. While the general standard of training and efficiency is not high by Western standards, there is a corps d'élite of parachute troops and commando-type units. A number of Indonesian officers have been trained in guerrilla warfare at the Special Warfare Center of the U.S. Army.

The Navy's main unit is a Russian heavy cruiser. There are also four destroyers of the Russian *Skoryi* class, 6 Russian W-class long-range submarines, and a force of frigates, submarine chasers and patrol boats. An important element of the fleet is the force of 11 tank landing ships and three American infantry landing craft.

The Indonesian Air Force is mainly equipped with Russian aircraft. There are four bomber squadrons, four fighter squadrons, and one coastal patrol squadron. There are also at least two transport squadrons and a number of training units. Although the Air Force has over 400 aircraft of all types, the shortage of spares makes it impossible for them to be simultaneously in operational use.

Assessment of Indonesian intentions: Although the Indonesian armed forces are large by the standards of a small developing power, it is unlikely that their full potential would be realized in formal military operations against Malaysia. The United States, Britain, Australia and New Zealand all have an interest in the stability of the area and it is unlikely that Indonesia would be prepared to face either the political unpopularity or the risk of almost certain military disaster involved in an overt attack.

Indonesian action is likely to be restricted to the sort of operations that can be conducted without open official approval—mob violence against foreigners and their possessions in Indonesia, and guerrilla operations by "volunteers" in Sabah, Brunei and Sarawak. A force of a few thousand determined terrorists operating in the jungles on the borders of Indonesia and Malaysia could tie down many times their number of security forces.

The main defense against a military threat of any sort from Indonesia is the strong British force in the area.

Royal Navy: The Naval base at Singapore provides facilities for the powerful task forces which can be concentrated in southeast Asia at short notice. Coastal minesweepers are permanently based at the dockyard. At present two carrier task forces are within easy reach of the Malaysian area. *Victorious*, with a strong escort, is expected in Malayan waters from Aden on Monday or Tuesday; *Ark Royal* with another task force is exercising in the South China Sea. Either of these fleets is capable of mounting operations in support of land operations at ranges of up to 200 miles from shore.

The commando ship *Albion* is in Hong Kong; but two Royal Marine commandos are ashore in southeast Asia with their helicopters—No. 42 commando in Kuching and No. 40 commando in Singapore. The 10,000-ton cruiser *Lion* is also in Singapore.

The Army: There is a strong force in the North Borneo territories. The infantry units are three battalions of Gurkha Rifles and one battalion of British infantry (the 1st Greenjackets). There is a small detachment of armored cars of the Queen's Royal Irish Hussars, and enough administrative and communications units to make, with the Royal Marine commando, a strong brigade group. The total strength is between 5,000 and 6,000.

Royal Air Force: As well as the transport aircraft from Singapore engaged in carrying British residents from Indonesia, the Far East Air Force has powerful strategic and tactical bomber units, fighter squadrons, maritime search and rescue squadrons, and photographic reconnaissance units.

The force is equipped with Canberra bombers, Javelin all-weather fighters, and Hunter fighter-ground attack aircraft.

COMMONWEALTH STRATEGIC RESERVE

This is stationed at Malacca and at Butterworth near Penang. The ground troops consist of a brigade group made up of British, Australian, and New Zealand infantry battalions with artillery and other supporting troops. The Royal Australian Air Force station at Butterworth has two fighter squadrons, a light bomber squadron, a transport squadron, and a helicopter squadron.

MALAYSIAN ARMED FORCES

These are still in the development stage. It was originally planned to have an army of one division. The present strength is six infantry battalions, with some armored cars, artillery, and engineers in Malaya, two infantry battalions in Singapore, and small numbers of soldiers and para-military police in the Borneo territories.

The Royal Malayan Navy has only coastal minesweepers and light patrol vessels, and the Royal Malayan Air Force is equipped principally with tactical transport aircraft and helicopters for use in support of ground forces. It has no offensive capability.

COMMAND AND PLANNING

The overall command of all British forces in the area is the responsibility of the commander in chief, Far East, Adm. Sir Varyl Begg, who has his headquarters in Singapore. A forward headquarters has been set up at Labuan under Maj. Gen. W. C. Walker, an officer with long experience of jungle operations against guerrilla forces.

The operational plan for the defense of the Borneo territories is formulated by the joint planners at the Ministry of Defense in consultation with the planners in the Far East and approved by the chiefs of staff in London. It is reviewed from time to time and it is safe to assume that it has been brought up to date in the light of recent developments.

There is little doubt that any Indonesian military move against Malaysia, whether by regular or guerrilla forces, could be contained without much difficulty. If, however, the Indonesians decide to settle down to a prolonged irregular warfare in the Borneo territories, British troops could be involved for a long time to come. Although the Government of Malaysia is reported to be expanding its armed forces and reorganizing its reserves, it will be many years before the federation will be able to defend itself without outside help.

TRADE WITH RUSSIA

The SPEAKER pro tempore. (Mr. LIBONATI). Under previous order of the House, the gentleman from Minnesota [Mr. QUIE] is recognized for 30 minutes.

Mr. QUIE. Mr. Speaker, the so-called wheat deal with Russia, which has been so much discussed in the last few days, is a matter of vital concern to the farmers in my State of Minnesota and many of our neighbor States.

It seems to me that there is a great deal of emotion involved in the discussion, whether one happens to be in favor or against such a trade. On the one hand, some people are prone to view it as doing business with the enemy. On the other, it is viewed as the salvation of the wheat farmer who has courageously voted away the strict controls his own Government would have been willing to clamp on him and who now stands faced with our giant surpluses, the prospect of bumper crops, and an uncertain tomorrow.

It is now time that we view this proposed trade in the cold light of day. I believe that it is time we reevaluate our entire trade policy in regard to the Soviet Union. This reevaluation seems necessary to me and I believe it should be undertaken by the Congress, because the problem of trade with the Communists is greater than merely making a decision on whether or not wheat should be sold to the Soviet Union. The Congress ought to seriously study the whole question of

U.S. sales to the U.S.S.R., many of which I believe border on being strategic materials.

In one way it is a little surprising that the discussion of selling wheat to the Russians should cause such a stir, for the fact is we have never had a year in which we did not trade with the Communist regime of Russia. Even before President Roosevelt extended diplomatic recognition to the Reds, we were trading with them and in whopping quanities. In 1930, for instance, our trade with Russia was a quarter of a billion dollars in volume. In 1946 when we still thought of them as allies against Nazi Germany, the volume was nearly a half-billion. Though trade fell off to a total-volume trickle of $11 million in 1953, as a result of the Korean war, it is significant that trade never stopped.

In fact, looking back over the trade statistics of United States-Soviet exchanges since World War II, it becomes obvious that they have followed the ups and downs of the political storms. It is significant that while at times we drastically cut our exports to Russia, we always continued to buy from her at a much higher rate.

United States trade with the U.S.S.R.

[In thousands of dollars]

Year	Exports (including reexports)	Imports (general)
1946	357,921	100,752
1947	149,069	77,102
1948	27,879	[1] 86,825
1949	6,617	39,140
1950	752	38,296
1951	55	27,396
1952	20	16,818
1953	19	10,791
1954	219	11,809
1955	252	16,875
1956	3,823	24,561
1957	[2] 4,483	16,784
1958	3,422	17,319
1959	7,398	28,624
1960	39,264	22,644
1961	45,561	23,230
1962	20,141	16,175

[1] Includes $7,855,000 of returned lend-lease vessels.

[2] Includes $977,000 exported to Latvia in 1957 and $7,000 to Estonia.

Source: U.S. Foreign Trade Statistics, Department of Commerce.

In 1948, in protest of Russia's swallowing up of smaller neighboring states, we imposed sanctions on trade with them which cut trade in 1948 down to a little more than $100 million. Trade continued to fall until it reached the low point in 1953 which I have cited. It gradually built up again until it reached not quite $70 million in 1961. Then, due to the Cuban crisis, it fell to about $36 million last year. It also showed a dip in 1958, when the Berlin wall was erected.

This year, it will obviously be more than that, even without the wheat deal. We have already sold foodstuffs to Russia this year. We have sold them machine tools, and issued export licenses in August 1963 for the export of petroleum coke for the manufacture of aluminum, antioxidants for use in rubber production and $9.5 million of automated mining equipment, ostensibly to mine potash for fertilizer, is to be sold the Soviets.

I am sure that most citizens of the United States are not fully aware of the amount of trade with which we have indulged with the Soviet Union and its satellites.

I have here charts, included in the Department of Commerce Publication OBR–63–115, dated August 1963, titled "Overseas Business Reports" showing trade in 1961 and 1962 with the total Sino-Soviet bloc. These charts show in a breakdown, sales of specific products to the U.S.S.R., to Poland, and to other satellites, and our imports from them:

Exports to total Sino-Soviet bloc, European satellites, and U.S.S.R., 1961–62

[Value in thousands of dollars]

Commodity	Total to Sino-Soviet bloc		European satellites				U.S.S.R.	
			Poland		Other satellites [1]			
	1961	1962	1961	1962	1961	1962	1961	1962
Exports, total	[2] 133,331	[2] 125,14	74,791	94,454	15,871	15,429	42,662	15,253
Dairy products	565	1	565	-----	-----	-----	-----	1
Hides and skins, raw, except fur	4,291	7,838	792	386	3,499	5,513	-----	1,939
Tallow, inedible	19,062	8,208	3,361	4,022	579	175	15,122	4,011
Barley, except pearl barley	3,138	9,873	3,138	9,873	-----	-----	(3)	-----
Corn, except seed	481	1,857	481	1,857	-----	-----	-----	-----
Grain sorghums	444	2,973	444	2,958	(3)	15	-----	-----
Rice	-----	3,003	-----	3,003	-----	-----	-----	-----
Wheat	27,769	26,237	27,769	26,237	-----	-----	-----	-----
Fruits and preparations	26	377	17	10	9	367	-----	-----
Vegetable fats and oils, edible	2,821	3,246	2,821	3,246	-----	-----	-----	-----
Rubber, synthetic	2,246	3,144	772	1,44:	11	243	1,463	1,459
Soybeans	3,360	1,905	1,025	479	2,335	1,426	-----	-----
Flaxseed	1,082	-----	1,079	-----	3	-----	-----	-----
Soybean oil, crude, inedible	2,664	4,305	521	4,305	2,143	-----	-----	-----
Seeds, except oilseeds	184	427	149	3	35	424	-----	-----
Tobacco and manufactures	1,979	1,450	678	339	1,301	1,067	-----	44
Hops	326	1,538	-----	73	326	1,465	-----	-----
Cotton, unmanufactured	16,635	20,524	16,635	20,524	-----	-----	-----	-----
Wool rags and used clothing of wool	625	563	623	563	2	-----	-----	-----
Synthetic fibers and manufactures	5,488	2,632	729	639	100	7	4,659	1,986
Pencil slats	304	361	17	8	287	353	-----	-----
Coal	354	123	-----	-----	354	123	-----	-----
Sulfur, crude	470	1,012	-----	-----	470	1,012	-----	-----
Iron and steel-mill products	2,254	177	223	177	944	-----	1,087	(3)
Aluminum ores and concentrates	1,550	733	1,550	733	-----	-----	-----	-----
Electric machinery and apparatus	818	384	405	238	25	82	388	64
Construction, excavating, and related machinery	3,264	330	191	221	66	21	3,007	88
Metalworking machinery and parts	2,386	2,128	1,524	2,125	28	3	834	-----
Textile, sewing, and shoe machinery	10,174	400	34	79	212	145	9,928	176
Food- and beverage-processing machinery	522	291	320	2	9	5	193	284
Paper, pulp, and paper-processing machinery	27	2,195	1	-----	19	27	7	2,168
Laundry and drycleaning equipment, commercial	1,149	21	6	-----	-----	-----	1,143	21
Machinery, industrial, other	1,295	1,632	289	230	183	274	823	1,128
Printing and bookbinding machinery	504	39	93	18	21	16	390	5
Coal-tar products	1,290	380	162	51	358	19	770	310
Medicinal and pharmaceutical preparations	1,291	1,885	786	851	390	1,012	115	22
Chemical specialties	805	336	101	77	176	94	528	165
Industrial chemicals	899	730	97	87	210	353	592	290
Pigments	995	42	2	1	165	41	828	-----
Scientific and professional instruments, apparatus, and supplies	576	298	189	112	132	84	255	102
Private relief shipments	5,415	7,924	5,328	7,885	87	23	-----	16
Other domestic exports	3,465	3,306	1,797	1,550	1,141	858	527	894
Reexports	331	312	77	50	251	182	3	80

[1] Includes Estonia, Latvia, and Lithuania.

[2] Includes exports to China of cars shipped to the diplomatic missions of friendly countries, valued at $7,000 in 1961 and $4,000 in 1962. There were no exports to Outer Mongolia and North Korea in 1961 and 1962.

[3] Less than $500.

Imports from total Sino-Soviet bloc, European satellites, U.S.S.R., and Soviet bloc in Asia, 1961–62

[Value in thousands of dollars]

Commodity	Total from Sino-Soviet bloc		European satellites				U.S.S.R.		Soviet bloc in Asia	
			Poland		Other satellites [1]					
	1961	1962	1961	1962	1961	1962	1961	1962	1961	1962
General imports, total	84,641	82,380	41,316	45,936	16,525	16,783	23,228	16,180	3,572	3,481
Imports for consumption, total [2]	83,960	82,732	41,248	45,586	16,354	16,526	22,785	16,360	3,573	3,900
Meat and meat products	26,850	26,269	26,158	25,649	692	589	--------	31	--------	--------
Hides and skins, raw, except fur	794	1,385	773	1,385	21	--------	--------	--------	--------	--------
Pig and hog leather	261	642	261	642	--------	--------	--------	--------	--------	--------
Leather manufactures	187	413	9	145	178	268	--------	--------	--------	(3)
Furs, undressed	9,084	11,400	1,939	3,033	362	847	6,762	7,462	21	5
Bristles	649	425	213	246	129	20	307	159	--------	--------
Feathers, crude	1,165	1,254	975	1,091	190	163	--------	--------	--------	--------
Casein	2,122	1,399	2,058	1,383	7	16	57	--------	--------	--------
Vegetables and preparations	685	448	345	291	312	111	28	46	(3)	--------
Spices	1,154	954	118	124	1,036	830	--------	--------	--------	--------
Molasses, inedible	862	--------	--------	--------	862	--------	--------	--------	--------	--------
Essential or distilled oils	295	418	9	30	205	282	81	106	--------	--------
Cotton linters	541	597	--------	--------	--------	--------	541	597	--------	--------
Cotton manufactures	111	530	9	372	100	117	2	41	--------	(3)
Flax, hemp, ramie, and manufactures	1,008	1,966	620	1,483	388	483	--------	--------	--------	--------
Wool and fine animal hair, unmanufactured	3,320	3,907	--------	--------	256	349	--------	26	3,064	3,532
Artificial fruits and flowers	497	274	(3)	(3)	497	274	--------	--------	--------	--------
Wood manufactures	1,562	2,108	1,202	1,688	349	416	11	3	(3)	1
Cement	406	280	407	280	--------	--------	--------	--------	--------	--------
Glass and glass products	4,340	4,887	1,459	1,515	2,449	2,767	432	605	--------	--------
Clay and clay products	435	371	175	150	254	221	6	--------	--------	--------
Imitation precious and semiprecious stones	739	652	--------	--------	739	652	(3)	--------	--------	--------
Steel mill products; pig iron and scrap	148	684	94	619	28	64	26	1	--------	--------
Chrome ore	502	916	--------	--------	--------	--------	502	916	--------	--------
Platinum	2,019	1,045	--------	--------	136	--------	1,883	1,045	--------	--------
Palladium	4,238	1,945	--------	--------	--------	--------	4,238	1,945	--------	--------
Rhodium	131	1,101	--------	--------	--------	--------	131	1,101	--------	--------
Typewriters	533	556	--------	--------	533	556	--------	--------	--------	--------
Machinery, other	728	689	43	112	684	575	1	2	--------	--------
Bicycles and parts	1,495	1,944	694	1,003	801	941	--------	--------	--------	--------
Benzene	4,454	536	783	303	--------	233	3,671	--------	--------	--------
Naphthalene	3,116	571	900	162	198	--------	2,018	409	--------	--------
Coal-tar products, other	489	1,097	161	1,005	1	66	327	26	--------	--------
Fertilizers and fertilizer materials	690	622	281	335	7	15	402	272	--------	--------
Photographic goods	468	356	21	--------	419	339	28	17	--------	--------
Dolls, toys, and athletic and sporting goods	392	520	271	330	121	189	(3)	1	--------	--------
Books, maps, and other printed matter	1,178	1,215	87	225	842	866	249	124	--------	--------
Artworks and antiques	686	648	41	26	137	207	61	192	447	223
Beads, beaded fabrics, and articles of beads	739	861	(3)	(3)	739	861	--------	--------	--------	--------
Other imports [4]	4,886	6,487	1,142	1,959	2,682	3,209	1,021	1,233	41	86

[1] Includes Estonia, Latvia, and Lithuania.
[2] Commodity data are reported on the basis of imports for consumption.
[3] Less than $500.
[4] Includes an estimate of low-value shipments of $250 or less each on informal entry shipments and under $100 each on formal entry shipments.

It is contrary to our policy to sell the Russians strategic goods, but apparently the interpretation of what is strategic is extremely liberal. Armies, as well as civilians, must eat. Any of us who remember the Second World War will recall that one of our problems was obtaining rubber for our war machines. We were also interested in alumimum, which was vitally needed in war production.

Therefore, some of our trade with Russia must certainly be viewed as bordering on strategic materials—much more so than wheat.

This must be kept in mind, when considering that through our system of sanctions against trade of strategic goods, we have adopted a method of using economic tools to fashion political hardware. But the Russians, by the very nature of their state-controlled economy, do the same thing and are probably much better at it.

It is this, then, that we must keep in mind in considering any sale of any goods to Russia—is it in the best political interests of the United States on the international scene or does it significantly strengthen us domestically?

It is not unprecedented in world history for nations who are politically and militarily at odds with one another to keep up economic trade. As we have seen, the United States has never shut off trade with Russia, even when we knew she was helping to finance the war machines which was fighting our troops in bloody conflict in Korea.

By the same token, we must also realize that Russia wants trade with us for reasons of strengthening her own political influence, both domestic and foreign. Are we to forget so soon Nikita Khrushchev's threat to "bury us?" And, you recall, he said he would "bury us" not by armed might, but on the economic front.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Kansas.

Mr. DOLE. Mr. Speaker, I want to commend the gentleman for taking this time on this very important subject matter.

Mr. Speaker, there are a number of advantages and disadvantages to the United States involved in the still somewhat nebulous Russian wheat transaction. The advantages or arguments in support of such a policy include the following:

First. Surplus disposal: The Commodity Credit Corporation now has in its inventory approximately 1 billion bushels of surplus wheat. This surplus is well beyond our normal carryover needs and is, of course, expensive to store.

Second. Balance of payments: Although the United States enjoys a favorable balance of trade, our country for a number of years has been suffering from an unfavorable balance-of-payments problem which has created heavy demand upon our limited gold supply by foreigners holding dollars. It is argued that a sale of surplus wheat for either Russian gold or for U.S. dollars would help alleviate the balance-of-payments problem.

Third. A help in the cold war: It is argued that the Communist nations have only a limited amount of export credit and that if this is used by the United States and other Western nations in financing agricultural sales, then these Communist resources cannot be spent for industrial and other more strategic goods.

Fourth. Strategic value to the United States: If Soviet Russia became dependent on the United States for a significant portion of its food supplies, this would give our Government a lever in future negotiations with the Communists to force diplomatic concessions in other areas.

Fifth. Propaganda value: Russian purchases of U.S. wheat, it is argued, would prove to the world that communism is much less successful than the free enterprise system in producing agricultural commodities, and would be an admission of failure on behalf of the Communist farm system.

Sixth. A step to world peace: It is further argued that the easing of trade restrictions between the two chief nuclear powers of the world will lessen the danger of a war in which millions of people on the earth might perish.

Seventh. Strengthening U.S. farm prices: It is also argued that substantial sales of U.S. wheat would have a beneficial effect on market prices received by farmers for their current crop of wheat and that farmers would not be able to understand why our Government failed to sell to Russia if wheat should fall to $1 to $1.25 per bushel range next year.

Eighth. Continuation of present policy not realistic: It is argued that since Canada has agreed to sell Russia its surplus wheat that our refusal to do so injures only ourselves and does not deny the Communists the wheat they seek.

The disadvantages and arguments in opposition to such a policy include the following:

First. Bailing out the Communists: It has become increasingly evident that there is a shortage of wheat and other grains in the Soviet Union. As Secretary Freeman stated, the Soviet Union has canceled its export commitments to the Scandanavian countries and to the Red bloc satellites. It is argued that if we now give the Russians the opportunity to accumulate a full inventory of wheat they will be able to more effectively withstand the internal presures within the Soviet Union for more capitalistic, private ownership type of agriculture.

Second. Subsidizing communism: This entire deal is being considered in the context of world prices, which are approximately 50 to 60 cents per bushel lower than U.S. prices. Although the export subsidy on wheat is designed to protect American producers and is actually paid to American exporters, the final effect would be to allow Russian consumers to purchase American wheat for a substantially lower price than could American consumers. It is, therefore, argued that this proposal would mean a subsidy to Communist Russia.

Third. A dangerous precedent: If a transaction of this nature were consummated, it would, many feel, be a precedent for trade with Red China, North Korea, North Vietnam, and Cuba. If Russian gold can buy U.S. wheat, why should not Chinese gold achieve the same result? It is also contended that this precedent would have a very adverse effect on our free world allies whom we are asking to stand firm and make sacrifices in the struggle against communism. Example: South Vietnam.

Fourth. Not mutually advantageous: Secretary Freeman noted that free world supplies of wheat will be short next year. Thus, the sale to Russia at current world prices might turn out to be an unwise business decision for the United States. If Russia is able to corner the world wheat market with a reserve acquired from the United States and Canada and its current wheat crop, the Soviets would of course also be able to divert some of their internal resources to other uses if they were assured of large amounts of wheat and perhaps other agricultural commodities from Western nations, including the United States.

Fifth. Trading with the enemy: A basic national policy goal is involved in this transaction. Is Russia an enemy of our country and our system, or is she merely a friendly competitor? Is it our national purpose to eliminate world communism, or is it merely to tolerate it in the hope that it will not spread into the West? At a time when the United States is considering selling wheat to Russia, our defense budget is ostensibly for the purpose of defeating world communism and stands at a record $50 billion.

Sixth. Legal barriers: Public Law 480 transactions with Soviet Russia are clearly prohibited by law. See section 107 of that act. Commercial sales involving an export subsidy are contrary to the policy of Congress as expressed in the Latta amendment to the Agricultural Act of 1961. See section 2(c) of that act. In addition, there are a number of legal difficulties involved in the establishment of a cartel of American grain firms to export wheat to the Soviet Union. It is questionable whether all these legal obstacles can be overcome by administrative interpretation, and for proper clarification, the proposal should be submitted to the Congress for its consideration.

Conclusion: Based on the statements of Secretary of Agriculture Orville Freeman, Secretary of Commerce Luther Hodges, and Assistant Secretary of State for Economic Affairs G. Griffith Johnson, the administration has not made a formal decision on this matter. The details of the alleged Communist offer are not known. The terms of payment and the method of delivery are not decided. Until all these facts are known, it is very difficult to make an intelligent decision as to whether this offer of Soviet trade should be accepted.

Mr. QUIE. Mr. Speaker, it is obvious that it is time for Congress to reevaluate our trade with Russia, so that we can be sure we are gaining what is to our political benefit from trading with her and that the benefit to us overweighs the benefit to Russia and her satellites.

Keeping this consideration in mind, let us first consider the wheat deal as it stands now and then consider some of the total implications of trade with the Soviet Union.

Though we know nothing definite as yet concerning the method in which wheat might be sold to the Russians, we have the experience of the recent talks in Ottawa, in which it seems the idea was to set up a cartel, through which the United States Government could deal with the Soviet Government, apparently selling out of our surpluses. This would put the U.S. Government in competition with its own farmers and would do little to strengthen the domestic position of our farmers and through them, our entire economy.

Two organizations which regularly deal in wheat have stated the position clearly.

The following statement is, in part, taken from a Radio Roundup of Friday, September 27, 1963, prepared and distributed by the Grain Terminal Association of St. Paul, Minn.

> Very obvious is the fact that here is the Government's big opportunity to do and to show that it wants to do something about the farm problem * * * something to help farm people who have been penalized for years through low prices and incomes by the very abundance they produce.
>
> You see, if the Government decides that grain sales to Russia can be made, it has the power to take over the negotiations completely. It can fill the Russian orders out of CCC stockpiles. But this would leave our farmers with little or no grain in the market places because the Government stockpile would not be reduced enough to take off the pressure that holds market prices down.
>
> On the other hand (and this is what we'd recommend), the Government could show its good faith with farmers by staying on the sidelines and letting sales be made out of current free market stocks. Market experts believe this would have a very healthy effect on prices to the benefit of farmers who certainly could use it.
>
> The farmer cooperatives and the entire grain industry would have the work of moving the grain through their normal trade channels, which they are thoroughly capable of doing with dispatch and efficiency.
>
> GTA has not been involved in negotiations for any sales to Russia, has not even been approached, but it would be moving the farmers' wheat if such sales are made. And, as Mr. Thatcher, president of GTA said, our farmers should not be asked to compete with their own Government in such transactions. We would hope that such sales would be made out of current production and not out of stocks of wheat now held by the Government.
>
> Now we'll see what happens. Will the Government take the farmers' side?

And, Cargill, Inc., of Minneapolis, Minn., which was for a time involved in the discussion at Ottawa, submitted recommendations after leaving the conference. This is what those recommendations were:

> SEPTEMBER 26, 1963.
>
> Cargill submits the following recommendations with respect to proposed sales of U.S. wheat to Russia:
>
> 1. The first step must be a decision by our Government, whether the so-called Latta amendment prohibits these sales. The question cannot be avoided on the theory that sales of Government stocks at the world prices are not "subsidized sales." The legislative history, the language of the amendment itself and the definition of a "subsidized agricultural commodity" in the Comprehensive Export Schedule all rule out any attempt to distinguish between such sales and sales of wheat obtained in the free market and subsidized by Government payment-in-kind certificates.
>
> If questions raised by the Latta amendment can be satisfied, we believe that the following considerations should govern sale of U.S. wheat to Russia.
>
> 2. Wheat should be supplied through normal trade channels under the wheat export program "payment-in-kind" (GR 345).
>
> Since 1956 the great bulk of U.S. wheat exports have been made under this program, which provides for export of wheat from free market supplies and payment of the subsidy "in kind" from Government stocks. The value of this program to producers, Government and the private trade has been widely recognized. They include (1) producer price benefits of acquisition of wheat export stocks in the free market, (2) competitive handling and marketing by private trade institutions and (3) reduced Government handling and storage costs.
>
> No compelling reason has been given to depart from this practice. As we have noted, the Latta amendment offers no impediment to sales under this program which does not exist in sales from Government stocks. Domestic consumers are adequately pro-

tected from unfair price advances by formula provisions in existing price support legislation which permit sale of Government stocks for unrestricted use if prices rise significantly.

Two alternative suggestions involve: (1) sales from Government stocks at world prices to private traders who will then re-sell them to the Russians and (2) direct state-to-state trading.

A major disadvantage of either system involves denying U.S. wheat producers the price strengthening effect of this important and unexpected demand for U.S. wheat. Wheat producers recently rejected Government proposals which would have offered high Government price supports in exchange for compulsory production controls. In doing so, they chose to rely on the movement of price in essentially a free market situation. Having accepted the risks involved in surrendering Government price protection, they should not be denied the price benefits of export demand. In short, they should not be required to compete with their own Government under these circumstances.

The suggestion of state-to-state trading in this case is particularly offensive. In recent years, our Government has properly denied friendly democratic governments the privilege of buying wheat from this country on a state-to-state basis. In part, this has been based on clear legislative mandates to this administration and past administrations to use private, competitive marketing facilities to the maximum extent practicable in executing the Government's export responsibilities. There is much less reason to ignore these requirements in dealing with a Communist government. It is a dangerous precedent, difficult to justify in our relationships with traditional buyers of U.S. wheat.

In view of the way in which this matter has developed, we urge that the Russians be invited to purchase U.S. wheat, if at all, through a public tender, as do most of our large government buyers. Doubt about our Government policy with respect to these sales has led some exporters to refrain from efforts to arrange sales to the Russians pending a policy decision by our Government. Others, who did not observe this restraint, will be given an advantage if negotiations held prior to Government approval of such sales are permitted to stand.

3. The prospect of sales to Russia neither requires nor justifies the creation of a Webb Pomerene Corp. under which shares of the business and terms of the sale are agreed upon in advance by those who otherwise would be competing for the business. None of the facts which traditionally justify the Webb-Pomerene approach are evident here. These are (1) a foreign cartel not subject to U.S. antitrust laws competing with American sellers, and (2) overwhelming power of the foreign buyer vis-a-vis competing sellers. Obviously neither situation exists here. Evidence indicates that only the United States possesses and can make available the kind and quality of wheat Russia needs. U.S. exporters are at no greater disadvantage in dealing with the Russians than they are with any other large institutional U.S. buyers of wheat.

It is interesting to note that the Webb-Pomerene Act is designed to provide relief for exporters who fear the weakness of their bargaining position. There is little evidence in the discussions to date that this motivates the organizers of the proposed corporation.

We can see by these statements that part of the dilemma today over wheat is not whether it should be sold to the Russians, but in what method it should be sold. It would certainly not be in our best domestic interests to find ourselves in a position in which Government is competing for these sales with the farmers it is, in part, pledged to represent.

This being the case, it is then imperative that we must resolve this issue for our domestic well-being. What about our well-being on the international scene?

It would seem that today we are being led by the nose in our trade relations with the Soviet Union. Because Canada sells wheat to the Russians does not necessarily mean it is in our best interests to do the same. We have poured over a billion dollars of American taxpayers' money into Tito's Yugoslavia, on the ethereal hope that it might loosen the strings binding him to Moscow.

What I am saying is that we must recognize that trade with Russia and the Soviet bloc nations is a weapon in the cold war, probably, more than hydrogen bombs, the ultimate weapon. Khrushchev recognized this when he promised to "bury us."

It is for us to decide how best to utilize this economic weapon for our own well-being. If expanded trade with the Soviets helps us solve our internal problems and strengthen ourselves, it may be to our benefit. But a very hard look must be given to the entire picture, before we can be convinced that this is the case. For this is a relative question. Though trade in certain areas may strengthen us, does it strengthen the Russians more? If it does, then it tends to defeat us. For we must recognize that in a battle, both sides lose men, but one army leaves the field a victor.

In October 1961 the State Department issued a bulletin, State Department publication 7234, titled "The Threat of Soviet Economic Policy." The preface of that publication said:

> It is evident that, for all his espousal of peaceful coexistence * * * the deeds and words of Khrushchev are devoted to extinction of all but the Communist way of life.

Compare that with the statement of Mr. Robert McCloskey of the State Department, quoted in the Journal of Commerce on September 20 this year. He was quoted as saying:

> The State Department approves of peaceful trade with the Soviet bloc.

But then compare the statement quoted in the New York Times last August 14. A Commerce Department "spokesman" was quoted as saying:

> Russia doesn't want our consumer goods. What the Soviet Union really wants from the United States is technology and industrial equipment, processes, and plants, and this is precisely what the United States does not want to give.

Since then, we have swung the mining equipment deal.

In the New York Times of September 21, Arjay R. Miller, president of the Ford Motor Co., is quoted as telling the Greater Detroit Board of Commerce:

> The partial test ban treaty marks the start of a new battle in the cold war involving market competition for which the United States must be prepared.

And Miller pointed out, the Russians will be "formidable adversaries."

If this is the start of a cold war battle of trade in which the Russians will be formidable adversaries, there can be little room for fuzzy thinking.

Let us know exactly where we stand as the battle begins. Does the Department of State opinion expressed in 1961 that Khrushchev is devoted to extinction of our way of life, still stand? If it does, will McCloskey's idea of "peaceful trade" with them include the technology which the Commerce Department says the Russians want? Does the partial test ban treaty give us sufficient guarantee that the Russians are devoted to peace to relax our vigil on strategic or near-strategic goods? These, gentlemen, are questions which must be asked and which should be answered by a complete and sweeping study of this entire complex question.

We must remember that in this case more than any other, economics are tied to international politics. And in the dealings of politics, one must view not only one's own gains, but the effect on the adversary.

The September 8, 1962, issue of the magazine of Wall Street contends:

> The multimillion dollar stakes of the East-West balance of payments is masterminded on the Eastern side by powerful policymakers who possess minute information not only of their own resources but also of ours. Not only do our statesmen lack comparative decisionmaking power over matters of trade and finance, but by the present pattern of East-West relations are compelled to work without clear information concerning the real flow of funds and goods between the two blocs.

Today, the Russians say they have the money to buy. Let us remember that outside the regular channels of international trade, the Communists are obtaining money from inheritances going across the Iron Curtain, from royalties and patents in the Western World—who got, for instance, the royalties on Boris Pasternak's great book "Dr. Zhivago," which sold so well here in the United States?—from money sent to relatives across the Iron Curtain and from, in the case of Red China at least, immense supplies of illegal narcotics smuggled into this country. From confiscated or illegally obtained supplies of money, the Communists have created themselves a lever for the purchase of legtitimate goods through legitimate channels which could be of vital technological importance to them.

There are other concerns, however, involved with expanded trade with the Russians. We know that some of that Canadian wheat went directly to Cuba. A stronger Cuba means a stronger Communist state in our own hemisphere, one which we know is attempting to spread the Communist idiom to the free States of Latin and South America.

We know that in 1962 Russian trade with Red China dropped to its lowest point since 1950—off 67 percent from 1961. Are we to pump Western production into Russia to keep her strong? If it is valuable in promoting a further rift between these nations it may be worthwhile. But this is not an assumption we can immediately jump at without careful consideration.

The role of our allies who trade with Russia must be considered. While Soviet Russia controls the economies not only of her own state but also of her satellite states, we can view the entire Communist bloc, except perhaps China, as one unit. There is no competition among them; they function as one economic entity. But that is not the case with our allies. Would our expanded entry into trade with the Soviet Union tend to weaken or strengthen our position with our allies and theirs in relation to the Soviet bloc? This is a question which should be answered.

I found the following excerpt from a fascinating book, of interest:

> But, the Russian note insisted, it (the relaxation of tensions between nations) must be by serious and practical steps—not in one big leap.
>
> What steps?
>
> The first step: Conclusion of a trade and credit agreement.
>
> The second step, to be taken shortly thereafter: Conclusion of a nonaggression pact.
>
> Simultaneously with the second step, the Soviets demanded the conclusion of a special protocol defining the interests of the contracting parties in this or that question of foreign policy. This was more than a hint that in regard to dividing up Eastern Europe, at least, Moscow was receptive.

That excerpt is from William Shirer's "Rise and Fall of the Third Reich." The trade and credit agreement, the nonaggression pact, and the secret protocol, were consummated between Adolph Hitler and Joseph Stalin in 1939.

Is history repeating itself?

At that time, Stalin used intimidation to get what he wanted. At the same moment he was dealing with Hitler for those concessions, he was discussing with French and English military representatives a plan to contain the Germans. He decided the German offer was more tempting and cut off the French-English talks.

In exchange for trade, for the nonaggression pact, and for dividing up defenseless East Europe, Stalin promised not to attack Germany. It was Germany's later mistakes that brought Russia into the war against her.

Today, Khrushchev talks of expanded trade with us. "We have the money, we want to buy from you," he told Agriculture Secretary Freeman a few weeks ago.

The partial nuclear test ban treaty signed within hours after ratification, two Senate committees were discussing ways of increasing trade with the Russians.

One of the reasons advanced for trading with the Russians is that we will help make them dependent on us, thus encouraging peace. Let me suggest that this is a two-way street and that in expanded trade we would almost surely become equally dependent on them.

Would that create a lever for, let us say, recognition of East Germany? Or a hands-off policy toward Cuba? Or a liberal policy if a South American, Asian, or African country should become Communist dominated?

Would we be able to maintain economic levers for use in international politics, or would our levers bend before the strength of Russian politico-economic crowbars?

We should aim at winning the cold war, the spread of democracy and not communism, successful growth and strength for ourselves and our allies.

I stress this because I believe that it is entirely possible that these objectives can be attained through economic and peaceful means. But they can be obtained only so long as we keep them clearly in mind and realize that trade, like cultural exchanges and all the rest, are cold war weapons.

That is why I think that Congress should undertake a study of trade with the Soviets, so that we can use it as a cold war weapon and aim toward victory. At the moment, I fear that this is not our objective.

I call your attention to a research paper, entitled "Common Action for the Control of Conflict," published by the Institute for Defense Analyses, International Studies Division for the U.S. Arms Control and Disarmament Agency.

According to a syndicated column by Robert S. Allen and Paul Scott, both Secretary Freeman and Secretary of State Rusk carried copies on their recent trips to Russia.

Among the things it expounds are these: to seek joint space projects with the Soviets: Says the publication:

> It (the United States) should further continue to seek to expand cooperation in space with the Soviet Union on both a bilateral and multilateral basis.

It also says:

> The possibility of U.S. assistance in the development of Soviet agriculture should be explored.

It says:

> The United States should be prepared to reduce its restrictions on trade with the Soviet Union.

It would appear that this publication is being taken quite seriously. Consider then that it also advocates that the United States encourage "the development of mutually invulnerable strategic weapons systems," as a contribution to the stability of the military environment. This booklet contends that a balance of military might shows the way to peace, and that the United States should see to it that we do not become too strong.

I will agree that if the Soviet Union were to hold military advantage over us that the peace would be endangered. But if we hold such advantage, the peace would not be endangered, for we have poured billions of dollars into defense not because we wanted to, but because the Soviet Union forced us to do so by its own belligerent posture. Therefore, I see no reason for encouraging her to develop "invulnerable strategic weapons." She seems to do quite well on her own.

In summary, we have seen that:

First. The so-called wheat deal is no different and perhaps much less serious than other trade deals we have recently concluded with the Soviet Union.

Second. We have never ceased to trade with the Russians and so the idea of trade with them in wheat or any other commodity requires no reviewal of policy, except in regard to reappraisal as to what is "strategic material."

Third. That economic factors are political weapons. We have used economic sanctions as weapons in the cold war and the Russians have constantly used economic conditions to gain desired political ends.

Fourth. That any expansion of trade with the Communist nations must be based on a reasonable assumption that it is to our best interests in winning the cold war.

Fifth. That in expanding trade or withholding it, we must evaluate what effect it might have on the Soviet Union which would be favorable to her and unfavorable to us.

Sixth. It must be clearly kept in mind that the avowed intention of the Soviet Union is to bring the world under Communist domination. That one of the weapons it intends to use is economic and is to be used to "bury us."

Seventh. That until such time as world domination is disavowed and that disavowal proved by Communist actions, that we can expect continuing relaxation of tension followed by periods of tension, as the Soviet Union plays the line to land another fish. After World War II, trade with Russia was high until she had grabbed off half of Europe and had gone adventuring in Korea. Then it rose again gradually until we put down our foot in Cuba. Now, it is on its way up again.

Eighth. We must keep in mind that less than 25 years ago the Soviet Union used the same approach in dealing with Nazi Germany, and that the string attached at the end of the line of trade and nonaggression was the spoils of Eastern Europe.

The conclusion to be drawn from these points is this: That since we are already trading with Russia and always have, and since economic conditions carry profound political implications, that at this time we ought to reevaluate our entire trade program with Russia with the end in mind of finding in what ways it benefits us and what ways it does not.

It is not enough to merely expand trade with the Soviet Union in a vague hope unsubstantiated by fact that it will relieve tension. Our trade with Russia has gone up and down, but always in relation to international tension. There is not an iota of evidence that trade with us prevented the Soviets from their avowed intent of dominating the world by any means possible. We must be awake to the possibility that by seeking expanded trade, the Russians are angling for another lever with which to push their way into greater territorial expansion. For today, while Western colonialism is on the decline in Africa and Asia, Communist colonialism is on the march in Ghana and Vietnam, on the borders of India and 90 miles off our southern shore.

There, I suggest that Congress undertake a complete reevaluation of our policy of trade with the Communist bloc, and that we be sure that the sale of every commodity to the Soviets is aimed at strengthening, not weakening, our own national interests.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from North Dakota.

Mr. SHORT. Mr. Speaker, I want to commend the gentleman for taking this time to clarify, if possible, and to expand on all of the characteristics of the much publicized possibility of the United States making a very substantial wheat sale to the Soviet Union. There are many aspects that should be clarified and taken into consideration as we approach this proposition.

First of all, in arriving at a conclusion as to our national policy on this matter, we should keep in perspective that Russia is the foremost Communist nation in the world, and as such, dedicated to our destruction as a free nation of free people. The question that has recently come before us is the reality of whether or not Russia is becoming less militant in pursuing this avowed Communist objective. Our recent atomic test ban agreement is premised upon the proposition that Russia is sincerely seeking a more peaceful coexistence with non-Communist countries. Russia could have demonstrated her good faith by removing her troops from Cuba, taking down the Berlin wall, or extending more self-determination to the captive nations. So far there has been little indication that such a move to relax tensions will be carried out, although it can be said that Russia is carrying on a vigorous attempt to create an impression of her more friendly attitude.

There is ample argument as to why we should sell some of our abundant supply of wheat for dollars or gold. It would help the market price for wheat farmers. It would reduce our stocks in Commodity Credit hands and thus reduce the cost of our wheat program to the taxpayers. It would demonstrate our ability to produce food for less fortunate countries around the world. It would demonstrate the productive capacity of our American free enterprise system.

On the other side of the coin, is the question as to whether, in helping Russia at this time, when her food supply is inadequate, we are delaying the final recognition by the Russian people of the comparative shortcoming of Russian-planned production. If this was an instance where our wheat would be identified as coming from the people of the United States, we might be achieving desirable results. This will not be the case, however. Russia is apparently not critically short of wheat for her own domestic needs. She needs this wheat being purchased from Canada, Australia, and possibly the United States to fill her commitments to her Communist and non-Communist customers. As this wheat we might sell would reach its destination in Russian ships, there would be a minimum of publicity of the fact that this wheat came from the United States. It is impossible to stamp "Grown in U.S.A." on each kernel of wheat we export. In fact, it has been difficult to identify as American, wheat that we have actually given to some foreign countries.

If we approve this sale—and we must remember this is not a decision that must be made by Congress, but one that can be and will be made by the President—we should be aware that we are taking a step toward relaxing our trade policy with a Communist country. Not to a great degree, since we do trade in certain items with Russia and we have sold, under Public Law 480, large quantities of farm products to Poland and Yugoslavia. We have refused to trade with Russia in certain strategic materials and have refused to carry on any trade with Red China and Castro's Cuba. We have tried, with somewhat limited success, to induce other free nations to restrict, or cut off trade with Communist countries.

Now if we make this sale, we will be weakening our hand in securing cooperation from other countries, but we do not get much cooperation, anyway. Canada has sold wheat the last couple of years to Red China. A part of the wheat she is now selling to Russia will go directly to Cuba.

There is a moral principle involved, but moral principles do not carry weight for long when profitable trade is the consideration. It is a sound argument that we should not do business with a country that is our active enemy. We have apparently crossed this bridge, however, by carrying on some trade with Russia even while she reiterated her intention to "bury us." Now, are we deviating from our moral position by selling Russia something she wants for hard currency, at a time when she is at least refraining from open caustic criticism of the United States?

The questions for the American people to understand are whether or not we can trust Russia any more now than we could in the past? In trading with her, are we helping to strengthen this Communist country, or would we, by refusing to trade, hasten the bringing about of an awakening of the Russian people to the fallacy of communism?

Would an increased volume of trade with Communist countries possibly lead to a more friendly relationship with the free world? Are we burying our head in the sand in refusing to trade with Communists? Do not trade relations tend to lead to friendly political relations?

There are no pat "yes" or "no" answers to these questions. We do know that the Communist ideology is dedicated to the elimination of the free enterprise system. We do know that communism is a godless ideology founded on a base of materialism and complete power in a central government.

Keeping Communist countries in mind for what they are, I believe we must proceed with our eyes wide open in entering into any trade agreement with Russia, just as I hope we understood the new ground we were breaking when we entered into the test ban agreement.

I thank the gentleman from Minnesota for giving me an opportunity to make these observations.

Mr. LANGEN. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Minnesota.

Mr. LANGEN. Mr. Speaker, I thank the gentleman for yielding, and I want to take this opportunity to compliment him for his efforts in bringing to the attention of the Members of Congress some of the pertinent points that relate to contemplated trade with Russia and the sale of wheat to them. I think this is an item that is of great significance, particularly to a district such as mine where wheat is one of the major agricultural crops. It is equally important to our foreign policy and trade policy that any informative matter be conveyed to the Congress, as well as to the public, in order to serve the best interests of our Nation and its agriculture.

There are any number of questions that ought to be specifically answered with facts before any Member of Congress is called upon to register an opinion relative to the much-discussed sale of wheat to Russia.

First, we ought to know specifically what the crop shortage is in Russia, and whether this sale merely provides an ample supply for her domestic needs, or whether it offers to Russia the opportunity of supplying wheat to the many Communist satellite countries and even countries which she may at this time be attempting to convert.

We ought further to know the extent to which there may be a subsidy involved in the entire transaction. It would be well for us to remember that if there is a subsidy of 50 cents per bushel or more on a 200-million-bushel sale, that this would literally amount to $100 million of aid to Russia.

I am sure that if anyone suggested that we provide for this amount of direct aid, considerable objections would be raised throughout the country. We ought also to know whether or not any of this wheat would be sent directly to Cuba, inasmuch as it has been indicated that a substantial part of the Canadian sale is being directed to Cuba.

It would seem to be of significance to know whether or not this volume of wheat will be taken from commodity credit stocks or if it is to come from the commercial supply.

The relationships of the entire transaction to the world market and our own domestic market are obviously of significance to the future of wheat producers throughout the Nation, as well as consumers.

These and many more questions ought to have specific reliable statistical answers.

It seems something more than unique that, with the Secretary of Agriculture having very recently visited Russia, he should return without a more detailed knowledge of the needs and the manner in which the sale of wheat is contemplated.

I would also want to raise the question of how come there is such an almost immediate rush to arrive at a decision without knowing all of the facets that may be involved. A decision that is as significant to our foreign policy, trade policy, and the future of U.S. wheat markets throughout the world ought surely to be based on known, reliable facts.

THE HONORABLE WRIGHT PATMAN

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the Record and include extraneous matter.

Mr. SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PEPPER. Mr. Speaker, it has been a great privilege for me since being a Member of this House to serve on the House Banking and Currency Committee under the chairmanship of a great chairman, a distinguished colleague, and an eminent American, the gentleman from Texas, the Honorable Wright Patman. Chairman Patman has already, in the short time that he has been chairman of the Banking and Currency Committee of this House, accomplished much toward making the banks of this country more effective in their service to the people and in launching programs which will make them even more valued contributors to the progress and prosperity of the Nation. With his long years of experience on the Banking and Currency Committee he has brought to the chairmanship of that committee exceptional knowledge of the financial structure of this country and the functioning of the institutions which make up that structure. He has withal exhibited great vision for America and for the free world and displayed commendable courage in attacking the problems which beset our people and free people everywhere.

It was, therefore, a source of great pride to me, as I know it will be to his colleagues, to see a recent editorial in the American Banker commending Chairman Patman's service as chairman in an editorial entitled: "Mr. Patman's Good Start."

Mr. Patman's Good Start

When Wright Patman, the smalltown Texan who has followed a classic congressional career of standing up for the "little man" against "the interests" became chairman of the House Banking and Currency Committee at the beginning of this year, many bankers were honestly concerned about what he would do.

He moved into his new position with a reputation as one of the most active Members of Congress, with particular skill and interest in investigative work and a record which showed him to be vigorously in favor of easier money. On what they knew of him, the bankers' concern about the new chairman of this important congressional committee was understandable.

On his record in the job so far, however, their concern should have abated considerably. For while Mr. Patman is still very active, still a skillful investigator, and still in favor of easy money, the bias against banking which many had feared has not been demonstrated.

Rather, Mr. Patman has begun to look carefully into phases of banking which may well benefit from the scrutiny. And in doing so, Mr. Patman has sought above all to build a solid body of evidence from which reasonable conclusions may be drawn.

Furthermore, in his manner, Mr. Patman has prevented differences of opinion from exploding into nasty personality fights. He showed fine restraint last spring at the hearings over the prickly question of possible conflicts between State and Federal banking laws, during which the Independent Bankers Association was demanding the resignation of Comptroller James J. Saxon. Mr. Patman ran the hearings smoothly and fairly, refrained from personal involvement in the controversy, and headed off the brawl that many thought was brewing.

Subsequently, with similar good manners, Mr. Patman has moved cautiously but firmly to assemble evidence on banking problems.

Two examples have been disclosed in the past few days. In the first, Mr. Patman released the information on 3,000 detailed questionnaires to be sent out to a representative cross-section of the Nation's banks, as the first step in a thoughtful examination of the correspondent banking system. Developed in close cooperation with the Federal Reserve Board, the questionnaires also will seek information about the management compensation and succession problem, the market for bank stocks, and financial reporting by the banks. All four questions are of primary importance to banks; the results of the investigation, with the possibility of legislative assistance in coping with some of the problems which may be revealed, could be of value to all banks in the future. Certainly Mr. Patman's observation that this is "an entirely friendly survey" is reassuring.

Similarly, the detailed survey of bank merger activity released by the House Banking and Currency Committee in the full report on last spring's hearings sheds light on an area of continuing controversy. The full record, showing that Comptroller Saxon has approved 147 merger applications, and turned down only 7, while the Justice Department was recommending disapproval of 87, the Federal Reserve Board of 79, and the FDIC of 42, cannot help but clear away any possible misunderstanding of what is going on in this area of bank regulation.

It is this kind of contribution of orderly fact-finding, and fair hearings, which many industries would welcome from their appropriate congressional committee. And while it is still early to judge on substantive results—for example, no legislation of any significance has been handled by the committee—on the basis of the way he has gone about the job, and the first preliminary evidence of what is being accomplished, Mr. Patman is moving well toward fulfilling his responsibilities to banking, to the Congress, and to the country.

FEDERAL EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Roosevelt] may extend his remarks at this point in the Record and include extraneous matter.

Mr. SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, many of my colleagues were as pleased as I was, I am sure, to learn that Subcommittee No. 5 has tentatively approved the inclusion in the civil rights bill of provisions to establish a Federal Equal Employment Opportunity Commission to prevent discrimination in employment by employers in interstate commerce on the basis of race, color, religion, ancestry, or national origin.

A provision to attack discrimination in employment must be included in any truly effective civil rights bill. The elimination of discrimination in employment is the foundation for securing equal opportunity by the American Negro. The other sections of the law are indeed important, but they cannot be fully effective without this provision. What good will be accomplished by ending discrimination in public accommodations if the Negro cannot afford to use the facilities opened to him? What good will it do for the Negro to have equality of opportunity in education if he cannot get the jobs for which he has trained himself? And if a Negro cannot get a job which will enable him to support himself and his family in a decent manner, he will lose faith in democracy and be unable to exercise effectively his newly achieved vote.

It is my sincere hope that this subcommittee action will become final, and that the full Judiciary Committee will wholeheartedly uphold the decision of the subcommittee. A strong equal employment opportunity provision is indispensable to the achievement of full citizenship for all Americans.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Long of Maryland, for about 2 weeks, on account of Committee on Armed Services business.

Mr. Steed (at the request of Mr. Albert), for today and the balance of the week, on account of official business.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. Quie for 30 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks, was granted to:

Mr. Alger.

(The following Members (at the request of Mr. Bell) and to include extraneous matter:)

Mr. Fino.

(The following Members (at the request of Mr. Albert) and to include extraneous matter:)

Mr. Shelley in two instances.

Mr. Dingell.

Mr. Leggett.

Mr. Evins.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 6118. An act to amend the act providing for the admission of the State of Alaska into the Union with respect to the selection of public lands for the development and expansion of communities.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on September 27, 1963, present to the President, for his approval, bills of the House of the following titles:

H.R. 5250. An act to amend section 411(a) of title 38, United States Code, to increase the rates of dependency and indemnity compensation payable to widows of veterans dying from service-connected disabilities; and

H.R. 8100. An act to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, the Railroad Unemployment Insurance Act, and the Temporary Extended Railroad Unemployment Insurance Benefits Act of 1961 to increase the creditable and taxable compensation, and for other purposes.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 36 minutes p.m.) the House adjourned until tomorrow, Tuesday, October 1, 1963.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1243. A letter from the Comptroller General of the United States, transmitting a report on interagency problem areas and deficiencies concerning the direct Federal highway construction programs in the Eastern United States, as administered by the Bureau of Public Roads, Department of Commerce; to the Committee on Government Operations.

1244. A letter from the Comptroller General of the United States, transmitting a report on our examination of the semiannual consolidated report of balances of foreign currencies acquired without payment of dollars as of June 30, 1962, prepared by the Treasury Department; to the Committee on Government Operations.

1245. A letter from the Administrative Assistant Secretary of Agriculture, transmitting a report of the activities of this Department with regard to the disposal of foreign excess property for the fiscal year ending June 30, 1963, pursuant to Public Law 152, 81st Congress, as amended; to the Committee on Government Operations.

1246. A letter from the Acting Archivist of the United States, General Services Administration, transmitting a report on records proposed for disposal under the law; to the Committee on House Administration.

1247. A letter from the Under Secretary of the Navy, transmitting a report by the Department of the Navy relating to all settlements made under the authority of section 2732 for the fiscal year ending June 30, 1963, pursuant to title 10 United States Code, section 2732(f); to the Committee on the Judiciary.

1248. A letter from the Administrative Assistant Secretary of the Interior, transmitting pursuant to the requirement of section 15 of the Outer Continental Shelf Lands Act (43 U.S.C. 1343), there are transmitted the receipts and expenditures of the Department of the Interior in connection with the administration of the act for the fiscal year 1963; to the Committee on the Judiciary.

1249. A letter from the Deputy Administrator, Veterans' Administration, transmitting a draft of a proposed bill entitled "A bill to facilitate the performance of medical research and development within the Veterans' Administration, by providing for the indemnification of contractors"; to the Committee on Veterans' Affairs.

1250. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 29, 1963, submitting a report, together with accompanying papers and an illustration, on a letter report on Frenchman Creek and Gulfport, Fla., authorized by the River and Harbor Act, approved July 3, 1958; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of Representatives on September 25, 1963, the following minority views were filed September 30, 1963:

Mr. HOEVEN: Committee on Agriculture. Part 2, minority views on H.R. 3850. A bill to establish an additional office of Assistant Secretary of Agriculture, and for other purposes (Rept. No. 751). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H.R. 8650. A bill to amend the act of September 2, 1958, to establish a Commission and Advisory Committee on International Rules of Judicial Procedure, as amended; to the Committee on the Judiciary.

By Mr. GOODELL:

H.R. 8651. A bill to amend the Juvenile Delinquency and Youth Offenses Control Act of 1961 by extending its provisions for two additional years and providing for certain special projects and studies, and for other purposes; to the Committee on Education and Labor.

By Mr. GRABOWSKI:

H.R. 8652. A bill to amend the Passport Act of July 3, 1926, so as to authorize the imposition of certain restrictions on the issuance and use of passports, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HARSHA:

H.R. 8653. A bill to impose quota limitations on imports of foreign residual fuel oil; to the Committee on Ways and Means.

By Mr. RIVERS of Alaska:

H.R. 8654. A bill to terminate a restriction on use with respect to certain land previously conveyed to the city of Fairbanks, Alaska, and to convey to said city the mineral rights in such land; to the Committee on Interior and Insular Affairs.

By Mr. SECREST:

H.R. 8655. A bill authorizing the Secretary of the Army to establish a national cemetery in Ohio; to the Committee on Interior and Insular Affairs.

H.R. 8656. A bill to amend title 38 of the United States Code to prevent the disqualification for pension purposes of certain widows of Spanish-American War veterans who remarry; to the Committee on Veterans Affairs.

By Mr. SICKLES:

H.R. 8657. A bill to amend the Juvenile Delinquency and Youth Offenses Control Act of 1961 by extending its provisions for 2 additional years and providing for certain special projects and studies, and for other purposes; to the Committee on Education and Labor.

By Mr. THOMSON of Wisconsin:

H.R. 8658. A bill to amend title VII of the Public Health Service Act so as to extend to qualified schools of optometry and students of optometry those provisions thereof relating to student loan programs; to the Committee on Interstate and Foreign Commerce.

By Mr. HARDING:

H.R. 8659. A bill to provide for the establishment of a Sawtooth Wilderness National Park in the State of Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WHITE:

H.R. 8660. A bill to provide for the establishment of a Sawtooth Wilderness National Park in the State of Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LINDSAY:

H.J. Res. 760. Joint resolution authorizing and requesting the President to proclaim 1964 as See America Year, and for other purposes; to the Committee on the Judiciary.

By Mr. PATMAN:

H.J Res. 761. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

MEMORIALS

Under clause XXII,

The SPEAKER presented a Memorial of the Legislature of the Territory of Guam, memorializing the President and the Congress of the United States relative to expressing appreciation of the people of Guam for the passage of the bill H.R. 6225, the Guam rehabilitation bill, which was referred to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H.R. 8661. A bill to provide additional time to certain homestead entrymen in the State of Arizona to establish actual permanent residence; to the Committee on Interior and Insular Affairs.

By Mr. FORRESTER:

H.R. 8662. A bill for the relief of Eagle & Phenix Manufacturing Division of Reeves Bros., Inc., of Columbus, Ga.; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 8663. A bill for the relief of Salvatore Belmonte; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

320. By the SPEAKER: Petition of John W. Taylor, superintendent of schools of Mendocino County, Ukiah, Calif., relative to the moneys received from lands administered by the Forest Service and the Bureau of Land Management; to the Committee on Agriculture.

321. Also, petition of Robert J. O'Keefe, city clerk, Worcester, Mass., relative to endorsing the bill H.R. 5131, relating to the establishment of a Youth Conservation Corps; to the Committee on Education and Labor.

322. Also, petition of Edward E. Ruhnke, Sr., city clerk, East Orange, N.J., relative to urging approval of the civil rights legislation as proposed by the President; to the Committee on the Judiciary.

323. Also, petition of Herman Katz, city clerk, clerk of the council, of City Hall, New York, N.Y., relative to strongly recommending the enactment of the civil rights legislation; to the Committee on the Judiciary.

324. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting Congress to

pass legislation requiring interstate commerce and Federal contract businesses not to refuse employment to anyone just because of advanced age because many truly able citizens are denied employment solely on account of advanced age; to the Committee on Education and Labor.

325. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting the passage of legislation to give a 4-year college Federal scholarship plus $1,000 per annum while in school to any U.S. citizen of any age who is determined to have an intelligence quotient of 140 or more; to the Committee on Education and Labor.

326. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting Congress to question the legality of the President's proposed Russian-American moonshot effort since no serious consideration has been given such a project by Congress; to the Committee on Foreign Affairs.

327. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting Congress to have published as a House document a publication to be known as the "Official U.S. House of Representatives Handbook of Patriotic American Songs" because it is the most patriotic music of all time; to the Committee on House Administration.

328. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting Congress to pass legislation requiring the U.S. Travel Service, the U.S. National Park Service, and other Government agencies to advertise and promote the State of Alaska as "The last of the Old West, the American West—absolutely truly the last of the Old West"; to the Committee on Interstate and Foreign Commerce.

329. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting Congress to use its influence to adopt as a promotional and travel slogan for Hawaii, the following: "Hawaii, the U.S.A.'s most southern State—and least race-conscious State"; to the Committee on Interstate and Foreign Commerce.

330. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting Congress to pass legislation providing for a "veteran's frank" for veterans of foreign wars with battle stripes, also allowing post offices to supply said veteran with paper and pen or pencil; to the Committee on Post Office and Civil Service.

331. Also, petition of Henry Stoner, Canyon Station, Wyo., requesting Congress to secure all the facts and/or "secret deal" made between the President and Russia before approving a joint Russian-American moon effort; to the Committee on Science and Astronautics.

SENATE

MONDAY, SEPTEMBER 30, 1963

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O God, our Father, Thou art the shining presence at the altar of our hearts. For this hallowed moment, closing the doors of a noisy world with all its terror and alarm, at the week's beginning we come to this place of quietness and peace to meet with Thee, Thou who hast made us for Thyself.

As before Thee we search our own hearts, we are shamed by what we are, and yet lifted up by what is still within us to become. We confess the fickleness and folly which so often have disappointed us and Thee. Forgive us for smug satisfaction with ourselves and for cynical contempt of others.

May the mire of our moral failures prove but steppingstones to our better selves. Purge our minds of the prejudices which separate us from others; cleanse our hearts of the uncleanness which blinds our eyes; make us worthy to take our place at the common table of humanity where the bread of fellowship is broken and the wine of sacrifice is shared.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. SMATHERS, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 26, 1963, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 6118) to amend the act providing for the admission of the State of Alaska into the Union with respect to the selection of public lands for the development and expansion of communities, and it was signed by the President pro tempore.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. SMATHERS, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

Upon request of Mr. SMATHERS, and by unanimous consent, the Subcommittee on Research and General Legislation of the Committee on Agriculture and Forestry was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. SMATHERS. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. SMATHERS. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF U.S. WAREHOUSE ACT

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend the U.S. Warehouse Act, as amended (with an accompanying paper); to the Committee on Agriculture and Forestry.

TRANSFER OF CERTAIN FOREST LANDS IN COCKE COUNTY, TENN.

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to accept the transfer of certain national forest lands in Cocke County, Tenn., for purposes of the Foothills Parkway, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

REPORT ON DISPOSALS OF FOREIGN EXCESS PROPERTY

A letter from the Administrative Assistant Secretary of Agriculture, transmitting, pursuant to law, a report on disposals of foreign excess property, for the fiscal year ended June 30, 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXAMINATION OF SEMIANNUAL CONSOLIDATED REPORT OF BALANCES OF FOREIGN CURRENCIES ACQUIRED WITHOUT PAYMENT OF DOLLARS

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the examination of semiannual consolidated report of balances of foreign currencies acquired without payment of dollars, as of June 30, 1962, Treasury

Department (with an accompanying report); to the Committee on Government Operations.

REPORT ON INTERAGENCY PROBLEM AREAS AND DEFICIENCIES CONCERNING FEDERAL HIGHWAY CONSTRUCTION PROGRAMS IN THE EASTERN UNITED STATES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on interagency problem areas and deficiencies concerning the direct Federal highway construction programs in the Eastern United States as administered by Bureau of Public Roads, Department of Commerce, dated September 1963 (with an accompanying report); to the Committee on Government Operations.

REPORT UNDER OUTER CONTINENTAL SHELF LANDS ACT

A letter from the Administrative Assistant Secretary of the Interior, reporting, pursuant to law, on the administration of the Outer Continental Shelf Lands Act, for the fiscal year 1963; to the Committee on Interior and Insular Affairs.

PAYMENT OF COMPENSATION FOR CERTAIN RIGHTS-OF-WAY ACQUIRED BY THE UNITED STATES

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to provide for the payment of compensation for rights-of-way acquired by the United States in connection with reclamation projects hereafter constructed (with an accompanying paper); to the Committee on Interior and Insular Affairs.

FACILITATION OF PERFORMANCE OF MEDICAL RESEARCH AND DEVELOPMENT WITHIN VETERANS' ADMINISTRATION

A letter from the Deputy Administrator, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to facilitate the performance of medical research and development within the Veterans' Administration, by providing for the indemnification of contractors (with accompanying papers); to the Committee on Labor and Public Welfare.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Acting Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The **PRESIDENT** pro tempore appointed Mr. JOHNSTON and Mr. CARLSON members of the committee on the part of the Senate.

RESOLUTIONS OF MASSACHUSETTS SENATE

Mr. KENNEDY. Mr. President, on behalf of my colleague, the senior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I present a certified copy of a resolution entitled "Resolution Urging the Congress of the United States To Take Appropriate Action To Extend the Present Territorial Limits," passed by the Massachusetts Senate on September 19, 1963.

I ask that this resolution be appropriately referred.

There being no objection, the resolution was referred to the Committee on Commerce, and, under the rule, was ordered to be printed in the RECORD, as follows:

RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO TAKE APPROPRIATE ACTION TO EXTEND THE PRESENT TERRITORIAL LIMITS

Whereas the presence of some 200 Russian fishing boats operating as close as 4 miles from our shores poses a serious threat to the commercial fishing industry of Massachusetts and this country; and

Whereas the historic fishing grounds of our fishing fleets are being depleted at an alarming rate by the great invasion of foreign fishing fleets, total food fish landings having dropped 13 million pounds in New England so far this year; and

Whereas the economic welfare of the coastal communities of our Commonwealth and their citizens depends upon the sea to produce sufficient quantities of fish and the loss of our domestic fishing industry would have a crippling effect on the economy of our State; and

Whereas this situation with all its attendant problems is of vital and primary concern not only to Massachusetts, but to the New England States and to the United States: Therefore be it

Resolved, That the Massachusetts Senate respectfully urges the Congress of the United States to take appropriate action to extend the territorial limits in regard to fishing rights from the present 3-mile limit to one of 200 miles; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the secretary of the Commonwealth to the President of the United States, to the Presiding Officer of each branch of Congress, and to each Member thereof from this Commonwealth.

Adopted by the senate September 19, 1963.

THOMAS A. CHADWICK,
Clerk.

Attest:

KEVIN H. WHITE,
Secretary of the Commonwealth.

The **PRESIDENT** pro tempore laid before the Senate a resolution of the Senate of the State of Massachusetts, identical with the foregoing, which was referred to the Committee on Commerce.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. BAYH, from the Committee on the Judiciary, without amendment:

H.R. 1191. An act for the relief of Wilmer R. Bricker (Rept. No. 525);

H.R. 1458. An act for the relief of Kathryn Marshall (Rept. No. 526);

H.R. 1726. An act for the relief of William H. Woodhouse (Rept. No. 527);

H.R. 2770. An act for the relief of Mrs. Justine M. Dubendorf (Rept. No. 528); and

H.R. 3219. An act to provide for the payment of a reward as an expression of appreciation to Edwin and Bruce Bennett (Rept. No. 529).

By Mr. HRUSKA, from the Committee on the Judiciary, without amendment:

H.R. 2845. An act to provide that the district courts shall be always open for certain purposes, to abolish terms of court and to regulate the sessions of the courts for transacting judicial business (Rept. No. 547).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 721. A bill to amend section 124 of title 28, United States Code, to transfer Austin, Fort Bend, and Wharton Counties from the Galveston division to the Houston division of the southern district of Texas (Rept. No. 530);

S. 1206. A bill for the relief of Georgie Lou Rader (Rept. No. 531);

S. 1260. A bill for the relief of the Arizona Milling Co., of Phoenix, Ariz. (Rept. No. 532);

H.R. 1192. An act for the relief of William C. Doyle (Rept. No. 533);

H.R. 1281. An act for the relief of Capt. Leon M. Gervin (Rept. No. 534);

H.R. 1459. An act for the relief of Oliver Brown (Rept. No. 535);

H.R. 1709. An act to establish a Federal Commission on the Disposition of Alcatraz Island (Rept. No. 536);

H.R. 2256. An act for the relief of Jose Domenech (Rept. No. 537);

H.R. 2751. An act for the relief of Mrs. Jesse Franklin White (Rept. No. 538);

H.R. 3450. An act for the relief of Herbert B. Shorter, Sr. (Rept. No. 539);

H.R. 3843. An act for the relief of Wallace J. Knerr (Rept. No. 540);

H.R. 4965. An act for the relief of certain employees of the Foreign Service of the United States (Rept. No. 541);

H.R. 5307. An act for the relief of Edward T. Hughes (Rept. No. 542);

H.R. 5811. An act for the relief of L. C. Atkins and Son (Rept. No. 543);

H.R. 5812. An act for the relief of Quality Seafood, Inc. (Rept. No. 544);

H.R. 6373. An act for the relief of Robert L. Nolan (Rept. No. 545); and

H.R. 6443. An act for the relief of Mrs. Margaret L. Moore (Rept. No. 546).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

H.R. 2268. An act for the relief of Mrs. Geneva H. Trisler (Rept. No. 548); and

H.R. 6377. An act for the relief of Specialist Five Curtis Melton, Jr. (Rept. No. 549).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 573. A bill for the relief of Elmer Royal Fay, Sr. (Rept. No. 550).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. YOUNG of North Dakota:

S. 2187. A bill to amend the Annual and Sick Leave Act of 1951 so as to extend to employees of State Agricultural Stabilization and Conservation Service Committees credit for annual and sick leave purposes for service performed as employees of county Agricultural Stabilization and Conservation Service Committees; to the Committee on Post Office and Civil Service.

By Mr. CHURCH:

S. 2188. A bill to provide for the establishment of a Sawtooth Wilderness National Park in the State of Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. CHURCH when he introduced the above bill, which appear under a separate heading.)

By Mr. McGEE:

S. 2189. A bill for the relief of Juan Miguel Apezteguia; to the Committee on the Judiciary.

By Mr. McCARTHY:

S. 2190. A bill to authorize the sale, without regard to the 6-month waiting period prescribed, of cadmium proposed to be disposed of pursuant to the Strategic and Critical Materials Stock Piling Act; to the Committee on Armed Services.

S. 2191. A bill to provide that tips received by an employee in the course of his employment shall be included as part of his wages for old-age, survivors, and disability insurance purposes and for purposes of income tax withholding; to the Committee on Finance.

S. 2192. A bill for the relief of J. Ashton Gregg; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 2193. A bill to authorize extension of expiring conservation reserve contracts, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 2194. A bill to provide for the employment, in accordance with the civil service laws and the Classification Act of 1949, of certain professional library and recreation employees of the Department of the Army; to the Committee on Armed Services.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

SAWTOOTH WILDERNESS NATIONAL PARK, IDAHO

Mr. CHURCH. Mr. President, I introduce, for appropriate reference, a bill to provide for the establishment of the Sawtooth Wilderness National Park, in the State of Idaho. Bills identical to this have today been introduced in the House of Representatives by Representatives RALPH HARDING and COMPTON WHITE.

Mr. President, the Boise and Payette Rivers and the beginnings of the great Salmon River run down through the Boise, Sawtooth, and Challis National Forests in the State of Idaho and on to the northwest lowlands, where they help form the vast Snake and Columbia River systems, which in turn wind slowly to the sea. At their origins, these rivers are bounded by high jagged peaks piercing the deep blue Idaho sky. The highest ridges are lined with snow. Beneath them, numerous crystal lakes lie still and undisturbed in the wilderness. The sharp, rocky peaks lend themselves descriptively to the name "Sawtooth," and form the spine of the Sawtooth primitive area, lying isolated and unspoiled by the works of man in the center of the State.

Generations of visitors have been struck by the unusual grandeur of the Sawtooths. Idahoans have long considered this rugged wilderness area to be more than worthy of inclusion in our national park system. A number of representatives from my State, including the distinguished Senator James P. Pope and the late, great Senator William E. Borah, introduced bills proposing the creation of a Sawtooth National Park. Early Idaho Legislatures memorialized the Congress in support of the creation of such a park. Executive interest has been drawn to this great wilderness since the days of Woodrow Wilson.

In early 1960, I conducted a mail poll among the citizens of Idaho, asking whether they favored or opposed a study to indicate the feasibility of the establishment of a national park in the Sawtooths. Of those responding, 77.71 percent, or around four-fifths, favored such a study. Since that time, some of the most enthusiastic support for the creation of a park has come from those few areas which were originally the most cautious about supporting a feasibility study.

I have always looked favorably upon the creation of a national park in the Sawtooths, but my actions toward this end have been guided by the feelings of the citizens of Idaho. A large majority reacted favorably in 1960 to the national park discussion; since that time, locally initiated support has swelled my mail with letters and postcards urging the creation of a national park in the Sawtooths as the best means to insure the permanent preservation of this primitive area, while facilitating the enjoyment of its wonders by vacationers from all parts of the country.

The Sawtooth Wilderness National Park, under the concept I am now advancing, would consist of the present primitive area, subject to an absolute congressional mandate that it be preserved as wilderness, plus additional forest land to include the lakes and wooded areas lying along the base of the mountains. The latter would be used for access to the wilderness portion of the park, for administrative purposes, and as the site for expanded public accommodations—lodges, picnic and camp grounds—which would be needed to take care of the added numbers of tourists attracted to the area by its designation as a national park.

No doubt, most of the visitors would simply camp or stay for a few days, along the lake shores or on the stream banks, in the areas set aside for this purpose, enjoying the scenery and the proximity of wilderness, without actually entering, except briefly, the wilderness portion of the park. Those who wished could, however, freely enter the wilderness, on foot or on horseback, complying with the usual regulations to preserve the wilderness character of the environment.

For those ranch owners in the Stanley Basin who fear expansion of Federal holdings or restrictions throughout the surrounding area, park status would be of distinct advantage over the arrangement under which the area is presently administered, in that the boundaries would be fixed by act of Congress and could not expand into areas presently used for grazing or other economic purposes without a further specific act of Congress. At present, the boundaries of the Sawtooth Primitive Area can be altered and extended by the Secretary of Agriculture. With the park as provided by this bill, the present status of the wilderness area would be maintained, and the future interests of users of adjoining lands would be protected, to a much greater extent than they are now.

The economic impact on the State of Idaho would be one of the greatest statewide gain. The proposed park lands are already federally owned, and, as such, their use for park purposes would not result in striking them from any tax roll. Much of the State, in addition, would directly gain from increased tourist trade, and the State as a whole would benefit from the increase in taxable income that would result. As other Western States have prospered from the display of their scenic resources, in national park form, so should Idaho; and as this is done, the greatly increasing need of the American people for scenic recreational facilities will be better met.

At the beginning of this decade, 72,288,000 persons visited our national parks. By 1962 this number had jumped to 88,457,000 and it is conservatively expected that over 92 million persons will tour one or more of our national parks during the current season. This is an increase of approximately 27 percent in 3 years, and as our population continues to multiply and becomes more mobile, and as our residential centers swell and our scenic resources diminish, more and more facilities will be needed to insure maximum enjoyment of those truly beautiful areas that are left.

The area here proposed for inclusion in the National Park System comprises less than 1 percent of the 20 million acres of national forest land within the State of Idaho. The funds available to the Forest Service are necessarily spread thin over this immense area, which includes more than a third of the State. The National Park Service, concentrating its resources on a limited number of defined areas, can more adequately insure full development of this recreational potential for the enjoyment of a greater number of people, and can more effectively draw attention to the Sawtooth country, in national park status, as an area worth visiting. The site is convenient for that great number of summer travelers who attempt to get the most for their time and money by visiting a number of parks during one vacation trip.

Idaho needs this park, Mr. President, as do the people of the country. The Sawtooth uplands presently fall under a primitive area classification, and I think they fully qualify for designation as a wilderness area, which the Forest Service currently proposes. But national park classification would equally preserve the upland wilderness, while more effectively developing the recreational potential of the adjoining baselands. It would boost the economy of the State and region, insure the integrity of the wilderness, and give a designation of magnetic attraction to phenomena already held in awe by people who have seen them.

Mr. President, I hope that this bill will be the vehicle for a thorough feasibility study by both the Forest and National Park Services. Such a study will give us the data necessary for making a sound determination of what the final administrative form should be for this scenic wonderland.

I ask unanimous consent that the text of the bill be printed at this point in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2188) to provide for the establishment of a Sawtooth Wilderness National Park in the State of Idaho, and for other purposes, introduced by Mr. CHURCH, was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an area in the State of Idaho possessing superlative scenic, scientific, and geological features is hereby authorized to be established as the Sawtooth Wilderness National Park for the inspiration, benefit, and use of the public.

SEC. 2. For the purposes of this Act wilderness is defined as an area where earth and its community of life are untrammeled by man, where man himself is a visitor who does not remain, where the land retains its primeval character and influence without permanent improvements or human habitation, and is protected and managed so as to preserve its condition of natural beauty and grandeur. That portion of the Sawtooth Wilderness National Park identified in accordance with subsection (a) of section 3 of this Act, unless expressly provided otherwise by this Act, shall be preserved and administered, in perpetuity, as wilderness.

SEC. 3. The Sawtooth Wilderness National Park shall, subject to valid existing rights, consist of an area in the State of Idaho described as follows:

(a) Beginning at McGowan Peak, located approximately 1¼ miles southerly from the southeast corner of section 32, township 11 north, range 12 east;

thence in a southerly direction along the ridge between Stanley Lake Creek and the head of Crooked Creek to a point directly north of Upper McGowan Lake;

thence in a westerly direction along the main divide approximately one-half mile;

thence southwesterly to Stanley Lake Creek to a point on the main divide between Stanley Lake Creek and Trail Creek approximately three-fourths of a mile east of Observation Peak;

thence southward approximately three-fourths of a mile down Trail Creek to the mouth of the drainage from Trail Creek Lakes;

thence southeastward on the ridge south of Trail Creek Lakes to the main divide between Trail Creek and the North Fork of Baron Creek;

thence following the main divide westerly to a point on the South Fork of the Payette River approximately one-half mile downstream from the mouth of Baron Creek;

thence southwesterly to the main divide between Wapiti Creek and the South Fork of the Payette River;

thence southerly along the main divide to Picket Mountain, located approximately 1⅜ miles easterly from the northeast corner of section 25, township 9 north, range 10 east;

thence in a westerly direction along the main divide between the headwaters of Wapiti Creek and the North Fork of the Boise River to a point in the southeast quarter of section 23, township 9 north, range 10 east;

thence southeasterly along the divide between Ten Mile Creek and North Fork of the Boise River to a point near the center of section 36, township 9 north, range 10 east;

thence southwesterly along the main divide to a point at the head of Lightning Creek in the southeast quarter of section 10, township 8 north, range 10 east;

thence southeasterly along the ridge to a point on the North Fork of the Boise River one-eighth mile downstream from the mouth of Ballentyne Creek;

thence southeasterly along a ridge to Big Buck Mountain;

thence southeasterly crossing Johnson Creek one-eighth mile upstream from the mouth of Cahhah Creek;

thence southeasterly along a ridge to the north end of Tackobe Mountain which is approximately one-fourth of a mile due west of Alidate Lake;

thence southerly along the main ridge between Black Warrior Creek and Little Queens River to a point on the Little Queens River, located 300 feet upstream from the mouth of Neinmeyer Creek and approximately one-half mile downstream from the mouth of Scenic Creek and 100 feet north of the point where Forest Service Trail Numbered 566 crosses Little Queens River;

thence eastward on the ridge to a point approximately 1¾ miles north of the northeast corner, section 5, township 6 north, range 11 east;

thence southeasterly along the ridge between Scenic Creek and the Little Queens River to Nahneke Point located approximately one-fourth mile northeastward from northwest corner of section 3, township 6 north, range 11 east;

thence easterly approximately one-half mile;

thence southerly along the main ridge on the west side of Queens River to the north quarter corner of section 15, township 6 north, range 11 east;

thence southerly along a ridge one-half mile crossing Queens River near the center of section 15, township 6 north, range 11 east;

thence southeasterly along a ridge approximately three-fourths mile to a point on the main divide approximately 500 feet south of the northeast corner of section 22, township 6 north, range 11 east;

thence southeasterly along the main ridge approximately 1¼ miles to a peak in the southwest quarter of section 24, township 6 north, range 11 east;

thence northeasterly along the ridge to Greylock Mountain;

thence southeasterly along the ridge to the Middle Fork of the Boise River, crossing the river about one-fourth mile below the mouth of Leggit Creek;

thence easterly up the ridge about one-half mile to a point on the ridge between Leggit Creek and the Middle Fork of the Boise River;

thence in a southerly direction along the ridge between Leggit Creek and Grays Creek to Leggit Mountain, located approximately 1⅝ miles easterly from the southeast corner of section 12, township 5 north, range 11 east;

thence southeasterly along the divide between Leggit Creek and Decker Creek to a peak on the national forest boundary common to the Boise and Sawtooth Forests located approximately three-eighths mile southeasterly from Leggit Lake;

thence northeasterly along the divide between the South Fork of Ross Creek and Leggit Creek to Rossview Peak;

thence northeasterly along the divide being the Camas-Elmore County line between the North Fork of Ross Creek and Mattingly Creek to the point common to Elmore, Camas, and Blaine Counties;

thence northeasterly about 2 miles following the Elmore-Blaine County line to a point on the divide between the heads of Mattingly, Alpine, and Alturas Lake Creeks;

thence northeasterly along the divide between Alpine and Alturas Lake Creeks crossing Alpine Creek approximately three-fourths of a mile above its mouth;

thence northerly along the divide between Pettit Creek on the west and the headwaters of Cabin and Vat Creeks on the east to a point one-fourth mile south of the westernmost end of Pettit Lake;

thence following an arc to the northwest, north, and northeast having a ¼-mile radius with the point on high waterline at the westernmost end of Pettit Lake as the center to a point one-fourth mile north of the westernmost end of Pettit Lake;

thence due north to a point west of the north end of McDonald Lake;

thence northwestward following the ridge around the head of Mays Creek to a point on the ridge between Mays Creek and Hell Roaring Creek drainages approximately 1 mile southeast of Hell Roaring Lake;

thence north approximately 1⅜ miles to a point 100 feet south of the junction of Forest Service trails numbered 6091 and 6097;

thence northward parallel to and 100 feet west of Forest Service trail numbered 6091 crossing Decker Creek and to a point at the top of the ridge between the Decker Creek drainage and the next unnamed drainage north;

thence southwestward along this ridge approximately 1 mile;

thence northward along the ridge around the head of the first drainage north of Decker Creek and the ridge between this drainage and the drainage into Redfish Lake keeping 100 feet west of Forest Service trail numbered 6091 where it follows this ridge to a point approximately three-fourths of a mile southeast of the southwest end of Redfish Lake;

thence due west approximately three-fourths of a mile to a point on an imaginary north-south line passing one-eighth mile west of the southwest end of Redfish Lake;

thence due north approximately 1⅝ miles to a point on the ridge between the Redfish Lake and Bench Lake drainages;

thence northeastward along this ridge to a point one-eighth mile southeast of the lower Bench Lake;

thence due north to the top of the first ridge north of this lake;

thence following this ridge northwestward approximately one-half mile to a point one-fourth of a mile north of the second highest of the Bench Lakes;

thence due north approximately 1¾ miles to a point 100 feet south of Forest Service trail numbered 2528 where it crosses the section line common to sections 32 and 33, township 10 north, range 13 east;

thence northwesterly parallel to and 100 feet south of Forest Service trail numbered 2528 approximately 8 miles to a point three-fourths of a mile northeast of McGowan Peak;

thence southwesterly along the ridge approximately three-fourths of a mile to McGowan Peak, the point of beginning.

(b) Not more than 34,000 acres lying adjacent to the area described in subsection (a) of this section, to be reserved for administrative uses and for such recreational facilities, campsites, picnic grounds, and other accommodations as are required to provide for the needs of visitors to the park.

(c) Within one year from the date of approval of this Act, the Secretary of the Interior shall publish in the Federal Register a detailed description of the component parts of the park identified in the foregoing subsections, and he shall thereupon give notice of the establishment of the park.

SEC. 4. Within the area designated for the park, the Secretary may acquire lands and interests in lands by donation, purchase with donated or appropriated funds, exchange, or otherwise. Any lands or interest therein owned by the State of Idaho, or by any political subdivision thereof, may be acquired only with the concurrence of the owner. The Secretary may accept title to any non-Federal property within the park and, in exchange therefor, he may convey to the grantor of such property and federally owned property under his jurisdiction, notwithstanding any other provision of law. Property so exchanged shall be approximately equal in value: *Provided*, That the Secretary may accept cash from, or pay cash to, the grantor in such exchange in order to equalize the values of the properties exchanged. Federally owned lands and interests in lands within the area designated for the park, or selected in accordance with section 7 of this Act, shall be administered as a part of the park upon its establishment as provided in section 3.

SEC. 5. (a) The grazing of livestock on any Federal lands included within the Sawtooth Wilderness National Park, where established prior to the effective date of this Act pursuant to a lease, permit, or license issued or authorized by any agency, department, or establishment of the United States, shall be permitted to continue subject to such regulations as are deemed necessary by the Secretary to protect this area from undue harm or destruction. Nothing contained in this

Act shall be construed as creating any vested right, title, interest, or estate in or to any of the Federal lands.

(b) The Secretary may, in cooperation with the appropriate Secretary having jurisdiction over these lands, recommend the use of areas within adjacent or nearby Federal lands for grazing purposes, in place of existing grazing lands included within the boundaries of the park.

SEC. 6. (a) In order to provide suitable access to the Sawtooth Wilderness National Park and facilities and services required in the operation and administration of the park, the Secretary may select the location or locations of an entrance road or roads to such park and to points of interest therein, including necessary entrance and related administrative and headquarters sites upon lands located outside the park, and he may select a suitable location or locations outside the park for connections between entrance roads and between roads lying within the Sawtooth Wilderness National Park, except that no access or connecting roads provided under this section shall be located within that portion of the park identified pursuant to subsection (a) of section 3. When such roads traverse lands within a national forest, the routes or sites selected pursuant to this authority shall be subject to approval by the Secretary of Agriculture. Lands selected pursuant to this section and acquired or transferred in accordance with section 4 hereof as rights-of-way for said entrance roads and connections shall not exceed an average of one hundred and twenty-five acres per mile. Rights-of-way for entrance roads and administrative sites acquired pursuant to this authority shall be administered as a part of the park pursuant to such special regulations as the Secretary may promulgate in furtherance of the purposes of this section.

(b) When title is in the United States, the Secretary may construct, reconstruct, improve, and maintain upon the lands or interests in lands selected pursuant to this section, an entrance road or roads and connections of parkway standards, including necessary bridges and other structures and utilities as necessary.

SEC. 7. The Sawtooth Wilderness National Park established pursuant to this Act shall be administered by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, et. seq.), as amended and supplemented, except that the portion of the park identified in accordance with subsection (a) of section 3 of this Act shall, unless expressly provided otherwise by this Act, be administered and preserved as wilderness wherein the primeval character and influence is retained and wherein there shall be subject to existing private rights, no commercial enterprise, no permanent road, nor shall there be any use of motor vehicles, motorized equipment, or motorboats, or landing of aircraft nor any other mechanical transport or delivery of persons or supplies, nor any temporary road, nor any structure or installation, in excess of the minimum required for the administration of said portion of the park for the purposes of this Act, including such measures as may be required in emergencies involving the health and safety of persons within such portion.

SEC. 8. There are hereby authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

EMPLOYMENT UNDER CIVIL SERVICE LAWS OF CERTAIN PROFESSIONAL EMPLOYEES OF DEPARTMENT OF THE ARMY

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to provide for the employment, in accordance with the civil service laws and the Classification Act of 1949, of certain professional library and recreation employees of the Department of the Army. I ask unanimous consent that the bill be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2194) to provide for the employment, in accordance with the civil service laws and the Classification Act of 1949, of certain professional library and recreation employees of the Department of the Army, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army shall employ in accordance with the civil service laws, and fix the compensation of in accordance with the Classification Act of 1949, as amended, (1) all librarians in all positions in the Department of the Army classified in the library series, which includes all classes of positions the duties of which are to administer, supervise, or perform professional library work such as selecting, cataloging, and classifying publications, and rendering reference and bibliographical services; and (2) all recreation leaders and staff workers in all positions in the Department of the Army classified in the recreation series, which includes all classes of positions the duties of which are to plan, advise on, administer, organize, supervise, conduct, or serve as staff worker or leader in recreation activities.

AMENDMENT OF TITLES X AND XVI OF SOCIAL SECURITY ACT TO IMPROVE PROGRAMS OF AID TO THE BLIND—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of September 25, 1963, the names of Mr. GRUENING and Mr. RIBICOFF were added as additional cosponsors of the bill (S. 2181) to amend titles X and XVI of the Social Security Act to improve the programs of aid to the blind so that they will more effectively encourage and assist blind individuals to achieve rehabilitation and restoration to a normal, full, and fruitful life, introduced by Mr. HARTKE (for himself and other Senators) on September 25, 1963.

NEW YORK TIMES NOT SO SURE ABOUT TAX CUT

Mr. PROXMIRE. Mr. President, the New York Times recently has made a sober reappraisal of the tax cut proposal, explaining that its merits have been seriously exaggerated and its possible adverse effects on the economy—other than inflation—largely ignored.

Even the benefits claimed for the tax cut by the New York Times do not stand up.

The Times argues that the tax cut will primarily help in coping with the persistent balance-of-payments deficit. Classical economists argue exactly the opposite; and in this case it seems that the classical economists are right. The tax cut will not help our adverse balance of payments, because any increased income from the tax cuts would likely be spent for imports—which would directly aggravate our balance of payments—or for articles of domestic production which would tend to increase the price of these products.

Past experience suggests very strongly that this kind of a tax cut—overwhelmingly concentrated in the personal sector, rather than the business sector—will not result in price reduction, but will result in price increases.

The Times would seem to rely on higher interest rates—made possible by the economic stimulation of the tax cuts—to attract foreign capital. But Mr. President, every competent economic study shows convincingly that interest rates are a very minor element in capital flows.

Whatever else can be said for the tax cut, it will certainly not help solve our balance-of-payments difficulties. As the New York Times indicates, other arguments for the cut on the grounds of national interest are very feeble indeed.

I ask unanimous consent to have printed in the RECORD this editorial published in the New York Times.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE TAX BILL—I

In characterizing House approval of across-the-board tax reductions as a step that will keep the Nation from limping from recession to recession, President Kennedy continues to oversimplify and exaggerate the case for tax cuts.

The current expansion is far from limping. It is now 31 months old, and is showing none of the symptoms of advancing old age that inevitably precede a decline. Business cycles do have a timespan, which cannot be predicted in advance; but the current strength of economic activity indicates that the rising phase of the cycle has a long life ahead of it. While a tax cut may accelerate our growth rate and prolong the expansion, it will not eliminate the business cycle or deal with all the ills of the economy. It will in fact create some new problems.

Relieving the burden of taxation will be most effective in coping with the persistent deficit in the balance of payments. It will enhance the attractiveness of long-term domestic investment for both American and foreign capital. It will give greater freedom and flexibility to the Treasury and the Federal Reserve in dealing with short-term outflows of capital.

Despite Mr. Kennedy's claims, just how greatly the tax bill will reduce the ranks of the unemployed is a matter of debate. Unemployment is concentrated in the young, in the unskilled, among minority groups, and women, which may require special treatment rather than the general stimulus of tax reductions.

The current expansion has been eating into the amount of idle plant. So far, the economy has not been plagued with inflation, largely because of an overabundance of plant and manpower; but specific sectors are already operating close to the limits of capacity. Faster growth, generated by tax cuts, may create price pressures and speculative distortions that could shorten the life of the upturn.

Mr. Kennedy has been unduly modest in describing the growth of the economy and overenthusiastic about what tax cuts can do. Business activity is moving ahead at a very good clip, and with tax cuts it will do better. The task of prolonging the lifespan of the business expansion will demand much more focus on the special problems that accompany a fast rate of growth.

FOREIGN AID FIASCO IN GUINEA

Mr. PROXMIRE. Mr. President, on repeated occasions I have indicated here on the floor of the Senate the need for tighter criteria in our foreign aid program. We, in the Senate, will shortly be considering the new foreign assistance authorization, when it is reported from the Foreign Relations Committee; and now is a good time to repeat the need for these tighter criteria.

In fact, what we need in the foreign aid program are tests of the possible concrete returns which we can obtain from loans and grants made overseas. A good example of the difficulties which can occur in the absence of adequate criteria has recently been indicated in a newspaper column, by Roland Evans and Robert Novak, which appeared in the Washington Post for Friday, September 27.

Mr. President, I ask unanimous consent that this article, entitled "Fiasco in Guinea," be printed in the RECORD at the end of my remarks.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROXMIRE. This article indicates that in Guinea we have "just fumbled a golden opportunity to score a few points." The issue concerned an airline which Guinea wished to have. AID supported this private airline, and, in fact, loaned $700,000 to Guinea, because the airline could not obtain private financing. Then, just a few weeks ago, the airline was discontinued; and the United States is presumably out $700,000. Now Russians are buying the commercial routes.

The result of this loan has been not only the loss of money by the United States, but also loss of prestige.

EXHIBIT 1

FIASCO IN GUINEA

(By Rowland Evans and Robert Novak)

In the steamy West African Republic of Guinea, where the cold war is a daily occurrence, Uncle Sam has just fumbled a golden opportunity to score a few points.

Last spring American diplomats shouted from the housetops—and we reported—how a small American airline called Alaska Airlines, Inc., was replacing Soviet aircraft in Guinea. But until today it has been a well-kept secret that the deal has gone sour.

Alaska Airlines planes were grounded some 3 weeks ago. Although the United States is working discreetly to replace Alaska Airlines with a big American line, the Russians now are flying the commercial routes again. Furthermore, nobody knows whether a $700,000 U.S. loan ever will be repaid.

That is bad enough. But intensive inquiry reveals a breathtaking amount of bureaucratic buckpassing. As usual, the bureaucrats seem less interested in solving the problem than in making sure they don't get the blame for it.

The story dates back to 1958, when Guinea became the first French African colony to win independence. Refused help by both France and the United States, Guinea turned to Moscow for long-term aid.

But Russians are even worse than Americans at administering foreign aid. Guineans are particularly displeased about how much it costs government-owned Air Guinea to operate four-engine turboprop Ilyushins.

So, Guinea negotiated an agreement with Alaska Airlines to sell them less sophisticated aircraft: four-engine DC-4's and single-engine Lockheeds.

When Alaska Airlines could not find private financing, AID—the U.S. foreign aid agency—bought $700,000 worth of Guinean notes. In other words, Uncle Sam lent Guinea $700,000.

Trouble began May 14, 2 weeks after the first DC-4 arrived, when it nosed into the ground during a landing. After that unhappy start, trouble multiplied until Air Guinea grounded the Alaska planes, citing safety reasons.

Alaska Airlines claims that Air Guinea is so infested with Communist bloc personnel that life is impossible for an American line.

The State Department, laughing off these charges as something strictly from Ian Fleming, puts most of the blame on Alaska Airlines—but will not give details.

All that is sure now is that the Government's attempt to escape responsibility by calling this a private affair between Alaska Airlines and the Guinean Government just won't wash.

The Government could have stopped this deal any place along the line. AID could have refused the $700,000 loan, which was approved 3 days after the DC-4 accident.

Buckpassing reached the ridiculous when an AID official privately sought to blame the Federal Aviation Agency for giving the DC-4's preexport approval. Told of this, a furious FAA official raised the roof, denying any prior knowledge of the deal. AID then backed down, admitting there was no special report inspection by the FAA (the planes had passed routine inspections, however).

Whoever is responsible, nobody can deny that the fiasco has hurt United States-Guinean relations and helped the Soviets. An international lawsuit and a congressional investigation are distinct possibilities. Moreover, AID lawyers now are puzzling whether to make Guinea pay up that $700,000.

CANADIAN AND AUSTRALIAN WHEAT AGREEMENT WITH THE SOVIET UNION

Mr. YOUNG of North Dakota. Mr. President, I am pleased to note the public reaction in the United States with reference to large-scale sales of Canadian and Australian wheat to Russia and other Communist-bloc countries.

Most people seem to have come to the conclusion that it does not make sense for the United States alone to withhold the sale of its surplus food commodities to these Communist-bloc countries while our allies are willing to provide them with all they need.

Two persuasive editorials on this subject appeared over the weekend in Washington's two largest daily newspapers. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial, published in the Washington Post on Saturday, September 28, entitled "Wheat for Russia"; and one published in the Sunday Star on Sunday, September 29, entitled "Let's Close the Deal."

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 28, 1963]

WHEAT FOR RUSSIA

It would be inconsistent with the position which this country historically has taken toward the requirements of other peoples for food if the Government of the United States were to interpose any objection to the shipment of American wheat to the countries of the Soviet bloc.

This country's role as the granary of the world—and as the succor of starving millions in every land—has deeply imbedded in the American conscience an impulse to supply the hungry. It has supplied them for proper pay, when that has been available, but it also has supplied them, in an incredible number of instances, without pay.

The Soviet Union has good occasion to remember this compulsion to feed the world. In 1922, the American Relief Administration, under Herbert Hoover, was feeding 18 million people in the Soviet Union. Maxim Gorky has credited this great effort with saving 9 million lives. George Kennan has recounted how Russia's cultivated acreage dropped 50 percent in 1921. And after making allowance for the dislocation of war, he has declared that "the major cause lay in the reckless and ill-advised policies of the Soviet Government itself." Herbert Hoover glumly conceded that the American people were not "too enthusiastic over saving people who were starving because of their Communist government."

The causes of Soviet bloc shortages now, as then, lie in part in the inability of the Communist system to cope with agricultural production. In the inspired remark of Walt W. Rostow: "Marx was a city boy." Those who revere him as a prophet have been equally unable to solve agricultural problems. It is only fair to say that the present crisis in the Soviet bloc also is greatly due to abnormally adverse weather aggravating the usual handicap of short seasons, light soils, and inadequate rainfall in parts of the Soviet area.

A very strong argument can be made, in economic terms, against meeting the recurrent shortages of the Soviet bloc. It can be contended that bottlenecks and maladjustments of this kind are characteristics of a system of central economic administration. By repeatedly rescuing the system from its inherent defects we make it bearable where it otherwise would be insupportable.

There is an element of truth in this. It also can be argued, however, that we have had little success in working this kind of injury on the Soviet bloc. In order to wage this sort of economic warfare on a broad front, all the free world would have to be united on a firm policy. And it also must be noted that, as far as food exports are concerned, starvation is still to bring down a first Communist regime.

Whatever the economic arguments, it is likely that American wheat sooner or later will flow into the deficit bloc areas, if they want it. The Government can and should exact what negotiating advantages it can from the exchange. In the end, all considerations are likely to be overborne by the American impulse to supply the world.

[From the Washington (D.C.) Sunday Star, Sept. 29, 1963]

LET'S CLOSE THE DEAL

There are formidable and highly emotional domestic political factors involved. But there are also good reasons why the U.S. Government should respond affirmatively to the Soviet Union's reported bid to buy very large quantities of American wheat.

The deal has been under discussion in Ottawa by the Kremlin's representatives and a group of private American traders. If it materializes, as expected, it will be consummated in keeping with our country's complicated system of price supports and export subsidies. In effect, under our law, it will mean that the U.S.S.R. will be dealt with as "a friendly nation" able to buy the wheat at the going price in the world market—a price about 60 cents lower than our domestic millers must pay.

In other words, like such "friendly nations" as France, the Soviet Union will get an American subsidy. However, although some groups in our country are likely to vociferate against this, the fact is that the Russians, if they wanted to, could indirectly buy our wheat at the same subsidized price through third parties regarded as "friendly nations." Another fact worth keeping in mind is that the prospective deal with the U.S.S.R.—a deal comparable to the one recently negotiated by the Kremlin and Ottawa—would not place a heavy extra burden on the taxpayers of the United States. But it would help to ease our costly surplus problem and improve, at least a little bit, our present poor position—one that has put a serious drain on our gold—in the international balance of payments.

The domestic political factors remain, of course, including much bitter opposition among those minority groups who are against doing any kind of business whatever with the Soviet bloc, even such business as importing Poland's excellent hams. In the world's present political climate, however, opposition of this sort is more passionate than reasonable or realistic, and Congress and the administration ought not to be intimidated by it.

Two Senate committees—Foreign Relations and Agriculture—are now jointly engaged in seeking such a judgment. We hope it will be a judgment in favor of the deal. For peaceable business with the Russians can be another step, like the nuclear test ban treaty, toward a detente, a possible new advance that could lead to bigger and better things all around the world.

NUCLEAR TEST BAN TREATY

Mr. CHURCH. Mr. President, it is evident that the nuclear test ban treaty enjoys wide favor, not only in the Senate, but also among informed people throughout the Nation. Support for the treaty was given by newspapers of widely divergent political viewpoints in my own State. Excellent editorials supporting the test ban treaty recently appeared in the following newspapers which are read in Idaho: the Idaho Statesman, the Idaho State Journal, the Idaho Falls Post-Register, the Salt Lake Tribune, the Rexburg Standard, the Intermountain and the Emmett Messenger-Index. I ask unanimous consent to have these editorials printed at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Idaho Statesman, Aug. 29, 1963]

It's Worth the Risk

Despite a considerable period of controversial hearings, indications are that the Senate will ratify the nuclear test ban treaty. And the action will have the support of the American people. As Senator Church said, in explaining his plan to vote for the ratification, it is a start in a hopeful program that may settle world conditions and possibly pave the way for greater understanding among nations long in conflict.

Russia's well-identified habit of violating agreements has concerned a number of our national leaders, both within the military and the Congress. Many Americans have the fear that Khrushchev will disregard this nuclear test ban the first time it becomes handy. There is the feeling in some quarters that the risk taken here is too great; that Russia, operating behind her Iron Curtain, will even expedite her nuclear activity at the same time the anti-Communist nations ease this effort.

But this particular treaty doesn't compare with those that have been so readily broken by the Russians. This is a major agreement, one participated in by most of the nations of the world. Should Russia break this agreement, her world position becomes jeopardized to a degree never before so well identified. Failing this time, Russia would prove the identity of international gangster. For such action, she would soon suffer recriminations not previously applied.

Had this nuclear test ban been only an agreement between the United States and Russia, that would be another matter. This pact is almost universally accepted and signed. The signing, of course, is based on hope and faith and not for appeasement of Russia. The reaction to Russian defiance of this particular agreement would realine the world against a belligerent enemy and invite the application of force to wipe out a world threat.

When all is said and done, the burden of this treaty's success rests with Russia, not her so-called opponents. More than any other single nation, Russia faces the challenge. With all who want peace, we have a greater degree of confidence that this time the foundation is too firm for those who have no honor or principle in world dealings. Russia evidenced new willingness for cooperation in this agreement negotiation. In that new attitude there is hope.

[From the Idaho State Journal,
Sept. 12, 1963]

The President's Assurance

President Kennedy's letter to Senate leaders yesterday should quiet the fears of some about the limited nuclear test ban treaty. There are some who feel that entering into the treaty will bring about a lowering of our guard and that it will make us more vulnerable to attack. President Kennedy's assurance that the treaty will not limit his authority to use nuclear weapons and that he will continue "a program that will keep us strong in the nuclear field" should remove the objections that seize upon this argument.

There are many in this Nation who would like to see nuclear development cease entirely as a step toward disarmament. This course would be ideal, if we could be assured that our adversaries were following our example, or setting one. At this stage in world affairs, we cannot be so assured and we cannot let down our guard altogether. It is thus the President's responsibility to see that in the absence of disarmament, this country is protected as well as it can be against the devastating weapons we know today.

Although we cannot know it—because precious little discussion of public policy ever filters out of the Soviet Union—there must also be serious reservations there about the treaty and determination there not to let down on nuclear development. Certainly President Kennedy is aware of that determination.

Still we cannot afford to reject this opportunity to take one step toward halting a headlong rush into nuclear war that is too likely to come from unrestricted development of nuclear weapons. We can only hope that overwhelming approval of the treaty by the Senate will indicate our willingness to take the first step.

[From the Idaho Falls (Idaho) Post-Register,
Sept. 4, 1963]

It's Still Worth a Try

No one now expects that the U.S. Senate will give anything but overwhelming approval to the partial nuclear test ban treaty with the Soviet Union.

In the Senate Foreign Relations Committee's nearly unanimous endorsement of the treaty, there is a clear assessment that whatever risk is involved is one this Nation can take without grave danger to its freedom and security.

It is a judgment which says in effect that if we are not willing to take some risk in order to test Russia's purposes at this stage, we are saying that negotiation is now and perhaps forever a futile device of diplomacy in the cold war.

Obviously we are not prepared to take so adamant and seemingly final a stance.

Soviet motives, in the nature of things, can seldom if ever be entirely clear to us. But we are not now measuring motive. We do not have to know all that goes on between the Kremlin and Red China in order to take this test ban chance.

We will be watching Soviet action. There is a strong conviction that if Russia breaks the treaty we will speedily know it and be able to act on our own to prevent Moscow from gaining a critical nuclear military advantage.

It is we who have the great advantage today, and we do not propose to yield it. We will have our guard up, prepared to test in the atmosphere again should the Russians resume.

And beyond doubt, we shall be constantly alert to assure that our massive stockpile of nuclear weapons—called by President Kennedy sufficient to kill 300 million people in 1 hour—remains an effective shield for us and the free world.

This means, of course, keeping the weapons in usable condition—and deliverable over targets.

Military men disagree on ways of assuring this effectiveness. But there would seem to be ample support for the idea that it can be done, notwithstanding the test ban treaty.

Not all our military and nuclear specialists like the treaty. But the Senate Foreign Relations Committee is a sober and responsible body. It listened to the doubts and reservations and yet decided to approve the document. At worst, the committee might in time be proved wrong. At best, this group, the full Senate and all associated with the treaty must recognize that it is not a guarantee of peace, but only a small beginning step down that road.

Up to now there has been almost no traffic on that road. We are simply making ready to try it. We may have to turn back., But, with the stakes so high, the try is one our sanest Senate leaders think we ought to make.

[From the Salt Lake (Idaho) Tribune, Sept.
1, 1963]

An Acceptable Treaty Within Its Limits

The 16-to-1 vote by which the Senate Foreign Relations Committee approved the test ban treaty indicates that the big hurdle—Senate ratification—will be cleared with ease. Some supporters predict that fewer than 20 of the 100 Senate Members will vote to reject the pact.

The Foreign Relations Committee wisely decided against tacking on reservations. For reservations might require renegotiation and in the process the treaty could be lost altogether.

Instead, the committee will prepare a report explaining the Senate's interpretation of the agreement. This, according to Committee Chairman Fulbright, will include a statement that the treaty does not prevent the United States from using nuclear weapons in the event of war. The statement will also include assurances that this country will be prepared to resume atmospheric testing if the Soviet Union violates the treaty.

These two points are important since the first answers a question raised by former President Eisenhower and other witnesses while the second provides the "safeguards" demanded by members of the Joint Chiefs of Staff.

Debate on the treaty will begin soon after Labor Day, with final action expected by mid-September. And during that time implications of the agreement will be explored at even greater length than was the case in the 12 days of committee hearings.

Certainly no one should be able to say, when the vote on ratification is taken, that the Senators are not fully aware of what they are doing.

Sharply conflicting opinions were presented at the committee hearings. In his message submitting the treaty, President Kennedy emphasized its limited nature and the hope it will prevent the proliferation of nuclear weapons. Underground testing is permitted; testing in the atmosphere, in outer space and under water is forbidden.

Other proponents—Secretary of State Rusk, Secretary of Defense McNamara and General Taylor, chairman of the Joint Chiefs of Staff—made the case that the treaty, on balance, is to America's advantage. Admitted risks, it was argued, are outweighed by positive gains.

Opponents dealt at length with the risks. Dr. Edward Teller, the nuclear scientist who played a key role in development of the H-bomb, declared Russia was far ahead on antimissile weapons and that the United States could not hope to catch up without testing in the atmosphere. Other eminent scientists did not agree with Dr. Teller.

There was a similar sharp split in the opinions of military men. General LeMay, Air Force chief of staff, had serious misgivings, fearing that "we may get complacent and drop our safeguards program down to a level I consider insufficient." Admiral Strauss, former Chairman of the Atomic Energy Commission, was totally opposed. The treaty is not in the best interests of the United States, he said.

Such wide differences of opinion are puzzling to the ordinary citizen.

They may be just as puzzling to Senators. If scientists and military men cannot agree, then who is right?

The answer is that the treaty is a diplomatic, not a military or scientific, instrument and that all factors must be considered in reaching a decision. Scientists and military men often are not able to see beyond their specialties.

This is a limited treaty. It has limited objectives. It certainly will not bring "peace in our time." But the consensus, as overwhelmingly expressed by the Foreign Relations Committee vote, is that the treaty is acceptable within its limitations.

The Senate debate, now about to begin, will be enlightening. We do not believe that it should lead to rejection of the treaty.

[From the Rexburg (Idaho) Standard, Sept. 10, 1963]

An Unwise Proposal

Political circumstances under which the Senate is considering ratification of the nuclear test ban treaty make it hard to discuss the matter wholly outside of partisan context. An effort must nevertheless be made to do so.

This treaty is not a partisan affair; it touches most crucially upon the security of the United States, an area in which a bipartisan outlook is essential in the national interest. Whether the treaty's effect would be for good or ill should be considered with as little partisan bias as possible.

There will be a temptation to see in a partisan light Senator GOLDWATER's effort to predicate acceptance of the test ban treaty on Soviet agreement to withdraw from Cuba. Senator HUMPHREY has called this "partisan mischief," and he is right, though having said this he has himself become vulnerable to charges of partisanship.

The Goldwater proposal has no chance of acceptance. It is important, aside from the Arizonian's partisan motives, as an example of a mistaken approach to foreign affairs and in particular a mistaken approach to the question of arms control.

Dealing with a hostile foreign power, in this case the Soviet Union, must always be a step by step affair. No single action can be taken to settle all the big cold war issues at one swoop. Though it is our Government's intention to squeeze the Russians back out of the Western Hemisphere, this cannot be done by saying to Russia: "No Cuban pullout, no treaty."

It should especially not be said in the present instance because that ultimatum is based on the view that the treaty is something that Russia, and Russia alone, wants. This is not true. The test ban treaty will benefit the United States; it is something both Republican and Democratic administrations have sought. To endanger it by attaching impossible conditions would be foolhardy and unrealistic.

[From the Pocatello (Idaho) Intermountain, Aug. 1, 1963]

Treaty Without a Slogan

A sign of new maturity in international relations is the absence of a slogan to go with the proposed American-Soviet-Anglo treaty to control nuclear explosions.

The war to end all wars, the mission of making the world safe for democracy, peace in our time, and even Wendell Willkie's one world, were all sentiments that created unjustified belief that all would shortly be right with the world.

As treaties among nations get rid of the illusions we inherited from kings, some semblance of working international law begins to appear.

A treaty, once broken, is a shambles. A law may be violated and survive, and time may strengthen its good effect through application, amendment and interpretation.

Whether lawmakers writing a code or judges writing case law, the drafters of laws are not inclined to believe that a statute or a decision is a final answer. Often it is rather, a beginning. "This may work." "It may do some good." "Not perfect but it will get us by." That is how lawmakers talk. They imply a practical compromise has been struck between conflicting sides, and they acknowledge the changes to come.

Harriman, Hailsham, and Gromyko have not represented to their governments that their effort will establish mutual faith and trust. Our President and the Soviet Premier have not declared the cold war to be at an end. And the proposed treaty will be read as closely by the powers who do not yet have nuclear weapons as by the signers, as the traffic code might be studied by a man who doesn't yet own a car.

A treaty written from the premise that the world cannot be transformed and cannot be made safe by a single act represents diplomatic realism. It represents more than that. It treats the people of the signatory powers as citizens, not subjects. The absolutes found in treaties of the past were based on the pretense that rulers were omnipotent and that their decrees could be everlasting.

Vigilance is not merely the price of freedom, it has to do with the character of lasting freedom, helping to distinguish it from the euphoria of liberty. Just so, diligence, as a habit, must accompany the attainment of peace in any measure. The security proclaimed by a treaty is, without it, of no more value than a mere proclamation of liberty.

Democracy, within our own land, has kept us working at our freedoms. The art of genuine peacemaking is so embryonic that we do not have the habit—we do not even have a meaningful name for it as yet. The unrelieved ordeal of the cold war and the nonutopian climate of the United Nations—the "one-world" organization, remember?—have taught us that it is work. Hard work. Unending.

The approach to the nuclear control treaty is encouraging evidence that we have learned that progress in international relations requires, as does good government, not the occasional proclamation but the muscle tone of daily effort.

[From the Emmett (Idaho) Messenger-Index, Aug. 22, 1963]

Stark Question

The obvious coolness of many top military leaders toward the test ban treaty is not surprising, and it probably will have more influence on the Senate ratification vote than the outspoken opposition of Dr. Edward Teller, familiarly known as "father of the H-bomb."

As a physicist, Dr. Teller is a genius. As a citizen, his opinion on Emmett's forthcoming decision on a sewage disposal system, for example, would be no more reliable than that of any random resident. As a salesman, a grocery clerk, a millworker, or a football player, he would probably be a flop; and as a political scientist, he is an impotent threat to the survival of man. Dr. Teller's field of competence is physics.

The same cannot be said for Gen. Thomas S. Power, Commander in Chief of the Strategic Air Command, who opposes the test ban, nor of the Joint Chiefs of Staff, who have leaned far over to avoid endorsing the treaty without specifically opposing it. These men must be heard, and their opinions must be weighed carefully.

It is unfortunate, however, that their opinions carry more weight than they merit with some Senators, largely because of political considerations. It is unfortunate because the test treaty involves the heart and the soul and will of mankind far more than strictly military defense. It touches closer to the survival of civilization than to military security.

In the areas, the opinion of the man on the street is more valid than that of General Power. Neither the scientist, sane or mad, nor the military expert are of value to America except as their peculiar and admittedly great talents are directed and controlled by the lay-civilian public—a public which doesn't know even the language of science and understands little of military strategy.

We suggest that the Senator should listen carefully to the opinions of all the "Dr. Tellers" and "General Powers." Analyze them carefully in deciding what the vote on the test treaty shall be.

But we suggest, too, that the Senator should seek the opinion of the Emmett store clerk and the migrant fruitworker, for their opinions, whether coinciding or conflicting with those already heard, are more likely to bear on the question at issue.

And the question at issue is not whether the treaty will last or whether Russia will cheat. It is not whether Russia has lived up to agreements in the past. It is not whether we have more bombs and Russia has bigger ones. It is not, in fact, whether the treaty might give one side or the other some tenuous military advantage.

Neither side can cheat substantially for long. Neither side is constrained by the treaty to reduce its absolute capability of utterly destroying the organized society of the other (and committing national suicide at the same time). Neither side is prohibited from withdrawing on short notice, or no notice at all. Neither side, in fact, is enjoined to reduce by so much as one firecracker a stockpile of weapons already in being equivalent to 10 tons of exploding dynamite for every man, woman and child on the fact of the earth.

The question at issue in ratifying the treaty—in trying it at least for a while—is stark and simple:

If it is impossible for conflicting nations armed with unlimited atomic power to negotiate, after years of effort, such a minor agreement as a partial ban on nuclear bomb testing, is there any real hope at all that those nations can avoid the ultimate fission-fusion-fission showdown?

We believe that you, gentle reader, are better qualified to answer that question than the physicists or the generals.

In final analysis, only you can answer the question, either by remaining silent or by functioning as a member of the Republic and of the human race.

THE SITUATION IN VIETNAM

Mr. CHURCH. Mr. President, the Vietnamese problem continues to trouble the Government, people, and press of this country. I ask unanimous consent to have printed in the Record two pertinent articles—a column by Drew Pearson, which appeared in many newspapers, including the September 15 issue of the Idaho Falls Post-Register; and an editorial, published in the St. Louis Post-Dispatch, entitled "Another Method of Dealing with the Diem Clique," which was reprinted in the September 13 issue of the Lewiston Morning Tribune.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Idaho Falls (Idaho) Post-Register, Sept. 15, 1963]

(By Drew Pearson)

Washington.—When Senator Frank Church, the young Idaho Democrat, put the State Department on the spot at a closed-door hearing regarding its vacillating policy toward South Vietnam, he knew firsthand what he was talking about.

Church made a memorable trip to Saigon 1 year ago with Senators Gale McGee, Wyoming, and Frank Moss, Utah, also Democrats. They arrived in Saigon 1 day early. If they had arrived on time they would not have seen so much.

But arriving as they did, they were shunted to one side by the police to make way for President Diem.

"The entire population was pushed to one side," Church reported to other Senators, "some of them had to retreat half a block back from the main street.

"Then a motorcyle escort came charging down the street at 60 miles an hour in front of the President. I have seldom seen so many troops lining a street. In 10 minutes Diem got through the heart of the city—a trip which should have taken 30 minutes. That is how he deals with his citizens."

Later, the three Senators found that the President of South Vietnam treated U.S. Senators with almost equal contempt even though these Senators have to vote the millions of foreign aid which pay for Diems troops, his motorcycles and his limousine.

Diem gave the three Senators a 30-minute audience during which he lectured for 30 minutes. It was a monolog. They were not permitted to ask questions. At the conclusion, Ambassador Frederick Nolting was permitted to ask one question. That was all.

During an American Embassy party, Senator Church told guests about the wild ride through the center of the city.

"Oh," remarked one U.S. diplomat, "that's the way of life around here."

CURBING A MANDARIN

The same Senator Church was listening to the testimony of Assistant Secretary of State Roger Hilsman before a closed door meeting of the Senate Foreign Relations Subcommittee on Far Eastern Affairs, Hilsman gave rather a placid explanation of the State Department's predicament in South Vietnam.

When he finished Church asked in acid tones:

"What are you going to do about this Mandarin? There has been nothing like him since the Borgias.

"This self-immolation by Buddist priests has shocked the entire Christian world. No matter how we may look at it here, it puts us on the side of religious repression, a position which I know is not that of the American people."

At this, Assistant Secretary Hilsman lost his complacency. "I agree," he interrupted. He even agreed that it might be a good thing for the Senate to adopt a resolution threatening to cut off aid to President Diem and his high-handed brother and sister-in-law.

Senator Church has now done so. One of the first to join him was Senator Frank Carlson, Kansas Republican, who also was shocked at the high-handed operations of the Diem family and asked some tough questions of Assistant Secretary Hilsman.

A CATHOLIC VIEW

A completely opposite view of South Vietnam and the persecution of Buddhist priests by the Catholic Diem family has been expressed in the Catholic News, organ of the Archdiocese of Cardinal Spellman of New York. It was Cardinal Spellman, who arrived in Saigon on January 5, 1955, to help Catholic refugees from North Vietnam and who has been a strong proponent of U.S. aid to this area. The United States gave $28,571,428 for these refugees on December 21, 1954.

According to Father Patrick O'Connor, Far Eastern correspondent for National Catholic Welfare Conference News Service, "Buddhists in South Vietnam have been selling the American people a bill of goods. They sold it first to some of the foreign correspondents in Saigon.

"They have represented themselves as undergoing religious persecution. They have been depicted around the world as suffering from a host of restrictions on their religious worship. They are described as comprising sometimes 70 percent of the population persecuted by a 'Catholic minority government.' "

On the other hand, "Vietnam has impressed me as a country of religious tolerance," Ambassador Nolting is quoted as saying to the National Catholic Welfare Conference.

Bishop Peter Carreto of Thailand is also quoted by the Catholic News that "U.S. newspapers give a slanted view" of events in Vietnam. He described charges that President Diem is trying to suppress Buddhism as "absurd."

A sympathetic view of the Buddhists' reported plight has been taken by Pope Paul, who recently avoided seeing President Diem's brother, Archbishop Ngo Dinh Thuc. When Archbishop Thuc called at the Vatican, issuing degrogatory statements against the Buddhists, he was promptly ordered not to talk about conditions in Vietnam. He left for New York without seeing the Pope.

[From the Lewiston (Idaho) Morning Tribune, Sept. 13, 1963]

Another Method of Dealing With the Diem Clique

Most Americans, we think, will sympathize with Senators Church of Idaho and Carlson of Kansas when they express indignation over the highhanded activities of the venal Ngo Dinh Diem clique in South Vietnam. Senator Church says that unless the Diem family undertakes drastic reforms he may offer a resolution to shut off all U.S. aid, now running at a rate of $500 million a year. Seconding this proposal, Senator Carlson says "we are just wasting money on this dictator government."

It is not likely that Diem, or his brother, Ngo Dinh Nhu, or whoever is in charge in Saigon, will effect reforms needed to put a popular base under the Government and conclude the war against the Communist guerrillas. It is clear that the Diem family has no interest other than holding power, and the United States will get nowhere until the family is thrown out.

If the United States continues to support Diem in spite of deteriorating relations, it will steadily lose prestige and also lose the chance of friendly relations with the Viet Namese people who blame the Americans for supporting a repressive government. So it is difficult to see what the United States has to gain by this miserable policy.

What would happen if aid were cut off? The Diem regime would collapse, of course. And possibly the Communists in the north would move in and take control of the south, but that is not certain; the North Vietnam Communists have serious factional problems. Suppose aid were withdrawn progressively, in small bits, as a lever to force reform?

That has an attractiveness, but once the process was started Vietnam would be on notice that the United States had lost confidence in the regime, and that would likely bring it down quickly. What needs to be done now is quietly to encourage the regime's growing number of opponents so that the Vietnamese themselves are enabled to throw out the oppressors. That would avoid a possible period of anarchy.

If this procedure proves impossible, it would then be time to consider the course mentioned by Senators Church and Carlson. On careful analysis it might be found that the consequences would not be as bad as they might seem. In any event, they could hardly be much worse for the United States than pursuit of the present policy.—St. Louis Post-Dispatch.

AMBASSADOR LODGE'S DIFFICULT JOB IN SOUTH VIETNAM

Mr. CHURCH. Mr. President, all Americans respect Henry Cabot Lodge for accepting the difficult job of Ambassador to South Vietnam. We can well understand his indignation at Madame Nhu's charges that American junior officers in Vietnam are "little soldiers of fortune." This kind of calumny is too much for any American to take. As David Halberstam, New York Times correspondent in South Vietnam, pointed out in his dispatch published in the September 27 issue of the Times:

Mme. Ngo Dinh Nhu, whose husband is the principal adviser to President Ngo Dinh Diem, his brother, has been outspoken about President Kennedy, the State Department, the Central Intelligence Agency, the American press, the Bill of Rights, and American culture. However, she had never before attacked the junior officers, many of whom are in the field with the South Vietnamese forces fighting the Communist guerrillas.

The New York Times has editorially supported Ambassador Lodge in its issue of September 27. I wish to call special attention to the convincing conclusion of this editorial:

> President Diem must decide whether he is fighting for his family or for his country, and whether he can afford to permit unbridled license to his sister-in-law, who is developing into the Communists' best ally in his own palace.

Mr. President, I ask unanimous consent to have this excellent editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. LODGE'S STATEMENT

Ambassador Lodge has exploded a political bombshell in Saigon by publicly slapping down Mme. Ngo Dinh Nhu for her "shocking, cruel, and insulting" aspersions on American junior officers helping South Vietnam to fight the war against the Communists. In statements never repudiated by President Diem's government, the President's sharp-tongued sister-in-law called the junior officers "little soldiers of fortune" engaging in "irresponsible behavior."

Mme. Nhu, whose equally shocking statements about the protesting Buddhists have compromised the Diem government in the eyes of the world, has often been critical of American policy. That is her privilege, but it is not her privilege to impugn the integrity of American officers and soldiers who are being killed in a strange land, side by side with their Vietnamese comrades. Mr. Lodge said they deserve thanks, not insults.

The Ambassador's statement, long overdue, marks a break with the previous American efforts to get along with the Diem regime at all costs. It deals only with one limited aspect of the war. But it has, of course, wider implications for the future relations of the United States with the Diem government.

President Diem must decide whether he is fighting for his family or for his country, and whether he can afford to permit unbridled license to his sister-in-law, who is developing into the Communists' best ally right in his own palace.

PROXMIRE DAIRY PLAN IS WORTH TRYING

Mr. PROXMIRE. Mr. President, the Senate will shortly be asked to consider the dairy bill, S. 1915, which I have sponsored and which was reported from the Senate Agriculture Committee by an 11 to 4 vote.

In the Prairie Farmer for September 7, 1963, appeared an excellent editorial analyzing this bill. I wish to call the editorial to the attention of all members of the Senate who will be voting on this proposed legislation. I ask unanimous consent to have printed in the RECORD the editorial entitled "New Dairy Plan Is Worth Trying."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Prairie Farmer, Sept. 7, 1963]

NEW DAIRY PLAN IS WORTH TRYING

Dairy leaders who have been working persistently for the last couple of years to reach agreement on sensible, middle-of-the-road legislation have come up with something that we believe is worth trying. Most of the ideas are involved in the Proxmire bill (S. 1915) which has been reported out of the Senate Agriculture Committee by an 11 to 4 vote.

This is a voluntary plan which would give producers of Grade A fluid milk price protection on acceptance of a quota and a historical base. It embodies the class I base idea which has been popping up in most of the legislative proposals and has been recommended by the leadership of the Pure Milk Association.

Under the proposed bill class I producers would agree to limit their production in exchange for certain protections. The most attractive thing about the plan is that it promises to get expanding class I producers off the backs of the class III producers who have been left out in the cold by our Federal orders.

The blend system of pricing milk which gives the grade A producer a fluid-milk price for a part of his output and dumps the rest on the manufactured-milk market at whatever it will bring, has about outlived its usefulness. In the Chicago market during the month of June only 46 percent of the grade A milk was sold for fluid use and 54 percent went into production of butter and cheese. This may not be so surprising out here in the Midwest, but the proportion is even worse in New York State where there is very little justification for producing milk to make manufactured items. In New York the proportion of grade A milk going for butter and cheese has risen lately to as high as 58 percent.

It should also be noted that there has been a rather gratifying decrease in the amount of class III milk produced outside the marketing orders, and at the same time a rather alarming increase in the amount of milk produced under class I. Obviously curtailment of production should come in the fluid-milk areas. Under the present system a class I producer dilutes his income, and the class III producer gets clobbered by his larger and more successful competitor.

Prairie Farmer has been opposed, generally speaking, to any two-price system applied to an agricultural product. We have been against such a system in wheat. We have been reluctant to accept it even in the dairy field. However, there is increasing evidence that dairying is a special problem in the agricultural-marketing picture and we need to modify our attitudes to insure a decent living for dairymen and a reliable supply for consumers.

We hope Congress will pass the Proxmire bill and its equivalent in the House (Poage bill) and give this system a try. The demands are moderate. The cost to the taxpayer would seem reasonable. There is no provision for direct subsidy in the bills at the present time. Our experience with milk marketing orders which have dominated the dairy market for many years would indicate that the system might work quite well.

There are problems, of course, but they could be worked out. These include such things as transferability of bases, the entry into dairying of new producers, and safeguards against dairying becoming concentrated in a few hands.

Nevertheless a lot of work has gone into this most recent proposal, and Congress might well go along with the plan to see how it will work out.

SHOOTING DOLLARS TO THE MOON

Mr. PROXMIRE. Mr. President, for some time now I have been indicating what I believe to be weaknesses in the U.S. space program. In particular, I have indicated that I think we should not be spending so much money so rapidly for essentially propaganda advantages, rather than for scientific advantages.

When the President recently spoke at the United Nations he seemed to be removing at least one of the principal arguments given for the space program, namely, that on physiological grounds we had to continue these vast expenditures in order to beat the Russians. He eliminated this justification for the program by saying that we should coordinate with the Russians. Obviously we cannot be first if the Russians are going to be first with us.

In the Washington Post for September 24, 1963, one of the most distinguished voices in American journalism, Mr. Walter Lippmann, has written a column indicating much the same points that I have made repeatedly here in the Senate. Mr. Lippmann supports the idea of coordinating efforts with the Russians in the space program, among other reasons in order to economize and avoid duplication, exactly the reasons that the President used. Mr. Lippmann goes on to point out two major errors in our earlier space program. The first of these was the commitment to put a man, rather than instruments, on the moon. The idea of putting a man on the moon essentially changes, as he says, "an immensely scientific experiment into a morbid and vulgar stunt." He is exactly right that our interests should be entirely scientific, rather than simply showmanship.

The second mistake pointed out by Mr. Lippmann is the setting of 1970 as a target date and hence placing the whole context of the space program into a race with the Russians.

As a result of this: To quote Mr. Lippmann—

> We have multiplied the cost many times and what is even more damaging to our society, we are straining beyond the proper limits our relative small supply of scientists and technicians.

I think that strain on our scientific and technical manpower capacity is by far the most important point.

I ask unanimous consent that a column entitled "Purifying the Moon Project" by Walter Lippmann be printed at this point in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

PURIFYING THE MOON PROJECT

(By Walter Lippmann)

The President has made his suggestion of collaboration in going to the moon at a time when there is some improvement in U.S.S.R.-U.S.A. relations. It happens also to be a time when there is a growing doubt among American scientists and among the people generally about the commitment to put an American man on the moon by the year 1970.

The President's proposal at the U.N. is, it seems to me, excellent even if the joint effort proves to be technically and politically impracticable. It is excellent because it may offer an honorable way to correct the mistakes of our original commitments about going to the moon.

There were two big mistakes. One was the commitment to put a man, living person rather than instruments, on the moon.

The other mistake was to set a deadline—1970—when the man was to land on the moon.

These two mistakes have transformed what is an immensely fascinating scientific experiment into a morbid and vulgar stunt. The use of living men rather than instruments has given a gruesome color to the whole enterprise which is akin to that of the circus performer who shoots a flower out of his daughter's mouth. For this is showmanship and not science, and it contaminates the whole affair. We shall be back in the realm of honest science when we proclaim as our objective the landing and orbiting of instruments which can send back exact data.

The setting of 1970 as a target date turned the enterprise into a race in which the objective is not to explore the heavens but to be one up on the Russians. By fixing a date, by making it a race, we are not only prostituting the nature of the scientific effort but are distorting it. We have multiplied the cost many times, and what is even more damaging to our society, we are straining beyond the proper limits our relatively small supply of scientists and technicians. Not since the Pharaohs built the pyramids has a society devoted such gigantic sums to a purpose which has almost nothing to do with its security or its welfare.

And yet the exploration of space will bring a new understanding of the universe and of life, and this is a noble end for which to work. But all this will be done best—all this, it may be, can be done only—if the impulses of the project are purified, if they are cleansed of showmanship, chauvinism, and morbid commercialism. Opening up the heavens is too big an enterprise to be mixed with concern about which nation gets the first headlines and the biggest ones.

As I see it, the best way to purify the moon project is to do what the President has suggested, to work out with the Soviet Union at least a common program with growing exchange of scientific data and increasing consultation. It does not matter much whether the first trip to the moon is made by an American astronaut and a Soviet astronette. What does matter is that we should agree to treat our separate efforts as a scientific and not as a cold war operation.

UNIVERSITY OF WISCONSIN LEADS NATION IN PH. D.'S

Mr. PROXMIRE. Mr. President, In Wisconsin we are very proud of the University of Wisconsin's excellent graduate school and the fine record of its graduate students. A recent study showed that the University of Wisconsin has produced more Ph. D.'s in the last 10 years than any other university in America.

I ask uninimous consent that an article entitled "University of Wisconsin Leads Ph. D. Field," published in the Milwaukee Journal, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNIVERSITY OF WISCONSIN LEADS PH. D. FIELD—10-YEAR TOTAL TOPS ALL OTHER SCHOOLS, ENROLLMENT GROWS

MADISON, WIS.—The University of Wisconsin granted the largest number of doctorates of any university in the last 10 years, John Willard, former graduate school dean, said Thursday. The University of Wisconsin total was 3,729 for that period.

Willard said that the research and education programs of the graduate school nearly doubled in the last 5 years, with enrollment growing from 3,860 in 1958–59 to 5,134 in 1962–63.

In addition to expansion of traditional academic fields, the graduate school faculty approved new programs or formalized experimental programs for doctorate degrees in mass communications, meteorology, molecular biology, forestry and forest products, educational psychology, educational administration, music and numerical analysis, according to the report.

New educational programs approved on an experimental basis include men's physical education, Buddhist studies, medical genetics and oceanography and limnology.

Funds for basic research allocated from the graduate school committee grew from $1,674,940 5 years ago to $2,193,484 allocated in 1962–63. Of the latter sum, $1,678,559 was provided by the Wisconsin Alumni Research Foundation, $414,935 by the State, and $50,000 from the National Science Foundation.

Funds available for fellowships, also administered through the graduate school, showed a marked rise, increasing from $400,000 in 1958–59 to $1,300,000 in 1962–63.

LOADED DICE

Mr. YOUNG of Ohio. Mr. President, one of the most important urban renewal proposals in our Nation now under active consideration is the Erieview project in Cleveland, Ohio. This project involves over $10 million of Federal grants and over $33 million of Federal loans. It covers an area of 96 acres of the heart of that great city, which presently is in danger of serious deterioration.

This project was initiated under the leadership of Mayor Anthony J. Celebrezze, five-term mayor of Cleveland and now Secretary of Health, Education, and Welfare. It has the strong support of the present outstanding mayor of Cleveland, Ralph S. Locher, and of both of that city's nationally known and very great newspapers, the Cleveland Press and the Plain Dealer. Civic leaders of my home city, Cleveland, have been almost unanimous in their endorsement.

Earlier this year the General Accounting Office issued a scathing report criticizing the Erieview project. As a result, work toward its fulfillment faltered. It has now come to light that the General Accounting Office official who wrote the report, Marion R. Beeman, has admitted that he was "somewhat prejudiced" against Erieview before he even began the investigation which led to the critical report. A finance man all his life, Beeman has no background in city planning or in urban renewal. There is no reason whatever why his views should carry weight. He resigned as head of the Cleveland Regional General Accounting Office last May. His statements since then reveal that he allowed his own personal bias and prejudice and those of his associates to influence his opinion in the report he prepared for the General Accounting Office.

Mr. President, I have studied the report thoroughly and some of the suggestions merit further consideration, particularly those regarding the classification of substandard buildings. However, it appears to me to be unconscionable that one Government employee whose mind was closed and biased should jeopardize the future development of a great city just because he happens to feel that a particular project is too big, or because we want to "shake up" another Government agency, in this case the Housing and Home Finance Agency.

The General Accounting Office is an agency of the Congress. We should be able to rely on the opinion and judgment of its officials. There may be room for improvement of the Erieview project, and its sponsors are always open to constructive suggestions and at all times willing to listen to knowledgeable citizens. However, the determination of this should be left to unbiased experts in the field of city planning and urban renewal and not on the personal whim of an inexperienced career bureaucrat in a regional Government office. In this instance, the cards were stacked against Erieview before this so-called public official, or recently resigned official, even began his investigation.

Mr. President, in the Cleveland Press of September 29, 1963, there appeared an excellent article by Paul Lilley entitled "Erieview Critic Admits Prejudice." Paul Lilley, who is an outstanding reporter, exceedingly well respected in my home city, is to be congratulated on bringing this intolerable situation to the attention of the public. An editorial in that great newspaper, The Cleveland Press, on September 24, 1963, entitled "The Dice Were Loaded" further commented on this sad case of bureaucratic meddling. I commend these statements to my colleagues and ask unanimous consent that they be printed in the RECORD at this point as part of my remarks.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

[From the Cleveland (Ohio) Press,
Sept. 23, 1963]

ERIEVIEW CRITIC ADMITS PREJUDICE

(By Paul Lilley)

The General Accounting Office official who wrote the report criticizing Cleveland's Erieview project today said:

He was somewhat prejudiced against the project even before he started the investigation that led to the critical report.

The intent of the investigation and the report was to shake up the Housing and Home Finance Agency which supplies the funds for urban renewal projects throughout the country.

These statements were made by Marion R. Beeman, 67, who resigned as head of the GAO office here in May after he completed the report that has revived opposition in some quarters to Cleveland's $250 million downtown rebuilding program.

Beeman was interviewed in his home in Moreland Hills. He said:

"I was head of the Cleveland office for the GAO 2 years ago when we were checking into slum clearance spending in the St. Vincent Center urban renewal project.

"The boys in the office and myself commented on the Erieview project. We thought the project too big in size. We wondered how the Housing and Home Finance Agency and the Urban Renewal Administration in Washington could authorize so much demolition.

"We questioned whether the Erieview project would attract the private development and the interest for downtown living as the plan proposed.

"We had talked to real estate men and property owners and there was a lot of violent thinking about the project.

"We questioned the magnitude of the project and the wisdom of tearing down a lot of buildings on the city's hope that developers would rush in overnight and redevelop the area with new apartment and office buildings.

"We thought that if we could get permission to look into Erieview, we might come up with an interesting story—one that would shake up HHFA.

"We got authorization to check into the project 'as we saw fit.' We did.

"I may have been a little prejudiced against Erieview even before we started but we wanted to find out if the HHFA was spending slum clearance money as Congress intended.

"There were some 40 other similar projects pending. Erieview was one of the first downtown renewal projects in the country. We wanted to make HHFA think twice before it again approved a project too big to handle."

DEMOLITION APPROVED

Beeman said his investigation proved that the HHFA and the URA did approve the demolition of standard buildings in Erieview. Then he admitted that standard buildings, in some instances, must be razed to conform to an overall renewal plan.

"We are not shooting at Erieview as such, but we did want to shake up the HHFA into being more critical of similar proposals and to give them more careful attention," said Beeman.

Asked for his personal opinion of the Erieview program, Beeman commented: "If I were a downtown property owner I would consider it a bad thing. Personally, I would have broken the project into smaller projects like the Galbreath proposal and developed the area over a much longer period of time."

Asked if he thought Erieview should be stopped now and the program abandoned, Beeman said:

"The die is cast. I think the first phase of Erieview should go forward.

"There are enough prospective investors now to give the project a good start. The wisdom of the whole thing will depend upon getting new occupancies for the new buildings instead of stripping older buildings of their occupants.

"As for the second stage of Erieview—that calling for residential development—I think it should be given another look."

Beeman retired after 20 years as a Federal auditor. From 1935 to 1943, he was the State director of finance for the WPA in Nebraska.

He lives with his wife, Hughina, at 190 Meadowhill Lane, Moreland Hills.

[From the Cleveland (Ohio) Press, Sept. 24, 1963]

THE DICE WERE LOADED

In the General Accounting Office report which critized Erieview in a report to Congress, the big downtown renewal program never had a chance.

That became evident when Marion R. Beeman, who wrote the report, admitted that he was "somewhat prejudiced" against Erieview before he investigated it.

In fact, said Beeman, "the boys in the office and myself" thought Erieview was too big, doubted it could attract developers, listened to real estate men and questioned its size—all before an investigation was made.

Beeman also admits his office was out to write a report that would "shake up" the Housing and Home Finance Agency, a murky bit of interbureau warfare which just happened to be fought over Erieview.

Small wonder the GAO report was critical.

A finance man all his life, with the WPA and as a Federal auditor, Beeman has no background in city planning or in urban renewal. His competence in those areas is unclear.

At any rate, he now thinks this phase of Erieview should keep going forward. Well, that's just what it's doing, Mr. Beeman.

AUTHORIZATION FOR ADDITIONAL TIME DURING MORNING HOUR

Mr. SMATHERS. Mr. President, I ask unanimous consent that the distinguished Senator from Virginia [Mr. ROBERTSON] be permitted to proceed for an additional 15 minutes.

The PRESIDING OFFICER (Mr. BREWSTER in the chair). Without objection, it is so ordered.

EXTENSION OF THE LIFE OF THE CIVIL RIGHTS COMMISSION

Mr. ROBERTSON. Mr. President, it is anticipated that later in the day the distinguished Senator from Minnesota [Mr. HUMPHREY] will offer to the bill (H.R. 3369) an amendment which would extend the life of the Commission on Civil Rights for another year. Already the Commission has been allowed to exist 4 years more than was intended originally by the Congress and I think it is time to let it die.

When the Senate first considered the establishment of the Commission as part of the Civil Rights Act of 1957, I predicted that it would be political in nature and disruptive in its effect; that its hearings and reports could be manipulated with an eye to winning minority blocks of votes in pivotal States, and that it would lead only to harassment of the States in their efforts to administer their internal affairs.

I have seen nothing in the past 6 years to cause me to change those views; indeed I am more convinced with each passing year that the Commission does not, and cannot, serve a useful purpose, and that each extension we approve is a waste of money and a disservice to the people of the Nation.

I have not seen the report which I understand the Commission issued today. We were informed that it would not be released until noon. I have had no opportunity to read it. But I understand that the report is in line with other reports which I intend briefly to discuss today. There is nothing in that report which would cause me to change my position that the Commission should not be continued.

The bias of the Commission was called to our attention by one of the original members of the Commission, former Gov. John S. Battle, of Virginia, who said the Commission's 1959 report "is not an impartial factual statement, such as I believe to have been the intent of Congress, but, rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations."

When the Civil Rights Commission was originally established, it was claimed it would be a factfinding body which would do a temporary job, investigating charges of violations of civil rights and assembling impartially weighed evidence which would be useful when proposals for future legislation in this field were considered.

But the Commission has been neither temporary, impartial, nor factual. Its life was extended in 1959 for 2 more years and a former president of the American Bar Association, John C. Satterfield, was appointed as a member. He has charged that the Commission's 1961 report represented a deliberate deception of the people of the United States.

In a speech earlier this year at Rutgers University, Mr. Satterfield said the Commission's report for 1961 "is startling to the casual reader, alarming to the careful student, and frightening to those of us who believe in the maintenance of the system of government created by the Constitution of the United States."

He concluded his analysis of the 1961 report by saying:

> Although the 1961 report of the U.S. Commission on Civil Rights contains 37 controversial recommendations, it raises one paramount issue to which the people of the United States must be alerted and which they must face squarely and courageously. The Federal Government expends directly $90 billion per year through its budget; it supervises and controls private and semipublic financial institutions with assets of $890 billion (see p. 65 of the report) through 70 grant-in-aid programs; it dictates the use of approximately one-fourth of the taxes collected and expended by all of the States. As of November 20, 1962, the first major step was taken to pervert this vast financial power to political purposes through Executive Order 11,063.

He also said:

> The burning issue in the field of civil rights today, is whether the American people will permit the executive branch of the Federal Government to pervert to political purposes this vast power in the Federal financing of homes, schools, corporations, and individuals' businesses (and eventually the subsidizing of persons by social security, unemployment compensation, veterans' and pension benefits) to bring about the political and sociological ends desired by the political parties then in power. Reasonable business conditions placed upon financing related to the purposes thereof are proper and necessary. Once the people of the United States permit the executive head of the political party then in power to pervert and misuse this financial power for political purposes, all those things which go to make up what we still fondly call our free enterprise system will become subject to despotic action of Federal personnel.
>
> After careful consideration and a full study of all six volumes of the 1961 U.S. Commission on Civil Rights report, I charge that this report was prepared and distributed to the people of the United States for the purpose of deliberately deceiving them by using the pretense of an objective study to present only those facts favorable to the desires of the political party and the pressure groups supporting this program. It was planned to conceal from the people of the United States all facts which do not support the political positions thus espoused.

This past spring the Commission continued to advocate the use of financial blackmail by recommending that the President of the United States withhold all Federal funds from the State of Mississippi until that sovereign State complied with the political and racial views of the Commission.

At the time, the President responded, quite properly, that he did not have the legal authority to withhold such funds and doubted whether it would be wise for the Congress to give him that power. I regret to say that the President now wants the Congress to give him that arbitrary power.

The Commission's recommendations were based on charges which, if true, could have been prosecuted under existing Federal laws, according to the Commission's own admission. But the Commission took the astounding position that the President would be justified in doing an unconstitutional thing to enforce what the Commission claimed to be a constitutional right.

I cannot see any valid reason to continue such an agency any longer than is required for it to file its final report and wind up its affairs. The Commission is scheduled to expire tonight and then it will have 60 days to conclude its business. That should be sufficient.

I respectfully submit that the methods and purposes of the Commission do not justify its continuation. It has done more harm than good, its recommendations have been inflammatory and unsound, and it is certainly one of the temporary Federal agencies we could very well terminate here and now.

Should this Congress vote to continue this unnecessary Federal agency it will be the prelude to an effort to confer upon it the powers covered in title V of the President's omnibus civil rights bill and to increase the quid pro quo of its patriotic and unselfish efforts by $25 per day. Section 104(a) of that title reads as follows:

> The Commission shall—
>
> 1. Investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;
>
> 2. Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution;
>
> 3. Appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution; and
>
> 4. Serve as a national clearinghouse for information, and provide advice and technical assistance to Government agencies, communities, industries, organizations, or individuals in respect to equal protection of the laws, including but not limited to the fields of voting, education, housing, employment, the use of public facilities, transportation, and the administration of justice.

The section also provides that the Commission may concentrate the performance of its duties on those specified in either of the paragraphs above and provides for interim reports to the President and to the Congress, and a final and comprehensive report of its activities, findings, and recommendations.

Section 505(a) of the title provides that section 105(a) of the Civil Rights Act of 1957 (42 U.S.C. 1975(d); 71 Stat. 636) is amended by striking out in the last sentence thereof "$50 per diem" and inserting in lieu thereof "$75 per diem."

Section 506 provides that section 105 (g) of the Civil Rights Act of 1957 (42 U.S.C. 1975(g); 71 Stat. 636) is amended to read as follows:

> (g) In case of contumacy or refusal to obey a subpena any district court of the United States or the U.S. court of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

Section 507 adds a new subsection to the Civil Rights Act of 1957 at the end to read as follows:

> (i) The Commission shall have the power to make such rules and regulations as it deems necessary to carry out the purposes of this act.

Leaders of the NAACP have boastfully declared that if the conservative Senators block the passage of the President's omnibus civil rights bill, they will organize another march on Washington and it will not stop short of the Senate Chamber and the Senate offices. Senators who yield to such a threat may well remember what happened to the democracy of Rome under similar circumstances.

In his monumental work "The Decline and Fall of the Roman Empire," the British historian, Gibbon, said that the end of democracy in Rome was marked by the action of Caesar when, to pass through the Senate a so-called land bill that would distribute the public lands to the poor, whose vote Caesar was seeking, he told the Senate that he would invite a mob into the Forum to beat up recalcitrant Senators if they did not pass his bill.

That incident is referred to on page 206 of the outstanding biography of Caesar entitled "Life of Caesar" by the Italian historian Guglielmo Ferrero:

> Caesar was patient for some time, while Calenus, who was Praetor, and Publius Vatinius, an obscure political adventurer who was Tribune, proposed reforms in the law regulating the courts. At length, seeing that neither Crassus nor himself would be successful in securing that the bill should be discussed by the Senate, Caesar declared that he would simply have it proposed to the electors. This caused a great sensation. With the assistance of Cato and the Conservatives, Bibulus entered into a violent campaign of obstruction on religious grounds to prevent the meeting of the people. Caesar's patience broke down, and he began to work upon the feelings of his supporters. Finally, after doing all he could to win Bibulus to his side, he played his trump card. He appealed openly to Crassus and Pompey for their help. Crassus and Pompey came down to the Forum and declared that the factious obstruction of the Conservatives must be broken down by force if persuasion proved insufficient. On this the Bill was approved amidst a scene of tumultuous excitement. A clause added at the last moment forced the Senators to swear that they would faithfully observe it.

As President Kennedy said on a historic occasion, "Let us never negotiate out of fear."

FREDERICK HALE, OF MAINE

Mrs. SMITH. Mr. President, it is with deep regret that I inform the Senate of the death of one of its former Members, Frederick Hale, of Maine. Senator Hale was one of my best friends. He gave me counsel and support that was invaluable. But more important was his friendship, his understanding, and his words of kindness to me at difficult times.

Only five of the present Members were in the Senate while Senator Hale was a Member. No Republican in today's membership served with Senator Hale. He became a Member of the Senate 10 years prior to the time that the most senior Member of the Senate today first took his oath of office as a Senator.

Senator Hale's service in the Senate included chairmanship of the most important committee of the Senate, the Appropriations Committee, as well as the Naval Affairs Committee. This was of very special interest to me because as a Member of the House of Representatives I served on the Naval Affairs Committee of that body and now serve on the Senate Appropriations Committee and the Senate Armed Services Committee. I like to think that at least in some small degree I followed in his footsteps and emulated him.

He was one of Maine's most illustrious sons, bringing great honor to the State that he represented in the Senate. As a report in yesterday's Washington Sunday Star states, he said:

> The people are not interested in promises. What they want is accomplishment.

I think that I must have had this in mind subconsciously when I first ran for the Senate on the campaign theme of "Don't Trade a Record for a Promise."

At a later date, I shall speak at greater length about Senator Frederick Hale. I ask unanimous consent to place in the body of the Record at this point articles of the Washington Sunday Star of September 29, 1963, and the Washington Sunday Post of the same date with respect to him:

There being no objection, the articles were ordered to be printed in the Record, as follows:

Frederick Hale Dies; Veteran Maine Senator

Former Senator Frederick Hale, of Maine, 88, who resigned from the Senate in 1941 because he no longer felt in tune with the politics and legislation of the day, died yesterday at his home at Portland, Maine.

During his four consecutive terms in the Senate, the Republican was an uncompromising personality who fought the New Deal but supported President Roosevelt's foreign policy.

Senator Hale was known for his opposition to vote deals and for his refusal to offer exorbitant promises to his constituents at election time.

"The people are not interested in promises," he said. "What they want is accomplishment."

LIVED IN MANSION

Erect and military in bearing, Senator Hale was one of the city's most eligible bachelors. He lived here in a 16th Street mansion.

Born in Detroit, while his mother was visiting her parents, he was the son of Eugene Hale, who represented Maine in the U.S. Senate from 1881 to 1911, a record for continuous service at the time.

Frederick Hale's paternal grandfather, Zachariah Chandler, was also a Senator. Senator Chandler represented Michigan from 1858 to 1875 and was Secretary of the Interior in President Grant's Cabinet.

Senator Hale developed an extensive and lucrative law practice in Portland, but was drawn into politics and was first elected Senator in 1916.

In February 1919, while the Versailles peace conference was in session, he made a noted speech calling for the immediate withdrawal of all American troops from Europe lest the United States become further involved in old world problems.

He had supported the war policy of the Wilson administration but, fearing further entanglements, he voted for the Lodge reservations to American membership in the League of Nations.

Between the wars, he advocated a big Navy and supported President Roosevelt's naval expansion.

He was so opposed to the practices of trading votes that he refused to vote for a project in northern Florida in 1936 and thus lost southern Democratic votes for a tidal power project of vital interest to his own State.

RANKING REPUBLICAN

By virtue of his long tenure, he became ranking Republican in the Senate, as his father also had been.

But, he said, "24 years in the Senate is long enough. It will be better if some younger man takes my place."

An outdoorsman, he continued in excellent health. In his seventies, he played golf almost daily in the summer in Portland, and in the winter turned to Florida courses.

He emerged from retirement in 1943 to lead a successful Portland Red Cross drive in World War II.

A first cousin, Robert Hale of Portland, carried on the family tradition of service on Capitol Hill by representing Maine for eight terms in the House. He lost a reelection bid in 1958, but continues to live here. A niece, Mrs. Howland Chase, also resides here. There are no close survivors.

Funeral services have been planned for 2 p.m. Tuesday at the State Street Chapel in Portland.

Ex-Senator Hale of Maine Dead at 88

Portland, Maine, September 28.—Former Republican Senator from Maine, Frederick Hale, who served four consecutive terms before his retirement in 1941, died today at his home after a long illness. He was 88.

Mr. Hale, who was first elected to the Senate in 1916, was the ranking Republican Member at the time of his retirement. His 24 years of service also closed out a family dynasty in the Senate dating back to 1858.

Mr. Hale's father, Eugene, served 30 years—a record at that time—from 1881 to 1911. His maternal grandfather, Zacharian Chandler, was Senator from Michigan from 1858 to 1875.

During his years at the Capitol, Senator Hale was a "big Navy" advocate and worked during the years of peace to build a U.S. Navy second to none.

He supported much of President Franklin D. Roosevelt's foreign policy, in addition to the administration's naval program, but on domestic issues he differed sharply with the Democratic Chief Executive.

Hale was born in Detroit, October 7, 1874. He was graduated from Harvard and attended Columbia University Law School.

He practiced law in Portland for several years and in 1905 was elected to the Maine Legislature. He returned to the law after one term but kept up interest in party affairs and was Republican national committeeman from Maine from 1912 to 1918.

A first cousin of Mr. Hale's, Robert Hale of Portland continued the family tradition on Capitol Hill by representing Maine for eight consecutive terms in the House before losing a reelection bid in 1958.

Frederick Hale was a bachelor. Surviving relatives, in addition to Robert Hale, who now lives in Washington, D.C., include another cousin, Mrs. Phillip Clifford of Portland, and a niece, Mrs. Howland Chase, of Washington, D.C.

POINT-BY-POINT DEFENSE OF PROXMIRE DAIRY BILL

Mr. PROXMIRE. Mr. President, Mr. Robert J. Williams, of the Wisconsin Dairies Cooperative, has written me a strong, detailed criticism of my dairy bill, S. 1915.

Since the Senate is expected to consider the bill within the next few days, I ask unanimous consent that this letter, together with a point-by-point answer of each of Mr. Williams' criticisms, be printed in the Record.

There being no objection, the letter and reply were ordered to be printed in the Record, as follows:

Wisconsin Dairies Cooperative,
Union Center, Wis., August 30, 1963.

Hon. William Proxmire,
Senate Office Building,
Washington, D.C.

Dear Senator Proxmire: It has been brought to my attention that the Proxmire class I base bill (S. 1915) will be considered in the Senate September 3 or 4.

Although purported to be desirable from the standpoint of the fluid milk interests operating under Federal marketing orders, it actually is not in the long-term best interests of the dairy industry as a whole; nor the consuming public. This conclusion stems from the following facts.

1. The new subparagraph (H) of the bill says "Notwithstanding any other provision of this section,". This essentially means "in spite of" or "an obstacle to the implementation of paragraph 8C (5)(A) through (G)(H) will overrule in determining how the Agricultural Adjustment Act of 1937, as amended, will be administered and legally interpreted.

2. In effect (A) through (G) would be non-effective whenever a conflict arose in interpretation or administration of subparagraph (H). This means that 8c(5)(G) which provides: "No marketing agreement or order applicable to milk, and its products in any marketing area shall prohibit or in any manner limit, in the case of the products of milk, the marketing in that area of any milk or product thereof in any production area of the United States." will no longer limit the Secretary's powers to prevent him from establishing "trade barriers." (See pp. 16–21 of the Supreme Court decision *"Lehigh Valley Cooperative Farmers, Inc., et al., Petitioners* v. *United States et al.* dated June 4, 1962. The above section and the subsequent interpretation thereof was largely the basis for eliminating the down allocation and compensatory payment provisions which were interpreted as restrictions to the free flow of milk and milk products.

3. Therefore bill S. 1915 would legalize restrictions via the class I base plan.

4. Such restriction to the movement of milk would have the following results:

(a) It would prevent the free flow of milk between production and consumption areas. It would prevent producers located in the various regions of the United States from competing for higher priced fluid markets on a free and equitable basis.

(b) It would allow class I prices to rise to exorbitant levels in high cost of production areas at the expense of consumers in these areas. In no case should the class I price in Federal orders differ more than the cost of transporting milk from alternative sources.

(c) It would provide a legal basis for allowing inequitable treatment of producers under a Federal order system which is national in scope.

(d) It would insulate fluid producers located in high cost of production areas from the competition of more efficient areas of production. In short it would legalize an economic trade barrier of the most flagrant type.

5. Furthermore in spite of all the wrong it could do, the bill would be relatively ineffective in accomplishing its primary objective; namely, that of cutting milk production in Federal order markets. There are no areas where the variable costs of producing milk are higher than the lowest class price. To put it another way: producers will not cut back production unless the marginal costs of production exceeds the lowest class price. In either of the above cases the producer would continue to produce milk as long as the lowest class price was sufficiently high to help pay for his fixed cost of production such as machinery, equipment, buildings, interest on investment, etc. Any such bill, to cut production in Federal order markets, would have to incorporate an excess price, far below the level of price of the lowest class use.

6. Page 2, lines 6 and 7 includes within the base "reserves of milk as may be found essential thereto." Many markets are on a 3- or 4-day bottling schedule.

This means that as the bottling week shortens the necessary reserves in the market could be interpreted to mean as high as 50 percent above fluid milk requirements. With the technological advancements in transportation the interpretation of necessary reserves should include supplies available from alternative sources. The bill as written would not only protect the producers within each Federal order from outside competition, but would allow for protected increases in production far above the level of production presently in most orders.

7. Page 3, line 11, states that bases are transferable. This particular provision would result in values being attached to bases with their subsequent sale to the highest bidders, or producers under orders which can do the best job of gaging the highest class I prices from their consumers.

In summary the bill entitled S. 1915 would reverse the Supreme Court decision, disadvantage the consumer and in the long run the dairy producers including those producers the bill was designed to help.

Your thoughtful consideration and opposition to this bill would be greatly appreciated.

Very sincerely yours,
Robert J. Williams,
Public Relations and
Procurement Director.

P.S. This letter is in behalf of Wisconsin Dairies Cooperative which is the second largest in Wisconsin and Dairy Maid Products, Eau Claire, which is a federation of cooperatives with a total farmer membership of 21,000.

Mr. Robert J. Williams,
Public Relations and Procurement Director,
Wisconsin Dairies Cooperative,
Union Center, Wis.

Dear Mr. Williams: This is with further reference to your mimeographed letter of August 30 in which you commented on the provisions of S. 1915. Your comments are, of course, sincerely appreciated, but lead me to believe that you may not have a complete understanding of the bill or a misconception of the legal effect of the introductory clause of proposed new paragraph (H) reading "Notwithstanding any other provision of this section."

Your letter appears to be concerned that S. 1915 would in some way not explained authorize barriers to the intermarket movement of milk and that the clause above referred to would have the effect of repealing or rendering ineffective for other purposes paragraph 8c(5)(G) of the Agricultural Market Agreement Act of 1937. Paragraph (G) relates to prohibitions or limitations on the intermarket movement of milk and dairy products. This, it is argued, would set aside the Supreme Court decision in the Lehigh case (370 U.S. 76), result in isolation of markets, and produce a list of ills attributable to the imagined isolation of markets.

S. 1957, as you know, relates only to the distribution of the proceeds of the sale of their own milk among the dairy farmers supplying a Federal milk marketing order. It does not preserve for local producers any share of the market nor restrict in any way the intermarket movement of milk or dairy products.

The entry of outside milk into a market would remain as it is under the present law. Thus the percentage of the market supplied by local producer milk would vary with market conditions and other factors just as it does now. S. 1915 would apply only to the distribution of whatever part of the market sales in any particular month came from milk supplied by producers under the order.

These proceeds would be distributed in such a way that the classified pricing system and the blending of returns in effect would be carried to the individual farmer. In general, the farmer would receive a higher return for milk in his allotment of the Class I sales and the lower return for any additional milk marketed. A combination of these price returns would represent his gross return for milk marketed. If the farmer decreased marketing, the decreased volume would come out of the lower priced milk. If he increased marketing, the increase would return only the lower price.

This provides an incentive to decrease marketing and a deterrent to increased marketing which does not exist in the present distribution method. What the bill would do is to enable individual farmers to adjust their marketings more nearly to the market without having their efforts offset by the action of other farmers.

To this extent, the bill is in the interest of manufacturing milk producers, because it would tend to reduce the production of manufacturing milk by fluid milk producers in the Federal order markets.

No claim is, or ever has been made that S. 1915 would greatly reduce milk marketings or solve the problem of surplus milk. But it will provide some incentive to individual farmers to adjust their own marketings, and it is a step in the right direction which can be taken now without adversely affecting any area or group.

That the bill would not restrict the free movement of milk is further indicated by the many safeguards which it provides for new producers who may want to enter a market where provisions under the bill may be in effect. Actually, the bill leans over backward to preserve the free movement of milk and producers between markets. These provisions were written, as you are well aware, because of my concern that manufacturing milk producers be fully protected.

Turning now to the introductory clause of proposed new paragraph (H), this would do just exactly what it says and no more. It would permit the new distribution method described above to be used notwithstanding any other provision of section 8c. This is merely a general exception used to avoid listing specific exceptions as some earlier drafts did. An exception is necessary because the method of distribution authorized by paragraph (H) is somewhat different than the distribution provisions of 8c(5)(B) and there are other minor modifications such as the appeal procedure.

Actually this exception does not affect paragraph 8c(5)(G) at all, because new paragraph (H) does not contain any prohibitions or limitations on the intermarket movement of milk. As the committee report points out, S. 1915 "* * * deals only with apportionment of proceeds among producers" (p. 1) and "The committee wanted to be sure that the allotment provisions would not be a barrier to the movement of milk from any part of the country into the order market" (p. 8).

Furthermore, the bill spells out the way in which producers from other areas can enter a market where the base plan is in effect. This, of course, is not done under the present law and would be, it seems, quite an advanced step for those who believe they are producing milk for manufactured milk purposes but who actually would like to deliver milk to federally regulated markets.

As to the argument that the exception would repeal paragraph 8c(5)(G) or render it ineffective for other purposes such as preventing trade barriers, this is merely a legal misconception which is entirely without foundation. There is nothing whatever in the bill which would justify such an erroneous legal conclusion.

Apparently, you made no effort to check the conclusions in your letter with the Department of Agriculture or with the general counsel's office of the Department. The Department will administer paragraph (H) if it is enacted, and a check there would have revealed that the statements and conclusions in the letter are without foundation.

Paragraph No. 6 of the letter argues that allocation of Class I sales plus a reserve would allow for protected increases in production. There is no protection for local production in S. 1915 either in reserves or otherwise.

Paragraph No. 7 expressed concern over transfer of bases. Adequate safeguards are provided in the bill and transfers would be permitted on in the best interests of the public, existing producers, and prospective new producers.

Other paragraphs of the letter are based on the erroneous conclusion that S. 1915 would restrict intermarket movement of milk which, of course, it would not.

To summarize, S. 1915 would clarify the authority of the Secretary of Agriculture to use this type of a base plan in the distribution of the proceeds of the sale of producer milk.

The committee report states, page 2, "While the committee feels that this (the present law) clearly authorizes apportionment of the proceeds for the milk on the basis of marketings during a representative period, the Department of Agriculture has questioned its authority to apply this adjustment factor except for the limited purpose of eliminating violent seasonal fluctuations. This bill is designed to remove such question and specify one manner in which such authority may be exercised."

One of the things I would like to emphasize in connection with this bill is the great effort that has been made by me, the National Milk Producers Federation, and the Department of Agriculture to be sure that the Dairymen's Class I Base Plan would not operate unfairly as to any group of dairymen or any production area.

If I can be of further help in any way, please let me know.

Sincerely,

William Proxmire,
United States Senate.

MILWAUKEE JOURNAL CITES THE WARREN COURT'S 10TH ANNIVERSARY

Mr. PROXMIRE. Mr. President, the Milwaukee Journal yesterday carried a remarkable editorial praising the anniversary of 10 years of the so-called Warren court, the court presided over by Earl Warren as Chief Justice, who has had a most notable and impressive record.

Too few Americans realize the great contribution the Warren court has made, as the Milwaukee Journal points out, to the real business of this country—the achievement of greater freedom for all our citizens.

This is such a remarkable editorial that I hope other Members of the Senate will have occasion to peruse it. Chief Justice Warren has been the butt of a great deal of grossly unfair and uninformed criticism. He has become controversial. But this decent, unusually wise man deserves praise. I am glad the Milwaukee Journal has given his court and Chief Justice Warren personal recognition. The Chief Justice is a remarkably wholesome American.

I ask unanimous consent that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Decade of the Warren Court

Ten years ago tomorrow, in perhaps the happiest inspiration of his Presidency, Dwight Eisenhower appointed Earl Warren Chief Justice of the United States. As "the Warren court" now enters its second decade, Court historians are already according him future rank as "one of the great Chief Justices."

Certain it is, at any rate, that the Court with his vote and his leadership has more profoundly influenced and shaped the course of individual human affairs than in any equal period of time before. It has been the great liberal Court not in any political sense but in the word root sense that "liber" means free.

Much or most of the record might have been written under another than Earl Warren, to be sure. The Court in this period just happened to be hit by an accumulation of problems of human liberty—which is the great business of America—that other branches of Government had been creating or sweeping under the rug. But Warren is the man it happened to, and the record came out shining.

Warren's accession came just as the Court was being forced out of its historic role as a brake on the other branches and having to take the lead, not by its choice but by their default, in the renewal of freedom. The times impelled it to become "the most important force for social change in the United States today."

The first and greatest theme of the Warren court has been, of course, that racial segregation in public schools, and wherever else cases have come up, is not constitutional equality. The right to equal protection of the laws is at least attaining its fullest meaning.

Under the equal protection clause also, the Warren court has made the right to fair representation in State legislatures enforceable. This writes completely new constitutional history. Uniquely, it comes to the aid not of minority or individual rights but of majority rights.

The Court has earnestly tried twice, with great difficulty, to teach that the first amendment has to mean at least that Government shall not prescribe religious practices, and that this meaning is in the interest not only of persons with conflicting faiths or no faiths, but of religion itself.

The Court has done much to restore the neglected right of accused persons to have counsel. It has put new strength in the guarantee against unreasonable searches and seizures. It has enlarged the access to Federal habeas corpus against State and local injustice. It has upheld the right to travel.

It has bulwarked the heart of due process. A convicted person, for instance, may not lose the right of appeal for lack of funds. A suspect may not be protractedly grilled by police before arraignment. A conviction will not stand if Government documents pertinent to the defense are withheld. Prosecution for Communist activity is no less bound by strict requirements of proof than any other criminal action.

The Court has disciplined Congress in the excesses and abuses of its investigative function. There must be, for instance, a legislative purpose, not mere exposure of persons for exposure's sake. A contempt penalty will not stand for refusal to answer a committee that was violating its own rules. A civil servant is no less entitled to correct firing procedure because a rampaging Senator wants his scalp.

In all this, and more, the Court has been focusing its concern not on abstractions and generalities but on people. As the Constitution basically was meant to stand between the people and their Government, so this Court has stood, "against the assaults of opportunism, the expediency of the passing hour, the erosion of small encroachments."

Even if it was coincidence, it was under Chief Justice Warren that the Court did enter a distince new era. His name and mark are upon its noble work of making America practice what it preaches, making freedom mean what it says.

WE SELL RUSSIA THE ROPE TO HANG US

Mr. PROXMIRE. Mr. President, a cartoon in this morning's Washington Post was most appropriate. It is a drawing of an executive at a telephone. Behind him is a sign, "Wheat Producers, Inc." The executive is making a telephone call, and the words in the cartoon show that he is saying, "Wait a minute—did you say those atheistic warmongers are willing to pay cash?"

It seems to me this is a most eloquent commentary on our weakness and blindness in preparing to provide assistance to the Soviet Union in its serious economic need, a sale of wheat to the Soviet Union when they constitute the greatest threat to our freedom.

I ask unanimous consent to have printed at this point in the Record a short article by the Associated Press showing that Cargill, Inc., probably the Nation's largest grain processors and shippers, will have nothing to do with shipping wheat to the Soviet Union. I think they should be commended for it.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Cargill Won't Share in Soviet Grain Deal

Minneapolis, September 29.—Cargill, Inc., grain processors and shippers, said today it has notified American grain interests conducting talks with the Russians in Ottawa that Cargill does not wish to be involved in the proposed arrangements.

E. E. Kelm, president of Cargill, was referring to talks reported earlier this week between American traders and the Russians as a followup to Canada's $500 million wheat deal with the Soviets.

CAPITAL TIMES HIGHLIGHTS HANDOUT IN TAX CUT

Mr. PROXMIRE. Mr. President, section 202 of the tax cut bill, H.R. 8363, would make a number of liberalizing changes in the investment credit.

First, the bill provides that in the case of utilities companies eligible for the 7-percent credit—usually transportation companies—regulatory agencies of the Federal Government, especially the ICC, could not force the companies to reflect the reductions in taxes over the investment credit as a reduction in cost for ratemaking purposes.

The second feature of this provision is that the same restriction would also apply to regulatory agencies, especially the FPC and FCC, in the case of utility companies eligible for a 3-percent investment credit; that is, communications and electric power companies.

This is one of the most extreme proposals in the bill. Taxes have always been viewed as an element of cost in computing utility rates. Thus, any reduction in taxes should be viewed as a reduction in cost.

One alleged advantage of the investment credit is that the reduction in taxes can be passed on to consumers generally and therefore increase aggregate demand for products. This is being precluded by section 202 of the bill.

Another alleged change of the investment credit is that it provides additional funds for investment. However, since utilities by definition are operating at optimum levels of capacity, additional retained earnings are least likely to result in increased investment in the case of utilities.

Senators should also note that section 202 of the bill also liberalizes the investment credit in two other ways.

First, the investment credit was somewhat crippled last year by the so-called Long amendment, which required the depreciation base to be reduced by the amount of the investment credit. This Long amendment would be repealed by section 202, and it is my understanding that Senator Russell Long is going along with this.

The investment credit is also expanded by the bill to apply to escalators and elevators. This is just one more example of how a new loophole gradually gets broadened in the tax law.

Mr. President, the Capital Times of Madison is perhaps the only paper in the Nation that has called attention to this giveaway. I ask unanimous consent that the article reporting the "tax bill sleeper" and the editorial commenting on it be printed in the Record at this point.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

[From the Capital Times, Sept. 23, 1963]

Utilities To Get Big Windfall—Tax Bill "Sleeper" Costly to Consumers

The tax bill coming up in the House this week contains a sleeper provision that will cost gas, electricity, and phone users about $287 million next year.

This information comes from the Electric Consumers Information Committee, a consumer-protection group that has stubbornly fought the Nation's big private utility interests.

The provision, originally introduced as an independent bill, but now buried within the entire tax package, pretends to be a simple modification of last year's investment credit law, the ECIC points out.

It would prevent regulatory agencies from recognizing the tax savings obtained by the investment credits when the agencies calculate utility profits and subsequent consumer rates.

Boiled down, this means that consumers will pay rates based on "phantom taxes" that exaggerate the actual cost of providing the service.

The investment credit law enacted in 1962 kicks back tax savings of from 3 to 7 percent of new capital investments made by privately owned utilities and other industries.

Since private power utilities will invest an estimated $3.5 billion in new plants and equipment this year, their tax loads will be reduced by $105 million—which won't be passed on to consumers.

Since local gas utilities will invest an estimated $880 million, they'll save about $26.4 million, which won't be passed on to consumers.

Gas pipeline utilities will invest $940 million, and will save $68.5 million, which won't be passed on to the local utilities they serve, or to the eventual customers.

Telephone utilities will invest $3 billion, and save $90 million, which won't be passed on to consumers.

The total $287 million in savings that the public will be paying for. The utilities can use the money for other purposes. Dividends, for instance.

In justifying the bill, the House Ways and Means Committee argued that the purpose of the investment credit law was to encourage investments.

The ECIC refutes this by challenging the need for incentive by utilities dedicated to serve the public. If more facilities are needed, the companies are dutybound to expand to meet the need, the ECIC says.

As Representative Al Ullman, of Oregon, said last year, "In view of the fact that utilities are regulated monopolies with guaranteed rates of return and with a utility responsibility to provide all the investment needed to meet demand, I can see absolutely no reason for offering them a tax incentive to do what they are required to do anyway."

The provisions enabling the privately owned utilities to avoid sharing their tax windfalls with consumers are contained in section 202(e) of the new tax bill.

Originally, the proposed legislation came as a separate bill, H.R. 7111. At that time, numerous requests were made to House Ways and Means Committee to hold hearings on the bill, but none were ever held.

According to the ECIC, the Federal Power Commission gave its views on the bill to the

Ways and Means Committee, but the report was never made public.

Another regulatory agency, the Federal Communications Commission, voted 3 to 2 in favor of a "flow through" policy—the passing on of the tax savings to the consumer public.

But, apparently bowing to pressure, the FCC later announced it was suspending that decision.

The ECIC has urged the public to contact its representatives, urging them to vote for deletion of section 202(e).

[From the Capital Times, Sept. 23, 1963]

CONSUMERS TO PAY FOR HUGE TAX WINDFALL FOR UTILITIES

On page 31 in today's issue of the Capital Times will be found a story giving the details of one of the most brazen pieces of special interest legislation that has been introduced in Congress in recent years.

According to the Electric Consumers Information Committee, the tax bill that is coming up in Congress this week contains a "sleeper" provision that would cost customers of private utilities about $287 million next year.

The method by which this would be done is a complicated one. So far as we have been able to determine there has been no discussion whatever of this provision of the tax bill in the reams of copy which the wire services have been sending out from Washington.

Were it not for the Electric Consumers Information Committee, a watchdog of the public interest in Washington, the whole thing would have been kept quiet and the bill passed without any opposition.

Briefly, what the provision would do would be to make consumers of gas, electricity, and telephone pay rates based on "phantom taxes" that exaggerate the actual cost to the utilities of providing the service.

Under a bill passed in 1962, the private utilities are receiving kickbacks in tax savings of from 3 to 5 percent of their new capital investments. The tax bill now in Congress would prohibit governmental regulatory agencies from recognizing this tax savings in calculating permissible utility profits and rates to the consumers.

As a result, the utilities will save $287 million in taxes that the public will be paying for. The utilities will be able to use the money for any purpose they desire, including the payment of dividends.

The ECIC says that the Federal Power Commission gave its views on this provision of the tax bill to a committee of Congress, but that this testimony was never made public.

Why has this testimony been kept secret? The public has a right to know what the top regulatory agency thinks of a bill affecting tens of millions of consumers of utility service.

Congress should knock this special interest feature out of the tax bill.

Mr. GRUENING obtained the floor.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the able Senator from Alaska be authorized to proceed for an additional 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MUST THE ALLIANCE FOR PROGRESS BE LOST?—A PROGRAM OF DECISIVE ACTION TO SAVE IT

Mr. GRUENING. Mr. President, on August 2, 1962—almost 13 months ago—I stated on the floor of the Senate that a reexamination of the U.S. program of military assistance to Latin America was long overdue.

I demonstrated clearly at that time that:

> None of the goals of the program has been achieved—not hemisphere defense; not standardization (of weapons); not modernization; not a reduction in forces; not even that much to be desired byproduct, indoctrination of the military in their role in a modern democracy.

The recent tragic and disgraceful events in the Dominican Republic underscore the words I uttered over a year ago.

We must recall that it had been our hope to help the Dominican Republic become the showplace of the Alliance for Progress. With our help, in accordance with the principles of the charter of the Alliance, the Dominican Republic would be enabled to achieve economic and social development in the framework of freedom and democracy.

That was our hope. That was our goal. And a great goal it was.

Our dream and the dreams of the Dominican peoples were rudely shattered when the military machine—largely holdovers from the bloody and corrupt Trujillo dictatorship—aided by the police, trained with U.S. AID funds, ousted the administration of Dr. Juan Bosch, President of the Dominican Republic.

In the eyes of the free world, Dr. Bosch was more than the President of the Dominican Republic. After 31 years of corruption and dictatorship at its worst, Dr. Bosch took office a short time ago as the first President of the Dominican Republic. He was elected with full freedom of election in accordance with the new constitution of the Dominican Republic, and after an election campaign that was a model of democratic performance.

This was the administration that just had to succeed.

And, under the direction of President Bosch, the country was on the move—economically, politically, and socially. It may be true that the country was not moving ahead as fast as some would have liked. But at least President Bosch turned out to be an honest, dedicated person devoted to his country's best interests and determined to bring about economic and social progress in his country.

Some say of him that he is a poor administrator; that he has not learned the administrator's art of delegating authority. Fortunately, Mr. President, that is not a fatal defect in any head of state in any country. Some of the great Presidents of our own country have had an inability to delegate authority. And in the Dominican Republic, after 31 years of corruption and atrophying dictatorship, there can be understanding of the reluctance of the first constitutionally elected President to keep matters within his own ken during the political days of his administration. Besides this is wholly irrelevant: The principle of not condoning the military overthrowing of a legally constituted government is at stake.

Others say of him that he is penurious; that he balanced his country's budget; that he paid off his indebtedness to the World Bank ahead of time; that he reduced his private indebtednesses.

I submit, Mr. President, that this is exactly the type of administrator which this country would hope to have in a nation destined to be a showcase of the Alliance for Progress.

But Dr. Bosch's efforts have been interrupted. He has been ousted by a military coup.

The charge is made by the gangsters who overthrew him that Dr. Bosch was "soft on communism." This is invariably the pretense of every would-be dictator, crook, or scoundrel who seeks U.S. support, recognition, and U.S. financial aid. Unfortunately, we have in the past been seduced by such allegations.

The fact remains, Mr. President, that Dr. Bosch was the constitutionally elected President of the Dominican Republic. The military opportunists who ousted him acted entirely outside the constitution of the Dominican Republic. They acted to further their own political ambitions.

They must not be permitted to reap the advantages of their ill-considered actions. This is the point at which the United States must draw the line. Here we must stand firm if there is to be any hope at all for the future of the Alliance for Progress. The U.S. Coordinator of the Alliance for Progress, Mr. Teodoro Moscoso, has called the overthrow of Dr. Bosch "a setback for democracy." It is that, and more.

Unfortunately, in my opinion, it is a direct result of the past policies of the Government of the United States.

We have talked strongly, but carried a little stick.

We have not matched our deeds to our words.

Need I remind you, Mr. President, of our vacillations in Peru, in Ecuador, in Argentina, in Brazil?

In Peru, after the military had set aside the election, the returns of which had not been counted, and installed its junta, the United States withdrew recognition and withheld financial aid under the Alliance for Progress program, a few days later reversed its correct stand, thus exhibiting its lack of consistency and firm purpose and giving encouragement to such military coups in the future.

Each time we have said: "Your actions are at variance with the objectives of the Alliance for Progress. Change; reform; mend your ways; or there will be no more foreign aid."

Yet each time we have settled for the porridge of empty promises.

Each time we have retreated and ultimately endorsed the new, illegal status quo.

Each time we have ultimately agreed to condone behavior at variance with the attainment of the objectives of the principles of the Alliance for Progress.

I hope that in the case of the Dominican Republic this time we will not weaken.

I commend the President of the United States for the forthright stand he has taken with respect to the usurpers of power in the Dominican Republic. The pseudomilitary junta in the Dominican Republic which has ruthlessly sought to deal a body blow to democratic principles should not be permitted to reap the slightest advantage from its perfidious conduct. It has acted against the best interests of the Dominican Republic and its peoples.

By withdrawing diplomatic recognition and halting foreign economic assistance, this administration has acted fairly, intelligently, and justly. What it has done is for the best interests of all the Dominican people.

I urge my administration to hold firm. I urge my administration to withhold diplomatic recognition of the new, illegitimate regime in the Dominican Republic, and to withhold all further foreign economic aid until Dr. Bosch has been brought back and duly installed as the legitimate head of state.

We can insist upon nothing less, because if we do not insist upon the return to constitutional government in the Dominican Republic, then we will be endangering other civilian governments not only in Latin America but in the rest of the world as well. We will be in effect inciting similar military revolts in Venezuela, Colombia, and other Latin American nations which are trying to establish democratic regimes. We will be playing into the hands of the Communists who will rejoice at the installation of totalitarianism.

We must insist upon adherence to the principle that the military is subject to civilian control. We can settle for nothing less than the reinstallation of President Bosch. Otherwise, we will be in a position of encouraging military leaders in other countries to overthrow duly constituted governments because, regardless of what transpires, they will reap the immediate fruits of their revolt against civilian authorities.

An excellent editorial in the Washington Post for Thursday, September 26, 1963, summed up the situation in the Dominican Republic when it stated:

> In the circumstances, there was absolutely no warrant for a military uprising. There is nothing wrong with the Dominican Republic that bayonets can be expected to cure.

I ask unanimous consent that the entire editorial and the editorial from the Washington Post which appeared yesterday be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks. I likewise ask unanimous consent that editorials on this subject from the New York Times of September 29, 1963; from the Detroit Free Press for September 27, 1963; from the Washington Post of September 29, 1963; from the New York Herald Tribune of September 26, 1963; and from the Milwaukee Journal of September 26, 1963; and news articles from the Washington Post and the New York Times be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, the excellent Post editorial, from which I quoted and will be inserted in full following my remarks, was headed "Death of a Democracy." But, Mr. President, there need be no death. There must be no death of democracy in the Dominican Republic. The proposal that I make will restore it to life. If we do not take the necessary and obvious steps to restore it to life we will share in the guilt for its death. Has this great Republic of ours lost all its power? Is it prepared to sacrifice its repute and its prestige at the behest of a little group of sordid gangsters—the survivors of the dastardly Trujillo regime? I hope and pray not.

Over the weekend I was interviewed on this situation by the able reporter for the Washington Post, Dan Kurzman. I outlined my proposal to him. I ask unanimous consent that the story he wrote concerning that interview be printed at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

EXHIBIT 1

[From the Washington Post, Sept. 26, 1963]

DEATH OF A DEMOCRACY

The light of liberty has been snuffed out in the Dominican Republic by military conspirators who, like the Bourbons, seem to have learned nothing and forgotten nothing. After three decades of tryranny, Juan Bosch was overwhelmingly elected president last year. There have been criticisms of Mr. Bosch, but let it be noted that few complained that the president was dictatorial. Quite the contrary; the prevailing lament was that Mr. Bosch was too democratic, that he allowed his opponents, particularly at the extreme left, too much liberty.

His government was plagued by lack of experience and the country's economic conditions have recently worsened. All this posed a problem for Dominican democracy; it did not pose a crisis. In the circumstances, there was absolutely no warrant for a military uprising. There is nothing wrong with the Dominican Republic that bayonets can be expected to cure.

The United States is wholly justified in suspending both diplomatic relations and foreign aid. The purpose of Alliance for Progress aid is to nurture a fragile experiment in democracy, not to encourage a leap backwards into the dark. The harm done by the coup is incalculable since it comes after months of painful yet peaceful transition from the Trujillo era. The aim of U.S. policy, in concert with other Latin American countries, will surely be to bring about a swift return to constitutional government.

The coup highlights again the strange alliance between Castro and the rightwing military. Both wish democracy to fail, and both flourish when either can point to the other as the sole alternative. Opinion in this country is not prepared to accept this false logic. There can be only unreserved condemnation of a coup that heartens Havana and creates an ominous precedent.

[From the New York Times, Sept. 26, 1963]

THE COUP IN SANTO DOMINGO

The overthrow of President Juan Bosch of the Dominican Republic in still another Latin American rightwing military coup is an utterly deplorable event. Whatever Mr. Bosch's faults and weaknesses, he had been freely and fairly elected. His inauguration in February was a dawn of hope and freedom after more than three decades of bestial tyranny. Freedom has now been thrown away, as if it were a paltry gift.

The ostensible reasons for the coup have a stale sound—the usual accusations of procommunism, socialism, and mismanagement. Juan Bosch was a left-of-center intellectual in line with the democratic left represented by such leaders as President Betancourt of Venezuela and Gov. Muñoz Marin of Puerto Rico. He made bad mistakes. Some of his chosen aids were very leftist. He tried to move too fast in transforming a rigidly autocratic social and economic structure, based on a business, landowning, and military elite, into a popular and democratic regime.

President Bosch was an amateur fighting professionals. He was capricious and unstable in some of his acts and tried to do too much himself. He failed to create a power structure first, and to build up popular support so that he could take strong measures of social and economic reform. He made powerful enemies and he seemed to be losing, in recent months, the once enthusiastic support of the United States. These were the mistakes of inexperience, compounded by misfortunes.

The coup d'etat is a severe blow to democracy in Latin America and a frightening development for the democratic Caribbean powers. Naturally, Castroite Cuba will rejoice, because a military dictatorship is a much easier target than a democracy. Guatemala (which also recently had a military coup that overthrew an elected President) and Nicaragua will likewise be happy to find a new recruit for military rule. Inside the Dominican Republic there will be a polarization of political forces.

The Alliance for Progress will be the No. 1 victim outside of the Dominican Republic. The Alliance is based on democratic principles and had set out to make the Dominican Republic a shining example of how to help a one-time dictatorship turn into a thriving democracy. Washington, having accepted the military coups in Guatemala, Ecuador, Peru (after initial protests) and Argentina, is in a weak situation.

A meeting for Foreign Ministers of the Organization of American States should be called swiftly so that all the democratic forces in the hemisphere can be rallied to condemn this new threat to freedom in Latin America.

[From the Detroit Free Press, Sept. 27, 1963]

JOLTING DEFEAT FOR U.S. HOPES

This country's Latin American diplomacy suffered a disappointing setback in the coup which ousted Juan Bosch from the Dominican Republic's Presidency.

Bosch headed the first legally elected government which the Dominican Republic had lived under in 33 years. It was the third government to reign there since the tyrannical Generalissimo Trujillo's 30-year regime was overthrown with his assassination 28 months ago.

The deposed Bosch was described as an anti-Communist leftist. However, he was a leftist chiefly by the standards of a little land long accustomed to oligarch rule, one in which a few rich (including Trujillo) kept getting richer and the mass of poor got clubbed or shot if they resented abuse.

To provide a decent government and an economy bearing some hope for the ordinary man, it was inescapable that Bosch would have to make life much less comfortable for beneficiaries of the bad old order.

Though a man of rich intellect, Bosch apparently was lacking as a builder of the political strength necessary to give security to his administration. The so-called rightists—which in Latin American terminology means antidemocratic, entrenched reactionaries—removed him with brisk efficiency.

So for the moment, at least, the Dominican Republic has one of those regimes under which economic and social advance is considered insufferable radicalism—and which works for the defeat of everything the United States seeks to accomplish with the Alliance for Progress.

The immediate reaction in Washington was to suspend diplomatic relations. Meanwhile our hopes have taken a licking (they have received similar lickings in Guatemala, Ecuador, and Peru) and the people of the Dominican Republic may very well be back where they started the day Trujillo was done in.

[From the Washington Post, Sept. 29, 1963]

CRISIS IN THE CARIBBEAN

In the harsh afterlight of the military coup in the Dominican Republic, the United States is faced with a double problem. The first is a problem of principle, and it can be easily resolved. The overthrow of President Juan Bosch was a monstrous wrong, lacking even the tatter of justification that existed in Guatemala, Ecuador, and Argentina, other countries where the military ejected elected governments.

As a matter of principle, this country should refuse diplomatic recognition of the self-styled "rightest" junta that has seized power by force of arms. In terms of principle, the decision as to continuing economic aid is also clear. Aid should be denied, since the basic premise of the Alliance for Progress is to combine economic development, social reform, and constitutional methods.

As a practical matter, the junta may survive and the problem of a realistic accommodation to events would then arise. Some will say—indeed, the argument is already being advanced—that unpleasant as it may be, the Dominican people are somehow not ready for democracy and that as a lesser evil the United States should accept the military rulers on the grounds that this will assure stable government and an anti-Communist ally in the fight against Castroism.

The purported realism of this course deserves examination. Acceptance of the lesser-evil philosophy would be taken as a green light for military conspiracies in neighboring countries. Venezuela, already precarious, is a leading candidate for a coup—and if Venezuela should fall Colombia would be subjected to intense internal pressure and might well follow suit.

In Central America, three democratic republics—Costa Rica, Honduras and El Salvador—are already in jitters about possible conspiracies. In Nicaragua, the Somoza oligarchy is sponsoring the training of rightist Cuban exiles, allegedly an anti-Castro force. But Nicaragua's neighbors fear that the Cubans will really be used against the Central American democracies with the aim of creating a holy alliance of military dictatorships in the region. This is their sober apprehension, whether justified or not.

It would be hard to conceive a worse situation for the United States in the Caribbean than a polarization between ultraconservative military tyrannies and the ultrarevolutionary Cuban regime. A sort of Vietnamese nightmare of guerrilla warfare waged in our own backyard would be realized with a vengeance if the United States seemed to be backing an alliance of Trujillo as an alternative to Fidel Castro.

When rumors of an impending coup were spreading in Santo Domingo, the United States lost an opportunity to demonstrate forceful solidarity with the elected regime. A hope-for-the-best attitude has permeated U.S. policy in Santo Domingo. But one failure of imagination would be heaped on another if Washington should timidly acquiesce to the murder of Dominican democracy by seeming to say that the coup was a case of justifiable homicide.

[From the New York Herald Tribune, Sept. 26, 1963]

TRUJILLO'S GHOST RETURNS

The military coup in the Dominican Republic has plunged that unhappy little Republic back into the throes of dictatorship from which it was struggling to emerge after more than 30 years of Trujillo tyranny. It makes the chaotic Caribbean even more explosive than before, even more inviting for the lighters of Communist fires.

Now both parts of the island of Hispaniola, shared by the Dominican Republic and Haiti, are under dictatorial rule. On the nearby island of Cuba sits Fidel Castro, whose offer of Communist dictatorship has been enhanced as an alternative to military dictatorship in these two republics.

A short jump away, on the northeastern tip of the South American Continent, is British Guiana, where Cheddi Jagan and his American-born wife, Janet, await the full independence of that territory so that they might carry it into the Soviet, or Cuban or at least neutralist camp.

Things are looking up for the Communists in the Caribbean. And they are looking down for us.

We cannot escape responsibility for our role in acquiescing in, if not actually cultivating, the Trujillo regime which turned the Dominican Republic into a feudal fief and left it a political and social wasteland. From that heritage, it was too much to expect a rapid transition to representative, democratic government.

President Bosch tried. He should be praised for the attempt. The officers who overthrew him together with the nation's democratic institutions are to be repudiated, as our State Department rightly has done by suspending diplomatic relations and economic aid.

We and the other American Republics cannot surrender to chaos and hopelessness—the allies of communism in the Caribbean. We have succeeded in persuading the military regimes of Argentina and Peru to withdraw. We must do the same in the case of the Dominican Republic if we are to avoid another Cuba.

[From the Milwaukee Journal, Sept. 26, 1963]

SETBACK FOR DEMOCRACY

In severing diplomatic relations with the Dominican Republic, the State Department put the case succinctly: "Any overthrow of a democratically elected government is a loss to the policies of the countries of this hemisphere, including our own."

The military claims that it ousted President Juan Bosch to save the country from communism. That is balderdash. Bosch has been a fighting anti-Communist for years. His election 8 months ago was a signal triumph for the republic, for he became the first legally elected President since the early 1930's and was the people's choice after years of dictatorship imposed by the Trujillos.

The military coup leaders are acting in the tradition of foes of democracy. They declared a state of siege. They seized legally elected officials. They arrested everyone they considered a radical—by which they mean opponents of their course of action. Thus democracy in the Dominican Republic, so hopefully installed early this year, is again set aside. The new dictators promise new and free elections, of course—except that Bosch's Democratic Revolutionary Party and its allies, which form a political majority, are barred from participating in a provisional government or plans for naming a new one.

The history of military coups everywhere is not such as to lead anyone to expect that those who have seized power are likely to give it up easily or soon. Again democracy has received a setback in Latin America. Once more the citizens of the Dominican Republic are not the determiners of their own fate.

[From the Washington Post, Sept. 29, 1963]

UNITED STATES SEEKS FIRM POLICY TOWARD LATIN COUPS

(By Dan Kurzman)

Administration officials appear to be divided over the question of U.S. policy toward the new military-run government of the Dominican Republic and toward Latin American military coups in general. They hope to resolve differences this weekend.

State Department officials are oriented, it seems, toward a "soft" policy, while other high administration leaders maintain flatly that they favor a "tough" line.

This hard approach was reflected in the disclosure yesterday that the United States had planned to dispatch a warship, probably the aircraft carrier *Okinawa*, to Dominican waters before the coup that overthrew President Juan Bosch took place.

This plan, which was decided on after Bosch made a desperate last-minute plea to U.S. Ambassador John Bartlow Martin for help on learning of the imminence of a coup, was cancelled, however, because of hurricane conditions in the area.

But American warships, it is understood, are now positioned in the vicinity of the Dominican Republic.

U.S. officials maintain that the decision to send warships to the area—before and after the coup—was motivated only by the need to assure the protection of American citizens in the Dominican Republic in the event of violence. But the U.S. actions appear also to have been, and to be, intended as a show of force.

As the coup is already a fait accompli, the presence of the U.S. warships near Dominican shores could help to discourage the present leaders from taking any drastic measures against Bosch followers.

A further indication of the U.S. hard line was the recall yesterday of Ambassador Martin ostensibly for consultations.

Top State Department officials are taking the view that the United States should "wait and see" before deciding to take a strong stand against the new regime. They apparently feel that pledges of anticommunism and free elections in the foreseeable future should constitute the main requisites for the reestablishment of currently suspended U.S. diplomatic recognition and economic aid.

These conditions would be similar to those applied to military governments that have overthrown constitutional regimes in Peru, Argentina, Guatemala, and Ecuador.

TOUGHER STAND SEEN

But other high administration officials feel that the Dominican coup was far more brutal and unjustifiable than in the other cases and indicate that the United States will take a much harder stand toward the new regime in that country.

They would like to see aid suspended indefinitely regardless of the behavior of this regime. Diplomatic relations would, if their view should prevail, be suspended for a long period. And when reestablished, ties would possibly be on a chargé d'affairs level as in Haiti.

Administration leaders are meeting this weekend in an attempt to hammer out differences and agree on a common approach. The all-important result could determine the general direction of American policy toward coups in the future.

Several Latin nations are anxiously awaiting the outcome as a key to their own fates. Venezuela, Honduras and Columbia are all threatened by military coups and strongly favor a tough U.S. policy as a deterrent. Costa Rica and El Salvador also favor such a policy.

OAS MEETING SOUGHT

Venezuela is expected to request a meeting of the Council of the Organization of American States possibly on Thursday to decide on whether to hold an OAS foreign ministers conference to determine measures for preventing new coups.

Only the five above-mentioned countries are expected to vote for a meeting of foreign ministers, but Venezuela, in particular, feels that the effort should be made. Mexico and Bolivia have broken ties with the Dominican

Republic, but stand on the principle of nonintervention.

Council President Gonzalo Facio, speaking in his capacity as Costa Rica's Ambassador to the United States, appealed to this county yesterday to aid militarily any Latin government that in the future may be threatened by a coup.

"If a constitutional government is in danger of being overthrown, it has a perfect right to ask for military aid," he said. "And the United States and other countries should give that aid. In the past, U.S. forces intervened against the interests of democracy to preserve nondemocratic regimes. Why should they not intervene now to save democracy?"

He added that since the United States has promised to help any country threatened by Castroism, even of the internal variety, this principle of preserving democracy by all necessary means could easily be extended to all kinds of dictatorship.

The junta reportedly sent Bosch into exile in Trinidad by slow boat yesterday. Departure plans were kept secret to minimize the chances of disorders.

TO TAKE 10 DAYS

The voyage was expected to take about 10 days, with the destination reported as either Europe or Trinidad. In the interval, the military obviously hope, passions will have cooled down sufficiently to blunt the effectiveness of the anti-junta speeches Bosch is likely to make when he is free. Junta leaders said that Hurricane Edith was responsible for his delayed departure.

In Washington, Dominican Ambassador Enriquillo A. del Rosario, who has resigned his post, and visiting Dominican Senator Thelma Frias appealed to the United States to send marines to rescue Bosch while at sea. They expressed fear for his safety while aboard the craft.

Senator Frias who as vice president of the Senate is the highest official in the Bosch administration not under arrest, said she would try to see President Kennedy, Secretary of State Dean Rusk. Senators, Congressmen and other U.S. leaders. She would ask them, she said, to have U.S. warships blockade the Dominican Republic until and unless the junta permits the return of Bosch to power.

She will also urge the AFL–CIO to call on dockworkers to refuse to discharge cargo going to or coming from her country.

"If the United States and other countries in the hemisphere abandon us at this moment," the senator said, "democracy will soon disappear throughout Latin America."

In Santo Domingo, Angel Miolan, president of Bosch's Revolutionary Dominican Party, was detained by police after the alleged discovery of arms in his home and in that of an aunt.

[From the Chicago Tribune]

BOSCH AND WIFE ON WAY TO EXILE ABOARD A NAVY BOAT TO TRINIDAD

SANTO DOMINGO, September 28.—Deposed President Juan Bosch and his wife were dispatched by naval warship into exile to Trinidad tonight.

Bosch was escorted from the palace by Gen. Antonio Imbert-Barrera, chief of internal security. Imbert was in charge of Bosch's personal security.

With his wife he boarded the frigate Mella, flagship of the Dominican Navy. It sailed for Port of Spain on a voyage that should take about 10 days at slow cruise speed.

Because of reports that Bosch had been mistreated the ruling junta permitted a delegation from the diplomatic corps to visit him this afternoon. The Colombian Ambassador and the Argentine Chargé d'Affaires conferred with Bosch.

He assured them that he had not been mistreated but that he had declared himself on a hunger strike as long as he was a prisoner in the palace.

[From the Miami Herald]

WESSIN TAKES CREDIT FOR INITIATING COUP

SANTO DOMINGO, September 28.—Gen. Elias Wessin, 39-year-old son of an Arabian merchant who migrated here 40 years ago, admitted today that he started the coup that deposed President Juan Bosch.

"I initiated the plan and the other officers went with me," the general said.

It had been known that Wessin played a key role, but this was the first public admission that he put the whole thing together.

The general said the plan to oust the president was drafted July 13. All officers from major on up backed a showdown with Bosch at the San Isidoro base on that day.

"We told Bosch sincerely that the Dominican people and the armed forces were worried about the advance of communism," Wessin said. "I told him that if I took some measures to stop this advance the armed forces were going to back me up.

"From then on the situation went from bad to worse. We put the plan together in one day last July but waited a long time until we decided we could not wait any longer.

"The plan clicked off last Tuesday night with a final showdown about 11 in the palace. By morning Bosch was a prisoner and the country firmly under military control and a day later a civilian triumvirate was given the government reins."

Wessin called Bosch a Communist. "The way he worked here in the 7 months he was President all seems to indicate that he was a Communist," he said.

The general said the Communists had been trying to infiltrate the armed forces but it would never happen now.

He said steps had been taken to wipe out this infiltration and none would be permitted in the future.

"We have installed courses in religion in the armed forces," he said.

"The armed forces decided not to permit any dictatorship of the right or left. That is why all the army cooperated."

RED HALT CALLED IN AMERICAS

President Kennedy said yesterday that the United States and its Latin American neighbors "are determined that there shall be no more Communist states in this hemisphere."

And the way to be sure this does not happen, Mr. Kennedy said in a message to the Catholic Association for International Peace "is to remove the grave social and economic inequities that are the breeding ground of communism."

The association, now in annual conference here, gave its annual peace award yesterday to Teodoro Moscoso, coordinator of the U.S. Alliance for Progress program for economic and social development of Latin America.

From the Vatican came a message saying Pope Paul VI sent his blessings to the conference, and an expression of gratification for its theme: "The Christian Challenge in Latin America."

Mr. Kennedy, who is now traveling in the West, congratulated Moscoso on receiving the association's award, referred to him as "this most valued public servant." The association is connected with the National Catholic Welfare Conference, which is an organization of U.S. bishops of the Roman Catholic Church.

The President's message to the conference did not mention Cuba by name in his reference to existence of a Communist state in this hemisphere.

He called Latin America "the most critical area in the world today," and recalled that he had previously used the same words.

"The critical situation in Latin America can best be met by the Alliance for Progress, a joint effort of the United States and the Republics of Latin America to stimulate economic growth and to provide better health and educational facilities and more adequate job opportunities for all of our neighbors south of the border," he said.

"Together, we are determined that there shall be no more Communist states in this hemisphere, and we know that the only really effective means to this end is to remove the grave social and economic inequities that are the breeding ground of communism.

"More than that, we realize that the United States has a responsibility in justice and charity to do what we can to make it possible for our neighbors in Latin America to enjoy a better life."

[From the New York Times]

DOMINICAN COUP STIRS NEW TENSION IN CARIBBEAN—OVERTHROW OF DEMOCRATIC REGIME OFFERS NEW OPPORTUNITIES FOR CASTRO AND DEALS STRONG BLOW TO U.S. ALLIANCE FOR PROGRESS

(By Tad Szulc)

WASHINGTON, September 28.—In the stillness of the tropical dawn Wednesday, an experiment in democratic social revolution of crucial importance to the Western Hemisphere quietly died in the ancient Caribbean city of Santo Domingo.

Its death came when a group of Dominican generals and colonels, acting as the battering ram for a motley collection of ambitious rightist politicians and disgruntled businessmen, ousted President Juan D. Bosch after 7 months in his elective office.

THREE EFFECTS

The bloodless revolution, described by its leaders as the road to the creation of a "rightest state" in the Dominican Republic, produced three simultaneous and highly negative effects on three different but intimately related levels.

These can be defined in this way:

1. On the national level, it set back the Dominican Republic politically to where it stood in May 1961, when the old dictator, Rafael Leonidas Trujillo Molina, was assassinated after 31 years in power. Socially and economically, it nipped in the bud the once bright promise of democratic reform.

2. On the regional level, it removed from the Caribbean what may have emerged as the pivot of stability in that desperately troubled area.

3. On the hemispheric level, it dealt the Alliance for Progress the most destructive body blow it had suffered in its short and uncertain life.

SHOCKED REACTION

The shock and the sense of gloom that the anti-Bosch coup set off in Washington and in many Latin American capitals stemmed from the realization that the action of the Dominican military had gone far to compromise the cardinal principle of the Alliance. That principle is that economic and social development is possible within the framework of democratic freedoms.

In the hemispheric sense, the Bosch upset was particularly painful because, at least to the Kennedy administration, the Dominican Republic had loomed as the golden opportunity to prove—in contrast to neighboring Communist Cuba—that a progressive democracy could be built on the ruins of an oppressive dictatorship.

But if the reaction in this broad, hemispheric context was thus basically philosophical and ideological, in the more immediate Caribbean terms it presaged an even greater unrest and, quite probably a hefty assist to the cause of Cuba's Premier Fidel Castro.

BREEDING GROUND

More than any other area in Latin America—and in a sense resembling the prewar condition of the Balkans in Europe—the Caribbean region has been a breeding ground for revolutions, war and general agitation since even before its Republics gained their independence in the 19th century.

In the recent past, these political storms have been born over the Caribbean to lash out at the rest of the hemisphere. Premier Castro's initial Cuban-Caribbean revolution has deeply affected the United States and Latin America—nearly leading, in fact, to a nuclear world war less than a year ago. In another way, the Dominican democratic experiment was intended to serve as an inspiring example to the whole continent; and its sudden collapse has cast a pall over the future of the Alliance for Progress.

Under the circumstances, everything that happens in the Caribbean—and in its political components—has an immediate and drastic impact on the rest of the hemisphere. It is in this light, then, that the present tension in the Caribbean must be seen.

WIDENING EFFECTS

At the time President Bosch was being ousted, the Caribbean was going through one of its most agitated periods in history. But no single, all-embracing diagnosis could be offered in explanation of this state of affairs. It was, rather, the combination of all the old pressures of political immaturity, economic inadequacy, social protest, and the peculiarly volatile Caribbean temperament born from the crisscrossing of cultures and races and the stimulus of the revolutionary age.

For all the practical purposes, the Caribbean—as a geopolitical concept—could no longer be restricted to its angry islands in the sun. Nowadays, the Central American isthmus and the countries of South America's northern shore, bathed by the Caribbean, had to be included in it.

Cuba, of course, remained the central fact of Caribbean life, but her own character was changing sharply as the fifth anniversary of her revolution approached.

Politically, she lives in a growing isolation, not only from the hemisphere and the Western World, but also from the mainstream of the Communist movement. The Soviet-Chinese split and the detente between the United States and the Soviet Union abruptly forced Premier Castro into a neutral position in the Communist controversy.

Refusing to sign the partial nuclear test ban treaty, to go along with the Soviet concept of coexistence, and to reconsider his advocacy of violent revolution, which Moscow now opposes, Dr. Castro busied himself encouraging the so-called Chinese revolutionary position in Latin America. As his power among the Soviet-oriented Communist Parties in the hemisphere began to wane, he concentrated on Venezuela, where leftist terrorists were attempting to force a military coup d'etat, hoping that it would rally that country behind an extremist, "patriotic" revolution.

POSSIBLE REACTIONS

The failure, thus far, of this operation has tarnished further Premier Castro's image at home and abroad at a time when his revolutionary economy is limping badly and required a drastic return to dependence on sugar. But this week's Dominican military coup seemed to offer Cuba new opportunities in a country much closer to her shores than Venezuela. Dominican generals may well have done Dr. Castro's work for him, and chances are he will capitalize on the new dictatorship next door.

The theory that military coups tend to benefit communism—or Castroism—applies elsewhere in the Caribbean as it did in Venezuela and the Dominican Republic. Guatemala has been under military rule since last April. And the Dominican coup immediately raised the fear that it might be imitated in Venezuela, Honduras, and El Salvador. Democratic societies in these Republics were sufficiently weak, the military sufficiently shortsighted and the politicians sufficiently ambitious to make such a falling-dominoes effect plausible.

RISING PRESSURES

Costa Rica, for 15 years a working democracy, suspected that her neighbor Nicaragua's arming of anti-Castro exiles was more a menace to Costa Rica than to Cuba. Panama was approaching a difficult presidential election and the pressures there, too, were rising.

Back in the center of the Caribbean, the straight dictatorship of President Francois Duvalier in Haiti succeeded in surviving all the internal and external attempts to oust it. Ironically, President Bosch, who tried hard to overthrow the Duvalier regime in the name of perhaps excessively aggressive democracy, was the first to fall at the hands of his own military. But the potential for explosion goes on rising in Haiti.

TENSIONS IN GUIANA

On the South American coast, tiny British Guiana, ruled by a Marxist premier although still unable to win independence from the Crown, increasingly worries Washington, which fears repetition of the Cuban experience there. Political and racial tensions, often erupting into violence, are again running high.

This, then, is the troubled Caribbean picture as the Dominican reverts to a makeshift military dictatorship and thereby adds fuel to the fires of the area's unrest.

But with the failure of the Dominican democratic experiment there seems little that the United States or the rest of Latin America will or can do in the foreseeable future to stabilize the Caribbean situation.

Although a half-dozen governments are pressing for action through the Organization of American States to control the spread of military coups, the majority opposes it. As an inspirational political source, the Alliance for Progress offers no visible leverage, busy as it is licking its Dominican wounds.

DISTURBING CHOICE

As for the United States, it faces the disturbing choice of withholding indefinitely economic aid and diplomatic recognition to military regimes—a policy that backfired in Haiti and Peru—or of rationalizing the emergence of the army governments and readmitting them to the fold, as it did earlier this year with Guatemala and Ecuador.

But nothing promises more effectively to bury the democratic aims of the Alliance for Progress than this course of action. And except for the United States and a few Latin American governments, nobody seems to care.

[From the New York Times, Sept. 27, 1963]

DOMINICAN JUNTA SWORN IN AS POLICE BATTLE STUDENTS

(By Henry Raymont)

SANTO DOMINGO, Septemher 26.—A three-man civilian junta was sworn in today to govern the Dominican Republic while riot squads battled students demanding the return of the deposed president, Dr. Juan D. Bosch.

In a hurriedly improvised ceremony at the presidential palace, the junta ostensibly received executive powers from the military leaders who seized control of the country before dawn yesterday. Dr. Bosch and members of his cabinet were arrested.

(In Washington U.S. officials viewed the naming of the junta as a temporary expedient in the face of a power struggle.)

The swearing-in ceremony touched off rioting and arrests of scores of teenaged students who are known to sympathize with the leftwing 14th of June movement.

Many moderates here feared that the coup would attract a new following to the movement, which is now becoming the standard bearer for restoration of the constitutional regime it frequently attacked while Dr. Bosch was in power.

COMMUNISM CHARGED

The military described the Bosch regime yesterday as "corrupt and pro-Communist" and said that it had acted to crush "Castro communism."

The junta is headed by Dr. Emilio de Los Santos, the former president of the electoral college. Seven months ago the college pronounced Dr. Bosch to be the first constitutionally elected president in 38 years.

The other members are Manuel Enrique Tavares Espaillat, a wealthy, 40-year-old industrialist and a graduate of Yale University, and Ramon Tapia Espinal, 37, a lawyer and a former member of the ruling council of state that preceded the Bosch regime.

Shortly after the junta took its oath of office, hundreds of students assembled at the university to protest the coup. Mounted policemen broke up the meeting.

At the same time groups of students began to barricade the streets of Ciudad Nueva, a section of workers' homes in the center of the city.

Squads of policemen wearing gas masks arrived in riot trucks and occupied much of the district. There were several clashes. One woman was hurt by a bullet.

Crowds gathered at the scene of the clashes. They booed the policemen and when trucks from the Government sugar refinery drove past, bystanders called on the workers to strike.

Some of the tear gas from the Ciudad Nueva encounters was carried into the heart of Santo Domingo by strong winds that battered the ocean front in advance of Hurricane Edith.

There were no disturbances evident around the palace where the inaugural ceremony took place at 1 p.m. (2 p.m. eastern daylight time). The ceremony lasted 5 minutes.

A televison commentator in an open-collared sports shirt acted as master of ceremonies. No diplomatic representatives were present.

Representatives of the three major opposition parties that supported the coup, military leaders and newsmen, a total of about 60 persons, witnessed the ceremony in the diplomatic reception room of the presidential palace.

It was the same room, where, on February 27, President Bosch received thousands of well-wishers, including Vice President JOHNSON.

It was hoped then that the Bosch regime would mark the beginning of a long period of democracy after the assassination in 1962 of Generalissimo Rafael Leonidas Trujillo Molina. His death ended a 30-year dictatorship.

Today, one floor away from the swearing-in ceremony, the ousted president was a political prisoner. He was reported to be stubbornly resisting efforts to persuade him to sign a resignation statement that would make the junta legal.

BOSCH'S WIFE RETURNS

The President's wife flew here from San Juan this morning to see her husband and to demand guarantees that he would suffer no harm. She was promised that he would be safe, but there was no information on what the junta planned to do with Dr. Bosch and the members of his ousted Cabinet. The men are being held in separate rooms on the third floor of the palace under heavy guard.

The only speaker at the swearing-in ceremony, other than the television announcer, was Maj. Gen. Victor Elby Viñas Román, the armed forces minister in the Bosch government. He and the chiefs of staff of the army, air force, and navy led the coup d'etat yesterday.

General Viñas Román spoke briefly of the "sacred commitment" the armed forces had undertaken to save the Dominican Republic from what he charged was administrative disorganization and a "soft" policy toward communism.

The United States fears that the ouster of Dr. Bosch will strengthen, not weaken Communist activities in the Dominican Republic.

General Viñas Román said it was up to the three civilian leaders to assume the responsibility of "defining our true democratic ideals and returning the country on the road toward its high destiny."

As he spoke, the military leaders stood in uniform in a solid line behind the three civilians, who were seated at a table covered with a green felt cloth.

The radio announcer, Thomas Reyes Cerda, read a detailed account of yesterday's coup and the biographies of the members of the junta. Mr. Cerda is a well-known anti-Communist.

The junta program calls for it to govern for 2 years, after which it would hold elections.

After the swearing-in ceremony, Col. Elia Wessing y Wessing was promoted to brigadier general. A diehard opponent of left-wing elements who took issue with the political orientation of the Bosch government, General Wessing y Wessing is regarded as one of the most powerful men in the new regime.

The other top military leaders are Gen. Antonio Imbert Barrera and Gen. Luis Amiama Tio, survivors of the plot against General Trujillo.

[From the New York Times, Sept. 27, 1963]

UNITED STATES SEES POWER STRUGGLE

WASHINGTON, September 26.—U.S. officials believe a struggle for power has developed in the Dominican Republic.

Today's appointment of a three-man civilian junta was considered to be a temporary expedient. Officials here doubted that the junta could actually govern the country.

The impression among U.S. officials and Latin American diplomats was that the junta was primarily a front for Gen. Imbert Barrera, who is regarded as the chief power behind the coup and as the virtual dictator of the Dominican Republic.

Because of the uncertain situation, the administration is refraining from formulating any long-range policies toward the new regime.

Yesterday the United States suspended diplomatic relations with the Dominican Republic and announced that it had halted economic aid to the country.

Although he never enjoyed support among most of the military, Gen. Imbert Barrera was able in the last 2 years to gain almost complete control over the heavily armed, 12,000-man police force.

He was said to have enjoyed the full allegiance of Col. Belisario Peguero, the police commander.

The United States has helped to develop the police force into a modern, anti-riot contingent. U.S. police specialists trained the force through the Administration for International Development at a cost of $429,000.

The support of air force tank units was reported to have come to Gen. Imbert Barrera through Col. Wessin y Wessin. Colonel Wessin plotted against President Bosch earlier this year and is believed to have given his allegiance to Gen. Imbert Barrera.

Diplomatic reports assert that the coup—for which most of the military chiefs were not ready—occurred as a result of a confrontation between the generals and President Bosch over Colonel Wessin's fate.

It was understood that President Bosch had summoned the military chiefs to the palace late Tuesday night to demand that Colonel Wessin be removed. Otherwise, Dr. Bosch said, he would resign.

The military chiefs, fearing that their acceptance of the Bosch ultimatum might have created a dangerous precedent, were reported to have told him to resign.

Gen. Imbert Barrera was then reported to have seized control and ordered the coup.

[From the New York Times, Sept. 29, 1963]

DOMINICAN RULERS WILL RELAX CURBS

(By Henry Raymont)

SANTO DOMINGO, DOMINICAN REPUBLIC, September 28.—The Dominican Republic's civilian junta prepared today to lift the siege imposed last Wednesday after the armed forces overturned the government of President Juan D. Bosch.

An order ending the 6 p.m. to 6 a.m. curfew was reported to have been signed at the presidential palace at noon as part of a general relaxation of security measures by the three-man provisional government.

The national police, under the orders of Gen. Belisario Peguero Guerrero, continued to round up Dominicans they suspected of Communist connections. At least 30 persons, including members of the former Bosch Government, were taken to the airport to be deported.

The junta was preparing the outline of a political program it intends to submit to the United States and to the other Latin American countries in the hope of overcoming their reluctance to extend diplomatic recognition to the de facto regime.

The program was known to emphasize dedication to democracy, national reconciliation and the early restoration of constitutional rule. Some commentators forecast difficulty for the junta in convincing the hemispheric nations that it was necessary to depose an elected government.

The United States and most Latin American missions here have strong reservations about the new government, even though to some diplomats the composition of the coalition cabinet offered hope that the new leaders would attempt to return the country to constitutional rule in less than the 2 years forecast by Dr. Emilio de Los Santos, head of the junta.

The reservations about recognition are based on the belief that it could encourage further military coups in Latin America.

UNITED STATES RECALLS AMBASSADOR

The U.S. Ambassador, John Bartlow Martin, was called home by the State Department, at noon today, and his departure was said to be imminent.

Mexico, usually swift to accept de facto regimes, took the unusual step of ordering home its entire diplomatic mission.

Dr. Bosch made a state visit to Mexico last week in defiance of threats that a military conspiracy was in the making. He even jested about the danger at the airport before leaving to attend Mexico's independence celebrations.

Mexico's Ambassador, Ernesto Soto Reyes, has been instructed to leave the Dominican Republic as soon as he can turn over a group of political refugees in his Embassy to another mission.

Similar instructions have been received by the envoys of Bolivia, Costa Rica, and Venezuela.

REFUGEES QUIT EMBASSIES

Several members of the Dominican revolutionary party and the 14th of June movement, who took refuge in Latin American embassies immediately after the coup, returned to their homes last night and this morning, after the junta announced that the two parties could continue to participate in the country's political life.

The outflow stopped abruptly this afternoon when it was learned that Angel Miolan, president of the Dominican revolutionary party, had been arrested shortly after he left the Colombian Embassy.

Those taken to the airport for deportation included a former Cabinet member, Diego Bordas, and Alfredo Manzano, a member of the 14th of July movement.

YACHT TO DEPORT PRESIDENT

The government plans to place Dr. Bosch on the frigate *Mella*, a converted luxury yacht, which is to take him to Trinidad. Departure was tentatively set for 1 a.m. tomorrow. Dr. Bosch's wife, Mrs. Carmen Quidiello de Bosch, who is living at the Chilean Embassy, was expected to join him aboard ship.

A government source said the warship would cruise the Caribbean 4 or 5 days before touching land to delay giving Dr. Bosch an opportunity to make statements critical of the new regime. He is expected to seek political asylum in Venezuela.

Santo Domingo enjoyed a calm and sunny day after yesterday's squalls and gales from Hurricane Edith, which flooded parts of the country.

Reactions to the new political situation were mixed. Despite threats of violence by student groups and sporadic strikes by some government workers, the overwhelming feeling seems to be one of stoic resignation.

Many Dominicans who were dissatisfied with Dr. Bosch's government would have preferred to fight him within the democratic process of the established institutions.

One major preoccupation of moderates here was that the national police force, which was reluctant to accept orders even under the Bosch government, would move indiscriminately against political opponents of the new regime on the pretext of fighting communism.

EXHIBIT 2

[From the Washington Post & Times Herald Sept. 30, 1963]

U.S. URGED TO RESTORE BOSCH RULE—GRUENING, ENVOY HERE, SUGGESTING USE OF FORCE

(By Dan Kurzman)

Senator ERNEST GRUENING, Democrat, of Alaska, said yesterday that the United States "should take whatever steps are necessary" to remove deposed President Juan Bosch of the Dominican Republic from the vessel carrying him into exile and return him to power.

This statement, which the Senator expects to elaborate upon today on the Senate floor, would presumably mean that the United States should use marines as a last resort to achieve this end. Such a policy, GRUENING feels, is the only way to save the Alliance for Progress.

At the same time, Enriquillo A. del Rosario, Dominican Ambassador in Washington, wired President Kennedy yesterday requesting similar U.S. measures. Although he refuses to represent the military junta that ousted Bosch last week, del Rosario still considers himself Ambassador of the legal Dominican Government, headed by Bosch, and telegraphed President Kennedy in that capacity.

U.S. ENVOY RETURNS

These efforts to toughen U.S. policy toward the military junta came as U.S. Ambassador John Bartlow Martin returned yesterday from Santo Domingo for consultations. His return apparently also reflects U.S. displeasure with the coup.

Martin is meeting with top officials here to help them decide on U.S. policy toward the Dominican Republic. Top State Department officials are believed to be taking a soft stand toward the military regime, while other high administration leaders favor a hard approach.

Gruening, whose interest in Latin America dates back to 1933 when he helped inaugurate President Roosevelt's good-neighbor policy at Montevideo, Uruguay, said the United States must "intercept the vessel on which President Bosch is a prisoner and bring him back so that he may complete his term."

NO ALTERNATIVE POSSIBLE

The Senator said that "no alternative is possible without disaster, not only to the Dominican Republic, but to the entire Alliance program and to the prestige of the United States in this hemisphere."

In the event that the junta, as is probable, should oppose U.S. action, Gruening added, "the United States should take whatever steps are necessary to secure compliance."

Gruening strongly condemned the State Department's role in the present crisis. "Unless the policymakers in the State Department show the courage and guts which they have not shown hitherto," he said, "thereby implementing the declared policy of President Kennedy, not only will the Alliance for Progress be finished, but Latin America will go down the drain.

"We have here the most flagrant case on record of an honestly and freely elected government overthrown by a sordid, power-seeking military junta operating in the worst traditions of Latin American dictatorships."

The Senator expressed the fear that after the preliminary gesture of cutting diplomatic relations and economic aid, the State Department will shortly resort to a face-saving formula geared to the usual promise that at some future date an election will be held.

Such an election, he charged, would be a farce, and represent abject surrender to the Latin American militarists.

Gruening made it clear that any action the United States might take should come only in response to the request of the constitutional Bosch government. He said that Ambassador del Rosario, the legal representative of the Bosch government here, can properly speak for him.

The Senator said that fears that such action might presage a return to the discredited U.S. gunboat diplomacy of the past are unjustified. U.S. interventions early this century in Haiti, the Dominican Republic, Mexico and Nicaragua, he said, were "authorized against the will of the governments and people of the countries invaded." In the present situation, however, a legal, democratic government would request such intervention.

Del Rosario, in his wire to President Kennedy, said: "As the Ambassador of the legal Government of the Dominican Republic to the United States, I feel it is my duty to request that the U.S. Government, with the help of other friendly governments, take whatever measures are necessary to remove President Juan Bosch from the vessel taking him into exile, return him to the Dominican Republic, and restore to him the Presidential powers granted him in a free election by the Dominican people.

"Such action, in righting a monstrous wrong, would be in keeping with the principles of the Alliance for Progress, which, as you have so often stated, cannot succeed unless democracy is nurtured and safeguarded in Latin America."

Bosch on Saturday night was put aboard a navy frigate believed headed for some Caribbean destination. Venezuela has reportedly sent a warship and planes to follow the vessel to deter Dominican soldiers from possibly assassinating Bosch at sea.

Meanwhile, in Washington, Arturo Calventi, the Dominican Republic's Ambassador to the Organization of American States, resigned yesterday in protest against the coup.

Mr. GRUENING. Mr. President, in effect I urged that the United States send a destroyer to intercept the vessel carrying President Bosch into exile and order it to return him to the Dominican Republic. I would advise, also, Mr. President, that if the vessel does not heed such an order that it be boarded, President Bosch be taken from it and returned, under U.S. protection, to the Dominican Republic.

This is not, I must point out, a return to the days of gunboat diplomacy. At the time, I deplored and spoke and wrote against that. In those cases—when we intervened in the early days of the century in Haiti, the Dominican Republic, Nicaragua, and Mexico—we intervened without any request from, and against the wishes of, their duly constituted governments and their peoples. That is not the case in this instance. Moreover, this would not be a violation of any treaty commitment against intervention. We would not be intervening. We would be fulfilling a request for help from the authorized representative of a duly constituted government. We would be doing no more—indeed far less—than we did when we sent the 6th Fleet and landed Marines in Lebanon at that country's duly constituted Government's request.

The duly accredited Ambassador of the Dominican Republic has made directly to the President the request for assistance from the United States. We should heed that request. The time has come to act with speed and determination to save the Alliance for Progress.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. GRUENING. I yield with pleasure to the Senator from Wisconsin.

Mr. PROXMIRE. I highly commend the Senator from Alaska. He is performing another outstanding service for the country. His logic is devastating. If we permit the military coup in the Dominican Republic to succeed, the chances for the success of the Alliance for Progress will be very dim indeed. The Senator has delivered a most impressive speech. I should like to ask the Senator if he will yield for a few questions.

Mr. GRUENING. I yield.

Mr. PROXMIRE. In the first place, the Senator from Alaska suggests a most unusual step on our part, namely, that we intercept the Dominican warship and that we return President Bosch to the Dominican Republic. I should like to ask the Senator if he knows of any precedent for this kind of action.

Mr. GRUENING. There is no precedent exactly for this particular kind of intervention, where the legitimate head of a country has been taken prisoner. However, there is a close analogy with what happened in Lebanon.

There we were asked by its Government for help. We were asked for military help by the President of Lebanon. We sent the 6th Fleet and we landed marines. We performed a service that the constituted Government had asked us to perform. It was fearful that it might be overthrown. This episode and U.S. performance in it a few short years ago is as close an analogy in recent times as one can find. I believe it is a good analogy. In this case of the Dominican Republic it is even more applicable because we have a particular and vital interest to support the Dominican Republic in connection with the Alliance for Progress, and indeed because we assisted in the rebirth of what we hoped to be a free, democratically governed state.

We could very easily have disregarded the request from Lebanon, but we did not do so. In the case of Lebanon as a result of our intervention there was no overthrow of the constituted government. So in this case the analogy with which I urge we do in the Caribbean is extremely applicable, because this is a much more flagrant case and at our doorstep.

Mr. PROXMIRE. The Senator's answer is convincing. He speaks about a request to this Government. That request comes from the Ambassador of the Dominican Republic. I take it that there has been no word at all from President Bosch himself. Is that correct? Has he been held incommunicado?

Mr. GRUENING. No word could come from him. He has been cut off from outside communication. He has indeed been held incommunicado. He is a prisoner on the vessel on which he is being held. However, we know he refused to resign voluntarily. He went on a hunger strike in protest against his arrest. He was completely opposed and resistant to the effort to put him out of office. He is being held a prisoner against his will by military gangsters. He cannot speak.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that the Senator may be permitted to proceed for 5 additional minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PROXMIRE. Mr. President, I have asked the Senator if to his knowledge President Bosch has had any opportunity to make such a request. The reason I labor the point is that it is extremely important in the case of an intervention that the request to intervene should be made by the constituted government. We have to be absolutely safeguarded against any possibility that through our intervention we could be charged with imposing a puppet against the will of the people of a country.

It is for this reason that I press the Senator with the question as to whether there has been any indication that President Bosch himself has expressed a desire to return and a willingness to have the United States help him return.

Mr. GRUENING. I agree with the Senator from Wisconsin that we must be overcautious in not appearing unasked, on our own initiative to intervene and imposing someone against the wishes of the Dominican people. Mr. Bosch has not been free to speak. I have conversed with our Ambassador to the Dominican Republic, Mr. John Barlow Martin. He told me that President Bosch had been fearful of such an occurrence—the military coup—and that the United States tried to prevent it. It remains to be demonstrated what effort was made to prevent the occurrence, whether we had been fully apprised of what was about to take place, and whether we could have stopped it. I feel we could have and should have.

In answer to the Senator's question, when the vessel on which Bosch, a prisoner, is being carried into exile, is intercepted, President Bosch can be asked that question. If—free from duress, with no pistol at his back—he says, "No; I do not want to go back; I want to go to exile," we should have performed our duty as a government.

Mr. **PROXMIRE**. I am glad to have that clarification. The Senator has performed a great service. It is important for us to realize that if the Alliance for Progress is to work, it must be based on genuine reforms and democracy, and on the kind of government that will have the interest of all the people of the country at heart, not a military dictatorship which is set up for the power and enrichment of a few.

Mr. **GRUENING**. I thank the Senator.

Mr. **YOUNG** of Ohio. Mr. President, will the Senator yield?

Mr. **GRUENING**. I yield.

Mr. **YOUNG** of Ohio. I associate myself with the statement of the distinguished senior Senator from Wisconsin. At the same time I compliment and congratulate the distinguished Senator from Alaska for the needed public service he has rendered by making his fine statement today. In answer to the interrogation by the Senator from Wisconsin, I feel that he indicated that President Bosch is a firm, determined man and that he did not yield to force and did not voluntarily resign. I join the Senator in the feeling that since we tried to prevent this usurpation through our appropriate officials, and that, having failed, it is high time that we exert the efforts of this great Nation to try to prevent this wrong from being continued.

We Americans had a feeling of pride when in the Dominican Republic there was a fair election by the citizens of that unfortunate little country, which was created by the Almighty to be a garden spot of the world, but due to the depravity and tyranny of man had become the cesspool and slum of the Western Hemisphere.

As Senators know, the election of Senor Bosch as President was hailed as an indication that the Dominican Republic was proceeding to a future of democracy and freedom. There was hope that bloodshed and terror were things of the past.

Recently, all this was toppled into dust by a military takeover. Three militarists usurped the power granted President Bosch by popular will. It is now reported that he has been bundled off as a prisoner on a Dominican naval vessel, en route to exile in a foreign land. The best that can be said for the military junta, which immediately suspended all civil liberties in that unhappy island, is that they did not murder President Bosch, the civilian head of state in that neighboring nation.

What are the duties of our State Department relative to this island, so close to our shores, inhabited by descendants of those patriots who fought bravely for freedom against French tyranny more than 150 years ago, as the distinguished Senator from Alaska, who is an outstanding historian, knows probably better than does any other Member of this body. I am in complete agreement with the Senator from Alaska that our duty is clear. We should associate ourselves with the freedom-loving people of all the Latin American Republics to take action and see to it that President Bosch is restored to office until such time as the citizens of the Dominican Republic in a free election decree otherwise. A Fascist dictatorship is now emerging where we had considered that the people had spoken and had elected a President who took the oath of office in a republic modeled after our own United States.

As the distinguished Senator from Alaska has hindered in his excellent address, had the Communists usurped power instead of this Fascist outfit, there would probably have been an uproar in the United States and a demand that we send in our military and air power to restore the duly elected President.

Is our Government doing enough by merely refusing recognition to the Fascist regime? We have sponsored the Alliance for Progress for the welfare of freedom-loving people of the Western Hemisphere and to accelerate the progress of our sister Latin American Republics of Central and South America. Are we responding to the demands of the times if we fail to remove these Fascist usurpers by persuasion, or by force, if necessary?

I commend the distinguished Senator from Alaska for his forthright statement.

Mr. **GRUENING**. I thank the Senator from Ohio for his helpful contribution to this discussion.

The **PRESIDING OFFICER**. The time of the Senator from Alaska has expired.

Mr. **SMATHERS**. Mr. President, I ask unanimous consent that the Senator from Alaska be yielded an additional 6 minutes.

The **PRESIDING OFFICER**. Is there objection? The Chair hears none, and it is so ordered.

Mr. **CHURCH**. Mr. President, will the Senator from Alaska yield?

Mr. **GRUENING**. I yield to the Senator from Idaho.

Mr. **CHURCH**. I have listened with much interest to the audacious and provocative proposal made by the distinguished Senator from Alaska. It is characteristic of him to seize the initiative and to take a position that is refreshingly bold. It is a position, I feel certain, that is not likely to be found in any of the cautious position papers of the State Department. For this, I wish to commend him.

However, I should like to know if he does not agree with me that the action he proposes is peculiarly within the power of the President alone to take, and whether, in view of this, the Senator has undertaken to communicate his proposal to the President, prior to the time of making his address on the Senate floor.

Mr. **GRUENING**. The President was not in the city last night, but I communicated with one very close to him and requested that this proposal be transmitted to the President. I was assured that it would be transmitted promptly.

Mr. **CHURCH**. I was certain that the Senator from Alaska would have taken that precaution. However, as a matter of record, it ought to be clearly understood that if he did so, inasmuch as it is Executive action for which he is calling today.

Mr. **GRUENING**. Yes.

Mr. **CHURCH**. I cannot, out of hand, endorse all that the Senator from Alaska has proposed. At the very least, I would have to reserve judgment upon the question of attempting to reestablish the Bosch regime in the Dominican Republic, through an external American intervention, because such action would be fraught with peril, and the prospect of adverse repercussions needs to be carefully considered.

However, the Senator's proposal that we intercept the gunboat that is now taking the duly-elected constitutional President of the Dominican Republic into exile, and free him from his abductors has great appeal to me. I should think it could be done with a view to providing President Bosch with asylum in the United States. I believe such a gesture would make it dramatically plain to the people of Latin America that the United States holds a duly-elected President in high regard and looks with stern rebuke upon the forcible overthrow of constitutional government by military juntas.

As the Senator from Alaska has so well said, we have seen constitutional governments deposed in Argentina, in Peru, in Ecuador, and now in the Dominican Republic, within the past 2 years. We have grave reason to suspect a similar overthrow may be attempted against President Betancourt, in Venezuela.

The American position respecting these seizures has not been sufficiently firm. It would be in the best traditions of this Republic for the President to direct a rescue of the kind suggested by the Senator from Alaska, making it emphatically clear to the people of South America that the U.S. Government upholds constitutional authority, and looks with grave misgivings upon the forcible overthrow of constitutional government by military means.

The proposed rescue of President Bosch, who is now a prisoner on the high seas, is something due him, and something that would have a dramatic and constructive effect throughout Latin America. In this part of his proposal, the Senator from Alaska has made an imaginative and tenable suggestion, and I commend him for it.

Mr. **GRUENING**. I thank the Senator from Idaho. I welcome his contribution. His suggestion, which is comparable, in part, with what I propose, really might be considered a step in the direction of fulfillment, because if we were to rescue President Bosch, we would offer him asylum in the United States. Of course, he would have to be given freedom of choice with respect to the country to which he might wish to go, provided he was forcibly expelled, against his will. This would give us an opportunity to talk with him and to determine whether his view coincides with that of the only legally remaining representative of the Dominican Republic in the United States, the Ambassador of the Dominican Republic, who has specifically requested that President Bosch be rescued from the vessel and restored to his office.

Clearly, the situation requires something better than the supine and spineless compromises of the past. Moreover, there is a very pertinent precedent in what we did in Lebanon. There we intervened militarily, with a fleet and with Marines, which we landed, although under circumstances not nearly so compelling as these in the Dominican Republic; the President of Lebanon feared a disturbance which might drive him from office and wanted some reinforcements. We acceded to his request.

This situation in the Caribbean is much more atrocious. If we do not do this, I believe the alternatives are very grave.

The Senator from Idaho [Mr. CHURCH] referred to my proposal as "audacious and provocative." But the Declaration of Independence was also an audacious and provocative proposal. Nearly every important move for progress or to rectify grave wrongs has, at the time, been deemed an audacious and provocative proposal.

If we do not do this, we might as well forget the Alliance for Progress and our hopes of seeing it gradually develop under free and democratic regimes in Latin America.

As the Senator from Idaho has well pointed out, the present situation is really an inducement, almost a provocation, to similar uprisings in Venezuela, against Betancourt; or in Colombia; or in any other Latin American country where a serious and honest attempt is being made to establish a successful combination of the democratic system and economic resuscitation under the Alliance for Progress.

I very much hope the administration will not—as it has done in the past—first say, "We will not recognize this power-hungry group of usurpers; we will deny them economic aid," but then, in 3 or 4 weeks, devise a face-saving formula by which it will say, "Well, they promise to be good boys, and they will hold another election in a few months." The election in Santo Domingo has been held—the freest election which possibly could be held. But if the present group remains in power no such election can be held in the future. In that event, we might as well kiss the Alliance for Progress goodby, and invite the criticism and opposition of almost every Member of Congress who feels that we are simply wasting our money and enthroning dictatorships, and thus using American taxpayers' dollars for purposes wholly alien to the purposes and aims of the administration.

So I believe that the alternatives to our not taking this action are of far graver import.

An analogous situation confronted us in connection with the test ban treaty. It does involve some risks, but those of us who voted for it felt that, on balance, the risks were negligible, when compared with the benefits. I believe that is also the case in connection with the situation in the Dominican Republic. Inaction or inadequate action will be disastrous.

Mr. President, I yield the floor.

DUAL RAIL RAPID TRANSIT FOR MASS TRANSPORTATION

Mr. SPARKMAN. Mr. President, a problem that has been concerning many urban areas of the United States is that of mass transportation. The Congress has passed legislation to try to help solve some of these problems.

Considerable research and work has been done by various private companies toward improving urban mass transportation.

The Duorail Aerospace Rapid Transit Corp. is one company that has been active in this field. It has developed a system of dual rail rapid transit which the company feels will meet the need for fast, economical transportation.

Recently this company presented a study which it had made. I believe it will be interesting to those who are concerned with this problem. Accordingly, I ask that this study be printed as a part of my remarks at this point in the RECORD.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

Duorail Aerospace Rapid Transit Corp., otherwise known as the DART Corp., respectfully submits for your consideration a brief study of urban mass transportation, the inherent problems and costs, together with a plan to improve every adverse condition of this unprecedented situation. Considerable material has already been contributed on the subject, that detailed elaboration on its symptoms and wastes will not be necessary here except for clarity or to bring certain aspects into sharper focus.

DART is honored for the privilege of offering a solution to a matter that portends to worsen if proper measures are not taken now. The subject is of major concern to us all.

The movement of people and material constitutes the very lifeblood of today's society.

A look at yesterday still fills us with a splendid wonder at the hardships that have been overcome and the progress that has been attained by evolving the principles of the wheel. Those who will come after us will look back in like manner to judge our progress from here onward. They will probably agree that what confronts us was even more complex and unwieldy than the hardships that confronted our forefathers. Its disposition is ours now even more than those who will succeed us. Proper planning today gives us direction for tomorrow. In our opinion, any other kind is costly and must be scrapped because of the staggering time loss and wasted funds. We must be credited with conscientious, deliberate, leadership—exercising preventative measures as well as corrective ones based on keen insight and study.

The automobile, the very root of our problem, will never be considered a mistake or that should now be abandoned, or that it should never have been invented. None of us will revert back to travel by the saddle or the buggy. Each preceding system of travel was the forerunner of the next, all still existing side by side, controlled by the laws of expediency and demand. It is expedient today that a new medium of transportation be introduced to relieve and supplement those that have gone before it. DART feels that this medium is embodied within its own concept.

The stark fact is that after many years of production of all kinds of vehicles, road and highway development and repairs hardly keeps pace. Another 7 million vehicles will be added to the over 87 million that now tour our roads and highways. Multiply 7 million by 15-foot length of the average automobile of today, then divide by 5,280 feet (1 mile) and that totals 20,000 miles of autobiles, bumper to bumper. The logistics can be projected much further.

Add the above condition to an already predicted skyrocketing population buildup that multiply metropolitan and urban complexities and you have in the making more of the same arterial traffic strife that now concerns us.

Congestion is a symptom of the growing inadequacy of ground travel. This steady growth sabotages progress and drains billions of dollars every year.

Freeways built at tremendous cost take up considerable space and suffer shameful inadequacy as soon as they become familiar routes. By themselves they cannot solve transportation problems. Everyone is aware that they sometimes become superparking lots capturing thousands of automobiles and drivers and robbing them of hours of time and subjecting them to anxiety and frustration.

Public transportation is largely implemented by rubber-tired vehicles challenging other vehicles, suffering the same kind of losses that cannot be absorbed, therefore must be charged to the consumer, who abandons the service after a trial realizing that there are no timesaving schedules.

Today travel must be accepted in its true economic context, as a necessary, time-loss expense; a means to an end. The loss of public transportation systems, in spite of their growing need, is the strongest proof of their inadequacy. This has in itself been adding to the strife it once overcame.

The harassment of ground travel media points up vividly that public transportation must not be subjected to the normal or other travel problems if it must necessarily survive and perform public service to all.

Public transportation has slowly destroyed itself and complicated an already serious problem because of its inability to earn a profit. It is not enough for public transportation to exist, it should thrive profitably like other responsible businesses. It should fulfill its function to the public it serves. Because of the inadequacy of its equipment, it is giving poor service and no profits and are grinding to a halt at a time when there is a greater need for the movement of the people.

In the last several years, we have seen the disappearance of many elevated structures for the obvious reason that they were not adequate. At the same time proponents of above surface systems have come forward with plans that have little more to offer and in many cases lack the service capabilities of even the old elevated systems. Each of the proposed systems, including the monorail concept, over a period of years of trial have been found to be totally inadequate for our present demands and certainly are not the answer to our future problems. The inherent shortcomings of presently proposed systems become apparent after a study is made of the DART system. Because of its many applications you will find that DART is total transportation service conceived in an era when travel at sonic speeds has been accepted as a symbol of the space age. DART's purpose is to facilitate travel above ground level and introduce timesaving speed—a speed never conceived before in surface travel with a safety factor next to none. It will revolutionize local and distance travel conditions.

DART incorporates many favorable economic and efficiency measures that will serve the community and the Nation generally. DART will integrate all travel media, establishing an environment of balance, order, safety, and progress.

DART's contributions to the local and national economy will facilitate its advent and help private, civil, municipal, State, and Federal governing bodies to arrive at an equitable, far-reaching program for the development of a truly rapid transit system.

With a plan based on sound economic principles, governing bodies will be able to implement the many functions and principles of government, allowing them to reach a decision of mutual accord where once only respected differences of opinion prevailed.

The senseless drain on our economy of the wasted billions and billions of dollars can be partially eliminated by diverting moneys to a master plan of standardized DART systems, integrating it into the total operation, by:

(a) Providing swift, comfortable, economical transportation above the ground for the masses now thrown into hazardous, time-consuming struggle of daily, simultaneous migrations to and from business.

(b) Reducing the need for motor-driven vehicles, especially in areas of greater population concentration for the citizen now reluctant to give up his independent mode of travel, which will further reduce local congestion.

(c) Reducing the need of many cross-city transport vehicles now employed to cart consumer items from warehouses to points of display, from merchandising locations to the consumer, from raw material source to manufacturer, from manufacturer to jobber and warehouses, and so forth, keeping through traffic to a minimum.

(d) Supplying swift transportation services for trucking firms, manufacturers, suppliers of all kinds of wares and produce; loading their wares into unitized truck bodies supplied by Dart, then transporting these wares to all outlying parts of the city in minutes. (This will reduce local congestion further and supply these burdened companies with a minimum expense transportation service, which saves gas, maintenance and time. It cuts street traffic and speeds up local conditions. These deliveries will be made after peak hours of passenger service with unitized transport bodies hoisted into position at local DART terminals for scheduled deliveries. Local public transportation then is not competing for the same travel routes but allows the staggering truck traffic movements until after peak public transportation moves are made.

(e) Reducing road and highway building and repairs.

(f) Reducing accidents and deaths.

(g) Reducing overburdening insurance rates (a general public saving).

(h) Reducing staggering man hours in work losses, especially in inclement weather.

(i) Reducing commuting time losses; statistics show this to average 9 years of a man's life, sufficient time for everyone to earn a university degree.

(j) Reducing the health hazard of smog; a monster of our own making.

(k) Freeing valuable building sites now used for parking facilities in areas of greater business concentration.

(l) Assisting local transportation firms to operate profitably, restoring it to a self supporting basis as a private or municipal service. This will put these services into revenue source classification rather than a necessary but unprofitable operation, thus freeing funds for more pressing needs.

(m) Making police monitoring services less necessary, reducing municipal and State costs.

(n) Providing an economic safety valve, when defense spending is curbed, permitting labor to be diverted into building a real rapid transit system as is herein suggested.

(o) By providing work generally by reviving what is now a dying public service.

(p) Providing national and civil defense a bulwark for mass evacuation of the populace in time of crisis or movement of armed services, a dramatic and effective adjunct.

(q) Providing, in place of the covering canopy, a superstructure for additional freeway surfaces for general movement of people and material where needed.

(r) Providing pneumatic tubes for mail or small items especially in emergencies for medications or vital implements of war.

(s) Providing with long range planning utility service conduits allowing easy access for repair and the efficient placement of telephone wires from its present unsightly position along the route.

(t) Providing logical shelter locations under the structure taking advantage of the superstructure above.

(u) Restoring metropolitan areas to their once coveted sphere of activity.

(v) Providing a safe ground link in jetage travel; an adjunct to air transportation, bringing their passengers to their true destination in record time. It is an exasperating paradox to be able to fly thousands of miles so magically, then spend the same amount of time struggling the last few miles to home or destination.

(w) Being built for permanency, it will be of rugged, lasting construction, but smart for even the most sophisticated residential areas.

(x) Restoring freeways to their original concept of unimpeded, steady movement of vehicles.

By freeing the arteries of progress, we also thwart inflationary tendencies. Providing the key for solving the vast complex of travel and transportation, DART will help to unify the Nation and expand its commercial areas to new heights of prosperity.

EXPLANATION OF DART AND ITS FUNCTION

DART is as new a concept in rapid transit as a "souped up 500" would be to the "tin lizzie". The simple addition of another rail to a "monorail" does not by itself constitute "duorail." The added rail naturally offers additional strength and rigidity and removes the undesirable element of sway, but the underslung center of gravity position of the car allows for greater stability as well as speed on curves or on straightaways.

The patented suspension system allows for the same type of aerodynamic fuselage design as required by aircraft with engineering principles pertaining thereto. Unlike all other surface travel media and elevated systems where the cars are constructed to weigh more than their load capacity to insure stability in motion, DART, because of its safe position, below the rails, can be made on lightweight construction as incorporated in aircraft. There is no possibility of "falling off" as may happen with above rail runner cars.

Each car is operated by an overhead electromagnetic bogie with a short wheelbase, readily receptive to short arch switching systems, comparable to those used by the railroad today. Most of the monorail systems projected have an inadequate switching system, requiring a separate structure for each line, which is prohibitive as well as being an added obstruction for surface traffic in multiple construction.

Repairs can be handled without disassembling the car itself and can readily and safely be worked on from above. Monorail does not have this advantage.

DART cars, capable of intercity speeds of 125 miles per hour or more, will be moved by magnetic pull rather than electric or other motors or engines, at uniform speeds regardless of grades.

Rail jumping is not possible, regardless of the speeds. Collisions are avoided by automatic functioning controls that space the trains in transit independent of human factors.

Silent operation is accomplished in two ways, namely, by a resilient absorbing cushion below the rails to absorb vibration, noise and "sing" and acoustic sound traps insulation within the canopy itself. Wheel design and construction techniques will add further soundproofing.

Brakes will be electrodynamically controlled and function only against the rails.

The overhead structure, which can support a freeway or a canopy, is as much a part of the entire system as the car is itself. Within it rides the bogie above the rail, soundproofing for noiseless travel, pneumatic tubes for mail service, utility conduits, including telephone wires, an eyesore in so many areas. (Microwave in the future may replace the present system of wires).

The canopy or overhead freeway serves a very important function in the DART design as an all-weather enclosure to insure against schedule defeating ice, snow, rain, and sleet. It also shields against excessive light or heat and adds materially to the climate control within the car.

Four sets of rails are canopied in this structure allowing for local as well as express schedules.

In times of emergency, all four rails can be used for evacuation of civilians, military personnel and could serve as a dramatic adjunct to civil strategic defense.

DART installations once begun will develop rapidly using modern prefabrication methods.

Suspended rail sections can be precast in 90-foot sections and installed at a rate of 150 or more miles per year.

Designed along aerodynamic principles, DART will create the same esthetic acceptance as aircraft design has done with the public everywhere. The single central support structure offers maximum stability with the least amount of surface obstruction.

Existing freeways can serve as DART arteries in either of two ways. The DART suspension system can be centered on the freeway or can be made to ride alongside with a partial canopy improvised.

Present rights-of-way should be used to avoid time and cost involved in surveys, condemnation proceedings injunctions to restrain and land purchasing needs. The DART system can be planned along existing freeway routes and coordinated with any and all other systems, taking the primary arterial service for itself.

Once envisioned in its total concept DART will be recognized as absolutely indispensable in the present and future planning of this Nation's growth, a safe ground link in jet age travel.

Its introduction here or abroad will provide an outstanding monument to American technological ingenuity and skill; again another treasure from her vast storehouse of contributions to mankind.

AID TO YUGOSLAVIA—ECONOMY OF COMMUNIST CHINA

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed in the body of the Record, two articles which appeared in today's newspaper, one written by Roscoe Drummond, the other by Joseph Alsop. Mr. Drummond discusses the importance of our Government's assistance to Yugoslavia and the values of continuing that aid. Mr. Alsop writes about the remarkable ingenuity which refugees from Red China have displayed in Hong Kong and suggests that under different leadership the economy of Communist China would be much stronger than it is at present, with important implications for other industrial nations.

Both of these articles are thought-provoking and I believe they are worthy of our careful consideration.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

Aid to Tito—What United States Got for $2.5 Billion

(By Roscoe Drummond)

BELGRADE.—When President Josip Broz Tito arrives in Washington October 17 to confer with President Kennedy on trade and foreign policy, one question which most Americans would like him to answer is this: What has the United States got for its $2.5 billion of aid to Yugoslavia during the past 15 years?

This question greatly concerned the 6 Senators and 12 Congressmen who made up the American delegation to the Conference of the Inter-Parliamentary Union here in Belgrade. They raised it pointedly on several occasions.

It is a good question, a fair question, particularly since Congress is being asked by the administration to reverse the decision it made a year ago denying Yugoslavia most-favored-nation treatment in trade. The most-favored-nation provision means that when the United States makes tariff arrangements with one country, it grants the same arrangement with other nations.

First, it should be understood that all United States aid to Yugoslavia is ended. Aid is neither being sought nor given.

But the United States has put a lot of resources into Yugoslavia. It is reasonable to want to know what benefit they have produced for us, because there is no justification for such aid unless it serves our national interests.

The facts, I think, show that we have received large dividends.

Until Tito broke with Stalin in 1948, Soviet-controlled military forces lined the Adriatic and stood menacingly along the borders of Greece, Austria, Italy, and Albania.

Tito's declaration of independence from Russia wiped out this menace at one stroke. American aid has greatly helped to nourish and sustain that independence until Yugoslavia could get on its feet economically. It has done so by virtue of its own hard work, through U.S. aid, and through the economic resurgence of all of Western Europe. Yugoslavian trade is now 77 percent with the West, only 23 percent with the Soviet bloc and other countries.

Here are some of the other dividends which have come from Yugoslavia's independence of the Soviet Union which our aid has helped to maintain:

Yugoslavia withdrew all of its military help to the Communist civil war in Greece and the war soon collapsed.

The long-festering dispute between Yugoslavia and Italy over Trieste was amicably settled.

Albania was geographically isolated from the Soviet bloc.

Though Tito is a dedicated Communist, he withdrew his country from the Cominform, an instrument of Communist world subversion, and has refused to join the Warsaw Pact.

Only a Yugoslavia independent of the Soviet Union could pursue policies which have produced the foregoing results. Its independence is possible only because of its economic association with the United States and Western Europe.

Clearly it is in the interests of the United States to do everything practicable to keep it that way.

It seems to me shortsighted for Congress to direct the administration to discriminate against Yugoslavia in withdrawing the normal most-favored-nation provision. We were of course, piqued by Tito's refusal to criticize the Soviet Union for breaking the test moratorium in 1961. This was one of Belgrade's political mistakes.

But Yugoslavia has often sided with the United States at the U.N. and has more frequently voted with the unalined nations than with the Soviets.

If Congress does not soon reverse its action cutting off Yugoslavia and Poland from normal trade relations, the effect of this policy will be exactly the opposite of what its sponsors said they want. It will not help isolate Eastern Europe from the Soviet Union; it will isolate us from Eastern Europe and abandon the field to the Soviets. Surely this is a policy of retreat, not advance, and a detriment to the national interests and security of the United States.

The choice before us in Eastern Europe today is not between supporting communism on the one hand and democracy on the other. The choice is between governments dominated by Moscow and governments, like Yugoslavia's, which, while Communist, are independent, which are not abetting the Communist conspiracy, and which are pursuing their own national interests—not Russia's national interests.

Matter of Fact—Gratitude to Chairman Mao

(By Joseph Alsop)

HONG KONG.—The free world's free enterprisers would soon move to a vote of thanks to Mao Tse-tung if they halfway understood the real meaning of this strange and wonderful city.

The point is that Hong Kong shows, in the most startling manner, what Chinese can do if you only give them a chance. Close to 3 million of them have poured into this confined space since the Japanese surrender.

Any economist on earth, is asked to predict the results of such an influx, would confidently forecast death by starvation for more than three-quarters of the immigrants. There is nothing here except a fine harbor and an honest and permissive British Government. There is not even enough water to wash in.

But here are millions of ingenious, intelligent, and industrious Chinese. Almost literally with their naked hands (for the flight capital taking refuge in Hong Kong has mostly gone into real estate speculation) these Chinese have made Hong Kong the great manufacturing city which now troubles the world trade pattern of almost every light industry.

The West German "economic miracle" is a poor, piddling, petty thing compared to this phenomenon of Hong Kong. If you reflect upon its significance, Hong Kong is a cause for melancholy as well as a warning to other peoples. It is both at once, in fact, because it suggests what the Chinese people might have accomplished and may yet accomplish without Chairman Mao.

Very few parochial Westerners know it; but in truth, for close on 2,000 years, China was always the strongest and richest power on earth whenever China had a reasonably efficient central government. The old Chinese society was really too successful. For this very reason, it took too long for the rich cake of ancient custom to be broken and the preparations for a new start to be made, after the old China felt the resistless impact of Western industrial strength.

But the cake of custom had at length broken, and all was in readiness for a new start by the end of the Second World War. If the Chinese people had then had half a chance, scores of Hong Kongs would have been created by now, in the commercial coastal cities and in the industrial centers of the interior.

These numerous Hong Kongs would in turn have generated, by the sheer suction of their own needs, a strong Chinese heavy industry based upon the plentiful resources of coal and iron which the Communists have never managed to exploit efficiently. And the Chinese farmers, who are the best in the world, would now be meeting the food needs of this transformed China by the same intensive use of fertilizer that has produced such astonishing results in Japan.

The same economists who would have predicted death by starvation for three-quarters of the immigrants into Hong Kong will no doubt smile in a superior way at this picture of the China that might have been. But these economists, like the vast majority of other Westerners, do not understand the foundations of China's greatness.

There are four, as follows: the family system; an incomparable talent for capital-creation; a proper respect for fertilizer; and the habit of working together, in labor corvees or otherwise. Mao's Stalinist-communism has attacked the family system, forbidden individual capital-creation, removed the farmers' incentives for keeping the fields in good heart, and grossly misused the labor corvees.

In truth, Mao's Stalinist-communism might well have been specially designed to frustrate the genius of the Chinese people. If you consider the probable impact on other industrial nations of the China that might have been, you will see why a kind of wry gratitude to Chairman Mao is certainly in order. If Chinese can make Japanese come to them to buy cheap toys, which just happened here, God knows what they would do to the rest of us if they were given their heads.

But Mao has not only frustrated the extraordinary genius of the people he leads, he has also brought China to a worse pass than China has ever experienced from floods and droughts and wicked rulers and foreign invasions and all the other harsh changes of Chinese history. This is now the central political fact in Asia, and it demands further analysis.

URBAN RENEWAL PROJECT, FLORENCE, ALA.

Mr. SPARKMAN. Mr. President, a recent issue of the Kiplinger letter featured an urban renewal project in Florence, Ala. The article has generated many inquiries to the Florence Housing Authority. The executive director of the authority has responded to the inquiries with an informative letter concerning the value of this project to the city of Florence. I ask unanimous consent to have the letter printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FLORENCE HOUSING AUTHORITY,
Florence, Ala., August 9, 1963.

GENTLEMEN: In response to your request, I am happy to give you some details on our Handy Heights project. The Kiplinger letter of August 2 refers to an urban renewal project which was carried out between 1955 and 1958 by the city of Florence through the Florence housing authority in cooperation with the Housing and Home Finance Agency. It was known as Urban Renewal Project UR 5–1.

This was one of the very first residential reuse projects in the Nation. We cleared 25 acres on the west side of the city which was 100 percent slum with no inside toilets, very little running water and all poorly constructed houses. There were 113 parcels of land and 72 houses on same. After clearance, streets with paving, curb and gutter, storm sewer, sanitary sewer, electricity, gas and water were all installed. The city of Florence owns its utility departments and this would have been done as far as utilities for any subdivision.

A few of the buildings in the project area were sound and capable of being moved. We used this as a relocation resource and 14 were moved from the project area and brought up to minimum standards of the city. These were sold only to former occupants of the project area; two houses in the project area were left where they were and rehabilitated to meet city standards.

After all of the families were relocated and the site improvements in place, a portion of the land was sold to the city for a swimming pool, and additional school site, and the balance of the property was sold at public auction to qualified redevelopers. The high bidder was Garber, Cook & Hulsey of Birmingham, Ala., who erected and sold 78 three-bedroom homes on the property. The prices ranged from $9,750 to $10,500. All of the occupants of the area were Negro and the city is very proud to have a FHA-approved subdivision that is now fully occupied by Negro homeowners.

Before the city's activity, every family in this area was living in a substandard house; at the conclusion of the project we not only had the above subdivision but 85 percent of the former occupants of the area were relocated elsewhere into decent, safe, and sanitary housing meeting minimum requirements. Other than utilities, the city's total cost was $55,000. The balance of the cost was paid from the proceeds of the land and a Federal capital grant of $280,000.

Before redevelopment, the entire area brought in $325 per year to the city in taxes. It demanded a tremendous amount of municipal services and had been a long existing health hazard. Today these are not only cleared, but the city receives more than $2,500 per year from taxes on the area and this increase will pay the entire project cost to the city in less than 25 years.

Since the successful conclusion of this project, the city has also completed a public reuse project to clear 45 slum dwellings providing additional land for our jointly owned city-county hospital and a Negro high school. This has been successfully closed and we have filed the application for another project in connection with Florence State College which has a 50-acre campus in our city. This project will provide an additional much needed 30 acres to the college campus. The city is also preparing to apply for an urban renewal project to establish an industrial park and we are very interested in a downtown urban renewal effort in the central business district.

Florence, Ala., is sold on this program and we hope this letter will be of assistance to your city. We are honored that the Kiplinger letter has taken notice of our effort and if we may be of further assistance with other details, please advise.

Sincerely yours,

Karl T. Tyree, Jr.,
Executive Director.

THE THREE GREAT ISSUES

Mr. HUMPHREY. Mr. President, on September 20, I addressed the Western States Democratic Conference, in Salt Lake City, Utah.

This was an important meeting. Leading Democratic officials from all of the Western States attended. The conference was a new indication of the increased political and economic importance of the Western States.

I ask unanimous consent that excerpts of my remarks at the Western States Democratic Conference be inserted in the Record, at this point.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Trinity of Issues

(Excerpts of remarks by Senator Hubert H. Humphrey, Western States Democratic Conference, Salt Lake City, Utah, September 20, 1963)

Ladies and gentlemen, I have come out here not to talk to you about the "right wing," but about the "right way."

I understand my friend and colleague, Senator Frank Church, took good care of Senator Barry Goldwater and his assorted followers the other day.

Little more need be said.

I would like to make just this one comment to Senator Goldwater: Barry, we have just one thing in common. I was not elected President in 1960. You are not going to be elected President in 1964.

Now let's get down to business.

And our business is the business of the Nation, and the business of the world is in the 20th century.

There are three great issues facing America today. They stand together as a trinity—conditioning, effecting, and ultimately determining the freedom, the strength, and the security of our Nation. These three great issues are:

(1) The expansion and growth of our economy.

(2) The guaranteeing of equal opportunity and civil rights for all our people.

(3) The designing of a national security policy in a framework of peace.

It is to the solution of these three challenges that the Democratic Party and the Kennedy administration is dedicated.

We know that if America is to have the strength and vitality for the long-term requirements of world leadership we must have a healthy, prosperous, growing economy.

We must be able to provide jobs for the unemployed, and utilize all plant equipment to maximum capacity.

We must be able to modernize our factories and shops in order to compete at home and in the world markets.

We must be able to automate and at the same time absorb into the employment market those who are displaced by machines and technology.

We must have an ever-increasing number of skilled, trained workers as a supporting team for our scientists and technicians. These, and other matters are the challenges of the 1960's.

It is because of these heavy demands and unusual requirements of the modern age that President Kennedy has recommended a broad program of action.

First and foremost is his program of tax reduction to stimulate the economy. This will free approximately $11 billion of new capital, which will increase purchasing power and provide new investment for new plant and production facilities.

Jobs require capital. And in this age of automation, each new job requires an ever-increasing amount of investment capital.

The Democratic Party refuses to be shackled and tied down by old dogma and obsolete economic doctrine. It requires more than public works and Government subsidies to keep this economy moving. This is a private enterprise economy. Over 80 percent of our total national gross product is in the private sector. The Democratic Party is determined to unleash the tremendous energy of the private enterprise forces of America and let those forces go to work—to build, to create, and to produce (yes, and we believe in investment—public and private) and, in those areas of severe unemployment our dedication to social justice and decency requires that we extend the helping hand of Government through public works, area redevelopment, Small Business Administration, emergency relief, unemployment compensation, and other services of Government. But here, too, new enterprise is needed, new jobs, new factories, new work. And, therefore, with the combination of public and private resources this administration seeks to revitalize these pockets of depression. We know that investment in America anywhere is good business.

We will not rest until all America enjoys the fruits of modern science and technology, until all America is at work, until every American who wants a job and is willing to work has that job.

Nor shall we contend ourselves with merely providing job opportunities. We will also see to it that workers are given the opportunity to be trained for their jobs through expanded technical and vocational education, through manpower retraining programs and, above all, through improved programs of elementary, secondary, vocational, and higher education that meet the needs of the 20th century. We know that brain power is the new source of strength. Yes, what we are doing is a comprehensive program of financing, training, planning, and mobilization of resources. It requires cooperation of the public and private areas of our economy.

Yes, we have been able to get America moving once again, and we are moving forward under the inspiring, intelligent, and competent leadership of President Kennedy. The facts speak for themselves. Unemployment is down. The gross national product is at an all-time high. Investment is increasing. And the Nation enjoys a prosperity unequaled at any time in our history.

The campaign promise of 1960 to get America moving once again—to bring about economic growth and expansion—that promise is being fulfilled.

America grows stronger each day. And with American economic strengths growing, freedom everywhere is more secure.

The second great issue is that of civil rights—what I call human rights. America is in the midst of a social revolution. The American Negro is demanding full citizenship 100 years after the promise of the Emancipation Proclamation. He demands its fulfillment.

Just as Abraham Lincoln freed the slaves in 1863, President Kennedy and his administration will guarantee the fruits of freedom to every American in 1963. The President's civil rights program is morally right, politically right, and economically sound. It is designed to eliminate second-class citizenship and to guarantee first-class citizenship to all Americans. It is the life—the spirit—and the heart of the constitutional guarantees of equal rights, equal privileges and immunities.

We cannot afford illiteracy, poverty, ignorance, hopelessness, frustration among millions of our people.

We need every American trained, equipped, and motivated to do his best. Every section, area, and region of this Nation must make its full contribution to American democracy.

We must insist upon the best in education, in housing, in health, in industry, in agriculture, in every endeavor of life. And if we insist on the best and know that we need the best in order to survive as a free people, then we must provide the means, the facilities, and the legal protections that permit and, indeed, inspire men to do their best.

This is what we mean by a civil rights program. And the passage of the civil rights legislation is not radical.

All we seek to do is that which the Constitution of the United States provides that we should do. All that we ask the States to do is that which the Constitution requires our respective States to do.

Surely, if this world of ours has become smaller, more interdependent, more integrated, more of a one-world because of science, technology, and communication, then who can deny that this American Republic has become one nation, indivisible and committed to liberty and justice for all?

How can we ask the American Negro to pay taxes, to defend our Nation on the field of battle, to win our medals in the Olympics, to entertain us on the stage, to work in our factories and mines, and yet deny him the right to vote or the right to eat at a lunch counter with his fellow citizens? Taxation without representation is un-American. Segregation is un-American. Discrimination is un-American. It is evil. It is wrong. And it must be destroyed. Thank God we have a President who has the courage and strength to win this battle.

The responsibilities of world leadership compel us to come to this world with clean hands. Bombings of churches in Birmingham that take the lives of little children do more damage to American leadership in Asia, Africa, and Latin America than all the Communist propaganda put together.

The hate and the passion that has been generated by the "reactionary radical right-wing" forces in American life has done more to divide America, to weaken America than any Communist conspiracy.

If we are destroyed, it will not be by a foreign power or ideology. It will be because we have destroyed ourselves through the bitterness and hatred that come from racial discrimination and the wild men of reaction—the fanatics with their irresponsible attack upon our Constitution, our courts, and our institutions of democratic society.

Yes, beware of that leadership that has nothing to offer but reaction at home and jingoism abroad.

Just as America needs a strong economy that provides opportunity for all, so this Nation must set the example for the world of respect for human dignity, of equal rights for all of its citizens, of first-class citizenship for every man who bears the high honor of being an American.

Finally, the third great challenge before us is to provide security for ourselves and others who seek to live in freedom—and to do this within the framework of peace. Indeed, it is to this challenge that our President has given such great leadership.

America is stronger today militarily than ever before. Our allies are stronger and more prosperous than at any time in their history. The so-called Communist monolithic bloc is shattered by the struggle between Russia and China. The satellite states of Eastern Europe are demanding more freedom and independence. There is a restlessness throughout the entire world and a longing and hunger for peace.

President Kennedy in a memorable address at American University on June 10 this year reminded us that peace is a process. We must work for peace. We must build for peace. We must do it step by step, program by program, year by year.

The United Nations is a mighty force for peace. It grows stronger each year. The nuclear test ban treaty, which will be ratified in the Senate next week, is a significant step in easing world tensions. It brings to bear upon the problems that beset mankind the rule of reason. This treaty carries the American trademark—the American eagle. It was designed and drafted in America. It was first advanced by President Eisenhower, and offered again by President Kennedy. It was he who took the initiative. We asked the Russians to negotiate. We offered the draft treaty. Yes, it was signed in Moscow, but it was made in Washington.

Now let me say a personal word about our President.

I have the privilege of working closely with President Kennedy. I see him at close range, and I see him under the enormous stresses of the American Presidency.

As he faces the swirling, baffling problems of foreign policy, as he comes to grip with the emotion-laden, violent, and difficult developments in the crisis in race relations, he is standing up well.

He has met the problem of racial violence with a cool head and a warm heart. He has presented to Congress a program of strong civil rights.

And Congress is going to support the President. We are going to pass the Kennedy civil rights program before adjourning this year—even if we stay until Christmas.

It is now clear that the President's initiative in the nuclear test ban treaty will be ratified by the Senate next week overwhelmingly. And in so doing, the President and the Senate are giving mankind the means to take a historic step—toward sanity, toward reasonableness, in relationships among the great powers.

Yes, massive, historical changes are taking place in the world, and much of the changed situation this year stems out of the leadership of our President in convincing the Soviet leadership—by actions, not just words—that it is hopeless to contemplate military victory over the United States.

President Kennedy's handling of the October crisis over the Soviet strategic missiles in Cuba won him the awed respect of the Soviet leaders.

And it has won for him the confidence and trust of the American people. They realize that we have a leader who measures up, who has the qualities of balance, intelligence, and courage that the Nation requires in time of crisis.

What a contrast. With reckless talk flying back and forth, with Communist Chinese and Republican rightists vying to see which can denounce the test ban treaty the loudest, how refreshing to see our President in action. Most Americans, I believe, would agree that patience, perseverance, staying power and cool heads are infinitely preferable in our national leaders to the emotional rash and reckless abandon of hot temper of the wild men of the Republican far right.

Yes, we have many unsolved problems; but what is important is not that we have deep problems still unsolved, but that President Kennedy and a Congress which is dominated by men of the caliber of Senators MIKE MANSFIELD, FRANK MOSS, and GALE MCGEE, of HOWARD CANNON, HENRY "SCOOP" JACKSON, and CLAIR ENGLE, are dedicated to the task of finding solutions for those problems.

These are all men of moderation and sense—hardworking, dedicated and reasonable men. The West can be proud of them. I am confident not only that each of them is going to be returned to the Senate next year, but that we can increase the weight of Democratic strength from the West in the next Congress.

The more radical and outrageous the position of the Republican Party becomes, the more it is captured by the extremists of the right, the more sharply will the moderation, good sense and judgment of President Kennedy and his supporters in the Congress stand in contrast in the minds of the American electorate.

We must push ahead with our program. We Democrats simply do not have the time—and should not take the time—to waste trying to placate the implacable, trying to reason with the unreasonable. That is the unique problem of the Republican leadership.

Let them wrestle with that one. I wish them good luck.

In the meantime, we Democrats have no intention of trimming our sails or dipping our flag in any kind of recognition or tribute to the noisy and flamboyant minority that refuses to come along with us into the 20th century.

We have better work to do. We have a peace to be won—week by week, and year by year.

We have the great unfinished tasks of providing universal justice and opportunity for every American.

We have the possibility—if we are wise, if we are resolute—of destroying in this century the age-old conditions of want and hunger that have plagued men from the dawn of the human era.

We have everything before us—an exciting age, an age in which the scientists are providing everyday a new tool to help destroy poverty, to help in the war against pain and disease, to provide wider opportunities for richer living.

Technology has brought us to the threshold of an age of such abundance that I do not think we have yet grasped its full impact. We must think boldly, create, build, move forward.

I feel at this time, as Brigham Young must have felt as he rounded the western flank of that great mountain to the east of Salt Lake Valley for the first time.

He had fought through mountain passes and ridges that must have taxed the powers of endurance of every man and woman and child in his party. Perhaps they seemed endless—those obstacles so grim and bleak.

But as his wagon train wound slowly out of the last mountain pass, and the magnificent sweep of the valley of the Salt Lake lay spread before them, a dream in his heart swelled into reality.

"This is the place," he said.

Here, at last, was the new chance, the place in which a new life could be built in peace and abundance.

I do not know if we have wound out of that last mountain pass of history. But I see in the distance a valley of peace. We are nearing it. We may make it.

We are going to try to make it to that valley. This is the place.

"WHERE I STAND"

Mr. CANNON. Mr. President, the citizens of several Western States were thrilled and inspired recently by the Western tour of this Nation which was completed only yesterday by the President of the United States.

I was particularly proud that nowhere in the President's itinerary did he receive a warmer or more enthusiastic reception that the one accorded him in Las Vegas, Nev.

In my opinion, the enthusiasm which the President encountered can be ascribed to many reasons. One of these reasons is the President's leadership in the nuclear test ban treaty.

I ask unanimous consent that a column authored by Hank Greenspun, publisher of the Las Vegas Sun, entitled "Where I Stand," be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

WHERE I STAND

(By Hank Greenspun)

"Hail to the Chief."

This is the musical greeting that protocol decrees be played at the arrival of the President of the United States.

All Presidents are supposed to be chiefs, for chiefs are leaders of their people.

In the history of our Nation, the few real chiefs who occupied the White House have been immortalized in history. Any child can quickly recall the names of Washington, Lincoln, Jefferson, Madison, the Roosevelts, Teddy, and Franklin, Woodrow Wilson, Harry Truman, and possibly a few others. The others were not exactly leaders but were either reluctantly pushed into decisions or proved to be colossal failures.

President John F. Kennedy arrives in Las Vegas this noon for a speech at the convention hall. I think the route he travels from the airport along Paradise Valley Road should be strewn with olive branches for these are a symbol of peace, and he brings us hope for peace.

I imagine it's a little late to compose a new song but I believe our President qualifies for a "Hail to the superchief."

I think history will be able to assess his true value to the Nation and the world after the partisan politicians and petty detractors are gone.

Criticism of the President is that he talks and does not act. It is valid in only one regard. He does talk and there isn't a greater talker in the country today but he has also proved he can act when there is need for action.

There's a lot of difference between him and Prime Minister Neville Chamberlain of England coming back from Munich waving an umbrella and saying: "Peace in our times." Chamberlain believed Hitler and was lulled by him. England was not prepared and did not prepare, for Chamberlain was a man of words and not deeds.

The test ban treaty with Soviet Russia is only one of many significant acts of the Kennedy administration. The President doesn't say it is "peace in our time." He says it is a step toward peace. He is not yet ready to believe the Russians but he is ready to hope and hope is the future of nations and mankind.

Our guard is up. We are ready for any eventuality like this Nation has never been ready. We have the weapons which can annihilate our enemies but they cannot assure our survival for this is the nature of offensive weapons in a hydrogen age.

The President is aware of the problem and that's why he insists on talks between all nations. Talk is not the negation of action. Words have sent more barriers tumbling down than the mightiest of cannon.

It is wholly unfair to say that talks with the Russians are a waste of time. It is true that many conferences and international meetings have frequently been disappointing. There have even been colossal failures in our talking attempts for peace. But none of them has been as bloody a failure as war. And not one of them can be as disastrous as another war.

So what's wrong with talk? And what's wrong with the action of the President who caused the Soviet Union to back down when action was decreed in the Cuban crisis?

There are times to talk and times to act. The present situation calls for talks because the risk of not talking is too great for any leader to have on his conscience.

The test ban treaty may prove to be a failure, but at least the effort will not leave millions of burned bodies strewn across the earth and cause possibly even more young bodies present and yet unborn, to die of leukemia and cancer, the result of testing in the atmosphere.

The right to criticize cooperation with the Soviets does not belong to BARRY GOLDWATER or the unfeeling and unthinking diehards who have stabbed in the back every effort for international cooperation and then exclaimed. "I told you it won't work."

There isn't much time for the civilized human beings to arrive at a decision. Some chief and some nation must take the lead. The United States has taken this lead. The effort may not be a certainty for peace. We may still doubt the Russian sincerity but never must we cease to hope.

This is the hope our Chief has given us. This is the future of America and the world. A hope for a free people all over the earth. A hope for a world free from the devastation of war.

We in Las Vegas who have felt the force of atomic weapons at the testing grounds a few miles from here—the megatons of force that will result in megadeaths—millions of deaths. We must greet our Chief with olive branches for he has given us hope.

To us, he is truly a superchief.

BELMONT FARIES WRITES OF GREAT WORK BY GREAT TEXAS ARTIST, TOM LEA, OF SAM HOUSTON, GREATEST TEXAN OF THEM ALL

Mr. YARBOROUGH. Mr. President, today I deeply regret that the CONGRESSIONAL RECORD cannot reproduce works of art, for I am sure the readers of the RECORD would like to see the magnificent drawing of Sam Houston executed by Tom Lea, the outstanding Texas artist, and unveiled here last week as the design for a new stamp commemorating Houston.

Last week it was my pleasure to be with Postmaster General Gronouski and others as this dramatic sketch was displayed for the first time. Those of us who viewed it then realized the wisdom of selecting the great artist Tom Lea to capture the spirit of Texas' great rugged hero, Sam Houston, Governor, general, Senator, and president of the Republic of Texas.

Those who cannot see this picture now will be given that opportunity in December, when this striking stamp will go on sale. Then it will be seen generally how our great Texas artist has added another laurel to his distinguished career by portraying the greatest Texan of them all, Sam Houston. First day sales will be at Houston, Tex., December 13, 1963, on the anniversary of Houston's inauguration as president of the Republic of Texas on December 13, 1841.

A highly interesting article on the stamp and Tom Lea has been written by Mr. Belmont Faries and published in the Washington Star for September 29. Mr. Faries is a reader of Tom Lea's works; he knows his Texas subjects as well as his stamps. I ask unanimous consent that this article be printed at this place in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TEXAS ART FOR SAM HOUSTON

(By Belmont Faries)

Texas Artist Tom Lea's design for the 5-cent Sam Houston stamp is a powerful line sketch showing the great Texan in the prime of life.

It was made public Friday when Senator RALPH YARBOROUGH, who had suggested that Lea be given the assignment, went to the Bureau of Engraving and Printing to see the art work for the stamp, which will be issued on December 13 at Houston, Tex.

Sam Houston, commander of the army which won the independence of Texas by defeating Santa Anna at San Jacinto, twice President of the Republic, first Senator from the new State, and Governor at the outbreak of the Civil War, is an almost legendary figure.

He was a big man (he stood 6 feet 6), at ease in the turbulence of Tennessee politics or on the frontier as an Indian trader and an adopted member of the Cherokee tribe. Lea has drawn him in full figure, with Texas hat, boots, and rifle.

The portrait is based on an 1848 lithograph by F. Davignon, but Lea has drawn Houston a few years younger, as he looked when he was the first President of Texas.

Tom Lea, outstanding both as an artist and a writer, was born July 11, 1903, in El Paso, where his father was mayor and a typical frontier lawyer. He learned to ride at three and saw his first bullfight at eight. At 17 he went to Chicago to study at the Art Institute, and later lived in Sante Fe before returning to El Paso, where he now makes his home.

He has done a number of murals for public buildings, such as the El Paso Courthouse and public library, and for a number of post offices. During World War II he was a correspondent for Life magazine on assignments which included a landing with the first Marine assault wave at Peleliu.

As a book illustrator he is well known for his work on such western nonfiction as Frank Dobie's "The Longhorns," and he has written and illustrated two novels, "The Brave Bulls," a story of the Mexican bullring, and "The Wonderful Country," an authentic western set in the Rio Grande region of some 70 or 80 years ago.

Although Lea has done much painting in oils, his most characteristic works are line drawings using black ink on white board. His design for the Houston stamp was prepared in this way. It will be printed in deep black on white paper. The Houston figure has been engraved by Arthur W. Dintaman, the lettering and numeral by George A. Payne.

Addressed envelopes for first-day cancellation, with remittance for the cost of the stamps, may be sent to the Postmaster, Houston, Tex., 77002. The outer envelope should be marked "First Day Covers Houston Stamp" and must be postmarked not later than December 13.

AVIATION IN SUPERSONIC AGE

Mr. BARTLETT. Mr. President, the Chamber of Commerce of Anchorage, Alaska, was privileged last Wednesday night to have as its speaker Samuel F. Pryor, long-time vice president of Pan American World Airways, and an even longer-time friend of Alaska. When single-engine aircraft were the order of the day in territorial times, Sam Pryor visited with us, toured the rugged and beautiful terrain with us, hunted with us, fished with us.

He was speaking last Wednesday, to a considerable extent, from memory. Yet his talk was late 20th century in content and appeal. It was good to have him back in Alaska once again.

Pan American and Alaska are as closely knit a unit as is imaginable. Since 1931 Pan American has been providing service between Seattle and Alaska, from the early days of the 8-passenger aircraft to the mighty 160-passenger jets which now operate over Pan Am's routes, twice daily, between the States of Washington and Alaska.

It was not my good fortune to have been in Anchorage last week, Mr. President, to hear Sam Pryor's talk. But friends have called it to my attention and I have read it. I believe everyone in this body who has a sweet tooth for adventure and who looks toward the future with excitement will enjoy Sam Pryor's remarks.

I ask unanimous consent that the remarks be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF SAMUEL F. PRYOR

Because of my business, Mrs. Pryor and I have had the privilege of seeing practically every nook and corner of this world. We truly know it to be a beautiful world—but the last 4 days, having flown with Lowell and landed on skis on one of your glaciers 5,000 feet up in the mountains—and then spending a night at Kulic—a night at Brooks Camp with a trip to the Valley of 10,000 Smokes with my friend Ray Petersen—Mrs. Pryor and I both agree that we have seen the most beautiful part of this beautiful world.

Ten years ago the idea of traveling 3,000 miles to accept a speaking engagement would have made anyone pause for thought. Today Mrs. Pryor and I could have had supper at our home in Greenwich, Conn., and attended your dinner here tonight.

I was glad to get Mr. Bank's invitation to visit with the Greater Anchorage Chamber of Commerce tonight—it seemed natural for a representative of the world's flyingest airline to visit the flyingest city in the flyingest State.

But I accepted his invitation with considerable humility because as a visitor to Alaska, I have seen first hand just how much air travel has been incorporated into your daily lives. It continues to amaze me that 1 of every 30 Anchoragites is a licensed pilot. May I ask by a show of hands how many pilots are here tonight?

There is also a very personal reason why I was so pleased to be invited to Anchorage. My oldest daughter and her husband and family had the courage and the pioneering spirit to forsake a settled existence in New Jersey for the vitality of a growing Alaska. Mrs. Pryor and I relish every opportunity to visit them here and are constantly infused with their own sense of dynamic activity and contribution to a dynamic community. It has also been a source of great satisfaction to the Pryor family that others of our children have chosen to settle permanently in the 50th State. Today we find ourselves flying back and forth between the two new additions to the other 48 States with little thought for the 3,000 miles that separate us.

There is an even more compelling reason, however, why I should be here in Anchorage speaking with you tonight. Pan American and Alaska have been partners for 31 years—partners in one of the most soul satisfying chronicles of initiative, imagination and courage. And may I say that partnership began 6 years before the creation of the CAB. These very elements of initiative, imagination and courage liberally salted with a measure of adventure, attracted a World War I pilot named Carl Ben Eielson to the same challenge offered to my children today. Together with Sir Hubert Wilkins and Joe Crosson, Eielson is acknowledged to be the pioneer of arctic flying. And, I'm proud to say, Pan Am's chief pilot today on our Alaskan operations is Capt. Ralph Savory, one of your old time able bush pilots in the early thirties. Eielson's surveys, begun back in 1922, convinced him that aviation was the best answer to transportation in this rugged area of 600 million square miles. Particularly where there were no roads and coastal ports were inaccessible, intercommunity travel was almost impossible.

Eielson's early probing of the feasibility of bringing scheduled air transport to Alaska was avidly supported by his friend, Juan Trippe, who flew with him in the early 1920's. Trippe returned to the States to found Pan American Airways, and expand the air network south through Latin America, while his friend Eielson opened Alaskan Airways to pioneer air routes to the north.

The hazards of piloting a single-engine aircraft in the exploratory days of Alaska's air age are legion: Icy winds, snow and ice storms, uncharted terrain, glacial peaks, no radio or radar, no airports. The realities of weather and topography required that a pilot be equally adept at landings with wheels, pontoons, and skis and nature was often unkind to those who were downed en route. The textbooks on operations and maintenance of aircraft in subzero temperatures with which all of you are familiar came out of those early days, much of it a result of the efforts of Ben Eielson and your other great pioneers—the Wiens, Bob Reeve, Ray Petersen and others you know so well. Among other achievements in 1924 he flew the first airborne mail in Alaska—164 pounds—from Fairbanks to McGrath in under 3 hours. The same delivery by the dog team required 17 days. Interestingly, Pan Am's first airmail bid was in competition with dog sled teams.

Not surprisingly, in the course of the twenties, a host of small aviation companies sprang up to handle passengers and mail. However, there was still no regularly scheduled air operation in existence—Ben's great dream—at the time he died in a crash in 1929.

Prior to his death, Ben Eielson left yet another mark on the growing importance of Alaska in the air age; he completed a historic flight from America to Asia across the Bering Straits—a route now vital to Alaska as a gateway to the East. The significance of this last achievement and of the subsequent monumental survey flight for Pan American by Charles and Anne Lindbergh north to the Orient in 1931 is really just coming into focus today. The concept of Alaska as the geopolitical center of the world, serving as the hub of a vast wheel of great circle air routes to four continents, has become believable in today's jet age of air travel. This concept should become the dominant reality of the supersonic age that lies just ahead. And that reality will be of unparalleled significance in the development of both your city and your State, and in the operation of every major carrier flying worldwide routes today.

I know that everyone of you here tonight has spent many hours looking at the future, weighing it, discussing it; and your economic development committee reports show you are planning for it. Your enormous commitment to the future is written all over the face of Anchorage, and indeed the entire State of Alaska—in Fairbanks, in Juneau, and Ketchikan. In fact, were it not for the promises of the future, many—if not most of you—would not be here today.

Let me say that we at Pan American are constantly making the same sort of commitment. Our own studies have already led us to believe that Alaska holds one of the keys, if not the single most important key, to future success in the era of supersonic transport.

Pan American has already placed an order with the Franco-British group that is developing a prototype 1,450 m.p.h. mach 2 ship. We expect delivery of our first Concorde supersonic jet some time in 1969. Once this aircraft is available to us, Pan American stands ready to embark on a program of great circle routes that would change the entire complexion of air transport. Alaska would thus find itself so close, in air time, to the principal United States and world population centers that the impact will be like placing it in the geographical center of the country.

There is also, as you know, a great deal of soul searching taking place today both in Washington and at the headquarters of the major U.S. airframe and aircraft engine companies regarding the possibility of designing and producing a mach 3 supersonic jet. At mach 3, this ship would have a cruising airspeed of 2,000 miles an hour, carrying 200 passengers and range minimum of 4,000 miles with stretch capability of 5,500 miles—built of steel and titanium.

To give you some idea of what mach 3 supersonic great circle routes would look like with Anchorage as the hub, let me suggest a few figures:

Anchorage to Seattle 1 hour 24 minutes; 1 hour 42 minutes to San Francisco; 2 hours 9 minutes to Chicago; New York's Idlewild Airport would be only 2 hours and 27 minutes away; Anchorage to Baltimore-Washington—2 hours 30 minutes; Anchorage to Paris 3 hours 6 minutes (present time 10 hours 55 minutes); Anchorage to Rio de Janeiro (via New York) 5 hours 24 minutes; Anchorage to Hamburg 3 hours 6 minutes (present time 8 hours 40 minutes); Anchorage to Hong Kong 3 hours 18 minutes; Anchorage to Lisbon 3 hours 24 minutes; Anchorage to Miami 2 hours 48 minutes; Anchorage to Kansas City 2 hours 6 minutes (present time 5 hours 35 minutes); Anchorage to Manila (via Tokyo) 4 hours 6 minutes (present time 11 hours 9 minutes); Anchorage to Copenhagen 3 hours 6 minutes (present time 8 hours 35 minutes).

Tokyo would be just 3 minutes further away than New York, and you will be able to make a visit to Moscow in 3 hours flat.

Consider this impact on business trips—one-day trips to major world trade centers. Second, the impact on tourist and personal travel—development of scenic and sports potential of Alaska. And, third, the economic impact of intransit stopover passengers resulting from mass transportation between major world population centers through Alaska.

What are all these implications for Alaska's future? In effect, the 49th State will become the Northwest Passage for which European navigators searched so fruitlessly over the centuries.

The opportunities for joint cooperation between you and your 50th State neighbor to the south offer another attractive prospect to us at Pan Am, and to other global carriers. What a magnificent package it would make to offer a week's skiing in Alaska, followed by a week's surfing and sunning in Hawaii. As the standard of living continues to rise in Europe, this type of dual-purpose holiday will be increasingly within the means of large segments of the population. Supersonic aircraft will make the great circle route over the pole to Alaska from Europe a perfect path to the Pacific, and indeed open up the South Pacific of James Michener to the European traveler, and today the Pacific is the fastest growing air traffic area in the world.

A dream, this talk of the supersonic age? Not by our standards at Pan American, and not by your standards, either, unless I miss my guess.

Our airline is still guided by the very man who had the courage and the foresight to make a major commitment to Alaskan air transportation in its embryonic stage—Juan Trippe. He made his first important investment here back in 1932, by purchasing the fledging Alaskan Airways—his late friend Ben Eielson's pioneer venture—and Pacific International Airways.

There were those who questioned Trippe's judgment at the time. As I have said, flying was still a great physical and financial hazard in Alaska, and the unsubsidized costs ran high. Was Juan Trippe dreaming in his early projection of the prospects of Alaskan air transportation? Trippe's belief in Alaska was no more fanciful than Secretary of State William Seward who bought the Alaskan Territory from the Russians for $7.2 million—about half the estimated cost of one supersonic plane—at what proved to be the rate of 2 cents an acre.

As early as 1934 Pan Am prepared a detailed study, with maps, proving that the shortest route to China from the United States was through Alaska. By 1940 commercial service between Seattle and Juneau was established, and the advent of the workhorse, DC–3, enabled Pan Am to open service through Whitehorse to Fairbanks. Lockheed Lodestars were operating twice a week on the Seattle-Fairbanks run in 1941 when Juan Trippe phased Pacific-Alaska Airways into the Alaska Division of Pan American.

At the time of the bombing of Pearl Harbor by the Japanese, Pan Am had achieved all but the goal of establishing a great circle route to Asia. Yet few Americans realized the significance of Alaska as a strategic base for air operations in the North Pacific, although Gen. Billy Mitchell had declared before a congressional committee in 1935 that "Alaska is the most central place in the world for aircraft * * * whoever holds Alaska holds the world." The Japanese were not so blind, and made a stab at gaining a foothold on the North American Continent through the Aleutians.

At the close of the war, Pan American continued on its pioneering path. First came the DC–4's in 1947; then the first DC–6B's with pressurized cabin in 1954; the first B–377 luxury stratoclippers in 1956, and then the first jets. Beginning in 1945, the airline also made the first efforts to reduce cargo rates to make it feasible for Alaskans to utilize air freight for shipment of more goods. Both of your very able U.S. Senators have carried the fight for more transportation at lower rates since Alaska gained statehood.

It is no overstatement that Pan American and Alaska grew up together. Yet now, far from maturity in this year of 1963, we will fly 2,428,000 people across the Atlantic—720,000 across the Pacific. Pan American will have provided transportation for 1,730,000 people between the two American Continents and for 73,000 people between Alaska and Seattle. Since we have had the 31-year partnership with Alaska we have flown 113,154 trips across the Atlantic and 7,224 flights around the world.

We are operating Cape Canaveral for the Air Force, manning not only the cape but all the observation posts on islands between Florida and Cape Good Hope.

On a shoot we dispatch 10 ships to sea to observe the missile flights. We have a 600-man team working for the Army in the heart of Arizona—and we shoot stratospheric rockets for the Air Force over Hudson Bay.

Pan Am, through its fully owned subsidiary, Intercontinental Hotels Corp., operates 22 hotels around the world, and it inaugurates an average of about 8 new hotels annually. Its target 5 years hence is to operate 90 hotels around the world.

Through the new Pan Am Building in New York—the largest office building in the world—we are heavily involved in real estate. The small airline that began in Alaska and Key West has become a diversified American corporation engaged in many activities providing employment for close to 35,000 people with 38,000 stockholders—and with an unbroken dividend record since 1941. We like to feel that we are an example of the free enterprise system.

We of Pan American expect a good deal more of competition from our many formidable rivals on the world airways in bidding for landing rights here in Alaska. All will want to fly in and out of supersonic airports in the State with mail, passengers, and cargo, not merely stop for refueling or maintenance.

As in any business we must be alert to new developments and the improvement of service. As Jackie Gleason once said, "It's like being at the North Pole, the minute you sit down and relax, you're dead." In the airline business you just have to keep going.

May I say in closing, having described to you Pan Am's 30-year partnership with Alaska and Pan Am's 30-year commitment to the improvement of Alaskan air service, I am sure you experienced somewhat the same sense of shock we did in Pan Am when the CAB recommended that all of our Alaskan operations be terminated. This matter is now being litigated in Washington and it would be improper for me to comment further on the merits. But this I will say—and as forcefully and vigorously as I know now—we have no intention of terminating our 30-year partnership with Alaska. We hope to persuade the CAB that their present proposal is wrong and if we are unsuccessful we will use every legal means at our disposal and, if necessary, through every available court. Guided by the spirit of Ben Eielson, Joe Crosson, and many others who are no longer with us today but to whose pioneering efforts we have a continuing obligation, Pan American intends to stay in Alaska. We like it here.

A LIFE OF VIGOR ON THE LAST FRONTIER

Mr. BARTLETT. Mr. President, life may be peaches and cream in the big city East, but in the more remote areas of Alaska it can still be wild and woolly.

A recent letter published in the Lyman County Herald of Presho, S. Dak., tells of Alaska life at its woolliest.

Mrs. Art Porterfield, the author of the article, is homesteading with her husband in Talkeetna. This community lies on the Alaska Railroad roughly one-third of the way from Anchorage to Fairbanks.

From the sound of Mrs. Porterfield's letter, she is having the time of her life.

Because I believe Senators will enjoy this account, I ask unanimous consent that the letter may be printed in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Friends Say—"Stupid, Crazy," but She's Having Fun—Mrs. Art Porterfield Mixes Bear Kill With Bread Baking in Alaska

Dear South Dakotans: I think I am now a true Alaskan as I have picked blueberries, caught a big salmon on a fly rod, and shot a bear.

Mary Ann Juresek and I went up the road last week to pick blueberries. She took her .45 pistol in case we should see a bear. We didn't find many berries. I picked a half gallon and we decided to drive on up the road for fun.

We drove up to Croto Creek where the king salmon were supposed to be spawning. The water is real clear and we didn't see any at first but pretty soon some came by, and down the creek I could see the water swirling and I thought it must be a great huge fish.

I asked Mary Ann if I could take her pistol and go down and shoot it. She said OK; so I strapped on the .45 and walked down the creek. When I got to where the swirl was, it wasn't a huge fish but a whole school of them fighting in the water where it was about 4 feet deep.

Figuring I was going to get pretty wet I picked a nice big one and took aim. I pulled the trigger and click. She hollered at me from the bridge, try again; so I took aim, pulled the trigger and bang. When I opened my eyes, all the fish were taking off except one. It was flopping around. It flopped right up to the bank and lay still. I reached down and after a couple of tries I got a good hold on it and lugged it up on the bank. About that time it came to and I wrestled it till it quieted. It was so heavy I could hardly carry it and every few feet it would start flopping and I would have to drop it. I finally got it up to the road and Mary Ann helped me get it under the hood (still flopping—I thought it was going to upset the car. Ha.)

I really thought I had done something great. When Art came home from work I told him what I'd done and he enlightened me to the fact that this is a very illegal way to take fish.

We didn't have any way to weigh the fish but it measured 40 inches. I took some pictures of the kids with it.

I canned the fish and the following day there was a party across the road at Carol and Marino Siks. Carol's folks were visiting here from Detroit. We really had a ball. There was quite a crowd and everyone was dancing—even Kula's mother who is 77 years old.

We had a broom dance where one person has to dance with a broom and when he throws the broom down everyone has to change partners. The one left without a partner has to dance with the broom. We were all laughing so hard you wouldn't even hear the music, just like a bunch of giggly school kids playing "upset the fruit basket."

Whenever things started quieting down we tossed on a polka record and it was all wild again. Art has made the polka real popular here.

We slept until 10 o'clock the next morning and then the Siks and us went up to the roadhouse (about 20 miles up the road). The men went fishing and Carol and I went rock hunting. I have gotten to be a terrible rockhound and if I don't move some of them out of the house soon we're going to have to move out.

The next night Bess LeTourneau came up and wanted to know if I wanted to go by boat down the Susitna River to the mouth of Trapper Creek to fish for silver salmon. I said "sure," so the next morning I took the girls up to Mary Ann's and Benny and I packed our gear to go fishing. Benny got to go along because his birthday was that week.

It was Benny's first boat ride and he really thought it was "neat."

Dale Sanders, who took us down in his boat, took Benny in hand and showed him how to fish and also helped him land a couple of big silver salmon.

After pulling in a few that Dale hooked, Benny decided they were too big and too hard on his hands; so he went to playing monkey in the trees.

I caught and landed four big silvers on Art's fly rod and man, do they fight. My arms got so tired that I had to rest after landing each one.

I have never seen so many fish before in my life. The sun was bright, the water was clear and you could see them in there by the hundreds. We went home with 17 fish. Ten of them I took home to can. Bess also sent about 4 gallons of strawberries home with me.

I took the fish up to Mary Ann's and she helped me can them. I got 26 cans. She made me take the fish heads home with me so they wouldn't draw the bears.

BREAD AND BEARS

The next morning I was mixing my bread but didn't have the flour all kneaded in when Mary Ann came careening into the yard with her jeep and came tearing into the house all shook up.

She said there was a bear in front of her house and she had fired over its head several times and it wouldn't go away so she shot and hit it. The bear let out a bellow and rolled into the stump row. She grabbed her three kids and jumped into the jeep and came down here.

Leaving my bread the way it was, I loaded Ardis into the car to follow her home. I asked her if I should take a gun and she said, "Yes, I only have one shell left in mine." So I got Art's big rifle and took off, leaving the other kids home as they were playing up the road.

I didn't know if I could shoot Art's big rifle or not, as I have never shot anything but a .22, so when we got to her house I told her to wait a minute while I tried the gun out.

I loaded it, pulled the trigger, and it went bang, so I loaded it again and we went over to where she had shot the bear.

I went up into the stump row where it was supposed to be, but it wasn't there. I could see its trail so I trailed it through the stump row and she went around and met me on the other side. We trailed it across the clearing and found where it had gone into the woods.

The fern grows real thick—about shoulder high—in the woods and Mary Ann wouldn't go in so I proceeded on its trail alone. She stood on the edge of the woods screaming at me to come back. I followed it a ways and then lost the trail. After walking around awhile I found it again.

Meanwhile Mary Ann's kids were coming toward the woods and she had to take them back to the house.

After trailing the bear a ways suddenly I saw the fern wiggling up ahead. Guess I got buck fever or something—anyway I pulled up, fired at the wiggle and, of course, didn't hit a thing.

LAST SHELL

As I stopped to reload—lo and behold—I watched the last shell slide into the chamber.

The bear took off to the left with me cutting across after it, all the while looking for a tree suitable for climbing as most of the trees grow straight up with no branches except way at the top.

I spotted a tree with a crotch trunk not too far away, so when the bear got under a bush and was in view I took aim and fired my last shot. I hit and the bear screamed and bellowed.

But the blasted thing made for the very tree I had planned on climbing.

Luckily it fell at the bottom of it and flopped around. I made for the nearest tree and even though it didn't look as though it could be climbed, I figured if the bear came after me I would get up it somehow.

Mary Ann was up at the house when she heard the shot and screaming and thought it was me getting the worst of it. She came running back to the edge of the woods hollering at me. I yelled for her to bring her gun in. She followed the sound of my voice and got the gun to me—with only one shell in it.

Well, we decided we had to make this one good, so I told her to be sure she got it in the head. She told me to do it so I took her gun and crawled around the tree. Pushing the fern apart with the gun barrel in order to see where his head was and with the muzzle only about 3 feet from its head—I fired.

Couldn't see how I could miss at that range, but do you know, when I shot, that crazy bear raised straight up on its hind legs. I yelled, "Run, Mary Ann, run." She said, "Ax it with the gun." But it just lay back down.

We left it for dead and went back to the house.

I went back home and my bread had raised way up with dough hanging all over. I kneaded it down and was just getting it into the pans when Art came home from work. I had about half of it in the pans when Art said, "Let's go see that bear," so I just left the bread and off we went.

We stopped at Kula's with their mail. His mother and sister, visiting here from Detroit were anxious to see a bear before they went home so we took them along.

Art had his gun so he led the way and we went into the woods to where we had left the bear. It was gone. I could have died.

So we went bear hunting again and found it about 15 feet away laying in the ferns—deader than a mackerel.

It was a small bear so Art and Mary Ann dragged it out of the woods into the clearing and we all took turns having our picture taken holding the gun and standing with one foot on the carcass. That's standard procedure, isn't it?

Art and I dressed it out and there was "fresh meat in camp" up and down the road the next day. We could have had the hide tanned, but Mary Ann and I had shot the poor thing up pretty badly.

So ends the tale of my first bear. I have become quite famous up and down the road—I am known for being stupid, crazy, all guts and no brains, etc., but let them think it—I thought it was fun.

Mrs. Art Porterfield,
Joanne Byre,
Talkeetna, Alaska.

AID TO TITO

Mr. McGEE. Mr. President, the problem of our relationship with the nation of Yugoslavia is a question that, like most cold war issues, cannot be defined in issues that are black and white. It is certainly true that President Tito is dedicated to a philosophy of government which we find completely alien to our own. Yet it is also true that President Tito's very formidable spirit of independence and nationalism has caused him to thwart some of the designs of Russian imperialism.

It is clear to me, Mr. President, that our support of Yugoslavia has been very useful to the long-range aims of our international politics. A very perceptive analysis of the results of our aid to Yugoslavia was published this morning by columnist Roscoe Drummond. Mr. President, I ask unanimous consent that this article, from the Washington Post, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Aid to Tito: What the United States Got for $2.5 Billion

(By Roscoe Drummond)

Belgrade.—When President Josip Broz Tito arrives in Washington October 17 to confer with President Kennedy on trade and foreign policy, one question which most Americans would like him to answer is this: What has the United States got for its $2.5 billion of aid to Yugoslavia during the past 15 years?

This question greatly concerned the 6 Senators and 12 Congressmen who made up the American delegation to the conference of the Inter-Parliamentary Union here in Belgrade. They raised it pointedly on several occasions.

It is a good question, a fair question, particularly since Congress is being asked by the administration to reverse the decision it made a year ago denying Yugoslavia most-favored-nation treatment in trade. The most-favored-nation provision means that when the United States makes tariff arrangements with one country, it grants the same arrangement with other nations.

First, it should be understood that all U.S. aid to Yugoslavia is ended. Aid is neither being sought nor given.

But the United States has put a lot of resources into Yugoslavia. It is reasonable to want to know what benefit they have produced for us, because there is no justification for such aid unless it serves our national interests.

The facts, I think, show that we have received large dividends.

Until Tito broke with Stalin in 1948, Soviet-controlled military forces lined the Adriatic and stood menacingly along the borders of Greece, Austria, Italy, and Albania.

Tito's declaration of independence from Russia wiped out this menace at one stroke. American aid has greatly helped to nourish and sustain that independence until Yugoslavia could get on its feet economically. It has done so by virtue of its own hard work, through U.S. aid, and through the economic resurgence of all of Western Europe. Yugoslav trade is now 77 percent with the West, only 23 percent with the Soviet bloc and other countries.

Here are some of the other dividends which have come from Yugoslavia's independence of the Soviet Union which our aid has helped to maintain:

Yugoslavia withdrew all of its military help to the Communist civil war in Greece and the war soon collapsed.

The long-festering dispute between Yugoslavia and Italy over Trieste was amicably settled.

Albania was geographically isolated from the Soviet bloc.

Though Tito is a dedicated Communist, he withdrew his country from the Cominform, an instrument of Communist world subversion, and has refused to join the Warsaw Pact.

Only a Yugoslavia independent of the Soviet Union could pursue policies which have produced the foregoing results. Its independence is possible only because of its economic association with the United States and Western Europe.

Clearly it is in the interests of.the United States to do everything practicable to keep it that way.

It seems to me shortsighted for Congress to direct the administration to discriminate against Yugoslavia in withdrawing the normal most-favored-nation provision. We were, of course, piqued by Tito's refusal to criticize the Soviet Union for breaking the test moratorium in 1961. This was one of Belgrade's political mistakes.

But Yugoslavia has often sided with the United States at the U.N. and has more frequently voted with the unalined nations than with the Soviets.

If Congress does not soon reverse its action, cutting off Yugoslavia and Poland from normal trade relations, the effect of this policy will be exactly the opposite of what its sponsors said they want. It will not help isolate Eastern Europe from the Soviet Union; it will isolate us from Eastern Europe and abandon the field to the Soviets. Surely this is a policy of retreat, not advance, and a detriment to the national interests and security of the United States.

The choice before us in Eastern Europe today is not between supporting communism on the one hand and democracy on the other. The choice is between governments dominated by Moscow and governments, like Yugoslavia's, which, while Communist, are independent, which are not abetting the Communist conspiracy, and which are pursuing their own national interests—not Russia's national interests.

PRESIDENTIAL POWERS

Mr. McGEE. Mr. President, no one in this body or in the Nation at large is unaware of the tremendous responsibilities borne by the President of the United States. None of these responsibilities is paramount over the rest but certainly in the field of foreign affairs we find the President holding control over the potential for vast good or complete ruin.

Mr. President, an illuminating look at the power of the President and its meaning for the future of this Nation appeared Sunday in the Washington Post. The article, by Chalmers M. Roberts, provides a thoughtful appraisal of a complex subject and I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Red Fireworks Illuminate Presidential Power

(By Chalmers M. Roberts)

The extraordinary power of the Presidency in the conduct of American foreign policy has long been evident. But not very often do we have an opportunity to catch an inside glimpse of the power which the President can exert on the other side in the cold war.

The running exchange of vitriol between Nikita S. Khrushchev's Soviet Union and Mao Tse-tung's Communist China has now provided such an insight in the cases of both President Eisenhower and President Kennedy.

What the Moscow and Peking accounts reveal about the repercussions on American policies these past 7 years now becomes of very great importance for this reason: Both General Eisenhower and Mr. Kennedy, though of rival political parties, have followed essentially the same policy toward the Communist bloc, but the leading Republican presidential possibility, Senator Barry Goldwater of Arizona, advocates an almost diametrically opposed policy.

A CONGRESSIONAL REIN

It may be true, as Walter Lippmann wrote recently, that Goldwater is "now in the process of reshaping himself for the political realities of this country." As Lippmann pointed out, for example, Goldwater has begun to abandon his extreme position of opposition to the graduated income tax.

It can be argued that no President could repeal the income tax even if he wanted to because Congress would not let him. The same can be said of all the measures of the American welfare state because they are the product of Congress as well as of the Executive.

But what of foreign affairs? Congress can go quite far in forming domestic policy despite a President. But congressional power is far less than a President's in the conduct of foreign policy.

For example, as a Senator, Goldwater could only cast one vote against the nuclear test ban treaty. But it took a President to come to terms with the Soviets on the treaty. Goldwater said only this month that he favored withdrawing diplomatic recognition from the Soviet Union. Conferring or withdrawing such recognition is a presidential prerogative.

And Goldwater repeated again this month that he favors "a blockade—as Kennedy imposed" of Cuba. That, too, was done by presidential power alone.

As to summit meetings, the Senator wrote in 1962 that "the only summit that can succeed is one that does not take place * * *." Congress cannot go to the summit; that is a presidential choice, and both Presidents Eisenhower and Kennedy have chosen to meet with Khrushchev.

THE RELEVANT POINT

Whether the test ban is right or wrong, whether Cuba should or should not be blockaded, whether diplomatic recognition of the Soviet Union should be withdrawn by the United States, or whether an American President should go to the summit is not here the point. All these issues are matters for legitimate debate, especially in a presidential campaign.

The point here is that Goldwater, by his words and by the earnest of his vote against the test ban treaty, proposes a very radical change in the conduct of American foreign policy. That is what Mr. Kennedy was alluding to last week in his Salt Lake City speech. And it is true even assuming that Goldwater would be forced by events to modify some of his positions should he displace Mr. Kennedy in the White House 16 months hence.

Hence the high degree of relevancy, as the presidential campaign approaches, of the record as revealed in the Sino-Soviet exchange of abuse.

Two cases will suffice to show the influence an American President can bring on the Communist bloc: The effect of President Eisenhower's 1959 meetings with Khrushchev here in Washington and at Camp David, Md., and the effect of President Kennedy's agreement on the nuclear test ban treaty this August.

The Chinese now say, and the Soviets do not disagree, that their dispute began with Khrushchev's denunciation of Stalin in the famous secret speech in February 1956. It was in that speech that Khrushchev first put forward as Communist dogma the thesis that war between the Communist states and the democracies was not necessarily inevitable. But it was not until this theory was put into action, as the Chinese see it, that the schism really began.

In October 1957, 11 days after the first sputnik, Khrushchev promised to help Mao create Chinese nuclear weapons. At that time Soviet economic and technical aid flowed to Peiping. But things changed in mid-1959, the Chinese accounts show, at about the time Khrushchev received his long-sought invitation to visit the United States.

On June 20, 1959, Peiping charges and Moscow has not denied, Khrushchev "unilaterally scrapped" the Sino-Soviet arms aid agreement. The Chinese also say that this was done "apparently as a gift" from Khrushchev to Mr. Eisenhower. That is obvious nonsense and the use of the word apparently indicates a minimum of Peiping's belief in its own assertion.

After the Eisenhower-Khrushchev meeting, Peiping says, "Khrushchev lauded Eisenhower to the skies, hailing him as a man who 'enjoys the absolute confidence of his people' and who 'also worries about insuring peace just as we do.'" Khrushchev did say such things in public.

The following month, Khrushchev flew to Peiping (for what turned out to be his last meeting with Mao), where, the Chinese say, he read them "a lecture against 'testing by force the stability of the capitalist system.'"

The issue of such a test by force was the Chinese determination to end the Nationalist Chinese regime on Taiwan, protected, then as now, by U.S. military power. In 1958, the Red Chinese had had a try at it but had met with military defeat resulting from American military aid to Chiang Kai-shek. And the Chinese now complain that Khrushchev's public statements at the time about aiding them were of only a limited and defensive nature, as indeed they were.

At this October 1959 Peiping meeting, the Chinese say Khrushchev in effect was approving a "two Chinas" policy and thus was backing American policy. The Soviets, in reply, call this nonsense. But the Soviets do concede that Khrushchev "said, touching on the Taiwan question, that different ways were possible to solve it—not only military but peaceful, too."

Khrushchev went to Peiping fresh from some forceful words from President Eisenhower on American determination not to let the Communists take over Taiwan by force. It is now apparent that the President's remarks, plus Khrushchev's view of America, had the desired effect.

In those days, American officials hoped that Moscow could "control" Peiping and thus prevent a Sino-American clash in Asia. It is obvious now that a real effect of the Eisenhower-Khrushchev meeting was to deepen the Sino-Soviet schism, since Peiping refused to be a Soviet satellite.

That the schism deepened further is evident from the uncontested fact that only 9 months later, Moscow, as Peiping describes it, "suddenly took a unilateral decision recalling all the Soviet experts in China within 1 month, thereby tearing up hundreds of agreements and contracts."

There were other signs of Soviet hostility toward China, too. In mid-1960, what for generations had been the normal nomadic movement of Chinese tribes in interior Sinkiang Province back and forth across the Sino-Soviet border suddenly became a serious matter. The Chinese say that the Soviets began to kidnap their nationals and the Soviets contend that "since 1960, Chinese servicemen and civilians have been systematically violating the Soviet border."

Of course, all these and other now revealed points of Sino-Soviet friction cannot be called the product of the Eisenhower-Khrushchev meeting. But the basic Chinese complaint is that Khrushchev, in effect, has gone soft on capitalism and has been trying to get on with the United States, at least by avoiding nuclear war.

On May 1, 1960, on the eve of the Paris summit which was to bring about another Eisenhower-Khrushchev meeting, Francis Gary Powers' American U–2 espionage plane was shot out of the sky deep inside the Soviet Union.

The U–2's had been sent over Russia by direction of President Eisenhower. Except for a handful of senior Members, Congress was not told about the program and none of that handful knew of the flight on the eve of the summit gathering. This was an executive action for which Mr. Eisenhower later took full public responsibility.

Regardless of the validity of the U–2 flights, or even of that particular one, the Eisenhower admission put Khrushchev in an intolerable box with the Chinese, much more of a box, we now know, than anyone even suspected at the time. As the Chinese now say: "The 'spirit of Camp David' completely vanished. Thus, events entirely confirmed our views."

This ended the dialog between the Eisenhower administration and the Soviet Union. But a new administration took over in Washington 7 months later and President Kennedy at once sought to reestablish communication with Moscow. Though from his own viewpoint badly burned once, Khrushchev reciprocated Mr. Kennedy's overtures. His first effort of importance, however, was to test the young and new President.

Unhappily, the Bay of Pigs debacle—another Executive act not approved by Congress and started without congressional knowledge—appears to have convinced Khrushchev that the President was weak. So when they met at Vienna in June, Khrushchev cranked up a new Berlin crisis, presumably to test the Kennedy mettle.

The previous June, just before the U–2 incident, Khrushchev, the Chinese now say, had strongly attacked the Chinese at a secret world Communist meeting in Bucharest. By November, however, considering his strained relations with the United States, Khrushchev agreed to an effort at a Moscow meeting of 81 Communist parties to paper over Sino-Soviet difficulties. The patchwork did not last very long, so deep was the schism.

This attempt appears now to have been a tactical maneuver motivated by Khrushchev's ignorance of what the new American President would do.

Although the Bay of Pigs probably helped lead Khrushchev to create a new Berlin crisis, he stopped short when President Kennedy stood firm over Berlin in the fall and winter of 1961–62. In September 1961, the

Soviets resumed nuclear testing and Soviet-American relations were at a low ebb.

By spring, however, with some prodding from British Prime Minister Harold Macmillan, President Kennedy opened another round of test ban talks with Moscow while resuming American tests. On August 27, 1962, the United States and Britain offered a limited test ban treaty which nearly a year later was the basis for the one the Soviets finally accepted.

The Chinese now say that "in August 1962, the Soviet Government formally notified China that the Soviet Union would conclude an agreement with the United States on the prevention of nuclear proliferation." Whatever the actual fact, the Chinese now say that this was "a joint Soviet-United States plot to monopolize nuclear weapons and an attempt to deprive China of the right to possess nuclear weapons to resist the U.S. nuclear threat. The Chinese Government lodged repeated protests (with Moscow) against this."

Here it is evident that a major bone of current contention is Moscow's failure to provide China with nuclear weapons or to help her build her own. A major reason for the test ban treaty, in the view of both the Eisenhower and Kennedy administrations, has been just that: To try to keep Red China from getting such weapons.

The Chinese now contend that not only did Khrushchev ask them to sign the treaty, which of course they have refused to do, but also "threatened that if the Chinese Government opposed this treaty and refused to be bound by it, the United States would help the Chiang Kai-shek clique to manufacture nuclear weapons."

Further, the Chinese say that not only have Soviet leaders "colluded with the U.S. imperialists in an effort to force China to undertake not to manufacture nuclear weapons," but that the Russian leaders "told the Americans the secrets between China and the Soviet Union concerning nuclear weapons."

Both of these allegations are lies, as far as Washington is concerned, American officials say. The information here on Chinese nuclear development comes from sources other than the Soviet Government, it is said.

But whether or not Mao and company believe the charges they make against Khrushchev on this point, it is evident enough that the test ban treaty between the United States and the Soviet Union has further poisoned the Communist well. And that treaty was a Presidential act, subject only to the Senate approval given last week.

Of the many as yet unclear points of Soviet policy and Sino-Soviet relationships, one is the Chinese charge that Khrushchev told them in August 1962, that he would sign a test ban agreement. In fact, he did not approve one for nearly a year and then only by switching his position from a demand for a total ban with only a few underground on-site inspections to the more limited ban.

It would now appear that Khrushchev's motivation for the switch was to try to deny China nuclear weapons and to isolate her among the world's Communist parties. In that act, President Kennedy was a willing accomplice.

But it is also true that by August 1962, Khrushchev had embarked on his Cuban missile venture. Indeed, the outcome of that "eyeball to eyeball" confrontation was a major cause of delay in reaching treaty agreement.

One can only guess what was in Khrushchev's mind. Perhaps he hoped by placing missiles under Mr. Kennedy's nose in Cuba to make blackmail gains in Berlin and force a test ban treaty more on his terms, both actions which would have enabled him to say to the Chinese, "See how much I can gain without the nuclear war you want to risk." But when it came to risking nuclear war over Cuba, it was Khrushchev, not President Kennedy, who backed down.

These accounts of the interplay between Khrushchev and the two American Presidents serve amply to demonstrate the immense power which an American Chief Executive can exert—and has exerted—on the Communist world. But a premise of all these American actions and reactions has been a Presidential willingness to negotiate with the Russians and to meet with their leaders.

Of course, the twin pillars of American foreign policy, and of Soviet policy, too, are military power and the will to use it plus skillful diplomacy to exploit that power. The great danger of the nuclear age has been less that of accidental war than of war by miscalculation; diplomacy is required to avoid miscalculation.

And the major danger of miscalculation has been the possibility that the Soviet Union might conclude that the United States, as ancient Communist dogma holds, is so hostile to communism that it would sometime attack Russia. Both Presidents Eisenhower and Kennedy have denied this.

Indeed, much of the Soviet-American dialog dates from the October 19, 1954, off-the-cuff remarks by President Eisenhower that "since the advent of nuclear weapons, it seems clear that there is no longer any alternative to peace if there is to be a happy and well world."

A point at issue in the current Sino-Soviet argument is exactly what Mao said to Khrushchev about nuclear war at the 1957 Moscow meeting. The Soviet version is, in effect, that Mao, said that even if more than half the world's population were to be annihilated, he was willing to fight, whereas Khrushchev was appalled at the idea of destroying everything built since the Bolshevik Revolution.

Last July 14, the Soviets said that "the nuclear rocket weapons that were created in the middle of our century changed old notions about wars." This, the Chinese take to mean, they say, that "war is no longer the continuation of politics," as they imply it should continue to be.

If the Soviets are thus convinced, as the evidence is on that side of the argument, then a receptiveness on the American side to talk out and argue out world problems continues to be imperative. "We arm to parley," said Churchill.

And to parley is a Presidential function.

RESOLUTIONS ADOPTED AT 20TH ANNUAL CONVENTION OF NATIONAL CONGRESS OF AMERICAN INDIANS

Mr. BURDICK. Mr. President, the selection of Bismarck, N. Dak., for the annual convention of the National Congress of American Indians held September 10–13, 1963, did honor to our capital city and to our State. This fine organization completed a most successful convention, after earnest deliberations, and after declaring policy for the ensuing year.

Mr. President, I ask unanimous consent to have the resolutions adopted printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

RESOLUTIONS ADOPTED AT 20TH ANNUAL CONVENTION OF THE NATIONAL CONGRESS OF AMERICAN INDIANS

RESOLUTION 1

Whereas the Christian mission schools have been conducted for the education of the Indian people since the 16th century; and

Whereas the mission schools were the only schools which took care of Indian education until late in the 19th century; and

Whereas many of the delegates present here today received their training in these mission schools; be it

Resolved, That the National Congress of American Indians go on record as commending the work of the mission schools and urge the Federal and State Governments as well as private agencies to assist them in their work in any way possible.

RESOLUTION 2

Whereas the programs and activities of the Boy Scouts of America provide the boys of America with clean, wholesome, and useful recreation conducive to rigid training and physical development; and

Whereas it is the hope of the Indian race, that more Indian boys should receive this opportunity in acquiring scouting experience; and

Whereas Tribal Leaders' Conference on Scouting conducted at Philmont Scout Ranch have been instructive and beneficial: Now, therefore be it

Resolved, That the 20th Annual Convention of the National Congress of American Indians convened at Bismarck, N. Dak., September 10–13, 1963, recognizing the value of our Indian youth, encourages and advises all tribes to have representation at the 1964 Philmont Conference scheduled for September 15–17, 1964, at Cimmaron, N. Mex.

RESOLUTION 3

Whereas on many Indian reservations, there exists a deplorable condition in the jails because of lack of funds, and lack of personnel; and

Whereas such jails do not meet the health standards set forth by the U.S. Public Health Service and the respective State boards of health: Now, therefore be it

Resolved, That the National Congress of American Indians assembled in annual convention at Bismarck, N. Dak., September 10–13, 1963, requests a congressional appropriation to build and maintain municipal centers on Indian reservations to meet Public Health Service standards; be it further

Resolved, That the National Congress of American Indians further urge the Bureau of Indian Affairs to grant early approval of law and order codes adopted and submitted by tribal councils.

RESOLUTION 4

Be it resolved by the National Congress of American Indians in annual convention assembled September 10–13, 1963, in Bismarck, N. Dak., For the gracious hospitality and courteous treatment of the Indian people at the convention the National Congress of American Indians sends greetings, full thanks and deep appreciation to the Honorable William L. Guy, Governor of the State of North Dakota; Hon. Evan Lips and Hon. John Handtmann, mayors of the cities of Bismarck and Mandan; the efficient and courteous police and fire departments; to the Bismarck Chamber of Commerce; to the Host Tribes, Standing Rock, Fort Berthold, Fort Totten, Turtle Mountain, Rosebud, and Pine Ridge; to Mr. Joe Chase and his associates for arranging the international bronc riding match; to the press and the management of the convention headquarters.

RESOLUTION 5

Whereas it is the policy of the National Congress of American Indians to encourage Indian youth to participate in tribal activities; and

Whereas there was an annual contest to select Miss Indian America; and

Whereas Miss Williamettee Youpee, of the Fort Peck Indian Reservation, has won at Sheridan, Wyo., the title of Miss Indian America X: Now, therefore, be it

Resolved, That the National Congress of American Indians in 20th annual convention on September 10–13, 1963, at Bismarck, N. Dak., hereby extends thanks to Williamette Youpee, Miss Indian America of 1963 for gracing the convention with her beauty and charm and for cheerfully participating in the convention activities of the National Congress of American Indians.

RESOLUTION 6

Whereas the aboriginal ownership of lands, waters, powersites, hunting and fishing, and other rights were affirmed by treaties; and

Whereas there has been and now are more efforts being made in the Congress of the United States and certain State legislatures to violate and abrogate Indian treaties; and

Whereas such blatant and flagrant disregard for these treaties is contrary to the Constitution of the United States which makes all treaty obligations the supreme law of the land; and

Whereas all Indian tribes are deeply concerned about existing proposals to seize certain Indian rights such as hunting and fishing areas, powersites, water rights, and land: Now, therefore, be it

Resolved, That the National Congress of American Indians assembled at Bismarck, N. Dak., September 10 to 13, 1963, hereby urges the President of the United States, the Congress of the United States, and the State governments to exercise greater awareness and respect to all Indian treaties; to undertake full consultation with Indian tribes and refrain from the takeover of any treaty rights without full consent of the tribes concerned.

RESOLUTION 7

Whereas the Affiliated Tribes of Northwest Indians, in convention assembled, at Spokane, Wash., on the 30th day of August 1963, is of record opposing the enactment of H.R. 6131, S. 156, 88th Congress, 1st session, bills relating to membership in Indian tribal organizations; and

Whereas provisions for elections and referendums are adequately provided for in the various tribal constitutions and that the subjects proposed to be legislated by H.R. 6131 and S. 156 are internal matters that fall fully under the autonomy of the tribes and should not be abrogated by unneeded congressional legislation: Now, therefore, be it

Resolved, That the National Congress of American Indians assembled at convention in Bismarck, N. Dak., September 10 to 13, 1963, hereby oppose the passage and enactment of H. R. 6131 and S. 156.

RESOLUTION 8

Whereas the National Youth Council drafted and passed the following resolution which reads as follows:

"Whereas the National Indian Youth Council, believing in a greater Indian America, holds it to be for the best interest and progressive action toward better understanding and improvement of conditions for all Indians to carry forward our policy and made clear the inherent rights of Indians; and

"Whereas in order to gain this end the National Indian Youth Council strongly opposes the termination of Federal trusteeship over Indians; and

"Whereas the National Indian Youth Council holds that it is morally and legally right that Indians have a voice in matters of jurisdiction directly or indirectly affecting Indians; and

"Whereas the National Indian Youth Council recognizes the rights guaranteed a people under the statutes of the United States and holds that Indians must make every effort to exercise these basic rights: Now, therefore, be it

"*Resolved*, That the National Indian Youth Council endeavors to carry forward a policy of making known the inherent sovereign rights of Indians to all people, opposing termination of Indians at all levels, seeking full participation and consent in jurisdictional matters involving Indians, and stanchly supports exercising of those basic rights guaranteed Indians by the statutes of the United States of America; and

"Whereas the National Congress of American Indians realize the importance of Indian youth activity and interest in political affairs: Now, therefore, be it

"*Resolved*, That the National Congress of American Indians, in convention assembled at Bismarck, N. Dak., September 10 to 13, 1963, hereby commend the National Indian Youth Council for their work and interest in the welfare of their Indian people."

RESOLUTION 9

Whereas President Kennedy is scheduling a tour of the West to visit regions particularly adapted for recreational purposes; and

Whereas within the areas of his visit there are Indian reservations with the most excellent recreational facilities: Now, therefore, be it

Resolved by the National Congress of American Indians convention assembled September 10–13, 1963, That the President be invited in a telegram from this convention to include some Indian reservations in his itinerary.

RESOLUTION 10

Whereas the Governor of South Dakota on March 15, 1963, signed H.R. 791, that would force our Indian people to accept State jurisdiction under Public Law 280 without consent and in violation of our treaty rights and tribal constitution; and

Whereas this legislation would strip our courts, Federal and tribal police officers of the power to preserve law and order on Indian reservations; and

Whereas South Dakota has attempted to assume this power but declines to accept the responsibilities that go with this power, conceding that it would cost the State $500,000 annually to maintain the present levels of law enforcement enjoyed under Federal and tribal jurisdiction, by refusing to appropriate any funds whatsoever for this purpose; and

Whereas to prevent this irresponsible act from taking effect, the United Sioux Tribes of South Dakota representing 43,000 Indian people joined by thousands of our non-Indian friends have petitioned the State to submit house bill 791 to vote of the people in a statewide referendum in November 1964, (gathering 20,000 signatures in what has been called the greatest Indian political feat up to this day); and

Whereas we the United Sioux Tribes are determined to win this referendum against great odds and well financed opposition, who covet our lands; and

Whereas this act denies our Indian people equal protection under the law and deprives our Indian people of a voice in their own destiny;

Whereas the United Sioux Tribes of South Dakota appeal to the National Congress of American Indians for moral support to defeat the law enacted by the South Dakota State legislation which is to be placed at a referendum vote in November 1964; and

Whereas the United Sioux Tribes appeals to the National Congress of American Indians for financial aid in this cause: Now, therefore, be it

Resolved, by the National Congress of American Indians assembled at Bismarck, September 10–13, 1963, wholeheartedly extends its moral and financial support to the United Sioux Tribes; and be it further

Resolved, That the executive director of the National Congress of American Indians is hereby authorized to make every effort to raise funds that will be utilized for this worthy cause.

RESOLUTION 11

Whereas countless numbers of Indian estates have not had probate action for years; and

Whereas bills are left unpaid and heirs are not benefiting from estates due them: Now, therefore, be it

Resolved by the 20th annual convention of the National Congress of American Indians assembled at Bismarck, N. Dak., September 10–13, 1963, That the Examiner of Inheritance, Department of the Interior, be strongly urged to expedite all Indian probate action.

RESOLUTION 12

Whereas the Congress of the United States has several bills relating to the transfer of submarginal lands to various tribes involved; and

Whereas use of these lands and revenue derived therefrom are essential to the economic development of the Indian tribes: Now, therefore, be it

Resolved, That the National Congress of American Indians in 20th annual convention assembled at Bismarck, N. Dak., September 10 to 13, 1963, do hereby support and urge the earliest possible consideration of these bills that titles to these lands be transferred to the tribes in trust be made a part of the existing reservations; and be it further

Resolved, That copies of this resolution be mailed to the Chair and members of the subcommittees on Indian Affairs of the Senate and House of Representatives.

RESOLUTION 13

Be it resolved, That the National Congress of American Indian Tribes in open convention assembled at Bismarck, N. Dak., this 13th day of September 1963, is opposed to S. 1049, a bill relating to the Indian heirship problem, as reported by the Senate Committee on Interior and Insular Affairs on September 4, 1963.

As reported section 7(b) of S. 1049 authorizes the sale of tribal land with the approval of the Secretary of the Interior. This is a departure from the law in force since 1791 (25 U.S.C. 177) forbidding the sale of tribal land unless explicitly authorized by act of Congress. Section 7(b) would open the way to break up tribal landholdings by moving them into individual ownership. It would destroy the tribal land base and multiply the heirship problem, S. 1049 avowedly is designed to alleviate.

Section 7(b) was not in any draft of bill considered at hearings before the committee and was not the subject of discussion at such hearings. Indian tribes have not been afforded an opportunity to be heard on what would be a revolutionary change in Federal policy which will have a shattering effect on tribal landholdings.

Within a year after S. 1049 becomes law, fractional heirship interests will be sold with a preferential right in a tribe to purchase heirship interests provided the tribe has the funds to pay for the land and has a land management plan approved by the Secretary of the Interior. For funds, S. 1049 authorizes an increase of $35 million to the revolving credit fund of the Bureau of Indian Affairs, presumably to loan to the tribes to finance the purchase of heirship interests. However, the sales feature is not keyed to the availability of funds to the tribes and an approved land management plan. Heirship interests in land may not be sold before the tribe has funds and an approved land management plan.

The National Congress of American Indians respectfully urges that S. 1049 be rejected by the Senate or, as a least desirable alternative that S. 1049 be amended:

1. Strike section 7(b).

2. To key the sales feature to the availability of funds and an approved land management plan by amending the opening paragraph of section 6 by adding a proviso after "requirements" on page 16, line 12, reading as follows: "*Provided*, That no land within the reservation or approved consolidation area, shall be sold under this act unless

the tribe has funds available for the acquisition of such lands, or advises the Secretary in writing that it does not desire to acquire the lands."

RESOLUTION 14

Whereas the Commissioner of Indian Affairs has declared, quote, "as trustee of Indian property we in the Bureau have a clear-cut responsibility to safeguard the Indian beneficiaries against dissipation of their funds (judgment money)." One way in which they can dissipate with little or no lasting benefit is through a blanket per capita distribution of the entire amount to the individual beneficiary: Now, therefore, be it

Resolved, by the National Congress of American Indians in convention duly assembled on September 10 to 13, 1963, in Bismarck, North Dakota, request and urge of congressional legislation to provide the most beneficial use of all these judgment funds (for tribal use) as determined by the individual tribal desires.

RESOLUTION 15

Whereas Mr. Oliver LaFarge, president of the board of directors of the Association on American Indian Affairs, passed away on August 2, 1963; and

Whereas Mr. LaFarge was a true friend of American Indians and worked long and hard for them and their interests in the social and economic fields devoting his talents and time unstintingly in and out of the associations; and

Whereas through his efforts and the program of the association the Indians have been aided in making appreciable progress in their programs: Now, therefore, be it

Resolved by the National Congress of American Indians in the 20th convention assembled September 10–13, 1963, That it expresses deep regrets for the untimely passing of Mr. LaFarge and the loss of a true and sympathetic friend of the American Indian who approached their problems with a warm and understanding heart.

RESOLUTION 16

Whereas the Foundation of American Indian Culture is being established in Bismarck, N. Dak., in order that "future generations may know of the rich and colorful civilization that existed on our continent before the white man came" and in order that the "public may become acquainted with the present-day Indian way of life," with a three-part program envisioning (1) A museum of Indian culture; (2) an information and education center on Indian culture; (3) an annual exposition of Indian arts, parades, powwows, and theatrical productions.

Whereas in the articles of incorporation under the laws of the State of Oklahoma the National Congress of American Indians is committed, among its specific purposes, "to enlighten the public toward a better understanding of the Indian race" and "to preserve Indian cultural values," and therefore to this extent has the same goals as the Foundation of American Indian Culture; and

Whereas the sponsors of the Foundation of American Indian Culture have enlisted the interest of the National Congress of American Indians in its formation: Now, therefore, be it

Resolved by the National Congress of American Indians in convention assembled September 10 to 13, 1963, That its executive director be instructed to determine, with the advice of counsel, how the National Congress may participate in, or contribute to, the proposed activities of the foundation and if by affiliation, as provided in section 4k, article V, of the National Congress of American Indians Constitution, how the National Congress may share in the facilities of the foundation; and to report his findings with recommendations to the executive council; be it further

Resolved, That, meanwhile, the National Congress of American Indians shall cooperate in every way possible, without corporate commitment in advance of clearance by the executive council and counsel, with the foundation toward the accomplishment of common goals.

RESOLUTION 17

Whereas Indian tribal officials entrusted with responsibility for attending meetings to transact tribal business are usually compensated for attendance at such meetings; and

Whereas such tribal officials have not considered such amounts were includible as income, and

Whereas some officials of the Internal Revenue Service have lately questioned whether such payments should be reportable as taxable income and there is uncertainty whether some officials of the Internal Revenue Service are on sound ground in ascertaining taxability of such amounts, particularly since litigation is pending on this question: Now therefore, be it

Resolved by the National Congress of American Indians in convention assembled at Bismarck, N. Dak., September 10 to 13, 1963, That the Secretary of the Interior is urged to intervene with the Congress, the Internal Revenue Service and such other appropriate agencies or individuals to the end that payments of amounts to tribal officials for conducting tribal business may continue to be exempt from Federal and State taxes.

RESOLUTION 18

Whereas the irrigation liens charged against individual Indian allotments were not farmed or leased builds up a backlog that hampers the leasing of said lands and causes economic hardship to individual Indians; and

Whereas there is no statutory authority allowing such charges to be waived: Now, therefore, be it

Resolved by the National Congress of American Indians, at its September 10 to 13, 1963, convention assembled, That the convention does petition the Congress of the United States to amend the act of July 26, 1936, 49 Stat. 1804 (25 U.S.C.A. sec. 389a) to read as follows:

"Where the Secretary finds that such lands cannot be cultivated profitably due to a present lack of water supply, proper drainage facilities, or need of additional construction work, or if individual Indian allotments within the irrigation district are not farmed or leased during the current irrigation year, he shall declare such lands temporarily nonirrigable for periods not to exceed 5 years and no charges shall be assessed against such lands during such periods."

RESOLUTION 19

Whereas the U.S. Army Corps of Engineers have proposed a project to dredge the Skagit River, Skagit County, Wash., from a point at Concrete, Wash., down to salt water area, and annually maintain the channel; and

Whereas in addition to dredging the channel, they may also construct a dam on the Sauk River; and

Whereas dredging of the channel on the Skagit would destroy natural spawning grounds for salmon, which contribute largely to the economic stability of at least three tribes near this river, and the salmon industry in general; and

Whereas as a result thereof, the Indians' treaty rights to hunt and fish in the counties of Whatcom, Skagit, and Snohomish would be seriously affected: Now, therefore, be it

Resolved by the National Congress of American Indians in convention this September 10 to 13, 1963, in the city of Bismarck, N. Dak., Do hereby protest and object to the plans of the U.S. Army Corps of Engineers as above stated, for reasons hereinabove set forth, and request of said Corps of Engineers that this project be set aside for the sake of conservation of the salmon industry for the reason that such proposal, if carried out to completion, would constitute deprivation of the fishery guaranteed to these Indians by treaty of Point Elliot, 1855.

RESOLUTION 20

Whereas at the present time, low-rent public housing is now being completed on the Pine Ridge Indian Reservation;

Whereas several more low-rent public housing and other projects are now in the development stages;

Whereas the Oglala Sioux Tribe constructed these projects on force account with employment of local Indians greatly enhancing the tribal economy: Now, therefore, be it

Resolved by the National Congress of American Indians in convention assembled September 10 to 13, 1963, That it go on record as urging Government agencies to employ force account on housing as well as other industries on all reservation projects and that it will actively so urge through its executive director whenever any project of this type to be undertaken on a reservation is brought to its attention.

RESOLUTION 21

Whereas the gunnery range has been declared surplus by the U.S. Air Force;

Whereas the gunnery range at one time had provided income for the tribe and had provided grazing privileges for Indian cattle operators;

Whereas the Oglala Sioux Tribal Council requests the assistance of the National Congress of American Indians to assist in restoring the original gunnery range back to the Oglala Sioux Tribe and individual members: Now, therefore, be it

Resolved by the National Congress of American Indians in the 20th annual convention assembled at Bismarck, N. Dak., September 10 to 13, 1963, That we urge the U.S. Government to restore the 94,000 acres of land to the tribe; and further

Resolved, That the National Congress of American Indians urge the Congress of the United States to enact legislation to restore all individual allotments to the Oglala Sioux tribal members.

RESOLUTION 22

Whereas a right-of-way has been granted by the Department of the Interior to the city of Phoenix, Ariz., through the Fort McDowell Mohave-Apache Indian community reservation in connection with the Arizona water project, without the consent of the Indians and with a resultant loss of valuable property; and

Whereas the transaction involving the grant of the right-of-way was carried on under circumstances and with representations which bespoke a gross injustice to the Indians and cast a cloud on their title particularly from the standpoint of the exact boundaries of the post area (4 by 10 miles) and the reservation: Now, therefore, be it

Resolved by the National Congress of American Indians in convention assembled September 10–14, 1963, That the proper committees in the Congress be requested by the executive director to pass a resolution for a congressional investigation of the transaction as a basis for appropriate legislation to correct the situation, to secure the Indians rights and to fix firmly the boundaries of their post area and reservation.

RESOLUTION 23

Whereas H.R. 4013 was introduced in the Congress of the United States; and

Whereas said bill provides for compensation to the Crow Tribe of Montana for loss of lands within the boundaries of the reservation: Now, therefore, be it

Resolved, That the NCAI in the 20th annual convention assembled, September 10–14, 1963, Bismarck, N. Dak., hereby request Congress of the United States for the passage of H.R. 4013.

RESOLUTION 24

Whereas a vast majority of the tribes in the United States voiced objection to the passage of Public Law 83–280 in 1953; and

Whereas most tribes and the National Congress of American Indians voiced an opinion that stated that Public Law 83–280 would cause racial discrimination against Indian people; and

Whereas several States have attempted to assume civil and criminal jurisdiction under the provisions of Public Law 83–280 but refuse to accept the responsibility of financing law and order operations equal to the protection now given by tribal and Federal law enforcement officers; and

Whereas Public Law 83–280 would not take into consideration the provisions of the Indian Reorganization Act of 1934 which allows the tribes to maintain their own law and order systems; and

Whereas the cardinal principle of our Government, that of "consent of the governed," was completely disregarded even though the tribes requested that such a provision be a part of Public Law 83–280; and

Whereas the tribes of the United States have consistently voiced their objections to Public Law 83–280 during the past 10 years: Therefore be it

Resolved by the National Congress of American Indians assembled at Bismarck, N. Dak., September 13, 1963, That we urge Congress to amend Public Law 83–280 by the passage of S. 143 and H.R. 6145 to provide for the consent of the Indian tribes; and further

Resolved, That these laws be enacted to provide for an agreement between the Federal, State and tribal governments in areas where there is mutual agreement; and further

Resolved, That the National Congress of American Indians urges the people of the United States to request Congress to abide by the wishes of the Indian tribes in dealing with Public Law 83–280.

RESOLUTION 25

Resolution of the National Congress of American Indians supporting the position of the Crow Tribal Council in its efforts to protect individual rights

Whereas Crow Indians classified as competent are empowered by law to enter into unsupervised grazing and farming leases of their own or children's allotments; and

Whereas pursuant to such congressional authority, many competent Crows have exercised this prerogative and executed such leases; and

Whereas the status of many such leases has been questioned by a recent solicitor's opinion nullifying an intermediate amendment to the leasing laws applicable to the Crow Reservation; and

Whereas cancellations, new leases, top leases and other agreements have been executed by the parties in an effort to correct defects and other irregularities in existing leases caused by the changed interpretation of the law; and

Whereas leases executed by competent Crows must be promptly filed with the Crow Indian Agency; and

Whereas the fact of filing does not establish the legality of such leases but serves only the purposes of recording and notice; and

Whereas the Interior Secretary or his agents are precluded by law from approving or disapproving leases made by competent Crows; and

Whereas the individual competent Crow is charged with the responsibility of complying with the terms of any lease made by him; and

Whereas the Superintendent of the Crow Agency has refused to file certain leases made by competent Crows; and

Whereas his refusal to file these leases is tantamount to disapproving and rejecting the lease and circumvents the legal prohibition against supervision of these leases by the Interior Secretary; and

Whereas this action is beyond his authority, is arbitrary and capricious; and

Whereas the superintendent of the Crow Agency fails and refuses to furnish the particularized reason for his action to the competent Crow and thereby makes it difficult for the individual to pursue his administrative remedy; and

Whereas the superintendent of the Crow Agency by pursuing this course of conduct must be deemed to be carrying out policy established by his superiors in the Bureau of Indian Affairs and the Department of the Interior: Now, therefore, be it

Resolved, That the National Congress of American Indians duly assembled in annual convention at Bismarck, N. Dak., September 10–14, 1963, does with this resolution express its disapproval of this authoritarian, bureaucratic policy and does and hereby censors the Government officials responsible for this policy; be it further

Resolved, That the National Congress of American Indians does hereby request the Secretary of the Interior, Stewart L. Udall, and the Commissioner of Indian Affairs, Philleo Nash, to abandon this policy and direct the superintendent of the Crow Agency to file any and all leases submitted to him by competent Crows and to return to the individual Crow the responsibility for compliance with the lease; be it further

Resolved, That copies of this resolution be sent to the Secretary of the Interior, the Honorable Stewart L. Udall, the Honorable Senator Mike Mansfield, the Honorable Senator Lee Metcalf, the Honorable Congressman Arnold H. Olsen, the Honorable Congressman, James F. Battin, and the chairman of the Senate Committee on Indian Affairs, Henry Jackson, and the chairman of the House Committee on Indian Affairs, the Honorable Congressman James A. Haley.

TRIBUTE TO THE LATE SENATOR ESTES KEFAUVER

Mr. HARTKE. Mr. President, on July 26, 1963, Estes Kefauver's 60th birthday, he was presented with a scroll by the National Committee for a Representative Congress which paid tribute to his many years of distinguished service to the people of Tennessee and the Nation.

The sentiments expressed in this scroll so well mirror my own feelings about the man and the work he did, that I ask unanimous consent to have the text of the scroll printed in the RECORD.

There being no objection, the text of the scroll was ordered to be printed in the RECORD, as follows:

TO HON. ESTES KEFAUVER, U.S. SENATOR

Presentation of this scroll is made for an outstanding record of distinguished service as a U.S. Senator in—

Adhering steadfastly to the principles of representative government;

Rendering highly constructive services to the people of Tennessee, faithfully and vigorously representing their ideals and objectives and making many important contributions to welfare, progress, and betterment of that State;

Standing forth as a fighting champion of true democracy to make and keep our Government "of the people, by the people, and for the people"—and striving also untiringly for the benefit of all mankind to bring about advancement of peace, freedom, justice, and a better way of life in all nations of the world;

In dedicating his lifework to the cause of humanity, to the firm conviction that every man is his brother, that government should protect the helpless weak from the selfish strong, that laws must serve the greatest good for the greatest number;

In living daily his love and faith for God, for country, for family, and for fellow men—a stranger to anger, hate or selfishness, a modern apostle of gentleness, patience, kindliness, tolerance, and warmth;

In establishing a brilliant record, to long endure, of high public service as a great American, a great Senator, a great Christian, a great crusader against evils and injustices—a great man of unwavering honesty and integrity, unfaltering courage and energy, yet humble and modest in his greatness, who asks of life but the simple privilege of continuing to love and work as a good friend, a good neighbor, a good and useful public servant of each and every American, and of all people of this earth.

(Text of this scroll was prepared by Charles Kress, former mayor of Binghamton, N.Y., a close friend of Senator Kefauver, associated with the Senator in the Senate Crime Investigation Committee, for presentation to Senator Kefauver on his 60th birthday, July 26, 1963.)

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATIONS, 1964

The PRESIDING OFFICER. Now that morning business has been concluded, the Senate, under the unanimous-consent agreement of Thursday, September 26, 1963, will resume the consideration of House bill 6754, the agricultural appropriation bill for 1964.

The Senate resumed the consideration of the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

The PRESIDING OFFICER. The pending question is on agreeing to amendment No. 197 of the Senator from South Dakota [Mr. MUNDT]. On this amendment there is a limit of 3 hours on the debate, to be equally divided between the two sides.

Mr. SMATHERS. Mr. President, I suggest the absence of a quorum, and request that the time used for the call of the roll be not charged to the time available to either side.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUNDT. Mr. President, I call up my amendment to the Department of

Agriculture and related agencies appropriation bill, 1964, and ask that it be stated for the information of the Senate.

The PRESIDING OFFICER. The amendment of the Senator from South Dakota will be stated.

The LEGISLATIVE CLERK. On page 38, between lines 5 and 6, it is proposed to insert a new section as follows:

> SEC. 608. Notwithstanding any other provision of law, the Secretary of Agriculture is authorized to extend until December 31, 1965, any conservation reserve contract (authorized under subtitle B of the Soil Bank Act) which is scheduled to expire either on December 31, 1963, or December 31, 1964, if the producer concerned makes application for such extension in accordance with such regulations as the Secretary may prescribe.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota.

Mr. MUNDT. Mr. President, the amendment is simple and clear. A reading of the amendment virtually explains what is involved and comprises its own argument for the adoption of the amendment. It deals with an emergency in the farm belt. That is the reason I, in conjunction with my 11 cosponsors, have brought it up in connection with the Department of Agriculture and related agencies appropriation bill, 1964. If the problem is to be met at all, the amendment provides a solution to an emergency which exists as of today.

The amendment should have special appeal to two groups of Senators. First, it should appeal to those representing agriculture areas, because it deals with a problem existing in the farm belt.

Second, it should appeal to Senators—and I hope that that would comprise the vast majority of Senators—who are interested in sound fiscal policies and in economy, because by the amendment we could save more than $150 million to the American taxpayer by continuing in the acreage reserve acres which would otherwise go into production, and by going into production, would comprise a new burden on the taxpayer in payment of storage and price supports of more than $253 million. Since a continuation of the present acreage reserve in this area would involve a cost of about $100 million, there would be a clearcut savings of more than $153 million to the American taxpayers through the adoption of the amendment.

Approximately 7,400,000 acres would come out of the soil bank as of December 31 of this year unless the amendment were adopted. Approximately 3 million additional acres would be taken out of the soil bank next year, so that during the 2 years covered by my amendment, 10 million acres now locked in the soil bank would move back into production in the crop years of 1964 and 1965 unless the amendment were adopted.

We confront an extremely serious situation from the standpoint of wheat surpluses and from the standpoint of the wheat program. Senators are aware of the fact that at present there is no workable wheat program in this country, and that none is apparently contemplated for action by Congress this year. As a result of the farmers emphatically turning down the so-called wheat referendum, they rejected the only program that Congress had provided for them which would move in the direction of a restriction of surpluses and adequate payments to the American wheat farmer.

I speak now first about the concern that Senators who represent farmers in this great body should have. As a consequence of that situation from the standpoint of the farmers, the average wheat price as of August 15 of this year was $1.77 a bushel received by the farmers. On August 15, 1962, the farmers were receiving an average price of $1.99. So there has been a decline of 22 cents a bushel on the average in what the American wheat farmer is receiving for his product.

I call the attention of the Senate to the fact that the average effective parity price for wheat for August 15, 1963, was $2.51. For many years in this body Senators have talked about getting parity for the American farmer. Sometimes we have enacted legislation in an effort to achieve 90 percent of parity for the American farmer. But when he is being paid $1.77 a bushel, obviously he is neither getting parity, 90 percent of parity, nor any reasonable approximate price with any rational relationship to parity.

The amendment would not directly affect what I am about to point out; but, incidentally, unless a new wheat program is adopted, and unless something is done by Congress to meet the challenge of the fact that we are going into a crop year with no effective wheat program, it is accurately reported by the Department of Agriculture that the price for wheat a year from now is likely to be $1.10 a bushel or $1.25 per bushel.

What effect would the amendment have on the production of wheat, on the prices received by wheat farmers, and on the impending surpluses which have already attained an unmanageable size? This year wheat production is on the average 4 percent higher than a year ago. In part, that is due to the fact that Congress failed to act soon enough in connection with the soil bank acres which went out of the soil bank and into production a year ago. At that time the soil bank program should have been extended. Ultimately it was extended, but not soon enough to prevent farmers from beginning to plow back into production the acres about which they were uncertain at that time. As a consequence, about half of the 1,400,000 soil bank acres which had expiring contracts a year ago—approximately 700,000 acres—came back into production this year and contributed, of course, to the 4-percent increase in overall wheat production which has taken place.

Unless action is taken now, a substantial portion of the 7,500,000 acres which are locked into the soil bank at the present time will go back into production. Every day farmers are plowing up soil bank acres because they have no assurance that the program will be extended, and that they can retain their acres in that status.

Farming is a seasonal business. When farmers conclude one harvest, they start planning for their spring work and for next year's harvest.

As a consequence, since the harvest is over and Congress has failed to act to extend the soil bank acres, every day we delay sees acres somewhere in this country plowed under and put back into production or back into overproduction. This constitutes the urgency which impelled us to offer the amendment to the pending bill. If we delay a week, 2 weeks, 3 weeks, or a month, we aggravate the problem of agricultural surpluses that much, as farmers individually return their acres to production, because they cannot longer wait.

Many soil bank acres have been planted into broom grass and into other vegetation which is necessary to plow under in the fall in order for farmers to cultivate those acres in the spring. If the farmer waits until spring to plow them under he will have a tangled mess of weeds and vegetation, which will make cultivation of the soil unprofitable, if not impossible. For that reason farmers can no longer wait to make plans for next year's crop. They must decide now whether to plow the acres this fall for next year's crop or whether to retain them in a soil bank status. Obviously there is no inducement to retain them in a soil bank status as they see the date of December 31 of this year staring them in the face with an automatic expiration on the acres.

Many of such acres are in the fine wheat-producing areas of the country. Unless we act now, many of those acres will be plowed under in the next few days or in the next few weeks and made ready for wheat production to increase even further the present great wheat surplus.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MUNDT. I am happy to yield.

Mr. LAUSCHE. I should like to ask the Senator from South Dakota a question; and if I may I should also like to have the attention of the Senator from Florida [Mr. HOLLAND].

It is my understanding that under the conservation reserve program of a few years ago nearly 30 million acres were contracted, under what is known as subtitle "B" of the Soil Bank Act, at a price of about $12 to $13 an acre. At that time, under the farm program then existing, we were inducing the farmers to take acres out of production, which cost us $40 an acre.

My question is, How many acres are under the conservation reserve contract plan? What did it cost per acre? Has not the plan worked successfully, compared with the cost of other plans which have been offered? Can the Senator give me information on that point?

Mr. MUNDT. I shall be glad to make an off-the-cuff reply and then yield to my distinguished friend from Florida, who has the advantage of committee counsel by his side, who can correct any inadvertent misstatements I may make.

I believe the average cost was closer to $13 or $14 an acre, instead of $12 or $13, but that is comparatively immaterial.

The plan has worked successfully, because it has kept out of production a great many fertile acres which otherwise would have been in production, which would have been under our price support program, and ultimately under some program of governmental storage, at a high cost to the American taxpayer.

I believe that is the reason why the soil bank itself was ultimately stopped from further expansion. It was not failing to work well from the standpoint of controlling production. It was not failing to work well so far as saving the taxpayers' money is concerned. But it tended to proliferate itself greatly in certain areas of the country, so that small communities and small cities dependent upon rural trade found themselves in an economic squeeze, because their farmer customers were locking their soil into the soil bank areas and consequently were not living on the farms and were therefore not available for continued trade in the little commercial centers catering to rural people. I believe that is the reason why it was not expanded beyond the point where it finally stopped.

There are in the instant case some 10 million acres involved. There is no protest from rural communities that the land should go back into production, because this does not involve an expansion of acres in any specific area but would provide for a stabilization of the situation and would prevent a return to production of these acres for at least 2 years. It would be hoped that during those 2 years Congress might evolve and approve some kind of agricultural program which would prove acceptable to the farmers and acceptable to the country economically.

I am happy now to yield to my distinguished colleague, the chairman of the Agricultural Subcommittee of the Committee on Appropriations.

Mr. HOLLAND. Mr. President, I thank my friend, the Senator from South Dakota, for yielding.

I understood that the Senator from Ohio wished specific information as to the amount of acreage coming out of the conservation part of the soil bank program at the end of this year, December 31, 1963, and at the end of next year, December 31, 1964. Figures furnished me by counsel for our committee are as follows: At the end of this year, 7.4 million acres will come out of the conservation reserve program and at the end of next year—or December 31, 1964—3,348,160 acres will come out from under contract. That makes a total of some 10.75 million acres which will emerge from the conservation reserve program either at the end of this year or at the end of next year.

Mr. LAUSCHE. What will be the remaining acreage in the program after the nearly 11 million acres come out?

Mr. HOLLAND. While the counsel for the committee is looking up that information, I will give the figures as to cost, because I believe the Senator's interest is not limited to acreage, but also includes cost. Assuming that practically all the acreage would continue in this program, because the land-use requirement rate under the new law enacted last year, which is now in operation, is only about half—about $6 to $7 an acre as compared to $13 an acre under the conservation reserve program—the total amount for the 2-year extension for the acreage coming out at the end of this year and for the 1-year extension for the acreage coming out at the end of next year would be about $211 million.

Mr. MUNDT. Mr. President, in further answer to the Senator's request about the number of acres presently locked in the soil bank, 24,957,000 acres are in the soil bank, some 10 million of which are involved in this discussion.

Mr. LAUSCHE. This would take out 11 million acres, leaving about 14 million acres.

Mr. MUNDT. If the Senate should not agree to the amendment, the acreage would be reduced to about 15 million.

Mr. LAUSCHE. That would mean an end to the program, practically.

Mr. MUNDT. An end for everything except 15 million acres; the Senator is correct.

Mr. HOLLAND. Let me change my figure from $211 million to $219 million as the estimated amount that the program embraced under the amendment would cost. The acreage figures that I gave at the beginning are the correct figures.

The figures as to the acreage that would remain under the program after December 31, 1964, are set forth in the compilation found on page 34 of the Senate hearings on S. 1588. They are as follows:

> At the end of 1965, the number of acres to be released, 547,827.
>
> In 1966, 1,973,950.
>
> At the end of 1967, 1,360,675.
>
> At the end of 1968, 6,489,562.
>
> In 1969, 3,714,363.

There is a final release of 9,859 acres in 1970.

I have not been able speedily to add those figures, but it seems to me that the total would be somewhere between 13 and 15 million acres.

Mr. LAUSCHE. Mr. President, will the Senator from South Dakota allow me to ask the Senator from Florida a question?

Mr. MUNDT. Yes.

Mr. LAUSCHE. Is it not still necessary——

Mr. MUNDT. Mr. President, since the Senate is proceeding on a time division, may I ask that this time be divided equally between both sides?

Mr. HOLLAND. I am perfectly willing to have that done.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Is it not inadvisable to allow this program to run to an end, as is now being done, with acreage being taken out this year?

Mr. HOLLAND. That is one of the controversial subjects before the Committee on Agriculture and Forestry. A program has been presented to that committee under the title of S. 1588, which has been heard by our subcommittee in that committee. Hearings were completed and printed as of September 6. That bill should shortly be before the Senate.

I understand that an identical bill is before the House committee. I am not able to report the progress there.

Several questions are in issue. One is whether or not the price prevailing in the conservation reserve program should be continued as a public burden to be paid for the removal of this acreage, much of which is not prime producing acreage.

I have already stated for the Record that under the land-use program adopted last year, and which is now applicable, less than 1 million acres have been retired, at a little more than $6 per acre. Of course, there are many who think that program should be expanded and be more fully used. It makes for an unfair differentiation for the owners of exactly similar parcels of land to have one contract under which they are paid at the rate of $13 to $14 an acre, and to be paid, under the provisions of the present law, about half that much.

There is another controversy, and that is as to the use to which this land should be put. The major controversy in this respect is whether it should be available for grazing or making hay. All the cattle industries, and I think the allied industries, are very much against it, because it is thought that it would only encourage a surplus in the production of red meat. Other groups are for the proposal. That is one of the subjects which I understand is highly controversial under S. 1588, which is pending in the committee.

My distinguished colleague, the Senator from North Dakota [Mr. Young], the ranking minority member of the subcommittee, has just entered the Chamber. He is thoroughly familiar with the problem. If the Senator from South Dakota will permit me to do so, I shall be glad to yield to him at this time for such comment as he may wish to make.

Mr. MUNDT. I shall be glad to yield to him, since I have the floor, but the time should be charged to the Senator from Florida.

Mr. HOLLAND. If I yield to the distinguished Senator, I am still willing to have the time divided, as I understand the Senator previously suggested it be divided, 50–50.

Mr. MUNDT. The Senator from North Dakota does not take much time. That arrangement is satisfactory to me.

Mr. HOLLAND. I only regret that there was no opportunity to discuss this proposal in the Appropriations Committee. The distinguished Senator from South Dakota is a very effective member of the committee. He discussed other subjects and amendments. For some reason sufficient to him, he has not seen fit to offer the completely legislative approach to this appropriation bill until after the bill has come to the floor and is now pending. I regret that he did not bring it up in committee, where we could also have had the benefit of the views of other committee members.

Mr. MUNDT. I am sure the Senate will have the benefit of the views of other committee members during the debate on the floor. Since this is a matter of great concern to Senators representing urban areas, where the farm economy is a primary element, the Senator from South Dakota thought it would be an effective procedure to offer the proposal on the floor of the Senate.

Mr. YOUNG of North Dakota. Mr. President, this problem has concerned most persons in this country, and particularly farm organizations. Every major farm organization, including the Farmers' Union, the Grange, and the Farm Bureau Federation, has recommended that 65 million acres be retired. They have proposed different plans, but in connection with the amount of acreage to be retired they have arrived at about the same total.

Some Members of Congress have been trying for years to obtain action on what is to be done with acreage coming out of the soil bank. It has been in the soil bank for several years, and is more fertile now than when it went into the program. It does not make sense to put it back into production. Much of it is being plowed now for next year's crop. If this program is continued, we shall end with bigger production, and we shall have to do something about it.

About a year ago we obtained action, in conference with the House, to take care of land coming out of the soil bank program, with the commitment by the chairman of the full committee, the Senator from Louisiana [Mr. ELLENDER], that this subject would be taken up immediately when this Congress convened 9 months ago. He has been trying to obtain action, but somehow we have not been able to get it. In the meantime this land is coming back into production, and it will destroy our whole program of trying to curtail production.

I think there should be in the RECORD a table which appeared on page 6 of the Senate Agricultural Committee hearings on S. 1588, giving the number of acres in each State now in the soil bank. I ask unanimous consent that the table be made a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Conservation reserve acreage under contract, Jan. 1, 1963[1]

	Acreage under contract[1]
Alabama	391, 000
Arizona	2, 000
Arkansas	526, 000
California	174, 000
Colorado	1, 165, 000
Connecticut	4, 000
Delaware	17, 000
Florida	214, 000
Georgia	1, 021, 000
Idaho	250, 000
Illinois	410, 000
Indiana	453, 000
Iowa	554, 000
Kansas	1, 334, 000
Kentucky	363, 000
Louisiana	210, 000
Maine	105, 000
Maryland	70, 000
Massachusetts	3, 000
Michigan	629, 000
Minnesota	1, 538, 000
Mississippi	266, 000
Missouri	738, 000
Montana	589, 000
Nebraska	800, 000
Nevada	0
New Hampshire	11, 000
New Jersey	44, 000
New Mexico	767, 000
New York	443, 000
North Carolina	258, 000
North Dakota	2, 411, 000
Ohio	466, 000
Oklahoma	1, 274, 000
Oregon	195, 000
Pennsylvania	331, 000
Rhode Island	([2])
South Carolina	617, 000
South Dakota	1, 591, 000
Tennessee	456, 000
Texas	2, 804, 000
Utah	212, 000
Vermont	32, 000
Virginia	101, 000
Washington	305, 000
West Virginia	55, 000
Wisconsin	650, 000
Wyoming	107, 000
Total	24, 957, 000

[1] Includes 1963 1-year extensions of 701,000 acres.

[2] 500 acres or less.

Mr. MUNDT subsequently said: I ask unanimous consent that, immediately after the chart which was inserted in the RECORD by the Senator from North Dakota [Mr. YOUNG], a table showing the conservation acreage to be released on December 31, 1963, be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Conservation reserve acreage to be released Dec. 31, 1963[1]

	Acreage to be released[1]
Alabama	66, 000
Arizona	1, 000
Arkansas	177, 000
California	89, 000
Colorado	154, 000
Connecticut	2, 000
Delaware	8, 000
Florida	12, 000
Georgia	93, 000
Idaho	90, 000
Illinois	266, 000
Indiana	258, 000
Iowa	347, 000
Kansas	358, 000
Kentucky	166, 000
Louisiana	48, 000
Maine	22, 000
Maryland	40, 000
Massachusetts	1, 000
Michigan	265, 000
Minnesota	587, 000
Mississippi	115, 000
Missouri	284, 000
Montana	149, 000
Nebraska	339, 000
Nevada	0
New Hampshire	1, 000
New Jersey	26, 000
New Mexico	24, 000
New York	138, 000
North Carolina	64, 000
North Dakota	555, 000
Ohio	235, 000
Oklahoma	358, 000
Oregon	82, 000
Pennsylvania	143, 000
Rhode Island	([2])
South Carolina	50, 000
South Dakota	434, 000
Tennessee	148, 000
Texas	691, 000
Utah	56, 000
Vermont	4, 000
Virginia	39, 000
Washington	112, 000
West Virginia	21, 000
Wisconsin	281, 000
Wyoming	32, 000
Total	7, 421, 000

[1] Includes 1963 1-year extensions of 701,000 acres.

[2] 500 acres or less.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MUNDT. I yield to the Senator from Ohio.

Mr. LAUSCHE. My memory has just been refreshed with respect to the discussions on this subject last year and the year before last. I intend to support the Senator in his proposal. As has been stated, it has been proposed that the conservation reserve program be built up to about 60 million acres, and even to 80 million acres, so as to take out of production about 8 percent of the total acreage. The program has not been expensive. The cost of $13 an acre has been mild compared with other programs.

Mr. MUNDT. The Senator is exactly right on that point. It is an economy measure.

Mr. LAUSCHE. In my opinion the argument that farmers would be induced to take the $6 an acre program is not justified. If 7 million acres are to be allowed to slip into production this year, and 3 million next year, the program will be gone.

Mr. MUNDT. It will be all gone but 15 million acres.

Mr. LAUSCHE. This item is so vital from the standpoint of time that I believe we cannot wait until next year. If 7 million acres are to be plowed under and put into production this year, we shall have a graver problem to contend with next year.

Mr. MUNDT. The Senator is correct. That is a considerable source of concern.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. AIKEN. Has the Senator any estimates as to the amount involved in the 7 million acres on which contracts probably would not be extended, if his amendment were adopted? The Senator from North Dakota referred to some of the land being plowed for next year's crop.

Mr. MUNDT. We have no estimates as of now. I could not find them in the hearings before the subcommittee.

Mr. AIKEN. They would have an important bearing on the effect of this amendment. If contracts on 1 million acres are not to be extended anyway, it would mean that what the Senator is proposing would cost about $13 million less than if every acre were continued under the program for another 2 years.

Mr. MUNDT. All we have are unassembled returns from the farm belt, from farm organizations, and from farmers themselves, about land which every day is being plowed back. I suspect that the slippage is relatively small as of now, because harvesting is just being completed, but it increases with every day of delay.

Mr. AIKEN. The Senator is satisfied that under his proposal there would be no possibility of a substitution of acres in these contracts. Is that correct?

Mr. MUNDT. That is correct. They are the same acres.

Mr. AIKEN. It would not be possible to put the richer acres into production and put the leaner type of acres under contract?

Mr. MUNDT. The Senator is correct. I now wish to complete my presentation on the amendment.

Before the colloquy began I was referring to the acres which would be released if the amendment were rejected. They are some of the most productive wheat acres in America. I see in the Chamber both Senators from North Dakota. The senior Senator has participated in the debate. In that State unless the amendment prevails, 555,000 acres will go back into production next spring. That is a great wheat State.

In Kansas, another great wheat State—and it proudly carries on its automobile license plates the boast that it is the wheat State of America—358,000 acres, practically all of them wheat acres, will go back into production next spring, and will become a charge against the taxpayers, unless action is taken.

In another great wheat State, Nebraska, 339,000 acres will go back into production.

In South Dakota, which has a great acreage in diversified farming, but in the western portion of which there is some of the best wheat acres in the world, 434,000 acres will go back into production.

Mr. President, I wish to say a word or two about some of the points brought out in the colloquy. It is true that different prices for different acres have been contracted, and that the man who will get not quite as much as someone else, will be disenchanted, although he will be inclined to continue to keep his acreage locked in the reserve.

However, that is the way our free economy works. The man who may have once bought General Motors stock at $50 a share is unhappy compared with the man who bought some shares 2 weeks earlier for $40 or $48 a share. If A sells a house for $10,000 to B, who in turn sells it for $15,000, A is not very happy, and feels that he did not make the best bargain.

However, the contracts have been entered into voluntarily. They were not superimposed upon anyone. This unhappiness, by the way, is assuaged by the feeling that the program should be continued.

The reason why no action has been taken through legislative committees in Congress is twofold. Both the House and the Senate committees have held some hearings and some discussions of the subject. There is a body of opinion which would change the contractual arrangement for the soil bank acres, as the Senator from Florida has pointed out, by including the privilege of raising hay, or putting the land to pasture, for the grazing of livestock. Obviously that would be only a device to transfer the cost of the soil bank acres from the Government, which reaps the benefits, to the livestock industry, which would suffer from what would develop into a surplus of livestock products.

The livestock industry is one segment of our economy which has had no price supports and has asked for none. The industry has been getting along fairly well on its own motive power. It seeks only some kind of tariff protection, so that it can continue to enjoy the benefits of its present form of production.

If we were to permit a rise in livestock production, we would generate an overproduction of livestock, which in turn would force the livestock industry to come to Congress to ask for assistance.

Therefore, no progress has been made in renewing the soil bank acres, with the codicil attached that the acres may be used for livestock purposes.

There is another reason why no bill has been reported dealing with soil bank acres. There is a hesitancy to bring an agricultural bill before Congress, because if any is reported, it will be subject to amendment. The dairy producers are interested in certain legislation. There are several proposals dealing with the wheat situation. Farmers from the Cotton Belt have a bill they would like to have enacted. Once a bill dealing with agricultural legislation is brought to the floor, it will become subject to all kinds of amendments.

Therefore there has been hesitancy to meet the emergency in this way. However, we do have an opportunity to vote on the amendment at this time.

Concerning the cost, I point out that Mr. Godfrey, of the Department of Agriculture, testified, as shown on page 22 of the hearings, that roughly 7,400,000 acres will come out in 1963, and that would be, as compared with an extension of the conservation reserve, about $52 million a year saved, which adds up to the $100 million which I stated earlier would be saved to the American taxpayers by the adoption of the proposed amendment.

It seems to me that it is sound, good agricultural legislation to adopt the amendment now, while there is still time to prevent a major portion of the acres from slipping back into production.

I hope the amendment will be adopted. I reserve the remainder of my time.

Mr. HRUSKA. Mr. President, will the Senator yield some time to me?

Mr. MUNDT. I yield 5 minutes to the Senator from Nebraska.

Mr. HRUSKA. Mr. President, I rise in support of the amendment offered by the Senator from South Dakota [Mr. MUNDT]. In the colloquy of a few minutes ago, the case in favor of the amendment was clearly stated. Of major importance is the point made by the senior Senator from North Dakota, that the acres in the conservation reserve, by reason of their having been retired, are now in an advanced state of fertility and, if placed back into cropland, will produce not only their former yields but will actually increase in production. That is one point.

The second point, touched on by the Senator from Vermont [Mr. AIKEN], is that there is no possibility for a substitution of poor acres, under the terms of the amendment. The amendment would provide only for a continuation of the acres now within the conservation reserve program.

Mr. MUNDT. It would continue the prohibition against grazing, so that it would not work an injustice against the livestock industry.

Mr. HRUSKA. That point can still be considered in separate legislation if desirable.

Mr. MUNDT. This is really a holding operation.

Mr. HRUSKA. Yes.

Mr. MUNDT. This is a continuation of the same program, with the same acres and with the same prohibition.

Mr. HRUSKA. Except for any slippage that may have occurred up to now, where farmers of my State and those of other States have given up hope of the Congress acting in any respect in this field, and have turned the plow to those acres. Those acres will be represented in the slippage.

Mr. MUNDT. Yes. Even in that connection, a farmer who has elected to put back the acres that he has plowed up can continue them in the conservation reserve, because he has not forfeited his contract. If he elects to put them to grass or to not put them into production, he can continue to enjoy the program for 2 more years.

Mr. HRUSKA. The third point I wish to stress is, that time is of the essence. Farmers will have to know soon, will they not—in a matter of days?

Mr. MUNDT. Precisely.

Mr. HRUSKA. They will have to know whether Congress will take action in that direction, because once seed is put into the ground the farmer is committed and is faced with a financial loss that may be prohibitive. He would not be able to turn back.

Mr. MUNDT. The Senator is suggesting that even if the farmers should seed the acres they could plow them under, but that the cost of doing so would be prohibitive, so the prospect of their doing so is highly unlikely.

Mr. HRUSKA. Exactly.

Mr. MUNDT. The Senator is correct.

Mr. HRUSKA. The situation is of utmost seriousness. Unless action is taken by the Congress, a miscarriage of the original purpose of the conservation reserve program will result. Unless action such as that proposed by the amendment is taken, the result will be new and increased troubles in another area, which will be infinitely more expensive than if action is taken at this time.

For these reasons, we should take the action proposed, and take it quickly. Therefore, I support the amendment.

Mr. MUNDT. I appreciate the contribution made by the distinguished Senator from Nebraska. I should like to emphasize the point he so wisely, properly, and prudently makes. By approving the amendment, we shall in no sense be barring the Senate Committee on Agriculture and Forestry or the House Committee on Agriculture from coming forward tomorrow or next week, or at any future time, and proposing legislation to deal with the soil bank problem. At that time, these acres will still be countinued in their soil bank status if my amendment prevails. If a more acceptable or desirable program than that which has been operating in the past can be proposed, the committee will have the full right and authority to do so.

What is proposed by the amendment is merely a holding operation, which would preserve the status quo. It would continue the land in soil bank acreage, so that new legislation would not come after the fact; and acres which had been retired and reimpregnated with great new fertility and production capacities would not come into production and add to the surpluses.

I suggest that the opponents of the amendment, if there be any—and I hope there are none—will use a part of their time. I reserve the remainder of my time.

Mr. HOLLAND. Mr. President, I am sorry the unanimous-consent agreement entered into by the leadership is so worded that, as I am advised, I do not have the right to carry out the uniform instructions given to all subcommittee chairmen by a resolution of the full Committee on Appropriations to the effect that when a legislative amendment is offered on the floor of the Senate, it is the duty of the subcommittee chairman to raise a point of order. It is my present understanding from the Parliamentarian that the wording of the unanimous-consent agreement precludes my following that course in this particular instance.

That fact, however, does not change the reason for the adoption of that rule by a vote of the full Committee on Appropriations. The reason for that rule is that too often, as in this case, amendments which are legislative in character are offered on the floor of the Senate without their having been submitted to the Committee on Appropriations or to a subcommittee of that committee; without their having been subjected to a hearing by the Subcommittee on Appropriations; and without the enactment of legislation to provide the course that has been suggested in the legislative amendment. The amendment now before the Senate is an illustration of what could happen if such a course were followed.

Earlier this year, a bill, S. 1588, was introduced. It was proposed as a draft bill by the Department of Agriculture and introduced as an administration measure to increase the pilot land use program which Congress enacted a year ago and which is now in effect, under which less than 1 million acres have already come under the purview of that land use program. Pursuant to the bid basis provided therein, that acreage is receiving about $6 to $6.50 annually an acre for retirement.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MUNDT. Is the Senator referring to title I of the Agricultural Act?

Mr. HOLLAND. I am referring to the land use program, under which the annual program authorization was for $10 million only. It is that program which S. 1588 seeks to increase, in the belief that much of the acreage now in the conservation reserve program can be brought into retirement for a longer period of time under that program. That bill, S. 1588, has been subjected to hearings by the subcommittee, of which several of the authors and supporters of the proposed amendment are members. That subcommittee consists of the following Senators from the majority side:

The Senator from South Carolina [Mr. JOHNSTON], chairman; the Senator from Florida [Mr. HOLLAND], the Senator from North Carolina [Mr. JORDAN], the Senator from Georgia [Mr. TALMADGE], and the Senator from Minnesota [Mr. MCCARTHY].

The following members of the subcommittee are from the minority side: The Senator from North Dakota [Mr. YOUNG], the ranking member; the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from New Mexico [Mr. MECHEM].

S. 1588 has been subjected to hearings, and the hearings before the subcommittee have been completed. The record of the hearings has been printed, and I believe it is available to Senators. I have a copy of the printed record before me. I assume that copies may be obtained by any Senator.

As I understand, the subcommittee is ready to act on that bill. In the meantime—and this illustrates the vice of the presentation of legislative amendments—the impatient advocates of that bill, or some of them, have proposed this legislative amendment on the floor of the Senate for the first time, without its having been considered by either the subcommittee or the full Committee on Appropriations. It is a perfect illustration of how the presentation of legislative amendments to an appropriation bill may bypass and make futile legislative measures which are of far-reaching effect, and bring on action before complete information is given.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MUNDT. Does not the Senator agree that the bill to which he has alluded, and on which hearings were held, did not deal with a continuation of the present soil bank acreage or a preservation of the existing status? The bill to which the Senator alludes seeks to expand the authority Congress enacted in title I of the Agricultural Act last year, which envisions an expansion of retired acreage by inducing new acreage to come into this type of contract. It provides for new aids and purposes in addition to those which are permitted under the existing soil bank contracts.

Mr. HOLLAND. The Senator is correct. The bill S. 1588 suggests an enlargement of the land-use provisions of the bill enacted last year. Yet the particular subject which is embraced in the pending amendment was specifically considered by the subcommittee, as the Senator will find on pages 4 and following of the hearing record. No doubt the subcommittee will give serious consideration to exactly the same proposal as is suggested by the amendment offered by the distinguished Senator from South Dakota.

In fact, a recommendation that it do so is made therein.

Mr. ELLENDER. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am glad to yield to the Senator from Louisiana, the chairman of the Legislative Committee on Agriculture and Forestry.

Mr. ELLENDER. Mr. President, I was very hopeful that the Senator from South Dakota would not press for adoption of this amendment. To my way of thinking, it is out of place in an appropriation bill. Furthermore, as the Senator from Florida has just stated, this matter is receiving the active consideration of the special subcommittee. The hearings have been completed and the committee as a whole took up the matter at its last sitting, last Wednesday. Because of the fact that the subcommittee had not reached a conclusion, the committee decided to give it a little more time, in order to try to get the opposing parties together, so that the committee could report to the Senate a bill that would be acceptable to the majority of the committee.

I wish to give assurance to the Senator from South Dakota that if the subcommittee—which, as I have said, has been active in trying to solve the problem—were to state that it had reached a conclusion, but would like to have the whole matter turned over to the committee as a whole, I, as chairman of the Committee on Agriculture and Forestry, should be glad to call a special meeting of the committee, to the end that a bill might be reported without any delay.

Mr. President, I do not know what the subcommittee will do. However, as the Senator from Florida stated, there is a move to add to the present law. This new move is being violently opposed by the cattlemen. As was stated by the Senator from Florida, it may be that the committee will do exactly the same thing the Senator from South Dakota is attempting to have done by means of this appropriation bill.

If the Senate were to make the mistake of adopting this amendment, I am sure the House would not accept it; and it might further delay the taking of action by the subcommittee of the Committee on Agriculture and Forestry.

So I ask the Senator from South Dakota not to press for adoption of the amendment, but to let the Senate act on the appropriation bill as it came from the full committee.

Mr. MILLER. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I am very glad to yield to the Senator from Iowa.

Mr. MILLER. The Senator alluded to Senate bill 1588. Do I correctly understand that under that bill, grazing would be permitted on the acreage that would be retired?

Mr. HOLLAND. That is correct; and that is why the subcommittee hearing record shows that objection was made to that provision, not only by cattlemen, but also by various other large agricultural groups, and that action on an amendment quite similar, if not identical, to the one offered by the distinguished Senator from South Dakota was offered, and that amendment is now pending before that subcommittee.

The point I am making is that the pending proposal before the Senate now is to the effect that the subcommittee be deprived of its chance to act upon the matter; that the full legislative committee be deprived of its chance to act upon the matter; and that the conference committee—if the pending amendment is adopted by the Senate—be presented with the impossible task of retaining the amendment in the conference, although it had not been subjected to a hearing by the Appropriations Committee of the other body, and although approximately $219 million of expenditures would be authorized, without the holding of a hearing on this matter before either the subcommittee or the full committee, and without permitting either the subcommittee or the full committee—by means of appropriate action by the Senator from South Dakota, who is an active member of both the subcommittee and the full committee—to have a chance to deal with the amendment.

I heard nothing of the amendment in the committee deliberations—and I did not miss any of the hearings or any of the committee meetings, and I am certain it was not brought up. If I be under any misapprehension at all in connection with this matter, I ask that I be corrected, either by the distinguished Senator from North Dakota [Mr. YOUNG], the ranking minority member of that subcommittee, or by the distinguished Senator from South Dakota [Mr. MUNDT], who is an active and valuable member of both the subcommittee and the full committee.

I do not like such procedure, because it looks like a bypassing of committees which have been very active and have done very hard work. Senators should consider the two bound volumes which show what was covered in the hearings, and the long report of the committee accompanying the bill. Under these circumstances, the submission of such an amendment at this time, thus depriving the legislative committee of jurisdiction, and overlooking the fact that either the subcommittee or the full Committee on Appropriations, or both of them, could have considered this matter, if it had been suggested before either of them or both of them by the advocates of this amendment, just does not follow the path of careful, cautious, and deliberate legislation.

Mr. MILLER. Mr. President, will the Senator from Florida yield again to me? I wish to expand on this point.

Mr. MUNDT. Mr. President, inasmuch as my name has been mentioned, will the Senator from Florida yield to me?

Mr. HOLLAND. I yield now to the Senator from Iowa. In a minute or so, I shall be glad to yield to the Senator from South Dakota.

Mr. MILLER. Mr. President, I join the Senator from Florida in his concern over the bypassing of the committee and over the failure to permit it to have sufficient opportunity to consider some of these proposals. Certainly he must realize that almost 7½ million acres will be out of the soil bank by the end of this year. Certainly he realizes that many of us have received letters from many farmers who wish to know what to do, because the fall plowing time has come, and they want to know whether they should plow these acres and return them to cultivation, or whether to wait and to hope for a continuation of the soil bank.

One reason why I am one of the cosponsors of the amendment is that I believe the time for the committee to act is past due.

In that situation, I hope the Senator will understand that while I join with him in wishing to have the usual procedure followed in connection with such matters, on these things, I believe there does come a time when we cannot continue to wait. Certainly the thousands of farmers who are concerned about this situation expect us to take action. It is now long overdue.

Mr. HOLLAND. I thank the Senator. I certainly have no personal feeling at all about the matter. It is clear that it was not the duty of the Senator to bring this matter before the Appropriations Committee, because he is not a member of it. However, I call attention to the fact that the amendment does not deal only with acreage which will go out of the soil bank or the conservation reserve on December 31 of this year; it also deals with acreage which will do so on December 31 of the next year. I do not understand the great hurry about this matter.

Furthermore, the amendment provides for a 2-year extension—not just a 1-year extension—of a rate of pay per acre twice as large as that being paid under the land-use program. So it is very clear that the amendment far transcends any action necessary in order to meet any situation which may develop by December 31 of this year.

Therefore, I stick by my guns in saying that I feel that the able and delightful Senator from South Dakota might have taken his colleagues on the subcommittee, or those on the full committee, into his confidence at least to the extent of discussing this matter with them, so we might have had an opportunity either to join him or not to do so. But as the situation now stands, if it were not for the unfortunate wording of the unanimous-consent agreement, I would have to raise a point of order.

However, in any case I shall have to oppose the amendment, because of the insistent directions of the full committee and also because of my own feeling that it is not good legislative procedure to propose the inclusion of such amendments in appropriations bills.

Mr. MUNDT. Mr. President, will the Senator yield?

The **PRESIDING OFFICER** (Mr. BAYH in the chair). Does the Senator from Florida yield to the Senator from South Dakota?

Mr. HOLLAND. I yield.

Mr. MUNDT. Mr. President, to get out of the target circle for the moment and onto the firing line, because my name has been alluded to a great many times, I should like to respond to the suggestion before he yields to any other Senator.

Mr. HOLLAND. I am delighted, as always.

Mr. MUNDT. Entirely so. The Senator is correct. I am a member of the subcommittee; I am a member of the full Committee on Agriculture and Forestry. I could have offered the amendment in the full committee. The Senator knows what the vote would have been. I could have offered the amendment—and normally I would have offered it—and the action would have alerted my friend to the fact that the amendment would be forthcoming.

Why did I not offer it? I call attention to the fact that the report on this appropriation bill is dated September 12, 1963. That was the date that the full committee brought the bill up. I could have offered it at that time. I could have offered it the day before. I believe that the day before the subcommittee reported the bill and adjourned. Why? I did not do so because I continued to cherish the hope that the laborious legislative procedures which have been described today by the chairman of the Senate Committee on Agriculture and Forestry and by the Senator from Florida [Mr. HOLLAND] would bring forth some solution to the problem.

However, 18 additional days have elapsed. During those 18 days I called both committees of the Senate and the House. I asked, "What is being done about the soil bank acres?"

Every day I receive reports that soil bank acres are being plowed under—day after day and week after week. Eighteen days have elapsed and nothing has been done. That is the reason why I took the unusual procedure of moving, at the only time it could be done effectively, after a long lapse of time had made it impossible to get results early enough to be effective. I would not have offered the amendment today if a legislative proposal had been brought to the Senate. I would have offered the amendment in the committee if I had anticipated that the delay would continue so long that acres would be plowed under. This is the last opportunity the Senate will have, in time to be fully effective, to voice its will on the question.

If the Senator from Florida really believes that one of his reasons for opposing the amendment involves the fact that approximately $2\frac{1}{2}$ million acres expiring a year from now will be included, I shall be happy to accept an amendment which would limit my amendment to the acres expiring in December of this year, and we could march hand in hand down the aisle in unanimous effort. Does the Senator really feel that the amendment should not be adopted because included in the amendment is the second year allotment at $2\frac{1}{2}$ million acres?

Mr. HOLLAND. In the first place, the Senator is incorrect, because the number of acres going out of the conservation reserve on December 31, 1964, is 3,348,160.

Mr. MUNDT. If those acres were eliminated from the amendment, would the Senator then withdraw his opposition so that the Senate could agree on the amendment?

Mr. HOLLAND. No.

Mr. MUNDT. Can we agree with relation to the problems which are now before the Senate?

Mr. HOLLAND. That makes the action more reasonable, but not entirely reasonable, because the hearings on S. 1588 were not concluded until September 6. The markup on the bill in the subcommittee was September 11, and in the full committee September 12.

Mr. MUNDT. And 18 days have elapsed between then and now.

Mr. HOLLAND. Yes.

Mr. MUNDT. Nothing has been done to solve the soil bank problem.

Mr. HOLLAND. The Senate has been engaged in constant debate since that time, as the Senator knows.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Louisiana.

Mr. ELLENDER. The distinguished Senator from Iowa [Mr. MILLER] seems to think that the Committee on Agriculture and Forestry has been negligent in not acting earlier. The reason why nothing was done sooner was the hope that a House bill would be enacted. We have been waiting for the House to pass a bill on the subject. I still hope that the House will enact such a bill. To be frank, recently when we saw that action was being delayed, we held hearings so that when the Senate heard from the House, the Senate could act without delay. But up until now, as I have said, the House has not acted. I am positive that if the language that the Senator from South Dakota [Mr. MUNDT] is advocating should become a part of the bill, the House would not accept it. It would be futile to take the action requested. As I have said, Senators can act as soon as the subcommittee makes a decision. Speaking for myself only, I would be inclined to go along whether the House acts or not. I would suggest that we send the bill back to the House and let us see what action would be taken by the House.

Mr. MILLER. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. MILLER. I should like to say two things to the Senator from Louisiana. First, I would not wish to have what I have said interpreted as criticism or a suggestion of negligence on the part of the committee, or particularly negligence of the chairman. I am quite sure that what the chairman has done has been in the utmost of good faith. I understand that there has been hope that the House would act. Nevertheless, there comes a time when the Senate should assume leadership on the question and get something done. Whether or not the House would take action on a Senate-passed bill is a pertinent question. We have an opportunity to make a great effort to act. The House will certainly act on the agriculture appropriations bill. Whether it would accept an amendment like the one proposed in conference, no one knows. The Senator from Louisiana has said that the House would not. But I am not so sure about that, particularly if a number of House Members are equally concerned about the soil bank problem, which has become quite acute. So this is the time for the Senate to take action, in the hope that the House will act.

If the House would not go along with the amendment, action by the Senate Committee on Agriculture and Forestry on a separate bill would become an exercise in futility.

Mr. HOLLAND. Mr. President, I reassure my friend the Senator from Iowa that the suggestion about the House being reluctant to pass Senate bills does exist in certain other fields. It does not exist in the field of agriculture and forestry. A great many of the bills which are enacted in regard to agriculture originate in the Senate. That question will not arise.

Second, I heard my distinguished friend the Senator from South Dakota, always resourceful, comment on the fact that he feared that the full Committee on Appropriations would have voted down the amendment because so many of the members of that committee come from urban areas. I suggest to him that he would jump from the frying pan into the fire if he should think that the House would be more likely to be friendly to the measure than the Senate committee or the full Senate, because the representation of the urban communities of the Nation is so vastly disproportionate in the House as compared with what it is in the Senate that the two cannot be compared.

In perfect good humor, the Senator from Florida did not favor the bill, S. 1588. He did favor the approach embodied in the amendment, plus some other things. The bill S. 1558 goes further than to cover the present subject. He could so vote in the subcommittee, in the full committee, and on the floor of the Senate. He does not believe that the amendment, which would go much further than is necessary in the first instance, that is involving the contracts which expire next year, and come for the first time to the floor of the Senate as a legislative amendment to a privileged appropriation bill—a bill which involves every agricultural factor in the country and many other factors not agricultural in connection with our foreign relations and in connection with various welfare programs—should be accepted. For that reason I object to it.

Replying to the question addressed by the Senator from South Dakota, if the amendment were so reduced as to apply only to the acreage coming out this year, and if it provided only for a 1-year extension, it would then be an obvious minimum effort. As such, it would be easier to stomach than the amendment as now written. As it is now worded, it is not an obvious minimum effort.

I do not find it easy to stomach at all, because I think it is an improper practice. So far as I am concerned, I am not willing to accept it. I will, however, defer to my friend the Senator from Louisiana, the chairman of the legislative committee, on this subject, if he has any strong feelings about the matter.

I invite the attention of the Senator from South Dakota to the fact that there is the possibility that S. 1588 will be reported in a revised form and be passed. I have already indicated my own feelings with reference to that bill. I believe the feelings of the distinguished chairman of the committee are much the same as mine. I know other members of the committee feel that way, including the Senator from South Dakota [Mr. MUNDT] and the Senator from North Dakota [Mr. YOUNG], both of whom are in the Chamber.

If that effort should fail, there would still be a supplemental appropriation bill to come before the Senate, and there would be ample time for Senators to take other members of the Committee on Appropriations into into their confidence and discuss the subject, if it becomes urgent by that time. That course was not followed in this instance.

I cannot yield on the question of what is responsible legislation. It is not responsible legislation to come before the Senate with a legislative enactment which would go much further than necessary to meet an emergency situation, in the face of the fact that the legislative committees have been diligent, have completed hearings, and are ready for action, and in the face of the fact that the able chairman of the legislative committee assures early action in the committee. As chairman of a responsible subcommittee of the Appropriations Committee, I think it would be impossible to follow the proposed course.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from South Dakota.

Mr. MUNDT. Because of my affection and admiration for the Senator from Florida, I hope he will not rest his opposition to the amendment on the foundation that the legislative committees are about to act. He would be on much firmer ground if he would stick to the formalistic argument that, after all, it is legislation on an appropriation bill, and that customarily Senators are against that procedure.

The reason why that procedure is provided for in the rules of the Senate, however, is to meet precisely the kind of emergency situation we now confront. By the time the supplemental appropriation bill comes before the Senate, more days and weeks will be gone, and more acres will be plowed under. This is why the rules provide for this type of emergency procedure.

The Senator from Louisiana has very properly said that the committees have been slow in reaching this legislation. The House has failed to agree on a program. So has the Senate. I would not wish to see my friend in the position of opposing the amendment with the assumption going out to the country that the legislative committees are going to act this week, or next week, or the week after, or on any other date certain, because no one can predict such action. In the meantime, every day we are losing valuable contracted acres, and they are going into production.

This is an emergency. The rules of the Senate properly provide for this kind of a procedure on an appropriation bill to meet this kind of emergency. I hope we measure up to our present responsibilities and approve this amendment.

Mr. HOLLAND. Mr. President, there are rules and traditions in the Senate. I shall read from the rules of the Appropriations Committee. This is a rule adopted for the guidance of all members of the committee in the handling of bills on the floor of the Senate, submitted by the chairman and adopted on December 18, 1931. It has been the rule ever since that time:

> Any member or ex officio member of the Committee on Appropriations of the Senate who is in charge of an appropriation bill, is hereby authorized and directed to make points of order against any amendment offered in violation of the Senate rules on the floor of the Senate to such appropriation bill.

I am only sorry that the unanimous-consent agreement, as it was drafted—due to someone's neglect; and I do not know whose—did not include the customary words that "no points of order shall be waived."

Those words are customarily included in such unanimous-consent agreements. At any rate, they were omitted. I cannot raise the point of order. In opposing this amendment, I can stand upon the substantial matter of judgment and conscience; deliberation in the passage of legislation; consideration of legislation by legislative committees first; and action by the Congress upon the recommendations of legislative committees. I shall do so.

I am particularly sustained in my feeling that I should take that position by the position of the chairman of the full Committee on Appropriations, the Senator from Arizona [Mr. HAYDEN], and by the position of the distinguished chairman of the Legislative Committee on Agriculture [Mr. ELLENDER], who has legislation on this subject under his responsibility. I could not yield on that point.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Oregon.

Mr. MORSE. I have just come to the floor of the Senate. I am not sure that I have all the facts available, but it is my understanding that the Senate finds itself in a situation in which a unanimous-consent agreement was entered into and the yeas and nays were ordered. Senators are not in a position to raise a point of order against the proposal of the Senator from South Dakota, which, without any question, involves legislation on an appropriation bill.

I was not present when the unanimous-consent agreement was entered into, but if those of us who had nothing to do with this kind of unanimous-consent agreement are caught in this kind of technicality, whereby there can be legislation on an appropriation bill by majority vote without the requirement of a suspension of the rule, I now serve notice on the Senate that this is the last unanimous-consent agreement on any matter that will be entered into so long as I serve in the Senate, because I do not intend to have my rights as a Senator in regard to the existing rules of the Senate taken away from me by this kind of "gimmick." The protection of the Senate from legislation on an appropriation bill is a precious and important right to every Member of the Senate. If we are in a position this afternoon that this kind of indirection can be successful, I serve notice on the leadership that they have obtained the last unanimous-consent agreement on any matter so long as I serve in the Senate, because I do not intend to have my rights under the rules of the Senate taken away by this kind of procedure. Either Senators are to have the right this afternoon to vote on this question by way of a motion to suspend the rule, or the leadership have obtained the last unanimous-consent agreement they will ever get so long as I serve in the Senate. I mean it. I never make threats. I merely state the facts.

Mr. HOLLAND. Mr. President, I thank the Senator for stating his position. I feel very much put out about this matter. I do not know how the unanimous-consent agreement came to be worded in the way that it was worded, without the inclusion of the customery words in such unanimous-consent agreements that "no point of order shall be waived." I am quite prepared to feel that it was not an act of deliberation on the part of any Senator.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I have listened to the remarks of my colleague, the Senator from Oregon [Mr. MORSE]. I have heard some of the colloquy engaged in by the Senator from Florida [Mr. HOLLAND]. I have just conferred with the Senator from South Dakota [Mr. MUNDT]. I wish to make the RECORD clear.

On Thursday last, when the unanimous-consent agreement was arrived at, the Senator was discussing the appropriation bill for the Department of Agriculture. It was well understood by all Senators that if there were an effort to have legislation on an appropriation bill, first, if such an amendment were offered, a point of order would be raised. Senators who seek to have legislation on an appropriation bill file notices of intention to move to suspend the rule. There is at the desk a notice of intention to move to suspend the rule.

The Senator from Minnesota, as the acting majority leader on that day, sought to obtain a unanimous-consent agreement, and did so on the basis of the time related to the debate on the matter of the suspension of the rule, which would permit the Mundt amendment to be voted upon. If one wishes a strict legal interpretation of the unanimous-consent agreement, there is no doubt that, if one holds to the technical aspects of it, it provides that there shall be a yea and nay vote after 1½ hours of debate on each side on the Mundt amendment. But I am sure the Senator from South Dakota, who is an honorable man, recognizes the situation that prevails and the frame of reference in which this unanimous-consent agreement was arrived at.

It is understood by Senators that the rule provides that on appropriation bills legislation can be adopted only by a two-thirds vote, that a point of order prevails against legislation on appropriation bills, and that if it is wished to have legislation on appropriation bills a Senator must file a notice of a motion to suspend the rule, which requires a two-thirds vote.

In light of that fact, I am sure that when the Senator from South Dakota discusses the matter with his cosponsors, there will be no trouble, because Senators cannot operate without honor among men. Although we must recognize the rights of each Senator, we must also recognize that good faith is involved when unanimous consent agreements are arrived at.

If Senators will be patient with one another, I am sure the problem can be met. I have every reason to believe it can. I do not believe any Senator wishes to win a point by technical application of a rule when he knows what the situation is.

I discussed the matter of a unanimous-consent agreement several times on last Thursday. I say on my honor as a U.S. Senator that it was clearly understood what the situation was with respect to the appropriation bill; about the filing of a notice for the suspension of the rules; and that it had been indicated that a point of order would be made against the proposal in the nature of legislation on the appropriation bill. A point of order had been made on another matter. A move for a suspension of the rule was defeated. So it was not as if Senators did not know what point was involved.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. MORSE. My comments do not relate to the Senator from South Dakota at all.

Mr. HUMPHREY. I understand.

Mr. MORSE. The Senator from South Dakota had filed his notice of a motion to suspend the rule. My point was that Senators were caught in a technical situation the like of which had not arisen in the memory of any Senator; namely that a unanimous-consent agreement had been adopted that did not have language in it to protect all the rights of Senators under the rules. I want the record perfectly clear that my comments have nothing to do with the Senator from South Dakota.

My only comment is that the unanimous-consent agreement was agreed to by action of the Senate, although I did not happen to be present. The Senator from Florida, for example, than whom there is no more cautious and circumspect Member of this body, was not advised that he was giving up any right under the rule with respect to suspension of the rule.

Unless these prospects are mutually agreed to, so that the rights of Senators under the rules can be protected, Senators can forget about any more unanimous-consent agreements. I am not so sure that it would not be well to recess the Senate, because this matter is very important to the rights of all of us, so that the leadership of the Senate, and, if necessary, the two policy committees of each of the parties, can get together for a discussion as to an agreement which can be reached which will protect Senators with regard to the suspension of the rule.

Mr. HUMPHREY. If the Senator will yield, I do not think that is necessary. I have the feeling that Senators will all be fair and just and that this unfortunate situation can be readily corrected. I put my complete confidence in the good sense and the sense of fairplay of every Member of this body, which is the only thing which enables the Senate to function.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. HOLLAND. I shall yield in a moment.

Mr. MUNDT. I yield to the Senator from Iowa.

Mr. HOLLAND. Mr. President, I still have the floor.

The acting majority leader has pleaded for patience. I think I have shown as much patience as any Senator can have. On Thursday I agreed to have the bill go over until today, because Senators of both parties were traveling in various parts of the country. I agreed to the delay with the understanding that the bill would be disposed of today. I agreed to the unanimous-consent agreement. The only mistake I made was that I did not insist upon seeing the final form of the unanimous-consent agreement, which normally contains certain words which were not contained in this one.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. LAUSCHE. The consent agreement is defective also because it barred all amendments. I had in mind an amendment. I looked at the consent agreement, and I found I was barred from offering it unless I offered it as an amendment to the Mundt amendment.

Mr. HOLLAND. I agree that the situation is unusual, but that situation was brought to the attention of the Senate on Thursday afternoon.

Mr. HUMPHREY. Several times.

Mr. LAUSCHE. But other Senators were not present after Senators were told there would be no more votes. Next morning Senators found themselves in a situation in which they were barred from offering amendments. There are two weaknesses in the agreement.

Mr. HOLLAND. There are at least two irregularities as compared with the normal consent agreement.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HOLLAND. To continue with my lament, I agreed to have the bill go over until Monday notwithstanding that I had scheduled two speeches under very attractive auspices in my State today, and I so notified the leadership. I had to cancel both.

The Senator from South Dakota and I had no difference of opinion, because both of us, in discussing this matter before it came up, agreed that a point of order could be made, until, on consultation with the Parliamentarian, we learned that, under the unfortunate wording of the agreement, that did not happen to be the situation under this agreement.

Something happened that made persons who generally very carefully draft unanimous-consent agreements to be less careful this time, because of the omission of the words "saving points of order."

So far as the Senator from Florida is concerned, he is familiar with the Senator's attitude. The Senator from Florida is a member of both the legislative committee and the Appropriations Committee. The Senator from Florida is perfectly willing to consider this question in the legislative committee if it has not been acted on before. But he cannot and will not yield in allowing this important legislation providing for perhaps $219 million of additional expenditures, to come on the floor and be agreed to as a legislative proposal to this bill. He thinks it is very poor policy for the sponsors of this amendment in the face of the attitude of Senators on both sides of the aisle who, because of this situation, are forced to take positions against them, to insist upon going ahead with the programs under the prevailing situation.

I yield the floor.

Mr. MUNDT. Mr. President, I yield to the Senator from Iowa such time as he may desire.

Mr. HICKENLOOPER. Mr. President, I have no intention of taking a substantial amount of time on this amendment. I think Senators all understand what is provided. We are all aware of the agricultural situation which the amendment of the Senator from South Dakota attempts to meet. We also know the deep, broad interest of the Senator from Florida in farm legislation. There is no more devoted advocate of sound, constructive agricultural legislation than the Senator from Florida. No one is better informed or more zealous or sincere in his attitude. I can understand his attitude on this point. If I were in his position as chairman of the subcommittee, I might be impelled to take the same position. I do not know.

I come from an area where the land retirement program is very important. It is also important to know, even before this time, whether contracts are to be renewed or permitted to lapse. It has been pointed out that 7½ million acres are going back into production. We receive letters from farmers every day asking, "What am I going to do? Shall I plan on a crop for next year or plan to keep these acres retired?"

Our great problem in agriculture has been overproduction. We have been trying to meet that problem by taking acres out of production, by reducing agricultural production under certain plans, and this is one means by which we have to a substantial degree met the surplus problem.

No one devotes more time to the problems of agriculture than does the Senator from Florida [Mr. HOLLAND]. No one votes more cosmopolitanly, across the board, in favor of agriculture, and no one votes less restrictively for his area's agricultural needs than does the senior Senator from Florida. He considers the needs of all sections of agriculture. He is a sincere supporter of agriculture. However, I cannot agree with him in his line of opposition to the renewal of these leases which would expire, according to the amendment, on either December 31, 1963, or December 31, 1964.

Anyone who has had anything to do with agriculture knows that a farmer does not make a plan today and put it into effect tomorrow, the next calendar day. The farming operation is an operation of programing. Most farmers I know program at least 3 to 5 years ahead of time. They lay out their crops. They lay out their soil renewal programs. They lay out all these programs some years in advance. They do that if they are successful farmers. Of course, if they are fly-by-night farmers, they do not care. Farmers must know whether they should hold back acres now vacated and unproductive under the retirement program, or let them go back into production next year. Should farmers plow them up or should they recontract for an extension? That is the question that confronts the farmers.

We have heard a great deal about the Committee on Agriculture and Forestry. I am a member of that committee. I am a member of the subcommittee which is concerned. I have great respect for the chairman of the Committee on Agriculture and Forestry, even though I do not always agree with him on every matter that is considered by the committee.

There is some serious disagreement on the method of approaching these agricultural problems. That does not affect the chairman's sincerity or his desire to have an effective program. There have been two or three controversies. There is S. 1588, for example, which is in abeyance at the moment. It is in committee, and has been for a considerable length of time. Another proposal has come before the committee, and has been referred to the subcommittee. It is a proposal which is totally unacceptable from the standpoint of the welfare of the whole retirement program. It would retire acres, but would allow them to be grazed. That would defeat the purpose of the program. It would not allow them to be cropped, but it would permit them to be retired, while at the same time they could be grazed for livestock production. In a way, it is a selfdefeating program that is being proposed. Two or three proposals are before the committee.

Tomorrow is the first of October 1963. It is not the spring of 1963. This is not a year before these contracts expire. This is only 3 months before they expire. The farmers today are planning their programs for next year. The farmers cannot wait for the House to originate some measure and send it to the Senate. It is time to meet the emergency. We can add the amendment to the pending bill and send it to the House. If the other body does not see fit to take it, let the responsibility be on its head. Let the farmers know where the failure lies for a renewal of the contracts on the already retired acres. Let us find out where the responsibility is. Let the farmers know why they cannot plan for next year on the acres that are now retired. Let them know why they do not know what they can do next year. This is the time to act.

I respect the zeal with which committee members protect their committee. In most instances, the committee prerogative should be respected and preserved.

However, time and again—not every day, but repeatedly—amendments are added to bills, even though the amendments have not necessarily been given full consideration by a committee. They are amendments that are considered to be necessary corrective amendments. This is such a case. We are confronted with a case in which the farmers have 7½ million acres under retirement, which are going out of retirement and back into production. We must take action to authorize an extension of such contracts, so that those who wish to extend the contracts, under the proper terms and conditions which the Government lays down, can do so. This is the time to enact the proposed legislation. If we wait until the other body takes its own time and sends legislation to the Senate, and it then goes through the committee process, we shall see Christmas come and go; we shall see the end of the contract period come and go. We shall see acres come out from under retirement before any action can be taken to correct the situation and continue the contracts.

We are faced with an emergency. Seven and a half million acres are concerned. It is a question whether the acres shall continue in retirement and thus avoid adding the production of such acres to the surplus problem. This is an emergency operation.

We have heard considerable discussion about the unanimous-consent agreement. I do not know whether the suggestion has been made that there was some kind of hanky-panky in connection with the entering of the agreement. I do not believe there was. I was not present when it was entered into. I was not familiar with the terms. I do not know exactly what it provides. So far as I am concerned, it does not make any difference to me one way or the other. If some Senators feel they have been put upon, I am sure some kind of understanding can be reached. We must be fair about these things. I do not believe any Senator wishes to take advantage of any other Senator. So far as I am concerned, that is in the hands of someone else. I will abide by whatever is agreed upon by the Senators concerned.

The 7½ million acres are bound to go out of the program on the last of December, and that means a great deal to the agricultural plant. It is a question whether we should allow 7½ million acres more of production, a great problem that we shall have to wrestle with, involving more storage and more surpluses. Action should be taken now.

I am sure the committees of the two Houses are desirous of doing something about the problem. I know that their desire is that something be done about it eventually. However, as everyone knows, the machinery of Congress does not always move with lightning speed. We all know that the machinery in committees sometimes grinds more slowly than the mills of the gods.

When an agricultural bill is introduced in the other House and it goes through the machinery that an agricultural bill must go through, and then comes to the Senate and goes through the committee machinery here, and finally is submitted to the tender mercies of the conference committee, we can well imagine that the Christmas goose will hang high, and we shall be greeting the new year, perhaps, without any legislation on this subject being enacted. In the meantime these acres will go into production and the surplus problem will mount. That is what will happen if we do not act now. This is the time to do it. The proposal before the Senate is really nothing but a simple extension. I think it should be granted, with all due respect for the cooperative attitude of the committee of which I am a member, and for the zealous, sincere members of that committee, in spite of our disagreement on this particular subject.

I thank the Senator from South Dakota for his indulgence.

Mr. **MUNDT**. I thank the Senator from Iowa for his valuable contribution, coming as it does from a member of the Committee on Agriculture having vast experience and representing, in part, the great farm State of Iowa. He has emphasized the urgency of our action today.

Mr. **HOLLAND**. Mr. President, I express my appreciation to the distinguished Senator from Iowa for his kind words about me.

Mr. **MILLER**. Mr. President, will the Senator from South Dakota yield?

Mr. **MUNDT**. Mr. President, I yield to the junior Senator from Iowa such time as he may require.

Mr. **MILLER**. Mr. President, the purpose of the pending amendment, of which I am a cosponsor, is to continue for another year the conservation reserve contracts for the soil bank which would expire this year and next year.

The attitude of the Department of Agriculture seems to be that land covered by contracts which expire this year should be shifted into the land-use adjustment program authorized by the Food and Agriculture Act of 1962. This is a highly controversial proposal. Congress saw fit last year to provide for a pilot program limiting to $10 million the annual amounts which could be extended for this purpose. There has not been much time for the pilot program to be tested. Furthermore, deep concern has been expressed over moving soil bank land into a program which permits grazing of the land, and this has contributed to the failure of the House to take action this year.

The sponsors of the amendment say, in effect, that pending the resolution of the controversy, we should permit farmers whose soil bank contracts expire this year and next to continue in the soil bank program. With more time, a more permanent solution probably could be satisfactorily arrived at. We think this is good business for the Government, because the land in the soil bank has been retired at an average cost of $11.85 an acre; whereas the cost per acre of land being taken out under the feed grains program has been in excess of $27 an acre. It is expected that many of the farmers and ranchers whose contracts expire this year will see fit to remain in the program for another year. They are geared into the soil bank program, and a considerable amount of their land would not bring the average income under the present feed grains land retirement program anyhow. The lower cost to the Government, of some $6 to $7 per acre, for retirement of the land for recreation and other uses, is offset by the aggravation of our feed grains surplus situation through grazing opportunities on such land. There are 7.5 million acres of farm land scheduled to come out of the soil bank program this year, of which more than 2.2 million acres are in the Midwest and 372,000 acres are in my own State of Iowa. The immensity

of this program is indicated on a table dated "5/23/61," prepared by the Soil Bank Division, of the Department of Agriculture. I ask unanimous consent that the table be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

1956–61 conservation reserve program: Estimated reserve acres for which contracts expire each year, by States [1]

State	Acres released as of Dec. 31										Total acres in reserve
	1961	1962	1963	1964	1965	1966	1967	1968	1969	1970	
Northeast area:											
Connecticut	119	29	2,838	619	36	13	53	513	461	----	4,681
Delaware	356	95	8,662	3,023	92	352	166	5,053	524	----	18,323
Maine	7,725	8,148	19,339	16,584	173	1,636	8,586	31,740	27,867	756	122,554
Maryland	7,694	2,660	43,638	13,095	185	914	1,010	10,674	4,724	----	84,592
Massachusetts	73	28	1,254	380	27	25	10	455	442	----	2,694
New Hampshire	28	25	1,307	509	----	40	177	5,116	4,561	----	11,763
New Jersey	2,367	1,297	26,260	14,675	29	249	86	2,134	2,086	----	49,183
New York	29,741	15,657	147,679	75,619	1,111	5,340	7,267	107,372	106,467	6,084	502,337
Pennsylvania	16,336	7,926	150,697	82,492	615	1,713	2,491	50,236	53,602	54	366,162
Rhode Island	18	----	11	25	----	----	----		----	----	62
Vermont	31	44	4,011	2,497	220	155	1,359	13,398	10,946	----	32,661
Virginia	8,173	1,436	42,838	22,567	1,178	1,496	1,106	22,921	13,600	----	115,315
West Virginia	1,260	808	22,424	11,305	292	79	1,429	13,438	7,240	----	58,275
Southeast area:											
Alabama	8,148	3,534	81,911	40,292	382	17,911	29,982	133,577	92,198	----	407,935
Arkansas	25,351	19,888	198,871	83,136	1,338	7,494	24,827	159,785	77,700	----	598,390
Florida	6,924	3,170	12,818	18,653	256	38,851	21,543	68,439	58,554	----	229,208
Georgia	16,543	11,774	103,699	71,539	1,508	74,366	152,108	372,116	255,410	----	1,059,063
Louisiana	4,011	2,258	54,528	26,942	444	6,884	30,158	69,013	24,825	----	219,063
Mississippi	27,542	21,432	127,253	28,672	1,071	12,309	14,980	65,489	25,297	191	324,236
North Carolina	3,851	3,433	70,423	59,613	309	12,858	15,457	73,354	30,337	----	269,635
South Carolina	9,367	4,898	54,759	54,921	456	21,649	60,761	201,100	227,950	----	635,861
Tennessee	12,994	12,585	152,556	78,738	1,468	8,472	14,323	134,003	80,738	----	495,877
Midwest area:											
Illinois	11,835	2,846	275,624	87,183	918	2,032	749	43,734	11,445	345	436,711
Indiana	18,251	4,332	267,069	118,895	4,290	1,169	437	54,322	24,520	----	493,285
Iowa	47,804	13,789	372,195	168,150	2,308	1,026	942	34,998	17,019	----	658,231
Kentucky	8,726	3,949	168,804	68,802	1,085	1,349	2,218	99,962	32,911	----	387,806
Michigan	38,913	15,614	286,739	162,434	1,410	8,100	5,330	95,804	93,726	----	708,070
Missouri	33,645	30,727	283,410	160,507	2,095	5,568	4,270	221,317	87,323	----	828,862
Ohio	21,504	6,663	246,321	140,062	1,010	1,254	792	50,552	48,411	50	516,619
Wisconsin	42,657	14,004	306,083	171,622	1,026	11,831	6,927	105,678	88,987	105	748,920
Northwest area:											
Idaho	13,397	6,421	93,620	44,255	2,507	6,535	1,485	83,748	39,347	225	291,540
Minnesota	194,766	167,131	607,352	186,368	8,894	189,556	136,809	304,267	105,984	2,049	1,903,176
Montana	29,988	14,503	142,191	59,587	2,921	13,891	14,450	224,883	124,989	----	627,403
Nebraska	42,435	17,022	349,887	144,540	2,488	10,124	7,396	218,394	83,839	----	876,125
North Dakota	199,662	130,617	513,792	402,433	8,316	199,864	129,771	571,752	548,512	----	2,704,719
Oregon	19,066	10,365	84,959	36,372	1,418	8,987	6,453	40,714	24,735	----	233,069
South Dakota	151,661	85,374	410,602	335,511	5,911	54,448	37,831	425,490	315,245	----	1,822,073
Washington	9,860	13,761	114,268	45,332	3,871	3,056	10,971	95,616	39,299	----	336,034
Wyoming	14,322	2,935	32,503	10,756	----	3,827	1,396	44,342	14,325	----	124,406
Southwest area:											
Arizona	4,676	477	438	----	----	1,739	431	----	----	----	7,761
California	16,223	7,470	89,546	36,586	3,103	1,801	1,427	32,937	11,740	----	200,833
Colorado	99,576	40,891	137,784	30,497	3,434	178,528	82,845	604,114	122,212	----	1,299,881
Kansas	72,390	79,120	344,243	110,378	11,179	78,191	94,193	412,997	247,283	----	1,449,974
Nevada	----	----	----	----	----	----	----	----	----	----	----
New Mexico	85,986	14,211	13,813	470	251,424	308,208	113,288	77,559	360	----	865,319
Oklahoma	136,561	83,952	334,079	155,760	4,938	129,087	81,612	341,844	225,842	----	1,493,675
Texas	647,503	205,321	644,624	255,606	211,250	495,680	220,696	697,746	276,691	----	3,655,117
Utah	22,352	6,399	44,201	13,955	841	45,293	10,077	66,858	24,089	----	234,065
United States	2,172,411	1,099,019	7,491,923	3,651,955	547,827	1,973,950	1,360,675	6,489,562	3,714,363	9,859	28,511,544

[1] Based on report from Data Processing Center of contracts on record Jan. 1, 1961, derived by dividing annual payment for each year of expiration for each State by the State average rental per acre for all land in the reserve in 1961.

Mr. MILLER. Mr. President, in the opinion of many cattle raisers, it would be unwise to shift all of the soil bank land into the production of feed grains or into improved pasture to be grazed, because this would tend to aggravate the feed grains surplus situation. Current proposals to develop trade relations with the Soviet Union and other Iron Curtain countries relate to wheat, not to feed grains, which are our worst surplus-commodity problem. Also not to be overlooked is the fact that cattle prices have been depressed during most of this year, and imports of beef and veal have more then doubled since 1960, the result being that today they are equal to almost 10 percent of domestic production. Under such circumstances, to have the Government subsidize the retirement of land and then permit it to be grazed in competition with cattle raisers who are not receiving subsidies, would be unrealistic and unfair.

Action on this problem is overdue. Fall plowing is under way now. Thousands of farmers whose soil bank contracts expire this year want to know what to do. I hope the amendment will be incorporated into the bill now before the Senate.

Typical of the letters I have received from Iowa farmers are two which I ask unanimous consent to have printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

OAKLAND, IOWA,
July 23, 1963.

DEAR SENATOR MILLER: There are a number of items up in Congress which bother me. I am particularly concerned about the possibility of land being taken out of the conservation reserve and turned back to grazing land.

We are not what is considered large cattle feeders, but it is still our means of making a living. With fat cattle prices being what they are this year, I feel that more grazing land would only tend to aggravate an overabundance of cattle more.

We would appreciate your support on getting this land back in the conservation reserve.

Sincerely,
Mr. and Mrs. KENNETH PARKHILL.

SOMERS, IOWA,
July 29, 1963.

Senator MILLER.

DEAR SIR: I think that it would be good to continue the Benson soil bank contracts. If the law is not passed soon, there will be a lot of it plowed up and produce good crops that will add to the surplus.

As ever,
A. W. MOELLER.

Mr. MILLER subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks preceding the vote on the Mundt amendment an article from today's Wall Street Journal entitled "U.S. Crop Shipments Abroad Rise Sharply, Ease Payments Deficit."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FARM EXPORT SURGE: U.S. CROP SHIPMENTS ABROAD RISE SHARPLY, EASE PAYMENTS DEFICIT—TRADERS MOVE INTO MARKETS SOVIET CAN'T HANDLE—GAINS MAY HELP TRIM SURPLUSES—AID FROM FOREIGN AFFLUENCE

(By Joe Western)

WASHINGTON.—Even as a possible U.S. wheat sale to Russia takes embryonic form, American farm goods are swarming to foreign markets at rates surpassing expectations and toppling records.

Wheat, feed grains, cotton, soybeans, and other products are heading abroad in growing volume, thanks mainly to general prosperity and disappointing crops in key foreign lands. Agriculture Department trade analysts are privately predicting that total farm exports in the marketing year begun July 1 could mount to as much as $5.7 billion, the highest ever and well above the past year's near-record $5.1 billion. Only a few weeks ago, they looked for just a tiny gain over last year.

One happy result is to boost this country's oversea earnings of dollars; a growing share of the shipments is going to customers who pay in hard U.S. currency. "The effect on our stubborn balance-of-payments deficit should indeed be salubrious," smiles a key policymaker.

Too, there's a healthier chance now for cutting some U.S. farm gluts. Particularly steep gains are expected in exports of wheat and cotton, two of the most burdensome surplus items. Latest forecasts envision a leap of more than 40 percent in cotton shipments from the previous marketing year and a rise of roughly 15 percent in wheat. In the case of wheat, officials now look for the sharpest year-to-year shrinkage in stocks since the Korean war.

REPLACING RUSSIAN GRAIN

Russia's crop failures already figure significantly in the U.S. export outlook. The U.S.S.R. has been forced both to buy wheat from Canada and Australia and to withdraw as an important wheat exporter outside the Iron Curtain. Hard-selling U.S. traders are moving into the gap. As one direct result, Britain, Holland, Belgium, and West Germany lately have bought more than 4 million bushels of American bread grain for October and November shipment.

Less publicized phenomena are helping out. Bad weather has trimmed harvests not only in Russia but almost all across Europe this year. Damaging rains may cut Western Europe's 1963 wheat harvest to a post-World War II low of only 1.3 billion bushels, down from last year's record 1.6 billion. Free world stocks of some commodities, notably cotton, have been held low; now some rebuilding of cotton inventories is beginning in anticipation of tighter fiber supplies and bigger textile demand.

Growing populations in highly industrialized Japan and Western Europe now have increased cash to spend for more and better food and fiber. Free world treasuries are bulging with more gold, dollars and other foreign currency reserves than ever before. The latest tally, for the end of March, shows the total, not counting U.S. holdings, at $49.1 billion, up from $45.9 billion a year earlier.

ERASING A RECORD

The wealthy European nations, it's figured, will increase their dollar purchases of U.S. farm goods far more sharply than less rewarding exports elsewhere will rise; these include sales for soft currencies, barter deals and outright giveaways. Thus farm exports for dollars—excluding these other transactions—are expected to bound upward to around $4 billion this marketing year, erasing the record of more than $3.5 billion set last year.

Even before the new marketing year began, the export rise was on. Despite last January's paralyzing dock strike on the east and gulf coasts, total farm shipments from January through July totaled more than $3 billion, a modest $60 million gain from the 1962 pace. There's more of a surge when January is excluded; for the 6 months ended in July, the outgo came to more than $2.8 billion, topping the year-earlier performance by $200 million.

Nevertheless, even the most optimistic analysts caution that their predictions could go awry. For one thing, a coming U.S. Government report on the effects of smoking on health, if as unfavorable as some reports indicate, might hurt tobacco sales abroad. Shipping space could turn out to be a problem too. "With the Russians and Chinese moving so much grain from Canada and Australia," suggests an official, "any volume of ours moving above $5.6 billion probably will have real trouble finding space in ship bottoms."

Furthermore, much of the coming export bulge probably will be temporary. "You just can't expect crop disasters every year," says a U.S. policymaker. Too, European protectionism could fence out more American goods, as in the famous chicken war raging lately.

WIDE FLUCTUATIONS

U.S. farm exports often have fluctuated widely. From $4.7 billion in the 1956–57 marketing year, the total fell to $3.7 billion 2 years later. Sales built up again to a record of more than $5.1 billion in the year ended in mid-1962, and then eased off to around that figure last marketing year.

For the current year, Agriculture Department specialists size up product-by-product increases this way:

Wheat exports, which totaled 639 million bushels valued at nearly $1.2 billion in 1962–63, are expected to mount to a record of at least 740 million bushels valued at more than $1.3 billion. As recently as Labor Day, the official forecast was only 675 million bushels. With this aid, the Nation's wheat surplus is expected to shrink to just below 1 billion bushels by mid-1964; that would be a cut of 200 million from the heap on hand on June 30 this year, and the sharpest decline in more than a decade.

Other glut-cutting seems less certain. But cotton shipments, which last marketing year slumped to around 3.5 million bales worth $492 million, are expected to jump this year to around 5 million bales valued at more than $700 million. Feed grain sales, which last marketing year reached a record 15.3 million tons worth $737 million may amount to a new high of 17 million tons valued at nearly $820 million. Exports of soybeans, plus oil crushed from soybeans and cottonseed for cooking and other uses, could climb from last year's $778 million to as much as $900 million.

Despite current clouds over tobacco, sales of U.S. leaf promise to show gains from the poor 1962–63 showing of 474 million pounds valued at $378 million, down 7 percent from the previous marketing year. Shipments of rice, vegetables, and cattle for breeding may gain modestly.

While a slump in poultry still seems inescapable, some Agriculture Department specialists expect new markets, such as Japan, to help offset the loss caused by European tariff barriers. Shipments of broiler chickens and turkey meat, the major U.S. poultry products exported, slumped from January through July to less than half the 138 million pounds shipped a year earlier. But the gap has narrowed somewhat. The 10.2 million pounds recorded for July alone were more than half the 16.6 million of the like 1962 month.

To cash in on the generally brightening prospects, American salesmen are globetrotting as never before. No less than 62 U.S. food and agricultural firms, including Chicago's Quaker Oats Co., Armour & Co., and Libby, McNeill & Libby, have agreed to exhibit and sell their products at the largest international trade fair ever sponsored by the Agriculture Department. It is scheduled to open November 7 in Amsterdam and will last 18 days. "We're nearly sold out of exhibit space," says a Department official.

Already, emissaries of more than 40 American producer and trade groups, working with Federal officials in jointly financed market research and promotion projects, are crisscrossing 50 countries pushing U.S. farm products, notably wheat, soybeans, and poultry meat.

Permanent U.S. trade centers established by the Commerce and Agriculture Departments in London and Tokyo are serving as listening posts and information booths on farm marketing possibilities in Europe and Asia. At the Tokyo center, a score or more of U.S. poultry packers are wooing Japanese businessmen and consumers with exhibits and free samples in a show aimed at promoting chicken and turkey eating in Nippon. A U.S. official hails the show as a "tremendous success," though the cash payoff remains to be seen.

Mr. McCARTHY. Mr. President, will the Senator from Florida yield 5 minutes to me?

Mr. HOLLAND. Mr. President, I yield 5 minutes to the distinguished Senator from Minnesota.

Mr. McCARTHY. Mr. President, the question of the disposition of the acres coming out of the soil bank is of particular interest to Minnesota. The cumulative participation as to the number of farms shows that in 1961 Minnesota was second only to Texas in the number of farms with conservation reserve acres, 19,991 Minnesota farms having contracts. The cumulative number of acres in conservation reserve at that time in Minnesota was 1,896,228—a number exceeded only by North Dakota and Texas. Contracts on some of these acres have expired, but Minnesota still had 1,538,000 acres in the conservation reserve program at the beginning of this year.

Nearly 24.3 million acres still remain in the soil bank, and about 7.4 acres are scheduled to be released this year. In 1964 another 3.3 million acres will come out.

Action will be necessary to keep these acres—or an equivalent number of acres—from being returned to cropland production. The question is, What is the best means by which to accomplish this?

The subcommittee on Agricultural Production, Marketing, and Stabilization of Prices of the Committee on Agriculture has held hearings on this problem, and has also held an executive session on it. The administration had proposed to change the program from cropland retirement to cropland diversion, but a number of questions have been raised which require additional time for consideration by the committee.

I am a member of the subcommittee and I wish to assure Senators who are supporting the pending amendment that I, too, am interested in getting action on a bill to meet this problem. But I do not believe we should take the unusual route of attaching to an appropriation bill an amendment which provides for an extension of this program.

Some of the land for which conservation reserve contracts will expire is already committed by the landholder to be returned to crop production next year. A mere extension will not keep this land out of crop production in 1964. Even if all the land were retained, we would still only be putting off the solution for another 2 years, at which time we would find over 10 million acres coming out of contract at one time.

The method proposed in the Mundt amendment would also be more expensive than some of the proposals now under study by the subcommittee. Consideration is being given to some form of limited land use for reserve acres. This would permit lower payments than at present. If acres taken from cropland use were diverted to pasture, wildlife, recreational use, woodlots, or other uses, the Secretary could reduce the cost per acre of the program.

In my judgment, one of the principal reasons for dealing with this problem in a separate measure is to try to meet the serious objection to the original soil bank measure—that is, as to the effect of this type of total withdrawal of farms on the rural community. If we can make some provision for keeping farms in operation—rather than have them totally withdrawn from production—we can strengthen the rural community, and certainly can strengthen the justification for this program.

Mr. President, I thank the Senator from Florida for yielding me this time.

Mr. MUNDT. Will the Senator from Minnesota yield, to permit me to propose a further unanimous consent agreement?

Mr. McCARTHY. I am glad to yield.

Mr. MUNDT. I heard the colloquy in which the Senator from Minnesota and the Senator from Florida said that when the unanimous-consent agreement was entered into last Thursday, certainly there was no intention on the part of any of us to have the Senate rule changed by means of the unanimous-consent agreement. I believe it was then the intention—certainly it was mine—to have the Senate proceed by a single vote to overrule the point of order, then suspend the rule, and then agree to the amendment.

But although that was the understanding, it is obvious that the language used in the order did not make that clear. I am sure the Senator from Minnesota believes that the unanimous-consent order will terminate all debate at the end of 3 hours; that then there will be the single vote; that it was never intended to deprive the Senator from Florida of the right to make his point of order; and that, until today, all of us anticipated that all that was included in the unanimous-consent agreement.

So, Mr. President, in order to bring this matter to what I believe will be an amicable conclusion—because in 25 years in Congress I have never resorted to sharp legislative practice; and I do not propose to do so today, simply because I temporarily have a weapon in my hand—I ask unanimous-consent agreement that the unanimous-consent agreement of last Thursday be modified so as to provide that by one two-thirds majority vote the Senate may suspend paragraph 4 of rule XVI, so that my amendment will then be in order, and may then agree to my amendment—all in a single vote—and thus be able to accomplish both objectives by a single vote, whenever the time under the agreement has expired.

Mr. HOLLAND. Mr. President, will the Senator from South Dakota yield?

Mr. MUNDT. I yield.

Mr. HOLLAND. The Senator assumes that I, in pursuance of my obligation, will make the point of order; and that then the Senator from South Dakota will make his motion that the Senate overrule the point of order, and agree to the amendment—all in one vote—which would require a two-thirds affirmative majority.

Mr. MUNDT. Yes. My amendment has already been submitted; so I assume that the Senator from Florida will make the point of order that the amendment proposes the inclusion of legislation in an appropriation bill, and that then—by a single vote—the Senate will pass upon the amendment.

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that, under the existing agreement, a two-thirds affirmative vote by the Senate would both suspend paragraph 4 of rule XVI and agree to the amendment; in other words, both actions would be taken by means of the one vote.

Is there objection to the request of the Senator from South Dakota?

Mr. HOLLAND. Mr. President, I did not understand the Chair's ruling. I certainly intend to make the point of order. If the proposed modification of the unanimous-consent agreement would not permit the point of order to be made, I wish that fact to be ascertained at this time.

The PRESIDING OFFICER. The Chair understands that it is assumed under the modified agreement, that a point of order will be made, on the ground that the amendment of the Senator from South Dakota proposes the addition of legislation to an appropriation bill. Such an amendment cannot be offered until paragraph 4 of rule XVI is suspended; and a two-thirds majority is required in order to take such action.

Mr. MUNDT. Mr. President, in order to simplify our arriving at the objective which all of us have in mind, I include in my request a provision to the effect that it is agreed that the point of order which it was understood would be made by the Senator from Florida has now, in fact, been made.

The PRESIDING OFFICER. The Senator's request will be modified accordingly.

Is there objection to the modified request for unanimous consent to modify the existing unanimous-consent agreement? Without objection, it is so ordered.

Mr. HUMPHREY. Then, Mr. President, I understand that it is now understood that, by means of only one vote, the Senate will deal with the question of suspending the rule and also with the question of agreeing to the substance of the amendment of the Senator from South Dakota.

The PRESIDING OFFICER. That is correct.

Mr. HUMPHREY. And a two-thirds vote will be required, as I understand.

The PRESIDING OFFICER. That is correct.

Mr. HOLLAND. Furthermore, Mr. President, I believe it is now understood that the Senator from Florida, the chairman of the subcommittee handling the bill, has raised the point of order that the amendment of the Senator from South Dakota proposes the addition of legislation to an appropriation bill.

The PRESIDING OFFICER. Yes; that assumption is now understood.

Mr. HUMPHREY. And it is also understood that a two-thirds vote will be required in order to suspend the rule and also in order to agree to the substance of the amendment; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. HUMPHREY. I thank the Senator from South Dakota. He has been most considerate, and I wish the record to note that in our discussions he has been most cooperative. He could have insisted upon a technical interpretation of the unanimous-consent agreement; but, in the typical fashion of a gentleman and an honorable man, he did not do so. So I express to him my gratitude and my appreciation.

Mr. MUNDT. I appreciate the Senator's statement.

Mr. HOLLAND. Mr. President, will the Senator from Minnesota yield?

Mr. McCARTHY. I yield.

Mr. HOLLAND. Let me say to the Senator from South Dakota—although I know that he already knows this—that I never expect anything from him but the kind of magnanimous consideration he has accorded in this instance—which I recognize, and for which I express my gratitude.

Mr. MUNDT. Let me add that I have so much confidence in my amendment that I hope that in any event it will be agreed to by a unanimous vote.

Mr. HUMPHREY. Would the Senator be willing to accept a substitute for the amendment? [Laughter.]

Mr. President, will the Senator from South Dakota yield briefly to me?

Mr. MUNDT. I yield.

CONSERVATION AND LAND USE

Mr. HUMPHREY. Mr. President, I believe in programs that put farmland into conservation uses. Through the years I have firmly supported proposals that provided for cost-sharing conservation practices under the ACP program. I have supported the programs of the Soil Conservation Service. I proposed a conservation acreage reserve program that was designed to conserve our invaluable agricultural productivity, our natural resources, and at the same time, to protect and improve farm income. I voted for the Soil Bank Act of 1956, not because this was the best program possible, but because it was the best program available. My colleagues will recall that this act was passed only after the presidential veto of a farm bill that was designed to make positive improvements in farm prices and farm income—the soil bank program was only a minor part of that larger proposal and was passed as a separate act after the veto in the fervent hope that farmers would be provided some positive income improvement by Congress in that dark year of 1956.

That fervent hope was dissipated in the following years as crop production increased and surpluses piled high. The hope for improved net farm income was dashed as year after year, between 1956 and 1960, net farm income decreased annually around $1 billion. Rural communities suffered as whole farms were placed in the reserve and the owners moved away. Widespread objections to the conservation reserve were voiced by farmers and businessmen. It was for these reasons that in 1960 the U.S. Senate voted to terminate the conservation reserve program.

Misunderstandings with regard to the conservation reserve program that confronts us center on the question: Is there good use for this land, or must it be kept idle? Some cattle producers believe their prices are threatened by use of the land in question for pasture. On the other hand, there are reports that additional pasturage would be in the public interest because beef production should be increased through the years to meet the needs of our growing population.

Because of these differing opinions the Congress this year has been unable to pass any legislation dealing with either a program of land use or an across-the-board extension of expiring conservation reserve contracts. This has led to a great deal of confusion among the farmers of my own State of Minnesota and throughout the Nation.

Mr. President, I am not going to take sides in this question. I am, however, introducing today what I consider to be a compromise—a bill which takes into consideration the arguments made by representatives of each side of the question. I do this in order to erase the confusion which presently exists among our farmers and I hope this legislation will get the bipartisan support it will need to be enacted.

Very simply, Mr. President, what my bill does is provide that those persons whose conservation reserve contracts expire this year and next can extend them until December 31, 1965, subject to the same rules and regulations under which the Soil Bank Act now operates.

My bill goes further, however. It adds that until December 31, 1965, the Secretary of Agriculture may enter into land-use agreements covering an acreage of land equal to the acreage on which conservation reserve contracts expire this year and next but which are not extended.

Mr. President, my bill contains features of both the Soil Bank Act and the land use provisions of the Food and Agriculture Act of 1962. I am hopeful it will receive early consideration. I cannot vote to suspend the rules and merely continue the old soil bank program. We need a better program—we need land use—not idle land. We need to conserve our soil—and put it to constructive use.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2193) to authorize extension of expiring conservation reserve contracts, and for other purposes, introduced by Mr. Humphrey, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. HOLLAND. Mr. President, I am prepared to yield back the remainder of the time under my control.

Mr. MUNDT. Mr. President, I am prepared to do likewise; and I now do so.

Mr. HOLLAND. So do I.

Mr. MUNDT. The yeas and nays have already been ordered.

Mr. HOLLAND. Mr. President, in order that there may be a short quorum call prior to the vote, I now suggest the absence of a quorum.

The PRESIDING OFFICER. All remaining time on the amendment has now been yielded back.

The question is on agreeing to the amendment of the Senator from South Dakota. Under the unanimous-consent agreement, the yeas and nays have been ordered on this question.

The absence of a quorum has been suggested; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. HUMPHREY. A two-thirds vote is required for a suspension of the rule?

The PRESIDING OFFICER. The Senator is correct.

Mr. MUNDT. Mr. President, I do not believe that the assistant majority leader's question was complete. A two-thirds vote is required for a suspension of the rule and adoption of the amendment in a single vote.

The PRESIDING OFFICER. Under the agreement, a two-thirds vote will be required to suspend the rule and to adopt the amendment. That can all be accomplished in one vote.

The question is on agreeing to a suspension of the rule and agreeing to the amendment of the Senator from South Dakota. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN (when his name was called). On this vote I have a pair with the distinguished majority leader, the Senator from Montana [Mr. Mansfield]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. Bible], the Senator from Illinois [Mr. Douglas], the Senator from South Carolina [Mr. Johnston], the Senator from Montana [Mr. Mansfield], the Senator from Montana [Mr. Metcalf], the Senator from Utah [Mr. Moss], the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pell], and the Senator from Mississippi [Mr. Stennis] are absent on official business.

I also announce that the Senator from California [Mr. Engle] is absent because of illness.

I further announce that, if present and voting, the Senator from Nevada [Mr. Bible], the Senator from Illinois [Mr. Douglas], the Senator from South Carolina [Mr. Johnston], the Senator from Montana [Mr. Metcalf], the Senator from Utah [Mr. Moss], the Senator from Oregon [Mrs. Neuberger], the Senator from Rhode Island [Mr. Pell], and the Senator from Mississippi [Mr. Stennis], would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. Allott], the Senator from Hawaii [Mr. Fong], and the Senator from Vermont [Mr. Prouty] are absent on official business.

The Senator from Arizona [Mr. Goldwater], the Senator from Colorado [Mr. Dominick], the Senators from New York [Mr. Javits and Mr. Keating], the Senator from California [Mr. Kuchel], and the Senator from Wyoming [Mr. Simpson] are necessarily absent.

The Senator from Texas [Mr. Tower] is absent because of death in his family.

If present and voting, the Senators from Colorado [Mr. Allott and Mr. Dominick], the Senator from Hawaii [Mr. Fong], the Senator from Arizona [Mr. Goldwater], the Senators from New York [Mr. Javits and Mr. Keating], the Senator from California [Mr. Kuchel], the Senator from Vermont [Mr. Prouty], and the Senator from Texas [Mr. Tower] would each vote "yea."

The yeas and nays resulted—yeas 20, nays 59, as follows:

[No. 177 Leg.]

YEAS—20

Aiken
Beall
Bennett
Boggs
Carlson
Cooper
Cotton
Curtis
Hickenlooper
Hruska
Jordan, Idaho
Lausche
Mechem
Miller
Morton
Mundt
Pearson
Saltonstall
Scott
Young, N. Dak.

NAYS—59

Anderson
Bartlett
Bayh
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Dodd
Eastland
Edmondson
Ellender
Ervin
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hill
Holland
Humphrey
Inouye
Jackson
Jordan, N.C.
Kennedy
Long, Mo.
Long, La
Magnuson
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Monroney
Morse
Muskie
Nelson
Pastore
Proxmire
Randolph
Ribicoff
Robertson
Russell
Smathers
Smith
Sparkman
Symington
Talmadge
Thurmond
Walters
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—21

Allott
Bible
Dirksen
Dominick
Douglas
Engle
Fong
Goldwater
Javits
Johnston
Keating
Kuchel
Mansfield
Metcalf
Moss
Neuberger
Pell
Prouty
Simpson
Stennis
Tower

The PRESIDING OFFICER. Two-thirds of the Senators present and voting not having voted in the affirmative, the rule is not suspended, and the amendment is not agreed to.

The PRESIDING OFFICER. Under the unanimous-consent agreement the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 6754) was read the third time.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. As I understand the unanimous-consent agreement, the vote on passage of the bill will occur at this time.

The PRESIDING OFFICER. There is 30 minutes of debate on the question of passage of the bill.

Mr. HOLLAND. Mr. President, I ask for the yeas and nays on the question of passage of the bill.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, I yield such time as he may desire to the distinguished Senator from Nebraska [Mr. HRUSKA].

Mr. HRUSKA. Mr. President, the bill now before the Senate making appropriations for the Department of Agriculture contains a feature which could well mark the turning point in our efforts to find a solution to the difficulties we have come to lump together under the label of "the farm problem."

I refer to an item of $35 million earmarked for strengthened research on utilization of agricultural commodities. The Senator from South Dakota [Mr. MUNDT] whose leadership is responsible for the addition of these funds in the Senate bill, has already told us of the serious imbalance between our research to improve crop production and our efforts to find new uses for the things we grow. The funds being made available in this bill will insure that we are devoting at least as many of our resources to utilization research as we are to production research.

All of American agriculture owes a debt to the Senator from South Dakota [Mr. MUNDT], the Senator from Georgia [Mr. RUSSELL], and the Senator from North Dakota [Mr. YOUNG] for their work in developing this program, which is in response to the Senate's recognition of the need for action when, last October, it approved Senate Resolution 415, calling upon the Secretary of Agriculture to submit a program for effective strengthening of utilization research.

At the same time, Mr. President, recognition is due the unflagging efforts of my colleague from Nebraska [Mr. CURTIS], who earlier this year introduced a bill—S. 1156—to carry out the recommendations of the Commission on Increased Industrial Use of Agricultural Products, headed by Mr. J. Leroy Welsh of Omaha. For many years, from the time he served in the House, my colleague [Mr. CURTIS] has been in the forefront of those urging a stepped-up program of scientific inquiry into new and improved uses for our farm products.

His bill would implement the excellent report of the Welsh Commission which, at President Eisenhower's direction, outlined 106 broad fields of research and development, including hundreds of product uses, that seem to promise fruitful results.

Particular emphasis was given in the Commission's findings to the use of grain alcohol as a gasoline blend. The chemical feasibility of such use is well established. What is required now is an energetic effort to increase the economic feasibility.

There are literally hundreds of other projects which may be pursued with good promise of a quick and profitable return. The program submitted to our committee by the Agricultural Research Service calls for initiating and expanding studies on nearly 200 different projects. Special emphasis would be placed on two highly promising areas—cereal and forage crops, and poultry, dairy and animal products. Substantial increases would be allotted to work on cotton and wool, oilseeds, fruits and vegetables, and new and special crops.

Mr. President, this Government now spends on the order of $15 billion a year in research and development. There is good reason to question whether it is spent wisely. We have heard sharp and angry citicism of some projects which appear to have little practical value and we know that crash programs, such as those in our space effort, are, in and of themselves, wasteful and extravagant.

The $35 million proposal in the bill now before us is anything but a crash program. It provides for a steady, healthy growth of the Federal scientific effort to a size and strength commensurate with the Nation's need.

When the President's scientific adviser, Dr. Jerome Weisner, was before our Independent Offices Appropriations Subcommittee, he conceded that Congress now appropriates billions for research largely on faith, with no real assurance of what the Nation will get for its money.

The opposite is true of the program we are discussing today. Utilization research has a solid record of returning $25 for every dollar spent.

For many years, Mr. President, the American farmer has been caught in a vicious cost-price squeeze. While the price he receives for the things he produces by his own labor and investment has gone down, the price he must pay for the things he needs has risen steadily.

By finding new markets, through new uses for agricultural products, we can restore the health of our farm economy. This is of prime importance to States like my own where agriculture is the basic industry.

As new uses and new processes are developed, we can expect that processing and manufacturing plants will be established in the areas where the products are grown, thus contributing to a balanced and efficient economic situation.

Mr. President, the big clock down at the Census Bureau last Friday ticked off its estimate of America's population at 190 million. In about 3 years, the figure will reach 200 million. We are confident of our ability to produce food and clothing for that many people, but the question may well be asked whether our usual sources will be adequate to meet the demands for the things we otherwise consume.

Take paper, for instance. No one who lives in this town needs to be reminded of America's voracious appetite for paper. We use fantastic amounts of films, fibers, plastics, and coatings.

The ARS proposes to launch a major research effort concerning the use of starch, which makes up 70 percent of cereal grains, for these products.

So-called cereal pulp products, consisting mainly of chemically-converted wheat flour or cereal starches produced by inexpensive processes will yield papers of higher tensile strength than all-wood pulp papers. If initial findings are borne out in larger scale tests, this development has an excellent potential for improving a variety of paper products—newsprint, coating adhesives, coarse paper, and building and insulating boards—and would require the use of 100 to 180 million bushels of grain.

There are other exciting prospects in new uses of cereals.

Entirely new organic materials can be created through fermentation of grain and can be used in a wide variety of processes.

Winter wheats can be treated to make them more acceptable in foreign markets, thus teaming research with another important factor in reducing our surpluses, world trade.

We have only begun to explore the byproducts of wheat milling which can be upgraded into concentrates that are rich in vitamins, antibiotics, hormones, and other growth-promoting substances.

The program outlined by the Agricultural Research Service represents a careful screening of projects in a planning document which the Service keps current at all times. It is a listing of projects which show promise but for which funds have so far been unavailable. Given the Senate's direction to propose a program at the level of $35 million, the scientists and technicians have combed the planning list for the most promising and worthwhile—and realistic—activities.

The Agricultural Research Service, under the capable direction of Dr. Byron Shaw and his able assistants, has given us a clear blueprint for an expanded and strengthened utilization research program. They are prepared to carry it out. I am hopeful that in the conference with the House, the Senate managers will persuade their colleagues from the other side of the Capitol of the importance of this program.

MARKET NEWS SERVICE

Mr. President, very late in the Appropriations Committee's markup of this bill, the matter of the Federal-State market news leased wire system came up. As the distinguished chairman of the subcommittee has explained, no hearings were held on this subject, so a subcommittee was appointed to meet with the Secretary of Agriculture and, if appropriate, bring the matter to the floor of the Senate for discussion.

In his remarks on last Wednesday—page 18006 of the CONGRESSIONAL REC-

ORD—the Senator from Florida [Mr. HOLLAND] explained that:

> After conferring with the Secretary of Agriculture, the subcommittee felt that his explanation of what was expected to be done in that field is reasonable.

Mr. President, since I was not a member of that subcommittee, I would be most interested to learn what the subcommittee found reasonable about the Secretary's assertion that his Department will be the sole judge in those cases where it is decided to cancel the contracts of subscribers to this service.

In his letter to the chairman [Mr. HOLLAND], the Secretary says in one place.

> No system of censorship or management of the press is involved in any manner.

Three paragraphs later, he makes the assertion that his Department reserves the right to cancel the service "in its entirety and in the sole judgment of USDA if, for some unforeseen reason, it should turn out to be detrimental to the best interests of agricultural producers as a whole."

The point, Mr. President, is this: the information supplied by this market news service is public property, bought and paid for by the taxpayers of the United States. It belongs to each of them and to all of them.

To have the Secretary claim the right to decide who gets it and for how long and under what circumstances is preposterous.

The information available over this service is no different from information contained in a printed leaflet, such as the Department's famous pamphlet on infant care. Does the Secretary claim that he has the right to decide who shall receive those pamphlets and what use shall be made of them?

There are serious questions concerning this market news service, Mr. President. Does it mean that each department will soon have its own teletype news service, and then, in the name of economy, they will all be combined into one central service?

The Soviets have a system like that. It is called Tass.

But whether such a Government news service is in the offing or not, it is clear that we must not leave to an official of the Government the authority to decide, willy nilly, whether subscriber A should have the service and subscriber B should not.

Suppose in exercising its "sole judgment" the Department of Agriculture decides it does not like the editorial policy of one of its newspaper subscribers. Is that a basis for cancellation?

It is my hope that the Agriculture Committees of both Houses, as well as those committees concerned with true freedom of information, will turn their attention to this potentially dangerous attempt by the Secretary to set himself up as a censor of publicly owned news.

Mr. President, America's free press has been viewing Mr. Freeman's scheme with a very jaundiced eye. An example appeared in the September 27 issue of the Lincoln Journal. I ask unanimous consent to have printed at this point in the RECORD the editorial entitled, "Freeman's News Service."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FREEMAN'S NEWS SERVICE

The U.S. press and public expect a free flow of information from their Federal Government. But Secretary Orville Freeman, in the Department of Agriculture, appears to be a little too generous with news from his bailiwick.

He has told the press, in effect, "You won't even have to bother coming around any more, boys. We'll just gather up all our news and put it out for you." Freeman even proposes setting up an agricultural news service to get this information to the press media, as the Associated Press and United Press International do.

It's not surprising that much of the press has replied, "Thanks a lot, Orville, but no thanks."

Not that they're a bunch of ingrates. But the idea raises a host of questions—professional, political, and practical.

Foremost among them might be: How would the Department of Agriculture have "covered" the story of Billie Sol Estes, or the disappearance of several million tons of Government-owned grain? Would it have reported them at all? How would the Department have presented the news on the recent wheat referendum which it plugged so actively?

The present method, in which privately owned and competing news services and news media seek and distribute the news, might not be perfect. But it beats the daylights out of Secretary Freeman's proposal.

For whenever the independent press is not allowed to gather and disseminate news, including news about Government, this Nation will be in a real bad way.

Mr. DIRKSEN. Mr. President, unless there are further demands for time, I am prepared to yield back the remaining time on this side on the bill.

The PRESIDING OFFICER. Under the agreement each side has 15 minutes. The Senator from Illinois is prepared to yield back his remaining time.

Mr. HOLLAND. Mr. President, I am glad to yield back my time.

Mr. DIRKSEN. Mr. President, I yield back my remaining time.

The PRESIDING OFFICER. All time has been yielded back.

The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HUMPHREY. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Illinois [Mr. DOUGLAS], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Montana [Mr. MANSFIELD], the Senator from Montana [Mr. METCALF], the Senator from Utah [Mr. MOSS], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PELL], and the Senator from Mississippi [Mr. STENNIS] are absent on official business.

I also announce that the Senator from California [Mr. ENGLE] is absent because of illness.

I further announce that, if present and voting, the Senator from Nevada [Mr. BIBLE], the Senator from Illinois [Mr. DOUGLAS], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Montana [Mr. MANSFIELD], the Senator from Montana [Mr. METCALF], the Senator from Utah [Mr. MOSS], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Rhode Island [Mr. PELL], and the Senator from Mississippi [Mr. STENNIS] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Hawaii [Mr. FONG], and the Senator from Vermont [Mr. PROUTY] are absent on official business.

The Senator from Arizona [Mr. GOLDWATER], the Senator from Colorado [Mr. DOMINICK], the Senators from New York [Mr. JAVITS and Mr. KEATING], the Senator from California [Mr. KUCHEL], and the Senator from Wyoming [Mr. SIMPSON] are necessarily absent.

The Senator from Texas [Mr. TOWER] is absent because of death in his family.

The Senator from Kentucky [Mr. COOPER] is temporarily absent to attend a funeral.

If present and voting, the Senators from Colorado [Mr. ALLOTT and Mr. DOMINICK], the Senator from Kentucky [Mr. COOPER], the Senators from New York [Mr. JAVITS and Mr. KEATING], the Senator from California [Mr. KUCHEL], and the Senator from Vermont [Mr. PROUTY] would each vote "yea."

If present and voting, the Senator from Arizona [Mr. GOLDWATER] would vote "nay."

On this vote, the Senator from Hawaii [Mr. FONG] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Hawaii would vote "yea," and the Senator from Texas would vote "nay."

The result was announced—yeas 74, nays 5, as follows:

[No. 178 Leg.]

YEAS—74

Aiken
Anderson
Bartlett
Bayh
Beall
Bennett
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Case
Church
Clark
Cotton
Curtis
Dirksen
Dodd
Eastland
Edmondson
Ellender
Ervin
Fulbright
Gore
Gruening
Hart
Hartke
Hayden
Hickenlooper
Hill
Holland
Hruska
Humphrey
Inouye
Jackson
Jordan, N.C.
Jordan, Idaho
Kennedy
Long, Mo.
Long, La
Magnuson
McCarthy
McClellan
McGee
McGovern
McIntyre
McNamara
Mechem
Miller
Monroney
Morse
Morton
Mundt
Muskie
Nelson
Pastore
Pearson
Proxmire
Randolph
Robertson
Russell
Saltonstall
Scott
Smathers
Smith
Sparkman
Symington
Talmadge
Walters
Williams, N.J.
Yarborough
Young, N Dak.
Young, Ohio

NAYS—5

Brewster
Lausche
Ribicoff
Thurmond
Williams, Del.

NOT VOTING—21

Allott
Bible
Cooper
Dominick
Douglas
Engle
Fong
Goldwater
Javits
Johnston
Keating
Kuchel
Mansfield
Metcalf
Moss
Neuberger
Pell
Prouty
Simpson
Stennis
Tower

So the bill (H.R. 6754) was passed.

Mr. HOLLAND. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HOLLAND. Mr. President, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon; and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Holland, Mr. Russell, Mr. Ellender, Mr. Young of North Dakota, and Mr. Mundt conferees on the part of the Senate.

Mr. HUMPHREY. Mr. President, first, I wish to express the thanks of the leadership to the Senator from Florida [Mr. Holland] for his diligence and patience in handling this very important appropriation bill. The Senator from Florida made considerable personal sacrifice to accommodate other Senators, and I want him to know that his consideration is appreciated. I also wish to thank the Senator for the meticulous manner in which he explained all the features of this bill, so that the Record might be substantially clear as to what was done in connection with this rather substantial appropriation.

Mr. HOLLAND. Mr. President, I appreciate the generous statement of the acting majority leader.

ALIBATES QUARRIES OF ANCIENT MAN IN THE TEXAS PANHANDLE SHOULD BE A NATIONAL MONUMENT

Mr. YARBOROUGH. Mr. President, more and more citizens of the Southwest are becoming aware of and joining in support for the efforts to assure preservation of the famous Alibates flint quarries near Amarillo, Tex. These quarries, proposed for designation as a national monument by a bill which I have introduced, S. 1348, have been used as a source of flint for projectile points during 12,000 years of American history and prehistory.

The importance of preserving this site is well described in a recent, concise, and informative article published by the Amarillo Sunday News-Globe and written by Jim Clark.

I ask unanimous consent that this article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Amarillo (Tex.) Sunday News Globe, Sept. 8, 1963]

Flint Quarry Oldest Mine

(By Jim Clark)

If not preserved as a national monument, a mining and trading business operated by prehistoric man near here 12,000 years ago may be lost to vandals and souvenir hunters.

The business—in continuous operation for 11,300 years—is the Alibates flint quarries, on the Canadian River 35 miles north of Amarillo.

Earliest inhabitants of the North American Continent walked hundreds of miles to collect flint from the quarries. It provided weapons for hunting woollyhaired, longtusked mammoths which thundered over this region 10,000 years before the birth of Christ.

Location of the quarries and nearby Indian pueblo ruins is one of the State's best-kept secrets. But opening of the 25,000-acre Lake Meredith in 1965 will make them available to the public either by automobile or boat.

The quarries and ruins are in the heart of a scenic recreation area to be acquired by the lake developer. Canadian River Municipal Water Authority, CRMWA, has agreed to dedicate required acreage as a national monument if a well-backed proposal gets necessary Department of Interior and legislative approval.

National monument status for the site would make this area's oldest economic resource the newest—through tour revenues—and provide one of the finest educational exhibits in the Nation, promoters say.

Telltale signs of ancient civilizations are hundreds of grass-covered quarry excavations. Artifacts still crop up among the flint chips and cores surrounding each pit.

The pueblo ruins, a quarter-mile away, are the tattletale of a people who tilled the soil and built flourishing villages 600 years before white man laid claim on the country.

Archeological evidence indicates flint from the quarries—valued because of its brilliant coloring and quality—was a sought-after trade item among prehistoric man.

Tools made from Alibates flint 12,000 years ago have been uncovered in archeological diggings as far away as Montana.

The flint—a stratum spread over a mile-long zone and lying between areas of agatized dolomite—occurs in reds, blues, whites, purples, yellows, tans, grays, and blacks. Much of it is banded, striped, splotched, streaked or dotted.

Man first found the quarries 6,000 years before the wheel was invented or the first writing appeared, 500 years before the ice age peaked and 7,100 years before the great pyramids of Giza were built in Egypt.

"I am sure that Alibates flint was used frequently for such point types as Folsom, Plainview, Scotts Bluff and Eden * * * for at least some 12,000 years up to the time of pottery cultures in Texas and New Mexico," Dr. Alex D. Krieger, University of Washington archeologist, has written.

The Alibates quarries were "certainly the most important ones," Dr. Robert E. Bell, University of Oklahoma archeologist, has observed. "They appear to be the most extensive and to have been used over the longest period of time."

Dr. Waldo R. Wedel, Smithsonian Institution curator, referred to the "famous" Alibates quarries in his book, "Prehistoric Man on the Great Plains."

After the time of the mammoth hunters, flint from the Alibates quarries was used by ice age man for stalking giant bison, camel, sloth and tapir, once plentiful over much of the Southwest.

The people who followed prehistoric man to the quarries established a complex economy based upon corn, agriculture, hunting and trading of Alibates flint.

A 66-room pueblo ruin in the quarry area, excavated by a Works Progress Administration crew in the 1930's, produced 16,000 identifiable artifacts—11,000 of them not native to this region.

The artifacts, representing a culture from 900 to 1300 A.D., are in the Panhandle-Plains Historical Museum at West Texas State University, Canyon.

Unexplored limestone slab pueblos may represent an older or more recent culture than those excavated by WPA workers and area archeologists. A 100-room pueblo ruin in the area can be excavated and restored.

The excavated puebloes contain vast quantities of flint shaved from larger pieces carried from the quarries for working.

At the quarries and pueblo ruins the archeologist today finds weapons and household tools, along with pottery shards, stone implements, and remains of materials imported to this region.

Prehistoric man used flint blanks (ready to work pieces) as a medium of trade, archeologists verify.

The importance of Alibates flint to prehistoric man and its us as both a utilitarian and trade item was emphasized by Dr. Kirk Bryan in a paper published by Harvard University.

"The Sources of Tools and, at the Same Time, the Factories of Prehistoric American Man" was the title of Bryan's paper, published by the Peabody Museum of American Archeology and Ethnology.

Tools and weapons made from the easily identifiable Alibates flint have been found in Clovis and Folsom civilization finds in Texas, New Mexico, Oklahoma, Colorado, Wyoming, South Dakota, and Montana.

From 900 to 1300 A.D., pueblo dwellers used the valuable flint to trade for red pipestone from Minnesota, shells from the Gulf of Mexico and the Pacific Ocean, obsidian, turquoise, and painted pottery from New Mexico, painted pottery from Arizona, and obsidian from the Yellowstone area of Wyoming. Artifacts made from these trade items were found during excavation of the pueblo complexes.

"It is apparent that prehistoric man made special journeys to the quarries just to obtain his flint," Dr. James J. Hester said when confirming "extensive use of Alibates flint in the 12,000-year-old Clovis culture mammoth kill site" near Portales, N. Mex. Hester is curator of the Museum of New Mexico.

Reports in scientific journals point to the cultural, economic, geological, and historical significance of the quarries and pueblos.

Edward B. Jelks, executive director of the Texas archeological salvage projects, University of Texas, conceives for the proposed national monument an in-place exhibit "to portray in dramatic fashion the aboriginal quarrying methods, stone chipping techniques, and trading activities."

To Floyd V. Studer, an Amarillo man well known in the field of archeology, preservation of the "source of the finest material available to prehistoric man in North America would provide the finest and only in-place educational exhibit of its kind in the Nation."

"Alibates flint was to prehistoric man what the finest steel is to man today," says Studer, who has worked the quarries and pueblo ruins since 1907.

Fauna and flora of the region in an in-place exhibit at the quarry and pueblo sites would be "a wonderful way to tell young people about those who lived before them," thinks Henry Hertner.

Hertner, an Amarillo businessman, is promoting national monument status through his work with the Potter and Texas State Historical Survey Committees and the Panhandle Geological Society. The project also is supported by several other individuals, governmental authorities, and organizations.

First substantiated proof that the quarries were worked 12,000 years ago came in 1925, when archeologists in New Mexico uncovered an Alibates flint point in the vertebra of a now extinct giant bison killed by Folsom man.

Seven years later, archeologists carried use of Alibates flint back even farther, through discovery of the Clovis culture in a cave deposit in southeastern New Mexico. Clovis man lived between 12,000 and 15,000 years ago.

"It would be a tragedy if this landmark in the history of man on this continent should not be preserved for the study and enjoyment of future generations," Texas Senator Ralph Yarborough said in introducing his bill to preserve the quarries as a national monument. The bill is now in committee.

Yarborough's sentiment was expressed long ago by a former Under Secretary of the Department of the Interior.

"This spot is worthy of being made a national monument," M. L. Wilson wrote after visiting the quarries and ruins in 1939.

JEWISH WAR VETERANS SUPPORT COLD WAR GI BILL, BY RESOLUTION OF THEIR NATIONAL CONVENTION

Mr. YARBOROUGH. Mr. President, the Jewish War Veterans of the United States of America, with a national membership of approximately 100,000, held their annual national convention in this city on August 4 through 11. I am proud to announce that the Jewish War Veterans National Convention adopted a resolution in support of the extension of educational benefits to the veterans of the cold war.

This resolution recognizes that the failure to provide educational benefits to those men and women who entered service after January 31, 1955, discriminates between veterans, with that discrimination based solely on the date of entry into the Armed Forces and not because of different duty requirements, and that this failure and discrimination violates the principle of aiding those whose civilian lives have been interrupted by service based on the compulsory draft.

Mr. President, this resolution is another indication of the widespread and growing support which is rallying behind the passage of the cold war GI bill. I urge the consideration and passage by the Senate of S. 5, the cold war GI bill. I urge all Americans with a sense of justice to join in its support.

I ask unanimous consent that the resolution adopted by the Jewish War Veterans of the United States of America at their annual convention be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Extend Education Benefits During Period of Selective Service Act

Whereas the 82d Congress passed the Veterans Readjustment Assistance Act of 1952, Public Law 550, which among other benefits, provided that persons serving in the Armed Forces of the United States were eligible for the educational benefits theretofore provided under the GI bill; and

Whereas the President of the United States, by proclamation did terminate the benefits of the aforesaid Public Law 550, said termination date being January 31, 1955, and thereby the educational benefits to the men of our Armed Forces have been terminated; and

Whereas the Jewish War Veterans of the United States of America believe that the educational benefits provisions of Public Law 550 were of value to this country; and

Whereas failure to provide educational benefits to those who entered service after January 31, 1955 (1) discriminates amongst servicemen based strictly on the date of entry into service and not different duty requirements; and (2) abandons concept of providing an opportunity for higher education and for training which has been allowed since the GI bill on the premise of assistance to those whose lives were interrupted by service based on draft: Now, therefore, be it

Resolved, That the Jewish War Veterans of the United States of America in 68th annual national convention assembled in Washington, D.C., August 4–11, 1963, favors the extension of the educational benefits of the Veterans Readjustment Assistance Act of 1952, Public Law 550, during the period of time that selective service is effective, and that the eligibility to these benefits be made retroactive so as to cover those members of the armed services whose service was started or terminated subsequent to January 31, 1955.

COMMUNITY MENTAL HEALTH ACT—RESOLUTION

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the Record a resolution adopted by the New York City Community Mental Health Board, relating to the Community Mental Health Act.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution on Community Mental Health Act

Unanimously adopted September 24, 1963, by the New York City Community Mental Health Board.

Whereas the State of New York was the first in the Nation to enact legislation enabling State and local governments to share in the support of local mental health facilities by the passage of the Community Mental Health Services Act in 1954; and

Whereas the State of New York continues to be first among the States in the total and per capita expenditures for community mental health; and

Whereas the city of New York by its own willingness to appropriate funds for mental health services is, in large measure, responsible for this position of State leadership in community mental health; and

Whereas the President of the United States, on February 5, 1963, sent a special message to the Congress relative to mental illness and mental retardation, recommending Federal support of construction and initial staffing costs of comprehensive community mental health centers; and

Whereas Federal appropriations for the initial staffing costs of comprehensive community mental health centers are of equal importance to construction grants, if the State of New York and the city of New York are to successfully establish comprehensive community mental health centers: Now, therefore, be it

Resolved, That the New York City Community Mental Health Board respectfully petitions the Governor of the State of New York to exercise his influence upon and give leadership to the Members of the U.S. Congress including the Senators and Representatives from the State of New York to support all provisions now included in the bill known as S. 1576, which provisions are importantly related to construction and staffing of comprehensive community mental health centers, especially supporting those provisions making available Federal funds for staffing of such community mental health centers during the period of transition from Federal to State and local sponsorship.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H.R. 8363. An act to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes; and

H.J. Res. 724. Joint resolution to provide additional housing for the elderly.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred, as indicated:

H.R. 8363. An act to amend the Internal Revenue Code of 1954 to reduce individual and corporate income taxes, to make certain structural changes with respect to the income tax, and for other purposes; to the Committee on Finance.

H.J. Res. 724. Joint resolution to provide additional housing for the elderly; to the Committee on Banking and Currency.

MRS. ELIZABETH G. MASON—EXTENSION OF CIVIL RIGHTS COMMISSION

Mr. HUMPHREY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 474, H.R. 3369.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Legislative Clerk. A bill (H.R. 3369) for the relief of Mrs. Elizabeth G. Mason.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. HUMPHREY. Mr. President, I call up amendment numbered 203, offered in behalf of the Senator from Montana [Mr. Mansfield], the Senator from Illinois [Mr. Dirksen] and myself.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. At the end of the bill it is proposed to insert the following new section:

Sec. . Section 104(b) of the Civil Rights Act of 1957, as amended (42 U.S.C. 1975c(b)), is amended by striking out "September 30, 1963" and inserting in lieu thereof "September 30, 1964".

Mr. HUMPHREY. Mr. President, the amendment speaks for itself. It provides for a 1-year extension of the Civil Rights Commission.

Mr. DIRKSEN. Mr. President, I believe there is a disposition to ask for the yeas and nays on the amendment.

I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HUMPHREY. Mr. President, I wish to inform the Senate that it is our hope and intention to be able to complete action on the bill and the amendment before too late this afternoon. Therefore, all Senators should be on notice accordingly.

Mr. RUSSELL. Mr. President, my opposition to the bill to extend the life and the activities of the so-called Civil Rights

Commission is neither perfunctory nor for home consumption.

I am well aware of the almost insuperable difficulties involved in finding even a trace of objectivity when any phase of the politically charged racial issue is involved in a measure pending on the floor of the Senate. The drums of propaganda have been beaten so long and so loud that public opinion has become embittered against the millions of God-fearing, honest white people of the South to such an extent that it almost represents a national disease.

Of course, there are some law violators in the Southern States. There are some brutal men living in the South, as in other areas. There are fiends in human form, who commit indescribable crimes. However, the great majority of the white people in the South, on this issue, have been found guilty only of undertaking to maintain two social orders within a single political system.

They have not sought to impose upon our Negro citizens or to mistreat them. Their objective has been to preserve the identity of the white race. So intense is national feeling against the people of the South, that despite all that can be said or done by the representatives of these people in the Senate, in behalf of these people, who are innocent of any wrongdoing, and who have only defended social order which had been approved by Congress and the Supreme Court of the United States for almost a century, words in their defense are not considered worthy even of a hearing. Sometimes the CONGRESSIONAL RECORD is about the only publication that carries the southern viewpoint beyond the confines of this Chamber.

The agency known as the Civil Rights Commission should be permitted to expire today and to liquidate its business within the next 60 days, as provided in the original act, because I assert that this agency has shown a bias and prejudice which should disqualify it from further operations.

If any other agency of this Government had displayed the same malevolence against any other section of this country or against any considerable number of people of this country that has been shown against the white people in the South who oppose the use of Federal power to mix the races in all the relations of life, that Commission would have been abolished long ago. If it had not been abolished, the President of the United States, in response to national demand, would have demanded the resignation of the members who composed the Commission.

The greatness of this country was derived from individualism. Today the cult of conformity is in the saddle. The recommendations that this Commission has made well illustrate the danger posed by the power of the cult of conformity to the liberties of our people and the continuation of our way of life.

Today the conformists are heard to favor projecting the power of the Federal Government into the social relations between the races. Tomorrow it can be in the political field, in favor of the establishment of a single, monolithic political party in this country. Following that, we can have a drive to make all the people who live in this country conform, by belonging to one religious denomination.

There have been periods of bitterness and strife in this country before. The ugly head of sectionalism has been reared in other periods of our history.

I challenge any period, even that immediately following the bitterness of the Civil War, to produce as vicious a proposal as that made by the Civil Rights Commission to the President of the United States last year. This group requested the withholding of every benefit of the Federal Government under all of our laws from the people of an entire State because of the acts of a Governor or the governing authorities of a State.

Out of the frustrations of their conceit, this group recommended to the President of the United States that he inflict dire and inhuman punishment, on all the people of a State—punishment that has been universally denounced under the name of genocide throughout the entire civilized world.

They demanded that the President in effect repeal the Constitution by Executive order.

Mr. President, so far as I know, this proposes a policy of cruel and inhuman punishment upon the guilty and the innocent alike, that is without parallel since man had any reason to boast that he has emerged from the animal state and has become a civilized being.

When Hitler laid the heavy hand of Nazi force upon the tiny hamlet of Lidice, because one of his gauleiters was killed near that community, a tremendous outcry was raised throughout the entire civilized world.

Still, the Civil Rights Commission has proposed to visit most cruel punishment upon the thousands of the weak, the helpless, and the sick of an entire State, and its recommendation meets with the plaudits of many of those who condemned the crime of Lidice.

What has been proposed by this organization? It has proposed to take from all the veterans of all our wars, including veterans who bear on their bodies the scars of disabling wounds received in their country's service, the benefits voted by a grateful people. It would likewise deny to the widows and orphans of those who have died in battle the meager benefits which every other widow or orphan outside the limits of that State receives.

It is proposed to deny even the benefits of social security payments to those who have contributed to the social security fund, if they happen to live within the confines of the State which has been proscribed by this sadistic group.

The plan of the Commission would deny to the dependent children of that State, and the old and helpless who are existing on a mere pittance, scarcely sufficient to preserve life, the benefits which every American citizen similarly situated who lives in the other 49 States would continue to receive.

This vicious plan not only manifests blind and unreasoning hatred against the white people of the South; it also demonstrates the monumental hypocrisy of those who propose it and of those molders of public opinion who support it, as well.

It so happens that most of those who support this genocide plan against the white and the black, the young and the old, whether they are innocent or guilty of favoring mixing the races are the same group who cried out the loudest against what was called, a few years ago, guilt by association.

Every Member of this body will remember the condemnation heaped upon anyone who asked a question at a hearing that might imply the guilt of a person because of offenses of those with whom he associated. But today, the hypocrites throughout the land, including those in Congress, who purported to be outraged when guilt was implied to any individual because of his associates, are willing to condemn to privation, suffering, and, in many cases, death, thousands of innocent people because of their residence within the boundaries of one of the 50 States of the Union. That is the only crime with which they are charged.

I, too, oppose any presumption of guilt by association; but I submit to the judgment and conscience of history, not to the hatemongers and demogogs of this hour, that the doctrine of guilt by association, which was found so detestable, is as nothing compared to proscribing guilt by residence to all those living within a given area.

The pages of the press in the past few days have been filled with news about an organization called Cosa Nostra, which constitutes a criminal syndicate or a criminal conspiracy of gangsters who apparently have committed every crime in the decalog. But were it to be suggested that the benefits that the Civil Rights Commission insisted be withheld from all the people of Mississippi, white and black alike, be withheld from the families of the members of Cosa Nostra, we would find the members of the Civil Rights Commission leading a parade of "sanctimonious Pharisees"; and the parade would include hundreds of politicians, including many Members of Congress, editorial writers, columnists, and commentators. This same group who recommended genocide in Mississippi would stage a public demonstration against any suggestion of applying the same rule to the widows and families of the most notorious criminal element in this land.

The same would be true if any person were to suggest seriously that veterans' pensions and aid to dependent children, to the helpless, to the blind, and to other members of the families of those who have been found guilty of treason, murder, or rape be denied. A storm of protest would be generated throughout the country. The editorial pages, the commentators, and the columnist who rallied to the proposal of genocide by the Civil Rights Commission against all those within a State would literally drip with tears of sympathy for the threatened victims. They would launch scathing denunciations against any person who made such a proposal.

Mr. President, the Nation is in danger today from the trend to conformity. I am completely sincere in my belief that our system cannot continue to endure if the present trend to conformity, under the lash of Federal legislation, proclamation, and judicial edicts, is not stemmed and reversed.

If an inquisition supervised by the Civil Rights Commission can inflict brutal, cruel, and inhuman punishment without indictment, trial, or even a specific charge of guilt, without any witness being even suggested, without any pretense of a court hearing, all without shocking the conscience of the American people, we are in a fair way to move from inquisition to inquisition until all those who do not conform to the central power and majority opinion have been eliminated.

Then we may end by having one great political party and one magnificent religious organization; but we shall have one tyrant, we shall have no liberties, we shall have nothing that could be a just source of pride to any American, a pride that would cause him to throw back his shoulders and say, "I am an American citizen."

Mr. President I cannot refrain from stating what I feel about in this matter, although I know my statement will not meet with the approval of many of my colleagues. I cannot have any respect for any man, whatever position he may occupy, who would make a proposal so completely lacking in compassion, human sympathy, and Christian charity as the genocide plan of this Commission.

We have in this country courts to enforce our laws; and it so happens that those who today carry the banner of conformity have both the means and the lawyers sufficient and able to overwhelm the courts with cases, and also the power to name the judges who would try them. So it is not necessary to resort to a position so brutal and extreme that it would inflict so much suffering and privation upon all the poor people in a given State merely because they happen to reside in a State whose officials have committed an act which meets with the disapproval of many of the people of the country and of the members of the Commission.

I state very frankly that I have been shocked to see the American people accept as acquiescently as they have a suggestion of this kind. We have gone a long way from the things that have made this country great. This plan strikes down every protection which the Founding Fathers thought they were leaving to their posterity.

It leaves every American naked before the power of he who holds temporary power.

It relegates government by law to the limbo of the forgotten and substitutes government by men—the very thing our Government was created to avoid.

Mr. President such a proposal flies in the face of almost every provision of the Constitution of the United States. It is not my intention at this time to make a detailed Constitutional argument; I shall reserve that for a later date; but I will say that under such a suggestion the Constitution of the United States might well be eliminated. If the Constitution still prevails, it would simply be grotesque to suggest that any punishment can be visited upon one group of people because of the acts of another or of several others, even though he might be the Governor of a State or though they might be all the officials of a State or even though they might be the overwhelming majority of the people of a State. American justice is intended for the individual. But this malevolent proposal attributes guilt to all those who live within a State, including, as a practical matter, the thousands of them who are in favor of all of these so-called civil rights bills. Nevertheless, they would feel the heavy hand of the Federal power fixed to their throats and choking out their lives, through starvation and privation.

There will come a time, Mr. President, when we will go back to the Constitution. I shall not lose my faith in that. I do not believe that our system of government is ready to perish. But such proposals, as are made by this group, calmly accepted by millions of our people, give me pause.

I hope and I pray that the American people will not be blinded by hate, to the extent that they will strike down the only protection which all of them have.

Mr. President, I say that any group that will go to this extremity in their assault upon the Constitution of the United States, and in their proposal to punish the innocent along with the guilty, without any trial whatever, do not deserve any additional lease on life at the hands of Congress.

Mr. ERVIN. Mr. President, I have listened with much interest to the able and distinguished senior Senator from Georgia [Mr. RUSSELL], and I share in full measure the views expressed by him in his remarks.

A few days ago, the Wall Street Journal carried an editorial, from which I wish to quote one statement as an indication of the unfortunate state in which this Nation now finds itself:

> In recent times, among other things, America's traditional tolerance toward minorities has shown a tendency to get twisted. If a person is a member of a minority, his rights are sometimes alleged to be superior to the majority, by virtue of his minority status.

Mr. President, I am opposed to the extension for one moment of the life of the Civil Rights Commission. I am opposed to it because my study of its recommendations has left me with the abiding conviction that the only program it offers to the American people is a program based upon the strange thesis that all Americans must be robbed of their basic economic, legal, personal, and property rights for the supposed benefit of only one group of Americans selected from the entire body of American citizenship, solely on the basis of their race.

The United States is confronted at this moment with a most crucial question. This question can be stated in this form: Shall all Americans have their constitutional birthright and their fundamental freedoms exchanged for a sorry mess of governmental tyranny?

The wisest men who ever lived upon the North American continent, or anywhere else on this sphere, were the Founding Fathers, who drew up the Constitution of the United States. They were acquainted with the long and bitter struggle of man for the right of self-government, and for the right to enjoy basic freedoms, and they had found this truth inscribed in letters of blood on every page of their history.

> No man or set of men can be safely trusted with unlimited governmental power.

Their objects in drawing the Constitution were to provide not only an instrument for self-government, but an instrument which would prevent the subjects of government from suffering tyranny at the hands of their rulers. They had read with understanding minds the statement of the great English political philosopher, Thomas Hobbes:

> Freedom is political power divided into small fragments.

They knew that whenever all the powers of government are vested in one man, one body, or one government, such government is a tyranny, regardless of the name by which it may be called. So they wrote a Constitution which divided the powers of the government which they were creating into small fragments. They gave a part of the powers of that government to the Federal Government on a national level, and they reserved the remainder of governmental powers to the States. They did so to prevent either the Federal Government or the governments of the States from tyrannizing the subjects of government.

When they came to the establishment of the Federal Government itself, they likewise followed the principle that freedom is political power divided into small fragments. They divided the powers of the Federal Government among the Congress, which is authorized to legislate; the President, who is authorized to execute the laws; and the courts, which are authorized to interpret the laws.

They knew another truth which was declared by the greatest of all English judges, William Murray, Earl of Mansfield, in the case of *King* v. *Shipley*, 3 Douglas Reports 170. In that great case the Earl of Mansfield said:

> To be free is to live under a government by law.

By that statement the Earl of Mansfield meant that men cannot enjoy freedom except under a system of laws which apply alike to all men in like circumstances. Virtually every recommendation which the Civil Rights Commission has made to the President or the Congress conflicts squarely with both of those fundamental propositions, namely, the proposition that freedom is political power divided into small fragments, and that to be free is to live under a government of laws rather than a government of men.

I have stated before on the floor of the Senate that the constant agitation on racial questions which prevails in our country is impairing our national sanity. I wish we could pause long enough to read all the recommendations made by the Civil Rights Commission in their

1961 report before we vote on the measure to extend the life of the Commission.

I wish it were possible to delay a vote until we could read the report of the Civil Rights Commission for 1963, which was submitted today. This report is the most drastic report yet submitted. It is wholly incompatible with the system of government established by our Constitution. Time and time again in the voluminous report for 1961, and time and time again in the report for 1963, the Civil Rights Commission recommended to the President that the President issue Executive orders prescribing rules of conduct and establishing punishments for violation of those rules of conduct. Such action on the part of the President would be clearly the exercise of lawmaking power. The lawmaking power consists merely of the power to prescribe rules of conduct and to establish sanctions for the violation of such rules.

In the constitution of my native State is the following declaration:

> A frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty.

In judging the advisability of continuing the life of the Civil Rights Commission, we would do well to recur to some fundamental principles.

I wish to read two passages from the Constitution of the United States. The first is article I, section 1:

> All Legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

I now call attention to article I, section 8, of the Constitution, which specifies legislative powers which Congress is to have. After specifying those powers, the Constitution states:

> The Congress shall have Power—to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

The most lucid interpretation of those two provisions of the Constitution appears in a comparatively recent case: *Youngstown Co.* v. *Sawyer*, 343 U.S. at page 579.

(At this point Mr. THURMOND took the chair as presiding officer.)

Mr. ERVIN. This case involved the validity under the Constitution of the action of President Truman in seizing the steel mills without congressional authorization. The Court held this action unconstitutional in an opinion interpreting in a most lucid manner the first and eighth sections of article I of the Constitution. I read a portion of the opinion, which appears on pages 587 and following:

> Nor can the seizure order be sustained because of the several constitutional provisions that grant Executive power to the President. In the framework of our Constitution, the President's power to see that the laws are faithfully executed refutes the idea that he is to be a lawmaker. The Constitution limits his functions in the lawmaking process to the recommending of laws he thinks wise and the vetoing of laws he thinks bad. And the Constitution is neither silent nor equivocal about who shall make laws which the President is to execute. The first section of the first article says that "All legislative powers herein granted shall be vested in a Congress of the United States." After granting many powers to the Congress, article I goes on to provide that Congress may "make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."
>
> The President's order does not direct that a congressional policy be executed in a manner prescribed by Congress—it directs that a presidential policy be executed in a manner prescribed by the President.
>
> * * * * *
>
> The Constitution does not subject this lawmaking power of Congress to Presidential or military supervision or control.
>
> It is said that other Presidents without congressional authority have taken possession of private business enterprises in order to settle labor disputes. But even if this be true, Congress has not thereby lost its exclusive constitutional authority to make laws necessary and proper to carry out the powers vested by the Constitution in the Government of the United States, or any department or officer thereof.
>
> The Founders of this Nation entrusted the lawmaking power to the Congress alone in both good and bad times. It would do no good to recall the historical events, the fears of power and the hopes for freedom that lay behind their choice. Such a review would but confirm our holding that this seizure order cannot stand.

Despite the fact that the Constitution vests all of the lawmaking power in the Congress and none whatever in the President, the Commission on Civil Rights has made scores and scores of recommendations to the President that he usurp and exercise the lawmaking power of the Congress to carry out recommendations made by the Commission.

Frankly, I am at a loss to understand how anyone could think it necessary to establish so many governmental agencies to deal with this particular field of our national life. There is the Civil Rights Commission, which will be extended, if the amendment is adopted, to deal with this field. There is also the Civil Rights Division of the Department of Justice, doing in large part the same work. It is already in existence, duplicating the performances in many activities of the Commission on Civil Rights. It is recommended in the President's civil rights program that there be established a third Federal agency, a Community Relations Service to act in this same field. As a consequence, the country will probably have the Civil Rights Commission to agitate, the Civil Rights Division of the Department of Justice to aggravate, and the Community Relations Service to conciliate. And all this in spite of the fact that under orders issued by the Secretary of Defense, the military commanders are being converted into political arms of the executive branch of the Federal Government and are being compelled to put the Armed Forces of the Nation at economic warfare with the civilian population in order to coerce those civilians engaged in commercial enterprises to surrender to the Federal Government the right to use their own property as they see fit and the right to select those for whom they will perform personal services.

The Civil Rights Commission has made some drastic recommendations for legislation in respect to voting, school desegregation, employment practices, housing, and justice. Before I discuss the recommendations relating to voting, I wish to read three provisions of the Constitution which have been interpreted many times by the Supreme Court to vest in the States the power to prescribe qualifications for voting.

Section 2 of article I:

> The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

A portion of section 1 of article II:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.

I now read the third of these passages, which is from the 17th amendment:

> The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

The Supreme Court has, quite correctly, held time and time again that, under these provisions of the Constitution, the power to prescribe the qualifications of voters for Federal officials belongs to the States, and to the States alone.

It has further held in many cases that this power of the States is subject to this limitation only: namely, that the States cannot establish as a qualification either race or sex.

In the case of *Lassiter* v. *Northampton County Board of Elections*, 360 U.S. 45, the Supreme Court unanimously held that, under these constitutional provisions the States, and the States alone, have the power to prescribe the qualifications for voters for Federal officers. In the course of that opinion, the Court said:

> We come then to the question whether a State may consistently with the 14th and 17th amendments apply a literacy test to all voters irrespective of race or color. The Court in *Guinn* v. *United States, supra*, at 366, disposed of the question in a few words, "No time need be spent on the question of the validity of the literacy test considered alone since as we have seen its establishment was but the exercise by the State of a lawful power vested in it not subject to our supervision, and indeed, its validity is admitted."
>
> The States have long been held to have broad powers to determine the conditions under which the right of suffrage may be exercised * * * absent of course the discrimination which the Constitution condemns. Article I, section 2 of the Constitution in its provision for the election of Members of the House of Representatives and the 17th amendment in its provision for the election of Senators provide that officials will be chosen "by the people." Each provision goes on to state that "the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." So while the right of

> suffrage is established and guaranteed by the Constitution * * * it is subject to the imposition of State standards which are not discriminatory and which do not contravene any restriction that Congress, acting pursuant to its constitutional powers, has imposed.

Despite those clear provisions of the Constitution and despite the equally clear decisions of the Supreme Court construing them, the Commission on Civil Rights has recommended time and time again that the Congress usurp and exercise the powers of the States to prescribe qualifications for voting. In its recommendations, the Commission even goes so far as to recommend that Congress abolish all literacy tests and declare that anyone who has completed the sixth grade of school shall be allowed to vote, irrespective of whether he learned to read and write while so doing.

Time does not permit me to deal in detail with all the other recommendations made by the Commission. When the school desegregation decision was handed down, it reversed a decision of the U.S. District Court for the Eastern District of South Carolina, written by Circuit Judge John J. Parker, in the case of Briggs against Elliott.

Subsequent to the reversal of his decision, Judge Parker wrote an explanation of what the *Brown* case decided. He said:

> What it—

That is, the Supreme Court—

> has decided, and all that it has decided, is that a State may not deny to any person on account of race the right to attend any school that it maintains. This, under the decision of the Supreme Court, the State may not do directly or indirectly; but if the schools which it maintains are open to children of all races, no violation of the Constitution is involved even though the children of different races voluntarily attend different schools, as they attend different churches (132 F. Supp. 776).

The Commission on Civil Rights adopted this interpretation of the school desegregation case made by Judge Parker as being a correct interpretation of that decision.

Notwithstanding that fact, the Civil Rights Commission would deny to the children of all communities the right to make their election to attend such schools as they see fit. They ask for the enactment of laws to compel the immediate integration of all of the public schools throughout the United States, and insist that the Attorney General of the United States be given the power to set in motion the machinery which they wish to have established to effect their desire, regardless of the wishes of the communities involved.

It is high time that the American people ascertain exactly what the Commission is recommending for them in respect to employment and other matters in its report for 1963, which has just been made public. The recommendations which this report make are, in effect, that all the powers of State governments and all control of individuals be transferred to bureaucrats on the banks of the Potomac River insofar as may be necessary to compel, by the coercive power of law, total integration in all phases of American life.

The Commission has just made a drastic recommendation with respect to employment. I read this recommendation which is made on page 91 in the report made public today by the Civil Rights Commission:

> That Congress enact legislation establishing a right to equal opportunity in employment when that employment is assisted by the Federal Government or affects interstate commerce, with authority to institute action and to issue appropriate orders vested in a single administrator located in the Department of Labor, and provision for appeal to an independent authority.

By that recommendation, the Civil Rights Commission asks that Congress rob virtually every employer throughout the United States of the legal power to determine whom he shall hire, whom he shall promote, whom he shall demote, and whom he shall discharge in the carrying on of his business, and confer it upon a single administrator sitting in the Department of Labor at Washington.

Virtually every employer in the United States is included. Those connected, in one way or another, with the Federal Government, or with the carrying out of contracts financed in whole or in part by the Federal Government embrace a substantial percentage of the employers of the United States; and, under the loose interpretation now being given the commerce clause, virtually all the rest are included.

I warn the employers of America that if this recommendation of the Commission should be implemented by Congress, they may be harassed by the charge that they have engaged in discrimination on the basis of race every time they hire one man in preference to another; every time they promote one man rather than another; and every time they pay one employee more than they pay another employee.

Whenever such charges are made, they will spend their time, not in litigation in their home communities, where the Constitution contemplates that litigation should be conducted, but in litigation before a bureaucrat in the Department of Labor in Washington.

I wish I had time to discuss the recommendations of the Commission in respect to housing. The Commission recommends, in substance, that all Americans who have any connection whatever with any housing program conducted by the Federal Government shall be required to surrender to the Federal Government, as a condition precedent to participating in such program, the right to determine ultimately to whom they can sell or rent their property. Those rights are to be taken away from Americans throughout the Nation, and they are to be subject to the determination of bureaucrats on the banks of the Potomac River.

Recently N. S. Meese made some comments upon the Property Owner's Bill of Rights, recently adopted by the directors of the National Association of Real Estate Boards. His comments are so wise, I believe they should be made available to all Members of Congress as well as the public. For this reason I ask unanimous consent that they may be printed at this point in the body of the RECORD as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COMMENTS OF N. S. MEESE UPON THE PROPERTY OWNERS' BILL OF RIGHTS

For the past decade or two a considerable number of well meaning but confused social reformers have been trying desperately to demonstrate that there is such a concept as "property rights" distinct from what they are pleased to call "human rights," and that the former are being given high priority in all capitalistic societies in which a free economy prevails. Obviously, however, property as such has no rights. In their lip service to the concept of freedom they have failed to understand that the right to possess, use, and dispose of property is freedom's quintessence. This is implicit in the Constitution of the United States. Ownership encompasses the ability to hold exclusively, to use, and to dispose of what one owns uncoerced in any way, so long as the rights of others are not adversely affected.

The concept of private property is anathema to Communists and other collectivists generally. As an institution, it is, according to Karl Marx, "the economic tool for the enslavement of the masses." Commonsense tells us, however, that the person who is prevented from possessing, using, or disposing of the fruits of his own labor, or of their enjoyment, is not free.

The directors of the National Association of Real Estate Boards pointed this out at their Chicago meeting on June 6 last, and in so doing made clear the dangers inherent in some of the legislation, both national and local, under consideration or already enacted by our various lawmaking bodies. They adopted what they have named a "Property Owners' Bill of Rights," and said in part:

"Today, the rights and freedoms of the individual American property owner are being eroded. This endangers the rights and freedoms of all Americans. Therefore, a bill of rights to protect the American property owner is needed.

"It is self-evident that the erosion of these freedoms will destroy the free enterprising individual American.

"It is our solemn belief that the individual American property owner, regardless of race, color, or creed, must be allowed, under law, to retain:

"1. The right of privacy.

"2. The right to choose his own friends.

"3. The right to own and enjoy property according to his own dictates.

"4. The right to occupy and dispose of property without governmental interference in accordance with the dictates of his conscience.

"5. The right of all equally to enjoy property without interference by laws giving special privilege to any group or groups.

"6. The right to maintain what, in his opinion, are congenial surroundings for tenants.

"7. The right to contract with a real estate broker or other representative of his choice and to authorize him to act for him according to his instructions.

"8. The right to determine the acceptability and desirability of any prospective buyer or tenant of his property.

"9. The right of every American to choose who in his opinion are congenial tenants in any property he owns—to maintain the stability and security of his income.

"10. The right to enjoy the freedom to accept, reject, negotiate, or not negotiate with others."

The directors and the national association itself are to be highly commended for the forthright statement made. If the United

States is to survive as a sovereign constitutional republic, further erosion of long-recognized human rights implicit in property ownership should be prevented rather then encouraged. The loss of any part of the right to possess, use, transfer, or otherwise dispose of what is one's own can do no less than stimulate further encroachments on liberty.

N. S. MEESE.

Mr. ERVIN. One of the declarations of the bill of rights of property owners is as follows:

> 4. The right to occupy and dispose of property without governmental inteference in accordance with the dictates of his conscience.

Americans participating in Federal housing programs or residing in the District of Columbia will not enjoy that right any longer if the Commission on Civil Rights has its way. It would take from them the right to determine how they shall use their property, how they shall sell their property, how they shall rent their property.

The Commission would take from a veteran the right to receive a loan from the Veterans' Administration unless he surrendered to the Federal Government the right to determine to whom he shall sell or rent his house.

Not only that, but the Commission recommends that lending institutions—banks and savings and loan institutions—which participate in any way in any Federal program, or which have their deposits insured by Federal agencies, shall be required, as a condition of participating in such program or of having such insurance, to have their loans supervised and controlled by agents of the Federal Government supervising such lending institutions.

The Commission recommends that the Federal Government deprive bank depositors of the protection of deposit insurance unless banks accept its dictation in respect to loaning their deposits.

There are some other recommendations relating to what the Commission calls justice. One of them was made today in its report for 1963. If Congress should be so foolish as to adopt this recommendation, the Attorney General of the United States, whoever he might be, would be in charge of the legal affairs of every American citizen insofar as those affairs may involve a right under a Federal statute or the Federal Constitution. It is printed at page 124 of the report of the Civil Rights Commission for 1963. It reads:

> That Congress empower the Attorney General to intervene in or to initiate civil proceedings to prevent denials to persons of any rights, privileges, or immunities secured to them by the Constitution or laws of the United States.

It would take thousands and thousands of lawyers to carry out such a provision as that. If that provision were enacted into law, an American citizen could not even have the privilege of conducting his own lawsuit based on a Federal statutory or constitutional ground if the Attorney General wished to intervene and take charge of it.

Another recommendation made by the Commission is that Congress should pass a law making it a crime for any State or local law enforcement official to use more force than is necessary in arresting or detaining a person charged with crime. I assert that that recommendation is absolutely inconsistent with any sound conception of good Federal-State practice. If that recommendation were enacted into law, it would do more to prevent law enforcement at the local level than any course of action imaginable.

If this recommendation were enacted into law, it would confront every State and local law enforcement officer with a dilemma. If he failed to use the force necessary to effect the arrest of the person charged with crime, the accused might escape; or the officer might possibly be beaten or murdered. If he miscalculated and used more force than that necessary to effect the arrest he could be hailed into Federal court and prosecuted as a criminal merely for trying to do his duty, with the United States of America, acting through the Attorney General, on the side of the criminal, instead of on the side of law enforcement.

To summarize, I am opposed to an extension of the life of the Civil Rights Commission because virtually every recommendation it has made throughout the course of its existence has been a recommendation inconsistent with the Constitution of the United States or a recommendation that all American citizens be robbed, either by act of Congress or by Executive order, of basic economic, legal, personal, or property rights, or a recommendation that vast discretionary power, uncontrolled by any proper legal guidelines, be vested in the President or the Attorney General, or some other official of the executive branch of the Federal Government.

Aesop wrote a fable about a lion which invited another animal to come into his cave and pay him a visit. The other animal refused the invitation, saying, "I notice that all tracks lead into your cave, but none come out." That fable is a good description of the Federal Government. Under the recommendations of the Commission, the power to determine what rights the States shall have, and the power to determine what rights the individual shall enjoy, would be transferred to the Federal Government, to be exercised by executive officers whose very identity, in many cases, would be concealed from the States and the persons upon whose rights they were passing.

We have this warning from Aesop's fable. We have this warning from our own experience. Rights once surrendered to the Federal, Government are never returned to the States or the people.

We also have this warning from the poet Thomas Moore:

> O Freedom! Once thy flame hath fled,
> It never lights again.

The Senate would do well to heed those warnings when it votes on the question of extending the life of the Civil Rights Commission. This Commission has steadfastly recommended that the powers committed to the States by the Constitution be transferred to bureaucrats on the banks of the Potomac River, and that American citizens throughout the length and breadth of the land be robbed of their basic economic, legal, personal, and property rights. I close with this statement from Regulus:

> The greatest glory of a freeborn people is to transmit that freedom to their children.

I shall vote against the extension of the life of the Civil Rights Commission. I shall vote against the recommendations it makes. Americans of our generation have received as a heritage the greatest country on earth with the greatest system of government on earth. I will not vote to deny our children the glory of living in that kind of a country under that kind of government.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. TALMADGE. I desire to express my compliments and commendation upon the outstanding, eloquent, able, and extremely convincing speech delivered by the distinguished senior Senator from North Carolina. I have had the privilege of serving in the Senate with the Senator from North Carolina for almost 7 years. I have never known a lawyer whom I have found to be more eloquent, more able, more effective, and more profound. I compliment him upon his remarks and associate myself with them.

I, too, shall vote against the continuation of the Civil Rights Commission. It was created in 1957 as a temporary agency; and, as most Federal temporary agencies go, it has continued on and on. It was extended in 1959 for 2 more years and was extended again in 1961 for 2 more years. We are now asked to extend it for another year. I predict that 1 year hence, Congress will be asked again either to extend it or probably to make it a permanent Commission, as an attempt has already been made to do.

Mr. ERVIN. I should like to convey a piece of information to the distinguished Senator from Georgia. Bills are pending before the Committee on the Judiciary to extend the life of the Civil Rights Commission until the last lingering echo of Gabriel's horn trembles into ultimate silence.

Mr. TALMADGE. The Senator is correct. Will he yield further, to permit me to make a brief observation?

Mr. ERVIN. I am delighted to do so.

Mr. TALMADGE. I have just had occasion to scan hurriedly the report of the Civil Rights Commission, which was issued today. It demonstrates again, more conclusively than it has in the past, its extreme partisan bias. It demonstrates its desire not to solve any problems in the area of human relations but, rather, its desire to fan flames and exploit issues. For instance, in this particular report, as the Senator from North Carolina has stated, it has made recommendations, in all these areas, that contravene the Constitution of the United States. It recommends that the Attorney General be allowed to intervene in any and all cases and to initiate civil proceedings for the protection of all persons' civil rights, In other words, that particular recommendation would make the Attorney General the guardian over all American citizens.

The Commission has also recommended that local government officials—mayors, councilmen, and so forth—be made liable for the alleged misconduct of police officers in the performance of their duties for the local government. Nothing whatever could be more extreme than to attempt to make whole municipalities and their public servants responsible for the nonrelated acts of employees at that particular agency of Government.

To follow this line of extreme reasoning, if an American citizen committed a misdeed, it would make the President of the United States responsible for that person's alleged misconduct.

I call the attention of the Senate to another extreme recommendation on page 125:

> That Congress amend section 1443 of title 28 of the United States Code to permit removal by the defendant of a State civil action or criminal prosecution to a district court of the United States in cases where the defendant cannot, in the State court, secure his civil rights because of the written or decisional laws of the State or because of the acts of individuals administering or affecting its judicial process.

Mr. ERVIN. I ask the Senator from Georgia: If that recommendation were enacted, could not the Federal courts absolutely take away from the courts of the States the power to protect themselves and their citizens?

Mr. TALMADGE. They certainly could. If this recommendation were implemented by appropriate law, it would have the effect of abolishing all State courts, and all matters could then be transferred to Federal courts for their jurisdiction. It would have the sum total effect of abolishing State jurisdictions in the 50 States of the Union at the whim or caprice of the Federal Government, any time, at its discretion. It seems to me that this is the most far-fetched of all the far-fetched recommendations I have ever seen come from the Civil Rights Commission.

For the life of me, I cannot understand why anyone who has the slightest knowledge of the American system of government or the American system of jurisprudence could recommend at one fell swoop that the State courts be subordinated, if you please, denied, if you please, the right to pursue their respective jurisdictions, and be made amenable to Federal procedure.

Mr. ERVIN. Does not the Senator agree with me that the recommendation reflects a conviction on the part of the Civil Rights Commission that the Federal Government should be concerned with the protection of those who murder, rape, and rob, rather than with the protection of those who do not wish to be murdered, raped, and robbed?

Mr. TALMADGE. I agree with the able Senator. The recommendation brings to mind the fact that Congress should not be so much concerned with a recommendation to extend this Commission as it should be concerned with preserving our constitutional system, and probably bringing impeachment proceedings against those members of the Commission who made these unconstitutional recommendations.

I thank the able Senator for yielding to me, and again compliment him on his very able, eloquent, and effective speech.

Mr. ERVIN. I thank the Senator.

Mr. President, I yield the floor.

Mr. THURMOND. Mr. President——

The PRESIDING OFFICER (Mr. NELSON in the chair.) The Chair recognizes the Senator from South Carolina [Mr. THURMOND].

Mr. THURMOND. Mr. President, in 1957, when the proposal was before the Senate for the creation of a Commission on Civil Rights, I stated in rather lengthy detail my objections to the creation of such a commission. At that time, the proponents of the measure strongly contended that the Commission's activities would be related solely to the question of voting rights. However, the language of the bill was, in my opinion, much broader, and would allow the Commission to interfere in areas far afield from voting. The subsequent activities, investigations, and recriminations of the Civil Rights Commission have borne out my fears, much to my regret.

In addition, the original proposal was for a temporary Commission to be limited to 2 years duration. Much was said to the effect that there was no harm in creating a temporary commission of limited jurisdiction. The Senate was repeatedly warned that there is nothing as permanent as a temporary Federal commission, but the warnings fell on deaf ears. Now we are faced with a request for the third successive extension of the life of this "temporary" commission. Everyone's worst fears and doubts have been realized.

It occurs to me that the continuation of the Civil Rights Commission has become more symbol than substance. The reports of the Commission, which have been numerous, contain little of the quality or objectivity which would be necessary to make them persuasive. This is true regardless of the reader's persuasion or position in the field of so-called civil rights or race relations. The vast majority of the recommendations of the Commission have been so absurd that such notable prointegration journals as the New York Times have been forced to disassociate themselves from the recommendations. I have particular reference to the proposal contained in the interim report of the Commission, issued in April of this year, which contained the recommendation that the President of the United States, by Executive order, withhold Federal funds from the State of Mississippi. This proposal is so patently ridiculous and unconstitutional that it was roundly denounced on every leading editorial page in the country. Even the New York Times had this to say concerning the Commission's high-handed attitude and recommendation:

> The Civil Rights Commission's recommendation that President Kennedy consider withholding Federal funds from Mississippi in punishment for its mistreatment of Negroes amounts to a proposal to read that State out of the Union. We can think of no suggestion less calculated to promote civilized race relations or to cool the inflamed passions that erupted in the Civil War.

Even though the New York Times did denounce this recommendation of the Civil Rights Commission, it did not do so with the fervor and energy which this recommendation deserves. More to the point is the editorial entitled "The Extortioners," which appeared in the April 19, 1963, edition of the Richmond News Leader. This editorial reads as follows:

> The U.S. Civil Rights Commission finally performed a genuinely useful service on Wednesday: It provided the most brilliantly revealing insight we yet have seen into the murky depths of the ultraliberal mind at work.
>
> The Commission recommended, in effect, that the President of the United States, by his own decree, withhold Federal contracts and grants-in-aid from the State of Mississippi until the State ends what the Commission regards as "subversion of the Constitution." We say the Commission "in effect" made this arrogant recommendation, because the Commission lacked even the courage of its contemptible convictions. In mealy-mouthed sentences, the Commission urged Mr. Kennedy to "explore his legal authority" for such decrees, and asked Congress to "consider seriously" the idea of appropriate legislation.
>
> In the eyes of the Civil Rights Commission, the question is whether "Federal funds contributed by citizens of all States" should be made available "to any State which continues to refuse to abide by the Constitution and laws of the United States." That two such respected law deans as Robert G. Storey, of Southern Methodist, and Spottswood W. Robinson 3d, of Howard, could have signed such a recommendation only makes the proposal all the more incredible.
>
> Who is to judge, pray, when an entire State is subverting the Constitution or refusing to abide by the laws of the United States? Does the Commission on Civil Rights propose to serve as prosecutor, judge, and jury, and convict an entire State on its own naked say-so? The proposal draws applause from those liberals, mind you, who profess to support due process of law. What due process of law would they accord Mississippi?
>
> Talk of subverting the Constitution. The Commission's proposal would not merely subvert the Constitution, but obliterate it altogether. The Commission is inviting the President to usurp powers nowhere granted him by law; the Commission would simply repeal the section of the Constitution which says that the citizens of each State shall be entitled to all privileges and immunities of citizens in the several States. Does the Constitution say that no bill of attainder shall be passed? The Commission would have Mr. Kennedy simply proclaim a bill of attainder against the whole State of Mississippi.
>
> Our dictionary defines "extortion" as the act of obtaining a desired end "by force or undue or illegal power or ingenuity." That is precisely what the Civil Rights Commission has in mind here. It would obtain voting rights for certain Negroes in certain counties by force, undue or illegal power, and ingenuity. Especially ingenuity. The Commission points out in its report to the President that $650 million in grants-in-aid and prime contracts are marked for Mississippi next year. The sum includes Federal grants for aid to the blind, aid to dependent children, aid to veterans, highway construction, vocational education, small business loans, river and harbor improvement, and the like. "The Commission does not want the people of Mississippi, either Negro or white, to lose benefits available to citizens of other States," says the Commission, and it rolls its eyes to heaven; the sanctimonious statement follows that the Commission has concluded that only by threatening such a withholding can Mississippi be persuaded to mend her ways.

> Now, this newspaper repeatedly has condemned the indefensible shenanigans by which officials of a few Deep South counties have denied voting rights to qualified Negroes. We have said, time after time, that if the South is to stand on the Constitution, it must stand on the whole of the Constitution. If we expect others to respect the 10th amendment, we of the South cannot trifle with the 15th amendment. This defines the "right to vote" as just that: a matter of right. The right must be upheld.
>
> But this is a far cry from saying that every Negro who presents himself at a registrar's office is, by reason of his race, specially qualified to register and vote. In one great test case of this alleged "subversion," the Fifth U.S. Circuit Court of Appeals summarily threw out of court a case in which a Negro contended his right to vote had been arbitrarily denied him. The Negro was wholly illiterate, as the evidence plainly proved.
>
> Plenty of law is on the books now, by which these intransigent local officials may be punished for their chicanery. The idea of denying all the people of Mississippi, white and Negro alike, their fair and rightful share of Federal appropriations for which they have been equally taxed is a monstrous perversion of both law and equity.
>
> The Civil Rights Commission has had little enough reason for existence. This outrageous recommendation provides abundant reason for wiping it out completely.

Mr. President, bad as is this recommendation, it is only characteristic of the Commission's biased and perverted attitude which has prevailed since its formation in 1957. The President of the United States promptly and emphatically repudiated this Interim Report, stating that he neither had, nor wanted such power as the Commission recommended he invoke. The fact that all individuals in responsible positions quickly denounced this recommendation is heartening, but the punitive nature of the proposal clearly reflects the attitude of the Commission.

The Civil Rights Commission has contributed nothing to improved race relations, but has done much to deteriorate them. The Commission is an ill-conceived, sloppily constituted, and arbitrarily administered disgrace to our governmental structure. It would be an act of wisdom for the Congress to permit to die that which should never have been spawned, and which grows more hideous with each day's passing.

Mr. President, there is no place in our society for an organization such as the Civil Rights Commission. In the first place, it is a symbol of a basic controversy, and as such, is not judged on its merits when its revival is under consideration. Were a commission—in any other area of activity except that of race relations—to come before Congress with a record of activity such as has the Civil Rights Commission, it would stand no chance of continued life or of continued Federal appropriations.

In no other area of activity would an instrument of the National Government be permitted to flaunt the basic and fundamental rights of citizens by outrageous denials of due process of law. Not even committees of Congress could deny due process of law and go unscathed as has the Civil Rights Commission.

On October 7, 1959, a Federal court composed of three Federal district judges, in Shreveport, La., ruled by a 2-to-1 decision that the Commission, acting according to its rules, had attempted to conduct its investigations in a way which violated two sections—4 and 6—of the Administrative Procedure Act.

The Commission had undertaken to investigate the sworn affidavits of 67 Negroes in Louisiana that they had been denied the right to vote. In pursuance of its investigation, the Commission had subpenaed 17 voting registrars. The attorney general of Louisiana asked that the Federal Court prohibit the investigation because it would violate the statutory rights of the registrars. The court upheld the contention of the State attorney general, and ruled that the method of investigation was illegal because the Commission failed to inform the registrars of what they were accused, and refused to permit them to be confronted by, and to cross-examine, those who had complained to the Commission. Federal District Judge Dawkins, giving the deciding opinion, made the following statement:

> Third, entirely aside from the statutory questions just discussed, the courts of the United States, and their Anglo-Saxon predecessors, always have seen to it that, in hearings or trials of all kinds, persons accused of violating laws must be adequately advised of the charges against them, confronted by their accusers, and permitted to search for the truth through thorough cross-examination.

Following the decision of the Federal district court, the Civil Rights Commission appealed directly to the U.S. Supreme Court. The latter Court heard the case (*Hannah* v. *Larche*, 363 U.S. 420) on January 18–19, 1960; on June 20, 1960, the Court reversed the ruling of the lower court.

Justice Douglas rendered a dissenting opinion, with which Justice Black concurred. Justice Douglas pointed out that, although the Civil Rights Commission is primarily a factfinding agency only, and although it does not indict, it does seek to disclose activities which are criminal. He concluded, therefore, that voting registrars called before the Commission should be granted the rights of those who are accused of crimes. Justice Douglas noted that:

> Under the Commission's rules the accused is deprived of the right to notice of the charges against him and the opportunity of cross-examination.

The Commission may, he said, "deny him—the accused—the opportunity even to observe the testimony of his accusers."

Justice Douglas stated that only the grand jury, under the fifth amendment of the U.S. Constitution, has the authority to make accusations without granting the ordinary rights to the accused. But he pointed out that the grand jury is not a continuing agency of government, and that it is composed of neighbors of the accused, and that it is intended to safeguard the accused against arbitrary action by a public prosecutor—

> They are the only accusatory body in the Federal Government that is recognized by the Constitution. I would allow no other engine of government, either executive or legislative, to take their place—at least when the right of confrontation and cross-examination are denied the accused as is done in these cases.

Justice Douglas supported the complaint of the registrars as follows:

> Respondents ask no more than the right to know the charges, to be confronted with the accuser, and to cross-examine him. Absent these rights * * * injury too plain and obvious here.

As I stated, Mr. President, the Civil Rights Commission, because it deals in the field of race relations, which unfortunately has degenerated into a cloud of pressure politics, is removed from the realm of objective evaluation, either by the Congress, the Court, or the Executive.

Indeed, the Department of Defense, even when acting on a question involving the security of the United States, was restrained by the Court from utilizing procedures in its industrial security program which by comparison to the procedures of the Civil Rights Commission were the very essence of due process. For an illustration of the immune status of the Civil Rights Commission, one has but to compare the judicial discussion of the Commission's procedures in *Hannah* v. *Larche*, 363 U.S. 420 (1960), with the judicial discussion of the procedures set up for the Department of Defense industrial security program in the case of *Green* v. *McElroy*, 360 U.S. 474 (1958).

Mr. President, from its inauguration, the Civil Rights Commission has been completely lacking in objectivity. The reports of the Civil Rights Commission are defective, first, because they depend too much on facts which were not obtained by firsthand observation, but which were selected from secondary sources; and, second, because the facts which they cited were used in an attempt to vertify prior conceptions of the situation in Southern States. Thus, Mr. John S. Battle said of the first report—1959—of the Commission, at the time of his resignation from the Commission, that it was "not an impartial factual statement, such as I believe to have been the intent of the Congress, but rather, in large part, an argument in advocacy of preconceived ideas in the field of race relations"—quoted by the New York Times, October 13, 1959, page 1.

Mr. President, nothing good can come of a Commission which exhibits a complete disinterest in the truth, and which operates to the sole end of fabricating support for preconceived prejudices. The exclusive immunity which this Commission has enjoyed not only allows it to deprive citizens of due process of law and to operate in utter disdain of any pretense at objectivity, but this immunity also shields gross impropriety and inefficiency in its internal administration and lack of cooperation with the Congress and its committees that would not be permitted by any other agency of Government.

The reports which have been issued by the Commission since the initial one in

1959 have improved neither in quality nor in objectivity. For instance, in its 1961 report on education, the Commission stated that private school tuition grants, which are offered in some States, threaten the quality of public school education. They even went so far as to say that it threatens the very existence of the public school system. Yet, in the same report, the Commission recommended that all Federal funds provided under the impacted areas legislation and destined for school districts which are not completely integrated be withheld. While criticizing, a State program as destructive of the public school system, the Commission in the same breath offers a recommendation which is certainly more likely to affect the quality and even existence of the public school systems.

In the Commission's 1961 report on voting, the recommendation is made that a sixth-grade education be conclusively presumed as evidence of literacy for the purpose of voter registration. Many eminent law professors and constitutional authorities have pointed out the patent unconstitutionality of such a proposal, and Congress has completely rejected this recommendation.

Generally an agency of the Federal Government is called upon to justify its expenditures and continued existence by the showing of some contribution to the public good. This has not been the case, however, with the Civil Rights Commission. The Commission has enjoyed a position apart from the normal governmental agency, a position unparalleled in the history of this country. Any other commission or Federal agency which merely duplicated the work of another branch of the Government would be quickly and unhesitatingly abolished. Yet, Mr. President, even though the Civil Rights Commission merely duplicates the work of the Civil Rights Division of the Department of Justice, there is very little chance of its being deactivated.

Mr. President, we must remember that the area to which the Civil Rights Commission was originally intended to be limited, according to the proponents of the bill which created the Commission, was voting rights. In this area, the Commission has had little to do. Perhaps this is why it has extended its tentacles into other areas of activity. The number of voting rights complaints received by the Civil Rights Commission during the period from July 1, 1962, through May 17, 1963, numbered 101. Ironically, the total number of voting complaints received by the Civil Rights Commission since its inception 6 years ago is a mere 740 of which only 424 have been sworn complaints. It should be noted that this small number of complaints, as compared with the number received in 1 year by the Civil Rights Division of the Justice Department, is in spite of the fact that the Civil Rights Commission, for all intents and purposes, actively solicits the complaints.

Mr. President, I believe that it is time that the Congress took recognition of the complete futility of the Civil Rights Commission and did the Commission, the Congress and the country a great favor by allowing the Commission to die the peaceful death that it so richly deserves. Now is the time for the Congress to create the exception to the rule that there is nothing so permanent as a temporary agency of the National Government. No good has ever come from the Civil Rights Commission in the past and there is no basis for the belief that the future will be any different. The activities of the Commission have created much ill will and increased racial tensions, and its potential for disservice in the future, if its life is extended, is beyond estimate. Under no circumstances should Congress succumb to the entreaties to extend its life.

Mr. President, the last report of the Civil Rights Commission goes beyond the realm of reason. Anyone can read that report and see the lack of objectivity on the part of the members of the Commission. As I stated, it would be a great service to the people of our country, to the Congress, and even the Commission itself, if the Commission were not continued. I hope that the Congress will see fit not to continue the Civil Rights Commission.

Mr. HART. Mr. President, I support the proposal before the Senate for an emergency extension of the life of the U.S. Civil Rights Commission for a 1-year period. I do this with considerable regret. I regret that the machinery of the Senate and the Congress has not permitted us thus far in this session of Congress to act on S. 1117, which I, with a number of my colleagues, introduced to expand the authority and give a greater degree of permanancy to this increasingly important commission.

Hearings were completed on this and other bills by mid-June. Testimony from witnesses from throughout the Nation underscored the value of the Commission's hearings and reports in defining for the American people the important work which must be accomplished if we are to insure full enjoyment of basic rights by all Americans.

My concern today is that in acting on the proposed temporary extension the Senate does not set aside the very real work yet to be done this year. Part of this legislative work involves proposals for an expanded responsibility for the Commission and extension of its life for a sufficient period of time to avoid the demoralizing start-and-stop activities it faces when extensions of only 1 or 2 years are granted.

More important still is the work to be done on the omnibus civil rights proposal submitted to the Congress by the President. It is now October. Some small progress is evident. A subcommittee of the House Judiciary Committee reported last week a strengthened omnibus bill. The Senate Commerce Committee is nearing completion of its work on the public accommodations section of the civil rights proposal.

This progress is good. All who support the broad civil rights program of the President—and I am confident they are more than a majority of the Senate—must make firm resolve to complete legislative action on this program this year.

I for one announce my desire to remain here through Christmas if that is necessary.

If there is a firm resolve, as I believe there is, among the majority of the Members of the Senate to write a broad and comprehensive civil rights package this year, I believe it will be accomplished before Christmas Eve. Where there is a strong will in the majority to take action, a way can be found.

Turning to the proposal at hand, the Senate should take temporary action today on the life of the Civil Rights Commission as a harsh reminder of the work yet to be done this year.

In passing this 1-year extension, let us thank the distinguished members of the Commission who have touched the conscience of America through their incisive and searching and courageous reports on areas of American life where we have done less than our best as a nation.

Michigan is proud of the distinguished Chairman of the Commission, Dr. John Hannah, who is serving in this at times arduous role, and the Nation is proud of all the members of the Commission who have given so fully of their time and energy.

THE ALLIANCE FOR PROGRESS

Mr. MORSE. Mr. President——

The PRESIDING OFFICER (Mr. INOUYE in the chair). The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, earlier this afternoon the distinguished Senator from Alaska [Mr. GRUENING] gave a notable speech on the floor of the Senate entitled, "Must the Alliance for Progress Be Lost?" He directed his remarks to the tragic situation which exists in the Dominican Republic today.

Before I comment on the speech by the Senator from Alaska, and make a few comments separate from that speech, I should like to qualify the Senator [Mr. GRUENING] as a witness and an expert who is entitled to speak on Latin America, for I know of no other Senator better qualified to discuss Latin America and I know of no one in the State Department who is his equal in knowledge of Latin America.

I make these comments this afternoon in my capacity as chairman of the subcommittee of the Committee on Foreign Relations of the Senate which deals with Latin America.

The Senator from Alaska [Mr. GRUENING] has been a keen student of Latin America for many years, and his book on Mexico is still a general reference work on Mexico and related problems in Latin America in many colleges in this country. I have no fear of successful contradiction when I say to Senators if you entered any college course dealing with Latin America, and particularly with Mexico, you would undoubtedly find Senator GRUENING's book on Mexico one of the reference works used in the reading list of that course.

With this expert background, the Senator from Alaska [Mr. GRUENING] addressed himself this afternoon to the situation which has developed in the Dominican Republic, and expressed his views as to what U.S. foreign policy should be in relationship to the Dominican Republic.

I respectfully disagree with one of the major conclusions and recommendations of the Senator from Alaska, but I shall speak more of that in a moment. First I wish to emphasize certain premises laid down in his speech. I quote the following from his speech:

> The fact remains, Mr. President, that Dr. Bosch was the constitutionally elected President of the Dominican Republic. The military opportunists who ousted him acted entirely outside the Constitution of the Dominican Republic. They acted to further their own political ambitions.
>
> They must not be permitted to reap the advantages of their ill-considered actions.
>
> This is the point at which the United States must draw the line.
>
> Here we must stand firm if there is to be any hope at all for the future of the Alliance for Progress. The U.S. Coordinator of the Alliance for Progress, Mr. Theodore Moscoso, has called the overthrow of Dr. Bosch a setback for democracy. It is that, and more.
>
> Unfortunately, in my opinion, it is a direct result of the past policies of the Government of the United States.
>
> We have talked strongly, but carried a little stick.
>
> We have not matched our deeds to our words.
>
> Need I remind you of our vacillations in Peru, in Ecuador, in Argentina, in Brazil?

Later in his speech the Senator from Alaska said:

> I commend the President of the United States for the forthright stand he has taken with respect to the usurpers of power in the Dominican Republic. The pseudo-military junta in the Dominican Republic which has ruthlessly sought to deal a body blow to democratic principles should not be permitted to reap the slightest advantage from its perfidious conduct. It has acted against the best interests of the Dominican Republic and its peoples.
>
> By withdrawing diplomatic recognition and halting foreign economic assistance this administration has acted fairly, intelligently and justly. What it has done is for the best interests of all the Dominican people.
>
> I urge my administration to hold firm.
>
> I urge my administration to withhold diplomatic recognition of the new illegitimate regime in the Dominican Republic and to withhold all further foreign economic aid until Dr. Bosch has been brought back and duly installed as the legitimate head of state.
>
> We can insist upon nothing less.
>
> Because if we do not insist upon the return to constitutional government in the Dominican Republic, then we will be endangering other civilian governments not only in Latin America but in the rest of the world as well. We will be in effect inciting similar military revolts in Venezuela, Colombia, and in other Latin American nations which are trying to establish democratic regimes. We will be playing into the hands of the Communists who will rejoice at the installation of totalitarianism.

I heartily endorse all the comments I have quoted from the speech by the Senator from Alaska. I completely agree with him. I shall enlarge my own views upon them momentarily.

In the conclusion of his speech the Senator from Alaska made a recommendation which I do not endorse and do not share, when he said:

> In effect, Mr. President, I urged that the United States send a destroyer to intercept the vessel carrying President Bosch into exile and order it to return him to the Dominican Republic. I would advise, also, Mr. President, that if the vessel does not heed such an order that it be boarded, that President Bosch be taken from it and returned under U.S. protection to the Dominican Republic.
>
> This is not, I must point out, a return to the days of gunboat diplomacy. That at the time I deplored and spoke and wrote against. In those cases, when we intervened in the early days of the century in Haiti the Dominican Republic, Nicaragua, and Mexico we intervened without any request from and against the wishes of their duly constituted governments and their peoples. This is not the case in this instance. Moreover, this is no violation of any treaty commitment against intervention. We are not intervening. We are fulfilling a request from the authorized representative of a duly constituted government for help. We are doing no more than we did when we sent troops to Lebanon.

Although I recognize the Senator from Alaska as a great expert on Latin America, I would dissent from this recommendation because, when all is said and done, it is a proposal for military action against the Dominican Republic. That country is in the throes of a revolution—not a revolution we like, but nevertheless a revolution. In my opinion, that would be U.S. armed intervention in the revolution, and we would be condemned by the other countries of the world as in fact committing an act of war. Therefore, I do not share this particular recommendation of the Senator from Alaska. I heartily endorse his earlier recommendation against recognition of the revolutionary government, and I shall continue to take that position.

LIKELY POLICY TOWARD DOMINICAN REPUBLIC

I wish to speak now for a moment as to what the probabilities are, knowing the State Department as I know it, knowing the past actions we have taken in somewhat similar situations, and based upon a briefing the Foreign Relations Committee has had in consultation with the State Department.

The Dominican Republic has an importance for the Alliance for Progress out of all proportion to its size. When the Trujillo regime was overthrown, we indicated our intention to help the Dominican Republic become a model of democracy and economic progress for all of Latin America. The military coup is a direct and major challenge to the Charter of Punta del Este. Our reaction to the coup, and that of all of the American republics, is accordingly a test of whether the Charter of Punta del Este is a positive hemispheric commitment or merely one more in a long line of pious declarations that have characterized the inter-American system.

The seriousness of a successful and unchallenged military coup goes far beyond the Dominican Republic. It encourages similar occurrences in other Latin American countries, some much larger than the Dominican Republic.

As the Senator from Alaska [Mr. GRUENING] so clearly pointed out, it poses a particularly great threat in Venezuela, where President Betancourt's democratic regime is already beleaguered by both left and right.

If the Dominican coup should go unchallenged, it could encourage or precipitate a coup in Venezuela, with infinitely worse consequences. A Venezuelan coup could presage the collapse of the Alliance for Progress and the disintegration of the Latin American policy of the United States, as the Senator from Alaska forewarned earlier this afternoon.

The proposal of the Senator from Alaska that we use armed force to restore President Bosch goes too far. It would constitute intervention in clear violation of the Rio Treaty; would greatly frighten and alienate the other Latin American states; and, in my judgment, would make us an aggressor nation.

Our policy should be one of applying the strongest possible sanctions against the ruling junta short of military intervention and within the legal proscriptions of the Rio Treaty and the Organization of American States charter.

Our immediate reaction should be:

First. The immediate suspension of all economic assistance to the Dominican Republic.

The great President of the United States made it very clear, upon receiving the shocking news of this coup, that aid had been cut off. It should not be resumed until constitutional government is restored.

Second. The imposition of a trade embargo except for essential food and medical supplies.

Third. A public statement that the United States is withholding diplomatic recognition from the military regime. It would be unwise to say that we will never recognize the regime or that diplomatic relations will be resumed only if Bosch is restored. This kind of ultimatum might require force to implement, and it would be embarrassing to have to back down.

In my opinion, we would not be justified in using force in order to impose our will upon a people who are in the midst of a revolution.

Fourth. A public statement by the President or the Secretary of State demanding that the junta turn power back to the legitimate government of President Bosch.

Fifth. An appeal to the Latin American republics to take identical measures.

It is extremely important that we recommend immediately to the Organization of American States an extraordinary meeting of the organization and an extraordinary meeting of the foreign ministers of the Organization of American States to consider all the implications of the military coup in the Dominican Republic.

Sixth. The convening of the Organization of American States Council to condemn the coup formally and to consider collective measures—economic, political, and perhaps military—to bring about the restoration of the legitimate government of President Bosch.

U.S. MILITARY AID HELPS MAKE COUP POSSIBLE

I wish to say a few words about the military implications of the coup. The

Senator from Alaska [Mr. GRUENING] is correct. The United States cannot wash its hands of this coup, for the hands of the United States are not lily white. We built up this military junta. The United States supplied the Dominican Republic during fiscal 1963 far more military aid for its size than we supplied any other country in all of Latin America. We have supplied the Dominican Republic military aid to the tune of $1.26 a person, or a total amount of $3,981,000. We have built up the power of the military junta.

As a member of the Foreign Relations Committee, for years I have been pleading that our military aid must be granted under restrictions and controls, because we cannot justify granting this military aid and having the military aid used time and time again to overthrow civilian governments—playing right into the hands of the Communists.

Several weeks ago I was the head of the American delegation to the inauguration of the new President of Peru. I consider him to be one of the great men of Latin America, and I am very hopeful. But there are some who think that because a man of great ability was elected in a free election a considerable time after a coup had occurred in Peru, it justifies a military coup. It does not.

During the course of that inauguration I sat for some 3 hours and 15 minutes in the reviewing stand, watching a military parade. I saw rumbling down one of the main boulevards of Lima, Peru, a large number of American Sherman tanks. I said to myself, "For what purpose? Are these tanks necessary for internal security?" Nonsense.

I saw block after block and mile after mile of heavy American military equipment rumble down that boulevard. Again I asked myself the question, "For what purpose?"

The undeniable fact is that American military aid in Latin America has built up in country after country a powerful military caste, nondemocratic in its ideology, nondemocratic in its philosophy, and nondemocratic in its tactics, for military castes the world around are not noted for their belief in the institutions of democracy. Nor are they noted for their belief in the basic concept that the state must be the servant, and not the master, of its people.

In Latin America the notion of the state being the servant, rather than the master, of the people is a philosophy foreign to the thinking of the military castes that are dominant in too many Latin American countries.

The United States of America is supporting and building up that system . We cannot escape the charge of support by saying we do not join in the philosophy of the militarists. Nor do we stay within the realm of fact when we say we must support the military caste system in order to protect the people from communism. To the contrary, it happens to be the view of the senior Senator from Oregon that huge military grants to Latin American countries are serving to drive people into the arms of communism.

After that military parade in Lima, Peru, it was interesting that members of delegation after delegation attending that inauguration, from many places in the world, came to me and said, "Senator, we just do not understand the military aid that you are carrying out in Latin America. We do not understand. What makes you think that this is the way to check communism in Latin America?"

This situation becomes a matter of balance. It becomes a problem, as I said recently in a statement I made to the people in my State, of trying to find the dividing line between the military aid that is necessary to enable a democratic government in Latin America to prevent a Communist coup and the military aid that encourages a militarist faction to seize power. I am for aid needed to prevent a Communist coup. But the equipment we would send for that purpose is quite different from Sherman tanks, quite different from heavy pieces of rolling artillery, quite different from the type of equipment that we have heretofore sent down there which is said by many to satisfy the desire of the military caste for prestige. That equipment would be useless in the case of a war with Russia, and useless even in respect to the defense of the hemisphere. Any talk to the effect that it is necessary to protect a country from any other country in Latin America is so much nonsense. They know and we know that no war between two Latin American countries will be countenanced. It could not be brought off, because we and the other members of the Organization of American States would not allow it. That happens to be one of the realities, too.

Let us assume the full hypothetical situation. Let us assume that it were a possibility. On what grounds could the United States justify supplying American military equipment to both sides to conduct such a war? If there were a danger—and I repeat that there is not —of a war between two Latin American states, our hands not only would not be clean, but they would be red with blood. On the basis of cause and effect, we would be the cause of producing the effect. We would have been the causal effect in supplying the weapons.

I know the argument is made that if they do not get it from us, they will get it from Russia, or perhaps from France, or from Great Britain. I have never followed the theory that we can justify committing a wrong because if we do not do it, someone else will do it. This is a moral wrong. What we need to do is to try to find that balance in supplying the necessary military assistance to help a government maintain internal security. I assure Senators that $3,981,000 to the Dominican Republic goes far beyond that balance. It is responsible for building up the power of the Fascist regime of the military which has taken over under Col. Elias Wessin y Wessin. Who is he? He is a man with a sordid record of Fascist police state leanings in the Dominican Republic.

The President of the Dominican Republic, under a constitution which in this respect is similar to the Constitution of the United States, providing that the President is the civilian commander in chief of the Dominican armed forces, sought to remove this Fascist-oriented, police-state colonel who headed the coup. When he sought to exercise his constitutional power, the military took over, with the support of the arms that we had furnished them.

We cannot hold support in Latin America that way. We cannot justify building up the military leaders, training them in American military training programs, and have them go back to their countries to drive with Sherman tanks through palace gates or use American military equipment to overthrow the constitutional government in the Dominican Republic.

We have done more for the Dominican Republic in fiscal 1963 than what I have already pointed out. It is time for the American people to know these facts. Such facts will come out on the floor of the Senate in the historic debate in a few days on the foreign aid bill. I shall continue to give my colleagues in the Senate at least an opportunity to vote to cut military aid. I am perfectly willing to renew my offer of last year that every dollar of reduction in military aid be added to economic aid. We must establish economic freedom, not military suppression, in those countries. It is economic freedom and not military oppression that is needed in Latin America.

It is bread, not bullets, that we need to export to Latin America.

In fiscal 1963 we made available to the Dominican Republic $24 million of grant aid in addition to military grant aid. It is said by some of the alibiers for this revolutionary military junta that they purchased some military supplies in this country. That is a euphemism. We gave $24 million to the Dominican Republic to stabilize its economy and its Government, and to support its budget. One item in that budget was the purchase of arms. That means that we provided weapons. The word "purchase" should be kept in quotation marks in discussing this subject. It is only a matter of paperwork. We built the military power of the junta in the Dominican Republic. The sad thing is that from the very beginning the Moscow propaganda has been an attack on us. The interesting thing is to hear some say, "We must brush it off, because these are Communist charges that we built up the military power of the junta."

The ugly fact is that it is the truth. It always pains me when the Communists have anything on us; and they have this on us. In this connection they are right, and we are wrong. The military record of the United States in the Dominican Republic will be used to our disadvantage around the world. The senior Senator from Oregon believes that the way to meet them is to clean house; the way to meet them is to cleanse our record; the way to meet them is to make it clear now to Latin American countries that wherever military forces may be lying in wait to repeat the coup of the Dominican Republic against constitutional governments, we are through building up militarists to overthrow democratic governments. We can cite incident after incident of mistakes that the Bosch administration has undoubtedly made. We could spend a great deal of time doing the same thing in the case of our own Government, could we not? I hold no brief for such mistakes.

But I do hold a brief for standing foursquare in support of the constitutional, democratic form of government that was established in the Dominican Republic by the processes of a constitution. Until that government is changed by the constitutional processes, I am opposed to any recognition of a military, Fascist, police state in the Dominican Republic.

I am opposed to any further aid to this dictatorship. I am opposed to standing by, just waiting for developstate in the Dominican Republic.

I favor the U.S. Government taking the initiative now. We should have done it already. The Organization of American States, in extraordinary meeting of the foreign ministers of Latin American countries, should decide what shall be the policy of the countries of the hemisphere in respect to such military coups. I was one of the delegates to the Punta del Este conference that brought forth the Act of Punta del Este. As I said previously in my remarks, and repeat now: We cannot square our commitments in the Act of Punta del Este with the taking of a sideline-standing position on what has happened in the Dominican Republic. We have an obligation to see to it that the commitments of the Act of Punta del Este are carried out, because we, too, have an obligation to take the initiative and should proceed to take it without further delay.

It is interesting to consider that we will stand by, or have done so up to the moment, at least, while a great democratically elected President of the Dominican Republic is bustled off into exile by a military, revolutionary group, using a few civilians as stooges of the military coup. I shall comment on that point for a minute.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I have almost finished; then I shall be glad to yield to the Senator from New York.

It is said that the military group has set up a council of civilians and has promised to hold elections probably in 2 years. That is the old pattern. It has been pulled off in revolution after revolution. The military junta gets some stooges who are not wearing uniforms to act for it; but those civilians can hardly draw a breath without first getting permission from the military, police-state group. Let no one be fooled into believing that a civilian council in the Dominican Republic is running the Dominican Republic at this hour. The Dominican Republic is being run by Col. Wessin y Wessin and his Fascist gang.

The Senator from Alaska [Mr. GRUENING] was quite correct when he referred to them as mobsters, for they meet all the qualifications of mobsters and gangsters.

I am also sorry that our own military groups in various parts of Latin America are apparently running up for themselves such a record of failure. They seem to be unable to lead and persuade their military associates, with whom they are supposed to be working, and trying to lead, in support of the military system we have in the United States which is based upon the constitutional principle that the military is subordinate to the civilian government; that the military takes its orders from the civilian government; that the head of the civilian government is the Commander in Chief; and that when military leaders seek to overthrow the constitutional, civilian head of the democratic government, they became traitors and should be dealt with in all international relations on the part of our country with such a country, as traitors. They should never be recognized to carry on diplomatic relations with the U.S. Government.

I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I wish to identify my own views with those of the Senator from Oregon, insofar as they reflect the deep conviction that the United States should not recognize the military junta; to do so would be a profound error. There are other things our Government can do. I shall take my own opportunity to address myself to that subject later; at this time I shall stand shoulder to shoulder with the Senator from Alaska [Mr. GRUENING] and the Senator from Oregon [Mr. MORSE] in the deep feeling that our Government should not do as it did in the case of Peru—turn tail and recognize a military junta. To do so would be disastrous.

I have been to the Dominican Republic. I was at the inauguration of President Bosch. I think I know something of the ambit of the problem.

That is question No. 1 that our Government must answer. I have no doubt in my own mind as to what is the national interest. The national interest is to say "No" to the military junta.

Mr. MORSE. Mr. President, I close my remarks by congratulating the Senator from Alaska [Mr. GRUENING] for his speech this afternoon. I am sorry that I find myself in disagreement with him with regard to one of the recommendations he has made; that is, the recommendation of military intervention. Nevertheless, he has made a worthwhile contribution to the discussion about what should be the posture of the United States vis-a-vis the United States and the Dominican Republic.

I hope the Department of State will take note that there is a growing opposition in Congress to the policy that the Department has been following concerning military assistance to Latin America and to some other places in the world, and also its policy to date, that, after all, if a military junta takes over, we should face reality and deal with it on the same basis as its predecessor. In my judgment, we should ostracize it.

MRS. ELIZABETH G. MASON—EXTENSION OF CIVIL RIGHTS COMMISSION

The Senate resumed the consideration of the bill (H.R. 3369) for the relief of Mrs. Elizabeth G. Mason.

Mr. RUSSELL. Mr. President, the distinguished junior Senator from Mississippi [Mr. STENNIS] is detained from the Senate today. He feels deeply about the proposed legislation pending before the Senate. He has requested me to read his remarks giving his views on the proposal to extend the life of the Civil Rights Commission. I shall now read the remarks prepared by the distinguished junior Senator from Mississippi.

I ask unanimous consent that the remarks by the Senator from Mississippi [Mr. STENNIS], which I read at his request, may be printed in large type in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT BY SENATOR STENNIS READ BY SENATOR RUSSELL

Mr. STENNIS. Mr. President, I strongly and vigorously oppose the extension of the life of the Civil Rights Commission.

The history of this agency—and its onesided adherence to concepts which are fostered and dominated by political expediency—have only served to reinforce my conviction that the Commission is neither necessary nor desirable. In my judgment, a further extension of its life would be a grave disservice to the entire Nation.

The Commission's inflammatory statements, its findings based on biased and flimsy evidence, its apparent tendency to believe the worse, and its bizarre and absurd recommendations are hardly the type of oil which would be poured on troubled political waters by an agency truly and earnestly interested in peaceful solutions to racial problems. The aid and comfort rendered by it to civil rights extremists finds a logical outlet in the wave of disorders and disturbances which are now sweeping the Nation.

The Commission perhaps achieved the epitome of absurdity in its recommendation last April that Federal benefits be withheld from Mississippi because the Commission—acting as prosecutor, judge, and jury—came to the unilateral and unsubstantiated conclusion that there were open and flagrant violations of constitutional guarantees in that State.

This extreme and absurd recommendation was met—immediately and almost unanimously—by a literal torrent of repudiation, condemnation and careful disassociation. This came from every source and quarter—from the President, from the majority leader of the Senate, from Members of Congress on both sides of the aisle, and from the editorial pages of our leading newspapers and other publications.

Some, including the President, have apparently changed their minds. In the Civil Rights Act of 1963 the President has asked for the very power which last April he thought was unwise.

The Commission proposed to crucify and work irreparable hardship on the innocent children, the aged, the blind, the needy and the infirm because of alleged wrongs by Mississippi officials administering Federal funds. They propose an unusual method to right the alleged wrongs. They propose to do it by withholding from the needy of the State of all races welfare funds such as old-age assistance, aid to the blind, child welfare funds, Federal lunchroom funds, and the other funds which are so necessary to the continued welfare of the indigent.

The recommendation of the Commission would have been laughable, if it had not come from an agency of the Government which is charged with the duty of giving fair treatment to all of the citizens affected by its operations, not just to a special and privileged minority group. Even as the Commission charged that there were denials of constitutional rights in Mississippi it called for steps—the withholding of Federal funds from Mississippi—which would clearly, patently and manifestly violate the same Constitution.

I opposed the creation of the agency from the very start. It was represented to the Congress as a temporary information-gathering body which would go out of existence when its task was completed. However, true to the history of such "temporary" agencies, the Commission is still with us, and is now clamoring for further life so that it can continue to meddle in and interfere with matters which are of no legitimate concern to the Civil Rights Commission, or any agency of the Federal Government.

From any standpoint, the Commission has no real reason for continued existence. The real work in the field of so-called civil rights is being done by the Department of Justice, which has its own civil rights division financed at the expense of the taxpayers. It is the Justice Department's lawyers, headed by Mr. Bourke Marshall, who are dispatched to such places as Birmingham when disturbances and disorders occur. What, I ask, can the Commission do which is not already being done by the Attorney General and his agents?

I say again, Mr. President, that the Congress will be performing an act of both mercy and sound judgment if we now let this useless appendage to the body politic die the peaceful death which Congress originally ordained for it some 6 years ago.

Instead of extending the life of this Commission—and thereby licensing it to continue its agitational activities which succeed only in stirring up racial strife and discord—we would do a far greater service for the Nation if we devoted our energy to the restoration of peaceful and harmonious relations between the races. The Government should abandon its support of those who are so eager to sow racial bitterness and discontent for their own selfish ends. Let us return to the concept of rule by the established and orderly processes of law. Let us restore the problem of race relations to its proper place in the legal scheme of things, and let men of good will work together for a proper and peaceful solution, in accordance with established legal procedures and remedies, without being hampered by the extremist activities of a group of political busybodies. Federal intervention in local affairs must not continue to be an institutionalized special privilege for minority political pressure groups.

Mr. RUSSELL. Mr. President, I yield the floor, and in doing so I thank the distinguished junior Senator from New York [Mr. Keating], who had precedence on the list before the Chair, for permitting me to read this statement at this time.

Mr. KEATING. The distinguished Senator from Georgia is very kind. Of course, he knows better than anyone else in the Senate that the list at the desk is meaningless. However, under any such circumstances I would be very happy to yield to him.

Mr. RUSSELL. Let me say to the distinguished Senator from New York that the list is not always meaningless, and it should not always be meaningless. I know there are occasions when the Presiding Officer does not see fit to follow the list; but certainly there are occasions when it is helpful to the Senate to have the Presiding Officer follow it.

Mr. KEATING. I agree with the Senator from Georgia.

Mr. HOLLAND. Mr. President, will the Senator from New York yield?

Mr. KEATING. First, Mr. President, let me say that I would not wish anyone to draw from my willingness to allow the distinguished Senator from Georgia to speak before I did, the conclusion that I am in any way in agreement with any of the remarks he has just made on behalf of the Senator from Mississippi [Mr. Stennis].

I am happy to yield now to the Senator from Florida.

Mr. HOLLAND. Mr. President, I do not care to speak now, unless it is the intention of the leadership to have the Senate vote tonight on the pending question.

I wonder whether the Senator from Georgia, who is in charge of the opposition to this proposed legislation, can advise the Senate whether there is any probability that the vote will be taken tonight. If the Senate is not to vote tonight, I much prefer to postpone until tomorrow my brief remarks.

Mr. RUSSELL. Mr. President, I regret that I cannot inform the Senator from Florida as to the plans the acting majority leader has about the vote. When I discussed the matter with him, we agreed that there would be no unanimous-consent agreement; that debate would run on until the normal hour this evening; and that if the vote was not taken this evening, it would be taken tomorrow; and we hoped that it would be taken on an early hour tomorrow afternoon.

Mr. KEATING. Of course, I am not privy to the decisions of the leadership; but I express the hope that we shall finish our action on this proposed legislation tonight. After all, we must remember that the life of the Commission ends tonight. So it would seem rather ex post facto to act on this matter tomorrow or the next day, rather than tonight, after we have come this far. So I hope we act on it tonight—although I do not know whether that is the intention.

Mr. RUSSELL. Mr. President, let me say that more often than not, the distinguished Senator from New York is correct in his legal conclusions. However, unfortunately he is not correct in the statement he has just made, for although the Commission was directed to file its formal report today, the law, I regret to say, specifically gives it 60 days in which to wind up its affairs. So there is no doubt in my mind that if, during that period, this bill, striking out the old termination date, and inserting a new termination date, were to be enacted, there would be no interference with the action of the officials and other employees of the Commission in drawing their compensation—particularly during this 60-day period, because that is provided by the law.

Mr. KEATING. The Senator is technically correct. In my statement, I should have made reference to the fact that the final report was to have been made today. The Commission will, under the existing law, go out of existence 2 months from today; but the Commission's officials said that today they would give notices of termination to all but 19 of their employees. I do not know whether they have, in fact, been given that notice. Under the circumstances, I hope they have not been given it, but two-thirds of the staff was to receive such notice today.

So I am sure it would be pleasant for them and for their families to know before midnight tonight whether they would continue their work, or whether they would have to turn to something else.

Mr. RUSSELL. Mr. President, will the Senator from New York yield?

Mr. KEATING. Indeed, I am glad to yield to the Senator from Georgia.

Mr. RUSSELL. Mr. President, no one could possibly question the loyalty of the distinguished junior Senator from New York to the Civil Rights Commission. During the past 2 or 3 months, there have been few days when the Senator from New York has not raised in this Chamber some question about extension of the Commission's life; and he has invoked the assistance of the majority leader, and the minority leader, and any other Senator who was in a position to help get this bill before the Senate and get it passed. But, as a practical matter, the Senator knows this bill cannot possibly be passed by the House within the period of time he has indicated. I understand that the Rules Committee will not meet until Wednesday; so it would be Thursday before the House could pass the bill.

Mr. KEATING. I was hoping that unanimous consent would be obtained there.

Mr. RUSSELL. Well, the Senator from New York is an eternal optimist; but I regard it as highly unlikely that the bill would be taken up by unanimous consent in the other body. I imagine that at least a few Members of the other body would avail themselves of their parliamentary privilege of objecting to its consideration by unanimous consent.

Mr. KEATING. I think that is quite possible.

Mr. RUSSELL. I do know that the leadership were basing their plans on the assumpiton that they would get a rule from the Rules Committee.

Mr. KEATING. But I thought that if the bill had passed today by the Senate, that would be sufficient assurance, and then they would withhold the notices. However, I have not been in touch with them; and perhaps they have done so. But I agree with the Senator that, according to my understanding, the best we can hope for is action by the other body on Thursday.

Mr. RUSSELL. I believe that is correct.

Mr. JAVITS. Mr. President, will my colleague yield?

Mr. KEATING. I am glad to yield.

Mr. JAVITS. I wish to state that three of the division heads of the Civil Rights Commission have already resigned, and they were going to send out the notices today. However, I now understand that they are to be sent out tomorrow.

I join the Senator in the feeling that the extension should be passed today. I have a suggestion to make to the Senator on that point. As the Senator who has the floor and desires to speak, I shall seek out the acting majority leader and the minority leader and let them announce the program to the Senate.

Mr. RUSSELL. I assure the Senator that I have no purpose in delaying action on the measure. It is immaterial to me whether the vote is had tonight or tomorrow. I assume that by the time the two Senators from New York [Mr. JAVITS and Mr. KEATING], the Senator from Mississippi [Mr. EASTLAND], and the Senator from Florida [Mr. HOLLAND] had concluded their discussion, it would be very difficult to obtain a quorum; and we intend to have a yea-and-nay vote on the passage of the measure.

Mr. KEATING. If a vote could be had now, I would not speak. I shall be very brief in my remarks.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. HUMPHREY. After discussions with some of our colleagues today, it is the intention of the leadership to ask for a vote tomorrow after debate on both sides of the issue. I am sure that there will be a vote very promptly after the morning hour.

I have no intention of asking for a unanimous-consent agreement. I believe it best to proceed in the normal fashion as soon as the morning hour is completed and the unfinished business is laid before the Senate. There may be some further discussion. The Senate will then proceed to dispose of the amendment by a yea-and-nay vote. I hope the vote will be favorable.

Mr. KEATING. I thank the Senator.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. HOLLAND. I should like to address an inquiry to the acting majority leader. Do I correctly understand that a yea-and-nay vote has been ordered?

Mr. HUMPHREY. That is correct.

Mr. HOLLAND. Do I correctly understand that Senators who have other business to take care of today can now be assured that no yea-and-nay vote or any other vote will take place tonight, but that the vote will take place tomorrow?

Mr. HUMPHREY. The Senator is absolutely correct.

Mr. HOLLAND. It has been made absolutely clear—by the relatively short speeches that have been made by Senators, those who are opposing the bill—that there should be no unusual delay. Senators who have not spoken might have slightly different approaches if they had had an opportunity to state their positions. So far as my position is concerned, I should like specifically to call attention to two statements in the report which the Civil Rights Commission made today, both of which I think unfair and untrue, as they relate to my State. Other Senators may wish to bring into the RECORD similar specific points. Certainly I desire that privilege; and I am glad to rely on the assurance given me by the Senator from Minnesota.

Mr. KEATING. Mr. President, I wish to reply to the distinguished Senator from Georgia. Of course, it comes as a relief to hear that the Senator from Georgia and others will not engage in extended debate on the subject of the amendment. But I think it is quite apparent from what has happened—which I shall enlarge upon briefly in my remarks—that the Senator from Georgia already has been most effective in having the original amendment watered down to a simple 1-year extension. So the Senator has accomplished a large proportion of his objective, I am sure, in his conferences prior to the meeting of the Senate, in which he is so very effective, as all of us know, whether we happen at the moment to be on the Senator's side or on the opposite side.

Mr. RUSSELL. I wish that I might possess a small part of the power and influence which the Senator from New York attributes to me in his statement. If I did, the measure would not pass.

Mr. HUMPHREY. Every Senator should have the right to express his point of view on the continuation of the Civil Rights Commission, or whatever view he may have about the continuation. There is no intention to cut off debate. There has been no intention to have otherwise than full and fair discussion of the issue, with no dilatory tactics. The vote will come tomorrow. That is the intention, unless Senators prevent us from doing so by their engagement in other business.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KEATING. I yield.

Mr. RUSSELL. Senators who oppose the amendment have no purpose in delaying a vote. I would be less than frank if I did not say that if I thought we could defeat the measure, we probably would undertake to delay it. But the measure is a particular pet of Congress, and our ranks are so thin that we cannot offer much more than token resistance. We do not wish to see the Senate get into the habit of imposing cloture on proposed legislation that wears the euphemistic or misleading title of "Civil Rights." We have no purpose to delay unduly a vote on the measure. We feel that we should state our objections. We can only hope that they will be brought to the attention of the American people.

When the Senator from Florida [Mr. HOLLAND] states the facts in his State, it will probably come to the attention of the thousands of people who visit that State that the Senator from Florida is correct and the Commission is wrong. We hope that this little germ will grow until truth will gradually unfold before the entire country. When that glad day happens, we shall then be able to do away with this so-called Commission.

If I had anything like the amount of influence the Senator has suggested, the proposed legislation would never be enacted. I consider the 1-year extension to be a great catastrophe. It is a waste of money. It is a waste of effort. It causes trouble. It brings forth bazarre recommendations for flank, rear, and frontal attacks, and attacks from above and below on the Constitution of the United States. If I possessed only a small proportion of the influence which the Senator attributes to me, I assure the Senator that, instead of extending the life of the Commission for 1 year, the measure would not be agreed to tomorrow or on any other day.

Mr. KEATING. Mr. President, my point is that the distinguished Senator has already exerted great power by getting an amendment which called for a permanent agency and an increase in powers watered down to a 1-year extension without any of those increased powers. I can think of no one who is deserving of greater credit for that questionable result than the distinguished Senator from Georgia.

Mr. RUSSELL. I wish that I might claim full credit for that result; but, I may say, there had been a tacit understanding for some time that the Commission would be extended for 1 year without any prolonged discussion and without any effort on our part at this time to educate the country as to its vices.

Through some mishap a resolution was submitted which went far beyond that understanding. It would not only extend the Commission for more than 1 year, but it assaulted President Kennedy's program. He had recommended an extension for only 4 years. Through some inadvertence, the amendment which the majority leader and the minority submitted was a frontal assault on the program of the President of the United States. It proposed to carry the program much further than the President suggested. Of course, when they found out that, through inadvertence, they were attacking the program of the President of the United States, no great persuasion on the part of the Senator from Georgia was required. All I had to do was to call attention to the fact that they had submitted an amendment which, through inadvertence, they did not intend to submit; and that damage was soon repaired.

There is now before the Senate a very bad measure, but it is not nearly so unpalatable as the one which was inadvertently submitted. I wish I could claim credit for that transformation.

I do not believe it make a great deal of difference. We know that there is cooking in the Judiciary Committee in the other body a witch's broth such as has never been concocted in all the history of legislation.

As vile as the inadvertently submitted amendment was, it would be almost a leavening influence on that proposed legislation. In contrast to the drastic provisions of some of the other sections that go far beyond the recommendations of the President of the United States, the proposal to make the Civil Rights Commission permanent was very mild. It was really inconsequential. To contemplate what has happened in that other committee is so shocking to me that I am almost constrained to take my seat. I have difficulty maintaining a standing position when I think about any such proposal as that considered by the House committee being seriously made to the Congress of the United States.

Mr. KEATING. It warms the cockles of my heart to hear the Senator from Georgia plead for the enactment of the President's program.

Mr. RUSSELL. I did not plead for it. I do not have responsibility for it.

Mr. KEATING. The Senator has displayed responsibility for the President's program on many occasions.

Mr. RUSSELL. The Senator from Minnesota [Mr. HUMPHREY] has responsibility for the pending amendment.

Mr. KEATING. We are happy to know that the Senator insisted on the President's suggestions being followed. We all owe him a debt for having brought that point to the attention of the leadership.

Mr. RUSSELL. The distinguished Senator is a very dextrous acrobat with words, but he knows I did not take any such position as that. I referred to the leadership and the leadership's responsibility for the President's program.

The Senator might not believe it, but there was a time—it is almost shrouded in antiquity now—when the Senator from Georgia might have occupied the chair of the majority leader.

Mr. KEATING. I know, and with grace and charm.

Mr. RUSSELL. But the Senator from Georgia did not feel he could commit himself to support, in toto, any President's program. Therefore, the Senator from Georgia did not feel that he should be in possession of that seat, when some of his friends perhaps foolishly thought he could be elected as majority leader.

I had a good reason. I was not exactly fearful of election, but I was fearful of the consequences of undertaking to fill that chair, and of the many conflicts which would inevitably have come between the leader and the President's program.

The distinguished Senator from Montana [Mr. MANSFIELD] is not present. He will return in a day or so. He can explain this situation perhaps better than I.

I appreciate the Senator's suggestion. I only wish it were true.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KEATING. I yield to my colleague.

Mr. JAVITS. Mr. President, two points stand out. I did not expect that there would be this interchange at this late hour.

There is no question that this is a proposal to extend the Commission for 1 year, instead of for a shorter or longer period of time.

I believe the President's program is completely inadequate on the extension of the life of the Commission, and I hope the extension will be permanent, as proposed by the Senator from Massachusetts [Mr. SALTONSTALL] and my colleague [Mr. KEATING].

Be that as it may, we are left between heaven and earth on the 1-year extension. The same argument will be made, that the life of the Commission should not be extended permanently, because it will still have 6 or 8 months to run when the House bill reaches the Senate—whenever that happy day may be. I would prefer either a short extension, or to make the fight now.

Be that as it may, there are employees of the Civil Rights Commission who are thinking tonight about whether they should resign or stay. I hope that those employees will pay serious attention to what has been said by the leading opponent of the Civil Rights Commission and of this legislation, namely that this proposal is the "pet" of the Congress. The opponents have no hope of defeating this legislation. The life of the Commission will be extended.

I add my prediction that it will be extended again and again. I think there is an excellent opportunity to make it permanent.

That is not the battle being fought now. I hope the employees of the Commission, who are responsible for its very life and its monumental service in the cause of civil rights, will take as much as we take in the debates and in the difficulties which rage throughout the country, as much as those who are demonstrating in the country day after day take by way of arrests and confinement in order to understand the measure of their own service. I hope they will seriously consider staying with the Commission.

This is the hour when the true friends of civil rights and the Commission ought to stay with it.

I am grateful to my good friend for yielding to me. I address this appeal to those who work for the Commission tonight. They have every reason to stay, not to leave. Once the Commission is dismembered, it will be very hard to put it together again. It would be as good as a victory for those who oppose it if the Commission did not have the personnel and the talent necessary to do the job.

I am grateful to my colleague for yielding.

Mr. KEATING. I am grateful to my colleague for making this appeal. We all know that some of the leading employees of the Commission have resigned because of the uncertainty as to the Commission's future status. I am sure they will be heartened by this debate, and by the indications that the Commission, which has done such outstanding work will be continued.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. KEATING. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I join the able Senators from New York [Mr. JAVITS and Mr. KEATING] in urging the employees of this Commission to stay on their jobs and live up to their responsibilities.

The law is quite explicit. Even if the Commission's life were to expire, there would be a period of 60 days in which to wind up its work. The agency is not going to expire. It will be continued. It has done good work. It has performed valuable service.

The Commission's powers are indeed limited. The President's program provides for increased authority and power, to be sure, for a 4-year period rather than a permanent extension, but I believe that is really not the central issue, because most of the laws passed by the Congress provide a limited authorization and a return for renewal and review. I am not particularly concerned about that matter, provided the agencies have the support of the Members of Congress. I believe this agency does have it.

I am pleased that the debate about the Civil Rights Commission which has taken place has been to the point, relating to its work and its recommendations. There are honest differences of opinion about that. I am confident that, with the cooperation which has been extended, the Senate can act tomorrow and extend the life of this Commission, so no one needs to resign from his position of duty or in any way fear for the future of the Commission.

Indeed, this kind of work requires a sense of sacrifice and dedication. I cannot imagine that those who are deeply involved in the civil rights struggle would resign from their posts, because this is the kind of work which requires almost superhuman dedication. I am sure they have it.

Mr. RUSSELL. Mr. President, I interject myself for the last time in this discussion by saying that, judging from the recommendations of the Commission and what I know of the activities of its employees, I do not share the fears expressed by the senior Senator from New York. I do not fear that any of those employees are likely to leave their positions and go off seeking other employment. They are a very zealous group. Their recommendations demonstrate that fact. They cover a wide range.

I would apprehend that if the bill to extend the life of the Commission did not pass for several weeks none of them would leave his employment, if they were told by the Commission that they were sure the life would be extended.

I believe that during the time of the Irish revolution there was a man named MacSwiney who went on a fast for some 60 days to prove his devotion to the cause of the Irish revolution. In my opinion, if it were necessary—and it will not be necessary—most of the employees of this Commission would willingly meet or exceed MacSwiney's record to show their devotion and loyalty to the cause that the Commission represents.

Mr. KEATING. Mr. President, in response to the distinguished Senator from Georgia, it is a fact that a large number of the staff have already resigned.

Mr. RUSSELL. I am shocked to hear that.

Mr. KEATING. They have.

Mr. RUSSELL. I thought they were much more loyal than that. I am disappointed.

Mr. KEATING. They have resigned because of harassment, not because of any disloyalty. I can understand that. This Commission has been harassed throughout its life. Instead of being made a permanent agency of the Government, it has had to come up for renewal at periodic intervals and on each occasion it has had to go through this same ordeal, usually on the very eve of the expiration of the life of the Commission. Many of the employees have gone to other agencies or to other activities, where such constant harassment does not take place.

I do not think they can be criticized for that. Many are still there and we are urging that they remain on the job because we believe this Commission will be extended. My colleague from New York has the names of those who have resigned in recent days.

Mr. JAVITS. The directors of the program division, general counsel, and head of the education program have all resigned. Layoff notices which were to have gone out today have been deferred until tomorrow.

In respect to the observation of the Senator from Georgia, we must remember that these people have to earn a living, and they cannot be on the edge of doom all the time, not knowing whether the agency they are working for is to be continued or not. It is human to be extremely upset by the way this matter is handled when this particular agency is up for consideration, as to whether it may or may not work out, and then only on a very tentative and temporary basis, even if it is continued. The appeal which I made is addressed to the people who are still working. All we are doing is giving them some sense of assurance. I am sure the Senator from Georgia is not trying to make our path any easier. I know his dedication and sincerity, as he knows ours.

At least, it represents some feeling on the part of those who feel as I do on the very night when the Commission expires. Even with the 2-month period, they have to start being laid off. The way things look, the life of the Commission will be extended for a year. In extending it for this temporary period, my colleagues who feel as I do think it is our duty to make the appeal we have made, and that is the point of my remarks.

Mr. KEATING. The actual date of the expiration of the Commission is 60 days from September 30. But we would all be critical under ordinary conditions if an agency which kept on a large number of employes after its final report had been filed under the law. Under the unusual circumstances which now exist, however, I do not think anyone, including the distinguished Senator from Georgia, who is so influential on the Appropriations Committee, among many other areas of activity, would be too critical of these people being retained while this unusual situation, which never should have been allowed to develop, is going on, and these people are not absolutely sure from one day to the next whether they will continue in this agency or have to seek other employment.

I hope the staff director, or whoever is handling the matter, will defer these notices until the House has had a reasonable opportunity to act in the matter. I express the fervent hope that before the week is out we will see favorable action on the extension of life of the Commission.

Mr. RUSSELL. Mr. President, as the Senator from New York and his colleague have observed, my position on this question is well known. I do not know whether the Senator was being sarcastic or cynical in referring to my great influence on the Appropriations Committee. If I had had the influence he attributes to me, there would not have been any faith in the continuance of the employment of these people to start with. There would not have been any appropriation made for the Civil Rights Commission—not after its first 2 years, which I believe the law provided originally. I did not see the danger in it when the measure first passed. I hoped it would be a fair and objective group.

I am somewhat surprised at the statement made by the senior Senator from New York that so many of these people have already resigned. I think they all know the score. They know what is going on down in the Congress. They have a pretty good idea of what is going to happen to this 1-year extension. I doubt whether there is a single employee, a humble messenger or a file clerk, who is in any quandary or is in any cloud of mystery as to what is going to happen to this 1-year extension proposal. They all know it is going to be extended.

I am sure their move in leaving the agency was not propaganda to influence the Congress. I am quite confident that these people have separated permanently from the agency and will not be back after the emergency passes.

I cannot believe that anybody would resort to that kind of propaganda or that they thought they would be taking a chance. There are 435 patriots in the other body who have only a 2-year lease on life, or in their jobs, and they work up to the very last to carry on their efforts and have faith that their contract will be renewed by the electors. The personnel of the Civil Rights Commission have much more assurance that the life of the Commission will be extended than some of the Members of the other body have that their contracts will be extended 2 more years.

Mr. KEATING. I am sure that would be so, but that would hardly be a yardstick they would want to rely on. The personnel of the Commission had great doubts as to what was going to happen to the Commission, because of the way the Congress dealt with it in the past.

Mr. President, as is well known, some of us have been trying for weeks to obtain agreement on a course of action to save the Commission of Civil Rights from an early demise.

Assurances were given by the leadership that steps would be taken toward this end. In view of these assurances, I withheld any moves to extend the life of the Commission in the hope and expectation that the leadership would take the initiative in bringing this about.

This has now been done in accordance with the assurances given, but it is already evident that a price will have to be paid because of the decision to await the 11th hour before acting to save the Commission.

A recent story in the New York Times quotes so-called civil rights strategists as contending that the original amendments submitted last week for a permanent Commission and an enlargement of its power was a dreadful mistake. I do not know who the source is for this story, but if any mistake has been made, in my judgment, it is in backing down from this proposal. It is incredible the way supporters of civil rights catch cold everytime the opponents of civil rights sneeze.

I am not for precipitating anything, although I wonder how action on any subject at this late date in the session can be called precipitous.

The threat of a filibuster has been raised so we are ready to buckle under and settle for a 1-year extension with no change in jurisdiction for any agency which has as much right to permanency as the National Labor Relations Board, the Federal Communications Commission, the REA or any of a host of other agencies.

There is a lesson in this experience for civil rights legislation. It is time we learned that civil rights cannot safely be placed at the bottom of every legislative agenda without grave danger. Before this session is over, we will have to demonstrate that those of us in favor of civil rights are as determined to obtain meaningful legislation as those opposed to civil rights are to prevent enactment of any legislation. Let it be made clear that there will be no accommodation or compromise because of parliamentary tactics when general civil rights legislation is before the Senate.

A stopgap extension may be all we can get at this time, and, of course it is better than to let the Commission die, but the Senate might as well be on notice now that when the omnibus civil rights bill is before us, this fight to give the Civil Rights Commission a full vote of confidence will be revived and fought with the same determination with which it is resisted by the opponents of civil rights.

There may be some in this Chamber who believe the civil rights problems facing our Nation will disappear if we keep our backs turned long enough. But I do not believe a majority of the American people or the Congress accept this view.

There outstanding Americans who comprise this Commission deserve our gratitude for the service they have performed. They are John A. Hannah, Robert G. Storey, Erwin N. Griswold, Rev. Theodore M. Hesburgh, C.S.C., Robert S. Rankin, and Spottswood W. Robinson III.

This Commission deserves a pat on the back for the work it has done, not a kick in the pants. It deserves to be given a clear path for continued progress instead of being sent upon a journey down another dead end street.

Before this session is over, a majority of Congress must be given an opportunity to express its will on this subject no matter what hazards and obstructions are placed in our path.

Listen to these words spoken by a great American more than 46 years ago:

> The Senate cannot act unless its leaders can obtain unanimous consent. Its majority it powerless, helpless. In the midst of a crisis of extraordinary peril, when only definite and decided action can make the Nation safe or shielded from war itself by the aggression of others, action is impossible.
>
> The Senate is the only legislative body in the world which cannot act when its majority is ready for action.
>
> The remedy? There is but one remedy. The only remedy is that the rules of the Senate shall be so altered that it can act. The country can be relied upon to draw the moral.

These were the words of President Woodrow Wilson, a native of Virginia, uttered in 1917 when the Senate filibustered to death a bill authorizing the arming of merchant vessels on the eve of our entry into World War I.

How much longer, Mr. President, are we to labor under rules and precedents which permit the paralysis of the Senate in periods of national crisis? How much longer shall we accept an unconstitutional rule which says in effect that a two-thirds vote of the Senate is needed for civil rights legislation, but a majority vote for all other legislation? President Wilson did not regard this as a matter of mere Senate procedure. He regarded it as an impediment to the fulfillment of our national obligations and led the battle against the filibuster. Unfortunately, the reforms which he spearheaded were inadequate to the task and the Senate today as in 1917 still cannot act when its majority is ready for action.

There appears to be an impression that the September 30 date is not significant since technically the Commission will not go out of existence until 60 days thereafter.

This impression is incorrect. The fact is that the Commission already has been adversely affected by the delay and uncertainty as to its future existence and functions. The Commission's staff has been diminishing during past months from a high of 76 to the current level of 59. I have been advised that two-thirds of the current remaining staff are about to be notified that their services will be terminated on October 31 and by that date the staff would be reduced to 19.

A number of us have expressed the hope that this will not happen.

Just imagine, for a moment, if our own Senate staffs were operating under a similar deadline and had no assurance that their employment would continue after today. Would we expect trained and experienced professionals to wait around patiently until the last moment before their formal separation notices were received? And once they had made other arrangements, would there be any justification for expecting them to return when the authorization for their continuance finally was approved?

We are treating this Commission like a stepchild. Wittingly or otherwise, we have created the worst possible conditions for its operations. It would be too much not to expect the morale and confidence of its employees to suffer as a result of the alternating harassment and neglect to which this agency has been subjected throughout its brief history.

The total budget of the Commission is not substantial in terms of other governmental expenditures. But it is obvious that the cycle of indecision which has afflicted the Commission throughout its life is indefensible even from the narrow perspective of economy and efficiency. Certainly the time has come to relieve the Commission of the burden of periodic renewal and to allow it to plan its activities and operations without wondering if there is any point in looking beyond September.

Mr. President, there is just no excuse for any further delay in dealing with this subject. We must be willing to demonstrate at least on this one issue that we want to continue learning about the civil rights problems facing our Nation and to do the best we can to solve them.

This is not a time for reluctant gestures. We must not appear to be throwing scraps to a beggar. Rather we should seize every opportunity to make it clear that we warmly embrace the Commission, that we believe in its work, that we want to help it achieve its objectives, that its cause is our cause.

We can best accomplish these objectives by giving the Commission a new lease on life at the earliest possible time and not after its resources are placed in cold storage.

The civil rights crisis facing this country has "urgent, do not delay" written all over it. Congress is courting disaster by the dilatory and desultory manner in which it has dealt with this issue to date.

We can take only a small step today. But let it be a firm sure step which will give the Nation some hope that Congress has the ability and the will to cope with the problems of civil rights.

There is talk about civil rights legislation being put off until next session. I hope these reports will be discredited by the leadership. There is no question of sparing time for this subject, we must devote to it whatever time is needed for meaningful action. The people have been remarkably patient, but this patience must not be confused with indifference. Before too many more weeks go by, there must be consideration of comprehensive civil rights legislation in the Senate and no compromise on simple stopgap devices will be acceptable at that moment in the Nation's history.

Mr. President, I recently filed separate views to a proposed report of the Subcommittee on Constitutional Rights on a bill to extend the Commission on Civil Rights. Those separate views support an amendment which was defeated by a tie vote in the subcommittee, to extend the Commission indefinitely. Since the report has not yet been published, I ask unanimous consent that the text of my separate views be printed at this point in the RECORD.

There being no objection, the separate views were ordered to be printed in the RECORD, as follows:

REPORT OF SENATE SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS ON LEGISLATION TO EXTEND CIVIL RIGHTS COMMISSION

SEPARATE VIEWS OF SENATOR KENNETH B. KEATING

Under the present law, the Commission on Civil Rights is required to submit a final report on September 30, 1963, and to wind up its affairs within 60 days thereafter.

The bill reported by the subcommittee (S. 1117) extends the date of the Commission's final report from September 30, 1963, to September 30, 1967, but continues to provide that the Commission shall cease to exist 60 days after submission of this report.

When the bill was before the subcommittee, I offered an amendment to extend the life of the Commission indefinitely by repealing the termination date in the present law. This amendment was defeated by a tie vote. It is my intention to offer a similar amendment to the bill when it is before the Senate.

Of course a 4-year extension in the life of the Commission is better than none at all. It would be calamitous to allow the Commission to die this year when there is still so much work to be done.

But a 4-year extension will not solve the serious problems confronting the Commission. It will not permit long-range planning of investigations and reports. It will not allow recruitment for a reasonable period of the best available talent. It will not relieve the periodic harassment and uncertainty to which the Commission has been subject since its creation. This limited extension certainly will not reflect the strong endorsement given the past work of the Commission in both party platforms.

An indefinite extension of the Commission would not preclude the Congress anytime it thought appropriate from terminating the Commission. If the Commission ceased to serve a useful purpose, a majority of Congress could put it out of existence at any time. But an indefinite extension would spare the Commission the periodic ordeal to which it is now subjected by its opponents. This is an ordeal it must now face even though it enjoys the full confidence and support of a clear majority of the Congress and the American people. This is an ordeal which it faces not because of any doubt by a majority that its work must go forward, but because there are some that oppose the very notion of a Commission exploring the civil rights problems of America.

The Commission would still make periodic reports to the Congress and would be subject to whatever oversight any appropriate committees of the Congress wished to exercise. In fact, under the language of my amendment the Commission would be expressly required to submit comprehensive reports every year, while under the amendment proposed by the committee no report would be expressly required until September 1967. In this respect, therefore, an indefinite extension of the Commission will provide us more information concerning its work than would a 4-year extension.

The hazards of a limited extension of the Commission are well illustrated by the situation which confronts the Commission at this very session. The intolerably long delay in acting on civil rights legislation threatened the Commission with extinction by inertia despite the fact that its continuance would be supported by an overwhelming vote. This is shabby treatment for a Commission of outstanding men and a poor reward for the magnificent contribution they have made to the Nation. But more importantly, it would be inexcusably shortsighted for the Congress to ignore an agency out of existence at a time when help and critical guidance in meeting our civil rights problems is so essential.

Because of the uncertainties involved in the Commission's continued existence, the Commission staff has been diminishing during the past months from the high of 76 to the current level of 59. As presently scheduled, on September 30, 1963, two-thirds of the current staff will be notified that services will be terminated on October 31 and by this date the staff would be reduced to 19.

In this day when experienced and qualified personnel are so hard to find, it will be 1 year before a skeleton staff can be rebuilt and several years before the new staff can achieve the experience and skill possessed by those now with the Commission. The contribution the Commission is to make during the crucial years ahead will have to be postponed until it has regrouped and trained a new staff. This would constitute not only a tragic waste of money but more important a waste of talent at the very time when our Nation needs this talent to work on the resolution of the civil rights issues.

The total budget of the Commission is not substantial in terms of other governmental expenditures. But it is obvious that the cycle of indecision which has afflicted the Commission throughout its life is defensible even from the narrow perspective of economy and efficiency. Certainly the time has come to relieve the Commission of the burden of periodic renewal and to allow it to plan its activities and operations without wondering if there is any point in looking beyond September.

When I consider the difficulties that have confronted every attempt to extend the life of the Commission on Civil Rights, I wonder what those who claim we have moved too far in the field of civil rights have in mind.

We created many years ago permanent agencies to prevent unfair trade practices and unfair labor practices. If any working man or woman has been discriminated against because of his union activities—the full resources of the Federal Government are available for his protection. This is as it should be. If any consumer has been deceived by fraudulent advertising—the Federal Government does not hesitate to appoint counsel, conduct a hearing, issue a cease-and-desist order and take the case all the way up to the Supreme Court, if necessary, and this is as it should be. But let someone suggest that there should be a permanent agency to study and recommend steps to protect the constitutional rights of Americans—and howls of protest are heard. This is very definitely not as it should be.

Just this year, the Committee on the Judiciary unanimously approved legislation to provide a public defender for the defense of alleged criminals. Is there less justification for a public defender for Americans who are charged with no crime and who seek only to enjoy the rights and privileges promised them in the Constitution?

The truth is that in no area of major national concern has the Federal Government moved more hesitantly and more timidly than in the area of civil rights. Many of the same Congressmen who consider it their solemn duty to prop up the price of a bushel of corn, just don't see that the Federal Government has any business getting mixed up in the question of civil rights. And on another level of interest, many who speak with such eloquence about America's mission in the world, close their minds to the devastating impact of our racial troubles in the vast majority of places in the world where the white race is in the minority.

In my judgment, the conditions which exist in our Nation today make indefinite extension of the life of the Commission imperative. We must demonstrate that the Federal Government has a full awareness of its responsibilities to protect civil rights. Otherwise, impatience is bound to turn to outrage and demonstrations could easily be transformed into riots.

For those who wanted to see, this Commission has for several years been spotlighting the conditions which have finally been given such prominence in places like Birmingham, Oxford, Miss., and Albany, Ga.

As a result of its reports, no one can deny any longer that in America qualified citizens are denied the right to vote because of the color of their skin, that schoolchildren are excluded from certain public schools because of their race, that Negro Americans do not have equal employment opportunities and the same ability as whites to live and bring up their families in decent homes. As a result of its reports, we are compelled to admit, that the Federal Government is a financial partner in practices designed to perpetuate segregation in hospitals, in public libraries, and even the research programs of some of our universities. The Commission has laid bare the facts. Abolishing the Commission won't alter any of these facts—but giving the Commission an indefinite life may help us find the path of improvement.

A vote of confidence in the Commission will demonstrate that we are ready to face the facts, and, hopefully, to do something about them. It will help demonstrate to our own citizens that they can look to their national representatives to assist them in their striving for first-class citizenship. And it can help demonstrate to the whole world that while America has its problems, it also has the will and determination to cope with them.

While I endorse most of the recommendations of the Commission, agreement with the Commission's recommendations is no more necessary for its extension than is agreement with the decisions of the National Labor Relations Board necessary to justify its indefinite continuance. Indeed, this is not even the appropriate occasion for dealing in detail with the Commission's recommendations—although they certainly must be dealt with by the Congress—and the executive branch, for that matter—before much more precious time is lost.

Let us concentrate our attention now on just one issue—do we want to continue learning about the problems of civil rights facing our country and do the best we can to solve them? If we do, as I believe we must, then we should give the Commission a sure path for continued progress and not send it down another dead end street.

This is a difficult time for freedom throughout the world. Our own Nation is the leader of the forces of freedom. We deserve this leadership because of our proud heritage as well as our strength. But that heritage must be maintained and passed on to future generations enriched and ennobled. That strength must be a moral strength as well as a military strength. We owe it first of all to ourselves as Americans to pursue every measure which will bring the ideals of our system close to reality. But we also are called upon as the leader of the free world to present an untainted image of America as a land which meets its responsibilities at home.

This is not a time for reluctant gestures. We must not appear to be throwing scraps to a beggar. Rather we should make it clear that we warmly embrace this Commission, that we believe in its work, that we want to help it achieve its objectives, that its cause is our cause. The Civil Rights Commission can point the way toward unparalleled progress in the fight for freedom and equal justice. Its indefinite extension will be a vote of confidence in its work and a symbol of our determination to adopt the practical steps needed to give life and reality to our Nation's righteous spirit and proud intentions.

Mr. SPARKMAN. Mr. President, we are considering today whether or not the Senate should tack an amendment onto a private bill to extend the life of the Civil Rights Commission for 1 year. I wish to state my objections to this extension.

The Civil Rights Commission has been extended at the end of each 2 years since its establishment. Those of us who opposed establishing this Commission did so primarily because of grave misgivings as to its usefulness. We felt then—and we feel now—that the Commission was, at best, an unnecessary adjunct to an already one-sided arsenal aimed at the South. We felt then and we know today that this Commission has served no useful purpose save to agitate and inflame.

My conviction as to the Commission's uselessness has been strengthened each time it has issued a report and each time Congress has considered extending the Commission's life.

Today, I believe more strongly than ever that the Commission serves no worthwhile purpose and that it should be allowed to expire.

Approximately 6 years ago, at President Eisenhower's recommendation and over the strong objections of many Senators—and I was one of them—the so-called Civil Rights Act of 1957 was enacted.

In it, the Commission was established to study civil rights for 2 years, report to Congress, and then expire. But instead of letting it expire, Congress has extended its life twice. Now we are asked to extend it again for 1 year. Everyone knows that this move currently before us is but a preamble to efforts to extend it forever.

When I appeared before the Senate Constitutional Rights Subcommittee on May 23, 1963, to testify against extension of the Commission, the Senator from North Carolina [Mr. ERVIN] made the following observation:

> If I might interrupt you here at this point, a witness yesterday recommended that the life of the Commission be extended forever and I asked him if he were willing to have all the other officials of the United States continue in office on the same terms and he said "No."

I told Senator ERVIN then that I thought the eagerness on the part of some people to make the Commission permanent indicated their failure really to think things through.

We now have an opportunity to accomplish something truly constructive. By refusing to amend this private relief bill and thereby rejecting the effort being made to extend the Commission, we can discontinue a wasteful expenditure of public funds; and we can remove from the American scene some degree of the agitation affecting relations between the races. The Commission is but a merchant of discord in a market where harmony is in exceedingly short supply. Following the law of supply and demand, desire for harmony in the market of racial relations should be exceedingly high. Let us express this desire by retiring this merchant of discord from the marketplace.

Before we ever had a Civil Rights Commission, the Department of Justice had already been given authority in the field of racial relations.

Furthermore, I am reliably informed that the Justice Department still has this authority.

Congress authorized the Attorney General to establish in the Department of Justice a Civil Rights Division and it is functioning and functioning in large part under four titles of the United States Code enacted to protect the rights of all citizens regardless of race or color.

During the May 23, 1963, hearings on extending the life of the Commission, Senator ERVIN and I discussed these titles. Senator ERVIN noted that:

> We have a statute embodied in title 18, section 241 of the United States Code which provides that if two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or if two or more persons go in disguise on the highway, or on the premises of another with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured they shall be fined not more than $5,000 or imprisoned not more than 10 years, or both.

At this point, I call the Senate's attention to title 18, section 242 of the United States Code. It reads as follows:

> Whoever, under color of any law, statute, regulation, or custom willfully subjects any inhabitant of any State, territory, or district to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such an inhabitant being an alien, or by reason of his color or race, than are prescribed for the punishment of citizens, shall be fined not more than $1,000 or imprisoned for 1 year, or both.

In my opinion these two statutes provide more than sufficient criminal punishment which can be applied against any State or local official or any person party to a conspiracy which has within its object the denial or taking away of any constitutional right belonging to any citizen.

These statutes provide the orderly system of protection of the rights of citizens that was contemplated by the writers of our Constitution.

There is still more protection on the statute books for all of our citizens.

Title 42, section 1983 and title 42, section 1985, subsection 3, provide that persons whose civil rights have been violated can bring civil actions—either actions of law or suits in equity—to recover damages. Moreover, they can bring civil actions to prevent any anticipated denial of any right of any citizen guaranteed by the laws of the United States and the Constitution.

I firmly believe these statutes constitute enough law to provide punishment for any person who denies any U.S. citizen, regardless of race or color, of any right secured to him under the Constitution and the statutes.

Furthermore, there is no necessity whatsoever for passing any more laws to insure full protection of the constitutional rights of all our people, as the Commission advocates.

The Civil Rights Division of the Justice Department has been active in another area. It has been trying to bring races together where there is racial disturbance, trying, in many instances, to establish or reestablish communication and we know that in a good many instances it has been effective.

So, Mr. President, we have two civil rights groups in operation. It might be said, however, that one of them is on the operating table at this moment. I contend that two are too many. So let us get rid of one of them, specifically the Civil Rights Commission.

Why should Congress appropriate nearly $1 million yearly to be spent by an agency which, in effect, duplicates the responsibilities already delegated by Congress to the Civil Rights Division of the Justice Department?

Mr. President, at this point, I call attention to a 1958 through 1962 comparison of the budgets of the Civil Rights Commission and the Civil Rights Division of the Justice Department.

It is as follows:

Fiscal year	Civil Rights Commission	Civil Rights Division
1958		[1] 148,000
1959	$777,000	487,850 [2] 40,130
1960	[3] 850,000	517,000
1961	[4] 888,000	689,000
1962	[5] 950,000	768,000

[1] Still part of Criminal Division.
[2] A pay increase.
[3] Public Law 86-678.
[4] Public Law 87-264.
[5] Public Law 87-843.

Mr. President, do we need two civil rights divisions in order to placate a certain element in our society which seems to thrive on racial strife and unrest?

What has the Civil Rights Commission accomplished in the field of race relations?

Instead of creating a stable environment for communication between the races, the Commission has created a volatile situation which defeats the very goals which the Commission professes to seek. The situation grows more volatile each day.

For all the Commission's declarations of high principle and purpose, we who fought it cautioned that its inevitable results would constitute a threat to the Constitution of the United States.

With regard to the Commission's massive assault on the Constitution, I have followed generally its recommendations each time it has issued a report, and I think many of the reports show a lack of clear thinking and clear appreciation of the kind of government that we have, that is, the three branches of government that are coordinate, but separate; and the dual system of government that we have as between the Federal Government and the State governments.

Despite our warning about the Commission's threat to the Constitution, the Commission has been allowed to stumble forward on shaky legs, seeking to change the Constitution on shaky evidence. The Commission's actions have vindicated our judgment.

We have witnessed the Commission's attempts to extend even the great powers granted it by the Congress so as to have sovereign States knuckle under to preconceived notions of the Commission in respect to administration of State laws.

We suspected at the outset that the activity of this Commission would serve as nothing more than a means by which those happily isolated from the real problems of racial relations might experiment with their own pet theories.

By its own action, this Commission has proved to be a disruptive force in the very area for which it was proposed to be constructive.

Accordingly, I will vote against its continuation.

ADJOURNMENT

Mr. SPARKMAN. Mr. President, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 54 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, October 1, 1963, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate, September 30, 1963:

PUBLIC HEALTH SERVICE

Dr. William Neill Hubbard, Jr., of Michigan, to be a member of the Board of Regents, National Library of Medicine, Public Health Service, for the term of 4 years expiring August 3, 1967.

NATIONAL SCIENCE FOUNDATION

Dr. Robert S. Morison, of New York, to be a member of the National Science Board, National Science Foundation, for the remainder of the term expiring May 10, 1966, vice Conrad A. Elvehjem, deceased.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law.

First lieutenant to captain

Line of the Air Force

Aaron, George B., 62233A.
Abell, Maurice A., 65834A.
Achee, Patrick G., 58558A.
Acheson, Herbert H., 58499A.
Ackley, Delbert R., 62209A.
Adams, Thomas R., 65899A.
Adamson, Cecil L., 54854A.
Addison, Grafton D. Jr., 65831A.
Agar, James R., 58630A.
Aho, Arthur C., Jr., 51427A.
Ahrens, Arthur H., Jr., 29919A.
Akers, Ronald L., 66150A.
Albertson, Robert L., 29920A.
Albrecht, John R., 58594A.
Aldrich, Robert J., Jr., 50105A.
Alexander, Jack L., 66147A.
Alexander, John C., 65835A.
Alkire, Melvin G., 29922A.
Allen, Harlan G., Jr., 29923A.
Allen, Jimmy W., 65729A.
Allen, Robert W., 54819A.
Allgood, Wiley A., Jr., 58670A.
Allington, Maynard F., 50071A.
Alonso, Ramon E., 54815A.
Altenburg, Arthur J., 29924A.
Alter, Norman B., 58283A.

Althouse, Clyde R., 65825A.
Alves, Moses L., 66258A.
Amacker, Jefferson Z., Jr., 29925A.
Ambers, Leonard V., 71515A.
Ames, Ivan G., 50082A.
Anaclerio, Michael, 66114A.
Anatrella, Louis P., 66198A.
Anderson, Alan H., 50131A.
Anderson, Arthur D., 58291A.
Anderson, Floyd R., 50075A.
Anderson, Gerald M., 29926A.
Anderson, Jack E., 58811A.
Anderson, John, Jr., 65291A.
Anderson, John S., 58707A.
Anderson, Lagrande K., 65428A.
Anderson, Melvin J., 58332A.
Anderson, Philip J., 32537A.
Andre, Howard V., Jr., 29927A.
Andrews, Harry J., 29929A.
Andrews, John F., 54723A.
Anelli, John W., 66197A.
Anthony, Donald B., 65773A.
Anton, Robert E., 50130A.
Arbuthnot, Alfred H., 66051A.
Arceneaux, Francis X., 66329A.
Archie, Charles E., 58285A.
Armitage, Merlin E., 61591A.
Armstrong, Frederic C., 65789A.
Arndt, Fredirick W., 58392A.
Arnold, Lawrence D., 58416A.
Ashley, Donald L., 58510A.
Attarian, Peter J., 58789A.
Ausman, Neal E., Jr., 29932A.
Autery, Clarence R., 50221A.
Avrit, Robert R., 65837A.
Baca, Manuel J., Jr., 29933A.
Bachman, Ronald L., 66227A.
Backhaus, George J., 66202A.
Bailey, Bruce M., 58589A.
Baird, Kenneth R., 71182A.
Baisden, Kenneth W., 62180A.
Baker, Duane A., 62159A.
Baker, Robert L., 32295A.
Bale, William F., 66156A.
Balent, John D., 29934A.
Ball, Bobby T., 65798A.
Ball, James P., 65902A.
Ball, Thomas V., 70939A.
Ballot, Charles J., Jr., 58605A.
Balo, Ronald L., 58236A.
Balthazar, Lantz A., 58292A.
Bamert, Joseph C., Jr., 32525A.
Banaszak, Jerome J., 50174A.
Banholzer, Alfred E., 2d, 54825A.
Banner, Hastings W., 50976A.
Bannon, Paul W., 61529A.
Barbel, Richard C., 65887A.
Barikmo, Norman M., 32523A.
Barlow, Robert C., 32506A.
Barnard, Michael W., 71184A.
Barnes, Donald W., 71185A.
Barnes, William A., 66274A.
Barney, Bruce A., 66288A.
Barnhill, Gary D., 71186A.
Barnhouse, Verdo R., Jr., 54722A.
Barr, Larry R., 71187A.
Barrett, Archie D., 29935A.
Barrett, John C., 61531A.
Barrett, Russell W., 66282A.
Barry, Daniel P., 58367A.
Bartholomew, Charles W., 50176A.
Bartholomew, Frank C., 66050A.
Bartlett, Ronald A., 58666A.
Bass, Stanley A., 29936A.
Bateman, Richard W., 50222A.
Bateman, Robert P., 29937A.
Bates, Dean E., 29938A.
Bates, Neil G., 29939A.
Battaglia, Philip J., 65873A.
Batts, James S., 58651A.
Batz, Thomas E., 66054A.
Bauknecht, Charles A., 29940A.
Baum, Richard G., 29941A.
Baumann, Paul A., 61543A.
Baumann, Paul K., 66286A.
Baumann, Philipp H., 58396A.
Bays, Brooks G., 29942A.
Beagle, Charles B., 62277A.
Beale, Robert E., 58514A.
Beard, John R., 65889A.
Beatty, Kenneth S., 66222A.
Becker, Marshall K., 62065A.
Beckett, Ronald C., 54821A.
Beckham, Donald D., 66112A.
Bedford, Gary W., 58469A.
Beers, Alva E., 58472A.
Began, Robert J., 29944A.
Beier, Robert J., 62202A.
Beimforde, Gene E., 29945A.
Belcher, Ronald H., 62239A.
Bell, Billy N., 66097A.
Bell, John D., 58290A.
Benjamin, Arthur J., 58278A.
Bennett, Richard L., 58747A.
Bennett, William T., Jr., 58638A.
Benoit, Harold H., 66141A.
Benson, Richard L., 58701A.
Bentson, Rodney E., 61507A.
Bentz, Glen A., 58804A.
Bergstrom, Roy E., 50161A.
Bernasconi, Ronald P., 50134A.
Bernd, David P., 29947A.
Berry, Millard F., Jr., 65243A.
Berry, Stanley D., 65854A.
Berthold, Hubert M., 58479A.
Besh, Ted S., Jr., 62206A.
Betcher, Raymond R., Jr., 29948A.
Beyer, Douglas A., 66086A.
Bice, Don L. F., 61517A.
Biehn, Donald R., 58571A.
Bigelow, Daniel J., 54980A.
Billman, Charles M., Jr., 48477A.
Birkelo, Harry G., 65804A.
Bishop, Erastus N., 62305A.
Bishop, Richard F., 58427A.
Bishop, Ronald J. B., Jr., 29950A.
Bithell, Wayne, 62266A.
Bjerknes, Vilhelm, 65732A.
Bjornson, Loren F., 61469A.
Black, Thomas S., 65783A.
Blair, Paul E., 62077A.
Blanch, Claude C., 62263A.
Blanchfield, Robert A., 66161A.
Blanton, William I., Jr., 58333A.
Blinn, Donald E., 62278A.
Blom, Roger L., 66145A.
Bloom, Charles W., Jr., 66190A.
Blough, Carl W., 62082A.
Boatwright, Charles A., 58388A.
Bodeen, Charles A., 58234A.
Boggs, James A., 66217A.
Boggs, William R., 65772A.
Bolgren, Gerald W., 65800A.
Bond, Ronald A., 65907A.
Bone, Larry I., 66271A.
Bonnette, John C., 62228A.
Boone, Daniel W., 50110A.
Boone, Robert R., 65814A.
Boothe, Kenneth W., 58791A.
Borie, Charles E., 62489A.
Boss, Ronald G., 58395A.
Bossier, Malcolm O., Jr., 66085A.
Boucher, Raymond E., 66256A.
Bourgeois, Gerald F., 62295A.
Bowles, Neil H., 58317A.
Bowman, Hal K., 65596A.
Bowman, Robert G., 58582A.
Boyd, Clifton E., 62080A.
Boyd, John T., 58682A.
Boykin, Rich T., Jr., 71521A.
Bozeman, Gerald E., 62271A.
Bradley, Edgar A., 62151A.
Bradley, Martin G., 29953A.
Bradley, Mitchell H., 62164A.
Bradley, Olin H., 61515A.
Braman, Stanley W., 58410A.
Branan, Carl K., 58590A.
Branby, Harlan E., 61503A.
Branch, Leonard J., 66344A.
Brandenburg, Lowell E., 58551A.
Branham, Ruel K., 71657A.
Brant, Raymond F., 58422A.
Braue, Harold L., 66281A.
Braun, Cecil O., 58640A.
Breaud, Alfred A., Jr., 58304A.
Breedlove, William O., 3d, 32533A.
Breen, Andrew J., 58267A.
Brehm, Richard L., 66236A.
Brennan, Thomas J., 51455A.
Brenner, David G., 58657A.
Brestel, Max C., 58721A.
Brewer, Gardner, 29954A.
Brewer, George A., 3d, 66331A.
Brewton, Henry J., 3d, 50974A.
Brininstool, Edward P., 58562A.
Bristow, John L., 65360A.
Britos, Peter J., 54974A.
Brodhecker, Thomas A., 54781A.
Brooks, Wiley S., Jr., 58253A.
Brooks, William W., 71112A.
Broske, Bernard J., 62249A.
Broussard, Ray E., 66142A.
Brown, Billy J., 69722A.
Brown, Charles L., 66074A.
Brown, Clarence E., Jr., 61450A.
Brown, Donald E., 58300A.
Brown, Harry W., 65893A.
Brown, Robert M., 29956A.
Brown, Troy M., 50160A.
Broz, Charles W., 65846A.
Brunstad, George E., 54791A.
Bryan, Kenneth, 29957A.
Buchanan, Frank A., 58238A.
Buckland, Frank P., Jr., 66186A.
Buglewicz, Francis J., Jr., 58257A.
Buhrman, William F., 71199A.
Bunch, Kenneth J., 51546A.
Bunten, Laurie A., 51486A.
Buoni, Frederick B., 62173A.
Burch, Bruce, 58229A.
Burch, Truman A., Jr., 58662A.
Burck, Raynova B., 58334A.
Burdick, Martin M., 32237A.
Burleson, Kerry E., 58714A.
Burner, Lee, 29959A.
Burnthorne, Bryan R., 61555A.
Burress, William R., Jr., 62283A.
Bush, Clarence H., Jr., 58428A.
Bushwar, Oscar M., 71200A.
Bussell, Gerald Q., 58692A.
Bustle, Lawrence E., Jr., 29960A.
Butkewicz, Peter J., 54987A.
Butler, William N., 71201A.
Butschek, Robert J., 58411A.
Butterfield, Norman A., 50135A.
Byam, Richard E., 58376A.
Byrd, William C., 66172A.
Cadieux, Ronald A., 54971A.
Cain, Thomas G., 32296A.
Calkin, Maynard S., Jr., 58724A.
Callis, David M., 58731A.
Calvert, Donald R., 32516A.
Campbell, Bart C., 29961A.
Campbell, Edward F., 61560A.
Campbell, William F., Jr., 29962A.
Cannell, Leonard R., 66167A.
Cannon, Daniel P., 54720A.
Cannon, John W., 66243A.
Cannon, Matthew M., 29963A.
Cantarano, Thomas F., 50111A.
Cantrell, Edwin B., 3d, 65904A.
Carleton, Joseph M., Jr., 71203A.
Carlin, Daniel S., 65850A.
Carlson, Jack W., 48551A.
Carnochan, John A. F., 58696A.
Carpenter, Bruce H., Jr., 66106A.
Carr, Wayne A., 69721A.
Carroll, Gary K., 50206A.
Carroll, Robert D., 65826A.
Carskadden, Thomas H., 54841A.
Carson, Harold E., Jr., 62185A.
Carson, John B., 61481A.
Carter, Donald M., 62275A.
Carter, James A., 54640A.
Carter, William T., 29964A.
Cass, George E., 66166A.
Cassell, Gerald G., 66173A.
Castleberry, Allan R., 61499A.
Centofanti, Joseph J., 62115A.
Cerisano, Vincent P., 58383A.
Chambers, William R., 65770A.
Champlain, John D., 50107A.
Chance, Victor P., 54712A.
Chaney, Clyde, 29965A.
Channell, Gerald A., 62265A.
Chansler, William A., 66298A.
Chapin, Charles T., 58533A.
Chapman, Willard T., 51435A.
Chase, Arthur L., 58777A.
Chase, Franklin L., 65736A.
Chase, Paul N., 29966A.
Chason, Lloyd R., 54986A.
Chavez, Gabriel V., 58230A.
Chilbert, Dominic F., 71206A.

Chilcott, Thomas S., 71149A.
Ching, Norman Y. S., 61535A.
Choate, Robert N., 65404A.
Christensen, Gary W., 62187A.
Christensen, Merton J., 58601A.
Christensen, Neal F., 62197A.
Christensen, Richard W., 29967A.
Christiansen, Robert P., 29968A.
Christie, Vernon W., Jr., 66263A.
Christman, Donald O., 58783A.
Christy, Frank J., 62284A.
Church, Larry D., 61557A.
Ciambrone, Thomas W., 58397A.
Cilek, George R., 58546A.
Clair, Carl F., 58746A.
Clark, Charles R., 61488A.
Clark, Chester G., 62231A.
Clark, Don A., 29970A.
Clark, Edwin H., 62241A.
Clark, Frank R., 4th, 62191A.
Clark, Franklin D., 62086A.
Clark, Gaylord W., 58335A.
Clark, Marvin D., 66323A.
Clark, Phillip D., 66339A.
Clark, Robert N., 61451A.
Clark, Thomas S., Jr., 58321A.
Clark, William R., 29971A.
Clarke, David K., 51429A.
Clarke, Herbert F., 58660A.
Clarke, William D., 3d., 58591A.
Clay, Wayne J., 58429A.
Claymore, Paul T., 50166A.
Cleary, Patrick J., 66120A.
Clements, Douglas M., 62129A.
Clendennen, Darby L., 51438A.
Clover, Craig V., 54778A.
Coats, George E., 66259A.
Cobeil, Earl G., 61453A.
Cochrane, John H., 29972A.
Coffey, Robert T., 66203A.
Cohen, Donald A., 66092A.
Coker, Walter, J., 3d, 58786A.
Coldwater, Robert E., 62253A.
Cole, Alan R., 32241A.
Cole, Eugene W., 65752A.
Collipi, Thomas C., 71662A.
Colman, Robert D., 50211A.
Colton, Thomas A., 66264A.
Colyer, James A., 48556A.
Combs, Kenneth O., 50159A.
Comeaux, Paul C., 66143A.
Cone, Ronald L., 58779A.
Conn, Bryan R., 50173A.
Connett, David C., 58793A.
Connolly, Michael F., 71208A.
Conover, Laurence W., 66052A.
Conroy, James E., 65627A.
Cook, George E., 58754A.
Cook, John H., 51489A.
Cook, Tom R., 58621A.
Cooke, Lowell T., 66174A.
Cool, Gary D., 61590A.
Cooley, Anthon E., 54713A.
Cooney, Joseph E., 66278A.
Cooper, George D., 58446A.
Cooper, Sheldon H., 65867A.
Copple, Charles M., 66137A.
Corder, Charles V., Jr., 50137A.
Cordero, William E., 71664A.
Corley, Parris L., 50973A.
Cormier, Johnny E., 61518A.
Corser, James B., 3d, 66328A.
Coss, Donald L., 58430A.
Costas, William T., 58269A.
Costello, Raymond P., 65802A.
Cothran, Thurm D., Jr., 62280A.
Coursen, Franklin H., 61564A.
Couture, Donald J., 29974A.
Couture, Marcel A., 65810A.
Cowles, John H., 61482A.
Cox, Hugh L., 3d, 58492A.
Cox, James W., 58467A.
Cox, Mark W., 65861A.
Cox, Thomas A., 32244A.
Coyle, Harold S., Jr., 29975A.
Craft, Richard L., 66324A.
Crawford, Charles B., 58447A.
Crawford, Harold R., 66214A.
Creppel, Jacques J., 62156A.
Crist, Robert B., 50208A.
Critchley, Harry R., Jr., 61448A.
Crochet, Alex P., Jr., 66082A.
Crochet, Calvin E., 71211A.
Crook, Richardson H., 58545A.
Cross, Charles A., 58541A.
Crouch, Darrell P., 54822A.
Croxton, Donovan C., 58722A.
Crum, Fred B., 54705A.
Crumroy, Otto F., Jr., 58294A.
Cudahy, George F., 29977A.
Cudmore, William T., 29978A.
Cullom, Richard W., 58336A.
Cummings, Gerald W., 50210A.
Cummings, Richard L., 58047A.
Cunningham, William F., Jr., 66312A.
Cuny, Leroy G., 58364A.
Cushenberry, Anthony S., 58776A.
Custer, Gomer C., 62234A.
Cutler, Harold G., 58794A.
Cyrus, Jack R., 58552A.
Dabbs, Travis D., 71667A.
Dahl, Sigvard, Jr., 50085A.
Dahnke, Roy S., 29979A.
Dailey, Boyd L., 58607A.
Dale, Lucian J., Jr., 66073A.
Daley, Robert F., 58622A.
Dalton, Donald J., 66012A.
Daniels, Preston J., 54837A.
Darcey, Edward H., 65746A.
Davenport, Ronald L., 58812A.
Davey, Keith E., 32555A.
Davey, Thomas J., Jr., 65824A.
Davidson, Alfred H., 3d, 29980A.
Davis, Donald H., 29981A.
Davis, Duane M., 66069A.
Davis, Harland M., Jr., 50093A.
Davis, James E., 58431A.
Davis, Jon L., 66276A.
Davis, Richard G., Jr., 66107A.
Davis, Samuel J., 2d, 65759A.
Day, John R., 62250A.
Daye, Jerry G., 58507A.
Dayton, Thomas E., 29982A.
Deal, Kenneth L., 61562A.
Deans, William R., 66293A.
Debolt, James G., 65884A.
Decamp, Dion E., 58592A.
Deering, Philip A., 50224A.
Dees, Buddy E., 65820A.
Defer, Richard H., 66221A.
Dekeyser, Bernard R., 32300A.
Delano, Lyle M., 58536A.
Delashaw, Thomas B., 3d, 66333A.
Deloach, William A., Jr., 62160A.
Demchuk, Sergi L., 58448A.
Demichieli, Lino F., 61588A.
Demott, Lucian K., 29985A.
Dempsey, George F., 29986A.
Denard, James M., Jr., 54804A.
Denham, John H., 66306A.
Denison, Harold G., 32515A.
Dennis, Joseph K., 61572A.
Denton, Murray B., 50091A.
Depoorter, Win E., 61513A.
Derrick, Elbert D., Jr., 61493A.
Derrick, Thales A., 50114A.
Desmond, William B., Jr., 65900A.
Desola, John R., 29987A.
Devito, Peter A., 29988A.
Devoe, Frederic A., Jr., 61478A.
Diangelo, Henry J., 50115A.
Diaz, Luis V., 65832A.
Dice, Carl R., 50106A.
Dickens, Milford L., 54799A.
Dickensheets, Richard E., 54691A.
Dickson, William E., Jr., 32311A.
Diffenderfer, David A., 62214A.
Dillion, Ralph I., 71215A.
Dillman, Laurie E., 54721A.
Dillon, David C., 51502A.
Dillon, Richard T., 51550A.
Dimond, Alvin J., 66230A.
Disteldorf, Bernard N., 58260A.
Divens, Donald F., 54771A.
Dixon, Gerald, 58386A.
Dixon, Walter J., 66309A.
Doby, Herb, 29991A.
Dolan, William G., Jr., 29993A.
Dolby, Robert C., 62279A.
Dondero, David S., 32550A.
Donley, Jack E., 65898A.
Dorazio, Silvio L., 50178A.
Dorman, Darrel K., 66294A.
Dougherty, Thomas H., 29994A.
Douglas, Arthur E., 66096A.
Douglas, McCleary A., 62262A.
Dowell, Michael T., 62130A.
Downey, Laurence R., 62256A.
Downing, Wayne E., 62219A.
Doyle, Edward P., 29995A.
Dressel, Ronald C., 29996A.
Drew, Joseph C., 66209A.
Drumheller, Ernes C., 65469A.
Dubiel, Joseph J., 61561A.
Duboise, Donald E., 51490A.
Dubreuil, Elliott J., 58774A.
Ducote, Richard J., 29997A.
Duffin, Rey L., 65857A.
Dufresne, Ronald C., 58366A.
Duke, Charles M., Jr., 29999A.
Duncan, Tommy L., 66098A.
Dundervill, Robert F., Jr., 30000A.
Dunham, Robert A., 63401A.
Dunham, Robert L., 61434A.
Dunlosky, Anthony W., Jr., 30001A.
Dunn, Claude G., 61485A.
Durivage, Henry J., 58712A.
Dutt, Wendell A., 66130A.
Dwyer, Gerald T., 30003A.
Dwyer, James P., 62207A.
Dwyer, Paul H., 58780A.
Dyer, Delmar R., Jr., 58277A.
Dyke, Frank P., 66135A.
Dyke, Sylvia A., 66160W.
Earle, Douglas S., 62222A.
Eary, Verla O., Jr., 58298A.
Easthom, James M., 61595A.
Ebert, Hugh D., Jr., 65880A.
Edgerly, Robert, 65232A.
Edinger, Robert G., 66255A.
Edler, Allan L., 66237A.
Edstrom, John K., 61459A.
Edwards, Donald H., 32540A.
Edwards, John R., 66337A.
Edwards, Roger S., 50171A.
Ehrenfried, Charles E., 62184A.
Einsel, Willis E., 50149A.
Einstein, Ann I., 66087W.
Eknayan, Armand, 58572A.
Elder, Robert E., 66251A.
Eldridge, George E., 61486A.
Eliason, Norrell B., 66201A.
Eller, James M., 62248A.
Ellingson, Richard K., 58314A.
Ellington, John D., 30005A.
Ellis, George J., Jr., 61545A.
Ellis, William E., 58432A.
Ellison, Arthur B., 30006A.
Elsby, C. Neale, 32239A.
Ely, Arben R., Jr., 66169A.
Engebretson, Roger W., 62124A.
Engel, Carl R., 65890A.
Engel, Robert H., 58378A.
English, Delmar L., 62098A.
Ennever, Robert O., Jr., 58259A.
Epifani, Louis R., 65764A.
Erhart, Robert J., 65892A.
Erni, Charles A., 54833A.
Essmeier, Charles T., 65730A.
Evans, Donald F., 71531A.
Evans, Donald S., 66192A.
Evans, Ralph B., 58751A.
Everley, Carl B., 65476A.
Evgenides, Constantine N., 61552A.
Ewald, Clarence J., 62095A.
Ewing, Robert G., 61439A.
Fabyanic, Thomas A., 65864A.
Fake, Mary L., 58597W.
Fanelli, William B., 58675A.
Fant, Rodney E., 51437A.
Farrar, Harry J., 54829A.
Farrington, Dennis, 66103A.
Farris, Jack K., 30007A.
Farthing, Fred G., Jr., 61554A.
Fawcett, Robert G., 65234A.
Fay, Elvir A., 70996A.
Featherstone, John K., 71223A.
Feddern, Louis F., 61533A.
Federici, Fred J., Jr., 30008A.
Fellows, Charles C., 65738A.
Fenstermacher, Gene, 58433A.
Ferguson, William J., Jr., 65792A.
Ferrell, Raymond L., 54703A.
Ferrell, Richard O., 65888A.
Fessler, George R., Jr., 58380A.

Field, James L., 65821A.
Field, Lawrence H., 58268A.
Field, Robert W., 61465A.
Finch, Lawrence E., 61575A.
Findlay, Eugene H., 66284A.
Fink, Barry N., 30009A.
Finuf, Edward V., 65728A.
Fischer, Lowell W., 71670A.
Fischer, Wayne R., 61479A.
Fiscus, John E., 32289A.
Fisher, Donald H., 30010A.
Fitzgerald, Byron S., 30011A.
Fitzgerald, Donald N., 65760A.
Flagg, Richard A., Jr., 61475A.
Fleckenstein, John F., 50212A.
Fleming, Leon P., 65819A.
Fletcher, Carlos E., 66345A.
Fletcher, Gailon K., 58501A.
Flora, Earl L., 61584A.
Flora, Roger T., 30012A.
Flowers, Kenneth H., 58693A.
Fluhr, James F., 58646A.
Fobair, Roscoe H., 66079A.
Fontenot, Burton F., 65863A.
Foote, John A., Jr., 66066A.
Foray, John, 66011A.
Ford, Joseph S., 2d, 62110A.
Ford, Laymond N., 58691A.
Ford, Richard T., 58445A.
Forrest, John G., Jr., 62134A.
Forsyth, Milton D., Jr., 30013A.
Fortson, Eugene T., 61470A.
Fosse, James M., 66346A.
Foster, James P., Jr., 65571A.
Foster, William H., Jr., 30014A.
Fox, Charles R., 58048A.
Fox, Donald J., 65731A.
Fox, John F. C., 58608A.
Franco, Joseph M., Jr., 50153A.
Franell, Joseph E., Jr., 61519A.
Frank, Deitrich E., 51439A.
Franklin, Maury A., 66060A.
Franz, Paul B., 54843A.
Frasier, Robert J., 66262A.
Freathy, Frederick C., Jr., 30015A.
Fred, Richard E., 66184A.
Freed, Darryl W., 58375A.
Freeland, Edward L., 66170A.
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Frische, Norbert W., 50154A.
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Fruehauf, Benjamin F., Jr., 61452A.
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Funkhauser, John L., 30017A.
Gaad, Robert F., 3d, 30018A.
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Gano, Donald W., 65774A.
Gant, William D., 65422A.
Gapp, Frank J. E., 65838A.
Garber, James F., 3d, 48482A.
Gardella, Edward A., 65134A.
Gardner, Gerald A., 62308A.
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Gardner, Ronald E., 61583A.
Gareiss, Kurt W., 30021A.
Garpstas, John F., 65605A.
Garvin, Eleanor L., 65721W.
Gasho, James B., Jr., 30022A.
Gasior, Kenneth V., 58284A.
Gates, Leo V., 2d, 32517A.
Gauntt, Turner M., Jr., 30023A.
Gauthier, Ralph A., 58813A.
Gaylord, Merlin J., 62195A.
Gebhardt, Kenneth N., 66347A.
Geddes, James D., 58739A.
Gee, Edward L., 30024A.
Geick, Larry L., 58480A.
Geiger, Francis E., 58782A.
Geiger, Oswald T., Jr., 61461A.
Geist, Thomas J., 65198A.
Glenn, Clayton C., 65522A.
Gentry, Charles W., 58337A.
Gentry, Jerauld R., 30025A.
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Gerding, Jay D., 65767A.
Gerhardt, Richard C., 62150A.
Gericke, William A., Jr., 50179A.
Gerlitz, Gary H., 61586A.
Germann, David B., 65809A.
Gerner, Francis J., 66046A.
Gholson, Lee W., 61514A.
Gibbs, David P., Jr., 30026A.
Gibson, Charles H., 66210A.
Gierhart, Loran W., 30028A.
Gift, Ivan J., 61580A.
Gilbert, Billy B., 65724A.
Gilbert, Harvey B., Jr., 32240A.
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Gilbreath, James B., 62230A.
Giles, Warner, 66336A.
Gillespie, Fred D., 65741A.
Gillette, George P., Jr., 66133A.
Gilliland, James N., 61528A.
Gillis, Richard F., 66342A.
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Gingrich, Franklin J., Jr., 58642A.
Gionis, Nicholas G., 30030A.
Gladis, Donald C., 65779A.
Glass, Carter M., 30031A.
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Gleason, John T., Jr., 30032A.
Gleneck, Norman T., 30033A.
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Gober, Edmund S., 58434A.
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Godfrey, Vernon L., 66322A.
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Goff, Ewing P., 58658A.
Goggins, William B., Jr., 30036A.
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Golightly, Robert D., 58255A.
Golob, David R., 58625A.
Gomez, Ben I., 62158A.
Gondran, Gerald J., 65905A.
Gonzales, Conrad C., 50157A.
Good, Benjamin F., 63675A.
Goodall, Harry A., 62300A.
Gooderham, James R., 61520A.
Goodfellow, James F., 65161A.
Goodnight, James L., 66140A.
Goodrich, Jerome C., 65218A.
Goodwin, Flay O., Jr., 30037A.
Goodwin, Reginald S., Jr., 32543A.
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Graham, Bruce M., Jr., 54858A.
Graham, James L., 65657A.
Grant, Dow B., 58521A.
Gravitte, Connie M., 65264A.
Gray, Donald L., 58581A.
Gray, John A., 66353A.
Gray, Joseph A., 61592A.
Green, Bruce A., 32290A.
Green, Charles K., 58455A.
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Greer, Lee V., 58671A.
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Gregory, Leland H., Jr., 65292A.
Gresham, Darrel R., 58477A.
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Griffin, Donald G., 61593A.
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Grotte, Richard A., 61495A.
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Groves, Louise L., 62105W.
Grubb, Roderic R., 65508A.
Gruber, George T., 62200A.
Gryder, Robert J., 65141A.
Grygotis, Joseph E., Jr., 65350A.
Gude, William W., 30038A.
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Gullick, Thomas E., 66175A.
Gustafson, Freddie A., 61556A.
Gustafson, Leighton E., 58248A.
Gutchess, Robert, 32297A.
Guthals, Wesley J., 65507A.
Guthrie, Gerald D., 65170A.
Haag, James I., 54763A.
Haber, Frederich J., 65317A.
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Hackman, Richard A., 65626A.
Hackney, Hunter F., 65287A.
Hadl, Frank M., Jr., 65225A.
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Hagen, James F., 32522A.
Haight, Lawrence D., 62258A.
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Hall, James F., 57298A.
Hall, Keith N., 61501A.
Hall, Michael D., 58759A.
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Hally, Thomas J., 66285A.
Halsey, Samuel A., Jr., 65662A.
Hamilton, William M., 65283A.
Hamm, William P., 30040A.
Hammond, Claude G., Jr., 30041A.
Hammond, George R., 66153A.
Hamrick, Paul A., 58327A.
Hancher, Fred, 65480A.
Hand, Norbert R., Jr., 54738A.
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Hanlon, David E., 58393A.
Hanna, Joseph W., 32238A.
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Hansen, Ernest L., 54730A.
Hargis, Jerry W., 65162A.
Hargrove, Willis L., 58790A.
Harlan, Maurice R., 65200A.
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Harmon, Kenneth T., 66275A.
Harms, William R., 71540A.
Harner, Ronald L., 66129A.
Harp, Kelly M., 30047A.
Harper, James W., Jr., 66111A.
Harrington, Cyrus R., Jr., 50225A.
Harrington, Robert N., 65775A.
Harris, Eddie W., 66321A.
Harris, Elmer R., 30048A.
Harris, George E., Jr., 62303A.
Harris, Harry G., 58648A.
Harris, James K., 54726A.
Harris, Richard G., 65674A.
Harris, Robert D., 58788A.
Harrison, Corbet L., 58610A.
Harry, Lee R., 65186A.
Hartke, Richard H., 58361A.
Hartman, Delano W., 62072A.
Hartman, Nathan, 62104A.
Harvey, Thomas E., 29904A.
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Haupt, Howard F., 2d, 30050A.
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Hazelrigs, Maurice L., 30051A.

Head, William, 65669A.
Hearn, Norman E., 32232A.
Heath, Mark C., Jr., 30052A.
Heathcote, James A., 65502A.
Heckler, Archibald J., Jr., 30053A.
Hedge, Richard W., 62220A.
Heidlebaugh, Gary I., 58420A.
Heilala, Gary A., 48540A.
Heim, Noel A., 58265A.
Helinski, Florian D., 65359A.
Hellings, Frazier J., 58242A.
Helm, Jack, 66176A.
Helm, Merritt M., Jr., 65216A.
Helvie, Gail D., 51431A.
Hemingway, Donald P., 65450A.
Hemphill, Dewey K., 71673A.
Henderson, Billy R., 65696A.
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Henjum, Joseph, Jr., 65678A.
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Henry, Robert L., 65749A.
Hensel, Robert E., 65906A.
Henson, William E., 65635A.
Herbes, Robert A., 65611A.
Herculson, Robert J., Jr., 58764A.
Herman, Roy E., 58508A.
Hermanson, Robert F., 58653A.
Herring, John C., 61474A.
Herrmann, Armin F., Jr., 65302A.
Hershon, Alan B., 62192A.
Herzik, Jack E., 69724A.
Heske, William J., 30054A.
Hess, Stanley R., 62227A.
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Hightower, Jane H., 61496W.
Hilgenberg, Gerald T., 65282A.
Hilgenberg, John F., 65715A.
Hill, Charles E., 65160A.
Hill, Cleo L., Jr., 71240A.
Hill, James T., 58488A.
Hill, Loyd V., 65519A.
Hill, Thomas D., 48555A.
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Hillyer, George W., 3d, 61471A.
Hinderliter, Stephen B., 61454A.
Hindman, Charles U., 30056A.
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Hirst, Donald L., 30057A.
Hiskey, Bernell L., 65845A.
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Hobbs, Terrence E., 30058A.
Hocker, Ronald A., 32306A.
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Hockney, James N., 30059A.
Hodge, William E., 30060A.
Hodges, Bob P., 62175A.
Hodges, Seth B., 65372A.
Hodgins, Frederick J., 65911A.
Hodgson, Jerry D., 51541A.
Hoenig, William B., Jr., 65598A.
Hoffhien, Nils R., 65520A.
Hoffman, Joseph C., 66122A.
Hogendorf, Heinrich F., 58349A.
Hogg, Walter L., 30061A.
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Holderbach, Alfred T. R., 58246A.
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Holman, Orville E., Jr., 54780A.
Holmes, James E., 50138A.
Holmquist, Richard A., 71242A.
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Holt, Raymond J., 62244A.
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Houck, Fern L., 65224A.
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Howard, Donald P., 71244A.
Howe, Orrin K., Jr., 65133A.
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Jackson, Rollin A., Jr., 65481A.
Jacoby, Jackie L., 66213A.
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John, Lynn M., 65253A.
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Kaiser, Edward S., 65813A.
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Kast, Henry G., 54761A.
Kastenholz, Adolph, Jr., 65210A.
Kathcart, Rex, Jr., 66247A.
Kauffman, Robert J., 64289A.
Kavinsky, John E., Jr., 66067A.
Kazanjian, Ramon J., 62186A.
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Kellogg, Verna S., 2d, 58500W.
Kellokoski, David E., 66157A.
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Kibbey, Richard A., 58689A.
Kidd, Clifford S., 3d, 54806A.

Kidwell, Howard W., 66330A.
Kiefel, Ernst P., Jr., 65862A.
Kilbourne, Jimmy W., 65288A.
Kimball, Harry H., 65369A.
Kincaid, Don B., 65683A.
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King, Jack E., 58773A.
King, Norwood J., 65346A.
Kingry, Sidney K., 66233A.
Kingston, Thomas F., 3d, 66268A.
Kinney, Raymond C., 71259A.
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Kiplinger, Keith E., 32508A.
Kirk, Joe R., 58476A.
Kirk, Leon S., 50088A.
Kirkland, Galen R., 58160A.
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Kirmss, Frank, Jr., 51428A.
Kirnberger, Richard J., 54754A.
Kirste, Milton R., 65281A.
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Kjeldgaard, Louis D., 58639A.
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Lafollette, William R., 62307A.
Lally, Richard H., 30089A.
Lamb, Amherst R., 30090A.
Lambert, Luther E., 32310A.
Lammers, Kurt M., 54851A.
Landers, Bobbie J., 32303A.
Langmead, Thomas T., 62215A.
Lannon, Cormac M., 30091A.
Lapierre, Edward A., 54746A.
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Lerner, Maynard G., 62242A.
Lesser, John, Jr., 61502A.
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Lewand, Marc E., 58748A.
Lewark, William H., Jr., 50169A.
Lewis. Billy J., 58339A.
Lewis, Roger C., 62226A.
Lewis, Victor L., 66116A.
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Liberatori, Francis J., 62069A.
Lifsey, Truman W., 51487A.
Linder, Ronald G., 30097A.
Lindley, Ernest K., 66296A.
Lindquist, Jay D., 30098A.
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Lingo. Brooks E., 58700A.
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Paparozzi, Frank A., Jr., 65758A.
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Shepherd, Ralph V., 61527A.
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Sherman, Donald H., 65411A.
Sherman, Vincent J., 66093A.
Shershun, Carroll S., 58800A.
Shickell, Keith D., 66123A.
Shinmori, Bill, 71302A.
Shipman, James E., 65188A.
Shipps, Gene E., 65576A.
Shirley, Carl S., 66076A.
Shockey, Samuel H., Jr., 58405A.
Shoemaker, Rollin R., 54768A.
Shoemaker, James A., 65438A.
Shortt, Oscar A., Jr., 65363A.
Showalter, Larry A., 58723A.
Shull, John A., 65843A.
Shuster, Steve, 58807A.
Shuttleworth, Jack M., 66254A.
Sibert, Robert C., 66181A.
Siburg, William E., Jr., 58534A.
Sickenberger, William L., 54693A.
Siderius, Jerome D., 62245A.
Silver, Edward D., 54816A.
Silvis, John W., 61316A.
Simmang, Robert A., Jr., 65511A.
Simmonds, Donald L., 58632A.
Simmons, Roger W., 62085A.
Simmons, Ross W., 62199A.
Simons, Richard W., 50086A.
Simpson, Janet R., 61492W.
Simpson, Ora L., Jr., 62096A.
Simpson, Robert L., Jr., 66091A.
Simpson, William H., 58345A.
Sinclair, Vivienne C., 66088W.
Sinnott, Gilbert J., 3d, 62074A.
Sirek, Ralph W., 62270A.
Sisson, Lyle A., Jr., 65872A.
Skuza, Kenneth M., 65379A.
Slack, Lyman A., Jr., 58249A.
Slaney, John H., 30194A.
Slauson, John P., 58394A.
Slauson, William J., 65859A.
Sloan, Harold J., 58801A.
Smart, David E., 58526A.
Smathers, Edwin D., Jr., 30196A.
Smiley, Kenneth S., Jr., 58452A.
Smiley, Wendell W., Jr., 30197A.
Smith, Allison F., 66246A.
Smith, Colin A., 58412A.
Smith, David A., 30198A.
Smith, Donald H., 71303A.
Smith, Earle K., Jr., 50140A.
Smith, Emmett E., 65384A.
Smith, Frederic H., 3d, 30199A.
Smith, Harold C., 58359A.
Smith, Horace D., 62083A.
Smith, Howard H., 71574A.
Smith, James E., 58266A.
Smith, Jedford E., 71575A.
Smith, Joseph P., Jr., 65190A.
Smith, Marvin L., 66104A.
Smith, Needham B., 65577A.
Smith, Paul B., Jr., 32234A.
Smith, Philip E., 50087A.
Smith, Richard I., 30200A.
Smith, Richard R., 65672A.
Smith, Richard W., 58695A.
Smith, Robert E., 66219A.
Smith, Thomas W., 65204A.
Smith, William A., 58281A.
Smith, William A., 66081A.
Smith, William L., 58346A.
Smyly, Duncan P., 30201A.
Smyser, Craig H., 30202A.

Snell, Willard H., Jr., 69658A.
Snide, Thomas W., 50975A.
Snovel, Edwin, 71304A.
Snow, William M., Jr., 30204A.
Snyder, Charles A., 65553A.
Snyder, Donald, 58470A.
Snyder, Paul T., 66199A.
Soare, Franklyn J., 65685A.
Solberg, Harold A., 71305A.
Sommers, David E., 65470A.
Songer, Hubert D., Jr., 66127A.
Soule, Ronald J., 65231A.
Sovereign, Allan F., 50076A.
Spackman, Richard H., 30205A.
Sparks, Billy R., 58673A.
Sparks, William L., 50164A.
Spath, Bernard A., Jr., 62229A.
Spearman, Jack L., 58669A.
Speerschneider, Lyle J., 54786A.
Speight, Will O., 65173A.
Spence, George D., 66302A.
Spendlove, Lyle B., 65915A.
Spezia, Jimmie V., 65406A.
Spiegel, Donald R., 50073A.
Spillman, George R., 65707A.
Spillman, Harry L., 58775A.
Spriggs, Duane G., 65836A.
Sprott, Arthur F., 65461A.
Sraders, Guntis, 65718A.
Stabenau, Hanns M., 61565A.
Stalker, Ronald R., 58587A.
Stall, Floyd M., 58802A.
Stallings, William T., 50220A.
Stanley, Darrell L., 66348A.
Stanley, J. T., 65144A.
Stanley, Lee R., 65159A.
Stark, James D., 50077A.
Starkey, Michael L., 62135A.
Starr, Leonard N., 65449A.
Staten, James D., 58365A.
St. Clair, Gilbert K., 50226A.
Stearns, Donald L., 66113A.
Stebbins, Roland A., 30206A.
Steen, Howard J., 58760A.
Stegall, Julius R., 65247A.
Stein, Robert G., 58425A.
Steiner, Richard L., 65408A.
Steinke, Shawn H., 30207A.
Stemler, Rodger L., 32549A.
Stephens, Glen, 66149A.
Stephenson, David R., 71309A.
Stephenson, Jack B., 65568A.
Stephenson, Ralph W., 30208A.
Sterrett, Charles R., 58752A.
Stevenson, John R., 61443A.
Stevenson, Richard A., 51434A.
Steves, John R., Jr., 32291A.
Stewart, George R., 58347A.
Stewart, Glen F., 62288A.
Stewart, John J., 30209A.
Stimac, Robert M., 32507A.
Stockton, Douglas W., 30210A.
Stone, Fred S., 71310A.
Stone, Joseph L., Jr., 66352A.
Stone, Richard, 32849A.
Stoob, John C., 54711A.
Stowell, Dibrell C., 48535A.
Strange, John E., Jr., 58575A.
Stratford, John J., Jr., 61522A.
Strayer, Jay M., 65501A.
Stricker, Billie G., 65499A.
Strickland, Reginald E., 54787A.
Strickland, Richard E., 65446A.
Stroh, Jerry D., 29769A.
Strome, Richard H., 65777A.
Strong, Dale L., 58785A.
Stroup, Floyd B., 54747A.
Stuart, Floyd R., 30211A.
Stuart, Robert S., 58440A.
Stuber, Carl D., 66159A.
Stuckey, Savery G., 32536A.
Stueber, Robert A., 65628A.
Stuntz, Jose E., 62205A.
Sturdevant, Robert H., 66110A.
Sturgess, Thomas W., 65165A.
Stute, Robert A., 66241A.
Stuteville, Joseph E., 58757A.
Suladie, Ronald E., 50092A.
Sullivan, Dennis J., 58604A.
Sullivan, Hiram R., 65757A.
Sullivan, Robert T., 58756A.
Sullivan, William B., 58436A.
Summers, Charles M., 50997A.
Surovic, Arthur F., 50230A.
Sutton, Glenn H., 58652A.
Swain, Earl L., 58231A.
Swainston, Richard C., 50204A.
Swanson, Edmund B., 65623A.
Swanson, Ralph J., 58766A.
Swanson, Richard H., 58809A.
Swanson, Robert G., 54979A.
Sweeney, James L., 50123A.
Swenson, Morris D., 61432A.
Swenson, William A., 61447A.
Swihura, Edward J., 58596A.
Swofford, Donald D., 32223A.
Swope, Charles F., 30217A.
Syracusa, Anthony S., 58385A.
Szabo, George J., 66211A.
Szemplinski, Henry F., 65601A.
Taddeo, John J., 62116A.
Takahashi, Richard T., 65510A.
Tamm, Jerrold N., 66280A.
Tannen, Peter D., 62120A.
Tanner, John B., 32527A.
Tarleton, Howard R., 65630A.
Tarvin, Albert L., 54744A.
Tatum, Cazzy C., Jr., 66235A.
Taylor, Alvin, Jr., 62203A.
Taylor, Charles B., 62142A.
Taylor, Clyde 3d, 58770A.
Taylor, David M., 65618A.
Taylor, Gary W., 62194A.
Taylor, Henry L., 58711A.
Taylor, Jerome T., 65451A.
Taylor, John R., 30218A.
Taylor, Vess J., 65668A.
Tebbs, Robert B., 69802A.
Tedeschi, James R., 54766A.
Tefft, Howard E., 54797A.
Terbet, Robert P., Jr., 50100A.
Terry, C. Morris, 50227A.
Terry, Condon H., 58569A.
Terry, Jack E., 66139A.
Tesh, Jimmy H., 65679A.
Thaler, Glen F., 71805A.
Tharp, Donald W., 50143A.
Theuer, Katharine D., 65725W.
Thoeny, Alan R., 30219A.
Thomas, David H., 2d, 48558A.
Thomas, Edgar F., 30220A.
Thomas, Frederick L., 30221A.
Thomas, George J., Jr., 30222A.
Thomas, James F., 62240A.
Thomas, John K., 66304A.
Thomas, Kenneth C., 65189A.
Thomas, Kenneth W., 71313A.
Thomas, Lawrence E., 62073A.
Thomas, Luther, 65462A.
Thomas, Nathan H., 54759A.
Thompson, Andrew C., Jr., 61523A.
Thompson, David W., 65455A.
Thompson, George E., 30224A.
Thompson, James D., 58348A.
Thompson, James M., 54812A.
Thompson, John A., Jr., 65212A.
Thompson, Leslie B., 58459A.
Thompson, Robert E., 66317A.
Thompson, Thomas B., 66083A.
Thomson, Willis M., 30225A.
Thornal, Leroy W., 50977A.
Thornberry, Ronald D., 66061A.
Thorne, Flint, 62189A.
Thornhill, John R., 50078A.
Thornton, Richard B., 54850A.
Thurman, Stephen P., 30226A.
Thurston, John R., 61476A.
Tibbetts, Larry N., 65625A.
Tidwell, Julius I., 62100A.
Tieber, Julius A., 3d, 30227A.
Tierney, Marion W., 65150A.
Tillman, Frederick J., 65886A.
Tillman, John B., 30228A.
Timblin, Gaylord L., 71314A.
Timmerman, Virginia M., 65830W.
Timothy, Thomas E., 30230A.
Tinsler, Hollis C., 66349A.
Tolbert, Jack F., 62177A.
Tolley, Charles P., 54737A.
Tomasino, Vito, 50098A.
Tomes, Jack H., 65155A.
Tomlinson, Albert S., 66009A.
Toner, Richard J., 30231A.
Tonini, Daryl E., 51458A.
Torres, Julio L., Jr., 30232A.
Torson, James J., 65319A.
Tortorete, Joseph, 50126A.
Townsend, Cecil R., 66078A.
Treece, James A., 71315A.
Trimble, Clifford J., 61524A.
Trimpert, Michael J., 30233A.
Tringali, Charles J., 58451A.
Tristam, Edward F., 65909A.
Tronier, Ronald B., 65743A.
Truelove, Hoyt B., 65694A.
Tucker, David L., 66238A.
Tudor, Ronald F., 66071A.
Turley, Mack C., 65755A.
Turner, Alexander P., Jr., 66115A.
Turner, Gene C., 66105A.
Turner, Jack A., 65349A.
Tuso, Joseph F., 61585A.
Tvardzik, Joseph M., 32242A.
Tweedie, Robert L., 65238A.
Twells, Ronald G., 32551A.
Tynan, John C., 58355A.
Uhl, Donald P., 58240A.
Underwood, Robert D., 62232A.
Uno, Peter K., 65734A.
Unrein, Philip J., 65156A.
Upton, William H., 66163A.
Urbanic, Frank A., Jr., 58461A.
Usher, Robert L., 29902A.
Utley, Noble L., 50081A.
Vallenari, Joseph L., 65659A.
Vallerie, Eugene M., 3d, 30234A.
Vanarsdale, Doyle L., 61464A.
Vanbrunt, Ralph S., 62154A.
Vanbuiten, Alan J., 58750A.
Vance, Ralph E., 65663A.
Vance, Wilson R., 61433A.
Vanduyn, Alfred V., Jr., 54707A.
Vanetti, Donald E. E., 65315A.
Vanhouten, George W., Jr., 66320A.
Vanhulla, Kenneth J., 54764A.
Vanliew, George E., 58803A.
Vanweele, Jan M., 61563A.
Vanwinkle, Wayne E., 65175A.
Vaughan, Robert B., 58637A.
Vazquez, Francisco, 58493A.
Venable, Thomas L., 65434A.
Verderber, Edward G., 65839A.
Visage, James R., 29248A.
Vittone, Joseph A., 32538A.
Vives, Peter, Jr., 65913A.
Von, Vernon M. H., 65169A.
Vonhake, Richard W., 50215A.
Vonthaden, William H., 65394A.
Voyiaziakis, Stanley, 58457A.
Vulkoff, R. Craig, 58535A.
Waddell, Dewey W., 54772A.
Wade, Roger O., Jr., 58233A.
Wadman, Robert S., 66305A.
Waggener, James S., Jr., 66224A.
Wagner, Edward M., 50112A.
Waite, Jordan C., 30237A.
Waite, Merrill J., 62145A.
Wakefield, Donald B., 65806A.
Walcott, Gordon M., 51491A.
Walker, David L., 3d, 58506A.
Walker, Gerald D., 58307A.
Walker, Kenneth E., 66297A.
Walker, Nathan L., 51543A.
Wall, Douglas O., 65833A.
Wall, Willie R., 62171A.
Wallace, Billy J., 66168A.
Wallace, Hillard J., 58013A.
Wallace, Kenneth H., 58328A.
Wallentine, Dale E., 62090A.
Waller, Benjamin E., 3d, 30238A.
Walls, Francis H., 58614A.
Walpole, Bernard L., 62127A.
Walsh, Robert M., 32531A.
Walter, Clair E., 58628A.
Walters, Frank P., 58636A.
Walters, Ralph D., 58245A.
Walton, Gary K., 58485A.
Wampler, James P., 58478A.
Wanamaker, James E., 50198A.
Ward, Bobby L., 62224A.
Ward, James E., 65593A.

Ward, Johnny M., 58687A.
Ward, Robert G., 58566A.
Ward, Wayne G., 66240A.
Wardell, Ronald S., 58391A.
Warner, Glen E., 30239A.
Warnick, Charles P., 65906A.
Warren, Robert J., 65306A.
Warren, William C., 61525A.
Washam, Billy M., 32554A.
Watcher, Peter, 30240A.
Watkins, Barry L., 62114A.
Watson, Gerald D., 65497A.
Watts, George O., 65405A.
Waymouth, Laurens S., 58409A.
Wayne, Edwin R., 65506A.
Weaver, Philip A., 65537A.
Weaver, Richard C., 65364A.
Webb, John A., 50219A.
Webb, William B., 30241A.
Weber, Theodore W., 61571A.
Webster, George L., 54704A.
Weed, Marvin J., 58437A.
Wehr, Richard A., 58331A.
Wehrle, Kermit L., 65687A.
Weichsel, Howard B., 71580A.
Weida, Ralph E., 65567A.
Weidenmiller, Nancy E., 61504W.
Weihl, Clinton G., 58650A.
Weimer, William C., 62183A.
Weiner, Sidney W., 65265A.
Weissmuller, Courtney E., 51545A.
Welch, Orlo D., 65716A.
Welch, Robert E., 58329A.
Welling, Gordon L., 65136A.
Wells, Frederick L., 30242A.
Wells, George C., 65485A.
Wells, Herschel O., 54857A.
Wells, Stanley H., 71317A.
Wells, William E., 61582A.
Wenger, Richard D., 65808A.
Wepfer, Gordon G., 58460A.
Wessel, Robert L., 30244A.
West, James M., 65829A.
West, Robert E., 62137A.
Westbrook, George W., 62285A.
Westenbarger, David P. J., 62088A.
Wester, Albert D., 58497A.
Wester, Donald E., 65269A.
Westmoreland, Barney, Jr., 54727A.
Weston, Walter F., 62081A.
Westwood, Edward C., 61456A.
Wetzl, Ralph F., 61579A.
Wheat, Anthony J., Jr., 54688A.
Wheeler, Charles E., 65781A.
Wheeler, Charles H., 30245A.
Whitcomb, Robert J., 58373A.
White, Donald D., 58466A.
White, Edward B., 62261A.
White, Herbert V., 54832A.
White, John F., 58273A.
White, Loyce L., 71319A.
White, Myron A., Jr., 58473A.
White, Richard T., 30246A.
White, Thomas R., 65383A.
Whited, Charles R., 66058A.
Whitehead, James T., Jr., 58644A.
Whitehead, Paul S., 61594A.
Whiteman, Gilbert L., 58615A.
Whiting, Edwin K., 30248A.
Whitsett, Charles E., Jr., 54849A.
Wicker, Charles E., 66056A.
Widicus, Frederick G., 65768A.
Wiedmaier, Marcel A., 54844A.
Weigers, Francis A., 54856A.
Weisenauer, Robert F., 30250A.
Wiggins, Frank S., 32226A.
Wigglesworth, Richard G., 58509A.
Wikle, Kenneth C., Jr., 71581A.
Wilby, Walter L., 65377A.
Wilcox, Robert E., 66182A.
Wilder, James M., Jr., 58524A.
Wiley, Thomas S., 50978A.
Wilkey, David O., 65844A.
Willes, Richard E., 30251A.
Williams, Allen J., 65841A.
Williams, Alma L., 65756A.
Williams, Bruce, 50163A.
Williams, Charles M., 58326A.
Williams, Chester Y., 65583A.
Williams, Dallas L., 65201A.
Williams, Donald E., 62297A.
Williams, Douglas L., 69760A.
Williams, Gorden E., 30252A.
Williams, John C., 51436A.
Williams, Morgan G., 58606A.
Williams, Thomas N., 61542A.
Williamson, Mahlon J., 65263A.
Williamson, Roger C., 30253A.
Willming, Edward A., 47797A.
Willson, Richard D., 54702A.
Wilson, Charles A., 58046A.
Wilson, Charles J., 32552A.
Wilson, David L., 51400A.
Wilson, Denzel G., 58308A.
Wilson, Duane R., 61577A.
Wilson, George R., 58293A.
Wilson, Robert C., 54745A.
Wilson, Ronald E., 66257A.
Wilson, William R., 65523A.
Wine, James C., 48548A.
Wingate, Dale E., 65244A.
Wingfield, Billy J., 65145A.
Winkler, Walter T., 58295A.
Winn, Bernard J., Jr., 66205A.
Winn, Ray J., 54729A.
Winn, Roger T., 65555A.
Winograd, Sanford M., 58426A.
Winquist, Charles J., 58763A.
Winterfield, Louis A., 71583A.
Winters, Robert W., Jr., 65549A.
Withers, William E., 58681A.
Witt, George C., Jr., 66146A.
Witte, Duane M., 61491A.
Wodarzak, George P., Jr., 66053A.
Wofford, Travis, 61477A.
Wolaver, John H., 58565A.
Wolfe, Lynn R., 70893A.
Wolford, George F., Jr., 65578A.
Wolinsky, Ivan L., 30255A.
Womack, John H., Jr., 65691A.
Womble, William O., 65140A.
Wood, David B., 71321A.
Wood, Fred D., Jr., 54811A.
Wood, Larry S., 65853A.
Wood, Stephen J., 54789A.
Wood, William C., 65426A.
Wood, William H., Jr., 66131A.
Wood, William M., 50170A.
Woodbury, Norman B., 50113A.
Woodfin, Scott D., 32529A.
Woodford, Robert W., 65896A.
Woodhead, James J., 65750A.
Woodroof, Elvin, Jr., 50108A.
Woods, James A., 30256A.
Woodward, Eldon D., 62102A.
Woody, Harland G., 70910A.
Wooten, John F., Jr., 65842A.
Worch, Peter R., 62109A.
Working, Raymond W., 58438A.
Worley, John N., 58247A.
Worn, Robert W., 66341A.
Worthington, Edward L., Jr., 58454A.
Wright, David I., 30258A.
Wright James H., 3d, 66242A.
Wright, John H. S., 66057A.
Wright, Richard D., 65221A.
Wright, William E., 54719A.
Wucher, Jerome M., 66350A.
Wyse, David L., 65879A.
Yackiel, Thomas F., 58262A.
Yamamoto, George N., 65771A.
Yancey, Kenneth E., Jr., 65191A.
Yarrish, Joseph, 58616A.
Yaryan, John S., Jr., 58620A.
Yingling, William A., 54977A.
Yochem, Ronald J., 65818A.
Yochum, Henry M., 2d, 62223A.
Yoshizawa, Tadashi, 65795A.
Young, Howard D., 66303A.
Young, Perry R., 65420A.
Young, Reid C., 66326A.
Youngstedt, Gene L., 65566A.
Yount, John F., 66128A.
Yukinaga, George B., 65579A.
Yunker, Marie D., 65650W.
Yurcek, Charles J., 62118A.
Zahn, Harry F., 3d, 62070A.
Zeberlein, James W., 30260A.
Zempel, William K., 58528A.
Ziegler, Donald A., 65869A.
Ziegler, Robert S., 66270A.
Zielke, Eugene C., 54708A.
Ziernicki, Robert S., 58520A.
Zigelhofer, George N., 32305A.
Zimmer, James W., 30261A.
Zirkle, William S., 58458A.
Zock, Richard, 66055A.
Zurschmit, Donald K., 66183A.

Chaplain Corps

Arrendell, Cammid O., 64376A.
Brucato, Robert A., 70902A.
Bubb, Wilbur W., 70900A.
Flattery, John J., 64381A.
Garritson, Melvin H., 70985A.
Garzione, Patrick A., 64364A.
Gower, Robert G., 64380A.
Healy, John P., 64378A.
Johnson, Carrol L., 64373A.
Jones, Douglas O., 64374A.
Jones, James L., 64379A.
Jordan, James E., 64383A.
Kelley, Benjamin F., 70903A.
Kramer, George C., 70901A.
Labinger, Marvin L., 70904A.
McCausland, Joseph E., 70989A.
Nelson, Sigurd J., 70990A.
Nelson, Waldemar H., 64384A.
Oliver, Stephen J., 70991A.
Rushe, George M., 64375A.
Ullrich, Donald W., 64382A.
Whalen, Robert B., 64377A.
Wragg, Paul H., 70992A.

Dental Corps

Clark, Lawrence L., 70383A.
Douglas, Robert J., 70380A.
Gault, Clovis G., 69815A.
Kelley, John R., Jr., 70979A.
Krenzel, Daniel J., 69756A.
Miller, Charles D., 69813A.
Park, Paul R., 70384A.
Rekow, Charles J., 70382A.
Steed, Donald L., 69755A.
Streeter, Arthur H., 70381A.
Welker, William A., 69622A.
Williams, Earl O., 71130A.

Medical Corps

Bell, Eldon E., 70892A.
Hummel, Robert A., 70890A.
Wood, Edward H., 70891A.

Nurse Corps

Adams, Catherine B., 59617W.
Barto, Bette J., 59616W.
Bergeron, James E., 69820A.
Bianchi, Lucile A., 69772W.
Candella, Josephine M., 56408W.
Clark, Mary H., 69770W.
Condon, Charles R., 66039A.
Connolly, Janet M., 59980W.
Covino, Mary C., 66041W.
Cox, Rosemary, 63035W.
Dame, Margaret A., 56574W.
Daniels, Della J., 63064W.
Diblasi, Philip, 70394A.
Dohrman, Marjorie J., 64262W.
Dotter, Patsy D., 69771W.
Fitzpatrick, Geraldine A., 64265W.
Frances, Cotto, Paula, 59738W.
Garza, Juanita, 69768W
Gasbarri, Jean F., 64266W.
Gengler, Rita E., 59739W.
Giniewski, Mary T., 69819W.
Gorseth, Winifred L., 56573W.
Lund, Geraldine S., 69822W.
Hansen, William P., 66038A.
Harper, Betty J., 70396A.
Hettinger, June M., 64260W.
Heyser, Pauline K., 59566W.
Jones, Florence L., 69767W.
Kallinick, Dolores M., 64268W.
Kreasky, Anna M., 56409W.
Kunzmann, Barbara A., 63034W.
Lane, Joy A., 62933W.
Lynch, Barbara R., 70397W.
Marquez, Edith, 59620W.
Moore, Alta B., 63066W.
Navarro, Pete, 70393A.
Nelson, Ethel A., 59978W.
Parry, Barbara J., 59619W.
Ross, Betsy L., 69769W.
Sanchez, Frances, 64264W.
Shea, Delia A., 63067W.
Souder, Sally A., 55930W.

Spores, Kathleen D., 64267W.
Toy, Jo A., 64263W.
Whittemore, Earl C., Jr., 69766A.
Wickboldt, Marlys A., 69821W.
Wilson, Eleanor M., 59979W.
Witner, Joseph D., 70395A.
Youtzy, Cynthia R., 66040W.

Medical Service Corps

Bauman, Willard H., 61163A.
Beem, Gordon R., 55374A.
Black, Gerald N., 65920A.
Bowen, James O., 61164A.
Briggs, Thomas H., Jr., 50187A.
Brown, Dewey F., 61168A.
Cavanaugh, Patrick D., 49128A.
Clemons, Keith, 49130A.
Cooper, Floyd P., Jr., 65921A.
Cox, Willis D., 55371A.
Eggert, Clarence V., 65782A.
Farrell, Hugh R., 55376A.
Fresques, Frank J., 59608A.
Gaede, Rex D., 56474A.
Gillis, John R., 56476A.
Greene, Omar V., Jr., 56539A.
Johnston, Lloyd W., 56540A.
Kennedy, Charles L., 55369A.
Kilton, Roger M., 61167A.
Kuchta, John C., Jr., 56473A.
Marraro, Robert V., 61176A.
McKinney, Dana F., 61171A.
Mullins, Herman L., 61166A.
Newman, Harold L., 59497A.
Nikolewski, Robert F., 61173A.
Olson, Robert N., 55373A.
Parker, Lester B., 55370A.
Perri, Frank J., 61170A.
Ricciardi, Constantine A., 61174A.
Richardson, James E., 65924A.
Rowney, Stanley V., 65922A.
Silfen, Arthur M., 61172A.
Silva, Donald G., 56475A.
Slivka, William R., 59607A.
Stansell, Marion J., 56470A.
Suiter, Robert W., 56472A.
Targove, Bertram D., 56471A.
Watson, John R., 55372A.
Weddington, George R., 65919A.
Wilder, Nelson E., 59498A.
Yates, John R., 59606A.

Veterinary Corps

Barker, Russell B., 65996A.
Boster, Richard A., 66000A.
Flentge, Robert L., 65995A.
Fraunfelter, Frank C., 65992A.
Jackson, Wesley E., 65998A.
New, Albert E., 65997A.
Vanriper, Donald C., 65994A.
Wood, David H., 65999A.

Medical Specialist Corps

Margolis, Hannah S., 69765W.
Ryckeley, Martha E., 59988W.
White, Lillian E., 59740W.

Second lieutenant to first lieutenant

Line of the Air Force

Abraham, Gary W., 71322A.
Abrams, Richard L., 72585A.
Accuosti, Judith A., 72029W.
Ackerman, Ronald R., 71815A.
Albright, Edward L., 71585A.
Allen, Ernest G., Jr., 71323A.
Alligood, Gilbert R., 72031A.
Anderson, George W., Jr., 72032A.
Anderson, Hollis D., 72033A.
Anderson, Paul J., Jr., 71586A.
Angiliss, William W., 72035A.
Arellano, Gustavo O., 72036A.
Ashworth, Pratt D., 72038A.
Austin, William R., 2d, 71588A.
Autsch, Fritz A., 72039A.
Bailey, Thomas F., 72590A.
Baker, Arthur D., 72040A.
Baker, Carol A., 71325W.
Baker, Dale T., 72591A.
Baker, Mary E., 72343W.
Batten, Virgil F., 72345A.
Baty, Richard S., 72594A.
Bean, Larry B., 72346A.
Bell, James R., 72595A.
Bell, Wayne A., 72347A.
Bender, Eduard, 71698A.
Bennett, Frank J., 71331A.
Bennett, Michael D., 72348A.
Bennett, Paul D., 72596A.
Beshara, Thomas M., 72041A.
Biggar, Gordon M., 72042A.
Billeaudeaux, Lionel C., 72043A.
Billings, John H., 72350A.
Bishop, Joseph E., 72597A.
Bishop, Marvin L., 72044A.
Bitschenauer, Albert E., 71699A.
Black, Robert S., 72351A.
Blais, David N., 71333A.
Bliss, George W., 71701A.
Blumenthal, Morris C., Jr., 72352A.
Bodnar, John A., 71335A.
Bright, Edward G., 72047A.
Brown, Dennis W., 72355A.
Brown, Joseph B., Jr., 71704A.
Brown, Roger A., 72048A.
Buck, Edward F., 71337A.
Buck, Virgil A., 72607A.
Burnett, Laurence W., Jr., 71706A.
Burnett, William R., 72052A.
Busko, George, Jr., 72053A.
Buss, Larry H., 71338A.
Canaga, Joseph R., 71340A.
Carey, Charles C., 71342A.
Carter, Frederick K., 72058A.
Cauley, Jerry D., 72059A.
Cavender, Henry J., 71344A.
Cherry, Edward D., 72611A.
Chesnutt, Chambless M., 72061A.
Christison, Charles F., 72612A.
Clapper, Jack K., 71709A.
Collins, Edward R., 71349A.
Conley, William R., 72063A.
Conrad, Robert L., 72064A.
Corder, John A., 71711A.
Cox, Harla D., 72620A.
Craig, James R., 72068A.
Crochet, John L., 71353A.
Cross, Ray I., 71593A.
Crum, John M., 71354A.
Cubberly, Robert L., 72073A.
Cudd, George S., 72074A.
Cummins, Jack B., 71344A.
Cuskey, Russell J., Jr., 71356A.
Dalton, John F., 72076A.
David, James R., 71713A.
Davis, Jerry F., 72627A.
Dawson, John E., 72080A.
Deangelo, Michael L., 68674A.
Demichaels, Robert E., 71358A.
Deming, John P., 72082A.
Dillon, Butler R., Jr., 72084A.
Divich, Duane G., 72631A.
Dodd, Albert S., 3d, 72085A.
Doubleday, Ruth E., 72634W.
Douglass, John D., 72635A.
Durham, Floyd A., 72087A.
Eaves, Philip E., 72641A.
Elliott, Graydon A., 72644A.
Emmermanis, Ivars, 72645A.
Erickson, Raymond S., Jr., 71715A.
Ernst, Kenneth A., 72094A.
Fairbanks, William Z., Jr., 72098A.
Featherston, Joe D., 72650A.
Fischer, Eugene H., 72101A.
Fish, James H., 71364A.
Fletcher, Stephenson, 72653A.
Flint, Sandy A., Jr., 71716A.
Flodstrom, Thomas E., 71366A.
Foster, Bayard E., 72103A.
Fox, Frances V., 71367W.
Freedman, Israel, 72104A.
French, James B., 71369A.
Frey, Edward P., 72658A.
Friese, Ronald A., 72105A.
Frulio, Francesco P., 72106A.
Frydl, Frank W., Jr., 72107A.
Fujii, Donald S., 72109A.
Fullilove, Carlton J., 72110A.
Gardiner, Kenneth B., 72112A.
Garlan, Jerome F., 69377A.
Genakos, George S., 72113A.
George, Herman L., Jr., 72114A.
Ginzel, Weldon J., 71371A.
Gjovig, Jon H., 71819A.
Goff, Elton S., 71372A.
Goff, Jesse E., 71373A.
Goos, Dale A., 72117A.
Gorman, Thomas D., 71822A.
Greenstreet, John E., 72666A.
Gregg, Harold O., 71720A.
Griffin, Edward A., Jr., 72120A.
Griffith, Dayton R., Jr., 72667A.
Grignol, Ronald M., 72121A.
Grover, Franklin D., 71602A.
Hadley, James P., Jr., 71721A.
Hall, Richard R., 72122A.
Hamblin, Joseph E., 72123A.
Hammers, Lavern E., 72125A.
Hardell, Wayne D., 71380A.
Harr, Milfred G., 68643A.
Harris, Alan, 72127A.
Harris, George H., 71605A.
Hawkinson, Robert G., 72359A.
Heil, Jimmie R., 71724A.
Hellstrom, Anders C., Jr., 71607A.
Henry, Clifford W., 72364A.
Henry, Frank D., 72132A.
Hensley, Dale L., 71387A.
Heskin, Robert O., 72133A.
Hillebrand, Lawrence J., 72678A.
Hinds, Hubert T., 72134A.
Hoar, Dean L., 72368A.
Hodson, Raymond M., Jr., 72136A.
Hollowell, Frank E., Jr., 72369A.
Holub, Roland J., 72137A.
Hood, Joseph L., 71388A.
Horsma, Richard J., 71727A.
Horton, Sidney S., Jr., 71389A.
Host, Bruce J., 72140A.
Hunt, Wells E., Jr., 71390A.
Hunter, William H., 3d, 72141A.
Jahnke, Arlon H., 71729A.
Jean, Dennis E., 72142A.
Johnson, Richmond E., 71826A.
Jones, Myles D., 72373A.
Jones, Robert H., 71393A.
Jordan, Franklin L., 71731A.
Juvette, Kenneth J., 71394A.
Kehoe, Peter J., 72375A.
Kelleher, Gerald G., 71395A.
Kelly, John J., 71396A.
Kennedy, Luther L., 72146A.
Kerr, Lynn A., 72687A.
King, Miller S., Jr., 71610A.
Kitchell, Dale L., 71399A.
Kjer, Fred D., 72691A.
Klein, William E., 71400A.
Klug, Robb F., 71611A.
Koncak, Tony, 71614A.
Kruger, Jerry E., 71834A.
Lamm, Edward N., 72378A.
Lapham, George B., 71836A.
Laughlin, John D., 71615A.
Lee, Edward L., 71403A.
Lemaster, David E., 72379A.
Leonhard, Ronald R., 71404A.
Lewallen, Farrell D., 71616A.
Lindley, Robert H., 71617A.
Livesey, James A., 71838A.
Lombardo, Frank A., 69301A.
Long, Robert L., 71839A.
Lonneman, Richard W., 71620A.
Louwien, Rudolph W., Jr., 71405A.
Loven, James V., 71840A.
Lucas, Jon I., 71841A.
Lyng, Reginald W., Jr., 72150A.
Lyons, Laurence E., 71844A.
MacLaren, Allan J., 71621A.
MacLeod, Richard P., 71406A.
MacPherson, George R., 71407A.
Maika, Kenneth L., 72151A.
Marples, Jerry W., 72381A.
Massey, Larry D., 71412A.
Matthews, Horace M., 72152A.
Matthews, James D., 71624A.
Maybury, Robert V., 71734A.
McClintock, William H., 71415A.
McCune, James D., 71625A.
McGrorty, Lawrence W., 71848A.
McIlwain, Peter H., 72704A.
McIntosh, James, 71736A.
McKee, Donald L., 71737A.
McKinney, Harold H., Jr., 72890A.
McMahon, Frank B., Jr., 71418A.
McNeill, John H., 72706A.
McNutt, Francis B., Jr., 71419A.

McWilliams, Carey F., 71420A.
Mensing, Richard D., 72384A.
Mentink, Roger D., 71422A.
Merzlak, Ronald M., 71850A.
Mezzapelle, Edward A., 71739A.
Miller, Henry S., 72711A.
Minnoch, John K., Jr., 72387A.
Moeller, Frank C., 72388A.
Monkell, Roy E., 71628A.
Moran, Dennis M, 72712A.
Moreno, Donald C., 72390A.
Morrow, Charles A., 71424A.
Moruzzi, Frank D., 71629A.
Mullen, John D., 72393A.
Mullen, Neil C., 67603A.
Musick, Allen F., 71427A.
Myers, Edward P., 71428A.
Myers, Henry W., 71740A.
Myers, James D., 71429A.
Nakanishi, Paul T., 71853A.
Nalle, Richard G., 71430A.
Narken, Jan, 72715A.
Neighbor, William A., 71854A.
Nock, Edward L., 72398A.
Noneman, Charles H., 72399A.
Novak, Allan L., 71856A.
Obeck, Gary F., 72718A.
O'Brien, Thomas G., 72719A.
O'Dell, Perry D., 72720A.
O'Grady, Richard E., 71434A.
Olivito, Anthony A., 71857A.
Olsen, Lawrence P., 71743A.
Olson, John B., 71435A.
O'Malley, James F., 72403A.
Opgenorth, Carl R., 72721A.
Ormand, James F., Jr., 71437A.
Paine, Frank G., 71858A.
Pannier, Richard F., 72405A.
Pappas, Fredrick G., Jr., 71438A.
Parham, Clayton E., 71860A.
Passmore, David A., 71439A.
Pedersen, Clifford W., 72408A.
Peterson, Charles T., 71745A.
Peterson, Lawrence E., 71632A.
Pfister, Lewis M., Jr., 72726A.
Phillipo, Richard J., 71442A.
Picchioni, Frederick A., 71443A.
Pickering, Charles H., 72158A.
Powell, William T., Jr., 72412A.
Precious, Thomas D., 71444A.
Prendergast, Robert F., 72414A.
Presar, Don L., 72730A.
Price, Robert M., 71445A.
Ramsay, Kenneth N., 72418A.
Rawlings, Charles F., 71749A.
Rech, Adam, 71449A.
Reichert, Robert A., 71750A.
Repak, David N., 71752A.
Richards, William L., 71451A.
Riebe, Harry J., Jr., 72422A.
Roberts, Leon T., 72423A.
Romero, George A., 71453A.
Rose, Edward L., 71637A.
Ross, Donald J., 71638A.
Rowley, William A., Jr., 71456A.
Samuel, Wolfgang W., 71639A.
Sawyer, Edward L., 72738A.
Schacker, Edward H., 72427A.
Schmidt, Peter F., 72428A.
Schwarzenbach, Roger J., 71464A.
Scott, Gayland O., 71466A.
Shanahan, Joseph F., 72170A.
Shattuck, Lewis A., 67855A.
Shepard, Robert W., 72430A.
Siau, Francis L., 3d, 72431A.
Sierra, Hector G., 71472A.
Simpler, Malcolm G., Jr., 71643A.
Smiley, Jerry B., 71862A.
Smirni, Allan D., 71644A.
Smith, Bobby H., 71474A.
Smith, Quentin C., 71865A.
Smith, Robert W., 71475A.
Smith, Robert W., 72435A.
Sombke, Dennis C., 72172A.
Sorokatch, Lawrence J., 71646A.
Soter, Charles, 72173A.
Spradling, James W., 71478A.
Stewart, William C., 71867A.
Still, James W., 71481A.
Stottman, Thomas L., 71482A.
Stoughton, Oliver W., 68777A.
Strauss, Robert E., 72440A.
Stutz, Willard D., 72441A.
Style, Robert L., 67598A.
Sundholm, Larry O., 72442A.
Tanner, Bill O., 72747A.
Taylor, Thomas H., 72748A.
Teague, John O., 71485A.
Tedder, Robert W., 71647A.
Terrell, Thomas H., 72444A.
Thomas, David G., 71648A.
Thompson, Edwin W., 71487A.
Tidwell, Ray W., 72449A.
Tierney, Thomas T., 72450A.
Timmerman, John C., Jr., 72749A.
Tomlinson, Jon D., 72180A.
Umstot, Denis D., 72452A.
Vance, Kenson R., Jr., 71872 A.
Voss, John D., 71873A.
Vultaggio, Phillip A., 72754A.
Walters, Fletcher L., Jr., 70692A.
Walters, Gary T., Jr., 71494A.
Warfel, Clarence A., 72454A.
Watson, Robert S., 71651A.
Wehman, Clarence A., 72186A.
Weisbeck, John F., 72187A.
Weldon, Roger B., 71497A.
West, James D., 71498A.
West, Neil W., 72758A.
Wheeler, Charles F., Jr., 71499A.
Wheeler, Kenneth R., 71500A.
Wheeler, Maurice J., Jr., 71876A.
Whitman, Walter T., 3d, 71877A.
Williams, Robert S., 72950A.
Wilson, David D., 72457A.
Wilson, Henry J., Jr., 72193A.
Wilson, William E., 72951A.
Winstead, Billy W., 72952A.
Winters, William N., 71507A.
Wolfe, Robert G., 72459A.
Womack, Harold L., 71509A.
Wood, Charles N., 72460A.
Woolbright, William H., 72760A.
Woollen, Virgil N., 72464A.
Woolley, David W., 72465A.
Woolsey, Charles T., 72195A.
Wurmstein, John E., 72466A.
Wurstner, Roland D., 72467A.
Yarborough, Philip P., 72470A.
Young, Franklin K., 71512A.
Young, James M., 71513A.
Young, Norman J., 71879A.
Young, Robert A., 72473A.
Zbylut, Robert S., 72761A.
Zeigler, Curtis O., 71881A.
Zupke, Everett W., 72474A.

Medical Service Corps

Archibald, Charles J., 70929A.
Edwards, James D., 70930A.
Micka, Richard G., 70932A.
Perlstein, Robert J., 70933A.
Schumaker, Clarence J., Jr., 70931A.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 30, 1963:

POSTMASTERS

ALABAMA

Thomas O. Holston, Jr., Akron.
James R. Baird, Dora.
Alton L. Hamrick, Empire.
Herbert Allen, Newton.

ARKANSAS

James L. Kirby, Gravette.
J. B. Barnes, Hartford.

CALIFORNIA

Clara S. Fredinburg, Applegate.
William G. Clark, El Cajon.
Norma J. Giger, Fawnskin.
L. Pearl Ramsay, Heber.
L. Dorothy Mayfield, Stinson Beach.

CONNECTICUT

Anna M. Maye, Botsford.
Stanley K. Wasowicz, Middlefield.

FLORIDA

Irma M. Keever, Ellenton.
Florence M. Johnson, Englewood.
Elmer Robinson, Lehigh Acres.
Cecile P. Heard, Sanford.

GEORGIA

James H. Mitchell, Hiram.

HAWAII

Donald Kimura, Waiakoa.

IDAHO

John G. Rost, Boise.
Lloyd R. Merrill, Moreland.

ILLINOIS

Charles H. Parker, Ashmore.
Eugene L. Herwig, Ashton.
John A. Waters, Baylis.
Gladys J. Lash, Big Rock.
William H. Kilver, Bluffs.
Floyd J. Wesemann, Buckingham.
Joseph E. Powell, Chenoa.
Edward J. Sichta, Clarendon Hills.
Arnold R. Pedersen, Cuba.
Milan S. Gjundjek, Downers Grove.
Sally A. Sondgeroth, Eola.
Carl R. Brown, Findlay.
LeRoy M. Grande, Forreston.
Anne G. Barker, Frankfort Heights.
Edwin G. Mengeling, Hampshire.
Norbert L. Gotway, Kampsville.
Archie V. Gauwitz, Lacon.
Maurice E. Potter, Lafox.
Norman L. Smith, Manito.
Frank E. Woodruff, Marengo.
Harold C. Woodard, Milledgeville.
A. Janet Masterson, Monroe Center.
Oliver B. Westendorf, Montrose.
Harry W. Van Hook, Mount Pulaski.
Delmar R. Haun, Nashville.
Edward M. Rohr, Newton.
Robert C. Johnson, Richton Park.
John J. Barry, Sheffield.
Elmer W. Heuerman, Teutopolis.
Charles W. Gruber, Towanda.
George S. Mentel, Valmeyer.
Richard E. Gilchrist, Waterman.
Lelan D. Graham, West York.
Willis D. Spafford, Yates City.

IOWA

John W. Elliott, Ainsworth.
Wallace P. Hawcott, Burt.
Alice L. Brayton, Denmark.
Jeanette E. Rohwer, Dixon.
Leo L. Seyb, Donnellson.
Charles J. Murphy, Dubuque.
William P. Marshall, Farmington.
Emmett J. Hodapp, Granville.
Marvin J. Hayostek, Lake Park.
Mabel J. Alverson, Popejoy.
Daniel K. Murphy, Sioux City.

KANSAS

William W. Knouse, Horton.

LOUISIANA

Bobby R. Thomas, Campti.

MASSACHUSETTS

John F. Condon, Beverly.

MICHIGAN

Hilbert G. Geyer, Frankenmuth.
Janet L. Ruddy, New Lothrop.
Edgar A. Richards, Vanderbilt.

MINNESOTA

Lowell E. Anderson, Clara City.
Bernard J. Newman, Eveleth.
Robert L. Thompson, Garrison.
Ronald L. Christensen, Geneva.
Louis L. Indihar, Gilbert.
Alfred E. Feierabend, Grey Eagle.
Donald L. Randleman, Renville.
Julian V. Melander, Willmar.

MISSISSIPPI

Milton S. Draper, Ackerman.
Floyd R. Smith, Amory.
E. Blaine Claypool, Clinton.
Clarence B. Minyard, Lexington.
Hoskins L. Deterly, Natchez.

MISSOURI

Zula M. Stover, Cross Timbers.
Charles C. Kinley, New Franklin.

James G. Magee, New Hampton.
Elden C. Ommert, Raymondville.
James E. Kurtright, Salem.

NEBRASKA

Charles D. Young, Filley.
Marie M. Smith, Gandy.
Frank C. Evans, Shubert.
William H. Hancock, Yutan.

NEW HAMPSHIRE

Stanley C. Bogardus, Canaan.
Norwood A. Ball, Franconia.

NEW JERSEY

Vincent R. Loftus, New Brunswick.
Beatrice B. Bowden, Pomona.
William J. Schultz, Roebling.
Oscar N. Benson, Rumson.

NEW YORK

James F. Hill, Centerport.
Elmer H. McCann, Chateaugay.
Thomas W. Schermerhorn, Esperance.
Merle E. Parsons, Red Creek.
Helen M. Cascanette, St. Regis Falls.
William B. Mackey, Schenectady.
Kessler B. Baldwin, South Otselic.

NORTH CAROLINA

Tommie F. Bostic, Sr., Beulaville.
William L. Hall, Leicester.
Edward L. Womble, Rich Square.
Frances T. Slater, Toast.

NORTH DAKOTA

Galerd F. Paul, Grand Forks.
Clarence H. Potter, Ray.

OHIO

Otto Zancanella, Adena.
John D. Hilger, Alvordton.
Victor J. Bodish, Columbus.
Elton E. Wallis, Convoy.
John B. Arlington, Mount Blanchard.
Philip J. Ragazzo, Niles.

OKLAHOMA

Mildred F. Almack, Deer Creek.
Jean E. Haynes, Langston.
Marvin L. Johnson, Roosevelt.
Ebert O. Simpson, Thomas.

OREGON

Neil T. Smith, Jr., Burns.
Albert G. Riney, Condon.
Norma L. Benson, Days Creek.
Conard G. Miles, Richland.

PENNSYLVANIA

Joseph F. Morris, Ardmore.
Margaret E. Richey, Carmichaels.
James L. Yingling, Gibsonia.
Walter B. Helhowski, Hilltown.
Robert G. O'Neil, Pleasant Mount.
Roger G. Eshelman, Terre Hill.

SOUTH DAKOTA

Gerald L. Cloos, Big Stone City.
Louis N. Jarding, Humboldt.
Wesley E. Cloutier, Redfield.

TENNESSEE

Juanita J. Waller, Baxter.
James L. Lee, Collinwood.
Christine B. Harris, Finger.
Frederick C. James, Jr., Gadsden.
Benton P. Scoggins, Harrison.
Mary A. Warf, Hohenwald.
Woodrow W. Parker, Jasper.
Billy V. Taylor, Mercer.
Alva L. Hassler, Monteagle.
Lemuel H. Gill, Monterey.
James M. Taylor, Santa Fe.
Clay N. Blevins, Shady Valley.
Toy J. Fuson, Smithville.
Jack R. Walker, Walland.

TEXAS

James I. Mills, Canton.
Wilburn Piefer, Devers.
Marion E. Summers, Dripping Springs.
Sadie B. Davis, Elgin.
Juanita F. Perrin, Frankel City.
Eddie G. Rinehart, Franklin.
Maxine H. Fuson, Hankamer.
Elva L. Davis, Hedley.
Charles A. Fleming, Jr., Kress.
Arthur W. Faubion, Leander.
Ollie T. Bullock, Milano.
Hiram C. Hughes, Munday.
T. C. Wilhite, Pecan Gap.

UTAH

Earl T. James, Clearfield.
Kay F. Probst, Midway.
Ray M. Wettstein, Woods Cross.

VERMONT

William L. McGraw, St. Johnsbury.
Edward E. Freeman, Saxtons River.
George A. Rooney, Springfield.
Matthew J. Kenny, West Rutland.

VIRGINIA

Bernard M. Anderson, Jr., Dublin.
S. Carson Broyles, Waynesboro.

WASHINGTON

Pearly R. Lusk, Richmond Beach.

WEST VIRGINIA

Robert H. Edwards, Chester.

WISCONSIN

Robert A. Krenke, Dale.
Viola K. Stauffer, Monticello.
Francis J. Cosgrove, Richland Center.
Malen L. Teclaw, Thorp.

EXTENSIONS OF REMARKS

Eleven Pioneer Friends of TVA Who Voted for the Original Act Continue To Serve as Statesmen in Congress

EXTENSION OF REMARKS
OF

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 30, 1963

Mr. EVINS. Mr. Speaker, the TVA was passed in 1933 by the 73d Congress.

This year we are celebrating the 30th anniversary of that significant action of the Congress. This act, every fairminded citizen today recognizes, was one of the most important actions ever taken by the Congress to assist in an area of our country to help itself for growth and economic progress. The seven States area has made great strides and progress in many ways in recent years since the original TVA Act was passed.

Today TVA stands as a fruitful example of how democracy works and how a democratic society through utilization of its resources in a cooperative effort can uplift an entire region and its people. Today TVA is not only returning rich dividends to the people of the valley area and to the United States as a whole, but it is one of our Nation's most impressive showcases to the world. It stands, on its 30th birthday, not only as a symbol of democracy in action throughout the United States but as a monument of progress to other nations of the world.

Mr. Speaker, I have asked the Library of Congress to provide me with the names of the Members of Congress who are serving in Congress who originally voted for the TVA Act. These men—11 in number—who are continuing to serve in the Congress were among the real pioneers and statesmen who made this great development possible.

Mr. Speaker, it seems only fitting and appropriate that the names of these original supporters of the Tennessee Valley Authority Act who are still serving in Congress be acknowledged and their names spread upon the record.

Those still in the Congress who supported and voted for the original TVA Act in 1933 include our distinguished Speaker, the Honorable JOHN W. McCORMACK, of Massachusetts; the Honorable CLARENCE CANNON, of Missouri, chairman of the Committee on Appropriations; the Honorable WILLIAM COLMER, of Mississippi, ranking member of the Committee on Rules; the Honorable WRIGHT PATMAN, of Texas, chairman of the Committee on Banking and Currency; the Honorable HOWARD W. SMITH, of Virginia, chairman of the Committee on Rules; and the Honorable CARL VINSON, of Georgia, chairman of the Armed Services Committee.

The Members of the other body who were in the Congress and voted for the bill in 1933 are Senator HARRY F. BYRD and Senator A. WILLIS ROBERTSON, of Virginia; Senator CARL HAYDEN, of Arizona; Senator LISTER HILL, of Alabama; and Senator RICHARD RUSSELL, of Georgia.

These men—pioneer friends and supporters of TVA—are all great American statesmen.

Minority Group Distribution at the Mare Island Naval Shipyard

EXTENSION OF REMARKS
OF

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 30, 1963

Mr. LEGGETT. Mr. Speaker, with the clamor of minority races for fairness echoing loud in the ears of Capitol Hill, many times, outstanding existing performance goes unrecognized. It is my pleasure to call the following matter to the attention of the Nation:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 27, 1963.

Rear Adm. EDWARD J. FAHY,
Shipyard Commander,
Mare Island Naval Shipyard,
Vallejo, Calif.

DEAR ADMIRAL FAHY: As a result of our recent discussion in Washington I have reviewed your statistical head-count of minority group distribution at the Mare Island Naval Shipyard. On broad review, it would appear that the shipyard should certainly be congratulated on assuming its obvious nondiscriminatory employment attitude, not only as is exemplified by the statistics which you provided, but also by a long history of fair employment practices at the yard of which I am cognizant.

Your 1963 statistics indicate that there is a total of 8.6 percent Negro, 3.7 percent oriental, and 1.8 percent other minority groups for a total of 14.2 percent, representing a total of 1,471 workers out of a shipyard personnel level of 10,329 as of 31 July 1963.

According to the 1960 census, there is listed a total of 13,436 minority persons in Solano County out of a total census count of 126,566—a minority percentage of 10.6 percent. This statistical consideration is extremely favorable and is evidence of perhaps an overly fair employment policy. This fairness policy is further exemplified by the fact that, despite a shipyard loss of better than 700 personnel from 1962 to 1963, the minority group workers were depleted by only 61 persons and their overall percentage of yard employment was expanded from 12.8 percent to the 14.2-percent figure.

A further review of the balance of the statistics presented shows that the percentage of minority white-collar workers is steadily expanding and bears a reasonable relationship to the total number of minorities. Additionally, the overall number of journeymen and those above the class of journeymen has expanded over the past year, in spite of the fact that the overall personnel level of the shipyard has declined.

I am particularly impressed with the statistic indicating that in the classification "above journeymen and less than supervisor" there is a total of 228 minority persons out of 1,679 in this classification for a total of 13.6 percent.

I am sure our democracy in the West has been enhanced by such employment practices. Certainly our shipyard is nonetheless competitive because of such employment practices and stands as a model of Americans of all races and faiths working competitively for the good of the Nation.

Sincerest congratulations.

Very truly yours,

ROBERT L. LEGGETT,
Member of Congress.

Mare Island Naval Shipyard, Vallejo, Calif., minority group distribution, July 31, 1963

	1962		1963	
	Number	*Percent*	*Number*	*Percent*
A. Total	11,035	-------	10,329	-------
Negro	865	7.74	894	8.65
Oriental	393	3.55	387	3.75
Other	152	1.38	190	1.84
Total minority	1,410	12.8	1,471	14.2
B. White collar	1,988	-------	1,890	-------
Negro	36	1.8	43	2.3
Oriental	47	2.4	48	2.5
Other	7	.3	11	.58
C. Blue collar	9,047	-------	8,439	-------
Negro	829	9.15	851	10.1
Oriental	350	3.9	339	4.01
Other	147	1.6	179	2.12
1. Less than journeyman	3,005	-------	2,632	-------
Negro	521	17.3	533	20.3
Oriental	204	6.8	200	7.6
Other	47	1.6	59	2.24
2. Journeyman	3,507	-------	3,295	-------
Negro	184	5.25	183	5.56
Oriental	89	2.5	92	2.8
Other	61	1.7	64	1.94
3. Above journeyman, less than supervisor	1,760	-------	1,679	-------
Negro	120	6.8	130	7.7
Oriental	45	2.6	43	2.6
Other	98	5.6	55	3.3
4. First line supervisor	538	-------	581	-------
Negro	4	.75	5	.9
Oriental	2	.4	3	.5
Other	0	-------	1	.2

German-American Day

EXTENSION OF REMARKS

OF

HON. JOHN F. SHELLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 30, 1963

Mr. SHELLEY. Mr. Speaker, the first permanent German settlement in America was made at Germantown, Pa., with the arrival of 13 families there on October 6, 1683. Two hundred years later, in 1883, the anniversary of the arrival of these colonists was celebrated as German Pioneer Day by large numbers of citizens of German descent. This is believed to be the first formal notice taken of the importance of the German migration to this country. German-American Day is a continuation of this traditional celebration, and it reminds us not only of the early settlement of this Nation but also of one of the great original sources out of which the Nation itself—its growth and its prosperity—developed.

The migration of Germans to Pennsylvania came about through the influence of William Penn, who encouraged some of the leading Protestants in Frankfort to form the Frankfort Co. to arrange the migration of Germans to America. The first impulse to migration, however, came from Crefeld, a town on the Rhine near the Netherlands border. Penn had visited the Quakers and Mennonites there during this visit to the continent in 1677. In 1682 Penn deeded to three citizens of Crefeld 5,000 acres each in Pennsylvania. Francis Daniel Pastorious heard of the Frankfort Co. and went to London as its agent. In the spring of 1683 he bought a tract of 25,000 acres. He then put himself at the head of a colonization movement and sailed for America on June 10, 1683, reaching Philadelphia on August 20. Thirteen families followed him from Crefeld, sailing from London in the ship *Concord* on July 24, 1683, arrived in Philadelphia on October 6, and took up the land in Germantown which had been bought by Pastorious, thereby founding the first permanent German settlement in North America.

This beginning of their history in America is celebrated with speech and song every year on the first weekend in October by San Franciscans of German descent. The *Concord* is the German *Mayflower* and the descendants of its passengers are the first families of the German Americans. A third of the names of the pioneer settlers in California are German. The German newspaper, first published in 1853, is the oldest German language paper in the West. The first church, St. Mark's Lutheran, was founded in 1856. The number of immigrants has steadily grown until now there are about 65,000 in the city who are of German descent, and more whose origins are found in other German speaking parts of Europe.

One of the many fields in which the German Americans enrich the life of the city is music. There are hundreds of German musicians in the city—members of the symphony orchestra, music teachers, and makers and repairers of musical instruments. The German churches have the best choirs in the city and there are over two dozen German singing societies.

It gives me great pleasure to join these German Americans of San Francisco and of other parts of America in celebrating German-American Day, a meaningful occasion which symbolizes the richly varied character of this great land and its people.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 30, 1963

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of September 28, 1963:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

TAX BILL PASSED AND REAL ISSUE NEVER DEBATED

In 2 days of consideration by the House the provisions of the President's tax bill and the real issue of planned deficits were never debated. Yet, the bill passed 271 to 155. The key vote was on the Republican motion to recommit to add an amendment which would trigger the tax cut if Federal spending in fiscal 1964 were held to $97 billion and in fiscal 1965 to $98 billion. This move was defeated 226 to 199—1 Republican voting against—26 of 251 Democrats voted for the motion. To summarize:

1. The tax bill was brought to the floor under a closed rule which prevented any amendment except the motion to recommit.
2. The 305-page bill and the 250-page report containing rate and structural changes in tax law was not read, explained, or debated and undoubtedly understood by only a few.
3. The whole assumption of the President's tax proposal is based on planned deficits and it passed, but no one championed that point of view.

The greatest danger is No. 3, the merit of a tax cut within a balanced budget concept as against the planned deficit concept and an increased public debt. Strangely, not a single liberal champions deficits and debt, but subscribes to it. The proponents of the bill almost entirely overlooked the reality of present debts and deficit financing. On the other hand, the chairman of the Ways and Means Committee firmly disassociated himself from the President who would follow both tax cut and increased spending paths at once. Our chairman chose the tax cut route and indicated that he would refuse to go the spending route. But he is alone as far as the President is concerned. Let's see what the Kennedy administration believes:

1. In January the President said there must be no matching cuts in spending when taxes are cut.

2. Walter Heller, Chairman of the President's Economic Advisers, says repeatedly there must be no cutback in spending. Indeed, spending must be increased and new programs started.

3. George Meany, president of the AFL–CIO, who dictates a certain amount of Demo-

cratic policy, says that cutbacks in spending would nullify the advantages of a tax cut.

4. Only recently the Commerce Department took the same position.

There you have it. The leaders of the Kennedy administration believe in deficits—in planned deficits, not a balanced budget. Yet, no proponent admitted this.

THE KENNEDY APPROACH

The Kennedy spending program is not only incompatible with tax cuts but proves that we have not earned a tax cut. This tax cut without spending cuts means deficits for years to come. President Kennedy, following the Walter Heller philosophy, has abandoned the balanced budget concept over a yearly balanced budget or business cycle. The Heller philosophy is based on the disproved theory that prosperity can be built on big Federal spending and a constantly increasing public debt.

The record proves that the Kennedy administration will not hold the line on spending. The report on the tax bill shows an increase in the annual spending level of $23 billion in 5 years from $78.9 billion in fiscal year 1961 to the estimated $102 billion of 1965. At the same time the public debt level has gone up $35 billion. There is every evidence our present $305 billion debt will be boosted to $320 billion in the next go-around demanded by the President.

REPUBLICANS DEMAND RESPONSIBILITY

The Republicans, and I agree fully, have historically championed fiscal responsibility—lower taxes within a balanced budget. Republican tax cuts have resulted from balanced budgets, surpluses and debt retirement in 1947 and 1954. Historically, Republicans have cut taxes 9 times—boosted them once—Democrats have cut them 1 time and boosted them 14 times.

SUMMARY

1. The tax bill will lead to bigger deficits, deficits which have never produced growth or employment in the past.

2. The President will not cut spending. Many new programs and new increases await congressional action at his demand—foreign aid, ARA, Domestic Peace Corps, YCC, mass transit, public works, aid to education, to name a few.

3. He has added 137,000 more Government employees plus 36,000 requested in fiscal year 1964 for a total of 173,000 additional.

Will Republicans, and some Democrats, now rebel at increases and reduce appropriations in the remaining eight appropriation bills and refuse the next requested debt ceiling increase? Perhaps, we conservatives have lost a battle, but may yet win the war.

Federal Aid Projects

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, September 30, 1963

Mr. DINGELL. Mr. Speaker, I note that on August 16 Life magazine published a rather unfactual attack on Federal aid projects, distastefully titled, and labeling all Federal and Federal-State cooperative programs as "pork."

I took the trouble of making inquiry into Life's activity in the field of "pork barrel" and my inquiry led to writing the following letter to the editors after their second request for my views.

I hope this letter helps to set the record straight:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., September 12, 1963.

Mr. MORTON B. WHITE,
Assistant to the Publisher, Life Magazine, New York, N.Y.

DEAR MR. WHITE: I had chosen to ignore the Life editorial on pork barrel as being well intentioned but ill conceived, but your last communication brought the matter so forcefully to my attention that I felt obliged to give the comment which you requested.

I hope you will publish this comment in your "Letters to the Editor."

I called the Post Office Department to ask the deficit on copies of Life magazine sent through the mail. They advised me that costs exceed revenues on the average magazine by 4.6 cents.

The Post Office estimated that Time sends 130 million pieces, Fortune 4.4 million pieces, Sports Illustrated 48.4 million pieces, and Life sends 315 million pieces through the mail per year, making a total of 497.8 million pieces of mail for 1962, subsidized by the taxpayer to the tune of 4.6 cents each.

My computations led me to conclude that, using the Post Office's figures, Life received a postal subsidy of approximately $14.49 million in 1962. Since 1956, when statistics concerning mail subsidies were inserted into the RECORD by one of my colleagues, Life has averaged a postal subsidy of somewhere between this $14.49 million figure and $9,494,000, which was the subsidy in that year. On this basis we can compute an approximate postal subsidy to Life magazine alone of approximately $100 million over the past 10 years.

When we turn to Time, Life, and Fortune, which sent 497.8 million copies through the mail during 1962, the postal subsidy at the average rate indicated by the Post Office Department can be computed at $22.89 million, for 1962.

You will note I have not included the book rate at which Time and Life, now major book publishers, are mailing books through the offices of the Post Office at a subsidized rate with a public service allowance. This, I am sure, comes to another substantial figure.

It would appear, on the basis of these figures, that Time and Life have not done bad at the pork barrel either.

Sincerely,

JOHN D. DINGELL,
Member of Congress.

No. 10—Florida: The Gamblers' Paradise

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 30, 1963

Mr. FINO. Mr. Speaker, today, I would like to tell the Members of this House, more particularly the congressional delegation from the State of Florida about the importance of gambling in that State. In Florida, as in many other States, gambling is a billion dollar business, oiling the wheels of organized crime syndicates.

Last year, $158 million was gambled legally at Florida racetracks. This made the Sunshine State the sixth ranking in parimutuel betting which helped the State treasury to the tune of over $13½ million in 1962.

However, Mr. Speaker, this accounts for only a small part of the money wagered in Florida last year. It is illegal betting which lines the pockets of the criminals and it is illegal betting that makes up the great bulk of the gambling that takes place in that State.

Miami is a national nerve center of the gambling syndicates. According to the McClellan committee, Florida's share of estimates of off-track betting came to almost $1.4 billion in 1962.

But, off-track betting is not the only form of illegal gambling. The consensus of testimony before the McClellan committee was that off-track betting accounts for less than half of the total illegal wagering in the United States. In the light of these figures, gambling in Florida may well have seen a $2½ billion turnover last year.

The gross profits of the gamblers could very well have been in the neighborhood of one-fourth billion dollars. Certain expenses must be met, because illegal gambling supports public corruption as well as organized crime and its various other illicit endeavors. This has given organized crime quite a bankroll in Florida. Because of its social ignorance Florida is bankrolling the mob.

If gambling were both legal and controlled, Mr. Speaker, there would be no great opportunities for corruption and the crime syndicate's treasury would be badly depleted.

The best form of controlled and legalized gambling is a national lottery. Throughout the world, it has shown itself effective in cutting the financial prop of gambling out from under the crime rings, while at the same time causing new revenues to flow into the Public Treasury.

Hungarian National Day of Mourning

EXTENSION OF REMARKS

OF

HON. JOHN F. SHELLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 30, 1963

Mr. SHELLEY. Mr. Speaker, the heroism of the Hungarian people is written large in the annals of history. The Rakoczi rebellion of 1703–07, the War of Independence in 1848–49, and the uprising of the freedom fighters in 1956 are but the most illustrious of the Magyars' valiant struggles to overthrow oppressive foreign rule.

The revolution of 1848–49 occupies a place of honor in the Hungarian national heritage with such stirring figures as Kossuth and Gorgei. The Hapsburg Empire was splintered by revolutionary uprisings in Hungary, Croatia, Italy, and elsewhere. One by one the Austrians suppressed these revolts until Hungary was the last stronghold of resistance. In

April 1849 the Hungarian Diet proclaimed the Hungarian Republic, and Kossuth was elected "responsible governor-president" by the Diet. In June Emperor Francis Joseph accepted the offer of Tsar Nicholas of Russia to aid in the suppression of the Hungarian revolt. The Russians attacked from the north while the Austrian Army invaded from the west. This two-front was proved too much for the Hungarians, and they were decisively defeated at the battle of Temesvar. The Russian intervention prevented the Magyars from achieving independence for another three generations.

The repression which followed this Hungarian defeat was one of the most brutal in history. Despite promises of clemency, the Austrian general, Haynau, known as the butcher, visited sanguine vengeance on the Hungarians at the "bloody assizes of Arad." There on October 6, 1849, nine generals were hanged and four shot. The same day Louis Batthyany, who had taken no part in the war, was shot at Budapest. Over a hundred patriots were executed in a butchery which roused indignation all over Europe.

The anniversary of this grim day is a national day of mourning for Hungarians, and today, 114 years later, the recollection of these bloody events is no less painful. I join all Hungarians and Hungarian-Americans, particularly the many San Franciscans of Hungarian descent who greatly enrich the life of that city, in observing this sorrowful anniversary.